UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
REORGANIZATION PLANS, AND PROPOSED
AMENDMENT TO THE CONSTITUTION

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IN SIX PARTS

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PROPOSED AMENDMENT TO THE CONSTITUTION

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CONTENTS

	Page
List of Public Laws	v
List of Reorganization Plans	xxvii
Public Laws	3
Reorganization Plans	951
Proposed Amendment to the Constitution	959
Index	I

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

THE EIGHTIETH CONGRESS OF THE UNITED STATES

FIRST SESSION, 1947

Public Law		Date	Page
1	*Officers and employees, Senate and House of Representatives.* JOINT RESOLUTION Relating to officers and employees of the Senate and House of Representatives	Jan. 31, 1947	3
2	*Internal Revenue Code, amendment.* JOINT RESOLUTION Extending for fifteen months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol	Feb. 1, 1947	4
3	*Certain Senate employees, salaries.* JOINT RESOLUTION Relating to the salaries of certain Senate employees	Feb. 19, 1947	4
4	*Standing committees of the Senate, clerical staffs.* JOINT RESOLUTION Providing for a more effective staff organization for standing committees of the Senate	Feb. 19, 1947	5
5	*National Service Life Insurance Act, 1940, amendments.* AN ACT To amend the National Service Life Insurance Act of 1940, as amended	Feb. 21, 1947	5
6	*U. S. Maritime Commission, carrier service.* JOINT RESOLUTION To continue the authority of the Maritime Commission to operate vessels until July 1, 1947	Feb. 26, 1947	6
7	*Internal Revenue Code, amendments.* JOINT RESOLUTION Granting, in the case of income, estate, and gift taxes, deductions for contributions to the United Nations	Feb. 26, 1947	6
8	*Foot-and-mouth disease and rinderpest.* AN ACT To authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest	Feb. 28, 1947	7
9	*Philadelphia National Shrines Park Commission, report.* JOINT RESOLUTION To amend the Act of August 9, 1946 (Public Law 711, Seventy-ninth Congress), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress	Mar. 7, 1947	8
10	*San Carlos irrigation project, Ariz.* JOINT RESOLUTION To authorize the San Carlos Irrigation and Drainage District, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project	Mar. 7, 1947	8
11	*Los Angeles, Calif., conveyance.* AN ACT To authorize the Secretary of the Navy to convey to the city of Los Angeles, California, an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city	Mar. 7, 1947	9
12	*U. S. Maritime Commission, water transportation service for Alaska.* JOINT RESOLUTION To authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes	Mar. 7, 1947	10
13	*Central of Georgia Railway Company, conveyance.* AN ACT To authorize the Secretary of the Navy to convey to the Central of Georgia Railway Company an easement for railway purposes in certain Government-owned lands situated in Bibb County, Georgia	Mar. 7, 1947	10
14	*Switzerland, claims.* AN ACT To authorize the payment of $425.88 by the United States to the Government of Switzerland	Mar. 10, 1947	11
15	*Federal Firearms Act, amendment.* AN ACT To amend the Federal Firearms Act	Mar. 10, 1947	11

Public Law		Date	Page
16	*Federal Food, Drug, and Cosmetic Act, amendments.* AN ACT To amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes	Mar. 10, 1947	11
17	*Excise Tax Act of 1947.* AN ACT To continue in effect certain war excise tax rates, and for other purposes	Mar. 11, 1947	12
18	*American Telephone and Telegraph Company, conveyances.* AN ACT To authorize the Secretary of the Navy to convey to American Telephone and Telegraph Company an easement for communication purposes in certain lands situated in Virginia and Maryland	Mar. 21, 1947	13
19	*Virginia Electric and Power Company, conveyance.* AN ACT To authorize the Secretary of the Navy to grant and convey to the Virginia Electric and Power Company a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Virginia, and for other purposes	Mar. 21, 1947	14
20	*Urgent Deficiency Appropriation Act, 1947.* AN ACT Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes	Mar. 22, 1947	14
21	*Military personnel, travel allowance accounts.* AN ACT To provide for payment and settlement of mileage and other travel allowance accounts of military personnel	Mar. 26, 1947	23
22	*Foot-and-mouth disease and rinderpest, appropriation.* JOINT RESOLUTION Making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest	Mar. 27, 1947	24
23	*Settlement of Mexican Claims Act, 1942, amendment.* JOINT RESOLUTION Amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing	Mar. 28, 1947	24
24	*Rubber.* JOINT RESOLUTION To strengthen the common defense by maintaining an adequate domestic rubber-producing industry	Mar. 29, 1947	24
25	*Deficiency appropriations, 1947.* JOINT RESOLUTION Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes	Mar. 29, 1947	26
26	*Office of Selective Service Records, establishment.* AN ACT To establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes	Mar. 31, 1947	31
27	*Coast Guard, waiver of compliance with certain laws.* JOINT RESOLUTION Authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard	Mar. 31, 1947	33
28	*Navigation and vessel inspection laws, suspension.* AN ACT To provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended	Mar. 31, 1947	33
29	*First Decontrol Act of 1947.* AN ACT To extend certain powers of the President under title III of the Second War Powers Act	Mar. 31, 1947	34
30	*Sugar Control Extension Act of 1947.* JOINT RESOLUTION To extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes	Mar. 31, 1947	35
31	*Boy Scouts of America, loan of War Department equipment for use at World Jamboree.* AN ACT To authorize the Secretary of War to lend War Department equipment and provide services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in France, 1947; and to authorize the Commissioner of Internal Revenue to provide exemption from transportation tax; and further to authorize the Secretary of State to issue passports to bona fide Scouts and Scouters without fee for the application or the issuance of said passports	Apr. 14, 1947	37

Public Law		Date	Page
32	*San Diego, Calif., grant of right-of-way.* AN ACT To authorize the Secretary of the Navy to grant to the city of San Diego a right-of-way over land owned by the United States within the limits of Camp Gillespie, San Diego County, California	Apr. 15, 1947	39
33	*Daughters of the American Revolution, furnishing of steam to certain property.* AN ACT To authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes	Apr. 15, 1947	39
34	*World War Veterans' Act, 1924, amendment.* AN ACT To amend existing law to provide privilege of renewing expiring five-year level-premium-term policies for another five-year period	Apr. 15, 1947	39
35	*Postal service, promotion of substitute employees.* AN ACT To provide for the promotion of substitute employees in the postal service, and for other purposes	Apr. 15, 1947	40
36	*Army-Navy Nurses Act of 1947.* AN ACT To establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army	Apr. 16, 1947	41
37	*Larceny in interstate or foreign commerce.* AN ACT To amend section 3 of the Act of July 24, 1946 (Public Law 534, Seventy-ninth Congress)	Apr. 16, 1947	52
38	*Theodore Roosevelt National Memorial Park, N. Dak.* AN ACT To establish the Theodore Roosevelt National Memorial Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, North Dakota; and for other purposes	Apr. 25, 1947	52
39	*Coast Guard, sale of property.* AN ACT To extend the time within which the municipality of Fort Lauderdale, Broward County, Florida, may consummate the purchase of the Coast Guard site (commonly known as the Base Six property) which is located at Fort Lauderdale	Apr. 28, 1947	54
40	*Farm labor supply program, continuance and liquidation.* AN ACT To provide for a six months' extension and final liquidation of the farm labor supply program, and for other purposes	Apr. 28, 1947	55
41	*Federal Reserve Act, amendment.* AN ACT To amend the Federal Reserve Act, and for other purposes	Apr. 28, 1947	56
42	*Copper.* AN ACT To suspend certain import taxes on copper	Apr. 29, 1947	56
43	*Hoover Dam.* JOINT RESOLUTION To restore the name of Hoover Dam	Apr. 30, 1947	56
44	*Rural letter carriers, absence on Saturdays.* AN ACT To provide for annual and sick leave for rural letter carriers	Apr. 30, 1947	57
45	*Daylight saving time. D. C.* AN ACT Authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947	Apr. 30, 1947	57
46	*First Deficiency Appropriation Act, 1947.* AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes	May 1, 1947	58
47	*American National Red Cross.* AN ACT To amend the Act of January 5, 1905, to incorporate the American National Red Cross	May 8, 1947	80
48	*World telecommunications conferences, 1947, free communication privileges.* JOINT RESOLUTION To permit United States common communications carriers to accord free communication privileges to official participants in the world telecommunications conferences to be held in the United States in 1947	May 13, 1947	83
49	*Portal-to-Portal Act of 1947.* AN ACT To relieve employers from certain liabilities and punishments under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act, and for other purposes	May 14, 1947	84
50	*Naval Reserve Act, 1938, amendment.* JOINT RESOLUTION To correct an error in the Act approved August 10, 1946 (Public Law 720, Seventy-ninth Congress, second session), relating to the composition of the Naval Reserve	May 15, 1947	90
51	*Victory Bible Camp Ground, Inc., purchase of land.* AN ACT To authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Incorporated	May 15, 1947	90
52	*Big Bend National Park, Tex., appointment of commissioner.* AN ACT Providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes	May 15, 1947	91

Public Law		Date	Page
53	*D. C. juvenile court, waiver of jurisdiction.* AN ACT To authorize the juvenile court of the District of Columbia in proper cases to waive jurisdiction in capital offenses and offenses punishable by life imprisonment	May 15, 1947	92
54	*Shenandoah National Park, appointment of commissioner.* AN ACT To provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park	May 15, 1947	92
55	*Pay Readjustment Act, 1942, amendment.* AN ACT To amend further the Pay Readjustment Act of 1942, as amended	May 15, 1947	92
56	*Navy, Chief of Chaplains.* AN ACT To establish a Chief of Chaplains in the United States Navy, and for other purposes	May 15, 1947	93
57	*Navy and War Departments, Under Secretaries.* AN ACT To amend the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940, to amend the Act entitled "An Act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties", approved December 16, 1940, as amended, and for other purposes	May 15, 1947	93
58	*Members of armed forces, acceptance of decorations from certain foreign governments.* AN ACT To amend the Act of July 20, 1942 (56 Stat. 662), relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations or other American Republics	May 15, 1947	93
59	*Washington National Airport, administration.* AN ACT To amend the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940	May 15, 1947	94
60	*Removal of stone piers from West Executive Avenue.* AN ACT Authorizing and directing the removal of stone piers in West Executive Avenue between the grounds of the White House and the Department of State Building	May 15, 1947	95
61	*Regular Army, appointment of additional officers.* AN ACT To amend the Act approved December 28, 1945 (59 Stat. 663), entitled "An Act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes", as amended by the Act of August 8, 1946 (Public Law 670, Seventy-ninth Congress)	May 15, 1947	95
62	*Navy, Corps of Civil Engineers.* AN ACT To amend the Act of August 29, 1916 (39 Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy	May 16, 1947	96
63	*Submarines.* AN ACT To authorize the construction of experimental submarines, and for other purposes	May 16, 1947	96
64	*Missing Persons Act, amendment.* AN ACT To include civilian officers and employees of the United States Naval Government of Guam among those persons who are entitled to the benefits of Public Law 490 of the Seventy-seventh Congress, approved March 7, 1942 (56 Stat. 143), as amended, and for other purposes	May 16, 1947	96
65	*Collectors of customs.* AN ACT To relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes	May 16, 1947	97
66	*Nationality Act, 1940, amendment.* AN ACT To amend section 327 (h) of the Nationality Act of 1940	May 16, 1947	97
67	*Prison inmates, deductions from sentences, etc.* AN ACT To authorize additional allowances of good time and the payment of compensation to prison inmates performing exceptionally meritorious or outstanding services	May 16, 1947	97
68	*Dan River, N. C., dam.* AN ACT Granting the consent of Congress for the construction of a dam across Dan River in North Carolina	May 16, 1947	98
69	*W. C. Austin project, Okla.* AN ACT To change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project	May 16, 1947	99
70	*Marblehead, Mass., conveyance.* AN ACT Providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use	May 16, 1947	99

Public Law		Date	Page
71	*Navy, officer candidate training program.* JOINT RESOLUTION To correct technical errors in the Act approved August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session)	May 16, 1947	99
72	*General Accounting Office, settlement of accounts.* AN ACT To limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of fiscal officers, and for other purposes	May 19, 1947	101
73	*Farmers' Irrigation District, North Platte project.* AN ACT Authorizing the reduction of certain accrued interest charges payable by the Farmers' Irrigation District, North Platte project	May 19, 1947	101
74	*Shoshone and Arapaho Tribes, Wind River Reservation.* AN ACT To authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation	May 19, 1947	102
75	*Greece and Turkey.* AN ACT To provide for assistance to Greece and Turkey	May 22, 1947	103
76	*Second Deficiency Appropriation Act, 1947.* AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes	May 26, 1947	106
77	*Mineral Leasing Act, amendment.* AN ACT To amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended	May 27, 1947	119
78	*Fort Hall Reservation, Idaho.* AN ACT Authorizing the erection and operation of a memorial museum and shop on the Fort Hall Reservation, Idaho	May 27, 1947	120
79	*Locomotive Inspection Act, amendment.* AN ACT To amend the Locomotive Inspection Act of February 17, 1911, as amended	May 27, 1947	120
80	*U. S. Court of Appeals and District Court, D. C., courthouse.* AN ACT To provide for the acquisition of a site and for preparation of plans and specifications for a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia	May 29, 1947	120
81	*Nationality Act, 1940, amendment.* AN ACT To amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals	May 31, 1947	121
82	*World War II veterans, homestead entries.* AN ACT To amend an Act of September 27, 1944, relating to credit for military or naval service in connection with certain homestead entries	May 31, 1947	123
83	*Administrator of Veterans' Affairs, authority to grant easements, etc.* AN ACT To authorize the Administrator of Veterans' Affairs to grant easements in lands belonging to the United States under his supervision and control, and for other purposes	May 31, 1947	124
84	*Relief assistance.* JOINT RESOLUTION Providing for relief assistance to the people of countries devastated by war	May 31, 1947	125
85	*Defense housing, amendment.* AN ACT To amend section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes"	May 31, 1947	128
86	*Counsel to special committee of Senate.* JOINT RESOLUTION Limiting the application of provisions of Federal law to counsel employed under S. Res. 46	June 4, 1947	129
87	*Coins, trial pieces.* AN ACT To amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins	June 5, 1947	129
88	*Silver Creek recreational demonstration project, Oreg.* AN ACT To authorize the exchange of lands acquired by the United States for the Silver Creek recreational demonstration project, Oregon, for the purpose of consolidating holdings therein, and for other purposes	June 9, 1947	129
89	*Export-Import Bank Act, 1945, amendment.* AN ACT To provide for the reincorporation of Export-Import Bank of Washington, and for other purposes	June 9, 1947	130
90	*White House Police force.* AN ACT To authorize an adequate White House Police force	June 9, 1947	132
91	*Philippines, Veterans' Administration offices.* JOINT RESOLUTION Authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines	June 14, 1947	132

Public Law		Date	Page
92	*Coinage.* AN ACT To amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins	June 14, 1947	132
93	*Renegotiation Act, amendment.* AN ACT To extend until June 30, 1949, the period of time during which persons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served	June 14, 1947	133
94	*Servicemen's Readjustment Act, 1944, amendment.* AN ACT To extend for one year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding five years	June 14, 1947	133
95	*Annotated Constitution of the United States of America.* JOINT RESOLUTION To prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress	June 17, 1947	133
96	*Pay Readjustment Act, 1942, amendment.* AN ACT to amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes	June 20, 1947	134
97	*Criminal Code, amendment.* AN ACT To make criminally liable persons who negligently allow prisoners in their custody to escape	June 21, 1947	134
98	*Civil Service Retirement Act, 1930, amendment.* AN ACT to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to extend the benefits of such Act to the Official Reporters of Debates in the Senate and persons employed by them in connection with the performance of their duties as such reporters	June 21, 1947	135
99	*Arthur Alexander Post Numbered 68.* AN ACT To grant to the Arthur Alexander Post Numbered 68, The American Legion, of Belzoni, Mississippi, all of the reversionary interest reserved to the United States in lands conveyed to said post pursuant to Act of Congress approved June 29, 1938	June 21, 1947	135
100	*Federal-Aid Highway Act, 1944, amendment.* AN ACT To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, as amended and supplemented, and for other purposes	June 21, 1947	136
101	*Labor Management Relations Act, 1947.* AN ACT To amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes	June 23, 1947	136
102	*Emergency flood-control works.* AN ACT To provide for emergency flood-control work made necessary by recent floods, and for other purposes	June 23, 1947	163
103	*Bureau of the Census, statistics on church membership, etc.* AN ACT To amend the Act entitled "An Act to provide for a permanent Census Office", approved March 6, 1902, as amended (the collection and publication of statistical information by the Bureau of the Census)	June 25, 1947	163
104	*Federal Insecticide, Fungicide, and Rodenticide Act.* AN ACT To regulate the marketing of economic poisons and devices, and for other purposes	June 25, 1947	163
105	*Shiloh National Military Park, Tenn., conveyance.* AN ACT To authorize the Secretary of the Interior to convey certain lands within the Shiloh National Military Park, Tennessee, and for other purposes	June 25, 1947	173
106	*Hill County, Mont., conveyance.* AN ACT To authorize the patenting of certain public lands to the State of Montana or to the Board of County Commissioners of Hill County, Montana, for public-park purposes	June 25, 1947	173
107	*Otter Creek Recreational Demonstration Area, Ky.* AN ACT To provide for the addition of certain surplus Government lands to the Otter Creek Recreational Demonstration Area, in the State of Kentucky	June 25, 1947	174
108	*Las Vegas, Nev., conveyance.* An ACT To grant a certain water right and a certain parcel of land in Clark County, Nevada, to the city of Las Vegas, Nevada	June 25, 1947	176

Public Law		Date	Page
109	*Mancos Water Conservancy District, contract.* AN ACT To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District increasing the reimbursable construction cost obligation of the district to the United States for construction of the Mancos project and extending the repayment period	June 25, 1947	176
110	*Forest Pest Control Act.* AN ACT To provide for the protection of forests against destructive insects and diseases, and for other purposes	June 25, 1947	177
111	*First Infantry Division, World War II, memorial in D. C.* JOINT RESOLUTION Authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to the dead of the First Infantry Division, United States Forces, World War II	June 25, 1947	178
112	*Revenue Act, 1942, and Internal Revenue Code, amendments.* JOINT RESOLUTION To extend the time for the release, free of estate and gift tax, of certain powers, and for other purposes	June 25, 1947	178
113	*Internal Revenue Code, amendment.* AN ACT To amend section 115 of the Internal Revenue Code in respect of distributions by personal holding companies	June 25, 1947	179
114	*Metropolitan Police force, D. C.* AN ACT To authorize payment of allowances to three inspectors of the Metropolitan Police force for the use of their privately owned motor vehicles, and for other purposes	June 25, 1947	179
115	*Vocational rehabilitation.* AN ACT To amend paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized, and for other purposes	June 25, 1947	180
116	*Public Debt Act, 1941, amendment.* AN ACT To amend further section 4 of the Public Debt Act of 1941, as amended, and clarify its application, and for other purposes	June 25, 1947	180
117	*Paonia project, Colo.* AN ACT To authorize the construction, operation, and maintenance of the Paonia Federal reclamation project, Colorado	June 25, 1947	181
118	*Falls Church, Va., delivery of water.* AN ACT To authorize the Secretary of War to permit the delivery of water from the District of Columbia and Arlington County water systems to the Falls Church or other water systems in the metropolitan area of the District of Columbia in Virginia	June 26, 1947	181
119	*Ferry Crosline, American registry.* AN ACT To admit the American-owned ferry Crosline to American registry and to permit its use in coastwise trade	June 26, 1947	182
120	*National Housing Act, amendment.* AN ACT To amend section 2 (a) of the National Housing Act, as amended	June 26, 1947	182
121	*Boulder Canyon project, Calif.* AN ACT To declare the policy of the United States with respect to the allocation of costs of construction of the Coachella Division of the All-American Canal irrigation project, California	June 26, 1947	183
122	*Second Urgent Deficiency Appropriation Act, 1947.* AN ACT Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes	June 27, 1947	183
123	*Day nurseries, D. C.* AN ACT To continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1948, and for other purposes	June 27, 1947	188
124	*Navajo Tribe of Indians, agreements.* AN ACT Authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, New Mexico, and for other purposes	June 27, 1947	189
125	*Tin.* JOINT RESOLUTION To strengthen the common defense and to meet industrial needs for tin by providing for the the maintenance of a domestic tin-smelting industry	June 28, 1947	190
126	*Alien fiancees or fiances, admission into U. S.* AN ACT To extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancees or fiances of members of the armed forces of the United States	June 28, 1947	190
127	*U. S. Maritime Commission, temporary authority.* AN ACT To continue temporary authority of the Maritime Commission until March 1, 1948	June 28, 1947	190

Public Law		Date	Page
128	*Regular Army, enlistments.* AN ACT To stimulate volunteer enlistments in the Regular Military Establishment of the United States	June 28, 1947	191
129	*Veterans' Emergency Housing Act, 1946, amendments.* AN ACT Relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes	June 30, 1947	193
130	*Commodity Credit Corporation.* AN ACT To continue the Commodity Credit Corporation as an agency of the United States until June 30, 1948	June 30, 1947	201
131	*Old-age assistance.* AN ACT To extend until July 1, 1949, the period during which income from agricultural labor and nursing services may be disregarded by the States in making old-age assistance payments without prejudicing their rights to grants-in-aid under the Social Security Act	June 30, 1947	202
132	*Reconstruction Finance Corporation Act, amendment.* JOINT RESOLUTION To extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation	June 30, 1947	202
133	*Selective Service System, certificates of separation.* JOINT RESOLUTION To recognize uncompensated services rendered the Nation under the Selective Training and Service Act of 1940, as amended, and for other purposes	June 30, 1947	210
134	*Navy, warrant officers.* AN ACT To permit certain naval personnel to count all active service rendered under temporary appointment as warrant or commissioned officers in the United States Navy and the United States Naval Reserve, or in the United States Marine Corps and the United States Marine Corps Reserve, for purposes of promotion to commissioned warrant officer in the United States Navy or the United States Marine Corps, respectively	June 30, 1947	210
135	*Pittsburg County, Okla., conveyance.* AN ACT To authorize the Secretary of the Navy to grant to the county of Pittsburg, Oklahoma, a perpetual easement for the construction, maintenance, and operation of a public highway over a portion of the United States naval ammunition depot, McAlester, Oklahoma	June 30, 1947	210
136	*Army mail clerks.* AN ACT To amend the Act entitled "An Act authorizing the designation of Army mail clerks and assistant Army mail clerks", approved August 21, 1941 (55 Stat. 656), and for other purposes	June 30, 1947	211
137	*Public Hospital District Numbered 2, Clallam County, Wash., conveyance.* AN ACT To authorize patenting of certain lands to Public Hospital District Numbered 2, Clallam County, Washington, for hospital purposes	June 30, 1947	211
138	*Moclips, Wash., construction, etc., of school.* AN ACT To provide funds for cooperation with the school board of the Moclips-Aloha District for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, to be available to both Indian and non-Indian children	June 30, 1947	211
139	*Baltimore, Md., easement.* AN ACT To authorize the Secretary of the Treasury to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main in, on, and across the land of the United States Coast Guard station called "Lazaretto depot", Baltimore, Maryland	June 30, 1947	212
140	*Baltimore, Md., easement.* AN ACT To authorize the Secretary of the Interior to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains in, on, and across the land of Fort McHenry National Monument and Historic Shrine, Maryland	June 30, 1947	212
141	*Marine Band.* AN ACT To authorize the attendance of the Marine Band at the Eighty-first National Encampment of the Grand Army of the Republic to be held in Cleveland, Ohio, August 10 to 14, 1947	June 30, 1947	212
142	*Mining claims, Alaska.* AN ACT Providing for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska	June 30, 1947	213
143	*Bankruptcy Act, 1898, amendment.* AN ACT To amend the Bankruptcy Act with respect to qualifications of part-time referees in bankruptcy	June 30, 1947	213

Public Law		Date	Page
144	*Postage rates.* JOINT RESOLUTION To provide for permanent rates of postage on mail matter of the first class, and for other purposes	June 30, 1947	213
145	*Second War Powers Act, 1942, and Export Control Act, amendments.* JOINT RESOLUTION To continue for a temporary period of fifteen days certain controls now exercised by the President under the Second War Powers Act, 1942, and under the Export Control Act	June 30, 1947	214
146	*International Refugee Organization.* JOINT RESOLUTION Providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor	July 1, 1947	214
147	*Treasury and Post Office Departments Appropriation Act, 1948.* AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes	July 1, 1947	216
148	*Historic cemeteries on military posts.* AN ACT To preserve historic graveyards in abandoned military posts	July 1, 1947	234
149	*Naval plantations outside U. S.* AN ACT To amend the Act entitled "An Act to provide for the management and operation of naval plantations, outside the continental United States", approved June 28, 1944	July 1, 1947	234
150	*Marine Corps, assignment of officers to supply duty.* AN ACT To authorize the Secretary of the Navy to appoint, for supply duty only, officers of the line of the Marine Corps, and for other purposes	July 1, 1947	235
151	*Navy, etc., transportation of dependents and effects.* AN ACT To amend the Acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases	July 1, 1947	236
152	*Illinois, relinquishment of certain lands by U. S.* AN ACT Relinquishing to the State of Illinois certain right, title, or interest of the United States of America, and for other purposes	July 1, 1947	237
153	*Military leave for certain Federal employees.* AN ACT To amend existing laws relating to military leave of certain employees of the United States or of the District of Columbia so as to equalize rights to leave of absence and reemployment for such employees who are members of the Enlisted or Officers' Reserve Corps, the National Guard or the Naval Reserve, and for other purposes	July 1, 1947	238
154	*D. C. police and firemen, seniority rights.* AN ACT To provide seniority benefits for certain officers and members of the Metropolitan Police force and of the Fire Department of the District of Columbia who are veterans of World War II and lost opportunity for promotion by reason of their service in the armed forces of the United States	July 1, 1947	240
155	*Nationality Act, 1940, amendment.* AN ACT To correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended	July 1, 1947	240
156	*American National Red Cross.* JOINT RESOLUTION To grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia	July 1, 1947	241
157	*Marine Corps memorial in D. C.* JOINT RESOLUTION Authorizing the erection in the District of Columbia of a memorial to the Marine Corps dead of all wars	July 1, 1947	242
158	*Pay Readjustment Act, 1942, amendment.* AN ACT To further amend section 10 of the Pay Readjustment Act of 1942, so as to provide for the clothing allowance of enlisted men of the Army, Marine Corps, and Marine Corps Reserve	July 1, 1947	242
159	*Olympic Games, participation of Army and Navy.* AN ACT To authorize the Secretary of War and the Secretary of the Navy to pay certain expenses incident to training, attendance, and participation of personnel of the Army of the United States and of the naval service, respectively, in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and for future Olympic games	July 1, 1947	243
160	*Panama Canal, transfer of surplus supplies.* AN ACT To authorize the transfer to the Panama Canal of property which is surplus to the needs of the War Department or Navy Department	July 2, 1947	243

Public Law		Date	Page
161	*Emergency Appropriation Act, 1948.* AN ACT Making appropriations to meet emergencies for the fiscal year ending June 30, 1948, and for other purposes	July 3, 1947	243
162	*Commission on Organization of Executive Branch of the Government.* AN ACT For the establishment of the Commission on Organization of the Executive Branch of the Government	July 7, 1947	246
163	*District of Columbia Teachers' Salary Act of 1947.* AN ACT To fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes	July 7, 1947	248
164	*UNRRA liquidation.* JOINT RESOLUTION To enable the President to utilize the appropriations for United States participation in the work of the United Nations Relief and Rehabilitation Administration for meeting administrative expenses of United States Government agencies in connection with United Nations Relief and Rehabilitation Administration liquidation	July 8, 1947	260
165	*Labor-Federal Security Appropriation Act, 1948.* AN ACT Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes	July 8, 1947	260
166	*Departments of State, Justice and Commerce, and the Judiciary Appropriation Act, 1948.* AN ACT Making appropriations for the Departments of State, Justice and Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, and for other purposes	July 9, 1947	279
167	*Transfer of the Joseph Conrad.* AN ACT To authorize the transfer of the Joseph Conrad to the Marine Historical Association of Mystic, Connecticut, for museum and youth-training purposes	July 9, 1947	306
168	*Civil Service Retirement Act, 1930, amendment.* AN ACT To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least twenty years of service	July 11, 1947	307
169	*U. S. Senate, additional office building.* AN ACT To authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate	July 11, 1947	307
170	*U. S. Capitol Grounds.* AN ACT To amend the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946	July 11, 1947	308
171	*Payment of certain Government checks.* AN ACT To establish a procedure for facilitating the payment of certain Government checks, and for other purposes	July 11, 1947	308
172	*Sitka, Alaska, sale of lands.* AN ACT To authorize the Secretary of Agriculture to sell certain lands in Alaska to the city of Sitka, Alaska	July 11, 1947	310
173	*Blair County, Pa., judicial district.* AN ACT To transfer Blair County, Pennsylvania, from the middle judicial district of Pennsylvania to the western judicial district of Pennsylvania	July 11, 1947	310
174	*Cairo Bridge Commission, refunding of bonds.* AN ACT To amend the Act of June 14, 1938, so as to authorize the Cairo Bridge Commission to issue its refunding bonds for the purpose of refunding the outstanding bonds issued by the commission to pay the cost of a certain toll bridge at or near Cairo, Illinois	July 11, 1947	311
175	*Band in Metropolitan Police force, D. C.* AN ACT To authorize the establishment of a band in the Metropolitan Police force	July 11, 1947	311
176	*House Office Buildings.* AN ACT To authorize the preparation of preliminary plans and estimates of cost of for the erection of an addition or extension to the House Office Buildings and the remodeling of the fifth floor of the Old House Office Building	July 11, 1947	312
177	*D. C. Code, amendment.* AN ACT To amend the Code of Laws of the District of Columbia, with respect to abandonment of condemnation proceedings	July 11, 1947	312
178	*Navy and Marine Corps, retirement.* AN ACT To amend the Act of July 24, 1941 (55 Stat. 603), as amended, so as to authorize naval retiring boards to consider the cases of certain officers, and for other purposes	July 11, 1947	312

Public Law		Date	Page
179	*D. C. Code, amendment.* AN ACT To make it unlawful in the District of Columbia to corruptly influence participants or officials in contests of skill, speed, strength, or endurance, and to provide a penalty therefor	July 11, 1947	313
180	*Reception of officials visiting D. C.* AN ACT To authorize funds for ceremonies in the District of Columbia	July 11, 1947	314
181	*Navy personnel, reimbursement.* AN ACT To reimburse certain Navy personnel and former Navy personnel for money stolen or obtained through false pretenses from them while they were on duty at the United States naval training station, Farragut, Idaho	July 11, 1947	315
182	*Owyhee, Nev., schools.* AN ACT To provide for the construction, extension, and improvement of public-school buildings in Owyhee, Nevada	July 11, 1947	315
183	*Kenduskeag Stream, Maine.* AN ACT Declaring Kenduskeag Stream, Penobscot County, Maine, to be a nonnavigable waterway	July 11, 1947	316
184	*Oil and gas conservation, compact.* JOINT RESOLUTION Consenting to an interstate oil compact to conserve oil and gas	July 12, 1947	316
185	*Internal Revenue Code, amendment.* AN ACT To amend section 3179 (b) of the Internal Revenue Code	July 14, 1947	319
186	*Internal Revenue Code, amendments.* AN ACT To amend sections 2801 (e) (4), 3043 (a), 3044 (b), and 3045 of the Internal Revenue Code	July 14, 1947	320
187	*Internal Revenue Code, amendment.* AN ACT To amend section 2801 (e) of the Internal Revenue Code	July 14, 1947	320
188	*Second Decontrol Act of 1947.* AN ACT To extend certain powers of the President under title III of the Second War Powers Act and the Export Control Act, and for other purposes	July 15, 1947	321
189	*Railroad corporations, acquisition of property.* AN ACT To allow to a successor railroad corporation the benefits of certain carry-overs of a predecessor corporation for the purposes of certain provisions of the Internal Revenue Code	July 15, 1947	324
190	*Hawaii, public improvement bonds.* AN ACT To authorize the issuance of certain public-improvement bonds by the Territory of Hawaii	July 15, 1947	326
191	*Department of Commerce, additional assistant Secretary.* AN ACT To provide for the appointment of one additional Assistant Secretary of Commerce, and for other purposes	July 15, 1947	326
192	*Michigan State College of Agriculture and Applied Science, conveyance.* AN ACT To authorize the Secretary of Commerce to sell certain property occupied by the Weather Bureau at East Lansing, Michigan, and to obtain other quarters for the said Bureau in the State of Michigan	July 16, 1947	327
193	*Post Roads Act, 1866, repeal.* AN ACT To repeal the Post Roads Act of 1866, as amended, and for other purposes	July 16, 1947	327
194	*Andrew W. Mellon, memorial in D. C.* JOINT RESOLUTION Authorizing the erection in the District of Columbia of a memorial to Andrew W. Mellon	July 16, 1947	327
195	*District of Columbia Revenue Act of 1947.* AN ACT To provide revenue for the District of Columbia, and for other purposes	July 16, 1947	328
196	*Temporary appropriations, 1948.* JOINT RESOLUTION Making temporary appropriations for the fiscal year 1948	July 17, 1947	361
197	*Legislative Branch Appropriation Act, 1948.* AN ACT Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1948, and for other purposes	July 17, 1947	361
198	*Parole of prisoners, D. C.* AN ACT To reorganize the system of parole of prisoners convicted in the District of Columbia	July 17, 1947	378
199	*Presidential succession.* AN ACT To provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President	July 18, 1947	380
200	*Hawaii, sewer bonds.* AN ACT To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds	July 18, 1947	381
201	*Municipal court, D. C., transcript fees for reporters.* AN ACT To authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes	July 18, 1947	381
202	*Navy Department Appropriation Act, 1948.* AN ACT Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes	July 18, 1947	382

Public Law		Date	Page
203	*National Capital Sesqui-Centennial.* JOINT RESOLUTION To provide for the appropriate commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia	July 18, 1947	396
204	*Territory of the Pacific Islands, trusteeship agreement.* JOINT RESOLUTION Authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands	July 18, 1947	397
205	*Policemen and firemen's relief fund, D. C.* AN ACT To credit active service in the military or naval forces of the United States in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia	July 21, 1947	398
206	*Geological Survey, sale of photographs, etc.* AN ACT To authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis	July 21, 1947	398
207	*Macon, Ga., and Bibb County, Ga., conveyance.* AN ACT To authorize the Secretary of the Navy to convey to the city of Macon, Georgia, and Bibb County, Georgia, an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Georgia, and for other purposes	July 21, 1947	399
208	*Long Beach, Calif., conveyance.* AN ACT To authorize the Secretary of the Navy to convey to the city of Long Beach, California, for street purposes an easement in certain lands within the Navy housing project at Long Beach, California	July 21, 1947	399
209	*Coast Guard Academy, chapel.* AN ACT To authorize the construction of a chapel at the Coast Guard Academy, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof	July 21, 1947	399
210	*Coast and Geodetic Survey.* AN ACT To provide basic authority for the performance of certain functions and activities of the Coast and Geodetic Survey, and for other purposes	July 22, 1947	400
211	*Postal Service.* AN ACT To provide compensation to persons performing the duties of postmasters at post offices of the fourth class during annual and sick leave of the postmasters	July 22, 1947	400
212	*Hawaii, conveyance.* AN ACT To authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, Territory of Hawaii	July 22, 1947	401
213	*Alien spouses of members of armed forces.* AN ACT To amend the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), entitled "An Act to expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces"	July 22, 1947	401
214	*Merchant Marine Academy.* AN ACT To create an Academic Advisory Board for the United States Merchant Marine Academy	July 22, 1947	401
215	*District of Columbia, certain licenses.* AN ACT To amend section 7 of an Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902	July 22, 1947	402
216	*AMVETS, incorporation.* AN ACT To incorporate the AMVETS, American Veterans of World War II	July 23, 1947	403
217	*Missouri Basin project, Angostura unit.* AN ACT To authorize the inclusion within the Angostura unit of the Missouri Basin project of certain lands owned by the United States	July 23, 1947	408
218	*Circuit and district judges, secretaries.* AN ACT To provide secretaries for circuit and district judges	July 23, 1947	409
219	*Coast Guard, authorized number of officers.* AN ACT To integrate certain personnel of the former Bureau of Marine Inspection and Navigation and the Bureau of Customs into the Regular Coast Guard, to establish the permanent commissioned personnel strength of the Coast Guard, and for other purposes	July 23, 1947	409
220	*Patents.* AN ACT To extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto	July 23, 1947	413
221	*Metlakahtla Indians, Alaska, citizenship.* AN ACT To amend the Act approved May 7, 1934, granting citizenship to the Metlakahtla Indians of Alaska	July 23, 1947	414

Public Law		Date	Page
222	*Alaska, zoning power in town sites.* AN ACT To authorize the Legislature of the Territory of Alaska to provide for the exercise of zoning power in town sites on the public lands of the United States	July 24, 1947	414
223	*Walker, Minn., school facilities.* AN ACT For expenditure of funds for cooperating with the public-school board at Walker, Minnesota, for the extension of public-school facilities to be available to all Indian children in the district	July 24, 1947	414
224	*Alaska game law, amendment.* AN ACT To amend the Alaska game law	July 24, 1947	415
225	*Panama Railroad pension fund.* AN ACT To transfer the Panama Railroad pension fund to the civil service retirement and disability fund	July 24, 1947	415
226	*Federal Unemployment Tax Act, amendment.* AN ACT To amend section 1602 of the Federal Unemployment Tax Act	July 24, 1947	416
227	*Indian tribes in Washington, claims.* AN ACT To amend the Act of February 12, 1925, and for other purposes	July 24, 1947	416
228	*Red Lake Band of Chippewa Indians, Minn.* AN ACT Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation	July 24, 1947	417
229	*Alaska, reservation of rights-of-way.* AN ACT To amend the Act entitled "An Act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes", approved June 30, 1932	July 24, 1947	418
230	*Northern Cheyenne Indian Reservation.* AN ACT To declare the ownership of the timber on the allotments on the Northern Cheyenne Indian Reservation, and to authorize the sale thereof	July 24, 1947	418
231	*Minnesota school facilities.* AN ACT To provide additional funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, Becker, and Cass Counties, Minnesota, in the construction, improvement, and extension of school facilities to be available to both Indian and white children	July 24, 1947	418
232	*Pacific Marine Fisheries Compact.* AN ACT Granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast and creating the Pacific Marine Fisheries Commission	July 24, 1947	419
233	*Transfer of surplus property to alleviate flood damage, etc.* AN ACT To make surplus property available for the alleviation of damage caused by flood or other catastrophe	July 25, 1947	422
234	*Alaska, transportation of U. S. employees.* AN ACT To amend Public Law 304, Seventy-seventh Congress	July 25, 1947	423
235	*International Boundary and Water Commission, conveyance.* AN ACT Authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort McIntosh at Laredo, Texas, and certain personal property in connection therewith, without exchange of funds or reimbursement	July 25, 1947	423
236	*Naval Aviation Cadet Act of 1942, amendments.* AN ACT To amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the Act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said Acts to the survivors of deceased officers without administration of estates	July 25, 1947	424
237	*District of Columbia Appropriation Act, 1948.* AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1948, and for other purposes	July 25, 1947	425
238	*Regulation of insurance.* AN ACT To amend the Act entitled "An Act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945 (59 Stat. 33)	July 25, 1947	448
239	*Emergency and war powers, termination.* JOINT RESOLUTION To terminate certain emergency and war powers	July 25, 1947	449

Public Law		Date	Page
240	*Menominee Indian Mills.* AN ACT To authorize the payment of certain sums to jobbers in connection with their logging of timber for the Menominee Indians on the Menominee Reservation during the logging season 1934–1935, and for other purposes	July 25, 1947	455
241	*Missing Persons Act, 1942, extension to certain Philippine forces.* AN ACT To amend Public Law 301, Seventy-ninth Congress, approved February 18, 1946, so as to extend the benefits of the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended, to certain members of the organized military forces of the Government of the Commonwealth of the Philippines	July 25, 1947	455
242	*Geographic names, standardization.* AN ACT To provide a central authority for standardizing geographic names for the purpose of eliminating duplication in standardizing such names among the Federal departments, and for other purposes	July 25, 1947	456
243	*Cottonseed statistics.* AN ACT To amend the Act entitled "An Act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes", approved August 7, 1916	July 25, 1947	457
244	*Alaska, pardons, etc.* AN ACT To confer upon the Governor of Alaska the power to pardon and remit fines and forfeitures for offenses against laws of the Territory of Alaska	July 25, 1947	459
245	*Natural Gas Act, 1938, amendment.* AN ACT To amend the Natural Gas Act approved June 21, 1938, as amended	July 25, 1947	459
246	*Osage Indians, Okla.* AN ACT To enable the Osage Tribal Council to determine the bonus value of tracts offered for lease for oil, gas, and other mining purposes, Osage Mineral Reservation, Oklahoma	July 25, 1947	459
247	*Interior Department Appropriation Act, 1948.* AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes	July 25, 1947	460
248	*War and Navy Departments, relief of disbursing officers.* AN ACT Authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing and certifying officers of the War and Navy Departments in the settlement of certain accounts	July 26, 1947	493
249	*Virgin Islands.* AN ACT To extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation and Domestic Allotment Act to the Virgin Islands	July 26, 1947	493
250	*Flathead Indian irrigation project.* AN ACT To authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project	July 26, 1947	494
251	*Smithsonian Institution, Board of Regents.* JOINT RESOLUTION To provide for the appointment of Robert V. Fleming as a member of the Board of Regents of the Smithsonian Institution	July 26, 1947	494
252	*D. C. Unemployment Compensation Act, amendment.* AN ACT To amend the District of Columbia Unemployment Compensation Act with respect to contribution rates after termination of military service	July 26, 1947	494
253	*National Security Act of 1947.* AN ACT To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security	July 26, 1947	495
254	*Armed Forces Leave Act, 1946, amendment.* AN ACT To amend the Armed Forces Leave Act of 1946 to provide that bonds issued under such Act shall be redeemable at any time after September 1, 1947, to permit settlement and compensation under such Act to be made in cash, and for other purposes	July 26, 1947	510
255	*Sockeye Salmon Fishery Act of 1947.* AN ACT To provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, and for other purposes	July 29, 1947	511
256	*The Supplemental Government Corporations Appropriation Act, 1948.* AN ACT Making supplemental appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes	July 29, 1947	514

Public Law		Date	Page
257	*Francis Marion National Forest.* AN ACT To authorize the creation of a game refuge in the Francis Marion National Forest in the State of South Carolina	July 30, 1947	516
258	*Black Bass, etc., regulations.* AN ACT To regulate the interstate transportation of black bass and other game fish, and for other purposes	July 30, 1947	517
259	*Gold Star Mothers, commemorative stamps.* AN ACT To authorize the issuance of a special series of commemorative stamps in honor of Gold Star Mothers	July 30, 1947	518
260	*Acadia National Park, Maine.* AN ACT To transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes	July 30, 1947	519
261	*Silver Creek recreational demonstration project.* AN ACT To provide for the addition of certain revested Oregon and California Railroad grant lands to the Silver Creek recreational demonstration project, in the State of Oregon, and for other purposes	July 30, 1947	519
262	*Federal Reserve Act, amendment.* AN ACT To amend section 10 of the Federal Reserve Act, as amended, and for other purposes	July 30, 1947	520
263	*Civil Service Retirement Act, 1930, amendment.* AN ACT To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the return of the amount of deductions from the compensation of any employee who is separated from the service or transferred to a position not within the purview of such Act before completing ten years of service	July 30, 1947	521
264	*Department of the Interior, copies of records.* AN ACT To amend section 1 of the Act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), fixing the price of copies of records furnished by the Department of the Interior	July 30, 1947	521
265	*Postal service.* AN ACT To amend the Act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide proper recompense in the form of compensatory time for overtime performed by supervisors	July 30, 1947	522
266	*Department of Agriculture Appropriation Act, 1948.* AN ACT Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes	July 30, 1947	523
267	*Military Appropriation Act, 1948.* AN ACT Making appropriations for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes	July 30, 1947	551
268	*The Government Corporations Appropriation Act, 1948.* AN ACT Making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes	July 30, 1947	574
269	*Independent Offices Appropriation Act, 1948.* AN ACT Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes	July 30, 1947	585
270	*Spanish-American War and Civil War, pensions.* AN ACT To provide increases in the rates of pension payable to Spanish-American War and Civil War veterans and their dependents	July 30, 1947	610
271	*The Supplemental Appropriation Act, 1948.* AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes	July 30, 1947	610
272	*Gila project.* AN ACT To relocate the boundaries and reduce the area of the Gila Federal reclamation project, and for other purposes	July 30, 1947	628
273	*Public lands.* AN ACT To amend section 2455 of the Revised Statutes, as amended, to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold, and for other purposes	July 30, 1947	630
274	*Immigration Act, 1917, amendment.* AN ACT To amend section 12 of the Immigration Act of 1917	July 30, 1947	630
275	*Marine Band.* AN ACT To authorize the attendance of the Marine Band at the National Convention of The American Legion to be held in New York, New York, August 28 to 31, 1947, and the National Convention of the Veterans of Foreign Wars of the United States to be held in Cleveland, Ohio, September 4 to 9, 1947	July 30, 1947	632

Public Law		Date	Page
276	*Petersburg, Alaska, conveyance.* AN ACT To transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska	July 30, 1947	632
277	*Vessels of foreign registry.* AN ACT To permit vessels of Cannadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States	July 30, 1947	632
278	*U. S. Code, title 1.* AN ACT To codify and enact into positive law, title 1 of the United States Code, entitled "General Provisions"	July 30, 1947	633
279	*U. S. Code, title 4.* AN ACT To codify and enact into positive law title 4 of the United States Code, entitled "Flag and seal, Seat of Government, and the States"	July 30, 1947	641
280	*U. S. Code, title 6.* AN ACT To codify and enact into positive law title 6 of the United States Code, entitled "Official and Penal Bonds"	July 30, 1947	646
281	*U. S. Code, title 17.* AN ACT To codify and enact into positive law title 17 of the United States Code, entitled "Copyrights"	July 30, 1947	652
282	*U. S. Code, title 9.* AN ACT To codify and enact into positive law, title 9 of the United States Code, entitled "Arbitration"	July 30, 1947	669
283	*Life Saving Service, retired pay.* AN ACT To amend the Act of April 14, 1930, to provide increased retired pay for certain members of the former Life Saving Service	July 30, 1947	674
284	*Navy and War Departments, sale of utilities.* AN ACT To permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose businesses or residences are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes	July 30, 1947	675
285	*Susquehanna River, dam.* AN ACT Granting the consent of Congress to Pennsylvania Power & Light Company to construct, maintain, and operate a dam in the Susquehanna River	July 30, 1947	675
286	*Hawaii, revenue bonds.* AN ACT To ratify and confirm Act 10 of the Session Laws of Hawaii, 1947, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945	July 30, 1947	676
287	*Congressional Aviation Policy Board.* AN ACT To provide for the establishment of a temporary Congressional Aviation Policy Board	July 30, 1947	676
288	*Veterans' Administration, site at Clarksburg, W. Va.* AN ACT To authorize the Veterans' Administration to acquire certain land as a site for the proposed Veterans' Administration facility at Clarksburg, West Virginia, and for other purposes	July 30, 1947	677
289	*Surplus Property Act, 1944, amendment.* AN ACT To expedite the disposition of Government surplus airports, airport facilities, and equipment and to assure their disposition in such manner as will best encourage and foster the development of civilian aviation and preserve for national defense purposes a strong, efficient, and properly maintained Nation-wide system of public airports, and for other purposes	July 30, 1947	678
290	*Plant Quarantine Act, 1912, amendment.* AN ACT To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1	July 31, 1947	680
291	*Public lands.* AN ACT To provide for the disposal of materials on the public lands of the United States	July 31, 1947	681
292	*New England Interstate Water Pollution control compact.* AN ACT Granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the waters of the New England States	July 31, 1947	682
293	*Coast Guard, employment of alien seamen.* JOINT RESOLUTION Amending Public Law 27, Eightieth Congress	July 31, 1947	685
294	*Postal service, issuance of per diem orders.* AN ACT For the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley	July 31, 1947	685
295	*Choctaw and Chickasaw coal and asphalt deposits.* AN ACT To amend the Act of April 21, 1932 (47 Stat. 88), entitled "An Act to provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations, in Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments"	July 31, 1947	686

Public Law		Date	Page
296	*War Department Civil Appropriation Act, 1948.* AN ACT Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes	July 31, 1947	686
297	*Marketing and cooperative research projects.* AN ACT To amend title I of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act)	July 31, 1947	694
298	*Farm labor supply centers.* AN ACT Providing for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers	July 31, 1947	694
299	*Second Supplemental Appropriation Act, 1948.* AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes	July 31, 1947	695
300	*Canadian-built vessels, documentation.* AN ACT To provide that the Canadian-built dredge Ajax and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States	July 31, 1947	704
301	*U. S. Housing Act, 1937, amendment.* AN ACT To amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs	July 31, 1947	704
302	*Navy, acquisition of land.* AN ACT To authorize the Secretary of the Navy to establish a postgraduate school at Monterey, California	July 31, 1947	705
303	*U. S. Naval Postgraduate School.* AN ACT To establish the United States Naval Postgraduate School, and for other purposes	July 31, 1947	705
304	*Disposition of condemned ordnance.* AN ACT To provide for the loan or gift of obsolete ordnance to State homes for former members of the armed forces	July 31, 1947	707
305	*Agricultural Adjustment Act, amendment.* AN ACT To amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders	Aug. 1, 1947	707
306	*Gold star lapel button.* AN ACT To provide appropriate lapel buttons for widows, parents, and next of kin of members of the armed forces who lost their lives in the armed services of the United States in World War II	Aug. 1, 1947	710
307	*District of Columbia, life insurance.* AN ACT To amend section 16 of chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia."	Aug. 1, 1947	711
308	*District of Columbia, undertakers.* AN ACT To amend section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended	Aug. 1, 1947	711
309	*District of Columbia Emergency Rent Act, 1941, amendment.* AN ACT To extend for three months the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended	Aug. 1, 1947	713
310	*Internal Revenue Code, amendment.* AN ACT To amend section 251 of the Internal Revenue Code	Aug. 1, 1947	714
311	*Federal Home Loan Bank Act, amendment.* AN ACT To amend the Federal Home Loan Bank Act, and for other purposes	Aug. 1, 1947	714
312	*Mission Point Lighthouse Reservation.* AN ACT Relating to the sale of the Mission Point Lighthouse Reservation, Grand Traverse County, Michigan	Aug. 1, 1947	714
313	*War and Navy Department, professional and scientific service.* AN ACT To authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments	Aug. 1, 1947	715
314	*Decorations, orders, medals, etc.* AN ACT To amend section 1 of the Act of July 20, 1942 (56 Stat. 662), as amended, relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations, neutral nations, or other American Republics	Aug. 1, 1947	715

Public Law		Date	Page
315	*Tariff Act, 1930, amendment.* JOINT RESOLUTION To amend paragraph 1772 of the Tariff Act of 1930	Aug. 1, 1947	716
316	*Veterans' Administration, claims.* AN ACT To amend section 200 of Public Law 844, Seventy-fourth Congress, June 29, 1936, to permit recognition of officers and enlisted men retired from the military and naval forces of the United States as representatives of certain organizations in the presentation of claims to the Veterans' Administration	Aug. 1, 1947	716
317	*School facilities, contributions.* AN ACT To extend the period for providing assistance for certain war-incurred school enrollments	Aug. 1, 1947	716
318	*Treasury Department, continuation of certain accounts.* AN ACT To provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department	Aug. 1, 1947	717
319	*Naval vessels.* AN ACT To authorize conversions of certain naval vessels	Aug. 1, 1947	718
320	*Federal Crop Insurance Act, amendment.* AN ACT To amend the Federal Crop Insurance Act	Aug. 1, 1947	718
321	*Disbursing officers, relief.* AN ACT To authorize relief of accountable officers of the Government, and for other purposes	Aug. 1, 1947	720
322	*D. C. Emergency Rent Act, amendment.* AN ACT To amend the District of Columbia rent control law so as to provide that schools and universities may recover possession of housing accommodations in certain cases	Aug. 1, 1947	721
323	*Agricultural Adjustment Act, 1938, peanuts.* AN ACT To amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended	Aug. 1, 1947	721
324	*Federal Tort Claims Act, amendment.* AN ACT To amend the Federal Tort Claims Act	Aug. 1, 1947	722
325	*Veterans' Preference Act, 1944, amendment.* AN ACT To amend section 14 of the Veterans' Preference Act of June 27, 1944 (58 Stat 387)	Aug. 4, 1947	723
326	*Paxon Field, Fla.* AN ACT Relating to the sale of Paxon Field, Duval County, Florida	Aug. 4, 1947	723
327	*Marine Corps Memorial Commission.* JOINT RESOLUTION To establish a commission to formulate plans for the erection, in Grant Park, Chicago, Illinois, of a Marine Corps memorial	Aug. 4, 1947	724
328	*Mine safety measures.* JOINT RESOLUTION Relating to safety in bituminous-coal and lignite mines of the United States	Aug. 4, 1947	725
329	*Fishing resources of Territories and island possessions.* AN ACT To provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening seas, and for other purposes	Aug. 4, 1947	726
330	*Federal Employees Pay Act, 1945, amendment.* AN ACT To exclude certain interns, student nurses, and other student-employees of hospitals of the Federal Government from the Classification Act and other laws relating to compensation and benefits of Federal employees, and for other purposes	Aug. 4, 1947	727
331	*Rio Grande, bridge.* AN ACT To extend the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Texas	Aug. 4, 1947	728
332	*Tuberculosis sanatorium, Galen, Mont.* AN ACT Authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Montana, to provide facilities for the treatment of tuberculous Indians in Montana	Aug. 4, 1947	729
333	*G. F. Allen and others, credit in accounts* AN ACT For the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes	Aug. 4, 1947	729
334	*Recorder of Deeds, D. C.* AN ACT To authorize the Recorder of Deeds of the District of Columbia to purchase machines for the recording of deeds, and for other purposes	Aug. 4, 1947	730
335	*Laguna Band of Mission Indians, Calif.* AN ACT Authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California	Aug. 4, 1947	731

Public Law		Date	Page
336	*Five Civilized Tribes of Oklahoma.* AN ACT Relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes	Aug. 4, 1947	731
337	*Army-Navy Medical Services Corps Act of 1947.* AN ACT To revise the Medical Department of the Army and the Medical Department of the Navy, and for other purposes	Aug. 4, 1947	734
338	*Veterans' Regulations, amendment.* AN ACT To increase the minimum allowance payable for rehabilitation in certain service-connected cases	Aug. 4, 1947	739
339	*Modoc National Forest.* AN ACT To add certain lands to the Modoc National Forest, California	Aug. 4, 1947	739
340	*Farm Island, S. Dak.* AN ACT To authorize the city of Pierre, South Dakota, to transfer Farm Island to the State of South Dakota, and for other purposes	Aug. 4, 1947	740
341	*Little Sioux River.* AN ACT Authorizing the construction of flood-control works on the Little Sioux River and its tributaries in Iowa	Aug. 4, 1947	741
342	*National cemeteries.* AN ACT To provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible	Aug. 4, 1947	742
343	*Pea Patch Island, conveyance.* AN ACT Authorizing the conveyance to the State of Delaware of a portion of Pea Patch Island	Aug. 4, 1947	742
344	*Concealed weapons, D. C.* AN ACT To amend section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition)	Aug. 4, 1947	743
345	*Canal Zone Code, amendment.* AN ACT To amend section 107 of title 2 of the Canal Zone Code, approved June 19, 1934	Aug. 4, 1947	743
346	*Civil Aeronautics Act, 1938, amendment.* AN ACT To amend section 1003 (b) of the Civil Aeronautics Act of 1938, as amended	Aug. 4, 1947	743
347	*Rehabilitation of alcoholics, D. C.* AN ACT To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes	Aug. 4, 1947	744
348	*Second-class mailing privileges.* AN ACT To extend second-class mailing privileges to bulletins issued by State conservation and fish and game agencies or departments	Aug. 4, 1947	747
349	*Osage Tribe of Indians, loans.* AN ACT To enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes	Aug. 4, 1947	747
350	*Armed Forces Leave Act, 1946, amendment.* AN ACT To amend the Armed Forces Leave Act of 1946, approved August 9, 1946 (Public Law 704, Seventy-ninth Congress, second session, 60 Stat. 963), and for other purposes	Aug. 4, 1947	748
351	*Retirement of teachers, D. C.* AN ACT To amend the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946	Aug. 4, 1947	750
352	*Montgomery County, Pa., conveyance.* AN ACT To authorize the Federal Works Administrator to grant and convey to Montgomery County, Pennsylvania, a certain parcel of land of the United States in Norristown Borough, Montgomery County, Pennsylvania, for the purpose of erecting an additional annex to the present courthouse	Aug. 4, 1947	750
353	*St. Elizabeths Hospital, D. C.* AN ACT To authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes	Aug. 4, 1947	751
354	*International Organizations Procurement Act of 1947.* AN ACT To authorize the Treasury Department and the United States Government Printing Office to furnish, or to procure and furnish, administrative materials, supplies, and equipment to public international organizations on a reimbursable basis	Aug. 4, 1947	752
355	*Delaware River Joint Toll Bridge Commission.* AN ACT Granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes	Aug. 4, 1947	752

Public Law		Date	Page
356	*War losses, claims.* AN ACT To provide an extension of time for claiming credit or refund with respect to war losses	Aug. 4, 1947	756
357	*United Nations, headquarters.* JOINT RESOLUTION Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other pusposes	Aug. 4, 1947	756
358	*Eightieth Congress, second session.* JOINT RESOLUTION Fixing the date of meeting of the second regular session of the Eightieth Congress	Aug. 4, 1947	768
359	*Reading, Pa., anniversary.* JOINT RESOLUTION Providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the founding of the city of Reading, Pennsylvania	Aug. 4, 1947	768
360	*Wool.* AN ACT To provide support for wool, and for other purposes	Aug. 5, 1947	769
361	*Crab Orchard Creek project, etc., transfer of lands.* AN ACT To provide for the transfer of certain lands to the Secretary of the Interior, and for other purposes	Aug. 5, 1947	770
362	*Organic Act of Puerto Rico, amendments.* AN ACT To amend the Organic Act of Puerto Rico	Aug. 5, 1947	770
363	*Federal Deposit Insurance Corporation.* AN ACT To provide for the cancellation of the capital stock of the Federal Deposit Insurance Corporation and the refund of moneys received for such stock, and for other purposes	Aug. 5, 1947	773
364	*War and Navy Departments, lease of property.* AN ACT To authorize leases of real or personal property by the War and Navy Departments, and for other purposes	Aug. 5, 1947	774
365	*Army-Navy-Public Health Service Medical Officer Procurement Act of 1947.* AN ACT To provide additional inducements to physicians, surgeons, and dentists to make a career of the United States military, naval, and public health services, and for other purposes	Aug. 5, 1947	776
366	*National Housing Act, amendment.* AN ACT To amend the National Housing Act, as amended	Aug. 5, 1947	777
367	*Internal Revenue Code, amendment.* AN ACT Relating to the income-tax liability of members of the armed forces dying in the service	Aug. 5, 1947	778
368	*Persons buried outside U. S., return of remains.* AN ACT To amend the Act entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States", approved May 16, 1946, in order to provide for the shipment of the remains of World War II dead to the homeland of the deceased or of next of kin, to provide for the disposition of group and mass burials, to provide for the burial of unknown American World War II dead in United States military cemeteries to be established overseas, to authorize the Secretary of War to acquire land overseas and to establish United States military cemeteries thereon, and for other purposes	Aug. 5, 1947	779
369	*Institute of Inter-American Affairs Act.* AN ACT To provide for the reincorporation of The Institute of Inter-American Affairs, and for other purposes	Aug. 5, 1947	780
370	*Italian property, return.* JOINT RESOLUTION To provide for returns of Italian property in the United States, and for other purposes	Aug. 5, 1947	784
371	*Coast Guard, aviation stations.* AN ACT To increase the number of authorized aviation stations operated by the Coast Guard, and for other purposes	Aug. 6, 1947	786
372	*Home Owners' Loan Act, 1933, amendment.* AN ACT To amend section 5 of Home Owners' Loan Act of 1933, and for other purposes	Aug. 6, 1947	786
373	*Coast and Geodetic Survey.* AN ACT To define the functions and duties of the Coast and Geodetic Survey, and for other purposes	Aug. 6, 1947	787
374	*Government Corporations, subsidy payments.* AN ACT To amend Public Law 88, Seventy-ninth Congress, approved June 23, 1945	Aug. 6, 1947	788
375	*Settlement of War Claims Act, 1928, amendments.* AN ACT To change the order of priority for payment out of the German special deposit account, and for other purposes	Aug. 6, 1947	789

Public Law		Date	Page
376	*Taylor Grazing Act, 1934, amendments.* AN ACT To amend the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976)	Aug. 6, 1947	790
377	*Veterans' Regulations, amendments.* AN ACT Relating to institutional on-farm training for veterans	Aug. 6, 1947	791
378	*Railroad employees, refunds.* AN ACT To extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the Unemployment Trust Fund	Aug. 6, 1947	793
379	*Social Security Act Amendments of 1947.* AN ACT To amend the Federal Insurance Contributions Act with respect to rates of tax on employers and employees, and for other purposes	Aug. 6, 1947	793
380	*Patents.* AN ACT To carry into effect certain parts relating to patents of the treaties of peace with Italy, Bulgaria, Hungary, and Rumania, ratified by the Senate on June 5, 1947, and for other purposes	Aug. 6, 1947	794
381	*Officer Personnel Act of 1947.* AN ACT To provide for the promotion and elimination of officers of the Army, Navy, and Marine Corps, and for other purposes	Aug. 7, 1947	795
382	*Mineral Leasing Act for Acquired Lands.* AN ACT To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States	Aug. 7, 1947	913
383	*Alaska, certain mining operations.* AN ACT To amend section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588)	Aug. 8, 1947	916
384	*Termination of certain tax provisions.* AN ACT To terminate certain tax provisions before the end of World War II	Aug. 8, 1947	917
385	*Tongass National Forest, Alaska.* JOINT RESOLUTION To authorize the Secretary of Agriculture to sell timber within the Tongass National Forest	Aug. 8, 1947	920
386	*Consumer credit controls.* JOINT RESOLUTION To authorize the temporary continuation of regulation of consumer credit	Aug. 8, 1947	921
387	*Internal Revenue Code, amendments.* AN ACT To amend sections 1802 (a), 1802 (b), and 3481 (a) of the Internal Revenue Code	Aug. 8, 1947	921
388	*Sugar Act of 1948.* AN ACT To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; and for other purposes	Aug. 8, 1947	922
389	*Foreign Aid Act of 1947.* AN ACT To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries	Dec. 17, 1947	934
390	*Navajo and Hopi Indians.* AN ACT To authorize an appropriation for the immediate relief of the Navajo and Hopi Indians, and for other purposes	Dec. 19, 1947	940
391	*Commission on Organization of Executive Branch of the Government.* AN ACT To amend the Act of July 7, 1947, so as to authorize the Commission on Organization of the Executive Branch of the Government to procure the temporary or intermittent services of experts or consultants or organizations thereof	Dec. 19, 1947	940
392	*Commodity Exchange Act, amendment.* JOINT RESOLUTION Authorizing the Secretary of Agriculture to publish the names and addresses of persons transacting business on the boards of trade, and the amounts of commodities purchased or sold by them; to furnish to committees of Congress upon request and to make public any such information in his possession; and for other purposes	Dec. 19, 1947	941
393	*Third Supplemental Appropriation Act, 1948.* AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes	Dec. 23, 1947	941
394	*National Housing Act, amendment.* AN ACT To amend the National Housing Act, as amended	Dec. 27, 1947	945
395	*Stabilization of commodity prices, etc.* JOINT RESOLUTION To aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes	Dec. 30, 1947	945

LIST OF REORGANIZATION PLANS

Page

Reorganization Plan No. 1 of 1947. Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 1, 1947, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945 951

Reorganization Plan No. 3 of 1947.[1] Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 27, 1947, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945 954

[1] For negative action on Reorganization Plan No. 2 of 1947, *see* H. Con. Res. 49, 61 Stat., Pt. 2, p. 1023.

PUBLIC LAWS

PUBLIC LAWS

ENACTED DURING THE

FIRST SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

[CHAPTER 1]

JOINT RESOLUTION

Relating to officers and employees of the Senate and House of Representatives.

January 31, 1947
[S. J. Res. 3]
[Public Law 1]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 202 (h) of the Legislative Reorganization Act of 1946—

60 Stat. 835.
2 U. S. C. § 72a.

Senate.
Continuation of certain positions and funds.

(1) the positions and funds allocated on January 1, 1947, to the chairman of any standing committee of the Senate existing on such date shall be continued through January 31, 1947, unless otherwise directed by such chairman; except that in the case of any such chairman who has died or was not reelected, committee employees (except in the case of death or resignation of any such employee) shall be continued on the pay rolls of the Senate through January 31, 1947, unless sooner removed for cause by the Secretary of the Senate, and such employees shall perform such duties as the Secretary of the Senate shall prescribe;

(2) clerks and other employees (except in the case of death or resignation of any such employee) of any Senator who was a member of the Senate on January 1, 1947, but who was not a chairman of any standing committee existing on January 1, 1947, and who was not reelected shall be continued on the rolls of the Senate through the date of enactment of this Act, unless

sooner removed for cause by the Secretary of the Senate; and such employees shall perform such duties as the Secretary of the Senate shall prescribe;

Appropriations available.

60 Stat. 386.

(3) the appropriations for the compensation of employees of Senators and of committee employees of standing committees of the Senate contained in the Legislative Branch Appropriation Act, 1947, shall be available for the compensation of employees specified in paragraphs (1) and (2) and of the elected officers of the Senate;

House of Representatives.
Employees of abolished committees.
60 Stat. 812.
2 U. S. C. § 72a note.

(4) employees of any standing committee of the House of Representatives of the Seventy-ninth Congress, which is abolished by operation of the Legislative Reorganization Act of 1946 (except in the case of the death or resignation of any such employee) shall continue on the rolls through January 31, 1947, unless sooner removed for cause by the Clerk of the House of Representatives;

Employees of committees not abolished.

Supra.

(5) employees of any standing committee of the House of Representatives of the Seventy-ninth Congress which is not abolished by operation of the Legislative Reorganization Act of 1946 (except in the case of the death or resignation of any such employee) shall continue on the rolls until January 31, 1947, unless otherwise directed by action of such committee; and

Appropriations available.

60 Stat. 393.

(6) the appropriations for "Salaries, officers and employees, House of Representatives", as contained in the Legislative Branch Appropriation Act, 1947, shall be available in such amounts and under such regulations as may be approved by the Committee on House Administration for compensation of employees of the standing committees of the House of Representatives of the Eightieth Congress, except the Committee on Appropriations, and shall be available for the compensation of officers and employees of the House of Representatives as authorized by section 201 and section 244 of the Legislative Reorganization Act of 1946.

60 Stat. 834, 839.
2 U. S. C. §§ 60a and note, 261 note, 74b.

Repeal.
60 Stat. 911.

(b) The proviso under the caption "Senate" in the First Supplemental Appropriation Act, 1947, approved August 8, 1946, is hereby repealed, effective as of August 8, 1946.

Approved January 31, 1947.

[CHAPTER 2]

February 1, 1947
[H. J. Res. 57]
[Public Law 2]

JOINT RESOLUTION

Extending for fifteen months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol.

60 Stat. 306.
26 U. S. C. § 3126 (a).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3126 (a) of the Internal Revenue Code (relating to emergency production of sugars and sirups in industrial alcohol plants) is amended by striking out "February 1, 1947," and inserting in lieu thereof "April 30, 1948,".

Approved February 1, 1947.

[CHAPTER 3]

February 19, 1947
[S. J. Res. 4]
[Public Law 3]

JOINT RESOLUTION

Relating to the salaries of certain Senate employees.

60 Stat. 386.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the case of any position under the Senate for which additional compensation is provided for in the Legislative Branch Appropriation Act, 1947 "so long as the position is held by the present incumbent", the salary provided in such Act, including such additional compensation, shall be payable

to any incumbent thereof without regard to the above-quoted limitation, in addition to any other compensation authorized by law for such position.

(b) The salaries referred to in the foregoing subsection shall be payable from January 3, 1947.

Approved February 19, 1947.

[CHAPTER 4]

JOINT RESOLUTION

Providing for a more effective staff organization for standing committees of the Senate.

February 19, 1947
[S. J. Res. 24]
[Public Law 4]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 202 of the Reorganization Act of 1946, the clerical staffs of standing committees of the Senate shall be organized and compensated in the manner hereinafter provided.

60 Stat. 834.
2 U. S. C. § 72a.

The annual rates of compensation for the clerical staff of each standing committee of the Senate (other than the Appropriations Committee) shall be $2,000 to $8,000 for one chief clerk and one assistant chief clerk; and $2,000 to $3,720 for not to exceed four other clerical assistants.

Rates of compensation.

The annual rates of compensation for the clerical staff of the Appropriations Committee shall be as follows: One chief clerk and one assistant chief clerk at $5,600 to $8,000; such assistant clerks as may be necessary at $3,820 to $5,600; and such other clerical assistants as may be necessary at $2,000 to $3,720.

Clerical staff of Appropriations Committee.

Such compensation shall be fixed by the chairman of each such committee.

Approved February 19, 1947.

[CHAPTER 5]

AN ACT

To amend the National Service Life Insurance Act of 1940, as amended.

February 21, 1947
[H. R. 1353]
[Public Law 5]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

54 Stat. 1009.
38 U. S. C. § 802 (a).

"(a) Every person who is commissioned and hereafter ordered into, or who is hereafter examined, accepted, and enrolled in, the active service and while in such active service shall, upon application in writing (made within one hundred and twenty days after entrance into such active service) and payment of premiums as hereinafter provided and without further medical examination, be granted insurance by the United States against the death of such person occurring while such insurance is in force."

Persons eligible for insurance.

SEC. 2. Subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

54 Stat. 1009.
38 U. S. C. § 802 (f).

"(f) Such insurance may be issued on the following plans: Five-year level premium term, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five. Level premium term insurance may be converted as of the date when any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance: *Provided*, That conversion to an endowment plan may

Plans for issuance of insurance.

Conversion of level premium term insurance.

Total disability.

not be made while the insured is totally disabled. In any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance shall be automatically converted to insurance on the ordinary life plan unless the insured has elected insurance on some other available plan.

Termination.
Other provisions.

All level premium term policies shall cease and terminate at the expiration of the term period. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings, refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance or from time to time by regulations promulgated by the Administrator."

Repeals.
60 Stat. 787.
38 U. S. C. § 802 (y).

SEC. 3. Subsections (y) (1) and (y) (2) of section 602 of the National Service Life Insurance Act of 1940, as amended, are hereby repealed.

Approved February 21, 1947.

[CHAPTER 6]

February 26, 1947
[H. J. Res. 114]
[Public Law 6]

JOINT RESOLUTION

To continue the authority of the Maritime Commission to operate vessels until July 1, 1947.

U. S. Maritime Commission.
Continuation of authority for carrier service.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law any temporary authority issued or to be issued by an appropriate Government agency to the United States Maritime Commission to provide service as a carrier by water may be valid for a period not extending beyond July 1, 1947.

Post, pp. 190, 697.
60 Stat. 614.

SEC. 2. The paragraph under the head "United States Maritime Commission" in title I of the Third Deficiency Appropriation Act, 1946, is hereby amended by striking out "March 1, 1947" and inserting in lieu thereof "July 1, 1947".

Approved February 26, 1947.

[CHAPTER 7]

February 26, 1947
[H. J. Res. 121]
[Public Law 7]

JOINT RESOLUTION

Granting, in the case of income, estate, and gift taxes, deductions for contributions to the United Nations.

United Nations.
Charitable contributions, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 (o) of the Internal Revenue Code (relating to the so-called "charitable contribution" deduction) is amended by striking out the word "or" at the end of paragraph (4) thereof, and by inserting at the end of paragraph (5) the word "or", and by adding after paragraph (5) a new paragraph to read as follows:

53 Stat. 15.
26 U. S. C. § 23 (o) (4), (5).

"(6) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

58 Stat. 35.
26 U. S. C. § 23 (q) 3).

SEC. 2. Section 23 (q) of such code (relating to the so-called "charitable contribution" deduction) is amended by inserting at the end of paragraph (3) the word "or", and by adding after paragraph (3) a new paragraph to read as follows:

"(4) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

SEC. 3. Section 1004 (a) (2) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of subparagraph (E), and inserting in lieu thereof a semicolon, and by adding after subparagraph (E) a new subparagraph to read as follows:

53 Stat. 147. 26 U. S. C. § 1004 (a) (2) (E).

"(F) the United Nations, but only if such gifts (i) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (ii) are made after December 1, 1946, and before December 2, 1947."

SEC. 4. Section 1004 (b) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon, and by adding after paragraph (6) a new paragraph to read as follows:

53 Stat. 148. 26 U. S. C. § 1004 (b) (6).

"(7) the United Nations, but only if such gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947."

SEC. 5. The first sentence of section 812 (d) and the first sentence of section 861 (a) (3) of such code (relating to transfers for public, etc., uses) are hereby amended by inserting after the words "to influence legislation" a comma and the words: "or to or for the use of the United Nations, but only if such bequests, legacies, devises, or transfers to or for the use of the United Nations are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and the death of the decedent occurred after December 1, 1946, and before December 2, 1947".

53 Stat. 124, 130. 26 U. S. C. §§ 812 (d), 861 (a) (3).

Approved February 26, 1947.

[CHAPTER 8]

AN ACT

To authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest.

February 28, 1947
[S. 568]
[Public Law 8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to cooperate with the Government of Mexico in carrying out operations or measures to eradicate, suppress, or control, or to prevent or retard, foot-and-mouth disease or rinderpest in Mexico where he deems such action necessary to protect the livestock and related industries of the United States. In performing the operations or measures herein authorized, the Government of Mexico shall be responsible for the authority necessary to carry out such operations or measures on all lands and properties in Mexico and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary. The measure and character of cooperation carried out under this Act on the part of the United States and on the part of the Government of Mexico, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this Act shall be made through and in consultation with the Secretary of State. The authority contained in this Act is in addition to and not in substitution for the authority of existing law.

Cooperation with Mexico to control foot-and-mouth disease, etc.

Responsibility of Mexico.

Arrangements with Secretary of State.

SEC. 2. For purposes of this Act, funds appropriated pursuant thereto may also be used for the purchase or hire of passenger motor vehicles and aircraft, for printing and binding without regard to section 87 of the Act of January 12, 1895, or section 11 of the Act of March 1, 1919 (U. S. C., title 44, sec. 111), for personal services in the District of Columbia and elsewhere without regard to the limita-

Use of funds.

28 Stat. 622; 40 Stat. 1270.

60 Stat. 219.
5 U. S. C. § 947 (g).

tions contained in section 607 (g) of the Federal Employees Pay Act of 1945, as amended, including the employment of civilian nationals of Mexico, and for the construction and operation of research laboratories, quarantine stations and other buildings and facilities.

Reports to Congress.

SEC. 3. Thirty days after the enactment of this Act, and every thirty days thereafter, the Secretary of Agriculture shall make a report to the Congress with respect to the activities carried on under this Act.

Appropriations authorized.
Post, pp. 24, 185, 245, 617.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved February 28, 1947.

[CHAPTER 9]

March 7, 1947
[S. J. Res. 33]
[Public Law 9]

JOINT RESOLUTION

To amend the Act of August 9, 1946 (Public Law 711, Seventy-ninth Congress), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress.

60 Stat. 974.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 9, 1946 (Public Law 711, Seventy-ninth Congress), is amended by deleting therefrom the date "January 3, 1947" and inserting in lieu thereof the date "January 3, 1948".

Approved March 7, 1947.

[CHAPTER 10]

March 7, 1947
[S. J. Res. 60]
[Public Law 10]

JOINT RESOLUTION

To authorize the San Carlos Irrigation and Drainage District, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

San Carlos irrigation project, Ariz.

Whereas the San Carlos irrigation project, Arizona, has been constructed under authority of the Act of June 7, 1924 (43 Stat. 475), as supplemented and amended; and

Whereas a contract has been executed pursuant to such legislative authority between the Secretary of the Interior and the San Carlos Irrigation and Drainage District providing for the repayment of the proper share of the cost of project irrigation works by the San Carlos Irrigation and Drainage District on behalf of project lands in private and public ownership; and

Whereas, at the beginning of the 1947 irrigation season, due to extended drought, there is virtually a complete lack of surface and reservoir water supply on the project for the irrigation of the lands of the district and the Pima Indians of the Gila River Indian Reservation, thus creating an emergency: Now, therefore, be it

Extension authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be constructed an extension of the system of wells and pumping works of the San Carlos irrigation project, including the enlargement, rehabilitation, and repair of the present pumping and drainage works of the said project, and in order to expedite and assist the accomplishment thereof, the San Carlos Irrigation and Drainage District, is hereby authorized, (1) to develop underground water within and without the area of the San Carlos irrigation project exclusively for use as a part of the common stored and pumped water supply of said project; (2) to drill irrigation wells within and without the project area necessary for making underground waters available exclusively for use on all lands of the project, and equip the same with pumping facilities and equipment, including the deepening, replacement, and repair of existing project wells and equipment; and (3) to purchase with the consent of and under agreement with the

owner thereof and to develop privately owned wells within or adjacent to the project areas, together with rights of way necessary to the operation of such wells: *Provided*, That the cost of the wells, exclusively for use as part of the common stored and pumped water supply of said project, equipment, and pumping works herein authorized to be constructed or acquired shall not exceed the sum of $380,000 and, within that limit, such cost shall be deemed a project charge to be distributed equally per acre over both the Indian lands and the lands in public and private ownership within the San Carlos irrigation project, and shall be repayable to the United States in accordance with existing law: *Provided further*, That the Secretary shall, at the earliest practicable date, enter into an agreement with the San Carlos Irrigation and Drainage District, which agreement shall describe the scope and extent of the work to be done by the district, the plans and specifications therefor, and such other provisions, in conformity herewith, as may be agreed upon between the Secretary and the district: *Provided further*, That the San Carlos Irrigation and Drainage District shall be reimbursed for costs expended by it in the construction and acquisition of such wells, equipment, and pumping works; and the Secretary is hereby authorized to make such reimbursement: First, by releasing the district from the payment of construction charges due the United States annually by the district under the repayment contract executed pursuant to said Act of June 7, 1924, as amended, as such charges become due and payable, until the amount of the payments so released shall equal the total amount of the funds certified under oath by the district as having been expended by it for the construction and acquisition of wells and equipment under the terms of the agreement provided for herein, the first of such annual payments so to be released by the Secretary being that due from the district on December 1, 1947; or second, by paying to the district the full amount of the funds so certified as expended by it in the work authorized to be done, or any balance thereof not otherwise paid as hereinabove provided, out of appropriations hereafter made by Congress for this purpose; and there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $380,000, or so much thereof as may be necessary, to carry out the purposes of this joint resolution.

Cost limitation.

Repayment of project charge to U. S.

Agreement.

Reimbursement.

43 Stat. 475.

Appropriation authorized.

Approved March 7, 1947.

[CHAPTER 11]

AN ACT

March 7, 1947
[S. 235]
[Public Law 11]

To authorize the Secretary of the Navy to convey to the city of Los Angeles, California, an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Los Angeles, California, under such terms and conditions as he may consider appropriate, a perpetual easement for the construction, reconstruction, inspection, maintenance, operation, and repair of a storm drain in, under, and along a part of a plot of approximately fifteen and six-tenths acres of land located in the city of Los Angeles, California, and acquired by the United States through condemnation proceeding numbered 2044–BH, Civil, in the District Court of the United States for the Central Division of the Southern District of California, metes and bounds description of which is on file in the Navy Department.

Los Angeles, Calif.
Conveyance.

Approved March 7, 1947.

[CHAPTER 12]

JOINT RESOLUTION

March 7, 1947
[H. J. Res. 122]
[Public Law 12]

To authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

U. S. Maritime Commission.
Water transportation service for Alaska.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide essential water transportation service for the Territory of Alaska pending the determination of long-range policy with respect to such transportation, the United States Maritime Commission is authorized to enter into appropriate contracts, charters, and other arrangements with American citizens operating American flag-line vessels deemed by the Commission to be qualified to supply such service until July 1, 1948. Such contracts or arrangements shall include provisions for making available to such operators Government-owned vessels under the control or jurisdiction of the United States Maritime Commission for operation during the period ending June 30, 1948. Such provisions may include charter hire at a nominal rate or rates, with necessary marine insurance to be provided by the Commission as to ships made available by the Commission and other ships operated by such operators in the Alaska service under the contracts or arrangements with the Commission. Such provisions may likewise include requirements that the operators shall agree to operate such ships in a manner as determined by the Commission to secure the most economical transportation for the Alaska service. The contracts or other arrangements shall include appropriate provisions for allocation of receipts from the operations of such ships. Such contracts or arrangements shall include, among such other requirements as the Commission may deem appropriate, provision for the application of such receipts to meet the operating costs and overhead expenses of the operator as approved by the Commission and an amount equal to the charter hire paid by the Commission for the use of the existing privately owned vessels, and in the case of vessels acquired subsequent to the enactment of this Act an amount equivalent to 15 per centum per annum of the purchase price of said vessel plus capitalized betterments, and amounts in excess thereof to become the property of the operators in amounts not in excess of 10 per centum (before taxes) on the value of the assets (other than vessels) contributed to the venture by the operator as determined by the Commission for the purposes hereof and not otherwise. Any amount in excess of such 10 per centum shall be applied first to meet the insurance expenses of the Commission, and any balance shall be applied or distributed as may be provided by the terms of the contracts or arrangements, but in no event shall the Commission receive less than 75 per centum of such balance, as additional charter hire.

Availability to operators of Government-owned vessels.

Allocation of receipts.

Reports to Congress.

SEC. 2. The Commission shall report to the Congress at intervals of not greater than ninety days all contracts, charters, and other arrangements entered into pursuant to this Act and the details and course of all operations which have been conducted thereunder.

Approved March 7, 1947.

[CHAPTER 13]

AN ACT

March 7, 1947
[S. 234]
[Public Law 13]

To authorize the Secretary of the Navy to convey to the Central of Georgia Railway Company an easement for railway purposes in certain Government-owned lands situated in Bibb County, Georgia.

Central of Georgia Railway Co.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to convey to the Central

of Georgia Railway Company a perpetual easement for the installation and operation of a railroad spur track in, over, and across a fifty and one-half foot strip of land at the Naval Ordnance Plant, Macon, Georgia, containing approximately thirty-three one-hundredths acre of land, metes and bounds description of which is on file in the Navy Department.

Payment by grantee.

SEC. 2. The Secretary of the Navy shall require, as a condition precedent to the conveyance herein authorized, payment by the grantee to the United States of a sum equal to the current market value of the easement herein authorized to be conveyed. The grantee shall bear the expense of relocating fencing, gates, and power poles now located on the land.

Approved March 7, 1947.

[CHAPTER 14]

AN ACT

To authorize the payment of $425.88 by the United States to the Government of Switzerland.

March 10, 1947
[H. R. 1040]
[Public Law 14]

Switzerland.
Settlement of claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to pay to the proper representatives of the Government of Switzerland, out of any money not otherwise appropriated, the sum of $425.88, in full settlement of all claims against the United States for the loss of food and other items stored aboard the Japanese vessel Awa Maru, when that vessel was sunk in western Pacific waters.

Approved March 10, 1947.

[CHAPTER 15]

AN ACT

To amend the Federal Firearms Act.

March 10, 1947
[H. R. 1778]
[Public Law 15]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (6) of the first section of the Federal Firearms Act of June 30, 1938 (52 Stat. 1250; U. S. C., title 15, sec. 901 (6)), be, and the same is hereby, amended to read as follows:

"Crime of violence."

"(6) The term 'crime of violence' means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year."

Approved March 10, 1947.

[CHAPTER 16]

AN ACT

To amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

March 10, 1947
[H. R. 2045]
[Public Law 16]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 (j) of the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended (U. S. C., 1940 edition, title 21, ch. 9), is amended by inserting "506, 507," after "section 404, 505,".

52 Stat. 1042.
21 U. S. C. § 331 (j).

SEC. 2. Section 502 (l) of such Act, as amended, is amended by inserting "or streptomycin" after "penicillin".

59 Stat. 463.
21 U. S. C. § 352 (l).

59 Stat. 463.
21 U. S. C. § 357.

SEC. 3. The heading of section 507 of such Act, as amended, is amended by inserting "OR STREPTOMYCIN" after "PENICILLIN"; and the first sentence of subsection (a) of such section 507 is amended by inserting "or streptomycin" after "penicillin".

Approved March 10, 1947.

[CHAPTER 17]

March 11, 1947
[H. R. 1030]
[Public Law 17]

AN ACT

To continue in effect certain war excise tax rates, and for other purposes.

Excise Tax Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Excise Tax Act of 1947".

58 Stat. 61.
26 U. S. C. § 1650.

SEC. 2. Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war".

Repeals.
58 Stat. 63.
26 U. S. C. §§ 1654, 1655.

SEC. 3. Sections 1654 (termination of retail tax on luggage, etc.) and 1655 (definition of "date of the termination of hostilities in the present war") of such Code are hereby repealed.

59 Stat. 576.
26 U. S. C. § 1659.

SEC. 4. Section 1659 of such Code is hereby amended to read as follows:

"SEC. 1659. DEFINITION OF 'RATE REDUCTION DATE'.

"For the purposes of this chapter the term 'rate reduction date' means such date as the Congress shall by law prescribe."

58 Stat. 63.
26 U. S. C. § 1650 note.

SEC. 5. Section 302 (b) (2) of the Revenue Act of 1943 (period applicable to increase of tax with respect to billiard and pool tables and bowling alleys) is hereby amended by striking out ", and continuing through June 30 next following the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war (as defined in Chapter 9A of the Internal Revenue Code)".

58 Stat. 61.
26 U. S. C. § 1650 *et seq.*
58 Stat. 68.
26 U. S. C. § 3250 note.

SEC. 6. Section 309 (b) of the Revenue Act of 1943 (relating to draw-back on distilled spirits) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war,".

55 Stat. 718.
26 U. S. C. § 2401.

SEC. 7. (a) Section 2401 of the Internal Revenue Code (relating to the tax on furs) is hereby amended by inserting after the words "chief value" a comma and the following: "but only if such value is more than three times the value of the next most valuable component material".

Applicability.

(b) The amendment made by subsection (a) shall apply in the case of articles sold on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act.

55 Stat. 721.
26 U. S. C. § 3469 (a).

SEC. 8. (a) Section 3469 (a) of the Internal Revenue Code (relating to the tax on transportation of persons) is hereby amended by inserting after the first sentence two new sentences to read as follows: "The tax shall not apply with respect to transportation any part of which is outside the northern portion of the Western Hemisphere, except with respect to any part of such transportation which is from any port or station within the United States, Canada, or Mexico to any other port or station within the United States, Canada, or Mexico. For the purposes of this section, the words 'northern portion of the Western Hemisphere' mean the area lying west of the thirtieth meridian west of Greenwich, east of the International Date Line, and north of the equator, but not including any country of South America."

"Northern portion of the Western Hemisphere."

(b) The amendment made by subsection (a) shall apply to amounts paid on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act for transportation on or after such first day.

Applicability.

(c) Effective with respect to tickets sold or issued on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act, section 1806 of the Internal Revenue Code (relating to stamp tax on passage tickets) is hereby repealed.

Repeal.

53 Stat. 199.
26 U. S. C. § 1806.

Approved March 11, 1947.

[CHAPTER 18]

AN ACT

March 21, 1947
[S. 220]
[Public Law 18]

To authorize the Secretary of the Navy to convey to American Telephone and Telegraph Company an easement for communication purposes in certain lands situated in Virginia and Maryland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone and Telegraph Company of Virginia, a corporation, an easement for the installation, maintenance, operation, replacement, and removal of underground communication systems consisting of cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, markers, and other appurtenances as the said corporation may from time to time require (a) upon, under, and across the following parcels of land within the boundaries of the United States Naval Proving Grounds, King George County, Virginia, the metes and bounds descriptions of which are on file in the Navy Department:

American Telephone and Telegraph Company of Virginia.
Conveyance.

(1) a strip of land sixteen and five-tenths feet in width and approximately five thousand six hundred and sixteen feet in length extending from the westerly boundary of said naval reservation to the Potomac River, north of and adjacent to United States Highway Numbered 301;

(2) a strip of land sixteen and five-tenths feet in width and approximately four hundred and twenty feet in length connecting with the aforesaid strip of land and running northeasterly to the Potomac River;

(3) a piece or parcel of land containing approximately one hundred sixteen and three hundred and seventy-five one-thousandths square feet for an auxiliary repeater station site;

and (b) upon, under, and across the railroad right-of-way of the United States of America between Fredericksburg and Dahlgren, King George County, Virginia, at station 1450 plus 57 of said railroad station system, the metes and bounds description of which is on file in the Navy Department.

SEC. 2. The Secretary of the Navy is further authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone and Telegraph Company of Baltimore City, a corporation, an easement for the purposes contained in section 1 of this Act, upon, under, and across the railroad right-of-way of the United States of America between Indian Head and White Plains, Charles County, Maryland, at a point in said right-of-way two thousand four hundred and thirty-one feet distant along the railroad centerline from the point of switch with the main line of the Pope Creek Branch of the Baltimore and Washington Railroad, the metes and bounds description of which is on file in the Navy Department.

American Telephone and Telegraph Company of Baltimore City.
Conveyance.

Approved March 21, 1947.

[CHAPTER 19]

March 21, 1947
[S. 221]
[Public Law 19]

AN ACT

To authorize the Secretary of the Navy to grant and convey to the Virginia Electric and Power Company a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Virginia, and for other purposes.

Virginia Electric and Power Co. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to grant and convey by quitclaim deed under such conditions as he may approve, to Virginia Electric and Power Company, a corporation organized and existing under and by virtue of the laws of the Commonwealth of Virginia, a perpetual easement in two strips of land, each twenty feet in width, and four hundred and fourteen feet in length and six hundred and sixty-three feet in length, respectively, containing four hundred and ninety-four one-thousandths of an acre of land, more or less, comprising portions of the salvage yard, and the Public Works storage lot, Norfolk Navy Yard, Portsmouth, Virginia, for the construction, maintenance, operation, renewal, replacement, and repair of electric power transmission and distribution lines consisting of poles, wires, cables, and other fixtures and appurtenances incidental thereto, the metes and bounds descriptions of which are on file in the Navy Department.

Transfer of equipment, etc.

SEC. 2. The Secretary of the Navy, in consideration of the transfer to the United States by Virginia Electric and Power Company of title to certain equipment consisting of poles, wires, cross-arms, insulators, and other incidental materials, is further authorized to transfer, under such conditions as he shall approve, to said Virginia Electric and Power Company, all of the right, title, and interest of the United States of America, in two electric cables, each three conductor, three hundred and fifty thousand circular mils, eleven-thousand-volt, and each three thousand nine hundred and ten feet in length, which are installed within two conduits of the United States of America, constructed in and upon a strip of land comprising a part of the Norfolk Navy Yard, Portsmouth, Virginia; and the Secretary of the Navy is further authorized to grant and convey, under such conditions as he may approve, to Virginia Electric and Power Company, a perpetual easement to maintain, operate, renew, replace, and repair the aforesaid electric cables within said conduits, the metes and bounds description of the location of which is on file in the Navy Department.

Approved March 21, 1947.

[CHAPTER 20]

March 22, 1947
[H. R. 1968]
[Public Law 20]

AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Urgent Deficiency Appropriation Act, 1947.
Post, p. 118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

For payment to Margaret S. Andrews, widow of Charles O. Andrews, late a Senator from the State of Florida, $10,000.

For payment to Edith Pou Bailey, widow of Josiah W. Bailey, late a Senator from the State of North Carolina, $10,000.

For additional clerical assistance in the Disbursing Office at the rate of $3,000 per annum from March 1 to June 30, 1947, fiscal year 1947, $1,000.

The sum of $50,000 made available out of the contingent fund of the Senate by the Legislative Branch Appropriation Act, 1947, for the purpose of enabling the Senate Committee on Appropriations to employ expert and clerical assistance, is hereby made available for the employment of a consultant at not to exceed $35 per day when actually employed, including all pay increases authorized by the Federal Employees Pay Act of 1945, as amended.

Consultant.
60 Stat. 392.
59 Stat. 301.
5 U. S. C. §§ 931, 932.

For payment to Henry V. DeMott for services rendered the special committee investigating the production, transportation, and marketing of wool during the months of October and December 1939, and January and March 1940, one month at the rate of $3,300 per annum, fiscal year 1940, $275.

For an amount necessary to increase the salary of one clerk under the Office of the Sergeant at Arms from $2,500 to $3,300, effective March 1, 1947, fiscal year 1947, $267, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

60 Stat. 390.
2 U. S. C. § 60a.

For the employment of six additional telephone operators from March 1 to June 30, 1947, at $1,800 each per annum, fiscal year 1947, $3,600.

For an additional amount for rent of warehouse for storage of public documents, fiscal year 1947, $2,174.40.

HOUSE OF REPRESENTATIVES

For payment to the widow of William J. Gallagher, late a Representative from the State of Minnesota, $10,000.

For payment to the widow of William B. Barry, late a Representative from the State of New York, $10,000.

For payment to the widow of Robert K. Henry, late a Representative from the State of Wisconsin, $10,000.

EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, from January 2, 1947, pursuant to the provisions of section 243 of the Act of Congress entitled "An Act to provide for increased efficiency in the Legislative Branch of the Government", approved August 2, 1946, fiscal year 1947, $10,600, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1947", and the Board of Education of the District of

60 Stat. 839.
2 U. S. C. § 88a.

Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services from January 2, 1947, in accordance with such rates of compensation as the Board of Education may prescribe: *Provided*, That the facilities provided for the education of such pages shall be available from and after January 2, 1947, also for the education of such other minors who are congressional employees as may be certified by the Secretary of the Senate and the Clerk of the House of Representatives to receive such education.

JOINT COMMITTEE ON ATOMIC ENERGY

Post, p. 363.

60 Stat. 772.
42 U. S. C. § 1815.

For salaries and expenses of the Joint Committee on Atomic Energy created by section 15 of the Atomic Energy Act of 1946, including compensation of consultants at such rates as may be fixed by the committee but not exceeding $35 gross each per day while actually employed, fiscal year 1947, $50,000, to be disbursed by the Secretary of the Senate on vouchers approved by the chairman; and the Secretary of the Senate hereby is authorized to advance to the committee on the receipt of the chairman such sums within the appropriation as may be necessary from time to time to defray incidental expenses, to be accounted for in the same manner as provided by law for Senate committees.

COMMITTEE ON FEDERAL EXPENDITURES

26 U. S. C. note prec. § 3600.

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $7,500, to be disbursed by the Secretary of the Senate.

ARCHITECT OF THE CAPITOL

60 Stat. 400.

Senate Office Building: For an additional amount, fiscal year 1947, for maintenance, including the objects specified under this head in the Legislative Branch Appropriation Act, 1947, $32,000, to be expended by the Architect of the Capitol for structural and mechanical alterations and improvements to provide accommodations in the Senate Office Building for the Senate folding room, including all necessary incidental expenses in connection therewith.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF DEFENSE TRANSPORTATION

Post, p. 107.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses"; $136,500.

OFFICE OF TEMPORARY CONTROLS

50 U. S. C. app. § 601 note.

Liquidation.

Salaries and expenses: For an additional amount, fiscal year 1947, for the Office of Price Administration transferred by Executive Order 9809 of December 12, 1946, to the Office of Temporary Controls, $7,051,752, to be available for the payment of terminal leave only: *Provided*, That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

BUREAU OF EMPLOYEES' COMPENSATION

Employees' compensation fund: For an additional amount, fiscal year 1947, for "Employees' compensation fund", $3,000,000, to be expended in accordance with the provisions of Public Law Numbered 650, Seventy-ninth Congress, second session, and the Federal Employees' Compensation Act of 1916, as amended.

Post, p. 184.
60 Stat. 899.
42 U. S. C. § 1701.
39 Stat. 742.
5 U. S. C. § 751 *et seq.*

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", $165,000,000: *Provided*, That the amount available to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration is increased to $5,500,000; and the limitation on travel expenses imposed by section 105 of the Independent Offices Appropriation Act, 1947, is increased to $8,043,000.

Post, pp. 62, 184.
Travel expenses.
60 Stat. 78.

Military and naval insurance: For an additional amount, fiscal year 1947, for "Military and naval insurance", $1,000,000, to remain available until expended.

Post, p. 62.

Vocational rehabilitation revolving fund: To increase the "Vocational rehabilitation revolving fund (Act of March 24, 1943)", created by the Urgent Deficiency Appropriation Act, 1943, $200,000.

Post, p. 62.
57 Stat. 44, 434.
38 U. S. C. note foll. § 739, p. 4269.
Post, p. 180.

TREASURY DEPARTMENT

FISCAL SERVICE—BUREAU OF ACCOUNTS

Division of Disbursement, salaries and expenses: For an additional amount, fiscal year 1947, for "Division of Disbursement, salaries and expenses", $3,100,000.

TITLE II—REDUCTIONS IN APPROPRIATIONS AND AUTHORIZATIONS

Amounts available to the departments and agencies from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

EXECUTIVE OFFICE OF THE PRESIDENT

Office for Emergency Management:

Office of Scientific Research and Development:

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1942–1946, $2,044,477.

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1940–1946, $160,744.

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1945, $6,688,979.

Office of Temporary Controls:

Salaries and expenses, Civilian Production Administration functions, Office of Temporary Controls, 1947, $2,400,000:

Liquidation.

Provided, That the Civilian Production Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947.

Liquidation.

Salaries and expenses, Office of Price Administration functions, Office of Temporary Controls, 1947, $2,000,000: *Provided*, That the Office of Price Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947.

Salaries and expenses, Economic Stabilization, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1947, $44,000.

Salaries and expenses, guaranteed annual wage plans, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1946–1947, $16,000.

FUNDS APPROPRIATED TO THE PRESIDENT

Emergency fund for the President, national defense, 1942–1947, $2,500,000.

INDEPENDENT OFFICES

Atomic Energy Commission: Atomic energy, Executive (allotment to Atomic Energy Commission), 1942–1947, $40,000,000.

Price Decontrol Board: Salaries and expenses, Price Decontrol Board, 1947, $195,212.

United States Maritime Commission:

49 Stat. 1987.
46 U. S. C. § 1116.

Construction fund, United States Maritime Commission, Act of June 29, 1936, revolving fund, $265,000,000, and the contract authorization under this head is hereby reduced in the sum of $132,000,000.

Availability of funds for previous obligations.

Emergency ship construction fund, United States Maritime Commission, $1,251,691, together with the unexpended balance: *Provided*, That hereafter the United States Maritime Commission construction fund shall be available for the payment of obligations previously incurred against the emergency ship construction fund.

Working fund, Maritime Commission (Navy Department), $60,265,686.

Working fund, Maritime Commission (War Department), 1942–1945; working fund, Maritime Commission (War Department), 1945; working fund, Maritime Commission (War Department), 1942–1946, $834,845.

Working fund, United States Maritime Commission, War Shipping Administration functions, December 31, 1946, $358,679.

Working fund, United States Maritime Commission, War Shipping Administration functions, 1945, $270,006.

Veterans' Administration:

Adjusted service and dependent pay, Veterans' Administration, $71,631.

Military and naval family allowance, Veterans' Administration, $11,155.97.

Hospital facilities and services, Veterans' Administration, $8,469.39.

Vocational rehabilitation, Veterans' Administration, $6,441.71.

FEDERAL SECURITY AGENCY

Office of Education:

Working fund, Federal Security Agency, Office of Education, 1946, $2,600.

Working fund, Federal Security Agency, Office of Education (advance from Veterans' Administration), 1947, $41,800.

Public Health Service: Working fund, United States Public Health Service, 1946, $12,664.

Office of the Administrator:

Civilian war benefits, Federal Security Agency, 1947, $18,000.

Civilian war assistance, Federal Security Agency, 1947, $1,000,000.

FEDERAL WORKS AGENCY

Public Buildings Administration:

Social Security Board and Railroad Retirement Board buildings, Washington, District of Columbia, Public Buildings Administration, $46,914.

War Department buildings, Washington, District of Columbia, Public Buildings Administration, $150,000.

Great plaza development, triangle, Washington, District of Columbia, Public Buildings Administration, $7,250.

Emergency construction of public buildings, Public Buildings Administration, Act of June 19, 1934, $5,955, together with the unobligated balance as of June 30, 1947. 48 Stat. 1061.

Emergency construction of public buildings, Public Buildings Administration, Act of August 12, 1935, $5,755, together with the unobligated balance as of June 30, 1947. 49 Stat. 599.

Emergency construction of public buildings, Public Buildings Administration, Act of June 22, 1936, $11,661, together with the unobligated balance as of June 30, 1947. 49 Stat. 1638.

Federal office buildings numbered 2 and 3, in or near the District of Columbia, Public Buildings Administration, unobligated balance, June 30, 1947.

Emergency safeguarding of public buildings and property, Public Buildings Administration, $10,000, together with the unobligated balance as of June 30, 1947.

Working capital fund, Public Buildings Administration, $2,500.

Veterans' decentralization allowances, Public Buildings Administration, 1947–1948, $40,000.

Materials testing laboratory and equipment, National Bureau of Standards (transfer to Federal Works Agency, Public Buildings Administration), $7,797.

Working fund, Federal Works Agency, Public Buildings Administration, $126,445.

Working fund, Federal Works Agency, Public Buildings Administration, 1946, $51,453.

Public Roads Administration:

Access roads, Public Roads Administration (national defense), $2,101,972.

Strategic highway network, Public Roads Administration (national defense), $282,481.

Flood relief, Missouri, Mississippi, Louisiana, and Arkansas, for restoration of roads and bridges, Public Roads Administration, unobligated balance, June 30, 1947.

NATIONAL HOUSING AGENCY

Federal Public Housing Authority:

National defense housing, temporary shelter, Office of Administrator, National Housing Agency (transfer to Federal Public Housing Authority), $142,098.

War housing in and near the District of Columbia, Federal Public Housing Authority, $85,469.

49 Stat. 1987.
46 U. S. C. § 1116.

Construction fund, United States Maritime Commission, Act of June 29, 1936 (transfer to National Housing Agency, Federal Public Housing Authority), $574,096.

DEPARTMENT OF AGRICULTURE

Office of the Secretary:
Working fund, Agriculture, general, $23,666.77.
Working fund, Agriculture, general, 1942–1946, $78,669.52.
Bureau of Agricultural Economics: Working fund, Agriculture, Bureau of Agricultural Economics, $16.25.
Extension Service:
Working fund, Agriculture, Extension Service, 1941–1946, $3,655.
Working fund, Agriculture, Extension Service (special fund), $475.76.
Agricultural Research Administration:
Office of the Administrator:
Removal and reestablishment of Arlington Farm, Virginia (transfer to Agriculture), $162,400.18.
Working fund, Agriculture, Agricultural Research Administration, 1942–1946, $34,813.89.
Working fund, Agriculture, Agricultural Research Administration, 1946, $48,000.
Bureau of Plant Industry, Soils, and Agricultural Engineering:
Rubber investigations, Bureau of Plant Industry, Soils, and Agricultural Engineering, $105.70.
Forest Service:
Working fund, Agriculture, Forest Service, 1942–1946, $51,465.66.
Working fund, Agriculture, Forest Service, 1946, $82,823.93.
Acquisition of lands, $36.56.
Soil Conservation Service:
Working fund, Agriculture, Soil Conservation Service, 1941–1946, $128.
Working fund, Agriculture, Soil Conservation Service, 1942–1946, $26,069.
Production and Marketing Administration:
Conservation and use of agricultural land resources, Department of Agriculture, 1946–1947, $8,945,000.

52 Stat. 819.

Administration of Price Adjustment Act of 1938, Department of Agriculture, $85,638.

Post, p. 550.

Exportation and domestic consumption of agricultural commodities, Department of Agriculture (cotton price adjustment), $139,068.
Payments for agricultural adjustment, Department of Agriculture, $4,505.
Community facilities, defense public works, Office of Administrator, Federal Works Agency (transfer to Agriculture), $11,895.

DEPARTMENT OF COMMERCE

Bureau of the Census:
Working fund, Commerce, Bureau of the Census, 1947, $21,500.
Working fund, Commerce, Bureau of the Census, 1946, $11,385.
Coast and Geodetic Survey:
Working fund, Commerce, Coast and Geodetic Survey, $4,816.65.
Working fund, Commerce, Coast and Geodetic Survey, 1942–1946, $8.11.

National Bureau of Standards:
Working fund, Commerce, Standards, 1942–1946, $12,335.69.
Working fund, Commerce, Standards, 1946, $84,345.
Working fund, Commerce, Standards, $365.22.
Station for broadcasting standard frequencies, National Bureau of Standards, $1,000.

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:
Purchase of land for Navajo Indians, Arizona (reimbursable), $308.02.
Construction, irrigation systems, Indian Service (reimbursable), $9,865.90.
Construction, buildings and utilities, Indian Service, $131,407.71.
Support of Wisconsin Band of Potawatomie, Wisconsin and Michigan (reimbursable), $500.21.
Working fund, Interior, Indians, $25,538.66.
Working fund, Department of the Interior, subsistence, homestead project, $2,092.97.
Bureau of Mines:
Reduction of zinc concentrates with methane gas, Bureau of Mines (national defense), $4,133.
Drainage tunnel, Leadville, Colorado, $29,081.
Working fund, Interior, Mines (Office of Scientific Research and Development), 1946, $130,000.
Working fund, Interior, Mines, Army, Engineer Service, 1942–1946, $43,905.
National Park Service:
Roads and trails, national parks, emergency construction, Act of June 19, 1934, $22.
Working fund, Interior, National Park Service (advance from War Department), $14,000.
Government in the Territories: Emergency fund, Territories and island possessions (national defense), $121,000.

DEPARTMENT OF JUSTICE

Federal Prison System:
Buildings and equipment, penal institutions, $865,000.
United States Industrial Reformatory, Chillicothe, Ohio, construction, $89.71.
United States Northeastern Penitentiary, Lewisburg, Pennsylvania, construction, $1,636.78.
Public Works Administration, Act of 1938 (allotment to Justice, prisons), $1,702.52. 52 Stat. 816.
Federal jails, buildings, and equipment (Sandstone), $370.35.
Working fund, Justice, prisons, $149,729.70.

DEPARTMENT OF LABOR

Office of the Secretary:
Veterans' housing, Office of Administrator, National Housing Agency (transfer to Labor), $3,368.
Migration of workers, War Manpower functions, Department of Labor, 1944, $652,376.
Migration of workers, War Manpower functions, Department of Labor, 1945, $4,884.
Bureau of Labor Statistics: Working fund, Labor, Labor Statistics (advance from National Housing Agency), $237.68.

National Wage Stabilization Board: Salaries and expenses, National Wage Stabilization Board, Department of Labor, 1947, $1,191,900.

NAVY DEPARTMENT

Bureau of Supplies and Accounts:

Naval working fund, $50,000,000.

Post, p. 79.

Naval procurement fund, $50,000,000.

Strategic and critical materials, Navy, $94.

Reserve material, Navy, $62,800.

Bureau of Yards and Docks:

Public works, Bureau of Yards and Docks, 1947, $15,108,514: *Provided*, That hereafter no obligations shall be incurred against the contract authorization provided under this head prior to July 1, 1946.

Increase and replacement of naval vessels: Repair facilities, Navy, $4,000,000.

TREASURY DEPARTMENT

Post, p. 187.

Bureau of Accounts: Emergency relief, liquidation fund, $1,280,000.

Bureau of Federal Supply: Working capital fund, duplicating services, Procurement Division, $1,323,480.02.

Coast Guard:

Acquisition of vessels and shore facilities, Coast Guard, $9,624,066.

Emergency construction, vessels and shore facilities, Coast Guard, $184,225.

Establishing and improving aids to navigation, Coast Guard, $59,279.

Special projects, aids to navigation, Coast Guard, $36,106.

Special projects, vessels, Coast Guard, $37,470.

Special projects, aids to navigation, Lighthouse Service, Coast Guard, $3,937.

Post, p. 572.

WAR DEPARTMENT

Military activities:

Expenses and losses financing war contracts, $15,000,000.

Acquisition of land, West Point, unexpended balance.

Acquisition of land, San Bernardino, Kern, and Los Angeles Counties, California, unexpended balance.

Acquisition of land, Panama, Army, unexpended balance.

Acquisition of land, Buchanan, Puerto Rico, unexpended balance.

Acquisition of land, Act of June 20, 1940, unexpended balance.

Sites for military purposes, unexpended balance.

Post, p. 625.

Construction of buildings, utilities, and appurtenances, military posts, $17,567,069.

Buildings for United States representatives, Philippine Islands, unexpended balance.

Emergency fund for the President, national defense housing (allotment to War), unexpended balance.

Community facilities, defense public works, Office of Administrator, Federal Works Agency (transfer to War), $221,855.

National defense housing, War maintenance, and so forth, unexpended balance.

Emergency fund for the President, defense housing, temporary shelter, War, Federal Public Housing Authority, maintenance, unexpended balance.

National defense housing, War, Office of Administrator, Federal Works Agency, maintenance, and so forth, unexpended balance.

Repair of arsenals, emergency construction, unexpended balance.

Seacoast defenses, general, $130,619.

Seacoast defenses, $106,468.

Seacoast defenses, Panama Canal, $642,905.

TITLE III—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

SEC. 302. This Act may be cited as the "Urgent Deficiency Appropriation Act, 1947".

Short title.

Approved March 22, 1947.

[CHAPTER 21]

March 26, 1947
[S. 276]
[Public Law 21]

AN ACT

To provide for payment and settlement of mileage and other travel allowance accounts of military personnel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payment and settlement of mileage and other travel allowance accounts of all military personnel, when such accounts are authorized to be based on distances between given points, shall be made in accordance with distances established for payment and settlement of mileage accounts of officers pursuant to the provisions of the Act of June 12, 1906, as amended (34 Stat. 246; 10 U. S. C. 870).

Approved March 26, 1947.

[CHAPTER 22]

JOINT RESOLUTION

March 27, 1947
[H. J. Res. 154]
[Public Law 22]

Making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

Post, pp. 185, 245, 617.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for expenses necessary to enable the Secretary of Agriculture to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended by the Act of September 21, 1944 (21 U. S. C. 114a), fiscal year 1947, $9,000,000, to be available for the purposes of carrying out the provisions of said Public Law 8 until June 30, 1948.

Ante, p. 8.

58 Stat. 734.

Approved March 27, 1947.

[CHAPTER 23]

JOINT RESOLUTION

March 28, 1947
[S. J. Res. 27]
[Public Law 23]

Amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Settlement of Mexican Claims Act of 1942, approved December 18, 1942, be amended by adding after section 3 (a), paragraph (6) thereof, the following paragraph:

56 Stat. 1059.
22 U. S. C. § 662.

"(7) Any claim decided by the General Claims Commission in which the United States filed a petition for rehearing."

Approved March 28, 1947.

[CHAPTER 24]

JOINT RESOLUTION

March 29, 1947
[H. J. Res. 118]
[Public Law 24]

To strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS OF FACT AND DECLARATION OF POLICY

Rubber.
Post, p. 618.

SECTION 1. (a) Natural rubber, which includes all forms and types of tree, vine, and shrub rubber, is a highly strategic and critical material, deficient and incapable, as a result of climatic conditions in the United States, of sufficient development as a natural resource of the United States in quantities adequate to supply the industrial, military, and naval needs of the country for the common defense. Natural rubber is at present in short supply and is expected to continue in short supply for some months to come, and thus the supplies of natural rubber must be augmented by the use of large quantities of synthetic rubber, a product of chemical synthesis.

60 Stat. 596.
50 U. S. C. §§ 98-98h.

Congress, in the enactment of the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress), has heretofore declared it the policy of the United States and the purpose of that Act to provide for the acquisition and retention of stocks of strategic and critical materials, including natural rubber, so as to prevent so far as possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency. Further, natural rubber, when stock

piled and held in storage, must be rotated and replaced from time to time by equivalent quantities of fresh material. By reason of the foregoing, a program with respect to rubber must be devised which will supplement that heretofore adopted in the Strategic and Critical Materials Stock Piling Act.

Policy of U. S.

(b) It is the policy of the United States that there shall be maintained at all times in the interest of the national security and common defense, in addition to stock piles of natural rubber which are to be acquired, rotated, and retained pursuant to the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress, approved July 23, 1946), a technologically advanced and rapidly expandible domestic rubber-producing industry of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of domestically produced rubber to meet the industrial, military, and naval needs of the country.

60 Stat. 596.
50 U.S.C. §§ 98-98h.

Investigation, etc., by Congress.

(c) It is necessary in the public interest and to promote the national defense (1) that Congress make a thorough study and investigation of means of accomplishing such policy through the enactment of permanent legislation, the study and investigation to be completed within such time as will permit the legislation to be enacted, during the first session of the Eightieth Congress; and (2) that, pending the enactment of such permanent legislation, the United States continue allocation, specification, and inventory controls of natural and synthetic rubber and natural and synthetic rubber products and the authority of the United States to manufacture and sell synthetic rubber be continued.

Continuation of controls by U. S.

TEMPORARY RETENTION OF CERTAIN EMERGENCY POWERS WITH RESPECT TO RUBBER

SEC. 2. To effectuate the purposes set forth in section 1 (c) hereof—

(a) Notwithstanding the provisions of title XV of the Second War Powers Act, 1942, as amended, title III of such Act and the amendments to existing law made by such title, shall remain in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948, insofar as such provisions authorize allocation, specification, and inventory controls of natural and synthetic rubber and natural- and synthetic-rubber products (including import control of synthetic rubber and natural- and synthetic-rubber products, but excluding import control of natural rubber), and it is hereby directed that, to the extent necessary to accomplish the purposes of this joint resolution, the powers, functions, duties, and authority under the provisions so continued shall be exercised and performed until that date: *Provided*, That the President may continue allocation, specification, and inventory control of natural and synthetic rubber and natural- and synthetic-rubber products and import control of synthetic rubber and natural- and synthetic-rubber products in the public interest and to carry out the purposes of this joint resolution, notwithstanding any changes in the supply or estimated supply of natural rubber.

56 Stat. 187, 177.
50 U. S. C. app. §§ 645, 645a, 633, 1152.
Post, pp. 34, 214, 322, 946.

Continuation of control by President.

Continuation of manufacture, etc., of synthetic rubber by U. S.

(b) The powers, functions, duties, and authority of the United States to manufacture (including the conduct of research essential to the development of the synthetic-rubber industry) and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948. There shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities costing the Government in

Disposal of plants, etc., restriction.

excess of $5,000,000, until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof: *Provided*, That there shall be exempt from such disposal limitations the neoprene plant, styrene plants, the petroleum butadiene plant located at Toledo, Ohio, not to exceed two alcohol butadiene plants, and butadiene-styrene type copolymer plants to the extent that the aggregate actual capacity of such copolymer plants remaining in Government ownership shall not be less than six hundred thousand long tons per year. It is hereby directed that the aforesaid powers, functions, duties, and authority of the United States to so manufacture and sell synthetic rubber shall be exercised and performed by Reconstruction Finance Corporation while that Corporation has succession and thereafter by such officer, agency, or instrumentality of the United States as the President may designate: *Provided further*, That nothing herein shall be construed as precluding any other agency of Government from engaging in research authorized by law.

Exemptions.

Exercise by RFC of U. S. functions, etc.

Research by other Government agencies.

Approved March 29, 1947.

[CHAPTER 25]

March 29, 1947
[H. J. Res. 159]
[Public Law 25]

JOINT RESOLUTION

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Deficiency appropriations, 1947.
Post, p. 118.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

INCREASED PAY COSTS

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752.
39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324.
Post, pp. 40, 727.

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

LEGISLATIVE BRANCH

Senate:

"Salaries, officers and employees, Senate", $1,013,725;

"Salaries and expenses, Joint Committee on Printing, to be disbursed by the Secretary of the Senate", $5,235;

"Compiling and preparing a revised edition of the Biographical Directory of the American Congress", $14,000;

"Salaries and expenses, legislative counsel", $15,000;

"Salaries and expenses, Senate policy committees", $11,000;

"Contingent expenses, Senate, reporting debates and proceedings of the Senate", $19,075;

"Contingent expenses, Senate, services in cleaning, repairing, and varnishing furniture", $760;

"Contingent expenses, Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee on Rules and Administration of the Senate, but not exceeding 25 cents per hundred words", $118,350: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of

Restriction.

the Subsistence Expense Act of 1926, approved June 3, 1926, as amended; 44 Stat. 688. 5 U. S. C. §§ 821-823, 827-833.

"Contingent expenses, Senate, folding speeches and pamphlets at a rate not exceeding $1 per thousand", $5,015;

"Contingent expenses, Senate, maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms", $790;

"Contingent expenses, Senate, miscellaneous items, exclusive of labor", $19,640;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate and one for the minority leader of the Senate", $760;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President", $770;

House of Representatives:

"Compensation of officers, clerks, messengers, and others", $675,000;

"Clerk hire, Members and Delegates", $1,675,000;

Contingent expenses of the House;

"Furniture", $17,500;

"Miscellaneous items", $6,000;

"Joint Committee on Internal Revenue Taxation", $37,500;

"Folding documents", $10,000;

"Preparing and editing a new edition of the Code of Laws", $12,000;

"Clerk's office, special assistance", $1,000;

"Speaker's automobile", $1,200;

"Capitol Police Board", $300;

Office of Legislative Counsel: "Salaries and expenses", $10,000;

Architect of the Capitol:

Office of the Architect of the Capitol: "Salaries", $9,176;

Capitol Buildings and Grounds:

"Capitol Buildings", $56,173;

"Capitol Grounds", $17,882;

"Legislative garage", $3,297;

"Senate Office Building", $52,898;

"House Office Buildings", $72,456;

"Capitol power plant", $50,478;

Library Buildings and Grounds:

"Salaries", $23,583; *Post*, p. 114.

"Salaries, Sunday opening", $1,850;

Botanic Garden: "Salaries", $20,298;

THE JUDICIARY

United States Supreme Court:

"Salaries", $97,000;

"Structural and mechanical care of the building and grounds", $18,631;

Court of Customs and Patent Appeals: "Salaries and expenses", $28,315;

United States Customs Court: "Salaries and expenses", $41,250;

Miscellaneous items of expense:

"Salaries of judges", $1,164,000;

"Salaries of clerks of courts", $190,000;

"Probation system, United States courts", $78,000;

"Salaries of criers", $11,800;

"Fees of commissioners", $95,000;

Administrative Office of the United States Courts: "Salaries", $40,000;

EXECUTIVE OFFICE OF THE PRESIDENT

Executive Mansion and grounds: "Care, maintenance, repair, and alteration", $18,250;

Bureau of the Budget: "Salaries and expenses", $350,500;

Office for Emergency Management:

Office of Defense Transportation: "Salaries and expenses", $62,400;

Office of Scientific Research and Development: "Salaries and expenses", $48,800;

INDEPENDENT OFFICES

Federal Trade Commission: "Salaries and expenses", $281,000;

Interstate Commerce Commission:

"General expenses", $793,100;

"Railroad safety", $56,500;

"Locomotive inspection", $52,100;

National Advisory Committee for Aeronautics: "Salaries and expenses", $1,040,000;

National Capital Housing Authority: "Maintenance and operation", $1,550;

National Mediation Board:

"Salaries and expenses", $16,000;

National Railroad Adjustment Board: "Salaries and expenses", $19,000;

Panama Railroad Company: "Administrative expenses" (increase of $85,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

Railroad Retirement Board:

"Salaries", $304,000;

"Miscellaneous expenses (other than salaries)", $31,000;

Securities and Exchange Commission: "Salaries and expenses", $572,000;

Smithsonian Institution:

"Salaries and expenses", $180,400;

"Salaries and expenses, National Gallery of Art", $101,000;

The Tax Court of the United States: "Salaries and expenses", $123,500;

Veterans' Administration: "Administration, medical, hospital, and domiciliary services", $48,272,500;

FEDERAL WORKS AGENCY

Public Buildings Administration:

"General administrative expenses", $201,500;

"Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", $2,996,000;

"Salaries and expenses, public buildings and grounds outside the District of Columbia", $1,123,600;

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

Post Office Department, Washington, District of Columbia:

Office of the Postmaster General: "Salaries", $14,700;

Salaries in bureaus and offices:

"Office of Budget and Administrative Planning", $6,300;

"Office of the First Assistant Postmaster General", $137,900;

"Office of the Second Assistant Postmaster General," $110,900;

"Office of the Third Assistant Postmaster General", $158,200;

"Office of the Fourth Assistant Postmaster General", $78,000; Post, p. 69.

"Office of the Solicitor for the Post Office Department", $21,000;

"Office of the Chief Inspector", $31,300;

"Office of the purchasing agent", $9,800;

"Bureau of Accounts", $77,100;

Field Service, Post Office Department:

Office of Chief Inspector:

"Salaries of inspectors", $263,700;

"Clerks", $149,600;

Office of the First Assistant Postmaster General:

"Compensation to postmasters", $12,701,900;

"Compensation to assistant postmasters", $1,260,000;

"Clerks, first- and second-class post offices", $74,221,400;

"Clerks, third-class post offices", $5,954,000;

"Miscellaneous items, first- and second-class post offices", $200,400;

"Village delivery service", $51,600;

"City delivery carriers", $42,981,200;

"Special-delivery compensation and fees", $1,488,000;

"Rural Delivery Service", $13,793,900;

Office of the Second Assistant Postmaster General: "Railway Mail Service", $13,055,200;

Office of the Third Assistant Postmaster General: "Manufacture and distribution of stamps and stamped paper", $3,600;

Office of the Fourth Assistant Postmaster General:

"Post office stationery, equipment, and supplies", $26,600;

"Equipment shops, Washington, District of Columbia", $193,800;

"Pneumatic-tube service, New York City and Boston", $61,300;

"Vehicle Service", $2,486,300;

Public Buildings, maintenance and operation: "Operating force", $7,074,700;

DISTRICT OF COLUMBIA

General administration:

"Executive office", $18,700;

"Office of the corporation counsel", $15,600;

"Board of Tax Appeals", $1,700;

Fiscal Service:

"Assessor's office", $51,700;

"Collector's office", $14,400;

"Auditor's office", $40,500;

"Purchasing division", $10,000;

Regulatory agencies:

"Alcoholic Beverage Control Board", $5,700;

"Board of Indeterminate Sentence and Parole", $4,800;

"Coroner's office", $3,700;

"Department of Insurance", $3,800;

"Department of Weights, Measures, and Markets", $9,700;

"License Bureau", $3,300;

"Minimum Wage and Industrial Safety Board", $5,700;
"Office of Administrator of Rent Control", $11,500;
"Office of Recorder of Deeds", $26,400;
"Poundmaster's office", $3,100;
"Public Utilities Commission", $12,200;
"Zoning Commission", $2,300;

Public Schools:
Operating expenses:
"General administration", $45,000;
"General supervision and instruction", $1,540,000;
"Vocational education, George-Deen program", $21,000;
"Operation of buildings and maintenance of equipment", $200,000;

Public Library: "Operating expenses", $99,500;
Recreation Department: "Operating expenses", $43,300;
Metropolitan Police: "Salaries and expenses", $553,500;
"Fire Department", $397,600;

Courts:
"Juvenile court", $14,200;
"Municipal court", $43,200;
"Municipal court of appeals", $4,100;
"Probation system", $1,700;
"Office of Register of Wills", $11,100;
"Commission on Mental Health", $4,300;

Health Department:
"Operating expenses, Health Department (excluding hospitals)", $158,400;
"Operating expenses, Glenn Dale Tuberculosis Sanatorium", $20,000;

Department of Corrections:
Adult Correctional Service: "Operating expenses", $163,000;

Public Welfare:
"Office of the Director", $10,900;
Family Welfare Service:
"Operating expenses, child care", $15,800;
"Public assistance and children's services", $32,900;
"Operating expenses, institutions for the indigent", $14,700;
Juvenile Correctional Service: "Operating expenses", $16,100;
Mental Rehabilitation Service:
"Operating expenses, District Training School", $48,500;
"Deportation nonresident insane", $2,200;

Public Works:
"Office of chief clerk", $6,400;
"Office of Municipal Architect", $11,100;
"Operating expenses, Office of Superintendent of District Buildings", $51,600;
"Surveyor's office", $4,600;
"Department of Inspections", $54,100;
"Central garage", $4,200;
"Department of Vehicles and Traffic (payable from highway fund)", $14,900;
"Reimbursements of other appropriations (payable from highway fund)", $109,500;
"Operating expenses, Refuse Division", $30,700;
"Operating expenses, Sewer Division", $39,500;
"Operating expenses, Water Division (payable from water fund)", $38,000;

Washington aqueduct: "Operating expenses (payable from water fund)", $25,000;

"National Capital Parks", $87,600;
"National Capital Park and Planning Commission", $4,700;
"National Zoological Park", $39,100.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947.

District of Columbia.

60 Stat. 501.

SEC. 2. The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived with respect to the foregoing items to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317), May 21, 1946 (Public Law 386), May 24, 1946 (Public Law 390), July 5, 1946 (Public Law 491), July 31, 1946 (Public Laws 567, 568, and 577), and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

Waiver of restrictions.

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752. 39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324.
Post, pp. 40, 727.

Approved March 29, 1947.

[CHAPTER 26]

AN ACT

To establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes.

March 31, 1947
[S. 918]
[Public Law 26]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established an Office of Selective Service Records, to be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per year.

Office of Selective Service Records.
Director; compensation.

SEC. 2. The functions, duties, and responsibilties of the Office of Selective Service Records shall be (a) to liquidate the Selective Service System, which liquidation shall be completed as rapidly as possible after March 31, 1947, but in any event not later than March 31, 1948, except as herein provided; (b) to preserve and service the records of Selective Service; and (c) to perform such other duties relating to the preservation of records, knowledge, and methods of Selective Service, not inconsistent with law.

Functions, etc., of Office.
Liquidation of Selective Service System.

SEC. 3. The unexpended balances of funds available to the Selective Service System are hereby made available to the Office of Selective Service Records for the purposes of this Act and such additional appropriations as are necessary therefor are hereby authorized.

Availability of funds.
Appropriations authorized.
Post, pp. 108, 617.

SEC. 4. All property, records, and personnel of the Selective Service System are hereby transferred to the Office of Selective Service Records and authority is hereby granted to the Director of the Office of Selective Service Records to transfer, without reimbursement, and with the approval of the War Assets Administration, to the National Guard in the several States, the District of Columbia, and Territories and possessions of the United States, or to the Organized Reserves of the armed forces, surplus property of the Selective Service System.

Transfer of property, etc.

Transfer of functions, etc.
Post, p. 621.
60 Stat. 342.
50 U. S. C. app. § 316 (b).
54 Stat. 891.
50 U. S. C. app. § 308 (g).

SEC. 5. (a) Pursuant to the third sentence of section 7 of Public Law 473, approved June 29, 1946, all functions and responsibilities of the Personnel Division, National Headquarters, Selective Service System, established under authority of section 8 (g) of the Selective Training and Service Act of 1940, as amended, together with so much of the records of the Selective Service System, and so much of the unexpended balances of appropriations of the Selective Service System, as the Director of the Bureau of the Budget may determine to relate primarily to such functions, are hereby transferred, effective March 29, 1947, from the Selective Service System to the Secretary of Labor.

58 Stat. 294.
38 U. S. C. § 695 (a).

(b) The second sentence of section 600 (a) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Director of the Office of Selective Service Records" for the words "Director of the National Selective Service System".

58 Stat. 294.
38 U. S. C. § 695 (c).

(c) Section 600 (c) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Office of Selective Service Records" for the words "Veterans' Personnel Division, National Selective Service System".

Authority of Director.

SEC. 6. (a) The Director is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this Act;

(2) to create and establish, on the date hereinafter specified, Federal record depots in the several States, the District of Columbia, Territories, and possessions of the United States, and to maintain such other offices as may be necessary for the purposes of this Act;

(3) to utilize the agencies of the Federal Government with the consent of the heads thereof, and to accept the services of all officers and agents of the several States, the District of Columbia, Territories, and possessions of the United States, and subdivisions thereof, in the execution of this Act;

(4) to appoint and fix the compensation of such officers and employees (not to exceed 1,200 in number by November 1, 1947), as may be necessary for the purposes of this Act, with or without regard to the Classification Act of 1923, as amended: *Provided*, That the compensation of such persons shall not be in excess of that provided in said Act;

42 Stat. 1488.
5 U. S. C. §§ 661-674.

(5) to delegate and provide for the delegation of any authority vested in him under this Act to such officers, agents, or persons as he may designate or appoint for such purpose or as may be designated or appointed for such purpose pursuant to such rules and regulations as he may prescribe.

Voluntary services.

(b) In the administration of this Act voluntary services may be accepted.

Fiscal, disbursing, and accounting agent.

(c) The Chief of Finance, United States Army, is hereby designated, empowered, and directed to act as the fiscal, disbursing, and accounting agent of the Director of the Office of Selective Service Records in carrying out the provisions of this Act.

Assignment of officer or employee without loss of status.

(d) Any officer on the active or retired list of the Army, Navy, Marine Corps, or Coast Guard, or of any Reserve component thereof, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this Act may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Army, Navy, Marine Corps, or Coast Guard or Reserve component thereof, or as such officer or employee in any department or agency of the United States.

Individual confidential records.

SEC. 7. The Director is authorized to prescribe such rules and regulations as may be necessary to preserve the confidential nature of the

individual confidential records previously obtained under the Selective Training and Service Act of 1940, as amended. Any person charged with the duty of carrying out any of the provisions of this Act, and who fails to carry out such provisions or who shall knowingly violate the regulations promulgated under this section, or any person or persons who shall unlawfully obtain, gain access to, or use such records, shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than five years, or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law, may be tried by court martial, and, on conviction, shall suffer such punishment as the court martial may direct.

54 Stat. 885.
50 U. S. C. app. §§ 301-318.
Violation of regulations.

Penalty.

SEC. 8. Except as provided in this Act, all laws and parts of laws in conflict with the provisions of this Act are hereby suspended to the extent of such conflict for the period in which this Act shall be in force.

Suspension of conflicting laws.

SEC. 9. Except as otherwise provided by the terms of this Act, the provisions hereof shall take effect at 12 o'clock postmeridian, March 31, 1947.

Effective date.

Approved March 31, 1947.

[CHAPTER 27]

JOINT RESOLUTION

March 31, 1947
[H. J. Res. 76]
[Public Law 27]

Authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective April 1, 1947, the Commandant, United States Coast Guard, is authorized to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard to the extent and in such manner and upon such terms as may be deemed necessary by him in the orderly reconversion of the merchant marine from wartime to peacetime operations.

U. S. Coast Guard.
Waiver of compliance with designated laws.

SEC. 2. The authority granted by this resolution shall remain in force only until April 1, 1948: *Provided*, That after June 1, 1947, the Commandant shall not waive compliance with those sections of the navigation and vessel-inspection laws requiring the employment of American citizens as officers and crew members and limiting the employment of aliens except insofar as such employment shall be in the steward's department of vessels authorized to carry in excess of twelve passengers.

Time limitations.
Post, p. 685.

Approved March 31, 1947.

[CHAPTER 28]

AN ACT

March 31, 1947
[H. R. 1240]
[Public Law 28]

To provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the termination of title V of the Second War Powers Act, 1942, as last amended by the Act of June 29, 1946 (Public Law 475, Seventy-ninth Congress), and upon request of the Secretary of War to the head of each department or agency responsible for the administration of navigation and vessel inspection laws, the operation of all such laws of which suspension is so requested shall be suspended in relation to

56 Stat. 180; 60 Stat. 345.
50 U. S. C. app. §§ 635, 645.
Post, pp. 34, 214, 322.

Time limitation.

all vessels operated by the War Department as to which such suspension has been requested: *Provided*, That such suspension shall be effective only until December 31, 1947.

Approved March 31, 1947.

[CHAPTER 29]

March 31, 1947
[S. 931]
[Public Law 29]

AN ACT

To extend certain powers of the President under title III of the Second War Powers Act.

First Decontrol Act of 1947.
Post, p. 321.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be cited as the "First Decontrol Act of 1947."

Removal of emergency controls, etc.

56 Stat. 176.
50 U. S. C. app. §§ 631-645a.
Ante, p. 25; *infra*; *post*, pp. 214, 322, 946.
Authority in limited instances.

SEC. 2. The Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act be removed except in certain limited instances.

The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

Liquidation, etc.

SEC. 3. For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

56 Stat. 187.
50 U.S.C. app. § 645.
Post, pp. 214, 322, 946.
Time limitations.

"SEC. 1501. Except as otherwise provided by statute enacted during the first session of the Eightieth Congress on or before the date this section as amended takes effect, titles I, II, III, IV, V, VII, and XIV of this Act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947, except that such title III, and the amendments to existing law made by such title, shall remain in force until June 30, 1947, for the following purposes: (a) Allocations of cinchona bark and cinchona alkaloids, manila (abaca) fiber and cordage, agave fiber and cordage, tin and tin products, antimony and streptomycin; (b) allocations limited to control of production for export of tractors; (c) allocations of the use of transportation equipment and facilities by rail carriers; (d) allocations of materials or facilities for export which are required to expand the production in foreign countries of materials critically needed in the United States; (e) allocations of materials or facilities which are certified by the Secretaries of State and Commerce as necessary to meet international commitments: *Provided*, That any materials or facilities which were not being allocated on March 24, 1947, shall not be allocated hereafter under the provisions of such title III: *Provided further*, That the two Houses of Congress by concurrent resolution or the President may designate an earlier time for the termination of any power of allocation under such title: *Provided further*, That nothing herein contained shall be construed to continue beyond March 31, 1947, any authority to allocate sugar, rubber, or the derivatives thereof. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled 'An Act to expedite national defense, and for other purposes', approved June 28, 1940, as amended by the Act of May 31, 1941) shall be in full force and effect as though this Act had not been enacted."

56 Stat. 176-180, 181, 186.
50 U. S. C. app. §§ 631-635, 637, 644-644b.
56 Stat. 177.
50 U.S.C.app. § 633.
Allocations.

Restriction.

Designation of earlier time for termination.

Sugar, rubber, or derivatives.

Force and effect of designated amendments.

54 Stat. 676; 55 Stat. 236.
50 U. S. C. app. § 1152(a).

Approved March 31, 1947.

[CHAPTER 30]

JOINT RESOLUTION

To extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

March 31, 1947
[H. J. Res. 146]
[Public Law 30]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provisions of law, the Emergency Price Control Act of 1942 (56 Stat. 23); the Stabilization Act, 1942 (56 Stat. 765); title III of the Second War Powers Act, 1942 (56 Stat. 177), and the amendment to existing law made thereby; title XIV of the Second War Powers Act, 1942 (56 Stat. 177); and section 6 of the Act of July 2, 1940 (54 Stat. 714), all as amended and extended, shall continue in effect with respect to sugar to and including October 31, 1947, except that authority to continue inventory controls over other than household users may be exercised to and including March 31, 1948: *Provided, however*, That—

Sugar Control Extension Act of 1947.
Post, p. 922.

50 U. S. C. app. §§ 901–946, 961–971, 633.
Post, p. 619.
56 Stat. 186.
50 U. S. C. app. §§ 644–644b, 701.
Post, pp. 214, 323, 946.
Inventory controls.

Restrictions.

(1) the authority contained herein shall not be deemed (i) to permit the allocation or rationing of any product (other than the allocation of such product imported or brought into the continental United States) unless a regulation providing for allocation or rationing thereof was in effect on February 18, 1947, or (ii) to permit price control over any product unless a price-control regulation with respect thereto was in effect on February 18, 1947;

(2) no person shall be subject to any criminal penalty or civil liability, under any provision of law referred to above, on account of any act or omission which is made unlawful by section 4 of this Act;

(3) no provision of section 204 (d) or (e) of the Emergency Price Control Act of 1942, as amended, shall apply (i) in any proceeding, involving a regulation or order with respect to sugar, in which an injunction or other order of a court is hereafter applied for, or (ii) in any proceeding, under section 37 of the Criminal Code, which is based on a conspiracy involving any act or omission which is made unlawful by section 4 of this Act;

56 Stat. 32; 58 Stat. 639.
50 U. S. C. app. § 924 (d), (e).
Post, p. 619.
35 Stat. 1096.
18 U. S. C. § 88.

(4) in the case of any regulation or order with respect to sugar, no protest may be hereafter filed under section 203 of the Emergency Price Control Act of 1942, as amended; and

56 Stat. 31.
50 U. S. C. app. § 923.
Post, p. 619.

(5) hereafter no person shall be required to secure a license, and no license shall be issued to any person, under section 205 of the Emergency Price Control Act of 1942, as amended, for the purpose of providing for the enforcement of any regulation or order relating to sugar.

56 Stat. 33.
50 U. S. C. app. § 925.
Post, p. 619.

(b) The Secretary of Agriculture, in exercising the powers, functions, and duties transferred to him by section 3 of this Act—

Allocations, etc., by Secretary of Agriculture.

(1) may allocate sugar without regard to the provisions of title II of the War Mobilization and Reconversion Act of 1944 (58 Stat. 787);

50 U. S. C. app. §§ 1656–1660.

(2) shall allocate refined sugar for home consumption at a rate of not less than thirty-five pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals fifty pounds of refined sugar per capita; and

(3) shall, in a manner consistent with the maintenance of an effective national allocation and rationing program, make available, for other than provisional-allotment users, not less than

twelve thousand five hundred tons of refined sugar during the period from the date of the enactment of this Act to and including June 30, 1947, and not less than twelve thousand five hundred tons of refined sugar during the period from July 1, 1947, to and including October 31, 1947, to provide for the needs of hardship cases, for the needs of new industrial-sugar users (with particular reference to the needs of shortage areas caused by population shifts) and for the needs of those who have an insufficient base period history to operate currently at competitive levels (and shall consider, as a determining factor in those cases where there is such insufficient base period history, the rate of growth of such user prior to the base period year).

Removal of controls.

SEC. 2. Prior to the expiration of the authority granted by this Act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this Act when he determines that the supplies of sugar are sufficient to warrant such action.

Transfer of functions, etc., to Secretary of Agriculture.
56 Stat. 177; 54 Stat. 714; 56 Stat. 23, 765.
50 U. S. C. app. §§ 633, 701, 901-946, 961-971.
Ante, p. 25; *post*, pp. 214, 323, 619, 946.

SEC. 3. (a) The powers, functions, and duties of (1) the President under title III of the Second War Powers Act, 1942, and the amendment to existing law made thereby; (2) the President or any executive department under section 6 of the Act of July 2, 1940; (3) the Price Administrator under the Emergency Price Control Act of 1942; and (4) the President and the Price Administrator under the Stabilization Act of 1942, all as amended and extended (and irrespective of what officer, department, or agency may be now exercising any such power, function, or duty) are, insofar as they relate to sugar, hereby transferred to and shall be executed by the Secretary of Agriculture.

Continuation of orders, etc.

(b) Every order, directive, rule or regulation relating to any power, function, or duty transferred by subsection (a) of this section, issued by any officer, department, or agency heretofore performing such power, function, or duty, which is not in conflict with the provisions of this Act and which is in effect on the date of the enactment of this Act, shall continue in full force and effect, according to its terms, unless and until modified or rescinded by the Secretary of Agriculture.

Transfer of funds, etc.

(c) So much of the unexpended balances of appropriations, allocations, or other funds, and the property, available for the use of any officer, department, or agency in the exercise of any power, function, or duty transferred by subsection (a) of this section or for the use of the Secretary of Agriculture in the exercise of any power, function, or duty so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of such powers, functions, or duties. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such balances of appropriations, allocations, or other funds prior to the transfer. Such personnel as the Director of the Bureau of the Budget determines to be required may also be transferred temporarily to the Department of Agriculture pending termination of the powers, functions, and duties transferred by subsection (a) of this section. The annual and sick leave of personnel so transferred shall be transferred with them; and they shall be entitled to the benefits of section 14 of the Veterans' Preference Act of 1944 to the same extent and effect as though they had remained employees of the agency from which transferred until the termination of such powers, functions, and duties. Any personnel so transferred shall not, by virtue of their temporary employment in the Department of Agriculture, acquire or be entitled to any right to employment in such Department in connection with the exercise of any power, function, or

Liquidation of obligations.

Temporary transfer of personnel.

58 Stat. 390.
5 U. S. C. § 863.
Post, p. 723.

duty other than one transferred under this Act. There are authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary to carry out the provisions of this Act.

Appropriations authorized. *Post*, pp. 245, 618.

SEC. 4. (a) It shall be unlawful for any person to do or omit to do any act, in violation of any order, directive, rule, or regulation continued in effect by section 3 (b) of this Act or issued in the exercise of any power, function, or duty transferred by section 3 (a) of this Act.

Violation of order, etc.

(b) It shall be unlawful for any officer or employee of the Government, or for any adviser or consultant to the Secretary of Agriculture in his official capacity, to disclose, otherwise than in the course of official duty, any information obtained under this Act, or to use any such information, for personal benefit.

Disclosure of information, etc.

(c) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than $5,000, or to imprisonment for not more than two years in the case of a violation of subsection (b) and for not more than one year in all other cases, or to both such fine and imprisonment.

Penalties.

SEC. 5. As used in this Act—

(a) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Act shall apply to the United States, or to any such government, political subdivision, or agency.

"Person."

Nonapplicability of punishment.

(b) The term "sugar" means any grade or type of saccharine product derived from sugarcane, sugar beets, or corn, including liquid sugar, sirups, molasses, or mixtures thereof, and sugar-containing products, which contain sucrose, dextrose, or levulose.

"Sugar."

SEC. 6. (a) Section 2 (a) of the Administrative Procedure Act, as amended, is amended by inserting after "Surplus Property Act of 1944;" the following: "Sugar Control Extension Act of 1947;".

60 Stat. 237. 5 U. S. C. § 1001(a). *Post*, p. 201.

(b) This Act may be cited as the "Sugar Control Extension Act of 1947".

Short title.

Approved March 31, 1947.

[CHAPTER 31]

AN ACT

April 14, 1947 [H. R. 1621] [Public Law 31]

To authorize the Secretary of War to lend War Department equipment and provide services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in France, 1947; and to authorize the Commissioner of Internal Revenue to provide exemption from transportation tax; and further to authorize the Secretary of State to issue passports to bona fide Scouts and Scouters without fee for the application or the issuance of said passports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the National Council, Boy Scouts of America, for use at the World Jamboree, Boy Scouts, to be held in France, in the months of July and August 1947, the following: two hundred and twenty-five canvas bags, one thousand two hundred duffel bags, two thousand nine hundred wool blankets, two hundred vinegar bottles, two hundred sugar bowls, one thousand two hundred canvas watering buckets, two hundred and five tent oil-stove burners, twenty-five corrugated nesting galvanized cans (twenty-four gallon), two hundred and ten corrugated nesting galvanized cans (thirty-two gallon), one thousand two

World Jamboree of Boy Scouts. Loan of War Department equipment.

hundred meat cans, two hundred five-gallon water cans, one thousand two hundred aluminum canteens, two hundred and twenty-five flag cases, one thousand three hundred folding chairs, two hundred alarm clocks, one hundred round insulated containers, one thousand two hundred and fifty folding canvas cots, one thousand two hundred canteen covers, one thousand two hundred aluminum canteen cups, ten empty field desks, twenty-five five-gallon gasoline drums, ten fifty-five-gallon gasoline drums, two hundred and twenty-five national standard flags, two hundred and twenty-five wooden flagstaffs, one thousand five hundred forks, one hundred halazone tablets (bottles), twenty-five immersion type for can heaters, one thousand five hundred knives, two hundred and twenty-five gasoline lanterns, one stencil duplicating machine, two thousand eight hundred and fifty pillowcases, one thousand two hundred and fifty feather pillows, five hundred sirup pitchers, three hundred water pitchers, two hundred mustard pots, two hundred stock pots, seven field ranges, twenty-five latrine screens, ten field safes, two hundred pepper shakers, two hundred salt shakers, one hundred and sixty cotton bed sheets, one thousand five hundred spoons, two hundred and five tent stoves, ten folding camp tables, one hundred and twenty mess tables, three assembly tents, and two hundred squad tents and such other equipment as may be required by the Boy Scouts of America which is available from American stocks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said jamboree as may be agreed upon by the Secretary of War and the National Council, Boy Scouts of America: *Provided further*, That the Secretary of War before delivering said property shall take from the said Boy Scouts of America a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

Expense of delivery and return.

Bond for safe return.

Transportation.

SEC. 2. That the Secretary of War is further authorized, at his discretion and without expense to the United States, to provide transportation from the United States and return, on a vessel of the Army Transport Service, to those Boy Scouts of America and Scouters certified by the National Council of the Boy Scouts of America, attending this jamboree. That the amounts paid to the United States to reimburse it for expenses incurred under sections 1 and 2 of this Act shall be deposited to the credit of such of the current appropriations for the support of the Army as bear such expenses, and shall be available for the same purposes as those appropriations.

Deposit of reimbursements.

Nonapplicability of certain taxes.
55 Stat. 721; 56 Stat. 979.
26 U. S. C. §§ 3469, 3475.
Ante, p. 12.

SEC. 3. The taxes imposed by sections 3469 and 3475, or any comparable sections that may now or during 1947 be in effect, of the Internal Revenue Code, shall not apply to amounts paid for ocean transportation to the persons and property herein and above described attending this jamboree.

Issuance of passports.

SEC. 4. That under such regulations as he may prescribe the Secretary of State be, and he is hereby, authorized to issue passports to bona fide Scouts and Scouters of the Boy Scouts of America who are citizens of the United States or, if not citizens of the United States, who owe permanent allegiance to the United States upon certification by the National Council, Boy Scouts of America, as to their qualifications to attend this jamboree as representing the National Council, Boy Scouts of America, without fee for the application for or the issuance of said passports.

Approved April 14, 1947.

[CHAPTER 32]

AN ACT

To authorize the Secretary of the Navy to grant to the city of San Diego a right-of-way over land owned by the United States within the limits of Camp Gillespie, San Diego County, California.

April 15, 1947
[S. 231]
[Public Law 32]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to grant to the city of San Diego, California, upon such terms and conditions as he may determine, a right-of-way for the construction, maintenance, operation, and repair of a water pipe line or lines within a strip of land fifty feet in width and two thousand six hundred and fifty feet in length, more or less, which strip traverses land owned by the United States within the limits of Camp Gillespie, San Diego County, California.

San Diego, Calif.
Grant of right-of-way.

Approved April 15, 1947.

[CHAPTER 33]

AN ACT

To authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes.

April 15, 1947
[S. 516]
[Public Law 33]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the central heating plant for the use of the Daughters of the American Revolution on the property designated as square 173 in the District of Columbia: *Provided*, That the Daughters of the American Revolution agree to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to receive payment from the Daughters of the American Revolution by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses: *And provided further*, That there shall be no liability on the part of the Government on account of any damages that may accrue hereunder.

Daughters of the American Revolution.
Furnishing of steam to designated property.

Payment.

Connection with Government mains.

Damages.

Approved April 15, 1947.

[CHAPTER 34]

AN ACT

To amend existing law to provide privilege of renewing expiring five-year level-premium-term policies for another five-year period.

April 15, 1947
[H. R. 1327]
[Public Law 34]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of the first paragraph of section 301, World War Veterans' Act, 1924, as amended (by the Act of May 14, 1942; U. S. C., title 38, sec. 512), is hereby amended to read as follows: "*Provided further*, That at the expiration of any five-year period a five-year level-premium term policy may be renewed for a second or third or fourth or fifth five-year period at the premium rate for the attained age without medical examination; and in case the fourth five-year period of any such policy shall have expired between January 24, 1947, and the

World War Veterans' Act, 1924, amendment.
47 Stat. 334; 56 Stat. 283.

Renewal of five-year level-premium term policies.

expiration of five months after the date of the enactment of this amendment to this amendatory proviso and the policy has not been continued in another form of Government insurance such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within five months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendment to this amendatory proviso."

Notice to holder.

Approved April 15, 1947.

[CHAPTER 35]

April 15, 1947
[H. R. 1713]
[Public Law 35]

AN ACT

To provide for the promotion of substitute employees in the postal service, and for other purposes.

Postal service. Promotion of substitute employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all substitute employees in the postal service shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade until they reach the maximum grade authorized for the respective assignment, without regard to the number of hours they are actually employed in the postal service during the year.

Service credit.

SEC. 2. Each substitute employee in the postal service shall, for promotional and leave purposes, receive credit for one-twelfth of a year for each whole calendar month that the substitute employee has been on the rolls as a substitute since his last promotion as a substitute or appointment as a substitute, whichever is later: *Provided*, That when a regular employee has been reduced to a substitute position, the months of service as a regular employee shall be included with the months served as a substitute to determine the date he will be eligible for automatic promotion under section 1 of this Act: *Provided further*, That the automatic promotion of a substitute employee in the postal service shall be withheld (1) for three months when such employee is absent on leave without pay and not available for duty for ninety days during a calendar year; (2) for six months when such employee is absent on leave without pay and not available for duty for one hundred and eighty days during a calendar year; (3) for nine months when such employee is absent on leave without pay and not available for duty for two hundred and seventy days during a calendar year; and (4) for one year when such employee is absent on leave without pay and not available for duty for three hundred and sixty days during a calendar year.

Regular employee reduced to substitute position.

Withholding of automatic promotion.

60 Stat. 35.
39 U. S. C. § 862a.

SEC. 3. Section 1 of the Act of March 6, 1946 (Public Law 317, Seventy-ninth Congress), entitled "An Act to provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick-leave benefits to war-service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes", is amended to read as follows:

Computation of service upon appointment to regular position.

"Upon appointment to a regular position in the Postal Service, any employee who was a substitute in the Postal Service prior to July 1, 1945, shall receive credit for actual substitute service including time served as a special-delivery messenger, performed prior to July 1, 1945, computed on the basis of one year for each unit of two thousand four hundred and forty-eight hours of service, but such credit shall not exceed four years. The credit thus computed shall be added to credit for the time the employee has been on the rolls as a substitute employee in the Postal Service on and after July 1, 1945, computed

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

Restrictions.

59 Stat. 460.
39 U. S. C. § 873.

Approved April 15, 1947.

[CHAPTER 38]

AN ACT

To establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army.

April 16, 1947
[H. R. 1943]
[Public Law 36]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Army-Navy Nurses Act of 1947".

Army-Navy Nurses Act of 1947.

TITLE I

ARMY NURSES AND WOMEN'S MEDICAL SPECIALIST CORPS

SEC. 101. (a) Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army an Army Nurse Corps, which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Army Nurse Corps, Regular Army, shall be in the ratio of six members thereof to every one thousand persons of the total authorized strength of the Regular Army, but not less than a minimum authorized strength of two thousand five hundred and fifty-eight members. The Army Nurse Corps, Regular Army, shall consist of officers in the grades of second lieutenant to lieutenant colonel, inclusive: *Provided*, That the number of lieutenant colonels on active duty shall at no time exceed seven-tenths per centum, and the number of majors on active duty shall at no time exceed $1\frac{6}{10}$ per centum, of the authorized Regular Army officer strength of such corps.

Army Nurse Corps.

Authorized strength.

Members; grades.

Restrictions.

(b) From the officers permanently commissioned in such Army Nurse Corps, in permanent grade of major or above, and upon the recommendation of the Surgeon General of the Army, the Secretary of War shall appoint the Chief of the Army Nurse Corps, who shall serve as such Chief during his pleasure for a term not to exceed four years and shall not be reappointed, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving.

Chief of Army Nurse Corps.

Appointment of commissioned officers.

(c) Commissioned officers of the Army Nurse Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years. Original appointments other than appointments made under sections 103, 104, and 105 shall be made only in the grade of second lieutenant from female persons not over twenty-eight years of age on the date of nomination by the President, who are graduates of hospital or university training schools, who are registered nurses, and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

Women's Medical Specialist Corps.

SEC. 102. (a) Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army, a Women's Medical Specialist Corps, which shall consist of a Dietitian Section, a Physical Therapist Section, and an Occupational Therapist Section, and which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Women's Medical Specialist Corps, Regular Army, shall be in the ratio of nine-tenths of a member thereof to every one thousand persons in the total authorized strength of the Regular Army, but not less than a minimum authorized strength as follows: Twenty-four officers in permanent commissioned grade of major and three hundred and eighty-five other officers in permanent commissioned grades of captain to second lieutenant, inclusive. Any increase over and above the aforesaid minimum authorized strength shall be in permanent commissioned grades of captain to second lieutenant, inclusive.

Authorized strength.

Increase of strength.

Chief of Women's Medical Specialist Corps.

(b) From the officers permanently commissioned in such Women's Medical Specialist Corps, the Secretary of War shall appoint (1) the Chief of the Women's Medical Specialist Corps, who shall serve as such Chief during his pleasure, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving and (2) three Assistant Chiefs of the Women's Medical Specialist Corps, who shall be the chiefs of the sections of the Women's Medical Specialist Corps, to serve as such Assistant Chiefs during his pleasure, and who, without vacation of their permanent grades, shall have the temporary rank, pay, and allowances of a lieutenant colonel while so serving.

Assistant Chiefs.

Appointment of commissioned officers.

(c) Commissioned officers of the Women's Medical Specialist Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States, who have attained the age of twenty-one years. Original appointments other than appointments under sections 103, 104, and 105 hereof shall be made only in the grade of second lieutenant from female persons not over twenty-eight years of age on the date of nomination by the President and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

Time limitation.

SEC. 103. (a) Prior to a date one year following the date of enactment of this Act, each of the persons specified below shall be tendered an appointment as a commissioned officer in the Army Nurse Corps, Regular Army, established by this Act, in a grade as prescribed in section 104 hereof.

This provision applies to each person who, on the date of enactment of this Act, is serving honorably on active duty as a member, other than as Reserve nurse, of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, regardless of whether such person is also serving under an appointment made pursuant to the Act of June 22, 1944 (58 Stat. 324), and regardless of the age of such person.

10 U. S. C. §§ 161-163, 782, 783, 850.

50 U. S. C. app. §§ 1591-1598.

Qualifications.

(b) Until a date one year following the date of enactment of this Act any person who is a female citizen of the United States, who is

over twenty-one years of age, and who meets the physical and other qualifications prescribed by the Secretary of War, may be appointed a commissioned officer in the Army Nurse Corps, or the Women's Medical Specialist Corps, Regular Army, established by this Act, in a grade as prescribed in section 104 hereof: *Provided*, That a person appointed a commissioned officer in the Army Nurse Corps under this provision shall not have attained the age of thirty-five on the date of nomination by the President, shall be otherwise qualified and, during any of the wars in which the United States is presently engaged, shall have served honorably on active duty as a commissioned officer of the Army of the United States, pursuant to the Act of June 22, 1944 (58 Stat. 324), or as a member, including the status of Reserve nurse, of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879): *Provided further*, That no person shall be appointed a commissioned officer in the Women's Medical Specialist Corps under this section, except a person otherwise qualified, who during any of the wars in which the United States was engaged served honorably on active duty as a dietitian or physical therapist with the Medical Department of the Army of the United States appointed pursuant to the Act of June 22, 1944 (58 Stat. 324), or who served honorably as an occupational therapist with the Medical Department of the Army in the status of a civilian employee.

50 U. S. C. app. §§ 1591–1598.
10 U. S. C. §§ 161–163, 782, 783, 850.

Dietitian or physical therapist.

Occupational therapist.

SEC. 104. A person appointed under the provisions of this title who is credited, as provided in section 105 hereof, with less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, shall be appointed in the grade of second lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, but less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of first lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of captain; majors and lieutenant colonels shall be appointed by selection, to fill vacancies in those grades from among persons who are appointed or are qualified for appointment in the grade of captain: *Provided*, That no person shall be appointed in the Army Nurse Corps or the Women's Medical Specialist Corps in a grade higher than the rank (either actual or relative) which such person held during any of the wars in which the United States was engaged.

Appointments determined by length of service.

Appointments by selection.

Restriction.

SEC. 105. (a) For the purposes specified in subsection (b) hereof, each person appointed pursuant to provisions of this title shall, at the time of her appointment, be credited with whichever is the greater of the following two periods of service: (1) A period of service equal to the number of years, months, and days which such person served on active Federal military service either as a member (including the status of Reserve nurse) of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, or as a dietitian or physical therapist with the Medical Department of the Army under the provisions of the Act of December 22, 1942 (56 Stat. 1072), or in the status of a commissioned officer in the Army of the United States under appointment pursuant to the Act of June 22, 1944 (58 Stat. 324); or (2) a period of service determined constructively in accordance with regulations prescribed by the Secretary of War: *Provided*, That in computing the total period of active Federal military service each such person honorably discharged or separated from active Federal military

Crediting of service.

10 U. S. C. §§ 161–163, 782, 783, 850.

10 U. S. C. §§ 81 note, 164 and note; 37 U. S. C. § 113 note.
Post, p. 52.
50 U. S. C. app. §§ 1591–1598.

Period from discharge, etc., to appointment.

service subsequent to May 12, 1945, shall also be credited with the period from the date of her discharge or separation from active Federal military service to the date of her appointment.

Determination of grade, rank, and right to promotion.

(b) The period of service credited to a person as provided in subsection (a) hereof shall be counted and construed as continuous active commissioned service on the active list of the Regular Army for the following two purposes: (1) For the purpose of determining the grade and rank of a person appointed under the provisions of this title, and (2) for the purpose of determining a person's right to promotion subsequent to appointment under the provisions of this title. Except for the foregoing specified purposes, provisions of existing law regarding length of service and benefits accruing therefrom shall not be affected.

Determination of relative rank.

SEC. 106. Relative rank among commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, within each corps, and between such officers and other commissioned officers of the Regular Army, shall be determined in the manner now or hereafter prescribed by law for the determination of relative rank among other commissioned officers of the Regular Army. Commissioned officers of each such corps shall not be entitled, by virtue of their rank, to command, except within their respective corps, and over such persons as may be placed under their charge by competent authority, but may be assigned by the Secretary of War to perform such duties as the interests of the service may require.

Duties.

Promotions to permanent grades.

SEC. 107. (a) Commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, Regular Army, shall, upon completion of the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, be promoted to the permanent grade of first lieutenant; commissioned officers of such corps shall, after completing the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, be promoted to the permanent grade of captain upon satisfactorily passing such examinations as the Secretary of War shall prescribe. Promotion to the permanent grade of major shall be by selection, under regulations prescribed by the Secretary of War, from among officers in the grade of captain who have completed the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of major. Promotion to the permanent grade of lieutenant colonel shall be by selection, under regulations prescribed by the Secretary of War, from officers in the permanent grade of major with at least one year's service in the grade of major.

Major.

Lieutenant colonel.

Examinations.

(b) The examination for promotion referred to in subsection (a) above shall be prescribed by the Secretary of War and shall be held before a board of three officers designated by the Secretary of War. Should any officer fail to pass such examination, she shall be continued on active duty for a period of one year after the date upon which her promotion would normally have occurred, but without being so promoted, and upon the expiration of such year, or such time anterior to the expiration thereof as may be determined by the Secretary of War to be for the best interests of the service, such officer shall undergo such reexamination as may be prescribed by the Secretary of War and which shall be held before a board of officers designated by the Secretary of War, none of whom participated in the original examination of the officer concerned. If the officer concerned fails to pass the reexamination, she shall be honorably discharged from the service in the permanent grade then held with severance pay the same as now or hereafter prescribed for officers of the Regular Army separated by reason of not being selected for promotion.

Reexamination.

Failure to pass.

Retirement after 20 years' service.

SEC. 108. (a) An officer on the active list of either the Army Nurse Corps or the Women's Medical Specialist Corps, Regular

Army, after twenty years' active Federal service in the armed forces of the United States, may upon her request, at the discretion of the Secretary of War, be retired and shall receive retired pay equal to 2½ per centum of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of such active Federal service: *Provided*, That in computing the number of years of such service for the purpose of determining the percentage of active-duty pay, and for no other purpose, any fractional part of a year amounting to six months or more shall be counted as a complete year: *Provided further*, That in no event shall such retired pay exceed 75 per centum of such base and longevity pay: *And provided further*, That regardless of the years of service completed, at any time after such an officer shall have attained the age of fifty, if her permanent grade is below that of major, or at any time after such an officer shall have attained the age of fifty-five, if her permanent grade is major or higher, she may, at the discretion of the Secretary of War without her consent, be retired and upon such retirement she shall receive retired pay equal to 2½ per centum of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of her active Federal service, but in no event shall such retired pay exceed 75 per centum of such base and longevity pay.

Retired pay.

Fractional part of year.

Limitation.

Retirement after ages 50 and 55.

Retired pay.

Limitation.

(b) Unless entitled to higher retired rank or pay under any provision of law, each commissioned officer who shall have served for four years as Chief of the Army Nurse Corps, Regular Army, or as Chief of the Women's Medical Specialist Corps, Regular Army, or as an Assistant Chief of the Women's Medical Specialist Corps, Regular Army, shall upon retirement be retired with the rank held by her while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay which she would receive if serving on active duty with such rank, and if thereafter recalled to active service, shall be recalled in such rank and shall constitute an additional number therein: *Provided*, That the commissioned officer first appointed as Chief of the Army Nurse Corps and the commissioned officer first appointed as Chief of the Women's Medical Specialist Corps, pursuant to this Act, shall, without limitation as to the time they shall serve in such capacities, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay they would receive if serving on active duty with such rank.

Retired rank, etc., of Chiefs and Assistant Chiefs.

Officers first appointed Chiefs.

(c) In determining eligibility for retirement and the percentage of active-service pay to be employed in computing the amount of retired pay under any provision of law, each commissioned officer on the active list of the Regular Army who is commissioned in any of the corps established by this Act, shall be deemed to have at least the same length of continuous active commissioned service in the Regular Army as any officer junior to her rank in the Medical Department of the Regular Army.

Continuous active commissioned service in Regular Army.

SEC. 109. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers of the Regular Army, to former male commissioned officers of the Regular Army, and to their dependents and beneficiaries, shall in like cases be applicable respectively to commissioned officers of any of the corps established by this Act, Regular Army, to former commissioned officers of any of the corps established by this Act, Regular Army, and to their dependents and beneficiaries.

Applicability of laws to commissioned officers.

Credit for active military service.

SEC. 110. Except for the purpose of determining a person's grade, rank, and right to promotion in the Regular Army (see section 105 (b) hereof) in computing years of active Federal military service for all purposes of any person, there shall be credited active military service in the Army Nurse Corps and in the Navy Nurse Corps, active military service rendered pursuant to an appointment under the provisions of the Act of December 22, 1942 (56 Stat. 1072), and active military service rendered pursuant to an appointment under the Act of June 23, 1944 (58 Stat. 324).

10 U. S. C. §§ 81 note, 164 and note; 37 U. S. C. § 113 note.
Post, p. 52.
50 U. S. C. app. §§ 1591–1598.

Termination of commission.

SEC. 111. The Secretary of War, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission of any officer commissioned in any of the corps established by this title.

Addition to numbers of commissioned officers of Regular Army.

SEC. 112. Personnel appointed in the Regular Army under the provisions of this Act shall be in addition to the numbers of other commissioned officers of the Regular Army now or hereafter prescribed by law.

Appointment restrictions.

10 U. S. C. §§ 161–163, 782, 783, 850.
Supra.
50 U. S. C. app. §§ 1591–1598.

SEC. 113. (a) Effective on the date of enactment of this Act, no further appointment shall be made in the Army Nurse Corps created by Chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, and no further appointment shall be made pursuant to the Act of December 22, 1942 (56 Stat. 1073), or pursuant to the Act of June 22, 1944 (58 Stat. 324). The acceptance of any Regular Army appointment under this Act shall operate to vacate any other military or civilian status in or with the Military Establishment theretofore occupied by the appointee except an appointment pursuant to the Act of June 22, 1944.

Termination of Army Nurse Corps.

Supra.

Pay, leave, etc.

(b) Effective six months following the date of enactment of this Act, the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, and all offices and appointments therein shall cease to exist: *Provided*, That this provision shall not affect the rights, benefits, privileges, pay, allowances, gratuities, or leave accrued to a person, her dependents, or beneficiaries by virtue of any laws or regulations in effect prior to the enactment of this Act, and where necessary to the full enjoyment of terminal leave, terminal-leave pay, retirement and retired pay, pensions, travel allowance, transportation of dependents and effects, and rights, benefits, privileges and gratuities to which such person or her dependents have become entitled, such corps, offices, and appointments shall continue to exist but only for such purposes.

Officers' Reserve Corps.
Army Nurse Corps Section; Women's Medical Specialist Corps Section.

SEC. 114. Effective the date of enactment of this Act, there shall be established in the Officers' Reserve Corps of the Army of the United States an Army Nurse Corps Section and a Women's Medical Specialist Corps Section.

Applicability of laws to commissioned officers, etc.

SEC. 115. Except as otherwise specifically provided, all laws and regulations now or hereafter applicable to commissioned officers and former commissioned officers of the Officers' Reserve Corps, and to their dependents and beneficiaries, shall, in like cases, be applicable respectively to commissioned officers and former commissioned officers of the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps, and to their dependents and beneficiaries.

Appointments.

SEC. 116. Appointments in the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps may be made in such grades and under such regulations as may be prescribed by the Secretary of War, from female citizens of the United States, who have attained the age of twenty-one years, and

who possess such physical and other qualifications as may be prescribed by the Secretary of War: *Provided*, That female officers appointed pursuant to the Act of June 22, 1944, and honorably separated from the service thereafter may, if otherwise qualified, be appointed in the appropriate section of the Officers' Reserve Corps established hereby in the highest grade satisfactorily held by her in active service.

Officers separated from service.
58 Stat. 324.
50 U. S. C. app. §§ 1591–1598.

SEC. 117. In addition to the obligation to render active service now or hereafter provided with respect to other members of the Officers' Reserve Corps a member of those sections established in the Officers' Reserve Corps by this title may, with her consent, be called to active duty by the Secretary of War for any period or periods of time according to the needs of the Military Establishment, as determined by the Secretary of War.

Call to active duty.

TITLE II

NAVY NURSE CORPS

SEC. 201. A Nurse Corps, which shall be a component part of the Medical Department of the Navy, is hereby created and established as a Staff Corps of the United States Navy. The Navy Nurse Corps shall consist of officers commissioned in the grade of nurse by the President, by and with the advice and consent of the Senate, and such officers shall have the rank of commander, lieutenant commander, lieutenant, lieutenant (junior grade), or ensign: *Provided*, That the total number of officers in the permanent rank of commander and lieutenant commander shall not exceed seven-tenths per centum and one and six-tenths per centum, respectively, of the total number of officers permanently commissioned in the Navy Nurse Corps and serving on active duty. The total authorized number of officers of the Nurse Corps shall be six for each thousand of the authorized number of officers, midshipmen, and enlisted personnel of the active list of the Regular Navy and Regular Marine Corps.

Post, p. 882.

Members; rank.

Limitation.

Authorized number.

SEC. 202. There shall be a Director of the Nurse Corps appointed by the Secretary of the Navy, upon the recommendation of the Surgeon General of the Navy, from among the officers of the active list of the Nurse Corps of the permanent grade or rank of lieutenant commander or above for a term of not more than four years, to serve at the pleasure of the Secretary of the Navy. While so serving the Director shall have the rank of captain, shall be entitled to the pay and allowances as are now or may be hereafter prescribed by law for a captain of the Navy, and her regular status as a commissioned officer of the Nurse Corps shall not be disturbed by reason of such appointment.

Director of Nurse Corps.

Rank, pay, etc.

SEC. 203. All members of the active list of the existing Nurse Corps of the Regular Navy, who, on the effective date of this Act, are serving in a temporary rank authorized by present law, may, during a period of not more than six months after enactment of this Act, be transferred to the Nurse Corps created by this Act, and, upon transfer, shall be appointed for temporary service pursuant to, and subject to the limitations of, the Act of July 24, 1941 (55 Stat. 603), as now or hereafter amended, to the same rank and with the same precedence held by them on the date of such transfer, and for the purposes of such appointments under the said Act, such members of the Nurse Corps shall be considered to be commissioned officers in the Regular Navy. Nurses so transferred, who at the

Transfers for temporary service.
Post, p. 882.

34 U. S. C. §§ 350–350j.
Post, p. 312.

Accrued leave.

Running mates. Assignment of permanent ranks.

time of such transfer had to their credit leave accrued but not taken, shall not, by reason of such transfer, lose such accrued leave. Prior to the termination of their temporary appointments, the Secretary of the Navy shall appoint a board of not less than three naval officers, who, in accordance with such regulations as he may prescribe, shall assign running mates to the Nurse Corps officers transferred and appointed for temporary service pursuant to this section, and such officers shall be assigned permanent ranks corresponding to the permanent ranks held by their running mates: *Provided*, That no officer of the Nurse Corps shall be assigned a permanent rank above that of commander.

Restriction.

Appointments subject to revocation.

SEC. 204. Except as provided in sections 203 and 211 of this title, appointments to the grade of nurse in the Regular Navy shall be with the rank of ensign, and each such appointment shall be subject to revocation by the Secretary of the Navy until such time as the appointee is advanced to the rank of lieutenant (junior grade). Officers whose appointments are so revoked shall be discharged from the service without advanced pay. Such appointees shall be female citizens of the United States who shall have reached the age of twenty-one years on July 1 of the calendar year in which appointed, and who shall not have reached the age of twenty-nine years on July 1 of the calendar year in which appointed. No person shall be appointed pursuant to this section until she shall have established her mental, moral, educational, professional, and physical qualifications to the satisfaction of the Secretary of the Navy.

Qualifications.

Authority of officers. *Post*, p. 882.

SEC. 205. Officers of the Navy Nurse Corps shall have authority in medical and sanitary matters and all other work within the line of their professional duties in and about naval hospitals and other activities of the Medical Department of the Navy next after officers of the Medical Corps and the Dental Corps of the Navy. They shall exercise such military authority as may be prescribed from time to time by the Secretary of the Navy: *Provided*, That they shall not be eligible for the exercise of command.

Restriction.

Laws relating to advancement in rank. *Post*, p. 883.

SEC. 206. (a) Subject to the limitations of section 201 of this title, all provisions of law now existing or hereafter enacted relating to the advancement in rank of officers of the Staff Corps of the Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

Nonapplicability of designated sections.

34 U. S. C. §§ 348o, 348p, 349c. *Post*, p. 882.

(b) Paragraph 2, section 16, of the Act of June 10, 1926 (44 Stat. 723); section 17 of the Act of June 10, 1926 (44 Stat. 724); and section 4 of the Act of August 5, 1935 (49 Stat. 530), shall not apply to officers of the Nurse Corps established by this title.

34 U. S. C. § 348b. *Post*, p. 882.

Officer recommended for advancement to rank of commander.

(c) Section 3 of the Act of June 10, 1926, is hereby amended by inserting the following proviso after the colon which appears after the word "mate" in line 17, paragraph 4, thereof, on page 718, volume 44, Statutes at Large: "*Provided further*, That an officer of the Nurse Corps recommended for advancement to the rank of commander in the approved report of a selection board shall be eligible for advancement to such rank when a vacancy occurs therein and when so advanced, such officer shall be entitled to the pay and allowances of the rank of commander only from the date of the vacancy:".

34 U. S. C. § 348o. *Post*, p. 882.

Convening of selection board.

(d) Section 16 of the Act of June 10, 1926, is hereby amended by striking out the period as it appears after the word "him" in line 7, paragraph 1, thereof, on page 723, volume 44, Statutes at Large, substituting a colon therefor, and adding the following proviso: "*Provided*, That a selection board to recommend officers of the Nurse Corps for advancement to the rank of commander shall be convened only if there exists a vacancy in such rank or if the Secretary of the Navy

estimates or determines that a vacancy will occur in the ensuing twelve-month period."

(e) Boards for selection of Nurse Corps officers for recommendation for advancement to the ranks of commander, lieutenant commander, and lieutenant shall be composed of not less than six nor more than nine officers not below the rank of captain on the active or retired list of the Medical Corps: *Provided*, That in case there is not a sufficient number of officers of the Medical Corps legally or physically qualified to serve on the selection board as herein provided, officers of the line of the active list of the rank of captain may be detailed to duty on such board to constitute the required membership.

Selection board.

Detail of officers of the line.

SEC. 207. (a) All provisions of law now existing or hereafter enacted relating to retired officers of the staff corps of the Navy and to the retirement or separation from the active list of such officers, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

Laws relating to retirement or separation.
Post, p. 882.

(b) Each officer of the Navy Nurse Corps who attains the age of fifty-five years while serving in the rank of commander or lieutenant commander and each officer of such corps who attains the age of fifty years while serving in the rank of lieutenant or below, shall be retired by the President on the first day of the month following that in which she attains such age, and, except as otherwise provided in this section, shall be placed on the retired list in the permanent rank held by her at the time of retirement. Nothing contained in this subsection shall be construed to prohibit the transfer, under section 203 hereof, to the Nurse Corps created by this Act of such members of the Nurse Corps, which existed prior to the enactment of this Act, as may have reached the retirement ages specified herein prior to such transfer.

Retirement at ages 55 and 50.

Transfers.

(c) An officer of the Navy Nurse Corps, who may be retired for any reason while serving as Director of such corps or subsequent to service as Director while serving in a lower rank, may, in the discretion of the President if she shall have served two and one-half years or more as Director, be placed on the retired list in the rank held by her as Director: *Provided*, That the commissioned officer first appointed as Director of the Navy Nurse Corps, pursuant to this Act, shall without limitation as to the time she shall serve in such capacity, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay she would have received if serving on active duty with such rank.

Retirement of Director.

Officer first appointed Director.

(d) An officer of the Navy Nurse Corps who shall have served prior to July 1, 1946, in a rank higher than her permanent rank, other than by virtue of appointment as Director of the said corps, shall, when retired for any reason if not otherwise entitled to the same or higher rank, be advanced to the highest rank in which, as determined by the Secretary of the Navy, she served satisfactorily. In any case where, as determined by the Secretary of the Navy, any such officer has not performed satisfactory duty in the highest rank held by her while on active duty, she shall be placed on the retired list with the next lower rank in which she has served but not lower than her permanent rank.

Service in rank higher than permanent rank.

Failure to perform satisfactory duty in highest rank.

(e) An officer of the Nurse Corps placed on the retired list in her permanent rank pursuant to subsection (b) of this section shall receive retired pay at the rate of 2½ per centum of the active-duty pay to which entitled at the time of retirement multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 per centum of said active-duty pay.

Retired pay.

Physical disability.

(f) An officer of the Nurse Corps retired by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 75 per centum of active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list.

Retired pay.

(g) An officer of the Nurse Corps retired other than by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 2½ per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 per centum of said active-duty pay.

Fractional year.

(h) In any instance in which retired pay is computed as prescribed in subsections (e) and (g) of this section, a fractional year of six months or more shall be considered a full year in computing the number of years by which the rate of 2½ per centum is multiplied.

Service credit for voluntary retirement.

(i) The number of years service to be credited to officers of the Navy Nurse Corps in determining their eligibility for voluntary retirement shall be based on the total of all active service either under an appointment or contract or as a commissioned officer in the Nurse Corps of the Army or Navy, or the reserve components thereof and all active service in the Nurse Corps or the Nurse Corps Reserve abolished by this Act shall, for this purpose only, be regarded as commissioned service in the Navy or the reserve components thereof, as the case may be.

Title and uniform.

(j) Retired officers of the Navy Nurse Corps shall be authorized to bear the title, and, under such regulations as may be prescribed by the Secretary of the Navy, to wear the uniform of the rank with which retired.

Allowances, benefits, etc.

SEC. 208. (a) All provisions of law relating to pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, of male officers of the Navy, except those provisions relating to the same subject matter provided for in subsection (b) of this section, are hereby made applicable to officers of the Nurse Corps: *Provided*, That the husbands of officers of the Navy Nurse Corps shall not be considered dependents of such officers unless they are in fact dependent on their wives for their chief support, and the children of such officers shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support: *Provided further*, That officers of the Nurse Corps may be subsisted in hospital messes in accordance with section 17 (a) of the Act of August 2, 1946 (Public Law 604, Seventy-ninth Congress, second session), and such officers may be assigned quarters in naval hospitals under such regulations as the Secretary of the Navy may prescribe.

Dependents.

Subsistence and quarters.

60 Stat. 855.
34 U. S. C. § 901a.

Longevity pay.

(b) Longevity pay for officers of the Navy Nurse Corps shall be based upon the total of all periods of active service during which they have held or shall hold appointments as nurses or as commissioned officers in the Nurse Corps of the Army, Navy, or Public Health Service, or the reserve components thereof.

Termination of commission.

SEC. 209. The Secretary of the Navy, under the circumstances and in accordance with the regulations prescribed by the President, may terminate the commission of any officer commissioned in the Nurse Corps established by this title.

34 U. S. C. § 853j.

56 Stat. 731.
34 U. S. C. § 857g.

SEC. 210. The Naval Reserve Act of 1938 (52 Stat. 1175), as amended, is hereby further amended by adding after section 508 thereof an additional title as follows:

"TITLE VI—NURSE CORPS RESERVE

"SEC. 601. A Nurse Corps Reserve is hereby established which shall be a branch of the Naval Reserve and shall be administered under the same provisions in all respects (except as may be necessary to adapt said provisions to the Nurse Corps Reserve, or as specifically provided herein) as those contained in this Act or which may hereafter be enacted with respect to the Volunteer Reserve.

Establishment; administration.

"SEC. 602. Members of the Nurse Corps Reserve may be commissioned in appropriate ranks corresponding to those of the Nurse Corps of the Regular Navy in accordance with such regulations as the Secretary of the Navy may prescribe. Such members of the Nurse Corps Reserve, when on active duty, shall have the same authority in and about naval hospitals and other activities of the Medical Department of the Navy as officers of the Nurse Corps of the Regular Navy.

Commissioned ranks.

Authority.

"SEC. 603. The Reserve established by this title shall be composed of members who are female citizens of the United States and who shall have such professional or other qualifications as shall be prescribed by the Secretary of the Navy.

Qualifications.

"SEC. 604. All nurses of the Volunteer Reserve appointed under the authority of title 1, section 4, of this Act are hereby transferred to the Nurse Corps Reserve established by section 601 of this title in such permanent ranks as the Secretary of the Navy may determine and the temporary ranks held by those on active duty on the effective date of this title shall not be vacated by reason of such transfer. Each nurse so transferred, who at the time of such transfer had to her credit leave accrued but not taken, may, subsequent to such transfer, be granted such leave without loss of pay and allowances."

Transfers.

52 Stat. 1176.
34 U. S. C. § 853b.
Post, p. 90.

Accrued leave.

SEC. 211. Sections 5, 6, and 7 of the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be construed to include members of the Nurse Corps Reserve and former members of the Nurse Corps or the Nurse Corps Reserve abolished by this Act: *Provided*, That no member of the Nurse Corps Reserve or former member of the Nurse Corps or the Nurse Corps Reserve who has reached the age of thirty-five years shall be commissioned in the Nurse Corps of the United States Navy created and established by this Act.

34 U. S. C. §§ 15, 16, 228a.
Post, p. 867.

Age limitation.

SEC. 212. Nurses appointed to commissioned rank pursuant to section 203 of this title who, under a prior appointment in the Nurse Corps, shall have subscribed to the oath of office as required by section 1757, Revised Statutes, shall not be required to renew such oath or take a new oath under her appointment as a commissioned officer in the Nurse Corps of the United States Navy if her service in the Nurse Corps after taking such oath shall have been continuous.

Oath of office.
Ante, p. 47.

5 U. S. C. § 16.

SEC. 213. Effective six months after enactment of this title, all laws or parts of laws inconsistent with the provisions of this title are hereby repealed, and the provisions of this title shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following Acts and parts of Acts:

Repeals.

(a) The third paragraph, subheading "Repairs, Bureau of Medicine and Surgery", heading "Bureau of Medicine and Surgery", of the Act of May 13, 1908, as it appears on page 146, volume 35, Statutes at Large.

34 U. S. C. §§ 41, 42, 878, 887.

(b) So much of the Act of May 13, 1926 (44 Stat. 531), as relates to the Navy Nurse Corps.

34 U. S. C. §§ 438-440a.

(c) So much of the Act of June 20, 1930 (46 Stat. 790), as amended by the Acts of March 3, 1931 (46 Stat. 1502), and October 17, 1940 (54 Stat. 1192), as relates to the Navy Nurse Corps.

34 U. S. C. §§ 436, 437.

(d) That part of section 4 of the Act of June 25, 1938 (52 Stat. 1176), which relates to the appointment of female registered nurses in the Volunteer Reserve.

34 U. S. C. § 853b.
Post, p. 90.

37 U. S. C. § 102.

(e) That part of section 2 of the Act of June 16, 1942 (56 Stat. 360), which authorizes an increase of 20 per centum in base pay of Navy nurses while on sea duty.

37 U. S. C. § 113.
34 U. S. C. §§ 262, 263, 918, 919.
37 U. S. C. § 113 note.
34 U. S. C. § 262 note.
37 U. S. C. § 113 note.

(f) So much of section 13 of the Act of June 16, 1942 (56 Stat. 366), as relates to the Navy Nurse Corps.

(g) The Act of July 3, 1942 (56 Stat. 646).

(h) Section 7 of the Act of December 22, 1942 (56 Stat. 1074).

(i) The Act of February 26, 1944 (58 Stat. 105).

(j) The Act of December 3, 1945 (59 Stat. 594).

Repealed laws relating to retirement.

SEC. 214. All provisions of existing law repealed by section 213 of this title, which relate to the retirement and the retired pay of members or officers of the Navy Nurse Corps, shall remain in effect with respect to such members or officers who have been retired prior to the effective date of section 213 of this title, and no retired member or officer of the Navy Nurse Corps shall suffer by reason of this title any reduction or loss of retirement benefits to which she was entitled upon the effective date of this Act.

Effective date.

SEC. 215. Except as provided in section 213 hereof, this title shall take effect upon the date of its enactment.

Approved April 16, 1947.

[CHAPTER 39]

April 16, 1947
[S. 363]
[Public Law 37]

AN ACT

To amend section 3 of the Act of July 24, 1946 (Public Law 534, Seventy-ninth Congress).

Larceny in interstate or foreign commerce.
60 Stat. 657.
18 U. S. C. § 411.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of July 24, 1946 (Public Law 534, Seventy-ninth Congress, be, and it is hereby, amended to read as follows:

"To establish the interstate or foreign commerce character of any shipment in any prosecution under this Act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which and to which such shipment was made."

Approved April 16, 1947.

[CHAPTER 41]

April 25, 1947
[H. R. 731]
[Public Law 38]

AN ACT

To establish the Theodore Roosevelt National Memorial Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, North Dakota; and for other purposes.

North Dakota.
Theodore Roosevelt National Memorial Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, and 29, township 140 north, range 101 west, to the west boundary of said section 29; north along section lines to the northwest corner of said section 29; west along section line to the southwest corner of section 19, township 140 north, range 101 west; north along township line to the southeast corner of the northeast quarter of the northeast quarter

of section 24, township 140 north, range 102 west; west to the southwest corner of the northeast quarter of the northeast quarter of said section 24; north to the northwest corner of the northeast quarter of the northeast quarter of said section 24; westerly along section lines to the southwest corner of section 16, township 140 north, range 102 west; northerly along section lines to the northwest corner of section 4, township 140 north, range 102 west; thence west along township line to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; northerly through the center of sections 34 and 27 to the northwest corner of the northeast quarter of section 27 of said township 141 north, range 102 west; easterly along section lines to the northeast corner of section 28, township 141 north, range 101 west; south along section lines to the southeast corner of said section 28; east along section line to the northeast corner of section 34, township 141 north, range 101 west; south to the northwest corner of the southwest quarter of section 35, township 141 north, range 101 west; easterly through center of sections 35 and 36 to the northeast corner of the southeast quarter of said section 36 of said township 141 north, range 101 west; south to the southeast corner of said section 36; thence east along township line to the northeast corner of lot 3, section 2, township 140 north, range 101 west; southerly through the center of sections 2 and 11 to the southeast corner of the southwest quarter of said section 11, township 140 north, range 101 west; easterly along section lines to the northeast corner of section 13 of said township 140 north, range 101 west; southerly along township line to the northwest corner of section 19, township 140 north, range 100 west; easterly along north line of said section 19 to the northeast corner of the northwest quarter; southerly through center of sections 19, 30, and 31 to the northwest corner of the southeast quarter of section 31; easterly along the center of said section 31 to the northeast corner of the southeast quarter; southerly along the east line of said section 31 to the southeast corner; westerly along the township line to the east line of section 36, township 140 north, range 101 west; northerly along the township line between townships 140 north, range 100 west and 140 north, range 101 west to the north right-of-way line of United States Highway Numbered 10, the place of beginning, containing thirty-five thousand two hundred and seventy acres, more or less, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway.

Construction, etc., of highway.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize the condemnation of lands for sites for public buildings, and other purposes" (25 Stat. 357), to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore

Acquisition of private lands, etc.

40 U. S. C. §§ 257, 258.

Purchase.

Donations.

Titles, etc.

Roosevelt National Memorial Park: *And provided further*, That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General.

Exchange of lands.

SEC. 3. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto.

Acquisition of lots for reconstruction of buildings.

SEC. 4. The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Memorial Park, lots 2, 3, 4, and 6 of section 33, township 144, range 102, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided*, That the total cost of such land and buildings shall not exceed $40,000.

Cost limitation.

Administration, etc., of park.

SEC. 5. The Administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

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

Medora, N. Dak. Erection of monument.

SEC. 6. The Secretary of the Interior is authorized to erect a monument in memory of Theodore Roosevelt, in the village of Medora, North Dakota, with the advice of the Commission of Fine Arts: *Provided*, That the cost of the monument shall not exceed $35,000 and there shall be conveyed to the United States such suitable site as may in the judgment of the Secretary be required for said monument: *Provided further*, That the village of Medora, or other public agency or organization, shall furnish, in writing, assurance satisfactory to the Secretary of its willingness to assume the perpetual care and upkeep of the monument.

Cost limitation.

Care and upkeep.

Existing claims, etc.

SEC. 7. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

Appropriations authorized.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved April 25, 1947.

[CHAPTER 42]

April 28, 1947
[S. 1009]
[Public Law 39]

AN ACT

To extend the time within which the municipality of Fort Lauderdale, Broward County, Florida, may consummate the purchase of the Coast Guard site (commonly known as the Base Six property) which is located at Fort Lauderdale.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act authorizing the Secretary of the Treasury

to exchange sites at Miami Beach, Dade County, Florida, for Coast Guard purposes", as amended (Public Law Numbered 655, Seventy-ninth Congress; 60 Stat. 901), is hereby amended by striking out "six months" and inserting in lieu thereof "twelve months".

Approved April 28, 1947.

[CHAPTER 43]

AN ACT

To provide for a six months' extension and final liquidation of the farm labor supply program, and for other purposes.

April 28, 1947
[H. R. 2102]
[Public Law 40]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the farm labor supply program conducted pursuant to the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, Seventy-eighth Congress, second session, title I), as amended and supplemented, including the exemptions relating to the admission of farm laborers authorized by section 5 (g) of such Act, may be continued up to and including December 31, 1947, and thereafter shall be liquidated within thirty days. In order to continue to make available for the purposes of this program all labor-supply centers, labor homes, labor camps, and facilities heretofore available in this program, section 2 (d) of the Farmers' Home Administration Act of 1946 (Public Law 731, Seventy-ninth Congress, second session) is hereby amended by deleting therefrom the following language: "or until six months after the termination of the present hostilities as determined by concurrent resolution of the Congress or by the President, whichever is the earlier" and inserting in lieu thereof the following language: "or January 30, 1948, whichever is the earlier". Such amounts as may be necessary for the continuance and liquidation of such program as provided in this Act are hereby authorized to be appropriated.

Farm labor supply program.
Continuance and liquidation.

58 Stat. 11, 15.
50 U. S. C. app. §§ 1351-1355.
Post, p. 202.
Labor-supply centers, etc.

60 Stat. 1064.
7 U. S. C. § 1001 note.

Appropriations authorized.
Post, pp. 109, 695.

SEC. 2. Upon the enactment of this Act—

(a) The provisions of the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, Seventy-eighth Congress, second session, title I), as amended and supplemented, and as extended by this Act, shall not be construed to limit or interfere with any of the functions of the United States Employment Service or State public employment services with respect to maintaining a farm placement service as authorized under the Act of June 6, 1933 (48 Stat. 113).

Farm placement service.
Supra.

29 U. S. C. § 49b.

(b) The Secretary of Agriculture and the Secretary of Labor shall take such action as may be necessary to assure maximum cooperation between the agricultural extension services of the land-grant colleges and the State public employment agencies in the recruitment and placement of domestic farm labor and in the keeping of such records and information with respect thereto as may be necessary for the proper and efficient administration of the State unemployment compensation laws and of title V of the Servicemen's Readjustment Act of 1944, as amended (58 Stat. 295).

Domestic farm labor.
Recruitment and placement.
Records.

38 U. S. C. §§ 696-696m.
Post, p. 454.

SEC. 3. Notwithstanding any other provision of law, any Mexican farm laborer who is presently in this country and engaged in agricultural employment may be permitted to remain in this country, as long as the farm labor supply program is in effect, and he continues in agricultural employment: *Provided*, That the employer or employers of such laborers give satisfactory assurance to the United States Immigration and Naturalization Service that the terms and conditions of employment are satisfactory to the Government of Mexico, and that assurance, including an appropriate bond, is given to the satisfaction of the United States Immigration and Naturalization

Mexican farm laborers.
Employer's assurance.

Service to the effect that any such Mexican farm laborer will be returned to his place of recruitment or to such other place as the United States Immigration and Naturalization Service may require, without cost to the Government, when such farm employment terminates and, in any event, not later than December 31, 1947.

Approved April 28, 1947.

[CHAPTER 44]

April 28, 1947
[H. R. 2413]
[Public Law 41]

AN ACT

To amend the Federal Reserve Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 1501 of the Second War Powers Act, 1942, as amended, section 14 (b) of the Federal Reserve Act, as amended (U. S. C., 1940 edition, Supp. V, title 12, sec. 355), is hereby amended by striking out the proviso in such section 14 (b) and inserting in lieu thereof the following: "*Provided*, That, notwithstanding any other provision of this Act, (1) until July 1, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the twelve Federal Reserve banks shall not exceed $5,000,000,000; and (2) after June 30, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market. The Board of Governors of the Federal Reserve System shall include in their annual report to Congress detailed information with respect to direct purchases and sales from or to the United States under the provisions of the preceding proviso."

Ante, p. 34; *post*, pp. 214, 322.
38 Stat. 265.

Purchase and sale of obligations.

48 Stat. 168.
12 U. S. C. § 263.

Report to Congress.

Approved April 28, 1947.

[CHAPTER 45]

April 29, 1947
[H. R. 2404]
[Public Law 42]

AN ACT

To suspend certain import taxes on copper.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the import tax imposed under section 3425 of the Internal Revenue Code shall not apply with respect to articles (other than copper sulphate) entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this Act and ending with the close of March 31, 1949.

53 Stat. 415.
26 U. S. C. § 3425.
Post, p. 917.

Approved April 29, 1947.

[CHAPTER 46]

April 30, 1947
[H. J. Res. 140]
[Public Law 43]

JOINT RESOLUTION

To restore the name of Hoover Dam.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of Hoover Dam is hereby restored to the dam on the Colorado River in Black

Canyon constructed under the authority of the Boulder Canyon Project Act, approved December 21, 1928 (45 Stat. 1057), and referred to as Hoover Dam in the Act approved February 14, 1931 (46 Stat. 1146); in the Act approved April 22, 1932 (47 Stat. 118); in the Act approved July 1, 1932 (47 Stat. 535); in the Act approved July 21, 1932 (47 Stat. 717); and in the Act approved February 17, 1933 (47 Stat. 845). Any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Boulder Dam shall be held to refer to such dam under and by the name of Hoover Dam.

43 U. S. C. §§ 617-617t.

Approved April 30, 1947.

[CHAPTER 47]

AN ACT

To provide for annual and sick leave for rural letter carriers.

April 30, 1947
[S. 547]
[Public Law 44]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of Public Law 134, Seventy-ninth Congress, chapter 274, first session, is hereby amended by adding the following paragraph to section 6 under the title "Annual Leave":

59 Stat. 436.
39 U. S. C. § 856.

"The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of five or more days' duration (or four days' duration if a holiday falls within or at the beginning or end of the period of sick or annual leave) shall be without charge to such leave or loss of compensation: *Provided*, That Saturdays occurring in a period of annual or sick leave taken in a smaller number of days may at the option of the carrier be charged to his accrued leave and when so charged he shall be paid for such absence."

Absence of rural carriers on Saturdays.

SEC. 2. The amendment made by this Act shall take effect as of February 1, 1947.

Effective date.

Approved April 30, 1947.

[CHAPTER 48]

AN ACT

Authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947.

April 30, 1947
[S. 736]
[Public Law 45]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of determining whether or not daylight saving time should be established in the District of Columbia during the year 1947, the Commissioners of the District shall conduct open hearings at which the residents of the District and those in neighboring counties who may be affected may express their views on the establishment of such time.

Daylight saving time, D. C.
Hearings.

SEC. 2. If, as a result of the hearings held pursuant to the first section of this Act, the Commissioners should decide that daylight saving time should be established in the District during the year 1947, the Commissioners are authorized to advance the standard time for the District one hour for any period of the year 1947 not earlier than the last Sunday of April of such year and not later than the last Sunday of September of such year. Any such time established by the Commissioners pursuant to this Act shall, during the period for which it is applicable, be considered the standard time for the District of Columbia.

Authority of Commissioners.

Publication of findings, etc.

The Commissioners shall forthwith proceed in the exercise of the authority herein contained and shall, as soon as practicable, publish their findings and orders thereunder.

Approved April 30, 1947.

[CHAPTER 49]

May 1, 1947
[H. R. 2849]
[Public Law 46]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

First Deficiency Appropriation Act, 1947.
Post, p. 118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

Special telephone wiring plans.

The Sergeant at Arms is authorized to install in the offices of Senators, and in other offices of the Senate as approved by the Committee on Rules and Administration, special telephone wiring plans with features to pick up, hold, and intercommunicate, the cost thereof to be paid out of the appropriation for "Miscellaneous items, contingent expenses of the Senate".

60 Stat. 392.
Post, p. 106.

60 Stat. 391.
Priority.

For an additional amount for furniture and repairs, fiscal year 1947, $5,000: *Provided*, That hereafter the Sergeant at Arms of the Senate, in expending this and other appropriations under his control, shall be accorded the same priority as granted agencies in the executive branch of the Government under the Surplus Property Act of 1944, as amended.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646.
Post, p. 678.

Senate Restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law Numbered 709, Seventy-seventh Congress), fiscal year 1947, $30,000.

56 Stat. 750.
40 U. S. C. §§ 174f-174j.

For an additional amount for mail transportation, fiscal year 1947, $4,500.

60 Stat. 393.

Stationery: For an additional allowance for stationery of $300 for each Senator and the President of the Senate, for the first session of the Eightieth Congress, $29,100, to remain available until June 30, 1948.

HOUSE OF REPRESENTATIVES

SALARIES OF MEMBERS AND DELEGATES

60 Stat. 393.
Post, p. 611.

For an additional amount for compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, fiscal year 1947, $548,750.

CONTINGENT EXPENSES OF THE HOUSE

60 Stat. 397.

For furniture, carpets, and equipment, fiscal year 1947 and to remain available until June 30, 1948, $35,000, to be expended in procuring surplus property in accordance with the Surplus Property Act of 1944, as amended, and hereafter the Clerk of the House of Representatives, in expending this and other appropriations under his control shall be accorded the same priority as granted agencies in the executive branch of the Government under such Act.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646.
Post, p. 678.
Priority.

Stationery: For an additional allowance for stationery of $300 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the first session of the Eightieth Congress, $131,400, to remain available until June 30, 1948. 60 Stat. 398. *Post*, p. 611.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

House Office Buildings: For an additional amount, fiscal year 1947, for "House Office Buildings", including the objects specified under this head in the Legislative Branch Appropriation Act, 1947, $12,600. 60 Stat. 401.

THE JUDICIARY

COURT OF CLAIMS

Repairs and improvements: For an additional amount, fiscal year 1947, for "Repairs and improvements", for replacement of boiler, $12,500, to be expended under the supervision of the Architect of the Capitol. 60 Stat. 477.

TERRITORIAL COURTS

Hawaii: For an additional amount, fiscal year 1947, for "Territorial Courts, Hawaii", $1,188. 60 Stat. 477.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries, court reporters: For an additional amount, fiscal year 1947, for "Salaries, court reporters", $15,000. 60 Stat. 479.

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $38,000. 60 Stat. 61.

OFFICE FOR EMERGENCY MANAGEMENT

PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading with the Enemy Act, as amended (50 U. S. C. App.), and the Philippine Property Act of 1946 (60 Stat. 418): *Provided*, That not to exceed $269,500 shall be available for the fiscal year 1947 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at $10,000 per annum; printing and binding; purchase of two passenger motor vehicles; not to exceed $400 for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws, including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia; and expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That in

40 Stat. 411. 50 U. S. C. app. §§ 1-38. 22 U. S. C. §§ 1381-1386.

58 Stat. 394. 39 U. S. C. §§ 321c-321h.

60 Stat. 810. 5 U. S. C. § 55a.

order to reimburse the Office of Alien Property, Department of Justice, in connection with the administration of property in the Philippine Islands for the period July 1 to October 14, 1946, the limitation on administrative expenses for the Office of Alien Property, Department of Justice, is hereby increased in the amount of $40,000, such amount being withheld from the property transferred to the Philippine Alien Property Administrator.

INDEPENDENT OFFICES

CIVIL SERVICE COMMISSION

60 Stat. 873.
48 U. S. C. §§ 1373, 1373a.

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (58 Stat. 257), as amended by the Act of August 7, 1946 (Public Law 619), fiscal year 1947, $408,743.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

60 Stat. 687.

Certification services: For an additional amount, fiscal year 1947, for "Certification services", $55,000.

FREEDMEN'S HOSPITAL

60 Stat. 688.
Transfer of funds.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses", $390,500: *Provided*, That the limitation under this head on the amount available for transfer to the Federal Works Agency is hereby increased to $115,000, and, effective as of July 1, 1946, payments to the appropriations of Howard University for the actual cost of heat, light, and power furnished by such University and the transfer of funds to the appropriation "Salaries, Howard University" in the Federal Security Appropriation Act, 1947, for salaries of technical and professional personnel detailed to the hospital are hereby authorized.

60 Stat. 688.

HOWARD UNIVERSITY

60 Stat. 688.

Salaries: For an additional amount, fiscal year 1947, for "Salaries, Howard University", $275,364.

OFFICE OF VOCATIONAL REHABILITATION

41 Stat. 735; 60 Stat. 689.
29 U. S. C. §§ 31-44.

Payments to States, Vocational Rehabilitation Act, as amended: For an additional amount, fiscal year 1947, for "Payments to States, Vocational Rehabilitation Act, as amended", $600,000: *Provided*, That the limitation on the amount available for providing rehabilitation services to disabled residents of the District of Columbia under section 6 of the Vocational Rehabilitation Act is hereby increased to $147,961.

41 Stat. 737.
29 U. S. C. § 36 and note.

SOCIAL SECURITY ADMINISTRATION

60 Stat. 694.

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For an additional amount, fiscal year 1947, for "Grants to States for old-age assistance, aid to dependent children, and aid to the blind", $135,000,000.

Grants to States for unemployment compensation administration: For an additional amount, fiscal year 1947, for "Grants to States for unemployment compensation administration", $9,064,000.

FEDERAL WORKS AGENCY

PUBLIC BUILDINGS ADMINISTRATION

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For an additional amount, fiscal year 1947, for "Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", $2,700,000. 60 Stat. 67.

Equipment, National Archives Building: For additional equipment, National Archives Building, $80,000.

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army, or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 37, and House Document Numbered 123, Eightieth Congress, $762,181.66. 55 Stat. 768.

INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary, fiscal year 1947, to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, $15,000. 60 Stat. 1049. 25 U. S. C. §§ 70-70v; 28 U. S. C. §§ 259, 259a. 58 Stat. 394. 39 U. S. C. §§ 321c-321h.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses: The limitation on the amount available for travel under the appropriation, "Salaries and expenses, National Advisory Committee for Aeronautics", fixed by section 105 of the Independent Offices Appropriation Act, 1947, is hereby increased to $175,000. Travel expenses. 60 Stat. 78.

NATIONAL MEDIATION BOARD

Arbitration, emergency, and emergency panel boards: For an additional amount, fiscal year 1947, for "Arbitration, emergency, and emergency panel boards", $60,800. 60 Stat. 699.

NATIONAL RAILROAD ADJUSTMENT BOARD

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $21,500. 60 Stat. 699.

PANAMA RAILROAD COMPANY

ADMINISTRATIVE EXPENSES

The amount available to the Panama Railroad Company for administrative expenses, fiscal year 1947, is hereby increased by $175,000. 60 Stat. 588.

RAILROAD RETIREMENT BOARD

Salaries: For an additional amount, fiscal year 1947, for "Salaries", $1,522,000. 60 Stat. 699.

60 Stat. 699.

Miscellaneous expenses (other than salaries): For an additional amount, fiscal year 1947, for "Miscellaneous expenses (other than salaries)", $321,000.

60 Stat. 700.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $10,000.

60 Stat. 700.

Penalty mail costs: For an additional amount, fiscal year 1947, for deposit in the general fund of the Treasury for the cost of penalty mail of the Railroad Retirement Board, $28,000.

SMITHSONIAN INSTITUTION

60 Stat. 74.

Salaries and expenses, National Gallery of Art: For an additional amount, fiscal year 1947, for "Salaries and expenses, National Gallery of Art", $10,430.

VETERANS' ADMINISTRATION

60 Stat. 75. *Ante*, p. 17; *post*, p. 184.

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", $142,258,000: *Provided*, That the amount available for the purchase of newspapers and periodicals other than legal newspapers, is increased to $3,500; the amount available to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration is increased to $7,260,000; and the limitation on travel expenses imposed by section 105 of the Independent Offices Appropriation Act, 1947, is increased to $13,019,000: *Provided further*, That no part of this appropriation shall be used to pay in excess of one hundred persons engaged in public relations work.

Travel expenses.

60 Stat. 78.

60 Stat. 76.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $5,000,000.

60 Stat. 76.

Pensions: For an additional amount, fiscal year 1947, for "Pensions", $241,665,000, to remain available until expended.

60 Stat. 76.

Readjustment benefits: For an additional amount, fiscal year 1947, for "Readjustment benefits", $873,836,000, to remain available until expended.

60 Stat. 77. *Ante*, p. 17.

Military and naval insurance: For an additional amount, fiscal year 1947, for "Military and naval insurance", $3,125,500, to remain available until expended.

60 Stat. 77.

National service life insurance: For an additional amount, fiscal year 1947, for "National service life insurance", $535,710,000, to remain available until expended.

Ante, p. 17. 57 Stat. 44, 434. 38 U. S. C. note foll. § 739, p. 4269. *Post*, p. 180.

Vocational rehabilitation revolving fund: To increase the "Vocational rehabilitation revolving fund (Act of March 24, 1943)," created by the Urgent Deficiency Appropriation Act, 1943, $300,000.

DISTRICT OF COLUMBIA

GENERAL ADMINISTRATION

60 Stat. 502.

Executive office: The appropriation "Executive office" in the District of Columbia Appropriation Act, 1947, shall be available for the payment of salaries of members of the apprenticeship council appointed under the provisions of Public Law 387, approved May 21, 1946.

60 Stat. 204.

FISCAL SERVICE

58 Stat. 510.

Collector's office: For an additional amount, fiscal year 1945, for the "Collector's office", $1,056.55.

59 Stat. 272.

Collector's office: For an additional amount, fiscal year 1946, for the "Collector's office", $1,405.91.

REGULATORY AGENCIES

60 Stat. 503, 504.

Coroner's office: For an additional amount, fiscal year 1947, for "Coroner's office", $3,300.

Department of Weights, Measures, and Markets: For an additional amount, fiscal year 1947, for the "Department of Weights, Measures, and Markets", $1,695.

License bureau: For an additional amount, fiscal year 1947, for "License bureau", $1,565.

Minimum Wage and Industrial Safety Board: For an additional amount, fiscal year 1947, for "Minimum Wage and Industrial Safety Board", $600.

Poundmaster's office: For an additional amount, fiscal year 1947, for "Poundmaster's office", $2,900.

PUBLIC SCHOOLS

60 Stat. 504, 505.

General supervision and instruction: For an additional amount, fiscal year 1947, for "General supervision and instruction", $61,480.

Repairs and maintenance of buildings and grounds: For an additional amount, fiscal year 1947, for "Repairs and maintenance of buildings and grounds", $53,000.

PUBLIC LIBRARY

Operating expenses: For an additional amount, fiscal year 1947, for "Operating expenses", $14,904. 60 Stat. 507.

RECREATION DEPARTMENT

Operating expenses: For an additional amount, fiscal year 1947, for "Operating expenses", $63,700. 60 Stat. 508.

FIRE DEPARTMENT

Operating expenses: For an additional amount, fiscal year 1947, for the Fire Department, $3,800. 60 Stat. 509.

POLICEMEN'S AND FIREMEN'S RELIEF

Policemen's and firemen's relief: For an additional amount, fiscal year 1947, for policemen's and firemen's relief, $560,000. 60 Stat. 509.

VETERANS' SERVICES

Salaries and expenses: For an additional amount, fiscal year 1947, for salaries and expenses for services to veterans and war workers, including housing services, $12,378. 60 Stat. 509.

COURTS

Office of Register of Wills: For an additional amount, fiscal year 1947, for "Office of Register of Wills", $3,400. 60 Stat. 510.

DEPARTMENT OF CORRECTIONS

Operating expenses, Adult Correctional Service: For an additional amount, fiscal year 1947, for "Operating expenses, Adult Correctional Service", $95,560. 60 Stat. 514.

PUBLIC WELFARE

60 Stat. 512.

Public assistance and children's services: For an additional amount, fiscal year 1947, for "Public assistance and children's services", $155,200.

60 Stat. 514.

Saint Elizabeths Hospital: For an additional amount, fiscal year 1947, for "Saint Elizabeths Hospital", $2,234,000.

PUBLIC WORKS

60 Stat. 515. Post, p. 185.

Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1947, for "Operating expenses, Office of Superintendent of District Buildings", $7,700.

59 Stat. 286.

Surveyor's office: For an additional amount, fiscal year 1946, for "Surveyor's office", $100.

60 Stat. 516.

Central garage: For an additional amount, fiscal year 1947, for "Central garage", $3,200.

60 Stat. 518.

Department of Vehicles and Traffic (payable from highway fund): For an additional amount, fiscal year 1947, for "Department of Vehicles and Traffic", $9,900.

60 Stat. 519.

Operating expenses, Refuse Division: For an additional amount, fiscal year 1947, for "Operating expenses, Refuse Division", $350,000.

60 Stat. 519.

Operating expenses, Sewer Division: For an additional amount, fiscal year 1947, for "Operating expenses, Sewer Division", $40,100.

60 Stat. 519.

Capital outlay, Sewer Division: For an additional amount, fiscal year 1947, for "Capital outlay, Sewer Division", $30,000.

60 Stat. 520.

Operating expenses, Water Division (payable from water fund): For an additional amount, fiscal year 1947, for "Operating expenses, Water Division", $86,300.

60 Stat. 520.

Capital outlay, Water Division (payable from water fund): For an additional amount, fiscal year 1947, for "Capital outlay, Water Division", $150,000.

WASHINGTON AQUEDUCT

60 Stat. 520.

Operating expenses (payable from water fund): For an additional amount, fiscal year 1947, for "Operating expenses, Washington Aqueduct", $52,000.

NATIONAL CAPITAL PARKS

60 Stat. 521.

National Capital Parks: For an additional amount, fiscal year 1947, for "National Capital Parks", $55,000.

SETTLEMENT OF CLAIMS AND SUITS

45 Stat. 1160. D. C. Code §§ 1-902 to 1-905.

For the payment of claims in excess of $250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (46 Stat. 500), $1,073.99.

JUDGMENTS

For the payment of final judgments, rendered against the District of Columbia, as set forth in House Document Numbered 107, together with such further sum as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, $2,632.30.

AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted

or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1944 and prior fiscal years, as follows: 18 Stat. 110.

Refund of erroneous collections, District of Columbia, 1944, $11.24; 57 Stat. 319.

Electrical Department, expenses, District of Columbia, 1944, $640.78; 57 Stat. 321.

Health Department, medical services, District of Columbia, 1944, $3.46; 57 Stat. 327.

Working capital fund, Workhouse and Reformatory, District of Columbia, 1944, $1,813; 57 Stat. 331.

Department of Vehicles and Traffic, expenses, highway fund, District of Columbia, 1944 (payable from highway fund), $441.15; 57 Stat. 338.

Refunding water rents, District of Columbia, 1944 (payable from water fund), $18.23; 57 Stat. 344.

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1944, $75; 57 Stat. 500.

Health Department, medical services, District of Columbia, 1943, $134.64; 56 Stat. 439.

Gallinger Municipal Hospital, salaries, District of Columbia, 1943, $3.43; 56 Stat. 440.

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1943, $8.08; 56 Stat. 571.

Public schools, expenses, District of Columbia, 1942 and 1943, $17.10; 55 Stat. 508; 56 Stat. 432.

Health Department, medical services, District of Columbia, 1942, $2.12; 55 Stat. 516.

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1942, $146.10; 55 Stat. 479.

In all, $3,314.33.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia, shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947. 60 Stat. 501.

DEPARTMENT OF AGRICULTURE

For an additional amount, fiscal year 1947, to enable the Secretary of Agriculture to carry out the provisions of the National School Lunch Act of 1946, $6,000,000. 60 Stat. 230. 42 U. S. C. §§ 1751-1760.

TUSSOCK MOTH CONTROL

For expenses necessary to enable the Secretary of Agriculture to carry out operations, independently or in cooperation with State agencies, associations, organizations, or individuals, to combat an outbreak of tussock moth, fiscal year 1947, $395,000, to remain available until December 31, 1947: *Provided*, That no part of this appropriation may be used to pay the cost of property injured or destroyed.

FOREST SERVICE

National forest protection and management: The sum of $410,000 is hereby transferred from the appropriation "Acquisition of Lands for National Forests under Week's Act" to the appropriation "National forest protection and management". 60 Stat. 285.

Control of tree insect epidemics, national forests: For control of epidemics of tree-destroying insects on or threatening the national forests, fiscal year 1947, $282,500, to remain available until December 31, 1947.

60 Stat. 284.

Fighting forest fires: For an additional amount for fighting forest fires, fiscal year 1947, $3,944,000.

DEPARTMENT OF COMMERCE

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

60 Stat. 471.

Export control: For an additional amount, fiscal year 1947, for "Export control", $175,000, to be transferred from the appropriation "Field office service".

DEPARTMENT OF THE INTERIOR

60 Stat. 1100.

BUREAU OF LAND MANAGEMENT

Fire fighting: For an additional amount, fiscal year 1947, for "Fire fighting", $56,000; and $20,000 of the amount appropriated in the Interior Department Appropriation Act, 1947, under the head "Salaries and expenses", Grazing Service, for the payment to employees for accumulated or accrued annual leave is hereby transferred to this appropriation and shall be available for the purposes hereof.

60 Stat. 351.

BUREAU OF INDIAN AFFAIRS

60 Stat. 355.

Suppressing forest and range fires: For an additional amount, fiscal year 1947, for "Suppressing forest and range fires", $50,000.

60 Stat. 363.

BUREAU OF RECLAMATION

OPERATION AND MAINTENANCE

Vale project, Oregon: For operation and maintenance of the Vale project, Oregon, fiscal year 1947, to remain available until June 30, 1948, $59,800, from the Reclamation Fund, Special Fund, which amount may be expended for reimbursement to the Vale Oregon Irrigation District to the extent that funds may have been advanced by that District to the United States for operation and maintenance for the calendar year 1947.

NATIONAL PARK SERVICE

Philadelphia National Shrines Park Commission: For necessary expenses, including printing and binding, to carry out the provisions of the Act approved August 9, 1946 (Public Law 711), as amended, $10,000, to remain available until January 3, 1948.

60 Stat. 972.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

59 Stat. 357.

Insane of Alaska: For an additional amount, fiscal year 1946, for "Insane of Alaska", $650.

60 Stat. 382.

Insane of Alaska: For an additional amount, fiscal year 1947, for "Insane of Alaska", $80,900.

GOVERNMENT OF THE VIRGIN ISLANDS

60 Stat. 384.

Municipal government of Saint Croix: For an additional amount, fiscal year 1947, for "Municipal government of Saint Croix", $64,000.

DEPARTMENT OF JUSTICE

DAMAGE CLAIMS

Damage claim: For the payment of a claim for damages to privately owned property adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in House Document Numbered 121, Eighteenth Congress, $45.60.

Privately owned property.

49 Stat. 1184.

Damage claim: For the payment of a claim for personal injuries adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in Senate Document Numbered 29, Eighteenth Congress, $50.

Personal injuries.

Supra.

DEPARTMENT OF LABOR

NATIONAL WAR LABOR BOARD

The limitation upon the amount which may be expended for printing and binding in the appropriation "Salaries and expenses", National War Labor Board, fiscal year 1946, is hereby increased from $30,000 to $49,000 so as to authorize the completion under said appropriation of the National War Labor Board termination report and war history at a total cost of not exceeding $39,600.

59 Stat. 473.

NAVY DEPARTMENT

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide the Navy with a system of laws for the settlement of claims uniform with that of the Army", approved December 28, 1945, Public Law 277, Seventy-ninth Congress, as fully set forth in Senate Document Numbered 36, and House Document Numbered 133, Eighteenth Congress, $49,657.80.

59 Stat. 662.
31 U. S. C. §§ 215-217 notes, 222e, 222f, 223d.

Damage claims: For payment of claims for death or personal injury, under the provisions of Public Law 224, approved November 15, 1945 (59 Stat. 582), as fully set forth in Senate Document Numbered 34, Eighteenth Congress, $61,478.26.

GENERAL PROVISIONS

There are hereby transferred between appropriations of the Navy Department and Naval Establishment sums as follows:

60 Stat. 483.

From "Naval Reserve Officers' Training Corps, 1947", to—

"Naval War College, 1947", $23,000;

"Naval training station, San Diego, California, 1947", $77,000;

"Naval training station, Newport, Rhode Island, 1947", $75,000;

"Naval training station, Great Lakes, Illinois, 1947", $175,000;

"Naval training station, Port Deposit, Maryland, 1947", $150,000;
"Instruction, Navy, 1947", $300,000;
"Pay, Naval Academy, 1947", $208,000;
"Salaries, Hydrographic Office, 1947", $200,000;
In all from "Naval Reserve Officers' Training Corps, 1947", $1,208,000.

60 Stat. 485. From "Ordnance and ordnance stores, Navy, 1947", to "Pay, Marine Corps, 1947", $2,500,000.

60 Stat. 487. From "Transportation and recruiting of naval personnel, 1947", to—
"Pay, Naval Academy, 1947", $42,000;
"Maintenance, Naval Academy, 1947", $200,000;
"Naval Home, Philadelphia, Pennsylvania, 1947", $20,000;
"Pay of civil force, Offices of Commandant of the Marine Corps and Director of Personnel, 1947", $50,000;
"Pay of civil force, Office of Quartermaster General, Marine Corps, 1947", $70,000;
"Salaries, Office of the Secretary of the Navy, 1947", $626,000;
"Salaries, General Board, Navy Department, 1947", $3,200;
"Salaries, Naval Examining and Retiring Boards, 1947", $2,500;
"Salaries, Office of Judge Advocate General, Navy, 1947", $60,825;
"Salaries, Board of Inspection and Survey, Navy Department, 1947", $4,400;
"Salaries, Office of Director of Naval Communications, 1947", $200,000;
"Salaries, Office of Naval Intelligence, 1947", $150,000;
"Salaries, Bureau of Naval Personnel, 1947", $350,000;
"Salaries, Naval Observatory, 1947", $45,500;
"Salaries, Bureau of Ordnance, 1947", $260,000;
"Salaries, Bureau of Supplies and Accounts, 1947", $700,000;
"Salaries, Bureau of Medicine and Surgery, 1947", $150,000;
In all from "Transportation and recruiting of naval personnel, 1947", $2,934,425.

60 Stat. 489. From "Transportation of things, 1947", to—
"Maintenance, Bureau of Supplies and Accounts, 1947", $9,000,000;
"Care of mental patients, Navy, 1947", $233,000;
"Maintenance, Bureau of Yards and Docks, 1947", $1,900,000;
"Salaries, Office of Chief of Naval Operations, 1947", $240,000;
In all from "Transportation of things, 1947", $11,373,000.

60 Stat. 491. From "Aviation, Navy, 1947", to—
"Maintenance, Bureau of Supplies and Accounts, 1947", $20,000,000;
"Pay, Marine Corps, 1947", $5,000,000;
In all from "Aviation, Navy, 1947", $25,000,000.

60 Stat. 489. From "Naval procurement fund", to—
"Miscellaneous expenses, Navy, 1947", $250,000;
"Pay and subsistence of naval personnel, 1947", $103,000,000;
59 Stat. 210. "Fuel, Navy, 1946", $29,531,000;
"Medical Department, Navy, 1947", $4,000,000;
"Pay, Marine Corps, 1947", $27,500,000;
"Salaries, Bureau of Ships, 1947", $350,000;
In all from "Naval procurement fund", $164,631,000.

60 Stat. 486. From "Clothing and small stores fund," to "Pay and subsistence of naval personnel, 1947", $71,000,000.

BUREAU OF SHIPS

Post, p. 700. 60 Stat. 485. Not to exceed $300,000 of the appropriation, "Maintenance, Bureau of Ships, 1947", shall be available for the purchase of mechanical tabulating equipment for use in the Navy Department.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

During the fiscal year 1947 the limitations applicable to rates for Navy rations shall be those prescribed by the Secretary of the Navy in accordance with section 17 (a) of the Act of August 2, 1946 (Public Law 604), other rates fixed under this head in the Naval Appropriation Act, 1947, to the contrary notwithstanding. 60 Stat. 855. 34 U. S. C. § 901a. 60 Stat. 486.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

Salaries, Office of the Solicitor for the Post Office Department, $10,000. 60 Stat. 580.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL 60 Stat. 581, 582.

Compensation to postmasters, $1,518,100.
Clerks, first- and second-class post offices, $11,124,600. *Post*, p. 112.
Clerks, third-class post offices, $46,000.
Carfare and bicycle allowance, $375,500.
Rural Delivery Service, $3,832,100.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL 60 Stat. 583.

Foreign mail transportation: Not to exceed $17,000 of the appropriation "Foreign mail transportation", fiscal year 1947, is hereby made available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Twelfth Congress of the Universal Postal Union, to be expended in the discretion of the Postmaster General and accounted for on his certificate, which certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended, which amount shall be available until September 30, 1947. *Post*, pp. 112, 700.

Foreign air-mail transportation, $1,000,000. *Post*, p. 186.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper, $1,769,400. 60 Stat. 583.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies, $600,000. 60 Stat. 583.

For an additional amount for equipment shops, Washington, District of Columbia, including the same objects specified under this head in the Post Office Department Appropriation Act, 1947, $300,000: *Provided*, That the limitation on the amount that may be expended for personal services in the District of Columbia is increased from $869,500 to $932,800: *Provided further*, That this limitation is exclusive of the amount required to meet increased pay costs provided for in Public Law 25 of the Eightieth Congress. 60 Stat. 584. Personal services. *Ante*, p. 29.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

SUBSCRIPTIONS TO CAPITAL STOCK, FEDERAL CROP INSURANCE CORPORATION

Subscriptions to capital stock, Federal Crop Insurance Corporation: To enable the Secretary of the Treasury to subscribe and pay for capital stock of the Federal Crop Insurance Corporation, as provided in section 504 of the Federal Crop Insurance Act (7 U. S. C. 1504), fiscal year 1947, $20,000,000.

52 Stat. 72.

BUREAU OF CUSTOMS

60 Stat. 572.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Collecting the revenue from customs", $850,000, and the amount which may be expended for personal services in the District of Columbia is hereby increased from "$758,000" to "$815,000".

WAR DEPARTMENT

MILITARY ACTIVITIES

OFFICE OF THE SECRETARY OF WAR

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document Numbered 30, and House Document Numbered 122, Eightieth Congress, $193,375.28.

57 Stat. 372.

Damage claim: For the payment of a claim for personal injury and damage to privately owned property, adjusted and determined by the Secretary of War under the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries", approved January 2, 1942, as amended April 22, 1943 (31 U. S. C. 224d), as fully set forth in Senate Document Numbered 39, Eightieth Congress, $8,000.

55 Stat. 880; 57 Stat. 66.

FINANCE DEPARTMENT

60 Stat. 542.

FINANCE SERVICE, ARMY

Pay of the Army: For an additional amount, fiscal year 1947, for "Pay of the Army", $465,000,000.

Air transportation to U. S. of dependents.

Pay of the Army: For an additional amount, fiscal year 1947, for "Pay of the Army", $1,000,000, which shall be used for expediting the transportation to the United States by air of dependents of military personnel (war spouses and their children).

SALARIES, WAR DEPARTMENT

60 Stat. 562.

The limitation in the last paragraph under the head "Salaries, War Department", in the Military Appropriation Act, 1947, on the amount which may be expended for personal services at the seat of government, other than for field service employees, is hereby increased

from "$48,309,800" to "$51,000,000": *Provided*, That this limitation shall not apply to amounts used for employees of other agencies paid from funds transferred thereto from appropriations available for the Military Establishment.

Employees of other agencies.

GOVERNMENT AND RELIEF IN OCCUPIED AREAS

Government and relief in occupied areas: For an additional amount for "Government and relief in occupied areas", fiscal year 1947, $300,000,000: *Provided*, That not exceeding $42,000,000 of the funds appropriated under this head shall be available for providing the necessary water transportation and transportation facilities including surplus ships which may be made available.

60 Stat. 560.

Water transportation.

GENERAL PROVISIONS

In addition to the transfers authorized by section 20 of the Military Appropriation Act, 1947, transfers may be made of not to exceed $328,763,000 to the appropriation "Finance Service, Army", and of not to exceed $5,500,000 to the appropriation "Medical and Hospital Department, Army", from appropriations as follows:

"Air Corps, Army", not to exceed $135,000,000;
"Engineer Service, Army", not to exceed $91,544,000;
"Ordnance service and supplies, Army", not to exceed $17,719,000;
"National Guard", not to exceed $55,125,000;
"Organized Reserves", not to exceed $30,000,000;
"Welfare of enlisted men", not to exceed $4,875,000.

60 Stat. 566.
60 Stat. 542.
60 Stat. 551.

CIVIL FUNCTIONS

CEMETERIAL EXPENSES (ACT OF MAY 16, 1946)

The limitation in the appropriation "Cemeterial expenses (Act of May 16, 1946)", in the Third Urgent Deficiency Appropriation Act, 1946, on the amount which may be expended for personal services at the seat of government is hereby increased from "$1,350,000" to "$1,600,000": *Provided*, That section 607 of the Federal Employees Pay Act of 1945, as amended, shall not apply to personnel paid from this appropriation.

60 Stat. 182.
50 U. S. C. app. §§ 1811-1816.
Post, pp. 687, 779.
60 Stat. 268.
59 Stat. 304.
5 U. S. C. § 947.

UNITED STATES SOLDIERS' HOME

Maintenance and operation: For an additional amount, fiscal year 1947, for maintenance and operation, United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, $50,000.

60 Stat. 164.

PAYMENT OF CLAIMS, PART 2 OF FEDERAL TORT CLAIMS ACT

The appropriations for salaries and expenses or for miscellaneous, contingent, or general expenses of each Department and agency and funds provided for administrative expenses of corporations for the fiscal year 1947 shall be available for the payment (by each such Department, agency, or corporation) of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946, unless the payment of such claims is otherwise specifically provided for.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946

60 Stat. 35, 203, 216.
39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 672b-673, 902 *et seq.*
Ante, p. 40; *post*, p. 727.

60 Stat. 480, 716, 717, 749, 752.
5 U. S. C. §§ 645, 645b; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597–597c.

(Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

LEGISLATIVE BRANCH

Senate: "Salaries and expenses of detailed police, Capitol Police Board", $300.

FEDERAL SECURITY AGENCY

60 Stat. 694.

"Salaries, Bureau of Old-Age and Survivors Insurance" (increase of $3,285,000 in the limitation upon the amount of the Federal Old-Age and Survivors Trust Fund which may be used for salaries).

Transfer of funds.

There are hereby transferred between appropriations of the Federal Security Agency sums as follows:

From:

60 Stat. 690.

Public Health Service:
"Commissioned officers, pay, and so forth", $400,000;
"Training for nurses", $3,500,000;

60 Stat. 693.

Saint Elizabeths Hospital: "Salaries and expenses", $1,000,000;

60 Stat. 681.

Social Security Administration:
"Salaries and expenses, maternal and child welfare", $106,000;
"Grants to States for child welfare services", $495,930.

To:

60 Stat. 697.

Bureau of Employees' Compensation: "Salaries and expenses", $153,000;

60 Stat. 687.

Columbia Institution for the Deaf: "Salaries and expenses", $26,000;

60 Stat. 687.

Food and Drug Administration:
"Enforcement operations", $409,700;
"Certification services", $37,000;
"General administration", $16,500;

60 Stat. 688.

Freedmen's Hospital: "Salaries and expenses", $119,400;

60 Stat. 688.

Howard University: "Salaries", $181,600;

60 Stat. 688.

Office of Education: "Salaries and expenses", $116,500;

60 Stat. 689.

Office of Vocational Rehabilitation:
"For payments to States", $12,000;
"General administrative expenses", $35,000;
"Salaries and expenses, services for blind function", $3,500;

60 Stat. 690.

Public Health Service:
"Venereal diseases", $258,400;
"Tuberculosis", $99,000;
"Communicable diseases", $425,900;
"Hospitals and medical care", $1,789,500;
"Foreign quarantine service", $237,500;
"National Institute of Health, operating expenses", $279,400;
"National Cancer Institute, operating expenses", $98,900;
"Salaries and miscellaneous expenses", $220,100;
"Office of International Health Relations", $3,830;
"Salaries and expenses, Vital Statistics, Office of Surgeon General", $82,100;

60 Stat. 680, 694.

Social Security Administration:
"Salaries, Bureau of Public Assistance", $134,000;
"Salaries, Bureau of Employment Security", $95,000;
"Salaries and expenses, Children's Bureau", $35,800;
"Salaries, consolidated operations, Social Security Administration", $466,700;

Office of the Administrator:

60 Stat. 695.

"Salaries, Office of the Administrator", $23,500;

"Salaries, Division of Personnel Management", $17,600;
"Salaries, Division of Service Operations", $39,000;
"Salaries, Office of the General Counsel", $85,500;

DEPARTMENT OF AGRICULTURE

Agricultural Research Administration:
Bureau of Animal Industry:
"Marketing agreements, hog cholera virus and serum" (increase in sum made available from appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, from "$37,300" to "$42,500"); 60 Stat. 278. 48 Stat. 38. 7 U. S. C. § 612 (a).
Federal Intermediate Credit Banks: "Administrative expenses" (increase of $85,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses); 60 Stat. 594.
Production Credit Corporations: "Administrative expenses" (increase of $50,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses); 60 Stat. 594.
The Secretary of Agriculture is hereby authorized to transfer from appropriations available to the Department of Agriculture not to exceed the following specified amounts to the appropriations indicated: Transfer of funds.
Office of the Secretary: "Salaries and expenses", $210,000; 60 Stat. 270.
Office of the Solicitor: "Salaries and expenses", $265,000; 60 Stat. 271.
Office of Information: "Salaries and expenses", $70,000; 60 Stat. 272.
Library, Department of Agriculture: "Salaries and expenses", $66,000; 60 Stat. 273.
Bureau of Agricultural Economics: 60 Stat. 273.
"Economic investigations", $250,000;
"Crop and livestock estimates", $240,000;
Office of Foreign Agricultural Relations: "Salaries and expenses", $78,000; 60 Stat. 274.
Extension Service: "Administration and coordination of extension work", $46,000; 60 Stat. 275.
Agricultural Research Administration: 60 Stat. 275.
Office of Administrator: "Salaries and expenses", $43,000;
"Special research fund, Department of Agriculture", $110,000;
Office of Experiment Stations:
"Administration of grants and coordination of research with States", $21,000;
"Federal Experiment Station, Puerto Rico", $7,000;
Bureau of Animal Industry: 60 Stat. 277.
"Animal Husbandry", $86,500;
"Diseases of animals", $64,500;
"Fur-resources investigations", $14,000;
"Inspection and quarantine", $134,000;
"Meat inspection", $1,240,000;
"Virus Serum Toxin Act", $40,000;
Bureau of Dairy Industry: "Salaries and expenses", $102,800; 60 Stat. 278.
Bureau of Plant Industry, Soils and Agricultural Engineering: 60 Stat. 279.
"Field Crops", $235,000;
"Fruit, vegetable, and specialty crops", $175,000;
"Forest diseases", $36,100;
"Soils, fertilizers, and irrigation", $145,000;
"Agricultural engineering", $53,000;
"National Arboretum", $9,900;
Bureau of Entomology and Plant Quarantine: 60 Stat. 280.
"Insect investigations", $273,000;
"Insect and plant disease control", $285,000;
"Foreign plant quarantines", $190,000;

60 Stat. 282. Bureau of Agricultural and Industrial Chemistry:
"Agricultural chemical investigations", $50,000;
"Naval-stores investigations", $16,000;
"Regional research laboratories", $470,000;
60 Stat. 282. Bureau of Human Nutrition and Home Economics: "Salaries and expenses", $90,000;
Forest Service:
60 Stat. 283. Salaries and expenses:
"General administrative expenses", $72,000;
"National forest protection and management", $2,300,000;
"Forest and range management investigations", $250,000;
"Forest products", $160,000;
60 Stat. 285. "Farm and other private forestry cooperation", $38,000;
60 Stat. 587. Federal Crop Insurance Corporation: "Operating expenses", $450,000;
60 Stat. 287. Soil Conservation Service:
"Soil conservation research", $145,000;
"Soil conservation operations", $4,000,000;
"Land utilization and retirement of submarginal lands", $106,000;
60 Stat. 290. Marketing services:
"Market news service", $130,000;
"Market inspection of farm products", $60,000;
"Marketing farm products", $260,000;
"Tobacco Acts", $125,000;
"Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts", $25,000;
"Cotton Statistics, Classing, Standards, and Futures Acts", $125,000;
"United States Grain Standards Act", $115,000;
"United States Warehouse Act", $56,000;
"Federal Seed Act", $15,500;
"Packers and Stockyards Acts", $55,200;
"Naval Stores Act", $4,300;
"Insecticide Act", $31,000;
"Commodity Exchange Act", $26,000;
"Freight rates for farm products", $15,000;
60 Stat. 292. "Loans, grants, and rural rehabilitation", $2,500,000;
60 Stat. 294. Farm tenancy: "Salaries and expenses", $325,000;
60 Stat. 294. Rural Electrification Administration: "Salaries and expenses", $550,000;
60 Stat. 295. Farm Credit Administration: "Salaries and expenses", $40,000;

DEPARTMENT OF COMMERCE

60 Stat. 465. Office of the Secretary: "Salaries and expenses", $122,300, to be derived by transfer from "Technical and scientific services";
60 Stat. 466. Office of Administrator of Civil Aeronautics:
"General administration, Office of the Administrator", $477,700;
"Maintenance and operation of air-navigation facilities", $2,061,700 and, in addition, $1,600,000 to be derived by transfer from "Maintenance and operation of air-navigation facilities (Executive Order 9709)";
3 CFR, 1946 Supp., p. 115.
"Technical development", $48,000;
"Enforcement of safety regulations", $486,000;
"Airport Advisory Service", $25,400;
"Maintenance and operation of aircraft", $72,100;
"Maintenance and operation, Washington National Airport", $79,500;
60 Stat. 469. "Civil Aeronautics Board, salaries and expenses", $158,600;
60 Stat. 469. Coast and Geodetic Survey:
"Salaries and expenses, departmental", $287,100;
"Salaries and expenses, field", $223,600;

Bureau of Foreign and Domestic Commerce: 60 Stat. 471.
"Departmental salaries and expenses", $506,000, to be derived by transfer from "Field office service";
Patent Office: "Salaries", $165,000 and, in addition, $467,000 to be derived by transfer from appropriations as follows: "Photolithographing", $200,000; "Printing and binding", $252,000; and "Miscellaneous expenses", $15,000; 60 Stat. 471.
National Bureau of Standards: 60 Stat. 472.
"Operation and administration", $68,000;
"Testing, inspection, and information service", $186,000;
"Research and development", $121,000 and, in addition, $100,000 to be derived from funds transferred to the National Bureau of Standards from the appropriation "Technical and scientific services";
"Standards for commerce", $31,000;
Weather Bureau: "Salaries and expenses", $962,000 and, in addition, $750,000 to be derived by transfer from "Maintenance and operation of meteorological facilities (Executive Order 9709)"; 60 Stat. 474. 3 CFR, 1946 Supp., p. 115.
Inland Waterways Corporation: "Administrative expenses" (increase of $16,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses); 60 Stat. 594.

DEPARTMENT OF LABOR

The Secretary of Labor is hereby authorized to transfer from appropriations available to the Department of Labor not to exceed the following specified amounts to the appropriations indicated: Transfer of funds.
Office of the Secretary: 60 Stat. 679.
"Salaries", $114,000;
"Salaries and expenses, child-labor provisions, Fair Labor Standards Act", $1,000; 52 Stat. 1060. 29 U. S. C. §§ 201-219.
"Salaries and expenses, child-labor provisions, Fair Labor Standards Act, Division of Labor Standards", $25,000; *Post*, p. 87.
"Salaries and expenses, child-labor standards, Division of Labor Standards", $2,000;
"Salaries and expenses, Office of the Solicitor", $126,000;
"Salaries and expenses, Division of Labor Standards", $14,000;
"Commissioners of Conciliation", $282,000;
Retraining and Reemployment Administration: 60 Stat. 683.
"Salaries", $25,000;
"Apprentice Training Service", $218,000; 60 Stat. 680.
Bureau of Labor Statistics: "Salaries and expenses", $637,000; 60 Stat. 680.
United States Employment Service: "General administration", $217,000; 60 Stat. 683.
Women's Bureau: "Salaries and expenses", $29,000; 60 Stat. 686.
Wage and Hour Division: "Salaries", $577,000; 60 Stat. 686.

TREASURY DEPARTMENT

Office of the Secretary: "Salaries", $55,000; 60 Stat. 568.
Division of Tax Research: "Salaries", $23,800; 60 Stat. 569.
Office of Tax Legislative Counsel: "Salaries", $11,900; 60 Stat. 569.
Division of Research and Statistics: "Salaries", $22,000; 60 Stat. 569.
Office of General Counsel: "Salaries", $20,200; 60 Stat. 569.
Division of Personnel: "Salaries", $28,100; 60 Stat. 569.
Office of Chief Clerk: "Salaries", $53,950; 60 Stat. 569.
Custody of Treasury buildings: "Salaries of operating force", $85,900; 60 Stat. 570.

Fiscal Service:

60 Stat. 570.

Bureau of Accounts:

"Salaries and expenses", $120,300;

"Division of Disbursement, salaries and expenses", $762,900;

"Salaries, foreign economic functions", $42,550;

60 Stat. 571.

Bureau of the Public Debt: "Administering the public debt", $1,894,000;

60 Stat. 572.

Office of the Treasurer of the United States:

"Salaries and expenses", $603,000;

"Salaries (reimbursable)", $15,000;

60 Stat. 572.

Bureau of Customs: "Salaries and expenses", $3,797,000;

60 Stat. 573.

Bureau of Internal Revenue: "Salaries and expenses", $19,717,400;

60 Stat. 574.

Bureau of Narcotics: "Salaries and expenses", $140,000;

60 Stat. 575.

Bureau of Engraving and Printing: "Salaries and expenses", $939,400;

60 Stat. 576.

Secret Service Division:

"Salaries", $12,750;

"Suppressing counterfeiting and other crimes", $192,950;

"White House Police", $45,500;

"Salaries and expenses, guard force, Treasury buildings", $47,200;

"Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", $7,350;

60 Stat. 577.

Bureau of the Mint:

"Salaries and expenses, Office of the Director", $18,250;

"Salaries and expenses, mints and assay offices", $160,300;

60 Stat. 577.

Procurement Division: "Salaries and expenses", $152,700;

60 Stat. 529.

Coast Guard:

"Office of Commandant", $237,600;

"Civilian employees, Coast Guard", $326,400;

"Salaries, merchant marine inspection, Coast Guard", $54,000;

"Salaries and expenses, merchant marine inspection, Coast Guard", $179,000;

WAR DEPARTMENT

Civil Functions of the War Department:

The Panama Canal:

60 Stat. 165.

"Sanitation, Canal Zone", $400,000;

Waiver of restrictions.

The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived with respect to the foregoing items, under the heading "Increased pay costs", to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752. 39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 672b–673, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597–597c.

Ante, p. 40; *post*, p. 727.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement

of claims arising against the Government of the United States in the sum not exceeding $1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 38, and House Document Numbered 124, Eightieth Congress, as follows: 42 Stat 1066.

Federal Works Agency, $216.70;
Department of the Interior, $30,605.53;
Department of State, $2,783.31;
Treasury Department, $510.35;

In all, $34,115.89; together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the claims. Payments in foreign currency.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of a judgment, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes", approved March 9, 1920 (46 U. S. C. 741 and the following), and which was certified to the Eightieth Congress in House Document Numbered 126 under the War Department, $5,850. 41 Stat. 525.

(b) For the payment of final judgments, which have been rendered under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and which have been certified to the Eightieth Congress in Senate Document Numbered 33, and House Document Numbered 127, under the following agencies: 43 Stat. 1113.

Navy Department, $44,053.59;
Treasury Department, $3,373.77;
War Department, $11,210.88;

In all, $58,638.24; together with an indefinite appropriation to pay interest as and where specified in the judgments or as provided by law.

(c) For the payment of judgments numbered Civil 23,279, 23,432–G and Civil 668, 291, and 1243 rendered by United States district courts, and certified to the Eightieth Congress in Senate Document Numbered 28, and House Document Numbered 129, under the following agencies:

Executive Office of the President, $186.75;
Department of Agriculture, $503.30;
Department of the Interior, $15,010;
War Department, $8,830.29;

In all, $24,530.34; together with an indefinite appropriation to pay interest as and where specified in the judgments or as provided by law.

(d) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of June 29, 1936, the Merchant Marine Act, as amended (46 U. S. C. 1242), and which were certified to the Eightieth Congress in House Document Numbered 130, under the United States Maritime Commission, War Shipping Administration, $9,615.60; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law. 49 Stat. 2015. *Post*, p. 454.

(e) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of March 3, 1887, as amended by

24 Stat. 506; 36 Stat. 1168.

section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which were certified to the Eightieth Congress in Senate Document Numbered 35, and House Document Numbered 132, under the following agencies:

United States Maritime Commission, $2,250;
Department of Agriculture, $219.75;
Department of the Interior, $948.77;
Navy Department, $3,627.78;
War Department, $8,397.59;

In all, $15,443.89; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

Right of appeal.

(f) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(g) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Eightieth Congress in Senate Document Numbered 32, and House Document Numbered 131, under the following agencies, namely:

Federal Communications Commission, $161.61;
United States Maritime Commission, $50,000;
Federal Security Agency, $12,915.66;
Federal Works Agency: "Public Buildings Administration", $34,029.23;
Department of Agriculture, $284.17;
Department of Commerce, $1,127.20;
Department of the Interior, $166,496.85 (to pay the judgments numbered 44659, 44867, 45093, 45910, and 46026 as set forth in said House Document 131);
Department of Justice, $1,563,522.87;
Navy Department, $201,841.58;
Treasury Department, $8,641.49;
War Department, $114,263.39;

In all, $2,153,284.05; together with such amount as may be necessary to pay interest as and when specified in the judgments.

Right of appeal.

(b) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 31, and House Document Numbered 120, Eightieth Congress, there is appropriated the sum of $20,169,985.39, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in

18 Stat. 110.

23 Stat. 254.

Payments in foreign currency.

certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund; $679.82, payable from District of Columbia revenues and $44,897.16, payable from postal revenues; in all, $20,215,562.37.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (Public Act Numbered 247, Seventy-ninth Congress), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in Senate Document Numbered 40, and House Document Numbered 125, $149,938.34.

59 Stat. 596.
10 U. S. C. §§ 866f-866j.
23 Stat. 254.

SEC. 206. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Law Numbered 505, Seventy-sixth Congress), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 125, $651.92.

54 Stat. 176.
10 U. S. C. §§ 866a-866e.
23 Stat. 254.

TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts made available to the Navy Department from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

NAVY DEPARTMENT

Bureau of Naval Personnel:
"Naval Reserve Officers' Training Corps, 1947", $210,000.

Bureau of Supplies and Accounts:
"Transportation and recruiting of naval personnel, 1947", $1,925,675;
"Transportation of things, 1947", $4,258,300;
"Naval procurement fund", $4,529,350; *Ante*, p. 22.
"Pay, subsistence and transportation, 1945", $55,000,000; 58 Stat. 306.
"Pay and subsistence of naval personnel, 1946", $130,000,000; 59 Stat. 207. *Post*, p. 396.
"Maintenance, Bureau of Supplies and Accounts, 1945", $4,000,000; 58 Stat. 309.
"Maintenance, Bureau of Supplies and Accounts, 1946", $12,000,000; 59 Stat. 209. *Post*, p. 396.
"Transportation of things, Navy, 1945", $9,000,000; 58 Stat. 310.
"Transportation of things, Navy, 1946", $40,000,000; 59 Stat. 210. *Post*, p. 396.
"Fuel and transportation, Navy, 1945," $10,000,000. 58 Stat. 310.

Bureau of Medicine and Surgery:
"Medical Department, Navy, 1945", $5,500,000; 58 Stat. 310.
"Medical Department, Navy, 1946", $7,000,000. 59 Stat. 210. *Post*, p. 396.

Bureau of Ships:
"Maintenance, Bureau of Ships, 1945", $100,000,000. 58 Stat. 305.

Bureau of Aeronautics:
"Aviation, Navy, 1945", $460,000,000; 58 Stat. 312.
"Aviation, Navy, 1946", $6,000,000. 59 Stat. 212. *Post*, p. 396.

Bureau of Ordnance:
"Ordnance and ordnance stores, Navy, 1945", $50,000,000. 58 Stat. 306.

Marine Corps:

58 Stat. 312. "Pay, Marine Corps, 1945", $7,000,000;

59 Stat. 213. "Pay, Marine Corps, 1946", $36,000,000;

58 Stat. 313. "General expenses, Marine Corps, 1945", $14,000,000;

59 Stat. 214. "General expenses, Marine Corps, 1946", $55,000,000.

Post, p. 396.

TITLE IV—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 402. This Act may be cited as the "First Deficiency Appropriation Act, 1947".

Approved May 1, 1947.

[CHAPTER 50]

May 8, 1947
[S. 591]
[Public Law 47]

AN ACT

To amend the Act of January 5, 1905, to incorporate the American National Red Cross.

American National Red Cross.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by inserting the following paragraph immediately following the second paragraph of the said Act:

33 Stat. 599.
36 U. S. C. § 1 *et seq.*

"Whereas the said treaty has been revised and extended by a treaty or convention for the amelioration of the condition of the wounded and the sick of armies in the field, signed at Geneva, July 27, 1929, and adhered to by the United States of America, effective August 8, 1932; and".

47 Stat. 2074.

SEC. 2. The fourth paragraph of the Act to incorporate the American National Red Cross is hereby amended to read as follows:

"Whereas a permanent organization is an agency needed in every nation to carry out the purposes of said treaties, and especially to secure supplies and to execute the humane objects contemplated by said treaties, with the power to adopt and use the distinctive flag

and arm badge specified by said treaties, on which shall be the sign of the Red Cross, for the purpose of cooperating with the 'Comité International de Secours aux Militaires Blessés' (International Committee of Relief for the Wounded in War); and".

SEC. 3. Section 2 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

33 Stat. 600.
36 U. S. C. § 2.

"SEC. 2. That the name of this corporation shall be 'The American National Red Cross', and by that name it shall have perpetual succession, with the power to sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same, to accept gifts, devises, and bequests of real and personal estate for the purposes of this corporation hereinafter set forth; to adopt a seal and the same to alter and destroy at pleasure; and to have the right to have and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a Greek red cross on a white ground, as the same has been described in the treaties of Geneva, August twenty-second, eighteen hundred and sixty-four and July twenty-seventh, nineteen hundred and twenty-nine, and adopted by the several nations acceding thereto; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, and generally to do all such acts and things as may be necessary to carry into effect the provisions of this act and promote the purposes of said organization; and the corporation hereby created is designated as the organization which is authorized to act in matters of relief under said treaties. In accordance with the said treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority."

Name.

Powers.

22 Stat. 940; 47 Stat. 2074.

SEC. 4. Paragraphs "First" and "Second" of section 3 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

33 Stat. 600.
36 U. S. C. § 3.

"First. To furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, eighteen hundred and sixty-three, and also of the treaties of the Red Cross, or the treaties of Geneva, of August twenty-second, eighteen hundred and sixty-four, and July twenty-seventh, nineteen hundred and twenty-nine, to which the United States of America has given its adhesion, and also of any other treaty or convention similar in purpose to which the United States of America may hereafter give its adhesion.

22 Stat. 940; 47 Stat. 2074.

"Second. And for said purposes to perform all the duties devolved upon a national society by each nation which has acceded to any of said treaties or conventions."

SEC. 5. The Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by adding thereto a new section 4a to read as follows:

33 Stat. 599.
36 U. S. C. § 1 *et seq.*

"SEC. 4a. That membership in the American National Red Cross shall be open to all the people of the United States, its Territories, and dependencies, upon payment of the sums specified from time to time in the bylaws.

Membership.

"The chapters of the American National Red Cross shall be the local units of the corporation within the States and Territories of the United States. The regulations with respect to the granting of charters to the chapters and the revocation of the same, the territorial jurisdiction of the chapters, the relationship of the chapters to the corporation and compliance by the chapters with the policies and rules of the corporation, shall be as determined from time to time by the

Chapters.

Board of Governors. Such regulations shall require that each chapter shall, in the election of the governing body of the chapter and in the selection of delegates to the national convention of the corporation, adhere to democratic principles of election as specified in the bylaws."

33 Stat. 601.
36 U. S. C. § 5.

SEC. 6. Section 5 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

Board of Governors.

"SEC. 5. That the governing body of the corporation in which all powers of government, direction, and management of the corporation shall be lodged, shall consist of a Board of Governors numbering fifty persons, to be appointed or elected in the manner following, namely:

Appointment of Governors.
Principal officer.

"(a) Eight Governors shall be appointed by the President of the United States. Of the Governors so appointed, one shall be designated by the President of the United States to act as the principal officer of the corporation with such title and such functions as may from time to time be prescribed in the bylaws; and the remainder shall be officials of departments and agencies of the Federal Government, whose positions and interests are such as to qualify them to contribute toward the accomplishment of Red Cross programs and objectives. Of these at least one and not more than three shall be selected from the armed forces.

Governors elected by chapters.

"(b) Thirty Governors shall be elected by the chapters. The Governors so elected shall be elected at the national convention under procedures for nomination and election which shall be such as to insure equitable representation of all the chapters, having regard to geographical considerations, to the size of the chapters and to the size of the populations served by the chapters.

Governors elected by Board.

"(c) Twelve Governors shall be elected by the Board of Governors as members-at-large. The Governors so elected shall be individuals who are representative of the national interests which it is the function of the Red Cross to serve, and with which it is desirable that the corporation shall have close association.

Term of office.

"The term of office of all Governors shall be three years, except that the term of office of any Governor appointed by the President of the United States (other than the principal officer of the corporation) shall expire if and when such Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor.

First Board.

"Of the first Board of Governors to be selected hereunder, those Governors to be elected pursuant to subsection (b) of this section 5 shall be elected at the first national convention following the enactment of this Act, those Governors to be elected pursuant to subsection (c) shall be elected as soon as practicable following such first national convention, and those Governors to be appointed pursuant to subsection (a) shall be appointed so as to take office at the same time. The Governors so elected pursuant to subsections (b) and (c) shall be divided by lot into three classes, the terms of which shall expire at the end of one, two, and three years, respectively, so that thereafter one-third of the members of the Board of Governors elected pursuant to subsections (b) and (c) will be chosen at the time of each national convention, and shall take office at such time or as soon as practicable thereafter.

Filling of vacancies.

"The President of the United States shall fill as soon as may be any vacancy that may occur by death, resignation, or otherwise in the office of the principal officer of the corporation or in the membership of the Board of Governors appointed by him. Any vacancy that may occur in the Governors elected by the chapters pursuant to subsection (b) or in the Governors-at-large elected by the Board of Governors pursuant to subsection (c), shall be temporarily filled by appointment

made by the Board of Governors, such appointees to serve until the next national convention.

"The Board of Governors shall have power (i) to appoint from its own members an executive committee of not less than eleven persons, who, when the Board of Governors is not in session, shall have and exercise all the powers of the Board of Governors, and (ii) to appoint and remove, or provide for the appointment and removal of, all officers and employees of the corporation, except the principal officer designated by the President of the United States.

Executive committee.

Officers and employees.

"The annual meeting of the corporation shall be the national convention of delegates of the chapters, which shall be held annually on such date and at such place as may be specified by the Board of Governors. In all matters requiring a vote at the national convention, each chapter shall be entitled to not less than one vote. The number of votes which each chapter shall be entitled to cast shall be determined according to allocation by the Board of Governors, which shall be established on an equitable basis giving consideration both to the size of the membership of the chapters and to the size of the populations in the territories served by the chapters. Such allocations shall be reviewed at least every five years.

National convention.

Voting.

"Voting by proxy shall not be allowed at any meeting of the Board of Governors, or at the national convention, or at any meeting of the chapters: *Provided, however,* That in the event of any national emergency which in the opinion of the Board of Governors makes attendance at the national convention impossible, the Board of Governors may permit the election of Governors by proxy at the national convention."

Election of Governors by proxy.

SEC. 7. Section 8 of the Act to incorporate the American National Red Cross, approved January 5, 1905, as amended, is hereby amended to read as follows:

36 Stat. 604.
36 U. S. C. § 9.

"SEC. 8. That the endowment fund of the American National Red Cross shall be kept and invested under the management and control of a board of nine trustees, who shall be elected from time to time by the Board of Governors under such regulations regarding terms and tenure of office, accountability, and expense as the Board of Governors shall prescribe."

Endowment fund; trustees.

SEC. 8. The corporation now existing as The American National Red Cross under the Act of January 5, 1905, as amended, shall continue as a body corporate and politic in the District of Columbia. The first national convention after the enactment of this amendatory Act shall be convened and held under rules and regulations prescribed by the governing body of the corporation as presently constituted. After such first national convention, the Board of Governors of the corporation from time to time shall constitute the associates and successors of the incorporators named in the said Act of January 5, 1905, and neither the said incorporators nor any associates or successors theretofore designated by them or by their successors shall have any powers or duties.

Continuation of existing corporation.
33 Stat. 599.
36 U. S. C. § 1 *et seq.*

Approved May 8, 1947.

[CHAPTER 51]

JOINT RESOLUTION

May 13, 1947
[S. J. Res. 102]
[Public Law 48]

To permit United States common communications carriers to accord free communication privileges to official participants in the world telecommunications conferences to be held in the United States in 1947.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Communications Act of 1934, as amended, or in any other provision of law

48 Stat. 1064.
47 U. S. C. § 609.
Post, pp. 450, 451, 454.

shall be construed to prohibit United States communication common carriers from rendering free communication services to official participants in the world telecommunications conferences to be held in the United States in 1947, subject to such rules and regulations as the Federal Communications Commission may prescribe.

Approved May 13, 1947.

[CHAPTER 52]

May 14, 1947
[H. R. 2157]
[Public Law 49]

AN ACT

To relieve employers from certain liabilities and punishments under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act, and for other purposes.

Portal-to-Portal Act of 1947.

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

PART I

FINDINGS AND POLICY

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Post, p. 87.

SECTION 1. (a) The Congress hereby finds that the Fair Labor Standards Act of 1938, as amended, has been interpreted judicially in disregard of long-established customs, practices, and contracts between employers and employees, thereby creating wholly unexpected liabilities, immense in amount and retroactive in operation, upon employers with the results that, if said Act as so interpreted or claims arising under such interpretations were permitted to stand, (1) the payment of such liabilities would bring about financial ruin of many employers and seriously impair the capital resources of many others, thereby resulting in the reduction of industrial operations, halting of expansion and development, curtailing employment, and the earning power of employees; (2) the credit of many employers would be seriously impaired; (3) there would be created both an extended and continuous uncertainty on the part of industry, both employer and employee, as to the financial condition of productive establishments and a gross inequality of competitive conditions between employers and between industries; (4) employees would receive windfall payments, including liquidated damages, of sums for activities performed by them without any expectation of reward beyond that included in their agreed rates of pay; (5) there would occur the promotion of increasing demands for payment to employees for engaging in activities no compensation for which had been contemplated by either the employer or employee at the time they were engaged in; (6) voluntary collective bargaining would be interfered with and industrial disputes between employees and employers and between employees and employees would be created; (7) the courts of the country would be burdened with excessive and needless litigation and champertous practices would be encouraged; (8) the Public Treasury would be deprived of large sums of revenues and public finances would be seriously deranged by claims against the Public Treasury for refunds of taxes already paid; (9) the cost to the Government of goods and services heretofore and hereafter purchased by its various departments and agencies would be unreasonably increased and the Public Treasury would be seriously affected by consequent increased cost of war contracts; and (10) serious and adverse effects upon the revenues of Federal, State, and local governments would occur.

The Congress further finds that all of the foregoing constitutes a substantial burden on commerce and a substantial obstruction to the free flow of goods in commerce.

The Congress, therefore, further finds and declares that it is in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that this Act be enacted.

The Congress further finds that the varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, have given and will give rise to great difficulties in the sound and orderly conduct of business and industry.

The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that this Act shall apply to the Walsh-Healey Act and the Bacon-Davis Act.

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Post, p. 87.
49 Stat. 2036, 1011.
41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Post, p. 454.

(b) It is hereby declared to be the policy of the Congress in order to meet the existing emergency and to correct existing evils (1) to relieve and protect interstate commerce from practices which burden and obstruct it; (2) to protect the right of collective bargaining; and (3) to define and limit the jurisdiction of the courts.

Policy of Congress.

PART II

EXISTING CLAIMS

SEC. 2. RELIEF FROM CERTAIN EXISTING CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

Infra.

(a) No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act (in any action or proceeding commenced prior to or on or after the date of the enactment of this Act), on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activity of an employee engaged in prior to the date of the enactment of this Act, except an activity which was compensable by either—

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Post, pp. 87, 454.

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

(b) For the purposes of subsection (a), an activity shall be considered as compensable under such contract provision or such custom or practice only when it was engaged in during the portion of the day with respect to which it was so made compensable.

Compensable activity.

(c) In the application of the minimum wage and overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, of the Walsh-Healey Act, or of the Bacon-Davis Act, in determining the time for which an employer employed an employee there shall be counted all that time, but only that time, during which the employee engaged in activities which were compensable within the meaning of subsections (a) and (b) of this section.

Determination of compensable time.

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Post, pp 87, 454.

Court jurisdiction.

(d) No court of the United States, of any State, Territory, or possession of the United States, or of the District of Columbia, shall have jurisdiction of any action or proceeding, whether instituted prior to or on or after the date of the enactment of this Act, to enforce liability or impose punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, under the Walsh-Healey Act, or under the Bacon-Davis Act, to the extent that such action or proceeding seeks to enforce any liability or impose any punishment with respect to an activity which was not compensable under subsections (a) and (b) of this section.

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Post, pp. 87, 454.

Assignability of designated causes of action.

(e) No cause of action based on unpaid minimum wages, unpaid overtime compensation, or liquidated damages, under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, which accrued prior to the date of the enactment of this Act, or any interest in such cause of action, shall hereafter be assignable, in whole or in part, to the extent that such cause of action is based on an activity which was not compensable within the meaning of subsections (a) and (b).

Supra.

SEC. 3. COMPROMISE OF CERTAIN EXISTING CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

Supra.

(a) Any cause of action under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, which accrued prior to the date of the enactment of this Act, or any action (whether instituted prior to or on or after the date of the enactment of this Act) to enforce such a cause of action, may hereafter be compromised in whole or in part, if there exists a bona fide dispute as to the amount payable by the employer to his employee; except that no such action or cause of action may be so compromised to the extent that such compromise is based on an hourly wage rate less than the minimum required under such Act, or on a payment for overtime at a rate less than one and one-half times such minimum hourly wage rate.

Exception.

Waiver by employee.

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Post, p. 87.

(b) Any employee may hereafter waive his right under the Fair Labor Standards Act of 1938, as amended, to liquidated damages, in whole or in part, with respect to activities engaged in prior to the date of the enactment of this Act.

(c) Any such compromise or waiver, in the absence of fraud or duress, shall, according to the terms thereof, be a complete satisfaction of such cause of action and a complete bar to any action based on such cause of action.

(d) The provisions of this section shall also be applicable to any compromise or waiver heretofore so made or given.

"Compromise."

(e) As used in this section, the term "compromise" includes "adjustment", "settlement", and "release".

PART III

FUTURE CLAIMS

Infra.

SEC. 4. RELIEF FROM CERTAIN FUTURE CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Post, pp. 87, 454.

(a) Except as provided in subsection (b), no employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities of such employee engaged in on or after the date of the enactment of this Act—

(1) walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and

(2) activities which are preliminary to or postliminary to said principal activity or activities,

which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities.

Restriction.

(b) Notwithstanding the provisions of subsection (a) which relieve an employer from liability and punishment with respect to an activity, the employer shall not be so relieved if such activity is compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

Compensable activity.

(c) For the purposes of subsection (b), an activity shall be considered as compensable under such contract provision or such custom or practice only when it is engaged in during the portion of the day with respect to which it is so made compensable.

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Infra; post, p. 454.

(d) In the application of the minimum wage and overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, of the Walsh-Healey Act, or of the Bacon-Davis Act, in determining the time for which an employer employs an employee with respect to walking, riding, traveling, or other preliminary or postliminary activities described in subsection (a) of this section, there shall be counted all that time, but only that time, during which the employee engages in any such activity which is compensable within the meaning of subsections (b) and (c) of this section.

PART IV

MISCELLANEOUS

SEC. 5. REPRESENTATIVE ACTIONS BANNED.—

52 Stat. 1069.
29 U. S. C. § 216 (b).

(a) The second sentence of section 16 (b) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows: "Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought."

52 Stat. 1060.
29 U. S. C. §§ 201-219.

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to actions commenced under the Fair Labor Standards Act of 1938, as amended, on or after the date of the enactment of this Act.

SEC. 6. STATUTE OF LIMITATIONS.—Any action commenced on or after the date of the enactment of this Act to enforce any cause of action for unpaid minimum wages, unpaid overtime compensation, or

liquidated damages, under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act—

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Ante, p. 87; *post*, p. 454.

(a) if the cause of action accrues on or after the date of the enactment of this Act—may be commenced within two years after the cause of action accrued, and every such action shall be forever barred unless commenced within two years after the cause of action accrued;

(b) if the cause of action accrued prior to the date of the enactment of this Act—may be commenced within whichever of the following periods is the shorter: (1) two years after the cause of action accrued, or (2) the period prescribed by the applicable State statute of limitations; and, except as provided in paragraph (c), every such action shall be forever barred unless commenced within the shorter of such two periods;

(c) if the cause of action accrued prior to the date of the enactment of this Act, the action shall not be barred by paragraph (b) if it is commenced within one hundred and twenty days after the date of the enactment of this Act unless at the time commenced it is barred by an applicable State statute of limitations.

SEC. 7. DETERMINATION OF COMMENCEMENT OF FUTURE ACTIONS.—In determining when an action is commenced for the purposes of section 6, an action commenced on or after the date of the enactment of this Act under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, shall be considered to be commenced on the date when the complaint is filed; except that in the case of a collective or class action instituted under the Fair Labor Standards Act of 1938, as amended, or the Bacon-Davis Act, it shall be considered to be commenced in the case of any individual claimant—

Supra.

52 Stat. 1060; 49 Stat. 1011.
29 U. S. C. §§ 201-219; 40 U. S. C. §§ 276a-276a-5.
Ante, p. 87; *post*, p. 454.

(a) on the date when the complaint is filed, if he is specifically named as a party plaintiff in the complaint and his written consent to become a party plaintiff is filed on such date in the court in which the action is brought; or

(b) if such written consent was not so filed or if his name did not so appear—on the subsequent date on which such written consent is filed in the court in which the action was commenced.

SEC. 8. PENDING COLLECTIVE AND REPRESENTATIVE ACTIONS.—The statute of limitations prescribed in section 6 (b) shall also be applicable (in the case of a collective or representative action commenced prior to the date of the enactment of this Act under the Fair Labor Standards Act of 1938, as amended) to an individual claimant who has not been specifically named as a party plaintiff to the action prior to the expiration of one hundred and twenty days after the date of the enactment of this Act. In the application of such statute of limitations such action shall be considered to have been commenced as to him when, and only when, his written consent to become a party plaintiff to the action is filed in the court in which the action was brought.

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Ante, p. 87.

SEC. 9. RELIANCE ON PAST ADMINISTRATIVE RULINGS, ETC.—In any action or proceeding commenced prior to or on or after the date of the enactment of this Act based on any act or omission prior to the date of the enactment of this Act, no employer shall be subject to any liability or punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any administrative regulation, order, ruling, approval, or interpretation, of any agency of the United States, or any administrative practice or enforcement policy of any such agency with respect to the

52 Stat. 1060; 49 Stat. 2036, 1011.
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.
Ante, p. 87; *post*, p. 454.

class of employers to which he belonged. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that after such act or omission, such administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

SEC. 10. RELIANCE IN FUTURE ON ADMINISTRATIVE RULINGS, ETC.—(a) In any action or proceeding based on any act or omission on or after the date of the enactment of this Act, no employer shall be subject to any liability or punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any written administrative regulation, order, ruling, approval, or interpretation, of the agency of the United States specified in subsection (b) of this section, or any administrative practice or enforcement policy of such agency with respect to the class of employers to which he belonged. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that after such act or omission, such administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

Infra.

(b) The agency referred to in subsection (a) shall be—

(1) in the case of the Fair Labor Standards Act of 1938, as amended—the Administrator of the Wage and Hour Division of the Department of Labor;

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Ante, p. 87.

(2) in the case of the Walsh-Healey Act—the Secretary of Labor, or any Federal officer utilized by him in the administration of such Act; and

49 Stat. 2036.
41 U. S. C. §§ 35-45.

(3) in the case of the Bacon-Davis Act—the Secretary of Labor.

49 Stat. 1011.
40 U. S. C. §§ 276a-276a-5.
Post, p. 454.

SEC. 11. LIQUIDATED DAMAGES.—In any action commenced prior to or on or after the date of the enactment of this Act to recover unpaid minimum wages, unpaid overtime compensation, or liquidated damages, under the Fair Labor Standards Act of 1938, as amended, if the employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of the Fair Labor Standards Act of 1938, as amended, the court may, in its sound discretion, award no liquidated damages or award any amount thereof not to exceed the amount specified in section 16 (b) of such Act.

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Ante, p. 87.

52 Stat. 1069.
29 U. S. C. § 216 (b).
Ante, p. 87.

SEC. 12. APPLICABILITY OF "AREA OF PRODUCTION" REGULATIONS.—No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of an activity engaged in by such employee prior to December 26, 1946, if such employer—

Supra.

(1) was not so subject by reason of the definition of an "area of production", by a regulation of the Administrator of the Wage and Hour Division of the Department of Labor, which regulation was applicable at the time of performance of the activity even though at that time the regulation was invalid; or

(2) would not have been so subject if the regulation signed on December 18, 1946 (Federal Register, Vol. 11, p. 14648) had been in force on and after October 24, 1938.

SEC. 13. DEFINITIONS.—

52 Stat. 1060.
29 U. S. C. §§ 201-219.
Ante, p. 87.

(a) When the terms "employer", "employee", and "wage" are used in this Act in relation to the Fair Labor Standards Act of 1938, as amended, they shall have the same meaning as when used in such Act of 1938.

49 Stat. 2036, 1011.
41 U. S. C. §§ 35-45;
40 U. S. C. §§ 276a-276a-5.
Post, p. 454.
Supra.

(b) When the term "employer" is used in this Act in relation to the Walsh-Healey Act or Bacon-Davis Act it shall mean the contractor or subcontractor covered by such Act.

(c) When the term "employee" is used in this Act in relation to the Walsh-Healey Act or the Bacon-Davis Act it shall mean any individual employed by the contractor or subcontractor covered by such Act in the performance of his contract or subcontract.

41 U. S. C. §§ 35-45.

(d) The term "Wash-Healey Act" means the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036), as amended; and the term "Bacon-Davis Act" means the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935 (49 Stat. 1011), as amended.

40 U. S. C. §§ 276a-276a-5.
Post, p. 454.

(e) As used in section 6 the term "State" means any State of the United States or the District of Columbia or any Territory or possession of the United States.

SEC. 14. SEPARABILITY.—If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Short title.

SEC. 15. SHORT TITLE.—This Act may be cited as the "Portal-to-Portal Act of 1947".

Approved May 14, 1947.

[CHAPTER 53]

May 15, 1947
[H. J. Res. 90]
[Public Law 50]

JOINT RESOLUTION

To correct an error in the Act approved August 10, 1946 (Public Law 720, Seventy-ninth Congress, second session), relating to the composition of the Naval Reserve.

60 Stat. 993.
34 U. S. C. § 853b.
Ante, p. 51.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved August 10, 1946 (Public Law 720, Seventy-ninth Congress, second session), is hereby amended by striking out the phrase "including citizens of the Philippine Islands who are members of the naval service at the time independence of the Philippine Islands becomes effective," and inserting in lieu thereof the following: "including citizens of the Philippine Islands who were in the naval service on July 4, 1946, or, who having been discharged from the naval service on or prior to that date, reenlisted therein subsequent thereto but before the expiration of three months following discharge,".

Approved May 15, 1947.

[CHAPTER 54]

May 15, 1947
[H. R. 173]
[Public Law 51]

AN ACT

To authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Incorporated.

Victory Bible Camp Ground, Inc.
Purchase of land in Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Victory Bible Camp Ground, Incorporated, is hereby authorized for a period of one year from and after the effective date of this Act to file with

the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue patent to it, for use as a recreational camp for young people, what will be when surveyed by the extension of the rectangular surveys, the fractional southwest quarter of the southwest quarter section 23, township 20 north, range 8 east, Seward meridian, Alaska, containing approximately thirty-five acres.

Issuance of patent.

SEC. 2. The patent shall not be issued until after payment has been made by the Victory Bible Camp Ground, Incorporated, to the Secretary of the Interior for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary, and shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes. The patent shall reserve to the United States the coal and other mineral deposits in the land together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

Rights reserved.

Approved May 15, 1947.

[CHAPTER 55]

AN ACT

May 15, 1947
[H. R. 490]
[Public Law 52]

Providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the establishment of the Big Bend National Park in the State of Texas pursuant to the provisions of the Act of June 20, 1935 (49 Stat. 393), entitled "An Act to provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes," the United States District Court for the Western District of Texas shall appoint a commissioner for the said national park. The district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. The commissioner shall be paid an annual salary, as appropriated for by the Congress.

Big Bend National Park, Texas.
Appointment of Commissioner.
16 U. S. C. §§ 156-158.

Salary.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; U. S. C., title 16, sec. 3), as amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court.

Jurisdiction of commissioner.

"Petty offense."

35 Stat. 1152.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case.

Criminal offense.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified,

Fees, costs, expenses, etc.

approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Texas.

Approved May 15, 1947.

[CHAPTER 56]

AN ACT

May 15, 1947
[H. R. 492]
[Public Law 53]

To authorize the juvenile court of the District of Columbia in proper cases to waive jurisdiction in capital offenses and offenses punishable by life imprisonment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Act of June 1, 1938, 52 Stat. 599 (11 D. C. Code 914), be, and the same is hereby, amended as follows:

D. C. juvenile court. Waiver of jurisdiction.

"SEC. 13. If a child sixteen years of age or older is charged with an offense which would amount to a felony in the case of an adult, or any child charged with an offense which if committed by an adult is punishable by death or life imprisonment, the judge may, after full investigation, waive jurisdiction and order such child held for trial under the regular procedure of the court which would have jurisdiction of such offense if committed by an adult; or such other court may exercise the powers conferred upon the juvenile court in this Act in conducting and disposing of such cases."

Approved May 15, 1947.

[CHAPTER 57]

AN ACT

May 15, 1947
[H. R. 729]
[Public Law 54]

To provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park.

Shenandoah National Park. Appointment of commissioner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes", approved August 19, 1937 (U. S. C., 1940 edition, title 16, sec. 403c-5), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

50 Stat. 702.

Approved May 15, 1947.

[CHAPTER 58]

AN ACT

May 15, 1947
[H. R. 1363]
[Public Law 55]

To amend further the Pay Readjustment Act of 1942, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pay Readjustment Act of 1942, as amended, is hereby amended by adding the following paragraph at the end of section 4 thereof:

56 Stat. 361.
37 U. S. C. § 104.
Allowances based on purported marriage.

"Payments of allowances which have been or hereafter may be made under this Act based on a purported marriage and made prior to judicial annulment or termination of such marriage are valid: *Provided*, That it is adjudged or decreed by a court of competent jurisdiction that the marriage was entered into in good faith on the part

of the spouse in military service or that, in the absence of such a judgment or decree, such finding of good faith is made by the head of the department concerned or by such officer of the department concerned as he may designate for the purpose."

Approved May 15, 1947.

[CHAPTER 59]

AN ACT

To establish a Chief of Chaplains in the United States Navy, and for other purposes.

May 15, 1947
[H. R. 1365]
[Public Law 56]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Bureau of Naval Personnel a Chief of Chaplains, designated by the Chief of Naval Personnel from among officers of the Chaplain Corps of the Regular Navy not below the rank of commander; and that such officer shall, while so serving, have the rank of rear admiral and shall receive the pay and allowances provided by law for rear admirals of the upper half.

Navy.
Chief of Chaplains.
Post, p. 880.

SEC. 2. The Act of December 22, 1944 (ch. 661, 58 Stat. 886), is hereby repealed.

Repeal.
34 U. S. C. § 91 note.

Approved May 15, 1947.

[CHAPTER 60]

AN ACT

To amend the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940, to amend the Act entitled "An Act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties", approved December 16, 1940, as amended, and for other purposes.

May 15, 1947
[H. R. 1369]
[Public Law 57]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940 (54 Stat. 494), is amended by striking out from the first sentence thereof the following words: "to serve during any national emergency declared by him to exist, including the present limited emergency".

Navy Department.
Under Secretary.

5 U. S. C. § 421b.

SEC. 2. The Act entitled "An Act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties", approved December 16, 1940 (54 Stat. 1224), as amended, is amended as follows:

War Department.
Under Secretary.

5 U. S. C. §§ 181a and note, 182.

(a) By striking from the title thereof the words: "during national emergencies";

(b) By striking the first sentence from the last paragraph of section 2 thereof.

58 Stat. 807.
5 U. S. C. § 181a note.

Approved May 15, 1947.

[CHAPTER 61]

AN ACT

To amend the Act of July 20, 1942 (56 Stat. 662), relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations or other American Republics.

May 15, 1947
[H. R. 1381]
[Public Law 58]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 20, 1942 (56 Stat. 662; 10 U. S. C. 1423a), be, and hereby is, amended to read as follows:

Members of armed forces.
Acceptance of decorations from certain foreign governments.
Post, pp. 453, 715.

"That officers and enlisted men of the armed forces of the United States be, and they are hereby, authorized during the present war and for a year thereafter to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics such decorations, orders, medals, and emblems, as may be tendered them, and which are conferred by such governments upon members of their own military forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided*, That any such officer or enlisted man is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this Act or heretofore accepted by such person from the government of a cobelligerent nation, neutral nation, or of an American Republic."

1 Stat. 15.

Wearing of decorations.

Approved May 15, 1947.

[CHAPTER 62]

May 15, 1947
[H. R. 2758]
[Public Law 59]

AN ACT

To amend the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940.

Washington National Airport.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940 (54 Stat. 686), is amended by adding at the end thereof the following new sections:

Power to make arrests.

"SEC. 4. (a) The Administrator, and any Civil Aeronautics Administration employee appointed to protect life and property on the airport, when designated by the Administrator, is hereby authorized and empowered (1) to arrest under a warrant within the limits of the airport any person accused of having committed within the boundaries of the airport any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this Act; (2) to arrest without warrant any person committing any such offense within the limits of the airport, in his presence; or (3) to arrest without warrant within the limits of the airport any person whom he has reasonable grounds to believe has committed a felony within the limits of the airport.

Carrying of weapons.

"(b) Any individual having the power of arrest as provided in subsection (a) of this section may carry firearms or other weapons as the Administrator may direct or by regulation may prescribe.

Patrol by U. S. Park Police.

"(c) The United States Park Police may, at the request of the Administrator, be assigned by the Director of the National Park Service, in his discretion, subject to the supervision and direction of the Secretary of the Interior, to patrol any area of the airport, and any members of the United States Park Police so assigned are hereby authorized and empowered to make arrests within the limits of the airport for the same offenses, and in the same manner and circumstances, as is provided in this section with respect to employees designated by the Administrator.

Penalty.

"SEC. 5. Any person who knowingly and willfully violates any rule or regulation prescribed under this Act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $500 or imprisoned not more than six months, or both.

Deposit of collateral.

"SEC. 6. The officer on duty in command of those employees designated by the Administrator as provided in section 4 may accept deposit of collateral from any person charged with the violation of any rule or regulation prescribed under this Act, for appearance in court or

before the appropriate United States commissioner; and such collateral shall be deposited with the United States commissioner at Alexandria, Virginia.

"SEC. 7. The Administrator may enter into agreements with the State of Virginia, or with any political subdivision thereof, for such municipal services as the Administrator shall deem necessary to the proper and efficient government of the airport, and he may, from time to time, agree to modifications in any such agreement: *Provided, however*, That where the charge for any such service is established by the laws of the State of Virginia, the Administrator may not pay for such service an amount in excess of the charge so established. There is hereby authorized to be appropriated such sums as may be necessary for the making of payment for services under any such agreement."

Agreements for municipal services.

Charges.

Appropriations authorized.

Approved May 15, 1947.

[CHAPTER 63]

AN ACT

May 15, 1947
[H. R. 2846]
[Public Law 60]

Authorizing and directing the removal of stone piers in West Executive Avenue between the grounds of the White House and the Department of State Building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the National Park Service is hereby authorized and directed to remove the stone piers from West Executive Avenue between the grounds of the White House and the Department of State Building.

Approved May 15, 1947.

[CHAPTER 67]

AN ACT

May 15, 1947
[H. R. 1605]
[Public Law 61]

To amend the Act approved December 28, 1945 (59 Stat. 663), entitled "An Act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes", as amended by the Act of August 8, 1946 (Public Law 670, Seventy-ninth Congress).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective December 28, 1945, the Act entitled "An Act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes", approved December 28, 1945 (59 Stat. 663), as amended by the Act of August 8, 1946 (Public Law 670, Seventy-ninth Congress), is further amended by inserting after section 8 thereof an additional section as follows:

Regular Army. Appointment of additional officers.

60 Stat. 925.
10 U. S. C. §§ 481, 505-505d, 552a, 552c.
Post, pp. 735, 736.

"SEC. 9. For the purpose of administering the provisions of this Act, the date of nomination by the President if the Senate is in session, or if the Senate is in recess the date of a recess appointment by the President, shall be considered as the date or time of appointment in determining eligibility for appointment, permanent grade in which appointed, date of rank in such grade, period of service to be credited under section 5 hereof, and eligibility for promotion of each person appointed as a commissioned officer of the Regular Army under the provisions of this Act: *Provided*, That no person appointed under the provisions of this Act shall be entitled, by reason of such appointment, to any pay or allowances for any period prior to the date of acceptance of such appointment."

Time of appointment.

59 Stat. 664.
10 U. S. C. § 505c.
Post, p. 735.

Pay and allowances.

Approved May 15, 1947.

[CHAPTER 68]

AN ACT

May 16, 1947
[H. R. 1359]
[Public Law 62]

To amend the Act of August 29, 1916 (39 Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy.

Navy.
Corps of Civil Engineers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of the Act of August 29, 1916 (39 Stat. 576), such Act having been amended by the Act of July 22, 1935 (49 Stat. 488), which relates to the commissioned officer strength of the active list of the Corps of Civil Engineers, is hereby further amended by striking out the figure "2" as it appears after the words "Civil Engineers" in line 2, paragraph 5, page 489, of volume 49, Statutes at Large, and inserting in lieu thereof the figure "3".

34 U. S. C. § 3.
Post, p. 877.

Approved May 16, 1947.

[CHAPTER 69]

AN ACT

May 16, 1947
[H. R. 1367]
[Public Law 63]

To authorize the construction of experimental submarines, and for other purposes.

Construction of experimental submarines.
60 Stat. 6.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Act of February 18, 1946 (Public Law 301, Seventy-ninth Congress, ch. 30, second session), or any other provision of law enacted prior to the date of approval of this Act, the Secretary of the Navy is authorized and directed to undertake the construction of approximately four thousand displacement tons of submarine vessels for experimental purposes in order to guide the future design and construction of such vessels: *Provided*, That the cost of the vessels, the construction of which is authorized by this Act, shall not exceed $30,000,000.

Cost limitation.

Approved May 16, 1947.

[CHAPTER 70]

AN ACT

May 16, 1947
[H. R. 1368]
[Public Law 64]

To include civilian officers and employees of the United States Naval Government of Guam among those persons who are entitled to the benefits of Public Law 490 of the Seventy-seventh Congress, approved March 7, 1942 (56 Stat. 143), as amended, and for other purposes.

Missing Persons Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) (3) of section 1 of Public Law 490 of the Seventy-seventh Congress approved March 7, 1942 (56 Stat. 143), as amended by Public Law 408 of the Seventy-eighth Congress approved July 1, 1944 (58 Stat. 679), is hereby further amended to read as follows:

50 U. S. C. app. § 1001 (a)(3).
Post, p. 453.

Civilian officers and employees outside U. S.

"(3) civilian officers and employees of departments and civilian officers and employees of the United States Naval Government of Guam, during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis;".

SEC. 2. Appropriations which have been made or which may be made for the Navy Department and the naval service shall be available and may be used for the payment of such sums as may have accrued prior to July 21, 1944, to the credit of, and which remain unpaid to, civilian officers and employees of the United States Naval Government

of Guam under the provisions and the authority of Public Law 490 of the Seventy-seventh Congress approved March 7, 1942 (56 Stat. 143), as heretofore and herein amended.

50 U. S. C. app. §§ 1001-1017. *Post*, p. 453.

Approved May 16, 1947.

[CHAPTER 71]

AN ACT

May 16, 1947 [S. 132] [Public Law 65]

To relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no collector of customs shall be held liable to the United States for his failure to collect special tonnage duties provided for in the first sentence of section 4219 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 46, sec. 121), nor for his failure in connection therewith to collect light money provided for in section 4225 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 46, section 128), in connection with the entry from a foreign port of any foreign vessel prior to October 1, 1940; nor shall any such vessel hereafter be held liable for the payment of any such special tonnage duties or light money in connection with any entry prior to October 1, 1940.

Collection of special tonnage duties and light money.

Approved May 16, 1947.

[CHAPTER 72]

AN ACT

May 16, 1947 [S. 460] [Public Law 66]

To amend section 327 (h) of the Nationality Act of 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I, subchapter III, section 327, subsection (h), of the Act of October 14, 1940 (54 Stat. 1151; 8 U. S. C. 727 (h)), be and the same is hereby, amended to read as follows:

"SEC. 327. (h) The officers in charge of property owned or leased by the Government are authorized, upon the recommendation of the Attorney General, to provide quarters, without payment of rent, in any building occupied by the Service, for a photographic studio, operated by welfare organizations without profit and solely for the benefit of persons seeking to comply with requirements under the immigration and nationality laws. Such studio shall be under the supervision of the Commissioner."

Photographic studio.

Approved May 16, 1947.

[CHAPTER 73]

AN ACT

May 16, 1947 [S. 534] [Public Law 67]

To authorize additional allowances of good time and the payment of compensation to prison inmates performing exceptionally meritorious or outstanding services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the discretion of the Attorney General and under rules and regulations promulgated by him—

(a) the additional deductions from sentences of prisoners employed in industries or camps authorized by section 8 of the Act of May 27, 1930 (46 Stat. 391; 18 U. S. C. 744h), may be

Prison inmates. Additional deductions from sentences.

extended to prisoners performing exceptionally meritorious or outstanding services in institutional operations; and

Payments from prison industries fund.

(b) the prison industries fund established by section 4 of the Act of June 23, 1934 (48 Stat. 1211; 18 U. S. C. 744–1), may be employed in paying compensation to such prisoners.

Approved May 16, 1947.

[CHAPTER 74]

May 16, 1947
[S. 64]
[Public Law 68]

AN ACT

Granting the consent of Congress for the construction of a dam across Dan River in North Carolina.

Dan River, N. C. Dam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a low dam across Dan River at a point in Rockingham County, North Carolina, near Leaksville, and about ninety-one miles above the mouth of said river at Clarksville, Virginia, for the purpose of providing a pool for condenser water for a steam electric plant: *Provided*, That work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War, and when such plans have been approved by the Chief of Engineers and by the Secretary of War, it shall not be lawful to deviate from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of War: *Provided further*, That in approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and Secretary of War may deem necessary to protect the present and future interest of the United States: *And provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy: *And provided further*, That the grantee, or its successors, shall hold and save the United States free from all claims arising from damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Philpott Reservoir or of the proposed dam across Dan River at Schoolfield, Virginia, as proposed in House Document Numbered 650, Seventy-eighth Congress, and approved for construction in Public Law 534, Seventy-eighth Congress, second session, or other Federal project: *And provided further*, That the grantee shall, at the direction of the district engineer, Corps of Engineers, and without cost to the United States, reconstruct or relocate the existing stream-gaging facility owned by the United States Geological Survey and situated on the Dan River in the vicinity of Leaksville, North Carolina.

Approval of plans.

Restriction.

Damage claims.

58 Stat. 894.

Reconstruction, etc., of stream-gaging facility.

Time limitation.

SEC. 2. The authority granted by this Act shall cease and be deemed null and void unless the actual construction of the dam hereby authorized is commenced within three years and completed within five years from the date of approval of this Act.

Rights reserved.

SEC. 3. The right to alter, amend or repeal this Act is hereby expressly reserved.

Approved May 16, 1947.

[CHAPTER 75]

AN ACT

To change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project.

May 16, 1947
[S. 214]
[Public Law 69]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor and recognition of the outstanding service of the late W. C. Austin in securing irrigation for the benefit of southwestern Oklahoma, the project in the State of Oklahoma known as the Lugert-Altus irrigation project shall hereafter be known and designated as the W. C. Austin project. Any law, regulation, document, or record of the United States in which such project is designated or referred to under the name of the Lugert-Altus irrigation project shall be held to refer to such project under and by the name of the W. C. Austin project.

W. C. Austin project, Okla.

Approved May 16, 1947.

[CHAPTER 76]

AN ACT

Providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use.

May 16, 1947
[H. R. 450]
[Public Law 70]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Coast Guard, or such agency of the United States as holds title, be, and hereby is, authorized and directed, upon payment to the United States of the sum of $5,000, to convey, by quitclaim deed, to the town of Marblehead, in the State of Massachusetts, for perpetual use as a public park or other public use, all the proprietary right, title, and interest of the United States to and in that certain tract of land, together with all improvements thereon owned by the United States, embraced within the military reservation situated on Marblehead Neck at the east entrance to Marblehead Harbor, in the State of Massachusetts, and containing approximately three and seventy-four one-hundredths acres; the said property being that which was acquired by the War Department from the Department of Commerce pursuant to an Act of Congress approved May 28, 1935 (Public Law Numbered 81, Seventy-fourth Congress): *Provided*, That an area one hundred feet square surrounding the lighthouse tower, with right-of-way both by land and sea, shall be reserved for lighthouse purposes: *Provided further*, That the town of Marblehead shall not have the right to sell or convey aforesaid property, nor to devote the same to any other than for a public park use; and in the event that said property shall not be used as above provided, the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

Marblehead, Mass. Conveyance.

49 Stat. 306.

Lighthouse area.

Restrictions.

Reversion provision.

Approved May 16, 1947.

[CHAPTER 77]

JOINT RESOLUTION

To correct technical errors in the Act approved August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session).

May 16, 1947
[H. J. Res. 116]
[Public Law 71]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session), is hereby amended as follows:

(a) Strike out "6 (a)" in paragraph (a) of section 3 and substitute in lieu thereof the following: "(a) of section 6".

Navy.
Officer candidate training program.
60 Stat. 1057.
34 U. S. C. §§ 1020-1020l.
60 Stat. 1058.
34 U.S.C. § 1020b(a).

60 Stat. 1058.
34 U.S.C. § 1020b(b).

(b) Insert a comma between the second occurrence of the word "work" and the word "and" in clause (1) of paragraph (b) of section 3.

(c) Strike out the first occurrence of the word "and" and substitute in lieu thereof a comma in clause (2) of paragraph (b) of section 3.

60 Stat. 1058.
34 U. S. C. § 1020c.

(d) Strike out the word "part" wherever occurring in section 4 and substitute in lieu thereof the word "paragraph".

60 Stat. 1059.
34 U. S. C. § 1020d.

(e) Strike out the word "part" in section 5 and substitute in lieu thereof the word "paragraph".

60 Stat. 1059.
34 U. S. C. § 1020e.

(f) Insert between the letter "(a)" and the word "Midshipmen" in subsection (a) of section 6 the following: "1."

(g) Strike out "section 3 (a)" in the first paragraph of subsection (a) of section 6 and substitute in lieu thereof the following: "paragraph (a) of section 3".

(h) Strike out "section 3 (b)" in paragraph 2 of subsection (a) of section 6 and substitute in lieu thereof the following: "paragraph (b) of section 3"; and in the same said paragraph strike out the word "part" and substitute in lieu thereof the word "paragraph".

(i) Insert a comma between the second occurrence of the word "year" and the word "and" in subsection (d) of section 6.

60 Stat. 1060.
34 U. S. C. § 1020f.
Commission in reserve component upon application.

(j) Amend section 7 to read as follows:

"SEC. 7. Any officer commissioned under paragraph 1 of subsection (a) of section 6 or under subsection (b) of section 6 may, upon his own application, after not less than fifteen months or two years, respectively, of satisfactory service as a commissioned officer, have his commission in the Regular service terminated and be commissioned in the Naval Reserve or the Marine Corps Reserve, and, in the discretion of the Secretary of the Navy, be released from active duty. The date of rank in such commission in a reserve component shall be the same as that of the commission previously held in the Regular service."

60 Stat. 1060.
34 U. S. C. § 1020g.

(k) Strike out "subsection 2 of section 6 (a)" in section 8 and substitute in lieu thereof the following: "paragraph 2 of subsection (a) of section 6".

60 Stat. 1060.
34 U. S. C. § 1020h.

(l) Strike out "subsection 2 of section 6 (a)" in subsection (a) of section 9 and substitute in lieu thereof the following: "paragraph 2 of subsection (a) of section 6".

(m) Strike out "subsection 1 of section 6 (a)" in the first sentence of subsection (b) of section 9 and substitute in lieu thereof the following: "paragraph 1 of subsection (a) of section 6". In the same said first sentence strike out "section 6 (b)" and substitute in lieu thereof the following: "subsection (b) of section 6".

60 Stat. 1060.
34 U. S. C. § 1020i.

(n) Strike out "subsection 9 (a)" in section 10 and substitute in lieu thereof the following: "subsection (a) of section 9".

60 Stat. 1061.
34 U. S. C. § 1039.
Appointments of midshipmen.

(o) Amend section 16 to read as follows:

"SEC. 16. (a) The President may appoint annually seventy-five midshipmen to the United States Naval Academy from among the sons of Army, Navy, and Marine Corps personnel.

34 U. S. C. § 1032.

"(b) The Act of December 20, 1917 (40 Stat. 430), as amended, is hereby further amended to read as follows: 'There shall be allowed at the United States Naval Academy five midshipmen for each Senator, Representative, Delegate in Congress, and Resident Commissioner from Puerto Rico, and from the District of Columbia, one hundred and sixty appointed annually from enlisted men of the Navy and Marine Corps, and one hundred and sixty appointed annually from enlisted men of the Naval Reserve and Marine Corps Reserve by the Secretary of the Navy under similar conditions so far as applicable as prescribed by law for appointments from enlisted men of the Navy.'"

60 Stat. 1061.
34 U. S. C. § 61.

(p) Strike out the word "not" in section 19. Substitute the word "and" in lieu of the word "nor" in the same said section.

Effective date.

SEC. 2. This joint resolution shall be effective from August 13, 1946.

Approved May 16, 1947.

[CHAPTER 78]

AN ACT

May 19, 1947
[S. 273]
[Public Law 72]

To limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of fiscal officers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective three years after the date of enactment of this Act, the monthly or quarterly accounts of any disbursing, accountable, or certifying officer of the Government shall be settled by the General Accounting Office within a period of not to exceed three years from the date of the receipt of the account by the General Accounting Office. A copy of the certificate of settlement in each case shall be sent to the officer involved and such settlement shall be final and conclusive on the General Accounting Office after the expiration of three years from the date of receipt of the account to the extent that no further charges or debts shall be raised in such account thereafter except as to moneys which have been or may be lost to the United States due to fraud or criminality on the part of said officer: *Provided*, That nothing herein shall be construed to prohibit recovery from any payee of public moneys illegally or erroneously paid to such payee or to preclude the recovery from the disbursing, accountable, or certifying officer or his surety of any balance found due the Government under a settlement made within the period of three years as herein provided: *Provided further*, That nothing herein shall be construed to deprive any such officer of his right at any time to clear his accounts of questioned items in accordance with the provisions of existing law: *Provided further*, That the period of limitation above prescribed shall be regarded as suspended for the duration of any future war in which the United States may be engaged.

Period for settlement of monthly or quarterly accounts by GAO.

Certificate of settlement.

Recovery of illegal payments, etc.

Clearance of questioned items.

Suspension.

Approved May 19, 1947.

[CHAPTER 79]

AN ACT

May 19, 1947
[H. R. 804]
[Public Law 73]

Authorizing the reduction of certain accrued interest charges payable by the Farmers' Irrigation District, North Platte project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized in administering the North Platte project, Nebraska-Wyoming, to enter into a contract modifying the contract of July 15, 1927, heretofore entered into pursuant to the Act of February 21, 1911 (36 Stat. 925), between the United States and the Farmers' Irrigation District, a corporation organized and existing under the laws of the State of Nebraska, whereby the said district shall be relieved and excused of the obligation to pay $59,853, representing part of the accrued interest due the United States from the district pursuant to the terms of article 2 (c) of said contract of July 15, 1927: *Provided*, That the district agrees, on terms satisfactory to the Secretary, to operate and maintain the several drain diversion works now or hereafter to be constructed emptying waste, seepage, and return flow waters into the district's canal.

Farmers' Irrigation District, North Platte project.

43 U. S. C. §§ 523-525.

Operation, etc., of drain diversion works.

Approved May 19, 1947.

[CHAPTER 80]

AN ACT

May 19, 1947
[H. R. 1098]
[Public Law 74]

To authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation.

Shoshone and Arapaho Tribes, Wind River Reservation.
Division of trust funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to divide the trust funds on deposit in the Treasury of the United States to the joint credit of the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyoming, including the unexpended balance of the treaty funds arising under section 12 of the Act of June 7, 1897 (30 Stat. 93), between the Shoshone Tribe and the Arapaho Tribe, crediting one-half of the total amount in the principal account to a principal trust fund account and one-half of the total amount in the interest account to an interest trust fund account for each tribe: *Provided*, That in dividing the funds there shall be taken into consideration in determining the amount to be credited to each tribe the outstanding loans made from joint trust funds to the Indians of each tribe.

Outstanding loans.

Establishment of trust fund accounts.

SEC. 2. The Comptroller of the United States, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and the Secretary of the Treasury shall make such transfer of funds on the books of his department as may be necessary to effect the purpose of section 1 of this Act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 per centum per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues derived from the Wind River Reservation under existing law shall be divided in accordance with section 1 of this Act and credited to the principal trust fund accounts established herein.

Interest.

Division of future revenues.

Availability of trust funds.

SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapaho Tribe, respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That two-thirds of said trust funds as initially established, and two-thirds of all sums credited thereto during a period of five years from and after the enactment of this Act, shall be paid on the first day of September and the first day of March each year, per capita, to the individual members of said tribes, and any sums distributed per capita out of the funds described in section 1 of this Act on or after April 1, 1947, shall be taken into consideration in determining the sums to be distributed under this proviso to the same effect as if this Act had been in force on and after April 1, 1947: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States, but this latter exception shall not become operative until a report upon irrigation charges within the Wind River Irrigation Project has been made and becomes effective in accordance with the Act of July 1, 1932 (ch. 369, 47 Stat. 564).

Per capita payments.

Claims against payments.

25 U. S. C. § 386a.

Approved May 19, 1947.

[CHAPTER 81]

AN ACT

To provide for assistance to Greece and Turkey.

May 22, 1947
[S. 938]
[Public Law 75]

Whereas the Governments of Greece and Turkey have sought from the Government of the United States immediate financial and other assistance which is necessary for the maintenance of their national integrity and their survival as free nations; and

Whereas the national integrity and survival of these nations are of importance to the security of the United States and of all freedom-loving peoples and depend upon the receipt at this time of assistance; and

Whereas the Security Council of the United Nations has recognized the seriousness of the unsettled conditions prevailing on the border between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other, and, if the present emergency is met, may subsequently assume full responsibility for this phase of the problem as a result of the investigation which its commission is currently conducting; and

Whereas the Food and Agriculture Organization mission for Greece recognized the necessity that Greece receive financial and economic assistance and recommended that Greece request such assistance from the appropriate agencies of the United Nations and from the Governments of the United States and the United Kingdom; and

Whereas the United Nations is not now in a position to furnish to Greece and Turkey the financial and economic assistance which is immediately required; and

Whereas the furnishing of such assistance to Greece and Turkey by the United States will contribute to the freedom and independence of all members of the United Nations in conformity with the principles and purposes of the Charter: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of any other law, the President may from time to time when he deems it in the interest of the United States furnish assistance to Greece and Turkey, upon request of their governments, and upon terms and conditions determined by him—

Powers of President.

(1) by rendering financial aid in the form of loans, credits, grants, or otherwise, to those countries;

Financial aid.

(2) by detailing to assist those countries any persons in the employ of the Government of the United States; and the provisions of the Act of May 25, 1938 (52 Stat. 442), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph: *Provided, however*, That no civilian personnel shall be assigned to Greece or Turkey to administer the purposes of this Act until such personnel have been investigated by the Federal Bureau of Investigation;

Detail of U. S. employees.

5 U. S. C. § 118e.

Investigation by FBI.

(3) by detailing a limited number of members of the military services of the United States to assist those countries, in an advisory capacity only; and the provisions of the Act of May 19, 1926 (44 Stat. 565), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph;

Detail of military personnel.

10 U. S. C. § 540.

(4) by providing for (A) the transfer to, and the procurement for by manufacture or otherwise and the transfer to, those countries of any articles, services, and information, and (B) the instruction and training of personnel of those countries; and

Transfer of articles, etc.; instruction and training.

Incurring and defraying of expenses.

(5) by incurring and defraying necessary expenses, including administrative expenses and expenses for compensation of personnel, in connection with the carrying out of the provisions of this Act.

Allocation of funds to agencies.

SEC. 2. (a) Sums from advances by the Reconstruction Finance Corporation under section 4 (a) and from the appropriations made under authority of section 4 (b) may be allocated for any of the purposes of this Act to any department, agency, or independent establishment of the Government. Any amount so allocated shall be available as advancement or reimbursement, and shall be credited, at the option of the department, agency, or independent establishment concerned, to appropriate appropriations, funds or accounts existing or established for the purpose.

Availability.

Advance payments by Greece or Turkey.

(b) Whenever the President requires payment in advance by the Government of Greece or of Turkey for assistance to be furnished to such countries in accordance with this Act, such payments when made shall be credited to such countries in accounts established for the purpose. Sums from such accounts shall be allocated to the departments, agencies, or independent establishments of the Government which furnish the assistance for which payment is received, in the same manner, and shall be available and credited in the same manner, as allocations made under subsection (a) of this section. Any portion of such allocation not used as reimbursement shall remain available until expended.

Allocation to agencies.

Reimbursements.

(c) Whenever any portion of an allocation under subsection (a) or subsection (b) is used as reimbursement, the amount of reimbursement shall be available for entering into contracts and other uses during the fiscal year in which the reimbursement is received and the ensuing fiscal year. Where the head of any department, agency, or independent establishment of the Government determines that replacement of any article transferred pursuant to paragraph (4) (A) of section 1 is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

Funds received for articles not replaced.

Payment in advance required by President.

(d) (1) Payment in advance by the Government of Greece or of Turkey shall be required by the President for any articles or services furnished to such country under paragraph (4) (A) of section 1 if they are not paid for from funds advanced by the Reconstruction Finance Corporation under section 4 (a) or from funds appropriated under authority of section 4 (b).

Advancement or reimbursement required by departments, etc.

(2) No department, agency, or independent establishment of the Government shall furnish any articles or services under paragraph (4) (A) of section 1 to either Greece or Turkey, unless it receives advancements or reimbursements therefor out of allocations under subsection (a) or (b) of this section.

Condition precedent to receipt of assistance.

SEC. 3. As a condition precedent to the receipt of any assistance pursuant to this Act, the government requesting such assistance shall agree (a) to permit free access of United States Government officials for the purpose of observing whether such assistance is utilized effectively and in accordance with the undertakings of the recipient government; (b) to permit representatives of the press and radio of the United States to observe freely and to report fully regarding the utilization of such assistance; (c) not to transfer, without the consent of the President of the United States, title to or possession of any article or information transferred pursuant to this Act nor to permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the recipient government; (d) to make such

provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this Act; (e) not to use any part of the proceeds of any loan, credit, grant, or other form of aid rendered pursuant to this Act for the making of any payment on account of the principal or interest on any loan made to such government by any other foreign government; and (f) to give full and continuous publicity within such country as to the purpose, source, character, scope, amounts, and progress of United States economic assistance carried on therein pursuant to this Act.

Advances by RFC.

SEC. 4. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (b) of this section, to make advances, not to exceed in the aggregate $100,000,000, to carry out the provisions of this Act, in such manner and in such amounts as the President shall determine.

Appropriation authorized.
Post, p. 613.

(b) There is hereby authorized to be appropriated to the President not to exceed $400,000,000 to carry out the provisions of this Act. From appropriations made under this authority there shall be repaid to the Reconstruction Finance Corporation the advances made by it under subsection (a) of this section.

Repayment to RFC.

Rules and regulations.

SEC. 5. The President may from time to time prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred upon him pursuant to this Act through such department, agency, independent establishment, or officer of the Government as he shall direct.

Exercise of powers of President.

Withdrawal of aid.

The President is directed to withdraw any or all aid authorized herein under any of the following circumstances:

(1) If requested by the Government of Greece or Turkey, respectively, representing a majority of the people of either such nation;

(2) If the Security Council finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable;

(3) If the President finds that any purposes of the Act have been substantially accomplished by the action of any other intergovernmental organizations or finds that the purposes of the Act are incapable of satisfactory accomplishment; and

(4) If the President finds that any of the assurances given pursuant to section 3 are not being carried out.

Termination of assistance.

SEC. 6. Assistance to any country under this Act may, unless sooner terminated by the President, be terminated by concurrent resolution by the two Houses of the Congress.

Reports to Congress.

SEC. 7. The President shall submit to the Congress quarterly reports of expenditures and activities, which shall include uses of funds by the recipient governments, under authority of this Act.

Appointment of chief of mission.

SEC. 8. The chief of any mission to any country receiving assistance under this Act shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such functions relating to the administration of this Act as the President shall prescribe.

Approved May 22, 1947.

[CHAPTER 82]

May 26, 1947
[H. R. 3245]
[Public Law 76]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Second Deficiency Appropriation Act, 1947.
Post, p. 118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

60 Stat. 386.

SENATE

Salaries, officers and employees, Senate, fiscal year 1947, $50,000.

Inquiries and investigations.

For an additional amount for expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee on Rules and Administration of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1947, $100,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

60 Stat. 391.

44 Stat. 688.
5 U. S. C. § 821.

For an additional amount for miscellaneous items, exclusive of labor, fiscal year 1947, $200,000.

60 Stat. 392.

HOUSE OF REPRESENTATIVES

For payment to Florence I. Gerlach, widow of Charles L. Gerlach, late a Representative from the State of Pennsylvania, $12,500.

For payment to Howard A. Norman and Evelyn Norman Carlson, son and daughter of Fred Norman, late a Representative from the State of Washington, $12,500.

SALARIES, OFFICERS AND EMPLOYEES

60 Stat. 393.

For an additional amount for salaries of officers and employees, House of Representatives, required by reason of the enactment of the "Legislative Reorganization Act of 1946", fiscal year 1947, $110,000.

60 Stat. 812.

CONTINGENT EXPENSES OF THE HOUSE

60 Stat. 397.

Reporting hearings: For an additional amount for stenographic reports of hearings of committees other than special and select committees, fiscal year 1947, $30,000.

THE JUDICIARY

UNITED STATES SUPREME COURT

60 Stat. 476.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $5,600.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

60 Stat. 479.

Salaries: For an additional amount, fiscal year 1947, for "Salaries", $7,500.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: The limitation on the amount which may be expended for traveling expenses, fiscal year 1947, is hereby increased from "$50,000" to "$60,000". 60 Stat. 605. *Ante*, p. 16.

WAR ASSETS ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses," War Assets Administration, $75,000,000, to be derived from the special fund account in the Treasury established by the First Deficiency Appropriation Act, 1946. 60 Stat. 606. 59 Stat. 632.

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

PUBLIC HEALTH SERVICE

There are hereby transferred from the appropriation "Grants to States for Maternal and Child Health Services, Social Security Administration, 1947," sums as follows: 60 Stat. 681.

To:

Venereal diseases: For an additional amount, fiscal year 1947, for "Venereal diseases", $23,400.

Tuberculosis: For an additional amount, fiscal year 1947, for "Tuberculosis", $15,600.

Communicable diseases: For an additional amount, fiscal year 1947, for "Communicable diseases", $99,100.

Hospitals and medical care: For an additional amount, fiscal year 1947, for "Hospitals and medical care", $242,500.

Foreign quarantine service: For an additional amount, fiscal year 1947, for "Foreign quarantine service", $10,400.

National Institute of Health, operating expenses: For an additional amount, fiscal year 1947, for "National Institute of Health, operating expenses", $8,200.

Salaries and miscellaneous expenses: For an additional amount, fiscal year 1947, for "Salaries and miscellaneous expenses", $8,700.

Office of International Health Relations: For an additional amount, fiscal year 1947, for "Office of International Health Relations", $5,400.

SOCIAL SECURITY ADMINISTRATION

Salaries, Bureau of Old-Age and Survivors Insurance: For an additional amount, fiscal year 1947, for "Salaries, Bureau of Old-Age and Survivors Insurance", $375,000, and the limitation on the amount which may be expended from the Federal old-age and survivors insurance trust fund under this head in the Federal Security Agency Appropriation Act, 1947, is hereby increased by $436,100, the whole to be accounted for as one fund: *Provided*, That any sums received by the Administrator as payment for services performed for any department or agency of the Government by persons whose salaries are paid from said fund shall be deposited to the credit of the fund and be available, during the fiscal year in which such sums are received, for the same purposes. 60 Stat. 694.

Miscellaneous expenses, Social Security Administration: For an additional amount, fiscal year 1947, for "Miscellaneous expenses, Social Security Administration", $150,000. 60 Stat. 694.

OFFICE OF THE ADMINISTRATOR

60 Stat. 696.

Traveling expenses, Federal Security Agency: For an additional amount, fiscal year 1947, for "Traveling expenses, Federal Security Agency", $75,000.

60 Stat. 696.

Printing and binding, Federal Security Agency: For an additional amount, fiscal year 1947, for "Printing and binding, Federal Security Agency", $103,000.

Such sums as may be determined by the Bureau of the Budget to be necessary are hereby appropriated for making for the first quarter of the fiscal year 1948 (1) grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended, and (2) grants to States for unemployment compensation administration: *Provided*, That the obligations incurred and expenditures made for each of such purposes under the authority of this appropriation shall be charged to the appropriations therefor in the Labor-Federal Security Appropriation Act, 1948.

49 Stat. 620, 627, 645. 42 U. S. C. §§ 301-306, 601-606, 1201-1206.

Post, p. 260.

FEDERAL WORKS AGENCY

BUREAU OF COMMUNITY FACILITIES

Post, p. 598.

60 Stat. 612.

Veterans' educational facilities: For an additional amount for the completion of construction and installation of veterans' educational facilities, fiscal year 1947, $3,000,000, to be available until expended, but not to be available for new projects after September 30, 1947, of which amount not to exceed $100,000 shall be available for administrative expenses: *Provided*, That no part of this appropriation shall be used for the relocation of any building at a cost greater than $3 per square foot.

Relocation of buildings. Cost limitation.

INTERSTATE COMMERCE COMMISSION

60 Stat. 71.

Penalty mail costs: For an additional amount, fiscal year 1947, for "Penalty mail costs", $2,500, to be derived by transfer from the appropriation "General expenses".

OFFICE OF SELECTIVE SERVICE RECORDS

Ante, p. 31.

Salaries and expenses: For expenses necessary, fiscal year 1947, for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26), including personal services in the District of Columbia; contract stenographic reporting services; purchase of one passenger motor vehicle at a cost not exceeding $2,000; $5,103,000, with which amount the funds made available to said office by said Act shall be merged, of which total amount not to exceed $44,000 shall be available for printing and binding, and not to exceed $19,100 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

58 Stat. 394. 39 U. S. C. §§ 321c-321h.

SECURITIES AND EXCHANGE COMMISSION

58 Stat. 875.

The amount specified in the First Supplemental Appropriation Act, 1945, for deposit in the Treasury by the Securities and Exchange Commission for cost of penalty mail is hereby increased from "$13,875" to "$16,100".

57 Stat. 189.

Printing and binding: For an additional amount, fiscal year 1944, for printing and binding, $2,065.51.

THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses, The Tax Court of the United States", $4,500. 60 Stat. 75.

NATIONAL ARCHIVES

Salaries and expenses: For an additional amount for "Salaries and expenses, National Archives," fiscal year 1947, $29,800. 60 Stat. 72.

DEPARTMENT OF AGRICULTURE

COMMODITY CREDIT CORPORATION

On the date of enactment of this Act the Secretary of the Treasury is hereby authorized and directed to discharge $641,832,080.64 of the indebtedness of the Commodity Credit Corporation to the Secretary of the Treasury by canceling notes in such amount issued by the Corporation to the Secretary of the Treasury pursuant to section 4 of the Act of March 8, 1938, as amended (15 U. S. C. 713a-4). 52 Stat. 108.

FARM LABOR SUPPLY PROGRAM *Post*, p. 695.

Supply and distribution of farm labor: The funds provided by the Farm Labor Supply Appropriation Act, 1944, as amended and supplemented, are hereby continued available through January 30, 1948, for carrying out the purposes of said Act, as amended, and the Act of April 28, 1947 (Public Law 40, Eightieth Congress), an Act providing for a six months' extension and final liquidation of the farm labor supply program; and, in addition to the amount continued available, there is hereby appropriated for such purposes the sum of $5,000,000 to be merged with the funds hereby continued available. Not less than $2,000,000 of such additional funds shall be apportioned among the several States in the manner and for the purposes specified in section 2 of the Farm Labor Supply Appropriation Act, 1944. In addition to the amounts heretofore made available for administrative expenses pursuant to section 3 of such Act, there is hereby made available out of said funds the sum of $250,000 for such purposes: *Provided*, That not to exceed $258,500 of the total funds remaining as of January 30, 1948, shall be available until June 30, 1948, for administrative and other expenses, including personal services in the District of Columbia, incident to the settlement of growers' and workers' contracts and accounts, the collection of reimbursements due the Government, the payment of transportation and other obligations outstanding, and the handling of other necessary fiscal and administrative work in the final liquidation and disposition of Government assets and liabilities under the program: *Provided further*, That not to exceed $500,000 of the receipts derived from sales of labor supply centers, labor homes, labor camps, and facilities under the provisions of section 2 (d) of the Act of August 14, 1946 (Public Law 731), as amended, shall be available for the payment of costs of the liquidation of such labor supply centers, labor homes, labor camps, and facilities, including personal services in the District of Columbia, and any appropriations or other funds from which such costs have been advanced may be reimbursed therefor from any such receipts, the net proceeds of such sales to be deposited in the Treasury of the United States.

58 Stat. 11. 50 U. S. C. app. §§ 1351-1355. *Post*, p. 202. *Ante*, p. 55. 58 Stat. 12. 50 U. S. C. app. § 1352. 58 Stat. 12. 50 U. S. C. app. § 1353. 60 Stat. 1064. 7 U. S. C. § 1001 note. *Post*, p. 695.

FEDERAL FARM MORTGAGE CORPORATION

60 Stat. 593.

Federal Farm Mortgage Corporation: For an additional amount, fiscal year 1947, for administrative expenses, $300,000, payable from the funds of the Corporation.

DEPARTMENT OF COMMERCE

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

60 Stat. 467.

Maintenance and operation of air navigation facilities: For an additional amount, fiscal year 1947, for "Maintenance and operation of air navigation facilities", $20,000.

60 Stat. 468.

Maintenance and operation, Washington National Airport: For an additional amount, fiscal year 1947, for "Maintenance and operation, Washington National Airport," $40,000, to be used for the dredging of the Washington National Airport channel.

CIVIL AERONAUTICS BOARD

60 Stat. 469.

Civil Aeronautics Board, salaries and expenses: The limitation on the amount for cost of penalty mail, fiscal year 1947, is hereby increased from "$4,500" to "$6,000."

COAST AND GEODETIC SURVEY

60 Stat. 469.

Salaries and expenses, departmental: For an additional amount, fiscal year 1947, for "Salaries and expenses, departmental," $140,000, and the limitation upon the amount which may be expended for personal services is hereby increased from "$2,700,000" to "$2,840,000".

60 Stat. 470.

Pay, commissioned officers: For an additional amount, fiscal year 1947, for "Pay, commissioned officers", $150,000.

DEPARTMENT OF THE INTERIOR

60 Stat. 1100.

BUREAU OF LAND MANAGEMENT

60 Stat. 353.

Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For an additional amount, fiscal year 1947, for "Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon", $18,000.

60 Stat. 353.

BUREAU OF INDIAN AFFAIRS

Education of Indians: For an additional amount, fiscal year 1947, for "Education of Indians", $250,000.

Conservation of health: For an additional amount, fiscal year 1947, for "Conservation of health", $500,000.

60 Stat. 1310.

Payment to Milton A. Johnson: For deposit by the Secretary of the Treasury to the official trust fund checking account of the special disbursing agent, Yakima Indian Agency, Toppenish, Washington, and for deposit to certain other accounts pursuant to the Act of August 7, 1946 (Private Law 863), $2,119.34.

MISCELLANEOUS INDIAN TRIBAL FUNDS

60 Stat. 361.

Relief of needy Indians (tribal funds): For an additional amount, fiscal year 1947, for "Relief of needy Indians (tribal funds)", $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That surplus potatoes purchased by the Commodity Credit Corporation of the Department of Agriculture may be made available to the Bureau of Indian Affairs for seed and for the relief of needy Indians and that any funds appropriated for the welfare

Availability of surplus potatoes.

or relief of needy Indians shall be available for the transportation of potatoes so supplied.

Support of Indian schools (tribal funds): For an additional amount, fiscal year 1947, for "Support of Indian schools (tribal funds)", $200,000. 60 Stat. 362.

GEOLOGICAL SURVEY

Gaging streams: For an additional amount, fiscal year 1947, for "Gaging streams," $90,000, and the amount that shall be available only for cooperation with States or municipalities is hereby increased from "$1,620,000" to "$1,710,000." 60 Stat. 370.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", $194.81. 55 Stat. 290. *Post*, p. 186.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", $1,539.04. 55 Stat. 294. *Post*, p. 186.

Salaries and expenses, Antitrust Division: For an additional amount, fiscal year 1947, for "Salaries and expenses, Antitrust Division", $30,000. 60 Stat. 459.

Salaries and expenses of district attorneys and so forth: For an additional amount, fiscal year 1947, for "Salaries and expenses of district attorneys and so forth", $50,000. 60 Stat. 460.

FEDERAL PRISON SYSTEM

Medical and hospital service: For an additional amount, fiscal year 1947, for "Medical and hospital service", $21,000. 60 Stat. 463.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Rural Delivery Service: For an additional amount for Rural Delivery Service, fiscal year 1946, $75,000. 59 Stat. 70.

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

SALARIES IN BUREAUS AND OFFICES 60 Stat. 580.

Salaries, Office of Budget and Administrative Planning, $3,000, to be derived by transfer from "Salaries, Bureau of Accounts, 1947".

Salaries, Office of the First Assistant Postmaster General, $23,900.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL 60 Stat. 580.

Personal or property damage claims, $85,000.

Adjusted losses and contingencies, $25,500.

60 Stat. 581.

OFFICE OF CHIEF INSPECTOR

Clerks, $16,000.

60 Stat. 581.
Ante, p. 69.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Clerks, first- and second-class post offices: For an additional amount, fiscal year 1947, for "Clerks, first- and second-class post offices", $7,100,000, and, in addition, $2,900,000 to be derived by transfer in the following respective amounts from the appropriations "Salaries, Office of the Third Assistant Postmaster General", $16,000; "Salaries, Office of the Fourth Assistant Postmaster General", $10,000; "Salaries, Office of the Chief Inspector", $12,000; "Salaries, Bureau of Accounts", $32,000; "Salaries of inspectors", $75,000; "Post-office inspectors, travel and miscellaneous expenses", $5,000; "Contract station service", $200,000; "Clerks, third-class post offices", $200,000; "Miscellaneous items, first- and second-class post offices", $50,000; "Special-delivery compensation and fees", $300,000; and "Rural Delivery Service", $2,000,000.

Miscellaneous items, first- and second-class post offices, $500,000.

City delivery carriers, $28,800,000.

60 Stat. 582.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star route service, $721,000, and, in addition, $152,000 to be derived by transfer from "Domestic Air Mail Service".

Post, p. 700.

Star route and air mail service, Alaska, $75,000.

Railroad transportation and mail messenger service, $10,000,000, and, in addition, $2,500,000 to be derived by transfer from "Domestic Air Mail Service".

Railway mail service, $4,554,800, and, in addition, $3,090,000 to be derived by transfer from "Domestic Air Mail Service".

Ante, p. 69; *post*, p. 700.

Foreign mail transportation, $11,691,000, and, in addition, $3,273,000 to be derived by transfer from "Domestic Air Mail Service".

Railway postal clerks, travel allowance, $403,000.

Railway Mail Service, travel expenses: For an additional amount, fiscal year 1947, for "Railway Mail Service, travel expenses", $13,000, to be derived by transfer from "Domestic Air Mail Service".

Indemnities, international mail, $3,000.

Domestic Air Mail Service: The limitation on the amount available for supervisory officials and clerks at field headquarters is hereby increased from "$106,000" to "$124,000".

60 Stat. 583.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Idemnities, domestic mail, $800,000.

Unpaid money orders more than one year old, $441,000.

60 Stat. 583.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Rent, light, power, fuel and water, $160,000.

Pneumatic-tube service, New York City and Boston, $31,000.

Vehicle service, $3,506,700, and, in addition, $30,000 to be derived by transfer from "Transportation of equipment and supplies".

60 Stat. 585.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating supplies, public buildings, $151,200.

PROVISION RELATING TO EXISTING APPROPRIATION FOR THE POST OFFICE DEPARTMENT

OFFICE OF THE CHIEF INSPECTOR

60 Stat. 581.

Payment of rewards: The appropriation "Payment of rewards" for the fiscal year 1947 is hereby made available for prior fiscal years.

DEPARTMENT OF STATE

FOREIGN SERVICE

Salaries and expenses, Foreign Service: For necessary expenses of the Foreign Service, fiscal year 1947, $2,900,000 for transfer to and consolidation with other appropriations established to carry out the provisions of the Foreign Service Act of 1946 (Public Law 724) in such amounts as the Secretary of State may deem necessary.

60 Stat. 448.

60 Stat. 999.
22 U. S. C. § 801 *et seq.*

INTERNATIONAL OBLIGATIONS

60 Stat. 453.

United States contributions to international commissions, congresses, and bureaus: For an additional amount, fiscal year 1947, for "United States contributions to international commissions, congresses, and bureaus," as follows: International Bureau for the Publication of Customs Tariffs, $13,395; International Union of Chemistry, $675; International Technical Committee of Aerial Legal Experts, $2,513; in all $16,583.

United States participation in United Nations: For an additional amount, fiscal year 1947, for "United States participation in United Nations," $4,195,347, of which amount, $1,824,500 shall be available for advance to the United Nations working capital fund, and the balance of $2,370,847 shall be available for contribution to the 1946 budget of the United Nations.

TREASURY DEPARTMENT

FISCAL SERVICE

OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries (reimbursable): For an additional amount, fiscal year 1947, for "Salaries, Office of Treasurer of United States (Federal Reserve notes, reimbursable)", $70,000.

60 Stat. 572.

COAST GUARD

Pay and allowances: For an additional amount, fiscal year 1947, for "Pay and allowances," Coast Guard, $3,790,000, and $1,060,000 to be derived by transfer from "General expenses, 1947."

60 Stat. 530.

BUREAU OF CUSTOMS

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding," Bureau of Customs, $37,000.

59 Stat. 61.

BUREAU OF THE MINT

Medals for Generals Pershing and Mitchell: For carrying out the provisions of Private Laws 831 and 884, approved August 7, 1946, and August 8, 1946, respectively, fiscal years 1947 and 1948, $4,900.

60 Stat. 1297, 1319.

WAR DEPARTMENT

CIVIL FUNCTIONS

60 Stat. 164.

THE PANAMA CANAL

Sanitation, Canal Zone, Panama Canal: For an additional amount, fiscal year 1947, for "Sanitation, Canal Zone, Panama Canal", $450,000, to remain available until expended.

TITLE II—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752. 39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 672b–673, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597–597c. *Ante*, p. 40; *post*, p. 727.

LEGISLATIVE BRANCH

60 Stat. 402.

Library of Congress:

"Salaries, Library, proper", $245,900, and $36,100 to be derived by transfer from the appropriation "printing catalog cards, 1947."

Copyright Office: "Salaries", $65,000.

Legislative Reference Service: "Salaries", $50,000.

Distribution of printed cards: "Salaries and expenses", $29,700.

Index to State legislation: "Salaries and expenses", $8,500.

Union catalogs: "Salaries and expenses", $11,800.

Ante, p. 27.

Library building: "Salaries", $57,700.

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Government Reports, $49,500.

INDEPENDENT OFFICES

60 Stat. 62.

Civil Service Commission: "Salaries and expenses", $1,000,000.

60 Stat. 64.

Federal Communications Commission: "Salaries and expenses", $651,900.

60 Stat. 64.

Federal Power Commission:

"Salaries and expenses", $330,000;

"Flood control surveys", $24,000.

60 Stat. 72.

National Archives: "Salaries and expenses", $148,600.

60 Stat. 698.

National Labor Relations Board: "Salaries", $384,000 and $20,000 to be derived by transfer from "Miscellaneous expenses, 1947" and $8,000 to be derived by transfer from "Penalty mail, 1947."

60 Stat. 74.

Tariff Commission: "Salaries and expenses", $124,000.

United States Maritime Commission:

60 Stat. 499.

"Construction fund" (increase of $1,800,000 in the limitation upon the amount of this fund which may be used for personal services);

60 Stat. 500.

"Maritime Training" (increase of $40,000 in the limitation upon the amount of this fund which may be used for administrative expenses).

FEDERAL LOAN AGENCY

Reconstruction Finance Corporation: "Administrative expenses" (increase of $3,570,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses). 60 Stat. 588.

FEDERAL WORKS AGENCY

Office of the Administrator: "Salaries and expenses", $33,800, to be derived by transfer from "Public Works Administration liquidation, 1947". 60 Stat. 65.

Bureau of Community Facilities:

"War public works (community facilities) liquidation" (increase of $100,000 in authorization to expend unobligated balances). 60 Stat. 264.

NATIONAL HOUSING AGENCY 60 Stat. 589.

Federal Home Loan Bank Administration: "Salaries and expenses" (increase of $140,000 in the limitation upon the amount of the corporate or other funds which may be used for administrative expenses).

Federal Savings and Loan Insurance Corporation: "Administrative expenses" (increase of $18,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

Federal Public Housing Authority: "Salaries and expenses" (increase of $1,900,000 in the limitation upon the amount of the corporate or other funds which may be used for administrative expenses).

Defense Homes Corporation: "Administrative expenses" (increase of $8,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

DEPARTMENT OF THE INTERIOR

Office of the Secretary: 60 Stat. 348.

"Salaries", $174,000;

"War agency liquidation", $15,000;

"Office of Solicitor", $36,200;

"Division of Territories and Island Possessions", $21,600;

"Oil and Gas Division", $25,000;

"Soil and moisture conservation operations", $97,000;

"Commission of Fine Arts", $910; 60 Stat. 350.

Bureau of Land Management: 60 Stat. 1100.

"Salaries and expenses (Grazing Service)", $38,900; 60 Stat. 351.

"Salaries and expenses (General Land Office)", $134,700; 60 Stat. 352.

"Surveying public lands (General Land Office)", $43,300;

"Salaries and expenses, branch of field examination (General Land Office)", $34,600;

"Salaries and expenses of district land offices (General Land Office)", $26,000;

"Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon (reimbursable) (General Land Office)", $27,800; 60 Stat. 353.

"Range improvements on public lands outside of grazing districts (receipt limitation) (General Land Office)", $2,000;

Protection and management of the timber resources of the public domain (General Land Office)", $22,100;

Bureau of Indian Affairs: 60 Stat. 353.

"Salaries and expenses", $132,700;

"Salaries and expenses, district offices", $35,000;

"Salaries and expenses, reservation administration", $411,700;

"Alaska native service", $200,000;

"Education of Indians", $889,700; Post, p. 621.

60 Stat. 354.

"Conservation of health", $610,000;
"Welfare of Indians", $9,800;
"Management, Indian forest and range resources", $89,400;
"Agriculture and stock raising", $69,200;
"Development of Indian arts and crafts", $2,700;
"Irrigation and drainage", $18,700;
"Administration of Indian tribal affairs (from tribal funds, $9,700)";
"Support of Klamath Agency, Oregon (from tribal funds, $8,400)";
"Support of Menominee Agency and pay of tribal officers, Wisconsin (from tribal funds, $4,900)";
"Support of Osage Agency and pay of tribal officers, Oklahoma (from tribal funds, $23,600)";

60 Stat. 363.

Bureau of Reclamation:
Reclamation fund, special fund:
"Salaries and expenses (other than project offices)", $360,000;
"Parker Dam power project, Arizona-California (from power revenues, $21,000)";
"Yuma project, Arizona-California", $10,200;
"Central Valley project, California (from power revenues, $49,300)";
"Colorado-Big Thompson project, Colorado (from power revenues, $9,400)";
"Boise project, Idaho", $10,000;
"Minidoka project, Idaho (from power revenues, $7,400)";
"Minidoka project, Idaho", $2,000;
"North Platte project, Nebraska-Wyoming (from power revenues, $5,000)";
"Rio Grande project, New Mexico-Texas (from power revenues, $5,300)";
"Owyhee project, Oregon", $9,500;
"Klamath project, Oregon-California", $9,500;
"Columbia Basin project, Washington (from power revenues, $41,200)";
"Yakima project, Washington", $21,500;
"Kendrick project, Wyoming (from power revenues, $8,200)";
"Riverton project, Wyoming", $6,000;
Colorado River Dam fund: "Boulder Canyon project", $62,800;

60 Stat. 369.

"Geological Survey", $62,900;
Bureau of Mines:

60 Stat. 373.

There are hereby transferred from "Mineral Mining Investigations, Bureau of Mines 1947", sums as follows:
To:
"Salaries and expenses", $12,600;
"Coal-mine inspections and investigations", $11,900;
"Building and grounds, Pittsburgh, Pennsylvania", $15,000;
"Economics of mineral industries", $23,000;

60 Stat. 376, 377.

"National Park Service", $666,600;
"Salaries and expenses, National Capital parks", $65,900;

60 Stat. 378.

Fish and Wildlife Service: "Salaries and expenses", $579,100;
Government in the Territories:

60 Stat. 382.

Territory of Alaska: "Expenses of the offices of the Governor and the Secretary", $2,800;

60 Stat. 384.

Territory of Hawaii: "Expenses of the offices of the Governor and the Secretary", $1,500;

Government of the Virgin Islands: 60 Stat. 384.

"Salaries of the Governor and employees", $27,800;

"Salaries and expenses of the agricultural station", $5,500.

DEPARTMENT OF JUSTICE

Legal activities and general administration: 60 Stat. 458.

"Office of the Attorney General", $86,000;

"Administrative Division", $78,000, and $50,000 to be derived by transfer from "Cost of handling penalty mail, Department of Justice, 1947", and $40,000 to be derived by transfer from "Fees of witnesses, 1947";

"Tax Division", $83,000;

"Criminal Division", $95,000;

"Claims Division", $174,000;

"Salaries and expenses, Customs Division", $21,800;

"Salaries and expenses, Antitrust Division", $159,000;

"Examination of judicial offices", $9,000;

"Miscellaneous salaries and expenses, field", $19,500;

"Salaries and expenses of district attorneys, and so forth", $596,700;

"Compensation of special attorneys, and so forth", $13,800;

"Salaries and expenses of marshals, and so forth", $450,800;

"Pay and expenses of bailiffs", $15,000;

Federal Bureau of Investigation: 60 Stat. 461.

"Salaries and expenses, detection and prosecution of crimes", $1,032,000;

"Salaries and expenses, detection and prosecution of crimes (emergency)", $2,168,000;

Immigration and Naturalization Service: "Salaries and expenses, Immigration and Naturalization Service", $2,887,000; 60 Stat. 462.

Federal Prison System: 60 Stat. 463.

"Salaries and expenses, Bureau of Prisons", $26,500, and $18,500 to be derived by transfer from "Support of United States Prisoners, 1947";

"Salaries and expenses, penal and correctional institutions", $1,389,000;

"Medical and hospital service", $116,000;

Office of Alien Property: "Administrative expenses" (increase of $393,000 in the limitation upon the amount of Alien Property funds which may be used for administrative expenses). 60 Stat. 604.

DEPARTMENT OF STATE

Office of the Secretary of State: 60 Stat. 446.

"Salaries", $2,980,000 and sums to be derived by transfers from "United States participation in United Nations, 1947", $250,000; "Cost of handling penalty mail, Department of State, 1947", $20,000; and "United States contributions to international commissions, congresses, and bureaus, 1947", $10,000;

"Passport agencies", $9,500; 60 Stat. 456.

International obligations:

"International Boundary Commission, United States and Canada and Alaska and Canada", $4,500;

"Salaries and expenses, International Joint Commission, United States and Canada", $4,300; 60 Stat. 594.

Institute of Inter-American Affairs: "Administrative expenses" (increase of $74,400 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

60 Stat. 594.

Inter-American Educational Foundation, Inc.: "Administrative expenses" (increase of $15,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

WAR DEPARTMENT

60 Stat. 160.

Civil functions of the War Department:
Quartermaster Corps: "Cemeterial expenses", $48,000;
Signal Corps: "Alaska Communication System", $53,000;
The Panama Canal:
"Civil government", $357,000.

SEC. 201. The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317), May 21, 1946 (Public Law 386), May 24, 1946 (Public Law 390), July 5, 1946 (Public Law 491), July 31, 1946 (Public Laws 567, 568, and 577), and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752. 39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 672b–673, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597–597c.
Ante, p. 40; *post*, p. 727.

TITLE III—REDUCTIONS IN APPROPRIATION

60 Stat. 587.

The amount made available to the Federal Public Housing Authority for "Annual contributions, fiscal year, 1947", is hereby reduced in the amount of $2,500,000, such amount to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

TITLE IV—GENERAL PROVISIONS

Restriction on funds for personal services.

SEC. 400. No appropriation or fund made available by this or any other appropriation Act to the executive departments and establishments, including corporations, for personal services shall be available to pay any increased cost resulting from the allocation or reallocation hereafter of a position to a higher grade, or resulting from the creation of a new position, if such increased cost would result in an increase in the total obligations on an annual basis under such appropriation or fund: *Provided*, That this prohibition shall not apply to the initial creation of positions to carry out new programs or functions for which specific appropriations are made available.

Exception.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the

Affidavit.

overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

SEC. 402. This Act may be cited as the "Second Deficiency Appropriation Act, 1947".

Short title.

Approved May 26, 1947.

[CHAPTER 83]

AN ACT

To amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended.

May 27, 1947
[H. R. 193]
[Public Law 77]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended, is amended and reenacted to read as follows:

Mineral Leasing Act, amendment.

41 Stat. 450.

"SEC. 35. All money received from sales, bonuses, royalties, and rentals of public lands under the provisions of this Act shall be paid into the Treasury of the United States; 37½ per centum thereof shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State or the Territory of Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys to be used by such State, Territory, or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State or Territory may direct; and, excepting those from Alaska, 52½ per centum thereof shall be paid into, reserved and appropriated, as a part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902: *Provided*, That all moneys which may accrue to the United States under the provisions of this Act from lands within the naval petroleum reserves shall be deposited in the Treasury as "miscellaneous receipts", as provided by the Act of June 4, 1920 (41 Stat. 813), as amended June 30, 1938 (52 Stat. 1252, 34 U. S. C., sec. 524). All moneys received under the provisions of this Act not otherwise disposed of by this section shall be credited to miscellaneous receipts. Nothing herein contained shall be construed to affect the disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska as provided for in the Act of March 4, 1915 (38 Stat. 1214, 1215; 48 U. S. C., sec. 353), as amended."

Money received from sales, etc., of public lands.

32 Stat. 388.
43 U. S. C. § 391.

Deposit of funds from naval petroleum reserves.

Income from mineral school sections, Alaska.

Approved May 27, 1947.

[CHAPTER 84]

May 27, 1947
[H. R. 1584]
[Public Law 78]

AN ACT

Authorizing the erection and operation of a memorial museum and shop on the Fort Hall Reservation, Idaho.

Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $150,000, for the purpose of erecting a memorial museum, in commemoration of old Fort Hall, and a shop for the sale of Indian handicrafts, on land set aside for that purpose by the business council of the Shoshone-Bannock Tribes of the Fort Hall Reservation. The museum and shop shall be operated by the said tribes under supervision, management, and control of the Bureau of Indian Affairs.

Approved May 27, 1947.

[CHAPTER 85]

May 27, 1947
[H. R. 2123]
[Public Law 79]

AN ACT

To amend the Locomotive Inspection Act of February 17, 1911, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third and fourth sentences of section 3 of the Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", approved February 17, 1911, as amended (U. S. C., 1940 edition, title 45, secs. 24 and 25), are amended to read as follows: "The Interstate Commerce Commission shall have authority, in accordance with the Classification Act of 1923, as amended, to fix the compensation of the director of locomotive inspection, the assistant directors, and the district inspectors; and each of such persons shall be paid his traveling expenses incurred in performance of his duties. The office of the director of locomotive inspection shall be in Washington, District of Columbia, and the Interstate Commerce Commission shall provide such legal, technical, stenographic, and clerical help as the business of the offices of the director of locomotive inspection, his said assistants, and the district inspectors may require."

36 Stat. 914.

Compensation of director of locomotive inspection, etc.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

SEC. 2. Section 4 of such Act approved February 17, 1911, as amended (U. S. C., 1940 edition, title 45, sec. 26), is further amended by striking out the fifth and sixth sentences thereof.

36 Stat. 914.

SEC. 3. Nothing in this Act shall have the effect of abolishing the position or reducing the present salary of an incumbent of any existing position established under such Act approved February 17, 1911, as amended.

36 Stat. 913.
45 U. S. C. §§ 22-29, 31-34.

SEC. 4. This Act shall take effect on the ninetieth day after the date of its enactment.

Effective date.

Approved May 27, 1947.

[CHAPTER 86]

May 29, 1947
[H. R. 3029]
[Public Law 80]

AN ACT

To provide for the acquisition of a site and for preparation of plans and specifications for a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia.

U. S. Court of Appeals and District Court, D. C.
Plans for building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is hereby authorized and directed to prepare drawings and specifications, and do all work incidental thereto, for a building (including equipment, approaches, architectural landscape treatment

of the grounds and connections with public utilities, and the Federal heating system) for the use of the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, to be located on that part of reservation 10 which is bounded by Constitution Avenue on the south, C Street on the north, John Marshall Place on the west, and Third Street on the east, containing two hundred and forty-five thousand two hundred and sixty-six square feet, title to which is in the District of Columbia with the exception of two pieces of land having a combined total area of one thousand two hundred and thirty-eight square feet, title to which said two pieces of land is in the United States.

Committee.

SEC. 2. (a) The plans for the building shall be prepared under the direction of, and shall be approved by, a committee of six members to be composed of the chief justice of the United States Court of Appeals for the District of Columbia, the chief justice of the District Court of the United States for the District of Columbia, an associate justice of the District Court of the United States for the District of Columbia to be designated by the chief justice of the United States Court of Appeals for the District of Columbia, a member of the Board of Commissioners of the District of Columbia to be designated by said Board, the Commissioner of Public Buildings, and the Architect of the Capitol.

Estimate and report of cost.

(b) The said committee shall estimate the cost of such building and report its findings to the Congress.

Approval of location and design.

SEC. 3. The exact location of the building on the site shall be approved by the National Capital Park and Planning Commission, and the design shall be approved by the Commission of Fine Arts.

Conveyance of title.

SEC. 4. The Commissioners of the District of Columbia are hereby authorized and directed to convey to the United States title to that part of reservation 10 which is owned by the District of Columbia within the area described in section 1 of this Act, excepting a strip five feet wide immediately adjacent to the south line of C Street and running parallel with said south line of C Street from Third Street to John Marshall Place, said strip to be reserved for the widening of C Street: *Provided*, That the said Commissioners are hereby authorized to continue to lease such land for parking purposes and to receive and use for expenses of the District of Columbia any income derived therefrom, until such time as the use of the land is required by the Federal Government for the new court building. The compensation for the site, which is herein fixed at $2,420,000, shall constitute a credit to the District of Columbia for its share of the cost of the entire project as hereafter established by the Congress.

Lease of land for parking purposes.

Compensation for site.

Expenditures by Architect of Capitol.

SEC. 5. The Architect of the Capitol is hereby authorized to employ the necessary personal and other services, to enter into the necessary contracts, and to make such other expenditures as may be necessary to carry out the provisions of sections 1 and 2 of this Act, and there is hereby authorized to be appropriated a sum not in excess of $400,000 for such purposes, which shall include all architectural fees.

Appropriation authorized.
Post, p. 612.

Approved May 29, 1947.

[CHAPTER 87]

AN ACT

May 31, 1947
[H. R. 236]
[Public Law 81]

To amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals.

Nationality Act of 1940, amendment.
Proceedings in the case of disabled persons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 331 of the Nationality Act of 1940, as amended (54 Stat. 1153; U. S. C., 1940 edition, title 8, sec. 731), as precedes paragraph (1)

thereof (excluding the heading) is amended to read as follows:

Declaration of intention.

"SEC. 331. An applicant for naturalization shall make, under oath before, and unless prevented by sickness or other physical disability only in the office of, the clerk of court or such clerk's authorized deputy, regardless of the place of residence in the United States of the applicant, not less than two nor more than seven years at least prior to the applicant's petition for naturalization, and after the applicant has reached the age of eighteen years, a signed declaration of intention to become a citizen of the United States, which declaration shall be set forth in writing, in triplicate, and shall contain substantially the following averments by such applicant:".

SEC. 2. Section 332 of the Nationality Act of 1940, as amended (54 Stat. 1154; U. S. C., 1940 edition, title 8, sec. 732), is amended by adding at the end thereof the following new subsection:

Petition for naturalization.

"(e) If the applicant for naturalization is prevented by sickness or other disability from presenting himself in the office of the clerk to make the petition required by subsection (a), such applicant may make such petition at such other place as may be designated by the clerk of court or by such clerk's authorized deputy."

SEC. 3. (a) Section 334 (a) of the Nationality Act of 1940, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (a)), is amended to read as follows:

Final hearings, etc.

"SEC. 334. (a) Except as provided in subsection (b) of this section, every final hearing upon a petition for naturalization shall be had in open court before a judge thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and the witnesses shall be examined under oath before the court and in the presence of the court."

(b) Section 334 (b) of such Act, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (b)), is amended by adding at the end thereof the following: "If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon a petition for naturalization, such final hearing may be had before a judge or judges of the court at such place as may be designated by the court."

SEC. 4. Section 335 of such Act, as amended (54 Stat. 1157; U. S. C., title 8, sec. 735), is hereby amended by adding the following new subsection:

Oath of renunciation and allegiance.

"(d) If the petitioner is prevented by sickness or other disability from being in open court the oath prescribed in subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court."

Determination by court of seriousness of disability.

SEC. 5. Before a declaration of intention or petition for naturalization may be made outside of the office of the clerk of court, or before a final hearing on a petition may be held or the oath of allegiance administered outside of open court, the court must satisfy itself that the illness or other disability is sufficiently serious to prevent appearance in the office of the clerk of court or the court and is of a permanent nature, or of a nature which so incapacitates the person as to prevent him from personally appearing in the office of the clerk of court or in court as otherwise required by law.

Approved May 31, 1947.

[CHAPTER 88]

AN ACT

To amend an Act of September 27, 1944, relating to credit for military or naval service in connection with certain homestead entries.

May 31, 1947
[H. R. 603]
[Public Law 82]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II", approved September 27, 1944 (58 Stat. 747), as amended June 25, 1946 (60 Stat. 308, 43 U. S. C., sec. 279), is amended to read as follows:

World War II veterans.
Homestead entries.

"That any person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged from the military or naval forces and who makes homestead entry subsequent to such discharge shall have the period of such service, not exceeding two years, construed to be equivalent to residence and cultivation upon the land for the same length of time. Credit shall be allowed for two years' service to any person who has served in the military or naval forces of the United States during the above period (1) if such person is discharged on account of wounds received or disability incurred during the above period in the line of duty, or (2) if such person is regularly discharged and subsequently is furnished hospitalization or is awarded compensation by the Government on account of such wounds or disability. When the homestead entry is made by a husband or wife whose spouse is entitled to any service credit under this section, such credit shall, with the consent of the spouse entitled thereto, be available to the husband or wife making the entry, in addition to any service credit to which he or she individually may be entitled under this section. No patent shall issue to any such person who has not resided upon his homestead and otherwise complied with the provisions of the homestead laws for a period of at least one year: *Provided*, That no person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged shall be disqualified from making homestead entry or from any other benefits of this Act merely by reason of not having reached the age of twenty-one years."

Credit for period of service.

Service-incurred disability.

Service credit of spouse.

Residence requirement.

Age.

SEC. 2. Section 2 of such Act (43 U. S. C., sec. 280) is amended to read as follows:

58 Stat. 748.

"SEC. 2. The surviving spouse or the minor children, as hereinafter provided, shall be entitled (1) in case of the death of any person as the result of wounds received or disability incurred in line of duty while serving in the military or naval forces of the United States during the period specified in section 1, to credit for two years' residence and cultivation on a homestead entry, or (2) in the case of the death of any person after performing service that would be a basis for credit under section 1 of this Act, to the amount of credit which would have been allowable to such person. The credit provided by this section shall be available to the surviving spouse, or, in the case of the death or marriage of the surviving spouse, to the minor children by a guardian duly appointed and officially accredited at the Department of the Interior. An entry made by such surviving spouse or guardian shall be subject to the provisions contained in section 1 respecting compliance with the provisions of the homestead laws for a period of at least one year."

Availability of credit to surviving spouse or minor children.

Entry.

58 Stat. 748.

SEC. 3. Section 4 of such Act (43 U. S. C., sec. 282) is amended to read as follows:

Preferred right of application.

"SEC. 4. For the period of ten years following September 27, 1944, on the revocation of any order of withdrawal or the filing of a plat of survey or resurvey opening lands to entry, the order or notice taking such action shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, in which persons of the classes entitled to credit for service, under the provisions of this Act, shall have a preferred right of application under the homestead or desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended (59 Stat. 467, 43 U. S. C., sec. 682a), subject to the requirements of applicable law, except as against the prior existing valid settlement rights and preference rights conferred by existing laws or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program other than one authorized by the homestead or desert land laws or by said Small Tract Act of June 1, 1938, as amended. During the same period if the Secretary of the Interior shall, without a prior petition therefor, classify any land as being suitable for disposition under the said Small Tract Act of June 1, 1938, as amended, the order of classification shall provide a similar preference right of application under that Act, subject to the exceptions contained in this section."

Approved May 31, 1947.

[CHAPTER 89]

May 31, 1947
[H. R. 1844]
[Public Law 83]

AN ACT

To authorize the Administrator of Veterans' Affairs to grant easements in lands belonging to the United States under his supervision and control, and for other purposes.

Administrator of Veterans' Affairs.
Authority to grant easements, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs, whenever he deems it advantageous to the Government and upon such terms and conditions as he deems advisable, is hereby authorized on behalf of the United States to grant to any State, or any agency or political subdivision thereof, or to any public-service company, easements in and rights-of-way over lands belonging to the United States which are under his supervision and control.

Use by public utilities.

Such grant may include the use of such easements or rights-of-way by public utilities to the extent authorized and under the conditions imposed by the laws of such State relating to use of public highways.

State jurisdiction over areas.

Such partial, concurrent, or exclusive jurisdiction over the areas covered by such easements or rights-of-way, as the Administrator of Veterans' Affairs deems necessary or desirable, is hereby ceded to the State in which the land is located. The Administrator of Veterans' Affairs is hereby authorized to accept or secure on behalf of the United States from the State in which is situated any land conveyed in exchange for any such easement or right-of-way, such jurisdiction as he may deem necessary or desirable over the land so acquired.

Reversion of title, etc.

Any such easement or right-of-way shall be terminated upon abandonment or nonuse of the same and all right, title, and interest in the land covered thereby shall thereupon revert to the United States or its assignee.

Approved May 31, 1947.

[CHAPTER 90]

JOINT RESOLUTION

Providing for relief assistance to the people of countries devastated by war.

May 31, 1947
[H. J. Res. 153]
[Public Law 84]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the President not to exceed $350,000,000 for the provision of relief assistance to the people of countries devastated by war, such relief assistance to be limited to the following: Food, medical supplies, processed and unprocessed materials for clothing, fuel, fertilizer, pesticides, and seed: *Provided*, That from the funds authorized under this section the President shall make contributions to the International Children's Emergency Fund of the United Nations for the special care and feeding of children, and such contributions shall not be subject to the limitations and requirements provided in this joint resolution, but after $15,000,000 has been so contributed, no further contributions shall be made which would cause the aggregate amount so contributed by the United States (1) to constitute more than 57 per centum of the aggregate amount contributed to said fund by all governments not receiving assistance from said fund, including the United States; or (2) to exceed $40,000,000, whichever is the lesser.

Appropriation authorized.
Post, pp. 613, 942, 948.

Contributions to International Children's Emergency Fund of United Nations.
Post, p. 613.

Post, p. 939.

There shall be established and maintained, out of the funds authorized under this joint resolution, a relief distribution mission for each of the countries receiving aid under this joint resolution. Such missions shall be comprised solely of American citizens who shall have been investigated as to loyalty and security by the Federal Bureau of Investigation. Such missions shall have direct supervision and control, in each country, of relief supplies furnished or otherwise made available under this joint resolution, and, when it is deemed desirable by the field administrator provided for in section 4, such missions shall be empowered to retain possession of such supplies up to the city or local community where such supplies are actually made available to the ultimate consumers.

Relief distribution missions.

Not more than $15,000,000 of the funds authorized under this joint resolution shall be available for relief in any countries or territories other than Austria, Greece, Hungary, Italy, Poland, Trieste, and China. This provision shall not imply any obligation to give relief to any of the countries mentioned.

Restriction on availability of funds.

Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to this section, to make advances, not to exceed in the aggregate $75,000,000, to carry out the provisions of this joint resolution, in such manner and in such amounts as the President shall determine. From appropriations authorized under this section, there shall be repaid to the Reconstruction Finance Corporation the advances made by it under the authority contained herein.

Advances by RFC.
Post, p. 938.

SEC. 2. (a) Under the direction of the President, such relief assistance shall be provided in the form of transfers of supplies, or the establishment in this country of credits subject to the control of the President, in such quantities and on such terms as the President may determine; except that no such transfers of supplies or establishment of credits may be made after June 30, 1948, and except that not more than 6 per centum of the amount herein authorized shall be used for the procurement of supplies outside the United States and its Territories and possessions.

Transfer of supplies; establishment of credits.

(b) In carrying out this joint resolution, funds authorized herein may be used to pay necessary expenses related to the providing of

Payment of expenses.

such relief assistance, including expenses of or incident to the procurement, storage, transportation, and shipment of supplies transferred under subsection (a) or of supplies purchased from credits established under subsection (a).

Allocation of funds to Government agencies, etc.

(c) Funds authorized under this joint resolution may be allocated for any of the purposes of this joint resolution to any department, agency, or independent establishment of the Government and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, or independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 41, sec. 5, and title 31, sec. 529).

Additional civilian employees required by War Department.

(d) Such additional civilian employees as may be required by the War Department in connection with the furnishing of procurement, storage, transportation, and shipment services under this joint resolution and which services are paid for from funds herein authorized, shall not be counted as civilian employees within the meaning of section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946.

59 Stat. 304; 60 Stat. 219.
5 U. S. C. § 947.

Furnishing of supplies by Government agencies, etc.

(e) When any department, agency, or independent establishment of the Government receives request from the government of any country for which credits have been established under subsection (a) and receives, from credits so established, advancements or reimbursements for the cost and necessary expenses, it may furnish, or procure and furnish (if advancements are made), supplies within the category of relief assistance as defined in section 1 and may use sums so received for the purposes set forth in subsection (b) of this section. When any such reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account which is current at the time of such reimbursement.

Crediting of reimbursements.

Expenses of transporting supplies donated by relief agencies, etc.

(f) In order to supplement the general relief assistance made available under the terms of section 1 and to effect the economical and expanded use of American voluntary relief contributions, funds authorized under this joint resolution, not to exceed $5,000,000, may be used to pay necessary expenses related to the ocean transportation of supplies donated to or purchased by American voluntary and nonprofit relief agencies, and in such quantities and kinds and for such purposes as the President may determine to be essential supplements to the supplies provided for such general relief assistance.

Procurement of supplies.

(g) The relief supplies provided under the terms of this joint resolution shall be procured and furnished by the appropriate United States procurement agencies unless the President shall determine otherwise.

Assurances from governments requesting assistance.

SEC. 3. No relief assistance shall be provided under the authority of this joint resolution to the people of any country unless the government of such country has given assurance satisfactory to the President that (a) the supplies transferred or otherwise made available pursuant to this joint resolution, as well as similar supplies produced locally or imported from outside sources, will be distributed among the people of such country without discrimination as to race, creed, or political belief; (b) representatives of the Government of the United States and of the press and radio of the United States will be permitted to observe freely and to report fully regarding the distribution and utilization of such supplies; (c) full and continuous publicity will be given within such country as to the purpose, source, character, scope, amounts and progress of the United States relief

program carried on therein pursuant to this joint resolution; (d) if food, medical supplies, fertilizer, or seed is transferred or otherwise made available to such country pursuant to this joint resolution, no articles of the same character will be exported or removed from such country while need therefor for relief purposes continues; (e) such country has taken or is taking, insofar as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction; (f) upon request of the President, it will furnish promptly information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people of such country; (g) representatives of the Government of the United States will be permitted to supervise the distribution among the people of such country of the supplies transferred or otherwise made available pursuant to this joint resolution; (h) provision will be made for a control system so that all classes of people within such country will receive their fair share of essential supplies; and (i) all supplies transferred pursuant to this joint resolution or acquired through the use of credits established pursuant to this joint resolution and any articles processed from such supplies, or the containers of such supplies or articles, will, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such supplies, articles, or containers will permit in such manner as to indicate to the ultimate consumer in such country that such supplies or articles have been furnished by the United States of America for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labeled, that all practicable steps will be taken to inform the ultimate consumers thereof that such supplies or articles have been furnished by the United States of America for relief assistance.

Supervision of distribution by U. S. representatives, etc.

SEC. 4. When supplies are transferred or otherwise made available to any country pursuant to this joint resolution, the President shall cause representatives of the Government of the United States (1) to supervise the distribution of such supplies among the people of such country, (2) to observe and report with respect to the carrying out of the assurances given to the President pursuant to section 3, and (3) to seek arrangements that reparations payable from current production by any such country to any other country by treaty be postponed during the period of such relief.

Field administrator.

Post, p. 937.

Compensation.

With respect to the furnishing of relief assistance pursuant to this joint resolution, the President shall appoint, by and with the advice and consent of the Senate, a field administrator who shall direct the supervision of such relief assistance. Such administrator shall receive compensation at a rate not to exceed $12,000 per annum, and any necessary expenses, as the President shall determine. He shall act in accordance with the instructions of the President.

Exercise of authority by Secretary of State.

The authority of the President under sections 2 and 3 and under this section may, to the extent the President directs, be exercised by the Secretary of State.

Termination by President.

SEC. 5. (a) The President shall promptly terminate the provision of relief assistance to the people of any country whenever he determines (1) that, by reason of changed conditions, the provision of relief assistance of the character authorized by this joint resolution is no longer necessary, (2) that any of the assurances given pursuant to section 3 are not being carried out, (3) that an excessive amount of any supplies transferred or otherwise made available pursuant to this joint resolution, or of similar supplies produced locally or imported from outside sources, is being used to assist in the maintenance of armed forces in such country, or (4) that supplies trans-

ferred or otherwise made available pursuant to this joint resolution, or similar supplies produced locally or imported from outside sources, are being exported or removed from such country.

Termination by Congress.

(b) Relief assistance to the people of any country, under this joint resolution, shall, unless sooner terminated by the President, be terminated whenever such termination is directed by concurrent resolution of the two Houses of the Congress.

Supplies not furnished on terms of repayment in dollars; condition.

SEC. 6. To the extent that relief supplies procured with funds authorized under this joint resolution are not furnished on terms of repayment in dollars, they shall be furnished only upon condition that the government of the receiving country agree that when it sells such relief supplies for local currency (a) the amounts of such local currency will be deposited by it in a special account; (b) such account will be used within such country, as a revolving fund, until June 30, 1948, only upon the approval of the duly authorized representative of the United States, for relief and work relief purposes, including local currency expenses of the United States incident to the furnishing of relief; and (c) any unencumbered balance remaining in such account on June 30, 1948, will be disposed of within such country for such purposes as the United States Government, pursuant to Act or joint resolution of the Congress, may determine.

Reports to Congress.

SEC. 7. The President shall submit to the Congress quarterly reports of expenditures and activities under authority of this joint resolution.

Approved May 31, 1947.

[CHAPTER 91]

May 31, 1947
[S. 854]
[Public Law 85]

AN ACT

To amend section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes".

Defense housing, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended (42 U. S. C. 1572 (a)), is amended by striking out "$410,000,000" and inserting in lieu thereof "$445,500,000".

60 Stat. 85.

Availability of funds.

SEC. 2. That the additional funds herein authorized shall be available to carry out the purposes of sections 501, 502, and 503 of said Act of October 14, 1940, as amended, but shall be available only for necessary expenses in (1) completing the provision of temporary housing for which a contract in writing with any educational institution, State or political subdivision thereof, local public agency, or nonprofit organization had been made prior to the enactment hereof pursuant to title V of said Act of October 14, 1940, as amended: *Provided*, That such additional funds shall not be available for completing suspended units with respect to which, prior to April 1, 1947, no expenditures were made by the Administrator or the only expenditures made by the Administrator were for dismantling or dismantling and transportation, and (2) reimbursing any such educational institution, State or political subdivision thereof, local public agency, or nonprofit organization (a) for funds expended by it in completing any such temporary housing (exclusive of the costs of site acquisition and preparation, or the installation of streets and utility mains), or (b) for the cost of utility and other work in connection with any such temporary housing performed by it for the Administrator on a reimbursable basis pursuant to section 502 (d) of said Act of October 14, 1940, as amended, and (3) making payment, to such educational institutions, States or political subdivisions thereof, local public agencies and nonprofit organizations

59 Stat. 260.
42 U. S. C. §§ 1571-1573.
Supra.

59 Stat. 260.
42 U. S. C. §§ 1571-1573.
Supra.

60 Stat. 85.
42 U. S. C. § 1572 (d).

of amounts equal to actual expenditures made by them prior to April 1, 1947, for costs of site acquisition and preparation, or installation of streets and utility mains, with respect to suspended units referred to in the proviso in clause (1) above.

Approved May 31, 1947.

[CHAPTER 97]

JOINT RESOLUTION

June 4, 1947
[S. J. Res. 107]
[Public Law 86]

Limiting the application of provisions of Federal law to counsel employed under S. Res. 46.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in section 109 or section 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or in section 361, section 365, or section 366 of the Revised Statutes (U. S. C., 1940 edition, title 5, secs. 306, 314, and 315), or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States, shall apply with respect to counsel to the special committee of the Senate serving under the provisions of S. Res. 46, Eightieth Congress, first session, adopted January 22, 1947: *Provided, however*, That nothing contained herein shall be deemed to limit, curtail, or augment any existing authority in such committee or its counsel to initiate, prosecute, maintain, defend, or otherwise dispose of any claim, action, proceeding, or matter, civil or criminal, on behalf of the United States.

35 Stat. 1107, 1109.

Approved June 4, 1947.

[CHAPTER 98]

AN ACT

June 5, 1947
[S. 565]
[Public Law 87]

To amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3539 of the Revised Statutes, as amended (U. S. C., title 31, sec. 352), is amended by striking out the word "two" wherever it appears therein and inserting in lieu thereof the word "ten".

Approved June 5, 1947.

[CHAPTER 100]

AN ACT

June 9, 1947
[S. 583]
[Public Law 88]

To authorize the exchange of lands acquired by the United States for the Silver Creek recreational demonstration project, Oregon, for the purpose of consolidating holdings therein, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of consolidating Federal holdings of lands acquired for the Silver Creek recreational demonstration project, in the State of Oregon, the Secretary of the Interior is hereby authorized to exchange any such lands for other lands of approximately equal value when in his opinion such action is in the interest of the United States, the title to any lands acquired hereunder to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the Silver Creek recreational demonstration project, and shall be subject to the laws applicable thereto.

Silver Creek recreational demonstration project.
Exchange of lands.
Post, p. 519.

16 U. S. C. §§ 459r-459t.

SEC. 2. Upon the conveyance of the Silver Creek recreational demonstration project to the State of Oregon, or political subdivision thereof, pursuant to the Act of June 6, 1942 (56 Stat. 326), the Secretary of the Interior may authorize the grantee to exchange or otherwise dispose of any lands so conveyed in order to acquire other lands of approximately equal value for the purpose of consolidating the holdings of the grantee, the title to lands so acquired to be satisfactory to the Attorney General. For the aforesaid purpose the Secretary is authorized to execute a release, as to the particular lands involved, of any condition providing for a reversion of title to the United States, that may be contained in the conveyance by the United States to said grantee. No such release shall be executed, however, unless the grantee shall agree, in form satisfactory to the Secretary, that the lands to be acquired by it shall be subject to the conditions contained in the original conveyance from the United States, except that, in lieu of a provision for reversion, the grantee shall agree to convey said lands to the United States upon a finding by the Secretary in accordance with the procedure provided in said Act of June 6, 1942, that the grantee has not complied with such conditions during a period of more than three years. Lands so conveyed to the United States shall be subject to administration or disposition in like manner as recreational demonstration project lands that revert to the United States under the terms of the aforesaid Act.

Release of condition providing for reversion of title to U. S.

Approved June 9, 1947.

[CHAPTER 101]

June 9, 1947
[S. 993]
[Public Law 89]

AN ACT

To provide for the reincorporation of Export-Import Bank of Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (a) of the Export-Import Bank Act of 1945, as amended (59 Stat. 526, 666), is hereby amended to read as follows:

12 U. S. C. § 635 (a).

Export-Import Bank of Washington.

"SEC. 2. (a) There is hereby created a corporation with the name Export-Import Bank of Washington, which shall be an agency of the United States of America. The objects and purposes of the bank shall be to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States or any of its Territories or insular possessions and any foreign country or the agencies or nationals thereof. In connection with and in furtherance of its objects and purposes, the bank is authorized and empowered to do a general banking business except that of circulation; to receive deposits; to purchase, discount, rediscount, sell, and negotiate, with or without its endorsement or guaranty, and to guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness; to purchase, sell, and guarantee securities but not to purchase with its funds any stock in any other corporation except that it may acquire any such stock through the enforcement of any lien or pledge or otherwise to satisfy a previously contracted indebtedness to it; to accept bills and drafts drawn upon it; to issue letters of credit; to purchase and sell coin, bullion, and exchange; to borrow and to lend money; to perform any act herein authorized in participation with any other person, including any individual, partnership, corporation, or association; to adopt, alter, and use a corporate seal, which shall be judicially noticed; to sue and to be sued, to complain and to defend in any court of competent jurisdiction; and the enumeration of the foregoing powers

Powers.

shall not be deemed to exclude other powers necessary to the achievement of the objects and purposes of the bank. The bank shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Government. The bank is hereby authorized to use all of its assets and all moneys which have been or may hereafter be allocated to or borrowed by it in the exercise of its functions. Net earnings of the bank after reasonable provision for possible losses shall be used for payment of dividends on capital stock. Any such dividends shall be deposited into the Treasury as miscellaneous receipts."

Use of net earnings.

SEC. 2. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out from section 6 thereof the words "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity and bear such rate of interest as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury" and substituting in lieu thereof the following: "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligation of the bank".

59 Stat. 528.
12 U. S. C. § 635d.

Redemption of obligations, etc.

SEC. 3. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out section 8 therefrom and substituting in lieu thereof a new section 8 as follows:

59 Stat. 529.
12 U. S. C. § 635f.

"SEC. 8. Export-Import Bank of Washington shall continue to exercise its functions in connection with and in furtherance of its objects and purposes until the close of business on June 30, 1953, but the provisions of this section shall not be construed as preventing the bank from acquiring obligations prior to such date which mature subsequent to such date or from assuming prior to such date liability as guarantor, endorser, or acceptor of obligations which mature subsequent to such date or from issuing, either prior or subsequent to such date, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations which mature subsequent to such date or from continuing as a corporate agency of the United States and exercising any of its functions subsequent to such date for purposes of orderly liquidation, including the administration of its assets and the collection of any obligations held by the bank."

Continuation until June 30, 1953.

SEC. 4. The Export-Import Bank Act of 1945, as amended, is hereby amended by the addition of a section 12 as follows:

59 Stat. 526.
12 U. S. C. §§ 635–635h.

"SEC. 12. The Export-Import Bank of Washington created hereby shall by virtue of this Act succeed to all of the rights and assume all of the liabilities of Export-Import Bank of Washington, a District of Columbia corporation, and any outstanding capital stock of the District of Columbia corporation shall be deemed to have been issued by and shall be capital stock of the corporation created by this Act and all of the personnel, property, records, funds (including all unexpended balances of appropriations, allocations, or other funds now available), assets, contracts, obligations, and liabilities of the District of Columbia corporation are hereby transferred to, accepted, and assumed by the corporation created by this Act without the necessity of any act or acts on the part of the corporation created by this Act or of the District of Columbia corporation, their officers, employees, or agents or of any other department or agency of the United States

Ante, p. 130; *supra*.
Succession to rights, etc.

to carry out the purposes hereof and it shall be unnecessary to take any further action to effect the dissolution or liquidation of Export-Import Bank of Washington, a District of Columbia corporation. The members of the Board of Directors of the District of Columbia corporation, appointed pursuant to the provisions of the Export-Import Bank Act of 1945, shall, during the unexpired portion of the terms for which they were appointed, continue in office as members of the Board of Directors of the corporation created by this Act."

Board of Directors.

59 Stat. 526.
12 U. S. C. §§ 635-635h.
Ante, pp. 130, 131.

Approved June 9, 1947.

[CHAPTER 102]

June 9, 1947
[S. 1022]
[Public Law 90]

AN ACT

To authorize an adequate White House Police force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 2 of the Act entitled "An Act to create the White House Police force, and for other purposes", approved September 14, 1922 (42 Stat. 841, as amended; U. S. C., 1940 edition, title 3, sec. 62), is hereby amended to read as follows:

"SEC. 2. (a) The White House police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding one hundred and ten in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

Approved June 9, 1947.

[CHAPTER 103]

June 14, 1947
[S. J. Res. 115]
[Public Law 91]

JOINT RESOLUTION

Authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority in section 7 of the World War Veterans' Act, 1924 (43 Stat. 609; 38 U. S. C. 430), and section 101 of the Servicemen's Readjustment Act of 1944 (58 Stat. 284; 38 U. S. C. 693a) to establish regional offices, suboffices, contact units, or other subordinate offices may continue to be exercised by the Administrator of Veterans' Affairs with respect to territory of the Republic of the Philippines on and after the date of its independence if he deems such offices necessary, but in no event after June 30, 1948.

Approved June 14, 1947.

[CHAPTER 104]

June 14, 1947
[S. 566]
[Public Law 92]

AN ACT

To amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3533 of the Revised Statutes (U. S. C., title 31, sec. 346) is amended by striking out the word "three-thousandths" and inserting in lieu thereof the word "six-thousandths".

SEC. 2. Section 3536 of the Revised Statutes, as amended (U. S. C., title 31, sec. 349), is amended to read as follows:

"In adjusting the weight of silver coins the following deviations shall not be exceeded in any single piece: In the dollar, six grains; in the half-dollar, four grains; in the quarter-dollar, three grains; and in the dime, one and one-half grains."

Approved June 14, 1947.

[CHAPTER 105]

AN ACT

June 14, 1947
[S. 1073]
[Public Law 93]

To extend until June 30, 1949, the period of time during which persons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (j) of the Renegotiation Act (50 U. S. C., Supp. V, App., sec. 1191 (j)) is amended to read as follows:

56 Stat. 985.

"(j) Nothing in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) or in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99) shall be deemed to prevent any person by reason of service in a department or the Board during the period (or a part thereof) beginning May 27, 1940, and ending on June 30, 1949, from acting as counsel, agent, or attorney for prosecuting any claim against the United States: *Provided*, That such person shall not prosecute any claim against the United States (1) involving any subject matter directly connected with which such person was so employed, or (2) during the period such person is engaged in employment in a department."

Prosecution of claims against U. S.

Approved June 14, 1947.

[CHAPTER 106]

AN ACT

June 14, 1947
[S. 1135]
[Public Law 94]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1947" and inserting in lieu thereof the following: "June 30, 1948".

60 Stat. 299.

Approved June 14, 1947.

[CHAPTER 108]

JOINT RESOLUTION

June 17, 1947
[S. J. Res. 69]
[Public Law 95]

To prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress.

Annotated Constitution of the United States of America.

Whereas the Annotated Constitution of the United States of America published in 1938 as Senate Document 232, Seventy-fourth Congress, has served a very useful purpose by supplying essential information in one volume and at a very reasonable price; and

Whereas Senate Document 232 is no longer available at the Government Printing Office; and

Whereas the reprinting of this document without annotations for the last ten years is not considered appropriate: Now, therefore, be it

Revision, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress is hereby authorized and directed to have the Annotated Constitution of the United States of America, published in 1938, revised and extended to include annotations of decisions of the Supreme Court prior to January 1, 1948, construing the several provisions of the Constitution correlated under each separate provision, and to have the said revised document printed at the Government Printing Office. Three thousand copies shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated for carrying out the provisions of this Act, with respect to the preparation but not including printing, the sum of $35,000 to remain available until expended.

Approved June 17, 1947.

[CHAPTER 109]

June 20, 1947
[S. 321]
[Public Law 96]

AN ACT

To amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes.

Cadets and midshipmen. Increase in pay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Pay Readjustment Act of 1942 (56 Stat. 368; 37 U. S. C. 117), is hereby amended by striking therefrom the figures "$780" and substituting therefor the figures "$936".

SEC. 2. The increases in pay provided by this Act shall become effective on the first day of the first month following its enactment, and no increase in pay for any period prior thereto shall accrue by reason of the enactment of this Act.

Approved June 20, 1947.

[CHAPTER 111]

June 21, 1947
[S. 26]
[Public Law 97]

AN ACT

To make criminally liable persons who negligently allow prisoners in their custody to escape.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 138 of the Criminal Code (35 Stat. 1113; 18 U. S. C. 244) be, and it hereby is, amended to read as follows:

"Whenever any marshal, deputy marshal, ministerial officer, or other person has in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person voluntarily suffers such prisoner to escape, he shall be fined not more than $2,000, or imprisoned not more than two years, or both. Whenever any marshal, deputy marshal, ministerial officer, or other person has in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person negligently suffers such prisoner to escape, he shall be fined not more than $500 or imprisoned not more than one year, or both."

Approved June 21, 1947.

[CHAPTER 112]

AN ACT

June 21, 1947
[S. 125]
[Public Law 98]

To amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to extend the benefits of such Act to the Official Reporters of Debates in the Senate and persons employed by them in connection with the performance of their duties as such reporters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (a) of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by adding at the end of such subsection the following:

46 Stat. 470.
5 U. S. C. § 693 (a).

Extension of retirement act to Official Reporters of debates of Senate.

"For the purposes of this Act, the Official Reporters of the proceedings and debates of the Senate and persons employed by them in connection with the performance of their duties as such reporters shall be deemed to be officers or employees in or under the legislative branch of the Government, and service heretofore or hereafter renderd as an Official Reporter of Debates of the Senate or as a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their duties as such reporters shall be deemed to be service as an officer or employee in or under the legislative branch of the Government. The provisions of this Act shall not apply to any such Official Reporter or person employed by them until he gives notice in writing to the said Official Reporters of his desire to come within the purview of this Act. In the case of any such Official Reporter or person employed by them who is in service on the date of enactment of this subsection, such notice of desire to come within the purview of this Act must be given within six months after such date. In the case of any such Official Reporter or person employed by them who enters the service subsequent to the date of enactment of this subsection, such notice of desire to come within the purview of this Act must be given within six months after the date of such entrance into the service. No provision of this or any other Act relating to automatic separation from the service shall be applicable to any such Official Reporter or person employed by them."

Approved June 21, 1947.

CHAPTER 113]

AN ACT

June 21, 1947
[H. R. 1412]
[Public Law 99]

To grant to the Arthur Alexander Post Numbered 68, The American Legion, of Belzoni, Mississippi, all of the reversionary interest reserved to the United States in lands conveyed to said post pursuant to Act of Congress approved June 29, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reversionary interest reserved to the United States in the lands and improvements comprising the site of lock and dam numbered 1 on the Big Sunflower River, Mississippi, conveyed to the Arthur Alexander Post Numbered 68, The American Legion, of Belzoni, Mississippi, pursuant to Act of Congress, approved June 29, 1938 (52 Stat. 1230), is hereby relinquished and granted to said Arthur Alexander Post Numbered 68, which is hereby authorized to sell, convey, and alienate such property subject only to the perpetual right of the United States of America to flood such part of such land as may be necessary from time to time in the interest of flood control or navigation.

Approved June 21, 1947.

[CHAPTER 114]

AN ACT

June 21, 1947
[H. R. 1874]
[Public Law 100]

To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, as amended and supplemented, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (d) of section 4 of the Federal-Aid Highway Act of 1944, Public Law 521, Seventy-eighth Congress, approved December 20, 1944, is hereby amended by striking out the term "one year" where it appears in said paragraph and inserting in lieu thereof the term "two years".

58 Stat. 840.

Approved June 21, 1947.

[CHAPTER 120]

AN ACT

June 23, 1947
[H. R. 3020]
[Public Law 101]

To amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

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

SHORT TITLE AND DECLARATION OF POLICY

SECTION 1. (a) This Act may be cited as the "Labor Management Relations Act, 1947".

(b) Industrial strife which interferes with the normal flow of commerce and with the full production of articles and commodities for commerce, can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another's legitimate rights in their relations with each other, and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which jeopardize the public health, safety, or interest.

It is the purpose and policy of this Act, in order to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.

TITLE I—AMENDMENT OF NATIONAL LABOR RELATIONS ACT

49 Stat. 449.
29 U. S. C. §§ 151-166.

SEC. 101. The National Labor Relations Act is hereby amended to read as follows:

"FINDINGS AND POLICIES

"SECTION 1. The denial by some employers of the right of employees to organize and the refusal by some employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the

current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

"The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

"Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

"Experience has further demonstrated that certain practices by some labor organizations, their officers, and members have the intent or the necessary effect of burdening or obstructing commerce by preventing the free flow of goods in such commerce through strikes and other forms of industrial unrest or through concerted activities which impair the interest of the public in the free flow of such commerce. The elimination of such practices is a necessary condition to the assurance of the rights herein guaranteed.

Policy of the United States.

"It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

"DEFINITIONS

Post, p. 161.

"SEC. 2. When used in this Act—

"(1) The term 'person' includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

"(2) The term 'employer' includes any person acting as an agent of an employer, directly or indirectly, but shall not include the United States or any wholly owned Government corporation, or any Federal Reserve Bank, or any State or political subdivision thereof, or any corporation or association operating a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

44 Stat. 577.
45 U. S. C. §§ 151-163, 181-188.

"(3) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the Act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not

obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, or any individual employed by an employer subject to the Railway Labor Act, as amended from time to time, or by any other person who is not an employer as herein defined.

44 Stat. 577.
45 U. S. C. §§ 151-163, 181-188.

"(4) The term 'representatives' includes any individual or labor organization.

"(5) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

"(6) The term 'commerce' means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"(7) The term 'affecting commerce' means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

"(8) The term 'unfair labor practice' means any unfair labor practice listed in section 8.

Post, p. 140.

"(9) The term 'labor dispute' includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

"(10) The term 'National Labor Relations Board' means the National Labor Relations Board provided for in section 3 of this Act.

"(11) The term 'supervisor' means any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"(12) The term 'professional employee' means—

"(a) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes; or

"(b) any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (a), and (ii) is performing related work under the supervision of a professional person to qualify himself to become a professional employee as defined in paragraph (a).

"(13) In determining whether any person is acting as an 'agent' of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

"NATIONAL LABOR RELATIONS BOARD

Continuance.

"SEC. 3. (a) The National Labor Relations Board (hereinafter called the 'Board') created by this Act prior to its amendment by the Labor Management Relations Act, 1947, is hereby continued as an agency of the United States, except that the Board shall consist of five instead of three members, appointed by the President by and with the advice and consent of the Senate. Of the two additional members so provided for, one shall be appointed for a term of five years and the other for a term of two years. Their successors, and the successors of the other members, shall be appointed for terms of five years each, excepting that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

Removal of Board member.

Delegation of powers, etc.

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed.

Seal.

Report to Congress and to President.

"(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

General Counsel.

"(d) There shall be a General Counsel of the Board who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The General Counsel of the Board shall exercise general supervision over all attorneys employed by the Board (other than trial examiners and legal assistants to Board members) and over the officers and employees in the regional offices. He shall have final authority, on behalf of the Board, in respect of the investigation of charges and issuance of complaints under section 10, and in respect of the prosecution of such complaints before the Board, and shall have such other duties as the Board may prescribe or as may be provided by law.

Post, p. 146.

Salaries.

"SEC. 4. (a) Each member of the Board and the General Counsel of the Board shall receive a salary of $12,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board shall appoint an executive secretary, and such attorneys, examiners, and regional directors, and such other employees as it may from time to time find necessary for the proper performance of its duties. The Board may not employ any attorneys for the purpose of reviewing transcripts of hearings or preparing drafts of opinions except that any attorney employed for assignment

Employees.

as a legal assistant to any Board member may for such Board member review such transcripts and prepare such drafts. No trial examiner's report shall be reviewed, either before or after its publication, by any person other than a member of the Board or his legal assistant, and no trial examiner shall advise or consult with the Board with respect to exceptions taken to his findings, rulings, or recommendations. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the Board, appear for and represent the Board in any case in court. Nothing in this Act shall be construed to authorize the Board to appoint individuals for the purpose of conciliation or mediation, or for economic analysis.

Review of trial examiner's report.

Use, etc., of other agencies and services.

"(b) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose.

Payment of expenses.

"SEC. 5. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Board in the same case.

Principal office.

"SEC. 6. The Board shall have authority from time to time to make, amend, and rescind, in the manner prescribed by the Administrative Procedure Act, such rules and regulations as may be necessary to carry out the provisions of this Act.

Rules and regulations.

"RIGHTS OF EMPLOYEES

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a) (3).

"UNFAIR LABOR PRACTICES

"SEC. 8. (a) It shall be an unfair labor practice for an employer—

Employer.

"(1) to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7;

"(2) to dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, That subject to rules and regulations made and published by the Board pursuant to section 6, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay;

"(3) by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this Act, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this Act as an unfair labor

practice) to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or the effective date of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made; and (ii) if, following the most recent election held as provided in section 9 (e) the Board shall have certified that at least a majority of the employees eligible to vote in such election have voted to authorize such labor organization to make such an agreement: *Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

"(4) to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act;

"(5) to refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a).

Labor organization or agents.

"(b) It shall be an unfair labor practice for a labor organization or its agents—

"(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

"(2) to cause or attempt to cause an employer to discriminate against an employee in violation of subsection (a) (3) or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

"(3) to refuse to bargain collectively with an employer, provided it is the representative of his employees subject to the provisions of section 9 (a);

Engaging in certain strikes, etc.

"(4) to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is: (A) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person; (B) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9; (C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his

employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act;

Excessive or discriminatory fees.

"(5) to require of employees covered by an agreement authorized under subsection (a) (3) the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the Board finds excessive or discriminatory under all the circumstances. In making such a finding, the Board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected; and

Payment by employer for services not performed.

"(6) to cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed.

"(c) The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit.

"To bargain collectively."

"(d) For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession: *Provided*, That where there is in effect a collective-bargaining contract covering employees in an industry affecting commerce, the duty to bargain collectively shall also mean that no party to such contract shall terminate or modify such contract, unless the party desiring such termination or modification—

"(1) serves a written notice upon the other party to the contract of the proposed termination or modification sixty days prior to the expiration date thereof, or in the event such contract contains no expiration date, sixty days prior to the time it is proposed to make such termination or modification;

"(2) offers to meet and confer with the other party for the purpose of negotiating a new contract or a contract containing the proposed modifications;

"(3) notifies the Federal Mediation and Conciliation Service within thirty days after such notice of the existence of a dispute, and simultaneously therewith notifies any State or Territorial agency established to mediate and conciliate disputes within the State or Territory where the dispute occurred, provided no agreement has been reached by that time; and

"(4) continues in full force and effect, without resorting to strike or lock-out, all the terms and conditions of the existing contract for a period of sixty days after such notice is given or until the expiration date of such contract, whichever occurs later: The duties imposed upon employers, employees, and labor organizations by paragraphs (2), (3), and (4) shall become inapplicable upon an intervening certification of the Board, under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 9 (a), and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the sixty-day period specified in this subsection shall lose his status as an employee of the employer engaged in the particular labor dispute, for the purposes of sections 8, 9, and 10 of this Act, as amended, but such loss of status for such employee shall terminate if and when he is reemployed by such employer.

Intervening certification of Board.

Loss of status by employee.

"REPRESENTATIVES AND ELECTIONS

"SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective-bargaining contract or agreement then in effect: *Provided further*, That the bargaining representative has been given opportunity to be present at such adjustment.

"(b) The Board shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this Act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof: *Provided*, That the Board shall not (1) decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; or (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation or (3) decide that any unit is appropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises; but no labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards.

Decision of Board regarding appropriate unit.

Investigation of petition; hearing.

"(c) (1) Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board—

"(A) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in section 9 (a), or (ii) assert that the individual or labor organization, which has been certified or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 9 (a); or

"(B) by an employer, alleging that one or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in section 9 (a);

the Board shall investigate such petition and if it has reasonable cause to believe that a question of representation affecting commerce exists shall provide for an appropriate hearing upon due notice. Such hearing may be conducted by an officer or employee of the regional office, who shall not make any recommendations with respect thereto. If the Board finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof.

Election by secret ballot.

"(2) In determining whether or not a question of representation affecting commerce exists, the same regulations and rules of decision shall apply irrespective of the identity of the persons filing the petition or the kind of relief sought and in no case shall the Board deny a labor organization a place on the ballot by reason of an order with respect to such labor organization or its predecessor not issued in conformity with section 10 (c).

"(3) No election shall be directed in any bargaining unit or any subdivision within which, in the preceding twelve-month period, a valid election shall have been held. Employees on strike who are not entitled to reinstatement shall not be eligible to vote. In any election where none of the choices on the ballot receives a majority, a run-off shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election.

"(4) Nothing in this section shall be construed to prohibit the waiving of hearings by stipulation for the purpose of a consent election in conformity with regulations and rules of decision of the Board.

"(5) In determining whether a unit is appropriate for the purposes specified in subsection (b) the extent to which the employees have organized shall not be controlling.

Post, p. 147.

"(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under section 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

Petition to make agreement with employer.

"(e) (1) Upon the filing with the Board by a labor organization, which is the representative of employees as provided in section 9 (a), of a petition alleging that 30 per centum or more of the employees within a unit claimed to be appropriate for such purposes desire to authorize such labor organization to make an agreement with the employer of such employees requiring membership in such labor organ-

ization as a condition of employment in such unit, upon an appropriate showing thereof the Board shall, if no question of representation exists, take a secret ballot of such employees, and shall certify the results thereof to such labor organization and to the employer.

"(2) Upon the filing with the Board, by 30 per centum or more of the employees in a bargaining unit covered by an agreement between their employer and a labor organization made pursuant to section 8 (a) (3) (ii), of a petition alleging they desire that such authority be rescinded, the Board shall take a secret ballot of the employees in such unit, and shall certify the results thereof to such labor organization and to the employer.

"(3) No election shall be conducted pursuant to this subsection in any bargaining unit or any subdivision within which, in the preceding twelve-month period, a valid election shall have been held.

Filing of constitution, etc., prior to action by Board.

"(f) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless such labor organization and any national or international labor organization of which such labor organization is an affiliate or constituent unit (A) shall have prior thereto filed with the Secretary of Labor copies of its constitution and bylaws and a report, in such form as the Secretary may prescribe, showing—

"(1) the name of such labor organization and the address of its principal place of business;

"(2) the names, titles, and compensation and allowances of its three principal officers and of any of its other officers or agents whose aggregate compensation and allowances for the preceding year exceeded $5,000, and the amount of the compensation and allowances paid to each such officer or agent during such year;

"(3) the manner in which the officers and agents referred to in clause (2) were elected, appointed, or otherwise selected;

"(4) the initiation fee or fees which new members are required to pay on becoming members of such labor organization;

"(5) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization;

"(6) a detailed statement of, or reference to provisions of its constitution and bylaws showing the procedure followed with respect to, (a) qualification for or restrictions on membership, (b) election of officers and stewards, (c) calling of regular and special meetings, (d) levying of assessments, (e) imposition of fines, (f) authorization for bargaining demands, (g) ratification of contract terms, (h) authorization for strikes, (i) authorization for disbursement of union funds, (j) audit of union financial transactions, (k) participation in insurance or other benefit plans, and (l) expulsion of members and the grounds therefor;

and (B) can show that prior thereto it has—

Report showing receipts, etc.

"(1) filed with the Secretary of Labor, in such form as the Secretary may prescribe, a report showing all of (a) its receipts of any kind and the sources of such receipts, (b) its total assets and liabilities as of the end of its last fiscal year, (c) the disbursements made by it during such fiscal year, including the purposes for which made; and

"(2) furnished to all of the members of such labor organization copies of the financial report required by paragraph (1) hereof to be filed with the Secretary of Labor.

Obligation of labor organizations to file annual reports.

"(g) It shall be the obligation of all labor organizations to file annually with the Secretary of Labor, in such form as the Secretary of Labor may prescribe, reports bringing up to date the information required to be supplied in the initial filing by subsection (f) (A) of this section, and to file with the Secretary of Labor and furnish to its members annually financial reports in the form and manner prescribed in subsection (f) (B). No labor organization shall be eligible for certification under this section as the representative of any employees, no petition under section 9 (e) (1) shall be entertained, and no complaint shall issue under section 10 with respect to a charge filed by a labor organization unless it can show that it and any national or international labor organization of which it is an affiliate or constituent unit has complied with its obligation under this subsection.

Affidavit that labor officer is not member of Communist Party, etc.

"(h) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding twelve-month period by each officer of such labor organization and the officers of any national or international labor organization of which it is an affiliate or constituent unit that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35 A of the Criminal Code shall be applicable in respect to such affidavits.

52 Stat. 197.
18 U. S. C. §§ 80, 83–85.

"PREVENTION OF UNFAIR LABOR PRACTICES

Powers of Board.

"SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, or otherwise: *Provided*, That the Board is empowered by agreement with any agency of any State or Territory to cede to such agency jurisdiction over any cases in any industry (other than mining, manufacturing, communications, and transportation except where predominantly local in character) even though such cases may involve labor disputes affecting commerce, unless the provision of the State or Territorial statute applicable to the determination of such cases by such agency is inconsistent with the corresponding provision of this Act or has received a construction inconsistent therewith.

Issuance of complaint, etc.

"(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Board, or any agent or agency designated by the Board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the Board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint: *Provided*, That no complaint shall issue based upon any unfair labor practice occurring more than six months prior to the filing of the charge with the Board and the service of a copy thereof upon the person against whom such charge is made, unless the person aggrieved thereby was prevented from filing such charge by reason of service in the armed forces, in which event the six-month period shall be computed from the day of his discharge. Any such complaint may be amended by the member, agent, or agency conducting the hearing

or the Board in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent, or agency conducting the hearing or the Board, any other person may be allowed to intervene in the said proceeding and to present testimony. Any such proceeding shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the district courts of the United States under the rules of civil procedure for the district courts of the United States, adopted by the Supreme Court of the United States pursuant to the Act of June 19, 1934 (U. S. C., title 28, secs. 723–B, 723–C).

48 Stat. 1064.
28 U. S. C. §§ 723b, 723c.

"(c) The testimony taken by such member, agent, or agency or the Board shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon the preponderance of the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action including reinstatement of employees with or without back pay, as will effectuate the policies of this Act: *Provided*, That where an order directs reinstatement of an employee, back pay may be required of the employer or labor organization, as the case may be, responsible for the discrimination suffered by him: *And provided further*, That in determining whether a complaint shall issue alleging a violation of section 8 (a) (1) or section 8 (a) (2), and in deciding such cases, the same regulations and rules of decision shall apply irrespective of whether or not the labor organization affected is affiliated with a labor organization national or international in scope. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon the preponderance of the testimony taken the Board shall not be of the opinion that the person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint. No order of the Board shall require the reinstatement of any individual as an employee who has been suspended or discharged, or the payment to him of any back pay, if such individual was suspended or discharged for cause. In case the evidence is presented before a member of the Board, or before an examiner or examiners thereof, such member, or such examiner or examiners, as the case may be, shall issue and cause to be served on the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Board, and if no exceptions are filed within twenty days after service thereof upon such parties, or within such further period as the Board may authorize, such recommended order shall become the order of the Board and become effective as therein prescribed.

Testimony.

Back pay.

Applicability of rules of decision, etc.

Order dismissing complaint, etc.

"(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

Modification, etc., by Board of finding or order.

"(e) The Board shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district

Petition to court for enforcement of order, etc.

court of the United States (including the District Court of the United States for the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceedings, including the pleadings and testimony upon which such order was entered and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, agent, or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its members, agent, or agency, and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Findings of Board.

Jurisdiction of court, etc.

36 Stat. 1157.

Review of order.

"(f) Any person aggrieved by a final order of the Board granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered, and the findings and order of the Board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Board under subsection (e), and shall have the same exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; the findings of the Board with

respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive.

"(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board's order.

"(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order on the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

47 Stat. 70.
29 U. S. C. §§ 101–115.

"(i) Petitions filed under this Act shall be heard expeditiously, and if possible within ten days after they have been docketed.

Petition to court for temporary relief, etc.

"(j) The Board shall have power, upon issuance of a complaint as provided in subsection (b) charging that any person has engaged in or is engaging in an unfair labor practice, to petition any district court of the United States (including the District Court of the United States for the District of Columbia), within any district wherein the unfair labor practice in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper.

Power of Board to determine dispute.

"(k) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4) (D) of section 8 (b), the Board is empowered and directed to hear and determine the dispute out of which such unfair labor practice shall have arisen, unless, within ten days after notice that such charge has been filed, the parties to such dispute submit to the Board satisfactory evidence that they have adjusted, or agreed upon methods for the voluntary adjustment of, the dispute. Upon compliance by the parties to the dispute with the decision of the Board or upon such voluntary adjustment of the dispute, such charge shall be dismissed.

Preliminary investigation of charge.

"(l) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4) (A), (B), or (C) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional attorney to whom the matter may be referred has reasonable cause to believe such charge is true and that a complaint should issue, he shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question has occurred, is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of any such petition the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law: *Provided further*, That no temporary restraining order shall be issued without notice unless a petition alleges that substantial and irreparable injury to the charging party will be unavoidable and such temporary restraining order shall be effective for no longer than five days and will become void at the expiration of such period. Upon filing of any such petition the courts shall cause notice thereof to be served upon any person involved in the charge and such person, including the charging

Petition for injunctive relief.

party, shall be given an opportunity to appear by counsel and present any relevant testimony: *Provided further*, That for the purposes of this subsection district courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in promoting or protecting the interests of employee members. The service of legal process upon such officer or agent shall constitute service upon the labor organization and make such organization a party to the suit. In situations where such relief is appropriate the procedure specified herein shall apply to charges with respect to section 8 (b) (4) (D).

Ante, p. 142.

"INVESTIGATORY POWERS

"SEC. 11. For the purpose of all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it by section 9 and section 10—

Ante, p. 143.

Access to evidence.

"(1) The Board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. The Board, or any member thereof, shall upon application of any party to such proceedings, forthwith issue to such party subpenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within five days after the service of a subpena on any person requiring the production of any evidence in his possession or under his control, such person may petition the Board to revoke, and the Board shall revoke, such subpena if in its opinion the evidence whose production is required does not relate to any matter under investigation, or any matter in question in such proceedings, or if in its opinion such subpena does not describe with sufficient particularity the evidence whose production is required. Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

Issuance of subpenas.

Administration of oaths, etc.

Refusal to obey subpena, etc.

"(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is

compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(4) Complaints, orders, and other process and papers of the Board, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

Service of complaints, orders, etc.

Payment of witnesses.

"(5) All process of any court to which application may be made under this Act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

"(6) The several departments and agencies of the Government, when directed by the President, shall furnish the Board, upon its request, all records, papers, and information in their possession relating to any matter before the Board.

Records of departments, etc.

"SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this Act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or both.

Penalty.

"LIMITATIONS

"SEC. 13. Nothing in this Act, except as specifically provided for herein, shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right.

Right to strike.

"SEC. 14. (a) Nothing herein shall prohibit any individual employed as a supervisor from becoming or remaining a member of a labor organization, but no employer subject to this Act shall be compelled to deem individuals defined herein as supervisors as employees for the purpose of any law, either national or local, relating to collective bargaining.

Supervisors.

"(b) Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

Execution of agreements requiring membership, etc.

"SEC. 15. Wherever the application of the provisions of section 272 of chapter 10 of the Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto (U. S. C., title 11, sec. 672), conflicts with the application of the provisions of this Act, this Act shall prevail: *Provided*, That in any situation where the provisions of this Act cannot be validly enforced, the provisions of such other Acts shall remain in full force and effect.

Conflict with other laws.

52 Stat. 904.

"SEC. 16. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Separability of provisions.

Short title.

"SEC. 17. This Act may be cited as the 'National Labor Relations Act'."

EFFECTIVE DATE OF CERTAIN CHANGES

Unfair labor practice.

SEC. 102. No provision of this title shall be deemed to make an unfair labor practice any act which was performed prior to the date of the enactment of this Act which did not constitute an unfair labor practice prior thereto, and the provisions of section 8 (a) (3) and section 8 (b) (2) of the National Labor Relations Act as amended by this title shall not make an unfair labor practice the performance of any obligation under a collective-bargaining agreement entered into prior to the date of the enactment of this Act, or (in the case of an agreement for a period of not more than one year) entered into on or after such date of enactment, but prior to the effective date of this title, if the performance of such obligation would not have constituted an unfair labor practice under section 8 (3) of the National Labor Relations Act prior to the effective date of this title, unless such agreement was renewed or extended subsequent thereto.

Ante, pp. 140, 141.

Certification of representatives, etc.

SEC. 103. No provisions of this title shall affect any certification of representatives or any determination as to the appropriate collective-bargaining unit, which was made under section 9 of the National Labor Relations Act prior to the effective date of this title until one year after the date of such certification or if, in respect of any such certification, a collective-bargaining contract was entered into prior to the effective date of this title, until the end of the contract period or until one year after such date, whichever first occurs.

49 Stat. 453.
29 U. S. C. § 159.
Ante, p. 143.

Amendments made by Title I.

SEC. 104. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act, except that the authority of the President to appoint certain officers conferred upon him by section 3 of the National Labor Relations Act as amended by this title may be exercised forthwith.

Ante, p. 139.

TITLE II—CONCILIATION OF LABOR DISPUTES IN INDUSTRIES AFFECTING COMMERCE; NATIONAL EMERGENCIES

SEC. 201. That it is the policy of the United States that—

(a) sound and stable industrial peace and the advancement of the general welfare, health, and safety of the Nation and of the best interests of employers and employees can most satisfactorily be secured by the settlement of issues between employers and employees through the processes of conference and collective bargaining between employers and the representatives of their employees;

(b) the settlement of issues between employers and employees through collective bargaining may be advanced by making available full and adequate governmental facilities for conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts to settle their differences by mutual agreement reached through conferences and collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes; and

(c) certain controversies which arise between parties to collective-bargaining agreements may be avoided or minimized by making available full and adequate governmental facilities for furnishing assistance to employers and the representatives of their employees in formulating for inclusion within such agreements provision for adequate notice of any proposed changes in the

terms of such agreements, for the final adjustment of grievances or questions regarding the application or interpretation of such agreements, and other provisions designed to prevent the subsequent arising of such controversies.

Federal Mediation and Conciliation Service.

Post, p. 615.

SEC. 202. (a) There is hereby created an independent agency to be known as the Federal Mediation and Conciliation Service (herein referred to as the "Service", except that for sixty days after the date of the enactment of this Act such term shall refer to the Conciliation Service of the Department of Labor). The Service shall be under the direction of a Federal Mediation and Conciliation Director (hereinafter referred to as the "Director"), who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,000 per annum. The Director shall not engage in any other business, vocation, or employment.

Director.

Appointment, etc., of personnel.

(b) The Director is authorized, subject to the civil-service laws, to appoint such clerical and other personnel as may be necessary for the execution of the functions of the Service, and shall fix their compensation in accordance with the Classification Act of 1923, as amended, and may, without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such conciliators and mediators as may be necessary to carry out the functions of the Service. The Director is authorized to make such expenditures for supplies, facilities, and services as he deems necessary. Such expenditures shall be allowed and paid upon presentation of itemized vouchers therefor approved by the Director or by any employee designated by him for that purpose.

42 Stat. 1488.
5 U. S. C §§ 661-674.

Expenditures.

Principal office, etc.

(c) The principal office of the Service shall be in the District of Columbia, but the Director may establish regional offices convenient to localities in which labor controversies are likely to arise. The Director may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this Act to any regional director, or other officer or employee of the Service. The Director may establish suitable procedures for cooperation with State and local mediation agencies. The Director shall make an annual report in writing to Congress at the end of the fiscal year.

Delegation of authority.

Report to Congress.

Transfer of functions, etc.

(d) All mediation and conciliation functions of the Secretary of Labor or the United States Conciliation Service under section 8 of the Act entitled "An Act to create a Department of Labor", approved March 4, 1913 (U. S. C., title 29, sec. 51), and all functions of the United States Conciliation Service under any other law are hereby transferred to the Federal Mediation and Conciliation Service, together with the personnel and records of the United States Conciliation Service. Such transfer shall take effect upon the sixtieth day after the date of enactment of this Act. Such transfer shall not affect any proceedings pending before the United States Conciliation Service or any certification, order, rule, or regulation theretofore made by it or by the Secretary of Labor. The Director and the Service shall not be subject in any way to the jurisdiction or authority of the Secretary of Labor or any official or division of the Department of Labor.

37 Stat. 738.

FUNCTIONS OF THE SERVICE

Conciliation and mediation.

SEC. 203. (a) It shall be the duty of the Service, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.

Proffer of services.

(b) The Service may proffer its services in any labor dispute in any industry affecting commerce, either upon its own motion or upon the

request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption of commerce. The Director and the Service are directed to avoid attempting to mediate disputes which would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties. Whenever the Service does proffer its services in any dispute, it shall be the duty of the Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

(c) If the Director is not able to bring the parties to agreement by conciliation within a reasonable time, he shall seek to induce the parties voluntarily to seek other means of settling the dispute without resort to strike, lock-out, or other coercion, including submission to the employees in the bargaining unit of the employer's last offer of settlement for approval or rejection in a secret ballot. The failure or refusal of either party to agree to any procedure suggested by the Director shall not be deemed a violation of any duty or obligation imposed by this Act.

(d) Final adjustment by a method agreed upon by the parties is hereby declared to be the desirable method for settlement of grievance disputes arising over the application or interpretation of an existing collective-bargaining agreement. The Service is directed to make its conciliation and mediation services available in the settlement of such grievance disputes only as a last resort and in exceptional cases.

Maintenance of agreements, etc., by employers and employees.

SEC. 204. (a) In order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, employers and employees and their representatives, in any industry affecting commerce, shall—

(1) exert every reasonable effort to make and maintain agreements concerning rates of pay, hours, and working conditions, including provision for adequate notice of any proposed change in the terms of such agreements;

(2) whenever a dispute arises over the terms or application of a collective-bargaining agreement and a conference is requested by a party or prospective party thereto, arrange promptly for such a conference to be held and endeavor in such conference to settle such dispute expeditiously; and

(3) in case such dispute is not settled by conference, participate fully and promptly in such meetings as may be undertaken by the Service under this Act for the purpose of aiding in a settlement of the dispute.

National Labor-Management Panel.
Post, p. 615.

SEC. 205. (a) There is hereby created a National Labor-Management Panel which shall be composed of twelve members appointed by the President, six of whom shall be selected from among persons outstanding in the field of management and six of whom shall be selected from among persons outstanding in the field of labor. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. Members of the panel, when serving on business of the panel, shall be paid compensation at the rate of $25 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

Pay and allowances.

Duty.

(b) It shall be the duty of the panel, at the request of the Director, to advise in the avoidance of industrial controversies and the manner

in which mediation and voluntary adjustment shall be administered, particularly with reference to controversies affecting the general welfare of the country.

NATIONAL EMERGENCIES

Board of inquiry. *Post*, p. 615.

SEC. 206. Whenever in the opinion of the President of the United States, a threatened or actual strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its position but shall not contain any recommendations. The President shall file a copy of such report with the Service and shall make its contents available to the public.

Report.

Members; powers.

SEC. 207. (a) A board of inquiry shall be composed of a chairman and such other members as the President shall determine, and shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private, as it may deem necessary or proper, to ascertain the facts with respect to the causes and circumstances of the dispute.

Pay and expenses.

(b) Members of a board of inquiry shall receive compensation at the rate of $50 for each day actually spent by them in the work of the board, together with necessary travel and subsistence expenses.

Attendance of witnesses, etc.

(c) For the purpose of any hearing or inquiry conducted by any board appointed under this title, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U. S. C. 19, title 15, secs. 49 and 50, as amended), are hereby made applicable to the powers and duties of such board.

38 Stat. 722, 723.

Enjoining of strike, etc.

SEC. 208. (a) Upon receiving a report from a board of inquiry the President may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin such strike or lock-out or the continuing thereof, and if the court finds that such threatened or actual strike or lock-out—

(i) affects an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce; and

(ii) if permitted to occur or to continue, will imperil the national health or safety, it shall have jurisdiction to enjoin any such strike or lock-out, or the continuing thereof, and to make such other orders as may be appropriate.

47 Stat. 70.
29 U. S. C. §§ 101-115.

(b) In any case, the provisions of the Act of March 23, 1932, entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", shall not be applicable.

(c) The order or orders of the court shall be subject to review by the appropriate circuit court of appeals and by the Supreme Court upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 29, secs. 346 and 347).

36 Stat. 1157.
28 U. S. C. §§ 346, 347.

SEC. 209. (a) Whenever a district court has issued an order under section 208 enjoining acts or practices which imperil or threaten to imperil the national health or safety, it shall be the duty of the parties to the labor dispute giving rise to such order to make every effort to

adjust and settle their differences, with the assistance of the Service created by this Act. Neither party shall be under any duty to accept, in whole or in part, any proposal of settlement made by the Service.

Reconvening of board of inquiry.

(b) Upon the issuance of such order, the President shall reconvene the board of inquiry which has previously reported with respect to the dispute. At the end of a sixty-day period (unless the dispute has been settled by that time), the board of inquiry shall report to the President the current position of the parties and the efforts which have been made for settlement, and shall include a statement by each party of its position and a statement of the employer's last offer of settlement. The President shall make such report available to the public. The National Labor Relations Board, within the succeeding fifteen days, shall take a secret ballot of the employees of each employer involved in the dispute on the question of whether they wish to accept the final offer of settlement made by their employer as stated by him and shall certify the results thereof to the Attorney General within five days thereafter.

Secret ballot of employees.

Discharge of injunction.

SEC. 210. Upon the certification of the results of such ballot or upon a settlement being reached, whichever happens sooner, the Attorney General shall move the court to discharge the injunction, which motion shall then be granted and the injunction discharged. When such motion is granted, the President shall submit to the Congress a full and comprehensive report of the proceedings, including the findings of the board of inquiry and the ballot taken by the National Labor Relations Board, together with such recommendations as he may see fit to make for consideration and appropriate action.

Report to Congress.

COMPILATION OF COLLECTIVE BARGAINING AGREEMENTS, ETC.

SEC. 211. (a) For the guidance and information of interested representatives of employers, employees, and the general public, the Bureau of Labor Statistics of the Department of Labor shall maintain a file of copies of all available collective bargaining agreements and other available agreements and actions thereunder settling or adjusting labor disputes. Such file shall be open to inspection under appropriate conditions prescribed by the Secretary of Labor, except that no specific information submitted in confidence shall be disclosed.

(b) The Bureau of Labor Statistics in the Department of Labor is authorized to furnish upon request of the Service, or employers, employees, or their representatives, all available data and factual information which may aid in the settlement of any labor dispute, except that no specific information submitted in confidence shall be disclosed.

EXEMPTION OF RAILWAY LABOR ACT

SEC. 212. The provisions of this title shall not be applicable with respect to any matter which is subject to the provisions of the Railway Labor Act, as amended from time to time.

44 Stat. 577.
45 U. S. C. §§ 151-163, 181-188.

TITLE III

SUITS BY AND AGAINST LABOR ORGANIZATIONS

Violation of contracts.

SEC. 301. (a) Suits for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce as defined in this Act, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties.

Acts of agents.

(b) Any labor organization which represents employees in an industry affecting commerce as defined in this Act and any employer

whose activities affect commerce as defined in this Act shall be bound by the acts of its agents. Any such labor organization may sue or be sued as an entity and in behalf of the employees whom it represents in the courts of the United States. Any money judgment against a labor organization in a district court of the United States shall be enforceable only against the organization as an entity and against its assets, and shall not be enforceable against any individual member or his assets.

Jurisdiction of district courts.

(c) For the purposes of actions and proceedings by or against labor organizations in the district courts of the United States, district courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in representing or acting for employee members.

Service of summons upon agent, etc.

(d) The service of summons, subpena, or other legal process of any court of the United States upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

(e) For the purposes of this section, in determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

RESTRICTIONS ON PAYMENTS TO EMPLOYEE REPRESENTATIVES

Payment, etc., by employer.

SEC. 302. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce.

Acceptance, etc., by representative.

(b) It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

Nonapplicability of section.

(c) The provisions of this section shall not be applicable (1) with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; or (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or

Written assignment from employee.

Payments held in trust for benefit of employees, etc.

death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of the employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities.

Penalty.

(d) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be guilty of a misdemeanor and be subject to a fine of not more than $10,000 or to imprisonment for not more than one year, or both.

(e) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 28, sec. 381), to restrain violations of this section, without regard to the provisions of sections 6 and 20 of such Act of October 15, 1914, as amended (U. S. C., title 15, sec. 17, and title 29, sec. 52), and the provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (U. S. C., title 29, secs. 101–115).

38 Stat. 737.

38 Stat. 731, 738.

47 Stat. 70.

Nonapplicability of section.

(f) This section shall not apply to any contract in force on the date of enactment of this Act, until the expiration of such contract, or until July 1, 1948, whichever first occurs.

Contributions to trust funds.

(g) Compliance with the restrictions contained in subsection (c) (5) (B) upon contributions to trust funds, otherwise lawful, shall not be applicable to contributions to such trust funds established by collective agreement prior to January 1, 1946, nor shall subsection (c) (5) (A) be construed as prohibiting contributions to such trust funds if prior to January 1, 1947, such funds contained provisions for pooled vacation benefits.

BOYCOTTS AND OTHER UNLAWFUL COMBINATIONS

SEC. 303. (a) It shall be unlawful, for the purposes of this section only, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport,

or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

(1) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act; *Ante*, p. 143.

(3) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act; *Ante*, p. 143.

(4) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class unless such employer is failing to conform to an order or certification of the National Labor Relations Board determining the bargaining representative for employees performing such work. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act. *Ante*, p. 136.

(b) Whoever shall be injured in his business or property by reason or any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

RESTRICTION ON POLITICAL CONTRIBUTIONS

SEC. 304. Section 313 of the Federal Corrupt Practices Act, 1925 (U. S. C., 1940 edition, title 2, sec. 251; Supp. V, title 50, App., sec. 1509), as amended, is amended to read as follows: 43 Stat. 1074.

"SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of Penalty.

"Labor organization."

this section shall be fined not more than $1,000 or imprisoned for not more than one year, or both. For the purposes of this section 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

STRIKES BY GOVERNMENT EMPLOYEES

SEC. 305. It shall be unlawful for any individual employed by the United States or any agency thereof including wholly owned Government corporations to participate in any strike. Any individual employed by the United States or by any such agency who strikes shall be discharged immediately from his employment, and shall forfeit his civil service status, if any, and shall not be eligible for reemployment for three years by the United States or any such agency.

TITLE IV

CREATION OF JOINT COMMITTEE TO STUDY AND REPORT ON BASIC PROBLEMS AFFECTING FRIENDLY LABOR RELATIONS AND PRODUCTIVITY

Joint Committee on Labor-Management Relations.

SEC. 401. There is hereby established a joint congressional committee to be known as the Joint Committee on Labor-Management Relations (hereafter referred to as the committee), and to be composed of seven Members of the Senate Committee on Labor and Public Welfare, to be appointed by the President pro tempore of the Senate, and seven Members of the House of Representatives Committee on Education and Labor, to be appointed by the Speaker of the House of Representatives. A vacancy in membership of the committee shall not affect the powers of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection. The committee shall select a chairman and a vice chairman from among its members.

Study and investigation.

SEC. 402. The committee, acting as a whole or by subcommittee, shall conduct a thorough study and investigation of the entire field of labor-management relations, including but not limited to—

(1) the means by which permanent friendly cooperation between employers and employees and stability of labor relations may be secured throughout the United States;

(2) the means by which the individual employee may achieve a greater productivity and higher wages, including plans for guaranteed annual wages, incentive profit-sharing and bonus systems;

(3) the internal organization and administration of labor unions, with special attention to the impact on individuals of collective agreements requiring membership in unions as a condition of employment;

(4) the labor relations policies and practices of employers and associations of employers;

(5) the desirability of welfare funds for the benefit of employees and their relation to the social-security system;

(6) the methods and procedures for best carrying out the collective-bargaining processes, with special attention to the effects of industry-wide or regional bargaining upon the national economy;

(7) the administration and operation of existing Federal laws relating to labor relations; and

(8) such other problems and subjects in the field of labor-management relations as the committee deems appropriate.

Report to Congress.

SEC. 403. The committee shall report to the Senate and the House

of Representatives not later than March 15, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable, and shall make its final report not later than January 2, 1949.

SEC. 404. The committee shall have the power, without regard to the civil-service laws and the Classification Act of 1923, as amended, to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, including consultants who shall receive compensation at a rate not to exceed $35 for each day actually spent by them in the work of the committee, together with their necessary travel and subsistence expenses. The committee is further authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of all agencies in the executive branch of the Government and may request the governments of the several States, representatives of business, industry, finance, and labor, and such other persons, agencies, organizations, and instrumentalities as it deems appropriate to attend its hearings and to give and present information, advice, and recommendations.

Powers.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

SEC. 405. The committee, or any subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eightieth Congress; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer oaths; to take such testimony; to have such printing and binding done; and to make such expenditures within the amount appropriated therefor; as it deems advisable. The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per one hundred words. Subpenas shall be issued under the signature of the chairman or vice chairman of the committee and shall be served by any person designated by them.

SEC. 406. The members of the committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the committee, other than expenses in connection with meetings of the committee held in the District of Columbia during such times as the Congress is in session.

Reimbursement for expenses.

SEC. 407. There is hereby authorized to be appropriated the sum of $150,000, or so much thereof as may be necessary, to carry out the provisions of this title, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman.

Appropriation authorized.
Post, p. 611.

TITLE V

DEFINITIONS

Ante, p. 137.

SEC. 501. When used in this Act—

(1) The term "industry affecting commerce" means any industry or activity in commerce or in which a labor dispute would burden or obstruct commerce or tend to burden or obstruct commerce or the free flow of commerce.

(2) The term "strike" includes any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slow-down or other concerted interruption of operations by employees.

(3) The terms "commerce", "labor disputes", "employer", "employee", "labor organization", "representative", "person", and "supervisor" shall have the same meaning as when used in the National Labor Relations Act as amended by this Act.

Ante, p. 136.

SAVING PROVISION

SEC. 502. Nothing in this Act shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this Act be construed to make the quitting of his labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent; nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for work at the place of employment of such employee or employees be deemed a strike under this Act.

SEPARABILITY

SEC. 503. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

JOSEPH W. MARTIN JR.
Speaker of the House of Representatives.

A H VANDENBERG.
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 20, 1947.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 3020) entitled "An Act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

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

Attest:

JOHN ANDREWS
Clerk.

Certificate of origin.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
June 23 (legislative day, April 21), 1947.

Certificate of Senate.

The Senate having proceeded to reconsider the bill (H. R. 3020) "An Act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

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

Attest:

CARL A. LOEFFLER
Secretary.

[CHAPTER 121]

AN ACT

To provide for emergency flood-control work made necessary by recent floods, and for other purposes.

June 23, 1947
[H. R. 3792]
[Public Law 102]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $15,000,000 is hereby authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by recent floods, or which may be threatened or destroyed by later floods: *Provided*, That pending the appropriation of said sum, the Secretary of War may allot, from existing flood-control appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriation herein authorized when made: *Provided further*, That funds allotted under this authority shall not be diverted from the unobligated funds from the appropriation "Flood control, general", made available in War Department Civil Functions Appropriation Acts for specific purposes.

Appropriation authorized.
Post, p. 187.

Allotments from existing appropriations.

SEC. 2. The provisions of section 1 shall be deemed to be additional and supplemental to, and not in lieu of, existing general legislation authorizing allocation of flood-control funds for restoration of flood-control works threatened or destroyed by flood.

Approved June 23, 1947.

[CHAPTER 124]

AN ACT

To amend the Act entitled "An Act to provide for a permanent Census Office", approved March 6, 1902, as amended (the collection and publication of statistical information by the Bureau of the Census).

June 25, 1947
[S. 614]
[Public Law 103]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to provide for a permanent Census Office", approved March 6, 1902, as amended (U. S. C., title 13, sec. 111), is amended by adding at the end of the first sentence thereof the words: "*Provided*, That where the doctrine, teaching, or discipline of any religious denomination or church prohibits the disclosure of information relative to membership, such information shall not be required."

32 Stat. 52.

Approved June 25, 1947.

[CHAPTER 125]

AN ACT

To regulate the marketing of economic poisons and devices, and for other purposes.

June 25, 1947
[H. R. 1237]
[Public Law 104]

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

TITLE

SECTION 1. This Act may be cited as the "Federal Insecticide, Fungicide, and Rodenticide Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

a. The term "economic poison" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, weeds, and other forms of plant

"Economic poison."

or animal life or viruses, except viruses on or in living man or other animals, which the Secretary shall declare to be a pest.

"Device."

b. The term "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating insects or rodents or destroying, repelling, or mitigating fungi or such other pests as may be designated by the Secretary, but not including equipment used for the application of economic poisons when sold separately therefrom.

"Insecticide."

c. The term "insecticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects which may be present in any environment whatsoever.

"Fungicide."

d. The term "fungicide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any fungi.

"Rodenticide."

e. The term "rodenticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating rodents or any other vertebrate animal which the Secretary shall declare to be a pest.

"Herbicide."

f. The term "herbicide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any weed.

"Weed."

g. The term "weed" means any plant which grows where not wanted.

"Insect."

h. The term "insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising six-legged, usually winged forms, as, for example, beetles, bugs, bees, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as, for example, spiders, mites, ticks, centipedes, and wood lice.

"Fungi."

i. The term "fungi" means all non-chlorophyll-bearing thallophytes (that is, all non-chlorophyll-bearing plants of a lower order than mosses and liverworts) as, for example, rusts, smuts, mildews, molds, yeasts, and bacteria, except those on or in living man or other animals.

"Ingredient statement."

j. The term "ingredient statement" means either—

(1) a statement of the name and percentage of each active ingredient, together with the total percentage of the inert ingredients, in the economic poison; or

(2) a statement of the name of each active ingredient, together with the name of each and total percentage of the inert ingredients, if any there be, in the economic poison (except option 1 shall apply if the preparation is highly toxic to man, determined as provided in section 6 of this Act);

Post, p. 168.

and, in addition to (1) or (2) in case the economic poison contains arsenic in any form, a statement of the percentages of total and water soluble arsenic, each calculated as elemental arsenic.

"Active ingredient."

k. The term "active ingredient" means an ingredient which will prevent, destroy, repel, or mitigate insects, fungi, rodents, weeds or other pests.

"Inert ingredient."

l. The term "inert ingredient" means an ingredient which is not active.

"Antidote."

m. The term "antidote" means a practical immediate treatment in case of poisoning and includes first-aid treatment.

"Person."

n. The term "person" means any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.

"Territory."

o. The term "Territory" means any Territory or possession of the United States, excluding the Canal Zone.

"Secretary."

p. The term "Secretary" means the Secretary of Agriculture.

"Registrant."

q. The term "registrant" means the person registering any economic poison pursuant to the provisions of this Act.

r. The term "label" means the written, printed, or graphic matter on, or attached to, the economic poison or device or the immediate container thereof, and the outside container or wrapper of the retail package, if any there be, of the economic poison or device. "Label."

s. The term "labeling" means all labels and other written, printed, or graphic matter— "Labeling."

(1) upon the economic poison or device or any of its containers or wrappers;

(2) accompanying the economic poison or device at any time;

(3) to which reference is made on the label or in literature accompanying the economic poison or device, except to current official publications of the United States Departments of Agriculture and Interior, the United States Public Health Service, State experiment stations, State agricultural colleges, and other similar Federal or State institutions or agencies authorized by law to conduct research in the field of economic poisons;

t. The term "adulterated" shall apply to any economic poison if its strength or purity falls below the professed standard or quality as expressed on its labeling or under which it is sold, or if any substance has been substituted wholly or in part for the article, or if any valuable constituent of the article has been wholly or in part abstracted. "Adulterated."

u. The term "misbranded" shall apply— "Misbranded."

(1) to any economic poison or device if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) to any economic poison—

(a) if it is an imitation of or is offered for sale under the name of another economic poison;

(b) if its labeling bears any reference to registration under this Act;

(c) if the labeling accompanying it does not contain directions for use which are necessary and if complied with adequate for the protection of the public;

(d) if the label does not contain a warning or caution statement which may be necessary and if complied with adequate to prevent injury to living man and other vertebrate animals, vegetation, and useful invertebrate animals;

(e) if the label does not bear an ingredient statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement on the immediate container cannot be clearly read, of the retail package which is presented or displayed under customary conditions of purchase: *Provided*, That the Secretary may permit the ingredient statement to appear prominently on some other part of the container, if the size or form of the container makes it impracticable to place it on the part of the retail package which is presented or displayed under customary conditions of purchase.

(f) if any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; or

(g) if in the case of an insecticide, fungicide, or herbicide when used as directed or in accordance with commonly recognized practice it shall be injurious to living man or other

vertebrate animals, or vegetation, except weeds, to which it is applied, or to the person applying such economic poison.

PROHIBITED ACTS

SEC. 3. (a) It shall be unlawful for any person to distribute, sell, or offer for sale in any Territory or in the District of Columbia, or to ship or deliver for shipment from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, or to receive in any State, Territory, or the District of Columbia from any other State, Territory, or the District of Columbia, or foreign country, and having so received, deliver or offer to deliver in the original unbroken package to any other person, any of the following:

Economic poisons.

(1) Any economic poison which has not been registered pursuant to the provisions of section 4 of this Act, or any economic poison if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of an economic poison differs from its composition as represented in connection with its registration: *Provided*, That in the discretion of the Secretary, a change in the labeling or formula of an economic poison may be made within a registration period without requiring reregistration of the product.

Change in labeling, etc., within registration period.

(2) Any economic poison unless it is in the registrant's or the manufacturer's unbroken immediate container, and there is affixed to such container, and to the outside container or wrapper of the retail package, if there be one through which the required information on the immediate container cannot be clearly read, a label bearing—

(a) the name and address of the manufacturer, registrant, or person for whom manufactured;

(b) the name, brand, or trade-mark under which said article is sold; and

(c) the net weight or measure of the content: *Provided*, That the Secretary may permit reasonable variations.

(3) Any economic poison which contains any substance or substances in quantities highly toxic to man, determined as provided in section 6 of this Act, unless the label shall bear, in addition to any other matter required by this Act—

(a) the skull and crossbones;

(b) the word "poison" prominently (IN RED) on a background of distinctly contrasting color; and

(c) a statement of an antidote for the economic poison.

(4) The economic poisons commonly known as standard lead arsenate, basic lead arsenate, calcium arsenate, magnesium arsenate, zinc arsenate, zinc arsenite, sodium fluoride, sodium fluosilicate, and barium fluosilicate unless they have been distinctly colored or discolored as provided by regulations issued in accordance with this Act, or any other white powder economic poison which the Secretary, after investigation of and after public hearing on the necessity for such action for the protection of the public health and the feasibility of such coloration or discoloration, shall, by regulation, require to be distinctly colored or discolored, unless it has been so colored or discolored: *Provided*, That the Secretary may exempt any economic poison to the extent that it is intended for a particular use or uses from the coloring or discoloring required or authorized by this section if he determines that such coloring or discoloring for such use or uses is not necessary for the protection of the public health.

Exemption from coloring, etc.

(5) Any economic poison which is adulterated or misbranded or any device which is misbranded.

b. Notwithstanding any other provision of this Act, no article shall be deemed in violation of this Act when intended solely for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser.

Article intended solely for export.

c. It shall be unlawful—

Unlawful acts.

(1) for any person to detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in this Act or the rules and regulations promulgated hereunder, or to add any substance to, or take any substance from, an economic poison in a manner that may defeat the purpose of this Act;

(2) for any manufacturer, distributor, dealer, carrier, or other person to refuse, upon a request in writing specifying the nature or kind of economic poison or device to which such request relates, to furnish to or permit any person designated by the Secretary to have access to and to copy such records as authorized by section 5 of this Act;

(3) for any person to give a guaranty or undertaking provided for in section 7 which is false in any particular, except that a person who receives and relies upon a guaranty authorized under section 7 may give a guaranty to the same effect, which guaranty shall contain in addition to his own name and address the name and address of the person residing in the United States from whom he received the guaranty or undertaking; and

(4) for any person to use for his own advantage or to reveal, other than to the Secretary, or officials or employees of the United States Department of Agriculture, or other Federal agencies, or to the courts in response to a subpena, or to physicians, and in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, in accordance with such directions as the Secretary may prescribe, any information relative to formulas of products acquired by authority of section 4 of this Act.

REGISTRATION

SEC. 4. a. Every economic poison which is distributed, sold, or offered for sale in any Territory or the District of Columbia, or which is shipped or delivered for shipment from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or which is received from any foreign country shall be registered with the Secretary: *Provided*, That products which have the same formula, are manufactured by the same person, the labeling of which contains the same claims, and the labels of which bear a designation identifying the product as the same economic poison may be registered as a single economic poison; and additional names and labels shall be added by supplement statements; the registrant shall file with the Secretary a statement including—

Products which may be registered as a single economic poison.

(1) the name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;

(2) the name of the economic poison;

(3) a complete copy of the labeling accompanying the economic poison and a statement of all claims to be made for it, including the directions for use; and

(4) if requested by the Secretary, a full description of the tests made and the results thereof upon which the claims are based.

b. The Secretary, whenever he deems it necessary for the effective administration of this Act, may require the submission of the complete formula of the economic poison. If it appears to the Secretary

Submission of complete formula.

that the composition of the article is such as to warrant the proposed claims for it and if the article and its labeling and other material required to be submitted comply with the requirements of section 3 of this Act, he shall register it.

Notification of failure to comply with Act.

c. If it does not appear to the Secretary that the article is such as to warrant the proposed claims for it or if the article and its labeling and other material required to be submitted do not comply with the provisions of this Act, he shall notify the registrant of the manner in which the article, labeling, or other material required to be submitted fail to comply with the Act so as to afford the registrant an opportunity to make the corrections necessary. If, upon receipt of such notice, the registrant insists that such corrections are not necessary and requests in writing that it be registered, the Secretary shall register the article, under protest, and such registration shall be accompanied by a warning, in writing, to the registrant of the apparent failure of the article to comply with the provisions of this Act. In order to protect the public, the Secretary, on his own motion, may at any time, cancel the registration of an economic poison and in lieu thereof issue a registration under protest in accordance with the foregoing procedure. In no event shall registration of an article, whether or not protested, be construed as a defense for the commission of any offense prohibited under section 3 of this Act.

Cancellation of registration.

Economic poisons not requiring registration.

d. Notwithstanding any other provision of this Act, registration is not required in the case of an economic poison shipped from one plant to another plant operated by the same person and used solely at such plant as a constituent part to make an economic poison which is registered under this Act.

Cancellation at end of 5 years.

e. The Secretary is authorized to cancel the registration of any economic poison at the end of a period of five years following the registration of such economic poison or at the end of any five-year period thereafter, unless the registrant, prior to the expiration of each such five-year period, requests in accordance with regulations issued by the Secretary that such registration be continued in effect.

BOOKS AND RECORDS

SEC. 5. For the purposes of enforcing the provisions of this Act, any manufacturer, distributor, carrier, dealer, or any other person who sells or offers for sale, delivers or offers for delivery, or who receives or holds any economic poison or device subject to this Act, shall, upon request of any employee of the United States Department of Agriculture or any employee of any State, Territory, or political subdivision, duly designated by the Secretary, furnish or permit such person at all reasonable times to have access to, and to copy all records showing the delivery, movement, or holding of such economic poison or device, including the quantity, the date of shipment and receipt, and the name of the consignor and consignee; and in the event of the inability of any person to produce records containing such information, all other records and information relating to such delivery, movement, or holding of the economic poison or device. Notwithstanding this provision, however, the specific evidence obtained under this section shall not be used in a criminal prosecution of the person from whom obtained.

ENFORCEMENT

Rules and regulations.

SEC. 6. a. The Secretary (except as otherwise provided in this section) is authorized to make rules and regulations for carrying out the provisions of this Act, including the collection and examination of samples of economic poisons and devices subject to this Act and the

determination and establishment of suitable names to be used in the ingredient statement. The Secretary is, in addition, authorized after opportunity for hearing—

(1) to declare a pest any form of plant or animal life or virus which is injurious to plants, man, domestic animals, articles, or substances;

(2) to determine economic poisons, and quantities of substances contained in economic poisons, which are highly toxic to man; and

(3) to determine standards of coloring or discoloring for economic poisons, and to subject economic poisons to the requirements of section 3a (4) of this Act.

b. The Secretary of the Treasury and the Secretary of Agriculture shall jointly prescribe regulations for the enforcement of section 10 of this Act.

Post, p. 171.

Examination of economic poisons.

c. The examination of economic poisons or devices shall be made in the United States Department of Agriculture or elsewhere as the Secretary may designate for the purpose of determining from such examination whether they comply with the requirements of this Act, and if it shall appear from any such examination that they fail to comply with the requirements of this Act, the Secretary shall cause notice to be given to the person against whom criminal proceedings are contemplated. Any person so notified shall be given an opportunity to present his views, either orally or in writing, with regard to such contemplated proceedings, and if in the opinion of the Secretary it appears that the provisions of this Act have been violated by such person, then the Secretary shall certify the facts to the proper United States attorney, with a copy of the results of the analysis or the examination of such article: *Provided*, That nothing in this Act shall be construed as requiring the Secretary to report for prosecution or for the institution of libel proceedings minor violations of this Act whenever he believes that the public interest will be adequately served by a suitable written notice of warning.

Minor violations.

d. It shall be the duty of each United States attorney, to whom the Secretary or his agents shall report any violation of this Act, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay.

Notice of judgments.

e. The Secretary shall, by publication in such manner as he may prescribe, give notice of all judgments entered in actions instituted under the authority of this Act.

EXEMPTIONS

Nonapplicability of penalties.

Ante, p. 166.

SEC. 7. a. The penalties provided for a violation of section 3a of this Act shall not apply to—

(1) any person who establishes a guaranty signed by, and containing the name and address of, the registrant or person residing in the United States from whom he purchased and received in good faith the article in the same unbroken package, to the effect that the article was lawfully registered at the time of sale and delivery to him, and that it complies with the other requirements of this Act, designating this Act. In such case the guarantor shall be subject to the penalties which would otherwise attach to the person holding the guaranty under the provisions of this Act;

(2) any carrier while lawfully engaged in transporting an economic poison or device if such carrier upon request by a person duly designated by the Secretary shall permit such person to copy all records showing the transactions in and movement of the articles;

(3) to public officials while engaged in the performance of their official duties;

(4) to the manufacturer or shipper of an economic poison for experimental use only by or under the supervision of any Federal or State agency authorized by law to conduct research in the field of economic poisons; or by others if a permit has been obtained before shipment in accordance with regulations promulgated by the Secretary.

PENALTIES

Ante, p. 166.

SEC. 8. a. Any person violating section 3a (1) of this Act shall be guilty of a misdemeanor and shall on conviction be fined not more than $1,000.

b. Any person violating any provision other than section 3a (1) of this Act shall be guilty of a misdemeanor and shall upon conviction be fined not more than $500 for the first offense, and on conviction for each subsequent offense be fined not more than $1,000 or imprisoned for not more than one year, or both such fine and imprisonment: *Provided*, That an offense committed more than five years after the last previous conviction shall be considered a first offense: *And provided further*, That in any case where a registrant was issued a warning by the Secretary pursuant to the provisions of section 4c of this Act, he shall in each instance upon conviction for an offense concerning which he had been so warned, be fined not more than $1,000 or imprisoned for not more than one year, or both such fine and imprisonment; and the registration of the article with reference to which the violation occurred shall terminate automatically. An article the registration of which has been terminated may not again be registered unless the article, its labeling, and other material required to be submitted appear to the Secretary to comply with all the requirements of this Act.

Ante, p. 168.

c. Notwithstanding any other provision of this section, in case any person, with intent to defraud, uses or reveals information relative to formulas of products acquired under the authority of section 4 of this Act, he shall be fined not more than $10,000 or imprisoned for not more than three years, or both such fine and imprisonment.

d. When construing and enforcing the provisions of this Act, the act, omission, or failure, of any officer, agent, or other person acting for or employed by any person shall in every case be also deemed to be the act, omission, or failure of such person as well as that of the person employed.

SEIZURES

Interstate transportation of economic poisons, etc.

SEC. 9. a. Any economic poison or device that is being transported from one State, Territory, or District to another, or, having been transported, remains unsold or in original unbroken packages, or that is sold or offered for sale in the District of Columbia or any Territory, or that is imported from a foreign country, shall be liable to be proceeded against in any district court of the United States in the district where it is found and seized for confiscation by a process of libel for condemnation—

(1) in the case of an economic poison—

(a) if it is adulterated or misbranded;

(b) if it has not been registered pursuant to the provisions of section 4 of this Act;

Ante, p. 167.

(c) if it fails to bear on its label the information required by this Act; or

(d) if it is a white powder economic poison and is not colored as required under this Act; or

(2) in the case of a device if it is misbranded.

b. If the article is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the legal costs, shall be paid into the Treasury of the United States, but the article shall not be sold contrary to the provisions of this Act or of the laws of the jurisdiction in which it is sold: *Provided*, That upon the payment of the costs of the libel proceedings and the execution and delivery of a good and sufficient bond conditioned that the article shall not be sold or otherwise disposed of contrary to the provisions of this Act or the laws of any State, Territory, or District in which sold, the court may direct that such articles be delivered to the owner thereof. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

Disposition of condemned article.

Proceedings of libel cases.

c. When a decree of condemnation is entered against the article, court costs and fees, storage, and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article.

Award of expenses.

IMPORTS

SEC. 10. The Secretary of the Treasury shall notify the Secretary of Agriculture of the arrival of economic poisons and devices offered for importation and shall deliver to the Secretary of Agriculture, upon his request, samples of economic poisons or devices which are being imported or offered for import into the United States, giving notice to the owner or consignee, who may appear before the Secretary of Agriculture and have the right to introduce testimony. If it appears from the examination of a sample that it is adulterated, or misbranded or otherwise violates the prohibitions set forth in this Act, or is otherwise dangerous to the health of the people of the United States, or is of a kind forbidden entry into or forbidden to be sold or restricted in sale in the country in which it is made or from which it is exported, the said article may be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction of any goods refused delivery which shall not be exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That the Secretary of the Treasury may deliver to the consignee such goods pending examination and decision in the matter on execution of a penal bond for the amount of the full invoice value of such goods, together with the duty thereon, and on refusal to return such goods for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding them from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond: *And provided further*, That all charges for storage, cartage, and labor on goods which are refused admission or delivery shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee.

Notification of arrival of economic poisons, etc.

Delivery of goods to consignee pending examination, etc.

Charges for storage, etc.

DELEGATION OF DUTIES

SEC. 11. All authority vested in the Secretary by virtue of the provisions of this Act may with like force and effect be executed by such employees of the United States Department of Agriculture as the Secretary may designate for the purpose.

AUTHORIZATION FOR APPROPRIATIONS AND EXPENDITURES

Post, pp. 545, 618.

SEC. 12. a. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for the purposes and administration of this Act. In order to carry out the provisions of this Act, which take effect prior to the repeal of the Insecticide Act of 1910, appropriations available for the enforcement of such Act are authorized to be made available.

36 Stat. 331.
7 U. S. C. §§ 121–134.
Infra.

b. The Secretary is authorized from the funds appropriated for this Act to make such expenditures as he deems necessary, including rents, travel, supplies, books, samples, testing devices, furniture, equipment, and such other expenses as may be necessary to the administration of this Act.

COOPERATION

SEC. 13. The Secretary is authorized to cooperate with any other department or agency of the Federal Government and with the official agricultural or other regulatory agency of any State, or any State, Territory, District, possession, or any political subdivision thereof, in carrying out the provisions of this Act, and in securing uniformity of regulations.

SEPARABILITY

SEC. 14. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

Ante, pp. 166, 170, 171.

SEC. 15. All provisions of this Act, except section 3, "Prohibited Acts"; section 8, "Penalties"; section 9, "Seizures"; and section 10, "Imports", shall take effect upon enactment, and sections 3, 8, 9, and 10 of this Act shall take effect as follows: (1) As to devices, upon enactment; (2) as to rodenticides and herbicides, six months after enactment; and (3) as to insecticides, fungicides, and all other economic poisons, one year after enactment: *Provided*, That the Secretary, upon application, may at any time within one year after sections 3, 8, 9, and 10 of this Act become applicable to devices, rodenticides and herbicides, and insecticides, fungicides, and other economic poisons, respectively, if he determines that such action will not be unduly detrimental to the public interest, and is necessary to avoid hardship, exempt, under such terms and conditions as he may prescribe, any economic poison from the provisions of this Act if such economic poison was labeled, shipped, and delivered by the manufacturer thereof prior to the time the sections of this Act referred to above become applicable to such economic poison and in case the economic poison is an insecticide or fungicide if its sale, delivery, or shipment has not been and will not be in violation of the provisions of the Insecticide Act of 1910.

Exemption.

Infra.

REPEALS

Insecticide Act of 1910.

SEC. 16. The Insecticide Act of 1910, approved April 26, 1910 (36 Stat. 331, 7 U. S. C. 121–134), is hereby repealed one year after the date of the enactment of this Act: *Provided*, That, with respect to violations, liabilities incurred, or appeals taken prior to said date, and with respect to sales, shipments, or deliveries of insecticides and fungicides under an exemption granted by the Secretary under section 15, all provisions of the Insecticide Act of 1910 shall be deemed to remain in full force for the purpose of sustaining

any proper suit, action, or other proceeding with respect to any such violations, liabilities, appeals, or to such sales, shipments, or deliveries of insecticides and fungicides exempted by the Secretary under section 15.

Approved June 25, 1947.

[CHAPTER 126]

AN ACT

June 25, 1947
[H. R. 2207]
[Public Law 105]

To authorize the Secretary of the Interior to convey certain lands within the Shiloh National Military Park, Tennessee, and for other purposes.

Shiloh National Military Park, Tenn. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he may deem necessary, to convey, without consideration, to W. A. Shaw and E. L. Shaw, or nominees, the following-described lands within Shiloh National Military Park in Hardin County in the State of Tennessee: Beginning at a point from which the intersection of Shiloh National Military Park boundary between boundary corners numbered 228 and 229 with center line of Confederate Road bears south eight degrees fifty-seven minutes east, eighty and thirty-seven one-hundredths feet (said intersection bears north eighty-eight degrees ten minutes fourteen seconds west, one thousand one hundred and thirty-one and eighty-nine one-hundredths feet from boundary corner numbered 228); thence north twenty-nine degrees thirty-one minutes west, three hundred and twenty-six feet; thence south seventy-six degrees nineteen minutes east, three hundred and thirty-seven and fifty-four one-hundredths feet; and thence running sixty feet from and parallel to center line of Confederate Road south thirty-nine degrees twenty minutes west, two hundred and sixty-three and forty-six one-hundredths feet to the point of beginning. The tract as described contains approximately ninety-two one-hundredths acre.

Acceptance of non-Federal property.

SEC. 2. For the purpose of consolidating Federal holdings within the park, the Secretary of the Interior is authorized, in his discretion and under such terms and conditions as he may deem necessary, to accept any non-Federal real or personal property within the authorized boundaries of the park. In exchange for such properties, he may, in his discretion, convey to the grantors of such properties any Federally owned lands or interests in lands within the authorized boundaries of the park which are of approximately equal value, as determined by the Secretary, to the properties being acquired in each case.

Approved June 25, 1947.

[CHAPTER 127]

AN ACT

June 25, 1947
[H. R. 2353]
[Public Law 106]

To authorize the patenting of certain public lands to the State of Montana or to the Board of County Commissioners of Hill County, Montana, for public-park purposes.

Public lands in Hill County, Mont. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, upon payment of a price set by him through appraisal or otherwise, to convey by patent to the State of Montana or to the Board of County Commissioners of Hill County, Montana, the following-described public lands located in Hill County, Montana: South half south half section 23, east half southeast quarter section 25, southeast quarter southeast quarter, northwest

quarter southeast quarter, northeast quarter northeast quarter, west half northeast quarter, east half northwest quarter, northwest quarter northwest quarter section 26, township 31 north, range 15 east; west half, northeast quarter, west half southeast quarter section 4, east half southeast quarter section 5, east half northeast quarter section 8, south half, northwest quarter, west half northeast quarter section 9, all sections 16 and 21, northwest quarter, west half southwest quarter section 22, all sections 28 and 33, west half section 34, township 29 north, range 16 east; all section 5, northeast quarter section 6, east half, east half west half section 8, west half west half section 9, west half section 16, east half, east half northwest quarter section 17, east half east half section 20, west half, west half east half section 21, southeast quarter southeast quarter, southwest quarter southwest quarter, north half south half, north half section 28, south half south half, northeast quarter southeast quarter, east half northeast quarter section 33, township 30 north, range 16 east; south half, northwest quarter, southwest quarter northeast quarter section 31, southwest quarter section 32, township 31 north, range 16 east, principal meridian, Montana, containing nine thousand two hundred and fifty-three and forty-eight one-hundredths acres: *Provided*, That payment for the lands may be made in equal annual installments over a period of not to exceed ten years, the payment of the second and subsequent installments to be due on the corresponding anniversary dates of the first payment made under this Act: *Provided further*, That interest at the rate of 3 per centum per annum shall also be paid for the period for which an installment which has become due continues in default: *And provided further*, That no patent shall issue until all payments have been made, but until patent issues the Department of the Interior by a use permit may authorize the use of the lands for park or recreational purposes.

Payment.

Interest.

Reservation of minerals.

SEC. 2. The patent conveying the lands described in the first section of this Act shall provide that all minerals, including oil and gas, shall be reserved to the United States together with the right to prospect for, mine, and remove the same, under regulations to be prescribed by the Secretary of the Interior.

Approved June 25, 1947.

[CHAPTER 128]

June 25, 1947
[H. R. 2852]
[Public Law 107]

AN ACT

To provide for the addition of certain surplus Government lands to the Otter Creek Recreational Demonstration Area, in the State of Kentucky.

Otter Creek Recreational Demonstration Area, Ky.
Addition of surplus Federal lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tracts of surplus Federal lands, comprising three hundred and ninety-four and five-tenths acres, are hereby made a part of the Otter Creek Recreational Demonstration Area, in the State of Kentucky, subject to all laws relating to such recreational demonstration project areas, without transfer of funds:

Tract A–57, William L. Carr: Grantee, United States Government; grantor, William L. Carr and Rosa Lee Carr (wife); thirty-one and seventy-one one-hundredths acres, more or less: recorded in deed book numbered 72, page numbered 602, August 25, 1942.

Tract A–73, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; fifteen and six-tenths acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A–74, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; six and one-tenth acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A–75, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; seven and seven-tenths acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A–124, J. C. Hawkins: Grantee, United States Government; grantor, J. C. Hawkins and Lula Hawkins, wife; five and fifty-four one-hundredths acres, more or less; recorded in deed book numbered 71, page numbered 400, September 23, 1941.

Tract A–170, V. L. Leonard: Grantee, United States Government; grantor, Irene Leonard (otherwise known as Mrs. V. L. Leonard, widow); forty-nine one-hundredths acre, more or less; recorded in deed book numbered 73, page numbered 476, September 25, 1941.

Tract A–230, Gus Otterson: Grantee, United States Government; grantor, Gus Otterson and Rosie Otterson, wife; one and two-tenths acres, more or less; recorded in deed book numbered 73, page numbered 483, March 20, 1943.

Tract A–231, Gus Otterson: Grantee, United States Government; grantor, Gus Otterson and Rosie Otterson, wife; thirteen and sixty-eight one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 483, March 20, 1943.

Tract A–249, Jesse Lee Poole: Grantee, United States Government; grantor, Jesse Lee Poole and Elizabeth Poole, wife; fifty and two-tenths acres, more or less; recorded in deed book numbered 72, page numbered 169, February 24, 1942.

Tract A–258, Rock Haven Baptist Church: Grantee, United States Government; grantor, J. C. Hawkins, trustee, Rock Haven Baptist Church; two acres, more or less; recorded in deed book numbered 71, page numbered 524, November 7, 1941.

Tract A–271, Joe Seelye: Grantee, United States Government; grantor, Joe Seelye and Dora Seelye, wife; seventy-two and twenty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 151, October 31, 1942.

Tract A–318, Burrell Van Buren: Grantee, United States Government; grantor, Burrell Van Buren and Olive Van Buren, wife; eighty-two and fifty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 255, December 5, 1942.

That part of tract A–346 lying north and west of Otter Creek, J. Hood Withers: Grantee, United States Government; grantor, J. Hood Withers and Julia K. Withers (wife), Mrs. Molly Henry (widow), Mrs. Ina Withers (widow), Mrs. Kate Warren (widow); two parcels totaling one hundred and one and eighty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 611, May 1, 1943.

Tract A–353, Burrell Van Buren: Grantee, United States Government; grantor, Burrell Van Buren and Olive Van Buren (wife); three and six-tenths acres, more or less; recorded in deed book numbered 73, page numbered 255, December 5, 1942.

Deed books.

The deed books referred to in the foregoing tract descriptions are contained in the office of the clerk of court, Meade County, Brandenburg, Kentucky.

Approved June 25, 1947.

[CHAPTER 129]

June 25, 1947
[H. R. 3151]
[Public Law 108]

AN ACT

To grant a certain water right and a certain parcel of land in Clark County, Nevada, to the city of Las Vegas, Nevada.

Las Vegas, Nev.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to donate and convey, subject to such conditions and reservations as he deems needful to protect the interests of the United States in adjacent lands, to the city of Las Vegas, a municipal corporation within the county of Clark, State of Nevada, all the right, title, and interest of the United States to a water right and certain lands in lot 1 and the west half of the northeast quarter of the northwest quarter of section 30, township 20 south, range 61 east, of the Mount Diablo meridian, Clark County, Nevada, the said lands being described by metes and bounds as follows: Beginning at corner 1, the southwest corner of said lot 1; thence north, with part of the west boundary thereof, eight hundred and twelve and forty-six one-hundredths feet to corner 2; thence north eighty-nine degrees twenty-three minutes forty-five seconds east, passing within said lot 1 seven hundred and eighty-three and forty-two one-hundredths feet to corner 3; thence north thirteen degrees forty-one minutes east five hundred and twenty-three and thirty-eight one-hundredths feet to corner 4, in the north boundary of said section 30; thence north eighty-nine degrees twenty-three minutes forty-five seconds east, with part of said north boundary of said section, one thousand one hundred and thirteen and forty-two one-hundredths feet to corner 5, the northeast corner of the said west half northeast quarter northwest quarter; thence south no degree twenty-eight minutes three seconds west, with the east boundary of said subdivision, one thousand three hundred and twenty and sixty-six one-hundredths feet to corner 6, the southeast corner of said west half northeast quarter northwest quarter; thence south eighty-nine degrees twenty-five minutes thirty-one seconds west, with the north sixteenth line of said section 30, two thousand and nine and seventy one-hundredths feet to the place of beginning, containing forty-nine and ninety-three one-hundredths acres, more or less; also water permit numbered 9940 from the State Engineer of the State of Nevada, approving the appropriation of water from the Las Vegas Artesian Basin.

Approved June 25, 1947.

[CHAPTER 130]

June 25, 1947
[H. R. 3197]
[Public Law 109]

AN ACT

To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District increasing the reimbursable construction cost obligation of the district to the United States for construction of the Mancos project and extending the repayment period.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to enter into a contract amending that certain contract between the Mancos Water Conservancy District and the United States dated July 20, 1942, to provide that the reimbursable construction cost obligation of the district to the United States for construction of the Mancos project will be increased from $600,000 to $900,000, and that the period of repayment of this obligation will be extended from forty years to sixty years.

Approved June 25, 1947.

[CHAPTER 141]

AN ACT

To provide for the protection of forests against destructive insects and diseases, and for other purposes.

June 25, 1947
[S. 597]
[Public Law 110]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to protect and preserve forest resources of the United States from ravages of bark beetles, defoliators, blights, wilts, and other destructive forest insect pests and diseases, and thereby enhance the growth and maintenance of forests, promote the stability of forest-using industries and employment associated therewith, aid in fire control by reducing the menace created by dying and dead trees injured or killed by insects or disease, conserve forest cover on watersheds, and protect recreational and other values of forests, it shall be the policy of the Government of the United States independently and through cooperation with the governments of States, Territories, and possessions, and private timber owners to prevent, retard, control, suppress, or eradicate incipient, potential, or emergency outbreaks of destructive insects and diseases on, or threatening, all forest lands irrespective of ownership.

Forest Pest Control Act.

SEC. 2. The Secretary of Agriculture is authorized either directly or in cooperation with other departments of the Federal Government, with any State, Territory, or possession, organization, person, or public agency, subject to such conditions as he may deem necessary and using such funds as have been, or may hereafter be, made available for these purposes, to conduct surveys on any forest lands to detect and appraise infestations of forest insect pests and tree diseases, to determine the measures which should be applied on such lands, in order to prevent, retard, control, suppress, or eradicate incipient, threatening, potential, or emergency outbreaks of such insect or disease pests, and to plan, organize, direct, and carry out such measures as he may deem necessary to accomplish the objectives and purposes of this Act: *Provided*, That any operations planned to prevent, retard, control, or suppress insects or diseases on forest lands owned, controlled, or managed by other agencies of the Federal Government shall be conducted with the consent of the agency having jurisdiction over such land.

Surveys.

Consent of Federal agency to conduct preventive operations, etc.

SEC. 3. The Secretary of Agriculture may, in his discretion and out of any money made available pursuant to this Act, make allocations to Federal agencies having jurisdiction over lands held or owned by the United States in such amounts as he may deem necessary to retard, control, suppress, or eradicate injurious insect pests or plant diseases affecting forests on said lands.

Allocations.

SEC. 4. No money appropriated to carry out the purposes of this Act shall be expended to prevent, retard, control, or suppress insect or disease pests on forest lands owned by persons, associations, corporations, States, Territories, possessions, or subdivisions thereof until such contributions toward the work as the Secretary may require have been made or agreed upon in the form of funds, services, materials, or otherwise.

Restriction on expenditures.

SEC. 5. There are hereby authorized to be appropriated for the purposes of this Act such sums as the Congress may from time to time determine to be necessary. Any sums so appropriated shall be available for necessary expenses, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, and the purchase, maintenance, operation, and exchange of passenger-carrying vehicles; but such sums shall not be used to pay the cost or value of any property injured or destroyed. Materials and equipment necessary to control, suppress, or eradicate infestations of forest insects or tree diseases may be procured without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5)

Appropriation authorized.

Procurement of materials.

under such procedures as may be prescribed by the Secretary of Agriculture, when deemed necessary in the public interest.

SEC. 6. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing, existing legislation.

Short title.

SEC. 7. This Act may be cited as the "Forest Pest Control Act".

Approved June 25, 1947.

[CHAPTER 142]

June 25, 1947
[H. J. Res. 188]
[Public Law 111]

JOINT RESOLUTION

Authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to the dead of the First Infantry Division, United States Forces, World War II.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to grant the Memorial Association of the First Infantry Division, United States Army, permission to erect on public grounds of the United States in the city of Washington, District of Columbia, adjacent to the monument to the dead of the First Infantry Division, American Expeditionary Forces in World War I, a monument to the dead of the First Infantry Division, United States Forces in World War II; the site chosen and the design of the monument and pedestal shall be approved by the Joint Committee of Congress on the Library with the advice and recommendations of the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of this memorial.

Approved June 25, 1947.

[CHAPTER 143]

June 25, 1947
[H. J. Res. 210]
[Public Law 112]

JOINT RESOLUTION

To extend the time for the release, free of estate and gift tax, of certain powers, and for other purposes.

Revenue Act, 1942, amendments.
56 Stat. 944, 952; 60 Stat. 229.
26 U. S. C. §§ 811, 812, 826, 861 notes, 1000 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is hereby amended by striking out "July 1, 1947" wherever it appears and inserting in lieu thereof "July 1, 1948"; and section 452 (c) of the Revenue Act of 1942 is hereby amended to read as follows:

"(c) RELEASE BEFORE JULY 1, 1948.—

"(1) A release of a power to appoint before July 1, 1948, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1948 and to that part of the calendar year 1948 prior to July 1, 1948."

58 Stat. 71.
26 U. S. C. § 1000 (e).

SEC. 2. (a) Section 1000 (e) of the Internal Revenue Code (relating to certain discretionary trusts) is hereby amended by striking out "prior to January 1, 1945," and inserting in lieu thereof "on or before December 31, 1947 (or on a later date in any case where it is shown to the satisfaction of the Commissioner, in accordance with regulations prescribed by him with the approval of the Secretary, that failure to relinquish prior to such later date was for reasonable cause)".

Overpayment of gift tax.

(b) If any amount paid prior to the date of the enactment of this joint resolution constitutes an overpayment of gift tax solely by

reason of the amendment made by this section, no interest shall be allowed or paid with respect to the amount of such overpayment.

SEC. 3. The last sentence of section 22 (b) (9) and the last sentence of section 22 (b) (10) of the Internal Revenue Code (relating to exclusion of income from discharge of indebtedness) are hereby amended by striking out "1947" and inserting in lieu thereof "1949".

60 Stat. 749.
26 U. S. C. § 22 (b) (9), (10).

Approved June 25, 1947.

[CHAPTER 144]

AN ACT

To amend section 115 of the Internal Revenue Code in respect of distributions by personal holding companies.

June 25, 1947
[H. R. 468]
[Public Law 113]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 115 (a) of the Internal Revenue Code is amended to read as follows: "In the case of a corporation which, under the law applicable to the taxable year in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which the distribution is made under section 504 (c) or section 506 or a corresponding provision of a prior income-tax law, is a personal holding company under the law applicable to such taxable year, such term also means any distribution (whether or not a dividend as defined in the preceding sentence) to its shareholders, whether in money or in other property, to the extent of its subchapter A net income, less the sum of the following:

Internal Revenue Code, amendment.
56 Stat. 895.
26 U. S. C. § 115 (a).

53 Stat. 107, 108.
26 U. S. C. §§ 504(c), 506.

"(1) The net operating loss credit provided in section 26 (c) (1);

"(2) The dividend carry-over provided in section 27 (c); and

"(3) The deduction for amounts for retirement of indebtedness provided in section 504 (b)."

53 Stat. 19.
26 U. S. C. § 26 (c)(1)
53 Stat. 20.
26 U. S. C. § 27 (c).
53 Stat. 107.
26 U. S. C. § 504 (b).

SEC. 2. The amendment made by section 1 shall be effective for all taxable years beginning after December 31, 1943.

SEC. 3. No interest shall be allowed or paid in respect of any overpayment of tax resulting from the foregoing amendment.

Approved June 25, 1947.

[CHAPTER 145]

AN ACT

To authorize payment of allowances to three inspectors of the Metropolitan Police force for the use of their privately owned motor vehicles, and for other purposes.

June 25, 1947
[H. R. 1624]
[Public Law 114]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized to allow not more than three inspectors of the Metropolitan Police force an allowance for privately owned automobiles used by the inspectors in the performance of official duties at not to exceed $480 per annum for each automobile used during the fiscal years 1945 and 1946 and thereafter to pay to not more than three inspectors of the Metropolitan Police force who may be called upon to use privately owned automobiles in the performance of official duties for each automobile an allowance not to exceed $480 per annum.

Approved June 25, 1947.

[CHAPTER 146]

AN ACT

June 25, 1947
[H. R. 2368]
[Public Law 115]

To amend paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, to authorize an appropriation of $3,000,000 as a revolving fund in lieu of $1,500,000 now authorized, and for other purposes.

57 Stat. 44.
38 U. S. C. note foll. § 739, p. 4269.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

Vocational rehabilitation.
Appropriation authorized.

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $3,000,000, to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements, not exceeding $100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, and advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any future payments of compensation, pension, or retirement pay."

Approved June 25, 1947.

[CHAPTER 147]

AN ACT

June 25, 1947
[H. R. 2872]
[Public Law 116]

To amend further section 4 of the Public Debt Act of 1941, as amended, and clarify its application, and for other purposes.

Public Debt Act of 1941, amendment.

55 Stat. 9; 56 Stat. 190.
31 U. S. C. § 742a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Public Debt Act of 1941 (Public, Numbered 7, Seventy-seventh Congress, first session), as amended by section 6 of the Public Debt Act of 1942 (Public, Numbered 510, Seventy-seventh Congress, second session), hereby is amended further to read as follows:

Taxation of obligations.

"SEC. 4. (a) Interest upon obligations, and dividends, earnings, or other income from shares, certificates, stock, or other evidences of ownership, and gain from the sale or other disposition of such obligations and evidences of ownership issued on or after the effective date of the Public Debt Act of 1942 by the United States or any agency or instrumentality thereof shall not have any exemption, as such, and loss from the sale or other disposition of such obligations or evidences of ownership shall not have any special treatment, as such, under the Internal Revenue Code, or laws amendatory or supplementary thereto; except that any such obligations which the United States Maritime Commission or the Federal Housing Administration had, prior to March 1, 1941, contracted to issue at a future date, shall when issued bear such tax-exemption privileges as were, at the time of such contract, provided in the law authorizing their issuance. For the purposes of this subsection a Territory, a possession of the United States, and the District of Columbia, and any political subdivision thereof, and any agency or instrumentality of any one or more of the foregoing, shall not be considered as an agency or instrumentality of the United States.

56 Stat. 189.
31 U. S. C. §§ 742a, 754a, 754b, 757b; 39 U. S. C. § 756a.

Exceptions.

"(b) The provisions of this section shall, with respect to such obligations and evidences of ownership, be considered as amendatory of and supplementary to the respective Acts or parts of Acts authorizing the issuance of such obligations and evidences of ownership, as amended and supplemented.

55 Stat. 697, 698.
26 U. S. C. §§ 42, 117.

"(c) Nothing contained herein shall be construed to amend or repeal sections 114 and 115 of the Revenue Act of 1941."

Approved June 25, 1947.

[CHAPTER 148]

AN ACT

To authorize the construction, operation, and maintenance of the Paonia Federal reclamation project, Colorado.

June 25, 1947
[H. R. 3143]
[Public Law 117]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior through the Bureau of Reclamation is hereby authorized to construct, maintain, and operate, pursuant to the Federal reclamation laws, the Paonia project, Colorado, substantially in accordance with the report of the regional director of the Bureau of Reclamation, region IV, dated January 2, 1946, as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That, notwithstanding any recommendations to the contrary contained in said report, all costs allocated to irrigation shall be reimbursable under the Federal reclamation laws within repayment periods fixed by the Secretary of the Interior at not to exceed sixty-eight years.

Paonia project, Colo. Construction, etc.

Costs allocated to irrigation.

SEC. 2. Unexpended balances of sums heretofore appropriated for the Paonia project, Colorado, authorized by finding of feasibility of the Secretary of the Interior approved by the President on March 18, 1939, are hereby made immediately available for expenditure on the Paonia project hereby authorized.

Availability of funds.

SEC. 3. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such additional sums as may be required for the purposes of this Act.

Appropriation authorized.

Approved June 25, 1947.

[CHAPTER 149]

AN ACT

To authorize the Secretary of War to permit the delivery of water from the District of Columbia and Arlington County water systems to the Falls Church or other water systems in the metropolitan area of the District of Columbia in Virginia.

June 26, 1947
[H. R. 310]
[Public Law 118]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, on the recommendation of the Chief of Engineers, United States Army, and the Board of Commissioners of the District of Columbia, is hereby authorized in his discretion, upon request of the town council of the town of Falls Church, Fairfax County, Virginia, or any other competent State or local authority in the Washington metropolitan area in Virginia, to permit the delivery of water from the District of Columbia water system at the Dalecarlia Filtration Plant, or at other points on said water system to the Falls Church water system for the purpose of supplying water for the use of said town and such adjacent areas as are now or shall hereafter be served by the water system of said town; or to any other competent State or local authority in said metropolitan area in Virginia. The Secretary of War is hereby further authorized, in his discretion and upon the recommendation of the Chief of Engineers, and said Board of Commissioners, to permit the delivery of such water through the water mains of Arlington County by a connection to Arlington mains at the southerly end of Chain Bridge, or to make connections with the Arlington County water system at one or more points along the boundary line of Arlington County: *Provided*, That all expense of installing any such connection or connections or other appurtenances and any subsequent changes therein shall be borne by said town of Falls Church, or such other communities of said metropolitan area requesting such services: *Provided further*, That all payments for water taken

Falls Church, Va. Delivery of water from D. C. water system.

Expense of installing connections, etc.

Payments for water.

directly from the mains of the water supply system of the District of Columbia at the Dalecarlia Filtration Plant, or from other points on said water system, shall be made at such time and in such manner as the Secretary of War and said Board of Commissioners may prescribe; all such payments to be deposited in the Treasury of the United States as other water rents now collected in the District of Columbia are now deposited, but for water as may be supplied through the water mains of Arlington County, as hereinabove authorized, such payments shall be made by said Arlington County in the same manner as payments for water supplied for the use of said Arlington County: *Provided further*, That payment for water delivered to communities in said metropolitan area from or through the water mains of Arlington County shall be made to said county as may be mutually arranged on an equitable basis and as approved by the Secretary of War and said Board of Commissioners: *And provided further*, That the Secretary of War, directly or upon the request of the Board of Commissioners, may revoke at any time any permit for the use of said water that may have been granted.

Revocation of permit.

Right to investigate distribution systems.

SEC. 2. That the Secretary of War, through the Chief of Engineers, shall have the right at all times to investigate the distribution systems of any community outside the District of Columbia supplied with water from the said District of Columbia water system and if, in his opinion, there is an excessive wastage of water, he shall have the right to curtail the supply to said communities to the amount of such wastage.

Authority to acquire lands, etc.

SEC. 3. The Secretary of War or the said Board of Commissioners is hereby authorized to acquire by purchase or condemnation all necessary lands, easements, and rights-of-way for pipe lines within the District of Columbia, needed for the purposes of this Act.

Approved June 26, 1947.

[CHAPTER 150]

June 26, 1947
[H. R. 1344]
[Public Law 119]

AN ACT

To admit the American-owned ferry Crosline to American registry and to permit its use in coastwise trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 edition, title 46, sec. 883), the ferry Crosline, owned by the State of Washington, shall be admitted to American registry, and shall be entitled to engage in the coastwise trade and to transport passengers and merchandise between points in the United States, including Districts, Territories, and possessions thereof embraced within the coastwise laws.

41 Stat. 999.

Approved June 26, 1947.

[CHAPTER 152]

June 26, 1947
[S. 1230]
[Public Law 120]

AN ACT

To amend section 2 (a) of the National Housing Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (a) of the National Housing Act, as amended, is hereby amended by striking out in the first sentence "1947" and inserting "1949".

49 Stat. 1187; 57 Stat. 571.
12 U.S.C. § 1703 (a).

Approved June 26, 1947.

[CHAPTER 153]

AN ACT

To declare the policy of the United States with respect to the allocation of costs of construction of the Coachella Division of the All-American Canal irrigation project, California.

June 26, 1947
[H. R. 3348]
[Public Law 121]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the language in the appropriation Act of July 1, 1946, of the Department of the Interior for the fiscal year ending June 30, 1947 (Public Law 478, Seventy-ninth Congress) for the Bureau of Reclamation under the caption:

60 Stat. 368.

"Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures including distribution and drainage systems) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California;";

is hereby revised to read:

"Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems;";

and this revision shall apply with equal force to all prior appropriation Acts for the Department of the Interior and to the Act for the fiscal year 1948 in which this same language appears for the Bureau of Reclamation.

Post, p. 476.

Approved June 26, 1947.

[CHAPTER 156]

AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

June 27, 1947
[H. R. 3791]
[Public Law 122]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

Second Urgent Deficiency Appropriation Act, 1947.
Ante, p. 118.

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

For payment to Marcia Marie Bradley, widow of Fred Bradley, late a Representative from the State of Michigan, $12,500.

CONTINGENT EXPENSES OF THE HOUSE

Special and select committees: For an additional amount, fiscal year 1947, for "Special and select committees", $50,000.

60 Stat. 397.

Telegraph and telephone: For an additional amount, fiscal year 1947, for "Telegraph and telephone", $15,000.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

For an additional amount for "Working capital and congressional printing and binding", fiscal year 1947, $1,175,000: *Provided*, That the limitation upon the amount which may be expended for printing, binding, and distribution of the Federal Register is hereby increased

60 Stat. 405.

from "$500,000" to "$525,000" and the limitation upon the amount which may be expended for printing and binding the supplements to the Code of Federal Regulations is hereby increased from "$100,000" to "$125,000".

OFFICE OF SUPERINTENDENT OF DOCUMENTS

60 Stat. 407.

Salaries: For an additional amount, fiscal year 1947, for "Salaries", $21,500.

THE JUDICIARY

COURT OF CUSTOMS AND PATENT APPEALS

59 Stat. 197.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", $1,074.07.

MISCELLANEOUS ITEMS OF EXPENSE

59 Stat. 199.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", $7,050.

60 Stat. 478.

Fees of jurors: For an additional amount, fiscal year 1947, for "Fees of jurors", $30,000.

60 Stat. 479.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $23,700.

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

BUREAU OF EMPLOYEES' COMPENSATION

Ante, p. 17.

Employees' compensation fund: For an additional amount, fiscal year 1947, for "Employees' compensation fund", $500,000.

OFFICE OF VOCATIONAL REHABILITATION

41 Stat. 735.
29 U. S. C. §§ 31–44.

Such sums as may be necessary are hereby appropriated for making for the first quarter of the fiscal year 1948 payments to States in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C., ch. 4): *Provided*, That the obligations incurred and expenditures made for such purpose under the authority of this appropriation shall be charged to the appropriation therefor in the Labor-Federal Security Appropriation Act, 1948: *Provided further*, That the amount obligated and expended shall be based on an annual appropriation for the fiscal year 1948 of not to exceed $18,000,000.

Post, p. 267.

VETERANS' ADMINISTRATION

Ante, pp. 17, 62.

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", $28,400,000.

DISTRICT OF COLUMBIA

COMPENSATION AND RETIREMENT FUND EXPENSES

60 Stat. 503.

Workmen's compensation, administrative expenses: For an additional amount, fiscal year 1947, for "Workmen's compensation, administrative expenses", $6,000.

COURTS

59 Stat. 281.

United States courts: For an additional amount, fiscal year 1946, for "United States courts", $140,510.25.

PUBLIC WELFARE

Operating expenses, institutions for the indigent: For an additional amount, fiscal year 1947, for "Operating expenses, institutions for the indigent", $6,000. 60 Stat. 513.

PUBLIC WORKS

Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1947, for "Operating expenses, Office of Superintendent of District Buildings", $29,500. *Ante*, p. 64.

JUDGMENTS

For the payment of final judgments, including costs rendered against the District of Columbia, as set forth in House Document Numbered 296, together with such further sums as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, $2,364.89.

AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1943 and prior fiscal years, as follows: 18 Stat. 110.

Refund of erroneous collections, District of Columbia, 1942, $117.49; 55 Stat. 505.

Refund of erroneous collections, District of Columbia, 1943, $6,211.29; 56 Stat. 430.

Street improvements, highway fund, District of Columbia, 1942 (payable from highway fund), $34,078.14. 55 Stat. 529.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947. 60 Stat. 501.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

REPAIR OF STORM DAMAGE, JEANERETTE, LOUISIANA

The limitation under the head "Agricultural Research Administration, Office of the Administrator", in the 1947 Department of Agriculture Appropriation Act on the cost of constructing buildings shall not apply to the construction of four buildings at the New Iberia Livestock Experiment Station, Jeanerette, Louisiana, to replace buildings destroyed by windstorm. 60 Stat. 275.

BUREAU OF ANIMAL INDUSTRY

Diseases of animals: The limitation under this head in the Department of Agriculture Appropriation Act, 1947, on the amount which may be used for construction of a building for conducting investigations of pneumoencephalitis in poultry is hereby increased from "$30,000" to "$55,000". 60 Stat. 277.

Control and eradication of foot-and-mouth disease and rinderpest: For an additional amount, fiscal year 1947, to enable the Secretary of

Agriculture to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended (7 U. S. C. 391; 21 U. S. C. 111–122), including expenses in accordance with section 2 of said Public Law 8, $1,500,000, to remain available until June 30, 1948.

Ante, pp. 7, 24; *post*, pp. 245, 532, 617.

23 Stat. 31.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", $14.04.

55 Stat. 290. *Ante*, p. 111.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", $137.70.

55 Stat. 294. *Ante*, p. 111.

There is hereby transferred the sum of $5,000 from the appropriation "Traveling expenses, Department of Justice, 1947", to the appropriation "Examination of judicial offices, 1947".

60 Stat. 459.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", $65,000.

59 Stat. 182.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1946, for "Miscellaneous salaries and expenses, field", $20,000.

59 Stat. 182.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1946, for "Salaries and expenses of marshals, and so forth", $10,000.

59 Stat. 183.

Contingent expenses: For an additional amount, fiscal year 1947, for "Contingent expenses", $10,000.

60 Stat. 459.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", $80,000.

60 Stat. 459.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1947, for "Miscellaneous salaries and expenses, field", $29,500.

60 Stat. 459.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1947, for "Salaries and expenses of marshals, and so forth", $140,000.

60 Stat. 460.

Fees of witnesses: The limitation on the amount which may be expended for compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, fiscal year 1947, is hereby increased from "$25,000" to "$50,000".

60 Stat 460.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For an additional amount, fiscal year 1947, for "Salaries and expenses, Immigration and Naturalization Service", $400,000.

60 Stat. 462.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Foreign air-mail transportation: For an additional amount, fiscal year 1945, for "Foreign air-mail transportation", $3,919,000.

58 Stat. 211.

Foreign air-mail transportation: For an additional amount, fiscal year 1946, for "Foreign air-mail transportation", $8,196,000.

59 Stat. 71.

Foreign air-mail transportation: For an additional amount, fiscal year 1947, for "Foreign air-mail transportation", $21,262,000, of which $6,097,000 is to be transferred in the following respective amounts

Ante, p. 69.

from the appropriations "Domestic Air Mail Service", $5,972,000, "Post-office inspectors, salaries", $10,000, "Post-office inspectors, travel and miscellaneous expenses", $10,000, "Transportation of equipment and supplies", $50,000, "Operating force for public buildings", $50,000, and "Electric-car service", $5,000.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Penalty-mail costs: For an additional amount, fiscal year 1947, for "Penalty-mail costs", Treasury Department, $225,000. 60 Stat. 569.

FISCAL SERVICE

Emergency relief, liquidation fund: Title II of the Urgent Deficiency Appropriation Act, 1947 (Public Law 20), is amended by deleting the figures "$1,280,000" following the words "Bureau of Accounts: Emergency relief, liquidation fund", and inserting in lieu thereof the figures "$1,243,555.94". *Ante*, p. 22.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: The limitation under "Salaries and expenses", Bureau of Internal Revenue, on the amount which may be expended for printing and binding, fiscal year 1947, is hereby increased from "$2,200,000" to "$2,390,000". 60 Stat. 574.

SECRET SERVICE DIVISION

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For an additional amount, fiscal year 1947, for "Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", $16,000. 60 Stat. 577.

WAR DEPARTMENT

Emergency Flood Control Work, $12,000,000, to be expended in accord with the provisions of the bill, H. R. 3792, Eightieth Congress, if and when such bill is enacted into law, and to remain available until expended. *Ante*, p. 163.

The funds provided in the preceding paragraph shall be available to an amount not exceeding $250,000 to take all action necessary to prevent erosion at Anaheim Bay, Surfside, California. Anaheim Bay, Calif.

GENERAL PROVISIONS

SEC. 102. The appropriations and authority with respect to appropriations contained in (1) any regular annual appropriation Act for the fiscal year 1948, or (2) contained in other than a regular annual appropriation Act for the fiscal year 1948, and being for such fiscal year, or (3) contained in other than a regular annual appropriation Act for the fiscal year 1948, and being supplemental to an existing appropriation and for obligation after June 30, 1947, such Acts not being laws on July 1, 1947, shall be available from and including July 1, 1947, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1947, and the date of enactment of such appropriation Acts as may not have been enacted on or before July 1, 1947, in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof. Availability of appropriations, etc. *Post*, p. 245.

Lump-sum payments for accumulated leave.

SEC. 103. When employees are separated from the service during July 1947 by reason of a reduction-in-force and have been given notice of such separation during the fiscal year 1947, lump-sum payments for accumulated leave may be charged against unobligated balances of the 1947 appropriations from which such employees were paid: *Provided*, That subparagraphs (A) and (B) of paragraph (1) of section 14 (a) of the Federal Employees Pay Act of 1946 (Public Law 390) shall not apply to such employees.

60 Stat. 219.
5 U. S. C. § 947 (g).

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 104. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 105. This Act may be cited as the "Second Urgent Deficiency Appropriation Act, 1947".

Approved June 27, 1947.

[CHAPTER 157]

June 27, 1947
[S. 751]
[Public Law 123]

AN ACT

To continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1948, and for other purposes.

Day nurseries and nursery schools, D. C.
Post, p. 439.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize and direct the Board of Public Welfare of the District of Columbia to establish and operate in the public schools and other suitable locations a system of nurseries and nursery schools for day care of school-age and under-school-age children, and for other purposes", approved July 16, 1946 (Public Law 514, Seventy-ninth Congress), is amended by striking out the date "June 30, 1947" and inserting in lieu thereof the date "June 30, 1948".

60 Stat. 540.

SEC. 2. Such section is further amended by striking out "or who are so handicapped that they cannot otherwise provide for the day care of their children"; and by adding at the end of such section the following new sentence: "Appropriations made under the authority contained in section 4 of this Act shall be available for the maintenance

Funds available for maintenance, etc.
60 Stat. 541.

and operation of such of the buildings and grounds (as may be designated and approved by the Commissioners of the District of Columbia under the provisions of this section) in and on which such nurseries and nursery schools may be established, maintained, and operated."

SEC. 3. Section 4 of such Act is amended by striking out "$500,000" and inserting in lieu thereof "$150,000". 60 Stat. 541.

Approved June 27, 1947.

[CHAPTER 158]

AN ACT

June 27, 1947
[H. R. 3372]
[Public Law 124]

Authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, acting through the Bureau of Mines, and the Navajo Tribe of Indians are authorized to enter into an agreement dated December 1, 1945, entitled "An agreement severing certain formations from oil and gas leases and substituting new leases as to those formations" and an "Amending agreement", affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved. If said Navajo Tribe of Indians shall, after investigation, deem the total consideration payable to it by the United States pursuant to such agreement dated December 1, 1945, as amended, to be in any respect less than reasonable, fair, just, and equitable, said tribe shall be entitled within three years after the date of enactment of this Act to institute suit against the United States in the Court of Claims for the recovery of such additional sum as may be necessary to compensate said tribe for the reasonable, fair, just, and equitable value of all right, interest, and property passing from said tribe to the United States under such agreement, as amended. Jurisdiction is hereby conferred upon the Court of Claims to hear and determine any suit so instituted and to enter final judgment against the United States therein for such sum, if any, in excess of the total consideration payable pursuant to such agreement, as amended, as such court may determine to be necessary to provide consideration in all respects reasonable, fair, just, and equitable. Appellate review of any judgment so entered shall be in the same manner, and subject to the same limitations, as in the case of claims over which the Court of Claims has jurisdiction under section 145 of the Judicial Code, as amended (28 U. S. C., sec. 250). Notwithstanding any contract to the contrary, not more than 10 per centum of the amount received or recovered by said tribe in satisfaction of any claim asserted under this section shall be paid to or received by any agent or attorney on account of services rendered in connection with such claim.

Navajo Tribe of Indians. Agreements.

Suit for recovery of additional sum.

36 Stat. 1136.

SEC. 2. The Secretary of the Interior, acting through the Bureau of Mines, is authorized to enter into an agreement dated September 19, 1946, with Continental Oil Company and Santa Fe Corporation entitled "Agreement for assignments of interests in oil and gas leases and for operations on the leaseholds" and two agreements supplemental thereto, affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved.

Continental Oil Co. and Santa Fe Corp. Agreements.

Approved June 27, 1947.

[CHAPTER 159]

JOINT RESOLUTION

June 28, 1947
[S. J. Res. 125]
[Public Law 125]

To strengthen the common defense and to meet industrial needs for tin by providing for the maintenance of a domestic tin-smelting industry.

Tin.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) tin is a highly strategic and critical material of which insufficient ore reserves exist in the United States and of which an adequate supply is vital to the Nation's industrial, military, and naval requirements for the common defense.

(b) Tin is now and for the immediate future will remain in supply short of the requirements of this country's industrial, military, and naval needs.

Study and investigation by Congress.

(c) It is necessary in the public interest and to promote the common defense that Congress make a thorough study and investigation regarding the advisability of the maintenance on a permanent basis of a domestic tin-smelting industry and to study the availability of supplies of tin adequate to meet the industrial, military, and naval requirement of the Nation in time of national emergency.

Continuation of powers, etc., exercised by RFC.

SEC. 2. The powers, functions, duties, and authority of the United States heretofore exercised by the Reconstruction Finance Corporation (1) to buy, sell, and transport tin, and tin ore and concentrates; (2) to improve, develop, maintain, and operate by lease or otherwise the Government-owned tin smelter at Texas City, Texas; (3) to finance research in tin smelting and processing; and (4) to do all other things necessary to the accomplishment of the foregoing shall continue in effect until June 30, 1949, or until such earlier time as the Congress shall otherwise provide, and shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate.

Report to Congress.

SEC. 3. The Reconstruction Finance Corporation or the officer, agency, or instrumentality of the United States subsequently designated by the President shall render a full report to Congress on all its activities under this joint resolution not later than December 31, 1947, and at the end of each six months thereafter.

Approved June 28, 1947.

[CHAPTER 160]

AN ACT

June 28, 1947
[H. R. 3398]
[Public Law 126]

To extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancees or fiances of members of the armed forces of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority conferred upon the Secretary of State and the Attorney General under the provisions of the Act approved June 29, 1946 (60 Stat. 339), shall be extended to December 31, 1947, midnight.

50 U. S. C. app. §§ 1851-1855.

Approved June 28, 1947.

[CHAPTER 161]

AN ACT

June 28, 1947
[H. R. 3911]
[Public Law 127]

To continue temporary authority of the Maritime Commission until March 1, 1948.

U. S. Maritime Commission.
Post, p. 697.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph under the head, "United States Maritime Commission" in title I of the Third Deficiency Appropriation Act, 1946 (Public Law 521,

Seventy-ninth Congress, approved July 23, 1946), as amended by section 2 of Public Law 6, Eightieth Congress, approved February 26, 1947, and section 1 of said Public Law 6, Eightieth Congress, and the first two sentences of section 11 (a) and section 14 of the Merchant Ship Sales Act of 1946 (Public Law 321, Seventy-ninth Congress, approved March 8, 1946), are amended by striking out the dates "July 1, 1947" and "December 31, 1947", wherever either appear therein, and inserting in lieu thereof the date "March 1, 1948".

Ante, p. 6.

60 Stat. 49, 50.
50 U. S. C. app. §§ 1744(a), 1735 note.

SEC. 2. That section 5 of the Merchant Ship Sales Act of 1946 is amended by adding at the end thereof the following subsection:

60 Stat. 43.
50 U. S. C. app. § 1738.

"(d) Where an operator is engaged both in the foreign trade and in the domestic trade (coastwise or intercoastal), additional charter hire determined with reference to voyage profits of the chartered vessels, under regulations promulgated by the Maritime Commission, shall be computed, accounted for, and paid separately on such foreign trade and shall be computed, accounted for, and paid separately on such domestic trade, covering all voyages commencing subsequent to June 30, 1947."

Computation of additional charter hire, etc.

Approved June 28, 1947.

[CHAPTER 162]

AN ACT

To stimulate volunteer enlistments in the Regular Military Establishment of the United States.

June 28, 1947
[H. R. 3303]
[Public Law 128]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective July 1, 1947, the Secretary of War is authorized, notwithstanding the provisions of the last paragraph of section 127a of this Act, to accept original enlistments in the Regular Army from among qualified male persons not less than seventeen years of age for periods of two, three, four, five, or six years, and to accept reenlistments for periods of three, four, five, or six years: *Provided*, That persons of the first three enlisted grades may be reenlisted for unspecified periods of time on a career basis under such regulations as the Secretary of War may prescribe: *Provided further*, That anyone who serves three or more years of an enlistment for an unspecified period of time may submit to the Secretary of War his resignation and such resignation shall be accepted by the Secretary of War and such person shall be discharged from his enlistment within three months of the submission of such resignation. Except if such person, other than an enlisted member of a Regular Army Puerto Rican unit submits his resignation while stationed overseas or after embarking for an overseas station, the Secretary of War shall not be required to accept such resignation until a total of two years of overseas service shall have been completed in the current overseas assignment, and in the case of anyone who has completed any course of instruction pursuant to paragraph 13 of section 127a of the National Defense Act, as amended (10 U. S. C. 535), or pursuant to section 2 of the Act of April 3, 1939 (53 Stat. 556), as amended (10 U. S. C. 298a), the Secretary of War shall not be required to accept such resignation until two years subsequent to the completion of such course. The Secretary of War may refuse to accept any such resignation in time of war or national emergency declared by the President or Congress, or while the person concerned is absent without leave or serving a sentence of court martial. The Secretary of War may refuse to accept a resignation for a period not to exceed six months following the submission thereof if the enlisted person is under investigation or in default with respect to public property or public funds: *Provided*

Enlistments in Regular Army.

Reenlistments on career basis.

Resignations.

41 Stat. 786.

Consent of parents, etc., for persons under age 18.

further, That no person under the age of eighteen years shall be enlisted without the written consent of his parents or guardian, and the Secretary of War shall, upon the application of the parents or guardian of any such person enlisted without their written consent, discharge such person from the military service with pay and with the form of discharge certificate to which the service of such person, after enlistment, shall entitle him: *Provided further*, That nothing contained in this Act shall be construed to deprive any person of any right to reenlistment in the Regular Army under any other provision of law. No person who is serving under an enlistment contracted on or after June 1, 1945, shall be entitled, before the expiration of the period of such enlistment, to enlist for an enlistment period which will expire before the expiration of the enlistment period for which he is so serving: *Provided further*, That any enlisted person discharged from the Regular Army who upon such discharge is recommended for reenlistment shall be permitted to reenlist with the rank held by him at the time of his discharge if he reenlists within a period to be specified by the Secretary of War but not to exceed three months from the date of such discharge: *And provided further*, That any enlisted person discharged from the Regular Army by reason of acceptance of his resignation shall not be entitled upon subsequent reenlistment to the rank, rating, or grade held at the time of discharge.

Right to reenlistment under other provisions of law.

Enlistment contracted on or after June 1, 1945.

Reenlistment of discharged persons.

Promotions to sixth grade.

SEC. 2. Any person who enlists or reenlists in the Regular Military Establishment on or after June 1, 1945, in the seventh grade, upon the completion of recruit training, but not later than four months subsequent to the date of enlistment, shall, unless sooner promoted, be promoted to the sixth grade, provided he meets such qualifications as may be prescribed in regulations promulgated by the Secretary of War: *Provided*, That no back pay or allowance shall accrue to any person by reason of enactment of this section.

Back pay or allowance.

39 Stat. 166.

SEC. 3. Section 2 of the National Defense Act, as amended (10 U. S. C. 4, 602), is further amended by deleting the last sentence thereof.

56 Stat. 364.
37 U. S. C. §§ 16a, 110.
Post, p. 242.

SEC. 4. Paragraph 4 of section 10 of the Pay Readjustment Act of 1942 is hereby amended by substituting a colon for the period at the end of such paragraph and by adding immediately after such colon the following: "*Provided further*, That in addition to such enlistment allowance, any person enlisting for an unspecified period of time shall be paid the sum of $50 upon the completion of each year of service of such reenlistment, and any person who resigns or is discharged from such enlistment for an unspecified period of time shall not thereafter be entitled to any additional enlistment or reenlistment allowance based on any period served in such enlistment for an unspecified period of time."

Reenlistment allowance.

43 Stat. 896; 42 Stat. 74.

SEC. 5. Effective July 1, 1947, sections 653 and 653a of title 10, United States Code, are repealed and all other laws and parts of laws insofar as they are inconsistent with or in conflict with the provisions of this Act are likewise repealed.

58 Stat. 8.

SEC. 6. Subsection 1 (b) of the Mustering-Out Payment Act of 1944 (38 U. S. C., Supp. V. 691a) is amended by striking out the word "and" at the end of subsection (7) thereof, inserting a semicolon in lieu of the period after subsection (8) thereof, and adding the following: "and (9) any person entering upon active service, or enlisting, on or after the first day of the first month after the approval of the Act adding this subsection."

39 Stat. 197.
32 U. S. C. §§ 1, 4, 4a.

SEC. 7. Sections 57 and 58 of the National Defense Act, as amended, are further amended by striking out the words "eighteen" therefrom and substituting therefor the words "seventeen" in each of the said sections.

Approved June 28, 1947.

[CHAPTER 163]

AN ACT

Relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes.

June 30, 1947
[H. R. 3203]
[Public Law 129]

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

Housing and Rent Act of 1947.

TITLE I—AMENDMENTS TO EXISTING LAW

Veterans' Emergency Housing Act of 1946, amendments.
60 Stat. 207.
50 U. S. C. app. §§ 1821–1829, 1831, 1832.

SECTION 1. (a) Sections 1, 2 (b) through 9, and sections 11 and 12, of Public Law 388, Seventy-ninth Congress, are hereby repealed, and any funds made available under said sections of said Act not expended or committed prior to the enactment of this Act are hereby returned to the Treasury: *Provided*, That any allocations made or committed, or priorities granted for the delivery, of any housing materials or facilities under any regulation or order issued under the authority contained in said Act, and before the date of enactment of this Act, with respect to veterans of World War II, their immediate families, and others, shall remain in full force and effect.

Prior allocations of materials, etc.

Permit to construct buildings for amusement purposes, etc.

(b) (1) Whenever the Housing Expediter determines that there is a shortage, or that there is likely to be a shortage, of building materials, he may by regulation or order require of any person or persons a permit as a condition of constructing any building or facilities to be used for amusement or recreational purposes, other than a building or facilities constructed for use in connection with a State or county fair or an agricultural, livestock, or industrial exposition or exhibition, the net proceeds from which are used exclusively for improvement, maintenance, and operation of such exposition or exhibition.

Unlawful acts; penalty.

(2) It shall be unlawful for any person to do or omit to do any act in violation of any regulation or order prescribed under authority of this subsection. Any person who willfully violates the provisions of this paragraph shall, upon conviction thereof, be subject to a fine of not more than $5,000, or to imprisonment for not more than two years, or to both such fine and imprisonment.

"Person."

(3) As used in this subsection, the term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing.

55 Stat. 56; 60 Stat. 212.
12 U. S. C. § 1738 (a).
Post, pp. 777, 945.

SEC. 2. Section 603 (a) of the National Housing Act, as amended, is amended by striking out "June 30, 1947" wherever appearing therein and inserting in lieu thereof "March 31, 1948".

55 Stat. 55.
12 U. S. C. §§ 1736–1743.
Post, pp. 208, 777, 945.

SEC. 3. Title VI of the National Housing Act, as amended, is amended by adding the following new section at the end thereof:

Insurance of loans to finance manufacture of housing.

"SEC. 609. (a) In order to assist in relieving the acute shortage of housing which now exists and to promote the production of housing for veterans of World War II at moderate prices or rentals within their reasonable ability to pay, through the application of modern industrial processes, the Administrator is authorized to insure loans to finance the manufacture of housing (including advances on such loans) when such loans are eligible for insurance as hereinafter provided.

Conditions.

"(b) Loans for the manufacture of houses shall be eligible for insurance under this section if at the time of such insurance, the Administrator determines they meet the following conditions:

"(1) The manufacturer shall establish that binding contracts have been executed satisfactory to the Administrator, providing for the purchase and delivery of the number of houses to be manufactured with the proceeds of the loan;

"(2) Such houses to be manufactured shall meet such requirements of sound quality, durability, livability, and safety as may be prescribed by the Administrator;

"(3) The borrower shall establish to the satisfaction of the Administrator that he has or will have adequate plant facilities, sufficient capital funds, taking into account the loan applied for, and the experience necessary, to achieve the required production schedule;

"(4) The loan shall involve a principal obligation in an amount not to exceed 90 per centum of the amount which the Administrator estimates will be the necessary current cost of manufacturing such houses, exclusive of profit. The loan shall be secured by an assignment of the aforesaid purchase contracts for the houses to be manufactured with the proceeds of the loan, and of all sums payable under such purchase contracts, with the right in the assignee to proceed against such security in case of default as provided in the assignment, which assignment shall be in such form and contain such terms and conditions, as may be prescribed by the Administrator; and the Administrator may require such other agreements and undertakings to further secure the loan as he may determine, including the right, in case of default or at any time necessary to protect the lender, to compel delivery to the lender of any houses manufactured with the proceeds of the loan and then owned and in the possession of the borrower. The loan shall have a maturity not in excess of one year from the date of the note, except that any such loan may be refinanced and extended in accordance with such terms and conditions as the Administrator may prescribe for an additional term not to exceed one year, and shall bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time.

Release of property assigned, etc.

"(c) The Administrator may consent to the release of a part or parts of the property assigned or delivered as security for the loan, upon such terms and conditions as he may prescribe and the security documents may provide for such release.

Failure to make payment, etc.

"(d) The failure of the borrower to make any payment due under or provided to be paid by the terms of a loan under this section, or the failure to perform any other covenant or obligation contained in any assignment, agreement, or undertaking executed by the borrower in connection with such loan, shall be considered as a default under this section, and if such default continues for a period of thirty days, the lender shall be entitled to receive the benefits of the insurance hereinafter provided upon assignment, transfer, and delivery to the Administrator within a period and in accordance with the rules and regulations prescribed by the Administrator of (1) all rights and interest arising with respect to the loan so in default; (2) all claims of the lender against the borrower or others arising out of the loan transaction; (3) any cash or property held by the lender, or to which it is entitled, as deposits made for the account of the borrower and which have not been applied in reduction of the principal of the loan; and (4) all records, documents, books, papers, and accounts relating to the loan transaction. Upon such assignment, transfer, and delivery, the Administrator shall, subject to the cash adjustment provided for in section 604 (c), issue to the lender debentures having a face value equal to the unpaid principal balance of the loan.

55 Stat. 59.
12 U. S. C. § 1739 (c).

Issuance of debentures.
55 Stat. 59.
12 U. S. C. § 1739 (d).

"(e) Debentures issued under this section shall be issued in accordance with the provisions of section 604 (d) except that such debentures shall be dated as of the date of default as determined in subsection (d) of this section and shall bear interest from such date.

52 Stat. 20; 55 Stat. 56.
12 U. S. C. §§ 1713 (k), 1738 (a).
Ante, p. 193; *post*, pp. 777, 945.

"(f) The provisions of section 207 (k) and 603 (a) of this Act shall be applicable to loans insured under this section, except that as applied to such loans (1) all references in section 207 (k) to the 'Housing Fund' shall be construed to refer to the 'War Housing Insurance Fund'

and (2) the reference in section 207 (k) to 'subsection (g)' shall be construed to refer to 'subsection (d)' of this section; (3) the references in section 207 (k) to insured mortgages shall be construed to refer to the assignment or other security for loans insured under this section; and (4) the references in section 603 (a) to a mortgage or mortgages shall be construed to include a loan or loans under this section.

Power of Administrator to dispose of property, etc.

"(g) Notwithstanding any other provision of law, the Administrator shall have the power to assign or sell at public or private sale, or otherwise dispose of, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of insurance heretofore or hereafter granted under this section, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such insurance until such time as such obligations may be referred to the Attorney General for suit or collection.

Premium charge.

"(h) The Administrator shall fix a premium charge for the insurance granted under this section, but such premium charge shall not exceed an amount equivalent to 1 per centum of the original principal of such loan, and such premium charge shall be payable in advance by the financial institution and shall be paid at such time and in such manner as may be prescribed by the Administrator. In addition to the premium charge herein provided for, the Administrator is authorized to charge and collect such amounts as he may deem reasonable for examining and processing applications for the insurance of loans under this section, including such additional inspections as the Administrator may deem necessary."

Veterans' preference.

SEC. 4. (a) In order to assure preference or priority to veterans of World War II or their families—

(1) no housing accommodations consisting of a dwelling designed for a single family residence, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be sold or offered for sale, prior to the expiration of thirty days after construction is completed, for occupancy by persons other than such veterans or their families; and

(2) no housing accommodations, designed for occupancy by other than transients, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be rented or offered for rent, prior to the expiration of thirty days after construction is completed, for occupancy by persons other than such veterans or their families; and

(3) no housing accommodations consisting of a dwelling designed for a single-family residence, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be sold or offered for sale to any person at a price less than the price for which it is offered to veterans or their families; and

(4) no housing accommodations, designed for occupancy by other than transients, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be rented or offered for rent, at a price less than the price for which it is offered for rent to veterans and their families; and

(5) the Housing Expediter shall prescribe by regulations: (i) the manner in which such housing accommodations shall be publicly offered in good faith for sale or rental to veterans of World War II or their families in accordance with the provisions of this section, and (ii) exceptions to this section for hardship cases, including appropriate exceptions from the operation of paragraphs (3) and (4): *Provided*, That nothing contained in

60 Stat. 207.
50 U. S. C. app. §§ 1821-1833.
Ante, p. 193.

this Act shall affect or remove any veteran's preference requirements heretofore established under Public Law 388, Seventy-ninth Congress, and outstanding with respect to housing accommodations completed prior to the date of the enactment of this title.

(b) This section shall cease to be in effect whenever the President proclaims that the protection to such veterans and their families provided by this section is no longer needed.

(c) For purposes of this section (1) the Housing Expediter shall prescribe by regulations the time as of which construction of housing accommodations shall be deemed to be completed, and (2) the term "person" shall have the meaning assigned to such term in section 1 (b) (3) of this Act.

Penalty.

(d) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than $5,000 or to imprisonment for not more than one year, or to both such fine and imprisonment.

TITLE II—MAXIMUM RENTS

DECLARATION OF POLICY

60 Stat. 664.
50 U. S. C. app. § 901 *et seq.*; 15 U. S. C. § 713 notes.

SEC. 201. (a) The Congress hereby reaffirms the declaration in the Price Control Extension Act of 1946 that unnecessary or unduly prolonged controls over rents would be inconsistent with the return to a peacetime economy and would tend to prevent the attainment of the goals therein declared.

Termination of Federal restrictions on rents.

(b) The Congress therefore declares that it is its purpose to terminate at the earliest practicable date all Federal restrictions on rents on housing accommodations. At the same time the Congress recognizes that an emergency exists and that, for the prevention of inflation and for the achievement of a reasonable stability in the general level of rents during the transition period, as well as the attainment of other salutary objectives of the above-named Act, it is necessary for a limited time to impose certain restrictions upon rents charged for rental housing accommodations in defense-rental areas. Such restrictions should be administered with a view to prompt adjustments where owners of rental housing accommodations are suffering hardships because of the inadequacies of the maximum rents applicable to their housing accommodations, and under procedures designed to minimize delay in the granting of necessary adjustments, which, so far as practicable, shall be made by local boards with a minimum of control by any central agency.

(c) To the end that these policies may be effectively carried out with the least possible impact on the economy pending complete decontrol, the provisions of this title are enacted.

DEFINITIONS

SEC. 202. As used in this title—

(a) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing.

(b) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, rooming- or boarding-house accommodations, and other properties used for living or dwelling purposes) together with all privileges, services, furnishings, furniture, and facilities connected with the use or occupancy of such property.

(c) The term "controlled housing accommodations" means housing accommodations in any defense-rental area, except that it does not include—

(1) those housing accommodations, in any establishment which is commonly known as a hotel in the community in which it is located, which are occupied by persons who are provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service; or

(2) any motor court, or any part thereof; or any tourist home serving transient guests exclusively, or any part thereof; or

(3) any housing accommodations (A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947, except that contracts for the rental of housing accommodations to veterans of World War II and their immediate families, the construction of which was assisted by allocations or priorities under Public Law 388, Seventy-ninth Congress, approved May 22, 1946, shall remain in full force and effect, or (B) which at no time during the period February 1, 1945, to January 31, 1947, both dates inclusive, were rented (other than to members of the immediate family of the occupant) as housing accommodations.

60 Stat. 207.
50 U. S. C. app. §§ 1821-1833.
Ante, p. 193.

(d) The term "defense-rental area" means any part of any area designated under the provisions of the Emergency Price Control Act of 1942, as amended, prior to March 1, 1947, as an area where defense activities have resulted or threaten to result in an increase in the rents for housing accommodations inconsistent with the purposes of such Act, in which maximum rents were being regulated under such Act on March 1, 1947.

56 Stat. 23.
50 U. S. C. app. §§ 901-906, 921-926, 941-946.
Post, p. 619.

(e) The term "rent" means the consideration demanded or received in connection with the use or occupancy or the transfer of a lease of any housing accommodations.

TERMINATION OF RENT CONTROL UNDER EMERGENCY PRICE CONTROL ACT OF 1942

SEC. 203. (a) After the effective date of this title, no maximum rents shall be established or maintained under the authority of the Emergency Price Control Act of 1942, as amended, with respect to any housing accommodations.

Supra.

(b) On the termination of rent control under this title all records and other data used or held in connection with the establishment and maintenance of maximum rents by the Housing Expediter, and all predecessor agencies, shall, on request, be delivered without reimbursement to the proper officials of any State or local subdivision of government that may be charged with the duty of administering a rent control program in any State or local subdivision of government to which such records and data may be applicable: *Provided, however*, That any such records or data shall be so made available subject to recall for use in carrying out the purposes of this title.

RENT CONTROL UNDER THIS TITLE

SEC. 204. (a) The Housing Expediter shall administer the powers, functions, and duties under this title; and for the purpose of exercising such powers, functions, and duties, and the powers, functions, and duties granted to or imposed upon the Housing Expediter by title I of this Act, the Office of Housing Expediter is hereby extended until February 29, 1948.

Extension of Office of Housing Expediter.

Maximum rent.

(b) During the period beginning on the effective date of this title and ending on the date this title ceases to be in effect, no person shall demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations greater than the maximum rent established under the authority of the Emergency Price Control Act of 1942, as amended, and in effect with respect thereto on June 30, 1947: *Provided, however*, That the Housing Expediter shall, by regulation or order, make such adjustments in such maximum rents as may be necessary to correct inequities or further to carry out the purposes and provisions of this title: *And provided further*, That in any case in which a landlord and tenant, on or before December 31, 1947, voluntarily enter into a valid written lease in good faith with respect to any housing accommodations for which a maximum rent is in effect under this section and such lease takes effect after the effective date of this title and expires on or after December 31, 1948, and if a true and duly executed copy of such lease is filed, within fifteen days after the date of execution of such lease, with the Housing Expediter, the maximum rent for such housing accommodations shall be, as of the date such lease takes effect, that which is mutually agreed between the landlord and tenant in such lease if it does not represent an increase of more than 15 per centum over the maximum rent which would otherwise apply under this section. In any case in which a maximum rent for any housing accommodations is established pursuant to the provisions of the last proviso above, such maximum rent shall not thereafter be subject to modification by any regulation or order issued under the provisions of this title. No housing accommodations for which a maximum rent is established pursuant to the provisions of the last proviso above shall be subject, after December 31, 1947, to any maximum rent established or maintained under the provisions of this title.

56 Stat. 23.
50 U. S. C. app. §§ 901–906, 921–926, 941–946.
Post, p. 619.
Adjustments.

Lease entered into on or before Dec. 31, 1947.

Removal of maximum rents in defense-rental areas.

(c) The Housing Expediter is hereby authorized and directed to remove any or all maximum rents before this title ceases to be in effect, in any defense-rental area, if in his judgment the need for continuing maximum rents in such area no longer exists due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met.

Regulations and orders.

(d) The Housing Expediter is authorized to issue such regulations and orders, consistent with the provisions of this title, as he may deem necessary to carry out the provisions of this section and section 202 (c).

Advisory boards in defense-rental areas.

(e) (1) The Housing Expediter is authorized and directed to create in each defense-rental area, or such portion thereof as he may designate, a local advisory board, each such board to consist of not less than five members who are representative citizens of the area, to be appointed by the Housing Expediter, from recommendations made by the respective Governors. Each such board shall have sufficient members to enable it promptly to consider individual adjustment cases coming before it on which the board shall make recommendations to the officials administering this title within its area. The local boards may make such recommendations to the Housing Expediter as they deem advisable with respect to the following matters:

(A) Decontrol of the defense-rental area or any portion thereof;

(B) The adequacy of the general rent level in the area; and

(C) Operations generally of the local rent office, with particular reference to hardship cases.

Office space, etc.

(2) The Housing Expediter shall furnish the local boards suitable office space and stenographic assistance and shall make available to such boards any records and other information in the possession of

the Housing Expediter with respect to the establishment and maintenance of maximum rents and housing accommodations in the respective defense-rental areas which may be requested by such boards.

Approval of recommendations, etc.

(3) Within thirty days after receipt of any recommendation of a local board such recommendation shall be approved or disapproved or the local board shall be notified in writing of the reasons why final action cannot be taken in thirty days. Any recommendation of a local board appropriately substantiated and in accordance with applicable law and regulations shall be approved and appropriate action shall promptly be taken to carry such recommendation into effect.

Cooperation of State governors, etc.

(4) Immediately upon the enactment of this Act the Housing Expediter shall communicate with the governors of the several States advising them of the provisions of this subsection and of the number and location of defense-rental areas in their respective States, and requesting their cooperation in carrying out such provisions.

Termination of title.

(f) The provisions of this title shall cease to be in effect on February 29, 1948.

RECOVERY OF DAMAGES BY TENANTS

SEC. 205. Any person who demands, accepts, or receives any payment of rent in excess of the maximum rent prescribed under section 204 shall be liable to the person from whom he demands, accepts, or receives such payment, for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of (1) $50, or (2) three times the amount by which the payment or payments demanded, accepted, or received exceed the maximum rent which could lawfully be demanded, accepted, or received, whichever in either case may be the greater amount: *Provided*, That the amount of such liquidated damages shall be the amount of the overcharge or overcharges if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation. Suit to recover such amount may be brought in any Federal, State, or Territorial court of competent jurisdiction within one year after the date of such violation. For the purpose of determining the amount of liquidated damages to be awarded to the plaintiff in an action brought under this section, all violations alleged in such action which were committed by the defendant with respect to the plaintiff prior to the bringing of action shall be deemed to constitute one violation, and the amount demanded, accepted, or received in connection with such one violation shall be deemed to be the aggregate amount demanded, accepted, or received in connection with all violations. A judgment in an action under this section shall be a bar to a recovery under this section in any other action against the same defendant on account of any violation with respect to the same plaintiff prior to the institution of the action in which such judgment was rendered.

PROHIBITION AND ENFORCEMENT

SEC. 206. (a) It shall be unlawful for any person to offer, solicit, demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under section 204.

(b) Whenever in the judgment of the Housing Expediter any person has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of subsection (a) of this section, he may make application to any Federal, State or Territorial court of competent jurisdiction, for an order enjoining such act or practice, or for an order enforcing compliance with such subsection, and upon a showing by the Housing Expediter that such person has

engaged or is about to engage in any such act or practice a permanent or temporary injunction, restraining order, or other order shall be granted without bond.

MAINTENANCE OF ACTIONS FOR CERTAIN ALLEGED PAST VIOLATIONS

56 Stat. 23.
50 U. S. C. app. §§ 901-906, 921-926, 941-946.
Post, p. 619.

SEC. 207. No action or proceeding, involving any alleged violation of Maximum Price Regulation Numbered 188, issued under the Emergency Price Control Act of 1942, as amended, shall be maintained in any court, or judgment thereon executed or otherwise proceeded on, if a court of competent jurisdiction has found, or by opinion has declared, that the person alleged to have committed such violation acted in good faith and that application to such person of the "actual delivery" provisions of such regulation would result or has resulted in extreme hardship.

PROPERTY, PERSONNEL, AND APPROPRIATIONS

12 F. R. 2645.

SEC. 208. (a) The records, property, personnel, and funds, relating primarily to rent control, transferred to the Housing Expediter by or pursuant to Executive Order Numbered 9841, dated April 23, 1947, may be used for the purpose of carrying out the powers, functions, and duties of the Housing Expediter under this title; except that any personnel so transferred who are found to be in excess of the needs of the Housing Expediter for the exercise of such powers, functions, and duties shall be separated from the service.

Appropriation authorized.
Post, pp. 574, 616.

(b) There are authorized to be appropriated to the Housing Expediter such sums as may be necessary to carry out the provisions of this Act.

EVICTION OF TENANTS

SEC. 209. (a) No action or proceeding to recover possession of any controlled housing accommodations with respect to which a maximum rent is in effect under this title shall be maintainable by any landlord against any tenant in any court, notwithstanding the fact that the tenant has no lease or that his lease has expired, so long as the tenant continues to pay the rent to which the landlord is entitled unless—

Violations, etc., by tenant.

(1) under the law of the State in which the action or proceeding is brought the tenant is (A) violating the obligation of his tenancy (other than an obligation to pay rent higher than rent permitted under this Act or an obligation to surrender possession of such housing accommodations) or (B) is committing a nuisance in such housing accommodations or using such housing accommodations for an immoral or illegal purpose or for other than living or dwelling purposes;

Recovery by landlord for personal use, etc.

(2) the landlord seeks in good faith to recover possession of such housing accommodations for his immediate and personal use and occupancy as housing accommodations;

Contract to sell.

(3) the landlord has in good faith contracted in writing to sell the housing accommodations to a purchaser for the immediate and personal use and occupancy as housing accommodations by such purchaser;

Alteration, remodeling, etc.

(4) the landlord seeks in good faith to recover possession of such housing accommodations for the immediate purpose of substantially altering, remodeling, or demolishing them and replacing them with new construction, and the altering or remodeling is reasonably necessary to protect and conserve the housing accommodations and cannot practically be done with the tenant in occupancy, and the landlord has obtained such approval as may be required by Federal, State, or local law for the alterations, remodeling, or any construction planned; or

(5) the housing accommodations are nonhousekeeping, furnished housing accommodations located within a single dwelling unit not used as a rooming or boarding house and the remaining portion of which is occupied by the landlord or his immediate family.

Nonhousekeeping accommodations.

(b) Notwithstanding any other provision of this Act, the United States or any State or local public agency may maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered: *Provided*, That nothing in this subsection shall be deemed to authorize the maintenance of any such action or proceeding upon the ground that the income of the occupants of the housing accommodations exceeds the allowable maximum unless such income, less any amounts paid to such occupants by the Veterans' Administration on account of service-connected disability or disabilities, exceeds the allowable maximum.

Action to recover possession by U. S., State, or local agency. *Post*, p. 705.

ADMINISTRATIVE PROCEDURE ACT INAPPLICABLE

SEC. 210. Section 2 (a) of the Administrative Procedure Act, as amended, is amended by inserting after "Selective Training and Service Act of 1940;" the following: "Housing and Rent Act of 1947;".

60 Stat. 237. 5 U. S. C. § 1001(a). *Ante*, p. 37.

APPLICATION

SEC. 211. The provisions of this title shall be applicable to the several States and to the Territories and possessions of the United States but shall not be applicable to the District of Columbia.

EFFECTIVE DATE OF TITLE

SEC. 212. This title shall become effective on the first day of the first calendar month following the month in which this Act is enacted.

SHORT TITLE

SEC. 213. This Act may be cited as the "Housing and Rent Act of 1947".

TITLE III—SEPARABILITY OF PROVISIONS

SEC. 301. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

Approved June 30, 1947.

[CHAPTER 164]

AN ACT

To continue the Commodity Credit Corporation as an agency of the United States until June 30, 1948.

June 30, 1947 [S. 350] [Public Law 130]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "June 30, 1948".

59 Stat. 51. 15 U. S. C. § 713 (a).

Approved June 30, 1947.

[CHAPTER 165]

AN ACT

June 30, 1947
[S. 1072]
[Public Law 131]

To extend until July 1, 1949, the period during which income from agricultural labor and nursing services may be disregarded by the States in making old-age assistance payments without prejudicing their rights to grants-in-aid under the Social Security Act.

Old-age assistance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (f) of the joint resolution entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943 (57 Stat. 72), as amended (57 Stat. 125; 59 Stat. 80), and section 5 (f) of the Farm Labor Supply Appropriation Act, 1944 (58 Stat. 15), are each amended by striking out "prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President" and inserting in lieu thereof "prior to July 1, 1949".

50 U. S. C. app. §§ 1351 note, 1355(f).
Ante, p. 55.

Approved June 30, 1947.

[CHAPTER 166]

JOINT RESOLUTION

June 30, 1947
[S. J. Res. 135]
[Public Law 132]

To extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation.

Reconstruction Finance Corporation Act, amendment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENT TO RECONSTRUCTION FINANCE CORPORATION ACT

47 Stat. 5.
15 U. S. C. § 601 *et seq.*

SECTION 1. The Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows:

Creation.

"SEC. 1. There is hereby created a body corporate with the name 'Reconstruction Finance Corporation' (herein called the Corporation), with a capital stock of $325,000,000 subscribed by the United States of America. Its principal office shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the board of directors. This Act may be cited as the 'Reconstruction Finance Corporation Act'.

Principal office.

Short title.

Board of directors.

"SEC. 2. The management of the Corporation shall be vested in a board of directors consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the five members of the board, not more than three shall be members of any one political party and not more than one shall be appointed from any one Federal Reserve district. Each director shall devote his time principally to the business of the Corporation. The terms of the directors shall be two years but they may continue in office until their successors are appointed and qualified. Whenever a vacancy shall occur other than by expiration of term the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. The directors, except the chairman, shall receive salaries at the rate of $12,500 per annum each. The chairman of the board of directors shall receive a salary at the rate of $15,000 per annum.

Terms of directors.

Salaries.

Period of succession.

Powers.

"SEC. 3. (a) The Corporation shall have succession through June 30, 1948, unless it is sooner dissolved by an Act of Congress. It shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease or purchase such real estate as may be necessary for

the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal: *Provided*, That the Corporation shall be entitled to and granted the same immunities and exemptions from the payment of costs, charges, and fees as are granted to the United States pursuant to the provisions of law codified in sections 543, 548, 555, 557, 578, and 578a of title 28 of the United States Code, 1940 edition; to select, employ, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the transaction of the business of the Corporation, in accordance with laws, applicable to the Corporation, as in effect on June 30, 1947, and as thereafter amended; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted. Except as may be otherwise provided in this Act or in the Government Corporation Control Act, the board of directors of the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures under this Act and the manner in which they shall be incurred, allowed, paid, and accounted for, without regard to the provisions of any other laws governing the expenditure of public funds and such determinations shall be final and conclusive upon all other officers of the Government. The Corporation shall be entitled to the use of the United States mails in the same manner as the executive departments of the Government.

26 Stat. 826; 43 Stat. 857, 858; 40 Stat. 1182; 29 Stat. 179, 186.

59 Stat. 597.
31 U. S. C. §§ 841-869.
Post, p. 584.

Use of U. S. mails.

"(b) Notwithstanding any other provision of law, the right to recover compensation granted by the Act approved September 7, 1916, as amended (5 U. S. C., sec. 751), shall be in lieu of, and shall be construed to abrogate, any and all other rights and remedies which any person, except for this provision, might, on account of injury or death of an employee, assert against the Corporation or any of its subsidiaries.

Injury or death of employee.

39 Stat. 742.
5 U. S. C. §§ 751-791, 793.

"SEC. 4. (a) To aid in financing agriculture, commerce, and industry, to help in maintaining the economic stability of the country and to assist in promoting maximum employment and production, the Corporation, within the limitations hereinafter provided, is authorized—

Authority of RFC to aid in financing agriculture, commerce, etc.

"(1) To purchase the obligations of and to make loans to any business enterprise organized or operating under the laws of any State or the United States: *Provided*, That the purchase of obligations (including equipment trust certificates) of, or the making of loans to, railroads or air carriers engaged in interstate commerce or receivers or trustees thereof, shall be with the approval of the Interstate Commerce Commission or the Civil Aeronautics Board, respectively: *Provided further*, That in the case of railroads or air carriers not in receivership or trusteeship, the Commission or the Board, as the case may be, in connection with its approval of such purchases or loans, shall also certify that such railroad or air carrier, on the basis of present and prospective earnings, may be expected to meet its fixed charges without a reduction thereof through judicial reorganization except that such certificates shall not be required in the case of loans or purchases made for the acquisition of equipment or for maintenance.

Purchase of obligations of business enterprises, etc.

"(2) To make loans to any financial institution organized under the laws of any State or of the United States.

Loans to financial institutions.

"(3) In order to aid in financing projects authorized under Federal, State, or municipal law, to purchase the securities and obligations of, or make loans to, (A) municipalities and political subdivisions of States, (B) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (C) public corporations, boards, and commissions:

Financing of projects, etc.

Restriction.

Provided, That no such purchase or loan shall be made for payment of ordinary governmental or nonproject operating expenses as distinguished from purchases and loans to aid in financing specific public projects.

Floods, etc.

"(4) To make such loans, in an aggregate amount not to exceed $25,000,000 outstanding at any one time, as it may determine to be necesssary or appropriate because of floods or other catastrophes.

Availability of assistance, etc.

"(b) No financial assistance shall be extended pursuant to paragraphs (1), (2), and (3) of subsection (a) of this section, unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made under paragraphs (1), (2), and (3) of subsection (a) of this section shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.

Total amount of loans, etc.

"(c) The total amount of investments, loans, purchases, and commitments made pursuant to this section 4 shall not exceed $2,000,000,000 outstanding at any one time.

Payment of fee, etc., by applicant.

"(d) No fee or commission shall be paid by any applicant for financial assistance under the provisions of this Act in connection with any such application, and any agreement to pay or payment of any such fee or commission shall be unlawful.

Participation by RFC employees in questions affecting personal interests, etc.

"(e) No director, officer, attorney, agent, or employee of the Corporation in any manner, directly or indirectly, shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

Termination of powers.

"(f) The powers granted to the Corporation by this section shall terminate at the close of business on June 30, 1948, but the termination of such powers shall not be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this Act prior to the close of business on such date, or (2) to affect the validity or performance of any other agreement made or entered into pursuant to law.

"State."

"(g) As used in this Act, the term 'State' includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.

12 U. S. C. § 82.

"SEC. 5. Section 5202 of the Revised Statutes of the United States, as amended, is hereby amended by striking out the words 'War Finance Corporation Act' and inserting in lieu thereof the words 'Reconstruction Finance Corporation Act'.

Authority of Federal reserve banks to act as agents, etc.

"SEC. 6. The Federal Reserve banks are authorized and directed to act as custodians and fiscal agents for the Corporation in the general performance of its powers conferred by this Act and the Corporation may reimburse such Federal Reserve banks for such services in such manner as may be agreed upon.

Issuance of notes, etc., to Secretary of Treasury.

"SEC. 7. The Corporation may issue to the Secretary of the Treasury its notes, debentures, bonds, or other such obligations in an amount outstanding at any one time sufficient to enable the Corporation to carry out its functions under this Act or any other provision of law, such obligations to mature not more than five years from their respective dates of issue, to be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations. Such obligations may mature subsequent to the period of succession of the Corporation. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable

obligations of the United States as of the last day of the month preceding the issuance of the obligation of the Corporation. The Secretary of the Treasury is authorized to purchase any obligations of the Corporation to be issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Corporation's obligations hereunder.

40 Stat. 288.
31 U. S. C. § 774 (2).

"SEC. 8. The Corporation, including its franchise, capital, reserves and surplus, and its income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to special assessments for local improvements and shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed: *Provided*, That the special assessment and taxation of real property as authorized herein shall not include the taxation as real property of possessory interests, pipe lines, power lines, or machinery or equipment owned by the Corporation regardless of their nature, use, or manner of attachment or affixation to the land, building, or other structure upon or in which the same may be located. The exemptions provided for in the preceding sentence with respect to taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) shall be construed to be applicable not only with respect to the Corporation but also with respect to any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Corporation. Such exemptions shall also be construed to be applicable to loans made, and personal property owned by the Corporation or such other corporations, but such exemptions shall not be construed to be applicable in any State to any buildings which are considered by the laws of such State to be personal property for taxation purposes. Nothwithstanding any other provision of law or any privilege or consent to tax expressly or impliedly granted thereby, the shares of preferred stock of national banking associations, and the shares of preferred stock, capital notes, and debentures of State banks and trust companies, acquired prior to July 1, 1947, by the Corporation, and the dividends or interest derived therefrom by the Corporation, shall not, so long as the Corporation shall continue to own the same, be subject to any taxation by the United States, by any Territory, dependency or possession thereof, or the District of Columbia, or by any State, county, municipality, or local taxing authority, whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period.

Exemption from taxation.

Exception.

Other public corporations financed, etc., by RFC.

"SEC. 9. In the event of termination of the powers granted to the Corporation by section 4 of this Act prior to the expiration of its succession as provided in section 3, the board of directors shall, except as otherwise herein specifically authorized, proceed to liquidate its assets and wind up its affairs. It may with the approval of the Secretary of the Treasury deposit with the Treasurer of the United States as a special fund any money belonging to the Corporation or from time to time received by it in the course of liquidation, for the payment of its outstanding obligations, which fund may be drawn upon or paid out for no other purpose. Any balance remaining after the liquidation of all the Corporation's assets and after provision has been made for payment of all legal obligations shall be paid into the

Termination of powers prior to expiration of succession.

Treasury of the United States as miscellaneous receipts. Thereupon the Corporation shall be dissolved and its capital stock shall be canceled and retired.

Transfer of duty of completing liquidation, etc.

"SEC. 10. If at the expiration of the succession of the Corporation, its board of directors shall not have completed the liquidation of its assets and the winding up of its affairs, the duty of completing such liquidation and winding up of its affairs shall be transferred to the Secretary of the Treasury, who for such purpose shall succeed to all the powers and duties of the board of directors under this Act. In such event he may assign to any officer or officers of the United States in the Treasury Department the exercise and performance, under his general supervision and direction, of any such powers and duties.

Report to Congress, etc.

When the Secretary of the Treasury shall find that such liquidation will no longer be advantageous to the United States and that all of the Corporation's legal obligations have been provided for, he shall retire any capital stock then outstanding, pay into the Treasury as miscellaneous receipts the unused balance of the moneys belonging to the Corporation, and make a final report to the Congress. Thereupon the Corporation shall be deemed to be dissolved.

Penalty for false statement, etc.

"SEC. 11. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by removal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Corporation, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

Penalty for counterfeiting, etc.

"(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation, or coupon, in imitation of or purporting to be a note, debenture, bond, or other obligation, or coupon, issued by the Corporation; or (2) passes, utters, or publishes, or attempts to pass, utter or publish, any false, forged or counterfeited note, debenture, bond, or other obligation, or coupon, purporting to have been issued by the Corporation, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Corporation; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true any falsely altered or spurious note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Corporation, knowing the same to be falsely altered or spurious, or any person who willfully violates any other provision of this Act, shall be punished by a fine of not more than $10,000, by imprisonment for not more than five years, or both.

Penalty for embezzlement, etc.

"(c) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise entrusted to it; or (2) with intent to defraud the Corporation or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of or to the Corporation, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof; or (3) with intent to defraud participates, shares, receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act

of the Corporation; or (4) gives any unauthorized information concerning any future action or plan of the Corporation which might affect the value of securities, or having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company, bank, or corporation receiving loans or other assistance from the Corporation, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

Restriction on use of name.

"(d) No individual, association, partnership, or corporation shall use the words 'Reconstruction Finance Corporation' or a combination of these three words, as the name or a part thereof under which he or it shall do business. Every individual, partnership, association, or corporation violating this prohibition shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding $1,000 or imprisonment not exceeding one year, or both.

35 Stat. 1108, 1109.

"(e) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, ch. 5, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements with the Corporation under this Act, which for the purposes hereof shall be held to include loans, advances, discounts, and rediscounts; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

59 Stat. 310.
15 U. S. C. § 606b note.

"SEC. 12. The Corporation is authorized to exercise the functions, powers, duties, and authority transferred to the Corporation by Public Law 109, Seventy-ninth Congress, approved June 30, 1945, but only with respect to programs, projects, or commitments outstanding on June 30, 1947.

Separability of provisions.

"SEC. 13. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby."

TITLE II—MISCELLANEOUS

Prior disbursement of funds on purchase of securities, etc.

SEC. 201. No provision of this Act shall be construed so as to prevent the Corporation from disbursing funds on purchases of securities and obligations, on loans made, or on commitments or agreements to make such purchases or loans, or on liabilities incurred, pursuant to law prior to the effective date of this Act.

Extension of succession of U. S. Commercial Co.
54 Stat. 573, 961.
15 U. S. C. § 606b (3).

SEC. 202. The succession of U. S. Commercial Company, a corporation created by the Reconstruction Finance Corporation pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, is hereby extended through June 30, 1948.

Transfer of assets, etc., of The RFC Mortgage Co.

SEC. 203. All assets and liabilities of every kind and nature, together with all documents, books of account, and records, of The RFC Mortgage Company, a corporation organized under the laws of the State of Maryland, all the capital stock of which is owned and held by the Reconstruction Finance Corporation, shall be transferred to the Reconstruction Finance Corporation. With respect to the assets, liabilites, and records transferred, "Reconstruction Finance Corporation" for all purposes is hereby substituted for "The RFC Mortgage Company", and no suit, action, or other proceeding lawfully commenced by or against such corporation shall abate by reason of the enactment of this Act, but the court, on motion or supplemental petition filed at any time within twelve months after the date of such enactment, showing a necessity for the survival of such suit, action, or other proceeding to obtain a determination of the questions involved, may allow the same to be maintained by or against the Reconstruction Finance Corporation.

Abolition of Federal Loan Agency.
53 Stat. 1429.
5 U. S. C. § 133t note.
53 Stat. 561.
5 U. S. C. §§ 133–133r.

SEC. 204. The Federal Loan Agency, created by Reorganization Plan Numbered 1 pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939, is hereby abolished, and all its property and records are hereby transferred to the Reconstruction Finance Corporation.

Transfer of stock of Federal home-loan banks, etc.

SEC. 205. The Reconstruction Finance Corporation is authorized and directed to transfer as soon as practicable after the effective date of this Act, to the Secretary of the Treasury, and the Secretary of the Treasury is authorized and directed to receive, all of the stock of the Federal home-loan banks held by the Reconstruction Finance Corporation. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the par value of the stock so transferred.

47 Stat. 713; 48 Stat. 273.
12 U. S. C. §§ 1148, 1148a.

SEC. 206. Section 201 (e) of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat. 709), as amended, and section 84 of the Farm Credit Act of 1933, approved June 16, 1933 (48 Stat. 257), as amended, are hereby further amended by striking out the name "Reconstruction Finance Corporation" wherever it appears in such sections and substituting therefor the name "Farm Credit Administration".

Repeals.

The following Acts and portions of Acts are hereby repealed:

15 U. S. C. §§ 605–605d, 608, 609a, 602, 603, 609.

(a) Sections 1, 201 (except subsection (e) thereof), 202, 203, 204, 205, 206, 207, 208, 209, and 211 of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat. 709), as amended;

48 Stat. 6.
12 U. S. C. § 51d.

(b) Section 304 of the Act approved March 9, 1933 (48 Stat. 1), as amended;

48 Stat. 45, 49, 50.
12 U. S. C. § 963a;
43 U. S. C. §§ 403, 404;
15 U. S. C. § 609c.

(c) Sections 27, 36, 37, and 38 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 41), as amended;

48 Stat. 33, 41; 49 Stat. 753.
7 U. S. C. §§ 605, 619 (c), 608b.
15 U. S. C. §§ 605, 605b, 605e–605j.

(d) Sections 5 and 19 (c) and the last two sentences of section 8 (b) of the Agricultural Adjustment Act, approved May 12, 1933 (48 Stat. 33), as amended;

(e) The Act approved June 10, 1933 (48 Stat. 119), as amended;

12 U. S. C. § 1463(b).

(f) The last sentence of section 4 (b) of the Home Owners' Loan Act of 1933, approved June 13, 1933 (48 Stat. 129), as amended;

48 Stat. 210.
15 U. S. C. § 609b;
40 U. S. C. § 412 note.

(g) Sections 301 and 302 of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), as amended;

48 Stat. 48.
12 U. S. C. § 1016.

(h) So much of section 32 of the Emergency Farm Mortgage Act of 1932 (48 Stat. 41), as amended, as authorizes or directs the Reconstruction Finance Corporation to make funds available to the Land Bank Commissioner;

15 U. S. C. §§ 604a, 609b–1.

(i) The Act approved January 20, 1934 (48 Stat. 318);

15 U. S. C. §§ 609d, 609e.

(j) The fourth paragraph of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1056), and section 202 of the Public Works Administration Extension Act of 1937, approved June 29, 1937 (50 Stat. 357);

48 Stat. 1110–1113.
15 U. S. C. §§ 606h, 606c–606e.

(k) Sections 10, 13, 14, 15, and 16 of the Act approved June 19, 1934 (48 Stat. 1105), as amended;

55 Stat. 55.
12 U. S. C. §§ 1705, 1737.

(l) So much of sections 4 and 602 of the National Housing Act, approved June 27, 1934 (48 Stat. 1247), as amended, as relates to the Reconstruction Finance Corporation;

49 Stat. 4, 5.
15 U. S. C. §§ 603a, 713b, 605*l*, 607a.

(m) The first section and sections 9, 11, and 13 of the Act approved January 31, 1935 (49 Stat. 1), as amended;

15 U. S. C. §§ 606j, 606k.

(n) The Act approved August 24, 1935 (49 Stat., ch. 646, p. 796);

12 U. S. C. §§ 51d–51f.

(o) The Act approved March 20, 1936 (49 Stat. 1185);

15 U. S. C. § 713a.

(p) The Act approved April 10, 1936 (49 Stat., ch. 168, p. 1191);

15 U. S. C. § 613c.

(q) The first section of the Act approved January 26, 1937 (50 Stat. 5), as amended;

(r) The Act approved February 11, 1937 (50 Stat. 19), as amended; 15 U. S. C. § 605k-1 note.

(s) So much of section 32 (b) of the Farm Credit Act of 1937, approved August 19, 1937 (50 Stat. 703), as relates to the Reconstruction Finance Corporation and so much of section 33 (b) of the said Act as relates to the payment of the expenses of corporations formed by the consolidation of two or more regional agricultural credit corporations; 50 Stat. 716, 717. 12 U. S. C. §§ 1148b (b), 1148c (b).

(t) So much of the Act approved June 25, 1938 (52 Stat. 1193), as relates to the Reconstruction Finance Corporation;

(u) Section 12 of the Federal Highway Act of 1940, approved September 5, 1940 (54 Stat. 867); 54 Stat. 871.

(v) Section 5 of the Act approved June 10, 1941 (55 Stat. 250); 15 U. S. C. § 606l.

(w) The Act approved October 23, 1941 (55 Stat., ch. 454, p. 744); 15 U. S. C. § 609o.

(x) The Act approved March 27, 1942 (56 Stat., ch. 198, p. 174); 15 U. S. C. § 609p.

(y) The Act approved June 5, 1942 (56 Stat., ch. 352, p. 326); and 15 U. S. C. §§ 606b, 606b-1, 606b-2, 609q.

(z) Sections 1 and 2 of Public Law 656, 79th Congress, approved August 7, 1946. 15 U. S. C. § 609r. 60 Stat. 901. 15 U. S. C. §§ 604, 606b, 606b-4, 606b-5, 614.

SEC. 207. The liquidation of the affairs of the Smaller War Plants Corporation administered by the Reconstruction Finance Corporation pursuant to Executive Order 9665 shall be carried out by the Reconstruction Finance Corporation, notwithstanding the provisions of the last paragraph of section 5 of the First War Powers Act, 1941. The Smaller War Plants Corporation is hereby abolished. Abolition of Smaller War Plants Corp., etc. 50 U. S. C. app. § 1104 note. 55 Stat. 839. 50 U. S. C. app. § 605.

SEC. 208. (a) The Reconstruction Finance Corporation shall have the power to purchase any surplus property for resale, subject to regulations of the War Assets Administrator or his successor, to small business when, in its judgment, such disposition is required to preserve and strengthen the competitive position of small business. The purchase of surplus property under this section shall be given priority under the Surplus Property Act of 1944, as amended, immediately following transfers to Government agencies under section 12 of such Act, as amended, and disposals to veterans under section 16 of such Act, as amended. The provisions of section 12 (c) of the Surplus Property Act of 1944, as amended, shall be applicable to purchases made under this section. The Reconstruction Finance Corporation shall not purchase any real property for resale to small business pursuant to this section in any case where any person from whom the property had been acquired by a Government agency, gives notice in writing to the Reconstruction Finance Corporation that he intends to exercise his rights under section 23 of the Surplus Property Act, as amended. Purchase of surplus property. 58 Stat. 765. 50 U. S. C. app. §§ 1611-1646. *Post*, p. 678. 58 Stat. 770. 50 U. S. C. app. § 1621. 58 Stat. 773. 50 U. S. C. app. § 1625. 58 Stat. 777. 50 U. S. C. app. § 1632.

(b) The Reconstruction Finance Corporation is further authorized for the purpose of carrying out the objectives of this section to arrange for sales of surplus property to small business concerns on credit or time basis.

(c) For the purposes of this section the terms "persons", "surplus property", and "Government agency" have the same meaning as is assigned to such terms by section 3 of the Surplus Property Act of 1944, as amended. "Persons"; "surplus property"; "Government agency." 58 Stat. 767. 50 U. S. C. app. § 1612.

SEC. 209. During the period between June 30, 1947, and the date of enactment of legislation making funds available for administrative expenses for the fiscal year ending June 30, 1948, the Corporation is authorized to incur, and pay out of its general funds, administrative expenses in accordance with laws in effect on June 30, 1947, such obligations and expenditures to be charged against funds when made available for administrative expenses for the fiscal year 1948. Authority to incur and pay administrative expenses.

SEC. 210. This Act shall take effect as of midnight June 30, 1947. Effective date.

Approved June 30, 1947.

[CHAPTER 167]

June 30, 1947
[H. J. Res. 167]
[Public Law 133]

JOINT RESOLUTION

To recognize uncompensated services rendered the Nation under the Selective Training and Service Act of 1940, as amended, and for other purposes.

Selective Service System.
Certificates of separation for uncompensated personnel.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress declares that many members of local boards, boards of appeal, Government appeal agents, examining physicians and dentists, and other uncompensated personnel of the Selective Service System have, in a manner which is an example of patriotism, served the United States in the administration of the Selective Training and Service Act of 1940, as amended. This service has been voluntary and uncompensated and in many cases has resulted in great sacrifices on the part of these citizens.

54 Stat. 885.
50 U. S. C. app. §§ 301-318.

That in accordance with the historic policy of the United States to recognize and publicly acknowledge the gratitude of the people and the Government of the United States for patriotic service, the Director of Selective Service is directed to issue to such uncompensated personnel of the Selective Service System, upon the expiration of the Selective Training and Service Act of 1940, as amended, suitable certificates of separation.

Supra.

Approved June 30, 1947.

[CHAPTER 168]

June 30, 1947
[H. R. 1362]
[Public Law 134]

AN ACT

To permit certain naval personnel to count all active service rendered under temporary appointment as warrant or commissioned officers in the United States Navy and the United States Naval Reserve, or in the United States Marine Corps and the United States Marine Corps Reserve, for purposes of promotion to commissioned warrant officer in the United States Navy or the United States Marine Corps, respectively.

Warrant officers, Navy or Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all active service, for purposes other than training, under a permanent or temporary appointment as warrant or commissioned officer in the Regular or Reserve forces of the United States Navy or the United States Marine Corps shall be included in the computation of the six-year period of service required for eligibility for promotion from warrant officer to commissioned warrant officer, with permanent appointment, in the service in which the permanent or temporary appointment was held: *Provided*, That no back pay or allowances shall be allowed by reason of the passage of this Act.

Approved June 30, 1947.

[CHAPTER 169]

June 30, 1947
[H. R. 1807]
[Public Law 135]

AN ACT

To authorize the Secretary of the Navy to grant to the county of Pittsburg, Oklahoma, a perpetual easement for the construction, maintenance, and operation of a public highway over a portion of the United States naval ammunition depot, McAlester, Oklahoma.

Pittsburg County, Okla.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to grant and convey to the county of Pittsburg, State of Oklahoma, upon such terms and conditions as he may prescribe, a perpetual easement for the construction, maintenance, and operation of a public highway upon and over a strip of land containing three and twenty-two one-hundredths acres, being a portion of the United States naval ammunition depot, McAlester, Oklahoma, the metes and bounds description of which is on file in the Navy Department.

Approved June 30, 1947.

[CHAPTER 170]

AN ACT

June 30, 1947
[H. R. 2339]
[Public Law 136]

To amend the Act entitled "An Act authorizing the designation of Army mail clerks and assistant Army mail clerks", approved August 21, 1941 (55 Stat. 656), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved August 21, 1941, chapter 392 (55 Stat. 656), be amended by striking out the last sentence thereof.

39 U. S. C. § 138.

Approved June 30, 1947.

[CHAPTER 171]

AN ACT

June 30, 1947
[H. R. 2411]
[Public Law 137]

To authorize patenting of certain lands to Public Hospital District Numbered 2, Clallam County, Washington, for hospital purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to patent lots 2 and 3, block 33, as shown on the official supplemental plat of survey of block 33, located in the city of Port Angeles, State of Washington, accepted March 24, 1923, containing seven and sixty-four one-hundredths acres, to Public Hospital District Numbered 2, Clallam County, Washington, for hospital purposes.

Public Hospital District Numbered 2, Clallam County, Wash.
Conveyance.

SEC. 2. The patent conveying title to the lands described in the first section of this Act shall (1) contain a reservation to the United States of all minerals, including coal, oil, and gas, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior; and (2) provide that if, at any time, the Secretary of the Interior finds that Public Hospital District Numbered 2, Clallam County, Washington, has ceased to use the land, or any part thereof, for hospital purposes, or has alienated or attempted to alienate, the same, title to such land, or part thereof, shall thereupon revert to the United States.

Mineral rights, etc.

Reversion of title.

Approved June 30, 1947.

[CHAPTER 172]

AN ACT

June 30, 1947
[H. R. 2545]
[Public Law 138]

To provide funds for cooperation with the school board of the Moclips-Aloha District for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, to be available to both Indian and non-Indian children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, $88,000 for expenditure under the direction of the Secretary of the Interior for the purpose of cooperating with the school board of Moclips-Aloha District, Grays Harbor County, Washington, for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *And provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the building, through reducing the annual Federal payments for

Construction, etc., of school, Moclips, Wash.
Appropriation authorized.
Post, p. 699.

Availability of school to Indian children.

Recoupment.

the education of Indian pupils enrolled in public or high schools of the district involved or by the acceptance of Indian pupils in said schools without cost to the United States, and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on any unrecouped balances.

Approved June 30, 1947.

[CHAPTER 173]

June 30, 1947
[H. R. 2654]
[Public Law 139]

AN ACT

To authorize the Secretary of the Treasury to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main in, on, and across the land of the United States Coast Guard station called "Lazaretto depot", Baltimore, Maryland.

Mayor and City Council of Baltimore, Md.
Easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to grant to the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main and its usual appurtenances in, on, and across the land of the United States Coast Guard station called "Lazaretto depot", under such terms and conditions as he may determine to be not inconsistent with the use of such land for the purpose of said depot.

Approved June 30, 1947.

[CHAPTER 174]

June 30, 1947
[H. R. 2655]
[Public Law 140]

AN ACT

To authorize the Secretary of the Interior to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains in, on, and across the land of Fort McHenry National Monument and Historic Shrine, Maryland.

Mayor and City Council of Baltimore, Md.
Easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant to the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains and their usual appurtenances in, on, and across the land of the Fort McHenry National Monument and Historic Shrine, under such terms and conditions as he may determine to be not inconsistent with the use of such land for purposes of the said shrine.

Approved June 30, 1947.

[CHAPTER 175]

June 30, 1947
[H. R. 3124]
[Public Law 141]

AN ACT

To authorize the attendance of the Marine Band at the Eighty-first National Encampment of the Grand Army of the Republic to be held in Cleveland, Ohio, August 10 to 14, 1947.

Marine Band.
Attendance at G. A. R. encampment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Eighty-first National Encampment of the Grand Army of the Republic to be held in Cleveland, Ohio, August 10 to 14, 1947.

Appropriation authorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is hereby

authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed $6 per day each for additional traveling and living expenses while on duty, such allowances to be in addition to the pay and allowance to which they would be entitled while serving their permanent station.

Approved June 30, 1947.

[CHAPTER 181]

AN ACT

June 30, 1947
[H. R. 2369]
[Public Law 142]

Providing for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the Territory of Alaska, until the hour of 12 o'clock meridian on the 1st day of July 1948: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this Act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1948, a notice of his desire to hold said mining claim under this Act.

30 U. S. C. § 28.

Approved June 30, 1947.

[CHAPTER 182]

AN ACT

June 30, 1947
[H. R. 3769]
[Public Law 143]

To amend the Bankruptcy Act with respect to qualifications of part-time referees in bankruptcy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to clause (2) of section 35 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended by inserting after "notaries public," the following new language: "retired officers and retired enlisted personnel of the Regular and Reserve components of the Army, Navy, Marine Corps, and Coast Guard, members of the Reserve components of the Army, Navy, Marine Corps, and Coast Guard, members of the National Guard of the United States and of the National Guard of a State, Territory, or the District of Columbia, except the National Guard disbursing officers who are on a full time salary basis,"

Bankruptcy Act of 1898, amendment.

30 Stat. 555.
11 U. S. C. § 63.

Approved June 30, 1947.

[CHAPTER 183]

JOINT RESOLUTION

June 30, 1947
[H. J. Res. 221]
[Public Law 144]

To provide for permanent rates of postage on mail matter of the first class, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the rate of postage on all mail matter of the first class (except postal cards and private mailing or post cards) shall be 3 cents for each ounce or fraction thereof: *Provided*, That drop letters shall be charged at the rate of 1 cent for each ounce or fraction thereof when mailed for local delivery at post offices where free delivery by carrier is not established and

Postage rates.

when they are not collected or delivered by rural or star-route carriers. The rate of postage on postal cards (including the cost of manufacture) and private mailing or post cards (conforming to the conditions prescribed by the Act entitled "An Act to amend the postal laws relating to use of postal cards", approved May 19, 1898 (U. S. C., 1940 edition, title 39, sec. 281)), shall be 1 cent each.

30 Stat. 419.

Fourth-class mail, registry fees, etc.

SEC. 2. The increases in the rates of postage on mail matter of the fourth class, and the increases in the registry fees for registered mail, fees for obtaining receipts for registered mail, and fees for delivery of registered, insured, and collect-on-delivery mail to addressee only, or to addressee or order, prescribed by title IV of the Revenue Act of 1943 (58 Stat. 69, 70), as amended by the Act of September 17, 1944 (58 Stat. 732), entitled "An Act to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes", and by the Act of August 14, 1946 (Public Law 730, Seventy-ninth Congress; second session), entitled "An Act to fix the rate of postage on domestic air mail, and for other purposes", shall continue in full force and effect.

39 U. S. C. §§ 245, 246 notes.

60 Stat. 1062.
39 U. S. C. §§ 462a, 463 and notes.

Effective date.

SEC. 3. This Act shall take effect on July 1, 1947.

Approved June 30, 1947.

[CHAPTER 184]

JOINT RESOLUTION

June 30, 1947
[S. J. Res. 139]
[Public Law 145]

To continue for a temporary period of fifteen days certain controls now exercised by the President under the Second War Powers Act, 1942, and under the Export Control Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1501 of the Second War Powers Act, 1942, as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "July 15, 1947"; and section 6 (d) of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "July 15, 1947".

56 Stat. 187, 463; 60 Stat. 345, 215.
50 U. S. C. app. §§ 645, 701(d).

Ante, p. 34; *post*, pp. 322, 323, 946.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution.

Approved June 30, 1947.

[CHAPTER 185]

JOINT RESOLUTION

July 1, 1947
[S. J. Res. 77]
[Public Law 146]

Providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the International Refugee Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in New York on December 15, 1946, by the General Assembly of the United Nations, and deposited in the archives of the United Nations: *Provided, however*, That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person and acceptance of the constitution of the Organization by or on behalf of the Government of the United States shall

International Refugee Organization.
Acceptance of membership for U. S.

Reservation.

not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

Designation of representatives, etc.

SEC. 2. The President shall designate from time to time a representative of the United States and not to exceed two alternates to attend a specified session or specified sessions of the general council of the Organization. Whenever the United States is elected to membership on the executive committee, the President shall designate from time to time, either from among the aforesaid representative and alternates or otherwise, a representative of the United States and not to exceed one alternate to attend sessions of the executive committee. Such representative or representatives shall each be entitled to receive compensation at a rate not to exceed $12,000 per annum, and any such alternate shall be entitled to receive compensation at a rate not to exceed $10,000 per annum, for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated as such a representative shall be entitled to receive such compensation.

Compensation.

Appropriations authorized.
Post, p. 623.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

Payment of U. S. contributions.

(a) such sums, not to exceed $73,325,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of United States contributions to the Organization (consisting of supplies, services, or funds and all necessary expenses related thereto) as determined in accordance with article 10 of the constitution of the Organization; and

(b) such sums, not to exceed $175,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of—

Payment of salaries.

(1) salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; and

42 Stat. 1488.
5 U. S. C. §§ 661-674.

Other expenses.

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 7 of the United Nations Participation Act of 1945, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

59 Stat. 621.
22 U. S. C. § 287e.

Transfer of funds, etc.

SEC. 4. (a) Sums from the appropriations made pursuant to paragraph (a) of section 3 may be transferred to any department, agency, or independent establishment of the Government to carry out the purposes of such paragraph, and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 41, sec. 5, and title 31, sec. 529).

Furnishing of supplies by Government agencies, etc.

(b) Upon request of the Organization, any department, agency, or independent establishment of the Government (upon receipt of advancements or reimbursements for the cost and necessary expenses) may furnish supplies, or if advancements are made may procure and furnish supplies, and may furnish or procure and furnish services,

Additional civilian employees.

to the Organization: *Provided*, That such additional civilian employees in the United States as may be required by any such department, agency, or independent establishment for the procurement or furnishing of supplies or services under this subsection, and for the services of whom such department, agency, or independent establishment is compensated by advancements or reimbursements made by the Organization, shall not be counted as civilian employees within the meaning of section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946. When reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation fund, or account which is current at the time of such reimbursement.

59 Stat. 304; 60 Stat. 219.
5 U. S. C. § 947.

Advance contributions to Preparatory Commission.

SEC. 5. During the interim period, if any, between July 1, 1947, and the coming into force of the constitution of the Organization, the Secretary of State is authorized from appropriations made pursuant to paragraph (a) of section 3, to make advance contributions to the Preparatory Commission for the International Refugee Organization, established pursuant to an agreement dated December 15, 1946, between the governments signatory to the constitution of the Organization, at a rate of not to exceed one-twelfth per month of the United States contribution to the Organization contemplated by paragraph (a) of section 3 hereof. Such advance contributions to the said Preparatory Commission shall be deducted from the said contribution to the Organization for the first fiscal year as provided in paragraph 6 of the said agreement. The provisions of paragraphs (a) and (b) of section 4 of this joint resolution shall be applicable, respectively, to such advance contributions and to the procurement and furnishing of supplies and services to the said Preparatory Commission.

Approved July 1, 1947.

[CHAPTER 186]

July 1, 1947
[H. R. 2436]
[Public Law 147]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes.

Treasury and Post Office Departments Appropriation Act, 1948.

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

TITLE I—TREASURY DEPARTMENT

Treasury Department Appropriation Act, 1948.
Ante, pp. 118, 187; *post*, pp. 245, 361, 608, 609, 623, 624, 702.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1948, namely:

Post, p. 623.

OFFICE OF THE SECRETARY

Messengers, limitation.

Salaries: For personal services in the District of Columbia, $409,000: *Provided*, That no part of the money appropriated shall be used to pay the salaries of more than eighteen messengers assigned to duty in the Office of the Secretary.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Personal or property damage claims: For payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601), $20,000.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Treasury Department as required by the Act of June 28, 1944, $6,700,000.

OFFICE OF GENERAL COUNSEL AND TAX LEGISLATIVE COUNSEL

Post, p. 624.

Salaries: For personal services in the District of Columbia, $250,000.

DIVISION OF TAX RESEARCH AND RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, $200,000.

DIVISION OF PERSONNEL

Salaries: For personal services in the District of Columbia, $127,000.

Health service programs, Treasury Department: For expenses necessary in maintaining health service programs, pursuant to Public Law 658, Seventy-ninth Congress, for employees of the Department in the District of Columbia, $75,000: *Provided*, That other appropriations in this Act shall be available for health service program in the field as authorized by said Public Law 658.

60 Stat. 903.
5 U. S. C. § 150.

OFFICE OF CHIEF CLERK

Salaries: For personal services in the District of Columbia, $326,000.

MISCELLANEOUS EXPENSES, TREASURY DEPARTMENT

Miscellaneous expenses: For necessary expenses of the Office of the Secretary and the bureaus and offices of the Treasury Department, not otherwise provided for; including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; $225,000.

Operating expenses, buildings.

Printing and binding: For printing and binding for the Department except such bureaus and offices as may be otherwise provided for, including materials for the use of the bookbinder, located in the Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (44 U. S. C. 111), $35,000.

40 Stat. 1279.

CUSTODY OF TREASURY BUILDINGS

Salaries: For personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and the west and south annexes thereof, $650,000.

FISCAL SERVICE

BUREAU OF ACCOUNTS

Salaries and expenses: For necessary expenses in the District of Columbia, including contract stenographic reporting services, $1,016,000.

Salaries and expenses, deposit of withheld taxes: For necessary expenses incident to the deposit of withheld taxes in Government depositories pursuant to the Current Tax Payment Act of 1943, including personal services in the District of Columbia and reimbursement to Federal Reserve banks for printing and other necessary expenses, $460,000.

57 Stat. 138.
26 U. S. C. § 1631.

Printing and binding: For printing and binding, Bureau of Accounts, $60,000.

Salaries and expenses: For necessary expenses of the Division of Disbursement, including personal services in the District of Columbia, $9,935,000: *Provided*, That with the approval of the Bureau of the Budget there may be transferred to this appropriation and to the appropriation "Printing and binding, Division of Disbursement"

Transfer of funds.

from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government-owned or -controlled corporations, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Printing and binding: For printing and binding, Division of Disbursement, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, $170,000.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (31 U. S. C. 545), for the collection, safekeeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649, Revised Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, $400,000.

Recoinage of silver coins: For expenses necessary to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $200,000.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska (not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska), to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, $14,000.

Refund of moneys erroneously received and covered: For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, $700,000.

48 Stat. 1231.
31 U. S. C. § 725q.

Payment of certified claims: For the payment of claims (not to exceed $500 in any case) which may be certified during the fiscal year 1948 by the Comptroller General of the United States to be lawfully due, within the limits of, and chargeable against the balances of the respective appropriations heretofore made which, after remaining unexpended, have been carried to the surplus fund pursuant to section 5 of the Act of June 20, 1874 (31 U. S. C. 713), $700,000.

18 Stat. 110.

Payment of unclaimed moneys: For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", $100,000.

48 Stat. 1230.
31 U. S. C. § 725p.

BUREAU OF THE PUBLIC DEBT

Administering the public debt: For necessary expenses connected with any public-debt operations authorized by the Second Liberty Bond Act, as amended (31 U. S. C. 760–762), and with the administration of any public debt or currency issues of the United States with which the Secretary of the Treasury is charged, $64,800,000, to be expended

40 Stat. 288.
31 U. S. C. § 774 (2).

as the Secretary of the Treasury may direct: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for expenditures made by them as fiscal agents of the United States on account of public-debt transactions for the account of the Secretary of the Treasury, and advances to the Postmaster General may be made in accordance with the provisions of section 22 (e) of the Second Liberty Bond Act, as amended (31 U. S. C. 757c (e)), which section shall be construed as applying to this appropriation: *Provided further*, That the indefinite appropriation provided by section 10 of the Second Liberty Bond Act, as amended, shall not be available for obligation during the fiscal year 1948.

Reimbursement of Federal Reserve banks.

55 Stat. 8.

40 Stat. 292.
31 U. S. C. § 760.

Distinctive paper for United States currency: For distinctive paper for United States currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty, $1,113,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1948 between the two bidders whose prices per pound are the lowest received after advertisement.

Division of award.

OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries and expenses: For necessary expenses of the Office of the Treasurer, $4,900,000: *Provided*, That with the approval of the Bureau of the Budget, there may be transferred to this appropriation and to the appropriation "Printing and binding, Office of the Treasurer", from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government owned or controlled corporations, such sums as may be necessary to cover the expenses incurred in the clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Transfer of funds.

Printing and binding: For printing and binding for the Office of the Treasurer, $140,000.

BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for enforcement, under section 102, Reorganization Plan No. III of 1946, of certain navigation laws, for the detection and prevention of frauds upon the customs revenue, and not to exceed $100,000 for the securing of evidence of violations of the customs and navigation laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed $500 for subscriptions to newspapers; not to exceed $85,000 for stationery; not to exceed $12,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); and for the purchase of one hundred and fifty passenger motor vehicles; for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws; for the purchase of arms, ammunition, and accessories; not to exceed $826,000 for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930; $32,925,000, of which $300,000 shall constitute an advance fund to enable the Bureau of Customs to meet obligations incurred by it arising from services rendered to private

60 Stat. 1097.
5 U. S. C. § 133y-16 note.

46 Stat. 817.

46 Stat. 741.
19 U. S. C. § 1525.

interests, pending receipt of reimbursements therefrom, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1948, and of which not to exceed $100,000 shall be available, for defraying, on a contract basis or otherwise, the expense of a management study of the Bureau of Customs.

Printing and binding: For printing and binding, Bureau of Customs, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, $95,000.

Refunds and draw-backs: For the refund or payment of customs collections or receipts, and for the payment of debentures or draw-backs, bounties, and allowances, as authorized by law, $15,000,000.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For necessary expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue, including one stamp agent (to be reimbursed by the stamp manufacturers) and the employment of experts; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and contract stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872–881), and the operation, maintenance, and repair of property acquired under such title III; purchase (not to exceed thirty-four) and hire of passenger motor vehicles; printing and binding (not to exceed $2,530,000); stationery (not to exceed $1,500,000), and ammunition, $188,000,000, of which amount not to exceed $16,530,000 may be expended for personal services in the District of Columbia and not to exceed $100,000 for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

40 U. S. C. §§ 304f–304m.

Printing and binding.

Detection and prosecution of violators.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, $3,500.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the prior fiscal years and payment of accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", "Repayment of taxes on distilled spirits destroyed by casualty", and "Refunds and payments of processing and related taxes", $1,231,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500 as required by section 3 of the Act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

45 Stat. 398.

Report to Congress.

45 Stat. 996; 53 Stat. 466.

26 U. S. C. § 3776.

BUREAU OF NARCOTICS

Salaries and expenses: For expenses, including the securing of information and evidence, necessary to enforce sections 2550–2565; 2567–2571; 2590–2603; 3220–3228; 3230–3238 of the Internal Revenue Code; the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. 171–184); the Act of June 14, 1930 (5 U. S. C. 282–282c and 21 U. S. C. 197–198) and the Opium Poppy Control Act of 1942 (21 U. S. C. Supp. V, 188–188n), including the employment of attorneys; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); the costs of chemical analyses made by others than employees of the United States; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, forfeiture, storage, and disposition of property under the Act of August 9, 1939 (49 U. S. C. 781–788), and the internal-revenue laws; hire of motor vehicles; purchase of arms and ammunition; in all, $1,430,000, of which amount not to exceed $224,000 may be expended for personal services in the District of Columbia; not exceeding $10,000 for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, and not exceeding $10,000 for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice.

53 Stat. 269–283, 382–387.
26 U. S. C. § 2550 *et seq.*
35 Stat. 614.
46 Stat. 585.
56 Stat. 1045.
60 Stat. 810.
5 U. S. C. § 55a.
53 Stat. 1291.
Dissemination of information, etc.
Apprehension of narcotic law violators.

Printing and binding: For printing and binding for the Bureau, $4,000.

BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

38 Stat. 785.
26 U. S. C. §§ 2550, 3220.

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; and other necessary expenses, including engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; purchase of card and continuous form checks; equipment of, repairs to, and maintenance of buildings and grounds and minor alterations to buildings; periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not to exceed $500; traveling expenses not to exceed $15,000; transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed $15,000; $12,000,000, to be expended under the direction of the Secretary of the Treasury.

Materials.
Scientific investigations.

Printing and binding: For printing and binding for the Bureau of Engraving and Printing, $5,000.

During the fiscal year 1948 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriations for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriations for such Bureau for the fiscal year 1948.

Crediting of proceeds from work.
24 Stat. 227.

SECRET SERVICE DIVISION

Salaries: For personal services in the District of Columbia, $85,000.

Suppressing counterfeiting and other crimes: For necessary expenses in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase of seventy-five and hire of motor passenger vehicles; purchase of arms and ammunition; and for the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States; $1,550,000: *Provided*, That of the amount herein appropriated not to exceed $15,000 may be expended for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals, and all vouchers claiming reimbursement from such amount of $15,000 shall have the approval of the Chief of the Secret Service before payment.

Protection of the President, etc.

Information concerning law violations.

White House Police: For salaries of the White House Police as authorized by law (3 U. S. C. 62), $372,900.

42 Stat. 841.
Ante, p. 132.

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers, and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President may determine, $9,000.

Salaries and expenses, guard force, Treasury buildings: For expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, and elsewhere, including purchase, repair, and cleaning of uniforms, purchase of two passenger motor vehicles, and the purchase of arms and ammunition and miscellaneous equipment, $720,000: *Provided*, That not to exceed $168,925 of the appropriation "Salaries and expenses, Bureau of Engraving and Printing", may be transferred to this appropriation to cover service rendered such Bureau in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail two agents of the Secret Service to supervise such force.

Transfer of funds.

Supervisors.

Printing and binding: For printing and binding for the Secret Service Division, $8,000.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For reimbursement to the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled thereto under the Act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1948, pursuant to section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended, $68,500.

Reimbursement to D. C. for certain benefit payments.

D. C. Code § 4-508.

D. C. Code § 4-503.

BUREAU OF THE MINT

Office of the Director: For personal services in the District of Columbia and for assay laboratory chemicals, fuel, materials, balances, weights, specimens of coins, ores, and travel and other expenses incident to the examination of mints, visiting mints for the purpose of superintending the annual settlement, and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, $185,000.

Transportation of bullion and coin: For transportation of bullion and coin, between mints, assay offices, and bullion depositories, $22,500, including compensation of temporary employees and other necessary expenses.

Mints and assay offices: For necessary expenses at the mints at Philadelphia, Pennsylvania; San Francisco, California; and Denver, Colorado; the assay offices at New York, New York; and Seattle, Washington, and the bullion depositories at Fort Knox, Kentucky; and West Point, New York, and for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, including new machinery and repairs, arms and ammunition, purchase and maintenance of uniforms and accessories for guards, protective devices, and their maintenance, training of employees in use of fire arms and protective devices, purchase of a station wagon, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $1,000 for the expenses of the annual assay commission, and not exceeding $1,000 for the acquisition, at the dollar face amount or otherwise, of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces, and ores; $6,250,000.

48 Stat. 337, 1178.
31 U. S. C. §§ 440, 448.

Annual assay commission.

Printing and binding: For printing and binding for the Bureau of the Mint, $10,000.

Post, p. 624.

BUREAU OF FEDERAL SUPPLY

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and in the field service, office supplies and materials, stationery, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Bureau of Federal Supply of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field, $1,310,000: *Provided*, That the Secretary of the Treasury is authorized and directed to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Bureau of Federal Supply, respectively, from any such department or establishment, where the transfer or detail of such employee is incident to a transfer of a function or functions to that Bureau and (b) such amount as the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred: *Provided further*, That when there has been or shall be transferred from any agency of the Government to the Bureau of Federal Supply any function of warehousing, and the agency from which such function is being transferred is authorized at the time of such transfer to perform functions of procurement, warehousing, or distribution of property, equipment, stores, or supplies for non-Federal agencies the Bureau of Federal Supply is authorized to

Transfer of funds.

Continuance of warehousing functions for non-Federal agencies.

continue the performance of such functions for such non-Federal agencies where such functions are to be discontinued by the agency from which the warehousing function has been transferred, and the receipts, including surcharge, for all issues to and all advances by all non-Federal agencies shall be credited to the general supply fund: *Provided further*, That payments to the general supply fund for materials, and supplies (including fuel), and services, and overhead expenses for all issues shall be made on the books of the Treasury Department by transfer and counterwarrants prepared by the Bureau of Federal Supply of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Bureau of Federal Supply at issue prices to be fixed by the Director of Federal Supply: *Provided further*, That payments covering transactions between the Bureau of Federal Supply and field offices of other Government agencies whose detailed appropriation or fund accounts are maintained elsewhere than within the District of Columbia, may be made on the basis of itemized vouchers or invoices prepared by the Bureau of Federal Supply and sent through the appropriate field offices to the disbursing officers for the agencies involved, who are hereby authorized to make payment based (1) upon certification of the Bureau of Federal Supply, which shall include the specific statement that the vouchers are issued pursuant to and in conformity with purchase orders or requisitions duly executed by the agency billed, and (2) upon approval and certification of such vouchers by the agency billed, which action shall be based upon acceptance of the Bureau of Federal Supply certification as made, subject to later adjustment if necessary, the responsibility of the certifying officer to be limited to the availability of the funds to be charged: *Provided further*, That the general supply fund may be used to purchase from or through the Public Printer standard forms and blank-book work for field warehouse stocking and issue, but issues thereof shall be made only to Government agencies and shall be chargeable to applicable appropriation authorizations or limitations of such agencies for printing and binding, and reports of such issues shall be made as the Public Printer may require: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1948 shall be credited to the general supply fund: *Provided further*, That during the fiscal year 1948 there shall be available from the general supply fund for personal services in the District of Columbia not to exceed $1,520,000: *Provided further*, That per diem employees engaged in work in connection with operations of the fuel yards may be paid rates of pay approved by the Secretary of the Treasury not exceeding current rates for similar services in the District of Columbia: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the reconditioning and repair of surplus property and equipment for disposition or reissue to Government service, may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

Payment for supplies, services, etc.

Transactions with field offices of other Government agencies.

Standard forms and blank-book work for field warehouses.

Crediting of advances.
47 Stat. 417.

Personal services.

Per diem employees at fuel yards.

"Fuel."

Reconditioning of surplus property.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia and areas adjacent thereto may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

Typewriting machines, repairs.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1948 for the purchase, within the continental limits of the United States, of any standard typewriting machines (except bookkeeping, billing, and electric machines) at a

Purchase prices.

price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), $77; twelve inches, $82.50; fourteen inches, $85.25; sixteen inches, $90.75; eighteen inches, $96.25; twenty inches, $103.40; twenty-two inches, $104.50; twenty-four inches, $107.25; twenty-six inches, $113.85; twenty-eight inches, $114.40; thirty inches, $115.50; thirty-two inches, $118.25; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, $88; twelve inches, $93.50; fourteen inches, $99; eighteen inches, $104.50: *Provided*, That there may be added to such prices the amount of Federal excise taxes paid or payable with respect to any such machines.

Printing and binding: For printing and binding for the Bureau of Federal Supply, including printed forms and miscellaneous items for general use of the Treasury Department, the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, $170,000, together with not to exceed $4,000 to be transferred from the general supply fund, Treasury Department.

COAST GUARD

For all salaries and expenses of the Coast Guard, $100,000,000: *Provided*, That no part of this appropriation shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases above thirty the total number of enlisted men detailed to such duty at any time: *Provided further*, That no part of this appropriation shall be used for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers: *Provided further*, That expenditures out of the foregoing appropriation shall not exceed the limitations set forth in the following categories, namely:

Post, p. 702.

Details at headquarters, restriction.

Increased pay for aerial flights, restriction.

Office of Commandant: For personal services at the seat of government, not to exceed $2,000,000;

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, active and retired, temporary cooks, surfmen, substitute surfmen, and six civilian instructors; retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a); not exceeding $10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; transportation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed $20,000 for cost of special instruction, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, other enlisted personnel, and members of the Coast Guard Auxiliary when assigned specific duties under the provisions of section 8, Act of February 19, 1941, as amended (14 U. S. C. 267), mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast

Post, p. 702.

46 Stat. 164.
Post, p. 674.
Cash prizes.

Transportation of dependents.

41 Stat. 824.

55 Stat. 10.

Per diem rates for PHS officers.

Guard as authorized for Coast Guard officers; actual and necessary expenses or per diem in lieu thereof as the Secretary may determine and approve for Coast Guard personnel on special duty in foreign countries; traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof; transportation in kind and subsistence to discharged cadets; uniform clothing for enlisted men as provided by law (14 U. S. C. 13); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the Coast Guard for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard; advertising for and obtaining enlisted personnel and applicants for appointment as cadets; training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; transportation on Government-owned vessels of privately owned automobiles of Coast Guard personnel upon change of station; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed $50,000 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended pursuant to regulations prescribed by the Secretary; apprehension and delivery of deserters and stragglers; in all, not to exceed $72,000,000: *Provided*, That money accruing from commutation of rations of enlisted personnel commuted for the benefit of any mess may be paid on proper voucher to the officer in charge of such mess: *Provided further*, That whenever commissioned officers of the Coast Guard, who were civilian employees of the former Bureau of Marine Inspection and Navigation, resume their status as civilian employees of the Coast Guard, or whenever civilian employees of the Coast Guard, who were employed in the former Bureau of Marine Inspection and Navigation, are commissioned as officers of the Coast Guard, the limitation provided for "Civilian Employees, Coast Guard" and "Office of the Commandant" may be exceeded, with the approval of the Bureau of the Budget, by the amount of their pay as civilian employees and the limitation provided for "Pay and allowances" reduced in a like amount or vice versa, as the case may be;

Traveling expenses.

30 Stat. 604.

Hire of quarters.

Restriction.

Recruiting.

Transfer of household goods.

Provisions for sale at isolated stations.

Post, p. 702.

Apprehension of deserters, etc.

Commutation of rations, payments.

Certain civilian employees.

Post, p. 702.

General expenses, Coast Guard: For expenses necessary for the operation and maintenance of the Coast Guard ashore and afloat, except as specifically provided for in other appropriations, including

personal services at the seat of government and elsewhere; contract stenographic reporting services, pursuant to section 15 of the Act of August 2, 1946 (Public Law 600); printing and binding; purchase of fifty-eight passenger motor vehicles and maintenance, operation, and repair of aircraft; improvement of property for Coast Guard purposes, including rental, purchase, or use of additional land where necessary and the purchase of land for beacons, daymarks, and fog signals; rations and provisions, or commutation thereof, for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Coast Guard on duty on board such tenders or vessels, but money accruing from commutation of rations and provisions for the above-named persons on board tenders and light vessels or in working parties in the field may be paid on proper voucher to the person having charge of the mess of such vessel or party; subsistence and clothing for shipwrecked and destitute persons, including reimbursement, under rules prescribed by the Secretary, of Coast Guard personnel who furnish from their personal stock subsistence and clothing to such persons; for payment of claims authorized under section 1 of Public Law 277, Seventy-ninth Congress, as amended by Public Law 327, Seventy-ninth Congress; not to exceed $2,500 for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion; payment of rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard; in all, not to exceed $29,700,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and ten exclusive of planes and parts stored to meet future attrition;

60 Stat. 810.
5 U. S. C. § 55a.

Rations and provisions.

59 Stat. 662; 60 Stat. 56.
31 U. S. C. §§ 222g, 222h.
Coast Guard Academy, contingencies.
Payment of rewards.

Aircraft on hand, restriction.

Civilian employees, Coast Guard: For compensation of civilian employees in the field, including per diem labor, but excluding personnel provided for in the appropriation "General expenses, Coast Guard", not to exceed $3,600,000;

Establishing and improving aids to navigation: For establishing and improving aids to navigation and other works, and for expenditures directly relating thereto, not to exceed $2,300,000;

Acquisition of aircraft, vessels and shore facilities: For the purchase or construction of additional and replacement vessels and their equipment; the purchase of aircraft and their equipment; and the construction, rebuilding, or extension of shore facilities, including the acquisition of sites and improvements thereon when specifically approved by the Secretary, and rental of shore facilities for temporary use; in all, not to exceed $2,300,000: *Provided*, That not to exceed 4 per centum of the amount of this limitation shall be available for administrative expenses in connection therewith, including personal services at the seat of government;

Post, p. 702.

Administrative expenses.

Retired pay, former Lighthouse Service, Coast Guard: For retired pay of certain officers and employees entitled thereto by virtue of former employment in the Lighthouse Service engaged in the field service or on vessels of the Coast Guard, except persons continuously employed in district offices and shops, not to exceed $1,000,000.

No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act.

Payment of salary, etc., restriction.

The Joint Committee on Internal Revenue Taxation is authorized and directed to make a study of the enforcement of the internal-revenue laws with a view to ascertaining the numbers of deputy collectors, revenue agents, and other personnel, who should be employed by the Bureau of Internal Revenue in order to insure the maximum

Study by Joint Committee on Internal Revenue Taxation.

net return to the United States from taxes imposed by such laws, and to report the results of such study to the Senate and the House of Representatives on or before January 3, 1948, such report to be filed with the Speaker of the House of Representatives and the President of the Senate if the Congress is not in session on the date of filing thereof.

Citation of title.

This title may be cited as the "Treasury Department Appropriation Act, 1948".

TITLE II—POST OFFICE DEPARTMENT

Post Office Department Appropriation Act, 1948.
Ante, pp. 118, 187, 188; *post*, pp. 245, 361, 608, 609, 701, 702.

The following sums are appropriated in conformity with 5 United States Code 361, 380; 39 United States Code 786, for the Post Office Department for the fiscal year ending June 30, 1948, namely:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, including a health program for the Department in Washington as authorized by the Act of August 8, 1946 (Public Law 658), $375,000.

60 Stat. 903.
5 U. S. C. § 150.

SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of Budget and Administrative Planning, $59,500.
Office of the First Assistant Postmaster General, $1,115,000.
Office of the Second Assistant Postmaster General, $910,000.
Office of the Third Assistant Postmaster General, $1,332,500.
Office of the Fourth Assistant Postmaster General, $712,500.
Office of the Solicitor for the Post Office Department, $250,000.
Office of the chief inspector, $400,000.
Office of the purchasing agent, $83,800.
Bureau of Accounts, $500,000.

Post, p. 701.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For necessary, contingent and miscellaneous expenses not otherwise provided for; purchase of one passenger motor vehicle (not exceeding $3,000); purchase and exchange of lawbooks and books of reference; newspapers; and travel expenses of the purchasing agent and of the Solicitor and attorneys connected with his office, not exceeding $1,900; $145,000.

Post, p. 701.

For printing and binding for the Post Office Department and Postal Service, $1,600,000.

Field-service appropriations, restriction on use.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may be paid from the appropriations for the service in connection with which the travel is performed: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

Travel expenses.

Examination of estimates.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, $3,000.

Damage claims: For the payment of claims for damages to persons or property occurring in the fiscal year 1948, or in prior fiscal years, determined and settled pursuant to the Federal Tort Claims Act, approved August 2, 1946 (Public Law 601), and in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (31 U. S. C. 224c), $230,000.

60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-946.
Post, p. 722.

42 Stat. 63; 48 Stat. 1207.

Adjusted losses and contingencies: To pay to postmasters, Navy mail clerks, and assistant Navy mail clerks, Coast Guard mail clerks, assistant Coast Guard mail clerks, Army mail clerks, and assistant Army mail clerks, or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1948, or prior fiscal years, through unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended by the Act approved December 7, 1945 (39 U. S. C. 49), $75,000.

Post, p. 701.

22 Stat. 29; 59 Stat. 603.
Post, p. 453.

OFFICE OF CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and eight hundred inspectors, $4,300,000.

Travel and miscellaneous expenses: For necessary travel and miscellaneous expenses incurred in the operation of the Post Office Inspection Service, not to exceed $27,600 for chemical and other investigations, and not to exceed $500 for books of reference, $960,000.

Chemical, etc., investigations.

Clerks: For compensation of not exceeding three hundred and eighty-nine clerks in the Post Office Inspection Service, $1,178,000.

P. O. Inspection Service.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite, or explode, fiscal year 1948 and prior years, $55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 28673, dated July 28, 1945: *Provided further*, That of the amount herein appropriated not to exceed $20,000 may be expended in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Death of offender.

Limitation.

Securing of information.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, $87,470,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, $12,800,000.

Post, p. 701.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, mail handlers, and substitutes, and the maintenance of health programs in the field as authorized by the Act of August 8, 1946 (Public Law 658), $487,400,000.

60 Stat. 903.
5 U. S. C. § 150.

Contract station service: For contract station service, $3,500,000.

Separating mails: For separating mails at fourth-class post offices, $180,000.

Unusual conditions: For unusual conditions at post offices, $25,000.

Clerks, third-class post offices: For compensation to clerks at third-class post offices, $24,000,000.

Miscellaneous items, first- and second-class post offices: For expenses necessary for the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, $3,600,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $300,000.

Detroit River service: For Detroit River postal service, $12,750.

Post, p. 701.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special-delivery carfare, cost of transporting carriers by privately owned automobiles to and from their routes, at rates not exceeding regular streetcar or bus fare, and purchase, maintenance, and exchange of bicycles, $1,800,000.

Post, p. 701.

City delivery carriers: For pay of letter carriers, City Delivery Service, and United States Official Mail and Messenger Service, $295,300,000.

Post, p. 701.

Special-delivery compensation and fees: For compensation and fees to special-delivery messengers, $14,000,000.

Post, p. 701.

Rural Delivery Service: For pay for rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, tolls and ferriage, and necessary expenses of the Rural Delivery Service, $129,167,000, of which not less than $200,000 shall be available for extensions and new service.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Post, p. 701.

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $22,500,000.

Post, p. 701.

Star Route and Air Mail Service, Alaska: For inland transportation by Star Route and Air Mail Service in Alaska, $415,000.

Post, p. 701.

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, $1,700,000.

Post, p. 701.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, $145,000,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service.

Post, p. 701.

Railway Mail Service: For fifteen general superintendents, fifteen assistant general superintendents, two assistant general superintendents at large, one hundred and twenty district superintendents, one hundred and twenty assistant district superintendents, and other employees in the Railway Mail Service, $104,000,000.

Post, p. 701.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, $5,000,000.

Railway Mail Service, travel expenses: For travel expenses of departmental officials and supervisory employees of the Railway Mail Service, and railway postal clerks, $55,000.

Railway Mail Service, miscellaneous expenses: For necessary expenses of the Railway Mail Service not provided for in other appropriations, $450,000.

Electric-car service: For electric-car service, $210,000.

Foreign mail transportation: For transportation of foreign mails, except by aircraft, $9,500,000, including not to exceed $79,200 to cover the cost to the United States for maintaining sea post service on ocean steamships conveying mails to and from the United States.

Post, p. 701.

Sea post service.

Balances due foreign countries: For balances due foreign countries, fiscal year 1948 and prior years, $3,250,000.

Post, p. 701.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1948 and prior years, $15,000.

Foreign air-mail transportation: For transportation of foreign mails by aircraft, as authorized by law, including the transportation of mail by aircraft between Seattle, Washington, and Fairbanks, Alaska, via intermediate points, $5,500,000.

Post, p. 701.

Domestic Air Mail Service: For expenses necessary for the inland transportation of mail by aircraft, as authorized by law, including not to exceed $173,000 for supervisory officials and clerks at field headquarters, $37,000,000.

Post, p. 701.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For manufacture and distribution of stamps and stamped paper, and not to exceed $30,000 for compensation to employees and other necessary expenses of the United States Stamped Envelope Agency, $7,400,000.

Post, p. 702.

U. S. Stamped Envelope Agency.

Indemnities, domestic mail: For payment of indemnity for the injury or loss of domestic registered, insured, and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, fiscal year 1948 and prior years, $2,300,000.

Post, p. 702.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, $600,000.

Post, p. 702.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies: For the purchase, manufacture, repair, and installation of necessary miscellaneous equipment and supplies for the Postal Service not provided for in other appropriations; accident prevention; for the purchase of atlases and geographical and technical works not to exceed $1,500; and not exceeding $136,000 for personal services, and not to exceed $51,400 for salaries of fourteen traveling mechanicians; for rental of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices; and for travel expenses; $6,500,000, of which $250,000 shall be available exclusively for the purchase of modern mechanical postal devices: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blueprints at the cost of printing and 10 per centum thereof added.

Labor-saving devices.

Sale of maps or blueprints.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other equipment for the postal service not provided for in other appropriations; accident prevention; necessary expenses for the operation, maintenance, and

Post, p. 702.

protection of the mail equipment shops building, grounds, and equipment, and a health program for the shops, as authorized by the Act of August 8, 1946 (Public Law 658); $3,200,000, of which not to exceed $1,223,000 may be expended for personal services in the District of Columbia and not exceeding $15,000 for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for services in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

60 Stat. 903.
5 U. S. C. § 150.

Distinctive equipments.

Rent, light, power, fuel, and water: For rent, light, power, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, $13,257,000.

Post, p. 702.

Pneumatic-tube service, New York City and Boston: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn; and for rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts; $700,000: *Provided*, That the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable to the city of New York, and the provisions not inconsistent herewith of the Acts of April 21, 1902, and May 27, 1908 (39 U. S. C. 423), shall be applicable to the city of Boston.

32 Stat. 114; 35 Stat. 412; 42 Stat. 661.

Post, p. 702.

Vehicle service: For the hire, purchase, maintenance, repair, and operation of vehicles for use in the collection, transportation, delivery, and supervision of the mail, including the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service; the rental of garage facilities; accident prevention; lease of quarters not exceeding a term of ten years for the housing of Government-owned motor vehicles, and including compensation to necessary employees in the Motor Vehicle Service, $36,500,000, of which $4,514,000 shall be available exclusively for the purchase of trucks: *Provided*, That the Postmaster General may purchase and maintain from this appropriation such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Housing of vehicles.

Motor Vehicle Service.

Tractors and trailer trucks.

Maintenance, restriction.

Post, p. 702.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, $520,000.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force: For compensation to employees in the custodial service, $44,750,000.

Post, p. 702.

Operating supplies, public buildings: For necessary miscellaneous articles, services and supplies, including transportation thereof, required for the operation of completed and occupied public buildings and grounds operated by the Post Office Department, accident prevention, $6,750,000, which shall not be available for personal services except for, work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $250 at any one building: *Provided*, That the Postmaster General is authorized to contract

Personal services, limitation.

Telephone service.

for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, $750,000: *Provided*, That excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan of furniture.

Personal services, limitation.

Use of present furniture.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1948, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Deficiency appropriation.

During the fiscal year 1948, the Postmaster General shall make quarterly reports to the Senate and House Committees on Appropriations, showing for each quarter the amount paid from each appropriation for overtime, the number of employees receiving such overtime, and the number of hours of overtime worked by such employees, together with a statement as to the necessity for such overtime work.

Reports to Congress.

This title may be cited as the "Post Office Department Appropriation Act, 1948".

Citation of title.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 302. This Act may be cited as the "Treasury and Post Office Departments Appropriation Act, 1948".

Approved July 1, 1947.

[CHAPTER 187]

July 1, 1947
[H. R. 577]
[Public Law 148]

AN ACT

To preserve historic graveyards in abandoned military posts.

Historic cemeteries on military posts. Conveyance to States, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized in his discretion, and upon such terms and conditions as he may determine with or without monetary consideration, to transfer and convey all right, title, and interest of the United States in or to any historic military cemetery or burial plot located on military posts or reservations which have heretofore, or may hereafter, become abandoned or useless for military purposes, including the graves and monuments contained in such cemeteries or burial plots and approach roads and appurtenances thereto, together with the responsibility for the perpetual care and maintenance thereof, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located: *Provided*, That in the event the grantee shall cease or fail to care for and maintain the historic military cemetery or burial plot or the graves and monuments contained therein in a manner satisfactory to the Secretary of War, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

Reversion to U. S.

Approved July 1, 1947.

[CHAPTER 188]

July 1, 1947
[H. R. 1358]
[Public Law 149]

AN ACT

To amend the Act entitled "An Act to provide for the management and operation of naval plantations, outside the continental United States", approved June 28, 1944.

Naval plantations outside U. S.

50 U. S. C. app. § 777.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the management and operation of naval plantations outside the continental United States", approved June 28, 1944 (58 Stat. 624), is hereby amended to read as follows:

Management and operation.

"SEC. 1. Hereafter the appropriations for the subsistence of Army and Navy personnel, respectively, shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any plantation or farm, on land subject to Army or Navy jurisdiction outside of the continental United States, for the purpose of furnishing fresh fruits and vegetables to the armed forces of the United States: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies: *Provided further*, That only American nationals, employees of the United States, shall be entitled to benefits under the civil-service laws and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States: *Provided further*,

Purchases.

41 U. S. C. § 5.

Limitation of employee benefits.

That surplus production over the amount furnished, or sold to the armed forces of the United States and to civilians serving with the armed forces may only be sold outside the continental limits of the United States: *And provided further*, That no land shall be acquired under this authorization.

Sale of surplus production.

No land acquisitions.

"SEC. 2. After the termination of the present war the management, operation, maintenance, and improvement of any plantation or farm for which appropriations made available by this Act are used shall be accomplished, insofar as practicable, through the instrumentality of a private contractor, lessee, or operator with or for the Government, and, to this end the Secretary of War, with respect to Army affairs, and the Secretary of the Navy, with respect to Navy affairs, shall make reasonable effort to enter into said contract, lease, or agreement with a person, partnership, or association, in civil life for his or its services upon terms advantageous to the Government, for such management, operation, maintenance, and improvement before employing Army, Navy, or Marine Corps personnel for that purpose: *Provided*, That the determination of the Secretary of War, in regard to Army matters, and the Secretary of the Navy, in regard to Navy matters, as to reasonableness of effort to enter into such contract, lease, or agreement, and as to the advantageous nature of the terms thereof shall be final."

Management by private contractors, etc.

Finality of determinations by Secretaries of War and Navy.

Approved July 1, 1947.

[CHAPTER 189]

AN ACT

July 1, 1947
[H. R. 1371]
[Public Law 150]

To authorize the Secretary of the Navy to appoint, for supply duty only, officers of the line of the Marine Corps, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the line of the Marine Corps of the permanent or temporary grades of captain, major, lieutenant colonel, and colonel may, upon application, and with the approval of the Secretary of the Navy, be assigned to supply duty only: *Provided*, That when so assigned they shall retain the lineal position and precedence which they hold at the time of assignment or may later attain and shall be promoted, retired, and discharged in like manner and with the same relative conditions in all respects as on the date of passage of this Act, or as thereafter may be provided for other officers of the line of the Marine Corps, except as otherwise provided by law: *Provided further*, That the recommendation of selection boards in the cases of officers assigned to such duty shall be based upon their comparative fitness to perform the duties prescribed for them: *And provided further*, That officers of the permanent or temporary grades of captain, major, lieutenant colonel, and colonel assigned to supply duty only in accordance with this Act shall, on assignment and on promotion up to and including the grade of brigadier general, be carried as additional numbers in grade.

Marine Corps.
Assignment of officers of the line to supply duty.

Retention of lineal position, etc.

Basis of recommendation by selection boards.

Additional numbers in grade.

SEC. 2. The number of officers so assigned in accordance with this Act shall be in accordance with the requirements of the service as determined by the Secretary of the Navy: *Provided*, That all officers of the Marine Corps now assigned to assistant quartermaster duty only and assistant paymaster duty only are hereby assigned to supply duty only, without change in their lineal positions and precedence solely as a result of such change of assignment.

Number of officers assigned.

Officers assigned to assistant quartermaster duty, etc.

SEC. 3. The head of the Supply Department shall have the title of "Quartermaster General of the Marine Corps" and shall, while so serving have the rank, pay, and allowances of a major general, and shall be in addition to the number of general officers otherwise provided by

Title of head of Supply Department, etc.

law. He shall be carried in the grade or rank from which appointed.

Appointment of Quartermaster General.

SEC. 4. When a vacancy shall exist in the office of Quartermaster General of the Marine Corps, the President may appoint to such office, by and with the advice and consent of the Senate, an officer of the Marine Corps on the active list assigned to supply duty only of the rank of brigadier general, who shall hold office as such quartermaster general for a period of four years, unless sooner relieved.

Detail of officers to Supply Department.

SEC. 5. In such numbers as may be required to meet the needs of the service officers of the line may be detailed for duty in the Supply Department for a period of four years unless sooner relieved.

Repeals.

SEC. 6. The following laws and parts of laws are hereby repealed:

(a) Act of August 29, 1916 (39 Stat. 609; 34 U. S. C. 625). Act of August 29, 1916 (39 Stat. 610; 34 U. S. C. 633).

48 Stat. 812, 813.

(b) Sections 3, 11, and 14 of the Act of May 29, 1934 (48 Stat. 811; 34 U. S. C. 625a, 667c, 667f).

(c) Act of July 28, 1937 (50 Stat. 537; 34 U. S. C. 632a).

(d) Act of March 24, 1944 (58 Stat. 121; 34 U. S. C. 625b).

SEC. 7. All other laws or parts of laws inconsistent with the provisions of this Act are hereby amended accordingly.

Approved July 1, 1947.

[CHAPTER 190]

July 1, 1947
[H. R. 1376]
[Public Law 151]

AN ACT

To amend the Acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases.

Navy, Marine Corps, and Coast Guard.
Travel under secret or confidential orders.

50 U. S. C. app. §§ 831-833.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 1 of the Act entitled "An Act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey, incident to secret or confidential orders, and for other purposes", approved October 14, 1942 (56 Stat. 786), as amended, is hereby further amended as follows:

(a) Strike out the words "points to new stations in the United States to which such personnel may be subsequently ordered for duty, under such regulations as the Secretary of the Navy may prescribe: *Provided*, That the wives of" as they appear in lines 13, 14, and 15 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "points to current or new stations to which such personnel may be subsequently ordered for duty, at which restrictive conditions no longer prevail, under such regulations as the Secretary of the Navy may prescribe, and without regard to cost of transportation previously provided for dependents and household effects to such points: *Provided*, That the wives of".

(b) Strike out the words "personnel concerned have been so ordered shall constitute authority" as they appear in line 26 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "personnel concerned have been so ordered, or that they have been ordered to new duty stations or continued on current duty stations where their dependents are not restricted from joining them, shall constitute authority".

Transportation of dependents and household effects.

50 U. S. C. app. §§ 833a-833e.

SEC. 2. The Act entitled "An Act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard under certain conditions, and for other purposes", approved November 28, 1943 (57 Stat. 593), as amended, is hereby further amended as follows:

(a) Strike out the words "United States, and from such points to new stations in the United States to which such personnel may be

subsequently ordered for duty" as they appear in lines 21 and 22 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words "United States, and from such points to current or new stations to which such personnel may be subsequently ordered for duty".

(b) Strike out the words "or Government quarters for their dependents are available" as they appear in line 24 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words "without regard to cost of transportation previously provided for dependents and household effects to such points".

(c) Strike out the words "them, the wives of such personnel, or such other responsible persons" as they appear in line 7, section 2 thereof, on page 594, volume 57, Statutes at Large, and insert in lieu thereof the words "them, or have been ordered to new duty stations at which their dependents are not restricted from joining them, or have continued on current duty stations where restrictive conditions no longer prevail, the wives of such personnel, or such other responsible persons".

SEC. 3. Section 1 of this Act shall be effective in all respects as provided in section 2 of the Act of October 14, 1942 (56 Stat. 786), and section 2 of this Act shall be effective in all respects as provided in section 6 of the Act of November 28, 1943 (57 Stat. 593), as amended.

50 U. S. C. app. § 833.

60 Stat. 5.
50 U. S. C. app. § 833f.

Approved July 1, 1947.

[CHAPTER 191]

AN ACT

Relinquishing to the State of Illinois certain right, title, or interest of the United States of America, and for other purposes.

July 1, 1947
[H. R. 1628]
[Public Law 152]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of enabling the State of Illinois to use the lands now occupied by the Illinois and Michigan Canal for highway, park, recreational, or any other public purposes, there is hereby relinquished to the State of Illinois all such right, title, and interest, if any, as the United States of America may have in and to any part of the land comprising the right-of-way of the Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States of America in the counties of Cook, Will, Grundy, Du Page, and La Salle, in the State of Illinois, pursuant to the provisions, insofar as applicable, of the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662), and in and to any part of the ninety feet of land on each side of the canal for the entire length thereof referred to in the Act of March 30, 1822 (3 Stat. 659); on condition, however, that if any of the lands with respect to which any right, title, or interest is hereby relinquished by the United States of America to the State of Illinois shall ever cease to be occupied and used for highway, park, recreational, or any other public purposes then, and in that event, all such right, title, and interest, if any, in or to the lands which have ceased to be so occupied and used shall thereupon revest in the United States of America.

Illinois and Michigan Canal lands.
Relinquishment to State of Illinois.

Reversion to U. S.

SEC. 2. This Act shall affect only such right, title, and interest of the United States of America in and to the lands described in section 1 hereof as may have been retained by the United States of America, in fee simple, as a reversionary interest, or otherwise, under the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662), and as has not been disposed of, prior to the approval of this Act, by the United States of America.

Rights, etc., affected.

SEC. 3. Provided that, to protect the rights of navigation in or over the lands comprising the right-of-way of the Illinois and Michigan

Protection of rights of navigation, etc.

Canal and the ninety feet of land on each side of the canal in the sections or parts of sections hereinafter enumerated, the State of Illinois or any authorized agent thereof shall not change in any manner the physical conditions which exist at the time of the passage of this Act, unless such changes have been recommended by the Chief of Engineers and authorized by the Secretary of War; this to include construction, erection, or removal of any structure, excavation, or deposition of materials from or on such lands, and so forth. The sections in which such reservations are made are as follows:

Sections.

Sections 16, 21, 22, and the west half of section 15, township 33 north, range 1 east, of the third principal meridian, La Salle County, Illinois.

The east half of section 13, township 33 north, range 2 east, of the third principal meridian, La Salle County, Illinois; and section 18, township 33 north, range 3 east, of the third principal meridian, La Salle County, Illinois.

The east half of the east half of section 22, sections 23, 26, 25, and 36, township 34 north, range 8 east, of the third principal meridian, Grundy County, Illinois; and sections 30, 31, 29, and 20, township 34 north, range 9 east, of the third principal meridian, Will County, Illinois.

The east half of section 20, sections 21, 16, 10, 9, and 4, and the south half of section 3, township 35 north, range 10 east, of the third principal meridian, Will County, Illinois.

Section 14 and the east half of the east half of section 15, township 37 north, range 11 east, of the third principal meridian, Cook and Du Page Counties, Illinois.

Removal of structures, etc.

Sections 29, 28, 21, 16, 10, and 9, township 39 north, range 14 east, of the third principal meridian, Cook County, Illinois. Authorizations issued under the provisions of this Act shall contain the following clause:

"If future operations by the United States require removal or alteration in the structure or the work herein authorized, the State of Illinois will be required, upon due notice from the Secretary of War, to remove or alter the work without expense to the United States so as to render navigation reasonably free, easy, and unobstructed. No claim shall be made against the United States on account of any such removal or alteration."

Approved July 1, 1947.

[CHAPTER 192]

July 1, 1947
[H. R. 1845]
[Public Law 153]

AN ACT

To amend existing laws relating to military leave of certain employees of the United States or of the District of Columbia so as to equalize rights to leave of absence and reemployment for such employees who are members of the Enlisted or Officers' Reserve Corps, the National Guard or the Naval Reserve, and for other purposes.

Military leave for certain Federal and D. C. employees.
Enlisted Reserve Corps.
Post, p. 239.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the third and fourth paragraphs under the subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes", approved May 12, 1917 (40 Stat. 72; 10 U. S. C. A. 371), are hereby amended by inserting in each such paragraph after the words "the Officers' Reserve Corps" the words "or the Enlisted Reserve Corps".

(b) The fourth paragraph under the subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps" of the Act of May 12, 1917, as amended, as it appears on page 72, volume 40, Statutes at Large, is hereby amended by striking out the period at the end of the said paragraph, substituting a colon therefor, and adding the following proviso: "*Provided further*, That no existing law shall be construed to prevent any member of the Officers' Reserve Corps or the Enlisted Reserve Corps from accepting employment in any civil branch of the public service nor from receiving the pay incident to such employment in addition to any pay and allowances to which he may be entitled under the laws relating to the Officers' Reserve Corps and Enlisted Reserve Corps, nor as prohibiting him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government."

10 U. S. C. § 371.
Ante, p. 238.

Officers' Reserve Corps or Enlisted Reserve Corps.
Acceptance of employment, etc.

SEC. 2. Section 80 of the Act of June 3, 1916 (39 Stat. 203; 32 U. S. C. 75), is hereby amended by striking out the period as it appears at the end of the said section, substituting a comma therefor, and adding the following: "for periods not to exceed fifteen days in any one calendar year: *Provided*, That all members of the National Guard who are in the employ of the United States Government or of the District of Columbia and who are ordered to duty by proper authority shall, when relieved from duty, be restored to the positions held by them when ordered to duty: *And provided further*, That no existing law shall be construed to prevent any member of the National Guard from accepting employment in any civil branch of the public service nor from receiving the pay incident to such employment in addition to any pay and allowances to which he may be entitled under the provisions of law relating to the National Guard, nor as prohibiting him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government."

National Guard.

Restoration to positions.

Acceptance of employment, etc.

SEC. 3. Section 9 of the Naval Reserve Act of 1938 (52 Stat. 1177; 34 U. S. C. Annotated 853g), as amended, is hereby further amended by striking out the period as it appears at the end of the said section, substituting a colon therefor, and adding the following proviso: "*And provided further*, That all members of the Naval Reserve who are in the employ of the United States Government or of the District of Columbia and who are ordered to duty by proper authority shall, when relieved from duty, be restored to the positions held by them when ordered to duty."

Naval Reserve.

Restoration to positions.

SEC. 4. The words "officers and employees of the United States or of the District of Columbia" as used in the third paragraph, subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps", of the Act of May 12, 1917 (40 Stat. 72; 10 U. S. C. Annotated 371), as now or hereafter amended, as used in that part of section 80 of the Act of June 3, 1916 (39 Stat. 203; 32 U. S. C. 75), as now or hereafter amended, which precedes the proviso, and as used in the first proviso of section 9 of the Naval Reserve Act of 1938 (52 Stat. 1177; 34 U. S. C. Annotated 853g), as now or hereafter amended, shall be construed to mean all officers and employees of the United States or of the District of Columbia, permanent or temporary indefinite, without regard to classifications or terminology peculiar to the Federal Civil Service System.

"Officers and employees of the United States or of the District of Columbia."

Ante, p. 238; *supra*.

Approved July 1, 1947.

[CHAPTER 193]

AN ACT

July 1, 1947
[H. R. 1997]
[Public Law 154]

To provide seniority benefits for certain officers and members of the Metropolitan Police force and of the Fire Department of the District of Columbia who are veterans of World War II and lost opportunity for promotion by reason of their service in the armed forces of the United States.

District of Columbia.
Seniority rights for certain policemen and firemen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia, who served in the armed forces of the United States during the period beginning May 1, 1940, and ending December 31, 1946, and (1) whose name appeared during such service (as a result of a regular or reopened competitive examination for promotion) on any civil-service register with respect to such force or department for promotion to a higher rank or grade, or (2) whose name appeared on such a register as a result of a reopened examination taken subsequent to his release, shall, for the purpose of determining his seniority rights and service in such rank or grade, be held to have been promoted to such rank or grade as of the earliest date on which an eligible standing lower on the same promotion register received a promotion either permanently or temporarily to such rank or grade.

Reenlistment.

(b) No officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia shall be entitled to the benefits of this section who has reenlisted after June 1, 1945, in the Regular Military Establishment or after February 1, 1945, in the Regular Naval Establishment.

Rank and pay, restrictions.

SEC. 2. No officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia shall, by reason of the enactment of this Act, be (1) reduced in rank or grade, or (2) entitled to any compensation for any period prior to the date of enactment of this Act.

Approved July 1, 1947.

[CHAPTER 194]

AN ACT

July 1, 1947
[H. R. 2237]
[Public Law 155]

To correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended.

Nationality Act of 1940, amendment.
54 Stat. 1161; 58 Stat. 755.
8 U. S. C. § 742 (b) (8).
Fees for furnishing copies of records.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 342 (b) (8) of the Nationality Act of 1940, as amended (58 Stat. 745; U. S. C., Supp. 742 (b) (8)), is amended to read as follows:

"(8) Reasonable fees, with the approval of the Attorney General, in cases where such fees have not been established by law, to cover the cost of furnishing copies, whether certified or uncertified, of any part of the records, or information from the records, of the Service. Such fees shall not exceed a maximum of 25 cents per folio, with a minimum fee of 50 cents for any one such service, in addition to a fee of $1 for any official certification furnished under seal. No such fee shall be required from officers or agencies of the United States or of any State or any subdivision thereof, for such copies or information furnished for official use in connection with the official duties of such officers or agencies."

Copies furnished without charge.

Approved July 1, 1947.

[CHAPTER 195]

JOINT RESOLUTION

To grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia.

July 1, 1947
[H. J. Res. 193]
[Public Law 156]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That authority be, and is hereby, given to the American National Red Cross to erect upon the south half of square 104 in the city of Washington, District of Columbia, a permanent building for the use of the District of Columbia Chapter, American National Red Cross, in connection with its work, in cooperation with the Government of the United States and its responsibilities under its charter granted by the Congress of the United States.

American National Red Cross.
Authority to erect building for D. C. Chapter.

SEC. 2. That the plans of the proposed building shall first be approved by the American National Red Cross, the Commission of Fine Arts and the National Capital Park and Planning Commission and the erection and design thereof shall be under the supervision of the Administrator of the Federal Works Agency in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended and as hereby further amended.

Approval of plans, etc.

44 Stat. 630.
40 U. S. C. §§ 341-347.

SEC. 3. That the cost of the removal of the buildings on this site shall be borne by the American National Red Cross, District of Columbia Chapter, without expense to the United States.

Cost of removal of buildings.

SEC. 4. That said permanent building shall remain the property of the United States but under the supervision of the Administrator of the Federal Works Agency and the American National Red Cross, District of Columbia Chapter, shall, at all times be charged with the responsibility, care, keeping, and maintenance of said building without expense to the United States.

Property of U. S.

Maintenance, etc.

SEC. 5. That moneys of the American National Red Cross, District of Columbia Chapter, available for the construction of the aforesaid building, including any amount administratively determined necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expenses, may be transferred to and expended by the Public Buildings Administration of the Federal Works Agency, and such funds may be consolidated in the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, and the Commissioner of Public Buildings is authorized to prepare drawings and specifications for this building prior to the approval by the Attorney General of the title to such acquisition.

Transfer of funds, etc.

Preparation of drawings, etc., prior to approval of title.

SEC. 6. That said building shall be appropriate in design and character and shall be used by the American National Red Cross, District of Columbia Chapter, and shall cost not less than $1,000,000: *Provided*, That this expenditure shall include complete equipment.

Use; minimum cost.

SEC. 7. That the person, firm, or corporation which the Commissioner of Public Buildings shall select to furnish professional architectural and engineering services required for the project shall be chosen from nominations made by the American National Red Cross, District of Columbia Chapter.

Selection of person to furnish architectural services, etc.

SEC. 8. That the National Capital Housing Authority is hereby authorized and directed to transfer to the jurisdiction of the Federal Works Administrator such part of the site for said building as is now under the jurisdiction of said Authority: *Provided*, That the Treasurer of the United States is authorized and directed to credit said Authority with the fair market value, at the date of transfer, of the property so transferred: *Provided further*, That the Federal Works

Transfer of property.

Credit.

Administrator is hereby authorized to utilize the property so transferred, as well as that part of the site already under his jurisdiction, for the purposes of this Act.

Furnishing of steam to building.

SEC. 9. That the Federal Works Administrator, through the Public Buildings Administration, is hereby authorized to furnish steam from the central heating plant for the heating of said building, such steam to be paid for by the American National Red Cross, District of Columbia Chapter, at such reasonable rates, not less than cost, as may be determined by the Federal Works Administrator: *Provided*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and to contract for the work necessary to connect said building with the Government mains and to pay the cost of such work and services, including administrative expenses, from the funds consolidated into the Treasury pursuant to section 5 thereof.

Preparation of plans, etc.

SEC. 10. The enactment of this joint resolution shall not be construed as establishing a policy of the United States Government to furnish building sites for Red Cross chapters or any eleemosynary institution at any other place.

Approved July 1, 1947.

[CHAPTER 196]

JOINT RESOLUTION

July 1, 1947
[S. J. Res. 113]
[Public Law 157]

Authorizing the erection in the District of Columbia of a memorial to the Marine Corps dead of all wars.

Marine Corps memorial in D. C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to grant authority to the Marine Corps League, Incorporated, to erect a memorial on public grounds in the District of Columbia in honor and in commemoration of the men of the United States Marine Corps who have given their lives to their country.

Approval of design and site.

SEC. 2. The design and the site of such memorial shall be approved by the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection thereof.

Time limitation.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of passage of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

Approved July 1, 1947.

[CHAPTER 202]

AN ACT

July 1, 1947
[H. R. 1375]
[Public Law 158]

To further amend section 10 of the Pay Readjustment Act of 1942, so as to provide for the clothing allowance of enlisted men of the Army, Marine Corps, and Marine Corps Reserve.

56 Stat. 363.
37 U. S. C. § 110.
Ante, p. 192.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Pay Readjustment Act of 1942, as amended, is hereby further amended by changing the last paragraph of the said section to read as follows:

Clothing for enlisted men.

"Hereafter the President may prescribe the quantity and kind of clothing which shall be furnished annually to enlisted men of the Army, Navy, Marine Corps, the Coast Guard, the Naval Reserve, the

Marine Corps Reserve, and the Coast Guard Reserve, and he may prescribe the amount of a cash allowance to be paid to such enlisted men in any case in which clothing is not so furnished to them."

Approved July 1, 1947.

[CHAPTER 203]

AN ACT

July 1, 1947
[H. R. 2276]
[Public Law 159]

To authorize the Secretary of War and the Secretary of the Navy to pay certain expenses incident to training, attendance, and participation of personnel of the Army of the United States and of the naval service, respectively, in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and for future Olympic games.

Olympic games.
Participation of Army and Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy are hereby authorized to direct the training and attendance of personnel of the Army of the United States and of the naval service, respectively, as participants in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and future Olympic games: *Provided*, That the Secretary of War is further authorized to direct the training and attendance of animals of the Army of the United States for such games: *Provided further*, That the expenses in amounts not to exceed $75,000 for the Army and $50,000 for the Navy, incident to the training, attendance, and participation in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games, including the use of such supplies, material, and equipment as in the opinion of the Secretary of War and the Secretary of the Navy, respectively, may be necessary, may be charged to the appropriations for the support of the Army and appropriations for the Navy Department and the naval service, respectively, for the fiscal years 1948 and 1949: *And provided further*, That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

Expenses.

Approved July 1, 1947.

[CHAPTER 204]

AN ACT

July 2, 1947
[H. R. 3620]
[Public Law 160]

To authorize the transfer to the Panama Canal of property which is surplus to the needs of the War Department or Navy Department.

Panama Canal.
Transfer of surplus supplies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the War Department and the Navy Department are authorized to transfer to the Panama Canal, regardless of present location and without charge to the Panama Canal, materials, supplies, tools, and equipment of every character, including structures, vessels, and floating equipment, which are surplus to the needs of the department having title thereto and which may be certified by the Governor of the Panama Canal as necessary for the care, maintenance, operation, improvement, sanitation, and government of the Panama Canal and Canal Zone.

Approved July 2, 1947.

[CHAPTER 206]

AN ACT

July 3, 1947
[H. R. 4031]
[Public Law 161]

Making appropriations to meet emergencies for the fiscal year ending June 30, 1948, and for other purposes.

Emergency Appropriation Act, 1948.
Ante, pp. 118, 187; *post*, pp. 245, 260, 361, 425, 460, 523, 585, 608, 609, 610, 696, 941.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1948, and for other purposes, namely:

INDEPENDENT OFFICES

OFFICE OF GOVERNMENT REPORTS

There is hereby appropriated such amount as may be necessary to enable the Office of Government Reports to continue in operation at the same rate and under the same authority as provided for such agency in the fiscal year 1947 until the date of enactment of the Independent Offices Appropriation Act, 1948.

Post, p. 588.

VETERANS' ADMINISTRATION

The Administrator of Veterans' Affairs is hereby authorized to disburse, during the month of July 1947, one-twelfth of the amount provided in each appropriation for the Veterans' Administration included in H. R. 3839 as passed by the House of Representatives and there are hereby appropriated such amounts as may be necessary for such disbursements: *Provided*, That amounts expended hereunder shall be deducted from such appropriation for 1948 when H. R. 3839 is enacted into law.

Post, p. 604.

Automobiles and other conveyances for disabled veterans: The authority and funds provided under this heading in the First Supplemental Appropriation Act, 1947 (Public Law 663, 79th Congress) are hereby continued available until June 30, 1948.

60 Stat. 915.
38 U. S. C. § 252.
Post, p. 617.

DISTRICT OF COLUMBIA

The following sums are appropriated for the District of Columbia out of any money in the Treasury to the credit of the District of Columbia not otherwise appropriated, toward expenses for the fiscal year ending June 30, 1948:

Post, pp. 426–445.

Employees' compensation fund, $15,000.

Repairs and maintenance of buildings and grounds, public schools, $50,000.

Operating expenses, Public Library, $10,000.

Operating expenses, Recreation Department, $50,000.

Salaries and expenses, Metropolitan Police, $10,000.

Salaries and expenses, Fire Department, $10,000.

Policemen's and Firemen's Relief, $50,000.

Salaries and expenses, agency services, Public Welfare, $205,000.

Operating expenses, Office of Superintendent of District Buildings, Public Works, $50,000.

Operating expenses, Electrical Division, Public Works, $10,000.

Salaries and expenses, Central Garage, Public Works, $10,000.

Operating expenses, Street and Bridge Divisions (payable from highway fund), $50,000.

Salaries and expenses, Department of Vehicles and Traffic (payable from highway fund), $10,000.

Salaries and expenses, Division of Trees and Parking (payable from highway fund), $10,000.

Operating expenses, Refuse Division, Public Works, $150,000.

Operating expenses, Sewer Division, Public Works, $50,000.

Capital outlay, Sewer Division, Public Works, $50,000.

Operating expenses, Washington Aqueduct (payable from water fund), $23,000.

The foregoing sums for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia as defined in the District of Columbia Appropriation Act, 1947, and shall be deducted from the appropriations for the same purposes contained in the District of Columbia Appropriation Act, 1948, when enacted into law.

60 Stat. 501.
Post, p. 425.

DEPARTMENT OF AGRICULTURE

BUREAU OF ANIMAL INDUSTRY

Control and eradication of foot-and-mouth disease and rinderpest: To enable the Secretary of Agriculture, during July 1947, to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended (7 U. S. C. 391; 21 U. S. C. 111–122), including expenses in accordance with section 2 of said Public Law 8, $5,000,000, to be merged with the appropriation made under this head in the Second Urgent Deficiency Appropriation Act, 1947 (Public Law 122).

Post, pp. 532, 617.
Ante, p. 7.
23 Stat. 31.
Ante, p. 7.
Ante, p. 185.

SUGAR RATIONING ADMINISTRATION

Salaries and expenses: To enable the Secretary of Agriculture to perform, during July 1947, the functions and duties vested in him by the Sugar Control Extension Act of 1947 (Public Law 30), $750,000, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946; printing and binding; not to exceed $10,000 for test purchases of commodities and ration currency for enforcement purposes; and hire of passenger motor vehicles: *Provided*, That not to exceed $40,000 may be transferred to the regular departmental appropriation for penalty mail as required by the Act of June 28, 1944: *Provided further*, That of the amount herein $400,000 shall be available exclusively for terminal leave.

Ante, p. 35; *post*, p. 618.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.

DEPARTMENT OF THE INTERIOR

The Secretary of the Interior is hereby authorized to incur obligations for administrative and force account expenses for the continued operation of any activity of the Department of the Interior for which provision is made in H. R. 3123, a bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes, or in any Senate amendment thereto, but for which obligations may not be incurred under the provisions of section 102 of the Second Urgent Deficiency Appropriation Act, 1947 (Public Law 122), and for War Agency Liquidation in accordance with the terms of the Budget estimate contained in House Document Numbered 312: *Provided*, That such obligations shall not exceed the rate of obligation provided for such activity for the fiscal year 1947: *Provided further*, That the authority conferred hereunder shall continue until July 31, 1947, or until the date of enactment of H. R. 3123 into law, whichever is the earlier date, except in the case of War Agency Liquidation, which authority shall extend until the date of approval of the appropriation Act providing the supplemental appropriation for this activity for the fiscal year 1948.

Post, p. 460.
Ante, p. 187.
Post, pp. 460, 620.
Post, p. 460.
Post, p. 620.

DEPARTMENT OF LABOR

UNITED STATES CONCILIATION SERVICE

For salaries and expenses from July 1, 1947, to August 21, 1947, United States Conciliation Service, including printing and binding, travel, penalty mail, and all expenses authorized for such service in the Department of Labor Appropriation Act, 1947, $430,000.

60 Stat. 680.

SEC. 2. Section 102 of the Second Urgent Deficiency Appropriation Act, 1947, is amended by striking out the last two words of such section and by inserting in lieu thereof the following: "provisions of such appropriation Acts as passed by the House or of any Senate

Ante, p. 187.

Administrative and force account expenses.

amendment thereto: *Provided*, That such obligations shall be limited to administrative and force account expenses and not exceed the rate of obligation under any corresponding appropriation for the fiscal year 1947: *Provided further*, That the authority conferred hereunder shall continue until July 31, 1947, or until the date of enactment of such appropriation Act, whichever is the earlier date: *Provided further*, That in the case of any activity (including the District of Columbia) for which funds were provided by Congress for 1947 and for which an estimate for the fiscal year 1948 was submitted by the President to the Congress prior to July 2, 1947, but for which no provision for an appropriation is contained in any bill pending in Congress on July 1, 1947, obligations therefor for administrative and force account expenses may be incurred at a rate not to exceed the rate of obligation under any corresponding appropriation for the fiscal year 1947 or the budget estimate for 1948, whichever is the smaller, but the authority conferred under this proviso shall expire on whichever of the following dates first occurs: (1) on July 31, 1947, (2) the date of enactment of an appropriation Act making an appropriation for such activity, or (3) the date both Houses shall have acted and failed to make an appropriation for such activity".

Termination of authority.

Short title.

SEC. 3. This Act may be cited as the "Emergency Appropriation Act, 1948".

Approved July 3, 1947.

[CHAPTER 207]

July 7, 1947
[H. R. 775]
[Public Law 162]

AN ACT

For the establishment of the Commission on Organization of the Executive Branch of the Government.

Commission on Organization of the Executive Branch of the Government.
Post, p. 696.

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

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government by—

(1) limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government; and

(5) defining and limiting executive functions, services, and activities.

ESTABLISHMENT OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH

SEC. 2. For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a bipartisan commission to be known as the Commission on Organization of the Executive Branch of the Government (in this Act referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twelve members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life;

(2) Four appointed by the President pro tempore of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

(c) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 5. Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any (notwithstanding section 6 of the Act of May 10, 1916, as amended; 39 Stat. 582; 5 U. S. C. 58), as is necessary to make his aggregate salary $12,500; and they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) MEMBERS FROM PRIVATE LIFE.—The members from private life shall each receive $50 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended.

Post, p. 940.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

Appropriation authorized.
Post, p. 696.

EXPIRATION OF THE COMMISSION

SEC. 9. Ninety days after the submission to the Congress of the report provided for in section 10 (b), the Commission shall cease to exist.

DUTIES OF THE COMMISSION

SEC. 10. (a) INVESTIGATION.—The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government, to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this Act.

(b) REPORT.—Within ten days after the Eighty-first Congress is convened and organized, the Commission shall make a report of its findings and recommendations to the Congress.

POWERS OF THE COMMISSION

SEC. 11. (a) HEARINGS AND SESSIONS.—The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

(b) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Approved July 7, 1947.

[CHAPTER 208]

July 7, 1947
[H. R. 3611]
[Public Law 163]

AN ACT

To fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes.

District of Columbia Teachers' Salary Act of 1947.

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

TITLE I—SALARY SCHEDULES

"Other employees."

SECTION 1. That on and after July 1, 1947, the salaries of teachers, school officers, and certain other employees of the Board of Education of the District of Columbia shall be as follows, and, wherever the term "other employees" is used in this Act, it shall be interpreted to include only those employees of the Board of Education whose positions are included in the following schedule:

ARTICLE I—SALARIES OF TEACHERS, SCHOOL LIBRARIANS, RESEARCH ASSISTANTS, AND COUNSELORS

CLASS 1—TEACHERS IN ELEMENTARY SCHOOLS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 2—TEACHERS IN JUNIOR HIGH SCHOOLS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 3—TEACHERS IN SENIOR HIGH SCHOOLS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 4—SCHOOL LIBRARIANS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase of $100 in salary for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 5—TEACHERS IN VOCATIONAL HIGH SCHOOLS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 6—RESEARCH ASSISTANTS AND COUNSELORS

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximun salary of $4,500 per year is reached.

CLASS 7—INSTRUCTORS IN TEACHERS COLLEGES

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 8—LIBRARIANS IN TEACHERS COLLEGES

Group A: A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

Group C: A basic salary of $3,000 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,500 per year is reached.

CLASS 9—CHIEF LIBRARIANS IN TEACHERS COLLEGES

A basic salary of $4,100 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,100 per year is reached.

CLASS 10—ASSISTANT PROFESSORS IN TEACHERS COLLEGES

A basic salary of $4,100 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,100 per year is reached.

CLASS 11—ASSOCIATE PROFESSORS IN TEACHERS COLLEGES

A basic salary of $4,500 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,500 per year is reached.

CLASS 12—PROFESSORS IN TEACHERS COLLEGES

A basic salary of $5,000 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $6,000 per year is reached.

ARTICLE II—SALARIES OF ADMINISTRATIVE AND SUPERVISORY OFFICERS AND EMPLOYEES IN THE DEPARTMENT OF SCHOOL ATTENDANCE AND WORK PERMITS

CLASS 13—PRINCIPALS IN ELEMENTARY SCHOOLS WITH SIXTEEN OR MORE ROOMS, AND PRINCIPALS IN AMERICANIZATION SCHOOLS

A basic salary of $4,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,300 per year is reached.

CLASS 14—ASSISTANT PRINCIPALS IN JUNIOR HIGH SCHOOLS

A basic salary of $4,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,300 per year is reached.

CLASS 15—ASSISTANT PRINCIPALS IN VOCATIONAL HIGH SCHOOLS

A basic salary of $4,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,300 per year is reached.

CLASS 16—ASSISTANT PRINCIPALS IN SENIOR HIGH SCHOOLS

A basic salary of $4,500 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,500 per year is reached.

CLASS 17—HEADS OF DEPARTMENTS

A basic salary of $4,500 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,500 per year is reached.

CLASS 18—PRINCIPALS OF JUNIOR HIGH SCHOOLS

A basic salary of $4,800 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,800 per year is reached.

CLASS 19—PRINCIPALS OF VOCATIONAL HIGH SCHOOLS

A basic salary of $4,800 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,800 per year is reached.

CLASS 20—PRINCIPALS OF SENIOR HIGH SCHOOLS

A basic salary of $5,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $6,300 per year is reached.

CLASS 21—ASSISTANT DIRECTORS

A basic salary of $4,500 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,500 per year is reached.

CLASS 22—DIRECTORS

A basic salary of $5,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $6,300 per year is reached.

CLASS 23—DIVISIONAL DIRECTORS

A basic salary of $5,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $6,300 per year is reached.

CLASS 24—CHIEF EXAMINERS

A basic salary of $5,300 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $6,300 per year is reached.

CLASS 25—PRESIDENTS OF TEACHERS COLLEGES

A basic salary of $6,400 per year, with an annual increase in salary of $200 for the first six years and $100 for the seventh year, or until a maximum salary of $7,700 per year is reached.

CLASS 26—ASSOCIATE SUPERINTENDENTS

A basic salary of $6,400 per year, with an annual increase in salary of $200 for the first six years and $100 for the seventh year, or until a maximum salary of $7,700 per year is reached.

CLASS 27—ASSISTANT TO THE SUPERINTENDENT (IN CHARGE OF BUSINESS ADMINISTRATION)

A basic salary of $7,400 per year, with an annual increase in salary of $200 for the first six years and $100 for the seventh year, or until a maximum salary of $8,700 per year is reached.

CLASS 28—FIRST ASSISTANT SUPERINTENDENTS

A basic salary of $7,400 per year, with an annual increase in salary of $200 for the first six years and $100 for the seventh year, or until a maximum salary of $8,700 per year is reached.

CLASS 29—SUPERINTENDENT OF SCHOOLS

A salary of $14,000 per year.

DEPARTMENT OF SCHOOL ATTENDANCE AND WORK PERMITS

CLASS 30—DIRECTOR

A basic salary of $4,500 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $5,500 per year is reached.

CLASS 31—CHIEF ATTENDANCE OFFICERS

A basic salary of $3,600 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $4,600 per year is reached.

CLASS 32—ATTENDANCE OFFICERS

A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

CLASS 33—CENSUS SUPERVISORS

A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

CLASS 34—CHILD-LABOR INSPECTORS

A basic salary of $2,500 per year, with an annual increase in salary of $100 for fifteen years, or until a maximum salary of $4,000 per year is reached.

The teachers, school officers, and other employees provided for in this title, during the first year of service after the effective date of this Act shall receive compensation in accordance with the provisions of sections 2, 4, 5, 6, 8, and 9 of this Act.

Post, pp. 253, 254, 258.

TITLE II—CLASSIFICATION AND ASSIGNMENT OF EMPLOYEES

Eligibility requirements; appointment; promotion.

Classification and assignment of teachers, etc.

Teachers, etc., in positions on June 30, 1947.

Continuance of employment.

Master's degree.

Requirement for certain appointments, etc.

Annual increases without master's degree.

Minimum compensation.

SEC. 2. The Board of Education is hereby authorized to establish the eligibility requirements and prescribe such methods of appointment or promotion for teachers, officers, and other employees as it may deem proper. The Board of Education is hereby authorized, empowered, and directed, on written recommendation of the Superintendent of Schools, to classify and assign all teachers, school officers, and other employees to the salary classes and positions in the foregoing salary schedule: *Provided*, That teachers, school officers, and other employees on probationary or permanent status shall not be required to take any examinations, either mental or physical, to be continued in the positions in which they are employed on June 30, 1947, or to which they may be transferred and assigned under the provisions of section 6 of this Act. Except as hereinafter provided in this section, no teacher, school officer, or other employee shall be appointed in or promoted to group C in any class or appointed in or promoted to classes 13 to 30, inclusive, or receive a salary in excess of $4,000 in any class or in any class and group unless he possesses a master's degree: *Provided, however*, That any school officer without a master's degree in any one of the classes 13 to 30, inclusive, on June 30, 1947, shall thereafter be entitled to annual increases until he reaches an annual salary rate not more than $500 below the maximum of his class: *And provided further, however*, That no teacher, school officer, or other employee shall receive compensation at a rate less

than his annual compensation as of June 30, 1947, including the additional compensation authorized by the Act entitled "An Act to authorize increases in the salary rates of teachers, school officers, and other employees of the Board of Education of the District of Columbia whose pay is fixed and regulated by the 'District of Columbia Teachers' Salary Act of 1945', as amended", approved July 31, 1946. When used in this Act, the words "master's degree" shall mean a master's degree granted in course by an accredited higher educational institution.

60 Stat. 717.
Post, p. 260.
"Master's degree."

SEC. 3. The Board of Education, on recommendation of the Superintendent of Schools, is authorized, empowered, and directed to assign, at the time of appointment, teachers, school officers, or other employees hereafter appointed to the salary classes and positions in the foregoing salary schedule in accordance with previous experience, eligibility qualifications possessed, and the character of the duties to be performed by such persons: *Provided*, That the first year of service of any newly appointed teacher, school officer, or other employee shall be probationary.

Teachers, etc., hereafter appointed.
Assignment.

Probationary period.

TITLE III—METHOD OF ASSIGNMENT OF EMPLOYEES TO SALARIES

SEC. 4. For the fiscal year ending June 30, 1948, each teacher, school officer, or other employee in the service of the Board of Education on permanent or probationary tenure on June 30, 1947, shall, except as provided in section 2 of this Act, receive the salary provided in the foregoing schedule for his class or position in accordance with the following rules:

Rules.

(a) For the purposes of the following provisions of this section and of section 5 of this Act, the annual compensation received by any teacher, school officer, or other employee shall be defined as the annual compensation received by such employee on June 30, 1947, under the provisions of title I of the District of Columbia Teachers' Salary Act of 1945, approved July 21, 1945, exclusive of any additional compensation authorized by the Act approved July 31, 1946.

Annual compensation defined.

59 Stat. 488; 60 Stat. 717.
D. C. Code, Supp. V, § 31-638.
Post, p. 260.

(b) Teachers, school officers, or other employees shall receive an increase in their annual compensation at the rate of $600 at the beginning of the fiscal year ending June 30, 1948: *Provided*, That each teacher, school officer, or other employee shall receive during the fiscal year ending June 30, 1948, the minimum or basic salary of the class or class and group to which he is assigned where the minimum or basic salary of said class or class and group exceeds by more than $600 the annual compensation received by such employee on June 30, 1947: *Provided further*, That each teacher, school officer, or other employee whose salary is increased at the rate of not more than $600 per annum during the fiscal year ending June 30, 1948, shall also receive one annual increase in salary in the amount provided in title I of this Act for his class or class and group if he would have been entitled to an annual increase on July 1, 1947, under the provisions of said Act of July 21, 1945, as amended.

Increases.
Minimum compensation.

Ante, p. 248.

59 Stat. 488.
D. C. Code, Supp. V, §§ 31-638 to 31-658.
Post, p. 260.

SEC. 5. (a) Each teacher, school officer, or other employee in the service of the Board of Education on probationary tenure on June 30, 1947, whose annual compensation is increased under the provisions of this Act at the rate of not more than $600 during the fiscal year ending June 30, 1948, and each teacher, school officer, or other employee who may be appointed or promoted on probationary tenure after June 30, 1947, shall receive his first annual increase on the date of his permanent appointment or promotion.

Teachers, etc., on probationary tenure.
First annual increase.

(b) Each teacher, school officer, or other employee in the service of the Board of Education on probationary tenure on June 30, 1947, whose annual compensation is increased under the provisions of this

Act at the rate of more than $600 during the fiscal year ending June 30, 1948, shall receive his first annual increase on July 1, 1948.

Teachers, etc., in service on July 1, 1947. Placement.

59 Stat. 488. D. C. Code, Supp. V, §§ 31-638 to 31-658. *Post*, p. 260.

SEC. 6. Teachers, school officers, and other employees in the service of the Board of Education on July 1, 1947, assigned to salary classes and positions under the said Act of July 21, 1945, shall be placed in the salary classes and positions of the foregoing salary schedule as follows:

(a) Teachers in kindergartens and elementary schools, now assigned to salary class 1, group A, shall be transferred and assigned to salary class 1, group A, of the foregoing schedule;

(b) Teachers in kindergartens and elementary schools, now assigned to salary class 1, group B, shall be transferred and assigned to salary class 1, group A, of the foregoing schedule;

(c) Teachers in junior high schools, now assigned to salary class 2, group A, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(d) Teachers in junior high schools, now assigned to salary class 2, group B, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(e) Teachers in junior high schools, now assigned to salary class 2, group C, shall be transferred and assigned to salary class 2, group C, of the foregoing schedule, except that teachers without master's degrees now assigned to salary class 2, group C, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(f) Teachers in junior high schools, now assigned to salary class 2, group D, shall be transferred and assigned to salary class 2, group C, of the foregoing schedule, except that teachers without master's degrees now assigned to salary class 2, group D, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(g) Teachers in senior high schools, now assigned to salary class 3, group A, shall be transferred and assigned to salary class 3, group A, of the foregoing schedule, except that teachers with master's degrees now assigned to salary class 3, group A, shall be transferred and assigned to salary class 3, group C, of the foregoing schedule;

(h) Teachers in senior high schools, now assigned to salary class 3, group B, shall be transferred and assigned to salary class 3, group C, of the foregoing schelude, except that teachers without master's degrees now assigned to salary class 3, group B, shall be transferred and assigned to salary class 3, group A, of the foregoing schedule;

(i) Librarians in senior high school and visual instruction libraries, now assigned to salary class 4, group A, shall be transferred and assigned to salary class 4, group A, of the foregoing schedule;

(j) Librarians in senior high school and visual instruction libraries, now assigned to salary class 4, group B, shall be transferred and assigned to salary class 4, group A, of the foregoing schedule;

(k) Teachers in vocational or trade schools shall be transferred and assigned as follows:

(1) Vocational school teachers now assigned to salary class 5, group A, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;

(2) Vocational school teachers now assigned to salary class 5, group B, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;

(3) Vocational school teachers now assigned to salary class 5, group C, shall be transferred and assigned to salary class 5, group C, of the foregoing schedule, except that vocational school teachers without master's degrees now assigned to salary class 5, group C, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule; and

(4) Vocational school teachers now assigned to salary class 5, group D, shall be transferred and assigned to salary class 5, group C, of the foregoing schedule, except that vocational school teachers without master's degrees now assigned to salary class 5, group D, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;

(l) Research assistants shall be transferred and assigned as follows:

(1) Research assistants now assigned to salary class 6, group A, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;

(2) Research assistants now assigned to salary class 6, group B, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;

(3) Research assistants now assigned to salary class 6, group C, shall be transferred and assigned to salary class 6, group C, of the foregoing schedule, except that research assistants without master's degrees now assigned to salary class 6, group C, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule; and

(4) Research assistants now assigned to salary class 6, group D, shall be transferred and assigned to salary class 6, group C, of the foregoing schedule, except that research assistants without master's degrees now assigned to salary class 6, group D, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;

(m) Instructors in the teachers colleges now assigned to salary class 7, group A, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule, except that instructors in teachers colleges without master's degrees now assigned to salary class 7, group A, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule;

(n) Instructors in the teachers colleges now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule, except that instructors in teachers colleges without master's degrees now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule;

(o) Librarians in the teachers colleges now assigned to salary class 8, group A, shall be transferred and assigned to salary class 8, group A, of the foregoing schedule, except that librarians in the teachers colleges now assigned to salary class 8, group A, with master's degrees shall be transferred and assigned to salary class 8, group C, of the foregoing schedule;

(p) Librarians in the teachers colleges now assigned to salary class 8, group B, shall be transferred and assigned to salary class 8, group C, of the foregoing schedule, except that librarians in the teachers colleges without master's degrees now assigned to salary class 8, group B, shall be transferred and assigned to salary class 8, group A, of the foregoing schedule;

(q) Assistant professors in teachers colleges now assigned to salary class 10, shall be transferred and assigned to salary class 10 of the foregoing schedule;

(r) Associate professors in teachers colleges now assigned to salary class 11 shall be transferred and assigned to salary class 11 of the foregoing schedule;

(s) Professors in teachers colleges now assigned to salary class 12 shall be transferred and assigned to salary class 12 of the foregoing schedule;

(t) Principals in elementary schools with sixteen or more rooms, and principals in Americanization schools, now assigned to salary class

13, shall be transferred and assigned to salary class 13 of the foregoing schedule;

(u) Assistant principals in junior high schools, now assigned to salary class 14, shall be transferred and assigned to salary class 14 of the foregoing schedule;

(v) Assistant principals in senior high schools, now assigned to salary class 16, shall be transferred and assigned to salary class 16 of the foregoing schedule;

(w) Heads of departments, now assigned to salary class 17, shall be transferred and assigned to salary class 17 of the foregoing schedule;

(x) Principals of junior high schools, now assigned to salary class 18, shall be transferred and assigned to salary class 18 of the foregoing schedule;

(y) Principals of vocational schools, now assigned to salary class 19, shall be transferred and assigned to salary class 19 of the foregoing schedule;

(z) Principals of senior high schools, now assigned to salary class 20, shall be transferred and assigned to salary class 20 of the foregoing schedule;

(aa) Assistant directors, now assigned to salary class 21, shall be transferred and assigned to salary class 21 of the foregoing schedule;

(ab) Supervisors of penmanship now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule with the title of instructor in the teachers colleges. Those without master's degrees now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule with the title of instructor in the teachers colleges;

(ac) Divisional directors now assigned to salary class 23, shall be transferred and assigned to salary class 23 of the foregoing schedule;

(ad) Chief Examiner of the Board of Examiners, now assigned to salary class 24, shall be transferred and assigned to salary class 24 of the foregoing schedule;

(ae) Presidents of teachers colleges, now assigned to salary class 25, shall be transferred and assigned to salary class 25 of the foregoing schedule;

(af) Associate superintendents, now assigned to salary class 26, shall be transferred and assigned to salary class 26 of the foregoing schedule;

(ag) Assistant to the superintendent (in charge of business administration), now assigned to salary class 27, shall be transferred and assigned to salary class 27;

(ah) First assistant superintendents, now assigned to salary class 28, shall be transferred and assigned to salary class 28 of the foregoing schedule;

(ai) Superintendent of Schools, now assigned to salary class 29, shall be assigned and transferred to salary class 29;

(aj) Director of department of school attendance and work permits, now assigned to salary class 30, shall be transferred and assigned to salary class 30 of the foregoing schedule;

(ak) Chief attendance officers, now assigned to salary class 31, shall be transferred and assigned to salary class 31 of the foregoing schedule;

(al) Attendance officers, now assigned to salary class 32, shall be transferred and assigned to salary class 32 of the foregoing schedule;

(am) Census supervisors, now assigned to salary class 33, shall be transferred and assigned to salary class 33;

(an) Child-labor inspectors, now assigned to salary class 34, shall be transferred and assigned to salary class 34 of the foregoing schedule;

(ao) All teachers, school officers, and other employees in the service of the Board of Education on July 1, 1947, not specifically mentioned in the provisions of this section shall be placed in the salary classes and positions in the foregoing schedule as determined by the Board in accordance with the eligibility qualifications possessed and the character of duties to be performed by such teachers, school officers, and other employees;

Employees not specifically mentioned.

(ap) All teachers, school officers, or other employees, appointed after the effective date of this Act, shall be placed in the salary classes and positions in the foregoing schedule by the said Board, and all teachers, librarians, research assistants, counselors, instructors in the teachers colleges, attendance officers, census supervisors, and child-labor inspectors appointed after the effective date of this Act shall receive longevity increases for placement either according to the number of years of experience required by the Board of Education or the number of years of like experience acceptable to and approved by the Board of Education in accredited schools, school systems, colleges, universities, other recognized institutions, trades and industries, previous to probationary appointment in the public schools of the District of Columbia. In the case of teachers of vocational subjects the Board of Education is authorized and directed to credit approved training and experience in the trades in the same manner and to the same extent as though it were experience in and training for teaching. In crediting previous experience of any person who has been absent from his duties because of naval or military service in the armed forces of the United States or its allies, the Board of Education is hereby authorized to include such naval or military service as the equivalent of approved experience. On July 1, 1947, and thereafter, no teacher or any other employee entitled to longevity increases for placement shall be placed in the foregoing salary schedule for more than the fifth year of accepted and approved experience in salary class 1, group A or group C; salary class 2, group A or group C; salary class 3, group A or group C; salary class 4, group A or group C; salary class 5, group A or group C; salary class 6, group A or group C; salary class 7, group A or group C; and salary class 8, group A or group C, or for more than the fourth year of accepted and approved experience in salary class 32, salary class 33, and salary class 34 in the foregoing schedule. This paragraph shall not be construed to increase the allowance for longevity increases for placement of any probationary or permanent teacher or other probationary or permanent employee in the service of the Board of Education on June 30, 1947.

Teachers, etc., appointed after effective date of this Act.
Placement; longevity increases.

Teachers of vocational subjects.

Service in armed forces.
Experience credit.

(aq) No provision in this Act shall be interpreted as preventing any teacher, school officer, or other employee of the Board of Education who has been granted leave to enter the armed forces of the United States or its allies from receiving any annual longevity increase or increases to which he otherwise would be entitled when he returns to service in the public schools.

Service in armed forces.
Longevity increases, etc.

TITLE IV—METHOD OF PROMOTION OF EMPLOYEES

SEC. 7. On July 1, 1948, and on the first day of each fiscal year thereafter, if his work is satisfactory, every permanent teacher, school officer, or other employee except as provided in Section 2 of this Act, shall receive an annual increase in salary within his salary class or position as hereinbefore provided without action of the Board of Education, except that after a teacher, school officer, or other employee has received five annual increases he shall receive no further increases until he is declared eligible therefor by the Board of Education on the basis of such evidence of successful teaching in the case of a teacher or outstanding service in the case of a school officer or other

Annual salary increases.

Ante, p. 252.

employee and of increased professional attainments as the Board of Education may prescribe, and that after having been declared so eligible and after having received five more annual increases, he shall receive no further increases until he is declared eligible therefor by the Board of Education on the basis of such evidence of successful teaching in the case of a teacher or outstanding service in the case of a school officer or other employee and of increased professional attainments as the Board of Education may prescribe. A program of in-service training under regulations to be formulated by the Board of Education shall be established to promote continuous professional growth among the teachers, school officers, and other employees, and such teachers, school officers, and other employees shall annually report evidence of participation in the in-service training program thus established and other evidence of professional growth and accomplishment.

In-service training program.

Promotions to higher salary class or position. Salary.

SEC. 8. On and after July 1, 1947, teachers, school officers, and other employees promoted from a lower to a higher salary class or position shall receive a salary in the salary class or position to which promoted which is next above the salary in the salary class or position from which promoted.

Teachers, instructors, librarians, and research assistants. Assignment; promotion.

SEC. 9. Within the limitations of section 2 of this Act, every teacher, instructor, librarian, and research assistant in the service on July 1, 1947, and every teacher, school officer, or other employee thereafter appointed shall, if the class to which he is assigned be divided into group A and group C, be assigned according to eligibility either to group A or group C, and shall be promoted to group C in salary classes 1, 2, 3, 4, 5, 6, 7 and 8 on the basis of documentary evidence establishing the attainment of a recognized master's degree.

TITLE V—ACCOMPANYING LEGISLATION

Elementary schools. Classification of principals.

SEC. 10. For the purpose of determining the classification of principals in the elementary schools, it shall be the duty of the Board of Education, on the recommendation of the Superintendent of Schools, to designate the number of rooms in each elementary school building or approved combination of elementary school buildings.

First Assistant Superintendents of Schools.

SEC. 11. There shall be two First Assistant Superintendents of Schools, one white First Assistant Superintendent for the white schools who, under the direction of the Superintendent of Schools, shall have general supervision over the white schools; and one colored First Assistant Superintendent for the colored schools who, under the direction of the Superintendent of Schools, shall have sole charge of all employees, classes, and schools in which colored children are taught. The First Assistant Superintendents shall perform such other duties as may be prescribed by the Superintendent of Schools.

Boards of examiners. Membership.

SEC. 12. Boards of examiners for carrying out the provisions of the statutes with reference to examinations of teachers shall consist of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the white schools for the white schools, and of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the colored schools for the colored schools. The designations of members of the supervisory or teaching staff for membership on these boards shall be made annually by the Board of Education on the recommendation of the Superintendent of Schools.

Chief examiners.

SEC. 13. There shall be appointed by the Board of Education, on the recommendation of the Superintendent of Schools, a chief examiner for the board of examiners for white schools. An Associate Superintendent in the colored schools shall be designated by the Superintendent of Schools as chief examiner for the board of examiners for

the colored schools. All members of the respective boards of examiners shall serve without additional compensation.

Annual substitute teachers.

SEC. 14. The Board of Education, on recommendation of the Superintendent of Schools, is hereby authorized to appoint annual substitute teachers, who shall qualify for said positions by meeting such eligibility requirements as the said board may prescribe and who shall be assigned to the lowest class to which eligible for the type of work to be performed, and who shall be entitled to salary placement credit as provided in paragraph (ap) of section 6 of this Act, but who shall not be entitled to annual increases of said class. The said board shall prescribe the amount to be deducted from the salary of any absent teacher for whom an annual substitute may perform service. The above authorization for the appointment of annual substitute teachers shall not be construed to prevent the Board of Education from the employment of other substitute teachers under regulations to be prescribed by the said board.

Ante, p. 257.

Pay deduction from salary of absent teacher.

Other substitute teachers.

Temporary teachers.

SEC. 15. When necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *And provided further*, That all temporary teachers shall receive the basic salary of the class in which service is to be performed plus salary placement credit provided in paragraph (ap) of section 6 of this Act, but shall not be entitled to annual increases of said class.

Service limitation.

Salary.

Evening schools and other activities.

SEC. 16. The Board of Education is hereby authorized to conduct as parts of the public-school system, a department of school attendance and work permits, evening schools, vacation schools, Americanization schools, and other activities, under and within appropriations made by Congress, and on the written recommendation of the Superintendent of Schools to fix and prescribe the salaries, other than those herein specified, to be paid to the employees of the said departments and activities.

Salaries of employees.

Employees classified as teachers for pay-roll purposes.

SEC. 17. All employees assigned to salary classes 1 to 12, inclusive, and all attendance officers assigned to salary class 32 in the foregoing schedule, shall be classified as teachers for pay-roll purposes and their annual salaries shall be paid in ten monthly installments in accordance with existing law.

Attendance officers. Cumulative leave with pay.

SEC. 18. Attendance officers in the department of school attendance and work permits assigned to class 32 in the foregoing schedule shall be entitled, in accordance with regulations made by the Board of Education, to cumulative leave with pay because of personal illness, the presence of contagious disease, death in the home, or pressing emergency, at the rate of ten days per calendar year, the total accumulation not to exceed sixty days; and in the event of any further absence of any attendance officer the Board of Education, on written recommendation of the Superintendent, is hereby authorized to appoint a substitute who shall be paid at a rate fixed by the said Board and the amount paid to such substitute shall be deducted from the salary of the absent attendance officer. Such attendance officers shall not be entitled to annual or sick leave under any other law.

Substitute. Appointment; pay.

Rates effective July 1, 1947.

Preparation of future estimates.

SEC. 19. The rates of salaries herein designated shall become effective on July 1, 1947. The estimates of the expenditures for the operation of the public-school system of the District of Columbia shall hereafter be prepared in conformity with the classification and compensation of employees herein provided. During the fiscal year ending June 30, 1948, no teacher, school officer, or other employee of

Salary increases during fiscal year ending June 30, 1948.

the Board of Education whose salary is included in the foregoing schedule shall receive any increase in compensation other than as provided in this Act.

Repeal.

59 Stat. 488. D. C. Code, Supp. V, §§ 31-638 to 31-658.

SEC. 20. The District of Columbia Teachers Salary Act of 1945, approved July 21, 1945, as amended, is hereby repealed.

54 Stat. 349. D. C. Code §§ 31-632 to 31-637.

SEC. 21. (a) After the effective date of this Act, the Act entitled "An Act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes", approved June 12, 1940, shall apply to employees of the Board of Education whose salaries are fixed by this Act.

60 Stat. 875. *Post*, p. 750.

Supra.

(b) After the effective date of this Act, the Act entitled "An Act for the retirement of the public-school teachers in the District of Columbia", approved August 7, 1946, shall apply to employees of the Board of Education whose salaries are fixed by this Act, and all references in said Act to the District of Columbia Teachers' Salary Act of 1945, as amended, shall be interpreted to apply to this Act. Nothing in this subsection shall require the recomputation of the annuity of any person retired under the Act of August 7, 1946, prior to the effective date of this Act, or of any person retired prior to the effective date of the Act of August 7, 1946, whose annuity is computed in accordance with the provisions of that Act.

Short title.

SEC. 22. This Act may be cited as "District of Columbia Teachers' Salary Act of 1947".

Effective date.

SEC. 23. This Act shall become effective on July 1, 1947.

Approved July 7, 1947.

[CHAPTER 209]

July 8, 1947
[S. J. Res. 124]
[Public Law 164]

JOINT RESOLUTION

To enable the President to utilize the appropriations for United States participation in the work of the United Nations Relief and Rehabilitation Administration for meeting administrative expenses of United States Government agencies in connection with United Nations Relief and Rehabilitation Administration liquidation.

UNRRA. Liquidation of activities.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide necessary administrative expenses for executive departments, agencies, and independent establishments of the United States Government incident to the liquidation of activities undertaken prior to June 30, 1947, in connection with participation of the United States in the work of the United Nations Relief and Rehabilitation Administration, there is hereby authorized to be appropriated not to exceed $2,370,000 of the unobligated balance as of June 30, 1947, of the appropriation "United Nations Relief and Rehabilitation Administration" provided under the Third Deficiency Appropriation Act, 1946.

Appropriation authorized. *Post*, p. 614.

60 Stat. 603.

Approved July 8, 1947.

[CHAPTER 210]

July 8, 1947
[H. R. 2700]
[Public Law 165]

AN ACT

Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes.

Labor-Federal Security Appropriation Act, 1948. *Ante*, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609, 621, 622, 700.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, namely:

TITLE I—DEPARTMENT OF LABOR

Department of Labor Appropriation Act, 1948.

Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609, 621, 622, 700.

OFFICE OF THE SECRETARY

Salaries: For personal services in the District of Columbia, $843,200.

Post, p. 700.

Salaries and expenses, Office of the Solicitor: For personal services in the District of Columbia and other necessary expenses in the field, including contract stenographic reporting services, as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $808,000.

Post, p. 621.

60 Stat. 810.
5 U. S. C. § 55a.

Contingent expenses: For necessary expenses of the offices and bureaus of the Department, for which appropriations are not specifically made, including purchase of two passenger motor vehicles (including one at not to exceed $3,000); transfer of funds to United States Public Health Service for costs of health service program as authorized by Act of August 8, 1946 (Public Law 658); commercial and labor-reporting services; when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $400; newspapers, press clippings, and teletype news service not to exceed $7,300; and contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); $468,400, of which $1,000 is for payment of claims pursuant to part 2 of the Federal Tort Claims Act.

Post, p. 621.

60 Stat. 903.
5 U. S. C. § 150.

Supra.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Traveling expenses: For traveling expenses for the Department, $2,188,300.

Post, p. 622.

Printing and binding: For printing and binding for the Department, $489,700.

Post, pp. 621, 700.

PENALTY MAIL COSTS, DEPARTMENT OF LABOR

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department as required by the Act of June 28, 1944 (Public Law 364), $119,700.

Post, pp. 621, 700.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.

Salaries and expenses, Division of Labor Standards: For necessary expenses, including personal services in the District of Columbia and purchase and distribution of reports, and of material for informational exhibits, in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, $200,000.

The appropriation under this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed $2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

Attendance at conferences.

Commissioners of Conciliation: For expenses necessary to enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (5 U. S. C. 611), and not to exceed $1 for personal services in the District of Columbia, $1.

37 Stat. 738.
5 U. S. C. § 619.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed $2,000 for expenses of attendance at meetings, conferences, or conventions concerned with labor and industrial relations when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

APPRENTICE TRAINING SERVICE

50 Stat. 664.

Apprentice Training Service: For expenses necessary to enable the Secretary of Labor to conduct a program of encouraging apprentice training, as authorized by the Act of August 16, 1937 (29 U. S. C. 50), including personal services in the District of Columbia, $2,107,800.

BUREAU OF LABOR STATISTICS

Post, p. 700.

Temporary services.

60 Stat. 810.
5 U. S. C. § 55a.

Salaries and expenses: For necessary expenses, including not to exceed $5,500 for purchase of newspaper clipping services; reimbursement to State, Federal, and local agencies and their employees for services rendered; and not to exceed $15,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); $3,373,400, of which amount not to exceed $2,202,700 may be expended for personal services in the District of Columbia and not to exceed $845,000 for a cost-of-living study and report.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed $2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

UNITED STATES EMPLOYMENT SERVICE

Post, p. 621.

Supra.

58 Stat. 293.
38 U. S. C. §§ 695–695f.
Ante, p. 32.

Attendance at meetings.

General administration: For expenses necessary for the general administration of the United States Employment Service, including one Director at not to exceed $10,000 per annum and other personal services in the District of Columbia and contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $3,500,000, of which $1,756,800 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944: *Provided*, That the appropriation in this title for traveling expenses shall be available, in an amount not to exceed $2,000, for expenses of attendance at meetings of organizations concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

GRANTS TO STATES FOR PUBLIC EMPLOYMENT OFFICES

Post, p. 621.
48 Stat. 113.

58 Stat. 294.
38 U. S. C. § 695b.

Supra.

Infra.

48 Stat. 114, 115.
29 U. S. C. §§ 49d(a), 49e.

For grants to the several States (including Alaska and Hawaii), in accordance with the provisions of the Act of June 6, 1933, as amended (29 U. S. C. 49–49i), and for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944, including, upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, $57,382,400, of which not to exceed $757,000 shall be available to the United States Employment Service for necessary expenses in connection with the operation of employment office facilities and services in the District of Columbia and for use in carrying into effect section 602 of the Servicemen's Readjustment Act in Puerto Rico: *Provided*, That no State shall be required to make any appropriation as provided in section 5 (a) of said Act of June 6, 1933, prior to July 1, 1949: *Provided further*, That notwithstanding the provisions of section 5 (a) and section 6 of the Act of June 6, 1933, the Secretary of Labor shall from time to time certify to the Secretary of the Treasury for payment to each State found to be in compliance with the requirements of the Act of June 6, 1933, such amounts as he determines to be necessary for the proper and efficient administration of its public employment offices.

In carrying out the provisions of said Act of June 6, 1933, the Secretary shall assure that each State agency operates under such methods of administration relating to the establishment and maintenance of personnel standards on a merit basis, as are found by the Secretary to be necessary to carry out the purposes of said Act; such methods and the methods required pursuant to section 303 (a) (1) of the Social Security Act, as amended, shall be promulgated jointly by the Secretary and the Federal Security Administrator and both such methods shall be administered in a manner which assures consistency in their application.

Methods of administration.
48 Stat. 113.
29 U. S. C. §§ 49–49i.
49 Stat. 626.
42 U. S. C. § 503 (a) (1).

Whenever funds are paid to the same State agency under this heading and title III of the Social Security Act, as amended, (1) such State agency may, if it so elects, submit to the Secretary and the Federal Security Administrator a joint budget covering both the functions for which grants are made under this heading and the functons for which grants are made under such title III; in such a case, the Secretary of Labor shall, if the State agency so elects, certify to the Federal Security Agency the amounts to be paid to the State under this heading and upon receipt of such certification, the Federal Security Agency shall certify such amounts to the Secretary of the Treasury, in addition to the amount, if any, payable by said Agency under the provisions of section 302 (a) of the Social Security Act, as amended. Any additional amounts so certified by the Federal Security Agency shall be paid to the State by the Secretary of the Treasury out of the appropriation herein made available; and (2) the State agency may commingle such funds and account therefor by such accounting, statistical, sampling, or other methods as may be found by the Secretary of Labor and the Federal Security Administrator, respectively, to afford reasonable assurance that the funds paid to the State agency under this heading and the funds paid to the State agency under title III of the Social Security Act, as amended, are expended for the respective purposes of this heading and of such title III.

Joint budget.
49 Stat. 626.
42 U. S. C. §§ 501–503.
Certification of amounts.
49 Stat. 626.
42 U. S. C. § 502 (a).
49 Stat. 626.
42 U. S. C. §§ 501–503.

WOMEN'S BUREAU

Salaries and expenses: For carrying out the Act to establish in the Department of Labor a bureau to be known as the Women's Bureau, approved June 5, 1920 (29 U. S. C. 11–16), including personal services in the District of Columbia; purchase of material for reports and educational exhibts; $263,000.

41 Stat. 987.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed $2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

WAGE AND HOUR DIVISION

Salaries: For personal services for the Wage and Hour Division necessary in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and the functions under the Fair Labor Standards Act transferred under and pursuant to Reorganization Plan Numbered 2 of 1946, $3,798,000, of which amount not to exceed $746,100 may be expended for departmental salaries.

Post, p. 621.
52 Stat. 1060.
29 U. S. C. §§ 201–219.
Ante, p. 87.
49 Stat. 2036.
41 U. S. C. §§ 35–45.
60 Stat. 1095.
5 U. S. C. § 133y–16 note.

Miscellaneous expenses (other than salaries): For necessary expenses, other than salaries, of the Wage and Hour Division in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies

Post, p. 621.
Supra.

49 Stat. 2038.
52 Stat. 1060.
29 U. S. C. §§ 201–219.
Ante, p. 87.
60 Stat. 1095.
5 U. S. C. § 133y–16 note.
60 Stat. 810.
5 U. S. C. § 55a.

and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and the functions under the Fair Labor Standards Act transferred under and pursuant to Reorganization Plan Numbered 2 of 1946, including stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and reimbursement to State, Federal, and local agencies and their employees for services rendered, $309,000.

Attendance at conferences.

The appropriation in this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Wage and Hour Division when called by the Division with the written approval of the Secretary of Labor, and shall be available in an amount not to exceed $5,250 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Secretary of Labor.

Transfer of funds.

In order that the Secretary may effectuate necessary reorganizations within the Department and field, he may transfer to the appropriations under this title from funds appropriated, other than grants to States for public employment offices, such sums as necessary, but not to exceed 2 per centum of the total funds appropriated: *Provided*, That such transfer or transfers shall not be used for the purpose of creating new functions within the Department, or for the continuation of any function which the Congress in its final report recommends be discontinued: *Provided further*, That no appropriation item shall be reduced more than 5 per centum by such transfer.

Citation of title.

This title may be cited as the "Department of Labor Appropriation Act, 1948".

Federal Security Agency Appropriation Act, 1948.
Ante, pp. 118, 184, 187, 188, 245; *post*, pp. 361, 437, 615, 942.

TITLE II—FEDERAL SECURITY AGENCY

AMERICAN PRINTING HOUSE FOR THE BLIND

41 Stat. 272.

Education of the blind: For carrying out the Act of August 4, 1919, as amended (20 U. S. C. 101), $115,000.

BUREAU OF EMPLOYEES' COMPENSATION

60 Stat. 810.
5 U. S. C. § 55a.

Salaries and expenses: For necessary administrative expenses, including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates in such section and, in the case of other services, at rates not in excess of $35 per diem for individuals; purchase of five passenger motor vehicles; and not to exceed $41,000 for the Employees' Compensation Board of Appeals; $1,316,200: *Provided*, That section 3709, Revised Statutes, as amended, shall not apply to any purchase or service outside continental United States when the aggregate amount involved does not exceed $500.

41 U. S. C. § 5.

Employees' compensation fund: For the payment of compensation and other benefits and expenses (except administrative expenses) authorized by law and accruing during the current or any prior fiscal year, including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Bureau of Employees' Compensation; the advancement of costs for enforcement of recoveries in third-party cases; rehabilitation expenses, including fees or other payments to other agencies of the United States and public or private agencies, including individuals, for services or facilities rendered or furnished pursuant to agreement approved by the Bureau; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment,

Rehabilitation expenses.

Medical services, etc.

and burial, for such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U. S. C. 796), shall apply in providing such services, treatment, and expenses in such cases; $10,250,000.

39 Stat. 742.
5 U. S. C. §§ 751-791, 793.

COLUMBIA INSTITUTION FOR THE DEAF

Salaries and expenses: For the partial support of Columbia Institution for the Deaf, including personal services and miscellaneous expenses, purchase of one passenger bus, and repairs and improvements, $259,500.

FOOD AND DRUG ADMINISTRATION

Salaries and expenses: For necessary expenses (not appropriated for elsewhere) in carrying out the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 301–392); the Tea Importation Act, as amended (21 U. S. C. 41–50); the Import Milk Act (21 U. S. C. 141–149); the Federal Caustic Poison Act (15 U. S. C. 401–411); and the Filled Milk Act, as amended (21 U. S. C. 61–64); including personal services in the District of Columbia; reporting and illustrating the results of investigations; purchase of sixty passenger motor vehicles; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates and, in the case of other services, at rates not in excess of $35 per diem for individuals; $4,000,000.

52 Stat. 1040.
Ante, p. 11.
29 Stat. 604.
44 Stat. 1101.
44 Stat. 1406.
42 Stat. 1486.
60 Stat. 810.
5 U. S. C. § 55a.

Certification services: To provide for the certification of certain products as required by the Federal Food, Drug, and Cosmetic Act, as amended, including personal services in the District of Columbia; purchase of eight passenger motor vehicles; travel expenses; printing and binding; purchase of reprints and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates and, in the case of other services, at rates not in excess of $35 per diem for individuals; $431,000: *Provided*, That expenditures hereunder shall not exceed the aggregate of fees covered into the Treasury under said Act.

Post, p. 615.
Supra.
Supra.

FREEDMEN'S HOSPITAL

Post, p. 437.

Salaries and expenses: For expenses necessary for operation and maintenance, including repairs; travel; printing and binding; furnishing, repairing, and cleaning of wearing apparel used by employees in the performance of their official duties; transfer of funds to the appropriation "Salaries and expenses, Howard University" for salaries of technical and professional personnel detailed to the hospital; payments to the appropriations of Howard University for instruction of nurses and actual cost of heat, light, and power furnished by such university; a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); expenses of attendance at meetings of organizations concerned with hospital administration and medical advancement, when authorized by the Federal Security Administrator; $2,192,000: *Provided*, That hereafter the amounts to be charged the District of Columbia and other establishments of the Government for the treatment of patients for which they are responsible shall be calculated on the basis of a per diem rate approved by the Bureau of the Budget: *Provided further*, That no intern or resident

60 Stat. 903.
5 U. S. C. § 150.
Amounts chargeable to D. C., etc.
Salary restriction.

physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this Act.

HOWARD UNIVERSITY

Post, p. 615.

Salaries and expenses: For the partial support of Howard University, including personal services and miscellaneous expenses and repairs to buildings and grounds, $1,864,400.

Plans and specifications: For the preparation of plans and specifications for construction, under the supervision of the Public Buildings Administration, on the grounds of Howard University of men's dormitory units, a law school building, administration building, biology building, and greenhouse, and for alterations to science hall, including engineering and architectural services, printing and binding, and travel, $220,000, which amount, except such part as may be necessary for the incidental expenses of the university, may be transferred to the Public Buildings Administration, Federal Works Agency, for the above purposes, to remain available until expended.

Construction of buildings: For beginning construction, on the grounds of Howard University, under the supervision of the Public Buildings Administration, of a dental school building, an auditorium building with facilities for the school of music and the teaching of fine arts, together with alterations and installations in connection with this construction, including engineering and architectural services, printing, and travel, to remain available until expended, $2,022,080, which amount, except such part as may be necessary for the incidental expenses of the university, may be transferred to the Public Buildings Administration, Federal Works Agency, for the above purposes, and the university is authorized to contract for the completion of said construction at a total cost of not to exceed $4,109,755.

OFFICE OF EDUCATION

60 Stat. 775.
20 U. S. C. § 15j.

Further development of vocational education: For carrying out section 3 of the Vocational Educational Act of 1946 (Public Law 586), $17,750,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $19,842,759.97 for the fiscal year 1948, as authorized.

43 Stat. 18.

Promotion of vocational education in Hawaii: For carrying out section 4 of the Act of March 10, 1924 (20 U. S. C. 29), $30,000.

46 Stat. 1489.

Promotion of vocational education in Puerto Rico: For carrying out section 1 of the Act of March 3, 1931 (20 U. S. C. 30), $105,000.

49 Stat. 439.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out section 22 of the Act of June 29, 1935 (7 U. S. C. 343d), $2,480,000.

Salaries and expenses: For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; fostering coordination of public and school library service; coordination of library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among libraries, interstate library coordination and the development of library service throughout the country; personal services in the District of Columbia; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, when contracted for on a fee basis, without regard to the limitation on rates in such section; purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and

60 Stat. 810.
5 U. S. C. § 55a.

appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and a health service program as authorized by the Act of August 8, 1946 (Public Law 658); $1,633,900, of which not less than $434,400 shall be available for the Division of Vocational Education as authorized.

60 Stat. 903.
5 U. S. C. § 150.

OFFICE OF VOCATIONAL REHABILITATION

For payments to States (including Alaska, Hawaii, and Puerto Rico) in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C. ch. 4), including payments, in accordance with regulations of the Administrator, for one-half of necessary expenditures for the acquisition of vending stands or other equipment in accordance with section 3 (a) (3) (C) of said Act for the use of blind persons, such stands or other equipment to be controlled by the State agency, $18,000,000, of which not to exceed $200,000 shall be available to the Federal Security Administrator for providing rehabilitation services to disabled residents of the District of Columbia, as authorized by section 6 of said Act, which latter amount shall be available for administrative expenses in connection with providing such services in the District of Columbia, including printing and binding, and travel: *Provided*, That not to exceed 15 per centum of the appropriation shall be used for administrative purposes: *And provided further*, That section 3709 of the Revised Statutes, as amended, shall not apply to any purchase made or service rendered when the aggregate amount involved does not exceed $400.

Ante, p. 184.
41 Stat. 735.
29 U. S. C. §§ 31-41.
57 Stat. 376.
29 U. S. C. § 33 (a) (3) (C).
57 Stat. 378.
29 U. S. C. § 36.
41 U. S. C. § 5.

For general administrative expenses in carrying out the provisions of the Vocational Rehabilitation Act, as amended, and of the Act approved June 20, 1936 (20 U. S. C., ch. 6A), including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section, and, in the case of all other services, at rates not in excess of $35 per diem for individuals; purchase of reprints; purchase of one passenger motor vehicle; exchange of books; and not to exceed $7,500 for production, purchase, and distribution of educational films; $550,000.

Supra.
49 Stat. 1559.
20 U. S. C. §§ 107-107*l*.
60 Stat. 810.
5 U. S. C. § 55a.

PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U. S. C. ch. 6A) (hereinafter referred to as the Act), and other Acts, including (with the exception of the appropriation "Pay, and so forth, commissioned officers, Public Health Service") personal services in the District of Columbia; purchase of reports, documents, and other material for publication and of reprints; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section and, in the case of all other services, at rates not in excess of $35 per diem for individuals; preparation and display of posters and exhibits by contract or otherwise; packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station; increased allowances to Reserve officers for foreign service; furnishing, repairing, and cleaning of wearing apparel prescribed by the Surgeon General for use by employees in the performance of their official duties; and transporting in Government-owned automotive equipment, to and from

58 Stat. 682.
42 U. S. C. §§ 201-291m.
Post, pp. 449, 451, 452, 454.
Supra.

school, children of personnel who have quarters for themselves and their families at isolated stations; as follows:

58 Stat. 693, 704.
42 U. S. C. §§ 246 (a), 266.
Post, p. 452.

Venereal diseases: To carry out the purposes of sections 314 (a) and 363 of the Act with respect to venereal diseases, including the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes, as amended; fees for case finding and referral to such centers of voluntary patients; reasonable expenses of preparing remains or burial of deceased patients; recreational supplies and equipment; leasing of facilities and repair and alteration of leased facilities; the purchase of twenty-eight passenger motor vehicles, and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and upon such terms and conditions as the Surgeon General may determine; $17,399,500, of which $516,500 shall be immediately available.

41 U. S. C. § 5.

58 Stat. 693.
42 U. S. C. § 246 (b).

Tuberculosis: To carry out the purposes of section 314 (b) of the Act, $8,000,000.

58 Stat. 694.
42 U. S. C. § 246 (c).
58 Stat. 693, 691.
42 U. S. C. §§ 243, 241.
Supra.

Assistance to States, general: To carry out the purposes of section 314 (c) of the Act; to provide consultative services to States pursuant to section 311 of the Act; and to make field investigations and demonstrations pursuant to section 301 of the Act, including the purchase of forty-three passenger motor vehicles, $15,682,300: *Provided*, That of the amount available for carrying out the purposes of section 314 (c) of the Act, $3,000,000 shall be available solely for grants to States having approved plans for mental health activities.

58 Stat. 693, 703.
42 U. S. C. §§ 243, 264.

Communicable diseases: To carry out those provisions of sections 311, 361, and 704 of the Act relating to the prevention and suppression of communicable diseases, the interstate transmission and spread thereof, and the enforcement of any applicable quarantine laws, including the purchase of thirty-five passenger motor vehicles; and hire, maintenance, and operation of aircraft; $7,500,000.

60 Stat. 1041.
42 U. S. C. §§ 291-291m.

Hospital and construction activities: For administrative expenses incident to carrying out title VI of the Public Health Service Act, as amended (Public Law 725, 79th Cong.), $865,000, including printing and binding; purchase of eight passenger motor vehicles; and travel, including attendance at meetings of organizations concerned with the purposes of this appropriation. There shall be allotted to the several States for the fiscal year 1948, as provided in such Act, a sum not exceeding $75,000,000, a part of the sum authorized to be appropriated for the fiscal year 1948 by part C of the Act. Whenever the Surgeon General shall have approved an application for a construction project in accordance with section 625 of the Act, the Federal share of the cost of such project, as provided by the Act, shall constitute a contractual obligation of the Federal Government: *Provided*, That the aggregate contractual obligation during the fiscal year 1948 shall not exceed $75,000,000.

60 Stat. 1042.
42 U. S. C. §§ 291d-291h.
60 Stat. 1045.
42 U. S. C. § 291h.

58 Stat. 695-714.
42 U. S. C. §§ 248, 249, 251, 253, 255, 256, 220.

Hospitals and medical care: For carrying out the purposes of sections 321, 322, 324, 326, 331, 332, 502, and 710 of the Act, including minor repairs to and maintenance of buildings; purchase of twenty-four passenger motor vehicles, including four ambulances; transportation to their homes in the continental United States of recovered

indigent leper patients; court costs and other expenses incident to proceedings for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; travel; purchase and exchange of farm products and livestock; and reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; $20,000,000, of which not to exceed $501,519 may be transferred to the appropriation "Commissioned officers, pay, and so forth".

Mental health activities: For expenses necessary for carrying out the provisions of sections 301, 302, 312, and 321 with respect to mental diseases, sections 322, 324, 326, 504, and 710 with respect to treatment at the Public Health Service Hospitals, Fort Worth, Texas, and Lexington, Kentucky, of persons suffering from psychiatric disorders, and sections 303, 341, 343, and 344 of the Act, and Executive Order 9079, dated February 26, 1942, including minor repairs to and maintenance of buildings; purchase of one passenger motor vehicle; court costs and other expenses incident to proceedings taken for commitment of mentally incompetent persons to hospitals; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; firearms and ammunition; travel; printing and binding; reimbursement to the working capital fund for articles or services furnished by the industrial activities; expenses incurred in pursuing, identifying, and returning escaped prisoners, including rewards for their capture; transportation and subsistence allowance, within continental United States, of any narcotic addict voluntarily admitted and discharged as cured; reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; tobacco for patients; $4,250,000, of which not to exceed $99,500 may be transferred to the appropriation "Commissioned officers, pay, and so forth": *Provided*, That as of June 30, 1947, and the end of each fiscal year thereafter any balances in the "Working capital fund, narcotic hospitals," in excess of $150,000 shall be transferred to the surplus fund of the Treasury.

58 Stat. 691–710.
42 U. S. C. §§ 241, 242, 242a, 244, 248, 249 and note, 251, 253, 222, 257, 259, 260; 24 U. S. C. note prec. § 191.

Transfer of funds.

Foreign quarantine service: For the medical inspection of aliens, the maintenance and ordinary expenses of United States quarantine stations and supplementary activities abroad, and the care and treatment of quarantine detainees in private or other public hospitals when facilities of the Public Health Service are not available, including the purchase of eighteen passenger motor vehicles, $2,450,000.

Employee health service programs: For carrying out the functions of the Public Health Service under the Act of August 8, 1946 (Public Law 658), including travel and purchase of one passenger motor vehicle, $300,000, of which not to exceed $30,583 may be used for a health service program for Public Health Service employees: *Provided*, That when the Public Health Service, at the request of any department or agency of the Government, establishes or operates a health service program for such department or agency such amount as may be necessary may be consolidated with this appropriation by transfer from the applicable appropriation or appropriations of such department or agency.

60 Stat. 903.
5 U. S. C. § 150.

National Institute of Health, operating expenses: For the activities of the National Institute of Health, not otherwise provided for,

Post, p. 615.

58 Stat. 691.
42 U. S. C. § 241.

including research fellowship and grants for research projects pursuant to section 301 of the Act (including the purchase and distribution of penicillin and other antibiotic compounds for use in research projects for which grants are made); the regulation and preparation of biologic products; the purchase of six passenger motor vehicles; and maintenance of buildings; $9,626,000.

58 Stat. 707.
42 U. S. C. §§ 281-286.

National Cancer Institute: To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer, including grants for erection of buildings and acquisition of land therefor; to cooperate with State health agencies in the prevention, control, and eradication of cancer by providing consultative services, demonstrations, and grants-in-aid; and to otherwise carry out the provisions of title IV of the Act, including the purchase of twelve passenger motor vehicles, and including $500,000 which shall be transferred to the appropriation "National Institute of Health, operating expenses", $14,500,000, of which such amount as may be necessary in carrying out the purposes of this appropriation may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service": *Provided*, That such parts of the amount appropriated under this head as the Surgeon General shall determine from time to time to be available for research and training grants shall remain available until expended.

Research and training grants.

Construction of research facilities: For the acquisition of a site, and the preparation of plans, specifications, and drawings, for additional research buildings and a six-hundred-bed clinical research hospital and necessary accessory buildings related thereto to be used in general medical research, including cancer and cardiovascular diseases, to be immediately available and to remain available until expended, $2,650,000, which amount, except such part as may be necessary for the incidental expenses of the Public Health Service, shall be transferred to the Public Buildings Administration for the performance of the work for which the appropriation is made.

Commissioned officers, pay, and so forth: For pay, uniforms and subsistence allowances, increased allowances for foreign service and commutation of quarters for not to exceed one thousand two hundred and forty-six regular active commissioned officers; for retired pay of regular and reserve commissioned officers; and for six months' death gratuity pay and burial payments for regular commissioned officers; $5,750,300: *Provided*, That not to exceed thirty-six officers may be appointed to grades above that of senior assistant and for purposes of pay and pay period any person so appointed shall be considered as having had on the date of appointment service equal to the promotion service credited to the junior officer of the grade to which appointed.

Appointment of officers to grades above senior assistant.

57 Stat. 153.

Training for nurses: For continuing in training student nurses enrolled prior to October 16, 1945, under the provisions of the Act of June 15, 1943, as amended (50 U. S. C., App. 1451, and the following), $4,500,000, of which not to exceed $348,792 shall be available for administrative expenses, including printing and binding and travel: *Provided*, That this appropriation is hereby made available for transfer to and consolidation with appropriations of Saint Elizabeths and Freedmen's Hospitals, in such amounts as may be deemed necessary by the Federal Security Administrator, to cover the cost of items furnished to student nurses in training under plans approved for such hospitals in accordance with said Act.

Transfer of funds.

Salaries and expenses: For the divisions and offices of the Office of the Surgeon General and for miscellaneous expenses of the Public Health Service not appropriated for elsewhere, including the supervision of sanitary engineering and dental operations of the Public

Health Service; maintenance and operation of the water and sanitary investigations station at Cincinnati, Ohio; surveys and investigations concerned with problems of pollution of the waters of lakes and rivers of the United States; collecting and compiling mortality, morbidity, and vital satistics, including procurement, by contract without regard to section 3709 of the Revised Statutes, as amended, of transcripts of State, municipal, and other records, and studies and investigations related thereto; preparing information, articles, and publications related to public health; conducting studies and demonstrations in public health methods; and purchase of four passenger motor vehicles; $3,600,000.

Station at Cincinnati, Ohio.

41 U. S. C. § 5.

Office of International Health Relations: For expenses necessary in connection with international health work and the Public Health Service mission to Liberia, including not to exceed $1,000 for entertainment of officials of other countries when specifically authorized by the Surgeon General, $275,000.

Mission to Liberia.

SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For expenses necessary for the maintenance and operation of the hospital (including the care and treatment of insane beneficiaries of the Bureau of Indian Affairs, and insane beneficiaries of the Bureau of Employees' Compensation, in the Federal Security Agency), including clothing for patients; reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; travel expenses; printing and binding; a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); purchase of three passenger motor vehicles, including one ambulance; repairs and improvements to buildings and grounds; furnishing, repairing, and cleaning of such wearing apparel as may be used by employees in the performance of their official duties; cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness; maintenance and operation of necessary facilities for feeding employees and others (at not less than cost as determined in accordance with regulations prescribed by the Federal Security Administrator), the proceeds therefrom to reimburse the appropriation for the institution; ascertaining the residence of patients whose care by the hospital is no longer authorized, and returning such patients to the place of residence; not exceeding $1,500 for the removal of patients to their friends; attendance at meetings of organizations concerned with hospital administration and medical advancement, when authorized by the Federal Security Administrator; and not exceeding $1,500 for the actual and necessary expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of any such patients; $1,550,000: *Provided*, That the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent upon his written request, either in advance or at the end of each month, such amounts as shall be calculated by the Superintendent to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments of such bills paid for in advance on the basis of such calculations shall be made monthly or quarterly, as may

Post, p. 751.

60 Stat. 903.
5 U. S. C. § 150.

Return of patients.

Payments for care of designated patients.

be agreed upon by the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury of this appropriation and be subject to requisition upon the approval of the Superintendent of Saint Elizabeths Hospital.

Accounting.

SOCIAL SECURITY ADMINISTRATION

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For grants to States as authorized in titles I, IV, and X of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. I, IV, and X), $625,000,000, of which such amount as may be necessary shall be available for grants under such titles I, IV, and X, respectively, for any period in the fiscal year 1947 subsequent to March 31, 1947.

49 Stat. 620, 627, 645. 42 U. S. C. §§ 301-306, 601-606, 1201-1206.

Salaries, Bureau of Public Assistance: For personal services in the District of Columbia and elsewhere, $1,150,000.

Post, p. 615.

Grants to States for unemployment compensation administration: For grants to States as authorized in title III of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. III), $57,586,000, of which such amounts as may be agreed upon by the Federal Security Agency and the Post Office Department shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the unemployment compensation administration of States receiving grants herefrom.

49 Stat. 626. 42 U. S. C. §§ 501-503.

Post, p. 942.

Reconversion unemployment benefits for seamen: For payments to seamen as authorized by title XIII of the Social Security Act, as amended (sec. 306, Act of Aug. 10, 1946, Public Law 719), $900,000.

60 Stat. 982. 42 U. S. C. §§ 1331-1336.

Salaries, Bureau of Employment Security: For personal services in the District of Columbia and elsewhere, $947,500.

Salaries and expenses, Bureau of Old-Age and Survivors Insurance: For necessary expenses, including personal services in the District of Columbia and elsewhere, travel, including, when specifically authorized by the Federal Security Administrator, attendance at meetings of organizations concerned with the work of the Bureau of Old-Age and Survivors Insurance and printing and binding, not more than $35,054,850 may be expended from the Federal old-age and survivors insurance trust fund, together with $700,000 from the general fund of the Treasury (for carrying out title II of the Act of August 10, 1946 (Public Law 719), the two amounts to be accounted for as one fund: *Provided*, That any sums received by the Administrator as payment for services performed for any department or agency of the Government by persons whose salaries are paid from the amount made available under this paragraph shall be deposited to the credit of this appropriation and be available, during the fiscal year in which such sums are received, for the same purposes.

60 Stat. 979. 42 U. S. C. §§ 410, 1301-1.
Post, p. 454.
Accounting.

CHILDREN'S BUREAU

Salaries and expenses: For necessary expenses in carrying out the Act of April 9, 1912, as amended (29 U. S. C. 18a), including personal services in the District of Columbia; purchase of reports and material for the publications of the Children's Bureau and of reprints for distribution; $431,000.

37 Stat. 79. 29 U. S. C. §§ 18-18c.

Salaries and expenses, maternal and child welfare: For necessary expenses in carrying out title V of the Social Security Act, as

amended (42 U. S. C., ch. 7, subch. V), and the emergency maternity and infant care program, including personal services in the District of Columbia; $750,000: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instruction, order, or regulation relating to the care of obstetrical cases which discriminates between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved.

49 Stat. 629.
42 U. S. C. §§ 701-731.

Care of obstetrical cases.

Grants to States for emergency maternity and infant care (national defense): For grants to States, including Alaska, Hawaii, Puerto Rico, and the District of Columbia, to provide, in addition to similar services otherwise available, medical, nursing, and hospital maternity and infant care for wives and infants of enlisted men of the fourth, fifth, sixth, and seventh grades in the armed forces of the United States and of Army aviation cadets, under allotments by the Federal Security Administrator and plans developed and administered by State health agencies and approved by the Federal Security Agency, $3,000,000, to be available until June 30, 1949, of which not more than $210,000 may be allotted to the States for administrative expenses on the basis of need as determined by the Federal Security Agency: *Provided*, That the foregoing grants to States shall be on the understanding that the activity shall be in process of liquidation on and after July 1, 1947, but this shall not be construed to preclude the furnishing of the above-mentioned services, regardless of the date of application therefor, to any woman or the offspring of any woman shown to have been otherwise eligible as of June 30, 1947, under laws and regulations then applicable.

Liquidation of activity.

Grants to States for maternal and child health services: For grants to States as authorized in title V, part 1, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), $11,000,000: *Provided*, That any allotment to a State pursuant to section 502 (b) of such Act shall not be included in computing for the purposes of subsections (a) and (b) of section 504 of such Act an amount expended or estimated to be expended by the State.

49 Stat. 629.
42 U. S. C. §§ 701-705.

49 Stat. 629, 630.
42 U. S. C. §§ 702 (b), 704 (a), (b).

Grants to States for services for crippled children: For grants to States as authorized in title V, part 2, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), $7,500,000: *Provided*, That any allotment to a State pursuant to section 512 (b) of such Act shall not be included in computing, for the purpose of subsections (a) and (b) of section 514 of such Act, an amount expended or estimated to be expended by the State.

49 Stat. 631.
42 U. S. C. §§ 711-715.

49 Stat. 631, 632.
42 U. S. C. §§ 712 (b), 714.

Grants to States for child-welfare services: For grants to States as authorized in title V, part 3, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), $3,500,000.

49 Stat. 633.
42 U. S. C. § 721.

Salaries, consolidated operations, Social Security Administration: For personal services in the District of Columbia and elsewhere not otherwise appropriated for, $2,000,000.

Miscellaneous expenses, Social Security Administration: For expenses, not otherwise appropriated for, necessary to carry into effect the Social Security Act, as amended (42 U. S. C. 301–1305), including exchange of books; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payments for which may be made in advance;

Post, p. 942.

49 Stat. 620.

alterations and repairs; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, when contracted for on a fee basis, without regard to the limitation on rates in such section; $430,400.

60 Stat. 810.
5 U. S. C. § 55a.

Transfer of functions; amounts for personal services.

If during the fiscal year 1947 or 1948 functions are transferred by the Federal Security Administrator from or between any of the offices or bureaus of the Social Security Administration, the Administrator may transfer from or between the amounts herein made available for salaries for the Social Security Administration the sums necessary for personal services in connection with the functions so transferred.

Transfer of funds.

Not to exceed 5 per centum of any of the amounts herein made available for salaries for the Social Security Administration may, subject to the approval of the Bureau of the Budget, be transferred by the Administrator to any other of such amounts, but no amount may be increased more than 5 per centum thereby.

Withholding of funds from State agencies.

None of the moneys appropriated by this Act to the Social Security Administration or to the Children's Bureau for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

The amounts herein made available for salaries or expenses of the Social Security Administration shall be available for a health service program for the employees thereof as authorized by the Act of August 8, 1946 (Public Law 658).

60 Stat. 903.
5 U. S. C. § 150.

Grants to States, fiscal year 1949: For making, after May 31, 1948, payments to States under titles I, III, IV, V, and X, respectively, of the Social Security Act, as amended, for the first quarter of the fiscal year 1949, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the appropriation therefor for the fiscal year 1949.

49 Stat. 620, 626, 627, 629, 645.
42 U. S. C. §§ 301-306, 501-503, 601-606, 701 *et seq.*, 1201-1206.

Supra.

In the administration of titles I, IV, V, and X, respectively, of the Social Security Act, as amended, payments to a State under any of such titles for any quarter in the period beginning April 1, 1947, and ending June 30, 1948, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

OFFICE OF THE ADMINISTRATOR

Salaries, Office of the Administrator, including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section and in the case of other services at rates not in excess of $35 per diem for individuals; and health service programs for employees as authorized by the Act of August 8, 1946 (Public Law 658); $330,000, of which $6,600 is for personal services incident to the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency

60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 903.
5 U. S. C. § 150.

CCC and NYA liquidation expenses.

Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945.

57 Stat. 498.
16 U. S. C. §§ 584-584q note.
58 Stat. 564.
15 U. S. C. ch. 16 note.

Salaries, Division of Personnel Management, including personal services in the District of Columbia, $139,850.

Salaries, Division of Service Operations, including personal services in the District of Columbia, $294,400.

Salaries, Office of the General Counsel, including personal services in the District of Columbia, $337,600.

Miscellaneous expenses, Office of the Administrator: For miscellaneous expenses including $500 for the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945; examination of estimates for appropriations in the field; exchange of books; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; and purchase of two passenger motor vehicles (including one at not to exceed $3,000); $65,000: *Provided*, That the Administrator may transfer to this appropriation from appropriations of the constituent organizations of the Federal Security Agency such sums as may be necessary to finance the purchase of duplicating materials required in performance of duplicating work for such constituent organizations, unused portions of which sums may, at any time, be retransferred by the Administrator to the original appropriations.

57 Stat. 498.
16 U. S. C. §§ 584-584q note.
58 Stat. 564.
15 U. S. C. ch. 16 note.
Transfer of funds.

Travel expenses: For travel expenses (not appropriated for elsewhere) for the Federal Security Agency, including, when specifically authorized by the Federal Security Administrator, attendance at meetings of organizations concerned with the work of the Federal Security Agency, $1,571,700: *Provided*, That all receipts from non-Federal agencies representing reimbursement for expenses of travel of employees of the Office of Education performing advisory functions to said agencies shall be deposited in the Treasury of the United States to the credit of this appropriation.

Deposit of reimbursement receipts.

Printing and binding: For printing and binding (not appropriated for elsewhere) for the Federal Security Agency, including the purchase of reprints, $670,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Security Agency as required by the Act of June 28, 1944 (39 U. S. C. 321d), $500,000.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.

Civilian war assistance: For expenses necessary, including personal services in the District of Columbia, to continue during the fiscal year 1948 to provide (a) temporary aid (including medical care by contract, transportation, and other goods and services without regard to section 3709, Revised Statutes, as amended, and money payments) to citizens of the United States or their children under eighteen years of age who have been interned or stranded, and returned to the United States, or who have been evacuated from any area under the direction of the civil or military authorities of the United States, and (b) for temporary aid to and the return of civilians evacuated from the Philippine Islands or Hawaii to the United States under the direction of the civil or military authorities of the United States during the period from December 7, 1941, to September 15, 1945; $750,000, which amount

Post, p. 450.
41 U. S. C. § 5.

may be expended by advances or grants of funds or otherwise, to such Federal or other agencies as the Administrator may designate.

Transfer of funds.

53 Stat. 561, 1423; 54 Stat. 1231; 59 Stat. 613; 60 Stat. 1095, 1097. 5 U. S. C. §§ 133-133t note, 133y-133y-16.

In order that the Administrator may effectuate reorganization plans submitted and approved pursuant to the Reorganization Acts of 1939 and 1945 he may transfer to the foregoing appropriations under this title from funds available for administrative expenses of the constituent units of the Federal Security Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units: *Provided*, That no such transfer of funds shall be made unless the consolidation of administrative functions will result in a reduction of administrative salary and other expenses and such reduction is accompanied by savings in funds appropriated to the Federal Security Agency which savings shall not be expended for any other purpose but shall be impounded and returned to the Treasury.

Transfer of funds.

The Secretary of the Treasury is authorized to transfer to the constituent organizations of the Federal Security Agency from appropriations for travel expenses and printing and binding, Federal Security Agency, such amounts as the Administrator may request; amounts so transferred shall be set up on the books of the Treasury under suitable titles and shall be available for the same purposes and subject to the same limitations as the appropriations from which transferred: *Provided*, That balances of any amounts so transferred, or any part of such balances shall, upon request of the Administrator, be retransferred to the appropriations for travel expenses and printing and binding, Federal Security Agency.

60 Stat. 843. 28 U. S. C. §§ 921, 922.

Appropriations under this title available for administrative expenses (other than those exclusively for salaries) shall be available for the payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

Citation of title.

This title may be cited as the "Federal Security Agency Appropriation Act, 1948".

National Labor Relations Board Appropriation Act, 1948.

Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609. *Post*, p. 616.

TITLE III—NATIONAL LABOR RELATIONS BOARD

Salaries: For three Board members of the National Labor Relations Board and other personal services of the Board in the District of Columbia and elsewhere necessary in performing the duties authorized by law, $3,750,000.

Post, p. 616.

Miscellaneous expenses: For necessary expenses, other than salaries, of the National Labor Relations Board in performing duties authorized by law, including repairs and alterations; contract stenographic reporting services; and not to exceed $1,000 for the hire of passenger motor vehicles; $900,000.

Post, p. 616.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Labor Relations Board as required by section 2 of the Act of June 28, 1944, $24,700.

58 Stat. 394. 39 U. S. C. § 321d. *Post*, p. 616.

Printing and binding: For printing and binding for the National Labor Relations Board, $300,000.

Unfiled complaint cases.

No part of the funds appropriated in this title shall be used in any way in connection with a complaint case arising over an agreement, or a renewal thereof, between an employer and a labor organization which represents a majority of his employees in their appropriate bargaining unit, which has been in existence for three months or longer without complaint being filed by an employee or employees of such plant: *Provided*, That, hereafter, notice of such agreement or a renewal thereof shall have been posted in the plant affected for said period of three months, said notice containing information as to the location at an accessible place of such agreement where said agreement shall be open for inspection by any interested person:

Notice of agreement.

Provided further, That these limitations shall not apply to agreements with labor organizations formed in violation of section 158, paragraph 2, title 29, United States Code: *Provided further*, That no part of the funds appropriated in this title shall be used by the National Labor Relations Board in any way in connection with the performance of the duties imposed upon it by the War Labor Disputes Act (50 U. S. C. App. 1501–11): *Provided further*, That no part of the funds appropriated in this title shall be available to organize or assist in organizing agricultural laborers, or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2 (3) of the Act of July 5, 1935 (49 Stat. 450), and as defined in section 3 (f) of the Act of June 25, 1938 (52 Stat. 1060).

49 Stat. 452.
Ante, p. 136.

57 Stat. 163.
Ante, p. 159.

29 U. S. C. §§ 152 (3), 203 (f).
Ante, p. 136.

This title may be cited as the "National Labor Relations Board Appropriation Act, 1948".

Citation of title.

TITLE IV—NATIONAL MEDIATION BOARD

National Mediation Board Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609.

Salaries and expenses: For three members of the Board, and for other expenditures of the National Mediation Board, including contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $328,700, of which amount not to exceed $251,726 may be expended for personal services in the District of Columbia.

60 Stat. 810.
5 U. S. C. § 55a.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Mediation Board and the National Railroad Adjustment Board as required by section 2 of the Act of June 28, 1944, $700.

58 Stat. 394.
39 U. S. C. § 321d.

Arbitration and emergency boards: For necessary expenses of arbitration boards established under section 7 of the Railway Labor Act (45 U. S. C. 157) and emergency boards appointed by the President pursuant to section 10 of said Act (45 U. S. C. 160); necessary transportation expenses of board members to and from their homes or regular places of business, and $6 per diem in lieu of subsistence on such days as they are actually engaged in performance of the duties of said boards; printing and binding; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $119,000.

44 Stat. 582, 586.

Supra.

Printing and binding: For all printing and binding for the National Mediation Board, $9,000.

NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: For necessary expenses of the National Railroad Adjustment Board, including contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $367,000, of which $65,000 shall be available only for compensation, not in excess of $50 per day, and expenses of referees; and not more than $175,000 for other personal services.

Supra.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, $45,000.

This title may be cited as the "National Mediation Board Appropriation Act, 1948".

Citation of title.

TITLE V—RAILROAD RETIREMENT BOARD

Railroad Retirement Board Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609.

Salaries: For personal services in the District of Columbia and elsewhere, $4,560,000.

Miscellaneous expenses (other than salaries): For necessary expenditures, including not to exceed $1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically

authorized by the Board; repairs and alterations; contract stenographic reporting services; and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; not to exceed $2,000 for claims determined and settled pursuant to the Federal Tort Claims Act; and purchase of one passenger motor vehicle; $1,046,000.

60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-946.
Post, p. 722.

Printing and binding: For printing and binding, $53,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944, $175,000, of which $113,000 shall be derived from the railroad unemployment insurance administration fund.

58 Stat. 394.
39 U. S. C. § 321d.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Acts of August 29, 1935, and June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, $685,072,000, of which $203,793,000 shall be immediately available: *Provided*, That such total amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937.

49 Stat. 967; 50 Stat. 307.
45 U. S. C. §§ 215-228s.
50 Stat. 316.
45 U. S. C. § 228o(a).

The foregoing appropriations for salaries and miscellaneous expenses of the Board shall be available for a health-service program as authorized by the Act of August 8, 1946 (Public Law 658).

60 Stat. 903.
5 U. S. C. § 150.

Citation of title.

This title may be cited as the "Railroad Retirement Board Appropriation Act, 1948".

TITLE VI—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 601. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 602. This Act may be cited as the "Labor-Federal Security Appropriation Act, 1948".

Approved July 8, 1947.

[CHAPTER 211]

AN ACT

Making appropriations for the Departments of State, Justice and Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, and for other purposes.

July 9, 1947
[H. R. 3311]
[Public Law 166]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, namely:

Departments of State, Justice and Commerce, and the Judiciary Appropriation Act, 1948.

TITLE I—DEPARTMENT OF STATE

Department of State Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 575, 582, 608, 609, 613, 622, 623.

DEPARTMENT SERVICE

Post, pp. 613, 622.

Salaries and expenses, Department of State: For necessary expenses, including personal services in the District of Columbia; salary of the Under Secretary of State, $12,000; employment of aliens and temporary employment of persons in the United States, without regard to civil service and classification laws (not to exceed $20,000); health service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed $30,000 for expenses of attendance at meetings concerned with the work of the Department of State; purchase of uniforms for chauffeurs; purchase of fourteen passenger motor vehicles, including one at not to exceed $3,000; and dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls (not to exceed $65,000); rental of tie lines; stenographic reporting and translating services by contract and services for the analysis and tabulation of technical information and the preparation of special maps, globes, and geographic aids by contract, all without regard to section 3709 of the Revised Statutes, as amended; expenses as authorized by title VII (except section 705), of the Foreign Service Act of 1946; acquisition, production and free distribution of informational materials for use in connection with the operation, independently or through individuals, including aliens, or public or private agencies (foreign or domestic), and without regard to section 3709 of the Revised Statutes of an information program outside of the continental United States, including the purchase of radio time (except that funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee), and the purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception; purchase and presentation of various objects of a cultural nature suitable for presentation (through diplomatic and consular offices) to foreign governments, schools, or other cultural or patriotic organizations, the purchase, rental, distribution, and operation of motion-picture projection equipment and supplies, including rental of halls, hire of motion-picture projector operators, and all other necessary services by contract or otherwise without regard to section 3709 of the Revised Statutes; refund of fees erroneously charged and paid for the issue of passports as authorized by law (22 U. S. C. 214a); not to exceed $40,000 for deposit in the general fund of the Treasury for cost of penalty mail of the Department of State as required by the Act of June 28, 1944; the examination of estimates of appropriations in the field; and maintenance and operation of passport and despatch agencies established by

60 Stat. 903.
5 U. S. C. § 150.

Teletype rentals and tolls.

41 U. S. C. § 5.

60 Stat. 1018.
22 U. S. C. §§ 1041–1047.

Materials, etc., for information program outside U. S.

41 U. S. C. § 5.

Objects for presentation to foreign governments.

41 U. S. C. § 5.

Refund of certain passport fees.
44 Stat. 887.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Post, p. 450.

the Secretary of State; $30,067,250, of which $2,000 is for claims determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601): *Provided*, That not to exceed $3,000 of this appropriation may be expended for necessary expenses, except personal services, in carrying out the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (19 U. S. C. 1354): *Provided further*, That notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That not to exceed $1,157,000 of the funds allocated to the International Broadcasting Division from this appropriation shall be available for personal services.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

48 Stat. 945.

Contracts for use of international short-wave radio stations.

31 U. S. C. § 665 note.

Personal services.

Printing and binding, Department of State: For printing and binding in the Department of State except as otherwise provided for, $960,000.

Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia, printing and binding, and traveling expenses, as provided by the Act of July 31, 1945 (5 U. S. C. 168d), $30,000.

59 Stat. 510.

Surplus property disposal.

Surplus property disposal: For necessary expenses to enable the Department of State to carry out its functions and activities relative to disposition of surplus property pursuant to the provisions of the Surplus Property Act of 1944 (50 U. S. C. 1611–1646), as amended, including personal services in the District of Columbia and employment of persons outside the continental limits of the United States without regard to civil-service and classification laws; attendance at meetings of organizations concerned with the activity for which this appropriation is made; cost of living and living quarters allowances and transportation of families and effects including cost of living allowance for military personnel assigned or detailed to the Department, all under such regulations as the Secretary of State may prescribe; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); payment of rent in foreign countries in advance; printing and binding, including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); hire of passenger motor vehicles; advertising without regard to section 3828 of the Revised Statutes; $2,650,000.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Post, p. 678.

60 Stat. 810.
5 U. S. C. § 55a.

40 Stat. 1270.

44 U. S. C. § 324.

North Atlantic Fisheries: For necessary expenses of surveys, discussions, and other preliminary activties incident to the negotiation of an international agreement relating to conservation of the North Atlantic fisheries, $25,000.

Post, p. 622.

FOREIGN SERVICE

Salaries and expenses, Foreign Service: For necessary expenses as authorized by the Foreign Service Act of 1946, Public Law 724 (except title VII, sections 701, 702, 703, 704, 706, 707, title VIII, and section 901 of title IX), including repairs, alterations, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including minor construction on Government-owned properties, without regard to section 3709 of the

Post, pp. 609, 622.

60 Stat. 999.
22 U. S. C. §§ 801, *et seq.*, 1041–1047, 1061 *et seq.*, 1131.

41 U. S. C. § 5.

Revised Statutes, as amended; purchase, rental, operation, and maintenance of printing and binding machines, equipment and devices abroad; ice and drinking water for office purposes; the hire of passenger motor vehicles, and purchase of ninety, including ten for chiefs of missions at not to exceed $3,000 each; maintenance, operation, and repair of airplanes; maintenance, operation, repair, and rental of motorboats and launches for use at posts where determined to be necessary by the Secretary of State; insurance of official motor vehicles in foreign countries when required by law of such countries; excise taxes on negotiable instruments; purchase of uniforms; purchase of household furniture and furnishings for Government-owned, rented, or leased buildings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292–299), and the acquisition, by purchase or otherwise, of household equipment for the purpose set forth in section 912 of said Foreign Service Act of 1946, all without regard to section 3709 of the Revised Statutes, as amended; loss by exchange; radio broadcasting; payment in advance for subscriptions to commercial information, telephone and similar services, including telephone service in residences as authorized by the Act of April 30, 1940 (31 U. S. C. 679); burial expenses and expenses in connection with last illness and death of certain native employees, as authorized by the Act of July 15, 1939 (5 U. S. C. 118f); for relief, protection, and burial of American seamen, and alien seamen as authorized by the Act of March 24, 1943 (57 Stat. 45), in foreign countries and in Territories and insular possessions of the United States, and for expenses incurred in the acknowledgement of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad; for expenses of maintaining in Egypt, Ethiopia, Morocco, and Muscat, institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime, as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and the operation and maintenance of commissary and mess service (not to exceed $275,000); $48,737,750: *Provided*, That the payment for rent of Foreign Service quarters may be made in advance: *Provided further*, That the Secretary of State may lease or rent, for periods not exceeding ten years, offices, buildings, grounds, and living quarters for the use of the Foreign Service, and may furnish heat, fuel, light, gas, and electricity for Government-owned, leased, or rented offices, buildings, grounds, and living quarters, all without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That pursuant to section 8 of Public Law 600 approved August 2, 1946, automobiles in possession of the Foreign Service abroad may be exchanged or sold and the exchange allowances or proceeds of such sales applied to replacement of an equal number of passenger vehicles and the cost, including the exchange allowance, of each such replacement shall not exceed $3,000 in the case of the chief of mission automobile at each diplomatic mission and $1,300 in the case of all other passenger vehicles except station wagons, and such replacements shall not be charged against the numerical limitation hereinbefore set forth.

44 Stat. 403.
22 U. S. C. § 300.

60 Stat. 1027.
22 U. S. C. § 1137.
41 U. S. C. § 5.
Radio broadcasting.

54 Stat. 175.

53 Stat. 1043.

Relief, etc., of American seamen.

50 U. S. C. app. § 1291 *et seq.*

Consular prisons, etc.

Bringing home persons charged with crime.

Advance payment of rent.
Leases, etc.
Post, p. 623.

Automobiles.

60 Stat. 808.
5 U. S. C. § 118d-1.

Living and quarters allowances, Foreign Service: To provide for allowances as authorized by section 901 (1) and (2) of the Foreign Service Act of 1946 (Public Law 724), $8,130,000.

Post, p. 622.

60 Stat. 1025, 1026.
22 U.S.C. § 1131(1), (2).

Representation allowances, Foreign Service: For representation allowances as authorized by section 901 (3) of the Foreign Service Act of 1946 (Public Law 724), $700,000.

60 Stat. 1026.
22 U. S. C. § 1131(3).

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Foreign Service Act of 1946 (Public Law 724), $2,085,000, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

60 Stat. 999.
22 U. S. C. § 801 *et seq.*

Printing and binding, Foreign Service: For printing and binding for the Foreign Service, $180,000: *Provided*, That printing and binding outside continental United States may be without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111).

40 Stat. 1270.

Foreign Service buildings fund: For carrying into effect the Act of May 25, 1938 (22 U. S. C. 295a), and the Act of July 25, 1946 (Public Law 547), including the initial alterations, repair, and furnishing of buildings acquired under said Act, $51,500,000, of which $50,000,000 is exclusively for expenditure under the provisions of said Public Law 547 and shall be immediately available.

52 Stat. 441.
60 Stat. 663.
22 U. S. C. § 295b.

Emergencies arising in the Diplomatic and Consular Service: For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), including personal services in the District of Columbia, $11,000,000: *Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That the Secretary of State may delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

Crediting of refunds, etc.

31 U. S. C. § 107.

Exchange of funds.

The exchange of funds for payment of expenses in connection with the operation of diplomatic and consular establishments abroad shall not be subject to the provisions of section 3651 of the Revised Statutes (31 U. S. C. 543).

Post, p. 623.

INTERNATIONAL OBLIGATIONS AND ACTIVITIES

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows: American International Institute for the Protection of Childhood (22 U. S. C. 269b), $2,000; Bureau of International Telecommunication Union, Radio Section (49 Stat. 2391, 54 Stat. 1417), $6,983; Bureau of Interparliamentary Union for Promotion of International Arbitration, including participation by the United States in the work of the Bureau (22 U. S. C. 276, 276a), $30,000, of which $15,000 shall be expended under the direction of the President and the Executive Secretary of the American group; Cape Spartel and Tangier Light, Coast of Morocco (14 Stat. 679), $800; Central Bureau of the International Map of the World on the Millionth Scale (22 U. S. C. 269a), $50; Emergency Advisory Committee for Political Defense, including participation by the United States in the Committee (Act of June 19, 1943, Public Law 80), $25,000; Food and Agriculture Organization of the United Nations (22 U. S. C. 279–279d), $1,250,000; Gorgas Memorial Laboratory (22 U. S. C. 278, 278a, 278b), $50,000; Inter-American Coffee Board (Convention of November 28, 1940), $8,000; Inter-American Economic and Social Council (57 Stat. 159), $23,000; Inter-American Indian Institute (Convention of November 29, 1940), $4,800; Inter-American Institute of Agricultural Sciences (Convention of January 15, 1944), $159,773; Inter-American Radio Office (53 Stat. 1576), $6,720; Inter-American Statistical Institute (56 Stat. 20),

45 Stat. 487.
49 Stat. 425.
46 Stat. 825.
57 Stat. 159.
59 Stat. 529.
45 Stat. 491; 58 Stat. 402.
55 Stat. 1143.
56 Stat. 1303.
58 Stat. 1169.
22 U. S. C. § 269d.

$31,955; International Bureau for the Protection of Industrial Property (53 Stat. 1748), $2,491; International Bureau for Publication of Customs Tariffs (26 Stat. 1520), $2,233; International Bureau of the Permanent Court of Arbitration (32 Stat. 1779, 36 Stat. 2199), $1,723; International Bureau of Weights and Measures (20 Stat. 714, 43 Stat. 1687), $8,314; International Civil Aviation Organization (Convention ratified by the Senate July 25, 1946), $510,000; International Council of Scientific Unions and Associated Unions (22 U. S. C. 274) as follows: International Council of Scientific Unions, $163; International Astronomical Union, $1,046; International Union of Geodesy and Geophysics, $3,920; International Scientific Radio Union, $392; International Union of Chemistry, $675; International Geographical Union, $552; in all, $6,748; International Hydrographic Bureau (22 U. S. C. 275), $9,147; International Labor Organization (22 U. S. C. 271), $522,000; International Office of Public Health (35 Stat. 2061), $5,105; International Penal and Penitentiary Commission (37 Stat. 692), $4,922; International Statistical Bureau at The Hague (22 U. S. C. 269c), $2,500; Pan American Institute of Geography and History (22 U. S. C. 273), $10,000; Pan American Sanitary Bureau (44 Stat. 2041), $63,909; Pan American Union (Treaty of Feb. 20, 1928; 22 U. S. C. 264; 44 U. S. C. 282), $379,488, including not to exceed $20,000 for printing and binding; Payment to the Government of Panama (33 Stat. 2238, 53 Stat. 1818), $430,000; total, $3,557,661, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

49 Stat. 540.

41 Stat. 1215.

48 Stat. 1182.

43 Stat. 112.

49 Stat. 512.

36 Stat. 1032.

United States participation in United Nations: For necessary expenses authorized by section 7 of the United Nations Participation Act of 1945 incident to the participation by the United States in the United Nations pursuant to the provisions of said Act, including attendance at meetings of societies or associations concerned with the work of the United Nations; hire of passenger motor vehicles and purchase of six, including one at not to exceed $3,000; purchase of uniforms for guards and chauffeurs; and printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); $12,578,240, of which amount $10,949,805 shall be available for contribution to the United Nations: *Provided*, That the Department of State, when requested by the United Nations, is authorized to acquire surplus property in accordance with the provisions of the Surplus Property Act of 1944 (58 Stat. 765–784), as amended, with funds hereby appropriated for the United States contribution to the United Nations, and such contribution shall be reduced by the value of the surplus property and necessary expenses, including transportation costs, incidental to the acquisition thereof.

Participation in United Nations.
Post, p. 623.
59 Stat. 621.
22 U. S. C. § 287e.

40 Stat. 1270.

Acquisition of surplus property.

50 U. S. C. app. §§ 1611-1646.
Post, p. 678.

UNESCO.

United States participation in the United Nations Educational, Scientific, and Cultural Organization: For necessary expenses incident to the participation by the United States in the United Nations Educational, Scientific, and Cultural Organization pursuant to the provisions of the Act of July 30, 1946 (Public Law 565), including attendance at meetings of societies and associations concerned with the work of the Organization; hire of passenger motor vehicles; rental of halls, facilities, and services requisite for or incident to sessions and conferences of the National Commission on Educational, Scientific, and Cultural Cooperation, by contract or otherwise, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); $3,703,385, of which amount $3,500,385 shall be available for contribution to and advance to the revolving fund of that Organization.

60 Stat. 712.
22 U. S. C. §§ 287m-287t.

International activities.
Post, p. 623.
41 U. S. C. § 5.

International activities: For necessary expenses, without regard to section 3709 of the Revised Statutes, as amended, of participation by the United States upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services in the District of Columbia or elsewhere without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; transportation of families and effects under such regulations as the Secretary of State may prescribe; stenographic and other services; rent of quarters by contract or otherwise; hire of passenger motor vehicles; contributions for the share of the United States in expenses of international organization; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); entertainment and representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (Public Law 724) (not to exceed $75,000); $3,600,000.

44 Stat. 688.
5 U. S. C. § 821.

40 Stat. 1270.

60 Stat. 1026.
22 U. S. C. § 1131(3).

International Boundary and Water Commission, United States and Mexico: For expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, and 1944 between the United States and Mexico, and to comply with the Act approved August 19, 1935, as amended (22 U. S. C. 277–277d), including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, boundary fence, and sanitation projects; examinations, preliminary surveys, and investigations; detail plan preparation and construction (including surveys and operation and maintenance and protection during construction); and Rio Grande emergency flood protection; construction and operation of gaging stations; purchase of map-reproduction machines and other equipment and machinery; personal services in the District of Columbia; services in accordance with section 15 of the Act of August 2, 1946, Public Law 600, at rates for individuals not in excess of $100 per diem; travel expenses, including, in the discretion of the Commissioner, expenses (not to exceed $500) of attendance at meetings of organizations concerned with the activities of the International Boundary and Water Commission which may be necessary for the efficient discharge of the responsibilities of the Commission; printing and binding; purchase of eighteen (thirteen for replacement only) passenger motor vehicles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; purchase of ice and drinking water; inspection of equipment, supplies, and materials by contract; drilling and testing of foundations and dam sites, by contract if deemed necessary, purchase of planographs and lithographs, and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); as follows:

24 Stat. 1011; 26 Stat. 1512; 35 Stat. 1863; 34 Stat. 2953; 48 Stat. 1621; 59 Stat. 1219.

49 Stat. 660.

60 Stat. 810.
5 U. S. C. § 55a.

Leasing private property.

Salaries and expenses: For salaries and expenses, regular boundary activities, including examinations, preliminary surveys, and investigations, $950,000.

Construction: For detail plan preparation and construction of projects authorized by the Convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (22 U. S. C. 277–277d), August 29, 1935 (Public Law 392), June 4, 1936 (Public Law 648), June 28, 1941 (22 U. S. C. 277f), and

48 Stat. 1621.

49 Stat. 660, 961.

49 Stat. 1463; 55 Stat. 338.

the projects stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, $4,000,000, to be immediately available, and to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That expenditures for the Rio Grande bank-protection project shall be subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (Public Law 40): *Provided further*, That no expenditures shall be made for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles: *Provided further*, That unexpended balances of appropriations for construction under the International Boundary and Water Commission available for the fiscal year 1947 shall be merged with this appropriation and shall continue available until expended.

59 Stat. 1219.

Lower Rio Grande flood-control project.

59 Stat. 89.

International Boundary and Water Commission.

Rio Grande emergency flood protection: For emergency flood-control work, including protection, reconstruction, and repair of all structures under the jurisdiction of the International Boundary and Water Commission, United States and Mexico, threatened or damaged by floodwaters of the Rio Grande, which have heretofore been authorized and erected under the provisions of treaties between the United States and Mexico, or in pursuance of Federal laws authorizing improvements on the Rio Grande, $25,000, to be immediately available, to be merged with the unobligated balance of the appropriation for this purpose in the Department of State Appropriation Act 1947, and to remain available until expended.

60 Stat. 455.

Appropriations for the International Boundary and Water Commission, United States and Mexico, are hereby made available for payment of claims pursuant to part 2 of the Federal Tort Claims Act of 1946, Public Law 601.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Salaries and expenses, American sections, international commissions: For necessary expenses to enable the President to perform the obligations of the United States under certain treaties between the United States and Great Britain in respect to Canada, including personal services in the District of Columbia; stenographic reporting services by contract; printing and binding; and hire of passenger motor vehicles; as follows: For the International Joint Commission, United States and Canada, under the terms of the treaty between the United States and Great Britain signed January 11, 1909 (36 Stat. 2448), including the salary of one Commissioner on the part of the United States who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefor); salaries of clerks and other employees appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State; travel expenses and compensation of witnesses in attending hearings of the Commission at such places in the United States and Canada as the Commission or the American Commissioners shall determine to be necessary, $37,200; for special and technical investigations in connection with matters falling within the jurisdiction of the International Joint Commission, United States and Canada, including the purchase of three passenger automobiles; and the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes set forth in this

International Joint Commission, U. S. and Canada.

Transfer of funds.

International Boundary Commission, U. S. and Canada and Alaska.

clause, $191,017; for the International Boundary Commission, United States and Canada and Alaska, under the terms of the treaty between the United States and Great Britain in respect to Canada, signed February 24, 1925 (44 Stat. 2102), including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain; commutation of subsistence to employees while on field duty not to exceed $4 per day each, but not to exceed $3 per day each when a member of a field party and subsisting in camp; hire of freight and passenger motor vehicles from temporary field employees; and for payment for timber necessarily cut in keeping the boundary line clear, $57,700; for the share of the United States of the expenses of the International Fisheries Commission under the convention between the United States and Canada, concluded January 29, 1937 (50 Stat. 1351), $30,000; for the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930 (50 Stat. 1355), including the purchase of four passenger automobiles, $99,500, in all, $415,417, to be disbursed under the direction of the Secretary of State.

International Fisheries Commission.

International Pacific Salmon Fisheries Commission.

Cooperation with the American Republics: For expenses necessary to enable the Secretary of State to meet the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, and to carry out the purposes of the Act entitled "An Act to authorize the President to render closer and more effective the relationship between the American Republics", approved August 9, 1939 (22 U. S. C. 501), and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including the establishment and operation of agricultural and other experiment and demonstration stations in other American countries, on land acquired by gift or lease for the duration of the experiments and demonstrations, and construction of necessary buildings thereon; such expenses to include personal services in the District of Columbia; not to exceed $150,000 for printing and binding; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed $5,000 for entertainment; not to exceed $5,000 for expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; and, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American Republics; and the actual expenses of preparing and transporting to their former homes the remains of such persons, not United States Government employees, who may die while away from their homes under the authority of this appropriation: *Provided*, That the Secretary of State is authorized under such regulations as he may adopt, to pay the actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses, of citizens of the other American Republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes

51 Stat. 178.

53 Stat. 1290.

Experiment and demonstration stations.

Printing and binding.

60 Stat. 810.
5 U. S. C. § 55a.

Traveling expenses.

44 Stat. 688.
5 U. S. C. § 821.

Transportation of remains.

Transportation expenses, etc.

as amended by the Act of August 2, 1946, Public Law 600; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939; hire of passenger motor vehicles; rental of boats, $3,900,000; and the Secretary of State, or such official as he may designate is hereby authorized, in his discretion, and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American Republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That this appropriation shall be available to make contracts with, and grants of money or property to, nonprofit institutions in the United States and the other American Republics, including the distribution of materials and other services in the fields of education and travel, arts and sciences, publications, the radio, the press, and the cinema.

60 Stat. 809.
31 U. S. C. § 529.

53 Stat. 1290.
22 U. S. C. § 502.
Transfer of funds.

Grants to nonprofit institutions.

Philippine rehabilitation: For expenses necessary to carry out the provisions of title III and V of the Philippine Rehabilitation Act of 1946 (Public Law 370, hereinafter called the Act), without regard, outside the United States, to section 3709 of the Revised Statutes, as amended, including personal services in the District of Columbia, and employment of personnel outside the continental United States without regard to civil-service and classification laws; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of nine and hire of passenger motor vehicles; hire, maintenance, operation, and repair of aircraft; purchase of health and accident insurance for trainees (for whom such benefits are not otherwise allowed) while in the United States in pursuance of training programs; actual expenses of preparing and transporting to their former homes the remains of trainees who may die while away from such homes under the authority of this Act; advances of funds to trainees, such advancements to be deducted from allowances due to such trainees; not to exceed $35,500 for a health-service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed $1,100 for deposit in the general fund of the Treasury for cost of handling penalty mail as required by the Act of June 28, 1944; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); expenses of attendance at meetings of organizations concerned with the furtherance of the purposes hereof; compilation, printing, and distribution, in the Philippine Islands or the United States, of charts, reports, and publications pertaining to the various programs set forth in the Act; acquisition of sites for the construction of additional buildings, and furnishing and equipping of buildings acquired or constructed, under section 501 of the Act; and acquisition of quarters in the Philippines to house employees of the United States Government, including military personnel, by purchase, rental (without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a)), lease, or construction and necessary repairs and alterations to and maintenance of such quarters; amounts as follows: (a) For carrying out the provisions of sections 302, 303, 304, and 305 of title III of the Act, $40,286,150; and (b) for carrying out sections 306, 307, 308, 309, 310, and 311 of said title III, $2,213,850; in all, $42,500,000, to be available on July 1, 1947, and to remain available until June 30, 1950: *Provided*, That no part of this appropriation

60 Stat. 135, 140.
50 U. S. C. app. §§ 1781–1791, 1801.

41 U. S. C. § 5.

60 Stat. 810.
5 U. S. C. § 55a.

Trainees.

60 Stat. 903.
5 U. S. C. § 150.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.

Post, p. 450.
Printing and binding.
40 Stat. 1270.

60 Stat. 140.
50 U. S. C. app. § 1801.
Acquisition of quarters.

47 Stat. 412.

60 Stat. 135, 136.
50 U. S. C. app. §§ 1782–1785.
60 Stat. 137–140.
50 U. S. C. app. §§ 1786–1791.

Restrictions.

shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 that would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act, nor shall any part of this appropriation be available for expanding any public works project authorized by law to be replaced or rehabilitated beyond such as may be justified by sound engineering practice and which can be accomplished within the amount authorized to be appropriated: *Provided further*, That the total amount that may be obligated for the entire accomplishment of section 307 (a) of title III of such Act shall not exceed $8,000,000: *Provided further*, That this appropriation shall be available to make contracts with nonprofit institutions in the United States and the Philippines in connection with training programs: *Provided further*, That sums from the foregoing applicable appropriations may be transferred directly to and merged with the appropriations contemplated in section 306 (b) of the Act to reimburse said latter appropriations for expenditures therefrom for the purpose hereof: *Provided further*, That the construction of diplomatic and consular establishments of the United States in the Philippine Islands shall be without regard to the proviso contained in twenty-two United States Code 295a: *Provided further*, That the Secretary of State, or such official as he may designate, is authorized to transfer from any of the foregoing amounts to any department or independent establishment of the Government for participation in the foregoing programs, sums for expenditure by such department or establishment for the purposes hereof, and sums so transferred shall be available for expenditure in accordance with the provisions hereof and, to the extent determined by the Secretary of State, in accordance with the law governing expenditures of the department or establishment to which transferred: *Provided further*, That transfers of funds to participating agencies for the programs set forth in sections 302 to 305 of the Act shall be approved by the President prior to such transfer.

60 Stat. 128. 50 U. S. C. app. § 1751 note.

60 Stat. 137. 50 U. S. C. app. § 1787(a).

Contracts with nonprofit institutions.

60 Stat. 137. 50 U. S. C. app. § 1786(b).

Construction of diplomatic, etc., establishments.

52 Stat. 441.

Transfer of funds.

60 Stat. 135. 50 U. S. C. app. §§ 1782–1785.

Information and cultural program—Liquidation: To enable the Department of State to meet the necessary expenses incident to the termination, suspension, or curtailment of certain international information and cultural activities, $1,430,000: *Provided*, That the Secretary of State may, in his discretion, transfer the funds herein appropriated to any other appropriation or appropriations under this title for merger with such appropriation or appropriations for the purposes hereof, and such funds shall be available for obligation and expenditure under the authority contained in the appropriation to which transferred.

Transfer of funds.

Contracts in foreign countries.

Contracts entered into in foreign countries involving expenditures from any of the foregoing appropriations shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).

Transportation of effects.

49 Stat. 2015.

The provision of law prescribing the use of vessels of United States registry by any officer or employee of the United States (46 U. S. C. 1241) shall not apply to any travel or transportation of effects payable from funds appropriated, allocated, or transferred to the Secretary of State or the Department of State.

Termination of employment. 5 U. S. C. § 652.

Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Secretary of State may, in his absolute discretion, on or before June 30, 1948, terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States.

Citation of title.

This title may be cited as the "Department of State Appropriation Act, 1948".

TITLE II—DEPARTMENT OF JUSTICE

Department of Justice Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 435, 608, 609, 700.

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

For personal services in the District of Columbia, including a health service program as authorized by the Act of August 8, 1946, Public Law 658, and for special attorneys and special assistants to the Attorney General as follows:

60 Stat. 903.
5 U. S. C. § 150.

For the offices of the Attorney General, Solicitor General, Assistant to the Attorney General, Assistant Solicitor General, Pardon Attorney, Board of Immigration Appeals, and Board of Parole, $772,500.

For the Administrative Division, $1,275,000.

For the Tax Division, $810,000.

For the Criminal Division, $890,000

For the Claims Division, $1,500,000.

Special assistants to Attorney General.

Not to exceed $250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Contingent expenses: For miscellaneous and emergency expenses authorized or approved by the Attorney General or his Administrative Assistant, including stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), a health service program as authorized by the Act of August 8, 1946 (Public Law 658), and examination of estimates of appropriation in the field; $205,000.

60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 903.
5 U. S. C. § 150.

Traveling expenses: For necessary traveling expenses not otherwise provided for, $140,000.

Printing and binding: For printing and binding, $470,000.

Penalty mail: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $140,000.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.

Damage claims: For payment of claims pursuant to part 2 of the Federal Tort Claims Act, $25,000.

Post, p. 450.
60 Stat. 843.
28 U. S. C. §§ 921, 922.

Salaries and expenses, Customs Division: For necessary expenses, including travel expenses and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant, $187,000.

Salaries and expenses, Antitrust Division: For expenses necessary for the enforcement of antitrust and kindred laws, including traveling expenses, services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and personal services in the District of Columbia, $2,400,000, of which $250,000 shall be available exclusively for activities in connection with railroad reparations cases: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division.

Supra.

Permanent regional offices of Antitrust Division.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of referees and trustees of such courts; travel expenses, $95,000, to be expended under the direction of the Attorney General.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and for other necessary expenses, including travel

60 Stat. 810.
5 U. S. C. § 55a.

expenses, services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) and notarial fees or like services, $2,500,000.

Miscellaneous salaries and expenses, field: For salaries not otherwise specifically provided for, and such other expenses for the field service, including travel expenses, a health service program as authorized by the Act of August 8, 1946 (Public Law 658), temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and notarial fees or like services; firearms and ammunition therefor; $500,000.

60 Stat. 903.
5 U. S. C. § 150.
Supra.

Salaries and expenses of district attorneys, and so forth: For salaries, travel, and other expenses of United States district attorneys, their regular assistants and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, $5,200,000.

Compensation of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys not otherwise provided for employed by the Attorney General to aid in special matters and cases, and for payment of foreign counsel employed by the Attorney General in special cases, $100,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed $10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each, together with a description of their duties.

Foreign counsel.

Salary limitation.

Reports to Congress.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals, deputy marshals, and clerical assistants, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; traveling expenses, including the actual and necessary expenses incident to the transfer of prisoners in the custody of United States marshals to narcotic farms; purchase of five (for replacement only) station wagons, busses, and vans at not to exceed $3,500 each; $5,150,000.

Services in Alaska.

Transfer of prisoners to narcotic farms.

Fees of witnesses: For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), $700,000: *Provided*, That not to exceed $25,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General or his Administrative Assistant, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day: *Provided further*, That whenever an employee of the United States performs travel in order to appear as a witness on behalf of the United States in any case involving the activity in connection with which such person is employed, his travel expenses in connection therewith shall be payable from the appropriation otherwise available for the travel expenses of such employee.

Authorization by Attorney General.

Limitation on attendance fees.

Travel expenses of Federal employees.

Pay and expenses of bailiffs: For pay of bailiffs, not exceeding one bailiff in each court, and meals and lodging for bailiffs or deputy

marshals in attendance upon juries when ordered by the court, $50,000: *Provided*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals or court criers are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Restriction on use of funds.

FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For expenses necessary for the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; including personal services in the District of Columbia; a health service program as authorized by the Act of August 8, 1946, Public Law 658; purchase of five hundred (for replacement only) and hire of passenger motor vehicles; purchase at not to exceed $10,000, for replacement only, of one armored motor vehicle; firearms and ammunition; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including expenses, in an amount not to exceed $4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed $1,500 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; $34,900,000: *Provided*, That the compensation of the Director of the Bureau shall be $14,000 per annum so long as the position is filled by the present incumbent: *Provided further*, That, during the fiscal year 1948, such funds as may be determined by the Atomic Energy Commission and the Federal Bureau of Investigation to be necessary to carry out the duties imposed on that Bureau by Public Law 585, approved August 1, 1946, shall be transferred from funds available to the Atomic Energy Commission and the amounts so transferred shall be merged with the funds provided under this head.

Post, p. 700.

Protection of the President.

60 Stat. 903.
5 U. S. C. § 150.

Traveling expenses.

Rewards for information.

Emergencies of confidential character.

Compensation of Director.

60 Stat. 755.
42 U. S. C. §§ 1801-1819.

Salaries and expenses for certain emergencies: For an additional amount for salaries and expenses, including the purposes and under the conditions specified in the preceding paragraph, $100,000, to be held as a reserve for emergencies arising in connection with kidnaping, extortion, bank robbery, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

Reserve for certain emergencies.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

Compensation of civil-service employees.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration,

naturalization, and alien registration; personal services in the District of Columbia; a health service program as authorized by the Act of August 8, 1946, Public Law 658; care, detention, maintenance, transportation, and other expenses incident to the deportation, removal, and exclusion of aliens in the United States and to, through, or in foreign countries; payment of rewards for information leading to the apprehension or conviction of violators of the immigration laws; traveling expenses, including not to exceed $5,000 for attendance at meetings concerned with the purposes of this appropriation; purchase for replacement only of two hundred and twenty-five and hire of passenger motor vehicles; purchase (not to exceed four), maintenance, and operation of aircraft; firearms and ammunition; citizenship textbooks for free distribution; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; mileage and fees of witnesses subpenaed on behalf of the United States; stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; $27,000,000: *Provided*, That none of the funds appropriated for the Immigration and Naturalization Service shall be used to pay compensation for overtime services other than as provided in the Federal Employees Pay Act of 1945 (Public Law 106, Seventy-ninth Congress, first session) and the Federal Employees Pay Act of 1946 (Public Law 390, Seventy-ninth Congress, second session): *Provided further*, That the Attorney General may transfer to, or reimburse, any other department, agency, or office of Federal, State, or local governments, funds in such amounts as may be necessary for salaries and expenses incurred by them in rendering authorized assistance to the Department of Justice in connection with the administration and enforcement of said laws; for all necessary expenses, incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including transportation and other expenses in the return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General, advance of cash to aliens for meals and lodging while en route, and for the payment of wages to alien enemy detainees for work performed under conditions prescribed by the Geneva Convention: *Provided further*, That the Commissioner of Immigration and Naturalization may contract with officers and employees for the use, on official business, of privately owned horses: *Provided further*, That provisions of law prohibiting or restricting the employment of aliens in the Government service shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

60 Stat. 903.
5 U. S. C. § 150.

Mileage and fees of witnesses.

60 Stat. 810.
5 U. S. C. § 55a.

Compensation for overtime services.

59 Stat. 295.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

60 Stat. 216.
5 U. S. C. § 902 *et seq.*
Reimbursement of cooperating agencies.

Alien enemies.

Use of privately owned horses.

Interpreters.

FEDERAL PRISON SYSTEM

Salaries and expenses, Bureau of Prisons: For salaries and travel expenses in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, $420,000: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Salaries and expenses, penal and correctional institutions: For expenses necessary for the support of prisoners, and the maintenance

and operation of Federal penal and correctional institutions and the construction of buildings at prison camps, interment or transporting remains of deceased inmates to their relatives or friends in the United States, transporting persons released from custody of the United States to place of conviction or arrest or place of bona fide residence within the United States or to such place within the United States as may be authorized by the Attorney General, and the furnishing of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed $30, regardless of length of sentence; including purchase of fifteen passenger motor vehicles; purchase of one bus at not to exceed $5,000; not to exceed $10,000 for expenses of attendance at meetings concerned with the work of the Federal Prison System when authorized in writing by the Attorney General; traveling expenses; furnishing of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; not to exceed $35,000 for the acquisition of land adjacent to any Federal penal or correctional institution when, in the opinion of the Attorney General, the additional land is essential to the protection of the health or safety of the institution; firearms and ammunition; purchase and exchange of farm products and livestock; $18,646,730: *Provided*, That section 3709 of the Revised Statutes, as amended, shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed $500.

Motor vehicles, etc.

Acquisition of land.

41 U. S. C. § 5.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia and furnishing and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties; $1,400,000: *Provided*, That there may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", $106,850 without limitation accounts, and to other appropriations of the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General for direct expenditure by that Service.

Transfer of funds.

Construction of buildings and facilities: For construction, remodeling, and equipping necessary buildings and facilties at existing penal and correctional institutions and all necessary expenses incident thereto, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, $162,000.

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid; expenses of transporting persons released from custody of the Unitel States to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General, and the furnishing to them of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed $30, regardless of length of sentence; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their capture;

U. S. prisoners in non-Federal institutions and in Alaska.

46 Stat. 326.

and for repairs, betterments, and improvements of United States jails, including sidewalks; $1,750,000.

OFFICE OF ALIEN PROPERTY

40 Stat. 411.
50 U. S. C. app. § 1 *et seq.*
Post, pp. 784, 786.

Administrative expenses.

Office of Alien Property: The Attorney General, or such officer as he may designate, is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him pursuant to or with respect to the Trading with the Enemy Act of October 6, 1917, as amended (50 U. S. C. App.), necessary expenses incurred in carrying out the powers and duties conferred on the Attorney General pursuant to said Act: *Provided*, That not to exceed $3,700,000 shall be available for the entire fiscal year 1948 for the general administrative expenses of the Office of Alien Property, including the salary of the Director of the Office at $10,000 per annum; printing and binding; not to exceed $5,500 for deposit in the general fund of the Treasury for cost of penalty mail; rent in the District of Columbia; not to exceed $70,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia; traveling expenses, including attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1947, the Attorney General shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1947, in connection with the activities of the Office of Alien Property.

60 Stat. 810.
5 U. S. C. § 55a.

Report to Congress.

Payment of per diem.

None of the money appropriated by this title shall be used to pay any witness or bailiff more than one per diem for any one day's service, even though he serves in more than one of such capacities on the same day.

License requirement for attorneys.

None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

Reimbursement to U. S.

Sixty per centum of the expenditures for the offices of the United States district attorney and the United States marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.

Procurement of lawbooks, etc.

In the procurement of lawbooks, books of reference, and periodicals, the Department of Justice is authorized to exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor.

Citation of title.

This title may be cited as the "Department of Justice Appropriation Act, 1948".

Department of Commerce Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609, 618, 619, 698, 699, 943.
Post, p. 943.

TITLE III—DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

60 Stat. 810.
5 U. S. C. § 55a.

Post, pp. 618, 698.

Salaries and expenses: For necessary expenses of the Office of the Secretary of Commerce (hereafter in this title referred to as the Secretary) including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates for individuals not to exceed $50 per diem; teletype news service (not exceeding $1,000); purchase of one passenger motor vehicle (not exceeding $3,000); $944,483.

Printing and binding: For printing and binding for the Department, except for technical and scientific services in the Office of the

Secretary and for the Patent Office, the Civil Aeronautics Board, and work done at the field printing plants of the Weather Bureau authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220), $1,000,000.

40 Stat. 1270.
44 U. S. C. § 4.

Technical and scientific services: For necessary expenses in the performance of activities and services relating to technological development as an aid to business in the development of foreign and domestic commerce, including all the objects for which the appropriation "Salaries and expenses, Office of the Secretary", is available (not to exceed $25,000), for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed $60,000 for printing and binding, $790,000: *Provided further*, That the Secretary is authorized, upon request of any public or private organization or individual, to reproduce by appropriate process, independently or through any other agency of the Government, any scientific or technical report, document, or descriptive material, foreign or domestic, which has been released for public dissemination, and to sell such reproductions at a price not less than the estimated total cost of reproducing and disseminating same as may be determined by the Secretary, the moneys received from such sale to be deposited in a special account in the Treasury, such account to be available for reimbursing any appropriation which may have borne the expense of such reproduction and dissemination and making refunds to organizations and individuals when entitled thereto.

60 Stat. 810.
5 U. S. C. § 55a.
Scientific or technical reports, etc.

Penalty mail, Department of Commerce: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Commerce, except the Civil Aeronautics Board, as required by the Act of June 28, 1944 (39 U. S. C. 321d), $650,000.

Post, p. 619.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.

BUREAU OF THE CENSUS

Salaries and expenses, age and citizenship certification: For expenses necessary for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, and other statutory requirements with respect to age and citizenship certification, including personal services at the seat of government, travel, microfilm, and binding records, and photographic supplies, $100,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary and the Social Security Board.

49 Stat. 620.
42 U. S. C. §§ 301-1307.
Post, pp. 454, 794.

Procedure for furnishing evidence of age.

Current census statistics: For expenses necessary for collecting, compiling, and publishing current census statistics provided for by law; temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; the cost of obtaining State, municipal, and other records; preparation of monographs on census subjects and other work of specialized character by contract; purchase and rental of office furniture and equipment including mechanical and electrical tabulating equipment and other labor-saving devices; tabulating cards and continuous form tabulating paper; $5,700,000, of which amount not to exceed $4,500,000 may be expended at the seat of government.

Temporary employees.
42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Seventeenth decennial census: For expenses necessary preparatory to the taking of the seventeenth decennial census in accordance with law (13 U. S. C. 201–219), including printing and binding, $200,000, to remain available until June 30, 1949.

46 Stat. 21.

Census of manufactures: For expenses necessary for collecting, compiling, and publishing statistics relating to manufacturing industries in accordance with law (13 U. S. C. 217), including printing and binding, $4,000,000, to remain available until June 30, 1949.

46 Stat. 25.

General administration, Bureau of the Census: For expenses necessary for general administration, including temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; purchase (for replacement only) of two passenger motor vehicles; purchase, construction, repair, and rental of tabulating machines and other mechanical or electrical equipment, tabulating cards, and continuous form tabulating paper; $1,240,000.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Personal services at seat of government.

The foregoing appropriations "Seventeenth Decennial Census" and "Census of Manufactures" shall be available for personal services at the seat of government and for personal services by contract or otherwise at rates to be fixed by the Director of the Census without regard to the Classification Act, and funds from said appropriations for administrative expenses may be transferred to the appropriation "General Administration, Bureau of the Census."

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

CIVIL AERONAUTICS ADMINISTRATION

Post, p. 619.

Salaries and expenses: For necessary expenses of the Civil Aeronautics Administration in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), incident to the enforcement of safety regulations; maintenance and operation of air navigation facilities and air traffic control; furnishing advisory service to States and other public and private agencies in connection with the construction or improvement of airports and landing areas; including personal services in the District of Columbia; the operation and maintenance of two hundred and twenty-six aircraft; contract stenographic reporting services; fees and mileage of expert and other witnesses; purchase of three hundred and twenty-five and hire of passenger motor vehicles; purchase and repair of skis and snowshoes; and salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or other agencies serving aviation; $72,923,248, and the War and Navy Departments are authorized to transfer to the Civil Aeronautics Administration without charge aircraft, aircraft engines, parts, flight equipment, and hangar, line, and shop equipment surplus to the needs of such Departments: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, and other public authorities for expenses incurred in the maintenance and operation of airport traffic control towers.

52 Stat. 973.
49 U. S. C. § 401 *et seq.*

Operation and maintenance of aircraft.

Motor vehicles.

Transfer of aircraft, etc.

Crediting of funds from States, etc.

Post, p. 619.

Establishment of air-navigation facilities: For the acquisition and establishment by contract or purchase and hire of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; the acquisition of the necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Civil Aeronautics Administration and the Weather Bureau stationed at remote localities not on foreign soil where such accommodations are not otherwise available; personal services in the District of Columbia; and hire of passenger motor vehicles; $11,109,066: *Provided*, That the appropriation under this head for the fiscal year 1947 is hereby consolidated with and made a part of this appropriation to be disbursed and accounted for as one fund and to remain available until June 30, 1948: *Provided further*, That not to exceed $200,000 of this appropriation shall be available for emergency repair and replacement of facilities damaged by fire, flood, or storm, not to exceed $125,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautical Administration," for necessary expenses in connection with the transportation by air to and from and within

Availability of funds.
60 Stat. 466.

Emergency repairs, etc.

the Territories and possessions of the United States of materials and equipment secured under this appropriation, and not to exceed $280,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration," for necessary administrative costs; and the War and Navy Departments are authorized during the fiscal year 1948, to transfer without charge, subject to the approval of the Bureau of the Budget, air navigation and communication facilities, including appurtenances thereto, to the Civil Aeronautics Administration.

Transfer of facilities from War and Navy Departments.

Technical development: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relative to such developmental work and service testing as tends to the creation of improved air-navigation facilities, including landing areas, aircraft, aircraft engines, propellers, appliances, personnel, and operation methods, and personal services in the District of Columbia; acquisition of necessary sites by lease or grant; purchase of two passenger motor vehicles and operation and maintenance of five aircraft; $1,600,000.

52 Stat. 975.
49 U. S. C. § 401 *et seq.*

Maintenance and operation, Washington National Airport: For expenses incident to the care, operation, maintenance, and protection of the Washington National Airport, including not to exceed $2,900 for the purchase, cleaning, and repair of uniforms, and not to exceed $124,900 for the installation of runway lighting, repairs to existing paving, and to pave parking lot, $1,102,500; and the War and Navy Departments are authorized to transfer to the Administrator without payment therefor a heavy duty fire-crash truck, crane, and such other equipment as is commonly used in ground operation at airports for use of the Washington National Airport.

Washington National Airport.

Federal-aid airport program, Federal Airport Act: For carrying out the provisions of the Federal Airport Act of May 13, 1946 (except section 5 (a)), $32,500,000, to be available until June 30, 1953, of which $29,000,000 shall be for projects in the States in accordance with sections 5 (b) and 6 of said Act, and $1,662,500 shall be for projects in Alaska, Hawaii, and Puerto Rico in accordance with section 5 (c): *Provided*, That not to exceed $1,837,500 of the said $32,500,000 shall be available as one fund for necessary planning, research, and administrative expenses; including personal services in the District of Columbia; the purchase of fifteen and hire of passenger motor vehicles; of which $1,837,500 not to exceed $176,000 may be transferred to the "Salaries and expenses, Civil Aeronautics Administration", to provide for necessary administrative expenses, including the maintenance and operation of aircraft, and $26,000 may be transferred to the appropriation "Printing and binding, Department of Commerce": *Provided further*, That the appropriation under this head for the fiscal year 1947 is hereby merged with this appropriation.

60 Stat. 170, 172.
49 U. S. C. §§ 1101-1119.

60 Stat. 172.
49 U. S. C. §§ 1104(b), 1105.
49 U. S. C. § 1104(c).
Planning, research, etc.

Transfer of funds.

60 Stat. 465.

CIVIL AERONAUTICS BOARD

Civil Aeronautics Board, salaries and expenses: For necessary expenses of the Civil Aeronautics Board, including personal services in the District of Columbia; contract stenographic reporting services; employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes, as amended; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; expenses of examination of estimates of appropriations in the field; not to exceed $7,500 for deposit in the general fund of the Treasury, for cost of penalty mail; purchase of one passenger motor vehicle and hire, operation, maintenance, and repair of motor vehicles and aircraft; $3,000,000.

41 U. S. C. § 5.

Repair of motor vehicles and aircraft.

Printing and binding: For printing and binding, $40,000.

COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For expenses necessary for the Survey in the District of Columbia, including the compilation of field surveys and other data; the production, purchase, or printing of maps and nautical and aeronautical charts; maintenance of and equipment for an instrument shop and procurement or exchange of woodworking supplies and equipment; motion-picture equipment; chart paper, drafting, photographic, photolithographic, and printing supplies and equipment; instruments (except surveying instruments); stationery for field stations and parties; $3,300,000, of which not to exceed $3,000,000 shall be available for personal services.

Field units.

Salaries and expenses, field: For expenses necessary to man, equip, repair, and supply vessels and other field units of the Survey engaged in surveys and other operations required for the production of maps, nautical charts, Coast Pilots, tide and current tables, and related publications of all coasts and islands under the jurisdiction of the United States; research in physical hydrography; geodetic surveying operations to provide control for national mapping and for other purposes, magnetic and seismological observations, and the establishment of meridian lines, in the United States and in other regions under the jurisdiction of the United States; gravity surveys in United States territory and adjacent areas; operation of two latitude observatories, including replacement of one observatory and auxiliary buildings; field surveys required for the production of aeronautical charts; purchase of plans and specifications of vessels; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; construction of magnetic and seismological observatory and auxiliary buildings at Fairbanks, Alaska; operation, maintenance, and repair of an airplane for photographic surveys; packing, crating, and transporting personal household effects of commissioned officers when transferred from one official station to another, and of commissioned officers who die on active duty, and funeral expenses of commissioned officers, as authorized by law; extra compensation at not to exceed $15 per month to each member of the crew of a vessel when assigned duties as bomber or fathometer reader, and at not to exceed $1 per day for each station to employees of other Federal agencies while observing tides or currents or tending seismographs; and reimbursement, under rules prescribed by the Secretary, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them (not to exceed a total of $500); $5,000,000.

Coast Pilots.

Aeronautical charts.

Extra compensation for duties as bomber or fathometer reader.

Pay, commissioned officers: For pay and allowances prescribed by law for not to exceed one hundred and seventy-one commissioned officers on the active list and of officers retired in accordance with existing law, including payment of six months' death gratuity as authorized by law, $1,250,000.

Death gratuity.

The foregoing appropriations for the Coast and Geodetic Survey shall be available for the purchase (not to exceed twenty-two), maintenance, operation, and repair of vehicles known as station wagons and suburban carry-alls without such vehicles being considered as passenger-carrying vehicles and (not to exceed $2,500) for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600).

60 Stat. 810.
5 U. S. C. § 55a.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Departmental salaries and expenses: For personal services and other necessary expenses of the Bureau of Foreign and Domestic Commerce at the seat of government, including the purchase of commercial and trade reports; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), (not exceeding $50,000); $4,943,537: *Provided*, That expenses, except printing and binding, of field studies or surveys conducted by departmental personnel of the Bureau shall be payable from the amount herein appropriated.

Post, pp. 618, 698.

60 Stat. 810.
5 U. S. C. § 55a.
Field studies or surveys.

Field office service: For expenses necessary to operate and maintain regional, district, and cooperative branch offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, including not to exceed $90,000 for personal services in the District of Columbia, $2,155,000, of which $15,000 shall be available exclusively for the study of economic conditions in the Virgin Islands.

Post, p. 620.

Study of economic conditions in the Virgin Islands.

PATENT OFFICE

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and the salary of the Commissioner at $10,000 per annum; temporary services as authorized by the Act of August 2, 1946 (Public Law 600), at rates for individuals not to exceed $75 per diem (not to exceed $50,000); expenses of transporting to foreign governments publications of patents issued by the Patent Office; defense of suits instituted against the Commissioner of Patents; travel; production by photolithographic process of copies of weekly issue of drawings of patents and designs, reproduction of copies and drawings and specifications of exhausted patents, designs, trade-marks, foreign patent drawings, and other papers; photo prints of pending application drawings; and other contingent and miscellaneous expenses of the Patent Office: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography; $8,000,000.

60 Stat. 810.
5 U. S. C. § 55a.

Multigraphing of headings.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, exclusive of illustrations; printing, engraving illustrations for, and binding the Official Gazette, including weekly and annual indices; and for miscellaneous printing and binding, $1,450,000.

NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For expenses necessary in carrying out the provisions of the Act approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271–278), and Acts supplementary thereto affecting the functions of the Bureau and the functions set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", including personal services in the District of Columbia; rental of laboratories in the field, building of temporary experimental structures; expenses of the visiting committee; demonstration of the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchase, repair, and cleaning of uniforms for guards; purchase of one passenger motor vehicle; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and purchase of reprints from trade journals or other periodicals of articles prepared officially by Government employees.

31 Stat. 1449.

48 Stat. 552.

60 Stat. 810.
5 U. S. C. § 55a.

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; maintenance and protection of buildings, including repairs and alterations thereto; $1,450,000.

Research and testing: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the broadcasting of radio signals of standard frequency; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; the solutions of problems arising in connection with standards; cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; encouragement of the application of the latest developments in the utilization and standardization of building materials; the development of engineering and safety codes, simplified practice recommendations, and commercial standards of quality and performance; and the compilation of and dissemination of scientific and technical data; $6,000,000.

Betatron and auxiliary equipment.

Purchase and installation of betatron: For the purchase and installation of a betatron and auxiliary equipment, and the construction of an annex to the X-radiation laboratory of the National Bureau of Standards with underground chambers for housing the betatron, for the purpose of conducting studies of X- and beta-radiation above 1.4 million volts, $415,000, to remain available until expended.

60 Stat. 810.
5 U. S. C. § 55a.

Not to exceed $100,000 of funds available to the Bureau shall be available for temporary services as authorized by section 15 of the Act approved August 2, 1946 (Public Law 600).

WEATHER BUREAU

Post, p. 609.

Salaries and expenses: For expenses necessary for carrying into effect in the United States and possessions, on ships at sea, and elsewhere when directed by the Secretary, the provisions of sections 1 and 3 of an Act approved October 1, 1890 (15 U. S. C. 311–313), the Act approved October 29, 1942 (15 U. S. C. 323), section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603) as amended by Public Law 691 dated August 8, 1946, and section 308 of an Act approved April 30, 1946 (Public Law 370), including investigations of atmospheric phenomena; cooperation with other public agencies and societies and institutions of learning; personal services at the seat of government; purchase (for replacement only) of seven passenger motor vehicles; maintenance, operation, and repair of one airplane; repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; the erection of temporary buildings for living and working quarters of observers; telephone rentals, and telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary by

26 Stat. 653.
56 Stat. 1012.
Post, p. 450.
52 Stat. 1014; 60 Stat. 944.
49 U. S. C. § 603.
60 Stat. 138.
50 U. S. C. app. § 1788.

Maintenance, etc., of airplane.

agreement with the companies performing the service; and establishment, equipment, and maintenance of meteorological offices and stations; $21,052,000, of which not to exceed $3,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee; and not to exceed $10,000 for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau: *Provided further*, That the War and Navy Departments are authorized, during the fiscal year 1948, to transfer without charge to the Weather Bureau, subject to the approval of the Bureau of the Budget, equipment and supplies for upper air soundings: *Provided further*, That not to exceed $25,000 of this appropriation may be expended for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided further*, That in the conduct of meteorological investigations in the Arctic region, pursuant to Public Law 296, approved February 12, 1946, the funds herein appropriated shall be available for the appointment of employees at rates to be fixed by the Chief of the Weather Bureau without regard to the civil-service laws and Classification Act and titles II and III of the Federal Employees Pay Act of 1945, but the maximum base rate of pay shall not be in excess of $7,500 per annum and at no time more than five employees shall be in a pay status at such rate of pay, and no other employees shall receive in excess of the base rate of pay of $5,000 per annum; the furnishing of food, shelter, and protective clothing and equipment, without repayment therefor, to employees of the Government assigned to Arctic stations; and the War and Navy Departments are authorized in the fiscal year 1948, subject to the approval of the Bureau of the Budget, to transfer without charge to the Weather Bureau materials, equipment, and supplies, surplus to the needs of the War and Navy Departments and necessary for the establishment, maintenance, and operation of Arctic weather stations.

International Meteorological Committee.

Printing office.

Transfer of equipment from War and Navy Departments.

60 Stat. 810.
5 U. S. C. § 55a.

Investigations in Arctic region.

60 Stat. 4.
15 U. S. C. § 313a.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*
59 Stat. 296, 298.
5 U. S. C. §§ 911–913, 921, 922.

Transfer of surplus equipment from War and Navy Departments.

Extra compensation at not to exceed $5 per day may be paid to employees of other Government agencies in Alaska, and in other Territorial possessions for taking and transmitting meteorological observations for the Weather Bureau.

Extra compensation, Alaska, etc.

The appropriations "Salaries and expenses, Civil Aeronautics Administration"; "Salaries and expenses", Civil Aeronautics Board; and "Salaries and expenses", Weather Bureau, shall be available under regulations to be prescribed by the Secretary, for furnishing on a reimbursable basis to employees of the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Weather Bureau in Alaska and other areas outside the United States where determined necessary by the Secretary emergency medical services by contract or otherwise and medical supplies, and for the purchase, transportation, and storage of food and other subsistence supplies for resale to such employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resale; and appropriations of the Civil Aeronautics Administration and the Weather Bureau shall be available in an amount not to exceed $20,000 for furnishing food, clothing, medicines, and other supplies for the temporary relief of distressed persons in remote localities, reimbursement for such relief to be in accordance with regulations prescribed by the Secretary.

Emergency medical services, etc., Alaska.

Credit of proceeds from resales.
Report to Congress.

Relief of distressed persons.

The appropriations of the Department of Commerce available for salaries and expenses shall be available for health programs as

60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.

authorized by Public Law 658, Seventy-ninth Congress, and for the payment of claims under part 2 of the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congress).

Attendance at meetings.

Appropriations of the Department of Commerce available for salaries and expenses shall be available for attendance at meetings of organizations concerned with the activities for which the appropriations are made.

Citation of title.

This title may be cited as the "Department of Commerce Appropriation Act, 1948".

Judiciary Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245; *post*, pp. 361, 435, 608, 609, 612.

TITLE IV—THE JUDICIARY

UNITED STATES SUPREME COURT

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, $762,500.

28 U. S. C. §§ 723b, 723c.

Preparation of rules for civil procedure: For expenses of the Supreme Court incident to proposed amendments or additions to the rules of Civil Procedure for the District Courts of the United States pursuant to the Act of June 19, 1934 (48 Stat. 1064), including personal services in the District of Columbia and printing and binding, to be expended as the Chief Justice in his discretion may approve, including per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed $10 per day, $5,420.

Printing and binding: For printing and binding for the Supreme Court of the United States, $25,000, of which amount not to exceed $18,000 shall be available immediately, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses: For miscellaneous expenses to be expended as the Chief Justice may approve, $40,000, of which amount not to exceed $1,600 shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

48 Stat. 668.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a–13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with sections 3709, as amended, and 3744 of the Revised Statutes (41 U. S. C. 5, 16); $122,800.

Post, pp. 435, 612.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Reimbursements to U. S.

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

Repairs and improvements, District Court of the United States for the District of Columbia: For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $11,200, to be expended under the direction of the Architect of the Capitol.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment and for labor and material and every item incident thereto, $3,800, to be expended under the direction of the Architect of the Capitol.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries and expenses: For salaries of the presiding judge, four associate judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, $168,000: *Provided*, That not to exceed $180 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

UNITED STATES CUSTOMS COURT

Salaries and expenses: For salaries of the presiding judge, eight judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, $356,400: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge: *Provided further*, That not to exceed $500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

Traveling expenses.

COURT OF CLAIMS

Salaries and expenses: For salaries of the chief justice, four judges, seven regular and five additional commissioners, and all other officers and employees of the court, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930, and as also amended by an Act approved July 1, 1944; and necessary expenses of the court including traveling expenses, and printing and binding; $450,000: *Provided*, That not to exceed $500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

46 Stat. 799.
28 U. S. C. § 275a.

58 Stat. 663.
41 U. S. C. § 114.

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, $11,000.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, $96,500.

52 Stat. 591.
28 U. S. C. §§ 375g, 375h.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518

Retired judges.
36 Stat. 1161.
28 U. S. C. § 375.

46 Stat. 737.
19 U. S. C. § 6.

of the Tariff Act of 1930, $4,515,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, $3,631,295.

Clerks' offices.
Restriction on use of funds.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Detail of employees.

46 Stat. 503.

Appointment, etc., of probation officers.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act approved June 6, 1930 (18 U. S. C. 726), $1,650,000: *Provided*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

Failure to carry out Attorney General's orders.

58 Stat. 796.
28 U. S. C. § 9.
36 Stat. 1133, 1167; 26 Stat. 829.

Salaries of criers: For salaries of criers as authorized by the Act of December 7, 1944 (Public Law 468), and Acts of March 3, 1911, and March 3, 1891, as amended (28 U. S. C. 224 and 547), $320,000.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, $475,000.

49 Stat. 1327.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362); and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court; $1,400,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of section 1401, title 11 of the District of Columbia Code, but such compensation shall not exceed $250 each per annum.

Jury commissioners.

41 Stat. 558.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, $1,800,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) shall be fixed by

59 Stat. 295.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF–4), senior (CAF–5), or principal (CAF–6) clerical grade, or assistant (CAF–7), or associate (CAF–8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P–1), assistant (P–2), associate (P–3), full (P–4), or senior (P–5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed $6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed $7,500.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Aggregate salaries.
59 Stat. 295.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

Miscellaneous expenses (other than salaries): For miscellaneous expenses of the United States courts and their officers; purchase of firearms and ammunition; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed $84,000 for deposit in the general fund of the Treasury for cost of penalty mail for the United States courts and the Administrative Office of the United States Courts; $500,000.

39 U. S. C. § 355.

Traveling expenses: For necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, $590,000: *Provided*, That this sum shall be available, in an amount not to exceed $6,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts.

Attendance at meetings.

Printing and binding: For printing and binding for the Administrative Office and Courts of the United States, $69,000.

Printing and binding: For printing and binding the advance opinions, preliminary prints, and bound reports of the Supreme Court of the United States, $80,250.

Salaries, court reporters: For salaries of court reporters for the district courts of the United States, as authorized by the Act of January 20, 1944 (Public Law 222), $865,000.

58 Stat. 6.
28 U. S. C. § 9a (c).

Salaries of referees: For salaries of referees as authorized by the Act of June 28, 1946 (Public Law 464), $350,000, together with $405,000 to be derived from the referees' salary fund established in pursuance of said Act.

60 Stat. 326.
11 U. S. C. § 68.

Miscellaneous expenses of referees: For miscellaneous expenses of referees, United States courts, including the salaries of their clerical assistants, travel expenses, and printing and binding; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed $30,000 for deposit in the general fund of the Treasury for cost of penalty mail; $350,000, together with $325.000 to be derived from the referees' expense fund established in pursuance of the Act of June 28, 1946 (Public Law 464).

39 U. S. C. § 355.

Supra.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Salaries and expenses: For necessary expenses of the Administrative Office of the United States Courts, including personal services in the District of Columbia, travel, advertising, rent in the District of Columbia and elsewhere, and examination of estimates for appropriations in the field, $400,000.

"Circuit court of appeals."
"Senior circuit judge."
"Circuit judge."
"Judge."

As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the chief justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

U. S. Court of Appeals, D. C., reports.

The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than $6.50 per volume: *Provided*, That all books purchased hereunder for United States judges and other judicial officers shall be marked plainly "The Property of the United States", and such books shall in all cases be transmitted to their successors in office.

Marking of books.

Citation of title.

This title may be cited as the "Judiciary Appropriation Act, 1948".

TITLE V—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 501. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 502. This Act may be cited as the "Departments of State, Justice and Commerce, and the Judiciary Appropriation Act, 1948".

Approved July 9, 1947.

[CHAPTER 212]

July 9, 1947
[H. R. 3333]
[Public Law 167]

AN ACT

To authorize the transfer of the Joseph Conrad to the Marine Historical Association of Mystic, Connecticut, for museum and youth-training purposes.

Marine Historical Association, Mystic, Conn.
Transfer of the Joseph Conrad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Maritime Commission is authorized to give and deliver (at her present location, Saint Petersburg, Florida) to the Marine Historical Association of

Mystic, Connecticut, the Joseph Conrad for use by the Marine Historical Association of Mystic, Connecticut, as a museum and for youth-training purposes to be in large part devoted to creating interest in the merchant marine and maritime matters. The transfer of said ship to carry a provision that in the event the Maritime Commission should need the ship for training purposes, then it shall be transferred to the Maritime Commission. The Maritime Commission is also authorized to place in the museum pictures, relics, flags, displays, and documents, for the purpose of creating interest in the American merchant marine and maritime matters. In the event the Marine Historical Association of Mystic, Connecticut, should fail to accept under this Act, the Maritime Commission is authorized to give and deliver the said ship to the city of Saint Petersburg, Florida, for museum and youth-training purposes.

Approved July 9, 1947.

[CHAPTER 219]

AN ACT

July 11, 1947
[S. 715]
[Public Law 168]

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least twenty years of service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

56 Stat. 14.
5 U. S. C. § 691 (b).

"(i) Any special agent, special agent in charge, inspector, Assistant Director, assistant to the Director, Associate Director, or the Director, who is at least fifty years of age and who has rendered twenty years of service or more as a special agent, or as aforesaid above, in the Federal Bureau of Investigation may, on his own application and with the consent of the Attorney General, retire from the service and such annuity of such employee shall be equal to 2 per centum of his average basic salary for the five years next preceding the date of his retirement, multiplied by the number of years of service, not exceeding thirty years."

Retirement of special agents, etc., of FBI.

Annuity.

Approved July 11, 1947.

[CHAPTER 220]

AN ACT

July 11, 1947
[S. 723]
[Public Law 169]

To authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, subject to the direction and supervision of the Senate Office Building Commission created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), the membership of which is hereby increased from three to five members, to be appointed by the President of the Senate, is authorized and directed to prepare preliminary plans and estimates of cost for an additional office building for the use of the United States Senate.

U. S. Senate.
Plans, etc., for additional office building.

Increase in membership of Commission.

SEC. 2. The Architect of the Capitol is authorized to make such expenditures as may be necessary to carry out the provisions of this Act, and there is hereby authorized to be appropriated for such purpose the sum of $25,000.

Appropriation authorized.
Post, p. 612.

Approved July 11, 1947.

[CHAPTER 221]

AN ACT

July 11, 1947
[S. 980]
[Public Law 170]

To amend the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946.

U. S. Capitol Grounds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 (b) of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718), is hereby amended to read as follows:

60 Stat. 720.
40 U.S.C. § 212b(b).

Promulgation of regulations.

"(b) Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: *Provided*, That until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds."

60 Stat. 720.
40 U.S.C. § 212b(c).

SEC. 2. Section 14 (c) of said Act is hereby amended to read as follows:

Publication of regulations.

"(c) All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Any expenses incurred under this subsection shall be payable from the appropriation 'Uniforms and Equipment, Capitol Police'."

Approved July 11, 1947.

[CHAPTER 222]

AN ACT

July 11, 1947
[S. 1316]
[Public Law 171]

To establish a procedure for facilitating the payment of certain Government checks, and for other purposes.

Payment of certain Government checks, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the exception of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, the amounts of all original and substitute checks drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositaries, which have not been paid prior to the close of the fiscal year next following the fiscal year in which the checks were issued, shall be transferred from the account of the drawer or the account then available for the payment thereof to a special-deposit account or accounts on the books of the Treasurer of the United States.

(b) With the exception of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, any original or any substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositaries which have not been paid prior to the close of the fiscal

year next following the fiscal year in which the checks were issued and checks issued in payment of claims settled by the General Accounting Office on account of any of such checks shall be payable from the special-deposit account or accounts established pursuant to this section: *Provided*, That in the following classes of cases any original or substitute check shall be payable from the special-deposit account or accounts only after settlement by the General Accounting Office: (1) Where the check is drawn on a designated depositary, (2) where the owner or holder of the check has died or is incompetent, (3) where on presentation of the check for payment the Treasurer of the United States is on notice of a doubtful question of law or fact, and (4) where the check is over ten years old: *And provided further*, That the limitation imposed in respect to certain claims or demands against the United States by the Act of October 9, 1940 (54 Stat. 1061; U. S. C., title 31, secs. 71a, 237), shall not be deemed to apply to original or substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositaries, but nothing contained in this Act shall be deemed to affect the limitation imposed in respect to claims on account of certain checks by section 2 of the Act of June 22, 1926 (44 Stat. 761; U. S. C., title 31, sec. 122).

Checks payable after settlement by GAO.

Nonapplicability of certain limitations.

SEC. 2. The balances deposited to the credit of the outstanding-liabilities account of any fiscal year pursuant to section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., title 31, sec. 725t), and which have not been covered into the surplus fund of the Treasury shall be transferred to the foregoing special-deposit account or accounts and together with the amounts transferred thereto under the provisions of section 1 shall be available to pay any check payable from such account or accounts.

Transfer of balances.

SEC. 3. The Secretary of the Treasury is hereby authorized to take such action as may be necessary to transfer at appropriate intervals from the foregoing special-deposit account or accounts to the appropriate receipt account or accounts on the books of the Treasury any amounts not required to effect the purposes of this Act and with the concurrence of the Comptroller General to make such rules and regulations as he may deem necessary or proper for the administration of the provisions of this Act.

Transfer of funds.

Rules and regulations.

SEC. 4. (a) Sections 306, 307, 308, 309, and 310 of the Revised Statutes of the United States, as amended (U. S. C., title 31, secs. 149, 150, 151, 152, 153), and section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., title 31, section 725t), are hereby repealed.

Repeals.

(b) Section 5 of the Act of July 1, 1916, as amended (U. S. C., title 31, sec. 154), is hereby amended to read as follows:

39 Stat. 336.

"At the termination of each fiscal year the General Accounting Office shall report to the Secretary of the Treasury all checks issued by any disbursing officer of the Government or its wholly owned or mixed-ownership corporations, as shown by his accounts rendered to the General Accounting Office, or otherwise, which shall then have been outstanding and unpaid for one full fiscal year after the fiscal year in which issued, stating in such report the date, number, and amount of each check and the symbol on which it was drawn."

Report by GAO.

(c) Subsection (a) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (a)) is further amended by deleting the phrase "before the close of the fiscal year following the fiscal year in which the original check was issued" and inserting in lieu thereof the phrase "prior to the expiration of ten years from the date on which the original check was issued" and by inserting immediately following the phrase "from

Issuance of substitute checks.

the account of the drawer" the phrase "or the account available for payment of the original check".

(d) Subsections (c) and (e) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, secs. 528 (c) and (e)), are respectively, further amended by deleting the phrase "before the close of the fiscal year following the fiscal year in which the original check was issued" and inserting in lieu thereof the phrase "prior to the expiration of ten years from the date on which the original check was issued".

(e) Subsection (f) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (f)) is further amended to read as follows:

"(f) Substitutes issued under this section drawn on the Treasurer of the United States, except those for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, shall be deemed to be original checks and shall be payable under the same conditions as original checks. Substitutes for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws shall be payable directly by the Treasurer of the United States without limitation of time."

"Original check."

(f) Subsection (g) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (g)) is further amended by deleting the phrase "by any corporation or other entity" and inserting in lieu thereof "by any wholly owned or mixed-ownership Government corporation or by any entity".

59 Stat. 592.

Effective date.

SEC. 5. This Act shall take effect on July 1, 1947.

Approved July 11, 1947.

[CHAPTER 223]

July 11, 1947
[H. R. 195]
[Public Law 172]

AN ACT

To authorize the Secretary of Agriculture to sell certain lands in Alaska to the city of Sitka, Alaska.

Sitka, Alaska.
Sale of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized to sell at their reasonably appraised value to the city of Sitka, Alaska, the following-described lands and improvements thereon: The tract of land formerly occupied by the Alaska Agricultural Experiment Station, more particularly shown on the official survey map of the city of Sitka as the United States Reserve for Agricultural Investigations and Weather Service.

Approved July 11, 1947.

[CHAPTER 224]

July 11, 1947
[H. R. 325]
[Public Law 173]

AN ACT

To transfer Blair County, Pennsylvania, from the middle judicial district of Pennsylvania to the western judicial district of Pennsylvania.

Blair County, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Blair County, Pennsylvania, of the middle judicial district of Pennsylvania, be, and it is hereby, detached from said judicial district and attached to the western judicial district of Pennsylvania: *Provided*, That the transfer herein provided shall not affect any case or proceedings now pending.

Approved July 11, 1947.

[CHAPTER 225]

AN ACT

To amend the Act of June 14, 1938, so as to authorize the Cairo Bridge Commission to issue its refunding bonds for the purpose of refunding the outstanding bonds issued by the commission to pay the cost of a certain toll bridge at or near Cairo, Illinois.

July 11, 1947
[H. R. 1610]
[Public Law 174]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to authorize the Cairo Bridge Commission, or the successors of said commission, to acquire by purchase, and to improve, maintain, and operate a toll bridge across the Mississippi River at or near Cairo, Illinois", approved June 14, 1938 (Public, Numbered 601, Seventy-fifth Congress, 52 Stat. 679), is amended to read as follows:

Cairo Bridge Commission.

"SEC. 5. The power granted to the commission by this Act to issue its negotiable bonds for the payment of the cost of said bridge and its approaches and the necessary lands, easements, and appurtenances thereto, shall include the power to refund said bonds, including the payment of any redemption premium thereon, by the issuance of negotiable refunding bonds of the commission, bearing interest at a lower rate or rates, in an aggregate principal amount not in excess of the principal amount of outstanding bonds to be refunded plus the amount of the redemption premium payable on said outstanding bonds at the date of the redemption thereof. All of the provisions of sections 4 and 5 of said Act of April 13, 1934, relating to the bridge constructed, to the bonds issued, and to the trust agreement entered into under the authority of said Act, and relating to the collection of bridge tolls and to the application of such tolls, shall apply to the bridge acquired and to the bonds issued or to be issued under the authority of this Act."

Refunding of bonds.

48 Stat. 578.

Approved July 11, 1947.

[CHAPTER 226]

AN ACT

To authorize the establishment of a band in the Metropolitan Police force.

July 11, 1947
[H. R. 2470]
[Public Law 175]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be established in the Metropolitan Police Department a band to perform at such municipal or civic functions and events as may be authorized by the Commissioners of the District of Columbia. The Major and Superintendent of Police is authorized in his discretion to detail, without additional compensation, such officers and members of the Metropolitan Police force as may request such a detail to participate in the activities of such band. The said Commissioners are authorized to employ, without reference to the civil-service laws, one director for such band with compensation at a rate not to exceed the rate of compensation to which a lieutenant in the Metropolitan Police force is entitled.

Metropolitan Police force band.

Director.

SEC. 2. Notwithstanding the limitations of existing law, the said Commissioners may appoint to, and employ in, the position of director of such band, any retired officer of the United States Army, Navy, Marine Corps, or Coast Guard, and such retired officer shall be entitled to receive, in addition to his retired pay, the compensation authorized by this Act to be paid to such director, such additional compensation to be payable from District of Columbia appropriations.

SEC. 3. Appropriations to carry out the purpose of this Act is hereby authorized.

Appropriations authorized.

Approved July 11, 1947.

[CHAPTER 227]

AN ACT

July 11, 1947
[H. R. 3072]
[Public Law 176]

To authorize the preparation of preliminary plans and estimates of cost of for the erection of an addition or extension to the House Office Buildings and the remodeling of the fifth floor of the Old House Office Building.

U. S. House of Representatives.
Preliminary plans for extension to House Office Buildings, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, subject to the direction and supervision of the House Office Building Commission, is authorized and directed to prepare preliminary plans and estimates of cost for (1) the erection of an addition or extension to the House Office Buildings for the use of the United States House of Representatives, including accommodations for parking of automobiles; (2) the remodeling of the fifth floor of the Old House Office Building to provide additional office accommodations for Members of the House of Representatives; and (3) the renewal of plumbing in the Old House Office Building.

Appropriation authorized.

SEC. 2. The Architect of the Capitol is authorized to make such expenditures as may be necessary to carry out the provisions of this Act, and there is hereby authorized to be appropriated for such purpose the sum of $25,000.

Approved July 11, 1947.

[CHAPTER 228]

AN ACT

July 11, 1947
[H. R. 3235]
[Public Law 177]

To amend the Code of Laws of the District of Columbia, with respect to abandonment of condemnation proceedings.

D. C. Code, amendment.

45 Stat. 1439.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 490 of chapter XV of the Code of Laws for the District of Columbia, as amended (D. C. Code, 1940 edition, sec. 16-610), is amended to read as follows:

Abandonment of condemnation proceedings.

Reimbursement of owner.

"SEC. 490. It shall be optional with the Commissioners to abide by the verdict of the jury and occupy the land appraised by them, or, within a reasonable time to be fixed by the court in its order confirming the verdict, to abandon the same: *Provided, however*, That if such condemnation proceeding shall be abandoned, the court shall award to the owner or owners of the property involved therein such sum or sums as will in the opinion of the court reimburse such owner or owners for all reasonable costs and expenses, including reasonable counsel fees, incurred by him or them in such proceeding; and the sum or sums so awarded shall constitute a judgment or judgments against the District of Columbia: *Provided further*, That no such owner shall be entitled to such reimbursement in any case where the proceeding is abandoned at the request or with the consent of the owner of such property."

Approved July 11, 1947.

[CHAPTER 229]

AN ACT

July 11, 1947
[H. R. 3251]
[Public Law 178]

To amend the Act of July 24, 1941 (55 Stat. 603), as amended, so as to authorize naval retiring boards to consider the cases of certain officers, and for other purposes.

Navy and Marine Corps.
Retirement benefits for designated classes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 8 (d) of the Act of July 24, 1941 (55 Stat. 604; 34 U. S. C. 350g (d)), is hereby amended to read as follows:

"(d) An officer of the retired list of the Regular Navy or Marine Corps who incurs physical disability while serving on active duty in the same rank as that held by him on the retired list shall, if not otherwise entitled thereto, receive 75 per centum of the active-duty pay to which he was entitled while serving in that rank".

SEC. 2. Subsection 8 (e) of the Act of July 24, 1941 (55 Stat. 604; 34 U. S. C. 350g (e)), as amended, is hereby further amended by striking out the words "the next" as they appear in line 4 thereof and substituting therefor the word "such".

SEC. 3. Subsection 8 (g) of the Act of July 24, 1941 (55 Stat. 605; 34 U. S. C. 350g (g)), is hereby amended to read as follows:

"(g) The provisions of this section shall not apply in any case if the proceedings of the naval retiring board be commenced subsequent to a date one year after the termination of the temporary appointment or release from active duty of the individual concerned, whichever may occur later, except in the case of an individual whose temporary appointment shall have been terminated prior to the date of enactment of this amendment, or who, prior to such date, shall have been released from active duty".

Proceedings of naval retiring board. Time limitation.

SEC. 4. This Act shall become effective as of August 10, 1946, and no back pay for any period prior thereto shall accrue to any person by reason of enactment of this Act.

Effective date.

Approved July 11, 1947.

[CHAPTER 230]

AN ACT

To make it unlawful in the District of Columbia to corruptly influence participants or officials in contests of skill, speed, strength, or endurance, and to provide a penalty therefor.

July 11, 1947
[H. R. 3515]
[Public Law 179]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter 5 of chapter 19 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended by adding at the end thereof a new section to read as follows:

D. C. Code, amendment.

31 Stat. 1330; 35 Stat. 671.
D. C. Code §§ 22-1501 to 22-1512.

"SEC. 869e. CORRUPT INFLUENCE IN CONNECTION WITH ATHLETIC CONTESTS.—(a) It shall be unlawful to pay or give, or to agree to pay or give, or to promise or offer, any valuable thing to any individual—

Unlawful acts.

"(1) with intent to influence such individual to lose or cause to be lost, or to attempt to lose or cause to be lost, or to limit or attempt to limit his or his team's margin of victory or score in, any professional or amateur athletic contest in which such individual is or may be a contestant or participant; or

"(2) with intent to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual (as a manager, coach, owner, second, jockey, trainer, handler, groom, or otherwise) has or will have any duty or responsibility with respect to a contestant, participant, or team who or which is engaging or may engage therein, to cause or attempt to cause (A) the loss of such athletic contest by such contestant, participant, or team; or (B) the margin of victory or score of such contestant, participant, or team to be limited; or

"(3) with intent to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual is to be or may be a referee, judge, umpire, linesman, starter, timekeeper, or other similar official, to cause or

attempt to cause (A) the loss of such athletic contest by any contestant, participant, or team who or which is engaging or may engage therein; or (B) the margin of victory or score of any such contestant, participant, or team to be limited.

"(b) It shall be unlawful for any individual to solicit or accept, or to agree to accept, any valuable thing or a promise or offer of any valuable thing—

"(1) to influence such individual to lose or cause to be lost, or to attempt to lose or cause to be lost, or to limit or attempt to limit his or his team's margin of victory or score in, any professional or amateur athletic contest in which such individual is or may be a contestant or participant; or

"(2) to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual (as a manager, coach, owner, second, jockey, trainer, handler, groom, or otherwise) has or will have any duty or responsibility with respect to a contestant, participant, or team who or which is engaging or may engage therein, to cause or attempt to cause (A) the loss of such athletic contest by such contestant, participant, or team; or (B) the margin of victory or score of such contestant, participant, or team to be limited; or

"(3) to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual is to be or may be a referee, judge, umpire, linesman, starter, timekeeper, or other similar official, to cause or attempt to cause (A) the loss of such athletic contest by any contestant, participant, or team who or which is engaging or may engage therein; or (B) the margin of victory or score of any such contestant, participant, or team to be limited.

Penalty.

"(c) Whoever violates any provision of subsection (a) of this section shall be guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years and by a fine of not more than $10,000.

"(d) Whoever violates any provision of subsection (b) of this section shall, upon conviction thereof, be punished by imprisonment for not more than one year and by a fine of not more than $5,000.

"Athletic contest."

"(e) As used in this section, the term 'athletic contest' means any of the following, wherever held or to be held: A football, baseball, softball, basketball, hockey, or polo game, or a tennis, or wrestling match, or a prize fight or boxing match, or a horse race or any other athletic or sporting event or contest."

Approved July 11, 1947.

[CHAPTER 231]

July 11, 1947
[H. R. 3547]
[Public Law 180]

AN ACT

To authorize funds for ceremonies in the District of Columbia.

Reception of foreign officials, etc.
Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, not to exceed $10,000 in any fiscal year for such expenses as the Commissioners of the District of Columbia shall deem to be necessary, including personal services, and without reference to section 3709 of the Revised Statutes, as amended; the Classification Act of 1923, as amended, or the civil-service laws, for the reception and entertainment of officials of foreign, State, local, or

41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. §§ 661–674.

Federal governments and other dignitaries and eminent persons visiting in or returning to the District of Columbia; and the certificate of the Commissioners shall be sufficient voucher for the expenditure of appropriations made pursuant to this Act.

Approved July 11, 1947.

[CHAPTER 234]

AN ACT

July 11, 1947
[S. 665]
[Public Law 181]

To reimburse certain Navy personnel and former Navy personnel for money stolen or obtained through false pretenses from them while they were on duty at the United States naval training station, Farragut, Idaho.

Navy personnel and former Navy personnel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to certain Navy personnel and former Navy personnel, such sum or sums, amounting in the aggregate to not to exceed $2,017, as may be certified by the Secretary of the Navy to be required to reimburse them for losses they sustained as a result of certain sums of money having been stolen or obtained by false pretenses from them, without fault or negligence on their part, while they were on duty as members of Company 956–43 at the naval training station, Farragut, Idaho, in the months of November and December 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 11, 1947.

[CHAPTER 235]

AN ACT

July 11, 1947
[S. 686]
[Public Law 182]

To provide for the construction, extension, and improvement of public-school buildings in Owyhee, Nevada.

Owyhee, Nev.
Appropriation authorized for construction, etc., of schools.

Plans, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed $300,000 for the construction, extension, improvement, and equipment of school buildings in Owyhee, Nevada: *Provided*, That plans and specifications for the construction, extension, and improvement of the said school buildings shall be furnished by the Commissioner of Indian Affairs: *And provided further*, That the said school buildings so constructed, extended, and improved shall be the property of the United States and shall be turned over to the Owyhee Public School District under the provisions of the Act of April 16, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), and shall be made available to all Indian children of the said district on the same terms, except as to the payment of tuition, as to other children of said school district.

25 U. S. C. §§ 452–455.

Approved July 11, 1947.

[CHAPTER 236]

July 11, 1947
[H. R. 599]
[Public Law 183]

AN ACT

Declaring Kenduskeag Stream, Penobscot County, Maine, to be a nonnavigable waterway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kenduskeag Stream, a minor tributary of the Penobscot River, located in Penobscot County, in the State of Maine, be, and the same is hereby, declared to be a nonnavigable waterway within the meaning of the Constitution and laws of the United States of America.

SEC. 2. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 11, 1947.

[CHAPTER 244]

July 12, 1947
[S. J. Res. 122]
[Public Law 184]

JOINT RESOLUTION

Consenting to an interstate oil compact to conserve oil and gas.

Oil and gas conservation.
Consent of Congress to extension of compact.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1947, of the Interstate Compact to Conserve Oil and Gas, executed in the city of Dallas, Texas, the 16th day of February 1935, by the representatives of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by H. J. Res. 407, approved August 27, 1935 (Public Resolution Numbered 64, Seventy-fourth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1937, by an agreement executed in New Orleans, Louisiana, the 10th day of May 1937, by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and was duly ratified by the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by S. J. Res. 183, approved August 10, 1937 (Public Resolution Numbered 57, Seventy-fifth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1939, by an agreement duly executed and ratified by the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, and Michigan, and was deposited in the Department of State of the United States, thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by H. J. Res. 329, approved July 20, 1939 (Public Resolution Numbered 31, Seventy-sixth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1941, by an agreement duly executed and ratified by the States of Texas, Oklahoma, Kansas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to Congress and the Congress gave consent to such extended and renewed

49 Stat. 939.

50 Stat. 617.

53 Stat. 1071.

compact by H. J. Res. 228, approved August 21, 1941 (Public Law, 246, Seventy-seventh Congress), and which compact was thereafter extended and renewed for a period of four years from September 1, 1943, by an agreement executed and ratified by representatives of the States of Kansas, Oklahoma, Texas, Colorado, New Mexico, Arkansas, Louisiana, and Kentucky, and was deposited in the Department of State of the United States and thereafter such extended and renewed compact was, by the President of the United States, presented to Congress and the Congress gave consent to such extended and renewed compact by H. J. Res. 139, approved July 7, 1943 (Public Law 117, Seventy-eighth Congress), and thereafter the representatives of the States of Montana, West Virginia, Alabama, Illinois, Michigan, New York, Pennsylvania, Ohio, Florida, Tennessee, and Indiana, executed counterparts of said agreement, and said counterparts so executed were deposited in the Department of State of the United States. The extended and renewed compact dated the 1st day of February 1947, duly executed by the representatives of the States of Alabama, Arkansas, Colorado, Florida, Kansas, Louisiana, Montana, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Tennessee, and Indiana, and which extended and renewed compact has been deposited in the Department of State of the United States, reads as follows:

55 Stat. 666.

57 Stat. 383.

Text of compact.

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"WHEREAS, on the 16th day of February 1935, in the City of Dallas, Texas, there was executed 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

"'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"'ARTICLE I

"'This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the states of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

"'ARTICLE II

"'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"'ARTICLE III

"'Each state bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"'(a) The operation of any oil well with an inefficient gas-oil ratio.

"'(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

"'(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

"'(d) The creation of unnecessary fire hazards.

"'(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"'(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"'The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

"'ARTICLE IV

"'Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"'ARTICLE V

"'It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"'ARTICLE VI

"'Each State joining herein shall appoint one representative to a commission hereby constituted and designated as

THE INTERSTATE OIL COMPACT COMMISSION,

the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"'The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production of the compacting States during said period.

"'ARTICLE VII

"'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

"'ARTICLE VIII

"'This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

"'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"'This compact shall become effective when ratified and approved as provided in Article I. Any oil producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.'

"WHEREAS, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1947; and,

"WHEREAS, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1947, to September 1, 1951;

"NOW, THEREFORE, THIS WRITING WITNESSETH:

"It is hereby agreed that the Compact entitled

"'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS'

executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1947, its present date of expiration. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

"The signatory states have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory states. Any oil producing state may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"EXECUTED as of the first day of February, 1947, by the several undersigned states, at their several capitols, through their proper officials as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures."

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Approved July 12, 1947.

[CHAPTER 245]

AN ACT

To amend section 3179 (b) of the Internal Revenue Code.

July 14, 1947
[H. R. 959]
[Public Law 185]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 3179 of the Internal Revenue Code is amended to read as follows:

53 Stat. 377.
26 U.S.C. § 3179 (b).

"(b) DRAWBACK.—Upon the exportation of distilled spirits and wines manufactured or produced in the United States on which an internal-revenue tax has been paid, and which are contained in any

Distilled spirits and wines.

cask or package or in bottles packed in cases or other containers, there shall be allowed, under regulations to be prescribed by the Commissioner, with the approval of the Secretary, a drawback equal in amount to the tax found to have been paid on such distilled spirits and wines: *Provided*, That such distilled spirits and wines have been packaged or bottled especially for export, under regulations prescribed by the Commissioner, with the approval of the Secretary. The Commissioner, with the approval of the Secretary, is authorized to prescribe regulations governing the determination and payment of drawback of internal-revenue tax on domestic distilled spirits and wines, including the requirement of such notices, bonds, bills of lading, and other evidence of payment of tax and exportation as shall be deemed necessary."

Approved July 14, 1947.

[CHAPTER 246]

July 14, 1947
[H. R. 1945]
[Public Law 186]

AN ACT

To amend sections 2801 (e) (4), 3043 (a), 3044 (b), and 3045 of the Internal Revenue Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Internal Revenue Code be, and it is hereby, amended as follows:

53 Stat. 301.
26 U. S. C. § 2801 (e) (4).

1. Section 2801 (e) (4) of the Internal Revenue Code is amended (a) by deleting from the second sentence thereof the words "having no interior communication with any other department or part of such premises", and (b) by adding immediately at the end thereof the following new sentence: "The provisions of this paragraph shall apply in the same manner and to the same extent to aperitif wines other than vermouth."

53 Stat. 354.
26 U. S. C. § 3043 (a).

2. Section 3043 (a), Internal Revenue Code, is amended by deleting the colon in the second sentence thereof and inserting in lieu thereof the following: ", nor to apply to or prohibit the fermentation of grape wine retsina with resin on bonded winery premises:".

53 Stat. 355.
26 U. S. C. § 3044 (b).

3. Section 3044 (b), Internal Revenue Code, is amended by deleting the words "and not more than 13 per centum of alcohol after complete fermentation," and inserting in lieu thereof the words "and not more than 13 per centum of alcohol after complete fermentation or, if sweetened, after complete fermentation and sweetening,".

53 Stat. 355.
26 U. S. C. § 3045.

4. Section 3045, Internal Revenue Code, is amended by deleting the period at the end thereof and adding the following: ": *Provided*, That in the case of wines produced from loganberries, currants, or gooseberries, respectively, having a normal acidity of twenty parts or more per thousand, the volume of the resultant product may be increased more than 35 per centum but not more than 60 per centum by the addition of sugar and water solution under such regulations as the Commissioner of Internal Revenue may prescribe."

Approved July 14, 1947.

[CHAPTER 247]

July 14, 1947
[H. R. 1946]
[Public Law 187]

AN ACT

To amend section 2801 (e) of the Internal Revenue Code.

53 Stat. 301.
26 U. S. C. § 2801 (e).
Supra.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 2801 of the Internal Revenue Code be, and it is hereby, amended by adding the following new numbered paragraph:

"(5) BLENDING OF BEVERAGE BRANDIES.—Fruit brandies distilled from the same kind of fruit at not more than one hundred and

seventy degrees proof may, for the sole purpose of perfecting such brandies according to commercial standards, be mixed or blended with each other, or with any such mixture or blend, by the distiller thereof in any internal revenue bonded warehouse operated by him exclusively for the storage of brandy or wine spirits, and the provisions of this section and of sections 2800 (a) (5) and 3254 (g) relating to rectification or other internal revenue laws of the United States shall not be held to apply to or prohibit such mixing or blending, and brandies so mixed or blended may be packaged, stored, transported, transferred in bond, withdrawn from bond tax-paid or tax-free, or be otherwise disposed of, in the same manner as such brandies not so mixed or blended: *Provided*, That, in addition to the tax imposed by this chapter on the production of distilled spirits, there shall be paid a tax of 30 cents as to each proof gallon (and a proprotionate tax at a like rate on all fractional parts of such proof gallon) of brandy so mixed or blended (except when withdrawn tax-free and accounted for or when lost and allowance is made therefor), such tax to be paid by rectified spirits stamps affixed to the packages at the time of withdrawal. The Commissioner, under rules and regulations to be by him prescribed with the approval of the Secretary, upon the presentation of proof to his satisfaction of the loss by leakage, evaporation, theft, or otherwise of fruit brandies so blended or mixed, not occurring as the result of any negligence, connivance, collusion, or fraud on the part of the warehouseman or his agents, is hereby authorized to remit or refund the taxes assessed or paid upon such lost brandies: *Provided, however*, That such remission or refund shall be allowed only to the extent that the warehouseman is not indemnified or recompensed for such tax, and that losses of fruit brandies occurring prior to any such mixing or blending shall be allowable in accordance with section 2901. The term 'distiller' as used herein shall include any one or more distillers associated as members of any farm cooperative, or any one or more distillers affiliated within the meaning of section 17 (a) (5) of the Federal Alcohol Administration Act, as amended, or any fruit distiller for whose account, recorded with the district supervisor at the time of production, the brandy to be blended was produced. The Commissioner may, with the approval of the Secretary, make such rules or regulations as he may deem necessary to carry these provisions into effect."

53 Stat. 298, 392.
26 U. S. C. §§ 2800 (a) (5), 3254 (g).

53 Stat. 340.
26 U. S. C. § 2901.
"Distiller."

49 Stat. 990.
27 U. S. C. § 211 (a) (5).

Rules and regulations.

Approved July 14, 1947.

[CHAPTER 248]

AN ACT

To extend certain powers of the President under title III of the Second War Powers Act and the Export Control Act, and for other purposes.

July 15, 1947
[H. R. 3647]
[Public Law 188]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be cited as the "Second Decontrol Act of 1947".

Second Decontrol Act of 1947.
Ante, p. 34.

FINDINGS OF FACT AND DECLARATION OF POLICY

SEC. 2. (a) Certain materials and facilities continue in short supply at home and abroad as a result of the war. The continued exercise of certain limited emergency powers is required to complete the orderly reconversion of the domestic economy from a wartime to a peacetime basis, to protect the health, safety, and welfare of the American people, and to support the foreign policy of the United States.

Policy of the U. S.

(b) The Congress hereby declares that it is the general policy of the United States to eliminate emergency wartime controls of materials except to the minimum extent necessary (1) to protect the domestic economy from the injury which would result from adverse distribution of materials which continue in short world supply; (2) to promote production in the United States by assisting in the expansion and maintenance of production in foreign countries of materials critically needed in the United States; (3) to make available to countries in need, consistent with the foreign policy of the United States, those commodities whose unrestricted export to all destinations would not be appropriate; and (4) to aid in carrying out the foreign policy of the United States.

TEMPORARY RETENTION OF CERTAIN EMERGENCY POWERS

SEC. 3. To effectuate the policies set forth in section 2 hereof, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

Ante, pp. 34, 214.
Time limitation.

"SEC. 1501. (a) Except as otherwise provided by statute enacted during the Eightieth Congress (including the First Decontrol Act of 1947 and Public Law Numbered 145, approved June 30, 1947) and except as otherwise provided by subsection (b) of this section, titles I, II, III, IV, V, VII, and XIV of this Act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled 'An Act to expedite national defense, and for other purposes', approved June 28, 1940, as amended) shall be in full force and effect as though this Act had not been enacted.

Ante, pp. 34, 214.

56 Stat. 176–180, 181, 186.
50 U. S. C. app. §§ 631–635, 637, 644–644b.
Ante, pp. 25, 34; *post*, p. 946.

54 Stat. 676.
50 U. S. C. app. § 1152 (a).

Priorities powers.
56 Stat. 177.
50 U. S. C. app. § 633.
Ante, pp. 25, 34; *post*, p. 946.

"(b) Title III of this Act and the amendments to existing law made by such title shall remain in force until February 29, 1948, for the exercise of the powers, authority, and discretion thereby conferred on the President, but limited to—

"(1) the materials (and facilities suitable for the manufacture of such materials), as follows:

"(A) Tin and tin products, except for the purpose of exercising import control of tin ores and tin concentrates;

"(B) Antimony;

"(C) Cinchona bark, quinine, and quinidine, when held by any Government agency or after acquisition (whether prior to, on, or after July 16, 1947) from any Government agency, either directly or through intermediate distributors, processors, or other channels of distribution, or when made from any of such materials so acquired;

"(D) Materials for export required to expand or maintain the production in foreign countries of materials critically needed in the United States, for the purpose of establishing priority in production and delivery for export, and materials necessary for manufacture and delivery of the materials required for such export;

"(E) Fats and oils (including oil-bearing materials, fatty acids, butter, soap, and soap powder, but excluding petroleum and petroleum products) and rice and rice products, for the purpose of exercising import control only; and nitrogenous fertilizer materials for the purposes of exercising import control and of establishing priority in production and delivery for export;

"(F) Materials (except foods and food products, manila (abaca) fiber and cordage, agave fiber and cordage, and fertilizer materials), including petroleum and petroleum products, required for export, but only upon certification by the Secretary of State that the prompt export of such materials is of high public importance and essential to the successful carrying out of the foreign policy of the United States, for the purpose of establishing priority in production and delivery for export, and materials necessary for the manufacture and delivery of the materials required for such export: *Provided*, That no such priority based on a certification by the Secretary of State shall be effective unless and until the Secretary of Commerce shall have satisfied himself that the proposed action will not have an unduly adverse effect on the domestic economy of the United States; and

Restriction.

"(2) The use of transportation equipment and facilities by rail carriers.

"(c) Notwithstanding the extension through February 29, 1948, made by subsection (b), the Congress by concurrent resolution or the President may designate an earlier time for the termination of any power, authority, or discretion under such title III. Nothing in subsection (b) shall be construed to continue beyond July 15, 1947, any authority under paragraph (1) of subsection (a) of section 2 of the Act entitled 'An Act to expedite national defense and for other purposes', approved June 28, 1940, as amended, to negotiate contracts with or without advertising or competitive bidding; and nothing contained in this section, as amended, shall affect the authority conferred by Public Law 24, Eightieth Congress, approved March 29, 1947, or the Sugar Control Extension Act of 1947."

Designation of earlier termination.

56 Stat. 177.
50 U. S. C. app. § 633.
Ante, pp. 25, 34, 322; *post*, p. 946.

54 Stat. 676.
50 U. S. C. app. § 1152 (a) (1).

Ante, p. 24.

Ante, p. 35.

TEMPORARY EXTENSION OF CERTAIN EXPORT CONTROLS

SEC. 4. To effectuate the policy set forth in section 2 hereof, section 6 (d) of the Act of July 2, 1940 (54 Stat. 714), as amended, is amended to read as follows:

"(d) The authority granted by this section shall terminate on February 29, 1948, or any prior date which the Congress by concurrent resolution or the President may designate."

56 Stat. 463.
50 U. S. C. app. § 701 (d).
Ante, p. 214; *post*, p. 946.

EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT

SEC. 5. The functions exercised under title III of the Second War Powers Act, 1942, as amended (including the amendments to existing law made by such title), and the functions exercised under section 6 of such Act of July 2, 1940, as amended, shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of sections 3 and 10 thereof.

Supra.
54 Stat. 714.
50 U. S. C. app. § 701.
Supra.
5 U. S. C. §§ 1001-1011.
Ante, pp. 37, 201.
60 Stat. 238, 243.
5 U. S. C. §§ 1002, 1009.

ADMINISTRATION BY SECRETARY OF COMMERCE

SEC. 6. (a) The Secretary of Commerce, subject to the direction of the President, shall have power to establish policies and programs to effectuate the general policies set forth in section 2 of this Act, and to exercise over-all control, with respect to the functions, powers, and duties delegated by the President under title III of the Second War Powers Act, 1942, as amended, and section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended. The Secretary is further authorized, subject to the direction of the President, to approve or disapprove any

Supra.

Rules and regulations.

action taken under such delegated authority, and may promulgate such rules and regulations as may be necessary to enable him to perform the functions, powers, and duties imposed upon him by this section.

Quarterly report.

(b) The Secretary shall make a quarterly report, within thirty days after each quarter, to the President and to the Congress of his operations under the authority conferred on him by this section. Each such report shall contain a recommendation by him as to whether the controls exercised under title III of the Second War Powers Act, 1942, as amended, and section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, should or should not be continued, together with the current facts and reasons therefor. Each such report shall also contain detailed information with respect to licensing procedures under such Acts, allocations and priorities under the Second War Powers Act, 1942, as amended, and the allocation or nonallocation to countries of materials and commodities (together with the reasons therefor) under section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended.

56 Stat. 177.
50 U. S. C. app. § 633.
Ante, pp. 25, 34, 322; *post*, p. 946.
Infra.

56 Stat. 176.
50 U. S. C. app. §§ 631-645a.
Ante, pp. 25, 34, 214, 322; *post*, p. 946.
54 Stat. 714.
50 U. S. C. app. § 701.
Ante, pp. 214, 323; *post*, p. 946.

PERSONNEL

SEC. 7. Notwithstanding any other law to the contrary, personnel engaged in the performance of duties related to functions, powers, and duties delegated by the President under the Second War Powers Act of 1942, as amended, and section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, and whose employment was terminated, or who were furloughed, in June or July 1947, may be reemployed to perform duties in connection with the functions, powers, and duties extended by this Act.

Supra.

Supra.

APPROPRIATIONS

Appropriations authorized.
Post, p. 618.

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

EFFECTIVE DATE

SEC. 9. This Act shall take effect on July 16, 1947.

Approved July 15, 1947.

[CHAPTER 249]

July 15, 1947
[H. R. 3861]
[Public Law 189]

AN ACT

To allow to a successor railroad corporation the benefits of certain carry-overs of a predecessor corporation for the purposes of certain provisions of the Internal Revenue Code.

Railroad corporations.
Acquisition of certain property.
47 Stat. 1481.
11 U. S. C. § 205 (m).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) if a railroad corporation (as defined in section 77m of the National Bankruptcy Act, as amended) (hereinafter referred to as successor corporation) has acquired, prior to January 1, 1950, property from another such railroad corporation (hereinafter referred to as predecessor corporation) in a receivership proceeding, or in a proceeding under section 77 of the National Bankruptcy Act, as amended, and if the basis of the property so acquired is determined under section 113 (a) (20) of the Internal Revenue Code, then, for the purposes of the determination under the Internal Revenue Code of—

47 Stat. 1474.
11 U. S. C. § 205.

56 Stat. 839.
26 U. S. C. § 113 (a) (20).

Carry-overs to successor corporations.

(1) the "net operating loss carry-over" from any taxable year beginning after December 31, 1938, under the law applicable to such taxable year, and

(2) the "excess profits credit carry-over" or the "unused excess profits credit carry-over" from any taxable year beginning after December 31, 1939, under the law applicable to such taxable year,

the net operating losses and the unused excess profits credits of such predecessor corporation for the taxable year in which the acquisition occurred and for the two preceding taxable years shall be carry-overs to such successor corporation in the manner and to the extent provided in regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, as necessary to apply such net operating losses and unused excess profits credits as carry-overs so far as possible as if the predecessor corporation had been made use of in such proceeding instead of the successor corporation.

Taxable year.

(b) For the purposes of this section, the taxable year of the successor corporation in which the acquisition occurred shall be considered as a taxable year succeeding the taxable year of the predecessor corporation in which the acquisition occurred.

(c) For the purposes of this section, if the period, beginning on the first day of the taxable year of the predecessor corporation in which the acquisition occurred and ending on the last day of the taxable year of the successor corporation in which the acquisition occurred, is not more than twelve months, the number of taxable years to which such net operating loss or unused excess profits credit is a carry-over shall be three instead of two, and such regulations shall prescribe (as nearly as possible in the same manner as provided in section 122 (b) (2) and section 710 (c) (3) (B) of such code) the amount to be carried over to the last of such succeeding years.

53 Stat. 867; 56 Stat. 900.
26 U. S. C. §§ 122(b)(2), 710 (c) (3) (B).

Taxes of successor corporation.

SEC. 2. (a) In the case of any taxable year of the successor corporation, if—

(1) the aggregate for such taxable year of the taxes of the successor corporation imposed by chapter 1 and subchapter E of chapter 2 of the Internal Revenue Code, computed without regard to this Act,

53 Stat. 4; 54 Stat. 975.
26 U. S. C. §§ 1-421, 710-784.

is less than the amount of—

(2) the aggregate of such taxes (determined under regulations prescribed by the Commissioner with the approval of the Secretary) that would have been imposed on the predecessor corporation for such taxable year if the predecessor corporation had been made use of in such proceeding instead of the successor corporation,

Ante, pp. 6, 179; *post*, pp. 714, 918, 919, 920

then the taxes of the successor corporation for such taxable year shall be the taxes computed without regard to this Act.

(b) In the case of any taxable year to which subsection (a) of this section is not applicable, if—

(1) the aggregate for such taxable year of the taxes of the successor corporation imposed by chapter 1 and subchapter E of chapter 2 of the Internal Revenue Code, computed without regard to this section,

Supra.

is less than the amount of—

(2) the aggregate of such taxes (determined under regulations prescribed by the Commissioner with the approval of the Secretary) that would have been imposed on the predecessor corporation for such taxable year if the predecessor corporation had been made use of in such proceeding instead of the successor corporation,

then the taxes of the successor corporation for such taxable year shall be the taxes so determined under regulations as the taxes that would have been imposed on the predecessor corporation for such taxable year.

Applicability of section.

(c) This section shall be applicable to those taxable years of the successor corporation to which there is a carry-over of a net operating loss or unused excess profits credit under section 1, and to any later taxable year for which a net operating loss deduction or unused excess profits credit adjustment results or is increased by reason of the use in another year of a carry-over permitted under section 1.

Two or more predecessor or successor corporations.

SEC. 3. Where there are two or more predecessor corporations or two or more successor corporations, the provisions of sections 1 and 2 of this Act shall be applied only to such extent and subject to such conditions, limitations, and exceptions as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

Refund or credit of overpayment.

SEC. 4. If the allowance of a credit or refund of an overpayment of tax resulting from the application of this Act is prevented, on the date of the enactment of this Act or within one year from such date, by the operation of any law or rule of law other than this section and other than section 3761 of the Internal Revenue Code, such overpayment shall be refunded or credited in the manner provided in the Internal Revenue Code if claim therefor is filed within one year from the date of the enactment of this Act. No interest shall be allowed or paid on any overpayment or deficiency resulting from the application of this Act.

53 Stat. 462.
26 U. S. C. § 3761.

Approved July 15, 1947.

[CHAPTER 250]

July 15, 1947
[S. 1420]
[Public Law 190]

AN ACT

To authorize the issuance of certain public-improvement bonds by the Territory of Hawaii.

Hawaii.
Issuance of public-improvement bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the years 1947 to 1951, inclusive, the Territory of Hawaii is authorized and empowered to issue, any provision of the Hawaiian Organic Act or any other Act of Congress to the contrary notwithstanding, public-improvement bonds in such amounts as will not cause the total indebtedness of such Territory to exceed $35,000,000. Any extension of the total indebtedness of such Territory beyond $35,000,000 shall be made solely in conformity with the Hawaiian Organic Act.

31 Stat. 141.
48 U. S. C. § 493 note.

Payment.

SEC. 2. All bonds issued pursuant to section 1 shall be serial bonds payable in substantially equal annual installments, with the first such installment maturing not later than five years from the date of issue and the last such installment maturing not later than thirty years from such date.

Approval of President.

SEC. 3. Bonds shall not be issued pursuant to section 1 without the approval of the President of the United States.

Approved July 15, 1947.

[CHAPTER 251]

July 15, 1947
[S. 1421]
[Public Law 191]

AN ACT

To provide for the appointment of one additional Assistant Secretary of Commerce, and for other purposes.

Assistant Secretaries of Commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Department of Commerce one additional Assistant Secretary

of Commerce, who shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary of Commerce may assign to his Assistant Secretaries such duties, including the direction of the Bureau of Foreign and Domestic Commerce, as he shall prescribe, or may be required by law. The Assistant Secretaries of Commerce shall be without numerical distinction of rank and shall have salaries of $10,000 per annum.

Approved July 15, 1947.

[CHAPTER 255]

AN ACT

July 16, 1947
[S. 640]
[Public Law 192]

To authorize the Secretary of Commerce to sell certain property occupied by the Weather Bureau at East Lansing, Michigan, and to obtain other quarters for the said Bureau in the State of Michigan.

Michigan State College of Agriculture and Applied Science.
Weather Bureau station.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, any other law to the contrary notwithstanding, the Secretary of Commerce is authorized to sell, in such manner and on such terms and conditions as he deems to be to the best interest of the United States, to the Michigan State College of Agriculture and Applied Science the Weather Bureau station located on the campus of the said college, to convey such property to the said college by quitclaim deed, and to deposit the proceeds of such sale in the Treasury as a miscellaneous receipt: *Provided*, That the sale of the Weather Bureau property to the Michigan State College of Agriculture and Applied Science shall not be consummated, and the Weather Bureau shall not be required to vacate said property, unless and until the said Bureau shall have obtained and occupied other quarters in the State of Michigan, either by construction of a new building or by rental of, or other means of obtaining, such quarters.

Approved July 16, 1947.

[CHAPTER 256]

AN ACT

July 16, 1947
[S. 816]
[Public Law 193]

To repeal the Post Roads Act of 1866, as amended, and for other purposes.

Post Roads Act of 1866, repeal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Post Roads Act of 1866, as amended (Revised Statutes, secs. 5263–5269, inclusive; U. S. C., title 47, secs. 1–6, inclusive, and 8), is hereby repealed.

SEC. 2. Nothing in this Act shall limit the authority of the Federal Communications Commission under the provisions of the Communications Act of 1934, as amended, to prescribe charges, classifications, regulations, and practices, including priorities, applicable to Government communications.

48 Stat. 1064.
47 U. S. C. § 609.
Post, pp. 450, 451, 454.

SEC. 3. This Act shall take effect on the tenth day following the enactment date thereof.

Effective date.

Approved July 16, 1947.

[CHAPTER 257]

JOINT RESOLUTION

July 16, 1947
[H. J. Res. 170]
[Public Law 194]

Authorizing the erection in the District of Columbia of a memorial to Andrew W. Mellon.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant authority to the

Andrew W. Mellon Memorial Committee to erect a memorial fountain on public grounds in the vicinity of the intersection of Pennsylvania and Constitution Avenues, in the District of Columbia, such grounds being now owned by the United States: *Provided*, That the design and location of the memorial shall be approved by the National Commission of Fine Arts and the National Capital Park and Planning Commission, and the United States shall be put to no expense in or by the erection of this memorial: *Provided further*, That unless funds, which in the estimation of the Secretary of the Interior are sufficient to insure the completion of the memorial, are certified available, and the erection of this memorial begun within five years from and after the date of passage of this joint resolution, the authorization hereby granted is revoked.

Approval of design, etc.

Time limitation.

Approved July 16, 1947.

[CHAPTER 258]

July 16, 1947
[H. R. 3737]
[Public Law 195]

AN ACT

To provide revenue for the District of Columbia, and for other purposes.

District of Columbia Revenue Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into articles, may be cited as the "District of Columbia Revenue Act of 1947", and that article I of this Act may be cited as the "District of Columbia Income and Franchise Tax Act of 1947".

TABLE OF CONTENTS

Post, p. 331.

ARTICLE I—INCOME AND FRANCHISE TAX ACT

Post, p. 331.

TITLE I—REPEAL OF PRIOR INCOME TAX ACT AND APPLICABILITY OF THIS ARTICLE; GENERAL DEFINITIONS

Sec. 1. Repeal of prior income tax act and retention of certain provisions thereof.
Sec. 2. Applicability of this article.
Sec. 3. Returns under prior income tax act and returns for first taxable year to which this article is applicable.
Sec. 4. General definitions.
(a) "District";
(b) "Commissioners";
(c) "Assessor";
(d) "Collector";
(e) "person";
(f) "individual";
(g) "fiduciary";
(h) "trade or business";
(i) "taxpayer";
(j) "fiscal year";
(k) "taxable year";
(l) "capital assets";
(m) "dividend";
(n) "stock";
(o) "shareholder";
(p) "include", "includes", or "including";
(q) "deficiency";
(r) "corporation";
(s) "resident";
(t) "nonresident";
(u) "dependent".

Post, p. 334.

TITLE II—EXEMPT ORGANIZATIONS

Post, p. 335.

TITLE III—NET INCOME, GROSS INCOME AND EXCLUSIONS THEREFROM, AND DEDUCTIONS

Sec. 1. Net income defined.
Sec. 2. Gross income and exclusions therefrom.
Sec. 3. (a) Deductions allowed.
(b) Deductions not allowed.

TITLE IV—ACCOUNTING PERIODS, INSTALLMENT SALES, AND INVENTORIES *Post*, p. 339.

Sec. 1. Accounting periods.
Sec. 2. Period in which items of gross income included.
Sec. 3. Period for which deductions and credits taken.
Sec. 4. Installment sales.
Sec. 5. Inventories.
Sec. 6. Assessor may reject method of accounting employed by taxpayer.

TITLE V—RETURNS *Post*, p. 340.

Sec. 1. (a) Forms of returns.
(b) Taxpayer to make return whether form sent or not.
(c) Information returns.
Sec. 2. Requirement—who must file.
(a) Residents and nonresidents.
(b) Fiduciaries.
(c) Joint fiduciaries.
(d) In case of taxpayer unable to make own return.
(e) Corporations.
(f) Unincorporated businesses.
(g) Partnerships.
Sec. 3. (a) Time and place for filing returns.
(b) Extension of time for filing returns.
Sec. 4. (a) Secrecy of returns.
(b) Reciprocal exchange of information with the United States and the several States.
(c) Publication of statistics.
(d) Information which may be disclosed.
(e) Penalties for violation of secrecy-of-returns provision.
(f) Preservation of returns.

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS *Post*, p. 343.

Sec. 1. Definitions.
Sec. 2 Personal exemptions and credit for dependents.
Sec. 3. Imposition and rates of tax.
Sec. 4. Optional method of computation.
Sec. 5. Credits against tax allowed residents.

TITLE VII—TAX ON CORPORATIONS *Post*, p. 345.

Sec. 1. "Taxable income" defined.
Sec. 2. Imposition and rate of tax.

TITLE VIII—TAX ON UNINCORPORATED BUSINESSES *Post*, p. 345.

Sec. 1. Definition of "unincorporated businesses".
Sec. 2. "Taxable income" defined.
Sec. 3. Imposition and rate of tax.
Sec. 4. Exemption.
Sec. 5. By whom taxes payable.
Sec. 6. Partners only taxable.

TITLE IX—TAX ON ESTATES AND TRUSTS *Post*, p. 346.

Sec. 1. Resident and nonresident estates and trusts defined.
Sec. 2. Residence or situs of fiduciary not to control.
Sec. 3. Imposition of tax.
Sec. 4. Computation of tax.
Sec. 5. Computation of net income of estates or trusts.
Sec. 6. In case taxable year of beneficiary is different from that of estate or trust.
Sec. 7. Revocable trusts.
Sec. 8. Income for benefit of grantor.
Sec. 9. Definition of "in discretion of grantor".
Sec. 10. Employees' trusts.

TITLE X—PURPOSE OF ACT AND ALLOCATION AND APPORTIONMENT *Post*, p. 349.

Sec. 1. Purpose of article.
Sec. 2. Allocation and apportionment.
Sec. 3. Allocation of income and deductions between organizations, etc.

Post, p. 350.

TITLE XI—BASES

Sec. 1. Basis for determining gain or loss.
Sec. 2. (a) Computation of gain or loss.
(b) Amount realized.
Sec. 3. Exchange in reorganizations.
Sec. 4. Basis for dividends paid in property.
Sec. 5. Exception to applicability of sections 1 through 3.
Sec. 6. Depreciation.

Post, p. 352.

TITLE XII—ASSESSMENT AND COLLECTION; TIME OF PAYMENT

Sec. 1. Duties of Assessor.
Sec. 2. Statements and special returns.
Sec. 3. Examination of books and witnesses.
Sec. 4. Return by Assessor.
Sec. 5. Determination and assessment of deficiency.
Sec. 6. Jeopardy assessment.
(a) Authority for making;
(b) Bond to stay collection.
Sec. 7. (a) Time of payment.
(b) Extension of time for payments.
(c) Voluntary advance payment.
Sec. 8. Withholding of tax at source.
Sec. 9. Tax a personal debt.
Sec. 10. Period of limitation upon assessment and collection.
(a) General rule;
(b) False return;
(c) Waiver;
(d) Collection after assessment.
Sec. 11. Refunds.
Sec. 12. Closing agreements.
Sec. 13. Compromises.
(a) Authority to make;
(b) Concealment of assets;
(c) Compromise of penalties and interest.
Sec. 14. Definition of "person".
Sec. 15. Payment to Collector and receipts.

Post, p. 356.

TITLE XIII—PENALTIES AND INTEREST

Sec. 1. Failure to file return.
Sec. 2. Interest on deficiencies.
Sec. 3. Additions to tax in case of deficiency.
(a) Negligence;
(b) Fraud.
Sec. 4. Additions to tax in case of nonpayment.
(a) Tax shown on return.
(1) General rule.
(2) If extension granted.
(b) Deficiency.
Sec. 5. Time extended for payment of tax shown on return.
Sec. 6. Penalties.
(a) Willful violation;
(b) Definition of "person".

Post, p. 357.

TITLE XIV—LICENSES

Sec. 1. Requirement.
Sec. 2. Duration.
Sec. 3. Licenses to be posted.
Sec. 4. Where a corporation or unincorporated business has no office or place of business in the District, agent or employee shall carry certificate or license.
Sec. 5. Revocation.
Sec. 6. Renewal.
Sec. 7. Penalty for failure to obtain license.

Post, p. 359.

TITLE XV—APPEAL

Sec. 1. Appeal to the Board of Tax Appeals for the District of Columbia.
Sec. 2. Election of remedy.

Post, p. 359.

TITLE XVI—RULES AND REGULATIONS

ARTICLE II—INCREASE IN RATE OF TAXATION OF REAL AND TANGIBLE PERSONAL PROPERTY — *Post*, p. 359.

ARTICLE III—AMENDMENT TO MOTOR FUEL TAX ACT — *Post*, p. 359.

ARTICLE IV—AMENDMENT TO MOTOR VEHICLE INSPECTION ACT — *Post*, p. 360.

ARTICLE V—INCREASE IN WATER RENTS AND ASSESSMENTS FOR WATER MAINS — *Post*, p. 360.

ARTICLE VI—FEDERAL PAYMENT — *Post*, p. 361.

ARTICLE VII—SEPARABILITY CLAUSE — *Post*, p. 361.

ARTICLE I—INCOME AND FRANCHISE TAX ACT

District of Columbia Income and Franchise Tax Act of 1947.

TITLE I—REPEAL OF PRIOR INCOME TAX ACT AND APPLICABILITY OF THIS ARTICLE; GENERAL DEFINITIONS

SEC. 1. REPEAL OF PRIOR INCOME TAX ACT.—The District of Columbia Income Tax Act as approved and enacted July 26, 1939, and as amended, is hereby repealed with respect to taxable years or portions thereof beginning on and after the 1st day of January 1947 for all purposes, except the following purposes in connection with taxes due or accrued under said District of Columbia Income Tax Act:

53 Stat. 1085. D. C. Code §§ 47-1501 to 47-1543.

(a) For the imposition of assessments and penalties, civil and criminal, for the violation of or failure to comply with any provisions of such Act and the regulations prescribed thereunder;

(b) For requiring the making, filing, and submission of returns and reports required by such Act;

(c) For the examination of all books, records, and other documents, and witnesses;

(d) For the assessment and collection of the taxes imposed by such Act, and the filing of liens therefor; and

(e) For the allowance of refunds of overpayments of any taxes assessed under the provisions of such Act.

SEC. 2. APPLICABILITY OF ARTICLE.—The provisions of this Article shall apply to the taxable year or part thereof beginning on the 1st day of January 1947 and to succeeding taxable years.

SEC. 3. RETURNS UNDER PRIOR INCOME TAX ACT AND RETURNS FOR FIRST TAXABLE YEAR TO WHICH THIS ARTICLE IS APPLICABLE.—If the taxable year of any person ends on the last day of any month other than December prior to the 1st day of January 1947, such person shall file his return for such taxable year under the provisions of the District of Columbia Income Tax Act as approved and enacted July 26, 1939, and as amended, and pay the taxes imposed by said Act on his income for such taxable year at the times specified therefor in said Act. Such taxpayer shall also file his return of income, received or accrued, according to his method of accounting, during the period between the last day of such taxable year and the 1st day of January 1947 under the provisions of the District of Columbia Income Tax Act as approved July 26, 1939, and as amended, and pay the taxes imposed by said Act on his income for such period at the times specified therefor in said Act. Such portion of such person's income as is received or accrued, according to his method of accounting, during taxable years or parts thereof to which this article is applicable shall be reported and taxed under the provisions of this article: *Provided, however*, That any person whose taxable year ends subsequent to the 1st day of January 1947 may irrevocably elect to file his return of his income for such entire taxable year and pay the taxes imposed thereon under the provisions of this article.

53 Stat. 1085. D. C. Code §§ 47-1501 to 47-1543.

Supra.

SEC. 4. GENERAL DEFINITIONS.—For the purposes of this article and wherever appearing herein, unless otherwise required by the context—

"District."

(a) The word "District" means the District of Columbia.

"Commissioners."

(b) The word "Commissioners" means the Commissioners of the District of Columbia or their duly authorized representative or representatives.

"Assessor."

(c) The word "Assessor" means the Assessor of the District of Columbia or his duly authorized representative or representatives.

"Collector."

(d) The word "Collector" means the Collector of Taxes of the District of Columbia or his duly authorized representative or representatives.

"Person."

(e) The word "person" means an individual (other than a fiduciary), a fiduciary, a partnership (other than an unincorporated business), an association, an unincorporated business, and a corporation.

"Individual."

(f) The word "individual" means all natural persons (other than fiduciaries), whether married or unmarried.

"Fiduciary."

(g) The word "fiduciary" means a guardian, trustee, executor, committee, administrator, receiver, conservator, or any other person acting in any fiduciary capacity for any person.

"Trade or business."

(h) The words "trade or business" include the engaging in or carrying on of any trade, business, profession, vocation or calling or commercial activity in the District of Columbia; and include the performance of the functions of a public office.

"Taxpayer."

(i) The word "taxpayer" means any person required by this Article to pay a tax, file a return or report, or apply for a license.

"Fiscal year."

(j) The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December.

"Taxable year."

(k) The words "taxable year" mean the calendar year or the fiscal year, upon the basis of which the net income of the taxpayer is computed under this Article; if no fiscal year has been established by the taxpayer, they mean the calendar year. The phrase "taxable year" includes, in the case of a return made for a fractional part of a calendar or fiscal year under the provisions of this Article or under regulations prescribed by the Commissioners, the period for which such return is made: *Provided, however*, That no taxpayer may change from a calendar year to a fiscal year or from a fiscal year to a calendar year within any taxable year without the written permission of the Assessor.

Change from calendar to fiscal year, etc.

"Capital assets."

(l) The words "capital assets" mean any property, whether real or personal, tangible or intangible, held by the taxpayer for more than two years (whether or not connected with his trade or business), but do not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the end of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

"Dividend."

(m) The word "dividend" means any distribution made by a corporation (domestic or foreign) to its stockholders or members, out of its earnings, profits, or surplus (other than paid-in surplus), whenever earned by the corporation and whether made in cash or any other property (other than stock of the same class in the corporation if the recipient of such stock dividend has neither received nor exercised an option to receive such dividend in cash or in property other than stock instead of stock) and whether distributed prior to, during, upon, or after liquidation or dissolution of the corporation: *Provided, however*, That in the case of any dividend which is distributed other than in cash or stock in the same class in the corporation and not exempted from tax under this article, the basis of tax to the recipient thereof shall be the market value of such property at the time of such distribution: *And provided, however*, That the word "dividend" shall not

include any dividend paid by a mutual life insurance company to its shareholders.

"Stock."

(n) The word "stock" includes a share in any association, joint-stock company, or insurance company.

"Shareholder."

(o) The word "shareholder" includes a member in an association, joint-stock company, or insurance company.

"Include"; "includes"; "including."

(p) The words "include", "includes", or "including", when used in a definition contained in this article, shall not be deemed to exclude other things otherwise within the meaning of the word or words defined.

"Deficiency."

(q) The word "deficiency" as used in this Act with respect to any tax imposed by this article means—

(1) the amount or amounts by which the tax imposed by this article as determined by the Assessor exceeds the amount shown as the tax by the taxpayer upon his return; or

(2) the amount assessed as a tax by the Assessor if no return is filed by the taxpayer.

"Corporation."

(r) The word "corporation" includes any trust, association, joint-stock company, or partnership which is classed or should be classed as a corporation for purposes of Federal income taxation.

"Resident."

(s) The word "resident" means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than seven months of the taxable year, whether domiciled in the District or not. In the case of any resident who is an elective or appointive officer or an employee of the Government of the United States, and who is domiciled outside the District during the whole of the taxable year, there shall be excluded from the gross income of such resident salaries or wages received from the Government of the United States for services rendered as such officer or employee, and income derived from sources without the District. For the purposes of this Act the domicile of such officer or employee for any taxable year shall be in the State which he expressly declares to be the State of his domicile: *Provided*, That he shall have had a domicile in such State under the laws of such State immediately prior to the beginning of the taxable year for which the tax is claimed. Such declaration must be made in writing, under oath, to the Assessor and the time for filing such declaration shall expire sixty days after written demand to file an income-tax return shall have been received by such officer or employee. As used in this subsection the term "State" means the several States, Territories, and possessions of the United States, and the term "Government of the United States" includes any agency or instrumentality thereof, but does not include the government of the District of Columbia.

Government officer or employee.

Declaration of domicile.

"State."

"Government of the United States."

"Nonresident."

(t) The word "nonresident" means every individual other than a resident.

"Dependent."

(u) The term "dependent" means any of the following persons over half of whose support, for the calendar year in which the taxable year of the taxpayer begins, was received from the taxpayer:

(1) A son or daughter of the taxpayer, or a descendant of either.
(2) A stepson or stepdaughter of the taxpayer.
(3) A brother, sister, stepbrother, or stepsister of the taxpayer.
(4) The father or mother of the taxpayer, or an ancestor of either.
(5) A stepfather or stepmother of the taxpayer.
(6) A son or daughter of a brother or sister of the taxpayer.
(7) A brother or sister of the father or mother of the taxpayer.
(8) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the taxpayer.

"Brother"; "sister."

The terms "brother" and "sister" include a brother or sister of the half-blood. For the purposes of determining whether any of the foregoing relationships exist, a legally adopted child of a person shall be considered a child of such person by blood. The term "dependent" does not include any individual who is a citizen or subject of a foreign country unless such individual is a resident of the United States or of a country contiguous to the United States.

TITLE II—EXEMPT ORGANIZATIONS

SEC. 1. The following organizations shall be exempt from taxation under this Article:

(a) Labor organizations.

(b) Fraternal beneficiary societies, orders, or associations, (1) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and (2) providing for the payment of life, sick, or accident benefits to the members of such society, order, or association, or their dependents.

(c) Cemetery companies owned and operated exclusively for the benefit of their members and which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private individual or shareholder.

(d) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, to a substantial extent within the District, no part of the net earnings of which inures to the benefit of any private individual or shareholder, and no part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.

(e) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized or operated for profit and no part of the net earnings of which inures to the benefit of any private individual or shareholder.

(f) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted principally to charitable, educational, or recreational purposes within the District.

(g) Banks, trust companies, building and loan associations, insurance companies, companies which guarantee the fidelity of any individual or individuals, such as bonding companies, and companies which furnish abstracts of title or which insure titles to real estate, all of which pay taxes on their gross earnings, premiums, or gross receipts under existing laws of the District.

(h) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this article.

(i) Corporations organized under Acts of Congress, if such corporations are instrumentalities of the United States and if, under such Acts, as amended and supplemented, such corporations are exempt from Federal income taxes.

(j) Voluntary employees' beneficiary associations providing for the payment of life, sick, or accident benefits to the members of such association or their dependents, if (1) no part of their net earnings inures (other than through such payments) to the benefit of any private

individual or shareholder, and (2) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses.

(k) Voluntary employees' beneficiary associations providing for the payment of life, sick, or accident benefits to the members of such association or their dependents or their designated beneficiaries, if (1) admission to membership in such association is limited to individuals who are officers or employees of the United States Government or the Government of the District of Columbia, and (2) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private individual or shareholder.

TITLE III—NET INCOME, GROSS INCOME AND EXCLUSIONS THEREFROM, AND DEDUCTIONS

SEC. 1. NET INCOME.—For the purposes of this article and wherever appearing herein, unless otherwise required by the context, the words "net income" mean the gross income of a taxpayer less the deductions allowed by this article.

"Net income."

SEC. 2. GROSS INCOME AND EXCLUSIONS THEREFROM.—(a) The words "gross income" include gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees to the extent the same is not exempt under this article, or income derived from any trade or business or sales or dealings in property, whether real or personal, other than capital assets as defined in this article, growing out of the ownership, or sale of, or interest in, such property; also from rent, royalties, interest, dividends, securities, or transactions of any trade or business carried on for gain or profit, or gains or profits, and income derived from any source whatever.

"Gross income."

(b) The words "gross income" shall not include the following:

Exclusions.

(1) PROCEEDS OF LIFE-INSURANCE POLICIES.—The proceeds of life-insurance policies paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income).

(2) ANNUITIES, AND SO FORTH.—(A) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life-insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year), then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title in respect to such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life-insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under subsection (1) or this subsection. This subsection and subsection 2 (b) (1) of this title shall not apply with respect to so much of a

Transfer for a valuable consideration.

Post, p. 338.

payment under a life-insurance, endowment, or annuity contract, or any interest therein, as, under section 3 (a) (10) of this title, is includible in the gross income of the recipient.

Post, p. 338.

(B) EMPLOYEES' ANNUITIES.—If an annuity contract is purchased by an employer for an employee under a plan with respect to which the employer's contribution is deductible under subsection 3 (a) (11) of this title, the employee shall include in his income the amounts received under such contract for the year received except that if the employee paid any of the consideration for the annuity, the annuity shall be included in his income as provided in subsection 2 (b) (2) (A) of this title, the consideration for such annuity being considered the amount contributed by the employee. In all other cases, if the employee's rights under the contract are nonforfeitable except for failure to pay future premiums, the amount contributed by the employer for such annuity contract on and after such rights become nonforfeitable shall be included in the income of the employee in the year in which the amount is contributed, which amount together with any amounts contributed by the employee shall constitute the consideration paid for the annuity contract in determining the amount of the annuity required to be included in the income of the employee under subsection 2 (b) (2) (A) of this title.

Ante, p. 335.

(3) GIFTS, BEQUESTS, AND DEVISES.—The value of property acquired by gift, devise, or inheritance (but the income from such property shall be included in gross income).

Obligations of a State, etc.

(4) TAX-FREE INTEREST.—Interest upon (a) the obligations of a State, Territory of the United States, or any political subdivision thereof, or the District of Columbia; and (b) obligations of the United States, its agencies, or instrumentalities.

(5) COMPENSATION FOR INJURIES OR SICKNESS.—Amounts received, through accident or health insurance or under workmen's compensation or employer's liability acts, or by way of damages for personal injuries, whether by suit or agreement.

Rental value of minister's dwelling, etc.

(6) IN THE CASE OF MINISTERS.—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation.

(7) INCOME EXEMPT UNDER TREATY.—Income of any kind to the extent required by any treaty obligation of the United States.

(8) INCOME OF FOREIGN GOVERNMENTS.

(9) PAYMENTS MADE UNDER LAWS RELATING TO VETERANS.—Payments of benefits made to or on account of a beneficiary under any of the laws relating to veterans.

Post, p. 345.

Post, p. 346.

(10) INCOME FROM UNINCORPORATED BUSINESS.—In the case of any person entitled to a share in the net income of any unincorporated business subject to tax under the provisions of title VIII of this article, an amount equal to the proportionate share of such person in such part of such net income as is in excess of the exemption provided in section 4 of said title VIII: *Provided, however*, That such part so excluded from the gross income of such person shall be reported by and taxed against the unincorporated business under the provisions of title VIII of this article.

(11) CAPITAL GAINS.—Gains from the sale or exchange of any capital asset as defined in this article.

(12) PERSONAL SERVICES.—If at least 80 per centum of the total compensation for personal services covering a period of thirty-six calendar months or more (from the beginning to the completion of such services) is received or accrued in one taxable year by an individual or a partnership, the tax attributable to any part thereof which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had it been included in the gross

income of such individual ratably over that part of the period which precedes the date of such receipt or accrual.

SEC. 3. (a) DEDUCTIONS ALLOWED.—The following deductions shall be allowed from gross income in computing net income:

(1) EXPENSES.—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity: *Provided, however*, That nothing herein contained shall be construed to exempt any salary or other compensation for personal services from taxation as a part of the taxable income of the person receiving the same.

Business expenses.

Traveling expenses.

Salary, etc., for personal services.

(2) INTEREST.—All interest paid or accrued, according to the taxpayer's method of accounting, within the taxable year.

(3) TAXES.—All taxes imposed upon the taxpayer and paid or accrued during the taxable year except—

Exceptions.

(A) income taxes;

(B) franchise taxes imposed by this article;

(C) estate, inheritance, legacy, succession, and gift taxes;

(D) taxes assessed against local benefits of a kind tending to increase the value of the property assessed;

(E) taxes paid to any State, Territory, county, or municipality on property, business, or occupation the income from which is not taxable under this article.

(4) LOSSES.—Losses sustained during the taxable year and not compensated for by insurance or otherwise—

(A) if incurred in a trade or business; or

(B) if incurred in any transaction entered into for the production or collection of income subject to tax under this article, or for the management, conservation, or maintenance of property held for the production of income subject to tax under this article, though not connected with any trade or business; or

(C) of property not connected with a trade or business; if such losses arise from fires, storms, shipwrecks, or other casualty: *Provided, however*, That no such loss shall be allowed as a deduction under this subsection if such loss is claimed as a deduction for inheritance- or estate-tax purposes: *And provided further*, That this subsection shall not be construed to permit the deduction of a loss of any capital asset as defined in this article.

Restrictions.

(5) BAD DEBTS.—Debts ascertained to be worthless and charged off within the taxable year or, in the discretion of the Assessor, a reasonable addition to a reserve for bad debts. When satisfied that a debt is recoverable only in part, the Assessor may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction. No debt which existed prior to January 1, 1939, shall be allowed as a deduction.

Time limitation.

(6) INSURANCE PREMIUMS.—All fire-, tornado-, and casualty-insurance premiums paid during the taxable year in connection with property held for investment or used in a trade or business, the income from which is taxable under this article.

(7) DEPRECIATION.—A reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources allowances for depletion as permitted by reasonable rules

and regulations which the Commissioners are hereby authorized to promulgate. The basis upon which such allowances are to be computed is the basis provided for in title XI, section 6, of this article.

Post, p. 351.

(8) CHARITABLE CONTRIBUTIONS.—Contributions or gifts, actually paid within the taxable year to or for the use of any religious, charitable, scientific, literary, military, or educational institution, the activities of which are carried on to a substantial extent in the District, and no part of the net income of which inures to the benefit of any private shareholder or individual: *Provided, however*, That such deductions shall be allowed only in an amount which in the aggregate of all such deductions does not exceed 15 per centum of net income as computed without the benefit of this subsection.

Limitation.

(9) MEDICAL, DENTAL, AND SO FORTH, EXPENSES OF INDIVIDUALS.—Expenses in the case of residents, paid by the taxpayer during the taxable year, not compensated for by insurance or otherwise, for the medical care of the taxpayer, his spouse, or dependents as defined in this article. The term "medical care", as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of diseases, or for the purpose of effecting healthier function of the body (including amounts paid for accident or health insurance): *Provided, however*, That a taxpayer may deduct only such expenses as exceed 5 per centum of his net income, or 5 per centum of the aggregate net income in the case of husband and wife filing a joint return, computed with the benefit of subsection (8) of this section but without the benefit of this subsection: *And provided further*, That the maximum deduction for the taxable year shall not exceed $2,500 in the case of a husband and wife filing a joint return, or $1,250 in the case of all other residents.

"Medical care."

Deductions.

(10) ALIMONY OR SEPARATE MAINTENANCE.—In the case of residents, amounts paid as alimony or separate maintenance pursuant to and under a decree or judgment of a court of record of competent jurisdiction to adjudge or decree that the taxpayer pay such alimony or separate maintenance: *Provided, however*, That all amounts allowed as a deduction under this subsection shall be reported and taxed as income of the recipient thereof if such recipient is a resident as defined in this article.

Income of recipient.

(11) CONTRIBUTIONS OF AN EMPLOYER TO AN EMPLOYEES' TRUST OR ANNUITY PLAN AND COMPENSATION UNDER A DEFERRED-PAYMENT PLAN.—In the return of an employer, contributions made by such employer to an employees' trust or annuity plan and compensation under a deferred-payment plan to the extent that deductions for the same are allowed the taxpayer under the provisions of section 23 (p) of the Federal Internal Revenue Code.

53 Stat. 15.
26 U. S. C. § 23 (p).

(12) NONTRADE OR NONBUSINESS EXPENSE.—In the case of an individual, all the ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income taxable under this article.

Optional standard deduction.

(13) In lieu of the foregoing deductions, any resident, whose gross income less allowance for dependents is $5,000 or more may irrevocably elect to deduct for the taxable year an optional standard deduction of $500: *Provided, however*, That the option provided in this subsection shall not be permitted to any such taxpayer on any return filed by him for any period less than a full calendar or fiscal year: *And provided further*, That in the case of husband and wife living together, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction or by use of the optional method provided in title VI, section 4 (a).

Restriction.

Husband and wife living together.

Post, p. 344.

(14) ALLOCATION OF DEDUCTIONS.—In the case of corporations and unincorporated businesses, the deductions provided for in this section shall be allowed only for and to the extent that they are connected with income arising from sources within the District within the meaning of title X of this article; and the proper apportionment and allocation of the deductions to be allowed shall be determined by the Assessor under formula or formulas provided for in section 2, title X of this article.

Post, p. 349.

Post, p. 349.

(b) DEDUCTIONS NOT ALLOWED.—In computing net income, no deductions shall be allowed in any case for—

(1) Personal, living, or family expenses;

(2) Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; and

(4) Premiums paid on any life-insurance policy covering the life of any officer or employee or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy.

(5) If the net income of an unincorporated business for the taxable year is in excess of the exemption provided in section 4 of title VIII, no deduction which is allowed or allowable under section 3 (a) of this title from the gross income of any unincorporated business subject to the tax imposed by title VIII of this article shall be allowed as deduction in the return and computation of the net income of any person entitled to share in the net income of such unincorporated business.

Post, p. 346.

Ante, p. 337.

Post, p. 345.

(6) CAPITAL LOSSES.—Losses from the sale or exchange of any capital asset as defined in this article.

TITLE IV—ACCOUNTING PERIODS, INSTALLMENT SALES, AND INVENTORIES

Computation of net income.

SEC. 1. ACCOUNTING PERIODS.—The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the Assessor does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 4 (j) of title I or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. If the taxpayer makes a Federal income-tax return, his income shall be computed, for the purposes of this title, on the basis of the same calendar or fiscal year as in such Federal income-tax return, if the basis is accepted and approved by the Commissioner of Internal Revenue.

Ante, p. 332.

Federal income-tax return.

SEC. 2. PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED.—The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer unless, under methods of accounting permitted under section 1, any such amounts are to be properly accounted for as of a different period. In the case of death of a taxpayer on the cash basis, no amount will be accrued on his final return; and on the accrual basis, amounts (except amounts includible in computing a partner's net income) accrued only by reason of the death of the taxpayer shall

Death of taxpayer.

not be included in computing net income for the period in which falls the date of the taxpayer's death, but such amounts shall be included in the income of the person receiving such amounts by inheritance or survivorship from the decedent.

SEC. 3. PERIOD FOR WHICH DEDUCTIONS AND CREDITS TAKEN.—The deductions and credits provided for in this article shall be taken for the taxable year in which "paid or accrued" or "paid or incurred", dependent upon the method of accounting upon the basis of which the net income is computed unless, in order to clearly reflect the income, the deductions or credits should be taken as of a different period. In the case of death of a taxpayer on the cash basis, no amount will be allowed as a deduction which was accrued up to the date of the taxpayer's death; and on the accrual basis, no amount (except amounts includible in computing a partner's net income) accrued only by reason of the death of the taxpayer shall be included in computing net income for the period in which falls the date of the taxpayer's death but such amounts shall be deductible by the estate or other person who paid them or is liable for their payment.

Death of taxpayer.

SEC. 4. INSTALLMENT SALES.—If a person reports any portion of his income from installment sales for Federal income-tax purposes under section 44 of the Federal Internal Revenue Code and as the same may hereafter be amended, and of such income is subject to tax under this article, he may report such income under this article in the same manner and upon the same basis as the same was reported by him for Federal income-tax purposes, if such method of reporting is accepted and approved by the Commissioner of Internal Revenue.

53 Stat. 24.
26 U. S. C. § 44.

SEC. 5. INVENTORIES.—Whenever in the opinion of the Assessor the use of inventories is necessary in order to properly determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the Assessor may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

SEC. 6. ASSESSOR MAY REJECT METHOD OF ACCOUNTING EMPLOYED BY TAXPAYER.—Notwithstanding any other provisions of this article, the Assessor is hereby authorized to reject any return of income reported on a cash basis where, in his opinion, the net income of the taxpayer is not properly reflected and cannot be determined on such basis, and to require the return to be filed on such a basis as in his opinion will properly reflect the net income of the taxpayer.

TITLE V—RETURNS

SEC. 1. (a) FORM OF RETURNS.—The Assessor is hereby authorized and directed to prescribe the forms of returns. All returns required under this title shall be filed on the forms and in the manner prescribed by the Assessor.

(b) TAXPAYER TO MAKE RETURN WHETHER FORM IS SENT OR NOT.—Blank forms of returns of income shall be supplied by the Assessor. It shall be the duty of the Assessor to obtain an income-tax return from every taxpayer who is liable under this article to file such return; but this duty shall in no manner diminish the obligation of the taxpayer to file a return without being called upon to do so.

(c) INFORMATION RETURNS.—Every person subject to the jurisdiction of the District in whatever capacity acting, including receivers or mortgagors of real or personal property, fiduciaries, partnerships, and employers making payment of dividends, interest, rent, premiums, annuities, compensations, remunerations, emoluments, or other income to any person subject to tax under this article, shall render such returns thereof to the Assessor as he may by rule prescribe.

SEC. 2. REQUIREMENT.—Each of the following persons shall file a return with the Assessor stating specifically the items of his gross income and the items claimed as deductions and credits allowed under this article, and such other information for the purpose of carrying out the provisions of this article as the Assessor may require:

(a) RESIDENTS AND NONRESIDENTS.—Every nonresident of the District receiving income subject to tax under this article and every resident of the District, except fiduciaries, when—

(1) his gross income for the taxable year exceeds $1,000, if single, or if married and not living with husband or wife; or

(2) his gross income for the taxable year exceeds $2,000, if married and living with husband or wife; or

(3) his gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds $5,000, regardless of the amount of his gross income; or

Post, p. 345.

(4) the combined gross income for the taxable year of a husband and wife living together exceeds $2,000 in the aggregate or the combined gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds $5,000 regardless of the amount of their gross income.

Post, p. 345.

(b) FIDUCIARIES.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) for—

(1) every individual for whom he acts having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

(2) every individual for whom he acts having a net income for the taxable year of $2,000 or over, if married and living with husband or wife;

(3) every individual for whom he acts having a gross income for the taxable year of $2,000 or over, regardless of the amount of his net income;

(4) every estate for which he acts, the net income of which for the taxable year is $1,000 or over;

(5) every trust for which he acts, the net income of which for the taxable year is $100 or over; and

(6) every estate or trust for which he acts, the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the net income.

(c) JOINT FIDUCIARIES.—A return by one of two or more joint fiduciaries filed with the Assessor shall be sufficient compliance with the provisions of section 2 (b) of this title.

Return by authorized agent.

(d) If any resident or nonresident or any fiduciary is unable to make his own return, the return shall be made by his duly authorized agent.

(e) (1) CORPORATIONS.—Every corporation engaging in or carrying on any trade or business within the District or receiving income from sources within the District within the meaning of title X. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or are engaged in or carrying on the trade or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns.

Post, p. 349.

Receivers, trustees, or assignees.

Affiliated corporations.

(2) Affiliated corporations shall file separate returns unless permitted by the Assessor to file consolidated returns.

(f) UNINCORPORATED BUSINESSES.—Every unincorporated business engaging in or carrying on any trade or business within the District

Post, p. 349.

or receiving income from sources within the District within the meaning of title X having a gross income of more than $10,000, regardless of whether or not it has a net income. Such returns shall be made by the taxpayer or taxpayers liable for the payment of the tax.

Post, p. 345.

(g) PARTNERSHIPS.—Every partnership, other than partnerships subject to the taxes imposed by title VIII of this article on unincorporated businesses, engaged in any trade or business, or receiving income from sources within the District. There shall be included in such return the names and addresses of the individuals who would be entitled to share in the net income of the partnership, if distributed, and the amount of distributive share of each individual.

Ante, p. 340.

SEC. 3. (a) TIME AND PLACE FOR FILING RETURNS.—All returns of income for the preceding taxable year required to be filed under the provisions of section 1 of this title shall be filed with the Assessor on or before the 15th day of April in each year, except that such returns, if made on the basis of a fiscal year, shall be filed on or before the fifteenth day of the fourth month following the close of such fiscal year.

(b) EXTENSION OF TIME FOR FILING RETURNS.—The Assessor may grant a reasonable extension of time for filing the returns required by section 2 of this title whenever in his judgment good cause exists therefor, and he shall keep a record of every such extension. Except in case of a taxpayer who is not within the continental limits of the United States, no such extension shall be granted for more than six months, and in no case shall such extension be granted for more than one year.

SEC. 4. (a) SECRECY OF RETURNS.—Except to any official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the amount of income or any particulars relating thereto or the computation thereof set forth or disclosed in any return required to be filed under section 1 of this title, and neither the original nor a copy of any such return desired for use in litigation in court shall be furnished where neither the District nor the United States is interested in the result of such litigation, whether or not the request is contained in an order of the court: *Provided, however*, That nothing herein contained shall be construed to prevent the furnishing to a taxpayer of a copy of his return upon the payment of a fee of $2.

Furnishing of copy to taxpayer.

(b) RECIPROCAL EXCHANGE OF INFORMATION WITH THE UNITED STATES AND THE SEVERAL STATES.—Notwithstanding the provisions of this section, the Assessor may permit the proper officer of the United States or of any State imposing an income tax or his authorized representative to inspect income-tax returns filed with the Assessor or may furnish to such officer or representative a copy of any such income-tax returns provided the United States or such State grant substantially similar privileges to the Assessor or his representative or to the proper officer of the District charged with the administration of this title. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Assessor or Collector relative to any person subject to the taxes imposed by this article.

(c) PUBLICATION OF STATISTICS.—Nothing contained in section 4 (a) of this title shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports and the items thereof, or the publication of delinquent lists showing the names of taxpayers who have failed to pay their taxes at the time and in the manner provided by law, together with any relevant information which in the opinion of the Assessor may assist in the collection of such delinquent taxes.

(d) INFORMATION WHICH MAY BE DISCLOSED.—Nothing contained in section 4 (a) of this title shall be construed to prohibit the Assessor, in his discretion, from divulging or making known any information contained in, or relating to, any report, application, license, or return required under the provisions of this article other than such information as may be contained therein relating to the amount of income or any particulars relating thereto or the computation thereof.

(e) PENALTIES FOR VIOLATION OF THIS SECTION.—Any violation of the provisions of this section shall be a misdemeanor and shall be punishable by a fine not exceeding $1,000 or imprisonment for six months, or both, in the discretion of the court. All prosecutions under this section shall be brought in the Municipal Court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

Prosecutions.

(f) PRESERVATION OF RETURNS.—All reports, applications, and returns received by the Assessor under the provisions of this article shall be preserved for six years, and thereafter until the Assessor orders them to be destroyed.

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

SEC. 1. DEFINITION.—For the purposes of this article, and unless otherwise required by the context, the words "taxable income" mean the entire net income of every resident, in excess of the personal exemptions and credits for dependents allowed by section 2 of this title and that portion of the entire net income of every nonresident which is subject to tax under title VIII of this article.

"Taxable income."

Post, p. 345.

SEC. 2. PERSONAL EXEMPTIONS AND CREDIT FOR DEPENDENTS.—There shall be allowed to residents the following credits against net income:

(a) An exemption of $1,000 for the taxpayer.

(b) An exemption of $1,000 for the spouse of the taxpayer (1) if a joint return is made by the taxpayer and his spouse, in which case the aggregate exemption of the spouses shall be $2,000, or (2) if a separate return is made by the taxpayer, and his spouse has no gross income for the calendar year in which the taxable year of the taxpayer begins and is not the dependent of another taxpayer.

Spouse of taxpayer.

(c) An exemption of $500 for each dependent, as defined in this article, whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than $500, except that the exemption shall not be allowed in respect of a dependent who has made a joint return with his spouse for the taxable year beginning in such calendar year.

Dependents.

(d) If the status of a taxpayer changes during the taxable year with respect to his marital status the amount allowed under subsection (b) of this section shall be apportioned in accordance with the number of months before and after such change. For the purposes of this subsection, a fractional part of a month shall be disregarded unless it amounts to more than half a month, in which case it shall be considered as a month.

Change in marital status.

(e) Beginning with the first taxable year to which this article is applicable and in succeeding taxable years, the amounts allowed under subsections (a) and (b) of this section shall be prorated to the day of death in the final return of a decedent dying before the end of the taxable year, and as of the date of death the personal exemption is terminated and not extended over the remainder of the taxable year.

Death of taxpayer.

(f) In the case of a return made for a fractional part of a taxable year, the personal exemptions and credits for dependents shall be reduced, respectively, to amounts which bear the same ratio to the full

Return for fractional part of year.

credits provided as the number of months in the period for which the return is made bear to twelve months.

SEC. 3. IMPOSITION AND RATES OF TAX.—There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

One per centum on the first $5,000 of taxable income.

One and one-half per centum on the next $5,000 of taxable income.

Two per centum on the next $5,000 of taxable income.

Two and one-half per centum on the next $5,000 of taxable income.

Three per centum on the taxable income in excess of $20,000.

SEC. 4. (a) OPTIONAL METHOD OF COMPUTATION.—In lieu of the method of computation prescribed by section 3 of this title, a resident reporting on a cash basis for any full calendar year who does not claim credit for taxes paid by him to any State or Territory of the United States or political subdivision thereof under the provisions of section 5 of this title on the whole or any part of his income for such calendar year and, if his gross income for such calendar year is $5,000 or less, and is derived solely from salaries, wages, dividends, and interest, may elect to pay the tax as shown in the following table:

Gross income less allowance for dependents		Personal exemption status		Gross income less allowance for dependents		Personal exemption status	
Over	But not over	$1,000	$2,000	Over	But not over	$1,000	$2,000
		Tax	*Tax*			*Tax*	*Tax*
0	$1,150	0	0	$3,050	$3,100	$17.50	$7.50
$1,150	1,200	$0.50	0	3,100	3,150	18.00	8.00
1,200	1,250	1.00	0	3,150	3,200	18.50	8.50
1,250	1,300	1.50	0	3,200	3,250	19.00	9.00
1,300	1,350	2.00	0	3,250	3,300	19.50	9.50
1,350	1,400	2.50	0	3,300	3,350	20.00	10.00
1,400	1,450	3.00	0	3,350	3,400	20.50	10.50
1,450	1,500	3.50	0	3,400	3,450	21.00	11.00
1,500	1,550	3.50	0	3,450	3,500	21.50	11.50
1,550	1,600	4.00	0	3,500	3,550	21.50	11.50
1,600	1,650	4.50	0	3,550	3,600	22.00	12.00
1,650	1,700	5.00	0	3,600	3,650	22.50	12.50
1,700	1,750	5.50	0	3,650	3,700	23.00	13.00
1,750	1,800	6.00	0	3,700	3,750	23.50	13.50
1,800	1,850	6.50	0	3,750	3,800	24.00	14.00
1,850	1,900	7.00	0	3,800	3,850	24.50	14.50
1,900	1,950	7.50	0	3,850	3,900	25.00	15.00
1,950	2,000	8.00	0	3,900	3,950	25.50	15.50
2,000	2,050	8.00	0	3,950	4,000	26.00	16.00
2,050	2,100	8.50	0	4,000	4,050	26.00	16.00
2,100	2,150	9.00	0	4,050	4,100	26.50	16.50
2,150	2,200	9.50	0	4,100	4,150	27.00	17.00
2,200	2,250	10.00	0	4,150	4,200	27.50	17.50
2,250	2,300	10.50	$0.50	4,200	4,250	28.00	18.00
2,300	2,350	11.00	1.00	4,250	4,300	28.50	18.50
2,350	2,400	11.50	1.50	4,300	4,350	29.00	19.00
2,400	2,450	12.00	2.00	4,350	4,400	29.50	19.50
2,450	2,500	12.50	2.50	4,400	4,450	30.00	20.00
2,500	2,550	12.50	2.50	4,450	4,500	30.50	20.50
2,550	2,600	13.00	3.00	4,500	4,550	30.50	20.50
2,600	2,650	13.50	3.50	4,550	4,600	31.00	21.00
2,650	2,700	14.00	4.00	4,600	4,650	31.50	21.50
2,700	2,750	14.50	4.50	4,650	4,700	32.00	22.00
2,750	2,800	15.00	5.00	4,700	4,750	32.50	22.50
2,800	2,850	15.50	5.50	4,750	4,800	33.00	23.00
2,850	2,900	16.00	6.00	4,800	4,850	33.50	23.50
2,900	2,950	16.50	6.50	4,850	4,900	34.00	24.00
2,950	3,000	17.00	7.00	4,900	4,950	34.50	24.50
3,000	3,050	17.00	7.00	4,950	5,000	35.00	25.00

Application of schedule.

(b) In applying the above schedule, to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his gross income beginning with the first taxable year to which this article is applicable and succeeding taxable years, $500 for each dependent as defined in this article.

(c) In applying the above schedule, to determine whether the taxpayer is entitled to the personal exemption of $1,000 or $2,000, his status during the greater portion of the taxable year, as defined in this article, shall control.

(d) An individual not living with husband or wife during the greater portion of the taxable year for the purposes of this article, shall be considered as a single person. Individual considered as single person.

(e) The election given by this section as to the computation of tax due shall be considered to have been made if the taxpayer files the return prescribed for such computation and such election shall be final and irrevocable. Finality of election.

(f) If the taxpayer for any taxable year has filed a return computing his tax without regard to this section, he may not thereafter elect for such year to compute his tax under this section.

(g) This section shall not apply to any fiduciary or to any married resident living with husband or wife at any time during the taxable year whose spouse files a return and computes the tax without regard to this section. Nonapplicability of section.

(h) If a husband and wife living together file separate returns, each shall be treated as a single person for the purposes of this section. Spouse treated as single person.

SEC. 5. CREDIT AGAINST TAX ALLOWED RESIDENTS.—The amount of tax payable under this title by an individual who, although a resident of the District of Columbia as defined in this article, was nevertheless a bona fide domiciliary of any State or Territory of the United States or political subdivision thereof during the taxable year shall be reduced by the amount required to be paid by such individual as income or intangible personal property taxes, or both, for such taxable year to the State, Territory, or political subdivision thereof of which he was a domiciliary. The Assessor may require proof, satisfactory to him, of the payment of such income or intangible personal property taxes: *Provided, however*, That the credit provided for by this section shall not be allowed against any tax imposed under title VIII of this article. Bona fide domiciliary of a State, etc.

TITLE VII—TAX ON CORPORATIONS

SEC. 1. TAXABLE INCOME DEFINED.—For the purposes of this title, and unless otherwise required by the context, the words "taxable income" mean the amount of net income derived from sources within the District within the meaning of title X of this article. "Taxable income."

Post, p. 349.

SEC. 2. IMPOSITION AND RATE OF TAX.—For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for each taxable year a tax at the rate of 5 per centum upon the taxable income of every corporation, whether domestic or foreign (except those expressly exempt under title II of this article).

Ante, p. 334.

TITLE VIII—TAX ON UNINCORPORATED BUSINESSES

SEC. 1. DEFINITION OF UNINCORPORATED BUSINESS.—For the purposes of this article (not alone of this title) and unless otherwise required by the context, the words "unincorporated business" mean any trade or business, conducted or engaged in by any individual, whether resident or nonresident, statutory or common-law trust, estate, partnership, or limited or special partnership, society, association, executor, administrator, receiver, trustee, liquidator, conservator, committee, assignee, or by any other entity or fiduciary, other than a trade or business conducted or engaged in by any corporation; and include any trade or business which if conducted or engaged in by a corporation would be taxable under title VII of this article. The words "unincorporated business" do not include any trade or business which by law, customs, or ethics cannot be incorporated or any trade or business in which more than 80 per centum of the gross income is derived from the personal services actually rendered by the individual or members of the partnership or other entity in the conducting or carrying on of "Unincorporated business."

any trade or business and in which capital is not a material income-producing factor.

"Taxable income."

SEC. 2. TAXABLE INCOME DEFINED.—For the purposes of this title, and unless otherwise required by the context, the words "taxable income" mean the amount of net income derived from sources within the District within the meaning of title X of this article in excess of the exemption granted by section 4 of this title.

Post, p. 349.

SEC. 3. IMPOSITION AND RATE OF TAX.—For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for each taxable year a tax at the rate of 5 per centum upon the taxable income of every unincorporated business, whether domestic or foreign (except those expressly exempt under title II of this article).

Ante, p. 334.

SEC. 4. EXEMPTION.—Before computing the tax upon the taxable income of an unincorporated business, there shall be deducted therefrom an exemption of $10,000, except that where the period covered by a return is less than a year, or where a return shows that an unincorporated business has been carried on for less than twelve months, such exemption shall be prorated on a daily basis: *Provided, however*, That any amount exempted under this section from the tax imposed by section 3 of this title shall be reported and included in the gross income of that person or those persons entitled to a share therein in proportion to the share to which each person is entitled, and shall be reported in the return of each of such persons for his taxable year in which is ended the taxable year of the unincorporated business.

Report, etc., in gross income.

SEC. 5. BY WHOM PAYABLE.—The taxes imposed by section 3 of this title shall be payable by the person or persons, jointly and severally, conducting the unincorporated business. The taxes imposed under this title may be assessed in the name of the unincorporated business or in the name or names of the person or persons liable for the payment of such taxes, or both.

SEC. 6. PARTNERS ONLY TAXABLE.—Individuals carrying on any trade or business in partnership in the District, other than an unincorporated business, shall be liable for income tax only in their individual capacities. The tax on all such income shall be assessed against the individual partners under title VI of this article. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year; or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the taxable year upon the basis of which the partner's net income is computed.

Ante, p. 343.

Distributive share of net income.

TITLE IX—TAX ON ESTATES AND TRUSTS

SEC. 1. RESIDENT AND NONRESIDENT ESTATES AND TRUSTS.—For the purposes of this title, estates and trusts are (a) resident estates or trusts, or (b) nonresident estates or trusts. If the decedent was at the time of his death domiciled within the District, his estate is a resident estate, and any trust created by his will is a resident trust. If the decedent was not at the time of his death domiciled within the District, his estate is a nonresident estate, and any trust created by his will is a nonresident trust. If the creator of a trust was at the time the trust was created domiciled within the District, or if the trust consists of property of a person domiciled within the District, the trust is a resident trust. If the creator of the trust was not at the time the trust was created domiciled within the District,

Creator of trust.

the trust is a nonresident trust. If the trust resulted from the dissolution of a corporation organized under the laws of the District of Columbia the trust is a resident trust. If the trust resulted from the dissolution of a foreign corporation, the trust is a nonresident trust.

SEC. 2. RESIDENCE OR SITUS OF FIDUCIARY NOT TO CONTROL.—The residence or situs of the fiduciary shall not control the classification of estates and trusts as resident or nonresident under the provisions of section 1 of this title.

SEC. 3. IMPOSITION OF TAX.—The taxes imposed by title VI of this article upon residents shall apply to the income of resident estates, and income from any kind of property held in resident trusts, including— *Ante*, p. 343.

(a) income accumulated in trust for the benefit of unborn or unascertained person or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

(b) income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of any infant or incompetent person which is to be held or distributed as the court may direct;

(c) income received by estates of deceased persons during the period of administration or settlement of the estate; and

(d) income which, in the discretion of the fiduciary, may be either distributed to the beneficiaries or accumulated.

SEC. 4. COMPUTATION OF THE TAX.—The tax shall be computed upon the taxable net income of the estate or trust, and shall be paid by the fiduciary, except as provided in section 7 of this title (relating to revocable trusts) and section 8 of this title (relating to income for benefit of the grantor).

SEC. 5. NET INCOME.—The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except as to the personal exemptions and credits for dependents, and except that— Computation. Exceptions.

(a) there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (b) of this section in the same or any succeeding taxable year;

(b) in the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary;

(c) there shall be allowed as a deduction (in lieu of the deductions for charitable contributions authorized by title III, section 3 (a) (8), of this article) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating a trust, is during the taxable year paid or permanently set *Ante*, p. 338.

aside for the purposes and in the manner provided in title III, section 3 (a) (8), of this article or is to be used exclusively for the purposes enumerated in title III, section 3 (a) (8), of this article.

SEC. 6. DIFFERENT TAXABLE YEAR.—If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under section 5 (a) of this title, to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust ending within his taxable year.

SEC. 7. REVOCABLE TRUSTS.—The income of a trust shall be included in computing the net income of the grantor of such trust where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(a) in the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom; or

(b) in any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom.

SEC. 8. INCOME FOR BENEFIT OF GRANTOR.—So much of the income of any trust shall be included in computing the net income of the grantor as—

(a) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, held or accumulated for future distribution to the grantor; or

(b) may, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

Application to life insurance premiums.

(c) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in title III, section 3 (a) (8), relating to the so-called "charitable contribution" deduction).

Ante, p. 338.

"In the discretion of the grantor."

SEC. 9. DEFINITION OF "IN DISCRETION OF GRANTOR".—As used in this title, the term "in the discretion of the grantor" means in the discretion of the grantor either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question.

SEC. 10. EMPLOYEES' TRUSTS.—(a) EXEMPTION FROM TAX.—A trust forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable under this article and no other provision of this article shall apply with respect to such trust or to its beneficiary, except as hereinafter in this section expressly provided, if such trust meets the requirements for exemption from Federal income tax under section 165 of the Federal Internal Revenue Code.

53 Stat. 67.
26 U. S. C. § 165.

(b) TAXABILITY OF BENEFICIARY.—The amount actually distributed or made available to any distributee by any such trust shall be taxable to him, in the year in which so distributed or made available, under section 2 (b) (2) of title III of this article as if it were an annuity the consideration for which is the amount contributed by the employee.

Ante, p. 335.

(c) TREATMENT OF BENEFICIARY OF TRUST NOT EXEMPT UNDER SUBSECTION (a).—Contributions to a trust made by an employer during a taxable year of the employer which ends within or with a taxable year

of the trust for which the trust is not exempt under subsection (a) of this section shall be included in the gross income of an employee for the taxable year in which the contribution is made to the trust in the case of an employee whose beneficial interest in such contribution is nonforfeitable at the time the contribution is made.

TITLE X—PURPOSE OF ARTICLE AND ALLOCATION AND APPORTIONMENT

SEC. 1. PURPOSE OF ARTICLE.—It is the purpose of this article to impose (1) an income tax upon the entire net income of every resident and every resident estate and trust, and (2) a franchise tax upon every corporation and unincorporated business for the privilege of carrying on or engaging in any trade or business within the District and of receiving such other income as is derived from sources within the District: *Provided, however*, That, in the case of any corporation, the amount received as dividends from a corporation which is subject to taxation under this article, and, in the case of a corporation not engaged in carrying on any trade or business within the District, interest received by it from a corporation which is subject to taxation under this article shall not be considered as income from sources within the District for the purposes of this article. The measure of the franchise tax shall be that portion of the net income of the corporation and unincorporated business as is fairly attributable to any trade or business carried on or engaged in within the District and such other net income as is derived from sources within the District.

Dividends from a corporation, etc.

Franchise tax.

SEC. 2. ALLOCATION AND APPORTIONMENT.—The entire net income of any corporation or unincorporated business, derived from any trade or business carried on or engaged in wholly within the District shall, for the purposes of this article, be deemed to be from sources within the District, and shall, along with other income from sources within the District, be allocated to the District. If the trade or business of any corporation or unincorporated business is carried on or engaged in both within and without the District, the net income derived therefrom shall, for the purposes of this article, be deemed to be income from sources within and without the District. Where the net income of a corporation or unincorporated business is derived from sources both within and without the District, the portion thereof subject to tax under this article shall be determined under regulation or regulations prescribed by the Commissioners. The Assessor is authorized to employ any formula or formulas provided in any regulation or regulations prescribed by the Commissioners under this article which, in his opinion, should be applied in order to properly determine the net income of any corporation or unincorporated business subject to tax under this article.

Net income derived within District, etc.

SEC. 3. ALLOCATION OF INCOME AND DEDUCTIONS BETWEEN ORGANIZATIONS, AND SO FORTH.—In any of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the District, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the Assessor is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, whenever in his opinion such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or businesses. The provisions of this section shall apply, but shall not be limited in application to any case of a common carrier by railroad subject to the Interstate Commerce Act and jointly owned or controlled directly or indirectly by two or more common carriers by railroad subject to said Act.

Applicability to common carrier by railroad.

24 Stat. 379.
49 U. S. C. §§ 1-27, 301-327, 901-923, 1001-1022.

TITLE XI—BASES

SEC. 1. BASIS FOR DETERMINING GAIN OR LOSS.—The basis for determining the gain or loss from the sale, exchange, or other disposition of property shall be the cost of such property, except that—

Exceptions.

(a) If the property is of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, the basis shall be the last inventory value thereof.

(b) In respect of any real or tangible property acquired after December 31, 1938, the cost thereof shall be adjusted as follows:

Addition of expenditures.

(1) By adding to its original cost to the taxpayer the amount of all expenditures connected therewith, including real-estate taxes upon the property, which were properly chargeable to capital account and were not deducted in any income-tax return which the taxpayer was required to file under the provisions of this article or the District of Columbia Income Tax Act of 1939, as amended; but such additions as are herein provided for shall include only those expenditures made by the taxpayer between the time the property was acquired by him and the date of sale or other disposition of the property.

53 Stat. 1085. D. C. Code §§ 47-1501 to 47-1543. *Ante*, p. 331.

Deductions for wear and tear, etc.

(2) By deducting from such cost the full loss sustained since acquisition for exhaustion, wear and tear, obsolescence, amortization, and depletion to the extent allowed or allowable (whichever amount is the greater) on such property in all returns required to be filed by the taxpayer under the provisions of this article or of the District of Columbia Income Tax Act of 1939, as amended.

Supra.

Property acquired by gift, etc.

(3) In the case of property (including intangible personal property) acquired by gift or inheritance, where the transfer thereof to the taxpayer was subject to tax by the United States or by any jurisdiction in which the property had a taxable situs at that time, the basis of the property so acquired shall be the highest valuation then placed upon such transfer by the United States or by any authorized taxing State or Territory thereof. If such transfer of the property was not subject to the aforesaid transfer tax, the base shall be the fair market value of such property at the time acquired. For the purpose of this subsection, the time such inherited property was acquired shall be the date of death of the decedent. The basis herein provided for shall be subject to the appropriate adjustment or adjustments defined in section 1 (b) of this title.

Time of acquisition.

Acquisition prior to Jan. 1, 1939.

(c) If the property was acquired before January 1, 1939, the basis shall be the fair market value as of that date or, at the option of the taxpayer, the cost of such property, and in the case of real or tangible property such cost shall be diminished by exhaustion, wear and tear, obsolescence, and depletion actually sustained before such date: *Provided, however*, That the preceding valuation so determined shall be adjusted by the appropriate additions and deductions provided for in section 1 (b) of this title to cover the period from January 1, 1939, to the date of sale or other disposition of the property.

Adjustment.

SEC. 2. (a) COMPUTATION OF GAIN OR LOSS.—The gain or loss, as the case may be, from the sale or other disposition of property shall be the difference between (a) the amount realized from such sale or other disposition of the property and (b) the basis as defined in section 1 of this title.

(b) AMOUNT REALIZED.—The amount realized from the sale or exchange of property shall be its selling price, and such price shall include cash payments received or to be received subsequently therefor, plus the sum of any mortgage and other encumbrances thereon at the time of such sale or exchange. The amount realized shall also include at its then market value any property received in part or in full settlement of the property sold or exchanged, adjusted to include the then existing encumbrances on such property received in exchange.

SEC. 3. EXCHANGE IN REORGANIZATIONS.—When in connection with the reorganization of a corporation, a taxpayer receives, in place of stock or securities owned by him, any stock or securities of the reorganized corporation, no gain or loss shall be deemed to occur from the exchange until the new stock or securities are sold or realized upon and the gain or loss is definitely ascertained, until which time the new stock or securities received shall be treated as taking the place of the stock and securities exchanged. For the purposes of this section, the word "reorganization" means (1) a statutory merger or consolidation; or (2) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation; or (3) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of substantially all the properties of another corporation, but in determining whether the exchange is solely for voting stock the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded; or (4) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its shareholders or both are in control of the corporation to which the assets are transferred; or (5) a recapitalization; or (6) a mere change in identity, form, or place of organization, however effected.

"Reorganization."

SEC. 4. BASIS FOR DIVIDENDS PAID IN PROPERTY.—Where any property other than money is paid by a corporation as a dividend, the base to the recipient thereof shall be the market value of such property at the time of its distribution by such corporation.

SEC. 5. The provisions of sections 1 through 3 of this title shall not apply to the sale or exchange of any property defined as a capital asset by section 4 (1) of title I of this article.

Ante, p. 332.

SEC. 6. DEPRECIATION.—The bases used in determining the amount allowable as a deduction from gross income under the provisions of section 3 (a) (7) of title III of this article shall be—

Ante, p. 337.

(a) where the property was acquired after December 31, 1938, by purchase, the basis shall be the cost thereof to the taxpayer;

(b) where the property was received in exchange for other property after December 31, 1938, the basis shall be the market value thereof at the time of such exchange;

(c) where the property was inherited or acquired by gift after December 31, 1938, the basis shall be that defined in subsection 1 (b) (3) of this title;

Ante, p. 350.

(d) if the property was acquired prior to January 1, 1939, the appropriate basis set forth in subsection (a), (b), or (c) of this section shall be used: *Provided, however*, That the taxpayer may, at his option, use as the basis the market value of such property as of January 1, 1939;

(e) the taxpayer may deduct in each taxable year only such amount of depreciation as was actually sustained during that year and such annual deduction shall be based upon the useful life of the property remaining after the date used by the taxpayer in establishing the valuation: *Provided, however*, That the allowance for depreciation actually sustained during any taxable year may not be increased by any depreciation of the property which was allowable as a deduction in any earlier taxable year: *And provided further*, That any basis so established may not be changed in a subsequent taxable year, unless written approval of the Assessor has been first obtained.

Amount of depreciation deductible.

Change of basis.

TITLE XII—ASSESSMENT AND COLLECTION; TIME OF PAYMENT

SEC. 1. DUTIES OF ASSESSOR.—The Assessor is hereby required to administer the provisions of this article. As soon as practicable after the return is filed, the Assessor shall examine it and shall determine the correct amount of tax.

SEC. 2. STATEMENTS AND SPECIAL RETURNS.—Every person upon whom the duty is imposed by this article to file any applications, returns, or reports or who is liable for any tax imposed by this article shall keep such records, render under oath such statements, and comply with such rules and regulations as the Assessor from time to time may prescribe. Whenever the Assessor deems it necessary, he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records as he believes sufficient to show whether or not such person is liable to tax under this article and the extent of such liability.

SEC. 3. EXAMINATION OF BOOKS AND WITNESSES.—The Assessor, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making an estimate of the taxable income of any taxpayer, is authorized to examine any books, papers, records, or memoranda of any person bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the Assessor shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the Assessor may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpenas of that court. Any person in custody or control of any books, papers, records, or memoranda bearing upon the matters required to be included in such returns, who shall refuse to permit the examination by the Assessor or any person designated by him of any such books, papers, records, or memoranda, or who shall obstruct or hinder the Assessor or any person designated by him in the examination of any books, papers, records, or memoranda, shall upon conviction thereof be fined not more than $300. All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

Summons, etc.

Penalty.

Prosecutions.

SEC. 4. RETURN BY ASSESSOR.—If any person fails to make and file a return at the time prescribed by law or by regulations made under authority of law, or makes, willfully or otherwise, a false or fraudulent return, the Assessor shall make the return from his own knowledge and from such information as he can obtain through testimony or otherwise. Any return so made and subscribed by the Assessor shall be prima facie good and sufficient for all legal purposes.

Notice to taxpayer.

SEC. 5. DETERMINATION AND ASSESSMENT OF DEFICIENCY.—If a deficiency in tax is determined by the Assessor, the taxpayer shall be notified thereof and given a period of not less than thirty days, after such notice is sent by registered mail, in which to file a protest and show cause or reason why the deficiency should not be paid. Opportunity for hearing shall be granted by the Assessor, and a final decision thereon shall be made as quickly as practicable.

Opportunity for hearing.

SEC. 6. JEOPARDY ASSESSMENT.—(a) AUTHORITY FOR MAKING.—If the Assessor believes that the collection of any tax imposed by this article will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties, the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the Collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful.

Collection by distraint.

(b) BOND TO STAY COLLECTION.—The collection of the whole or any part of the amount of such assessment may be stayed by filing with the Collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties as the Collector deems necessary, conditioned upon the payment of the amount the collection of which is stayed, at the time at which, but for this section, such amount would be due.

SEC. 7. (a) TIME OF PAYMENT.—One-half of the total amount of the tax due as shown on the taxpayer's return shall be paid to the Collector on the 15th day of April following the close of the calendar year and the remaining one-half of such tax shall be paid to the Collector on the 15th day of October following the close of the calendar year, or, if the return be made on the basis of a fiscal year, then one-half of the total amount of such tax shall be paid on the 15th day of the fourth month following the close of the fiscal year and the remaining one-half of such tax shall be paid on the 15th day of the tenth month following the close of the fiscal year. Any deficiency in tax determined by the Assessor under the provisions of section 5 of this title shall be due and payable within ten days from the date of the assessment.

Payment of deficiency.

(b) EXTENSION OF TIME FOR PAYMENTS.—At the request of the taxpayer the Assessor may extend the time for payment by the taxpayer of the amount determined as the tax for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof: *Provided, however*, That where the time for filing a return is extended for a period exceeding six months under the provisions of title V, section 3 (b), the Assessor may extend the time for payment of the tax, or the first installment thereof, to the same date to which he has extended the time for filing the return. In such case the amount in respect to which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

Extension exceeding six months.

Ante, p. 342.

(c) VOLUNTARY ADVANCE PAYMENT.—A tax imposed by this article, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

SEC. 8. WITHHOLDING OF TAX AT SOURCE.—Whenever the Assessor shall deem it necessary in order to satisfy the District's claim for a tax payable by any foreign corporation or unincorporated business, he may, by rules and regulations, require any person subject to the jurisdiction of the District to withhold and pay to the Collector an amount not in excess of 5 per centum of all income payable by such person to such foreign corporation or unincorporated business. After such foreign corporation or unincorporated business shall have filed all returns required under this title, and the same shall have been audited, the Collector shall refund any overpayment to the taxpayer.

Tax payable by foreign corporation, etc.

Refund of overpayment.

SEC. 9. TAX A PERSONAL DEBT.—Every tax imposed by this article, and all increases, interest, and penalties thereof, shall become, from the time it is due and payable, a personal debt, from the person or

Priority, etc.

persons liable to pay the same to the District and shall be entitled to the same priority as other District taxes, and the taxes levied under this article and the interest and penalties thereon shall be collected by the Collector in the manner provided by law for the collection of taxes due the District on personal property in force at the time of such collection.

SEC. 10. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.—(a) GENERAL RULE.—Except as provided in subsection (b) of this section—

Assessment within three years.

(1) the amount of income taxes imposed by this article shall be assessed within three years after the return is filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period;

Request for assessment.

(2) in the case of income received during the lifetime of a decedent, or by his estate during the period of administration, or by a corporation, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun within twelve months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by the corporation, but not after the expiration of three years after the return is filed. This subsection shall not apply in the case of a corporation unless—

Applicability to corporation.

(A) such written request notifies the Assessor that the corporation contemplates dissolution at or before the expiration of such twelve-month period; and

(B) the dissolution is in good faith begun before the expiration of such twelve-month period; and

(C) the dissolution is completed;

Omission from gross income.

(3) if the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 per centum of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within five years after the return was filed;

Return filed prior to last day.

(4) for the purposes of subsections (a) (1), (a) (2), and (a) (3), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day: *Provided, however*, That the periods of limitation upon the assessment and collection of taxes provided in this section in cases where the taxpayer has appealed to the Board of Tax Appeals as provided in this article shall be suspended until such cases have been finally disposed of in the Board of Tax Appeals by final decision, dismissal, or otherwise.

Suspension of periods of limitation.

(b) FALSE RETURN.—In the case of a false or fraudulent return with intent to evade tax or of a failure to file a return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(c) WAIVER.—Where before the expiration of the time prescribed in subsection (a) for the assessment of the tax, both the Assessor and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(d) COLLECTION AFTER ASSESSMENT.—Where the assessment of any income tax imposed by this article has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun

(1) within three years after the assessment of the tax or (2) prior to the expiration of any period for collection agreed upon in writing by the Assessor and the taxpayer before the expiration of such three-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Crediting of overpayment, etc.
Ante, p. 352.

SEC. 11. REFUNDS.—Except as to any deficiency taxes assessed under the provisions of section 5 of this title, where there has been an overpayment of any tax imposed by this article, the amount of such overpayment shall be credited against any income tax or installment thereof, whether such tax was assessed as a deficiency or otherwise, then due from the taxpayer, and the balance shall be refunded to the taxpayer. No such credit or refund shall be allowed after three years from the time the tax was paid unless before the expiration of such period a claim therefor is filed by the taxpayer, and no tax or part thereof which the Assessor may determine to have been an overpayment shall be refunded after the period prescribed therefor in the Act appropriating the funds from which such refund would otherwise be made. The amount of such credit or refund shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or if no claim was filed, then during the three years immediately preceding the allowance of such credit or refund. Every claim for credit or refund must be in writing, under oath; must state the specific grounds upon which the claim is founded, and must be filed with the Assessor: *Provided*, That if it shall be determined by the Assessor, the Board of Tax Appeals for the District of Columbia, or any court that any part of any tax which was assessed as a deficiency under the provisions of section 5 of this title was an overpayment, interest shall be allowed and paid upon such overpayment at the rate of 4 per centum per annum from the date such overpayments were paid until the date of refund.

Time limitation.

Limitation on amount of credit or refund.

Filing of claim.

Interest on overpayment.

Ante, p. 352.

SEC. 12. CLOSING AGREEMENTS.—The Assessor is authorized to enter into a written agreement with any person relating to the liability of such person (or of the person or estate for whom he acts) in respect of any income tax for any period ending prior to the date of the agreement. If such agreement is approved by the Commissioners within such time as may be stated in such agreement, or later agreed to, such agreement shall be final and conclusive and except upon a showing of fraud or malfeasance, or misrepresentation of a material fact—the case shall not be reopened as to the matters agreed upon or the agreement modified; and in any suit or proceeding relating to the tax liability of the taxpayer such agreement shall not be annulled, modified, set aside, or disregarded.

SEC. 13. COMPROMISES.—(a) AUTHORITY TO MAKE.—Whenever in the opinion of the Commissioners there shall arise with respect of any tax imposed under this article any doubt as to the liability of the taxpayer or the collectibility of the tax for any reason whatsoever, the Commissioners may compromise such tax.

Penalty.

(b) CONCEALMENT OF ASSETS.—Any person who, in connection with any compromise under this section or offer of such compromise or in connection with any closing agreement under this title or offer to enter into any such agreement, willfully (1) conceals from any officer or employee of the District of Columbia any property belonging to the estate of the taxpayer or other person liable with respect of the tax, or (2) receives, destroys, mutilates, or falsifies any book, document, or record or makes under oath any false statement relating to the estate or the financial condition of the taxpayer or to the person liable in respect of the tax, shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than one year, or both.

Prosecutions.

All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

(c) OF PENALTIES AND INTEREST.—The Commissioners shall have the power for cause shown to compromise any penalty which may be imposed by the Assessor under the provisions of this article. The Assessor may adjust any interest where, in his opinion, the facts in the case warrant such action.

SEC. 14. DEFINITION OF "PERSON".—The term "person" as used in this title includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under duty to perform the act in respect to which the violation occurs.

SEC. 15. PAYMENT TO COLLECTOR AND RECEIPTS.—The taxes provided under this article shall be collected by the Collector and the revenues derived therefrom shall be turned over to the Treasury of the United States for credit to the District in the same manner as other revenues are turned over to the United States Treasury for credit to the District. The Collector shall, upon written request, give to the person making payment of any income tax a full written or printed receipt therefor.

TITLE XIII—PENALTIES AND INTEREST

Addition to tax.

SEC. 1. FAILURE TO FILE RETURN.—In case of any failure to make and file a return required by this article, within the time prescribed by law or prescribed by the Commissioners or Assessor in pursuance of law, 5 per centum of the tax shall be added to the tax for each month or fraction thereof that such failure continues, not to exceed 25 per centum in the aggregate, except that when a return is filed after such time and it is shown that the failure to file it was due to reasonable cause and not due to willful neglect, no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be assessed and collected.

SEC. 2. INTEREST ON DEFICIENCIES.—(a) Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the Collector, and shall be collected as a part of the tax, at the rate of 6 per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

(b) IF EXTENSION GRANTED FOR PAYMENT OF DEFICIENCY.—If the time for payment of any part of a deficiency is extended, there shall be collected, as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended at the rate of 6 per centum per annum for the period of the extension. If a part of the deficiency the time for payment of which is so extended is not paid in full, together with all penalties and interest due thereon, prior to the expiration of the period of the extension, then interest at the rate of 6 per centum per annum shall be added and collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

SEC. 3. ADDITIONS TO THE TAX IN CASE OF DEFICIENCY.—(a) NEGLIGENCE.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(b) FRAUD.—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid.

SEC. 4. ADDITIONS TO THE TAX IN CASE OF NONPAYMENT.—(a) TAX SHOWN ON RETURN.—(1) GENERAL RULE.—Where the amount determined by the taxpayer as the tax imposed by this article, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate of 6 per centum per annum from the date prescribed for its payment until it is paid.

(2) IF EXTENSION GRANTED.—Where an extension of time for payment of the amount so determined as the tax by the taxpayer, or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under section 5 of this title is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in subsection (a) (1) of this section, interest at the rate of 6 per centum per annum shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(b) DEFICIENCY.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 2 or under section 3, or any addition to the tax in case of delinquency provided for in section 1 is not paid in full within ten days from the date of assessment thereof, there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of 6 per centum per annum from the date of such notice and demand until it is paid.

SEC. 5. TIME EXTENDED FOR PAYMENT OF TAX SHOWN ON RETURN.—If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of title XII, section 7 (b), there shall be collected, as a part of such amount, interest thereon at the rate of 6 per centum per annum from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension.

Ante, p. 353.

SEC. 6. PENALTIES.—(a) WILLFUL VIOLATION.—Any person required under this article to pay or collect any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of this article, who willfully refuses to pay or collect such tax, to make such return, to keep such records, or to supply such information, or who makes a false or fraudulent return, or who willfully attempts in any manner to defeat or evade the tax imposed by this Act, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and shall be fined not more than $5,000 or imprisoned for not more than one year, or both, together with costs of prosecution. All prosecutions under this section shall be brought in the Municipal Court of the District of Columbia on information by the Corporation Counsel or one of his assistants in the name of the District.

Prosecutions.

(b) DEFINITION OF "PERSON".—The term "person" as used in this title includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under duty to perform the act in respect to which the violation occurs.

TITLE XIV—LICENSES

SEC. 1. REQUIREMENT.—No corporation or unincorporated business, except such corporations or unincorporated businesses as are expressly exempt under the provisions of title II of this article, shall engage in or carry on any trade or business in the District without a license

Ante, p. 334.

so to do issued under this article in addition to all other licenses and permits required by law, except as hereinafter provided. For the first calendar year to which this article is applicable, no license shall be required of any corporation licensed under the provisions of the Act of July 26, 1939, as amended. Every corporation not so licensed and every unincorporated business shall obtain such license within sixty days after the approval of this Act. Every corporation or unincorporated business which commences to engage in or carry on any trade or business in the District after the passage of this Act shall obtain a license under this article within sixty days after the date of the commencement of such trade or business in the District. Applications for licenses shall be filed with the Assessor prior to January 1 of each year upon forms prescribed and furnished by the Assessor, and each application shall be accompanied by a fee of $10.

53 Stat. 1085. D. C. Code §§ 47-1501 to 47-1543. *Ante*, p. 331. Time limitation.

Applications.

SEC. 2. DURATION OF LICENSE.—All licenses issued under this title shall be in effect for the duration of the calendar year for which issued, unless revoked as provided in this title, and shall expire at midnight on the 31st day of December of each year. No license may be transferred to any other corporation or unincorporated business.

Nontransferability.

SEC. 3. LICENSES TO BE POSTED.—All licenses granted under this title to corporations or unincorporated businesses having an office or place of business in the District must be conspicuously posted in the office or on the premises of the licensee, and said license shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspection.

SEC. 4. WHERE A CORPORATION OR UNINCORPORATED BUSINESS HAS NO OFFICE OR PLACE OF BUSINESS IN THE DISTRICT, AGENT OR EMPLOYEE SHALL CARRY CERTIFICATE OR LICENSE.—Every corporation and every unincorporated business not having an office or place of business in the District which engages in or carries on any trade or business in the District by or through an employee or agent shall procure the license provided by this title. Every employee or agent of any such corporation or unincorporated business shall carry either the license or a certificate from the Assessor that the license has been obtained, which license or certificate shall be exhibited to the police or other officers duly authorized to inspect the same. Such certificate shall be in such form as the Assessor shall determine, and shall be furnished, without charge, by the Assessor, upon request. No employee or agent of the corporation not having an office or place of business in the District shall engage in or carry on any trade or business in the District for or on behalf of such corporation or unincorporated business unless such corporation or unincorporated business shall have first obtained a license, as provided by this title.

SEC. 5. REVOCATION.—The Commissioners may, after hearing, revoke any license issued hereunder for failure of the licensee to file a return or corrected return within the time required by this article, or to pay any installment of tax when due.

SEC. 6. RENEWAL.—Licenses shall be renewed for the ensuing calendar year upon application as provided in section 1 of this title. No license shall be issued or renewed if the taxpayer has failed or refused to pay any tax or installment thereof, or penalties or interest thereon, imposed by this article: *Provided, however*, That the Commissioners, in their discretion, for cause shown, may, on such terms or conditions as they may determine or prescribe, waive the provisions of this section.

Waiver.

SEC. 7. PENALTY FOR FAILURE TO OBTAIN LICENSE.—Any corporation or unincorporated business engaged in or carrying on any trade or business in the District or receiving income from sources within the District within the meaning of title X of this article without having obtained a license so to do, within the time prescribed by section 1 of

Ante, p. 349.

this title, and any person engaging in or carrying on any trade or business in the District or receiving income from sources within the District within the meaning of title X of this article for or on behalf of any corporation or unincorporated business not having a license so to do, shall, upon conviction thereof, be fined not more than $300 for each and every failure, refusal, or violation, and each and every day that such failure, refusal, or violation continues shall constitute a separate and distinct offense. All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel or any of his assistants in the name of the District: *Provided, however*, That the provisions of this section shall not apply to mere collection by an agent of income of a corporation or unincorporated business not having the license required under this title.

Prosecutions.

Nonapplicability.

TITLE XV—APPEAL

SEC. 1. APPEAL TO BOARD OF TAX APPEALS FOR THE DISTRICT OF COLUMBIA.—Any person aggrieved by any assessment of a deficiency in tax determined and assessed by the Assessor under the provisions of title XII, section 5, of this article and any person aggrieved by the denial of any claim for refund made under the provisions of title XII, section 11 of this article, may, within ninety days from the date of the assessment of the deficiency or from the date of the denial of a claim for refund, as the case may be, appeal to the Board of Tax Appeals for the District of Columbia, in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, and as the same may hereafter be amended.

Ante, p. 352.

Ante, p. 355.

52 Stat. 371, 374-375. D. C. Code §§ 47-2403, 47-2404, 47-2407 to 47-2411.

SEC. 2. ELECTION OF REMEDY.—The remedy provided in section 1 of this title shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law, but no suit by the taxpayer for the recovery of any part of any tax shall be instituted in any court if the taxpayer has elected to file an appeal with respect to such tax in accordance with the provisions of section 1 of this title.

TITLE XVI—RULES AND REGULATIONS

SEC. 1. The Commissioners shall prescribe and publish such rules and regulations, consistent with the provisions of this article, as may be necessary and proper for its enforcement and efficient administration.

ARTICLE II—INCREASE IN RATE OF TAXATION OF REAL AND TANGIBLE PERSONAL PROPERTY

For each of the fiscal years ending June 30, 1948, and June 30, 1949, respectively, the rate of taxation imposed for the District of Columbia on real and tangible personal property shall not be less than 2 per centum on the assessed value of such property.

ARTICLE III—INCREASE IN MOTOR-FUEL TAX

SEC. 1. The tax of 2 cents per gallon on motor-vehicle fuels within the District of Columbia, sold or otherwise disposed of by an importer, or used by him in a motor vehicle operated for hire or for commercial purposes, imposed by the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended, and increased by the Act entitled "An Act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1951", approved

43 Stat. 106. D. C. Code §§ 47-1901 to 47-1916.

55 Stat. 871. D. C. Code, Supp. V, §§ 47-1901a, 47-1904 to 47-1906.

December 26, 1941, to 3 cents per gallon effective January 1, 1942, and extending to and including June 30, 1951, is hereby further increased to 4 cents per gallon effective on the first day of the first month following the approval of this Act and extending to and including June 30, 1952, and thereafter the tax shall be 3 cents per gallon. When, pursuant to section 14 of such Act, gasoline or other motor-vehicle fuel is sold by any agency of the United States within the District of Columbia, for use in privately owned vehicles, such agency of the United States shall, by agreement with the Commissioners of the District of Columbia, arrange for the collection of the full amount of the tax per gallon herein authorized to be imposed and as increased by this section, and shall account to the collector of taxes of the District of Columbia for the proceeds of such tax collections.

43 Stat. 109. D. C. Code § 47-1912.

Repeal.

SEC. 2. Section 1 of the Act entitled "An Act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1951", approved December 26, 1941, is hereby repealed, effective on the first day of the first month following the approval of this Act.

55 Stat. 871. D. C. Code, Supp. V, § 47-1901a.

ARTICLE IV—AMENDMENT TO MOTOR VEHICLE INSPECTION ACT

SEC 1. Section 1 of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, be, and the same hereby is, amended to read as follows:

52 Stat. 78. D. C. Code § 40-201.

"That at the time of the registration of each motor vehicle or trailer there shall be levied and collected a fee known as the 'inspection fee' of $1."

52 Stat. 78. D. C. Code § 40-203.

SEC. 2. Section 3 of said Act is hereby amended by inserting immediately after the words "motor vehicles" the words "and trailers".

52 Stat. 78. D. C. Code § 40-204.

SEC. 3. Section 4 of said Act is hereby amended by inserting immediately after the words "motor vehicles" the words "and trailers".

Effective date.

SEC. 4. This article shall become effective thirty days after the approval of this Act.

ARTICLE V—INCREASE IN WATER RENTS AND ASSESSMENTS FOR WATER MAINS

SEC. 1. Water rents charged by the District of Columbia for water used in the District of Columbia on and after July 1, 1947, shall be increased 25 per centum over the rents now in effect. Whenever the application of this increase to an existing rate results in a rate with a fractional part of a cent, the rate shall be, if the fraction be one-half cent or more, the nearest higher amount not containing a fraction, and, if the fraction be less than one-half cent, the nearest lower amount not containing a fraction. In computing the rent for the consumption of water in excess of the minimum amount allowed by law for metered service, if the rent is charged for a period beginning prior to July 1, 1947, and ending thereafter, the rent for such excess consumption shall be prorated.

SEC. 2. The rate of assessment for laying or constructing water mains in the District of Columbia under the provisions of the Act entitled "An Act authorizing the laying of water mains and service sewers, and for other purposes", approved April 22, 1904, is hereby established at $1.90 per linear foot for any water mains constructed or laid on and after July 1, 1947.

33 Stat. 244. D. C. Code §§ 43-1510 to 43-1517.

ARTICLE VI—FEDERAL PAYMENT

For the fiscal year ending June 30, 1948, and for each fiscal year thereafter, there is hereby authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $12,000,000, of which $11,000,000 shall be credited to the general fund of the District of Columbia and $1,000,000 shall be credited to the water fund of the District of Columbia, established by law (title 43, ch. 15, D. C. Code, 1940 edition).

Appropriations authorized.
Post, p. 425.

ARTICLE VII—SEPARABILITY CLAUSE

If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to the other persons or circumstances, shall not be affected thereby.

Approved July 16, 1947.

[CHAPTER 261]

JOINT RESOLUTION

Making temporary appropriations for the fiscal year 1948.

July 17, 1947
[H. J. Res. 240]
[Public Law 196]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby appropriated, and out of applicable corporate or other revenue, receipts, and funds, respectively, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to meet pay rolls (obligations for which were incurred in accordance with section 102 of the Second Urgent Deficiency Appropriation Act, 1947, Public Law 122, or in accordance with provisions of the Emergency Appropriation Act, 1948, Public Law 161) for pay periods ending prior to July 16, 1947: *Provided*, That expenditures hereunder shall be charged to the appropriate appropriations for the fiscal year 1948 when made.

Temporary appropriations, 1948.
Ante, p. 187.
Ante, p. 243.

Approved July 17, 1947.

[CHAPTER 262]

AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1948, and for other purposes.

July 17, 1947
[H. R. 3993]
[Public Law 197]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1948, namely:

Legislative Branch Appropriation Act, 1948.
Supra; ante, pp. 118, 187, 188, 245; *post*, pp. 608, 609, 610, 611, 695, 696, 941.

SENATE

SALARIES, MILEAGE, AND EXPENSES OF SENATORS

For compensation of Senators, $1,200,000.
For mileage of the President of the Senate and of Senators, $51,000.
For expense allowance of Senators, $240,000.

Post, p. 941.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

OFFICE OF THE VICE PRESIDENT

For compensation of the Vice President of the United States, $20,000.

For clerical assistance to the Vice President, at rates of compensation to be fixed by him, $32,385.

CHAPLAIN

Chaplain of the Senate, $2,520.

OFFICE OF THE SECRETARY

Disbursing office.

For office of the Secretary, $306,815: *Provided*, That the basic lump sum for additional clerical assistance and readjustment of salaries in the disbursing office is increased by $2,520: *Provided further*, That the basic annual rates of compensation for the following positions shall be: Printing clerk, $5,000; keeper of stationery, $4,000; librarian, $4,000; clerk, $3,000 in lieu of clerk, $2,760; assistant at press door, $2,520 in lieu of $2,400; coordinator, joint recording facility, $6,660.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees, $1,335,785.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $26,380.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $26,380.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, $4,482,555.

Post, pp. 610, 695.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, $775,850: *Provided*, That the salaries of pages shall cover the periods from July 1 to July 31, 1947, inclusive, and from January 1 to June 30, 1948, inclusive, at the basic salary rate of $1,800 per annum each: *Provided further*, That the following positions are abolished: Clerk on Journal work for Congressional Record to be selected by the Official Reporters, $3,360; messenger, $2,140; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at $1,560 each; laborer in charge of Senate toilet rooms in old library space, $1,260: *Provided further*, That the rates of basic annual compensation for the following positions shall be: Clerk, $3,480 in lieu of clerk, $3,300; clerk, $3,300 in lieu of clerk, $3,120; superintendent, Periodical Press Gallery, $3,660; assistant postmaster, $4,140; messengers (acting as assistant doorkeepers)—four at $2,560 each in lieu of three at $2,560 each; cabinetmakers—chief, $3,080; two at $2,460 each; finisher, $2,460;

upholsterer, $2,460; janitors—chief, $3,200; assistant, $1,860; female attendants in charge of ladies' retiring rooms—two at $1,560 each in lieu of four at $1,560 each; laborers—twenty-seven at $1,320 each in lieu of twenty-six at $1,320 each; four at $540 each in lieu of three at $540 each.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

Post, p. 610.

For the offices of the secretary for the majority and the secretary for the minority, heretofore included under the office of the Sergeant at Arms, $43,120.

CONTINGENT EXPENSES OF THE SENATE

Post, p. 611.

Legislative reorganization: For salaries and expenses, legislative reorganization, including the objects specified in Public Law 663, Seventy-ninth Congress, $100,000. 60 Stat. 910.

Senate policy committees: For salaries and expenses of the Majority Policy Committee and Minority Policy Committee, $41,000 for each such committee; in all, $82,000.

Joint Committee on the Economic Report: For salaries and expenses of the Joint Committee on the Economic Report, as authorized by Public Law 304, Seventy-ninth Congress, $70,000. 60 Stat. 23. 15 U. S. C. §§ 1021-1024.

Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, including the objects specified in Public Law 20, Eightieth Congress, $150,000. *Ante*, p. 16.

Joint Committee on Printing: For salaries for the Joint Committee on Printing, $19,710, and for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $21,310.

Vice President's Automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $5,000.

Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate, and one for the minority leader of the Senate, $10,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $100,260.

Furniture: For services in cleaning, repairing, and varnishing furniture, $2,760.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, $12,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, but not exceeding the rate of 25 cents per hundred words for the original transcript of reported matter; and including $50,000 for the Committee on Appropriations for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, and Public Law 20, Eightieth Congress, $650,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses, except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended. 60 Stat. 831. *Ante*, p. 14. 44 Stat. 688. 5 U. S. C. § 821.

Folding documents: For folding speeches and pamphlets at a basic rate not exceeding $1 per thousand, $25,000.

Materials for folding: For materials for folding, $1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,000.

Post, pp. 611, 696.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law 709, Seventy-seventh Congress), $45,000.

56 Stat. 750.
40 U. S. C. §§ 174f-174j.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $9,560.

Miscellaneous items: For miscellaneous items, exclusive of labor, $626,765.

Packing boxes: For packing boxes, $3,000.

Postage stamps: For office of Secretary, $350; office of Sergeant at Arms, $150; in all, $500.

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate as authorized by law, $10,250.

Stationery: For stationery for Senators and for the President pro tempore of the Senate, including $7,500 for stationery for committees and offices of the Senate, $46,300.

Rent: For rent of warehouse for storage of public documents from July 1 to November 30, 1947, $2,645.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the Senate" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

HOUSE OF REPRESENTATIVES

SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, $5,482,500.

Post, p. 941.

For mileage and expense allowance of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, as authorized by law, $1,266,000.

Post, p. 696.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers and employees, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

OFFICE OF THE SPEAKER

For Office of the Speaker, $38,000.

THE SPEAKER'S TABLE

Post, p. 611.

For the Speaker's table, including $1,000 for preparing Digest of the Rules, $24,120: *Provided*, That the salary of the Assistant Parliamentarian shall be at the basic rate of $4,000 and $3,000 additional so long as the position is held by the present incumbent.

CHAPLAIN

For the Chaplain, $3,750.

OFFICE OF THE CLERK

For the Office of the Clerk, $384,335: *Provided*, That one position of clerk at the basic rate of $2,340 is hereby abolished and in lieu thereof there shall be an additional assistant Journal clerk at the basic rate of $2,860: *Provided further*, That the following positions and basic rates of compensation are established under the Joint Recording Facility: Director of studios, $3,240; chief engineer, $2,220; first assistant engineer, $1,800; second assistant engineer, $1,680; secretary, $1,500.

COMMITTEE EMPLOYEES

Post, p. 611.

For committee employees, including a sum not to exceed $165,000 for the Committee on Appropriations, $1,521,750.

OFFICE OF THE SERGEANT AT ARMS

For Office of the Sergeant at Arms, $274,635.

Post, p. 696.

OFFICE OF THE DOORKEEPER

For Office of the Doorkeeper, $459,530: *Provided*, That the salaries of pages shall cover the periods from July 1 to July 31, 1947, inclusive, and from January 1 to June 30, 1948, inclusive, at the basic salary rate of $1,800 per annum each: *Provided further*, That the salary of the superintendent, House Periodical Press Gallery, shall be at the basic rate of $3,000.

SPECIAL AND MINORITY EMPLOYEES

For six minority employees, $35,890.

For three special employees, $7,040.

For office of the majority floor leader, including $2,000 for official expenses of the majority leader, $32,825.

For office of the minority floor leader, $24,260: *Provided*, That the title of the position of "janitor" is hereby changed to "messenger".

For two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, $5,105.

For two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, $5,820.

For two clerks, one for the majority whip and one for the minority whip, to be appointed by said whips, respectively, $8,580.

For a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, $5,120.

OFFICE OF THE POSTMASTER

For Office of the Postmaster, $135,480.

OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, $100,865.

OFFICIAL REPORTERS TO COMMITTEES

Transcripts of hearings.

For official reporters to committees, $84,725: *Provided*, That hereafter any sums received from the sales of copies of transcripts of hearings of committees reported by such reporters shall be covered into the Treasury as "Miscellaneous receipts".

APPROPRIATIONS COMMITTEE

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, to be expended in accordance with section 202 (b) of the Legislative Reorganization Act, 1946, $150,000.

60 Stat. 834.
2 U. S. C. § 72a(b).

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, $5,915,000, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including labor, tools, and machinery for furniture repair shops, and for the purchase of packing boxes, $100,000.

Miscellaneous items: For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of $27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Law 812); the sum of $1,200 for the exchange, operation, maintenance and repair of the Clerk's motor vehicles; the sum of $500 for the exchange, operation, maintenance, and repair of the folding room motor truck; the sum of $2,200 for the purchase, exchange, maintenance, operation, and repair of the post-office motor vehicles for carrying the mails; the sum of $600 for hire of automobile for the Sergeant at Arms, and materials for folding; in all, $165,000: *Provided*, That no part of this appropriation shall be used to pay the salaries of three additional laborers authorized in section 2 of the House Resolution Numbered 385, adopted December 17, 1943.

54 Stat. 1056.

Restriction.

Reporting hearings: For stenographic reports of hearings of committees other than special and select committees, $65,000.

Post, p. 696.

Special and select committees: For salaries and expenses of special and select committees authorized by the House, $500,000.

Joint Committee on Internal Revenue Taxation: For the payment of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation, $185,000.

Office of the Coordinator of Information: For salaries and other expenses of the Office of the Coordinator of Information, $60,000.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, $400,000.

Stationery: For a stationery allowance of $500 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the second session of the Eightieth Congress, and for stationery for the use of the committees, departments, and officers of the House (not to exceed $8,000), $227,000, to remain available until expended. There is hereby established a revolving fund for the purpose of administering the funds appropriated for stationery allowances to each Representative, Delegate, the Resident Commissioner from Puerto Rico; and stationery for use of the committees, departments, and officers of the House. All moneys hereafter received by the stationery room of the House of Representatives from the sale of stationery supplies and other equipment shall be deposited in the revolving fund and shall be available for disbursement from the fund in the same manner as other sums that may be appropriated by the Congress for this purpose. The unexpended balance of all moneys

heretofore received by the stationery room of the House of Representatives from the sale of stationery supplies and equipment shall be deposited in the Treasury of the United States to the credit of the fund: *Provided*, That the unexpended balances in the appropriations "Contingent expenses, House of Representatives, stationery, 1945–1946"; "Contingent expenses, House of Representatives, stationery, 1946"; "Contingent expenses, House of Representatives, stationery, 1947–1948", as of June 30, 1947, shall be transferred to and made available for expenditure out of the fund, together with appropriations herein or hereafter made therefor, to remain available until expended.

Transfer of funds.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of $1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed $30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, $6,985.

Postage stamps: Postmaster, $200; Clerk, $400; Sergeant at Arms, $250; Doorkeeper, $100; and to enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air-mail and special-delivery postage stamps as authorized by law, $32,850; in all $33,800.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding $1 per thousand or for the employment of personnel at a rate not to exceed $5.20 per day per person, $60,000.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), $10,000, to be expended under the direction of the Committee on the Judiciary.

45 Stat. 1008.
Post, p. 641.

Speaker's automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, $9,200.

Appropriation for committee employees.

The appropriation for committee employees as contained in this Act and hereafter, shall be available in such amounts and under such regulations as may be approved by the Committee on House Administration for compensation of employees of the standing committees of the House of Representatives, except the Committee on Appropriations.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the House" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

No part of the appropriation contained in this title for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children, or both, of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Defraying of designated expenses, restriction.

Every committee serving the House of Representatives shall report to the Clerk of the House within fifteen days after December 31 and June 30 of each year the name, profession, and total salary of each person employed by such committee or any subcommittee thereof during the period covered by such report, and shall make an accounting of funds made available to and expended by such committee or

Reports by committees of persons employed, etc.

subcommittee during such period, and such information when reported shall be published in the Congressional Record. The first such report shall cover the period beginning on January 3, 1947, and ending on June 30, 1947, and succeeding reports shall cover the six months' period ending on the preceeding December 31 or June 30, as the case may be. The information required to be reported and published shall be in lieu of the information required to be reported and published under section 134 (b) of the Legislative Reorganization Act of 1946, as amended, in the case of committees of the House and their subcommittees.

60 Stat. 832.

CAPITOL POLICE

Post, p. 696.

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including $25 per month for extra services performed by a member of such force for the Capitol Police Board, $15,500.

Capitol Buildings and Grounds, etc.
Additional protection.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, $8,600. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

Status of detailed personnel.

Reimbursement for salaries, etc.

Details from Metropolitan Police, D. C.

55 Stat. 456.

54 Stat. 629.

Disbursement.

The foregoing amounts under "Capitol Police" shall be disbursed by the Clerk of the House.

OFFICE OF THE LEGISLATIVE COUNSEL

For salaries and expenses of maintenance of the Office of the Legislative Counsel, as authorized by law, including increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", $160,000, of which $80,000 shall be disbursed by the Secretary of the Senate and $80,000 by the Clerk of the House of Representatives.

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*
Post, p. 727.

EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, pursuant to the provisions of section 243 of the Act of Congress entitled "An Act to provide for increased efficiency in the Legislative Branch of the Government", approved August 2, 1946, $21,300, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1948", and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe: *Provided*, That, notwithstanding the provisions of section 6 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes", approved May 10, 1916, as amended, the Board of Education of the District of Columbia is authorized and directed to pay Joseph Skubitz and Joseph J. Sullivan for services rendered by them as teachers in the Capitol Page School for the period January 2, 1947, to April 3, 1947, inclusive.

60 Stat. 839.
2 U. S. C. § 88a.

Post, p. 428.

Joseph Skubitz and Joseph J. Sullivan.

39 Stat. 120.
5 U. S. C. §§ 58, 59.

STATEMENT OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Eightieth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills as required by law, $4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

Post, p. 612.

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol (whose compensation shall be at the rate of $7,000 per annum), Chief Architectural and Engineering Assistant, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect, and, in case of the absence or disability of the Assistant Architect, the Chief Architectural and Engineering Assistant shall so act; $105,000.

Travel expenses.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $1,500.

Cost of handling penalty mail, Architect of the Capitol: For deposit in the general fund of the Treasury for cost of penalty mail of the Architect of the Capitol as required by section 2 of the Act of June 28, 1944 (Public Law 364), $350.

58 Stat. 394.
39 U. S. C. § 321d.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office

Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding $300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed $150 for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; $463,700.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 (41 U. S. C. 5) of the Revised Statutes, $177,500.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, $24,300.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, $2,000.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services, including four female attendants in charge of ladies' retiring rooms at $1,500 each and one at $1,560, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, $547,205.

Compensation of superintendent.

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, $652,500, and so long as the position is held by the present incumbent the superintendent of the House Office Buildings shall be paid $500 per annum in addition to compensation otherwise payable under law.

Capitol Power Plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, $1,056,650.

36 Stat. 531.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

Reimbursement for heat, etc.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year

1948, and the amounts so reimbursed shall be covered into the Treasury.

LIBRARY BUILDING AND GROUNDS

MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, $180,000.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays, at rates to be fixed by such Architect, $14,700.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, $57,050.

Furniture.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, and the purchase of office and library equipment, apparatus, and labor-saving devices, $20,000, to be expended under the direction of the Architect of the Capitol.

BOTANIC GARDEN

Salaries: For personal services (including not exceeding $3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), $135,000; all under the direction of the Joint Committee on the Library.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons, when required for use by employees in connection with their work; not to exceed $25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants, not to exceed $250; streetcar fares, not exceeding $25; not to exceed $45 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials, and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motortrucks, and maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, $20,000.

58 Stat. 394.
39 U. S. C. § 321d.

Distribution of nursery stock.

No part of the appropriations contained in this Act for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

LIBRARY OF CONGRESS

Salaries, Library, proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including investigations of Library employees with regard to loyalty and including special and temporary services and extra special services of

regular employees (not exceeding $5,000) at rates to be fixed by Librarian, $2,350,000, of which so much as may be necessary may be transferred to other agencies of the Government for the purpose of investigating the loyalty of Library employees: *Provided*, That hereafter the gross salary of any position in the Library which is augmented by payment of an honorarium from other than appropriated funds shall not exceed such rate as, combined with such honorarium, will not exceed $10,000.

Gross salary augmented by honorarium.

COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register; and other personal services, $591,925.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, miscellaneous printing, supplies and materials, and including not to exceed $20,000 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, $450,000: *Provided*, That not more than $25,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

Digests of Public General Bills.

DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For the distribution of printed cards and other publications of the Library, including personal services, freight charges (not exceeding $500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed $30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, $350,000.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed $2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, $50,000, to continue available during the fiscal year 1949.

44 Stat. 1066.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed $700 for special and temporary services, including extra special services of

regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, $61,000.

MOTION PICTURE PROJECT

For expenses during the month of July and liquidation (including storage of films pending disposition and $5,030 available exclusively for terminal leave) $12,000.

INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed $25,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, $300,000, to continue available during the fiscal year 1949.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses not to exceed $2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, $95,000, to continue available during the fiscal year 1949.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, $20,000.

BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, $1,000,000, including not exceeding $50,000 for personal services, not exceeding $200,000 for books in raised characters, and the balance remaining for sound-reproduction records and for the purchase, maintenance, and replacement of the Government-owned reproducers for sound-reproduction records for the blind and not exceeding $1,000 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian. 46 Stat. 1487.

PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of Library books, and for the Library Buildings, $381,500.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright

Office and the decisions of the United States courts involving copyrights, $35,000.

Printing catalogue cards: For the printing of catalogue cards and of miscellaneous publications relating to the distribution of catalogue cards, and for duplication of catalogue cards by methods other than printing, $400,000.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $40,000.

Photoduplicating.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, and for the purchase of photoduplications, $20,700.

Penalty Mail Costs, Library of Congress: For deposit in the general fund of the Treasury for cost of penalty mail for the Library of Congress as required by section 2 of the Act of June 28, 1944 (Public Law 364), $29,000.

58 Stat. 394.
39 U. S. C. § 321d.

LIBRARY BUILDINGS

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding $750) at rates to be fixed by the Librarian, $495,000.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Incidental expenses.

For mail, delivery, including maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards, and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings, $30,000.

LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $500.

Citizenship requirements, exemptions.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 202 of the Independent Offices Appropriation Act, 1948, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 202 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

Post, p. 608.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the

Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed $3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not exceeding $750); adding and numbering machines, time stamps, and other machines of similar character; purchase of uniforms for guards; rubber boots, coats, and gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at $4,951, one cataloger at $4,537, two catalogers at $3,544 each, and one cataloger at $3,047); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $14,520,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301, 317) (not exceeding $450,000); for the printing and binding of the supplements to the Code of Federal Regulations, as authorized by the Act of July 26, 1935 (44 U. S. C. 311), $100,000; the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding $5,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding $4,520,000: *Provided*, That not less than $10,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1948: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $4,520,000 shall be used for printing and binding part 2 of the annual

Salaries, etc.

Leave with pay.

Machinery.

Congressional Record indexes.

Federal Register.
49 Stat. 500.
44 U. S. C. §§ 301-314.
Post, p. 453.

Supplements to CFR.
49 Stat. 503.
44 U. S. C. § 311a.
Post, p. 453.

Unexpended balance.

Year-book of Agriculture.

28 Stat. 612.

report of the Secretary of Agriculture (known as the Year-book of Agriculture).

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Payment for work ordered by departments, etc.

During the fiscal year 1948 any executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do; all sums received from sales of wastepaper, other waste material, and condemned property; and for losses or damage to Government property; shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office and be subject to requisition by the Public Printer.

Adjustments.

Credit of payments to working capital.

Employees detailed for service in executive branch.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Salaries: For the Superintendent of Documents, assistant superintendent and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C.), $1,321,500.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

43 Stat. 658.
44 U. S. C. § 40.

General expenses: For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectant, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed $200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, $370,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

Books for depository libraries.

PENALTY MAIL, GOVERNMENT PRINTING OFFICE

For deposit in the general fund of the Treasury for cost of penalty mail of the Government Printing Office as required by section 2 of the Act of June 28, 1944 (Public Law 364), $400,000.

58 Stat. 394.
39 U. S. C. § 321d.

SEC. 102. Purchases may be made from the foregoing appropriations under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

28 Stat. 601.
44 U. S. C. § 1 *et seq.*
36 Stat. 531.

SEC. 103. In order to keep the expenditures for printing and binding for the fiscal year 1948 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Annual, etc., reports.

Original copies.

SEC. 104. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

Private vehicles.

SEC. 105. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions relating to positions and salaries thereof carried in House Resolutions 628, 691, and 693 (Seventy-ninth Congress) and House Resolutions 42, 54, 74, 78, 96, 113, and 183 (Eightieth Congress) shall be the permanent law with respect thereto.

Rate of compensation and designation of positions.
46 Stat. 32.
2 U. S. C. § 60a.

SEC. 106. No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds.

Capitol Police. Standards required.

Details for duty on Capitol Grounds.

SEC. 107. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 108. This Act may be cited as the "Legislative Branch Appropriation Act, 1948".

Approved July 17, 1947.

[CHAPTER 263]

July 17, 1947
[H. R. 494]
[Public Law 198]

AN ACT

To reorganize the system of parole of prisoners convicted in the District of Columbia.

Board of Parole, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a Board of Parole for the penal and correctional institutions of the District of Columbia is hereby created to consist of three members appointed by the Commissioners of the District of Columbia, one of whom shall serve on a full-time basis and be designated by the Commissioners as Parole Executive. The other two members shall serve without compensation, one of whom shall be elected Chairman of the said Board. The Board of Parole shall select its own Chairman and shall have power to establish rules and regulations for its procedure.

Rules and regulations.

Transfer of powers, records, etc.

Infra; post, p. 379.

SEC. 2. Upon appointment of the members of the Board of Parole, the powers of the Board of Indeterminate Sentence and Parole created by the Act of July 15, 1932 (ch. 492, 47 Stat. 696, title 24, D. C. Code, sec. 201), not specifically repealed by this Act, shall be transferred to and vested in the Board of Parole. The officers and employees of the Board of Indeterminate Sentence and Parole, except the members thereof, together with all official records, furniture and supplies, and all unexpended balances of any appropriations, shall be transferred to the Board of Parole. It shall be the duty of the parole executive to prepare for the consideration of the Board of Parole all applications of prisoners for parole in such form and at such times and together with such information and records as the Board of Parole may require, to perform such administrative duties as the Board may prescribe, and to supervise prisoners on parole in accordance with the terms and conditions prescribed by the Board. The Department of Corrections, and all other agencies and officials of the District shall cooperate with the Board and shall furnish the Board with such information, files, and records as it may deem necessary in the performance of its duties: *Provided*, That confidential information and records shall not be required to be produced.

Duties of parole executive.

Cooperation of other agencies, etc.

Confidential records, etc.

SEC. 3. Section 4 of the Act of July 15, 1932 (ch. 492, 47 Stat. 697; title 24, D. C. Code, sec. 204), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

Parole of prisoner.

"SEC. 4. Whenever it shall appear to the Board of Parole that there is a reasonable probability that a prisoner will live and remain at liberty without violating the law, that his release is not incompatible with the welfare of society, and that he has served the minimum sentence imposed or the prescribed portion of his sentence, as the case may be, the Board may authorize his release on parole upon such terms and conditions as the Board shall from time to time prescribe. While on parole, a prisoner shall remain in the legal custody and under

Custody, etc.

the control of the Attorney General of the United States or his authorized representative until the expiration of the maximum of the term or terms specified in his sentence without regard to good time allowance."

Application for reduction of minimum sentence.

SEC. 4. When by reason of his training and response to the rehabilitation program of the Department of Corrections it appears to the Board that there is a reasonable probability that a prisoner will live and remain at liberty without violating the law, and that his immediate release is not incompatible with the welfare of society, but he has not served his minimum sentence, the Board in its discretion may apply to the court imposing sentence for a reduction of his minimum sentence. The court shall have jurisdiction to act upon the application at any time prior to the expiration of the minimum sentence and no hearing shall be required.

Jurisdiction of court.

SEC. 5. Section 6 of the Act of July 15, 1932 (ch. 492, 47 Stat. 698; title 24, D. C. Code, sec. 206), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

Opportunity for hearing by retaken prisoner.

"SEC. 6. When a prisoner has been retaken upon a warrant issued by the Board of Parole, he shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board. At such hearing he may be represented by counsel. The Board may then, or at any time in its discretion, terminate the parole or modify the terms and conditions thereof. If the order of parole shall be revoked, the prisoner, unless subsequently reparoled, shall serve the remainder of the sentence originally imposed less any commutation for good conduct which may be earned by him after his return to custody. For the purpose of computing commutation for good conduct, the remainder of the sentence originally imposed shall be considered as a new sentence. The time a prisoner was on parole shall not be taken into account to diminish the time for which he was sentenced.

Termination of parole, etc.

Confinement to penal institution other than D. C. institution.

"In the event a prisoner is confined in, or as a parolee is returned to a penal or correctional institution other than a penal or correctional institution of the District of Columbia, the Board of Parole created by the Act of May 13, 1930 (ch. 255, 46 Stat. 272; 18 U. S. C. 723a), shall have and exercise the same power and authority as the Board of Parole of the District of Columbia had the prisoner been confined in or returned to a penal or correctional institution of the District of Columbia."

SEC. 6. Section 9 of the Act of July 15, 1932 (ch. 492, 47 Stat. 698; title 24, D. C. Code, sec. 208), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

Powers of Board.

"SEC. 9. The power of the Board of Parole shall extend to all prisoners whose sentences exceed one hundred and eighty days regardless of the nature of the offense: *Provided*, That in the case of a prisoner convicted of an offense other than a felony, including violations of municipal regulations and ordinances and Acts of Congress in the nature of municipal regulations and ordinances, the prisoner may not be paroled until he has served one-third of the sentence imposed, and in the case of two or more sentences for other than a felony, no parole may be granted until after the prisoner has served one-third of the aggregate sentences imposed."

Repeals.

SEC. 7. Section 1 of the Act of July 15, 1932 (ch. 492, 47 Stat. 696; title 24, D. C. Code, sec. 201), and section 2 of the said Act as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242; title 24, D. C. Code, sec. 202), are hereby repealed.

Approved July 17, 1947.

[CHAPTER 264]

AN ACT

July 18, 1947
[S. 564]
[Public Law 199]

To provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President.

Presidential succession.
Speaker of House of Representatives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) if, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

President pro tempore of Senate.

(b) If, at the time when under subsection (a) a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

Tenure.

(c) An individual acting as President under subsection (a) or subsection (b) shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

Succession by Cabinet officer.
Post, p. 509.

(d) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b), then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, Postmaster General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

Tenure of Cabinet officer.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

Oath of office.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

Applicability of designated subsections.

(e) Subsections (a), (b), and (d) shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this Act, his compensation shall be at the rate then provided by law in the case of the President. Compensation.

(g) Sections 1 and 2 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice President", approved January 19, 1886 (24 Stat. 1; U. S. C., 1940 edition, title 3, secs. 21 and 22), are repealed. Repeals.

Approved July 18, 1947.

[CHAPTER 265]

AN ACT

To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

July 18, 1947
[S. 1419]
[Public Law 200]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general-obligation bonds in the sum of $5,000,000 for the purpose of enabling it to construct a sewerage system in the city of Honolulu. Hawaii. Issuance of bonds. 31 Stat. 141. 48 U. S. C. § 493 note.

SEC. 2. The bonds issued under authority of this Act may be either term or serial bonds, maturing, in the case of term bonds, not later than thirty years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years from the date of such issue. Such bonds may be issued without the approval of the President of the United States. Maturity.

SEC. 3. Act 69 of the Session Laws of Hawaii, 1947, pertaining to the issuance of sewerage-system bonds, as authorized by this Act, is hereby ratified and confirmed subject to the provisions of this Act: *Provided, however*, That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the disposition of unexpended moneys realized from the sale of said bonds. Ratification of Act. Amendment.

Approved July 18, 1947.

[CHAPTER 267]

AN ACT

To authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes.

July 18, 1947
[S. 1462]
[Public Law 201]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to their annual salaries, official reporters for the municipal court for the District of Columbia are authorized to charge and collect from parties, including the United States and the District of Columbia, who request transcripts of the original records of proceedings, such fees therefor, and no other, as may be prescribed from time to time by the court. All supplies shall be furnished by the official reporters at their own expense. The court shall have the power and is hereby directed to prescribe such rules, practice, and procedure pertaining to fees for transcripts as it may deem necessary, and the same shall conform as nearly as may be practicable to the rules, practice, and procedure pertaining to fees for Reporters for municipal court, D. C. Fees for transcripts.

Transcripts for judges, etc.

Prepayment.

transcripts established for the District Court of the United States for the District of Columbia. No fee shall be charged or taxed for any copy of a transcript delivered to a judge at his request or for any copies of a transcript delivered to the clerk of the court for the records of the court. Except as to transcripts that are to be paid for by the United States or the District of Columbia, the reporters may require any party requesting a transcript to prepay the estimated fee therefor in advance of delivery of the transcript.

Approved July 18, 1947.

[CHAPTER 268]

July 18, 1947
[H. R. 3493]
[Public Law 202]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes.

Navy Department Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 700.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1948, namely:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

Physical examination of civilian employees.
60 Stat. 853.
5 U. S. C. § 415c.

Living quarters.

46 Stat. 818.

60 Stat. 858.
5 U. S. C. § 421f.

Interned persons and prisoners of war.

41 Stat. 132.
58 Stat. 723.
46 U. S. C. §§ 791–799.
60 Stat. 842.
28 U. S. C. § 921 note.
59 Stat. 662.
31 U. S. C. §§ 215–217 notes, 222e–222g, 223d.
56 Stat. 175.
Ante, p. 209.

For traveling expenses of civilian employees, including travel of dependents of employees to and from navy yards or stations outside the continental limits of the United States; physical examinations by civilian physicians of civilian employees in accordance with section 2 of the Act of August 2, 1946 (Public Law 604); expenses of courts and boards; expenses of prisoners and prisons; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Naval Personnel); costs of suits; maintenance of attachés and others abroad, including office rental and pay of employees, and allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, special cost of living allowances for employees abroad, collection and classification of information pertaining to Naval Intelligence; expenses authorized by section 38 of the Act of August 2, 1946 (Public Law 604), for Latin-American cooperation; telephone, telegraph, and teletype rental and tolls (including not to exceed $300 for extension telephones between the telephone switchboards at the official stations of naval officials and the living quarters of such officials), telegrams, radiograms, and cablegrams for the Navy Department and the naval service; postage, foreign and domestic and post-office box rentals; microphotographic services; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act approved July 11, 1919 (34 U. S. C. 600), the Act approved July 3, 1944 (46 U. S. C. 797), and the Act of August 2, 1946 (Public Law 601), and payment of claims of civilian employees of the Naval Establishment as provided in the Act of December 28, 1945 (Public Law 277), which are not eligible for payment under the provisions of the Act approved March 27, 1942 (15 U. S. C. 606b–2); and other necessary and inci-

dental expenses; $14,500,000, of which $200,000 is for claims determined and settled pursuant to the Federal Tort Claims Act.

60 Stat. 842.
28 U. S. C. § 921 note.
Post, p. 722.

CONTINGENCIES OF THE NAVY

For all emergencies and extraordinary expenses, authorized by section 6 of the Act of August 2, 1946 (Public Law 604), to be expended on the approval and authority of the Secretary, and his determination shall be final and conclusive upon the accounting officers of the Government, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, $9,000,000.

60 Stat. 853.
5 U. S. C. § 419c.

RESEARCH, NAVY

For expenses, not otherwise provided for, necessary in carrying out the Act of August 1, 1946 (Public Law 588), establishing the Office of Naval Research, $34,000,000: *Provided*, That not to exceed $1,500,000 may be available for administrative expenses, exclusive of the Naval Research Laboratory, and the Special Devices Center.

60 Stat. 779.
5 U. S. C. §§ 475-475f.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary to carry out the provisions contained in the Act approved June 4, 1920, as amended (34 U. S. C. 524), requiring him to explore, prospect, conserve, develop, use and operate the naval petroleum reserves, $100,000: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed $5,000,000, shall be available to enable the Secretary to protect Naval Petroleum Reserve Numbered 1, by drilling wells and performing any work incident thereto: *Provided further*, That no part of the sum made available in the foregoing provision for the protection of Naval Petroleum Reserve Numbered 1 shall be expended if satisfactory agreement or agreements can be made with owners of land within or adjoining said Reserve Numbered 1 not to drill wells for the purpose of producing oil or gas.

41 Stat. 813.

Agreements with landowners.

OCEAN AND LAKE SURVEYS, NAVY

For hydrographic surveys, including pay of hydrographic surveyors, cartographic draftsmen, and recorders, and for purchase of nautical books, charts, and sailing directions, $140,000.

ISLAND GOVERNMENTS

Expenses incident to the administration of island governments, including liberated and occupied areas; $3,000,000.

BUREAU OF NAVAL PERSONNEL

TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance, operation, and other necessary expenses of the Naval War College; services of a professor of international law, $3,000; services of lecturers, $4,000; library expenses, including purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; $235,000.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, $1,500,000.
Newport, Rhode Island, $1,100,000.
Great Lakes, Illinois, $2,400,000.

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and economy in fuel consumption, to be awarded under such rules as the Secretary may formulate; recording, classifying, compiling, and publishing the rules and results; establishment and maintenance of shooting galleries, target houses, targets, and ranges; hiring established ranges; entrance fees in matches for the rifle team, and special equipment therefor; $65,000;

Instruction: For expenses necessary for the postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), and special instruction and education, including rental, maintenance, and operation of property for instruction purposes, and individual training of officers and enlisted personnel at home and abroad, including maintenance of students abroad, except aviation and submarine training otherwise appropriated for, $7,200,000;

49 Stat. 1092.
34 U. S. C. §§ 1073-1073e.

Libraries: For libraries and expenses incident thereto, including professional books, textbooks, and religious books for ships and shore stations not otherwise appropriated for, $350,000;

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, to be expended in the discretion of the Secretary, $2,000,000;

Officer candidate training: For all expenses incident to the conduct of officer candidate training, as authorized by the Act of August 13, 1946 (Public Law 729), and of the Naval Reserve Officers' Training Corps under such regulations as the President may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended (34 U. S. C. 821), $15,000,000;

60 Stat. 1057.
34 U. S. C. § 1020 *et seq.*
Ante, pp. 99, 100.
43 Stat. 1276.

In all, training, education, and welfare, Navy, $29,850,000.

MISCELLANEOUS EXPENSES, BUREAU OF NAVAL PERSONNEL

For all miscellaneous expenses, including pay of employees in the field service; commissions, warrants, diplomas, discharges, good-conduct badges, medals, and identification tags, $400,000.

NAVAL RESERVE

For all expenses not otherwise provided for, authorized by the Naval Reserve Act of 1938, as amended (34 U. S. C. 852), and the Naval Aviation Cadet Act of 1942, as amended (34 U. S. C. 850a), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including designing, purchasing, and engraving of medals and trophies; medical supplies and equipment; rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve Activities, $100,000,000.

52 Stat. 1175; 56 Stat. 737.
34 U. S. C. §§ 853j, 850a note.
Ante, pp. 50, 90; *post*, p. 424.

NAVAL ACADEMY

Naval Academy: For expenses necessary for maintenance and operation of the Naval Academy; such amounts as may be necessary to carry out the provisions of the Act of January 16, 1936 (34 U. S. C. 1073); expenses of the Board of Visitors to the Naval Academy, $4,500,000, of which amount $2,000 shall be available exclusively for the care of a collection of ship models: *Provided*, That no part of any appropriation in this Act shall be available for the pay or allowances of any enlisted man of the Navy or Marine Corps assigned to duty at the Naval Academy, if such assignment will increase the total number so assigned above one thousand and twenty-five.

49 Stat. 1092.
34 U. S. C. §§ 1073-1073e.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For all salaries and expenses as authorized by law (31 U. S. C. 725h) and section 11 of the Act approved August 2, 1946 (Public Law 604), necessary for the maintenance and operation of the Naval Home, $325,000.

48 Stat. 1229.
60 Stat. 854.
24 U. S. C. § 21a.

BUREAU OF SHIPS

MAINTENANCE, BUREAU OF SHIPS

Post, p. 700.

For designing hulls, machinery, and equipment of naval vessels, except armament; experimental, developmental, and research work; maintenance, repair, renewal, and alteration of hulls, machinery, and equipment of naval vessels, nonnaval vessels operated for naval requirements, and yard and district craft except machinery and equipment under the cognizance of other bureaus; docking of vessels; leasing of laying-up facilities and docks; maritime salvage services and other purposes in connection therewith authorized by law; relief of vessels in distress; hire of lighters, tugs, and small craft; charter and hire of vessels for auxiliary purposes where considered necessary by the Secretary of the Navy; pay, subsistence, and incidental expenses of civilian crews temporarily employed on naval vessels; equipage, appliances, supplies, materials, and services, at home and abroad, under the cognizance of the Bureau of Ships; searchlights and fire-control equipment for antiaircraft defense at shore stations; maintenance and operation of the Naval Communication Service (including teletype), the experimental model basin, Carderock, Maryland, and the engineering experiment station, Annapolis, Maryland, including maintenance and equipment of buildings and grounds and appurtenances; purchase, installation, repair, and preservation of machine tools, plant appliances, and equipment (including furniture in industrial activities) in naval establishments or private plants; pay of employees in the field service; accident prevention; incidental expenses for naval vessels, naval shipyards and stations, and other activities under the cognizance of the Bureau of Ships, such as photographing, plans, stationery, drafting instruments and other materials; and technical books and publications for said Bureau: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions, $320,000,000. In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed $50,000,000 from the Naval Stock Fund and/or the Clothing and Small Stores Fund.

Antiaircraft defense at shore stations.

Machine tools, plant appliances, etc.

Tableware, etc., in officers' quarters.

Transfer of funds.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

For necessary expenses of developing and for research incidental thereto, procuring, producing, preserving, and handling ordnance supplies, material, and equipment for naval purposes; for essential equipment, facilities, machine tools, replacements, and services at naval or private establishments to expedite the production of ordnance material; maintenance, operation, and other necessary expenses of naval

Expediting production.

ordnance shore activities; technical books and periodicals; maintenance, repair, and operation of motor-propelled and other freight and passenger-carrying vehicles at such activities; target practice; and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); $184,000,000.

60 Stat. 854.
5 U. S. C. § 421d.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay, allowances, subsistence and quarters prescribed by law for naval personnel, including reserves on active duty—

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than eighty-five officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; officers, retired, inactive; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, and engineering competition; enlisted men, retired, inactive; men of the Fleet Reserve, inactive; nurses, female, active; nurses, female, retired, inactive; six months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel and issued in kind to members of the Navy Nurse Corps or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement as authorized by the Act of December 28, 1945 (Public Law 277), to persons in the naval service, for personal property lost, destroyed, or damaged; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including interest on deposits by enlisted personnel; losses in the accounts of Navy and Marine Corps officers certified under the Act of July 11, 1919 (31 U. S. C. 105), and the Act of June 10, 1921 (31 U. S. C. 104), and payments in settlement of claims under the Act of January 2, 1942 (31 U. S. C. 224d); commuted rations; money allowances for subsistence and quarters of enlisted personnel when not furnished quarters or subsistence in kind, and for enlisted personnel absent from messes on temporary duty not involving travel (during which time all other subsistence shall be stopped): *Provided*, That, except in the case of those who have specifically enlisted for such duty, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department; total, pay and allowances, $1,214,296,000.

Personal property losses, reimbursement.
59 Stat. 662.
31 U. S. C. §§ 215–217 notes, 222e–222g, 223d.

41 Stat. 132.
42 Stat. 24.
55 Stat. 880.

Enlisted men or civil employees as household servants.

Subsistence: For provisions for messes, subsistence in messes, and other subsistence in kind as authorized by law; $52,796,000.

Total.

In all, for pay and subsistence of naval personnel, $1,267,092,000, and the money herein specifically appropriated for "Pay and subsistence, Navy", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to the subsistence subhead of this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed $50,000,000 from the Clothing and Small Stores Fund and/or the Naval Stock Fund.

Transfer of funds.

TRANSPORTATION AND RECRUITING OF NAVAL PERSONNEL

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers, nurses, and midshipmen while traveling under orders, and the cost of a compartment or such other accommodations as may be authorized by the Secretary for security when secret documents are transferred by officer messenger or when valuable naval property is transported as hand baggage by personnel of the Naval Establishment, transportation of enlisted personnel and applicants for enlistment at home and abroad, transportation of prisoners, and insane supernumerary patients to hospitals, all with subsistence and transfers en route or cash in lieu thereof; expenses of funeral escorts of naval personnel and apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and expenses incident to transportation; transportation of dependents of officers and enlisted personnel, including those of retired and Reserve officers, and of retired and Reserve enlisted personnel of grades entitled to transportation of dependents in the Regular Navy when ordered to active duty (other than training) and upon release therefrom; for actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of the shore-patrol detachment; for all necessary expenses for recruiting for the naval service, including lodging and subsistence of applicants, rent of rendezvous and expenses of maintaining the same, and advertising for and obtaining men; and personal services of field employees necessary for the purposes of this appropriation; $35,000,000.

Secret documents.

Transportation of dependents.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including scientific investigations, commissions, interest, and exchange; ferriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards for naval purposes, not otherwise provided for; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; packing, unpacking, and local handling, as authorized by law, of household goods and effects of civilian and naval personnel of the Naval Establishment; ice and mechanical devices for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), $150,000,000. In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed $50,000,000 from the Naval Stock Fund and/or the Clothing and Small Stores Fund.

Transfer of funds.

TRANSPORTATION OF THINGS

For transportation of things (as defined by Budget-Treasury Regulation Numbered 1) pertaining to the Navy (excluding Marine Corps and Coast Guard), $50,000,000.

FUEL, NAVY

For fuel, water, and other utilities for submarine bases and naval vessels, including expenses of storage and handling; removal of fuel refuse from ships and maintenance and general operation of fleet fueling facilities; $54,000,000.

BUREAU OF MEDICINE AND SURGERY

MEDICAL DEPARTMENT

For equipment, supplies, maintenance, and operation of Medical Department activities ashore and afloat, and compensation of employees; tolls and ferriage; necessary instruction of personnel, including equipment; issuance of medical bulletins and information; laundry supplies and services; care of the dead as authorized by law, including transportation; purchase of technical books and periodicals; optical supplies for naval personnel under regulations prescribed by the Secretary; and other necessary expenses, including care, maintenance and treatment of patients in naval and other hospitals, as provided by regulation; $37,500,000.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the pay of employees in the field service, materials, supplies, and facilities necessary for the operation and general maintenance of activities and properties under the cognizance of the Bureau of Yards and Docks; contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); $128,650,000; for expenses of operation and maintenance of housing projects maintained and operated as such by the Navy Department and developed under the provisions of the Acts of June 28, 1940 (54 Stat. 676); September 9, 1940 (54 Stat. 872); October 14, 1940 (54 Stat. 1125); March 1, 1941 (55 Stat. 14); May 24, 1941 (55 Stat. 197); and December 17, 1941 (55 Stat. 810), including utilities, roads, walks, and accessories, and expenses found necessary in the disposition of any such property or the removal of temporary housing, $3,800,000; in all, $132,450,000: *Provided*, That none of these funds shall be used to pay for the maintenance or operation of any defense housing unit for any civilian employees of the Navy Department unless the rental rate charged for the civilian occupancy of any such defense housing unit shall be at the rate prescribed by law or in pursuance of law for housing of similar character and size in the general geographical area where such defense housing may be located.

60 Stat. 854.
5 U. S. C. § 421d.

42 U. S. C. §§ 1501-1505, 1521-1524.

Restriction.

BUREAU OF AERONAUTICS

AVIATION, NAVY

For new construction and procurement of aircraft and equipment, spare parts and accessories, including expansions of and facilities in public or private plants, and for the employment of group IVb personnel in the Bureau of Aeronautics necessary for the purposes of this item of appropriation, $90,000,000; for replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, $18,000,000; for maintenance, repair, and operation of aircraft, aircraft factory, air stations, testing laboratories, fleet and all other aviation activities, technical books and periodicals for use in the Bureau of Aeronautics

and field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604), $318,000,000; for continuing experiments, development, and research on all types of aircraft, $75,000,000; in all, $501,000,000, of which amount $90,000,000 shall remain available until expended: *Provided*, That not to exceed $100,000,000 of the funds appropriated for "Aviation, Navy," fiscal year 1945, shall continue available during the fiscal year 1948 for the liquidation of contractual obligations for aircraft and aircraft equipment procurement incurred during the fiscal year 1945: *Provided further*, That in addition to this appropriation the Secretary may, prior to July 1, 1948, contract for new construction, procurement and equipment of aircraft, including spare parts and accessories therefor, in an amount not in excess of $248,000,000.

60 Stat. 854.
5 U. S. C. § 421d.
Experiments, etc.

Liquidation of contractual obligations.

New construction.

MARINE CORPS

PAY, MARINE CORPS

Pay of officers: For pay and allowances prescribed by law for all officers on active duty—pay and allowances, $27,480,000 including $3,174,000 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; subsistence allowance, $3,625,000; rental allowance, $5,303,000; in all, $36,408,000;

Officers on active duty.

For pay of officers prescribed by law on the retired list, not on active duty, $5,600,000;

Officers on retired list.

Pay of enlisted personnel: For pay and allowances of all enlisted personnel and musicians on active duty as prescribed by law; expenses of clerks of the Marine Corps traveling under orders; additional compensation for enlisted personnel of the Marine Corps qualified as experts, sharpshooters, marksmen, aircraft machine gunners, or regularly detailed as gun captains, gun pointers; interest on deposits by enlisted personnel; pay of enlisted personnel designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore; and for gratuities to enlisted personnel discharged not under honorable conditions—pay and allowances, $127,500,000; allowance for lodging and subsistence, $7,500,000; in all, $135,000,000;

For pay and allowances prescribed by law of enlisted personnel on the retired list not on active duty, $2,186,000;

Enlisted personnel on retired list.

For pay and allowances of personnel of the Marine Corps Reserve as prescribed by law, $10,000,000;

Marine Corps Reserve.

For mileage, actual and necessary expenses, and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, $1,400,000;

Mileage, etc.

In all, $190,594,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

PAY OF CIVIL FORCE, MARINE CORPS

Pay of civil force: For personal services at the seat of government, as follows:

Offices of the Commandant of the Marine Corps and the Director of Personnel, Marine Corps, $1,075,000.

Supply Department, United States Marine Corps, $975,000; in all, $2,050,000.

GENERAL EXPENSES, MARINE CORPS

General expenses, Marine Corps: For all necessary expenses for the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For provisions, subsistence, board, and lodging of enlisted personnel, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted personnel traveling on duty; ice, ice machines and their maintenance, $25,000,000;

For clothing for enlisted personnel and for civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude, $16,000,000;

For fuel, heat, light, and power, including sales to officers, $3,000,000;

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted personnel by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, $14,000,000;

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; for payment for transportation of general court-martial prisoners; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and transportation for dependents of officers and enlisted personnel, $8,500,000.

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; leasing and improvement of buildings at such places as the public exigencies require; and erection of temporary buildings upon approval of the Secretary at a total cost of not to exceed $70,000 during the year; $2,000,000;

For forage and stabling of public animals and the authorized number of officers' horses, $30,000;

For miscellaneous supplies, material, equipment, personal and other services, and other incidental expenses for the Marine Corps not otherwise provided for; purchase and repair of furniture and fixtures; veterinary services, shoeing, and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers, enlisted personnel, accepted applicants for enlistment, and retired officers on active duty, including transportation of their bodies, arms, and wearing apparel from the place of demise to their homes in the United States; construction, operation, and maintenance of laundries; and contribution to the support of schools at Marine Corps posts as authorized by section 13 of the Act of August 2, 1946 (Public Law 604), $38,000,000.

60 Stat. 854.
5 U. S. C. § 421d.

Marine Corps Reserve: For clothing, subsistence, heat, light, transportation, and miscellaneous expenses, $3,000,000.

In all, general expenses, $109,530,000, to be accounted for as one fund.

SHIPBUILDING

CONSTRUCTION OF SHIPS

Construction of ships: For expenses, not otherwise provided for, necessary for the construction and procurement of hulls, machinery,

and equipment of vessels authorized by law and hereafter approved in accordance therewith, including conversions and replacements, and tools and equipment for such construction in public and private plants, and group IVb personnel in the Bureau of Ships necessary for the purposes of this appropriation, $9,700,000, to be transferred from the appropriation "Increase and replacement of naval vessels, construction and machinery", to be immediately available and to remain available until expended.

ORDNANCE FOR NEW CONSTRUCTION

Ordnance for new construction: For expenses, not otherwise provided for, necessary for the construction and procurement of armor, armament, and ammunition for vessels provided for in the appropriation "Construction of ships", including tools and equipment in public and private plants and group IVb personnel in the Bureau of Ordnance necessary for the purpose of this appropriation, for the production of armor, armament, and ammunition for said vessels, $4,580,000, to be transferred from the appropriation "Increase and replacement of naval vessels, armor, armament, and ammunition", to be immediately available and to remain available until expended: *Provided*, That the limitation on the availability of the appropriation "Increase and replacement of naval vessels" for construction of new vessels shall not be applicable to this appropriation nor the appropriation "Construction of ships".

INCREASE AND REPLACEMENT OF NAVAL VESSELS

The balance remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for beginning the construction of any new vessels during the fiscal year 1948.

NAVY DEPARTMENT

SALARIES

For compensation for personal services at the seat of government, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Under Secretary of the Navy, Assistant Secretaries of the Navy, and other personal services, including Executive Officer, not to exceed $7,000, $3,946,300; *Post*, p. 507.

Office of Naval Research, $1,164,000;

General Board, $18,600;

Naval examining and retiring boards, $20,200;

Office of Naval Records and Library, $57,000;

Office of Judge Advocate General, $310,000;

Office of Chief of Naval Operations, $1,435,000;

Board of Inspection and Survey, $35,000;

Office of Director of Naval Communications, $2,005,000;

Office of Naval Intelligence, $980,000;

Bureau of Naval Personnel, $3,226,000;

Hydrographic Office, $1,890,000;

Naval Observatory, including $2,500 for pay of computers on piece work, $400,000;

Bureau of Ships, $6,450,000;

Bureau of Ordnance, $3,100,000;

Bureau of Supplies and Accounts, $4,400,000;

Bureau of Medicine and Surgery, $1,078,000;

Bureau of Yards and Docks, $2,045,000;

Bureau of Aeronautics, $2,400,000;

In all, salaries, Navy Department, $34,960,100.

CONTINGENT EXPENSES

For technical reference and lawbooks, periodicals, and photostating for Department library; purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase, maintenance, repair, and operation of motortrucks and other necessary expenses of the Navy Department and its various bureaus and offices; $1,000,000: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided by law, for any of the offices or bureaus of the Navy Department in the District of Columbia. any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Use of naval service appropriations.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, $2,750,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For all necessary expenses (except salaries) for the maintenance and operation of the Hydrographic Office at the seat of government and for all necessary salaries and expenses for the branch offices, including purchase and printing of nautical books, charts, and sailing directions; modernization, care, and repair of lithographic presses and machinery; pilot and aeronautical charts; $975,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

For engravings, photographs, and fixtures for the library; apparatus and instruments, and repairs of the same; repairs to buildings (including quarters), fixtures, and fences; cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; rental of tabulating and other mechanical equipment; and other necessary expenses, $50,000.

GENERAL PROVISIONS

Navy funds. Restriction on use.

SEC. 102. No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department at the seat of government, including personal services of civilians, except as expressly authorized by law.

Time-measuring devices, restriction.

SEC. 103. No part of the appropriations made in this Act shall be available for contracts with any person, firm, or corporation to make or cause to be made with a stop watch or other time-measuring device a time study of any job of any employee; no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his

Cash rewards, etc.

regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no moneys herein appropriated for the Naval Establishment or made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government naval shipyards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

Work by private contractors, restriction.

SEC. 104. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend, from time to time in whole or in part, compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Canal Zone. Citizenship requirement for civilian personnel.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Employees with 15 or more years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Suspension of compliance in emergency, etc.

SEC. 105. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates,

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

Commissions on land purchase contracts.

SEC. 106. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Transportation of personnel.

SEC. 107. The appropriations for the Naval Establishment for the fiscal year 1948 shall be available for providing transportation of naval and civilian personnel between their domiciles and places of employment as authorized by law; a health service program authorized by Public Law 658, approved August 8, 1946; carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, Public Law 395, approved July 1, 1944, Public Law 119, approved July 2, 1945, Public Law 277, approved December 28, 1945 (except as otherwise specifically provided for), and Public Law 457, approved October 3, 1944; expenses authorized in Public Law 99, approved June 29, 1943; expenses including those heretofore incurred incident to the operation by the Navy of private plants taken over at the direction of the President, and the Secretary may designate any naval appropriation to be charged with such expenses, proper adjustments to be made on the basis of final costs between applicable appropriations; payment of rewards, as authorized by law, for information leading to the discovery of missing naval property or the recovery thereof.

60 Stat. 903.
5 U. S. C. § 150.
50 U. S. C. app. § 611 note.
58 Stat. 649; 59 Stat. 315.
41 U. S. C. §§ 101–125; 39 U. S. C. § 135 and note.
59 Stat. 662.
31 U. S. C. §§ 215–217 notes, 222e–222g, 223d.
58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Post, p. 678.
57 Stat. 247.
36 U. S. C. §§ 10, 11.

Rewards.

Missing or captured personnel.

SEC. 108. Appropriations in this Act shall be available for the pay of missing or captured civilian or naval personnel under the provisions of Public Law 490, approved March 7, 1942, as amended, and for that which accrued during prior years and was not paid, including accruals of pay authorized by law for retired and reserve officers, nurses, enlisted personnel, and family allowances.

58 Stat. 143.
50 U. S. C. app. §§ 1001–1017.
Ante, p. 96; *post*, p. 453.

SEC. 109. During the fiscal year 1948 the Secretary is authorized to procure intermittent services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of $50 per day.

60 Stat. 810.
5 U. S. C. § 55a.

Compensation to noncitizens.

SEC. 110. Provisions of law prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1948.

SEC. 111. The appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, shall be available for expenses in connection with the transfer to the United States of foreign vessels, including pay, subsistence, transportation, and repatriation of alien crews.

Transfer of foreign vessels, etc.

SEC. 112. None of the funds appropriated in this Act for the Navy Department and the naval service for the fiscal year ending June 30, 1948, other than funds for which reimbursement is made hereunder, shall be available for any expenses for care, upkeep, repair, handling, and assistance in the sale of any property, material, or equipment subsequent to the date of a declaration of surplus covering such property to a disposal agency, or, if procedures are prescribed whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to the date of notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures. With respect to all such expenses, disposal agencies shall provide reimbursement to the Navy Department, for credit to the appropriations from which such expenses would be normally paid and the Navy Department is authorized to apportion, obligate, and expend funds from the several appropriations involved in advance of the reimbursement thereto: *Provided*, That reimbursement shall not be made for pay and allowances and subsistence of naval and Marine Corps personnel within the numbers appropriated for: *Provided further*, That advance payments based on the estimated expenses of the Navy Department may be made by any disposal agency: *Provided further*, That in lieu of ascertaining the direct expenses and the applicable portion of the indirect expenses, the Navy Department and the disposal agencies may agree on any basis for determining such expenses as will equitably accomplish the purpose of this section.

Surplus property.

Advance payments by disposal agency.

SEC. 113. The transfer of funds as directed in this Act shall not operate to reduce the cash working capital of the Naval Stock Fund below $50,000,000, nor that of the Clothing and Small Stores Fund below $15,000,000.

Working capital of designated funds.

TITLE II—REDUCTIONS IN APPROPRIATIONS

SEC. 201. Amounts made available to the Navy Department from appropriations are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

NAVAL ESTABLISHMENT

Office of the Secretary: "Miscellaneous expenses, Navy, 1946", $2,000,000. 59 Stat. 202.

Bureau of Naval Personnel:

"Instruction, Navy, 1946", $325,000; 59 Stat. 204.

"Welfare and Recreation, Navy, 1946", $1,250,000; 59 Stat. 204.

"Naval Reserve, 1946", $12,000,000; 59 Stat. 204.

"Naval Reserve, 1947", $12,000,000. 60 Stat. 484.

Bureau of Ships:

"Maintenance, Bureau of Ships, 1946", $105,000,000; 59 Stat. 205.

"Maintenance, Bureau of Ships, 1947", $20,000,000. 60 Stat. 485.

Bureau of Ordnance:

"Ordnance and Ordnance Stores, Navy, 1946", $30,000,000; 59 Stat. 206.

"Ordnance and Ordnance Stores, Navy, 1947", $7,000,000. 60 Stat. 485.

Bureau of Supplies and Accounts:

Ante, p. 79. "Pay and Subsistence of Naval Personnel, 1946", $50,000,000;

59 Stat. 208. "Transportation and Recruiting of Naval Personnel, 1946", $10,000,000;

Ante, p. 79. "Maintenance, Bureau of Supplies and Accounts, 1946", $6,000,000;

60 Stat. 488. "Maintenance, Bureau of Supplies and Accounts, 1947", $10,000,000;

Ante, p. 79. "Transportation of Things, Navy, 1946", $25,000,000;

59 Stat. 210. "Fuel, Navy, 1946", $10,000,000.

Ante, p. 79. Bureau of Medicine and Surgery: "Medical Department, Navy, 1946", $2,000,000.

Bureau of Yards and Docks:

59 Stat. 211. "Maintenance, Bureau of Yards and Docks, 1946", $3,000,000;

60 Stat. 489. "Maintenance, Bureau of Yards and Docks, 1947", $3,000,000.

Bureau of Aeronautics:

Ante, p. 79. "Aviation, Navy, 1946", $65,000,000;

60 Stat. 491. "Aviation, Navy 1947", $10,000,000.

Ante, p. 80. Marine Corps: "General Expenses, Marine Corps, 1946", $20,000,000.

In all, $403,575,000.

Liability for overobligation, etc.

No person shall be held liable for an overobligation of any above-listed appropriation when such overobligation occurs as a result of the approval of this Act. Such overobligations shall be reduced in such a manner and at such a rate as to assure no overexpenditure.

Short title.

SEC. 202. This Act may be cited as the "Navy Department Appropriation Act, 1948".

Approved July 18, 1947.

[CHAPTER 270]

July 18, 1947
[S. J. Res. 129]
[Public Law 203]

JOINT RESOLUTION

To provide for the appropriate commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia.

Commemoration of establishment of seat of Federal Government in D. C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to provide for the appropriate commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia in the year 1800, there is hereby established a commission to be known as the National Capital Sesqui-Centennial Commission (hereinafter referred to as the "Commission") and to be composed of fifteen Commissioners, as follows: The President of the United States, who shall be ex officio Chairman; the President pro tempore of the Senate and the Speaker of the House of Representatives, ex officio; three Senators to be appointed by the President pro tempore of the Senate and three Representatives to be appointed by the Speaker of the House of Representatives; three residents of the District of Columbia to be appointed by the President after receiving the recommendations of the Board of Commissioners of the District of Columbia; and three prominent citizens residents in the District of Columbia at large to be appointed by the President. The Commissioners, with the approval of the Chairman, shall select an Executive Vice Chairman from among their number.

Commissioners.

Preparation of plans, etc.

SEC. 2. It shall be the duty of the Commission, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans and a program for the signalizing the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia; to give due and proper consideration to any plan which may be

submitted to it; to take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions or by bodies created under appointment by the governors of the respective States and Territories or by representative civic bodies; and, if the participation of other nations in the commemoration be deemed advisable, to communicate with the governments of such nations.

Submission of plan for approval.

SEC. 3. When the Commission shall have approved of any plan of commemoration, then it shall submit such plan, insofar as it may relate to the fine arts, to the Commission of Fine Arts for its approval, and, insofar as it may relate to the plan of the National Capital and its history, to the National Capital Park and Planning Commission and the Board of Commissioners of the District of Columbia for their joint approval, and in accordance with statutory requirements.

Employment of personnel.

SEC. 4. The Commission, after selecting an Executive Vice Chairman from among its members, may employ a director and a secretary and such other assistants as may be needed to organize and perform the necessary technical and clerical work connected with the Commission's duties and may also engage the services of expert advisers without regard to civil-service laws and the Classification Act of 1923, as amended, and may fix their compensation within the amounts appropriated for such purposes.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

Compensation.

SEC. 5. The Commissioners shall receive no compensation for their services, but shall be paid actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties, out of the amounts appropriated therefor.

Report to Congress.

SEC. 6. The Commission shall, on or before the 2d day of January 1948, make a report to the Congress, in order that further enabling legislation may be enacted.

SEC. 7. The Commission shall expire December 31, 1952.

Approved July 18, 1947.

[CHAPTER 271]

JOINT RESOLUTION

July 18, 1947
[H. J. Res. 283]
[Public Law 204]

Authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

Whereas the United States submitted to the Security Council of the United Nations for its approval in accordance with article 83 of the Charter of the United Nations a proposed trusteeship agreement for the Pacific islands formerly mandated to Japan under which the United States would be prepared to administer those islands under trusteeship in accordance with the Charter of the United Nations; and

59 Stat. 1050.

59 Stat. 1031.

Whereas the Security Council on April 2, 1947, approved unanimously the trusteeship agreement with amendments acceptable to the United States; and

Whereas the said agreement, having been approved by the Security Council, will come into force upon approval by the Government of the United States after due constitutional process: Therefore be it

Trusteeship agreement for Territory of Pacific Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to approve, on behalf of the United States, the trusteeship agreement between the United States of America and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council at the seat of the United Nations, Lake Success, Nassau County, New York, on April 2, 1947.

Approved July 18, 1947.

[CHAPTER 272]

July 21, 1947
[S. 924]
[Public Law 205]

AN ACT

To credit active service in the military or naval forces of the United States in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia.

Policemen and firemen's relief fund, D. C.
Credit for service in armed forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia, each member of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, the Fire Department of the District of Columbia, and each member of the United States Secret Service who has actively performed duties other than clerical for ten years or more directly related to the protection of the President, who shall have left active employment in any such department, force, or service to perform active service in the military or naval forces of the United States, shall be credited with all periods of honorable active military or naval service performed on or after September 16, 1940, and prior to the termination of the war as declared by Presidential proclamation or concurrent resolution of the Congress.

Approved July 21, 1947.

[CHAPTER 273]

July 21, 1947
[H. R. 2573]
[Public Law 206]

AN ACT

To authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis.

Geological Survey.
Sale of photographs, mosaics, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Act approved March 4, 1909 (35 Stat. 945, 989; 43 U. S. C., sec. 45), reading "The Director of the Geological Survey shall hereafter furnish to any person, concern, or institution, in the interest of education and the dissemination of knowledge, that shall pay in advance the whole cost of material and services thereof, copies of any photographs or lantern slides in the possession of the United States Geological Survey; and the moneys received by the Director for the same shall be deposited in the United States Treasury" is hereby amended to read as follows: "The Director of the United States Geological Survey hereafter may produce and sell on a reimbursable basis to interested persons, concerns, and institutions, copies of aerial or other photographs and mosaics that have been obtained in connection with the authorized work of the United States Geological Survey and photographic or photostatic reproductions of records in the official custody of the Director at such prices (not less than the estimated cost of furnishing such copies or reproductions) as the Director, with the approval of the Secretary of the Interior, may determine, the money received from such sales to be deposited in the Treasury to the credit of the appropriation then current and chargeable for the cost of furnishing copies or reproductions as herein authorized."

Approved July 21, 1947.

[CHAPTER 274]

AN ACT

July 21, 1947
[H. R. 3056]
[Public Law 207]

To authorize the Secretary of the Navy to convey to the city of Macon, Georgia, and Bibb County, Georgia, an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Georgia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Macon, Georgia, and Bibb County, Georgia, under such terms and conditions as he may deem in the Government's interest, a perpetual easement for public road and utility purposes, in, under, over, and across a fifty and one-half foot strip of land at the naval ordnance plant, Macon, Georgia, containing approximately ninety-one one-hundredths acre of land, metes and bounds description of which is on file in the Navy Department: *Provided*, That said grant shall be at no cost to the Government: *Provided further*, That such conveyance shall contain an express provision that neither the city of Macon, Georgia, nor Bibb County, Georgia, shall at any time build any residences or other customarily occupied buildings within one thousand feet of the present south boundary of the naval ordnance plant, Macon, Georgia: *And provided further*, That such conveyance shall contain an express provision that the said grantees shall not dispose of the property owned by them within such a distance without first giving the United States an opportunity to purchase the property, on such terms and conditions as may then be agreed upon by the parties.

Macon, Ga., and Bibb County, Ga. Conveyance.

Construction of buildings.

Disposal.

Approved July 21, 1947.

[CHAPTER 275]

AN ACT

July 21, 1947
[H. R. 3252]
[Public Law 208]

To authorize the Secretary of the Navy to convey to the city of Long Beach, California, for street purposes an easement in certain lands within the Navy housing project at Long Beach, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Long Beach, California, on such terms and conditions as he may deem proper, a perpetual easement for street and public-utility purposes, in, over, under, and across two strips of land within the boundaries of Navy housing project CAL-4904N at Long Beach, California, said strips being twenty feet in width and six hundred and three hundred and thirty feet in length, respectively, and being adjacent to the west side of Santa Fe Avenue in the city of Long Beach, the metes and bounds descriptions of which are on file in the Navy Department.

Long Beach, Calif. Conveyance.

SEC. 2. This grant shall be at no cost to the Government.

Approved July 21, 1947.

[CHAPTER 276]

AN ACT

July 21, 1947
[H. R. 3539]
[Public Law 209]

To authorize the construction of a chapel at the Coast Guard Academy, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asssembled, That the Coast Guard is authorized to construct a suitable chapel for religious worship by any denomination, sect, or religion at the Coast Guard Academy in New London, Connecticut.

Coast Guard Academy.
Construction of chapel.

Site.

SEC. 2. The Coast Guard is authorized to acquire title to an appropriate site adjoining the present Coast Guard Academy reservation either by purchase, condemnation, gift or otherwise.

Private contributions.

SEC. 3. The Coast Guard is authorized to accept private contributions to assist in defraying the cost of construction of the chapel provided for herein. Such contributions shall be received and accounted for under such regulations as the Secretary of the Treasury may prescribe.

Appropriations authorized.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to complete the purposes of this Act.

Approved July 21, 1947.

[CHAPTER 286]

July 22, 1947
[H. R. 3247]
[Public Law 210]

AN ACT

To provide basic authority for the performance of certain functions and activities of the Coast and Geodetic Survey, and for other purposes.

Coast and Geodetic Survey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coast and Geodetic Survey is hereby authorized to provide, from appropriations now or hereafter made available to the Survey, for—

Transportation of personal and household effects.

(a) Transportation (including packing, unpacking, crating, and uncrating) of personal and household effects of commissioned officers who die on active duty to the official residence of record for such officers, or, upon application by their dependents, to such other locations as may be determined by the Director of the Coast and Geodetic Survey or by such person as he may designate.

Reimbursement.

(b) Reimbursement, under regulations prescribed by the Secretary, of commissioned officers for food, clothing, medicines, and other supplies furnished by them for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them.

Extra compensation.

SEC. 2. The Coast and Geodetic Survey is hereby authorized to pay extra compensation to members of crews of vessels when assigned duties as bombers or fathometer readers, and to employees of other Federal agencies while observing tides or currents or tending seismographs, at such rates as may be specified from time to time in the appropriation concerned.

Approved July 22, 1947.

[CHAPTER 287]

July 22, 1947
[H. R. 1203]
[Public Law 211]

AN ACT

To provide compensation to persons performing the duties of postmasters at post offices of the fourth class during annual and sick leave of the postmasters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be expended, from the appropriation for compensation to postmasters in the annual Post Office Department's appropriation Acts, compensation, at the rate provided by law for postmasters' compensation, to persons who perform the duties of the postmaster at post offices of the fourth class during the absence of the postmaster on sick or annual leave, or leave without pay.

Approved July 22, 1947.

[CHAPTER 288]

AN ACT

To authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, Territory of Hawaii.

July 22, 1947
[H. R. 3053]
[Public Law 212]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to convey to the Territory of Hawaii a perpetual easement for public highway and utility purposes in, over, under, and across twenty-eight parcels of land, containing thirteen and eighty-eight one-thousandths acres of land, situated in the vicinity of Pearl Harbor Naval Shipyard in the district of Ewa, island of Oahu, Territory of Hawaii, the metes and bounds description of which are on file in the Navy Department.

Hawaii.
Conveyance.

Approved July 22, 1947.

[CHAPTER 289]

AN ACT

To amend the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), entitled "An Act to expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces".

July 22, 1947
[H. R. 3149]
[Public Law 213]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress, ch. 591, first session) (59 Stat. 659; 8 U. S. C. 232–236), is amended by adding a new section thereto, to be known as section 6, and to read as follows:

"SEC. 6. The alien spouse of an American citizen by a marriage occurring before thirty days after the enactment of this Act, shall not be considered as inadmissible because of race, if otherwise admissible under this Act."

Alien spouse of American citizen.

Approved July 22, 1947.

[CHAPTER 290]

AN ACT

To create an Academic Advisory Board for the United States Merchant Marine Academy.

July 22, 1947
[H. R. 3672]
[Public Law 214]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Maritime Commission is authorized to appoint an Academic Advisory Board of the United States Merchant Marine Academy which shall consist of not to exceed seven persons of distinction in the field of education who shall serve without pay. The members of the Board shall visit the United States Merchant Marine Academy at least once during the academic year for the purpose of examining the course of instruction and advising the superintendent relative thereto. The expenses of the Board while engaged in these duties, including the expense of travel, shall be defrayed under Government travel regulations from any appropriation for the authorized work of the Maritime Commission.

Merchant Marine Academy.
Academic Advisory Board.

Expenses.

Approved July 22, 1947.

[CHAPTER 296]

AN ACT

July 22, 1947
[H. R. 1448]
[Public Law 215]

To amend section 7 of an Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902.

District of Columbia.
Issuance, etc., of certain licenses.

32 Stat. 623; 47 Stat. 550.
D. C. Code § 47-2302.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph numbered 2 of section 7 of the Act approved July 1, 1902, entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", as amended by an Act approved July 1, 1932, is further amended to read as follows:

Operation of business in building containing living quarters, etc.

"PAR. 2. No license shall be issued to any person for the operation of a business in any building or part thereof containing living or lodging quarters of any description required to be licensed under authority of this Act, nor for any place of public assembly required to be licensed as hereinafter provided, nor for any other building or place mentioned in an Act entitled 'An Act to provide for means of egress for buildings in the District of Columbia, and for other purposes', approved December 24, 1942, required to be licensed as hereinafter provided or required to be licensed in any other Act of Congress, until the Director of Inspection, the Chief Engineer of the Fire Department, and any other official of the District of Columbia who shall be designated by the Commissioners of the District of Columbia, have certified in writing to the Commissioners of the District of Columbia or their designated agent that the applicant for license has, as to such building or place, complied with all laws enacted and regulations made and promulgated for the protection of life and property."

56 Stat. 1083.
D. C. Code §§ 5-317 to 5-323.

47 Stat. 551.
D. C. Code § 47-2304.

SEC. 2. Paragraph numbered 4 of said section of said Act, as amended, is further amended by inserting after the words "without the payment of a separate fee or tax for each" the words "and if a business is conducted in more than one building a separate license shall be required for the business in each building:", so that the paragraph as amended shall read:

Payment of fee for each business, etc.

"PAR. 4. When more than one business, trade, profession, or calling for which a license is prescribed in this section shall be carried on by the same person, the license fee or tax shall be paid for each such business, trade, profession, or calling, except where otherwise specifically provided in this section: *Provided*, That licenses issued under any of the provisions of this section shall be good only for the location designated thereon, except in the case of licenses issued under this section for businesses and callings which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business, profession, or calling, without the payment of a separate fee or tax for each, and if a business is conducted in more than one building a separate license shall be required for the business in each building: *Provided further*, That no person holding a license under the terms of this section shall willfully suffer or allow any other person chargeable with a separate license to operate under his license."

Validity of license.

Restriction.

47 Stat. 555.
D. C. Code §§ 47-2328 to 47-2330.

SEC. 3. Strike out paragraphs numbered 28, 29, and 30 of said section of said Act, as amended, and in lieu thereof add a new paragraph to be numbered 28 and to read as follows:

Classification of buildings containing living quarters, etc.

"PAR. 28. The Commissioners of the District of Columbia are authorized and empowered to classify, according to use, method of operation, and size, buildings containing living or lodging quarters of every description, to require licenses for the business operated in

each such building as in their judgment requires inspection, supervision or regulation by any municipal agency or agencies, and to fix a schedule of license fees therefor in such amount as, in their judgment, will be commensurate with the cost to the District of Columbia of such inspection, supervision or regulation: *Provided, however*, That no license shall be required for single-family or two-family dwellings, nor for a rooming house offering accommodations for no more than four roomers."

Schedule of fees.

Dwellings, etc., not requiring license.

SEC. 4. This Act shall become effective sixty days after its passage and approval.

Effective date.

Approved July 22, 1947.

[CHAPTER 298]

AN ACT

To incorporate the AMVETS, American Veterans of World War II.

July 23, 1947
[H. R. 1888]
[Public Law 216]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, to wit: Jack W. Hardy, 7421 Beverly Boulevard, Los Angeles, California; Elmo Keel, 4085 Minnesota Avenue Northeast, Washington, District of Columbia; William Enters, suite 1509–1511, 11 South LaSalle Street, Chicago, Illinois; Doctor Gerald I. Cetrulo, 166 Bloomfield Avenue, Newark, New Jersey; Norman Clock, 125 South Fourth Street, Reading, Pennsylvania; Floyd Williams, C–2 704 North Monroe Street, Arlington, Virginia; Reverend Joseph T. O'Callaghan, United States Navy Department, Washington, District of Columbia; George R. Porter, 1730 South Adams Street, Fort Worth, Texas; Robert E. McLaughlin, 800 South Washington Street, Alexandria, Virginia; Ray Sawyer, Plymouth, New Hampshire; James C. Tate, 2 Wilton Road, Rural Free Delivery Numbered 5, Alexandria, Virginia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; A. Ronald Button, 6331 Hollywood Boulevard, Hollywood 28, California; Americus Lamberti, 515 West Seventh Street, Plainfield, New Jersey; Emory S. McNider, Coffeyville, Alabama; Allen Hansen, 815 East Broadway, Tucson, Arizona; Edward S. Shattuck, 1400 North Hobart Boulevard, Los Angeles, California; Elvon L. Howell, 652 Gilpin Street, Denver, Colorado; William N. Welsh, 21 Bristol Street, West Haven, Connecticut; Francis D. Odell, 18 Lawson Avenue, Claymont, Delaware; George Lewis, 125 State Capitol, Atlanta, Georgia; Lee Witaski, 1438 Thorndale Avenue, Chicago, Illinois; Doctor Clyde Iongstreth, Atlantic, Iowa; Harry N. Gillig, Junior, 612 Kansas Avenue, Topeka, Kansas; John H. Ostertag, 955 Charles Street, Louisville, Kentucky; Otto E. Passman, 114–120 Walnut Street, post-office drawer 1833, Monroe, Louisiana; Doctor G. E. Marrone, 610 Fairview Avenue, Frederick, Maryland; Howard J. McDonald, 4 College Street, Lewiston, Maine; Edward J. Beauchamp, 4 College Street, Lewiston, Maine; Albert J. Reynolds, Tremont Temple Building, Boston, Massachusetts; Neil Holland, 401 Charlevoix Building, 2033 Park Avenue, Detroit, Michigan; Monte M. Korn, 18041 Washburn, Detroit, Michigan; Raymond D. Vosburgh, 222½ West Lewis Street, Mankato, Minnesota; George R. Gess, box 47, Mount Olive, Mississippi; Henry W. Simpson, room 500, 119 North Seventh Street, Saint Louis, Missouri; R. C. Letcher, Billings Fire Department, Billings, Montana; Doctor A. D. Faier, 1102 Medical Arts Building, Omaha, Nebraska; Jay J. Strode, Wells, Nevada; N. L. Samaha, C–1, 1 Keeble Street, Plymouth, New Hampshire; William Hepp, 1918 Liberty Bank Building, Buffalo, New York; Huston W. Galyen,

AMVETS. Incorporation.

1121 Sixteenth Avenue North, Fargo, North Dakota; Carl Freudenberg, 1298 Michigan Avenue, Cincinnati, Ohio; Fred Milligan, attorney at law, Columbus, Ohio; Joseph D. Stafford, route 2, box 662, Oklahoma City, Oklahoma; Anthony R. McGrath, 609 Plaza Building, Pittsburgh, Pennsylvania; Harry M. DeWitt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; Robert W. Donald, post-office box 2, Easley, South Carolina; Dick Kelly, Shaw Insurance Company, Sioux Falls, South Dakota; Alex Bullocks, 1464 Washington Street, Memphis, Tennessee; Thomas J. Russell, Burlington, Vermont; John E. Fletcher, 806 North Eye Street, Tacoma, Washington; R. L. Stubbs, Professional Building, Fairmont, West Virginia; Walter L. Thompson, 1316 Lombard, Everett, Washington; Robert A. Garrett, 163 Eccles Building, Ogden, Utah; Searcy Johnson, 805 Mercantile Building, Dallas, Texas; Hampton C. Godbe, 116 P Street, Salt Lake City, Utah; Allen P. Solada, 311 Dauphin Building, Harrisburg, Pennsylvania; George Vukmanic, 221 Martin Avenue, Pittsburgh 16, Pennsylvania; Royce C. Granger, 102 East Eighteenth Street, Tulsa, Oklahoma; Charles E. Nassif, 1023 Thirteenth Street North, Fargo, North Dakota; Paul D. Higgins, 104½ Broadway, Fargo, North Dakota; Edmund P. Radwan, 906 Broadway, Buffalo, New York; Alexander J. Matturria, 234 Mount Prospect Avenue, Newark, New Jersey; J. F. Roche, Bond Building, 1015 Elm Street, Manchester, New Hampshire; Kenneth A. Van Vorst, 114 East Bonanza Road, Las Vegas, Nevada; Julian C. Harvey, 1731 Walnut Street, Kansas City, Missouri; John Wesley, box 482, Picayune, Mississippi; Claude C. Morgan, 810 Hammond Building, Detroit, Michigan; Edward A. Trudell, 26 Horan Way, Jamaica Plain, Massachusetts; Vincent C. Neeson, Labelle and Bellona, Ruxton, Baltimore 4, Maryland; R. L. Huot, 106 Elm Street, Biddeford, Maine; John E. Sutherlin, Sutherlin Sales Company, Industries Building, New Orleans, Louisiana; Thomas Wilkerson, 1600 Washington, Henderson, Kentucky; John C. Junkins, Cherokee, Kansas; Doctor C. W. Hoffman, 1340 Forty-first Street, Des Moines, Iowa; Allen W. Jenkins, 1015 Cherry Street, Evansville, Indiana; Edwin I. Bruder, 6837 Clyde Avenue, Chicago, Illinois; Harry P. Orcutt, Fort Benning, Georgia; Arthur Di Vincent, post-office box 4579, Miami 28, Florida; Maurice B. Marholin, 176 McClintock Road, New Britain, Connecticut; Harry Steinbery, First National Bank Building, El Dorado, Arkansas; Jess Curtiss, 807 North Third Street, Phoenix, Arizona; Edward S. Coston, 69 Ninth Street North, Birmingham, Alabama; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Frank Dee Scriven, 8474 West Third Street, Los Angeles 36, California; Allen C. Hessier, 1275 Clarkson Street, Number 4, Denver 3, Colorado; Michael Dzamki, 3912 First Street, East Chicago, Indiana; S. Howard Rudolph, Junior, Atlantic, Iowa; Fred K. Greer, 427 East Market Street, Princeton, Kentucky; Roy Morgan, Winnfield, Louisiana; James C. Wilt, 842 Columbia Avenue, Cumberland, Maryland; Chester Modzelewski, 67 Davenport Street, Chicopee, Massachusetts; Arthur Madar, 9166 Yorkshire, Detroit, Michigan; John J. Clark, 257 Harrison Street, Biloxi, Mississippi; William E. Blake, 73 Grey, Buffalo 12, New York; Albert Geremia, room 303, 17 Exchange Street, Providence, Rhode Island; Frank E. Richter, 3, 12–14 West Sixth Street, Evansville, Indiana; Frank J. Ross, 1020 East Pleasant, Milwaukee, Wisconsin; Conrad K. Strauss, 160 Holland Avenue, Cowesett, Rhode Island; Paul S. Limerick, 456 Catalina, Webster Groves, Missouri; Raymond O'Brien, 22 North Ryan Street, Buffalo, New York; Dallas P. Richeson, post-office box 2226, Phoenix, Arizona; Fred Nimz, route 6, box 815A, Phoenix, Arizona; Tom

Bulman, 243 East Fifteenth Street, Tucson, Arizona; Charles E. Brode, 15 North Lee Street, Cumberland, Maryland; Clyde B. Blanton, 2095 Seventh Avenue, North, Saint Petersburg, Florida; Floyd Cooper, 912 Polk Street, Amarillo, Texas; Paul Moody, 548 South Spring Street, Los Angeles, California; Oliver A. Farabee, Lexington, North Carolina; Thad Males, 329 West Valerio Street, Santa Barbara, California; and such persons who are members of the AMVETS (American Veterans of World War II) and their successors, are hereby created and declared to be a body corporate by the name AMVETS (American Veterans of World War II) and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions herein contained.

SEC. 2. That a majority of the persons above named and other persons selected from among the membership of AMVETS (American Veterans of World War II), an unincorporated association as set forth in section 1 hereof, met in national convention in Chicago, Illinois, on October 12, 13, and 14, 1945, and then and there, by and through duly elected delegates representing one hundred and thirty-one posts throughout the United States adopted a national constitution, bylaws, and declaration of principles and duly elected national officers for said organization, all as set forth in the Congressional Record, proceedings and debates of the Seventy-ninth Congress, first session, on November 6 and 7, 1945.

Purposes of corporation.

SEC. 3. That the purposes of this corporation shall be as follows:

(1) To preserve for ourselves and our posterity the great and basic truths and enduring principles upon which this Nation was founded.

(2) To maintain a continuing interest in the welfare and rehabilitation of the disabled veterans of World War II and to establish facilities for the assistance of all veterans and to represent them in their claims before the Veterans' Administration and other organizations without charge.

(3) To dedicate ourselves to the service and best interests of the community, State, and Nation, to the end that our country shall be and remain forever a whole, strong, and free Nation.

(4) To aid and encourage the abolition of prejudice, ignorance, and disease. To encourage universal exercise of the voting franchise, to the end that there shall be elected and maintained in public office men and women who hold such office as a public trust administered in the best interests of all the people.

(5) To advocate the development and means by which all Americans may become enlightened and informed citizens and thus participate fully in the functions of our democracy.

(6) To encourage and support an international organization of all peace-loving nations, to the end that not again shall any nation be permitted to breach their national peace.

(7) To continue to serve the best interests of our Nation in peace as in war.

(8) To develop to the utmost the human, mental, spiritual, and economical resources of our Nation.

(9) To perpetuate and preserve the friendships and comradeship born on the battle front and nurtured in the common experience of service to our Nation during time of war.

(10) To honor the memory of those men and women who gave their lives that a free America and a free world might live by the creation of living memorials in the form of additional educational, cultural, and recreational facilities.

Nonprofit operation.

(11) To operate as a corporation not for profit and that no part of the income or assets shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise

than upon dissolution or final liquidation; and that such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

Powers of corporation.
Post, p. 407.

SEC. 4. That the corporation hereby created shall have the following powers: To have perpetual succession with power to sue and be sued in any court of competent jurisdiction; take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, for the management of its property and the regulation of its affairs; to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt; to establish State and regional organizations and local posts; to publish magazines, newspapers, or any other publications consistent with the purposes of the corporation and to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

Propaganda.

SEC. 5. (1) No part of the activities of the corporation shall consist of carrying on propaganda.

Contributions to political parties, etc.

(2) The corporation and its officers and the members of its executive committee as such shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

Current executive committee.

(3) The current executive committee consists of forty members, namely, Ray Sawyer, Plymouth, New Hampshire; Jack W. Hardy, Title Guaranty Building, Los Angeles, California; Albert J. Reynolds, 3117 Washington Street, Roxbury, Massachusetts; L. M. Hinshaw, box 558, Asheboro, North Carolina; J. M. Crespi, Sims Building, 12 Auburn Avenue Northeast, Atlanta, Georgia; Arthur J. Madar, 9166 Yorkshire, Detroit 24, Michigan; Kenneth A. Anderson, 7166 South Penn Street, Denver, Colorado; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Agnes Frazee, post-office box 751, Uniontown, Pennsylvania; Floyd Williams, C-2, 704 North Monroe Street, Arlington, Virginia; William Kipp, 1032 North Dearborn Street, Chicago, Illinois; John J. Carney, 308 Leader Building, Cleveland, Ohio; Doctor John S. Weir, 618 South Main Street, Fond du Lac, Wisconsin; Reverend Sam Hill Ray, Loyola University, New Orleans, Louisiana; Nathan Gordon, Little Rock, Arkansas; Thad Males, 329 West Valerio Street, Santa Barbara, California; Al Grossi, Farmington, Connecticut; Harry M. De Witt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; Charles L. Crowley, 935 Oglethorpe Avenue, Atlanta, Georgia; L. Harlan Swisher, 306 Davidson Drive, Champaign, Illinois; Arthur Schnipper, 4334 Ivy Street, East Chicago, Indiana; Robert Buckmaster, 158 Woodstock Road, Waterloo, Iowa; William C. Moss, Bogalusa, Louisiana; Edward J. Beauchamp, 163 Lisbon Street, Lewiston, Maine; Thomas Burke, 222 South Street, Fitchburg, Massachusetts; Milton F. Cooney, 55 Naomi Street, Pontiac, Michigan; Paul Limerick, 456 Catalina, Webster Groves, Missouri; Louis W. Zaris, 331 Guarantee Trust Building, Atlantic City, New Jersey; William Hepp, 176 Lafayette Street, Buffalo, New York; J. C. Powell, box 830, Winston-Salem, North Carolina; E. L. Hallowell, 455 Forest Avenue, Dayton, Ohio; K. L. Shirk, 33 North Duke Street, Lancaster, Pennsylvania; Albert Geremia, 277 Webster Avenue, Providence, Rhode Island; Richard

H. Dewey, 251 Madison Avenue, Memphis, Tennessee; Ivan Stone, 2708 West Lamar, Houston, Texas; Doctor M. H. Seidner, 406 First Security Bank Building, Ogden, Utah; J. C. McCaughan, Junior, 1904 West Broad Street, Richmond, Virginia; John E. Howell, Junior, 1110½ Seventeenth Street, Parkersburg, West Virginia; and Kenneth Kunde, Quonset Park, Oshkosh, Wisconsin.

(4) The headquarters office and principal place of business of said corporation shall be located in Washington, District of Columbia, but the activities of said organization, as set out herein, shall not be confined to the District of Columbia, but shall be conducted throughout the various States, Territories, and possessions of the United States.

Headquarters office.

SEC. 6. Any American citizen shall be eligible for membership in the AMVETS (American Veterans of World War II) who was regularly enlisted, inducted, or commissioned, and who was accepted for, or was on, active duty in the Army, Navy, Marine Corps, or Coast Guard of the United States, or our allies, on or after September 16, 1940, and who served between this date and the date of cessation of hostilities, as established by the Government of the United States. Service with the armed forces must have been terminated by honorable discharge or honorable separation from the service: *Provided, however*, That persons otherwise eligible for membership who are on active duty or who must continue to serve after the cessation of hostilities are also eligible for membership.

Eligibility for membership.

Persons on active duty.

SEC. 7. (1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

Right to vote, etc.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, ex officio.

Members of executive committee.

SEC. 8. The said corporation may and shall acquire all of the assets of the existing unincorporated association known as AMVETS (American Veterans of World War II) upon discharge or satisfactory provisions for the discharge of all its liabilities.

Acquisition of assets of existing association.

SEC. 9. In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of disabled veterans of World War II.

Dissolution or liquidation of corporation.

SEC. 10. The corporation shall have power to—

Powers of corporation.

(1) Have succession by its corporate name;

Ante, p. 406.

(2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;

(3) Contract and be contracted with;

(4) Transfer and convey all real or personal property;

(5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

SEC. 11. The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

Liability.

SEC. 12. The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

Maintenance of agent in D. C.

Election of national officers.

SEC. 13. The following national officers of the said corporation shall be elected by the chosen delegates thereof in annual national conventions, each official delegate casting one vote, to wit: National commander and seven national vice commanders, one of whom shall be a woman; finance officer, adjutant, judge advocate, and provost marshal.

Records of account, etc.

SEC. 14. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

Inspection of books and records.

Shares of stock, etc.

SEC. 15. The corporation shall not have or issue shares of stock, nor declare or pay dividends.

Loans to officers.

SEC. 16. No loan shall be made by the corporation to its officers or directors, or any of them, and any directors of the corporation who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

Right to use name, etc.

SEC. 17. The corporation and its State, regional, and local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name AMVETS (American Veterans of World War II), and such seals, emblems, and badges as the corporation may lawfully adopt.

Notification of name, etc., of authorized agent.

SEC. 18. As a condition precedent to the exercise of any power or privilege herein granted or conferred AMVETS (American Veterans of World War II) shall serve notice on the secretary of state, in each State, of the name and address of an authorized agent in such State upon whom legal process or demands against this corporation may be served.

SEC. 19. Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are hereby granted and accrue to AMVETS (American Veterans of World War II).

SEC. 20. The right to repeal, alter, or amend this Act at any time is hereby expressly reserved.

Approved July 23, 1947.

[CHAPTER 299]

July 23, 1947
[H. R. 2167]
[Public Law 217]

AN ACT

To authorize the inclusion within the Angostura unit of the Missouri Basin project of certain lands owned by the United States.

Missouri Basin project.
Angostura unit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to add to and make a part of the Angostura unit of the Missouri Basin project, situated in Custer and Fall River Counties, South Dakota, and established pursuant to the provisions of the Act of August 11, 1939, as amended (16 U. S. C. (and Supp.) 590y–590z–11), any lands of the United States acquired under the provisions of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), the Emergency Relief Appropriation Act, approved April 8, 1935 (49 Stat. 115), or title III of the Bankhead-Jones Farm-Tenant Act, approved July 22, 1937 (7 U. S. C. 1010–1013), within the Bad Lands-Fall River land utilization project, administered by the Secretary of Agriculture, which are found to

53 Stat. 1418.

40 U. S. C. §§ 401–414.

50 Stat. 525.

be suitable for such transfer. All lands so added to and made a part of the Angostura unit shall thereafter be subject to all laws applicable to agricultural lands acquired under the provisions of section 5 (a) of the Act of August 11, 1939, as amended (16 U. S. C. 590z-3 (a)); the costs incurred by the United States in acquiring such lands, as well as the costs incurred in the improvement thereof for irrigation purposes, shall be returned in the same manner as though such lands had been acquired under the provisions of said section 5 (a).

54 Stat. 1122.

Approved July 23, 1947.

[CHAPTER 300]

AN ACT

To provide secretaries for circuit and district judges.

July 23, 1947
[H. R. 2746]
[Public Law 218]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each circuit judge and each district judge may appoint a secretary, and each senior circuit judge and each senior district judge in districts having five or more district judges may also appoint an assistant secretary, who shall, subject to appropriations to be made by the Congress, receive compensation to be fixed from time to time by the Director of the Administrative Office of the United States courts and shall be reimbursed for their actual traveling expenses and expenses incurred for subsistence, within the limitations prescribed by law, when necessarily absent from their designated posts of duty on official business.

Compensation; expenses.

SEC. 2. Within the meaning of this Act the District of Columbia shall be deemed to be both a circuit and a district, the United States Court of Appeals for the District of Columbia a circuit court of appeals, and the chief justice and associate justices of that court the senior circuit judge and circuit judges thereof, and the District Court of the United States for the District of Columbia a district court, and the chief justice and associate justices of that court the senior district judge and district judges thereof.

District of Columbia.

Approved July 23, 1947.

[CHAPTER 301]

AN ACT

To integrate certain personnel of the former Bureau of Marine Inspection and Navigation and the Bureau of Customs into the Regular Coast Guard, to establish the permanent commissioned personnel strength of the Coast Guard, and for other purposes.

July 23, 1947
[H. R. 3494]
[Public Law 219]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the total number of commissioned officers, including permanent, temporary, temporary service, and Reserve officers on active duty, and excluding chief warrant officers, on the active list of the Coast Guard shall not exceed two thousand two hundred and fifty. Included in this number shall be the sixty-one extra numbers in rank which under existing law operate to increase the authorized number of line officers upon separation or retirement of the person holding that number, the five professors authorized by existing law who shall not be considered as extra numbers in rank, and the extra numbers in rank authorized by this Act. The commissioned officers shall be distributed in the ranks of rear admiral, captain, commander, lieutenant commander, lieutenant, lieutenant (junior grade), and ensign in the same percentages as are now or may hereafter be prescribed by statute for the Navy. To determine the authorized

Coast Guard.
Authorized number of officers.

Distribution.

Computation.

number of officers in the various ranks as provided in this section the computation shall be based on the actual number of officers on active duty, including permanent, temporary, temporary service, and reserve officers on active duty, but not including extra numbers in the Coast Guard at the date of making the computation. The Secretary of the Treasury shall, at least once each year, make such a computation, and the resulting numbers in the various ranks as so computed shall be held and considered for all purposes as the authorized number in such various ranks. The nearest whole number shall be regarded as the authorized number in case fractions result in the computation. The Secretary of the Treasury is, however, as he may from time to time determine the needs of the Coast Guard require, authorized to reduce the percentages applicable to any rank or ranks above lieutenant commander and in order to compensate for such reduction, to increase correspondingly the percentages applicable to any rank or ranks below the rank or ranks in which such percentages are so reduced. No officer shall be reduced in permanent rank or pay or removed from the active list of the Coast Guard as the result of any computation or determination made by the Secretary of the Treasury to establish the number of officers in the various ranks.

Reduction and increase of percentages.

Reduction in rank, pay, etc.

Promotion to rear admiral.

Assistant Commandant and Engineer in Chief.

Rear admirals of upper half.

SEC. 2. Commissioned officers, including extra numbers in rank, shall be promoted to the ranks of rear admiral by selection, under such regulations as the Secretary of the Treasury may prescribe. The Assistant Commandant and the Engineer in Chief shall be entitled to the pay and allowances provided by law for rear admirals of the upper half. The number of rear admirals on the active list of the Coast Guard entitled to the pay and allowances provided by law for rear admirals of the upper half, excluding the Assistant Commandant and the Engineer in Chief for purposes of computation, shall be one-half of the number of officers on the active list of that rank. Where the division results in an odd number, the odd number shall be placed in the upper half. No officer who has or may become entitled to the pay and allowances of a rear admiral of the upper half shall suffer a reduction of his pay and allowances solely by reason of the fact that the number of rear admirals may for any reason be reduced. The precedence on the list of rear admirals shall be determined by the date of first appointment to that rank, except that the Assistant Commandant shall, while holding such office, be next in precedence to the Commandant.

Precedence.

Appointment of commissioned officers.

SEC. 3. The President is authorized to appoint, by and with the advice and consent of the Senate, permanent commissioned officers in the Coast Guard in ranks appropriate to their qualifications, experience, and length of service, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may deem necessary, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Categories.

(1) Graduates of the Coast Guard Academy;

(2) Temporary commissioned officers of the Coast Guard;

(3) Chief warrant officers, warrant officers, and enlisted men of the Coast Guard;

(4) Members of the Coast Guard Reserve;

(5) Licensed officers of the United States merchant marine who have served four or more years aboard a vessel of the United States in the capacity of a licensed officer; and

(6) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred

from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875), and who on March 1, 1942, held the civil-service rating of CAF-9 or P-3, or above.

50 U. S. C. app. § 601 note.
60 Stat. 1097.
5 U. S. C. § 133y-16 note.

Probationary period.

Any person described in category (5) of this section, commissioned pursuant to the provisions of this Act, shall serve a probationary period of two years, during which time his commission may be revoked if his services are unsatisfactory, pursuant to such regulations as the Secretary of the Treasury may prescribe.

Precedence in rank.

SEC. 4. Appointees under section 3 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers of the Coast Guard, or as commissioned officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe. Appointees from category (6) of section 3 shall be assigned running mates, as determined by the Secretary of the Treasury, from among regular line officers of the Coast Guard in the respective ranks in which such appointees are commissioned.

Running mates.

Appointment of chief warrant officers.

SEC. 5. The President is authorized to appoint, by and with the advice and consent of the Senate, permanent chief warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Categories.

(1) Temporary commissioned officers of the Coast Guard;
(2) Temporary chief warrant officers of the Coast Guard;
(3) Temporary and permanent warrant officers of the Coast Guard;
(4) Enlisted men of the Coast Guard;
(5) Members of the Coast Guard Reserve;
(6) Licensed officers of the United States merchant marine; and
(7) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

50 U. S. C. app. § 601 note.
60 Stat. 1097.
5 U. S. C. § 133y-16 note.

Appointment of warrant officers.

SEC. 6. The Secretary is authorized to appoint permanent warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Categories.

(1) Temporary chief warrant officers and temporary warrant officers of the Coast Guard;
(2) Enlisted men of the Coast Guard;
(3) Members of the Coast Guard Reserve;
(4) Licensed officers of the United States merchant marine; and
(5) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were

transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

50 U. S. C. app. § 601 note.
60 Stat. 1097.
5 U. S. C. § 133y-16 note.

Precedence in rank.

SEC. 7. Appointees under sections 5 and 6 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers, chief warrant officers, or warrant officers of the Coast Guard, or as commissioned officers, chief warrant officers, or warrant officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe.

Extra numbers.

SEC. 8. Included in the two thousand two hundred and fifty commissioned officers authorized by section 1 of this Act shall be four hundred and fifty-three extra numbers to which the President is authorized to appoint, pursuant to the provisions of this Act, only the personnel described in category (6) of section 3. In the event that any person from among the personnel eligible to fill such extra numbers does not qualify, or who, being qualified does not accept a commission, the extra numbers not so filled shall be reserved pending the separation of such persons from the Coast Guard by retirement, transfer, resignation, death, or other cause. Upon such separation, each vacancy so reserved, and each vacancy created by the unavailability for appointment of personnel described in category (6) of section 3, or by the retirement, resignation, death, or other separation from the active military service of the Coast Guard of personnel described in category (6) of section 3 who are commissioned pursuant to the provisions of this Act shall increase by one the authorized number of line officers, and decrease by one the authorized number of extra numbers.

Eligibility for promotion.

SEC. 9. Any person described in category (6) of section 3 who is commissioned pursuant to the provisions of this Act shall be an extra number in any rank to which he may be promoted. He shall be eligible for promotion, if otherwise qualified, at such time as the regular line officer who is his running mate becomes eligible for promotion, and shall be examined only with respect to those qualifications which pertain to his specialty.

Further examinations.

SEC. 10. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 shall be required to undergo further professional, physical, or mental examinations as a prerequisite to original commissioning, appointment, or enlistment pursuant to this Act, and the physical standards for such personnel while serving in the Regular Coast Guard shall not be greater than those applicable generally to civilian employees under civil-service laws and regulations.

Computation of length of service for retirement.

SEC. 11. In computing length of service for purposes of retirement of a person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, there shall be included, in addition to all service now or hereafter creditable by law, all service as a civilian employee of the United States within the purview of the Act of May 22, 1920, as amended (5 U. S. C. 691 and the following), such service to be classified as commissioned, warrant, or enlisted depending upon which status the person assumes upon his entry into the Regular Coast Guard. Service covering the same period shall not be counted more than once.

41 Stat. 614.
Ante, p. 135; *post*, p. 453.

SEC. 12. Any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act shall not be entitled to any retirement benefits under any laws relating to the retirement of civilian personnel of the Federal Government, but shall be entitled upon claim therefor to a return of the total contributions made by him to the retirement fund with interest thereon and, in addition, to eligibility for retirement benefits provided by law for members of the Regular Coast Guard, he shall, if his total service in the Federal Government, civil plus military, is fifteen years or over, be entitled, upon reaching the statutory retirement age for military personnel of the Regular Coast Guard, to retirement pay amounting to 75 per centum of his active-duty pay at the time of such retirement; and, in the administration of applicable laws for physical disability retirement, a disability shall be deemed to have been incurred incident to Coast Guard service if the cause of such disability is not due to vicious habits, intemperance, or misconduct.

Retirement benefits.

Retirement pay.

Disability.

SEC. 13. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted in the Coast Guard pursuant to the provisions of this Act shall suffer any reduction in annual compensation, including allowances, below the compensation applicable to his permanent civil-service position at the time of such commissioning, appointment, or enlistment, exclusive of overtime compensation, and the civil-service status, tenure, seniority, and compensation of any such person who for any reason is not commissioned, appointed, or enlisted under the provisions of this Act shall not be impaired by reason of this Act.

Reduction in annual compensation, etc.

SEC. 14. Accrued military leave of any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is a member of the Coast Guard Reserve or the Naval Reserve on active duty, and who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, shall be credited to him upon such commissioning, appointment, or enlistment.

Accrued military leave.

SEC. 15. Any person described in category (5) of section 6 who enlists in the Coast Guard shall be considered as enlisted pursuant to this Act.

Enlistment.

SEC. 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed; but nothing contained in this Act shall be construed to affect the continued application to the Coast Guard of the Act of July 24, 1941, as amended (34 U. S. C., Supp. V, secs. 350–350J).

55 Stat. 603.
Ante, pp. 312, 313.

Approved July 23, 1947.

[CHAPTER 302]

AN ACT

To extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto.

July 23, 1947
[H. R. 3958]
[Public Law 220]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of extension of priority rights under section 1 of Public Law 690, Seventy-ninth Congress, approved August 8, 1946, and the time for the payment of any fee or the taking of any other action under section 3 of said Act, specified as expiring twelve months after the passage of that Act, shall be further extended to a date not later than February 29, 1948, in favor of citizens of the United States and citizens or subjects of countries which grant or shall grant before February 29, 1948, substantially reciprocal privileges to citizens of the United States for such extended term, subject to the provisions of said Public Law 690.

Patents.

60 Stat. 940.
35 U. S. C. § 101.

60 Stat. 942.
35 U. S. C. § 103.

60 Stat. 940.
35 U. S. C. §§ 101–114.

Approved July 23, 1947.

[CHAPTER 304]

July 23, 1947
[H. R. 205]
[Public Law 221]

AN ACT

To amend the Act approved May 7, 1934, granting citizenship to the Metlakahtla Indians of Alaska.

Metlakahtla, etc., Indians of Alaska.

8 U. S. C. § 601 note.

U. S. citizenship.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 7, 1934, entitled "An Act granting citizenship to the Metlakahtla Indians of Alaska" (48 Stat. 667) is hereby amended to read as follows:

"That the Indians of the Tsimshian Tribe, and those people known as Metlakahtlans, who emigrated from Metlakahtla, British Columbia, Canada to Annette Island, in the Alexander Archipelago in southeastern Alaska in the year 1887, and there established a colony known as Metlakahtla, Alaska, and any and all other British Columbia Indians who joined them there not later than January 1, 1900, and have since resided continuously in the Territory of Alaska, having been faithful and loyal to the Constitution, laws, and the Government of the United States, are hereby declared to be citizens of the United States."

SEC. 2. That the first sentence of section 339 of the Nationality Act of 1940, approved October 14, 1940, as amended (54 Stat. 1160; 58 Stat. 4; 8 U. S. C. Supp. 739), is hereby amended to read as follows:

Certificate of citizenship.

"SEC. 339. A person who claims to have derived United States citizenship through the naturalization of a parent or through the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions of section 1993 of the United States Revised Statutes, or of section 1993 of the United States Revised Statutes as amended by section 1 of the Act of May 24, 1934 (48 Stat. 797), or who is a citizen of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940 (54 Stat. 1138; U. S. C., title 8, sec. 601), or of the Act of May 7, 1934 (48 Stat. 667), may apply to the Commissioner for a certificate of citizenship."

8 U. S. C. § 601 (c), (d), (e), (g), and note.

Approved July 23, 1947.

[CHAPTER 305]

July 24, 1947
[H. R. 1609]
[Public Law 222]

AN ACT

To authorize the Legislature of the Territory of Alaska to provide for the exercise of zoning power in town sites on the public lands of the United States.

Alaska.
Zoning power in town sites.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Alaska is hereby authorized to exercise or to provide for the exercise of zoning power, through a Territorial Zoning Commission or otherwise, in town sites on the public lands of the United States in Alaska; except that such power shall not extend to lands or buildings while they are being utilized by, or to buildings or other structures while they are being constructed by or for, the United States.

Approved July 24, 1947.

[CHAPTER 306]

July 24, 1947
[H. R. 1882]
[Public Law 223]

AN ACT

For expenditure of funds for cooperating with the public-school board at Walker, Minnesota, for the extension of public-school facilities to be available to all Indian children in the district.

Walker, Minn.
Appropriation authorized for school facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, an additional sum of $35,000 for the purpose

of cooperating with Independent School District Numbered 5, Cass County, Minnesota, at Walker, Minnesota, for the construction, extension, equipment, and improvement of public-school facilities at Walker, Minnesota, as authorized by the Act of July 1, 1940 (54 Stat. 707, 708): *Provided*, That the expenditure of the additional amount herein authorized to be appropriated shall be subject to the same terms, conditions, and requests contained in the Act of July 1, supra.

Approved July 24, 1947.

[CHAPTER 307]

AN ACT

To amend the Alaska game law.

July 24, 1947
[H. R. 3343]
[Public Law 224]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 4 of the Alaska game law of January 13, 1925 (43 Stat. 739), as amended July 1, 1943 (57 Stat. 301), is further amended to read as follows:

48 U. S. C. § 210.

"Members of the Commission, other than the executive officer, each shall receive as compensation for his services a per diem of $10 while going to and from and while actually engaged in investigations, meetings, inquiries, and hearings of the Commission, but the total per diem compensation of all the Commissioners, taken together, shall not exceed the sum of $7,000 in any one fiscal year. In addition, each member of the Commission, including the executive officer, shall have reimbursed to him necessary traveling and subsistence expenses incurred or made in the discharge of his official duties. The per diem compensation and the traveling and subsistence expenses of the Commissioners, other than the executive officer, shall be paid from the appropriations authorized by section 17 of this Act, and the salary and the traveling and subsistence expenses of the executive officer shall be paid from such appropriations for the work of the Fish and Wildlife Service in the Territory, including those provided for by this Act, as the Director may designate."

Compensation of members of Commission.

Reimbursement of expenses.

57 Stat. 312.
48 U. S. C. § 204a.
Salary, etc., of executive officer.

SEC. 2. Any and all employment of members of the Commission to carry out the investigations, inquiries, and hearings referred to in section 4 of the Alaska game law prior to the enactment of this Act, and the payment of compensation to them for such services in addition to the payment of compensation for their services in attendance at meetings of the Commission, is hereby approved.

43 Stat. 740.
48 U. S. C. §§ 208-211.

Approved July 24, 1947.

[CHAPTER 308]

AN ACT

To transfer the Panama Railroad pension fund to the civil service retirement and disability fund.

July 24, 1947
[H. R. 3513]
[Public Law 225]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning July 1, 1947, all officers and employees of the Panama Railroad Company not employed on the Isthmus of Panama and not within the operation of section 91 through section 107 of title 2 of the Canal Zone Code shall be included within the terms of the Civil Service Retirement Act of May 29, 1930, as amended, unless excluded by Executive orders issued under the authority of said Act.

Panama Railroad pension fund.

48 Stat. 1122.

46 Stat. 468.
5 U. S. C. § 691 *et seq.*
Ante, p. 135; *post*, p. 453.

SEC. 2. The Panama Railroad Company shall cause to be transferred to the Secretary of the Treasury for credit to the civil service retirement and disability fund an amount equal to the gross assets of

Transfer of funds.

the Panama Railroad pension fund at the close of business on June 30, 1947, subject to the assumption of the liabilities of that fund as of the close of business on June 30, 1947, by the civil service retirement and disability fund.

Individual accounts.

SEC. 3. Under such regulations as the Civil Service Commission may prescribe, an individual account shall be established for each officer and employer who is a member of the Panama Railroad pension fund as of June 30, 1947, and to whom this Act applies, to which shall be credited the amount of contributions which he would have made, had he, while employed by the Panama Railroad Company prior to July 1, 1947, been within the purview of the Civil Service Retirement Act of May 29, 1930, as amended, with interest thereon, and credit shall be allowed for the purposes of said Act for the period of service covered by said contributions.

46 Stat. 468.
5 U. S. C. § 691 *et seq.*
Ante, p. 135; *post*, p. 453.

Credit for service prior to July 1, 1947.
Supra.

SEC. 4. No credit under section 3 of this Act shall be allowed under the Civil Service Retirement Act to any officer or employee to whom this Act applies for service rendered the Panama Railroad Company prior to July 1, 1947, unless and until the amount of any refund of contributions to any such officer or employee out of the Panama Railroad pension fund has been redeposited with interest in the civil service retirement and disability fund.

Payment of annuity.

SEC. 5. In the case of those officers and employees of the Panama Railroad Company who before July 1, 1947, shall have been retired under the provisions of the Panama Railroad pension plan, the annuity shall be paid out of the civil service retirement and disability fund, but this Act shall not be so construed as to reduce or increase the annuity in any such case, and all rights and benefits of such persons shall otherwise continue as though this Act had not been enacted.

Approved July 24, 1947.

[CHAPTER 309]

July 24, 1947
[H. R. 4011]
[Public Law 226]

AN ACT

To amend section 1602 of the Federal Unemployment Tax Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1602 of the Federal Unemployment Tax Act (Internal Revenue Code, sec. 1602), as amended, is hereby amended by adding at the end thereof a new subsection to read as follows:

53 Stat. 184.
26 U. S. C. § 1602.

"(d) VOLUNTARY CONTRIBUTIONS.—A State law may, without being deemed to violate the standards set forth in subsection (a), permit voluntary contributions to be used in the computation of reduced rates if such contributions are paid prior to the expiration of one hundred and twenty days after the beginning of the year for which such rates are effective, or prior to January 1, 1948, whichever date is the later."

Applicability.

SEC. 2. The amendment made by section 1 shall be applicable only with respect to taxable years beginning after December 31, 1945.

Approved July 24, 1947.

[CHAPTER 311]

July 24, 1947
[H. R. 734]
[Public Law 227]

AN ACT

To amend the Act of February 12, 1925, and for other purposes.

Claims of Indian tribes in Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved February 12, 1925 (43 Stat. 886), entitled "An Act authorizing certain Indian tribes, or any of them, residing in the State

of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise", be, and the same is hereby, amended by adding thereto the following sections:

Quinaielt Tribe.

"SEC. 4. That in the action now pending before the Court of Claims entitled "The Quinaielt Tribe of Indians versus the United States", numbered L-23, instituted pursuant to the provisions of this Act, the Quinaielt Tribe is hereby declared to be the proper party plaintiff for the purpose of further proceedings in that action, and for the purpose of prosecuting the action to a final conclusion on behalf of all Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1855, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent acts of Congress.

Compensation of attorneys.

"SEC. 5. That the Court of Claims is authorized and directed, notwithstanding any other provision of this Act, to ascertain what attorney or attorneys have performed services for the Indians of the Quinaielt Reservation in the aforesaid action, and in conformity with the contract of employment, approved by the Secretary of the Interior on November 30, 1937, to determine the compensation of the attorney or attorneys on the basis of quantum meruit but not exceeding in the aggregate 10 per centum of the amount of the judgment, if any, to be entered in said action. The proceeds of the judgment, less the amount deductible for attorneys' compensation and the amount deductible for necessary and proper expenses, shall be deposited in the Treasury of the United States to the credit of the Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1855, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent Acts of Congress: *Provided*, That the plaintiff in the aforesaid pending action may amend its petition to conform to this Act and the Act of August 13, 1946 (Public, 726, Seventy-ninth Congress).

Deposit of proceeds.

60 Stat. 1049.
25 U. S. C. §§ 70-70a.

Approved July 24, 1947.

[CHAPTER 312]

AN ACT

July 24, 1947
[H. R. 1337]
[Public Law 228]

Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

Red Lake Band of Chippewa Indians, Minn.
Per capita payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. L. 137), to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment or distribution of $50 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Ratification of Act.

Approved July 24, 1947.

[CHAPTER 313]

AN ACT

July 24, 1947
[H. R. 1554]
[Public Law 229]

To amend the Act entitled "An Act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes", approved June 30, 1932.

Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An Act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes", approved June 30, 1932 (47 Stat. 446), is hereby amended by adding at the end thereof the following new section:

48 U. S. C. §§ 321a-327.

Reservation of right-of-way for roads, etc.

"SEC. 5. In all patents for lands hereafter taken up, entered, or located in the Territory of Alaska, and in all deeds by the United States hereafter conveying any lands to which it may have reacquired title in said Territory not included within the limits of any organized municipality, there shall be expressed that there is reserved, from the lands described in said patent or deed, a right-of-way thereon for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under the authority of the United States or of any State created out of the Territory of Alaska. When a right-of-way reserved under the provisions of this Act is utilized by the United States or under its authority, the head of the agency in charge of such utilization is authorized to determine and make payment for the value of the crops thereon if not harvested by the owner, and for the value of any improvements, or for the cost of removing them to another site, if less than their value."

Payment for value of crops, etc.

Approved July 24, 1947.

[CHAPTER 314]

AN ACT

July 24, 1947
[H. R. 2097]
[Public Law 230]

To declare the ownership of the timber on the allotments on the Northern Cheyenne Indian Reservation, and to authorize the sale thereof.

Northern Cheyenne Indian Reservation. Sale of timber, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Act of June 3, 1926 (44 Stat. 690), the timber on the allotments on the Northern Cheyenne Indian Reservation, whether or not the lands were hitherto classified as chiefly valuable for timber, are hereby declared to be the property of the allottees and may hereafter be sold pursuant to the provisions of section 8 of the Act of June 25, 1910 (36 Stat. 857; 25 U. S. C., sec. 406). Nothing contained in this Act shall be construed to require the payment to the allottees of the proceeds of sales made prior to the passage of this Act.

Approved July 24, 1947.

[CHAPTER 315]

AN ACT

July 24, 1947
[H. R. 2825]
[Public Law 231]

To provide additional funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, Becker, and Cass Counties, Minnesota, in the construction, improvement, and extension of school facilities to be available to both Indian and white children.

Minnesota. Appropriation authorized for school facilities.
54 Stat. 1020.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the amount authorized to be appropriated by the Act of October 8, 1940 (Public, Numbered 804, Seventy-sixth Congress), there is hereby authorized to be appropriated, out of any funds in the Treasury not

otherwise appropriated, the sum of $213,000 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be apportioned as follows: Naytahwaush, Independent School District Numbered 29, Mahnomen County, $146,000; Inger, District Numbered 6 (Deer River), Itasca County, $12,500; Lake Lena, District Numbered 129, Pine County, $12,500; Pine Point, District Numbered 133, Becker County, $27,000; Squaw Point area, unorganized territory, Cass County, $15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in the said buildings shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States Government, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder, title to which will, after recoupment is accomplished, vest in the public school district, shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 per centum of the amount allocable to any of the several above-named districts may be transferred in the discretion of the Commissioner of Indian Affairs, to the amount of any other of the above-mentioned projects, but no project shall be increased more than 10 per centum by any such transfer.

Availability of schools to Indian children.

Plans and specifications.

Payment for work.

Recoupment by U. S.

Transfer of funds.

Approved July 24, 1947.

[CHAPTER 316]

AN ACT

July 24, 1947
[H. R. 3598]
[Public Law 232]

Granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast and creating the Pacific Marine Fisheries Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast, creating the Pacific Marine Fisheries Commission, and now ratified by the States of California, Oregon, and Washington. The compact reads as follows:

Interstate fisheries compact, Pacific coast.

Pacific Marine Fisheries Commission.

"PACIFIC MARINE FISHERIES COMPACT

"The contracting states do hereby agree as follows:

"ARTICLE I

"The purposes of this compact are and shall be to promote the better utilization of fisheries, marine, shell and anadromous, which are of mutual concern, and to develop a joint program of protection

Purposes.

and prevention of physical waste of such fisheries in all of those areas of the Pacific ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction.

Limiting of production, etc.

"Nothing herein contained shall be construed so as to authorize the aforesaid states or any of them to limit the production of fish or fish products for the purpose of establishing or fixing the prices thereof or creating and perpetuating a monopoly.

"ARTICLE II

Operation of agreement.

"This agreement shall become operative immediately as to those states executing it whenever two or more of the states of California, Oregon and Washington have executed it in the form that is in accordance with the laws of the executing state and the congress has given its consent.

"ARTICLE III

State representation on commission.

"Each state joining herein shall appoint, as determined by state statutes, one or more representatives to a commission hereby constituted and designated as the Pacific Marine Fisheries Commission, of whom one shall be the administrative or other officer of the agency of such state charged with the conservation of the fisheries resources to which this compact pertains. This commission shall be invested with the powers and duties set forth herein.

Term of commissioners, etc.

"The term of each commissioner of the Pacific marine fisheries commission shall be four years. A commissioner shall hold office until his successor shall be appointed and qualified but such successor's term shall expire four years from legal date of expiration of the term of his predecessor. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled for the unexpired term, or a commissioner may be removed from office, as provided by the statutes of the state concerned. Each commissioner may delegate in writing from time to time, to a deputy, the power to be present and participate, including voting as his representative or substitute, at any meeting of or hearing by or other proceeding of the commission.

Voting powers.

"Voting powers under this compact shall be limited to one vote for each state regardless of the number of representatives.

"ARTICLE IV

Inquiry respecting conservation, etc.

"The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, in all of those areas of the Pacific ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their respective jurisdictions and said conservation zones to promote the preservation of those fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the signatory parties hereto.

Coordination of police powers.

Recommendations to governors and legislatures.

"To that end the commission shall draft and, after consulation with the advisory committee hereinafter authorized, recommend to the governors and legislative branches of the various signatory states hereto legislation dealing with the conservation of the marine, shell and anadromous fisheries in all of those areas of the Pacific

ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The commission shall, more than one month prior to any regular meeting of the legislative branch in any state signatory hereto, present to the governor of such state its recommendations relating to enactments by the legislative branch of that state in furthering the intents and purposes of this compact.

Consultations.

"The commission shall consult with and advise the pertinent administrative agencies in the signatory states with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable and which lie within the jurisdiction of such agencies.

Stocking of waters with fish and fish eggs.

"The commission shall have power to recommend to the states signatory hereto the stocking of the waters of such states with marine, shell or anadromous fish or fish eggs or joint stocking by some or all of such states and when two or more of the said states shall jointly stock waters the commission shall act as the coordinating agency for such stocking.

"ARTICLE V

Organization.

"The commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure remove or discharge such officers and employes as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place within the territorial limits of the signatory states but must meet at least once a year.

Offices.

"ARTICLE VI

Action taken by commission.

"No action shall be taken by the commission except by the affirmative vote of a majority of the whole number of compacting states represented at any meeting. No recommendation shall be made by the commission in regard to any species of fish except by the vote of a majority of the compacting states which have an interest in such species.

"ARTICLE VII

State research agencies.

"The fisheries research agencies of the signatory states shall act in collaboration as the official research agency of the Pacific marine fisheries commission.

Advisory committee.

"An advisory committee to be representative of the commercial fishermen, commercial fishing industry and such other interests of each state as the commission deems advisable shall be established by the commission as soon as practicable for the purpose of advising the commission upon such recommendations as it may desire to make.

"ARTICLE VIII

Powers of State.

"Nothing in this compact shall be construed to limit the powers of any state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any state imposing additional conditions and restrictions to conserve its fisheries.

"ARTICLE IX

Continued absence of representation.

"Continued absence of representation or of any representative on the commission from any state party hereto, shall be brought to the attention of the governor thereof.

"ARTICLE X

Contributions of compacting States.

"The states agree to make available annual funds for the support of the commission in proportion to the primary market value of the products of their fisheries as recorded in the latest published reports (five year average), provided no state shall contribute less than two thousand dollars ($2,000) per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars.

"The compacting states agree to make available initially the annual amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the latest five year catch records. Subsequent budgets shall be recommended by a majority of the commission and the total amount thereof allocated equitably among the states in accordance with the above formula.

"Schedule of Initial Annual State Contributions

California	$11,000
Oregon	$ 2,000
Washington	$ 2,000
Total	$15,000

"ARTICLE XI

Duration.

"This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other parties hereto."

Report to Congress.

SEC. 2. The Pacific Marine Fisheries Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 3. The right to alter, amend, or repeal the provisions of sections 1, 2, and 3 is hereby expressly reserved.

Approved July 24, 1947.

[CHAPTER 320]

July 25, 1947
[S. 1515]
[Public Law 233]

AN ACT

To make surplus property available for the alleviation of damage caused by flood or other catastrophe.

Transfer of surplus property to alleviate flood damage, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the War Assets Administration shall, whenever the President shall determine it to be necessary or appropriate because of flood or other catastrophe, transfer, without reimbursement, to the Federal Works Agency such articles of personal property, which have been declared surplus under the provisions of the Surplus Property Act of 1944 (58 Stat. 765), as amended, as in the judgment of the Federal Works Administrator and the War Assets Administrator can be presently utilized in alleviating damage, hardship, and suffering caused by such flood or other catastrophe.

50 U. S. C. app. §§ 1611-1646.
Post, p. 678.

SEC. 2. The Federal Works Administrator is authorized to loan or transfer, with or without monetary consideration and upon such terms and conditions as he may prescribe, to States and local governments situated in any area struck by any such flood or catastrophe, any property transferred to the Federal Works Agency for such purposes pursuant to the provisions of this Act. All receipts from such transfer shall be covered into the Treasury of the United States to the credit of miscellaneous receipts.

Receipts from transfers.

SEC. 3. In carrying out the provisions of this Act the Federal Works Administrator is authorized to utilize, and act through, any other Federal agency or any State or local government and he may utilize, without reimbursement therefor, such officers and employees of any such agency or State or local government as may be found necessary in carrying out the purposes of this Act. In order to facilitate carrying out the purposes of this Act, other Federal agencies shall cooperate with the Federal Works Agency and the War Assets Administration to the fullest extent consistent with the objective of this Act.

Cooperation of Federal agencies.

SEC. 4. To carry out the provisions of this Act, including administrative expenses in connection therewith, any funds available to the Federal Works Administrator or Agency for use in connection with the transfer of surplus or other excess property, under Public Law 697, Seventy-ninth Congress, are hereby made available; and for such purpose there is authorized to be appropriated such additional sums as may be necessary therefor.

Availability of funds.

60 Stat. 958.
42 U. S. C. §§ 1572, 1574.
Ante, p. 128; *post*, p. 453.
Appropriation authorized.

Approved July 25, 1947.

[CHAPTER 321]

AN ACT

To amend Public Law 304, Seventy-seventh Congress.

July 25, 1947
[H. R. 187]
[Public Law 234]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 304, Seventy-seventh Congress, entitled "An Act to authorize transportation of employees of the United States on vessels of the Army transport service", approved November 21, 1941 (55 Stat. 775), is amended to read as follows:

Alaska.

10 U. S. C. § 1371a.

"That when, in the opinion of the Secretary of War, accommodations are available, transportation on vessels or airplanes of Army transport agencies may be provided, without expense to the United States, to employees of the United States, residing in Alaska, who have been in such employment for a period of not less than two years, and to their families: *Provided*, That except in cases of dire emergency, such as sickness or death, the privilege herein granted shall be limited, as to each eligible individual, to one round trip between Alaska and the States during each two-year period from and after the passage of this Act: *And provided further*, That no such traffic by air shall be carried by the Army if such air traffic can be reasonably handled by a United States civil air carrier, and the carriage of all such air traffic shall be terminated if the Civil Aeronautics Board certifies that in its opinion commercial services of United States civil air carriers adequate to handle such air traffic are in operation between Alaska and the continental United States."

Transportation of U. S. employees on Army transports.

Limitation.

Air transportation.

Approved July 25, 1947.

[CHAPTER 322]

AN ACT

Authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort McIntosh at Laredo, Texas, and certain personal property in connection therewith, without exchange of funds or reimbursement.

July 25, 1947
[H. R. 2225]
[Public Law 235]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Section, International Boundary and Water Commission, United States and Mexico, is hereby authorized to accept by transfer without reimbursement or exchange of funds, and to assume permanent

International Boundary and Water Commission.
Transfer of property to U. S. Section.

custody and control over, that portion of Fort McIntosh at Laredo, Texas, described as follows: A tract containing sixty-five and twenty-five one-hundredths acres, more or less, shown as tract 2 on drawing numbered 7125–08 of the United States Section of the International Boundary and Water Commission, United States and Mexico, and on field notes attached thereto, which drawing and field notes are on file with said United States Section, with the Federal Public Housing Authority, and with the War Assets Administration; together with the improvements and buildings hereon located, and such of the furnishings, equipment, and other personal property situated at Fort McIntosh and under the jurisdiction of the War Assets Administration, and which has heretofore been declared surplus, as may be needed for the maintenance, operation, and protection of the area described and improvements thereon, and for purposes incidental to the use of such property by the said United States Section as a field headquarters, or for other purposes, in connection with any project or works under the jurisdiction of the said United States Section, said property having heretofore been declared surplus and assigned to the Federal Public Housing Authority as disposal agency by the War Assets Administration; and the War Assets Administration, or other Federal agency in responsible charge, is authorized and directed to transfer said property to the said United States Section without reimbursement or exchange of funds.

Approved July 25, 1947.

CHAPTER 323]

AN ACT

July 25, 1947
[H. R. 2314]
[Public Law 236]

To amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the Act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said Acts to the survivors of deceased officers without administration of estates.

Naval Aviation Cadet Act of 1942, amendment.
34 U. S. C. § 850k.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Naval Aviation Cadet Act of 1942 (56 Stat. 738), as amended by the Act of October 25, 1943 (57 Stat. 574), as so amended, is hereby further amended by striking out that part of the said section which appears before the first proviso thereof and substituting therefor the following: "When officers commissioned pursuant to this Act or the Naval Aviation Reserve Act of 1939 (53 Stat. 819) are released from active duty that has been continuous for one or more years, they shall be paid a lump sum of $500 for each complete year of continuous commissioned active service, or, in the event of the death of such officers, the beneficiaries specially designated in the manner prescribed by the Secretary of the Navy shall be paid such sum, or, if no beneficiary has been specially designated and no demand is presented by a duly appointed legal representative of the deceased officer's estate, the decedent's widow, or legal heirs shall be paid such sum in the following order of precedence: First, to the widow; second, if the decedent left no widow, or the widow be dead at the time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes; and in the event of the death of such officers not the result of their own misconduct, or if released from active duty otherwise than upon their own request or as a result of disciplinary action, this lump-sum payment shall be prorated for fractional parts of each year of such service:".

Payment on release from active duty.
34 U. S. C. §§ 849 notes, 853c.

Payment to beneficiaries, etc.

Add a new section 2, as follows:

"SEC. 2. Section 2 of the Act of June 16, 1936 (49 Stat. 1524), as amended by section 2 of the Act of April 3, 1939 (53 Stat. 559), as amended by section 6 of the Act of June 3, 1941 (55 Stat. 240), as so amended, is hereby further amended by adding at the end of the section the following: '*Provided*, That in the event of the death of such officer, after continuous active duty for one or more years, the beneficiaries specially designated in the manner prescribed by the Secretary of War shall be paid such sum, or, if no beneficiary has been specially designated and no demand is presented by a duly appointed legal representative of the deceased officer's estate, the decedent's widow, or legal heirs shall be paid such sum in the following order of precedence: First, to the widow; second, if the decedent left no widow, or the widow be dead at the time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes; and in the event of the death of such officer, not the result of his own misconduct, this lump-sum payment shall be prorated for fractional parts of each year of such service.'"

10 U. S. C. § 300a.

Payment to beneficiaries, etc.

Approved July 25, 1947.

[CHAPTER 324]

AN ACT

July 25, 1947
[H. R. 4106]
[Public Law 237]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1948, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1948, out of (1) the general fund of the District of Columbia, hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and $11,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1947), (2) highway funds, established by law (D. C. Code, title 47, ch. 19), and (3) the water fund, established by law (D. C. Code, title 43, ch. 15) and $1,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1947), sums as follows:

District of Columbia Appropriation Act, 1948.

Ante, pp. 118, 187, 188, 244, 245, 361; *post*, pp. 608, 609, 698.

Ante, p. 361.

Ante, p. 359.

From the general fund: All sums appropriated under the following heads: General administration, fiscal service, compensation and retirement fund expenses, regulatory agencies, public schools, Public Library, Recreation Department, Metropolitan Police, Fire Department, policemen's and firemen's relief, Veterans' Services, courts, Health Department, public welfare, public works (excluding those items designated as payable from the highway and water funds), National Guard, National Capital Parks, National Capital Park and Planning Commission, and National Zoological Park;

From the highway fund: All sums appropriated under District debt service and public works designated as payable from the highway fund; and

Post, p. 443.

From the water fund: All sums appropriated under public works and Washington aqueduct, designated as payable from the water fund; namely:

GENERAL ADMINISTRATION

For expenses necessary for the offices named under this general head:

Executive office, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; six members of the Apprenticeship Council at $120 per annum each; $250 to aid in support of the National Conference of Commissioners on Uniform State Laws; general advertising in newspapers and legal periodicals in the District of Columbia but not elsewhere, unless the need for advertising outside the District of Columbia shall have been specifically approved by the Commissioners, including notices of public hearings, publication of orders and regulations, tax and school notices, and notices of changes in regulations; and $20,000 for expenses in case of emergency, such as riot, pestilence, public insanitary conditions, flood, fire, or storm, and for expenses of investigations; $208,000: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of $1,500 of this appropriation for such purposes as they may deem necessary.

42 Stat. 1488. 5 U. S. C. § 661 *et seq.*

National Conference of Commissioners on Uniform State Laws.

Office of the corporation counsel, including extra compensation for the corporation counsel as general counsel of the Public Utilities Commission; $4,500 for the settlement of claims not in excess of $250 each, approved by the Commissioners in accordance with the Act approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and judicial expenses, including witness fees and expert services, in District of Columbia cases before the courts of the United States and of the District of Columbia; $224,000.

D. C. Code §§ 1-902 to 1-905.

Board of Tax Appeals, $20,600.

FISCAL SERVICE

For expenses necessary for the offices named under this general head:

Assessor's office, including advertising notice of taxes in arrears July 1, 1947, to be reimbursed by a charge of 75 cents for each lot or piece of property advertised, $574,000: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one newspaper published in the District of Columbia.

Collector's office, including refunding, wholly or in part, erroneous payments of taxes, special assessments, school tuition charges, payment for lost library books, rents, fines, fees, or collections of any character, which have been erroneously covered into the Treasury to the credit of the general fund, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), $299,900: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

D. C. Code § 5-430.

Auditor's office, $388,000.

Purchasing Division, $88,800.

COMPENSATION AND RETIREMENT FUND EXPENSES

For compensation and retirement fund expenses, as follows:

District government employees' compensation: For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, authorizing compensation for

Ante, p. 244.

41 Stat. 104. D. C. Code § 1-311.

employees of the government of the District of Columbia suffering injuries while in the performance of their duties, $62,000.

Workmen's compensation, administrative expenses: For transfer to the Bureau of Employees' Compensation for administration of the law providing compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, $123,000.

District government employees' retirement: For financing of the liability of the government of the District of Columbia, created by the Act approved May 22, 1920, as amended (5 U. S. C. 707a), $1,530,000, which amount shall be placed to the credit of the "Civil service retirement and disability fund".

Retirement Act, contribution.

41 Stat. 614.
5 U. S. C. § 691 *et seq.*
Ante, p. 135; *post*, p. 453.

DISTRICT DEBT SERVICE

District debt service (payable from highway fund): For reimbursement to the United States of funds loaned, including interest as required, in compliance with sections 3 and 4 of the Act of December 20, 1941 (55 Stat. 847), as amended, $70,000.

REGULATORY AGENCIES

Regulatory agencies: For expenses necessary for agencies named under this general head:

Alcoholic Beverage Control Board, including $1,000 for the purchase of samples, $87,800.

Board of Indeterminate Sentence and Parole, $56,600.

Coroner's office, including juror fees, and repairs to the morgue, $45,600.

Department of Insurance, $61,900.

Department of Weights, Measures, and Markets, including maintenance and repairs to markets, $2,500 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, purchase of three passenger motor vehicles, $135,700: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Director of the Department of Weights and Measures, and Markets, upon requisition previously approved by the Auditor of the District of Columbia, sums of money, not exceeding $200 at any one time, to be used exclusively in connection with investigations and detection of short weights and measures.

License Bureau, $40,600.

Minimum Wage and Industrial Safety Board, $54,650.

Office of Administrator of Rent Control, $100,000.

Office of Recorder of Deeds, including $100 for equipment and medical supplies for rest room, $183,500, of which $21,000 shall be available exclusively for the purchase of photostatic equipment.

Post, p. 698.

Poundmaster's office, including uniforms for dog catchers, $34,100.

Public Utilities Commission, $128,377: *Provided*, That no appropriation in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission: *Provided further*, That the foregoing provision shall not be construed to prevent the Public Utilities Commission from holding a hearing upon any application that may be made for the installation of meters in taxicabs.

Meters in taxicabs.

Zoning Commission, $29,500.

PUBLIC SCHOOLS

OPERATING EXPENSES

General administration: For expenses necessary for the general administration of the public-school system of the District of Columbia, $556,300.

Ante, p. 369.

General supervision and instruction: For expenses necessary for supervision, instruction, and education in the teachers colleges and in the day, evening, and summer public schools of the District of Columbia, and the education of foreigners of all ages in the Americanization schools; including textbooks; and subsistence supplies for pupils attending the schools for crippled children; $13,546,620.

49 Stat. 1488.
20 U. S. C. §§ 15h-15q.

Vocational education, George-Barden program: For expenses necessary for the development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936, as amended, including allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed $100 per annum for each automobile), $185,900.

Operation of buildings and grounds and maintenance of equipment: For expenses necessary for the operation of school buildings and grounds and the purchase and repair of equipment, including insurance of District-owned or borrowed passenger motor vehicles, $2,542,000.

Ante, p. 244.

Repairs and maintenance of buildings and grounds: For expenses necessary for the repair, maintenance, and improvement of school buildings, mechanical equipment, and school grounds, $1,130,000: *Provided*, That this appropriation shall be available for making repairs to other municipal buildings, subject to reimbursement from other applicable appropriations for the cost of such work, and a report of all such expenditures shall be submitted to Congress in the annual Budget.

Repairs to other municipal buildings.

Report to Congress.

Deaf and dumb, and blind persons.

Auxiliary educational services: For the maintenance and instruction of deaf and dumb persons of the District of Columbia admitted to the Columbia Institution for the Deaf, and for the maintenance and instruction of colored deaf mutes of teachable age, and blind children, of the District of Columbia, in Maryland or some other State, by contract entered into by the Commissioners, for the transportation of children attending schools or classes established by the Board of Education for physically handicapped children, and for carrying out the provisions of the Act of December 16, 1944 (58 Stat. 811), $96,600.

34 U. S. C. § 945.

41 Stat. 387.
D. C. Code §§ 31-701 to 31-720.
60 Stat. 875.
Ante, p. 260; *post*, p. 750.

Teachers' retirement appropriated fund: To carry out the Act of January 15, 1920, as amended by the Act of June 11, 1926 (44 Stat. 727), and the Act of August 7, 1946 (Public Law 624), $1,707,000: *Provided*, That the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury, and the Commissioners are authorized to expend from money to the credit of the teachers' retirement fund not exceeding $5,000 per annum for this purpose, including personal services, without regard to the civil-service and classification laws.

CAPITAL OUTLAY

For furnishing and equipping the following school buildings: Bunker Hill Elementary School, Central Senior High School, Chamberlain Vocational High School, Crummell Elementary School, Dunbar Senior High School, Kimball Elementary School, Kramer

Junior High School, Logan Elementary School, Miller Junior High School, Nalle Elementary School, Phelps Vocational High School, Randall Junior High School, Sousa Junior High School, Taft Junior High School, Tyler Elementary School, Washington Vocational High School, Western Senior High School, and Young Elementary School, $600,000, to remain available until expended.

For construction, as follows:

Construction of school buildings.

For continuing construction of the Miller Junior High School, including recreation facilities and treatment of grounds, to be located in the vicinity of Forty-ninth Street and Washington Place Northeast, $350,000, and the contract authorization for said building specified in the First Deficiency Appropriation Act, 1946, is hereby increased to $1,808,000: *Provided*, That not to exceed $25,890 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

59 Stat. 643.

For beginning construction of a new twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Third and L Streets Northwest, to replace the present Walker and Jones Schools, $300,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed $671,000: *Provided*, That not to exceed $9,630 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1946, for plans and specifications for a twenty-four-room elementary-school building to replace the present Walker and Jones Schools shall be available for the preparation of plans and specifications for the building specified herein;

59 Stat. 277.

For an additional amount for the construction of an addition to the Randall Junior High School, consisting of eighteen rooms and a cafeteria, necessary remodeling of the present building, and treatment of grounds, $130,000;

For an additional amount for the construction of an eight-room addition to the Kimball Elementary School, including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, $140,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed $525,000: *Provided*, That not to exceed $6,450 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

For an additional amount for the construction of an eight-room addition to the Logan Elementary School, including an assembly hall-gymnasium, recreation facilities, treatment of grounds, and necessary remodeling of the present building, $148,000;

For continuing construction of a new twenty-four-room elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of East Capitol Street and Benning Road Southeast (Nalle), $200,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1947, is hereby increased to $664,000: *Provided*, That not to exceed $7,320 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

60 Stat. 506.

For continuing construction of a new junior high-school building (Sousa), including recreation facilities and treatment of grounds, to be located in the vicinity of Thirty-fourth Street and Minnesota Avenue Southeast, $300,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1947, is hereby increased to $1,895,000: *Provided*, That not to exceed $28,500 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

60 Stat. 505.

The contract authorization for the Spingarn Senior High School specified in the First Deficiency Appropriation Act, 1946, is hereby increased to $2,505,000;

59 Stat. 643.

For alterations and additions at the Central High School, $60,000;

For beginning construction of a sixteen-room elementary-school building (Montgomery), including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of New Jersey Avenue and P Street Northwest, to replace the present Morse and Twining Elementary Schools, $150,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed $600,000: *Provided*, That not to exceed $7,280 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1945, for plans and specifications for an elementary-school building to replace the present Morse and Twining Schools shall be available for the preparation of plans and specifications for the building specified herein;

58 Stat. 514.

For beginning construction of an eight-room addition to the Beers Elementary School including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, $150,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed $487,800: *Provided*, That not to exceed $14,634 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

For beginning construction of a twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Nichols Avenue and Sumner Road Southeast, to replace the present Birney permanent and temporary buildings, $200,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed $725,000: *Provided*, That not to exceed $6,750 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1945, for plans and specifications for a twenty-four-room elementary-school building to replace the present Birney School shall be available for the preparation of plans and specifications for the building specified herein;

58 Stat. 514.

For the construction of a temporary eight-room addition to the Crummell Elementary School, $115,000;

For continuing construction of an addition to the Taft Junior High School, including ten classrooms, two gymnasiums, recreation facilities, an inclined floor in the auditorium, necessary improvements

and alterations of the present building, and treatment of grounds, $310,000, and the contract authorization of said addition specified in the First Deficiency Appropriation Act, 1946, is hereby increased to $814,000: *Provided*, That not to exceed $18,210 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition, and the amount appropriated in the District of Columbia Appropriation Act, 1946, for an addition to the Taft Junior High School is hereby made available for the construction of the addition specified herein;

59 Stat. 643.

59 Stat. 276.

For the preparation of plans and specifications for a new senior high-school building to replace the present Armstrong Senior High School building, including recreation facilities and treatment of grounds, to be constructed at a total cost of not to exceed $2,505,000 on a site owned by the District of Columbia in Brentwood Park, $75,150, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services", and the availability for the expenditure of the unexpended balance of the appropriation of $32,760 for the preparation of plans and specifications for an addition to the Armstrong Senior High School, contained in the District of Columbia Appropriation Act, 1947, Public Law 493, Seventy-ninth Congress, second session, is hereby rescinded;

60 Stat. 506.

For completion of three classrooms on the second floor of the Bunker Hill Elementary School, and necessary improvements and alterations of the present building, $25,000;

For the preparation of plans and specifications for an eight-room addition to the Payne Elementary School, including an assembly hall-gymnasium, recreation facilities, and necessary remodeling of the present building, to be constructed at a total cost not to exceed $498,000 including treatment of grounds, $14,940, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For beginning construction of an eight-room addition to the Young Elementary School, including necessary remodeling of the present building, and treatment of grounds, $150,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed $305,000: *Provided*, That not to exceed $9,150 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

For the preparation of plans and specifications for an eight-room addition to the Syphax Elementary School, including necessary remodeling of the present building, to be constructed at a total cost not to exceed $305,000, including treatment of grounds, $9,150, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new junior high-school building to replace the present Shaw Junior High-School Building, including recreation facilities and treatment of grounds, to be constructed at a total cost of not to exceed $1,808,000, on a site owned by the District of Columbia, at Seventh and O Streets Northwest, $54,240, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services", and the availability for the expenditure of the unexpended balance of the appropriation of $5,250 for the preparation of plans and specifications for a new auditorium at the Shaw Junior High School, and for the conversion of the present auditoriums into two

Availability of funds rescinded.

gymnasiums, contained in the District of Columbia Appropriation Act, 1946 (Public Law 103, Seventy-ninth Congress, first session), is hereby rescinded;

59 Stat. 277.

For continuing construction of a new elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of Eleventh and G Streets Southeast, to replace the present Cranch and Tyler Schools, $300,000, and the contract authorization for said building specified in the First Deficiency Appropriation Act, 1946, is hereby increased to $670,000: *Provided*, That not to exceed $9,600 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

59 Stat. 643.

For the preparation of preliminary sketches of gymnasiums and of a stadium and associated structures at Dunbar Senior High School, including the improvement of grounds for athletic purposes, $4,000, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For an additional amount for the construction of a seven-room addition on the third floor of the Anacostia Senior High School, including necessary remodeling of the present building, $33,750;

Total.

In all, for construction, including preparation of plans and specifications, $3,219,230, to be immediately available as one fund and to remain available until expended, to be disbursed and accounted for as "Capital outlay, construction public schools, District of Columbia".

Purchase of sites.

For the purchase of sites as follows:

In the vicinity of Ninth and C Streets Southeast, to provide additional land required for a new junior high school to replace the present Hine Junior High School;

In the vicinity of River Terrace Northeast, to provide for an eight-room elementary school, and for playground purposes;

In the vicinity of Twenty-first and L Streets Northwest, to provide for a twenty-four-room elementary school, including an auditorium and physical education and recreation facilities, to replace the present Stevens Elementary School, and for playground purposes;

At the Payne Elementary School to provide for an eight-room elementary-school addition, including an assembly hall-gymnasium and recreation facilities, and for school-playground purposes;

At the Syphax Elementary School to provide for an eight-room elementary-school addition, and for school-playground purposes;

In the vicinity of Third and L Streets Northwest, to provide for additional land needed for the construction of a twenty-four-room elementary-school building, including an auditorium and physical education and recreation facilities, to replace the present Walker and Jones Schools, and for school-playground purposes;

Total.

In all, for sites, $450,000, to remain available until expended and to be disbursed and accounted for as "Capital outlay, school building and playground sites, District of Columbia".

The appropriation for the purchase of a site in the vicinity of the Amidon School, for the construction of a twenty-four-room elementary school building, including an assembly hall-gymnasium, for the replacement of present Amidon, Fairbrother, and Greenleaf Schools, in the District of Columbia Appropriation Act, 1945, shall cease to be available for the purchase of a site at such location but is hereby made available for the purchase of a site in the vicinity of Sixth and G Streets Southwest, for the construction of an elementary school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, to replace the same three elementary schools.

58 Stat. 515.

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1947, to teachers of the public schools of the District of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

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

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the free instruction of pupils who dwell outside the District of Columbia: *Provided*, That this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of the approval of this Act.

Free instruction of pupils outside D. C.

PUBLIC LIBRARY

For expenses necessary for the operation of the Public Library, including extra services on Sundays and holidays; newspapers, books, periodicals, and other printed material, including payment in advance for subscription thereto; music records, sound recordings, and educational films; alterations, repairs; fitting up buildings; care of grounds; and rent of suitable quarters for branch libraries in Anacostia, Chevy Chase, and Woodridge; $1,154,600: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Public Library, upon requisition previously approved by the Auditor of the District of Columbia, not exceeding $50 at the first of each month, for the purchase of certain books, pamphlets, periodicals, or newspapers, or other printed material.

Ante, p. 244.

The unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for the new central building of the Public Library of the District of Columbia shall remain available for the same purposes and under the same conditions and limitations until June 30, 1948.

53 Stat. 1011.

RECREATION DEPARTMENT

Operating expenses: For expenses necessary for operation and maintenance of recreation facilities in and for the District of Columbia, $1,055,300.

Ante, p. 244.

Capital outlay: For improvement of various recreation units, including erection of recreation structures, preparation of architectural and landscape architectural plans, and reimbursement to the United States of funds advanced in compliance with section 501 of the Act of October 3, 1944 (58 Stat. 791), $220,500.

50 U. S. C. app. § 1671.

METROPOLITAN POLICE

Ante, p. 311.

For expenses necessary for the Metropolitan Police, including pay and allowances; one inspector who shall be property clerk; the present acting sergeant in charge of police automobiles with the rank and pay of sergeant; the present acting sergeant in charge of the police radio station with the rank and pay of lieutenant; the present sergeant in charge of purchasing and accounts with the rank and pay of lieutenant; corporals at $2,600 per annum each; technicians with basic salary increase of $240 per annum each; not to exceed four detectives in the salary grade of captain; probational detectives with basic salary increase of $120 per annum each; allowances for privately owned automobiles used by inspectors in the performance of official duties at not to exceed $480 per annum for each automobile; meals for prisoners; rewards for fugitives; medals of award; photographs; rental and maintenance of teletype system; travel expenses incurred in prevention and detection of crime; $3,000 for expenses of attendance, without loss of pay or time, at specialized police training classes and pistol

Ante, p. 244.

Technicians.

matches, including tuition and entrance fees; $2,500 for expenses of the police training school, including travel expenses of visiting lecturers or experts in criminology; police equipment and repairs to same; insignia of office, uniforms, and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; expenses of harbor patrol; and the maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise; $5,900,000, of which amount $16,000 shall be exclusively available for expenditure by the Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Prevention and detection of crime.

Maintenance of public order, etc.

For expenses necessary to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District during the period of public recognition extended to returning military or naval personnel or visiting dignitaries, including the cost of removing and relocating streetcar loading platforms, roping of streets, erection of stands, printing of signs, and operation of temporary comfort stations, $10,000: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of $2,000 of this appropriation for such purposes as they may deem necessary.

Capital outlay, Metropolitan Police: For the construction of a police precinct station house, including equipment, on land to be acquired by the District of Columbia in square 5083, $174,000.

Advances.

The disbursing officer of the District of Columbia is authorized to advance to the Superintendent of Police upon the approval of the Commissioners, sums of money to be used in the prevention and detection of crime, the total of such advancements not to exceed $5,000 at any one time.

FIRE DEPARTMENT

Ante, p. 244.

For expenses necessary for the Fire Department, including pay and allowances; uniforms and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; repairs and improvements to buildings and grounds; $3,644,400, of which not to exceed $77,000 may be expended for maintenance and operation of the fire-alarm system: *Provided*, That the Commissioners, in their discretion, may authorize the construction, in whole or in part, of fire-fighting apparatus in the Fire Department repair shop.

Capital outlay, Fire Department: For the acquisition of sites for fire-engine houses in the vicinity of Forty-ninth and East Capitol Streets Southeast and in the vicinity of Twenty-fourth and Irving Streets Southeast, and for the purchase of fire-alarm systems, $114,600, to remain available until expended.

POLICEMEN'S AND FIREMEN'S RELIEF

Ante, p. 244.

For policemen's and firemen's relief and other allowances as authorized by law, $2,300,000.

VETERANS' SERVICES

For expenses necessary to provide services to veterans and war workers, including personal services without regard to classification or civil-service laws, $107,100.

COURTS

District of Columbia courts: For expenses of the following District of Columbia courts, including witness fees and compensation of jurors; lawbooks, books of reference, and periodicals; printing and binding; lodging and meals for jurors, bailiffs, and deputy United States marshals while in attendance upon jurors, when ordered by the courts; and meals for prisoners:

Juvenile court, $231,500, of which $500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, and of which $12,400 shall be available for payment to the United States Public Health Service for furnishing psychiatric service, including the detail of necessary medical and other personnel: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, not to exceed $50 at any one time, to be expended for travel expenses to secure the return of absconding probationers.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.

Return of absconding probationers.

Municipal court, including pay of retired judges and $651 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $475,900: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Supra.

D. C. Code § 11-722.

Municipal court of appeals, $77,400, of which $300 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

Supra.

United States courts: For reimbursement to the United States for services rendered to the District of Columbia by the Judiciary and the Department of Justice as specified under the head "United States courts for the District of Columbia" in the Judiciary Appropriation Act, 1948, and in the Department of Justice Appropriation Act, 1948, $833,000.

Ante, pp. 302, 289.

Probation system: For expenses necessary for the probation system, including $150 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $47,900.

Supra.

Office of Register of Wills: For expenses necessary for the Office of Register of Wills, including $600 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and contract statistical services, $146,900.

Supra.

Commission on Mental Health: For expenses necessary for the Commission on Mental Health, including an executive secretary at $4,150 per annum and physician-members at $5,153 per annum, $39,200, of which $1,000 shall be available for the payment of fees to attorneys appointed in accordance with the Act of June 8, 1938 (52 Stat. 625), not exceeding $25 in any one case.

D. C. Code § 21-308.

HEALTH DEPARTMENT

Operating expenses, Health Department (excluding hospitals): For expenses necessary for the general administration, medical services, laboratories, and inspection services of the Health Department, including the enforcement of the Acts relating to the prevention of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work in schools; the maintenance of a dental-health service; the maintenance of a maternal and child-health service; housekeeping assistance in cases of authentic indigent sick at salary rates to be fixed by the Commissioners; the maintenance of a service for the care of handicapped and crippled children; the conducting of a mass X-ray tuberculosis survey; the establishment of a cancer control project; the maintenance of a public health engineering service; the maintenance of a nursing service; the maintenance of a psychiatric service; the maintenance of an emergency ambulance service; the operation and maintenance of laboratories; out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians at rates to be fixed by the Commissioners, and the enforcement of the Acts relating to the drainage of lots and abatement of nuisances in the District of Columbia, the Act relating to the adulteration of foods, drugs, and candy, the Act relating to the manufacture and sale of mattresses, the Act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and the Act relating to the sale of milk, cream, and ice cream; such expenses to include one physician at $5,905 per annum to be appointed without regard to civil-service laws; contract investigational service; uniforms; rent; purchase of passenger motor vehicles; manufacture of serum in indigent cases; and allowances for privately owned automobiles used for the performance of official duties (not to exceed $264 per annum for each automobile for employees other than dairy-farm inspectors and not to exceed $312 per annum for each automobile for dairy-farm inspectors); $2,042,000: *Provided*, That the Commissioners may, without creating any obligation for the payment of money on account thereof, accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the medical services herein provided for: *Provided further*, That not to exceed $200 may be expended for special services in detecting adulteration of drugs and foods, including candy and milk.

X-ray survey.

Automobile allowances.

Volunteer services.

Special services.

Operating expenses, Glenn Dale Tuberculosis Sanatorium: For expenses necessary for the Tuberculosis Sanatorium at Glenn Dale, Maryland, including compensation of consulting physicians at rates to be fixed by the Commissioners; rental and purchase of busses and an ambulance; classroom supplies; and repairs and improvements to buildings and grounds; $1,600,000, of which not to exceed $5,000 shall be for the compensation of convalescent patients to be employed in essential work of the sanatorium and as an aid to their rehabilitation at rates and under conditions to be determined by the Commissioners; but nothing in this paragraph shall be construed as conferring employee status on patients whose services are so utilized.

Operating expenses, Gallinger Municipal Hospital: For expenses necessary for Gallinger Municipal Hospital and the Tuberculosis Hospital at Fourteenth and Upshur Streets Northwest including one superintendent at $9,975 per annum plus $1,500 per annum for a residence; one deputy superintendent at $7,581 per annum; not to exceed five full-time chief medical officers at $7,581 per annum each and two associate medical officers at $5,905 per annum each, to be

appointed without reference to civil-service requirements; musical instruments and music; expenses of commencement exercises, entertainments, and the training school for nurses; expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; and repairs and improvements to buildings and grounds; $3,450,000.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, $190,000; Central Dispensary and Emergency Hospital, $65,000; Eastern Dispensary and Casualty Hospital, $65,000; Washington Home for Incurables, $35,000; in all $355,000.

Columbia Hospital and Lying-in-Asylum: For general repairs, including labor and material to be expended under the direction of the Architect of the Capitol, $10,000.

Freedmen's Hospital: For reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital, as specified under the head, "Freedmen's Hospital", in the Federal Security Agency Appropriation Act, 1948, $400,000.

Ante, p. 265.

DEPARTMENT OF CORRECTIONS

Operating expenses: For expenses necessary for the Department of Corrections, including subsistence of interns; compensation of consulting physicians, dentists, and other specialists at rates to be fixed by the Commissioners; attendance of guards at pistol and rifle matches; uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; rental of motion-picture films; repairs and improvements to buildings and grounds; purchase of motorbusses; support, maintenance, and transportation of prisoners transferred from the District of Columbia; expenses of interment of deceased inmates; electrocutions; shipping remains of deceased prisoners to their homes in the United States; identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped inmates and parole and conditional-release violator; and returning released prisoners to their residences, or to such other place within the United States as may be authorized by the Director, and the furnishing of suitable clothing and, in the discretion of the Director, an amount of money not to exceed $30, regardless of length of sentence, $2,500,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the Director, Department of Corrections, upon requisitions previously approved by the Auditor of the District of Columbia and upon such security as the Commissioners may require of said Director, sums of money not exceeding $500 at one time, to be used only for expenses in returning escaped prisoners, conditional releases, and parolees: *Provided further*, That not to exceed $40,000 of the amount appropriated for Operating Expenses, Adult Correctional Service, District of Columbia Appropriation Act, fiscal year 1947, and the unexpended balance of the amount of $116,600 appropriated for Capital Outlay, Structural Improvements at the Jail, District of Columbia Appropriation Act, fiscal year 1947, are continued available until June 30, 1948.

Advances.

60 Stat. 514.

60 Stat. 514.

PUBLIC WELFARE

For expenses necessary for the general administration of public welfare in the District of Columbia, including contract investigational services; $87,000.

Ante, p. 244.

Agency services: For expenses necessary for certification of persons eligible for any public benefits which are or may become available as may be approved by the Commissioners, relief and rehabilitation for purposes of employment of indigent residents of the District of Columbia, to be expended under rules and regulations prescribed by the Commissioners; vocational rehabilitation of disabled residents of the District of Columbia in accordance with the provisions of the Act of July 6, 1943 (Public Law 113); aid to dependent children in accordance with the provisions of the Act of June 14, 1944 (Public Law 340); assistance against old-age want, as authorized by law; aid for needy blind persons, as authorized by law; services for children in their own homes; distribution of surplus commodities and relief milk to public and charitable institutions; $62,000 for necessary expenses, including personal services without regard to the Classification Act of 1923, as amended, for the carrying out, under regulations to be prescribed by the Commissioners of a "penny milk" program for the school children of the District, including the purchase and distribution of milk under agreement with the United States Department of Agriculture, and for the carrying out of a food-conservation program in the District of Columbia, including "Victory" gardens and the canning of the products thereof; maintenance pending transportation, and transportation, of indigent nonresident persons; transportation of other indigent persons, including veterans and their families; deportation of nonresident insane persons, as provided by law, including persons held in the psychopathic ward of the Gallinger Municipal Hospital; burial of indigent residents of the District of Columbia; for placing and visiting children; board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District, including white girls committed to the National Training School for Girls and all children accepted by said Board for care as authorized by law; temporary care of children pending investigation or while being transferred from place to place, with authority to pay for the care of children in institutions under sectarian control; for continuous maintenance of foster homes for temporary or emergency board and care of nondelinquent children; care and maintenance of women and children under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Florence Crittenton Home, St. Ann's Infant Asylum and Maternity Hospital, the House of Mercy, and other institutions caring for unmarried mothers; and for burial of children dying while beneficiaries under this appropriation, including rental, repair, and upkeep of building; $3,110,400: *Provided*, That collections from the milk program shall be paid to the collector of taxes, District of Columbia, for deposit in the Treasury of the United States to the credit of the District, and that reimbursement for canning of "Victory" garden products shall be in kind and for the benefit of public-welfare institutions of the District of Columbia: *Provided further*, That no part of this appropriation shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside of the District of Columbia and the State of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and said Board shall have power to discharge from guardianship any child committed to its care.

57 Stat. 374.
29 U. S. C. §§ 31-41.
58 Stat. 277.
D. C. Code, Supp. V, §§ 32-751 to 32-765.

"Penny milk" program.

42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

"Victory" gardens.

Collections from milk program.

Visits to wards outside D. C., Va., and Md.

Operating expenses, protective institutions: For expenses necessary for the operation of the Industrial Home School, the Industrial Home School for Colored Children, the National Training School for Girls, the Municipal Lodging House, the Home for the Aged and Infirm, the District Training School; Temporary Home for

Former Soldiers and Sailors; maintenance, under jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise; including subsistence of interns; compensation of consulting physicians and veterinarians at rates to be fixed by the Commissioners; repairs and improvements to buildings and grounds; securing suitable homes for paroled or discharged children; and care and maintenance of boys committed to the National Training Schools for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the Attorney General at a rate of not to exceed $2 per day for each boy so committed; $1,852,900: *Provided*, That no part of this appropriation shall be used for the maintenance of white girls in the National Training School for Girls: *Provided further*, That the salary of the superintendent of the National Training School for Girls shall be at the rate of $4,400 per annum.

Restriction on use of funds.

Salary of superintendent.

Capital outlay, protective institutions: For an additional amount for the construction of a third floor and a permanent roof to the hospital and administration building, District Training School, $52,000, and the appropriation $70,000 for the foregoing purpose, contained in the First Deficiency Appropriation Act, 1946, shall remain available until expended.

59 Stat. 643.

Saint Elizabeths Hospital: For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, $6,229,000.

Day-care centers: For all expenses necessary for the establishment, maintenance, and operation of a system of nurseries and nursery schools for the day care of children of school or under school age, including personal services, as authorized by Public Law 123, Eightieth Congress, approved June 27, 1947, $150,000: *Provided*, That no part of these funds shall be expended for the care of children the income of whose parents, parent, or guardian exceeds $2,600 per annum.

Ante, p. 188.

Restriction.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the Auditor of the District and upon such security as the Commissioners may require of said Director, sums of money to be used for placing and visiting children; returning parolees; and deportation of nonresident insane persons; the total of such advancements not to exceed $2,000 at any one time.

Advances.

PUBLIC WORKS

Operating expenses, office of chief clerk: For expenses for the office of chief clerk, including maintenance and repair of wharves; and $1,000 for affiliation with the National Safety Council, Incorporated; $71,000.

Office of Municipal Architect: For expenses necessary for the Office of Municipal Architect, $88,400.

All apportionments of appropriations for the use of the Office of Municipal Architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than $2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of $2,000,000, and appropriations specifically made in this Act for the

Basis of apportionment.

Reimbursements.

preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District government, without reference to fiscal-year limitations on such appropriations.

Ante, p. 244.

Operating expenses, Office of Superintendent of District Buildings: For expenses necessary for care of the District buildings, including rental of postage meter equipment, uniforms and caps for guards, $876,000.

Capital outlay, office of superintendent of District buildings: For the purchase and installation of equipment, to convert the District building power plant from steam to electricity, $34,800.

Surveyor's office: For expenses necessary for the surveyor's office, $128,700.

Fire escapes.

D. C. Code §§ 5-301 to 5-312.
D. C. Code §§ 5-601 to 5-615, 5-501 to 5-505.

Department of Inspections: For expenses necessary for the Department of Inspections, including the enforcement of the Act requiring the erection of fire escapes on certain buildings (48 Stat. 843) and the removal of dangerous or unsafe and insanitary buildings (34 Stat. 157; 49 Stat. 105); such expenses to include two members of the plumbing board at $150 per annum each; two members of the board of examiners, steam engineers, at $300 per annum each (the inspector of boilers to serve without additional compensation); $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed in surveys of such dangerous and unsafe buildings; three members of board of special appeal; one member of motion-picture operators examing board at $300 per annum; and two members of electrical examining board at $300 per annum each; $540,860.

Ante, p. 244.

Operating expenses, Electrical Division: For expenses necessary for the operation and maintenance of the District's communication systems, including rental, purchase, installation, and maintenance of telephone, telegraph, and radio services; and street lighting, including the installation and maintenance of public lamps, lamp posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost and maintenance of airport and airway lights necessary for operation of the air mail to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181), and other laws applicable thereto; $1,175,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

D. C. Code §§ 7-701 to 7-705.

Rates for electric street lighting.

Capital outlay, Electrical Division: For expenses necessary for placing underground, relocating, and extending the telephone, police-patrol, and fire-alarm systems; and purchase of lampposts, street designations and fixtures of all kinds; $137,900.

Ante, p. 244.

Central garage: For expenses, including the purchase of passenger motor vehicles, work cars, field wagons, ambulances, and busses and three chauffeurs for the Executive Office at $2,394 per annum each, $133,300.

Use of motor vehicles.

60 Stat. 810, 5 U. S. C. § 78(c).

All motor-propelled passenger-carrying vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conformity with section 5 (c) of the Act of August 2, 1946 (Public Law 600, Seventy-ninth Congress), and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof, or direct the alteration or

interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act: *Provided*, That "official purposes" shall not apply to the Commissioners of the District of Columbia and in cases of officers and employees, the character of whose duties make such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Nonapplicability of "official purposes."

Operating expenses, Street and Bridge Divisions (payable from highway fund): For operating expenses of the Street and Bridge Divisions, including operation, minor construction, maintenance, and repair of bridges; repairs to streets, avenues, roads, sidewalks, and alleys; reconditioning existing gravel streets and roads; and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners; such expenses to include purchase of passenger motor vehicles, surveying instruments, implements, and equipment used in this work: $1,858,000, of which amount $45,000 shall be exclusively for snow removal purposes: *Provided*, That the Commissioners are hereby authorized to purchase and install a municipal asphalt plant including all auxiliary plant equipment to be paid for from this appropriation at a cost not to exceed $150,000.

Ante, p. 244.

Snow removal.

Municipal asphalt plant.

Capital outlay, Street and Bridge Divisions (payable from highway fund): For expenses necessary for the grading, surfacing, paving, repaving, widening, altering, and otherwise improving streets, avenues, roads, and alleys, including curbing and gutters, directional and pedestrian islands at various intersections to permit of proper traffic-light control and channelization of traffic, drainage structures, culverts, suitable connections to storm-water sewer system, retaining walls, replacement and relocation of sewers, water mains, fire hydrants, traffic lights, street lights, fire-alarm boxes, police-patrol boxes, and curb-line trees, when necessary, Federal-aid highway projects under section 1 (b) of the Federal Aid Highway Act of 1938, and highway structure projects financed wholly from the highway fund upon the approval of plans for such structures by the Commissioners; for carrying out the provisions of existing laws which authorize the Commissioners to open, extend, straighten, or widen streets, avenues, roads, or highways, in accordance with the plan of the permanent system of highways for the District of Columbia, and alleys and minor streets, and for the establishment of building lines in the District of Columbia, including the procurement of chains of title; and for assessment and permit work, paving of roadways under the permit system, and construction of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, $5,285,000, to remain available until June 30, 1949, and the limit of cost of the South Capitol Street Bridge as specified in the District of Columbia Appropriation Act, 1943, is increased to $5,400,000: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the Water Division shall be available for snow removal when ordered by the Commissioners in writing: *Provided further*, That in connection with the purchase and installation of a municipal asphalt plant on District owned property the Commissioners are authorized to make expenditures from this appropriation in an amount not exceeding $150,000 for the preparation of the site, including the construction of sea walls, dock facilities, and a railroad siding: *Provided further*, That in connection with the highway planning

52 Stat. 633.
23 U. S. C. § 41b.

56 Stat. 453.

Snow removal.

Municipal asphalt plant.

survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, and in connection with the construction of Federal-aid highway projects under section 1 (b) of said Act, and highway structure projects financed wholly from the highway fund, this appropriation shall be available for the employment of engineering or other professional services by contract or otherwise, and without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, and section 15 of the Act of August 2, 1946 (60 Stat. 806), and for engineering and incidental expenses: *Provided further*, That this appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act (47 Stat. 752), and the proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to make such payment, from the said street-railway company in the manner provided by section 5 of the Act of June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That in connection with projects to be undertaken as Federal-aid projects under the provisions of the Federal Aid Highway Act of December 20, 1944, the Commissioners are authorized to enter into contract or contracts for those projects in such amounts as shall be approved by the Public Roads Administration, Federal Works Agency: *Provided further*, That this appropriation may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination and other construction projects authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1 (b) of the Federal Aid Highway Act of 1938, pending reimbursement to the District of Columbia by the Public Roads Administration, Federal Works Agency, reimbursement to be credited to fund from which payment was made: *Provided further*, That the Commissioners are authorized to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act: *Provided further*, That no appropriation in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving materials as well as in price: *Provided further*, That in addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

52 Stat. 636; 53 Stat. 1066.

52 Stat. 633.
23 U. S. C. § 41b.

41 U. S. C. § 5.

60 Stat. 810.
5 U. S. C. § 55a.

Street-railway pavements.

D. C. Code § 7-604.

20 Stat. 106.
D. C. Code § 7-604.

Assessments for paving and repaving.

Contracts.

58 Stat. 838.
23 U. S. C. §§ 60-63.

Grade-crossing elimination.

23 U. S. C. § 24a.
52 Stat. 633.
23 U. S. C. § 41b.

Widths of sidewalks and roadways.

Open competition for street-improvement contracts.

Liability for repairs.

Department of Vehicles and Traffic (payable from highway fund): For expenses necessary for the Department of Vehicles and Traffic, including purchase, installation, modification, operation, and maintenance of electric traffic lights, signals, controls, markers, and directional signs; purchase of motor-vehicle identification number plates; installation, operation, and maintenance of parking meters on the streets of the District of Columbia, $20,000 for traffic safety

Ante, p. 244.

Parking meters.

Traffic safety education.

education without reference to any other law; $15,000 for expense necessary for the preparation of studies, preliminary plans and surveys, estimates and investigation for a system of centralized control of the traffic signal system, including temporary services as authorized by section 15 of Act of August 2, 1946, Public Law 600; and for all expenses necessary in carrying out the provisions of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90), including personal services (except a director) and printing and binding; $741,400: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street-railway company shall after construction maintain, mark, and light the same at its expense: *Provided further*, That fees from parking meters shall be deposited to the credit of the highway fund: *Provided further*, That the Commissioners are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged on public business: *Provided further*, That the incumbent on July 1, 1944, of the authorized position of Registrar of Titles and Tags, whose duties shall be as prescribed in the District of Columbia Appropriation Act, 1945, shall hereafter be continued for compensation purposes in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended.

60 Stat. 810.
5 U. S. C. § 55a.

D. C. Code, Supp. V, §§ 40-801 to 40-809.

Streetcar loading platforms.

Fees from parking meters.

Parking spaces for Members of Congress.

58 Stat. 527.
D. C. Code, Supp. V, § 40-603a.
42 Stat. 1488.
5 U. S. C. § 661 *et seq.*

Division of Trees and Parking (payable from highway fund): For necessary expenses for the Division of Trees and Parking, $190,000.

Ante, p. 244.

Reimbursement of other appropriations (payable from highway fund): There are hereby authorized to be paid from the highway fund to other appropriations for the District of Columbia the following sums: $9,775 to "General administration" (Office of Corporation Counsel); $25,708 to "Fiscal service" (Collector's Office, $8,463; Auditor's Office, $12,720; Purchasing Division, $4,525); $4,000 to "Salaries and expenses, Office of Chief Clerk"; $8,797 to "Operating expenses, Office of Superintendent of District Buildings"; $2,028 to "Operating expenses, Electrical Division"; $924,692 to "Metropolitan Police"; and $25,000 to "National Capital Parks"; in all, $1,000,000.

Ante, p. 425.

Refunding erroneous collections (payable from highway fund): To enable the Commissioners to refund collections erroneously covered into the Treasury during the present and past three fiscal years to the credit of the highway fund, $1,500: *Provided*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

43 Stat. 108.
D. C. Code § 47-1910.

Operating expenses, Refuse Division: For expenses necessary for collection and disposal of refuse and street cleaning, including repair and maintenance of plants, buildings, and grounds; and fencing of public and private property designated by the Commissioners as public dumps; $3,178,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments having a central heating system, or from any building or connected group of buildings operated as a rooming, boarding, or lodging house having a total of more than twenty-five rooms.

Ante, p. 359.
Ante, p. 244.

Capital outlay, Refuse Division: For an additional amount for construction of proposed incinerator numbered 3 for refuse (at a total cost not to exceed $1,160,000), an additional amount for construction of proposed refuse transfer station (at a total cost not to exceed $706,000), and for beginning a garage and shops building (at a total cost not to exceed $731,000) in parcel 141/13, including $11,248 for construction services, $560,700; and the Commissioners are authorized in their discretion, if they deem it advantageous to the District of Columbia, to enter into a contract or contracts for the incinerator numbered 3 and the garage and shops building as a single project at a total cost not to exceed in the aggregate the limits of cost heretofore specified for both projects.

Ante, p. 244.

Operating expenses, Sewer Division: For expenses necessary for operating the District's system of sewage disposal; cleaning and repairing sewers and basins; operation and maintenance of the sewage pumping service and sewage treatment plant, including repairs to equipment, machinery, and structures; maintenance of public convenience stations; control and prevention of the spread of mosquitoes in the District of Columbia; and for contribution of the District of Columbia to the expenses of the Interstate Commission on the Potomac River Basin in accordance with Act of July 11, 1940 (54 Stat. 748), $5,400; $1,140,000.

Interstate Commission on Potomac River Basin.
33 U. S. C. § 567b.

Ante, p. 244.

Capital outlay, Sewer Division: For construction of sewers and receiving basins; for assessment and permit work; for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $1,000; for increasing capacity of the Sewage Treatment Plant, including additional sludge digestion tanks and additional sedimentation tanks, $1,370,000, to continue available until June 30, 1949; and for the preparation of surveys, plans and specifications in connection with the construction of storm-water sewers, $25,000; in all, $3,750,000, and in the preparation of such surveys, plans and specifications, and in increasing capacity of the Sewage Treatment Plant, temporary services as authorized by the Act of August 2, 1946, Public Law 600: *Provided*, That not to exceed $33,000 of the appropriation for "Capital outlay, Sewer Division", contained in the District of Columbia Appropriation Act, 1945, for the acquisition and development of a site for storage of construction materials; not to exceed $25,000 of the unexpended balance of the appropriation for "Capital outlay, Sewer Division", for conducting a survey for city relief sewers, contained in the District of Columbia Appropriation Act, 1946; and not to exceed $44,825 of the appropriation for "Capital outlay, Sewer Division", contained in the District of Columbia Appropriation Act, 1947, for plans and specifications for chemical treatment, sludge drying and incineration facilities at the Sewage Treatment Plant, are continued available until June 30, 1948.

60 Stat. 806.

58 Stat. 528.

59 Stat. 290.

60 Stat. 519.

Operating expenses, Water Division (payable from water fund): For expenses necessary for operation and maintenance of the District of Columbia water distribution system; installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, said meters to remain the property of the District of Columbia; replacement of old mains, service pipes, and divide valves; water waste and leakage survey; such expenses to include purchase of passenger motor vehicles; and refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; $1,905,000, to be available for such refunds of payments made within the past two years.

Capital outlay, Water Division (payable from water fund): For extension of the District of Columbia water distribution system, laying of such service mains as may be necessary under the assessment system, laying mains in advance of paving and installing fire and public hydrants; for construction of a reinforced concrete roof on the ten-million-gallon reservoir located in Fort Stanton Park; thirty-inch trunk line water main from the vicinity of Eleventh and East Capitol Streets to the vicinity of Seventeenth and East Capitol Streets; thirty- and twenty-inch trunk line water main from the vicinity of Fourth and B Streets Northeast, to the vicinity of Seventeenth and D Streets Southeast; pumping facilities at the Anacostia pumping station; rehabilitation of Bryant Street pumping station, including temporary services as authorized by section 15 of the Act of August 2, 1946, Public Law 600, $300,000, to remain available until expended, and the Commissioners are authorized to contract for such rehabilitation at a total cost not to exceed $2,000,000; in all, $1,485,000, which shall be available for reimbursement to the United States for funds advanced in compliance with section 501 of the Act of October 3, 1944 (55 Stat. 791), and of which not to exceed $305,000 for the construction of trunk lines shall remain available until June 30, 1949.

60 Stat. 810.
5 U. S. C. § 55a.

58 Stat. 791.
50 U. S. C. app. § 1671.

Water fund, investment, District of Columbia: The Secretary of the Treasury is authorized to sell United States securities now held for and on account of the water fund of the District of Columbia in such amounts as may be certified by the Commissioners as necessary and credit the proceeds of such sale to said water fund.

WASHINGTON AQUEDUCT

Operating expenses (payable from water fund): For expenses necessary for the operation, maintenance, repair, and protection of Washington aqueducts and their accessories, and maintenance of MacArthur Boulevard; including purchase, installation, and maintenance of water meters on Federal services within the District of Columbia; purchase of two passenger motor vehicles; $1,048,000.

Ante, p. 244.
Maintenance, etc., of aqueducts and accessories.

Meters on Federal services.

Capital outlay (payable from water fund): For continuing repair and rehabilitation of McMillan filter plant; continuing new conduit repairs; flocculation equipment for existing Dalecarlia coagulation basins; purchase and installation of meters; completing construction of first unit of new mixing and sedimentation basins for the Dalecarlia filter plant; and the District Engineer, Washington District, Corps of Engineers, is authorized to enter into contract or contracts for the completion of the last above-named project at a total cost of not to exceed $1,158,000; booster pump on third high service from Dalecarlia; advance planning for future capital outlay projects; and for developing increased water supply for the District of Columbia and environs in accordance with House Document 480, Seventy-ninth Congress, second session; and necessary expenses incident thereto; including temporary services as authorized by section 15 of the Act of August 2, 1946, Public Law 600; $1,128,000, to continue available until expended: *Provided*, That the sum of $708,000 of the appropriation for "Capital outlay, Washington Aqueduct", contained in the District of Columbia Appropriation Act, 1947, is rescinded as to the circulation facilities in first high and second high reservoirs; a portion of McMillan filter plant improvements; a portion of utility relocations and plant interconnections at Dalecarlia; and the thirty-million-gallon clear-water basin at Dalecarlia (first half) with the accompanying contract authorization.

McMillan filter plant, etc.

60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 520.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct,

its rights, appurtenances, and fixtures connected with the same, and over appropriations and expenditures therefor as now provided by law.

NATIONAL GUARD

For expenses necessary for the National Guard of the District of Columbia, including compensation to the commanding general at the rate of $3,600 per annum; attendance at meetings of associations pertaining to the National Guard; expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; care and repair of armories, offices, storehouses, machinery, and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; $68,600, to be expended under the direction of the commanding general.

NATIONAL CAPITAL PARKS

For expenses necessary for the National Capital Parks, including maintenance, care, and improvement of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses, and the tourists' camp on its present site in East Potomac Park under the jurisdiction of the National Park Service; placing and maintaining portions of the parks in condition for outdoor sports, erection of stands, furnishing and placing of chairs, and services incident thereto in connection with national, patriotic, civic, and recreational functions held in the parks, including the President's Cup Regatta, and expenses incident to the conducting of band concerts in the parks; such expenses to include pay and allowances of the United States Park police force; per diem employees at rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; uniforming and equipping the United States Park Police force, including $225 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, uniforms, ammunition, and radio equipment and the rental of teletype service; and the purchase of passenger motor vehicles, bicycles, motorcycles, and self propelled machinery; the hire of draft animals with or without drivers at local rates approved by the Secretary of the Interior; the purchase and maintenance of draft animals, harness, and wagons; $1,500,000: *Provided*, That not to exceed $10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For necessary expenses of the National Capital Park and Planning Commission except the acquisition of land (40 U. S. C. 71), including $80 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; stenographic reporting service as authorized by section 15 of the Act of August 2, 1946, Public Law 600, $73,300.

43 Stat. 463.
D. C. Code § 8-102.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Post, p. 450.
60 Stat. 810.
5 U. S. C. § 55a.

NATIONAL ZOOLOGICAL PARK

For expenses necessary for the National Zoological Park, including erecting and repairing buildings; care and improvement of grounds; travel, including travel for the procurement of live specimens; purchase, care, and transportation of specimens; purchase of motorcycles; revolvers and ammunition; purchase of uniforms and equipment for police, and uniforms for keepers and assistant keepers; $455,400, no part of which sum shall be available for architect's fees or compensation.

GENERAL PROVISIONS

Vouchers.

SEC. 2. Vouchers in payment of obligations incurred by the Health Department and Public Welfare pursuant to the appropriations contained in this Act shall be certified as lawfully payable in the department, board, or office responsible for the incurring of the obligations; thereafter the vouchers shall be audited before payment by or under the jurisdiction only of the Auditor for the District of Columbia and the vouchers as approved may be paid by checks issued by the Disbursing Officer without countersignature.

Citizenship requirement.

SEC. 3. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of the District of Columbia unless such person is a citizen of the United States, or a person in the service of the United States or the District of Columbia on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war effort.

Exceptions.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 4. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States or the Government of the District of Columbia, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined

Affidavit.

Penalty.

not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Maximum amount.

SEC. 5. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Repairs and improvements.

SEC. 6. Work performed for repairs and improvements under appropriations contained in this Act may be by contract or otherwise, as determined by the Commissioners.

Allowances for privately owned automobiles.

SEC. 7. Appropriations in this Act shall be available, when authorized by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at not to exceed $264 per annum for each automobile, unless otherwise therein specifically provided: *Provided*, That the total expenditures for this purpose shall not exceed $35,000.

Attendance at meetings.

SEC. 8. Appropriations in this Act shall be available for the payment of dues and expenses of attendance at meetings of organizations concerned with the work of the District of Columbia Government, when authorized by the Commissioners: *Provided*, That the total expenditures for this purpose shall not exceed $3,500.

Investment in U. S. securities.

SEC. 9. The Commissioners are hereby authorized in their discretion to invest and reinvest at any time in United States Government securities, with the approval of the Secretary of the Treasury, any part of the general fund, highway fund, water fund, or trust funds, of the District of Columbia, not needed to meet current expenses during the fiscal year, to deposit the interest accruing from such investments to the credit of the fund from which the investment was made, and the Secretary of the Treasury is authorized to sell or exchange such securities for other Government securities, and deposit the proceeds to the credit of the appropriate fund.

Funds for personal services and printing and binding.

SEC. 10. Appropriations for necessary expenses shall be available for personal services and printing and binding and, when authorized by the Commissioners or by the purchasing officer and the auditor, acting for the Commissioners, printing and binding may be performed by the District of Columbia Division of Printing and Publications without reference to fiscal-year limitations.

58 Stat. 530.
D. C. Code, Supp. V, § 7-1235.

SEC. 11. The limitation of $42,000 contained in section 2 of the District of Columbia Appropriation Act, 1945, is hereby increased to $55,000.

Short title.

SEC. 12. This Act may be cited as the "District of Columbia Appropriation Act, 1948".

Approved July 25, 1947.

[CHAPTER 326]

July 25, 1947
[S. 1508]
[Public Law 238]

AN ACT

To amend the Act entitled "An Act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945 (59 Stat. 33).

Regulation of insurance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945, is amended by striking out the words "January 1, 1948", wherever they appear in such Act, and inserting in lieu thereof the following: "June 30, 1948".

59 Stat. 33.
15 U. S. C. §§ 1011-1015.

Approved July 25, 1947.

[CHAPTER 327]

JOINT RESOLUTION

To terminate certain emergency and war powers.

July 25, 1947
[S. J. Res. 123]
[Public Law 239]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following statutory provisions are hereby repealed:

Repeals.

Act of June 10, 1942 (56 Stat. 351);

21 U. S. C. § 71 note.

Section 207, title II, Act of September 21, 1944 (58 Stat. 736);

16 U. S. C. § 565.

Act of March 5, 1940 (54 Stat. 45), as amended;

10 U. S. C. § 310 note.

Section 609, Act of July 1, 1944 (58 Stat. 714, ch. 373);

42 U. S. C. § 204 note.

Act of October 1, 1942 (56 Stat. 763, ch. 573);

10 U. S. C. § 1043 note.

Sections 2, 3, and 4, Act of July 8, 1942 (56 Stat. 649);

10 U. S. C. §§ 299b–299d.

Act of April 16, 1943 (57 Stat. 65), as amended;

10 U. S. C. § 92a; 34 U. S. C. § 21a.

Act of September 29, 1942 (56 Stat. 760);

Section 61 (b) of the National Defense Act of June 3, 1916, as added by the Act of June 26, 1944 (58 Stat. 359, ch. 279);

32 U. S. C. § 194(b).

Section 21 of the Act of February 16, 1914 (38 Stat. 289);

34 U. S. C. § 851.

Act of January 15, 1942 (56 Stat. 5, ch. 3);

34 U. S. C. § 774.

Act of June 3, 1941 (55 Stat. 238, ch. 162), as amended;

34 U. S. C. § 1054 note.

The provision in the Act of June 11, 1940, making appropriations for the Navy Department for the fiscal year 1941, under the heading "Bureau of Supplies and Accounts, Pay, Subsistence, and Transportation of Naval Personnel", prohibiting the payment of active-duty pay and allowances to retired officers except during the war or national emergency (54 Stat. 265, 275);

The provision in the Act of February 7, 1942 (56 Stat. 68), under the heading "Marine Corps—Pay of officers, active list", relating to the availability of funds for the payment of active-duty pay to retired officers;

Section 2 of the Act of February 15, 1879 (20 Stat. 295);

34 U. S. C. § 21.

Act of May 29, 1945 (59 Stat. 226, ch. 137);

34 U. S. C. § 222 note.

The provisions under the headings "Bureau of Engineering" and "Bureau of Construction and Repair", in the Act of June 11, 1940 (54 Stat. 293), authorizing the Secretary of the Navy to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency;

Act of November 29, 1940 (54 Stat. 1219, ch. 923), as extended by the Act of May 15, 1945 (59 Stat. 168, ch. 127);

10 U. S. C. § 101 note.

The proviso of the Act of February 7, 1942 (56 Stat. 63), that no officer of the Navy or Marine Corps who has been or hereafter may be adjudged fitted shall be involuntarily retired prior to six months subsequent to the termination of the existing national emergency;

34 U. S. C. note prec. § 881.

Act of December 2, 1944 (58 Stat. 793);

10 U. S. C. § 945 note.

Act of February 21, 1942 (56 Stat. 97, ch. 107);

5 U. S. C. § 73c-1 note.

Act of April 9, 1943 (57 Stat. 61, ch. 40);

34 U. S. C. § 602 and note.

The proviso of the Act of June 26, 1940 (54 Stat. 599), under the heading "Council of National Defense", that until such time as the President shall declare the present emergency at an end the head of any department or independent establishment of the Government, notwithstanding the provisions of existing law, may employ, with the approval of the President, any person of outstanding experience and ability at a compensation of $1 per annum;

Employment of persons at $1 per annum.

The provision of the Act of July 2, 1942 (56 Stat. 548), as amended, which permits the Secretary of the Interior, or any official to whom he may delegate such authority, to appoint, without regard to the Classification Act of 1923, as amended, skilled and unskilled laborers, mechanics, and other persons engaged in a recognized trade or craft, including foremen of such groups;

42 Stat. 1488.
5 U. S. C. §§ 661–674.

5 U. S. C. note prec. § 745a.

Act of December 22, 1942 (56 Stat. 1070, ch. 801);

The provisions under the headings "Department of Agriculture, Surplus Marketing Administration", and "Department of the Interior, Government in the Territories", contained in the Act of December 23, 1941 (55 Stat. 856–857);

39 U. S. C. § 321b note.

Section 301 of the Act of September 9, 1940 (54 Stat. 884), as amended;

39 U. S. C. § 321b note.

The provision in the First Deficiency Appropriation Act of 1942, under the heading "Selective Service System", relating to the presentation of quarterly reports to the Postmaster General (56 Stat. 101);

39 U. S. C. § 226b.

Act of July 9, 1943 (57 Stat. 390, ch. 209);

39 U. S. C. § 321g.

Section 5 of the Act of June 28, 1944 (58 Stat. 394);

The provision in the Interior Department Appropriation Act, 1945, under the heading "Water conservation and utilization projects", relating to the use of the services or labor of prisoners of war, enemy aliens, and American-born Japanese (58 Stat. 463, 491);

22 U. S. C. § 415 (b).

Section 6 (b) of the Act of March 11, 1941 (55 Stat. 33), as amended;

16 U. S. C. § 631r.

Section 19 of the Act of February 26, 1944 (58 Stat. 104);

15 U. S. C. note prec. § 715.

The provision of section 8 (b) of the Act of July 30, 1941 (55 Stat. 611), as amended, conferring certain authority upon the President;

47 U. S. C. § 353 note.

Act of December 17, 1941 (55 Stat. 808, ch. 588), as amended;

47 U. S. C. § 606 (h).

Section 606 (h) of the Communications Act of 1934, added by the Act of December 29, 1942 (56 Stat. 1096);

49 U. S. C. § 481 note.

Act of April 29, 1942 (56 Stat. 265, ch. 266);

46 U. S. C. §§ 1160, 1194 notes.

Act of May 14, 1940 (54 Stat. 216, ch. 201), as amended;

50 U. S. C. app. § 1251.

Act of June 11, 1940 (54 Stat. 306, ch. 327), as amended;

Act of June 29, 1940 (54 Stat. 689, ch. 447), as amended;

46 U. S. C. §§ 1128–1128g.

Act of October 10, 1940 (54 Stat. 1092, ch. 838), as amended;

40 U. S. C. § 326 note.

Act of May 2, 1941 (55 Stat. 148), as amended;

50 U. S. C. app. §§ 1251, 1261, 1262; 22 U. S. C. § 420.

Act of July 14, 1941 (55 Stat. 591, ch. 297), as amended;

Section 3 (i) of the Act of March 24, 1943 (57 Stat. 45, 51);

50 U. S. C. app. §§ 1281–1286.

Section 1 of the Act of April 24, 1944 (58 Stat. 216), except that any suspension of the statute of limitations heretofore provided for in an agreement entered into under the authority of such section shall continue in effect for the period provided in such agreement, but in no case longer than two years after the date of enactment of this joint resolution;

46 U. S. C. § 1128h.
46 U. S. C. § 1128e.

50 U. S. C. app. §§ 751, 752.

Act of April 11, 1942 (56 Stat. 217);

50 U. S. C. app. § 1181; 40 U. S. C. § 270a note.

Section 3 of the Act of July 11, 1941 (55 Stat. 585);

14 U. S. C. §§ 381–388, 265, 301, 302, 306, 307, 310, 312, 121c.

Act of November 23, 1942 (56 Stat. 1020), as amended;

Act of October 29, 1942 (56 Stat. 1012);

15 U. S. C. § 323.

Section 303 of the Act of December 18, 1941 (55 Stat. 840);

50 U. S. C. app. § 618.
50 U. S. C. app. § 1112.

Section 12 of the Act of June 11, 1942 (56 Stat. 357), except that outstanding certificates issued thereunder shall continue in effect for a period of six months from the date of enactment of this joint resolution unless sooner revoked;

50 U. S. C. app. §§ 756–759.

Act of July 12, 1943 (57 Stat. 520);

48 U. S. C. § 518a.

Act of June 5, 1942 (56 Stat. 323, ch. 346);

30 U. S. C. § 223 note.

Act of January 2, 1942 (55 Stat. 881, ch. 646);

Act of December 24, 1942 (56 Stat. 1080, ch. 812);

Act of July 8, 1943 (57 Stat. 390, ch. 200);

23 U. S. C. § 105.

The provisions of the Act of November 19, 1941 (55 Stat. 765), as amended, relating to the availability for obligation of funds appropriated pursuant to said Act, as amended, except that such funds shall remain available for the completion of access road projects which are now under construction.

Road projects under construction.

SEC. 2. Notwithstanding the termination date or termination period heretofore provided therefor by law, the following statutory provisions are repealed effective upon the date hereinafter specified, or upon the expiration of the period hereinafter specified, and shall remain in full force and effect until such date or until the expiration of such period. Such statutory provisions are hereby amended accordingly:

Effective dates of repeal, etc.

a. Repeal effective July 1, 1948:

July 1, 1948.

Act of July 8, 1941 (55 Stat. 579, ch. 278), and the Act of June 22, 1943 (57 Stat. 161, ch. 137);

47 U. S. C. § 353.

Section 2 of the Act of November 17, 1941 (55 Stat. 764);

22 U. S. C. § 446 note.

Act of July 1, 1943 (57 Stat. 371), and the Act of May 14, 1942 (56 Stat. 278), as amended;

50 U. S. C. app. §§ 301, 1551–1555; 10 U. S. C. § 1711.

Act of September 22, 1941 (55 Stat. 728, ch. 414), as amended: *Provided, however*, That so long as the Secretary of War deems it necessary in the interest of national defense, each man who completed a course of medical instruction at Government expense in a university, college or other similar institution of learning, pursuant to the provisions of the Act of February 6, 1942 (56 Stat. 50, ch. 40), as amended, shall not be relieved from active duty until the completion of two years of active service as a commissioned officer, exclusive of any periods during which he served as an interne;

10 U. S. C. § 484 note.

Men who completed course of medical instruction.

10 U. S. C. § 535 note.

The provision in the Second Supplemental National Defense Appropriation Act, 1943, under the heading "Federal Works Agency, Public Buildings Administration", relating to the authority of the Commissioner of Public Buildings to designate employees as special policemen (56 Stat. 990, 1000);

40 U. S. C. § 101 note.

Act of July 29, 1941 (55 Stat. 606, ch. 326).

10 U. S. C. § 571 note.

b. Repeal effective six months after the date of enactment of this joint resolution:

Six months after enactment date.

Act of January 27, 1942 (56 Stat. 19, ch. 21, as amended);

46 U. S. C. § 883 note.

Section 610 (c) of the Act of July 1, 1944 (58 Stat. 682, 714);

42 U. S. C. § 249 note.

Act of October 10, 1942 (56 Stat. 780, ch. 588);

34 U. S. C. § 902a note.

Act of June 28, 1944 (58 Stat. 463, ch. 297);

39 U. S. C. § 160 note.

Act of July 9, 1943 (57 Stat. 391, ch. 213); as amended.

39 U. S. C. § 133 note.

c. Repeal effective one year after the date of enactment of this joint resolution:

One year after enactment date.

Section 605 (c) of the Act of July 1, 1944 (58 Stat. 682, 713).

5 U. S. C. § 799.

SEC. 3. In the interpretation of the following statutory provisions, the date when this joint resolution becomes effective shall be deemed to be the date of the termination of any state of war heretofore declared by the Congress and of the national emergencies proclaimed by the President on September 8, 1939, and on May 27, 1941;

Date of termination of war, etc., in interpretation of provisions.

Act of July 1, 1941 (55 Stat. 498, as amended);

15 U. S. C. §§ 713, 713a-1, 713a-4, 713a-8.

Act of February 28, 1945 (59 Stat. 9, ch. 15);

7 U. S. C. §§ 1334, 1344, 1358 notes.

Section 86 of the Act of June 3, 1916 (39 Stat. 204);

32 U. S. C. § 39.

Act of July 2, 1917 (40 Stat. 241), as amended;

50 U. S. C. § 171.

Section 16 of the Act of June 10, 1920 (41 Stat. 1072);

16 U. S. C. § 809.

Act of February 26, 1925 (43 Stat. 984, ch. 340);

Act of April 12, 1926 (44 Stat. 241);

Act of May 29, 1926 (44 Stat. 677, ch. 424);

Section 20 of the Act of May 18, 1933 (48 Stat. 68);

16 U. S. C. § 831s.

The provision of the Act of May 15, 1936 (49 Stat. 1292), which authorizes the United States to control and operate the Little Rock Municipal Airport without rental or other charge in time of national emergency;

Act of May 27, 1936 (49 Stat. 1387);

Provisions authorizing the assumption of possession and control of the areas specified in the following statutes or parts of statutes:

Section 3 of the Act of June 21, 1938 (52 Stat. 834); Act of June 20, 1936 (49 Stat. 1557, ch. 636); Act of August 19, 1937 (50 Stat. 696, ch. 697); section 4 of the Act of February 28, 1933 (47 Stat. 1368);

50 U. S. C. § 121 *et seq.*

Act of December 26, 1941 (55 Stat. 863, ch. 633);

22 U. S. C. § 452.

Act of January 26, 1942 (56 Stat. 19);

50 U. S. C. § 80.

Section 120 of the Act of June 3, 1916 (39 Stat. 213, 214);

33 U. S. C. § 758 note.

Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 602), under the heading "Lighthouse Service", authorizing the President to transfer vessels, equipment, stations, and personnel of the Lighthouse Service (now Coast Guard under Reorganization Plan Numbered II) to the jurisdiction of the Navy or War Department;

53 Stat. 1432.
5 U. S. C. § 133t note.

33 U. S. C. §§ 854–858.

Section 16 of the Act of May 22, 1917 (40 Stat. 87);

31 U. S. C. §§ 80, 80a.

Provision of chapter XVIII of the Act of July 9, 1918 (40 Stat. 892), as amended by the Act of November 21, 1941 (55 Stat. 781, ch. 499), extending the time for examination of accounts of Army disbursing officers;

39 Stat. 200.
32 U. S. C. § 124.

Section 69 of the National Defense Act of June 3, 1916, as amended by section 7 of the Act of June 15, 1933 (48 Stat. 156);

Extension of enlistments.

The provision authorizing the extension of enlistments in the Regular Army or the Enlisted Reserve Corps, in force at the outbreak of war or entered into during its continuation, for six months after its termination, contained in the Act of March 15, 1940 (54 Stat. 53, ch. 61);

10 U. S. C. §§ 421, 423–425.

Act of May 14, 1940 (54 Stat. 213);

10 U. S. C. § 634.

Section 2 of the Act of December 13, 1941 (55 Stat. 799, ch. 571);

50 U. S. C. app. § 732.

Chapter II, articles 2 (d), 48, 58, 59, 74, 75, 76, 77, 78, 79, 104, and 119 of the Act of June 4, 1920 (41 Stat. 759, ch. 227);

10 U. S. C. §§ 1473 (d), 1519, 1530, 1531, 1546–1551, 1576, 1591.

Paragraph 3 of section 127a as added to the Act of June 3, 1916 (39 Stat. 166), by section 51 of the Act of June 4, 1920 (41 Stat. 759, ch. 227);

10 U. S. C. § 992.

Revised Statutes, 1166;

10 U. S. C. § 194.

The fourth proviso of section 18 of the Act of February 2, 1901 (31 Stat. 748, ch. 192);

10 U. S. C. § 107.

40 U. S. C. § 37.

Provision of the Act of July 9, 1918 (40 Stat. 861), making appropriations for the Army for the fiscal year 1919, under the heading "Barracks and Quarters", authorizing the Secretary of War to rent or lease buildings in the District of Columbia necessary for military purposes;

32 U. S. C. § 81.

Section 111 of the Act of June 3, 1916 (39 Stat. 211), as amended;

42 U. S. C. § 266.

Section 363 of title III of the Act of July 1, 1944 (58 Stat. 682, ch. 373);

31 U. S. C. § 80b.

Act of December 26, 1941 (55 Stat. 862, ch. 629), as amended by the Act of December 23, 1944 (ch. 720, 58 Stat. 923);

31 U. S. C. § 80c.

Act of February 20, 1942 (56 Stat. 94);

34 U. S. C. § 191.

Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 581), under heading "Officers for Engineering Duty Only", authorizing the Secretary of the Navy to recall to active duty enlisted men on furlough without pay to complete the enlistment period;

34 U. S. C. §§ 181, 692, 201a, 181a, 692a; 37 U. S. C. § 16a; 14 U. S. C. § 35a.

Act of August 18, 1941 (55 Stat. 629);

Section 2 of the Act of December 13, 1941 (55 Stat. 799, ch. 570);

34 U. S. C. § 201b.
34 U. S. C. § 163.

Revised Statutes, 1420, as amended by section 2 of the Act of January 20, 1944 (58 Stat. 4, ch. 2);

34 U. S. C. § 831.

Provision of the Act of August 29, 1916 (39 Stat. 614), which authorizes Marine Corps training camps for the instruction of citizens to be in existence for a period longer than six weeks in each fiscal year in time of actual or threatened war;

Revised Statutes, 1624, article 4, paragraphs 6, 7, 12–20, and article 5; — 34 U. S. C. § 1200, art. 4, pars. 6, 7, 12–20, art. 5.

Act of March 22, 1943 (57 Stat. 41); — 34 U. S. C. § 1201.

Revised Statutes, 1462–1464; — 34 U. S. C. §§ 421, 424, 425.

Provision of the Naval Appropriation Act for the fiscal year ending June 30, 1917 (Act of August 29, 1916, 39 Stat. 591), under the heading "Fleet Naval Reserve", authorizing the Secretary of the Navy to call retired enlisted men into active service; — 34 U. S. C. § 433.

Provisions contained in the Act of July 1, 1918 (40 Stat. 717), as amended (14 U. S. C. 164, 165), which authorize commissioned or warrant officers on the retired list to be ordered to active duty and to be temporarily advanced on the retired list, so far as such provisions pertain to personnel of the Coast Guard;

Act of April 8, 1946 (Public Law 337, Seventy-ninth Congress); — 60 Stat. 86.

Section 4 (c) of the Act of August 10, 1946 (Public Law 720, Seventy-ninth Congress); — 34 U. S. C. § 428; 14 U. S. C. § 162b. 60 Stat. 995.

Revised Statutes, 1436; — 34 U. S. C. § 339 (c).

First proviso of section 18 of the Act of May 22, 1917 (40 Stat. 84, 89); — 34 U. S. C. § 225. 34 U. S. C. § 213.

Act of October 6, 1917 (40 Stat. 393, ch. 93), as amended; — 34 U. S. C. § 1200, art. 65.

Section 11 (c) of the Act of June 23, 1938 (52 Stat. 948); — 34 U. S. C. § 311.

Section 10 of the Act of June 14, 1940 (54 Stat. 394);

Section 18 of the Act of August 2, 1946 (Public Law 604, Seventy-ninth Congress); — 60 Stat. 855. 34 U. S. C. § 474.

Provisions of the Act of March 4, 1917 (39 Stat. 1192–1193); the Act of May 13, 1942 (56 Stat. 277, ch. 304); sections 3 and 4 of the Act of July 9, 1942 (56 Stat. 656); the Act of June 17, 1943 (57 Stat. 156, ch. 128); the Act of June 26, 1943 (57 Stat. 209); and the Act of May 31, 1944 (58 Stat. 265, ch. 218), which authorize the President or the Secretary of the Navy to acquire, through construction or conversion, ships, landing craft and other vessels; — 50 U. S. C. § 82. 34 U. S. C. §§ 498–4, 498a–4 and notes. 34 U. S. C. §§ 498c–7, 498c–8 notes. 34 U. S. C. §§ 498c–11, 498d–2 notes. 34 U. S. C. § 498c–13 note.

Section 10 of the Act of May 14, 1930 (46 Stat. 329, 332);

Act of May 29, 1930 (46 Stat. 479, ch. 350);

Section 7 of the Act of April 26, 1898 (30 Stat. 365); — 10 U. S. C. § 694.

Act of March 7, 1942 (56 Stat. 143–148, ch. 166), as amended; — 50 U. S. C. app. §§ 1001–1017; 5 U. S. C. §§ 693, 691 and notes, 715; 34 U. S. C. § 943. 60 Stat. 27, 29.

Sections 3 and 12 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress); — 50 U. S. C. app. § 778 and note.

Section 1 of the Act of July 20, 1942 (56 Stat. 662, ch. 508), as amended; — 10 U. S. C. § 1423a. 10 U. S. C. § 1423b and note.

Act of December 17, 1942 (56 Stat. 1056, ch. 763);

Act of March 17, 1916 (39 Stat. 36, ch. 46);

Act of April 11, 1898 (30 Stat. 737); — 50 U. S. C. § 178.

Act of March 3, 1925 (43 Stat. 1109, 1110); — 16 U. S. C. §§ 437–440.

Section 1 of the Act of July 2, 1940 (54 Stat. 724, ch. 516); — 48 U. S. C. § 1381.

Section 4 of the Act of July 7, 1943 (57 Stat. 388); — 42 U. S. C. § 1553.

Act of May 18, 1946 (Public Law 385, Seventy-ninth Congress); — 60 Stat. 203.

Section 2 of the Act of August 8, 1946 (Public Law 697, Seventy-ninth Congress); — 60 Stat. 958. 42 U. S. C. § 1574.

Section 4 (b) of the Act of July 2, 1940 (54 Stat. 712, 714); — 5 U. S. C. § 189a.

Act of December 17, 1942 (56 Stat. 1052); — 5 U. S. C. § 30b.

Section 3 of the Act of June 27, 1944 (58 Stat. 387, ch. 287); — 5 U. S. C. § 852.

Act of December 23, 1944 (58 Stat. 926, ch. 726); — 5 U. S. C. § 731.

Section 1 of the Act of December 7, 1945 (59 Stat. 603, 604); — 39 U. S. C. § 49.

Act of December 10, 1942 (56 Stat. 1045); — 44 U. S. C. §§ 311 and note, 311a.

Act of December 26, 1941 (55 Stat. 858), as amended, except that the Commissioners of the District of Columbia may continue to exercise the authority under sections 7 and 9 of such Act, as amended, until not later than June 30, 1948, and the provisions of sections 11 and 12 of such Act, as amended, shall continue to apply to cases in which the authority under sections 7 and 9 is exercised; — D. C. Code, Supp. V, §§ 6–1001 to 6–1012. 55 Stat. 859. D. C. Code, Supp. V, §§ 6–1007, 6–1009. 56 Stat. 741. D. C. Code, Supp. V, §§ 6–1011, 6–1012.

60 Stat. 9.
42 U. S. C. § 1543 (c).

Proviso of section 303 (c) of the Act of October 14, 1940, as added by the Act of February 18, 1946 (Public Law 301, Seventy-ninth Congress);

59 Stat. 630.
38 U. S. C. §§ 694 (a), 694h.

Sections 500 (a) and 507 of the Act of June 22, 1944 (58 Stat. 291, ch. 268), as amended;

60 Stat. 979.
42 U. S. C. § 410.

Section 201 of the Act of August 10, 1946 (Public Law 719, Seventy-ninth Congress);

38 U. S. C. § 696 (a).

Section 700 (a) of the Act of June 22, 1944 (58 Stat. 295);

31 U. S. C. § 224i-1 note.

Act of July 31, 1945 (59 Stat. 511, ch. 338);

15 U. S. C. note prec. § 715.

Act of July 30, 1941 (55 Stat. 610);

47 U. S. C. § 606.

Section 606 of the Act of June 19, 1934 (48 Stat. 1104), as amended;

46 U. S. C. §§ 835–840, 842

Section 4 of the Act of July 15, 1918 (40 Stat. 901), as amended;

46 U. S. C. §§ 1132 (h), 1202 (d), 1242 (a).

Sections 302 (h), 712 (d) and 902 (a) of the Act of June 29, 1936 (49 Stat. 1993, 2010, and 2015), as amended;

46 U. S. C. § 225.

Section 2 of the Act of October 22, 1914 (38 Stat. 765, ch. 334); section 4 of the Act of May 10, 1943 (57 Stat. 82);

50 U. S. C. app. § 753c.
60 Stat. 905, 906.

Section 1 (b) and subsections 2 (a), 2 (b), and 2 (c) of the Act of August 8, 1946 (Public Law 660, Seventy-ninth Congress);

50 U. S. C. app. §§ 1471 (b), 1472 (a), (b), (c).

Section 1 of the Act of January 28, 1915 (38 Stat. 800–801), as amended;

14 U. S. C. § 1 *et seq.*

Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 600), under heading "Coast Guard", subjecting personnel of the Coast Guard operating as part of the Navy to the laws governing the Navy;

14 U. S. C. §§ 3, 7.

Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220);

50 U. S. C. § 191.

Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 601), under heading "Coast Guard", authorizing the Secretary of the Navy to man any Coast Guard station or maintain any house of refuge as a Coast Guard station;

14 U. S. C. § 95.

Title II of the Act of February 19, 1941 (55 Stat. 11), as amended;

14 U. S. C. §§ 301–315.

Act of December 16, 1941 (55 Stat. 807, ch. 586);

14 U. S. C. §§ 72–74.

Provisions appearing under the heading "Limitations upon Prosecutions", relating to crimes committed two years before arraignment, except for desertion committed in time of war, of the Act of June 4, 1920 (41 Stat. 794);

10 U. S. C. §§ 1510, 1511.

Act of July 1, 1944 (58 Stat. 677, ch. 368);

8 U. S. C. §§ 801, 803.

Section 1 of the Act of October 9, 1940 (54 Stat. 1061, ch. 788);

31 U. S. C. § 71a.

Section 2 of the Act of June 19, 1912 (37 Stat. 138);

40 U. S. C. § 325.

Provision of Naval Appropriation Act for the year 1918 (Act of March 4, 1917, 39 Stat. 1192), authorizing the President to suspend provisions of the eight-hour law to contracts with the United States;

40 U. S. C. § 326.

Section 6 of the Act of March 3, 1931, as added by the Act of August 30, 1935 (49 Stat. 1013, ch. 825);

40 U. S. C. § 276a-5.

Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 558), under heading "Pay Miscellaneous", for the admission for treatment of interned persons and prisoners of war, under the jurisdiction of the Navy Department, to the Government Hospital for the Insane;

24 U. S. C. § 192.

Section 604 of the Act of July 1, 1944 (58 Stat. 712, ch. 373);

42 U. S. C. § 201 note.

Act of March 24, 1943 (57 Stat. 43, ch. 22), as amended;

38 U. S. C. § 701, note foll. § 739.

Section 400 (b) of the Act of June 22, 1944 (58 Stat. 288), as amended, except paragraph 12 of such section;

38 U. S. C. note foll. § 739.
59 Stat. 542.
60 Stat. 526.

Act of July 11, 1946 (Public Law 499, Seventy-ninth Congress);

38 U. S. C. §§ 488 note, 488a.

Act of July 9, 1942 (56 Stat. 654);

43 U. S. C. § 315q.

Act of June 19, 1936 (49 Stat. 1535);

38 U. S. C. note foll. § 739.

Act of December 19, 1941 (55 Stat. 844), as amended.

50 U. S. C. app. §§ 540–554.

SEC. 4. For the purposes of article IV of the Act of October 17, 1940 (54 Stat. 1183–1186), as amended, the present war shall be deemed to have terminated within the meaning of section 604 (54 Stat. 1191) of the said Act, as of the effective date of this joint resolution.

50 U. S. C. app. § 584.

Approved July 25, 1947.

[CHAPTER 328]

AN ACT

To authorize the payment of certain sums to jobbers in connection with their logging of timber for the Menominee Indians on the Menominee Reservation during the logging season 1934–1935, and for other purposes.

July 25, 1947
[H. R. 2484]
[Public Law 240]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to pay to the Menominee Indian Mills to the credit of the several accounts of Herman J. Fredenberg; Walter J. Peters, Senior; Charles J. Frechette; Joe Gristeau, Junior; James Tebeau; Joe Caldwell, Senior; John R. Pecore; Roy Oshkosh; Louis Tucker, Junior; James Warrington; Alexander Waupoose; Bernard Grignon; Earl Vaughn; Louis Washinawatok; Reuben Long; Nahpone Perote; George Smith; Paul Vigue, Senior, and Louis Vigue, operating as a partnership; Dan Wescott and Paul Vigue, Junior, operating as a partnership; and the estates of George Irving; Louis Kinepoway; John Tucker, Senior; Dominic Worden; John Mosehart; George Caldwell, John Okimosh; Anton Shawanometta; Mrs. Lillian Oshkosh, Louis Corn out of the Menominee 4 per centum fund, the sum of $1 for each one thousand feet of timber respectively logged by said parties on the Menominee Reservation during the logging season of 1934–1935 according to the schedule prepared by the Menominee Indian Mills which schedule shall be approved by the general council of the Menominee Tribe. Said amounts shall be credited against the amounts, if any, respectively owed the Menominee Indian Mills by said parties without taking into account any procedural defenses of a personal nature which might have been interposed in an action at law to collect such debts, and the balance, if any, shall be paid to said parties or their heirs: *Provided, however*, That the foregoing amounts shall be in full payment of any and all claims which said parties may claim to have by reason of promises made by officers of the Menominee Indian Mills for the logging of timber during the logging season of 1934–1935.

Menominee Indian Mills.
Payment for logging of timber.

Settlement of claims.

SEC. 2. The Secretary of the Interior, or his duly authorized representative, is hereby authorized with the concurrence of the general council of the Menominee Indian Tribe to cancel any balance still due to the Menominee Indian Mills by any of the jobbers listed in section 1, after the amount allowable under the said section has been credited, if in his judgment the balance of the claim is uncollectible or inequitable.

Cancellation of balance due.

SEC. 3. The said Secretary, or his duly authorized representative, with the concurrence of the advisory council of the Menominee Indian Tribe may cancel other obligations due or which may become due to the Menominee Indian Mills when in his judgment such obligations are uncollectible.

Cancellation of other obligations.

Approved July 25, 1947.

[CHAPTER 329]

AN ACT

To amend Public Law 301, Seventy-ninth Congress, approved February 18, 1946, so as to extend the benefits of the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended, to certain members of the organized military forces of the Government of the Commonwealth of the Philippines.

July 25, 1947
[H. R. 3191]
[Public Law 241]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sentence under the heading entitled "Transfer of Appropriations", contained in title II of the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 301, Seventy-ninth Congress, approved

60 Stat. 14.
38 U. S. C. § 38.

50 U. S. C. app. §§ 1001–1017; 5 U. S. C. §§ 693 and note, 691, 715; 34 U. S. C. § 943 and note.
Ante, p. 453.

60 Stat. 6.

February 18, 1946), is hereby amended by striking out the period at the end of the sentence and inserting the following: ", and (3) the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended."

SEC. 2. The Secretary of War is authorized to reconsider claims upon which payment has been denied by reason of section 1 of this Act having been omitted from the First Supplemental Appropriation Rescission Act of 1946 (Public Law 301, Seventy-ninth Congress, approved February 18, 1946).

Approved July 25, 1947.

[CHAPTER 330]

July 25, 1947
[S. 1262]
[Public Law 242]

AN ACT

To provide a central authority for standardizing geographic names for the purpose of eliminating duplication in standardizing such names among the Federal departments, and for other purposes.

Uniformity in geographic nomenclature and orthography.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, hereinafter called the Secretary, conjointly with the Board on Geographic Names, as hereinafter provided, shall provide for uniformity in geographic nomenclature and orthography throughout the Federal Government. The Secretary may exercise his functions through such officials as he may designate, except that such authority as relates to the final approval or review of actions of the Board on Geographic Names shall be exercised by him, or his Under or Assistant Secretaries.

Board on Geographic Names.

SEC. 2. There is hereby established a Board on Geographic Names, hereinafter called the Board. The membership of the Board shall include one representative from each of the Departments of State, War, Navy, Post Office, Interior, Agriculture, and Commerce, and from the Government Printing Office, and the Library of Congress. The Board may also include representatives from such Federal agencies as the Secretary, upon recommendation of the Board, shall from time to time find desirable, even though these agencies are in the departments otherwise represented on the Board. The members of the Board shall be appointed by the respective heads of the departments or independent agencies that they represent. Each member shall be appointed for a two-year term but may be reappointed to successive terms. The members of the Board shall serve without additional compensation. The Board shall nominate a Chairman to be appointed by the Secretary, and shall establish such working committees as are found desirable.

Appointment of members.

Formulation of principles, policies, etc.

SEC. 3. The Board, subject to the approval of the Secretary, shall formulate principles, policies, and procedures to be followed with reference to both domestic and foreign geographic names; and shall decide the standard names and their orthography for official use. The principles, policies, and procedures formulated hereunder shall be designed to serve the interests of the Federal Government and the general public, to enlist the effective cooperation of the Federal departments and agencies most concerned, and to give full consideration to the specific interests of particular Federal and State agencies. Action may be taken by the Secretary in any matter wherein the Board does not act within a reasonable time. The Board may make such recommendations to the Secretary as it finds appropriate in connection with this Act.

Studies and investigations.

SEC. 4. The Secretary shall cause such studies and investigations to be made and such records to be kept as may be necessary or desirable in carrying out the purposes of this Act, and he shall provide a place

of meeting and staff assistance to the Board. The staff shall be responsible to the Secretary, who shall prescribe its relations to the Board and the committees of the Board. The Secretary may establish from time to time, upon recommendation of the Board, advisory committees of United States citizens who are recognized experts in their respective fields to assist in the solution of special problems arising under this Act.

Advisory committees.

SEC. 5. For the guidance of the Federal Government, the Secretary shall promulgate in the name of the Board, from time to time and in such form as will carry out the purposes of this Act, decisions with respect to geographic names and principles of geographic nomenclature and orthography. The Secretary shall also furnish such additional information with respect to geographic names as will assist in carrying out the purposes of this Act.

Promulgation of decisions, etc.

SEC. 6. With respect to geographic names the pertinent decisions and principles issued by the Secretary shall be standard for all material published by the Federal Government. The United States Board on Geographical Names in the Department of the Interior created by Executive order, is hereby abolished, and the duties of said Board are transferred to the Board herein created, and all departments, bureaus, and agencies of the Federal Government shall refer all geographic names and problems to the said Board for the purpose of eliminating duplication of work, personnel, and authority.

Standard for Federal Government.

Abolition of Board, etc.

SEC. 7. Nothing in this Act shall be construed as applying to the naming of the offices or establishments of any Federal agency.

Naming of offices, etc.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Appropriations authorized.
Post, p. 461.

Approved July 25, 1947.

[CHAPTER 331]

AN ACT

July 25, 1947
[S. 1497]
[Public Law 243]

To amend the Act entitled "An Act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes", approved August 7, 1916.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes", approved August 7, 1916 (39 Stat. 436; U. S. C., title 13, secs. 81 to 84, inclusive), is amended to read as follows:

Statistics of cottonseed and cottonseed products.

"That (a) the Director of the Census is authorized and directed to collect, collate, and publish monthly statistics concerning—

Collection and publication.

"(1) the quantities of (A) cottonseed, soybeans, peanuts, flaxseed, corn germs, copra, sesame seed, babassu nuts and kernels, and other oilseeds, nuts, and kernels received, crushed, and on hand at oil mills; (B) crude and refined oils, cakes, and meals, and other primary products, by type or kind, of the above-mentioned seeds, nuts, and kernels manufactured, shipped out, and on hand at oil mills and processing establishments; (C) crude and refined vegetable oils, by type or kind, used by class of product and held by manufacturers of vegetable shortening, margarine, soap, and other principal products using large quantities of vegetable oils; (D) crude and refined vegetable oils, by type or kind, held in warehouses and in transit to consuming establishments;

"(2) the quantities, by types or kinds, of (A) animal fats and oils and greases produced; (B) animal fats and oils and greases shipped and held by producers; (C) animal fats and oils and greases, fish and marine mammal oils used by class of product

and held by manufacturers of shortening, margarine, soap, and other principal products which require the use of large quantities of animal fats and oils and greases, fish and marine mammal oils; (D) animal fats and oils and greases, fish and marine mammal oils held in warehouses, cold storage, and in transit to consuming establishments.

"(b) Nothing in this section shall be construed to require the Director to collect, more frequently than he deems necessary to provide reliable statistical reports, information from any person who produces, holds, or consumes fats and oils in inconsequential quantities.

Determination of inquiries.

"SEC. 2. The inquiries, and the number, form, and subdivisions thereof for the censuses and surveys provided for in this Act, shall be determined by the Director of the Census, with the approval of the Secretary of Commerce.

Restriction on use of information.

"SEC. 3. All information furnished to the Bureau of the Census by any individual establishment under the provisions of this Act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is furnished, and shall not be used for any other purpose. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than one year, or both.

Communication by employee, penalty.

Answering of census schedules by owner, etc.

"SEC. 4. It shall be the duty of each owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and when requested by the Director of the Census or by an employee of the Bureau of the Census acting under instructions of said Director, to answer correctly, to the best of his ability, all questions of the census schedules submitted to him under the provisions of this Act. Any owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and who shall refuse or willfully neglect to answer any questions of the census schedules submitted to him under the provisions of this Act or shall willfully answer any such questions falsely shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000. The request of the Director of the Census may be made by registered mail, by telegraph, by visiting representative, or by one or more of these, and if made by registered mail or by telegraph the return receipt therefor shall be prima facie evidence of an official request.

Penalty for refusal etc.

Statistics not specifically required.

"SEC. 5. The Director of the Census shall not by this Act be restricted or limited from collecting and publishing under the general authority of the Bureau such statistics on fats and oils or products thereof not specifically herein required as is deemed to be in the public interest.

Statistics collected by other Federal agencies.

"SEC. 6. Statistics now required under existing Federal law to be collected by any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for herein shall not be collected by the Director of the Census under the authority of this Act: *Provided*, That immediately upon his request, the Director of the Census shall have access to any such statistics and shall include them in the publication required herein."

Approved July 25, 1947.

[CHAPTER 332]

AN ACT

To confer upon the Governor of Alaska the power to pardon and remit fines and forfeitures for offenses against laws of the Territory of Alaska.

July 25, 1947
[H. R. 175]
[Public Law 244]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of June 6, 1900 (31 Stat. 321; 48 U. S. C. 61), be amended by striking out the sentence, "He may also grant reprieves for offenses committed against the laws of the district or of the United States until the decision of the President thereon shall be made known.", and inserting in lieu thereof the following: "He may grant pardons and reprieves and remit fines and forfeitures for offenses against the laws of the said Territory and reprieves for all offenses against the laws of the United States until the decision of the President thereon shall be made known.".

Alaska.
Power of Governor to grant pardons, etc.

SEC. 2. This Act shall take effect upon the date of its enactment.

Effective date.

Approved July 25, 1947.

[CHAPTER 333]

AN ACT

To amend the Natural Gas Act approved June 21, 1938, as amended.

July 25, 1947
[H. R. 2956]
[Public Law 245]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Natural Gas Act, approved June 21, 1938, as amended (15 U. S. C. 717f), is hereby amended by adding after subsection (g) the following new subsection:

52 Stat. 824.

"(h) When any holder of a certificate of public convenience and necessity cannot acquire by contract, or is unable to agree with the owner of property to the compensation to be paid for, the necessary right-of-way to construct, operate, and maintain a pipe line or pipe lines for the transportation of natural gas, and the necessary land or other property, in addition to right-of-way, for the location of compressor stations, pressure apparatus, or other stations or equipment necessary to the proper operation of such pipe line or pipe lines, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated: *Provided*, That the United States district courts shall only have jurisdiction of cases when the amount claimed by the owner of the property to be condemned exceeds $3,000."

Right-of-way for pipe line, etc.

Practice and procedure.

Jurisdiction of courts.

Approved July 25, 1947.

[CHAPTER 334]

AN ACT

To enable the Osage Tribal Council to determine the bonus value of tracts offered for lease for oil, gas, and other mining purposes, Osage Mineral Reservation, Oklahoma.

July 25, 1947
[H. R. 3323]
[Public Law 246]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 3 of the Act entitled "An Act relating to the tribal and individual affairs of the Osage Indians of Oklahoma", approved

Osage Indians, Okla.
Determination of bonus value of certain tracts.

June 24, 1938 (52 Stat. 1034), is amended by striking out the colon following the phrase "as may be deemed for the best interest of the Osage Tribe of Indians" and inserting in lieu of said colon the following clause: "and the Osage tribal council may determine the bonus value of any tract offered for lease for oil, gas, and other mining purposes on any unleased portion of said land, and such determination shall be final:".

Approved July 25, 1947.

[CHAPTER 337]

July 25, 1947
[H. R. 3123]
[Public Law 247]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes.

Interior Department Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 620, 621, 699, 943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1948, namely:

OFFICE OF THE SECRETARY

SALARIES

60 Stat. 810.
5 U. S. C. § 55a.

Salaries: For the Secretary of the Interior (hereafter in this Act referred to as the Secretary), and other personal services in the District of Columbia and elsewhere, including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of $35 per diem, $1,103,000: *Provided*, That no part of this appropriation shall be used for the broadcast of radio programs designed or calculated to influence the passage or defeat of any legislation pending before the Congress: *Provided further*, That not to exceed $50,000 of this appropriation may be used for the Division of Power under the Office of the Secretary: *Provided further*, That not to exceed $42,500 of this appropriation may be used for the Division of Information or for publicity and public relations activities.

Radio broadcasts respecting legislation.

Division of Power.

Division of Information.

WAR AGENCY LIQUIDATION

Ante, p. 245; *post*, p. 620.

50 U. S. C. app. § 601 note.

War Agency Liquidation: For expenses necessary for liquidating the Solid Fuels Administration for War provided for in Executive Order 9332, including personal services in the District of Columbia; and printing and binding; $60,000.

OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, $215,460.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

For personal services in the District of Columbia, $140,000.

OIL AND GAS DIVISION

Oil and Gas Division: For expenses necessary for coordinating and unifying policies and administration of Federal activities relative to oil, gas, and synthetic fuels, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and petroleum products, natural gas, and

synthetic fuels and the compilation of technical reports thereon, for administering and enforcing the provisions of the Act of February 22, 1935, as amended (15 U. S. C., ch. 15A); and for the liquidation of the Petroleum Administration for War; including personal services in the District of Columbia; not to exceed $10,000 for employment of a director without regard to the civil-service and classification laws; contract stenographic reporting services; and printing and binding; $275,000.

49 Stat. 30.
15 U. S. C. §§ 715-715m.

DIVISION OF GEOGRAPHY

Salaries and expenses: For necessary expenses in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, $12,956.

Ante, p. 456.
3 CFR, p. 293.

SOIL AND MOISTURE CONSERVATION OPERATIONS

For necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the Act of April 27, 1935 (16 U. S. C. 590a–590f), and Reorganization Plan Numbered IV, including $100,000 for departmental personal services including such services in the District of Columbia; printing and binding; furniture, furnishings, office equipment and supplies; purchase of not to exceed four passenger motor vehicles, and hire, maintenance, and operation of aircraft, $1,900,000: *Provided*, That this appropriation shall be available for meeting expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior.

49 Stat. 163.
Post, p. 494.
54 Stat. 1235.
5 U. S. C. § 133t note.

Warehouse maintenance, etc.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding $300; traveling expenses, including not exceeding $10,000 for inspections and investigations by the legislative branch as well as attendance at meetings or conventions concerned with the work of the Department, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; $10,000, exclusively for the payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); hire of aircraft; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; printing and binding, $220,430; and, in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: Bureau of Land Management, $9,000; Geological Survey, $19,500; National Park Service, $7,500; Bureau of Reclamation, $8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, $9,000.

Investigations by legislative branch.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of the Interior, as required by the Act of June 28, 1944, $136,500.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

COMMISSION OF FINE ARTS

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U. S. C. 104), including personal services in the District of Columbia, hire of passenger motor vehicles, printing and binding and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, $12,000.

36 Stat. 371.

BONNEVILLE POWER ADMINISTRATION

Post, p. 620.

Construction, operation, and maintenance, Bonneville power transmission system: To enable the Bonneville Power Administrator to carry out the duties imposed upon him pursuant to law, including the construction of transmission lines, substations, and appurtenant facilities; operation and maintenance of the Bonneville transmission system; marketing of electric power and energy; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of not to exceed fourteen in the fiscal year 1948 and hire of passenger motor vehicles; and maintenance and operation of aircraft; $8,596,400, to be available until expended, of which amount not to exceed $2,500,000 shall be available in the fiscal year 1948 for operation and maintenance of the Bonneville transmission system, marketing of electric power and energy, and administrative expenses connected therewith, including $24,000 for personal services in the District of Columbia: *Provided*, That in addition to this appropriation the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for power transmission facilities in an amount not in excess of $4,935,500: *Provided, further*, That no part of any construction appropriations for the Bonneville Power Administration contained in this Act shall be available for construction work by force account, or on a hired labor basis, except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Bonneville Power Administrator: *Provided further*, That not exceeding $21,500 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work: *Provided further*, That interest heretofore collected by Bonneville Power Administration from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund forthwith: *Provided further*, That said interest shall not be allocated during the fiscal year 1948.

60 Stat. 810.
5 U. S. C. § 55a.

Transmission system.

Post, p. 620.

Availability of construction appropriations.

Informational work.

Interest from sales of electric energy.

SOUTHWESTERN POWER ADMINISTRATION

Operation and maintenance: For operation and maintenance of the southwestern power transmission system, marketing of electric power and energy, and administrative expenses connected therewith; including hire of passenger motor vehicles, and printing and binding; $125,000: *Provided*, That not exceeding $12,000 of appropriations to the Southwestern Power Administration contained in this Act shall be available for personal services in the District of Columbia.

Construction: The funds appropriated for the fiscal year 1947 (Interior Department Appropriation Act, 1947), are hereby continued available during the fiscal year 1948 to meet obligations incurred in contract or contracts duly executed and in force on or before June 30, 1947; for administrative expenses connected therewith; including purchase of five, and hire of passenger motor vehicles; for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding $35 per diem for individuals; printing and binding; for the purchase or acquisition of necessary lands for rights-of-way and necessary engineering and supervision of the construction under said contracts; and for the construction of necessary interconnecting facilities incident to and connected with the construction of the Denison-Norfork transmission line.

60 Stat. 350.

60 Stat. 810.
5 U. S. C. § 55a.

BUREAU OF LAND MANAGEMENT

Salaries and expenses: For necessary expenses not otherwise provided for in carrying out the provisions of the public land and other laws administered by the Bureau of Land Management, including personal services in the District of Columbia; one clerk authorized by the President to sign land patents; printing and binding, advertising, preparation and production of maps and official plats of survey, and for hearings and other proceedings, $1,175,000: *Provided*, That not exceeding $91,000 of this appropriation shall be available for expenditure in carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A).

48 Stat. 1269.
43 U. S. C. §§ 315-315o.
Post, pp. 790, 791.
Post, p. 699.

Management, protection, and disposal of public lands: For the administration of the public lands and their resources under the jurisdiction of the Bureau of Land Management, including their protection, use, maintenance, improvement, development, and disposal; the employment of necessary personnel, travel expenses, hearings, investigations, examination and classification of lands; preparation of maps and reports; surveys and resurveys of public lands, including fragmentary surveys and such other surveys and examinations as may be required; the prevention, presuppression or emergency prevention of fires on or threatening lands under the jurisdiction of the Bureau of Land Management; contract reporting services, purchase of not to exceed twenty-five passenger motor vehicles; the payment of a salary of $6 per diem while actually employed and for payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, $35,500; and the maintenance and alteration of necessary buildings; $2,084,640, of which not to exceed $310,000 shall be available for the administration of district land offices, and not exceeding $398,000 for carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A): *Provided*, That this appropriation shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Land Management, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to the appropriation for "Management, protection, and disposal of public lands, Bureau of Land Management," current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That this appropriation may be expended for surveys of lands other than those under the jurisdiction of the Bureau of Land Management and in such cases this appropriation shall be reimbursed from the applicable appropriation, fund or special deposit.

48 Stat. 1269.
43 U. S. C. §§ 315-315o.
Post, pp. 790, 791.

Warehouse maintenance, etc.

Surveys of lands.

Fire fighting: For fighting fires on or threatening lands under the jurisdiction of the Bureau of Land Management in the United States and Alaska, $40,000, which amount shall also be available for meeting obligations of the preceding year, pursuant to the Acts of September 20, 1922 (16 U. S. C. 594) and June 28, 1934, as amended.

42 Stat. 857.
48 Stat. 1269.
43 U. S. C. §§ 315-315o.
Post, pp. 790, 791.

Range improvements: For construction, purchase, and maintenance of range improvements on the public lands pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934, as amended (43 U. S. C. 315i and j), in addition to contributions under section 9 of the Act of June 28, 1934, including the purchase of not to exceed one passenger motor vehicle, $253,000: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received under the provisions of said Act during the fiscal years 1947 and 1948.

48 Stat. 1273.
48 Stat. 1273.
43 U. S. C. § 315h.

Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For expenses necessary in carrying out the provisions of title I of the Act of August 28, 1937 (50 Stat. 874), including fire protection and patrol, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including purchase of not to exceed one passenger motor vehicle, $469,300: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II, of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund" and section 4 of the Act approved May 24, 1939, of the special fund designated the "Coos Bay Wagon Road Grant Fund."

50 Stat. 876.
53 Stat. 754.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, $2,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act aproved February 25, 1920 (30 U. S. C. 191), $3,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

42 Stat. 1448.
30 U. S. C. §§ 230-236.
41 Stat. 450.
Ante, p. 119.
48 Stat. 1227.
31 U. S. C. § 725c.

Leasing of grazing lands: For leasing State, county, or privately owned lands in accordance with the provisions of the Act of June 23, 1938 (43 U. S. C. 315m–1), $7,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with 43 U. S. C. 315m–4.

52 Stat. 1033.
43 U. S. C. §§ 315m-1—315m-4.
52 Stat. 1033.

Appropriations herein made for the Bureau of Land Management for "Management, protection, and disposal of public lands, Bureau of Land Management", "Range improvements", and "Fire fighting", shall be available for the hire, maintenance, and operation of aircraft.

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, general administration: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia and elsewhere; rental of office equipment and the purchase of necessary

supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $750,000.

Salaries and expenses, district offices: For necessary expenses of district offices for the administration and supervision of Indian Service activities, including printing and binding, $500,000.

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including the maintenance of law and order among Indians, and pay of employees authorized by continuing or permanent treaty provisions, $2,000,000.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service, $3,500,000.

Post, p. 943.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, printing and binding, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $660,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Indian Service, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, $665,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $11,139,700: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission.

Payment of tuition, etc.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, $7,000,000.

Post, p. 621.

Post, p. 943.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $498,710: *Provided*, That payment for the care of Indians may be made from the date of service.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); and the development, repair, maintenance, and operation of domestic and stock water facilities, $801,500: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U. S. C. 413).

58 Stat. 132.
16 U. S. C. §§ 583–583i.

47 Stat. 1417.

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the operation and maintenance of a sheep breeding station on the Navajo Reservation; the expenses of Indian fairs, including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, $853,000.

Navajo Reservation, sheep breeding station.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $150,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations except for the Alamo Band of the Puertocito Indians in the State of New Mexico and for the Rapid City Band of Sioux Indians in the State of South Dakota: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such sum as may be necessary to purchase in the name of the United States in trust thirty-four and one-half acres of land at Celilo Falls, Oregon, for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Columbia River Indians affiliated with the aforementioned tribes and entitled to enjoy fishing rights at their old and accustomed fishing sites at or in the vicinity of Celilo Falls on the Columbia River.

48 Stat. 985.

Restrictions.

Montana, Nevada, Oregon, and Washington.

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses, $34,800, of which not to exceed $15,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $8,180 per annum.

49 Stat. 891.
25 U. S. C. §§ 305-305e.

Salary limitation.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation and power systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $406,000, of which $337,833 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per acre basis by the lands benefited; as follows:

Arizona: Colorado River, $450,000; Navajo, Arizona and New Mexico, $180,000; Salt River, $50,000;

Colorado: Southern Ute, $10,000;

Idaho: Fort Hall, $40,000;

Montana: Fort Belknap, $6,250; Fort Peck, $34,000; Tongue River, $9,750;

New Mexico: United Pueblos, $17,500;

Oregon: Klamath, $7,500;

Wyoming: Wind River, $15,000;

Miscellaneous small projects, $92,500;

For surveys and investigations, $100,000;

In all, $1,012,500, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Post, p. 699.

Alaska: Schools, hospitals, dock repairs, and quarters, $400,000;

Fort Belknap, Montana: Water improvements, $20,000;

Haskell Institute, Kansas: Replacement of boiler, repairs and improvements to heating system, $18,000;

Navajo, Arizona and New Mexico: Mexican Springs or Coyote Canon day school conversion, $150,000; Toadlena school development, $200,000;

Red Lake, Minnesota: School, $46,000;

Shawnee Sanatorium, Oklahoma: Water improvements, $27,000;

United Pueblos, New Mexico: Improvements to heating system, $11,000;

Various locations: Employees' quarters, $300,000; major repairs and improvements, $500,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal services in the District of Columbia and printing and binding, $150,000;

In all, $1,822,000, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of funds.

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), $3,000,000, to remain available until expended, of which amount not to exceed $9,000 may be expended for departmental personal services.

45 Stat. 750; 58 Stat. 838.
23 U. S. C. §§ 60–63.

Highway, Gallup-Shiprock, Navajo Reservation: For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, $20,000, reimbursable, as authorized by the Act of May 28, 1941 (55 Stat. 207).

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat. 46.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat. 99.
11 Stat. 614.
7 Stat. 213.
7 Stat. 212, 236.
7 Stat. 235.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729; 27 Stat. 644.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $1,722,000.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit of each of the power projects shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), in connection with the respective projects from which such revenues are derived.

60 Stat. 895.
31 U. S. C. § 725s–3.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, $304,800, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe.

Travel expenses.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $150,000 of which not to exceed $4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Klamath Agency, Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $147,500, including $30,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $1,000); and $5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $9,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Menominee Agency, Wis.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of $1,954, which employee shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed $2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing, $202,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $7,500 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Osage Agency, Okla.

Travel, etc., expenses.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of $3,000 each for the

Five Civilized Tribes, Okla.

said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Limitation.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except that the Shoshone and Arapahoe Tribes of Wyoming may not exceed $8 per diem and when in the District of Columbia or Chicago, Illinois, $10 per diem as heretofore provided, $73,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction.

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $112,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
18 U. S. C. §§ 744a-744b.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $33,580, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, $124,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, South Dakota, and Washington either inside or outside the boundaries of existing Indian reservations.

Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, $250,000, payable from tribal funds as follows: Colville, Washington, $150,000; Menominee, Wisconsin, $100,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1947 are hereby continued available during the fiscal year 1948 for the purposes for which they were appropriated: *Provided*, That

Funds continued available.
59 Stat. 326.
Educational loans.

advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1948 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Availability of funds.

Tribal enterprises.

Regulations.

48 Stat. 986.

Advances.

48 Stat. 986.

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $512,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils.

44 Stat. 560.

Payment for tuition, etc.

Vehicles: Not to exceed $450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of passenger motor vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and applicable appropriations may be used for the purchase of not to exceed two hundred and five passenger motor vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs

above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Supplies, etc.

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs.

Travel expenses, etc.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees.

Aircraft.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; and "Salaries and expenses, reservation administration".

BUREAU OF RECLAMATION

32 Stat. 388.
43 U. S. C. §§ 391, 411.

Administrative provisions: Sums appropriated in this Act for the Bureau of Reclamation shall be available for all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures are authorized, including personal services in the District of Columbia; disseminating useful information, photographing and making photographic prints, and completing and distributing material, including recordings; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; lithographing; engraving; printing and binding; purchase of not to exceed four hundred in fiscal year 1948, and hire of passenger motor vehicles; acquisition (not to exceed five in fiscal year 1948 from any disposal agency of the Government without reimbursement or transfer of funds), hire, maintenance, and operation of aircraft; services as authorized by Section 15 of the Act of August 2, 1946 (Public Law 600); for payment of claims for damage to or loss of property, personal injury, or death, arising out of the survey, construction, operation or maintenance of works by the Bureau of Reclamation; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary; payment of rewards, when specifically authorized by the Secretary, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and are in arrears for more than twelve months in the payment of any charges due from said lands to the United States.

Vehicles.

60 Stat. 810.
5 U. S. C. § 55a.
Property damages.

Rewards.

Restriction.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

"Reclamation fund."
Post, p. 944.
32 Stat. 388.

GENERAL OFFICES

Salaries and expenses (other than project offices): For expenses necessary during the fiscal year 1948, including personal services in the District of Columbia, in the administration and performance by other than project offices of Bureau of Reclamation functions, $3,130,000, to be available for the purposes, among others, specified under the head "Operation and maintenance administration", Bureau of Reclamation, in the Department of the Interior Appropriation Act, 1945, and reimbursable as to expenditures for operation and maintenance administration to the same extent as is provided under said head: *Provided*, That in addition to the foregoing amount there may be transferred to this appropriation from other appropriations made to the Bureau of Reclamation not to exceed $7,800,000 for work to be performed for the benefit of specific projects: *Provided further*, That not exceeding $50,000 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work;

58 Stat. 487.

Specific projects.

Informational work.

GENERAL INVESTIGATIONS

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, and the Federal Power Commission, $2,000,000, which may be used to execute detailed surveys, and to prepare construction plans and specifications: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigations;

CONSTRUCTION

Construction: For construction and continuation of construction of the following projects in not to exceed the following amounts, all to be reimbursable under the reclamation law, except as provided in the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress:

Post, p. 944.

60 Stat. 1080.
16 U. S. C. §§ 661-666c.

Boise project, Idaho, Payette division, $897,000; Anderson Ranch Dam, $3,874,000;

Lewiston Orchards project, Idaho, $500,000;

Palisades project, Idaho, $930,750;

Carlsbad project, New Mexico, $21,000;

Rio Grande project, New Mexico-Texas, $755,000;

Post, p. 944.

Deschutes project, Oregon, $1,626,000, of which $100,000 shall be available toward emergency rehabilitation of the works of the Arnold Irrigation District, to be repaid in full under conditions satisfactory to the Secretary of the Interior;

Klamath project, Oregon-California, $1,800,000;

Ogden River project, Utah, $30,000;

Provo River project, Utah, $1,000,000, and in addition to this appropriation the Commissioner of Reclamation is authorized to enter into contracts in an amount not in excess of $215,000;

Shoshone project, Wyoming, Power division, $443,000;

Total, construction, from reclamation fund, $11,876,750.

OPERATION AND MAINTENANCE

Parker Dam power project, Arizona-California: Not to exceed $1,600,000 from power and other revenues shall be available for operation and maintenance;

Post, p. 699.

Yuma project, Arizona-California: For operation and maintenance, $130,000: *Provided*, That not to exceed $32,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Central Valley project, California: Not to exceed $800,000 from power revenues shall be available for the operation and maintenance of the power system;

Colorado-Big Thompson project, Colorado: Not to exceed $130,000 from power revenues shall be available for the operation and maintenance of the power system;

Boise project, Idaho: For operation and maintenance, $185,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, $75,000: *Provided*, That not to exceed $196,000 from the power revenues shall be available for the operation of the commercial system;

North Platte project, Nebraska-Wyoming: Not to exceed $130,000 from the power revenues shall be available for the operation and maintenance of the commercial system; and not to exceed $6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

43 Stat. 703.

Rio Grande project, New Mexico-Texas: Not to exceed $220,000 from power revenues shall be available for the operation and maintenance of the power system;

Deschutes project, Oregon: For operation and maintenance, $50,000;

Owyhee project, Oregon: For operation and maintenance, $260,000;

Klamath project, Oregon-California: For operation and maintenance, $200,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Columbia Basin project, Washington: Not to exceed $1,300,000 from power revenues shall be available for operation, maintenance, and replacements, including operation and maintenance of camp and other facilities turned over by construction contractors, and similar facilities and the furnishing of services related thereto;

Yakima project, Washington: For operation and maintenance $300,000: *Provided*, That not to exceed $25,000 from power revenues shall be available for operation and maintenance of the power system;

Kendrick project, Wyoming: Not to exceed $200,000 from the power revenues shall be available for the operation and maintenance of the power system;

Riverton project, Wyoming: For operation and maintenance, $89,000: *Provided*, That not to exceed $48,300 from the power revenues shall be available for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, $50,000: *Provided*, That not to exceed $79,400 from the power revenues shall be available for the operation and maintenance of the commercial system;

GENERAL PROVISIONS

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1948, on any reclamation project appropriated for herein under the reclamation fund, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1948 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations: Ten per centum of the foregoing amounts for operation and maintenance projects shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary;

Total, from reclamation fund, $18,345,750.

GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress, and to be reimbursable under the reclamation law, except as provided in the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress: 60 Stat. 1080. 16 U. S. C. §§ 661-666c.

Gila project, Arizona, $1,400,000;

Davis Dam project, Arizona-Nevada, $9,700,000; *Post*, p. 944.

Central Valley project, California: Joint facilities, $690,000; irrigation facilities, $5,622,028; power facilities, Shasta power plant, $427,800, Keswick Dam, $100,740, Keswick power plant, $218,040; transmission lines, Shasta to Delta, via Oroville and Sacramento, two hundred and thirty kilovolt, $256,680, Shasta Dam to Shasta substation, two hundred and thirty kilovolt, $1,500,000, Keswick tap line, two hundred and thirty kilovolt, $160,000, Contra Costa Canal extension, sixty-nine kilovolt, $118,000; substation, Contra Costa, $48,000; in all, $9,141,288; *Post*, p. 944.

Kings River project, California, $100,000;

Colorado-Big Thompson project, Colorado, $9,500,000; *Post*, p. 944.

Hungry Horse project, Montana, $2,500,000;

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), $17,500,000; *Post*, p. 944. 16 U. S. C. §§ 835-835i.

Total, general fund, construction, $49,841,288.

FORT PECK PROJECT

Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the Act of May 18, 1938 (16 U. S. C. 833), $1,500,000, to be immediately available and to remain available until expended.

52 Stat. 403.

Post, p. 699.

MISSOURI RIVER BASIN

Missouri River Basin (reimbursable except as provided in the Act of December 22, 1944 (Public Law 534), Seventy-eighth Congress, and the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior, pursuant to section 9 of the Act of December 22, 1944 (Public Law 534) and section 18 of the Flood Control Act of 1946 (Public Law 526) (including the construction of transmission lines and the purchase of power) and for continuing investigations on the general plan of development, $17,000,000, to remain available until expended: *Provided*, That this appropriation shall be expended, either independently or through or in cooperation with existing Federal and State agencies.

58 Stat. 887.
16 U. S. C. §§ 460d, 825s; 33 U. S. C. §§ 701a-1, 701c and note, 708, 709; 43 U. S. C. § 390.
60 Stat. 1080.
16 U. S. C. §§ 661-666c.
58 Stat. 891.
60 Stat. 653.

COLORADO RIVER DAM FUND

Boulder Canyon project: For operation, maintenance, and replacements of the dam, power plant, and other facilities, of the Boulder Canyon project, $1,500,000, payable from the Colorado River dam fund.

ADVANCES TO COLORADO RIVER DAM FUND

Boulder Canyon project: For continuation of construction of the Hoover Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), $435,000, to be immediately available and to remain available until advanced to the Colorado River dam fund.

45 Stat. 1057.
43 U. S. C. §§ 617-617t.
Ante, p. 56.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); to be immediately available, and to remain available until advanced to the Colorado River dam fund, $3,245,000.

Ante, p. 183.

Supra.

COLORADO RIVER DEVELOPMENT FUND

Colorado River development fund (expenditure account): For investigations of projects for the utilization of waters of the Colorado River system in the four States of the upper division, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), $500,000 from the Colorado River development fund (holding account), the unobligated balance of said amount

43 U. S. C. § 618a.

at the end of the fiscal year to revert to the fund: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs.

COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

For operating and maintaining the Colorado River front work and levee system in Arizona, Nevada, and California; constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River; controlling said river and improving, modifying, straightening, and rectifying the channel thereof; and conducting investigations and studies in connection therewith; as authorized by Public Law 469, approved June 28, 1946; $1,000,000, to remain available until expended.

60 Stat. 338.

Transfer of surplus property.

For the purpose of effecting settlement of war veterans on public land reclamation projects and to provide facilities for veteran employment in construction and operation of reclamation projects, the property, buildings, equipment, material, and acquired lands heretofore or hereafter declared surplus at the Yuma Army air base, Yuma, Arizona, shall be transferred to the Bureau of Reclamation by any Federal agency having custody or ownership, without exchange of funds, and to be available for the same purpose and to be disposed of in the same manner as the war relocation centers and the prisoner-of-war camp transferred to the Bureau of Reclamation in the Interior Department Appropriation Act, 1947.

60 Stat. 369.

Restriction.

No part of any construction appropriation for the Bureau of Reclamation contained in this Act shall be available for construction work by force account, or on a hired-labor basis except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Commissioner of the Bureau of Reclamation.

GEOLOGICAL SURVEY

General expenses.

For salaries and expenses necessary for the Geological Survey, including personal services in the District of Columbia; purchase of not to exceed one hundred and forty-six and hire of passenger motor vehicles and the maintenance and operation of aircraft; and exchange of unserviceable passenger and freight vehicles as part payment for new freight vehicles; as follows:

Salaries and expenses: For personal services in the District of Columbia, and other expenses, $232,340;

Topographic surveys: For topographic surveys in the United States, Alaska, the Virgin Islands, and Puerto Rico, $3,000,000, of which not to exceed $475,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That $517,000 of this amount shall be available only for such cooperation with States or municipalities;

Cooperation with States, etc.

Amount available.

Geologic surveys: For geologic surveys in the United States and chemical and physical researches relative thereto, $2,300,000 of which not to exceed $500,000 may be expended for personal services in the District of Columbia;

Mineral resources of Alaska: For investigation of the mineral resources of Alaska, $250,000, of which not to exceed $85,000 may be expended for personal services in the District of Columbia;

Gaging streams: For gaging streams and determining the water supply of the United States, its Territories and possessions, investigating underground currents and artesian wells and methods of utilizing the water resources, $2,625,000, of which not to exceed $10,000 may be expended for acquiring lands at gaging stations, and not to exceed $265,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto, in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That $1,586,500 of this amount shall be available only for such cooperation with States or municipalities: *Provided further*, That no part of the funds appropriated in this paragraph shall be used for the payment, directly or indirectly, for the drilling of water wells for the purpose of supplying water for domestic use: *Provided further*, That not to exceed $10,000 of this appropriation shall be available for payment of the compensation and expenses of the person appointed by the President pursuant to Public Law 34, Seventy-ninth Congress, to participate as the representative of the United States in the negotiation of a compact between the States of Colorado and Kansas relative to the division of the waters of the Arkansas River and its tributaries: *Provided further*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay;

Cooperation with States.

Limitation.

Negotiation of compact.

59 Stat. 53.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary; and for performance of work for the Federal Power Commission, $245,000, of which not to exceed $56,500 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $120,000; for preparation of illustrations, $32,000; and for engraving and printing geologic and topographic maps, $237,000; in all, $389,000;

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, and the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $650,000, of which not to exceed $78,600 may be expended for personal services in the District of Columbia;

38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1363. *Post*, p. 913.

Cooperative advance: To enable the Geological Survey to meet obligations incurred by it arising from cooperative work pending reimbursement from cooperating agencies; $400,000, which amount shall

be returned to the Treasury not later than six months after the close of the fiscal year 1948 out of reimbursements received from cooperating agencies;

Cooperative work on scientific, etc., investigations.
Transfer of funds.

During the fiscal year 1948 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That not to exceed 5 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be increased more than 5 per centum thereby. Any such transfer shall be reported to Congress in the annual Budget;

Interchange of amounts.

Report to Congress.

Acquisition of surplus supplies.

The Geological Survey is hereby authorized to acquire by transfer without exchange of funds, for two years beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed $500,000 from the surplus stores of these agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946;

60 Stat. 168.
50 U. S. C. app. §§ 1621, 1622, 1625, 1627.

In all, salaries and expenses, Geological Survey, $10,091,340.

BUREAU OF MINES

Salaries and expenses: For expenses necessary for the general administration of the Bureau of Mines, including $93,000 for personal services in the District of Columbia, and $65,000 for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $162,500.

Operating mine-rescue cars and stations and investigation of mine accidents: For expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other investigations pertinent to the mining industry; including the construction of temporary buildings; equipment and supplies; travel expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; and not to exceed $92,000 for personal services in the District of Columbia, $1,148,000, of which not to exceed $500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests.

Personal services.

Coal-mine inspections and investigations: For expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the Act of May 7, 1941 (55 Stat. 177); including not to exceed $100,000 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; operation, maintenance, and repair of motor-propelled trucks and other motor vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and expenses of employees in attendance at

Post, p. 699.

30 U. S. C. §§ 4f-4o.
Post, p. 725.

meetings and conferences held for promoting safety and health in the coal-mining industry; $1,625,000.

Testing fuel: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia; $400,000, of which not to exceed $93,500 may be expended for personal services in the District of Columbia.

Recommendations to Government agencies.

Anthracite investigations: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of anthracite coals; including items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed $7,500 for personal services in the District of Columbia, $105,000.

Anthracite Research Laboratory: For the construction and equipment of an anthracite research laboratory at Schuylkill Haven, Pennsylvania, including not to exceed $25,000 for employment by contract, or otherwise, at such rates of compensation as the Secretary may determine, of engineers, architects, or firms or corporations thereof necessary to design and construct said laboratory; and the purchase, maintenance, and operation of not to exceed one passenger automobile, $450,000.

Synthetic liquid fuels: For expenses, without regard to section 3709, Revised Statutes, as amended, necessary to carry into effect the Act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and so forth, approved April 5, 1944 (30 U. S. C. 321–325), including construction and acquirement of camp and laboratory buildings and equipment, personal services in the District of Columbia (not exceeding $100,000); purchase of not to exceed two passenger motor vehicles; printing and binding; and purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", $3,000,000, to remain available until expended: *Provided*, That these funds may be utilized to provide transportation between the proposed plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of these plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of these plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

41 U. S. C. § 5.

58 Stat. 190.

Transportation.

Pooling of equipment.

Mineral mining investigations: For scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, and economy in the mining, quarrying, metallurgical, and other mineral industries; including all equipment, supplies, expenses of travel, and not to exceed $40,000 for personal services in the District of

Columbia, $440,300: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party.

Restriction.

Investigation and development of domestic mineral deposits, except fuels: For expenses necessary to enable the Bureau of Mines to investigate, develop, and experimentally mine, on public lands and with the consent of the owner on private lands, deposits of minerals in the United States and its possessions, including surface and subsurface investigations, laboratory tests, the construction, maintenance, and repair of necessary camp buildings, core storage facilities, mining structures and appurtenances, the lease of lands or buildings; and not to exceed $39,200 for personal services in the District of Columbia, $1,060,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Acceptance of lands, etc.

Coal investigations: For expenses necessary to enable the Bureau of Mines to investigate known coal deposits in the United States and its possessions; including purchase of not to exceed one passenger motor vehicle; and items otherwise properly chargeable to the appropriation, "Contingent expenses, Department of the Interior"; and not to exceed $7,500 for personal services in the District of Columbia; $75,000: *Provided*, That the Director of the Bureau of Mines is authorized to carry on such investigations in cooperation with other agencies, Federal, State, or private: *Provided further*, That the said Director is hereby authorized and directed to make suitable arrangements with owners of private property upon which exploration or development work is performed for payment by such owners of a reasonable percentage, as determined by the Secretary of the Interior, of the total value of the minerals thereafter produced from such property.

Investigations.

Payment by owner of private property.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every expense incident thereto, including purchase of not to exceed five passenger motor vehicles; purchase, in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; $600,000, of which not to exceed $41,500 may be expended for personal services in the District of Columbia.

Mining experiment stations: For personal services, purchase of not to exceed four passenger motor vehicles, and other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act of March 3, 1915 (30 U. S. C. 8), $1,060,000, of which not to exceed $38,500 may be expended for personal services in the District of Columbia.

38 Stat. 959.

Metallurgical research and pilot plants: For expenses necessary to enable the Bureau of Mines to conduct laboratory, pilot plant, and demonstration plant tests to establish methods for more effectively utilizing the mineral resources in the United States and its possessions, including the lease of lands or buildings; research on and development of processes for production and utilization of metals and nonmetallic minerals; construction of buildings to house laboratories, pilot plants, and demonstration plants; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed $29,000 for personal services in the District of Columbia; $1,000,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other

contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, and other expenses requisite for and incident thereto, including not to exceed $8,500 for additions and improvements, $140,000.

Economics of mineral industries: For investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; purchase of furniture and equipment; stationery and supplies; and other necessary expenses not included in the foregoing, $680,000, of which not to exceed $580,000 may be expended for personal services in the District of Columbia.

Helium utilization and research: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning resources, production, repurification, storage, and utilization of helium, independently or in cooperation with other agencies, public or private; including purchase of not to exceed one passenger motor vehicle; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; $90,000, including not to exceed $9,000 for personal services in the District of Columbia.

Transfer of funds.

Helium production and investigations: The sums made available for the fiscal year 1948 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1947, for operation and maintenance of the plants for the production of helium for military and naval purposes, including purchase of eight passenger motor vehicles; the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior" (not exceeding $5,000); and $46,500 for personal services in the District of Columbia: *Provided*, That section 3709, Revised Statutes, as amended, shall not be construed to apply to this appropriation, or to the appropriation for development and operation of helium properties (special fund) in section 3 (c) of the Act of September 1, 1937 (50 U. S. C. 164): *Provided further*, That funds available for the production of helium and the development of helium properties may be utilized to provide transportation between helium plants and related facilities and communities that provide adequate living accomodations of persons engaged in the operation and maintenance of helium plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of helium plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

41 U. S. C. § 5.

50 Stat. 887.

Transportation.

Pooling of equipment.

Scientific investigations.

During the fiscal year 1948 the head of any department or independent establishment of the Government having funds available for scientific investigations within the scope of the functions of the Bureau of Mines may, with the approval of the Secretary, transfer

to the Bureau such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended.

Detail of medical officers.

The Federal Security Administrator may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines.

Sale of mineral products.

The Bureau of Mines is authorized, during the fiscal year 1948, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated from funds appropriated to the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Aircraft.

The following appropriations herein made to the Bureau of Mines shall be available for the hire, maintenance, and operation of aircraft: "Operating rescue cars and stations and investigation of accidents"; "Investigation and development of domestic mineral deposits, except fuels"; and "Metallurgical research and pilot plants".

U. S. Weather Bureau Station, Mount Weather, Va.

The Department of Commerce is authorized to transfer to the Department of the Interior for the use of the Bureau of Mines, without compensation therefor, full jurisdiction, possession, and control of the United States Weather Bureau Station at Mount Weather, in the counties of Loudoun and Clarke, State of Virginia, together with all buildings, improvements, furniture, and fixtures now in or upon the land.

Acquisition of surplus property.

The Bureau of Mines is hereby authorized to acquire by transfer without exchange of funds, for three years, beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, buildings, equipment, materials, and supplies of all kinds with an appraised value of not to exceed $3,000,000 from the surplus stores of these agencies, for use in performing its functions by the Bureau of Mines or by any office of the Bureau in the United States and Alaska: *Provided*, That the authorization in this paragraph for transfer of surplus property to the Bureau of Mines shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

60 Stat. 168.
50 U. S. C. app. §§ 1621, 1622, 1625, 1627.

NATIONAL PARK SERVICE

Salaries and expenses: For expenses, including personal services in the District of Columbia, necessary for the general administration of the National Park Service, including $62,500 for printing and binding, $711,248.

Regional offices: For expenses of regional offices, $659,407.

Post, p. 621.

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington, $3,500,000.

Post, p. 621.

National monument, historical, and military areas: For administration, protection, maintenance, improvement, and preservation of national monuments, historical parks, memorials, historic sites, military parks, battlefields, and cemeteries, including not exceeding $308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, and the maintenance of structures on the former Cape Hatteras Light Station Reservation within the Cape Hatteras National Seashore Recreational Area project, $1,496,000.

Recreational areas: For administration, protection, maintenance, and improvement, pursuant to cooperative agreements, of areas devoted to recreational use which are under the jurisdiction of other Federal agencies, $260,400.

Emergency reconstruction and fighting forest fires: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in areas under the jurisdiction of the National Park Service that are damaged or destroyed by flood, fire, storm, or other unavoidable causes, and for fighting or emergency prevention of forest fires in areas administered by the National Park Service, or fires that endanger such areas, including lands in process of condemnation for national park or monument purposes, $30,000, together with such sums as may be necessary to be transferred upon the approval of the Secretary from the foregoing appropriations for the National Park Service, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary only after the obligation for the expenditure has been incurred.

Transfer of funds.

Report to Congress.

Accounting.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably and any such diversion of funds shall be reported to Congress in the annual Budget.

Interchange of amounts.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the acquisition thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of areas under the jurisdiction of the National Park Service, to remain available until expended, $15,000.

Travel Bureau: For expenses necessary in carrying out the Act of July 19, 1940 (16 U. S. C. 18), including personal services in the District of Columbia; participation by the Travel Bureau in international expositions and conferences dealing with travel; and printing and binding; $75,000.

54 Stat. 773.
16 U. S. C. §§ 18–18d.

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, $30,000.

National Capital parks.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Arlington Memorial Bridge, George Washington Memorial Parkway, monuments and memorials in the District of Columbia and area adjacent thereto, Lee Mansion, Battleground National Cemetery, Chopawamsic Park, Chesapeake and Ohio Canal, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924 (43 Stat. 174), as amended, of the United States park police force, purchase of revolvers and ammunition, purchase, cleaning, and repair of uniforms for police, guards, and elevator conductors, and equipment, per diem employees at rates of pay approved by the Secretary not exceeding current rates for similar services in the District of Columbia, stenographic reporting service, carfare, and newspapers (not to exceed $100), $770,000.

D. C. Code §§ 8–102 note, 8–106 note.

D. C. Code § 4–201 *et seq.*

Studies of recreational resources, etc.

For investigations and studies of the recreational resources and the archeological remains in the river basins of the United States (except the Missouri River Basin), including reports, recommendations, and plans, in cooperation with the United States Corps of Engineers and

the Bureau of Reclamation pursuant to the provisions of cooperative agreements, and including personal services in the District of Columbia, $121,000.

Acquisition of lands: For the acquisition of privately owned lands or interests therein, including expenses incidental thereto, $200,000, to remain available until expended, of which $30,000 shall be for lands necessary to the establishment of the George Washington Carver National Monument, Missouri, authorized by the Act of July 14, 1943 (Public Law 148); and $170,000 shall be for lands located within the authorized boundaries of established areas under the jurisdiction of the National Park Service, of which $130,000 shall be available only for lands within the Fredericksburg and Spotsylvania County Battlefields Memorial and Gettysburg National Military Parks; Joshua Tree National Monument; and Glacier, Grand Canyon, Great Smoky Mountains, Kings Canyon, Lassen Volcanic, Mount Rainier, Olympic, Rocky Mountain, Sequoia, Yosemite, and Zion National Parks.

57 Stat. 563.
16 U. S. C. §§ 450aa-450aa-2.

For the construction, reconstruction, improvement, repair, and maintenance of roads, trails, utilities, and buildings without regard to the Act of August 24, 1912, as amended (16 U. S. C. 451), including personal services in the District of Columbia, $2,150,000, to remain available until expended, of which $1,415,000 shall be for roads and trails as authorized by section 10a of the Act of December 20, 1944 (Public Law 521), and the maintenance of road sections specifically authorized by the Act of August 7, 1946 (Public Law 633); and $735,000 for the construction and repair of buildings and utilities not otherwise provided for, including completion of the acquisition of rights-of-way and construction of a water supply line partly outside of the boundaries of Mesa Verde National Park as authorized by said Act of August 7, 1946.

Construction of roads, etc.

37 Stat. 460.

58 Stat. 842.

60 Stat. 885.
16 U. S. C. § 17j-2.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and vicinity; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary may designate; for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression; for necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation while attending fire-protection training camps; and for official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary.

Educational lectures, etc.

Telephone service in the field.

Appropriations available to the National Park Service shall be available for the purchase of not to exceed forty, and hire of passenger motor vehicles.

Motor vehicles.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

For expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For general administrative purposes, including personal services in the District of Columbia, $246,470, of which sum $30,000 shall be available for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals and the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress as they may direct.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including the erection of necessary buildings and other structures; propagation and distribution of food fishes and fresh-water mussels; development, recommendation, and application of means, including the construction of devices, to assure natural propagation and maximum survival of hatchery and other fishes; purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, $1,344,850.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $36,300.

Investigations respecting food fishes: For investigations and studies into the cause of the decrease of food fishes, and other aquatic and plant resources, in connection therewith, and of means of securing a maximum sustained yield from such resources, including not to exceed $20,000 to investigate and eradicate the predatory sea lampreys of the Great Lakes as authorized by joint resolution of August 8, 1946, Public Law 672; and maintenance, repair, improvement, equipment, and operation of fishery-experiment and biological stations, $790,040.

60 Stat. 930.
16 U. S. C. §§921–923.

Commercial fisheries: For collection and compilation of fishery statistics and related information; conducting investigations and studies of methods and means of capture, preservation, utilization, and distribution of fish and aquatic plants and products thereof, including investigation, study and research with respect to the utilization of packed sardines and the development of methods and procedures which should be employed in improving the quality and appearance of packed sardines; maintenance, repair, alteration, improvement, equipment, and operation of laboratories and vessels; and enforcing the applicable provisions of the Act authorizing associations of producers of aquatic products (15 U. S. C. 521); including contract stenographic reporting services, $225,000.

Packed sardines.

48 Stat. 1213.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, market supply and demand, commercial movement, location, disposition, and market prices of fishery products, $125,000.

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; and contract stenographic reporting service, $850,000.

Alaska fur-seal investigations: For investigations of Alaska fur seals pursuant to the Act of February 26, 1944 (16 U. S. C. 631i), $69,300.

58 Stat. 102.

Enforcement of Black Bass and Whaling Treaty Acts: For enforcement of the Act of July 2, 1930, and the Act of May 1, 1936 (16 U. S. C. 851–855, 901–915), $22,400.

46 Stat. 845.
49 Stat. 1246.
Post, p. 517.

Biological investigations: For biological investigations of the relations, habits, geographic distribution, and migration of animals, including the resources thereof, and plants, and the preparation of maps of the life zones; for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581d); for investigations, experiments, and demonstrations, independently or in cooperation with other agencies or individuals, in developing and applying methods for the control of damage to agricultural and horticultural crops by birds, and for investigations of the wildlife resources of the Territory of Alaska, $258,450.

45 Stat. 701.

Control of predatory animals and injurious rodents: For investigations and demonstrations in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals as authorized by law (7 U. S. C. 426), including not to exceed $3,000 for the purchase of printed bags, tags, and labels; and for repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), $900,000.

46 Stat. 1468.
7 U.S.C. §§ 426–426b.
Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.

Protection of Migratory birds: For the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended, to carry into effect the treaty with Great Britain and the convention between the United States and the United Mexican States (16 U. S. C. 703–711); for cooperation with local authorities in the protection of migratory birds, including necessary investigations; for the enforcement of the Act for the protection of the bald eagle (16 U. S. C. 668–668d); for the enforcement of sections 241–244 of the Act approved March 4, 1909, as amended (18 U. S. C. 391–394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), including necessary investigations, $350,000, of which not to exceed $10,000 may be expended in the discretion of the Secretary for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

40 Stat. 755.
54 Stat. 250.
35 Stat. 1137.
31 Stat. 187.
Securing information of law violations.

Enforcement of Alaska game law: For the enforcement of the Act of January 13, 1925, as amended (48 U. S. C. 192–211), $175,000, of which not to exceed $10,000 may be expended in the discretion of the Secretary for the purpose of securing information in connection with and for the prosecution of violators of the law for the enforcement of which this appropriation is made available.

43 Stat. 739.

Maintenance of mammal and bird reservations: For the administration, protection, and maintenance of mammal and bird reservations and the maintenance and protection of game introduced into suitable localities on public lands, under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, repair of damage to public roads within reservation areas occasioned by authorized operations of the Fish and Wildlife Service, and other improvements necessary for economical administration; for the purchase, capture, and transportation of game for national reservations; and for the maintenance

Post, p. 621.

of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, $900,000.

River basin studies: For investigations and studies to determine the effects on fish and wildlife resources of proposed developments of river basins of the United States (except the Missouri River Basin), and for the preparation of reports thereon in accordance with the Act of March 10, 1934 (16 U. S. C. 661–666), as amended, $200,000.

48 Stat. 401.

In all, salaries and expenses, $6,492,810.

MIGRATORY BIRD CONSERVATION FUND

48 Stat. 451.
16 U. S. C. § 718d.

For carrying into effect section 4 of the Act of March 16, 1934, as amended (16 U. S. C. 718–718h), an amount equal to the sum received during the fiscal year 1948 from the proceeds from the sale of stamps, to be warranted monthly and to remain available until expended; and in addition thereto an amount equal to the unobligated balance on June 30, 1947, of the total of the proceeds received from the sale of stamps prior to July 1, 1947, also to remain available until expended and to be available for the payment of obligations chargeable against appropriations heretofore made.

FEDERAL AID IN WILDLIFE RESTORATION

50 Stat. 917.

For carrying out the provisions of the Act of September 2, 1937, as amended (16 U. S. C. 669–669j), an amount equal to the sum credited during the fiscal year 1947 to the special fund created by said Act: *Provided*, That not exceeding 20 per centum of the amount allocated to any State shall be available for the construction of improvements.

Total, Fish and Wildlife Service, $6,492,810, and in addition thereto, funds made available under the Migratory Bird Conservation Fund and the fund for Federal Aid in Wildlife Restoration, of which amounts not to exceed $1,082,700 may be expended for departmental personal services, including such services in the District of Columbia. Funds available for the work of the Fish and Wildlife Service shall be available for the purchase of not to exceed fifty passenger motor vehicles; hire, maintenance, and operation of aircraft; the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the Fish and Wildlife Service; providing by purchase, construction, or otherwise, facilities incident to such public recreational uses of wildlife refuges as are not inconsistent with the primary purposes of such refuges; newspapers (not to exceed $100) plans and specifications for vessels, or for contract personal services for the preparation thereof without regard to section 3709, Revised Statutes, as amended (41 U. S. C. 5); and rations for officers and crews of vessels; and for the expenditure from appropriations available for the purchase of lands of not to exceed $1 for each option to purchase any tract of land. Reimbursements for the cost of supplies and materials and the transportation and handling thereof issued from central warehouses authorized to be established by the Act of June 24, 1936 (16 U. S. C. 667), may be credited to the appropriation current at the time supplies and materials are allotted, assigned, or issued, or at the time such reimbursements are received. Not to exceed 5 per centum of the foregoing amounts for expenses of the Fish and Wildlife Service shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 per centum shall be added to any one item or appropriation. The War

Reimbursements.

49 Stat. 1913.

Interchange of amounts.

Transfer of surplus property.

and Navy Departments, the Civil Aeronautics Administration, and the War Assets Administration are authorized to transfer to the Fish and Wildlife Service aircraft for replacement purposes only (but not necessarily of the same size or type or at the same locations), and such other equipment, materials, and supplies (with an appraised value of not to exceed $500,000), surplus to the needs of such agencies, as may be required by said Service, such transfers to be without charge therefor; and in addition the Navy Department, the Coast Guard, and the Maritime Commission are authorized to transfer without charge therefor vessels for replacement purposes only (but not necessarily of the same size or type or at the same locations) marine engines, parts and accessories surplus to the needs of such agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

60 Stat. 168.
50 U. S. C. app. §§ 1621, 1622, 1625, 1627.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

For necessary expenses of the offices of the Governor and the Secretary, including salaries of the Governor and Secretary; printing and binding; maintenance, repair, and preservation of Governor's house and grounds, $60,000, to be expended under the direction of the Governor.

Public schools.

For the establishment and maintenance of public schools, Territory of Alaska, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, transportation, burial, and other expenses, $334,700: *Provided*, That authority is granted to the Secretary to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, for the care and maintenance of Alaskan insane patients during the fiscal year 1948: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary shall as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Payments to Sanitarium Company, Portland, Oreg.

Return of inmates not residents of Alaska.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, $130,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Construction of roads, bridges, etc.

Supra.

For the construction, repair, and maintenance of roads, tramways, buildings, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a–321c), including surveys and plans for new road construction; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), for the preparation of plans and specifications for buildings; and printing and binding, $3,750,000.

47 Stat. 446.
48 U. S. C. §§ 321a–327.

60 Stat. 810.
5 U. S. C. § 55a.

Richardson Highway: For continuation of construction of Richardson Highway, Alaska, $250,000.

The Alaska Railroad: In addition to all amounts received by the Alaska Railroad during the fiscal year 1948, there is hereby appropriated $4,000,000 which shall be available, and continue available until expended, for expenses necessary for the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Act of September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed $6,575 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1948, and no one other than the general manager of said railroad, and one assistant general manager at not to exceed $9,000 per annum, shall be paid an annual salary out of this fund of more than $8,500: *Provided further*, That not to exceed $15,000 of such fund shall be available for printing and binding: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior is hereby authorized to incur obligations and enter into contracts for additional work, materials and equipment not exceeding a total of $15,000,000: *Provided further*, That in the operation of the facilities of the Alaska Railroad, the War Department or any other agency of the United States Government having title thereto is authorized to transfer regardless of present location and without charge to the Alaska Railroad, materials, roadway and bridge maintenance, and other necessary equipment, locomotives and spare parts, shop facilities and machinery, supplies, rolling stock, buildings, and docks, surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska Railroad: *Provided further*, That the authorization in this paragraph for transfer of surplus property to the Alaska Railroad shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

Mount McKinley National Park.

39 Stat. 750.

Personal services.

Printing and binding.

Contracts for additional work, etc.

Transfer of surplus property.

60 Stat. 168.
50 U. S. C. app. §§ 1621, 1622, 1625, 1627.

Aircraft.

The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: "Salaries and expenses, Governor and Secretary, Territory of Alaska"; "Construction and maintenance of roads, bridges, and trails, Alaska"; "Reconstruction and improvement of Richardson Highway, Alaska"; and "Alaska Railroad appropriated fund".

TERRITORY OF HAWAII

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor, the Secretary $7,342, and the private secretary to the Governor, $4,996; for printing and binding; travel expenses of the Governor; and $935 for temporary clerk hire; $25,300, to be expended by the Governor.

GOVERNMENT OF THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), printing and binding; repair, preservation and care of Federal buildings and furniture, purchase of water, and other necessary miscellaneous expenses, purchase of not to exceed two passenger motor vehicles, and not to exceed $6,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, $216,100, to be expended by and under the direction of the Governor.

39 Stat. 1132; 49 Stat. 1813.

For necessary expenses of the agricultural station in the Virgin Islands, $46,300, to be expended by and under the direction of the Governor.

Agricultural station.

Municipal government of Saint Croix: For defraying the deficit in the treasury of the municipal government of Saint Croix, Virgin Islands, because of the excess of current expenses over current revenues for the fiscal year 1948, $140,000, to be paid in monthly installments.

GENERAL PROVISIONS

SEC. 2. Appropriations herein made shall be available for the purchase of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger motor vehicles.

Purchase, etc., of vehicles.

SEC. 3. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1948 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Emergency employment of aliens.

SEC. 4. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $600; Oil and Gas Division, $100; Bureau of Land Management, $300; Bureau of Indian Affairs, $1,000; Bureau of Reclamation, $6,000; Geological Survey, $2,000; Bureau of Mines, $2,000; National Park Service, $1,000; Fish and Wildlife Service, $1,750; and soil and moisture conservation operations (all bureaus), $500.

Attendance at meetings.

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Emergency employment.

Jackson Hole National Monument.

SEC. 6. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

57 Stat. 731.

SEC. 7. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (Public Law 525).

58 Stat. 845.
5 U. S. C. §§ 61b–61e.

SEC. 8. Notwithstanding the provisions of Reorganization Plan Numbered 3 of 1946, no part of any appropriation contained in this Act shall be used, transferred, or allocated for the expenses or salaries of any regional, field, or other office or committee to perform any function of the Bureau of Land Management now being performed in the District of Columbia, or for the transfer or removal of any functions or duties of the said Bureau, including tract books heretofore held and administered in the District of Columbia, out of the District of Columbia, unless specific approval therefor has been given by the Congress prior to the establishment of such office or committee or prior to such transfer or removal.

60 Stat. 1097.
5 U. S. C. § 133y-16 note.

SEC. 9. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 10. Appropriations in this Act shall be available for health service programs as authorized by the Act of August 8, 1946 (Public Law 658).

60 Stat. 903.
5 U. S. C. § 150.

Employees engaged in personnel work.

SEC. 11. Not to exceed a total of $1,000,000 of the appropriations contained in this Act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training, and employee relations.

TITLE II—SURPLUS APPROPRIATION RESCISSION

The appropriation in the sum of $450,000 for construction and equipment of an Anthracite Research Laboratory, contained in the "Interior Department Appropriation Act, 1947", under the heading "Bureau of Mines", is hereby carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

60 Stat. 372.

Short title.

This Act may be cited as the "Interior Department Appropriation Act, 1948".

Approved July 25, 1947.

[CHAPTER 338]

AN ACT

July 26, 1947
[S. 323]
[Public Law 248]

Authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing and certifying officers of the War and Navy Departments in the settlement of certain accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized, through such officer as he may designate, and within two years from the passage of this Act, (a) to relieve disbursing and certifying officers, including special disbursing agents of the War and Navy Departments, from accountability or responsibility for losses, occurring between September 8, 1939, to July 1, 1946, of funds, or of accounts, papers, records, vouchers, or data pertaining to said funds, for which said officers or agents were accountable or responsible; and (b) to allow credits, in the settlement of accounts of said officers or agents, for payments made in good faith on public account during said period, notwithstanding failure to comply with the requirements of existing law or regulations pursuant thereto: *Provided*, That in cases of losses or payments involving more than $2,500 the Comptroller General shall exercise the authority herein only upon the written recommendation of the Secretary of War or the Secretary of the Navy, which recommendation shall be concurred in by the Attorney General if the amount exceeds $10,000 and which recommendation shall also set forth the facts relative to such loss or payment and shall state that such transaction, expenditure, loss, or payment appears to be free from fraud or collusion and incurred or made in good faith: *Provided further*, That the Comptroller General in all cases shall certify that such transaction, expenditure, loss, or payment appears to be free from fraud and collusion and incurred or made in good faith.

War and Navy Departments.
Relief of certain disbursing officers, etc.

Credit in accounts.

Losses or payments in excess of $2,500.

Certification by Comptroller General.

Approved July 26, 1947.

[CHAPTER 339]

AN ACT

July 26, 1947
[S. 512]
[Public Law 249]

To extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation and Domestic Allotment Act to the Virgin Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

50 Stat. 527, 525.
7 U. S. C. §§ 1014-1029, 1010-1012.

(a) Subsection (b) of section 41 is amended to read: "The Secretary may administer his power and duties under this Act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico and the Virgin Islands as he determines to be necessary: *Provided*, That existing regional offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico and the Virgin Islands) if he determines that the volume of business in the area is not sufficient to justify separate State offices."

50 Stat. 529.
7 U. S. C. § 1015 (b).

Liquidation of regional offices.

(b) Section 54 is amended to read: "The provisions of this Act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico and the Virgin Islands. In the case of Alaska and Puerto Rico and the Virgin Islands, the term 'county' as used in this Act shall be deemed synonymous with 'Territory', or any subdivision thereof as may be designated by the Secretary, and payments under section 33

50 Stat. 532.
7 U. S. C. § 1028.

50 Stat. 526.
7 U. S. C. § 1012.

of this Act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision."

16 U. S. C. § 590q (a).

SEC. 2. Subsection (a) of section 17 of the Soil Conservation and Domestic Allotment Act (49 Stat. 1151), is amended to read as follows: "This Act shall apply to the United States, the Territories of Alaska and Hawaii, and the possessions of Puerto Rico and the Virgin Islands, and, as used in this Act, the term 'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

SEC. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved July 26, 1947.

[CHAPTER 340]

July 26, 1947
[S. 753]
[Public Law 250]

AN ACT

To authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project.

Flathead Indian irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provisions of the Act entitled "An Act to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes", approved June 22, 1936 (49 Stat. 1803), the Secretary of the Interior is authorized and directed to defer the collection of irrigation construction charges on the Flathead Indian irrigation project until January 1, 1949.

25 U. S. C. §§ 389-389e.

Approved July 26, 1947.

[CHAPTER 341]

July 26, 1947
[H. J. Res. 250]
[Public Law 251]

JOINT RESOLUTION

To provide for the appointment of Robert V. Fleming as a member of the Board of Regents of the Smithsonian Institution.

Board of Regents of Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the resignation of Frederic A. Delano, be filled by the appointment of Robert V. Fleming, a citizen of the District of Columbia, for the statutory term of six years.

Approved July 26, 1947.

[CHAPTER 342]

July 26, 1947
[H. R. 3864]
[Public Law 252]

AN ACT

To amend the District of Columbia Unemployment Compensation Act with respect to contribution rates after termination of military service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (c) (4) of the District of Columbia Unemployment Compensation Act, as amended, is amended by adding at the end thereof the following:

57 Stat. 106.
D. C. Code, Supp. V, § 46-303 (c) (4).

"(iv) CONTRIBUTION RATES AFTER TERMINATION OF MILITARY SERVICE.—When the Board finds that the continuity of an employer's employment experience has been interrupted solely by reason of one or more of the owners, officers, managers, partners, or majority stockholders of such employer's employing enterprise having served in the armed forces of the United States of America or any of its allies during a time of war, such employer's employment experience shall be deemed to have been continuous throughout the period that such

individual or individuals so served in such armed forces, including the period up to the time it again resumes the status of an employer liable for contributions under this Act, provided it resumes such status within two years from the date of discharge of such individual or individuals or from the date of the termination of such war, whichever date is the earlier. For the purposes of this paragraph (iv), in determining an employer's contribution rate his average annual pay roll shall be the average of his last three annual pay rolls."

Time limitation.

SEC. 2. Section 3 (a) (9) (b) of the District of Columbia Unemployment Compensation Act is hereby amended to read as follows:

57 Stat. 108.
D. C. Code, Supp. V, § 46-303(a)(9)(b).

"(b) The term 'average annual pay roll', except for the purposes of paragraph (4) (iv) of this subsection, means the average of the annual pay rolls of any employer for the three consecutive twelve-month periods ending ninety days prior to the computation date;".

"Average annual pay roll."

SEC. 3. The amendments made by this Act shall be effective with respect to employment on or after July 1, 1943. The amount of any contributions or interest thereon paid to the Board by any employer in excess of the amount such employer would have been required to pay if the amendments made by this Act had been in effect on and after July 1, 1943, shall, for the purposes of section 4 (i) of the District of Columbia Unemployment Compensation Act, be subject to adjustment against subsequent contributions by him. Notwithstanding the period of limitation prescribed in such section 4 (i), the employing unit which paid such excess amount of contributions or interest thereon may make application under such section 4 (i) within one year after the date of the enactment of this Act for an adjustment thereof.

Effective date.

57 Stat. 111.
D. C. Code, Supp. V, § 46-304(i).

Application for adjustment.

Approved July 26, 1947.

[CHAPTER 343]

AN ACT

July 26, 1947
[S. 758]
[Public Law 253]

To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security.

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

SHORT TITLE

That this Act may be cited as the "National Security Act of 1947".

TABLE OF CONTENTS

Sec. 2. Declaration of policy.

TITLE I—COORDINATION FOR NATIONAL SECURITY — *Post*, p. 496.

Sec. 101. National Security Council.
Sec. 102. Central Intelligence Agency.
Sec. 103. National Security Resources Board.

TITLE II—THE NATIONAL MILITARY ESTABLISHMENT — *Post*, p. 499.

Sec. 201. National Military Establishment.
Sec. 202. Secretary of Defense.
Sec. 203. Military Assistants to the Secretary.
Sec. 204. Civilian personnel.
Sec. 205. Department of the Army.
Sec. 206. Department of the Navy.
Sec. 207. Department of the Air Force.
Sec. 208. United States Air Force.
Sec. 209. Effective date of transfers.

Sec. 210. War Council.
Sec. 211. Joint Chiefs of Staff.
Sec. 212. Joint staff.
Sec. 213. Munitions Board.
Sec. 214. Research and Development Board.

Post, p. 507.

TITLE III—MISCELLANEOUS

Sec. 301. Compensation of Secretaries.
Sec. 302. Under Secretaries and Assistant Secretaries.
Sec. 303. Advisory committees and personnel.
Sec. 304. Status of transferred civilian personnel.
Sec. 305. Saving provisions.
Sec. 306. Transfer of funds.
Sec. 307. Authorization for appropriations.
Sec. 308. Definitions.
Sec. 309. Separability.
Sec. 310. Effective date.
Sec. 311. Succession to the Presidency.

DECLARATION OF POLICY

SEC. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces.

TITLE I—COORDINATION FOR NATIONAL SECURITY

NATIONAL SECURITY COUNCIL

SEC. 101. (a) There is hereby established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

Function.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

Composition.
Post, p. 500.
Post, p. 501.
Post, p. 502.
Post, p. 499.
Post, p. 505.
Post, p. 506.

The Council shall be composed of the President; the Secretary of State; the Secretary of Defense, appointed under section 202; the Secretary of the Army, referred to in section 205; the Secretary of the Navy; the Secretary of the Air Force, appointed under section 207; the Chairman of the National Security Resources Board, appointed under section 103; and such of the following named officers as the President may designate from time to time: The Secretaries of the executive departments, the Chairman of the Munitions Board appointed under section 213, and the Chairman of the Research and Development Board appointed under section 214; but no such additional member shall be designated until the advice and consent of the Senate has been given to his appointment to the office the holding of which authorizes his designation as a member of the Council.

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council— Duties.

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of $10,000 a year. The executive secretary, subject to the direction of the Council, is hereby authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions. Executive secretary. 42 Stat. 1488. 5 U. S. C. §§ 661-674.

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require. Recommendations and reports.

CENTRAL INTELLIGENCE AGENCY

SEC. 102. (a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life. The Director shall receive compensation at the rate of $14,000 a year. Director.

(b) (1) If a commissioned officer of the armed services is appointed as Director then— Appointment of commissioned officer as Director.

(A) in the performance of his duties as Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, receive the military pay and allowances (active or retired, as the case Status in armed services, etc.

may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which $14,000 exceeds the amount of his annual military pay and allowances.

Authority to terminate employment, etc. 5 U. S. C. § 652.

(c) Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

Coordination of intelligence activities.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

Police, etc., powers.

Continuance of activities by other agencies.

Protection of sources.

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Intelligence relating to national security.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: *Provided, however*, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

Information of FBI.

(f) Effective when the Director first appointed under subsection (a) has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

Termination of NIA.

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

Termination of Central Intelligence Group, etc.

NATIONAL SECURITY RESOURCES BOARD

SEC. 103. (a) There is hereby established a National Security Resources Board (hereinafter in this section referred to as the "Board") to be composed of the Chairman of the Board and such heads or representatives of the various executive departments and independent agencies as may from time to time be designated by the President to be members of the Board. The Chairman of the Board shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year.

Composition.

Appointment of Chairman.

(b) The Chairman of the Board, subject to the direction of the President, is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to assist the Board in carrying out its functions.

Compensation of personnel.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

(c) It shall be the function of the Board to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

Function.

(1) policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(2) programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(3) policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(4) the relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war;

(5) policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(6) the strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security.

(d) In performing its functions, the Board shall utilize to the maximum extent the facilities and resources of the departments and agencies of the Government.

Utilization of departmental facilities.

TITLE II—THE NATIONAL MILITARY ESTABLISHMENT

ESTABLISHMENT OF THE NATIONAL MILITARY ESTABLISHMENT

SEC. 201. (a) There is hereby established the National Military Establishment, and the Secretary of Defense shall be the head thereof.

(b) The National Military Establishment shall consist of the Department of the Army, the Department of the Navy, and the Department of the Air Force, together with all other agencies created under title II of this Act.

SECRETARY OF DEFENSE

Noneligibility for appointment.

SEC. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense. The Secretary of Defense shall be the principal assistant to the President in all matters relating to the national security. Under the direction of the President and subject to the provisions of this Act he shall perform the following duties:

Duties.

(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein;

(2) Exercise general direction, authority, and control over such departments and agencies;

(3) Take appropriate steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research;

(4) Supervise and coordinate the preparation of the budget estimates of the departments and agencies comprising the National Military Establishment; formulate and determine the budget estimates for submittal to the Bureau of the Budget; and supervise the budget programs of such departments and agencies under the applicable appropriation Act:

Reports, etc., of Secretaries of Army, Navy, and Air Force.

Provided, That nothing herein contained shall prevent the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force from presenting to the President or to the Director of the Budget, after first so informing the Secretary of Defense, any report or recommendation relating to his department which he may deem necessary: *And provided further*, That the Department of the Army, the Department of the Navy, and the Department of the Air Force shall be administered as individual executive departments by their respective Secretaries and all powers and duties relating to such departments not specifically conferred upon the Secretary of Defense by this Act shall be retained by each of their respective Secretaries.

Administration of Departments of Army, Navy, and Air Force.

Reports to President and Congress.

(b) The Secretary of Defense shall submit annual written reports to the President and the Congress covering expenditures, work, and accomplishments of the National Military Establishment, together with such recommendations as he shall deem appropriate.

Seal.

(c) The Secretary of Defense shall cause a seal of office to be made for the National Military Establishment, of such design as the President shall approve, and judicial notice shall be taken thereof.

MILITARY ASSISTANTS TO THE SECRETARY

SEC. 203. Officers of the armed services may be detailed to duty as assistants and personal aides to the Secretary of Defense, but he shall not establish a military staff.

CIVILIAN PERSONNEL

Special assistants.

SEC. 204. (a) The Secretary of Defense is authorized to appoint from civilian life not to exceed three special assistants to advise and

assist him in the performance of his duties. Each such special assistant shall receive compensation at the rate of $10,000 a year.

(b) The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such other civilian personnel as may be necessary for the performance of the functions of the National Military Establishment other than those of the Departments of the Army, Navy, and Air Force.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

DEPARTMENT OF THE ARMY

SEC. 205. (a) The Department of War shall hereafter be designated the Department of the Army, and the title of the Secretary of War shall be changed to Secretary of the Army. Changes shall be made in the titles of other officers and activities of the Department of the Army as the Secretary of the Army may determine.

Change in designation; titles.

(b) All laws, orders, regulations, and other actions relating to the Department of War or to any officer or activity whose title is changed under this section shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of the Army within the National Military Establishment or to such officer or activity designated by his or its new title.

(c) The term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.

"Department of the Army."

(d) The Secretary of the Army shall cause a seal of office to be made for the Department of the Army, of such design as the President may approve, and judicial notice shall be taken thereof.

Seal.

(e) In general the United States Army, within the Department of the Army, shall include land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It shall be responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

U. S. Army.

DEPARTMENT OF THE NAVY

SEC. 206. (a) The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

"Department of the Navy."

(b) In general the United States Navy, within the Department of the Navy, shall include naval combat and services forces and such aviation as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It shall be responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned, and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

U. S. Navy.

Naval aviation.

All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation shall consist of combat and service and training forces, and shall include land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

Responsibility of Navy.

The Navy shall be generally responsible for naval reconnaissance, antisubmarine warfare, and protection of shipping.

The Navy shall develop aircraft, weapons, tactics, technique, organization and equipment of naval combat and service elements; matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

U. S. Marine Corps.

(c) The United States Marine Corps, within the Department of the Navy, shall include land combat and service forces and such aviation as may be organic therein. The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. It shall be the duty of the Marine Corps to develop, in coordination with the Army and the Air Force, those phases of amphibious operations which pertain to the tactics, technique, and equipment employed by landing forces. In addition, the Marine Corps shall provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct: *Provided*, That such additional duties shall not detract from or interfere with the operations for which the Marine Corps is primarily organized. The Marine Corps shall be responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

Additional duties.

Restriction.

DEPARTMENT OF THE AIR FORCE

Secretary of the Air Force.

SEC. 207. (a) Within the National Military Establishment there is hereby established an executive department to be known as the Department of the Air Force, and a Secretary of the Air Force, who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

5 U. S. C. § 1.

5 U. S. C. § 1 *et seq.*

(b) Section 158 of the Revised Statutes is amended to include the Department of the Air Force and the provisions of so much of title IV of the Revised Statutes as now or hereafter amended as is not inconsistent with this Act shall be applicable to the Department of the Air Force.

"Department of the Air Force."

(c) The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

Under Secretary; Assistant Secretaries.

(d) There shall be in the Department of the Air Force an Under Secretary of the Air Force and two Assistant Secretaries of the Air Force, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate.

(e) The several officers of the Department of the Air Force shall perform such functions as the Secretary of the Air Force may prescribe.

(f) So much of the functions of the Secretary of the Army and of the Department of the Army, including those of any officer of such Department, as are assigned to or under the control of the Commanding General, Army Air Forces, or as are deemed by the Secretary of Defense to be necessary or desirable for the operations of the Department of the Air Force or the United States Air Force, shall be transferred to and vested in the Secretary of the Air Force and the Department of the Air Force: *Provided*, That the National Guard Bureau shall, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard: *And provided further*, That, in order to permit an orderly transfer, the Secretary of Defense may, during the transfer period hereinafter prescribed, direct that the Department of the Army shall continue for appropriate periods to exercise any of such functions, insofar as they relate to the Department of the Air Force, or the United States Air Force or their property and personnel. Such of the property, personnel, and records of the Department of the Army used in the exercise of functions transferred under this subsection as the Secretary of Defense shall determine shall be transferred or assigned to the Department of the Air Force.

Transfer of functions.

National Guard Bureau.

Transfer of property, etc.

(g) The Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force, of such device as the President shall approve, and judicial notice shall be taken thereof.

Seal.

UNITED STATES AIR FORCE

SEC. 208. (a) The United States Air Force is hereby established under the Department of the Air Force. The Army Air Forces, the Air Corps, United States Army, and the General Headquarters Air Force (Air Force Combat Command), shall be transferred to the United States Air Force.

(b) There shall be a Chief of Staff, United States Air Force, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years from among the officers of general rank who are assigned to or commissioned in the United States Air Force. Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over the United States Air Force and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him. The functions of the Commanding General, General Headquarters Air Force (Air Force Combat Command), and of the Chief of the Air Corps and of the Commanding General, Army Air Forces, shall be transferred to the Chief of Staff, United States Air Force. When such transfer becomes effective, the offices of the Chief of the Air Corps, United States Army, and Assistants to the Chief of the Air Corps, United States Army, provided for by the Act of June 4, 1920, as amended (41 Stat. 768), and Commanding General, General Headquarters Air Force, provided for by section 5 of the Act of June 16, 1936 (49 Stat. 1525), shall cease to exist. While holding office as Chief of Staff, United States Air Force, the incumbent shall hold a grade and receive allowances equivalent to those prescribed by law for the Chief of Staff, United States Army. The Chief of Staff, United States Army, the Chief of Naval Operations, and the Chief of Staff, United States Air Force, shall take rank among themselves according to their relative dates of appointment as such, and shall each take rank above all other officers on the active

Chief of Staff.

Transfer of functions.

10 U. S. C. § 291.

10 U. S. C. § 292a-2.

Rank of Chief of Staff, Army, and Chief of Naval Operations.

list of the Army, Navy, and Air Force: *Provided*, That nothing in this Act shall have the effect of changing the relative rank of the present Chief of Staff, United States Army, and the present Chief of Naval Operations.

Transfer of personnel.

(c) All commissioned officers, warrant officers, and enlisted men, commissioned, holding warrants, or enlisted, in the Air Corps, United States Army, or the Army Air Forces, shall be transferred in branch to the United States Air Force. All other commissioned officers, warrant officers, and enlisted men, who are commissioned, hold warrants, or are enlisted, in any component of the Army of the United States and who are under the authority or command of the Commanding General, Army Air Forces, shall be continued under the authority or command of the Chief of Staff, United States Air Force, and under the jurisdiction of the Department of the Air Force. Personnel whose status is affected by this subsection shall retain their existing commissions, warrants, or enlisted status in existing components of the armed forces unless otherwise altered or terminated in accordance with existing law; and they shall not be deemed to have been appointed to a new or different office or grade, or to have vacated their permanent or temporary appointments in an existing component of the armed forces, solely by virtue of any change in status under this subsection. No such change in status shall alter or prejudice the status of any individual so assigned, so as to deprive him of any right, benefit, or privilege to which he may be entitled under existing law.

Status of personnel.

(d) Except as otherwise directed by the Secretary of the Air Force, all property, records, installations, agencies, activities, projects, and civilian personnel under the jurisdiction, control, authority, or command of the Commanding General, Army Air Forces, shall be continued to the same extent under the jurisdiction, control, authority, or command, respectively, of the Chief of Staff, United States Air Force, in the Department of the Air Force.

Transfer of property, records, etc.

(e) For a period of two years from the date of enactment of this Act, personnel (both military and civilian), property, records, installations, agencies, activities, and projects may be transferred between the Department of the Army and the Department of the Air Force by direction of the Secretary of Defense.

U. S. Air Force.

(f) In general the United States Air Force shall include aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. The Air Force shall be responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

EFFECTIVE DATE OF TRANSFERS

SEC. 209. Each transfer, assignment, or change in status under section 207 or section 208 shall take effect upon such date or dates as may be prescribed by the Secretary of Defense.

WAR COUNCIL

SEC. 210. There shall be within the National Military Establishment a War Council composed of the Secretary of Defense, as Chairman, who shall have power of decision; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Chief of Staff, United States Army; the Chief of Naval Operations; and the

Chief of Staff, United States Air Force. The War Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces, and shall consider and report on such other matters as the Secretary of Defense may direct.

JOINT CHIEFS OF STAFF

SEC. 211. (a) There is hereby established within the National Military Establishment the Joint Chiefs of Staff, which shall consist of the Chief of Staff, United States Army; the Chief of Naval Operations; the Chief of Staff, United States Air Force; and the Chief of Staff to the Commander in Chief, if there be one.

(b) Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff— Duties.

(1) to prepare strategic plans and to provide for the strategic direction of the military forces;

(2) to prepare joint logistic plans and to assign to the military services logistic responsibilities in accordance with such plans;

(3) to establish unified commands in strategic areas when such unified commands are in the interest of national security;

(4) to formulate policies for joint training of the military forces;

(5) to formulate policies for coordinating the education of members of the military forces;

(6) to review major material and personnel requirements of the military forces, in accordance with strategic and logistic plans; and

(7) to provide United States representation on the Military Staff Committee of the United Nations in accordance with the provisions of the Charter of the United Nations.

(c) The Joint Chiefs of Staff shall act as the principal military advisers to the President and the Secretary of Defense and shall perform such other duties as the President and the Secretary of Defense may direct or as may be prescribed by law. Military advisers.

JOINT STAFF

SEC. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed one hundred officers and to be composed of approximately equal numbers of officers from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff.

MUNITIONS BOARD

SEC. 213. (a) There is hereby established in the National Military Establishment a Munitions Board (hereinafter in this section referred to as the "Board").

(b) The Board shall be composed of a Chairman, who shall be the head thereof, and an Under Secretary or Assistant Secretary from each of the three military departments, to be designated in each case by the Secretaries of their respective departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year. Composition. Chairman.

Duties.

(c) It shall be the duty of the Board under the direction of the Secretary of Defense and in support of strategic and logistic plans prepared by the Joint Chiefs of Staff—

(1) to coordinate the appropriate activities within the National Military Establishment with regard to industrial matters, including the procurement, production, and distribution plans of the departments and agencies comprising the Establishment;

(2) to plan for the military aspects of industrial mobilization;

(3) to recommend assignment of procurement responsibilities among the several military services and to plan for standardization of specifications and for the greatest practicable allocation of purchase authority of technical equipment and common use items on the basis of single procurement;

(4) to prepare estimates of potential production, procurement, and personnel for use in evaluation of the logistic feasibility of strategic operations;

(5) to determine relative priorities of the various segments of the military procurement programs;

(6) to supervise such subordinate agencies as are or may be created to consider the subjects falling within the scope of the Board's responsibilities;

(7) to make recommendations to regroup, combine, or dissolve existing interservice agencies operating in the fields of procurement, production, and distribution in such manner as to promote efficiency and economy;

(8) to maintain liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly in regard to the procurement or disposition of strategic and critical material and the maintenance of adequate reserves of such material, and to make recommendations as to policies in connection therewith;

(9) to assemble and review material and personnel requirements presented by the Joint Chiefs of Staff and those presented by the production, procurement, and distribution agencies assigned to meet military needs, and to make recommendations thereon to the Secretary of Defense; and

(10) to perform such other duties as the Secretary of Defense may direct.

Termination of Joint Army and Navy Munitions Board.

(d) When the Chairman of the Board first appointed has taken office, the Joint Army and Navy Munitions Board shall cease to exist and all its records and personnel shall be transferred to the Munitions Board.

Personnel and facilities.

(e) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

RESEARCH AND DEVELOPMENT BOARD

Composition.

Chairman.

Purpose.

SEC. 214. (a) There is hereby established in the National Military Establishment a Research and Development Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of a Chairman, who shall be the head thereof, and two representatives from each of the Departments of the Army, Navy, and Air Force, to be designated by the Secretaries of their respective Departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year. The purpose of the Board shall be to advise the Secretary of Defense as to the status of scientific research relative to the national security,

and to assist him in assuring adequate provision for research and development on scientific problems relating to the national security.

(b) It shall be the duty of the Board, under the direction of the Secretary of Defense— Duties.

(1) to prepare a complete and integrated program of research and development for military purposes;

(2) to advise with regard to trends in scientific research relating to national security and the measures necessary to assure continued and increasing progress;

(3) to recommend measures of coordination of research and development among the military departments, and allocation among them of responsibilities for specific programs of joint interest;

(4) to formulate policy for the National Military Establishment in connection with research and development matters involving agencies outside the National Military Establishment;

(5) to consider the interaction of research and development and strategy, and to advise the Joint Chiefs of Staff in connection therewith; and

(6) to perform such other duties as the Secretary of Defense may direct.

(c) When the Chairman of the Board first appointed has taken office, the Joint Research and Development Board shall cease to exist and all its records and personnel shall be transferred to the Research and Development Board. Termination of Joint Research and Development Board.

(d) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

TITLE III—MISCELLANEOUS

COMPENSATION OF SECRETARIES

SEC. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.

(b) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive the compensation prescribed by law for heads of executive departments.

UNDER SECRETARIES AND ASSISTANT SECRETARIES

SEC. 302. The Under Secretaries and Assistant Secretaries of the Army, the Navy, and the Air Force shall each receive compensation at the rate of $10,000 a year and shall perform such duties as the Secretaries of their respective departments may prescribe. Compensation; duties.

ADVISORY COMMITTEES AND PERSONNEL

SEC. 303. (a) The Secretary of Defense, the Chairman of the National Security Resources Board, and the Director of Central Intelligence are authorized to appoint such advisory committees and to employ, consistent with other provisions of this Act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation while serving as members of such committees shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or Compensation.

may receive compensation at a rate not to exceed $35 for each day of service, as determined by the appointing authority.

Service of an individual.

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or section 19 (e) of the Contract Settlement Act of 1944, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

35 Stat. 1107, 1109.
58 Stat. 668.
41 U. S. C. § 119.

STATUS OF TRANSFERRED CIVILIAN PERSONNEL

SEC. 304. All transfers of civilian personnel under this Act shall be without change in classification or compensation, but the head of any department or agency to which such a transfer is made is authorized to make such changes in the titles and designations and prescribe such changes in the duties of such personnel commensurate with their classification as he may deem necessary and appropriate.

SAVING PROVISIONS

Orders applicable to transferred functions, etc.

SEC. 305. (a) All laws, orders, regulations, and other actions applicable with respect to any function, activity, personnel, property, records, or other thing transferred under this Act, or with respect to any officer, department, or agency, from which such transfer is made, shall, except to the extent rescinded, modified, superseded, terminated, or made inapplicable by or under authority of law, have the same effect as if such transfer had not been made; but, after any such transfer, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or agency from which such transfer was made shall, insofar as applicable with respect to the function, activity, personnel, property, records or other thing transferred and to the extent not inconsistent with other provisions of this Act, be deemed to have vested such function in or relate to the officer, department, or agency to which the transfer was made.

Nonabatement of suits, etc.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any department or agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any transfer or change in title under the provisions of this Act; and, in the case of any such transfer, such suit, action, or other proceeding may be maintained by or against the successor of such head or other officer under the transfer, but only if the court shall allow the same to be maintained on motion or supplemental petition filed within twelve months after such transfer takes effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain settlement of the questions involved.

55 Stat. 839.
50 U. S. C. app. § 605.
50 U. S. C. app. § 601 note.
50 U. S. C. app. § 601 note.
5 U. S. C. § 411 note.

(c) Notwithstanding the provisions of the second paragraph of section 5 of title I of the First War Powers Act, 1941, the existing organization of the War Department under the provisions of Executive Order Numbered 9082 of February 28, 1942, as modified by Executive Order Numbered 9722 of May 13, 1946, and the existing organization of the Department of the Navy under the provisions of Executive Order Numbered 9635 of September 29, 1945, including the assignment of functions to organizational units within the War and Navy Departments, may, to the extent determined by the Secretary of Defense,

continue in force for two years following the date of enactment of this Act except to the extent modified by the provisions of this Act or under the authority of law.

TRANSFER OF FUNDS

SEC. 306. All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriate from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 307. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

DEFINITIONS

SEC. 308. (a) As used in this Act, the term "function" includes functions, powers, and duties. "Function."

(b) As used in this Act, the term "budget program" refers to recommendations as to the apportionment, to the allocation and to the review of allotments of appropriated funds. "Budget program."

SEPARABILITY

SEC. 309. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 310. (a) The first sentence of section 202 (a) and sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act. *Ante*, pp. 500, 495, 496.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

SUCCESSION TO THE PRESIDENCY

SEC. 311. Paragraph (1) of subsection (d) of section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18,

Ante, p. 380.

1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

Approved July 26, 1947.

[CHAPTER 344]

AN ACT

July 26, 1947
[H. R. 4017]
[Public Law 254]

To amend the Armed Forces Leave Act of 1946 to provide that bonds issued under such Act shall be redeemable at any time after September 1, 1947, to permit settlement and compensation under such Act to be made in cash, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 6 (a) of the Armed Forces Leave Act of 1946 is amended to read as follows:

60 Stat. 965.
37 U. S. C. § 35 (a) (1).

Settlement and compensation in cash.

"(1) Settlement and compensation shall be made entirely in cash—

"(i) when the amount due is less than $50;

"(ii) in the case of any enlisted member of the armed forces discharged prior to January 1, 1943;

"(iii) in any case covered by subsection (b) or (c) of this section; or

"(iv) in the case of any applicant who has not made application for settlement and compensation and who makes application to the Secretary after the enactment of this amendatory Act and who requests that settlement and compensation be made entirely in cash. The amount of cash settlement provided for in this subparagraph shall include an amount equivalent to the amount of interest which would have accrued to the end of the month in which settlement is made had the settlement been made in an armed forces leave bond, issued pursuant to the provisions of paragraph (2) of section 6 (a). Such equivalent amount shall be considered as interest, as in the case of bonds, for the purposes of section 7 of the Armed Forces Leave Act of 1946. Appropriations available for cash payments shall also be available for the payment of the equivalent amounts authorized by this subparagraph to be paid."

60 Stat. 965.
37 U. S. C. § 35 (a) (2).
60 Stat. 967.
37 U. S. C. § 36.

60 Stat. 965.
37 U. S. C. § 35 (a).

Redemption of bonds after Sept. 1, 1947.

SEC. 2. So much of section 6 (a) of the Armed Forces Leave Act of 1946 as reads as follows: "Each such bond shall mature five years from the date thereof." is amended to read as follows: "Each such bond shall mature five years from the date thereof, but shall be redeemable in cash at any time after September 1, 1947, at the option of the holder thereof, at full face value plus accrued interest."

Repeal.
60 Stat. 967.
37 U. S. C. § 35(d)(1).

SEC. 3. The proviso to section 6 (d) (1) of the Armed Forces Leave Act of 1946 is hereby repealed.

60 Stat. 965.
37 U. S. C. § 35.

SEC. 4. Section 6 of the Armed Forces Leave Act of 1946 is amended by adding at the end thereof the following new subsection:

"(e) The provisions of subsections (h) and (i) of section 22 of the Second Liberty Bond Act, as amended (U. S. C., Supp. V, title 31, sec. 757c), relating to the use of paying agents for the payment of United States savings bonds shall apply with equal force to payments of the armed forces leave bonds issued pursuant to this Act."

57 Stat. 63.
31 U. S. C. § 757c.

60 Stat. 965.
37 U. S. C. § 34.

SEC. 5. Section 5 of the Armed Forces Leave Act of 1946 is amended by striking out the word and figures "September 1, 1947" wherever they appear in this section and inserting in lieu thereof the word and figures "September 1, 1948".

Approved July 26, 1947.

[CHAPTER 345]

AN ACT

To provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, and for other purposes.

July 29, 1947
[H. R. 3767]
[Public Law 255]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Sockeye Salmon Fishery Act of 1947".

Sockeye Salmon Fishery Act of 1947.

SEC. 2. When used in this Act—

(a) Convention: The word "convention" means the convention between the United States of America and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, signed at Washington on the 26th day of May 1930.

"Convention."

50 Stat. 1355.

(b) Commission: The word "Commission" means the International Pacific Salmon Fisheries Commission provided for by article II of the convention.

"Commission."

50 Stat. 1356.

(c) Person: The word "person" includes individuals, partnerships, associations, and corporations.

"Person."

(d) Convention waters: The term "convention waters" means those waters described in article I of the convention.

"Convention waters."

50 Stat. 1355.

(e) Sockeye salmon: The term "sockeye salmon" means that species of salmon known by the scientific name Oncorhynchus nerka.

"Sockeye salmon."

(f) Vessel: The word "vessel" includes every type or description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.

"Vessel."

(g) Fishing: The word "fishing" means the fishing for, catching, or taking, or the attempted fishing for, catching, or taking, of any sockeye salmon in convention waters.

"Fishing."

(h) Fishing gear: The term "fishing gear" means any net, trap, hook, or other device, appurtenance or equipment, of whatever kind or description, used or capable of being used, for the purpose of capturing fish or as an aid in capturing fish.

"Fishing gear."

SEC. 3. (a) It shall be unlawful for any person to engage in fishing for sockeye salmon in convention waters in violation of the convention or of this Act or of any regulation of the Commission.

Unlawful acts.

(b) It shall be unlawful for any person to ship, transport, purchase, sell, offer for sale, import, export, or have in possession any sockeye salmon taken in violation of the convention or of this Act or of any regulation of the Commission.

(c) It shall be unlawful for any person or vessel to use any port or harbor or other place subject to the jurisdiction of the United States for any purpose connected in any way with fishing in violation of the convention or of this Act or of any regulation made by the Commission.

(d) It shall be unlawful for any person or vessel to engage in fishing for sockeye salmon in convention waters without first having obtained such license or licenses as may be used by or required by the Commission, or to fail to produce such license, upon demand, for inspection by an authorized enforcement officer.

(e) It shall be unlawful for any person to fail to make, keep, submit, or furnish any record or report required of him by the Commission or to refuse to permit any officer authorized to enforce the convention, this Act, and the regulations of the Commission, or any authorized representative of the Commission, to inspect any such record or report at any reasonable time.

(f) It shall be unlawful for any person to molest, interfere with, tamper with, damage, or destroy any boat, net, equipment, stores, provisions, fish-cultural stations, rearing pond, weir, fishway, or any other structure, installation, experiment, property, or facility acquired, constructed, or maintained by the Commission.

(g) It shall be unlawful for any person or vessel to do any act prohibited or to fail to do any act required by the convention or by this Act or by any regulation of the Commission.

Failure to furnish records, etc.; penalty.

SEC. 4. Any person who fails to make, keep, or furnish any catch return, statistical record, or any report that may be required by the Commission, or any person who furnishes a false return, record, or report, upon conviction shall be subject to such fine as may be imposed by the court not to exceed $1,000, and shall in addition be prohibited from fishing for and from shipping, transporting, purchasing, selling, offering for sale, importing, exporting, or possessing sockeye salmon from the date of conviction until such time as any delinquent return, record, or report shall have been submitted or any false return, record, or report shall have been replaced by a duly certified correct and true return, record, or report to the satisfaction of the court. The penalties imposed by section 5 of this Act shall not be invoked for failure to comply with requirements respecting returns, records, and reports.

Violation of provisions; penalty.

SEC. 5. (a) Except as provided in section 4, any person violating any provision of the convention or of this Act or the regulation of the Commission upon conviction shall be fined not more than $1,000 or be imprisoned not more than one year, or both, and the court may prohibit such person from fishing for, or from shipping, transporting, purchasing, selling, offering for sale, importing, exporting, or possessing sockeye salmon for such period of time as it may determine.

Forfeiture.

(b) The catch of fish of every vessel or of any fishing gear employed in any manner, or any fish caught, shipped, transported, purchased, sold, offered for sale, imported, exported, or possessed in violation of this Act or the regulations of the Commission shall be forfeited; and upon a second and subsequent violation the catch of fish shall be forfeited and every such vessel and any fishing gear and appurtenances involved in the violation may be forfeited.

Procedures applicable.

(c) All procedures of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws and the disposition of such vessel or the proceeds from the sale thereof shall apply to seizures, forfeitures, and condemnations incurred, or alleged to have been incurred, under the provisions of this Act insofar as such provisions of law are applicable and not inconsistent with this Act.

Issuance of citation.

(d) In cases of minor violations of the provisions of the convention or of this Act or the regulations of the Commission, and in cases where immediate arrest of the person or seizure of fish, fishing gear, or of a vessel, together with its tackle, apparel, furniture, appurtenances, and cargo, would impose an unreasonable hardship, the person authorized to make such arrest or seizure or any court of competent jurisdiction may, in his or its discretion, issue a citation requiring such person to appear before the proper official of the court having jurisdiction thereof within a specified time, not exceeding fifteen days; or in the case of property, post such citation upon said property and require its delivery to such court within such specified time. Upon the issuance of such citation and the filing of a copy thereof with the clerk of the appropriate court the person so cited and the property so seized and posted shall thereupon be subject to the jurisdiction of the court to answer the order of the court in such cause. Any property so seized shall not be disposed of except pursuant to the order of such court or the provisions of subsection (e) of this section.

Bond, etc.

(e) When a warrant of arrest or other process in rem, including that specified in subsection (d) of this section, is issued in any cause of admiralty jurisdiction under this section, the marshal or other officer shall stay the execution of such process, or discharge any property seized if the process has been levied, on receiving from the claimant of

the property a bond or stipulation with sufficient sureties or approved corporate surety in such sum as the court shall order, conditioned to deliver the property seized, if condemned, without impairment in value (or, in the case of sockeye salmon, to pay its equivalent in money) or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in the event of any breach of the conditions thereof as determined by the court.

Designation of enforcement agency.

SEC. 6. (a) The President of the United States shall designate a Federal agency which shall be responsible for the enforcement of the provisions of the convention and this Act and the regulations of the Commission, except to the extent otherwise provided for in the convention and this Act. It shall be the duty of the Federal agency so designated to take appropriate measures for enforcement at such times and to such extent as it may deem necessary to insure effective enforcement and for this purpose to cooperate with other Federal agencies, State officers, the Commission, and with the authorized officers of the Dominion of Canada.

Enforcement officers.

(b) The Federal agency designated by the President for enforcement purposes may authorize officers and employees of the State of Washington to enforce the provisions of the convention and of this Act and the regulations of the Commission. When so authorized such officers may function as Federal law-enforcement officers for the purposes of this Act.

(c) Enforcement of the convention and this Act and the regulations of the Commission shall be subject to and in accordance with the provisions of article IX of the convention.

50 Stat. 1359.

Power to arrest without warrant, etc.

(d) Any duly authorized officer or employee of the Federal agency designated by the President for enforcement purposes under the provisions of subsection (a) of this section 6; any officer or employee of the State of Washington who is authorized by the Federal agency so designated by the President; any enforcement officer of the Fish and Wildlife Service of the Department of the Interior, any Coast Guard officer, any United States marshal or deputy United States marshal, any collector or deputy collector of customs, and any other person authorized to enforce the provisions of the convention, this Act, and the regulations of the Commission, shall have power, without warrant or other process, but subject to the provisions of the convention, to arrest any person committing in his presence or view a violation of the convention or of this Act or of the regulations of the Commission and to take such person immediately for examination before an officer or trial before a court of competent jurisdiction; and shall have power, without warrant or other process, to search any vessel within convention waters when he has reasonable cause to believe that such vessel is subject to seizure under the provisions of the convention or this Act, or the regulations of the Commission, and to search any place of business or any commercial vehicle when he has reasonable cause to believe that such place or vehicle contains fish taken, possessed, transported, purchased, or sold in violation of any of the provisions of the convention, this Act, or the regulations of the Commission. Any person authorized to enforce the provisions of the convention and of this Act and the regulations of the Commission shall have power to execute any warrant or process issued by an officer or court of competent jurisdiction for the enforcement of this Act, and shall have power with a search warrant to search any person, vessel, or place, at any time. The judges of the United States courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Subject to

Power to execute warrant, etc.

Issuance of warrants.

Seizure.

the provisions of the convention, any person authorized to enforce the convention and this Act and the regulations of the Commission may seize, whenever and wherever lawfully found, all fish caught, shipped, transported, purchased, sold, offered for sale, imported, exported, or possessed contrary to the provisions of the convention or this Act or the regulations of the Commission and may seize any vessel, together with its tackle, apparel, furniture, appurtenances and cargo, and all fishing gear, used or employed contrary to the provisions of the convention or this Act or the regulations of the Commission, or which it reasonably appears has been used or employed contrary to the provisions of the convention or this Act or the regulations of the Commission.

Certification of regulations.

(e) Evidence of any regulation made by the Commission may be given in any court proceedings by the production of a copy of such regulation certified by the Secretary of the Commission to be a true copy and no proof of the signature of the Secretary on such certification shall be required.

Inspection of licenses.

(f) Any authorized representative of the Commission, or any person authorized to enforce this Act and the regulations of the Commission may inspect any licenses issued to persons or vessels engaging in fishing for sockeye salmon in convention waters and for this purpose may at any reasonable time board any vessel or enter upon any premises where such fishing is or may be conducted.

Assistance of Government agencies.

SEC. 7. (a) All agencies of the Federal Government are authorized, upon request by the Commission, to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties of scientific investigation and improvement of the fishery, as specified in the convention.

Scientific investigations, etc.

(b) None of the prohibitions contained in this Act, or in the laws and regulations of the States, shall prevent the Commission from conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation, or shall prevent the Commission from discharging any other duties prescribed by the convention.

Appropriations authorized.

SEC. 8. There is authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums, from time to time, as may be necessary to enable the Commission and agencies of the Federal Government to carry out the provisions of the convention and of this Act, including purchase, operation, maintenance, and repair of aircraft, motor vehicles (including passenger-carrying vehicles), boats, research vessels, and other necessary facilities; and printing.

Separability of provisions.

SEC. 9. If any provision of this Act is held invalid for any cause, such invalidity shall not affect the other provisions hereof.

Effective date.

SEC. 10. This Act shall be effective thirty days from the date of its approval.

Approved July 29, 1947.

[CHAPTER 346]

July 29, 1947
[H. R. 4268]
[Public Law 256]

AN ACT

Making supplemental appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes.

The Supplemental Government Corporations Appropriation Act, 1948.
Post, pp. 574, 703.

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

TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1948, namely:

NATIONAL HOUSING AGENCY

OFFICE OF THE ADMINISTRATOR

Veterans' housing: For an additional amount to enable the National Housing Administrator to carry out the purposes of sections 501, 502, and 503 of title V of the Act of October 14, 1940, as amended (42 U. S. C. 1571, 1572, and 1573), $35,500,000, of which not to exceed $700,000 shall be available for administrative expenses, to be available only in accordance with the provisions of section 2 of Public Law 85, Eightieth Congress, approved May 31, 1947: *Provided*, That any operations or services performed, under a delegation from the National Housing Administrator, by any agency of the Government in carrying out any of the purposes for which said funds are appropriated shall be performed under the direction and supervision of said Administrator.

59 Stat. 260.
Ante, p. 128; *post*, p. 575.

Ante, p. 128.

TITLE II

The Reconstruction Finance Corporation and its subsidiaries, as hereinafter specified, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to said corporation and its subsidiaries and in accord with law, and to make such contracts and commitments without regard to fiscal-year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the revision of the budget of the Reconstruction Finance Corporation and its subsidiaries for the fiscal year 1948, except as hereinafter provided:

RFC and subsidiaries.

59 Stat. 598.
31 U. S. C. § 849.
Post, p. 584.

Not to exceed $38,754,700 (to be computed on an accrual basis) of the funds of the Reconstruction Finance Corporation shall be available during the fiscal year 1948 for its administrative expenses and the administrative expenses of the Federal National Mortgage Association and the U. S. Commercial Company; not to exceed $1,500 for periodicals and newspapers; health service program as authorized by Act of August 8, 1946 (Public Law 658); use of the services and facilities of the Federal Reserve banks; and not to exceed $75,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944: *Provided*, That as used herein the term "administrative expenses" shall be construed to include all salaries and wages, services performed on a contract or fee basis, and travel and other expenses, including the purchases of equipment and supplies, of administrative offices: *Provided further*, That the limiting amount heretofore stated for administrative expenses shall be increased by an amount which does not exceed the aggregate cost of salaries, wages, travel, and other expenses of persons employed outside the continental United States; wages, fees, and other expenses, including cost of contract services, of persons who are exclusively engaged in construction, operation, clearance, maintenance and protection of plants, operating facilities, acquired collateral, and other property in which the Corporation has an interest; the expenses of services performed on a contract or fee basis in connection with termination of contracts or in the performance of legal services; and all expenses reimbursable from other Government agencies: *Provided further*, That the distribution of administrative expenses to the accounts of the Corporation shall be made in accordance with its accounting principles and practices: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and the subsidiaries thereof shall be

Administrative expenses.

60 Stat. 903.
5 U. S. C. § 150.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

Increase in limitation.

Accounting.

Surplus property.

used for the custody, maintenance, or disposal of any surplus property within the continental limits of the United States, its Territories or possessions, except such property as may be owned by and held for disposal by the Reconstruction Finance Corporation or its subsidiaries; but, notwithstanding any other provision of law, the Reconstruction Finance Corporation may waive reimbursement from War Assets Administration for the administrative property transferred prior to July 1, 1946, and for expenses incurred prior thereto in the custody, maintenance, or disposal of any surplus property: *Provided further*, That no part of the funds of the Reconstruction Finance Corporation or of any subsidiary thereof shall be used to make any purchase or for personal services or to enter into any contract for the use or benefit of any other agency of the Government unless such agency shall have authority in law and appropriations available to make reimbursement for such purchase, personal services, or contract: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and its subsidiaries shall be used for the making of any loan to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization if such loan would increase the aggregate amount of such loans outstanding above $125,000,000 (Act of July 20, 1946, Public Law 519).

Waiver of reimbursement from WAA.

Purchases, etc.

Loans to States, etc.

60 Stat. 589.

TITLE III

GENERAL PROVISIONS

SEC. 301. The authorities, restrictions, and prohibitions specified under the head "General provisions" in the Government Corporations Appropriations Act, 1948, shall be applicable to this Act.

SEC. 302. This Act may be cited as "The Supplemental Government Corporations Appropriation Act, 1948".

Approved July 29, 1947.

Post, p. 583.

Short title.

[CHAPTER 347]

July 30, 1947
[S. 616]
[Public Law 257]

AN ACT

To authorize the creation of a game refuge in the Francis Marion National Forest in the State of South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of providing breeding places for game animals and birds and for the protection and administration of game animals and birds, and fish, the President of the United States is hereby authorized, upon the recommendation of the Secretary of Agriculture, to establish by public proclamation certain specified federally owned areas within the Francis Marion National Forest as game sanctuaries and refuges.

SEC. 2. The Secretary of Agriculture shall execute the provisions of this Act, and he is hereby authorized to prescribe all general rules and regulations for the administration of such game sanctuaries and refuges, and violation of such rules and regulations shall be punished by fine of not more than $500 or imprisonment for not more than six months or both.

Approved July 30, 1947.

Francis Marion National Forest. Game refuges.

Execution of provisions.

Violation of rules, etc.

[CHAPTER 348]

AN ACT

To regulate the interstate transportation of black bass and other game fish, and for other purposes.

July 30, 1947
[S. 682]
[Public Law 258]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate the interstate transportation of black bass, and for other purposes", approved May 20, 1926, as amended, is hereby further amended to read as follows:

Interstate transportation of black bass.

44 Stat. 576.
16 U. S. C. §§ 851-855.

"That when used in this Act the word 'person' includes company, partnership, corporation, association, and common carrier, and the term 'game fish' shall mean black bass and such other fish as are defined as game fish by the laws of the State, Territory, or the District of Columbia, in which the fish has been either caught, killed, taken, sold, purchased, or possessed, or from which it was transported.

"Person."

"Game fish."

"SEC. 2. It shall be unlawful for any person to deliver or knowingly receive for transportation, or knowingly to transport, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any black bass or other game fish, if (1) such transportation is contrary to the law of the State, Territory, or the District of Columbia from which such black bass or other game fish is or is to be transported, or is contrary to other applicable law, or (2) such black bass or other game fish has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, Territory, or the District of Columbia in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported or contrary to other applicable law; and no person shall knowingly purchase or receive any such black bass or other game fish which has been transported in violation of the provisions of this Act; nor shall any person receiving any shipment of black bass or other game fish transported in interstate commerce make any false record or render a false account of the contents of such shipment.

Unlawful acts.

"SEC. 3. Any package or container containing such game fish transported or delivered for transportation in interstate commerce, except any shipment covered by section 9, shall be clearly and conspicuously marked on the outside thereof with the name 'Game Fish', an accurate statement of the number of each species of such fish contained therein, and the names and addresses of the shipper and consignee.

Marking of package.

Post, p. 518.

"SEC. 4. All such black bass or other game fish transported into any State, Territory, or the District of Columbia for use, consumption, sale, or storage therein shall upon arrival in such State, Territory, or the District of Columbia be subject to the operation and effect of the laws of such State, Territory, or the District of Columbia to the same extent and in the same manner as though such fish had been produced in such State, Territory, or the District of Columbia, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Application of State laws, etc.

"SEC. 5. The Secretary of the Interior is authorized (1) to make such expenditures, including expenditures for personal services at the seat of government and elsewhere, and for cooperation with local, State, and Federal authorities, including the issuance of publications, and necessary investigations, as may be necessary to execute the functions imposed upon him by this Act and as may be provided for by Congress from time to time; and (2) to make such regulations as he deems necessary to carry out the purposes of this Act. Any person violating any such regulation shall be deemed guilty of a violation of this Act.

Expenditures.

Regulations.

Powers of employee authorized to enforce provisions.

"SEC. 6. (a) Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this Act (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this Act or any regulation made in pursuance of this Act, and to take such person immediately for examination or trial before an officer or court of competent juridiction; (2) shall have power to execute any warrants or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this Act or regulations made in pursuance thereof; and (3) shall have authority with a search warrant issued by an officer or court of competent jurisdiction, to make search in accordance with the terms of such warrant. Any judge of a court established under the laws of the United States, or any United States commissioner may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

Issuance of warrants.

Seizure and forfeiture.

"(b) All fish delivered for transportation or which have been transported, purchased, received, or which are being transported, in violation of this Act, or any regulations made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be summarily seized by him and placed in the custody of such persons as the Secretary of the Interior shall be regulations prescribe, and shall, as a part of the penalty and in addition to any fine or imprisonment imposed under section 7 of this Act, be forfeited by such court to the United States upon conviction of the offender under this Act, or upon judgment of the court that the same were transported, delivered, purchased, or received in violation of this Act or regulations made pursuant thereto.

Penalty.

"SEC. 7. In addition to any forfeiture herein provided, any person who shall violate any of the provisions of this Act shall, upon conviction thereof, be punished by a fine of not exceeding $200, or imprisonment for a term of not more than three months, or by both such fine and imprisonment, in the discretion of the court.

State laws, etc.

"SEC. 8. Nothing in this Act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of this Act, or from making or enforcing laws or regulations which shall give further protection to black bass and other game fish.

Shipment for breeding purposes, etc.

"SEC. 9. Nothing in this Act shall be construed to prevent the shipment in interstate commerce of live fish and eggs for breeding or stocking purposes.

Nonapplicability.

"SEC. 10. The provisions of this Act as relating to game fish shall not apply to steelhead trout (salmo gairderii) legally taken in the Columbia River between the States of Washington and Oregon."

Approved July 30, 1947.

[CHAPTER 349]

July 30, 1947
[S. 1180]
[Public Law 259]

AN ACT

To authorize the issuance of a special series of commemorative stamps in honor of Gold Star Mothers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance at as early a date as practicable, a special series of 3-cent postage stamps, of such design as he shall prescribe, in honor and commemoration of Gold Star Mothers.

Approved July 30, 1947.

[CHAPTER 350]

AN ACT

To transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes.

July 30, 1947
[S. 1220]
[Public Law 260]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That control and jurisdiction over the following-described lands now comprising a portion of the Acadia National Park, in the State of Maine, are hereby transferred from the Department of the Interior to the Department of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon.

Acadia National Park, Maine. Transfer of jurisdiction.

Approval of design of buildings, etc.

All that certain tract or parcel of land on Big Moose Island, Winter Harbor, Maine, which is bounded southerly and easterly by a chain link security fence, and northerly and westerly by the waters of Pond Island Cove and Frenchman Bay, and which is more particularly described as beginning at a point on the shore at the high-water mark of Frenchman Bay on the southwesterly side of Big Moose Island, so called, thence following the chain link security fence as now erected by the three following courses and distances: North no degrees five minutes west one hundred and fifty-three feet; thence north thirty degrees twenty-four minutes east one hundred and fifty-seven and seven-tenths feet; thence south eighty-nine degrees nine minutes east one thousand four hundred and fifty-five and three-tenths feet to a point and angle in the said security fence which bears north thirty-four degrees fifty-four minutes west and is fifty feet distant at right angles from a point in the center line of the National Park Service road known as the Big Moose Island Road; thence turning to the left and following the said security fence in a general northerly direction but everywhere parallel with and fifty feet distant from the center line of the said Big Moose Island Road three thousand five hundred feet more or less to the high-water mark on the shore of Pond Island Cove; thence in a generally westerly and southerly direction but everywhere following the high-water mark of Pond Island Cove and Frenchman Bay seven thousand four hundred and seventy feet more or less to the place of beginning; except that portion thereof, containing twenty-five and ninety-six one-hundredths acres, which was transferred to the jurisdiction of the Department of the Navy pursuant to the Act of August 24, 1935 (ch. 644, 49 Stat. 795); the lands herein described containing one hundred and fifty-one and eighty-six one-hundredths acres after excluding the excepted portion.

SEC. 2. The Secretary of the Navy is authorized and directed to retransfer jurisdiction over the property described in section 1 of this Act to the Secretary of the Interior in the event such property hereafter becomes surplus to the needs of the Department of the Navy, in which event it again shall become a part of Acadia National Park.

Retransfer of jurisdiction.

Approved July 30, 1947.

[CHAPTER 351]

AN ACT

To provide for the addition of certain revested Oregon and California Railroad grant lands to the Silver Creek recreational demonstration project, in the State of Oregon, and for other purposes.

July 30, 1947
[S. 1348]
[Public Law 261]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to carry out the purposes of the Act of June 6, 1942 (56 Stat. 326; 16 U. S. C., secs. 459r–459t), relating to the disposition of recreational

Silver Creek recreational demonstration project.

demonstration areas, and to effectuate the transfer to the State of Oregon, pursuant to that Act, of the Silver Creek recreational demonstration project, the following-described revested Oregon and California Railroad grant lands shall hereafter be administered as a part of the Silver Creek recreational demonstration project and shall be subject to all of the provisions of the aforesaid Act of June 6, 1942:

WILLAMETTE MERIDIAN

Township 8 south, range 1 east:
Section 13, east half southeast quarter and southeast quarter northeast quarter;
Section 25, all;
Section 35, north half northeast quarter northeast quarter and north half south half northeast quarter northeast quarter;
Township 8 south, range 2 east:
Section 17, south half southwest quarter and northwest quarter southwest quarter;
Section 19, lots 3, 4, and northeast quarter;
Section 29, west half; and
Section 31, north half;
comprising one thousand seven hundred and ninety-one and ninety-three one-hundredths acres.

SEC. 2. The following-described lands also shall become a part of the Silver Creek recreational demonstration project and shall be subject to the provisions of the Act of June 6, 1942, upon acquisition of title thereto by the Oregon and California Revested Lands Administration:

56 Stat. 326.
16 U. S. C. §§ 459r-459t.

WILLAMETTE MERIDIAN

Township 8 south, range 1 east: Section 36, northeast quarter, northeast quarter northwest quarter, north half southeast quarter northwest quarter, north half south half southeast quarter northwest quarter, north half northwest quarter northwest quarter, and north half south half northwest quarter northwest quarter; comprising two hundred and sixty acres.

Approved July 30, 1947.

[CHAPTER 352]

July 30, 1947
[S. 1519]
[Public Law 262]

AN ACT

To amend section 10 of the Federal Reserve Act, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the ninth paragraph of section 10 of the Federal Reserve Act, as added by the Act of June 3, 1922, and amended by the Act of February 6, 1923 (U. S. C., title 12, sec. 522), is hereby amended by changing the period at the end thereof to a colon and by adding the following proviso: "*Provided further*, That the cost as above specified shall not be so limited as long as the aggregate of such costs which are incurred by all Federal Reserve banks for branch bank buildings with the approval of the Board of Governors after the date of enactment of this proviso does not exceed $10,000,000."

42 Stat. 622, 1223.

Cost of branch bank buildings.

Approved July 30, 1947.

[CHAPTER 353]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the return of the amount of deductions from the compensation of any employee who is separated from the service or transferred to a position not within the purview of such Act before completing ten years of service.

July 30, 1947
[H. R. 1995]
[Public Law 263]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

Civil Service Retirement Act, amendment.
46 Stat. 476.
5 U. S. C. § 724 (b).

"(b) In the case of any officer or employee to whom this Act applies who shall be transferred to a position not within the purview of this Act, or who shall become absolutely separated from the service before he shall have completed an aggregate of ten years of civilian service computed in accordance with section 5 of this Act, the amount of deductions from his basic salary, pay, or compensation credited to his individual account, together with interest at 4 per centum compounded on December 31 of each year, shall, upon his request, be returned to such officer or employee: *Provided*, That when an officer or employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency before completing ten years of creditable civilian service the total amount of deductions from his basic salary, pay, or compensation with interest at 4 per centum compounded on December 31 of each year shall, upon his request, be returned to such officer or employee: *Provided further*, That in case any request under this subsection is submitted after the date of transfer to a position not within the purview of this Act or of absolute separation from the service, the interest allowed for the period after such date of transfer or separation shall be at the rate of 3 per centum compounded on December 31 of each year: *Provided further*, That no such interest shall be allowed on any separation unless the service covered thereby aggregates more than one year: *And provided further*, That all deductions from basic salary, pay, or compensation so returned to an officer or employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act be redeposited with interest at 4 per centum compounded on December 31 of each year before such officer or employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service. In computing interest under this subsection, a fractional part of a month in the total service, or in the total period after the date of transfer or separation, of an officer or employee shall be disregarded."

Return of deductions.

46 Stat. 472.
5 U. S. C. § 707.

Involuntary separation.

Interest after separation, etc.

Redeposit of deductions.

Computation of interest.

SEC. 2. The amendment made by the first section of this Act to section 12 (b) of such Act of May 29, 1930, as amended, shall take effect as of January 24, 1942.

Effective date.

Approved July 30, 1947.

[CHAPTER 354]

AN ACT

To amend section 1 of the Act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), fixing the price of copies of records furnished by the Department of the Interior.

July 30, 1947
[H. R. 2938]
[Public Law 264]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), is amended to read as follows: That the Secretary of the Interior, the head of any bureau, office, or institution, or any officer of that department, may, when not prejudicial to the interests of the Government,

Department of the Interior.

Copies of records, etc.

furnish authenticated or unauthenticated copies of any official books, records, papers, documents, maps, plats, or diagrams within his custody, and charge therefor a sum equal to the cost of production thereof, as determined by the Secretary of the Interior or such subordinate official or employee as he may designate, and in addition the sum of 25 cents for each certificate or verification and the seal attached to authenticated copies: *Provided*, That there shall be no charge for the making or verification of copies required for official use by the officers of any branch of the Government: *Provided further*, That only a charge of 25 cents shall be made for furnishing authenticated copies of any rules, regulations, or instructions printed by the Government for gratuitous distribution. The money received for copies under this section shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of furnishing copies as herein authorized.

Certificate, etc.

Copies for official use.

Copies for gratuitous distribution.

SEC. 2. Section 1 of the Act of June 5, 1920 (41 Stat. 908, 43 U. S. C., sec. 22) is amended by striking out the words "*Provided*, That hereafter photolithographic copies of township plats shall be sold to the public at 50 cents each."

Approved July 30, 1947.

[CHAPTER 355]

July 30, 1947
[H. R. 3075]
[Public Law 265]

AN ACT

To amend the Act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide proper recompense in the form of compensatory time for overtime performed by supervisors.

Postal service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act known as Public Law 134, Seventy-ninth Congress, entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, is amended as follows:

59 Stat. 435.
39 U. S. C. §§ 851-876.
Ante, p. 57.

Section 3 is amended as follows:

Compensatory time.
59 Stat. 435.
39 U. S. C. § 853.

"SEC. 3. When the needs of the service require employees to perform service on Saturdays, Sundays, or holidays, they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday or Sunday and within thirty days next succeeding the holiday: *Provided*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime to employees other than supervisory employees whose base salaries are more than $3,600 per annum for services performed on Saturdays, Sundays, and Christmas Day during the month of December in lieu of compensatory time: *Provided further*, That supervisory employees shall be allowed compensatory time for services performed in excess of eight hours per day, and those whose base salaries are more than $3,600 per annum shall be allowed compensatory time for services performed on Saturdays, Sundays, and on Christmas Day during the month of December within one hundred and eighty days from the days such service was performed: *And provided further*, That the provisions of this section shall not apply to employees of the Railway Mail Service and the Air Mail Service; post-office inspectors; rural carriers; traveling mechanicians; examiners of equipment and supplies; clerks in third-class post offices; and employees paid on an hourly basis."

Payment of overtime for services in December.

Supervisory employees.

Nonapplicability.

Approved July 30, 1947.

[CHAPTER 356]

AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes.

July 30, 1947
[H. R. 3601]
[Public Law 266]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1948, hereinafter referred to as the current fiscal year, namely:

Department of Agriculture Appropriation Act, 1948.

Ante, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 617, 618, 698, 932, 942.

TITLE I—GENERAL APPROPRIATIONS

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Post, p. 942.

For personal services in the office of the Secretary of Agriculture, hereafter in this Act referred to as the Secretary, in the District of Columbia, and elsewhere, and other necessary expenses, including the purchase of two (one at not to exceed $3,000) passenger motor vehicles; travel expenses, including examination of estimates for appropriations in the field; stationery, supplies, materials, and equipment; freight, express, and drayage charges; advertising, communication service, postage, washing towels, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, hereafter in this Act referred to as the Department, $2,050,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such services and expenses, which several amounts or portions thereof as may be determined by the Secretary not exceeding a total of $87,560, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That, of appropriations herein made which are available for the purchase of lands, not to exceed $1 may be expended for each option to purchase any particular tract or tracts of land: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Adjustments in amounts.

Options to purchase lands.

Employee predicting future price of cotton.

Purchase of twine.

PENALTY MAIL

Post, p. 618.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

For deposit in the Treasury for cost of penalty mail of the Department, as required by the Act of June 28, 1944 (39 U. S. C. 321d), $3,486,000.

RESEARCH AND MARKETING ACT OF 1946

60 Stat. 1082.
7 U. S. C. §§ 427, 427h-427j, 1621-1629.
Post, p. 694.
49 Stat. 436.
7 U. S. C. §§ 427-427g.

To enable the Secretary to carry into effect the provisions of the Act of August 14, 1946 (Public Law 733), including in addition to the objects for which funds are available for such Act of August 14, 1946, and under title I of the Bankhead-Jones Act, as amended, personal services in the District of Columbia; printing and binding; over-all administration, planning, and coordination of research under section 10 pursuant to the provisions of section 10 (c); and necessary expenses for carrying out the provisions of title III of the Act, as follows:

60 Stat. 1085, 1086.
7 U. S. C. § 427i.
60 Stat. 1091.
7 U. S. C. §§ 1628, 1629.

60 Stat. 1083.
7 U. S. C. § 427h.

For payments to States, Territories, and Puerto Rico for agricultural experiment stations pursuant to section 9 of the Bankhead-Jones Act approved June 29, 1935, as amended by the Act of August 14, 1946, $2,500,000, of which such amount as shall be allotable to Alaska shall be transferred to and made a part of the appropriation "Research on agricultural problems of Alaska", without matching requirement;

60 Stat. 1085.
7 U. S. C. § 427i (a).

For research on utilization and associated problems pursuant to section 10 (a) of said Act, $3,000,000;

60 Stat. 1086.
7 U. S. C. § 427i (b).

For cooperative research other than research on utilization of agricultural commodities and the products thereof, pursuant to section 10 (b) of said Act, $1,500,000;

60 Stat. 1087.
7 U. S. C. §§ 1621-1627.

For the improvement and development, independently or through cooperation among Federal and State agencies, and others, of a sound and efficient system for the distribution and marketing of agricultural products pursuant to the "Agricultural Marketing Act of 1946" (title II of the Act of August 14, 1946), $2,000,000;

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

In all, $9,000,000: *Provided*, That such sums as may be necessary for penalty mail as required by the Act of June 28, 1944, may be transferred to the regular departmental appropriation therefor: *Provided further*, That for necessary printing and binding there may be transferred to, and made a part of, the item "Printing and binding, Department of Agriculture," such sums as are necessary: *Provided further*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which it is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to other appropriation items of the Department: *Provided further*, That no part of this appropriation shall be available for work relating to fish or shellfish or any product thereof, except for the support of equitable transportation rates before Federal agencies concerned with such rates.

Printing and binding.

Work relating to fish, etc.

OFFICE OF THE SOLICITOR

For necessary expenses, including personal services in the District of Columbia and payment of fees or dues for the use of law libraries by attorneys in the field service, $2,125,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $136,000 shall be transferred to

and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed $1,500,000: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, $575,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $13,975 shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, $533,000; for preparation and display of exhibits, $128,400; and the preparation, distribution, and display of motion and sound pictures, $67,400: *Provided, however*, That if the total amounts of the appropriations or authorizations for the current fiscal year from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding $300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further*, That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of $10,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Department of Agriculture Organic Act of 1944 (5 U. S. C. 574), said Act being elsewhere herein referred to as the Organic Act of 1944, as amended by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided*, That no part of this appropriation shall be used for the establishment or maintenance of regional or State field offices

Adjustments in amounts.

Transfer of additional funds if Office acts as central agency.

Temporary employment.

58 Stat. 742.

60 Stat. 810.
5 U. S. C. § 55a.

Regional or State field offices.

or for the compensation of employees in such offices except that not to exceed $10,000 may be used to maintain the San Francisco radio office.

PRINTING AND BINDING

Annual Report of the Secretary.
28 Stat. 601; 38 Stat. 1110; 49 Stat. 1550; 34 Stat. 825.

Farmers' bulletins.

40 Stat. 1270.

Yearbook of Agriculture.
28 Stat. 612.
Transfer of funds.

52 Stat. 31.
7 U. S. C. § 1281.
60 Stat. 230.
42 U. S. C. §§ 1751 1760.

49 Stat. 774.

Limitation.

For printing and binding for the Department, including all of its bureaus, offices, institutions, and services, except as otherwise provided, $1,607,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212–220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220); and including not to exceed $207,000 for printing and binding two hundred thirty-one thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture), as authorized by section 73 of the Act of January 12, 1895 (44 U. S. C. 241): *Provided*, That the Secretary may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, from funds appropriated to carry into effect the purposes of the National School Lunch Act approved June 4, 1946 (Public Law 396), such sums as may be necessary for printing and binding in connection with the activities under said Act, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under section 32: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed $145,000.

LIBRARY, DEPARTMENT OF AGRICULTURE

For necessary expenses, including exchange of reference books, lawbooks, technical and scientific books, periodicals, and expenses incurred in completing imperfect series; not to exceed $1,200 for newspapers; dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $660,000, of which not to exceed $484,924 may be expended for personal services in the District of Columbia.

BUREAU OF AGRICULTURAL ECONOMICS

For necessary expenses, including not to exceed $2,143,400 for personal services in the District of Columbia, including the salary of Chief of Bureau at $10,000 per annum, and not to exceed $1,000 for the purchase of books of reference, periodicals, and newspapers, as follows:

Economic investigations: For conducting investigations and for acquiring and diffusing useful information among the people of the United States, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, $2,000,000: *Provided*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics under the heading "Economic investigations" shall be used for State and county land-use planning, for conducting cultural surveys, or for the maintenance of regional offices.

Land-use planning.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on farms, production, distribution, and consumption of turpentine and rosin pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951–957), $2,375,400: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton, or for estimates of apple production for other than the commercial crop.

49 Stat. 653.

49 Stat. 1898; 52 Stat. 348.

Cotton and apple reports.

OFFICE OF FOREIGN AGRICULTURAL RELATIONS

Salaries and expenses: For necessary expenses for the Office of Foreign Agricultural Relations and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including personal services in the District of Columbia and not to exceed $500 for newspapers, $503,000.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Not to exceed $12,500 may be expended from the appropriations "Salaries and expenses, Agricultural Adjustment Administration" and "Sugar Act" for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of said appropriations, together with traveling and other necessary expenses relating thereto.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico, for cooperative agricultural extension work as follows:

Cooperative agricultural extension work.

Capper-Ketcham, Bankhead-Jones, and related Acts: Capper-Ketcham Act, the Act approved May 22, 1928 (7 U. S. C. 343a, 343b), $1,480,000; Bankhead-Jones Act, section 21, title II, of the

45 Stat. 711.

49 Stat. 438.
59 Stat. 232.
53 Stat. 589.
45 Stat. 1256.
49 Stat. 1554.
50 Stat. 881.

Act approved June 29, 1935 (7 U. S. C. 343c), $12,000,000; Bankhead-Jones Act, section 23, title II, of the Act approved June 29, 1935, as amended by the Act of June 6, 1945 (7 U. S. C. 343d–1), $8,500,000; additional extension work, the Act approved April 24, 1939, as amended (7 U. S. C. 343c–1), $555,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Smith-Lever Act to the Territory of Alaska, $13,950, and section 3 of the Act approved June 20, 1936 (7 U. S. C. 343e), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, $10,000, in all, for Alaska, $23,950; Puerto Rico, the Act approved August 28, 1937 (7 U. S. C. 343f–343g), extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico, $274,000; in all, Capper-Ketcham, Bankhead-Jones, and related Acts, $22,832,950.

SALARIES AND EXPENSES

38 Stat. 372.

Administration and coordination of extension work: For expenses necessary to administer the provisions of the Smith-Lever Act, approved May 8, 1914 (7 U. S. C. 341–348), and Acts amendatory or supplementary thereto, and to coordinate the extension work of the Department and the several States, Territories, and insular possessions, $827,200, of which not to exceed $663,100 may be expended for personal services in the District of Columbia.

AGRICULTURAL RESEARCH ADMINISTRATION

OFFICE OF ADMINISTRATOR

Transfer of lands.
Reimbursement.
Buildings and improvements.
Limitation.

Salaries and expenses: For necessary expenses of the Office of Administrator, including the salary of the Administrator at $10,000 per annum, and personal services in the District of Columbia, and for the maintenance, operation, and furnishing of facilities and services at the Agricultural Research Center, $481,500, and there shall be transferred to the Department, from Government surplus without reimbursement therefor, certain parcels of real property, valued at approximately $9,750, within the boundaries of the Agricultural Research Center, Beltsville, Maryland, consisting of approximately eighty-eight acres of land known as the Paul Hense tract and approximately forty acres of land known as the Sampson tract: *Provided*, That the appropriation current at the time services are rendered may be reimbursed (by advance credits or reimbursements based on estimated or actual charges) from applicable appropriations, to cover the charges, including handling and other related services, for equipment rentals (including depreciation, maintenance, and repairs); for services, supplies, equipment and materials furnished, stores of which may be maintained at the Center, and for building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided further*, That the several appropriations of the Agricultural Research Administration shall be available for the construction, alteration, and repair of buildings and improvements: *Provided, however*, That unless otherwise provided, the cost of constructing any one building (excepting headhouses connecting greenhouses) shall not exceed $5,000, the total amount for construction of buildings costing more $2,500 each shall be within the limits of the estimates submitted and approved therefor, and the cost of altering any one building during the fiscal year shall not exceed $2,500 or 2 per centum of the cost of the building as certified by the Research Administrator, whichever is greater.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary to carry into effect the Act approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programing, coordination, and printing the results of such research, to be conducted by such agencies of the Department as the Secretary may designate or establish, and to which he may make allotments from this fund, including personal services in the District of Columbia; $1,203,000, of which amount $785,200 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said Act.

49 Stat. 436, 437.
7 U. S. C. § 427d.

49 Stat. 437.
7 U. S. C. § 427c.

RESEARCH ON STRATEGIC AND CRITICAL AGRICULTURAL MATERIALS

For expenses necessary to enable the Secretary to carry out his responsibilities under section 7 (b) of the Strategic and Critical Materials Stock Piling Act of July 23, 1946, in connection with natural rubber, including personal services in the District of Columbia, $349,000; and there shall be transferred to the Secretary, from Government surplus without compensation therefor, real property consisting of approximately one hundred and seventy-three acres known as the Spence tract, one hundred and thirty-one acres of the Guidotti tract, forty acres of the Arguelo tract, and twenty-five acres of the Alisal industrial site (all located in the vicinity of Salinas, California), including improvements and laboratory facilities and equipment thereon, and personal property, valued in all (procurement cost) at approximately $865,000.

60 Stat. 600.
50 U. S. C. § 98f (b).

Transfer of lands.

RESEARCH ON AGRICULTURAL PROBLEMS OF ALASKA

To enable the Secretary, through such officers and employees of the Department of Agriculture and the Territory of Alaska as he may designate, to establish and maintain a program for research into the basic agricultural needs and problems of the Territory of Alaska, $144,940, including printing and binding, the employment of personal services in the District of Columbia, and the construction or acquisition of necessary buildings and facilities without regard to restrictions of existing law. In carrying out such program the Secretary is authorized to use such authorities as have heretofore been made available by the Legislature of the Territory of Alaska to the Agricultural Experiment Station of the University of Alaska, and by the laws of the United States, and to cooperate with the University of Alaska and with other public and private agencies. The provisions of this paragraph shall be effective from and after the date of the enactment hereof, until June 30, 1949, and the Secretary is authorized to take such steps and to issue such regulations as he may determine to effectuate the orderly discharge of his responsibilities hereunder. There are hereby transferred to the Secretary the use of such equipment and other facilities, buildings, and grounds of the Territorial agricultural experiment station, including its branches, as he may determine to be necessary, other than any land in general use heretofore for other university purposes, and the Secretary may to the extent deemed advisable continue the employment of the existing personnel of the station. Notwithstanding any other provision of law, including the laws of the Territory of Alaska, there are hereby transferred for the use of the Secretary any unexpended balances now available, and any moneys hereafter received for credit thereto, of all funds heretofore appropriated by the legislature or acquired under authority of law for the construction, use, and

Transfer of equipment and facilities.

Transfer of funds.

development of the Territorial agricultural experiment station, the availability of such funds to be unaffected by this transfer. The moneys so transferred shall be available for the settlement, in such manner as the Secretary shall direct, of obligations outstanding at the time of the transfer. The Secretary shall report annually to the Appropriations Committees of the Senate and of the House of Representatives respecting the status and progress of agricultural research in Alaska and the advisability of resumption by the Territory of the operation of the experiment station under the Land Grant College Acts.

Report to Congress.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, AND PUERTO RICO

For payments to the States, Hawaii, and Puerto Rico to be paid quarterly in advance, to carry into effect the provisions of the following Acts relating to agricultural experiment stations:

Hatch, Adams, Purnell, Bankhead-Jones, and related Acts: Hatch Act, the Act approved March 2, 1887 (7 U. S. C., 362, 363, 365, 368, 377–379), $720,000; Adams Act, the Act approved March 16, 1906 (7 U. S. C. 369), $720,000; Purnell Act, the Act approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373–376, 380, 382), $2,880,000; Bankhead-Jones Act, title I of the Act approved June 29, 1935 (7 U. S. C. 427–427g), $2,661,268, none of which shall be available for Alaska; Hawaii, the Act approved May 16, 1928 (7 U. S. C. 386–386b), extending the benefits of certain Acts of Congress to the Territory of Hawaii, $90,000; Puerto Rico, the Act approved March 4, 1931, as amended (7 U. S. C. 386d–386f), extending the benefits of certain Acts of Congress to Puerto Rico, $90,000; in all, payments to States, Hawaii, and Puerto Rico, $7,161,268.

24 Stat. 440.
34 Stat. 63.
43 Stat. 970.
49 Stat. 436.
45 Stat. 571.
46 Stat. 1520.

SALARIES AND EXPENSES

Administration of grants and coordination of research with States: For necessary expenses, including not to exceed $197,525 for personal services in the District of Columbia, to enforce the provisions of the Acts approved March 2, 1887, March 16, 1906, February 24, 1925, May 16, 1928, March 4, 1931, and June 20, 1936, and Acts amendatory thereto (7 U. S. C. 361–363, 365–369, 370–383, 386, 386d–386f), relative to their administration and for the administration of an agricultural experiment station in Puerto Rico, $211,000; and the Secretary shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the State agricultural colleges and experiment stations in the lines authorized in said Acts with research of the Department in similar lines, and make report thereon to Congress.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571; 46 Stat. 1520; 49 Stat. 1553.

Federal Experiment Station, Puerto Rico: For expenses necessary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, $114,700.

BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

For expenses necessary, including not to exceed $1,059,000 for departmental personal services in the District of Columbia, for carrying out the provisions of the Act, as amended, establishing a Bureau

of Animal Industry, and related Acts, and for investigations concerned with the livestock and meat industries and the domestic raising of fur-bearing animals, as follows:

23 Stat. 31.
7 U. S. C. §§391-394.

Animal husbandry: For investigations and experiments in animal husbandry and animal and poultry feeding and breeding, and for carrying out the purposes of section 101 (b) of the Organic Act of 1944 (7 U. S. C. 429) authorizing cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries, $1,305,500.

Post, p. 617.

58 Stat. 734.

Diseases of animals: For scientific investigations of diseases of animals, and for investigations of tuberculin, serums, antitoxins, and analogous products, $1,045,000.

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, $6,750,000: *Provided*, That no part of the money hereby appropriated shall be used in compensating owners of cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal.

Compensation of cattle owners, restrictions.

Limitation on amount of payment.

Inspection and quarantine: For inspection and quarantine work, including the control and eradication of hog cholera and related swine diseases, southern cattle ticks, scabies in sheep and cattle, and dourine in horses, the supervision of the transportation of livestock, the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals in accordance with the Act of August 30, 1890 (21 U. S. C. 102) and the Act of July 24, 1946 (Public Law 522), and the inspection work relative to the existence of contagious diseases, $1,225,197.

26 Stat. 416.
60 Stat. 633.
21 U. S. C. § 133.

Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat and meat-food products, $5,000,000, for deposit in the Treasury of the United States as a working capital fund, without fiscal year limitation, to be designated as the "Meat inspection fund", which shall be available for all expenses necessary to furnish an adequate and efficient inspection or service, and hereafter every person, firm, public agency, or other organization furnished inspection or service under said laws, including inspection of meat and meat-food products offered for import or export and the inspection of horse meat and horse-meat products, shall pay the United States therefor in accordance with regulations prescribed by the Secretary of Agriculture and at rates and fees to be fixed by him, which payments, to be deposited in the meat-inspection fund, shall provide full reimbursement for the estimated cost attributable to the furnishing of such inspection or service, including scientific and technical investigations and laboratory services; investigations relating to violations of, and authorized exemptions under, the laws relating to Federal meat inspection; supervisory, administrative,

"Meat inspection fund."

statistical, business management, and other costs; personal services in the District of Columbia and elsewhere, without regard to section 607 of the Federal Employees' Pay Act of 1945, as amended; rent in the District of Columbia and elsewhere; purchase and hire of passenger motor vehicles; printing and binding, including the purchase of printed tags, labels, stamps, and certificates as authorized by the Act of September 21, 1944 (7 U. S. C., 431); and other necessary expenses: *Provided*, That the Secretary of Agriculture may require advance payment, posting of bonds, or other assurance of payment, in order to protect the interests of the United States, and may withhold or withdraw such inspection or service for nonpayment of charges or fees, or failure to provide the required assurance of payment: *Provided further*, That inspection or other technical services may be rendered to Government and other public agencies, upon request, under the terms and conditions herein provided: *Provided further*, That a schedule of obligations and reimbursements of the meat-inspection fund, as of the close of the last completed fiscal year, and as estimated for the current and ensuing fiscal years, shall be included in the Budget as submitted to Congress annually: *And provided further*, That payments shall be made for inspection or service rendered on and after July 1, 1947.

59 Stat. 304.
5 U. S. C. § 947.

58 Stat. 734.

Advance payment, etc.

Technical services to other agencies.

Schedule of obligations, etc.

Virus Serum Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, $315,000.

37 Stat. 832.

Marketing agreements, hog cholera virus and serum: The sum of $43,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851–855), including personal services in the District of Columbia.

48 Stat. 38.
7 U. S. C. § 612 (a).

49 Stat. 781.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

Ante, pp. 7, 24, 245; *post*, p. 617.

For expenses necessary, including personal services in the District of Columbia, in the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations, $100,000, together with such sums from other appropriations of the Department as the Secretary may deem necessary, to be available only in an emergency which threatens the livestock or poultry industry of the country: *Provided*, That the payment for such animals hereafter purchased may be made on appraisement based on the meat, egg-production, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by

Payment of claims.

Basis of appraisement.

the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

Group appraisal for poultry.

BUREAU OF DAIRY INDUSTRY

Salaries and expenses: For necessary expenses, including not to exceed $540,912 for personal services in the District of Columbia, in carrying out the provisions of the Act of May 29, 1924 (7 U. S. C. 401–404), including investigations, experiments, and demonstrations in dairy industry, for carrying out the applicable provisions of the Act of May 9, 1902 (26 U. S. C. 2325, 2326 (c)), relating to process or renovated butter, as amended by the Act of June 24, 1946 (Public Law 427), and the Act of May 23, 1908 (21 U. S. C. 94 (a)), insofar as it relates to the exportation of process or renovated butter, $1,011,000.

43 Stat. 243.
32 Stat. 196.
60 Stat. 300.
35 Stat. 254.

For repair of buildings, fence, electric line and feed bunk, recently damaged by tornado at the dairy field station, Woodward, Oklahoma, $5,300.

BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations in connection with the production and improvement of farm crops and other plants and plant industries; soils and soil-plant relationships, and the application of engineering principles to agriculture; plant diseases, including nematodes, and methods for their prevention and control; plant and plant-disease collections and surveys; the distribution of weeds and means for their control; methods of handling, processing, transportation, and storage of agricultural products; and plants in foreign countries and our possessions for introduction into the United States, including explorations and surveys, and propagation and testing in this country; for the operation and maintenance of airplanes; and for personal services in the city of Washington, as follows:

Plant and soil investigations.

Airplanes.

Field crops: For investigations on the production, improvement, and diseases of alfalfa, barley, clover, corn, cotton, flax, grasses, oats, rice, rubber crops, sorghums, soybeans, sugar beets, sugarcane, tobacco, wheat, and other field crops, $2,784,000.

Fruit, vegetable, and specialty crops: For investigations on the production, improvement, and diseases of fruit, vegetable, nut, ornamental, drug, condiment, oil, insecticide, and related crops and plants, $2,445,000, and there shall be transferred to the Bureau of Plant Industry, Soils, and Agricultural Engineering, from Government surplus without compensation therefor, one sixty-five acre tract occupied by the United States Plant Introduction Garden under permit from the War Department and two adjacent small parcels of land, totaling in all approximately seventy-seven acres, situated at Chapman Field Military Reservation, Dade County, Florida, and valued (procurement cost) at approximately $7,000.

Transfer of lands.

Forest diseases: For investigations of diseases of forest and shade trees and forest products, and methods for their control, $379,280.

Soils, fertilizers, and irrigation: For investigations of soil management methods to increase and maintain productivity, including fertilization, liming, crop rotations, tillage practices, and other means of

improving soils; fertilizers, fertilizer ingredients, and their improvement for agricultural use; soil management and crop production on dry and irrigated lands, and the quality of irrigation water and its use by crops; and for the classification of soils in a national system and indication of their extent and distribution on maps, and determination of their potential productivity under adapted cropping and improved soil management; $1,466,000.

Agricultural engineering: For investigations involving the application of engineering principles to agriculture, including farm power and equipment, rural water supply and sanitation, and rural electrification; farm buildings and their appurtenances and buildings for processing and storing farm products, and the preparation and distribution of building plans and specifications; cotton ginning, and other engineering problems relating to the production, processing, transportation, and storage of agricultural products; $637,000.

National Arboretum: For the maintenance and development of the National Arboretum established under the provisions of the Act approved March 4, 1927 (20 U. S. C. 191–194), including travel expenses of the advisory council, $436,900, of which not to exceed $350,000 shall be available for the acquisition of adjoining land, and not to exceed $2,500 may be expended for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574) as amended by section 15 of the Act of August 2, 1946 (Public Law 600).

44 Stat. 1422.

58 Stat. 742.

60 Stat. 810.
5 U. S. C. § 55a.

Southern Great Plains Field Station: For replacement and repair of buildings, equipment and supplies, utilities, fences and other general repairs and clean-up operations from damages due to the recent tornado at Woodward, Oklahoma, $45,600.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, demonstrations, and surveys for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, and the best ways of utilizing beneficial insects, for carrying into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), the Honey Bee Act (7 U. S. C. 281–283), the Insect Pest Act (7 U. S. C. 141–144), the Mexican Border Act (7 U. S. C. 149) and the Organic Act of 1944 (7 U. S. C. 147a), authorizing the eradication, control, and prevention of spread of injurious insects and plant pests; including the operation and maintenance of airplanes and the purchase of not to exceed seven, and not to exceed $745,350 for personal services in the District of Columbia, as follows:

37 Stat. 315.
Post, p. 680.
42 Stat. 833.
33 Stat. 1269; 56 Stat. 40.
58 Stat. 735.

Post, p. 698.

Insect investigations: For the investigation of insects affecting fruits, grapes, nuts, trees, shrubs, forests and forest products, truck and garden crops, cereal, forage and range crops, cotton, tobacco, sugar plants, ornamental and other plants and agricultural products, household possessions, and man and animals; for bee culture and apiary management; for classifying, identifying, and collecting information to determine the distribution and abundance of insects; for investigations in connection with introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods; for

developing methods, equipment, and apparatus to aid in enforcing plant quarantines and in the eradication and control of insect pests and plant diseases; and for investigations of insecticides and fungicides, including methods of their manufacture and use and the effects of their application, $2,961,300.

Insect and plant disease control: For carrying out operations or measures to eradicate, suppress, control, or to prevent or retard the spread of Japanese beetle, sweetpotato weevil, Mexican fruitflies, gypsy and brown-tail moths, Dutch elm disease, phony peach and peach mosaic, cereal rusts, and pink bollworm and Thurberia weevil, including the enforcement of quarantine regulations and cooperation with States to enforce plant quarantines as authorized by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), and including the establishment of such cotton-free areas as may be necessary to stamp out any infestation of the pink bollworm as authorized by the Act of February 8, 1930 (46 Stat. 67), and for the enforcement of domestic plant quarantines through inspection in transit, including the interception and disposition of materials found to have been transported interstate in violation of Federal plant quarantine laws or regulations, and operations under the Terminal Inspection Act (7 U. S. C. 166), $2,972,100: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees, farm animals, farm crops, or other property injured or destroyed: *Provided further*, That, in the discretion of the Secretary, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose, or for barberry eradication until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of this purpose: *Provided further*, That in the discretion of the Secretary, no expenditures from this appropriation shall be made for applying methods of control of the Dutch elm disease in any State where measures for the removal and destruction of trees on non-Federal lands suffering from the Dutch elm disease are not in force, provided such removal and destruction are deemed essential or appropriate for the carrying on of the control program, nor until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided, however*, That expenditures incurred for removal of trees infected with Dutch elm disease from non-Federal lands shall not be considered a part of such appropriations, subscriptions, or contributions: *Provided further*, That no part of this appropriation shall be expended for the removal and destruction of trees infected with the Dutch elm disease except where such trees are located on property owned or controlled by the Government of the United States, or on property included within local experimental control areas.

37 Stat. 315.
Post, p. 680.
Establishment of cotton-free areas.
Inspection in transit.
38 Stat. 1113.
Restriction.
State, etc., cooperation.
Dutch elm disease, local requirements.
Removal and destruction of trees.
Restriction.
Exception.

Foreign plant quarantines: For operations against the introduction of insect pests or plant diseases into the United States, including the enforcement of foreign-plant quarantines and regulations promulgated under sections 5 and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), the Insect Pest Act of 1905 (7 U. S. C. 141–144), and the Mexican Border Act of 1942 (7 U. S. C. 149), for enforcement of domestic-plant quarantines as they pertain to Territories of the United States and enforcement of regulations governing the movement of plants into and from the District of Columbia promulgated under section 15 of the Plant Quarantine Act

37 Stat. 316, 317.
7 U. S. C. §§ 159, 160.
33 Stat. 1269.
56 Stat. 40.

41 Stat. 726.
7 U. S. C. § 167.

of August 20, 1912, as amended, and for inspection and certification of plants and plant products to meet the sanitary requirements of foreign countries, as authorized in section 102 of the Organic Act of 1944 (7 U. S. C. 147a), $2,000,000.

58 Stat. 735.

CONTROL OF EMERGENCY OUTBREAKS OF INSECTS AND PLANT DISEASES

52 Stat. 344.

For expenses necessary to carry out the provisions of the joint resolution approved May 9, 1938 (7 U. S. C. 148–148e), including the operation and maintenance of airplanes and the purchase of not to exceed three, and surveys and control operations in Canada in cooperation with the Canadian Government or local Canadian authorities, and the employment of Canadian citizens, $2,050,000.

Cooperation with Canada.

BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations hereinafter authorized, including not to exceed $237,746 for personal services in the District of Columbia, as follows:

12 Stat. 387.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; and for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; $511,500, and there shall be transferred to the Bureau of Agricultural and Industrial Chemistry, from Government surplus without compensation therefor, a certain parcel of real property of approximately one acre (consisting of lots 37 and 38 of Deal and Kreiser Subdivision, and lots 24 and 25 of tract 728 in the city of Pasadena, California), valued at approximately $15,800.

Transfer of real property.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; and the weighing, storing, handling, transportation, and utilization of naval stores, $152,550.

Regional research laboratories: For continuing the researches established under the provisions of section 202 (a) to 202 (e), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1292), including research on food products of farm commodities, $5,000,000, including not to exceed $30,000 for the construction of a commodity and equipment storage building at the Western Regional Research Laboratory located at Albany, California.

52 Stat. 37.

Storage building.

BUREAU OF HUMAN NUTRITION AND HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed $305,000 for personal services in the District of Columbia, for conducting investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, $800,000.

WHITE PINE BLISTER RUST CONTROL

For expenses necessary to carry out the purposes of the Act approved April 26, 1940 (16 U. S. C. 594a), including personal services in the District of Columbia, $3,750,000, of which amount $582,000 shall be available to the Department of the Interior for control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; $1,974,650 of said amount to the Forest Service for the control of white pine blister rust on or endangering lands under its jurisdiction; and $1,193,350 of said amount to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, the control of white pine blister rust on or endangering State and privately owned lands.

54 Stat. 168.

Availability of funds for designated agencies.

FOREST SERVICE

SALARIES AND EXPENSES

For expenses necessary, including not to exceed $1,083,378 for personal services in the District of Columbia, not to exceed $10,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the Act of August 2, 1946 (Public Law 600), and the replacement of one passenger motor vehicle in the District of Columbia; to experiment and make investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed $10,000, with the exception that any building erected, purchased, or acquired, the cost of which was $10,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service: *Provided*, That not to exceed $50,000 of the appropriation for "National forest protection and management", and not to exceed $50,000 of the appropriation for "Forest fire cooperation" may be transferred to the appropriation "Printing and binding, Department of Agriculture", for forest fire prevention posters and related printed material, as follows:

58 Stat. 742.

60 Stat. 810.
5 U. S. C. § 55a.

Experiments and investigations.

Cost of buildings.

Protection, etc., of national forests.

Care of fish and game.

Transfer of funds.

General administrative expenses: For general administration, including the salary of the Chief Forester at $10,000 per annum, and

36 Stat. 963.

for expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), $650,000.

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the operation and maintenance of aircraft and the purchase of not to exceed four; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration, except that where, in the opinion of the Secretary, direct purchases will be more economical than construction, improvements may be purchased; the construction (not to exceed $10,000 for any one structure), equipment, and maintenance of sanitary and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506–509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests; and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, $24,014,891, of which not to exceed $25,000 shall be available for the purchase of one nursery site.

Direct purchases.

Homestead lands.

34 Stat. 233; 37 Stat. 287, 842.

Fighting forest fires: For fighting and preventing forest fires on or threatening lands under Forest Service administration, including lands under contract for purchase or in process of condemnation for Forest Service purposes, $100,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

45 Stat. 699–702.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f–581i), including the construction and maintenance of improvements, as follows:

Forest and range management investigations: Fire, silvicultural, watershed, and other forest investigations and experiments under said section 2, as amended, and investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, $2,475,000.

16 U. S. C. § 581a.

16 U. S. C. § 581f.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, $1,250,000, of which at least $11,050 shall be expended for research in the utilization of waste woods.

16 U. S. C. § 581g.

Forest resources investigations: A comprehensive forest survey under section 9, and investigations in forest economics under section 10, $822,000.

16 U. S. C. §§ 581h, 581i.

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act approved June 7, 1924, as amended (16 U. S. C. 564–570), $9,000,000, of which not to exceed $76,125 shall be available for personal services in the District of Columbia.

43 Stat. 653.
Ante, p. 449.

FARM AND OTHER PRIVATE FORESTRY COOPERATION

To enable the Secretary through the Forest Service to advise timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to federally owned lands leased to States and to private forest lands, so as to attain sustained-yield management, the conservation of the timber resources, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, and to carry into effect, through such agencies of the Department as he may designate, the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed $660,034) and the provisions of sections 4 (not to exceed $83,700) and 5 (not to exceed $65,766) of the Act approved June 7, 1924 (16 U. S. C. 567–568), and Acts supplementary thereto; in all, not to exceed $809,500, of which not to exceed $54,636 may be expended for personal services in the District of Columbia; and not to exceed $30,000 for the construction, alteration, or purchase of necessary buildings, and other improvements: *Provided*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

50 Stat. 188.

43 Stat. 654.

New nurseries.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

Under Week's Act: For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U. S. C. 513–519, 521), $750,000, to be available only for payment toward the purchase price of any lands acquired, including the cost of surveys in connection with such acquisition.

36 Stat. 961.

Under special Acts: For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (Public Law 337), as amended, $40,000; Cache National Forest, Utah, Act of May 11, 1938 (Public Law 505), as amended, $10,000; San Bernardino and Cleveland National Forests, Riverside County, California, Act of June 15, 1938 (Public Law 634), as amended, $22,000; Nevada and Toiyabe National Forests, Nevada, Act of June 25, 1938 (Public Law 748), as amended, $10,000; Angeles National Forest, California, Act of June 11, 1940 (Public Law 591), $20,000; Cleveland National Forest, San Diego County, California, Act of June 11, 1940 (Public Law 589), $5,000; Sequoia National Forest, California, Act of June 17, 1940 (Public Law 637), $35,000; in all $142,000.

49 Stat. 866.
52 Stat. 347.
52 Stat. 699.
52 Stat. 1205.
54 Stat. 299.
54 Stat. 297.
54 Stat. 402.

FOREST ROADS AND TRAILS

For expenses necessary for carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921, as amended (23 U. S. C. 23, 23a), and for the construction, reconstruction,

42 Stat. 218.
Experimental areas.

and maintenance of roads and trails on experimental areas under Forest Service administration, (1) $11,000,000 for forest development roads and trails, and (2) $5,300,000 for forest highways, which sums are authorized to be appropriated by the Act of December 20, 1944 (Public Law 521), in all, $16,300,000 (including not to exceed $100,000 for personal services in the District of Columbia), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased, altered, or constructed under this authorization shall not exceed $10,000, with the exception that any building erected, purchased, or acquired, the cost of which was $10,000 or more, may be improved within any fiscal year by an amount not to exceed 2 per centum of the cost of such buildings certified by the Secretary.

58 Stat. 838.
23 U. S. C. §§ 60–63.

Buildings for storage of equipment.

FLOOD CONTROL

Flood control: For expenses necessary, in accordance with the Flood Control Act, approved June 22, 1936, as amended and supplemented, to make preliminary examinations and surveys, and to perform works of improvement, $1,000,000, including personal services in the District of Columbia, to be immediately available and to remain available until expended, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for flood control purposes: *Provided*, That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated: *Provided further*, That allocations of funds for the fiscal years 1947 and 1948 for works of improvement on individual watersheds shall be in the respective amounts set forth in the Department's budget justifications to the House Appropriations Committee and shall not be decreased except as may be necessary by reason of a decrease in the estimates of available prior year balances: *Provided further*, That not less than $500,000 of the funds hereby appropriated shall be allocated to the watersheds of the Upper Mississippi, Missouri, and Ohio Rivers and their tributaries.

Post, p. 698.
49 Stat. 1570.
33 U. S. C. §§ 701a–701h.

Yazoo and Little Tallahatchie watersheds.

Allocation of funds.

SOIL CONSERVATION SERVICE

For expenses necessary to carry out the provisions of the Act approved April 27, 1935 (16 U. S. C. 590a–590f), which provides for a national program of erosion control and soil and water conservation, including not to exceed $856,750 for personal services in the District of Columbia, furnishing of subsistence to employees, operation and maintenance of aircraft, and the purchase and erection or alteration of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed $2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for eight buildings to be constructed at a cost not to exceed $15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri where the State has established a central State agency authorized to enter

49 Stat. 163.

Cost of buildings.

Construction on land not owned by Government.

Central State agency, Mo.

into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district, as follows:

Everglades region, Fla.

Soil conservation research: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and water conservation (including the construction and hydrologic phases of farm irrigation and land drainage, and water regulation to conserve the soil and reduce fire hazards in the Everglades region of Florida, except that expenditures for all work in the Everglades region shall be limited to a sum not in excess of funds made available for such work by the State of Florida, or political subdivisions thereof); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, $1,048,000.

Demonstration projects.

Soil conservation operations: For carrying out preventive measures to conserve soil and water, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of conservation nurseries, the making of conservation plans and surveys, and the dissemination of information, $38,000,000: *Provided*, That no part of this appropriation may be expended for soil and water conservation operations in demonstration projects.

LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

50 Stat. 525.
59 Stat. 532.
7 U. S. C. § 1011 note.

For expenses necessary to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010–1012), and the provisions of the Act approved August 11, 1945 (Public Law 179, Seventy-ninth Congress), including personal services in the District of Columbia, $1,600,000.

PRODUCTION AND MARKETING ADMINISTRATION

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

Soil conservation.

49 Stat. 1148.
Ante, p. 494.
52 Stat. 31.
Ante, p. 451; *post*, p. 721.
52 Stat. 36 *et seq.*
7 U. S. C. §§ 1291, 1292, 1303, 1381, 1383, 1401–1407, 1501–1518.
Post, pp. 718, 719.

For expenses necessary to enable the Secretary to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g–590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281–1407) (except the provisions of sections 201, 202, 303, 381, and 383 and the provisions of titles IV and V), including personal services in the District of Columbia; not to exceed $6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; $228,000,000, to remain available until December 31, 1948, for compliance with programs under said provisions of the Agricultural Adjustment Act of 1938, as amended, and the Act of February 29, 1936, as amended, pursuant to the provisions of the 1947 programs carried out during the period July 1, 1946, to December 31, 1947, inclusive: *Provided*, That not to exceed $24,500,000 of the total sum provided under this head shall be available during the current fiscal year, for salaries and other administrative expenses for carrying out such programs, including

Administrative expenses.

the peanut-marketing quota program, the cost of aerial photographs, however, not to be charged to such limitation; but not more than $7,080,813 shall be transferred to the appropriation account, "Administrative expenses, section 392, Agricultural Adjustment Act of 1938": *Provided further*, That payments to claimants hereunder may be made upon the certificate of the claimant, which certificate shall be in such form as the Secretary may prescribe, that he has carried out the conservation practice or practices and has complied with all other requirements as conditions for such payments and that the statements and information contained in the application for payment are correct and true, to the best of his knowledge and belief, under the penalties of the Act of March 4, 1909, as amended (18 U. S. C. 80): *Provided further*, That none of the funds herein appropriated or made available for the functions assigned to the Agricultural Adjustment Agency pursuant to the Executive Order Numbered 9069, of February 23, 1942, shall be used to pay the salaries or expenses of any regional information employees or any State or county information employees, but this shall not preclude the answering of inquiries or supplying of information to individual farmers: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1948 programs (amounting to $150,000,000, including administration, and formulated on the basis of a distribution of the funds available for payments and grants among the several States in accordance with their conservation needs as determined by the Secretary: *Provided further*, That the proportion allocated to any State shall not be reduced more than 15 per centum from the 1946 distribution and that no participant shall receive more than $500) of soil-building practices and soil- and water-conservation practices, under the Act of February 29, 1936, as amended, and programs under the Agricultural Adjustment Act of 1938, as amended; but the payments or grants under such program shall be conditioned upon the utilization of land with respect to which such payments or grants are to be made, in conformity with farming practices which will encourage and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State committee appointed pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended for the respective States: *Provided further*, That the Secretary may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of said Office in auditing payments under this item: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That the Secretary is authorized and directed to make payments to farmers who complied with the terms and conditions of the agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, if the Secretary determines that, because of induction into the armed forces of the United States, such farmers failed to file, or were prevented from filing, applications for payment under any such program during the period the applicable appropriation for such program was available for obligation, such payments to be made out of the unobligated balance of the appropriation, "Conservation and use of agricultural land resources", in the Department of Agriculture Appropriation Act,

52 Stat. 69.
7 U. S. C. § 1392.
Payments to claimants.

35 Stat. 1095.

50 U. S. C. app. § 601 note.

Programs of soil-building practices, etc.

49 Stat. 1148; 52 Stat. 31.
16 U. S. C. §§ 590g-590q; 7 U. S. C. §§ 1281-1518.
Ante, pp. 494, 451.

49 Stat. 1150.
16 U. S. C. § 590h (b).

Transfer of funds.

Purchase of seeds, etc.

Payments to farmers inducted into armed forces.

49 Stat. 1148.
16 U. S. C. §§ 590g-590q.
Ante, p. 494.

1946: *Provided further*, That an application for payment on the prescribed form is filed by any such farmer (or the person entitled to payment in case of death, disappearance, or incompetency of the farmer under regulations issued pursuant to section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., 1940 edition, 1385)) within one year from the date of his discharge from the armed forces, or by December 31, 1947, whichever is later: *And provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of section 6 of the Act of July 11, 1919 (18 U. S. C. 201), to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

59 Stat. 154.

52 Stat. 68.

Salary or travel expenses, restriction.

53 Stat. 1147.
18 U. S. C. §§ 61-61w.

41 Stat. 68.

SUGAR ACT

To enable the Secretary to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, as amended (7 U. S. C. 1100–1183), including personal services in the District of Columbia, $55,000,000, to remain available until June 30, 1949: *Provided*, That expenditures (including transfers) from this appropriation for other than payments to sugar producers shall not exceed $1,326,115.

Ante, pp. 35, 245; *post*, pp. 618, 922, 932.

50 Stat. 903.

MARKETING SERVICES

For expenses necessary, including not to exceed $2,211,000 for personal services in the District of Columbia, in conducting investigations, experiments, and demonstrations, as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products (including broilers), fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, $1,566,250.

Market inspection of farm products: For the investigations and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, $712,000.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food

55 Stat. 131.

products throughout the world, for making analyses of cotton fiber as provided by the Act of April 7, 1941 (7 U. S. C. 473d), and for liquidating war food orders and coordinating nutrition services made available by Federal, State, and other agencies, including not to exceed $10,000 for employment pursuant to the second sentence of section 706 (a), of the Organic Act of 1944 (5 U. S. C. 541b), as amended by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed $20,000 for transportation and other necessary expenses including not to exceed $10 per diem of persons serving without compensation while away from their homes or regular places of business; printing and binding; and not to exceed $150 for newspapers; $1,000,000: *Provided*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which this appropriation is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to appropriation items in this Act.

58 Stat. 742.
5 U. S. C. § 574.
60 Stat. 810.
5 U. S. C. § 55a.

Additional amounts.

Tobacco Acts: To carry into effect the provisions of the Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, approved August 23, 1935 (7 U. S. C. 511–511q), the Act to provide for the collection and publication of statistics of tobacco by the Department, approved January 14, 1929 (7 U. S. C. 501–508), as amended, and the Act to prohibit the exportation of tobacco seed and plants, approved June 5, 1940 (7 U. S. C. 516), $1,552,000.

49 Stat. 731.
45 Stat. 1079.
54 Stat. 231.

Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts: To carry into effect the provisions of the Perishable Agricultural Commodities Act, approved June 10, 1930, as amended (7 U. S. C. 499a–499r), and the Act to prevent the destruction or dumping of farm produce, approved March 3, 1927 (7 U. S. C. 491–497), the Standard Baskets Act, approved August 31, 1916, as amended (15 U. S. C. 251–256), and the Act to fix standards for hampers, round stave baskets, and splint baskets for fruit and vegetables, approved May 21, 1928 (15 U. S. C. 257–257i), $294,000.

46 Stat. 531.
44 Stat. 1355.
39 Stat. 673.
45 Stat. 685.

Cotton Statistics, Classing, Standards and Futures Acts: To carry into effect the provisions of the Act authorizing the Secretary to collect and publish statistics of the grade and staple length of cotton, approved March 3, 1927, as amended by the Act of April 13, 1937 (7 U. S. C. 471-476), and to perform the duties imposed upon him by chapter 14 of the Internal Revenue Code relating to cotton futures (26 U. S. C. 1920–1935), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923, as amended (7 U. S. C. 51–65), $1,399,000.

44 Stat. 1372; 50 Stat. 62.
53 Stat. 210.
42 Stat. 1517.

United States Grain Standards Act: To carry into effect the provisions of the United States Grain Standards Act, $1,128,000.

39 Stat. 482.
7 U. S. C. §§ 71–87.

United States Warehouse Act: To carry into effect the provisions of the United States Warehouse Act, $585,000.

39 Stat. 486.
7 U. S. C. §§ 241–273.

Federal Seed Act: To carry into effect the provisions of the Act to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; and to require certain standards with respect to certain imported seeds, approved August 9, 1939, as amended (7 U. S. C. 1561–1610), $152,500: *Provided*, That not to exceed $250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress.

53 Stat. 1275.
International Seed Testing Congress.

Packers and Stockyards Act: To carry out the provisions of the Packers and Stockyards Act, approved August 15, 1921, as amended by the Act of August 14, 1935 (7 U. S. C. 181–229), $528,000.

42 Stat. 159; 49 Stat. 648.

Naval Stores Act: To carry into effect the provisions of the Naval Stores Act of March 3, 1923 (7 U. S. C. 91–99), $41,000.

42 Stat. 1435.

Insecticide Act: To carry into effect the provisions of the Act of April 26, 1910 (7 U. S. C. 121–134), for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, $293,500.

Post, p. 618.
36 Stat. 331.
Ante, p. 172.

Freight rates for farm products: To carry out the provisions of section 201 (a) to 201 (d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1291), $138,000.

52 Stat. 36.

COMMODITY EXCHANGE AUTHORITY

Commodity Exchange Act: To enable the Secretary to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1–17a), including not to exceed $153,000 for personal services in the District of Columbia, $530,000.

49 Stat. 1491.
Post, p. 941.

FARMERS' HOME ADMINISTRATION

For expenses necessary, including personal services in the District of Columbia, to carry into effect the provisions of titles I, II, and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U. S. C. 1000–1029), as amended, the Farmers' Home Administration Act of 1946 (Public Law 731), approved August 14, 1946, and Public Law 563, approved July 30, 1946, as follows:

50 Stat. 522, 524, 527.
7 U. S. C. §§ 1000–1009, 1014–1029.
Ante, p. 493.
60 Stat. 1062, 711.
7 U. S. C. § 1001 note; 40 U. S. C. §§ 436–439.
Ante, p. 55.

Loans: Title I and section 43, $15,000,000; title II, $60,000,000.

Mortgage insurance fund: For the establishment of the farm tenant mortgage insurance fund pursuant to title I, $1,000,000.

50 Stat. 522, 530, 524.
7 U. S. C. §§ 1001–1005, 1017, 1006–1009.

Salaries and expenses: For the making and servicing of new loans, insuring mortgages, the servicing and collecting of loans made under prior authority, and the liquidation of assets transferred to Farmers' Home Administration pursuant to the Farmers' Home Administration Act of 1946, $21,000,000.

Supra.

All rights, interests, obligations, and duties of the Reconstruction Finance Corporation arising out of loans made or authorized to be made to the Secretary of Agriculture for the purpose of making rural rehabilitation and farm tenancy loans in accordance with the Department of Agriculture Appropriation Act of 1947 and prior appropriations and loans under the Farmers Home Administration Act of 1946 are, as of the close of June 30, 1947, vested in the Secretary of the Treasury; the Reconstruction Finance Corporation is authorized and directed to transfer, as of the close of June 30, 1947, to the Secretary of the Treasury and the Secretary of the Treasury is authorized and directed to receive all loans outstanding on that date, plus accrued unpaid interest, theretofore made to the Secretary under the provisions of the Acts named above, and all notes and other evidences thereof and all obligations constituting the security therefor. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the unpaid principal of the loans so transferred, plus accrued unpaid interest through June 30, 1947. Subsequent to June 30, 1947, the Reconstruction Finance Corporation shall make no further loans or advances to the Secretary and the Secretary of the Treasury is hereby authorized and directed, in lieu of the Reconstruction Finance Corporation, to lend or advance to the Secretary, in accordance with the provisions of the Acts referred to any unobligated or unadvanced balances of the sums which the Reconstruction Finance Corporation has theretofore been authorized and directed to lend to the Secretary. For the

60 Stat. 292.
Supra.

Transfer of loans, etc.

Cancellation of notes.

Loans, etc., subsequent to June 30, 1947.

purpose of making such loans or advances, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such loans or advances to the Secretary of Agriculture. Repayments to the Secretary of Treasury on such loans or advances shall be treated as a public-debt transaction of the United States.

40 Stat. 288.
31 U. S. C. § 774 (2).

WATER FACILITIES, ARID AND SEMIARID AREAS

To carry into effect the provisions of the Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, approved August 28, 1937, as amended (16 U. S. C. 590r–590x, 590z–5), $1,750,000, of which not to exceed $11,000 may be expended for personal services in the District of Columbia.

50 Stat. 869.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901–915), as follows:

49 Stat. 1363.
Infra.

Salaries and expenses: For administrative expenses, including personal services in the District of Columbia; not to exceed $500 for newspapers; and not to exceed $500 for financial and credit reports, $5,000,000.

Loans: For loans in accordance with sections 3, 4, and 5 of said Act, and for carrying out the provisions of section 7 thereof, $225,000,000, to be borrowed from the Secretary of the Treasury in accordance with the provisions of section 3 (a) of said Act.

49 Stat. 1364, 1365.
7 U. S. C. §§ 903–905, 907.
Infra.

Sections 3 (a) and 3 (f) of the Rural Electrification Act of 1936, approved May 20, 1946, as amended (7 U. S. C. 901–915), are hereby amended to read as follows:

49 Stat. 1364.
7 U. S. C. § 903 (a), (f).

Loans to Administrator.

"SEC. 3. (a) The Secretary of the Treasury is hereby authorized and directed to make loans to the Administrator, upon the request and approval of the Secretary of Agriculture, in such amounts in the aggregate for each fiscal year commencing with the fiscal year ending June 30, 1948, as the Congress may from time to time determine to be necessary, either without interest or at such rate of interest per annum, not in excess of the rate provided for in sections 4 and 5 of this Act, as the Secretary of the Treasury may determine, upon the security of the obligations of borrowers from the Administrator appointed pursuant to the provisions of this Act or from the Administrator of the Rural Electrification Administration established by Executive Order Numbered 7037. Interest rates on the unpaid balance of any loans made by the Reconstruction Finance Corporation to the Administrator prior to July 1, 1947, shall be adjusted to the interest rate, if any, established for loans made after June 30, 1947, in accordance with the foregoing provision: *Provided*, That such obligations incurred for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines, or systems shall be fully amortized over a period not to exceed thirty-five years, and that the maturity of such obligations incurred for the purpose of financing the wiring of premises and the acquisition and installation of electrical and plumbing appliances and equipment shall not exceed two-thirds of the assured life thereof and not more than five years. The Administrator is hereby authorized to make all such endorsements, to execute all such instruments, and to do all

49 Stat. 1365.
7 U. S. C. §§ 904, 905.

Amortization of designated obligations.

Authority of administrator.

such acts and things as shall be necessary to effect the valid transfer and assignment to the Secretary of the Treasury of all such obligations, and to execute such trust instruments as shall be agreed upon by the Administrator and the Secretary of the Treasury providing for the holding in trust by the Administrator of all such obligations for the Secretary of the Treasury as security for loans to the Administrator heretofore made by the Reconstruction Finance Corporation or made or to be made by the Secretary of the Treasury. All rights, interests, obligations, and duties of the Reconstruction Finance Corporation arising out of loans made or authorized to be made to the Administrator are, as of the close of June 30, 1947, vested in the Secretary of the Treasury; the Reconstruction Finance Corporation is authorized and directed to transfer, as of the close of June 30, 1947, to the Secretary of the Treasury and the Secretary of the Treasury is authorized and directed to receive all loans outstanding on that date, plus accrued unpaid interest, theretofore made to the Administrator under the provisions of this Act, and all notes and other evidences there of and all obligations constituting the security therefor. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the unpaid principal of the loans so transferred, plus accrued unpaid interest through June 30, 1947. Subsequent to June 30, 1947, the Reconstruction Finance Corporation shall make no further loans or advances to the Administrator; and the Secretary of the Treasury is hereby authorized and directed, in lieu of the Reconstruction Finance Corporation, to lend or advance to the Administrator, in accordance with the provisions of this subsection 3 (a), any unobligated or unadvanced balances of the sums which the Reconstruction Finance Corporation has theretofore been authorized and directed to lend to the Administrator. For the purpose of making loans or advances pursuant to this section, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such loans or advances to the Administrator. Repayments to the Secretary of the Treasury on such loans or advances shall be treated as a public-debt transaction of the United States.

Rights, etc., of RFC.

Transfer of loans.

Cancellation of notes.

Loans, etc., subsequent to June 30, 1947.

40 Stat. 288.
31 U. S. C. § 774 (2).

"SEC. 3. (f) All money representing payments of principal and interest on loans made by the Administrator shall be paid to the Secretary of the Treasury in payment of loans made to the Administrator by the Reconstruction Finance Corporation or the Secretary of the Treasury; upon the payment of such loans all moneys representing payments of principal and interest on loans made by the Administrator shall be covered into the Treasury as miscellaneous receipts."

Payments of principal and interest.

FARM CREDIT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses including personal services in the District of Columbia: printing and binding; not to exceed $5,000 for attendance at meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; not to exceed $750 for periodicals and newspapers; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; not to exceed $20,000 for expenditures authorized by section 602 of

58 Stat. 741.

the Organic Act of 1944 (12 U. S. C. 833); purchase of one passenger motor vehicle for use in the District of Columbia and elsewhere; garage rental in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed $10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration, except that such expenditures shall not exceed $10,000; examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration; in all, $561,000. Collections made pursuant to section 601 of the Organic Act of 1944 (12 U. S. C. 832), are hereby made available to reimburse this appropriation for the cost of examining and supervising the corporations, banks, associations, and other organizations as provided in said section.

58 Stat. 740.

GENERAL PROVISIONS

Limitations respecting loans and advances.

SEC. 2. No funds appropriated or made available under this title shall be used to pay the compensation or expenses of any officer or employee of the Department or any bureau, office, agency, or service of the Department, or any corporation, institution, or association supervised thereby, who makes or approves, or directs or authorizes the approval of, any loan or advance by the Regional Agricultural Credit Corporation of Washington, District of Columbia, unless such loan or advance (1) is for the purpose of protecting the security for or assisting in the collection of a loan or advance theretofore made by the Corporation, or (2) is for use in and confined to a specific area or region in which the Secretary of Agriculture shall have found that such loans for specified agricultural purposes and for limited time periods are necessary because of economic emergencies or production disasters. All loans and advances made pursuant to this section will carry the full personal liability of the borrower, shall be secured by crops or livestock and such additional collateral as is deemed necessary to afford reasonable assurance of repayment, and will be accompanied by a certificate of refusal of the loan or advance by a local bank or the production credit association serving the area.

Liability of borrower, etc.

Passenger motor vehicles.

SEC. 3. Within the unit limit of cost fixed by law the lump-sum appropriations made for the Department under this title shall be available for the purchase of passenger motor vehicles, and for the hire of such vehicles, necessary in the conduct of the work of the Department outside the District of Columbia, but the number of such vehicles purchased or otherwise acquired for all the activities of the Department for which appropriations are made under such title shall not exceed the total number indicated for purchase by the Department under the statements of proposed expenditures for purchase and hire of passenger motor vehicles in the Budget.

Employment of aliens.

SEC. 4. Provisions of law prohibiting or restricting the employment of aliens shall not apply to (1) the temporary employment of translators when competent citizen translators are not available; (2) employment in cases of emergency of persons in the field service of the Department for periods of not more than sixty days; (3) employment under the appropriation for the Office of Foreign Agricultural Relations.

60 Stat. 903.
5 U. S. C. § 150.

SEC. 5. Appropriations made in this title shall be available for health service programs as authorized by the Act of August 8, 1946 (Public Law 658).

SEC. 6. Appropriations and other funds available to the Department during the current fiscal year (except those appropriated or

authorized in title II of this Act for such fiscal year) shall be available for the payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

Infra.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

SEC. 7. No part of any appropriation contained in this title shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this title shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than sixty days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Administration of oaths.

Penalty.

Emergency work.

SEC. 8. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (Public Law 525): *Provided*, That in expending the appropriation herein for "Inspection and quarantine, Bureau of Animal Industry," service shall be maintained at all stockyards having such service during the last quarter of the fiscal year 1947.

Lump-sum leave payments.

58 Stat. 845.
5 U. S. C. §§ 61b-61e.

SEC. 9. This Act may be cited as the "Department of Agriculture Appropriation Act, 1948".

Short title.

TITLE II—GOVERNMENT CORPORATIONS

Post, p. 574.

SEC. 201. The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Federal Crop Insurance Corporation for the current fiscal year, namely:

Federal Crop Insurance Corp.

Operating expenses: For operating and administrative expenses, $5,000,000, including not to exceed $700 for newspapers.

Subscriptions to capital stock, Federal Crop Insurance Corporation: To enable the Secretary of the Treasury to subscribe and pay for

capital stock of the Federal Crop Insurance Corporation, as provided in section 504 of the Federal Crop Insurance Act (7 U. S. C. 1504), $10,000,000.

52 Stat. 72.

SEC. 202. The following corporations are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary to carry out the programs set forth in the budget for the current fiscal year for each such corporation, except as hereinafter provided:

59 Stat. 598.
31 U. S. C. § 849.
Post, p. 584.

Commodity Credit Corporation: Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed $8,450,000 shall be available for administrative expenses of the Corporation, including not to exceed $400 for periodicals, maps, and newspapers, and not to exceed $30,000 for penalty mail: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Administrative expenses.

Nonadministrative expenses.

Federal Crop Insurance Corporation: *Provided*, That no part of the sums appropriated in section 201 of this title shall be used for any crop insurance operations other than the continuation of the trial crop insurance program, as authorized, and expenses necessary in the liquidation of insurance contracts on the 1947 and prior crops of wheat, cotton, and flax: *Provided further*, That none of the funds herein appropriated shall be used to insure any 1948 or subsequent crop except wheat in not to exceed six hundred and thirty-three counties and flax in not to exceed eighty-seven counties, in accordance with section 508 (a) (1) of the Federal Crop Insurance Act, as amended, and five additional crops in 1948 under the provisions of section 508 (a) (2) of said Act, as amended, including corn and tobacco in not to exceed fifty counties each and cotton in not to exceed fifty-six counties, unless otherwise provided by legislation.

Liquidation of contracts.

Insurance of wheat, flax, etc.

58 Stat. 918.
7 U. S. C. § 1508 (a) (1), (2).
Post, p. 718.

SEC. 203. The authorities, restrictions, and prohibitions specified under the head "General provisions" in the Government Corporations Appropriations Act, 1948, shall be applicable to title II of this Act.

Post, p. 583.

TITLE III—REDUCTION IN APPROPRIATION

Ante, p. 20.

EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

Notwithstanding any other provision of section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended (7 U. S. C., 1940 edition, 612 (c)), not more than $44,000,000 shall be available during the fiscal year ending June 30, 1948, for use in effectuating the purposes of that Act. To enable the Secretary to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), there is hereby made available $65,000,000 of the funds appropriated for the fiscal year 1948 by section 32 of the Act approved August 24, 1935 (7 U. S. C. 612 (c)), such amount to be without regard to the 25 per centum limitation contained in said section 32, and to be exclusive of funds expended in accordance with the last

49 Stat. 774.

60 Stat. 230.
42 U. S. C. §§ 1751–1760.

49 Stat. 774.

sentence of section 9 of the National School Lunch Act: *Provided*, That no part of such funds shall be used for nonfood assistance under section 5 of said Act. The remainder of the fund appropriated by said Act for the fiscal year 1948 is hereby rescinded effective July 1, 1947, and shall be carried to the surplus fund and covered into the Treasury immediately thereafter.

60 Stat. 233.
42 U. S. C. § 1758.

60 Stat. 231.
42 U. S. C. § 1754.

Approved July 30, 1947.

[CHAPTER 357]

AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes.

July 30, 1947
[H. R. 3678]
[Public Law 267]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes, namely:

Military Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 624, 625, 702.

MILITARY ACTIVITIES

OFFICE OF THE SECRETARY OF WAR

Ante, p. 507; *post*, p. 624.

CONTINGENCIES OF THE ARMY

For emergencies and extraordinary expenses arising in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, including personal services; the actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary of War, of military and civilian personnel in and under the Military Establishment on special duty in foreign countries; and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, and payments from this appropriation may, in the discretion of the Secretary of War, be made on his certificate that the expenditures were necessary for confidential military purposes; $25,495,000.

Special duty in foreign countries.

GENERAL STAFF CORPS

FIELD EXERCISES

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, troop movements and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance and operation of structures and utilities, rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other requisite supplies and services, and for settlement of claims resulting

Participation by National Guard, etc.

31 U. S. C. § 529.

57 Stat. 372.
31 U. S. C. §§ 215–217 notes, 223b, 223c.
60 Stat. 842.
28 U. S. C. §§ 921, 922, 931–934, 941–945.
Post, p. 722.

from such exercises, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601), $9,000,000.

NATIONAL WAR COLLEGE

For expenses, not otherwise provided for, of the National War College, including the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers; maps, police utensils; expenses of special lectures; contingencies for the Commandant of the National War College to be expended in his discretion (not exceeding $1,000); purchase, repair, and cleaning of uniforms for guards; pay of employees; $306,000.

COMMAND AND GENERAL STAFF COLLEGE

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; expenses of special lectures; and for other necessary expenses of instruction, at the Command and General Staff College, Fort Leavenworth, Kansas; $450,000.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Reserve and National Guard officers.

41 Stat. 776; 49 Stat. 391.
10 U. S. C. §§ 361, 364, 369; 32 U. S. C. § 81c.

Repayment of amounts erroneously collected.

58 Stat. 800, 921.
31 U. S. C. § 95a; 50 U. S. C. app. §§ 1705–1707.

58 Stat. 8.
Ante, p. 192.

Aerial flights by nonflying officers.

"Flying officer."

47 Stat. 406.

Pay of the Army: For pay and allowances of the Army of the United States, including pay of Reserve officers and officers of the National Guard of the United States ordered to active duty under the provisions of section 37a and the fourth paragraph of section 38 of the National Defense Act, as amended; pay of civilian employees at military headquarters; allowances for quarters for enlisted men on duty where public quarters are not available; interest on soldiers' deposits; payment of life insurance premiums authorized by law; payment of exchange fees and exchange losses incurred by disbursing officers or their agents; repayment of amounts determined by the Secretary of War, or officers designated by him, to have been erroneously collected from military and civilian personnel in and under the Military Establishment; and losses in the accounts of Army disbursing officers in accordance with the Acts of December 13, 1944 (31 U. S. C. 95a) and December 23, 1944 (50 U. S. C. 1705–1707); $2,388,286,700, which shall also be available to pay mustering-out payments, as authorized by the "Mustering-Out Payment Act of 1944", as amended (38 U. S. C. 691–691g), to persons who were or may be denied such payments because they were discharged from the Army to enter the United States Military Academy or the United States Naval Academy and subsequently were discharged from either academy because of physical disability: *Provided*, That the appropriations contained in this Act shall not be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $720 per annum, which shall be the legal maximum rate as to such officers, and such nonflying officers shall be entitled to such rate of increase by performing three or more flights within each ninety-day period, pursuant to orders of competent authority, without regard to the duration of such flight or flights: *Provided further*, That, during the continuance of the present war and for six months after the termination thereof, a flying officer as defined under existing law shall include flight surgeons, and commissioned officers or warrant officers while undergoing flying training: *Provided further*, That section 212 of the Act of June 30, 1932 (5 U. S. C. 59a), shall not apply to retired

military personnel on duty at the United States Soldiers' Home: *Provided further*, That during the fiscal year ending June 30, 1948, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That provisions of law prohibiting the payment of any person not a citizen of the United States shall not apply to military and civilian personnel in and under the Military Establishment: *Provided further*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That no collection or reclamation shall be made by the United States on account of any money paid to assignees, transferees, or allottees, or to others for them, under assignments, transfers, or allotments of pay and allowances made under authority of law where liability might exist with respect to such assignments, transfers, or allotments, or the use of such moneys, because of the death of the assignor, transferor, or allotter.

Officer owning mount.

35 Stat. 108.
10 U. S. C. § 803 note.
Citizenship.

Use of receipts from sales, etc.

Restriction on reclamation of certain payments.

Appropriations available to the Military Establishment for the fiscal year 1948 shall be available for reimbursement to such appropriations of the Naval Establishment as may be designated by the Secretary of the Navy, for the pay, allowances, and other expenses as authorized by law, for such number of naval dental officers as may be authorized by the President to perform service with the Military Establishment: *Provided*, That such military and naval personnel, as may be detailed for duty with other than the War and Navy Departments, respectively, on a reimbursement basis may be employed in addition to the numbers otherwise authorized and appropriated for.

Naval dental officers.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.

Retired officers engaged in selling supplies to Army.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War;

Officers, etc., engaged with certain service publications.

Travel of the Army: For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers, contract surgeons, and others whose rank, pay and allowances are assimilated to officers; the cost of a compartment or such other accommodations as may be authorized by the Secretary of War for security purposes when secret documents are transported by officer messenger, or when valuable War Department property is transported as hand baggage by personnel of the Military Establishment; transportation of troops; transportation, or reimbursement therefor, of

cadets, enrolled members of the Medical Department, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of civilian and military personnel; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; transportation of persons discharged other than honorably; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to civilian employees and civilian witnesses before courts martial; for rental of camp sites and the local procurement of communication service, fuel, light, water service, and other necessary supplies and services incident to individual or troop movements, including transportation of organizational equipment and impedimenta; and for transportation of authorized baggage of military and civilian personnel, including packing and unpacking; $135,000,000: *Provided*, That other appropriations for the Military Establishment shall be charged with such amounts as may be required for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for Engineer Service, Army, the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field Exercises", "Inter-American Relations, War Department", and "Air Corps, Army": *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed $75,000 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of war, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That appropriations available for travel of personnel of the Military Establishment or employees under the War Department which are current at the date of relief from duty station of such personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling;

Travel charges against other appropriations.

Attendance at meetings.

39 Stat. 199.
32 U. S. C. §§ 21, 22, 49.

Personnel traveling under orders.

Personnel outside U. S.
Moving of dependents and effects.

During the fiscal year 1948 the dependents and household effects of such military and civilian personnel (without regard to rank or grade) in and under the Military Establishment on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of War, may, prior or subsequent to the issuance of orders for the relief of such personnel from their

stations, or subsequent to the discharge or release of such military personnel from active military service, be moved (including packing and unpacking of household effects) from such stations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Military Establishment available for travel and transportation may be used for this purpose, the decision of the Secretary of War to be final as to the dependency of any individual sought to be affected by this provision except as to travel performed subsequent to arrival in the United States;

Expenses of courts martial: For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, $150,000;

Apprehension of deserters: For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than $25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for expenses incident to confinement of military prisoners in nonmilitary facilities; for a donation of $10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge; and for a donation of not to exceed $10 to each person discharged for fraudulent enlistment as authorized by law, $100,000;

Finance service: For compensation of clerks and other employees of the Finance Department, $21,469,000;

Claims.

Claims for damage to or loss or destruction of property, or personal injury, or death: For payment of claims under the Act approved July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601), not otherwise provided for, $2,750,000;

57 Stat. 372.
31 U. S. C. §§ 215-217 notes, 223b, 223c.
60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 722.

Claims of military and civilian personnel of the War Department for destruction of private property: For the payment of claims for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of the Military Personnel Claims Act of 1945, $2,000,000;

59 Stat. 225.
31 U. S. C. §§ 222c, 222d, 223b.

In all, Finance Service, Army, $2,549,755,700, to be accounted for as one fund.

QUARTERMASTER CORPS

QUARTERMASTER SERVICE, ARMY

Recreational facilities, etc.

Welfare of enlisted men: For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, including expenses for the entertainment and instruction of enlisted personnel, $7,170,500: *Provided*, That this appropriation shall be available for the instruction of officers on the same basis as enlisted men: *Provided further*,

Instruction of officers.

Painting, etc., of war scenes or portraits.

That no appropriation contained in this Act shall be available for payment to or expenditure on account of any civilian personnel employed outside continental United States to paint or otherwise reproduce war scenes except by means of photography, or to paint portraits, or for payment to or expenditure on account of any military personnel within continental United States who engage in decorative art projects or painting portraits to the exclusion of regular military duties;

Purchase of subsistence supplies.

Subsistence of the Army: For purchase of subsistence supplies for issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and for cooling drinking water at such places as the Secretary of War may determine, and for preservation of stores; subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army; payment of the regulation allowances of commutation in lieu of rations to enlisted men on furlough and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty; payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for subsistence of supernumeraries necessitated by emergent military circumstances; prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $376,551,000: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Army Transport Service.

Sales to officers, etc.

Allowances.

Prizes.

Butter substitutes.

Procurement of food or clothing not produced in U. S.

Payment of subsidies.

Regular supplies of the Army: For supplies, services, and other expenses, not otherwise provided for, incident to the design, development, procurement, manufacture, care, protection, alteration, repair, maintenance, installation, storage, and issue of Quartermaster Corps supplies, materials, and equipment (exclusive of fixed installations in buildings otherwise provided for), including petroleum and other products, market reports and personal services; for supplies and

equipment for troops and general service schools; for operation of field printing plants not otherwise provided for and contract printing and binding; for subsistence and care of riding and draft animals, for remounts, and for the authorized number of officers' mounts; for straw for soldiers' bedding; for expenses incident to raising and harvesting forage on military reservations, including, when specifically authorized by the Secretary of War, the cost of irrigation; $78,559,860;

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary, including laundry work for enlisted men while patients in a hospital; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including animal-drawn passenger-carrying vehicles, authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessaries; for a suit of citizens' outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons; $154,032,900;

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for maintenance of Quartermaster branch depots, including utilities; for tests and experimental and development work and scientific research, not otherwise provided for, including that to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments; for supplies, services, and other expenses essential in conducting instruction of the Army in tactical or special activities and in the operation of Arm and Service Boards not otherwise provided for; for burial of the dead as authorized by Acts of May 17, 1938 (10 U. S. C. 916–916d), and July 8, 1940 (5 U. S. C. 103a), including remains of personnel of the Army of the United States who die while

Tests, research, etc.

Burial expenses.
52 Stat. 398.
54 Stat. 743.

on active duty, including travel allowances of attendants accompanying remains, communication service, transportation of remains, and acquisition by lease or otherwise of temporary burial sites; $83,299,300;

Post, p. 702.

Horses, draft and pack animals: For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for expenses incident to such purchases, $33,400;

In all, Quartermaster Service, Army, $699,646,960, to be disbursed and accounted for as one fund.

TRANSPORTATION CORPS

TRANSPORTATION SERVICE, ARMY

For expenses necessary for the transportation of Army supplies, equipment, funds of the Army, including packing, crating, and unpacking; maintenance and operation of transportation facilities and installations, including the purchase, construction, alteration, operation, lease, repair, development, and maintenance of and research in transportation equipment, including boats, vessels, motor-propelled passenger-carrying vehicles and railroad equipment; personal services in the District of Columbia; procurement of supplies and equipment; printing and binding; communication service; maps; wharfage, tolls, ferriage, drayage and cartage; premiums and indemnification for risks insured pursuant to the Act of April 11, 1942 (46 U. S. C. 1128–1128g); conducting instruction in Army transportation activities; transportation on Army vessels of privately owned automobiles of Army personnel upon change of station; $374,055,100: *Provided*, That during the fiscal year 1948 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured: *Provided further*, That vessels under the jurisdiction of the Maritime Commission, the War Department, or the Navy Department, may be transferred or otherwise made available without reimbursement to any of such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

56 Stat. 214.

Charges against other appropriations.

Transfer of vessels.

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes; barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, can-

Telegraph, etc., systems.

Vehicles.

Telephone apparatus.

tonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses, not otherwise provided for, incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof; $82,474,900, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of $5,000,000.

Telegraph lines.

Electrical installations.

Salaries of civilian employees.

Experimental investigation, etc.

Aircraft warning service systems.

AIR CORPS

AIR CORPS, ARMY

For creating, maintaining, and operating at established aviation and related schools courses of instruction for military personnel, including payment of tuition, cost of equipment and supplies necessary for instruction, and expenses of special lectures, purchase of tools, equipment, materials, machines, textbooks, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, and including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies and procurement of services for securing, developing, printing, and reproducing photographs and motion pictures in connection with aerial photography, including aerial mapping and charting; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of military and civilian personnel in connection with the administration of this appropriation, including travel by air or rail required in connection with the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees;

Courses of instruction.

Aircraft operation, etc.

Photographic supplies.

Helium gas.

Travel expenses.

Civilian employees.

Development of new types of aircraft.

Purchase, manufacture, and construction of aircraft.

Marking of military airways.

Consulting engineers.

Printing plants.

Payment of claims.

57 Stat. 372.
31 U. S. C. §§ 215-217 notes, 223b, 223c.
60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 722.

transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof; purchase, manufacture, and construction of aircraft, and instruments and appliances, including radio, radar, and electronic equipment, necessary for the operation, construction, or equipment of aircraft, and spare parts and equipment connected therewith; air crew and aircraft rescue and fire fighting equipment, including trucks and boats; marking of military airways where the purchase of land is not involved; purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings and other facilities for the handling or storage of such equipment; services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 a day for not exceeding forty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical and meteorological research in the Air Corps; maintenance and operation of Air Corps printing plants outside of the District of Columbia authorized in accordance with law; special furniture, supplies and equipment for offices, shops, and laboratories; special services, including the salvaging of wrecked aircraft; payment of claims resulting from the operation of aircraft, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601); $829,272,100: *Provided*, That in addition to said appropriation the Secretary may, prior to July 1, 1948, enter into contracts for procurement and construction of aircraft and equipment, spare parts and accessories, to an amount not in excess of $430,000,000.

MEDICAL DEPARTMENT

MEDICAL AND HOSPITAL DEPARTMENT

Supplies.

Care and treatment of patients.

Epidemic and contagious diseases.

Nurses, cooks, and other civilians.

For the manufacture and purchase of medical and hospital supplies for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about military posts in the Canal Zone; operation of the Army Medical Library and Museum under the direct supervision of the Surgeon General; purchase of veterinary supplies and hire of veterinary surgeons; expenses of medical supply depots and maintenance of branch depots; medical care and treatment of patients when entitled thereto by law, regulation, or contract, including their care, treatment and subsistence in private hospitals, whether on duty or on furlough or on leave of absence except when elective medical treatment has been obtained by such personnel in civilian hospitals or from civilian physicians or dentists; medical care and treatment of authorized personnel of any country whose defense the President deems vital to the defense of the United States when such care and treatment cannot be obtained from medical units of their own country; care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages, not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of patients, under

such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; pay of internes; pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; pay of other employees of the Medical Department; payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; supply of Army and Navy Hospital at Hot Springs, Arkansas; advertising, and other necessary miscellaneous expenses of the Medical Department; $69,534,000.

Internes.
Civilian physicians.

Army and Navy Hospital, Hot Springs, Ark.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Engineer Service: For the design, development, procurement, manufacture, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools and machinery required in the equipment and training of troops and in military operations, including military surveys; operation and maintenance of the Engineer School, including compensation of civilian lecturers, and purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; procurement, preparation, and reproduction of maps and similar data for military purposes; expenses incident to the Engineer Service in military and training operations, including military surveys, and including research and development of improved methods in such operations, rental of storehouses and grounds, and repair and alteration of buildings, including heat, light, power, water, and communication service, not otherwise provided for and expenses of railroad construction, including purchase or lease of equipment and materials, and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof; $129,386,000, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of $2,000,000;

Equipment, instruments, etc.

Engineer School.

Maps, etc.

Military and training operations.

Barracks and quarters, Army: For expenses necessary for the maintenance, installation, repair, operation, protection, and rental of buildings, structures, grounds, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use including the procurement of supplies, equipment, fuel, printing, binding, communication services, at the seat of government and elsewhere; manufacture, procurement, purchase, storage, issue, and transportation (including research, planning, design, development, inspection, tests, and the handling) of water, gas, electricity, fuel, tools, machinery, and equipment; construction of additions and extensions to and alterations, improvements, and rehabilitations of existing facilities; the furnishing of heat and light for buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings on military reservations, authorized by War Department regulations to be used for a similar purpose; expenses, including relocation costs and rental of buildings and offices, for other Government agencies, not otherwise provided for, necessitated by their vacation of Government-owned or other property for Army use; and expenses of packing and crating and unpacking and uncrating of equipment, material, supplies, baggage, and goods not otherwise provided for, $191,353,000: *Provided*, That the amounts to be assessed and collected from nonmilitary interests on the Fort

32 Stat. 282.

Fort Monroe Military Reservation, Va.

Monroe Military Reservation, Virginia, for expenditure in the maintenance, repair, and operation of wharves, roads, sewerage systems, and other utilities at said reservation shall be fixed by the Secretary of War during the fiscal year ending June 30, 1948, in proportion to the service rendered to such nonmilitary interests: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $15;

Construction, limitation on cost.

Stabling.

In all, Engineer Service, Army, $320,739,000, to be accounted for as one fund.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; instruction, training, and other incidental expenses of the ordnance service; purchase and hire of passenger motor vehicles; ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; publications for libraries of the Ordnance Department, including the Ordnance Office: *Provided*, That, notwithstanding the provisions of any other law, not more than $25,000,000 of the amounts received by the War Department during the fiscal year 1948 as proceeds from the sale of scrap or salvage material shall be available for expenses of transportation, demilitarization, and other preparation for sale or salvage of military supplies, equipment, and matériel: *Provided further*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Appropriation Committees of the Congress; $245,532,800, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of $2,000,000.

Vehicles.

Publications.

Sale of scrap or salvage material.

Report of receipts and disbursements.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, $44,000.

CHEMICAL CORPS

CHEMICAL SERVICE, ARMY

For purchase, manufacture, and test of chemical agents and toxic substances, incendiary materials and munitions, gas masks, or other offensive or defensive materials or appliances required for chemical purposes, investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies,

Chemical agents, etc.

comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and computing machines including their exchange, office furniture, tools, and instruments; incidental expenses; civilian employees; libraries of the Chemical Corps; expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in Chemical Corps Activities, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges; $19,890,300.

Special gas troops. Chemical Corps Activities.

ARMY GROUND FORCES

TRAINING AND OPERATION, ARMY GROUND FORCES

For miscellaneous supplies, material, equipment, personal and other services, tuition and other incidental expenses essential in conducting instruction in Army Ground Forces and related activities at Army Ground Forces service schools and elsewhere and for operation of Army Ground Forces Headquarters, subordinate commands, installations, and boards, not otherwise provided for, $4,500,000.

UNITED STATES MILITARY ACADEMY

PAY OF MILITARY ACADEMY

Cadets: For pay of cadets, $1,913,000: *Provided*, That during the fiscal year ending June 30, 1948, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Army officers on detail, pay restriction.

Retired officer as librarian.

10 U. S. C. § 933.

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenace of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; for commutation of rations for civilians employed at cadet mess in the same amount as deducted from each civilian's pay for said rations; maintenance of children's school (not exceeding $12,200); contingencies for Superintendent of the Military Academy (not exceeding $5,200) and for the Commandant of Cadets (not exceeding $1,200), to be expended in their respective discretions; expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and

Contingent fund.

repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the Academy and repair and maintenance thereof; fuel for heat, light, and power; pay of employees; and other necessary incidental expenses in the discretion of the superintendent; in all, $5,221,373: *Provided*, That not to exceed $3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Liquidation of indebtedness of certain cadets.

NATIONAL GUARD

Training, etc.

For expenses necessary for equipping, maintaining, operating, and training the National Guard, including expenses of camps, airfields, storage facilities and alterations and additions to present structures either on Government-owned or State-owned land, construction and maintenance of buildings, structures, rifle ranges, and facilities, the hire (at a rate not exceeding $1 per diem) of passenger automobiles, and the modification, repair, maintenance and operation of airplanes; transportation of things; personal services at the seat of government or elsewhere (including services of personnel of the National Guard employed as civilians, without regard to their military rank) necessary for the care, maintenance, modification and repair of materials and equipment, for Federal property and custodial accounting work, and for administrative and such other duties as may be required; medical and hospital treatment of members of the National Guard who suffer injury or contract disease in line of duty and other expenses connected therewith as authorized by the Act of June 15, 1936 (10 U. S. C. 455); pay at a rate not less than $2,400 per annum and travel of property and disbursing officers for the United States; attendance of National Guard personnel at military service schools and expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and subsistence; drill pay of the National Guard; travel of personnel of the Regular Army detailed to or on duty with the National Guard, including mileage, transportation of dependents, and transportation, packing, crating and unpacking of household goods and effects; procurement and issue to the National Guard of the several States, Territories and the District of Columbia of military equipment and supplies, as provided by law, including motor-propelled vehicles and airplanes, and repair and modification of such equipment and supplies; $134,000,000, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of $15,000,000: *Provided*, That the Secretary of War is hereby authorized to issue to the National Guard without charge against this appropriation except for actual expenses incident to such issue, supplies and equipment from surplus or excess supplies or equipment purchased for the Army: *Provided further*, That the number of caretakers authorized to be employed for any one unit, pool, or heavier-than-air squadron under the provisions of section 90 of the National Defense Act of June 3, 1916, as amended, may be such as is deemed necessary by the Secretary of War: *Provided further*, That not to exceed $25,500 of this appropriation shall be available for the settlement of claims (not exceeding $500 in any one case) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while en route thereto or therefrom.

49 Stat. 1507.
10 U. S. C. §§ 451-455d.

Attendance at military service schools.

Surplus supplies of Army.

Caretakers.

39 Stat. 205.
32 U. S. C. § 42.

Settlement of claims.

Restriction on pay and expenses.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension,

disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing herein shall be construed as barring the continuance of adjutants general in a federally recognized status without pay under this Act.

Status of adjutants general.

ORGANIZED RESERVES

For pay and allowances, not otherwise provided for, of members of the Officers' Reserve Corps (including nurses) and Reserve warrant officers on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law; travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers and Reserve warrant officers who have been ordered to active duty for periods in excess of fifteen days; personal services; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks; transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms; establishment, maintenance, and operation of Organized Reserve headquarters, aviation facilities and camps for training of the Organized Reserves; arms, equipment, supplies, and matériel (not otherwise provided for) required to arm and equip Organized Reserve organizations; miscellaneous expenses incident to the administration of the Organized Reserves; mileage, actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers and Reserve warrant officers ordered to active duty for periods in excess of fifteen days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished from stocks under the control of the War Department; transportation of baggage, including packing and crating, of Reserve officers and Reserve warrant officers ordered to active duty for not less than six months; medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (10 U. S. C. 455), and such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $67,828,900.

Officers' Reserve Corps, etc.

Enlisted Reserve Corps.

Medical and hospital treatment.

49 Stat. 1507.
10 U. S. C. §§ 451-455d.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Army of the United States, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, and travel of dependents or reimbursement therefor, as athorized by law, to Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent practicable.

Restriction on use of funds.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

Restriction on pay and expenses.

Medical Reserve Corps.
Pay, etc., of certain officers and nurses.

The pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

CITIZENS' MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

Supplies, etc.

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps or other places designated by the Secretary of War, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel, or to pay commutation in lieu of subsistence at camps at rates fixed by the Secretary of War; expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; pay for students attending advanced camps at the rate authorized by law; payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (10 U. S. C. 387); medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); mileage, traveling expenses, or transportation, for transportation of dependents (including dependents of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, ordered to active duty and upon relief therefrom), and for packing, crating and unpacking, and transportation of baggage (including baggage of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve ordered to active duty and upon relief therefrom) for

Training camps.

Travel allowance.

Students attending advanced camps.
Senior division of ROTC.
Subsistence.

39 Stat. 193; 41 Stat. 778.
10 U. S. C. § 387a.
Medical and hospital treatment.

10 U. S. C. §§ 451-455d.

officers, warrant officers, and enlisted men traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; procurement and issue as provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of the same, and the overhauling and repair of articles issued as the Secretary of War shall deem necessary for proper military training in said schools and colleges; $25,025,000: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or excess stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of a greater number of mounted units in the Reserve Officers' Training Corps than were in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Military equipment for schools, etc.
41 Stat. 780.
10 U. S. C. § 1182a.

41 Stat. 776.
10 U. S. C. § 381.

Supplies from War Department surplus stocks.

Price.

Mounted units.

Student expenses in Veterinary units.

Restriction on use of other funds.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms, for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; clerical services, including not exceeding $82,000 in the District of Columbia; procurement of materials, supplies, trophies, prizes, badges, services, and such other items as are authorized in section 113, Act of June 3, 1916, and under this head in War Department Appropriation Act of June 7, 1924; conduct of the national matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches and including incidental travel of rifle teams and individuals attending regional, national, and international competitions, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches; mileage at 8 cents per mile for members of the National Board for the Promotion of Rifle Practice when authorized by the Secretary of War, any provision of law to the contrary notwithstanding; and maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed $10,500 for incidental expenses in addition to the amount authorized by Act

Supplies, etc.

39 Stat. 211; 43 Stat. 510.
32 U. S. C. §§ 183, 186, 181.
National matches.

Mileage for Board members.

Maintenance of Board.

45 Stat. 786.
32 U. S. C. § 181c.
Volunteer competitors or range officers.

of May 28, 1928; to be expended under the direction of the Secretary of War; $303,500: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1948, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1948", nor shall any provision in this Act operate to deprive a Reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1948": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches, and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

Travel and subsistence allowances.

Care, etc., of ranges.

INTER-AMERICAN RELATIONS, WAR DEPARTMENT

For expenses necessary to enable the Secretary of War to adopt such measures, appropriate to the functions and activities of the War Department, as he may deem advisable, to promote better relations with the other American countries, including transportation and subsistence expenses, while traveling in the Western Hemisphere, of Army officers and military students of the other American countries and Army officers of the United States, $650,000.

SALARIES, WAR DEPARTMENT

For compensation for personal services in the War Department proper, as follows:

Office of Secretary of War: Secretary of War, Under Secretary of War, Assistant Secretaries of War, and other personal services, $564,000;

Office of Chief of Staff, $394,000;
Adjutant General's Office, $2,088,000;
Office of the Inspector General, $33,000;
Office of the Judge Advocate General, $134,000;
Office of the Chief of Finance, $609,000;
Office of the Quartermaster General, $831,000;
Office of the Chief Signal Officer, $371,000;
Office of Commanding General, Army Air Forces, $517,000;
Office of the Surgeon General, $393,000;
Office of Chief of Engineers, $531,000;
Office of Chief of Ordnance, $883,000;
Office of Chief, Chemical Corps, $83,000;
Office of Chief of Chaplains, $7,000;
National Guard Bureau, War Department, $104,000;
In all, salaries, War Department, $7,542,000.

The Secretary of War is authorized to employ such additional personnel at the seat of government and elsewhere, and to provide out of any appropriations available for the Military Establishment for their salaries and for such printing and binding, communication and other services, and supplies as he may deem necessary to carry out the purposes of this Act, but the amount so used for personal services at the seat of government, other than for field service employees and employees of other agencies paid from funds transferred thereto from appropriations contained in this Act, shall not exceed $43,039,100.

Employment of additional personnel.

OFFICE OF THE SECRETARY

CONTINGENT EXPENSES, WAR DEPARTMENT

For miscellaneous expenses at the seat of government, $2,350,000.

PRINTING AND BINDING, WAR DEPARTMENT

For printing and binding, except such as may be otherwise provided for in accordance with law, $7,000,000.

GENERAL PROVISIONS

Post, p. 625.

SEC. 2. The foregoing appropriations for "Quartermaster Service, Army", "Signal Service of the Army", "Air Corps, Army", "Medical and Hospital Department", "Engineer Service, Army", "Ordnance Service and Supplies", and "Chemical Service, Army" shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation.

Pay and allowances of Reserve officers on active duty.

SEC. 3. Appropriations for the Military Establishment for the fiscal year 1948 shall be available for carrying out the purposes of Executive Order 9112 of March 26, 1942; for expenses in connection with the administration by the Army of occupied areas; for expenses of conducting investigations in foreign countries incident to matters relating strictly to the Military Establishment, without regard to section 3648, Revised Statutes, including such compensation, expenses, and allowances of witnesses, cost of procuring and transcribing evidence, documents, and testimony, and other miscellaneous and incidental expenses as may be determined by the investigating officer to be necessary and in accord with local custom; for carrying into effect the provisions of the Act entitled "An Act to govern distribution of war trophies and devices", approved July 16, 1946 (Public Law 510); for actual and necessary expenses or per diem in lieu thereof authorized by section 12 of the Pay Readjustment Act of 1942, as amended; for per diem allowances authorized by section 4 of the Act approved August 2, 1946 (Public Law 600); for providing primary and secondary schooling for dependents of military and civilian personnel residing on military reservations in amounts not exceeding $100 per child when the Secretary of War finds that the schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; and for health programs authorized by the Act of August 8, 1946 (Public Law 658).

Financing war contracts, etc.
50 U. S. C. app. § 611 note.
31 U. S. C. § 529.
60 Stat. 535.
5 U. S. C. §§ 207a-207i.
56 Stat. 364.
37 U. S. C. § 112.
60 Stat. 808.
5 U. S. C. § 823 note.
60 Stat. 903.
5 U. S. C. § 150.

SEC. 4. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience under such regulations as the Secretary of War may prescribe, to such personnel

Post exchanges, etc.

as are now or may be hereafter authorized by law and regulation to purchase subsistence stores or other Quartermaster supplies and to civilians employed or serving at military posts in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

Certification on monthly reports.

Isolated posts.

Canal Zone. Citizenship requirement.

SEC. 5. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Limitation on number.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Wartime or emergency suspension.

Suspension because of housing shortage.

Instruction, etc., of civilian employees.

SEC. 6. Appropriations for the Military Establishment for the fiscal year 1948 shall be available for all necessary expenses in connection with the instruction and training, including tuition, not otherwise provided for, of civilian employees in and under the War Department and the Military Establishment.

Temporary services by contract.

SEC. 7. Whenever, during the fiscal year ending June 30, 1948, the Secretary of War should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the War

Department are inadequate, he is hereby authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not in excess of $50 per day for individuals, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment.

60 Stat. 810.
5 U. S. C. § 55a.

SEC. 8. Section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations, to payments for rent in such countries for such periods as may be necessary to accord with local custom, or to payments made for tuition.

Advances of public moneys.

SEC. 9. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 10. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Commissions on land purchase contracts.

SEC. 11. No part of any appropriation contained in this Act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, in continental United States, except in Alaska, for greater amounts per unit than follow:

Construction of quarters, limitations.

Permanent construction:

For commissioned officer, $10,000.
For commissioned warrant or warrant officer, $7,500.
For enlisted man, $6,000.

Temporary construction:

For commissioned officer, $7,500.
For commissioned warrant or warrant officer, $5,000.
For enlisted man, $3,500.

Maintenance of prisoners of war, etc.

SEC. 12. The Secretary of War is authorized to utilize any appropriation available for the Military Establishment, under such regulations as he may prescribe, for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army custody whose status is determined by the Secretary of War to be similar to prisoners of war, and persons detained in Army custody pursuant to Presidential proclamation.

Gages, dies, jigs, etc.

SEC. 13. The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

39 Stat. 213, 215.
50 U. S. C. §§ 80, 78.

Family allowance, audit work.

SEC. 14. None of the moneys appropriated by this or any other Act shall be available to the War Department or the Military Establishment for audit work for the purpose of reconciling family allowance pay-roll deductions made by disbursing officers in the field with family allowance payments to dependents of military personnel under the provisions of the Servicemen's Dependents Allowance Act of 1942.

56 Stat. 381.
37 U. S. C. §§ 201–221.

Allowance for rental of quarters.

SEC. 15. During the fiscal year 1948 occupancy of Government facilities under the jurisdiction of the Military Establishment on a rental basis by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942 or by their dependents shall not deprive such personnel of money allowances for rental of quarters.

56 Stat. 359.
37 U. S. C. §§ 101 120.

SEC. 16. The limitation imposed by section 14 of the Act of May 24, 1946 (60 Stat. 219), with respect to War Department personnel, shall not apply to the War Department with respect to employment of and payment to personnel engaged on orders and work received from and financed by the Navy Department or other Federal agencies if such personnel is charged to a ceiling determination for another agency under 607 (g) (1) of the Federal Employees Pay Act of 1945, as amended, or the National Guard, and Organized Reserves of the Army or to employee personnel engaged in demilitarization of ammunition and matériel.

Ante, pp. 52, 92, 134, 192, 242; *post*, p. 888.
5 U. S. C. § 947.

60 Stat. 219.
5 U.S.C. § 947(g)(1).

TITLE II—SURPLUS APPROPRIATION RESCISSIONS

Ante, p. 22.

SEC. 201. Appropriations for the Military Establishment available in the fiscal year 1946 and prior years are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

Office of Secretary of War:

Contingencies of the Army, 1942–1946, $5,000,000.

Expediting production of equipment and supplies for national defense, 1940–1946, $20,000,000.

General Staff Corps:

Contingent Fund, Chief of Staff, 1942–1946, $3,000,000.

Special Field Exercises, Army, 1942–1946, $3,300,000.

Army War College: Army War College, 1942–1946, $2,500.

Adjutant General's Department: Command and General Staff School, Fort Leavenworth, Kansas, 1942–1946, $7,000.

Finance Department:

Finance Service, Army, 1942–1946, $279,000,000, and subappropriations under this head are hereby decreased as follows: (1) Pay of the Army, $154,000,000; (2) Travel of the Army, $121,000,000; and (3) Finance Service, $3,000,000; and (4) claims of military and civilian personnel of the War Department, $1,000,000.

Quartermaster Corps:

Quartermaster Service, Army, 1942–1946, $190,000,000, and subappropriations under this head are hereby decreased as follows: (1) Welfare of enlisted men, $4,000,000; (2) subsistence of the Army, $42,000,000; (3) regular supplies of the Army, $59,000,000; (4) clothing and equipage, $27,000,000; (5) incidental expenses of the Army, $8,000,000; and (6) Army transportation, $50,000,000.

Transportation Corps:

Transportation Service, Army, 1945–1946, $165,000,000.

Signal Corps:

Signal Service of the Army, 1942–1946, $220,000,000.

Medical Department:

Medical and Hospital Department, Army, 1942–1946, $6,500,000.

Corps of Engineers:

Engineer Service, Army, 1942–1946, $120,000,000, and subappropriations under this head are hereby decreased as follows: (1) Engineer Service, $86,000,000; (2) Military posts, $13,000,000; and (3) Barracks and quarters, Army, $21,000,000.

Ordnance Department:

Ordnance Service and Supplies, Army, 1942–1946, $363,000,000.

Chemical Warfare Service:

Chemical Warfare Service, Army, 1942–1946, $30,000,000.

Special Service Schools: Special Service Schools, Army, 1942–1946, $2,000, and subappropriations under this head are hereby decreased as follows: (1) Infantry School, $300; (2) Cavalry activities, $200; (3) Field Artillery activities, $750; and (4) Coast Artillery activities, $750.

Armored force: Instruction in armored force activities, 1942–1946, $55,000.

Seacoast defenses: Seacoast defenses, general, 1942–1946, $2,000,000.

United States Military Academy:

Pay of Military Academy, 1942–1946, $35,000.

Maintenance and operation, United States Military Academy, 1942–1946, $550,000.

National Guard: National Guard, 1942–1946, $3,000,000.

Organized Reserves:

Organized Reserves, 1942–1946, $28,000,000.

Inter-American Relations, War Department: Inter-American Relations, War Department, 1943–1946, $125,000.

Salaries, War Department:

Salaries, Office of Secretary of War, 1942–1946, $1,874.

Salaries, Office of Chief of Staff, 1942–1946, $19,176.

Salaries, Adjutant General's Office, 1942–1946, $29,321.

Salaries, Office of Chief of Cavalry, 1942–1946, $7,021.

Salaries, Office of the Inspector General, 1942–1946, $49.

Salaries, Office of the Judge Advocate General, 1942–1946, $3,342.

Salaries, Office of Chief of Field Artillery, 1942–1946, $2,358.

Salaries, Office of the Chief of Finance, 1942–1946, $11,667.

Salaries, Office of Chief of Infantry, 1942–1946, $7,508.

Salaries, Office of the Quartermaster General, 1942–1946, $20,176.

Salaries, Office of the Chief Signal Officer, 1942–1946, $4,987.

Salaries, Office of Commanding General, Army Air Forces, 1942–1946, $1,877.

Salaries, Office of Chief of Engineers, 1942–1946, $40,857.

Salaries, Office of Chief of Ordnance, 1942–1946, $24,553.

Salaries, Office of Chief of Chaplains, 1942–1946, $3.

Salaries, National Guard Bureau, 1942–1946, $3,615.

Salaries, Office of Chief of Coast Artillery, 1942–1946, $11,616.

Office of the Secretary: Contingent expenses, War Department, 1942–1946, $200,000.

Total.

In all, title II, $1,438,966,500.

Short title.

SEC. 202. This Act may be cited as the "Military Appropriation Act, 1948".

Approved July 30, 1947.

[CHAPTER 358]

July 30, 1947
[H. R. 3756]
[Public Law 268]

AN ACT

Making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes.

The Government Corporations Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 245, 361, 514, 549; *post*, pp. 608, 609, 616, 623.

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

TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, namely:

TENNESSEE VALLEY AUTHORITY

48 Stat. 58.
16 U. S. C. §§ 831–831dd.

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U. S. C., ch. 12A), $18,700,000, including not to exceed $3,253,979 for the construction of South Holston Dam and Watauga Dam and not to exceed $5,000,000 for chemical plant; hire, maintenance, repair, and operation of aircraft, and the purchase of one hundred and sixty-one and hire of passenger motor vehicles; penalty mail (not to exceed $20,000), together with the unexpended balance of funds heretofore appropriated (the unobligated portion of such unexpended balance to be expended only for public works commenced prior to July 1, 1947), to remain available until expended, and to be available for the payment of obligations chargeable against prior appropriations: *Provided*, That of said unexpended balance, not less than $12,000,000 is to be available for the construction of the Watauga and South Holston Dams.

Watauga and South Holston Dams.

Ante, p. 200; *post*, p. 616.

HOUSING EXPEDITER

Salaries and expenses, Office of the Housing Expediter: For all expenses, including penalty mail costs, necessary to enable the Housing Expediter to perform his functions pursuant to title I of the Housing and Rent Act of 1947 and to liquidate the functions of the Office of the Housing Expediter performed under Public Law 388, Seventy-ninth Congress, and title I of the Housing and Rent Act of 1947 (which liquidation shall be completed by June 30, 1948), including

Ante, p. 193.
60 Stat. 207.
50 U. S. C. app. §§ 1821–1833.
Ante, p. 193.

hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of $35 per diem; and not to exceed $5,000 for payment of claims pursuant to part 2 of the Federal Tort Claims Act, $4,125,000, of which $1,908,000 shall be available exclusively for terminal leave.

60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

NATIONAL HOUSING AGENCY

OFFICE OF THE ADMINISTRATOR

Ante, p. 515.

Salaries and expenses, Office of the Administrator, $100,000, including cost of penalty mail: *Provided*, That the cost of terminal leave of any personnel of the Office of the Administrator shall be paid out of funds available for administrative expenses to the constituent units of the National Housing Agency: *Provided further*, That there shall be transferred to this account not to exceed $765,000 of the funds available under sections 303 and 502 of Public Law 849, Seventy-sixth Congress, as amended; such total funds to be available for all necessary administrative expenses of the Office of the Administrator.

Cost of terminal leave.

Transfer of funds.

55 Stat. 363; 59 Stat. 260.
42 U. S. C. §§ 1543, 1572.
Ante, pp. 454, 128.

FEDERAL PUBLIC HOUSING AUTHORITY

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C. 1410) $4,000,000: *Provided*, That except for payments required on contracts entered into prior to April 18, 1940, no part of this appropriation shall be available for payment to any public housing agency for expenditure in connection with any low-rent housing project, unless the public housing agency shall have adopted regulations prohibiting as a tenant of any such project by rental or occupancy any person other than a citizen of the United States, but such prohibition shall not be applicable in the case of a family of any serviceman or the family of any veteran who has been discharged (other than dishonorable) from, or the family of any serviceman who died in, the armed forces of the United States within four years prior to the date of application for admission to such housing: *Provided further*, That no part of this appropriation shall be used to pay any public housing agency any contribution occasioned by payments in lieu of taxes in excess of the amount specified in the original contract between such agency and the Federal Public Housing Authority: *Provided further*, That all expenditures of this appropriation shall be subject to audit and final settlement by the Comptroller General of the United States under the provisions of the Budget and Accounting Act of 1921, as amended.

50 Stat. 891.

Citizenship of tenants.

Restriction on payments.

Audit and settlement.

42 Stat. 20.
31 U. S. C. § 1.

DEPARTMENT OF STATE

THE INSTITUTE OF INTER-AMERICAN AFFAIRS

For the payment of obligations incurred under the contract authorization of $18,000,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agencies Appropriation Act, 1944, $7,000,000: *Provided*, That this appropriation shall be available only for completion of programs heretofore inaugurated and for the liquidation of The Institute of Inter-American Affairs.

57 Stat. 529.

INTER-AMERICAN EDUCATIONAL FOUNDATION, INCORPORATED

For the payment of obligations incurred under the contract authorization of $2,500,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agency Appropriation Act,

58 Stat. 537.

1945, $1,115,000: *Provided*, That this appropriation shall be available only for completion of programs heretofore inaugurated and for the liquidation of the Inter-American Educational Foundation, Incorporated.

TITLE II

Expenditures, contracts, etc.

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the programs set forth in the Budget for the fiscal year 1948 for each such corporation or agency, except as hereinafter provided:

59 Stat. 598.
31 U. S. C. § 849.
Post, p. 584.

INDEPENDENT AGENCIES AND CORPORATIONS

Export-Import Bank of Washington: Not to exceed $800,000 (to be on an accrual basis) of the funds of the Export-Import Bank of Washington shall be available during the fiscal year 1948 for all administrative expenses of the Bank, including not to exceed $100 for periodicals, $200 for newspapers, and $200 for maps; health service program as authorized by the Act of August 8, 1946 (Public Law 658), and not to exceed $24,000 for temporary services, as authorized by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided further*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belong to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, shall be considered as nonadministrative expenses for the purposes hereof.

60 Stat. 903.
5 U. S. C. § 150.

60 Stat. 810.
5 U. S. C. § 55a.
Nonadministrative expenses.

Panama Railroad Company: Not to exceed $750,000 (to be computed on an accrual basis) of the funds of the Company shall be available during the fiscal year 1948 for its administrative expenses, including administrative services performed for the Company by other Government agencies, which shall be determined in accordance with the Company's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, contributions to employees retirement system, expenditures which the Company's prescribed accounting system requires to be capitalized or charged to cost of commodities acquired, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, and disposition of facilities and other property belonging to the company or in which it has an interest.

Liquidation.

Tennessee Valley Associated Cooperatives, Inc.: Not to exceed $2,500 shall be available for administrative expenses related to liquidation: *Provided*, That appropriate steps shall be taken to secure the final dissolution and liquidation of the Corporation at the earliest practicable date and such dissolution and liquidation shall be under the supervision and direction of the Secretary of the Treasury.

Payment of bonded indebtedness.

Tennessee Valley Authority: Not later than June 30, 1948, and not later than June 30 of each calendar year thereafter, until a total of $348,239,240 has been paid as herein provided, the board of directors of the Tennessee Valley Authority shall pay from net income derived the immediately preceding fiscal year from power operations (such net income to be determined by deducting power operating expenses, allocated common expense, and interest on funded debt from total

power operating revenues) not less than $2,500,000 of its outstanding bonded indebtedness to the Treasury of the United States exclusive of interest, and such a portion of the remainder of such net income into the Treasury of the United States as miscellaneous receipts as will, in the ten-year period ending June 30, 1958, and in each succeeding ten-year period until the aforesaid total of $348,239,240 shall have been paid, equal not less than a total of $87,059,810, including payment of bonded indebtedness exclusive of interest on such bonded indebtedness. Total payments of not less than $10,500,000 shall be made not later than June 30, 1948.

Amounts equal to the total of all appropriations herein and hereafter made to the Tennessee Valley Authority for power facilities shall be paid by the board of directors thereof, in addition to the total of $348,239,240 specified in the foregoing paragraph, to the Treasury of the United States as miscellaneous receipts, such payments to be amortized over a period of not to exceed forty years after the year in which such facilities go into operation.

Appropriations for power facilities.

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by Act of Congress.

Construction of new power projects.

NATIONAL HOUSING AGENCY

Federal Home Loan Bank Administration: Not to exceed a total of $1,400,000 to be derived from the special deposit account established under the provisions under the head "Federal Home Loan Bank Administration" in the Independent Offices Appropriation Act, 1944, and from receipts of the Federal Home Loan Bank Administration or the Federal Home Loan Bank Board for the fiscal year 1948 and prior fiscal years, shall be available during the fiscal year 1948 for administrative expenses of the Federal Home Loan Bank Administration. (Executive Order 9070 of February 24, 1942), including health service program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That all necessary expenses in connection with the conservatorship of institutions insured by the Federal Savings and Loan Insurance Corporation and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal Home Loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421–1449).

57 Stat. 185.

50 U. S. C. app. § 601 note.
60 Stat. 903.
5 U. S. C. § 150.
Nonadministrative expenses.

47 Stat. 725.
Post, p. 714.

Federal Savings and Loan Insurance Corporation: Not to exceed $532,000 shall be available for administrative expenses, including health service program as authorized by the Act of August 8, 1946 (Public Law 658), and the use of services and facilities of the Federal Home Loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Home Owners' Loan Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, and expenses in connection with liquidation of insured institutions, liquidation or handling of assets of or derived from insured institutions, payment of insurance, and action for or

60 Stat. 903.
5 U. S. C. § 150.

toward the avoidance, termination, or minimizing of losses in the case of specific insured institutions: *Provided*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U. S. C. 1724–1730).

48 Stat. 1255.

Home Owners' Loan Corporation: Not to exceed $3,250,000 shall be available for administrative expenses, including health service program as authorized by the Act of August 8, 1946 (Public Law 658), and the use of services and facilities of the Federal Home Loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Corporation or in which it has an interest, and legal fees and expenses: *Provided*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461–1468).

60 Stat. 903.
5 U. S. C. § 150.

48 Stat. 128.
Ante, p. 208; *post*, p. 786.

Federal Housing Administration: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Federal Housing Administration in carrying out duties imposed by or pursuant to law, not to exceed $20,000,000 of the various funds of the Federal Housing Administration as follows: (1) The mutual mortgage insurance fund; (2) the housing insurance fund; (3) the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I of the National Housing Act, as amended (12 U. S. C. 1701); and (4) the war housing insurance fund shall be available for expenditure, in accordance with the provisions of said Act for the administrative expenses of the Federal Housing Administration, including not to exceed $1,500 for periodicals and newspapers; not to exceed $1,500 for contract actuarial services; and health program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That necessary expenses of the Administration (including both services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, completion, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of titles I, II, and VI of said National Housing Act, shall be considered as nonadministrative for the purposes hereof: *Provided further*, That, except as herein otherwise provided, the administrative expenses and other obligations, including nonadministrative expenses, of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701).

53 Stat. 805.
12 U. S. C. § 1703 (f).

Actuarial services.

60 Stat. 903.
5 U. S. C. § 150.

Nonadministrative expenses.

48 Stat. 1246, 1247; 55 Stat. 55.
12 U. S. C. §§ 1701–1715c; 1736–1743.
Ante, pp. 182, 193, 208; *post*, pp. 777, 945.

Federal Public Housing Authority: Of the amounts available by or pursuant to law for the administrative expenses of the Federal Public Housing Authority in carrying out duties imposed by or pursuant to law including not to exceed $2,200,000 of the funds available for administrative expenses for the United States Housing Act program (all of which are hereby merged into a single administrative expense account), not to exceed $11,500,000 shall be available for such

Merger of funds.

expenses subject to the provisions of section 6 (b) of the act of September 1, 1937, as amended, 42 U. S. C. 1406 (b), including health service program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That the number of officers and employees receiving compensation in excess of $4,500 per annum shall not exceed 20 per centum of the total number of officers and employees paid from such funds: *Provided further*, That necessary expenses of providing representatives of the Authority at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Authority, shall be compensated by such agencies by the payment of fixed fees which in the aggregate in relation to the development costs of such projects will cover the costs of rendering such services, and expenditures by the Authority for such purpose shall be considered nonadministrative expenses, and funds received from such payments may be used only for the payment of necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized by the Congress: *Provided*, That $175,000 shall be available only for the audit and revision of past accounting records.

50 Stat. 890.
60 Stat. 903.
5 U. S. C. § 150.
Employees receiving pay in excess of $4,500.
Nonadministrative expenses.
Audit, etc.

Liquidation of resettlement projects: Not to exceed $39,500 of the receipts derived from the operation of the projects transferred under paragraphs 1 (g) and 6 of Executive Order 9070 of February 24, 1942 (7 F. R. 1529), shall be available for necessary expenses in connection with and to facilitate disposition of the improved or unimproved lands in the suburban resettlement projects known as Greenbelt, Greendale, and Greenhills, pursuant to the provisions of section 5 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), for making surveys, plans, and plats, and expenses of additions, alterations, and improvements to streets and utilities.

50 U. S. C. app. § 601 note.
49 Stat. 118.

Defense Homes Corporation: Not to exceed $12,300 for the purposes of liquidation, including $3,000 for payment of terminal leave, shall be available for administrative expenses, which shall be on an accrual basis: *Provided*, That such administrative expenses shall be exclusive of interest paid, depreciation, properly capitalized expenditures, repayment of loans, property operating expenses (including project inventory), charges to surplus and operating reserve, and cost of sales of commodities, services, and property: *Provided further*, That advances of funds made in connection with the operation of housing properties are hereby authorized.

Advances of funds.

Penalty Mail Costs: For deposit in the general fund of the Treasury for the costs of penalty mail for the National Housing Agency, as required by the Act of June 28, 1944 (Public Law 364), not to exceed $250,000, said sum to be derived by transfer from the funds available for the administrative expenses of the Office of the Administrator and the constituent units of said Agency: *Provided*, That in no event shall any moneys in excess of the costs of penalty mail allocable, respectively, to said Office of the Administrator and to each of said constituent units be transferred hereunder.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

FEDERAL LOAN AGENCY

War Damage Corporation: The Board of Directors of the Corporation shall pay or cause to be paid to the Treasury of the United States $210,751,618.65 of the amount realized by the Corporation from its operations, such sum to be covered into the Treasury immediately upon the approval of this Act and applied to reduction of the national debt.

DEPARTMENT OF AGRICULTURE

Federal Farm Mortgage Corporation: Not to exceed $2,750,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services, and the use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by the Act of January 31, 1934 (12 U. S. C. 1020–1020h); and said total sum shall be exclusive of interest expense, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That of the funds available to the Corporation for administrative expenses, not to exceed $400,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

48 Stat. 344.

Federal Intermediate Credit Banks: Not to exceed $1,250,000 (to be computed on an accrual basis) of the funds of the banks shall be available for administrative expenses, including the purchase of not to exceed ten passenger motor vehicles, services performed for the banks by other Government agencies (except services performed by the banks for cooperatives in connection with loans to cooperative associations rediscounted or pledged with the Federal Intermediate Credit Banks, and services performed by any Federal Reserve bank and by the United States Treasury in connection with the financial transactions of the banks), and not to exceed $4,000 for penalty mail; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the banks or in which they have an interest: *Provided*, That of the funds available to the banks for administrative expenses, not to exceed $181,250 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

Production Credit Corporations: Not to exceed $1,600,000 (to be computed on an accrual basis) of the funds of the corporations shall be available for administrative expenses, including the purchase of not to exceed fifteen passenger motor vehicles, services performed for the corporations by other Government agencies, and not to exceed $4,000 for penalty mails; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the corporations or in which they have an interest: *Provided*, That of the funds available to the corporations for administrative expenses, not to exceed $232,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

Regional Agricultural Credit Corporation of Washington, District of Columbia: Not to exceed $200,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including supervision and examination by the Farm Credit Administration and services performed for the Corporation by other Government agencies, and not to exceed $3,200 for penalty mail; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses

in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That no other funds shall be available for administrative expenses of the Corporation: *Provided further*, That of the funds available to the Corporation for administrative expenses, not to exceed $29,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

Restriction.

DEPARTMENT OF COMMERCE

Inland Waterways Corporation: Not to exceed $418,100 shall be available for administrative expenses, to be determined in the manner set forth under the title "General expenses" in the Uniform System of Accounts for Carriers by Water of the Interstate Commerce Commission (effective January 1, 1942), with the exception that the cost of the audit as required by Public Law 248, Seventy-ninth Congress, shall be deemed a nonadministrative expense for the purpose hereof, including not to exceed $1,200 for penalty mail: *Provided*, That no funds shall be used to pay compensation of employees normally subject to the Classification Act of 1923, as amended, at rates in excess of rates fixed for similar services under the provisions of the Classification Act, as amended, nor to pay the compensation of vessel employees and such terminal and other employees as are not covered by the Classification Act, at rates in excess of rates prevailing in the river transportation industry in the area.

59 Stat. 597.
31 U. S. C. § 841 *et seq.*
Post, p. 584.
Pay rates.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

Warrior River Terminal Company: Not to exceed $20,100 shall be available for administrative expenses, to be determined in the manner set forth under the title "Operating expense accounts—general" in the Uniform System of Accounts for Steam Railroads of the Interstate Commerce Commission (issue of 1943) with the exception that the cost of the audit as required by Public Law 248, Seventy-ninth Congress, shall be deemed a nonadministrative expense for the purpose hereof: *Provided*, That, in the event of dissolution of the Company and/or the transfer of its assets to the Inland Waterways Corporation, the funds provided herein shall be transferred and merged with the administrative expenses of the Inland Waterways Corporation for the operation of its facilities.

59 Stat. 597.
31 U. S. C. § 841 *et seq.*
Post, p. 584.
Merger of funds.

DEPARTMENT OF THE INTERIOR

Virgin Islands Company: Not to exceed $20,000 (to be computed on an accrual basis) of the funds of the Company shall be available during the fiscal year 1948 for its administrative expenses which shall be determined in accordance with the Company's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, interest expense, payment of claims, contribution to the local government in lieu of taxes, expenditures which the Company's prescribed accounting system requires to be capitalized or charged to commodities produced or acquired and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection or disposition of facilities and other property belonging to the Company or in which it has an interest.

The Virgin Islands Company is authorized to borrow from the Treasury of the United States, for the purpose of carrying out any of the programs of the Company set forth in the budget for the fiscal year 1948, sums of money not to exceed a total of $250,000: *Provided*, That none of the funds borrowed under this authority shall be available

Loans.

for repayment of bank loans outstanding at the date of enactment of this Act. For this purpose the Secretary of the Treasury is authorized and directed to make loans to the Company, out of any funds in the Treasury not otherwise appropriated, on such terms and conditions as the Secretary of the Treasury shall determine. Such loans shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of the loan to the Company.

DEPARTMENT OF JUSTICE

Federal Prison Industries, Incorporated: Not to exceed $225,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available during the fiscal year 1948 for its administrative expenses, which shall be determined in accordance with the Corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, vocational training expenses, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the Corporation or in which it has an interest.

DEPARTMENT OF STATE

Post, p. 623.

The Institute of Inter-American Affairs: Not to exceed $550,000 (to be computed on an accrual basis) of the funds available to the Corporation shall be available during the fiscal year 1948 for its administrative expenses, including not to exceed $3,000 shall be available for penalty mail, and the cost of administrative services performed for the Corporation by other Government agencies, which shall be determined in accordance with the Corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of expenditures made outside continental United States, and expenditures which the Corporation's prescribed accounting system requires to be capitalized or charged directly to or directly related to the operating programs: *Provided*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

Cost of liquidation.

Payment of terminal leave.

Administrative duties.

Liquidation.

Institute of Inter-American Transportation: Not to exceed $3,000 of the funds available to the Corporation shall be available for payment of terminal leave only: *Provided*, That all administrative duties and responsibilities shall be assumed by such officers and employees of the Department of State as the Secretary of State may designate, and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of State shall take appropriate steps to secure the final dissolution and liquidation of said Corporation at the earliest practicable date: *Provided further*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

Post, p. 623.

Inter-American Educational Foundation, Inc.: Not to exceed $250,000 (to be computed on an accrual basis) of the funds available to the Corporation shall be available during the fiscal year 1948 for its administrative expenses, including not to exceed $1,500 shall be available for penalty mail; including the cost of administrative service performed for the Corporation by other Government agencies, which shall be determined in accordance with the Corporation's prescribed

accounting system in effect on July 1, 1946, and shall be exclusive of expenditures made outside the continental limits of the United States, and expenditures which the Corporation's prescribed accounting system requires to be capitalized or charged directly to or directly related to the operating programs.

Prencinradio, Incorporated: Not to exceed $2,000 of the funds available to the Corporation shall be available for payment of terminal leave only: *Provided*, That all administrative duties and responsibilities shall be assumed by such officers and employees of the Department of State as the Secretary of State may designate, and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of State shall take appropriate steps to secure the final dissolution and liquidation of said Corporation at the earliest practicable date: *Provided further*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

Payment of terminal leave.

Administrative duties.

Liquidation.

TITLE III

GENERAL PROVISIONS

Ante, p. 516.

SEC. 301. Funds made available by this Act for administrative expenses shall be available, in addition to objects for which such funds are otherwise available, for personal services and rent in the District of Columbia; printing and binding; examination of budgets and estimates of appropriations in the field; travel expenses in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (except as to per diem rates outside continental United States), and the Act of February 14, 1931, as amended (5 U. S. C. 73a); for the objects specified under the head "General provisions" in title II of the Independent Offices Appropriation Act, 1948, all the provisions of which title unless otherwise specified in this Act, shall be applicable to the expenditure of such funds; and services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600).

Funds for administrative expenses.

Travel expenses.

44 Stat. 688.
5 U. S. C. § 821.
46 Stat. 1103.

Post, p. 608.

60 Stat. 810.
5 U. S. C. § 55a.

SEC. 302. No part of any funds of any wholly owned Government corporation shall be used for the purchase or construction, or in making loans for the purchase or construction of any office building at the seat of government primarily for occupancy by any department or agency of the United States Government or by any corporation owned by the United States Government.

Use of funds of Government corporations for construction, etc.

SEC. 303. Funds of the corporations and agencies covered by the provisions of this Act shall be available for payment of claims settled in accordance with part 2 of the Federal Tort Claims Act.

Claims.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

SEC. 304. Any funds of, or available for expenditure by, any corporation or agency included in this Act, which are not subject to audit by the General Accounting Office under the provisions of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress) or other law, shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended, and no such fund shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant: *Provided*, That this section shall not be so construed as to modify or repeal any provision of any other law respecting warranting, accounting for, and auditing of funds.

Accounting, etc.

59 Stat. 597.
31 U. S. C. § 841 *et seq.*
Post, p. 584.
42 Stat. 20.
31 U. S. C. § 1.

SEC. 305. No part of the funds of, or available for expenditure by, any corporation or agency included in this Act shall be used to pay the salary or wages of any person who engages in a strike against

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any funds available to any corporation or agency included in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing laws.

Affidavit.

Penalty.

Transfer of title, etc.

Post, p. 697.

SEC. 306. Title to all office buildings at the seat of government, which are owned by wholly owned Government corporations, and all right, title, or interest of such corporations in the land upon which such buildings are located are hereby transferred to the United States, and the Secretary of the Treasury is authorized and directed to discharge the indebtedness to the Treasury of any corporation holding such rights, title, or interests in any such land or building to the value thereof as determined by the Secretary of the Treasury as of the date of transfer: *Provided*, That in case of disagreement on the part of the head of the Corporation with respect to said value as determined, the Administrator of the Federal Works Agency shall make a final determination of the property value. Hereafter, such buildings shall be controlled and managed in the same manner as prescribed in the Act of March 1, 1919, as amended (40 U. S. C. 1). Wholly owned Government corporations requiring space in office buildings at the seat of government shall occupy only such space as may be allotted in accordance with the provisions of such Act of March 1, 1919, as amended (40 U. S. C. 1), and shall pay such rental thereon as may be determined by the Federal Works Administrator, such rental to include all cost of maintenance, upkeep, and repair.

Final determination of property value.

40 Stat. 1269.

59 Stat. 598.
31 U. S. C. § 849.

SEC. 307. Section 104 of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress) is hereby amended to read as follows:

Appropriations for operating and administrative expenses.

"SEC. 104. The Budget programs transmitted by the President to the Congress shall be considered and legislation shall be enacted making necessary appropriations, as may be authorized by law, making available for expenditure for operating and administrative expenses such corporate funds or other financial resources or limiting the use thereof as the Congress may determine and providing for repayment of capital funds and the payment of dividends. The provisions of this section shall not be construed as preventing Government corporations from carrying out and financing their activities as authorized by existing law, nor as affecting the provisions of section 26 of the Tennessee Valley Authority Act, as amended. The provisions of this section shall

48 Stat. 71.
16 U. S. C. § 831y.

not be construed as affecting the existing authority of any Government corporation to make contracts or other commitments without reference to fiscal year limitations."

SEC. 308. This Act may be cited as "The Government Corporations Appropriation Act, 1948". Short title.

Approved July 30, 1947.

[CHAPTER 359]

AN ACT

July 30, 1947
[H. R. 3839]
[Public Law 269]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, namely:

Independent Offices Appropriation Act, 1948.
Ante, pp. 118, 187, 188, 244, 245, 361; *post*, pp. 607, 608, 609, 612, 696, 697.

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

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

THE WHITE HOUSE OFFICE

Salaries and expenses: For expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at $10,000 each, and other personal services in the District of Columbia; not to exceed $2,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; automobiles; printing and binding; and travel and official entertainment expenses of the President, to be accounted for on his certificate solely, $952,500: *Provided*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

Temporary assistance.

EMERGENCY FUND FOR THE PRESIDENT

For expenses necessary to provide additional assistance to the President and to enable him, through such agents or agencies of the Government as he shall designate, to provide for emergencies affecting the national interest or security, without regard to such provisions of law regulating the expenditure of Government funds or the employment of persons in the Government service as he shall specify, $500,000, of which not to exceed $70,000 may be allocated for the President's Amnesty Board, and of which $100,000 may, when authorized by the President, be expended for objects of a confidential nature and in any such case the certificate of the expending agency as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was

Additional assistance.

Amnesty Board.

Objects of confidential nature.

Restriction.

transmitted pursuant to law during the Eightieth Congress and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, $202,250.

BUREAU OF THE BUDGET

Salaries and expenses: For expenses necessary for the Bureau of the Budget and Federal Board of Hospitalization, including personal services in the District of Columbia and elsewhere; exchange of books; newspapers and periodicals (not exceeding $200); teletype news service (not exceeding $900); not to exceed $744 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed $32,000 for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) at rates not to exceed $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals; purchase of one passenger motor vehicle for replacement only; a health-service program as authorized by the Act of August 8, 1946 (Public Law 658); and the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601); $3,254,608.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 903.
5 U. S. C. § 150.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

For printing and binding, $122,000.

Regional, etc., offices.

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

COUNCIL OF ECONOMIC ADVISERS

Salaries and expenses: For necessary expenses, of the Council in carrying out its functions under the Employment Act of 1946 (Public Law 304), including printing and binding, and not to exceed $900 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; $350,000.

60 Stat. 23.
15 U. S. C. §§ 1021-1024.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
Post, p. 612.

OFFICE FOR EMERGENCY MANAGEMENT

PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading With the Enemy Act, as amended (50 U. S. C. App.), and the Philippine Property Act of 1946 (60 Stat. 418): *Provided*, That not to exceed $440,000 shall be available for the fiscal year 1948 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at $10,000 per annum; printing and binding; not to exceed $400 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia and

40 Stat. 411.
50 U. S. C. app. §§ 1-31.
22 U. S. C. §§ 1381-1386.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

60 Stat. 810.
5 U. S. C. § 55a.

expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1947, the Philippine Alien Property Administrator shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1947, in connection with the activities of the Philippine Alien Property Administration.

Report to Congress.

WAR ASSETS ADMINISTRATION

Ante, p. 422.

Salaries and expenses: There is hereby appropriated from the special fund account in the Treasury as provided for in the First Deficiency Appropriation Act, 1946, not to exceed $257,149,270 for the fiscal year 1948 for necessary expenses of the War Assets Administration established by Executive Order 9689; for allocation or reimbursement by the War Assets Administrator to Government agencies designated by the Administrator as disposal agencies by or pursuant to the Surplus Property Act of 1944, and for payment to Government agencies designated by the Administrator for rendering special services in connection with the disposal of surplus property, in such amounts as shall be approved by the Bureau of the Budget; and for allocation or reimbursement to owning agencies for the care and handling (including pay and allowances and subsistence of military and naval personnel) of surplus property subsequent to the filing of a declaration of surplus covering such property with a disposal agency designated by the Administrator, or, if the Administrator prescribes procedures whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures, such funds to be available for personal services in the District of Columbia; fees and mileage of witnesses at rates provided by law for witnesses attending in the United States courts (28 U. S. C. 600c); payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and other special services and reports by contract without regard to section 3709 of the Revised Statutes, as amended; for a health service program as authorized by Public Law 658, approved August 8, 1946 (not to exceed $154,000) acceptance and utilization of voluntary and uncompensated services; printing and binding; expenses of attendance at meetings of organizations concerned with the work of the Administration; procurement in the field of supplies, equipment, reports, and services in connection with the care, handling, and disposition of surplus property without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon determination by the Administrator or by any official designated by him for this purpose that such method of procurement is necessary; purchase and procurement of reports of experts or consultants or organizations thereof; advertising, including radio time; purchase of passenger motor vehicles; maintenance, operation, and repair of aircraft in the Territories and possessions in connection with disposal activities and, in the continental limits of the United States in connection with the disposition of aircraft and airports; acquisition of buildings, lands, leaseholds, and other interests therein, and temporary use thereof for the care, handling, and disposition of surplus property; payments to States or political subdivisions thereof of sums in lieu of and equivalent to taxes accruing against real property declared surplus to the Administration by Government corporations; advance of funds to Administration cashiers

59 Stat. 632.

3 CFR, 1946 Supp., p. 93.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646.
Post, p. 678.

60 Stat. 843.
28 U. S. C. §§ 921, 922.
60 Stat. 810.
5 U. S. C. § 55a.
41 U. S. C. § 5.

60 Stat. 903.
5 U. S. C. § 150.

41 U. S. C. § 5.

Acquisition of buildings, etc.

and collection officials upon furnishing bond, for the purpose of handling cash transactions and making change at surplus property sales: *Provided*, That any employee of the War Assets Administration is authorized, when designated for the purpose by the Administrator, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of the War Assets Administration: *Provided further*, That the Administration may procure by contract or otherwise and furnish to governmental employees and employees of Government contractors at the reasonable value thereof food, meals, subsistence, and medical supplies, emergency medical services, quarters, heat, light, household equipment, laundry service, and sanitation facilities, and erect temporary structures and make alterations in existing structures necessary for these purposes, when such employees are engaged in the disposal of surplus property, or in the preparation for such disposal, at locations where such supplies, services, equipment, or facilities are otherwise unavailable, the proceeds derived therefrom to be credited to this appropriation.

Administration of oaths, etc.

Supplies and facilities for designated employees.

Ante, p. 244.

OFFICE OF GOVERNMENT REPORTS

Salaries and expenses: For expenses necessary for the Office of Government Reports, including personal services in the District of Columbia; newspapers and periodicals (not exceeding $500); teletype news service (not exceeding $900); printing and binding; not to exceed $1,000 for deposit in general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed $500 for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); health service program as authorized by the Act of August 8, 1946 (Public Law 658); and the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601); $230,000: *Provided*, That no person paid from this appropriation shall receive a salary in excess of $7,500 per annum: *Provided further*, That amounts expended under the authority of Public Law 161, Eightieth Congress, shall be deducted from the appropriation herein made for the fiscal year 1948.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 810.
5 U. S. C. § 55a.
60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
Salary restriction.
Ante, p. 243.

INDEPENDENT OFFICES

Post, p. 696.

AMERICAN BATTLE MONUMENTS COMMISSION

Salaries and expenses: For necessary expenses, including the acquisition of land or interest in land in foreign countries; personal services in the District of Columbia; purchase and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its Territories and possessions at a cost not exceeding $750; travel expenses; not to exceed $50 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent of office and garage space in foreign countries; the purchase of one passenger motor vehicle; printing, binding, engraving, lithographing, photographing, and typewriting; $312,000: *Provided*, That where station allowance has been authorized by the War Department for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the armed forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

Station allowance.

ATOMIC ENERGY COMMISSION

For expenses necessary to carry out the purposes of the Atomic Energy Act of 1946, including personal services in the District of Columbia and employment of aliens; purchase of land and interests in land; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of passenger motor vehicles, including two at not to exceed $2,500 each; purchase, maintenance, and operation of aircraft; printing and binding; health-service program as authorized by the Act of August 8, 1946 (Public Law 658); publication and dissemination of atomic information; not to exceed $100,000 for penalty mail costs as required by the Act of June 28, 1944; payment of claims determined and settled pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); and purchase, repair, and cleaning of uniforms; $175,000,000, of which amount there shall be available to the Commission for cancer research work such sums (not exceeding $5,000,000) as the Commission believes can be efficiently used without duplicating the cancer research work of other public and private agencies; and of which amount $200,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended; from which appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred; and in addition to the amount herein provided, the Commission is authorized to contract for the purposes of this appropriation during the fiscal year in an amount not exceeding $250,000,000: *Provided*, That no part of this appropriation shall be used after November 30, 1947, to pay the salary of any officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel) whose position would be subject to the Classification Act of 1923, as amended, if such Act were applicable to such position, at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility.

60 Stat. 755.
42 U. S. C. §§ 1801-1819.
60 Stat. 810.
5 U. S. C. § 55a.
60 Stat. 903.
5 U. S. C. § 150.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
Commission for cancer research.
Objects of confidential nature.
Transfer of funds.
Additional amount for contract.
Salary restriction.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

CIVIL SERVICE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; not to exceed $10,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed $10,000 for medical examinations performed for veterans by private physicians on a fee basis; traveling expenses of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; not to exceed $500 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed $350,000 for printing and binding; $12,000,000, of which not to exceed $56,000 shall be available for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767); not to exceed $362,198 for deposit in the general fund of the Treasury for cost of penalty

Post, p. 696.
60 Stat. 810.
5 U. S. C. § 55a.
Printing and binding.
18 U. S. C. §§ 61a, 61h, 61j, 61l-61t.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
41 U. S. C. § 5.

mail as required by the Act of June 28, 1944; for a health service program as authorized by the Act of August 8, 1946 (Public Law 658); for payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); and not to exceed $5,000 for actuarial services by contract, without regard to section 3709, Revised Statutes, as amended: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1948, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the Commission in Washington or of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Details.

Emergency transfers or details.

Legal Examining Unit.

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

3 CFR, 1943 Supp., p. 30.

Compensation of officers allocating supervisory positions, etc.

No part of appropriations herein shall be used to pay the compensation of officers and employees of the Civil Service Commission who allocate or reallocate supervisory positions in the classified civil service solely on the size of the group, section, bureau, or other organization unit, or on the number of subordinates supervised. References to size of the group, section, bureau, or other organization unit or the number of subordinates supervised may be given effect only to the extent warranted by the work load of such organization unit and then only in combination with other factors, such as the kind, difficulty, and complexity of work supervised, the degree and scope of responsibility delegated to the supervisor, and the kind, degree, and value of the supervision actually exercised.

PANAMA CANAL CONSTRUCTION ANNUITY FUND

58 Stat. 257.
48 U. S. C. §§ 1373-1373g.

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (Public Law 319), $1,910,000.

CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

41 Stat. 614.
5 U. S. C. § 691 *et seq.*
Ante, pp. 135, 453.

For financing the liability of the United States, created by the Act approved May 22, 1920, and Acts amendatory thereof (5 U. S. C. chap. 14), $244,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

CANAL ZONE RETIREMENT AND DISABILITY FUND

46 Stat. 1471.
48 U. S. C. §§ 1371-1371p.
Post, p. 743.

For financing the liability of the United States, created by the Act approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), $1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

5 U. S. C. §§ 745-745r.

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

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For necessary expenses in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484–487,) the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including contract stenographic reporting services, special counsel fees, health service program as authorized by Act of August 8, 1946 (Public Law 658), improvement and care of grounds and repairs to buildings (not to exceed $17,500), purchase of eighteen passenger motor vehicles, travel expenses (not to exceed $122,500), not to exceed $18,600 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, $6,200,000, of which amount not to exceed $3,612,500 may be expended for personal services in the District of Columbia.

47 U. S. C. § 151 *et seq.*
Ante, pp. 450, 451, 454.
36 Stat. 629.
50 Stat. 1146.
60 Stat. 903.
5 U. S. C. § 150.
58 Stat. 394.
39 U. S. C. § 321d.
50 Stat. 195.
47 U. S. C. § 357.

Printing and binding: For printing and binding for the Federal Communications Commission, $40,000.

FEDERAL POWER COMMISSION

Salaries and expenses: For expenses necessary for the work of the Commission as authorized by law except for the work authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (Public Law 534) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, including the health service program as authorized by the Act of August 8, 1946 (Public Law 658); payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); purchase of five and hire of passenger motor vehicles, $3,590,000; of which amount not to exceed $2,082,000 shall be available for personal services in the District of Columbia exclusive of not to exceed $10,000 for special counsel and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals.

52 Stat. 1215; 58 Stat. 891, 904.
33 U. S. C. § 701b *et seq.*
60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
60 Stat. 810.
5 U. S. C. § 55a.

Flood-control surveys: For expenses necessary for the work of the Commission as authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (Public Law 534), including contract stenographic reporting services; $266,500, of which amount not to exceed $114,900 shall be available for personal services in the District of Columbia.

Supra.

For printing and binding, including engraving, lithographing, and photolithographing, $54,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $7,500.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.

FEDERAL TRADE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by Act of August 8, 1946 (Public Law 658); payment of claims

60 Stat. 903.
5 U. S. C. § 150.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

58 Stat. 394.
39 U. S. C. § 321d.

54 Stat. 1128.
15 U. S. C. §§ 68-68j.

determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601); contract stenographic reporting services; newspapers not to exceed $500; not to exceed $8,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944; and purchase of one passenger motor vehicle; $2,900,120, of which not less than $228,695 shall be available for the enforcement of the Wool Products Labeling Act: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

Printing and binding: For all printing and binding for the Federal Trade Commission, $55,000.

FEDERAL WORKS AGENCY

Ante, p. 422.

OFFICE OF THE ADMINISTRATOR

60 Stat. 903.
5 U. S. C. § 150.

60 Stat. 810.
5 U. S. C. § 55a.

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at $10,000 each per annum; printing and binding (not to exceed $6,000); purchase of newspapers and periodicals (not to exceed $150); health service program as authorized by the Act of August 8, 1946 (Public Law 658); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; purchase of one passenger motor vehicle (not to exceed $2,500); travel expenses; not to exceed $4,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) but at rates for individuals not in excess of $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem; $344,540.

58 Stat. 602; 59 Stat. 80, 638; 60 Stat. 611.

Public Works Administration liquidation: The funds made available for "Public Works Administration liquidation" by the Second Deficiency Appropriation Act, 1944, as amended by the First Deficiency Appropriation Act, 1945, the First Deficiency Appropriation Act, 1946, and the Third Deficiency Appropriation Act, 1946, are hereby continued available until June 30, 1948, of which not to exceed $33,000 shall be available for administrative expenses during the fiscal year 1948.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 722.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Works Agency as required by the Act of June 28, 1944, $30,000.

Damage claims: For claims arising from the activity of the Federal Works Agency, determined and settled pursuant to the Federal Tort Claims Act, $10,000.

Post, p. 697.

PUBLIC BUILDINGS ADMINISTRATION

Repair, operation, etc.
35 Stat. 537.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine

stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

General administrative expenses: For necessary expenses of the Public Buildings Administration, including personal services in the District of Columbia, and printing and binding (not to exceed $32,500); ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance; $2,160,500: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Repair, preservation, and equipment, outside the District of Columbia: For the repair, alteration, improvement, preservation, and equipment, not otherwise provided for, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding of sites acquired for Federal buildings and of surplus real property, the custody of which is the responsibility of the Public Buildings Administration under the Act of August 27, 1935, pending sale or disposition; the demolition of buildings thereon; the purchase and repair of equipment and fixtures in buildings under the administration of the Federal Works Agency; and for changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533); $10,000,000: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

49 Stat. 885.
40 U. S. C. §§ 304a-304e.

Pneumatic-tube system, New York City.

Limitation.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For expenses necessary for the administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses; health service program as authorized by the Act of August 8, 1946 (Public Law 658); the purchase of two passenger motor vehicles; furnishings and equipment; arms and ammunition for the guard force; purchase, repair, and cleaning of uniforms for guards and elevator conductors; $29,715,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

60 Stat. 903.
5 U. S. C. § 150.

Use of present furniture.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For expenses necessary for the administration, operation, protection, and maintenance of public buildings and grounds outside the District of Columbia maintained and operated by the Public Buildings Administration, including cleaning, heating,

lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia, arms, ammunition, uniforms for guards and elevator conductors, expenses incident to moving Government agencies in connection with the assignment, allocation, and transfer of building space, the restoration of leased premises, $20,608,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Use of present furniture.

Per diem employees.

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

Communication services.

Services to motor vehicles.

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

Transfer of bureaus, etc.

Return of departmental functions to the seat of government: For all expenses, including personal services in the District of Columbia and travel and other expenses of the Public Buildings Administration incident thereto, necessary to provide for the transfer to the seat of government of such bureaus, offices, agencies, or activities of the Federal Government as are designated from time to time by the President, which were removed from, or established at places other than, the seat of government by reason of the national emergency, including the expenses of travel of employees transferred; transportation of immediate families of employees; the expenses of packing, crating, drayage, transportation, temporary storage, unpacking, and uncrating of household goods and personal effects, in accordance with regulations approved by the President; and the payment to employees of special allowances at $5 per day after arrival at destination for six days for employees, plus $2.50 per day additional for six days for each member of immediate families of employees; $900,000, to remain available until expended: *Provided*, That removal to the seat of government of Government-owned or leased furniture, equipment, supplies, and other property and household goods and personal effects of employees, and costs of restoration of leased office space when required, may be accomplished without regard to section 3709 of the Revised Statutes: *Provided further*, That such sums as may be determined by the Commissioner of Public Buildings to be necessary therefor may be transferred to other agencies concerned for the payment to the transferred employees of the allowances mentioned herein.

Furniture, etc.

41 U. S. C. § 5.
Transfer of funds.

Site and building, west central heating plant, Washington, District of Columbia: For an additional amount for "Site and building, west central heating plant, Washington, District of Columbia", including the objects specified under this head in the First Supplemental Civil

Functions Appropriation Act, 1941, and as authorized by the Acts of December 23, 1941 (Public Law 371), and June 14, 1946 (Public Law 413), $1,250,000, to remain available until expended.

54 Stat. 1036.
55 Stat. 856; 60 Stat. 257.

Hospital center, District of Columbia: For preliminary expenses, including acquisition of site, necessary in carrying out the provisions of the Act of August 7, 1946 (Public Law 648), $1,700,000, to remain available until expended: *Provided*, That if the site selected by the Federal Works Administrator is under Government ownership, said site shall be transferred to the said Administrator, without exchange of funds.

60 Stat. 896.

National Institute of Mental Health: For the acquisition of site or sites, the preparation of drawings and specifications, and the performance of other work for the accomplishment thereof for the National Institute of Mental Health, as authorized by section 11 of the Act of July 3, 1946 (Public Law 487), $850,000, to remain available until expended.

60 Stat. 425.
42 U. S. C. § 232.

Funds available to the Public Building Administration for construction shall be available for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates for individuals not in excess of $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem.

60 Stat. 810.
5 U. S. C. § 55a.

PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed $49,600), purchase of periodicals, purchase of one hundred passenger motor vehicles, health service program as authorized by Act of August 8, 1946 (Public Law 658), and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenace, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

60 Stat. 903.
5 U. S. C. § 150.

39 Stat. 355.
42 Stat. 217.

FEDERAL-AID HIGHWAY SYSTEM

Construction of rural post roads.

For carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended (23 U. S. C. 1–117), including personal services in the District of Columbia, $10,288,854, to be immediately available and to remain available until expended, which sum is composed of $5,000,000, the remainder of the amount authorized to be appropriated for the fiscal year 1943 by section 1 of the Act approved September 5, 1940 (Public Law 780), and $3,171,950

39 Stat. 355; 42 Stat. 212.
Ante, p. 136.

54 Stat. 867.

and $2,116,904, the latter sums being for the reimbursement of the sums expended for the repair or reconstructin of highways and bridges which have been damaged or destroyed by floods, hurricanes, or landslides, as provided for by section 3 of the Act approved June 18, 1934 (Public Law 393), and by section 7 of the Act approved July 13, 1943 (Public Law 146): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That, during the fiscal year 1948, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies, cooperating foreign countries and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1948 the appropriations for the work of the Public Roads Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public Roads Administration, and for sale and distribution to other Government activities, cooperating foreign countries and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding $15,000) for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem.

48 Stat. 994; 57 Stat. 561.
23 U. S. C. §§ 13a, 13b.
Convict labor.

Charges for designated services.

Warehouse maintenance, etc.

Medical supplies, etc., in emergencies.

Temporary services.
60 Stat. 810.
5 U. S. C. § 55a.

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

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

45 Stat. 1697.

39 Stat. 355.
42 Stat. 217.

FEDERAL-AID SECONDARY OR FEEDER ROADS

For secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes, $3,000,000, to be immediately available and to remain available until expended,

which sum is the remainder of the amount authorized to be appropriated for the fiscal year 1943, by section 2 of the Act approved September 5, 1940 (Public Law 780). Any funds, not exceeding $11,000,000, heretofore apportioned to any State and unobligated may be used to pay the State's pro rata for any projects on the Federal aid and Federal aid secondary roads approved under the provisions of section 3 of Act of June 18, 1934 (48 Stat. 993), section 4, Act of June 8, 1938 (52 Stat. 633), and section 7 of Act of July 13, 1943 (57 Stat. 560).

54 Stat. 868.

23 U. S. C. §§ 13a, 13b.

FEDERAL-AID POSTWAR HIGHWAYS

For carrying out the provisions of the Federal-Aid Highway Act of 1944 (Public Law 521), $247,711,146, to be immediately available and to remain available until expended, which sum is a part of the $500,000,000 authorized to be appropriated for the first postwar fiscal year by section 2 of said Act.

58 Stat. 838.
23 U. S. C. §§ 60–63.

PUBLIC-LANDS HIGHWAYS

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the Act of June 24, 1930 (23 U. S. C. 3), $3,000,000, to be immediately available and to remain available until expended, which sum is composed of $1,000,000, the remainder of the amount authorized for the fiscal year 1941 by section 6 of the Act of June 8, 1938 (52 Stat. 635); $500,000, the remainder of the amount authorized for the fiscal year 1942 by section 7 of the Act of September 5, 1940 (54 Stat. 869); and $1,500,000, the amount authorized for the fiscal year 1943 by said section 7.

46 Stat. 805.

23 U. S. C. § 3b.

War and emergency damage, Territory of Hawaii: In addition to the amount appropriated under this head in the First Supplemental Appropriation Act, 1947, the Public Roads Administration is authorized to enter into contracts for the purpose of said appropriation in an amount not exceeding $2,000,000.

60 Stat. 914.

BUREAU OF COMMUNITY FACILITIES

Post, p. 607.

Public works advance planning: Not to exceed $895,000 of the unobligated balance on June 30, 1947, of the funds made available for public works advance planning under title V of the War Mobilization and Reconversion Act of 1944 shall be available during the fiscal year 1948 for administrative expenses incident to the liquidation of the activity for which said funds were appropriated, including the objects specified under this head in the Independent Offices Appropriation Act, 1946.

58 Stat. 791.
50 U. S. C. app. § 1671.

59 Stat. 112.

Virgin Islands public works: For an additional amount to carry out the provisions of the Act of December 20, 1944 (Public Law 510), $1,707,687, to be immediately available.

58 Stat. 827.

War public works (community facilities) liquidation: For administrative expenses necessary during the fiscal year 1948 for the liquidation of all activities under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531–1534, 1541, and 1562), including personal services and rents in the District of Columbia; printing and binding; health service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed $500,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531–1534, 1541, and 1562), of which amount $50,000 shall be for payment for accumulated and

55 Stat. 361; 56 Stat. 212.
42 U. S. C. §§ 1561–1564.

60 Stat. 903.
5 U. S. C. § 150.

Supra.

accrued leave of employees separated from the Government service due to said liquidation.

Veterans' educational facilities: The limitation on the amount for administrative expenses under this head in the Third Deficiency Appropriation Act, 1946, as supplemented by the Second Deficiency Appropriation Act, 1947, is hereby increased from $3,100,000 to $3,750,000, of which amount $395,000 shall be used exclusively for payment for accumulated and accrued leave.

60 Stat. 612.
Ante, p. 108.

GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, $34,500,000.

Miscellaneous expenses: For necessary expenses, including purchase of one passenger motor vehicle, $1,717,000, of which not to exceed $62,000 shall be available for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

Printing and binding: For printing and binding, including monthly and annual editions of selected decisions of the Comptroller General of the United States, $300,000.

Appropriations for the General Accounting Office shall be available for a health service program as authorized by Act of August 8, 1946 (Public Law 658), and for payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.

INTERSTATE COMMERCE COMMISSION

General expenses: For expenses necessary in performing the functions vested by law in the Commission (49 U. S. C. 1–24, 301–327, 901–923, 1001–1022), except those otherwise specifically provided for in this Act, and for general administration, including one chief counsel, one director of finance, one director of motor transport, and one director of traffic, at $10,000 each per annum; not to exceed $50,000 for the employment of special counsel; contract stenographic reporting services; personal services in the District of Columbia; newspapers (not to exceed $200); health service program as authorized by Act of August 8, 1946 (Public Law 658); and purchase of thirty-five passenger automobiles; $9,000,000: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such: *Provided further*, That not to exceed $5,000 may be used for the purchase of evidence in connection with investigations of apparent violations of part II of the Interstate Commerce Act.

60 Stat. 903.
5 U. S. C. § 150.
Government transportation requests.
54 Stat. 919.
49 U. S. C. § 301.

Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1–15, 17–21, 35–46, 61–64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35–37), and to require carriers by railroad subject to the Act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors, engineers, and personal services in the District of Columbia, $908,000.

34 Stat. 838; 35 Stat. 325.
41 Stat. 498.

Locomotive inspection: For expenses necessary in the enforcement of the Act of February 17, 1911, entitled "An Act to promote the safety

of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", as amended (45 U. S. C. 22–34), including personal services in the District of Columbia, $605,000.

36 Stat. 913.
Ante, p. 120.

Printing and binding: For all printing and binding for the Interstate Commerce Commission, including not to exceed $17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, $200,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Interstate Commerce Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), $30,000.

58 Stat. 394.
39 U. S. C. § 321d.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses.
41 U. S. C. § 5.

For necessary expenses of the Committee, including contracts, without regard to section 3709, Revised Statutes, as amended, for the making of special investigations and reports and for engineering and drafting services; traveling expenses of members and for examination of estimates of appropriations and activities in the field; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the Flight Propulsion Research Laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; purchase of one (not to exceed $15,000) and maintenance and operation of aircraft; purchase of eleven passenger motor vehicles of which nine shall be for replacement; not to exceed $492,000 for personal services in the District of Columbia, including one Director of Aeronautical Research at not to exceed $10,000 per annum and $2,000 additional so long as the position is held by the present incumbent; not to exceed $6,500 for deposit in the general fund of the Treasury for cost of penalty mail by the Act of June 28, 1944; not to exceed $10,000 for temporary or intermittent services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at not to exceed $35 (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals; including $3,000 for claims determined and settled pursuant to part 2 of the Federal Tort Claims Act; and a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); in all, $33,490,000: *Provided*, That statutory provisions prohibiting the payment of compensation to aliens shall not apply to any person whose employment by the Committee shall be determined by the Chairman thereof to be necessary: *Provided further*, That aircraft and parts, equipment, and supplies may be transferred to the Committee by the Army and Navy without reimbursement.

Aeronautical laboratories.

Director of Aeronautical Research.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.
60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 843.
28 U. S. C. §§ 921, 922.
60 Stat. 903.
5 U. S. C. § 150.

Compensation to aliens.

Transfer of equipment, etc.

For printing and binding, $80,000.

For construction and equipment at laboratories and research stations of the Committee, $2,400,000, to be available until June 30, 1948: *Provided*, That in addition to said appropriation the Committee may, prior to July 1, 1948, enter into contracts for the same purpose to an amount not in excess of $2,143,000.

Construction and equipment.

Construction, Langley Field, Virginia: For an additional amount for "Construction, Langley Field, Virginia", $5,805,000, which amount shall be available immediately.

Construction, Cleveland, Ohio: For an additional amount for "Construction, Cleveland, Ohio", $1,674,000, which amount shall be available immediately.

Wind tunnel, Moffett Field, Calif.

The unexpended balances of the funds advanced to the National Advisory Committee for Aeronautics from the appropriation "Aviation, Navy", for the fiscal year 1945, for construction and equipment of a wind tunnel at Moffett Field, California, shall remain available during the fiscal year 1948 for the liquidation of obligations incurred prior to June 30, 1947.

NATIONAL ARCHIVES

Salaries and expenses: For necessary expenses of the Archivist and the National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; contract stenographic reporting services; not to exceed $100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed $650 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and travel expenses; $1,241,335, of which $1,000 is for claims determined and settled pursuant to the Federal Tort Claims Act: *Provided*, That no part of this appropriation shall be used to pay the salary of any employee of grade 5 or above in the professional service or of grade 11 or above in the clerical, administrative, and fiscal service who was originally appointed in the National Archives to a war-service appointment, except a presently employed veteran of either World War or a member of the active or inactive reserve of the armed forces.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 722.
War-service appointees.

Printing and binding: For all printing and binding, $20,000.

NATIONAL CAPITAL HOUSING AUTHORITY

For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, $21,300: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

52 Stat. 1186.
D. C. Code § 5-111.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Capital Housing Authority as required by the Act of June 28, 1944, $750.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Land acquisition, National Capital and metropolitan area: For necessary expenses for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by the Act of May 29, 1930 (46 Stat. 482), and amendment of August 8, 1946 (Public Law 699); temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), including real estate appraisers at rates of pay or fees not to exceed those usual for similar services; purchase of options and other costs incident to the acquisition of land not to exceed $30 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and purchase of one passenger motor vehicle; $279,000, to be immediately available and to remain available until expended, $200,000 of said sum for carrying out the provisions of

D. C. Code § 8-102 note.
60 Stat. 960.
60 Stat. 810.
5 U. S. C. § 55a.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

section 1 (a) of said Act; and $79,000 for carrying out the provisions of section 4 of said Act.

46 Stat. 483, 485.
D. C. Code §§ 8-102, 8-106 notes.

District of Columbia redevelopment: For expenses necessary to carry out the provisions and purposes of sections 3k, 6, and 16 of the Act of August 2, 1946 (Public Law 592), including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed $50 for deposit in the general fund of the Treasury for cost of penalty mail for the fiscal years 1947 and 1948 as required by the Act of June 28, 1944; $75,000, to remain available until expended.

60 Stat. 791, 794, 800.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

PHILIPPINE WAR DAMAGE COMMISSION

Philippine War Damage Commission: For carrying out the provisions of title I of the Philippine Rehabilitation Act of 1946, fiscal year 1948, $70,000,000, to remain available until April 30, 1951, of which not to exceed $1,900,000 shall be for necessary expenses of the Philippine War Damage Commission for the fiscal year 1948, including personal services in the District of Columbia; purchase of eighteen passenger motor vehicles, including three busses, which may be used for the transportation of members and employees of the Commission from their residences to Commission offices in the Philippines; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and not to exceed $200 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided*, That no payment shall be made under the provisions of such title of such Act to any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy or of any act involving disloyalty to the United States or the Commonwealth of the Philippines: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 which would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act.

60 Stat. 128.
50 U. S. C. app. §§ 1751-1763.
40 Stat. 1270.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. § 321d.
Persons guilty of disloyalty.
Restriction on payments.
60 Stat. 128.
50 U. S. C. app. § 1751 note.

SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by Act of August 8, 1946 (Public Law 658); payment of claims determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601); not to exceed $1,150 for the purchase of newspapers; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and not to exceed $20,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; $5,688,700.

60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

For all printing and binding for the Securities and Exchange Commission, $50,000.

SMITHSONIAN INSTITUTION

Salaries and expenses, Smithsonian Institution: For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges

between the United States and foreign countries; for anthropological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts; for the administration, and for the construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the planning of a national air museum as authorized by the Act of August 12, 1946 (Public Law 722); including personal services in the District of Columbia and not to exceed $35,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); traveling expenses; not to exceed $5,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; printing and binding, not exceeding $150,000, of which not to exceed $16,800 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; not exceeding $5,500 for preparation of manuscripts, drawings, and illustrations for publications; $1,800,312.

Astrophysical Observatory.

National Collection of Fine Arts.

54 Stat. 724.
48 U. S. C. §§ 1381–1387.
Ante, p. 453.
60 Stat. 1101.
5 U. S. C. § 133y-16 note.
60 Stat. 997.
20 U. S. C. §§ 77–77d.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.
American Historical Association report.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District of Columbia; health-service program as authorized by the Act of August 8, 1946 (Public Law 658); traveling expenses; not to exceed $1,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed $250 for payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; not to exceed $6,300 for printing and binding; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; $949,426: *Provided*, That section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed $15,000.

National Gallery of Art.

20 U. S. C. §§ 71–75.
53 Stat. 577.
20 U. S. C. § 74.
60 Stat. 903.
5 U. S. C. § 150.
58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.
41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. §§ 661–674.

TARIFF COMMISSION

For necessary expenses of the Tariff Commission, including personal services in the District of Columbia, subscriptions to newspapers not to exceed $250, health service program as authorized by the Act of August 8, 1946 (Public Law 658), contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed $1,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $1,128,349: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under

60 Stat. 903.
5 U. S. C. § 150.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.

sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

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

For printing and binding, $20,000.

THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For necessary expenses, including contract stenographic reporting services, $754,700, of which not to exceed $675 shall be available for deposit in the Treasury for costs of penalty mail as required by the Act of June 28, 1944: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.

Printing and binding: For printing and binding, $17,500.

UNITED STATES MARITIME COMMISSION

Post, p. 697.

The construction fund established by the Merchant Marine Act, 1936, shall be available during the fiscal year 1948 for administrative expenses of the United States Maritime Commission, including personal services at the seat of government; printing and binding; newspapers and periodicals, not to exceed $2,000; purchase of one passenger motor vehicle at not to exceed $1,500: *Provided*, That the following limitations shall apply to obligations from such fund:

49 Stat. 1987.
46 U. S. C. § 1116.

Limitations.

Personal services, $8,000,000;

Administrative expenses, other than personal services, $795,000;

New ship construction, and not exceeding $15,000,000 for reconditioning and betterment, fiscal years 1947 and 1948, $99,000,000;

Reconversion of vessels, $100,000: *Provided*, That the Commission may make allowances to purchasers of vessels for cost of putting such vessels in class, such allowances to be determined on the basis of competitive bids, without regard to the provisions of the last paragraph of section 3 (d) of the Merchant Ship Sales Act of 1946;

60 Stat. 41.
50 U. S. C. app. § 1736(d).

Maintenance of shipyard facilities, $800,000;

Operation of warehouses, $849,180;

Operating-differential subsidies, $10,000,000;

Reserve fleet expense, $10,000,000;

Maintenance and operation of terminals, $561,000;

Miscellaneous expenses, $500,000;

Post, p. 697.

Cost of penalty mail as required by the Act of June 28, 1944, for deposit in the general fund of the Treasury, $60,000;

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.

Entertainment of officials of other countries when specifically authorized by the Chairman, $1,125;

Services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $18,750.

60 Stat. 810.
5 U. S. C. § 55a.

Funds available to the Commission shall be available for payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Except as hereinbefore provided no obligation shall be incurred against such construction fund during the fiscal year 1948 and the expenditures from such fund during the fiscal year 1948 shall not exceed $208,206,774.

The balance of such fund in addition to such amount of $208,206,774, as of June 30, 1947, shall be carried to the surplus fund and covered into the Treasury. All receipts which otherwise would be deposited to the credit of such construction fund during the fiscal year 1948 shall be covered into the Treasury as miscellaneous receipts.

Transactions involving sale, etc., of vessels.

Whenever, in connection with any transaction involving the sale, purchase, or requisition of any vessel, the United States shall be or become obligated to pay any sum to the other party to the transaction and said other party shall be or is indebted to the United States on account of any transaction involving the sale, purchase, or requisition of any vessel the amount so owing to the United States shall be deducted from the amount due the other party, and no officer or employee of the Government shall pay to such other party a sum greater than the net amount owing the other party.

Maritime training: For the training of personnel for the manning of the merchant marine and for administrative expenses (not to exceed $250,000) including personal services in the District of Columbia; expenses of attendance when specifically authorized by the Chairman, at meetings of organizations concerned with the work of the Commission; and printing and binding; $7,320,000 of which not to exceed $2,500 shall be available for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion; not to exceed $64,000 for transfer to applicable appropriations of the Public Health Service for services rendered the Commission; and for a health service program as authorized by the Act of August 8, 1946 (Public Law 658).

Transfer of funds.

60 Stat. 903.
5 U. S. C. § 150.

State marine schools: To reimburse the State of California, $50,000; the State of Maine, $50,000; the State of Massachusetts, $50,000; the State of New York, $50,000; and the State of Pennsylvania, $50,000; for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121–1123); and for the maintenance and repair of vessels loaned by the United States to the said States for use in connection with such State marine schools, $200,000; in all, $450,000.

36 Stat. 1353.

Ante, p. 244.

VETERANS' ADMINISTRATION

Salaries and expenses.

Administration, medical, hospital, and domiciliary services: For necessary expenses of the Veterans' Administration, including maintenance and operation of medical, hospital, and domiciliary services, in carrying out the functions pursuant to all laws for which the Administration is charged with administering, including personal services in the District of Columbia; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; health service program as authorized by Act of August 8, 1946 (Public Law 658); purchase of three hundred and twenty-three passenger motor vehicles; utilization of Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as the Administrator may by regulation prescribe; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; maintenance and operation of farms; recreational articles and facilities at institutions maintained by the Veterans' Administration; expenses incidental to securing employment for war veterans; funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration except burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended; the purchase of tobacco to be furnished, subject to regulations of the Administrator, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes; aid to State or Territorial homes in conformity with the Act approved August 27, 1888, as amended (24

60 Stat. 903.
5 U. S. C. § 150.

60 Stat. 810.
5 U. S. C. § 55a.

38 U. S. C. note foll. § 739.

25 Stat. 450.

U. S. C. 134), for the support of veterans eligible for admission to Veterans' Administration facilities for hospital or domiciliary care; the purchase of printed reduced-fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities; not to exceed $3,500 for newspapers and periodicals; and not to exceed $120,200 for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material, including the purchase or rental of equipment; $898,040,780, from which allotments and transfers may be made to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment: *Provided*, That no part of this appropriation shall be used to pay in excess of one hundred persons engaged in public relations work: *Provided further*, That no part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than $7,807,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Visual educational information.

Transfer of funds, etc.

Public relations work.

Construction, etc., restrictions.

Printing and binding: For printing and binding, $7,000,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, $3,900,000.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

Damage claims: For claims determined and settled pursuant to part 2 of the Federal Tort Claims Act, $26,500.

60 Stat. 843.
28 U. S. C. §§ 921, 922.

Administrative facilities: For the acquisition of sites and the construction of regional office buildings, $3,100,000, to be available until expended: *Provided*, That the acquisition of the sites, and the preparation of the plans and specifications and construction, shall be under the supervision of the Public Buildings Administration, for which reimbursement may be made from this appropriation.

Acquisition of sites, etc.

Pensions: For the payment of compensation, pensions, gratuities, and allowances (including subsistence allowances authorized by part VII of Veterans Regulation 1a, as amended), authorized under any Act of Congress, or regulation of the President based thereon, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, $2,171,915,000, to be immediately available and to remain available until expended.

57 Stat. 43.
38 U. S. C. note foll. § 739.
Ante, p. 180; *post*, p. 739.

Readjustment benefits: For the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's Readjustment Act of 1944, $3,719,860,000, to be immediately available and to remain available until expended.

58 Stat. 287, 291, 295.
38 U. S. C. § 701, note foll. §§ 739, 694-694e, 696-696m.
Ante, p. 454.

Military and naval insurance: For military and naval insurance, $11,150,000, to be immediately available and to remain available until expended.

For hospital and domiciliary facilities, in addition to the unobligated balances of other appropriations for this purpose, and to the unobligated balance of the contract authority of $441,250,000 in the Third Urgent Deficiency Appropriation Act, 1946 (which authority is hereby extended to July 1, 1949), the Administrator is authorized to incur obligations prior to July 1, 1949, in an amount not exceeding $338,250,000, which shall be available for use, with the approval of

60 Stat. 265.

the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j–k) or in section 101 of the Servicemen's Readjustment Act of 1944: *Provided*, That not to exceed 6.7 per centum of the foregoing appropriation and contract authorizations shall be available for the employment in the District of Columbia and in the field of all necessary technical and clerical personnel for the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for all travel expenses, field office equipment, and supplies in connection therewith, except that whenever the Veterans' Administration finds it necessary in the construction of any project to employ other Government agencies or persons outside the Federal service to perform such services not to exceed 10 per centum of the cost of such projects may be expended for such services: *Provided further*, That no part of the funds appropriated in this bill or any funds heretofore made available, including contract authorizations, shall be used for the purchase or condemnation of the site or for the erection of a hospital on the tract of land in Arlington County, Virginia, known as the A. M. Nevius Tract, situated at the intersection of Lee Boulevard and Arlington Ridge Road, containing approximately 25.406 acres; or for the purchase or condemnation of a site or erection of a hospital in Tallahassee, Florida, until the Committee on Appropriations of the House of Representatives has investigated and given final approval.

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

Purchase of sites, etc.

Operation of canteens: For expenses necessary for carrying out the provisions of the Act of August 7, 1946 (Public Law 636), $965,000, which shall be available to provide adequate working capital for each canteen and for the Service as a whole for (a) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots, (b) for the procurement of merchandise, supplies, and services for sale at canteens at stations of the Veterans' Administration, in accordance with the provisions of the Act, and (c) for the employment of personnel and other expenses necessary for the operation of the canteens: *Provided*, That the amount appropriated and the proceeds of canteen operations shall be deposited in the Treasury or other depositaries selected by the Administrator in a special account which shall be available for the continued operation of canteens.

60 Stat. 887.
38 U. S. C. §§ 13-13g.

National service life insurance: For the payment of benefits and for transfer to the national service life insurance fund, in accordance with the National Service Life Insurance Act of 1940, as amended, $62,217,000, to be immediately available and to remain available until expended: *Provided*, That certain premiums shall be credited to this appropriation as provided by the Act.

54 Stat. 1008.
38 U. S. C. §§ 801-818.
Ante, pp. 5, 6.

Soldiers' and sailors' civil relief: For payment of claims as authorized by article IV of the Soldiers' and Sailors' Civil Relief Act amendments of 1942, $833,000, to be immediately and continuously available until expended: *Provided*, That any moneys received as repayment of debts incurred under said article IV shall be credited to this appropriation.

56 Stat. 773.
50 U. S. C. app. §§ 540-548.

Veterans' miscellaneous benefits: For the payment of burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended, and for supplies, equipment, and tuition authorized by part VII of Veterans' Administration Regulation Numbered 1 (a), as amended, $85,449,800 to remain available until expended, for benefits accruing during the fiscal year 1948 and prior fiscal years.

38 U. S. C. note foll. § 739.
57 Stat. 43.
38 U. S. C. note foll. § 739.
Ante, p. 180; *post*, p. 739.

Total, Veterans' Administration, $6,964,457,080: *Provided*, That no part of this appropriation shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans' Affairs.

INDEPENDENT OFFICES—GENERAL PROVISIONS

Salaries of Commissioners.

SEC. 102. During the fiscal year ending June 30, 1948, the salaries of the Commissioners of the United States Tariff Commission and of the United States Maritime Commission, with the exception of the Chairman, shall be at the rate of $10,000 each per annum.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

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

Affidavit.

Penalty.

Payment of salaries, etc., restriction.

SEC. 104. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Travel expenses.

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

Purchase of newspapers and periodicals.

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

Positions formerly held by employees who entered armed forces.

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

Attendance at meetings.

SEC. 108. Appropriations contained in this Act, available for expenses of travel, shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

Accounting systems.

SEC. 109. No part of any appropriation or fund contained in this Act shall be available for installing or maintaining systems for administrative appropriation, fund or inventory accounting except such systems as are prescribed or approved by the Comptroller General: *Provided*, That all agencies for whose activities provision is made in this Act shall hereafter maintain fiscal accounting control of all inventories of supplies, materials or equipment which may be owned by or be in the custody of such agencies.

Ante, p. 583.

TITLE II—GENERAL PROVISIONS

Motor vehicles.

60 Stat. 810.
5 U. S. C. §§ 77, 78.

SEC. 201. Unless otherwise specifically provided, the maximum amount allowable, in accordance with section 16 of the Act of August 2, 1946 (Public Law 600), for the purchase of any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), is hereby fixed at $1,300.

Citizenship requirements.
Ante, p. 374.

SEC. 202. Unless otherwise specified and until July 1, 1948, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

Affidavit.

Penalty.

Recoverable payments.

Nonapplicability.

Travel outside U. S. Per diem allowances.

SEC. 203. Appropriations for the executive departments and independent establishments for the fiscal year 1948 available for travel

expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821–833), to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall in no case, notwithstanding any other provision of law, exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

44 Stat. 688.

Allowances for living quarters.

SEC. 204. Appropriations of the executive departments and independent establishments for the fiscal year 1948, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and cost of living allowances similar to those allowed under section 901 (2) of the Foreign Service Act of 1946, in accordance with and to the extent prescribed by regulations of the President, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Department of State under the caption "Foreign Service" shall not be affected hereby.

46 Stat. 818.

60 Stat. 1026.
22 U. S. C. § 1131(2).

Ante, p. 280.

Senate disapproval of nomination, effect.

SEC. 205. No part of any appropriation for the fiscal year 1948 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

U. S. Code Annotated; Lifetime Federal Digest.

SEC. 206. No part of any appropriation contained in this or any other Act shall be used to pay in excess of $4 per volume for the current and future volumes of the United States Code Annotated and such volumes shall be purchased on condition and with the understanding that cumulative annual pocket parts shall be furnished free of charge, or in excess of $4.25 per volume for the current or future volumes of the Lifetime Federal Digest.

TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts available to agencies from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

FEDERAL WORKS AGENCY

Bureau of community facilities: War public works (community facilities), under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531–1534, 1541, and 1562), $5,100,000.

55 Stat. 361, 363; 56 Stat. 212.
42 U. S. C. §§ 1561–1564.

VETERANS' ADMINISTRATION

Hospital and domiciliary facilities, $50,000,000.

Short title.

This Act may be cited as the "Independent Offices Appropriation Act, 1948".

Approved July 30, 1947.

[CHAPTER 360]

July 30, 1947
[H. R. 3961]
[Public Law 270]

AN ACT

To provide increases in the rates of pension payable to Spanish-American War and Civil War veterans and their dependents.

Veterans of Spanish-American War.
Rates of pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all monthly rates of pension payable to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and dependents of such veterans which are payable under laws reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C. 368, 369), or under Acts amendatory or supplemental to such laws, are hereby increased by 20 per centum.

Effective date.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Veterans of Civil War.
Rates of pension.

SEC. 2. That all monthly rates of pension payable to veterans of the Civil War and dependents of such veterans which are payable under any laws administered by the Veterans' Administration are hereby increased by 20 per centum.

Effective date.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Approved July 30, 1947.

[CHAPTER 361]

July 30, 1947
[H. R. 4269]
[Public Law 271]

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

The Supplemental Appropriation Act, 1948.
Ante, pp. 118, 187, 245, 361, 608, 609; *post*, pp. 695, 703, 941.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

LEGISLATIVE BRANCH

SENATE

Post, p. 695.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For an amount necessary to increase basic salaries in the Senate Press Gallery, beginning July 1, 1947, as follows: Superintendent from $3,820 to $4,320; one assistant superintendent from $3,200 to $3,600; one assistant superintendent from $2,100 to $2,400; two messengers for service to press correspondents from $1,620 each to $1,920 each; in all, $2,485; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

Ante, p. 362.

For an amount necessary to increase the basic salary of one clerk from $3,300 to $3,480 beginning July 1, 1947, $250; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

Ante, p. 362.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For an amount necessary to increase basic salaries, beginning July 1, 1947, as follows: Clerks, one to the secretary for the majority and one to the secretary for the minority, from $2,640 each to $2,820 each; in all, $500; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

Ante, p. 363.

JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

Contingent expenses, Senate: For salaries and expenses of the Joint Committee on Labor-Management Relations created by section 401 of the Labor Management Relations Act 1947 (Public Law 101, Eightieth Congress), $100,000.

Ante, p. 160.

TEMPORARY CONGRESSIONAL AVIATION POLICY BOARD

For salaries and expenses of the Temporary Congressional Aviation Policy Board created by the Act to establish a National Aviation Council, and for other purposes, to be available until March 1, 1948, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman, $40,000: *Provided*, That expenditures hereunder shall be made in accordance with the laws applicable to inquiries and investigations ordered by the Senate.

Post, p. 677.

Senate restaurants: For repairs, improvements, furnishings, and equipment for the Senate Restaurant, Capitol Building, including personal and other services, $84,000, to be expended by the Architect of the Capitol under the supervision of the Senate Committee on Rules and Administration, without regard to section 3709 of the Revised Statutes, as amended.

Ante, p. 364; *post*, p. 696.

41 U. S. C. § 5.

HOUSE OF REPRESENTATIVES

For payment to Bruce J. Mansfield, Margaret Mansfield Dorsey, and Jaquelin Mansfield Schmidt, son and daughters of Joseph Jefferson Mansfield, late a Representative from the State of Texas, $12,500.

SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For compensation, mileage, and expense allowances due and unpaid to Members of the House of Representatives, Seventy-ninth and prior Congresses, $83,879.22.

Ante, p. 58.

THE SPEAKER'S TABLE

For an additional amount for preparation of the Digest of the Rules, $1,000.

Ante, p. 364.

CONTINGENT EXPENSES OF THE HOUSE

Stationery: For an additional amount for stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, and for the second session, Seventy-ninth Congress, $200; second session, Seventy-ninth Congress, additional, $500; second session, Seventy-ninth Congress, second additional, $750; first session, Eightieth Congress, additional, $900; in all, $2,350, to remain available until expended.

60 Stat. 398.
Ante, p. 59.

For payment to John C. Gall for services rendered as counsel appointed by the special subcommittee of the Committee on Appropriations, pursuant to H. Res. 386, Seventy-eighth Congress, $7,500.

Ante, p. 365.

COMMITTEE EMPLOYEES

Paragraph (e) section 202 of the "Legislative Reorganization Act of 1946", Public Law 601, Seventy-ninth Congress, approved August 2, 1946, is amended to read as follows: The professional staff members of the standing committees shall receive basic annual compensation, to be fixed by the chairman, ranging from $5,000 to $8,000 and the clerical staff shall receive basic annual compensation up to $8,000.

60 Stat. 835.
2 U. S. C. § 72a(e).

Compensation.

ARCHITECT OF THE CAPITOL

Senate Office Building: To enable the Architect of the Capitol to carry out the provisions of section 2 of the Act entitled "An Act to authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate", approved July 11, 1947, $15,000.

Ante, p. 307.

LIBRARY OF CONGRESS

CONTINGENT EXPENSES OF THE LIBRARY

Penalty mail costs, Library of Congress: For an additional amount for "Penalty mail costs, Library of Congress", fiscal year 1946, $1,900.

59 Stat. 255.

Penalty mail costs, Library of Congress: For an additional amount for "Penalty mail costs, Library of Congress", fiscal year 1947, $9,000.

60 Stat. 404.

THE JUDICIARY

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Plans and specifications for a courthouse for the United States Court of Appeals and District Court of the United States for the District of Columbia: To enable the Commissioner of Public Buildings to carry out the provisions of section 5 of the Act of May 29, 1947 (Public Law 80), and the Commissioner of Public Buildings hereafter shall exercise all the powers, and perform all the duties conferred on the Architect of the Capitol by sections 1 and 5 of such Act, $370,000.

Ante, p. 121.

Ante, pp. 120, 121.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed $12,000, and the Deputy Director at $10,000, traveling expenses (not to exceed $50,000), including attendance at meetings of organizations concerned with the work of the agency; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); printing and binding (not to exceed $10,000); not to exceed $4,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; personal services in the District of Columbia and elsewhere; $400,000: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor: *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

Travel expenses.

60 Stat. 810.
5 U. S. C. § 55a.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
Subsistence to witnesses.

License or inspection fees; taxes.

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

For expenses necessary, for completing the liquidation of the Office of Scientific Research and Development, to be accomplished by said agency or such other agency as the President may designate pursuant to the First Supplemental Surplus Appropriation Rescission Act, 1946, including personal services in the District of Columbia; printing and binding; and not to exceed $400 for deposit in the general fund of the

Liquidation.

60 Stat. 6.

Treasury for cost of penalty mail: *Provided*, That the Office of Scientific Research and Development or the agency designated to accomplish the liquidation thereof may exercise, in connection with said liquidation, the authority with respect to the disposal of property contained in the appropriation of the Office of Scientific Research and Development for the fiscal year 1947, $90,000.

Disposal of property.

60 Stat. 606.

ASSISTANCE TO GREECE AND TURKEY

Assistance to Greece and Turkey: To enable the President to carry out the provisions of the Act of May 22, 1947 (Public Law 75), $400,000,000, which shall be available for personal services without regard to section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946, and including not to exceed $4,500,000 for administrative expenses, of which not to exceed $300,000 shall be available for expenditure in the District of Columbia.

Ante, p. 103.

59 Stat. 304.
5 U. S. C. § 947.
60 Stat. 219.
5 U. S. C. § 947 (g).

DEFENSE AID, LIQUIDATION LEND-LEASE PROGRAM

For the liquidation by the Treasury Department in the fiscal year 1948 of activities under the Act to promote the defense of the United States, approved March 11, 1941, $500,000: *Provided*, That the foregoing amount shall be available for expenditure in connection with shipment of commodities contracted for prior to January 1, 1947 (but not heretofore shipped), for the account of only Australia, Belgium, Guatemala, China, France, Saudi Arabia, Brazil, Peru, the United Kingdom, and the Netherlands.

55 Stat. 31.
22 U. S. C. §§ 411-419.
Ante, p. 450.

RELIEF ASSISTANCE TO WAR-DEVASTATED COUNTRIES

Relief assistance to war-devastated countries: To enable the President to carry out the provisions of the joint resolution providing for relief assistance to countries devastated by war, approved May 31, 1947 (Public Law 84), $332,000,000: *Provided*, That not to exceed $600,000 shall be available for the administrative expenses of the Department of State incident to the foregoing, to be allocated to and consolidated with such appropriations of the Department of State as the Secretary of State may determine: *Provided further*, That (except from funds allocated therefrom by the President as contributions to the International Children's Emergency Fund of the United Nations under the provisions of said Public Law 84) no relief assistance shall be provided under this appropriation to the people of any country unless the government of such country has given assurance satisfactory to the President that (a) the supplies transferred or otherwise made available pursuant to this appropriation, as well as similar supplies produced locally or imported from outside sources, will be distributed among the people of such country without discrimination as to race, creed, or political belief; (b) representatives of the Government of the United States and of the press and radio of the United States will be permitted to observe freely and to report fully regarding the distribution and utilization of such supplies; (c) full and continuous publicity will be given within such country as to the purpose, source, character, scope, amounts and progress of the United States relief program carried on therein pursuant to this appropriation; (d) if food, medical supplies, fertilizer, or seed is transferred or otherwise made available to such country pursuant to this appropriation, no articles of the same character will be exported or removed from such country while need therefor for relief purposes

Ante, pp. 125, 279; *post*, pp. 942, 948.
Administrative expenses.

Conditions for relief assistance.

Supra.

continues; (e) such country has taken or is taking, insofar as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction; (f) upon request of the President, it will furnish promptly information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people of such country; (g) representatives of the Government of the United States will be permitted to supervise the distribution among the people of such country of the supplies transferred or otherwise made available pursuant to this appropriation; (h) provision will be made for a control system so that all classes of people within such country will receive their fair share of essential supplies; and (i) all supplies transferred pursuant to this appropriation or acquired through the use of credits established pursuant to law and any articles processed from such supplies, or the containers of such supplies or articles, will, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such supplies, articles, or containers will permit in such manner as to indicate to the ultimate consumer in such country that such supplies or articles have been furnished by the United States of America for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labeled, that all practicable steps will be taken to inform the ultimate consumers thereof that such supplies or articles have been furnished by the United States of America for relief assistance: *Provided further*, That subject to the limitations and requirements of this paragraph this appropriation shall be available for the transportation of voluntary relief supplies shipped by relief agencies licensed for operation in Europe and in Asia including the occupied areas under such regulations as the Secretary of State may prescribe.

Transportation of voluntary relief supplies.

SURPLUS PROPERTY, CARE AND HANDLING OVERSEAS

Surplus property, care and handling overseas: To enable the President, through the War and Navy Departments and the United States Commercial Company during the fiscal years 1947 and 1948, to carry out the provisions of the Surplus Property Act of 1944, as amended, and paragraph 8 of Executive Order 9630 of September 27, 1945, with respect to care and handling of surplus property outside continental United States, $35,348,000, of which $32,000,000 shall be available to the War Department and $3,348,000 to the Navy Department for reimbursement of appropriations, funds, or accounts of said agencies from which expenditures have been or may be made for the foregoing purposes and in addition military appropriations may be expended for such purposes, not exceeding $15,000,000, in contemplation of reimbursement if justified: *Provided*, That none of the funds herein appropriated shall be available for reimbursement for pay and allowances or subsistence of military or naval personnel.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646.
Post, p. 678.
50 U. S. C. app. § 601 note.

Reimbursement.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Liquidation of United Nations Relief and Rehabilitation Administration program: To enable the President to carry out the provisions of the Act of July 8, 1947 (Public Law 164), not to exceed $1,900,000 of the unobligated and unallocated balances as of June 30, 1947, of the appropriation "United Nations Relief and Rehabilitation Administration" provided under the Third Deficiency Appropriation Act, 1946,

Ante, p. 260.

60 Stat. 603.

shall be available during the fiscal year 1948 for administrative expenses incident to the liquidation of activities under said appropriation.

INDEPENDENT OFFICES

FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and expenses: For necessary expenses for the Federal Mediation and Conciliation Service as provided in the Labor-Management Relations Act, 1947 (Public Law 101), including printing and binding, penalty mail costs; temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of $35 per diem; expenses of the Labor-Management Panel as provided in section 205 of said Act; not to exceed $3,000 for attendance at meetings of organizations concerned with labor and industrial relations, when incurred on the written authority of the Director, $1,320,000: *Provided*, That in making apportionments pursuant to section 3679 of the Revised Statutes, as amended, the entire sum herein appropriated may, if found necessary by the Bureau of the Budget for effective administration, be apportioned for obligation prior to February 15, 1948: *Provided further*, That all property used or held in connection with the functions of the United States Conciliation Service is hereby transferred to the Federal Mediation and Conciliation Service, effective August 22, 1947.

Ante, p. 153.

Ante, p. 154.

31 U. S. C. § 665.

Transfer of property.

Boards of inquiry: To enable the Federal Mediation and Conciliation Service to pay necessary expenses of boards of inquiry appointed by the President pursuant to section 206 of the Labor-Management Relations Act, 1947 (Public Law 101), including printing and binding, contract stenographic reporting services, and rent in the District of Columbia, $90,000: *Provided*, That in making apportionments pursuant to section 3679 of the Revised Statutes, as amended, the entire sum herein appropriated may, if found necessary by the Bureau of the Budget for effective administration, be apportioned for obligation prior to February 15, 1948.

Ante, p. 155.

31 U. S. C. § 665.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

Certification services: For an additional amount for "Certification services", $100,000.

Ante, p. 265.

HOWARD UNIVERSITY

Salaries and expenses: For an additional amount for "Salaries and expenses", $181,000.

Ante, p. 266.

PUBLIC HEALTH SERVICE

National Institute of Health, operating expenses: For an additional amount for the activities of the National Institute of Health, $500,000, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1948, to be expended for research activities related to cardiovascular diseases.

Ante, p. 269.

SOCIAL SECURITY ADMINISTRATION

Grants to States for unemployment-compensation administration: For an additional amount for "Grants to States for unemployment compensation administration", $8,026,000.

Ante, p. 272.

OFFICE OF THE ADMINISTRATOR

Civilian war benefits: For payments of benefits, to enable the Federal Security Administrator to continue the civilian war benefits program as provided for under this head in title II of the Labor-Federal Security Appropriation Act, 1947, $100,000.

60 Stat. 696.

FEDERAL WORKS AGENCY

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army, or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 88 and House Document Numbered 353, Eightieth Congress, $435,440.42.

55 Stat. 768.

Ante, p. 574.

HOUSING EXPEDITER

OFFICE OF RENT CONTROL

Salaries and expenses, Office of Rent Control: For expenses necessary to carry out provisions of law and Executive Orders 9809 and 9841 relative to rent control, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not to exceed $35 per diem for individuals; printing and binding; test rentals for enforcement purposes, authorization in each case to have prior approval of the Housing Expediter, or the Deputy Expediter, Rent Control, or the Regional Rent Administrator in the region in which the transaction is contemplated; hire of passenger motor vehicles; attendance at meetings of organizations concerned with rent control; and not to exceed $175,000 for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944; $18,074,000: *Provided*, That any employee of the Office of Rent Control is authorized and empowered, when designated for the purpose by the head of the Office, to administer to or take from any person an oath, affirmation, or affidavit when such instrument is required in connection with the performance of the functions or activities of said Office.

50 U. S. C. app. § 601 note.
12 F. R. 2645.
60 Stat. 810.
5 U. S. C. § 55a.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, $150,000.

60 Stat. 1049.
25 U. S. C. §§ 70-70v; 28 U. S. C. §§ 259, 259a.
58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.

NATIONAL LABOR RELATIONS BOARD

The appropriations made in the National Labor Relations Board Appropriation Act, 1948, under the titles "Salaries", "Miscellaneous expenses", "Penalty mail costs", and "Printing and binding" are hereby consolidated under the title "Salaries and expenses", which such total amount may be apportioned, pursuant to section 3679 of the Revised Statutes, as amended, if found necessary by the Bureau of the Budget for effective administration, for obligation during the period prior to February 1, 1948, and there is hereby appropriated an additional amount of $1,000,000 which shall be held in reserve and

Ante, p. 276.
31 U. S. C. § 665.

shall be available for apportionment for obligation prior to February 1, 1948, only if found necessary by the Bureau of the Budget for effective administration: *Provided*, That such sums shall be available for expenses necessary (including salaries of five Board members and a general counsel) in accordance with the provisions of the Labor-Management Relations Act, 1947 (Public Law 101), to perform the functions vested in the National Labor Relations Board by said Act, and other law.

Ante, p. 136.

OFFICE OF SELECTIVE SERVICE RECORDS

Salaries and expenses: For expenses necessary for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26), including not to exceed $100,000 for printing and binding; personal services in the District of Columbia; contract stenographic reporting services; not to exceed $32,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and a health-service program for employees as authorized by the Act of August 8, 1946 (Public Law 658), $4,250,000.

Ante, pp. 31, 108.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
60 Stat. 903.
5 U. S. C. § 150.

VETERANS' ADMINISTRATION

Automobiles and other conveyances for disabled veterans: For an additional amount for "Automobiles and other conveyances for disabled veterans", $5,000,000, to be available for the purposes specified under this head in the Act of August 8, 1946 (Public Law 663).

Ante, p. 244.

60 Stat. 915.
38 U. S. C. § 252.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ANIMAL INDUSTRY

Animal husbandry: For an additional amount for "Animal husbandry", $17,900.

Ante, p. 531.

The appropriation, "Eradication of Foot-and-Mouth and Other Contagious Diseases of Animals", in the Department of Agriculture Appropriation Act, 1948, is hereby amended to read as follows:

Ante, pp. 245, 532.

For expenses necessary, including personal services in the District of Columbia, in the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations; and for foot-and-mouth disease and rinderpest programs undertaken pursuant to the provisions of the Act of February 28, 1947 (Public Law 8, Eightieth Congress), and the Act of May 29, 1884, as amended (7 U. S. C., 391; 21 U. S. C., 111–122), including expenses in accordance with section 2 of said Public Law 8, $100,000, together with such sums (which may be transferred to and made a part of this appropriation) from other appropriations or funds available to the bureaus, corporations, or agencies of the Department as the Secretary may deem necessary, to be available, only in an emergency which threatens the livestock or poultry industry of the country: *Provided*, That, except for payments made pursuant to said Public Law 8, the payment for such animals hereafter purchased may be made on appraisement based on the meat, egg-production, dairy, or breeding value, but in case of

Ante, p. 7.
23 Stat. 31.
Ante, p. 7.

Basis of appraisement.

appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

Group appraisal of poultry.

PRODUCTION AND MARKETING ADMINISTRATION

MARKETING SERVICES

Insecticide Act: For an additional amount for "Marketing services, Insecticide Act", $75,000, to be merged with the appropriation under this head in the Department of Agriculture Appropriation Act, 1948, such total funds to be available for carrying out the purposes of the Act of April 26, 1910 (7 U. S. C. 121–134), and the Act of June 25, 1947 (Public Law 104), of which not to exceed $4,000 may be used for construction of buildings, and the limitation on personal services in the District of Columbia under "Marketing services" is hereby increased by $22,500.

Ante, p. 545.

36 Stat. 331.
Ante, p. 172.
Ante, p. 163.

SUGAR RATIONING ADMINISTRATION

Salaries and expenses: For expenses necessary to enable the Secretary of Agriculture to perform the functions and duties vested in him by the Sugar Control Extension Act of 1947 (Public Law 30), including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946; printing and binding; not to exceed $10,000 for test purchases of commodities and ration currency for enforcement purposes; and hire of passenger motor vehicles, $210,000, together with the sum appropriated for the Sugar Rationing Administration in the Emergency Appropriation Act, 1948 (Public Law 161), which is transferred to and made a part hereof: *Provided*, That not to exceed $20,000 may be transferred to the regular departmental appropriation for penalty mail as required by the Act of June 28, 1944.

Ante, p. 245.

Ante, p. 35.

60 Stat. 810.
5 U. S. C. § 55a.

Ante, p. 245.

Ante, p. 524.

58 Stat. 394.
39 U. S. C. §§ 321c–321h.
Ante, p. 450.

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Materials distribution and liquidation of Office of Temporary Controls: For expenses necessary for carrying out the purposes of the Act of July 15, 1947 (Public Law 188), section 6 (a) of the Act of June 7, 1939, as amended by the Act of July 23, 1946 (Public Law 520), and those provisions of the Act of March 29, 1947 (Public Law 24), which relate to controls over the production, distribution, and use of rubber, and for the liquidation of the Civilian Production Administration, the Office of Price Administration, the Office of War Mobilization and Reconversion, and all other functions of the former Office of Temporary Controls, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), $950,000, of which $500,000 shall be transferred to the appropriation "Salaries and expenses, Bureau of Foreign and Domestic Commerce" of which amount $187,000 shall be available only for carrying out the provisions of Public Law 24 (Eightieth Congress); and of the $950,000 herein provided, not to exceed $8,000 may be transferred to the appropriation "Printing and binding, Department of Commerce" and not to exceed $1,500 may be

Post, p. 698.

Ante, p. 321.

53 Stat. 812; 60 Stat. 598.
50 U. S. C. § 98e(a).
Ante, p. 24.

60 Stat. 810.
5 U. S. C. § 55a.

Ante, p. 299; *post*, p. 698.

Ante, p. 24.

Ante, p. 294; *post*, p. 698.

transferred to the appropriation "Penalty mail costs, Department of Commerce".

Ante, p. 295.

Section 203 (a) of the Emergency Price Control Act of 1942, as amended, is amended by striking out the period at the end of the first sentence thereof, inserting a comma, and adding the following new material: "*Provided, however*, That a protest setting forth objections to any provisions of such regulation, order, or price schedule with respect to which responsibility was transferred to the Department of Commerce by Executive Order 9841 may not be filed more than one hundred and twenty days after issuance of such regulation, order, or price schedule or sixty days after the enactment of this amendment, whichever is the later."

56 Stat. 31.
50 U. S. C. app. § 923 (a).
Filing of protest.
12 F. R. 2645.

Section 204 (e) of the Emergency Price Control Act of 1942, as amended, is amended by striking out the first sentence and substituting the following: "Within sixty days after the date of enactment of this amendment, or within sixty days after arraignment in any criminal proceedings and within sixty days after commencement of any civil proceedings brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving alleged violation of any provision of any regulation or order issued under section 2 or alleged violation of any price schedule effective in accordance with the provisions of section 206 with respect to which responsibility was transferred to the Department of Commerce by Executive Order 9841, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the Administrator setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate."

58 Stat. 639.
50 U. S. C. app. § 924 (e).
Application to file complaint.
56 Stat. 33.
50 U. S. C. app. § 925.
35 Stat. 1096.
18 U. S. C. § 88.
56 Stat. 24.
50 U. S. C. app. § 902.
56 Stat. 35.
50 U. S. C. app. § 926.
12 F. R. 2645.

The last paragraph of section 205 (e) of the Emergency Price Control Act of 1942, as amended, is amended by inserting at the end of the first sentence thereof the following new sentence: "The Administrator shall not be required to make any determination under this section unless the manufacturer makes application to the Administrator for such determination within sixty days after the date of this enactment, or within sixty days after institution of the enforcement action in which such manufacturer is involved, whichever is the later."

56 Stat. 34.
50 U. S. C. app. § 925 (e).
Application for determination by manufacturer.

Nothing herein shall be construed as in any way affecting the right of the United States or any officer thereof to dismiss any protest under section 203 of the Emergency Price Control Act of 1942, as amended, or defend against any complaint under section 204 (e) of such Act on the ground of laches.

56 Stat. 31; 58 Stat. 639.
50 U. S. C. app. §§ 923, 924 (e).
Supra.

CIVIL AERONAUTICS ADMINISTRATION

Salaries and expenses: For an additional amount for "Salaries and expenses", $39,520.

Ante, p. 296.

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities", $40,000, of which not to exceed $1,750 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration", for necessary administrative costs.

Ante, p. 296.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Export control: For expenses necessary to carry out the purposes of section 6 of the Act of July 2, 1940, as amended (50 U. S. C. App. 701), and as further amended by the Act of May 23, 1946 (Public Law 389), and the Act of July 15, 1947 (Public Law 188), including personal services in the District of Columbia, of which not to exceed $14,000 shall be available for printing and binding, and not to exceed

54 Stat. 714.
60 Stat. 215.
Ante, pp. 214, 323; *post*, p. 946.
Penalty mail.

$13,500 may be transferred to the appropriation "Penalty mail costs, Department of Commerce", $675,000.

Ante, p. 295.

Ante, p. 299.

Field office service: For an additional amount for "Field office service", $10,000.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

WAR AGENCY LIQUIDATION

Ante, pp. 245, 460.

3 CFR, Cum. Supp., p. 1123.

3 CFR, 1946 Supp., pp. 133, 153.

War Agency Liquidation: For an additional amount, for "War agency liquidation", including liquidation of War Relocation Authority program provided for in Executive Order 9102 and the President's message to Congress of June 12, 1944 (House Document 656); the Coal Mines Administration established pursuant to Executive Orders 9728 and 9758; and the functions authorized by the appropriation "Emergency fund, Territories and island possessions (national defense), Department of the Interior", contained in the Act of December 23, 1941 (55 Stat. 856); and reimbursement to the Navy Department for pay and allowances and travel expenses (except terminal leave which expenses shall be borne by the Navy Department) of officers and enlisted personnel detailed to the Coal Mines Administration; $175,000, which amount shall be merged with and constitute one fund with the appropriation to which added, said fund to be available for all the purposes of this and said other appropriation: *Provided*, That funds derived from the operation of coal mines by the Coal Mines Administration for and at the risk of the Federal Government are hereby made available for settlement and other liquidating costs of such operations: *Provided further*, That not to exceed $12,600 of this appropriation is hereby made available for expenses incurred on and after June 30, 1947, in liquidating operations of those coal mines which have been operated for the account and at the risk of the Federal Government, which sum may be expended without regard to the provisions of any law regulating expenditures of Government funds or the employment of persons in the Government service that did not apply to the expenditure of funds in the operation of such mines under Executive Orders 9728 and 9758.

Funds from operation of coal mines, etc.

3 CFR, 1946 Supp., pp. 133, 153.

BONNEVILLE POWER ADMINISTRATION

Ante, p. 462.

Ante, p. 462.

Construction, operation, and maintenance, Bonneville power transmission system: For an additional amount "Construction, operation, and maintenance, Bonneville power transmission system", $1,184,700, and in addition to the contract authorization included in the Interior Department Appropriation Act, 1948, the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for power transmission facilities in an amount not in excess of $790,600.

Idaho Panhandle facilities.

Ante, p. 462.

In addition to the contract authorization contained in the Interior Department Appropriation Act, 1948, and the additional contract authorization contained herein, the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for the Idaho Panhandle power transmission facilities in an amount not in excess of $489,000.

BUREAU OF INDIAN AFFAIRS

60 Stat. 354.

Purchase and transportation of Indian supplies: For an additional amount, fiscal year 1947, for "Purchase and transportation of Indian supplies", $400,000.

The funds appropriated under title II of the Second Deficiency Appropriation Act, 1947, to meet increased pay costs under the appropriation title "Education of Indians, 1947", may also be used for payment of tuition for Indian children enrolled in public schools. *Ante*, p. 115.

Conservation of health: For an additional amount for "Conservation of health", $302,300. *Ante*, p. 465.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Expenses of tribal councils or committees thereof (tribal funds): For an additional amount, fiscal year 1947, for "Expenses of tribal councils or committees thereof (tribal funds)", $10,000, payable from funds on deposit to the credit of the particular tribe interested. 60 Stat. 360.

NATIONAL PARK SERVICE

National parks: For an additional amount for "National parks", $65,000. *Ante*, p. 483.

National monument, historical, and military areas: For an additional amount for "National monument, historical, and military areas", including $18,000 for parking areas, sidewalks, and stairway at Mount Rushmore National Memorial, $45,000. *Ante*, p. 483.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

Maintenance of mammal and bird reservations: For an additional amount for "Maintenance of mammal and bird reservations", $40,000. *Ante*, p. 487.

DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Salaries and expenses, Office of Solicitor: For an additional amount for "Salaries and expenses, Office of Solicitor", $75,000. *Ante*, p. 261.

Contingent expenses: For an additional amount for "Contingent expenses", $15,000. *Ante*, p. 261.

Printing and binding: Fcr an additional amount for "Printing and binding", $15,000. *Ante*, p. 261; *post*, p. 700.

Penalty mail costs: For an additional amount for "Penalty mail costs", $3,000. *Ante*, p. 261; *post*, p. 700.

For expenses necessary to enable the Secretary of Labor to carry out the provisions of section 5 (a) of the Act of March 31, 1947 (Public Law 26, Eightieth Congress), and to render assistance in connection with the exercise of reemployment rights under Public Law 87, Seventy-eighth Congress, as amended, and the Selective Training and Service Act of 1940, as amended, including personal services in the District of Columbia, $500,000. *Ante*, p. 32. 57 Stat. 162. 50 U. S. C. app. §§ 1471-1475. *Ante*, p. 454. 54 Stat. 885. 50 U. S. C. app. §§ 301-318.

WAGE AND HOUR DIVISION

Salaries: For an additional amount for "Salaries", $500,000, and the limitation on departmental salaries is hereby increased by $50,000. *Ante*, p. 263.

Miscellaneous expenses: For an additional amount for "Miscellaneous expenses", $40,000.

UNITED STATES EMPLOYMENT SERVICE *Ante*, p. 262.

General administration: For an additional amount for "General administration", $201,000.

Grants to States for public employment offices: For an additional amount for "Grants to States for public employment offices", $7,460,000.

REDUCTION IN APPROPRIATION

Ante, p. 261.

The appropriation "Traveling expenses, Department of Labor, 1948", is hereby reduced by $360,000 and such amount shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

NAVY DEPARTMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide the Navy with a system of laws for the settlement of claims uniform with that of the Army", approved December 28, 1945 (31 U. S. C. 223d), as fully set forth in Senate Document Numbered 82 and House Document Numbered 350, Eightieth Congress, $59,494.56.

59 Stat. 662.

Damage claims: For payment of claims for death or personal injury, under the provisions of Public Law 224, approved November 15, 1945 (59 Stat. 582), as fully set forth in Senate Document Numbered 87 and House Document Numbered 349, Eightieth Congress, $1,321,019.10.

BUREAU OF SUPPLIES AND ACCOUNTS

FUEL AND TRANSPORTATION, NAVY

57 Stat. 205.

Fuel and transportation, Navy: For an additional amount, fiscal year 1944, for "Fuel and transportation, Navy", $730,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

57 Stat. 214.

"Contingent and miscellaneous expenses, Hydrographic Office", fiscal year 1944, $63,507.

DEPARTMENT OF STATE

DEPARTMENT SERVICE

Ante, p. 279.

Salaries and expenses, Department of State: The limitation of $20,000 contained in the Department of State Appropriation Act, 1948, for the employment of aliens and temporary employment of persons in the United States, without regard to civil service and classification laws, is hereby increased to $40,000.

Ante, p. 280.

North Atlantic fisheries: The appropriation "North Atlantic fisheries", contained in the Department of State Appropriation Act, 1948, is hereby made available, on and after July 1, 1947, for personal services in the District of Columbia and elsewhere; temporary employment of persons without regard to the civil-service laws and the Classification Act of 1923, as amended; and attendance at meetings of organizations concerned with the activity for which this appropriation was made.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

FOREIGN SERVICE

Ante, p. 279.
Ante, p. 281.
Ante, p. 280.

Salaries and expenses, Foreign Service: There is hereby transferred the sum of $400,000 from the appropriation "Salaries and expenses, Department of State, 1948", and the sum of $100,000 from the appropriation "Living and quarters allowances, Foreign Service, 1948", in all, $500,000, to the appropriation "Salaries and expenses, Foreign Service, 1948".

INTERNATIONAL OBLIGATIONS AND ACTIVITIES

International activities: The limitation of $75,000 contained in the Department of State Appropriation Act, 1948, for entertainment and representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (Public Law 724), is hereby made available for both entertainment and representation allowances.

Ante, p. 284.

60 Stat. 1026.
22 U. S. C. § 1131 (3).

The Institute of Inter-American Affairs: The amount made available under this head for administrative expenses for the fiscal year 1948 is hereby increased in the amount of $116,000, said amount to be for the payment of rent as required in section 306 of the Government Corporations Appropriation Act, 1948.

Ante, p. 582.

Ante, p. 584.

Inter-American Educational Foundation, Incorporated: The amount made available under this head for administrative expenses for the fiscal year 1948 is hereby increased in the amount of $16,000, said amount to be for the payment of rent as required in section 306 of the Government Corporations Appropriation Act, 1948.

Ante, p. 582.

Ante, p. 584.

International Refugee Organization: For expenses necessary in carrying out the provisions of the Act of July 1, 1947 (Public Law 146), providing for membership and participation by the United States in the International Refugee Organization, including attendance at meetings of societies or associations concerned with the work of the Organization; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); and the hire of passenger motor vehicles, $71,073,900.

Ante, p. 214.

40 Stat. 1270.

United States participation in United Nations: The appropriation "United States participation in United Nations," contained in the Department of State Appropriation Act, 1948, is hereby made available in an amount not exceeding $15,000 per annum for the furnishing of living quarters for the use of the Representative of the United States at the seat of the United Nations and this shall be accomplished by utilizing the authority contained in the second proviso of the appropriation "Salaries and expenses, Foreign Service," in the Department of State Appropriation Act, 1948, with respect to the furnishing of living quarters for the use of the Foreign Service; and for making allotments to the United States Mission to the United Nations to defray the unusual expenses incident to the maintenance of an official residence for the United States Representative to the United Nations in the same manner that such allotments are authorized to Foreign Service Posts by section 902 of the Foreign Service Act of 1946 (Public Law 724).

Ante, p. 283.

Ante, p. 281.

60 Stat. 1026.
22 U. S. C. § 1132.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Refunds under Renegotiation Act: To enable the Secretary of the Treasury to make refunds required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act; and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits, with interest thereon (at a rate not to exceed 4 per centum per annum) as may be determined by the War Contracts Price Adjustment Board, such interest to be computed to the date of certification of the amount to the Treasury Department for payment: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected

58 Stat. 80, 89.
50 U. S. C. app. § 1191 (a) (4) (D), (i) (3).

Reimbursement.

under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries, the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representatives shall certify the amount of any refunds to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required, $7,500,000.

Certification of amount.

FOREIGN FUNDS CONTROL

Foreign funds control liquidation: For expenses necessary in carrying out the functions of the Secretary of the Treasury under sections 3 and 5 (b) of the Act of October 6, 1917, as amended (50 U. S. C. (App.) 3, and 50 U. S. C. (App.) 5 (b) (Supp., 1941)), and any proclamations, orders, regulations, or instructions issued thereunder; and in exercising fiscal, financial, banking, property-control, and related functions, authorized by law, administered by the Treasury Department, including personal services, printing and binding, and reimbursement of any Federal Reserve Bank for printing and other expenditures, $275,000.

40 Stat. 412, 415.

Ante, p. 217.

OFFICE OF GENERAL COUNSEL

Salaries and expenses, Office of Contract Settlement: For necessary expenses, including contract stenographic reporting services, to carry out the provisions of the Contract Settlement Act of 1944, $75,000.

58 Stat. 649.
41 U. S. C. §§ 101-125.
Ante, p. 223.

BUREAU OF FEDERAL SUPPLY

Strategic and critical materials: For necessary expenses in carrying out the provisions of the Strategic and Critical Materials Stock Piling Act of July 23, 1946, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and printing and binding; $100,000,000, to be available until expended, and in addition thereto, contracts may be entered into for the purposes of said Act in an amount not in excess of $75,000,000: *Provided*, That any funds received as proceeds from sale or other disposition of materials on account of the rotation of stocks under said Act shall be deposited to the credit, and be available for expenditure for the purposes, of this appropriation.

60 Stat. 596.
50 U. S. C. §§ 98-98h.
60 Stat. 810.
5 U. S. C. § 55a.
Deposit of proceeds.

WAR DEPARTMENT

MILITARY ACTIVITIES

Ante, p. 551.

OFFICE OF THE SECRETARY OF WAR

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in House Document Numbered 351, Eightieth Congress, $15,405.48.

57 Stat. 372.

Damage claims: For the payment of claims for personal injury and damage to privately owned property, adjusted and determined by the Secretary of War under the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy,

and Marine Corps forces in foreign countries", approved January 2, 1942, as amended April 22, 1943 (31 U. S. C. 224d), as fully set forth in House Document Numbered 354, Eightieth Congress, $29,944. 55 Stat. 880; 57 Stat. 66.

Construction of buildings, utilities, and appurtenances, military posts: Title II of the Urgent Deficiency Appropriation Act, 1947, is hereby amended by deleting the figures "$17,567,069" following the words "Construction of buildings, utilities, and appurtenances, military posts" under the head "Military activities", and inserting in lieu thereof the figures "$7,692,956". *Ante*, p. 22.

United States Spruce Production Corporation: The limitation on administrative expenses until January 1, 1947, contained under this head in title II of the Government Corporations Appropriation Act, 1947, is hereby increased from "$10,000" to "$14,720". 60 Stat. 595.

CIVIL FUNCTIONS

GOVERNMENT AND RELIEF IN OCCUPIED AREAS

Post, p. 943.

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government or occupation of certain foreign areas, including personal services in the District of Columbia and elsewhere; travel expenses and transportation; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not in excess of $35 per day and travel expenses for individuals; translation rights, photographic work, educational exhibits, and dissemination of information; expenses incident to the operation of schools for American children; printing and binding; hire of passenger motor vehicles and aircraft; repair and maintenance of buildings, utilities, facilities, and appurtenances; such minimum supplies for the civilian populations of such areas as may be essential to prevent starvation, disease, or unrest, prejudicial to the objectives sought to be accomplished; $600,000,000: *Provided*, That when military personnel of the War Department are employed primarily for the purposes of this appropriation, the mileage and other travel allowances to which they may be entitled shall be paid herefrom: *Provided further*, That the general provisions of the Military Appropriation Act, 1948, shall apply to this appropriation: *Provided further*, That expenditures from this appropriation may be made outside continental United States, when necessary to carry out its purposes, without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, civil-service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States.

60 Stat. 810. 5 U. S. C. § 55a.

Travel allowances.

Ante, p. 569.

40 U. S. C. § 255; 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U.S.C. §§ 259, 267.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 201. For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding $1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 78 and House Document Numbered 357, Eightieth Congress, as follows: 42 Stat. 1066.

Federal Security Agency, $272.88;
National Housing Agency, $222.27;
Department of the Interior, $543.14;
Treasury Department, $4.83;
In all, $1,043.12.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of final judgments which have been rendered under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and which have been certified to the Eightieth Congress in Senate Document Numbered 86 and House Document Numbered 352 under the United States Maritime Commission, $71,963.45, and under the Navy Department, $55,951.16; in all, $127,914.61, together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

43 Stat. 1113.

(b) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of March 3, 1887, as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which were certified to the Eightieth Congress in House Document Numbered 360 under the following agencies:

24 Stat. 506.
36 Stat. 1168.

Department of Agriculture, $6,218.33;
Treasury Department, $500;
War Department, $6,965.99;
In all, $13,684.32; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

(c) For the payment of judgments numbered Civil 146, 3299, 3350, and 3396 rendered by United States district courts, and certified to the Eightieth Congress in Senate Document Numbered 84 and House Document Numbered 359 under the Treasury Department, $48,300.61.

(d) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Federal Tort Claims Act (28 U. S. C. 931), and which were certified to the Eightieth Congress in Senate Document Numbered 80 and House Document Numbered 361 under the Navy Department, $2,899.49, and under the War Department, $3,022.24; in all, $5,921.73, together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 722.

Payment.

(e) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(f) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Eightieth Congress in Senate Document Numbered 85 and House Document Numbered 362 under the following agencies, namely:

United States Maritime Commission, $92,027.10;
Federal Works Agency, $44,973.85;
Department of Justice, $110,916.19;
Navy Department, $26,893.02;
Treasury Department, $146,057.25;
War Department, $116,392.33;
Panama Canal, $122,591.34;
In all, $659,851.08; together with such amount as may be necessary to pay interest as and when specified in the judgments.

(b) For the payment of judgments numbered 46,066, 46,084, and 46,287 rendered by the Court of Claims in the total amount of

$203,332.18, together with such amount as may be necessary to pay interest, and certified to the Eightieth Congress in Senate Document Numbered 81 and House Document Numbered 358, to be paid from funds of the Reconstruction Finance Corporation.

(c) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise. Payment.

AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 79 and House Document Numbered 356, Eightieth Congress, there is appropriated the sum of $55,452,508.21, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund; $4.80, payable from District of Columbia revenues; and $8,528.06, payable from postal revenues; in all, $55,461,041.07. 18 Stat. 110. 23 Stat. 254.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (10 U. S. C. 866f), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in Senate Document Numbered 83 and House Document Numbered 355, $7,945.90. 59 Stat. 596. 23 Stat. 254.

TITLE III

GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government. Affidavit. Penalty.

by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Purchase of foodstuffs for relief abroad.

SEC. 302. In making expenditures for foodstuffs from funds appropriated in this Act for relief abroad, it is the sense of the Congress that preference be given to the purchase, within the United States, of products, which can be purchased with benefit to the national economy, and that such purchases should include articles that are in surplus where possible and practicable.

Short title.

SEC. 303. This Act may be cited as "The Supplemental Appropriation Act, 1948".

Approved July 30, 1947.

[CHAPTER 382]

July 30, 1947
[S. 483]
[Public Law 272]

AN ACT

To relocate the boundaries and reduce the area of the Gila Federal reclamation project, and for other purposes.

Gila project. Reduction in area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of reclaiming and irrigating lands in the State of Arizona and other beneficial uses, the reclamation project known as Gila project, heretofore authorized and established under the provisions of the reclamation laws, the Act of June 16, 1933 (48 Stat. 195), and various appropriation Acts, is hereby reduced in area to approximately forty thousand irrigable acres of land (twenty-five thousand acres thereof situated on the Yuma Mesa and fifteen thousand acres thereof within the North and South Gila Valleys), or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than three hundred thousand acre-feet of water per annum diverted from the Colorado River, and as thus reduced is hereby reauthorized and redesignated the Yuma Mesa division, Gila project, and the Wellton-Mohawk division, Gila project, comprising approximately seventy-five thousand irrigable acres of land, or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than three hundred thousand acre-feet of water per annum diverted from the Colorado River, situate within the Wellton, Dome, Roll, Texas Hill, and Mohawk areas, is substituted for the land eliminated from the Yuma Mesa division and is hereby authorized: *Provided, however*, That the waters to be diverted and used thereby, and the lands and structures for the diversion, transportation, delivery, and storage thereof, shall be subject to the provisions of the Boulder Canyon Project Act of December 21, 1928, and subject to the provisions of the Colorado River compact signed at Santa Fe, New Mexico, November 24, 1922: *And provided further*, That the above limitations contained in this section are for the sole purpose of fixing the maximum acreage of the project and shall not be construed as interpreting, affecting, or modifying any interstate compact or contract with the United States for the use of Colorado River water or any Federal or State statute limiting or defining the right to use Colorado River water of or in any State.

40 U. S. C. §§ 401-404, 406-410, 413, 414; 23 U. S. C. § 9b; 7 U. S. C. § 607; 15 U. S. C. § 609b.
Ante, p. 208.

Redesignation.

Diversion of waters, etc.

45 Stat. 1057.
43 U. S. C. §§ 617-617t.
Ante, p. 57.

Purpose of limitations.

Acquisition of lands, etc.

SEC. 2. The Secretary is hereby authorized to acquire in the name of the United States, at prices satisfactory to him, such lands, interests in lands, water rights, and other property within or adjacent to the Gila project, which belongs to the Gila Valley Power District or the Mohawk Municipal Water Conservation District, as he deems appropriate for the protection, development, or improvement of said project:

Provided, however, That the prices to be paid for the lands owned by the Gila Valley Power District, of Arizona, and heretofore officially appraised at the direction of the Commissioner of Reclamation, for the existing facilities of said district and of the Mohawk Municipal Water Conservation District, of Arizona, heretofore officially appraised at his request and determined by him to be useful to said project, shall not, in the aggregate, exceed $380,000, and no portion thereof shall be paid until said districts have made arrangements satisfactory to the Secretary for the liquidation of their respective bonded, warrant, and other outstanding indebtedness.

Aggregate of prices. Limitation.

Payment.

SEC. 3. The Secretary is hereby authorized, to the extent, in the manner, and on such terms as he deems appropriate for the protection, development, or improvement of the Gila project, to sell, exchange, or otherwise dispose of the public lands of the United States within said project, the lands acquired under this Act, and any improvements on any such lands and to lease the same during the presettlement period only, provided such lands shall be disposed of to actual settlers and farmers as soon as practicable; to establish town sites on such lands; and to dedicate portions of such lands for public purposes. Contracts for the sale of such lands shall be on a basis that, in the Secretary's judgment, will provide the return in a reasonable period of years of not less than the appraised value of the land and the improvements thereon or thereto. Such lands may be disposed of in farm units of such sizes as the Secretary determines to be adequate, taking into consideration the character of soil, topography, location with respect to the irrigation system, and such other factors as the Secretary deems relevant: *Provided*, That the area disposed of to an individual shall, so far as practicable, not exceed one hundred and sixty acres. Sales to any individual shall be of not more than one farm unit. Any sums received by the United States from the disposition of said lands and improvements shall be covered into the reclamation fund, and credited to construction costs.

Sale of public lands, etc.

Contracts.

Sales to individuals.

SEC. 4. Beginning at such date or dates and subject to such provisions and limitations as may be fixed or provided by regulations which the Secretary is hereby authorized to issue, any public lands within the Gila project and any lands acquired under this Act shall be, after disposition thereof by the United States by contract of sale and during the time such contract shall remain in effect, (i) subject to the provisions of the laws of the State of Arizona relating to the organization, government, and regulation of irrigation, electrical, power, and other similar districts, and (ii) subject to legal assessment or taxation by any such district and by said State or political subdivisions thereof, and to liens for such assessments and taxes and to all proceedings for the enforcement thereof, in the same manner and to the same extent as privately owned lands: *Provided, however*, That the United States does not assume any obligation for amounts so assessed or taxed: *And provided further*, That any proceedings to enforce said assessments or taxes shall be subject to any title then remaining in the United States, to any prior lien reserved to the United States for unpaid installments under land-sale contracts made under this Act, and to any obligation for any other charges, accrued or unaccrued, for special improvements, construction, or operation and maintenance costs of said project.

Application of State laws, etc.

Enforcement proceedings.

SEC. 5. Notwithstanding any other provision of law, the general repayment obligation of any organization which may hereafter enter into a contract with the United States covering the repayment of any portion of the costs of construction of the Gila project may be spread in annual installments over such reasonable period, not exceeding sixty years, as the Secretary may determine. For the purpose of

Repayment obligation.

predicating the repayment obligations of the various lands within said project on their respective ability, as determined by the Secretary, to share the burdens thereof, he may provide for the equitable apportionment of said general repayment obligation to the lands benefited on a unit basis in accordance with the extent of the benefit derived from the project, the character of soil, topography, and such other factors as he deems relevant, and he may provide for a system of variable payments under which larger annual payments will be required during periods of above-normal production or income and lesser annual payments will be required during periods of subnormal production or income.

Appropriations authorized.

SEC. 6. There are hereby authorized to be appropriated, from time to time, out of any money in the Treasury not otherwise appropriated, such moneys as may be necessary to carry out the provisions of this Act.

Authority of Secretary.

SEC. 7. The Secretary is authorized to perform such acts, to make such rules and regulations, and to include in contracts made under the authority of this Act such provisions as he deems proper for carrying out the provisions of this Act; and in connection with sales or exchanges under this Act, he is authorized to effect conveyances without regard to the laws governing the patenting of public lands. Wherever in this Act functions, powers, or duties are conferred upon the Secretary, said functions, powers, or duties may be performed, exercised, or discharged by his duly authorized representatives.

SEC. 8. This Act shall be deemed a supplement to and part of the reclamation law. Nothing in this Act shall be construed to amend the Boulder Canyon Project Act of December 21, 1928, as amended by the Boulder Canyon Project Adjustment Act of July 19, 1940.

45 Stat. 1057; 54 Stat. 774.
43 U. S. C. §§ 617-617t, 618-618a.

Approved July 30, 1947.

[CHAPTER 383]

July 30, 1947
[S. 1368]
[Public Law 273]

AN ACT

To amend section 2455 of the Revised Statutes, as amended, to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold, and for other purposes.

Public lands.
Sale of isolated, etc., tracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2455 of the Revised Statutes (43 U. S. C., sec. 1171), as amended, is hereby amended by striking out the words "seven hundred and sixty" and inserting in their place the words "one thousand five hundred and twenty". The said section is further amended by striking out the words "one hundred and sixty" in the second proviso and inserting in their place the words "seven hundred and sixty".

Approved July 30, 1947.

[CHAPTER 384]

July 30, 1947
[S. 1463]
[Public Law 274]

AN ACT

To amend section 12 of the Immigration Act of 1917.

Immigration Act of 1917, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act entitled "An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States", approved February 5, 1917, as amended (39 Stat. 882; U. S. C., title 8, sec. 148), is amended to read as follows:

"SEC. 12. That upon the arrival of any alien, United States citizen, or national, by water at any port within the United States on the North American Continent from a foreign port or port of Guam, Puerto Rico, Hawaii, or other insular possession of the United States, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel, having said alien, United States citizen, or national on board to deliver to the immigration officers at the port of arrival typewritten or printed lists or manifests made at the time and place of embarkation of such alien, United States citizen, or national on board such steamer or vessel, and such lists or manifests shall be in such form and contain such information as the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, shall by regulation prescribe as necessary for the identification of the persons transported and for the enforcement of the immigration laws. That it shall further be the duty of the master or commanding officer of every vessel taking passengers from any port of the United States on the North American Continent to a foreign port or a port of Guam, Puerto Rico, Hawaii, or other insular possession of the United States, or from any port of the said insular possessions to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States to file with the immigration officials before departure a list of all aliens, United States citizens, or nationals, taken on board, said list to be in such form and to contain such information as the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, shall by regulation prescribe as necessary for the identification of the persons transported and for the enforcement of the immigration laws. No master or commanding officer of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the immigration officials at the port of departure and made oath that they are full and complete as to the information required to be contained therein. Any neglect or omission to comply with the requirements of this section shall be punishable as provided in section 14 of this Act: *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, may, when expedient, arrange for the delivery of lists of outgoing aliens, United States citizens, or nationals at a later date: *Provided further*, That it shall be the duty of immigration officials to record the following information regarding every resident alien and citizen or national leaving the United States by way of the Canadian or Mexican borders for permanent residence in a foreign country: Names, age, and sex; whether married or single; calling or occupation; whether able to read or write; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States; intended future permanent residence; and time and port of last arrival in the United States; and if a United States citizen, or national, the facts on which claim to that status is based."

Delivery of list of aliens, etc., at port of arrival.

Filing before departure of list of aliens, etc., taken on board.

Granting of clearance papers.

Penalty.

39 Stat. 884.
8 U. S. C. § 150.

Delivery of lists at later date.

Information to be recorded.

Approved July 30, 1947.

[CHAPTER 385]

AN ACT

July 30, 1947
[S. 1633]
[Public Law 275]

To authorize the attendance of the Marine Band at the National Convention of The American Legion to be held in New York, New York, August 28 to 31, 1947, and the National Convention of the Veterans of Foreign Wars of the United States to be held in Cleveland, Ohio, September 4 to 9, 1947.

Marine Band. Attendance, etc., in certain parades.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and perform in the parade of The American Legion to be held in New York, New York, on August 30, 1947, and to attend and perform in the parade of the Veterans of Foreign Wars of the United States in Cleveland, Ohio, on a date between September 4 to 9, 1947, to be selected by the Veterans of Foreign Wars.

Appropriation authorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and performing in such parades, there is hereby authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed $6 per day each for additional traveling and living expenses while on duty, such allowances to be in addition to the pay and allowance to which they would be entitled while serving their permanent station.

Approved July 30, 1947.

[CHAPTER 386]

AN ACT

July 30, 1947
[H. R. 197]
[Public Law 276]

To transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska.

Petersburg, Alaska. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby conveyed to the town of Petersburg, Alaska, lots 9 and 10 of block 14 within Petersburg town site, Alaska, together with the school building located thereon for use by the town for school purposes. The grant herein shall become effective upon notice by the Secretary of the Interior to the town of Petersburg of the detailed description of the land and the written acceptance of the grant by the proper officials of the town of Petersburg.

Approved July 30, 1947.

[CHAPTER 387]

AN ACT

July 30, 1947
[H. R. 1238]
[Public Law 277]

To permit vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States.

41 Stat. 999.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 edition, title 46, sec. 883), vessels of foreign registry shall be permitted until June 30, 1948, to transport products of, and supplies and equipment for, the Riverside Mine at Hyder, Alaska, between Hyder, Alaska, and other points in the United States, either directly or via a foreign port, or for any part of the transportation.

Approved July 30, 1947.

[CHAPTER 388]

AN ACT

To codify and enact into positive law, title 1 of the United States Code, entitled "General Provisions".

July 30, 1947
[H. R. 1565]
[Public Law 278]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 1 of the United States Code entitled "General Provisions", is codified and enacted into positive law and may be cited as "1 U. S. C., § —", as follows:

Title 1, U. S. Code. Codification and enactment into positive law.

TITLE 1—GENERAL PROVISIONS

Chap.		Sec.
1.	Rules of construction	1
2.	Acts and resolutions; formalities of enactment; repeals; sealing of instruments	101
3.	Code of Laws of United States and Supplements; District of Columbia Code and Supplements	201

CHAPTER 1—RULES OF CONSTRUCTION

§ 1. Words denoting number, gender, etc.
§ 2. "County" as including "parish", etc.
§ 3. "Vessel" as including all means of water transportation.
§ 4. "Vehicle" as including all means of land transportation.
§ 5. "Company" or "association" as including successors and assigns.
§ 6. Limitation of term "products of American fisheries."

WORDS DENOTING NUMBER, GENDER, AND SO FORTH

§ 1. In determining the meaning of any Act or resolution of Congress words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words "insane person" and "lunatic" shall include every idiot, non compos, lunatic, and insane person; the word "person" may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an "oath" shall be deemed complied with by making affirmation in judicial form.

"COUNTY" AS INCLUDING "PARISH", AND SO FORTH

§ 2. The word "county" includes a parish, or any other equivalent subdivision of a State or Territory of the United States.

"VESSEL" AS INCLUDING ALL MEANS OF WATER TRANSPORTATION

§ 3. The word "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

"VEHICLE" AS INCLUDING ALL MEANS OF LAND TRANSPORTATION

§ 4. The word "vehicle" includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

"COMPANY" OR "ASSOCIATION" AS INCLUDING SUCCESSORS AND ASSIGNS

§ 5. The word "company" or "association", when used in reference to a corporation, shall be deemed to embrace the words "successors and assigns of such company or association", in like manner as if these last-named words, or words of similar import, were expressed.

LIMITATION OF TERM "PRODUCTS OF AMERICAN FISHERIES"

§ 6. Wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term "products of American fisheries" said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the labor of persons who are not residents of the United States.

CHAPTER 2—ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS

§ 101. Enacting clause.
§ 102. Resolving clause.
§ 103. Enacting or resolving words after first section.
§ 104. Numbering of sections; single proposition.
§ 105. Title of appropriation Acts.
§ 106. Printing bills and joint resolutions.
§ 107. Parchment or paper for printing enrolled bills or resolutions.
§ 108. Repeal of repealing act.
§ 109. Repeal of statutes as affecting existing liabilities.
§ 110. Saving clause of Revised Statutes.
§ 111. Repeals as evidence of prior effectiveness.
§ 112. Statutes at Large; contents; admissibility in evidence.
§ 113. "Little and Brown's" edition of laws and treaties; admissibility in evidence.
§ 114. Sealing of instruments.

ENACTING CLAUSE

§ 101. The enacting clause of all Acts of Congress shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

RESOLVING CLAUSE

§ 102. The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

ENACTING OR RESOLVING WORDS AFTER FIRST SECTION

§ 103. No enacting or resolving words shall be used in any section of an Act or resolution of Congress except in the first.

NUMBERING OF SECTIONS; SINGLE PROPOSITION

§ 104. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

TITLE OF APPROPRIATION ACTS

§ 105. The style and title of all Acts making appropriations for the support of Government shall be as follows: "An Act making appropriations (here insert the object) for the year ending June 30 (here insert the calendar year)."

PRINTING BILLS AND JOINT RESOLUTIONS

§ 106. Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution

as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last six days of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution.

PARCHMENT OR PAPER FOR PRINTING ENROLLED BILLS OR RESOLUTIONS

§ 107. Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

REPEAL OF REPEALING ACT

§ 108. Whenever an Act is repealed, which repealed a former Act, such former Act shall not thereby be revived, unless it shall be expressly so provided.

REPEAL OF STATUTES AS AFFECTING EXISTING LIABILITIES

§ 109. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability. The expiration of a temporary statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the temporary statute shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

SAVING CLAUSE OF REVISED STATUTES

§ 110. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

REPEALS AS EVIDENCE OF PRIOR EFFECTIVENESS

§ 111. No inference shall be raised by the enactment of the Act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such Act were in force or effect at the time of such enactment: *Provided, however*, That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

Post, p. 641.

STATUTES AT LARGE; CONTENTS; ADMISSIBILITY IN EVIDENCE

§ 112. The Secretary of State shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 160 of title 5. In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

"LITTLE AND BROWN'S" EDITION OF LAWS AND TREATIES; ADMISSIBILITY IN EVIDENCE

§ 113. The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private Acts of Congress, and of the several treaties therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public officers of the United States, and of the several States, without any further proof or authentication thereof.

SEALING OF INSTRUMENTS

§ 114. In all cases where a seal is necessary by law to any commission, process, or other instrument provided for by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary; which shall be as valid as if made on wax or other adhesive substance.

CHAPTER 3—CODE OF LAWS OF UNITED STATES AND SUPPLEMENTS; DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

§ 201. Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements.
(a) Publishing in slip or pamphlet form or in Statutes at Large.
(b) Curtailing number of copies published.
(c) Dispensing with publication of more than one Supplement for each Congress.
§ 202. Preparation and publication of Codes and Supplements.
(a) Cumulative Supplements to Code of Laws of United States for each session of Congress.
(b) Cumulative Supplement to District of Columbia Code for each session of Congress.
(c) New editions of Codes and Supplements.
§ 203. District of Columbia Code; preparation and publication; cumulative supplements.

§ 204. Codes and Supplements as evidence of the Laws of United States and District of Columbia; citation of Codes and Supplements.
(a) United States Code.
(b) District of Columbia Code.
(c) District of Columbia Code; citation.
(d) Supplements to Codes; citation.
(e) New edition of Codes; citation.
§ 205. Codes and Supplements; where printed; form and style; ancillaries.
§ 206. Bills and resolutions of Committee on the Judiciary of House of Representatives; form and style; ancillaries; curtailment of copies.
§ 207. Copies of acts and resolutions in slip form; additional number printed for Committee on the Judiciary of House of Representatives.
§ 208. Delegation of function of Committee on the Judiciary to other agencies; printing, etc., under direction of Joint Committee on Printing.
§ 209. Copies of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; conclusive evidence of original.
§ 210. Distribution of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies.
§ 211. Copies to Members of Congress.
§ 212. Additional distribution at each new Congress.
§ 213. Appropriation for preparing and editing supplements.

PUBLICATION AND DISTRIBUTION OF CODE OF LAWS OF UNITED STATES AND SUPPLEMENTS AND DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

§ 201. In order to avoid duplication and waste—

(a) Publishing in slip or pamphlet form or in Statutes at Large.—Publication in slip or pamphlet form or in the Statutes at Large of any of the volumes or publications enumerated in sections 202 and 203 of this title, shall, in event of enactment, be dispensed with whenever the Committee on the Judiciary of the House of Representatives so directs the Secretary of State;

(b) Curtailing number of copies published.—Curtailment of the number provided by law to be printed and distributed of the volumes or publications enumerated in sections 202 and 203 of this title may be directed by such committee, except that the Public Printer shall print such numbers as are necessary for depository library distribution and for sale; and

(c) Dispensing with publication of more than one Supplement for each Congress.—Such committee may direct that the printing and distribution of any supplement to the Code of Laws of the United States or to the Code of the District of Columbia be dispensed with entirely, except that there shall be printed and distributed for each Congress at least one supplement to each such code, containing the legislation of such Congress.

PREPARATION AND PUBLICATION OF CODES AND SUPPLEMENTS

§ 202. There shall be prepared and published under the supervision of the Committee on the Judiciary of the House of Representatives—

(a) Cumulative Supplements to Code of Laws of United States for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of Laws of the United States, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

(b) Cumulative Supplement to District of Columbia Code for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of the District of Columbia, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

(c) New editions of Codes and Supplements.—New editions of the Code of Laws of the United States and of the Code of the District of

Columbia, correcting errors and incorporating the then current supplement. In the case of each code new editions shall not be published oftener than once in each five years. Copies of each such edition shall be distributed in the same manner as provided in the case of supplements to the code of which it is a new edition. Supplements published after any new edition shall not contain the legislation of supplements published before such new edition.

DISTRICT OF COLUMBIA CODE; PREPARATION AND PUBLICATION; CUMULATIVE SUPPLEMENTS

§ 203. The Committee on the Judiciary of the House of Representatives is authorized to print bills to codify, revise, and reenact the general and permanent laws relating to the District of Columbia and cumulative supplements thereto, similar in style, respectively, to the Code of Laws of the United States, and supplements thereto, and to so continue until final enactment thereof in both Houses of the Congress of the United States.

CODES AND SUPPLEMENTS AS EVIDENCE OF THE LAWS OF UNITED STATES AND DISTRICT OF COLUMBIA; CITATION OF CODES AND SUPPLEMENTS

§ 204. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) United States Code.—The matter set forth in the edition of the Code of Laws of the United States current at any time shall, together with the then current supplement, if any, establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included: *Provided, however,* That whenever titles of such Code shall have been enacted into positive law the text thereof shall be legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(b) District of Columbia Code.—The matter set forth in the edition of the Code of the District of Columbia current at any time shall, together with the then current supplement, if any, establish prima facie the laws, general and permanent in their nature, relating to or in force in the District of Columbia on the day preceding the commencement of the session following the last session the legislation of which is included, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

(c) District of Columbia Code; citation.—The Code of the District of Columbia may be cited as "D. C. Code".

(d) Supplements to Codes; citation.—Supplements to the Code of Laws of the United States and to the Code of the District of Columbia may be cited, respectively, as "U. S. C., Sup. ", and "D. C. Code, Sup. ", the blank in each case being filled with Roman figures denoting the number of the supplement.

(e) New edition of Codes; citation.—New editions of each of such codes may be cited, respectively, as "U. S. C., ed.", and "D. C. Code, ed.", the blank in each case being filled with figures denoting the last year the legislation of which is included in whole or in part.

CODES AND SUPPLEMENT; WHERE PRINTED; FORM AND STYLE; ANCILLARIES

§ 205. The publications provided for in sections 202, 203 of this title shall be printed at the Government Printing Office and shall be in such form and style and with such ancillaries as may be prescribed by the Committee on the Judiciary of the House of Representatives. The Librarian of Congress is directed to cooperate with such committee in the preparation of such ancillaries. Such publications shall be furnished with such thumb insets and other devices to distinguish parts, with such facilities for the insertion of additional matter, and with such explanatory and advertising slips, and shall be printed on such paper and bound in such material, as may be prescribed by such committee.

BILLS AND RESOLUTIONS OF COMMITTEE ON THE JUDICIARY OF HOUSE OF REPRESENTATIVES; FORM AND STYLE; ANCILLARIES; CURTAILMENT OF COPIES

§ 206. All bills and resolutions relating to the revision of the laws referred to or reported by the Committee on the Judiciary of the House of Representatives shall be printed in such form and style, and with such ancillaries, as such committee may prescribe as being economical and suitable, to so continue until final enactment thereof in both Houses of Congress; and such committee may also curtail the number of copies of such bills to be printed in the various parliamentary stages in the House of Representatives.

COPIES OF ACTS AND RESOLUTIONS IN SLIP FORM; ADDITIONAL NUMBER PRINTED FOR COMMITTEE ON THE JUDICIARY OF HOUSE OF REPRESENTATIVES

§ 207. The Public Printer is directed to print, in addition to the number provided by existing law, and, as soon as printed, to distribute in such manner as the Committee on the Judiciary of the House of Representatives shall determine, twenty copies in slip form of each public Act and joint resolution.

DELEGATION OF FUNCTION OF COMMITTEE ON THE JUDICIARY TO OTHER AGENCIES; PRINTING, AND SO FORTH, UNDER DIRECTION OF JOINT COMMITTEE ON PRINTING

§ 208. The functions vested by sections 201, 202, 204–207 of this title in the Committee on the Judiciary of the House of Representatives may from time to time be vested in such other agency as the Congress may by concurrent resolution provide: *Provided*, That the printing, binding, and distribution of the volumes and publications enumerated in sections 202, 203 of this title shall be done under the direction of the Joint Committee on Printing.

COPIES OF SUPPLEMENTS TO CODE OF LAWS OF UNITED STATES AND OF DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS; CONCLUSIVE EVIDENCE OF ORIGINAL

§ 209. Copies of the Code of Laws relating to the District of Columbia and copies of the supplements provided for by sections 202, 203 of this title printed at the Government Printing Office and bearing its imprint, shall be conclusive evidence of the original of such code and supplements in the custody of the Secretary of State.

DISTRIBUTION OF SUPPLEMENTS TO CODE OF LAWS OF UNITED STATES AND OF DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS; SLIP AND PAMPHLET COPIES

§ 210. Copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title shall be distributed by the Superintendent of Documents in the same manner as bound volumes of the Statutes at Large: *Provided*, That no slip or pamphlet copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title need be printed or distributed.

COPIES TO MEMBERS OF CONGRESS

§ 211. In addition to quotas provided for by section 210 of this title there shall be printed, published, and distributed of the Code of Laws relating to the District of Columbia with tables, index, and other ancillaries, suitably bound and with thumb inserts and other convenient devices to distinguish the parts, and of the supplements to both codes as provided for by sections 202, 203 of this title, ten copies of each for each Member of the Senate and House of Representatives of the Congress in which the original authorized publication is made, for his use and distribution, and in addition for the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a number of bound copies of each equal to ten times the number of members of such committees, and one bound copy of each for the use of each committee of the Senate and House of Representatives.

ADDITIONAL DISTRIBUTION AT EACH NEW CONGRESS

§ 212. In addition the Superintendent of Documents shall, at the beginning of the first session of each Congress, supply to each Senator and Representative in such Congress, who may in writing apply for the same, one copy each of the Code of Laws of the United States, the Code of Laws relating to the District of Columbia, and the latest supplement to each code: *Provided*, That such applicant shall certify in his written application for the same that the volume or volumes for which he applies is intended for his personal use exclusively: *And provided further*, That no Senator or Representative during his term of service shall receive under this section more than one copy each of the volumes enumerated herein.

APPROPRIATION FOR PREPARING AND EDITING SUPPLEMENTS

§ 213. For preparation and editing an annual appropriation of $6,500 is authorized to carry out the purposes of sections 202 and 203 of this title.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby repealed insofar as such provisions appeared in title 1, United States Code, 1940 edition, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE OR REVISED STATUTES	Title 1, United States Code, section
R. S., sec. 1	1
R. S., sec. 2	2
R. S., sec. 3	3
R. S., sec. 4	4
R. S., sec. 5	5
Act June 11, 1940, ch. 325, sec. 1, 54 Stat. 305	6
R. S., sec. 7	21
R. S., sec. 8	22
R. S., sec. 9	23
R. S., sec. 10	24
R. S., sec. 11	25
Res. Nov. 1, 1893, 28 Stat. Appendix 5; act Mar. 2, 1895, ch. 177, sec. 1, 28 Stat. 769	26
Act Mar. 6, 1920, ch. 94, sec. 1, 41 Stat. 520	27
R. S., sec. 12	28
R. S., sec. 13; Mar. 22, 1944, ch. 123, 58 Stat. 118	29
R. S., sec. 5599	29a
Act Mar. 3, 1933, ch. 202, sec. 3, 47 Stat. 1431	29b
Act Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 615; June 20, 1936, ch. 630, sec. 9, 49 Stat. 1551; June 16, 1938, ch. 477, sec. 1, 52 Stat. 760	30
R. S., sec. 908	30a
R. S., sec. 6	31
Res. Mar. 2, 1929, ch. 586, sec. 1, 45 Stat. 1540	51a
Act May 29, 1928, ch. 910, sec. 2, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 2, 45 Sat. 1541	52
Act May 29, 1928, ch. 910, sec. 3, 45 Stat. 1007	53
Act May 29, 1928, ch. 910, sec. 4, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 3, 45 Stat. 1541	54
Res. Mar. 2, 1929, ch. 586, sec. 4, 45 Stat. 1542; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54a
Res. Mar. 2, 1929, ch. 586, sec. 5, 45 Stat. 1542; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54b
Res. Mar. 2, 1929, ch. 586, sec. 6, 45 Stat. 1542	54c
Res. Mar. 2, 1929, ch. 586, sec. 7, 45 Stat. 1542	54d
Act May 29, 1928, ch. 910, sec. 5, 45 Stat. 1007	55
Act May 29, 1928, ch. 910, sec. 6, 45 Stat. 1007	56
Act May 29, 1928, ch. 910, sec. 7, 45 Stat. 1008	57
Act May 29, 1928, ch. 910, sec. 8, 45 Stat. 1008	58
Act May 29, 1928, ch. 910, sec. 10, 45 Stat. 1008	59
Act Mar. 3, 1933, ch. 202, sec. 2, 47 Stat. 1431	60

Approved July 30, 1947.

[CHAPTER 389]

AN ACT

To codify and enact into positive law title 4 of the United States Code, entitled "Flag and seal, Seat of Government, and the States".

July 30, 1947
[H. R. 1566]
[Public Law 279]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 4 of the United States Code, entitled "Flag and seal, Seat of Government, and the States", is codified and enacted into positive law and may be cited as "4 U. S. C., § —", as follows:

Title 4, U. S. Code. Codification and enactment into positive law.

TITLE 4—FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

Chap.	Sec.
1. The Flag	1
2. The Seal	41
3. Seat of the Government	71
4. The States	101

CHAPTER 1—THE FLAG

§ 1. Flag; stripes and stars on.
§ 2. Same; additional stars.
§ 3. Use of flag for advertising purposes; mutilation of flag.

FLAG; STRIPES AND STARS ON

§ 1. The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field.

SAME; ADDITIONAL STARS

§ 2. On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission.

USE OF FLAG FOR ADVERTISING PURPOSES; MUTILATION OF FLAG

§ 3. Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed; or who, within the District of Columbia, shall publicly mutilate, deface, defile or defy, trample upon, or cast contempt, either by word or act, upon any such flag, standard, colors, or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors, or ensign", as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

CHAPTER 2—THE SEAL

§ 41. Seal of the United States.
§ 42. Same; custody and use of.

SEAL OF THE UNITED STATES

§ 41. The seal heretofore used by the United States in Congress assembled is declared to be the seal of the United States.

SAME; CUSTODY AND USE OF

§ 42. The Secretary of State shall have the custody and charge of such seal, and shall make out and record, and shall affix the same to, all civil commissions for officers of the United States, to be appointed by the President, by and with the advice and consent of the Senate, or by the President alone. But the seal shall not be affixed to any commission before the same has been signed by the President of the United States, nor to any other instrument, without the special warrant of the President therefor.

CHAPTER 3—SEAT OF THE GOVERNMENT

§ 71. Permanent seat of Government.
§ 72. Public offices; at seat of Government.
§ 73. Same; removal from seat of Government.

PERMANENT SEAT OF GOVERNMENT

§ 71. All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government of the United States.

PUBLIC OFFICES; AT SEAT OF GOVERNMENT

§ 72. All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

SAME; REMOVAL FROM SEAT OF GOVERNMENT

§ 73. In case of the prevalence of a contagious or epidemic disease at the seat of government, the President may permit and direct the removal of any or all the public offices to such other place or places as he shall deem most safe and convenient for conducting the public business.

CHAPTER 4—THE STATES

§ 101. Oath by members of legislatures and officers.
§ 102. Same; by whom administered.
§ 103. Assent to purchase of lands for forts.
§ 104. Tax on motor fuel sold on military or other reservation; reports to State taxing authority.
§ 105. State, etc., taxation affecting Federal areas; sales or use tax.
§ 106. Same; income tax.
§ 107. Same; exception of United States, its instrumentalities, and authorized purchasers therefrom.
§ 108. Same; jurisdiction of United States over Federal areas unaffected.
§ 109. Same; exception of Indians.
§ 110. Same; definitions.

OATH BY MEMBERS OF LEGISLATURES AND OFFICERS

§ 101. Every member of a State legislature, and every executive and judicial officer of a State, shall, before he proceeds to execute the duties of his office, take an oath in the following form, to wit: "I, A B, do solemnly swear that I will support the Constitution of the United States."

SAME; BY WHOM ADMINISTERED

§ 102. Such oath may be administered by any person who, by the law of the State, is authorized to administer the oath of office; and the person so administering such oath shall cause a record or certificate thereof to be made in the same manner, as by the law of the State, he is directed to record or certify the oath of office.

ASSENT TO PURCHASE OF LANDS FOR FORTS

§ 103. The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dockyards, and other needful buildings, without such consent having been obtained.

TAX ON MOTOR FUEL SOLD ON MILITARY OR OTHER RESERVATION REPORTS TO STATE TAXING AUTHORITY

§ 104. (a) All taxes levied by any State, Territory, or the District of Columbia upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels may be levied, in the same manner and to the same extent, with respect to such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory, or the District of Columbia, within whose borders the reservation affected may be located.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory, or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel with respect to which taxes are payable under subsection (a) for the preceding month.

STATE, AND SO FORTH, TAXATION AFFECTING FEDERAL AREAS; SALES OR USE TAX

§ 105. (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940.

SAME; INCOME TAX

§ 106. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason

of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.

SAME; EXCEPTION OF UNITED STATES, ITS INSTRUMENTALITIES, AND AUTHORIZED PURCHASES THEREFROM

§ 107. (a) The provisions of sections 105 and 106 of this title shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser.

(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy.

SAME; JURISDICTION OF UNITED STATES OVER FEDERAL AREAS UNAFFECTED

§ 108. The provisions of sections 105 to 110 of this title shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area.

SAME; EXCEPTION OF INDIANS

§ 109. Nothing in sections 105 and 106 of this title shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

SAME; DEFINITIONS

§ 110. As used in sections 105–109 of this title—

(a) The term "person" shall have the meaning assigned to it in section 3797 of title 26.

(b) The term "sales or use tax" means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal property, except a tax with respect to which the provisions of section 104 of this title are applicable.

(c) The term "income tax" means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

(d) The term "State" includes any Territory or possession of the United States.

(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby

repealed insofar as such provisions appear in title 4, United States Code, 1940 edition, and supplements thereto, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE OR REVISED STATUTES

	Title 4, United States Code, section
R. S., secs. 1791, 1792	1
R. S., sec. 1792	2
Feb. 8, 1917, ch. 34, 39 Stat. 900	3
R. S., sec. 1793	4
R. S., secs. 203 (first clause), 1794	5
R. S., sec. 1795	6
R. S., sec. 1796	7
R. S., sec. 4798	8
R. S., sec. 1836	9
R. S., sec. 1837	10
R. S., sec. 1838	11
June 16, 1936, ch. 582, sec. 10, 49 Stat. 1521; Oct. 9, 1940, ch. 787, sec. 7, 54 Stat. 1060	12
Oct. 9, 1940, ch. 787, sec. 1, 54 Stat. 1059	13
Oct. 9, 1940, ch. 787, sec. 2, 54 Stat. 1060	14
Oct. 9, 1940, ch. 787, sec. 3, 54 Stat. 1060	15
Oct. 9, 1940, ch. 787, sec. 4, 54 Stat. 1060	16
Oct. 9, 1940, ch. 787, sec. 5, 54 Stat. 1060	17
Oct. 9, 1940, ch. 787, sec. 6, 54 Stat. 1060	18

Approved July 30, 1947.

[CHAPTER 390]

July 30, 1947
[H. R. 1567]
[Public Law 280]

AN ACT

To codify and enact into positive law title 6 of the United States Code, entitled "Official and Penal Bonds".

Title 6, U. S. Code. Codification and enactment into positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 6 of the United States Code, entitled "Official and Penal Bonds", is codified and enacted into positive law and may be cited as "6 U. S. C., § —", as follows:

TITLE 6—OFFICIAL AND PENAL BONDS

§ 1. Custody.
§ 2. Examination as to sufficiency of sureties.
§ 3. Renewal; continuance of liability.
§ 4. Notice of delinquency of principal.
§ 5. Limitation of actions against sureties.
§ 6. Surety companies as sureties.
§ 7. Same; appointment of agents; service of process.
§ 8. Same; deposit of copy of charter.
§ 9. Same; quarterly statements.
§ 10. Same; jurisdiction of suits on bonds.
§ 11. Same; nonpayment of judgment.
§ 12. Same; estoppel to deny corporate powers.
§ 13. Same; failure to comply with the law.
§ 14. Rate of premium on bond; premiums not to be paid by United States.
§ 15. Bonds or notes of United States in lieu of recognizance, stipulation, bond, guaranty, or undertaking; place of deposit; return to depositor; contractors' bonds.

CUSTODY

§ 1. All bonds of the Treasurer of the United States, collectors of internal revenue, collectors, comptrollers of customs, surveyors, and other officers of the customs, either as such officers or as disbursing officers of the Treasury, bonds of the Secretary of the Senate, Clerk

of the House of Representatives, and the Sergeant at Arms of the House of Representatives, shall be placed in the custody of the Secretary of the Treasury and filed as he may direct; and the duties required by law on March 2, 1895, of the Comptroller of the Treasury in regard to such bonds, as the successor of the Commissioner of Customs and First Comptroller of the Treasury, shall be performed by the Secretary of the Treasury.

EXAMINATION AS TO SUFFICIENCY OF SURETIES

§ 2. Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

RENEWAL; CONTINUANCE OF LIABILITY

§ 3. Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deem such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor. The nonperformance of any requirement of the provisions of sections 1 to 3 of this title, or of that part of section 27 of title 19 relating to transmitting copies of oaths to the Secretary of the Treasury, on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States. The liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal. Nothing in said sections shall be construed to repeal or modify section 38 of title 39: *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees, officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be a compliance with the requirement for the renewal of such bonds within the meaning of sections 1 to 3 of this title.

NOTICE OF DELINQUENCY OF PRINCIPAL

§ 4. Whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post office in the city of Washington, District of Columbia, addressed to said sureties respectively and directed to the respective post offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

LIMITATION OF ACTIONS AGAINST SURETIES

§ 5. If, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within five years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

SURETY COMPANIES AS SURETIES

§ 6. Whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings. Such recognizance, stipulation, bond, or undertaking shall be approved by the head of department, court, judge, officer, board, or body executive, legislative, or judicial required to approve or accept the same. No officer or person having the approval of any bond shall exact that it shall be furnished by a guaranty company or by any particular guaranty company.

SAME; APPOINTMENT OF AGENTS; SERVICE OF PROCESS

§ 7. No such company shall do business under the provisions of sections 6 to 13 of this title beyond the limits of the State or Territory under whose laws it was incorporated and in which its principal office is located, nor beyond the limits of the District of Columbia, when such company was incorporated under its laws or the laws of the United States and its principal office is located in said District, until it shall by a written power of attorney appoint some person residing within the jurisdiction of the court for the judicial district wherein such suretyship is to be undertaken, who shall be a citizen of the State, Territory, or District of Columbia, wherein such court is held, as its agent, upon whom may be served all lawful process against such company, and who shall be authorized to enter an appearance in its behalf. A copy of such power of attorney, duly certified and authenticated, shall be filed with the clerk of the district court of the United States for such district at each place where a term of such court is or may be held, which copy, or a certified copy thereof, shall be legal evidence in all controversies arising under sections 6 to 13 of this title. If any such agent shall be removed, resign, or die, become insane, or otherwise incapable of acting, it shall be the duty of such company to appoint another agent in his place as hereinbefore prescribed, and until such appointment shall have been made, or during the absence of any agent of such company from such district, service of process may be upon the clerk of the court wherein such suit is brought, with like effect as upon an agent appointed by the company. The officer executing such process upon such clerk shall immediately transmit a copy thereof by mail to the company, and state such fact in his return. A judgment, decree, or order of a court entered or made after service of process as aforesaid shall be as valid and binding on such company as if served with process in said district.

SAME; DEPOSIT OF COPY OF CHARTER

§ 8. Every company, before transacting any business under sections 6 to 13 of this title, shall deposit with the Secretary of the Treasury of the United States a copy of its charter or articles of incorporation, and a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. If the said Secretary of the Treasury shall be satisfied that such company has authority under its charter to do the business provided for in sections 6 to 13 of this title, and that it has a paid-up capital of not less than $250,000, in cash or its equivalent, and is able to keep and perform its contracts, he shall grant authority in writing to such company to do business under sections 6 to 13 of this title.

SAME; QUARTERLY STATEMENTS

§ 9. Every such company shall, in the months of January, April, July, and October of each year, file with the said Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities, as is required by section 8 of this title. The said Secretary of the Treasury shall have the power, and it shall be his duty, to revoke the authority of any such company to transact any new business under sections 6 to 13 of this title whenever in his judgment such company is not solvent or is conducting its business in violation of sections 6 to 13 of this title. He may institute inquiry at any time into the solvency of said company and may require that additional security be given at any time by any principal when he deems such company no longer sufficient security.

SAME; JURISDICTION OF SUITS ON BONDS

§ 10. Any surety company doing business under the provisions of sections 6 to 13 of this title may be sued in respect thereof in any court of the United States which has or may have jurisdiction of actions or suits upon such recognizance, stipulation, bond, or undertaking, in the district in which such recognizance, stipulation, bond, or undertaking was made or guaranteed, or in the district in which the principal office of such company is located. For the purposes of sections 6 to 13 of this title such recognizance, stipulation, bond, or undertaking shall be treated as made or guaranteed in the district in which the office is located, to which it is returnable, or in which it is filed, or in the district in which the principal in such recognizance, stipulation, bond, or undertaking resided when it was made or guaranteed.

SAME; NONPAYMENT OF JUDGMENT

§ 11. If any such company shall neglect or refuse to pay any final judgment or decree rendered against it upon any such recognizance, stipulation, bond, or undertaking made or guaranteed by it under the provisions of sections 6 to 13 of this title, from which no appeal or supersedeas has been taken, for thirty days after the rendition of such judgment or decree, it shall forfeit all right to do business under sections 6 to 13 of this title.

SAME; ESTOPPEL TO DENY CORPORATE POWERS

§ 12. Any company which shall execute or guarantee any recognizance, stipulation, bond, or undertaking under the provisions of sections 6 to 13 of this title shall be estopped in any proceeding to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute or guarantee such instrument or assume such liability.

SAME; FAILURE TO COMPLY WITH LAW

§ 13. Any company doing business under the provisions of sections 6 to 13 of this title which shall fail to comply with any of its provisions shall forfeit to the United States for every such failure not less than $500 nor more than $5,000, to be recovered by suit in the name of the United States in the same courts in which suit may be brought against such company under the provisions of sections 6 to 13 of this title, and such failure shall not affect the validity of any contract entered into by such company.

RATE OF PREMIUM ON BOND; PREMIUMS NOT TO BE PAID BY UNITED STATES

§ 14. Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than 35 per centum in excess of the rate of premium charged for a like bond during the calendar year 1908. The United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

BONDS OR NOTES OF UNITED STATES IN LIEU OF RECOGNIZANCE, STIPULATION, BOND, GUARANTY, OR UNDERTAKING; PLACE OF DEPOSIT; RETURN TO DEPOSITOR; CONTRACTORS' BONDS

§ 15. Wherever by the laws of the United States or regulations made pursuant thereto, any person is required to furnish any recognizance, stipulation, bond, guaranty, or undertaking, hereinafter called "penal bond", with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond, United States Liberty bonds or other bonds or notes of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds or notes so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds or notes in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, post-office money orders, or cash, for the penalty or amount of such penal bond. The bonds or notes deposited hereunder, and such other United States bonds or notes as may be substituted therefor from time to time as such security, may be deposited with the Treasurer of the United States, a Federal Reserve bank, or other depositary duly designated for that purpose by the Secretary, which shall issue receipt therefor, describing such bonds or notes so deposited. As soon as security for the performance of such penal bond is no longer necessary, such bonds or notes so deposited shall be returned to the depositor. In case a person or persons supplying a contractor with labor or material as provided by sections 270a to 270d of title 40 shall file with the obligee, at any time after a default in the performance of any contract subject to said sections 270a to 270d, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds or notes nor any surplus proceeds thereof until the expiration of the time limited by said sections 270a to 270d for the institution of suit by such person or persons, and, in case suit shall be instituted within such time, shall hold said bonds or notes or proceeds subject to the order of the court having jurisdiction thereof. Nothing herein contained shall affect or impair

Place of deposit.

Return to depositor.

Person supplying contractor with labor, etc.

the priority of the claim of the United States against the bonds or notes deposited or any right or remedy granted by said sections 270a to 270d or by this section to the United States for default upon any obligation of said penal bond. All laws inconsistent with this section are hereby so modified as to conform to the provisions hereof. Nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect. The term "person" in this section means an individual, a trust or estate, a partnership, or a corporation; the term "Secretary" means the Secretary of the Treasury. In order to avoid the frequent substitution of securities such rules and regulations may limit the effect of this section, in appropriate classes of cases, to bonds and notes of the United States maturing more than a year after the date of deposit of such bonds as security. The phrase "bonds or notes of the United States" shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States.

"Person."

"Secretary."

"Bonds or notes of the United States."

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 6, United States Code, 1940 edition, and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repeated sections or parts thereof shall not be affected by such repeal.

Repeals.

STATUTES AT LARGE	Title 6, United States Code, Section
Mar. 2, 1895, ch. 177, sec. 5, second paragraph, 28 Stat. 807; June 17, 1930, ch. 497, sec. 523, first paragraph, 46 Stat. 740	1
Mar. 2, 1895, ch. 177, sec. 5, third paragraph, 28 Stat. 807	2
Mar. 2, 1895, ch. 177, sec. 5, fourth paragraph, 28 Stat. 807; Mar. 8, 1928, ch. 148, 45 Stat. 247	3
Aug. 8, 1888, ch. 787, sec. 1, 25 Stat. 387	4
Aug. 8, 1888, ch. 787, sec. 2, 25 Stat. 387; as modified by June 10, 1921, ch. 18, sec. 301, 42 Stat. 23	5
Aug. 13, 1894, ch. 282, sec. 1, 28 Stat. 279	6
Aug. 13, 1894, ch. 282, sec. 2, 28 Stat. 279	7
Aug. 13, 1894, ch. 282, sec. 3, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	8
Aug. 13, 1894, ch. 282, sec. 4, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	9
Aug. 13, 1894, ch. 282, sec. 5, 28 Stat. 280	10
Aug. 13, 1894, ch. 282, sec. 6, 28 Stat. 280; as modified Jan. 31, 1928, ch. 14, sec. 1, 45 Stat. 54	11
Aug. 13, 1894, ch. 282, sec. 7, 28 Stat. 280	12
Aug. 13, 1894, ch. 282, sec. 8, 28 Stat. 280	13
Aug. 5, 1909, ch. 7, 36 Stat. 125, first paragraph under "Department of Commerce and Labor"	14
Feb. 24, 1919, ch. 18, sec. 1320, 40 Stat. 1148; Nov. 23, 1921, ch. 136, sec. 1329, 42 Stat. 318; Feb. 26, 1926, ch. 27, secs. 2 (a) (1), (6), 1126, 44 Stat. 9, 122; Feb. 4, 1935, ch. 5, sec. 7, 49 Stat. 22; Mar. 31, 1944, ch. 148, 58 Stat. 135, 136	15

Approved July 30, 1947.

[CHAPTER 391]

AN ACT

July 30, 1947
[H. R. 2083]
[Public Law 281]

To codify and enact into positive law title 17 of the United States Code, entitled "Copyrights".

Title 17, U. S. Code. Codification and enactment into positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 17 of the United States Code entitled "Copyrights" is codified and enacted into positive law and may be cited as "Title 17, U. S. C., § —", as follows:

TITLE 17—COPYRIGHTS

Chap.		Sec.
1.	Registration of copyright	1
2.	Infringement proceedings	101
3.	Copyright Office	201

Post, p. 660.
Post, p. 665.

CHAPTER 1—REGISTRATION OF COPYRIGHTS

§ 1. Exclusive rights as to copyrighted works.
§ 2. Rights of author or proprietor of unpublished work.
§ 3. Protection of component parts of work copyrighted; composite works or periodicals.
§ 4. All writings of author included.
§ 5. Classification of works for registration.
§ 6. Registration of prints and labels.
§ 7. Copyright on compilations of works in public domain or of copyrighted works; subsisting copyrights not affected.
§ 8. Copyright not to subsist in works in public domain, or published prior to July 1, 1909, and not already copyrighted, or Government publications; publication by Government of copyrighted material.
§ 9. Authors or proprietors, entitled; aliens.
§ 10. Publication of work with notice.
§ 11. Registration of claim and issuance of certificate.
§ 12. Works not reproduced for sale.
§ 13. Deposit of copies after publication; action or proceeding for infringement.
§ 14. Same; failure to deposit; demand; penalty.
§ 15. Same; postmaster's receipt; transmission by mail without cost.
§ 16. Mechanical work to be done in United States.
§ 17. Affidavit to accompany copies.
§ 18. Making false affidavit.
§ 19. Notice; form.
§ 20. Same; place of application of; one notice in each volume or number of newspaper or periodical.
§ 21. Same; effect of accidental omission from copy or copies.
§ 22. Ad interim protection of book published abroad.
§ 23. Same; extension to full term.
§ 24. Duration; renewal and extension.
§ 25. Renewal of copyrights registered in Patent Office under repealed law.
§ 26. Terms defined.
§ 27. Copyright distinct from property in object copyrighted; effect of sale of object, and of assignment of copyright.
§ 28. Assignments and bequests.
§ 29. Same; executed in foreign country; acknowledgment and certificate.
§ 30. Same; record.
§ 31. Same; certificate of record.
§ 32. Same; use of name of assignee in notice.

§ 1. EXCLUSIVE RIGHTS AS TO COPYRIGHTED WORKS.—Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right:

(a) To print, reprint, publish, copy, and vend the copyrighted work;

(b) To translate the copyrighted work into other languages or dialects, or make any other version thereof, if it be a literary work; to dramatize it if it be a nondramatic work; to convert it into a novel or other nondramatic work if it be a drama; to arrange or adapt it if it be a musical work; to complete, execute, and finish it if it be a model or design for a work of art;

(c) To deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production;

Public performance, etc.

(d) To perform or represent the copyrighted work publicly if it be a drama or, if it be a dramatic work and not reproduced in copies for sale, to vend any manuscript or any record whatsoever thereof; to make or to procure the making of any transcription or record thereof by or from which, in whole or in part, it may in any manner or by any method be exhibited, performed, represented, produced, or reproduced; and to exhibit, perform, represent, produce, or reproduce it in any manner or by any method whatsoever; and

(e) To perform the copyrighted work publicly for profit if it be a musical composition; and for the purpose of public performance for profit, and for the purposes set forth in subsection (a) hereof, to make any arrangement or setting of it or of the melody of it in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced: *Provided*, That the provisions of this title, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after July 1, 1909, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights. And as a condition of extending the copyright control to such mechanical reproductions, that whenever the owner of a musical copyright has used or permitted or knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work upon the payment to the copyright proprietor of a royalty of 2 cents on each such part manufactured, to be paid by the manufacturer thereof; and the copyright proprietor may require, and if so the manufacturer shall furnish, a report under oath on the 20th day of each month on the number of parts of instruments manufactured during the previous month serving to reproduce mechanically said musical work, and royalties shall be due on the parts manufactured during any month upon the 20th of the next succeeding month. The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright except in case of public performance for profit. It shall be the duty of the copyright owner, if he uses the musical composition himself for the manufacture of parts of instruments serving to reproduce mechanically the musical work, or licenses others to do so, to file notice thereof, accompanied by a recording fee, in the copyright office, and any failure to file such notice shall be a complete defense to any suit, action, or proceeding for any infringement of such copyright.

Compositions includible.

Payment of royalty.

Failure of manufacturer to pay royalty.

In case of failure of such manufacturer to pay to the copyright proprietor within thirty days after demand in writing the full sum

of royalties due at said rate at the date of such demand, the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this title, not exceeding three times such amount.

Rendition by coin-operated machines.

The reproduction or rendition of a musical composition by or upon coin-operated machines shall not be deemed a public performance for profit unless a fee is charged for admission to the place where such reproduction or rendition occurs.

§ 2. RIGHTS OF AUTHOR OR PROPRIETOR OF UNPUBLISHED WORK.—Nothing in this title shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor.

§ 3. PROTECTION OF COMPONENT PARTS OF WORK COPYRIGHTED; COMPOSITE WORKS OR PERIODICALS.—The copyright provided by this tile shall protect all the copyrightable component parts of the work copyrighted, and all matter therein in which copyright is already subsisting, but without extending the duration or scope of such copyright. The copyright upon composite works or periodicals shall give to the proprietor thereof all the rights in respect thereto which he would have if each part were individually copyrighted under this title.

§ 4. ALL WRITINGS OF AUTHOR INCLUDED.—The works for which copyright may be secured under this title shall include all the writings of an author.

§ 5. CLASSIFICATION OF WORKS FOR REGISTRATION.—The application for registration shall specify to which of the following classes the work in which copyright is claimed belongs:

(a) Books, including composite and cyclopedic works, directories, gazetteers, and other compilations.

(b) Periodicals, including newspapers.

(c) Lectures, sermons, addresses (prepared for oral delivery).

(d) Dramatic or dramatico-musical compositions.

(e) Musical compositions.

(f) Maps.

(g) Works of art; models or designs for works of art.

(h) Reproductions of a work of art.

(i) Drawings or plastic works of a scientific or technical character.

(j) Photographs.

(k) Prints and pictorial illustrations including prints or labels used for articles of merchandise.

(l) Motion-picture photoplays.

(m) Motion pictures other than photoplays.

The above specifications shall not be held to limit the subject matter of copyright as defined in section 4 of this title, nor shall any error in classification invalidate or impair the copyright protection secured under this title.

§ 6. REGISTRATION OF PRINTS AND LABELS.—Commencing July 1, 1940, the Register of Copyrights is charged with the registration of claims to copyright properly presented, in all prints and labels published in connection with the sale or advertisement of articles of merchandise, including all claims to copyright in prints and labels pending in the Patent Office and uncleared at the close of business June 30, 1940. There shall be paid for registering a claim of copyright in any such print or label not a trade-mark $6, which sum shall cover the expense of furnishing a certificate of such registration, under the seal of the Copyright Office, to the claimant of copyright.

§ 7. COPYRIGHT ON COMPILATIONS OF WORKS IN PUBLIC DOMAIN OR OF COPYRIGHTED WORKS; SUBSISTING COPYRIGHTS NOT AFFECTED.—Compilations or abridgments, adaptations, arrangements, dramatizations, translations, or other versions of works in the public domain or of copyrighted works when produced with the consent of the proprietor of the copyright in such works, or works republished with new matter, shall be regarded as new works subject to copyright under the provisions of this title; but the publication of any such new works shall not affect the force or validity of any subsisting copyright upon the matter employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.

§ 8. COPYRIGHT NOT TO SUBSIST IN WORKS IN PUBLIC DOMAIN, OR PUBLISHED PRIOR TO JULY 1, 1909, AND NOT ALREADY COPYRIGHTED, OR GOVERNMENT PUBLICATIONS; PUBLICATION BY GOVERNMENT OF COPYRIGHTED MATERIAL.—No copyright shall subsist in the original text of any work which is in the public domain, or in any work which was published in this country or any foreign country prior to July 1, 1909, and has not been already copyrighted in the United States, or in any publication of the United States Government, or any reprint, in whole or in part, thereof: *Provided*, That copyright may be secured by the Postmaster General on behalf of the United States in the whole or any part of the publications authorized by section 1 of the Act of June 27, 1938 (39 U. S. C. 371).

Post, p. 669.

The publication or republication by the Government, either separately or in a public document, of any material in which copyright is subsisting shall not be taken to cause any abridgment or annulment of the copyright or to authorize any use or appropriation of such copyright material without the consent of the copyright proprietor.

§ 9. AUTHORS OR PROPRIETORS, ENTITLED; ALIENS.—The author or proprietor of any work made the subject of copyright by this title, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this title: *Provided, however*, That the copyright secured by this title shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation only:

Alien author, etc.

(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection, substantially equal to the protection secured to such foreign author under this title or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto.

Reciprocal conditions.

The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this title may require: *Provided*, That whenever the President shall find that the authors, copyright owners, or proprietors of works first produced or published abroad and subject to copyright or to renewal of copyright under the laws of the United States, including works subject to ad interim copyright, are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States, because of the disruption or suspension

Determination by President.

Extension of time for fulfillment of formalities, etc.

of facilities essential for such compliance, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by authors, copyright owners, or proprietors who are citizens of the United States or who are nationals of countries which accord substantially equal treatment in this respect to authors, copyright owners, or proprietors who are citizens of the United States: *Provided further*, That no liability shall attach under this title for lawful uses made or acts done prior to the effective date of such proclamation in connection with such works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

Nonliability.

Termination of proclamation, etc.

The President may at any time terminate any proclamation authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require.

§ 10. PUBLICATION OF WORK WITH NOTICE.—Any person entitled thereto by this title may secure copyright for his work by publication thereof with the notice of copyright required by this title; and such notice shall be affixed to each copy thereof published or offered for sale in the United States by authority of the copyright proprietor, except in the case of books seeking ad interim protection under section 22 of this title.

§ 11. REGISTRATION OF CLAIM AND ISSUANCE OF CERTIFICATE.—Such person may obtain registration of his claim to copyright by complying with the provisions of this title, including the deposit of copies, and upon such compliance the Register of Copyrights shall issue to him the certificates provided for in section 209 of this title.

Post, p. 666.

§ 12. WORKS NOT REPRODUCED FOR SALE.—Copyright may also be had of the works of an author, of which copies are not reproduced for sale, by the deposit, with claim of copyright, of one complete copy of such work if it be a lecture or similar production or a dramatic, musical, or dramatico-musical composition; of a title and description, with one print taken from each scene or act, if the work be a motion-picture photoplay; of a photographic print if the work be a photograph; of a title and description, with not less than two prints taken from different sections of a complete motion picture, if the work be a motion picture other than a photoplay; or of a photograph or other identifying reproduction thereof, if it be a work of art or a plastic work or drawing. But the privilege of registration of copyright secured hereunder shall not exempt the copyright proprietor from the deposit of copies, under sections 13 and 14 of this title, where the work is later reproduced in copies for sale.

§ 13. DEPOSIT OF COPIES AFTER PUBLICATION; ACTION OR PROCEEDING FOR INFRINGEMENT.—After copyright has been secured by publication of the work with the notice of copyright as provided in section 10 of this title, there shall be promptly deposited in the copyright office or in the mail addressed to the Register of Copyrights, Washington, District of Columbia, two complete copies of the best edition thereof then published, or if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country, one complete copy of the best edition then published in such foreign country, which copies or copy, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section 16 of this title; or if such work be a contribution to a periodical, for which contribution special registration is

requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section 12 of this title, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright. No action or proceeding shall be maintained for infringement of copyright in any work until the provisions of this title with respect to the deposit of copies and registration of such work shall have been complied with.

§ 14. SAME; FAILURE TO DEPOSIT; DEMAND; PENALTY.—Should the copies called for by section 13 of this title not be promptly deposited as provided in this title, the Register of Copyrights may at any time after the publication of the work, upon actual notice, require the proprietor of the copyright to deposit them, and after the said demand shall have been made, in default of the deposit of copies of the work within three months from any part of the United States, except an outlying territorial possession of the United States, or within six months from any outlying territorial possession of the United States, or from any foreign country, the proprietor of the copyright shall be liable to a fine of $100 and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, and the copyright shall become void.

§ 15. SAME; POSTMASTER'S RECEIPT; TRANSMISSION BY MAIL WITHOUT COST.—The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

§ 16. MECHANICAL WORK TO BE DONE IN UNITED STATES.—Of the printed book or periodical specified in section 5, subsections (a) and (b), of this title, except the original text of a book of foreign origin in a language or languages other than English, the text of all copies accorded protection under this title, except as below provided, shall be printed from type set within the limits of the United States, either by hand or by the aid of any kind of typesetting machine, or from plates made within the limits of the United States from type set therein, or, if the text be produced by lithographic process, or photoengraving process, then by a process wholly performed within the limits of the United States, and the printing of the text and binding of the said book shall be performed within the limits of the United States; which requirements shall extend also to the illustrations within a book consisting of printed text and illustrations produced by lithographic process, or photoengraving process, and also to separate lithographs or photoengravings, except where in either case the subjects represented are located in a foreign country and illustrate a scientific work or reproduce a work of art: *Provided, however,* That said requirements shall not apply to works in raised characters for the use of the blind, or to books of foreign origin in a language or languages other than English, or to books published abroad in the English language seeking ad interim protection under this title, or to works printed or produced in the United States by any other process than those above specified in this section.

Nonapplicability of requirements.

§ 17. AFFIDAVIT TO ACCOMPANY COPIES.—In the case of the book the copies so deposited shall be accompanied by an affidavit under the official seal of any officer authorized to administer oaths within the United States, duly made by the person claiming copyright or by his duly authorized agent or representative residing in the United States, or by the printer who has printed the book, setting forth that the copies deposited have been printed from type set within the limits of the United States or from plates made within the limits

of the United States from type set therein; or, if the text be produced by lithographic process, or photoengraving process, that such process was wholly performed within the limits of the United States and that the printing of the text and binding of the said book have also been performed within the limits of the United States. Such affidavit shall state also the place where and the establishment or establishments in which such type was set or plates were made or lithographic process, or photoengraving process or printing and binding were performed and the date of the completion of the printing of the book or the date of publication.

§ 18. MAKING FALSE AFFIDAVIT.—Any person who, for the purpose of obtaining registration of a claim to copyright, shall knowingly make a false affidavit as to his having complied with the above conditions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $1,000, and all of his rights and privileges under said copyright shall thereafter be forfeited.

§ 19. NOTICE; FORM.—The notice of copyright required by section 10 of this title shall consist either of the word "Copyright" or the abbreviation "Copr.", accompanied by the name of the copyright proprietor, and if the work be a printed literary, musical, or dramatic work, the notice shall include also the year in which the copyright was secured by publication. In the case, however, of copies of works specified in subsections (f) to (k), inclusive, of section 5 of this title, the notice may consist of the letter C enclosed within a circle, thus ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright was subsisting on July 1, 1909, the notice of copyright may be either in one of the forms prescribed herein or may consist of the following words: "Entered according to Act of Congress, in the year ——, by A. B., in the office of the Librarian of Congress, at Washington"; or, at his option, the word "Copyright", together with the year the copyright was entered and the name of the party by whom it was taken out; thus, "Copyright, 19—, by A. B."

Works in which copyright was subsisting on July 1, 1909.

§ 20. SAME; PLACE OF APPLICATION OF; ONE NOTICE IN EACH VOLUME OR NUMBER OF NEWSPAPER OR PERIODICAL.—The notice of copyright shall be applied, in the case of a book or other printed publication, upon its title page or the page immediately following, or if a periodical either upon the title page or upon the first page of text of each separate number or under the title heading, or if a musical work either upon its title page or the first page of music. One notice of copyright in each volume or in each number of a newspaper or periodical published shall suffice.

§ 21. SAME; EFFECT OF ACCIDENTAL OMISSION FROM COPY OR COPIES.—Where the copyright proprietor has sought to comply with the provisions of this title with respect to notice, the omission by accident or mistake of the prescribed notice from a particular copy or copies shall not invalidate the copyright or prevent recovery for infringement against any person who, after actual notice of the copyright, begins an undertaking to infringe it, but shall prevent the recovery of damages against an innocent infringer who has been misled by the omission of the notice; and in a suit for infringement no permanent injunction shall be had unless the copyright proprietor shall reimburse to the innocent infringer his reasonable outlay innocently incurred if the court, in its discretion, shall so direct.

§ 22. AD INTERIM PROTECTION OF BOOK PUBLISHED ABROAD.—In the case of a book first published abroad in the English language, the deposit in the copyright office, not later than sixty days after its publication abroad, of one complete copy of the foreign edition, with a request for the reservation of the copyright and a statement of the name and nationality of the author and of the copyright proprietor and of the date of publication of the said book, shall secure to the author or proprietor an ad interim copyright, which shall have all the force and effect given to copyright by this title, and shall endure until the expiration of four months after such deposit in the copyright office.

§ 23. SAME; EXTENSION TO FULL TERM.—Whenever within the period of such ad interim protection an authorized edition of such books shall be published within the United States, in accordance with the manufacturing provisions specified in section 16 of this title, and whenever the provisions of this title as to deposit of copies, registration, filing of affidavits, and the printing of the copyright notice shall have been duly complied with, the copyright shall be extended to endure in such book for the term provided in this title.

§ 24. DURATION; RENEWAL AND EXTENSION.—The copyright secured by this title shall endure for twenty-eight years from the date of first publication, whether the copyrighted work bears the author's true name or is published anonymously or under an assumed name: *Provided*, That in the case of any posthumous work or of any periodical, cyclopedic, or other composite work upon which the copyright was originally secured by the proprietor thereof, or of any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author) or by an employer for whom such work is made for hire, the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work, the author of such work, if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower, or children be not living, then the author's executors, or in the absence of a will, his next of kin shall be entitled to a renewal and extension of the copyright in such work for a further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in default of the registration of such application for renewal and extension, the copyright in any work shall determine at the expiration of twenty-eight years from first publication.

Posthumous work, etc.

Other copyrighted work.

Default of registration of application.

§ 25. RENEWAL OF COPYRIGHTS REGISTERED IN PATENT OFFICE UNDER REPEALED LAW.—Subsisting copyrights originally registered in the Patent Office prior to July 1, 1940, under section 3 of the act of June 18, 1874, shall be subject to renewal in behalf of the proprietor upon application made to the Register of Copyrights within one year prior to the expiration of the original term of twenty-eight years.

Copyrights registered prior to July 1, 1940.

53 Stat. 1142.

§ 26. TERMS DEFINED.—In the interpretation and construction of this title "the date of publication" shall in the case of a work of which copies are reproduced for sale or distribution be held to be the earliest

"The date of publication."

date when copies of the first authorized edition were placed on sale, sold, or publicly distributed by the proprietor of the copyright or under his authority, and the word "author" shall include an employer in the case of works made for hire.

"Author."

§ 27. COPYRIGHT DISTINCT FROM PROPERTY IN OBJECT COPYRIGHTED; EFFECT OF SALE OF OBJECT, AND OF ASSIGNMENT OF COPYRIGHT.—The copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object; but nothing in this title shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work the possession of which has been lawfully obtained.

§ 28. ASSIGNMENTS AND BEQUESTS.—Copyright secured under this title or previous copyright laws of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

§ 29. SAME; EXECUTED IN FOREIGN COUNTRY; ACKNOWLEDGMENT AND CERTIFICATE.—Every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgment under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

§ 30. SAME; RECORD.—Every assignment of copyright shall be recorded in the copyright office within three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

§ 31. SAME; CERTIFICATE OF RECORD.—The Register of Copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this title he shall furnish to any person requesting the same a certified copy thereof under the said seal.

§ 32. SAME; USE OF NAME OF ASSIGNEE IN NOTICE.—When an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this title.

CHAPTER 2—INFRINGEMENT PROCEEDINGS

§ 101. Infringement:
(a) Injunction.
(b) Damages and profits; amounts; other remedies.
(c) Impounding during action.
(d) Destruction of infringing copies and plates.
(e) Royalties for use of mechanical reproduction of musical works.
(f) Rules of procedure.
§ 102. Jurisdiction of courts in enforcing remedies.
§ 103. Joinder of proceedings for different remedies.
§ 104. Willful infringement for profit.
§ 105. Fraudulent notice of copyright, or removal or alteration of notice.
§ 106. Importation of article bearing false notice or piratical copies of copyrighted work.
§ 107. Importation, during existence of copyright, of piratical copies, or of copies not produced in accordance with section 16 of this title.
§ 108. Forfeiture and destruction of articles prohibited importation.
§ 109. Importation of prohibited articles; regulations; proof of deposit of copies by complainants.

§ 110. Jurisdiction of actions under laws.
§ 111. District in which actions may be brought.
§ 112. Injunctions; service and enforcement.
§ 113. Transmission of certified copies of papers for enforcement of injunction by other court.
§ 114. Review of orders, judgments, or decrees.
§ 115. Limitation of criminal proceedings.
§ 116. Costs; attorney's fees.

§ 101. INFRINGEMENT.—If any person shall infringe the copyright in any work protected under the copyright laws of the United States such person shall be liable:

(a) INJUNCTION.—To an injunction restraining such infringement;

(b) DAMAGES AND PROFITS; AMOUNT; OTHER REMEDIES.—To pay to the copyright proprietor such damages as the copyright proprietor may have suffered due to the infringement, as well as all the profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only, and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits, such damages as to the court shall appear to be just, and in assessing such damages the court may, in its discretion, allow the amounts as hereinafter stated, but in case of a newspaper reproduction of a copyrighted photograph, such damages shall not exceed the sum of $200 nor be less than the sum of $50, and in the case of the infringement of an undramatized or nondramatic work by means of motion pictures, where the infringer shall show that he was not aware that he was infringing, and that such infringement could not have been reasonably foreseen, such damages shall not exceed the sum of $100; and in the case of an infringement of a copyrighted dramatic or dramatico-musical work by a maker of motion pictures and his agencies for distribution thereof to exhibitors, where such infringer shows that he was not aware that he was infringing a copyrighted work, and that such infringements could not reasonably have been foreseen, the entire sum of such damages recoverable by the copyright proprietor from such infringing maker and his agencies for the distribution to exhibitors of such infringing motion picture shall not exceed the sum of $5,000 nor be less than $250, and such damages shall in no other case exceed the sum of $5,000 nor be less than the sum of $250, and shall not be regarded as a penalty. But the foregoing exceptions shall not deprive the copyright proprietor of any other remedy given him under this law, nor shall the limitation as to the amount of recovery apply to infringements occurring after the actual notice to a defendant, either by service of process in a suit or other written notice served upon him.

Newspaper reproduction of copyrighted photograph.

Infringement by means of motion pictures.

First. In the case of a painting, statue, or sculpture, $10 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Second. In the case of any work enumerated in section 5 of this title, except a painting, statue, or sculpture, $1 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Third. In the case of a lecture, sermon, or address, $50 for every infringing delivery;

Fourth. In the case of a dramatic or dramatico-musical or a choral or orchestral composition, $100 for the first and $50 for every subsequent infringing performance; in the case of other musical compositions $10 for every infringing performance;

(c) IMPOUNDING DURING ACTION.—To deliver up on oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright;

(d) DESTRUCTION OF INFRINGING COPIES AND PLATES.—To deliver up on oath for destruction all the infringing copies or devices, as well as all plates, molds, matrices, or other means for making such infringing copies as the court may order.

(e) ROYALTIES FOR USE OF MECHANICAL REPRODUCTION OF MUSICAL WORKS.—Whenever the owner of a musical copyright has used or permitted the use of the copyrighted work upon the parts of musical instruments serving to reproduce mechanically the musical work, then in case of infringement of such copyright by the unauthorized manufacture, use, or sale of interchangeable parts, such as disks, rolls, bands, or cylinders for use in mechanical music-producing machines adapted to reproduce the copyrighted music, no criminal action shall be brought, but in a civil action an injunction may be granted upon such terms as the court may impose, and the plaintiff shall be entitled to recover in lieu of profits and damages a royalty as provided in section 1, subsection (e), of this title: *Provided also*, That whenever any person, in the absence of a license agreement, intends to use a copyrighted musical composition upon the parts of instruments serving to reproduce mechanically the musical work, relying upon the compulsory license provision of this title, he shall serve notice of such intention, by registered mail, upon the copyright proprietor at his last address disclosed by the records of the copyright office, sending to the copyright office a duplicate of such notice; and in case of his failure so to do the court may, in its discretion, in addition to sums hereinabove mentioned, award the complainant a further sum, not to exceed three times the amount provided by section 1, subsection (e), of this title, by way of damages, and not as a penalty, and also a temporary injunction until the full award is paid.

Use of musical compositions without license agreement.

Ante, p. 653.

(f) RULES OF PROCEDURE.—Rules and regulations for practice and procedure under this section shall be prescribed by the Supreme Court of the United States.

§ 102. JURISDICTION OF COURTS IN ENFORCING REMEDIES.—Any court given jurisdiction under section 110 of this title may proceed in any action, suit, or proceeding instituted for violation of any provision hereof to enter a judgment or decree enforcing the remedies herein provided.

§ 103. JOINDER OF PROCEEDINGS FOR DIFFERENT REMEDIES.—The proceedings for an injunction, damages, and profits, and those for the seizure of infringing copies, plates, molds, matrices, and so forth, aforementioned, may be united in one action.

§ 104. WILLFUL INFRINGEMENT FOR PROFIT.—Any person who willfully and for profit shall infringe any copyright secured by this title, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court: *Provided, however*, That nothing in this title shall be so construed as to prevent the performance of religious or secular works such as oratorios, cantatas, masses, or octavo choruses by public schools, church choirs, or vocal societies, rented, borrowed, or obtained from some public library, public school, church choir, school choir, or vocal society, provided the performance is given for charitable or educational purposes and not for profit.

Religious or secular works.

§ 105. FRAUDULENT NOTICE OF COPYRIGHT, OR REMOVAL OR ALTERATION OF NOTICE.—Any person who, with fraudulent intent, shall insert or impress any notice of copyright required by this title, or words of the same purport, in or upon any uncopyrighted article, or with fraudulent intent shall remove or alter the copyright notice upon any

article duly copyrighted shall be guilty of a misdemeanor, punishable by a fine of not less than $100 and not more than $1,000. Any person who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in this country, or who shall knowingly import any article bearing such notice or words of the same purport, which has not been copyrighted in this country, shall be liable to a fine of $100.

§ 106. IMPORTATION OF ARTICLE BEARING FALSE NOTICE OR PIRATICAL COPIES OF COPYRIGHTED WORK.—The importation into the United States of any article bearing a false notice of copyright when there is no existing copyright thereon in the United States, or of any piratical copies of any work copyrighted in the United States, is prohibited.

§ 107. IMPORTATION, DURING EXISTENCE OF COPYRIGHT, OF PIRATICAL COPIES, OR OF COPIES NOT PRODUCED IN ACCORDANCE WITH SECTION 16 OF THIS TITLE.—During the existence of the American copyright in any book the importation into the United States of any piratical copies thereof or of any copies thereof (although authorized by the author or proprietor) which have not been produced in accordance with the manufacturing provisions specified in section 16 of this title, or any plates of the same not made from type set within the limits of the United States, or any copies thereof produced by lithographic or photoengraving process not performed within the limits of the United States, in accordance with the provisions of section 16 of this title, is prohibited: *Provided, however*, That, except as regards piratical copies, such prohibition shall not apply:

Ante, p. 657.

Nonapplicability of prohibition.

(a) To works in raised characters for the use of the blind.

(b) To a foreign newspaper or magazine, although containing matter copyrighted in the United States printed or reprinted by authority of the copyright proprietor, unless such newspaper or magazine contains also copyright matter printed or reprinted without such authorization.

(c) To the authorized edition of a book in a foreign language or languages of which only a translation into English has been copyrighted in this country.

(d) To any book published abroad with the authorization of the author or copyright proprietor when imported under the circumstances stated in one of the four subdivisions following, that is to say:

First. When imported, not more than one copy at one time, for individual use and not for sale; but such privilege of importation shall not extend to a foreign reprint of a book by an American author copyrighted in the United States.

Second. When imported by the authority or for the use of the United States.

Third. When imported, for use and not for sale, not more than one copy of any such book in any one invoice, in good faith by or for any society or institution incorporated for educational, literary, philosophical, scientific, or religious purposes, or for the encouragement of the fine arts, or for any college, academy, school, or seminary of learning, or for any State, school, college, university, or free public library in the United States.

Fourth. When such books form parts of libraries or collections purchased en bloc for the use of societies, institutions, or libraries designated in the foregoing paragraph, or form parts of the libraries or personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale: *Provided*, That copies imported as above may not lawfully be used in any way to violate the rights of the proprietor of the American copyright or annul or limit the copyright protection secured by this title, and such unlawful use shall be deemed an infringement of copyright.

§ 108. FORFEITURE AND DESTRUCTION OF ARTICLES PROHIBITED IMPORTATION.—Any and all articles prohibited importation by this title which are brought into the United States from any foreign country (except in the mails) shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however*, That all copies of authorized editions of copyright books imported in the mails or otherwise in violation of the provisions of this title may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve willful negligence or fraud.

Return of copies to country of export.

§ 109. IMPORTATION OF PROHIBITED ARTICLES; REGULATIONS; PROOF OF DEPOSIT OF COPIES BY COMPLAINANTS.—The Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce individually or jointly such rules and regulations as shall prevent the importation into the United States of articles prohibited importation by this title, and may require, as conditions precedent to exclusion of any work in which copyright is claimed, the copyright proprietor or any person claiming actual or potential injury by reason of actual or contemplated importations of copies of such work to file with the Post Office Department or the Treasury Department a certificate of the Register of Copyrights that the provisions of section 13 of this title have been fully complied with, and to give notice of such compliance to postmasters or to customs officers at the ports of entry in the United States in such form and accompanied by such exhibits as may be deemed necessary for the practical and efficient administration and enforcement of the provisions of sections 106 and 107 of this title.

Ante, p. 656.

§ 110. JURISDICTION OF ACTIONS UNDER LAWS.—All actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by the district courts of the United States, the district court of any Territory, the District Court of the United States for the District of Columbia, the district courts of Alaska, Hawaii, and Puerto Rico.

§ 111. DISTRICT IN WHICH ACTIONS MAY BE BROUGHT.—Civil actions, suits, or proceedings arising under this title may be instituted in the district of which the defendant or his agent is an inhabitant, or in which he may be found.

§ 112. INJUNCTIONS; SERVICE AND ENFORCEMENT.—Any such court or judge thereof shall have power, upon complaint filed by any party aggrieved, to grant injunctions to prevent and restrain the violation of any right secured by this title, according to the course and principles of courts of equity, on such terms as said court or judge may deem reasonable. Any injunction that may be granted restraining and enjoining the doing of anything forbidden by this title may be served on the parties against whom such injunction may be granted anywhere in the United States, and shall be operative throughout the United States and be enforceable by proceedings in contempt or otherwise by any other court or judge possessing jurisdiction of the defendants.

§ 113. TRANSMISSION OF CERTIFIED COPIES OF PAPERS FOR ENFORCEMENT OF INJUNCTION BY OTHER COURT.—The clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office.

§ 114. REVIEW OF ORDERS, JUDGMENTS, OR DECREES.—The orders, judgments, or decrees of any court mentioned in section 110 of this title arising under the copyright laws of the United States may be reviewed on appeal in the manner and to the extent now provided by law for the review of cases determined in said courts, respectively.

§ 115. LIMITATIONS OF CRIMINAL PROCEEDINGS.—No criminal proceeding shall be maintained under the provisions of this title unless the same is commenced within three years after the cause of action arose.

§ 116. COSTS; ATTORNEY'S FEES.—In all actions, suits, or proceedings under this title, except when brought by or against the United States or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

CHAPTER 3—COPYRIGHT OFFICE

§ 201. Copyright office; preservation of records.
§ 202. Register, assistant register, and subordinates.
§ 203. Same; deposit of moneys received; reports.
§ 204. Same; bond.
§ 205. Same; annual report.
§ 206. Seal of copyright office.
§ 207. Rules for registration of claims.
§ 208. Record books in copyright office.
§ 209. Certificates of registration; effect as evidence; receipt for copies deposited.
§ 210. Catalogs of copyright entries; effect as evidence.
§ 211. Same; distribution and sale; disposal of proceeds.
§ 212. Records and works deposited in copyright office open to public inspection; taking copies of entries.
§ 213. Disposition of articles deposited in office.
§ 214. Destruction of articles deposited in office remaining undisposed of; removal of by author or proprietor; manuscripts of unpublished works.
§ 215. Fees.

§ 201. COPYRIGHT OFFICE; PRESERVATION OF RECORDS.—All records and other things relating to copyrights required by law to be preserved shall be kept and preserved in the copyright office, Library of Congress, District of Columbia, and shall be under the control of the register of copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties relating to the registration of copyrights.

§ 202. REGISTER, ASSISTANT REGISTER, AND SUBORDINATES.—There shall be appointed by the Librarian of Congress a Register of Copyrights, and one Assistant Register of Copyrights, who shall have authority during the absence of the Register of Copyrights to attach the copyright office seal to all papers issued from the said office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

§ 203. SAME; DEPOSIT OF MONEYS RECEIVED; REPORTS.—The Register of Copyrights shall make daily deposits in some bank in the District of Columbia, designated for this purpose by the Secretary of the Treasury as a national depository, of all moneys received to be applied as copyright fees, and shall make weekly deposits with the Secretary of the Treasury, in such manner as the latter shall direct, of all copyright fees actually applied under the provisions of this title, and annual deposits of sums received which it has not been possible to apply as copyright fees or to return to the remitters, and shall also make monthly reports to the Secretary of the Treasury and to the Librarian of Congress of the applied copyright fees for each calendar month, together with a statement of all remittances received, trust funds on hand, moneys refunded, and unapplied balances.

§ 204. SAME; BOND.—The Register of Copyrights shall give bond to the United States in the sum of $20,000, in form to be approved by the General Counsel for the Department of the Treasury and with sureties satisfactory to the Secretary of the Treasury, for the faithful discharge of his duties.

§ 205. SAME; ANNUAL REPORT.—The Register of Copyrights shall make an annual report to the Librarian of Congress, to be printed in the annual report on the Library of Congress, of all copyright business for the previous fiscal year, including the number and kind of works which have been deposited in the copyright office during the fiscal year, under the provisions of this title.

§ 206. SEAL OF COPYRIGHT OFFICE.—The seal used in the copyright office on July 1, 1909, shall be the seal of the copyright office, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

§ 207. RULES FOR REGISTRATION OF CLAIMS.—Subject to the approval of the Librarian of Congress, the Register of Copyrights shall be authorized to make rules and regulations for the registration of claims to copyright as provided by this title.

§ 208. RECORD BOOKS IN COPYRIGHT OFFICE.—The Register of Copyrights shall provide and keep such record books in the copyright office as are required to carry out the provisions of this title, and whenever deposit has been made in the copyright office of a copy of any work under the provisions of this title he shall make entry thereof.

§ 209. CERTIFICATE OF REGISTRATION; EFFECT AS EVIDENCE; RECEIPT FOR COPIES DEPOSITED.—In the case of each entry the person recorded as the claimant of the copyright shall be entitled to a certificate of registration under seal of the copyright office, to contain the name and address of said claimant, the name of the country of which the author of the work is a citizen or subject, and when an alien author domiciled in the United States at the time of said registration, then a statement of that fact, including his place of domicile, the name of the author (when the records of the copyright office shall show the same), the title of the work which is registered for which copyright is claimed, the date of the deposit of the copies of such work, the date of publication if the work has been reproduced in copies for sale, or publicly distributed, and such marks as to class designation and entry number as shall fully identify the entry. In the case of a book, the certificate shall also state the receipt of the affidavit, as provided by section 17 of this title, and the date of the completion of the printing, or the date of the publication of the book, as stated in the said affidavit. The Register of Copyrights shall prepare a printed form for the said certificate, to be filled out in each case as above provided for in the case of all registrations made after July 1, 1909, and in the case of all previous registrations so far as the copyright office record books shall show such facts, which certificate, sealed with the seal of the copyright office, shall, upon payment of the prescribed fee, be given to any person making application for the same. Said certificate shall be admitted in any court as prima facie evidence of the facts stated therein. In addition to such certificate the register of copyrights shall furnish, upon request, without additional fee, a receipt for the copies of the work deposited to complete the registration.

Ante, p. 657.

Printed form for certificate.

Receipt for copies deposited.

§ 210. CATALOG OF COPYRIGHT ENTRIES; EFFECT AS EVIDENCE.—The Register of Copyrights shall fully index all copyright registrations and assignments and shall print at periodic intervals a catalog of the titles of articles deposited and registered for copyright, together with suitable indexes, and at stated intervals shall print complete and indexed catalog for each class of copyright entries, and may

thereupon, if expedient, destroy the original manuscript catalog cards containing the titles included in such printed volumes and representing the entries made during such intervals. The current catalog of copyright entries and the index volumes herein provided for shall be admitted in any court as prima facie evidence of the facts stated therein as regards any copyright registration.

§ 211. SAME; DISTRIBUTION AND SALE; DISPOSAL OF PROCEEDS.—The said printed current catalogs as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them, at a price to be determined by the register of copyrights for each part of the catalog, not exceeding $10 for the complete yearly catalog of copyright entries. The consolidated catalogs and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogs shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

§ 212. RECORDS AND WORKS DEPOSITED IN COPYRIGHT OFFICE OPEN TO PUBLIC INSPECTION; TAKING COPIES OF ENTRIES.—The record books of the copyright office, together with the indexes to such record books, and all works deposited and retained in the copyright office, shall be open to public inspection; and copies may be taken of the copyright entries actually made in such record books, subject to such safeguards and regulations as shall be prescribed by the Register of Copyrights and approved by the Librarian of Congress.

§ 213. DISPOSITION OF ARTICLES DEPOSITED IN OFFICE.—Of the articles deposited in the copyright office under the provisions of the copyright laws of the United States, the Librarian of Congress shall determine what books and other articles shall be transferred to the permanent collections of the Library of Congress, including the law library, and what other books or articles shall be placed in the reserve collections of the Library of Congress for sale or exchange, or be transferred to other governmental libraries in the District of Columbia for use therein.

§ 214. DESTRUCTION OF ARTICLES DEPOSITED IN OFFICE REMAINING UNDISPOSED OF; REMOVAL OF BY AUTHOR OR PROPRIETOR: MANUSCRIPTS OF UNPUBLISHED WORKS.—Of any articles undisposed of as above provided, together with all titles and correspondence relating thereto, the Librarian of Congress and the Register of Copyrights jointly shall, at suitable intervals, determine what of these received during any period of years it is desirable or useful to preserve in the permanent files of the copyright office, and, after due notice as hereinafter provided, may within their discretion cause the remaining articles and other things to be destroyed: *Provided*, That there shall be printed in the Catalog of Copyright Entries from February to November, inclusive, a statement of the years of receipt of such articles and a notice to permit any author, copyright proprietor, or other lawful claimant to claim and remove before the expiration of the month of December of that year anything found which relates to any of his productions deposited or registered for copyright within the period of years stated, not reserved or disposed of as provided for in this title. No manuscript of an unpublished work shall be destroyed during its term of copyright without specific notice to the copyright proprietor of record, permitting him to claim and remove it.

Statement of years of receipt of articles.

Notice to copyright proprietor.

Registration.

Ante, p. 656.

Certification for assignment, etc.

Ante, p. 653.

Recording of notice of user, etc.
Ante, p. 653.

Recording of renewal, etc.
Ante, p. 659.

Search of records, etc.

§ 215. FEES.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this title, $2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 12 of this title, the fee for registration with certificate shall be $1, and in the case of a published photograph the fee shall be $1 where a certificate is not desired. For every additional certificate of registration made, $1. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section 1, subsection (e), of this title, or for any copy of such assignment or license, duly certified, $2 for each copyright office record-book page or additional fraction thereof over one-half page. For recording the notice of user or acquiescence specified in section 1, subsection (e), of this title, $1 for each notice of not more than five titles. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, $2. For recording the renewal of copyright provided for in section 24 of this title, $1. For recording the transfer of the proprietorship of copyrighted articles, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, $1 for each hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time.

Repeals.

SEC. 2. The following sections or parts thereof of the Revised Statutes and Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 17, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal:

Revised Statutes and Statutes at Large	Title 17, United States Code, section
Act Mar. 4, 1909, ch. 320, secs. 1, 64, 35 Stat. 1075, 1088	1
Act Mar. 4, 1909, ch. 320, sec. 2, 35 Stat. 1076	2
Act Mar. 4, 1909, ch. 320, sec. 3, 35 Stat. 1076	3
Act Mar. 4, 1909, ch. 320, sec. 4, 35 Stat. 1076	4
Acts Mar. 4, 1909, ch. 320, sec. 5, 35 Stat. 1076; Aug. 24, 1912, ch. 356, 37 Stat. 488; July 31, 1939, ch. 396, sec. 2, 53 Stat. 1142	5
Act Mar. 4, 1909, ch. 320, sec. 6, 35 Stat. 1077	6
Act Mar. 4, 1909, ch. 320, secs. 7, 64, 35 Stat. 1077, 1088	7
Acts Mar. 4, 1909, ch. 320, sec. 8, 35 Stat. 1077; Dec. 18, 1919, ch. 11, 41 Stat. 369; Sept. 25, 1941, ch. 421, 55 Stat. 732	8
Act Mar. 4, 1909, ch. 320, sec. 9, 35 Stat. 1077	9
Act Mar. 4, 1909, ch. 320, sec. 10, 35 Stat. 1078	10
Acts Mar. 4, 1909, ch. 320, sec. 11, 35 Stat. 1078; Aug. 24, 1912, ch. 356, 37 Stat. 488	11
Acts Mar. 4, 1909, ch. 320, sec. 12, 35 Stat. 1078; Mar. 28, 1914, ch. 47, sec. 1, 38 Stat. 311	12
Act Mar. 4, 1909, ch. 320, sec. 13, 35 Stat. 1078	13
Act Mar. 4, 1909, ch. 320, sec. 14, 35 Stat. 1078	14
Acts Mar. 4, 1909, ch. 320, sec. 15, 35 Stat. 1078; July 3, 1926, ch. 743, 44 Stat. 818	15
Act Mar. 4, 1909, ch. 320, sec. 16, 35 Stat. 1079	16
Act Mar. 4, 1909, ch. 320, sec. 17, 35 Stat. 1079	17
Acts June 18, 1874, ch. 301, sec. 1, 18 Stat. 78; Mar. 4, 1909, ch. 320, secs. 18, 64, 35 Stat. 1079, 1088	18
Act Mar. 4, 1909, ch. 320, sec. 19, 35 Stat. 1079	19
Act Mar. 4, 1909, ch. 320, sec. 20, 35 Stat. 1080	20
Acts Mar. 4, 1909, ch. 320, sec. 21, 35 Stat. 1080; Dec. 18, 1919, ch. 11, 41 Stat. 369	21

Revised Statutes and Statutes at Large—Continued

	Title 17, United States Code, section
Act Mar. 4, 1909, ch. 320, sec. 22, 35 Stat. 1080	22
Acts Mar. 4, 1909, ch. 320, sec. 23, 35 Stat. 1080; Mar. 15, 1940, ch. 57, 54 Stat. 51	23
R. S., sec. 4953; Act Mar. 4, 1909, ch. 320, secs. 24, 64, 35 Stat. 1080, 1088	24
Acts Mar. 4, 1909, ch. 320, sec. 25, 35 Stat. 1081; Aug. 24, 1912, ch. 356, 37 Stat. 489	25
Act Mar. 4, 1909, ch. 320, sec. 26, 35 Stat. 1082	26
Act Mar. 4, 1909, ch. 320, sec. 27, 35 Stat. 1082	27
Act Mar. 4, 1909, ch. 320, sec. 28, 35 Stat. 1082	28
Act Mar. 4, 1909, ch. 320, sec. 29, 35 Stat. 1082	29
Act Mar. 4, 1909, ch. 320, sec. 30, 35 Stat. 1082	30
Act Mar. 4, 1909, ch. 320, sec. 31, 35 Stat. 1082	31
Act Mar. 4, 1909, ch. 320, sec. 32, 35 Stat. 1083	32
Acts Mar. 4, 1909, ch. 320, sec. 33, 35 Stat. 1083; Apr. 11, 1940, ch. 81, 54 Stat. 106	33
Acts Mar. 4, 1909, ch. 320, sec. 34, 35 Stat. 1084; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1936, ch. 804, 49 Stat. 1921	34
Act Mar. 4, 1909, ch. 320, sec. 35, 35 Stat. 1084	35
Act Mar. 4, 1909, ch. 320, sec. 36, 35 Stat. 1084	36
Act Mar. 4, 1909, ch. 320, sec. 37, 35 Stat. 1084	37
Act Mar. 4, 1909, ch. 320, sec. 38, 35 Stat. 1084	38
Act, Mar. 4, 1909, ch. 320, sec. 39, 35 Stat. 1084	39
Act Mar. 4, 1909, ch. 320, sec. 40, 35 Stat. 1084	40
Act Mar. 4, 1909, ch. 320, sec. 41, 35 Stat. 1084	41
Act Mar. 4, 1909, ch. 320, sec. 42, 35 Stat. 1084	42
Act Mar. 4, 1909, ch. 320, sec. 43, 35 Stat. 1084	43
Act Mar. 4, 1909, ch. 320, sec. 44, 35 Stat. 1084	44
Act Mar. 4, 1909, ch. 320, sec. 45, 35 Stat. 1085	45
Act Mar. 4, 1909, ch. 320, sec. 46, 35 Stat. 1085	46
Act Mar. 4, 1909, ch. 320, sec. 47, 35 Stat. 1085	47
Acts Mar. 4, 1909, ch. 320, sec. 48, 35 Stat. 1085; Mar. 4, 1923, ch. 265, sec. 1, 42 Stat. 1488	48
Act Mar. 4, 1909, ch. 320, sec. 49, 35 Stat. 1085	49
Act Mar. 4, 1909, ch. 320, sec. 50, 35 Stat. 1085	50
Act Mar. 4, 1909, ch. 320, sec. 51, 35 Stat. 1085	51
Act Mar. 4, 1909, ch. 320, sec. 52, 35 Stat. 1085	52
Act Mar. 4, 1909, ch. 320, sec. 53, 35 Stat. 1085	53
Act Mar. 4, 1909, ch. 320, sec. 54, 35 Stat. 1086	54
Acts Mar. 4, 1909, ch. 320, secs. 55, 64, 35 Stat. 1086, 1088; Mar. 2, 1913, ch. 97, 37 Stat. 724	55
Act Mar. 4, 1909, ch. 320, sec. 56, 35 Stat. 1086	56
Acts Mar. 4, 1909, ch. 320, sec. 57, 35 Stat. 1086; May 23, 1928, ch. 704, sec. 1, 45 Stat. 713	57
Act Mar. 4, 1909, ch. 320, sec. 58, 35 Stat. 1086	58
Act Mar. 4, 1909, ch. 320, sec. 59, 35 Stat. 1087	59
Act Mar. 4, 1909, ch. 320, sec. 60, 35 Stat. 1087	60
Acts Mar. 4, 1909, ch. 320, sec. 61, 35 Stat. 1087; May 23, 1928, ch. 704, sec. 1, 45 Stat. 714	61
Act Mar. 4, 1909, ch. 320, sec. 62, 35 Stat. 1087	62
Act July 31, 1939, ch. 396, sec. 3, 53 Stat. 1142	64
Act July 31, 1939, ch. 396, sec. 4, 53 Stat. 1142	65
Act June 27, 1938, ch. 10, sec. 1 (last proviso), 52 Stat. 6	Title 39, U. S. C., sec. 371 (last proviso)

Approved July 30, 1947.

[CHAPTER 392]

AN ACT

July 30, 1947
[H. R. 2084]
[Public Law 282]

To codify and enact into positive law, title 9 of the United States Code, entitled "Arbitration".

Title 9, U. S. Code. Codification and enactment into positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 9 of the United States Code, entitled "Arbitration", is codified and enacted into positive law and may be cited as "9 U. S. C., § —", as follows:

TITLE 9—ARBITRATION

§ 1. Maritime transactions and commerce defined; exceptions to operation of title.
§ 2. Validity, irrevocability, and enforcement of agreements to arbitrate.
§ 3. Stay of proceedings where issue therein referable to arbitration.
§ 4. Failure to arbitrate under agreement; petition to United States court having jurisdiction for order to compel arbitration; notice and service thereof; hearing and determination.
§ 5. Appointment of arbitrators or umpire.
§ 6. Application heard as motion.
§ 7. Witnesses before arbitrators; fees; compelling attendance.
§ 8. Proceedings begun by libel in admiralty and seizure of vessel or property.
§ 9. Award of arbitrators; confirmation; jurisdiction; procedure.
§ 10. Same; vacation; grounds; rehearing.
§ 11. Same; modification or correction; grounds; order.
§ 12. Notice of motions to vacate or modify; service; stay of proceedings.
§ 13. Papers filed with order on motions; judgment; docketing; force and effect; enforcement.
§ 14. Contracts not affected.

"MARITIME TRANSACTIONS" AND "COMMERCE" DEFINED; EXCEPTIONS TO OPERATION OF TITLE

§ 1. "Maritime transactions", as herein defined, means charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters in foreign commerce which, if the subject of controversy, would be embraced within admiralty jurisdiction; "commerce", as herein defined, means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation, but nothing herein contained shall apply to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce.

VALIDITY, IRREVOCABILITY, AND ENFORCEMENT OF AGREEMENTS TO ARBITRATE

§ 2. A written provision in any maritime transaction or a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction, or the refusal to perform the whole or any part thereof, or an agreement in writing to submit to arbitration an existing controversy arising out of such a contract, transaction, or refusal, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.

STAY OF PROCEEDINGS WHERE ISSUE THEREIN REFERABLE TO ARBITRATION

§ 3. If any suit or proceeding be brought in any of the courts of the United States upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement, providing the applicant for the stay is not in default in proceeding with such arbitration.

FAILURE TO ARBITRATE UNDER AGREEMENT; PETITION TO UNITED STATES COURT HAVING JURISDICTION FOR ORDER TO COMPEL ARBITRATION; NOTICE AND SERVICE THEREOF; HEARING AND DETERMINATION

§ 4. A party aggrieved by the alleged failure, neglect, or refusal of another to arbitrate under a written agreement for arbitration may petition any court of the United States which, save for such agreement, would have jurisdiction under the judicial code at law, in equity, or in admiralty of the subject matter of a suit arising out of the controversy between the parties, for an order directing that such arbitration proceed in the manner provided for in such agreement. Five days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of summons in the jurisdiction in which the proceeding is brought. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the terms of the agreement. The hearing and proceedings, under such agreement, shall be within the district in which the petition for an order directing such arbitration is filed. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded by the party alleged to be in default, or if the matter in dispute is within admiralty jurisdiction, the court shall hear and determine such issue. Where such an issue is raised, the party alleged to be in default may, except in cases of admiralty, on or before the return day of the notice of application, demand a jury trial of such issue, and upon such demand the court shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action, or may specially call a jury for that purpose. If the jury find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury find that an agreement for arbitration was made in writing and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance with the terms thereof.

APPOINTMENT OF ARBITRATORS OR UMPIRE

§ 5. If in the agreement provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire, such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or umpire, or in filling a vacancy, then upon the application of either party to the controversy the court shall designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and unless otherwise provided in the agreement the arbitration shall be by a single arbitrator.

APPLICATION HEARD AS MOTION

§ 6. Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

WITNESSES BEFORE ARBITRATORS; FEES; COMPELLING ATTENDANCE

§ 7. The arbitrators selected either as prescribed in this title or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them as a witness and in a proper case to bring with him or them any book, record, document, or paper which may be deemed material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses before masters of the United States courts. Said summons shall issue in the name of the arbitrator or arbitrators, or a majority of them, and shall be signed by the arbitrators, or a majority of them, and shall be directed to the said person and shall be served in the same manner as subpoenas to appear and testify before the court; if any person or persons so summoned to testify shall refuse or neglect to obey said summons, upon petition the United States court in and for the district in which such arbitrators, or a majority of them, are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner provided on February 12, 1925, for securing the attendance of witnesses or their punishment for neglect or refusal to attend in the courts of the United States.

PROCEEDINGS BEGUN BY LIBEL IN ADMIRALTY AND SEIZURE OF VESSEL OR PROPERTY

§ 8. If the basis of jurisdiction be a cause of action otherwise justiciable in admiralty, then, notwithstanding anything herein to the contrary, the party claiming to be aggrieved may begin his proceeding hereunder by libel and seizure of the vessel or other property of the other party according to the usual course of admiralty proceedings, and the court shall then have jurisdiction to direct the parties to proceed with the arbitration and shall retain jurisdiction to enter its decree upon the award.

AWARD OF ARBITRATORS; CONFIRMATION; JURISDICTION; PROCEDURE

§ 9. If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration, and shall specify the court, then at any time within one year after the award is made any party to the arbitration may appply to the court so specified for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title. If no court is specified in the agreement of the parties, then such application may be made to the United States court in and for the district within which such award was made. Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident, then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court.

SAME; VACATION; GROUNDS; REHEARING

§ 10. In either of the following cases the United States court in and for the district wherein the award was made may make an order

vacating the award upon the application of any party to the arbitration—

(a) Where the award was procured by corruption, fraud, or undue means.

(b) Where there was evident partiality or corruption in the arbitrators, or either of them.

(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

(e) Where an award is vacated and the time within which the agreement required the award to be made has not expired the court may, in its discretion, direct a rehearing by the arbitrators.

SAME; MODIFICATION OR CORRECTION; GROUNDS; ORDER

§ 11. In either of the following cases the United States court in and for the district wherein the award was made may make an order modifying or correcting the award upon the application of any party to the arbitration—

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

(b) Where the arbitrators have awarded upon a matter not submitted to them, unless it is a matter not affecting the merits of the decision upon the matter submitted.

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

The order may modify and correct the award, so as to effect the intent thereof and promote justice between the parties.

NOTICE OF MOTIONS TO VACATE OR MODIFY; SERVICE; STAY OF PROCEEDINGS

§ 12. Notice of a motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within three months after the award is filed or delivered. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

PAPERS FILED WITH ORDER ON MOTIONS; JUDGMENT; DOCKETING; FORCE AND EFFECT; ENFORCEMENT

§ 13. The party moving for an order confirming, modifying, or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file the following papers with the clerk:

(a) The agreement; the selection or appointment, if any, of an additional arbitrator or umpire; and each written extension of the time, if any, within which to make the award.

(b) The award.

(c) Each notice, affidavit, or other paper used upon an application to confirm, modify, or correct the award, and a copy of each order of the court upon such an application.

The judgment shall be docketed as if it was rendered in an action. The judgment so entered shall have the same force and effect, in all respects, as, and be subject to all the provisions of law relating to, a judgment in an action; and it may be enforced as if it had been rendered in an action in the court in which it is entered.

CONTRACTS NOT AFFECTED

§ 14. This title shall not apply to contracts made prior to January 1, 1926.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 9, United State Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE	Title 9, United States Code, section
Feb. 12, 1925, ch. 213, sec. 1, 43 Stat. 883	1
Feb. 12, 1925, ch. 213, sec. 2, 43 Stat. 883	2
Feb. 12, 1925, ch. 213, sec. 3, 43 Stat. 883	3
Feb. 12, 1925, ch. 213, sec. 4, 43 Stat. 883	4
Feb. 12, 1925, ch. 213, sec. 5, 43 Stat. 884	5
Feb. 12, 1925, ch. 213, sec. 6, 43 Stat. 884	6
Feb. 12, 1925, ch. 213, sec. 7, 43 Stat. 884	7
Feb. 12, 1925, ch. 213, sec. 8, 43 Stat. 884	8
Feb. 12, 1925, ch. 213, sec. 9, 43 Stat. 885	9
Feb. 12, 1925, ch. 213, sec. 10, 43 Stat. 885	10
Feb. 12, 1925, ch. 213, sec. 11, 43 Stat. 885	11
Feb. 12, 1925, ch. 213, sec. 12, 43 Stat. 885	12
Feb. 12, 1925, ch. 213, sec. 13, 43 Stat. 886	13
Feb. 12, 1925, ch. 213, sec. 14, 43 Stat. 886	14
Feb. 12, 1925, ch. 213, sec. 15, 43 Stat. 886	15

Approved July 30, 1947.

[CHAPTER 393]

July 30, 1947
[H. R. 2054]
[Public Law 283]

AN ACT

To amend the Act of April 14, 1930, to provide increased retired pay for certain members of the former Life Saving Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation which any individual who served in the former Life Saving Service of the United States as a keeper or surfman received under the provisions of section 1 of the Act of April 14, 1930 (46 Stat. 164; U. S. C., 1940 edition, title 14, sec. 178a), shall be increased by 33⅓ per centum, beginning on the first day of the month following approval of this Act.

Approved July 30, 1947.

[CHAPTER 394]

AN ACT

July 30, 1947
[H. R. 3055]
[Public Law 284]

To permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose businesses or residences are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy, the Secretary of War, or their designees within their respective establishments, are authorized to sell, under such regulations and at such prices as the Secretary concerned may prescribe, to welfare activities and private persons in the immediate vicinity of naval or military activities such utilities and related services as are not otherwise available from local, private, or public sources.

Navy and War Departments. Sale of utilities.

SEC. 2. The utilities and related services authorized to be sold under this Act are (1) electric power, (2) steam, (3) compressed air, (4) water, (5) sewage and garbage disposal service, (6) gas (natural, manufactured, or mixed), (7) ice, and (8) mechanical refrigeration: *Provided*, That any utility or related service provided and sold under the authority of this Act shall not be so provided unless it is determined by the Secretary concerned that the utility or related service is not available from a private or other public source, and that the furnishing thereof is in the public interest.

Restriction.

SEC. 3. As may be required by the local needs, the Secretary of the Navy and the Secretary of War, in carrying out the purposes of this Act, are authorized to effect minor expansions and extensions of the necessary distributing systems or facilities within the naval or military activity for those activities which it is determined may supply local services and utilities as described by section 2 herein.

Expansion, etc., of facilities.

SEC. 4. The Act of June 13, 1940 (54 Stat. 383, 34 U. S. C. 553), is hereby repealed.

Repeal.

SEC. 5. The authority granted in sections 1, 2, and 3 of this Act shall terminate at midnight on December 31, 1952.

Termination of authority.

Approved July 30, 1947.

[CHAPTER 395]

AN ACT

July 30, 1947
[H. R. 3334]
[Public Law 285]

Granting the consent of Congress to Pennsylvania Power & Light Company to construct, maintain, and operate a dam in the Susquehanna River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to Pennsylvania Power & Light Company, its successors or assigns, to construct, maintain, and operate a dam in the Susquehanna River, at a point suitable to the interests of navigation, approximately one and one-half miles below the Sunbury Bridge Company toll bridge, in Upper Augusta Township, Northumberland County and Monroe Township, Snyder County, Pennsylvania: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers of the United States Army, and by the Secretary of War: *Provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Susquehanna River. Construction, etc., of dam.

Approval of plans.

Restriction.

SEC. 2. The authority granted by this Act shall cease and be null and void, unless actual construction of the dam hereby authorized is commenced within two years and completed within five years from

Time limitation.

Removal of interference.

the date of enactment of this Act: *Provided*, That from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said Pennsylvania Power & Light Company, its successors or assigns, that desirable water-power development will be interfered with by the existence of said dam, the said company, or its successors or assigns, shall alter the dam, without expense to the United States, so as to remove said interference and, upon failure to do so within a reasonable time, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States, proposing to develop a power project at or near said dam, shall have authority to remove, submerge, or utilize said dam, under such conditions as said Commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam: *And provided further*, That the Pennsylvania Power & Light Company, its successors or assigns, shall hold and save the United States free from all claims for damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam by reason of operations by the United States for flood control, the preservation or improvement of navigation, or for other purposes.

Claims for damage.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 30, 1947.

[CHAPTER 396]

July 30, 1947
[H. R. 3376]
[Public Law 286]

AN ACT

To ratify and confirm Act 10 of the Session Laws of Hawaii, 1947, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945.

Hawaii.
Issuance of revenue bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Act 10 of the Session Laws of Hawaii, 1947, amending section 6095 of chapter 118, Revised Laws of Hawaii, 1945, as amended, so as to extend the time within which revenue bonds may be issued and delivered under said chapter 118, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said chapter 118, Revised Laws of Hawaii, 1945, as amended, and as further amended by said Act 10, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said chapter 118, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

31 Stat. 141.
48 U. S. C. § 493 note.

Approved July 30, 1947.

[CHAPTER 397]

July 30, 1947
[H. R. 3587]
[Public Law 287]

AN ACT

To provide for the establishment of a temporary Congressional Aviation Policy Board.

National aviation policy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to provide for the development of a national aviation policy adequate to meet the needs of the national defense, of the commerce of the United States, both interstate and foreign, and of the postal service, and to provide for the formulation and clarification of national policies relating to or affecting aviation, including policies relating to the maintenance of an adequate aeronautical manufacturing industry.

SEC. 2. There is hereby established a temporary Congressional Aviation Policy Board (hereinafter referred to as the "Board") which shall be composed of five Members of the Senate, not more than three of whom shall be members of the majority party, to be appointed by the President pro tempore of the Senate, and five Members of the House of Representatives, not more than three of whom shall be members of the majority party, to be appointed by the Speaker of the House of Representatives.

Temporary Congressional Aviation Policy Board.

SEC. 3. It shall be the duty of the Board to carry out the purposes of this Act, and, in so doing, to study the current and future needs of American aviation, including commercial air transportation and the utilization of aircraft by the armed services; the nature, type, and extent of aircraft and air transportation industries that are desirable or essential to our national security and welfare; methods of encouraging needed developments in the aviation and air transportation industry; and the improved organization and procedures of the Government that will assist it in handling aviation matters efficiently and in the public interest. The Board shall report to the Congress, together with such recommendations as it deems desirable, on or before March 1, 1948.

Study of aviation needs.

Report and recommendations to Congress.

SEC. 4. (a) The Board shall select a chairman and a vice chairman from among its members. A vacancy on the Board shall be filled in the same manner as the original selection.

Chairman and vice chairman.

(b) The Board is authorized to employ such experts, assistants, and other employees as in its judgment may be necessary for the performance of its duties. The Board is authorized to utilize the services, information, facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies.

Employment of experts, etc.

(c) The Board shall have the power to hold hearings and to require by subpena or otherwise the attendance of such witnesses, the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable.

Hearings, etc.

(d) For the purpose of carrying out the provisions of this Act the Board may seek information from such sources and conduct its studies and investigations at such places and in such manner as it deems advisable in the interest of a correct ascertainment of the facts.

Studies and investigations.

SEC. 5. There is hereby authorized to be appropriated such sums, not to exceed $50,000, as may be necessary to enable the Board to carry out its functions under this Act.

Appropriation authorized.
Ante, p. 611.

SEC. 6. The members of the Board, and employees thereof, shall be allowed all expenses necessary for travel and subsistence incurred while so engaged in the activities of the Board.

Travel expenses.

Approved July 30, 1947.

[CHAPTER 398]

AN ACT

July 30, 1947
[H. R. 3739]
[Public Law 288]

To authorize the Veterans' Administration to acquire certain land as a site for the proposed Veterans' Administration facility at Clarksburg, West Virginia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed (1) to acquire as a site for the proposed Veterans' Administration facility at Clarksburg, West Virginia, the tract of land in Harrison County, West

Veterans' Administration.
Acquisition of site at Clarksburg, W. Va.

Virginia, situated between the West Fork River and the line of the Clarksburg and Western Electric Railway and known as the Maxwell estate; (2) to lease to the city of Clarksburg, West Virginia, at a nominal consideration, so much of the westerly portion of such tract as is not presently needed for the purposes of such facility, upon condition that such portion be maintained by the city of Clarksburg as a public park until such time as it may be needed for the purposes of such facility, and upon such further terms and conditions as may be agreed upon by the Administrator and such city; (3) to grant to the State of West Virginia a right-of-way across such tract of land for a public highway connecting United States Highway Numbered 19 with the highway known as the Clarksburg-Mount Clare Road; and (4) to enter into an agreement with the State Road Commission of the State of West Virginia to bear not to exceed 35 per centum of the costs of construction of such public highway and any necessary bridges thereon.

Lease of land for public park.

Granting of right-of-way.

Construction costs.

Approved July 30, 1947.

[CHAPTER 404]

July 30, 1947
[S. 364]
[Public Law 289]

AN ACT

To expedite the disposition of Government surplus airports, airport facilities, and equipment and to assure their disposition in such manner as will best encourage and foster the development of civilian aviation and preserve for national defense purposes a strong, efficient, and properly maintained Nationwide system of public airports, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is amended to read as follows:

Surplus Property Act of 1944, amendments.
58 Stat. 771.
50 U. S. C. app. § 1622 (c).
Harbor or port terminal.

"(c) No harbor or port terminal, including necessary operating equipment, shall be otherwise disposed of until it has first been offered, under regulations to be prescribed by the Administrator, for sale or lease to the State, political subdivision thereof, and any municipality, in which it is situated, and to all municipalities in the vicinity thereof."

SEC. 2. Section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is hereby amended by adding a new subsection (g) reading as follows:

58 Stat. 770.
50 U. S. C. app. § 1622.
Conveyance of property for development of public airport.

"(g) (1) Notwithstanding any other provision of this Act, any disposal agency designated pursuant to this Act may, with the approval of the Administrator, convey or dispose of to any State, political subdivision, municipality, or tax-supported institution, without monetary consideration to the United States, but subject to the terms, conditions, reservations, and restrictions hereinafter provided for, all of the right, title, and interest of the United States in and to any surplus real or personal property (exclusive of property the highest and best use of which is determined by the Administrator to be industrial and which shall be so classified for disposal without regard to the provisions of this subsection) which, in the determination of the Administrator of Civil Aeronautics, is essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport as defined in the Federal Airport Act (60 Stat. 170) or reasonably necessary to fulfill the immediate and foreseeable future requirements of the grantee for the development, improvement, operation, or maintenance of a public airport, including property needed to develop sources of revenue from nonaviation businesses at a public airport.

49 U. S. C. §§ 1101-1119.

Conditions of disposal.

"(2) Except as provided in paragraph (3) hereof, all property disposed of under the authority of this subsection shall be disposed of on and subject to the following terms, conditions, reservations, and restrictions:

"(A) No property disposed of under the authority of this subsection shall be used, leased, sold, salvaged, or disposed of by the grantee or transferee for other than airport purposes without the written consent of the Administrator of Civil Aeronautics, which consent shall be granted only if the Administrator of Civil Aeronautics determines that the property can be used, leased, sold, salvaged, or disposed of for other than airport purposes without materially and adversely affecting the development, improvement, operation, or maintenance of the airport at which such property is located: *Provided*, That no structures disposed of hereunder shall be used as an industrial plant, factory, or similar facility within the meaning of section 23 of this Act, unless the public agency receiving title to such structures shall pay to the United States such sum as the Administrator shall determine to be a fair consideration for the removal of the restriction imposed by this proviso.

Disposal for other than airport purposes.

58 Stat. 777.
50 U. S. C. app. § 1632.

"(B) All property transferred for airport purposes shall be used and maintained for the use and benefit of the public, without unjust discrimination.

Property transferred for airport purposes.

"(C) No exclusive right for the use of the airport at which the property disposed of is located shall be vested (either directly or indirectly) in any person or persons to the exclusion of others in the same class. For the purpose of this condition, an exclusive right is defined to mean—

Exclusive right, restriction.

"(1) any exclusive right to use the airport for conducting any particular aeronautical activity requiring operation of aircraft;

"(2) any exclusive right to engage in the sale or supplying of aircraft, aircraft accessories, equipment, or supplies (excluding the sale of gasoline and oil), or aircraft services necessary for the operation of aircraft (including the maintenance and repair of aircraft, aircraft engines, propellers, and appliances).

"(D) The grantee shall, insofar as it is within its powers, adequately clear and protect the aerial approaches to the airport by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

Protection of aerial approaches.

"(E) During any national emergency declared by the President or by the Congress, the United States shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport at which the surplus property is located or used, or of such portion thereof as it may desire: *Provided, however*, That the United States shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession and control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession: *Provided further*, That the United States shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without United States aid.

Control, etc., by U. S. during emergency.

"(F) The United States shall at all times have the right to make nonexclusive use of the landing area of the airport at which the surplus property is located or used, without charge: *Provided, however*, That such use may be limited as may be determined at any time by the Administrator of Civil Aeronautics to be necessary to prevent undue interference with use by other authorized aircraft: *Provided further*, That the United States shall be obligated to pay for damages caused by such use, or if its use of the landing area is substantial, to contribute

Use of landing area.

Damages; maintenance.

a reasonable share of the cost of maintaining and operating the landing area, commensurate with the use made by it.

Release of U. S. from liability.

"(G) Any public agency accepting a conveyance or transfer of surplus property under the provisions of this subsection shall release the United States from any and all liability it may be under for restoration or other damages under any lease or other agreement covering the use by the United States of any airport, or part thereof, owned, controlled, or operated by the public agency upon which, adjacent to which, or in connection with which, the surplus property was located or used: *Provided*, That no such release shall be construed as depriving the public agency of any right it may otherwise have to receive reimbursement under section 17 of the Federal Airport Act for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency.

60 Stat. 179.
49 U. S. C. § 1116.

Reversion to U. S.

"(H) In the event that any of the terms, conditions, reservations, and restrictions upon or subject to which the property is disposed of is not met, observed, or complied with, all of the property so disposed of or any portion thereof, shall, at the option of the United States, revert to the United States in its then existing condition.

Omission or inclusion of terms.

"(3) In making any disposition of surplus property under this subsection (g), the disposal agency is authorized, upon the request of the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy, to omit from the instruments of disposal any of the terms, conditions, reservations, and restrictions required by paragraph (2) hereof, and to include any additional terms, conditions, reservations, and restrictions, if the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy determines that such omission or inclusion is necessary to protect or advance the interests of the United States in civil aviation or for national defense.

Responsibility of Administrator of Civil Aeronautics.

"(4) The Administrator of Civil Aeronautics shall have the sole responsibility for determining and enforcing compliance with the terms, conditions, reservations, and restrictions upon or subject to which surplus property is disposed of pursuant to this subsection.

"(5) All surplus property within the purview of this subsection which is not disposed of pursuant hereto shall be disposed of as provided elsewhere in this Act or other applicable Federal Statute.

58 Stat. 774.
50 U. S. C. app. § 1627 (e).

"(6) Notwithstanding the provisions of subsection (f) of this section and subsection (e) of section 18, the disposal of surplus property under this subsection, which is determined by the Administrator to be available for the purposes enumerated in this subsection, shall be given priority immediately following transfers to other Government agencies under section 12."

58 Stat. 770.
50 U. S. C. app. § 1621.

Approved July 30, 1947.

[CHAPTER 405]

July 31, 1947
[S. 338]
[Public Law 290]

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by substituting a colon for the period at the end of section 1 and by adding thereto a new proviso as follows:

37 Stat. 315.
7 U. S. C. § 154.

Entry of nursery stock from foreign countries.

"*And provided further*, That the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the

requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

Approved July 31, 1947.

[CHAPTER 406]

AN ACT

To provide for the disposal of materials on the public lands of the United States.

July 31, 1947
[S. 1185]
[Public Law 291]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, under such rules and regulations as he may prescribe, may dispose of materials including but not limited to sand, stone, gravel, yucca, manzanita, mesquite, cactus, common clay, and timber or other forest products, on public lands of the United States if the disposal of such materials (1) is not otherwise expressly authorized by law, including the United States mining laws, (2) is not expressly prohibited by laws of the United States, and (3) would not be detrimental to the public interest. Such materials may be disposed of only in accordance with the provisions of this Act and upon the payment of adequate compensation therefor, to be determined by the Secretary: *Provided, however*, That, to the extent not otherwise authorized by law, the Secretary is authorized in his discretion to permit any Federal, State, or Territorial agency, unit or subdivision, including municipalities, or any person, or any association or corporation not organized for profit, to take and remove, without charge, materials and resources subject to this Act, for use other than for commercial or industrial purposes or resale. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians.

Public lands. Disposal of certain materials.

Removal of materials without charge.

Nonapplicability.

SEC. 2. Where the appraised value of the material exceeds $1,000, it shall be disposed of by the Secretary to the highest responsible qualified bidder by competitive bidding and publication of notice of the proposed disposal once each week for a period of four consecutive weeks in a newspaper of general circulation in the county in which the material is located. Where the appraised value of the material is $1,000 or less, it may be disposed of by the Secretary upon such notice and in such manner as he may prescribe.

Appraisal value in excess of $1,000.

Appraisal value of $1,000 or less.

SEC. 3. All moneys received from the disposal of materials under this Act shall be disposed of in the same manner as moneys received from the sale of public lands.

Approved July 31, 1947.

[CHAPTER 407]

AN ACT

July 31, 1947
[S. 1418]
[Public Law 292]

Granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the waters of the New England States.

Interstate compact. Control of pollution of waters of New England States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the control and reduction of pollution of the streams and waters of the New England States negotiated and entered into or to be entered into under authority of Public Resolution 104, Seventy-fourth Congress, approved June 8, 1936, and now ratified by the States of Connecticut, Massachusetts, and Rhode Island, which compact reads as follows:

49 Stat. 1490.
33 U. S. C. § 567a.

"NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMPACT

"Whereas, The growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of two or more states; and

"Whereas, Such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such area; and

"Whereas, The abatement of existing pollution and the control of future pollution in the interstate waters of the New England area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement;

"Now, therefore, The states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as follows:

"ARTICLE I

Applicability of provisions.

"It is agreed between the signatory states that the provisions of this compact shall apply to streams, ponds and lakes which are contiguous to two or more signatory states or which flow through two or more signatory states or which have a tributary contiguous to two or more signatory states or flowing through two or more signatory states, and also shall apply to tidal waters ebbing and flowing past the boundaries of two states.

"ARTICLE II

New England Interstate Water Pollution Control Commission.

"There is hereby created the New England Interstate Water Pollution Control Commission (hereinafter referred to as the commission) which shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory state concurred in by the others.

"ARTICLE III

Membership.

"The commission shall consist of five commissioners from each signatory state, each of whom shall be a resident voter of the state from which he is appointed. The commissioners shall be chosen in the manner and for the terms provided by law of the state from which they shall be appointed. For each state there shall be on the commission a member representing the state health department, a member representing the state water pollution control board (if such exists), and, except where a state in its enabling legislation decides that the best

interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests, and a member representing an agency acting for fisheries or conservation.

"ARTICLE IV

"The commission shall annually elect from its members a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who shall be a professional engineer versed in water pollution and may employ such stenographic or clerical employees as shall be necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable by-laws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or place within the signatory states. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory states which may be necessary to carry out the intent and purpose of this compact. The commission shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor shall the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint a treasurer who may be a member of the commission, and disbursements by the commission shall be valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary shall be custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

Chairman and vice chairman.

Seal and by-laws.

Meetings.

Quorum.

Reports and recommendations.

Audit of accounts.

"ARTICLE V

"It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, shellfish culture, navigation and disposal of wastes.

"The commission shall establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various

Sewage and waste treatment.

Classification of interstate waters.

classifications of use. It is agreed that each of the signatory states through appropriate agencies will prepare a classification of its interstate waters in entirety or by portions according to present and proposed highest use and for this purpose technical experts employed by state departments of health and state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more states. Each signatory state agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval all signatory states through their appropriate state health departments and water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity.

"ARTICLE VI

Pledge of signatory States.

"Each of the signatory states pledges to provide for the abatement of existing pollution and for the control of future pollution of interstate inland and tidal waters as described in Article I, and to put and maintain the waters thereof in a satisfactory condition consistent with the highest classified use of each body of water.

"ARTICLE VII

Enactment of legislation by signatory States, etc.

"Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or prevent the enforcement of any requirement by any signatory state imposing any additional condition or restriction to further lessen the pollution of waters within its jurisdiction. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory states.

"ARTICLE VIII

State appropriations.

"The signatory states agree to appropriate for the salaries, office, administrative, travel and other expenses such sum or sums as shall be recommended by the commission. The commonwealth of Massachusetts obligates itself only to the extent of sixty-five hundred dollars in any one year, the state of Connecticut only to the extent of three thousand dollars in any one year, the state of Rhode Island only to the extent of fifteen hundred dollars in any one year, and the states of New Hampshire, Maine, and Vermont each only to the extent of one thousand dollars in any one year.

"ARTICLE IX

Separability of provisions.

"Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

"ARTICLE X

Consultations with State agencies of New York.

"The commission is authorized to discuss with appropriate state agencies in New York state questions of pollution of waters which flow into the New England area from New York state or vice versa and to further the establishment of agreements on pollution abatement to promote the interests of the New York and New England areas.

Entry of New York into compact.

"Whenever the commission by majority vote of the members of each signatory state shall have given its approval and the state of New

York shall have taken the necessary action to do so, the state of New York shall be a party to this compact for the purpose of controlling and abating the pollution of waterways common to New York and the New England states signatory to this compact but excluding the waters under the jurisdiction of the Interstate Sanitation Commission (New York, New Jersey, and Connecticut).

"ARTICLE XI

"This compact shall become effective immediately upon the adoption of the compact by any two contiguous states of New England but only in so far as applies to those states and upon approval by Federal law. Thereafter upon ratification by other contiguous states, it shall also become effective as to those states."

Effectivity.

SEC. 2. Without further submission of the compact, the consent of Congress is given to the States of Maine, New Hampshire, and Vermont, and to the State of New York pursuant to article X of the compact, to enter into the compact as a signatory State and party thereto.

Consent of Congress to designated States.

SEC. 3. Nothing contained in this Act or in the compact herein approved shall be construed as impairing or affecting the sovereignty of the United States or any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

Rights, etc., of U. S.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Approved July 31, 1947.

[CHAPTER 408]

JOINT RESOLUTION

Amending Public Law 27, Eightieth Congress.

July 31, 1947
[H. J. Res. 245]
[Public Law 293]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 27, Eightieth Congress, approved March 31, 1947, is hereby amended to read as follows:

U. S. Coast Guard.
Ante, p. 33.

"SEC. 2. The authority granted by this resolution shall remain in force only until April 1, 1948: *Provided*, That nothing herein contained shall be construed to authorize the Commandant, United States Coast Guard, to grant waivers for the employment of alien seamen except for those who served between December 7, 1941, and September 2, 1945, aboard vessels operated by the War Shipping Administration, the United States Maritime Commission, or the Army Transport Service."

Time limitation.
Waivers for employment of alien seamen.

Approved July 31, 1947.

[CHAPTER 409]

AN ACT

For the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley.

July 31, 1947
[H. R. 1648]
[Public Law 294]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue per diem orders retroactively to cover per diem payments that have been made or will be made to postal employees detailed to postal units, camps, posts, or stations handling military mail, or to civilian plants devoted to war production at rates not to exceed that provided and authorized by the Act of December 7, 1945 (59 Stat. 603).

Postal service.
Per diem payments to designated employees.

39 U. S. C. § 133 note.

SEC. 2. In the audit and settlement of the accounts of postmasters and other designated disbursing officers of the Post Office Department

Credit in accounts.

and postal service credit shall be allowed for all payments made under authority of per diem orders issued by the Postmaster General pursuant to section 1 of this Act.

Approved July 31, 1947.

[CHAPTER 410]

July 31, 1947
[H. R. 2005]
[Public Law 295]

AN ACT

To amend the Act of April 21, 1932 (47 Stat. 88), entitled "An Act to provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations, in Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments".

Choctaw-Chickasaw Nations.
Coal and asphalt deposits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 21, 1932 (47 Stat. 88), is hereby amended to provide that leases or renewal leases may be made for any term not to exceed fifteen years: *Provided*, That nothing herein contained shall operate to prevent the sale pursuant to law of the segregated coal or asphalt deposits leased or unleased of the Choctaw-Chickasaw Nations at any time, but any such sale shall be subject to any leases of such deposits heretofore or hereafter made pursuant to law.

Approved July 31, 1947.

[CHAPTER 411]

July 31, 1947
[H. R. 4002]
[Public Law 296]

AN ACT

Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes.

War Department Civil Appropriation Act, 1948.
Ante, pp. 71, 118, 187, 188, 245, 361, 608, 609, 625; *post*, p. 779.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, for civil functions administered by the War Department, and for other purposes, namely:

CIVIL FUNCTIONS OF THE WAR DEPARTMENT

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

Maintenance of national cemeteries.

Cemeterial expenses: For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279–280b), and civilians interred in post cemeteries; for maintenance of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the

Headstones.
17 Stat. 545; 20 Stat. 281; 45 Stat. 1307; 54 Stat. 142.

Confederate cemeteries.

Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for maintenance of graves used by the Army for burials in commercial cemeteries; $4,190,387: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village: *Provided further*, That upon completion of repairs to the approach road to the Natchez, Mississippi, National Cemetery, provided for in this Act, the Secretary of War is authorized to convey title thereto to the State of Mississippi or any county, municipality, or proper agency thereof in accordance with the provisions of section 1 of the War Department Civil Appropriation Act, 1942 (55 Stat. 191).

Commercial cemeteries.
Encroachment by railroad.
Roadway repairs.
Conveyance of title.
24 U. S. C. § 289.

CEMETERIAL EXPENSES, NO YEAR

Cemeterial expenses (Act of May 16, 1946): For all expenses necessary, not otherwise provided for, to enable the Secretary of War to carry out his responsibilities in connection with the evacuation and return to their homeland of the remains of members of the armed forces and certain citizens and employees of the United States as authorized by the Act of May 16, 1946, Public Law Numbered 383, including burial expenses or payment of allowances in lieu thereof; personal services at the seat of government and elsewhere; construction of buildings and facilities; acquisition of real estate or interests therein; purchase, operation, maintenance, and repair of passenger automobiles; printing and binding; settlement of claims incident to and resulting from activities pursuant to said Act in accordance with the Act approved July 3, 1943 (31 U. S. C. 223b); and communication and other services and supplies at the seat of government or elsewhere; $60,000,000, to remain available until expended: *Provided*, That the Secretary of War is authorized to furnish, without reimbursement, supplies and equipment in excess of the needs of the Military Establishment and to make available existing facilities of the Military Establishment to the fullest extent possible for the accomplishment of the objects provided for herein: *Provided further*, That expenditures from this appropriation may be made when necessary to carry out its purpose without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, or civil-service and classification laws.

Ante, p. 71; *post*, p. 779.
60 Stat. 182.
50 U. S. C. app. §§ 1811-1816.
Supra.
57 Stat. 372.
31 U. S. C. §§ 215-217 notes, 223b, 223c.
50 U. S. C. § 175; 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U. S. C. §§ 259, 267.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

Alaska Communication System: For expenses necessary for the operation, maintenance, and improvement of the Alaska Communication System, including purchase of two passenger motor vehicles, $1,804,000, to remain available until the close of the fiscal year 1949.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the Office of the

Additional personnel.

Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood-control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1948 shall not exceed $1,100,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each: *Provided further*, That the various appropriations for rivers and harbors and flood control may be used for the purchase, in the fiscal year 1948, of two hundred passenger motor vehicles and ten motorboats, and the purchase, maintenance, repair, and operation of twelve aircraft: *Provided further*, That hereafter no appropriation under the Corps of Engineers shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business, and that Government business shall be construed to include transportation, lodging, and subsistence on inspection trips of Federal and State officials, having a public interest in authorized or proposed improvements for river and harbor and flood control, and any expenses incurred therefor shall be chargeable to river and harbor and flood control appropriations heretofore or hereafter made under rules and regulations to be prescribed by the Chief of Engineers: *Provided further*, That such expenditures shall be certified by the Division Engineer as necessary and proper expenditures:

Limitation on expenditures.

Report to Congress.

Purchase of motor vehicles, motorboats, and aircraft.

Power-driven boats.

Certification of expenses.

RIVERS AND HARBORS

Maintenance, etc.

Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed one hundred student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, $116,718,700: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation

California Débris Commission. 27 Stat. 507.

Student officers.

41 Stat. 785.

Printing and binding.

Unauthorized surveys, etc.

Harbor channels.

of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission.

Permanent International Commission of the Congresses of Navigation.

Alteration of bridges over navigable waters: For payment of the share of the United States of the cost of alteration of bridges over navigable waters in accordance with the provisions of the Act of June 21, 1940 (Public Law 647), $500,000, to remain available until expended.

Alteration of bridges.

54 Stat. 497.
33 U. S. C. §§ 511-523.

FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for preliminary examinations, surveys, and contingencies in connection with the flood control, $246,072,825, of which $200,000 shall be made available for the preparation of detailed plans for the Dyberry and Prompton Reservoirs in the Lackawaxen River Basin, Pennsylvania, recommended for construction in the report of the Chief of Engineers, United States Army, in House Document Numbered 113, of the Eightieth Congress and the preparation of such plans is hereby authorized: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein, not to exceed $500,000, may be used for necessary bank protection on the Missouri River in the vicinity of Aten, Nebraska: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate the Garrison (North Dakota) Reservoir at a higher maximum normal pool elevation than one thousand eight hundred and thirty feet, or for constructing dikes or levees which would be required by a higher maximum normal pool elevation than one thousand eight hundred and thirty feet for operating such dam: *Provided further*, That in the construction of the Fort Gibson flood-control project in Oklahoma, the Chief of Engineers is authorized and directed to cooperate with the officials of the city of Muskogee in protecting the domestic water supply of such city.

Construction and maintenance.

49 Stat. 1570.
33 U. S. C. §§ 701a-701f, 701h.

Dyberry and Prompton Reservoirs.

Salmon River, Alaska.

Bank protection, Aten, Nebr.

Surveys, plans, etc.

52 Stat. 1216.
33 U. S. C. §§ 701j, 702a-1¾, 702a-12.

Garrison Reservoir, N. Dak.

Fort Gibson project, Okla.

Acquisition of lands in Fort Berthold Indian Reservation.

Garrison (North Dakota) Reservoir: For acquisition of the lands and rights therein within the taking line of Garrison Reservoir which lands lie within the area now established as the Fort Berthold Indian Reservation, North Dakota, including all elements of value above or below the surface thereof and including all improvements, severance damages and reestablishment and relocation costs the sum of $5,105,625, which said sum is included in the total allocated under this Act for the said Garrison Reservoir and which shall be deposited in the Treasury of the United States to the credit of the Three Affiliated Tribes of Fort Berthold Reservation, to be subject to withdrawal and disbursement as herein provided. This amount is made available subject to the following conditions subsequent and in the event the said conditions are not complied with then this amount shall lapse and be thereby null and void. Said conditions subsequent are:

Deposit to credit of Three Affiliated Tribes.

Availability.

That a contract between the United States and the said Three Affiliated Tribes shall be negotiated and approved by a majority of the adult members of said tribes and enacted into law by the Congress, providing for the conveyance of said lands and interests and the use and distribution of said fund and that disbursements from said fund shall be made forthwith in accordance with said approved contract and Act of Congress.

That said contract shall be submitted to the Congress on or before the first day of June 1948: *Provided, however*, That, notwithstanding said contract or the provisions of this Act, the said Three Affiliated Tribes may bring suit in the Court of Claims as provided in section 24 of the Act of August 13, 1946, on account of additional damages, if any, alleged to have been sustained by said tribes by reason of the taking of the said lands and rights in the said Fort Berthold Indian Reservation on account of any treaty obligation of the Government or any intangible cost of reestablishment or relocation, for which the said tribes are not compensated by the said $5,105,625.

60 Stat. 1055.
28 U. S. C. § 259a.

Mississippi River and tributaries.

45 Stat. 534.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, $50,000,000.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), $500,000.

33 U. S. C. § 702g-1.

Sacramento River, Calif.

39 Stat. 949.
33 U. S. C. §§ 701-703.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of the Act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638–651), $1,750,000.

MISCELLANEOUS CIVIL WORKS

Federal water mains outside D. C.

Maintenance and operation, Certain Federal Water Mains Outside the District of Columbia: For the maintenance, operation, improvement, extension, and protection of Federal water lines located outside the District of Columbia required to serve nearby Government establishments and facilities with water from the water supply system of the District of Columbia, including interconnections with other water systems for emergency use wherever located, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, $12,000.

UNITED STATES SOLDIERS' HOME

Trust account: For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, $2,410,100, of which $296,000 shall be immediately and continuously available until expended for the preparation of plans and specifications for the renovation and enlargement of the United States Soldiers' Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the home in United States Army hospitals at rates in excess of those prescribed by the Secretary of War, upon the recommendation of the Board of Commissioners of the home and the Surgeon General of the Army: *Provided further*, That any owning or disposal agency is authorized to transfer surplus property, other than real estate, to the United States Soldiers' Home without reimbursement or transfer of funds.

Restriction.

Transfer of surplus property.

THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including printing and binding; personal services in the District of Columbia, purchase (not to exceed twenty-five in the fiscal year 1948), and hire of passenger motor vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not forseen or otherwise provided for herein; not to exceed $2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements, as follows:

Maintenance, etc.

Damage claims.

48 U. S. C. § 1319.

60 Stat. 843.
28 U. S. C §§ 921, 922.

37 Stat. 560.
48 U. S. C. §§ 1301-1387.

Emergencies.

Travel expenses.

Buildings and improvements.

Maintenance and operation of Panama Canal.

Maintenance and operation of the Panama Canal: For salary of the Governor, $10,000; contingencies of the Governor, including entertainment, to be expended in his discretion, not exceeding $3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); and not to exceed $6,500 for deposit in the general fund of the Treasury for cost of penalty mail for offices of the Panama Canal in the United

Alien cripples.

39 Stat. 750.

Relief payments.

48 U. S. C. § 1372.

Penalty mail costs.

58 Stat. 394.
39 U. S. C. §§ 321c-321h.
Ante, p. 450.
37 Stat. 560.
48 U. S. C. §§ 1301-1387.

States as required by the Act of June 28, 1944; in all, $13,374,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Sanitation: For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed $50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, $3,552,000.

Blood for transfusions.

Civil government.

Civil government: For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, $2,900,000.

Additional facilities.

Construction of additional facilities, Panama Canal: For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the Act of August 11, 1939 (53 Stat. 1409) and for carrying out the purposes of Public Law 280, approved December 28, 1945, including reimbursements to the appropriations for "Maintenance and operation, sanitation, and civil government, Panama Canal", in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, $750,000.

48 U. S. C. § 1307 note.
59 Stat. 663.

Total, Panama Canal, $20,576,000, to be available until expended.

Additional sums.

In addition to the foregoing sums there is hereby made available for the fiscal year 1948 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1948 from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Waterworks, etc., Panama and Colon.

There is also made available for the fiscal year 1948 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses.

GENERAL PROVISIONS

Canal Zone.
Citizenship requirement.

SEC. 2. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by

him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Limitation.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability.

Wartime or emergency suspension.

Housing shortage.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

60 Stat. 810.
5 U. S. C. § 55a.

SEC. 4. The Governor of the Panama Canal is authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding $100 per diem for individuals.

Transfer of surplus supplies to Panama Canal.

SEC. 5. The War Department and the Navy Department are authorized to transfer to the Panama Canal, regardless of present location and without charge to the Panama Canal, materials, supplies, tools, and equipment of every character, including structures, vessels, and floating equipment, which are surplus to the needs of the department having title thereto and which may be certified by the Governor of the Panama Canal as necessary for the care, maintenance, operation, improvement, sanitation, and government of the Panama Canal and Canl Zone.

57 Stat. 372.
31 U. S. C. §§ 215-217 notes, 223b, 223c.
60 Stat. 843.
28 U. S. C. §§ 921, 922.
60 Stat. 903.
5 U. S. C. § 150.
Short title.

SEC. 6. Appropriations for the Military Establishment and for civil functions administered by the War Department may be used for the payment of claims under the Act of July 3, 1943, and part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601), and for the expenses of health programs for Federal employees pursuant to the Act of August 8, 1946 (Public Law 658).

SEC. 7. This Act may be cited as the "War Department Civil Appropriation Act, 1948".

Approved July 31, 1947.

[CHAPTER 412]

July 31, 1947
[H. R. 4110]
[Public Law 297]

AN ACT

To amend title I of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act).

Marketing and cooperative research projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of title I of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act), which was added by Public Law 733, Seventy-ninth Congress, is amended by striking out the words "authorized to be" wherever they appear in that section.

60 Stat. 1086.
7 U. S. C. § 427j.

Approved July 31, 1947.

[CHAPTER 413]

July 31, 1947
[H. R. 4254]
[Public Law 298]

AN ACT

Providing for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers.

Disposition of labor supply centers, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 2 (d) of the Farmers' Home Administration Act of 1946 and section 43 (d) of the Bankhead-Jones Farm Tenant Act, as added by the Farmers' Home Administration Act of 1946, the Secretary of Agriculture may dispose of any labor supply center, labor home, labor camp or facility referred to in said sections

60 Stat. 1064, 1068.
7 U. S. C. §§ 1001 note, 1017 (d).

and any equipment pertaining thereto or used in the Farm Labor Supply Program (hereafter referred to as "facilities") for such prices and under such terms and conditions as the Secretary may determine reasonable, after taking into consideration the responsibilities to be assumed by the purchaser, to any public or semipublic agency or any nonprofit association of farmers in the community who will agree to operate and maintain such facilities for the principal purpose of housing persons engaged in agricultural work and to relieve the Government of all responsibility in connection therewith. In disposing of such facilities, the Secretary shall give due consideration to the ability of the applicants to maintain and operate such facilities for housing agricultural workers.

Continuation of disposal authority until June 30, 1949.

SEC. 2. In order that such public or semipublic agencies or nonprofit associations of farmers may have adequate time to make necessary arrangement for authorizations and funds to acquire such facilities, the authority to dispose of such facilities to such agencies is to continue until June 30, 1949. After January 30, 1948, and pending sale thereof, no facility shall be continued in operation except under contractual arrangements with responsible public, or semipublic agencies or nonprofit associations of farmers who will agree to operate such facilities for the principal purpose of housing persons engaged in agricultural work and to relieve the Federal Government of all financial responsibility in connection with the operation of such facilities. Any facility with respect to which no such contractual arrangement has been made by January 30, 1948, shall be liquidated as expeditiously as possible under the provisions of this Act or section 43 (d) of the Farmers' Home Administration Act of 1946, and in any event not later than June 30, 1949. Any facility which is continued in operation after January 30, 1948, pursuant to a contractual arrangement with a public or semipublic agency or nonprofit association of farmers and which remains unsold on June 30, 1949, shall be disposed of as expeditiously as possible under the provisions of section 43 (d) of the Farmers' Home Administration Act of 1946.

Contractual arrangements for operation.

Liquidation of facility.

60 Stat. 1068.
7 U. S. C. § 1017 (d).
Facility continued in operation after Jan. 30, 1948.

SEC. 3. The funds made available under the item "Farm Labor Supply Program" in the Second Deficiency Appropriation Act, 1947 (Public Law Numbered 76, Eightieth Congress), are also hereby made available until expended for carrying out the purposes of this Act and in addition thereto, there is authorized to be appropriated such additional sums as may be necessary.

Ante, p. 109.

Appropriation authorized.

Approved July 31, 1947.

[CHAPTER 414]

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

July 31, 1947
[H. R. 4347]
[Public Law 299]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, and for other purposes, namely:

Second Supplemental Appropriation Act, 1948.
Ante, pp. 118, 187, 245, 361, 608, 609; *post*, pp. 703, 941.

LEGISLATIVE BRANCH

SENATE

Office of the Sergeant at Arms and Doorkeeper: For the compensation of fifteen additional privates, Capitol Police Force, at the

Ante, pp. 362, 610.

basic rate of $2,000 each per annum, from October 1, 1947, to June 30, 1948, $24,000.

Ante, pp. 364, 611.

Contingent expenses, Senate: To enable the Senate Committee on Rules and Administration, or its authorized representative, to make final settlement of all authorized accounts outstanding against the Senate Restaurants at the close of business July 31, 1947, including payments for terminal and accrued leave and compensatory absence with pay authorized by the committee on the basis of services rendered prior to August 1, 1947, $19,000, together with the balance (exclusive of such amounts as required to cover outstanding checks) in the special deposit account on August 1, 1947, maintained in the Treasury of the United States for the United States Senate Restaurants, which balance shall be paid by the Architect of the Capitol to the committee or its authorized representative on August 1, 1947.

HOUSE OF REPRESENTATIVES

SALARIES, OFFICERS AND EMPLOYEES

Ante, p. 365.

Office of the Sergeant at Arms, $700, and the basic salary of the assistant cashier hereafter shall be at the annual rate of $4,500 per annum.

CONTINGENT EXPENSES OF THE HOUSE

Ante, p. 366.

Special and select committees: For an additional amount for expenses of special and select committees authorized by the House, $400,000.

CAPITOL POLICE

Ante, p. 368.

General expenses: For an additional amount, $2,400, to be disbursed by the Clerk of the House of Representatives.

INDEPENDENT OFFICES

AMERICAN BATTLE MONUMENTS COMMISSION

Ante, p. 588.

60 Stat. 317.
36 U. S. C. §§ 121, 123-132, 138-138b.
Post, p. 779.

Construction of memorials and cemeteries: For the permanent design and construction of memorials and cemeteries in foreign countries as authorized by the Act of June 26, 1946 (Public Law 456), and H. R. 3394, $50,000, to remain available until expended.

CIVIL SERVICE COMMISSION

Ante, p. 589.

Transfer of funds.

Membership on Loyalty Review Board.
35 Stat. 1107, 1109.

Salaries and expenses: For an additional amount for "Salaries and expenses", Civil Service Commission, including $100,000 additional for printing and binding and $150,000 additional for penalty mail, $3,500,000: *Provided*, That such sums as the Bureau of the Budget may approve may be transferred from this appropriation to other agencies of the Government for investigating Federal employees: *Provided further*, That nothing in sections 109 and 113 of the Criminal Code (18 U. S. C. 198 and 203) or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of his appointment for part-time service as a member of the Loyalty Review Board in the Civil Service Commission.

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Ante, p. 246; *post*, p. 940.

Salaries and expenses, to be expended in accordance with the provisions of the Act of July 7, 1947 (Public Law 162), $750,000.

FEDERAL WORKS AGENCY

PUBLIC BUILDINGS ADMINISTRATION

Ante, p. 592.

Costs of maintenance, upkeep, and repair paid by Government corporations pursuant to section 306 of the Government Corporations Appropriation Act, 1948, shall be credited to the appropriations of the Public Buildings Administration bearing such costs.

Ante, p. 584.

BUREAU OF COMMUNITY FACILITIES

Ante, p. 597.

Maintenance and operation of schools: For carrying out the Act entitled "An Act to extend the period for providing assistance for certain war-incurred school enrollments" (H. R. 3682), $2,500,000, of which amount not to exceed $50,000 shall be available for administrative expenses, including the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371): *Provided*, That the availability of this appropriation is contingent upon the enactment into law of said H. R. 3682.

Post, p. 716.
55 Stat. 546.
55 Stat. 855.
Availability of appropriation.

UNITED STATES MARITIME COMMISSION

The operating receipts made available to the United States Maritime Commission by the Third Deficiency Appropriation Act, 1946 (60 Stat. 614), as amended by the Act of February 26, 1947 (Public Law 6), and the Act of June 28, 1947 (Public Law 127), shall be available for the purpose of carrying out the operating functions transferred to the Maritime Commission by section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), until March 1, 1948, for the following purposes and in the following amounts:

Ante, pp. 6, 190.

Salaries and general administrative expenses, $4,650,000: *Provided*, That such amount shall remain available from March 1, 1948, to June 30, 1948, for salaries and other administrative expenses in connection with liquidation of such operating functions;

Ante, p. 603.

Vessel and voyage operations, $100,000,000;

Maintenance and repairs, $14,000,000;

Charter hire, $846,000;

Insurance, $1,164,000;

Cost of placing vessels into reserve fleet, $5,500,000;

Delivery expenses on vessels withdrawn from reserve fleet for sale, $1,099,000;

Miscellaneous expenses, $600,000;

Ante, p. 603.

Unliquidated obligations as at June 30, 1947, $44,600,000;

Reserve for contingencies, including claims arising from operations during the period, January 1, 1947, to February 29, 1948, $30,000,000;

In all, $192,059,000, and all receipts to such fund, during the fiscal year 1948, in excess of such amount shall be carried to the surplus fund and covered into the Treasury.

The Secretary of the Treasury is hereby authorized and directed to withdraw from the accounts of the United States Maritime Commission fifteen days after the date of enactment hereof the unexpended balance of the War Shipping Administration funds received by the United States Maritime Commission pursuant to section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), and to carry such unexpended balance to the surplus fund to be covered into the Treasury, and there is hereby appropriated to the Secretary of the Treasury such amount as may be necessary (not to exceed $200,000,000)

to liquidate such obligations as may be found by the General Accounting Office as having been properly incurred against such funds prior to January 1, 1947: *Provided*, That the appropriation herein for liquidation of obligations shall be available only until March 31, 1948: *Provided further*, That moneys received by agent operators of the Maritime Commission on account of operations prior to September 1, 1946, under the War Shipping Administration revolving fund may be applied against necessary expenses of such agent operators in connection with liquidation of obligations incurred under such fund prior to January 1, 1947: *Provided further*, That hereafter all moneys accruing to the Maritime Commission from operations under the War Shipping Administration revolving fund prior to September 1, 1946 (including moneys received from agent operators after deduction of necessary expenses of such agent operators), shall be covered into the Treasury as miscellaneous receipts.

Liquidation of obligations.

Revolving fund, War Shipping Administration.

DISTRICT OF COLUMBIA

REGULATORY AGENCIES

Ante, p. 427.

Office of Recorder of Deeds: For an additional amount for the "Office of the Recorder of Deeds", $12,000, to be available for salaries and expenses of the Auto Lien Division.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

Ante, p. 534.

Research laboratory, Quincy, Fla.

Insect investigations: For an additional amount for "Insect investigations", including the same objects specified under this head in the Department of Agriculture Appropriation Act, 1948, $5,000: *Provided*, That this additional amount shall be used for the maintenance and operation of a research laboratory at Quincy, Florida, for the study of insects and fungi affecting cigar-wrapper tobacco.

FLOOD CONTROL

Ante, p. 540.

Flood control: For an additional amount for "Flood control", $2,000,000, to remain available until expended, to be available for preliminary examinations and surveys (in an amount not exceeding $100,000) and works of improvement in the watershed of the Mississippi River and its tributaries.

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Ante, p. 618.

Ante, p. 618.

Materials distribution and liquidation of Office of Temporary Controls: For an additional amount for "Materials distribution and liquidation of Office of Temporary Controls", $300,000, and the total amount appropriated under this head shall be available for carrying out the purposes specified under this head in the Supplemental Appropriation Act, 1948, and for necessary expenses of carrying out the purposes of H. R. 1602, Eightieth Congress, if said bill is enacted into law: *Provided*, That the amounts specified in the Supplemental Appropriation Act, 1948, for transfer from the appropriation under this head to the appropriations of the Department of Commerce for "Salaries and expenses, Bureau of Foreign and Domestic Commerce", and "Printing and binding, Department of Commerce", are hereby

increased by $295,000 and $5,000, respectively: *Provided further*, That this paragraph shall be effective only upon the enactment into law of H. R. 1602, Eightieth Congress, during the first session of that Congress.

Restriction.

WEATHER BUREAU

Salaries and expenses: For an additional amount for "Salaries and expenses", $275,000.

Ante, p. 300.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Management, protection, and disposal of public lands: For an additional amount, for "Management, protection, and disposal of public lands", $300,000, and the limitation on the amount for carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A), is hereby increased from $398,000 to $698,000.

Ante, p. 463.

48 Stat. 1269.
43 U. S. C. §§ 315-315q.
Post, pp. 790, 791.

BUREAU OF INDIAN AFFAIRS

Construction, and so forth, buildings and utilities: For an additional amount for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, as authorized by Public Law 138 (Eightieth Congress), approved June 30, 1947, $88,000.

Ante, p. 467.

Ante, p. 211.

BUREAU OF RECLAMATION

OPERATION AND MAINTENANCE

Yuma project, Arizona-California: For an additional amount for "Yuma project, Arizona-California" (operation and maintenance), from the reclamation fund, special fund, $100,000, to remain available until expended.

Ante, p. 474.

MISSOURI RIVER BASIN

Missouri River Basin (reimbursable except as provided in the Act of December 22, 1944 (Public Law 534), Seventy-eighth Congress, and the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress): For an additional amount for "Missouri River Basin", $6,400,000, to remain available until expended, and to include the following projects:

58 Stat. 887.
16 U. S. C. §§ 460d, 825s; 33 U. S. C. §§ 701a-1, 701c and note, 708, 709; 43 U. S. C. § 390.
60 Stat. 1080.
16 U. S. C. §§ 661-666c.
Ante, p. 476.

Yellowstone Basin:
- Boysen Dam, $700,000;
- Moorehead Dam, $900,000;

Minor western tributaries:
- Bixby Dam, $500,000;
- Cannonball Dam, $400,000;
- Heart River project, Heart Butte and Dickinson Dams, $400,000;
- Keyhole Dam, $200,000;
- Shadehill Dam, $300,000;

Republican Basin:
- Bonny Dam, $800,000;
- Culbertson Dam, $300,000;
- Enders Dam, $700,000;

Platte Basin: Narrows Dam, $300,000;
Kansas Basin: Cedar Bluff Dam, $900,000.

BUREAU OF MINES

Coal mine inspections and investigations: For an additional amount for "Coal mine inspections and investigations", including, in addition to the objects specified under this head in the Interior Department

Ante, p. 479.

Appropriation Act, 1948, printing and binding, and the purchase of twenty-five passenger motor vehicles, $250,000, and the limitation upon the amount that may be expended for personal services in the District of Columbia is increased to $150,000. This appropriation is contingent upon the enactment into law of Senate Joint Resolution 130 or House Joint Resolution 244.

Post, p. 725.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Ante, p. 291.

Salaries and expenses: For an additional amount for "Salaries and expenses, detection and prosecution of crimes", Federal Bureau of Investigation, $7,500,000.

DEPARTMENT OF LABOR

Ante, pp. 261, 621.

OFFICE OF THE SECRETARY

Salaries: For an additional amount for "Salaries", $100,000.

Printing and binding: For an additional amount for "Printing and binding", $5,000.

Penalty mail costs: For an additional amount for "Penalty mail costs", $5,500.

BUREAU OF LABOR STATISTICS

Ante, p. 262.

Salaries and expenses: For an additional amount for "Salaries and expenses", $100,000, and the limitation for personal services in the District of Columbia is hereby increased from $2,202,700 to $2,327,700.

NAVY DEPARTMENT

The Secretary of the Navy is authorized to procure temporary services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600).

60 Stat. 810.
5 U. S. C. § 55a.
Transfer of funds.

The following amounts are hereby transferred from the unexpended balances of the United States Maritime Commission working fund (Navy Department) to the Navy Department for the expenses of the care and handling of vessels in the custody of the Navy Department which have been declared surplus by the Navy Department to the Maritime Commission as disposal agency, and such amounts shall be considered as reimbursements to the Navy Department for such expenses to be credited to existing appropriations as follows:

60 Stat. 485; *ante*, p. 68.
Ante, p. 385.

Maintenance, Bureau of Ships, 1947, $6,613,353;

Maintenance, Bureau of Ships, 1948, $4,000,000.

POST OFFICE DEPARTMENT

(OUT OF THE POSTAL REVENUES)

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

60 Stat. 582; *ante*, p. 112.

"Star route and air mail service, Alaska", $236,000, to be derived by transfer from the appropriation "Domestic Air Mail Service, 1947";

60 Stat. 583; *ante*, pp. 69, 112.

"Foreign mail transportation", $1,336,000.

For additional amounts for appropriations of the Post Office Department for the fiscal year 1948, as follows:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

"For printing and binding for the Post Office Department and postal service", $350,000; *Ante*, p. 228.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

"Salaries, Office of the Second Assistant Postmaster General", $123,500: *Provided*, That this appropriation shall be available only for temporary personal services in the District of Columbia in connection with rate hearings before the Interstate Commerce Commission; *Ante*, p. 228. Restriction.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

"Adjusted losses and contingencies", $55,000; *Ante*, p. 229.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL *Ante*, p. 230.

"Carfare and bicycle allowance", $325,000;
"Special-delivery compensation and fees", $750,000;
"Rural Delivery Service", $2,000,000;

The appropriations heretofore or herein made for "Clerks, first- and second-class post offices", "City-delivery carriers", "Carfare and bicycle allowance", and "Special-delivery compensation and fees" shall be apportioned on a quarterly basis (pursuant to section 3679, R. S., as amended, 31 U. S. C. 665) for the service of the entire fiscal year: *Provided*, That if determined by the Bureau of the Budget to be necessary because of increase in the volume of mail above that estimated as a basis for determining the budget estimates for the fiscal year 1948, the apportionment for any quarter of any such appropriation may be increased by not to exceed 6 per centum thereof, by transfer from the apportionment of such appropriation for any other quarter: *Provided further*, That there may be transferred from any of the foregoing appropriations (but no such appropriation shall be reduced by more than 5 per centum by such transfers) to any other such appropriation such amounts as may be approved by the Bureau of the Budget: *Provided further*, That the Bureau of the Budget shall immediately report any such transfers with reasons therefor to the Committees on Appropriations of the House of Representatives and the Senate;

Ante, p. 230. Apportionment on a quarterly basis. Increase in apportionment. Transfer of funds. Report to Congress.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL *Ante*, p. 230.

"Star Route and Air Mail Service, Alaska", $298,000;
"Powerboat Service", $300,000;
"Railway Mail Service", $100,000: *Provided*, That such funds shall be available only for temporary personal services in substitution of personal services utilized in connection with rate hearings before the Interstate Commerce Commission; Temporary personal services.
"Foreign mail transportation", $10,000,000; *Ante*, p. 231.
"Balances due foreign countries", $5,000,000; *Ante*, p. 231.
"Foreign air-mail transportation", $35,000,000; *Ante*, p. 231.
"Domestic Air Mail Service", $10,000,000; *Ante*, p. 231.

The appropriations heretofore or herein made for "Star-route service", "Powerboat Service", "Railroad transportation and mail messenger service", "Railway Mail Service", and "Railway postal clerks, travel allowance", shall be apportioned on a quarterly basis (pursuant to section 3679, R. S., as amended, 31 U. S. C. 665) for the service of the entire fiscal year: *Provided*, That if determined by the Bureau of the Budget to be necessary because of increase in the volume of mail above that estimated as a basis for determining the budget

Ante, p. 230. Apportionment on a quarterly basis. Increase in apportionment.

estimates for the fiscal year 1948, the apportionment for any quarter of any such appropriation may be increased by not to exceed 4 per centum thereof, by transfer from the apportionment of such appropriation for any other quarter: *Provided further*, That there may be transferred from any of the foregoing appropriations (but no such appropriation shall be reduced by more than 5 per centum by such transfers) to any other such appropriation such amounts as may be approved by the Bureau of the Budget: *Provided further*, That the Bureau of the Budget shall immediately report any such transfers with reasons therefor to the Committees on Appropriations of the House of Representatives and the Senate;

Transfer of funds.

Report to Congress.

Ante, p. 231.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

"Manufacture and distribution of stamps and stamped paper", $2,000,000;

"Indemnities, domestic mail", $1,221,000;

"Unpaid money orders more than one year old", $400,000;

Ante, pp. 231, 232.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

"Equipment shops, Washington, District of Columbia", $3,500,000;

"Rent, light, power, fuel, and water", $650,000;

"Vehicle service", $2,000,000;

"Transportation of equipment and supplies", $100,000;

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Ante, p. 232.

"Operating supplies, public buildings", $100,000.

Waiver or modification of apportionments.

Nothing herein shall be so construed as to limit the authority of the Director of the Bureau of the Budget to waive or modify apportionments as provided in section 3679, Revised Statutes, as amended (31 U. S. C. 665).

TREASURY DEPARTMENT

COAST GUARD

Ante, p. 225.

Salaries and expenses, Coast Guard: For an additional amount, fiscal year 1948, for "Salaries and expenses, Coast Guard", $6,050,000; and the limitations thereunder (Public Law 147, approved July 1, 1947) are hereby increased as follows: For "Pay and allowances" from "$72,000,000" to "$76,836,000", and for recreation, amusement, and so forth, from "$50,000" to "$54,000": *Provided*, That not to exceed $100,000 of the appropriation for "General expenses, Coast Guard, 1948", shall be available for defraying, on a contract basis or otherwise, the expenses of a study of the administrative, management, and fiscal policies and affairs of the Coast Guard, such study to be made by such persons or organizations, as may be designated by the Secretary of the Treasury and the chairmen of the Committees on Appropriations of the House of Representatives and the Senate.

Ante, pp. 225, 226.

Study of administrative, management, etc., policies.

Ante, p. 226.

Ante, p. 227.

The appropriation "Acquisition of vessels and shore facilities, Coast Guard", is hereby reduced by $9,309,270, such sum to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

WAR DEPARTMENT

REMOUNT SERVICE, QUARTERMASTER CORPS

For the operation and maintenance of the Army Remount Service, including the subsistence and care of riding and draft animals and for other purposes as specified in the Military Appropriation Act, 1948, under the heading Quartermaster Corps, Quartermaster Service,

Army, following the caption "Horses, draft and pack animals"; $350,000: *Provided*, That in the event of the transfer of the Army Remount Service or its functions to the Department of Agriculture, the unobligated balance of the sum hereby appropriated shall be transferred to the Department of Agriculture to be expended for the purposes authorized by the Act providing for such transfer.

Ante, p. 558.

Transfer of funds.

GENERAL PROVISIONS

SEC. 2. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 3. All obligations incurred during the period between June 30, 1947, and the date of enactment of any regular annual appropriation Act for the fiscal year 1948, the "Supplemental Appropriation Act, 1948", the "Government Corporations Supplemental Appropriation Act, 1948", or the "Second Supplemental Appropriation Act, 1948", in anticipation of the appropriations or authority contained in any such Act are hereby ratified and confirmed if in accordance with the provisions of such Act when enacted into law.

Ante, p. 610.

Ante, p. 514.

Ante, p. 695.

SEC. 4. There are hereby authorized to be transferred from any appropriations for the War Department for the Military Establishment, and from any appropriations for the Navy Department and the naval service, to the National Security Council, the National Security Resources Board, and the Office of the Secretary of Defense such amounts as may be determined by the President to be necessary until such time as the Congress shall have made appropriations therefor, and the amounts so transferred shall be available, without regard to the purposes of the appropriation from which such transfers shall be made, for expenses of the agencies to which such funds are transferred, including personal services at the seat of government; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not to exceed $35 per diem for individuals; printing and binding; and health-service programs as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That the War and Navy Departments may transfer such equipment (including motor vehicles) and furniture as may be necessary to the National Security Council,

Transfer of funds.

60 Stat. 810.
5 U. S. C. § 55a.

60 Stat. 903.
5 U. S. C. § 150.

Transfer of equipment.

the National Resources Board, and the Office of the Secretary of Defense: *Provided further*, That the foregoing authority is contingent upon the establishment by law of said agencies to which transfers may be made hereunder: *Provided further*, That transfers authorized hereunder shall not exceed $2,000,000 in the aggregate.

Short title.

SEC. 5. This Act may be cited as the "Second Supplemental Appropriation Act, 1948".

Approved July 31, 1947.

[CHAPTER 417]

AN ACT

July 31, 1947
[S. 885]
[Public Law 300]

To provide that the Canadian-built dredge Ajax and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States.

Documentation of certain Canadian-built vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Bureau of Marine Inspection and Navigation is authorized and directed to document under the laws of the United States the Canadian-built dredge Ajax and the Canadian-built dump scows D. S. 135290, D. S. 135291, D. S. 308, and D. S. 310, which are owned by the Puget Sound Towboat Company, a subsidiary of the Puget Sound Bridge and Dredging Company, in order that such vessels may continue to operate within the United States without violating the restrictions of the navigation laws on dredging operations and coastwise transportation: *Provided*, That the documentation of the Ajax as provided in this Act shall terminate upon completion of the Wrangell Narrows, Alaska, contract now in force between United States Engineers and subject company.

Termination.

Approved July 31, 1947.

[CHAPTER 418]

AN ACT

July 31, 1947
[S. 1361]
[Public Law 301]

To amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs.

U. S. Housing Act of 1937, amendment.
50 Stat. 895.
42 U. S. C. § 1415.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new subsection:

Loans for low-rent-housing projects, etc.

"(6) Notwithstanding the provisions of subsection (5) of this section, or of any other section of this Act, the Authority is authorized to make capital grants, loans, or annual contributions for low-rent-housing or slum-clearance projects, in the full amount of any sums previously allocated pursuant to this Act, to any public housing agency, at the request of such agency, upon condition that such agency will pay, or cause to be paid by the State or political subdivision, such proportion of the total development cost of the project as the amount of the average actual cost per family dwelling unit of the items covered by the applicable cost limitations prescribed in subsection (5) of this section in excess thereof bears to such average actual cost: *Provided*, That the amount of any such payment shall be excluded from the base on which the maximum amount of any capital grants, loans, or annual contributions authorized by this Act are calculated. The receipt of capital grants, loans, or annual contributions by any public-housing agency pursuant to this subsection shall in no way prejudice or impair the rights or privileges of such agency to participate fully in other

Participation in other projects.

low-rent-housing or slum-clearance projects under this Act or any other law. Nothing in this subsection shall prejudice the right of those public housing agencies which can, by reason of lesser need, or would prefer to delay the starting of their proposed building operations until labor and material costs stabilize at levels consistent with the cost limitations prescribed in subsection (5) of this section."

Right to delay building operations.

SEC. 2. The United States or any State or local public agency assisted by Federal funds made available with respect to housing shall continue to have the right to maintain an action or proceeding to recover possession of any housing accommodations (except as provided in the proviso of section 209 (b) of the Housing and Rent Act of 1947) operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered, but no such action or proceeding shall be maintained prior to March 1, 1948, if in the opinion of the administering authority such action or proceeding would result in undue hardship for the occupants of such housing accommodations, or unless in the opinion of such authority other housing facilities are available for such occupants.

Right to maintain action, etc.

Ante, p. 201.

Approved July 31, 1947.

[CHAPTER 419]

AN ACT

To authorize the Secretary of the Navy to establish a postgraduate school at Monterey, California.

July 31, 1947
[H. R. 1341]
[Public Law 302]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to acquire six hundred and six and five hundred and ninety-two one-thousandths acres of land upon which the United States of America now has an option with buildings thereon at Monterey, California, for the establishment of a naval postgraduate school, including the necessary construction and alterations to provide school facilities, quarters, and collateral facilities and equipment, including the acquisition of the necessary land, at a cost not to exceed $2,500,000: *Provided*, That contracts may be entered into without regard to the provisions of 3709 Revised Statutes.

Navy.
Acquisition of land, etc., for postgraduate school.

41 U. S. C. § 5.

Approved July 31, 1947.

[CHAPTER 420]

AN ACT

To establish the United States Naval Postgraduate School, and for other purposes.

July 31, 1947
[H. R. 1379]
[Public Law 303]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to establish the United States Naval Postgraduate School for the advanced instruction and training of commissioned officers of the Regular Navy and Marine Corps and the reserve components thereof in the practical and theoretical duties of commissioned officers.

U. S. Naval Postgraduate School.

SEC. 2. The military command of the United States Naval Postgraduate School (hereinafter referred to as the postgraduate school) shall be exercised by a line officer of the Regular Navy, qualified to command at sea, detailed by the Secretary of the Navy, from the active list not below the grade of captain to serve as Superintendent. Such other officers of the line and staff of the Navy and Marine Corps, of appropriate ranks and qualifications, shall be detailed by the Secretary of the Navy as may be necessary to assist the Superintendent in

Military command.

(a) the training of students in the practical and theoretical duties of commissioned naval officers, and (b) the administration of the postgraduate school.

Employment of civilian professors, etc.

SEC. 3. The Secretary of the Navy is authorized to employ at the postgraduate school, under the direction of the Superintendent, such number of civilian senior professors, professors, associate professors, assistant professors, and instructors, as in his opinion may be necessary for the proper instruction of students in the theoretical, academic, and scientific subjects pertaining to the technical and practical aspects of the naval profession; and such senior professors, professors, associate and assistant professors, and instructors so employed shall receive such compensation for their services as may be prescribed by the Secretary of the Navy. The Secretary of the Navy shall report to the Congress each fiscal year the number of senior professors, professors, associate and assistant professors, and instructors so employed and the amount of compensation prescribed for each. The Act of January 16, 1936 (49 Stat. 1092), as amended by the Acts of November 28, 1943 (57 Stat. 594), and August 2, 1946 (Public Law 596, Seventy-Ninth Congress, second session), shall apply to the civilian teaching staff of the postgraduate school.

Compensation.

Report to Congress.

60 Stat. 804.
34 U. S. C. §§ 1073-1073e.

60 Stat. 236.
34 U. S. C. § 1074.

SEC. 4. The Act of June 10, 1946 (Public Law 402, Seventy-ninth Congress, second session), creating the civilian position of Academic Dean of the Postgraduate School of the Naval Academy shall apply to the postgraduate school established by this Act.

Military officers of foreign countries.

SEC. 5. The Secretary of the Navy is hereby authorized to permit commissioned officers of the military services of foreign countries, with the authorization and direction of the President of the United States, to receive instruction at the postgraduate school. Such officers shall be subject to the same rules and regulations governing attendance, discipline, discharge, and standards of study as are applied to students of the United States Navy: *Provided*, That such officers shall not be entitled to appointment to any office or position in the United States Navy by reason of completion of the prescribed course of study at the postgraduate school.

Attendance, etc., of U. S. Army and Coast Guard officers.

SEC. 6. The Secretary of the Navy is authorized, at the request of the Secretary of War and the Secretary of the Treasury, to permit attendance and instruction at the postgraduate school of officers of the Army of the United States and United States Coast Guard, respectively, in such numbers and ranks as may be agreed upon by the Secretary of the Navy with the Secretaries of War and Treasury, respectively: *Provided*, That the War Department and the Treasury Department shall bear the proportionate share of the cost of such instruction as may be received by the students detailed to receive such instruction by the Secretaries of War and Treasury, respectively. Such officers of the Army of the United States and the United States Coast Guard, while under instruction, shall be subject to the same rules and regulations as are applied to students of the United States Navy.

59 Stat. 603.
34 U. S. C. § 1057a-1.

SEC. 7. The title of the Act approved December 7, 1945 (Public Law 250, Seventy-ninth Congress, first session), is hereby amended to read as follows: "To authorize the Superintendent of the United States Naval Postgraduate School to confer bachelors of science, masters, and doctors degrees in engineering and related fields." Section 1 of the foregoing Act is hereby amended to read as follows: "That, pursuant to such regulations as the Secretary of the Navy may prescribe, the Superintendent of the United States Naval Postgraduate School is authorized, upon due accreditation from time to time by the appropriate professional authority of the applicable curriculum of such school leading to bachelors of science, masters

Authority to confer certain degrees.

or doctors degrees in engineering or related fields, to confer such degree or degrees on qualified graduates of such school."

SEC. 8. There is hereby authorized to be appropriated such amounts as may be necessary for the postgraduate school to carry out its functions as provided herein.

Appropriation authorized.

Approved July 31, 1947.

[CHAPTER 421]

AN ACT

To provide for the loan or gift of obsolete ordnance to State homes for former members of the armed forces.

July 31, 1947
[H. R. 3127]
[Public Law 304]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective Departments", approved May 22, 1896, as amended (U. S. C., 1940 edition, title 50, sec. 67), is amended by striking out "State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations" and inserting in lieu thereof "State museums, and incorporated museums, operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, State homes for former members of the armed forces, municipal corporations".

Loan or gift of condemned or obsolete ordnance.

29 Stat. 133.

Approved July 31, 1947.

[CHAPTER 425]

AN ACT

To amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders.

August 1, 1947
[H. R. 452]
[Public Law 305]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

Agricultural Adjustment Act, amendments.

48 Stat. 31; 50 Stat. 246.
7 U. S. C. § 601 *et seq.*
Ante, p. 208; *post*, pp. 709, 710.

By adding at the end of section 2 (U. S. C., 1940 edition, title 7, sec. 602) the following:

"(3) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for agricultural commodities enumerated in section 8c (2), other than milk and its products, in interstate commerce as will effectuate such orderly marketing of such agricultural commodities as will be in the public interest."

Standards of quality, etc., in interstate commerce.

49 Stat. 754.
7 U. S. C. § 608c(2).
Post, p. 710.

SEC. 2. Section 8c (6), as amended (U. S. C., 1940 edition, title 7, sec. 608c (6)), is amended to read as follows:

49 Stat. 755.

"(6) In the case of fruits (including pecans and walnuts but not including apples, other than apples produced in the States of Washington, Oregon, and Idaho, and not including fruits, other than olives, for canning or freezing) and their products, tobacco and its products, vegetables (not including vegetables, other than asparagus, for canning or freezing) and their products, soybeans and their products, hops and their products, honeybees, and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin), orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

Orders regulating handling of commodities.
Terms and conditions.

42 Stat. 1435.
7 U. S. C. §§ 91-99.

Limiting of quantity handlers may market.

"(A) Limiting, or providing methods for the limitation of, the total quantity of any such commodity or product, or of any grade, size, or quality thereof, produced during any specified period or periods, which may be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods by all handlers thereof.

Allotting of amount handler may purchase.

"(B) Allotting, or providing methods for allotting, the amount of such commodity or product, or any grade, size, or quality thereof, which each handler may purchase from or handle on behalf of any and all producers thereof, during any specified period or periods, under a uniform rule based upon the amounts sold by such producers in such prior period as the Secretary determines to be representative, or upon the current quantities available for sale by such producers, or both, to the end that the total quantity thereof to be purchased, or handled during any specified period or periods shall be apportioned equitably among producers.

Allotting of amount handler may market, etc.

"(C) Allotting, or providing methods for allotting, the amount of any such commodity or product, or any grade, size, or quality thereof, which each handler may market in or transport to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, under a uniform rule based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period as the Secretary determines to be representative, or both, to the end that the total quantity of such commodity or product, or any grade, size, or quality thereof, to be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods shall be equitably apportioned among all of the handlers thereof.

Determining extent of surplus, etc.

"(D) Determining, or providing methods for determining, the existence and extent of the surplus of any such commodity or product, or of any grade, size, or quality thereof, and providing for the control and disposition of such surplus, and for equalizing the burden of such surplus elimination or control among the producers and handlers thereof.

Establishing of reserve pools, etc.

"(E) Establishing or providing for the establishment of reserve pools of any such commodity or product, or of any grade, size, or quality thereof, and providing for the equitable distribution of the net return derived from the sale thereof among the persons beneficially interested therein.

Inspection.

"(F) Requiring or providing for the requirement of inspection of any such commodity or product produced during specified periods and marketed by handlers.

Hops, etc.

"(G) In the case of hops and their products, in addition to, or in lieu of, the foregoing terms and conditions, orders may contain one or more of the following:

Limiting of quantity for handlers, etc.

"(i) Limiting, or providing methods for the limitation of, the total quantity thereof, or of any grade, type, or variety thereof, produced during any specified period or periods, which all handlers may handle in the current of or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof.

Apportioning of quantity among producers.

"(ii) Apportioning, or providing methods for apportioning, the total quantity of hops of the production of the then current calendar year permitted to be handled equitably among all producers in the

production area to which the order applies upon the basis of one or more or a combination of the following: The total quantity of hops available or estimated will become available for market by each producer from his production during such period; the normal production of the acreage of hops operated by each producer during such period upon the basis of the number of acres of hops in production, and the average yield of that acreage during such period as the Secretary determines to be representative, with adjustments determined by the Secretary to be proper for age of plantings or abnormal conditions affecting yield; such normal production or historical record of any acreage for which data as to yield of hops are not available or which had no yield during such period shall be determined by the Secretary on the basis of the yields of other acreage of hops of similar characteristics as to productivity, subject to adjustment as just provided for.

"(iii) Allotting, or providing methods for allotting, the quantity of hops which any handler may handle so that the allotment fixed for that handler shall be limited to the quantity of hops apportioned under preceding section (ii) to each respective producer of hops; such allotment shall constitute an allotment fixed for that handler within the meaning of subsection (5) of section 8a of this title (U. S. C., 1940 edition, title 7, sec. 608a)." 48 Stat. 674.

SEC. 3. Section 10 (b) (2) (U. S. C., 1940 edition, title 7, sec. 610 (b) (2)) is amended to read as follows: 49 Stat. 767.

"(2) (i) Each order relating to milk and its products issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find will necessarily be incurred by such authority or agency, during any period specified by him, for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of milk or products thereof received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of milk or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers.

Milk, etc.
Payment of handler's pro rata share of expenses.

Computation of pro rata share payable by producers.

"(ii) Each order relating to any other commodity or product issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find are reasonable and are likely to be incurred by such authority or agency, during any period specified by him, for such purposes as the Secretary may, pursuant to such order, determine to be appropriate, and for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of a commodity received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the agricultural commodity or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers. The payment of assessments for the maintenance and functioning of such authority or agency, as provided for herein, may be required under a marketing agreement or marketing order throughout the period the marketing agreement or

Other commodities, etc.
Payment of handler's pro rata share of expenses.

Computation of pro rata share payable by producers.

Payment of assessments.

order is in effect and irrespective of whether particular provisions thereof are suspended or become inoperative.

Maintenance of suit by agency, etc.

"(iii) Any authority or agency established under an order may maintain in its own name, or in the name of its members, a suit against any handler subject to an order for the collection of such handler's pro rata share of expenses. The several district courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy."

49 Stat. 754.

SEC. 4. Section 8c (2) (U. S. C., 1940 edition, title 7, sec. 608c (2)) is amended by inserting the words "or freezing" immediately after the word "canning" wherever said word "canning" appears in said section.

Approved August 1, 1947.

[CHAPTER 426]

August 1, 1947
[H. R. 1544]
[Public Law 306]

AN ACT

To provide appropriate lapel buttons for widows, parents, and next of kin of members of the armed forces who lost their lives in the armed services of the United States in World War II.

Gold star lapel button.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy, acting jointly, shall formulate and fix the size, design, and composition of a lapel button (to be known as the "gold star lapel button") suitable as a means of identification for widows and parents of members of the armed forces of the United States who lost their lives in the armed services of the United States in World War II. The Secretary of War and the Secretary of the Navy shall procure for their respective departments such number of gold star lapel buttons as shall be necessary to effect distribution of such buttons in accordance with the provisions of this Act.

Procurement.

Furnishing of buttons to widows, parents, etc.

SEC. 2. (a) Upon application to the Department of War or the Department of the Navy, as the case may be, one such gold star lapel button shall be furnished, without cost, to the widow and to each of the parents of a member of the armed forces of the United States who lost his life in the armed services of the United States in World War II.

(b) In addition to the gold star lapel button furnished in subsection (a) of this section, gold star lapel buttons shall also be furnished, upon application and the payment of an amount sufficient to cover the cost of manufacture and distribution, to the next of kin of any such deceased person, not hereinbefore designated. No such lapel button shall be sold to any person who has been furnished a lapel button under subsection (a), and not more than one button shall be sold to any one person.

Restrictions.

Distribution.

(c) Gold star lapel buttons shall be distributed in accordance with rules and regulations prescribed jointly by the Secretary of War and the Secretary of the Navy.

"Widow."
"Parents."
"Next of kin."
"Children."

SEC. 3. As used in this Act, (a) the term "widow" shall include widower; (b) the term "parents" shall include mother, father, stepmother, stepfather, mother through adoption, and father through adoption; (c) the term "next of kin" shall include only children, brothers, sisters, half brothers and half sisters; and (d) the term "children" shall include stepchildren and children through adoption.

Penalty for unlawful use, etc.

SEC. 4. Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any gold star lapel button issued to another person under the provisions of this Act; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging, or counterfeiting any lapel button issued under this Act; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession, any such false, forged, or counterfeited lapel

button, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

SEC. 5. Such sums are hereby authorized to be appropriated as may be necessary to carry out the purposes of this Act.

Appropriations authorized.

Approved August 1, 1947.

[CHAPTER 427]

AN ACT

To amend section 16 of chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia."

August 1, 1947
[H. R. 1633]
[Public Law 307]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of Chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", be amended to read as follows:

Life insurance, D.C.
48 Stat. 1175.
D. C. Code § 35-716.

"SEC. 16. RIGHTS OF CREDITORS AND BENEFICIARIES UNDER POLICIES OF LIFE INSURANCE.—When a policy of insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life in favor of some person other than himself having an insurable interest therein, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance or executors or administrators of such insured or the person so effecting such insurance, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting such insurance whether or not the right to change the beneficiary is reserved or permitted and whether or not the policy is made payable to the person whose life is insured, if the beneficiary or assignee shall predecease such person: *Provided*, That subject to the statute of limitations the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall inure to their benefit from the proceeds of the policy, but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice by or in behalf of a creditor of a claim to recover for transfer made or premiums paid with intent to defraud creditors with specifications of the amount claimed."

Premiums paid with intent to defraud creditors.

Approved August 1, 1947.

[CHAPTER 428]

AN ACT

To amend section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended.

August 1, 1947
[H. R. 2173]
[Public Law 308]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended, is hereby amended by adding paragraph 44A.

District of Columbia.
Undertakers.

32 Stat. 628.
D. C. Code § 47-2343.

"PAR. 44A. (a) On and after ninety days from the enactment of this paragraph, no person shall, in the District of Columbia, discharge any of the duties, of an undertaker, unless there has been issued to him by the Commissioners of the District of Columbia a license therefor

Issuance of license.

Fee.

in full force and effect. The fee for such license shall be $20 per annum, which shall be paid to the Collector of Taxes of the District of Columbia. Such license shall be issued at the time and in the manner provided in paragraph numbered 5 of this section.

Qualifications of applicant.

"(b) An applicant for a license shall submit proof satisfactory to the Commissioners, on such forms as the Commissioners may prescribe, that he is not less than twenty-one years of age, a citizen of the United States, of good moral character; that he is a graduate of a recognized high school or educational equivalent; that he is a graduate of a school or college of embalming, whose course of instruction is not less than nine months, comprising not less than eight hundred and forty hours of study, and that he has had not less than two years' practical experience in the business or profession. Such applicant shall be examined theoretically and practically in anatomy, embalming, embalming fluids, sanitation, disinfection, the care and preparation of dead human bodies for burial and the shipment of same, laws and regulations pertaining to communicable diseases, and such other subjects as the Commissioners deem appropriate and proper.

Examination.

"An examination of applicants for a license shall be held not less frequently than once each year at such time and place as the Commissioners shall determine; notice of such examination shall be given at least thirty days prior to the date set therefor.

Persons entitled to license without examination.

"(c) Every person, who, at the time of enactment of this paragraph, is registered as an undertaker with the Health Department of the District of Columbia and who was actually engaged, at any time during the five-year period immediately preceding the date of enactment of this paragraph, in discharging the duties of an undertaker and who desires to continue to discharge such duties shall be entitled to a license therefor without examination upon application therefor and upon furnishing proof satisfactory to the Commissioners that he was so registered and so discharging such duties; that he is not less than twenty-one years of age, a citizen of the United States, of good moral character; and that he is a graduate of a school or college of embalming whose course of instruction is not less than nine months, comprising not less than eight hundred and forty hours of study, or that he has had actual experience equivalent thereto; and upon payment of the license fee hereinbefore provided.

Authority of Commissioners.

"(d) The Commissioners are hereby authorized:

Refusal to issue or renew license, etc.

"(1) After notice and open hearing, to refuse to issue or renew or to suspend or revoke a license for fraud or misrepresentation in the application therefor, or for misconduct during an examination therefor, or for any act or practice detrimental to the public health or safety, including the act of removing a dead human body without the prior consent of a person who, under the law, is authorized to give such consent, or for violation of the laws and regulations of the District of Columbia relating to the removal or burial or disposal of dead human bodies or the provisions of this paragraph or of the rules and regulations hereinafter authorized to be promulgated, or for conviction of a felony as shown by a certified copy of the record of the court of conviction.

Appointment of committee to conduct examinations, etc.

"(2) To appoint a committee of five persons of good moral character, two of whom shall have been actually and continuously engaged in discharging the duties of an undertaker or embalmer in the District of Columbia for at least five years next preceding their appointment and the Health Officer of the District of Columbia, or a member of the personnel of the Health Department designated by said Health Officer, who shall serve ex officio as a member of said committee, to

conduct the examination of applicants for a license hereinbefore provided; the appointment of each such person shall be for a period of one year unless sooner terminated by the Commissioners for cause; such appointees, except the Health Officer or person designated by him, shall be entitled to a per diem of $10 for each day they are actually engaged in discharging their duties pursuant to this paragraph.

Issuance of licenses without examination.

"(3) To issue licenses without examination to persons licensed by other Territories and States upon the same terms and conditions as such States and Territories issue licenses without examination to persons licensed by the District of Columbia.

"(4) To prescribe the terms, conditions, and license fee, not to exceed $10 per annum, under which apprenticeship shall be served.

42 Stat. 1488. 5 U. S. C. §§ 661-674.

"(5) To employ, and provide for necessary travel, in accordance with the Classification Act of 1923, as amended, such additional employees as may be necessary and to make such expenditures as may be necessary for the proper enforcement of the provisions of this paragraph and the rules and regulations promulgated by authority thereof. There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, funds to carry out the provisions of this paragraph.

Appropriations authorized.

Rules and regulations.

"(6) To promulgate and enforce, and from time to time to alter, such rules and regulations, not inconsistent with the provisions of this paragraph, as they deem necessary, for the proper execution and enforcement of the provisions of this paragraph.

Designation of agent.

"(7) To designate as their agent, for the purpose of carrying out the provisions of this paragraph, the Health Officer of the District of Columbia.

Nonapplicability.

"(e) The provisions of paragraph numbered 1 of this section relative to the assignment or transfer of a license and the provisions of paragraph numbered 7 of this section relative to the definition of the word 'person' shall not apply to licenses issued under the provisions of this paragraph. The word 'person' as used in this paragraph shall be construed to mean a natural person only, and licenses issued under the provisions of this paragraph shall not be assignable or transferable.

"Person."

"Undertaker."

"(f) As used in this paragraph the term 'undertaker' includes a funeral director, mortician, embalmer, and any person who performs services with respect to the care and preparation of dead human bodies for burial or cremation."

Approved August 1, 1947.

[CHAPTER 429]

AN ACT

August 1, 1947
[H. R. 3131]
[Public Law 309]

To extend for three months the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45–1601), is hereby amended by striking out "December 31, 1947" and inserting in lieu thereof "March 31, 1948".

Post, p. 721.

55 Stat. 788. D. C. Code, Supp. V, § 45-1601.

Approved August 1, 1947.

[CHAPTER 430]

August 1, 1947
[H. R. 3444]
[Public Law 310]

AN ACT

To amend section 251 of the Internal Revenue Code.

53 Stat. 79.
26 U. S. C. § 251.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 251 of the Internal Revenue Code (relating to income from sources within possessions of the United States) is hereby amended by adding at the end thereof a new subsection to read as follows:

"(i) PRISONERS OF WAR AND INTERNEES.—In the case of a citizen of the United States taken as a prisoner of war while serving within a possession of the United States as a member of the military or naval forces of the United States, and in the case of a citizen interned by the enemy while serving as an employee within a possession of the United States—

"(1) if such citizen was confined in any place not within a possession of the United States, such place of confinement shall, for the purposes of this section, be considered as within a possession of the United States; and

"(2) any compensation received within the United States by such citizen attributable to the period of time during which such citizen was a prisoner of war or interned by the enemy shall, for the purposes of subsection (b), be considered as compensation received outside the United States."

Applicability.

SEC. 2. The amendment made by this Act shall be applicable to taxable years beginning after December 31, 1941.

Approved August 1, 1947.

[CHAPTER 431]

August 1, 1947
[H. R. 3448]
[Public Law 311]

AN ACT

To amend the Federal Home Loan Bank Act, and for other purposes.

47 Stat. 732; 49 Stat. 295.
12 U. S. C. § 1430 (b).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 10 of the Federal Home Loan Bank Act is hereby amended by striking the words "twenty years" appearing in the first sentence thereof, and inserting in lieu thereof the words "twenty-five years".

Approved August 1, 1947.

[CHAPTER 432]

August 1, 1947
[H. R. 3619]
[Public Law 312]

AN ACT

Relating to the sale of the Mission Point Lighthouse Reservation, Grand Traverse County, Michigan.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Ante, p. 678.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Surplus Property Act of 1944 or of any other law, the Federal Works Administrator is hereby authorized, in his discretion, to sell for use as a public park all that tract or parcel of land lying in lots 1 and 2 of section 23, township 30 north, range 10 west, in the county of Grand Traverse and State of Michigan, containing five and thirty-eight one-hundredths acres of land, more or less, together with all buildings, structures, and improvements thereon (known as the Mission Point Lighthouse Reservation), in the manner and subject to the terms and conditions provided in the Act entitled "An Act to authorize the sale of Federal buildings", approved August 26, 1935 (U. S. C., 1940 edition, title 40, sec. 345b).

49 Stat. 800.

Approved August 1, 1947.

[CHAPTER 433]

AN ACT

To authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments.

August 1, 1947
[H. R. 4084]
[Public Law 313]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to establish and fix the compensation for, within the War Department, not more than thirty positions, and the Secretary of the Navy is authorized to establish and fix the compensation for, within the Naval Establishment, not more than fifteen positions in the professional and scientific service, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the War Department or Naval Establishment which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this Act shall not be less than $10,000 per annum nor more than $15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

War and Navy Departments.
Professional and scientific service.

Compensation.

SEC. 2. Positions created pursuant to this Act shall be included in the classified civil service of the United States, but appointments to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.

Appointments without competitive examination.

SEC. 3. The Secretary of War and the Secretary of the Navy, respectively, shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this Act in their respective departments during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary of War or the Secretary of the Navy may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate.

Report to Congress.

Approved August 1, 1947.

[CHAPTER 434]

AN ACT

To amend section 1 of the Act of July 20, 1942 (56 Stat. 662), as amended, relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations, neutral nations, or other American Republics.

August 1, 1947
[H. R. 4308]
[Public Law 314]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 20, 1942, as amended (title 10, U. S. C., sec. 1423a), is hereby amended to read as follows:

Ante, pp. 93, 453.

"Officers and enlisted men of the armed forces of the United States and former officers and enlisted men of the armed forces of the United States holding any office of profit or trust under the United States be, and they are hereby, authorized, during the present war and for a year thereafter, to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics such decorations, orders, medals, and emblems as may be tendered them, and which are conferred by such governments upon members of their own military

Acceptance by members of armed forces of decorations from certain foreign governments.

1 Stat. 15.

Wearing of decorations.

forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided*, That any such officer or enlisted man or any such former officer or former enlisted man holding any office of profit or trust under the United States is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this Act, or heretofore accepted by such persons from the government of a cobelligerent nation, neutral nation, or of an American Republic."

Approved August 1, 1947.

[CHAPTER 435]

August 1, 1947
[H. J. Res. 238]
[Public Law 315]

JOINT RESOLUTION

To amend paragraph 1772 of the Tariff Act of 1930.

46 Stat. 681.
19 U. S. C. § 1201, par. 1772.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1772 of the Tariff Act of 1930 is hereby amended to read as follows:

"PAR. 1772. Standard newsprint paper. For the purposes of this paragraph (but only until July 1, 1948, in the case of paper in rolls of less than 15 inches in width) paper which is in rolls not less than 9 inches in width shall be deemed to be standard newsprint paper insofar as width of rolls is concerned."

Approved August 1, 1947.

[CHAPTER 436]

August 1, 1947
[H. R. 3546]
[Public Law 316]

AN ACT

To amend section 200 of Public Law 844, Seventy-fourth Congress, June 29, 1936, to permit recognition of officers and enlisted men retired from the military and naval forces of the United States as representatives of certain organizations in the presentation of claims to the Veterans' Administration.

49 Stat. 2031.
38 U. S. C. § 101.

Presentation of claims to Veterans' Administration.

35 Stat. 1107, 1109.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 200 of Public Law 844, Seventy-fourth Congress, approved June 29, 1936, is hereby amended by adding at the end thereof the following:

"Retired officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States, while not on active duty, shall not by reason of their status as such be subject to the provisions of sections 109 and 113 of the Criminal Code (18 U. S. C. 198 and 203) and section 190 of the Revised Statutes (5 U. S. C. 99) in the presentation of claims under statutes administered by the Veterans' Administration as accredited representatives of an organization specified in or recognized under this section."

Approved August 1, 1947.

[CHAPTER 437]

August 1, 1947
[H. R. 3682]
[Public Law 317]

AN ACT

To extend the period for providing assistance for certain war-incurred school enrollments.

Contributions for operation, etc., of school facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to enable authorities which are still overburdened with war-incurred school enrollments to meet their needs during the transition from war to peacetime conditions, the Federal Works Administrator is authorized to continue to make during the fiscal year ending June 30, 1948, contributions for the operation and maintenance of school facilities

to local school agencies requiring assistance that have received during the fiscal year ending June 30, 1947, Federal contributions administered by him for the maintenance and operation of their school facilities. Appropriations and existing appropriations heretofore authorized (to the Federal Works Administrator) for similar purposes are hereby authorized to carry out the purposes of this Act. The amount hereinbefore authorized shall not exceed the sum of $5,000,000 for the year ending June 30, 1948.

Appropriations authorized.
Ante, p. 697.

Approved August 1, 1947.

[CHAPTER 438]

AN ACT

August 1, 1947
[S. 907]
[Public Law 318]

To provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the orderly transaction of the public business in the event of the death or of the resignation or separation from office of the Chief Disbursing Officer", approved December 24, 1942 (56 Stat. 1086; U. S. C., 1940 edition, Supp. V, title 5, sec. 249b), is hereby amended to read as follows:

Treasury Department.
Chief Disbursing Officer or regional disbursing officer.

"That in case of the death or of the resignation or separation from office of the Chief Disbursing Officer or any regional disbursing officer of the Division of Disbursement, Treasury Department, the accounts of such Chief Disbursing Officer or regional disbursing officer may be continued and payments made in his name by an Assistant Chief Disbursing Officer designated by the Secretary of the Treasury or by an assistant regional disbursing officer designated by the Secretary of the Treasury or designated by an official of the Treasury Department authorized by the Secretary of the Treasury to make such designation, for a period of time not to extend beyond the last day of the second month following the month in which such death, resignation, or separation shall occur. Such accounts and payments shall be allowed, audited, and settled in the General Accounting Office, and the checks signed in the name of the former Chief Disbursing Officer or regional disbursing officer shall be honored by the Treasurer of the United States, in the same manner as if the former Chief Disbursing officer or regional disbursing officer had continued in office. The former Chief Disbursing Officer or regional disbursing officer, his estate, or the surety on his official bond, shall not be subject to any legal liability or penalty for the official acts and defaults of the Assistant Chief Disbursing Officer or assistant regional disbursing officer acting in the name or in the place of the former Chief Disbursing Officer or regional disbursing officer under this Act, but the Assistant Chief Disbursing Officer or the assistant regional disbursing officer, and his surety, shall be responsible therefor under his bond. The bond of the Acting Chief Disbursing Officer or acting regional disbursing officer shall be an amount at least equal to the minimum amount of the bond required of the Chief Disbursing Officer or the regional disbursing officer, respectively. The Secretary of the Treasury may, from time to time, require the Assistant Chief Disbursing Officer, or the assistant regional disbursing officer, to renew and increase his bond to the United States."

Continuation of accounts in case of death, etc.

Liability for official acts.

Bond.

Approved August 1, 1947.

[CHAPTER 439]

August 1, 1947
[S. 1215]
[Public Law 319]

AN ACT

To authorize conversions of certain naval vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of improving the military characteristics of combatant and auxiliary vessels of the United States Navy, the President of the United States is hereby authorized to convert such vessels as he may consider best suited for the purposes of national defense without limitation on expenditures for any one vessel within the total sum appropriated for the purpose.

Approved August 1, 1947.

[CHAPTER 440]

August 1, 1947
[S. 1326]
[Public Law 320]

AN ACT

To amend the Federal Crop Insurance Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 508 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

52 Stat. 74.
7 U. S. C. § 1508 (a).

"(a) Commencing with crops planted for harvest in 1948, for the purpose of determining the most practical plan, terms, and conditions of insurance for agricultural commodities, if sufficient actuarial data are available, as determined by the Board, to insure, or to reinsure insurers of, producers of such agricultural commodities under any plan or plans of insurance determined by the Board to be adapted to any such commodity: *Provided*, That reinsurance for private insurance companies shall be limited to contracts covering farms in not to exceed twenty counties selected by the Board. Such insurance shall be against loss of the insured commodity while in the field due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board. Any insurance offered against loss in yield shall not cover in excess of 75 per centum of the recorded or appraised average yield of the commodity on the insured farm for a representative period subject to such adjustments as the Board may prescribe to the end that the average yields fixed for farms in the same area, which are subject to the same conditions, may be fair and just: *Provided*, That, if 75 per centum of the average yield represents generally more protection than the investment in the crop in any area, taking into consideration recognized farming practices, the Board shall reduce such maximum percentage so as more nearly to reflect the investment in the crop in such area. Insurance provided under this subsection shall not cover losses due to the neglect or malfeasance of the producer, or to the failure of the producer to reseed to the same crop in areas and under circumstances where it is customary to so reseed, or to the failure of the producer to follow established good farming practices. In 1948 insurance shall be limited to not more than seven crops (including wheat, cotton, flax, corn, and tobacco) and to not more than three additional crops in each year thereafter. Insurance provided for any agricultural commodity, except wheat, cotton, flax, corn, and tobacco, shall be limited to producers in not to exceed twenty counties. Insurance for wheat, cotton, corn, flax, and tobacco shall be limited to producers in not to exceed two hundred counties in the case of wheat, fifty-six counties in the case of cotton, fifty counties each in the case of corn and flax, and thirty-five counties in the case of

Reinsurance for private insurance companies.

Insurance against loss in yield.

Reduction of maximum percentage.

Losses due to neglect, etc.

Insurance in 1948.

tobacco. Counties selected by the Board shall be representative of the several areas where the agricultural commodity insured is normally produced. Insurance shall not be provided in any county unless written applications therefor are filed covering at least two hundred farms or one-third of the farms normally producing the agricultural commodity; nor shall insurance of any agricultural commodity be provided in any county in which the Board determines that the income from such commodity constitutes an unimportant part of the total agricultural income of the county. The Board may limit or refuse insurance in any county or area, or on any farm, on the basis of the insurance risk involved. The Corporation shall report annually to the Congress the results of its operations as to each commodity insured."

SEC. 2. Subsection (b) of section 508 of the Federal Crop Insurance Act, as amended, is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a colon and the following: "*Provided*, That such premiums may be established on the basis of the parity or comparable price for the commodity as determined and published by the Secretary of Agriculture, or on the basis of an average market price designated by the Board."

52 Stat. 74.
7 U. S. C. § 1508 (b).

Premiums.

SEC. 3. Subsection (c) of section 508 of the Federal Crop Insurance Act, as amended, is amended by striking out in the first sentence "however," and inserting in lieu thereof "That indemnities may be determined on the same price basis as premiums are determined for the crop with respect to which such indemnities are paid: *Provided, further*,".

52 Stat. 74.
7 U. S. C. § 1508 (c).

Indemnities.

SEC. 4. Section 502 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

52 Stat. 72.
7 U. S. C. § 1502.

"SEC. 502. It is the purpose of this title to promote the national welfare by improving the economic stability of agriculture through a sound system of crop insurance and providing the means for the research and experience helpful in devising and establishing such insurance."

Purpose of title.

SEC. 5. Nothing in this Act shall be construed to affect the validity of any insurance contract entered into prior to the enactment of this Act insofar as such contract covers the 1947 crop year. Any such contract which purports to cover a crop in the 1948 or any subsequent crop year in any county in which insurance on such crop will be discontinued pursuant to this Act is hereby terminated at the end of the 1947 crop year.

Validity of prior contract.

SEC. 6. Subsection (d) of section 507 of the Federal Crop Insurance Act, as amended, is amended by striking out the period at the end of the subsection and inserting a comma and the following: "except that employees or agencies responsible for administering this Act in each county shall be selected and designated by the Corporation and shall be responsible directly to the Corporation without the intervention of any intermediate office or agency."

52 Stat. 74.
7 U. S. C. § 1507 (d).

Selection of employees, etc.

SEC. 7. Subsection (d) of section 506 of the Federal Crop Insurance Act is amended to read as follows:

52 Stat. 73.
7 U. S. C. § 1506 (d).

"(d) Subject to the provisions of section 508 (c), may sue and be sued in its corporate name in any court of record of a State having general jurisdiction, or in any United States district court, and jurisdiction is hereby conferred upon such district court to determine such controversies without regard to the amount in controversy: *Provided*, That no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property."

Supra.

SEC. 8. Section 505 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

52 Stat. 72.
7 U. S. C. § 1505.

Board of Directors.

"SEC. 505. (a) The management of the Corporation shall be vested in a Board of Directors (hereinafter called the 'Board') subject to

the general supervision of the Secretary of Agriculture. The Board shall consist of the manager of the Corporation, two other persons employed in the Department of Agriculture, and two persons experienced in the insurance business who are not otherwise employed by the Government. The Board shall be appointed by, and hold office at the pleasure of the Secretary of Agriculture, who shall not, himself, be a member of the Board.

Quorum.

"(b) Vacancies in the Board so long as there shall be three members in office shall not impair the powers of the Board to execute the functions of the Corporation, and three of the members in office shall constitute a quorum for the transaction of the business of the Board.

Compensation.

"(c) The Directors of the Corporation who are employed in the Department of Agriculture shall receive no additional compensation for their services as such Directors but may be allowed necessary traveling and subsistence expenses when engaged in business of the Corporation, outside of the District of Columbia. The members of the Board who are not employed by the Government shall be paid such compensation for their services as Directors as the Secretary of Agriculture shall determine, but such compensation shall not exceed $100 per day each when actually employed and necessary traveling and subsistence expenses when engaged in business of the Corporation away from their homes or regular places of business.

Manager.

"(d) The manager of the Corporation shall be its chief executive officer, with such power and authority as may be conferred upon him by the Board. He shall be appointed by, and hold office at the pleasure of, the Secretary of Agriculture."

Approved August 1, 1947.

[CHAPTER 441]

August 1, 1947
[S. 1350]
[Public Law 321]

AN ACT

To authorize relief of accountable officers of the Government, and for other purposes.

Relief of disbursing officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is authorized, after consideration of the pertinent findings and if in concurrence with the determinations and recommendations of the head of the department or independent establishment concerned, to relieve any disbursing or other accountable officer or agent or former disbursing or other accountable officer or agent of any such department or independent establishment of the Government charged with responsibility on account of physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers in his charge, if the head of the department or independent establishment determines (1) that such loss or deficiency occurred while such officer or agent was acting in the discharge of his official duties, or that such loss or deficiency occurred by reason of the act or omission of a subordinate of such officer or agent; and (2) that such loss or deficiency occurred without fault or negligence on the part of such officer or agent. This Act shall be applicable only to the actual physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers, and shall not include deficiencies in the accounts of such officers or agents resulting from illegal or erroneous payments.

Applicability.

SEC. 2. This Act shall not operate to repeal the provisions of the paragraph of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes", approved July 11, 1919, relating to relief of disbursing officers of the Navy (41 Stat. 132; U. S. C., title 31, sec. 105), and the Act entitled "An Act to authorize relief of disbursing officers of

the Army on account of loss or deficiency of Government funds, vouchers, records, or papers in their charge", approved December 13, 1944 (58 Stat. 800; U. S. C., title 31, sec. 95a).

Approved August 1, 1947.

[CHAPTER 442]

AN ACT

To amend the District of Columbia rent control law so as to provide that schools and universities may recover possession of housing accommodations in certain cases.

August 1, 1947
[S. 1590]
[Public Law 322]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended, is amended by (1) striking out the period at the end of paragraph (5) and inserting in lieu thereof a comma and the word "or", and (2) adding at the end thereof a new paragraph as follows:

D. C. Emergency Rent Act, amendment.
Ante, p. 713.
56 Stat. 759.
D. C. Code, Supp. V, § 45-1605 (b).

"(6) The landlord, being a recognized school or an accredited non-profit university, has a bona fide need for the premises for educational, research, administrative, or dormitory use."

School or university.

Approved August 1, 1947.

[CHAPTER 445]

AN ACT

To amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

August 1, 1947
[H. R. 4124]
[Public Law 323]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1358), is amended by striking the last sentence of subsection (d) and inserting in lieu thereof the following: "The amount of the marketing quota for each farm shall be the actual production of the farm acreage allotment, and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm."

Marketing quotas for peanuts.
55 Stat. 88.

SEC. 2. Section 359 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1359), is amended as follows:

55 Stat. 90.

(1) By changing the first sentence of subsection (a) to read as follows: "The marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1–July 31."

Marketing penalties.

(2) By striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "Peanuts produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though the peanuts are marketed prior to the date on which such marketing year begins. If any producer falsely identifies or fails to account for the disposition of any peanuts, an amount of peanuts equal to the normal yield of the number of acres harvested in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. If any amount of peanuts produced on one farm is falsely identified by a representation that such peanuts

were produced on another farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quotas, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of peanuts is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such peanuts are produced shall be reduced by a percentage similarly computed."

(3) By striking subsection (b) and redesignating subsections (c), (d), (e), (f), and (g), as subsections (b), (c), (d), (e), and (f), respectively.

Approved August 1, 1947.

[CHAPTER 446]

August 1, 1947
[H. R. 3690]
[Public Law 324]

AN ACT

To amend the Federal Tort Claims Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 410 (a) of the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congress, title IV) is hereby amended so that it shall read as follows:

60 Stat. 843.
28 U. S. C. § 931(a).

Jurisdiction of district courts.

"SEC. 410. (a) Subject to the provisions of this title, the United States district court for the district wherein the plaintiff is resident or wherein the act or omission complained of occurred, including the United States district courts for the Territories and possessions of the United States, sitting without a jury, shall have exclusive jurisdiction to hear, determine, and render judgment on any claim against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred. Subject to the provisions of this title, the United States shall be liable in respect of such claims, to the same claimants, in the same manner, and to the same extent, as a private individual under like circumstances, except that the United States shall not be liable for interest prior to judgment, or for punitive damages: *Provided, however*, That in any case wherein death was caused, where the law of the place where the act or omission complained of occurred, provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons, respectively, for whose benefit the action was brought, in lieu thereof. Costs shall be allowed in all courts to the successful claimant to the same extent as if the United States were a private litigant, except that such costs shall not include attorneys' fees."

Liability of U. S.

Costs.

Effective date.
60 Stat. 845.
28 U. S. C. § 942.

SEC. 2. This Act shall take effect as of August 2, 1946, and, notwithstanding the provisions of section 420 of the Federal Tort Claims Act, no claim which accrued on or after January 1, 1945, and prior to the date of enactment of this Act on account of death caused by the negligent or wrongful act or omission of any employee of the Gov-

ernment shall be barred by reason of such provisions if (a) the law of the place where such act or omission occurred provides, or has been construed to provide, only for damages punitive in nature, and (b) suit on such claim is instituted pursuant to part 3 of the Federal Tort Claims Act not later than August 2, 1948.

60 Stat. 843.
28 U. S. C. §§ 931-934.
Ante, p. 722.

Approved August 1, 1947.

[CHAPTER 447]

AN ACT

To amend section 14 of the Veterans' Preference Act of June 27, 1944 (58 Stat 387).

August 4, 1947
[S. 1494]
[Public Law 325]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of section 14 of the Veterans' Preference Act of 1944 (58 Stat. 387) is hereby amended to read as follows: "*Provided*, That such preference eligible shall have the right to make a personal appearance, or an appearance through a designated representative, in accordance with such reasonable rules and regulations as may be issued by the Civil Service Commission; after investigation and consideration of the evidence submitted, the Civil Service Commission shall submit its findings and recommendations to the proper administrative officer and shall send copies of the same to the appellant or to his designated representative, and it shall be mandatory for such administrative officer to take such corrective action as the Commission finally recommends".

5 U. S. C. § 863.

Right of preference eligible to make personal appearance, etc.

Approved August 4, 1947.

[CHAPTER 448]

AN ACT

Relating to the sale of Paxon Field, Duval County, Florida.

August 4, 1947
[S. 1582]
[Public Law 326]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Surplus Property Act of 1944 or of any other law, the Federal Works Administrator is hereby authorized, in his discretion, to sell all that tract or parcel of land described as part of the northwest quarter and the north half southwest quarter section 8, township 2 south, range 26 east, Duval County, Florida, described as follows:

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646.
Ante, p. 678.

Description.

Beginning at an iron stake six hundred and seventy-two feet east of the northwest corner of section 8 and on the north line of said section; thence east one thousand three hundred and twenty-four and seven-tenths feet to an iron; thence south no degrees fifty minutes east three hundred and thirty feet to an iron; thence east six hundred and thirty feet to an iron, set in concrete on the west side of Melson Avenue; thence south no degrees fifty minutes east along west side of said avenue one thousand nine hundred and eight-five and two-tenths feet to an iron; thence west six hundred and thirty feet to an iron; thence south no degrees fifty minutes east three hundred feet to an iron on the north line of Louisa Street; thence west one thousand three hundred and sixty-one and one-tenth feet to an iron; thence north two thousand six hundred and sixteen and two-tenths feet to place of beginning, containing one hundred and nine and thirty-eight one-hundredths acres, more or less; also

Beginning at an iron, six hundred and seventy-two feet east and two thousand six hundred and seventy-six and two-tenths feet south of

the northwest corner of section 8; thence east one thousand nine hundred and ninety-two and two-tenths feet to a concrete monument on the west side of Melson Avenue; thence south zero degrees fifty minutes east along the west side of said avenue one thousand three hundred feet to an iron; thence west one thousand four hundred and eleven and three-tenths feet to an iron; thence north fifty feet to an iron; thence west six hundred feet to an iron; thence north one thousand two hundred and fifty feet to place of beginning, containing fifty-nine and eight-tenths acres, more or less, and being the same land as shown as tracts 1 and 2 on plat recorded in plat book 13, page 82, public records of said county, and containing one hundred and sixty-nine and eighteen one-hundredths acres, more or less; also

Part of south half southeast quarter southeast quarter northwest quarter, section 8, township 2 south, range 26 east, Duval County, Florida, bounded and described as follows: Beginning at a stone monument at the northwest corner of section 8, township 2 south, range 26 east; thence along west line of said section 8, south one degree sixteen minutes east two thousand six hundred and forty-six and four-tenths feet to a point; thence east one thousand nine hundred and seventy-four and three-tenths feet to a point; thence north zero degrees fifty minutes west thirty feet to an iron stake in the north line of Louisa Street for a place of beginning of lands to be described; from said place of beginning run east along the north line of Louisa Street six hundred and thirty feet to an iron stake in the west line of Melson Avenue; thence along the west line of Melson Avenue north zero degrees fifty minutes west three hundred feet to an iron stake; thence west six hundred and thirty feet to an iron stake; thence south zero degrees fifty minutes east three hundred feet to place of beginning.

Recorded in deed book 700, at page 497, of the current public records of Duval County, Florida, containing one hundred and eighty acres of land, more or less, together with all buildings, structures, and improvements thereon (known as Paxon Field), in the manner and subject to the terms and conditions provided in the Act entitled "An Act to authorize the sale of Federal buildings", approved August 26, 1935 (U. S. C., 1940 edition, title 40, sec. 345b).

49 Stat. 800.

Approved August 4, 1947.

[CHAPTER 449]

August 4, 1947
[S. J. Res. 112]
[Public Law 327]

JOINT RESOLUTION

To establish a commission to formulate plans for the erection, in Grant Park, Chicago, Illinois, of a Marine Corps memorial.

Marine Corps Memorial Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the Marine Corps Memorial Commission, and to be composed of three Commissioners to be appointed by the President of the United States. The Commission shall consider and formulate plans for the erection upon a suitable site in Grant Park, in the city of Chicago, Illinois, of an appropriate memorial to the members of the United States Marine Corps who have given their lives in the service of their country.

Acceptance of property.

SEC. 2. The Commission may accept from any source, public or private, money or other property for use in carrying out its functions under this joint resolution; and is authorized to cooperate with interested public and private organizations in carrying out such functions.

Designation of personnel of Federal agencies.

SEC. 3. Upon the request of the Commission, the heads of the Federal departments or agencies may designate such personnel of their respective departments or agencies, or of the Marine Corps, as the case may

be, as may be necessary to assist in carrying out the purposes of this joint resolution.

Compensation.

SEC. 4. Members of the Commission shall serve without compensation except that their actual expenses in connection with the work of the Commission may be paid from any funds available for the purposes of this joint resolution, or acquired by other means herein authorized.

Chairman and secretary.

SEC. 5. The members of the Commission shall select one of their number as chairman and another as secretary.

Report to Congress.

SEC. 6. The Commission shall report its recommendations to Congress at the earliest practicable date.

Approved August 4, 1947.

[CHAPTER 450]

JOINT RESOLUTION

August 4, 1947
[S. J. Res. 130]
[Public Law 328]

Relating to safety in bituminous-coal and lignite mines of the United States.

Safety measures in mines.
Ante, p. 700.

30 U. S. C. §§ 4f-4o.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of the Interior, acting through the Director of the Bureau of Mines or his duly authorized representative, shall, upon investigation or inspection of any coal mine, pursuant to the Act of May 7, 1941 (55 Stat. 177), find that the safety standards, set forth in the Federal Mine Safety Code for Bituminous Coal and Lignite Mines of the United States, adopted pursuant to an agreement dated May 29, 1946, between the Secretary of the Interior, acting as Coal Mines Administrator, and the United Mine Workers of America, as published in 11 Federal Register 9017 (title 32, CFR., pt. 304, secs. 304.1–304.15), with respect to ventilation, rock-dusting, storage and use of explosives, roof and rib support, the use of water or water with a wetting agent or other means of dust control where mining operations raise an excessive amount of dust, and prevention of fires in the underground workings of the mines, are not being observed, he shall forthwith notify the owner and the operator of such mine and the State agency charged with the enforcement of safety measures in such mine of his findings and recommendations thereon, and request such owner, operator, and State agency severally to report to the Director of the Bureau of Mines the action taken with respect to said recommendations.

Notification of findings, etc.

Report to Congress.

SEC. 2. (a) The Secretary of the Interior, acting through the Director of the Bureau of Mines, shall, each three months, commencing September 1, 1947, report to the Congress of the United States with respect to the conditions of all bituminous-coal and lignite mines investigated or inspected during the period, all recommendations and notices to the State agencies, and action taken by such mine owners, operators, and State agencies with respect to his findings and recommendations.

Availability of record for public inspection.

(b) The record of such inspections, findings, recommendations, notices, and reports, with respect thereto, shall be made available for public inspection as soon as practicable.

"Owner."

SEC. 3. (a) "Owner" includes a lessee and any person in possession or custody of a mine.

"Operator."

(b) "Operator" includes any agent, manager, superintendent, cooperative, or other person having control or supervision of a mine, directly or indirectly.

Effective period.

SEC. 4. This Act shall remain in effect for a period of one year from the date this Act is approved.

Approved August 4, 1947.

[CHAPTER 451]

AN ACT

August 4, 1947
[H. R. 859]
[Public Law 329]

To provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening seas, and for other purposes.

Fishing resources of Territories and island possessions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the United States to provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening seas, for the benefit of the residents of the Territory of Hawaii and Pacific island possessions and of the people of the United States.

Explorations.

SEC. 2. The Secretary of the Interior, through the Fish and Wildlife Service of the Department of the Interior, is authorized and hereby directed to conduct such fishing explorations and such necessary related work as oceanographical, biological, technological, statistical, and economic studies to insure maximum development and utilization of the high seas fishery resources of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening areas as may be consistent with developing and sustaining such fishery resources at maximum levels of production in perpetuity and to provide for the best possible utilization thereof.

Cooperation with Territorial agencies, etc.

SEC. 3. In carrying out the purposes and objectives of the foregoing sections, the Secretary of the Interior may cooperate with appropriate agencies of the Territorial and island governments, and with such educational, industrial, or other organizations, enterprises, and individuals as may be expedient.

Appropriations authorized for laboratory, etc.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary for the construction, including architectural services, and for furnishings and equipment of a fishery research laboratory and experiment station in the Hawaiian Islands and necessary substations at suitable locations, together with suitable dock and storehouse facilities to be used in conjunction with the operation of research and experimental fishing vessels and for the procurement and for the modification, refitting, and equipment of two experimental high-seas fishing vessels, together with all necessary gear and appurtenances, and of one multiple purpose high-seas fishing and oceanographical research vessel, together with all necessary gear and appurtenances, including necessary naval architectural and engineering services: *Provided, however*, That no part of said appropriation shall be expended for the acquisition of lands for sites for said laboratory, experiment station, or substations in the Territory of Hawaii: *Provided further*, That there are authorized to be transferred to the Fish and Wildlife Service not to exceed three surplus vessels suitable for conversion and use in oceanographic and biological research and exploratory fishing, by any disposal agency of the Government without reimbursement or transfer of funds.

Acquisition of sites, restriction.

Transfer of vessels.

Additional appropriations authorized.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, additional sums for expenses during the fiscal year 1947–1948 to carry out the purposes of this Act, including personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures.

SEC. 6. There is hereby authorized to be appropriated from time to time in fiscal years after 1947–1948 such sums as may be necessary to enable the Fish and Wildlife Service of the Department of the Interior to carry out the purposes of this Act, including all the classes of expenditures enumerated in the foregoing section.

Appropriations authorized after 1947–1948.

Approved August 4, 1947.

[CHAPTER 452]

AN ACT

To exclude certain interns, student nurses, and other student-employees of hospitals of the Federal Government from the Classification Act and other laws relating to compensation and benefits of Federal employees, and for other purposes.

August 4, 1947
[H. R. 1714]
[Public Law 330]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 102 (a) of the Federal Employees Pay Act of 1945 (Public Law 106, Seventy-ninth Congress), as amended, is amended by striking out "and" before "(5)" and by changing the period at the end of such sentence to a semicolon and adding: "and (6) student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, and student occupational therapists, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by any department, agency, or instrumentality of the Federal Government, or by the District of Columbia, and any other student-employees, assigned or attached to any such hospital, clinic, or laboratory primarily for training purposes, who may be designated by the head of such department, agency, or instrumentality, or by the Commissioners of the District of Columbia, as the case may be, with the approval of the Civil Service Commission."

Federal Employees Pay Act of 1945, amendment.
59 Stat. 296.
5 U. S. C. § 902 (a).

Exemptions from coverage of student-employees attached to hospitals, etc.

SEC. 2. The Classification Act of 1923, as amended and extended (5 U. S. C., ch. 13), shall not apply to student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, and student occupational therapists, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by any department, agency, or instrumentality of the Federal Government, or by the District of Columbia, and any other student-employees, assigned or attached to any such hospital, clinic, or laboratory primarily for training purposes, who may be designated by the head of such department, agency, or instrumentality, or by the Commissioners of the District of Columbia, as the case may be, with the approval of the Civil Service Commission.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

SEC. 3. The heads of the departments, agencies, and instrumentalities of the Federal Government and the Commissioners of the District of Columbia shall prescribe stipends to be paid to persons included in section 2 of this Act who are at their respective hospitals, clinics, or laboratories; but no such stipend shall be in excess of the applicable maximum prescribed by the Civil Service Commission. Such persons may be provided living quarters, subsistence, and laundering while at the hospitals, clinics, or laboratories and, when so furnished, the reasonable value thereof, as prescribed by the head of the department, agency, or instrumentality concerned, or by the Commissioners of the District of Columbia, as the case may be, shall be deducted from their stipends; but such deductions may not be less than the lowest deduction applicable to regular employees at the same hospital, clinic, or laboratory for similar accommodations.

Stipends, etc.

SEC. 4. Any person included in section 2 of this Act who suffers disability or death as a result of personal injury arising out of and in the course of training, or sustained in the performance of duties in connection therewith, shall be treated, for the purposes of the Act of

Injury in course of training.

39 Stat. 742.
5 U. S. C. §§ 751–801.
Ante, p. 451.

September 7, 1916, as amended (5 U. S. C., ch. 15), as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty.

Service credit.

SEC. 5. Persons included under section 2 of this Act shall not be subject to the provisions of the Civil Service Retirement Act of May 29, 1930, as amended (5 U. S. C. ch. 14), except that in the event any such person later becomes subject to the provisions of such Retirement Act, his service as a student employee shall be credited in accordance with the provisions of such Retirement Act.

46 Stat. 468.
5 U. S. C. §§ 691–738.

Temporary detail, etc.

SEC. 6. If any person included in section 2 is, pursuant to the order of the head of the department, agency, or instrumentality concerned, or the Commissioners of the District of Columbia, as the case may be, temporarily detailed to or affiliated with any other Government or non-Government institution, to procure necessary supplementary training or experience, his status as a student-employee shall not be considered terminated by reason of such detail or affiliation, but he may receive his stipend and other perquisites provided under this Act from the hospital, clinic, or laboratory to which he is assigned or attached for only sixty days of such detail or affiliation for each training year (as defined by such head of such Commissioners). Where the detail or affiliation under this section is to or with another Federal institution the student-employee shall be paid his necessary expenses of travel to and from such institution in accordance with the Standardized Government Travel Regulations and the provisions of the Subsistence Expense Act of 1926, as amended (5 U. S. C., ch. 16).

Travel expenses.

44 Stat. 688.
5 U. S. C. §§ 821–834.

Rights, etc., of student nurses.

SEC. 7. This Act shall not be construed as affecting in any way the compensation, rights, or benefits of student nurses receiving training in accordance with the Act of June 15, 1943, as amended (50 U. S. C., App., 1451, and the following).

57 Stat. 153.

SEC. 8. Nothing contained in this Act shall be construed as limiting any authority conferred upon the Administrator of Veterans' Affairs by the Act of January 3, 1946 (Public Law 293, Seventy-ninth Congress).

59 Stat. 675.
38 U. S. C. §§ 15–15n.

Availability of funds.

SEC. 9. Funds now or hereafter appropriated to the departments, agencies, and instrumentalities of the Federal Government and to the District of Columbia for the expenses of their respective hospitals, clinics, and laboratories to which persons included in section 2 are assigned or attached are hereby made available and authorized for carrying out the provisions of this Act with respect to such persons.

Approved August 4, 1947.

[CHAPTER 453]

August 4, 1947
[H. R. 2776]
[Public Law 331]

AN ACT

To extend the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Texas.

Bridge.
Rio Grande.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Texas, authorized to be built by Gus A. Guerra, his heirs, legal representatives, and assigns, by an Act of Congress approved July 31, 1946, is hereby extended one year from July 31, 1947.

60 Stat. 748.

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

Approved August 4, 1947.

[CHAPTER 454]

AN ACT

Authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Montana, to provide facilities for the treatment of tuberculous Indians in Montana.

August 4, 1947
[H. R. 2793]
[Public Law 332]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000 for the purpose of cooperating with the State of Montana for the construction, extension, and improvement of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, to provide and make available whenever required for tuberculous Indians not less than one hundred additional beds: *Provided*, That the expenditure of any moneys authorized to be appropriated hereunder shall be subject to the condition that the proper authorities of the said State of Montana shall promptly take necessary steps under the laws of the State of Montana to provide additional funds required to complete the construction, extension, and improvement including regulation equipment of the said sanatorium and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs; whereupon actual work shall proceed under the direction of the State officials and payment for such work in place shall be made monthly on vouchers properly certified by State officials to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation authorized hereunder shall be final and sufficient for such payment thereof: *Provided further*, That the said sanatorium so constructed, extended, and improved shall be maintained by the State of Montana and shall be available to all the Indian population of said State: *Provided further*, That the Commissioner of Indian Affairs will reimburse the State of Montana for the care and treatment of such tuburculous Indians who may be admitted to the sanatorium under the provisions of the Johnson-O'Malley Act, at rates not in excess of the average annual per diem cost of operation for the entire sanatorium.

Tuberculosis sanatorium, Galen, Mont. Appropriation authorized.

Additional funds from State.

Availability to Indians.

Reimbursement to State.

48 Stat. 596.
25 U. S. C. §§ 452-455.

Approved August 4, 1947.

[CHAPTER 455]

AN ACT

For the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes.

August 4, 1947
[H. R. 2811]
[Public Law 333]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, former Chief Disbursing Officer, Treasury Department, in an amount not to exceed $274.50, for the difference in his accounts arising from the loss of certain food stamps.

G. F. Allen. Credit in accounts.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Frank White and W. O. Woods, former Treasurers of the United States; H. T. Tate, former Acting Treasurer of the United States; and W. A. Julian, Treasurer of the United States; for sums not to exceed $330, $1,900.38, $240, and $25,563.15, respectively, representing unavailable items in their accounts as former Treasurers, former Acting Treasurer, and Treasurer of the United States, as listed in exhibits accompanying letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives.

Frank White, W. O. Woods, H. T. Tate, W. A. Julian. Credit in accounts.

Nonliability for payment.

SEC. 3. Whenever any check, draft, or warrant, drawn upon the Treasurer of the United States or upon the Treasurer of the United States through any Federal Reserve bank, or any public debt obligation of the United States, including any obligation of any type whatever, the payment of which is guaranteed by, or assumed by, the United States, heretofore has been or hereafter may be paid in due course and without negligence by or on behalf of the Treasurer of the United States, the Treasurer shall not be liable for any such payment, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the Treasurer's account for such payment: *Provided*, That nothing contained in this section shall be construed to relieve any person, other than the Treasurer of the United States, from any civil or criminal liability now existing or which may hereafter exist on account of any such check, draft, warrant or public debt obligation.

Civil or criminal liability.

J. W. Reynar. Credit in accounts.

SEC. 4. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of J. W. Reynar, certifying officer, Division of Disbursement, Treasury Department, on account of charges raised by the General Accounting Office in an amount not to exceed $217.61: *Provided*, That the Secretary of the Treasury shall certify to the said Comptroller General that the payments against which charges are raised appear to have been made without fraud on the part of the certifying officer.

Certification.

W. A. Julian. Credit in accounts.

SEC. 5. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. A. Julian, Treasurer of the United States, for a sum not to exceed $6,680.06, representing unadjusted differences which occurred in the preparation of statements of disbursing officers' accounts during the period from November 1, 1944, to October 31, 1945.

Appropriation.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $1,351.85, of which amount (a) not to exceed the sum of $66 shall be credited to the accounts of G. F. Allen, former Chief Disbursing Officer, Division of Disbursement, Treasury Department, to the extent necessary to adjust an overdraft of $56 resulting from overpayments by his checks numbered 3,503,191 and 3,503,192, dated October 29, 1942, disbursing symbol 1–100, and to adjust an overpayment of $10 on account of check numbered 1,533,782, dated October 20, 1942, disbursing symbol 87–407; and (b) not to exceed the sum of $1,285.85 shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, payment of original and duplicates of five checks, claim of nonreceipt of one check which was mislaid after payment by the Treasurer, and the loss of fifteen redeemed Consolidated Federal Farm Loan coupons, as listed in letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives.

Adjustment, etc.

Approved August 4, 1947.

[CHAPTER 456]

August 4, 1947
[H. R. 3045]
[Public Law 334]

AN ACT

To authorize the Recorder of Deeds of the District of Columbia to purchase machines for the recording of deeds, and for other purposes.

Recorder of Deeds, D. C. Purchase of recording machines, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Recorder of Deeds of the District of Columbia is authorized and empowered to purchase such machines and equipment as he may deem necessary or expedient for the efficient, expeditious, and economical recording of all deeds and other instruments of writing entitled by law to be

recorded, and to employ such personnel as may be required to operate the same and to perform necessary services in connection therewith; and all deeds and other instruments of writing entitled by law to be recorded in the Office of the Recorder of Deeds which are recorded by means of such machines or equipment are hereby declared to be legally recorded.

Approved August 4, 1947.

[CHAPTER 457]

AN ACT

August 4, 1947
[H. R. 3064]
[Public Law 335]

Authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California.

Laguna Band of Mission Indians, Calif.
Issuance of patent in fee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such steps as are necessary to determine the membership of the Laguna Band of Mission Indians of California and, having determined such membership, is further authorized and directed to issue to the member or members of such band within six months from the enactment of this Act, a patent in fee to the following-described lands situated within the boundaries of the Laguna Indian Reservation, California: The south half southwest quarter section 28; north half southwest quarter and northwest quarter section 33, township 14 south, range 5 east, San Bernardino meridian, San Diego County, California.

Approved August 4, 1947.

[CHAPTER 458]

AN ACT

August 4, 1947
[H. R. 3173]
[Public Law 336]

Relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

Five Civilized Tribes.
Removal of restrictions on land in Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all restrictions upon all lands in Oklahoma belonging to members of the Five Civilized Tribes, whether acquired by allotment, inheritance, devise, gift, exchange, partition, or by purchase with restricted funds, of whatever degree of Indian blood, and whether enrolled or unenrolled, shall be, and are hereby, removed at and upon his or her death: *Provided*, (a) That except as provided in subdivision (f) of this section, no conveyance, including an oil and gas or mineral lease, of any interest in land acquired before or after the date of this Act by an Indian heir or devisee of one-half or more Indian blood, when such interest in land was restricted in the hands of the person from whom such Indian heir or devisee acquired same, shall be valid unless approved in open court by the county court of the county in Oklahoma in which the land is situated; (b) that petition for approval of conveyance shall be set for hearing not less than ten days from date of filing, and notice of hearing thereon, signed by the county judge, reciting the consideration offered and a description of the land shall be given by publication in at least one issue of a newspaper of general circulation in the county where the land is located and written notice of such hearing shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition is to be heard. The grantor shall be present at said hearing and examined in open court before such conveyance shall be approved, unless the grantor and the probate attorney shall consent in writing that such hearing may be had and such conveyance approved in the absence of the grantor, and the court must be satisfied that the consideration has

Validity of conveyance.

Hearing.

been paid in full. Proceedings for approval of conveyances by restricted heirs or devisees under this section shall not be removable to the Federal court; (c) the evidence taken at the hearing shall be transcribed and filed of record in the case, the expense of which, including attorney fees and court costs, must be borne by the grantee. The court in its discretion, when deemed for the best interest of the Indian, may approve the conveyance conditionally, or may withhold approval; (d) that at said hearing competitive bidding may be had and a conveyance may be confirmed in the name of the person offering the highest bid therefor or when deemed necessary the court may set the petition for further hearing; (e) that the probate attorney shall have the right to appeal from any order approving conveyances to the district court of the county in which the proceedings are conducted within the time and in the manner provided by the laws of the State of Oklahoma in cases of appeal in probate matters generally, except that no appeal bond shall be required; (f) that sales of the interests of minor and incompetent persons shall be made in conformity with the laws of the State of Oklahoma. Notice of such sale shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition for sale is to be heard; (g) that nothing contained in this section shall be construed to modify or repeal the Act of February 11, 1936 (49 Stat. 1135), relating to leases for farming and grazing purposes.

Conditional approval by court, etc.

Competitive bidding.

Right to appeal.

Sales of interest of minors, etc.

25 U. S. C. § 393a.

Quantum of Indian blood.

SEC. 2. In determining the quantum of Indian blood of any Indian heir or devisee, the final rolls of the Five Civilized Tribes as to such heir or devisee, if enrolled, shall be conclusive of his or her quantum of Indian blood. If unenrolled, his or her degree of Indian blood shall be computed from the nearest enrolled paternal and maternal lineal ancestors of Indian blood enrolled on the final rolls of the Five Civilized Tribes.

Jurisdiction of guardianship, etc.

SEC. 3. (a) The State courts of Oklahoma shall have exclusive jurisdiction of all guardianship matters affecting Indians of the Five Civilized Tribes, of all proceedings to administer estates or to probate the wills of deceased Indians of the Five Civilized Tribes, and of all actions to determine heirs arising under section 1 of the Act of June 14, 1918 (40 Stat. 606).

25 U. S. C. § 375.

Effect of final judgment on U. S.

(b) The United States shall not be deemed to be a necessary or indispensable party to any action or proceeding of which the State courts of Oklahoma are given exclusive jurisdiction by the provisions of subsection (a) of this section, and the final judgment rendered in any such action or proceeding shall bind the United States and the parties thereto to the same extent as though no Indian property or question were involved: *Provided*, That written notice of the pendency of any such action or proceeding shall be served on the Superintendent for the Five Civilized Tribes within ten days of the filing of the first pleading in said action or proceeding. Such notice shall be served by the party or parties causing the first pleading to be filed. Section 3 of the Act of April 12, 1926 (44 Stat. 239), shall have no application to actions or proceedings covered by the provisions of subsection (a) of this section.

Notice of pendency.

Nonapplicability.

Removal of action to district court.

(c) No action or proceeding in which notice has been served on the Superintendent for the Five Civilized Tribes pursuant to the provisions of section 3 of the Act of April 12, 1926 (44 Stat. 239), shall be removed to a United States district court except upon the recommendation of the Secretary of the Interior or his duly authorized representative. The United States shall have the right to appeal from any order of remand entered in any case removed to a United States district court pursuant to the provisions of the Act of April 12, 1926 (44 Stat. 239).

Right to appeal.

(d) Nothing contained in this section shall be construed to limit any right of appeal.

Representation of restricted members.

SEC. 4. That the attorneys provided for under the Act of May 27, 1908 (35 Stat. 312), are authorized to appear and represent any restricted member of the Five Civilized Tribes in Oklahoma before any of the courts of the State of Oklahoma in any matter in which the said restricted Indian may have an interest.

Tribal funds and securities.

SEC. 5. That all funds and securities now held by, or which may hereafter come under the supervision of the Secretary of the Interior, belonging to and only so long as belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary until otherwise provided by Congress, subject to expenditure in the meantime for the use and benefit of the individual Indians to whom such funds and securities belong, under such rules and regulations as said Secretary may prescribe.

Tax-exempt lands.

SEC. 6. (a) Except as hereinafter provided, the tax-exempt lands of any Indian of the Five Civilized Tribes in Oklahoma shall not exceed one hundred and sixty acres, whether the said lands be acquired by allotment, descent, devise, gift, exchange, partition, or by purchase with restricted funds.

Continuation of exemption, etc.

(b) All tax-exempt lands owned by an Indian of the Five Civilized Tribes on the date of this Act shall continue to be tax-exempt in the hands of such Indian during the restricted period: *Provided*, That any right to tax exemption which accrued prior to the date of this Act under the provisions of the Acts of May 10, 1928 (45 Stat. 495), and January 27, 1933 (47 Stat. 777), shall terminate unless a certificate of tax exemption has been filed of record in the county where the land is located within two years from the date of this Act.

25 U. S. C. § 355 note.

(c) Any interest in restricted and tax-exempt lands acquired by descent, devise, gift, exchange, partition, or purchase with restricted funds, after the date of this Act by an Indian of the Five Civilized Tribes of one-half or more Indian blood shall continue to be tax-exempt during the restricted period: *Provided*, That the tax-exempt lands of any such heir, devisee, donee, or grantee, whether acquired by allotment, descent, devise, gift, exchange, partition, or purchase with restricted funds, shall not exceed one hundred and sixty acres in the aggregate: *Provided further*, That nothing contained in this subsection shall be construed to terminate or abridge any right to tax exemption to which any Indian was entitled on the effective date of this Act.

(d) Nothing contained in this section shall be construed to affect any tax exemption provided by the Act of June 26, 1936 (49 Stat. 1967).

25 U. S. C. §§ 501-509.
Post, p. 734.

Filing of statement showing tax-exempt lands, etc.

(e) On or before the 1st day of January of each year following the date of this Act, the Superintendent of the Five Civilized Tribes shall file with the county treasurer of each county in the State of Oklahoma where restricted Indians' lands of any type of members of the Five Civilized Tribes are situated, a statement showing what lands are regarded as tax exempt, and the names of the Indians for whom the lands are claimed as tax exempt. Before a county treasurer shall proceed to sell any restricted land for delinquent taxes, it must appear from the records of the office of the county treasurer that a list of the tracts included in the proposed sales of land for delinquent taxes in said county has been sent by registered mail to the Superintendent for the Five Civilized Tribes at Muskogee, Oklahoma, at least ninety days before the date fixed by the laws of the State of Oklahoma for sales of land for delinquent taxes.

Validation of prior removals of restrictions, etc.

SEC. 7. All removals of restrictions and approvals of deeds heretofore made by the Secretary of the Interior, regardless of whether applications were made therefor by the Indian owner, are hereby validated and confirmed.

Restricted lands.

SEC. 8. That no tract of land, nor any interest therein, which is hereafter purchased by the Secretary of the Interior with restricted funds by or for an Indian or Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, shall be construed to be restricted unless the deed conveying same shows upon its face that such purchase was made with restricted funds.

Validation of conveyances.

47 Stat. 777.
25 U. S. C. § 355 note.

SEC. 9. That all conveyances, including oil and gas or mineral leases, by Indians of the Five Civilized Tribes in Oklahoma of lands acquired by inheritance or devise, made after the effective date of the Act of January 27, 1933, and prior to the effective date of this Act, that were approved either by a county court in Oklahoma or by the Secretary of the Interior are hereby validated and confirmed: *Provided*, That if any such conveyance is subject to attack upon grounds other than sufficiency of approval or lack of approval thereof, such conveyance shall not be affected by this Act.

25 U. S. C. § 502.

SEC. 10. Section 2 of the Act of June 26, 1936 (49 Stat. 1967), commonly known as the Oklahoma Welfare Act, shall be amended by the addition of a new paragraph as follows:

Waiver of preference right.

"The preference right of the Secretary to purchase shall be considered as waived where notice of the pendency of sale is given in writing to the Superintendent of the Five Civilized Tribes for at least ten days prior to the date of sale and the Secretary does not within that time exercise the preferential right to purchase."

Applicability of oil and gas conservation laws to restricted lands.

SEC. 11. All restricted lands of the Five Civilized Tribes are hereby made subject to all oil and gas conservation laws of Oklahoma: *Provided*, That no order of the Corporation Commission affecting restricted Indian land shall be valid as to such land until submitted to and approved by the Secretary of the Interior or his duly authorized representative.

Repeals.

SEC. 12. Sections 1 and 8 of the Act of January 27, 1933 (47 Stat. 777), are hereby repealed.

SEC. 13. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved August 4, 1947.

[CHAPTER 459]

August 4, 1947
[H. R. 3215]
[Public Law 337]

AN ACT

To revise the Medical Department of the Army and the Medical Department of the Navy, and for other purposes.

Army-Navy Medical Services Corps Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Army-Navy Medical Services Corps Act of 1947".

TITLE I

ARMY MEDICAL SERVICE CORPS

Composition.

SEC. 101. Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army the Medical Service Corps, which shall consist of the Pharmacy, Supply, and Administration Section, the Medical Allied Sciences Section, the Sanitary Engineering Section, the Optometry Section, and such other sections as may be deemed necessary by the Secretary of War, and which shall perform such services as may be prescribed by the

Secretary of War. The authorized strength of the Medical Service Corps, Regular Army, shall be such strength as may from time to time be prescribed by the Secretary of War. The Medical Service Corps, Regular Army, shall consist of officers in the grades of second lieutenant to colonel, inclusive: *Provided*, That the number of colonels on active duty in the Medical Service Corps, Regular Army, shall at no time exceed 2 per centum of the authorized Regular Army officer strength of such corps.

Authorized strength.

Colonels.

SEC. 102 (a) From the officers commissioned in the Medical Service Corps, Regular Army, in the permanent grade of major or above, the Secretary of War shall appoint the Chief of the Medical Service Corps, who shall serve as Chief during his pleasure, and who, if commissioned in permanent grade below colonel, shall, without vacation of his permanent grade, have the temporary rank, pay, and allowances of a colonel while so serving, and who, while so serving, shall be superior in rank to all other colonels in the corps.

Chief of Medical Service Corps.

(b) From the officers commissioned in the Medical Service Corps, Regular Army, the Surgeon General shall designate Assistant Chiefs, who shall be Chiefs of Sections, and who shall be consultants to him in activities relative to that specific section.

Designation of Assistant Chiefs.

(c) Unless entitled to higher retired rank or pay under any provision of law, each such commissioned officer who shall have served for four years as Chief of the Medical Service Corps, shall upon retirement be retired with the rank held while so serving, shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which he would receive if serving on active duty with such rank, and if thereafter recalled to active service shall be recalled in such rank.

Retired rank, etc., of Chief.

SEC. 103. Except as provided in Public Law 281, Seventy-ninth Congress, approved December 28, 1945, as amended, and except as hereinafter provided for transfer thereto, original appointments in the Medical Service Corps, Regular Army, shall be made only in the grade of second lieutenant from citizens of the United States between the ages of twenty-one and thirty years, who possess such physical and other qualifications as may be prescribed by the Secretary of War: *Provided*, That appointments from sources other than the Regular Army or its active Reserve shall be made from persons who are graduates from accredited schools of pharmacy, optometry, or other schools or colleges with degrees in sciences allied to medicine or such other degrees as may be approved by the Surgeon General, and each person appointed and commissioned an officer of the Medical Service Corps who at the time of appointment holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine may, subject to regulations as prescribed by the Secretary of War, be credited at the time of appointment with an amount of service equal to three years.

Original appointments.
59 Stat. 663.
10 U. S. C. §§ 505–505d, 481, 552c, 552a.
Ante, p. 95.

Appointments from sources other than Army.

Person holding doctorate degree in science.

SEC. 104. Effective from date of enactment of this Act, commissioned officers of the Medical Service Corps, Regular Army, shall be promoted to the permanent grades of first lieutenant, captain, major, and lieutenant colonel as now or hereafter prescribed for promotion of promotion-list officers to such grades, respectively. Promotion to the permanent grade of colonel shall be by selection under regulations prescribed by the Secretary of War from officers in the grade of lieutenant colonel with at least one year's service in that grade.

Promotion to permanent grades.

SEC. 105. Effective the date of enactment of this Act, Public Law 281, Seventy-ninth Congress, approved December 28, 1945, as amended, is hereby further amended as follows:

(a) Section 5 of said Act is amended by striking out paragraphs (c) and (d) and inserting in lieu thereof a new paragraph (c) as follows:

59 Stat. 665.
10 U. S. C. § 505c (c), (d).

Appointments according to periods of service.

"(c) Persons appointed in the Medical Service Corps shall be appointed in grades of second lieutenant, first lieutenant, captain, or major according to the periods of service with which they are credited in the same manner as set forth in paragraph (a) of this section for persons appointed in arms and services of the Regular Army, the officers of which are on the promotion list."

59 Stat. 665.
10 U. S. C. § 505d (b), (c).

(b) Section 6 of said Act is amended by striking out from paragraph (b) thereof the words "The Pharmacy Corps" and by striking out paragraph (c) thereof and inserting in lieu thereof a new paragraph (c) as follows:

"(c) In the Medical Service Corps if he would upon appointment receive credit for twenty-three or more years' service under section 5 of this Act."

Ante, p. 735.

Transfer of officers of Pharmacy Corps.

SEC. 106. Officers of the Regular Army who, on the date of enactment of this Act, hold commissions in the Pharmacy Corps, are, effective the date of enactment of this Act, transferred in grade to the Medical Service Corps. Each such officer so transferred shall be reappointed in the Medical Service Corps in the permanent grade held by him at the time of such transfer; shall be credited for the purpose of determining eligibility for promotion, with continuous commissioned service on the active list of the Regular Army in the Medical Service Corps equal to the period of service credited to him for promotion purposes under existing provisions of law, and shall, subsequent to such transfer, be thereafter promoted in accordance with the promotion system set forth in section 104 of this Act.

Corps abolished.

SEC. 107. (a) Effective the date of enactment of this Act, the Pharmacy Corps and the Medical Administrative Corps are abolished.

Transfer of persons holding temporary appointments in Army, etc.

(b) Effective the date of enactment of this Act, persons holding temporary appointments or commissions in the Army of the United States permanently assigned or detailed to the Medical Administrative Corps, the Pharmacy Corps, or the Sanitary Corps, shall be automatically transferred and permanently assigned or detailed, as the case may be, to the Medical Service Corps, Regular Army, established by this Act, in the same temporary grade and rank held by them at such time.

Regulations.

(c) The Secretary of War is authorized to prescribe from time to time such regulations as may be necessary for the administration of title I of this Act.

Back pay.

(d) No back pay shall accrue to any person by reason of the enactment hereof.

Repeal.

(e) Effective the date of enactment of this Act, all laws and parts of laws, insofar as they are inconsistent with or in conflict with the provisions of title I of this Act, are repealed.

TITLE II

NAVY MEDICAL SERVICE CORPS

Composition.

SEC. 201. Effective the date of enactment of this Act, there is established in the Medical Department of the United States Navy a Medical Service Corps which shall consist of the Pharmacy, Supply, and Administration Section, the Medical Allied Sciences Section, the Optometry Section, and such other sections as may be deemed necessary by the Secretary of the Navy. The authorized strength of the Medical Service Corps shall be 20 per centum of the authorized strength of the Medical Corps of the Navy. The Medical Service Corps shall consist of officers in the grades of ensign to captain, inclusive.

Authorized strength.

34 U. S. C. § 348c.
Post, p. 881.
Precedence.

The first proviso to section 4 of the Act of June 10, 1926 (44 Stat. 719), as amended, is hereby further amended to read as follows: "That

except as otherwise provided herein, officers having the same rank and the same date of precedence in that rank shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplains, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps." The authorized number of captains on the active list of the Medical Service Corps shall equal 2 per centum of the total number of officers on the active list of that corps at any one time. A computation to determine such authorized number shall be made by the Secretary of the Navy as of January first of each year, and the resulting number as so computed shall be held and considered for all purposes as the authorized number until a subsequent computation shall be made.

Captains.

Computation to determine number.

SEC. 202. Officers of the Medical Service Corps shall be staff officers and shall be subject to all provisions of law now existing or hereafter enacted relating to the advancement in rank and retirement of officers of the Medical Corps of the Navy, with the exception of the provisions relating to the composition of selection boards for staff officers. Boards for selection of officers of the Medical Service Corps for recommendation for advancement in rank shall be composed of not less than six nor more than nine officers of the Medical Corps not below the rank of captain: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such board as herein provided, officers of the line on the active list above the rank of commander shall be detailed to duty on such board to constitute the required minimum membership: *And provided further*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for promotion until they shall have completed thirty years of service.

Staff officers.
Post, p. 881.

Selection boards.

Detail of officers of the line.

Involuntary retirement.

SEC. 203. During the period that appointments to the Regular Navy may be made pursuant to section 5 of the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), all appointments to the Medical Service Corps shall be made in accordance with the provisions of said Act.

Appointments.
Post, p. 881.

60 Stat. 92.
34 U. S. C. § 15.
Post, p. 867.

SEC. 204. All appointments in the Medical Service Corps, except those provided for in section 203 of this Act, shall be in the grade of ensign from those persons serving as commissioned warrant or warrant officers of the Hospital Corps of the Regular Navy and from other persons who possess such physical and other qualifications for appointment as may be prescribed by the Secretary of the Navy: *Provided*, That appointments from sources other than the Regular Navy shall be made from persons who are graduates of accredited schools of pharmacy, optometry, or other schools or colleges with degrees in sciences allied to medicine or such degrees as may be approved by the Surgeon General: *Provided further*, That persons holding a doctorate degree in sciences allied to medicine approved by the Surgeon General at time of appointment in the Medical Service Corps may, subject to regulations to be prescribed by the Secretary of the Navy, be appointed in the grade of lieutenant (junior grade). No person shall be appointed under the provisions of this section unless he be a citizen of the United States between the ages of twenty-one and thirty-two years and until he shall have established his mental, moral, and professional qualifications to the satisfaction of the Secretary of the Navy.

Appointments in grade of ensign.
Post, pp. 881, 882.

Appointments from sources other than Navy.

Person holding doctorate degree in sciences.

Qualifications.

SEC. 205. All appointments in the Medical Service Corps shall be made by the President, by and with the advice and consent of the Senate.

Appointments by President.
Post, p. 881.

SEC. 206. The Secretary of the Navy, under such regulations as he may prescribe, may revoke the commission of any officer appointed

Revocation of commission.
Post, pp. 881, 882.

60 Stat. 1061.
34 U. S. C. § 405a.
Post, p. 880.
Reappointment.

pursuant to section 204 of this Act in accordance with the provisions of section 12 of the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress): *Provided*, That any officer whose commission is so revoked and who at the time of his appointment under section 204 of this Act held permanent status as a commissioned warrant or warrant officer may be reappointed by the President without examination to such permanent status with the same lineal position and other rights and benefits which he would have had or would have attained in due course had he not been appointed in the Medical Service Corps.

Command in the line, etc.
Post, p. 881.

SEC. 207. No officer of the Medical Service Corps shall be entitled to command in the line or any other staff corps of the Navy, nor shall any such officer suffer reduction in the pay and allowances to which entitled by virtue of his permanent status by reason of appointment in the Medical Service Corps established by this title.

Post, p. 881.

SEC. 208. All laws now existing or hereafter enacted relating to the various staff corps of the Navy shall be construed to include the Medical Service Corps, unless otherwise provided in this Act.

Regulations.
Post, p. 881.

SEC. 209. The Secretary of the Navy is hereby authorized to prescribe the necessary regulations to carry out the provisions of this title.

TITLE III

THE HOSPITAL CORPS OF THE NAVY

60 Stat. 95.
34 U. S. C. § 34.

SEC. 301 (a) The first paragraph under the heading "Hospital Corps," page 572, volume 39, of the Statutes at Large (Act of August 29, 1916), as amended by the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), is hereby further amended to read as follows:

Authorized strength.

"Hereafter the authorized strength of the Hospital Corps of the Navy shall equal 3½ per centum of the authorized enlisted strength of the Navy and Marine Corps. The Secretary of the Navy is authorized, in his discretion, to establish such grades and ratings in the Hospital Corps as he may deem necessary in the proper administration of such corps: *Provided*, That enlisted men of other ratings in the Navy and in the Marine Corps shall be eligible for transfer to the Hospital Corps, and men of that corps to other ratings in the Navy and the Marine Corps."

Eligibility for transfer.

39 Stat. 572.
34 U. S. C. § 128.

(b) The second paragraph under such heading is hereby amended to read as follows:

Appointment of warrant officers.

"The Secretary of the Navy may hereafter appoint as many warrant officers in the Hospital Corps, as may be deemed necessary, from the rating of chief petty officer or petty officer, first class, in the Hospital Corps: *Provided*, That no person shall be appointed pursuant hereto until he shall have established his mental, moral, physical, and professional qualifications to the satisfaction of the Secretary of the Navy: *Provided further*, That the warrant officers now in the Hospital Corps of the United States Navy or hereafter appointed therein in accordance with the provisions of this Act shall have the same rank, pay, and allowances as are now or may hereafter be allowed other warrant officers."

Qualifications.

Rank; pay and allowances.

Regulations.

SEC. 302. The Secretary of the Navy is hereby authorized to prescribe the regulations necessary to carry out the provisions of this title and no person shall suffer any reduction in grade or rate, or in pay or allowances, by reason of the requirements of this title or of the regulations provided pursuant thereto.

Approved August 4, 1947.

[CHAPTER 460]

AN ACT

To increase the minimum allowance payable for rehabilitation in certain service-connected cases.

August 4, 1947
[H. R. 3308]
[Public Law 338]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective on the first day of the first calendar month subsequent to the date of enactment of this Act, paragraph 3 of part VII of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows:

Rehabilitation of veterans.

57 Stat. 43.
38 U. S. C. note foll. § 739.

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran shall be paid the amount of subsistence allowance specified in paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended: *Provided*, That the minimum payment of such allowance, plus any compensation or other benefit shall be (A) where the service-connected disability is rated less than 30 per centum, for a person without a dependent, $105 per month; and for a person with a dependent, $115, plus the following amounts for additional dependents: (1) $10 for one child and $7 additional for each additional child, and (2) $15 for a dependent parent; (B) where the service-connected disability is rated 30 per centum or more, for a person without a dependent, $115 per month; and for a person with a dependent, $135, plus the following amounts for additional dependents: (1) $20 for one child and $15 additional for each additional child, and (2) $15 for a dependent parent: *Provided further*, That the rates set out herein shall not be subject to the increases authorized by Public Law Numbered 312, Seventy-eighth Congress, approved May 27, 1944: *And provided further*, That when the course of vocational rehabilitation furnished to any person as herein provided consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement in writing showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such written statements, the Administrator is authorized to reduce the subsistence allowance of such person to an amount considered equitable and just."

Subsistence allowance.

58 Stat. 289.
38 U. S. C. note foll. § 739.

Minimum payment.

Restriction.

58 Stat. 229.
38 U. S. C. §§ 471a-1, 504 and notes, 507b.

Monthly statement by employer.

Reduction of allowance.

Approved August 4, 1947.

[CHAPTER 461]

AN ACT

To add certain lands to the Modoc National Forest, California.

August 4, 1947
[H. R. 3395]
[Public Law 339]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Modoc National Forest are hereby extended to include the following-described lands and, subject to valid and existing claims, all lands of the United States within said area which heretofore were not parts of said national forest are hereby made parts thereof and hereafter shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing herein shall be construed as prohibiting the location and entry under the mining laws of the United States, and the rules and regulations applying thereto, of any of the public-domain lands hereby added to said national forest or of any land within said area hereafter acquired through exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended:

Modoc National Forest.

Addition of certain lands.

16 U. S. C. §§ 485, 486.

MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 41 north, range 9 east, sections 23, 24, 25, and 36.

Township 39 north, range 10 east, section 1, east half.

Township 40 north, range 10 east, sections 1 to 4, inclusive; sections 9 to 15, inclusive; sections 24, 25, and 36.

Township 41 north, range 10 east, sections 16 to 21, inclusive; sections 26 to 36, inclusive.

Township 39 north, range 11 east, sections 1 to 18, inclusive; sections 22 and 23.

Township 40 north, range 11 east, section 5, except lot 6; sections 6 to 8, inclusive; section 16, southwest quarter southeast quarter; sections 17 to 20, inclusive; section 21, north half northeast quarter, southwest quarter northeast quarter, northwest quarter, south half; section 27, west half northwest quarter; sections 28 to 33, inclusive; section 34, south half northeast quarter, southwest quarter northwest quarter, south half; section 35, southwest quarter northwest quarter, southwest quarter, south half southeast quarter.

Township 41 north, range 11 east, section 32, northwest quarter northeast quarter, south half northeast quarter, southeast quarter northwest quarter, south half.

Township 39 north, range 12 east, section 7, west half southwest quarter; section 16.

Approved August 4, 1947.

[CHAPTER 462]

August 4, 1947
[H. R. 3874]
[Public Law 340]

AN ACT

To authorize the city of Pierre, South Dakota, to transfer Farm Island to the State of South Dakota, and for other purposes.

Farm Island, S. Dak. Transfer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the transfer, from the city of Pierre, South Dakota, to the Department of Game, Fish, and Parks of the State of South Dakota, of all or any part of the right, title, and interest of the said city of Pierre in and to Farm Island, an island in the Missouri River in Hughes County, South Dakota, which was granted by the United States to said city of Pierre by section 21 of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889 (25 Stat. 896), in accordance with Resolution Numbered 376 of the city of Pierre, South Dakota, adopted by the board of city commissioners of said city on July 2, 1946, by which said commissioners did resolve as follows:

"*Be it resolved by the City of Pierre, South Dakota*, That the city of Pierre, South Dakota, hereby transfers, assigns, and gives all of its right, title, and interest in and to Farm Island, Hughes County, South Dakota, an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the Commission of Game, Fish, and Parks for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said Commission's right to sell the property of the said Department of Game, Fish, and Parks: *Provided*, That this assignment, transfer, and gift shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts on said Farm Island now occupied by said organizations by virtue of license, lease, or

otherwise from the said city of Pierre: *Provided further*, That this assignment, transfer and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America.";

and in accordance with the resolution of the State Game, Fish, and Parks Commission of the State of South Dakota, dated December 16, 1946, by which said Commission did resolve as follows:

> "Whereas the city of Pierre, South Dakota, transferred, signed, and gave all of its right, title, and interest in and to Farm Island, Hughes County, South Dakota, an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the Game, Fish, and Parks Commission for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said Commission's right to sell the property of the Department of Game, Fish, and Parks of the State of South Dakota:

"*Be it Resolved, by the Game, Fish, and Parks Commission of the State of South Dakota*, That the assignment, transfer, and gift by the city of Pierre, South Dakota, of its interest in Farm Island to the Department of Game, Fish, and Parks as evidenced by Resolution Numbered 376 adopted by the Board of City Commissioners of said city of Pierre on July 2, 1946, be, and the same is hereby, accepted;

"*Be it Further Resolved*, That the acceptance of said assignment shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League of America, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts of said Farm Island now occupied by said organizations by virtue of license, lease, or otherwise, from the city of Pierre: *Provided further*, That the acceptance of this assignment, transfer, and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America."

Use.

Provided, That said transfer shall be on the express condition that said Farm Island shall be used only for such purposes as are now or may hereafter be authorized by the laws of the State of South Dakota, exclusive of said Commission's right to sell the property of said Department of Game, Fish, and Parks of the State of South Dakota, and upon the failure of said condition the said island shall revert to the United States, to be disposed of by future legislation only.

Repeals; jurisdiction.

54 Stat. 405.

SEC. 2. The proviso in section 1 and sections 2, 3, 4, and 5 of the Act of August 16, 1937 (50 Stat. 648), as amended by the Act of June 17, 1940 (54 Stat. 540), are hereby repealed, and exclusive civil, criminal, and administrative jurisdiction of the said Farm Island shall continue to be in the State of South Dakota on and after the passage and approval of this Act.

Approved August 4, 1947.

[CHAPTER 463]

AN ACT

August 4, 1947
[H. R. 4111]
[Public Law 341]

Authorizing the construction of flood-control works on the Little Sioux River and its tributaries in Iowa.

Little Sioux River.
Project for flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for flood control on the Little Sioux River and its tributaries, recommended in the report of the Chief of Engineers, United States

Army, in House Document Numbered 275, Eightieth Congress, first session, at an estimated cost of $3,320,000, is hereby adopted and authorized, and shall be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plan recommended in that report and subject to the conditions of local cooperation set forth therein.

Appropriation authorized.

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

Approved August 4, 1947.

[CHAPTER 467]

August 4, 1947
[S. 272]
[Public Law 342]

AN ACT

To provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible.

War Department. Use of certain lands for national cemeteries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the Secretary of War determines that there is need for an additional cemetery or cemeteries for the burial of members of the armed forces of the United States dying in the service or former members whose last discharge therefrom was honorable and certain other persons as provided for by existing law (24 U. S. C. 281), he is authorized to utilize and expand existing facilities at Fort Rosecrans, California, and Jefferson Barracks, Missouri, when practicable, through the use of federally owned lands under the jurisdiction of the War Department for military purposes and not needed for such purposes for the establishment thereon of a national cemetery or cemeteries.

29 Stat. 625.

Expansion of existing national cemeteries.

SEC. 2. Upon the selection by the Secretary of War of such land, as provided in section 1 hereof, the Secretary of War is authorized and directed to expand existing national cemeteries and to provide for the care and maintenance thereof. No national cemetery as expanded pursuant to this Act shall have an area in excess of six hundred and forty acres.

Regulations.

SEC. 3. The Secretary of War is authorized to prescribe such regulations as he may deem necessary for the administration of this Act.

Appropriations authorized.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry into effect the purposes of this Act.

Approved August 4, 1947.

[CHAPTER 468]

August 4, 1947
[S. 1480]
[Public Law 343]

AN ACT

Authorizing the conveyance to the State of Delaware of a portion of Pea Patch Island.

Pea Patch Island. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is hereby authorized and directed to convey by quitclaim deed to the State of Delaware all the right, title, and interest of the United States in and to Pea Patch Island, situated in the Delaware River, near Delaware City, Delaware, except that portion of the island lying northeastwardly of a straight line just northeastwardly from the northeast outside wall of the Fort Delaware moat and eighty feet northeastwardly at right angles from triangulation station "Torpedo" from a point in the southeasterly high-water line to a point in the northwesterly high-water line of the island, reserving to the United States a perpetual easement to construct and operate on the east fire-control station of the fort parapet a navigational light and

Easements reserved to U. S.

fog signal with necessary appurtenances, and a perpetual easement to construct and maintain a submarine cable from the water on the southeasterly side of the island to the light and fog-signal apparatus.

Approved August 4, 1947.

[CHAPTER 469]

AN ACT

August 4, 1947
[H. R. 493]
[Public Law 344]

To amend section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition), be amended by changing the last period to a colon and adding the following language: "*Provided*, That arrests, without a warrant, and searches and seizures pursuant thereto, may be made for violation of this section, by police officers, as in the case of a felony, upon probable cause that the person arrested is violating this section at the time of the arrest; but no evidence discovered in the course of any arrest, search, or seizure authorized by this proviso shall be admissible in any criminal proceeding against the person arrested unless at the time of such arrest he was carrying a pistol or other dangerous weapon on or about his person."

Concealed weapons, D. C.

47 Stat. 651.

Arrest without warrant, etc.

Approved August 4, 1947.

[CHAPTER 470]

AN ACT

August 4, 1947
[H. R. 1260]
[Public Law 345]

To amend section 107 of title 2 of the Canal Zone Code, approved June 19, 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended by adding at the end thereof the following:

48 Stat. 1122.

"In the case of any annuitant retired under the provisions of this article prior to July 29, 1942, the annuity shall be recomputed and paid in accordance with section 96 of this title, as amended July 29, 1942."

Recomputation of annuity, etc.

SEC. 2. Nothing herein shall be so construed as to reduce the annuity of any such person nor shall any increase in annuity commence before the first day of the month following the month in which this Act is approved.

Approved August 4, 1947.

[CHAPTER 471]

AN ACT

August 4, 1947
[H. R. 2109]
[Public Law 346]

To amend section 1003 (b) of the Civil Aeronautics Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1003 (b) of the Civil Aeronautics Act of 1938, as amended, is amended by striking out the second and third sentences thereof and inserting in lieu thereof the following: "In case of through service by air carriers and common carriers subject to the Interstate Commerce Act, it shall be the duty of the carriers parties thereto to establish just and reasonable rates, fares, or charges and just and reasonable classifications,

52 Stat. 1020.
49 U. S. C. § 643 (b).

Rates for through service, etc.

rules, regulations, and practices affecting such rates, fares, or charges, or the value of the service thereunder, and if joint rates, fares, or charges shall have been established with respect to such through service, just, reasonable, and equitable divisions of such joint rates, fares, or charges as between the carriers participating therein. Any air carrier, and any common carrier subject to the Interstate Commerce Act, which is participating in such through service and joint rates, fares, or charges, shall include in its tariffs, filed with the Civil Aeronautics Board or the Interstate Commerce Commission, as the case may be, a statement showing such through service and joint rates, fares, or charges."

Inclusion of statement in tariffs.

Approved August 4, 1947.

[CHAPTER 472]

AN ACT

August 4, 1947
[H. R. 2659]
[Public Law 347]

To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes.

Rehabilitation of alcoholics, D. C.

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

PURPOSE

SECTION 1. The purpose of this Act is to establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical, psychiatric, and other scientific treatment of chronic alcoholics; to minimize the deleterious effects of excessive drinking on those who pass through the courts of the District of Columbia; to reduce the financial burden imposed upon the people of the District of Columbia by the abusive use of alcoholic beverages, as is reflected in mounting accident rates, decreased personal efficiency, growing absenteeism, and a general increase in the amount and seriousness of crime in the District of Columbia, and to substitute for jail sentences for drunkenness medical and other scientific methods of treatment which will benefit the individual involved and more fully protect the public. In order to accomplish this purpose and alleviate the problem of chronic alcoholism, the courts of the District of Columbia are hereby authorized to take judicial notice of the fact that a chronic alcoholic is a sick person and in need of proper medical, institutional, advisory, and rehabilitative treatment, and the court is authorized to direct that he receive appropriate medical, psychiatric, or other treatment as provided under the terms of this Act.

DEFINITIONS

"Chronic alcoholic."

SEC. 2. The term "chronic alcoholic" means any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while under the influence of alcohol endangers the public morals, health, safety, or welfare.

Establishment and equipment of clinic.

SEC. 3. (a) The Commissioners of the District of Columbia are hereby authorized and directed to establish and equip a clinic in connection either with some existing hospital or with some correctional institution or other facility for the diagnosis, classification, hospitalization, confinement, treatment, and study of persons who are found to be chronic alcoholics, as defined herein, by the Municipal Court for the District of Columbia.

Use of clinic services.

(b) The Commissioners of the District of Columbia are also directed to utilize the alcoholic clinic services for the treatment of the

chronic alcoholic as authorized by this Act and for the purpose of preparing and administering a program for the rehabilitation of alcoholics and the promotion of temperance through teaching and training of professional personnel and use through community organization.

Suspension of proceedings in criminal case; hearing.

SEC. 4. In any criminal case, brought to trial before the Municipal Court for the District of Columbia, in which the evidence indicates that the defendant is a chronic alcoholic within the meaning of section 2 above, the judge may suspend the proceedings in the case and order that a hearing be held, upon sufficient notice, to determine whether the defendant is a chronic alcoholic. The hearing shall be conducted by the judge without a jury, unless the defendant requests a jury. The defendant shall be entitled to representation at the hearing by an attorney of his own choice, and if the defendant does not select an attorney, the court shall appoint an attorney to represent the defendant. If, after the hearing, the judge, or the jury, as the case may be, determines that the defendant is a chronic alcoholic, the court may order that he be committed to the clinic for diagnosis, classification, and treatment as his condition may require, provided the term of commitment shall not exceed ninety days.

Classification and diagnostic center.

SEC. 5. The director of the clinic shall provide a classification and diagnostic center. Every person committed to the clinic shall first be sent to this classification and diagnostic center for observation, examination, and classification. The classification center shall make a complete study of each person committed, including mental and physical condition, personal traits, pertinent circumstances of school and family life, and any delinquency, criminal experience, or other factors contributing to his addiction to alcohol.

Recommendation to committing judge.

SEC. 6. (a) The director may then recommend to the committing judge that the person committed (1) be permitted to remain at liberty conditionally and under supervision, or (2) be placed in an appropriate agency, hospital, institution in the District of Columbia for treatment as a chronic alcoholic, or (3) be returned to the court from which he was committed for trial upon the original offense charged or for such action as the court may deem proper. The court may thereupon, in its discretion, issue such orders as it deems necessary and proper in the case.

Authorized representative of Attorney General.

(b) The Attorney General of the United States may, in order to carry out the purposes of this Act, designate the director of the clinic as his authorized representative under section 11 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D. C. Code, 1940 edition, sec. 24–425).

54 Stat. 244.

Expiration of term of commitment.

SEC. 7. At the expiration of the term of commitment the chronic alcoholic must be discharged, unless the director of the clinic recommends to the court prior to the expiration of the term of commitment that he is in need of additional treatment in an appropriate hospital or institution, in which event the court will conduct a second hearing, in the same manner and upon the same conditions as provided in section 4 for the first hearing, as to his condition, and may order the chronic alcoholic recommitted for an additional period of ninety days or less as his condition requires.

Release under supervision of probation office.

SEC. 8. A chronic alcoholic committed to the clinic and who is permitted to remain at liberty or conditionally released shall be under the supervision of the probation office of the court in which he was committed, or the clinic, or such other agency, public or private, as the court may determine.

Certification of extent of facilities, etc.

SEC. 9. No chronic alcoholic shall be committed to a clinic, agency, hospital, or institution under the terms of this Act until the District

Commissioners shall certify to the municipal court for the District of Columbia the extent to which proper and adequate treatment facilities and personnel have been provided to carry out the purposes of this Act.

Voluntary submission to treatment, etc.

SEC. 10. (a) Any resident of the District of Columbia who is a chronic alcoholic within the meaning of this Act may voluntarily submit himself for admission, examination, and treatment in the clinic. If he is found to be a chronic alcoholic, the applicant may be admitted to the clinic for such period of time as is estimated by the director as necessary to effect a cure. He may be given such treatment, guidance, and help as the director deems appropriate except that he may not be committed to a correctional institution. Any such chronic alcoholic voluntarily applying may be required to pay the cost of his subsistence, care, and treatment. All such money shall be covered into the credit of the appropriation from which the expenditure was made. The Commissioners may establish or approve such rules and regulations as may be necessary to carry out the provisions of this section.

Payment.

Rights as U. S. citizen.

(b) Any resident of the District of Columbia who voluntarily submits himself for admission and treatment in the clinic shall not forfeit or abridge thereby any of his rights as a citizen of the United States, nor shall the fact that he has submitted himself for admission and treatment or that he has been given help or has submitted himself to any study, treatment, or guidance be used against him in any proceeding in any court. The record of any application under this section by any individual for admission and treatment in the clinic and the record of any study of, or treatment, guidance, or help furnished to, any individual admitted in the clinic under this section shall be confidential, and not be divulged except on order of the court. No order may be made under section 6 with respect to any such individual except as provided under the rules and regulations of the Commissioners in effect at the time such individual voluntarily submitted himself for admission and treatment in the clinic.

Record of application.

Contract for treatment, etc.

SEC. 11. The Commissioners of the District of Columbia may contract with any appropriate agency not under its control, which has proper and adequate treatment facilities and personnel to carry out the purposes of this Act, for the custody, care, subsistence, treatment, and training of persons committed to the alcoholic clinic herein authorized.

Director of clinic.

SEC. 12. The Commissioners of the District of Columbia are authorized and directed to appoint a director of the clinic, who shall be a qualified physician with such training in psychiatry as they may prescribe, the necessary medical officers, psychiatrists, probation officers, social-case workers, and other personnel needed to carry out the purposes of this Act.

Recommendations by director.

SEC. 13. The director of the clinic shall from time to time submit to the Commissioners such recommendations as will further the rehabilitation of chronic alcoholics, prevent the excessive and abusive use of alcoholic beverages, promote temperance, and he shall also gather and publish as complete and accurate data as is possible relating to the physiological, psychological, economic, and social effects of the abusive use of alcoholic beverages and shall prepare and publish materials, data, and information to be used in a program of public education in the District of Columbia directed toward the prevention and use of alcoholic beverages excessively and abusively.

Publication of data, etc.

License fees for sale, etc., of alcoholic beverages.

SEC. 14. The annual fees for licenses for the manufacture or sale of alcoholic beverages, except for retailer's license, class E, imposed by

section 11 of the District of Columbia Alcoholic Beverage Control Act, as amended, are hereby increased by 10 per centum. The revenue resulting from the increase of such fees imposed by this section is hereby permanently appropriated to carry out the purposes of this Act.

48 Stat. 319. D.C. Code §§ 25-101 to 25-138.

SEC. 15. The Commissioners shall appoint a committee, to be composed of six outstanding residents of the District of Columbia, to advise and consult with the Commissioners and to assist them in carrying out the provisions of this Act. The members of the committee shall serve without compensation and shall serve for a period of one year and until their successors are appointed.

Committee.

Approved August 4, 1947.

[CHAPTER 473]

AN ACT

To extend second-class mailing privileges to bulletins issued by State conservation and fish and game agencies or departments.

August 4, 1947 [H. R. 2857] [Public Law 348]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the ninth paragraph under the heading "Office of the Third Assistant Postmaster General" of the first section of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912 (U. S. C., 1940 edition, title 39, sec. 229), is amended by inserting after "issued by State boards of health," the following: "by State conservation and fish and game agencies or departments,".

37 Stat. 550.

Approved August 4, 1947.

[CHAPTER 474]

AN ACT

To enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes.

August 4, 1947 [H. R. 3325] [Public Law 349]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 6 of the Act approved February 27, 1925 (43 Stat. 1008), as amended by section 5 of the Act approved March 2, 1929 (45 Stat. 1478), which make invalid contracts of debt entered into by certain members of the Osage Tribe of Indians, shall not apply to any debt contracted pursuant to title III of the Servicemen's Readjustment Act of 1944 by any member of such tribe who, by reason of his service in the armed forces of the United States during World War II, is eligible for the benefits of such title III; and any other member of the Osage Tribe upon attaining the age of twenty-one years may contract a valid debt without approval of the Secretary of the Interior: *Provided*, That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians not having a certificate of competency shall not be subject to lien, levy, attachment, or forced sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency.

Osage Tribe of Indians. Loans.

58 Stat. 291. 38 U. S. C. §§ 694-694e.

Ante, p. 454.

Lands not subject to lien, etc.

Approved August 4, 1947.

[CHAPTER 475]

AN ACT

August 4, 1947
[H. R. 3501]
[Public Law 350]

To amend the Armed Forces Leave Act of 1946, approved August 9, 1946 (Public Law 704, Seventy-ninth Congress, second session, 60 Stat. 963), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Armed Forces Leave Act of 1946 is hereby amended to read as follows:

60 Stat. 964.
37 U. S. C. § 33.
Compensable leave.

"SEC. 4. (a) Leave to be settled and compensated for under section 6 of this Act shall be compensable as follows:

Enlisted members.

"(1) In the case of leave accumulated as an enlisted member of the armed forces, on the basis of the base and longevity pay applicable to such member on the date of his discharge from enlisted service if discharged before August 31, 1946, or on August 31, 1946, if not so discharged, and an allowance computed at the rate of 70 cents a day for subsistence, plus, in the case of enlisted members of the first three grades with dependents on August 31, 1946, or former enlisted members of the first three grades with dependents at the time of discharge if prior to such date, an allowance computed at the rate of $1.25 a day for quarters.

Warrant or commissioned officers.

"(2) In the case of leave accumulated or accrued as a member of the armed forces as a warrant or commissioned officer, on the basis of the base and longevity pay and allowances applicable to such member on August 31, 1946.

Absence on account of sickness, etc., after Aug. 31, 1946.

"(b) After August 31, 1946, members of the armed forces when absent on account of sickness or wounds, or when directed by the Secretary to be absent from duty to await orders pending action on disability retirement proceedings for any period in excess of the number of days' leave authorized by this Act, shall receive the same pay and allowances they would receive if not so absent; when absent with leave for other causes, members shall be entitled during such absence not exceeding the aggregate number of days' leave authorized by this Act to the same pay and allowances they would receive if not on leave and to any additional allowance or allowances otherwise provided by law for members while on leave. When the Secretary authorizes members to be absent in excess of the number of days' leave authorized by this Act, they shall not be entitled to any pay or allowances during such absence. When absent without leave or absent over leave, they shall forfeit all pay and allowances during such absence, unless such absence is excused as unavoidable. The Secretary of War may authorize persons who have accepted appointments as commissioned officers of the Regular Army pursuant to the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress), as amended, to be absent from duty to await orders assigning them to their initial-duty stations and during such absence they shall receive the same pay and allowances they would receive if not so absent.

Other leave.

Absence without leave, etc.

59 Stat. 663.
10 U. S. C. §§ 505-505d, 481, 552c, 552a.
Ante, p. 95.

Members discharged after Aug. 31, 1946.

"(c) Any member of the armed forces discharged after August 31, 1946, having unused accrued leave standing to his credit at time of discharge shall be compensated for such unused leave in cash on the basis of the base and longevity pay, and allowances, applicable to such member on the date of discharge including for enlisted persons the allowances as provided for such enlisted persons in subsection (a) of this section: *Provided*, That no cash settlement shall be made to any member (1) discharged for the purpose of accepting a commission or warrant or entering into an enlistment in his respective branch

Exclusion from cash settlement.

of the armed forces, or (2) electing to carry over such unused leave to a new enlistment in his respective branch of the armed forces on the day following date of discharge. A member excluded from cash settlement by the foregoing provision and a member reverting from warrant or commissioned officer to enlisted status shall carry any unused accrued leave standing to his credit from one status to another within his respective branch of the armed forces. Unused leave settled and compensated for in cash in accordance with this subsection shall not be considered as service for any purpose. Settlement and compensation in accordance with this subsection shall be made only to a living member or living former member of the armed forces.

Member reverting to enlisted status, etc.

"(d) Any member of the armed forces discharged under other than honorable conditions shall forfeit all unused accrued leave to his credit at the time of discharge.

Forfeiture of unused accrued leave.

"(e) Determination of the number of calendar days of leave to which a member or former member is entitled, including the number of calendar days of absence from duty or vacation to be counted or charged against such leave, shall be made in accordance with regulations to be prescribed by the respective Secretaries, which regulations shall provide equal treatment of officers and enlisted men and shall establish to the fullest extent practicable uniform policies for the several branches of the armed forces. In the case of the leave of enlisted members or former enlisted members attributable to the period prior to the date of enactment of this Act, the Secretary may in the determination of the number of calendar days of absence from duty or vacation to be counted or charged against such leave rely on such records and evidence, including applicants' sworn statements as to the material facts, as he may determine proper. All decisions by the Secretary under this section shall be final and conclusive and shall not be subject to review by any court or by any officer of the United States.".

Determination of number of days.

Finality of decisions.

SEC. 2. A member of the armed forces transferred or returned to an inactive status with retired or retainer pay on or prior to the last day of the first calendar month following the date of enactment of this Act, or a member who is on leave on such date, at the expiration of which he will be transferred or returned to an inactive status with retired or retainer pay, shall not be entitled to settlement of compensation under section 4 (c) of the Armed Forces Leave Act of 1946 as added by section 1 of this Act.

Transfer or return to inactive status.

Ante, p. 748.

SEC. 3. The Armed Forces Leave Act of 1946 is further amended by adding at the end thereof the following new section:

60 Stat. 963.
10 U. S. C. § 18 note.

"SEC. 10. The provisions of this Act shall not apply to cadets at the United States Military Academy or the United States Coast Guard Academy, or to midshipmen at the United States Naval Academy, or to cadets or midshipmen serving elsewhere in the armed forces. The respective Secretaries are authorized to prescribe regulations concerning leave for cadets and midshipmen."

Nonapplicability.

SEC. 4. Section 1265, Revised Statutes (10 U. S. C. 841); the last paragraph appearing under the heading "Mileage", Act of May 28, 1924 (ch. 203, 43 Stat. 202), and the last paragraph appearing under the heading "Mileage", Act of February 11, 1925 (ch. 209, 43 Stat. 879; 34 U. S. C. 871), are hereby repealed.

Repeals.

Approved August 4, 1947.

[CHAPTER 476]

AN ACT

August 4, 1947
[H. R. 3852]
[Public Law 351]

To amend the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946, be, and the same hereby is, amended by striking out the word "twenty" and inserting in lieu thereof the word "fifty".

60 Stat. 879.
Ante, p. 260.

Approved August 4, 1947.

[CHAPTER 477]

AN ACT

August 4, 1947
[H. R. 3862]
[Public Law 352]

To authorize the Federal Works Administrator to grant and convey to Montgomery County, Pennsylvania, a certain parcel of land of the United States in Norristown Borough, Montgomery County, Pennsylvania, for the purpose of erecting an additional annex to the present courthouse.

Montgomery County, Pa.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is hereby authorized to sell and convey to Montgomery County, Pennsylvania, at a purchase price of not less than 50 per centum of the appraised value of the land as determined by the Federal Works Agency, a certain parcel of land, hereinafter described, which is a part of the property of the United States of America, upon which the Norristown Post Office is erected, said parcel of land to be held and used by the county of Montgomery for the purpose of erecting an additional annex to the present courthouse.

The aforesaid parcel of land is situated in Norristown Borough, Montgomery County, Pennsylvania, bounded and described in accordance with a plan and survey thereof, prepared for Montgomery County by Warren F. Cressman, county engineer, a registered professional engineer, February 12, 1924, and approved by the Board of Commissioners of Montgomery County, September 17, 1945, as follows to wit:

Beginning at a point on the northeasterly side of Penn Street (forty feet wide) at the distance of three hundred and fifty-two feet and ten and three-quarters inches northwestwardly from the northwesterly side of De Kalb Street (sixty-six feet wide), said point being a corner in the property line of the United States of America post-office property and county of Montgomery property; thence extending along said property line north twenty-nine degrees eight minutes east one hundred and nine feet and one-half inch to a point, a corner of the above-mentioned properties and property of the Reformed Church of the Ascension; thence extending along the property line of the United States of America and the Reformed Church of the Ascension south sixty-one degrees ten minutes east eighteen feet and six and one-quarter inches to a point, a corner of the United States of America property and property of the Reformed Church of the Ascension; thence extending through the property of the United States of America south twenty-eight degrees forty-eight minutes west one hundred and nine feet and three-quarters of an inch to a point in the northeasterly side of the aforesaid Penn Street, the aforesaid line being a continuation of the property line of the Reformed Church of the Ascension property and property of the United States of America; thence along the said northeasterly side of Penn Street north sixty-one degrees seven minutes west nineteen feet and one and three-quarters inches to the place of beginning; containing two thousand and fifty-four square feet of land, more or less.

Approved August 4, 1947.

[CHAPTER 478]

AN ACT

To authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes.

August 4, 1947
[H. R. 3870]
[Public Law 353]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Security administrator is authorized to admit to Saint Elizabeths Hospital in the District of Columbia, for care and treatment, upon application of the Secretary of the Interior, beneficiaries of the Bureau of Indian Affairs. The cost of such care and treatment shall be paid for by the Bureau of Indian Affairs.

Saint Elizabeths Hospital, D. C.
Admission of beneficiaries of Bureau of Indian Affairs, etc.

SEC. 2. Any executive department of the Federal Government (including any agency, independent establishment, or wholly owned instrumentality thereof, and including the District of Columbia) requiring Saint Elizabeths Hospital to care for patients for whom such department is responsible, shall, except to the extent that the expense of such care is authorized to be paid from appropriations to the hospital for the care of patients, pay by check to Saint Elizabeths Hospital, upon the Superintendent's request, either in advance or by way of reimbursement at the end of each calendar month or calendar quarter, such amounts as the Superintendent calculates to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget. Bills rendered by the Superintendent on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned.

Patients for whom departments are responsible.
Payment for care, etc.

SEC. 3. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients shall be deposited in the Treasury to the credit of the appropriation for the care of patients at the hospital for the year in which such care is provided.

Crediting of payments.

SEC. 4. The Superintendent of Saint Elizabeths Hospital is authorized to operate and maintain at the hospital necessary facilities for feeding employees and others (at not less than cost, as determined by the Federal Security Administrator), and the proceeds from such operation shall be deposited in the Treasury to the credit of the appropriation for the operation of Saint Elizabeths Hospital.

Facilities for feeding employees, etc.

SEC. 5. Appropriations for the care of persons in Saint Elizabeths Hospital shall be available for expenditure for furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the superintendent of the hospital, for use by employees in the performance of their official duties; reimbursing employees, subject to regulations of the Federal Security Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such employees are engaged in the performance of their official duties; expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of such patients; expenses incurred in ascertaining the residence of patients whose care is not, or whose care is no longer, authorized at the hospital, and in returning such patients to their places of residence; expenses incurred in the removal of patients to their friends; and repairs, replacements, and minor improvements to the buildings and grounds of the hospital.

Availability of appropriations.

Approved August 4, 1947.

[CHAPTER 479]

AN ACT

August 4, 1947
[H. R. 4010]
[Public Law 354]

To authorize the Treasury Department and the United States Government Printing Office to furnish, or to procure and furnish, administrative materials, supplies, and equipment to public international organizations on a reimbursable basis.

International Organizations Procurement Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Organizations Procurement Act of 1947".

"International organization."

SEC. 2. When used in this Act—

(1) The term "international organization" means any public international organization having its headquarters in the United States and entitled to enjoy, in whole or in part, the privileges, exemptions, and immunities authorized by and in accordance with the International Organizations Immunities Act (59 Stat. 669).

22 U. S. C. § 288 note.

"Administrative supplies."

(2) The term "administrative supplies" means materials, supplies, and equipment used in housekeeping, maintenance, and office operations.

Furnishing of administrative supplies.

SEC. 3. Until July 1, 1948, the Treasury Department and the United States Government Printing Office may upon the request of any international organization and upon its agreement to pay the costs and expenses thereof by advancement of funds or by reimbursement, or by both, furnish, or procure and furnish, to such international organization administrative supplies: *Provided*, That to the extent found by the Treasury Department or the United States Government Printing Office, respectively, to be necessary and appropriate in order to protect the interests of the United States Government in having access to sufficient supplies for its own needs, such international organization shall be required to indicate its needs and the intended use of such administrative supplies before they shall be furnished, or procured and furnished, to such international organization: *Provided further*, That when reimbursement is made, it shall be credited either to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of such reimbursement.

Crediting of reimbursement.

Approved August 4, 1947.

[CHAPTER 480]

AN ACT

August 4, 1947
[H. R. 4140]
[Public Law 355]

Granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes.

Compact between Pennsylvania and New Jersey. Delaware River Joint Toll Bridge Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing herein contained shall be construed to affect, impair, or diminished any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: *And provided further*, That after the costs of the bridges in a single project have been amortized, such bridges shall thereafter be maintained and operated free of tolls.

Operation, etc., of bridges free of tolls.

"SUPPLEMENTAL AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY

"AMENDING THE AGREEMENT ENTITLED 'AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES', BY EXTENDING THE JURISDICTION, POWERS, AND DUTIES OF THE COMMISSION AND DEFINING SUCH ADDITIONAL JURISDICTION, POWERS, AND DUTIES

"Whereas, The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the 'commission') was created by a compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties', executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its General Assembly approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (phamphlet laws, one thousand three hundred fifty-two), as last amended by an act of said General Assembly approved the eighteenth day of May, one thousand nine hundred and thirty-three (phamphlet laws, eight hundred twenty-seven), and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its Senate and General Assembly approved June eleventh, one thousand nine hundred and thirty-four (chapter 215, laws of 1934; R. S. (1937) 32:8–1), to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30, 1935 (Public No. 411, 74th Congress, 49 Stat. 1051, 1058), and under the provisions of which compact or agreement the commission was authorized to administer, maintain and operate certain bridges over the Delaware river and now maintains and operates the same as joint State-owned free bridges; and

"WHEREAS, Because of the great increase in traffic and loads over said bridges since their construction, many of said bridges are now inadequate or unsafe, and it will be necessary to rehabilitate or replace some or all of said bridges with new bridges at the same or different locations in order to provide safe, adequate and convenient facilities for traffic crossing the Delaware river; and

"WHEREAS, It is necessary that the commission have power to issue and sell its bridge revenue bonds, for rehabilitating or replacing existing bridges with new bridges at the same or different locations, for acquiring or constructing additional bridges, and for refunding any bridge revenue bonds of the commission, and that the commission also have power to fix, charge and collect tolls, rates, rents and other charges for the use of any such new bridge or bridges; now therefore,

"The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows: 49 Stat. 1063.

"(1) Article IX of the Agreement between the Commonwealth of

Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, be and the same is hereby amended to read as follows:

"ARTICLE IX

Annual reports.

"The Commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions and may make such additional reports, from time to time, to the Governors and Legislatures as it may deem advisable.

49 Stat. 1064.

"(2) Article X of said Agreement be and the same is hereby amended to read as follows:

"ARTICLE X

"Notwithstanding any other provision of this Agreement, the Commission shall have the following powers:

Construction, operation, etc., of bridges.

"(a) The commission may acquire, construct, rehabilitate, improve, maintain, repair and operate bridges for vehicular or pedestrian traffic across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey at any locations north of the boundary line between Mercer County and Burlington County in the State of New Jersey as extended across the Delaware river to the Pennsylvania shore of said river.

Replacement of existing bridges.

"(b) The commission may replace any one or more existing bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey north of said line with one or more new bridges at such locations as the commission may determine to be adequate and convenient for the traffic to be served thereby.

Acquisition by purchase, etc.

"(c) The commission may acquire by purchase or by the exercise of the power of eminent domain any existing ferry or bridge the acquisition of which the commission may determine to be necessary or advisable in connection with the construction of a new bridge, the cost of such acquisition to be deemed to be a part of the cost of such construction.

Use of streets, etc.

"(d) The commission may enter upon, use, occupy, enlarge, construct and improve any street, road or highway located within the limits of any municipality and deemed by the commission to be necessary in connection with the acquisition, construction, improvement, maintenance or operation of any bridge owned or operated by the commission or of any bridge approaches, bridge plazas or approach highways to any such bridge, subject, however, to the consent of the governing body of such municipality and to such reasonable police regulations as may be established by such governing body.

Demolition and removal of bridges.

"(e) The commission may demolish and remove any bridge now operated by it when such bridge has been or is being replaced by a new bridge at the same or a different location which in the determination of the commission will serve substantially the same traffic as that served by such existing bridge, and the commission may sell or otherwise dispose of any ferry or other property of the commission deemed by it to be no longer useful or needed for the purposes of the commission.

Acquisition of real property.

"(f) The commission may acquire for the purposes of this article any real property which it shall find necessary or convenient to acquire

for public use in the manner provided by Article III of this Agreement, or, in the alternative, in the Commonwealth of Pennsylvania in the same manner and with the same right of entry as the highway department of the Commonwealth may acquire lands by condemnation for highway purposes and in the State of New Jersey in the same manner and with the same right of entry as the highway department of the State may acquire lands by condemnation for highway purposes.

49 Stat. 1060.

"(g) The commission may make and enforce such rules and regulations with respect to the use of any bridge operated by it as it shall deem proper and reasonable, including regulations limiting the loads permitted on any such bridge and closing to traffic any such bridge deemed by the commission to be unsafe.

Rules and regulations.

"(h) The commission may provide, from time to time, for the issuance of its bridge revenue bonds for any one or more of the following purposes: (1) providing funds for the acquisition, construction, rehabilitation or improvement of any one or more bridges the acquisition, construction, rehabilitation or improvement of which is herein authorized; (2) providing funds for the construction or improvement of approach facilities deemed by the commission to be necessary or desirable in connection with the acquisition, construction, maintenance or operation of any bridge owned or operated by the commission, including but without limitation bridge approaches, entrance plazas, overpasses, underpasses and approach highways; and (3) refunding any bridge revenue bonds or bridge revenue refunding bonds of the commission. The bridge or bridges (including any approach facilities) on account of which a single issue of bonds shall be issued as herein authorized shall constitute a single project for financing purposes.

Issuance of revenue bonds.

"(i) The commission may fix, charge and collect tolls, rates, rents and other charges for the use of any bridge or bridges constituting a single project, such tolls to be so fixed and adjusted, subject to any applicable Federal law, as to provide funds at least sufficient (1) to pay the cost of maintaining, repairing and operating such bridge or bridges, including the administrative expenses of the commission chargeable thereto, (2) to pay the bridge revenue bonds or the bridge revenue refunding bonds issued on account of such project and the interest on such bonds, and (3) to provide reserves for such purposes; provided, however, that no tolls shall be charged or collected for the use of any bridge now operated by the commission as a free bridge but only for the use of bridges constructed or acquired by the commission under the provisions of this compact or agreement. Subject to any applicable Federal law, the commission may pledge such tolls, rates, rents and other revenues or any part thereof for such purposes. The commission may establish separate schedules of tolls, rates and charges for use of any bridge on which tolls may be established hereunder by residents of areas adjacent to or served directly by such bridge under such conditions and on such terms as it shall determine to be proper and reasonable, including tolls, rates and charges for unlimited use of any such bridge.

Tolls, etc.

"No member of the commission shall be subject to any personal liability or accountability by reason of any act or omission of the commission.

Nonliability of members.

"IN WITNESS WHEREOF, this 3rd day of July, 1947, ALFRED E. DRISCOLL has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

"ALFRED E. DRISCOLL
"*Governor, State of New Jersey.*

(SEAL)

"And, on this 8th day of July, 1947, JAMES H. DUFF has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

"JAS. H. DUFF
"*Governor, Commonwealth of Pennsylvania.*"

(GREAT SEAL)

Approved August 4, 1947.

[CHAPTER 481]

August 4, 1947
[H. R. 4257]
[Public Law 356]

AN ACT

To provide an extension of time for claiming credit or refund with respect to war losses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if a claim for credit or refund under the internal-revenue laws relates to an overpayment on account of the deductibility by the taxpayer of a loss in respect of property considered destroyed or seized under section 127 (a) of the Internal Revenue Code, relating to war losses, for a taxable year beginning in 1941 or 1942, the three-year period of limitation prescribed in section 322 (b) (1) of the Internal Revenue Code shall in no event expire prior to December 31, 1948. In the case of such a claim filed on or before December 31, 1948, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in section 322 (b) (2) or (3) of the Internal Revenue Code, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of the loss described in this section.

56 Stat. 852.
26 U. S. C. § 127 (a).

53 Stat. 91.
26 U. S. C. § 322 (b) (1).

53 Stat. 92; 56 Stat. 876.
26 U. S. C. § 322 (b), (2), (3).

Approved August 4, 1947.

[CHAPTER 482]

August 4, 1947
[S. J. Res. 144]
[Public Law 357]

JOINT RESOLUTION

Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other purposes.

Permanent headquarters of United Nations.
59 Stat. 1031.

Whereas the Charter of the United Nations was signed on behalf of the United States on June 26, 1945, and was ratified on August 8, 1945, by the President of the United States, by and with the advice and consent of the Senate, and the instrument of ratification of the said Charter was deposited on August 8, 1945; and

Whereas the said Charter of the United Nations came into force with respect to the United States on October 24, 1945; and

59 Stat. 1053.

Whereas article 104 of the Charter provides that "The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes"; and

59 Stat. 1053.

Whereas article 105 of the Charter provides that:

"1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

"2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

"3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this article or may propose conventions to the Members of the United Nations for this purpose."; and

Whereas article 28 and other articles of the Charter of the United Nations contemplate the establishment of a seat for the permanent headquarters of the Organization; and 59 Stat. 1041.

Whereas the interim arrangements concluded on June 26, 1945, by the governments represented at the United Nations Conference on International Organization instructed the Preparatory Commission established in pursuance of the arrangements to "make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization"; and

Whereas during the labors of the said Preparatory Commission, the Congress of the United States in H. Con. Res. 75, passed unanimously by the House of Representatives December 10, 1945, and agreed to unanimously by the Senate December 11, 1945, invited the United Nations "to locate the seat of the United Nations Organization within the United States"; and 59 Stat. 848.

Whereas the General Assembly on December 14, 1946, resolved "that the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East Forty-eighth Street, the East River, and East Forty-second Street"; and

Whereas the General Assembly resolved on December 14, 1946, "That the Secretary-General be authorized to negotiate and conclude with the appropriate authorities of the United States of America an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the city of New York" and to be guided in these negotiations by the provisions of a preliminary draft agreement which had been negotiated by the Secretary-General and the Secretary of State of the United States; and

Whereas the General Assembly resolved on December 14, 1946, that pending the coming into force of the agreement referred to above "the Secretary-General be authorized to negotiate and conclude arrangements with the appropriate authorities of the United States of America to determine on a provisional basis the privileges, immunities, and facilities needed in connection with the temporary headquarters of the United Nations."; and

Whereas the Secretary of State of the United States, after consultation with the appropriate authorities of the State and city of New York, signed at Lake Success, New York, on June 26, 1947, on behalf of the United States an agreement with the United Nations regarding the headquarters of the United Nations, which agreement is incorporated herein; and

Whereas the aforesaid agreement provides that it shall be brought into effect by an exchange of notes between the United States and the Secretary-General of the United Nations: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to bring into effect on the part of the United States the agreement between the United States of America and the United Nations regarding the headquarters of the United Nations, signed at Lake Success, New York, on June 26, 1947 (hereinafter referred to as the "agreement"), with such changes therein not contrary to the general tenor thereof and not imposing any additional obligations on the United States as the President may deem necessary and appropriate, Authority to bring agreement into effect on part of U. S.

Supplemental agreements.

and at his discretion, after consultation with the appropriate State and local authorities, to enter into such supplemental agreements with the United Nations as may be necessary to fulfill the purposes of the said agreement: *Provided*, That any supplemental agreement entered into pursuant to section 5 of the agreement incorporated herein shall be submitted to the Congress for approval. The agreement follows:

Approval of Congress.
Post, p. 759.

AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED NATIONS

THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to conclude an agreement for the purpose of carrying out the Resolution adopted by the General Assembly on 14 December 1946 to establish the seat of the United Nations in The City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

The United Nations:

TRYGVE LIE,
Secretary-General,

and

The United States of America:

GEORGE C. MARSHALL,
Secretary of State,

Who have agreed as follows:

ARTICLE I—DEFINITIONS

SECTION 1

In this agreement:

"Headquarters district."
Post, p. 766.

(a) The expression "headquarters district" means (1) the area defined as such in Annex 1, (2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

"Appropriate American authorities."

(b) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

"General Convention."

(c) the expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations 13 February 1946, as acceded to by the United States;

"United Nations."

(d) the expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter";

"Secretary-General."

(e) the expression "Secretary-General" means the Secretary-General of the United Nations.

ARTICLE II—THE HEADQUARTERS DISTRICT

SECTION 2

The seat of the United Nations shall be the headquarters district.

SECTION 3

Dispossession of property.

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in the headquarters district, except as provided in Section 22 in the event that the United Nations ceases to use the same; provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.

Post, p. 764.

SECTION 4

Radio facilities.

(a) The United Nations may establish and operate in the headquarters district:

(1) its own short-wave sending and receiving radio broadcasting facilities (including emergency link equipment) which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radiotelegraph, radioteletype, radiotelephone, radiotelephoto, and similar services;

(2) one point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programs and interoffice communications;

(3) low power micro-wave, low or medium frequency facilities for communication within headquarters buildings only, or such other buildings as may temporarily be used by the United Nations;

(4) facilities for point-to-point communication to the same extent and subject to the same conditions as permitted under applicable rules and regulations for amateur operation in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with the inviolability of the headquarters district provided by Section 9 (a);

Post, p. 760.

(5) such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected governments with regard to all frequencies and similar matters.

Operation of facilities outside headquarters district.

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion of such premises in the headquarters district.

SECTION 5

Aerodrome.

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

SECTION 6

Postal service.

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

ARTICLE III—LAW AND AUTHORITY IN THE HEADQUARTERS DISTRICT

SECTION 7

Applicability of federal, state, and local law.

(a) The headquarters district shall be under the control and authority of the United Nations as provided in this agreement.

(b) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

(c) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

(d) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under Section 8.

SECTION 8

Regulations.

Settlement of disputes.

Post, p. 764.

Fire protection.

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

SECTION 9

Inviolability of district.

Service of legal process.

Refuge for persons avoiding arrest, etc., restriction.

Post, p. 761.

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

(b) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United

States or are required by the Government of the United States for extradition to another country, or for persons who are endeavoring to avoid service of legal process.

SECTION 10

Violation of regulations.

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

ARTICLE IV—COMMUNICATIONS AND TRANSIT

SECTION 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials, (2) experts performing missions for the United Nations or for such specialized agencies, (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States, (4) representatives of nongovernmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter, or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

59 Stat. 1046.

59 Stat. 1047.

Post, p. 763.

SECTION 12

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

SECTION 13

Entry of aliens.

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.

Residence of aliens.

(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11

Abuse of residence privileges.

shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

(1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;

(2) A representative of the Member concerned, the Secretary-General, or the principal executive officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;

(3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

Control over entry into U. S., etc.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(e) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

Entry into headquarters district, etc.

(f) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

SECTION 14

Facilitation of entrance.

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

ARTICLE V—RESIDENT REPRESENTATIVES TO THE UNITED NATIONS

SECTION 15

(1) Every person designated by a Member as the principal resident representative to the United Nations of such Member or as a resident representative with the rank of ambassador or minister plenipotentiary,

(2) such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,

(3) every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary, at the headquarters of such agency in the United States, and

59 Stat. 1046.

(4) such other principal resident representatives of members to a specialized agency and such resident members of the staffs of representatives to a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned, shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residences and offices outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

Privileges and immunities.

Members of governments not recognized by U. S.

ARTICLE VI—POLICE PROTECTION OF THE HEADQUARTERS DISTRICT

SECTION 16

(a) The appropriate American authorities shall exercise due diligence to ensure that the tranquility of the headquarters district is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

(b) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

Reimbursement.

ARTICLE VII—PUBLIC SERVICES AND PROTECTION OF THE HEADQUARTERS DISTRICT

SECTION 17

(a) The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of public services to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly, to ensure that the work of the United Nations is not prejudiced.

Interruption of services.

(b) Special provisions with reference to maintenance of utilities and underground construction are contained in Annex 2.

Post, p. 766.

SECTION 18

Amenities of district.

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

SECTION 19

Racial discrimination, etc.

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

ARTICLE VIII—MATTERS RELATING TO THE OPERATION OF THIS AGREEMENT

SECTION 20

Supplemental agreements.

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfill the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

SECTION 21

Reference of disputes for final decision.

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed on both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

ARTICLE IX—MISCELLANEOUS PROVISIONS

SECTION 22

Disposal of land in headquarters district.

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from

the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States, be assigned and conveyed to the United States. In the absence of such request, the same shall be assigned and conveyed to the subdivision of a state in which it is located or, if such subdivision shall not desire it, then to the state in which it is located. If none of the foregoing desires the same, it may be disposed of as provided in paragraph (a) of this section.

Disposal of headquarters district by U. N.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

Price for conveyance.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

SECTION 23

Removal of seat of U. N.

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

SECTION 24

Termination of agreement.

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

SECTION 25

Fulfillment of U. S. obligations.

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

SECTION 26

Complementary provisions.

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

SECTION 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfill its purposes.

SECTION 28

Bringing of agreement into effect.

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

IN WITNESS WHEREOF the respective representatives have signed this Agreement and have affixed their seals hereto.

DONE in duplicate, in the English and French languages, both authentic, at Lake Success the twenty-sixth day of June 1947.

For the Government of the United States of America:

G. C. MARSHALL
Secretary of State

For the United Nations:

TRYGVE LIE
Secretary-General

ANNEX 1

Ante, p. 758.

The area referred to in Section 1 (a) (1) consists of (a) the premises bounded on the East by the westerly side of Franklin D. Roosevelt Drive, on the West by the easterly side of First Avenue, on the North by the southerly side of East Forty-eighth Street, and on the South by the northerly side of East Forty-second Street, all as proposed to be widened, in the Borough of Manhattan, City and State of New York, and (b) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

ANNEX 2—MAINTENANCE OF UTILITIES AND UNDERGROUND CONSTRUCTION

SECTION 1

Passes to certain city and state employees.

The Secretary-General agrees to provide passes to duly authorized employees of The City of New York, the State of New York, or any of their agencies or subdivisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

SECTION 2

Underground constructions.

Underground constructions may be undertaken by The City of New York, or the State of New York, or any of their agencies or subdivisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

SEC. 2. For the purpose of carrying out the obligations of the United States under said agreement and supplemental agreements with respect to United States assurances that the United Nations shall not be dispossessed of its property in the headquarters district, and with respect to the establishment of radio facilities and the possible establishment of an airport:

Acquisition of property by U. S.

(a) The President of the United States, or any official or governmental agency authorized by the President, may acquire in the name of the United States any property or interest therein by purchase, donation, or other means of transfer, or may cause proceedings to be instituted for the acquisition of the same by condemnation.

Condemnation proceedings in U. S. district court.

(b) Upon the request of the President, or such officer as the President may designate, the Attorney General of the United States shall cause such condemnation or other proceedings to be instituted in the name of the United States in the district court of the United States for the

district in which the property is situated and such court shall have full jurisdiction of such proceedings, and any condemnation proceedings shall be conducted in accordance with the Act of August 1, 1888 (25 Stat. 357), as amended, and the Act of February 26, 1931 (46 Stat. 1421), as amended.

40 U. S. C. §§ 257, 258.
40 U. S. C. §§ 258a-258e.

(c) After the institution of any such condemnation proceedings, possession of the property may be taken at any time the President, or such officer as he may designate, determines is necessary, and the court shall enter such orders as may be necessary to effect entry and occupancy of the property.

Possession of property.

(d) The President of the United States, or any officer or governmental agency duly authorized by the President, may, in the name of the United States, transfer or convey possession of and title to any interest in any property acquired or held by the United States, pursuant to paragraph (a) above, to the United Nations on the terms provided in the agreement or in any supplemental agreement, and shall execute and deliver such conveyances and other instruments and perform such other acts in connection therewith as may be necessary to carry out the provisions of the agreement.

Transfer of interest in property.

(e) There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to enable the United States to carry out the undertakings hereby authorized: *Provided*, That any money appropriated under this authorization shall be spent only on a basis of reimbursement by the United Nations in accordance with section 3 of the agreement, and that the money thus reimbursed shall be deposited and covered into the Treasury of the United States as miscellaneous receipts.

Appropriation authorized.

Reimbursement.

Ante, p. 759.

SEC. 3. The President, or the Secretary of State under his direction, is authorized to enter into agreements with the State of New York or any other State of the United States and to the extent not inconsistent with State law, with any one or more of the political subdivisions thereof in aid of effectuating the provisions of the agreement.

Agreements with States, etc.

SEC. 4. Any States, or, to the extent not inconsistent with State law any political subdivisions thereof, affected by the establishment of the headquarters of the United Nations in the United States are authorized to enter into agreements with the United Nations or with each other consistent with the agreement and for the purpose of facilitating compliance with the same: *Provided*, That, except in cases of emergency and agreements of a routine contractual character, a representative of the United States, to be appointed by the Secretary of State, may, at the discretion of the Secretary of State, participate in the negotiations, and that any such agreement entered into by such State or States or political subdivisions thereof shall be subject to approval by the Secretary of State.

State agreements with U. N., etc.

U. S. representative.

SEC. 5. The President is authorized to make effective with respect to the temporary headquarters of the United Nations in the State of New York, on a provisional basis, such of the provisions of the agreement as he may deem appropriate, having due regard for the needs of the United Nations at its temporary headquarters.

Temporary headquarters.

SEC. 6. Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed in a supplementary agreement between the Government of the United States and the United Nations in pursuance of section 13 (3) (e) of the agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries. Moreover, nothing in section 14 of the agreement with respect to facilitating entrance

Rights of U. S.

Ante, p. 762.

Ante, p. 762.

Ante, p. 761.

into the United States by persons who wish to visit the headquarters district and do not enjoy the right of entry provided in section 11 of the agreement shall be construed to amend or suspend in any way the immigration laws of the United States or to commit the United States in any way to effect any amendment or suspension of such laws.

Approved August 4, 1947.

[CHAPTER 483]

August 4, 1947
[S. J. Res. 156]
[Public Law 358]

JOINT RESOLUTION

Fixing the date of meeting of the second regular session of the Eightieth Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the Eightieth Congress shall begin at noon on Tuesday, January 6, 1948.

Approved August 4, 1947.

[CHAPTER 484]

August 4, 1947
[H. J. Res. 218]
[Public Law 359]

JOINT RESOLUTION

Providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the founding of the city of Reading, Pennsylvania.

Reading, Pa.
Two-hundredth anniversary of founding.

Whereas two hundred years ago, in 1748, the city of Reading, the county seat of Berks County of the Commonwealth of Pennsylvania, was founded by Thomas and Richard Penn, sons of William Penn; and

Whereas it has decided jointly with Berks County, Pennsylvania, to fittingly mark the occasion by an appropriate bicentennial celebration from spring until fall 1948; and

Whereas the first defenders of the Colonies from beyond New England to reinforce General Washington's troops in Cambridge, Massachusetts, at the outbreak of the Revolutionary War were an armed company from Reading and Berks County; and

Whereas, during the period of the Revolution, Reading was a depot of military supplies, manufacturing cannon and munitions for the Continental Army, and was the site of the camp wherein were detained the Hessian prisoners captured at the Battle of Trenton; and

Whereas the first armed troops to enter the city of Washington, in answer to the call of President Lincoln in 1861 for seventy-five thousand volunteers, were from the city of Reading, Pennsylvania, thus again earning and perpetuating for their city the proud title of "First Defenders"; and

Whereas Reading and Berks County through the two centuries of their existence have in addition furnished many outstanding leaders of our Nation and of the Commonwealth of Pennsylvania; and

Whereas Reading and Berks County have prominently contributed to the industrial life of the United States from the establishment of the first forges and iron foundries in the early eighteenth century to the present time, and today form a great industrial center, among the Nation's leaders in many types of goods and wares; and

Whereas Berks County, of which Reading is the county seat, ranks fourth in Pennsylvania and thirty-eighth in the United States in agricultural production value; and

Whereas it is an important cosmopolitan center of the United States wherein the population represents a fusion and assimilation of the strains and heritage of almost all the nations of Europe in the best tradition of American life and spirit; and

Whereas it is recognized that, while the contribution of the city of Reading and county of Berks to the material and physical welfare of the Nation have been large, the greatest contribution to the forwarding of the Nation has been their considered and collective judgment, their thoughtful patriotism so that in every crisis in national affairs they have thought their way through to a solution which has reflected the Nation's thinking and which has enabled them in good conscience to make rich contribution of lives and fortunes in every national emergency of war or peace: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and people of the United States unite with the city of Reading, Pennsylvania, in a fitting and appropriate observance of the two-hundredth anniversary of its founding.

National observance.

SEC. 2. There is hereby established a commission to be known as the United States-Reading Bicentennial Commission (hereinafter referred to as the "Commission") to be composed of nine Commissioners, as follows: One person to be appointed by the President of the United States as his representative, the President pro tempore of the Senate and two Members of the Senate to be appointed by said President pro tempore, and the Speaker of the House of Representatives and four Members of the House to be appointed by said Speaker.

United States-Reading Bicentennial Commission.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with the representatives of the city of Reading in proper and appropriate activities commemorating such anniversary.

SEC. 4. The members of the Commission shall serve without compensation and shall select a Chairman from among their number.

Compensation; chairman.

SEC. 5. Any vacancies occurring in the membership of the Commission shall be filled in the same manner in which original appointments to such Commission are made.

Vacancies.

Approved August 4, 1947.

[CHAPTER 488]

AN ACT

To provide support for wool, and for other purposes.

August 5, 1947
[S. 1498]
[Public Law 360]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) The Commodity Credit Corporation shall continue, until December 31, 1948, to support a price to producers of wool in the continental United States and Territories at the price it supported wool in 1946.

Wool.

(b) Notwithstanding any other provisions hereof, the Commodity Credit Corporation may adjust support prices for individual grades and qualities of wool for the purpose of bringing about a fair and equitable relationship in the support prices for the various grades and qualities of wool; and may make discounts from support prices for off-quality, inferior-grade, or poorly prepared wool.

Adjustment of support prices.

Discounts.

SEC. 2. The provisions of sections 385, 386, and 388 of the Agricultural Adjustment Act of 1938, as amended, shall be applicable to the support operations carried out pursuant to the first section of this Act.

52 Stat. 68.
7 U. S. C. §§ 1385, 1386, 1388.

SEC. 3. The Commodity Credit Corporation may, until December 31, 1948, dispose of wool owned by it without regard to any restriction imposed upon it by law.

Disposition of wool by CCC.

Approved August 5, 1947.

[CHAPTER 489]

August 5, 1947
[H. R. 3043]
[Public Law 361]

AN ACT

To provide for the transfer of certain lands to the Secretary of the Interior, and for other purposes.

Secretary of the Interior.
Transfer of certain lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the orderly development and use of the lands and interests therein acquired by the United States in connection with the Crab Orchard Creek project and the Illinois Ordnance Plant in Williamson, Jackson, and Union Counties, Illinois, consistent with the needs of agriculture, industry, recreation, and wildlife conservation, all of the interests of the United States in and to such lands are hereby transferred to the Secretary of the Interior for administration, development, and disposition, in accordance with the provisions of this Act.

Classification of lands.

SEC. 2. All of the lands transferred to the Secretary of the Interior, pursuant to the provisions of this Act, first shall be classified by him with a view to determining, in cooperation with Federal, State, and public or private agencies and organizations, the most beneficial use that may be made thereof to carry out the purposes of this Act, including the development of wildlife conservation, agricultural, recreational, industrial, and related purposes. Such lands as have been or may hereafter be determined to be chiefly valuable for industrial purposes shall be leased for such purposes at such times and under such terms and conditions as are consistent with the general purposes of section 2 of the Surplus Property Act of 1944, as amended, and with the purposes of this Act. Except to the extent otherwise provided in this Act, all lands herein transferred shall be administered by the Secretary of the Interior through the Fish and Wildlife Service in accordance with the provisions of the Act of August 14, 1946 (Public Law 732, Seventy-ninth Congress), and Acts supplementary thereto and amendatory thereof for the conservation of wildlife, and for the development of the agricultural, recreational, industrial, and related purposes specified in this Act: *Provided*, That no jurisdiction shall be exercised by the Secretary of the Interior over that portion of such lands and the improvements thereon which are now utilized by the War Department directly or indirectly until such time as it is determined by the Secretary of War that utilization of such portions of such lands and the improvements thereon directly or indirectly by the War Department is no longer required: *Provided further*, That, subsequent to the determination referred to in the preceding proviso, the lands and improvements mentioned therein shall be administered by the Secretary of the Interior, and any lease or other disposition thereof shall be made subject to such terms, conditions, restrictions, and reservations imposed by the Secretary of War as will, in the opinion of the Secretary of War, be adequate to assure the continued availability for war production purposes of such lands and improvements.

Lease of lands for industrial purposes.

58 Stat. 766.
50 U. S. C. app. § 1611.

60 Stat. 1080.
16 U. S. C. §§ 661-666c.

Lands utilized by War Department.

Administration of lands by Secretary of the Interior, etc.

Approved August 5, 1947.

[CHAPTER 490]

August 5, 1947
[H. R. 3309]
[Public Law 362]

AN ACT

To amend the Organic Act of Puerto Rico.

Organic Act of Puerto Rico, amendment.
39 Stat. 955.

Election of Governor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Organic Act of Puerto Rico (48 U. S. C., sec. 771) is hereby amended by repealing the second sentence thereof and substituting the following: "At the general election in 1948 and each such election quadrennially thereafter the Governor of Puerto Rico shall be

elected by the qualified voters of Puerto Rico and shall hold office for a term of four years commencing on the 2d day of January following the date of the election and until his successor is elected and qualified. No person shall be eligible to election as Governor unless at the time of the election he is a citizen of the United States, is at least thirty years of age, is able to read and write the English language, and has been a bona fide resident of Puerto Rico during the immediately preceding two years. Such election shall be held in the manner now or hereafter provided by law for the election of the Resident Commissioner.

Eligibility.

SEC. 2. Section 12a is hereby added to said Organic Act to read as follows:

"SEC. 12a. The Governor shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. The house of representatives of Puerto Rico shall have the sole power of impeachment. Impeachment shall require the concurrence of two-thirds of all of the members of the house of representatives. The senate of Puerto Rico shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation and the chief justice of the supreme court of Puerto Rico shall preside. No person shall be convicted without the concurrence of three-fourths of all the members of the senate. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the government of Puerto Rico. The person convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law."

Impeachment of Governor.

SEC. 3. Section 13 of said Organic Act (48 U. S. C., secs. 773, 775) is hereby amended by repealing the second, third, and fourth sentences and substituting the following therefor: "The heads of the executive departments set forth in the first sentence of this section shall be appointed by the Governor by and with the advice and consent of the senate of Puerto Rico. Each shall hold office during the continuance in office of the Governor by whom he is appointed and until his successor is qualified, unless sooner removed by the Governor."

39 Stat. 955.

Appointment of heads of executive departments.

SEC. 4. Section 24 of said Organic Act (48 U. S. C., sec. 772) is amended to read as follows:

39 Stat. 958.

"SEC. 24. In case of a vacancy in the office of the Governor, the person holding the position of attorney general at the time the vacancy occurs shall succeed to the office of the Governor, and to all the duties and emoluments for the remainder of the term. If for any reason the Governor is temporarily absent from Puerto Rico, or unable to perform his duties, the attorney general shall act as Governor, with all the powers and duties of the office during such temporary absence or disability. If in such event the attorney general is unable to act, the treasurer shall act as Governor, and if the treasurer is unable to act, such other person as may be provided by the laws of Puerto Rico shall act as Governor during such temporary absence or disability. In the event that because of death or any other reason a newly elected Governor is unable to take office, a temporary successor shall be elected by a majority vote of the full house and senate of Puerto Rico meeting at a joint session of the legislature at the next succeeding term thereof, who shall hold office until a successor is elected and qualified at a special election to be held within one hundred and twenty days from the date of adjournment of said session."

Vacancy in the office of Governor, etc.

Inability of Governor to take office.

SEC. 5. Section 50 of said Organic Act (48 U. S. C., sec. 797) is hereby amended by deleting the following words from the third sentence thereof: "appointed by the President and also those appointed by the Governor of Puerto Rico".

39 Stat. 967.

SEC. 6. Section 49b is hereby added to the Organic Act to read as follows:

Coordinator of Federal Agencies in Puerto Rico.

"SEC. 49b. (1) There shall be an administrative officer whose official title shall be the 'Coordinator of Federal Agencies in Puerto Rico', who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and who shall hold office at the pleasure of the President for the purpose of coordinating the administration of all Federal civilian functions and activities in Puerto Rico. He shall receive as compensation for his services an annual salary of $7,500.

Compensation.

Coordination of administration of Federal civilian functions.

"(2) The Coordinator of Federal Agencies shall coordinate the administration of all Federal civilian functions and activities in Puerto Rico. The administrative heads of all Federal civilian agencies in Puerto Rico shall make such reports to the Coordinator of Federal Agencies as he shall require and he shall through the Secretary of the Interior make recommendations to the heads of such agencies with respect to their personnel, functions, and activities in Puerto Rico: the President may, however, by Executive order exempt any Federal agency from making such reports to the Coordinator of Federal Agencies. The Coordinator of Federal Agencies shall make recommendations for the better coordination of the Federal civilian functions and activities and may make recommendations for the elimination or reduction of those which duplicate or conflict with each other or with activities carried on by the Government of Puerto Rico. He shall report through the Secretary of the Interior to the President and to Congress concerning the administration of all Federal civilian functions and activities in Puerto Rico, specifying the recommendations made by him to the Federal agencies and the results of such recommendations. He shall advise the Secretary of the Interior, who shall advise the Bureau of the Budget and the Congress with respect to all appropriation estimates submitted by any civilian department or agency of the Federal Government to be expended in or for the benefit of Puerto Rico. He shall confer with the Governor of Puerto Rico with respect to the correlation of activities of Federal and insular agencies and all plans and programs and other matters of mutual interest.

Recommendations.

Reports to President and Congress.

Appropriation estimates.

Promulgation of Executive orders by President.

"(3) The President of the United States may, from time to time, after hearing, promulgate Executive orders expressly excepting Puerto Rico from the application of any Federal law, not expressly declared by Congress to be applicable to Puerto Rico, which as contemplated by section 9 of this Act is inapplicable by reason of local conditions. The Coordinator of Federal Agencies may, from time to time, make recommendations to the President for such purpose. Any such recommendation shall show the concurrence or dissent of the Governor of Puerto Rico.

39 Stat. 954.
48 U. S. C. § 734.

Reports from Governor.

"(4) The Coordinator of Federal Agencies, in the name of the President of the United States, shall have authority to request from the Governor of Puerto Rico, and the Governor shall furnish to him all such reports pertaining to the affairs, conditions and government of Puerto Rico as the Coordinator of Federal Agencies shall from time to time request, for transmission to the President through the Secretary of the Interior.

Rules and regulations.

"(5) The President of the United States shall prescribe such rules and regulations as may be necessary to carry out the provisions of this section."

39 Stat. 951.

SEC. 7. Section 2 of said Organic Act (48 U. S. C., sec. 737) is amended by adding at the end thereof the following new papagraph:

Rights, privileges, etc., of U. S. citizens.

"The rights, privileges, and immunities of citizens of the United States shall be respected in Puerto Rico to the same extent as though

Puerto Rico were a State of the Union and subject to the provisions of paragraph 1 of section 2 of article IV of the Constitution of the United States." 1 Stat. 18.

Approved August 5, 1947.

[CHAPTER 492]

AN ACT

August 5, 1947
[S. 1070]
[Public Law 363]

To provide for the cancellation of the capital stock of the Federal Deposit Insurance Corporation and the refund of moneys received for such stock, and for other purposes.

Federal Deposit Insurance Corporation. Retirement of capital stock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Deposit Insurance Corporation is directed to retire its capital stock by paying the amount received therefor (whether received from the Secretary of the Treasury or the Federal Reserve banks) to the Secretary of the Treasury as hereinafter provided, to be covered into the Treasury as miscellaneous receipts. As soon as practicable after the enactment of this Act, the Corporation shall pay to the Secretary so much of its capital and surplus as is in excess of $1,000,000,000. The balance of the amount to be paid to the Secretary shall be paid in units of $10,000,000 except that the last unit to be paid may be less than $10,000,000. Each unit shall be paid as soon as it may be paid without reducing the capital and surplus of the Corporation below $1,000,000,000. As each payment is made a corresponding amount of the capital stock of the Corporation shall be retired and canceled and the receipt or certificate therefor shall be surrendered or endorsed to show such cancellation. The stock subscribed by the various Federal Reserve banks shall be retired and canceled, pro rata, before the stock subscribed by the Secretary is retired and canceled.

Repeal. 48 Stat. 169.

SEC. 2. Section 12B (d) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (d)), is hereby repealed.

48 Stat. 168.

SEC. 3. Section 12B (b) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (b)), is amended by striking out "$10,000" and inserting in lieu thereof "$15,000".

48 Stat. 177.

SEC. 4. Section 12B (o) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (o)), is amended to read as follows:

Loans.

"(o) The Corporation is authorized to borrow from the Treasury, and the Secretary of the Treasury is authorized and directed to loan to the Corporation on such terms as may be fixed by the Corporation and the Secretary, such funds as in the judgment of the Board of Directors of the Corporation are from time to time required for insurance purposes, not exceeding in the aggregate $3,000,000,000 outstanding at any one time: *Provided*, That the rate of interest to be charged in connection with any loan made pursuant to this paragraph shall not be less than the current average rate on outstanding marketable and nonmarketable obligations of the United States as of the last day of the month preceding the making of such loan. For such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include such loans. Any such loan shall be used by the Corporation solely in carrying out its functions with respect to such insurance. All loans and repayments under this section shall be treated as public-debt transactions of the United States."

Rate of interest.

40 Stat. 288.
31 U. S. C. § 774 (2).

Approved August 5, 1947.

[CHAPTER 493]

AN ACT

August 5, 1947
[S. 1198]
[Public Law 364]

To authorize leases of real or personal property by the War and Navy Departments, and for other purposes.

War and Navy Departments. Lease of property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of War or the Secretary of the Navy shall deem it to be advantageous to the Government he is authorized to lease such real or personal property under the control of his Department as is not surplus to the needs of the Department within the meaning of the Act of October 3, 1944 (58 Stat. 765), and is not for the time required for public use, to such lessee or lessees and upon such terms and conditions as in his judgment will promote the national defense or will be in the public interest. Each such lease shall be for a period not exceeding five years unless the Secretary of the Department concerned shall determine that a longer period will promote the national defense or will be in the public interest. The Secretary of the Department concerned may include, among other terms and conditions in the lease, a right of first refusal in the lessee to purchase the property in the event of the revocation of the lease in order to permit sale thereof by the Government, but this section shall not be construed as authorizing the sale of any property unless the sale thereof is otherwise authorized by law. Each such lease shall contain a provision permitting the Secretary of the Department concerned to revoke the lease at any time, unless the Secretary shall determine that the omission of such provision from the lease will promote the national defense or will be in the public interest. In any event each such lease shall be revocable by the Secretary of the Department concerned during a national emergency declared by the President. Notwithstanding section 321 of the Act of June 30, 1932 (47 Stat. 412; U. S. C., title 40, sec. 303b), or any other provision of law, any such lease may provide for the maintenance, protection, repair, or restoration by the lessee, of the property leased or of the entire unit or installation where a substantial part thereof is leased, as a part or all of the consideration for the lease of such property. In the event utilities or services shall be furnished by the Department concerned to the lessee in connection with any lease, payments for utilities or services so furnished may be covered into the Treasury to the credit of the appropriation or appropriations from which the costs of furnishing any such utilities or services to the lessee was paid. Except as otherwise hereinabove provided, any money rentals received by the Government directly under any such lease shall be deposited and covered into the Treasury as miscellaneous receipts. The authority herein granted shall not apply to oil, mineral, or phosphate lands. The Secretary of War or the Secretary of the Navy, as the case may be, shall submit to the Congress on the 1st day of January and the 1st day of July of each year, following the enactment of this law, a report of all leases entered into in accordance with the provisions of this Act.

50 U. S. C. app. §§ 1611-1646.
Ante, p. 678.

Period of lease.

Right of first refusal.

Revocation of lease.

Payment for utilities, etc.

Nonapplicability.

Report to Congress.

Repeals.

SEC. 2. The Act of July 28, 1892, as amended (27 Stat. 321; 45 Stat. 988; U. S. C., title 40, sec. 303), is hereby repealed. So much of the Naval Appropriation Act of August 29, 1916, as is contained under the heading "Lease of Naval Lands", as amended (39 Stat. 559; 45 Stat. 990; U. S. C., title 34, sec. 522), is hereby repealed.

Transfer of interest in certain plants, etc.

SEC. 3. (a) Notwithstanding any other provision of law, all right, title, and interest of Reconstruction Finance Corporation in any plants or facilities, and the machinery, equipment, and other personal property accessory thereto, acquired by Defense Plant Corporation or Reconstruction Finance Corporation in accordance with authority

contained in the Reconstruction Finance Corporation Act (U. S. C., title 15, secs. 601–617) pursuant to undertakings by the War Department or the Navy Department to reimburse Defense Plant Corporation or Reconstruction Finance Corporation to the extent of the unrecovered cost thereof in the event Congress authorizes such reimbursement by making appropriations therefor, shall be transferred by Reconstruction Finance Corporation (or by War Assets Administration, if such property has been declared surplus) to the War Department or the Navy Department upon certification by the Secretary of War or the Secretary of the Navy made within six months after the enactment hereof, that the retention of such plants or facilities, and the machinery, equipment, and other personal property accessory thereto, by the War Department or the Navy Department, as the case may be, is necessary for the maintenance of an adequate Military or Naval Establishment including industrial reserve.

47 Stat. 5.
Ante, p. 202 *et seq.*

(b) Notwithstanding any other provision of law, all right, title, and interest of Reconstruction Finance Corporation or War Assets Administration in any machinery or equipment shall be transferred by the agency having control thereof to the War Department or the Navy Department upon certification by the Secretary of War or the Secretary of the Navy made within six months after the enactment hereof, that the retention of such machinery or equipment by the War Department or the Navy Department, is necessary for the maintenance of an adequate Military or Naval Establishment, including industrial reserve.

Transfer of interest in machinery, etc.

SEC. 4. Any transfer made pursuant to section 3 of this Act shall be approved by the Director of the Bureau of the Budget to the extent and in the manner determined by him and shall be made without charge or reimbursement from the funds available to the War Department or the Navy Department, except for costs of packing, handling, and transportation of machinery and equipment transferred under section 3 (b) hereof.

Approval of transfer.

SEC. 5. (a) Whenever in the opinion of the Secretary of War or the Secretary of the Navy, as the case may be, the interests of national defense require assurance of the continued availability for war-production purposes of the industrial capacity of shipyards, plants, and equipment which are surplus to the needs of their respective Departments or of the Reconstruction Finance Corporation within the meaning of the Surplus Property Act of 1944, they are authorized to direct the imposition of such terms, conditions, restrictions, and reservations in the disposition of such property by the disposal agency under said Act as will in the opinion of the Secretary concerned be adequate to assure such continued availability.

Terms to assure continued availability of plants, etc.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Ante, p. 678.

(b) In the event the disposal agency is unable to dispose of any such industrial plants and equipment subject to such terms, conditions, restrictions, or reservations as have been imposed, within a reasonable time and after such property shall have been offered for sale and reasonable efforts made to dispose of the same, the Department imposing such terms, conditions, restrictions, or reservations shall (1) modify them to the extent necessary to permit the sale or lease of such property, (2) withdraw the property from surplus, or, in the case of Reconstruction Finance Corporation property, request a transfer thereof in the manner provided in sections 3 (a) and 4 of this Act, or (3) eliminate and waive the requirement for the imposition of any terms, conditions, restrictions, or reservations made under the authority of this section.

Modification of terms, etc.

SEC. 6. The lessee's interest, made or created pursuant to the provisions of this Act, shall be made subject to State or local taxation. Any

State or local taxes.

lease of property authorized under the provisions of this Act shall contain a provision that if and to the extent that such property is made taxable by State and local governments by Act of Congress, in such event the terms of such lease shall be renegotiated.

Appropriation authorized.

SEC. 7. There is authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

Approved August 5, 1947.

[CHAPTER 494]

August 5, 1947
[S. 1661]
[Public Law 365]

AN ACT

To provide additional inducements to physicians, surgeons, and dentists to make a career of the United States military, naval, and public health services, and for other purposes.

Army-Navy-Public Health Service Medical Officer Procurement Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Army-Navy-Public Health Service Medical Officer Procurement Act of 1947".

TITLE I

PAY OF PHYSICIANS, SURGEONS, AND DENTISTS

37 U. S. C. §§ 101-120.
Ante, pp. 52, 92, 134, 192, 242; *post*, p. 888.

SEC. 101. The Pay Readjustment Act of 1942 (56 Stat. 359), as amended, is hereby further amended by inserting immediately after section 1 thereof the following new section:

"Commissioned officers."

"SEC. 1A. (a) The term 'commissioned officers', as used in this section, shall be interpreted to mean only (1) those commissioned officers of the Medical and Dental Corps of the Regular Army and Navy and commissioned medical and dental officers of the Regular Corps of the Public Health Service who are on active duty on the effective date of this section; (2) those officers who are hereafter commissioned in the Medical and Dental Corps of the Regular Army and Navy or as medical and dental officers of the Regular corps of the Public Health Service during the five-year period immediately following the effective date of this section; (3) such officers, now or hereafter commissioned in the Medical and Dental Corps of the Officers' Reserve Corps, the Naval Reserve, the National Guard, the Army of the United States, or as medical and dental officers of the Reserve Corps of the Public Health Service, who may, during the five-year period immediately following the effective date of this section, volunteer and be accepted for extended active duty of one year or longer; (4) general officers appointed from the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, or the Army of the United States who are on active duty on the effective date of this section; (5) general officers who may hereafter be appointed from those officers of the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, or the Army of the United States who are included in (1), (2), or (3) above.

Additional pay for active service.

"(b) In addition to any pay, allowances, or emoluments that they are otherwise entitled to receive, commissioned officers as defined in subsection (a) of this section shall be entitled to pay at the rate of $100 per month for each month of active service following the date of enactment of this section: *Provided*, That such sum shall not be included in computing the amount of increase in pay authorized by any other provision of law or in computing retired pay: *Provided further*, That the total amount which may be paid to any one officer under the authority contained in this section shall not exceed $36,000:

Noninclusion.

Maximum.

And provided further, That the commissioned officers described in subsection (a) (3) of this section shall receive the pay provided by this subsection only during periods of volunteer service."

Pay during volunteer service.

SEC. 102. This title shall become effective on the first day of the first calendar month following its enactment, and the payments herein provided shall not accrue for any period prior thereto.

Effective date.

TITLE II

ORIGINAL APPOINTMENTS OF MEDICAL AND DENTAL OFFICERS

SEC. 201. Subject to any limitation of the commissioned strength of the Army and Navy prescribed by law the President, by and with the advice and consent of the Senate, is hereby authorized to make original appointments to permanent commissioned grades, with rank not above that of colonel in the Medical and Dental Corps of the Army, and not above that of captain in the Medical and Dental Corps of the Navy in such numbers as the needs of the services may require. Such appointments shall be made only from qualified civilian doctors of medicine and dentists who are citizens of the United States, and who shall have such other qualifications as the Secretary of War and the Secretary of the Navy may prescribe for their respective services. The doctors of medicine and dentists so appointed in the Navy shall be carried as additional numbers in rank, but shall not increase the authorized numbers of commissioned officers of the Medical and Dental Corps of the Regular Navy. The doctors of medicine and dentists so appointed in the Army shall be credited for purposes of promotion with the minimum number of years of service now or hereafter required for promotion of officers of the Medical and Dental Corps to the grade in which appointed.

Appointments to permanent commissioned grades.

Authorized numbers.

Service credit.

SEC. 202. The Secretary of War and the Secretary of the Navy are authorized to prescribe from time to time such regulations as may be necessary for the administration of this title within their respective departments.

Regulations.

Approved August 5, 1947.

[CHAPTER 495]

August 5, 1947
[S. 1720]
[Public Law 366]

AN ACT

To amend the National Housing Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 603 (a) of the National Housing Act, as amended, is hereby amended by (1) striking out "$2,800,000,000" and inserting in lieu thereof "$4,000,000,000" and (2) striking out "$3,800,000,000" and inserting in lieu thereof "$4,200,000,000".

55 Stat. 56; 60 Stat. 212.
12 U. S. C. § 1738 (a).
Ante, p. 193; *post*, p. 945.

SEC. 2. Title VI of the National Housing Act, as amended, is hereby amended by adding at the end thereof the following new section:

55 Stat. 55.
12 U. S. C. §§ 1736-1743.
Ante, p. 193; *post*, p. 945.

"SEC. 610. Notwithstanding any of the provisions of this title, the Administrator is authorized, upon application by the mortgagee, to insure or to make commitments to insure under section 603 or section 608 of this title any mortgage executed in connection with the sale by the Government, or any agency or official thereof, of any housing acquired or constructed under Public Law 849, Seventy-sixth Congress, as amended; Public Law 781, Seventy-sixth Congress, as amended; or Public Laws 9, 73, or 353, Seventy-seventh Congress, as amended (including any property acquired, held or constructed in connection with such housing or to serve the inhabitants thereof), without regard to—

Mortgage insurance.
Supra.
56 Stat. 303.
12 U. S. C. § 1743.
54 Stat. 1125.
42 U. S. C. note prec. § 1501.
54 Stat. 872.
55 Stat. 14, 199, 820.

"(1) any limit as to the time when any mortgage may be insured under this title;

"(2) any limit as to the aggregate amount of principal obligations of all mortgages insured under this title, but the aggregate amount of principal obligations of all mortgages insured pursuant to this section shall not exceed $750,000,000;

"(3) any requirement that the obligation be approved for mortgage insurance prior to the beginning of construction or that the construction be new construction;

55 Stat. 56; 56 Stat. 303.
12 U. S. C. §§ 1738 (b) (2), 1743 (b) (3) (B), (C).
Eligibility of mortgage, etc.
Ante, p. 777.

"(4) any of the provisions of section 603 (b) (2) or paragraphs (B) and (C) of the first sentence of section 608 (b) (3):

Provided, That such mortgage shall (1) otherwise be eligible for insurance under section 603 or section 608, as the case may be, (2) have a maturity not exceeding twenty-five years from the date of insurance, and (3) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount not exceeding 90 per centum of the appraised value of the mortgage property as determined by the Administrator."

Approved August 5, 1947.

[CHAPTER 496]

August 5, 1947
[H. R. 479]
[Public Law 367]

AN ACT

Relating to the income-tax liability of members of the armed forces dying in the service.

Internal Revenue Code, amendment.
57 Stat. 149.
26 U. S. C. § 421.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 421 of the Internal Revenue Code (relating to abatement of tax for members of armed forces upon death) is amended to read as follows:

"SEC. 421. ABATEMENT OF TAX FOR MEMBERS OF ARMED FORCES UPON DEATH.

"In the case of any individual who dies on or after December 7, 1941, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations and prior to January 1, 1948—

"(a) the tax imposed by this chapter shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year (ending on or after December 7, 1941) during any part of which he was a member of such forces; and

"(b) the tax under this chapter and under the corresponding title of each prior revenue law for taxable years preceding those specified in clause (a) which is unpaid at the date of his death (including interest, additions to the tax, and additional amounts) shall not be assessed, and if assessed the assessment shall be abated, and if collected shall be credited or refunded as an overpayment."

Credit or refund of overpayment.
Supra.
53 Stat. 471.
26 U. S. C. § 3801.

SEC. 2. If at any time prior to January 1, 1948, the allowance of a credit or refund of an overpayment of the tax for any taxable year specified in section 421 (a) of the Internal Revenue Code (as amended by this Act) is prevented (except for the provisions of section 3801) by the operation of any law or rule of law, a credit or refund of the overpayment of such tax to the extent that the overpayment is attributable to the change in law made by this Act may, nevertheless, be allowed or made if a claim therefor is filed before January 1, 1949.

Approved August 5, 1947.

[CHAPTER 497]

AN ACT

August 5, 1947
[H. R. 3394]
[Public Law 368]

To amend the Act entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States", approved May 16, 1946, in order to provide for the shipment of the remains of World War II dead to the homeland of the deceased or of next of kin, to provide for the disposition of group and mass burials, to provide for the burial of unknown American World War II dead in United States military cemeteries to be established overseas, to authorize the Secretary of War to acquire land overseas and to establish United States military cemeteries thereon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 16, 1946, entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States" (Public Law 383, Seventy-ninth Congress), is hereby amended to read as follows:

Return of remains of certain persons buried outside U. S.

60 Stat. 182.
50 U. S. C. app. §§ 1811-1816.

"That the Congress hereby declares it to be in the public interest to provide for the interment of the remains of certain persons who died on or after September 3, 1939, and whose remains are buried in places located outside the continental limits of the United States and could not be returned to their homeland for burial due to wartime shipping restrictions, by authorizing their permanent interment outside the continental limits of the United States or their evacuation and return either to their homeland or to the homeland of their next of kin, and to centralize in one agency the task of accomplishing the purpose of this Act.

Responsibility.

"SEC. 2. All activities herein provided for are hereby made a responsibility of the Secretary of War, except as expressly reserved to the American Battle Monuments Commission by section 9 of this Act.

Identified remains.

"SEC. 3. The Secretary of War is hereby authorized and directed upon application by the next of kin in the case of individual identified remains to return such remains to the homeland of the decedent or of his next of kin for interment at places designated by the next of kin, including national cemeteries provided such remains are entitled to interment therein; and he is further authorized at his own discretion in the case of group or mass burials, which include the remains of one or more known individuals, to cause them to be interred in such places as he may direct: *Provided,* That this Act shall apply only to the remains of persons who died on or after September 3, 1939, and are buried outside the continental limits of the United States, and who were—

Applicability.

"(a) members of the armed forces of the United States who died in the service;

"(b) civilian officers and employees of the United States;

"(c) citizens of the United States who served in the armed forces of any government at war with Germany, Italy, or Japan and who died while in such service and who were citizens of the United States at the time of such service;

"(d) citizens of the United States whose homes are in fact in the United States and whose death outside the continental limits thereof can be directly attributed to the war or who died while employed or otherwise engaged in activities contributing to the prosecution of the war; and

"(e) such other citizens of the United States, the disposition of the remains of whom under the provisions of this Act would, in the discretion of the Secretary of War, serve the public interest.

Interment in military cemeteries outside U. S.

"SEC. 4. With respect to the remains of all persons who are included in the categories set forth in the preceding section of this Act, the

Secretary of War is further authorized and directed upon application by the next of kin in the case of individual identified remains, and authorized at his own discretion in the case of unidentified remains and in all cases of identified remains which are not returned to the homeland under the provisions of this Act to inter the remains in United States military cemeteries established outside the continental limits of the United States.

Acquisition of land abroad.

"SEC. 5. The Secretary of War is hereby authorized to acquire by purchase, gift, or devise, without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255), land or interest in land in foreign countries necessary for the purposes of this Act, and to establish thereon United States military cemeteries. Cemeteries established by the Secretary of War under the authority of this Act are subject to the provisions of section 12, Public Law 456, Seventy-ninth Congress.

60 Stat. 318.
36 U. S. C. § 132.

Rules and regulations.

"SEC. 6. The Secretary of War is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes and provisions of this Act.

Appropriations authorized.
Ante, p. 686.

"SEC. 7. There is hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this Act, said sums to be made available for civil functions administered by the War Department, 'Cemeterial expenses, War Department', to be expended under the direction of the Secretary of War.

Termination of Act, etc.

"SEC. 8. This Act and the authority granted therein and all rules and regulations promulgated thereunder shall terminate on December 31, 1951, or upon such earlier date as may be specified in a proclamation by the President, or in a concurrent resolution by the two Houses of Congress as the date beyond which further continuance of the authority granted by this Act is not necessary in the public interest, whichever date is earliest: *Provided*, That as to any applications provided for under sections 3 and 4 filed prior to such termination date, the provisions of this Act and such rules or regulations promulgated pursuant thereto shall be treated as remaining in force for the purpose of providing for the return or overseas burial of remains in proper cases."

Prior applications.

Design and construction of cemeteries abroad.

SEC. 9. The American Battle Monuments Commission shall be solely responsible for the permanent design and construction of the cemeteries to be established in foreign countries under section 5 of this Act and of all buildings, plantings, headstones, and other permanent improvements incidental thereto. The Secretary of War is authorized to undertake such temporary construction as will be necessary for the accomplishment of this Act and to maintain such cemeteries in a suitable condition until such time as the functions of administration thereof shall pass to the American Battle Monuments Commission in accordance with section 12 of Public Law 456, Seventy-ninth Congress, or any other law.

Temporary construction.

60 Stat. 318.
36 U. S. C. § 132.

Approved August 5, 1947.

[CHAPTER 498]

August 5, 1947
[H. R. 4168]
[Public Law 369]

AN ACT

To provide for the reincorporation of The Institute of Inter-American Affairs, and for other purposes.

Institute of Inter-American Affairs Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, as of the date of enactment of this Act, created as an agency of the United States of America a body corporate with the name of "The Institute of Inter-American Affairs" (in this Act called the "Institute").

SEC. 2. The purposes of this corporation are to further the general welfare of, and to strengthen friendship and understanding among, the peoples of the American Republics through collaboration with other governments and governmental agencies of the American Republics in planning, initiating, assisting, financing, administering, and executing technical programs and projects, especially in the fields of public health, sanitation, agriculture, and education.

Purposes.

SEC. 3. The Institute, as a corporation—

Rights and powers.

(a) Shall have succession for a period of three years unless sooner dissolved by an Act of Congress.

(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

(c) May make and perform contracts with any individual, corporation, or other body of persons however designated, whether within or without the United States of America, and with any government or governmental agency, domestic or foreign.

(d) Shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid.

Employment.

(e) May, as necessary for the transaction of the business of the Institute, employ officers, employees, agents, and attorneys in accordance with the provisions of the civil service and classification laws, except that the Institute may, without regard to the civil service and classification laws, employ, and fix the compensation of, officers, employees, agents, and attorneys of the Institute employed for service outside the continental limits of the United States: *Provided*, That the salary of any person thus employed shall not exceed the maximum salary established by the classification laws, and that the Institute may require bonds of any employee and pay the premiums of such bonds: *Provided further*, That no person who is a citizen of the United States not presently employed by the Institute of Inter-American affairs or the Inter-American Educational Foundation, Inc., shall be employed under authority of this paragraph (e) until such person has been investigated by the Federal Bureau of Investigation: *Provided further*, That no person not a citizen of the United States shall be employed under authority of this paragraph (e) for service in any American Republic of which such person is not a citizen except with the specific approval of the Government of the American Republic concerned.

Salary; bonds.

Investigation by FBI.

Employment of noncitizens.

Acquisition and disposal of property.

(f) May acquire by purchase, devise, bequest, or gift, or otherwise, lease, hold, and improve such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real and personal property held by it and use as general funds all receipts arising from the disposition of such property.

Use of U. S. mails.

(g) Shall be entitled to the use of the United States mails in the same manner and on the same conditions as the executive departments of the Government.

Use of services, etc., of Government agencies.

(h) May, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act.

Acceptance of money, etc.

(i) May accept money, funds, property, and services of every kind by gift, devise or bequest, or grant, or otherwise, and make advances and grants to any individual, corporation, or other body of persons, whether within or without the United States of America, or to any government or governmental agency, domestic or foreign, when deemed advisable by the Institute in furtherance of its purposes.

(j) May sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction.

Other powers.

(k) Shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act.

Termination of Institute.

SEC. 4. Upon termination of the corporate life of the Institute all of its functions shall be liquidated and, thereafter, unless otherwise provided by Congress, the assets shall be transferred to the United States Treasury as the property of the United States.

Board of directors.

SEC. 5. (a) The management of the Institute shall be vested in a board of directors (hereinafter referred to as the "Board") of not less than five in number, each of whom shall be appointed by the Secretary of State from among the officials and employees of the Department of State and, in the discretion of the Secretary of State and with the consent of the Chiefs of other departments or agencies respectively concerned from among the officials and employees of other United States Government departments and agencies: *Provided*, That no person shall be appointed as a director under authority of this paragraph (a) until such person has been investigated by the Federal Bureau of Investigation.

Investigation by FBI.

(b) The Secretary of State shall designate one director as Chairman of the Board.

(c) The directors shall hold office at the pleasure of the Secretary of State.

Compensation.

(d) The directors shall receive no additional compensation for their services as directors but may be allowed actual necessary traveling and subsistence expenses incurred by them in the performance of their duties as directors.

(e) The Board shall direct the exercise of all the powers of the Institute.

Rules, etc.

(f) The Board may prescribe, amend, and repeal bylaws, rules, and regulations governing the manner in which the business of the Institute may be conducted and in which the powers granted to it by law may be exercised and enjoyed: *Provided*, That a majority of the Board shall be required as a quorum.

Quorum.

Committees.

(g) In furtherance and not in limitation of the powers conferred upon it, the Board may appoint such committees for the carrying out of the work of the Institute as the Board finds to be for the best interests of the Institute, each committee to consist of two or more of the directors, which committees, together with officers and agents duly authorized by the Board and to the extent provided by the Board, shall have and may exercise the powers of the Board in the management of the business and affairs of the Institute.

Nonprofit corporation.

SEC. 6. The Institute shall be a nonprofit corporation and shall have no capital stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of its directors, officers, and employees and such revenue, earnings, or other income, or property shall be used for the carrying out of the corporate purposes herein set forth. No director, officer, or employee of the corporation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or organization in which he is directly or indirectly interested.

Positions with other American republics.

SEC. 7. When approved by the Institute, in furtherance of its purposes, the officers and employees of the Institute may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of the other American Republics.

Detail of employees.

SEC. 8. The Secretary of State shall have authority to detail employees of the Department of State to the Institute under such circumstances and upon such conditions as he may determine: *Provided*, That any such employee so detailed shall not lose any privileges, rights, or seniority as an employee of the Government by virtue of such detail.

SEC. 9. The principal office of the Institute shall be located in the District of Columbia, but there may be established agencies, branch offices, or other offices in any place or places within the United States or the other American Republics in any of which locations the Institute may carry on all or any of its operations and business under bylaws or rules and regulations.

Principal office, agencies, etc.

SEC. 10. The Institute, including its franchise and income, shall be exempt from taxation now or hereafter imposed by the United States, or any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority.

Exemption from taxation.

SEC. 11. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Rights reserved.

Separability of provisions.

SEC. 12. The Institute of Inter-American Affairs and the Inter-American Educational Foundation, Inc., two Government corporations caused to be created under the laws of the State of Delaware on March 31, 1942, and September 25, 1943, respectively, by the Coordinator of Inter-American Affairs, shall, within ten days following the enactment of this Act, transfer to the corporation created by this Act all necessary personnel, the assets, funds, and property—real, personal, and mixed—and all debts, liabilities, obligations, and duties, and all rights, privileges, and powers subject to all restrictions, disabilities, and duties of the two said corporations, and the corporation created by this Act, shall accept full title to and ownership of all the assets, funds, and property—real, personal, and mixed—and all debts, liabilities, obligations, and duties, and all rights, privileges, and powers subject to the said restrictions, disabilities, and duties of the two said corporations and all such debts, liabilities, obligations, and duties of the two said corporations shall henceforth attach to the corporation created by this Act and may be enforced against it to the same extent as if said debts, liabilities, obligations, and duties had been incurred or contracted by the corporation created by this Act: *Provided*, That all citizens of the United States presently employed by the Institute of Inter-American Affairs or the Inter-American Educational Foundation, Inc., and transferred under authority of this section 12 to the corporation created by this Act shall be investigated by the Federal Bureau of Investigation within six months following the date of enactment of this Act: *Provided further*, That no person not a citizen of the United States presently employed by the Institute of Inter-American Affairs or the Inter-American Educational Foundation, Inc., for service in an American Republic of which such person is not a citizen, and transferred under authority of this section 12, shall be retained in such service for a period exceeding three months from the date of enactment of this Act except with the specific approval of the government of the American Republic concerned.

Transfer of funds, property, etc.

Investigation of employees by FBI.

Retention of noncitizens.

SEC. 13. The Institute shall be subject to the provisions of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress).

59 Stat. 597.
31 U. S. C. § 841 *et seq.*

SEC. 14. There are authorized to be appropriated, at a rate not to exceed $5,000,000 annually, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this Act.

Ante, p. 584.
Appropriation authorized.

This Act may be cited as the "Institute of Inter-American Affairs Act".

Short title.

Approved August 5, 1947.

[CHAPTER 499]

JOINT RESOLUTION

August 5, 1947
[S. J. Res. 138]
[Public Law 370]

To provide for returns of Italian property in the United States, and for other purposes.

Return of Italian property.

Whereas article 79 of the Treaty of Peace with Italy, signed at Paris on February 10, 1947, grants to the Allied and Associated Powers the right to seize and retain "all property rights and interests which on the coming into force of the present treaty are within its territory and belong to Italy or to Italian nationals, and to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Italy or Italian nationals, including debts, other than claims fully satisfied under other articles of the present treaty" and further provides that "All Italian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned"; and

Whereas, pursuant to article 79 of the treaty of peace, negotiations have been entered into between the Governments of the United States and of Italy looking toward an agreement under which, upon the return of property, formerly Italian, in the United States, Italy will place at the disposal of the United States funds to be used in meeting certain claims of nationals of the United States; and

Whereas, for the purpose of carrying out such agreement, it is desirable to authorize, in accordance with the procedures provided for in section 32 of the Trading With the Enemy Act of October 6, 1917 40 Stat. 411), as amended, return to Italy or citizens or subjects of Italy, or corporations or associations organized under the laws of Italy, of property vested in or transferred to the United States or its agencies; and

60 Stat. 50.
50 U. S. C. app. § 32.
Infra.

Whereas, for the purpose of aiding the revival of the Italian economy and establishing it on a self-sustaining basis, it is desirable that there be returned or transferred to Italy those Italian vessels acquired by the United States after December 7, 1941, for use in the war effort and now owned by the United States and vessels of a total tonnage approximately equal to the tonnage of those Italian vessels seized by the United States after September 1, 1939, and lost while being employed in the United States war effort: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, or such officer or agency as he may designate, is hereby authorized to return, in accordance with the procedures provided for in section 32 of the Trading With the Enemy Act, as amended, any property or interest, or the net proceeds thereof, which has been, since December 18, 1941, vested in or transferred to any officer or agency of the United States pursuant to the Trading With the Enemy Act, as amended, and which immediately prior to such vesting or transfer was the property or interest of Italy or a citizen or subject of Italy, or a corporation or association organized under the laws of Italy.

Supra.

SEC. 2. Section 32 (a) (2) of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended to read as follows:

60 Stat. 51.
50 U. S. C. app. § 32 (a) (2).

Owners, etc., excepted.

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

"(A) the Government of Germany, Japan, Bulgaria, Hungary, or Rumania; or

Corporations, etc., organized under laws of designated nations.

"(B) a corporation or association organized under the laws of such nation: *Provided*, That any property or interest or proceeds which, but for the provisions of this subdivision

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

Persons voluntarily resident within designated nations.

"(C) an individual voluntarily resident at any time since December 7, 1941, within the territory of such nation, other than a citizen of the United States or a diplomatic or consular officer of Italy or of any nation with which the United States has not at any time since December 7, 1941, been at war: *Provided*, That an individual who, while in the territory of a nation with which the United States has at any time since December 7, 1941, been at war, was deprived of life or substantially deprived of liberty pursuant to any law, decree, or regulation of such nation discriminating against political, racial, or religious groups, shall not be deemed to have voluntarily resided in such territory; or

Person not deemed voluntary resident.

Citizens or subjects of designated nations.

"(D) an individual who was at any time after December 7, 1941, a citizen or subject of Germany, Japan, Bulgaria, Hungary, or Rumania, and who on or after December 7, 1941, and prior to the date of the enactment of this section, was present (other than in the service of the United States) in the territory of such nation or in any territory occupied by the military or naval forces thereof or engaged in any business in any such territory: *Provided*, That notwithstanding the provisions of this subdivision (D) return may be made to an individual who, as a consequence of any law, decree, or regulation of the nation of which he was then a citizen or subject, discriminating against political, racial, or religious groups, has at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated, enjoyed full rights of citizenship under the law of such nation; or

Foreign corporation, etc., controlled by ineligible persons.

"(E) a foreign corporation or association which at any time after December 7, 1941, was controlled or 50 per centum or more of the stock of which was owned by any person or persons ineligible to receive a return under subdivisions (A), (B), (C), or (D) hereof: *Provided*, That notwithstanding the provisions of this subdivision (E), return may be made to a corporation or association so controlled or owned, if such corporation or association was organized under the laws of a nation any of whose territory was occupied by the military or naval forces of any nation with which the United States has at any time since December 7, 1941, been at war, and if such control or ownership arose after March 1, 1938, as an

incident to such occupation and was terminated prior to the enactment of this section;

and"

60 Stat. 925.
50 U. S. C. app. § 33.

SEC. 3. The first sentence of section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended to read as follows:

Notice of claim for return.
41 Stat. 977; 60 Stat. 50.
50 U. S. C. app. §§ 9 (a), 32 (a).
Ante, p. 784.

"SEC. 33. No return may be made pursuant to section 9 (a) or 32 (a) unless notice of claim for return has been filed within two years from the seizure or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which the claim is made or by August 8, 1948, or in the cases of claims pursuant to section 32 (a) by Italy, citizens or subjects of Italy, or corporations or associations organized under the laws of Italy, by July 31, 1949, whichever is later.

Transfer of vessels.

SEC. 4. The President is authorized upon such terms as he deems necessary (a) to transfer to the Government of Italy all vessels which were under Italian registry and flag on September 1, 1939, and were thereafter acquired by the United States and are now owned by the United States; and (b) with respect to any vessel under Italian registry and flag on September 1, 1939, and subsequently seized in United States ports and thereafter lost while being employed in the United States war effort, to transfer to the Government of Italy surplus merchant vessels of the United States of a total tonnage approximately equal to the total tonnage of the Italian vessels lost: *Provided*, That no monetary compensation shall be paid either for the use by the United States or its agencies of former Italian vessels so acquired or seized or for the return or transfer of such vessels or substitute vessels.

Monetary compensation.

Approved August 5, 1947.

[CHAPTER 502]

August 6, 1947
[H. R. 72]
[Public Law 371]

AN ACT

To increase the number of authorized aviation stations operated by the Coast Guard, and for other purposes.

Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth paragraph under the heading "Coast Guard" of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes", approved August 29, 1916 (U. S. C., 1940 edition, title 14, sec. 29), is amended to read as follows:

39 Stat. 601.

Aviation stations.

"For the purpose of saving life and property along the coasts of and in the interior of the United States and its possessions, and at sea, and to assist in the national defense, the Secretary of the Treasury is authorized to establish, equip, and maintain aviation stations, not exceeding fifteen in number, at such points in the United States and its possessions as he may deem advisable, and to detail for aviation duty and instruction in connection therewith officers and enlisted men of the United States Coast Guard."

Approved August 6, 1947.

[CHAPTER 503]

August 6, 1947
[H. R. 2800]
[Public Law 372]

AN ACT

To amend section 5 of Home Owners' Loan Act of 1933, and for other purposes.

48 Stat. 132.
12 U. S. C. § 1464 (c).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 5 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by adding at the end thereof the following:

"Notwithstanding any other provision of this subsection except the area restriction such associations may invest their funds in loans insured under title I of the National Housing Act, as amended, loans guaranteed or insured as provided in the Servicemen's Readjustment Act of 1944, as amended (except business loans provided by section 503 thereof and not secured by a lien on real estate), or in other loans for property alteration, repair, or improvement: *Provided*, That no such loan shall be made in excess of $1,500 except in conformity to the other provisions of this subsection, and that the total amount of loans so made without regard to the other provisions of this subsection shall not, at any time, exceed 15 per centum of the association's assets."

Investment of funds in loans.
48 Stat. 1246.
12 U. S. C. §§ 1702-1706.
Ante, pp. 182, 208.
58 Stat. 284, 292.
38 U. S. C. §§ 693-697g, 694c.
Ante, pp. 32, 133, 454.
Restriction.

Approved August 6, 1947.

[CHAPTER 504]

AN ACT

To define the functions and duties of the Coast and Geodetic Survey, and for other purposes.

August 6, 1947
[H. R. 3541]
[Public Law 373]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to provide charts and related information for the safe navigation of marine and air commerce, and to provide basic data for engineering and scientific purposes and for other commercial and industrial needs, the Director of the Coast and Geodetic Survey, hereinafter referred to as the Director, under direction of the Secretary of Commerce, is authorized to conduct the following activities in the United States, its Territories, and possessions:

Coast and Geodetic Survey.
Activities.

(1) Hydrographic and topographic surveys of coastal water and land areas (including surveys of offlying islands, banks, shoals, and other offshore areas);

(2) Hydrographic and topographic surveys of lakes, rivers, reservoirs, and other inland waters not otherwise provided for by statute;

(3) Tide and current observations;

(4) Geodetic-control surveys;

(5) Field surveys for aeronautical charts;

(6) Geomagnetic, seismological, gravity, and related geophysical measurements and investigations, and observations for the determination of variation in latitude and longitude.

SEC. 2. In order that full public benefit may be derived from the operations of the Coast and Geodetic Survey by the dissemination of data resulting from the activities herein authorized and of related data from other sources, the Director is authorized to conduct the following activities:

Dissemination of data.

(1) Analysis and prediction of tide and current data;

(2) Processing and publication of data, information, compilations, and reports;

(3) Compilation and printing of aeronautical charts of the United States, its Territories, and possessions; and, in addition, the compilation and printing of such aeronautical charts covering international airways as are required primarily by United States civil aviation;

(4) Compilation and printing of nautical charts of the United States, its Territories, and possessions;

(5) Distribution of aeronautical charts and related navigational publications required by United States civil aviation;

(6) Distribution of nautical charts and related navigational publications for the United States, its Territories, and possessions.

SEC. 3. To provide for the orderly collection of geomagnetic data from domestic and foreign sources, and to assure that such data shall be readily available to Government and private agencies and individuals, the Coast and Geodetic Survey is hereby designated as the

Geomagnetic data.

central depository of the United States Government for geomagnetic data, and the Director is authorized to collect, correlate, and disseminate such data.

Developmental work, etc.

SEC. 4. To improve the efficiency of the Coast and Geodetic Survey and to increase engineering and scientific knowledge, the Director is authorized to conduct developmental work for the improvement of surveying and cartographic methods, instruments, and equipments; and to conduct investigations and research in geophysical sciences (including geodesy, oceanography, seismology, and geomagnetism).

Cooperation with organizations.

SEC. 5. The Director is authorized to enter into cooperative agreements with, and to receive and expend funds made available by, any State or subdivision thereof, or any public or private organization, or individual, for surveys or investigations authorized herein, or for performing related surveying and mapping activities, including special-purpose maps, and for the preparation and publication of the results thereof.

Contracts.

SEC. 6. The Director is authorized to contract with qualified organizations for the performance of any part of the authorized functions of the Coast and Geodetic Survey when he deems such procedure to be in the public interests.

Acceptance of gifts, etc.

SEC. 7. The Secretary of Commerce is hereby authorized to accept and utilize gifts or bequests of money and other real or personal property for the purpose of aiding or facilitating the work of the Coast and Geodetic Survey and such gifts and bequests and the income therefrom shall be exempt from Federal taxes.

Tax exemption.

Employment of public vessels.

SEC. 8. The President is authorized to cause to be employed such of the public vessels as he deems it expedient to employ, and to give such instructions for regulating their conduct as he deems proper in order to carry out the provisions of this Act.

Appropriations authorized.

SEC. 9. There are hereby authorized to be appropriated such funds as may be necessary to acquire, construct, maintain, and operate ships, stations, equipment, and facilities and for such other expenditures, including personal services at the seat of government and elsewhere and including the erection of temporary observatory buildings and lease of sites therefor, as may be necessary for the conduct of the activities herein authorized.

Repeals.

SEC. 10. The following statutes are hereby repealed:

(1) The Act of January 31, 1925 (ch. 121, 43 Stat. 802; 33 U. S. C. 866).

(2) Section 4681 of the Revised Statutes (33 U. S. C. 881).

(3) Section 4682 of the Revised Statutes (33 U. S. C. 882).

(4) Section 4683 of the Revised Statutes (33 U. S. C. 883).

(5) Section 4684 of the Revised Statutes (33 U. S. C. 883).

(6) Section 4686 of the Revised Statutes (33 U. S. C. 885).

Approved August 6, 1947.

[CHAPTER 505]

August 6, 1947
[H. R. 3738]
[Public Law 374]

AN ACT

To amend Public Law 88, Seventy-ninth Congress, approved June 23, 1945.

59 Stat. 260.
15 U. S. C. § 606b note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 88, Seventy-ninth Congress, approved June 23, 1945, is amended by adding a new section to read as follows:

Nonprocessing slaughterer.
Extra compensation payments.

"SEC. 3. Any person who, after the issuance of amendment numbered 1 (dated July 5, 1945) or amendment numbered 2 (dated July 11, 1945) to Directive Numbered 56 of the Director of Economic Stabilization, and pursuant to the authority thereof, became qualified and eligible, or was declared or determined by such Director to have the

necessary qualifications for eligibility, to receive extra compensation payments as a nonprocessing slaughterer (such person previously having been held not qualified to receive extra compensation payments as a nonprocessing slaughterer), shall be entitled to receive such extra compensation payments for such period of time prior to July 23, 1945, as such person would have been entitled to receive if such Directive Numbered 56, and amendments numbered 1 and 2 thereto, and any such determination by such Director, had become effective November 1, 1943. The Reconstruction Finance Corporation is authorized and directed to make the extra compensation payments which any person is entitled to receive pursuant to this section. As used in this section the term 'person' includes an individual, firm, partnership, or corporation: *Provided*, That claims hereunder must be filed within six months after the enactment of this Act."

"Person."

Filing of claims.

Approved August 6, 1947.

[CHAPTER 506]

AN ACT

August 6, 1947
[H. R. 4043]
[Public Law 375]

To change the order of priority for payment out of the German special deposit account, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (b) of the Settlement of War Claims Act of 1928, as amended, is amended by striking out the word "and" at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon followed by the word "and", and by adding the following new paragraph:

Settlement of War Claims Act of 1928, amendments.
45 Stat. 260.

"(4) All money held in the Alien Property Trust Fund whose payment is restricted under the joint resolution entitled 'Joint resolution to amend the Settlement of War Claims Act of 1928, as amended', approved June 27, 1934, other than property with respect to which the restrictions imposed by such joint resolution have been removed by the President prior to the enactment of this paragraph. The Attorney General shall certify to the Secretary of the Treasury the amounts to be so deposited."

German special deposit account

48 Stat. 1267.
43 U. S. C. § 403.

Certification of amounts.

SEC. 2. Paragraph (13) of section 4 (c) of the Settlement of War Claims Act of 1928, as amended, is redesignated "(14)" and paragraphs (8), (9), (10), (11), and (12) are amended to read as follows:

45 Stat. 262, 261.

"(8) To pay (A) the accrued interest payable under subsection (c) of section (2) (in respect of awards of the Mixed Claims Commission) and (B) after such interest has been paid in full, to pay amounts equal to the difference between the aggregate payments (in respect of awards of the Mixed Claims Commission) authorized by subsections (b) and (c) of section 2 and the amounts previously paid in respect thereof: *Provided*, That, for the purpose only of subsection (c) of section 2, the amounts payable under subsection (b) of section 2 and remaining unpaid shall be deemed reduced by the amount of any payments of interest hereafter made under clause (A) hereof;

Accrued interest.

45 Stat. 254.

"(9) To pay into the Treasury as miscellaneous receipts the amount of the awards of the Mixed Claims Commission to the United States on its own behalf on account of claims of the United States against Germany;

Payment of awards to U. S.

"(10) To pay the accrued interest payable under subsection (h) of section 3 (in respect of awards to German nationals);

45 Stat. 258.

"(11) To make such payments as are necessary (A) to repay the amounts invested by the Alien Property Custodian under sub-

Investments by Alien Property Custodian.

45 Stat. 268.
50 U. S. C. app. § 25 (a).

45 Stat. 258.

Apportionment of payments.

section (a) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld), (B) to pay amounts equal to the difference between the aggregate payments (in respect of claims of German nationals) authorized by subsections (g) and (h) of section 3 and the amounts previously paid in respect thereof. If funds available are not sufficient to make the total payments authorized by this paragraph, the amount of payments made from time to time shall be apportioned among the payments authorized under clauses (A) and (B), according to the aggregate amount remaining unpaid under each clause;

Accrued interest on participating certificates.
45 Stat. 268.
50 U. S. C. app. § 25 (a).

"(12) To pay accrued interest upon the participating certificates evidencing the amounts invested by the Alien Property Custodian under subsection (a) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld);

Unallocated interest fund.
45 Stat. 268.
50 U. S. C. app. § 25 (b).

"(13) To make such payments as are necessary to repay the amounts invested by the Alien Property Custodian under subsection (b) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of the unallocated interest fund); but the amount payable under this paragraph shall not exceed the aggregate amount allocated to the trusts described in subsection (c) of section 26 of such Act; and".

45 Stat. 273.
50 U. S. C. app. § 26 (c).

Approved August 6, 1947.

[CHAPTER 507]

August 6, 1947
[H. R. 4079]
[Public Law 376]

AN ACT

To amend the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976).

Taylor Grazing Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1270; 43 U. S. C., sec. 315b), is hereby amended to read as follows:

Issuance of grazing permits.

"The Secretary of the Interior is hereby authorized to issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time, and in fixing the amount of such fees the Secretary of the Interior shall take into account the extent to which such districts yield public benefits over and above those accruing to the users of the forage resources for livestock purposes. Such fees shall consist of a grazing fee for the use of the range, and a range-improvement fee which, when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements. Grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such, as required by the naturalization laws, and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located."

Fees.

Restriction.

SEC. 2. Section 10 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), as amended June 26, 1936 (49 Stat. 1978; 43 U. S. C., sec. 315i), is hereby amended to read as follows:

Deposit of funds.
48 Stat. 1273.
43 U. S. C. §§ 315h, 315j.
Post, p. 791.
Distribution.

"Except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but the following proportions of the moneys so received shall be distributed as follows: (a) 12½

per centum of the moneys collected as grazing fees under section 3 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts producing such moneys are situated, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts producing such moneys are situated: *Provided*, That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportional to its area in said district; (b) 25 per centum of all moneys collected under section 15 of this Act during any fiscal year when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements; and 50 per centum of all moneys collected under section 15 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the lands producing such moneys are located, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the lands producing such moneys are located: *Provided*, That if any leased tract is in more than one State or county, the distributive share to each from the proceeds of said leased tract shall be proportional to its area in said leased tract."

Ante, p. 790.

Grazing district in more than one State, etc.

48 Stat. 1275.
43 U. S. C. § 315m.

Leased tract in more than one State, etc.

SEC. 3. The first two sentences of section 11 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), are hereby amended to read as follows:

43 U. S. C. § 315j.

"That when appropriated by Congress, 33⅓ per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 66⅔ per centum of all grazing fees received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements."

Grazing fees from Indian lands.

Approved August 6, 1947.

[CHAPTER 508]

AN ACT

Relating to institutional on-farm training for veterans.

August 6, 1947
[H. R. 2181]
[Public Law 377]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 4 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "(including apprenticeship and refresher or retraining training)" and by inserting in lieu thereof "(including apprenticeship, refresher or retraining and institutional on-farm training)".

58 Stat. 289.
38 U. S. C. note foll. § 739.

SEC. 2. Paragraph 5 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "The Administrator shall pay to the educational or training institution" and by inserting in lieu thereof "The Administrator shall pay to the educational or training institution (including the institution offering institutional on-farm training)".

58 Stat. 289.
38 U. S. C. note foll. § 739.

SEC. 3. Paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "While enrolled in and pursuing a course under this part" and by inserting in lieu thereof "While enrolled in and pursuing a course under this part (including an institutional on-farm training course)".

58 Stat. 289.
38 U. S. C. note foll. § 739.

58 Stat. 290.
38 U. S. C. note foll. § 739.

SEC. 4. Paragraph 11 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by adding at the end thereof the following new subparagraph:

"Institutional on-farm training."

"(c) As used in this part the term 'institutional on-farm training' shall include any course of instruction approved by the appropriate agency of the State or the Administrator. Such course shall be considered a full-time course when it combines (1) organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational or training institution, with (2) supervised work experience on a farm or other agricultural establishment. To be approved, such a course shall be developed with due consideration to the size and character of the farm on which the veteran is to receive his supervised work experience and to the need of the veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farm management, and the keeping of farm and home accounts. Such a course shall, in addition, satisfy the requirements of either of the following:

Requirements of full-time course.

Additional requirements.

"1. If the veteran performs part of his course on a farm under his own control—

"a. he shall receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products;

"b. he shall be assured of control of such farm (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course; and

"c. such farm shall be of a size and character which (1) together with the group instruction part of the course, will occupy the full time of the veteran, (2) will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained, and (3) if the veteran intends to continue operating such farm at the close of his course, will assure him a satisfactory income under normal conditions.

"2. If the veteran performs part of his course as the employee of another—

"a. he shall receive, on his employer's farm, not less than fifty hours of individual instruction per year (with at least one visit by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction;

"b. his employer's farm shall be of a size and character which (1) together with the group instruction part of the course, will occupy the full time of the veteran, and (2) will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained;

"c. his employer shall agree to instruct him in various aspects of farm management in accordance with the training schedule developed for the veteran by his instructor, working in cooperation with his employer. If it is found by the Administrator of Veterans' Affairs or the State approving agency that any approved course of institutional on-farm training has ceased to meet the requirements of this Act, the Veterans' Administration

Loss of benefits.

shall cut off all benefits under this part as of the date of such withdrawal of approval. Where it has been found that a variation in the proportion of hours of group instruction and individual instruction on the farm will better serve the conditions in a certain area, any program acceptable to the State approving agency which meets the total number of training hours called for in this Act (including assembled instruction, individual instruction, and assigned and supervised related home study and supervision in operational skills by the farmer trainer under the direction of the institution) shall be recognized as complying with the requirements of this Act; and

Variation in proportion of hours of instruction.

"d. The Administrator of Veterans' Affairs is authorized to contract with approved institutions for such courses where the Administrator finds that the agreed cost is reasonable and fair."

Contracts.

SEC. 5. The amendments made by this Act shall take effect on the first day of the first calendar month following the month in which this Act is enacted. Until such effective date, the practices of the Veterans' Administration as to institutional on-farm training in effect on the date of the enactment of this Act shall remain in effect.

Effective date.

Approved August 6, 1947.

[CHAPTER 509]

AN ACT

August 6, 1947
[H. R. 3632]
[Public Law 378]

To extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the Unemployment Trust Fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for refunds to railroad employees in certain cases, so as to place the various States on an equal basis, under the Railroad Unemployment Insurance Act, with respect to contributions of employees", approved August 2, 1946 (Public Law 599, Seventy-ninth Congress), is hereby amended by striking out "twelve months" and inserting in lieu thereof "two years".

Railroad employees. Refunds.

60 Stat. 806.
45 U. S. C. § 363a.

Approved August 6, 1947.

[CHAPTER 510]

AN ACT

August 6, 1947
[H. R. 3818]
[Public Law 379]

To amend the Federal Insurance Contributions Act with respect to rates of tax on employers and employees, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That clauses (1), (2), and (3) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400), as amended, are hereby amended to read as follows:

Social Security Act Amendments of 1947.

53 Stat. 175; 60 Stat. 978.
26 U. S. C. § 1400 (1), (2), (3).

"(1) With respect to wages received during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages received during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

"(3) With respect to wages received after December 31, 1951, the rate shall be 2 per centum."

SEC. 2. Clauses (1), (2), and (3) of section 1410 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1410), as amended, are hereby amended to read as follows:

53 Stat. 176; 60 Stat. 978.
26 U. S. C. § 1410 (1), (2), (3).

"(1) With respect to wages paid during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages paid during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

"(3) With respect to wages paid after December 31, 1951, the rate shall be 2 per centum."

60 Stat. 993.
42 U. S. C. § 303 note.

SEC. 3. Section 504 of the Social Security Act Amendments of 1946 (Public Law 719, Seventy-ninth Congress), fixing the termination date of amendments relating to grants to States for old-age assistance, aid to the blind, and aid to dependent children, is hereby amended by striking out "December 31, 1947" and inserting in lieu thereof "June 30, 1950".

58 Stat. 792.
50 U. S. C. app. § 1651 note.
58 Stat. 789.
42 U. S. C. §§ 1104, 1321; 50 U. S. C. app. §§ 1666, 1667.
58 Stat. 790.
42 U. S. C. § 1104 (h); 50 U. S. C. app. § 1666 (h).

SEC. 4. Section 603 of the War Mobilization and Reconversion Act of 1944 (terminating the provisions of such Act on June 30, 1947) shall not be applicable in the case of the amendments made by title IV of such Act to the Social Security Act.

Federal unemployment account.

SEC. 5. (a) Section 904 (h) of the Social Security Act is hereby amended to read as follows:

49 Stat. 639.
42 U. S. C. §§ 1101-1110.
53 Stat. 183.
26 U. S. C. §§ 1600-1611.
Ante, p. 416.

"(h) There is hereby established in the Unemployment Trust Fund a Federal unemployment account. There is hereby authorized to be appropriated to such Federal unemployment account a sum equal to (1) the excess of taxes collected prior to July 1, 1946, under title IX of this Act or under the Federal Unemployment Tax Act, over the total unemployment administrative expenditures made prior to July 1, 1946, plus (2) the excess of taxes collected in each fiscal year beginning after June 30, 1946, and ending prior to July 1, 1949, under the Federal Unemployment Tax Act, over the unemployment administrative expenditures made in such year, and the excess of such taxes collected during the period beginning on July 1, 1949, and ending on December 31, 1949, over the unemployment administrative expenditures made during such period. Any amounts in the Federal unemployment account on April 1, 1950, and any amounts repaid to such account after such date, shall be covered into the general fund of the Treasury. As used in this subsection, the term 'unemployment administrative expenditures' means expenditures for grants under title III of this Act, expenditures for the administration of that title by the Board or the Administrator, and expenditures for the administration of title IX of this Act, or of the Federal Unemployment Tax Act by the Department of the Treasury, the Board, or the Administrator. For the purposes of this subsection there shall be deducted from the total amount of taxes collected prior to July 1, 1943, under title IX of this Act, the sum of $40,561,886.43 which was authorized to be appropriated by the Act of August 24, 1937 (50 Stat. 754) and the sum of $18,451,846 which was authorized to be appropriated by section 11 (b) of the Railroad Unemployment Insurance Act."

"Unemployment administrative expenditures."
49 Stat. 626.
42 U. S. C. §§ 501-503.
Supra.
Supra.
42 U. S. C. § 1103 note.

(b) Section 1201 (a) of the Social Security Act is hereby amended by striking out "on June 30, 1945, or on the last day in any ensuing calendar quarter which ends prior to July 1, 1947", and inserting in lieu thereof "on June 30, 1947, or on the last day in any ensuing calendar quarter which ends prior to January 1, 1950".

52 Stat. 1105.
45 U. S. C. § 361 (b).
58 Stat. 790.
42 U. S. C. § 1321 (a); 50 U. S. C. app. § 1667 (a).

Short title.

SEC. 6. This Act may be cited as the "Social Security Act Amendments of 1947."

Approved August 6, 1947.

[CHAPTER 511]

August 6, 1947
[H. R. 4070]
[Public Law 380]

AN ACT

To carry into effect certain parts relating to patents of the treaties of peace with Italy, Bulgaria, Hungary, and Rumania, ratified by the Senate on June 5, 1947, and for other purposes.

Patents.
Italy, Bulgaria, Hungary, Rumania.
25 Stat. 1372.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Convention for the Protection of Industrial Property of 1883, as amended, is considered as reestablished and in full force and effect

between the United States and Italy, Bulgaria, Hungary, and Rumania from the date of this Act and the nationals of the latter countries may hereafter apply for and obtain patents in the United States for their inventions and enjoy the rights and privileges thereof as provided in article 2 of said convention: *Provided, however*, That patents shall not be applied for or obtained, or if obtained, shall not be valid, for inventions heretofore made relating to war material as specified in article 6 of annex XV A of the Treaty of Peace with Italy, article 6 of annex IV of the Treaty of Peace with Bulgaria, article 6 of annex IV A of the Treaty of Peace with Hungary, and article 6 of annex IV A of the Treaty of Peace with Rumania.

Restriction.

SEC. 2. The rights of priority and the times for the taking of any action specified in sections 1 and 3 of Public Law 690, Seventy-ninth Congress, approved August 8, 1946, which had not expired on December 8, 1941, or which commenced after such date, shall be and are hereby extended until February 29, 1948, in favor of nationals of Italy, Bulgaria, Hungary, and Rumania, subject to the conditions and limitations specified in sections 1, 3, 4, and 10 of said Public Law 690: *Provided, however*, That nothing in this Act shall affect any act which has been or shall be done by virtue of special measures taken under legislative, executive, administrative, or military authority of the United States during World War II.

Extension of rights of priority.

60 Stat. 940, 942. 35 U. S. C. §§ 101, 103.

60 Stat. 940, 942, 944. 35 U. S. C. §§ 101, 103, 104, 110.

SEC. 3. Nationals of Germany and Japan may hereafter apply for and obtain patents in the United States for their inventions in accordance with the patent laws and enjoy the rights and privileges thereof: *Provided, however*, That patents obtained for such inventions shall be subject to any conditions and limitations with respect to duration, revocation, utilization, assignment, and licensing which may be imposed by Congress, or by the President in accordance with the provisions of any peace treaty hereafter entered into with Germany or Japan: *And provided further*, That, except for patents based on applications filed in the United States Patent Office prior to the date of enactment of this Act, patents may not be applied for or obtained, or if obtained, shall not be valid, for any invention made, or upon which an application was filed by any such national, before January 1, 1946, in Germany or Japan or in the territory of any other of the Axis Powers or in any territory occupied by the Axis forces.

Nationals of Germany and Japan.

Conditions and limitations.

Inventions made prior to Jan. 1, 1946, in territory of Axis Powers.

Approved August 6, 1947.

[CHAPTER 512]

August 7, 1947
[H. R. 3830]
[Public Law 381]

AN ACT

To provide for the promotion and elimination of officers of the Army, Navy, and Marine Corps, and for other purposes.

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

SHORT TITLE

That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Officer Personnel Act of 1947":

TABLE OF CONTENTS

Post, p. 798.

TITLE I—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE LINE OF THE NAVY

Sec. 101. Permanent status of title I.
Sec. 102. Definitions.
Sec. 103. Distribution of officers.
Sec. 104. Promotion by selection; retention of rear admirals.
Sec. 105. Selection boards.

TABLE OF CONTENTS—Continued

TITLE I—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE LINE OF THE NAVY—Continued

Sec. 106. Oath for members of selection boards.
Sec. 107. Eligibility of officers for consideration by selection boards.
Sec. 108. Information to be furnished selection boards.
Sec. 109. Duties of selection boards.
Sec. 110. Reports of selection boards.
Sec. 111. Promotion of officers.
Sec. 112. Retirement of officers below the grade of rear admiral.
Sec. 113. Retirement of officers above the grade of captain.
Sec. 114. Marine Corps.
Sec. 115. Determination of upper and lower half rear admirals.
Sec. 116. Effective date of title I.

Post, p. 815. TITLE II—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE STAFF CORPS OF THE NAVY

Sec. 201. Permanent status of title II.
Sec. 202. Definitions.
Sec. 203. Distribution of officers.
Sec. 204. Promotion by selection.
Sec. 205. Selection boards.
Sec. 206. Oath for members of selection boards.
Sec. 207. Eligibility of officers for consideration by selection boards.
Sec. 208. Information to be furnished selection boards.
Sec. 209. Duties of selection boards.
Sec. 210. Reports of selection boards.
Sec. 211. Promotion of officers; precedence; running mates.
Sec. 212. Retirement of officers below the grade of rear admiral.
Sec. 213. Retirement of officers above the grade of captain.
Sec. 214. Effective date of title II.

Post, p. 829. TITLE III—TERMINABLE PROVISIONS RELATING TO ALL OFFICERS OF THE NAVY ON ACTIVE DUTY

Sec. 301. Temporary status of title III.
Sec. 302. Definitions.
Sec. 303. Distribution of officers.
Sec. 304. Redistribution; lineal lists; retention of rear admirals.
Sec. 305. Selection boards.
Sec. 306. Oath for members of selection boards.
Sec. 307. Eligibility of officers for consideration by selection boards.
Sec. 308. Information to be furnished selection boards.
Sec. 309. Duties of selection boards.
Sec. 310. Reports of selection boards.
Sec. 311. Temporary promotions and permanent appointments.
Sec. 312. Retirement of officers below the grade of rear admiral.
Sec. 313. Retirement of officers above the grade of captain.
Sec. 314. Marine Corps.
Sec. 315. Determination of upper and lower half rear admirals.
Sec. 316. Special provisions.

Post, p. 869. TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Assignment of officers to special duty only.
Sec. 402. Assignment of officers to engineering duty only.
Sec. 403. Assignment of officers to aeronautical engineering duty only.
Sec. 404. Assignment of officers to limited duty only.
Sec. 405. Establishment of officer grades in the Staff Corps.
Sec. 406. Additional numbers in grade changed to regular numbers.
Sec. 407. Grade of acting chaplain abolished.
Sec. 408. Limitation on appointments in the grade of ensign for engineering duty, aeronautical engineering duty, and special duty.
Sec. 409. Appointments in the grade of ensign in the Staff Corps.
Sec. 410. Promotion to the grade of lieutenant (junior grade) in the Staff Corps.
Sec. 411. Examination of officers prior to promotion.
Sec. 412. Retirement of officers specially commended for performance of duty in combat.
Sec. 413. Designation of naval officers for certain commands or unusual missions.

TABLE OF CONTENTS—Continued

Sec. 414. Retirement of officers with highest grade held under provisions of section 413.
Sec. 415. Designation of officers of the Marine Corps for special purposes.
Sec. 416. Retirement age limit for officers.
Sec. 417. Amendment of the act of April 18, 1946 (Public Law 347, Seventy-ninth Congress). *Post*, p. 877.
Sec. 418. Amendment of the act of August 27, 1940 (54 Stat. 864), as amended (34 U. S. C. 737, 737 (a)). *Post*, p. 877.
Sec. 419. Amendment of the act of June 27, 1942 (56 Stat. 422). *Post*, p. 877.
Sec. 420. Amendment of the act of June 30, 1914 (38 Stat. 404), as amended. *Post*, p. 877.
Sec. 421. Service in grade to include service in grade under temporary appointment.
Sec. 422. Continuation of temporary appointments of certain members of the Hospital Corps and the Naval Reserve.
Sec. 423. Specifications by Secretary of Navy of qualifications to be required in certain officers for selection to flag rank.
Sec. 424. Amendment of the act of May 4, 1898 (30 Stat. 380), as amended (34 U. S. C. 21). *Post*, p. 879.
Sec. 425. Amendment of Public Law 729, Seventy-ninth Congress. *Post*, p. 880.
Sec. 426. Special provisions.
Sec. 427. Amendment of the act of December 28, 1945 (59 Stat. 666). *Post*, p. 880.
Sec. 428. Amendment of Public Law 56, Eightieth Congress. *Post*, p. 880.
Sec. 429. Amendment of the act of January 20, 1942 (56 Stat. 10; 34 U. S. C. 622). *Post*, p. 880.
Sec. 430. Limitation on number of Reserve and retired officers serving on active duty in flag ranks.
Sec. 431. Computation of retired pay.
Sec. 432. Amendments to certain acts relating to retired pay.
Sec. 433. Amendment of the Army-Navy Medical Services Corps Act of 1947. *Post*, p. 881.
Sec. 434. Amendments to the act of April 16, 1947 (Public Law 36, Eightieth Congress). *Post*, p. 882.
Sec. 435. Special provision for nurses.
Sec. 436. Acts repealed.

TITLE V—ARMY *Post*, p. 883.

Sec. 501. Regular Army officers—Authorized strength.
Sec. 502. Regular Army officers—Appointments—Assignment in branch—Authorized strength of branches.
Sec. 503. General officers of the Regular Army—Authorized numbers—Seniority list—Date of rank.
Sec. 504. General officers—Assignments—Positions carrying rank of general and lieutenant general.
Sec. 505. Regular Army officers—Authorized numbers in grades below brigadier general—Promotion lists—Seniority—Date of rank.
Sec. 506. Regular Army officers—Procurement of additional officers.
Sec. 507. Regular Army officers—Selection boards—Promotion generally.
Sec. 508. Regular Army officers—Promotion to grade of first lieutenant.
Sec. 509. Regular Army officers—Promotion to grades of captain, major, and lieutenant colonel—Elimination of those not promoted.
Sec. 510. Regular Army officers—Promotion to grade of colonel.
Sec. 511. Regular Army officers—Promotion to grade of brigadier general.
Sec. 512. Regular Army officers—Promotion to grade of major general.
Sec. 513. General officers—Chiefs and assistant chiefs of services—Promotion to general officer grades with view to assignment as chief or assistant chief of service.
Sec. 514. Regular Army officers—Elimination from active list—Mandatory retirement or separation.
Sec. 515. Army officers—Temporary grades—Temporary appointments of officers in the Army of the United States—Active duty of Reserve component officers.
Sec. 516. Relative rank of general officers of the Army with flag officers of the Navy.
Sec. 517. Regular Army officers—Service credit to certain officers who were in the Regular Army prior to December 28, 1945.
Sec. 518. Regular Army officers—Promotions to be made on July 1, 1948, to fill initial requirements in grades of captain, major, and lieutenant colonel.
Sec. 519. Amendments to National Defense Act to provide increased rank for Chief of Chaplains and Assistants to Surgeon General.
Sec. 520. Professors of the United States Military Academy.
Sec. 521. Amendment to Army retirement laws.
Sec. 522. Amendment to article of war 119. *Post*, p. 913.
Sec. 523. Saving clause.

TITLE I—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE LINE OF THE NAVY

PERMANENT STATUS OF TITLE I

SEC. 101. The provisions of this title shall constitute permanent, as distinguished from terminable, provisions of law relating to the distribution of commissioned officers in the various grades of the line of the Regular Navy, to the promotion of such officers to the grades above that of lieutenant (junior grade), and to their involuntary separation from the active list.

DEFINITIONS

"Officers."

SEC. 102. (a) As used in this title, the word "officers" shall be held to mean commissioned officers holding permanent appointments as such on the active list in the line of the Regular Navy. Unless otherwise qualified, it shall be held to include officers designated for engineering duty, aeronautical engineering duty, special duty, and limited duty, and to exclude commissioned warrant officers.

Military titles.

(b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be, holding permanent appointment on the active list in the line of the Regular Navy in the grade concerned.

"Not restricted in the performance of duty."

(c) As used in this title, the words "not restricted in the performance of duty" shall be held to describe officers not designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, or officers of the Marine Corps not designated for supply duty or limited duty.

Computation of commissioned service.

(d) For the purposes of this title in respect to eligibility for continuation on the active list and in respect to separation from the active list, the total commissioned service of an officer who shall have served continuously in the Regular Navy following appointment therein in the grade or rank of ensign upon graduation from the Naval Academy or pursuant to the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress), shall be computed from June 30 of the fiscal year in which he accepted such appointment. Each other officer shall be deemed to have for these purposes as much total commissioned service as any officer described above in this subsection who shall not have lost numbers or precedence and who is, or shall have been, junior to such other officer for the purpose of eligibility for promotion or selection for promotion since the date of the latter's first appointment to permanent commissioned rank in the Regular Navy above the grade of commissioned warrant officer, following which he shall have served continuously on the active list of the Regular Navy.

60 Stat. 1057.
34 U. S. C. § 1020 *et seq.*
Ante, pp. 99, 100; *post*, p. 880.

"Active-duty pay."
Post, pp. 808, 810.

(e) The words "active-duty pay" as used in sections 112 and 113 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.

DISTRIBUTION OF OFFICERS

SEC. 103. (a) The total number of officers on the active list at any one time, exclusive of officers carried by law as additional numbers in grade and of fleet admirals, shall be distributed in the proportion of seventy-five one-hundredths of one in the grade of rear admiral, to six in the grade of captain, to twelve in the grade of commander, to eighteen in the grade of lieutenant commander, to twenty-four and seventy-five one-hundredths in the grade of lieutenant, to thirty-eight and fifty one-hundredths in the combined grades of lieutenant (junior

grade) and ensign: *Provided*, That of the number of officers so authorized in each grade below captain, not to exceed the following percentages may be officers designated for limited duty: In the grade of commander three and sixty-four one-hundredths; in the grade of lieutenant commander eight and sixty-two one-hundredths; in the grade of lieutenant seven and seventy-two one-hundredths; and in the combined grades of lieutenant (junior grade) and ensign, six and four one-hundredths: *And provided further*, That, except in time of war or national emergency declared after the effective date of this Act, the number of rear admirals not restricted in the performance of duty shall not exceed one hundred and fifty.

Limited duty in grades below captain.

Rear admirals not restricted in duty.

(b) The total number of rear admirals designated for engineering duty, aeronautical engineering duty, and special duty shall not exceed at any one time a number equal to 13 per centum of the authorized number of officers, not restricted in the performance of duty, of the grade of read admiral at that time: *Provided*, That, except in time of war or national emergency declared after the effective date of this Act, the number of such rear admirals shall not exceed nineteen.

Engineering and special duty. Rear admirals.

(c) The total number of officers designated for engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 9 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

Combined grades of captain, commander, and lieutenant commander.

(d) The total number of officers designated for aeronautical engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

(e) The total number of officers designated for special duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

(f) To determine the authorized number of officers in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and thereafter as of January 1 of each year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so computed, shall be held and considered for all purposes as the authorized number of officers in each of such various grades and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such computations: *Provided*, That should it be found at the time of making any such computation that the authorized number which would result in the grade of captain could not be attained because of the minimum total commissioned service requirement prescribed by subsection 107 (c) of this title, the Secretary of the Navy shall determine such lesser number as may be appropriate and such lesser number shall be regarded as the authorized number, and the authorized number in any lower grade or grades shall be increased accordingly as may be determined by the Secretary of the Navy: *Provided further*, That to determine the authorized number of officers designated for limited duty in each of the various grades above lieutenant (junior grade) and in the combined grades of lieutenant (junior grade) and ensign, the Secretary of the Navy, as of the date of the approval of this Act and thereafter as of January 1 of each year, shall compute the maximum number of such officers who may serve in each of such various grades, and in the combined grades

Computations to determine authorized number.

Determination of lesser number.

Post, p. 801.

Determination of number for limited duty.

of lieutenant (junior grade) and ensign, as provided in subsection (a) of this section, and shall determine the number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, not to exceed such maximum number, required to meet the needs of the service during the ensuing year, and the resulting number of each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so determined, shall be held and considered for all purposes as the authorized number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such determinations: *Provided further*, That no officer shall be reduced in grade or pay or separated from the active list of the Navy as a result of any such computation or determination: *And provided further*, That notwithstanding the provisions of this subsection relating to the authorized number of officers in grade, in order to make adjustment for the number of officers originally appointed each year in any grade pursuant to titles I through IV of this Act or to other provisions of law, the authorized number of officers in each grade concerned may be temporarily exceeded by such number of original appointments in such grade until the next succeeding annual computation authorized by this subsection shall be made.

Reduction in grade, etc.

Adjustment.

Final fraction.

(g) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

PROMOTION BY SELECTION; RETENTION OF REAR ADMIRALS

34 U. S. C. § 345.

SEC. 104. (a) Subject to the provisions of section 1508 of the Revised Statutes, all promotions to grades above that of lieutenant (junior grade), including the promotion of those officers who are, or may be, carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

(b) Rear admirals, not restricted in the performance of duty, who complete four years of service in that grade and thirty-four years of total commissioned service shall, subject to the provisions of subsection 107 (a) of this title, be continued on the active list only upon the recommendation of a board of naval officers as prescribed by titles I through IV of this Act.

SELECTION BOARDS

Rear admirals and captains.

SEC. 105. (a) A board for the recommendation of rear admirals for continuation on the active list shall consist of five rear admirals, or officers of higher rank, senior to any officer under consideration. Boards for the recommendation of officers for promotion to the grades of rear admiral and captain, and for the recommendation of captains for continuation on the active list, shall consist of nine rear admirals; a board for the recommendation of officers for promotion to the grade of commander shall consist of three rear admirals and six captains; and boards for the recommendation of officers for promotion to the grades of lieutenant commander and lieutenant shall consist of nine officers above the grade of commander. Whenever officers designated for engineering duty, aeronautical engineering duty, or special duty are eligible for consideration by a selection board for promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of the same designation and classification as any such eligible officer, and if there be not three available he shall so appoint such lesser number as shall be available, and the junior members who are not restricted in the performance of duty, in like numbers, shall not

Commanders.

Lieutenant commanders and lieutenants.

Officers designated for engineering or special duty.

act upon the cases of officers designated for engineering duty, aeronautical engineering duty, or special duty. No such alternate member shall act upon the cases of officers other than those of the same designation as himself. No officer designated for engineering duty, aeronautical engineering duty, or special duty shall act upon the cases of officers not restricted in the performance of duty.

Restrictions.

(b) The officers composing these boards shall be officers on the active list of the Navy. No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

(c) These boards shall be appointed by the Secretary of the Navy and convened at least once each year and at such times as the Secretary of the Navy may direct.

Appointment, etc.

OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 106. Each member of a board provided for in section 105 of this title shall swear or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

Rear admirals.

SEC. 107. (a) Rear admirals, not restricted in the performance of duty, who, at any time during the fiscal year in which this title becomes effective or at any time during any subsequent fiscal year, first attain the status of having completed four years of service in grade and thirty-four years of total commissioned service shall become eligible for consideration by a selection board convened in such fiscal year for recommendation for continuation on the active list: *Provided*, That such a rear admiral who at any time shall have lost numbers or precedence shall become eligible for such consideration in the fiscal year in which the most senior rear admiral junior to him who shall not have lost numbers or precedence becomes eligible therefor: *Provided further*, That such eligibility shall continue until the officer concerned shall have been selected for continuation on the active list or until he shall have twice failed of such selection, whichever shall occur earlier: *Provided further*, That a rear admiral who shall have been selected for continuation on the active list pursuant to title III of this Act shall not be considered for selection for continuation pursuant to this subsection.

Post, p. 829.

Captains designated for engineering or special duty.

(b) Captains designated for engineering duty, aeronautical engineering duty, or special duty, within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for promotion to rear admiral, and (2) those who have failed of selection for promotion to rear admiral in the immediately preceding year and who are not recommended for promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Promotion to next higher grade, etc.

(c) Officers shall be eligible for consideration by a selection board for promotion to the next higher grade when they will have completed, on June 30 of the fiscal year of the convening of the appropriate board, the following periods of service in the grades in which they are serving: Captains, three years; commanders, five years; lieutenant commanders and lieutenants, four years; lieutenants (junior grade), two

years: *Provided*, That no officer of the grade of commander shall be eligible for consideration by a selection board for promotion to captain who, on June 30 of the fiscal year of the convening of the board, will have completed less than eighteen years commissioned service as defined in subsection 102 (d) of this title, nor shall any such officer be so eligible until all officers senior to him in his grade are likewise eligible. An officer in any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

Ante, p. 798.

Officers designated for limited duty.

(d) Of the officers, in any grade, designated for limited duty, who would otherwise be eligible for consideration for promotion pursuant to the provisions of subsection (c) of this section, only the junior officer in the promotion zone and officers senior to him in the grade concerned shall be eligible for such consideration.

INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 108. (a) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty, the number of officers designated for engineering duty, the number of officers designated for aeronautical engineering duty, the number of officers designated for special duty, and the number of officers designated for limited duty, which the board may recommend for promotion to the next higher grade; (2) the names of all officers eligible for consideration for promotion to each grade or grades to which the board will recommend officers for promotion; (3) the number of rear admirals not restricted in the performance of duty which the board may recommend for continuation on the active list; (4) the names of all rear admirals eligible for consideration for continuation on the active list; (5) the number of captains designated for engineering duty, the number of captains designated for aeronautical engineering duty, and the number of captains designated for special duty, which the board may recommend for continuation on the active list; (6) the names of captains eligible for consideration for continuation on the active list; (7) the records of all officers whose names are furnished to a board; and (8) the names of officers in the respective promotion zones in the grade or grades under consideration for promotion.

Number in respect to promotion.
Officers not restricted in duty.

(b) The number to be furnished the board in respect to the promotion of officers not restricted in the performance of duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated for limited duty.

(c) The number to be furnished the board in respect to the promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

(d) The numbers to be furnished the board in respect to the promotion of officers designated for engineering duty, aeronautical engineering duty, or special duty to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board. Their total shall be equal to the number of vacancies existing among such officers in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list. Within and to such total the Secretary of the Navy shall allocate such numbers to any or all of the named categories as he shall determine to be necessary to meet the requirements of the Navy.

Officers designated for engineering or special duty.

(e) The number to be furnished the board in respect to the promotion of officers designated for engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated for engineering duty.

(f) The number to be furnished the board in respect to the promotion of officers designated for aeronautical engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated for aeronautical engineering duty.

(g) The number to be furnished the board in respect to the promotion of officers designated for special duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated for special duty.

(h) The number to be furnished the board in respect to rear admirals not restricted in the performance of duty to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be computed by dividing the authorized number of such rear admirals by three and subtracting from the quotient thus obtained the number of such rear admirals,

Continuation on active list.
Rear admirals not restricted in duty.

exclusive of those who have once failed of selection for such continuation, who shall have completed prior to the end of the preceding fiscal year four years of service in that grade and thirty-four years of total commissioned service, which it is estimated will remain on the active list at the end of the current fiscal year: *Provided*, That the number to be so furnished shall not be less than 50 per centum of the number of such rear admirals, exclusive of those who have once failed of selection for such continuation, eligible for consideration by the board for continuation on the active list.

Captains designated for engineering duty, etc.

(i) The number to be furnished the board in respect to captains designated for engineering duty, aeronautical engineering duty, or special duty to be continued on the active list shall be such a number in each case not to exceed in each instance the number prescribed in subsection 112 (a) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

Post, p. 808.

Promotion zones. Officers not restricted in duty.

(j) The promotion zone in any grade for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in subsection (m) of this section and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Officers below grade of captain designated for engineering duty, etc.

(k) The promotion zones in any grade, below that of captain, for officers designated for engineering duty, for officers designated for aeronautical engineering duty, and for officers designated for special duty, shall each be composed of all officers of each such designation in the grade who have not previously failed of selection to the next higher grade and who are senior to the junior officer in the promotion zone determined as provided in subsection (j) of this section.

Officers designated for limited duty.

(l) The promotion zone in any grade for officers designated for limited duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in subsection (n) of this section and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Normal terms of service.

(m) The normal terms of service of officers, other than officers designated for limited duty, in the various grades below rear admiral shall be:

Grade	Service in grade	Total commissioned service
Captains	5 years	30 years
Commanders	7 years	25 years
Lieutenant commanders	6 years	18 years
Lieutenants	6 years	12 years
Lieutenants (junior grade)	3 years	6 years

(n) The normal terms of service in grade of officers designated for limited duty in the various grades below that of commander shall be the same as those set out in subsection (m) of this section.

Right of officer to forward communication concerning himself.

(o) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

DUTIES OF SELECTION BOARDS

Recommendations for promotion.

SEC. 109. (a) From among those officers who are eligible for consideration for promotion, each board shall recommend for promotion those officers whom it considers best fitted for promotion, in number not exceeding the number furnished the board by the Secretary of the Navy as provided in section 108 of this title: *Provided*, That, from among eligible officers junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend, as best fitted for promotion, a number exceeding 5 per centum of the total number that the board is authorized to recommend for promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That in each grade the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for promotion, be considered as having failed of selection for promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for promotion, be considered as having failed of selection for promotion: *Provided further*, That any captain designated for the performance of engineering duty, aeronautical engineering duty, or special duty, shall, if not on the promotion list for the grade of rear admiral on June 30 of the fiscal year in which he completes thirty years of total commissioned service, be held for all purposes to have once failed of selection for promotion, and if not on such list on June 30 of the succeeding year shall, subject to the provisions of subsection 111 (c) of this title, be held for all purposes to have twice failed of selection for promotion, and no such officer shall be held to have failed of selection for promotion solely by reason of the approved recommendation for promotion of any officer junior to him: *Provided further*, That an officer who has lost numbers or precedence shall not be held to have completed the service prescribed in the preceding proviso until he completes five years of service in the grade of captain: *And provided further*, That the status of having once failed of selection for promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Continuation on active list.
Rear admirals not restricted in duty.

(b) From among those rear admirals not restricted in the performance of duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number equal to the number furnished the board by the Secretary of the Navy as provided in section 108 of this title.

Captains designated for engineering duty, etc.

(c) From among those captains designated for engineering duty, aeronautical engineering duty, or special duty, who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers, of each such category, whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, with respect to that category, as provided in section 108 of this title.

(d) The recommendation of the board in respect to the promotion of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, for the duties prescribed for them by law.

Reports, etc., of board.

(e) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the acting members: *Provided*, That the report or recommendation of a board composed of five acting members shall require the concurrence of at least a majority of the acting members.

(f) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

REPORTS OF SELECTION BOARDS

SEC. 110. (a) The report of the board shall be in writing, signed by all of the acting members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished to the board by the Secretary of the Navy, as provided in section 108 of this title, and that, in the opinion of at least two-thirds of the acting members, the officers therein recommended are selected as the best fitted to assume the duties of the next higher grade subject to the limitations prescribed in subsection 109 (a) of this title, except that the recommendation of the board in the cases of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness as prescribed in section 109 of this title. The report of a board convened to recommend rear admirals or captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the acting members, and, if the board has but five acting members, in the opinion of at least a majority of the acting members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Submission to President.

(b) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for promotion, or, in the case of rear admirals or captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President and, if necessary, the board shall be reconvened for this purpose.

PROMOTION OF OFFICERS

Promotion list.

SEC. 111. (a) Officers recommended for promotion in the approved report of a selection board shall be regarded as having been selected for promotion and their names shall be placed upon a promotion list

for the grade for which recommended in the order of their seniority at the time of approval of such report except that the names of officers recommended in an earlier approved report shall be placed upon the promotion list ahead of those recommended for promotion to the same grade in a later approved report. Promotions to fill vacancies in any grade among officers not restricted in the performance of duty or officers designated for the performance of limited duty and to fill vacancies in the grade of rear admiral among officers restricted in the performance of duty shall be made from among officers of the appropriate category whose names appear on the promotion list for the grade concerned and in the order of placement on the said promotion list. Each commander, lieutenant commander, and lieutenant (junior grade) restricted in the performance of duty whose name appears on a promotion list shall be eligible for promotion to the next higher grade when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for promotion and, for the purposes of this section, such date of eligibility for promotion shall be regarded as the date of vacancy in the higher grade. Each lieutenant restricted in the performance of duty whose name appears on a promotion list shall be eligible for promotion to the grade of lieutenant commander when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for promotion or when a vacancy exists in the combined grades of captain, commander, and lieutenant commander among officers restricted in the performance of duty, whichever may be the later, and for the purposes of this section, such date of eligibility for promotion shall be regarded as the date of vacancy in the higher grade.

Commission of officer promoted to higher grade, etc.

(b) The commission of each officer promoted to a higher grade shall bear such date of rank and precedence number which, upon his promotion, will assure him precedence in accordance with the order in which his name appeared on the promotion list; no increased pay or allowances shall accrue to any officer prior to the date of the occurrence of the vacancy which he is promoted to fill.

Removal from promotion list.

(c) The President may remove the name of any officer from the promotion list. An officer whose name is so removed from the promotion list, or one whose appointment is rejected by the Senate, shall continue to be eligible for consideration for recommendation for promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for promotion.

Replacement.

Sea or foreign service.

(d) No officer shall be promoted to a grade above lieutenant unless he has had not less than two years' sea or foreign service in the grade in which serving and on the promotion list for that grade: *Provided*, That the qualification of sea or foreign service shall not apply to officers restricted by law to the performance of engineering duty only, aeronautical engineering duty only, or special duty only: *And provided further*, That the Secretary of the Navy shall determine the types of duty which may be counted for the purpose of this subsection.

RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

Captains.

SEC. 112. (a) Captains whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 111 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That such an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains not restricted in the performance of duty whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 111 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed ten captains designated for engineering duty, and not to exceed five captains designated for aeronautical engineering duty, and not to exceed ten captains designated for special duty, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved, but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total commissioned service: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Continuation on active list.

Commanders.

(b) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of section 111 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

Officers designated for limited duty.

(c) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service exclusive of active duty for training in a Reserve component.

Lieutenant commanders.

(d) Lieutenant commanders, except lieutenant commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of section 111 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty, who shall twice fail of selection for promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if

not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

Lieutenant commanders designated for limited duty.

(e) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they shall have twice failed of selection for promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of warrant officer or commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all active service as an officer designated for limited duty or as a temporary or Reserve officer shall be included: *And provided further*, That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade in which then serving, upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

Retired pay for officers in grades above lieutenant.

(f) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of 2½ per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

Fractional year.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

Lieutenants.

(g) Lieutenants, and lieutenants (junior grade), who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with subsection 109 (f) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with subsection 109 (f) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 102 (d), but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (e) of this section.

Ante, p. 806.

Ante, p. 798.

Fractional year.

Physical disability.

(h) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the grade for which they were selected, with retired pay at the rate

of 75 per centum of the active-duty pay of the rank to which selected.

Applicability of designated provisions to officers above grade of ensign.

(i) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for promotion shall be applicable to officers above the grade of ensign who fail on professional reexamination for promotion in the same manner as if such officers had twice failed of selection for promotion.

(j) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

Rear admirals. Retired pay.

SEC. 113. (a) Rear admirals who, having been considered by two successive selection boards for recommendation for continuation on the active list, are not so recommended in the approval report of such a board shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(b) Should it be found, as of the time of the convening of a board for the consideration of rear admirals who are not restricted in the performance of duty for continuation on the active list, that the number to be furnished the board as determined pursuant to the provisions of subsection 108 (h) would, except for the proviso to said subsection, be less than 50 per centum of the number of such rear admirals, excluding those who have once failed of selection for continuation on the active list, eligible for such consideration, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider such rear admirals, excluding those who have once failed of selection for continuation on the active list, who completed four years of service in that grade and thirty-four years of total commissioned service prior to July 1 of the then current fiscal year, and recommend for retirement a sufficient number so that the number to be furnished the board as so determined shall equal said 50 per centum.

Ante, p. 803.

(c) Should it be found, as of the time of the convening of a board for the consideration of captains who are not restricted in the performance of duty for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of captains equal to 10 per centum of the authorized number of rear admirals, not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of such captains.

(d) Should it be found, as of the time of the convening of a board for the consideration of captains designated for engineering duty, aeronautical engineering duty, or special duty for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of such captains

equal to 15 per centum of the authorized number of rear admirals designated for engineering duty, aeronautical engineering duty, or special duty, the Secretary of the Navy shall convene a board of not less than five officers, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of such captains.

Submission of report to President.

(e) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal to the number disapproved by the President.

Retired pay, etc.

(f) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(g) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

MARINE CORPS

SEC. 114. (a) Commissioned officers of the Marine Corps shall be authorized in number in the same proportion to authorized enlisted strength and shall be distributed in grades, promoted, retired, and discharged in like manner and with the same relative conditions in all respects as provided for commissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

Officers above grade of colonel not restricted in duty.

(b) Of the authorized number of commissioned officers above the grade of colonel who are not restricted in the performance of duty, not more than 50 per centum may be major generals and the remainder brigadier generals: *Provided*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, the number of such officers shall not exceed thirty-two, of which not exceeding twelve may be major generals.

Supply duty. Brigadier generals.

(c) The number of brigadier generals designated for supply duty, including the officer serving as the head of the Supply Department, shall not exceed at any one time a number equal to 13 per centum of the number of general officers of the Marine Corps not restricted in the performance of duty authorized at that time: *Provided*, That except in time of war or national emergency declared after the effective date of this Act, such number shall not exceed four.

Combined grades of colonel, lieutenant colonel, and major.

(d) The total number of officers designated for supply duty in the combined grades of colonel, lieutenant colonel, and major shall not exceed at any one time a number equal to 8 per centum of the total number of officers not restricted in the performance of duty authorized in those grades at that time.

Sea or foreign service.

(e) The requirement of sea or foreign service in grade shall not apply to promotion of officers of the Marine Corps.

Selection boards.

(f) Selection boards shall consist of nine officers of the active list of the Marine Corps, the composition of the boards to be determined

Recommendations for promotion, etc.

by the Secretary of the Navy: *Provided*, That no officer shall be recommended for promotion or for continuation on the active list unless he shall have received the recommendation of not less than two-thirds of the acting members of the board: *Provided further*, That whenever there are insufficient general officers available to comprise a selection board for the recommendation of officers for promotion to the grades of brigadier general and colonel without placing thereon general officers who served as members of the same corresponding board the preceding year, officers of the active list of the line of the Navy, not restricted in the performance of duty, of the grade of rear admiral may be substituted for general officers of the Marine Corps in order to comply with the provisions of subsection 105 (b) of this title: *Provided further*, That selection boards to recommend brigadier generals for promotion to major general shall be composed of officers of the permanent grade of major general on the active list of the Marine Corps to the extent that such officers are deemed available for this duty by the Secretary of the Navy, and the remainder of the board shall be composed of rear admirals on the active list of the line of the Navy, not restricted in the performance of duty: *And provided further*, That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

Ante, p. 801.

Administrative staff duty, etc.

Appointment of alternate members of board.

(g) Whenever officers designated for supply duty are eligible for consideration by a selection board for promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of that designation, and if there be not three available, he shall so appoint such lesser number as may be available, and the junior members of the board who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers designated for supply duty. No such alternate member shall act upon the cases of officers other than those designated for supply duty. No officer designated for supply duty or for limited duty shall act upon the cases of officers not restricted in the performance of duty.

Promotion to major general.

(h) Promotion to major general shall be from brigadier generals who are not restricted in the performance of duty, and such officers shall be eligible for consideration by a selection board for promotion to major general when they will have completed, on June 30 of the fiscal year of the convening of the board, four years' service in that grade. The date of rank of an officer appointed in the grade of major general shall be the date of rank held by such officer in the grade of brigadier general under permanent or temporary appointment: *Provided*, That subject to the provisions of subsection 111 (c) of this title and of subsection 423 (b) of title IV of this Act, such date of rank shall not be earlier than that of the junior officer in the grade of major general: *And provided further*, That such an officer shall be entitled to the pay and allowances of the higher grade from the date of occurrence of the vacancy which he is promoted to fill.

Ante, p. 807.
Post, p. 879.

Promotion zone in grade of brigadier general.

(i) The promotion zone in the grade of brigadier general for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade of brigadier general, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as

having failed of such selection, in order to maintain a flow of promotion consistent with the needs of the service and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years and the number of such officers who will be eligible for selection.

Rank in designated grades.

(j) Officers serving in the grade of major general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers serving in the grade of brigadier general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades.

Nonapplicability.

(k) The provisions of this title relating to the selection of rear admirals for continuation on the active list shall not be applicable to major generals.

Selection for promotion of brigadier generals.

(l) Should it be found, as of the time of the convening of a board for the consideration of brigadier generals for promotion to the grade of major general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of major general is less than will permit the selection for promotion of a number of brigadier generals equal to 50 per centum of the number of such officers comprising the promotion zone for that grade, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of major generals to permit the selection for promotion of the said number of brigadier generals.

Selection for promotion of colonels.

(m) Should it be found, as of the time of the convening of a board for the consideration of colonels who are not restricted in the performance of duty for promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period is less than will permit the selection for promotion of a number of such colonels equal to 10 per centum of the authorized number of general officers who are not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of general officers to permit the selection for promotion of the said number of colonels.

Brigadier generals. Retired pay.

(n) Brigadier generals, who are not restricted in the performance of duty, whose names are not on the promotion list shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they fail of selection for promotion the second time with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(o) The provisions of this title relating to officers of the Navy designated for limited duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for limited duty.

Applicability of designated provisions.

(p) The provisions of this title relating to officers of the Navy designated for engineering duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for supply duty, except as may be necessary to adapt the said provisions to the Marine Corps or as herein otherwise provided.

Brigadier generals designated for supply duty.

(q) Brigadier generals designated for supply duty, if not retired pursuant to other provisions of law, shall, except as otherwise provided in this section, be placed on the retired list on June 30 of the fiscal year in which they complete five years' service in that grade and thirty-five years' total commissioned service with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Continuation on active list.

(r) Brigadier generals of the Marine Corps designated for supply duty who in the then current fiscal year complete or will complete five years' service in their grade and have completed or will complete in such fiscal year thirty-five years of total commissioned service; those who prior to the then current fiscal year have completed five years' service in their grade and in such fiscal year complete or will complete thirty-five years of total commissioned service; and those who were recommended for continuation on the active list in the approved report of the immediately preceding appropriate selection board, shall be eligible for consideration by a selection board for continuation on the active list: *Provided*, That not to exceed two such brigadier generals recommended for continuation on the active list in the report of a selection board as approved by the President may be so continued until the report of the next succeeding selection board is approved: *And provided further*, That a brigadier general so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

(s) In addition to the information otherwise required by this title, the Secretary of the Navy shall furnish the appropriate selection board with the number of brigadier generals designated for supply duty which the board may recommend for continuation on the active list. The number so furnished shall be such number as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps not to exceed two.

Selection for promotion of colonels.

(t) Should it be found, as of the time of the convening of a board for the consideration of colonels designated for supply duty for promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of brigadier general is less than will permit the selection for promotion in such period of a number of such colonels equal to 15 per centum of the authorized number of brigadier generals designated for supply duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of brigadier general to consider and recommend for retirement a sufficient number of brigadier generals designated for supply duty to permit the selection for promotion in such period of the said number of such colonels.

Number to be continued on active list.

(u) The number to be furnished the board in respect to colonels designated for supply duty to be continued on the active list shall be

such number, not to exceed two, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps.

Retired pay.

(v) Officers recommended for retirement in the report of a board convened pursuant to subsections (l), (m), and (t) of this section, as approved by the President, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Recommendation for continuation on active list.

(w) From among the officers designated for supply duty who are eligible for consideration for continuation on the active list the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list in number equal to the number furnished the board by the Secretary of the Navy.

Retired rank, etc.

(x) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

Submission of report to President.

(y) The report of a board convened pursuant to the provisions of subsections (l), (m), and (t) of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional appropriate general officers for retirement equal to the number disapproved by the President.

DETERMINATION OF UPPER AND LOWER HALF REAR ADMIRALS

SEC. 115. Rear admirals on the active list of the line in the upper half of that grade, exclusive of officers carried as additional numbers in grade, shall be entitled to the pay and allowances prescribed by law for rear admirals of the upper half: *Provided*, That for the purpose of determining the number of rear admirals in the upper half, there shall be excluded those officers carried as additional numbers in that grade, and each rear admiral carried as an additional number in that grade shall be entitled to such pay and allowances from the date on which the officer next junior to him becomes entitled thereto pursuant to this section.

EFFECTIVE DATE OF TITLE I

SEC. 116. Sections 101, 102, and, as to distribution, sections 103 and 114 of this title shall be effective upon the date of approval of this Act. The remaining provisions of this title shall be effective upon the termination of title III of this Act.

Ante, pp. 798, 811.

Post, p. 829.

TITLE II—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE STAFF CORPS OF THE NAVY

PERMANENT STATUS OF TITLE II

SEC. 201. The provisions of this title shall constitute permanent, as distinguished from terminable, provisions of law relating to the distribution of commissioned officers in the various grades of the Staff Corps of the Regular Navy, to the promotion of such officers to the grades above that of lieutenant (junior grade), and to their involuntary separation from the active list.

DEFINITIONS

"Officers."

SEC. 202. (a) As used in this title, the word "officers" shall be held to mean commissioned officers holding permanent appointments as such on the active list in the Staff Corps of the Regular Navy. Unless otherwise qualified it shall be held to include officers of the Medical, Supply, Chaplain, Civil Engineer, Dental, Medical Service, and Nurse Corps of the Navy, including officers designated for limited duty in such corps, and to exclude commissioned warrant officers.

Military titles.

(b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be, holding permanent appointment on the active list in a Staff Corps of the Regular Navy in the grade concerned.

"Not restricted in the performance of duty."

(c) As used in this title, the words "not restricted in the performance of duty" shall be held to describe officers not designated for limited duty.

Computation of commissioned service.

(d) (1) For the purposes of this title in respect to eligibility for continuation on the active list and in respect to separation from the active list, the total commissioned service of an officer originally appointed in the grade or rank of lieutenant (junior grade) or ensign in the Regular Navy, who has served continuously on the active list shall be computed from June 30 of the fiscal year in which he accepted such appointment, except for officers appointed pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress). Each other officer shall be deemed to have for these purposes as much total commissioned service as any officer described above in this subsection who shall not have lost numbers or precedence and who is, or shall have been, junior to such other officer in his corps for the purpose of eligibility for promotion or selection for promotion since the date of the latter's first appointment to permanent commissioned rank in the Regular Navy above the grade of commissioned warrant officer, following which he shall have served continuously on the active list of the Regular Navy.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

Service to be credited to lieutenant (jg) of Nurse Corps.

(2) Notwithstanding the foregoing provisions of this subsection, the number of years' service to be credited to each lieutenant (junior grade) of the Nurse Corps shall, for the purpose of this title in regard to separation from the active list, be based on her total active service under an appointment as a commissioned officer in the Nurse Corps of the Navy or the reserve component thereof and all active service in the Nurse Corps and the Nurse Corps Reserve abolished by the Act of April 16, 1947 (Public Law 36, Eightieth Congress), shall, for this purpose, be regarded as commissioned service in the Navy.

Ante, p. 41; *post*, p. 882.

Officer in Medical Service Corps.

(3) Notwithstanding the provisions of paragraph (1) of this subsection, an officer commissioned in the Medical Service Corps pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress) shall, for the purpose of this title in respect to separation from the active list, be deemed to have total commissioned service equivalent to that of his line officer running mate.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

"Active duty pay."
Post, pp. 825, 827.

(e) The words "active-duty pay" as used in sections 212 and 213 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.

DISTRIBUTION OF OFFICERS

Rear admirals.

SEC. 203. (a) Officers of the Staff Corps of the Navy shall be distributed in the various grades in each Staff Corps in accordance with the provisions of this title: *Provided*, That the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, exclusive of any such rear admiral serving as a chief of bureau, shall not exceed in each corps

five-tenths of 1 per centum of the officers in that corps on the active list of the Navy at any one time: *Provided further*, That such a rear admiral serving as a chief of bureau shall upon termination of his tenure as chief of bureau be carried in excess until the next vacancy occurs in the grade of rear admiral in the corps concerned: *Provided further*, That notwithstanding the foregoing provisions, except in time of war or national emergency declared after the effective date of this Act, the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps shall not exceed fifteen, thirteen, two, four, and four, respectively: *And provided further*, That the number of captains in the Medical Service Corps and the number of commanders and lieutenant commanders in the Nurse Corps shall not exceed 2 per centum, seven-tenths of 1 per centum, and $1\frac{6}{10}$ per centum, respectively, of the officers in the corps concerned on the active list of the Navy at any one time.

Captains in Medical Service Corps, etc.

(b) To determine the authorized number of officers in the grade of rear admiral in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, and the authorized number of captains in the Medical Service Corps and the authorized number of commanders and lieutenant commanders in the Nurse Corps, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and as of January 1 of each year thereafter; the resulting number in the grade of rear admiral in each corps in which such grade is authorized, as so computed, shall be held and considered for all purposes as the authorized number of officers in the grade of rear admiral in each such corps and shall not be varied between computations; the resulting number in the grade of captain in the Medical Service Corps and in each of the grades of commander and lieutenant commander in the Nurse Corps, as so computed, shall be held and considered as the authorized number of officers in the grade of the corps concerned until a subsequent computation shall be made: *Provided*, That no officer shall be reduced in grade or pay or separated from the active list of the Navy as a result of any such computation.

Determination of authorized numbers.

(c) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

Final fraction.

PROMOTION BY SELECTION

SEC. 204. All promotions to grades above that of lieutenant (junior grade), including the promotion of those officers who are, or may be, carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

SELECTION BOARDS

SEC. 205. (a) A board for the recommendation of officers for promotion to the grade of rear admiral, and for the recommendation of captains for continuation on the active list, shall consist of not less than three nor more than nine rear admirals of the corps concerned. Boards for the recommendation of officers for promotion to the grades of captain and commander except with respect to officers of the Medical Service Corps and of the Nurse Corps shall consist of not less than six nor more than nine officers of the corps concerned of the grade of captain or above. Boards for the recommendation of officers for promotion to the grades of lieutenant commander and lieutenant, except with respect to officers of the Medical Service Corps and of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned above the grade of commander.

Rear admirals and captains.

Captains and commanders.

Lieutenant commanders and lieutenants.

Detail of officers of the line.

(b) The officers composing these boards shall be officers on the active or retired list of the Navy. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required minimum membership.

Officers of Medical Service and Nurse Corps.

(c) Boards for the recommendation of officers of the Medical Service Corps and of the Nurse Corps for promotion to grades above lieutenant (junior grade) shall be composed of not less than six nor more than nine officers above the grade of commander on the active or retired list of the Medical Corps: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such a selection board, officers of the line of the active list of the grade of captain may be detailed to duty on such board to constitute the required minimum membership.

Detail of officers of the line.

Restriction.

(d) No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade.

Appointment of boards, etc.

(e) The boards prescribed in this section shall be appointed by the Secretary of the Navy and convened at least once each year at a time as soon as practicable after the report of a corresponding board for the selection of line officers has been approved by the President, and at such times as the Secretary of the Navy may direct: *Provided*, That a selection board to recommend officers of the Medical Service Corps for promotion to the grade of captain or officers of the Nurse Corps for promotion to the grade of commander or lieutenant commander shall be convened only if there exists a vacancy in the grade concerned or if the Secretary of the Navy estimates or determines that a vacancy will occur in the ensuing twelve-month period.

OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 206. Each member of a board provided for in section 205 of this title shall swear, or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

Captains.

SEC. 207. (a) Captains within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for promotion to rear admiral, and (2) those who have failed of selection for promotion to rear admiral in the immediately preceding year and who are not recommended for promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Officer in any grade except certain captains and commanders.

(b) An officer in any grade, except captains in the Medical Service Corps and commanders in the Nurse Corps, shall become eligible for consideration by a selection board for promotion to the next higher grade when his running mate becomes eligible for such selection, except that officers of the Medical, Dental, Medical Service, and Chaplain Corps in the grades of lieutenant (junior grade) and lieutenant, and officers of the Nurse Corps in the grade of lieutenant (junior grade) shall not be eligible for such selection unless they are in the promotion zone in such grade or are senior to the officers in the promotion zone of the grade in which they are serving. An officer in

any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

(c) Of the officers, in any grade in any corps, designated for limited duty, who would otherwise be eligible for consideration for promotion pursuant to the provisions of subsection (b) of this section, only the officer in that corps whose running mate is the junior officer in the promotion zone for line officers designated for limited duty and officers in that corps senior to him in the grade concerned shall be eligible for such consideration.

INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 208. (a) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty and the number of officers designated for limited duty which the board may recommend for promotion to the next higher grade; (2) the names of all officers eligible for consideration for promotion; (3) the number of captains which the board may recommend for continuation on the active list; (4) the names of captains eligible for consideration for continuation on the active list; (5) the records of all officers whose names are furnished to a board; and (6) the names of officers in the respective promotion zones in the grade or grades under consideration for promotion.

Number in respect to promotion. Officers not restricted in duty.

(b) The number to be furnished the board in respect to the promotion of officers not restricted in the performance of duty to the grades of captain and commander, except with respect to the promotion of officers of the Medical Service Corps to the grade of captain and of officers of the Nurse Corps to the grade of commander, shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of officers in the promotion zone in the grade and in the corps concerned. The enumerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Officers designated for limited duty.

(c) The number to be furnished the board in respect to the promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers designated for limited duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers designated for limited duty in the promotion zone considered by said board for the selection of line officers.

Officers of Supply and Civil Engineer Corps.

(d) The number to be furnished the board in respect to the promotion of officers of the Supply Corps and Civil Engineer Corps not restricted in the performance of duty to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a

number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Lieutenant commanders and lieutenants.

(e) The number to be furnished the board in respect to the promotion of officers, except officers of the Supply Corps, Civil Engineer Corps, and Nurse Corps to the grade of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of such officers in the promotion zones in the grades of lieutenant and lieutenant (junior grade), respectively.

Captains.

(f) The number to be furnished the board in respect to the promotion of captains to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of captains then on the promotion list.

(g) The number to be furnished the board in respect to captains to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be such a number in each case, not to exceed in each instance the number prescribed in subsection 212 (a) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

Post, p. 825.

Promotion zones.

(h) An officer in any grade, not restricted in the performance of duty, who has not failed of selection for promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers not restricted in the performance of duty in that grade.

(i) An officer in any grade, designated for limited duty, who has not failed of selection for promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers designated for limited duty.

Officers of Medical Service Corps.

(j) The number to be furnished the board in respect to the promotion of officers of the Medical Service Corps to the grade of captain shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the difference between the allowed number of officers in that grade and the actual number of officers therein plus the number of officers estimated to be separated from that grade during the ensuing twelve-month period and minus the number of commanders then on the promotion list.

Officers of Nurse Corps.

(k) The number to be furnished the board in respect to the promotion of officers of the Nurse Corps to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall for each grade be equal to the difference between the allowed number of officers in the grade and the actual number of officers therein plus the number of officers estimated to be separated from the grade during the ensuing twelve-month period and minus the number of officers of the next lower grade then on the promotion list.

(l) The number to be furnished the board in respect to the promotion of officers of the Nurse Corps to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of lieutenants (junior

grade) in that corps in and senior to the promotion zone minus the number of lieutenants (junior grade) then on the promotion list.

Right of officer to forward communication concerning himself.

(m) Any officer eligible for consideration for selection shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

DUTIES OF SELECTION BOARDS

Recommendations for promotion.

SEC. 209. (a) From among those officers who are eligible for consideration for promotion, each board shall recommend for promotion those officers, if of the grade of lieutenant commander or above, or if designated for limited duty in grades above ensign, whom it considers best fitted for promotion, and, if of the grade of lieutenant or lieutenant (junior grade), in the Supply and Civil Engineer Corps or if of the grade of lieutenant in the Nurse Corps those whom it considers best fitted for promotion, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Dental Corps, Chaplain Corps, Civil Engineer Corps, or Medical Service Corps, or of the grade of lieutenant (junior grade) in the Nurse Corps, those whom it considers fitted for promotion, in number not exceeding the number furnished the board by the Secretary of the Navy as provided in section 208 of this title: *Provided*, That from among eligible officers junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for promotion, a number exceeding 5 per centum of the total number that the board is authorized to recommend for promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That in each grade, except with respect to lieutenant commander and lieutenant of the Nurse Corps the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for promotion, be considered as having failed of selection for promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for promotion, be considered as having failed of selection for promotion: *And provided further*, That the status of having once failed of selection for promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Recommendation for continuation of captains on active list.

(b) From among those captains who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, as provided in section 208 of this title.

Officers designated for limited duty.

(c) The recommendation of the board in respect to the promotion of officers designated for limited duty shall be based upon their comparative fitness, within such category for the duties prescribed for them by law.

Reports, etc., of board.

(d) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the members: *Provided*, That the report or recommendation of a board composed of five members or less shall require the concurrence of at least a majority of the members.

(e) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

REPORTS OF SELECTION BOARDS

SEC. 210. (a) The report of the board shall be in writing, signed by all the members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished the board by the Secretary of the Navy, as provided in section 208 of this title, and that, in the opinion of at least two-thirds of the members, the officers therein recommended, if of the grade of lieutenant commander or above, if of the grade of lieutenant or lieutenant (junior grade) in the Supply Corps or Civil Engineer Corps, or if of the grade of lieutenant in the Nurse Corps, are, subject to the limitations prescribed in subsection 209 (a) of this title, selected as the best fitted to assume the duties of the next higher grade, and, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Dental Corps, or Medical Service Corps, or if of the grade of lieutenant (junior grade) in the Nurse Corps, are selected as fitted to assume the duties of the next higher grade. The report of a board convened to recommend captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the members, if the board has more than five members, and, if the board has five members or less, in the opinion of at least a majority of the members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Ante, p. 819.

Submission to President.

(b) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for promotion, or, in the case of captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President, and, if necessary, the board shall be reconvened for this purpose.

PROMOTION OF OFFICERS; PRECEDENCE; RUNNING MATES

Promotion list.

SEC. 211. (a) (1) Officers recommended for promotion to a grade below rear admiral in the report of a selection board, as approved by the President, shall be regarded as having been selected for promotion and their names shall be placed upon a promotion list for the grade concerned. Each such officer except a commander of the Medical Service Corps or a lieutenant commander or lieutenant of the Nurse Corps, shall become eligible for promotion to the grade for which selected when the line officer who, pursuant to subsection (h) of this section, is to be his running mate in the higher grade becomes eligible for promotion to that grade. When promoted, the staff officer shall be assigned the same date of rank which has been or, in due course, will be, given to such running mate in such higher grade and, except officers of the Medical Service Corps promoted to the grade of captain and officers of the Nurse Corps promoted to the grades of commander and lieutenant commander, shall be entitled to the pay and allowances of the higher grade from the date upon which such running mate became eligible for promotion thereto.

Medical Service and Nurse Corps.

(2) Promotions to fill vacancies in the grade of captain in the Medical Service Corps and to the grades of commander and lieutenant

commander in the Nurse Corps shall be made from among officers whose names appear on the promotion list for the grade concerned. When so promoted each such officer shall have the same date of rank which has been, or in due course will be, given the line officer who is to be his or her running mate in the grade to which promoted, but no increased pay or allowances shall accrue to any such officer by virtue of his promotion prior to the date of occurrence of the vacancy which he is promoted to fill or prior to the date of his selection for promotion, whichever shall be later.

Rear admirals.

(b) The names of officers recommended by a board for promotion to the grade of rear admiral, and approved by the President, shall be placed upon a promotion list and promotions to fill vacancies shall be made from officers whose names appear on the promotion list: *Provided*, That when so promoted each such officer shall have the same date of rank which has been given to the running mate assigned him in the grade to which he is promoted: *Provided further*, That if such running mate shall not have been promoted, the staff officer shall be given as his date of rank the date of the occurrence of the vacancy which he is promoted to fill until such running mate shall have been promoted to the grade of rear admiral, at which time the staff officer shall be given a new commission with the same date of rank given to such running mate: *And provided further*, That each staff officer promoted to the grade of rear admiral shall be entitled to the pay and allowances of that grade only from the date of occurrence of the vacancy which he is promoted to fill.

Removal from promotion list.

(c) The President may remove the name of any officer from the promotion list. An officer whose name is so removed from the promotion list or one whose appointment is rejected by the Senate, shall continue to be eligible for consideration for recommendation for promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for promotion.

Replacement.

Precedence of line and staff officers.

(d) Line and staff officers of the Navy, when of the same grade, shall take precedence with all other line and staff officers of the same grade from the dates of rank stated in their commissions in said grade: *Provided*, That officers serving in the same grade and having the same date of rank in that grade shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplains, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps.

Assignment of running mates.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

(e) (1) Lieutenants (junior grade) in a staff corps, appointed subsequent to the approval of this Act pursuant to any authority other than the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), with date of rank in that grade in the same calendar year shall, in order of their lineal rank and following December 31 of that year, be assigned running mates among line lieutenants (junior grade) with dates of rank in the same calendar year, if of other than the Medical Corps, and in the preceding calendar year if of the Medical Corps, in the manner herein prescribed. Each such staff officer shall be assigned

as his running mate the line officer whose numerical position in the order of lineal rank among the line lieutenants (junior grade) above described is equal, or nearest equal, to the product of the numerical position of the staff officer in his order of lineal rank in his corps and a fraction whose numerator is the number of such line officers and whose denominator is the number of such staff officers. When there is but one such staff officer, the running mate shall be the line officer whose lineal rank is nearest the middle of the line officers concerned: *Provided*, That in any staff corps where officers may be originally appointed to the grade of lieutenant (junior grade) or ensign, all staff officers of that corps with dates of rank as lieutenants (junior grade) in the same calendar year shall, for the purpose of assignment of running mates, be regarded as having lineal rank in such order as may be recommended in the approved report of a board of officers convened for that purpose; such boards shall be convened as soon as practicable after December 31 of each year, shall be composed of officers of the corps concerned, and their recommendations when approved by the Secretary of the Navy shall be conclusive.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

(2) An officer appointed to a staff corps in a grade above lieutenant (junior grade) except one appointed pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), shall be assigned as his running mate the junior line officer of the same grade with the same date of rank, or if there be none, the junior line officer of the same grade with next earlier date of rank.

(f) Notwithstanding the provisions of subsection (e) of this section, a line officer hereafter transferred to a staff corps in the grade of lieutenant (junior grade) or above shall, upon transfer, have assigned as his running mate the line officer immediately senior to him at the time of transfer.

Assignment of new running mate.

(g) Should the running mate of a staff officer be separated from the active list or for any cause lose numbers, a new running mate shall be assigned the staff officer who shall be the line officer who was next senior to the former running mate, or the line officer who was next junior if the former running mate was the senior officer in the grade concerned.

(h) A staff officer selected for promotion shall, when promoted, have assigned as his running mate in the grade to which promoted, a line officer of the same grade whose name was placed upon the promotion list for that grade upon approval of the line selection board immediately preceding the Staff Corps selection board which selected the staff officer. Such line officer shall be the officer who was the running mate of the staff officer in the grade from which promoted if such running mate shall have been selected and promoted; otherwise, the new running mate shall be the line officer whose name was on the said promotion list and who shall have been selected and promoted next senior to the former running mate or, if there be no such line officer, the line officer who shall have been selected and promoted next junior to the former running mate. In the application of this subsection, if a board on selection for any staff corps and grade therein be not convened between the date of convening of two or more line selection boards for the same grade, the earliest of such boards shall be held as being the line selection board immediately preceding the staff board when convened.

Line selection boards.

Promotion of running mate.

(i) Should the running mate of a staff officer be promoted to a higher grade and such staff officer be not so promoted, the latter shall have assigned as his running mate in the grade in which he remains the line officer of that grade who was next senior to the former running mate, or if there be none the line officer of that grade next junior to the former running mate.

(j) If a staff officer of the grade of lieutenant (junior grade) or above shall lose numbers in grade for any cause he shall have assigned as his new running mate the line officer who is the running mate of the junior of those officers in his corps who becomes or will become senior to him as the result of such loss of numbers.

Loss of numbers.

(k) If the running mate of a staff officer shall be advanced in numbers or shall be advanced in grade in accordance with section 1508 of the Revised Statutes, the staff officer shall have assigned as his new running mate the line officer not advanced who was next senior to his former running mate in the grade in which the staff officer remains or, if there remain in that grade no line officer who was senior to such former running mate in the grade concerned, the staff officer shall have assigned as his new running mate the senior line officer in the grade in which the staff officer remains.

Advancement of running mate in numbers, etc.

34 U. S. C. § 345.

(l) If a staff officer of the grade of lieutenant (junior grade) or above shall be advanced in numbers in his grade, he shall have assigned as his new running mate the line officer who is the running mate of the officer of the same grade in his corps immediately senior to such staff officer in the position to which advanced; if there be no such senior staff officer, the staff officer who is so advanced shall have assigned as his new running mate the line officer who is the running mate in the grade concerned of the staff officer of the same corps immediately junior to such staff officer in the position to which advanced.

Advancement in numbers of designated staff officers.

(m) The line officer running mate assigned a staff officer pursuant to this section shall, if the staff officer be one designated for limited duty, be an officer also designated for such duty; in all other cases, the running mate shall be a line officer not restricted in the performance of duty.

Line officer running mate assigned a staff officer.

(n) Officers of the staff corps serving in the grade of rear admiral shall receive the pay and allowances prescribed by law for rear admirals of the upper half from the date on which their respective running mates enter the upper half of the list of rear admirals, but not prior to the date of the vacancy the staff officer was promoted to fill.

Pay and allowances.

RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

SEC. 212. (a) Captains of the Medical Service Corps shall be placed on the retired list on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, and captains of each other corps whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed the following numbers of captains, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total

Captains.

Ante, p. 823.

Continuation on active list.

commissioned service: Twenty-two in the Medical Corps, twenty-two in the Supply Corps, twenty-five in the Chaplain Corps, seven in the Civil Engineer Corps, twelve in the Dental Corps: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approval report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Commanders.

(b) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for promotion until June 30 of the fiscal year in which they shall have completed thirty years of total commissioned service.

Ante, p. 823.

Involuntary retirement.

Officers designated for limited duty.

(c) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service, exclusive of active duty for training in a Reserve component.

Lieutenant commanders.

(d) Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commanders of the Nurse Corps, whose names, on June 30 of the fiscal year in which they complete twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commanders of the Nurse Corps, who shall twice fail of selection for promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

Lieutenant commanders designated for limited duty.

(e) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 for the fiscal year in which they shall have twice failed of selection for promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of a warrant officer or a commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all service as an officer designated for limited duty, or as a temporary or Reserve officer shall be included: *And provided further*,

That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade in which then serving, upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

Retired pay for officers in grades above lieutenant.

(f) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of 2½ per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years' service by which the rate of 2½ per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

Fractional year.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

Lieutenants and lieutenants (jg).

(g) Lieutenants and lieutenants (junior grade), except lieutenants of the Nurse Corps, who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with subsection 209 (e) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with subsection 209 (e) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 202 (d), but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (e) of this section.

Ante, p. 822.

Ante, p. 816.

Fractional year.

Physical disability.

(h) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the rank for which they were selected, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which selected.

Applicability of designated provisions to officers above grade of ensign.

(i) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for promotion shall be applicable to officers above the grade of ensign who failed on professional reexamination for promotion in the same manner as if such officer had twice failed of selection for promotion.

Retired rank, etc.

(j) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

Review of vacancies.
Rear admiral in Chaplain Corps.

SEC. 213. (a) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Chaplain Corps in the third fiscal year following the fiscal year in which this Act becomes effective, and in the third fiscal year of each three-year period thereafter, and, should it be found, in any such third year, as

of the time of the convening of a board for the consideration of captains of the Chaplain Corps for promotion to the grade of rear admiral that no such captain was selected during the two preceding fiscal years because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of three officers of the line of the grade of rear admiral or above, to consider rear admirals of the Chaplain Corps and to recommend one such officer for retirement.

Rear admiral in Dental Corps.

(b) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Dental Corps in the second fiscal year following the fiscal year in which this Act becomes effective, and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Dental Corps for promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Dental Corps and two officers of the line, of the grade of rear admiral or above, to consider rear admirals of the Dental Corps and to recommend one such officer for retirement.

Selection for promotion of captains in Medical and Supply Corps.

(c) Should it be found, as of the time of the convening of a board for the consideration of captains in the Medical Corps or in the Supply Corps for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of captains in the corps concerned equal to 15 per centum of the authorized number of rear admirals, the Secretary of the Navy shall convene a board of not less than five officers, serving in the rank of rear admiral or above, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of captains.

Rear admiral in Civil Engineer Corps.

(d) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Civil Engineer Corps in the second fiscal year following the fiscal year in which this Act becomes effective and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Civil Engineer Corps for promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Civil Engineer Corps and two officers of the line, of the rank of rear admiral or above, to consider rear admirals of the Civil Engineer Corps and to recommend one such officer for retirement.

Submission of report to President.

(e) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal in number to those disapproved by the President.

Retired pay.

(f) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired

pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Composition of boards.

(g) The boards provided for in this section except as otherwise specified in this section shall be composed of officers on the active list of the Navy of the corps concerned. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required membership.

Retired rank, etc.

(h) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

EFFECTIVE DATE OF TITLE II

Ante, pp. 815, 816.

SEC. 214. Sections 201, 202, and 203 of this title shall be effective upon the date of approval of this Act. The remaining provisions of this title shall be effective upon the termination of title III of this Act.

TITLE III—TERMINABLE PROVISIONS RELATING TO ALL OFFICERS OF THE NAVY ON ACTIVE DUTY

TEMPORARY STATUS OF TITLE III

SEC. 301. The authority granted by this title and all provisions hereof shall be terminated when the President shall determine that the number of officers holding permanent appointments on the active list of the line of the Regular Navy is equal to 95 per centum of the number of such officers authorized by law or on January 1, 1957, whichever shall occur the earlier.

DEFINITIONS

"Temporarily appointed."

SEC. 302. (a) As used in this title, the words "temporarily appointed" shall be interpreted to mean also "temporarily promoted"; the words "temporary appointment in a grade to which appointed for a period of limited duration" shall be interpreted to mean a temporary appointment which by its terms is of limited duration; the word "officers" shall, unless otherwise qualified, be interpreted to mean all officers of the grade of ensign and above on active duty in the Navy, exclusive of officers on the retired list, exclusive of officers of the Naval Reserve assigned to active duty for training, and exclusive of officers of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work; the words "not restricted in the performance of duty" shall be interpreted to mean officers not designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, or officers of the Marine Corps not designated for supply duty or limited duty; the words "line officers" shall, unless otherwise qualified, be interpreted to include officers of the line designated for engineering duty, aeronautical engineering duty, special duty, and limited duty; and the words "staff officers" shall, unless otherwise qualified, be interpreted to mean all officers of all staff corps, including officers in each such corps designated for limited duty.

"Officers."

"Not restricted in the performance of duty."

"Line officers."

"Staff officers."

Military titles.

(b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be serving in the grade concerned.

Temporary appointments.

An officer holding a permanent appointment in one grade and a temporary appointment in a higher grade shall, for this purpose, be held to be serving in the higher grade: *Provided*, That an officer serving under a temporary appointment, including a temporary appointment under section 413 or section 415 of this Act, in a grade to which appointed for a period of limited duration shall, for purposes of eligibility for selection, promotion, and involuntary retirement, be deemed to be serving in the grade he would hold were he not serving under such appointment.

Post, pp. 875, 876.

(c) The following personnel may be temporarily appointed to grades in the Regular Navy or Marine Corps, except in the Nurse Corps of the Regular Navy, including the grades of warrant officer and commissioned warrant officer, not above lieutenant in the Navy and captain in the Marine Corps:

(1) Commissioned warrant officers of the Regular Navy and Marine Corps.

(2) Warrant officers of the Regular Navy and Marine Corps.

(3) First-class petty officers and above in the Regular Navy and staff sergeants and above in the Regular Marine Corps.

(d) Officers on the active list of the Regular Navy or Marine Corps in commissioned grades, including those appointed under the authority of subsection (c) of this section, may be temporarily appointed to higher grades in the Regular Navy or Marine Corps.

Permanent, probationary, and acting appointments.

(e) The permanent, probationary, or acting appointments of those persons temporarily appointed in accordance with the provisions of this title shall not be vacated by reason of such temporary appointments, such persons shall not be prejudiced thereby in regard to promotion, advancement, or appointment in accordance with laws relating to the Regular Navy or Marine Corps, and their rights, benefits, privileges, and gratuities shall not be lost or abridged in any respect whatever by their acceptance of commissions or warrants hereunder: *Provided*, That, except as otherwise provided herein, no person who shall accept a temporary appointment under the provisions of this title shall, while serving thereunder, be entitled to pay or allowances except as provided by law for the position temporarily occupied: *And provided further*, That no person temporarily appointed under the authority of this section shall suffer any reduction in pay and allowances to which he was entitled by virtue of his permanent status at the time of such temporary appointment nor shall he suffer any reduction in pay and allowances to which he was entitled under a prior temporary appointment in a lower grade.

Uniform gratuity.

(f) Enlisted men shall, upon being initially appointed as provided by this section, be paid the sum of $250 as a uniform gratuity.

Numbers of temporary appointments.

(g) The temporary appointments under the authority of subsection (c) of this section shall be in such numbers as the President may determine that the needs of the service require but not to exceed, in each case, the difference between the actual number of officers in the line and in each staff corps holding permanent appointments on the active list of the Regular Navy and the authorized number of such officers.

Applicability to Naval Reserve.

(h) The provisions of this section shall apply to personnel of the Naval Reserve (except the Fleet Reserve, and personnel of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work), when on active duty, in like manner and to the same extent and with the same relative conditions in all respects as are provided for personnel of the Regular Navy and Marine Corps, but this shall not be construed to authorize the temporary appointment of the personnel thereof to grades in the Regular Navy or Marine Corps.

(i) Not later than the first day of the fourth month following the date of approval of this Act, all temporary appointments of naval and Marine Corps personnel made pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, except those which are affirmed or continued in effect pursuant to this Act, shall be terminated.

Termination.

34 U. S. C. §§ 350-350j.

(j) The words "active-duty pay" as used in sections 312 and 313 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.

Ante, pp. 312, 313.

"Active-duty pay."

Post, pp. 858, 861.

DISTRIBUTION OF OFFICERS

SEC. 303. (a) The total number of line officers serving on active duty at any one time, exclusive of officers carried by law as additional numbers in grade and of fleet admirals, shall be distributed in the proportion of seventy-five one-hundredths of one in the grade of rear admiral and above to six in the grade of captain, to twelve in the grade of commander, to eighteen in the grade of lieutenant commander, to twenty-four and seventy-five one-hundreds in the grade of lieutenant, to thirty-eight and fifty one-hundredths in the combined grades of lieutenant (junior grade) and ensign: *Provided*, That of the number of officers so authorized in each grade below captain, not to exceed the following percentages may be officers designated for limited duty: In the grade of commander, $36\frac{4}{100}$ per centum; in the grade of lieutenant commander, $8\frac{62}{100}$ per centum; in the grade of lieutenant, $7\frac{72}{100}$ per centum; and in the combined grades of lieutenant (junior grade) and ensign, $6\frac{4}{100}$ per centum.

Line officers.

(b) The total number of rear admirals designated for engineering duty, aeronautical engineering duty, and special duty shall not exceed at any one time a number equal to 13 per centum of the authorized number of line officers, not restricted in the performance of duty, of the grade of rear admiral or above exclusive of fleet admirals at that time.

Number designated for engineering and special duty.

Rear admirals.

(c) The total number of officers designated for engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 9 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

Combined grades of captain, commander, and lieutenant commander.

(d) The total number of officers designated for aeronautical engineering duty only, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

(e) The total number of officers designated for special duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

(f) Officers of the Staff Corps of the Navy shall be distributed in the various grades in each staff corps in accordance with the provisions of this title: *Provided*, That the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, exclusive of any such rear admiral serving as a chief of bureau, shall not exceed in each corps five-tenths of 1 per centum of the officers in that corps serving on active duty at any one time: *Provided further*, That such a rear admiral serving as a chief of bureau shall upon termination of his tenure as chief of bureau be carried in excess until the next vacancy occurs in the grade of rear admiral in the corps concerned: *And provided further*, That the number of captains in the Medical

Staff Corps.

Service Corps and the number of commanders and lieutenant commanders in the Nurse Corps shall not exceed 2 per centum, seven-tenths of 1 per centum, and 1 6/10 per centum, respectively, of the officers in the corps concerned serving on active duty at any one time.

Determination of number of line officers in designated grades.

(g) To determine the authorized number of line officers in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and thereafter as of January 1 of each year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered for all purposes as the authorized number of officers in each of such various grades and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such computations: *Provided*, That to determine the authorized number of line officers designated for limited duty in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, the Secretary of the Navy, as of the date of approval of this Act and thereafter as of January 1 of each year, shall compute the maximum number of such officers which may serve in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as provided in subsection (a) of this section, and shall determine the number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, not to exceed such maximum number, required to meet the needs of the service during the ensuing year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so determined, shall be held and considered for all purposes as the authorized number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such determinations: *Provided further*, That notwithstanding the provisions of this subsection relating to the authorized number of officers in grade, in order to make adjustments for the number of officers originally appointed each year in any grade pursuant to this Act or to other provisions of law, the authorized number of officers in each grade concerned may be temporarily exceeded by such number of original appointments in such grade until the next succeeding annual computation authorized by this subsection shall be made.

Line officers designated for limited duty.

Adjustments.

Annual computations.

(h) To determine the authorized number of officers in the grade of rear admiral in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, and the authorized number of captains in the Medical Service Corps and the authorized number of commanders and lieutenant commanders in the Nurse Corps, as provided in this section, computations shall be made by the the Secretary of the Navy as of the date of approval of this Act and as of January 1 of each year thereafter; the resulting number in the grade of rear admiral in each corps in which such grade is authorized, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered for all purposes as the authorized number of officers in the grade of rear admiral in each such corps and shall not be varied between computations; the resulting number in the grade of captain in the Medical Service Corps and in each of the grades of commander and lieutenant commander in the Nurse Corps, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered as the authorized number of officers in the grade of the corps concerned until a subsequent computation shall be made.

(i) Officers holding permanent appointments in the Regular Navy and Marine Corps temporarily appointed to higher grades under the authority of this title shall, for the purposes of titles I and II of this Act, be counted in their permanent grades, and, for the purposes of this section, be counted in their temporary grades.

Temporary appointments.

Ante, pp. 798, 815.

(j) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

Final fraction.

(k) Upon determination of the authorized number of officers in each of the various grades and in the combined grades of lieutenant (junior grade) and ensign, with respect to officers serving on active duty as provided in this section, and with respect to officers holding permanent appointments on the active list of the Regular Navy, as provided in section 103 of title I and section 203 of title II of this Act, computations shall be made by the Secretary of the Navy to determine the authorized number of officers which may serve under temporary appointment in the line in each of the various grades and in the combined grades of lieutenant (junior grade) and ensign and in each grade in a staff corps where computations are prescribed to determine the authorized number. Should the Secretary of the Navy determine, at the time of making the computations prescribed by subsections (g) and (h) of this section, that in any grade above lieutenant (junior grade) a lesser number of officers than the computed number of officers for that grade is required to meet the needs of the service, the lesser number shall be held and considered to be the authorized number for that grade and the reduction may be applied as an increase in the authorized number of such officers in any lower grade or grades.

Ante, pp. 798, 816.

REDISTRIBUTION; LINEAL LISTS; RETENTION OF REAR ADMIRALS

Lineal lists.

SEC. 304. (a) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall establish a single lineal list of all officers of the grade of ensign and above of the line of the Navy or Naval Reserve on active duty on the date of establishment of such list, and such lineal list shall constitute the order of seniority of such officers as of the date of its establishment: *Provided*, That there shall be excluded from such lineal list the following: (1) Retired officers of the Navy or Naval Reserve who are on active duty; (2) retired enlisted men on active duty serving under a temporary appointment above commissioned warrant officer pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended; (3) members of the Fleet Reserve on active duty serving under a temporary appointment above commissioned warrant officer pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended; (4) temporary officers serving in grades above commissioned warrant officers pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, whose only appointment to any such grades was one for a period of limited duration; (5) regular or temporary officers of the Navy or officers of the Naval Reserve, who, prior to the establishment of the lineal list, are under orders directing their release from active duty; and (6) officers of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work. Officers shall be placed on this list in accordance with the grade or rank and precedence held by them on the date of approval of this Act whether by virtue of temporary or permanent appointment except officers serving with the rank of rear admiral without appointment to that grade or rank shall be placed upon such list in accordance with the grade and precedence which they would hold were they not serving with the rank of rear

Exclusions.

34 U. S. C. §§ 350-350j.

Ante, pp. 312, 313.

Termination of temporary appointment.

admiral: *Provided*, That in the event of the termination, subsequent to the approval of this Act and prior to the establishment of the lineal list, of the temporary appointment of an officer serving in the grade or rank of admiral or vice admiral, or in a grade to which appointed for a period of limited duration, such officer shall be placed on such list with the grade or rank and precedence he would have held had he not been so temporarily appointed: *And provided further*, That any officer who, on the date of establishment of such list, is serving under a temporary appointment in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, shall, upon termination of such temporary appointment, be placed on the lineal list in accordance with the grade and precedence he would have held had he not been so temporarily appointed.

Determination of number to be permanently appointed.

(b) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall determine, as of the date of approval of this Act, the number of officers authorized to be permanently appointed in the various grades of the line as provided in section 103 of title I of this Act.

Ante, p. 798.

Determination of number to be temporarily appointed.

(c) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall determine, as of the date of approval of this Act, the number of officers authorized to be temporarily appointed in the various grades of the line as provided in section 303 of this title.

Ante, p. 831.

Authority to fill vacancies by permanent appointments.

(d) Upon completion of the establishment of the lineal list as prescribed by subsection (a) of this section, and upon the determination of the number of officers authorized to be permanently appointed in the various grades of the line, as prescribed by subsection (b) of this section, the President is authorized to fill vacancies in the various grades of the line of the Regular Navy by permanently appointing thereto and regularly commissioning therein officers holding permanent appointments in the line of the Regular Navy in the grade of ensign or above who are on the lineal list established under subsection (a) of this section, and such officers shall be so appointed in the order of their seniority on such lineal list: *Provided*, That any line officer holding a permanent appointment in the Regular Navy below the grade of rear admiral and above the grade of chief warrant officer on the date of establishment of the lineal list, and who at that time is serving in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, may be permanently appointed and regularly commissioned in the grade and with precedence therein according to the lineal position to which he would be entitled were he not so serving or had not been so temporarily appointed: *Provided further*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty holding a permanent appointment in the Regular Navy may be permanently appointed to and regularly commissioned in the same grade to which the line officer next junior to him on the lineal list, who is not restricted in the performance of duty, and who is not serving under a temporary appointment in a grade to which appointed for a period of limited duration, is so appointed pursuant to this subsection: *Provided further*, That officers designated for engineering duty, aeronautical engineering duty, or special duty who solely by reason of the limitation of subsection 103 (b) are not permanently appointed to and regularly commissioned in the grade of rear admiral may be permanently appointed to and regularly commissioned in the grade of captain: *Provided further*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty holding a permanent appointment in the Regular Navy on the date of establishment of the lineal list, and who at that time is serving under a temporary appointment in a grade to which appointed

Officers designated for engineering or special duty.

Ante, p. 799.

for a period of limited duration, may be permanently appointed to and regularly commissioned in the grade and with precedence therein according to the lineal position to which he would be entitled had he not been so temporarily appointed: *Provided further*, That officers who, on the date of the establishment of the lineal list, were permanently commissioned in the line of the Regular Navy as ensigns, and who at that time were serving under temporary appointments as lieutenants (junior grade), may be permanently appointed to and regularly commissioned in the line of the Regular Navy in the grade of lieutenant (junior grade) and with the precedence to which entitled by virtue of their position on the lineal list: *Provided further*, That each line officer of the Naval Reserve on the lineal list who holds a permanent commission in the grade of ensign or above may be permanently appointed to and regularly commissioned in the same grade in the Naval Reserve to which the line officer of the Regular Navy next junior to him is permanently appointed in the Regular Navy, and for the purpose of this proviso the position of any such Reserve officer on the lineal list shall be determined without regard to such temporary appointment in a grade to which appointed for a period of limited duration which he may hold: *Provided further*, That no officer shall be appointed, pursuant to this subsection, to a higher grade than the grade held by him on the lineal list: *Provided further*, That appointments made pursuant to this subsection shall not be subject to qualification by examination: *Provided further*, That all appointments to grades below that of rear admiral effected pursuant to this subsection shall be regarded as having been made with the advice and consent of the Senate: *And provided further*, That no provision of this title shall be construed to require the reappointment to a permanent grade of any officer who already holds a permanent appointment in such grade.

Ensigns.

(e) Upon completion of the establishment of the lineal list as prescribed by subsection (a) of this section, and upon the determination of the number of officers authorized to be temporarily appointed in the various grades of the line, as prescribed by subsection (c) of this section, the President is authorized to fill vacancies in the various grades of the line of the Navy by temporarily appointing thereto officers who are on the lineal list established under subsection (a) of this section, and such officers shall be so appointed in the order of their seniority on such list: *Provided*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty may be temporarily appointed to the same grade to which the line officer next junior to him on the lineal list, who is not restricted in the performance of duty, and who is not serving under a temporary appointment in a grade to which appointed for a period of limited duration, may be so appointed pursuant to this subsection: *Provided further*, That the existing temporary appointment or designation of a line officer placed on the lineal list and who, on the date of establishment of such list, is serving in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, is hereby continued in effect until such appointment or designation shall terminate by its terms or until terminated by the President, whichever shall be earlier; upon such termination such officer may be temporarily appointed to the grade and with the precedence therein to which he would be entitled were he not so serving or had he not been so temporarily appointed: *Provided further*, That retired personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above, may be retained on active duty, and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall

Authority to fill vacancies by temporary appointments.

Officers designated for engineering or special duty.

Continuation of temporary appointment, etc.

Retired personnel on active duty.

terminate by their own terms or until such appointments are terminated by the President or until the officers concerned shall be placed on inactive duty, whichever shall be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That members of the Fleet Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above may be retained on active duty and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever shall be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list in grades above commissioned warrant officer, and who have never served in any such grade except under a temporary appointment in a grade to which appointed for a period of limited duration, may be retained on active duty and serve under such appointment until the termination thereof: *Provided further*, That no officer shall be temporarily appointed, pursuant to this subsection, to a higher grade than the grade held by him on the date of approval of this Act, exclusive of a temporary appointment in the grade of admiral or vice admiral or in a grade to which appointed for a period of limited duration: *Provided further*, That officers who are eligible to be temporarily appointed to any grade pursuant to this subsection may be so appointed notwithstanding receipt of a permanent appointment pursuant to subsection (d) of this section if such temporary appointment is necessary to the maintenance of their relative rank and precedence established by the lineal list: *And provided further*, That the number of line officers who may serve on active duty in any grade shall not exceed the authorized number of officers in such grade determined as prescribed in section 303 of this Act.

Members of Fleet Reserve.

Personnel in grades above commissioned warrant officer.

Temporary appointment to higher grade.

Maximum number of line officers.

Ante, p. 831.

Maintenance of precedence.

(f) Permanent appointments effected pursuant to subsection (d) of this section shall be effected with such dates of rank and registered numbers as shall maintain for each officer the precedence evidenced by his position on the lineal list established pursuant to subsection (a) of this section: *Provided*, That for the purpose of this subsection such position on the lineal list shall be determined without regard to temporary appointments in the grades of admiral or vice admiral or in a grade to which appointed for a period of limited duration.

(g) Temporary appointments effected pursuant to subsection (e) of this section shall be effected with such dates of rank and registered numbers as shall maintain for each officer the precedence held by him at the time of the establishment of the lineal list established pursuant to subsection (a) of this section: *Provided*, That for the purpose of this subsection such precedence shall be determined without regard to temporary appointments in the grades of admiral or vice admiral or in a grade to which appointed for a period of limited duration.

Assignment of running mates.

(h) (1) As soon as practicable after the establishment of the lineal list for line officers as prescribed by subsection (a) of this section the Secretary of the Navy shall convene a board, composed of officers of the line and of each staff corps of the Navy, and such board, which is authorized to conduct its studies in appropriate panels but to make determinations only by the full board after a majority vote, shall recommend the assignment of running mates from among line officers on such lineal list to all officers of the grade of lieutenant (junior grade) and above of the various staff corps of the Navy or Naval Reserve on active duty on the date of establishment of such lineal list: *Provided*, That running mates shall not be assigned to the following officers of the staff corps: (1) Officers of the same categories as the line officers described in clauses (1) through (6) of the first proviso of subsection (a) of this section, and (2) officers serving in the grade of ensign.

Principles.

(2) In recommending the assignment of running mates the board will be governed by the following principles except with respect to officers of the Nurse Corps:

a. Each staff officer shall, except as provided in paragraph d of this subsection, have assigned as his running mate a line officer who, on the date of approval of this Act, is serving in the same grade as such staff officer.

b. If there be more than one line officer who, on the date of approval of this Act, is serving in the same grade and with the same date of rank as a particular staff officer, one of such line officers shall be assigned as the running mate of such staff officer.

c. If there be no line officer who, on the date of approval of this Act, is serving in the same grade and with the same date of rank as a particular staff officer, such staff officer shall have assigned as his running mate the line officer serving in the same grade who has the next earlier date of rank in such grade, and if there be no such line officer, he shall have assigned as his running mate the senior line officer in the same grade.

d. An officer of a staff corps who, on the date of approval of this Act or subsequently, is serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration shall be assigned a running mate based upon the rank and precedence he would have held had he not been so serving.

(3) The assignment of running mates as recommended by the Board convened pursuant to this subsection and approved by the Secretary of the Navy shall be accomplished not later than sixty days after the date of approval of this Act.

Lineal list for each staff corps.

(i) As soon as practicable, but not later than thirty days after the assignment of running mates is completed, as prescribed in subsection (h) of this section, the Secretary of the Navy shall establish a single lineal list, for each staff corps of the Navy, of all staff officers who were assigned running mates pursuant to such subsection, and such officers shall be placed on such list in the order of seniority of their running mates as of the date of establishment of the line officers lineal list pursuant to subsection (a) of this section: *Provided*, That in the event that more than one officer in the same staff corps is assigned the same

running mate such officers of such staff corps shall have lineal positions with respect to each other in accordance with the order of their seniority as of the date of approval of this Act: *Provided further*, That, notwithstanding any of the provisions of this subsection, officers of any staff corps who, on the date of establishment of the lineal list under this subsection, are serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, shall retain the lineal position to which they are entitled by virtue of such appointment until the termination thereof: *And provided further*, That officers of the grade of ensign in any staff corps shall have lineal position with respect to each other in accordance with the order of their seniority as of the date of the approval of this Act.

Permanent appointment in staff corps.

(j) Immediately after the establishment of the lineal list for each staff corps as prescribed by subsection (i) of this section each officer holding a permanent appointment in a staff corps of the Regular Navy who is on such lineal list may be permanently appointed to and regularly commissioned in such staff corps of the Regular Navy in the same permanent grade to which his running mate is permanently appointed pursuant to subsection (d) of this section: *Provided*, That each officer holding a permanent appointment in a staff corps of the Regular Navy who is on such lineal list and whose running mate does not hold a permanent appointment in the line of the Regular Navy may be permanently appointed to and regularly commissioned in such staff corps of the Regular Navy in the same permanent grade to which the permanently commissioned line officer of the Regular Navy next junior to his running mate is permanently appointed: *Provided further*, That each officer in any staff corps of the Naval Reserve on the lineal list established under subsection (i) of this section may be permanently appointed to and regularly commissioned in the same grade in the Naval Reserve to which his running mate is permanently appointed in the Regular Navy, and in the event that such running mate does not hold a permanent appointment in the line of the Regular Navy, such officer may be so permanently appointed to the same grade in the Naval Reserve to which the permanently commissioned line officers of the Regular Navy next junior to his running mate is permanently appointed: *Provided further*, That nothing contained in this subsection shall be construed to authorize the limitation upon (1) the number of rear admirals which may be appointed in any corps, (2) the number of captains which may be appointed in the Medical Service Corps, and (3) the number of commanders and lieutenant commanders which may be appointed in the Nurse Corps, to be exceeded: *Provided further*, That appointments made pursuant to this subsection shall not be subject to qualification by examination: *Provided further*, That all appointments to grades below that of rear admiral effected pursuant to this subsection shall be regarded as having been made with the advice and consent of the Senate: *And provided further*, That no provision of this title shall be construed to require the reappointment to a permanent grade of any officer who already holds a permanent appointment in such grade.

Naval Reserve.

Temporary appointment of officers of staff corps.

(k) Immediately after the establishment of the lineal list for each staff corps as prescribed by subsection (i) of this section each officer of a staff corps on such lineal list, exclusive of those serving on the date of establishment of such list under temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, may be temporarily appointed to the same grade to which his running mate is temporarily appointed pursuant to subsection (e) of this section: *Provided*, That the existing temporary appointment of an officer of any staff corps placed on the lineal list

Continuation of temporary appointment.

established under subsection (i) of this section and who, on the date of establishment of such list is serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, is hereby continued in effect until such appointment shall terminate by its own terms or until such appointment is specifically terminated by the President whichever shall be earlier; upon such termination, such officer may be temporarily appointed to the same grade in which his running mate may be serving under a temporary appointment at such time: *Provided further*, That retired personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above may be retained on active duty, and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever may be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That each officer of a staff corps on such lineal list, who does not hold a permanent commission in the Regular Navy above the grade of commissioned warrant officer, and whose running mate holds a permanent appointment in the line of the Regular Navy, may be temporarily appointed to the highest grade, whether under a permanent or temporary appointment, in which his running mate is serving: *Provided further*, That members of any staff corps of the Fleet Reserve who are serving on active duty on the date of the establishment of the lineal list for such staff corps under a temporary appointment in the grade of ensign or above may be retained on active duty and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever may be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That personnel of any staff corps of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list for such staff corps in grades above commissioned warrant officer, and who have never served in any such grade except under a temporary appointment in a grade to which appointed for a period of limited duration, may be retained on active duty and serve under such appointment until the termination thereof: *Provided*

Termination.

Retired personnel on active duty.

Fleet Reserve.

Personnel in grades above commissioned warrant officer.

Temporary appointment to higher grade.

further, That no officer shall be temporarily appointed, pursuant to this subsection, to a higher grade than the grade held by him on the date of approval of this Act, exclusive of a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration: *Provided further*, That officers of any staff corps who are eligible to be temporarily appointed to any grade pursuant to this subsection may be so appointed notwithstanding receipt of a permanent appointment pursuant to subsection (j) of this section: *And provided further*, That nothing contained in this subsection shall be construed to authorize the limitation upon (1) the number of rear admirals, which may be temporarily appointed in any corps, (2) the number of captains which may be temporarily appointed in the Medical Service Corps, and (3) the number of commanders and lieutenant commanders which may be temporarily appointed in the Nurse Corps, to be exceeded.

Limitation upon numbers.

Affirmation of existing temporary appointment.

(l) When, in effecting the temporary appointments contemplated by the preceding subsections of this section, it would otherwise be necessary to temporarily appoint an officer in a grade in which he is then serving by virtue of temporary appointment therein pursuant to authority contained in the Act approved July 24, 1941, as amended, the President is authorized to affirm the existing temporary appointment with such necessary readjustment of the date of rank and registered number of officers concerned as shall maintain for him the precedence evidenced by his position on the appropriate lineal list established pursuant to the provisions of this section. Upon such affirmation such appointment shall thereafter be considered as having been effected pursuant to authority contained in this section.

55 Stat. 603.
34 U. S. C. §§ 350–350j.
Ante, pp. 312, 313.

Completion of redistribution, etc.

(m) Upon accomplishment of the provisions of subsections (a) through (k) of this section the redistribution of officers contemplated by said subsections shall be deemed completed and said subsections shall be deemed terminated.

Additional temporary appointments.

(n) No additional temporary appointments in the naval service shall be effected pursuant to the authority of the Act of July 24, 1941 (55 Stat. 603), as amended, after the effective date of this Act, but nothing herein contained shall be held to impair the authority to make temporary appointments under that Act during any future war or national emergency.

34 U. S. C. §§ 350–350j.
Ante, pp. 312, 313.

Noneligibility.

(o) Officers of the line or of any staff corps who are on active duty on the date of the establishment of lineal lists pursuant to this section, but who are not placed on any such list, shall not be eligible for selection for promotion pursuant to this title: *Provided*, That officers of the line of the Regular Navy appointed thereto subsequent to the date of establishment of the lineal list of line officers as prescribed in subsection 304 (a) of this title shall be placed on such lineal list and officers of the line of the Naval Reserve assigned to active duty subsequent to such date shall be placed on such lineal list according to their length of active duty in the grade in which so assigned to active duty: *Provided further*, That officers of the staff corps of the Regular Navy appointed thereto subsequent to the date of establishment of the lineal list of line officers as prescribed in subsection 304 (a) of this title shall be placed on the lineal list of the appropriate staff corps and officers of the staff corps of the Naval Reserve assigned to active duty subsequent to such date shall be placed on such appropriate lineal list according to their length of active duty in the grade to which so assigned to active duty.

Officers appointed subsequent to establishment of lineal list, etc.

Ante, p. 833.

Temporary promotions to grades above lieutenant (jg).

(p) All temporary promotions to grades above that of lieutenant (junior grade) in the line or Staff Corps of the Navy, including the promotion of those officers who are or may be carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

(q) All permanent promotions shall be effected, from among officers temporarily promoted, in the manner prescribed in section 311 of this title.

Permanent promotions.
Post, p. 852.

(r) Rear admirals of the line not restricted in the performance of duty, upon attaining the status of having completed at any time during any fiscal year at least four years of service in grade and at least thirty-four years of total commissioned service as defined in section 102 of title I of this Act, shall, subject to the provisions of subsection 307 (a) of this title, be continued on the active list only upon the recommendation of a board of naval officers convened in such fiscal year as prescribed in section 305.

Continuation on active list of designated rear admirals.

Ante, p. 798.
Post, p. 842.

SELECTION BOARDS

SEC. 305. (a) The following provisions shall relate to line officers:

(1) A board for the recommendation of rear admirals for continuation on the active list shall consist of five rear admirals, or officers of higher grade, senior to any officer under consideration. Boards for the recommendation of officers for temporary promotion to the grades of rear admiral and captain, and for the recommendation of captains for continuation on the active list, shall consist of nine rear admirals, or officers of higher grade; a board for the recommendation of officers for temporary promotion to the grade of commander shall consist of three rear admirals and six captains; and boards for the recommendation of officers for temporary promotion to the grades of lieutenant commander and lieutenant shall consist of nine officers above the grade of commander. Whenever officers designated for engineering duty, aeronautical engineering duty, or special duty are eligible for consideration by a selection board for temporary promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of the same designation and classification as any such eligible officer, and if there be not three available he shall so appoint such lesser number as shall be available, and the junior members who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers, designated for engineering duty, aeronautical engineering duty, or special duty. No such alternate member shall act upon the cases of officers other than those of the same designation as himself. No officer designated for engineering duty, aeronautical engineering duty, or special duty shall act upon the cases of officers not restricted in the performance of duty.

Rear admirals and captains.

Commanders.

Lieutenant commanders and lieutenants.

Officers designated for engineering or special duty.

Restrictions.

(2) The officers composing these boards shall be officers on the active list of the Navy. No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

(3) These boards shall be appointed by the Secretary of the Navy and convened at least once each year and at such times as the Secretary of the Navy may direct.

Appointment, etc.

(b) The following provisions shall relate to staff officers:

(1) A board for the recommendation of officers for temporary promotion to the grade of rear admiral, and for the recommendation of captains for continuation on the active list, shall consist of not less than three nor more than nine rear admirals of the corps concerned. Boards for the recommendation of officers for temporary promotion to the grades of captain and commander, except with respect to officers of the Medical Service Corps and of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned of the grade of captain or above. Boards for the recommendation of officers for temporary promotion to the grades of lieutenant commander and lieutenant, except with respect to officers of the Medical Service Corps and

Rear admirals and captains.

Captains and commanders.

Lieutenant commanders and lieutenants.

of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned above the grade of commander.

Detail of officers of the line.

(2) The officers composing these boards shall be officers on the active or retired list of the Navy. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required minimum membership.

Officers of Medical Service and Nurse Corps.

(3) Boards for the recommendation of officers of the Medical Service Corps and of the Nurse Corps for temporary promotion to grades above lieutenant (junior grade) shall be composed of not less than six nor more than nine officers above the grade of commander on the active or retired list of the Medical Corps: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such a selection board, officers of the line of the active list of the grade of captain may be detailed to duty on such board to constitute the required minimum membership.

Detail of officers of the line.

Restriction.

(4) No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

Appointment of boards, etc.

(5) The boards prescribed in subsection (b) of this section shall be appointed by the Secretary of the Navy and convened at least once each year at a time as soon as practicable after the report of a corresponding board for the selection of line officers has been approved by the President, and at such times as the Secretary of the Navy may direct: *Provided*, That a selection board to recommend officers of the Medical Service Corps for temporary promotion to the grade of captain or officers of the Nurse Corps for temporary promotion to the grade of commander or lieutenant commander shall be convened only if there exists a vacancy in the grade concerned or if the Secretary of the Navy estimates or determines that a vacancy will occur in the ensuing twelve-month period.

OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 306. Each member of a board provided for in section 305 of this title shall swear, or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

SEC. 307. (a) The following provision shall relate to line officers:

Rear admirals.

(1) Rear admirals, not restricted in the performance of duty, who, subsequent to June 30 of the fiscal year preceding that in which the first selection board is convened pursuant to this title to recommend officers of that grade for continuation on the active list, attain the status of having completed four years of service in grade and thirty-four years of total commissioned service, shall become eligible for consideration for such recommendation by such board convened in the fiscal year in which they first attain such status: *Provided*, That a rear admiral who shall have lost numbers or precedence at any time shall become eligible for such consideration in the fiscal year in which the most senior rear admiral junior to him who has not lost numbers or precedence becomes eligible therefor: *Provided further*, That such eligibility shall continue until the officer concerned shall have been selected for continuation on the active list or until he shall have twice failed of such selection, whichever shall occur earlier.

(2) Captains designated for engineering duty, aeronautical engineering duty, or special duty, within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for temporary promotion to rear admiral, and (2) those who have failed of selection for temporary promotion to rear admiral in the immediately preceding year and who are not recommended for temporary promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Captains designated for engineering or special duty.

(3) Officers shall be eligible for consideration by a selection board for temporary promotion to the next higher grade when they will have completed, on June 30 of the fiscal year of the convening of the appropriate board, the following periods of service in the grades in which they are serving: Captains, three years; commanders, five years; lieutenant commanders and lieutenants, four years; lieutenants (junior grade), two years. Service in grade shall include all service in that or a higher grade whether under temporary or permanent appointment therein. An officer in any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the temporary-promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

Temporary promotion to next higher grade, etc.

(4) Of the officers, in any grade, designated for limited duty, who would otherwise be eligible for consideration for temporary promotion pursuant to the provisions of paragraph (3) of this subsection, only the junior officer in the promotion zone for officers designated for limited duty and officers senior to him in the grade concerned shall be eligible for such consideration.

Officers designated for limited duty.

(5) Service under an appointment for a period of limited duration only while serving on a specified duty assignment shall, for the purposes of this section, be considered only as service in the grade which the officer concerned would have held under temporary appointment but for such service in a higher grade.

(b) The following provisions shall relate to staff officers:

(1) Captains within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for temporary promotion to rear admiral, and (2) those who have failed of selection for temporary promotion to rear admiral in the immediately preceding year and who are not recommended for temporary promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Captains.

(2) An officer in any grade, except captains in the Medical Service Corps and commanders in the Nurse Corps, shall become eligible for consideration by a selection board for temporary promotion to the next higher grade when his running mate becomes eligible for such selection, except that officers of the Medical, Dental, Medical Service, and Chaplain Corps in the grades of lieutenant (junior grade) and lieutenant, and officers of the Nurse Corps in the grade of lieutenant (junior grade), shall not be eligible for such selection unless they are in the promotion zone in such grade or are senior to the officers in the promotion zone of the grade in which they are serving. An officer in any grade who shall become eligible for such consideration shall,

Temporary promotion to next higher grade.

regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the temporary promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

Officers designated for limited duty.

(3) Of the officers, in any grade in any corps, designated for limited duty, who would otherwise be eligible for consideration for temporary promotion pursuant to the provisions of paragraph (2) of this subsection, only the officer in that corps whose running mate is the junior officer in the promotion zone for line officers designated for limited duty and officers in that corps senior to him in the grade concerned shall be eligible for such consideration.

INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 308. (a) The following provisions shall relate to line officers:

(1) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty, the number of officers designated for engineering duty, the number of officers designated for aeronautical engineering duty, the number of officers designated for special duty, and the number of officers designated for limited duty, which the board may recommend for temporary promotion to the next higher grade; (2) the names of all officers eligible for consideration for temporary promotion to each grade or grades to which the board will recommend officers for temporary promotion; (3) the number of rear admirals not restricted in the performance of duty which the board may recommend for continuation on the active list; (4) the names of all rear admirals eligible for consideration for continuation on the active list; (5) the number of captains designated for engineering duty, the number of captains designated for aeronautical engineering duty, and the number of captains designated for special duty, which the board may recommend for continuation on the active list; (6) the names of all captains eligible for consideration for continuation on the active list; (7) the records of all officers whose names are furnished to a board; and (8) the names of officers in the respective promotion zones in the grade or grades under consideration for temporary promotion.

Number in respect to temporary promotion.
Officers not restricted in duty.

(2) The number to be furnished the board in respect to the temporary promotion of officers not restricted in the performance of duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for temporary promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated for limited duty.

(3) The number to be furnished the board in respect to the temporary promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for temporary promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated for engineering or special duty.

(4) The numbers to be furnished the board in respect to the temporary promotion of officers designated for engineering duty, aeronautical engineering duty, or special duty to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the

convening of the board. Their total shall be equal to the number of vacancies existing among such officers in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list. Within and to such total the Secretary of the Navy shall allocate such numbers to any or all of the named categories as he shall determine to be necessary to meet the requirements of the Navy.

Officers designated for engineering duty.

(5) The number to be furnished the board in respect to the temporary promotion of officers designated for engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated for aeronautical engineering duty.

(6) The number to be furnished the board in respect to the temporary promotion of officers designated for aeronautical engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated for special duty.

(7) The number to be furnished the board in respect to the temporary promotion of officers designated for special duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Rear admirals not restricted in duty.

(8) The number to be furnished the board in respect to rear admirals not restricted in the performance of duty to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be computed by dividing the authorized number of such rear admirals by three and subtracting from the quotient thus obtained the number of such rear admirals, exclusive of those who have once failed of selection for such continuation, who shall have completed prior to the end of the preceding fiscal year four years of service in that grade and thirty-four years of total commissioned service, as defined in section 102 of title I of

Ante, p. 798.

this Act, which it is estimated will remain on the active list at the end of the current fiscal year: *Provided*, That the number to be so furnished shall not be less than 50 per centum of the number of rear admirals, exclusive of those who have once failed of selection for such continuation, eligible for consideration by the board for continuation on the active list.

Captains designated for engineering or special duty.

(9) The number to be furnished the board in respect to captains designated for engineering duty, aeronautical engineering duty, or special duty to be continued on the active list shall be such a number in each case not to exceed in each instance the number prescribed in section 312 of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

Post, p. 858.

Promotion zones. Officers not restricted in duty.

(10) The promotion zone in any grade for officers not restricted in the performance of duty, shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in paragraph (13) of this subsection and to best assure to individuals in succeeding years equality of opportunity for temporary promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Officers below grade of captain designated for engineering duty, etc.

(11) The promotion zones in any grade, below that of captain, for officers designated for engineering duty, for officers designated for aeronautical engineering duty, and for officers designated for special duty, shall each be composed of all officers of each such designation in the grade who have not previously failed of selection to the next higher grade and who are senior to the junior officer in the promotion zone determined as provided in paragraph (10) of this subsection.

Officers designated for limited duty.

(12) The promotion zone in any grade for officers designated for limited duty, shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in paragraph (14) of this subsection and to best assure to individuals in succeeding years equality of opportunity for temporary promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Normal terms of service.

(13) The normal terms of service of officers, others than officers designated for limited duty, in the various grades below rear admiral shall be:

Grade	Service in grade	Total commissioned service
Captains	5 years	30 years
Commanders	7 years	25 years
Lieutenant commanders	6 years	18 years
Lieutenants	6 years	12 years
Lieutenants (junior grade)	3 years	6 years

(14) The normal terms of service in grade of officers designated for limited duty in the various grades below that of commander shall be the same as those set out in paragraph (13) of this subsection.

(b) The following provisions shall relate to staff officers:

Temporary promotions.

(1) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty and the number of officers designated for limited duty which the board may recommend for temporary promotion to the next higher grade; (2) the names of all officers eligible for consideration for temporary promotion; (3) the number of captains which the board may recommend for continuation on the active list; (4) the names of captains eligible for consideration for continuation on the active list; (5) the records of all officers whose names are furnished to a board; and (6) the names of officers in the respective promotion zones in the grade or grades under consideration for temporary promotion.

Continuation of captains on active list.

Records of officers.

Captains and commanders.

(2) The number to be furnished the board in respect to the temporary promotion of officers not restricted in the performance of duty to the grades of captain and commander, except with respect to the temporary promotion of officers of the Medical Service Corps to the grade of captain and of officers of the Nurse Corps to the grade of commander, shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Officers designated for limited duty.

(3) The number to be furnished the board in respect to the temporary promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers designated for limited duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year, the denominator of this fraction shall be a number equal to the number of officers designated for limited duty in the promotion zone considered by said board for the selection of line officers.

Officers of Supply and Civil Engineer Corps.

(4) The numbers to be furnished the board in respect to the temporary promotion of officers of the Supply Corps and Civil Engineer Corps not restricted in the performance of duty to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the

report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Lieutenant commanders and lieutenants.

(5) The numbers to be furnished the board in respect to the temporary promotion of officers, except officers of the Supply Corps, Civil Engineer Corps, and Nurse Corps to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of such officers in the promotion zones in the grades of lieutenant and lieutenant (junior grade), respectively.

Officers of Medical Service Corps.

(6) The number to be furnished the board in respect to the temporary promotion of officers of the Medical Service Corps to the grade of captain shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the difference between the allowed number of officers in that grade and the actual number of officers therein plus the number of officers estimated to be separated from that grade during the ensuing twelve-month period and minus the number of commanders then on the promotion list.

Officers of Nurse Corps.

(7) The number to be furnished the board in respect to the temporary promotion of officers of the Nurse Corps to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall, for each grade, be equal to the difference between the allowed number of officers in the grade and the actual number therein plus the number of officers estimated to be separated from the grade during the ensuing twelve-month period and minus the number of officers in the next lower grade then on the promotion list.

(8) The number to be furnished the board in respect to the temporary promotion of officers of the Nurse Corps to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of lieutenants (junior grade) in that corps in and senior to the promotion zone, minus the number of lieutenants (junior grade) then on the promotion list.

Captains.

(9) The number to be furnished the board in respect to the temporary promotion of captains to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of captains then on the promotion list.

(10) The number to be furnished the board in respect to captains to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be such a number in each case not to exceed in each instance the number prescribed in subsection 312 (b) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

Post, p. 858.

Officers deemed in promotion zone.

(11) An officer in any grade, not restricted in the performance of duty, who has not failed of selection for temporary promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers not restricted in the performance of duty in that grade.

(12) An officer in any grade, designated for limited duty, who has not failed of selection for temporary promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers designated for limited duty.

(c) The following provisions shall relate to all officers:

(1) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

DUTIES OF SELECTION BOARDS

SEC. 309. (a) The following provisions shall relate to line officers:

(1) From among those officers who are eligible for consideration for temporary promotion, each board shall recommend for temporary promotion those officers holding permanent appointments in the grades of ensign and above in the Regular Navy whom it considers best fitted for temporary promotion, and those officers not holding permanent appointments in the grades of ensign and above in the Regular Navy whom it considers qualified for continued active duty: *Provided*, That from among eligible officers holding permanent appointments in the grades of ensign and above in the Regular Navy who are junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for temporary promotion, a number exceeding 5 per centum of the total number of officers that the board is authorized to recommend for temporary promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That the total number of officers holding permanent appointments in the Regular Navy plus the number of officers not holding permanent appointments in the Regular Navy which may be recommended for temporary promotion in each grade shall not exceed the number furnished the board concerned by the Secretary of the Navy as provided in section 308 of this title: *Provided further*, That in each grade the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion: *Provided further*, That any captain designated for engineering duty, aeronautical engineering duty, or special duty, shall if not on the promotion list for the grade of rear admiral on June 30 of the fiscal year in which he completes thirty years of total commissioned service, as defined in section 102 of title I of this Act, be held for all purposes to have once failed of selection for temporary promotion, and if not on such list on June 30 of the succeeding year shall, subject to the provisions of subsection 311 (c) of this title, be held for all purposes to have twice failed of selection for temporary promotion, and no such officer shall be held to have failed of selection for temporary promotion solely by reason of the approved recommendation for temporary promotion of any officer junior to him: *Provided further*, That an officer who has lost numbers or precedence shall not be held to have completed the service prescribed in the preceding proviso until he completes five years of service in the grade of captain: *And provided further*, That the status of having once failed of selection for temporary promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Recommendations for temporary promotion.

Failure of selection.

Captains designated for engineering or special duty.

Ante, p. 798.

Post, p. 853.

Loss of numbers, etc.

Nonprejudicial status.

Continuation on active list.
Rear admirals.

(2) From among those rear admirals not restricted in the performance of duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number equal to the number furnished the board by the Secretary of the Navy as provided in section 308 of this title.

Ante, p. 844.

Captains designated for engineering or special duty.

(3) From among those captains designated for engineering duty, aeronautical engineering duty, or special duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers, of each such category, whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, with respect to that category, as provided in section 308 of this title.

Ante, p. 844.

Basis of recommendation.

(4) The recommendation of the board in respect to the temporary promotion of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, for the duties prescribed for them by law.

(b) The following provisions shall relate to staff officers:

Temporary promotions.

(1) From among those officers holding permanent appointments in the Regular Navy who are eligible for consideration for temporary promotion, each board shall recommend for temporary promotion those officers, if of the grade of lieutenant commander or above, or if designated for limited duty in grades above ensign, whom it considers best fitted for temporary promotion, and, if of the grade of lieutenant or lieutenant (junior grade) in the Supply and Civil Engineer Corps or if of the grade of lieutenant in the Nurse Corps, those whom it considers best fitted for temporary promotion, or, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Civil Engineer Corps, Dental Corps, or Medical Service Corps, or of the grade of lieutenant (junior grade) in the Nurse Corps, those whom it considers fitted for temporary promotion: *Provided*, That from among eligible officers holding permanent appointments in the grades of ensign and above in the Regular Navy who are junior in lineal rank to the junior officers in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for temporary promotion, a number exceeding 5 per centum of the total number of officers that the board is authorized to recommend for temporary promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That from among those eligible officers not holding permanent appointments in the Regular Navy the board shall recommend for temporary promotion those whom it considers qualified for continued active duty: *Provided further*, That the total number of officers holding permanent appointments in the Regular Navy plus the number of officers not holding permanent appointments in the Regular Navy which may be recommended for temporary promotion in each grade shall not exceed the number furnished the board concerned by the Secretary of the Navy as provided in section 308 of this title: *Provided further*, That in each grade, except with respect to lieutenant commanders and lieutenants of the Nurse Corps, the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion:

Restriction.

Officers not holding permanent appointments.

Ante, p. 844.

Failure of selection.

And provided further, That the status of having once failed of selection for temporary promotion shall not be considered as prejudicial to any officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Nonprejudicial status.

(2) From among those captains who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in numbers not exceeding the numbers furnished the board by the Secretary of the Navy as provided in section 308 of this title.

Continuation of captains on active list.

Ante, p. 844.

(3) The recommendation of the board in respect to the promotion of officers designated for limited duty shall be based upon their comparative fitness, within such category, for the duties prescribed for them by law.

Basis of recommendation.

(c) The following provisions shall relate to all officers:

(1) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the acting members: *Provided*, That the report or recommendations of a board composed of five acting members or less shall require the concurrence of at least a majority of the acting members.

Reports, etc., of board

(2) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

REPORTS OF SELECTION BOARDS

SEC. 310. (a) The report of the board shall be in writing, signed by all of the acting members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished to the board by the Secretary of the Navy, as provided in section 308 of this title, and that, in the opinion of at least two-thirds of the acting members, the officers holding permanent appointments above the grade of commissioned warrant officers in the Regular Navy, if line officers, or if of the grade of lieutenant or lieutenant (junior grade) in the Supply Corps or Civil Engineer Corps, or if of the grade of lieutenant in the Nurse Corps, are, subject to the limitations prescribed in section 309 of this title, selected as the best fitted to assume the duties of the next higher grade, and, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Dental Corps, or Medical Service Corps, or if of the grade of lieutenant (junior grade) in the Nurse Corps, are selected as fitted to assume the duties of the next higher grade, and if officers of any grade in the line or staff corps who do not hold permanent appointments above the grade of commissioned warrant officer in the Regular Navy, are selected as qualified for continued active duty: *Provided*, That the recommendation of the board in the cases of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, as prescribed in section 309 of this title.

Ante, p. 844.

Ante, p. 849.

(b) The report of a board convened to recommend rear admirals or captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the acting members, if the board has more than five acting members, and, if the board has five acting members or less, in the opinion of at least a majority of the acting members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Continuation of rear admirals and captains on active list.

Submission to President.

(c) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for temporary promotion, or, in the case of rear admirals or captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for temporary promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President, and, if necessary, the board shall be reconvened for this purpose.

TEMPORARY PROMOTIONS AND PERMANENT APPOINTMENTS

SEC. 311. (a) The following provisions shall relate to line officers:

Promotion list.

(1) Officers recommended for temporary promotion in the report of a selection board, as approved by the President, shall be regarded as having been selected for temporary promotion and their names shall be placed upon a promotion list for the grade for which selected in the order of their seniority at the time of approval of such report except that the names of officers selected in a later report shall be placed upon the promotion list after those selected for temporary promotion to the same grade in an earlier report. Temporary promotions to fill vacancies in any grade shall be made from among officers of the next lower grade whose names appear on the promotion list. Officers not restricted in the performance of duty whose names appear on the promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the next higher grade as vacancies therein occur among officers of the same category. Officers designated for limited duty whose names appear on the promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the next higher grade as vacancies therein occur among officers of the same designation. Captains designated for engineering duty, aeronautical engineering duty, or special duty whose names appear on the temporary promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the grade of rear admiral as vacancies therein occur among officers of such categories. An officer designated for engineering duty, aeronautical engineering duty, or special duty of a grade below captain whose name appears on a promotion list, shall, subject to the provisions of subsections 303 (c), (d), and (e) of this title, be eligible for temporary promotion to the next higher grade when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for temporary promotion.

Ante, p. 831.

Temporary promotion.

(2) Upon temporary promotion to a higher grade an officer shall be assigned such date of rank and registered number as will assure him precedence in accordance with the order in which his name appeared on the promotion list for that grade and shall be entitled to the pay and allowances of the higher grade from the date of the occurrence of the vacancy which he is temporarily promoted to fill: *Provided*, That an officer below the grade of captain designated for engineering duty, aeronautical engineering duty, or special duty except one temporarily promoted to fill a vacancy after delay in promotion occasioned by operation of subsection 303 (c), (d), or (e) of this title, shall, upon temporary promotion, be entitled to the pay and allowances of the grade to which temporarily promoted from the date upon which he became eligible for temporary promotion.

Ante, p. 831.

Sea or foreign service.

(3) On or after July 1, 1949, no officer holding a permanent commission in the Regular Navy above the grade of commissioned warrant officer shall be temporarily promoted to a grade above lieutenant unless

he has had not less than two years' sea or foreign service in the grade in which serving and on the promotion list for that grade: *Provided*, That the qualification of sea or foreign service shall not apply to officers restricted by law to the performance of engineering duty only, aeronautical engineering duty only, or special duty only: *And provided further*, That the Secretary of the Navy shall determine the types of duty which may be counted for the purposes of this paragraph.

(b) The following provisions shall relate to staff officers:

Temporary promotions. Grades below rear admiral.

(1) Officers recommended for temporary promotion to a grade below rear admiral in the report of a selection board, as approved by the President, shall be regarded as having been selected for temporary promotion and their names shall be placed upon a promotion list for the grade concerned. Each such officer, except a commander of the Medical Service Corps or a lieutenant commander or lieutenant of the Nurse Corps, shall become eligible for temporary promotion to the grade for which selected when the line officer who, pursuant to subsection (d) of this section, is to be his running mate in the higher grade becomes eligible for temporary promotion to that grade. When temporarily promoted, the staff officer shall be assigned the same date of rank which has been or, in due course, will be given to such running mate in such higher grade and, except officers of the Medical Service Corps temporarily promoted to the grade of captain and officers of the Nurse Corps temporarily promoted to the grades of commander and lieutenant commander, shall be entitled to the pay and allowances of the higher grade from the date upon which such running mate became eligible for temporary promotion thereto.

(2) Temporary promotion to fill vacancies in the grade of captain in the Medical Service Corps and to the grades of commander and lieutenant commander in the Nurse Corps shall be made from among officers whose names appear on the promotion list for the grade concerned. When so promoted each such officer shall have the same date of rank which has been, or in due course will be, given the line officer who is to be his running mate in the grade to which promoted, but no increased pay or allowances shall accrue to such officer by virtue of his temporary promotion prior to the date of occurrence of the vacancy which he is promoted to fill or prior to the date of his selection for promotion, whichever shall be later.

Rear admirals.

(3) The names of officers recommended by a board for temporary promotion to the grade of rear admiral, and approved by the President, shall be placed upon a promotion list and temporary promotions to fill vacancies shall be made from officers whose names appear on the promotion list: *Provided*, That when so promoted each such officer shall have the same date of rank given to the running mate assigned him in the grade of rear admiral upon the running mate's temporary promotion to that grade: *Provided further*, That if such running mate shall not have been promoted, the staff officer shall be given as his date of rank the date of the occurrence of the vacancy which he is promoted to fill until such running mate shall have been promoted to the grade of rear admiral, at which time the staff officer shall be given a new commission with the same date of rank given to such running mate upon the latter's temporary promotion to rear admiral: *And provided further*, That each staff officer promoted to the grade of rear admiral shall be entitled to the pay and allowances of that grade only from the date of the occurrence of the vacancy which he is promoted to fill.

Date of rank.

Pay and allowances.

(c) The following provisions shall relate to line and staff officers as indicated:

Removal from promotion list.

(1) The President may remove the name of any officer of the line or of a staff corps from the promotion list. An officer whose name is so removed from the promotion list or one whose appointment is

Replacement.

rejected by the Senate, shall continue to be eligible for consideration for recommendation for temporary promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for temporary promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when temporarily promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for temporary promotion.

Authority to fill vacancies.

Ante, p. 798.

(2) The President is authorized to fill vacancies in any grade in the line of the Regular Navy, as determined by the computations made pursuant to the provisions of section 103 of title I of this Act, by permanently appointing thereto and regularly commissioning therein officers holding permanent appointments in the line of the Regular Navy in grades above commissioned warrant officer who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein, but no such officer may be permanently appointed to the grade of captain prior to the fiscal year in which he and all such officers senior to him on the lineal list will have completed eighteen years total commissioned service as defined in subsection 102 (d) of title I of this Act: *Provided*, That such officers shall be so appointed in order of their seniority on the lineal list: *Provided further*, That for the purposes of this paragraph the order of seniority on the lineal list of officers on the pomotion list shall be regarded as the order in which their names were placed on the promotion list: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

Ante, p. 798.

Rear admiral.

Ante, p. 816.

(3) The President is authorized to fill vacancies in the grade of rear admiral in any staff corps, as determined by the computations made pursuant to the provisions of section 203 of title II of this Act, by permanently appointing thereto and regularly commissioning therein officers of the corps concerned holding permanent appointments in the Regular Navy who are serving in that grade under temporary appointment or who are on the promotion list for temporary appointment therein: *Provided*, That such officers shall be so appointed in the order of their seniority on the lineal list: *Provided further*, That for the purposes of this paragraph the order of seniority on the lineal list of officers on the promotion list shall be regarded as the order in which their names were placed on the promotion list: *Provided further*, That each officer appointed to the grade of rear admiral pursuant to this paragraph shall be given in his appointment the same date of rank stated in the permanent commission of his running mate in the grade of rear admiral: *Provided further*, That if such running mate shall not have been permanently appointed to the grade of rear admiral, the staff officer shall be given as his date of rank the date of rank stated in his temporary commission in that grade until such running mate is permanently appointed to the grade of rear admiral at which time the staff officer shall be given a new commission with the same date of rank given to such running mate upon the latter's permanent appointment as rear admiral: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

Authority to appoint officers in grades below rear admiral.

(4) The President is authorized to permanently appoint in any grade below rear admiral in any staff corps of the Regular Navy and

regularly commission therein officers of the staff corps concerned holding permanent appointments as such in the Regular Navy in grades above commissioned warrant officer, who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein when the line running mates of such officers are permanently appointed in such grade pursuant to the provisions of paragraph (2) of this subsection, and in the event that any such officer has a running mate who does not hold a permanent appointment in the line of the Regular Navy in grades above commissioned warrant officer, he may be so permanently appointed to and regularly commissioned in such grade when the senior of those line officers holding permanent appointments in the Regular Navy in such grade junior to his running mate is permanently appointed to such grade: *Provided*, That such officers when so appointed shall be deemed for all purposes to have been so appointed simultaneously with their line running mates and their commissions shall bear date of rank accordingly: *Provided further*, That in cases where the eligibility of an officer of a staff corps for permanent appointment in any grade in the Regular Navy is dependent upon the eligibility for permanent appointment to such grade of a line officer other than his running mate, such officer of the staff corps, when permanently appointed, shall receive a commission with the same date of rank in such grade as that of such line officer: *Provided further*, That should the line running mate of an officer on the promotion list not be on the promotion list such officer shall be appointed to the grade for which selected and be assigned a line running mate and date of rank therein, in the manner prescribed in this section for a temporary promotion: *Provided further*, That nothing contained in this subsection shall operate to increase the allowed number of captains in the Medical Service Corps or the allowed number of commanders or lieutenant commanders in the Nurse Corps, as determined pursuant to section 203 of this title: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

Restriction.

Ante, p. 816.

(5) The President is authorized to permanently appoint to a grade in the line of the Naval Reserve and regularly commission therein, officers of the Naval Reserve, holding permanent appointments above the grade of commissioned warrant officer therein, on active duty who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein when the officer next senior to each such officer, in the line is permanently appointed in such grade pursuant to the provisions of paragraph (2) of this subsection: *Provided*, That such officers when so appointed shall be deemed for all purposes to have been so appointed simultaneously with such next senior officer, and their commissions shall bear date of rank accordingly.

Naval Reserve.

(6) Each officer in any staff corps of the Naval Reserve holding a permanent appointment above the grade of commissioned warrant officer therein, who has a permanently appointed line officer of the Regular Navy as his running mate in a grade to which he is temporarily appointed pursuant to this title, may be permanently appointed to and regularly commissioned in such grade in the Naval Reserve when his running mate is so permanently appointed to such grade in the Regular Navy; and each officer in any staff corps of the Naval Reserve holding a permanent appointment above the grade of commissioned warrant officer therein who has a running mate in a grade to which he is temporarily appointed pursuant to this title other than a permanently appointed line officer of the Regular Navy, may be permanently appointed to and regularly commissioned in such grade in the Naval Reserve when the senior of those permanently

commissioned line officers of the Regular Navy junior to his running mate is so permanently appointed to such grade in the Regular Navy.

Running mates and precedence.

(d) The following provisions shall relate to running mates and precedence:

Ante, p. 833.

(1) Upon determination of running mates as provided in section 304 of this title, staff officers shall have the running mates so assigned them. Thereafter line running mates shall be assigned to staff officers and staff officers shall take precedence in accordance with the provisions of this subsection.

(2) Line and staff officers of the Navy, when of the same grade, shall take precedence with all other line and staff officers of the same grade from the dates of rank stated in their commissions in said grade: *Provided*, That officers serving in the same grade and having the same date of rank in that grade shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplain, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

(3) Lieutenants (junior grade) in a staff corps, appointed subsequent to the enactment of this Act pursuant to any authority other than the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), with dates of rank in that grade in the same calendar year shall, in order of their lineal rank and following December 31 of that year, be assigned running mates among line lieutenants (junior grade) with dates of rank in the same calendar year, if of other than the Medical Corps, and in the preceding calendar year if of the Medical Corps, in the manner herein prescribed. Each such staff officer shall be assigned as his running mate the line officer whose numerical position in the order of lineal rank among the line lieutenants (junior grade) above described is equal, or nearest equal, to the product of the numerical position of the staff officer in his order of lineal rank in his corps and a fraction whose numerator is the number of such line officers and whose denominator is the number of such staff officers. When there is but one such staff officer, the running mate shall be the line officer whose lineal rank is nearest the middle of the line officers concerned: *Provided*, That in any staff corps where officers may be originally appointed to the grade of lieutenant (junior grade) or ensign, all staff officers of that corps with dates of rank as lieutenants (junior grade) in the same calendar year shall, for the purpose of assignment of running mates, be regarded as having lineal rank in such order as may be recommended in the approved report of a board of officers convened for that purpose; such boards shall be convened as soon as practicable after December 31 of each year, shall be composed of officers of the corps concerned, and their recommendations when approved by the Secretary of the Navy shall be conclusive.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.
Ante, p. 833.

(4) An officer appointed to a staff corps in a grade above that of lieutenant (junior grade), or in the grade of lieutenant (junior grade), pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), subsequent to the date of the establishment of the lineal list of line officers as prescribed by subsection 304 (a) of this title, shall be assigned as his running mate by the Secretary of the Navy, a line officer with the same date of rank in the highest grade, permanent or temporary, to which the staff officer is appointed or, if there be none, the junior line officer with the next earlier date of rank in such grade.

Officer of staff corps of Naval Reserve.

Ante, p. 833.

(5) An officer of a staff corps of the Naval Reserve assigned to active duty subsequent to the date of the establishment of the lineal list of line officers as prescribed by subsection 304 (a) of this title, shall, for the purposes of this subsection only, be regarded as having date of rank in his grade according to his active service in that grade and

in the rank corresponding to such grade and shall, if he be of a grade above lieutenant (junior grade), be assigned as his running mate the junior line officer of the same grade with the same date of rank or, if there be none, the junior such line officer with next earlier date of rank; if he be of the grade of lieutenant (junior grade), he shall be assigned a running mate in the manner prescribed in paragraph (3) of this subsection of this title for officers appointed to the staff corps of the Regular Navy.

Line officer transferred to staff corps.

(6) Notwithstanding the provisions of paragraphs (3) and (4) of this subsection, a line officer hereafter transferred to a staff corps in the grade of lieutenant (junior grade) or above shall, upon transfer, have assigned as his running mate the line officer immediately senior to him at the time of transfer.

Separation of running mate from active list, etc.

(7) Should the running mate of a staff officer be separated from the active list or for any cause lose numbers, a new running mate shall be assigned the staff officer who shall be the line officer who was next senior to the former running mate, or the line officer who was next junior if the former running mate was the senior officer in the grade concerned.

Staff officer selected for temporary promotion.

(8) A staff officer selected for temporary promotion shall, when promoted, have assigned as his running mate in the grade to which promoted, a line officer of the same grade whose name was placed upon the promotion list for that grade upon approval of the line selection board immediately preceding the staff corps selection board which selected the staff officer. Such line officer shall be the officer who was the running mate of the staff officer in the grade from which promoted if such running mate shall have been selected and promoted; otherwise the new running mate shall be the line officer whose name was on the said promotion list and who shall have been selected and promoted next senior to the former running mate or, if there be no such line officer, the line officer who shall have been selected and promoted next junior to the former running mate. In the application of this subsection, if a board on selection for any staff corps and grade therein be not convened between the date of convening of two or more line selection boards for the same grade, the earliest of such boards shall be held as being the line selection board immediately preceding the staff board when convened.

Promotion of running mate.

(9) Should the running mate of a staff officer be promoted to a higher grade and such staff officer be not so promoted, the latter shall have assigned as his running mate in the grade in which he remains the line officer of that grade who was next senior to the former running mate, or if there be none the line officer of that grade next junior to the former running mate.

Loss of numbers by staff officer.

(10) If a staff officer of the grade of lieutenant (junior grade) or above shall lose numbers in grade for any cause he shall have assigned as his new running mate the line officer who is the running mate of the junior of those officers in his corps who becomes or will become senior to him as the result of such loss of numbers.

Advancement in numbers, etc., of running mate.
34 U. S. C. § 345.

(11) If the running mate of a staff officer shall be advanced in numbers or shall be advanced in grade in accordance with section 1508 of the Revised Statutes, the staff officer shall have assigned as his new running mate the line officer not advanced who was next senior to his former running mate in the grade in which the staff officer remains or, if there remain in that grade no line officer who was senior to such former running mate in the grade concerned, the staff officer shall have assigned as his new running mate the senior line officer in the grade in which the staff officer remains.

Advancement in numbers of staff officer.

(12) If a staff officer of the grade of lieutenant (junior grade) or above shall be advanced in numbers in his grade, he shall have assigned

as his new running mate the line officer who is the running mate of the officer of the same grade in his corps immediately senior to such staff officer in the position to which advanced; if there be no such senior staff officer, the staff officer who is so advanced shall have assigned as his new running mate the line officer who is the running mate in the grade concerned of the staff officer of the same corps immediately junior to such staff officer in the position to which advanced.

Line officer running mate.

(13) The line officer running mate assigned a staff officer pursuant to this section shall, if the staff officer be one designated for limited duty, be an officer also designated for limited duty; in all other cases the running mate shall be a line officer not restricted in the performance of duty.

Pay and allowances.

(14) Officers of the staff corps serving in the grade of rear admiral shall receive the pay and allowances prescribed by law for rear admirals of the upper half from the date on which their respective running mates enter the upper half of the list of rear admirals, but not prior to the date of the vacancy the staff officer was promoted to fill.

RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

Applicability.

SEC. 312. (a) The provisions of this section shall be applicable only to officers holding permanent appointments on the active list of the Regular Navy.

Captains.

(b) Captains of the Medical Service Corps shall be placed on the retired list on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, and captains of the line and of each other corps whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, as defined for line officers in section 102 of title I and for staff officers in section 202 of title II of this Act, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service as so defined until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains not restricted in the performance of duty whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for temporary promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed the following numbers of captains, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total commissioned service as so defined: Ten designated for engineering duty, five designated for aeronautical engineering duty, ten designated for special duty, twenty-two in the Medical Corps, twenty-two in the Supply Corps, twenty-five in the Chaplain Corps, seven in the Civil Engineer Corps, and twelve in the Dental Corps: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Ante, p. 798.
Ante, p. 816.
Ante, p. 853.
Ante, p. 853.

Continuation on active list.

Commanders.

(c) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for temporary promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for temporary promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for temporary promotion until June 30 of the fiscal year in which they shall have completed thirty years of total commissioned service: *Provided further*, That the definitions of total commissioned service set forth in sections 102 and 202 of this Act shall be applicable to this subsection.

Ante, pp. 798, 816.

Officers designated for limited duty.

(d) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service exclusive of active duty for training in a Reserve component.

Lieutenant commanders.

(e) Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commander of the Nurse Corps, whose names, on June 30 of the fiscal year in which they completed twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for temporary promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commander of the Nurse Corps, who shall twice fail of selection for temporary promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That the definitions of total commissioned service set forth in sections 102 and 202 of this Act shall be applicable to this subsection.

Ante, p. 853.

Ante, pp. 798, 816.

Lieutenant commanders designated for limited duty.

(f) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they shall have twice failed of selection for temporary promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of a warrant officer or a commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all active service as an officer designated for limited duty or as a temporary or Reserve officer shall be included: *And provided further*, That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade

in which then serving upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

Retired pay for officers in grades above lieutenant.

(g) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of 2½ per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years' service by which the rate of 2½ per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

Fractional year.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, p. 738; *post*, pp. 867, 877.

Honorable discharge.

(h) Lieutenants, except lieutenants of the Nurse Corps and lieutenants (junior grade), who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with paragraph (2) of subsection 309 (c) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with paragraph (2) of subsection 309 (c) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 102 (d) for line officers or subsection 202 (d) for staff officers, but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (f) of this section.

Ante, p. 851.

Ante, p. 798.
Ante, p. 816.
Fractional year.

Physical disability.

(i) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the rank for which they were selected, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which selected. For the purpose of this subsection, officers on a promotion list for temporary promotion to the next higher grade shall be considered to be on the promotion list for permanent promotion thereto.

Applicability of designated provisions to officers above grade of ensign.

(j) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for temporary promotion shall be applicable to officers above the grade of ensign who fail on professional reexamination for temporary promotion in the same manner as if such officers had twice failed of selection for temporary promotion.

Retired rank, etc.

(k) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

Rear admirals.

SEC. 313. (a) Rear admirals who, having been considered by two successive selection boards for recommendation for continuation on the active list, are not so recommended in the approved report of such a board shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(b) Should it be found, as of the time of the convening of a board for the consideration of rear admirals of the line who are not restricted in the performance of duty for continuation on the active list, that the number to be furnished the board as determined pursuant to the provisions of subsection 308 (a) (8) would, except for the proviso to said subsection, be less than 50 per centum of the number of such rear admirals, excluding those who have once failed of selection for continuation on the active list, eligible for such consideration, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider such rear admirals, excluding those who have once failed of selection for continuation on the active list, who completed four years of service in that grade and thirty-four years of total commissioned service, as defined in section 102 of title I of this Act, prior to July 1 of the current fiscal year, and recommend for retirement a sufficient number so that the number to be furnished the board as so determined shall equal said 50 per centum.

Ante, p. 845.

Ante, p. 798.

Review of vacancies. Rear admirals in Chaplain Corps.

(c) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Chaplain Corps in the third fiscal year following the fiscal year in which this Act becomes effective, and in the third fiscal year of each three-year period thereafter, and, should it be found, in any such third year, as of the time of the convening of a board for the consideration of captains of the Chaplain Corps for temporary promotion to the grade of rear admiral that no such captain was selected during the two preceding fiscal years because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of three officers of the line of the grade of rear admiral or above, to consider rear admirals of the Chaplain Corps and to recommend one such officer for retirement.

Rear admirals in Dental Corps.

(d) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Dental Corps in the second fiscal year following the fiscal year in which this Act becomes effective, and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Dental Corps for temporary promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Dental

Corps and two officers of the line, of the grade of rear admiral or above, to consider rear admirals of the Dental Corps and to recommend one such officer for retirement.

Selection for temporary promotion of captains.

(e) Should it be found, as of the time of the convening of a board for the consideration of captains of the line who are not restricted in the performance of duty for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of such captains equal to 10 per centum of the authorized number of rear admirals, not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Captains designated for engineering or special duty.

(f) Should it be found, as of the time of the convening of a board for the consideration of captains designated for engineering duty, aeronautical engineering duty, or special duty for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of such captains equal to 15 per centum of the authorized number of rear admirals designated for engineering duty, aeronautical engineering duty, or special duty, the Secretary of the Navy shall convene a board of not less than five officers, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Selection for temporary promotion of captains in Medical and Supply Corps.

(g) Should it be found, as of the time of the convening of a board for the consideration of captains in the Medical Corps or in the Supply Corps for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of captains in the corps concerned equal to 15 per centum of the authorized number of rear admirals in such corps, the Secretary of the Navy shall convene a board of not less than five officers, serving in the rank of rear admiral or above, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Rear admirals in Civil Engineer Corps.

(h) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Civil Engineer Corps in the second fiscal year following the fiscal year in which this Act becomes effective and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Civil Engineer Corps for temporary promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Civil Engineer Corps and two officers of the line, of the rank of rear admiral or above, to consider rear admirals of the Civil Engineer Corps and to recommend one such officer for retirement.

(i) The boards provided for in this section relative to staff officers, except as otherwise specified in this section, shall be composed of officers on the active list of the Navy of the corps concerned. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required membership.

Composition of boards.

(j) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal in number to those disapproved by the President.

Submission of report to President.

(k) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Retired pay.

(l) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

Restriction.

MARINE CORPS

SEC. 314. (a) Commissioned officers of the Marine Corps shall be authorized in number in the same proportion to authorized enlisted strength and shall be distributed in grades, promoted, retired, and discharged in like manner and with the same relative conditions in all respects as provided for commissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

(b) Of the authorized number of commissioned officers above the grade of colonel who are not restricted in the performance of duty, not more than 50 per centum may be major generals and above and the remainder brigadier generals.

Officers above grade of colonel not restricted in duty.

(c) The number of brigadier generals designated for supply duty, including the officer serving as the head of the Supply Department, shall not exceed at any one time a number equal to 13 per centum of the number of general officers of the Marine Corps not restricted in the performance of duty authorized at that time.

Supply duty. Brigadier generals.

(d) The total number of officers designated for supply duty in the combined grades of colonel, lieutenant colonel, and major shall not exceed at any one time a number equal to 8 per centum of the total number of officers not restricted in the performance of duty authorized in those grades at that time.

Combined grades of colonel, lieutenant colonel, and major.

(e) The requirement of sea or foreign service in grade shall not apply to temporary promotion of officers of the Marine Corps.

Sea or foreign service.

(f) Selection boards shall consist of nine officers of the active list of the Marine Corps, the composition of the boards to be determined by the Secretary of the Navy: *Provided*, That no officer shall be recommended for temporary promotion or for continuation on the active list unless he shall have received the recommendation of not less than two-thirds of the acting members of the board: *Provided further*, That whenever there are insufficient general officers available to comprise a

Selection boards.

Recommendation for temporary promotion, etc.

selection board for the recommendation of officers for temporary promotion to the grades of brigadier general and colonel without placing thereon general officers who served as members of the same corresponding board the preceding year, officers of the active list of the line of the Navy, not restricted in the performance of duty, of the grade of rear admiral may be substituted for general officers of the Marine Corps in order to comply with the provisions of section 305 (a) (2) of this title: *Provided further*, That selection boards to recommend brigadier generals for temporary promotion to major general shall be composed of officers of the permanent grade of major general on the active list of the Marine Corps to the extent that such officers are deemed available for this duty by the Secretary of the Navy, and the remainder of the board shall be composed of rear admirals on the active list of the line of the Navy, not restricted in the performance of duty: *And provided further*, That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

Ante, p. 841.

Administrative staff duty.

Appointment of alternate members of board.

(g) Whenever officers designated for supply duty are eligible for consideration by a selection board for temporary promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of that designation, and if there be not three available, he shall so appoint such lesser number as may be available, and the junior members of the board who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers designated for supply duty. No such alternate member shall act upon the cases of officers other than those designated for supply duty. No officer designated for supply duty or for limited duty shall act upon the cases of officers not restricted in the performance of duty.

Temporary promotion to major general.

(h) Temporary promotion to major general shall be from brigadier generals who are not restricted in the performance of duty, and such officers shall be eligible for consideration by a selection board for temporary promotion to major general when they will have completed on June 30 of the fiscal year of the convening of the board four years' service in that grade. The date of rank of an officer temporarily appointed in the grade of major general shall be the date of rank held by such officer in the grade of brigadier general under permanent or temporary appointment: *Provided*, That subject to the provisions of subsection 311 (c) (1) and subsection 423 (b) of this Act, such date of rank shall not be earlier than that of the junior officer in the grade of major general: *And provided further*, That such an officer shall be entitled to the pay and allowances of the higher grade from the date of occurrence of the vacancy which he is promoted to fill.

Ante, p. 853.
Post, p. 879.

Pay and allowances.

Promotion zone in grade of brigadier general.

(i) The promotion zone in the grade of brigadier general for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade of brigadier general who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the needs of the service and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by

the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years and the number of such officers who will be eligible for selection.

Rank in designated grades.

(j) Officers serving in the grade of major general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers serving in the grade of brigadier general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades.

Nonapplicability.

(k) The provisions of this title relating to the selection of rear admirals for continuation on the active list shall not be applicable to major generals.

Selection for temporary promotion of brigadier generals.

(l) Should it be found, as of the time of the convening of a board for the consideration of brigadier generals for temporary promotion to the grade of major general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of major general is less than will permit the selection for temporary promotion of a number of brigadier generals equal to 50 per centum of the number of such officers comprising the promotion zone for that grade, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of major generals to permit the selection for temporary promotion of the said number of brigadier generals.

Selection for temporary promotion of colonels.

(m) Should it be found, as of the time of the convening of a board for the consideration of colonels, who are not restricted in the performance of duty for temporary promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period is less than will permit the selection for temporary promotion of a number of such colonels equal to 10 per centum of the authorized number of general officers who are not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of general officers to permit the selection for temporary promotion of the said number of colonels.

Brigadier generals. Retired pay.

(n) Brigadier generals, who are not restricted in the performance of duty, whose names are not on the promotion list shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they fail of selection for temporary promotion the second time with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Applicability of designated provisions.

(o) The provisions of this title relating to officers of the Navy designated for limited duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for limited duty.

(p) The provisions of this title relating to officers of the Navy designated for engineering duty shall be applicable in like manner

and with like effect to officers of the Marine Corps designated for supply duty, except as may be necessary to adapt the said provisions to the Marine Corps or as herein otherwise provided.

Brigadier generals designated for supply duty.

(q) Brigadier generals designated for supply duty, if not retired pursuant to other provisions of law, shall, except as otherwise provided in this section, be placed on the retired list on June 30 of the fiscal year in which they complete five years' service in that grade and thirty-five years' total commissioned service, the latter as defined in section 102 of title I of this Act, with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Ante, p. 798.

Continuation on active list.

(r) Brigadier generals of the Marine Corps designated for supply duty who in the then current fiscal year complete or will complete five years' service in their grade and have completed or will complete in such fiscal year thirty-five years of total commissioned service; those who prior to the then current fiscal year have completed five years' service in their grade and in such fiscal year complete or will complete thirty-five years of total commissioned service; and those who were recommended for continuation on the active list in the approval report of the immediately preceding appropriate selection board, shall be eligible for consideration by a selection board for continuation on the active list: *Provided*, That total commissioned service shall be as defined in section 102 of title I of this Act: *Provided further*, That not to exceed two such brigadier generals recommended for continuation on the active list in the report of a selection board as approved by the President may be so continued until the report of the next succeeding selection board is approved: *And provided further*, That a brigadier general so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Ante, p. 798.

(s) In addition to the information otherwise required by this title, the Secretary of the Navy shall furnish the appropriate selection board with the number of brigadier generals designated for supply duty which the board may recommend for continuation on the active list. The number so furnished shall be such number as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps not to exceed two.

Selection for temporary promotion of colonels.

(t) Should it be found, as of the time of the convening of a board for the consideration of colonels designated for supply duty for temporary promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of brigadier general is less than will permit the selection for temporary promotion in such period of a number of such colonels equal to 15 per centum of the authorized number of brigadier generals designated for supply duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of brigadier general to consider and recommend for retirement a sufficient number of brigadier generals designated for supply duty to permit the selection for temporary promotion in such period of the said number of such colonels.

Number to be continued on active list.

(u) The number to be furnished the board in respect to colonels designated for supply duty to be continued on the active list shall be such number, not to exceed two, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps.

(v) Officers recommended for retirement in the report of a board convened pursuant to subsections (l), (m), and (t) of this section, as approved by the President, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Retired pay.

(w) From among the officers designated for supply duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list in number equal to the number furnished the board by the Secretary of the Navy.

Recommendation for continuation on active list.

(x) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

Retired rank, etc.

(y) The report of a board convened pursuant to the provisions of subsections (l), (m), and (t) of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional appropriate general officers for retirement equal to the number disapproved by the President.

Submission of report to President.

DETERMINATION OF UPPER AND LOWER HALF REAR ADMIRALS

SEC. 315. Rear admirals on the active list of the line in the upper half of that grade, exclusive of officers carried as additional numbers in grade, shall be entitled to the pay and allowances prescribed by law for rear admirals of the upper half: *Provided*, That for the purpose of determining the number of rear admirals in the upper half, there shall be excluded those officers carried as additional numbers in that grade, and each rear admiral carried as an additional number in that grade shall be entitled to such pay and allowances from the date on which the officer next junior to him becomes entitled thereto pursuant to this section: *And provided further*, That for the purposes of determining the number of rear admirals in the upper half, an officer serving in the grade of admiral or vice admiral shall be regarded as serving in the grade to which he would be entitled other than by virtue of his appointment in the grade of admiral or vice admiral.

SPECIAL PROVISIONS

SEC. 316. (a) No officer serving in warrant grade shall be temporarily advanced to commissioned warrant officer until he shall have completed six years of service in warrant or higher grade.

Officer serving in warrant grade.

(b) So much of paragraphs 2 and 3 of subsection (c) of section 5 of the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), as relates to the assignment or reassignment of running mates to officers in the Staff Corps is hereby repealed.

Repeal.
60 Stat. 93.
34 U. S. C. § 15 (c) (2), (3).

(c) Nothing in this title shall be held to confer permanent commissioned status in the Regular Navy or Marine Corps upon any Reserve officer or any person temporarily appointed to the grade of ensign or above from a grade or rating below ensign.

Permanent commissioned status.

(d) Notwithstanding any other provision of this title, the President is authorized to terminate any temporary appointment effected pursuant to authority of titles I through IV of this Act.

Termination of temporary appointment.

Continuation of service of designated officers.

(e) Upon the termination of this title, officers holding permanent commissions in the Regular Navy in grades above commissioned warrant officer serving in a grade by virtue of temporary appointment therein may continue to so serve until a vacancy occurs for their permanent appointment therein and such officers upon a promotion list for temporary promotion to the next higher grade shall be held and considered to be on the promotion list for permanent promotion thereto.

Failure of selection.

(f) A failure of selection for temporary promotion to any grade or a failure of selection for continuation on the active list pursuant to the provisions of this title shall be deemed, in the cases of officers holding permanent appointments in the Regular Navy, to also constitute a failure of selection for permanent promotion to that grade.

Reduction in grade, etc.

(g) Nothing in this title shall be held to reduce the grade or rank held by any officer on the date of approval of this Act under permanent appointment therein.

Retirement of captains.

(h) Notwithstanding any other provision of this title, no captain who will have twenty-nine or more years of total commissioned service on June 30 next after the date of approval of this Act shall be placed on the retired list pursuant to the provisions of this title until he shall have twice failed of selection for promotion to the grade of rear admiral in the approved reports of selection boards convened pursuant to the provisions of the Act approved June 23, 1938 (52 Stat. 944), as amended, or of titles I through IV of this Act: *Provided*, that no such captain designated for engineering duty only, aeronautical engineering duty only, or special duty only shall be placed on the retired list pursuant to the provisions of this title until his name shall have been twice submitted to selection boards, convened pursuant to titles I through IV of this Act, for consideration for promotion to the grade of rear admiral.

34 U. S. C. § 2 *et seq.*
Post, p. 882.

Officers regarded as promoted pursuant to recommendation of board.

(i) All officers holding permanent appointments on the active list of the regular Navy who received their last permanent promotions as "best fitted", "fitted and retained", or "fitted" shall no longer be so characterized, designated, or described, but shall be regarded as having received such promotions pursuant to the recommendation of a selection board as prescribed in titles I through IV of this Act.

Retirement grade.

(j) Any officer serving in the grade of rear admiral or below under authority of this title by virtue of a temporary appointment therein shall, if retired while so serving, be retired in the grade in which serving with retired pay based on the active-duty pay to which he was entitled at the time of retirement unless otherwise entitled to higher retired grade or pay.

Applicability of examination provisions.

(k) In effecting temporary promotions pursuant to the provisions of this title, the provisions of law relative to the mental, moral, and professional examination of officers prior to promotion shall not be applicable to officers not holding permanent appointments on the active list of the Regular Navy above the grade of commissioned warrant officer but shall be applicable to officers holding such appointments. Officers having successfully passed such examination for temporary promotion to a grade shall not again be examined for permanent appointment in that grade.

Affirmation of temporary appointments. Warrant officers.

(l) The President is authorized, in his discretion, to affirm the temporary appointments of warrant and commissioned warrant officers who are serving as such on the effective date of this Act pursuant to the authority of the Act of July 24, 1941 (55 Stat. 603), as amended. Upon such affirmation such appointment shall thereafter be considered as having been effected pursuant to the authority contained in this title.

34 U. S. C. §§ 350–350j.
Ante, pp. 312, 313.

(m) The appointments of officers who are on the lineal lists established pursuant to subsections (a) or (e) of section 304 of this Act, and of retired officers of the Navy or Naval Reserve, who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment for a period of limited duration may be affirmed by the President, and upon such affirmation shall be considered as having been effected pursuant to this title; such officers may continue to so serve under such appointments until they are placed on inactive duty, until their appointments are terminated by their own terms, or until their appointments are terminated by the President, whichever shall occur the earliest: *Provided*, That an officer who is on a lineal list established pursuant to section 304 of this Act who is serving on active duty on the date of the establishment of the appropriate lineal list in the grade of commodore under a temporary appointment for a period of limited duration may, upon the termination of such appointment, be temporarily appointed to the grade and with the precedence therein according to the lineal position to which he would be entitled were he not so serving or had he not been so temporarily appointed: *Provided further*, That retired officers of the Navy or Naval Reserve who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment for a period of limited duration who are retained on active duty immediately subsequent to the termination of such appointments may be temporarily appointed to the grades in which they would have been serving on the effective date of this Act had they not been serving at that time in the grade of commodore under temporary appointments for a period of limited duration. The appointments of officers who are on a lineal list established pursuant to section 304 of this Act and of retired officers of the Navy or Naval Reserve who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment may be affirmed by the President, and upon such affirmation shall be considered as having been effected pursuant to this title; such officers may continue to so serve under such appointments until they are placed on inactive duty, or until their appointment is terminated: *Provided further*, That no officer may continue to serve on active duty in the grade of commodore pursuant to this subsection later than six months after June 30 of the fiscal year following that in which the present war shall end: *And provided further*, That for the purpose of determining the authorized number of officers in the grade of captain in accordance with section 303 of this Act, such number shall be reduced by the number of commodores serving on active duty pursuant to this subsection, or serving on active duty in the grade of commodore by virtue of other provisions of law.

Commodores.
Ante, pp. 833, 835.

Precedence.
Ante, p. 833.

Reduction of number.
Ante, p. 831.

(n) Notwithstanding any other provision of this title, each officer who, pursuant to section 304 of this title, is not appointed to the grade in which he was serving at the time of establishing the lineal list, may be continued in that grade until his temporary appointment is terminated or until the date of his appointment to a lower grade pursuant to section 304.

Continuation in grade.
Ante, p. 833.

TITLE IV—MISCELLANEOUS PROVISIONS

ASSIGNMENT OF OFFICERS TO SPECIAL DUTY

SEC. 401. (a) Officers of the line of the Navy not below the grade of ensign may, upon application, and with the approval of the Secretary of the Navy, be assigned to special duty only, including but not restricted to the performance of specialized duties in the fields of communications, law, naval intelligence, photography, public information, psychology, and hydrography.

(b) The total number of officers assigned to special duty only shall not exceed, at any one time a number equal to 2 5/10 per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Officers assigned to special duty only shall be additional numbers in grade. They shall perform sea or shore duty appropriate to their special qualifications but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy.

(d) Officers assigned to special duty only shall be described and known as officers designated for special duty.

ASSIGNMENT OF OFFICERS TO ENGINEERING DUTY

SEC. 402. (a) The first paragraph under the heading "Officers for Engineering Duty" of the Act of August 29, 1916 (39 Stat. 580), as amended by the Acts of May 11, 1928 (45 Stat. 498), and June 25, 1940 (54 Stat. 528), is hereby further amended to read as follows:

34 U. S. C. § 71.

"Officers of the line of the Navy not below the grade of ensign may, upon application, and with the approval of the Secretary of the Navy, be assigned to engineering duty only. Officers so assigned shall be additional numbers in grade. They shall perform sea or shore duty in the Navy, appropriate to their special qualification but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy."

(b) The total number of officers assigned to engineering duty only shall not exceed, at any one time, a number equal to 4 5/10 per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Hereafter officers assigned to engineering duty only shall be described and known as officers designated for engineering duty.

(d) Officers of the Marine Corps assigned to supply duty only shall be described and known as officers designated for supply duty.

ASSIGNMENT OF OFFICERS TO AERONAUTICAL ENGINEERING DUTY

SEC. 403. (a) Officers of the line of the Navy, including officers heretofore assigned to engineering duty only, not below the grade of ensign, may, upon application, and with the approval of the Secretary of the Navy, be assigned to aeronautical engineering duty only.

(b) The total number of officers assigned to aeronautical engineering duty only shall not exceed, at any one time, a number equal to 2 5/10 per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Officers assigned to aeronautical engineering duty only shall be additional numbers in grade. They shall perform sea or shore duty appropriate to their special qualifications but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy.

(d) Officers assigned to aeronautical engineering duty only shall be described and known as officers designated for aeronautical engineering duty.

ASSIGNMENT OF OFFICERS TO LIMITED DUTY

Appointments by President.

SEC. 404. (a) The President is authorized to permanently appoint in the Regular Navy, in commissioned grades not above the grade of commander; commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, of the Regular Navy, for the performance of limited duty only in the technical fields indicated by their warrants or ratings. Such appointments shall be effected by and with the advice and consent of the Senate.

(b) The appointment of such officers in the Staff Corps of the Regular Navy is hereby limited to such appointments in the Supply Corps and Civil Engineer Corps.

Staff Corps.

(c) The eligibility of commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, for appointment pursuant to the authority of subsection (a) of this section shall be determined in accordance with rules to be prescribed by the Secretary of the Navy, but no person shall be eligible for such appointment until he shall have completed ten years of active service in the Navy.

Determination of eligibility.

(d) The provisions of subsections (a) and (c) of this section shall be applicable in like manner and with like effect, except as may be necessary to adapt the same thereto, to the Regular Marine Corps.

Marine Corps.

(e) The total number of officers on the active list of the line of the Regular Navy appointed for limited duty only shall not exceed, in any year, a number equal to $6\frac{22}{100}$ per centum of the total number of officers holding permanent appointments on the active list of the line, exclusive of officers designated for engineering duty, aeronautical engineering duty, and special duty, of the Regular Navy in that year.

Officers appointed for limited duty.

(f) The number of officers on the active list of the staff corps concerned appointed for limited duty only shall not in any year exceed the following proportions of the authorized number of officers appointed for limited duty only of the active list of the line in that year: In the Supply Corps, 12 per centum; in the Civil Engineer Corps, 3 per centum.

(g) The total number of officers on the active list of the Marine Corps appointed for limited duty only shall not exceed, in any year, a number equal to $6\frac{22}{100}$ per centum of the total number of officers holding permanent appointments on the active list, exclusive of officers designated for supply duty, of the Marine Corps in that year.

Marine Corps.

(h) For two years after the date of approval of this Act, the President may make original appointments, pursuant to the provisions of the preceding subsections of this section, in the grade of commander or any lower grade, in accordance with the needs of the service as determined by him, but, with respect to line officers appointed for limited duty only, not to exceed in any grade the maximum number of such officers for that grade as last computed pursuant to subsection 103 (f). No person shall be eligible for original appointment in a grade above ensign except he shall have completed service in the Navy as follows: For commander, twenty-eight years; for lieutenant commander, twenty-two years; for lieutenant, sixteen years; for lieutenant (junior grade), thirteen years. Commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, of the Regular Navy, who are otherwise eligible, shall be eligible for such appointment, notwithstanding that they may be serving in commissioned grades by virtue of temporary appointment therein, but no such person shall be so appointed in a higher grade or with a higher lineal rank in grade than the grade and lineal rank in grade held by him by virtue of his temporary appointment. Original appointments pursuant to this subsection shall be effected with such dates of rank and registered numbers as may be necessary to place each appointee in a lineal position within the grade to which initially appointed commensurate as far as possible with his total length of active naval service. Officers originally appointed pursuant to this subsection to a grade above lieutenant (junior grade) in the line shall be carried as excess in grade until the next subsequent annual computation shall be made to determine the total numbers of line officers authorized in the grade concerned.

Original appointments by President.

Eligibility.

Dates of rank, etc.

Excess in grade.

(i) Upon the termination of subsection (h) of this section all original appointments effected pursuant to the authority of subsection (a) of this section shall be in the grade of ensign.

Appointments in grade of ensign.

Pay and allowances.

(j) No officer appointed for limited duty only shall suffer any reduction in pay and allowances to which he was entitled at the time of such appointment by virtue of his permanent status.

Marine Corps.

(k) The provisions of subsections (h), (i), and (j) of this section are hereby made applicable in like manner and with like effect, except as may be necessary to adapt the same thereto, to the Regular Marine Corps.

Assignment to engineering duty, etc.

(l) Any officer appointed in the line of the Navy for limited duty only, may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to engineering duty only, aeronautical engineering duty only, or special duty only, or to unrestricted performance of duty. Upon being so assigned, his status as an officer designated for limited duty shall terminate.

(m) Any officer appointed in a staff corps of the Navy for limited duty only may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to unrestricted performance of duty in the staff corps concerned. Upon being so assigned, his status as an officer designated for limited duty shall terminate.

(n) Any officer appointed in the Marine Corps for limited duty only may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to supply duty only, or to unrestricted performance of duty. Upon being so assigned, his status as an officer designated for limited duty shall terminate.

Designation.

(o) Officers appointed for limited duty only shall be described and known as officers designated for limited duty.

ESTABLISHMENT OF OFFICER GRADES IN THE STAFF CORPS

SEC. 405. The grades above that of commissioned warrant officer in the line of the Navy established under permanent provisions of existing law or of titles I through IV of this Act are hereby similarly established in each of the staff corps of the Regular Navy and the Naval Reserve in lieu of existing grades above that of commissioned warrant officer in each staff corps. Each staff officer on the active list of the Navy or Naval Reserve serving in a grade above that of commissioned warrant officer on the date of this Act shall be regarded as having been appointed to either or both the permanent or temporary grade established by this section in his corps corresponding to the permanent or temporary rank, or both, then held by him under the conditions of his existing appointment. Nothing in this section shall operate to establish in any staff corps a grade higher than the highest rank now provided for that corps under permanent provisions of law.

ADDITIONAL NUMBERS IN GRADE CHANGED TO REGULAR NUMBERS

SEC. 406. Officers of the Navy, except those assigned to engineering duty only, aeronautical engineering duty only, or special duty only, and officers of the Marine Corps, except those assigned to supply duty only, who, on the date of approval of this Act, are additional numbers in grade, are hereby changed to regular numbers on the Navy and Marine Corps lists, respectively.

GRADE OF ACTING CHAPLAIN ABOLISHED

SEC. 407. The grade of acting chaplain in the Navy is hereby abolished and hereafter appointments to the Corps of Chaplains shall be in the grade of lieutenant (junior grade), by and with the advice

and consent of the Senate: *Provided*, That officers now holding appointments as acting chaplains shall be commissioned in the grade of lieutenant (junior grade) by the President without the advice and consent of the Senate: *And provided further*, That nothing contained herein shall operate to prevent the appointment of any person to the Corps of Chaplains in a grade above that of lieutenant (junior grade) pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress). No person shall be appointed to the Corps of Chaplains pursuant to this section until he shall have established his physical, mental, moral, and professional fitness to the satisfaction of the Secretary of the Navy.

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, pp. 738, 867; *post*, p. 877.

LIMITATION ON APPOINTMENTS IN THE GRADE OF ENSIGN FOR ENGINEERING DUTY, AERONAUTICAL ENGINEERING DUTY, AND SPECIAL DUTY

SEC. 408. The President is authorized to permanently appoint and regularly commission in the line of the Navy in the grade of ensign, annually, officers designated for engineering duty, aeronautical engineering duty, or special duty, respectively, except officers designated for special duty who are required to hold a graduate degree, who are authorized to be so appointed and commissioned in the grade of lieutenant (junior grade). Such appointments shall not exceed as to each such designation the estimated number of vacancies, as determined by the Secretary of the Navy, which will occur in the grade to which appointed during the current fiscal year.

APPOINTMENTS IN THE GRADE OF ENSIGN IN THE STAFF CORPS

SEC. 409. In any staff corps of the Regular Navy wherein officers may now be originally commissioned in the rank of ensign, the President is authorized to permanently appoint and regularly commission in the grade of ensign, annually, a number of officers bearing the same relation to the number of officers of the line of the Regular Navy who are that year permanently appointed and regularly commissioned in the grade of ensign as the authorized number of officers on the active list of the Regular Navy in that corps bears to the authorized number of officers on the active list in the line of the Regular Navy: *Provided*, That when the ratio of officers on the active list in the line of the Regular Navy to officers on the active list of the Regular Navy in the staff corps concerned is greater than the ratio of the authorized number of such line officers to the authorized number of such officers in that staff corps, the President may permanently appoint and regularly commission in the grade of ensign in that corps such additional officers, not to exceed the number necessary to bring said ratios into equality, as he shall determine to be required to meet the needs of the service.

PROMOTION TO THE GRADE OF LIEUTENANT (JUNIOR GRADE) IN THE STAFF CORPS

SEC. 410. A staff corps officer of the grade of ensign shall be eligible for promotion to the grade of lieutenant (junior grade) on the third anniversary of the date of rank stated in his commission as ensign.

EXAMINATION OF OFFICERS PRIOR TO PROMOTION

SEC. 411. (a) Except as otherwise provided, nothing in titles I through IV of this Act shall be held or construed to modify the provisions of existing law relating to the physical, mental, moral, and professional examination of officers prior to promotion, and such provisions of law, as herein amended, shall be applicable to all promotions effected pursuant to titles I through IV of this Act.

34 U. S. C. § 283.

(b) Section 1505, Revised Statutes, as amended, is hereby further amended to read as follows:

Suspension from promotion.

"SEC. 1505. Any officer of the Navy on the active list who, upon examination for promotion, is found not professionally qualified, shall be suspended from promotion for a period of six months from the date of approval of said examination, and upon the termination of said suspension from promotion he shall be reexamined. In the case of his success upon such reexamination he shall, if otherwise qualified, be promoted and assigned the date of rank and precedence in the higher grade which he would have held had he not been so suspended and shall be entitled to the pay and allowances of such higher grade from the date upon which he became eligible for promotion. Officers of the grade of ensign who fail on such reexamination shall be honorably discharged from the service with a lump-sum payment computed on the basis of two months' active duty pay at the time of discharge for each year of active commissioned service in the Regular Navy and Naval Reserve, exclusive of duty for training, but not to exceed a total of one year's active duty pay."

34 U. S. C. §§ 280, 284, 322, 323.

(c) Section 20 of the Act approved May 22, 1917 (40 Stat. 89), is hereby amended to read as follows:

Laws relating to examination for promotion, etc.

"SEC. 20. That hereafter all laws relating to the examination of officers of the Navy for promotion shall be construed to apply to staff officers of the Navy on the active list: *Provided*, That the President is authorized to direct the Secretary of the Navy to take such action on the records of proceedings of naval examining boards and boards of naval surgeons for the promotion of officers of the Navy as is now required by law to be taken by the President."

RETIREMENT OF OFFICERS SPECIALLY COMMENDED FOR PERFORMANCE OF DUTY IN COMBAT

Rank and pay.

SEC. 412. (a) All officers of the Navy, Marine Corps, and the Reserve components thereof, who have been specially commended for their performance of duty in actual combat by the head of the executive department under whose jurisdiction such duty was performed, when retired, except officers on a promotion list who may be retired for physical disability, shall, upon retirement, be placed upon the retired list with the rank of the next higher grade than that in which serving at the time of retirement and with three-fourths of the active-duty pay of the grade in which serving at the time of retirement and the grade in which serving at the time of retirement shall be construed to mean the highest grade in which so serving whether by virtue of permanent or temporary appointment therein: *Provided*, That all officers heretofore and hereafter holding rank or grade on the retired list above that of captain in the Navy or colonel in the Marine Corps solely by virture of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be so recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them on the retired list: *Provided further*, That the provisions of this subsection shall not apply in the case of any officer who has been so commended if the act or service justifying the commendation was performed after December 31, 1946: *Provided further*, That nothing in this subsection shall be construed to increase the retired pay of officers heretofore or hereafter placed upon the honorary retired list for the Naval Reserve: *Provided further*, That officers of the classes described in this subsection who have been retired prior to the date of approval of this Act shall be entitled to the benefits of this subsection from the date of

Recall to active duty.

Nonapplicability.

Restriction.

Retirement prior to approval of Act.

approval of this Act: *And provided further*, That nothing in this subsection shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law. Restriction.

(b) Section 309 of the Act of June 25, 1938 (52 Stat. 1183), is amended by deleting the period at the end of the section and adding the following: "; however, all naval reservists heretofore and hereafter holding rank or grade on the honorary retired list above that of captain in the Naval Reserve solely by virtue of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be so recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them on the honorary retired list: *And provided further*, That the provisions of the preceding proviso shall not apply in the case of any naval reservist who has been so commended if the act or service justifying the commendation was performed after December 31, 1946." 34 U. S. C. § 855h. Naval reservists.

DESIGNATION OF NAVAL OFFICERS FOR CERTAIN COMMANDS OR UNUSUAL MISSIONS

SEC. 413. (a) The President is authorized to designate officers of the active list of the Navy for the command of fleets or subdivisions thereof, or to command naval units afloat organized for the purpose of performing a special or unusual mission, or for the performance of any duty of great importance and responsibility, and officers so designated may, by and with the advice and consent of the Senate, have the grade, rank, pay, and allowances of admiral or vice admiral while so serving: *Provided*, That the number of officers who may be so serving at any one time shall not exceed 15 per centum of the total authorized number of officers of the line of the Regular Navy above the grade of captain, determined pursuant to sections 103 and 303 of this Act, and, of such number, not to exceed eight, may be serving in the grade of admiral: *Provided further*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, not to exceed twenty-six officers, including the Chief of Naval Operations, may be so serving at any one time of whom only the Chief of Naval Operations, and three others, may have the rank of admiral; whenever a naval officer is assigned as Chief of Staff to the President as Commander in Chief, he shall have, by and with the advice and consent of the Senate, unless entitled under other provisions of law to higher grade, rank, pay, or allowances, the grade, rank, pay, and allowances of admiral while so serving and shall be in addition to the numbers otherwise authorized by this subsection: *Provided further*, That the designation of any officer as authorized by this section shall not create a vacancy in any grade of the Navy or increase the total number of officers allowed by law: *And provided further*, That officers so designated shall have such precedence among themselves in the grade in which serving pursuant to this section as may be determined by the Secretary of the Navy. *Ante*, pp. 798, 831. Precedence.

(b) In time of war or national emergency the designations authorized by this section shall be made from among officers not below the grade of captain, and at all other times from among officers above the grade of captain.

(c) Each officer so designated shall receive the pay and allowances now or hereafter prescribed by law for the grade in which serving pursuant to this section from the date of reporting for the duty designated and until detached therefrom, at which time he shall resume his regular grade and lineal position on the active list of the Navy. Pay and allowances.

(d) Nothing in this section shall be held or construed as amending or repealing the provisions of sections 1434, 1463, or 1464 of the Revised Statutes of the United States.

34 U. S. C. §§ 216, 424, 425.
Ante, p. 453.

RETIREMENT OF OFFICERS WITH HIGHEST GRADE HELD UNDER PROVISIONS OF SECTION 413

SEC. 414. Any officer of the Navy who may be retired while serving in accordance with the provisions of section 413 of this Act, or subsequent to such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in rank on the retired list: *Provided further*, That the President, by and with the advice and consent of the Senate, may in his discretion extend the privilege herein granted to such officers heretofore or hereafter retired, who served in the rank of admiral or vice admiral pursuant to the authority of section 18 of the Act of May 22, 1917 (40 Stat. 89), or the Act of July 17, 1941 (55 Stat. 598).

34 U. S. C. §§ 1, 212-216, 424, 425, 864.
Ante, p. 453.
34 U. S. C. § 212a.

DESIGNATION OF OFFICERS OF THE MARINE CORPS FOR SPECIAL PURPOSES

SEC. 415. (a) The President is authorized to designate officers of the active list of the Marine Corps for appropriate higher commands, or for the performance of any duty of great importance and responsibility, and officers so designated may, by and with the advice and consent of the Senate, have the grade, rank, pay, and allowances of lieutenant general while so serving: *Provided*, That the number of officers who may be so serving at any one time shall not exceed 10 per centum of the total authorized number of officers of the Regular Marine Corps above the grade of colonel, determined pursuant to sections 103 and 303 of this Act, made applicable to the Marine Corps by sections 114 and 314 of this Act, exclusive of those assigned to supply duty only: *Provided further*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, not to exceed two officers may be so serving at any one time: *Provided further*, That whenever a marine officer is assigned as Chief of Staff to the President as Commander in Chief, he shall have, by and with the advice and consent of the Senate, the grade, rank, pay, and allowances of general while so serving: *And provided further*, That the designation of any officer as authorized by this section shall not create a vacancy in any grade of the Marine Corps nor increase the total number of officers allowed by law.

Ante, pp. 798, 831.
Ante, pp. 811, 863.

(b) In time of war or national emergency the designations authorized by this section shall be made from officers not below the grade of colonel, and at all other times from among officers above the grade of colonel.

Pay and allowances.

(c) Each officer so designated shall receive the pay and allowances now or hereafter prescribed by law for the grade in which serving pursuant to this section from the date of reporting for the duty designated and until detached therefrom, at which time he shall resume his regular grade and lineal position on the active list of the Marine Corps.

Precedence.

(d) Officers serving in the grade of lieutenant general pursuant to this section shall, while so serving, have such precedence among themselves in that grade as may be determined by the Secretary of the Navy.

Retirement.

(e) Any officer of the Marine Corps who may be retired while serving in accordance with the provisions of this section, or subsequent to

such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in rank on the retired list.

RETIREMENT AGE LIMIT FOR OFFICERS

SEC. 416. (a) Nothing in titles I through IV of this Act shall be held to supersede, amend, or repeal the provisions of existing law relating to the retirement of officers attaining the age of sixty-two years.

(b) Nothing in titles I through IV of this Act shall be held to repeal sections 1506 or 1507 of the Revised Statutes.

34 U. S. C. §§ 341, 342.

AMENDMENT OF THE ACT OF APRIL 18, 1946 (PUBLIC LAW 347, SEVENTY-NINTH CONGRESS)

SEC. 417. The Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), is hereby amended as follows:

60 Stat. 92.
34 U. S. C. § 2 *et seq.*
Ante, pp. 738, 867.

Substitute a comma for the period at the end of section 4 and add the following: "and such authorized number of commissioned officers shall include officers now or hereafter carried under any provision of law as additional or extra numbers in grade."

AMENDMENT OF THE ACT OF AUGUST 27, 1940 (54 STAT. 864), AS AMENDED (34 U. S. C. 737, 737 (A))

SEC. 418. The Act of August 27, 1940 (54 Stat. 864), as amended (34 U. S. C. 737, 737 (a)), is hereby further amended as follows:

Insert a period after the word "necessary" in the first sentence of section 2 and delete from the same said first sentence the following: "and the authorized number of commissioned officers of the line of the Navy and Marine Corps is increased accordingly."

AMENDMENT OF THE ACT OF JUNE 27, 1942 (56 STAT. 422)

SEC. 419. The Act of June 27, 1942 (56 Stat. 422), as amended, is hereby further amended as follows:

34 U. S. C. §§ 338-338g.

Insert a period after the word "necessary" in the first sentence of section 1 and delete from the same said first sentence the following: "and the authorized number of commissioned officers of the line and of each staff corps to which such appointments may be made is increased accordingly."

AMENDMENT OF THE ACT OF JUNE 30, 1914 (38 STAT. 404), AS AMENDED

SEC. 420. So much of the Act of June 30, 1914 (38 Stat. 404), as amended by the Acts of August 29, 1916 (39 Stat. 576), July 1, 1918 (40 Stat. 708), and June 25, 1940 (54 Stat. 527), as relates to the commissioned officer strength of the active list of the staff corps of the Navy, is hereby further amended to read as follows:

34 U. S. C. § 3 *et seq.*
Ante, p. 96.

Authorized number of officers.

"The total authorized number of commissioned officers of the active list, exclusive of commissioned warrant officers, of the Supply Corps and Civil Engineer Corps shall be 12 and 3 per centum, respectively, of the total authorized number of commissioned officers of the active list of the line of the Navy. The total authorized number of commissioned officers of the Medical Corps, Dental Corps, Chaplain Corps, and Nurse Corps shall be sixty-five one-hundredths of 1 per centum, twenty one-hundredths of 1 per centum, and one hundred and twenty-five one-thousandths of 1 per centum, and six-tenths of 1 per

centum, respectively, of the sum of the total authorized number of commissioned officers of the Navy and Marine Corps (exclusive of commissioned warrant officers), the total authorized number of enlisted men of the Navy and Marine Corps, the total authorized number of midshipmen at the Naval Academy, the actual number of commissioned warrant officers, and warrant officers on the active list of the Navy and Marine Corps, and the actual number of midshipmen on active duty for flight training pursuant to the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress). The Secretary of the Navy shall make computations to determine the authorized strength of the Medical Corps, the Dental Corps, the Chaplain Corps, the Medical Service Corps, and the Nurse Corps, as of the date of approval of this Act and, thereafter, as of January 1 of each year, and the number so determined for each such corps shall be considered the authorized number of officers for that corps until a subsequent computation is made as of January 1 of each year, and the numbers so determined, which shall be considered the authorized number of officers for each corps, shall not be varied between computations."

60 Stat. 1057.
34 U. S. C. § 1020 *et seq.*
Post, p. 880.

SERVICE IN GRADE TO INCLUDE SERVICE IN GRADE UNDER TEMPORARY APPOINTMENT

SEC. 421. In computing length of service in grade under any provision of titles I through IV of this Act each officer on active duty on the date of this Act shall be credited with all time from the date of rank in his grade or in a higher grade, whether under permanent appointment or temporary appointment, whichever is earlier: *Provided*, That any officer promoted in grade subsequent to the date of approval of this Act shall be credited with service in the grade to which so promoted only from the date of his eligibility for promotion to that grade: *And provided further*, That notwithstanding the foregoing, no officer who has not lost numbers or precedence shall become eligible for consideration by a selection board until all officers of his grade senior to him in lineal position become so eligible.

CONTINUATION OF TEMPORARY APPOINTMENTS OF CERTAIN MEMBERS OF THE HOSPITAL CORPS AND THE NAVAL RESERVE

SEC. 422. (a) Members of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work, who on the date of approval of this Act are serving under temporary appointments pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, in grades above commissioned warrant officer may continue to serve under such temporary appointments until not later than six months after June 30 of the fiscal year following that in which the present war shall end, and such temporary appointments shall be deemed to have been made pursuant to title III of this Act: *Provided*, That no such officer may be continued on active duty in a grade higher than that required to maintain, with respect to officers placed on a lineal list pursuant to section 304 of this Act, the relative precedence to which he was entitled immediately prior to the establishment of the appropriate lineal list. The President is authorized to effect such temporary adjustment of grade and date of rank of such officers as is required to accomplish the purpose of this proviso, and no such temporary adjustment shall remain in effect later than six months after June 30 of the fiscal year following that in which the present war shall end.

34 U. S. C. §§ 350-350j.
Ante, pp. 312, 313.
Ante, p. 829.
Ante, p. 833.

(b) Members of the Hospital Corps of the Navy and Naval Reserve who, on the date of approval of this Act, are serving under temporary appointments pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, in grades above commissioned warrant officer may continue to serve under such temporary appointments until the effectuation of their appointments in the Medical Service Corps of the Navy or until and including the last day of the eleventh month following the date of approval of this Act, whichever may be earlier.

34 U. S. C. §§ 350-350j.
Ante, pp. 312, 313.

SPECIFICATIONS BY SECRETARY OF NAVY OF QUALIFICATIONS TO BE REQUIRED IN CERTAIN OFFICERS FOR SELECTION TO FLAG RANK

SEC. 423. (a) Notwithstanding any other provision of titles I through IV of this Act, whenever in the opinion of the Secretary of the Navy there is an inadequate number of officers to meet the needs of the service in the grade of rear admiral in the line or in any staff corps of the Navy, or in the grade of brigadier general or major general in the Marine Corps, who are specially qualified for a type of duty required of officers of that grade, the Secretary of the Navy may direct that, of the total number of officers which a selection board may recommend for promotion to such a grade, such number, as determined by him to be necessary to meet the needs of the service, shall be officers who are specially qualified for the required type of duty: *Provided*, That if an officer of any grade who is junior in lineal rank to the junior officer in the promotion zone of the same grade be selected for promotion solely by reason of the foregoing, the selection board shall so certify in its report.

Precedence.

(b) An officer of any grade junior in lineal rank to the junior officer in the promotion zone of the same grade who may be promoted by virtue of selection for promotion solely by operation of subsection (a) of this section shall, when one or more officers junior in lineal rank to the junior officer in such promotion zone are promoted pursuant to selection by the board convened next following that which selected the first-mentioned officer, have precedence in the grade for which selected according to his relative precedence with such other officer or officers in the grade from which promoted if at the time of his selection another officer junior to him in lineal rank was not selected other than pursuant to subsection (a) of this section and, if all the officers concerned be of a given staff corps of the Navy, the first-mentioned officer, when all others concerned are promoted, shall be reassigned a running mate as if he were selected when the other officers concerned were selected. When all the officers concerned shall have been promoted to the grade for which selected, the President shall assign the first-mentioned officer such later date of rank in his grade that will insure the order of precedence herein prescribed and such officer thereafter shall take rank for all purposes from such later date.

Reassignment of running mate.

AMENDMENT OF THE ACT OF MAY 4, 1898 (30 STAT. 380), AS AMENDED (34 U. S. C. 21)

SEC. 424. So much of the Act of May 4, 1898 (30 Stat. 380), as amended by the Act of March 18, 1940 (54 Stat. 54), the Act of March 17, 1941 (55 Stat. 43), and the Act of August 8, 1946 (60 Stat. 932), is hereby further amended to read as follows:

34 U. S. C. § 21.

"In addition to the number of officers of the Medical Corps of the Navy authorized by other provisions of law the President may appoint, without the advice and consent of the Senate, for temporary service in such corps, lieutenants (junior grade) who shall while so serving

Appointment of lieutenants (jg) for temporary service in Medical Corps.

receive the pay and allowances now or hereafter prescribed by law for that grade. Notwithstanding any other provision of law to the contrary, persons appointed pursuant to the authority contained in this Act shall not be placed on the lineal list of the Medical Corps, shall not be assigned running mates, and shall not be eligible for promotion while serving under such temporary appointments. The number of persons who may be so serving at any one time pursuant to this Act shall not exceed two hundred and fifty: *Provided*, That in time of war of declared national emergency the number of persons who may be so temporarily appointed and who may so serve may be increased to the extent determined by the President as necessary to meet the exigencies of the naval service."

AMENDMENT OF PUBLIC LAW 729, SEVENTY-NINTH CONGRESS

60 Stat. 1061.
34 U. S. C. § 405a.

SEC. 425. Section 12 of the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session), is hereby amended by substituting the word "three" for the word "six" therein.

SPECIAL PROVISIONS

50 U. S. C. app. §§ 806-814; 34 U. S. C. §§ 350, 737a, 853c-2a.
56 Stat. 464.
50 U. S. C. app. §§ 808, 809; 34 U. S. C. §§ 737a, 853c-2a.

SEC. 426. (a) The provisions of the Act of June 30, 1942 (56 Stat. 463), as amended, which relate to personnel of the Navy and Marine Corps, with the exception of sections 3 and 4 of the said Act, are hereby repealed, but this repeal shall in no way affect any provision of the said Act insofar as it relates to the personnel of the Coast Guard.

(b) Nothing in titles I through IV of this Act shall be held to affect any provision of law which relates to personnel of the Coast Guard, Coast and Geodetic Survey, or Public Health Service.

AMENDMENT OF THE ACT OF DECEMBER 28, 1945 (59 STAT. 666)

5 U. S. C. § 456c.

SEC. 427. Effective thirty days after the second appointment of an officer of the Dental Corps of the Regular Navy to the grade of rear admiral pursuant to the provisions of titles I through IV of this Act, section 3 of the Act of December 28, 1945 (59 Stat. 666), is amended as follows:

(a) In the second sentence of said section 3, after the word "Navy" insert the words "of the grade of rear admiral".

(b) Strike out the third sentence of said section 3.

AMENDMENT OF PUBLIC LAW 56, EIGHTIETH CONGRESS

Ante, p. 93.

SEC. 428. Effective thirty days after the first appointment of an officer of the Chaplain Corps of the Regular Navy to the grade of rear admiral pursuant to the provisions of titles I through IV of this Act, section 1 of the Act of May 15, 1947 (Public Law 56, Eightieth Congress), is amended to read as follows:

"That there shall be in the Bureau of Naval Personnel a Chief of Chaplains, designated by the Chief of Naval Personnel from among officers of the Chaplain Corps of the Regular Navy not below the grade of rear admiral, and such officer shall, while so serving, receive the pay and allowances provided by law for rear admirals of the upper half."

AMENDMENT OF THE ACT OF JANUARY 20, 1942 (56 STAT. 10, 34 U. S. C. 622)

SEC. 429. Section 1 of the Act of January 20, 1942 (56 Stat. 10, 34 U. S. C. 622) is amended by deleting the words "Lieutenant general" and substituting therefor the word "general".

LIMITATION ON NUMBER OF RESERVE AND RETIRED OFFICERS SERVING ON ACTIVE DUTY IN FLAG RANKS

SEC. 430. In addition to fleet admirals and to the number of rear admirals and above authorized by titles I, II, and III and by section 413 of this Act, a total of not to exceed ten retired and Reserve officers may be serving on active duty in the grade of rear admiral or above: *Provided*, That the above shall be exclusive of retired officers ordered to temporary active duty on boards of officers as provided in titles I through IV of this Act: *And provided further*, That the above restrictions shall not apply in time of war or national emergency declared after the date of approval of this Act.

Ante, pp. 798, 815, 829.
Ante, p. 875.

COMPUTATION OF RETIRED PAY

SEC. 431. Officers of the Navy, the Marine Corps, and the Reserve components thereof, heretofore or hereafter retired under any provision of law shall have their retired pay computed on the basis of the rates of pay which are now or may be hereafter provided by law for officers on the active list.

AMENDMENTS TO CERTAIN ACTS RELATING TO RETIRED PAY

SEC. 432. (a) Subsection (a) of section 7 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress, second session), is hereby amended by striking out the period at the end thereof and substituting in lieu thereof the following: ": *And provided further*, That in the case of officers hereafter retired, except those retired for physical disability or in accordance with section 412 of this Act, whose computation of pay on the active list is not based upon years of service they shall receive retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain in the Navy or colonel in the Marine Corps at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay."

60 Stat. 27.
34 U. S. C. § 410c (a).

Retired pay.

(b) Section 9 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress, second session), is hereby amended by inserting between the second and third provisos thereof the following new proviso: "*Provided further*, That in the case of an officer hereafter retired whose computation of pay on the active list is not based upon years of service he shall receive retired pay at the rate of 2½ per centum of his active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for credit in the computation of pay on the active list had he been serving in the grade of captain in the Navy or colonel in the Marine Corps at the time of his retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay:".

60 Stat. 28.
34 U. S. C. § 410d.

(c) This section shall be effective as of the date of approval of this Act.

Effective date.

AMENDMENT OF THE ARMY-NAVY MEDICAL SERVICES CORPS ACT OF 1947

SEC. 433. The Army-Navy Medical Service Corps Act of 1947 is hereby amended as follows:

Ante, p. 734.

(a) The second paragraph of section 201 and sections 202 and 208 are hereby repealed.

Ante, pp. 736, 737, 738.

(b) Renumber the present sections 203, 204, 205, 206, 207, and 209, as sections 202, 203, 204, 205, 206, and 207, respectively.

Ante, pp. 737, 738.

Ante, p. 737.

(c) In the first sentence of the present section 204, strike out "203" and substitute therefor "202".

Ante, p. 738.

(d) In the present section 206 strike out "204" wherever appearing and substitute therefor "203"; and in said section 206 insert before the colon the following: ", as amended".

AMENDMENTS TO THE ACT OF APRIL 16, 1947 (PUBLIC LAW 36, EIGHTIETH CONGRESS)

Ante, p. 47.

SEC. 434. (a) Section 201 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out the colon as it appears after the word "ensign" in the second sentence thereof and substituting a period therefor, and by deleting the proviso and the last sentence thereof.

Ante, p. 47.

(b) Section 203 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by deleting the last sentence and the proviso thereof.

Ante, p. 48.

(c) The Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out the words "the Medical Corps and the Dental Corps" as they appear in section 205 thereof and substituting therefor the words "the Medical, Dental, and Medical Service Corps".

Ante, p. 49.

(d) Section 207 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out subsection (a) thereof, and by redesignating the present subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) thereof as subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i), respectively.

SPECIAL PROVISION FOR NURSES

Ante, p. 47.

SEC. 435. Nurses appointed in the Nurse Corps of the Regular Navy pursuant to section 203 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), shall be deemed for all purposes as holding permanent commissions in the Regular Navy.

ACTS REPEALED

SEC. 436. All laws or parts of laws inconsistent with the provisions of titles I through IV of this Act are hereby repealed, and the provisions of titles I through IV of this Act shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following Acts or parts of Acts:

34 U. S. C. § 395.

(a) Section 1481 of the Revised Statutes of the United States.

(b) That part of the Act of August 29, 1916 (39 Stat. 556), as amended, which appears on page 609 and the following of volume 39 of the Statutes at Large under the title "Marine Corps" except the fourth proviso of the second (34 U. S. C. 621), and so much of the seventh as appears in Thirty-fourth United States Code, 635 and 639; the eighth (34 U. S. C. 640); the last sentence of the tenth (34 U. S. C. 665, 666); and the fifteenth (34 U. S. C. 701, 702) paragraphs thereof.

(c) The first paragraph of section 18 of the Act of May 22, 1917 (40 Stat. 84; 34 U. S. C. 212–215).

Ante, p. 48.

(d) The Act of June 10, 1926 (44 Stat. 717; 34 U. S. C. 348 and following), as amended.

34 U. S. C. § 626a et seq.

(e) Sections 1, 2, 4, 5, 6, 7, 8, and 10 of the Act of May 29, 1934 (48 Stat. 811), as amended.

34 U. S. C. §§ 348c, 349–349k.

(f) The Act of August 5, 1935 (49 Stat. 530), as amended.

34 U. S. C. § 2 et seq.

(g) The Act of June 23, 1938 (52 Stat. 944), as amended.

34 U. S. C. § 3 et seq.

(h) The Act of June 25, 1940 (54 Stat. 527), except section 1 thereof.

(i) The Act of July 17, 1941 (55 Stat. 598; 34 U. S. C. 212a).

(j) Section 1 of the Act of June 16, 1942 (56 Stat. 370; 34 U. S. C. 398b).

(k) Sections 1 to 6, inclusive, of the Act of March 3, 1899 (30 Stat. 1004). 34 U. S. C. §§ 395, 1126, 274.

(l) The first proviso of the Act of December 19, 1913 (38 Stat. 241; 34 U. S. C. 623).

(m) The first paragraph of section 30 of the Act of March 4, 1925 (43 Stat. 1279; 34 U. S. C. 399), as amended.

(n) The Act of January 16, 1936 (49 Stat. 1092; 34 U. S. C. 399f).

(o) The Act of February 23, 1942 (56 Stat. 120; 34 U. S. C. 399h).

(p) Section 206 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress). *Ante*, p. 48.

TITLE V—ARMY

TABLE OF CONTENTS

Sec. 501. Regular Army officers—Authorized strength.
Sec. 502. Regular Army officers—Appointments—Assignment in branch—Authorized strength of branches.
Sec. 503. General officers of the Regular Army—Authorized numbers—Seniority list—Date of rank.
Sec. 504. General officers—Assignments—Positions carrying rank of general and lieutenant general.
Sec. 505. Regular Army officers—Authorized numbers in grades below brigadier general—Promotion lists—Seniority—Date of rank.
Sec. 506. Regular Army officers—Procurement of additional officers.
Sec. 507. Regular Army officers—Selection boards—Promotion generally.
Sec. 508. Regular Army officers—Promotion to grade of first lieutenant.
Sec. 509. Regular Army officers—Promotion to grades of captain, major, and lieutenant colonel—Elimination of those not promoted.
Sec. 510. Regular Army officers—Promotion to grade of colonel.
Sec. 511. Regular Army officers—Promotion to grade of brigadier general.
Sec. 512. Regular Army officers—Promotion to grade of major general.
Sec. 513. General officers—Chiefs and assistant chiefs of services—Promotion to general officer grades with view to assignment as chief or assistant chief of service.
Sec. 514. Regular Army officers—Elimination from active list—Mandatory retirement or separation.
Sec. 515. Army officers—Temporary grades—Temporary appointments of officers in the Army of the United States—Active duty of Reserve component officers.
Sec. 516. Relative rank of general officers of the Army with flag officers of the Navy.
Sec. 517. Regular Army officers—Service credit to certain officers who were in the Regular Army prior to December 28, 1945.
Sec. 518. Regular Army officers—Promotions to be made on July 1, 1948, to fill initial requirements in grades of captain, major, and lieutenant colonel.
Sec. 519. Amendments to National Defense Act to provide increased rank for Chief of Chaplains and Assistants to Surgeon General.
Sec. 520. Professors of the United States Military Academy.
Sec. 521. Amendment to Army retirement laws.
Sec. 522. Amendment to article of war 119. *Post*, p. 913.
Sec. 523. Saving clause.

REGULAR ARMY OFFICERS—AUTHORIZED STRENGTH

SEC. 501. There is authorized a strength of fifty-one thousand active list commissioned officers in the Regular Army, exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, and any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers.

REGULAR ARMY OFFICERS—APPOINTMENT—ASSIGNMENT IN BRANCH—AUTHORIZED STRENGTH OF BRANCHES

SEC. 502. (a) In addition to the officers permanently appointed in general officer grades above that of major general (authorized by other provisions of law), Regular Army officers shall be permanently Appointment by President.

appointed by the President, by and with the advice and consent of the Senate, in the Regular Army in the commissioned officer grades of major general, brigadier general, colonel, lieutenant colonel, major, captain, first lieutenant, and second lieutenant.

General officers.

(b) Officers holding permanent appointments in any general officer grade in the Regular Army shall be known as general officers of the Regular Army. Appointments of officers in general officer grades in the Regular Army shall be made in the Medical Corps, in the Dental Corps, in the Veterinary Corps, and as chaplains; but otherwise they shall be made in the Regular Army without specification of branch, arm, or service. When the appointments are in the Medical Corps, the Dental Corps, the Veterinary Corps, and as chaplains, general officers of the Regular Army may be specifically referred to as general officers, Medical Corps, Regular Army; general officers, Dental Corps, Regular Army; general officers, Veterinary Corps, Regular Army; and general officers, chaplains, Regular Army.

Grades below brigadier general.

(c) Appointments of officers in commissioned officer grades below that of brigadier general in the Regular Army shall be made in the Air Corps, in each of the several corps of the Medical Department, as chaplains, and as professors of the United States Military Academy; but otherwise they shall be made in the Regular Army without specification of branch, arm, or service. Those appointed without specification of branch, arm, or service shall be assigned (and may from time to time be transferred and reassigned) by the Secretary of War in the several branches, arms, and services of the Regular Army (excluding the Air Corps, the several corps of the Medical Department, and the chaplains) according to the professional qualifications of the officers concerned and the needs of the branches, arms, and services: *Provided*, That assignments, transfers, and reassignments of officers of the Corps of Engineers to and from duties involving the civil functions of the Corps of Engineers shall be made only by approval of the Secretary of War upon the recommendation of the Chief of Engineers.

Officers of Corps of Engineers.

Determination of officer strength.

(d) The authorized active list commissioned officer strength of the Air Corps of the Regular Army; of each of the several corps of the Medical Department of the Regular Army; of the Chaplains of the Regular Army; and of each of the several corps, arms, and services of the Regular Army in which officers are assigned (as distinguished from those in which officers are appointed); shall, from time to time, be determined by the Secretary of War (within the authorized active list commissioned officer strength of the Regular Army and within any limitations provided by laws enacted after January 1, 1947).

Details.

(e) Under regulations prescribed by the Secretary of War, officers appointed or assigned in one branch, arm, or service, may be detailed in, or for duty with, any other branch, arm, or service.

Persons vested with office under appointments as officers.

(f) Persons now vested with office in the Regular Army in the several commissioned officer grades under appointments as officers in the several branches, arms, and services (excluding those appointed in the Air Corps, the several corps of the Medical Department, as Chaplains, and as professors of the United States Military Academy) shall be deemed to hold such office under appointments in the Regular Army without specification of branch, arm, or service and to be assigned in the branch, arm, or service specified in their appointments.

Effective date.

10 U. S. C. §§ 481, 505–505d, 552a, 552c.

(g) This section shall not become effective until December 31, 1947, for the purpose during the interim of administering the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, and other Acts or provisions of law providing for the appointment of persons as additional officers of the Regular Army; but otherwise this section shall be effective on the date of enactment of this Act.

GENERAL OFFICERS OF THE REGULAR ARMY—AUTHORIZED NUMBERS—SENIORITY LIST—DATE OF RANK

Authorized strength.

SEC. 503. (a) There is authorized on the active list of the Regular Army a strength of general officers of the Regular Army (exclusive of the numbers of general officers authorized for the several corps of the Medical Department and the chaplains) equal to three-fourths of 1 per centum of that number which equals the authorized active list commissioned officer strength of the Regular Army less the authorized active list commissioned officer strengths of the several corps of the Medical Department and the chaplains, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Medical Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Dental Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Veterinary Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army as chaplains equal to one-half of 1 per centum of the authorized active list commissioned officer strength of the chaplains of the Regular Army, of which not more than 50 per centum may be in permanent grade above that of brigadier general: *Provided*, That there shall be no additional appointments in any permanet grade above that of major general: *Provided further*, That the percentages above specified shall not result in more than three hundred and fifty-seven officers on the active list of the Regular Army in permanent grade above that of colonel, of which there shall be not more than sixteen in the Medical Corps, four in the Dental Corps, one in the Veterinary Corps, two chaplains, and three hundred and thirty-four in the Army, exclusive of Medical Department and chaplains; and of such total number there shall be not more than one hundred and seventy-eight on the active list of the Regular Army in permanent grade above that of brigadier general and of such one hundred and seventy-eight there shall be not more than eight in the Medical Corps, none in the Veterinary Corps, two in the Dental Corps, one chaplain, and one hundred and sixty-seven in the Army, exclusive of Medical Department and chaplains; and of the foregoing total number of permanent general officers of the Regular Army, unless a National emergency is declared after the date of this Act and before July 1, 1948, there shall, after such date, and until a National emergency is thereafter declared, be not more than forty-four serving in any grade above that of major general as specifically limited in section 504 of this title: *Provided further*, That of the three hundred and thirty-four Regular Army officers authorized in permanent grade above that of colonel in the Army, exclusive of Medical Department and chaplains, specified in the preceding proviso, there shall be in the Army less the Air Corps and in the Air Corps, respectively, not more than such numbers as are derived by allotments to each, proportional to the respective strengths authorized for the Army promotion list and the Air Corps promotion list; and of each such allotment there shall be not more than 50 per centum in permanent grade above that of brigadier general: *And provided further*, That, whenever the application of the percentages specified in this

Additional appointments.

Authorized numbers.

Fractions.

section results in a fraction of a whole number, fractions of one-half and greater shall be counted as a whole number and fractions of less than one-half shall be disregarded: *And provided further*, That the numbers of general officers set forth in this subsection and in the several provisos thereof shall be exclusive of general officers on the active list of the Regular Army who are specifically authorized by Acts of Congress to hold appointments in the Diplomatic or Consular Service of the Government or to hold any civil office under the Government or any instrumentality thereof.

Appointments in Diplomatic Service, etc.

Maintenance of seniority list.

(b) There shall be maintained a seniority list of the general officers of the Regular Army. The first name on the list shall be that of the general officer most senior in permanent general officer grade; the second name on the list shall be that of the senior next below the first; the third on the list shall be that of the senior next below the second; and so on throughout the list.

Brigadier generals.

(c) DATE OF RANK.—(1) The date of rank of an officer appointed in the grade of brigadier general in the Regular Army shall be the date of appointment: *Provided*, That, if at time of appointment he holds office in temporary grade of brigadier general or any higher temporary grade, his date of rank shall be the date of rank held in such temporary grade, or formerly held in the temporary grade of brigadier general if appointed to higher temporary grade from that grade; but in no event shall such date of rank be earlier than that of the junior officer in the permanent grade of brigadier general in the Regular Army.

Major generals.

(2) The date of rank of an officer appointed in the grade of major general in the Regular Army shall be the date of rank held by such officer in the grade of brigadier general in the Regular Army: *Provided*, That, if at time of appointment he does not hold office in permanent grade of brigadier general, but does hold office in the temporary grade of brigadier general or higher temporary grade, his date of rank shall be the date of rank held in such temporary grade, or formerly held in the temporary grade of brigadier general if appointed to higher temporary grade from that grade: *And provided further*, That such date of rank shall not be earlier than that of the junior officer in the permanent grade of major general in the Regular Army.

Effective date.

Repeals.

(d) The provisions of this section shall be effective immediately upon the enactment of this Act and the following Acts and parts of Acts and all other laws or parts of laws inconsistent or in conflict with the provisions of this section are hereby repealed:

41 Stat. 760.

(1) That part of section 4 of the National Defense Act, as amended, which precedes the paragraph commencing with the words, "SEC. 4a." (10 U. S. C. 482, 483, 487, 551).

(2) The Act of May 28, 1940 (54 Stat. 227; 10 U. S. C. 482c).

(3) Section 4 of the Act of June 13, 1940 (54 Stat. 381), as amended (10 U. S. C. 551a).

GENERAL OFFICERS—ASSIGNMENTS—POSITIONS CARRYING RANK OF GENERAL AND LIEUTENANT GENERAL

SEC. 504. (a) General officers holding office in any general officer grade, under permanent or temporary appointments, including general officers of the Army of the United States, or any component thereof, serving on active Federal duty, may be assigned or detailed to any duties or positions under regulations prescribed by the President.

Designation of certain positions by President, etc.

(b) The President is authorized, from time to time, to designate certain positions of importance and responsibility which shall carry the rank of general and lieutenant general, respectively, and to designate and assign to such positions any of the general officers holding

office in the grade of major general or higher grade, under permanent or temporary appointments (including general officers of the Army of the United States and general officers of each of the components thereof who may be serving on active Federal duty), and such officers, so designated and assigned, shall have the rank, title, pay, and allowances of a general or lieutenant general, as the case may be, while so serving, without vacation of their permanent grade, and, upon termination of such an officer's service in any such position he shall resume his permanent grade or whatever temporary grade he may, at that time, be entitled to hold: *Provided*, That such officers shall have the rank, title, pay, and allowances of a general or lieutenant general under the provisions of this section only when appointed in such positions by the President, by and with the advice and consent of the Senate: *Provided further*, That the number of such positions and the number of officers serving in such positions shall not exceed 15 per centum of the total number of general officers serving on active Federal military duty (including those holding office under temporary appointments and general officers of the Army of the United States, and the several components thereof), and, of such number not more than 25 per centum may be positions carrying the rank of general: *Provided further*, That, unless a national emergency is declared after the date of this Act and before July 1, 1948, there shall, after such date, and until a national emergency is thereafter declared, be no additional officers appointed in any grade above that of general and the total number of officers serving on active duty in grades above major general under this section or any other provision of law, shall not exceed the following: Forty-four in grade of lieutenant general or higher grade, of which not more than nine shall be above the grade of lieutenant general, and of the nine above the grade of lieutenant general, one shall be the Chief of Staff of the Army and one shall be the officer occupying the corresponding position of the Army Air Forces, and of the remaining seven above the grade of lieutenant general there shall be not more than four in the Army less the Air Corps and not more than three in the Air Corps and of the total forty-four in grade of lieutenant general or higher, there shall be not more than twenty-seven in the Army less the Air Corps and not more than seventeen in the Air Corps; except that there may be a general officer, either of the Air Corps or other than of the Air Corps, appointed as Chief of Staff to the President, and such officer, unless he be entitled to rank, title, or grade, and the pay and allowances of a general, or of a higher grade under some other provision of law, shall, when appointed to such position by and with the advice and consent of the Senate, have the rank, title, pay, and allowances of a general and he shall be additional to the numbers hereinbefore set forth in this proviso: *And provided further*, That the numbers of general officers set forth in this subsection and in the several provisos thereof shall be exclusive of general officers on the active list of the Regular Army who are specifically authorized by Acts of Congress to hold appointments in the Diplomatic or Consular Service of the Government or to hold any civil office under the Government or any instrumentality thereof.

Rank, pay, etc.

Number of positions, etc.

Additional appointments.

Total number.

Appointments in Diplomatic Service, etc.

(c) Within the limitations as to numbers in grade prescribed in this Act, one officer of the Navy, including the Marine Corps, one officer of the Army less the Air Corps, and one officer of the Air Corps, when designated by the President, by and with the advice and consent of the Senate, as senior members of the Military and Naval Staff Committee of the United Nations shall, while so serving, be entitled to the rank, pay, and allowances of a vice admiral or lieutenant general, as the case may be, and, in addition thereto, a personal money allowance of $2,200 per year.

Members of Military and Naval Staff Committee, United Nations.

Retirement.

(d) Any officer of the Regular Army who may be retired while serving in accordance with the provisions of subsection (b) or (c) of this section, or subsequent to such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest such grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in grade or rank on the retired list: *Provided further*, That the President, by and with the advice and consent of the Senate, may in his discretion extend the privilege herein granted to officers heretofore or hereafter retired, who served in the grade of general or lieutenant general between December 7, 1941, and June 30, 1946.

56 Stat. 362.

(e) The second paragraph of section 7 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 107), is hereby amended to read as follows:

Pay and allowances.

"Officers of the Navy serving in the grade of vice admiral, officers of the Army serving in the grade of lieutenant general, and officers of the other services mentioned in the title of this Act serving in corresponding grades, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of $500 per year. Officers of the Navy serving in the grade of admiral, officers of the Army serving in the grade of general, and officers of the other services mentioned in the title of this Act serving in corresponding grades, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of $2,200 per year. Officers serving as the Chief of Naval Operations, the Chief of Staff of the Army, or in the corresponding position in the Army Air Forces, or as the Commandant of the Marine Corps, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of $4,000 per year."

Repeal.

(f) The Act of August 5, 1939 (53 Stat. 1214), as amended (10 U. S. C. 482b), is hereby repealed.

REGULAR ARMY OFFICERS—AUTHORIZED NUMBERS IN GRADES BELOW BRIGADIER GENERAL—PROMOTION LISTS—SENIORITY—DATE OF RANK

Promotion-list officers.

SEC. 505. (a) The names of all active list commissioned officers of the Regular Army in permanent grades below that of brigadier general (except professors of the United States Military Academy, officers of the Army Nurse Corps, and Women's Medical Specialist Corps, and officers in special categories excluded by some express provision of law) shall be carried on promotion lists as hereinafter prescribed and such officers may be referred to as promotion-list officers. As used in this section the phrase "total authorized promotion-list strength" means the authorized active list commissioned officer strength of the Regular Army, exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers and the number of active list general officers of the Regular Army.

"Total authorized promotion-list strength."

Schedule of percentages.

(b) (1) The authorized numbers in each of the several grades in each of the several promotions lists shall be prescribed by the Secretary of War by a schedule of percentages in grades for each list (there being authorized for each grade a percentage of the total strength authorized for that list), which schedule of percentages may be different for each promotion list, but the numbers thus authorized in each of the several grades in each of the several promotion lists shall not exceed any limitations prescribed by laws enacted after January

1, 1947, and shall not exceed in any promotion list the following percentages of the total strength authorized for that list: 8 per centum in grade of colonel, 14 per centum in grade of lieutenant colonel, 19 per centum in grade of major, 23 per centum in grade of captain, 18 per centum in grade of first lieutenant, and 18 per centum in grade of second lieutenant: *Provided*, That in the Medical Corps, Dental Corps, and chaplains promotion lists there shall be no second lieutenants, and the numbers authorized in the grade of first lieutenant in such promotion lists shall be all those not authorized in higher grades: *Provided further*, That numbers may be authorized for any grade in any promotion list in lieu of authorizations in higher grades: *And provided further*, That this provision shall not operate to require a reduction in permanent grade of any officer in any promotion list now holding permanent appointment in any grade.

Exclusion of second lieutenants, etc.

Numbers in lieu of authorizations in higher grades.

Reduction in grade.

(2) The number authorized by the Secretary of War for each grade in each promotion list may be exceeded by the number of vacancies existing in higher grades in that list. The authorized numbers in grades below colonel shall from time to time be temporarily increased as provided in sections 508 and 509 of this title in order to give effect to the promotion system prescribed in those sections.

Authorized number exceeded by vacancies, etc.

Post, p. 894.

(c) PROMOTION LISTS.—(1) The Army promotion list shall contain the names of all promotion-list officers except officers of the Air Corps, the several corps of the Medical Department, and chaplains.

(2) The Air Corps promotion list shall contain the names of all promotion-list officers of the Air Corps.

(3) The Medical Corps promotion list shall contain the names of all promotion-list officers of the Medical Corps.

(4) The Dental Corps promotion list shall contain the names of all promotion-list officers of the Dental Corps.

(5) The Veterinary Corps promotion list shall contain the names of all promotion-list officers of the Veterinary Corps.

(6) The Medical Service Corps promotion list shall contain the names of all promotion-list officers of the Pharmacy Corps, the Medical Administrative Corps, and the Medical Service Corps.

(7) The chaplains promotion list shall contain the names of all promotion-list chaplains.

(d) DATE OF RANK AND SENIORITY IN PERMANENT GRADE.—(1) On each of the several promotion lists, names of officers shall be arranged by grade in which the officers hold permanent appointments in the Regular Army in the following order: First, colonels; second, lieutenant colonels; third, majors; fourth, captains; fifth, first lieutenants; and, sixth, second lieutenants. The words "grade", "senior", and "seniority" as used in this section mean "permanent grade", "senior in permanent grade", and "permanent grade seniority", respectively.

"Grade"; "senior"; "seniority."

(2) Among officers of the same grade and promotion list, names shall be arranged as provided in this title and seniority among such officers shall be established thereby. The officer whose name appears first on the list shall be the senior, the officer whose name appears second on the list shall be the senior next below the first, the officer whose name appears third on the list shall be the senior next below the second, and so on throughout the list.

(3) Among officers of the same grade whose names are not contained on the same promotion list, the officer with the earliest date of rank shall be the senior, and in cases of same date of rank, the officer with the greatest amount of continuous active commissioned service in the Regular Army shall be the senior, and in cases where this is the same, seniority shall be as established at time of original appointment in the Regular Army, and in cases not covered by the foregoing, as established by the Secretary of War. Any officer transferred from one

branch, arm, or service to another, the officers of which are contained on a different promotion list, shall have his name entered upon such new promotion list among the officers in his grade in accordance with their relative seniority as hereinabove defined.

Placement at bottom of list.

(4) Unless specifically provided otherwise, upon appointment of a promotion-list officer in any grade, such officer's name shall be placed at the bottom of the list of officers of the grade in which appointed.

Establishment of designated lists.

(e) (1) The Army and Air Corps promotion lists described in this section shall be established by entering thereon the names of the officers concerned without change in the order of their precedence on the promotion list as established under the law prior to enactment of this Act: *Provided*, That the provisions of subsection 517 (a) of this title shall first be carried out.

Post, p. 909.

(2) The Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, and Chaplains promotion lists described in this section shall be established by entering thereon the names of the officers concerned without change in the order of their precedence determined by the total amount of service creditable to them for promotion purposes under existing law and in cases of an equal amount of such service, the officer with the greatest amount of continuous commissioned service on the active list of the Regular Army shall have precedence, and in cases where this is the same, precedence shall be in accordance with permanent seniority standing as established at time of original appointment in the Regular Army, and in cases not covered by the foregoing, precedence shall be established by the Secretary of War: *Provided*, That the provisions of subsection 517 (b) of this title shall first be carried out.

Post, p. 909.

Effective date.

(f) This section shall not become effective until December 31, 1947, for the purpose, during the interim, of administering the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, and other Acts or provisions of law providing for the appointment of persons as additional officers of the Regular Army; but otherwise this section shall be effective on the date of enactment of this Act. Effective December 31, 1947, section 24a of the National Defense Act, as amended (10 U. S. C. 553), and section 1 of the Act of July 31, 1935 (49 Stat. 505; 10 U. S. C. 553a), shall be repealed.

10 U. S. C. §§ 481, 505–505d, 552a, 552c. *Ante*, pp. 95, 735, 736; *post*, p. 894.

Repeals. 41 Stat. 771.

REGULAR ARMY OFFICERS—PROCUREMENT OF ADDITIONAL OFFICERS

Appointment of additional officers by President.

SEC. 506. (a) Within the authorized active list commissioned officer strength of the Regular Army, the President, by and with the advice and consent of the Senate, is authorized to appoint additional officers in the Regular Army in commissioned officer grades as hereinafter in this section prescribed, subject to the conditions and limitations set forth.

Qualifications.

(b) All persons appointed officers in the Regular Army pursuant to this section shall be citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and shall have such other qualifications as may be prescribed by the Secretary of War.

Service credit.

(c) For the purpose of determining grade, position on promotion list, permanent grade seniority, and eligibility for promotion, each person initially appointed and commissioned an officer in the Regular Army shall, at time of appointment, be credited with an amount of service equivalent to the total period of active Federal service performed after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof subsequent to December 31, 1947, and prior to such appointment, but in no event shall any person be credited for such purposes with more than five years of such service. In addition to the foregoing and for

the purposes hereinabove specified, each person appointed and commissioned an officer of the Medical Corps of the Regular Army shall, at time of appointment, be credited with an amount of service equal to four years; each person appointed and commissioned an officer of the Dental Corps, each person appointed a Chaplain of the Regular Army, and each person appointed and commissioned an officer of the Regular Army with a view to assignment in the Judge Advocate General's Department, shall, at time of appointment, be credited with an amount of service equal to three years; each person appointed and commissioned an officer of the Veterinary Corps shall, at time of appointment, be credited with an amount of service equal to two years; and each person appointed and commissioned an officer of the Medical Service Corps who at the time of appointment holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine may, subject to regulations as prescribed by the Secretary of War, be credited at the time of appointment with an amount of service equal to three years. Notwithstanding the foregoing or any other provisions of law, no person formerly a cadet at the United States Military Academy may be appointed and commissioned an officer of the Regular Army prior to the date on which his classmates at the United States Military Academy are graduated and appointed officers; and any person who was a cadet at, but did not graduate from, the United States Military Academy, shall not, upon appointment as a commissioned officer of the Regular Army, be credited with a period of service greater than the service credited to any member of his class at the Academy whose service in the Army has been continuous since graduation.

Restriction.

(d) Upon the basis of service credited as provided in subsection (c) of this section, the commissioned officer grade in which a person shall be appointed shall be determined as follows: Persons who have no service credit and those who are credited with less than three years' service shall be appointed in the grade of second lieutenant; persons who are credited with three or more years' service, but less than seven years' service, shall be appointed in the grade of first lieutenant; persons who are credited with seven or more years' service shall be appointed in the grade of captain. The names of such persons so appointed shall be placed upon the applicable promotion list immediately below those officers of the same grade having the same or next greater period of service.

Determination of grade.

(e) No person shall be initially appointed in the Regular Army in any commissioned officer grade under the provisions of this section when the length of time from date of birth to date of appointment exceeds: For all persons except those hereinafter specifically mentioned, twenty-seven years; for persons appointed in the Medical Corps, the Dental Corps, and the Veterinary Corps and persons appointed with view to assignment in the Judge Advocate General's Department, thirty-two years; for persons appointed in the Medical Service Corps, thirty years; for persons appointed as chaplains, thirty-four years: *Provided*, That for any person, the number of years from date of birth to date of appointment hereinabove specified shall, respectively, be increased by the number of years, months, and days, of active Federal service performed by such person after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof subsequent to December 31, 1947, and prior to such appointment, but not by more than five years: *And provided further*, That until June 30, 1953, the Secretary of War may, in his discretion, waive such maximum age limitations for any person who served in the armed forces of the United States prior to September 2, 1945.

Age limitations.

Graduates of U. S. Military Academy.

(f) Notwithstanding any other provision of law, when any cadet of the United States Military Academy has completed the prescribed course of instruction, he may upon graduation be promoted and appointed a second lieutenant in the Regular Army, and whenever any such appointment would result in there being a number of active list commissioned officers in the Regular Army in excess of the authorized active list commissioned officer strength, such strength shall be temporarily increased as necessary to authorize such appointment. The graduates of each class shall be assigned relative seniority among themselves under regulations prescribed by the Secretary of War and no cadet upon graduation, promotion, and appointment shall be given any service credit under the provisions of subsection (c) of this section.

Effective date.

(g) The provisions of this section shall become effective December 31, 1947. Until December 31, 1947, initial appointments of persons as commissioned officers in each of the several arms and services of the Regular Army shall continue to be made in accordance with the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress; 59 Stat. 663), as amended, and other provisions of law authorizing appointments of persons as additional officers of the Regular Army, but effective December 31, 1947, no further appointments shall be made under the provisions of the Act of December 28, 1945, as amended (supra). Effective December 31, 1947, each commissioned officer of the Medical Corps who on that date has less than four years' service credit, each commissioned officer of the Dental Corps, each Regular Army Chaplain, and each commissioned officer of the Judge Advocate General's Department, who on that date has less than three years' service credit, and each commissioned officer of the Veterinary Corps, who on that date has less than two years' service credit, shall, for promotion, seniority, and promotion-list-position purposes, be credited on that date with four years' service, three years' service, and two years' service, respectively. Effective December 31, 1947, the following Acts and parts of Acts and all other laws, or parts of laws in conflict or inconsistent with the provisions of this section, shall be repealed:

10 U. S. C. §§ 481, 505-505d, 552a, 552c. *Ante*, pp. 95, 735, 736; *post*, p. 894.

Service credit.

Repeals.

41 Stat. 774.

(1) Section 24e of the National Defense Act, as amended (10 U. S. C. 484, 64, 92, 122, 141, 151, 123, 231).

(2) The Act of May 17, 1886 (24 Stat. 50; 10 U. S. C. 486).

REGULAR ARMY OFFICERS—SELECTION BOARDS—PROMOTION GENERALLY

Recommendation for promotion by selection board.

SEC. 507. (a) (1) Unless expressly provided otherwise by some provision of law, general officers of the Regular Army and promotion-list officers of the Regular Army shall be permanently promoted to and appointed in the grades of major general, brigadier general, colonel, lieutenant colonel, major, and captain in the Regular Army only when recommended for promotion to those grades by a selection board as provided in this title.

Appointment of board members, etc.

(2) Selection boards shall be convened from time to time in such number and under such regulations as the Secretary of War may prescribe. Board members shall be appointed by the Secretary of War. There shall not be less than five members on each board.

(3) Selection boards shall serve for such length of time as the Secretary of War may prescribe, but no one board shall serve longer than one year. No officer shall serve on two consecutive selection boards for the same grade, when the second of such boards considers any of the officers who were considered but not recommended for that grade by the first.

(4) Board members must be senior in permanent grade and temporary rank to any officer being considered by their board. They must be Regular Army officers holding commissions in a grade above that

of lieutenant colonel either in the Regular Army or under temporary appointment in the Army of the United States.

(5) A majority of the total membership of any board must agree on each of the officers recommended for promotion by that board.

Agreement of majority.

(6) The President may remove from the recommended list the name of any officer recommended for promotion to any grade by any selection board who in his opinion is not qualified for promotion. Any officer whose name is removed from the recommended list for any grade by the President or who, after nomination by the President for any grade, cannot be appointed because of advice by the Senate that the appointment does not have its consent, shall continue to be eligible for consideration for promotion as though he had not been considered for that grade by the selection board which had recommended him, and the next succeeding selection board may select and recommend the officer concerned for promotion, and thereupon his name shall again be placed on the recommended list and when promoted such officer shall take the same date of rank and place on the promotion list he would have had had he been promoted as a result of his original selection; however, should any officer, having once been selected for promotion to any grade under section 509 of this title, fail of promotion to such grade either (a) by virtue of having his name removed from the recommended list by the President, or (b) on account of advice by the Senate that the appointment does not have its consent, again fail of promotion to the next higher grade either (a) by being considered but not selected by the next succeeding selection board, (b) by virtue of having his name removed from the recommended list by the President, or (c) on account of advice by the Senate that the appointment does not have its consent, he shall be deemed to have twice failed of selection and shall be eliminated from the active list of the Regular Army in accordance with the provisions of subsection 509 (h) of this title.

Removal of name by President, etc.

Post, p. 896.

(7) Officers on a recommended list for promotion to any grade under the provisions of this title, who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the grade for which they were recommended, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which recommended, unless entitled to higher retired rank or pay under other provisions of law.

Physical disability.

(8) Each member of a selection board provided for in this title shall swear or affirm that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Army, perform the duties imposed upon him as herein provided.

Oath.

(b) In time of emergency declared by the President or by the Congress, and in time of war, the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law pertaining to promotion.

Suspension of provisions.

(c) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the War Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

(d) The provisions of this title shall be effective immediately upon its enactment with respect to permanent grade promotion appointments of Regular Army officers to the grades of major general and brigadier general and with respect to permanent grade promotion

Effective date.

Prior confirmation, etc.

appointments of Regular Army promotion-list officers to grade of colonel: *Provided*, That in the case of any Regular Army officer who on the date of enactment of this Act has been nominated by the President and confirmed by the Senate for appointment to any grade but not yet appointed in that grade, such officer shall be appointed in that grade as soon as a vacancy exists therein irrespective of the requirements of this title with respect to promotions. Regular Army promotion-list officers shall continue to be promoted to and appointed in the permanent grades of lieutenant colonel, major, captain, and first lieutenant in accordance with existing provisions of law until December 31, 1947, and on that date the provisions of this title shall become effective for promotion of all Regular Army promotion-list officers to all permanent grades.

41 Stat. 774.

(1) Effective December 31, 1947, section 24c of the National Defense Act, as amended (10 U. S. C. 552, 556, 125, 143a), is further amended by deleting therefrom all words except the words:

Examinations.

"Existing laws providing for the examination of officers for promotion are hereby repealed, except those relating to physical examination, which shall continue to be required for promotion to all grades below that of brigadier general, and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps. Officers of said three Corps shall be examined in accordance with laws governing examination of officers of the Medical Corps."

Repeals.

(2) Effective December 31, 1947, section 3 of the Act of July 31, 1935 (49 Stat. 506), as amended (10 U. S. C. 552a); section 1257 Revised Statutes (10 U. S. C. 557); and section 8 of the Act of April 3, 1939 (53 Stat. 558), shall be repealed.

10 U. S. C. § 41.

REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF FIRST LIEUTENANT

Increase of authorized number.

SEC. 508. Promotion-list officers in permanent grade of second lieutenant shall be promoted to and appointed in the grade of first lieutenant in the Regular Army on completion of three years' service, and the authorized number of officers in the grade of first lieutenant shall, from time to time, be temporarily increased as necessary to authorize such appointments ("years' service" as used in this section means and includes all service creditable for promotion purposes).

Revocation of commissions, etc.

Second lieutenants who are found to be not fully qualified shall have their commissions revoked and be discharged under the authority of section 23 of the National Defense Act, as amended (10 U. S. C. 484a).

39 Stat. 181.

Whenever there are vacancies in any promotion list in the grade of first lieutenant, officers of that list in the grade of second lieutenant may, under regulations prescribed by the Secretary of War, be promoted and appointed in the grade of first lieutenant before completion of three years' service, but no officer in the grade of second lieutenant will be promoted under the provisions of this section ahead of any officer in that grade whose name appears above his on the promotion list concerned. This section shall be effective December 31, 1947.

Effective date.

REGULAR ARMY OFFICERS—PROMOTION TO GRADES OF CAPTAIN, MAJOR, AND LIEUTENANT COLONEL—ELIMINATION OF THOSE NOT PROMOTED

Promotion-list officers.

SEC. 509. (a) After January 1, 1949, promotion-list officers shall be promoted to and appointed in the permanent grades of captain, major, and lieutenant colonel in the Regular Army, or eliminated from the active list, as hereinafter in this section prescribed.

(b) Irrespective of the existence of any vacancies, each promotion-list officer in permanent grade of first lieutenant, captain, and major shall be considered by a selection board for promotion to the permanent grade of captain, major, and lieutenant colonel, sufficiently in

advance of the date on which he completes seven, fourteen, and twenty-one years' service, respectively, so that such officer, if recommended by the selection board, may be promoted to and appointed in such grade on the date on which he completes such length of service ("years' service" as used in this section means and includes all service creditable for promotion purposes).

"Years' service."

(c) Based upon the number of vacancies existing and anticipated in any promotion list in the grade of captain, major, and lieutenant colonel, respectively, the Secretary of War may direct a selection board to consider and recommend for promotion to such grades officers of that list in permanent grade of first lieutenant, captain, and major, respectively, irrespective of the length of service of such officers.

Consideration, etc., by board on basis of vacancies.

(d) In no instance shall any officer be considered by any selection board for promotion to the grade of captain, major, or lieutenant colonel more than two years prior to the date on which it is anticipated he will, if recommended by such board, be appointed in that grade. Whenever any officer is considered by any selection board under any provision of this section for promotion to the grade of captain, major, or lieutenant colonel in any promotion list, such board shall also consider all officers of that officer's grade and promotion list whose names appear above his on that list and are not carried on the recommended list for the next higher grade: *Provided*, That no officer who has been twice considered and not recommended for promotion to any one grade shall thereafter again be considered for promotion under the provisions of this section.

Prior consideration, etc.

Restriction.

(e) (1) When officers in the grade of first lieutenant, captain, and major are to be considered by a selection board for promotion to the grade of captain, major, and lieutenant colonel, respectively, to fill vacancies in these grades, existing or anticipated, the Secretary of War, in his discretion, may follow the procedure described in paragraph (3) of this subsection, or he may direct the selection board to consider officers in the grades of first lieutenant, captain, or major (as the case may be) in the order of their seniority as their names appear on the promotion list concerned, recommend those who are fully qualified for promotion to the grade concerned, pass over those who are not fully qualified for promotion to such grade, and continue such procedure until a specified number of recommended officers is obtained.

Procedures.

(2) When officers in the grade of first lieutenant, captain, and major must be considered by a selection board for promotion to the grade of captain, major, and lieutenant colonel, respectively, by reason of completion of years of service, or by reason of being on a promotion list above an officer of that list who must be considered for that reason, the Secretary of War, in his discretion, may follow the procedure described in paragraph (3) of this subsection, or he may furnish to the selection board a list of officers to be considered for promotion to the grade concerned and direct such board to recommend from among the officers so listed all those and only those considered by the board to be fully qualified for promotion to that grade.

(3) In either of the circumstances described in paragraphs (1) and (2) of this subsection, the Secretary of War may, in lieu of the procedures there prescribed, furnish to a selection board a list of officers to be considered for promotion to the grade concerned and direct such board to select and recommend from among those listed a specified number for promotion to that grade, the officers to be selected to be the best qualified of those listed for consideration. If this procedure is followed, the Secretary of War shall prescribe the number to be selected but in no event shall that number be less than 80 per centum of those officers listed for consideration.

Permanent recommended list.

(f) The names of officers of any promotion list who are selected and recommended for promotion to any grade under the provisions of this section shall be carried on a permanent recommended list of officers of that promotion list for promotion to that grade. The names of those recommended by any selection board shall be entered on the applicable recommended list with the same precedence standing among themselves as exists on the applicable promotion list. No officer of any recommended list shall be appointed in the grade for which recommended ahead of any other officer whose name appears above his on such recommended list.

"Deferred officer."

(g) The phrase "deferred officer" as used in this section means any officer considered and not recommended by any selection board for the grade of captain, major, or lieutenant colonel under the provisions of this section. Each "deferred officer" shall suffer loss in precedence for promotion purposes to those officers who were recommended by the selection board which failed to recommend him, and shall suffer a reduction in his years of service for promotion purposes, if necessary, so that, one year subsequent to the time he would have been appointed in the next higher grade had he been recommended, he shall not have for promotion purposes more than seven years' service if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major; however such loss in precedence for promotion purposes and such loss in years of service for promotion purposes shall not result in any loss in seniority by such "deferred officer" until his juniors are promoted to the next higher grade.

Second consideration.

(h) Deferred officers in any grade shall be considered a second time by the next selection board designated for consideration of officers of his grade and promotion list and if recommended by such board his name shall be entered on the applicable recommended list with the other officers recommended by such board and with the same precedence among themselves as exists on the applicable promotion list but below the names of officers placed on such recommended list by any earlier board. If an officer fails of selection for any grade but is subsequently recommended and promoted to that grade, his failure in the grade from which promoted shall not in any sense be counted as a failure of selection when he is subsequently considered for further promotion. If a "deferred officer" is not recommended by the next consecutive selection board, he shall, on that date which is one year and thirty days subsequent to the date on which he would have been appointed in the next higher grade had he been recommended by the first of two consecutive selection boards, be eliminated from the active list of the Regular Army and retired or separated, as the case may be (see section 514 of this title): *Provided*, That, if on such date, he is within two years of becoming entitled to retirement under the provisions of section 514 of this title, the date of elimination shall be the date on which he becomes entitled to retirement, rather than that hereinabove prescribed, and he shall be retained on the active list in the permanent grade held until qualified for retirement and then retired, unless sooner retired or separated under some other provision of law.

Elimination from active list.

Post, p. 902.

Date of appointment.

(i) For the purpose of administering the provisions of this section, the date on which a deferred officer would have been appointed in the next higher grade, if he had been recommended by the first of such two consecutive selection boards, shall be counted as the date of appointment in such grade of whichever officer, junior to him on the list prior to his loss in seniority, is first to be appointed in such grade, or the date on which, had he not suffered loss in years of service, he would have completed for promotion purposes, seven years' service

if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major, whichever of said two dates is the earlier.

Promotions, etc., to fill vacancies.

(j) Officers of any promotion list, whose names are carried on any recommended list for promotion to any grade under the provisions of this section, may be promoted and appointed in the grade for which recommended whenever there is a vacancy in the number authorized for that grade in that promotion list. Promotions and appointments to fill vacancies may be made at any time, but it is not mandatory that the authorized numbers in grades in the several promotion lists be maintained.

Temporary increase in numbers.

(k) Irrespective of any vacancy in any grade, whenever any officer whose name is carried on any recommended list under the provisions of this section, completes for promotion purposes, seven years' service if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major, the authorized number of officers in the grade of captain, major, and lieutenant colonel, respectively, in the applicable promotion list, shall be temporarily increased, if necessary, to authorize the appointment in that grade of such officer and all officers of his grade and promotion list whose names appear above his on the recommended list, and such officers shall be simultaneously appointed in that grade, retaining among themselves their existing relative seniority.

Vacancies in Air Corps promotion list.

(l) In addition to the procedures described in subsection (e) of this section, whenever in the Air Corps promotion list there are vacancies in the grade of captain, major, or lieutenant colonel, respectively, and, in the discretion of the Secretary of War, there are or will be an inadequate number of officers in that grade with certain special qualifications required for the Air Corps, he may direct a selection board to select a specified number of Air Corps promotion-list officers having such special qualifications for promotion to that grade. The selection in such instance shall be accomplished under the same rules that apply generally in this section, except that officers not selected shall not be deemed to have been considered for promotion within the meaning of subsections (d) and (g) of this section. Officers selected under this procedure shall be appointed in the grade for which selected only to fill vacancies in the numbers authorized in that grade.

Rules of selection.

Continuation of promotions.

(m) Promotion of promotion-list officers to grades of captain, major, and lieutenant colonel shall continue to be made under existing law until December 31, 1947; thereafter, promotions to these grades shall be suspended until promotions are made on or about July 1, 1948, to fill initial requirements in these grades under the provisions of section 518 of this title, and thereafter, promotions to these grades shall again be suspended until December 31, 1948.

Post, p. 910.

REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF COLONEL

Promotion-list officers.

SEC. 510. (a) After the date of enactment of this Act, promotion-list officers shall be promoted to and appointed in the permanent grade of colonel in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

Ante, p. 893.

Selection, etc., by board on basis of vacancies.

(b) Based upon the number of vacancies existing and anticipated in any promotion list in the grade of colonel and the number of officers desired in that grade in that promotion list, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers of that promotion list for promotion to that grade and shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the name of the senior officer of that promotion list below the

junior in the permanent grade of colonel whose name is not carried on the recommended list for promotion to the grade of colonel and the names of additional such officers in the order that their names appear next below his on that promotion list, as the Secretary of War may prescribe, and until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of colonel who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration: *Provided*, That whenever in the opinion of the Secretary of War the number of officers in the permanent grade of colonel in each of the several branches included in the Army promotion list is or may become seriously unbalanced, he may, in his discretion, direct that, of the officers to be selected and recommended for the grade of colonel, specified numbers be selected for service in specified branches: *And provided further*, That whenever in the opinion of the Secretary of War, in the Air Corps promotion list, there is or will be an inadequate number of officers, in the permanent grade of colonel, possessing certain special qualifications required for the Air Corps, he may, in his discretion, direct that, of the officers to be selected and recommended for the grade of colonel, specified numbers possess certain specified qualifications.

Selection for service in specified branches.

Air Corps.

Permanent recommended list.

(c) The names of officers of any promotion list who are selected and recommended for promotion to the grade of colonel in the Regular Army shall be carried on a permanent recommended list of officers of that promotion list for promotion to that grade. The names of those recommended by any selection board shall be entered on the applicable recommended list at the foot thereof in the same precedence standing among themselves as exists on the applicable promotion list. No officer of any recommended list shall be appointed in the grade of colonel ahead of any other officer whose name appears above his on such recommended list. Officers whose names are carried on any such recommended list may be promoted and appointed in the grade of colonel only when there is a vacancy in the number authorized for that grade in that promotion list. Promotion appointments to fill vacancies in the grade of colonel in the Regular Army may be made at any time, but it is not mandatory that authorized numbers in that grade in the several promotion lists be maintained.

Ratio, etc.

(d) The ratio of the number of officers of any promotion list which the Secretary of War names for consideration by any selection board for promotion to the grade of colonel in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War but no officer shall be considered or selected by any selection board more than two years prior to the date on which it is anticipated he will, if selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of lieutenant colonel in the Regular Army before being nominated or appointed in the grade of colonel in the Regular Army.

Completion of year's service before nomination, etc.

REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF BRIGADIER GENERAL

Promotion-list officers.

SEC. 511. (a) After the date of enactment of this Act, promotion-list officers shall be promoted to and appointed in the permanent grade of brigadier general in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the provisions

of section 513 of this title, and except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

Ante, p. 893.

Selection, etc., by board on basis of vacancies.

(b) Based upon the number of vacancies existing and anticipated in the grade of brigadier general in the Regular Army and the number of officers desired in that grade, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers for promotion to that grade, and, in order to insure that the Army will have adequate numbers of officers in the grade of brigadier general with experience qualifying them for service in or with the several branches, arms, and services, he may, in his discretion, direct that, of the number to be selected and recommended, specified numbers have experience qualifying them for service in or with certain specified branches, arms or services. The Secretary of War shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the names of the senior officers below the junior in the permanent grade of brigadier general whose names are not carried on the recommended list for promotion to the grade of brigadier general and the names of additional such officers in the order that their names appear next below theirs on the applicable promotion lists, as the Secretary of War may prescribe, and, until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of brigadier general who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number, including any prescribed numbers whose experience qualifies them for service in or with a designated branch, arm, or service. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration.

Permanent recommended list.

(c) The names of officers who are selected and recommended for promotion to the grade of brigadier general in the Regular Army shall be carried on a permanent recommended list of officers for promotion to that grade. Upon selection, the names of such officers shall be placed on the recommended list at the foot thereof arranged among themselves according to precedence to be determined by the Secretary of War. The number of officers to be selected and recommended by designated selection boards for promotion to the grade of brigadier general in the Regular Army shall be determined by the Secretary of War. It is not mandatory that the Secretary of War direct the selection and recommendation of numbers sufficient to produce the number authorized for that grade; but officers who are selected and recommended for promotion to that grade by any such selection board, and whose names are not removed from the recommended list by the President, shall be nominated, and by and with the advice and consent of the Senate appointed, in that grade as soon as there is a vacancy in the number authorized for that grade.

Ratio, etc.

(d) The ratio of the number of officers which the Secretary of War names for consideration by any selection board for promotion to the grade of brigadier general in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War, but no officer shall be considered or selected by any selection board more than one year prior to the date on which it is anticipated he will, if selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of colonel in the Regular Army, before being nominated or appointed in the grade of brigadier general in the Regular Army.

Completion of year's service before nomination, etc.

REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF MAJOR GENERAL

SEC. 512. (a) After the date of enactment of this Act, Regular Army officers shall be promoted to and appointed in the permanent grade of major general in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the provisions of section 513 of this title and except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

Ante, p. 893.

Selection, etc., by board on basis of vacancies.

(b) Based upon the number of vacancies existing and anticipated in the grade of major general in the Regular Army and the number of officers desired in that grade, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers for promotion to that grade, and, in order to insure that the Army will have adequate numbers of officers in the grade of major general with experience qualifying them for service in or with the several branches, arms, and services, he may, in his discretion, direct that, of the number to be selected and recommended, specified numbers have experience qualifying them for service in or with certain specified branches, arms, or services. The Secretary of War shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the name of the senior officer in the permanent grade of brigadier general whose name is not carried on the recommended list for promotion to the grade of major general and the names of additional such officers in the order that their names appear next below his on the general officers' seniority list, as the Secretary of War may prescribe, and, until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of major general who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number, including any prescribed numbers whose experience qualifies them for service in or with a designated branch, arm, or service. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration.

Permanent recommended list.

(c) The names of officers who are selected and recommended for promotion to the grade of major general in the Regular Army shall be carried on a permanent recommended list of officers for promotion to that grade. Upon selection, the names of such officers shall be placed on the recommended list at the foot thereof arranged among themselves according to precedence to be determined by the Secretary of War. The number of officers to be selected and recommended by designated selection boards for promotion to the grade of major general in the Regular Army shall be determined by the Secretary of War. It is not mandatory that the Secretary of War direct the selection and recommendation of numbers sufficient to produce the number authorized for that grade; but officers who are selected and recommended for promotion to that grade by any such selection board, and whose names are not removed from the recommended list by the President, shall be nominated, and by and with the advice and consent of the Senate appointed, in that grade as soon as there is a vacancy in the number authorized for that grade.

Ratio, etc.

(d) The ratio of the number of officers which the Secretary of War names for consideration by any selection board for promotion to the grade of major general in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War, but no officer shall be considered or selected by any selection board more than one year prior to the date on which it is anticipated he will, if

selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of brigadier general in the Regular Army, before being nominated or appointed in the grade of major general in the Regular Army.

Completion of year's service before nomination, etc.

GENERAL OFFICERS—CHIEFS AND ASSISTANT CHIEFS OF SERVICES—PROMOTION TO GENERAL OFFICER GRADE WITH A VIEW TO ASSIGNMENT AS CHIEF OR ASSISTANT CHIEF OF SERVICE

Appointment by President.

SEC. 513. (a) Each of the offices of chiefs of branches, arms, or services, and each of the offices of their assistants as provided by law, respectively, shall be filled by the President appointing, by and with the advice and consent of the Senate, an officer, not below the grade of lieutenant colonel, who has demonstrated by actual and extended duty in such arm, branch, or service or on similar duty that he is qualified for such assignment, and who has been recommended for such office by a board of officers as prescribed in subsection (b) of this section. Upon the appointment of a Regular Army officer to any such office, he shall at the same time, if he does not already hold permanent appointment in the Regular Army in the grade called for by such office, be permanently appointed in grade of major general or brigadier general in the Regular Army, whichever is the rank specified for such office. An officer appointed to any such office shall normally continue in that assignment for a tour of duty of four years but such assignment may be terminated at any time, or such tour may be extended by the President in his discretion. The termination of an officer's assignment as chief or assistant chief of a branch, arm, or service shall have no effect upon the permanent general officer grade held by him. Whenever any Regular Army officer is to be appointed as a chief or an assistant chief of a branch, arm, or service and at the same time in the permanent grade of major general or brigadier general in the Regular Army, whichever is the rank specified for such office, the total authorized number of officers in that grade shall be temporarily increased if necesary to authorize such appointment, but such temporary increase in authorized numbers in such grade shall continue only until a vacancy shall occur in such grade. Officers now serving as chiefs of branches, arms, or services, and their respective assistants, will not be affected by this section. This section shall become effective for each such office on the date that office is vacated by the present incumbent. This section shall not apply to the office of Chief of the National Guard Bureau.

Tour of duty.

Termination of assignment.

Temporary increase in numbers.

Nonapplicability.

Procedure for recommendation, etc.

(b) Officers shall be recommended to fill the office of chief of a branch, arm, or service, or the office of an assistant chief of a branch, arm, or service, as follows: The Secretary of War shall appoint a board of five general officers which shall include the then incumbent, if any, of the office to be filled and at least two other officers, if available, of a rank above that of the position for which selections are to be made who have had actual and extended service in the branch concerned. The Secretary of War shall furnish to such board a list of the officers to be considered by it and shall specify the number to be recommended, which number shall not be less than three. The list to be considered shall include all Regular Army officers of the branch concerned in the permanent grade of colonel, all Regular Army officers above the grade of colonel who have demonstrated by actual and extended duty in such arm, branch, or service, or on similar duty, that they are qualified for such assignment, and may in addition thereto and to the extent determined advisable by the Secretary of War, include the names of Regular Army officers of the branch concerned in the permanent grade of lieutenant colonel in the order that their

names appear upon the promotion list concerned, and the names of officers of any component of the Army of the United States serving on extended active duty in grades above lieutenant colonel who have demonstrated by actual and extended duty in the branch, arm, or service concerned, or on similar duty, that they are qualified for such assignment. From among the officers named for consideration the board shall select and recommend the prescribed number. From among those recommended by such board, the President may appoint an officer in the position concerned. If the President declines to appoint any of those so recommended or if those he may nominate cannot be appointed because of advice by the Senate, the Secretary of War shall convene a board to select and recommend additional officers in accordance with the procedure heretofore prescribed. Officers who are recommended and who are not appointed shall be deemed not to have been recommended but this shall in no way prejudice their eligibility for selection and recommendation for the grade of major general or brigadier general under the provisions of sections 511 and 512 of this title.

41 Stat. 762.

Retirement.

(c) Section 4c of the National Defense Act, as amended (10 U. S. C. 8, 482a, 6, 1026, 27, 532, 28, 29, 533, 13, 534), is further amended by deleting therefrom all words except the words: "Any officer who shall have served four years as chief or assistant chief of a branch or as commanding general of the General Headquarters Air Force and who may subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the highest grade held by him as such chief, assistant chief, or commanding general: *Provided*, That this provision shall not reduce the rank, pay, or allowances with which such officer would otherwise be entitled to retire."

REGULAR ARMY OFFICERS—ELIMINATION FROM ACTIVE LIST—MANDATORY RETIREMENT OR SEPARATION

Retirement.

SEC. 514. (a) (1) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each commissioned officer of the Regular Army (other than a professor of the United States Military Academy), who is not retired or separated at an earlier date under applicable provisions of law, shall, if in the permanent grade of brigadier general or in any permanent grade below that of brigadier general, be retired on that date upon which he attains the age of sixty years; and, if in the permanent grade of major general, be retired on that date upon which he attains the age of sixty-two years: *Provided*, That officers holding appointments on the date of enactment of this Act as chiefs and assistant chiefs of services shall not by reason of the enactment of this section be retired while so serving until age sixty-four years is reached if serving with the rank of major general or until age sixty-two years is reached if serving with the rank of brigadier general: *Provided further*, That the provisions of this paragraph requiring retirement at age sixty years and sixty-two years shall not become effective for officers of the Medical Corps until one year after date of enactment of this Act.

Officers of Medical Corps.

Professors of U. S. Military Academy.

(2) Each professor of the United States Military Academy, who is not retired or separated at an earlier date under applicable provisions of law, shall be retired on that date upon which he attains the age of sixty-four years.

Retired grade and pay.

(3) Each commissioned officer of the Regular Army who is hereafter retired by reason of reaching the age of sixty years, sixty-two years, or sixty-four years, as the case may be, shall be retired in the permanent grade held at time of retirement and shall receive retired pay computed on the basis provided in subsection (e) (1) of this

section: *Provided*, That, if on the date such officer attains the age of sixty years, sixty-two years, or sixty-four years, as the case may be, he is eligible for retirement under any other provision of law in effect on that date, including any provision of law providing for voluntary retirement on his own application, and the retired grade or amount of retired pay to which he would be entitled under such other provision is greater than the retired grade or amount of retired pay herein provided, he shall be entitled to the greater retired grade and retired pay.

"Years' service."

(b) The term "years' service" as used in subsections (c), (d), and (e) of this section means and includes—

(1) for any officer appointed in the Regular Army between December 28, 1945, and December 31, 1947, under the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, the period of service credited to such officer under that law at the time of his appointment, increased by the period of his active commissioned service in the Regular Army subsequent to such appointment;

10 U. S. C. §§ 481, 505-505d, 552a, 552c. *Ante*, pp. 95, 735, 736.

(2) for any Reserve judge advocate appointed in the Regular Army in the grade of captain in the Judge Advocate General's Department under the applicable provision of section 24e of the National Defense Act, as amended (10 U. S. C. 64), a period of service equal to the number of days, months, and years by which his age at time of such appointment exceeds twenty-five years, or the total period of active Federal service performed by him after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof from December 7, 1941, to the date of such appointment, whichever is greater; increased by the period of his active commissioned service in the Regular Army subsequent to such appointment; and

41 Stat. 774.

(3) for any other Regular Army officer, the period of his active commissioned service in the Regular Army subsequent to his appointment, increased by the period of active Federal service performed by him prior to his appointment in the Regular Army after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof after December 7, 1941, for those appointed in the Regular Army prior to December 31, 1947; and after December 31, 1947, for those appointed in the Regular Army after December 31, 1947.

Excessive number who have completed 30 "years' service."

(c) After the date of enactment of this Act, whenever in the opinion of the Secretary of War there is an excessive number of officers on the active list of the Regular Army in any grade who have completed thirty "years' service", he may convene a board of not less than five general officers of the Regular Army to consider all officers of that grade who have completed thirty "years' service" and recommend for retirement a specified number thereof, and the Secretary of War, in his discretion, is authorized to retire any officer so recommended.

Elimination from active list.

(d) Unless provided otherwise by some provision of law, commissioned officers of the Regular Army hereinafter specified who are not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired or separated, as the case may be, at the times hereinafter prescribed. If on the date of elimination from the active list hereinafter prescribed, any officer is within two years of becoming entitled to retirement under the provisions of subsection (e) of this section, his date of elimination from the active list shall be the date on which he becomes entitled to retirement, rather than that hereinafter prescribed, and he shall be retained on the active list in the permanent grade then held until qualified for retirement and then retired, unless sooner retired or separated under some other provision of law.

Major generals.

(1) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each officer heretofore or hereafter appointed in the permanent grade of major general in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty-five "years' service", whichever is later, unless he is permanently appointed in a grade above that of major general before the later of such two dates: *Provided*, That such officers may, in the discretion of the Secretary of War, be retained on the active list until age sixty is reached: *And provided further*, That not to exceed ten such officers, who are either holding temporary appointments in any grade above major general or are serving in positions which carry rank above that of major general may, in the discretion of the Secretary of War, be retained on the active list until age sixty-four is reached.

Retention until age 64.

Brigadier generals.

(2) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each officer heretofore or hereafter appointed in the permanent grade of brigadier general in the Regular Army who is not retired or separated at an earlier date under other provisions of law, shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty "years' service", whichever is later, unless he is appointed in the permanent grade of major general in the Regular Army before the later of such two dates: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of major general in the Regular Army shall be retained on the active list while their names are so carried; and if appointed in the permanent grade of major general their elimination from the active list shall be governed by the provisions of paragraph (1) of this subsection: *Provided further*, That not to exceed ten such officers who are serving in temporary grades above that of brigadier general, may, in the discretion of the Secretary of War, be retained on the active list until age sixty is reached: *And provided further*, The provisions of this paragraph shall not apply to professors of the United States Military Academy.

Retention until age 60.

Nonapplicability.

Colonels.

(3) After June 30, 1953, unless provided otherwise by some provision of law, each promotion-list officer heretofore or hereafter appointed in the permanent grade of colonel in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty "years' service", whichever is later, unless he is appointed in the permanent grade of brigadier general, or any higher permanent grade, in the Regular Army before the later of such two dates: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of brigadier general in the Regular Army shall be retained on the active list while their names are so carried, and if appointed in the permanent grade of brigadier general their elimination from the active list shall be governed by the provisions of paragraph (2) of this subsection: *And provided further*, That of the officers in the permanent grade of colonel in the Regular Army whose names are carried on the Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, or chaplains promotion list,

Retention until age 60.

respectively, not more than 10 per centum of the number authorized in that grade for any such promotion list, respectively, may, in the discretion of the Secretary of War, be retained on the active list after the date specified for their retirement and the number of colonels authorized for the promotion list concerned may be exceeded by the number of such officers of that promotion list so retained, but in no event shall any such officer be so retained after reaching the age of sixty years.

Lieutenant colonels.

(4) After June 30, 1953, unless provided otherwise by some provision of law, each promotion-list officer heretofore or hereafter appointed in the permanent grade of lieutenant colonel in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on that date which is thirty days after the date upon which he completes twenty-eight "years' service", unless he is appointed in the permanent grade of colonel, or any higher permanent grade, in the Regular Army before that date: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of colonel in the Regular Army shall be retained on the active list while their names are so carried and if appointed in the permanent grade of colonel their elimination from the active list shall be governed by the provisions of paragraph (3) of this subsection: *And provided further*, That any of the officers in the permanent grade of lieutenant colonel in the Regular Army whose names are carried on the Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, or Chaplains promotion list, may, in the discretion of the Secretary of War, be retained on the active list after the date specified for their retirement but in no event shall any such officer be so retained after reaching the age of sixty years.

Retention until age 60.

Retired grade and pay.

Ante, p. 896.

(c) Each officer eliminated from the active list of the Regular Army pursuant to any of the provisions of subsection (h) of section 509 of this title or of subsection (c) or (d) of this section shall—

(1) if on the date of elimination, he has completed twenty "years' service" or more, be retired in the permanent grade held at time of retirement with monthly retired pay equal to 2½ per centum of the monthly base and longevity pay he would receive if serving on active duty in that grade, multiplied by a number equal to the number of years of his "years' service", or, the number of years of service creditable to him under the law in the computation of his active-duty pay, whichever of such two numbers is greater (fractions of a year less than one-half shall be disregarded and one-half or more shall be counted as one year); but in no event shall such retired pay be more than 75 per centum nor less than 50 per centum of the base and longevity pay he would receive if serving on active duty in the grade in which retired: *Provided*, That if on the date of his elimination, he is eligible for retirement under any other provision of law in effect on that date, including any provision of law providing for voluntary retirement on his own application, and the retired grade or amount of retired pay to which he would be entitled under such other provision is greater than the retired grade or amount of retired pay herein provided, he shall be entitled to the greater retired grade and retired pay: *Provided further*, That in the case of any officer whose computation of active-duty pay is not based upon years of service the phrase "the number of years of service creditable to him under the law in the computation of his active-duty pay" as used herein shall be construed to mean the number of years of service which would be creditable to him under the law in the computation of his active-duty pay if he were serving in the grade of colonel;

(2) if on the date of elimination, he has not completed twenty "years' service" or more, but is eligible for retirement under any provision of law in effect on that date including any provision of law providing for voluntary retirement on his own application, be retired in the grade and with the retired pay to which he would be entitled if retired on that date under that law;

Honorable discharge with severance pay.

(3) if on the date of elimination, he is not eligible for retirement under any provision of law, be honorably discharged from the Regular Army with severance pay equal to that sum of money computed by multiplying, (a) the number of years of his "years' service" (fractions of a year less than one-half shall be disregarded and one-half or more shall be counted as one year); by (b) the amount of base and longevity pay which he would receive (computed at the rate applicable on the date of his elimination) for two months' active duty in the grade (permanent or temporary) held at the time of elimination: *Provided*, That the total severance pay shall not exceed two years' base and longevity pay so computed.

Suspension of provisions.

(f) In time of emergency declared by the President or by the Congress, and in time of war, the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law prescribing mandatory retirement or separation of Regular Army officers.

Post, p. 912.

(g) Section 5 of the Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended as follows:

(1) By deleting therefrom that portion which reads: "*Provided further*, That on June 30, 1942, all brigadier generals of the line who are then sixty-two years of age or over and all promotion-list officers who are then sixty years of age or over shall be retired, and thereafter all brigadier generals of the line shall be retired at the age of sixty-two years and all promotion-list officers shall be retired at the age of sixty years, except that all officers in the grade of general officer whose names are carried on the promotion-list are exempted from the operation of this proviso and in addition thereto the Secretary of War may, in his discretion, exempt from the operation of this proviso such number of colonels as will result in their being on active duty at any time a number of colonels who would otherwise be retired not greater than 5 per centum of the total number of colonels then on the promotion list, but such exemption shall terminate in each case when the officer reaches the age of sixty-two, or sooner in the discretion of the Secretary of War, and colonels so exempted shall be included within the authorized number of promotion-list colonels";

(2) By deleting therefrom that portion which reads: "*Provided further*, That each promotion-list officer shall be assumed to have for retirement purposes, at least the same length of continuous commissioned service in the Regular Army as any officer junior to him on the promotion list: *Provided further*, That the number of years of service to be credited in computing the right to retirement and retirement pay in the case of officers retired by reason of having reached the age of sixty years or over shall include all service heretofore credited for retirement at age sixty-four:".

ARMY OFFICERS—TEMPORARY GRADES—TEMPORARY APPOINTMENT OF OFFICERS IN THE ARMY OF THE UNITED STATES—ACTIVE DUTY OF RESERVE COMPONENT OFFICERS

Number less than authorized.

SEC. 515. (a) Whenever the number of Regular Army officers holding office under permanent appointments in the grades of major general and brigadier general is less than the number authorized in these grades and whenever the number of Regular Army officers of any promotion list, holding office under permanent appointments in the

grades of colonel, lieutenant colonel, major, captain, and first lieutenant, respectively, is less than the number authorized in these grades in such promotion list, the additional number authorized in these several grades may be filled by the temporary appointment of qualified officers under the provisions of subsection (c) of this section.

Number exceeding authorized strength.

(b) Whenever under authorization from time to time made by the Congress the total number of officers serving on active duty (Regular Army officers and all officers of the Army of the United States or any component thereof ordered into active military service for extended Federal service in excess of thirty days) exceeds the authorized active list commissioned officer strength of the Regular Army, the Secretary of War shall determine the requirements in each of the several commissioned grades based upon the total number of officers so serving on active duty and the tasks being performed by the Army and such requirements in each of such grades may be filled by the temporary appointment of qualified officers under the provisions of subsection (c) of this section: *Provided*, That unless a national emergency is declared after the date of this Act and before July 1, 1948, after such date and until a national emergency is thereafter declared, the total number of officers serving on active duty in grades above major general under any provision of law shall not exceed the limitation specifically set forth in section 504 of this title.

Ante, p. 886.

Appointment in temporary grade.

(c) Within the limitations specified in subsections (a) and (b) of this section, any commissioned officer of the Regular Army, or of any of the Reserve components of the Army of the United States serving on active Federal duty, may be appointed in any temporary grade equal to or higher than his permanent grade without vacating his permanent appointment or any temporary appointment held by him under this or any other provision of law, and any such officer now holding an appointment in any temporary grade equal to or higher than his permanent grade may be continued therein as though he had been appointed thereto under the provisions of this section. Action under this subsection shall be taken on a fair and equitable basis, regard being given to seniority, age, and selection based upon ability and efficiency under regulations prescribed by the Secretary of War. The President may, in his discretion, from time to time, in accordance with the needs of the service, adjust dates of rank in temporary grades.

Adjustment of dates of rank.

Reserve components. Federal duty, etc.

(d) To the extent provided from time to time by appropriations for this purpose, any officer of any Reserve component of the Army of the United States may, with his own consent, be ordered to active Federal duty for such length of time as the President may prescribe and in time of a national emergency expressly declared by Congress may be so ordered without his consent. The President may at any time relieve from active duty any Reserve officer who is serving on active duty. Any officer of any Reserve component ordered into or serving on active duty may, with his own consent, be temporarily appointed in a grade in the Army of the United States, either higher or lower than the grade held by him in such Reserve component, and such temporary appointment shall not affect the appointment and grade held by him in his Reserve component.

Appointment of temporary officers.

(e) In time of emergency declared by the President, or by the Congress, and in time of war, the President is authorized to appoint qualified persons (including persons who hold no Regular Army or Reserve status) as temporary officers in the Army of the United States in any of the several commissioned officer grades, and persons so appointed may be ordered into the active military service of the United States to serve therein for such periods of time as the President may prescribe. The appointment of a temporary officer, if not sooner vacated, shall continue during the emergency or war in which the appointment was made and for six months thereafter.

(f) All temporary appointments herein mentioned (officers of the Regular Army, the National Guard of the United States, and the Officers' Reserve Corps temporarily appointed in grades different from those held in their respective components, and, persons holding no Regular Army or Reserve commissions appointed as temporary officers) shall be made in the Army of the United States, and such appointments shall not contain any reference to any other appointment held or not held in any component of the Army of the United States. All temporary appointments herein mentioned may be vacated at any time by the President. Temporary appointments in grades below that of brigadier general shall be made by the President alone, and in general officer grades by and with the advice and consent of the Senate.

Grade below brigadier general.

General officer grades.

Pay and allowances.

(g) All officers temporarily appointed in any grade in the Army of the United States shall, while serving in such grade on active duty in the service of the United States, receive the same pay and allowances as authorized for persons of corresponding grade and length of service holding permanent appointments in that grade in the Regular Army.

Rights, benefits, etc.

(h) Each temporary officer and each Reserve officer of any Reserve component, serving on active Federal duty in any commissioned grade, permanent or temporary (herein referred to as "active-duty grade"), shall be entitled, while so serving, to the same rights, privileges, and benefits as now or hereafter provided by law for an officer of the Officers' Reserve Corps of the same length of service holding appointment in the Officers' Reserve Corps in a grade the same as such "active-duty grade" and serving on active duty in the grade held in the Officers' Reserve Corps.

"Permanent grade."

"Permanent appointment."

"Temporary grade."

"Temporary officer."

(i) DEFINITIONS.—(1) As used in this title the phrase "permanent grade" means the grade in which an officer holds appointment in the Regular Army, or in the National Guard of the United States, or in the Officers' Reserve Corps, as the case may be. The phrase "permanent appointment" means appointment in the Regular Army, or in the National Guard of the United States, or in the Officers' Reserve Corps, as the case may be.

(2) As used in this title, the phrase "temporary grade" means the grade in which an officer holds temporary appointment in the Army of the United States (as distinguished from "permanent grade").

(3) As used in this title, the phrase "temporary officer" means a person who has no Regular Army or reserve commissioned status but who temporarily holds appointment as an officer of the Army of the United States.

Effective date.

Repeal.

(j) This section becomes effective the date of enactment of this Act. Effective the date of enactment of this Act, section 4 of the Act of June 16, 1936 (49 Stat. 1525; 10 U. S. C., 292a–1), is hereby repealed.

RELATIVE RANK OF GENERAL OFFICERS OF THE ARMY WITH FLAG OFFICERS OF THE NAVY

SEC. 516. Officers holding commissions in the grade of major general in the Regular Army and officers holding commissions in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers holding commissions in the grade of brigadier general in the Regular Army and officers holding commissions in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades. All officers in the Army of the United States, including all components thereof, senior in relative rank to any Regular Army officer, shall also be senior to all Navy officers junior in relative rank to such Regular Army officer.

REGULAR ARMY OFFICERS—SERVICE CREDIT TO CERTAIN OFFICERS WHO WERE IN THE REGULAR ARMY PRIOR TO DECEMBER 28, 1945

Service credit. Second lieutenants.

SEC. 517. (a) PROMOTION-LIST OFFICERS.—Each person who was appointed a second lieutenant between December 7, 1941, and December 28, 1945, in any arm or service of the Regular Army, the officers of which are carried on the promotion list as constituted prior to enactment of this Act, and who has had continuous active commissioned service in the Regular Army since such appointment, and who on the date of enactment of this Act holds active commissioned office in an arm or service of the Regular Army, the officers of which are carried on the promotion list as constituted prior to enactment of this Act, shall be credited with service equivalent to the total period of active Federal commissioned service performed by him after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof from December 7, 1941, to the date of such appointment: *Provided*, That persons who were promoted and appointed second lieutenants in the Regular Army upon graduation from the United States Military Academy shall not be credited with any such service. The service herein credited shall be counted for the same purposes as, and construed similar to, service credited to persons upon appointment in the Regular Army under the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663). The names of such officers shall be placed on the promotion list as constituted immediately prior to the date of enactment of this Act in the places they would be had such officers been credited with the service herein credited at the time of their appointment in the Regular Army and had their names been entered on the promotion list at the time of their appointment immediately below those officers of the same grade having the same or next greater period of service. Officers credited with an equal amount of service by virtue of their service in the Regular Army and the additional service herein credited shall be placed on the promotion list as aforesaid without alteration among themselves of their former precedence and seniority standing.

Restriction.

10 U. S. C. §§ 481, 505-505d, 552a, 552c. *Ante*, pp. 95, 735, 736.

Chaplains.

(b) NON-PROMOTION-LIST OFFICERS.—Each person holding active commissioned office as a chaplain in the Regular Army or in the Medical Corps, Dental Corps, or Veterinary Corps of the Regular Army on the date of enactment of this Act, who was originally so appointed and commissioned in the Regular Army between June 27, 1926, and December 28, 1945, and has had continuous commissioned service in the Regular Army since such appointment, shall be credited, respectively, with additional years of service for promotion purposes as follows: Chaplains, six and eight-twelfths years; Medical Corps officers, three and five-twelfths years; Dental Corps officers, three and one-twelfth years; Veterinary Corps officers, one and four-twelfths years: *Provided*, That due to such additional service so creditable for promotion purposes no person shall have his existing service creditable for promotion purposes increased to an amount greater than the service he would possess for promotion purposes solely by virtue of continuous active commissioned service in the Regular Army from June 27, 1926. Such officers shall be given precedence for promotion purposes in accordance with the precedence they would have, had such years of service been credited to such officers on December 28, 1945, and had those who would have become entitled to promotion in permanent grade in the Regular Army by virtue thereof been so promoted. No action under this subsection shall change the relative precedence for promotion purposes of any officer who held a commission as chaplain or in any of these corps on December 28, 1945, with respect to

Precedence.

any other officer who held a commission on that date as chaplain or in the same corps, respectively.

Adjustment of dates of rank.

(c) Dates of rank in permanent grades of officers credited with additional service pursuant to this section shall be adjusted to accord to their new positions on the promotion list or, in the case of "non-promotion-list" officers, to their new precedence for promotion purposes, as the case may be.

Back pay, etc.

(d) No back pay or allowances shall accrue to any person by reason of the enactment of this section.

REGULAR ARMY OFFICERS—PROMOTIONS TO BE MADE ON JULY 1, 1948, TO FILL INITIAL REQUIREMENTS IN GRADES OF CAPTAIN, MAJOR, AND LIEUTENANT COLONEL

SEC. 518. (a) (1) Promotions to the grades of captain, major, and lieutenant colonel shall continue to be made under existing law until December 31, 1947. During the period January 1, 1948, to June 30, 1948, there shall be no permanent grade promotion appointments of Regular Army promotion-list officers to the grade of captain, major, or lieutenant colonel. On July 1, 1948, or at the earliest practicable time thereafter, the Regular Army officers specified in subsection (b) of this section and those recommended for promotion by selection boards as provided in subsection (c) of this section shall be promoted to and appointed in the Regular Army in the grades of captain, major, and lieutenant colonel.

(2) Officers appointed in the same grade under the provisions of this section shall have their names entered on the applicable promotion list immediately below that of the junior of the list holding office in that grade without change among themselves in their relative permanent grades seniority standing existing prior to such appointments.

(3) The numbers to be selected and recommended for each of the several grades for each of the several promotion lists under the provisions of this section may be less, but shall not be more, than numbers which will produce the total numbers authorized in each of such grades in each promotion list.

(4) Officers named for consideration for any grade but not selected for that grade by a selection board under the provisions of this section shall not for any purpose be deemed to have failed of selection.

Removal of name from recommended list.

(5) The name of any officer recommended for promotion to any grade by a selection board under the provisions of this section may be removed from the recommended list for that grade by the President, and entered by him on the recommended list for any lower grade above that in which the officer is holding appointment, or he may remove it entirely.

(6) The procedure prescribed in this section shall be taken separately for each of the several promotion lists.

"Years' service."

(7) The phrase "years' service" as used in this section means and includes all service creditable for promotion purposes under the law prior to enactment of this Act and the service credited under section 517 of this title.

Appointments included.

(b) The appointments referred to in subsection (a) of this section shall include appointments in permanent grades of captain, major, and lieutenant colonel, respectively, of all promotion-list officers (not appointed in higher permanent grades under the provisions of subsection (c) of this section) in permanent grades of first lieutenant, captain, and major who on June 30, 1948, will have completed seven, fourteen, and twenty-one or more years' service, respectively. Each selection board considering officers for promotion under the provisions

Report of names by board.

of subsection (c) of this section, which has among the names furnished to it for consideration the names of any officers who on June 30, 1948, will have completed the years' service specified in this subsection for promotion to the grade for which selections are being made by such board, shall report the names of such officers for promotion to that grade and the number which the board is instructed to select and recommend for that grade shall be reduced accordingly.

Consideration, etc., by board on basis of vacancies.

(c) For the purpose of initially filling permanent grade requirements in each of the several promotion lists in grades of lieutenant colonel, major, and captain (appointments to be made on July 1, 1948, or at the earliest practicable time thereafter), based upon the number of vacancies in any promotion list in these grades, the Secretary of War, in his discretion, may either (1) direct a selection board to consider officers in the grades of major, captain, and first lieutenant, respectively, in the order of their seniority as their names appear on the promotion list concerned, recommend those who are fully qualified for promotion to the grade of lieutenant colonel, major, or captain, respectively, pass over those who are not fully qualified for promotion to these grades, and continue such procedure until a specified number of recommended officers is obtained for each such grade; or, (2) furnish to a selection board a list of the officers to be considered for promotion to the grade concerned and direct such board to select and recommend from among those listed a specified number for promotion to that grade, the officers to be selected to be the best qualified of those listed for consideration. The names of officers who are recommended for promotion to the grades of lieutenant colonel, major, and captain, respectively, shall be entered on a recommended list (a separate list for each grade in each promotion list). The officers recommended for promotion shall be appointed in the grades for which recommended on July 1, 1948, or at the earliest practicable date thereafter.

Recommended list.

Names of officers furnished to board.

(d) If the Secretary of War, in his discretion, follows the second procedure described in subsection (c) of this section for any grade in any promotion list, the names furnished to the applicable selection board shall be those of the officers hereinafter specified:

(1) For the grade of lieutenant colonel, the names furnished to the selection board concerned shall include the name of the senior officer of that promotion list in permanent grade below lieutenant colonel, and the names of such additional officers in the order that their names appear next below his on that promotion list, as the Secretary of War may prescribe, and in addition thereto, may include the names of any officers of that promotion list who served during the current war in any general officer grade under temporary appointment.

(2) For the grade of major, the names furnished for consideration to the selection board concerned shall include the names of all officers of the designated promotion list in permanent grades below that of major named for consideration but not selected for the grade of lieutenant colonel and the names of such additional officers in the order that their names appear next on that promotion list, as the Secretary of War may prescribe, and in addition thereto may include the names of any officers of that promotion list who served during the current war in any general officer grade under temporary appointment.

(3) For the grade of captain, the names furnished for consideration under the provisions of this section shall include the names of all officers of the designated promotion list in permanent grades below that of captain named for consideration but not selected for the grades of major or lieutenant colonel, and the names of such additional officers in the order that their names appear next on that promotion list, as the Secretary of War may prescribe.

AMENDMENTS TO NATIONAL DEFENSE ACT TO PROVIDE INCREASED RANK FOR CHIEF OF CHAPLAINS AND ASSISTANTS TO THE SURGEON GENERAL

39 Stat. 176.

SEC. 519. (a) CHAPLAINS.—So much of section 15 of the National Defense Act, as amended (10 U. S. C. 234), as reads "One chaplain of rank not below that of major may be appointed by the President, by and with the advice and consent of the Senate, to be Chief of Chaplains. He shall serve as such for four years, and shall have the rank, pay, and allowances of colonel while so serving" is hereby amended to read: "There is authorized a Chief of Chaplains with the rank of major general."

39 Stat. 171.

(b) MEDICAL DEPARTMENT.—So much of section 10 of the National Defense Act, as amended (10 U. S. C. 81), as reads "The Medical Department shall consist of one Surgeon General with the rank of major general, four assistants with the rank of brigadier general, one of whom shall be an officer in the Dental Corps," is hereby amended to read "The Medical Department shall consist of one Surgeon General with the rank of major general, one assistant with the rank of major general who shall be an officer in the Dental Corps, three assistants with the rank of major general or brigadier general, as determined by the Secretary of War, and".

PROFESSORS OF THE UNITED STATES MILITARY ACADEMY

Rank, pay, etc.

SEC. 520. (a) Hereafter each of the permanent professors of the United States Military Academy, other than the dean of the Academic Board, who is the head of a department of instruction or whose service as such professor exceeds six years, shall have the rank, pay, and allowances of a colonel; and all other permanent professors shall have the rank, pay, and allowances of a lieutenant colonel: *Provided*, That the permanent professors who have been or may hereafter be appointed by the President from the commissioned officers of the Regular Army shall have the rank, pay, and allowances of a colonel from the date herein provided or from the date on which any promotion-list officer junior to such professor (on the promotion list on which such professor's name was carried prior to his appointment as a professor) is promoted to and appointed in the permanent grade of colonel, whichever date is earlier: *Provided further*, That no back pay or allowances shall accrue hereunder.

Retirement in grade of brigadier general.

(b) When any permanent professor of the United States Military Academy, whose service as such has been long and distinguished, is retired, he may, in the discretion of the President, be placed upon the retired list in the grade of brigadier general: *Provided*, That no increase in pay or allowances is authorized hereby.

Retirement at age 64.

(c) Hereafter the permanent professors of the United States Military Academy shall, unless sooner retired, be retired at the age of sixty-four years: *Provided*, That the Secretary of War may direct the retirement of any such professor having over thirty years' commissioned service.

AMENDMENT TO RETIREMENT LAWS

Ante, p. 906.

Retirement in grade of colonel, etc.

41 Stat. 773.
10 U. S. C. § 571.

SEC. 521. (a) Section 5 of the Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended by deleting therefrom that portion which reads: "*Provided further*, That any promotion-list officer retired for any reason except by operation of section 24b, National Defense Act, or wholly retired, who has completed twenty-eight or more years of continuous commissioned service in the Regular Army and who has failed to reach the grade of colonel by reason of the limitation on the number of promotion-list officers in the grade of colonel or by reason of the restriction of years

of service in grade of major or lieutenant colonel shall be retired in the grade of colonel with retired pay computed as otherwise provided by law for a colonel with the same length of service including all service now or hereafter credited for active-duty pay purposes, and any such officer who has completed more than twenty-three but less than twenty-eight years of continuous commissioned service in the Regular Army and who has failed to reach the grade of lieutenant colonel by reason of the restriction of years of service in grade of major shall be retired in the grade of lieutenant colonel with retired pay computed as otherwise provided by law for a lieutenant colonel with the same length of service including all service now or hereafter credited for active-duty pay purposes:".

(b) The Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended by adding between sections 5 and 6 thereof an additional section as follows:

Ante, pp. 906, 912.

"SEC. 5a. Any officer in the permanent grade of lieutenant colonel retired after January 1, 1946, upon his own application, or for physical disability, or mandatorily by reason of reaching a prescribed age, or by reason of having completed a prescribed length of service, shall, if at time of retirement he has completed twenty-eight years or more of active Federal commissioned service and has served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, unless entitled to be retired in a higher grade under some other provision of law, be retired in the grade of colonel with retired pay computed as otherwise provided by law for a colonel with the same length of service including all service now or hereafter credited for active duty pay purposes."

AMENDMENT TO ARTICLE OF WAR 119

SEC. 522. Article of war 119 (41 Stat. 811; 10 U. S. C. 1591) is amended by deleting therefrom the words: "in time of war or public danger,".

SAVING CLAUSE

SEC. 523. Nothing contained in this title shall operated to reduce the retired grade or retired pay of any officer heretofore retired.

Approved August 7, 1947.

[CHAPTER 513]

AN ACT

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

August 7, 1947
[H. R. 3022]
[Public Law 382]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mineral Leasing Act for Acquired Lands".

Short title.

SEC. 2. As used in this Act "United States" includes Alaska. "Acquired lands" or "lands acquired by the United States" include all lands heretofore or hereafter acquired by the United States to which the "mineral leasing laws" have not been extended, including such lands acquired under the provisions of the Act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552). "Secretary" means the Secretary of the Interior. "Mineral leasing laws" shall mean the Act of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432); the Act of February 25, 1920 (41 Stat. 437, 30 U. S. C., sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30 U. S. C., sec. 271); the Act of February 7, 1927 (44 Stat. 1057, 30 U. S. C., sec. 281), and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the fore-

"United States."

"Acquired lands"; "lands acquired by the United States."

"Secretary."

"Mineral leasing laws."

"Lease."

going Acts. "Lease" includes "prospecting permit" unless the context otherwise requires.

Lease of mineral deposits.

SEC. 3. Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following), all deposits of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulfur which are owned or may hereafter be acquired by the United States and which are within the lands acquired by the United States (exclusive of such deposits in such acquired lands as are (a) situated within incorporated cities, towns and villages, national parks or monuments, (b) set apart for military or naval purposes, or (c) tidelands or submerged lands) may be leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof. The provisions of the Act of April 17, 1926 (44 Stat. 301), as heretofore or hereafter amended, shall apply to deposits of sulfur covered by this Act wherever situated. No mineral deposit covered by this section shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *Provided*, That nothing in this Act is intended, or shall be construed, to apply to or in any manner affect any mineral rights, exploration permits, leases or conveyances nor minerals that are or may be in any tidelands; or submerged lands; or in lands underlying the three mile zone or belt involved in the case of the United States of America against the State of California now pending on application for rehearing in the Supreme Court of the United States; or in lands underlying such three mile zone or belt, or the continental shelf, adjacent or littoral to any part of the land within the jurisdiction of the United States of America.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Ante, p. 678.

Deposits of sulfur.
30 U. S. C. §§ 271–276.

Consent of department head, etc.

Tidelands, etc.

Sale of acquired lands.

SEC. 4. Nothing herein contained shall be deemed or construed to (a) amend, modify, or change any existing law authorizing or requiring the sale of acquired lands, or (b) empower any commission, bureau, or agency of the Government to make a reservation of the minerals in the sale of any acquired land: *Provided*, That any such sale or conveyance of lands shall be made by the agency having jurisdiction thereof, subject to any lease theretofore made, covering the mineral deposits underlying such lands: *Provided further*, That nothing in this Act is intended, or shall be construed to affect in any manner any provision of the Act of June 30, 1938 (32 Stat. 1252), amending the Act of June 4, 1920 (41 Stat. 813).

52 Stat. 1252.
34 U. S. C. § 524 and note.

Lease of U. S. interest.

SEC. 5. Where the United States does not own all of the mineral deposits under any lands sought to be leased and which are affected by this Act, the Secretary is authorized to lease the interest of the United States in any such mineral deposits when, in the judgment of the Secretary, the public interest will be best served thereby; subject, however, to the provisions of section 3 hereof. Where the United States does not own any interest or owns less than a full interest in the minerals that may be produced from any lands sought to be leased, and which are or will be affected by this Act and where, under the provisions of its acquisition, the United States is to acquire all or any part of such mineral deposits in the future, the Secretary

may lease any interest of the United States then owned or to be acquired in the future in the same manner as provided in the preceding sentence.

Distribution of receipts, etc.

SEC. 6. All receipts derived from leases issued under the authority of this Act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this Act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by the Executive order for Indian use, shall be deposited in a special fund in the Treasury until final disposition thereof by the Congress.

Furnishing of legal descriptions, etc.

SEC. 7. Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 2 of this Act shall furnish to the Secretary the legal description of all of such lands, and all pertinent abstracts, title papers, and other documents in the possession of such agencies concerning the status of the title of the United States to the mineral deposits that may be found in such lands.

Abstracts, title papers, and other documents furnished to the Secretary under this section shall be recorded promptly in the Bureau of Land Management in such form as the Secretary shall deem adequate for their preservation and use in the administration of this Act, whereupon the originals shall be returned promptly to the agency from which they were received. Duly authenticated copies of any such abstracts, title papers, or other documents may, however, be furnished to the Secretary, in lieu of the originals, in the discretion of the agency concerned.

Authenticated copies.

Rights of State, etc.

SEC. 8. Nothing contained in this Act shall be construed to affect the rights of the State or other local authorities to exercise any right which they may have with respect to properties covered by leases issued under this Act, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

Rights acquired by lessee.

SEC. 9. Nothing in this Act shall affect any rights acquired by any lessee of lands subject to this Act under the law as it existed prior to the effective date of this Act, and such rights shall be governed by the law in effect at the time of their acquisition; but any person qualified to hold a lease who, on the date of this Act, had pending an application for an oil and gas lease for any lands subject to this Act which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding. Any person holding a lease on lands subject hereto, which lease was issued prior to the effective date of this Act, shall be entitled to exchange such lease for a new lease issued under the provisions of this Act, at any time prior to the expiration of such existing lease.

Exchange of lease.

Rules and regulations.

SEC. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as are necessary and appropriate to carry out the purposes of this Act, which rules and regulations shall be the same as those prescribed under the mineral leasing laws to the extent that they are applicable.

Approved August 7, 1947.

[CHAPTER 514]

AN ACT

August 8, 1947
[H. R. 174]
[Public Law 383]

To amend section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588).

Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588), is further amended to read as follows:

48 U. S. C. § 381.

Mining laws.

Exploration and mining for precious metals.

"SEC. 26. The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the Territory of Alaska: *Provided*, That, subject only to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States, and to the laws for the protection of fisheries, and subject also to such general rules and regulations as the Secretary of the Interior may prescribe for the preservation of order and the prevention of injury to the fisheries, all land below the line of ordinary high tide on tidal waters and all land below the line of ordinary high-water mark on nontidal water navigable in fact, within the jurisdiction of the United States, shall be subject to exploration and mining for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall not be in conflict with the mining laws of the United States; and no exclusive permit shall be granted by the Secretary of the Interior authorizing any person or persons, corporation, or company to excavate or mine under any of said waters, and if such exclusive permit has been granted it is hereby revoked and declared null and void. The rules and regulations prescribed by the Secretary of the Interior under this section shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation or impair the fisheries, and the reservation of a roadway sixty feet wide under the tenth section of the Act of May 14, 1898, entitled 'An Act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes', shall not apply to mineral lands or town sites. No person shall acquire by virtue of this section any title to any land below the line of ordinary high tide or the line of ordinary high-water mark, as the case may be, of the waters described in this section. Any rights or privileges acquired hereunder with respect to mining operations in land, title to which is transferred to a future State upon its admission to the Union and which is situated within its boundaries, shall be terminable by such State, and the said mining operations shall be subject to the laws of such State."

Miners' regulations.

Revocation of exclusive permit.

Right to dump tailings, etc.

Reservation of roadway.

30 Stat. 413.
48 U. S. C. §§ 359, 461-465.

Title to land below line of ordinary high tide.

Transfer of title to future State.

SEC. 2. Nothing in this Act shall be deemed to affect or impair any valid claims, rights or privileges, including possessory claims under the first proviso of section 8 of the Act of May 17, 1884 (23 Stat. 26), arising under any other provision of law.

48 U. S. C. § 356.

Approved August 8, 1947.

[CHAPTER 515]

AN ACT

To terminate certain tax provisions before the end of World War II.

August 8, 1947
[H. R. 4069]
[Public Law 384]

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

SECTION 1. SUSPENSION OF TARIFF DUTIES ON SCRAP IRON, ETC.

The Act of March 13, 1942 (Public Law 497, Seventy-seventh Congress; 56 Stat. 171), entitled "An Act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap" is hereby amended by striking out "termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "close of June 30, 1948".

26 U. S. C. § 3425 note; 19 U. S. C. § 1001 note foll. par. 301.
Ante, p. 56.

SEC. 2. FREE IMPORTATION TO MEMBERS OF ARMED FORCES OF OTHER UNITED NATIONS.

Section 5 of the joint resolution of June 27, 1942 (Public Law 635, Seventy-seventh Congress; 56 Stat. 462), entitled "Joint resolution to accord privileges of free importation to members of the armed forces of other United Nations, to enemy prisoners of war and civilian internees and detainees, and for other purposes", is hereby amended by striking out "the expiration of six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "July 1, 1948".

50 U. S. C. app. § 795.

SEC. 3. FREE ENTRY OF GIFTS FROM MEMBERS OF ARMED FORCES.

(a) Section 1 of the Act of December 5, 1942 (Public Law 790, Seventy-seventh Congress; 56 Stat. 1041), entitled "An Act to accord free entry to bona fide gifts from members of the armed forces of the United States on duty abroad" is hereby amended by inserting after the word "claimed" the words "were purchased in or through authorized agencies of the armed forces of the United States or in accordance with regulations prescribed by the major geographical commands of the United States armed forces, and".

50 U. S. C. app. § 846.

(b) The amendment made by subsection (a) shall be applicable in the case of articles entered for consumption or withdrawn from warehouse for consumption on and after September 1, 1947.

(c) Section 2 of such Act is hereby amended, effective as of June 30, 1947, by striking out "the expiration of six months after the termination of hostilities as determined by proclamation of the President, or by concurrent resolution of the Congress" and inserting in lieu thereof "July 1, 1949".

50 U. S. C. app. § 847.

SEC. 4. SUSPENSION OF TARIFF DUTY ON COCONUTS.

The Act of December 20, 1944 (Public Law 504, Seventy-eighth Congress; 58 Stat. 817), entitled "An Act to suspend the effectiveness during the existing national emergency of the tariff duty on coconuts", shall not be applicable with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after the thirtieth day following the date of the enactment of this Act.

19 U. S. C. § 1001 note foll. par. 758.

SEC. 5. MERCHANT MARINE CONSTRUCTION RESERVE FUND.

For the purposes of the proviso of subsection (h) of section 511 of the Merchant Marine Act, 1936, as amended, added to such subsection by the Act of June 17, 1943 (57 Stat. 158), the present war shall be considered as having terminated on March 31, 1948.

54 Stat. 1107.
46 U. S. C. § 1161 (h).

SEC. 6. TAX DEFERMENTS OF SERVICE PERSONNEL.

50 U. S. C. app. § 1013 (c) (2). *Ante*, p. 453.

Section 13 (c) (2) of the Missing Persons Act (Public Law 490, Seventy-seventh Congress; 56 Stat. 146) is hereby amended to read as follows:

"(2) December 31, 1947; or".

SEC. 7. ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.

56 Stat. 814. 26 U. S. C. § 22 (b) (13).

Section 22 (b) (13) of the Internal Revenue Code is hereby amended to read as follows:

"(13) ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.—

"(A) In the case of compensation received prior to January 1, 1949, during any taxable year, for active service as a commissioned officer (or a commissioned warrant officer) in the military or naval forces of the United States during the present war, or, in the case of a citizen or resident of the United States, as a member of the military or naval forces of any of the other United Nations during such war, so much of such compensation as does not exceed $1,500.

"(B) Compensation received prior to January 1, 1949, during any taxable year, for active service as a member below the grade of commissioned officer (or commissioned warrant officer) in the military or naval forces of the United States during the present war."

SEC. 8. INVOLUNTARY LIQUIDATION AND REPLACEMENT OF INVENTORY.

56 Stat. 814. 26 U. S. C. § 22 (d) (6) (A).

Section 22 (d) (6) (A) of the Internal Revenue Code is hereby amended by striking out "prior to the termination of the present war as proclaimed by the President" and inserting in lieu thereof "prior to January 1, 1948", and by striking out "not more than 3 years after the termination of the present war as proclaimed by the President" and inserting in lieu thereof "prior to January 1, 1951".

SEC. 9. ABATEMENT OF TAX FOR MEMBERS OF ARMED FORCES UPON DEATH.

57 Stat. 149. 26 U. S. C. § 421. *Ante*, p. 778.

Section 421 of the Internal Revenue Code is hereby amended by striking out "the termination of the present war as proclaimed by the President" and inserting in lieu thereof "January 1, 1948".

SEC. 10. COLLECTION OF INCOME TAX AT SOURCE ON WAGES.

57 Stat. 126. 26 U. S. C. § 1621 (a).

(a) Section 1621 (a) of the Internal Revenue Code is hereby amended by striking out paragraph (1), by striking out the sentence following paragraph (9), and by amending paragraph (8) to read as follows:

"(8) (A) for services for an employer (other than the United States or any agency thereof) performed by a citizen of the United States, if it is reasonable to believe that during the entire calendar year the employee will be a bona fide resident of a foreign country or countries, or

"(B) for services for an employer performed within a possession of the United States by a citizen of the United States, if it is reasonable to believe that at least 80 per centum of the remuneration to be paid to the employee by such employer during the calendar year will be for such services, or".

(b) The amendments made by this section shall be applicable with respect to wages paid on or after January 1, 1948, except that the amendment striking out paragraph (1) of section 1621 (a) of the Internal Revenue Code shall be applicable with respect to wages paid on or after January 1, 1949.

SEC. 11. TAX ON ADMISSIONS.

(a) Section 1700 (a) (1) of the Internal Revenue Code is hereby amended by striking out "(except bona fide employees, municipal officers on official business, children under twelve years of age, members of the military or naval forces of the United States when in uniform, members of the military or naval forces of any of the United Nations, when in uniform, and members of the Civilian Conservation Corps when in uniform)", and inserting in lieu thereof: "(except bona fide employees, municipal officers on official business, and children under twelve years of age)", and by striking out the last sentence.

55 Stat. 710; 56 Stat. 703.
26 U. S. C. § 1700 (a) (1).

(b) The amendments made by subsection (a), insofar as applicable with respect to amounts paid for admission, shall be applicable to amounts paid after December 31, 1947, and, insofar as applicable to free admissions, shall be applicable with respect to such admissions after December 31, 1947.

SEC. 12. TRANSPORTATION TAX EXEMPTION OF MILITARY AND NAVAL PERSONNEL.

Section 3469 (f) (2) of the Internal Revenue Code shall not be applicable to amounts paid after December 31, 1947.

55 Stat. 722.
26 U. S. C. § 3469 (f) (2).

SEC. 13. TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR.

Section 3804 (c) of the Internal Revenue Code is hereby amended to read as follows:

56 Stat. 962.
26 U. S. C. § 3804 (c).

"(c) LIMITATION ON TIME TO BE DISREGARDED.—The period of time disregarded under this section shall not extend beyond the date specified in clause (1) or clause (2) of this subsection, whichever is the earlier:

"(1) December 31, 1947, or such date later than December 31, 1947, as the Commissioner may fix in any case in which he makes a determination under subsection (b) if such determination is made after the date this subsection as amended takes effect and is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraph (1), (2), or (3) of subsection (b); or

"(2) in the case of an individual with respect to whom a period of time is disregarded under this section, the fifteenth day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies."

SEC. 14. CHINA TRADE ACT CORPORATIONS.

Section 3805 of the Internal Revenue Code is hereby amended by striking out "the fifteenth day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof: "December 31, 1947".

56 Stat. 963.
26 U. S. C. § 3805.

SEC. 15. PERCENTAGE DEPLETION.

(a) Section 124 (e) of the Revenue Act of 1943 (relating to termination of percentage depletion for certain minerals) is repealed as of the date of its enactment.

58 Stat. 45.
26 U. S. C. § 114 note.

53 Stat. 45; 58 Stat. 44.
26 U. S. C. § 114 (b) (4).

(b) So much of section 114 (b) (4) of the Internal Revenue Code (relating to percentage depletion for certain minerals) as precedes the second sentence thereof, is amended to read as follows:

"(4) PERCENTAGE DEPLETION FOR COAL, BAUXITE, FLUORSPAR, FLAKE GRAPHITE, VERMICULITE, BERYL, FELDSPAR, MICA, TALC (INCLUDING PYROPHYLLITE), LEPIDOLITE, SPODUMENE, BARITE, BALL, SAGGER, AND CHINA CLAY, ROCK ASPHALT, PHOSPHATE ROCK, TRONA, BENTONITE, GILSONITE, THENARDITE, AND METAL MINES, POTASH, AND SULFUR.—

53 Stat. 14.
26 U. S. C. § 23 (m).

"(A) In General.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, bauxite, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, ball, sagger, and china clay, phosphate rock, rock asphalt mines, trona, bentonite, gilsonite, thenardite (from brines or mixtures of brine), and potash mines or deposits, 15 per centum, and in the case of sulfur mines or deposits, 23 per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property."

53 Stat. 45.
26 U. S. C. § 114 (b) (2).

(c) The first sentence of section 114 (b) (2) of the Internal Revenue Code (relating to discovery value) is amended to read as follows: "In the case of mines (other than metal, bauxite, coal, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, potash, ball, sagger, and china clay, phosphate rock, rock asphalt, trona, bentonite, gilsonite, thenardite, or sulfur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost."

(d) The amendments made by subsections (b) and (c) of this section shall be applicable with respect to taxable years beginning after December 31, 1946.

SEC. 16. CHARITABLE CONTRIBUTIONS BY CORPORATIONS.

56 Stat. 822.
26 U. S. C. § 23 (q) (2).

Section 23 (q) (2) of the Internal Revenue Code (relating to charitable and other contributions by corporations) is hereby amended by striking out "the date of the cessation of hostilities in the present war, as proclaimed by the President" and inserting in lieu thereof "December 31, 1948".

Approved August 8, 1947.

[CHAPTER 516]

August 8, 1947
[H. J. Res. 205]
[Public Law 385]

JOINT RESOLUTION

To authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

"Possessory rights."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That "possessory rights" as used in this resolution shall mean all rights, if any should exist, which are based upon aboriginal occupancy or title, or upon section 8 of the Act of May 17, 1884 (23 Stat. 24), section 14 of the Act of March 3, 1891 (26 Stat. 1095), or section 27 of the Act of June 6, 1900 (31 Stat. 321), whether claimed by native tribes, native villages,

23 Stat. 26, 1100; 31 Stat. 330.
48 U. S. C. § 356.

native individuals, or other persons, and which have not been confirmed by patent or court decision or included within any reservation.

SEC. 2. (a) The Secretary of Agriculture, in contracts for the sale, or in the sale, of national forest timber under the provisions of the Act of June 4, 1897 (30 Stat. 11, 35), as amended, is authorized to include timber growing on any vacant, unappropriated, and unpatented lands within the exterior boundaries of the Tongass National Forest in Alaska, notwithstanding any claim of possessory rights. All such contracts and sales heretofore made are hereby validated.

Timber on vacant lands, etc.

(b) The Secretary of the Interior is authorized to appraise and sell such vacant, unappropriated, and unpatented lands, notwithstanding any claim of possessory rights, within the exterior boundaries of the Tongass National Forest as, in the opinion of the Secretary of the Interior and the Secretary of Agriculture, are reasonably necessary in connection with or for the processing of timber from lands within such national forest, and upon such terms and conditions as they may impose.

Sale of unpatented lands, etc.

(c) The purchaser shall have and exercise his rights under any patent issued or contract to sell or sale made under this section free and clear of all claims based upon possessory rights.

Purchaser's rights.

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined.

Receipts.

(b) Nothing in this resolution shall be construed as recognizing or denying the validity of any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest.

Validity of claims.

Approved August 8, 1947.

[CHAPTER 517]

JOINT RESOLUTION

To authorize the temporary continuation of regulation of consumer credit.

August 8, 1947
[S. J. Res. 148]
[Public Law 386]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That after November 1, 1947, the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order Numbered 8843, and no such consumer credit controls shall be exercised after such date except during the time of war beginning after the date of enactment of this joint resolution or any national emergency declared by the President after the date of enactment of this joint resolution.

50 U. S. C. app. § 5 note.

Approved August 8, 1947.

[CHAPTER 518]

AN ACT

To amend sections 1802 (a), 1802 (b), and 3481 (a) of the Internal Revenue Code.

August 8, 1947
[H. R. 3613]
[Public Law 387]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1802 (a) of the Internal Revenue Code is amended by deleting the period at the end of the next to the last sentence and inserting in lieu thereof the following: ": *Provided further*, That where such certificates (or shares, where no certificates are issued) are issued in a recapitalization, the tax payable shall be that proportion of the tax computed on such certificates or shares issued in the recapitalization that the amount dedicated as capital for the first time by the recapitalization, whether

53 Stat. 196.
26 U. S. C. § 1802 (a).

Certificates or shares issued in recapitalization.

by a transfer of earned surplus or otherwise, bears to the total par value (or actual value if no par stock) of such certificates or shares issued in the recapitalization."

53 Stat. 196.
26 U. S. C. § 1802 (b).
Transfer of interest in partnership owning shares.

Section 1802 (b) of the Internal Revenue Code is amended by inserting after the first proviso the following: "*Provided further*, That upon any transfer of an interest in a partnership owning shares or certificates of stock, the tax shall be limited to an amount equal to that percentage of a tax computed on the transfer of all of such shares or certificates of stock owned by the partnership as the interest transferred bears to the total interests in the partnership of all the partners:".

Supra.

Section 1802 (b) of the Internal Revenue Code is amended by inserting in the second proviso following the word "deposited" a comma and the words "nor upon mere loans of stock".

53 Stat. 424.
26 U. S. C. § 3481 (a).

Section 3481 (a) of the Internal Revenue Code is amended by inserting after "*Provided*" the following: "That upon any transfer of an interest in a partnership owning such instruments, the tax shall be limited to an amount equal to that percentage of a tax computed on the transfer of all of such instruments owned by the partnership as the interest transferred bears to the total interests in the partnership of all the partners: *Provided further*,".

Approved August 8, 1947.

[CHAPTER 519]

August 8, 1947
[H. R. 4075]
[Public Law 388]

AN ACT

To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; and for other purposes.

Sugar Act of 1948.
Ante, p. 35.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Sugar Act of 1948".

TITLE I—DEFINITIONS

Post, p. 934.

SEC. 101. For the purposes of this Act, except title V—

"Person."

(a) The term "person" means an individual, partnership, corporation, or association.

"Sugars."

(b) The term "sugars" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose.

"Sugar."

(c) The term "sugar" means raw sugar or direct-consumption sugar.

"Raw sugar."

(d) The term "raw sugar" means any sugars which are principally of crystalline structure and which are to be further refined or improved in quality, and any sugars which are principally not of crystalline structure, but which are to be further refined or otherwise improved in quality to produce any sugars principally of crystalline structure.

"Direct-consumption sugar."

(e) The term "direct-consumption sugar" means any sugars which are principally of crystalline structure and which are not to be further refined or otherwise improved in quality.

"Liquid sugar."

(f) The term "liquid sugar" means any sugars (exclusive of sirup of cane juice produced from sugarcane grown in continental United States) which are principally not of crystalline structure and which contain, or which are to be used for the production of any sugars principally not of crystalline structure which contain, soluble nonsugar solids (excluding any foreign substances that may have been added or developed in the product) equal to 6 per centum or less of the total soluble solids.

(g) Sugars in dry amorphous form shall be considered to be principally of crystalline structure. Sugars in dry amorphous form.

(h) The "raw value" of any quantity of sugars means its equivalent in terms of ordinary commercial raw sugar testing ninety-six sugar degrees by the polariscope, determined in accordance with regulations to be issued by the Secretary. The principal grades and types of sugar and liquid sugar shall be translated into terms of raw value in the following manner: "Raw value." Principal grades and types.

(1) For direct-consumption sugar, derived from sugar beets and testing ninety-two or more sugar degrees by the polariscope, by multiplying the number of pounds thereof by 1.07;

(2) For sugar, derived from sugarcane and testing ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by 0.93;

(3) For sugar, derived from sugarcane and testing more than ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by the figure obtained by adding to 0.93 the result of multiplying 0.0175 by the number of degrees and fractions of a degree of polarization above ninety-two degrees;

(4) For sugar and liquid sugar, testing less than ninety-two sugar degrees by the polariscope, by dividing the number of pounds of the "total sugar content" thereof by 0.972.

(5) The Secretary may establish rates for translating sugar and liquid sugar into terms of raw value for (a) any grade or type of sugar or liquid sugar not provided for in the foregoing and (b) any special grade or type of sugar or liquid sugar for which he determines that the raw value cannot be measured adequately under the provisions of paragraphs (1) to (4), inclusive, of this subsection (h). Establishment of rates.

(i) The term "total sugar content" means the sum of the sucrose (Clerget) and reducing or invert sugars contained in any grade or type of sugar or liquid sugar. "Total sugar content."

(j) The term "quota", depending upon the context, means (1) that quantity of sugar or liquid sugar which may be brought or imported into the continental United States, for consumption therein, during any calendar year, from the Territory of Hawaii, Puerto Rico, the Virgin Islands, or a foreign country or group of foreign countries; (2) that quantity of sugar or liquid sugar produced from sugar beets or sugarcane grown in the continental United States which, during any calendar year, may be shipped, transported, or marketed in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce; or (3) that quantity of sugar or liquid sugar which may be marketed in the Territory of Hawaii or in Puerto Rico, for consumption therein, during any calendar year. "Quota."

(k) The term "producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar. "Producer."

(l) The terms "including" and "include" shall not be deemed to exclude anything not mentioned but otherwise within the meaning of the term defined. "Including"; "include."

(m) The term "Secretary" means the Secretary of Agriculture. "Secretary."

TITLE II—QUOTA PROVISIONS

SEC. 201. The Secretary shall determine for each calendar year, beginning with the calendar year 1948, the amount of sugar needed to meet the requirements of consumers in the continental United States; such determinations shall be made during the month of December in each year for the succeeding calendar year (in the case of the calendar Determination of consumer requirements.

year 1948, during the first ten days thereof) and at such other times during such calendar year as the Secretary may deem necessary to meet such requirements. In making such determinations the Secretary shall use as a basis the quantity of direct-consumption sugar distributed for consumption, as indicated by official statistics of the Department of Agriculture, during the twelve-month period ending October 31 next preceding the calendar year for which the determination is being made, and shall make allowances for a deficiency or surplus in inventories of sugar, and for changes in consumption because of changes in population and demand conditions, as computed from statistics published by agencies of the Federal Government; and, in order that such determinations shall be made so as to protect the welfare of consumers and of those engaged in the domestic sugar industry by providing such supply of sugar as will be consumed at prices which will not be excessive to consumers and which will fairly and equitably maintain and protect the welfare of the domestic sugar industry, the Secretary, in making any such determination, in addition to the consumption, inventory, population, and demand factors above specified and the level and trend of consumer purchasing power, shall take into consideration the relationship between the prices at wholesale for refined sugar that would result from such determination and the general cost of living in the United States as compared with the relationship between prices at wholesale for refined sugar and the general cost of living in the United States obtaining during 1947 prior to the termination of price control of sugar as indicated by the Consumers' Price Index as published by the Bureau of Labor Statistics of the Department of Labor.

Basis.

SEC. 202. Whenever a determination is made, pursuant to section 201, of the amount of sugar needed to meet the requirements of consumers, the Secretary shall establish quotas, or revise existing quotas—

Domestic areas.

(a) For domestic sugar-producing areas, by apportioning among such areas 4,268,000 short tons, raw value, as follows:

Area	Short tons, raw value
Domestic beet sugar	1,800,000
Mainland cane sugar	500,000
Hawaii	1,052,000
Puerto Rico	910,000
Virgin Islands	6,000

Republic of the Philippines.
60 Stat. 144.
22 U. S. C. § 1261.

(b) For the Republic of the Philippines, in the amount of nine hundred and fifty-two thousand short tons of sugar as specified in section 211 of the Philippine Trade Act of 1946.

Other foreign countries.

(c) For foreign countries other than the Republic of the Philippines, by prorating among such areas an amount of sugar, raw value, equal to the amount determined pursuant to section 201 less the sum of the quotas established pursuant to subsections (a) and (b) of this section, on the following basis:

Area	Per centum
Cuba	98.64
Foreign countries other than Cuba and the Republic of the Philippines	1.36

The quota for foreign countries other than Cuba and the Republic of the Philippines shall be prorated among such countries on the basis of the division of the quota for such countries made in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the Agricultural Adjustment Act, as amended.

52 Stat. 31.
7 U. S. C. §§ 1281-1407; 16 U. S. C. §§ 590h, 590o.
Ante, pp. 721, 722.
Quota for Cuba.

(d) Notwithstanding the other provisions of this title II, in the event the quota established for Cuba, including any and all deficits allotted or prorated to Cuba pursuant to the provisions of section 204 (a), shall be a smaller proportion of the total amount of sugar

which the Secretary determines is needed to meet the requirements of consumers in the continental United States pursuant to section 201 of this Act, than the quota which would have been established for Cuba upon such consumptive estimate under the provisions of section 202 (b) of the Sugar Act of 1937, the quotas for domestic sugar-producing areas established pursuant to the other provisions of this title II shall be reduced pro rata by such amounts as are required to establish such quota for Cuba and the amounts by which such domestic sugar-producing quotas are so reduced shall be added to the quota for Cuba.

50 Stat. 905.
7 U. S. C. § 1112 (b).

(e) If the Secretary of State finds that any foreign country denies fair and equitable treatment to the nationals of the United States, its commerce, navigation, or industry, and so notifies the Secretary, the Secretary shall have authority to withhold or withdraw any increase in the share of the domestic consumption requirements provided for such country by this Act as compared with the share allowed under section 202 (b) of the Sugar Act of 1937: *Provided*, That any amount of sugar so withheld or withdrawn shall be prorated to domestic areas on the basis of existing quotas for such areas and the Secretary shall revise such quotas accordingly: *Provided further*, That any portion of such amount of sugar which cannot be supplied by domestic areas may be prorated to foreign countries other than a country which the Secretary of State finds has denied fair and equitable treatment to nationals of the United States.

Authority to withhold or withdraw sugar.

Supra.
Proration to domestic areas.

Proration to foreign countries.

SEC. 203. In accordance with such provisions of section 201 as he deems applicable, the Secretary shall also determine the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii, and in Puerto Rico, and shall establish quotas for the amounts of sugar which may be marketed for local consumption in such areas equal to the amounts determined to be needed to meet the requirements of consumers therein.

Determination of consumer needs in Hawaii and Puerto Rico.

SEC. 204. (a) The Secretary shall, from time to time during the calendar year, determine whether, in view of the current inventories of sugar, the estimated production from the acreage of sugarcane or sugar beets planted, the normal marketings within a calendar year of new-crop sugar, and other pertinent factors, any domestic area, the Republic of the Philippines, or Cuba, will be unable to market the quota for such area. If the Secretary finds that any domestic area or Cuba will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for the domestic areas and Cuba by prorating an amount of sugar equal to the deficit so determined to the other such areas on the basis of the quotas then in effect: *Provided, however*, That domestic areas shall not share in any deficit of any domestic area if the then outstanding determination of the Secretary made pursuant to section 201 of the Act is less than seven million short tons, raw value. If the Secretary finds that the Republic of the Philippines will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for Cuba and foreign countries other than Cuba and the Republic of the Philippines by prorating an amount of sugar equal to the deficit so determined, as follows:

Revision of quotas.

To Cuba	95 per centum
To foreign countries other than Cuba and the Republic of the Philippines	5 per centum

Provided, however, That whenever the quota for Cuba established under the provisions of this Act other than section 202 (d) is less than the amount required by the provisions of section 202 (d) of this Act, such prorations shall be as follows:

To Cuba	98.64 per centum
To foreign countries other than Cuba and the Republic of the Philippines	1.36 per centum

Proration of Philippine deficit.

Any portion of such Philippine deficit which the Secretary determines cannot be supplied by Cuba shall be prorated to foreign countries other than Cuba and the Republic of the Philippines. No part of any Philippine deficit so prorated may be filled by direct-consumption sugar.

Revision of proration among foreign countries.

(b) If, on the 1st day of September in any calendar year, any part or all of the proration to any foreign country of the quota for foreign countries other than Cuba and the Republic of the Philippines established under the provisions of section 202 (c) has not been filled, the Secretary may revise the proration of such quota among such foreign countries by allotting an amount of sugar equal to such unfilled proration to such foreign countries as have filled their prorations of such quota by such date.

Nonreduction of quota.

(c) The quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit existing in any calendar year under the provisions of subsections (a) and (b) of this section 204.

Basis of proration.

(d) Any proration among foreign countries other than Cuba and the Republic of the Philippines pursuant to this section shall be on such basis as the Secretary shall determine.

Allotment of quotas to persons marketing or importing sugar.

SEC. 205. (a) Whenever the Secretary finds that the allotment of any quota, or proration thereof, established for any area pursuant to the provisions of this Act, is necessary to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, or to prevent disorderly marketing or importation of sugar or liquid sugar, or to maintain a continuous and stable supply of sugar or liquid sugar, or to afford all interested persons an equitable opportunity to market sugar or liquid sugar within any area's quota, after such hearing and upon such notice as he may by regulations prescribe, he shall make allotments of such quota or proration thereof by allotting to persons who market or import sugar or liquid sugar, for such periods as he may designate, the quantities of sugar or liquid sugar which each such person may market in continental United States, the Territory of Hawaii, or Puerto Rico, or may import or bring into continental United States, for consumption therein. Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made.

Post, p. 930.

Revision of allotment.

Appeal from decision.

(b) An appeal may be taken, in the manner hereinafter provided from any decision making such allotments, or revisions thereof, to the United States Court of Appeals for the District of Columbia in any of the following cases:

(1) By any applicant for an allotment whose application shall have been denied.

(2) By any person aggrieved by reason of any decision of the Secretary granting or revising any allotment made to him.

Filing of notice of appeal, etc.

(c) Such appeal shall be taken by filing with said court, within twenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together

with proof of service of a true copy of said notice and statement upon the Secretary. Unless a later date is specified by the Secretary as part of his decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the Secretary in the city of Washington. The Secretary shall thereupon, and in any event not later than ten days from the date of such service upon him, mail or otherwise deliver a copy of said notice of appeal to each person shown by the records of the Secretary to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person to inspect and make copies of appellants' reasons for said appeal at the office of the Secretary in the city of Washington. Within thirty days after the filing of said appeal the Secretary shall file with the court the originals or certified copies of all papers and evidence presented to him upon the hearing involved, a like copy of his decision thereon, a full statement in writing of the facts and grounds for his decisions as found and given by him and a list of all interested persons to whom he has mailed or otherwise delivered a copy of said notice of appeal.

Effective date of decision.

Filing of certified copies, etc., by Secretary.

(d) Within thirty days after the filing of said appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party together with proof of service of true copies of said notice and statement, both upon the appellant and upon the Secretary. Any person who would be aggrieved or whose interests would be adversely affected by reversal or modification of the decision of the Secretary complained of shall be considered an interested party.

Intervention by interested person, etc.

(e) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision, and if it enters an order reversing the decision of the Secretary it shall remand the case to the Secretary to carry out the judgment of the court: *Provided, however*, That the review by the court shall be limited to questions of law and that findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Secretary are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States, upon writ of certiorari on petition therefor, under section 240 of the Judicial Code, as amended (U. S. C., title 28, sec. 347), by appellant, by the Secretary, or by any interested party intervening in the appeal.

Jurisdiction.

Limitation.

Finality of judgment.

36 Stat. 1157.

(f) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and other interested parties intervening in said appeal, but not against the Secretary, depending upon the nature of the issues involved in such appeal and the outcome thereof.

Judgment for costs.

SEC. 206. Subject to the provisions of sections 207 and 408 relating to the suspension of quotas, sugar quotas shall be established pursuant to this Act for the calendar year 1948 within ten days after effective date of this Act.

Establishment of quotas for 1948.
Post, p. 933.

SEC. 207. (a) Not more than twenty-nine thousand six hundred and sixteen short tons, raw value, of the quota for Hawaii for any calendar year may be filled by direct-consumption sugar.

Direct-consumption portions of quotas.
Hawaii.

(b) Not more than one hundred and twenty-six thousand and thirty-three short tons, raw value, of the quota for Puerto Rico for any calendar year may be filled by direct-consumption sugar.

Puerto Rico.

(c) None of the quota for the Virgin Islands for any calendar year may be filled by direct-consumption sugar.

Virgin Islands.

Philippines.

60 Stat. 144.
22 U. S. C. § 1261.

(d) Not more than fifty-six thousand short tons of sugar of the quota for the Republic of the Philippines for any calendar year may be filled by direct-consumption sugar as specified in section 211 of the Philippine Trade Act of 1946.

Cuba.

(e) Not more than three hundred and seventy-five thousand short tons, raw value, of the quota for Cuba for any calendar year may be filled by direct-consumption sugar.

Nonapplicability.

Ante, p. 925.

(f) This section shall not apply with respect to the quotas established under section 203 for marketing for local consumption in Hawaii and Puerto Rico.

Suspension of direct-consumption portions of quotas.

Post, p. 933.

(g) The direct-consumption portions of the quotas established pursuant to this section, and the enforcement provisions of title II applicable thereto, shall continue in effect and shall not be subject to suspension pursuant to the provisions of section 408 of this Act unless the President acting thereunder specifically finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar which requires the suspension of direct-consumption portions of the quotas.

Quotas for liquid sugar for foreign countries.

SEC. 208. Quotas for liquid sugar for foreign countries for each calendar year are hereby established as follows:

Country	In terms of wine gallons of 72% total sugar content
Cuba	7,970,558
Dominican Republic	830,894
Other foreign countries	0

Unlawful acts.

SEC. 209. All persons are hereby prohibited—

(a) From bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, or foreign countries, (1) any sugar or liquid sugar after the applicable quota, or the proration of any such quota, has been filled, or (2) any direct-consumption sugar after the direct-consumption portion of any such quota has been filled;

(b) From shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugarcane grown in either the domestic-beet-sugar area or the mainland cane-sugar area after the quota for such area has been filled;

(c) From marketing in either the Territory of Hawaii or Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota therefor has been filled;

(d) From exceeding allotments of any quota, direct-consumption portion of any quota, or proration of any quota, made to them pursuant to the provisions of this Act.

Determinations in terms of raw value.

SEC. 210. (a) The determinations provided for in sections 201 and 203, and all quotas, prorations, and allotments, except quotas established pursuant to the provisions of section 208, shall be made or established in terms of raw value.

Liquid sugar.

(b) For the purposes of this title, liquid sugar, except that imported from foreign countries, shall be included with sugar in making the determinations provided for in sections 201 and 203 and in the establishment or revision of quotas, prorations, and allotments.

Credits and drawbacks.

46 Stat. 693.
19 U. S. C. § 1313.

SEC. 211. (a) The raw-value equivalent of any sugar or liquid sugar in any form, including sugar or liquid sugar in manufactured products, exported from the continental United States under the provisions of section 313 of the Tariff Act of 1930 shall be credited against any charges which shall have been made in respect to the applicable quota or proration for the country of origin. The country of origin of sugar or liquid sugar in respect to which any credit shall be established

shall be that country in respect to importation from which draw-back of the exported sugar or liquid sugar has been claimed. Sugar or liquid sugar entered into the continental United States under an applicable bond established pursuant to orders or regulations issued by the Secretary, for the express purpose of subsequently exporting the equivalent quantity of sugar or liquid sugar as such, or in manufactured articles, shall not be charged against the applicable quota or proration for the country of origin.

(b) Exportation within the meaning of sections 309 and 313 of the Tariff Act of 1930 shall be considered to be exportation within the meaning of this section.

46 Stat. 690, 693. 19 U. S. C. §§ 1309, 1313.

(c) The quota established for any domestic sugar-producing area may be filled only with sugar or liquid sugar produced from sugar beets or sugarcane grown in such area: *Provided, however*, That any sugar or liquid sugar admitted free of duty from the Virgin Islands under the Act of Congress, approved March 3, 1917 (39 Stat. 1133), may be admitted within the quota for the Virgin Islands.

Filling of quota for domestic area.

Duty-free sugar from Virgin Islands.

48 U. S. C. § 1395.

SEC. 212. The provisions of this title shall not apply to (1) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in any calendar year; (2) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in any calendar year for religious, sacramental, educational, or experimental purposes; (3) liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in individual sealed containers of such capacity as the Secretary may determine, not in excess of one and one-tenth gallons each; or (4) any sugar or liquid sugar imported, brought into, or produced or manufactured in the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed.

Nonapplicability.

TITLE III—CONDITIONAL-PAYMENT PROVISIONS

SEC. 301. The Secretary is authorized to make payments on the following conditions with respect to sugar or liquid sugar commercially recoverable from the sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar:

(a) That no child under the age of fourteen years shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation, or harvesting of a crop of sugar beets or sugarcane with respect to which application for payment is made, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed; and that no child between the ages of fourteen and sixteen years shall have been employed or permitted to do such work, whether for gain to such child or any other person, for a longer period than eight hours in any one day, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed. The Secretary is authorized to make payments, notwithstanding a failure to comply with the conditions provided in this subsection, but the payments made with respect to any crop shall be subject to a deduction of $10 for each child for each day, or a portion of a day, during which such child was employed or permitted to work contrary to the foregoing provisions of this subsection.

Child labor.

(b) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for

Marketing in excess of proportionate share.

the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Wage rates.

(c) (1) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however*, That a payment which would be payable except for the foregoing provisions of this subparagraph may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

52 Stat. 31.
7 U. S. C. §§ 1281-1407; 16 U. S. C. §§ 590h, 590o.
Ante, pp. 721, 722.

Payment for sugar beets, etc., grown by other producers.

(2) That the producer on the farm who is also, directly or indirectly a processor of sugar beets or sugarcane, as may be determined by the Secretary shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Computation of amount for payment.

SEC. 302. (a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carry-over inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Determination of proportionate shares.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share tenants, adherent planters, or share croppers.

Effectivity of payments.

(c) Payments shall be effective with respect to sugar or liquid sugar commercially recoverable from sugar beets and sugarcane grown on a farm commencing with the crop year 1948.

Abandonment of planted acreage, etc.

SEC. 303. In addition to the amount of sugar or liquid sugar with respect to which payments are authorized under subsection (a) of section 302, the Secretary is also authorized to make payments, on the

conditions provided in section 301, with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage, resulting from drought, flood, storm, freeze, disease, or insects, which cause such damage to all or a substantial part of the crop of sugar beets or sugarcane in the same factory district (as established by the Secretary), county, parish, municipality, or local producing area, as determined in accordance with regulations issued by the Secretary, on the following quantities of sugar or liquid sugar: (1) With respect to such bona fide abandonment of each planted acre of sugar beets or sugarcane, one-third of the normal yield of commercially recoverable sugar or liquid sugar per acre for the farm, as determined by the Secretary; and (2) with respect to such crop deficiencies of harvested acreage of sugar beets or sugarcane, the excess of 80 per centum of the normal yield of commercially recoverable sugar or liquid sugar for such acreage for the farm, as determined by the Secretary, over the actual yield.

Amount of base rate.

SEC. 304. (a) The amount of the base rate of payment shall be 80 cents per hundred pounds of sugar or liquid sugar, raw value.

Payments with respect to farm.

(b) All payments shall be calculated with respect to a farm which, for the purposes of this Act, shall be a farming unit as determined in accordance with regulations issued by the Secretary, and in making such determinations, the Secretary shall take into consideration the use of common work stock, equipment, labor, management, and other pertinent factors.

Scale of reductions.

(c) The total payment with respect to a farm shall be the product of the base rate specified in subsection (a) of this section multiplied by the amount of sugar and liquid sugar, raw value, with respect to which payment is to be made, except that reduction shall be made from such total payment in accordance with the following scale of reductions:

That portion of the quantity of sugar and liquid sugar which is included within the following intervals of short tons, raw value	Reduction in the base rate of payment per hundredweight of such portion
350 to 700	$0.05
700 to 1,000	.10
1,000 to 1,500	.20
1,500 to 3,000	.25
3,000 to 6,000	.275
6,000 to 12,000	.30
12,000 to 30,000	.325
More than 30,000	.50

Application by and payment to producer.

(d) Application for payment shall be made by, and payments shall be made to, the producer or, in the event of his death, disappearance, or incompetency, his legal representative, or heirs: *Provided, however*, That all producers on the farm shall signify in the application for payment the percentage of the total payment with respect to the farm to be made to each producer: *And provided further*, That payments may be made, (1) in the event of the death, disappearance, or incompetency of a producer, to such beneficiary as the producer may designate in the application for payment; (2) to one producer of a group of two or more producers, provided all producers on the farm designate such producer in the application for payment as sole recipient for their benefit of the payment with respect to the farm; or (3) to a person who is not a producer, provided such person controls the land included within the farm with respect to which the application for payment is made and is designated by the sole producer (or all

Payment in case of death, etc.

One producer of a group.

Nonproducer.

producers) on the farm, as sole recipient for his or their benefit, of the payment with respect to the farm.

Use of local committees, etc.
Ante, pp. 923, 929.

SEC. 305. In carrying out the provisions of titles II and III of this Act, the Secretary is authorized to utilize local committees of sugar beet or sugarcane producers, State and county agricultural conservation committees, or the Agricultural Extension Service and other agencies, and the Secretary may prescribe that all or a part of the expenses of such committees may be deducted from the payments herein authorized.

Review of facts by Secretary.

SEC. 306. The facts constituting the basis for any payment, or the amount thereof authorized to be made under this title, officially determined in conformity with rules or regulations prescribed by the Secretary, shall be reviewable only by the Secretary, and his determinations with respect thereto shall be final and conclusive.

Applicability.

SEC. 307. This title shall apply to the continental United States, the Territory of Hawaii, Puerto Rico, and the Virgin Islands.

TITLE IV—GENERAL PROVISIONS

Expenditures.

SEC. 401. For the purposes of this Act, the Secretary may make such expenditures as he deems necessary to carry out the provisions of this Act, including personal services and rents in the District of Columbia and elsewhere.

Appropriations authorized.
Ante, p. 929.

SEC. 402. (a) There is hereby authorized to be appropriated for each fiscal year for the purposes and administration of this Act the funds necessary to make the payments provided for in title III of this Act and such other amounts as the Congress determines to be necessary for such fiscal year to carry out the other provisions of the Act.

Availability of funds.

(b) All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal Government as the Secretary may request to cooperate or assist in carrying out the provisions of this Act.

50 Stat. 903.
7 U. S. C. §§ 1100-1183.
Ante, p. 543.

(c) The funds made available for the purpose of enabling the Secretary to carry into effect the provisions of the Sugar Act of 1937, as amended, during the fiscal year 1948 are also hereby made available to the Secretary for purposes of administration of the provisions of this Act during the fiscal year 1948.

Orders or regulations.

Penalty.

SEC. 403. (a) The Secretary is authorized to make such orders or regulations, which shall have the force and effect of law, as may be necessary to carry out the powers vested in him by this Act. Any person knowingly violating any order or regulation of the Secretary issued pursuant to this Act shall, upon conviction, be punished by a fine of not more than $100 for each such violation.

Publication of determination in Federal Register.
Ante, pp. 923, 929.

(b) Each determination issued by the Secretary in connection with quotas and deficits under title II or payments under title III of this Act shall be promptly published in the Federal Register and shall be accompanied by a statement of the bases and considerations upon which such determination was made.

Jurisdiction, etc.

SEC. 404. The several district courts of the United States are hereby vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, the provisions of this Act or of any order or regulation made or issued pursuant to this Act. If and when the Secretary shall so request, it shall be the duty of the several district attorneys of the United States, in their respective districts, to institute proceedings to enforce the remedies and to collect the penalties and forfeitures provided for in this Act. The remedies provided for in this Act shall be in addition to, and not exclusive of, any of the remedies or penalties existing at law or in equity.

SEC. 405. Any person who knowingly violates, or attempts to violate, or who knowingly participates or aids in the violation of, any of the provisions of section 209, or any person who brings or imports into the continental United States direct-consumption sugar after the quantities specified in section 207 have been filled, shall forfeit to the United States the sum equal to three times the market value, at the time of the commission of any such act, (a) of that quantity of sugar or liquid sugar by which any quota, proration, or allotment is exceeded, or (b) of that quantity brought or imported into the continental United States after the quantities specified in section 207 have been filled, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.

Violation of designated provisions.

Ante, p. 928.

Ante, p. 927.

SEC. 406. All persons engaged in the manufacturing, marketing, or transportation or industrial use of sugar or liquid sugar, and having information which the Secretary deems necessary to enable him to administer the provisions of this Act, shall, upon the request of the Secretary, furnish him with such information. Any person willfully failing or refusing to furnish such information or furnishing willfully any false information, shall upon conviction be subject to a penalty of not more than $1,000 for each such violation.

Furnishing of information.

Penalty.

SEC. 407. No person shall, while acting in any official capacity in the administration of this Act, invest or speculate in sugar or liquid sugar, contracts relating thereto, or the stock or membership interests of any association or corporation engaged in the production or manufacturing of sugar or liquid sugar. Any person violating this section shall upon conviction thereof be fined not more than $10,000 or imprisoned not more than two years, or both.

Speculation, etc., by person acting in official capacity.

SEC. 408. Whenever pursuant to the provisions of this Act the President finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar, he shall by proclamation suspend the operation, except as provided in section 207 of this Act, of all the provisions of title II above, and, thereafter, the operation of such title shall continue in suspense until the President finds and proclaims that the facts which occasioned such suspension no longer exist. The Secretary shall make such investigations and reports thereon to the President as may be necessary to aid him in carrying out the provisions of this section.

Suspension of title II.

Ante, p. 927.

Ante, p. 923.

SEC. 409. Whenever the Secretary determines that such action is necessary to effectuate the purposes of this Act, he is authorized, if first requested by persons constituting or representing a substantial proportion of the persons affected in any one of the five domestic sugar-producing areas, to make for such area surveys and investigations to the extent he deems necessary, including the holding of public hearings, and to make recommendations with respect to (a) the terms and conditions of contracts between the producers and processors of sugar beets and sugarcane in such area and (b) the terms and conditions of contracts between laborers and producers of sugar beets and sugarcane in such area. In carrying out the provisions of this section, information shall not be made public with respect to the individual operations of any processor, producer, or laborer.

Surveys and investigations.

SEC. 410. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting the methods of accomplishing most effectively the purposes of this Act and for the benefit of agriculture generally in any area. Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

SEC. 411. The powers vested in the Secretary under this Act shall terminate on December 31, 1952, except that the Secretary shall have

Termination of powers.

Ante, p. 929.

power to make payments under title III under programs applicable to the crop year 1952 and previous crop years.

Effective date.

SEC. 412. The provisions of this Act, except where an earlier effective date is provided for herein, shall become effective January 1, 1948.

50 Stat. 916.
7 U. S. C. § 1183.

As provided in section 513 of the Sugar Act of 1937, the powers vested in the Secretary under that Act shall terminate on December 31, 1947, except that the Secretary shall have power to make payments under title III of that Act under programs thereunder applicable to the crop year 1947 and previous crop years.

Ante, p. 929.

TITLE V—AMENDMENTS TO THE INTERNAL REVENUE CODE

53 Stat. 428.
26 U. S. C. § 3507 (b).

SEC. 501. (a) Subsection (b) of section 3507 of the Internal Revenue Code (relating to the definition of "manufactured sugar") is amended by inserting in the parenthesis after the word "added" therein the following: "or developed in the product".

53 Stat. 429.
26 U. S. C. § 3508.

(b) Section 3508 of the Internal Revenue Code (relating to termination of taxes) is amended to read as follows:

"SEC. 3508. TERMINATION OF TAXES.

"No tax shall be imposed under this chapter on the manufacture, use, or importation of sugar or articles composed in chief value of sugar after June 30, 1953. Notwithstanding the provisions of section 3490 or 3500, no tax shall be imposed under this chapter with respect to unsold sugar held by a manufacturer on June 30, 1953, or with respect to sugar or articles composed in chief value of sugar held in customs custody or control on such date.

53 Stat. 426, 428.
26 U. S. C. §§ 3490, 3500.

Supra.

With respect to any sugar or articles composed in chief value of sugar upon which tax imposed under section 3500 has been paid and which, on June 30, 1953, are held by the importer and intended for sale or other disposition, there shall be refunded (without interest) to such importer, subject to such regulations as may be prescribed by the Commissioner of Customs with the approval of the Secretary, an amount equal to the tax paid with respect to such sugar or articles composed in chief value of sugar."

Effective date.

(c) The amendments to the Internal Revenue Code provided for in this section shall become effective upon the first day of the second month following the date of the enactment of this Act.

Approved August 8, 1947.

[CHAPTER 520]

December 17, 1947
[S. 1774]
[Public Law 389]

AN ACT

To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries.

Foreign Aid Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Aid Act of 1947".

Purpose.

SEC. 2. It is the purpose of this Act to provide immediate aid urgently needed by the peoples of Austria, China, France, and Italy, hereinafter referred to as the recipient countries, to alleviate conditions of hunger and cold and prevent serious economic retrogression.

Presidential powers.

SEC. 3. The President, acting through such existing departments, agencies, or independent establishments of the Government as he shall direct, may, by allocation of funds herein authorized to any such existing departments, agencies, or independent establishments, or by establishing in this country credits subject to the control of the

President, whenever he finds it in furtherance of the purposes of this Act and upon the terms and conditions set forth in this Act—

(a) procure, or provide for the procurement of, from any source—

(1) food, medical supplies, fibers, fuel, petroleum and petroleum products, fertilizer, pesticides, and seed, delivered in a recipient country on or after the date of the enactment of this Act; and

(2) incentive goods, consisting of commodities not in short supply in the United States, including Government-owned stocks, to be used, distributed, or sold in a recipient country, under a specific agreement previously entered into pursuant to section 5 (g) to increase the production or distribution of locally produced commodities referred to in paragraph (1) of this subsection (a): *Provided*, That not more than 5 per centum of the funds made available under the authority of this Act may be used to procure such incentive goods;

(b) transport and store, or provide for transportation and storage of, such commodities;

(c) transfer such commodities to any recipient country;

(d) incur and defray expenses, including administrative expenses and expenses for compensation and travel of personnel, for carrying out the purposes of this Act.

Purchase and procurement regulations.

SEC. 4. The President shall promulgate regulations controlling the purchase or procurement of commodities under this Act designed to minimize (a) the drain upon the natural resources of the United States and (b) the impact of such purchase or procurement upon the domestic price level: *Provided*—

Procurement from foreign sources.

(1) That procurement may be from foreign sources whenever the cost delivered to the recipient country will be less than the cost delivered from the United States;

(2) That, except in the case of commodities not produced in commercial quantities in the United States, not more than 10 per centum of the funds made available under the authority of this Act may be used to procure commodities abroad at delivered cost higher than from the United States, its Territories and possessions, provided that the President shall find that such commodities are in short supply or not readily available in the United States: *Provided further*, That no funds made available under the authority of this Act shall be used by any procurement agency of the United States Government for the purchase, within the United States and its Territories and possessions, of any commodities (other than commodities procured by or in the possession of the Commodity Credit Corporation pursuant to Act of July 1, 1941, 55 Stat. 498, as amended) at prices higher than the market price prevailing at the time of the purchase in the area wherein the purchase is made;

Price limitation.

15 U. S. C. §§ 713, 713a-1, 713a-4, 713a-8. *Ante*, p. 451.

(3) That the President shall, in making a finding of short supply in the United States, consider (a) the drain upon natural resources, and (b) the effect of the necessary procurement upon domestic prices;

Petroleum and petroleum products.

(4) That the procurement of petroleum and petroleum products shall, to the maximum extent practicable, be made from petroleum sources outside of the United States and its Territories and possessions; and wherever practicable such petroleum and petroleum products shall be delivered to the recipient country by the most economical route from the source of supply.

Bilateral agreement. Undertaking by recipient country.

SEC. 5. Before any commodities are made available to any recipient country under the authority of this Act, an agreement shall be entered

into, subject to the limitations and provisions of this Act, between such country and the United States containing an undertaking by such country—

(a) to make efficient use of any commodities made available under the authority of this Act and to take insofar as possible the economic measures necessary to increase its ability to achieve a self-sustaining economy;

(b) to make, when any commodity which is not furnished on terms of repayment in dollars is made available under this Act, a commensurate deposit in the currency of such country in a special account under such general terms and conditions as may, in said agreement, be agreed to between such country and the Government of the United States, and to hold or use such special account for, and only for, such purposes as may be agreed to between such country and the Government of the United States, and under agreement by the government of the receiving country that any unencumbered balance remaining in such account on June 30, 1948, will be disposed of within such country for such purposes as may, subject to approval by Act or joint resolution of the Congress, be agreed between such country and the Government of the United States;

(c) to give full and continuous publicity by all available media (including government press and radio) within such country, so as to inform the ultimate consumers, as to the purpose, source, character, and amounts of commodities made available under the authority of this Act;

(d) to furnish promptly upon request of the President information concerning the method of distribution and use of commodities made available under this Act, and to furnish on March 31, 1948, or as soon as practicable thereafter, information showing—

(1) an itemized list of commodities made available with funds provided under this Act;

(2) the total amount of money received by such country from the sale of commodities made available under this Act and the average price charged per unit for each commodity;

(3) a detailed statement of the disposition of all money and other things of value received from the sale or transfer of any commodities made available under this Act; and

(4) such other information concerning the distribution and use of commodities made available under this Act as may be requested by the President;

(e) to make available to its people at reasonable prices, consistent with economic conditions in the recipient country, such commodities as it may sell under the terms of this Act; and, where necessary, to distribute to indigent and needy persons their fair share of all available food supplies;

(f) to make all possible efforts to secure the maximum production and distribution of locally produced commodities, and not to permit any measures to be taken involving sale, distribution, or use of any commodities of the character covered in this Act which would reduce the locally produced supply of such commodities or the utilization of foreign sources of supply other than the United States;

(g) to enter into specific agreements providing for such use, distribution, and sale of each classification of incentive goods, made available to it under the authority of this Act, as will increase the production or distribution of locally produced commodities referred to in paragraph (1) of section 3 (a);

(h) not to export or permit removal from such country, while need therefor continues, of commodities made available under the authority of this Act or commodities of the same character produced locally or imported from outside sources, except to the extent agreed upon by the Government of the United States;

(i) to permit representatives of the Government of the United States, including such committees of the Congress as may be authorized by their respective Houses, to observe, advise, and report on the distribution among the people of such country of commodities made available under the authority of this Act;

(j) to permit representatives of the press and radio of the United States to observe and report on the distribution and utilization of the commodities made available under this Act and the special account provided for in subsection (b) of this section.

Termination of aid.

SEC. 6. The President shall promptly terminate the provision of aid under this Act for any country (a) whenever he determines that such country is not adhering to the terms of its agreement entered into in accordance with section 5 of this Act; or (b) whenever he finds, by reason of changed conditions, that the provision of aid under this Act is no longer necessary or desirable; or (c) whenever he finds that because of changed conditions aid under this Act is no longer consistent with the national interests of the United States.

Labeling of commodities or containers.

SEC. 7. All commodities made available under the authority of this Act or the containers of such commodities shall, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such commodities or containers will permit, in such manner as to indicate to the people of the country of destination that such commodities have been furnished or made available by the United States of America.

"Commodities."

SEC. 8. Wherever reference is made, in this Act, to commodities made available under the authority of this Act, such reference shall be deemed to include commodities procured with credits made available to a recipient country under the authority of this Act.

Encouragement of aid by other countries.

SEC. 9. The President shall take appropriate steps to encourage other countries to make available to recipient countries such aid as they may be able to furnish.

Rules and regulations.

SEC. 10. The President may, from time to time, promulgate such rules and regulations as he may find necessary and proper to carry out any of the provisions of this Act: *Provided*, That nothing in this Act shall be deemed to authorize the issuance of any proclamations, orders, rules, or regulations in any way controlling production or prices or allocating deliveries of any commodity within the United States. He may delegate to the Secretary of State any of the powers or authority conferred on him under this Act. In accordance with the direction of the President, the responsibility for administering in the recipient countries the program of assistance provided for in this Act shall be vested in the field administrator of the United States foreign relief program appointed pursuant to section 4 of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress). The provisions of subsections (i) and (j) of section 5 of this Act shall not apply to distribution of commodities in Austria: *Provided*, That the President shall have determined, upon recommendation of the United States High Commissioner for Austria, that commodities furnished to Austria hereunder will be distributed under control systems embodied in agreements between the High Commissioner and the other occupying authorities or the Austrian Government which assure compliance with the objectives of the occupation and with the purposes of this Act. No citizen or resident of the United States shall serve under this Act as a United States representative,

Delegation of powers.

Administration abroad.

Ante, p. 127.

Distribution in Austria.

Loyalty and security investigations.

observer, or adviser until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation. The field administrator may, when he finds it essential to the purposes of this Act, utilize for observation the services of a limited number of other persons, who shall be investigated and approved by the field administrator.

Appropriation authorized.
Post, p. 942.

SEC. 11. (a) There is hereby authorized to be appropriated not to exceed $597,000,000, out of any money in the Treasury not otherwise appropriated, to carry out the provisions and accomplish the purposes of this Act. This Act, however, shall not imply any present or future obligation to give aid to any foreign country, nor shall it imply or guarantee the availability of any specific commodities.

Wheat, wheat flour, and cereal grain.

(b) Notwithstanding any other provision of this Act, none of the funds authorized or made available under this Act shall be used or made available for use for the acquisition of wheat, wheat flour, or cereal grain in the United States or the shipment thereof from the United States unless the President shall first—

(1) survey the requirements of other countries which are dependent upon the United States for a portion of their supplies of such commodities;

(2) estimate the quantities of such commodities which will probably be made available to such countries from the United States; and

(3) estimate the total amount of such commodities available for export from the United States to the recipient countries, after giving due consideration to the quantity thereof required in this country for food, feed, seed, and industrial uses, and for the needs of other countries dependent upon the United States for supplies of such commodities. In estimating the amount of such commodities available for export from the United States the President shall allow for a carry-over of wheat in the United States as of July 1, 1948, of not less than one hundred and fifty million bushels to protect the economy of the United States from inflationary prices and to insure against a scarcity of bread for domestic consumption during the twelve-month period beginning July 1, 1948.

The funds authorized herein shall not be made available or used to acquire a quantity of wheat, wheat flour and cereal grain in the United States which, after taking into consideration the amount estimated for export to other countries, and the amount needed for domestic consumption in the United States, will leave a carry-over of less than one hundred and fifty million bushels of wheat on July 1, 1948, unless the estimates of the President after March 1, 1948, justify an increase in the amount available for export to recipient countries with full protection for domestic needs.

Availability of funds.

(c) Funds authorized under this Act, when allocated to any department, agency, or independent establishment of the Government, shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of such department, agency, or independent establishment or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (41 U. S. C. 5; 31 U. S. C. 529).

Advances by RFC
Ante, p. 125.

(d) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to this section, to make advances, not to exceed in the aggregate $150,000,000, to carry out the provisions of this Act, in such manner and in such amounts as the President shall determine. From appropriations authorized under this section, there shall be repaid without interest to the Reconstruction Finance Corporation the advances made by it under the

authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this subsection.

(e) Notwithstanding any other provision of law, any commodity heretofore or hereafter acquired by any agency of the Government under any price-support program shall, to the extent that such commodity is determined by the President to be appropriate for such purpose and in excess of domestic requirements, be utilized in providing aid under this Act or any other Act providing for assistance and relief to foreign countries, and shall be disposed of by such agency for such purpose at such price as may be determined by such agency, which price may be the equivalent of the domestic market price of a quantity of wheat having a caloric value equal to that of the quantity of the commodity so disposed of. Any such agency shall report to the Congress on March 31, 1948, or as soon as practicable thereafter, the amount of losses incurred by it as the result of the disposition of commodities hereunder and the Secretary of the Treasury is authorized and directed to cancel notes of such agency held by him in an amount equal to the amount of such losses.

Commodities acquired under price-support programs.
Post, p. 942.

Report to Congress.

SEC. 12. Personnel employed to carry out the purposes of this Act shall not be included in computing limitations on personnel established pursuant to the Federal Employees Pay Act of 1945 (59 Stat. 298), as amended by section 14 of the Federal Employees Pay Act of 1946 (60 Stat. 219).

Nonapplication of certain personnel limitations.

5 U. S. C. § 947.

SEC. 13. The President, from time to time, but not less frequently than once every calendar quarter, and until the end of the quarterly period after all operations under the authority of this Act have been completed, shall transmit to the Congress a report of operations under this Act. All information received pursuant to undertakings provided for by section 5 (d) of this Act shall, as soon as may be practicable after the receipt thereof, be reported to the Congress. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, if the Senate or the House of Representatives, as the case may be, is not in session.

Report to Congress.

SEC. 14. The functions, applicable records, and funds provided for the purposes of carrying out this Act shall be transferred to the administration of any organization for general foreign aid which Congress may provide. To the extent that any funds may be made available under provisions of any other Act heretofore or hereafter passed relating to China, any funds reserved under this Act for China may be used for aid to the other countries named in section 2 of this Act.

Transfer of functions, etc., to foreign aid organization.

SEC. 15. After March 31, 1948, no funds may be obligated for the procurement of commodities provided for under this Act.

Time limitation.

SEC. 16. (a) Clause (1) in the proviso in the first paragraph of the first section of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress), is amended to read as follows: "(1) to constitute more than 57 per centum of the aggregate amount contributed to said fund by all governments, including the United States;".

International Children's Emergency Fund of U. N.
Ante, p. 125.

(b) The amendment made by subsection (a) of this section shall take effect as of May 31, 1947.

SEC. 17. If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances shall not be affected thereby.

Saving clause.

SEC. 18. Nothing in this Act shall be construed to make inapplicable, in the case of commodities procured under the authority of this Act, the authority to prohibit or curtail exports granted by section 6 of the Act of July 2, 1940 (Public Law 703, Seventy-sixth Congress), as now in force or as hereafter amended.

Authority to curtail military exports.

54 Stat. 714.
50 U. S. C. app. § 701.
Ante, pp. 214, 323; *post*, p. 946.

Approved December 17, 1947.

[CHAPTER 521]

December 19, 1947
[H. R. 4627]
[Public Law 390]

AN ACT

To authorize an appropriation for the immediate relief of the Navajo and Hopi Indians, and for other purposes.

Navajo and Hopi Indians.
Appropriation authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $2,000,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to provide immediate relief for needy Navajo and Hopi Indians who are on their reservations or allotted holdings and for those who leave their reservations for employment as hereinafter provided. Not to exceed $500,000 of such amount shall be available for relief of the children, the blind, aged, sick, and disabled, who are needy, and the needy able-bodied where work is not available; and not to exceed $1,500,000 (a) to provide useful employment on permanent construction projects duly authorized for the Navajo and Hopi Indians and (b) to secure employment off their reservations for Navajo and Hopi Indians.

Long-range program.

SEC. 2. The Secretary of the Interior is authorized and directed at the earliest practicable date to submit to the Congress his recommendations for necessary legislation for a long-range program dealing with the problems of the Navajo and Hopi Indians.

Approved December 19, 1947.

[CHAPTER 522]

December 19, 1947
[H. R. 4469]
[Public Law 391]

AN ACT

To amend the Act of July 7, 1947, so as to authorize the Commission on Organization of the Executive Branch of the Government to procure the temporary or intermittent services of experts or consultants or organizations thereof.

Commission on Organization of the Executive Branch of the Government.
Ante, p. 247.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of July 7, 1947 (Public Law 162, Eightieth Congress), is hereby amended to read as follows:

42 Stat. 1488.
5 U. S. C. §§ 661-674.

"SEC. 7. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That the Commission also may procure, without regard to the civil-service laws and classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (Public Law 600, Seventy-ninth Congress, 60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

5 U. S. C. § 55a.

"(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or of section 19 (e) of the Contract Settlement Act of 1944, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States."

35 Stat. 1107, 1109.
58 Stat. 668.
41 U. S. C. § 119.

Approved December 19, 1947.

[CHAPTER 523]

JOINT RESOLUTION

December 19, 1947
[S. J. Res. 170]
[Public Law 392]

Authorizing the Secretary of Agriculture to publish the names and addresses of persons transacting business on the boards of trade, and the amounts of commodities purchased or sold by them; to furnish to committees of Congress upon request and to make public any such information in his possession; and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Commodity Exchange Act, as amended, is amended by adding at the end thereof the following new paragraph:

Commodity Exchange Act, amendment.
42 Stat. 1003; 49 Stat. 1491.
7 U. S. C. § 12.

"Notwithstanding the foregoing provisions of this section or of any other law, the Secretary of Agriculture may, in his discretion, from time to time disclose and make public the names and addresses of all traders on the boards of trade on the commodity markets with respect to whom the Secretary has information, and any other information in the possession of the Department of Agriculture relating to the amount of commodities purchased or sold by each such trader; and when requested by any committee of either House of Congress, acting within the scope of its jurisdiction, shall furnish to such committee and make public the names and addresses of all traders on such boards of trade with respect to whom the Secretary has information, and any other information in the possession of the Department of Agriculture relating to the amounts of commodities purchased or sold by each such trader."

Approved December 19, 1947.

[CHAPTER 524]

AN ACT

December 23, 1947
[H. R. 4748]
[Public Law 393]

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

Third Supplemental Appropriation Act, 1948.

LEGISLATIVE

SENATE

For payment, in equal portions, to Theodore G. Bilbo, Junior, son, and Jessie Forrest Bilbo, daughter, of Theodore G. Bilbo, late a Senator from the State of Mississippi, $12,500.

SALARIES, MILEAGE, AND EXPENSES OF SENATORS

For additional mileage of the President of the Senate and of Senators, at the rate authorized by law, $51,000.

Ante, p. 361.

HOUSE OF REPRESENTATIVES

For payment to Fannie H. Gifford, widow of Charles L. Gifford, late a Representative from the State of Massachusetts, $12,500.

For payment to Nancy M. Springer, widow of Raymond S. Springer, late a Representative from the State of Indiana, $12,500.

SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For additional mileage of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, at the rate authorized by law, $171,000.

Ante, p. 364.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN AID

Ante, p. 938.

Foreign aid: To enable the President to carry out the provisions of the Act entitled the "Foreign Aid Act of 1947" (Public Law 389, Eightieth Congress) insofar as applicable to Austria, France, and Italy, $522,000,000, and to enable the President to carry out the provisions of Public Law 84, in respect to China, $18,000,000; in all, $540,000,000: *Provided*, That any administrative expenses which may be incurred by the Department of State in carrying out duties assigned to it under said Act may be paid from any funds available to said Department for administrative expenses, except that funds herein appropriated shall not be available for such purpose: *Provided further*, That none of the funds appropriated or made available by this Act shall be used or made available for use for the acquisition of nitrates or nitrogenous fertilizer, or petroleum products, or wheat, wheat flour, or cereal grain in the United States or the shipment thereof from the United States unless the President shall first—

Ante, pp. 125, 613.

Administrative expenses.

Preliminary surveys and estimates.

(1) survey the requirements of other countries which are dependent upon the United States for a portion of their supplies of such commodities, and

(2) estimate the quantities of such commodities which probably will be made available to such countries from the United States, and

(3) estimate the total amount of such commodities available for export from the United States to the recipient countries, after giving due consideration to the quantity thereof required in this country to meet essential domestic needs and for wastage, food, feed, seed, and industrial uses, and for the needs of other countries dependent upon the United States for supplies of such commodities. In determining the amount of such commodities available for export from the United States the President shall allow for a carry-over of wheat in the United States as of July 1, 1948, of not less than one hundred and fifty million bushels, and: *Provided further*, That the funds appropriated in this Act shall not be made available or used to acquire a quantity of wheat, wheat flour, and cereal grain in the United States which, after taking into consideration the amount estimated for export to other countries, and the amount needed for domestic consumption in the United States, will leave a carry-over of less than 150,000,000 bushels of wheat on July 1, 1948.

Wheat carry-over.

Government losses.

The losses incurred by agencies of the Government through sales of commodities in accordance with the terms of subsection (e) of section 11 of the Foreign Aid Act of 1947 shall not exceed $57,500,000.

Ante, p. 939.

FEDERAL SECURITY AGENCY

SOCIAL SECURITY ADMINISTRATION

Ante, p. 272.

Reconversion unemployment benefits for seamen: For an additional amount for "Reconversion unemployment benefits for seamen," $1,300,000.

Ante, p. 273.

Miscellaneous expenses, Social Security Administration: For an additional amount for "Miscellaneous expenses, Social Security Administration," $40,000.

DEPARTMENT OF AGRICULTURE

Ante, p. 523.

Utilization of funds.

The Secretary of Agriculture is hereby authorized, with the approval of the Director of the Bureau of the Budget, to utilize, by transfer or otherwise, during the period between the date of approval of this Act and April 1, 1948, such amounts as may be necessary (but not to exceed a total of $2,750,000) from any appropriation or fund available

to the bureaus, corporations, or agencies of the Department of Agriculture, for expenses necessary to carry out (a) any laws enacted subsequent to December 1, 1947, to (1) authorize the regulation of speculative trading on the commodity exchanges and (2) authorize allocation and inventory control of scarce agricultural commodities; and (b) any programs approved by the President under existing laws to encourage conservation practices in this country: *Provided*, That, notwithstanding any other provision of the appropriation laws concerned, any funds utilized under authority of this paragraph by any bureau, corporation, or agency of such Department shall be in addition to any other funds available to such bureau, corporation, or agency: *Provided further*, That at the end of each calendar month the Secretary shall make a report to the Committees on Appropriations of the House of Representatives and the Senate of obligations incurred pursuant to this paragraph.

Report to Congress.

DEPARTMENT OF THE ARMY

CIVIL FUNCTIONS

Government and relief in occupied areas: For an additional amount for "Government and relief in occupied areas", $340,000,000.

Ante, p. 625.

DEPARTMENT OF COMMERCE

Ante, p. 294.

The Secretary of Commerce is hereby authorized, with the approval of the Director of the Bureau of the Budget, to utilize, by transfer or otherwise, during the period between the date of approval of this Act and April 1, 1948, such amounts as may be necessary (but not to exceed a total of $750,000) from any appropriation or fund available to any bureau or office of the Department of Commerce, for expenses necessary to carry out any laws enacted subsequent to December 1, 1947, to (1) extend and strengthen export controls and (2) authorize allocation and inventory control of scarce commodities or voluntary agreements relating thereto (other than agricultural commodities): *Provided*, That, notwithstanding any other provision of the appropriation laws concerned, any funds utilized under authority of this paragraph by any bureau or office of such Department shall be in addition to any other funds available to any such bureau or office: *Provided further*, That at the end of each calendar month the Secretary shall make a report to the Committees on Appropriations of the House of Representatives and the Senate of obligations incurred pursuant to this paragraph.

Utilization of funds.

Report to Congress.

DEPARTMENT OF THE INTERIOR

Ante, p. 464.

BUREAU OF INDIAN AFFAIRS

Welfare of Indians: For an additional amount for "Welfare of Indians," including the objects specified under this head in the Interior Department Appropriation Act, 1948, $500,000.

Ante, p. 466.

Advance to Navajo Tribe of Indians (tribal funds): For advance to the Navajo Tribe of Indians to reimburse the tribal sawmill enterprise for emergency relief expenditures, $100,000, payable from funds held by the United States in trust for said Indians.

Ante, p. 465.

Alaska Native Service: For hospitalization of tuberculous Indians, Eskimos, and Aleuts at the Seward Sanitorium operated by the Methodist church, $176,000.

BUREAU OF RECLAMATION

RECLAMATION FUND, CONSTRUCTION

Construction: For construction and continuation of construction of the following project in not to exceed the following amount to be reimbursable in full under conditions satisfactory to the Secretary of the Interior as provided in Public Law 247, Eightieth Congress, approved July 25, 1947:

Ante, p. 473.

Ante, p. 474.

Deschutes project, Oregon, $72,000, to be available toward emergency rehabilitation of the works of the Arnold Irrigation District under the same terms and conditions as provided in said Public Law 247, Eightieth Congress.

GENERAL FUND, CONSTRUCTION

Construction: For additional amounts for continuation of construction of the following projects, to remain available until expended, and to be subject to such limitations and restrictions as may be applicable to appropriations for such purposes in the Interior Department Appropriation Act, 1948, or other law, as follows:

Ante, p. 475.

Davis Dam project, Arizona-Nevada, $2,800,000.

Colorado-Big Thompson project, Colorado, $4,150,000.

Central Valley project, California: Joint facilities, $1,273,600; irrigation facilities, $8,771,600; power facilities, Shasta power plant, $700,000, Keswick Dam, $145,000, Keswick power plant, $514,800; in all, $11,405,000.

Columbia Basin project, Washington, $13,584,000.

TITLE II

GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 201. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 202. This Act may be cited as the "Third Supplemental Appropriation Act, 1948."

Approved December 23, 1947.

[CHAPTER 525]

AN ACT

To amend the National Housing Act, as amended.

December 27, 1947
[S. 1770]
[Public Law 394]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 603 (a) of the National Housing Act, as amended, is hereby amended by striking out "$4,000,000,000" and inserting in lieu thereof "$4,450,000,000", and by striking out "$4,200,000,000" and inserting in lieu thereof "$4,950,000,000".

National Housing Act, amendment.
Ante, p. 777.

SEC. 2. Title VI of the National Housing Act, as amended, shall be employed to assist in maintaining a high volume of new residential construction without supporting unnecessary or artificial costs. In estimating necessary current cost for the purposes of said title, the Federal Housing Commissioner shall therefore use every feasible means to assure that such estimates will approximate as closely as possible the actual costs of efficient building operations.

55 Stat. 55.
12 U. S. C. §§ 1736-1743.
Ante, pp. 193, 208, 777.

Approved December 27, 1947.

[CHAPTER 526]

JOINT RESOLUTION

To aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes.

December 30, 1947
[S. J. Res. 167]
[Public Law 395]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSES

SECTION 1. The purposes of this joint resolution are to aid in stabilizing the economy of the United States, to aid in curbing inflationary tendencies, to promote the orderly and equitable distribution of goods and facilities, and to aid in preventing maldistribution of goods and facilities which basically affect the cost of living or industrial production.

VOLUNTARY AGREEMENTS

SEC. 2. (a) In order to carry out the purposes declared in section 1 of this joint resolution, the President is authorized to consult with representatives of industry, business, and agriculture with a view to encouraging the making, by persons engaged in industry, business, and agriculture, of voluntary agreements approved by the President—

Consultations with representatives of industry, etc.

(1) providing for allocation of transportation facilities and equipment;

(2) providing for priority allocation and inventory control of scarce commodities which basically affect the cost of living or industrial production; or

(3) providing for regulation of speculative trading on commodity exchanges.

(b) The President is authorized to approve any such agreement which he finds will carry out any of the purposes declared in section 1 of this joint resolution, except that he shall not approve any agreement unless such agreement specifically provides that it shall cease to be effective on or before March 1, 1949, and he shall not approve any agreement which provides for the fixing of prices.

Approval.

(c) Whenever a governmental officer or agency determines that a plan of voluntary action with respect to any material, commodity, or facility is practicable and is appropriate to the successful carrying out of the policies set forth in said Act, that agency or official may request in writing compliance by one or more persons with such plan

Request for compliance with voluntary action plan.

of voluntary action as may be approved by the Attorney General. Any act or omission by such person or persons in compliance with a written request made pursuant to this section and with a voluntary plan promulgated thereunder shall not be the basis at any time for any prosecution or any civil action or any proceeding under the anti-trust laws of the United States or the Federal Trade Commission Act.

Withdrawal.

(d) Such written request may, in the discretion of the governmental officer or agency which made the request, be withdrawn at any time by said governmental officer or agency, by written notice from said governmental officer or agency of such withdrawal to the Attorney General, and after publication of notice of such withdrawal in the Federal Register as provided in subsection (e), the provisions of this Act shall not apply to any subsequent act or omission by reason of such request or voluntary plan.

Transmittal and publication.

(e) The Attorney General shall transmit to the President pro tempore of the Senate and to the Speaker of the House of Representatives, and shall order published in the Federal Register every such request, and any withdrawal thereof, and any plan, program, or other arrangements promulgated under, or which is the basis of, any such request.

Expiration.

(f) The power to make requests conferred by this Act shall expire upon expiration of section 2 of this Act, and any requests made and voluntary plans adopted under this Act shall have no force or effect six months thereafter.

"Person."

(g) As used in this section the term "person" means an individual, corporation, partnership, or association.

EXPORT CONTROLS

Ante, pp. 214, 323.

SEC. 3. (a) Section 6 (d) of the Act of July 2, 1940 (54 Stat. 714), as amended, is amended by striking out "February 29, 1948" and inserting in lieu thereof "February 28, 1949".

Price criteria in licensing of exports.
54 Stat. 712.
50 U. S. C. app. § 701.
Ante, pp. 214, 323.

(b) Notwithstanding any other provision of law, the President in the exercise of the powers, authority, and discretion conferred upon him by such Act of July 2, 1940, as amended, is authorized to use price criteria in the licensing of exports, either by giving preference among otherwise comparable applications to those which provide for the lowest prices, or, in exceptional circumstances, by fixing reasonable mark ups in export prices over domestic prices.

ALLOCATION OF TRANSPORTATION FACILITIES AND GRAIN

Transportation facilities.
56 Stat. 177.
50 U. S. C. app. § 633.
Ante, pp. 25, 34, 322.

SEC. 4. (a) Notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, as amended, shall continue in effect to and including February 28, 1949, or such earlier date as the Congress by concurrent resolution or the President may designate, for the exercise of the powers, authority, and discretion conferred on the President by such title III with respect to the use of transportation equipment and facilities by rail carriers.

Grain.
56 Stat. 177.
50 U. S. C. app. § 633.
Ante, pp. 25, 34, 322.

(b) Notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, is hereby revived and reenacted for the exercise of the powers, authority, and discretion conferred on the President by such title III with respect to the use of grain for the production of distilled spirits or neutral spirits for beverage purposes. The authority granted by this subsection shall expire on January 31, 1948.

DELEGATION OF AUTHORITY

SEC. 5. The authority granted to the President by section 2 of this joint resolution and, notwithstanding the provisions of section 6 of the Second Decontrol Act of 1947, the authority granted to the Presi-

Ante, p. 323.

dent by section 4 of this joint resolution and by section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, may, to the extent the President directs, be exercised by any department, agency, or officer in the executive branch of the Government.

50 U. S. C. app. § 701.
Ante, pp. 323, 946.

CRITICAL SHORTAGES—RECOMMENDATIONS BY THE PRESIDENT

SEC. 6. (a) Whenever the President shall determine that there is or threatens to be a critical shortage of any raw material, commodity, or product which jeopardizes the health or safety of the people of the United States or its national security or welfare and that there is no prospect that such critical shortage may soon be remedied by an increase in the available supply without additional governmental action and that the situation cannot be solved by voluntary agreement under the provisions of this Act, he may prepare proposed measures for conserving such raw material, commodity, or product which he shall submit to the Congress in the following form:

(1) A statement of the circumstances which, in the President's judgment, require the proposed conservation measures.

Statement of circumstances.

(2) A detailed procedure for the administration of the proposed measures including the additional budget and additional personnel required for their enforcement.

Administrative procedure.

(3) The proposed degree of curtailment in current and prospective use of each such raw material, commodity, or product by each processor and/or user thereof, including the specific formulae proposed for such curtailment with respect to each class or classes of processors or users and the criteria used in the establishment of such formulae.

Proposed curtailment.

(4) A complete record of the factual evidence upon which his recommendations are based, including all information provided by any agency of the Federal Government which may have been made available to him in the course of his consideration of the matter.

Factual evidence.

(b) Within fifteen days after the submission of such proposed conservation measures, the Joint Committee on the Economic Report shall conduct public hearings thereon and shall make such recommendations to the Congress for legislative action as in its judgment the recommendations of the President and any additional information disclosed at the public hearings may require.

Public hearings.

PRODUCTION OF FOODS IN NONEUROPEAN FOREIGN COUNTRIES

SEC. 7. Notwithstanding any other provision of law, in order to alleviate and prevent shortages in foods, agricultural commodities, and products thereof, Commodity Credit Corporation is authorized to carry out projects to stimulate and increase the production of foods, agricultural commodities, and products thereof, in non-European foreign countries. Such projects may include procurement, the making of advances and price guaranties, the furnishing of technical information and assistance, the furnishing of seed, fertilizer, machinery, equipment and other materials, and such other actions as are necessary or incident to the carrying out of such projects: *Provided*, That any such program is first submitted to Congress by the Secretary of Agriculture, and is not disapproved by concurrent resolution of Congress within sixty days thereafter.

Projects to stimulate production.

FOOD AND FEED CONSERVATION PROGRAM

SEC. 8. (a) In order to alleviate shortages in foods and feeds, and to assist in stabilizing prices, the President shall carry out a program for the conservation of food and feed. In carrying out such program, the President is authorized, through the dissemination of information,

educational and other campaigns, the furnishing of assistance, and such other voluntary and cooperative measures as he deems necessary or appropriate, to encourage and promote the efficient utilization, care, and preservation of food and feed, the elimination of practices which waste food and feed, the control and eradication of insects and rodents, the consumption of less of these foods and feeds which are in short supply and more of those foods and feeds which are in abundant supply, and other conservation practices. The authority herein conferred may be exercised by the President through such departments, agencies, independent establishments, and officials of the Federal Government and such State, local, and private agencies as he may determine.

Exercise of authority.

Appropriation authorized for conservation program.
Funds available.

(b) There is hereby authorized to be appropriated to the President such sums as may be necessary to carry out this section. To enable the President to carry out this section for the remainder of the fiscal year ending June 30, 1948, there is hereby made available not to exceed $1,000,000 from any funds made available by the Congress for carrying out Public Law 84, Eightieth Congress, or from any funds made available by the Congress for interim foreign aid. Funds made available for the purpose of this section may be used for necessary administrative expenses, including personal services in the District of Columbia and elsewhere, purchase or hire of motor vehicles, temporary or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, without regard to the civil service and classification laws (the compensation of any such individual not to exceed $50 per day). Funds made available for the purposes of this section may be allotted for any of the purposes of this section to any department, agency, or independent establishment of the Government, or transferred to any other agency requested to assist in carrying out this section. Funds allotted to any department, agency, or independent establishment of the Government shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, or independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., title 41, sec. 5, and title 31, sec. 529).

Ante, pp. 125, 613, 942.

AUTHORIZATION FOR APPROPRIATIONS

Appropriation authorized.

SEC. 9. There is hereby authorized to be appropriated such amounts as may be necessary for purposes of carrying out the provisions of this joint resolution.

Approved December 30, 1947.

REORGANIZATION PLANS

REORGANIZATION PLANS

REORGANIZATION PLAN NO. 1 OF 1947

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 1, 1947, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945.

Transmitted May 1, 1947.
Effective July 1, 1947.
59 Stat. 613.
5 U. S. C. §§ 133y-133y-16.

PART I. PRESIDENT AND DEPARTMENT OF JUSTICE

Section 101. *Functions of the Alien Property Custodian.*—(a) Except as provided by subsection (b) of this section, all functions vested by law in the Alien Property Custodian or the Office of Alien Property Custodian are transferred to the Attorney General and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Justice as he may designate.

(b) The functions vested by law in the Alien Property Custodian or the Office of Alien Property Custodian with respect to property or interests located in the Philippines or which were so located at the time of vesting in or transfer to an officer or agency of the United States under the Trading with the Enemy Act, as amended, are transferred to the President and shall be performed by him or, subject to his direction and control, by such officers and agencies as he may designate.

40 Stat. 411.
50 U. S. C. app. §§ 1-6, 7-38.
Ante, pp. 784, 786.

Sec. 102. *Approval of agricultural marketing orders.*—The function of the President with respect to approving determinations of the Secretary of Agriculture in connection with agricultural marketing orders, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (9)), is abolished.

50 Stat. 246.
7 U. S. C. § 601 *et seq.*
Ante, pp. 208, 707, 709, 710.

PART II. DEPARTMENT OF THE TREASURY

Sec. 201. *Contract settlement functions.*—The functions of the Director of Contract Settlement and of the Office of Contract Settlement are transferred to the Secretary of the Treasury and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of the Treasury as he may designate. The Contract Settlement Advisory Board created by section 5 of the Contract Settlement Act of 1944 (58 Stat. 649) and the Appeal Board established under section 13 (d) of that Act are transferred to the Department of the Treasury: *Provided*, That the functions of the boards shall be performed by them, respectively, under such conditions and limitations as may now or hereafter be prescribed by law. The Office of Contract Settlement is abolished.

58 Stat. 651.
41 U. S. C. § 105.
58 Stat. 662.
41 U. S. C. § 113 (d).

Sec. 202. *National Prohibition Act functions.*—The functions of the Attorney General and of the Department of Justice with respect to (a) the determination of Internal Revenue taxes and penalties (exclusive of the determination of liability guaranteed by permit bonds) arising out of violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment to the Constitution, and (b) the compromise, prior to reference to the Attorney General for suit, of liability for such taxes and penalties, are transferred to the

41 Stat. 305.
27 U. S. C. § 1 *et seq.*
48 Stat. 1749.

Commissioner of Internal Revenue, Department of the Treasury: *Provided*, That any compromise of such liability shall be effected in accordance with the provisions of section 3761 of the Internal Revenue Code. All files and records of the Department of Justice used primarily in the administration of the functions transferred by the provisions of this section are hereby made available to the Commissioner of Internal Revenue for use in the administration of such functions.

53 Stat. 462.
26 U. S. C. § 3761.

PART III. DEPARTMENT OF AGRICULTURE

Sec. 301. *Agricultural research functions.*—The functions of the following agencies of the Department of Agriculture, namely, the Bureau of Animal Industry, the Bureau of Dairy Industry, the Bureau of Plant Industry, Soils, and Agricultural Engineering, the Bureau of Entomology and Plant Quarantine, the Bureau of Agricultural and Industrial Chemistry, the Bureau of Human Nutrition and Home Economics, the Office of Experiment Stations, and the Agricultural Research Center, together with the functions of the Agricultural Research Administrator, are transferred to the Secretary of Agriculture and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he may designate.

PART IV. FEDERAL DEPOSIT INSURANCE CORPORATION

Sec. 401. *Credit union functions.*—The functions of the Farm Credit Administration and the Governor thereof under the Federal Credit Union Act, as amended, together with the functions of the Secretary of Agriculture with respect thereto, are transferred to the Federal Deposit Insurance Corporation.

48 Stat. 1216.
12 U. S. C. §§ 1751–1772.

PART V. WAR ASSETS ADMINISTRATION

Sec. 501. *War Assets Administration and War Assets Administrator.*—All functions of the War Assets Administration and of the War Assets Administrator established by Executive Order No. 9689 of January 31, 1946, are transferred to the Surplus Property Administration and the Surplus Property Administrator, respectively, which were created by the Act of September 18, 1945 (59 Stat. 533, ch. 368). The latter agencies shall hereafter be known as the War Assets Administration and the War Assets Administrator, respectively. The agencies established by Executive Order No. 9689 are abolished. The functions transferred by this section shall be performed by the War Assets Administrator or, subject to his direction and control, by such officers and agencies of the War Assets Administration as he may designate: *Provided*, That the functions specifically vested in the Surplus Property Administrator by the Surplus Property Act of 1944, as amended, and by the Act of September 18, 1945, shall be performed by the War Assets Administrator or by the Associate Administrator as provided in section 502 hereof.

3 CFR, 1946 Supp., p. 93.
50 U. S. C. app. §§ 1614a, 1614b.
Supra.
58 Stat. 765.
50 U. S. C. app. §§ 1611–1646.
Ante, p. 678.
59 Stat. 533.
50 U. S. C. app. §§ 1614a, 1614b.

Sec. 502. *Associate War Assets Administrator.*—There shall be in the War Assets Administration an Associate War Assets Administrator, who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate of $10,000 per annum. The Associate War Assets Administrator shall act for the War Assets Administrator in all matters during the absence or disability of the Administrator, or in the event of a vacancy in the office of Administrator, and shall perform such other duties as the Administrator may prescribe.

PART VI. GENERAL PROVISIONS

Sec. 601. *Termination of functions.*—Nothing contained in this reorganization plan shall be deemed to extend the duration of any function beyond the time when it would otherwise expire as provided by law.

Sec. 602. *Transfer of records, property, personnel, and funds.*—There are hereby transferred to the respective agencies in which functions are vested pursuant to the provisions of this plan, to be used, employed, and expended in connection with such functions, respectively, or in winding up the affairs of agencies abolished in connection with the transfer of such functions, (1) the records and property now being used or held in connection with such functions, (2) the personnel employed in connection with such functions, and (3) the unexpended balances of appropriations, allocations, or other funds available or to be made available for use in connection with such functions.

Sec. 603. *Effective date.*—The provisions of this plan shall take effect on July 1, 1947, unless a later date is required by the provisions of the Reorganization Act of 1945.

59 Stat. 613.
5 U. S. C. §§ 133y-133y-16.

REORGANIZATION PLAN NO. 3 OF 1947 [1]

Transmitted May 27, 1947. Effective July 27, 1947.
59 Stat. 613.
5 U. S. C. §§ 133y-133y-16.

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 27, 1947, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945.

HOUSING AND HOME FINANCE AGENCY

Section 1. *Housing and Home Finance Agency.*—The Home Owners' Loan Corporation, the Federal Savings and Loan Insurance Corporation, the Federal Housing Administration, the United States Housing Authority, the Defense Homes Corporation, and the United States Housing Corporation, together with their respective functions, the functions of the Federal Home Loan Bank Board, and the other functions transferred by this Plan, are consolidated, subject to the provisions of sections 2 to 5, inclusive, hereof, into an agency which shall be known as the Housing and Home Finance Agency. There shall be in said Agency constituent agencies which shall be known as the Home Loan Bank Board, the Federal Housing Administration, and the Public Housing Administration.

Section 2. *Home Loan Bank Board.*—(a) The Home Loan Bank Board shall consist of three members appointed by the President by and with the advice and consent of the Senate. Not more than two members of the Board shall be members of the same political party. The President shall designate the members of the Board first appointed hereunder to serve for terms expiring, respectively, at the close of business on June 30, 1949, June 30, 1950, and June 30, 1951, and thereafter the term of each member shall be four years. Whenever a vacancy shall occur among the members the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the member whose place he is selected to fill. Each of the members of the Board shall receive compensation at the rate of $10,000 per annum.

(b) The President shall designate one of the members of the Home Loan Bank Board as Chairman of the Board. The Chairman shall (1) be the chief executive officer of the Board, (2) appoint and direct the personnel necessary for the performance of the functions of the Board or of the Chairman or of any agency under the Board, and (3) designate the order in which the other members of the Board shall, during the absence or disability of the Chairman, be Acting Chairman and perform the duties of the Chairman.

(c) Except as otherwise provided in subsection (b) of this section there are transferred to the Home Loan Bank Board the functions (1) of the Federal Home Loan Bank Board, (2) of the Board of Directors of the Home Owners' Loan Corporation, (3) of the Board of Trustees of the Federal Savings and Loan Insurance Corporation, (4) of any member or members of any of said Boards, and (5) with respect to the dissolution of the United States Housing Corporation.

Section 3. *Federal Housing Administration.*—The Federal Housing Administration shall be headed by a Federal Housing Commissioner who shall be appointed by the President, by and with the advice and consent of the Senate, and receive compensation at the rate of $10,000

[1] For negative action on Reorganization Plan No. 2 of 1947, see H. Con. Res. 49, 61 Stat., Pt. 2, p. 1023.

per annum. There are transferred to said Commissioner the functions of the Federal Housing Administrator.

Section 4. *Public Housing Administration.*—The Public Housing Administration shall be headed by a Public Housing Commissioner who shall be appointed by the President, by and with the advice and consent of the Senate, and receive compensation at the rate of $10,000 per annum. There are transferred to said Commissioner the functions:

(a) Of the Administrator of the United States Housing Authority (which agency shall hereafter be administered and known as the Public Housing Administration);

(b) Of the National Housing Agency with respect to non-farm housing projects and other properties remaining under its jurisdiction pursuant to section 2 (a) (3) of the Farmers' Home Administration Act of 1946 (Public Law 731, Seventy-ninth Congress, approved August 14, 1946); and

60 Stat. 1063.
7 U. S. C. § 1001 note; 12 U. S. C. § 1702 note.

(c) With respect to the liquidation and dissolution of the Defense Homes Corporation.

Section 5. *Housing and Home Finance Administrator.*—(a) The Housing and Home Finance Agency shall be headed by a Housing and Home Finance Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per annum.

(b) The Administrator shall be responsible for the general supervision and coordination of the functions of the constituent agencies of the Housing and Home Finance Agency and for such purpose there are transferred to said Administrator the functions of the Federal Loan Administrator and the Federal Works Administrator (1) with respect to the Federal Home Loan Bank Board, the House Owners' Loan Corporation, the Federal Savings and Loan Insurance Corporation, the Federal Housing Administration, and the United States Housing Authority, and (2) with respect to the functions of said agencies.

(c) There are also transferred to the Administrator the functions:

(1) Of holding on behalf of the United States the capital stock of the Defense Homes Corporation;

(2) Under Titles I and III, and sections 401, 501 and 502, of the Act of October 14, 1940 (54 Stat. 1125), as amended;

55 Stat. 361, 363; 56 Stat. 212; 59 Stat. 260. 42 U. S. C. § 1521 *et seq.*

(3) Of the War and Navy Departments with respect to national defense and war housing (except that located on military or naval posts, reservations, or bases) under the Act of September 9, 1940 (54 Stat. 872), as amended; and

Ante, p. 128.

(4) Of all agencies designated to provide temporary shelter in defense areas under the Acts of March 1, 1941, May 24, 1941, and December 17, 1941 (55 Stat. 14, 197, and 810), insofar as such functions relate to such temporary shelter.

Section 6. *National Housing Council.*—There shall be in the Housing and Home Finance Agency a National Housing Council composed of the Housing and Home Finance Administrator as Chairman, the Federal Housing Commissioner, the Public Housing Commissioner, the Chairman of the Home Loan Bank Board, the Administrator of Veterans Affairs or his designee, the Chairman of the Board of Directors of the Reconstruction Finance Corporation or his designee, and the Secretary of Agriculture or his designee. The National Housing Council shall serve as a medium for promoting, to the fullest extent practicable within revenues, the most effective use of the housing functions and activities administered within the Housing and Home Finance Agency and the other departments and agencies represented on said Council in the furtherance of the housing policies and objectives established by law, for facilitating consistency between such housing functions and activities and the general economic and fiscal policies

of the Government, and for avoiding duplication or overlapping of such housing functions and activities.

Section 7. *Interim appointments.*—Pending the initial appointment hereunder of any officer provided for by this Plan, the functions of such officer shall be performed temporarily by such officer of the existing National Housing Agency as the President shall designate.

Section 8. *Transfers of property, personnel, and funds.*—The assets, contracts, property, records, personnel, and unexpended balances of appropriations, authorizations, allocations, or other funds, held, employed, or available or to be made available in connection with functions transferred by this Plan are hereby transferred with such transferred functions, respectively.

Section 9. *Abolitions.*—The Federal Home Loan Bank Board, the Board of Directors of the Home Owners' Loan Corporation, and the Board of Trustees of the Federal Savings and Loan Insurance Corporation, together with the offices of the members of said boards, the office of Federal Housing Administrator, and the office of Administrator of the United States Housing Authority, are abolished.

PROPOSED AMENDMENT

TO THE

CONSTITUTION OF THE UNITED STATES

PROPOSED AMENDMENT

TO THE

CONSTITUTION OF THE UNITED STATES

EIGHTIETH CONGRESS, FIRST SESSION

JOINT RESOLUTION [H. J. Res. 27]

Proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

Terms of office of the President.

"SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Inoperative unless ratified within seven years.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

JOSEPH W. MARTIN, Jr.
Speaker of the House of Representatives.

WILLIAM F. KNOWLAND
Acting President of the Senate pro tempore.

I certify that this Joint Resolution originated in the House of Representatives.

JOHN ANDREWS
Clerk.

[Deposited in the Department of State, March 24, 1947.]

INDEX

A — Page

Abaca Fiber and Cordage, allocations, time limitation of provisions 34
Aberdeen, S. Dak., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Acadia National Park, Maine, transfer of jurisdiction of certain lands from Department of the Interior to Navy Department 519
Accounting Office. *See* General Accounting Office.
Acts of Congress, formalities of enactment; repeals, etc 634
Adams Act, appropriation to effect provisions of 530
Adjutant General's Office. *See under* War Department.
Administrative Procedure Act, exclusions from operation of 37, 201, 323
Admissions Tax:
Exemption of members of armed forces, etc., termination date 919
War rates of certain miscellaneous taxes, continuance 12
Aerial Flights, increased pay for nonflying officers, limitation 225, 552
Aerial Legal Experts, International Technical Committee of, appropriation for contribution 113
Aeronautics, Bureau of. *See under* Navy Department.
Aeronautics, Civil. *See* Civil Aeronautics Act of 1938; Civil Aeronautics Administration; Civil Aeronautics Board.
Aeronautics, National Advisory Committee for. *See* National Advisory Committee for Aeronautics.
Agave Fiber and Cordage, allocations, time limitation of provisions 34
Agencies, Government. *See* Government Departments and Agencies; *also individual titles.*
Agreements, International. *See* International Agreements.
Agricultural Adjustment Act:
Loans from Reconstruction Finance Corporation, certain, repeal of provisions respecting 208
Marketing agreements and orders, amendment of provisions relating to 707

Agricultural Adjustment Act of 1938: — Page
Appropriation to effect provisions of 541, 545
Marketing quotas—
Peanuts—
Amendments respecting 721
Funds available 542
Printing and binding, transfer of funds for 526
War crops, acreage allotment, date of termination of state of war, etc., in interpretation of Act of February 28, 1945 451
Wool, applicability of provisions to price support operations 769
Agricultural and Industrial Chemistry, Bureau of. *See under* Agriculture, Department of.
Agricultural Commodities:
Allocation and inventory controls, availability of Department of Agriculture funds for legislation respecting 942
Cotton. *See separate title.*
Crop insurance. *See* Federal Crop Insurance Act, Amendments; Federal Crop Insurance Corporation.
Exportation and domestic consumption, reduction in appropriation 20, 550
Freight rates for, appropriation to effect provisions of Agricultural Adjustment Act of 1938 relating to 545
Market inspection, appropriation for 543
Marketing agreements and orders, amendment of provisions of Agricultural Adjustment Act relating to 707
Marketing information, appropriation for 543
Marketing services, funds for 74, 543, 618
Peanuts. *See separate title.*
Research and Marketing Act of 1946, appropriation for effecting provisions 524
Speculation. *See* Commodity Exchanges.
Strategic and critical materials, research on, appropriation for 529
Subsidies, restriction on use of War Department funds for 556
Sugar. *See* Sugar; Sugar Act of 1948; Sugar Control Extension Act of 1947.

Agricultural Commodities—Continued Page
Taxes, certain, under Agricultural Adjustment Act, loans from Reconstruction Finance Corporation, repeal of provisions respecting 208
Agricultural Economics, Bureau of. *See under* Agriculture, Department of.
Agricultural Engineering Investigations, funds for 73, 534
Agricultural Experiment Stations:
Alaska, transfer of equipment; availability of funds for settlement of obligations, etc 529, 530
Payments to States and Territories, appropriation for 530
Research and Marketing Act of 1946, appropriation for effecting provisions 524
Salaries and expenses, appropriation for 530
Agricultural Extension Work, appropriation for 527
Agricultural Labor:
Farm labor supply program—
Continuance and liquidation 55
Appropriations authorized 55
Appropriations available 109
Facilities, disposition to public or semipublic agencies or nonprofit associations of farmers 694
Mexican farm laborers, permission to remain in U. S.; employer's assurance of return to place of recruitment, etc 55
National Labor Relations Act, exclusion from definition of employee under 138
Old-age assistance, grants to States for, disregard of income without prejudice to rights; time limitation 202
Agricultural Marketing Act of 1946, appropriation for effecting provisions of 524
Agricultural Marketing Agreement Act of 1937, agricultural marketing orders, function of President respecting approval of determinations of Secretary of Agriculture, abolition 951
Agricultural Marketing Agreements, loans from Reconstruction Finance Corporation under Agricultural Adjustment Act, repeal of certain provisions respecting 208
Agricultural Research Administration. *See under* Agriculture, Department of.
Agricultural Research Center, appropriation for; transfer of lands, etc 528
Agricultural Sciences, Inter-American Institute of, appropriation for contribution 282

Agriculture, Department of: Page
Agricultural adjustment, payments for, reduction in appropriation 20
Agricultural and Industrial Chemistry, Bureau of—
Albany, Calif., construction of storage building at 536
Appropriation for 536
Transfer of funds to 74
Pasadena, Calif., transfer of real property at 536
Transfer of functions 952
Agricultural commodities. *See separate title.*
Agricultural Economics, Bureau of—
Appropriation for 526
Transfer of funds to 73
Extension Service, working fund, reduction in appropriations 20
Agricultural experiment stations. *See separate title.*
Agricultural land resources, conservation and use—
Aerial photographs, restriction on charging of cost 542
Appropriation for 541
Claimants, payment to 542
Reduction in appropriation 20
Transfer of funds to—
Treasurer of the United States 219
Treasury Department, Division of Disbursement 218
Agricultural marketing orders, function of President respecting approval of determinations of Secretary of Agriculture, abolition 951
Agricultural Research Administration—
Agricultural Research Center, appropriation for; transfer of lands, etc 528
Appropriation for 528, 617, 698
Reduction, working fund 20
Transfers of funds to 73
Arlington Farm, Va., removal and reestablishment, reduction in appropriation 20
Buildings and improvements, appropriations available; limitation 528
Jeanerette, La., repair of storm damage, nonapplication of cost limitation to construction of buildings 185
Agricultural Research Center, transfer of functions 952
Alaska, research on agricultural problems, appropriation for 524, 529
Report to Congress 530
Aliens, employment of 548

Agriculture, Department of—Continued Page
Allocation of scarce agricultural commodities, funds available to carry out legislation respecting; report to Congress 942, 943
Animal Industry, Bureau of—
Appropriation for 73, 185, 245, 530, 617
Transfer of funds to 73
Condemned animals, payment for, basis of appraisement 531, 532, 617
Exception 617
Inspection and quarantine, maintenance of service at certain stockyards during designated period 549
Meat inspection—
Authorization, establishments not subject to Meat Inspection Act, repeal of Act of June 10, 1942 449
Fund, establishment; report to Congress 531, 532
Technical services for Government departments, etc 532
Transfer of functions 952
Apple production estimates, restriction 527
Appropriation Act, 1948 523
Amendment 617
Arid and semiarid areas, water facilities, appropriation for 546
Bankhead-Jones Act. *See separate title.*
Butter, process or renovated, appropriation for carrying out provisions of designated Acts 533
Claims, appropriations available for payment 549
Commodity Credit Corporation. *See separate title.*
Commodity Exchange Authority, funds for 74, 545
Commodity exchanges. *See separate title.*
Community facilities, defense public works, reduction in appropriation 20
Conservation practices, funds available to carry out legislation respecting; report to Congress 942, 943
Cotton. *See separate title.*
Cultural surveys, restriction on use of funds for 527
Dairy Industry, Bureau of—
Appropriation for 533
Transfer of funds to 73
Transfer of functions 952
Entomology and Plant Quarantine, Bureau of—
Appropriation for 534, 536, 698
Transfer of funds to 73
Plant Quarantine Act, amendment, limitation on entry of nursery stock from foreign countries 680

Agriculture, Department of—Continued Page
Entomology and Plant Quarantine, Bureau of—Continued
State, etc., cooperation requirements for control of certain diseases 535
Transfer of functions 952
White pine blister rust control, funds available for 537
Experiment Stations, Office of—
Appropriation for 530
Transfer of funds to 73
Report to Congress on administration of grants and coordination of research with States 530
Transfer of functions 952
Extension Service—
Appropriation for 527
Transfer of funds to 73
Working fund, reduction in appropriations 20
Extension services, agricultural, of land-grant colleges, cooperation in recruitment and placement of domestic farm labor 55
Farm Credit Administration. *See separate title.*
Farm labor supply program. *See separate title.*
Farm tenancy—
Loans, transfer of certain obligations in connection with 545
Transfer of funds to appropriation for 74
Farm Tenant Act. *See separate title.*
Farmers, certain inducted, payments with respect to Soil Conservation and Domestic Allotment Act 542
Farmers' Home Administration—
Appropriation for 545
Reconstruction Finance Corporation, transfer of certain rights, obligations, etc 545
Farming materials, appropriation for purchase 542
Federal Crop Insurance Act, Amendments. *See separate title.*
Federal Crop Insurance Corporation. *See separate title.*
Federal Farm Mortgage Corporation, appropriations for; availability of funds, etc 110, 580
Federal Insecticide, Fungicide, and Rodenticide Act. *See separate title.*
Federal Intermediate Credit Banks—
Administrative expenses, increase in amount available for 73
Availability of funds, etc 580
Field offices, restriction on use of funds for 525

Agriculture, Department of—Continued Page
Fish, restriction on use of funds for work relating to 524
Flood control—
Allocation of funds 540
Appropriation for 540, 698
Yazoo and Little Tallahatchie watersheds, purchase of lands, approval requirement 540
Food production projects in non-European foreign countries, submission of program to Congress 947
Foot-and-mouth disease—
Appropriation for 24, 185, 245, 532, 617
Cooperation with Mexico in control and eradication of 7
Appropriations authorized 8
Appropriations for 24, 185, 245, 617
Personnel ceilings, nonapplicability 7
Reports to Congress 8
Foreign Agricultural Relations, Office of—
Aliens, employment of 548
Appropriation for 527
Transfer of funds to 73
Forest fires, cooperation in suppression, etc., without matching of funds, repeal of provisions of Act of September 21, 1944 449
Forest Pest Control Act 177
Forest roads and trails—
Appropriation for 539
Buildings, cost limitation 540
Forest Service—
Appropriation for 65, 66, 537
Reduction 20
Transfers of funds 65, 74, 537
Buildings, cost limitation 537
Nurseries, restriction on use of funds for establishment of 539
White pine blister rust control, funds available for 537
Francis Marion National Forest, game refuge 516
General Accounting Office, transfer of certain funds to 542
Geographic Names, Board on, representation on, etc 456
Health service programs, appropriations available for 548
Hog cholera virus and serum, appropriation for marketing agreements 73, 532
Human Nutrition and Home Economics, Bureau of—
Appropriation for 536
Transfer of funds to 74
Transfer of functions 952
Information, Office of, appropriation for 525
Transfer of funds to 73

Agriculture, Department of—Continued Page
Information employees, restriction on use of funds for payment of 542
International Production Control Committees, appropriation for 527
International Seed Testing Congress, appropriation for share of expenses 544
Inventory control of scarce agricultural commodities, funds available to carry out legislation respecting; report to Congress 942, 943
Judgments, appropriation for payment 77, 78, 626
Land-use planning, restriction on use of funds for 527
Land utilization and retirement of submarginal land, funds for 74, 541
Lands, options to purchase 523
Leave payments, lump-sum, nonapplicability of limitation on amounts for personal services 549
Library, funds for 73, 526
Loans, grants, and rural rehabilitation—
Obligations, certain, in connection with, transfer 545
Transfer of funds to 74
Loans, mortgage insurance fund, etc., appropriation for 545
Loans or advances, limitations respecting 548
Lump-sum leave payments, nonapplicability of limitation on amounts for personal services 549
Marketing services, funds for 74, 543, 618
Mexico, control and eradication of foot-and-mouth disease and rinderpest, cooperation with 7
Appropriations authorized 8
Appropriations for 24, 185, 245, 617
Personnel ceilings, nonapplicability 7
Reports to Congress 8
Missouri Basin project, Angostura unit, inclusion of certain lands owned by U. S., authorized 408
Motion pictures or exhibits, funds available for 525
National Housing Council, membership of Secretary 955
National School Lunch Act, appropriation for carrying out provisions of 65, 550
Limitation 551
Printing and binding, transfer of funds for 526
Naval-stores investigations, funds for 74, 536
Overthrow of U. S. Government, restriction on employment of persons advocating 549
Exception, certain emergency work 549

Agriculture, Department of—Continued Page
Peanuts. *See separate title.*
Penalty mail costs, funds for 245, 524, 618
Plant Industry, Soils and Agricultural Engineering, Bureau of—
Appropriation for 533
Transfer of funds to 73
Chapman Field Military Reservation, Dade County, Fla., transfer of certain lands 533
Rubber investigations, reduction in appropriation 20
Transfer of functions 952
Plant quarantine. *See* Entomology and Plant Quarantine, Bureau of, *this title.*
Political activities, pernicious, restriction on payment of persons engaging in 543
Printing and binding, funds for 526, 537
Production and Marketing Administration—
Appropriation for 541, 618
Reductions in appropriations 20
Production Credit Corporations, availability of funds, etc 73, 580
Reduction in designated appropriations 20
Regional Agricultural Credit Corporation of Washington, D. C., availability of funds, etc 580
Regional offices, restriction on use of funds for maintenance 527
Report, annual, printing and binding of—
Appropriation for 526
Restriction on use of Government Printing Office funds for 375, 376
Reports to Congress—
Agricultural research, administration of grants and coordination of research with States 530
Alaska, status of agricultural research, etc 530
Food-production projects in non-European foreign countries 947
Foot-and-mouth disease and rinderpest, cooperation with Mexico in control and eradication of 8
Meat-inspection fund, schedule of obligations and reimbursements 532
Obligations incurred with respect to regulation of speculative trading on commodities, etc 943
Research and Marketing Act of 1946, appropriation for effecting provisions of 524
Research functions, transfer of 952
Research laboratories, regional, appropriation for 536

Agriculture, Department of—Continued Page
Rinderpest—
Appropriation for control of 24, 185, 245, 532, 617
Cooperation with Mexico in control and eradication of 7
Appropriations authorized 8
Appropriations for 24, 185, 245, 617
Personnel ceilings, nonapplicability 7
Reports to Congress 8
Rubber, research on, appropriation for; transfer of lands, etc 529
Rural Electrification Administration—
Appropriation for 546
Transfer of funds to 74
Loans to Administrator, amendment of provisions respecting; transfers of functions, etc 546, 547
Reconstruction Finance Corporation, transfer of functions, etc 546, 547
Rural rehabilitation—
Obligations, certain, in connection with, transfer 545
Transfer of funds to 74
Salaries and expenses, appropriation for 523
Salinas, Calif., transfer of lands in vicinity of 529
San Francisco radio office, use of funds for maintenance of 526
Secretary, Office of, appropriation for 523
Reduction 20
Transfer of funds to 73
Secretary, presidential succession 380
Sitka, Alaska, sale to, of United States Reserve for Agricultural Investigations and Weather Service, authorized 310
Soil-building, etc., practices, funds available for 542
Soil Conservation and Domestic Allotment Act. *See separate title.*
Soil Conservation Service—
Appropriation for 540
Reduction 20
Transfers of funds to 74
Buildings, cost limitation 540
Demonstration projects, restriction on use of funds 541
Missouri, approval by central State agency of soil conservation agreements 540
Solicitor, Office of, funds for 73, 524
Southern Great Plains Field Station, Okla., appropriation for repair of buildings, etc 534
Special research fund, funds for 73, 529
Specialists, etc., temporary employment of 525

Agriculture, Department of—Continued Page
Speculative trading on commodity exchanges, funds available for carrying out legislation respecting; report to Congress 942, 943
Strategic and critical agricultural materials, research on, appropriation for; transfer of lands, etc 529
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 549
Exception, certain emergency work 549
Sugar. *See separate title.*
Sugar Act of 1937, appropriation to effect provisions of; limitation 543
Sugar Act of 1948 922
Sugar Control Extension Act of 1947 35
Appropriation for enforcement 618
Appropriations for performing functions under during July 1947; amount available for terminal leave 245
Sugar Council, International, appropriation for share of expenses 527
Sugar Rationing Administration, funds for 245, 618
Surplus Marketing Administration, Territories, emergency supplies for, repeal of provisions of Act of December 23, 1941 450
Tongass National Forest, Alaska, sale of timber 920
Transfers of funds 65, 73, 74, 218, 219, 526, 537, 542
Treasury, Secretary of, authority respecting receipt of certain obligations and making of loans 545
Tussock moth control, appropriation for 65
Twine, restriction on purchase of foreign product 523
Vehicles, funds available for purchase; limitation on number, etc 548
War crops, acreage allotment, date of termination of state of war, etc., in interpretation of Act of February 28, 1945 451
White pine blister rust control, appropriation for 537
Woodward, Okla., appropriation for repair of buildings, etc 533, 534
Agriculture, Secretary of. *See* Agriculture, Department of.
Agriculture, Yearbook of:
Printing and binding—
Appropriation for 526
Restriction on use of Government Printing Office funds for 375
Agriculture and Mechanic Arts, Colleges of, appropriation for endowment 266
Aid, Interim. *See* Foreign Aid Act of 1947.
Air Corps. *See under* War Department.
Air Force, United States. *See* Air Force, Department of the, *under* National Security Act of 1947. Page
Air Mail Service:
Alaska, funds for 112, 230, 700, 701
Domestic—
Appropriation for 112, 231, 701
Transfers of funds from 112, 187, 700
Air Mail Transportation, Foreign, funds for 69, 186, 231, 701
Air Museum, National, appropriation for planning of 602
Air-Navigation Facilities. *See under* Civil Aeronautics Administration.
Aircraft. *See* Civil Aeronautics Administration; Civil Aeronautics Board; Navy Department; War Department.
Airport Act, Federal, appropriation for carrying out provisions of, merger of appropriations 297
Airport Advisory Service, transfer of funds to appropriation for 74
Airports, Public, conveyance of surplus property for development; terms, conditions, reservations, and restrictions 678
"Ajax," Canadian-Built Dredge, Etc., documentation under laws of United States 704
Alabama, oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Alaska:
Agricultural experiment station, transfer of equipment, etc.; availability of funds for settlement of obligations 529, 530
Agricultural extension work, appropriation for 527
Agricultural problems, appropriation for research on 524, 529
Air mail service, funds for 112, 230, 700, 701
Airport program, Federal-aid, appropriation for 297
Civil Aeronautics Administration and Civil Aeronautics Board—
Distressed persons in remote localities, appropriation for relief 301
Medical services for employees in 301
Subsistence supplies for resale; report to Congress 301
District attorneys, U. S., appropriation for office expenses 290
Fairbanks, construction of magnetic and seismological observatory, appropriation for 298
Fire fighting, public lands, appropriation for 464
Fisheries, appropriation for 486
Fur-seal investigations, appropriation for 486

Alaska—Continued Page
Game law—
Amendment, compensation of members of commission 415
Appropriation for enforcement 487
Government in, appropriation for 66, 116, 489
Indians, buildings and utilities, construction, etc., appropriation for 467
Indigent, appropriation for 218
Insane, appropriation for care and custody of 66, 489
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for 117, 286
Land patents, etc., reservation of right-of-way for roads, etc 418
Legislative expenses, appropriation for 489
Marshals, U. S., appropriation for services in collecting evidence 290
Metlakahtla, etc., Indians, U. S. citizenship; certificate of citizenship 414
Mineral Leasing Act, amendment, money received from sales, etc., of public lands under, disposition 119
Mineral resources, appropriation for investigation of 478
Mining claims, suspension of annual assessment work 213
Mining laws and regulations; rights of future State 916
Mount McKinley National Park, appropriation for lodges, etc 490
Natives, support, etc., appropriation for 115, 465, 943
Pardons, reprieves, etc., authority of Governor respecting granting of 459
Petersburg, conveyance for school purposes 632
Pribilof Islands, natives, appropriation for furnishing food, etc., to 486
Prisoners, Federal, appropriation for support of 293
Public schools, appropriation for 489
Railroads, additional income tax on, appropriation for 220
Reconstruction Finance Corporation Act, applicability 204
Richardson Highway, appropriation for construction 489
Riverside Mine, Hyder, transportation of supplies and products by vessels of foreign registry; time limit 632
Roads, bridges, etc., appropriation for 489
Salmon River, appropriation for flood control 689
Sitka, sale to, of United States Reserve for Agricultural Investigations and Weather Service, authorized 310
Star route service, funds for 112, 230, 700, 701

Alaska—Continued Page
Tongass National Forest, sale of timber and lands 920
Topographic surveys, appropriation for 477
Transportation of U. S. employees on Army transports; limitation 423
Transportation service, water, authorization for Maritime Commission to make provision for during specified period; reports to Congress 10
University of Alaska, cooperation in research on agricultural problems 529
Victory Bible Camp Ground, Inc., purchase of land by 90
Weather Bureau—
Distressed persons in remote localities, appropriation for relief 301
Government employees, compensation for taking and transmitting meteorological observations 301
Medical services for employees in 301
Subsistence supplies for resale; report to Congress 301
Wildlife resources, appropriation for investigations of 487
Zoning power of Legislature in town sites on public lands of United States 414
Alaska Communication System, appropriation for 118, 687
Alaska Railroad:
Alaska Railroad Retirement Act, reemployment of persons retired under, repeal of Act of December 22, 1942 450
Contracts for additional work, authority of Secretary of the Interior 490
Funds for 490, 590
Retirement and disability fund, appropriation for 590
Surplus materials, equipment, etc., transfers to 490
Albany, Calif., appropriation for construction of storage building for Bureau of Agricultural and Industrial Chemistry, Department of Agriculture 536
Alcohol. *See* Distilled Spirits, Etc.
Alcohol Plants, Industrial, emergency production of sugars and sirups, time extension 4
Alien Property, Office of. *See under* Justice, Department of.
Alien Property Administration, Philippine. *See* Philippine Alien Property Administration.
Alien Property Custodian. *See under* Justice, Department of.
Alien Property Trust Fund, deposit of certain funds in German special deposit account 789

Page

Aliens. *See also* Citizenship and Naturalization; Interned Persons; Prisoners of War.
Arrivals at or departures from U. S. ports, lists to be furnished to immigration officers 630
Copyrights, extension to work of, reciprocal conditions 655
Crews of certain foreign vessels, appropriations available for expenses 395
Deportation and exclusion, appropriation for 292
Enemy aliens—
Detention, maintenance, etc., appropriation for—
Justice, Department of 292
Navy Department 382
War Department 572
Water conservation and utilization projects, etc., repeal of provision relating to use of services on 450
Fiancees or fiances of veterans or members of U. S. armed forces, admission to U. S., time extension of authority 190
Government service, restriction on employment. *See* Citizenship requirements, employees, *under* Government Departments and Agencies.
Seamen—
Employment of, waivers for; limitation 685
Foreign-flag vessels, certain, benefits for seamen, repeal of provisions of Act of July 1, 1944; effective date 451
Spouses of American servicemen or veterans, nonapplicability of provisions respecting racial ineligibility; time limitation 401
United Nations headquarters district, provisions respecting entry 761
All-American Canal:
Appropriation for 476
Revision of language of Interior Department Appropriation Act, 1947 183
Allen, G. F., former Chief Disbursing Officer, Treasury Department, credit in accounts 729, 730
Alley Dwelling Authority Act, D. C., appropriation for maintenance of properties under 600
Allowances, Military and Naval Personnel. *See* Pay Readjustment Act of 1942, Amendments.
Ambassadors and Ministers. *See* Foreign Service *under* State, Department of.
American Battle Monuments Commission:
Appropriation for 588, 696
Cemeteries in foreign countries, design and construction, responsibility 780
American Historical Association, appropriation for printing report of 602
American International Institute for the Protection of Childhood, appropriation for contribution 282
American Legion:
Arthur Alexander Post Numbered 68, Belzoni, Miss., granting of reversionary interest reserved to U. S. in certain lands 135
Attendance of Marine Band at parade in New York, N. Y., authorized 632
American National Red Cross:
Continuation of existing corporation, etc 83
D. C. Chapter, authorization for erection of permanent building; conditions, etc 241
Incorporation, amendments respecting 80
American Printing House for the Blind, appropriation for 264
American Republics:
Cooperation with—
Appropriation for 286
Nonprofit institutions, grants to, appropriation available for 287
Inter-American Affairs, Institute of. *See separate title.*
Navy Department, expenses of Latin-American cooperation, appropriation for 382
Travel in Western Hemisphere by citizens of 286
War Department, inter-American relations—
Appropriation for 568
Appropriation rescission 573
American Telephone and Telegraph Company, conveyances by Navy Department in Virginia and Maryland, authorized 13
American Veterans of World War II (AMVETS), incorporation of 403
Ames Aeronautical Laboratory, appropriation for 599
Amnesty Board, President's, allocation of funds for 585
AMVETS (American Veterans of World War II), incorporation of 403
Anadarko, Okla., Indian arts and crafts building, appropriation for support, etc 465
Anaheim Bay, Calif., availability of funds for erosion prevention at 187
Anderson Ranch Dam, Idaho, appropriation for construction 473
Andrew W. Mellon Memorial Committee, authorization for erection of memorial in District of Columbia 327
Andrews, Charles O., appropriation for payment to widow of 15

Page

Angeles National Forest, Calif., acquisition of lands for, appropriation for 539
Angostura Unit, Missouri Basin Project, inclusion of certain lands owned by U. S., authorized 408
Animal Husbandry, funds for 73, 531, 617
Animal Industry, Bureau of. *See under* Agriculture, Department of.
Annapolis, Md.:
Engineering Experiment Station, appropriation for 385
Naval Academy. *See separate title.*
Anniston, Ala., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Annotated Constitution of the United States of America, preparation of revised edition 133
Anthracite Investigations, appropriation for 480
Anthracite Research Laboratory:
Appropriation rescission 492
Schuylkill Haven, Pa., appropriation for construction and equipment 480
Antimony, allocations, time limitation of provisions; extension 34, 322
Antitrust Division. *See under* Justice, Department of.
Antitrust Laws:
Immunity from prosecutions under, repeal of provisions of Act of June 11, 1942 450
Insurance regulation, inapplicability of Clayton and Sherman Acts to, time extension 448
Labor organizations, suits under Clayton Act, jurisdiction of district courts 158
Stabilization agreements, voluntary, noncompliance, etc., not deemed basis for action under 946
Aperitif Wines Other Than Vermouth, manufacture in bonded winery 320
Apple Production Other Than Commercial Crop, restriction on use of designated funds for estimates 527
Apples, orders regulating handling, terms and conditions; limitation 707
Apprentice Training Service, funds for 75, 262
Appropriation Acts. *See also* Appropriations.
Agriculture, Department of 523
Amendment 617
Availability date of certain; confirmation and ratification of designated obligations 187
Limitations; termination of authority 246
Pay rolls, temporary appropriations for meeting obligations incurred in accordance with provisions 361
Commerce, Department of 294

Appropriation Acts—Continued Page
Deficiency appropriations, 1947 26
Waiver of certain restrictions respecting appropriations 31
Deficiency—
First, 1947 58
Second, 1947 106
Urgent, 1947 14
Second Urgent, 1947 183
District of Columbia 425
Emergency, 1935, purchase by Reconstruction Finance Corporation of securities acquired, etc., by Public Works Administration, repeal of provisions respecting 208
Emergency, 1948 243
Federal Security Agency 264
Government Corporations 574
Supplemental 514
Independent Offices 585
Interior, Department of the 460
Judiciary 302
Justice, Department of 289
Labor-Federal Security 260
Legislative Branch of the Government 361
Amendment, salary rates of certain positions 610
Military 551
National Labor Relations Board 276
National Mediation Board 277
Navy Department 382
Obligations incurred in anticipation of appropriations or authority, ratification and confirmation 703
Pay costs, increased, Government officers and employees 26
Personal services, funds for, restriction on use for cost of allocation of position to higher grade, etc.; exception 118
Waiver of certain restrictions respecting appropriations 31, 118
Post Office Department 228
Railroad Retirement Board 277
Second Supplemental, 1948 695
State, Department of 279
Supplemental, 1948 610
Government Corporations 514
Second, 1948 695
Third, 1948 941
Temporary appropriations, 1948, for meeting pay rolls 361
Third Supplemental, 1948 941
Title and style of 634
Treasury Department 216
War Department Civil 686
Appropriations. *See also* Appropriation Acts.
Availability date of certain; confirmation and ratification of designated obligations 187

Appropriations—Continued Page
Availability date of certain—Con.
Limitations; termination of authority 246
Pay rolls, temporary appropriations for meeting obligations incurred in accordance with provisions 361
Cemeteries, national, use of certain lands by War Department as, authorized 742
Children's Emergency Fund of United Nations, International, authorized 125, 939
Appropriation for 613
Coast and Geodetic Survey, construction, etc., of facilities, authorized 788
Coast Guard Academy, construction of chapel, authorized 400
Commission on Organization of the Executive Branch of the Government, expenses, authorized 247
Appropriation for 696
Commodity prices, stabilization, authorized 948
Congressional Aviation Policy Board, Temporary, authorized 677
Appropriation for 611
Conservation program for food and feed, authorized; funds available 948
District of Columbia—
Ceremonies, authorized 314
Court building, preparation of plans and specifications, authorized 121
Appropriation for 612
Federal payment to, authorized 361
Metropolitan Police Force band, authorized 311
Nurseries and nursery schools—
Appropriation for; limitation on use 439
Reduction in authorization 189
Undertakers, licensing of, enforcement of provisions relating to, authorized 713
District of Columbia Code and Supplements, preparing and editing, authorized 640
Export control of certain commodities, time extension, authorized 214
Appropriation for 66, 619
Farm labor supply program—
Continuance and liquidation, authorized 55
Appropriations for; funds available 109
Disposition of facilities, authorized 695
Farragut, Idaho, reimbursement of certain Navy and former Navy personnel for losses at, authorized 315
Federal Insecticide, Fungicide, and Rodenticide Act, effecting provisions, authorized 172
Appropriation for 618

Appropriations—Continued Page
Federal Works Agency, contributions for operation and maintenance of school facilities, authorized 717
Appropriation for 697
Fishing resources, Territories and island possessions of United States, authorized 726, 727
Flood-control work, emergency, authorized 163
Appropriation for 187
Foot-and-mouth disease and rinderpest, cooperation with Mexico in control and eradication, authorized 8
Appropriation for 24, 185, 245, 617
Foreign Aid Act of 1947, effecting provisions, authorized 938
Appropriation for 942
Forest Pest Control Act, effecting provisions, authorized 177
Fort Hall Reservation, Idaho, construction of memorial museum and shop, authorized 120
Galen, Mont., tuberculosis sanatorium for treatment of Indians, authorized 729
Geographic Names, Board on, authorized 457
Gila project, relocation of boundaries, reduction in area, authorized 630
Gold star lapel buttons, furnishing to widows, parents, etc., of deceased armed forces members, authorized 711
Greece, aid to, authorized 105
Appropriation for 613
Funds available 105
Hawaii, fishing research laboratory and experiment station, authorized 726
Hospitals of Federal Government, effecting certain provisions relating to student-employees, authorized 728
House of Representatives, officers and employees, certain, compensation, appropriations available 4
House Office Building, preparation of certain plans and specifications, authorized 312
Housing, certain temporary, additional authorization; limitations on availability 128
Appropriation for 515
Housing and Rent Act of 1947, functions, etc., of Housing Expediter under, authorized 200
Appropriation for 574
Institute of Inter-American Affairs Act, effecting provisions, authorized 783
International Refugee Organization, annual appropriation to Department of State, authorized 215
Appropriation for 623

Appropriations—Continued Page
Joint Committee on Labor-Management Relations, authorized 161
Appropriation for 611
Leases of real or personal property, Navy and War Departments, effecting provisions relating to, authorized 776
Plants, equipment, etc., certain, transfer of title, authorized 776
Little Sioux River, flood-control project, authorized 742
Marine Band, attendance at designated functions, authorized 212, 632
Minnesota, cooperation in extension, etc., of public-school facilities, authorized 414, 418
Moclips-Aloha District, Wash., cooperation of Department of Interior in construction of school building, authorized 211
Appropriation for 699
National Security Act of 1947, effecting provisions of, authorized 509
Navajo and Hopi Indians, relief, authorized 940
Naval postgraduate school, authorized 707
Owyhee, Nev., construction, etc., of school buildings, authorized 315
Paonia Federal reclamation project, Colo., construction, maintenance, and operation, authorized 181
Pay costs, increased, Government officers and employees 26
Personal services, funds for, restriction on use for cost of allocation of position to higher grade, etc.; exception 118
Waiver of certain restrictions respecting appropriations 31, 118
Pay rolls, Government, temporary appropriations for meeting 361
Relief assistance to people of countries devastated by war, authorized 125
Appropriation for 613
China, appropriation for 942
San Carlos Irrigation and Drainage District, Ariz., extension of system, authorized 9
Second Decontrol Act, effecting provisions, authorized 324
Appropriation for 618, 619
Second War Powers Act, extension of time limit for designated provisions, authorized 214, 324
Appropriation for 618, 619
Selective Service Records, Office of, authorized 31
Appropriation for 617

Appropriations—Continued Page
Senate, officers and employees, certain, compensation, appropriations available 4
Senate office building, additional, preparation of preliminary plans and estimates, authorized 307
Appropriation for 612
Sockeye Salmon Fishery Act of 1947, enforcement, authorized 514
Statement of, preparation 369
Sugar Control Extension Act of 1947—
Appropriations authorized 37
Appropriations for 245, 618
Transfers 36
Surplus property, transfer for alleviation of damage by flood or other catastrophe, authorized 423
Temporary, 1948, for meeting Government pay rolls 361
Theodore Roosevelt National Memorial Park, N. Dak., authorized 54
Treasury Department, credit in certain accounts 730
Turkey, aid to, authorized 105
Appropriation for 613
Funds available 105
United Nations, proceedings for acquisition of property for, authorized 767
United Nations Relief and Rehabilitation Administration, liquidation, authorized 260
Appropriation for 614
United States Code and supplements, preparing and editing, authorized 640
Vocational rehabilitation, Veterans' Administration—
Appropriation for 17, 62
Increase in authorization 180
Walker, Minn., cooperation in extension, etc., of public-school facilities, authorized 414
Washington National Airport, charges for municipal services to, authorized 95
Appropriations, Senate Committee on, consultant, availability of appropriation for employment of 15
Arapaho Tribe, Wind River Reservation, Wyo., trust fund held in joint ownership with Shoshone Tribe, segregation, availability for expenditures, per capita payments, etc 102
Arbitration:
Codification and enactment into positive law of Title 9, United States Code 669
Repeals 674
Arbitration, International, Bureau of Interparliamentary Union for Promotion of, appropriation for contribution 282

Page

Arbitration, Permanent Court of, International Bureau of, appropriation for contribution 283
Arbitration and Emergency Boards, National Mediation Board, appropriation for 61, 277
Arboretum, National, funds for 73, 534
Architect of the Capitol:
Appropriation for 16, 27, 369, 612
Capitol buildings and grounds, appropriation for 27, 59
Claims, Court of, repairs, etc., expenditure under supervision of Architect 59
D. C. building for Court of Appeals and District Court—
Preparation of plans, specifications, etc 120
Transfer of duties, etc., to Commissioner of Public Buildings 612
Expenditures without reference to public contract requirements 370
House Office Buildings. *See separate title.*
Penalty mail costs, appropriation for 369
Printing and binding, appropriation for 375
Senate Office Building. *See separate title.*
Senate restaurants—
Appropriation for 58, 364, 611
Special deposit account, payment of balance to Senate Committee on Rules and Administration 696
Travel expenses, funds available for 369
Archives, National:
Appropriation for 61, 109, 114, 600
Salary limitation, war-service employees 600
Arctic Weather Stations, appropriation for maintenance and operation; transfer of equipment from War and Navy Departments 301
Ardmore, Okla., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Arid and Semiarid Areas, appropriation for water facilities 546
Arizona:
Davis Dam project, appropriation for construction 475, 944
Gila project—
Appropriation for construction 475
Relocation of boundaries, reduction of area, etc 628
Indians—
Buildings and utilities, construction, etc., appropriation for 467
Fort Apache Reservation, museum, appropriation for support 465
Navajo, purchase of land, reduction in appropriation 21

Arizona—Continued Page
Indians—Continued
Pima cropping operations, etc., funds available 471
Irrigation projects, appropriation for 467
Parker Dam power project, appropriation for 116, 474
San Carlos Irrigation and Drainage District, wells and pumping works, extension of system authorized 8
Tucson, lease of public lands for aviation field, date of termination of state of war, etc., in interpretation of Act of April 12, 1926 451
Yuma—
Aviation field, exchange of lands for, date of termination of war, etc., in interpretation of Act of May 29, 1926 451
Transfer of surplus property, etc., at Yuma Army air base to Bureau of Reclamation, Department of the Interior 477
Yuma project, appropriation for 116, 474, 699
Arkansas:
Flood relief, restoration of roads and bridges, Public Roads Administration, reduction in appropriation 19
Little Rock Municipal Airport, control by United States in time of war, date of termination of state of war, etc., in interpretation of provision of Act of May 15, 1936 451
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Arkansas River Compact, funds for negotiation between States of Colorado and Kansas; retired Army officer as U. S. representative 478
Arlington County, Va., right of assumption and control of certain lands by U. S., date of termination of emergency in interpretation of Act of Feb. 28, 1933 452
Arlington Farm, Va., removal and reestablishment, reduction in appropriation 20
Arlington Memorial Bridge, appropriation for 484
Arlington National Cemetery, appropriation for maintenance, etc 686
Armed Forces. *See* Army; Coast Guard; Marine Corps; Navy.
Armed Forces Leave Act of 1946, Amendments. *See* Leave Act of 1946, Armed Forces, Amendments.
Armored Force, instruction in activities, appropriation rescission 573

Army. *See also* War Department. Page
Aerial flights, increased pay for nonflying officers, limitation 552
Air Corps. *See under* War Department.
Appropriation Act, Military 551
Arkansas River compact, retired officer as U. S. representative 478
Articles of War. *See separate title.*
Aviation cadets, enlistments, appointments, etc., repeal of provisions of Act of July 8, 1942 449
Bonds, officers and enlisted men, payment of annual premium as compliance with requirement for renewal 647
Cavalry activities, appropriation rescission 573
Chemical Service—
Appropriation for 562
Appropriation rescission 573
Chief of Staff, continuance in office after retirement age, repeal of Act of December 2, 1944 449
Civil authorities, delivery of offenders to, date of termination of war in interpretation of provision of Act of June 4, 1920 452
Claims, appropriation for 70, 551, 552, 555, 560
Clothing and clothing allowance for enlisted men 242
Coast Artillery activities, appropriation rescission 573
Contingencies of—
Appropriation for 551
Appropriation rescission 572
Contract surgeons, appointment, date of termination of emergency in interpretation of provision of Act of Feb. 2, 1901 452
Courts martial—
Appropriation for expenses 555
Confirmations of sentence by President, date of termination of war in interpretation of provision of Act of June 4, 1920 452
Dental Corps, examination for promotion, discontinuance, repeal of Act of November 29, 1940 449
Dependents, transportation of—
Air transportation (war spouses and their children), appropriation for 70
Change of station 554
Deserters, etc., expenses in connection with, appropriation for 555
Desertion, etc., punishment for, date of termination of war in interpretation of provisions of Act of June 4, 1920 452

Army—Continued Page
Disbursing officers, time extension for examination of accounts, date of termination of state of war, etc., in interpretation of provisions respecting 452
Disciplinary powers of commanding officers, date of termination of war in interpretation of provision of Act of June 4, 1920 452
Engineer Service—
Appropriation for 561
Appropriation rescission 21, 573
Transfer of funds from appropriation for 71
Enlisted Reserve Corps—
Extension of certain enlistments, date of termination of war in interpretation of provisions authorizing 452
Government and D. C. employees—
Acceptance of Government employment, pay and allowances, etc 239
Military leave 238
Enlisted strength, date of termination of emergency in interpretation of Act of March 17, 1916 453
Enlistments—
Extension of certain, date of termination of war in interpretation of provisions authorizing 452
Voluntary, rights, benefits, etc 191
War, etc., enlistments in time of, date of termination of war, etc., in interpretation of Act of May 14, 1940 452
Family allowances, restriction on use of funds for audit work respecting 572
Field Artillery activities, appropriation rescission 573
Flight officers, appointments, commissions, etc., repeal of provisions of Act of July 8, 1942 449
"Flying officer," definition 552
Gifts from members, amendment of free-entry provision; termination date 917
Greece, detail of members in advisory capacity 103
Ground Forces, appropriation for training and operation 563
Household effects, transportation of, on change of station 554
Infantry School, appropriation rescission 573
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*

Army—Continued Page
Mail clerks, etc.—
Additional compensation, repeal of provisions 211
Adjustment of claims, date of termination of war in interpretation of provisions of Act of Dec. 7, 1945 453
Maternity and infant care, emergency, wives and children of enlisted men, appropriation for; liquidation of activity 273
Medals, decorations, etc., from certain foreign governments—
Acceptance authorized; time limitation 93
Amendment 715
Date of termination of war in interpretation of provisions of Act of July 20, 1942 453
Medical Corps, examination for promotion, discontinuance, repeal of Act of November 29, 1940 449
Medical Department. *See under* War Department.
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service 776
Medical Service Corps. *See* Army Medical Service Corps *under* Army-Navy Medical Services Corps Act of 1947.
Metropolitan Police force band, D. C., retired officer as director, appointment authorized 311
Mileage accounts, military personnel, provision for payment and settlement 23
Minors, discharge of, repeal of designated provisions 192
Mount, no additional pay to officer owning 553
National Guard. *See separate title.*
Nurse Corps. *See* Army Nurse Corps *under* Army-Navy Nurses Act of 1947.
Occupied areas, funds for administration of 569
Officers—
Annual classification, termination of suspension of provisions of National Defense Act; repeal of Act of July 29, 1941; effective date 451
Appointments, date of 95
Medical and dental—
Original appointments 777
Pay 776
Naval postgraduate school, attendance at 706
Officer Personnel Act of 1947. *See separate title.*

Army—Continued Page
Officers—Continued
Rank and precedence in time of war, etc., date of termination of war in interpretation of provision of Act of June 4, 1920 452
Removal from active list, repeal of Act of July 29, 1941 451
Reserve Corps—
Active duty, temporary appointments 908
Army Nurse Corps Section, establishment 46
Government and D. C. employees who are members, acceptance of Government employment, pay and allowances, etc 239
Women's Medical Specialist Corps Section, establishment 46
Reserve officers on active duty, funds available for pay and allowances 569
Reserve Officers' Training Corps—
Appropriation for 566
Mounted units, limitation 567
Restriction on use of funds 567
Surplus stocks of War Department, furnishing of supplies from 567
Veterinary units, restriction on further enrollments 567
Retired officers—
Recall to duty in time of war, date of termination of war in interpretation of provision of Act of June 4, 1920 452
Sale of supplies to Army or War Department, restriction 553
Wartime pay, officer exercising command higher than his grade, date of termination of war in interpretation of provision of Act of April 26, 1898 453
Olympic games, participation authorized; expenses 243
Ordnance service and supplies—
Appropriation for 562
Rescission 573
Transfer of funds from 71
Organized Reserves. *See separate title.*
Panama, acquisition of land, reduction in appropriation 22
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Philippines, damages in, date of termination of war in interpretation of Act of July 31, 1945 454

Army—Continued Page
Prosecutions, time limitations on, date of termination of war in interpretation of provisions of Act of June 4, 1920 454
Publications, restriction on pay of Army personnel connected with certain 553
Quartermaster Service—
Appropriation for 555
Appropriation rescission 573
Referee in bankruptcy, appointment, eligibility of retired personnel and members of Reserve components 213
Remains of certain persons buried outside U. S., permanent interment outside U. S., or evacuation and return 779
Remount Service, appropriation for, transfer of funds in event of transfer of Service 702, 703
Rental allowances, occupancy of Government facilities under Military Establishment 572
Retired personnel—
Referee in bankruptcy, eligibility for appointment 213
Veterans' organizations, presentation of claims to Veterans Administration, representation of 716
Selective Service Records, Office of, assignment to without loss of status 32
Service, etc., periods, extension of, date of termination of war in interpretation of provision of Act of Dec. 13, 1941 452
Signal Service—
Appropriation for 558
Appropriation rescission 573
Special Service Schools, appropriation rescissions 573
Supplies, ordnance, orders for, date of termination of war in interpretation of Revised Statutes 1166 452
Surplus supplies and equipment, issuance to National Guard 564
Taxes—
Admissions tax exemption, termination date 919
Allowance against gross income, termination date 918
Income-tax deferments for personnel on sea duty or outside United States, termination date 918
Income taxes, abatement upon death; credit or refund of overpayment 778, 918
Transportation tax exemption, termination date 919
Withholding at source on wages 918

Army—Continued Page
Temporary appointments in Army of United States, repeal of Act of September 22, 1941; effective date; certain men who completed course of medical instruction; effective date 451
Transportation Service—
Appropriation for 558
Appropriation rescission 573
Travel allowance accounts, military personnel, provision for payment and settlement 23
Turkey, detail of members in advisory capacity 103
Veterans. *See separate title.*
Veterinary Corps, examination for promotion, discontinuance, repeal of Act of November 29, 1940 449
War offenses, date of termination of war in interpretation of provisions of Act of June 4, 1920 452
Army, Department of the. *See also* Army; War Department.
Civil functions, appropriation for government and relief in occupied areas 943
Establishment, etc. *See* National Security Act of 1947.
Army and Navy Hospital, Hot Springs, Ark., appropriation for 561
Army and Navy Munitions Board, Joint, termination; transfer of records and personnel to Munitions Board 506
Army Medical Library and Museum, appropriation for 560
Army-Navy Medical Services Corps Act of 1947 734
Amendments 881
Army Medical Service Corps—
Chief and Assistant Chiefs 735
Establishment; composition; strength, etc 734
Medical Administrative Corps, abolition 736
Original appointments; appointments from sources other than Army 735
Pharmacy Corps, Regular Army, abolition, transfer of officers to Medical Service Corps 736
Promotion to permanent grades of commissioned officers of Medical Service Corps, Regular Army 735
Temporary appointments or commissions, certain persons in Army of United States, transfer to Medical Service Corps, Regular Army 736
Navy, Hospital Corps—
Authorized strength; eligibility of enlisted men for transfer 738

Army-Navy Medical Services Corps Act of 1947—Continued — Page
Navy, Hospital Corps—Continued
Warrant officers, appointment, rank, pay, etc. — 738
Navy Medical Service Corps—
Applicability of laws relating to various staff corps — 738
Repeal of provisions — 881
Establishment; composition; strength, etc. — 736
Officers—
Appointments; appointments from sources other than Navy — 737
Command, limitation — 738
Commanders, involuntary retirement, limitation — 737
Repeal of provisions — 881
Precedence; number of captains — 736, 737
Repeal of provisions — 881
Revocation of commission, authority of Secretary of Navy; reappointment — 737, 738
Staff officers; selection boards, etc. — 737
Repeal of provisions — 881
Army-Navy Merger Act. *See* National Security Act of 1947.
Army-Navy Nurses Act of 1947 — 41
Army Nurse Corps—
Active military service, credit for — 46
Appointment restrictions, prior Corps — 46
Chief—
Appointment, grade, pay — 41
Retirement, rank, etc. — 45
Commissioned officers, appointment — 42
Appointments in addition to numbers of commissioned officers of Regular Army — 46
Promotions to permanent grades; examinations — 44
Tender of appointments to specified persons; qualifications; determination of grade; crediting of service, etc. — 42, 43
Termination of commission, authority of Secretary of War — 46
Establishment, strength, etc. — 41
Laws, applicability to commissioned officers, dependents, and beneficiaries — 45
Officers' Reserve Corps, establishment of Army Nurse Corps Section; applicability of laws; appointments in; call to active duty, etc. — 46, 47
Relative rank among commissioned officers, determination — 44
Retirement of officers, pay, etc. — 44, 45
Termination of prior Corps; pay, leave, etc. — 46

Army-Navy Nurses Act of 1947—Con. — Page
Navy Nurse Corps—
Active military service, credit for — 46
Advancement in rank, applicability of laws, etc. — 48
Repeal — 883
Allowances, benefits, etc., applicability of provisions of law relating to — 50
Authority of officers — 48
Amendment — 882
Director—
Appointment, grade, pay — 47
Retirement — 49
Ensign, appointments subject to revocation; qualifications for appointment — 48
Establishment, strength, etc. — 47
Amendment — 882
Longevity pay — 50
Oath of office, renewal not required — 51
Repeals — 51
Retirement, effective period of provisions relating to — 52
Reserve, Nurse Corps, establishment, composition, transfers from Volunteer Reserve, etc. — 51
Effective date of provisions — 52
Retirement or separation from active list — 49, 50
Amendment — 882
Selection boards — 49
Termination of commission of officer, authority of Secretary of Navy — 50
Transfers of members of active list of existing Nurse Corps for temporary duty; accrued leave; running mates; permanent ranks, etc. — 47, 48
Amendment — 882
Permanent commissions — 882
Women's Medical Specialist Corps, Army—
Assistant Chiefs—
Appointment, pay, etc. — 42
Retirement, rank, etc. — 45
Chief—
Appointment, pay, etc. — 42
Retirement, rank, etc. — 45
Commissioned officers, appointment — 42
Appointments in addition to numbers of commissioned officers of Regular Army — 46
Promotions to permanent grades; examinations — 44
Qualifications, determination of grade; crediting of service, etc. — 42, 43
Termination of commission, authority of Secretary of War — 46
Establishment, composition, strength — 42

Page

Army-Navy Nurses Act of 1947—Con.
Women's Medical Specialist Corps, Army—Continued
Laws, applicability to commissioned officers, dependents, and beneficiaries 45
Officers' Reserve Corps, establishment of Women's Medical Specialist Corps Section; applicability of laws; appointments in; call to active duty, etc 46, 47
Relative rank among commissioned officers, determination 44
Retirement of officers, pay, etc 44, 45
Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 776
Army Nurse Corps. *See under* Army-Navy Nurses Act of 1947.
Army Transport Service:
Alien seamen, waivers for employment 685
Boy Scouts, transportation to World Jamboree on vessel of 38
Army War College. *See* National War College.
Art, National Gallery of, appropriation for 28, 62, 602
Arthur Alexander Post Numbered 68, American Legion, Belzoni, Miss., granting of reversionary interest reserved to U. S. in certain lands 135
Articles of War:
Amendment, Article 119, rank and precedence among officers 913
Date of termination of war in interpretation of certain provisions of Act of June 4, 1920 452, 454
Asphalt Deposits, Choctaw-Chickasaw Nations, leases, etc.; sale 686
Assay Offices, appropriation for salaries and expenses 223
"Association", inclusion of "successors and assigns" in construction of statutes 633
Astronomical Union, International, appropriation for contribution 283
Astrophysical Observatory, appropriation for maintenance 602
Aten, Nebr., appropriation for bank protection, Missouri River 689
Atomic Energy, Joint Committee on, appropriation for 16, 363
Atomic Energy Commission:
Appropriation for 589
Cancer research, appropriation available 589
Contract authority 589
Federal Bureau of Investigation, transfer of funds to 291
Reduction in appropriations 18
Salary limitations 589

Page

Attorney General. *See under* Justice, Department of.
Audited Claims, appropriation for payment 64, 78, 185, 627
Austin Project, Okla., change of name of Lugert-Altus irrigation project to 99
Austria, Aid to. *See* Foreign Aid Act of 1947; Relief Assistance to Countries Devastated by War.
Aviation. *See* Army; Civil Aeronautics Administration; Civil Aeronautics Board; Navy; Navy Department; War Department.
Aviation Cadet Act, Army, termination of suspension of certain provisions, repeal of provisions of Act of July 8, 1942 449
Aviation Cadet Act of 1942, Naval, Amendment, lump-sum payment on release from active duty; payment to beneficiaries, etc 424
Aviation Policy Board, Temporary Congressional. *See* Congressional Aviation Policy Board, Temporary.
Aviation Stations, Coast Guard, increase in number 786
"Awa Maru", Japanese vessel, payment to Switzerland in settlement of claims for loss of food, etc., in sinking of 11
Awards. *See* Rewards.

B

Babassu Nuts and Kernels, monthly statistics, collection, publication, etc 457
Bacon-Davis Act:
Claims under, relief from certain 85, 86
Definition for purposes of Portal-to-Portal Act of 1947 90
Portal-to-Portal Act of 1947, applicability 85
Restriction on liability of employer in designated circumstances 88, 89
Statute of limitations 88
Bailey, Josiah W., appropriation for payment to widow of 15
Bailiffs, U. S. Courts:
Appropriation for salaries and expenses 117, 290
Per diem restriction 294
Bald Eagle, appropriation for protection of 487
Baltimore, Md.:
Fort McHenry—
Easement 212
Restoration, preservation, etc., date of termination of emergency in interpretation of Act of March 3, 1925 453
Lazzaretto depot, easement 212

Page

Bang's Disease, appropriation for eradication 531

Bankhead-Jones Act:
Amendment, marketing and cooperative research projects 694
Appropriation for effecting provisions relating to—
Agricultural experiment stations 524, 530
Agricultural extension work, cooperative 527, 528

Bankhead-Jones Farm Tenant Act. *See* Farm Tenant Act.

Bankruptcy Act of 1898:
Amendment, referees, qualifications, eligibility of retired members of armed forces, members of Reserve components, and members of National Guard 213
National Labor Relations Act, priority of applicability of provisions in cases of conflict 151

Banks:
Export-Import Bank Act of 1945, Amendments. *See separate title.*
Federal home loan—
Preferred stock, subscription and sale by Reconstruction Finance Corporation, repeal of provisions respecting 208
Stock held by Reconstruction Finance Corporation, transfer to Treasury Department 208
Federal Intermediate Credit Banks—
Administrative expenses, increase in amount available for 73
Availability of funds, etc 580
Federal Reserve—
Branch bank buildings, cost, amendment of Federal Reserve Act 520
Government obligations, etc., purchase and sale 56
Termination date of provisions, amendment of Second War Powers Act 34, 214, 322
National Labor Relations Act, exclusion from definition of employer under 137
Reconstruction Finance Corporation, action as custodians and fiscal agents for, authority 204
Reimbursement to certain for expenditures respecting public-debt transactions 219
Housing, insurance of financial institutions with respect to certain loans, etc., time extension in connection with 182

Banks—Continued Page
Preferred stock in national banking association, State bank or trust company, purchase by Reconstruction Finance Corporation, repeal of provisions respecting 208

Barberry Eradication, appropriation for; matching of funds 535

Barite, income-tax percentage depletion 919, 920

Barro Colorado Island, C. Z.:
Laboratory, appropriation for 602
Scientific study, etc., setting aside for, date of termination of emergency in interpretation of provision of Act of July 2, 1940 453

Barry, William B., appropriation for payment to widow of 15

Battle Monuments Commission, American:
Appropriation for 588, 696
Cemeteries in foreign countries, design and construction, responsibility 780

Battleground National Cemetery, appropriation for 484

Bauxite, income-tax percentage depletion 919, 920

Beltsville Research Center, Md. *See* Agricultural Research Center.

Belzoni, Miss., granting to Arthur Alexander Post Numbered 68, American Legion, of reversionary interest reserved to U. S. in certain lands 135

Benton, Ill., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304

Bentonite, income-tax percentage depletion 919, 920

Beryl, income-tax percentage depletion 919, 920

Betatron and Auxiliary Equipment, appropriation for purchase and installation, National Bureau of Standards 300

Beverage Brandies, blending of 320

Bibb County, Ga., conveyance by Navy Department, authorized 399

Big Bend National Park, Tex., appointment of commissioner, jurisdiction, powers; fees, costs, etc 91

Bilbo, Jessie Forrest, appropriation for payment to 941

Bilbo, Theodore G., Jr., appropriation for payment to 941

Billiard Tables, Tax on, war tax rates of certain miscellaneous taxes, continuance 12

Biographical Directory of the American Congress, compilation, preparation, etc., appropriation for 26

Page

Biological Investigations, appropriation for 487

Birds:
Appropriation for—
Bald eagle, protection of 487
Migratory Bird Treaty Act, enforcement 487
Migratory birds, protection of 487
Reservations, maintenance of 487, 621

Bixby Dam, appropriation for 699

Black Bass Act, appropriation for enforcement 487

Black Bass and Other Game Fish, regulation of interstate transportation 517

Blair County, Pa., transfer from middle judicial district to western judicial district 310

Blind:
Books for adult, appropriation for 373
Copyrights, works in raised characters—
Importation of copies, nonapplicability of designated prohibition 663
Nonapplicability of certain requirements respecting mechanical work 657
Grants to States for aid to. *See* Social Security Act; Social Security Administration.

Blind, American Printing House for the, appropriation for 264

Boise Project, Idaho, appropriation for 116, 473, 474

Bonds, Official and Penal:
Codification and enactment into positive law of title 6, United States Code 646
Custody 646
Delinquency of principal, notice of 647
Penal bonds, bonds or notes of United States in lieu of; place of deposit; return to depositor; contractors' bonds 650
Renewal; continuance of liability 647
Repeals 651
Sureties—
Examination as to sufficiency 647
Limitation of actions against 648
Premium on bond, rate; premiums not to be paid by United States 650
Surety companies as 648
Appointment of agents; service of process 648
Charter, deposit of copy 649
Estoppel to deny corporate powers 649
Failure to comply with law; penalty 650
Judgment, nonpayment of 649
Jurisdiction of suits on bonds 649
Statements, quarterly 649

Page

Bonds, Securities, Etc.:
Government obligations, purchase and sale by Federal Reserve banks, report to Congress 56
Termination date of provisions, amendments of Second War Powers Act 34, 214, 322
Hawaii, issuance of—
General-obligation bonds, Honolulu 381
Public-improvement bonds; limitation; approval of President of U. S. 326
Revenue bonds, ratification and confirmation of Act 10 of Session Laws of Hawaii, 1947 676
Liberty Bond Act, Second. *See separate title.*
Official and Penal Bonds, codification and enactment into positive law of title 6, United States Code 646
Taxation on issues of capital stock and bonds 921

Bonneville Power Administration. *See under* Interior, Department of the.

Bonny Dam, Republican Basin, appropriation for 699

Boston, Mass., pneumatic-tube service, appropriation for 29, 112, 232

Botanic Garden:
Appropriation for 27, 371
Nursery stock, distribution by congressional allotment, restriction 371

Boulder Canyon Project:
Appropriation for 116, 476
Revision of language of Interior Department Appropriation Act, 1947 183

Boulder Canyon Project Act, applicability to waters and lands in connection with Gila project, Ariz 628

Boulder Dam, restoration of name Hoover Dam to 56

Boundary and Water Commission, International, United States and Mexico:
Appropriation for 284, 285
Laredo, Tex., transfer of certain property at Fort McIntosh to U. S. Section 423

Boundary Commission, International, United States and Canada and Alaska and Canada, appropriation for 117, 286

Bowling Alleys, Tax on, war tax rates of certain miscellaneous taxes, continuance 12

Boxer Rebellion Veterans and Dependents, increase in pension rates 610

Boy Scouts, World Jamboree:
Passports, issuance 38
Taxes, nonapplicability of certain 38

Boy Scouts, World Jamboree—Continued Page
Transportation on vessel of Army Transport Service 38
War Department, loan of equipment by; expense of delivery and return; bond 37, 38
Boycotts. *See under* Labor Management Relations Act, 1947.
Boysen Dam, Yellowstone Basin, appropriation for 699
Bradley, Marcia Marie, appropriation for payment to 183
Brandies, Beverage, blending of 320
Bridges:
Alteration of, appropriation for U. S. share of expenses 689
Cairo Bridge Commission, refunding of bonds 311
Delaware River Joint Toll Bridge Commission, consent of Congress to compact between Pennsylvania and New Jersey concerning 752
Rock Island Bridge, Rock Island, Ill., appropriation for maintenance 562
Time extended for bridging Rio Grande, at or near Rio Grande City, Tex 728
Browning, Mont., Indian museum, appropriation for support 465
Bruceton, Pa., appropriation for buildings and grounds, Bureau of Mines, Department of the Interior 482
Bryson City, N. C., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Buchanan, P. R., land, acquisition by Military Establishment, reduction in appropriation 22
Budget, Bureau of the:
Appropriation for 28, 59, 586
Field, etc., offices outside D. C., limitation 586
Reports to Congress, Post Office Department apportionment of appropriations on quarterly basis, increase in 701, 702
Sugar, control, etc., transfer of funds and personnel to Department of Agriculture, determination of 36
Bulgaria, Nationals of, extension of certain patent rights to 794
Butter:
Allocations, extension of time limitation on provisions 322
Process or renovated, appropriation for carrying out provisions of designated Acts 533
Butter Substitutes:
Purchase by War Department, limitations 556
Purchase for St. Elizabeths Hospital, repeal of Act of July 12, 1943 450

C Page
Cabaret Tax, war tax rates of certain miscellaneous taxes, continuance 12
Cable Facilities, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Cache National Forest, Utah, acquisition of lands for, appropriation for 539
Cactus on Public Lands, authority for disposal by Secretary of the Interior 681
Cairo Bridge Commission, refunding of bonds 311
Caldwell, George, Estate of, payment to Menominee Indian Mills to credit of account of 455
Caldwell, Joe, Sr., payment to Menominee Indian Mills to credit of account of 455
California:
Albany, appropriation for construction of storage building for Bureau of Agricultural and Industrial Chemistry, Department of Agriculture 536
Anaheim Bay, availability of funds for erosion prevention 187
Central Valley project, appropriation for 116, 474, 475, 944
Fort Rosecrans, use of federally owned lands as national cemetery, authorized 742
Kern County, acquisition of land by Military Establishment, reduction in appropriation 22
Kings River project, appropriation for construction 475
Klamath project, appropriation for 116, 474
Laguna Band of Mission Indians, issuance by Secretary of Interior of patent in fee 731
Long Beach, conveyance by Navy Department, authorized 399
Los Angeles, easement for construction, etc., of storm drain, conveyance by Navy Department, authorized 9
Los Angeles County, acquisition of land by Military Establishment, reduction in appropriation 22
Marine school, appropriation for maintenance 604
Modoc National Forest, addition of certain lands 739
Monterey, acquisition of land, etc., for naval postgraduate school 705
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Pacific Marine Fisheries Compact, approval of Congress 419
Report to Congress by Commission 422

California—Continued Page
Parker Dam power project, appropriation for 116, 474
Pasadena, transfer of certain real property to Bureau of Agricultural and Industrial Chemistry, Department of Agriculture 536
Sacramento River, appropriation for flood control 690
Salinas, transfer of lands in vicinity of 529
San Bernardino County, acquisition of land by Military Establishment, reduction in appropriation 22
San Diego—
Naval training station, funds for 67, 383
Right-of-way for construction, etc., of water pipe line or lines, conveyance by Navy Department, authorized 39
Yuma project, appropriation for 116, 474, 699
California Débris Commission, appropriation for 688
Camp Gillespie, San Diego County, Calif., right-of-way for construction, etc., of water pipe line or lines, conveyance by Navy Department, authorized 39
Canada:
Ajax, Canadian-built dredge, etc., documentation under laws of United States 704
Hyder, Alaska, transportation of supplies and products of Riverside Mine by vessels of foreign registry; time limit 632
Insect pests and plant diseases, emergency outbreaks, appropriation for control of 536
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for 117, 286
International Fisheries Commission, appropriation for 286
International Joint Commission, United States and Canada, appropriation for 117, 285
International Pacific Salmon Fisheries Commission, appropriation for 286
Iron ore, transportation in vessels of Canadian registry, repeal of Act of January 27, 1942; effective date 451
Provisional Fur-Seal Agreement of 1942, termination date, repeal of provision of Act of February 26, 1944 450
Sockeye Salmon Fishery Act of 1947 511
Canal Zone. *See also* Panama Canal.
Barro Colorado Island—
Laboratory, appropriation for 602

Canal Zone—Continued Page
Barro Colorado Island—Continued
Scientific study, etc., setting aside for, date of termination of emergency in interpretation of provision of Act of July 2, 1940 453
Citizenship requirements, employees 393, 570, 693
Civil government, appropriation for 692
Federal Insecticide, Fungicide, and Rodenticide Act, exclusion from 164
Maintenance, etc., appropriation for 691
Military forces other than National Guard, maintenance, etc., repeal of provisions of National Defense Act of June 3, 1916 449
Retirement and disability fund, appropriation for 590
Sanitation, appropriation for 114, 692
Vessels, anchorage, movement, etc., authority respecting, date of termination of emergency in interpretation of provisions of Act of June 15, 1917 454
War Department—
Hours of employment and rates of pay of skilled, etc., personnel 570, 693
Panamanian citizens, employment of, restrictions, etc 570, 693
Canal Zone Code, Amendment, retirement, recomputation of annuity, etc 743
Cancer Institute, National, funds for 72, 270
Cancer Research, amount available to Atomic Energy Commission for 589
Cannonball Dam, appropriation for 699
Cape Hatteras National Seashore Recreational Area Project, appropriation for maintenance of structures 483
Cape Spartel and Tangier Light, Coast of Morocco, appropriation for contribution 282
Capitol Buildings and Grounds:
Maintenance, etc., appropriation for 27, 369
Police duty, details for 368, 377
Regulations for use, authority of Capitol Police Board respecting promulgation 308
Capitol Grounds, parking spaces, repeal of Act of July 8, 1943 450
Capitol Police:
Appropriation for 368, 696
Details to Capitol Grounds, etc 368, 377
Standards required 377
Capitol Police Board:
Authority respecting promulgation of regulations for use of U. S. Capitol Grounds, effective date, etc 308
Pay costs, increased, appropriation for 27, 72
Capitol Power Plant, appropriation for operation, etc 27, 370

Page

Capper-Ketcham Act, appropriation to effect provisions of 527
Captured Persons, pay, appropriations available to Navy Department for 394
Carderock, Md., Experimental Model Basin, appropriation for 385
Carlsbad Project, N. Mex., appropriation for construction 473
Carlson, Evelyn Norman, appropriation for payment to 106
Carriers. *See also* Railroads.
Arbitration, codification and enactment into positive law of title 9, United States Code 669
Communications—
Rendering of free communication services to official participants in designated world telecommunications conferences 83
War powers of President, date of termination of emergency in interpretation of provisions of Act of June 19, 1934 454
Emergency powers of Interstate Commerce Commission over motor and water, termination date 34, 214, 322
Maritime Commission—
Alaska, water transportation service, authority to make provision for during specified period; reports to Congress 10
Water carrier service, continuation of authority for 6, 190
Through service, common carriers subject to Interstate Commerce Act, rates, etc 743
Casper, Wyo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Caustic Poison Act, Federal, appropriation for enforcement 265
Cedar Bluff Dam, Kansas Basin, appropriation for 699
Celilo Falls, Oreg., purchase of land by Bureau of Indian Affairs, Department of the Interior 466
Cemeteries, Historic, on abandoned military posts, conveyance to States, etc.; reversion to U. S 234
Cemeteries, National. *See* National Cemeteries.
Censorship, communications between U. S. and foreign countries, repeal of provision of Act of December 18, 1941 450
Census, Bureau of the. *See under* Commerce, Department of.
Central Intelligence Agency. *See under* National Security Act of 1947.

Page

Central of Georgia Railway Company, conveyance by Navy Department, authorized; payment by grantee 10, 11
Central Valley Project, Calif., appropriation for 116, 474, 475, 944
Cereal Grain, limitation on acquisition for foreign aid program 938, 942
Cereal Rust Control, appropriation for 535
Chaplains, Army:
Chief of, appropriation for Office of 568
Rescission 574
Chapman Field Military Reservation, Dade County, Fla., transfer of certain lands to Bureau of Plant Industry, Soils, and Agricultural Engineering, Department of Agriculture 533
Charleston, S. C., conveyance, date of termination of state of war, etc., in interpretation of Act of May 27, 1936 451
Checks, Government, rules and regulations for facilitating payment of certain 308
Chemical Corps. *See under* War Department.
Chemistry, International Union of, appropriation for contribution 113, 283
Chesapeake and Ohio Canal, appropriation for 484
Chicago, Ill., erection of Marine Corps memorial in Grant Park, establishment of commission for formulating plans 724
Child Health Services. *See* Social Security Administration.
Child Welfare. *See* Social Security Administration.
Childhood, American International Institute for the Protection of, appropriation for contribution 282
Children, Dependent, Aid to. *See* Social Security Act; Social Security Administration.
Children's Bureau. *See under* Social Security Administration.
Children's Emergency Fund of the United Nations, International:
Appropriation for 613
Contributions to; limitation 125, 939
Chillicothe, Mo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Chillicothe, Ohio, U. S. Industrial Reformatory, construction, reduction in appropriation 21
China:
Aid to, authorized 125, 934
Appropriation for 613, 942
Monuments, etc., to American soldiers, appropriation for maintenance 686
Use of funds reserved for aid to 939

Page

China Trade Act Corporations, income tax due date 919
Chippewa Indians, Red Lake Band, Minn., per capita payments from sale of timber and lumber 417
Choctaw-Chickasaw Nations, Okla., leases, etc., of coal or asphalt deposits; sale 686
Choctaw Indians, Okla., treaties with, appropriation for fulfilling 468
Chopawamsic Park, appropriation for 484
Cinchona Bark, Etc., allocations, extension of time limitation on provisions, condition 34, 322
Cincinnati, Ohio, water and sanitary investigations station at, appropriation for 271
Citizens' Military Training, appropriation for 566
Citizenship and Naturalization. *See also* Aliens.
Copies of records of Immigration and Naturalization Service, fees for furnishing 240
Disabled individuals, naturalization proceedings at places other than office of clerk or in open court in case of 121
Government employees, citizenship requirements. *See* Citizenship requirements, employees, *under* Government Departments and Agencies.
Housing projects, low-rent, citizenship requirements for rental or occupancy; exceptions 575
Loss of U. S. nationality, date of termination of state of war in interpretation of Act of July 1, 1944 454
Metlakahtla Indians, Alaska, certificates of citizenship 414
Photographic studio, operation for benefit of persons seeking to comply with requirements under immigration and nationality laws 97
Seamen, citizenship requirements, suspension authority, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454
Spouses of American servicemen or veterans, nonapplicability of provisions respecting racial ineligibility; time limitation 401
City Delivery Service, Post Office Department, appropriation for 29, 112, 230
Civil Aeronautics Act of 1938:
Amendment, through service by air carriers and certain common carriers, rates, etc 743
Flying hours, maximum, in interstate air transportation, repeal of Act of April 29, 1942 450

Page

Civil Aeronautics Administration:
Administration, general, transfer of funds to appropriation for 74
Air-navigation facilities, etc.—
Funds for 74, 110, 296, 619
War and Navy Departments, transfers from, authorized 297
Aircraft, etc.—
Maintenance and operation, transfer of funds to appropriation for 74
Surplus, transfer from War and Navy Departments, authorized 296
Transfer to Fish and Wildlife Service, Department of the Interior 489
Airport Advisory Service, transfer of funds to appropriation for 74
Airport program, Federal-aid, appropriation for; merger of appropriations 297
Airport traffic control towers, crediting of funds from States, etc., for operation of 296
Airports, public, conveyance of property for development; terms, conditions, reservations, and restrictions 678
Alaska—
Distressed persons in remote localities, appropriation for relief of 301
Medical services for employees in 301
Subsistence supplies for resale 301
Emergency repairs, etc., funds available 296
Safety regulations, enforcement, transfer of funds to appropriation for 74
Salaries and expenses, appropriation for 296, 619
Technical development, funds for 74, 297
Transfer of funds 296, 297
Washington National Airport—
Arrest, power of; carrying of weapons 94
Funds for 74, 110, 297
Municipal services, agreements for; charges; appropriations authorized 95
Park Police, patrol by 94
Transfer of equipment from War and Navy Departments 297
Violations of regulations, penalty; collateral, deposit of 94
Civil Aeronautics Board:
Alaska—
Air transportation of U. S. employees on Army transports, authority respecting termination 423
Medical services for employees in 301
Subsistence supplies for resale 301
Appropriation for 297
Penalty mail costs, funds for 110, 297
Reconstruction Finance Corporation, approval of certain loans by; certification regarding meeting of fixed charges 203

Civil Aeronautics Board—Continued Page
Salaries and expenses, transfer of funds to appropriation for 74
Through service and joint rates, etc., air carriers, statement 744
Civil Aviation Organization, International, appropriation for contribution 283
Civil Procedure, Rules for, appropriation for preparation of 302
Civil Service. *See* Government Employees.
Civil Service Commission:
Alaska Railroad retirement and disability fund, appropriation for 590
Canal Zone retirement and disability fund, appropriation for 590
Civil service retirement and disability fund. *See separate title.*
Details from other agencies, restriction 590
Emergency transfers or details 590
Investigation of Federal employees, transfer of funds for 696
Legal Examining Unit, funds not available 590
Loyalty Review Board, inapplicability of designated provisions of law to members 696
Panama Canal construction annuity fund, appropriation for 60, 590
Political activities, pernicious, appropriation for prevention of 589
Salaries and expenses, appropriation for 114, 589, 696
Supervisory positions, compensation of officers allocating, limitations 590
Veteran preference eligibles, discharge, etc., mandatory corrective action on recommendation of Commission 723
Civil Service Retirement Act:
Amendments—
Deductions, return upon separation before completion of ten years of service 521
Federal Bureau of Investigation, retirement of certain personnel; annuity 307
Senate, Official Reporters of Debates of, etc., extension of Act to 135
Panama Railroad, inclusion of certain officers and employees within terms of 415
Student-employees of hospitals of Federal Government, limitation on applicability to 728
Civil Service Retirement and Disability Fund:
Appropriation for 590
District of Columbia, crediting of funds 427
Five-year valuation, date of termination of war in interpretation of Act of Dec. 23, 1944 453
Civil Service Retirement and Disability Fund—Continued Page
Panama Railroad pension fund, transfer 415
Annuity, payment of 416
Individual accounts, establishment 416
Civil War Veterans and Dependents, increase in pension rates 610
Civilian Conservation Corps:
Admissions tax exemption, termination date 919
Furnishing of medical services, etc., by Bureau of Employees' Compensation, Federal Security Agency 265
Liquidation expenses, appropriation for 274, 275
Civilian Production Administration:
Liquidation 18
Reduction in appropriation 17
Civilian War Assistance:
Appropriation for continuing 275
Reduction in appropriation 19
Civilian War Benefits:
Appropriation for continuing 616
Reduction in appropriation 19
Claims:
Army, appropriation for 70, 551, 552, 555, 560
Audited claims, appropriation for 64, 78, 185, 627
Coast Guard, appropriation for 227
District of Columbia, appropriation for 64, 426
Federal Security Agency, appropriation for 276, 625
Federal Tort Claims Act. *See separate title.*
Federal Works Agency, appropriation for 77, 592, 616
Government Corporations, funds available for 583
Insurance. *See separate title.*
Interior, Department of the, appropriation for 77, 461, 472, 625
Justice, Department of, appropriation for 67, 289
Labor organizations, officers, affidavits respecting nonaffiliation with Communist Party, etc., applicability of criminal provisions with respect to presentation of false claims 146
Menominee Indian Mills, payment to credit of designated accounts for logging of timber 455
National Guard, appropriation for 551, 552, 564
National Housing Agency, appropriation for 625
Navy Department, appropriation for payment 67, 382, 386, 394, 622, 626
Organized Reserves, appropriation for 551, 552

Claims—Continued Page
Panama Canal, appropriation for 691
Portal-to-Portal Act of 1947. *See separate title.*
Post Office Department—
Adjustment of claims of postmasters, and Navy, Coast Guard, and Army mail clerks, date of termination of war in interpretation of provisions of Act of Dec. 7, 1945 453
Appropriation for 111, 229
Public accounts, time limitation on claims and demands, date of termination of war in interpretation of provisions of Act of Oct. 9, 1940 454
Public Roads Administration, appropriation for payment 61
Settlement of Mexican Claims Act of 1942, amendment, jurisdiction of Commission, claims decided by General Claims Commission in which U. S. filed petition for rehearing 24
State, Department of, appropriation for 77
Switzerland, Government of, payment to 11
Treasury Department, appropriation for 77, 216, 218, 625
Veterans' organizations, presentation of claims to Veterans' Administration, retired members of armed forces as representatives 716
War Department—
Appropriation for 70, 552, 555, 560, 624, 626
Appropriation rescission 573
Appropriations available for 694
Claims, Court of. *See under* United States Courts.
Claims Commission, Indian, appropriation for 61, 616
Clarke-McNary Act of June 7, 1924, suppression of forest fires, repeal of provision for cooperation without matching of funds 449
Clarksburg, W. Va., acquisition by Veterans' Administration of site for facility at 677
Classification Act of 1923, student-employees of hospitals, etc., exemption from coverage 727
Clay, Ball, Sagger, and China, income-tax percentage depletion 919, 920
Clay, Common, on Public Lands, authority for disposal by Secretary of the Interior 681
Clayton Act:
Inapplicability to regulation of insurance, time extension 448

Clayton Act—Continued Page
Jurisdiction of district courts with respect to suits by and against labor organizations 158
Clerks of Courts:
Restriction on use of funds for maintaining offices at designated places 304
Salaries, appropriation for 27, 304
Cleveland, Ohio:
Appropriation for facilities, etc., under supervision of National Advisory Committee for Aeronautics 599
Marine Band, attendance at parade of Veterans of Foreign Wars, authorized 632
Cleveland National Forest, Calif., acquisition of lands for, appropriation for 539
Coal:
Anthracite investigations, appropriation for 480
Anthracite Research Laboratory—
Appropriation for construction and equipment 480
Appropriation rescission 492
Choctaw-Chickasaw Nations, leases, etc., of deposits; sale 686
Deposits, investigations, appropriation for 481
Mines—
Income-tax percentage depletion 919, 920
Inspections and investigations—
Funds for 116, 479, 699
Safety standards, nonobservance, notification of owner, recommendations; reports respecting 725
Mining of, on lands acquired by United States 913
Synthetic liquid fuels, production of 480
Coal Mines Administration. *See under* Interior, Department of the.
Coast and Geodetic Survey:
Agreements, cooperative, for surveys, investigations, etc 788
Appropriation for 110, 298
Appropriations authorized for construction, etc., of facilities 788
Bombers or fathometer readers, extra compensation to members of crews of vessels assigned as 298, 400
Cartographic methods, etc., developmental work for improvement, authorized 788
Commissioned officers, pay, etc., appropriation for 110, 298
Contracts for performance of functions, authority 788
Dependents and household effects, transportation 236
Functions and duties, definition of 787

Coast and Geodetic Survey—Continued Page
Geomagnetic data, collection and dissemination authorized 787
Geophysical sciences, investigation and research authorized 788
Gifts and bequests, acceptance authorized; tax exemption 788
Government employees, extra compensation for tending seismographs, etc 400
Income-tax deferments for personnel on sea duty or outside United States, termination date 918
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Relief of distressed persons in remote localities, etc., reimbursement of commissioned officers for 400
Rental allowances, occupancy of Government facilities under Military Establishment 572
Salaries and expenses, funds for 74, 110
Transfer of equipment, personnel, etc., to War or Navy Department, date of termination of emergency in interpretation of Act of May 22, 1917 452
Transportation of effects of commissioned officers who die on active duty 400
Vehicles, funds available for purchase 298
Vessels, public, employment 788
Working fund, reduction in appropriations 20

Coast Guard:
Accounts, examination of certain, time extension, date of termination of war, etc., in interpretation of provisions of Act of Dec. 26, 1941, and Act of Dec. 23, 1944 452
Aerial flights, increased pay for, restriction 225
Aircraft, acquisition, appropriation for; limitation on number 227
Ajax, Canadian-built dredge, etc., documentation under laws of the United States 704
Appropriation for 225, 702
Reductions in appropriations 22, 702
Transfers of funds 76, 113
Assistant Commandant, pay and allowances 410
Aviation stations, increase in number 786
Bonds, officers and enlisted men, payment of annual premium as compliance with requirement for renewal 647

Coast Guard—Continued Page
Civilian employees, funds for 76, 227
Claims, appropriation for settlement 227
Clothing allowance on discharge for bad conduct, etc., appropriation for 226
Clothing and clothing allowance for enlisted men 242
Commandant, Office of, funds for 76, 225
Commissioned strength—
Appointments; eligibility, etc 410, 411
Computation; reduction and increase of percentages 410
Distribution 409
Extra numbers, inclusion 412
Contracts for vessels, aircraft, etc., repeal of provision of Act of July 11, 1941 450
Customs, Bureau of, transferred personnel, provisions respecting eligibility for appointment as commissioned officers; retirement, etc 410
Dependents—
Quarters for, hiring, restriction 226
Transportation of, appropriation for 225, 236
Engineer in Chief, pay and allowances 410
Enlistments—
Detention pay, date of termination of war in interpretation of provision of Act of Dec. 13, 1941 452
Extension, etc., date of termination of war, etc., in interpretation of Act of Aug. 18, 1941 452
Establishment and control, date of termination of war in interpretation of provision of Act of Jan. 28, 1915 454
Fort Lauderdale, Fla., conveyance by Treasury Department of designated site, time extension 54
General expenses—
Administrative, management, and fiscal policies and affairs, funds available for study 702
Appropriation for 226
Transfer of funds from appropriation for 113
Gifts from members, amendment of free-entry provision; termination date 917
Headquarters, details at, restriction 225
Household effects, transportation 236
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Life Saving Service, former, increased retired pay for certain members 674

Coast Guard—Continued Page
Lighthouse Service—
Date of termination of emergency in interpretation of provisions respecting transfer of vessels, etc., to jurisdiction of Navy or War Department 452
Navigation aids, special projects, reduction in appropriation 22
Retired pay, appropriation for 227
Mail clerks, adjustment of claims, date of termination of war in interpretation of provisions of Act of Dec. 7, 1945 453
Marblehead, Mass., conveyance 99
Marine Inspection and Navigation, former Bureau of—
Pay of certain personnel, exceeding of limitation with respect to 226
Transferred personnel, provisions respecting eligibility for appointment as commissioned officers; retirement, etc 410
Medals, decorations, etc., from certain foreign governments—
Acceptance authorized; time limitation 93
Amendment 715
Date of termination of war in interpretation of provisions of Act of July 20, 1942 453
Merchant marine inspection, salaries and expenses, transfer of funds to appropriation for 76
Metropolitan Police force band, D. C., retired officer as director, appointment authorized 311
Naval laws, applicability to Coast Guard personnel, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
Naval postgraduate school, attendance of officers at 706
Navigation aids, establishment and improvement—
Appropriation for 227
Reduction in appropriation 22
Navigation and vessel-inspection laws, waiver of compliance with; time limitations 33
Alien seamen, waivers for employment, limitation 685
Overthrow of U. S. Government, restriction on employment of persons advocating 233
Patrol craft, acquisition, date of termination of emergency in interpretation of Act of Dec. 16, 1941 454

Coast Guard—Continued Page
Pay and allowances, funds for 113, 225, 702
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Personal property losses, appropriation for 226
Public Health Service officers on detail, per diem rates of allowance authorized 225
Rear admiral, promotion to; pay and allowances 410
Remains of certain persons buried outside U. S., permanent interment outside U. S., or evacuation and return 779
Rental allowances, occupancy of Government facilities under Military Establishment 572
Reserve—
Clothing and clothing allowance for enlisted men 242
Eligibility of members for appointment as commissioned officers 410
Establishment, etc., date of termination of emergency in interpretation of provisions of Act of Feb. 19, 1941 454
Warrant officers and chief warrant officers, eligibility of members for permanent appointment as 411
Reserve components, eligibility of members and retired members for appointment as referee in bankruptcy 213
Retired personnel—
Officers, ordering to active duty, etc., date of termination of war, etc., in interpretation of provisions of Act of July 1, 1918 453
Rear admirals recalled to active duty, pay, etc., date of termination of war, etc., in interpretation of Act of April 8, 1946 453
Referee in bankruptcy, eligibility for appointment as 213
Representatives of veterans' organizations in presentation of claims to Veterans' Administration 716
Salaries and expenses, restriction on payment of certain 227
Selective Service Records, Office of, assignment to without loss of status 32
Sockeye Salmon Fishery Act of 1947, power to arrest violators 513

Coast Guard—Continued Page
SPARS, repeal of Act of November 23, 1942 450
Stations, manning by Navy, etc., date of termination of emergency in interpretation of provisions of Act of Aug. 29, 1916 454
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 233
Taxes—
Admissions tax exemption, termination date 919
Allowance against gross income, termination date 918
Income-tax deferments for personnel on sea duty or outside United States, termination date 918
Income taxes, abatement upon death; credit or refund of overpayment 778, 918
Transportation tax exemption, termination date 919
Withholding at source on wages 918
Travel expenses, civilian officers and employees, payment, repeal of Act of February 21, 1942 449
Vessels. *See separate title.*
Veterans. *See separate title.*
Warrant officers—
Eligibility for appointment as commissioned officer 410
Eligibility of certain personnel for permanent appointment as chief warrant officers and warrant officers; precedence 411, 412
Women's Reserve, repeal of Act of November 23, 1942 450
Coast Guard Academy:
Armed Forces Leave Act of 1946, nonapplicability to cadets 749
Cadets, pay increase 134
Chapel, construction authorized; acquisition of site; private contributions, etc 399, 400
Graduates, eligibility for appointment as commissioned officer in Coast Guard 410
Coast Pilots, appropriation for compilation 298
Coconuts, suspension of tariff duty, termination date 917
Code, United States. *See* United States Code.
Code Annotated, United States, price limitation 609
Code of Federal Regulations, appropriation for printing and binding of supplements 184, 375
Code of Laws, preparing and editing new edition, appropriation for increased pay costs 27
Coffee Board, Inter-American, appropriation for contribution 282
Coins and Coinage:
Ingots, deviations in standard 132
Silver coins—
Recoinage, appropriation for 218
Weight, deviations 133
Transportation of bullion and coin, appropriation for 223
Trial pieces of coins, number 129
Colleges and Schools:
Agriculture and mechanic arts, colleges of, appropriation for endowment 266
Federal Works Agency, contributions for operation and maintenance of school facilities, continuance of authorization 716
Appropriation authorized 717
Appropriation for 697
Land-grant colleges, agricultural extension services, cooperation in recruitment and placement of domestic farm labor 55
Minnesota, cooperation with designated public-school districts in extension of school facilities, appropriation authorized 414, 418
Moclips-Aloha District, Wash., school construction—
Appropriation authorized; conditions 211
Appropriation for 699
Veterans' education. *See* Educational facilities *under* Veterans.
Colon, Republic of Panama, appropriation for waterworks, sewers, etc 692
Colorado:
Arkansas River compact, funds for negotiation of 478
Colorado-Big Thompson project, appropriation for 116, 474, 475, 944
Irrigation projects, appropriation for 467
Leadville, drainage tunnel, reduction in appropriation 21
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Paonia Federal reclamation project, construction, etc., funds available; appropriation authorized 181
Colorado River Compact, 1922, applicability to waters and lands in connection with Gila project, Ariz 628
Colorado River Dam Fund, appropriation for 116, 476

Page

Colorado River Development Fund, appropriation for; limitation 476, 477
Colorado River Indian Reservation, Ariz., irrigation projects, appropriation for 467
Colorado River Protection Works, appropriation for 477
Columbia Basin Project, Wash., appropriation for 116, 474, 475, 944
Columbia Institution for the Deaf, funds for 72, 265
Columbus, Miss., appropriation for ground rent, Federal building 593
Colville Indians, Wash., appropriation for industrial assistance 470
Command and General Staff College, Fort Leavenworth, Kans.:
Appropriation for 552
Appropriation rescission 572
Commerce, Department of:
Allocation and inventory control of scarce commodities, funds available for carrying out legislation respecting; report to Congress 943
Allocations of materials, etc., certified by Secretary as necessary to meet international commitments, time limitation 34
Appropriation Act, 1948 294
Assistant Secretaries—
Additional, assignment of 326
Duties, authority of Secretary to prescribe 327
Census, Bureau of the—
Appropriation for 295
Reduction 20
Evidence of age, procedure for furnishing 295
Fats and oils, etc., collection and publication of statistics authorized 457
Collection of statistics by other Federal departments or agencies, restriction; access to 458
Personal services, funds available for; transfer of funds 296
Religious denominations, etc., certain, exemption from supplying of information regarding membership 163
Charleston, S. C., conveyance, date of termination of state of war, etc., in interpretation of Act of May 27, 1936 451
Civil Aeronautics Administration. *See separate title.*
Civil Aeronautics Board. *See separate title.*
Civilian Production Administration. *See separate title.*
Claims, appropriations available for payment 302

Page

Commerce, Department of—Continued
Coast and Geodetic Survey. *See separate title.*
Emergency Price Control Act of 1942. *See separate title.*
Exports. *See separate title.*
Foreign and Domestic Commerce, Bureau of—
Funds for 66, 75, 299, 618, 619, 698, 699
Virgin Islands, study of economic conditions, funds available 299
Geographic Names, Board on, representation on, etc 456
Health programs, appropriations available for 301
Inland Waterways Corporation. *See separate title.*
Judgments, appropriation for payment 78
Meetings, attendance at certain, appropriations available for 302
National Bureau of Standards—
Appropriation for 299
Reductions 19, 21
Transfers of funds 75, 221
Betatron and auxiliary equipment, appropriation for purchase and installation 300
Overthrow of U. S. Government, restriction on employment of persons advocating 306
Patent Office—
Funds for 75, 299
Nationals of former enemy countries, extension of certain rights to 794
Patents, priority rights, and payment of fees, time extension; reciprocity provision 413
Penalty mail costs, funds for 295, 618, 619, 620
Price Administration, Office of. *See separate title.*
Printing and binding, funds for 294, 295, 297, 299, 618, 619, 698, 699
Reductions in appropriations 19, 20
Reports to Congress—
Alaska, subsistence supplies for resale, expenditures and proceeds 301
Obligations incurred with respect to export controls, voluntary agreements for control of scarce commodities, etc 943
Second War Powers Act and provisions relating to export control of certain commodities, administration, recommendations, etc 324
Reproductions of scientific or technical reports, etc., sale, deposit of receipts 295
Rubber, controls over production, use, etc., appropriation for administration of provisions relating to 618

Commerce, Department of—Continued Page
Salaries and expenses, appropriation for 294
Second Decontrol Act of 1947, appropriation for administration 618, 619
Second War Powers Act, administration by Secretary 323
Appropriation for 618, 619
Report to President and Congress 324
Secretary, Office of, funds for 74, 294, 618, 698
Secretary, presidential succession 380
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 306
Technical and scientific services, appropriation for 295
Temporary Controls, Office of. *See separate title.*
Transfers of funds 74, 221, 296
Voluntary agreements with respect to allocation and inventory control of scarce commodities, funds available for carrying out legislation respecting; report to Congress 943
War Mobilization and Reconversion, Office of, appropriation for liquidation 618
Warrior River Terminal Company—
Availability of funds 581
Transfer and merger of funds in event of dissolution of Company 581
Weather Bureau—
Alaska—
Distressed persons in remote localities, appropriation for relief 301
Medical services for employees in 301
Meteorological observations, compensation to Government employees for taking and transmitting 301
Subsistence supplies for resale; report to Congress 301
Appropriation for 300, 699
Transfer of funds to 75
Arctic weather stations, appropriation for maintenance and operation; transfer of equipment from War and Navy Departments 301
Meteorological facilities, transfer of funds from appropriation for 75
Michigan State College of Agriculture and Applied Science, conveyance to; prior acquisition of other quarters 327
Mount Weather, Va., transfer of U. S. Weather Bureau Station, etc., to Bureau of Mines, Department of the Interior 483
Printing by, restriction on 301

Commerce, Department of—Continued Page
Weather Bureau—Continued
Quarters for employees, construction and furnishing at certain localities 296
Scholarships, instruction of meteorological students in weather forecasting, repeal of Act of November 29, 1942 450
Soundings, upper air, transfer of equipment and supplies from War and Navy Departments 301
Commerce, Secretary of. *See* Commerce, Department of.
Commercial Company, U. S.:
Appropriation for 515, 614
Extension of succession 207
Surplus property, care and handling overseas, appropriation for; limitation 614
Commission on Organization of the Executive Branch of the Government:
Appropriation authorized 247
Appropriation for 696
Establishment, authority, etc 246
Experts, consultants, etc., procurement of services of; nonapplicability of designated provisions of law 940
Report to Congress 248
Commissioners, U. S. Courts:
Appropriation for fees, etc 27, 304
Sockeye Salmon Fishery Act of 1947, issuance of warrants, etc., with respect to violations 513
Commodity Credit Corporation:
Appropriation for 550
Capital stock, increase, repeal of provisions respecting 208
Expenditures, contracts, etc., authority 550
Extension to June 30, 1948 201
Food production projects in non-European foreign countries, authority 947
Foreign aid, nonapplicability of price limitation to procurement of certain commodities for 935
General provisions of Government Corporations Appropriation Act, 1948, applicability 550
Indebtedness to Secretary of Treasury, cancellation of notes 109
Life, credit resources, etc., date of termination of state of war, etc., in interpretation of Act of July 1, 1941 451
Potatoes, surplus, purchased by, availability to Bureau of Indian Affairs 110
Wool, price support; disposition of 769
Commodity Exchange Act:
Amendment, publication of names, addresses, etc., of traders 941
Funds for effecting provisions of 74, 545

Commodity Exchanges: Page
Speculative trading, regulation of—
Funds available to carry out legislation respecting 942, 943
Voluntary agreements respecting 945
Traders, publication of names, addresses, etc 941
Commodity Prices, Stabilization:
Appropriations authorized 948
Conservation program for food and feed 947
Critical shortages, recommendations by President 947
Delegation of authority by President 946
Export controls, extension; price criteria in licensing of exports 946
Food production projects in non-European foreign countries, authority of Commodity Credit Corporation 947
Grain, use for production of distilled spirits, etc., for beverage purposes, time extension of authority of President respecting 946
Purposes of legislation, declaration of 945
Transportation equipment and facilities, use by rail carriers, time extension of authority of President respecting 946
Voluntary agreements 945
Common Carriers. *See* Carriers.
Communicable Diseases, funds for prevention and suppression of 72, 107, 268
Communications:
Carriers, rendering of free communication services to official participants in designated world telecommunications conferences 83
Government, repeal of Post Roads Act of 1866 327
War powers of President, date of termination of emergency in interpretation of provisions of Act of June 19, 1934 454
Communications Act of 1934:
Experience requirement for radio operators of cargo ships, repeal of Acts of July 8, 1941 and June 22, 1943; effective date 451
Protection of vessels in wartime, repeal of Act of December 29, 1942 450
Communications Commission, Federal. *See* Federal Communications Commission.
Community Facilities, Bureau of. *See under* Federal Works Agency.
Compacts, Interstate. *See* Interstate Compacts.
"Company," inclusion of "successors and assigns" in construction of statutes 633
Comptroller General. *See* General Accounting Office.
Conciliation Commissioners, Department of Labor, funds for 75, 261
Conciliation Commissioners, U. S. Courts, appropriation for fees, etc 304
Conciliation Service, United States. *See* Conciliation Service *under* Labor, Department of.
Congress. *See also* House of Representatives; Legislative Branch of the Government; Senate.
Acts, formalities of enactment; repeals, etc 634
Acts or resolutions, rules of construction 633
Allocations, certain, authority respecting termination 34, 323
Biographical Directory of the American Congress, compilation and preparation, revised edition, appropriation for increased pay costs 26
Commission on Organization of the Executive Branch of the Government, establishment, authority, etc 246
Appropriation authorized 247
Appropriation for 696
Experts, consultants, etc., procurement of services of; nonapplicability of designated provisions of law 940
Report 248
Contracts, restriction on interest of Members—
Exemption of certain 288
Reconstruction Finance Corporation contracts, applicability of designated provisions of Criminal Code 207
District of Columbia Code and supplements, distribution of copies to 640
Eightieth, second session, date of beginning 768
Farm Island, transfer from Pierre, S. Dak., to State of South Dakota, consent to 740
Greek-Turkish aid, authority respecting termination 105
Interstate compacts, consent granted to—
Delaware River Joint Toll Bridge Commission, compact between Pennsylvania and New Jersey concerning 752
New England Interstate Water Pollution Control Compact 682
Oil and gas conservation, extension and renewal 316
Pacific Marine Fisheries Compact 419
Labor-Management Relations, Joint Committee on. *See separate title.*

Congress—Continued Page
Medals, decorations, etc., acceptance by U. S. armed forces from certain foreign governments—
Authorization; time limitation 93
Amendment 715
Date of termination of war in interpretation of provisions of Act of July 20, 1942 453
Parking spaces for Members, reservation of, in District of Columbia 443
Relief assistance to countries devastated by war, authority respecting termination 128
Reports—
Agriculture, Department of—
Agricultural research, grants to States and coordination of research 530
Alaska, agricultural research, etc 530
Food-production projects in non-European foreign countries 947
Foot-and-mouth disease and rinderpest, cooperation with Mexico in control and eradication of 8
Meat-inspection fund, schedule of obligations and reimbursements 532
Obligations incurred pursuant to legislation respecting trading in commodities, etc 943
Budget, Bureau of, Post Office Department apportionment of appropriations on quarterly basis, increase in 701, 702
Commerce, Department of—
Alaska, subsistence supplies for resale, expenditures and proceeds 301
Obligations incurred relative to export controls, voluntary agreements for control of scarce commodities, etc 943
Second War Powers Act and provisions relating to export control of certain commodities, administration, recommendations, etc 324
Commission on Organization of Executive Branch of the Government, findings and recommendations 248
Congressional Aviation Policy Board, Temporary, aviation needs, etc 677
Defense, Secretary of, expenditures, work, and accomplishments of National Military Establishment 500
District of Columbia—
Committee on construction of building for Court of Appeals and District Court, estimated cost 121

Congress—Continued Page
Reports—Continued
District of Columbia—Continued
Municipal buildings, use of appropriation for school buildings, etc., for repairs to 428
Federal Crop Insurance Corporation, results of operations 719
Federal Mediation and Conciliation Service, annual report 153
Federal Reserve System, Board of Governors, information with respect to direct purchases and sales of certain Government obligations 56
Government agencies, foreign aid, disposition of commodities acquired under price-support program, losses 939
Interior, Department of the—
Geological Survey, interchange of appropriations 479
Indian Affairs, Bureau of—
Fire prevention or suppression, diversion of funds 466
Replacement of property destroyed by fire, etc., diversion of funds 472
Mine safety measures 725
National Park Service, diversion of funds 484
Navajo and Hopi Indians, long-range programs, recommendations 940
Joint Committee on Economic Report, recommendations respecting proposed conservation measures 947
Joint Committee on Internal Revenue Taxation, study respecting number of personnel in Bureau of Internal Revenue, Treasury Department 228
Joint Committee on Labor-Management Relations, results of study and investigation 160
Justice, Department of—
Employment of special attorneys 290
Expenses in connection with activities of Office of Alien Property 294
Marine Corps Memorial Commission, recommendations respecting erection of memorial in Chicago, Ill 725
Maritime Commission, Alaska, water transportation service, contracts, charters, etc., entered into 10
National Capital Sesqui-Centennial Commission, plans for commemoration of anniversary of establishment of seat of Federal Government in District of Columbia 397

Congress—Continued Page
Reports—Continued
National Labor Relations Board, activities, employees, disbursements, etc 139
National Munitions Control Board, date of termination of war in interpretation of Act of Jan. 26, 1942, respecting omission, etc., of certain reports 452
Navy Department—
Leases, certain 774
Naval postgraduate school, civilian teaching staff 706
Professional and scientific service, establishment of positions, appointments in, etc 715
Pacific Marine Fisheries Commission, conservation, etc 422
Philadelphia National Shrines Park Commission, establishment, etc., of park, time extension for submittal 8
Philippine Alien Property Administration, expenses in connection with activities 587
Post Office Department, overtime work and payments 233
President of United States—
Critical shortages, recommendations 947
Expenditures and activities in connection with relief assistance to countries devastated by war 128
Foreign Aid Act of 1947, operations under 939
Greek-Turkish aid 105
Strikes affecting national interest, proceedings, etc., respecting 156
Puerto Rico, Coordinator of Federal Agencies in, administration of Federal civilian functions and activities in Puerto Rico 772
Reconstruction Finance Corporation, maintenance of domestic tin-smelting industry, etc., activities respecting 190
Treasury Department—
Internal-revenue collections, refunds in excess of $500 220
Reconstruction Finance Corporation, liquidation, etc 206
War Department—
Leases, certain 774
Professional and scientific service, establishment of positions, appointments in, etc 715
Rivers and harbors and flood control, employment of personnel 688
Scrap or salvage material, sale, receipts and disbursements 562

Congress—Continued Page
Resolutions, formalities of enactment; repeals, etc 634
Rubber, study and investigation of means of maintaining domestic industry 25
Three Affiliated Tribes, Fort Berthold Reservation, N. Dak., contract for conveyance, etc., submittal to Congress 690
Tin, maintenance of domestic smelting industry, etc., study and report 190
United States Code and supplements, distribution of copies to; limitation 640
Congresses of Navigation, Permanent International Commission of, appropriation for 689
Congressional Aviation Policy Board, Temporary:
Appropriation authorized 677
Appropriation for 611
Establishment, composition, duties, authority, etc 677
Report to Congress 677
Congressional Cemetery, D. C., appropriation for maintenance of portion owned by United States 686
Congressional Directory, appropriation for compilation, etc 363
Congressional Library. *See* Library of Congress.
Congressional Record:
Indexes, appropriation for preparation of 375
Publication of designated information of House committees in 368
Connecticut, New England Interstate Water Pollution Control Compact, consent and approval of Congress 682
Constitution of the United States:
Amendments, proposed or ratified, publication in Statutes at Large 636
President, terms of office, proposed amendment 959
Constitution of the United States of America, Annotated, preparation of revised edition 133
Consumer Credit Controls, termination date; provision for emergency exercise 921
Continental Oil Company and Santa Fe Corporation, agreements with Department of Interior respecting certain lands, authorized 189
Contingent Expenses:
Appropriation for—
Army 551
Appropriation rescission 572
House of Representatives 27, 58, 106, 183, 366, 611, 696
Interior, Department of the 461

Contingent Expenses—Continued Page
Appropriation for—Continued
Justice, Department of 186, 289
Labor, Department of 261, 621
Library of Congress 374, 612
Navy Department 383, 392
Post Office Department 228, 701
Senate 26, 27, 58, 106, 363, 611, 696
War Department 569
Appropriation rescission 574
Contract Authorizations, Designated, reduction 18, 22
Contract Settlement, Office of. *See under* Treasury Department.
Contract Settlement Act of 1944:
Appropriation for carrying out provisions of 624
Nonapplicability of designated sections to—
Experts, consultants, etc., of Commission on Organization of the Executive Branch of the Government 940
Members serving on advisory committees under National Security Act of 1947 508
Contracts With United States, Etc.:
Aircraft procurement, repeal of Act of March 5, 1940 449
Coast Guard vessels, aircraft, etc., repeal of provision of Act of July 11, 1941 450
Congress, Members of, restriction on interest—
Exemption of certain 288
Reconstruction Finance Corporation contracts, applicability of designated provisions of Criminal Code 207
Eight-hour day; suspension, etc., date of termination of emergency in interpretation of provisions of Acts of June 19, 1912 and March 4, 1917 454
Laborers and mechanics, wage rates, etc., date of termination of emergency in interpretation of provisions of Act of March 3, 1931, added by Act of Aug. 30, 1935 454
Maritime Commission—
Eight-hour day provisions, repeal of Act of October 10, 1940 450
Negotiation without advertisements or bids, repeal of Act of May 2, 1941 450
Navy, cost-plus-a-fixed-fee contracts, Fourteenth Naval District, date of termination of emergency in interpretation of provision of Act of June 14, 1940 453
Contracts With United States, Etc.—Con. Page
Navy Department—
Financing war contracts, funds available for 394
Time limitation on authority respecting negotiation of certain 323
Priority powers, termination dates 34, 214, 322
Renegotiation Act, refunds under, appropriation for 623
War Department, financing of 22, 569
Convict Labor, Federal-Aid Highway System, restriction on employment by States 596
Cooperative Farm Forestry Act, appropriation to effect provisions of 539
Coos Bay Wagon Road Grant Lands, appropriation for 110, 115, 464
Copper, suspension of certain import tax on 56
Copra, monthly statistics, collection, publication, etc 457
Copyright Office. *See under* Library of Congress.
Copyrights:
Codification and enactment into positive law of title 17, United States Code 652
Copyright office 665
Infringement proceedings 660
Registration 652
Classification 654
Duration; renewal and extension 659
Prints and labels 654
Unpublished work, rights of author or proprietor 654
Works in public domain 655
Repeals 668
Cordials, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Corn, crop insurance, provisions respecting 550, 718
Corn, Louis, Estate of, payment to Menominee Indian Mills to credit of account of 455
Corporations, income-tax deductions for charitable, etc., contributions, use limitation 920
Corporations, Government. *See* Government Corporations.
Corrupt Practices Act, Federal, Amendment, restriction on political contributions 159
Cotton:
Acreage allotment, date of termination of state of war, etc., in interpretation of Act of February 28, 1945 451
Acreage report, restriction on use of designated funds for 527

Cotton—Continued Page
Contracts, option, loans from Reconstruction Finance Corporation to Secretary of Agriculture in connection with, repeal of provisions of Agricultural Adjustment Act 208
Crop insurance, provisions respecting 550, 718
Ginning, appropriation for investigations 534
Price adjustment, exportation and domestic consumption of agricultural commodities, Department of Agriculture, reduction in appropriation 20
Prices, restriction on prediction by employees of Department of Agriculture 523
Taxes, certain, under Agricultural Adjustment Act, loans from Reconstruction Finance Corporation, repeal of provisions respecting 208
Cotton Fiber Analyses, appropriation for 544
Cotton Statistics, Classing, Standards, and Futures Acts, funds to effect provisions of 74, 544
Cottonseed, monthly statistics, collection, publication, etc 457
Court Reporters, appropriation for salaries 59, 305
Courts. *See* District of Columbia; Justice, Department of; United States Courts.
Courts Martial:
Army—
Appropriation for expenses 555
Confirmations of sentence by President, date of termination of war in interpretation of provisions of Act of June 4, 1920 452
Naval—
Auxiliary naval forces, service of officers, date of termination of war, etc., in interpretation of Act of Oct. 6, 1917 453
Extension of jurisdiction, date of termination of war, etc., in interpretation of Act of March 22, 1943 453
Selective Service Records, Office of, violation of regulations respecting individual confidential records, jurisdiction 33
Crab Orchard Creek Project, Ill., transfer to Secretary of Interior of certain lands in connection with, administration, etc 770
Criers, U. S. Courts, appropriation for salaries 27, 304
Crimes and Misdemeanors:
Alaska, pardons, reprieves, etc., authority of Governor respecting granting of 459

Crimes and Misdemeanors—Continued Page
Black bass and other game fish, violation of regulations for interstate transportation 517
Building permits, construction for amusement purposes, etc., violation of regulations, penalty 193
Census, Bureau of, Department of Commerce, communication of certain statistical information by employees of 458
Census schedules, refusal, etc., to answer questions, penalty 458
Copyrights—
False affidavit respecting compliance with conditions 658
Fraudulent notice of, or removal or alteration of notice 662, 663
Infringement for profit, willful 662
Counterfeiting, etc., appropriation for suppression of 222
District of Columbia, bribes in connection with athletic contests, prohibition, penalty for violation 313
District of Columbia Income and Franchise Tax Act of 1947—
Penalties, etc., for violations 355, 356, 357, 358
Secrecy of returns, violation of provisions, penalties 343
Economic poisons and devices, violation of regulations respecting 166, 167, 170
Farragut, Idaho, reimbursement of certain Navy and former Navy personnel for losses at, excessive attorney, etc., fees in connection with 315
Federal Firearms Act, amendment, definition of "crime of violence" 11
Flag of the United States, use for advertising purposes; mutilation 642
Francis Marion National Forest, game refuge, violation of rules and regulations 516
Gold star lapel buttons, unlawful use, etc 710
Government employees—
Citizenship requirement, false affidavit respecting 608
Overthrow of U. S. Government, advocacy, restriction 23, 80, 119, 188, 233, 278, 306, 377, 394, 447, 491, 549, 571, 584, 607, 627, 693, 703, 944.
Strikes by, prohibition 160
Engaging in, restriction 23, 80, 119, 188, 233, 278, 306, 377, 393, 447, 491, 549, 571, 584, 607, 627, 693, 703, 944.
Housing, veterans' preference, penalty for violation of regulations respecting 196

Crimes and Misdemeanors—Continued Page
Interstate or foreign commerce, larceny in, shipping document as prima facie evidence of place of shipment 52
Labor organizations—
Employee representatives, violations of provisions respecting payments to, etc 158
Officers, affidavits respecting nonaffiliation with Communist Party, etc., applicability of criminal provisions with respect to presentation of false claims 146
Political contributions, violation of restrictions 159
National Labor Relations Board, interference with members or agents in performance of duties; penalty 151
Political contributions by corporations and labor organizations, violation of restrictions; penalty 159
Prisoners, escape of, criminal liability of custodians for negligent allowance of 134
Reconstruction Finance Corporation Act—
Payment of fee or commission by applicant for financial assistance 204
Violations of provisions; false statement, counterfeiting, embezzlement, etc., penalties 206
Selective Service Records, Office of, violation of regulations respecting individual confidential records; penalty 33
Sockeye Salmon Fishery Act of 1947, violation of provisions 511, 512
Sugar Act of 1948, violations under 932, 933
Sugar Control Extension Act of 1947, unlawful acts under; penalties 37
Vessels, masters of, failure to deposit list of passengers with immigration officials 631
Washington National Airport, violation of regulations; penalty 94
Criminal Code:
Labor organizations, officers, affidavits respecting nonaffiliation with Communist Party, etc., applicability of criminal provisions with respect to presentation of false claims 146
Nonapplicability of designated sections—
Claims against United States, counsel, etc., for prosecution of 133
Commission on Organization of the Executive Branch of the Government, experts, consultants, etc 940
Investigating committee, Senate, counsel to 129
Loyalty Review Board members 696

Criminal Code—Continued Page
Nonapplicability of designated sections—Continued
National Security Act of 1947, members serving on advisory committees under 508
Retired members of armed forces, representatives of veterans' organizations in presentation of claims to Veterans' Administration 716
Prisoners, escape of, criminal liability of custodians 134
Reconstruction Finance Corporation contracts, applicability of designated sections 207
Criminal Police Commission, International, appropriation for membership 291
Critical Materials. *See* Strategic and Critical Materials.
Crop Insurance Act, Federal, Amendments. *See* Federal Crop Insurance Act, Amendments.
Crop Insurance Corporation, Federal. *See* Federal Crop Insurance Corporation.
Crosline, Ferry, admission to American registry, use in coastwise trade 182
Cuba:
Monuments, etc., to American soldiers, appropriation for maintenance 686
Sugar, quota provisions under Sugar Act of 1948 924, 925, 926, 928, 929
Culbertson Dam, Republican Basin, appropriation for 699
Cultural Relations, Inter-American, Convention for Promotion of, appropriation for expenses under 286
Currant Wine, addition of sugar and water solution, volume increase 320
Customs, Bureau of. *See under* Treasury Department.
Customs and Patent Appeals, Court of. *See under* United States Courts.
Customs Court. *See under* United States Courts.
Customs Custody, Merchandise in, removal to make transportation and storage facilities available for military use, repeal of Act of September 29, 1942 449
Customs Division. *See under* Justice, Department of.
Customs Duties:
Coconuts, suspension, termination date 917
Exemptions—
Enemy prisoners, internees and detainees, articles for, termination date 917

Customs Duties—Continued Page
Exemptions—Continued
Newsprint paper, standard; definition; time limitation 716
United Nations, members of armed forces of, articles for, termination date 917
Scrap iron, etc., suspension, termination date 917
Customs Tariffs, International Bureau for Publication of, appropriation for contribution 113, 283

D

Dairy Industry, Bureau of. *See under* Agriculture, Department of.
Damage Claims. *See* Claims.
Dan River, dam authorized across, in Rockingham County, N. C 98
Daughters of the American Revolution, furnishing of steam by Federal Works Agency to designated property of 39
Davis Dam Project, Ariz.-Nev., appropriation for construction 475, 944
Deadwood, S. Dak., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Deaf, Columbia Institution for the, funds for 72, 265
Decontrol Acts of 1947:
First 34
Second 321
Appropriations authorized 324
Appropriations for 618, 619
Commerce, Secretary of, administration by 324
Personnel, reemployment of certain 324
Decorations. *See* Medals, Decorations, Etc.
Defense. *See* National Defense.
Defense, Secretary of. *See under* National Security Act of 1947.
Defense Highway Act of 1941:
Damage claims under, appropriation for payment 61, 616
Repeal of provisions relating to availability for obligation of certain funds 450
Defense Homes Corporation. *See under* Housing.
Defense Housing. *See under* Housing.
Defense Plant Corporation, plants, equipment, etc., certain, transfer of title to War or Navy Department 774
Defense Transportation, Office of:
Appropriation for 16, 28, 612
Increase in limitation on amount 107
Commercial lines under operation of, payment of fees and taxes 612
Subsistence to witnesses, certification requirement 612
Deficiency Appropriation Acts. *See also* Supplemental Appropriation Acts. Page
Deficiency Appropriation Act, 1942, First, repeal of provision respecting suspension of franking privilege report by Selective Service System 450
Deficiency Appropriation Act, 1947, First 58
Agriculture, Department of, appropriation for; transfers between appropriations 65, 73
Architect of the Capitol, appropriation for 59
Budget, Bureau of the, appropriation for 59
Commerce, Department of, appropriation for; transfers between appropriations 66, 74
District of Columbia, appropriation for 62
Emergency Management, Office for, appropriation for 59
Federal Security Agency, appropriation for; transfers between appropriations 60, 72
Federal Works Agency, appropriation for 61
Food and Drug Administration, appropriation for 60
Freedmen's Hospital, appropriation for 60
General provisions 80
House of Representatives, appropriation for 58
Howard University, appropriation for 60
Independent offices, appropriation for 60
Indian Claims Commission, appropriation for 61
Interior, Department of the, appropriation for 66
Judgments and authorized claims, appropriation for 76
Judiciary, appropriation for 59
Justice, Department of, appropriation for 67
Labor, Department of, appropriation for; transfers between appropriations 67, 75
Legislative Branch of the Government, appropriation for 58, 72
National Advisory Committee for Aeronautics, appropriation for 61
National Mediation Board, appropriation for 61
National Railroad Adjustment Board, appropriation for 61
Navy Department—
Appropriation for 67
Reductions in appropriations 79
Overthrow of U. S. Government, restriction on employment of persons advocating 80

Deficiency Appropriation Act, 1947, First—Continued — Page
Panama Railroad Company, appropriation for — 61
Pay costs, increased, Government officers and employees, appropriation for — 71
Waiver of certain restrictions on use of funds — 76
Philippine Alien Property Administration, appropriation for — 59
Post Office Department, appropriation for — 69
President, Executive Office of, appropriation for — 59
Public Buildings Administration, appropriation for — 61
Public Roads Administration, appropriation for — 61
Railroad Retirement Board, appropriation for — 61, 62
Reduction in appropriations — 79
Senate, appropriation for — 58, 72
Smithsonian Institution, appropriation for — 62
Social Security Administration, appropriation for — 60
Strikes against U. S. Government, restriction on employment of persons engaging in, etc — 80
Tort Claims Act, Federal, appropriations available for payment of certain claims under — 71
Treasury Department, appropriation for; transfers between appropriations — 70, 75
Veterans Administration, appropriation for — 62
Vocational Rehabilitation, Office of, appropriation for — 60
War Department, appropriation for; transfer of appropriation — 70, 76

Deficiency Appropriation Act, 1947, Second — 106
Agriculture, Department of, appropriation for — 109
Civil Service Commission, appropriation for — 114
Commerce, Department of, appropriation for — 110
Defense Homes Corporation, appropriation for — 115
Defense Transportation, Office of, appropriation for — 107
Emergency Management, Office for, appropriation for — 107
Federal Communications Commission, appropriation for — 114
Federal Home Loan Bank Administration, appropriation for — 115

Deficiency Appropriation Act, 1947, Second—Continued — Page
Federal Loan Agency, appropriation for — 115
Federal Power Commission, appropriation for — 114
Federal Public Housing Authority—
Appropriation for — 115
Reductions in appropriation — 118
Federal Savings and Loan Insurance Corporation, appropriation for — 115
Federal Security Agency, appropriation for — 107, 108
Federal Works Agency, appropriation for — 108, 115
General provisions — 118
Government Reports, Office of, appropriation for — 114
House of Representatives, appropriation for — 106
Independent offices, appropriation for — 107, 114
Interior, Department of the, appropriation for — 110, 115
Interstate Commerce Commission, appropriation for — 108
Judiciary, appropriation for — 106
Justice, Department of, appropriation for — 111, 117
Legislative Branch of the Government, appropriation for — 106, 114
Library of Congress, appropriation for — 114
Maritime Commission, appropriation for — 114
National Archives, appropriation for — 109, 114
National Housing Agency, appropriation for — 115
National Labor Relations Board, appropriation for — 114
Overthrow of U. S. Government, restriction on employment of persons advocating — 118
Pay costs, increased, Government officers and employees, appropriation for — 114
Waiver of certain restrictions on use of funds — 118
Personal services, funds for, restriction on use for cost of allocation of position to higher grade, etc.; exception — 118
Post Office Department, appropriation for — 111
President, Executive Office of, appropriation for — 107, 114
Public Health Service, appropriation for — 107
Reconstruction Finance Corporation, appropriation for — 115

Deficiency Appropriation Act, 1947, Second—Continued Page
Reductions in appropriation 118
Securities and Exchange Commission, appropriation for 108
Selective Service Records, Office of, appropriation for 108
Senate, appropriation for 106
Social Security Administration, appropriation for 107
State, Department of, appropriation for 113, 117
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 118
Tariff Commission, appropriation for 114
Tax Court of the United States, appropriation for 109
Treasury Department, appropriation for 113
War Assets Administration, appropriation for 107
War Department, appropriation for 114, 118
Deficiency Appropriation Act, 1947, Second Urgent 183
Agriculture, Department of, appropriation for 185
Appropriations and authority, date of availability of; confirmation and ratification of designated obligations 187
Limitations; termination of authority 246
Pay rolls, temporary appropriations for meeting obligations incurred in accordance with provisions 361
District of Columbia, appropriation for 184
Federal Security Agency, appropriation for 184
General provisions 187
Government Printing Office, appropriation for 183
House of Representatives, appropriation for 183
Independent offices, appropriation for 184
Judiciary, appropriation for 184
Justice, Department of, appropriation for 186
Leave, accumulated, lump-sum payments for in certain cases, charge against designated appropriations 188
Legislative Branch of the Government, appropriation for 183
Lump-sum payments for accumulated annual leave, certain separated employees, charge against designated appropriations 188
Overthrow of U. S. Government, restriction on employment of persons advocating 188

Deficiency Appropriation Act, 1947, Second Urgent—Continued Page
Personnel ceilings, nonapplicability of provisions to certain separated employees 188
Post Office Department, appropriation for 186
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 188
Treasury Department, appropriation for 187
Veterans' Administration, appropriation for 184
War Department, appropriation for 187
Deficiency Appropriation Act, 1947, Urgent 14
Amendment, emergency relief, liquidation fund, Fiscal Service, Treasury Department, reduction in appropriation 187
Federal Security Agency, appropriation for 17
General provisions 23
House of Representatives, appropriation for 15
Independent offices, appropriation for 17
Legislative Branch of the Government, appropriation for 15
Overthrow of U. S. Government, restriction on employment of persons advocating 23
President, Executive Office of, appropriation for 16
Reduction in appropriations and authorizations 17, 187
Senate, appropriation for 15
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 23
Treasury Department, appropriation for 17
Veterans' Administration, appropriation for 17
Deficiency Appropriations, 1947 26
Delaware, Pea Patch Island, conveyance of portion to State, authorized 742
Delaware River Joint Toll Bridge Commission, consent of Congress to compact between Pennsylvania and New Jersey concerning 752
DeMott, Henry V., appropriation for payment for services rendered special committee of Senate 15
Denver, Colo., Mint, appropriation for 223
Department of Agriculture Organic Act of 1944, suppression of forest fires, repeal of provision for cooperation without matching of funds 449
Departments, Government. *See* Government Departments and Agencies; *also individual titles.*

Page

Dependent Children, Aid to. *See* Social Security Act; Social Security Administration.
Deschutes Project, Oreg., appropriation for 474, 944
Detainees, Civilian, free importation privileges, termination date 917
Detroit River Postal Service, appropriation for 230
Dickinson Dam, Heart River Project, appropriation for 699
Digest of General Public Bills, limitation on expenditures for preparation, etc. 372
Diplomatic Officers. *See* Foreign Service *under* State, Department of.
Disaster Loan Corporation, repeal of Act creating 209
Discretionary Trusts, Certain, gift tax, certain relinquishments by grantor not deemed transfer of property, time extension of provisions; interest restriction on certain overpayments 178
Distilled Spirits, Etc.:
Exportation, drawback 319
Grain, use for beverage purposes, time extension of authority of President respecting allocation 946
War tax rates of certain miscellaneous taxes, continuance; drawback 12
District Attorneys, appropriation for salaries and expenses 111, 117, 290
District Courts. *See under* United States Courts.
District of Columbia:
Administration, general, appropriation for 29, 62, 426
Adult Correctional Service, funds for 30, 63, 437
Advertising in newspapers and legal periodicals, appropriation for 426
Aged and Infirm, Home for, appropriation for 438
Alcoholic Beverage Control Board, appropriation for 29, 427
Alcoholics, rehabilitation of 744
Clinic—
Appointment of director and other personnel; recommendations 746
Establishment of 744
Committee for assistance in effecting provisions 747
License fees for manufacture or sale of alcoholic beverages, increase; permanent appropriation 746
Voluntary submission for treatment, etc 746
Alley Dwelling Authority Act, appropriation for maintenance of properties under 600

District of Columbia—Continued Page
Andrew W. Mellon Memorial Committee, authorization for erection of memorial 327
Apprenticeship Council, funds for 62, 426
Appropriation Act, 1948 425
Appropriations, specified amounts to be considered maximum 448
Aqueducts and accessories, appropriation for 445
Arrests for probable cause in certain cases 743
Asphalt plant, appropriation for; funds for preparation of site 441
Assessor's office, appropriation for 29, 426
Athletic contests, corrupt influence in connection with, prohibition, penalty for violation 313
Audited claims, appropriation for payment 64, 185
Audited claims payable from District of Columbia revenues 79
Auditor, vouchers, Health Department and Public welfare, audit 447
Auditor's office, appropriation for 29, 426
Automobiles, privately owned, allowance for use in performance of official duties; limitation on amount 448
Black-outs, date of termination of war in interpretation of Act of Dec. 26, 1941; exceptions 453
Board of Education. *See* Public schools, *this title.*
Bribes in connection with athletic contests, prohibition, penalty for violation 313
Bridges, appropriation for operation, etc 441
Buildings, etc., reductions in appropriations for certain 19
Central Dispensary and Emergency Hospital, appropriation for 437
Ceremonies, appropriation authorized 314
Chief Clerk, Office of, appropriation for 30, 439
Children's Hospital, appropriation for 437
Citizenship requirement, employees 447
Claims and suits, appropriation for settlement of 64, 426
Collector's office, appropriation for 29, 62, 426
Columbia Hospital and Lying-In Asylum, appropriation for 437
Communication systems, appropriation for operation and maintenance 440
Compensation and retirement fund expenses, appropriation for 184, 426
Concealed weapons, arrests without warrant; limitation on use of evidence discovered 743

District of Columbia—Continued Page
Condemnation proceedings, abandonment, reimbursement of owner, etc 312
Coroner's office, appropriation for 29, 63, 427
Corporation counsel, office of, appropriation for 29, 426
Corrections, Department of—
Adult Correctional Service, funds for 30, 63, 437
Advances to Director of 437
Appropriation for 63, 437
Parole, Board of, furnishing of information to 378
Courts—
Appeals, U. S. Court of—
Appropriation for 303
Building, acquisition of site and preparation of plans and specifications for 120
Appropriation for 612
Public Buildings, Commissioner of, transfer of duties, etc., of Architect of Capitol to 612
Reports, sale price limitation 306
Secretary for judge, appointment authorized 409
Sugar Act of 1948, appeal from allotments under 926
Appropriation for 63
District Court of United States—
Appropriation for 302
Building, acquisition of site and preparation of plans and specifications for 120
Appropriation for 612
Public Buildings, Commissioner of, transfer of duties, etc., of Architect of Capitol to 612
Secretary for judge, appointment authorized 409
Jury commissioners, compensation 304
Juvenile court—
Absconding probationers, advances to secure return of 435
Appropriation for 30, 435
Psychiatric service, appropriation for 435
Waiver of jurisdiction in certain offenses 92
Mental Health, Commission on, appropriation for 435
Municipal court—
Appropriation for 30, 435
Jury trials, deposits for 435
Reporters, official, fees for transcripts, collection authorized 381
Municipal court of appeals, appropriation for 30, 435
Probation system, appropriation for 30, 435

District of Columbia—Continued Page
Courts—Continued
U. S. courts—
Appropriation for 184
Division of expenses 302
Reimbursement to United States, appropriation for 435
Wills, Office of Register of, appropriation for 30, 63, 435
Day care centers. *See* Nurseries and nursery schools, *this title.*
Daylight saving time, hearings, authority of Commissioners 57
Defense purposes, borrowing of money; use of employees; time limit for exercise of authority under provisions of Act of Dec. 26, 1941 453
Delinquent tax list, advertising of 426
District attorney, U. S., division of expenditures for office of 294
District Buildings, Office of Superintendent of, appropriation for 30, 64, 185, 244, 440
District Debt Service, appropriation for 427
District Training School, appropriation for 30, 438, 439
Division of expenses 31, 65, 185
Eastern Dispensary and Casualty Hospital, appropriation for 437
Education, Board of. *See* Public schools, *this title.*
Electrical Division, appropriation for 65, 244, 440
Emergency expenses, appropriation for 426
Emergency Rent Act—
Amendment, schools or universities, recovery of possession of housing accommodations in certain cases 721
Extension 713
Employees' compensation fund, appropriation for 244, 426
Employees' retirement fund, appropriation for 184, 427
Engineer Commissioner, appropriation for compensation 426
Enlisted Reserve Corps members, D. C. employees, military leave 238
Erroneous collections, appropriation for refunds 65, 185, 426
Executive office—
Appropriation for 29, 426
Availability of appropriation for payment of salaries of members of apprenticeship council 62
Federal payment to 361
Fire Department—
Appropriation for 30, 63, 244, 434
Licenses, issuance of certain, certification of compliance with laws by applicant 402

District of Columbia—Continued Page
Fire Department—Continued
Policemen and firemen's relief fund, credit for service in armed forces in determination of eligibility for and amount of benefits 398
Seniority benefits for certain veterans 240
First Infantry Division, U. S. Army, erection of monument on public grounds of United States, authorized 178
Fiscal Service, appropriation for 29, 62, 426
Florence Crittenton Home, contractual services, appropriation for 438
Food-conservation program, appropriation for 438
Freedmen's Hospital. *See under* Federal Security Agency.
Gallinger Municipal Hospital, appropriation for 65, 436, 438
Garage, central, appropriation for 30, 64, 244, 440
Gasoline tax, increase in 359
General fund—
Appropriations from 425
Credit of amount to 361
Deductions of certain sums from 1948 appropriations 244
Sums payable from 65, 244
U. S. securities, investment in; crediting of proceeds 448
Glenn Dale Tuberculosis Sanatorium, appropriation for 30, 436
Grade-crossing elimination, appropriation for 442
Health Department—
Appropriation for 30, 65, 436
Volunteer services, acceptance of 436
Vouchers, certification and payment 447
Highway fund—
Appropriation for 185
Appropriations payable from 30, 64, 65, 244, 425, 427, 441, 442, 443
Erroneous collections, refunding of 443
Reimbursement of other appropriations 443
U. S. securities, investment in; crediting of proceeds 448
Hospital center, appropriation for preliminary expenses; acquisition of site 595
Hospitals, etc., exclusion of student-employees from provisions of law relating to compensation and benefits of Federal employees; exceptions, etc 727
House of Mercy, contractual services, appropriation for 438
Howard University. *See under* Federal Security Agency.

District of Columbia—Continued Page
Income and Franchise Tax Act of 1947. *See under* District of Columbia Revenue Act of 1947.
Indeterminate Sentence and Parole, Board of—
Appropriation for 29, 427
Transfer of powers, etc., to Board of Parole 378
Industrial Home School, appropriation for 438
Industrial Home School for Colored Children, appropriation for 438
Insane persons—
Indigent, appropriation for support of 439
Nonresident, appropriation for deportation of 30, 438
Inspection, Director of, issuance of certain licenses, certification of compliance with laws by applicant 402
Inspections, Department of, appropriation for 30, 440
Insurance, Department of, appropriation for 29, 427
Interstate Commission on Potomac River Basin, appropriation for contribution 444
Judgments, appropriation for payment 64, 185
Judicial expenses, appropriation for 426
License Bureau, appropriation for 29, 63, 427
Licenses—
Classification of buildings containing living quarters, etc 402
Fees, validity, etc., more than one business carried on by same person 402
Limitation on issuance for operation of business in building containing living quarters, etc 402
Liquor, increase in fees; permanent appropriation 746
Undertakers, provisions respecting 711
Life insurance policies, rights of creditors and beneficiaries under 711
Liquor licenses, increase in fees; permanent appropriation 746
Marine Corps League, Inc., erection of memorial, authorized 242
Marshal, U. S., division of expenditures for office of 294
Meetings, appropriations available for attendance at; limitation on amount 448
Mental Health, Commission on, appropriation for 30, 435
Metropolitan Police—
Appropriation for 30, 244, 433
Band, establishment authorized; director, appointment authorized; appropriations authorized 311

District of Columbia—Continued Page
Metropolitan Police—Continued
Detail of members for duty on Capitol Grounds 368
Inspectors, allowance for use of privately owned automobiles, payment authorized; limitation 179
Policemen and firemen's relief fund, credit for service in armed forces in determination of eligibility for and amount of benefits 398
Seniority benefits for certain veterans 240
Minimum Wage and Industrial Safety Board, appropriation for 30, 63, 427
Motor-fuel tax, increase in 359
Motor vehicle inspection act, amendment 360
Municipal Architect, Office of—
Appropriation for; apportionments of appropriations 30, 439
Credit of funds to 429, 430, 431, 432
Public schools, transfer of funds for preparation of plans and specifications 429, 430, 431, 432
Municipal buildings, use of appropriation for school buildings, etc., for repairs to 428
Municipal Lodging House, appropriation for 438
National Capital Park and Planning Commission. *See separate title.*
National Capital Parks, appropriation for 31, 64, 116, 446, 484
National Capital Sesqui-Centennial Commission, establishment, composition, etc 396
National Conference of Commissioners on Uniform State Laws, appropriation for support 426
National Guard—
Appropriation for 446
D. C. employees, acceptance of employment, pay and allowances, etc.; restoration to positions on relief from duty 239
Referee in bankruptcy, eligibility of members for appointment as; exception of certain disbursing officers 213
National Safety Council, Inc., appropriation for affiliation with 439
National Training School for Boys, appropriation for 439
National Training School for Girls—
Appropriation for 438
Superintendent, salary rate 439
White girls, restriction on use of funds for 439
Naval Reserve members, D. C. employees, restoration to positions on relief from duty 239

District of Columbia—Continued Page
Nurseries and nursery schools—
Appropriation for; limitation on use 439
Establishment, etc., time extension of authority 188
Reduction in appropriation authorization 189
Overthrow of U. S. Government, restriction on employment of persons advocating 447
Pages, Congressional, etc., education, appropriation for reimbursement for 15, 369
Park Police—
Appropriation for 446
Policemen and firemen's relief fund, credit for service in armed forces in determination of eligibility for and amount of benefits 398
Washington National Airport, patrol by Park Police at request of Administrator of Civil Aeronautics 94
Parking meter fees, deposit of 443
Parking spaces for Members of Congress 443
Parks, Federal, appropriation for 116, 484
Parole, Board of, authority; composition; transfer of powers, etc., from Board of Indeterminate Sentence and Parole 378
"Penny milk" program for school children, appropriation for 438
Personal services, funds for 448
Policemen's and firemen's relief—
Appropriation for 63, 244, 434
Armed forces, credit for service in determination of eligibility for and amount of benefits 398
Potomac River Basin, Interstate Commission on, appropriation for contribution 444
Poundmaster's office, appropriation for 30, 63, 427
Printing and binding, funds for 448
Printing and Publications, Division of, printing and binding by 448
Property, personal, real and tangible, increase in rate of taxation 359
Public Library, appropriation for 30, 63, 244, 433
Public schools—
Administration, general, appropriation for 30, 428
Auxiliary educational services, appropriation for 428
Buildings, etc.—
Appropriation for maintenance, etc 30, 63, 244, 428
Construction, contract authorizations, designated, increase 430, 431, 432
Sites, purchase of, appropriation for 432
Capital outlay, appropriation for 428

District of Columbia—Continued Page
Public schools—Continued
Construction, appropriation for 429
District of Columbia Teachers' Salary Act of 1947 248
Employees, Board of Education—
Armed forces, service in, experience credit 257
Attendance officers, leave, etc 259
Classification and assignment 252
Double-salary restriction, teachers, nonapplication for designated period 433
Examiners, boards of, membership; chief examiners 258
First Assistant Superintendents of Schools, duties 258
Increases in annual compensation 253
Leave for educational improvement, applicability of provisions 260
Master's degree, requirement for certain appointments, etc 252
Principals, elementary schools, determination of classification 258
Probationary tenure, employees on, increases in compensation 253
Promotion, method of 257
Retirement, applicability of provisions of law respecting 260
Retirement of teachers, appropriation with respect to, liquidation of unfunded accrued liability, extension of liquidation period 750
Salaries 248
Assignment to 253
Effective date 259
Substitute teachers, annual, appointment, etc 259
Teachers' retirement appropriated fund, appropriation for 428
Temporary teachers, appointment; service limitation; salary 259
Evening schools and other activities, authorization for 259
Expenses, appropriation for 65
Milk program for school children, appropriation for 438
Operating expenses, appropriation for 30, 428
Pages, Congressional, etc., education, authority of Board of Education with respect to 369
Plans and specifications, appropriation for preparation, etc 429, 430, 431, 432
Playground sites, appropriation for 432
Pupils dwelling outside D. C., limitation on use of funds for free instruction 433

District of Columbia—Continued Page
Public schools—Continued
Skubitz, Joseph, payment for service as teacher in Capitol Page School, appropriation for 369
Sullivan, Joseph J., payment for service as teacher in Capitol Page School, appropriation for 369
Supervision and instruction, general, appropriation for 30, 63, 428
Vocational education, appropriation for 30, 428
Public Utilities Commission—
Appropriation for 30, 427
General counsel, compensation of 426
Restriction on use of funds 427
Public welfare—
Administration, general, appropriation for 437
Adult Correctional Service, funds for 30, 63, 437
Advances to Director of 439
Agency services, appropriation for 244, 438
Children committed to care of Board, appropriation for 438
Dependent children, aid to 438
Indigent, institutions for, appropriation for operating expenses 185
Pay costs, increased, appropriation for 30
Protective institutions, appropriation for 438, 439
Public assistance and children's services, appropriation for 64
Vocational rehabilitation of disabled residents, appropriation for 438
Vouchers, certification and payment 447
Public works, appropriation for 30, 64, 185, 244, 439
Purchasing Division, appropriation for 29, 426
Reconstruction Finance Corporation Act, applicability 204
Recorder of Deeds, Office of—
Appropriation for 30, 427, 698
Machines for recording of deeds, etc., purchase and operation authorized 730
Recreation Department, appropriation for 30, 63, 244, 433
Red Cross, American National—
Authorization for erection of permanent building for D. C. Chapter; conditions, etc 241
Continuation of existing corporation, etc 83
Redevelopment, appropriation for 601
Reformatory, appropriation for 65
Refuse Division, appropriation for 30, 64, 244, 443, 444

District of Columbia—Continued Page
Regional Agricultural Credit Corporation, availability of funds, etc. 580
Regulatory agencies, appropriation for 29, 63, 427, 698
Reimbursements of other appropriations, appropriation for increased pay costs 30
Rent Act, Emergency—
Amendment, schools or universities, recovery of possession of housing accommodations in certain cases 721
Extension 713
Rent Control, Office of Administrator of, appropriation for 30, 427
Retirement fund expenses, appropriation for 184
Revenue Act of 1947. *See* District of Columbia Revenue Act of 1947.
Safety Council, Inc., National, appropriation for affiliation with 439
St. Ann's Infant Asylum and Maternity Hospital, contractual services, appropriation for 438
St. Elizabeths Hospital. *See separate title.*
Schools. *See* Public schools, *this title.*
Secret Service forces, reimbursement for benefit payments to, appropriation for 187, 222
Securities, U. S., investment of funds in; crediting of proceeds 448
Servicemen, designated temporary housing, date of termination of emergency in interpretation of Act of May 18, 1946 453
Sewer Division, appropriation for 30, 64, 244, 444
South Capitol Street Bridge, increase in cost limitation 441
Street and Bridge Divisions, appropriation for 244, 441
Street improvements—
Appropriation for 185, 442
Contracts, open competition 442
Repairs, liability for 442
Sidewalks and roadways, alteration of widths 442
Streetcar loading platforms, restriction on use of funds for 443
Street lighting, rates for 440
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 447
Surveyor's office, appropriation for 30, 64, 440
Tax Appeals, Board of, appropriation for 29, 426
Taxes. *See* District of Columbia Revenue Act of 1947.

District of Columbia—Continued Page
Taxicabs, regulations respecting meters, zones, and rates, restriction on use of funds 427
Teachers. *See* Public schools, *this title.*
Temporary Home for Former Soldiers and Sailors, appropriation for 438
Temporary services, increase in limitation on amount for 448
Titles and Tags, Registrar of, continuance in classification 443
Traffic safety education, appropriation for 442
Trees and Parking, Division of, appropriation for 244, 443
Trust funds, investment in United States securities, crediting of proceeds 448
Undertakers, licenses for, provisions respecting 711
Unemployment Compensation Act, amendment, contribution rates after termination of military service 494
United States, appropriation for reimbursement to 427
Vehicles—
Transfer from police or fire departments, restriction 441
Use; restriction 440, 441
Vehicles and Traffic, Department of, appropriation for 30, 64, 65, 244, 442
Veterans—
Services to, appropriation for 63, 435
Temporary housing, designated, date of termination of emergency in interpretation of Act of May 18, 1946 453
"Victory" gardens, appropriation for 438
Vocational rehabilitation of disabled residents, increase in amount available to Office of Vocational Rehabilitation, Federal Security Agency 60
Volunteer services, acceptance, time limit for exercise of authority under provisions of Act of Dec. 26, 1941 453
War Department, lease of buildings, date of termination of war, etc., in interpretation of provision of Act of July 9, 1918 452
War housing, reduction in appropriation 19
War workers, services to, appropriation for 63, 435
Washington Aqueduct, appropriation for 30, 64, 244, 445
Washington Home for Incurables, appropriation for 437
Water Division, appropriation for 30, 64, 444, 445
Water fund—
Appropriations payable from 30, 64, 65, 244, 425, 444, 445

District of Columbia—Continued Page
Water fund—Continued
Credit of amount to 361
U. S. securities—
Investment in; crediting of proceeds 448
Sale authorized 445
Water mains—
Assessments for, increase 360
Federal, outside D. C., appropriation for maintenance and operation 690
Water rents—
Appropriation for refunding 65
Increase 360
Water system, delivery of water to Falls Church or other water systems in metropolitan area of District in Virginia 181
Weapons, concealed, arrests without warrant; limitation on use of evidence discovered 743
Weights, Measures, and Markets, Department of, appropriation for 29, 63, 427
West central heating plant, D. C., appropriation for 594
West Executive Avenue, removal of stone piers 95
White House Police. *See separate title.*
Wills, Office of Register of, appropriation for 30, 63, 435
Workhouse, appropriation for 65
Workmen's compensation, appropriation for administrative expenses 184, 427
Zoning Commission, appropriation for 30, 427
Zoological Park, National, appropriation for 31, 447

District of Columbia Code:
Amendments—
Athletic contests, corrupt influence in connection with, prohibition, penalty for violation 313
Condemnation proceedings, abandonment, reimbursement of owner, etc 312
Parole of prisoners 378, 379
Citation 638
Copies of Code and Supplements printed at Government Printing Office, conclusive evidence of original 639
Distribution 640
Evidence of the laws 638
Preparing and editing, annual appropriation authorized 640
Publication, distribution, etc 637, 638
Supplements, publication, distribution, etc 637, 638, 640

Page
District of Columbia Revenue Act of 1947 328
Federal payment to District 361
Income and Franchise Tax Act of 1947 328
Accounting periods 339
Appeal 359
Applicability 331
Assessment and collection 352
Period of limitation 354
Compromises 355
Corporations—
Allocation and apportionment of net income derived within District, etc 349
Dividends paid in property 351
Licenses 357
Reorganizations, exchanges in, gain or loss 351
Tax on 345
Deductions and credits, period for which taken 340
Definitions, general 332
Dependents, credit for 343
Estates and trusts, tax on 346
Employees' trusts, exemption 348
Exempt organizations 334
Gross income—
Deductions allowable in computation of net income 337
Deductions not allowable in computation of net income 339
Periods in which items included 339
"Gross income" and exclusions therefrom 335
Installment sales 340
Inventories 340
Method of accounting, rejection by Assessor, authority 340
Net income—
Deductions allowable in computation of 337
Deductions not allowable in computation of 339
Definition 335
Organizations, trades, or businesses, certain, allocation of income and deductions 349
Penalties and interest 355, 356, 357, 358
Personal exemptions 343
Property—
Basis for determining gain or loss; computation, etc 350
Depreciation 351
Purpose 349
Rates of tax; optional method of computation 344

District of Columbia Revenue Act of 1947 —Continued Page
Income and Franchise Tax Act of 1947 —Continued
Repeal of prior income tax act; exceptions 331
Returns 340
Exchange of information, reciprocal, with United States and the several States 342
Filing requirement from specified persons, etc 341
Prior income tax act returns and returns for first taxable year to which Income and Franchise Tax Act of 1947 is applicable 331
Secrecy of 342
Time and place of filing 342
Rules and regulations 359
"Taxable income," residents and nonresidents 343
Time of payment 353
Unincorporated businesses—
Allocation and apportionment of net income derived within District, etc 349
Licenses 357
Tax on 345
Motor-fuel tax, increase in 359
Motor vehicle inspection act, amendment 360
Property, personal, real and tangible, increase in rate of taxation 359
Separability clause 361
Water mains, assessments for, increase 360
Water rents, increase 360
District of Columbia Teachers' Salary Act of 1945, repeal 260
District of Columbia Teachers' Salary Act of 1947 248
Dollar-A-Year Men, employment, repeal of provision of Act of June 26, 1940 449
Domestic Air Mail Service:
Appropriation for 112, 231, 701
Transfers of funds from appropriation for 112, 187, 700
Dorsey, Margaret Mansfield, appropriation for payment to 611
Dues, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Duke Power Company, consent of Congress for construction, etc., of dam across Dan River, Leaksville, Va.; restriction on claims for damages from designated future construction 98
Durango, Colo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Dutch Elm Disease Control, appropriation for; State, etc., cooperation 535
Duties, Customs. *See* Customs Duties. Page
Dyberry and Prompton Reservoirs, Lackawaxen River Basin, Pa., funds for preparation of plans 689

E

Economic Advisers, Council of, appropriation for 586
Economic and Social Council, Inter-American, appropriation for contribution 282
Economic Poisons, Etc., Regulation of Marketing. *See* Federal Insecticide, Fungicide, and Rodenticide Act.
Economic Report, Joint Committee on the:
Appropriation for 363
Critical shortages, hearings and recommendations on proposed conservation measures 947
Economic Stabilization, Office of, salaries and expenses, War Mobilization and Reconversion functions, reduction in appropriation 18
Education, Office of. *See under* Federal Security Agency.
Educational, Scientific, and Cultural Cooperation, National Commission on, appropriation for conferences, etc 283
Educational Facilities, Veterans'. *See* Educational facilities *under* Veterans.
Educational Foundation, Inc., Inter-American. *See* Inter-American Educational Foundation, Inc.
Egypt, appropriation for consular prisons, etc 281
Eightieth Congress, Second Session, date of beginning 768
Electric Light Bulbs and Tubes, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Electrification Administration, Rural. *See* Rural Electrification Administration *under* Agriculture, Department of.
Emergency Advisory Committee for Political Defense, appropriation for contribution 282
Emergency Appropriation Act, 1935, purchase by Reconstruction Finance Corporation of securities acquired, etc., by Public Works Administration, repeal of provisions respecting 208
Emergency Appropriation Act, 1948 243
Agriculture, Department of, appropriation for 245
Appropriations and authority, availability, limitations; termination of authority 246
Pay rolls, temporary appropriations for meeting obligations incurred in accordance with provisions 361
District of Columbia, appropriation for 244

Emergency Appropriation Act, 1948—Continued — Page
Government Reports, Office of, appropriation for — 244
Independent offices, appropriation for — 244
Interior, Department of the, authority for incurrence of certain obligations — 245
Labor, Department of, appropriation for — 245
Veterans' Administration, appropriation for — 244
Emergency Boards, National Mediation Board, appropriation for — 61, 277
Emergency Farm Mortgage Act of 1932, Land Bank Commissioner, authorization to Reconstruction Finance Corporation for making funds available to, repeal of provisions respecting — 208
Emergency Farm Mortgage Act of 1933:
Agricultural improvement districts, refinancing of, repeal of provisions — 208
Taxes on real estate, authorization to receiver to borrow money for payment, repeal of provisions — 208
Emergency Fund for the President:
Amnesty Board, President's, allocation of funds for — 585
Appropriation for; restriction — 585
Reduction in appropriation — 18, 22
Emergency Health and Sanitation Activities, appropriations for Public Health Service, date of termination of war in interpretation of provisions of Act of July 1, 1944 — 454
Emergency Management, Office for:
Appropriation for — 16, 28, 59, 107, 586
Constituent agencies. *See individual titles.*
Reduction in designated appropriations — 17
Emergency Powers, Certain, Repeals — 449
Emergency Price Control Act of 1942:
Amendments—
Apparel, enforcement action against manufacturer, application for determination by manufacturer — 619
Complaint, application for filing, objections to validity of provisions in certain cases — 619
Protest—
Dismissal of; defense against complaint, etc., right of United States — 619
Objections to provisions of certain orders, price schedules, etc., time limit on filing — 619
Rent control under, termination of — 197
Sugar—
Continuance in effect of certain provisions with respect to — 35
Emergency Price Control Act of 1942—Continued — Page
Sugar—Continued
Restrictions and limitations on applicability of certain provisions — 35
Transfer of functions, etc., of President and Price Administrator to Secretary of Agriculture — 36
Emergency Relief and Construction Act of 1932:
Regional agricultural credit corporations, authority of Farm Credit Administration with respect to — 208
Repeals of designated sections — 208
Employees, Government. *See* Government Employees.
Employees' Compensation, Bureau of. *See under* Federal Security Agency.
Employees' Compensation Act:
Public Health Service, commissioned officers, claims, repeal of provisions of Act of July 1, 1944; effective date — 451
Student-employees of hospitals of Federal Government, consideration as Government employees — 727
Employment Act of 1946, appropriation for functions of Council of Economic Advisers under — 586
Employment Security, Bureau of. *See under* Social Security Administration.
Employment Service, United States. *See* United States Employment Service *under* Labor, Department of.
Employment Taxes. *See under* Taxes.
Enders Dam, Republican Basin, appropriation for — 699
Enemy Aliens. *See* Aliens; Interned Persons; Prisoners of War.
Engineer School, Army, appropriation for maintenance — 561
Engineers, Corps of. *See under* War Department.
England, treaty provisions respecting migratory birds, appropriation for effecting — 487
Engraving and Printing, Bureau of. *See under* Treasury Department.
Engrossing of Bills or Joint Resolutions — 634
Enlisted Reserve Corps. *See under* Army.
Enrolling of Bills or Joint Resolutions — 635
Entomology and Plant Quarantine, Bureau of. *See under* Agriculture, Department of.
Estate Taxes, certain contributions to United Nations, deduction for tax purposes — 7
Ethiopia, appropriation for consular prisons, etc — 281

Page

European Fowl Pest, funds available for eradication 532
Evanston, Wyo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Everglades Region, Fla., appropriation for erosion control, etc.; State contribution 541
Ewa, Oahu, Hawaii, conveyance by Navy Department, authorized 401
Excise Tax Act of 1947 12
Executive Branch of the Government, Commission on Organization of:
Appropriation authorized 247
Appropriation for 696
Establishment, authority, etc 246
Experts, consultants, etc., procurement of services of; nonapplicability of designated provisions of law 940
Report to Congress 248
Executive Departments. *See* Government Departments and Agencies; *also individual titles.*
Executive Mansion and Grounds, appropriation for 586
Executive Office of the President. *See* Executive Office *under* President of the United States.
Expatriation, date of termination of state of war in interpretation of Act of July 1, 1944 454
Explosives, Etc., temporary use by Government of project works for manufacture of, date of termination of state of war, etc., in interpretation of provisions of Act of June 10, 1920 451
Explosives Act, Federal, (Act of Dec. 26, 1941), date of termination of state of war, etc., in interpretation of 452
Export-Import Bank Act of 1945, Amendments:
Continuation of Bank until June 30, 1953 131
Obligations, redemption; interest 131
Powers 130
Succession to rights, liabilities, etc., of previous corporation 131
Export-Import Bank of Washington:
Continuance, funds, etc., repeal of provisions respecting 208
Continuation, etc 130, 131
Expenditures, contracts, etc., authorization; appropriation for 576
Exports:
Allocations of certain materials or facilities—
Certification of necessity by Secretary of State; authority of Secretary of Commerce 323
Time limitation of provisions 34
Extension 322, 323

Exports—Continued Page
Control—
Administrative Procedure Act, exclusion of functions from operation of; exceptions 323
Appropriations authorized 214, 324
Appropriations for 66, 619
Commerce, Secretary of, administration by 323
Report to President and Congress 324
Foreign Aid Act of 1947, nonapplicability to authority 939
Obligations incurred relative to, funds available to Department of Commerce 943
Personnel performing duties relating to, reemployment 324
Price criteria in licensing of exports 946
Sugar—
Continuance in effect of certain provisions with respect to 35
Sugar Act of 1948 922
Transfer of powers, etc., of President, etc., to Secretary of Agriculture 36
Time extension 214, 323, 946

F

Fair Labor Standards Act of 1938. *See also* Portal-to-Portal Act of 1947.
Amendment, action for recovery of liability, employee as party plaintiff, consent requirement 87
Claims under, relief from certain 85, 86
Enforcement, transfer of funds to appropriation for 75
Interpretation, judicial, findings of Congress with respect to 84
Liquidated damages, authority of court 89
Restriction on liability of employer in designated circumstances 88, 89
Statute of limitations 87
Wage and Hour Division, Department of Labor, appropriation for expenses under 263
Fairbanks, Alaska, construction of magnetic and seismological observatory, appropriation for 298
Falls Church, Va., delivery of water from D. C. water system 181
Farm Commodities. *See* Agricultural Commodities.
Farm Credit Act of 1937:
Regional agricultural credit corporations—
Borrowing power, repeal of provisions respecting 209
Consolidation, corporations formed by, payment of expenses, repeal of provisions respecting 209

Farm Credit Administration: Page
Appropriation for 547
Transfer of funds to 74
Credit union functions, transfer to Federal Deposit Insurance Corporation 952
Payments by designated corporations, funds available 580, 581
Regional agricultural credit corporations, authority with respect to, amendment of Emergency Relief and Construction Act of 1932 208
Farm Forestry Cooperation, funds for 74, 539
Farm Island, S. Dak., transfer from city of Pierre to State of South Dakota, consent of Congress 740
Farm Labor Supply Appropriation Act, 1944:
Amendment, disregard of certain income without prejudicing States' rights to grants for old-age assistance; time limitation 202
Program, functions, etc., under. *See* Farm Labor Supply Program.
Farm Labor Supply Program:
Administrative expenses, appropriation for; funds available 109
Apportionment of funds among States 109
Continuance and liquidation, maintenance of farm placement service 55
Appropriations authorized 55
Appropriations available 109
Appropriations for 109
Facilities, disposition to public or semipublic agencies or nonprofit associations of farmers 694
Mexican farm laborers, permission to remain in U. S.; employer's assurance of return to place of recruitment, etc 55
Receipts from sales of labor supply centers, labor homes, etc., availability for costs of liquidation 109
Farm Mortgage Act of 1932, Emergency, Land Bank Commissioner, authorization to Reconstruction Finance Corporation for making funds available to, repeal of provisions respecting 208
Farm Mortgage Act of 1933, Emergency:
Agricultural improvement districts, refinancing of, repeal of provisions 208
Taxes on real estate, authorization to receiver to borrow money for payment, repeal of provisions 208
Farm Mortgage Corporation, Federal, appropriations for; availability of funds, etc 110, 580
Farm Products. *See* Agricultural Commodities.
Farm Tenancy, transfer of funds to appropriation for 74
Farm Tenant Act: Page
Appropriations for effecting provisions relating to—
Land utilization and retirement of submarginal land 541
Loans, mortgage insurance, etc 545
Virgin Islands, extension of provisions to 493
Farm Training, Institutional, inclusion in veterans' education program 791
Farmers. *See also* Agriculture, Department of.
Mineral rights pools, loans by Reconstruction Finance Corporation, repeal of provisions respecting 208
Soil Conservation and Domestic Allotment Act, payments to certain inducted farmers 542
Farmers' Home Administration. *See under* Agriculture, Department of.
Farmers' Home Administration Act of 1946, Amendment, labor-supply centers, camps, etc., liquidation, time extension 55
Farmers' Irrigation District, Nebr., reduction of certain accrued interest charges; operation, etc., of drain diversion works 101
Farragut, Idaho, reimbursement of certain Navy and former Navy personnel for losses at 315
Fats and Oils, Etc.:
Allocations, extension of time limitation on provisions 322
Statistics, collection and publication by Bureau of the Census, authorized 457
Federal Agencies. *See* Government Departments and Agencies; *also individual titles.*
Federal-Aid Highway Acts. *See* Federal Highway Acts.
Federal Airport Act, appropriation for carrying out provisions of, merger of appropriations 297
Federal Areas, State, etc., taxation affecting 644, 645
Federal Board of Hospitalization, appropriation for salaries and expenses 586
Federal Bureau of Investigation. *See under* Justice, Department of.
Federal Caustic Poison Act, appropriation for enforcement 265
Federal Communications Commission:
Appropriation for 78, 114, 591
Post Roads Act of 1866, repeal, nonlimitation of designated authority by 327
Telecommunications conferences, designated, rules and regulations for free communication services to official participants 83

Page

Federal Corrupt Practices Act, Amendment, restriction on political contributions 159

Federal Crop Insurance Act, Amendments:
Employees and agencies for administration, responsibility to Corporation 719
Indemnities, basis for determination of 719
Limitations on program and insurance 718
Management of Corporation 719
Premiums, basis for establishment 719
Prior contracts, validity 719
Reinsurance for private insurance companies 718
Report to Congress by Corporation on results of operations 719

Federal Crop Insurance Corporation:
Appropriation for 70, 549, 550
Transfer of funds to 74
Capital stock, subscriptions to, appropriation for 70
Expenditures, contracts, etc., authority 550
General provisions of Government Corporations Appropriation Act, 1948, applicability 550
Insurance of certain crops, limitations 550

Federal Deposit Insurance Corporation:
Capital stock, retirement of 773
Credit union functions of Farm Credit Administration, transfer 952
Directors, appointive, increase in compensation 773
Loans from Treasury for insurance purposes 773

Federal Employees Pay Act of 1945, Amendment, student-employees of hospitals, etc., exemption from coverage 727

Federal Expenditures, Nonessential, Joint Committee on Reduction of, appropriation for 16

Federal Explosives Act, (Act of Dec. 26, 1941), date of termination of state of war, etc., in interpretation of 452

Federal Farm Mortgage Corporation, appropriations for; availability of funds, etc 110, 580

Federal Firearms Act, Amendment, definition of "crime of violence" 11

Federal Food, Drug, and Cosmetic Act:
Amendment, provision for certification of streptomycin or derivatives 11
Appropriation for enforcement 265

Federal Highway Acts:
Appropriation to effect provisions of 539
Federal-Aid Highway Act of 1938, appropriation for projects, District of Columbia 441, 442

Federal Highway Acts—Continued
Federal-Aid Highway Act of 1944—
Amendment, extension of period of availability of funds apportioned to States 136
Postwar highways, appropriation for 597
Federal-aid highway system—
Appropriation for 595
Convict labor, restriction on employment 596
Public-lands highways, appropriation for 597
Right-of-way, financing acquisition for Federal aid roads, repeal of provisions respecting 209
Secondary or feeder roads, appropriation for 596

Federal Home Loan Bank Act, Amendment, home mortgage as collateral security for advance 714

Federal Home Loan Bank Administration. *See under* Housing.

Federal Home Loan Banks, stock held by Reconstruction Finance Corporation, transfer to Treasury Department, etc 208

Federal Housing Administration. *See under* Housing.

Federal Insecticide, Fungicide, and Rodenticide Act:
Appropriation for 618
Appropriations and expenditures, authorization for 172
Books and records 168
Condemned article, disposition of 171
Cooperation with Government departments and agencies, etc., in carrying out provisions 172
Definitions 163
Delegation of duties by Secretary of Agriculture 171
Effective date 172
Enforcement 168
Exemption of economic poison from provisions, authority of Secretary of Agriculture 172
Exemptions from penalties in certain cases 169
Imports 171
Penalties for violations 170
Prohibited acts 166
Registration 167
Cancellation at end of five years 168
Repeals 172
Seizures 170
Separability 172

Federal Insurance Contributions Act, Amendments, Social Security tax rates, employers and employees 793

Page

Federal Intermediate Credit Banks:
Administrative expenses, increase in amount available for 73
Availability of funds, etc 580
Federal Loan Agency:
Abolition 208
Housing and Home Finance Administrator, transfer of certain functions to 955
Federal Mediation and Conciliation Service. *See under* Labor Management Relations Act, 1947.
Federal National Mortgage Association, appropriation for 515
Federal Power Commission:
Appropriation for 114, 591
Reclamation, Bureau of, Department of the Interior, cooperation in investigations 473
Federal Prison Industries, Inc., authorization for expenditures, contracts, etc.; appropriation for 582
Federal Prison System. *See* Prison System, Federal, *under* Justice, Department of.
Federal Public Housing Authority. *See under* Housing.
Federal Register:
Printing, etc., funds for 183, 375
Stabilization agreements, voluntary, publication of requests, withdrawals, etc 946
Sugar Act of 1948, publication of quota and deficit determinations under 932
Federal Register Act, wartime suspension of certain government reports, date of termination of war in interpretation of Act of Dec. 10, 1942 453
Federal Regulations, Code of, funds for printing and binding of supplements 184, 375
Federal Reserve Act:
Branch bank buildings, cost of, amendment 520
Federal Deposit Insurance Corporation—
Capital stock, subscription by United States and Federal reserve banks, repeal of provisions 773
Directors, appointive, increase in compensation 773
Loans from Treasury for insurance purposes 773
Government obligations, purchase and sale—
Amendment; report to Congress 56
Termination date of provisions, amendment of Second War Powers Act 34, 214, 322
Federal Reserve Banks, National Labor Relations Act, exclusion from definition of employer under 137
Federal Reserve System, termination of consumer credit controls; provision for emergency exercise 921
Federal Savings and Loan Associations, investment of funds in certain loans; limitation on amount 786
Federal Savings and Loan Insurance Corporation, appropriation for; availability of funds 115, 577
Federal Security Agency:
Administrator, Office of—
Appropriation for 108, 274, 616
Reduction in appropriation 19
Transfer of funds for 72
Appropriation Act, 1948 264
Appropriation for 17, 60, 78, 107, 108, 184, 264, 615, 616, 625
Reductions 18
Transfers of funds 60, 72, 270, 275, 276, 427, 605
Civilian Conservation Corps. *See separate title.*
Civilian war assistance—
Appropriation for 275
Reduction in appropriation 19
Civilian war benefits—
Appropriation for 616
Reduction in appropriation 19
Claims, appropriation for payment 276, 625
Constituent organizations, transfer of funds for purchase of duplicating materials 275
Education, Office of—
Appropriation for 266
Reduction in appropriation 18, 19
Transfer of funds for 72
Employees' Compensation, Bureau of—
Appropriation for 17, 184, 264
Transfer of funds for 72
Transfer of funds from 427
Employment offices, public, grants to States—
Administration, methods of, joint promulgation by Secretary of Labor and Federal Security Administrator 263
Joint budget, certain grants, submission authorized 263
Food and Drug Administration, funds for 60, 72, 265, 615
Freedmen's Hospital—
Appropriation for 60, 65, 265
District of Columbia—
Amounts chargeable to 265
Reimbursement to United States, appropriation for 437
Double-salary restriction 265
Government establishments, amounts chargeable to 265

Federal Security Agency—Continued Page
Freedmen's Hospital—Continued
Payment to appropriations and transfers of funds, certain, to Howard University, authorized 60
Student nurses, transfer of funds for items furnished under training program 270
Transfer of funds for 72
Transfer of funds from 60
General Counsel, Office of, transfer of funds 73
Grants to States. *See under* Social Security Administration.
Health service programs, appropriation for 274
Howard University—
Funds for 60, 72, 266, 615
Payments to appropriations and transfer of funds, certain, from Freedmen's Hospital, authorized 60
Judgments, appropriation for payment 78
National Youth Administration, appropriation for liquidation expenses 275
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Pay costs, increased, increase in limitation; transfers between appropriations 72
Penalty mail costs, appropriation for 275
Personnel Management, Division of, transfer of funds 73
Printing and binding, appropriation for 108, 275
Public Health Service. *See separate title.*
Reorganization plans, effectuating, transfer of funds authorized 276
St. Elizabeths Hospital, D. C. *See separate title.*
Service Operations, Division of, transfer of funds 73
Social Security Administration. *See separate title.*
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
Travel expenses, appropriation for 108, 275
Veterans Administration, transfer of funds from 605
Vocational Rehabilitation, Office of, funds for 60, 72, 184, 267
Federal Seed Act, funds for effecting provisions of 74, 544
Federal Supply, Bureau of. *See under* Treasury Department.

Federal Tort Claims Act: Page
Administrative adjustment of tort claims against United States, claims of $1,000 or less, designated appropriations available for 71
Amendment, damages only punitive in nature, cases wherein death was caused, liability of U. S.; effective date 722
Appropriations for settlements under—
Agriculture, Department of 549
Atomic Energy Commission 589
Budget, Bureau of the 586
Civil Service Commission 590
Commerce, Department of 302
Federal Power Commission 591
Federal Security Agency 276
Federal Trade Commission 591, 592
Federal Works Agency 592
General Accounting Office 598
Government Corporations 583
Government Reports, Office of 588
Housing Expediter 575
Interior, Department of the 461
International Boundary and Water Commission, United States and Mexico 285
Justice, Department of 289
Maritime Commission 603
National Advisory Committee for Aeronautics 599
National Archives 600
Navy Department 383, 626
Panama Canal 691
Post Office Department 229
State, Department of 280
Treasury Department 216
Veterans Administration 605
War Assets Administration 587
War Department 552, 555, 560, 626, 694
Federal Trade Commission, appropriation for 28, 591
Federal Trade Commission Act:
Applicability of designated provisions to powers and duties of board of inquiry under Labor Management Relations Act of 1947 155
Immunity from prosecutions under, repeal of provision of Act of June 11, 1942 450
Insurance regulation, inapplicability to, time extension 448
Stabilization agreements, voluntary, noncompliance, etc., not deemed basis for action under 946
Federal Unemployment Tax Act, Amendment, allowance of voluntary contributions 416

Federal Works Agency: Page
Administrator, Office of, funds for 115, 592
Claims, appropriation for payment 61, 77, 592, 616
Community Facilities, Bureau of—
Appropriation for 108, 597, 697
Schools and school facilities, maintenance and operation—
Appropriation for 697
Contributions, continuance of authorization 716
Provision of facilities to certain educational institutions, date of termination of emergency in interpretation of provisions of Act of Aug. 8, 1946 453
Veterans' educational facilities—
Appropriation for; limitation on availability for new projects 108
Increase in limitation on amount for administrative expenses 598
Relocation of buildings, cost limitation 108
Virgin Islands public works, appropriation for 597
War and defense public works (community facilities)—
Liquidation—
Appropriation for 597
Increase in authorization 115
Reduction in appropriation 20, 22, 609
Corporations, wholly owned Government—
Costs of maintenance, etc., paid by, crediting 697
Property value, determination of, in certain cases, etc 584
Educational facilities. *See* Community Facilities, Bureau of, *this title.*
Health service program, appropriation for 592, 597
Housing. *See separate title.*
Judgments, appropriation for payment 78, 626
Mission Point Lighthouse Reservation, Grand Traverse County, Mich., sale authorized 714
Norristown Borough, Montgomery County, Pa., conveyance 750
Paxon Field, Duval County, Fla., sale authorized 723
Pay costs, increased, appropriation for 115
Pea Patch Island, Del., conveyance of portion to State, authorized 742
Penalty mail costs, appropriation for 592
Printing and binding, appropriation for 592
Public Buildings Administration—
Administrative expenses, general, appropriation for 28, 593

Federal Works Agency—Continued Page
Public Buildings Administration—Con.
Communication services, appropriations available for 594
Construction of public buildings, emergency, reduction in appropriation 19
Corporations, wholly owned Government, costs of maintenance, etc., paid by, crediting 697
Daughters of the American Revolution, furnishing of steam to designated property of 39
District of Columbia—
Buildings, designated, reduction in appropriation 19
Courthouse, building for, transfer of duties, etc., of Architect of Capitol to Commissioner 612
Hospital center, appropriation for preliminary expenses; acquisition of site 595
Public buildings and grounds, appropriation for 28, 61, 593
Red Cross, American National, permanent building for D. C. Chapter, authority; furnishing of steam, etc 241, 242
West central heating plant, appropriation for 594
Furniture, use of present 593, 594
Governmental activities, furnishing of quarters, services, etc., to, payment for 594
Health service program, appropriation for 593
Howard University, transfer of funds from, for construction 266
Materials testing laboratory and equipment, National Bureau of Standards, reduction in appropriation 19
Motor vehicle services, appropriations available for 594
National Archives Building, appropriation for equipment 61
National Institute of Mental Health, appropriation for acquisition of site, etc 595
Per diem employees, pay rates, etc 594
Printing and binding, appropriations available for 594
Public Buildings Acts, appropriation for carrying out provisions of 592
Public buildings and grounds outside D. C., appropriation for 28, 593
Public Health Service, transfer of funds for construction of research facilities 270

Federal Works Agency—Continued Page
Public Buildings Administration—Con.
Repairs, etc., limitation on amount for 593
Return of departmental functions to seat of government, appropriation for 594
Safeguarding of public buildings and property, emergency, reduction in appropriation 19
Special policemen, designation of employees as, repeal of provision in Second Supplemental National Defense Appropriation Act, 1943; effective date 451
Surveys, models, etc., allocation of cost 593
Veterans' Administration, acquisition of administrative facilities, supervision of 605
Veterans' decentralization allowances, reduction in appropriation 19
Working capital fund, reduction in appropriation 19
Working fund, reduction in appropriation 19
Public Roads Administration—
Access roads, reduction in appropriation 19
Administrative expenses, general, appropriation for 595
Convict labor, restriction on employment by States 596
Damage claims, appropriation for payment 61, 616
District of Columbia, approval of contracts for Federal-aid projects 442
Equipment, charge for depreciation 596
Federal-Aid Highway Act of 1944, apportionments to States under, extension of period of availability 136
Federal-aid highway system, appropriation for 595
Federal-aid postwar highways, appropriation for 597
Federal-aid secondary or feeder roads, appropriation for 596
Flood relief, restoration of roads and bridges, reduction in appropriation 19
Hawaii, war and emergency damage, contract authority 597
Inter-American Highway, appropriation for 596
Medical supplies, etc., in emergencies 596
Pan-American Highway, Convention on the, appropriation for fulfilling U. S. obligations 596

Federal Works Agency—Continued Page
Public Roads Administration—Con.
Public-lands highways, appropriation for 597
Strategic highway network, reduction in appropriation 19
Warehouse maintenance, etc 596
Public Works Administration—
Liquidation—
Funds continued available 592
Transfer of funds from appropriation for 115
Securities acquired, etc., by, purchase by Reconstruction Finance Corporation, repeal of provisions of Emergency Appropriation Act of 1935 208
Public works advance planning, appropriation for 597
Red Cross, American National, permanent building for D. C. Chapter, authority; transfer of property, etc 241
Reduction in designated appropriations 19
Schools and school facilities. *See under* Community Facilities, Bureau of, *this title.*
Surplus property, transfer for alleviation of damage, etc., by flood or other catastrophe 422
Transfer of funds from appropriation for Freedmen's Hospital, increase in amount for 60
Virgin Islands, public works, appropriation for 597
Feldspar, income-tax percentage depletion 919, 920
Felonies. *See* Crimes and Misdemeanors.
Fermented Malt Liquors, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Fertilizer and Fertilizer Materials:
Improvement, appropriation for investigations 533
Transfer of funds to appropriations for 73
Nitrogenous—
Allocations, extension of time limitation on provisions 322
Foreign-aid program, limitation on acquisition for 942
Field Crops and Diseases, funds for investigations, etc 73, 533
Filled Milk Act, appropriation for enforcement 265
Fine Arts, Commission of:
Andrew W. Mellon, memorial to, approval of design and location 328
Appropriation for 115, 462
Court building, D. C., approval of site, requirement 121

Fine Arts, Commission of—Continued Page
First Infantry Division, U. S. Army, erection of monument in D. C. on public grounds of U. S., advice and recommendations 178
Marine Corps League, Inc., erection of memorial in D. C., approval of design and site 242
National Capital Sesqui-Centennial Commission, submission of plan 397
Red Cross, American National, approval of plans for proposed building for D. C. Chapter 241
Fine Arts, National Collection of, appropriation for 602
Firearms Act, Federal, Amendment, definition of "crime of violence" 11
First Decontrol Act of 1947 34
First Deficiency Appropriation Act, 1942, repeal of provision respecting suspension of franking privilege report by Selective Service System 450
First Deficiency Appropriation Act, 1947. *See* Deficiency Appropriation Act, 1947, First.
First Infantry Division, U. S. Army, erection of monument in District of Columbia on public grounds of United States, authorized 178
First Supplemental Appropriation Act, 1947, repeal of proviso respecting continuation of certain positions and funds 4
First War Powers Act, 1941, censorship of communications between U. S. and foreign countries, repeal of provision of Act of December 18, 1941 450
Fish:
Black Bass Act, appropriation for enforcement 487
Black bass and other game fish, regulation of interstate transportation 517
Investigations respecting, appropriation for 486
Propagation, etc., appropriation for 486
Sockeye Salmon Fishery Act of 1947 511
Fish and Wildlife Service. *See under* Interior, Department of the.
Fish Screens, appropriation for operation and maintenance 486
Fisheries:
Commercial, appropriation for collection of statistics, etc 486
North Atlantic—
Appropriation for expenses of activities incident to negotiation of international agreement relating to conservation 280
Availability of appropriation 622

Fisheries—Continued Page
"Products of American fisheries," limitation of term in construction of statutes 634
Fisheries Commission, International, appropriation for 286
Fishery Market News Service, appropriation for 486
Fishing Industry, loans by Reconstruction Finance Corporation to, repeal of provisions respecting 208
Five Civilized Tribes, Okla.:
Conveyances, validation of certain 734
Guardianship matters, proceedings for administration of estates, etc., jurisdiction of State courts of Oklahoma 732
Indian blood of heir or devisee, determination of quantum 732
Land, removal of restrictions on; conveyance 731
Oil and gas conservation laws of Oklahoma, applicability to restricted lands 734
Preference right of Secretary of Interior in purchase of certain lands, waiver 734
Restricted members, representation by attorneys 733
Tax-exempt lands, regulations respecting 733
Tribal funds and securities, restriction 733
Tribal officers, expenses, payment authorized 469
Validation of prior removals of restrictions, etc 734
Flag of the United States:
Additional stars 642
Stripes and stars on 642
Use for advertising purposes; mutilation 642
Flake Graphite, income-tax percentage depletion 919, 920
Flathead Indian Irrigation Project, deferment of collection of irrigation construction charges 494
Flax, crop insurance, provisions respecting 550, 718
Flaxseed, monthly statistics, collection, publication, etc 457
Fleming, Robert V., appointment to Board of Regents, Smithsonian Institution 494
Flight Officer Act of July 8, 1942, aviation cadets and flight officers, appointments, etc., repeal of certain provisions 449
Flight Propulsion Research Laboratory, Cleveland, Ohio, appropriation for 599
Flood Control. *See under* Rivers and Harbors.

Page

Florence, Ala., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304

Florida:
Chapman Field Military Reservation, Dade County, transfer of certain lands to Bureau of Plant Industry, Soils, and Agricultural Engineering, Department of Agriculture 533
Everglades region, appropriation for erosion control, etc.; State contribution 541
Fort Lauderdale, conveyance by Treasury Department of designated Coast Guard site, time extension 54
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Paxon Field, Duval County, sale by Federal Works Administrator authorized 723
Quincy, appropriation for maintenance and operation of research laboratory 698

Fluorspar, income-tax percentage depletion 919, 920

Folk Festivals, Indians participating in, appropriation for expenses 466

Food, Drug, and Cosmetic Act, Federal:
Amendment, provision for certification of streptomycin or derivatives 11
Appropriation for enforcement 265

Food and Agriculture Committee of United Nations, appropriation for contribution 282

Food and Drug Administration. *See under* Federal Security Agency.

Food Fishes. *See* Fish.

Food Programs:
Conservation program, food and feed 947
Appropriation authorized, funds available 948
Production in non-European foreign countries, stimulation of 947

Foot-and-Mouth Disease:
Appropriation for control of 24, 185, 245, 532, 617
Cooperation with Government of Mexico in control and eradication of 7
Appropriations authorized 8
Appropriations for 24, 185, 245, 617
Personnel ceilings, nonapplicability 7
Reports to Congress 8

Foreign Agricultural Relations, Office of. *See under* Agriculture, Department of.

Foreign Aid Act of 1947 934
See also Relief Assistance to Countries Devastated by War.

Foreign Aid Act of 1947—Continued Page
Administration of program abroad by field administrator of foreign relief program 937
Agreement, requirement prior to aid; contents 935, 936
Appropriation authorized 938
Appropriation for 942
Austria, distribution of commodities in 937
Availability of allocated funds for expenditure 938
China, use of funds reserved for aid to 939
"Commodities" 937
Delegation of authority of President to Secretary of State 937
Encouragement of aid by other countries 937
Export controls, certain, nonapplicability of provisions of Act to 939
Incentive goods, procurement; limitation 935
Labeling of commodities or containers 937
Loyalty and security investigations of U. S. personnel serving under 937
Personnel ceilings, nonapplicability 939
Petroleum and petroleum products, procurement 935
Presidential powers 934
Price limitation on commodities 935
Price-support program, utilization of commodities acquired under 939
Limitation on amount of losses 942
Purchase or procurement of commodities, promulgation of regulations 935
Purpose 934
Reconstruction Finance Corporation, advances by 938
Reports to Congress—
Government agencies, losses incurred in connection with disposition of commodities acquired under price-support program 939
President of the United States, operations under authority of Act 939
Rules and regulations, promulgation, authority of President 937
Termination of aid, authority of President 937
Time limitation 939
Transfer of functions, etc., to foreign aid organization 939
Wheat, wheat flour, and cereal grain, limitation on availability of funds for acquisition 938

Foreign Air-Mail Transportation, funds for 69, 186, 231, 701

Foreign and Domestic Commerce, Bureau of. *See under* Commerce, Department of.

Page

Foreign Commerce, Larceny in, shipping document as prima facie evidence of place of shipment 52
Foreign Funds Control, appropriation for 624
Foreign Mail Transportation:
Appropriation for 112, 231, 700, 701
Availability of appropriation for expenses of certain delegates 69
Transfer of funds to appropriation for 112
Foreign Service, Department of State. *See under* State, Department of.
Foreign Service Act of 1946, appropriation for carrying out provisions of 113
Foreign Trade Agreements, funds for effecting provisions of law relating to 280
Forest and Range Resources, management, etc., appropriation for 116, 466
Forest Diseases, transfer of funds to appropriation for 73
Forest Fires:
Cooperation in suppression, etc., without matching of funds, repeal of provisions of Act of September 21, 1944 449
Fighting of, appropriation for 66, 464, 484, 538, 539
Prevention of, appropriation for 484, 538, 539
Suppression, etc., on Indian lands 66, 466, 471
Forest Pest Control Act 177
Forest Products on Public Lands, authority for disposal by Secretary of the Interior 681
Forest Reservation Commission, National, appropriation for 538
Forest Service. *See under* Agriculture, Department of.
Forests, National. *See* National Forests.
Fort Apache Indian Reservation, Ariz., museum, appropriation for support 465
Fort Belknap Indian Reservation, Mont., appropriation for 467
Fort Berthold Indian Reservation, N. Dak., Garrison Reservoir, lands for; deposit of funds; contract with United States, etc 690
Fort Gibson, Okla., flood-control project, cooperation with city of Muskogee in protection of domestic water supply 689
Fort Hall Indian Reservation, Idaho:
Irrigation projects, appropriation for 467
Museum and shop, construction, appropriation authorized 120
Fort Knox, Ky., bullion depository, appropriation for 223
Fort Lauderdale, Fla., conveyance by Treasury Department of designated Coast Guard site, time extension 54
Fort Leavenworth, Kans., Command and General Staff College:
Appropriation for 552
Appropriation rescission 572

Page

Fort McHenry, Md.:
Easement 212
Restoration, preservation, etc., date of termination of emergency in interpretation of Act of March 3, 1925 453
Fort McIntosh, Laredo, Tex., transfer of certain property to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 423
Fort Monroe Military Reservation, Va., assessments and collections from nonmilitary interests 561, 562
Fort Peck Indian Reservation, Mont., irrigation projects, appropriation for 467
Fort Peck Project, Mont., appropriation for 476
Fort Rosecrans, Calif., use of federally owned lands as national cemetery, authorized; appropriation authorized 742
Fort Schuyler Military Reservation, N. Y., right of assumption and control by U. S., date of termination of emergency in interpretation of Act of Aug. 19, 1937 452
Fort Worth, Tex., appropriation for treatment of patients at Public Health Service Hospital 269
Forts:
Erection in emergency, date of termination of emergency in interpretation of Act of April 11, 1898 453
Purchase of lands for, assent of State legislature 644
France, Aid to. *See* Foreign Aid Act of 1947.
Francis Marion National Forest, S. C., creation of game refuge 516
Fraser River System, provision for protection, etc., of sockeye salmon fishery 511
Frechette, Charles J., payment to Menominee Indian Mills to credit of account of 455
Fredenberg, Herman J., payment to Menominee Indian Mills to credit of account of 455
Fredericksburg and Spotsylvania County Battlefields Memorial Park, appropriation for aquisition of lands 485
Freedmen's Hospital. *See under* Federal Security Agency.
Fruit Brandies, blending of 320
Fruit Crops and Diseases, funds for investigations, etc 73, 533
Fruits, orders regulating handling, terms and conditions 707
Fuel:
Synthetic liquid fuel demonstration plants, appropriation for 480
Testing of, recommendations to Government departments and agencies 480
Fungicide Act. *See* Federal Insecticide, Fungicide, and Rodenticide Act.

Fur-Resources Investigations, transfer of funds to appropriation for ..... Page 73
Fur-Seal Agreement of 1942, Provisional, termination date, repeal of provision of Act of February 26, 1944 450
Fur-Seal Investigations, Alaska, appropriation for 486
Furs, Tax on, war tax rates of certain miscellaneous taxes, continuance 12

G

"G. I. Bill of Rights." *See* Servicemen's Readjustment Act of June 22, 1944.
Gadsden, Ala., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Gaging Streams:
Appropriation for; limitation 478
Arkansas River compact, use of funds for negotiation of 478
Leaksville, N. C. reconstruction or relocation of facility near 98
Galen, Mont., appropriation authorized for tuberculosis sanatorium for treatment of Indians; condition 729
Gall, John C., appropriation for payment to 611
Gallagher, William J., appropriation for payment to widow of 15
Gallinger Municipal Hospital, appropriation for 65, 436, 438
Gallup, N. Mex.–Window Rock, Ariz., appropriation for maintenance of portion of highway 468
Gallup-Shiprock Highway, N. Mex., appropriation for maintenance of portion within Navajo Reservation 468
Game Fish, regulation of interstate transportation 517
Game-Management Supply Depot, Pocatello, Idaho, appropriation for 487
Garrison Reservoir, N. Dak.:
Acquisition of lands in Fort Berthold Indian Reservation; deposit of funds to credit of Three Affiliated Tribes, etc 690
Limitation on use of funds for maintenance and operation 689
Gas and Oil. *See* Oil and Gas.
Gasoline Sold on Military, Etc., Reservation, tax on; reports to State taxing authority 644
General Accounting Office:
Accounts, monthly or quarterly, of fiscal officers, time limitation for settlement 101
Suspension during time of war 101
Agriculture, Department of, transfer of funds from 542
General Accounting Office—Continued
Appropriation for 598
Checks, Government, rules and regulations for facilitating payment of certain; limitations 309
Report to Secretary of Treasury on certain checks outstanding and unpaid 309
Claims, appropriation for payment 598
Disbursing or other accountable officers of the Government, physical loss of Government funds, etc., relief; condition 720
Federal Public Housing Authority, audit of expenditures by 575
Navy Department, relief of disbursing and certifying officers from liability for certain losses; credit in accounts 493
Public accounts, time limitation on claims and demands, date of termination of war in interpretation of provisions of Act of Oct. 9, 1940 454
War Department, relief of disbursing and certifying officers from liability for certain losses; credit in accounts 493
General Assembly, United Nations. *See* United Nations.
Geneva Convention, appropriation for wages of enemy detainees for work under conditions prescribed by 292
Geodesy and Geophysics, International Union of, appropriation for contribution 283
Geographic Names, Board on, membership, functions, etc 456
Geographical Union, International, appropriation for contribution 283
Geography, Division of. *See under* Interior, Department of the.
Geography and History, Pan American Institute of, appropriation for contribution 283
Geologic Surveys, appropriation for 477
Geological Survey. *See under* Interior, Department of the.
George-Barden and George-Deen Programs, appropriation for development of vocational education in District of Columbia 30, 428
George Washington Carver National Monument, Mo., appropriation for acquisition of lands 485
George Washington Memorial Parkway, appropriation for 484
Georgia:
Bibb County, conveyance by Navy Department, authorized 399
Central of Georgia Railway Company, conveyance by Navy Department, authorized; payment by grantee 10, 11

Georgia—Continued Page
Macon, conveyance by Navy Department, authorized 399
Gerlach, Florence I., appropriation for payment to 106
German Special Deposit Account, deposit of certain funds in; change in priority of payment from 789
Germany, Nationals of, extension of certain patent rights to 795
Gettysburg National Military Park, appropriation for acquisition of lands 485
Gifford, Fannie H., appropriation for payment to 941
Gift Taxes. *See under* Taxes.
Gila Project, Ariz.:
Appropriation for construction 475
Relocation of boundaries, reduction of area, etc.; appropriations authorized 628
Gilsonite, income-tax percentage depletion 919, 920
Glacier National Park, appropriation for acquisition of lands 485
Glenn Dale Tuberculosis Sanatorium, appropriation for 30, 436
Gold Reserve Act of 1934, appropriation for carrying out provisions of 223
Gold Star Lapel Buttons, furnishing to widows, parents, etc., of deceased armed forces members 710
Gold Star Mothers, issuance of series of commemorative stamps in honor of, authorized 518
Goodwin, Willie P., provisions for relief of 685
Gooseberry Wine, addition of sugar and water solution, volume increase 320
Gorgas Memorial Laboratory, appropriation for contribution 282
Government, Seat of the; public offices at; removal from 643
Government Checks, rules and regulations for facilitating payment of certain 308
Government Contracts. *See* Contracts With United States, Etc.
Government Corporation Control Act:
Amendment, budget programs 584
Applicability of provisions to Institute of Inter-American Affairs 783
Government Corporations. *See also* Government Corporation Control Act; Government Corporations Appropriation Act, 1948; Government Corporations Supplemental Appropriation Act, 1948.
Appropriation for 549
Checks, Government, rules and regulations for facilitating payment of certain 308
Claims, administrative adjustment of certain, designated appropriations available for 71

Government Corporations—Continued Page
Expenditures, contracts, etc., authority of certain corporations with respect to 550
Extension of succession, repeal of provisions respecting 209
General provisions, applicability to Federal Crop Insurance Corporation and Commodity Credit Corporation 550
Inter-American Affairs, Institute of, use of services, officers, etc., by 781
National Labor Relations Act, exclusion from definition of employer under 137
Personal services, funds for, restriction on use for cost of allocation of position to higher grade, etc.; exception 118
Property, acquisition and disposition for war purposes, termination date of powers 34, 322
Spruce Production Corporation, United States, increase in limitation on administrative expenses 625
Treasurer of the United States, Office of, transfer of funds to appropriation for 219
Treasury Department, Division of Disbursement, transfer of funds to 218
Government Corporations Appropriation Act, 1948 574
Administrative expenses, availability of funds for designated purposes 583
Auditing, accounting, etc., of funds 583
Availability of funds—
Agriculture, Department of, designated subsidiaries 580
Commerce, Department of, designated subsidiaries 581
Defense Homes Corporation 579
Export-Import Bank of Washington 576
Federal Farm Mortgage Corporation 580
Federal Home Loan Bank Administration 577
Federal Housing Administration 578
Federal Intermediate Credit Banks 580
Federal Prison Industries, Inc 582
Federal Public Housing Authority 578
Federal Savings and Loan Insurance Corporation 577
Home Owners' Loan Corporation 578
Inland Waterways Corporation 581
Inter-American Affairs, Institute of 582
Inter-American Educational Foundation, Inc 582
Inter-American Transportation, Institute of 582
Interior, Department of the, designated subsidiaries 581
Justice, Department of, Federal Prison Industries, Inc 582
National Housing Agency 577

Government Corporations Appropriation Act, 1948—Continued Page
Availability of funds—Continued
Panama Railroad Company 576
Prencinradio, Inc 583
Production Credit Corporations 580
Regional Agricultural Credit Corporation of Washington, D. C 580
State, Department of, designated subsidiaries 582
Tennessee Valley Associated Cooperatives, Inc 576
Tennessee Valley Authority 576
Virgin Islands Company 581
Warrior River Terminal Company 581
Budget programs, amendment of provisions respecting; availability of funds 584
Buildings, etc., wholly owned Government Corporations, transfer of title; final determination of property value by Federal Works Agency 584
Claims, funds available for payment 583
Construction, etc., restriction on use of funds of wholly owned Government Corporations 583
Federal Public Housing Authority, appropriation for 575
General provisions 583
Applicability to Supplemental Government Corporations Appropriation Act, 1948 516
Applicability to Federal Crop Insurance Corporation and Commodity Credit Corporation 550
Housing Expediter, appropriation for 574
Independent Offices Appropriation Act, 1948, applicability of provisions 583
Inter-American Affairs, Institute of, appropriation for 575
Inter-American Educational Foundation, Inc., appropriation for 575
National Housing Agency, appropriation for 575
Overthrow of U. S. Government, restriction on employment of persons advocating 584
State, Department of, appropriation for 575
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 583
Tennessee Valley Authority, appropriation for 574
War Damage Corporation, payment to Treasury of the United States 579
Government Corporations Supplemental Appropriation Act, 1948 514
Obligations incurred in anticipation of appropriations or authority, ratification and confirmation 703

Government Departments and Agencies. Page
See also Government Employees.
Accounts—
Deficiencies in, notification of head of department; notice to obligors 647
Monthly or quarterly, of fiscal officers, time limitation for settlement; suspension during time of war 101
Alaska, utilization of rights-of-way for roads, etc., payment for value of crops, etc 418
American Republics, cooperation with, transfer of funds from Department of State appropriation 287
Bonds, corporate surety, officers and employees, payment of annual premium as compliance with requirement for renewal 647
Checks, Government, rules and regulations for facilitating payment of certain 308
Citizenship requirements, employees 393, 447, 570, 608, 693
Exemptions 292, 374, 394, 491, 548, 553
Water conservation and utilization projects, repeal of provision relating to employment of enemy aliens, etc 450
Claims—
Administrative adjustment of certain, appropriations available to Government departments, corporations, etc 71
Federal Tort Claims Act. *See separate title.*
Prosecution of, against U. S., nonapplicability of designated provisions of law to service of certain Government employees as counsel, etc 133
Commission on Organization of Executive Branch of the Government, furnishing information, etc., to 248
Congressional Aviation Policy Board, Temporary, furnishing of facilities, personnel, etc., to 677
Contracts with United States, etc. *See separate title.*
Defense articles or information, sale, disposition of receipts, repeal of provision of Act of March 11, 1941 450
Disbursing or other accountable officers, physical loss of Government funds, etc., relief; condition 720
Dollar-a-year men, employment, repeal of provision of Act of June 26, 1940 449
Federal Insecticide, Fungicide, and Rodenticide Act, cooperation in carrying out provisions of 172
Fisheries, American, products of, limitation of term in construction of statutes 634

Government Departments and Agencies—Continued Page

Foreign Aid Act of 1947. *See separate title.*

Franking privilege, reports to Postmaster General by heads of executive departments and agencies, repeal of provision of Act of September 9, 1940 450

Fuel, selection and use, recommendations of Bureau of Mines, Department of the Interior 480

Geographic Names, Board on, composition, functions, etc 456

Government corporations. *See separate title.*

Greece, aid to, allocation of funds to agencies, authorized; availability; restriction 104

Health service programs, appropriations for. *See separate title.*

Hospitals, etc., exclusion of student-employees from provisions of law relating to compensation and benefits of Federal employees; exceptions, etc 727

Funds available for effecting provisions; appropriations authorized 728

Investigation of employees, transfer of funds for 696

Lifetime Federal Digest, price limitation 609

Lump-sum payments for accumulated annual leave, certain separated employees, charge against designated appropriations 188

Meat inspection or other technical services, supplying by Department of Agriculture 532

National Security Act of 1947. *See separate title.*

Offices, etc., removed from seat of government, funds for return 594

Overthrow of U. S. Government, restriction on employment of persons advocating ..... 23, 80, 118, 188, 233, 278, 306, 377, 394, 447, 491, 549, 571, 584, 607, 627, 693, 703, 944.

Exception, emergency employment—

Agriculture, Department of 549

Interior, Department of the 492

Personal services, funds for, restriction on use for cost of allocation of position to higher grade, etc.; exception 118

Personnel ceilings, nonapplicability of provisions to certain separated employees 188

Government Departments and Agencies—Continued Page

Philippine rehabilitation, transfers of funds from Department of State appropriation; prior approval of President 288

Pilot plants, sale of metal or mineral products of 483

Printing and binding, payment to Government Printing Office for 376

Property, acquisition and disposition for war purposes, termination date of powers 34, 322

Real estate, transfer to Reconstruction Finance Corporation and affiliates, repeal of provisions 209

Red Cross, American National, membership of officials on Board of Governors 82

Relief assistance to countries devastated by war—

Allocation of funds for, authorized; availability for expenditure 126

Supplies, furnishing of; crediting of reimbursements 126

Reports—

Annual or special, discontinuance of printing of 377

Documents issued, date of termination of war in interpretation of Act of Dec. 10, 1942 453

Research, authorized, provisions not deemed to preclude 26

St. Elizabeths Hospital, D. C., care of patients for whom departments and agencies are responsible 751

Strikes against U. S. Government, restriction on employment of persons engaging in, etc ..... 23, 80, 118, 188, 233, 278, 306, 377, 393, 447, 491, 549, 571, 583, 607, 627, 693, 703, 944.

Exception, emergency employment—

Agriculture, Department of 549

Interior, Department of the 492

Surplus property. *See separate title.*

Taxation, State, in Federal areas, exceptions 645

Telegrams, Government, repeal of Post Roads Act of 1866 327

Transfer to seat of government of designated offices, etc 594

Travel provisions. *See under* Government Employees.

Turkey, aid to, allocation of funds to agencies, authorized; availability; restriction 104

United Nations Relief and Rehabilitation Administration, liquidation of activities, appropriation authorized 260

Appropriation for 614

Government Departments and Agencies— Page
Continued
United States Code Annotated, price limitation 609
Vehicles, cost limitation 608
Government Employees. *See also* Government Departments and Agencies.
Alaska—
Meteorological observations, compensation for taking and transmitting 301
Transportation on Army transports; limitation 423
Army Officers' Reserve Corps members, acceptance of Government employment, pay and allowances, etc 239
Citizenship requirements. *See under* Government Departments and Agencies.
Disbursing or other accountable officers, physical loss of Government funds, etc., relief; condition 720
Enlisted Reserve Corps members—
Government employment, acceptance of, pay and allowances, etc 239
Military leave 238
Federal Bureau of Investigation, prohibition on use of funds for payment of civil-service employees 291
Greece, detail to, authorized; investigation by Federal Bureau of Investigation 103
Investigation of, transfer of funds for 696
Leave—
Accumulation, etc., date of termination of emergency in interpretation of Act of Dec. 17, 1942 453
Lump-sum payments for, in certain cases, charge against designated appropriations 188
Military, members of Enlisted Reserve Corps 238
National Guard members—
Government employment, acceptance of, pay and allowances, etc 239
Restoration to positions on relief from duty 239
Naval Reserve members, restoration to positions on relief from duty 239
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay costs, increased, appropriations for 26, 71
Waiver of certain restrictions on use of funds 31, 76, 118
Personnel ceilings, nonapplicability of provisions to certain separated employees 188

Government Employees—Continued Page
Plantations outside continental U. S., Army or Navy, employee benefits under civil-service laws, limitation to American nationals 234
Political activities, pernicious. *See separate title.*
Postal Service. *See separate title.*
Reconstruction Finance Corporation, contracts, bribes, etc., applicability of criminal provisions respecting 207
Retirement. *See* Civil Service Retirement Act.
Seismographs, tending of, payment of extra compensation by Coast and Geodetic Survey 400
Senate disapproval of nomination, restriction on payment to person after 609
Strikes by, prohibition of 160
Restriction on employment of persons engaging in, etc 23, 80, 118, 188, 233, 278, 306, 377, 393, 447, 491, 549, 571, 583, 607, 627, 693, 703, 944.
Travel provisions—
Expenses on change of official station 594
Household goods and effects, transfer of 594
Living quarters allowances, appropriations available 609
Per diem allowances in lieu of subsistence expenses 608, 609
Witnesses on behalf of U. S 290
Turkey, detail to, authorized; investigation by Federal Bureau of Investigation 103
Veterans—
Points added to earned ratings, date of termination of war in interpretation of provision of Act of June 27, 1944 453
Preference eligibles, discharge, etc., mandatory corrective action on recommendation of Civil Service Commission 723
Restoration to former positions 608
Government Printing Office:
Agriculture, Yearbook of, restriction on use of funds for 375, 376
Appropriation for 183, 374
Congressional work, estimate of cost, inclusion in recommendation 376
Copies of Acts and resolutions in slip form, printing of additional number for House Committee on Judiciary 639
Departmental work, payment for 376

Government Printing Office—Continued Page
Depository libraries, restriction on supplying matter not requested 376
Detail of employees, restriction 376
District of Columbia Code and Supplements, printing; distribution 639, 640
Expenditures without reference to public contract requirements 377
Federal Register. *See separate title.*
Geographic Names, Board on, representation on, etc 456
Heat furnished by Capitol Power Plant, reimbursement 370
International Organizations Procurement Act of 1947 752
United States Code and Supplements, printing; distribution 639, 640
Working capital, return of portion as unexpended balance 375
Government Reports, Office of:
Appropriation for 114, 244, 588
Deductions of amounts from appropriation for 1948 588
Salary limitation 588
Grain, use for production of distilled spirits, etc., for beverage purposes, time extension of authority of President respecting allocation 946
Grain Standards Act, funds for effecting provisions 74, 544
Grand Army of the Republic, attendance of Marine Band at national encampment; appropriation authorized 212
Grand Canyon National Park, appropriation for acquisition of lands 485
Grand Coulee Dam, interest from sales of electric energy, covering into reclamation fund, Department of the Interior 462
Grand Junction, Colo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Grant Park, Chicago, Ill., erection of Marine Corps memorial, establishment of commission for formulating plans 724
Grape Wine Retsina, nonapplication of certain penalty provisions to production of 320
Gravel on Public Lands, authority for disposal by Secretary of the Interior 681
Grazing Lands, Public:
Appropriation for 463, 464
Funds, deposit and distribution of 790
Indian lands, use of fees from 791
Permits, issuance of 790
Withdrawal for war purposes, etc., date of termination of war in interpretation of Act of July 9, 1942 454
Great Britain, treaty provisions respecting migratory birds, appropriation for effecting 487
Great Lakes, appropriation for eradication of predatory sea lampreys in 486
Great Lakes, Ill., Naval Training Station, funds for 67, 383
Great Smoky Mountains National Park, appropriation for acquisition of lands 485
Greece, Aid to. *See* Greek-Turkish Aid; Relief Assistance to Countries Devastated by War.
Greek-Turkish Aid:
Advance payments by Greece and Turkey—
Allocations from; availability of reimbursements 104
Requirement by President for certain articles or services; condition 104
Advances by Reconstruction Finance Corporation 105
Allocation of funds to Government departments and agencies authorized 104
Appropriation authorized 105
Appropriation for 613
Chief of mission, appointment, functions 105
Condition precedent to receipt of assistance 104
Powers of President 103, 105
Reports to Congress 105
Termination 105
Withdrawal of aid 105
Greenbelt, Greendale, and Greenhills Suburban Resettlement Projects, appropriation for disposition of lands in 579
Grignon, Bernard, payment to Menominee Indian Mills to credit of account of 455
Gristeau, Joe, Jr., payment to Menominee Indian Mills to credit of account of 455
Guam, U. S. Naval Government, civilian officers and employees, inclusion under Missing Persons Act; appropriations available 96
Guerra, Gus A., time extension for construction of toll bridge across Rio Grande 728
Guthrie, Okla., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Gypsy and Brown-Tail Moth Control, appropriation for 535

H

Harbor or Port Terminals, disposal under Surplus Property Act of 1944, prior offer to States, etc 678
Harbors. *See* Rivers and Harbors.

Page

Haskell Institute, Kans., buildings and utilities, appropriation for construction, etc. 467

Hatch Act (Agricultural Experiment Stations), appropriation to effect provisions of 530

Hatch Act (Political Activities):
- Appropriation for prevention of pernicious activities 589
- Nonapplication of designated restrictions to certain part-time Government employees, amendment of Second War Powers Act, termination date of provisions 34, 214, 322
- Restriction on payment of persons violating or attempting to violate certain provisions of law, Department of Agriculture 543

Hawaii:
- Agricultural experiment stations, appropriation for 530
- Agricultural extension work, appropriation for 527
- Airport program, Federal-aid, appropriation for 297
- Courts, appropriation for 59, 303
- Ewa, Oahu, conveyance by Navy Department, authorized 401
- Fishing resources, investigation, etc.; research laboratory and experiment station; appropriations authorized 726, 727
- Government in, appropriation for 116, 490
- Honolulu, issuance of general-obligation bonds, authorized 381
- Kahului, Maui, conveyance by War Department, date of termination of emergency in interpretation of Act of June 19, 1936 454
- Pearl Harbor Naval Shipyard, conveyance by Navy Department in vicinity of, authorized 401
- Public-improvement bonds, issuance; limitation; approval of President of United States 326
- Public work, employment of nationals, repeal of Act of January 2, 1942 450
- Reconstruction Finance Corporation Act, applicability 204
- Roads and bridges, repair, etc., of war and emergency damage, contract authority of Public Roads Administration, Federal Works Agency 597
- Session Laws, 1947, ratification and confirmation of—
  - Act 10 676
  - Act 69 381
- Sugar, regulation of commerce in. *See* Sugar Act of 1948.
- Vocational education, appropriation for 266

Page

Health, National Institute of, funds for 72, 107, 269, 615

Health and Sanitation Activities, Emergency, appropriations for Public Health Service, date of termination of war in interpretation of provisions of Act of July 1, 1944 454

Health Relations, International, Office of, funds for 72, 107, 271

Health Service, Public. *See* Public Health Service.

Health Service Programs, Appropriations for:
- Agriculture, Department of 548
- Atomic Energy Commission 589
- Budget, Bureau of the 586
- Civil Service Commission 590
- Commerce, Department of 301
- Export-Import Bank of Washington 576
- Federal Communications Commission 591
- Federal Home Loan Bank Administration 577
- Federal Housing Administration 578
- Federal Power Commission 591
- Federal Public Housing Authority 579
- Federal Savings and Loan Insurance Corporation 577
- Federal Security Agency 267, 274
- Federal Trade Commission 591
- Federal Works Agency 592, 597
- Freedmen's Hospital 265
- General Accounting Office 598
- Government Reports, Office of 588
- Home Owners' Loan Corporation 578
- Interior, Department of the 492
- Interstate Commerce Commission 598
- Justice, Department of 289, 290, 291, 292
- Labor, Department of 261
- Maritime Commission 604
- National Advisory Committee for Aeronautics 599
- National Gallery of Art 602
- Navy Department 394
- Post Office Department 228, 230, 232
- Public Buildings Administration 593
- Public Health Service 269
- Railroad Retirement Board 278
- Reconstruction Finance Corporation 515
- St. Elizabeths Hospital 271
- Selective Service Records, Office of 617
- Social Security Administration 274
- State, Department of 279, 287
- Tariff Commission 602
- Treasury Department 217
- Veterans' Administration 604
- War Assets Administration 587
- War Department 569, 694

Heart River Project, appropriation for Heart Butte and Dickinson Dams 699

Helium: Page
Procurement, appropriation for 559
Production, research, etc., funds for; transfers of funds 482
Hennepin Canal, Ill., appropriation for maintenance 688
Henry, Robert K., appropriation for payment to widow of 15
Highways. *See also* Public Roads Administration *under* Federal Works Agency.
Defense Highway Act of 1941, repeal of provisions relating to availability for obligation of funds appropriated pursuant to 450
Federal and federal-aid highways. *See* Federal Highway Acts.
Inter-American Highway, appropriation for 596
National parks, construction of roads, trails, etc.—
Appropriation for 485
Reduction in appropriation 21
Postwar, Indian reservation roads, appropriation for 468
Richardson Highway, Alaska, appropriation for construction 489
Hill County, Mont., conveyance 173
Hoboken Manufacturers' Railroad Company, disposition of stock, date of termination of state of war, etc., in interpretation of Act of February 26, 1925 451
Hoboken Pier Terminals, Hoboken, N. J., right of assumption and control by U. S., date of termination of emergency in interpretation of Act of June 21, 1938 452
Hog Cholera Virus and Serum, appropriation for marketing agreements 73, 532
Home Economics, Bureau of. *See* Human Nutrition and Home Economics, Bureau of, *under* Agriculture, Department of.
Home Finance Agency. *See* Housing and Home Finance Agency *under* Housing.
Home Loan Bank Act, Federal, Amendment, home mortgage as collateral security for advance 714
Home Loan Bank Administration, Federal. *See* Federal Home Loan Bank Administration *under* Housing.
Home Owners' Loan Act:
Amendment, Federal Savings and Loan Associations, investment of funds in certain loans; limitation on amount 786
Capital stock of Corporation, allocation of funds by Reconstruction Finance Corporation, repeal of provisions respecting 208
Home Owners' Loan Corporation. *See under* Housing. Page
Homestead Entries, Veterans:
Availability of credit to surviving spouse or minor children 123
Credit for military or naval service 123
Preferred right of application 124
Honey Bee Act, appropriation to effect provisions of 534
Honeybees, orders regulating handling, terms and conditions 707
Honolulu, Hawaii, issuance of general-obligation bonds, authorized 381
Hoof-and-Mouth Disease. *See* Foot-and-Mouth Disease.
Hoover Dam, restoration of name to dam on Colorado River in Black Canyon constructed under authority of Boulder Canyon Project Act 56
Hopi Indians, relief, appropriation authorized 940
Hops, orders regulating handling, terms and conditions 707
Hospitalization, Federal Board of, appropriation for salaries and expenses 586
Hospitals:
District of Columbia—
Appropriation for—
Central Dispensary and Emergency Hospital 437
Children's Hospital 437
Columbia Hospital and Lying-in-Asylum 437
Eastern Dispensary and Casualty Hospital 437
Gallinger Municipal Hospital 65, 436, 438
Glenn Dale Tuberculosis Sanatorium 30, 436
Hospital center, preliminary expenses; acquisition of site 595
Freedmen's Hospital. *See under* Federal Security Agency.
National Institute of Mental Health, appropriation for acquisition of site, etc 595
National Labor Relations Act, exclusion from definition of employer in certain cases 137
Public Health Service. *See separate title.*
St. Elizabeths Hospital, D. C. *See separate title.*
Student-employees of Federal Government hospitals, exclusion from provisions of law relating to compensation and benefits of Federal employees; exceptions, etc 727
Hot Springs, Ark., appropriation for Army and Navy Hospital 561

House of Representatives. *See also* Congress; Legislative Branch of the Government. Page
Appropriations Committee, salaries and expenses, studies and examinations of executive agencies, appropriation for 366
Barry, William B., appropriation for payment to widow of 15
Bradley, Fred, appropriation for payment to widow of 183
Chaplain, appropriation for 364
Clerk, Office of—
Appropriation for; abolition of designated position 27, 365
Rates of compensation of designated positions 365
Clerk, priority in expenditure of appropriations 58
Clerk hire, appropriation for 27, 366
Code of Laws, new edition, preparing and editing, appropriation for increased pay costs 27
Committee employees—
Appropriations for, availability; exception 365, 367
Compensation, amendment of Legislative Reorganization Act of 1946 611
Continuation of certain employees on rolls for specified period; appropriations available 4
Committees—
Official reporters to, appropriation for 365
Reports to Clerk of persons employed, etc 367
Contingent expenses—
Appropriation for 27, 58, 106, 183, 366, 611, 696
Expenses, defraying of designated, restriction 367
Salaries paid from appropriation, computation 367
Debates, official reporters of, appropriation for 365
Doorkeeper, Office of—
Appropriation for 365
House Periodical Press Gallery, salary rate of superintendent 365
Pages, salary periods; rates 365
Expense allowance, appropriation for 364, 611
Folding documents, appropriation for 27
Gall, John C., appropriation for payment to 611
Gallagher, William J., appropriation for payment to widow of 15
Gerlach, Charles L., appropriation for payment to widow of 106

House of Representatives—Continued Page
Gifford, Charles L., appropriation for payment to widow of 941
Hearings, appropriation for reporting 106, 366
Henry, Robert K., appropriation for payment to widow of 15
Information, Office of Coordinator of, appropriation for 366
Joint committees. *See separate title.*
Laws, revision of, preparation and editing, appropriation for 367
Mansfield, Joseph Jefferson, appropriation for payment to son and daughters of 611
Norman, Fred, appropriation for payment to son and daughter of 106
Pages, education of—
Appropriation for 369
Availability of facilities for education of certain other minors who are congressional employees 16
Reimbursement to District of Columbia, appropriation for 15
Postage stamps, air-mail and special-delivery, furnishing to Representatives, etc., appropriation for 367
Postmaster, Office of, appropriation for 365
Salaries, officers and employees—
Appropriation for 27, 106, 364, 696
Appropriations available 4
Salaries and expenses, Members and Delegates, appropriation for 58, 364, 611, 941
Sergeant at Arms, Office of, appropriation for 365, 696
Speaker—
Appointments by—
Commission on Organization of the Executive Branch of the Government, four members 247
Congressional Aviation Policy Board, Temporary, five members 677
National Capital Sesqui-Centennial Commission, three members 396
United States-Reading Bicentennial Commission, four members 769
Office of, appropriation for 364
Presidential succession 380
United States-Reading Bicentennial Commission, membership on 769
Speaker's table, appropriation for 364, 611
Special and minority employees, appropriation for 365
Special and select committees, appropriation for 183, 366, 696
Springer, Raymond S., appropriation for payment to widow of 941

House of Representatives—Continued Page
Stationery, appropriation for 59, 366, 367, 611
Revolving fund, establishment; transfer of funds 366, 367
Telegraph and telephone service, appropriation for 183, 366
House Office Buildings:
Addition or extension, preparation of plans and estimates, appropriation authorized 312
Appropriation for 27, 59, 370
Plumbing, renewal of, appropriation authorized 312
Police details for duty on Capitol grounds 377
Remodeling, etc., fifth floor of Old House Office building, preparation of plans and estimates, appropriation authorized 312
Housing:
Defense Homes Corporation—
Administrative expenses, increase in amount for 115
Availability of funds 579
Capital stock, holding, transfer of functions to Housing and Home Finance Administrator 955
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Liquidation and dissolution, transfer of functions to Public Housing Commissioner 955
Pay costs, increased, appropriation for 115
Defense housing—
Reduction in appropriations 22, 23
Servicemen, distressed families of, increase in appropriation authorized 128
Appropriation for 515
Transfer of functions to Housing and Home Finance Administrator 955
Veterans, certain, increase in appropriation authorized 128
Appropriation for 515
District of Columbia, designated, provision of utilities, date of termination of emergency in interpretation of Act of May 18, 1946 453
Federal Home Loan Bank Administration—
Administrative expenses, increase in amount for 115
Appropriation for 115, 577
Availability of funds 577
Nonadministrative expenses 577
Federal Home Loan Bank Board—
Abolition 956
Consolidation with other agencies in formation of Housing and Home Finance Agency 954

Housing—Continued Page
Federal Housing Administration—
Availability of funds 578
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Nonadministrative expenses 578
Obligations, tax-exemption privileges of certain 180
Federal Housing Administrator, office of, abolition 956
Federal Public Housing Authority—
Administrative expenses, increase in amount for 115
Appropriation for 115, 575
Reductions in appropriations 19, 20, 23, 118
Audit, etc.—
Expenditures 575
Past accounting records, appropriation for 579
Availability of funds 578
Contributions, public housing agencies, restriction on certain payments 575
Employees, compensation, limitation respecting 579
Fort McIntosh, Laredo, Tex., transfer of certain property to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 424
Low-rent projects, citizenship requirements for tenants; exceptions 575
Nonadministrative expenses 579
Resettlement projects, liquidation, appropriation for 579
Federal Savings and Loan Insurance Corporation—
Board of Trustees, abolition 956
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Home Loan Bank Board, appointment, duties, etc 954
Home Owners' Loan Corporation—
Availability of funds 578
Board of Directors, abolition 956
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Housing and Home Finance Agency—
Administrator, appointment, duties, transfer of functions to 955
Consolidation of designated agencies to form 954
Housing and Rent Act of 1947 193
Appropriation for functions under 574
Buildings for amusement purposes, etc., permit for construction, authority of Housing Expediter; penalty for violation of regulations 193

Housing—Continued Page
Housing and Rent Act of 1947—Con.
Functions conferred by, exclusion from operation of Administrative Procedure Act 201
Loans for financing manufacture of housing, insurance; conditions, etc 193
Mortgage insurance, time extension of designated provisions 193
Rents, maximum—
Application of provisions 201
Damages, recovery by tenant 199
Declaration of policy 196
Defense-rental areas, removal of maximum rents in, authority of Housing Expediter 198
Definitions 196
Effective date of provisions 201
Emergency Price Control Act of 1942, termination of rent control under 197
Eviction of tenants, limitations and conditions 200
Housing Expediter—
Administration of powers, functions, duties, etc 197
Appropriation authorized 200
Appropriation for 574
Office of, extension 197
Property, personnel, and appropriations, use for carrying out duties, authorized 200
Past violations, certain alleged, limitation on maintenance of actions for 200
Prohibition of excess rent, enforcement 199
Restriction on increases 198
Termination date of provisions respecting 199
Voluntary increase by mutual agreement between landlord and tenant; limitation 198
Separability of provisions 201
Veterans' Emergency Housing Act of 1946, repeal of designated provisions; continuance of prior allocations, etc., under 193
Veterans' preference, restrictions in order to assure 195
Housing Expediter—
Administration of powers, functions, etc.; extension of Office 197
Appropriation for Office of 574
Rent Control, Office of, appropriation for 616
Oaths, affirmations, or affidavits, administration, authority of employees 616
Labor, Department of, reduction in appropriation for veterans' housing 21

Housing—Continued Page
Low-rent-housing projects, loans, grants, etc., in certain cases 704
National Capital Housing Authority—
Appropriation for 28, 600
Red Cross, American National, building for D. C. Chapter, transfer of property to Federal Works Administrator 241
National Housing Act—
Amendments—
Insurance of financial institutions, time extension 182
Loans for financing manufacture of housing, insurance of 193
Mortgage insurance—
Aggregate amount, increase in 777, 945
Sale of housing by Government, etc., nonapplication of certain limitations; condition 777, 778
Time extension of designated provisions 193
Costs, estimates, approximation of actual costs of efficient building operations, requirement 945
Reconstruction Finance Corporation, allocations of funds by, repeal of provisions respecting 208
National Housing Agency—
Administrative expenses, transfer of funds; payment of cost of terminal leave 575
Administrator, Office of—
Appropriation for 515, 575
National defense housing, temporary shelter, reduction in appropriation 19
Appropriation for 115, 515, 575, 579, 625
Reductions 19, 20, 21
Availability of funds 577
Damage claims, appropriation for 625
Non-farm housing projects, etc., transfer of functions to Public Housing Commissioner 955
Penalty mail costs, appropriation for 579
Reserve account, covering into miscellaneous receipts, date of termination of emergency in interpretation of provision of Act of Oct. 14, 1940 added by Act of Feb. 18, 1946 454
Veterans' housing—
Appropriation for 515
Delegation of functions, direction and supervision of Administrator 515
Reduction in appropriation 21
National Housing Council, composition and duties 955
Public Housing Administration, transfer of functions to 955

Housing—Continued Page
Recovery of possession of accommodations by United States, etc., right of maintenance of action or proceeding; limitation 705
Rent Control, Office of, appropriation for 616
Rents, maximum. *See under* Housing and Rent Act of 1947, *this title.*
Reorganization plan 954
Slum-clearance projects, loans, grants, etc., in certain cases 704
Temporary housing, certain—
Increase in appropriation authorization; limitations on availability 128
Appropriation for 515
Removal, date of termination of emergency in interpretation of provision of Act of July 7, 1943 453
Temporary shelter in defense areas, transfer of functions to Housing and Home Finance Administrator 955
United States Housing Act of 1937, amendment, loans, capital grants, etc., for low-rent-housing and slum-clearance projects 704
United States Housing Authority—
Administrator, Office of, abolition 956
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Transfer of functions to Public Housing Commissioner 955
United States Housing Corporation—
Consolidation with other agencies in formation of Housing and Home Finance Agency 954
Purchase, etc., of certain mortgages by RFC, repeal of provisions 209
Veterans'—
Increase in appropriation authorization; limitations on availability 128
Appropriation for 515
Loans, insurance of 193
Preference regulations 195
Reduction in appropriation 21
Veterans' Emergency Housing Act of 1946—
Appropriation for liquidation of functions of Office of Housing Expediter under 574
Repeal of certain provisions 193
War housing—
Operation and maintenance, Navy Department, appropriation for; restriction 388
Transfer of functions to Housing and Home Finance Administrator 955
Howard University. *See under* Federal Security Agency.

Human Nutrition and Home Economics, Bureau of. *See under* Agriculture, Department of. Page
Hungary:
Aid to. *See* Relief Assistance to Countries Devastated by War.
Nationals of, extension of certain patent rights to 794
Hungry Horse Project, Mont., appropriation for construction 475
Hyder, Alaska, transportation of supplies and products of Riverside Mine by vessels of foreign registry; time limit 632
Hydrographic Bureau, International, appropriation for contribution 283
Hydrographic Office. *See under* Navy Department.

I

Idaho:
Anderson Ranch Dam, appropriation for 473
Boise project, appropriation for 116, 473, 474
Farragut, reimbursement of certain Navy and former Navy personnel for losses at 315
Fort Hall Reservation, museum and shop, construction, appropriation authorized 120
Irrigation projects, appropriation for 467
Lewiston Orchards project, appropriation for 473
Minidoka project, appropriation for 116, 474
Palisades project, appropriation for 473
Pocatello, appropriation for game-management supply depot and laboratory 487
Idaho Panhandle Power Transmission Facilities, contract authority 620
Illinois:
Cairo Bridge Commission, refunding of bonds 311
Chicago, erection of Marine Corps memorial in Grant Park, establishment of Commission for formulating plans 724
Crab Orchard Creek project, transfer of certain lands to Secretary of Interior, administration, use, etc 770
Great Lakes, naval training station, funds for 67, 383
Hennepin Canal, appropriation for maintenance 688
Illinois and Michigan Canal, relinquishment by United States of right, etc., to certain lands comprising right-of-way; conditions 237
Illinois Ordnance Plant, transfer of certain lands to Secretary of Interior, administration, use, etc 770

Illinois—Continued Page
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Immigration Act of 1917, Amendment, lists of persons arriving at or departing from United States ports, etc 630
Immigration and Naturalization. *See* Citizenship and Naturalization.
Immigration and Naturalization Service. *See under* Justice, Department of.
Import Milk Act, appropriation for enforcement 265
Importation Privileges, Certain, termination date 917
Imports:
Allocations of certain materials, etc., under Second War Powers Act, time limitation of provisions 34, 214, 322
Copper, suspension of certain import tax on 56
Income and Franchise Tax Act of 1947, District of Columbia. *See under* District of Columbia Revenue Act of 1947.
Income Taxes. *See under* Taxes.
Independent Offices:
Accounting systems 608
Appropriation Act, 1948 585
Availability of funds 576
Citizenship requirements, employees 608
Lifetime Federal Digest, price limitation 609
Meetings, funds available for attendance at certain 608
Newspapers and periodicals, limitation on expenditures for 607
Overthrow of U. S. Government, restriction on employment of persons advocating 607
Pay costs, increased, appropriation for 28, 114
Reduction in designated appropriations 18
Salaries and expenses, prohibition on payment to certain persons 607
Senate disapproval of nomination, restriction on payment to person after 609
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 607
Travel expenses, limitation 607
Travel provisions—
Living quarters allowances, appropriations available 609
Per diem allowances in lieu of subsistence expenses 608, 609
United States Code Annotated, price limitation 609
Vehicles, cost limitation 608
Veterans, restoration to former positions 608
Indian Affairs, Bureau of. *See under* Interior, Department of the. Page
Indian Claims Commission, appropriation for 61, 616
Indian Institute, Inter-American, appropriation for contribution 282
Indiana, oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Indians. *See also* Indian Affairs, Bureau of, *under* Interior, Department of the.
Chippewa Indians, Red Lake Band, Minn., per capita payments from sale of timber and lumber 417
Choctaw-Chickasaw Nations, Okla., leases, etc., of coal or asphalt deposits; sale 686
Galen, Mont., appropriation authorized for tuberculosis sanatorium; condition 729
Grazing lands, use of fees from 791
Laguna Band of Mission Indians, Calif., issuance by Secretary of Interior of patent in fee 731
Menominee Indian Mills, payment to credit of designated accounts for logging of timber 455
Metlakahtla Indians, Alaska, certificates of citizenship 414
Mineral leases on lands, deposit of receipts from 915
Navajo and Hopi, relief, appropriation authorized 940
Northern Cheyenne Indian Reservation, sale of timber on allotments 418
Osage Indians, loans to veterans of World War II under provisions of Servicemen's Readjustment Act of 1944 747
Quinaielt Tribe, declaration as proper party plaintiff in designated action against United States, attorneys' compensation 417
Taxation, State, exception 645
Industrial Property, International Bureau for Protection of, appropriation for contribution 283
Industrial Reformatory, U. S., Chillicothe, Ohio, construction, reduction in appropriation 21
Inflationary Tendencies, Curbing of. *See* Commodity Prices, Stabilization.
Inger, District Numbered 6 (Deer River), Itasca County, Minn., cooperation in extension, etc., of public-school facilities, appropriation authorized 419
Ingots, deviations in standard 132
Initiation Fees, Tax on, war tax rates of certain miscellaneous taxes, continuance 12

Inland Waterways Corporation: Page
Administrative expenses, increase in limitation on amount available for 75
Availability of funds 581
Pay rates of employees, limitation 581
Insect Control, funds for 73, 535
Insect Investigations, funds for 73, 534, 698
Insect Pest Act, appropriation to effect provisions of 534, 535
Insect Pests, appropriation for control of emergency outbreaks 536
Insecticide Act. *See also* Federal Insecticide, Fungicide, and Rodenticide Act.
Funds for 74, 545, 618
Repeal; effective date 172
Institute of Inter-American Affairs Act 780
Institutional On-Farm Training, inclusion in veterans' education program 791
Insurance:
Crop insurance. *See* Federal Crop Insurance Act, Amendments; Federal Crop Insurance Corporation.
District of Columbia, life insurance, rights of creditors and beneficiaries under policies 711
Five-year level-premium term policies, renewal 39
Housing. *See* National Housing Act *under* Housing.
Marine and war risk, repeal of Act of June 29, 1940 and designated provision of Act of April 24, 1944 450
Military and naval, appropriation for 17, 62, 605
National service life, appropriation for 606
National Service Life Insurance Act of 1940, amendments 5
Regulation of, time extension of certain provisions 448
Social Security Act. *See separate title.*
Veterans, protection, construction of "termination of war" for purposes of designated provisions of Act of Oct. 17, 1940 454
War Housing Insurance Fund, allocation of funds by Reconstruction Finance Corporation, repeal of provisions of National Housing Act respecting 208
War Shipping Administration, insurance of certain companies against legal liabilities, repeal of provision of Act of March 24, 1943 450
Insurance Companies, purchase of preferred stock by Reconstruction Finance Corporation, repeal of provisions respecting 208
Intelligence Agency, Central. *See* Central Intelligence Agency *under* National Security Act of 1947.

Inter-American Affairs, Institute of: Page
Administrative expenses, increase in amount for 117
Appropriations, annual, authorized 783
Availability of funds 582
Contract authorization, appropriation for payment of obligations incurred under; limitation 575
Creation 780
Directors, Board of, appointment, investigation, powers, etc 782
Employees—
Governments of other American Republics, service with 782
Investigation by Federal Bureau of Investigation 781, 783
Noncitizens—
Approval by other American Republics, requirement in certain cases 783
Limitation 781
State Department employees, detail to Institute 782
Government Corporation Control Act, applicability of provisions 783
Liquidation, payment of cost 582
Rent, appropriation for payment of 623
Rights and powers 781
Taxation, exemption from 783
Transfer of assets upon termination 782
Transfer of personnel, assets, liabilities, etc., of Institute of Inter-American Affairs and Inter-American Educational Foundation, Inc 783
Inter-American Coffee Board, appropriation for contribution 282
Inter-American Cultural Relations, Convention for Promotion of, appropriation for expenses under 286
Inter-American Economic and Social Council, appropriation for contribution 282
Inter-American Educational Foundation, Inc.:
Administrative expenses, increase in amount for 118
Appropriation for payment of rent 623
Availability of funds 582
Contract authorization, appropriation for payment of obligations incurred under; limitation 575
Employees, investigation by Federal Bureau of Investigation 781, 783
Transfer of personnel, assets, liabilities, etc., to Institute of Inter-American Affairs 783
Inter-American Highway, appropriation for 596
Inter-American Indian Institute, appropriation for contribution 282

Page

Inter-American Institute of Agricultural Sciences, appropriation for contribution 282
Inter-American Radio Office, appropriation for contribution 282
Inter-American Relations, War Department:
Appropriation for 568
Appropriation rescission 573
Inter-American Statistical Institute, appropriation for contribution 282
Inter-American Transportation, Institute of:
Expenditures, contracts, etc., authorization; appropriation for 582
Liquidation, payment of cost 582
Interim Aid. *See* Foreign Aid Act of 1947.
Interior, Department of the:
Acadia National Park, Maine, transfer of jurisdiction of certain lands to Navy Department 519
Administrative expenses, authorization for incurrence of certain obligations 245
Alaska—
Government in, appropriation for 66, 116, 489
Land patents, etc., reservation of right-of-way for roads, etc 418
Native service, appropriation for 115, 465, 943
Petersburg, conveyance for school purposes 632
Victory Bible Camp Ground, Inc., sale of land to 90
Alaska Railroad. *See separate title.*
Aliens—
Emergency employment of 491
Water conservation and utilization projects, use of services on, repeal of provision 450
Andrew W. Mellon Memorial Committee, authorization for erection of memorial in District of Columbia 327
Appropriation Act, 1945, repeal of provision relating to use of services of enemy aliens, prisoners of war, and American-born Japanese on water conservation and utilization projects 450
Appropriation Act, 1948 460
Big Bend National Park, Tex., appointment of commissioner, jurisdiction, powers; fees, costs, etc 91
Black bass and other game fish, authority respecting regulation of interstate transportation 517
Bonneville Power Administration—
Appropriation for 462, 620
Construction work, limitation on availability of appropriations 462

Page

Interior, Department of the—Continued
Bonneville Power Administration—Continued
Contract authority 620
Contracts for materials for power transmission facilities, authorization 462
Grand Coulee Dam, interest from sales of electric energy, covering into reclamation fund 462
Chippewa Indians, Red Lake Band, Minn., per capita payments from sale of timber and lumber 417
Claims, appropriation for payment 77, 461, 472, 625
Coal Mines Administration, appropriation for liquidation expenses; availability 620
Contingent expenses, appropriation for 461
Copies of records, maps, etc., charge 521
Crab Orchard Creek project, transfer of certain lands in connection with, administration, etc 770
Federal Explosives Act (Act of Dec. 26, 1941), date of termination of state of war, etc., in interpretation of 452
Fine Arts, Commission of. *See separate title.*
Fish and Wildlife Service—
Aircraft, acquisition by transfer from designated agencies 488, 489
Alaska game law, amendment, compensation of commissioners 415
Appropriation for 116, 485, 621
Bulletins, publication, distribution, etc 486
Crab Orchard Creek project, transfer of certain lands in connection with, administration, etc 770
Illinois Ordnance Plant, transfer of certain lands in connection with, administration, etc 770
Sockeye Salmon Fishery Act of 1947, power to arrest violators 513
Surplus property, acquisition by transfer from War Department, Navy Department, Civil Aeronautics Administration, or War Assets Administration 489
Territories and island possessions of U. S., fishing resources, exploration, development, etc 726
Laboratory and equipment in Hawaiian Islands, appropriation authorized 726
Vessels—
Procurement and equipment, appropriation authorized 726
Surplus, transfer authorized 726
Five Civilized Tribes, Okla. *See separate title.*

Interior, Department of the—Continued Page
Flathead Indian irrigation project, deferment of collection of irrigation construction charges 494
Force account expenses, authorization for incurrence of certain obligations 245
Fort McHenry, Md.—
Easement 212
Restoration, preservation, etc., date of termination of emergency in interpretation of Act of March 3, 1925 453
General Land Office. *See* Land Management, Bureau of, *this title.*
Geographic Names, Board on, membership; authority of Secretary 456
Geographical Names, United States Board on, abolition; transfer of duties 457
Geography, Division of, appropriation for 461
Geological Survey—
Appropriation for 111, 116, 477
Dan River, dam construction, reconstruction or relocation of stream-gaging facility without cost to U. S 98
Production and sale of copies of photographs and mosaics and reproductions of records, authorized 398
Scientific, etc., investigations for Government agencies, transfer of funds 479
Surplus property, acquisition by transfer from War Department, Navy Department, or War Assets Administration, authorized 479
Gila project, Ariz.—
Appropriation for 475
Relocation of boundaries, reduction of area, etc 628
Grazing lands, issuance of permits; deposit and distribution of funds, etc 790
Grazing Service. *See* Land Management, Bureau of, *this title.*
Hawaii, government in, appropriation for 116, 490
Health service programs, appropriations available for 492
Hill County, Mont., conveyance 173
Homestead entries, veterans—
Availability of credit to surviving spouse or minor children 123
Credit for military or naval service 123
Preferred right of application 124
Hopi Indians, relief, appropriation authorized 940
Idaho Panhandle power transmission, facilities, contract authority 620

Interior, Department of the—Continued Page
Illinois Ordnance Plant, transfer of certain lands in connection with, administration, etc 770
Indian Affairs, Bureau of. *See also* Indians.
Aircraft, funds available for hire, etc 472
Appropriation for 66, 110, 115, 116, 464, 620, 621, 699, 943
Celilo Falls, Oreg., purchase of land authorized 466
Education—
Advances to Indian youth for courses 471
Appropriation for 110, 115, 465
Availability of funds for payment of tuition, Indian children in public schools 621
Fort Hall Reservation, Idaho, museum and shop, control and supervision 120
Galen, Mont., appropriation authorized for tuberculosis sanatorium for treatment of Indians; condition 729
Ice, funds available for purchase of 472
Indian Service—
Purchases for, time limit for rendering bills 465
Reductions in appropriations 21
Johnson, Milton A., payment to, appropriation for 110
Loans for revolving fund 471
Minnesota, cooperation in extension of public-school facilities, approval of plans, etc.; transfers of funds 419
Owyhee, Nev., preparation of plans and specifications for construction, etc., of school buildings 315
Potatoes, surplus, availability for relief and for seed 110
Power projects, funds available for 468
Replacement of property destroyed by fire, etc.; report to Congress 471, 472
St. Elizabeths Hospital, D. C., admission of beneficiaries to 751
Travel expenses, availability of funds for 472
Tribal affairs, administration of, appropriation for 116, 469
Tribal councils, etc., appropriation for expenses 470, 621
Tribal enterprises, funds available for establishment, etc 471
Tribal funds, miscellaneous, appropriation for 110, 469, 621
Tribal officers, appropriation for pay 116

Interior, Department of the—Continued Page
Indian Affairs, Bureau of—Continued
Trust funds, appropriation for payment of interest 468
Vehicles, appropriations available 471
Veterans, educational facilities, date of termination of emergency in interpretation of provisions of Act of Aug. 8, 1946 453
Yakima Indian Agency, Toppenish, Wash., deposit to official trust fund checking account of special disbursing agent 110
Information, Division of, use of funds for 460
Jackson Hole National Monument, restriction on use of funds in connection with 492
Japanese, American-born, repeal of provision relating to use of services on water conservation and utilization projects 450
Judgments, appropriation for payment 77, 78
Laborers, mechanics, etc., emergency appointment of, repeal of provision of Act of July 2, 1942 449
Laguna Band of Mission Indians, Calif., issuance by Secretary of Interior of patent in fee 731
Land Management, Bureau of—
Aircraft, appropriations available for hire, etc 464
Appropriation for 66, 110, 115, 463, 699
Transfer of funds 66
Mineral leases for acquired lands, recording of 915
Oklahoma, payment from royalties, south half of Red River 464
Restriction on use of funds for certain functions, etc., without specific approval of Congress 492
Lands, public. *See* Public Lands.
Las Vegas, Nev., conveyance 176
Leave payments, lump-sum, nonapplicability of limitations on amounts for personal services with respect to 492
Library membership, funds available for dues 492
Lump-sum leave payments, nonapplicability of limitations on amounts for personal services with respect to 492
Mancos Water Conservancy District, amendment of contract authorized, increase of reimbursable construction cost obligation to U. S.; extension of period of repayment 176
Medora, N. Dak., erection of monument in memory of Theodore Roosevelt, authorized 54

Interior, Department of the—Continued Page
Meetings, funds available for attendance at 491
Menominee Indian Mills, payment to credit of designated accounts for logging of timber 455
Mineral Leasing Act for Acquired Lands, administration of 913
Mines, Bureau of—
Aircraft, appropriations available for hire, etc 483
Appropriation for 479, 699
Reductions 21, 492
Transfers 116, 482
Continental Oil Company and Santa Fe Corporation, agreements with, authorized 189
Fuel testing, recommendations to Government departments and agencies 480
Helium, funds for research, investigation, etc 482
Laborers, mechanics, etc., emergency appointment of, repeal of provision of Act of July 2, 1942 449
Mount Weather, Va., transfer of U. S. Weather Bureau Station, etc 483
Navajo Tribe of Indians, N. Mex., agreement with, authorized 189
Pilot plants, sale of products of 483
Public Health Service, details from 483
Safety standards in mines, nonobservance, notification of owner; recommendations; reports respecting 725
Scientific investigations for Government agencies 482
Surplus property, acquisition by transfer from War Department, Navy Department, or War Assets Administration, authorized 483
Transportation of pupils who are dependents of certain U. S. employees 480, 482
Moclips-Aloha District, Wash., cooperation with in construction of school building, appropriation authorized; conditions 211
Appropriation for 699
National monuments. *See separate title.*
National Park Service. *See also* National Parks.
Appropriation for 66, 116, 483, 621
Reductions 21
Report to Congress on diversion of funds 484
Stone piers, removal from West Executive Avenue, D. C 95

Interior, Department of the—Continued Page
National Park Service—Continued
Telephone service, official, appropriations available for 485
Vehicles, appropriations available for purchase and hire 485
Washington National Airport, patrol by Park Police at request of Administrator of Civil Aeronautics 94
Navajo and Hopi Indians, relief, appropriation authorized 940
North Platte project, Nebr.-Wyo., reduction of certain accrued interest charges payable by Farmers' Irrigation District; operation, etc., of drain diversion works 101
Obligations, incurrence of certain, authorization for 245
Oil and Gas Division, appropriation for 115, 460
Osage Indians, loans to veterans of World War II under provisions of Servicemen's Readjustment Act of 1944 747
Overthrow of U. S. Government, restriction on employment of persons advocating 491
Exception 492
Pay costs, increased, appropriation for 115
Penalty mail costs, appropriation for 462
Personnel work, funds available for compensation of employees engaged in 492
Petersburg, Alaska, conveyance for school purposes 632
Petroleum Administration for War, appropriation for liquidation 461
Philadelphia National Shrines Park Commission—
Appropriation for 66
Time extension for submittal of report 8
Port Angeles, Wash., conveyance to Public Hospital District Numbered 2, Clallam County 211
Power, Division of, use of funds for 460
Printing and binding, appropriation for 461
Prisoners of war, repeal of provision relating to use of services on water conservation and utilization projects 450
Public lands. *See separate title.*
Puerto Rico, Coordinator of Federal Agencies, reports, etc 772
Radio broadcasts, restriction on use of funds for certain 460

Interior, Department of the—Continued Page
Reclamation, Bureau of—
Administrative provisions 472
All-American Canal—
Appropriation for 476
Revision of language of Interior Department Appropriation Act, 1947 183
Appropriation for 66, 116, 472, 699, 944
Appropriations, interchange of 475
Boulder Canyon project—
Appropriation for 116, 476
Revision of language of Interior Department Appropriation Act, 1947 183
Construction work by force account, or on hired-labor basis, restriction on use of funds 477
Expenditures, limitation of 475
General fund, construction, appropriations from 475
Irrigation districts in arrears of payments, restriction on use of funds for 472
Paonia Federal Reclamation Project, Colo., construction, maintenance, and operation, funds available; appropriation authorized 181
Special fund, appropriations from 473
Yuma Army air base, Yuma, Ariz., transfer of surplus property 477
Reduction in designated appropriations 21
Reports to Congress—
Geological Survey, interchange of appropriations 479
Indian Affairs, Bureau of—
Fire prevention or suppression, diversion of funds 466
Replacement of property destroyed by fire, etc 472
Mine safety measures 725
National Park Service, diversion of funds 484
Navajo and Hopi Indians, recommendations respecting long-range program dealing with problems of 940
Salaries, appropriation for 115, 460
San Carlos Irrigation and Drainage District, wells and pumping works, extension of system authorized 8
Secretary—
Office of, appropriation for 115, 460
Presidential succession 380
Shenandoah National Park, commissioner, removal of requirement of recommendation of candidate by Secretary 92

Interior, Department of the—Continued Page
Shiloh National Military Park, Tenn., conveyance within 173
Silver Creek recreational demonstration project, Oreg., exchange of lands for consolidating holdings, etc., provisions respecting 129, 130
Small Tract Act of 1938, preferred right of application cf veterans of World War II under 124
Soil and moisture conservation operations, appropriation for 115, 461
Solicitor, Office of, appropriation for 115, 460
Solid Fuels Administration for War, liquidation, appropriation for 460
Southwestern Power Administration, appropriation for 462
Station wagons, funds available for 491
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 491
Exception 492
Territories, government in—
Alaska, appropriation for 66, 116, 489
Emergency fund (national defense)—
Liquidation of functions under, appropriation for 620
Reduction in appropriation 21
Repeal of provisions of Act of Dec. 23, 1941 450
Hawaii, appropriation for 116, 490
Virgin Islands, appropriation for 66, 117, 491
Territories and Island Possessions, Division of, appropriation for 115, 460
Theodore Roosevelt National Memorial Park, N. Dak., establishment, acquisition of lands, administration, etc 52
Tongass National Forest, Alaska, sale of certain lands 921
Trucks, pick-up, funds available for 491
Tucson, Ariz., lease of public lands for aviation field, date of termination of state of war, etc., in interpretation of Act of April 12, 1926 451
Vehicles, funds for 491
Veterans' Administration, transfer of funds from 605
Virgin Islands, government in, appropriation for 66, 117, 491
Virgin Islands Company, availability of funds 581
War agency liquidation—
Appropriation for 115, 460, 620
Authorization for incurrence of certain obligations 245
War Relocation Authority, liquidation expenses, appropriation for 620

Interior, Department of the—Continued Page
Water conservation and utilization projects, repeal of provision relating to use of services of prisoners of war, enemy aliens, and American-born Japanese 450
White pine blister rust control, funds available for 537
Wind River Reservation, trust fund held in joint ownership by Shoshone and Arapaho Tribes, segregation, availability for expenditure, per capita payments, etc 102
Yuma, Ariz., exchange of lands for aviation field, date of termination of state of war, etc., in interpretation of Act of May 29, 1926 451
Interior, Secretary of the. *See* Interior, Department of the.
Internal Revenue, Bureau of. *See under* Treasury Department.
Internal Revenue Code:
Section 22 (b) (9) and (10), amendment 179
Section 22 (b) (13), amendment 918
Section 22 (d) (6) (A), amendment 918
Section 23 (o) (4), amendment 6
Section 23 (o) (5), amendment 6
Section 23 (o) (6), addition 6
Section 23 (q) (2), amendment 920
Section 23 (q) (3), amendment 6
Section 23 (q) (4), addition 6
Section 114 (b) (2), amendment 920
Section 114 (b) (4), amendment 920
Section 115 (a), amendment 179
Section 251, amendment 714
Section 421, amendment 778, 918
Section 812 (d), amendment 7
Section 861 (a) (3), amendment 7
Section 1000 (e), amendment 178
Section 1004 (a) (2) (E), amendment 7
Section 1004 (a) (2) (F), addition 7
Section 1004 (b) (6), amendment 7
Section 1004 (b) (7), addition 7
Section 1400 (1)–(3), amendment 793
Section 1410 (1)–(3), amendment 793
Section 1602 (d), addition 416
Section 1621 (a), amendment 918
Section 1650, amendment 12
Section 1654, repeal 12
Section 1655, repeal 12
Section 1659, amendment 12
Section 1700 (a) (1), amendment 919
Section 1802 (a), amendment 921
Section 1802 (b), amendments 922
Section 1806, repeal 13
Section 2401, amendment 12
Section 2801 (e) (4), amendment 320
Section 2801 (e) (5), addition 320
Section 3043 (a), amendment 320

Internal Revenue Code—Continued Page
Section 3044 (b), amendment 320
Section 3045, amendment 320
Section 3126 (a), amendment 4
Section 3179 (b), amendment 319
Section 3425, inapplicability in certain cases 56
Section 3469 (a), amendment 12
Section 3469 (f) (2), nonapplicability 919
Section 3481 (a), amendment 922
Section 3507 (b), amendment 934
Section 3508, amendment 934
Section 3804 (c), amendment 919
Section 3805, amendment 919
Internal Revenue Taxation, Joint Committee on:
Appropriation for 27, 366
Internal Revenue, Bureau of, Treasury Department, study respecting personnel, report to Congress 227
Internal Revenue Taxes. *See* Taxes.
International Activities, appropriation for participation in 284, 623
International Agreements:
Foreign aid, requirement of agreement prior to; contents 935, 936
North Atlantic Fisheries, expenses of surveys, etc., incident to negotiation, appropriation for 280
Availability of appropriation 622
Provisional Fur-Seal Agreement of 1942, termination date, repeal of provision of Act of February 26, 1944 450
Statutes at Large, publication, etc., of international agreements other than treaties in 636
Trusteeship agreement for Territory of Pacific Islands, approval by President on behalf of United States, authorized 397
United Nations, permanent headquarters, authorization for effectuation 756
Text of agreement 758
International Astronomical Union, appropriation for contribution 283
International Boundary and Water Commission, United States and Mexico:
Appropriation for 284, 285
Laredo, Tex., transfer of certain property at Fort McIntosh to United States Section 423
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for 117, 286
International Bureau for Protection of Industrial Property, appropriation for contribution 283
International Bureau for Publication of Customs Tariffs, appropriation for contribution 113, 283
International Bureau of Permanent Court of Arbitration, appropriation for 283
International Bureau of Weights and Measures, appropriation for contribution 283
International Children's Emergency Fund of the United Nations:
Appropriation for 613
Contributions to; limitation 125, 939
International Civil Aviation Organization, appropriation for contribution 283
International Commissions, American Sections, appropriation for salaries and expenses 285
International Convention for the Protection of Industrial Property of 1883, reestablishment subject to peace treaty restrictions 794
International Council of Scientific Unions, appropriation for contribution 283
International Court of Justice, United Nations and United States, dispute concerning interpretation or application of certain agreements, function of Court with respect to 764
International Criminal Police Commission, appropriation for membership 291
International Fisheries Commission, appropriation for 286
International Geographical Union, appropriation for contribution 283
International Health Relations, Office of, funds for 72, 107, 271
International Hydrographic Bureau, appropriation for contribution 283
International Joint Commission, United States and Canada, appropriation for 117, 285
International Labor Organization, appropriation for contribution 283
International Map of the World on the Millionth Scale, Central Bureau of, appropriation for contribution 282
International Meteorological Committee, appropriation for contribution 301
International Obligations:
Allocations of certain materials or facilities, amendment of Second War Powers Act, time limitation of provisions 34, 214, 322
Appropriation for contributions, quotas, etc.—
American International Institute for the Protection of Childhood 282
American Republics, cooperation with 286
Cape Spartel and Tangier Light, Coast of Morocco 282
Central Bureau of Map of the World on the Millionth Scale 282

International Obligations—Continued Page
Appropriation for contributions, quotas, etc.—Continued
Emergency Advisory Committee for Political Defense 282
Food and Agriculture Committee of the United Nations 282
Gorgas Memorial Laboratory 282
Institute of Inter-American Affairs 117
Inter-American Coffee Board 282
Inter-American Cultural Relations, Convention for Promotion of 286
Inter-American Economic and Social Council 282
Inter-American Highway 596
Inter-American Indian Institute 282
Inter-American Institute of Agricultural Sciences 282
Inter-American Radio Office 282
Inter-American Statistical Institute 282
International Astronomical Union 283
International Boundary and Water Commission, United States and Mexico 284, 285
International Boundary Commission, United States and Canada and Alaska and Canada 117, 286
International Bureau for Protection of Industrial Property 283
International Bureau for Publication of Customs Tariffs 113, 283
International Bureau of Permanent Court of Arbitration 283
International Bureau of Weights and Measures 283
International Civil Aviation Organization 283
International Council of Scientific Unions 283
International Criminal Police Commission 291
International Fisheries Commission 286
International Geographical Union 283
International Hydrographic Bureau 283
International Joint Commission, United States and Canada 117, 285
International Labor Organization 283
International Meteorological Committee 301
International Office of Public Health 283
International Pacific Salmon Fisheries Commission 286
International Penal and Penitentiary Commission 283
International Production Control Committees 527
International Scientific Radio Union 283
International Seed Testing Congress 544

International Obligations—Continued Page
Appropriation for contributions, quotas, etc.—Continued
International Statistical Bureau at The Hague 283
International Sugar Council 527
International Technical Committee of Aerial Legal Experts 113
International Telecommunication Union, Bureau of, Radio Section 282
International Union of Chemistry 113, 283
International Union of Geodesy and Geophysics 283
International Wheat Advisory Committee 527
Interparliamentary Union for Promotion of International Arbitration, Bureau of 282
Pan American Institute of Geography and History 283
Pan American Sanitary Bureau 283
Pan American Union 283
Panama, Government of 283
Permanent International Commission of Congresses of Navigation 689
Transfer of funds 117
United Nations. *See separate title.*
International Refugee Organization. *See separate title.*
Liberia, Public Health Service Mission to, appropriation for activities in connection with 271
Sockeye Salmon Fishery Act of 1947 511
United Nations Relief and Rehabilitation Administration. *See separate title.*
International Office of Public Health, appropriation for contribution 283
International Organizations Procurement Act of 1947 752
International Pacific Salmon Fisheries Commission:
Appropriation for 286
Sockeye Salmon Fishery Act of 1947 511
International Penal and Penitentiary Commission, appropriation for contribution 283
International Production Control Committees, appropriation for 527
International Refugee Organization:
Appropriation, annual, to Department of State, authorized 215
Appropriation for membership and participation by United States 623
Membership for United States, acceptance by President, authorized; reservation 214
Preparatory Commission for, advance contributions to 216

International Refugee Organization—Continued — Page
Representatives, etc., designation, compensation — 215
Supplies and services — 215
Transfers of funds, etc., to Government departments and agencies, authorized — 215
International Scientific Radio Union, appropriation for contribution — 283
International Seed Testing Congress, appropriation for share of expenses — 544
International Statistical Bureau at The Hague, appropriation for contribution — 283
International Sugar Council, appropriation for share of expenses — 527
International Technical Committee of Aerial Legal Experts, appropriation for contribution — 113
International Telecommunication Union, Bureau of, Radio Section, appropriation for contribution — 282
International Union of Chemistry, appropriation for contribution — 113, 283
International Union of Geodesy and Geophysics, appropriation for contribution — 283
International Wheat Advisory Committee, appropriation for share of expenses — 527
Interned Persons:
Civilian, free importation privileges, termination date — 917
Income from sources within possessions of U. S., provisions respecting, for tax purposes — 714
Navy Department, appropriation for — 382
St. Elizabeths Hospital, admission of persons under jurisdiction of Navy Department for treatment, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 — 454
War Department, appropriation for — 572
Interparliamentary Union for Promotion of International Arbitration, Bureau of, appropriation for contribution — 282
Interstate Commerce Act:
Petroleum pipe lines, relief of liability, etc., of operators, authority of President, repeal of provision of Act of July 30, 1941 — 450
Through service by common carriers subject to, rates, etc — 743
Violations, apparent, appropriation for investigations — 598
Interstate Commerce Commission:
Appropriation for — 28, 108, 598
Communications, war powers of President, date of termination of emergency in interpretation of provisions of Act of June 19, 1934 — 454

Interstate Commerce Commission—Con. — Page
Government transportation requests, use by Joint Board members and cooperating State commissioners — 598
Locomotive Inspection Act, amendment, compensation of director of locomotive inspection, district inspectors, etc.; provision of technical, etc., help — 120
Motor and water carriers, emergency powers over, amendment of Second War Powers Act, time limitation — 34, 214, 322
Reconstruction Finance Corporation, approval of certain loans by; certification regarding meeting of fixed charges — 203
Through service and joint rates, etc., certain common carriers, statement — 744
Interstate Compacts:
Arkansas River compact, funds for negotiation between Colorado and Kansas; retired Army officer as U. S. representative — 478
Consent of Congress granted to—
New England Interstate Water Pollution Control Compact — 682
Oil and gas conservation compact, extension and renewal — 316
Pacific Marine Fisheries Compact — 419
Pennsylvania and New Jersey, compact concerning Delaware River Joint Toll Bridge Commission — 752
Interstate or Foreign Commerce, Larceny in, shipping document as prima facie evidence of place of shipment — 52
Interstate Petroleum Pipe Lines, construction, etc., date of termination of emergency in interpretation of Act of July 30, 1941 — 454
Inventory Controls of Scarce Commodities, voluntary agreements respecting — 945
Investigation, Federal Bureau of. *See* Federal Bureau of Investigation *under* Justice, Department of.
Iowa, Little Sioux River, flood-control project, adoption and authorization — 741
Iron Ore, transportation in vessels of Canadian registry, repeal of Act of January 27, 1942; effective date — 451
Irrigation Investigations, funds for — 73, 533
Irrigation Projects, Federal. *See* Reclamation, Bureau of, *under* Interior, Department of the.
Irving, George, Estate of, payment to Menominee Indian Mills to credit of account of — 455
Italian Property in United States, return of — 784

Italy: Page
Aid to. *See* Foreign Aid Act of 1947; Relief Assistance to Countries Devastated by War.
Nationals of, extension of certain patent rights to 794

J

Jackson Hole National Monument, restriction on use of certain funds in connection with 492
Japan, Nationals of, extension of certain patent rights to 795
Japanese, American-Born, repeal of provision relating to use of services on water conservation and utilization projects, etc 450
Japanese Beetle Control, appropriation for 535
Jasper, Ala., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Jeanerette, La., repair of storm damage, nonapplication of cost limitation to construction of buildings 185
Jefferson Barracks, Mo., use of federally owned lands as national cemetery, authorized; appropriation authorized 742
Jewelry Tax, war tax rates of certain miscellaneous taxes, continuance 12
Johnson, Milton A., payment to, appropriation for Bureau of Indian Affairs 110
Joint Army and Navy Munitions Board, termination; transfer of records and personnel to Munitions Board 506
Joint Chiefs of Staff. *See under* National Security Act of 1947.
Joint Committees, Congressional:
Atomic Energy, appropriation for 16, 363
Economic Report—
Appropriation for 363
Critical shortages, hearings and recommendations on proposed conservation measures 947
Federal Expenditures, Nonessential, Reduction of, appropriation for 16
Internal Revenue Taxation—
Appropriation for 27, 366
Internal Revenue, Bureau of, Treasury Department, study respecting personnel, report to Congress 227
Labor-Management Relations, creation, duties, report, etc 160
Appropriation authorized 161
Appropriation for 611
Library, approval respecting monument to dead of First Infantry Division, U. S. Army 178

Joint Committees, Congressional—Con. Page
Printing—
Appropriation for 26, 363
Codes, U. S. and D. C., printing, binding, and distribution of 639
Enrolled bills or resolutions, authority respecting printing of 635
Joint Research and Development Board, termination; transfer of records and personnel to Research and Development Board 507
"Joseph Conrad," transfer to Marine Historical Association of Mystic, Conn., authorized 306
Joshua Tree National Monument, appropriation for acquisition of lands 485
Judges, United States Courts. *See under* United States Courts.
Judgments, Payment of, appropriation for 64, 77, 78, 185, 625, 626, 627
Judicial Branch of the Government. *See* United States Courts.
Judicial Offices, Examination of, funds for 186, 289
Judiciary, House Committee on:
Codes, United States and District of Columbia—
Preparation, publication, etc., authority respecting 637–639
Quota of copies 640
Copies of Acts and resolutions in slip form, additional number for 639
Delegation of certain functions, authority 639
Revision of the laws, bills and resolutions relating to; form and style; ancillaries; curtailment of copies 639
Judiciary, Senate Committee on, quota of copies of United States and District of Columbia Codes 640
Judiciary Appropriation Act, 1948 302
Julian, W. A., credit in accounts 729, 730
Jurors, appropriation for fees 184, 304
Justice, Department of. *See also* United States Courts.
Administrative Division, funds for 117, 289
Alien Property, Office of—
Administrative expenses, increase in amount for 117
Appropriation for 294
Philippine Islands, reimbursement for administration of property 60
Report to Congress on expenses 294
Alien Property Custodian—
German special deposit account, deposit of certain funds in; change in order of priority for payment from 789
Italian property in United States, return of 784

Justice, Department of—Continued Page
Alien Property Custodian—Continued
Transfer of functions to President and Department of Justice 951
Antitrust Division, appropriation for 111, 117, 289
Appropriation Act, 1948 289
Attorney General—
Assistant to, Office of, appropriation for 289
Assistants to, special, appropriation for 289
Office of, appropriation for 117, 289
Presidential succession 380
Attorneys, license requirement 294
Bailiffs—
Appropriation for 117, 290
Per diem restriction 294
Claims Division, appropriation for 117, 289
Contingent expenses, appropriation for 186, 289
Criminal Division, appropriation for 117, 289
Customs Division, appropriation for 117, 289
Damage claims, appropriation for payment 67, 289
District attorneys, appropriation for 111, 117, 290
District of Columbia—
Division of expenditures for certain offices 294
Reimbursement to United States, appropriation for 435
Federal Bureau of Investigation—
Appropriation for 117, 291, 700
Atomic Energy Commission, transfer of funds from 291
Civil-service employees, prohibition on use of funds for payment of 291
Director, salary 291
Federal Explosives Act (Act of Dec. 26, 1941), date of termination of state of war, etc., in interpretation of 452
Government personnel, investigation—
Foreign Aid Act of 1947, personnel serving under 938
Greece, personnel detailed to 103
Inter-American Affairs, Institute of 781, 782, 783
Inter-American Educational Foundation, Inc 781, 783
Turkey, personnel detailed to 103
Information relative to national security, availability to Director of Central Intelligence Agency 498
Retirement of certain personnel; annuity 307
Field, miscellaneous salaries and expenses, appropriation for 117, 186, 290

Justice, Department of—Continued Page
Health service program, appropriation for 289, 290, 291, 292
Immigration and Naturalization Service—
Alien fiancés or fiancées of veterans or members of the U. S. armed forces, admission to United States, time extension of authority in connection with 190
Appropriation for 117, 186, 291
Cooperating agencies, reimbursement 292
Copies of records, fees for furnishing 240
Interpreters, employment of aliens 292
Lists of persons arriving at or departing from U. S. ports, etc 630
Metlakahtla Indians, Alaska, issuance of certificate of citizenship 414
Mexican farm laborers, provisions respecting employment and assurance of return to place of recruitment, etc 55
Overtime services, certain, restriction on payment for 292
Photographic studio, operation for benefit of persons seeking to comply with requirements under immigration and nationality laws 97
Immigration Appeals, Board of, appropriation for 289
Judgments, appropriation for payment 78, 626
Judicial offices, examination of, funds for 117, 186, 289
Lands Division, appropriation for 111, 186, 289
Lawbooks, etc., procurement, use of exchange allowances for 294
Legal activities and general administration, appropriation for 111, 117, 186, 289
Marshals, etc., appropriation for 117, 186, 290
Overthrow of U. S. Government, restriction on employment of persons advocating 306
Pardon Attorney, Office of, appropriation for 289
Parole, Board of, appropriation for 289
Pay costs, increased, appropriation for 117
Penal and correctional institutions—
Appropriation for 117, 292
Minor purchases without advertising 293
Penalty mail costs—
Appropriation for 289
Transfer of funds from appropriation for 117
Per diem restriction 294
Printing and binding, appropriation for 186, 289
Prison Industries, Inc., Federal, authorization for expenditures, contracts, etc.; appropriation for 582

Justice, Department of—Continued Page
Prison System, Federal—
Appropriation for 111, 117, 292
Reductions 21
Transfer of funds to 117
Prison inmates, certain, additional deductions from sentences; payments from prison industries fund 97
Prisons, Bureau of, appropriation for 117, 292
Prohibition Act, National, functions under, transfer to Commissioner of Internal Revenue, Treasury Department 951
Public Health Service, transfer of funds to 293
Reduction in designated appropriations 21
Solicitor General and Assistant Solicitor General, Offices of, appropriation for 289
Special attorneys, etc.—
Appropriation for 117, 290
Reports to Congress 290
Salary limitation 290
Stabilization of economy, etc., voluntary agreements. *See* Commodity Prices, Stabilization.
State, Department of, matters under joint control, investigations 291
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 306
Tax Division, appropriation for 117, 289
Traveling expenses—
Appropriation for 111, 186, 289
Transfer of funds from appropriation for 186
Witnesses, appropriation for fees 186, 290
Per diem restriction 294
Transfer of funds from 117
Justice, International Court of, United Nations and United States, dispute concerning interpretation or application of certain agreements, function of Court with respect to 764

K

Kahului, Maui, Hawaii, conveyance by War Department, date of termination of emergency in interpretation of Act of June 19, 1936 454
Kansas:
Arkansas River compact, funds for negotiation of 478
Indians, appropriation for buildings and utilities 467
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Kansas Basin, appropriation for Cedar Bluff Dam 699
Kendrick Project, Wyo., appropriation for 116, 475
Kenduskeag Stream, Penobscot County, Maine, declaration as nonnavigable waterway 316
Kentucky, Otter Creek Recreational Demonstration Area, addition of surplus Federal lands 174
Kern County, Calif., acquisition of land by Military Establishment, reduction in appropriation 22
Keyhole Dam, appropriation for 699
Kinepoway, Louis, Estate of, payment to Menominee Indian Mills to credit of account of 455
Kings Canyon National Park, appropriation for acquisition of lands 485
Kings River Project, Calif., appropriation for construction 475
Klamath Agency, Oreg., appropriation for support 116, 469
Klamath Indian Reservation, Oreg., appropriation for irrigation projects 467
Klamath Project, Oreg.-Calif., appropriation for 116, 474

L

Labor, Agricultural. *See* Agricultural Labor.
Labor, Department of:
Apprentice Training Service, funds for 75, 262
Appropriation Act, 1948 260
Bacon-Davis Act. *See separate title.*
Conciliation, Commissioners of, funds for 75, 261
Conciliation Service—
Appropriation for 245
"Federal Mediation and Conciliation Service", applicability of term to, for designated period 153
Transfer of functions, etc., to Federal Mediation and Conciliation Service 153, 615
Conferences, funds available for attendance at 261
Contingent expenses, appropriation for 261, 621
Cost-of-living study and report, appropriation for 262
Fair Labor Standards Act of 1938. *See separate title.*
Farm labor, domestic, cooperation in recruitment and placement 55
Health service program, appropriation for 261

Labor, Department of—Continued Page
Labor organizations—
Affidavit by officers respecting non-affiliation with Communist Party, etc. 146
Annual report, filing of 146
Questions concerning representation of employees, filing of constitution, by-laws, and reports prior to action by National Labor Relations Board 145
Labor Standards, Division of, funds for 75, 261
Labor Statistics, Bureau of—
Appropriation for 262, 700
Reductions 21
Transfer of funds to 75
Collective bargaining agreements, compilation, etc.; furnishing of information, etc., respecting settlement of labor disputes to Federal Mediation and Conciliation Service 156
National War Labor Board, printing and binding, increase in limitation 67
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Penalty mail costs, appropriation for 261, 621, 700
Portal-to-Portal Act of 1947. *See separate title.*
Printing and binding, appropriation for 261, 621, 700
Reduction in designated appropriations 21, 22
Reemployment rights, appropriation for rendering assistance in connection with exercise of 621
Reorganizations within Department and field, transfers of funds authorized; limitations 264
Retraining and Reemployment Administration, transfer of funds to appropriation for 75
Secretary—
Office of—
Appropriations for 261, 621, 700
Reduction 21
Transfers of funds 75
Presidential succession 380
Promulgation of regulations, etc., under Walsh-Healey Act and Bacon-Davis Act 89
Selective Service System, functions and responsibilities of Personnel Division, transfer to Secretary 32
Appropriation for expenses 621
Solicitor, Office of, funds for 75, 261
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278

Labor, Department of—Continued Page
Transfers of funds, authorization; limitations 264
Travel expenses—
Appropriation for 261
Availability of appropriation for attendance at conferences 261
Reduction in appropriation 622
United States Employment Service—
Appropriation for 262, 621
Transfer of funds to 75
Farm labor, domestic, cooperation in recruitment and placement 55
Farm placement service, noninterference of continuance of farm labor supply program with 55
Public employment offices—
Administration, methods of, joint promulgation by Secretary of Labor and Federal Security Administrator 263
Joint budget, certain grants to States, submission authorized 263
Veterans' housing, reduction in appropriation 21
Wage and Hour Division—
Administrator as promulgator of regulations, etc., under Fair Labor Standards Act of 1938 89
Appropriation for 263, 621
Transfer of funds to 75
Wage Stabilization Board, National, salaries and expenses, reduction in appropriation 22
Walsh-Healey Act. *See separate title.*
Women's Bureau, funds for 75, 263
Labor, Secretary of. *See* Labor, Department of.
Labor Disputes. *See* Labor Management Relations Act, 1947; National Labor Relations Board; Portal-to-Portal Act of 1947.
Labor-Federal Security Appropriation Act, 1948 260
Grants to States, certain, charge to designated appropriations 108
Labor-Management Panel, National:
Appropriation for 615
Creation, duties, compensation, etc 154
Labor-Management Relations, Joint Committee on:
Appropriation authorized 161
Appropriation for 611
Establishment, duties, report, etc 160
Labor Management Relations Act, 1947 136
Anti-trust laws, jurisdiction of district courts with respect to suits by and against labor organizations 158
Boycotts and other unlawful combinations 158

Labor Management Relations Act, 1947—Continued — Page
Clayton Act, jurisdiction of district courts with respect to suits by and against labor organizations — 158
Collective bargaining agreements, etc., compilation of — 156
Declaration of policy — 136, 152
Definitions — 161
Effective date of certain changes in National Labor Relations Act — 152
Employee representatives, restrictions on payments to — 157
Enjoining of strikes imperiling national health or safety, etc — 155
Federal Mediation and Conciliation Service—
Apportionment of appropriations, authority respecting — 615
Appropriation for — 615
Director, appointment, compensation, etc — 153
Establishment, functions, powers, etc — 153
Notification of existence of certain disputes — 142
Personnel, appointment, etc — 153
Report to Congress — 153
Transfer of functions, etc., from Conciliation Service, Department of Labor — 153, 615
Government employees, prohibition on strikes by — 160
Joint Committee on Labor-Management Relations—
Appropriation authorized — 161
Appropriation for — 611
Composition, duties, report, etc — 160
Membership dues in labor organization, deduction from wages, written assignment from employee; disposition, etc — 157
National emergencies—
Appointment and powers of board of inquiry; report to President, etc — 155, 156
Appropriation for; authority respecting apportionment — 615
Discharge of injunction; report to Congress by President — 156
Secret ballot of employees of each employer involved in disputes, by National Labor Relations Board — 156
National Labor-Management Panel, creation; duties, compensation, etc — 154
Appropriation for — 615
National Labor Relations Act, amendments—
Agreements requiring membership in labor organization as condition of employment, limitation — 151

Labor Management Relations Act, 1947—Continued — Page
National Labor Relations Act, amendments—Continued
Bankruptcy Act of 1898, conflicting provisions, priority of application — 151
Definitions — 137
Elections by employees — 143
Findings and policies — 136
Interference, etc., with members or agents of Board in performance of duties; penalty — 151
Investigatory powers of Board — 150
Labor organizations—
Affidavit by officers respecting nonaffiliation with Communist Party, etc — 146
Annual report, filing of — 146
Questions concerning representation of employees, filing of constitution, by-laws, and reports with Secretary of Labor prior to action by Board — 145
Limitations — 151
National Labor Relations Board, continuance; composition; term of service, etc — 139
Appropriation for expenses — 617
Representatives of employees — 143
Right to strike — 151
Rights of employees — 140
Supervisors — 151
Unfair labor practices—
District courts, jurisdiction, etc — 150
Employer — 140
Findings of Board, action; authority respecting modification, etc — 147, 148
Issuance of complaint — 146
Labor organization or agents — 141
Petition to court for enforcement of order, etc — 147
Petition to court for temporary relief — 149
Power of Board to hear complaint — 149
Preliminary investigation of charge; petition for injunctive relief — 149
Prevention of, powers of Board; ceding of jurisdiction — 146
Review of order of Board — 148
Testimony — 147
Political contributions, restriction on — 159
Railway Labor Act, exemption — 156
Saving provision — 162
Separability of provisions — 162
Suits by and against labor organizations — 156
Trust funds, contributions to, nonapplicability of designated provisions to certain — 158

Page

Labor Organization, International, appropriation for contribution 283
Labor Relations. *See* Labor Management Relations Act, 1947; Portal-to-Portal Act of 1947.
Labor Relations Board, National. *See* National Labor Relations Board.
Labor Standards, Division of. *See under* Labor, Department of.
Labor Statistics, Bureau of. *See under* Labor, Department of.
Lackawaxen River Basin, Pa., reservoirs in, funds for preparation of plans 689
Laguna Indian Reservation, Calif., issuance by Secretary of Interior of patent in fee to Laguna Band of Mission Indians 731
Lake Lena, District Numbered 129, Pine County, Minn., cooperation in extension, etc., of public-school facilities, appropriation authorized 419
Land Bank Commissioner, authorization for Reconstruction Finance Corporation respecting availability of funds, repeal of provisions of Emergency Farm Mortgage Act of 1932 208
Land-Grant Colleges, agricultural extension services, cooperation in recruitment and placement of domestic farm labor 55
Land Management, Bureau of. *See under* Interior, Department of the.
Land Utilization and Retirement of Submarginal Land, funds for 74, 541
Lander, Wyo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Lands, Public. *See* Public Lands.
Lands Division. *See under* Justice, Department of.
Langley Memorial Aeronautical Laboratory, appropriation for 599
Larceny in Interstate or Foreign Commerce, shipping document as prima facie evidence of place of shipment 52
Laredo, Tex., transfer of certain property at Fort McIntosh to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 423
Las Vegas, Nev., conveyance 176
Lassen Volcanic National Park, appropriation for acquisition of lands 485
Latin America. *See* American Republics.
Leadville, Colo., drainage tunnel, reduction in appropriation 21
Leaksville, N. C., dam authorized across Dan River near 98
Lease-Lend. *See* Lend-Lease Act; Lend-Lease Liquidation.

Page

Leases:
Choctaw-Chickasaw Nations, coal or asphalt deposits; sale 686
Mineral leasing, appropriation for enforcement of laws relating to 478
Mineral Leasing Act for Acquired Lands. *See separate title.*
Mineral Leasing Act of 1920, amendment, money received from sales, etc., of public lands under, disposition 119
Navy Department, authority 744
New Orleans (Algiers), La., naval station, lease by Navy Department, date of termination of emergency in interpretation of provision of Act of May 14, 1930 453
Osage Indians, Okla., determination of bonus value of tracts offered for lease for oil, gas, etc 459
Squantum, Mass., naval destroyer and submarine base, lease by Navy Department, date of termination of emergency in interpretation of Act of May 29, 1930 453
Veterans' Administration, leases of property for certain purposes, time extension of authority 133
War Department, authority 774
Leave Act of 1946, Armed Forces, Amendments:
Absence from duty after Aug. 31, 1946, regulations respecting pay and allowances 748
Cadets and midshipmen, nonapplicability of provisions to 749
Compensable leave 748
Determination of number of days of leave 749
Inactive status, members returned to 749
Members discharged after Aug. 31, 1946, compensation for unused accrued leave; exclusion from cash settlement 748
Redeemable date of bonds; cash settlement, etc 510
Lee Mansion, appropriation for 484
Legislative Branch Appropriation Act, 1947, availability of designated appropriations for compensation of certain Congressional officers and employees 4
Legislative Branch of the Government. *See also* Congress; House of Representatives; Senate.
Appropriation Act, 1948 361
Amendment, salary rates of certain positions 610
Appropriation for 15, 26, 106, 114, 183, 361, 610, 695

Legislative Branch of the Government— Page
Continued
Appropriations, preparation of statement of 369
Architect of the Capitol. *See separate title.*
Botanic Garden. *See separate title.*
Capitol buildings and grounds, appropriation for 369
Capitol Police. *See separate title.*
Government Printing Office. *See separate title.*
Joint committees, congressional. *See separate title.*
Legislative Counsel, Office of, appropriation for 26, 27, 368
Library of Congress. *See separate title.*
Overthrow of U. S. Government, restriction on employment of persons advocating 377
Pay costs, increased, appropriations for 26, 72, 114
Pay rates and designations of positions not established under Legislative Pay Act of 1929 377
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 377
Vehicles, private, restriction on use of funds for maintenance 377
Legislative Reference Service, appropriation for 114, 372
Legislative Reorganization Act of 1946:
Amendment, compensation of committee employees of House of Representatives 611
Waiver of certain provisions affecting committee employees—
House of Representatives 3
Senate 3, 5
Lend-Lease Act, activities and functions of Maritime Commission under, applicability of provisions of law, repeal of Act of May 2, 1941 450
Lend-Lease Liquidation, appropriation for; limitation on availability of funds in connection with shipment of commodities 613
Lepidolite, income-tax percentage depletion 919, 920
Lewisburg, Pa., U. S. Northeastern Penitentiary, construction, reduction in appropriation 21
Lewiston Orchards Project, Idaho, appropriation for construction 473
Lexington, Ky., appropriation for treatment of patients at Public Health Service Hospital 269
Liberia, Public Health Service Mission to, appropriation for activities in connection with 271
Liberty Bond Act, Second:
Appropriation for expenses in connection with public-debt operations authorized by 218
Bond issues, expenses of certain, restriction on availability of designated appropriation 219
Postmaster General, advances to 219
Proceeds from securities issued under, use as public-debt transaction—
Agriculture, Secretary of, certain loans or advances 546
Federal Deposit Insurance Corporation, loans for insurance purposes 773
Rural Electrification Administration loans 547
Reconstruction Finance Corporation obligations, purchase of, issuance of securities for 205
Libraries, appropriation for surveys, etc 266
Library, Joint Committee on, approval respecting monument to dead of First Infantry Division, U. S. Army 178
Library of Congress:
Ancillaries to United States Code and District of Columbia Code, cooperation in preparation of 639
Annotated Constitution of the United States of America, revision and extension; appropriation authorized 134
Appropriation for 27, 114, 371, 612
Transfer of funds 114
Citizenship requirements for employees, exemptions 374
Copyright Office—
Appropriation for 114, 372, 373
Bond of Register of Copyrights 666
Catalog of Copyright Entries; effect as evidence, etc 666
Certificate of registration; effect as evidence, etc 666
Composition, functions, etc 665
Disposition of articles deposited in Office 667
Fees 668
Records, etc., open to public inspection 667
Reports—
Annual, copyright business for previous fiscal year 666
Moneys received, refunded, etc 665
Copyrights. *See separate title.*
Geographic Names, Board on, representation on, etc 456

Page

Library of Congress—Continued
Salary augmented by honorarium, limitation on 372
Life Insurance. *See* Insurance.
Life Saving Service, Former, Coast Guard, increased retired pay for certain members 674
Lifetime Federal Digest, price limitation 609
Light Money, Collection or Payment of Certain, relief of liability for 97
Lighthouse Service. *See under* Coast Guard.
Liqueurs, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Liquid Fuels, Synthetic, Demonstration Plants, appropriation for 480
Liquor. *See* Distilled Spirits, Etc.
"Little and Brown's" Edition of Laws and Treaties; admissibility in evidence 636
Little Rock Municipal Airport, Ark., control by United States in time of war, date of termination of state of war, etc., in interpretation of provision of Act of May 15, 1936 451
Little Sioux River, Iowa, flood-control project, adoption and authorization 741
Little Tallahatchie Watershed, purchase of lands, requirement of approval of County Board of Supervisors 540
Loan Agency, Federal:
Abolition 208
Housing and Home Finance Administrator, transfer of certain functions to 955
Locomotive Inspection, appropriation for increased pay costs 28
Locomotive Inspection Act, Amendment, compensation of director of locomotive inspection, district inspectors, etc.; provision of technical, etc., help by Interstate Commerce Commission 120
Loganberry Wine, addition of sugar and water solution, volume increase 320
Long, Reuben, payment to Menominee Indian Mills to credit of account of 455
Long Beach, Calif., conveyance by Navy Department, authorized 399
Los Angeles, Calif., easement for construction, etc., of storm drain, conveyance by Navy Department, authorized 9
Los Angeles County, Calif., land, acquisition by Military Establishment, reduction in appropriation 22
Louisiana:
Flood relief, restoration of roads and bridges, Public Roads Administration, reduction in appropriation 19
Jeanerette, repair of storm damage, nonapplication of cost limitation to construction of buildings 185

Page

Louisiana—Continued
New Orleans (Algiers), naval station, lease by Navy Department, date of termination of emergency in interpretation of provision of Act of May 14, 1930 453
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Loyalty Review Board, Federal employees, nonapplicability of designated provisions of law to members 696
Lugert-Altus Irrigation Project, Okla., change of name to W. C. Austin project 99
Luggage, Retailers' Excise Tax on, war tax rates of certain miscellaneous taxes, continuance 12

M

Macon, Ga., conveyance by Navy Department, authorized 399
Maine:
Acadia National Park, transfer of jurisdiction of certain lands from Department of the Interior to Navy Department 519
Kenduskeag Stream, Penobscot County, declaration as nonnavigable waterway 316
Marine school, appropriation for maintenance 604
New England Interstate Water Pollution Control Compact, consent and approval of Congress 682
Malt Liquors, Fermented, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Mammal and Bird Reservations, appropriation for maintenance 487, 621
Mancos Water Conservancy District, amendment of contract authorized, increase of reimbursable construction cost obligation to U. S.; extension of period of repayment 176
Manila (Abaca) Fiber and Cordage, allocations, time limitation of provisions 34
Mansfield, Joseph Jefferson, appropriation for payment to son and daughters of 611
Manufactures, Census of, appropriation for 295
Manzanita on Public Lands, authority for disposal by Secretary of the Interior 681
Map of the World on the Millionth Scale, International, Central Bureau of, appropriation for contribution 282
Marblehead, Mass., conveyance to 99

Marine Band, attendance at designated functions, authorized ..... Page 212, 632
Marine Corps. *See also* Navy Department.
Accounts, examination of certain, time extension, date of termination of war, etc., in interpretation of provisions of Act of Dec. 26, 1941, and Act of Dec. 23, 1944 452
Bonds, officers and enlisted men, payment of annual premium as compliance with requirement for renewal 647
Citizens training camps, date of termination of war, etc., in interpretation of provision of Act of Aug. 29, 1916 452
Clothing and clothing allowance for enlisted men 242
Commandant, Office of, transfer of funds to appropriation for pay of civil force 68
Composition, duties, etc 502
Dependents and household effects, transportation 236
Enlistments—
Detention pay, date of termination of war in interpretation of provision of Act of Dec. 13, 1941 452
Extension, etc., date of termination of war, etc., in interpretation of Act of Aug. 18, 1941 452
General expenses—
Appropriation for 390
Reduction in appropriation 80, 396
Gifts from members, amendment of free-entry provision; termination date 917
Hospital Corps, Navy, eligibility of enlisted men for transfer 738
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Marine Band, attendance at designated functions, authorized 212, 632
Medals, decorations, etc., from certain foreign governments—
Acceptance authorized; time limitation 93
Amendment 715
Date of termination of war in interpretation of provisions of Act of July 20, 1942 453
Metropolitan Police force band, D. C., retired officer as director, appointment authorized 311
Naval Academy. *See separate title.*
Officer candidate training program—
Correction of technical errors in provisions respecting 99
Naval Academy, appointments to 100

Marine Corps—Continued Page
Officers, promotion, separation, etc. *See* Officer Personnel Act of 1947.
Pay—
Funds for 68, 389
Reduction in appropriation 80
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Personnel, Office of Director of, transfer of funds to appropriation for pay of civil force 68
Philippines, damages in, date of termination of war in interpretation of Act of July 31, 1945 454
Quartermaster General, Office of, transfer of funds to appropriation for pay of civil force 68
Reductions in appropriations 80, 396
Remains of certain persons buried outside U. S., permanent interment outside U. S., or evacuation and return 779
Rental allowances, occupancy of Government facilities under Military Establishment 572
Reserve—
Clothing and clothing allowance for enlisted men 242
Lump-sum payment of certain officers on release from active duty; payment to beneficiaries, etc 424
Referee in bankruptcy, eligibility of members and retired members for appointment as 213
Transfers of members to Regular Marine Corps, repeal of Act of January 15, 1942 449
Warrant officers, computation of service for promotion purposes 210
Retired personnel—
Active-duty pay of officers, availability of funds for payment of, repeal of provision of Act of Feb. 7, 1942 449
Referee in bankruptcy, eligibility for appointment as 213
Representation of veterans' organizations in presentation of claims to Veterans' Administration 716
Retirement of officers—
Involuntary, repeal of provisions of Act of Feb. 7, 1942 449
Physical disability, benefits; proceedings of naval retiring board, etc 312

Marine Corps—Continued Page
Retirement of officers—Continued
Retirement boards, date of termination of war in interpretation of provisions of Act of Feb. 21, 1946 453
Schools, appropriation for support of certain 390
Selective Service Records, Office of, assignment to without loss of status 32
Supply Department—
Head, designation as Quartermaster General of the Marine Corps 235
Officers, detail to 236
Quartermaster General, appointment 236
Supply duty, assignment of officers of certain ranks to 235
Taxes—
Admissions tax exemption, termination date 919
Allowance against gross income, termination date 918
Income-tax deferments for personnel on sea duty or outside United States, termination date 918
Income taxes, abatement upon death; credit or refund of overpayment 778, 918
Transportation tax exemption, termination date 919
Withholding at source on wages 918
Veterans. *See separate title.*
Warrant officers, computation of service for promotion purposes 210
Marine Corps League, Inc., authority for erection of memorial in District of Columbia 242
Marine Corps Memorial Commission, composition, functions, report to Congress 724, 725
Marine Corps Reserve. *See* Reserve *under* Marine Corps.
Marine Fisheries Compact, Pacific:
Approval of Congress 419
Report to Congress by Commission 422
Marine Historical Association, Mystic, Conn., transfer of *Joseph Conrad* to, authorized 306
Marine Schools, State, appropriation for 604
Maritime Commission:
Academic Advisory Board, Merchant Marine Academy, appointment, duties, etc 401
Alaska, water transportation service, authorization to make provision for during specified period; reports to Congress 10
Alien seamen, waivers for employment 685

Maritime Commission—Continued Page
Charter, etc., of vessels—
Suspension of restrictions, repeal of Act of May 14, 1940 450
Termination during national emergency, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454
Commissioners, salary rate 607
Construction fund—
Appropriation for 114
Reduction 18, 20
Availability for expenses; limitations on expenditures 603
Availability for payment of certain previous obligations 18
Contract authorization, reduction 18
Deposit of surplus, etc., in Treasury 603
Reserve fund, ship construction, time extensions, termination date 917
Contracts—
Eight-hour day provisions, repeal of Act of Oct. 10, 1940 450
Negotiation without advertisements or bids, repeal of Act of May 2, 1941 450
Emergency ship construction—
Applicability of provisions respecting, repeal of Act of May 2, 1941 450
Previously incurred obligations, availability of construction fund for payment 18
Reduction in appropriation 18
Foreign ship construction costs, determination, repeal of Acts of June 11, 1940 and May 2, 1941 450
Foreign trade, charter of vessels to private operators for, repeal of Act of May 2, 1941 450
Health service program, appropriation for 604
Hoboken Pier Terminals, Hoboken, N. J., right of assumption and control by U. S., date of termination of emergency in interpretation of Act of June 21, 1938 452
Insurance, marine and war risk, repeal of Act of June 29, 1940 and designated provision of Act of April 24, 1944 450
Joseph Conrad, transfer authorized 306
Judgments, appropriation for payment 77, 78, 626
Maritime training, funds for 114, 604
Medals for outstanding service in Merchant Marine, repeal of Act of April 11, 1942 450
Merchant vessels, priorities in transportation; issuance of warrants, repeal of Act of July 14, 1941 450

Maritime Commission—Continued Page
Navy Department, transfer of funds for care and handling of certain surplus vessels 700
Obligations—
Essential vessels affected by Neutrality Act, maintenance and adjustment, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454
Tax-exemption privileges of certain 180
Pay costs, increased, appropriation for 114
Public Health Service, transfer of funds to 604
Receipts from operations—
Agent operators under revolving fund, application of receipts against certain expenses 698
Availability 6, 190, 697
Liquidation of obligations, provision for 697, 698
Withdrawal of balance of funds 697
Shipping facilities, transfer during war, etc., date of termination of emergency in interpretation of provisions of Act of July 15, 1918 454
State marine schools, appropriation for reimbursement of States maintaining 604
Vessels—
Operation of, continuation of authority 6, 190
Reconversion, allowance to purchasers for cost of putting in class 603
Transactions involving sale, etc., limitations on certain payments 604
Transfer authorized 489, 558
War materials, lease, loan, etc., applicability of provisions of law, repeal of Act of May 2, 1941 450
Working fund, reduction in appropriations 18
Maritime Training, funds for 114, 604
Market News Service, funds for 74, 543
Marketing Act of 1946, Agricultural, appropriation for effecting provisions of 524
Marketing Administration. *See* Production and Marketing Administration *under* Agriculture, Department of.
Marketing Agreement Act of 1937, Agricultural, marketing orders, function of President respecting approval of determinations of Secretary of Agriculture, abolition 951
Marketing Agreements, Agricultural, loans from Reconstruction Finance Corporation under Agricultural Adjustment Act, repeal of certain provisions respecting 208
Marketing and Cooperative Research Projects, amendment of provisions of Bankhead-Jones Act 694
Marketing Quotas. *See under* Agricultural Adjustment Act of 1938. Page
Marketing Services, funds for 74, 543, 618
Marshals, U. S.:
Salaries and expenses, appropriation for 117, 186, 290
Sockeye Salmon Fishery Act of 1947, power to arrest violators 513
Maryland:
American Telephone and Telegraph Company, conveyance by Navy Department, authorized 13
Baltimore, easements—
Fort McHenry National Monument and Historic Shrine 212
Lazzaretto depot 212
Fort McHenry, restoration, preservation, etc., date of termination of emergency in interpretation of Act of March 3, 1925 453
Port Deposit, Naval Training Station, transfer of funds to appropriation for 68
Massachusetts:
Marblehead, conveyance to 99
Marine school, appropriation for maintenance 604
New England Interstate Water Pollution Control Compact, consent and approval of Congress 682
Squantum, naval destroyer and submarine base, lease by Navy Department, date of termination of emergency in interpretation of Act of May 29, 1930 453
Maternal and Child Health Services:
Grants to States—
Appropriation for 273
Transfer of funds from 107
Maternal and Child Welfare:
Salaries and expenses—
Appropriation for 272
Transfer of funds from 72
McAlester, Okla., conveyance 210
Meat Inspection:
Authorization, establishments not subject to Meat Inspection Act, repeal of Act of June 10, 1942 449
Funds for 73, 531
Medals, Decorations, Etc.:
Foreign governments, certain—
Acceptance by members of U. S. armed forces; time limitation 93
Amendment, inclusion of certain former officers and enlisted men 715
Date of termination of war in interpretation of provision of Act of July 20, 1942 453
Cobelligerents, conferring on, date of termination of war in interpretation of Act of Dec. 17, 1942 453

Medals, Decorations, Etc.—Continued Page
Merchant Marine, outstanding service, repeal of Act of April 11, 1942 450
Mitchell, Brig. Gen. William, appropriation for medal for 113
Pershing, General of the Armies John J., appropriation for medal for 113
Seamen, issuance to, date of termination of war in interpretation of provisions of Act of May 10, 1943 454
Mediation and Conciliation Service, Federal. *See* Federal Mediation and Conciliation Service *under* Labor Management Relations Act, 1947.
Mediation Board. *See* National Mediation Board.
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service 776
Medical Services Corps Act of 1947, Army-Navy. *See* Army-Navy Medical Services Corps Act of 1947.
Medora, N. Dak., erection of monument in memory of Theodore Roosevelt; appropriations authorized 54
Mellon, Andrew W., Memorial Committee, authorization for erection of memorial in District of Columbia 327
Membership Fees, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Menominee Agency, Wis., appropriation for support 116, 469
Menominee Indian Mills, payment to credit of designated accounts for logging of timber 455
Menominee Indians, Wis., appropriation for industrial assistance 470
Mental Health, National Institute of, appropriation for acquisition of site, etc. 595
Mental Health Activities, appropriation for 268, 269
Merchant Marine. *See also* Maritime Commission; Vessels.
Certificate for certain service, date of termination of emergency in interpretation of provision of Act of Aug. 8, 1946 454
Maritime training, funds for 114, 604
Medals for outstanding service, repeal of Act of April 11, 1942 450
Navigation and vessel-inspection laws administered by Coast Guard, authority of Commandant to waive compliance with; time limitations 33
Alien seamen, waivers for employment of, limitation 685
Officers, licensed, eligibility for appointment in Coast Guard 410, 411

Merchant Marine—Continued Page
Reemployment rights of persons serving in, date of termination of emergency in interpretation of provisions of Act of Aug. 8, 1946 454
Merchant Marine Academy, Academic Advisory Board, appointment, duties, etc 401
Merchant Marine Act, 1936:
Charter, sale, etc., of certain vessels, suspension of restrictions, repeal of Act of May 14, 1940 450
Foreign ship construction costs, authority of Maritime Commission respecting determination, repeal of Acts of June 11, 1940 and May 2, 1941 450
Insurance, marine war-risk, etc., repeal of Act of June 29, 1940 450
Ship construction reserve fund, time extensions, termination date 917
Merchant Ship Sales Act of 1946:
Reserve fleet, national defense, time extension of provisions respecting 191
Termination date, time extension 191
War-built vessels, charter, computation of additional charter hire in certain cases 191
Merchant Vessels. *See* Vessels.
Merger Act. *See* National Security Act of 1947.
Mesa Verde National Park, acquisition of rights-of-way and construction of water supply line, appropriation for 485
Mesquite on Public Lands, authority for disposal by Secretary of the Interior 681
Metal Mines, income-tax percentage depletion 919, 920
Metal Scrap, suspension of certain tariff duties, termination date 917
Metallurgical Research and Pilot Plants, appropriation for 481
Meteorological Committee, International, appropriation for contribution 301
Metlakahtla Indians, Alaska, certificates of citizenship 414
Mexican Border Act of 1942, appropriation to effect provisions of 534, 535
Mexican Fruitfly Control, appropriation for 535
Mexico:
Farm labor, Mexican, permission to remain in United States, etc 55
Foot-and-mouth disease and rinderpest, cooperation in control and eradication of 7
Appropriations for 24, 185, 245, 617

Mexico—Continued Page
International Boundary and Water Commission, U. S. and Mexico—
Appropriation for 284, 285
Laredo, Tex., transfer of certain property at Fort McIntosh to U. S. Section 423
Migratory birds, appropriation for effecting treaty provisions respecting 487
Settlement of Mexican Claims Act of 1942, amendments, jurisdiction of Commission, claims decided by General Claims Commission in which U. S. filed petition for rehearing 24
Mica, income-tax percentage depletion 919, 920
Michigan:
Michigan State College of Agriculture and Applied Science, conveyance of Weather Bureau property; prior acquisition of other quarters 327
Mission Point Lighthouse Reservation, Grand Traverse County, sale authorized 714
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Potawatomie, Wisconsin Band, support, reduction in appropriation 21
Midshipmen. *See under* Naval Academy.
Migration of Workers, war manpower functions, reduction in appropriation 21
Migratory Birds. *See* Birds.
Military Academy:
Armed Forces Leave Act of 1946, nonapplicability to cadets 749
Cadet store, liquidation of certain debts to 564
Cadets, pay increase 134
Former cadets, appointment as Regular Army officers, restriction 891
Graduates, appointment in Regular Army 892
Librarian, retired officer as 563
Maintenance and operation—
Appropriation for 563
Appropriation rescission 573
Mustering-out payments, certain persons discharged for physical disability, appropriation available 552
Pay—
Appropriation for 563
Appropriation rescission 573
Professors—
Rank, pay, etc 912
Retirement 902, 912
Three-year courses of instruction, repeal of Act of October 1, 1942 449
Military Appropriation Act, 1948 551
Military Establishment, National. *See* National Military Establishment *under* National Security Act of 1947.
Military Law, Persons Subject to, date of termination of war in interpretation of provisions of Act of June 4, 1920 452
Military Personnel Claims Act of 1945, appropriation for payment of claims under 555
Milk, Etc.:
Orders regulating handling, provision for payment of handler's pro rata share of expenses of authority or agency 709
Taxes, certain, under Agricultural Adjustment Act, loans from Reconstruction Finance Corporation, repeal of provisions respecting 208
Milk Laws, appropriation for enforcement 265
Milling Industry, loans by Reconstruction Finance Corporation to, repeal of provisions respecting 208
Mineral Deposits, Domestic, appropriation for investigation and development 481
Mineral Industries, appropriation for investigations concerning economic problems of 482
Mineral Leasing, appropriation for enforcement of laws relating to 478
Mineral Leasing Act for Acquired Lands 913
Lands, sale of 914
Legal documents, furnishing, etc., of 915
Lessee, rights of 915
Local authorities, rights not affected 915
Mineral deposits—
Lease of 914
U. S. interest, lease of 914
Receipts, deposit and distribution of 915
Rules and regulations 915
Mineral Leasing Act of 1920, Amendment, money received from sales, etc., of public lands under, disposition 119
Mineral Mining Investigations:
Appropriation for 480
Transfer of funds from appropriation for 116
Mines, Bureau of. *See under* Interior, Department of the.
Mines and Mining:
Accidents, appropriation for investigation of 479
Alaska—
Mining claims in, suspension of annual assessment work on 213
Precious metals, rules and regulations; rights of future State 916
Coal investigations, appropriation for 481

Mines and Mining—Continued Page
Coal-mine inspections and investigations—
Funds for 116, 479, 699
Safety standards, nonobservance, notification of owner; recommendations; reports respecting 725
Experiment stations, appropriation for 481
Income tax, percentage depletion for certain minerals—
Allowance, computation of 920
Discovery value as basis for depletion 920
Termination, repeal of 919
Loans by Reconstruction Finance Corporation to mining, milling, and smelting industry; repeal of provisions respecting 208
Mineral deposits, domestic, investigation and development, appropriation for 481
Mineral industries, funds for investigations concerning economic problems of 116, 482
Mineral Leasing Act for Acquired Lands 913
Mineral mining investigations, funds for 116, 480
Public lands, money received from sales, etc., disposition 119
Rescue cars and stations, appropriation for operation of 479
Minidoka Project, Idaho, appropriation for 116, 474
Ministers. *See* Foreign Service *under* State, Department of.
Minnesota:
Indians—
Buildings and utilities, appropriation for construction, etc 468
Red Lake Band of Chippewa Indians, per capita payments from sale of timber and lumber 417
Public-school districts, certain, cooperation in extension, etc., of school facilities; appropriation authorized 414, 418
Mint, Bureau of the. *See under* Treasury Department.
Mints, appropriation for salaries and expenses 223
Misdemeanors. *See* Crimes and Misdemeanors.
Missing Persons, pay, appropriations available to Navy Department for 394
Missing Persons Act:
Amendments—
Benefits, inclusion of civilian officers and employees of U. S. Naval Government of Guam; appropriations available 96
Income-tax deferment, termination date 918
Missing Persons Act—Continued Page
Extension of benefits to certain members of organized military forces of Philippines 455
Mission Indians, Laguna Band, issuance by Secretary of Interior of patent in fee 731
Mission Point Lighthouse Reservation, Grand Traverse County, Mich., sale authorized 714
Mississippi:
Belzoni, granting to Arthur Alexander Post Numbered 68, American Legion, of reversionary interest reserved to U. S. in certain lands 135
Flood relief, restoration of roads and bridges, Public Roads Administration, reduction in appropriation 19
Natchez National Cemetery, conveyance on completion of repairs to approach road 687
Mississippi River:
Cairo Bridge Commission, refunding of bonds 311
Flood control, appropriation for 690, 698
Emergency fund, tributaries 690
Upper, allocation of funds for watershed 540
Missouri:
Flood relief, restoration of roads and bridges, Public Roads Administration, reduction in appropriation 19
George Washington Carver National Monument, appropriation for acquisition of lands 485
Jefferson Barracks, use of federally owned lands as national cemetery, authorized; appropriation authorized 742
Soil conservation agreements, approval by central State agency 540
Missouri Basin Project, Angostura unit, inclusion of certain lands owned by U. S., authorized 408
Missouri River:
Allocation of funds for watershed 540
Aten, Nebr., appropriation for bank protection 689
Missouri River Basin, appropriation for flood-control projects 476, 699
Mitchell, Brig. Gen. William, appropriation for medal for 113
Mixed Claims Commission, awards of, change in priority of payment from German special deposit account 789
Moclips-Aloha District, Wash., School Construction:
Appropriation authorized; conditions 211
Appropriation for 699
Modoc National Forest, Calif., addition of certain lands 739

Page

Moffett Field, Calif., wind tunnel, availability of funds 600
Moisture Conservation Operations, appropriation for 115, 461
Montana:
Browning, Indian museum, appropriation for support 465
Fort Peck project, appropriation for 476
Galen, tuberculosis sanatorium for treatment of Indians, appropriation authorized; condition 729
Hill County, conveyance 173
Hungry Horse project, appropriation for construction 475
Indians, buildings and utilities, construction, etc., appropriation for 467
Irrigation projects, appropriation for 467
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Monterey, Calif., acquisition of land, etc., for naval postgraduate school 705
Montgomery County, Pa., conveyance in Norristown Borough 750
Montrose, Colo., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Monuments, National. *See* National Monuments.
Moorehead Dam, Yellowstone Basin, appropriation for 699
Morocco, appropriation for consular prisons, etc 281
Morocco, Coast of, Cape Spartel and Tangier Light, appropriation for contribution 282
Mortgage Association, Federal National, appropriation for 515
Mortgage Associations, National, allocations of funds by Reconstruction Finance Corporation, repeal of provisions of National Housing Act 208
Mortgage Insurance. *See* Farm Tenant Act; National Housing Act, Amendments *under* Housing.
Mosehart, John, Estate of, payment to Menominee Indian Mills to credit of account of 455
Motion Picture Project, Library of Congress, appropriation for liquidation 373
Motor Carriers. *See* Carriers.
Motor Fuel Sold on Military, Etc., Reservation, Tax on; reports to State taxing authority 644
Mount McKinley National Park, appropriation for lodges, etc 490
Mount Rainier National Park, appropriation for acquisition of lands 485
Mount Rushmore National Memorial, appropriation for 621
Mount Weather, Va., transfer of U. S. Weather Bureau Station, etc., to Bureau of Mines, Department of the Interior 483
Munitions, Etc., temporary use by Government of project works for manufacture of, date of termination of state of war, etc., in interpretation of provisions of Act of June 10, 1920 451
Munitions Board. *See under* National Security Act of 1947.
Munitions Control Board, National, date of termination of war in interpretation of Act of Jan. 26, 1942, respecting omission, etc., of certain reports 452
Muscat, appropriation for consular prisons, etc 281
Mustering-Out Payment Act of 1944:
Amendment, limitation on payment 192
Payments to certain persons discharged from Naval Academy or Military Academy for physical disability 552
Mystic, Conn., Marine Historical Association, transfer of *Joseph Conrad* to, authorized 306

N

Narcotics, Bureau of. *See under* Treasury Department.
Narrows Dam, Platte Basin, appropriation for 699
Natchez, Miss., National Cemetery, conveyance on completion of repairs to approach road 687
National Advisory Committee for Aeronautics:
Aircraft, equipment, etc., transfer by Army and Navy 599
Aliens, compensation to, nonapplicability of restrictions in certain cases 599
Appropriation for 28, 599
Contract authority 599
Moffett Field, Calif., wind tunnel, availability of funds 600
Travel, increase in limitation on amount for 61
National Air Museum, appropriation for planning of 602
National Arboretum, funds for 73, 534
National Archives:
Appropriation for 61, 109, 114, 600
Salary limitation, war-service employees 600
National Board for Promotion of Rifle Practice:
Appropriation for 567
Care, etc., of ranges, details for; payment 568

National Board for Promotion of Rifle Practice—Continued Page
Volunteer competitors or range officers, travel and subsistence allowances 568
National Bureau of Standards. *See under* Commerce, Department of.
National Cancer Institute, funds for 72, 270
National Capital Housing Authority. *See under* Housing.
National Capital Park and Planning Commission:
Andrew W. Mellon, memorial to, approval of design and location 328
Appropriation for 31, 446, 600
Building for U. S. Court of Appeals, D. C., and District Court, D. C., approval of site, requirement 121
National Capital Sesqui-Centennial Commission, submission of plan for approval 397
Red Cross, American National, approval of plans for proposed building for D. C. Chapter 241
Redevelopment, D. C., appropriation for 601
National Capital Parks, appropriation for 31, 64, 116, 446, 484
National Capital Sesqui-Centennial Commission, establishment, composition, etc 396
National Cemeteries:
Battleground National Cemetery, appropriation for 484
Interment of certain remains returned to U. S 779
Maintenance, etc., appropriation for 686, 687
Natchez National Cemetery, conveyance on completion of repairs to approach road 687
War Department, use of certain lands under jurisdiction of 742
National Collection of Fine Arts, appropriation for 602
National Commission on Educational, Scientific, and Cultural Cooperation, appropriation for conferences, etc 283
National Conference of Commissioners on Uniform State Laws, appropriation for support by District of Columbia 426
National Defense:
Aircraft, procurement of, repeal of Act of March 5, 1940 449
Congressional Aviation Policy Board, Temporary. *See separate title.*
Defense aid, appropriation for liquidation; limitation on availability of funds in connection with shipment of commodities 613
Expediting production, appropriation rescission, War Department 572

National Defense—Continued Page
Forts, erection in emergency, date of termination of emergency in interpretation of Act of April 11, 1898 453
Housing. *See separate title.*
Interior, Department of the, Territories and island possessions, appropriation for liquidation of functions 620
Maternity and infant care, emergency, appropriation for; liquidation of activity 273
Naval vessels, conversion authorization; nonlimitation on expenditures 718
Reconstruction Finance Corporation, certain corporations, authority respecting loans, creation, etc., repeal of provisions 209
Reductions in appropriations 18, 19, 21
Repeals of certain emergency and war powers 449
Reserve fleet, time extension of provisions respecting 191
Sale of defense articles or information, disposition of receipts, repeal of provision of Act of March 11, 1941 450
Second Supplemental National Defense Appropriation Act, 1943, Public Buildings Administration employees as special policemen, repeal of provision; effective date 451
National Defense Act:
Amendments—
Army officers—
Appointment, repeal of designated provisions 892
Authorized numbers, etc 886
Chaplains, Chief of, increased rank 912
Promotion 894
Promotion list, repeal of designated provisions 890
Retirement 902
Surgeon General, assistants to, increased rank 912
Composition of the Regular Army, reduction of age limit for members of the National Guard 192
Annual classification of officers, termination of suspension of provisions; repeal of Act of July 29, 1941; effective date 451
Army, enlistments in time of war, etc., date of termination of war, etc., in interpretation of Act of May 14, 1940 452
Military forces other than National Guard, etc., maintenance by States and Territories, repeal of provisions of Act of June 3, 1916 449

National Defense Act—Continued Page
National Guard, enlistment period, extension, date of termination of emergency in interpretation of provisions of Act of June 3, 1916, and Act of June 15, 1933 452
Purchase or procurement of military supplies in time of war, date of termination of war in interpretation of Act of June 3, 1916 452
Retired officers, recall to duty in time of war, date of termination of war in interpretation of provision of Act of June 4, 1920 452
National Forest Reservation Commission, appropriation for 538
National Forests. *See also* Forest Service *under* Agriculture, Department of.
Francis Marion National Forest, S. C., creation of game refuge 516
Lands, acquisition of, appropriation for 539
Modoc National Forest, Calif., addition of certain lands 739
Tongass National Forest, Alaska, sale of timber and lands 920
National Gallery of Art, appropriation for 28, 62, 602

National Guard:
Adjutants general, continuance in federally recognized status without pay 565
Age limit, reduction 192
Appropriation for 551, 552, 564
Transfer of funds from 71
Appropriation rescission 573
Claims, appropriation for payment of 551, 552, 564
District of Columbia—
Appropriation for 446
Referee in bankruptcy, eligibility of members for appointment as; exception of certain disbursing officers 213
Draft into Federal service, date of termination of war in interpretation of provision of Act of June 3, 1916 452
Enlistment period, extension, date of termination of emergency in interpretation of provisions of Act of June 3, 1916 and Act of June 15, 1933 452
Field exercises, appropriation for participation in 551
Government and District of Columbia employees—
Acceptance of Government employment, pay and allowances, etc 239
Restoration to positions on relief from duty 239

National Guard—Continued Page
National Guard Bureau, War Department—
Appropriation for 568
Appropriation rescission 574
Functions with respect to Department of the Air Force 503
Officers on active duty—
Appropriation for pay 552
Temporary appointments 908
Pensioners, etc., restriction on pay, expenses, etc 564
Referee in bankruptcy, eligibility of members for appointment as; exception of certain disbursing officers 213
Rifle matches, national—
Care, etc., of ranges, details for; payment 568
Participation as volunteer competitors or range officers, travel and subsistence allowances 568
Supplies, etc.—
Issuance from Army surplus 564
Purchase from War Department, date of termination of state of war, etc., in interpretation of provisions of Act of June 3, 1916 451
Surplus property of Selective Service System, transfer authorized 31
National Housing Act. *See under* Housing.
National Housing Agency. *See under* Housing.
National Housing Council, composition and duties 955
National Industrial Recovery Act:
Borrowing power of Reconstruction Finance Corporation, decrease, repeal of provisions respecting 208
Loans by Reconstruction Finance Corporation, limitation on approval of applications, repeal of provisions respecting 208
National Institute of Health, funds for 72, 107, 269, 615
National Institute of Mental Health, appropriation for acquisition of site, etc 595
National Intelligence Authority, termination 499
National Labor-Management Panel:
Appropriation for 615
Creation, duties, compensation, etc 154
National Labor Relations Act, Amendments. *See under* Labor Management Relations Act, 1947.
National Labor Relations Board:
Agreements between management and labor, notice requirement 276
Agricultural laborers, restriction on use of funds for organizing, etc 277

National Labor Relations Board—Con. Page
Apportionment of appropriations, authority respecting 616
Appropriation Act, 1948 276
Appropriation for 114, 276, 616
Transfer of funds from 114
Consolidation of funds 616
Continuance, powers, functions, etc 139
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Report to Congress 139
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
National Mediation Board:
Appropriation Act, 1948 277
Appropriation for 61
National Railroad Adjustment Board, appropriation for 28, 61, 277
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
National Military Establishment. *See under* National Security Act of 1947.
National Monuments:
Appropriation for 483, 485, 621
Cape Hatteras National Seashore Recreational Area project, appropriation for maintenance of structures 483
George Washington Carver, appropriation for acquisition of lands 485
Jackson Hole, restriction on use of certain funds in connection with 492
Joshua Tree, appropriation for acquisition of lands 485
Mount Rushmore National Memorial, appropriation for 621
Statue of Liberty, appropriation for water-supply easements 483
National Mortgage Association, Federal, appropriation for 515
National Mortgage Associations, allocation of funds by Reconstruction Finance Corporation, repeal of provisions of National Housing Act 208
National Munitions Control Board, date of termination of war in interpretation of Act of Jan. 26, 1942, respecting omission, etc., of certain reports 452
National Park Service. *See under* Interior, Department of the.
National Parks:
Acadia National Park, Maine, transfer of jurisdiction of certain lands from Department of the Interior to Navy Department 519

National Parks—Continued Page
Administration, protection, etc., appropriation for 483, 621
Big Bend National Park, Tex., appointment of commissioner, jurisdiction, powers; fees, costs, etc 91
Lands, acquisition of, appropriation for 485
Mount McKinley National Park, appropriation for lodges, etc 490
Shenandoah National Park, commissioner, removal of requirement of recommendation of candidate by Secretary of Interior 92
Shiloh National Military Park, Tenn., conveyance within 173
Theodore Roosevelt National Memorial Park, N. Dak., establishment, etc 52
National Prohibition Act, functions under, transfer from Department of Justice to Treasury Department 951
National Railroad Adjustment Board, appropriation for 28, 61, 277
National Safety Council, Inc., appropriation for D. C. affiliation with 439
National School Lunch Act:
Appropriation for carrying out provisions of 65, 550
Limitation 551
Printing and binding, transfer of funds for 526
National Security Act of 1947 495
Advisory committees and personnel, appointment, compensation, etc 507
Nonapplicability of designated provisions of law to 508
Air Force, Department of the—
Assistant Secretaries—
Appointment 502
Compensation 507
Functions, etc., transfer to 503
Effective date 504
Funds, transfer of 509
National Guard Bureau, duties with respect to Department of the Air Force 503
Secretary—
Appointment 502
Compensation 507
Under Secretary—
Appointment 502
Compensation 507
United States Air Force—
Chief of Staff, appointment, functions, etc 503
Establishment, composition 503, 504
Transfers of personnel, property, records, etc.; effective dates 504
Appropriations authorized 509

National Security Act of 1947—Continued Page
Army, Department of the—
Compensation of Secretary, Under Secretary, and Assistant Secretaries 507
Inclusion of United States Army in, etc 501
Central Intelligence Agency—
Advisory committees and personnel, appointment, compensation, etc 507
Central Intelligence Group, termination, transfer of personnel, property, etc 499
Director, appointment, compensation, etc 497
Duties 498
Federal Bureau of Investigation, information relating to national security, availability to Director 498
Termination of employment, authority of Director 498
Chief of Staff, United States Army, Chief of Naval Operations, and Chief of Staff, United States Air Force, relative rank 503
Defense, Secretary of—
Advisory committees and personnel, appointment, compensation, etc 507
Appointment; duties 500
Effective date 509
Civilian personnel; special assistants 500
Compensation 507
Military assistants to 500
Reports to President and Congress 500
Transfer of funds and equipment to Office of; availability; limitation 703, 704
Definitions 509
Effective date of provisions 509
Funds, transfer of 509
Joint Chiefs of Staff, establishment; duties 505
Joint Staff, establishment; duties 505
Laws, orders, regulations, etc., applicable with respect to transferred functions, personnel, etc., effect 508
Munitions Board—
Composition 505
Duties 506
Joint Army and Navy Munitions Board, termination, transfer of records and personnel, etc 506
National Military Establishment—
Composition 500
Establishment 499
Seal of office 500

National Security Act of 1947—Continued Page
National Security Council—
Establishment, function, composition, etc 496
Recommendations and reports to President 497
Staff 497
Transfer of funds and equipment; availability; limitation 703, 704
National Security Resources Board—
Advisory committees and personnel, appointment, compensation, etc 507
Establishment, composition, function, etc 499
Transfer of funds and equipment; availability; limitation 703, 704
Navy, Department of the—
Compensation of Secretary, Under Secretary, and Assistant Secretaries 507
Continuance of existing organization for designated period of time 508
Inclusion of United States Navy in, etc 501
Marine Corps 502
Policy, declaration of 496
Presidency, succession to, amendment of provisions 509
Research and Development Board—
Composition; purpose 506
Duties 507
Joint Research and Development Board, termination; transfer of records and personnel 507
Saving provisions 508
Separability of provisions 509
Suits or other proceedings, nonabatement 508
Transferred civilian personnel, status 508
War Council, composition, functions 504
War Department, continuance of existing organization for designated period of time 508
National Security Council. *See under* National Security Act of 1947.
National Security Resources Board. *See under* National Security Act of 1947.
National Service Life Insurance, appropriation for 606
National Service Life Insurance Act of 1940, Amendments:
Eligibility for insurance 5
Level premium term insurance 5
Repeal of provisions respecting reinstatement 6
Plans 5
National Training School for Boys, D. C., appropriation for 439

National Training School for Girls, D. C.: Page
Appropriation for 438
Superintendent, salary rate 439
White girls, restriction on use of funds for 439
National Wage Stabilization Board, salaries and expenses, reduction in appropriation 22
National War College:
Appropriation for 552
Rescission 572
National War Labor Board, increase in limitation for printing and binding 67
National Youth Administration, liquidation expenses, appropriation for 275
National Zoological Park, appropriation for 31, 447
Nationality Act of 1940, Amendments:
Copies of records, fees for furnishing 240
Disabled individuals, naturalization proceedings at places other than office of clerk or in open court in case of 121
Metlakahtla Indians, Alaska, certificates of citizenship 414
Photographic studio, operation for benefit of persons seeking to comply with requirements under immigration and nationality laws 97
Natural Gas Act, Amendment, right-of-way for pipe line, etc., acquisition by exercise of right of eminent domain 459
Naturalization. *See* Citizenship and Naturalization.
Navajo Indian Reservation:
Buildings and utilities, appropriation for construction, etc 467
Gallup, N. Mex.–Window Rock, Ariz., appropriation for maintenance of portion of highway 468
Gallup-Shiprock Highway, appropriation for maintenance of portion of 468
Irrigation projects, appropriation for 467
Sheep-breeding station, appropriation for 466
Navajo Indians:
Agreement with Department of the Interior respecting certain lands, authorized 189
Emergency relief expenditures, advance to reimburse tribal sawmill enterprise 943
Land, purchase of, reduction in appropriation 21
Relief, appropriation authorized 940
Naval Academy:
Appropriation for 384
Transfer of funds to 68
Armed Forces Leave Act of 1946, nonapplicability to midshipmen 749
Naval Academy—Continued Page
Enlisted men of Navy or Marine Corps, limitation on assignment 384
Midshipmen—
Appointments 100
Pay increase 134
Mustering-out payments, certain persons discharged for physical disability, appropriation available 552
Naval postgraduate school. *See under* Navy Department.
Three-year courses of instruction, repeal of Act of June 3, 1941 449
Naval Aviation Cadet Act of 1942, Amendment, lump-sum payment on release from active duty; payment to beneficiaries, etc 424
Naval Home, Philadelphia, Pa., funds for 68, 385
Naval Observatory, funds for 68, 391, 392
Naval Personnel, Bureau of. *See under* Navy Department.
Naval Petroleum Reserves:
Mineral Leasing Act, amendment, money received from sales, etc., of public lands under, disposition 119
Operation, conservation, etc., appropriation for 383
Naval Records, World War, preparation of, appropriation for 392
Naval Research, Office of. *See under* Navy Department.
Naval Reserve:
Clothing and clothing allowance for enlisted men 242
Lump-sum payment to certain officers on release from active duty; payment to beneficiaries, etc 424
Nurse Corps, establishment, etc 51
Officer candidate training program—
Appropriation for 384
Correction of technical errors in provisions respecting 99
Naval Academy, appointments to 100
Officers on active duty, promotion, etc. *See* Officer Personnel Act of 1947.
Officers' Training Corps—
Appropriation for 384
Reduction in appropriation 79, 395
Transfers of funds from appropriation for 67
Philippines, certain citizens of, membership in Naval Reserve, amendment of Naval Reserve Act of 1938 90
Referee in bankruptcy, eligibility of members and retired members for appointment 213
Transfers of members to Regular Navy, repeal of Act of January 15, 1942 449

Naval Reserve—Continued Page
Warrant officers, computation of service for promotion purposes 210
Naval Reserve Act of 1938, Amendments:
Nurse Corps Reserve 50, 51
Philippines, certain citizens of, membership in Naval Reserve 90
Naval Stores, orders regulating handling, terms and conditions 707
Naval Stores Act, funds for effecting provisions of 74, 545
Naval-Stores Investigations, funds for 74, 536
Naval Training Stations, funds for 67, 68, 383
Naval Vessels. *See also* Vessels.
Acquisition through construction or conversion, date of termination of war, etc., in interpretation of designated provisions of law respecting 453
Conversion authorization; nonlimitation on expenditures 718
Increase and replacement—
Repair facilities, reduction in appropriation 22
Transfers of funds from appropriation; restriction on availability of appropriation 391
Repair, etc., authority to exceed statutory limit, repeal of provisions of Act of June 11, 1940 449
Transfer, designated agencies, authorized 558
Transportation, etc., of persons during war or national emergency, date of termination of war in interpretation of provision of Act of Aug. 2, 1946 453
Naval War College, funds for 67, 383
Navigation. *See* Vessels.
Navigation, Permanent International Commission of Congresses of, appropriation for 689
Navigation and Inspection Laws:
Waivers of compliance with—
Authority of Commandant of Coast Guard and Secretary of War 33, 685
Time limitation, extension of Second War Powers Act 34, 214, 322
Navy. *See also* Naval Vessels; Navy Department.
Accounts, examination of certain, time extension, date of termination of war, etc., in interpretation of provisions of Acts of Dec. 26, 1941, Dec. 23, 1944, and Feb. 20, 1942 452
Aerial flights, increased pay for, restriction 386
Appropriation Act, 1948 382
Bonds, officers and enlisted men, payment of annual premium as compliance with requirement for renewal 647

Navy—Continued Page
Chaplains, Chief of, designation, rank, pay and allowances 93, 880
Civil Engineers, Corps of, increase in authorized number of commissioned officers 96
Clothing and clothing allowance for enlisted men 242
Coast Guard personnel, applicability of naval laws, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
Coast Guard stations, manning, etc., date of termination of emergency in interpretation of provisions of Act of Aug. 29, 1916 454
Command of fleets, selection of officers for, date of termination of war in interpretation of provision of Act of May 22, 1917 453
Commissions, eligible list for regular and reserve forces, repeal of provisions of Act of February 16, 1914 449
Courts martial—
Auxiliary naval forces, service of officers, date of termination of war, etc., in interpretation of Act of Oct. 6, 1917 453
Jurisdiction extension, date of termination of war, etc., in interpretation of Act of March 22, 1943 453
Death, offenses punishable by, date of termination of war in interpretation of provisions of Revised Statutes 1624 453
Dependents and household effects, transportation 236
Desertion, punishment for, date of termination of war in interpretation of provisions of Revised Statutes 1624 453
Enlisted men—
Appointment to commissioned grade, computation of service, date of termination of war in interpretation of provision of Act of Aug. 10, 1946 453
Recall to active duty of enlisted men on furlough without pay, date of termination of war, etc., in interpretation of provision of Act of Aug. 29, 1916 452
Enlistments—
Detention pay, date of termination of war in interpretation of provision of Act of Dec. 13, 1941 452
Eligibility for, date of termination of war in interpretation of Revised Statutes 1420, and provision of Act of Jan. 20, 1944 452

Navy—Continued Page
Enlistments—Continued
Extension, etc., date of termination of war, etc., in interpretation of Act of Aug. 18, 1941 452
Farragut, Idaho, reimbursement of certain Navy and former Navy personnel for losses at 315
Gifts from members, amendment of free-entry provision; termination date 917
Hospital Corps—
Authorized strength; transfers 738
Warrant officers, rank, pay, etc 738
Household servants, restriction on employment of enlisted men or civil employees as 386
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Mail clerks—
Adjustment of claims, date of termination of war in interpretation of provisions of Act of Dec. 7, 1945 453
Waiving of bonds, appropriation for carrying out provisions of Act of July 2, 1945 394
Marine Corps. *See separate title.*
Medals, decorations, etc., from certain foreign governments—
Acceptance authorized; time limitation 93
Amendment 715
Date of termination of war in interpretation of provisions of Act of July 20, 1942 453
Medical and dental officers—
Original appointments 777
Pay 776
Medical Corps, assistant surgeons, acting, appointment, repeal of provision of February 15, 1879 449
Medical Department—
Female physicians and surgeons, appointment, repeal of Act of April 16, 1943 449
Navy Nurse Corps. *See* Army-Navy Nurses Act of 1947; Officer Personnel Act of 1947.
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service 776
Medical Service Corps. *See* Navy Medical Service Corps *under* Army-Navy Medical Services Corps Act of 1947.
Metropolitan Police force band, D. C., retired officer as director, appointment authorized 311

Navy—Continued Page
Monterey, Calif., acquisition of land, etc., for postgraduate school 705
Naval Academy. *See separate title.*
Naval postgraduate school—
Acquisition of land, etc., at Monterey, Calif 705
Appropriation authorized 707
Attendance at 706
Degrees 706
Establishment 705
Teaching staff; annual report to Congress concerning 706
Naval Reserve. *See separate title.*
Nurse Corps. *See* Army-Navy Nurses Act of 1947; Officer Personnel Act of 1947.
Officer candidate training—
Appropriation for 384
Correction of technical errors in provisions respecting 99
Naval Academy, appointments to 100
Officers—
Promotion, separation, etc. *See* Officer Personnel Act of 1947.
Sea service requirement for promotion, date of termination of war, etc., in interpretation of provision of Act of June 23, 1938 453
Olympic games, participation authorized; expenses 243
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Philippines, damages in, date of termination of war in interpretation of Act of July 31, 1945 454
Ration in kind, termination of suspension of provisions relative to; repeal of Act of October 10, 1942; effective date 451
Remains of certain persons buried outside U. S., permanent interment outside U. S., or evacuation and return 779
Rental allowances, occupancy of Government facilities under Military Establishment 572
Retired personnel—
Call to active duty, enlisted men, date of termination of war, etc., in interpretation of provision of Act of Aug. 29, 1916 453
Employment of officers on active duty, assignment, etc., date of termination of war in interpretation of Revised Statutes 1462–1464 453

Navy—Continued
Retired personnel—Continued
Prohibition on payment of active-duty pay and allowances to officers except during war or national emergency, repeal of provision of Act of June 11, 1940 449
Rear admirals recalled to active duty, pay, etc., date of termination of war, etc., in interpretation of Act of April 8, 1946 453
Referee in bankruptcy, eligibility for appointment as 213
Representation of veterans' organizations in presentation of claims to Veterans Administration 716
Retirement of officers—
Involuntary, repeal of provisions of Act of Feb. 7, 1942 449
Physical disability, benefits; proceedings of naval retiring board, etc 312
Retirement boards, date of termination of war in interpretation of provisions of Act of Feb. 21, 1946 453
Selective Service Records, Office of, assignment to without loss of status 32
Shore duty, employment of officers, repeal of Act of May 29, 1945 449
Spies, punishment, date of termination of war in interpretation of provision of Revised Statutes 1624 453
Staff officers, exemption of certain from sea duty, date of termination of war in interpretation of Revised Statutes 1436 453
Tableware, etc., in officers' quarters, restriction on use of funds for 385
Taxes—
Admissions tax exemption, termination date 919
Allowance against gross income, termination date 918
Income-tax deferments for personnel on sea duty or outside United States, termination date 918
Income taxes, abatement upon death; credit or refund of overpayment 778, 918
Transportation tax exemption, termination date 919
Withholding at source on wages 918
Vessels. *See* Naval Vessels; Vessels.
Veterans. *See separate title.*
Warrant officers, computation of service for promotion purposes 210
Navy, Secretary of the. *See* **Navy Department.**

Navy Department. *See also* National Security Act of 1947; Naval Vessels; Navy.
Acadia National Park, transfer of jurisdiction of certain lands from Department of the Interior 519
Aeronautics, Bureau of—
Appropriation for 388, 391
Reduction 79, 396
Transfer of funds from 68
Contracts for new construction, equipment, etc., of aircraft, authorized 389
Contractual obligations, funds continued available for liquidation 389
Aircraft—
Contracts for purchase, repeal of Act of March 5, 1940 449
Transfer to Fish and Wildlife Service, Department of the Interior, for replacement purposes 489
Airports, public, disposals of surplus property for, omission or inclusion of terms 680
Alaska Railroad Retirement Act, reemployment of persons retired under, repeal of Act of December 22, 1942 450
American Telephone and Telegraph Company, conveyances in Virginia and Maryland, authorized 13
Appropriation Act, 1948 382
Appropriations—
Overobligation of certain, nonliability for 396
Restriction on departmental use 392
Aviation. *See* Aeronautics, Bureau of, *this title.*
Bibb County, Ga., conveyance authorized 399
Canal Zone—
Hours of employment and rates of pay of skilled, etc., employees 393
Panamanian citizens, employment, etc 393
Captured or missing personnel, pay, appropriations available 394
Central of Georgia Railway Company, conveyance, authorized; payment by grantee 10, 11
Citizenship requirements—
Canal Zone 393
Nonapplication to personnel under Naval Establishment 394
Civil Aeronautics Administration—
Air-navigation facilities, transfer to, authorized 297
Equipment, transfer to Washington National Airport, authorized 297
Transfer of surplus aircraft, parts, etc., to, authorized 296

Navy Department—Continued Page
Civil Engineers, Corps of, increase in authorized number of commissioned officers 96
Claims, appropriation for payment 67, 382, 386, 394, 622, 626
Clothing allowance on discharge for bad conduct, etc., appropriation for 386
Coal Mines Administration, Department of the Interior, appropriation for reimbursement by 620
Coast and Geodetic Survey, transfer of equipment, personnel, etc., date of termination of emergency in interpretation of Act of May 22, 1917 452
Communications Act of 1934, protection of vessels in wartime, repeal of Act of December 29, 1942 450
Construction and Repair, Bureau of, authority to exceed statutory limit, repeal of provisions of Act of June 11, 1940 449
Contingent expenses, appropriation for 383, 392
Contracts—
Cost-plus-a-fixed-fee, Fourteenth Naval District, date of termination of emergency in interpretation of provision of Act of June 14, 1940 453
Priority powers, amendment of Second War Powers Act, time limitation 34, 214, 322
Private contractors, restriction on use of funds under contracts with 393
Time limitation on authority of Secretary respecting negotiation of certain 323
War contracts, financing of 394
Defense, Office of Secretary of, transfer of funds and equipment to; limitation 703, 704
Defense Plant Corporation, transfer of title to certain plants, equipment, etc 774
Dental officers detailed to Military Establishment, reimbursement for pay, allowances, etc 553
Disbursing and certifying officers, relief from liability for certain losses; credit in accounts 493
Engineering, Bureau of, repair, etc., of vessels, authority to exceed statutory limit, repeal of provisions of Act of June 11, 1940 449
Examining and retiring boards, funds for 68, 391
Flying hours, maximum, in interstate air transportation, under Civil Aeronautics Act of 1938, repeal of Act of April 29, 1942 450

Navy Department—Continued Page
General Board, funds for 68, 391
Geographic Names, Board on, representation on, etc 456
Gold star lapel buttons, furnishing to widows, parents, etc., of deceased armed forces members 710
Guam, civilian officers and employees of Naval Government of, inclusion under Missing Persons Act; appropriations available 96
Hawaii, conveyance of easement authorized 401
Health service program, appropriation for 394
Helium, transfer of funds to Bureau of Mines, Department of the Interior, for procurement 482
Hospital Corps, Navy—
Authorized strength; transfers 738
Warrant officers, rank, pay, etc 738
Household servants, restriction on employment of enlisted men or civil employees as 386
Housing—
Projects, appropriation for operation and maintenance; restriction 388
Transfer of certain functions to Housing and Home Finance Administrator 955
Hydrographic Office, funds for 68, 391, 392, 622
Inspection and Survey, Board of, funds for 68, 391
Interned persons under jurisdiction of, admission to St. Elizabeths Hospital for treatment, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
Island governments, appropriation for administration 383
Judge Advocate General, Office of, funds for 68, 391
Judgments, appropriation for payment 77, 78, 626
Land purchase contracts, limitation on commission 394
Latin-American cooperation, appropriation for 382
Leases of real or personal property, authority; report to Congress 774
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Liberated and occupied areas, appropriation for administration 383
Long Beach, Calif., conveyance, authorized 399
Los Angeles, Calif., conveyance of easement for construction, etc., of storm drain, authorized 9

Navy Department—Continued Page
Macon, Ga., conveyance authorized 399
Maintenance, transfer of funds to appropriation for 68
Marine Corps. *See separate title.*
Maritime Commission, working fund, reduction in appropriations 18
Mechanical tabulating equipment, funds available for purchase 68
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service 776
Medical Service Corps, Navy. *See* Navy Medical Service Corps *under* Army-Navy Medical Services Corps Act of 1947.
Medicine and Surgery, Bureau of—
Appropriation for 388, 391
Reduction 79
Transfer of funds 68
Mental patients, Navy, transfer of funds to appropriation for care of 68
Miscellaneous expenses—
Funds for 68, 382
Reduction in appropriation 395
Monterey, Calif., acquisition of land, etc., for postgraduate school 705
National Security Council, transfer of funds and equipment to; limitation 703, 704
National Security Resources Board, transfer of funds and equipment to; limitation 703, 704
Naval Academy. *See separate title.*
Naval Communications, Office of Director of, funds for 68, 391
Naval Intelligence, Office of, funds for 68, 391
Naval Observatory, funds for 68, 391, 392
Naval Operations, Office of Chief of, funds for 68, 391
Naval Personnel, Bureau of—
Appropriation for 383, 384, 385, 391
Reductions 395
Transfer of funds 68, 385
Chaplains, Chief of, designation, rank, pay and allowances 93, 880
Naval petroleum reserves—
Operation, conservation, etc., appropriation for 383
Sales, etc., of lands within, disposition of receipts 119
Naval postgraduate school—
Acquisition of land, etc., at Monterey, Calif 705
Appropriation authorized 707
Establishment; degrees; attendance at 705, 706
Teaching staff; annual report to Congress concerning 706

Navy Department—Continued Page
Naval procurement fund, transfers of funds from appropriation for 68
Naval Records and Library, Office of, appropriation for 391
Naval Research, Office of, appropriation for 383, 391
Naval Reserve. *See separate title.*
Naval training stations, funds for 67, 68, 383
Naval vessels. *See separate title.*
Naval War College, funds for 67, 383
Navy Medical Service Corps. *See under* Army-Navy Medical Services Corps Act of 1947.
New Orleans (Algiers), La., naval station, lease, date of termination of emergency in interpretation of provision of Act of May 14, 1930 453
Occupied areas, appropriation for administration 383
Ocean and lake surveys, appropriation for 383
Officers, promotion, separation, etc. *See* Officer Personnel Act of 1947.
Olympic games, participation of naval personnel authorized; expenses 243
Ordnance, Bureau of—
Appropriation for 385, 391
Reductions in appropriations 79, 395
Transfers of funds 68
Ordnance, condemned or obsolete, provision for loan or gift to State homes for former members of armed forces 707
Overobligation of certain appropriations, nonliability for 396
Overthrow of U. S. Government, restriction on employment of persons advocating 394
Panama Canal, transfer of surplus property to, authorized 243, 694
Penalty mail, exemptions from certain requirements, etc., repeal of provision of Act of June 28, 1944 450
Personal property losses, reimbursement, appropriation for 382, 386
Personnel ceilings, nonapplicability to certain separated employees 188
Pittsburg County, Okla., conveyance 210
Plantations outside continental U. S., management and operation 234
Private contractors, management by 235
Plants, equipment, etc.—
Disposition of, imposition of terms for assurance of continued availability for war-production purposes, authority 775
Operation of private plants by Navy, funds for expenses 394

Navy Department—Continued Page
Plants, equipment, etc.—Continued
Title of Reconstruction Finance Corporation, Defense Plant Corporation, or War Assets Administration to certain, transfer 774, 775
Printing and binding, appropriation for 392
Priority powers, termination dates 34, 214, 322
Prisoners of war under jurisdiction of, admission to St. Elizabeths Hospital for treatment, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
Professional and scientific service, establishment of positions in; compensation; appointment; report to Congress 715
Property, acquisition and disposition for war purposes, termination date of powers 34, 214, 322
Public works. *See under* Yards and Docks, Bureau of, *this title.*
Radio operators aboard vessels, employment restriction in certain cases, repeal of Act of December 17, 1941 450
Ration in kind, termination of suspension of provisions relative to; repeal of Act of October 10, 1942; effective date 451
Reconstruction Finance Corporation, transfer of title to certain plants, equipment, etc 774
Red Cross, transportation, etc., in time of war 394
Reductions in appropriations 22, 79, 395
Repeals of certain emergency and war powers 449
Reports to Congress—
Leases, certain 774
Naval postgraduate school, civilian teaching staff 706
Professional and scientific service, establishment of positions, appointments in, etc 715
Research, Navy, appropriation for 383
Rewards—
Limitation on payment 392
Naval property, missing, payment for information leading to discovery or recovery 394
Salaries, appropriation for 391
San Diego, Calif., right-of-way for construction, etc., of water pipe line or lines, conveyance by Navy Department, authorized 39
Secretary, Office of—
Appropriation for 67, 382, 391, 622
Reduction in appropriation 395
Transfer of funds to 68

Navy Department—Continued Page
Secretary, presidential succession 380, 509
Shipbuilding—
Construction, appropriation for; availability 390, 391
Increase and replacement of naval vessels, restriction on availability of appropriation 391
Ships, Bureau of—
Appropriation for 68, 385, 391
Reduction in appropriations 79, 395
Transfer of funds 700
Squantum, Mass., naval destroyer and submarine base, lease, date of termination of emergency in interpretation of Act of May 29, 1930 453
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 393
Submarines, experimental, construction authorized; cost limitation 96
Supplies and Accounts, Bureau of—
Appropriation for 386, 387, 388, 391, 622
Reductions 22, 79, 396
Transfers 68, 385, 387
Pay and subsistence of naval personnel, rates for Navy rations, limitations applicable during 1947 69
Retired officers, prohibition on payment of active-duty pay and allowances except during war or national emergency, repeal of provision of Act of June 11, 1940 449
Working capital of specified funds, restriction on reduction below designated limit 395
Surplus property—
Airports, public, disposals for, terms, etc 680
Limitation on use of funds in connection with 395
Overseas, care and handling, appropriation for; limitation 614
Transfers to Department of the Interior 479, 483, 489
Surplus Property Act of 1944, appropriation for carrying out provisions of 394
Temporary services, procurement authorized 700
Time-measuring devices, restriction on use 392
Transfers between certain appropriations 67
Transportation, etc.—
Civilian employees, payment of transportation costs and travel expenses, repeal of Acts of Feb. 21, 1942 and April 9, 1943 449

Navy Department—Continued Page
Transportation, etc.—Continued
Transportation and recruiting, transfers of funds from appropriation for 68
Use of funds for transportation of personnel 394
War or national emergency, date of termination in interpretation of provisions of Act of Aug. 2, 1946 453
Under Secretary, establishment of office, provisions made permanent 93
Utilities, sale, etc., to welfare activities and private persons in vicinity of naval or military activities; termination of authority 675
Vessels. *See* Naval Vessels; Vessels.
Veterans' Administration, transfer of funds from 605
Virginia Electric and Power Company, conveyance, authorized; transfer of equipment 14
War Assets Administration, transfer of title to certain plants, equipment, etc 775
Washington National Airport, transfer of equipment to, authorized 297
Weather Bureau—
Arctic weather stations, transfer of surplus equipment, etc., for 301
Upper air soundings, transfer of equipment and supplies for 301
Yards and Docks, Bureau of—
Appropriation for 388, 391
Reductions 22, 396
Transfer of funds 68
Public works, contract authorization, restriction on incurrence of obligations against 22
Navy Nurse Corps. *See* Army-Navy Nurses Act of 1947; Officer Personnel Act of 1947.
Naytahwaush, Independent School District Numbered 29, Mahnomen County, Minn., cooperation in extension, etc., of public-school facilities, appropriation authorized 419
Nebraska:
Aten, appropriation for bank protection, Missouri River 689
North Platte project—
Appropriation for 116, 474
Reduction of certain accrued interest charges payable by Farmers' Irrigation District; operation, etc., of drain diversion works 101
Neutrality Act of 1939: Page
Date of termination of war in interpretation of Act of Jan. 26, 1942, respecting omission, etc., of certain reports by National Munitions Control Board 452
Repeal of provisions of Act of Nov. 17, 1941; effective date 451
Nevada:
Davis Dam project, appropriation for construction 475, 944
Las Vegas, conveyance 176
Owyhee, construction, etc., of school buildings, appropriation authorized 315
Nevada National Forest, Nev., acquisition of lands for, appropriation for 539
Nevius Tract, Arlington County, Va., acquisition by Veterans Administration, restriction on use of funds 606
New England Interstate Water Pollution Control Compact, approval of Congress 682
New Iberia Livestock Experiment Station, Jeanerette, La., nonapplication of cost limitation to construction of buildings 185
New Jersey:
Delaware River Joint Toll Bridge Commission, consent of Congress to compact concerning 752
Hoboken Manufacturers' Railroad Company, disposition of stock, date of termination of state of war, etc., in interpretation of Act of February 26, 1925 451
Hoboken Pier Terminals, right of assumption and control by U. S., date of termination of emergency in interpretation of Act of June 21, 1938 452
Port Newark Army Base, right of assumption and control by U. S., date of termination of war, etc., in interpretation of Act of June 20, 1936 452
New Mexico:
Carlsbad project, appropriation for 473
Gallup-Shiprock Highway, appropriation for maintenance of portion of 468
Gallup-Window Rock, Ariz., appropriation for maintenance of portion of highway 468
Indians, buildings and utilities, construction, etc., appropriation for 467, 468
Irrigation projects, appropriation for 467
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Rio Grande project, appropriation for 116, 473, 474

Page

New Orleans (Algiers), La., Naval Station, lease by Navy Department, date of termination of emergency in interpretation of provision of Act of May 14, 1930 453

New York:
Fort Schuyler Military Reservation, right of assumption and control by U. S., date of termination of emergency in interpretation of Act of Aug. 19, 1937 452
Hoboken Manufacturers' Railroad Company, disposition of stock, date of termination of state of war, etc., in interpretation of Act of February 26, 1925 451
Indians—
Senecas, appropriation for fulfilling treaties with 468
Six Nations, appropriation for fulfilling treaties with 468
Marine school, appropriation for maintenance 604
New England Interstate Water Pollution Control Compact, entry into, etc 684
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
West Point, acquisition of land by Military Establishment, reduction in appropriation 22

New York, N. Y.:
Assay office, appropriation for 223
Harbor obstructions, prevention, appropriation for 688
Marine Band, attendance at parade of American Legion, authorized 632
Pneumatic-tube service, appropriation for 29, 112, 232, 593

Newark, N. J., right of assumption and control of Port Newark Army Base by U. S., date of termination of war, etc., in interpretation of Act of June 20, 1936 452

Newnan, Ga., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304

Newport, R. I., Naval Training Station, funds for 67, 383

Newspapers, wartime suspension of, relief from second-class application fees, repeal of Act of July 9, 1943 450

Newsprint Paper, Standard, exemption from duty; definition; time limitation 716

Nitrates:
Limitation on acquisition for foreign aid program 942

Page

Nitrates—Continued
Temporary use by Government of project works for manufacture of, date of termination of state of war, etc., in interpretation of provisions of Act of June 10, 1920 451

Nitrogenous Fertilizer, limitation on acquisition for foreign aid program 942

Nitrogenous Fertilizer Materials, allocations, extension of time limitation on provisions 322

Nonessential Federal Expenditures, Joint Committee on Reduction of, appropriation for 16

Norfolk Navy Yard, Portsmouth, Va., conveyance of easement by Navy Department to Virginia Electric and Power Company, authorized 14

Norman, Howard A., appropriation for payment to 106

Norristown Borough, Montgomery County, Pa., conveyance 750

North Atlantic Fisheries:
Appropriation for expenses of activities incident to negotiation of international agreement relating to conservation 280
Availability 622

North Dakota:
Garrison Reservoir—
Acquisition of lands in Fort Berthold Indian Reservation; deposit of funds to credit of Three Affiliated Tribes, etc 690
Limitation on use of funds for maintenance and operation 689
Medora, erection of monument in memory of Theodore Roosevelt; appropriations authorized 54
Theodore Roosevelt National Memorial Park, establishment, etc 52

North Platte Project, Nebr.–Wyo.:
Appropriation for 116, 474
Reduction of certain accrued interest charges payable by Farmers' Irrigation District; operation, etc., of drain diversion works 101

Northeastern Penitentiary, U. S., Lewisburg, Pa., construction, reduction in appropriation 21

Northern Cheyenne Indian Reservation, sale of timber on allotments 418

Nursery Stock From Foreign Countries, limitation on entry, authority of Secretary of Agriculture 680

Nurses:
Army and Navy Nurse Corps. *See* Army-Navy Nurses Act of 1947; Officer Personnel Act of 1947.
Training, funds for 72, 270

Nursing Services, grants to States for old-age assistance, disregard of income without prejudice to rights; time limitation ..... Page 202

O

Oaths, Certain State Officials, requirement 643
Obligations, International. *See* International Obligations.
Occupied Areas, funds for government, relief, etc., in 71, 569, 625, 943
Ocean Strip and Queets Corridor, appropriation for 483
Officer Personnel Act of 1947 795
Army—
Chaplains, Chief of, increased rank 912
Chief of staff, pay and allowances 888
General officers—
Assignments 886
Chiefs and assistant chiefs of services, appointment, etc 901
General and lieutenant general, positions carrying rank of 886
Relative rank with flag officers of Navy 908
United Nations, members of Military and Naval Staff Committee, rank, pay, etc 887
Major generals commanding the four armies, repeal of provisions respecting 888
Rank and precedence, amendment of Article of War respecting 913
Regular Army officers—
Additional, procurement of 890
Appointments 883, 884
Assignment in branch 884
Authorized numbers, grades below brigadier general 888
Authorized strength 883
Branches 884
Deferred officers 896
Details 884
Elimination from active list 903
General officers—
Authorized numbers 885
Date of rank 886
Repeal of inconsistent laws, etc 886
Retirement while serving in certain positions 888
Seniority list 886
Physical disability, retirement for 893
Promotion lists 888, 889
Promotions 892, 894, 897, 898, 900
July 1, 1948, appointments in designated grades 910

Officer Personnel Act of 1947—Continued Page
Army—Continued
Regular Army officers—Continued
Retirement 902
Selection boards 892
Seniority and date of rank in permanent grade 889
Service credit to certain officers in Regular Army prior to December 28, 1945 909
U. S. Military Academy, appointment of graduates of 892
Repeal of inconsistent laws 886, 888, 890, 892, 894, 906, 908
Reserve officers, active duty 907
Retired grade, etc., of officers previously retired 913
Retirement laws, amendments to 912
Surgeon General, assistants to, increased rank 912
Temporary grades 906
Temporary officers, appointment 907
U. S. Military Academy, professors—
Rank, pay, etc 912
Retirement 902, 912
Army-Navy Medical Services Corps Act of 1947, amendments 881
Army-Navy Nurses Act of 1947, amendments 882
Marine Corps—
Authorized number of commissioned officers 877
Commandant, pay and allowances 880, 888
Distribution, promotion, retirement, etc.—
Permanent provisions 811
Terminable provisions 863
Limited duty 871, 872
Repeal of inconsistent laws, etc 880, 882
Retired pay, computation of 881
Retirement of officers specially commended for performance of duty in combat 874
Revocation of commission 880
Special commands, etc., designations for; retirement 876
Navy—
Active-duty officers—
Active-duty pay, definition 831
Commodores, retention, etc., of 869
Definitions of terms 829
Distribution 831
Fleet Reserve 836, 839
Line officers, maximum number 836
Lineal list for seniority purposes—
Line officers 833
Staff officers 837
Naval Reserve, applicability to 830
Permanent appointments 852

Officer Personnel Act of 1947—Continued Page
Navy—Continued
Active-duty officers—Continued
Precedence 856
Promotion zones 846, 848
Rear admirals—
Continuation 841, 842, 845, 850, 851
Number restrictions 831
Retirement 861
Upper and lower halves of grade, determination of 867
Redistribution 833
Retired personnel on active duty 835, 839
Retirement 858, 861
Running mates 837, 856, 867
Sea or foreign service requirement 852
Selection boards—
Composition 841
Duties 849
Eligibility for consideration by 842
Information to be furnished relative to—
Line officers 844
Staff officers 847
Oath for members 842
Reports 851
Special provisions 867
Temporary promotions 852
Terminable provisions 829
Terms of service 846
Uniform gratuity 830
Warrant officers, service requirement 867
Additional numbers in grade changed to regular numbers 872
Aeronautical engineering duty, assignment to 870
Authorized number of commissioned officers 877
Chaplain, acting, grade abolished 872
Chaplains, Chief of, designation, grade, etc 880
Chief of Naval Operations, pay and allowances 888
Dental Corps, detail of rear admiral as Chief of Dental Division 880
Engineering duty, assignment to 870
Examinations prior to promotion 873
Flag rank—
Qualifications for 879
Reserve and retired officers serving in, limitation 881
Hospital Corps, continuation of temporary appointments 879
Limited duty, assignment to 870
Line officers—
Active-duty pay, definition 798
Commissioned service, computation of 798

Officer Personnel Act of 1947—Continued Page
Navy—Continued
Line officers—Continued
Definitions of terms 798
Distribution 798
Effective dates of provisions relating to 815
Ensigns, appointment for special, etc., duty 873
Permanent provisions 798
Precedence 823
Promotion by selection 800
Promotion list 806
Recommendations for 805
Sea or foreign service requirement 807
Promotion zones 804
Rear admirals—
Number restrictions 799
Retention 800, 801, 803, 805
Retirement 810
Upper and lower halves of grade; rank, pay, etc 813, 815
Retirement 808, 810
Running mates 823
Selection boards—
Composition 800
Duties 805
Eligibility for consideration by 801
Information to be furnished to 802
Oath for members 801
Reports 806
Terms of service 804
Medical Corps, appointment of lieutenants (jg) for temporary service in 879
Medical Service Corps, amendment of provisions respecting 881
Miscellaneous provisions 869
Naval Reserve, temporary appointments, continuation of 878
Nurse Corps—
Amendment of provisions respecting strength, temporary duty, etc 882
Applicability of staff officer provisions to 816
Repeal of inconsistent laws, etc 880, 882
Retired pay, computation of 881
Retirement—
Age limit 877
Officers specially commended for performance of duty in combat 874
Revocation of commission 880
Service in grade, computation of 878
Special commands and missions, designations for 875
Retirements 876
Special duty, assignment to 869

Officer Personnel Act of 1947—Continued Page
Navy—Continued
Staff officers—
Active-duty pay, definition 816
Commissioned service, computation of 816
Definitions of terms 816
Distribution 816
Effective dates of provisions relating to 829
Ensigns, appointment of 873
Establishment of grades 872
Lieutenants (jg), promotion to grade of 873
Permanent provisions 815
Precedence 823
Promotion by selection 817
Promotion list 822
Recommendations for 821
Rear admirals—
Number restrictions 816
Retirement 827, 828
Retirement 825, 827
Running mates 823
Selection boards—
Composition 817, 829
Duties 821
Eligibility for consideration by 818
Information to be furnished to 819
Oath for members 818
Reports 822
United Nations, members of Military and Naval Staff Committee, rank, pay, etc 887
Officers' Reserve Corps, Army. *See under* Army.
Official Gazette, Patent Office, appropriation for printing and binding 299
Ogden, Utah, clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Ogden River Project, Utah, appropriation for construction 474
Ohio:
Chillicothe, U. S. Industrial Reformatory, construction, reduction in appropriation 21
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Toledo, exemption of certain plants from disposal limitations 26
Ohio River, allocation of funds for watershed 540
Oil and Gas. *See also* Petroleum and Petroleum Products.
Interstate compact for conservation of, consent of Congress granted to extension and renewal 316

Oil and Gas—Continued Page
Investigations and dissemination of information, appropriation for 481
Mining of, on lands acquired by United States 913
Naval petroleum reserves—
Mineral Leasing Act, amendment, money received from sales, etc., of public lands under, disposition 119
Operation, conservation, etc., appropriation for 383
Oklahoma, appropriation for payment of royalties, south half of Red River 464
Osage Indians, Okla., determination of bonus value of tracts offered for lease for oil, gas, etc 459
Production and utilization, cooperation with petroleum industry and State authorities, appropriation for 460
Public lands, royalty rate, repeal of Act of December 24, 1942 450
Oil and Gas Division. *See under* Interior, Department of the.
Oil Shale:
Mining of, on lands acquired by United States 913
Synthetic liquid fuels, production of 480
Oils, Etc.:
Allocations, extension of time limitation on provisions 322
Statistics, collection and publication by Bureau of the Census 457
Okimosh, John, Estate of, payment to Menominee Indian Mills to credit of account of 455
Oklahoma:
Fort Gibson flood-control project, cooperation with city of Muskogee in protection of domestic water supply 689
Indians—
Anadarko, arts and crafts building, appropriation for 465
Buildings and utilities, appropriation for construction, etc 468
Choctaw-Chickasaw Nations, coal or asphalt deposits, leases, etc.; sale 686
Choctaws, appropriation for fulfilling treaties with 468
Five Civilized Tribes. *See separate title.*
Osage Agency, appropriation for support 116, 469
Osage Indians—
Determination of bonus value of tracts offered for lease for oil, gas, etc 459
Loans to veterans of World War II under provisions of Servicemen's Readjustment Act of 1944 747

Oklahoma—Continued Page
Indians—Continued
Pawnees, appropriation for fulfilling treaties with 468
Support, etc., appropriation for 469
Lugert-Altus irrigation project, change of name to W. C. Austin project 99
McAlester, conveyance 210
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Oil and gas royalties, south half of Red River, appropriation for 464
Pittsburg County, conveyance 210
Southern Great Plains Field Station, appropriation for repair of tornado damage 534
W. C. Austin project, name of Lugert-Altus irrigation project changed to 99
Woodward, appropriation for repair of tornado damage at 533, 534
Oklahoma Welfare Act, Amendment, purchase of certain Indian lands, waiver of preference right of Secretary of Interior 734
Old-Age and Survivors Insurance, Bureau of. *See under* Social Security Administration.
Old-Age Assistance. *See* Social Security Act; Social Security Administration.
Olympic Games, participation of Army and Navy personnel authorized; expenses 243
Olympic National Park:
Acquisition of lands, appropriation for 485
Adjacent land, appropriation for protection of 483
Ordnance, Bureau of. *See under* Navy Department.
Ordnance Department. *See under* War Department.
Oregon:
Celilo Falls, purchase of land by Bureau of Indian Affairs, Department of the Interior 466
Coos Bay Wagon Road grant lands, appropriation for 110, 115, 464
Deschutes project, appropriation for 474, 944
Indians, support, etc., appropriation for 469
Irrigation projects, appropriation for 467
Klamath project, appropriation for 116, 474
Oregon and California railroad grant lands—
Addition of certain to Silver Creek recreational demonstration project 519
Appropriation for 110, 115, 464

Oregon—Continued Page
Owyhee project, appropriation for 116, 474
Pacific Marine Fisheries Compact, approval of Congress 419
Silver Creek recreational demonstration project—
Addition of certain lands 519
Exchange of lands for consolidating holdings, etc., provisions respecting 129, 130
Vale project, appropriation for reimbursement to 66
Organic Act of 1944, Department of Agriculture, appropriation to effect provisions of 534, 536
Organic Act of Puerto Rico, Amendments. *See under* Puerto Rico.
Organized Reserves:
Appropriation for 551, 565
Rescission 573
Transfer of funds from 71
Medical Reserve Corps, care of Veterans' Administration beneficiaries, pay, etc 566
Pensioners, etc., restriction on pay, expenses, etc 565
Restriction on use of funds 565
Rifle matches, national—
Care, etc., of ranges, details for; payment 568
Participation as volunteer competitors or range officers, travel and subsistence allowances 568
Surplus property of Selective Service System, transfer authorized 31
Osage Agency, Okla., support, etc., appropriation for 116, 469
Osage Indians, Okla.:
Determination of bonus value of tracts offered for lease for oil, gas, etc 459
Loans to veterans of World War II under provisions of Servicemen's Readjustment Act of 1944 747
Oshkosh, Mrs. Lillian, Estate of, payment to Menominee Indian Mills to credit of account of 455
Oshkosh, Roy, payment to Menominee Indian Mills to credit of account of 455
Osteopaths, eligibility for appointment as reserve officers, repeal of provision of Act of July 1, 1944 449
Otter Creek Recreational Demonstration Area, Ky., addition of surplus Federal lands 174
Owyhee, Nev., school buildings, construction, etc., appropriation authorized 315
Owyhee Project, Oreg., appropriation for 116, 474

P

Page

Pacific Islands, Territory of, trusteeship agreement, approval by President on behalf of United States, authorized 397
Pacific Marine Fisheries Compact, approval of Congress 419
Pacific Salmon Fisheries Commission, International:
Appropriation for 286
Sockeye Salmon Fishery Act of 1947 511
Packers and Stockyards Act, funds to effect provisions of 74, 544
Palisades Project, Idaho, appropriation for construction 473
Pan-American Highway, Convention on the, appropriation for fulfilling U. S. obligations 596
Pan American Institute of Geography and History, appropriation for contribution 283
Pan American Sanitary Bureau, appropriation for contribution 283
Pan American Union, appropriation for contribution; allocation for printing and binding 283
Panama:
Citizens of, employment on Canal Zone, restrictions, etc 393, 570, 693
Government of, appropriation for contribution 283
Land, acquisition by Army, reduction in appropriation 22
Panama, Republic of Panama, appropriation for waterworks, sewers, and pavements 692
Panama Canal. *See also* Canal Zone.
Civil government, appropriation for 118, 692
Construction, additional facilities, appropriation for 692
Construction annuity fund, appropriation for 60, 590
Judgments, appropriation for payment 626
Maintenance, operation, etc., appropriation for 691
Sanitation, funds for 76, 114, 692
Seacoast defenses, reduction in appropriation 23
Specialists, technicians, etc., employment authorized 694
Surplus property, transfer by War Department and Navy Department authorized 243, 694
Panama Railroad Company:
Administrative expenses, increase in amount for 61
Civil Service Retirement Act, inclusion of certain officers and employees within 415
Panama Railroad Company—Continued Page
Expenditures, contracts, etc., authorization; appropriation for 576
Pay costs, increased, appropriation for 28
Pension fund, transfer to civil service retirement and disability fund 415
Annuity, payment of 416
Individual accounts, establishment 416
Paonia Federal Reclamation Project, Colo., construction, etc., funds available; appropriation authorized 181
Parker Dam Power Project, Ariz.–Calif., appropriation for 116, 474
Parks. *See* National Park Service *under* Interior, Department of the; National Capital Parks; National Parks.
Pasadena, Calif., transfer of certain real property to Bureau of Agricultural and Industrial Chemistry, Department of Agriculture 536
Passport Agencies, appropriation for 117, 279
Patent Office. *See under* Commerce, Department of.
Patents:
Extension of certain rights to nationals of former enemy countries 794
Priority rights, and payment of fees, time extension; reciprocity provision 413
Pawnee Indians, Okla., treaties with, appropriation for fulfilling 468
Paxon Field, Duval County, Fla., sale by Federal Works Administrator, authorized 723
Pay Costs, Increased, Government Officers and Employees:
Appropriation for 26, 71
Waiver of certain restrictions on use of funds 31, 76, 118
Pay Readjustment Act of 1942, Amendments:
Cadets and midshipmen, pay increases 134
Clothing for enlisted men; clothing allowance 242
Enlistment and reenlistment allowances 192
Marriage, purported, validity of allowances based on 92
Nurses, female, repeal of provision for base pay increases 52
Pay and allowances of certain high-ranking officers 888
Physicians, surgeons, and dentists of Army, Navy, and Public Health Service, pay 776
Pea Patch Island, Del., conveyance of portion to State of Delaware, authorized 742
Peace Treaties, effectuation of patent provisions 794

Page

Peach Mosaic Control, appropriation for 535
Peanuts:
Acreage allotment, date of termination of state of war, etc., in interpretation of Act of February 28, 1945 451
Marketing quotas—
Amendments of Agricultural Adjustment Act of 1938 respecting 721
Funds available 542
Monthly statistics, collection, publication, etc 457
Pearl Harbor Naval Shipyard, Hawaii, conveyance by Navy Department in vicinity of, authorized 401
Pecans, orders regulating handling, terms and conditions 707
Pecore, John R., payment to Menominee Indian Mills to credit of account of 455
Penal and Correctional Institutions, appropriation for 117, 292
Penal and Penitentiary Commission, International, appropriation for contribution 283
Penal Bonds. *See* Bonds, Official and Penal.
Penalty Mail Costs:
Appropriation for—
Agriculture, Department of 524
Transfer of funds to appropriation for 245, 618
Architect of the Capitol 369
Atomic Energy Commission 589
Budget, Bureau of the 586
Civil Aeronautics Board 110, 297
Civil Service Commission 589, 696
Commerce, Department of 295
Transfer of funds for 618, 619, 620
Courts—
Claims, Court of 303
Customs and Patent Appeals, Court of 303
Customs Court, U. S 303
District of Columbia 435
Supreme Court, U. S 302
Tax Court of U. S 603
United States Courts 305
Defense Transportation, Office of 612
Economic Advisers, Council of 586
Federal Communications Commission 591
Federal Intermediate Credit Banks 580
Federal Power Commission 591
Federal Security Agency 275
Federal Trade Commission 592
Federal Works Agency 592
General Accounting Office 598
Government Printing Office 377
Government Reports, Office of 588
Housing Expediter, Office of Rent Control 616

Penalty Mail Costs—Continued Page
Appropriation for—Continued
Inland Waterways Corporation 581
Inter-American Affairs, Institute of 582
Inter-American Educational Foundation, Inc 582
Interior, Department of the 462
Interstate Commerce Commission 108, 599
Justice, Department of 289, 294
Transfer of funds 117
Labor, Department of 261, 621, 700
Library of Congress 374, 612
Maritime Commission 603
National Advisory Committee for Aeronautics 599
National Archives 600
National Capital Housing Authority 600
National Capital Parks 446
National Gallery of Art 602
National Housing Agency 579
National Labor Relations Board 276
Transfer of funds 114
National Mediation Board 277
Panama Canal 691
Philippine Alien Property Administration 59, 586
Philippine War Damage Commission 601
Railroad Retirement Board 62, 278
Reconstruction Finance Corporation 515
Regional Agricultural Credit Corporation of Washington, D. C 580
Scientific Research and Development, Office of 612, 613
Securities and Exchange Commission 108, 601
Selective Service Records, Office of 108, 617
Smithsonian Institution 602
State, Department of 279
Philippine rehabilitation 287
Transfer of funds 117
Tariff Commission 602
Tennessee Valley Authority 574
Treasury Department 187, 216
Veterans' Administration 605
White House Office 585
Pennsylvania:
Blair County, transfer from middle judicial district to western judicial district 310
Delaware River Joint Toll Bridge Commission, consent of Congress to compact concerning 752
Dyberry and Prompton Reservoirs, Lackawaxen River Basin, funds for preparation of plans 689
Lewisburg, U. S. Northeastern Penitentiary, reduction in appropriation 21
Marine school, appropriation for maintenance 604

Pennsylvania—Continued Page
Norristown Borough, Montgomery County, conveyance 750
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Philadelphia, Naval Home, funds for 68, 385
Reading, two-hundredth anniversary of founding; establishment of United States-Reading Bicentennial Commission 768, 769
Schuylkill Haven, appropriation for construction and equipment of Anthracite Research Laboratory 480
Pennsylvania Power & Light Company, construction of dam in Susquehanna River; conditions 675
Pensions. *See* Civil Service Retirement Act; Veterans Administration.
Perfumes, Imported, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Periodicals, Wartime Suspension, relief from second-class application fees, repeal of Act of July 9, 1943 450
Perishable Agricultural Commodities Act, funds to effect provisions of 74, 544
Permanent Appropriation Repeal Act, repeal of superseded provision regarding payment of certain checks 309
Permanent Court of Arbitration, International Bureau of, appropriation for contribution 283
Permanent International Commission of Congresses of Navigation, appropriation for 689
Perote, Nahpone, payment to Menominee Indian Mills to credit of account of 455
Pershing, General of the Armies John J., appropriation for medal for 113
Personal Holding Companies, distributions by; interest restriction on certain overpayments 179
Personnel Act of 1947. *See* Officer Personnel Act of 1947.
Peters, Walter J., Sr., payment to Menominee Indian Mills to credit of account of 455
Petersburg, Alaska, conveyance for school purposes 632
Petroleum Administration for War, appropriation for liquidation 461
Petroleum and Petroleum Products. *See also* Oil and Gas.
Allocations, provisions relating to 322, 323
Foreign aid—
Acquisition for, limitation 942
Procurement from sources outside U. S., etc 935

Petroleum and Petroleum Products— Page
Continued
Pipe lines—
Interstate, construction, etc., date of termination of emergency in interpretation of Act of July 30, 1941 454
Relief of operators from liability, etc., under Interstate Commerce Act, authority of President, repeal of provision of Act of July 30, 1941 450
Philadelphia, Pa., Mint, appropriation for 223
Philadelphia National Shrines Park Commission:
Appropriation for 66
Report to Congress, time extension for submittal 8
Philippine Alien Property Administration:
Administrative expenses, payment authorized; funds available 59
Appropriation for 586
Reimbursement to Office of Alien Property, Department of Justice, amount withheld for 60
Report to Congress 587
Philippine Insurrection Veterans:
Claims, payment of 79, 627
Pension rates, increase in 610
Philippine Property Act of 1946, appropriation for functions of Philippine Alien Property Administration under 586
Philippine Rehabilitation Act of 1946, appropriation for expenses of Philippine War Damage Commission under; restriction on certain payments 601
Philippine War Damage Commission, appropriation for; restriction on certain payments 601
Philippines:
Alien Property Custodian, functions respecting certain property or interests, transfer to President of U. S. 951
Buildings for U. S. representatives, reduction in appropriation 22
Citizenship requirements, U. S. employees, nonapplicability of designated provisions 608
Damages by American armed forces, date of termination of war in interpretation of Act of July 31, 1945 454
Missing Persons Act, extension of benefits to certain members of organized military forces 455
Naval Reserve, U. S., membership of certain citizens, amendment of Naval Reserve Act of 1938 90
Philippine Alien Property Administration. *See separate title.*

Philippines—Continued Page
Rehabilitation—
Appropriation for 287
Charts, reports, and publications, appropriation for compilation, etc. 287
Diplomatic and consular establishments, U. S., construction, restriction on use of articles not of U. S. manufacture, suspension 288
Health-service program, appropriation for 287
Penalty mail costs, appropriation for 287
Restrictions 287, 288
Trainees, purchase of insurance for, etc 287
Transfers of funds; prior approval by President 288
Sugar, quota provisions under Sugar Act of 1948 924, 925, 926, 928, 929
Veterans Administration, continuance and establishment of offices after independence, authorized; time limitation 132
Phony Peach and Peach Mosaic Control, appropriation for 535
Phosphate, mining of, on lands acquired by United States 913
Phosphate Rock, income-tax percentage depletion 919, 920
Pierre, S. Dak.:
Clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Transfer of Farm Island to State of South Dakota, consent of Congress 740
Pima Indians, Ariz.:
Cropping operations, etc., funds available 471
San Carlos Irrigation and Drainage District, Ariz. *See separate title.*
Pine Point, District Numbered 133, Becker County, Minn., cooperation in extension, etc., of public-school facilities, appropriation authorized 419
Pink Bollworm Control, appropriation for 535
Pipe Lines, Petroleum:
Interstate, construction, etc., date of termination of emergency in interpretation of Act of July 30, 1941 454
Relief of operators from liability, etc., under Interstate Commerce Act, authority of President, repeal of provision of Act of July 30, 1941 450
Pittsburg County, Okla., conveyance 210
Pittsburgh, Pa., funds for buildings and grounds, Bureau of Mines, Department of the Interior 116, 482
Plant Disease Control, funds for 73, 535, 536
Plant Industry, Soils, and Agricultural Engineering, Bureau of. *See under* Agriculture, Department of.
Plant Quarantine Act:
Amendment, limitation on entry of nursery stock from foreign countries, authority of Secretary of Agriculture 680
Appropriation to effect provisions of 534, 535
Plantations, Etc., Outside Continental U. S., land under Army or Navy jurisdiction, management and operation 234
Platte Basin, appropriation for Narrows Dam 699
Pocatello, Idaho, appropriation for game-management supply depot and laboratory 487
Poisons, Economic, Etc., Regulation of Marketing. *See* Federal Insecticide, Fungicide, and Rodenticide Act.
Poland, Aid to. *See* Relief Assistance to Countries Devastated by War.
Political Activities, Pernicious:
Appropriation for prevention of 589
Nonapplication of designated restrictions to certain part-time Government employees, amendment of Second War Powers Act, termination date of provisions 34, 214, 322
Restriction on payment of persons violating or attempting to violate certain provisions of law, Department of Agriculture 543
Political Defense, Emergency Advisory Committee for, appropriation for contribution 282
Pool Tables, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Port Angeles, Wash., conveyance to Public Hospital District Numbered 2, Clallam County 211
Port Deposit, Md., Naval Training Station, transfer of funds to appropriation for 68
Port Newark Army Base, N. J., right of assumption and control by U. S., date of termination of war, etc., in interpretation of Act of June 20, 1936 452
Port of New York Authority, acquisition of stock of Hoboken Manufacturers' Railroad Company, date of termination of state of war, etc., in interpretation of Act of February 26, 1925 451
Portal-to-Portal Act of 1947 84
Administrative rulings, etc., reliance on, establishment of defense as bar to action or proceeding 88, 89
"Area of production" regulations, applicability 89

Portal-to-Portal Act of 1947—Continued Page
Claims—
Existing—
Compensable time, determination of 85
Compromise of certain 86
Court jurisdiction 86
Relief from certain; exceptions 85
Future—
Compensable activity 87
Relief from certain 86
Restriction 87
Definitions 90
Findings and policy 84
Liquidated damages, authority of court 89
Representative actions banned 87
Separability of provisions 90
Statute of limitations 87
Determination of commencement of future actions 88
Pending collective and representative actions, applicability to 88
Porto Rico. *See* Puerto Rico.
Post Office Department. *See also* Postal Service.
Accounts, Bureau of—
Appropriation for 29, 228
Transfer of funds from 111, 112
Adjusted losses and contingencies, appropriation for 111, 229, 701
Apportionment of appropriations—
Quarterly basis; transfers of funds 701
Waiver or modification, authority of Director of Bureau of Budget 702
Appropriation Act, 1948 228
Audited claims payable from postal revenues 79
Budget and Administrative Planning, Office of, funds for 28, 111, 228
Buildings. *See* Public buildings, *this title.*
Chemical, etc., investigations, appropriation for 229
Chief Inspector, Office of—
Appropriation for 29, 112, 228, 229
Transfer of funds from 112
Rewards, payment of, availability of appropriation for years prior to 1947 113
Claims of postmasters and Navy, Coast Guard, and Army mail clerks, adjustment, date of termination of war in interpretation of provisions of Act of Dec. 7, 1945 453
Clerks, appropriation for increased pay costs 29
Contingent expenses, appropriation for 228, 701

Post Office Department—Continued Page
Copyrights—
Copies of works for, transmission by mail without cost in certain cases 657
Prescription of regulations for prevention of importation of prohibited articles 664
Damage claims, appropriation for 111, 229
Deficiency in postal revenues, funds available for 233
Details of postal employees to post offices, etc., serving military and naval personnel, repeal of Act of July 9, 1943; effective date 451
Estimates, examination of 228
Field service appropriations, restriction on use for Department 228
First Assistant Postmaster General, Office of, funds for 29, 69, 111, 112, 228, 229, 701
Fourth Assistant Postmaster General, Office of—
Appropriation for 29, 69, 112, 228, 231, 702
Personal services in District of Columbia, increase in limitation on amount for 69
Transfer of funds from appropriation for 112
Franking privilege—
Exemption of War and Navy Departments from certain requirements, etc., repeal of provision of Act of June 28, 1944 450
Reports by heads of executive departments and agencies, repeal of provision of Act of September 9, 1940 450
Selective Service System, reports, repeal of provisions of First Deficiency Appropriation Act of 1942 450
Furniture, use of present 233
Geographic Names, Board on, representation on, etc 456
Gold Star Mothers, issuance of special series of commemorative stamps in honor of, authorized 518
Health program, appropriation for 228, 232
Maps, post-route and rural-delivery, sale to public authorized 231
Overthrow of U. S. Government, restriction on employment of persons advocating 233
Post-office branches and stations, restrictions on establishment; repeal of Act of June 28, 1944; effective date 451

Post Office Department—Continued Page
Postage rates—
First-class mail matter; effective date 213, 214
Fourth-class mail matter and certain fees, increases, continuance in effect 214
Postmaster General—
Office of, appropriation for 28, 111, 228, 229, 701
Presidential succession 380
Postmasters at post offices of fourth class, compensation to persons performing duties during leave of postmasters 400
Printing and binding, appropriation for 228, 701
Public buildings—
Maintenance and operation, appropriation for 29, 112, 232, 702
Personal services, limitation 232
Telephone service, contracts for 232, 233
Purchasing Agent, Office of, appropriation for 29, 228
Rewards, appropriation for payment of; limitation 229
Salaries in bureaus and offices, appropriation for 29, 111, 228
Second Assistant Postmaster General, Office of—
Appropriation available for expenses of certain delegates 69
Appropriation for 29, 69, 112, 186, 228, 230, 700, 701
Transfer of funds 112, 187, 700
Second-class mailing privileges—
Bulletins issued by State conservation and fish and game agencies, extension to 747
Newspapers and periodicals, certain, which suspended publication during war, relief from payment of application fee on resumption of publication, repeal of Act of July 9, 1943 450
Second Liberty Bond Act, advances to Postmaster General under 219
Solicitor, Office of, appropriation for 29, 69, 228
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 233
Third Assistant Postmaster General, Office of—
Appropriation for 29, 69, 112, 228, 231, 702
Transfer of funds from 112
Travel expenses, appropriations available for 228, 229
Twelfth Congress of the Universal Postal Union, appropriation available for expenses of delegates to 69

Post Office Department—Continued Page
Vehicles—
Administrative work, restriction on use of funds for maintenance, etc., in connection with 232
Appropriation for 29, 112, 232, 702
Transfer of funds 112
Housing, lease of quarters for 232
Tractors and trailer trucks, purchase, etc 232
Violation of postal laws, expenditures for information concerning 229
Post Roads Act of 1866, repeal 327
Postage Rates:
First class mail matter 213
Effective date 214
Fourth class mail matter and certain fees, increases, continuance in effect 214
Postal Service. *See also* Post Office Department.
Bonds, corporate surety, officers and employees, payment of annual premium as compliance with requirement for renewal 647
Details of postal employees to post offices, etc., serving military and naval personnel, repeal of Act of July 9, 1943; effective date 451
Overtime, payment for; compensatory time for supervisory employees; applicability 522
Per diem payments to certain employees, retroactive issuance of per diem orders; credit in accounts of postmasters, etc 685
Printing and binding, appropriation for 228, 701
Rural carriers, absence on Saturdays without charge to leave, etc 57
Substitute employees—
Promotion, provisions relating to 40
Service credit upon appointment to regular position, computation 40
Postal Union, Universal, Twelfth Congress of the, appropriation made available for expenses of delegates designated by Post Office Department 69
Postmaster General. *See* Post Office Department.
Potash Mines and Deposits, income-tax percentage depletion 919, 920
Potassium, mining of, on lands acquired by United States 913
Poultry:
Diseases of, funds available for eradication 532
Feeding and breeding, appropriation for investigations, etc 531
Power Commission, Federal. *See* Federal Power Commission.

Powers of Appointment in Disposition of Estates, time extension in connection with release of 178
Predatory Animals, appropriation for control of 487
Prencinradio, Inc., availability of funds; liquidation; payment of cost 583
President of United States:
Agricultural marketing orders, function of President respecting approval of determinations of Secretary of Agriculture, abolition 951
Alien Property Custodian, transfer of functions from 951
Allocations, certain, authority respecting termination under Second War Powers Act 34, 214, 323, 946
Amnesty Board, President's, allocation of funds for 585
Appointments—
Air Force—
Assistant Secretaries of the 502
Chief of Staff 503
Secretary of the 502
Under Secretary of the 502
Arkansas River compact, retired Army officer as U. S. representative 478
Army—
Chiefs and assistant chiefs of services 901, 902
General and lieutenant general, officers in certain positions carrying rank of 887
Medical and dental officers 777
Nurse Corps, commissioned officers 42
Regular Army officers 883, 890
Temporary appointees in Army of U. S., repeal of Act of Sept. 22, 1941; effective date 451
Temporary officers in time of emergency 907, 908
Women's Medical Specialist Corps, commissioned officers 42
Central Intelligence Agency, Director 497
Chiefs of mission to countries receiving assistance under Act respecting Greek-Turkish aid 105
Coast Guard—
Chief warrant officers, permanent 411
Commissioned officers, permanent 410
Commerce, Department of, additional Assistant Secretary 326
Commission on Organization of the Executive Branch of the Government, four members 247
Coordinator of Federal Agencies in Puerto Rico 772
Defense, Secretary of 500
Federal Housing Commissioner 954

President of United States—Continued
Appointments—Continued
Federal Mediation and Conciliation Service, Director 153
Home Loan Bank Board 954
Housing and Home Finance Administrator 955
International Refugee Organization, representatives, etc., to sessions of general council 215
Marine Corps—
Quartermaster General 236
Special commands, etc., designation of officers for; retirement 876
Marine Corps Memorial Commission 724
Midshipmen at Naval Academy 100
Munitions Board, Chairman 505
National Capital Sesqui-Centennial Commission, certain members 396
National Labor-Management Panel 154
National Labor Relations Board 139
General Counsel 139
National Security Council, chairman 497
National Security Resources Board, chairman 499
Navy—
Chaplains 873
Ensigns, certain line and staff officers 873
Limited duty, assignments to 870, 871
Line officers 834, 835
Medical and dental officers 777
Medical Service Corps officers 737
Nurse Corps, commissioned officers 47
Special commands, etc., designation of officers for 875
Retirement 876
Public Housing Commissioner 955
Reconstruction Finance Corporation, Board of Directors 202
Red Cross, American National, Board of Governors 82
Relief assistance, field administrator for supervision of 127
Research and Development Board, Chairman 506
Selective Service Records, Office of, Director 31
Strikes imperiling national health or safety, Board of Inquiry 155
United States-Reading Bicentennial Commission, one member 769
War Assets Administrator, Associate 952
Army officers—
Designation of positions carrying rank of general and lieutenant general 886
Emergency suspension of retirement, etc., laws 906
Promotion list, removal from 893
Reserve, orders to active duty; relief from active duty 907

President of United States—Continued Page
Army officers—Continued
Retirement grade, etc., discretion regarding 888
Temporary grades, adjustment of dates of rank 907
United States Military Academy professors, placement on retired list 912
Budget programs, Government corporations, amendment of provisions respecting 584
Citizenship requirements, etc., for certain employees, authority to suspend 393, 570, 693
Communications, war powers respecting, date of termination of emergency in interpretation of provisions of Act of June 19, 1934 454
Copyrights, existence of reciprocal conditions, determination of, etc 655
Emergency fund—
Appropriation for; restriction 585
Reduction in appropriation 18, 22
Emergency powers, certain, extension; time limitations 34, 214, 322, 946
Executive Office—
Appropriation for 16, 28, 59, 77, 107, 114, 585
Reduction 17
Economic Advisers, Council of, appropriation for 586
Executive Mansion and grounds, appropriation for 28, 586
Judgment, appropriation for payment 77
Offices, etc., under. *See individual titles.*
President, compensation of, appropriation for 585
White House Office—
Appropriation for 585
Detail of Government employees to 585
Export control of certain commodities, administration, time extension 214, 323, 946
Administrative Procedure Act, exclusion of functions from operation of; exceptions 323
Appropriation authorized 214
Appropriation for 66, 619
Commerce, Secretary of, administration by 323
Report to President and Congress 324
Foreign Aid Act of 1947, nonapplicability to authority 939
Price criteria in licensing of exports 946

President of United States—Continued Page
Foreign Aid Act of 1947. *See separate title.*
Greek-Turkish aid. *See separate title.*
Hawaii, issuance of public-improvement bonds, approval 326
Italian property, return of, authority 784
National Capital Sesqui-Centennial Commission, ex officio chairmanship 396
National Guard, authority to draft into Federal service, date of termination of war in interpretation of provision of Act of June 3, 1916 452
National Security Council, membership, etc 496
Naval Reserve, authority to fill vacancies 855
Naval vessels, conversion authorization; nonlimitation on expenditures 718
Navy—
Authority to fill vacancies 854
Promotion lists, removal of officer's name from—
Active-duty list 853
Line officer list 807
Staff Corps list 823
Temporary appointments—
Affirmation of 839, 868, 869
Termination of 867
Petroleum pipe lines, relief of liability, etc., of operators, repeal of provision of Act of July 30, 1941 450
Philippines—
Property, etc., in, transfer of functions from Alien Property Custodian 951
Rehabilitation, prior approval respecting certain transfers of funds 288
Protection of, appropriation for 222, 291
Puerto Rico, authority respecting exemption of Federal agencies from making certain reports; applicability of Federal laws, etc 772
Relief assistance to countries devastated by war. *See separate title.*
Reports to, by/on—
Board of inquiry, strikes imperiling national health or safety 155, 156
Commerce, Department of, Second War Powers Act and provisions relating to export control of certain commodities, administration, recommendations, etc 324
Marine Corps selection boards 815, 867
National Labor Relations Board, activities, employees, disbursements, etc 139
National Security Council 497

President of United States—Continued Page
Reports to, by/on—Continued
Navy—
Rear admirals recommended for retirement—
Line officers 811
Staff officers 828
Selection boards—
Active-duty officers 852
Retirement 863
Line officers 806
Staff officers 822
Puerto Rico, Coordinator of Federal Agencies in, administration of Federal civilian functions and activities in Puerto Rico 772
Reports to Congress—
Critical shortages, recommendations 947
Foreign Aid Act of 1947, operations under 939
Greek-Turkish aid 105
Relief assistance to countries devastated by war 128
Strikes affecting national interest, proceedings, etc 156
Rubber and rubber products, allocation, specification, and inventory controls, continuation, authorized 25
Sockeye Salmon Fishery Act of 1947, designation of enforcement agency 513
Stabilization of economy, etc., voluntary agreements. *See* Commodity Prices, Stabilization.
Succession, provisions respecting 380, 509
Sugar, export control, transfer of functions, etc., to Secretary of Agriculture 36
Sugar Act of 1948, emergency suspension of quotas 928, 933
Terms of office, proposed amendment to the Constitution of the United States relating to 959
Trusteeship agreement for Territory of Pacific Islands, approval authorized 397
United Nations headquarters, establishment, authorization for effectuation of agreement 756
Vessels, acquisition through construction or conversion, date of termination of war, etc., in interpretation of designated provisions of law respecting 453
White House Police. *See separate title.*
Presidential Succession, provisions respecting 380, 509
Pribilof Islands, Alaska, appropriation for furnishing food, etc., to natives 486

Price Adjustment Act of 1938, administration, reduction in appropriation 20
Price Administration, Office of:
Appropriation for; liquidation 16, 18, 618
Reduction 18
Price Control Act of 1942, Emergency:
Amendments—
Apparel, enforcement action against manufacturer, application for determination by manufacturer 619
Complaint, application for filing, objections to validity of provisions in certain cases 619
Protest, objections to provisions of certain orders, price schedules, etc., time limit on filing 619
Protest, dismissal of; defense against complaint, etc., right of United States 619
Rent control under, termination of 197
Sugar—
Continuance in effect of certain provisions with respect to 35
Restrictions and limitations on applicability of certain provisions 35
Transfer of functions, etc., of President and Price Administrator to Secretary of Agriculture 36
Price Decontrol Board, salaries and expenses, reduction in appropriation 18
Printing, Joint Committee on:
Appropriation for 26, 363
Codes, U. S. and D. C., printing, binding, and distribution of 639
Enrolled bills or resolutions, authority respecting printing of 635
Printing and Binding:
Appropriation for—
Agriculture, Department of 526
Transfer of funds for 537
Alaska Railroad 490
Architect of the Capitol 375
Budget, Bureau of the 59, 586
Civil Aeronautics Board 297
Civil Service Commission 589, 696
Commerce, Department of 294, 295, 297, 299, 618, 619, 698, 699
Customs and Patent Appeals, Court of 184
Defense Transportation, Office of 612
District of Columbia 448
Federal Communications Commission 591
Federal Power Commission 591
Federal Register 183, 375
Federal Security Agency 108, 275
Federal Trade Commission 592
Federal Works Agency 592

Printing and Binding—Continued Page
Appropriation for—Continued
General Accounting Office 598
Government Printing Office 375
Interior, Department of the 461, 478, 483, 486
Interstate Commerce Commission 599
Justice, Department of 186, 289
Labor, Department of 261, 621, 700
Library of Congress 373
National Advisory Committee for Aeronautics 599
National Archives 600
National Gallery of Art 602
National Labor Relations Board 276
National Mediation Board 277
National Railroad Adjustment Board 61, 277
National War Labor Board 67
Navy Department 392
Pan American Union 283
Post Office Department 228, 701
Postal Service 228, 701
Railroad Retirement Board 62, 278
Securities and Exchange Commission 108, 601
Selective Service Records, Office of 108, 617
Smithsonian Institution 602
State, Department of—
American Republics, cooperation with 286
Department Service 280
Foreign Service 282
Supreme Court, U. S. 106, 302, 305
Tariff Commission 603
Tax Court of United States 603
Treasury Department 113, 187, 217, 218, 219, 220, 221, 222, 223, 225
United States Courts 184, 305
Veterans' Administration 62, 605
War Department 569
White House Office 585
Reports of Government departments, discontinuance of printing of 377
Printing Office, Government. *See* Government Printing Office
Priorities Powers:
Allocation and inventory control of scarce commodities, voluntary agreements respecting 945
Contracts for war materials, amendment of Second War Powers Act, time limitation 34, 214, 322
Sugar, continuance in effect of provisions with respect to 35
Prison Industries, Inc., Federal, authorization for expenditures, contracts, etc.; appropriation for 582
Prison System, Federal. *See under* Justice, Department of. Page
Prisoners of War:
Free importation privileges, termination date 917
Income from sources within possessions of United States, provisions respecting, for tax purposes 714
Navy Department, appropriation for 382
St. Elizabeths Hospital, admission of persons under jurisdiction of Navy Department for treatment, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
War Department, appropriation for 572
Water conservation and utilization projects, etc., repeal of provision relating to use of services on 450
Prisons, Bureau of. *See under* Justice Department.
Private Forestry Cooperation, appropriation for 539
Private Plants, operation by Navy, funds for expenses 394
Probation Officers, U. S. Courts:
Attorney General, failure to carry out certain orders of 304
Salaries, appropriation for 27, 304
Travel allowance 305
Proclamations, publication, etc., in Statutes at Large 636
Procurement Act of 1947, International Organizations 752
Produce Agency Act, funds to effect provisions of 74, 544
Production and Marketing Administration. *See under* Agriculture, Department of.
Production Control Committees, International, appropriation for 527
Production Credit Corporations, availability of funds, etc 73, 580
Prohibition Act, National, functions under, transfer from Justice Department to Treasury Department 951
Project Works, manufacture of munitions, etc., temporary use by Government, date of termination of state of war, etc., in interpretation of provisions of Act of June 10, 1920 451
Prompton Reservoir, Lackawaxen River Basin, Pa., funds for preparation of plans 689
Property, Real and Personal, acquisition and disposition for war purposes, amendment of Second War Powers Act, time limitation 34, 214, 322
Proposed Amendment to the Constitution of the United States, terms of office of the President 959

Provisional Fur-Seal Agreement of 1942, termination date, repeal of provision of Act of February 26, 1944 — Page 450
Provo River Project, Utah, appropriation for construction — 474
Public Assistance, Bureau of. *See under* Social Security Administration.
Public Buildings Acts, appropriation for carrying out provisions of — 592
Public Buildings Administration. *See under* Federal Works Agency.
Public Debt, Bureau of the. *See under* Treasury Department.
Public Debt Act of 1941, Amendment, obligations, taxation of — 180
Public-Debt Transactions, Second Liberty Bond Act. *See* Liberty Bond Act, Second.
Public Health, International Office of, appropriation for contribution — 283
Public Health Service:
Appropriation for — 267
Cincinnati, Ohio, appropriation for maintenance and operation of water and sanitary investigations station at — 271
Coast Guard, officers on detail to, per diem rates of allowance authorized — 225
Commissioned officers—
Injury or death, claims under Employees' Compensation Act, repeal of provisions of Act of July 1, 1944; effective date — 451
Pay, etc.—
Appointments to grades above senior assistant; limitation — 270
Funds for — 269, 270, 293
Transfer of funds from — 72
Communicable diseases, funds for prevention and suppression of — 72, 107, 268
Health and sanitation activities, emergency, appropriations for, date of termination of war in interpretation of provisions of Act of July 1, 1944 — 454
Health service programs—
Appropriation for — 269
Transfers of funds from Government departments and agencies — 269
Hospitals, appropriation for construction, etc — 268
Hospitals and medical care, transfer of funds for — 72, 107
Income-tax deferments for personnel on sea duty or outside United States, termination date — 918
International Health Relations, Office of, funds for — 72, 107, 271
Liberia, mission to, appropriation for activities in connection with — 271

Public Health Service—Continued — Page
Maritime Commission, transfer of funds from — 604
Medical and dental officers—
Original appointments — 777
Pay — 776
Medical care, appropriation for — 268
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service — 776
Mental health activities, appropriation for — 268, 269
Mines, Bureau of, Department of the Interior, details to — 483
Narcotic hospitals, working capital fund, transfer of balances to Treasury — 269
National Cancer Institute, funds for — 72, 270
National Institute of Health, funds for — 72, 107, 269, 615
Nurses' training—
Student nurses, certain, appropriation for; transfer of funds to St. Elizabeths and Freedmen's Hospitals — 270
Transfer of funds from appropriation for — 72
Osteopaths, eligibility for appointment as reserve officers, repeal of provisions of Act of July 1, 1944 — 449
Overthrow of U. S. Government, restriction on employment of persons advocating — 278
Pay and allowances during periods of absence from duty, date of termination of war in interpretation of Act of March 7, 1942 — 453
Pay Readjustment Act of 1942, Amendments. *See separate title.*
Prison System, Federal, transfer of funds — 293
Psychiatric service for District of Columbia juvenile court, appropriation for payment for — 435
Quarantine powers of Surgeon General in time of war, date of termination of war in interpretation of provision of Act of July 1, 1944 — 452
Quarantine service, funds for — 72, 107, 269
Rental allowances, occupancy of Government facilities under Military Establishment — 572
Research facilities, appropriation for construction — 270
Transfer of funds to Public Buildings Administration — 270
St. Elizabeths Hospital, D. C. *See separate title.*
Salaries and expenses, funds for — 72, 107, 270
State health services, grants and services to, appropriation for; funds available for grants for mental health services — 268

Public Health Service—Continued Page
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
Surgeon General, Office of, funds for 72, 270
Tuberculosis, prevention, treatment, and control, funds for 72, 107, 268
Venereal diseases, funds for control of 72, 107, 268
Veterans Administration, transfer of funds from 605
Vital statistics, transfer of funds to appropriation for 72
Working fund, reduction in appropriation 19
Public Health Service Act, appropriation for effecting provisions of 267
Public Housing Administration, transfer of functions to 955
Public Housing Authority, Federal. *See* Federal Public Housing Authority *under* Housing.
Public Lands. *See also* Land Management, Bureau of, *under* Interior, Department of the.
Acquisition of, appropriation for; limitations 466, 470, 485
Alaska—
Fire fighting, appropriation for 464
Zoning power of Legislature in town sites 414
Bibb County, Ga., and Macon, Ga., conveyance by Navy Department, authorized 399
Central of Georgia Railway Company, conveyance by Navy Department, authorized; payment by grantee 10, 11
Classification as to mineral character, etc., appropriation for 478
Crab Orchard Creek project, transfer of certain lands to Secretary of Interior, administration, use, etc 770
Disposal of certain materials on, authority of Secretary of the Interior 681
Gila project, Ariz., disposal of lands for protection, etc 629
Grazing lands—
Permits, fees, etc 790
Withdrawal for war purposes, etc., date of termination of war in interpretation of Act of July 9, 1942 454
Highways, appropriation for 597
Hill County, Mont., conveyance 173
Illinois and Michigan Canal, relinquishment by U. S. of right, etc., to certain lands comprising right-of-way; conditions 237
Illinois Ordnance Plant, transfer of certain lands to Secretary of Interior, administration, use, etc 770

Public Lands—Continued Page
Long Beach, Calif., conveyance of easement by Navy Department, authorized 399
Los Angeles, Calif., easement for construction, etc., of storm drain, conveyance by Navy Department, authorized 9
Macon, Ga., and Bibb County, Ga., conveyance of easement by Navy Department, authorized 399
Management, protection, and disposal, appropriation for 463, 699
Mineral Leasing Act, amendment, money received from sales, etc., of public lands under, disposition 119
Mineral Leasing Act for Acquired Lands 913
Missouri Basin project, Angostura unit, inclusion of certain lands owned by U. S., authorized 408
Oil and gas. *See separate title.*
Otter Creek Demonstration Area, Ky., addition of surplus Federal lands 174
Payments to States from proceeds of sales, appropriation for 464
Range improvements, appropriation for 115, 464
Sale of isolated, etc., tracts, increase in size 630
Sale or lease in connection with manufacture of arms, etc., repeal of Act of June 5, 1942 450
San Diego, Calif., right-of-way for construction, etc., of water pipe line or lines, conveyance by Navy Department, authorized 39
Surveys, funds for; reimbursement 115, 463
Timber resources, protection and management, appropriation for 115
Tongass National Forest, Alaska, sale of unpatented, etc., lands 921
Tucson, Ariz., lease for aviation field, date of termination of state of war, etc., in interpretation of Act of April 12, 1926 451
Veterans Administration, lands belonging to United States under supervision of, granting of easements and rights-of-way authorized 124
Yuma, Ariz., exchange for aviation field, date of termination of state of war, etc., in interpretation of Act of May 29, 1926 451
Public Printer. *See* Government Printing Office.
Public Roads Administration. *See under* Federal Works Agency.
Public Works Administration. *See under* Federal Works Agency.

Page

Public Works Administration Extension Act of 1937, purchase by Reconstruction Finance Corporation of certain securities, repeal of provisions respecting 208

Puerto Rico:
Agricultural experiment stations, appropriation for 524, 530
Agricultural extension work, appropriation for 527
Airport program, Federal-aid, appropriation for 297
Buchanan, acquisition of land by Military Establishment, reduction in appropriation 22
Federal Experiment Station, transfer of funds to appropriation for 73
Military forces other than National Guard, maintenance, etc., repeal of provisions of National Defense Act of June 3, 1916 449
Organic Act of Puerto Rico, Amendments—
Citizens of U. S., rights, privileges, and immunities 772
Coordinator of Federal Agencies, appointment; duties; reports to President, Congress, etc 772
Governor, provisions relating to election, impeachment, succession, etc 770, 771
Reconstruction Finance Corporation Act, applicability 204
Sugar, regulation of commerce in. *See* Sugar Act of 1948.
Topographic surveys, appropriation for 477
Vocational education, appropriation for 266

Puget Sound Towboat Company, documentation of dredge *Ajax* and certain scows 704

Purnell Act, appropriation to effect provisions of 530

Pyrophyllite, income-tax percentage depletion 919, 920

Q

Quarantine Service, funds for 72, 107, 269

Quartermaster Corps. *See under* War Department.

Quinaielt Tribe of Indians, declaration as proper party plaintiff in designated action; attorneys' compensation 417

Quincy, Fla., appropriation for maintenance and operation of research laboratory 698

Quinidine, allocations, extension of time limitation on provisions, condition 322

Quinine, allocations, extension of time limitation on provisions, condition 322

R

Page

Radio Facilities, Tax on, war tax rates of certain miscellaneous taxes, continuance 12

Radio Office, Inter-American, appropriation for contribution 282

Radio Operators Aboard Vessels, employment restriction in certain cases, repeal of Act of December 17, 1941 450

Radio Operators of Cargo Ships, experience requirement, repeal of Acts of July 8, 1941 and June 22, 1943; effective date 451

Radio Union, International Scientific, appropriation for contribution 283

Railroad Adjustment Board, National, appropriation for 28, 61, 277

Railroad Retirement Account, appropriation for 278

Railroad Retirement Board:
Appropriation Act, 1948 277
Appropriation for 28, 61, 277
Building, reduction in appropriation 19
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
Treasurer of the United States, Office of, transfer of funds to appropriation for 219
Treasury Department, Division of Disbursement, transfer of funds to 218

Railroads. *See also* Carriers.
Locomotive inspection, appropriation for 28, 598
Locomotive Inspection Act, amendment, compensation of director of locomotive inspection, district inspectors, etc.; provision of technical, etc., help by Interstate Commerce Commission 120
Railroad Adjustment Board, National, appropriation for 28, 61, 277
Railroad Retirement Board. *See separate title.*
Railroad Unemployment Insurance Act, applications for refunds, time extension 793
Safety, appropriation for 28, 598
Successor corporations, benefits of certain carry-overs of predecessor corporation for purposes of certain provisions of Internal Revenue Code 324
Refund or credit of certain overpayments 326
Through service, common carriers subject to Interstate Commerce Act, rates, etc 743

Railroads—Continued Page
Transportation equipment and facilities, use, time limitation of authority of President under Second War Powers Act 34, 214, 323, 946
Railway Labor Act:
Labor Management Relations Act, 1947, exemption from provisions 156
National Labor Relations Act, exclusion of persons subject to Railway Labor Act from definition of employer under 137
Railway Mail Service, funds for 29, 112, 230, 231, 701
Range Management Investigations, appropriation for 538
Rapid City, S. Dak., Indian museum, appropriation for support 465
Reading, Pa., two-hundredth anniversary of founding; establishment of United States-Reading Bicentennial Commission 768, 769
Reclamation, Bureau of. *See under* Interior, Department of the.
Reclamation Act, public lands, sales, etc., under Mineral Leasing Act, deposit of portion of receipts in reclamation fund 119
Reconstruction Finance Corporation:
Administrative expenses—
Authorization for incurring and paying 209
Increase in limitation 115, 515
Agriculture, Department of, certain loans to, transfer of obligations, etc., to Secretary of Treasury 545
Amendments of Reconstruction Finance Corporation Act—
Contracts, prohibitions on interest, etc., by Members of Congress 207
Corporations, certain, transferred functions, etc., of, exercise of authority respecting; limitation 207
Creation, capital stock, office, etc 202
Employees, injury or death, right of recovery of compensation, provisions respecting 203
Federal Reserve banks, action as custodians and fiscal agents, authority 204
Government officials, prohibition on acceptance of bribe, etc., applicability 207
Loans, etc., authority 203
Fee or commission, restriction on payment by applicant 204
Limitations on 204
Termination of powers 204, 205
Mails, use of 203

Reconstruction Finance Corporation—Continued Page
Amendments of Reconstruction Finance Corporation Act—Continued
Management 202
Name, use of, restriction 207
Obligations, issuance to Secretary of Treasury; maturity, interest, etc. 204
Powers 202
Separability of provisions 207
Succession, period of 202
Transfer of duty of completing liquidation at expiration of; report to Congress 206
Taxation, exemption from 205
Violations of provisions; false statement, counterfeiting, embezzlement, etc., penalties 206
Appropriation for 115, 515
Contracts and commitments, authority 515
Disbursements of funds made pursuant to law prior to effective date of designated provisions 207
Expenditures, authorization for 515
Federal home-loan banks, transfer of stock to Secretary of Treasury 208
Federal Loan Agency, abolition 208
Foreign Aid Act of 1947, advances for implementation of 938
Funds, use for purchases, contracts, etc., for other agencies, authorization requirement, etc 516
Greece, aid to—
Advances 105
Allocation of funds to Government departments and agencies 104
Judgments, appropriation for payment 626, 627
Loans to States for construction purposes, limitation 516
National Housing Council, membership of Chairman of Board of Directors 955
Plants, equipment, etc., certain—
Disposal of, imposition of terms by War or Navy Department 775
Transfer of title to War or Navy Department 774
Regional agricultural credit corporations, authority of Farm Credit Administration with respect to, amendment of Emergency Relief and Construction Act of 1932 208
Relief assistance to countries devastated by war, advances for; limitation; repayment 125
Renegotiation Act, excessive profits collected under, reimbursement of Treasury Department appropriation 624

Reconstruction Finance Corporation—Continued Page
Repeals of designated provisions of law 208
Agricultural Adjustment Act, certain loans in connection with 208
Agricultural improvement districts, refinancing of, provisions of Emergency Farm Mortgage Act of 1933 208
Applications for loans, limitation on approval, provisions of National Industrial Recovery Act respecting 208
Bank securities, etc., held by Reconstruction Finance Corporation, exemption from taxation 208
Borrowing power, decrease, provisions of National Industrial Recovery Act respecting 208
Commodity Credit Corporation, capital stock increase 208
Corporations, Government, extension of succession 209
Disaster Loan Corporation, Act creating 209
Export-Import Bank, provisions respecting continuance, funds, etc 208
Extension of succession, lending powers, and functions 209
Farmers' mineral rights pools, loans 208
Fishing industry, loans to 208
Home Owners' Loan Corporation, capital stock, allocation of funds 208
Housing, allocation of funds, provisions of National Housing Act respecting 208
Interest charges on loans to closed banks and trust companies 208
Land Bank Commissioner, authorization, etc., for making funds available to, provisions of Emergency Farm Mortgage Act of 1932 208
Liquidation, postponement of time for, etc 208
Loans and advances, time limit on disbursement of funds 208
Maturities of obligations of borrowers, adjustment 208
Mining, milling, and smelting industry, loans to 208
Mortgage associations, national, provisions of National Housing Act respecting 208
Mortgage insurance, provisions of National Housing Act respecting 208
National defense, corporations producing necessities for, authority respecting loans, creation, etc 209

Reconstruction Finance Corporation—Continued Page
Repeals of designated provisions of law—Continued
Obligations outstanding, authorizations for additional amounts 208, 209
Preferred stock in national banking association, State bank or trust company, purchase 208
Preferred stock of insurance companies, purchase 208
Public-school districts, etc., loans to 208
Public Works Administration, securities acquired, etc., by, purchase, provisions of Emergency Appropriation Act, 1935 208
Real estate, transfer by Government agencies to Corporation and affiliates 209
Receipts from sale of securities, use as general funds 208
Regional agricultural credit corporations, borrowing authority 209
Corporations formed by consolidation, payment of expenses 209
Right-of-way, financing acquisition for Federal aid roads 209
Salaries of officers and employees 208
States, municipalities, etc., public agencies, business enterprises, loans to 209
Substitution of bonds or other evidences of indebtedness 208
Taxes on farm real estate, authorization to receiver to borrow money for payment, provisions of Emergency Farm Mortgage Act of 1933 208
United States Housing Corporation, purchase, etc., of certain mortgages from 209
Veterans' loans, certain, purchase 209
War Damage Corporation, supplying funds for, etc 209
War Housing Insurance Fund, allocation of funds to, provisions of National Housing Act respecting 208
RFC Mortgage Company, transfer of assets, liabilities, etc., to Reconstruction Finance Corporation 207
Rural Electrification Administration loans, amendment of provisions respecting; transfer of functions, etc 547
Slaughterer, nonprocessing, eligibility for extra compensation payments; time limitation for filing claims 788
Smaller War Plants Corporation, abolition, liquidation of affairs 209

Reconstruction Finance Corporation—Continued — Page
Surplus property—
Limitation on use of funds in connection with — 515
Purchase for resale to small business; priority — 209
Waiver of reimbursement by War Assets Administration for expenses incurred in connection with — 516
Synthetic rubber, manufacture and sale, exercise of functions — 26
Tin-smelting industry, domestic, continuation of powers, etc.; report to Congress — 190
Turkey, aid to—
Advances — 105
Allocation of funds to Government departments and agencies — 104
United States Commercial Company, extension of succession — 207
Reconstruction Finance Corporation Mortgage Company. *See* RFC Mortgage Company.
Recreational Areas, appropriation for administration, protection, etc — 484
Red Cross, American National:
Continuation of existing corporation, etc — 83
D. C. Chapter, authorization for erection of permanent building; conditions, etc — 241
Incorporation, amendments respecting — 80
Red Lake Band of Chippewa Indians, Minn., per capita payments from sale of timber and lumber — 417
Red Lake Indian Reservation, Minn., appropriation for school — 468
Red River, South Half, payment to Oklahoma from oil and gas royalties — 464
Referees, U. S. Courts, appropriation for salaries and miscellaneous expenses — 305
Refugee Organization, International:
Appropriation, annual, to Department of State, authorized — 215
Appropriation for membership and participation by United States — 623
Membership for United States, acceptance by President, authorized; reservation — 214
Preparatory Commission for, advance contributions to — 216
Representatives, etc., designation, compensation — 215
Supplies, furnishing by Government departments and agencies, authorized; nonapplication of personnel ceilings to additional civilian personnel in connection with — 215

Refugee Organization, International—Con. — Page
Transfers of funds, etc., to Government departments and agencies, authorized — 215
Regional Agricultural Credit Corporation of Washington, D. C., availability of funds, etc — 580
Registered Mail, fees for, continuance — 214
Relief and Construction Act of 1932, Emergency:
Regional agricultural credit corporations, authority of Farm Credit Administration with respect to — 208
Repeals of designated sections — 208
Relief Assistance to Countries Devastated by War. *See also* Foreign Aid Act of 1947.
Appropriation authorized — 125
Appropriation for — 613, 942
Availability of funds, restriction on — 125
China, appropriation for — 942
Conditions for provision of assistance — 126, 613
Conservation program for food and feed, funds available for — 948
Credits, establishment of, authorized — 125
Expenses, use of funds for payment of, authorized — 125
Foodstuffs, purchases of, preferences — 628
Government departments and agencies—
Allocation of funds to, authorized — 126
Supplies, furnishing of; crediting of reimbursements — 126
Personnel ceilings, nonapplicability of provisions to additional civilian employees required by War Department — 126
Procurement of supplies — 126
Reconstruction Finance Corporation, advances by; limitation; repayment — 125
Relief distribution missions, composition, duties, powers — 125
Sale of supplies for local currency by government of receiving country, disposition of proceeds — 128
State, Secretary of, exercise of authority by — 127
Supervision by U. S. representatives of distribution of supplies; appointment of field administrator — 127
Supplies, transfers of, authorized — 125
Termination of assistance — 127, 128
Transportation of supplies donated by voluntary, etc., relief agencies, funds for expenses — 126, 614

Page

Remount Service, Army, appropriation for; transfer of funds in event of transfer of Service 702, 703

Renegotiation Act:
Claims against United States, nonapplicability of designated provisions of law to service of certain Government employees as counsel, etc 133
Refunds under, appropriation for 623
Reconstruction Finance Corporation, excessive profits collected by, reimbursement of appropriation 624
War Contracts Price Adjustment Board, determination of interest; certification of amount to Treasury 623, 624

Rent Act of 1947. *See* Housing and Rent Act of 1947 *under* Housing.

Rent Control, Office of, appropriation for 616

Reorganization Plan No. 1 of 1947:
Agricultural marketing orders, function of President respecting approval of determinations of Secretary of Agriculture, abolition 951
Agriculture, Department of—
Credit union functions, transfer to Federal Deposit Insurance Corporation 952
Marketing orders, certain, abolition of function of President with respect to approval of determinations 951
Research functions, certain, transfer 952
Alien Property Custodian, transfer of functions to President and Department of Justice 951
Contract Settlement, Office of, abolition 951
Contract settlement functions, transfer to Treasury Department 951
Effective date 953
Farm Credit Administration, credit union functions, transfer to Federal Deposit Insurance Corporation 952
Federal Deposit Insurance Corporation, transfer of credit union functions of Farm Credit Administration to 952
General provisions 953
Justice, Department of—
Alien Property Custodian, transfer of functions from 951
Prohibition Act, National, functions under, transfer to Treasury Department 951
Surplus Property Administration, transfer of functions to; redesignation as War Assets Administration 952
Termination of functions 953

Reorganization Plan No. 1 of 1947—Con. Page
Transfer of records, property, personnel, and funds 953
Treasury Department—
Contract settlement functions, transfer to 951
Prohibition Act, National, functions under, transfer from Justice Department 951
War Assets Administration—
Associate War Assets Administrator, appointment, compensation, duties 952
Transfer of functions to Surplus Property Administration; redesignation of latter as War Assets Administration 952

Reorganization Plan No. 3 of 1947:
Abolitions 956
Defense Homes Corporation, liquidation and dissolution, transfer of functions to Public Housing Commissioner 955
Federal Home Loan Bank Board—
Abolition 956
Transfer of functions to Home Loan Bank Board 954
Federal Housing Administration—
Abolition of office of Administrator 956
Appointment of Commissioner as head; transfer of functions to 954, 955
Federal Savings and Loan Insurance Corporation, Board of Trustees—
Abolition 956
Transfer of functions to Home Loan Bank Board 954
Home Loan Bank Board, appointment, duties, etc 954
Home Owners' Loan Corporation, Board of Directors—
Abolition 956
Transfer of functions to Home Loan Bank Board 954
Housing and Home Finance Agency—
Administrator, appointment, duties, transfer of functions to 955
Consolidation of designated agencies to form 954
Interim appointments 956
National Housing Agency, transfer of certain functions to Public Housing Commissioner 955
National Housing Council, composition and duties 955
Public Housing Administration, transfer of functions to Commissioner 955
Transfers of property, personnel, and funds 956

Reorganization Plan No. 3 of 1947—Con. Page
United States Housing Authority—
Abolition of office of Administrator 956
Redesignation; transfer of functions to Public Housing Commissioner 955
United States Housing Corporation, dissolution, transfer of functions to Home Loan Bank Board 954
Repeal, Etc., of Statutes, limitation on effect on existing liabilities 635
Representatives in Congress. *See* House of Representatives.
Republican Basin, appropriation for Bonny, Culbertson, and Enders Dams 699
Research and Development Board. *See under* National Security Act of 1947.
Research and Marketing Act of 1946, appropriation for effecting provisions of 524
Reserve Officers' Training Corps, Army:
Appropriation for 566
Mounted units, limitation 567
Restriction on use of other funds 567
Surplus stocks of War Department, furnishing of supplies from 567
Veterinary units, restriction on further enrollments 567
Reserve Officers' Training Corps, Naval:
Appropriation for 384
Reduction in appropriation 79, 395
Transfers of funds from appropriation for 67
Resolutions of Congress, formalities of enactment; repeals, etc 634
Retirement, Government Employees. *See* Civil Service Retirement Act.
Retsina, Grape Wine, nonapplication of certain penalty provisions to production of 320
Revenue. *See* Taxes.
Revenue Act of 1942, Amendment, powers of appointment in disposition of estates, release of, time extension 178
Revenue Act of 1943:
Amendments, war excise tax rates, certain, continuance in effect 12
Termination of percentage depletion for certain minerals, repeal 919
Revenue Act of 1947, District of Columbia. *See* District of Columbia Revenue Act of 1947.
Revised Statutes:
Repeals as evidence of prior effectiveness 635
Saving clause 635
Sections 1–13, repeal 641
Section 158, amendment 502
Section 190, nonapplicability in certain cases 133, 696, 716
Section 203 (first clause), repeal 646

Revised Statutes—Continued Page
Section 306, repeal 309
Section 307, repeal 309
Section 308, repeal 309
Section 309, repeal 309
Section 310, repeal 309
Sections 361, 365, and 366, nonapplicability to employment of counsel in designated case 129
Section 908, repeal 641
Section 1166, date of termination of war in interpretation of 452
Section 1257, repeal 894
Section 1265, repeal 749
Section 1420, date of termination of war in interpretation of 452
Section 1436, date of termination of war in interpretation of 453
Sections 1462–1464, date of termination of war in interpretation of 453
Section 1481, repeal 882
Section 1505, amendment 874
Section 1624—
Article 4, paragraphs 6, 7, and 12–20, date of termination of war in interpretation of 453
Article 5, date of termination of war in interpretation of 453
Sections 1791–1796, repeal 646
Sections 1836–1838, repeal 646
Section 2324, suspension as to mining claims in Alaska, time limitation 213
Section 2455, amendment 630
Section 3533, amendment 132
Section 3536, amendment 133
Section 3539, amendment 129
Section 3646 (a), amendment 309
Section 3646 (c), amendment 310
Section 3646 (e), amendment 310
Section 3646 (f), amendment 310
Section 3646 (g), amendment 310
Sections 4681–4684, repeal 788
Section 4686, repeal 788
Section 4798, repeal 646
Section 4953, repeal 669
Section 5202, amendment 204
Sections 5263–5269, repeal 327
Section 5599, repeal 641
Rewards:
Interior, Department of the, Bureau of Reclamation, information respecting persons damaging, etc., public property 472
Navy Department—
Limitation on payment 392
Naval property, missing, payment for information leading to discovery or recovery 394

Rewards—Continued Page
Post Office Department—
Availability of appropriation for years prior to 1947 113
Detection of certain criminals; securing information 229
Reynar, J. W., credit in accounts 730
RFC Mortgage Company, transfer of assets, liabilities, etc., to Reconstruction Finance Corporation 207
Rhode Island:
New England Interstate Water Pollution Control Compact, consent and approval of Congress 682
Newport, naval training station, funds for 67, 383
Rice and Rice Products:
Allocations, extension of time limitation on provisions 322
Taxes, certain, under Agricultural Adjustment Act, loans from Reconstruction Finance Corporation, repeal of provisions respecting 208
Richardson Highway, Alaska, appropriation for construction 489
Rifle Practice, National Board for Promotion of:
Appropriation for 567
Care, etc., of ranges, details for; payment 568
Volunteer competitors or range officers, travel and subsistence allowances 568
Rinderpest:
Appropriation for control of 24, 185, 245, 532, 617
Cooperation with Government of Mexico in control and eradication of 7
Appropriations authorized 8
Appropriation for 24, 185, 245, 617
Personnel ceilings, nonapplicability 7
Reports to Congress 8
Rio Grande:
Emergency flood protection, rectification, etc 284, 285
Reclamation project, N. Mex.-Tex., appropriation for 116, 473, 474
Time extension for bridging at or near Rio Grande City, Tex 728
River Basins:
Developments, studies of effects on fish and wildlife resources, appropriation for 488
Recreational resources and archaeological remains, appropriation for investigations of 484
Rivers and Harbors:
Bridges. *See separate title.*
Existing works, appropriation for preservation and maintenance 688
Rivers and Harbors—Continued Page
Flood control—
Agriculture, Department of, appropriation for 540, 698
Appropriation for 114, 187, 540, 591, 689, 698
Emergency work, appropriation authorized 163
Allotments from existing appropriations; limitation 163
Appropriation for 187
Availability of funds for erosion prevention at Anaheim Bay, Calif 187
Little Sioux River, Iowa, project, adoption and authorization 741
Surveys, appropriation for 114, 591
Watersheds, soil erosion prevention, etc., appropriation for 540
Riverside Mine, Hyder, Alaska, transportation of supplies and products by vessels of foreign registry; time limit 632
Riverton Project, Wyo., appropriation for 116, 475
Roads. *See* Highways; Public Roads Administration *under* Federal Works Agency.
Robinson-Patman Anti-Discrimination Act, inapplicability to regulation of insurance, time extension 448
Rock Asphalt Mines, income-tax percentage depletion 919, 920
Rock Island Bridge, Rock Island, Ill., appropriation for maintenance 562
Rocky Mountain National Park, appropriation for acquisition of lands 485
Rodenticide Act. *See* Federal Insecticide, Fungicide, and Rodenticide Act.
Rodents, Injurious, appropriation for control of 487
Roosevelt, Theodore, National Memorial Park, N. Dak., establishment, acquisition of lands, administration, etc 52
Roswell, N. Mex., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Rubber:
Allocations, provisions not construed to continue authority 34
Controls over production, use, etc., appropriation for administration of provisions relating to 618
Domestic rubber-producing industry, maintenance of—
Emergency powers with respect to rubber, certain, temporary retention 25
Findings of fact and declaration of policy 24

Rubber—Continued Page
Investigations, Bureau of Plant Industry, Soils, and Agricultural Engineering, reduction in appropriation 20
Research on, appropriation for Department of Agriculture for 529
Rumania, Nationals of, extension of certain patent rights to 794
Rural Delivery Service:
Appropriation for 29, 69, 111, 230, 701
Transfer of funds from appropriation for 112
Rural Electrification Act of 1936, Amendment, loans by Secretary of Treasury on approval of Secretary of Agriculture 546
Rural Electrification Administration. *See under* Agriculture, Department of.
Rural Rehabilitation:
Loans, transfer of certain obligations in connection with 545
Transfer of funds to 74

S

Sacramento River, Calif., appropriation for flood control 690
Safety Council, Inc., National, appropriation for D. C. affiliation with 439
St. Croix, V. I., appropriation for municipal government 66, 491
St. Elizabeths Hospital, D. C.:
Appropriation for 64, 271, 439, 751
Transfers of funds 72, 270
Butter substitutes, purchase, repeal of Act of July 12, 1943 450
Care of patients, deposit of payments for 751
Facilities for feeding employees, operation and maintenance 751
Government departments and agencies, payment for care of patients for whom departments and agencies are responsible 751
Indian Affairs, Bureau of, admission of beneficiaries of 751
Indigent insane, appropriation for support of 439
Navy Department, admission for treatment of interned persons and prisoners of war under jurisdiction of, date of termination of war in interpretation of provisions of Act of Aug. 29, 1916 454
Student nurses, transfer of funds for items furnished under training program 270
St. Petersburg, Fla., conditional gift of ship *Joseph Conrad* to 307
Salamanca, N. Y., appropriation for ground rent, Federal building 593
Salina, Kans., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304
Salinas, Calif., transfer of lands in vicinity of 529
Salmon Fisheries Commission, International Pacific, appropriation for 286
Salmon Fishery Act of 1947, Sockeye 511
Salmon River, Alaska, appropriation for flood control 689
Salt River Indian Reservation, Ariz., irrigation projects, appropriation for 467
San Bernardino County, Calif., land, acquisition by Military Establishment, reduction in appropriation 22
San Bernardino National Forest, Calif., acquisition of lands for, appropriation for 539
San Carlos Irrigation and Drainage District, Ariz., wells and pumping works, extension of system authorized 8
San Diego, Calif.:
Naval training station, funds for 67, 383
Right-of-way for construction, etc., of water pipe line or lines, conveyance by Navy Department, authorized 39
San Francisco, Calif., Mint, appropriation for 223
Sand on Public Lands, authority for disposal by Secretary of the Interior 681
Sanitarium Company, Portland, Oreg., payments authorized for Alaskan insane patients 489
Sanitary Bureau, Pan American, appropriation for contribution 283
Sanitation Activities, Emergency, appropriations for Public Health Service, date of termination of war in interpretation of provisions of Act of July 1, 1944 454
Santa Fe Corporation, agreements with Department of Interior respecting certain lands, authorized 189
Savings and Loan Associations, Federal, investment of funds in certain loans; limitation on amount 786
Schmidt, Jaquelin Mansfield, appropriation for payment to 611
School Lunch Act, National:
Appropriation for carrying out provisions of 65, 550
Printing and binding, transfer of funds for 526
Schools and Colleges. *See* Colleges and Schools.
Schuylkill Haven, Pa., appropriation for construction and equipment of Anthracite Research Laboratory 480
Scientific Research and Development, Office of:
Liquidation, appropriation for 612
Pay costs, increased, appropriation for 28
Property, disposal authority 613
Working fund, reduction in appropriations 17, 21

Scientific Unions, International Council of, appropriation for contribution ..... Page 283
Scrap Iron, Etc., suspension of tariff duties, termination date 917
Sea Lampreys, Predatory, in Great Lakes, appropriation for eradication 486
Sea Post Service, appropriation for 231
Seacoast Defenses, appropriation reductions 23, 573
Seal of the United States, custody and use of 643
Sealing of Instruments Provided for by Laws of Congress 636
Seamen:
Aliens, waivers for employment of; limitation 685
Citizenship requirements, suspension authority, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454
Foreign-flag vessels, certain, benefits, repeal of provisions of Act of July 1, 1944; effective date 451
Medals, etc., date of termination of war in interpretation of provisions of Act of May 10, 1943 454
Reconversion unemployment benefits for, appropriation for 272, 942
Relief, protection, etc., abroad, appropriation for 281
Seat of the Government, public offices at; removal 643
Seattle, Wash., assay office, appropriation for 223
Second Decontrol Act of 1947 321
Appropriation authorized 324
Appropriation for 618, 619
Commerce, Secretary of, administration by 324
Appropriation for 618, 619
Personnel, reemployment of certain 324
Second Deficiency Appropriation Act, 1947. *See* Deficiency Appropriation Act, 1947, Second.
Second Liberty Bond Act. *See* Liberty Bond Act, Second.
Second Supplemental Appropriation Act, 1948. *See* Supplemental Appropriation Act, 1948, Second.
Second Supplemental National Defense Appropriation Act, 1943, repeal of provision relating to designation of Public Buildings Administration employees as special policemen; effective date 451
Second Urgent Deficiency Appropriation Act, 1947. *See* Deficiency Appropriation Act, 1947, Second Urgent.
Second War Powers Act, 1942:
Administrative Procedure Act, exclusion of functions from operation of; exceptions 323
Second War Powers Act, 1942—Con. Page
Allocations under 25, 34, 214, 322, 323, 946
Appropriation authorized 214, 324
Appropriation for 618, 619
Delegation of authority by President 946
Navigation and vessel inspection laws, vessels operated by War Department, suspension on request of Secretary upon termination of provisions respecting 33
Personnel performing duties under, etc., reemployment 324
Removal of emergency controls and war powers, policy of Congress 34
Rubber and rubber products, allocation, specification, and inventory controls, continuation authorized 25
Sugar, provisions respecting 34, 35, 36
Termination dates of provisions 34, 214, 322, 946
Secret Service Division. *See under* Treasury Department.
Securities. *See* Bonds, Securities, Etc.
Securities and Exchange Commission, appropriation for 28, 108, 601
Security Council, National. *See* National Security Council *under* National Security Act of 1947.
Seed Act, Federal, funds for effecting provisions of 74, 544
Seed Testing Congress, International, appropriation for share of expenses 544
Selective Service Records, Office of:
Appropriation for 108, 617
Availability of funds; additional appropriations authorized 31
Establishment, functions, etc 31
Transfer of property, records, and personnel of Selective Service System 31
Veterans' Placement Service Board, membership of Director; availability of public records 32
Selective Service System:
Functions and responsibilities, Personnel Division, transfer to Secretary of Labor 32
Appropriation for expenses 621
Property, records, and personnel, transfer to Office of Selective Service Records 31
Report to Postmaster General on use of franking privilege, repeal of provisions of First Deficiency Appropriation Act of 1942 450
Uncompensated personnel, recognition of services, certificates of separation 210
Senate. *See also* Congress; Legislative Branch of the Government.
Administrative assistants to Senators, appropriation for 362

Senate—Continued Page
Andrews, Charles O., appropriation for payment to widow of 15
Appointments with consent of—
Air Force—
Assistant Secretaries of the 502
Chief of Staff 503
Secretary of the 502
Under Secretary of the 502
Army—
Chiefs and assistant chiefs of services 901, 902
General and lieutenant general, officers in certain positions carrying rank of 887
Medical and dental officers 777
Nurse Corps, commissioned officers 42
Regular Army officers 883, 884, 890
Temporary appointees in Army of U. S., repeal of Act of Sept. 22, 1941; effective date 451
Temporary appointments, general officer grades 908
Women's Medical Specialist Corps, commissioned officers 42
Central Intelligence Agency, Director 497
Chiefs of mission to countries receiving assistance under Act respecting Greek-Turkish aid 105
Coast Guard—
Chief warrant officers, permanent 411
Commissioned officers, permanent 410
Commerce, Department of, additional Assistant Secretary 326
Coordinator of Federal Agencies in Puerto Rico 772
Defense, Secretary of 500
Federal Housing Commissioner 954
Federal Mediation and Conciliation Service, Director 153
Home Loan Bank Board 954
Housing and Home Finance Administrator 955
Marine Corps—
Quartermaster General 236
Special commands, etc., designation of officers for; retirement 876
Munitions Board, chairman 505
National Labor Relations Board 139
General Counsel 139
National Security Resources Board, chairman 499
Navy—
Active-duty officers 835
Chaplains 872
Limited duty assignments 870
Medical and dental officers 777
Medical Service Corps officers 737
Nurse Corps, commissioned officers 47
Staff officers, permanent 838

Senate—Continued Page
Appointments with consent of—Con.
Public Housing Commissioner 955
Relief assistance, field administrator for supervision of 127
Research and Development Board, chairman 506
Selective Service Records, Office of, Director 31
War Assets Administrator, Associate 952
Army officers—
Refusal of consent to appointment 893
Retirement grade, etc., discretion regarding 888
Bailey, Josiah W., appropriation for payment to widow of 15
Bilbo, Jessie Forrest, appropriation for payment to 941
Bilbo, Theodore G., Jr., appropriation for payment to 941
Biographical Directory of the American Congress, compilation and preparation of revised edition, appropriation for increased pay costs 26
Chaplain, appropriation for 362
Clerical assistance—
Appropriation for 15, 362
Continuation of certain employees on rolls for specified period 3
Salaries, certain, removal of limitation 4
Committee employees—
Appropriation for 362
Continuation of certain positions and funds for specified period 3
Rates of compensation 5
Salaries of certain, removal of limitation 4
Consultant, availability of appropriation for employment of 15
Contingent expenses—
Appropriation for 26, 27, 58, 106, 363, 611, 696
Salaries paid from appropriation, computation 364
Telephone wiring plans, special, payment for installation from appropriation 58
DeMott, Henry V., appropriation for payment for services rendered special committee 15
Documents, public, storage of, appropriation for additional amount for rent of warehouse 15
Expense allowance, appropriation for 361
Inquiries and investigations, appropriation for; limitation 26, 106, 363
Investigating committee, special, nonapplicability of designated provisions of law to counsel to 129

Senate—Continued Page
Joint committees. *See separate title.*
Mail transportation, appropriation for 58
Majority, office of secretary of—
Appropriation for 363, 610
Rates of compensation, increase in certain 610
Messenger service, appropriation for 362
Minority, office of secretary of—
Appropriation for 363, 610
Rates of compensation, increase in certain 610
Nomination, disapproval of, restriction on payment to person after 609
Pages—
Appropriation for education of 15, 369
Availability of educational facilities for certain other minors who are congressional employees 16
Pay costs, increased, appropriations for 26,72
Postage stamps, air-mail and special-delivery, furnishing to Senators, appropriation for 364
President, appointment of Senate Office Building Commission 307
President pro tempore—
Appointments by—
Commission on Organization of the Executive Branch of the Government, four members 247
Congressional Aviation Policy Board, Temporary, Senate members 677
National Capital Sesqui-Centennial Commission, three Senators 396
United States-Reading Bicentennial Commission, two members 769
Presidential succession 380
United States-Reading Bicentennial Commission, membership on 769
Reorganization, legislative, appropriation for 363
Reporters, Official, of Debates, etc., extension of Civil Service Retirement Act to 135
Reporting proceedings, appropriation for 26, 363
Restaurants—
Appropriation for 58, 364, 611
Special deposit account, payment of balance to Senate Committee on Rules and Administration 696
Salaries, officers and employees—
Appropriation for 26, 72, 106, 362
Appropriations available 4
Removal of limitations 4
Salaries and mileage of Senators, appropriation for 361, 941
Secretary, Office of, appropriation for 27, 362

Senate—Continued Page
Sergeant at Arms and Doorkeeper, Office of—
Abolition of designated positions 362
Appropriation for 15, 27, 58, 362, 610, 695
Pages, salary period; rates 362
Priority in expenditure of appropriations 58
Rates of compensation—
Designated positions 362
Increase in certain 15, 610
Telephone operators, employment of additional, appropriation for 15
Telephone wiring plans, special, installation in offices authorized 58
Vice President, Office of, appropriation for 362
Senate Office Building:
Additional, preparation of preliminary plans and estimates; appropriation authorized 307
Appropriation for 612
Maintenance, etc., appropriation for 16, 370
Pay costs, increased, appropriation for 27
Police details for duty on Capitol grounds 377
Subway transportation, appropriation for 370
Seneca Indians, N. Y., treaties with, appropriation for fulfilling 468
Sequoia National Forest, Calif., acquisition of lands for, appropriation for 539
Sequoia National Park, appropriation for acquisition of lands 485
Servicemen, Housing for Distressed Families of:
Increase in appropriation authorized 128
Appropriation for 515
Servicemen's Readjustment Act of June 22, 1944:
Education and training of veterans, date of termination of war in interpretation of provisions respecting 454
Leases, authority of Administrator of Veterans' Affairs respecting, time extension 133
Loans—
Date of termination of war in interpretation of provisions respecting 454
Purchase by Reconstruction Finance Corporation, repeal of provisions respecting 209
Unemployment, date of termination of war in interpretation of provisions respecting readjustment allowances 454
Sesame Seed, monthly statistics, collection, publication, etc 457
Sesqui-Centennial Commission, National Capital, establishment, composition, etc 396

Page

Settlement of Mexican Claims Act of 1942, Amendment, jurisdiction of Commission, claims decided by General Claims Commission in which U. S. filed petition for rehearing 24

Settlement of War Claims Act of 1928, Amendment, German special deposit account, deposit of certain funds in; change in order of priority for payment from 789

Seward Sanitorium, appropriation for hospitalization of tuberculous Indians, Eskimos, and Aleuts 943

Shadehill Dam, appropriation for 699

Shaw, W. A. and E. L., conveyance of lands within Shiloh National Military Park, Tenn., authorized 173

Shawanometta, Anton, Estate of, payment to Menominee Indian Mills to credit of account of 455

Shawnee Sanatorium, Okla., appropriation for water improvements 468

Shelby, N. C., clerk of U. S. District Court, restriction on use of funds for maintaining office of 304

Shenandoah National Park, commissioner, removal of requirement of recommendation of candidate by Secretary of the Interior 92

Sherman Act, inapplicability to regulation of insurance, time extension 448

Shiloh National Military Park, Tenn., conveyance within 173

Shipping Act, 1916, transfer of facilities during war, etc., date of termination of emergency in interpretation of provisions of Act of July 15, 1918 454

Ships. *See* Vessels.

Ships, Bureau of. *See under* Navy Department.

Shoshone Project, Wyo., appropriation for 474, 475

Shoshone Tribe, Wind River Reservation, Wyo., trust fund held in joint ownership with Arapaho Tribe, segregation and expenditure 102

Signal Corps. *See under* War Department.

Silver:
- Coins, weight, deviations 133
- Recoinage, appropriation for 218

Silver Creek Recreational Demonstration Project, Oreg.:
- Addition of certain lands 519
- Exchange of lands for consolidating holdings, etc., provisions respecting 129, 130

Silver Purchase Act of 1934, appropriation for carrying out provisions of 223

Page

Sioux Reservations, appropriation for payment to Indians of 468

Sitka, Alaska, sale to, of U. S. Reserve for Agricultural Investigations and Weather Service, authorized 310

Six Nations, N. Y., treaties with, appropriation for fulfilling 468

Skubitz, Joseph, payment for services as teacher in Capitol Page School, authorized 369

Slaughterer, Nonprocessing, eligibility for extra compensation payments; time limitation for filing claims 788

Small Tract Act of 1938, preferred right of application of veterans of World War II under 124

Smaller War Plants Corporation, liquidation of affairs; abolition 209

Smelting Industry, loans by Reconstruction Finance Corporation to, repeal of provisions respecting 208

Smith, George, payment to Menominee Indian Mills to credit of account of 455

Smith-Lever Act, appropriation to effect provisions of 528

Smithsonian Institution:
- Board of Regents, appointment of Robert V. Fleming 494
- National Gallery of Art, appropriation for 28, 62, 602
- Salaries and expenses, appropriation for 28, 601

Soap, Etc., allocations, extension of time limitation on provisions 322

Social Security Act:
- Amendments of 1947 793
- Census information, appropriation for supplying of 295
- Grants to States—
  - Old-age assistance, disregard of income from agricultural labor and nursing services without prejudicing rights; time limitation 202
  - Time extension, old-age assistance, aid to blind, and aid to dependent children 794
- Tax rates, employers and employees 793
- Unemployment Trust Fund—
  - Federal unemployment account, authorization of funds, etc 794
  - Railroad employees, applications for refunds, time extension 793
  - State unemployment funds, advances to, change of dates affecting 794
- Veterans, deceased, World War II, benefits, date of termination of war in interpretation of provisions of Act of Aug. 10, 1946 454

Social Security Administration: Page
Children's Bureau—
Funds 72, 272
Grants to States, provisions respecting 272
Employment Security, Bureau of, funds for 72, 272
Grants to States—
Appropriation for 60, 108, 272, 273, 274, 615
Limitations on time of payments 274
Transfers of funds 72, 107
Health service program, funds available for 274
Miscellaneous expenses, appropriation for 107, 273, 942
Old-Age and Survivors Insurance, Bureau of—
Funds for 72, 107, 272
Government departments and agencies, payments for services performed for, deposit in designated trust fund 107
Overthrow of U. S. Government, restriction on employment of persons advocating 278
Pay costs, increased, transfers of funds for 72
Public Assistance, Bureau of, appropriation for 72, 272
Seamen, reconversion unemployment benefits for, appropriation for 272, 942
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 278
Transfers of functions, transfer of amounts for personal services authorized 274
Transfers of funds 72, 274
Withholding of moneys from State agencies, restriction 274
Social Security Board Building, reduction in appropriation 19
Sockeye Salmon Fishery Act of 1947 511
Sodium, mining of, on lands acquired by United States 913
Soil and Moisture Conservation Operations, appropriation for 115, 461
Soil Conservation and Domestic Allotment Act:
Appropriation to effect provisions of 541
Virgin Islands, extension of provisions to 494
War crops, acreage allotment, date of termination of state of war, etc., in interpretation of Act of Feb. 28, 1945 451
Soil Conservation Service. *See under* Agriculture, Department of.
Soils, funds for investigations 73, 533

Soldiers' Home, U. S.: Page
Appropriation for 71, 691
Transfer of surplus property to, authorized 691
Solicitor General, Office of. *See under* Justice, Department of.
Solid Fuels Administration for War, appropriation for liquidation 460
South America. *See* American Republics.
South Carolina:
Charleston, conveyance, date of termination of state of war, etc., in interpretation of Act of May 27, 1936 451
Francis Marion National Forest, game refuge 516
South Dakota:
Farm Island, transfer from city of Pierre to State, consent of Congress 740
Missouri Basin project, Angostura unit, inclusion of certain lands owned by U. S., authorized 408
Rapid City, Indian museum, appropriation for support 465
South Holston Dam, appropriation for construction 574
Southern Great Plains Field Station, Okla., appropriation for repair of tornado damage 534
Southern Ute Indian Reservation, Colo., irrigation projects, appropriation for 467
Southwestern Power Administration, appropriation for 462
Soybeans:
Monthly statistics, collection, publication, etc 457
Orders regulating handling, terms and conditions 707
Spanish-American War:
Claims of veterans, payment of certain 79, 627
Pension rates, increase 610
Speaker of the House of Representatives. *See under* House of Representatives.
Speculative Trading on Commodity Exchanges, Regulation, voluntary agreements respecting 945
Spodumene, income-tax percentage depletion 919, 920
Springer, Nancy M., appropriation for payment to 941
Spruce Production Corporation, U. S., increase in limitation on administrative expenses 625
Squantum, Mass., Naval Destroyer and Submarine Base, lease by Navy Department, date of termination of emergency in interpretation of Act of May 29, 1930 453

Squaw Point Area, Cass County, Minn., cooperation in extension, etc., of public-school facilities, appropriation authorized 419
Stabilization Act, 1942:
Sugar—
Continuance in effect of certain provisions with respect to 35
Transfer of functions, etc., of President and Price Administrator to Secretary of Agriculture 36
Stabilization of Commodity Prices. *See* Commodity Prices, Stabilization.
Standard Baskets Act, appropriation to effect provisions of 544
Standard Container Act, funds to effect provisions of 74, 544
Standards, National Bureau of. *See* National Bureau of Standards *under* Commerce, Department of.
Star Route Service, funds for 112, 230, 700, 701
State, Department of:
Administrative expenses under Foreign Aid Act of 1947, availability of funds 942
Allocations of materials, etc., certified by Secretary as necessary to meet international commitments, time limitation 34
American Republics—
Cooperation with, appropriation for 286
Travel in Western Hemisphere by citizens of 286
Appropriation Act, 1948 279
Boy Scouts, World Jamboree, issuance of passports to Scouts and Scouters attending 38
Contracts exempt from prohibition on interest of Members of Congress 288
Contributions, quotas, etc.—
Appropriation for 113, 282
Transfer of funds 117
Department Service—
Aliens, etc., employment of, funds for 279, 622
Appropriation for 77, 279, 622
Claims, appropriation for 77, 280
Foreign Service Institute, appropriation for expenses 279
Health service program, appropriation for 279
Information program outside continental U. S., appropriation for; restriction 279
International Broadcasting Division, funds available for personal services 280
Living and quarters allowances, transfer of funds 622
State, Department of—Continued
Department Service—Continued
North Atlantic fisheries—
Appropriation for expenses of surveys, etc 280
Availability of appropriation 622
Penalty mail costs—
Appropriation for 279
Transfer of funds from appropriation for 117
Printing and binding, appropriation for 280
Radio stations, international shortwave, contracts for, indemnification agreements, etc 280
Surplus property disposal, appropriation for expenses 280
Territorial papers, appropriation for collecting and editing 280
Trade agreements, funds for effecting provisions of law relating to 280
Transfer of funds 622
Employment, termination of, authority of Secretary of State 288
Exports, certification of priority of materials for, authority of Secretary respecting 323
Foreign Aid Act of 1947. *See separate title.*
Foreign Service—
Alien fiancées or fiancés of veterans or members of U. S. armed forces, admission to United States, time extension of authority in connection with 190
Automobiles, application of exchange allowances to replacements, etc 281
Buildings fund, appropriation for 282
Emergencies in Diplomatic and Consular Service, appropriation for 282
Exchange of funds, certain, nonapplicability of designated restrictions 282
Foreign Service Act of 1946, appropriation for carrying out provisions of 113
Foreign Service Institute, appropriation for expenses 279
Living and quarters allowances, appropriation for 281
Printing and binding, appropriation for 282
Refunds, etc., crediting of 282
Representation allowances, appropriation for 281
Retirement and disability fund, appropriation for 282
Salaries and expenses, funds for 113, 280, 622

State, Department of—Continued Page
Geographic Names, Board on, representation on, etc. 456
Information and cultural program, appropriation for liquidation of certain activities; transfers of funds 288
Inter-American Affairs, Institute of. *See separate title.*
Inter-American Cultural Relations, Convention for Promotion of, appropriation for expenses under 286
Inter-American Educational Foundation, Inc. *See separate title.*
Inter-American Transportation, Institute of. *See separate title.*
International activities, appropriation for 284, 623
International Boundary and Water Commission, U. S. and Mexico. *See separate title.*
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for 117, 286
International commissions, American sections, appropriation for salaries and expenses 285
International Fisheries Commission, appropriation for 286
International Joint Commission, U. S. and Canada, appropriation for 117, 285
International obligations—
Appropriation for 113, 282
Transfer of funds from 117
International Pacific Salmon Fisheries Commission, appropriation for 286
International Refugee Organization. *See separate title.*
Justice, Department of, matters under joint control, investigations 291
Lower Rio Grande flood-control project, construction, limitations 285
Mexico, arrangements for cooperation in control of foot-and-mouth disease and rinderpest 7
National Commission on Educational, Scientific, and Cultural Cooperation, appropriation for conferences, etc 283
National Munitions Control Board, date of termination of war in interpretation of Act of Jan. 26, 1942, respecting omission, etc., of certain reports 452
National Security Council, membership of Secretary 496
Overthrow of U. S. Government, restriction on employment of persons advocating 306

State, Department of—Continued Page
Passport agencies, appropriation for 117, 279
Pay costs, increased, appropriation for 117
Philippine rehabilitation, appropriation for 287
Restrictions and limitations on expenditures 287, 288
Prencinradio, Inc., availability of funds; liquidation; payment of cost 583
Relief assistance to countries devastated by war—
Appropriation for 613
Exercise of authority by Secretary of State 127
Voluntary relief supplies, availability of appropriation for transportation 614
Seal of the United States, custody and use of 643
Secretary—
Office of, funds for salaries 117
Presidential succession 380
Statutes at Large, compilation, etc.; contents; admissibility in evidence 636
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 306
Sugar quotas, increased, withdrawal from countries denying fair treatment to U. S. nationals 925
Surplus property, acquisition for United Nations, authority 283
Travel or transportation of effects, use of vessel of U. S. registry, nonapplicability of provision of law respecting 288
United Nations. *See separate title.*
United Nations Educational, Scientific, and Cultural Organization, appropriation for U. S. participation in 283
United Nations Relief and Rehabilitation Administration. *See separate title.*
State, Secretary of. *See* State, Department of.
State Legislation, appropriation for preparation of index to 114, 372
State Marine Schools, appropriation for 604
States, U. S. Code Provisions Respecting:
Forts, etc., purchase of lands for, assent of legislature to 644
Motor fuel sold on military or other reservation, tax on; reports to State taxing authority 644
Oath by members of legislatures and officers 643
Administration of 644

States, U. S. Code Provisions Respecting— Continued — Page
Taxation affecting Federal areas; sales or use tax; income tax — 644
Definitions — 645
Exception of United States, its instrumentalities, and authorized purchases therefrom — 645
Indians, exception of — 645
Jurisdiction of United States over Federal areas unaffected — 645
Statistical Bureau at The Hague, International, appropriation for contribution — 283
Statistical Institute, Inter-American, appropriation for contribution — 282
Statue of Liberty National Monument, appropriation for water-supply easements — 483
Statutes at Large, compilation, etc.; contents; admissibility in evidence — 636
Steelhead Trout, nonapplicability of regulations respecting interstate transportation of certain — 518
Sterling, Colo., clerk of U. S. District Court, restriction on use of funds for maintaining office of — 304
Stokley, W. H., provisions for relief of — 685
Stone on Public Lands, authority for disposal by Secretary of the Interior — 681
Strategic and Critical Materials. *See also* Mines, Bureau of, *under* Interior, Department of the.
Agricultural materials, research on, appropriation for — 529
Helium—
Procurement, appropriation for — 559
Production, investigations, etc., funds for — 482
Navy Department, reduction in appropriation — 22
Oil and gas. *See separate title.*
Rubber. *See separate title.*
Stock Piling Act, appropriation for carrying out provisions of — 624
Tin and tin products. *See separate title.*
Streams, Gaging of:
Appropriation for; limitation — 111, 478
Arkansas River compact, use of funds for negotiation of — 478
Streptomycin, Etc.:
Allocations, time limitation of provisions — 34
Certification, etc., provision for — 11
Strikes. *See* Strikes against U. S. Government *under* Government Departments and Agencies; Labor Management Relations Act, 1947.
Student-Employees of Federal Government Hospitals, exclusion from provisions of law relating to compensation and benefits of Federal employees; exceptions, etc — 727
Submarginal Land, funds for retirement of — 74, 541
Submarines, Experimental, construction authorized; cost limitation — 96
Subsidies, restriction on use of War Department funds for payment of — 556
Sugar. *See also* Sugar Act of 1937; Sugar Act of 1948; Sugar Control Extension Act of 1947.
Alcohol plants, industrial, emergency production of sugars and sirups, time extension — 4
Allocations, provisions not construed to continue authority — 34
Taxes, certain, under Agricultural Adjustment Act, loans from Reconstruction Finance Corporation, repeal of provisions respecting — 208
Sugar Act of 1937, appropriation to effect provisions of; limitation — 543
Sugar Act of 1948 — 922
Abandonment of planted acreage, payment with respect to — 930
Agriculture, Secretary of, administration of Act — 923
Appropriations authorized — 932
Child labor, restriction — 929
Conditional-payment provisions — 929
Consumer requirements, determination of, in—
Continental United States — 923
Hawaii and Puerto Rico — 925
Definitions — 922
Determinations of quotas and deficits, publication of — 932
Effective date — 934
Enforcement, etc., by U. S. district courts — 932
Excess marketing, restriction — 929
Expenditures — 932
Funds, availability of — 932
Information, furnishing of, to Secretary of Agriculture — 933
Investment or speculation by person in official capacity, prohibition — 933
Liquid sugar—
Inclusion in determinations, quotas, etc — 928
Quotas for foreign countries — 928
Local committees — 932
Orders or regulations — 932
Payments, computation, etc — 930, 931
Review — 932

Sugar Act of 1948—Continued Page
Processing rates, fair and reasonable, provision for 930
Quotas—
Allotment or proration of; appeal 926
Area restrictions 929
Credits and drawbacks 928
Direct-consumption portions 927
Emergency suspension 933
Establishment of 924
1948 quotas 927
Revision of 924, 925
Violations 928
Virgin Islands, duty-free sugar from 929
Raw value, terms of, use in determinations, quotas, etc 928
Surveys and investigations 933
Tax provisions—
Manufactured sugar, definition of 934
Termination of taxes 934
Termination of powers 933, 934
Exception 934
Violations 933
Wage rates, fair and reasonable, provision for 930
Sugar Control Extension Act of 1947 35
Appropriations authorized 37
Appropriations for 245, 618
Continuance in effect of orders, directives, etc 36
Definitions 37
Functions conferred by, exclusion from operation of Administrative Procedure Act 37
Removal of controls, authority of Secretary of Agriculture 36
Transfer of funds, personnel, etc 36
Transfer of powers, etc., of President, Price Control Administration, etc., to Secretary of Agriculture 36
Unlawful acts under, penalty 37
Sugar Council, International, appropriation for share of expenses 527
Sugar Rationing Administration, funds for 245, 618
Sulfur:
Mines and deposits, income-tax percentage depletion 919, 920
Mining of, on lands acquired by United States 913
Sullivan, Joseph J., payment for services as teacher in Capitol Page School, authorized 369
Superintendent of Documents, Office of, appropriation for 376
Supplemental Appropriation Acts. *See also* Deficiency Appropriation Acts.

Supplemental Appropriation Act, 1947, Page
First, repeal of proviso respecting continuation of certain positions and funds 4
Supplemental Appropriation Act, 1948 610
Agriculture, Department of, appropriation for 617
Architect of the Capitol, appropriation for 612
Audited claims, appropriation for payment of 627
Commerce, Department of, appropriation for 618
Defense aid, liquidation of lend-lease program, appropriation for 613
Defense Transportation, Office of, appropriation for 612
District of Columbia, appropriation for U. S. Courts 612
Federal Mediation and Conciliation Service, appropriation for 615
Federal Security Agency, appropriation for 615
Federal Works Agency, appropriation for 616
Greek-Turkish aid, appropriation for 613
House of Representatives, appropriation for 611
Housing Expediter, appropriation for 616
Indian Claims Commission, appropriation for 616
Interior, Department of the, appropriation for 620
Judgments and authorized claims, appropriation for payment 625, 626
Labor, Department of, appropriation for 621
Legislative Branch of the Government, appropriation for 610
Library of Congress, appropriation for 612
National Labor Relations Board, appropriation for 616
Navy Department, appropriation for 622
Obligations incurred in anticipation of appropriations or authority, ratification and confirmation 703
Overthrow of U. S. Government, restriction on employment of persons advocating 627
Public Health Service, appropriation for 615
Relief assistance to war-devastated countries, appropriation for 613
Purchases of foodstuffs, preferences 628
Scientific Research and Development, Office of, appropriation for 612
Selective Service Records, Office of, appropriation for 617

Supplemental Appropriation Act, 1948—Continued — Page
Senate, appropriation for — 610
Social Security Administration, appropriation for — 615
State, Department of, appropriation for — 622
Strikes against U. S. Government, restriction on employment of persons engaging in, etc — 627
Surplus property, care and handling overseas, appropriation for — 614
Treasury Department, appropriation for — 623
United Nations Relief and Rehabilitation Administration, appropriation for liquidation — 614
Veterans' Administration, appropriation for — 617
War Department, appropriation for — 624
Supplemental Appropriation Act, 1948, Second — 695
Agriculture, Department of, appropriation for — 698
American Battle Monuments Commission, appropriation for — 696
Capitol Police, appropriation for — 696
Civil Service Commission, appropriation for — 696
Coast Guard, appropriation for — 702
Commerce, Department of, appropriation for — 698
Commission on Organization of the Executive Branch of the Government, appropriation for — 696
Defense, Office of Secretary of, transfer of funds and equipment from War and Navy Departments; availability; limitation — 703, 704
District of Columbia, appropriation for — 698
Federal Works Agency, appropriation for — 697
House of Representatives, appropriation for — 696
Interior, Department of the, appropriation for — 699
Justice, Department of, appropriation for — 700
Labor, Department of, appropriation for — 700
Legislative Branch of the Government, appropriation for — 695
Maritime Commission, appropriation for — 697
National Security Council, transfer of funds and equipment from War and Navy Departments; availability; limitation — 703, 704

Supplemental Appropriation Act, 1948, Second—Continued — Page
National Security Resources Board, transfer of funds and equipment from War and Navy Departments; availability; limitation — 703, 704
Navy Department, appropriation for — 700
Obligations incurred in anticipation of appropriations or authority, ratification and confirmation — 703
Overthrow of U. S. Government, restriction on employment of persons advocating — 703
Post Office Department, appropriation for — 700
Senate, appropriation for — 695
Strikes against U. S. Government, restriction on employment of persons engaging in, etc — 703
Treasury Department, appropriation for — 697
War Department, appropriation for — 702
Supplemental Appropriation Act, 1948, Third — 941
Agriculture, Department of, appropriation for — 942
Army, Department of the, appropriation for — 943
Commerce, Department of, appropriation for — 943
Federal Security Agency, appropriation for — 942
Foreign aid, appropriation for — 942
House of Representatives, appropriation for — 941
Interior, Department of the, appropriation for — 943
Legislative Branch of the Government, appropriation for — 941
Overthrow of U. S. Government, restriction on employment of persons advocating — 944
President, funds appropriated to, appropriation for — 942
Senate, appropriation for — 941
Social Security Administration, appropriation for — 942
Strikes against U. S. Government, restriction on employment of persons engaging in, etc — 944
Supplemental Government Corporations Appropriation Act, 1948 — 514
Obligations incurred in anticipation of appropriations or authority, ratification and confirmation — 703
Supplies and Accounts, Bureau of. *See under* Navy Department.
Supreme Court, United States. *See under* United States Courts.

Sureties. *See under* Bonds, Official and Penal. Page

Surgeon General. *See* Public Health Service; Medical Department *under* War Department.

Surplus Property. *See also* Surplus Property Act of 1944.
- Aircraft, parts, etc., transfer by War and Navy Departments to Civil Aeronautics Administration, authorized 296
- Alaska Railroad, transfers to 490
- Appropriation for disposition, etc., by War Assets Administration 587
- Care, handling, disposition, etc., appropriation for War Assets Administration 587
- Fish and Wildlife Service—
  - Acquisitions by transfer from War Department, Civil Aeronautics Administration, and War Assets Administration 489
  - Vessels, transfers in connection with fishing resources of Territories and island possessions 726
- Flood damage, etc., transfer for alleviation of 422
  - Funds available; appropriation authorized 423
- Fort McIntosh, Laredo, Tex., transfer of certain property to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 424
- Geological Survey, Department of the Interior, acquisitions by transfer from War Department, Navy Department, or War Assets Administration 479
- House of Representatives, priority in expenditure of appropriations under control of Clerk 58
- Mines, Bureau of, Department of the Interior, acquisitions by transfer from War Department, Navy Department, or War Assets Administration 483
- Navy Department, limitation on use of funds in connection with, advance payments by disposal agency 395
- Overseas care and handling, appropriation for 614
- Panama Canal, transfers of surplus property by War and Navy Departments, authorized 243, 694
- Plants, equipment, etc., certain, transfer of title to War or Navy Department 775

Surplus Property—Continued Page
- Reconstruction Finance Corporation—
  - Limitation on use of funds 515
  - Purchases for resale to small business, priority 209
  - War Assets Administration, waiver of reimbursement for expenses incurred in connection with 516
- Selective Service System, transfer of surplus property authorized 31
- Senate, priority in expenditure of appropriations under control of Sergeant at Arms 58
- Soldiers' Home, transfer to, authorized 691
- State, Department of—
  - Disposal expenses, appropriation for 280
  - United Nations, authority respecting acquisition by 283
- Synthetic rubber plants and facilities, limitation on declaration as 25
  - Exceptions 26
- Yuma Army air base, Ariz., transfer of surplus property, etc., to Bureau of Reclamation, Department of the Interior 477

Surplus Property Act of 1944:
- Amendments—
  - Harbor or port terminals, disposal, prior offer to States, etc 678
  - Public airports, conveyance of property for development; terms, conditions, reservations, and restrictions 678
- Appropriation for carrying out duties of Naval Establishment under 394

Surplus Property Administration, transfer of functions to; redesignation as War Assets Administration 952

Susquehanna River, construction of dam by Pennsylvania Power & Light Company; conditions 675

Sweetpotato Weevil Control, appropriation for; State, etc., cooperation 535

Switzerland, Government of, payment in settlement of claims, authorized 11

Synthetic Liquid Fuel Demonstration Plants, appropriation for 480

T

Taft-Hartley Act. *See* Labor Management Relations Act, 1947.

Talc, income-tax percentage depletion 919, 920

Tariff Act of 1930:
- Amendment, standard newsprint paper, exemption from duty; definition; time limitation 716
- Trade agreements, funds for effecting provisions of law relating to 280

Tariff Commission: Page
Appropriation for 114, 602
Commissioners—
Participation in certain proceedings, restriction on payment 602
Salary rate 607
Tariff Duties. *See* Customs Duties.
Tate, H. T., credit in accounts 729
Tax Court of the United States. *See under* United States Courts.
Tax Research and Research and Statistics, Division of. *See under* Treasury Department.
Taxes:
Admissions tax exemption of members of armed forces, etc., termination date 919
Agricultural commodities, loans from Reconstruction Finance Corporation under Agricultural Adjustment Act, repeal of certain provisions respecting 208
Bank securities, etc., held by Reconstruction Finance Corporation, exemption, repeal of provisions respecting 208
Beverage brandies, blended 321
Bonds, transfer of interest in partnership owning 922
Capital stock, etc.—
Partnership owning shares, transfer of interest in 922
Recapitalization, shares issued in 921
China Trade Act corporations, income tax due date 919
Coast and Geodetic Survey, gifts and bequests, tax exemption 788
Copper, suspension of certain import tax on 56
Distilled spirits and wines, exportation, drawback 319
District of Columbia Revenue Act of 1947. *See separate title.*
Emergency provisions, termination dates 917
Employment taxes—
Social Security rates, employers and employees 793
Withholding at source on wages—
Military and naval personnel 918
Services by U. S. citizen in foreign country or U. S. possession 918
Estate taxes, certain contributions to United Nations, deduction for tax purposes 7
Excise Tax Act of 1947 12
Farm real estate, authorization to receiver to borrow money for payment, repeal of provisions of Emergency Farm Mortgage Act of 1933 208

Taxes—Continued Page
Federal Unemployment Tax Act, amendment, allowance of voluntary contributions 416
Gift taxes—
Discretionary trusts, certain relinquishments by grantor not deemed transfer of property, time extension of provisions; interest restriction on certain overpayments 178
United Nations, certain contributions to, deduction for tax purposes 7
Income taxes—
Corporations, charitable, etc., contributions 920
Indebtedness, exclusion of income from discharge of, time extension 179
Internees, income from sources within possessions of U. S., provisions respecting 714
Involuntary liquidation and replacement of inventory, termination of provision respecting 918
Military and naval personnel—
Abatement of tax for members upon death; credit or refund of overpayment 778, 918
Allowance against gross income, termination date 918
Sea duty or duty outside United States, termination date for deferment 918
Personal holding companies, distributions by; interest restriction on certain overpayments 179
Prisoners of war, income from sources within possessions of United States, provisions respecting 714
State taxation in Federal areas 644
United Nations, certain contributions to, deduction from gross income for tax purposes 6
War losses, extension of time for claiming credit or refund with respect to 756
Insurance, regulation or taxation of, time extension of provisions relating to 448
Minerals, certain, percentage depletion for 919, 920
Obligations, Government, taxation of; exceptions 180
Postponement of certain acts by reason of war, time limitation 919
Powers of appointment in disposition of estates, time extension in connection with release of 178

Taxes—Continued Page
Prohibition Act, National, functions under, transfer from Justice Department to Treasury Department 951
Reconstruction Finance Corporation, exemption from 205
State, etc., taxation affecting Federal areas; sales or use tax; income tax 644
Definitions 645
Exceptions—
Indians 645
United States, its instrumentalities, and authorized purchases therefrom 645
Successor railroad corporations, benefits of certain carry-overs of predecessor corporation for purposes of certain provisions of Internal Revenue Code 324
Refund or credit of certain overpayments 326
Sugar—
Manufactured, definition of 934
Termination 934
Transportation tax exemption of military and naval personnel, termination date 919
United Nations, certain contributions to, deduction from gross income for tax purposes 6
War tax rates of certain miscellaneous taxes, continuance in effect 12
"Rate reduction date," definition of 12
Taylor Grazing Act, Amendments:
Funds, deposit and distribution of 790
Grazing permits, issuance of 790
Indian lands, use of fees from 791
Tea Importation Act, appropriation for enforcement 265
Tebeau, James, payment to Menominee Indian Mills to credit of account of 455
Technical Committee of Aerial Legal Experts, International, appropriation for contribution 113
Telecommunication Union, International, Bureau of, Radio Section, appropriation for contribution 282
Telecommunications Conferences, Designated, rendering of free communication services to official participants in 83
Telegrams, Government, repeal of Post Roads Act of 1866 327
Telegraph and Telephone Facilities, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Temporary Congressional Aviation Policy Board. *See* Congressional Aviation Policy Board, Temporary.

Temporary Controls, Office of: Page
Appropriation for liquidation of functions 16, 18, 618
Materials distribution and liquidation, appropriation for; limitation on availability 698, 699
Reductions in designated appropriations 17, 18
Tennessee:
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Shiloh National Military Park, conveyance within 173
Tennessee Valley Associated Cooperatives, Inc.:
Expenditures, contracts, etc., authorization; appropriation for 576
Liquidation, provision for 576
Tennessee Valley Authority:
Appropriation for 574
Bonded indebtedness, payment 576
Construction of new projects, approval of Congress required 577
Expenditures, contracts, etc., authorization 576
Possession and use of property by Government in time of war, date of termination of state of war, etc., in interpretation of provisions of Act of May 18, 1933 451
Terminal Inspection Act, appropriation for operations under 535
"Termination of War," construction of term for certain legislative provisions 449–454
Territorial Courts, appropriation for 59, 303
Territorial Papers, appropriation for collecting and editing 280
Territories:
Emergency fund—
Reduction in appropriation 21
Repeal of provisions of Act of December 23, 1941 450
Fishing resources, investigation, development, etc., provisions relating to; appropriations authorized 726, 727
Government in, appropriation for 66, 116, 117, 489
Territories and Island Possessions, Division of. *See under* Interior, Department of the.
Texas:
Big Bend National Park, appointment of commissioner, jurisdiction, powers; fees, costs, etc 91
Fort McIntosh, Laredo, transfer of certain property to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 423

Texas—Continued Page
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Rio Grande City, time extension for bridging Rio Grande at or near 728
Rio Grande project, appropriation for 116, 473, 474
Texas City Tin Smelter, maintenance, development, etc., authorized 190
Thenardite, income-tax percentage depletion 919, 920
Theodore Roosevelt National Memorial Park, N. Dak., establishment, acquisition of lands, administration, etc 52
Third Supplemental Appropriation Act, 1948. *See* Supplemental Appropriation Act, 1948, Third.
Thorud, J. M., provisions for relief of 685
Three Affiliated Tribes, Garrison Reservoir, lands for; deposit of funds; contract with United States, etc 690
Thurberia Weevil Control, appropriation for 535
Timber on Public Lands, authority for disposal by Secretary of the Interior 681
Tin and Tin Products:
Allocations, time limitation of provisions, extension 34, 214, 322
Domestic tin-smelting industry, etc., maintenance, study and report by Congress 190
Reconstruction Finance Corporation, continuation of powers, etc., exercised by 190
Texas City tin smelter, maintenance, development, etc., authorized 190
Tobacco:
Crop insurance, provisions respecting 550, 718
Orders regulating handling, terms and conditions 707
Tobacco Acts, funds for effecting provisions of 74, 544
Toilet Preparations, Tax on, war tax rates of certain miscellaneous taxes, continuance 12
Toiyabe National Forest, Nev., acquisition of lands for, appropriation for 539
Toledo, Ohio, exemption of certain plants from disposal limitations 26
Tongass National Forest, Alaska, sale of timber and lands 920
Tongue River Indian Reservation, Mont., irrigation projects, appropriation for 467
Tonnage Duties, collection or payment of certain, relief of liability for 97
Topographic Surveys, appropriation for 477
Tort Claims Act, Federal. *See* Federal Tort Claims Act. Page
Tractors, allocations limited to control of production for export, time limitation of provisions 34
Trade Agreements, funds for effecting provisions of law relating to 280
Trade Commission, Federal, appropriation for 28, 591
Trade Commission Act, Federal. *See* Federal Trade Commission Act.
Trading With the Enemy Act:
Amendments, returns of property—
Notice of claim for return, time limitations 786
Owners, etc., excepted 784
Appropriation for carrying out duties pursuant to 294, 586
Transportation. *See* Carriers.
Transportation, Defense, Office of. *See* Defense Transportation, Office of.
Transportation Corps. *See under* War Department.
Transportation Facilities and Equipment, Allocation, voluntary agreements respecting 945
Transportation Taxes:
Boy Scouts, World Jamboree, nonapplicability to amounts paid for transportation of persons and property 38
Military and naval personnel, exemption, termination date 919
Nonapplication to transportation outside northern portion of Western Hemisphere; exception 12
War tax rates of certain miscellaneous taxes, continuance 12
Travel Provisions, Government Employees. *See* Travel provisions *under* Government Employees.
Treasurer of United States. *See under* Treasury Department.
Treasury, Secretary of the. *See* Treasury Department.
Treasury Department:
Accounts, Bureau of—
Funds for 17, 76, 217
Reduction in appropriation 22, 187
Agriculture, Department of, advances to, authority 545
Appropriation Act, 1948 216
Baltimore, Md., easement, Lazaretto depot 212
Bonds, official and penal. *See separate title.*
Buildings, etc., owned by wholly owned Government corporations, transfer of title; discharge of indebtedness, etc 584

Treasury Department—Continued Page
Checks, Government, rules and regulations for facilitating payment of certain; establishment of special-deposit account 308
Chief Clerk, Office of, funds for 75, 217
Claims, appropriation for payment 77, 216, 218, 625
Coast Guard. *See separate title.*
Contract Settlement, Office of, appropriation for 624
Contract settlement functions, transfer to 951
Copyrights, prescription of regulations for prevention of importation of prohibited articles 664
Credit in accounts of designated officers and former officers 729
Appropriation for certain 730
Customs, Bureau of—
Ajax, Canadian-built dredge, etc., documentation under laws of United States 704
Appropriation for 70, 113, 219
Transfer of funds to 76
Management study, funds available 220
Personal services in District of Columbia, increase in limitation on amount for 70
Sockeye Salmon Fishery Act of 1947, authority of collectors of customs respecting arrest of violators 513
Tonnage duties or light money, collection or payment of certain, relief of liability for 97
Disbursement, Division of, funds for 17, 76, 217
Disbursing officers, continuation of accounts in case of death, resignation, or separation; limitation 717
District of Columbia, reimbursement for benefit payments to White House Police and Secret Service forces, funds for 76, 187, 222
Engraving and Printing, Bureau of—
Appropriation for 221
Transfer of funds to 76
Crediting of proceeds from work 221
Protection of currency, etc., transfer of funds for; detail of Secret Service supervisors 222
Scientific investigations, transfer of funds to National Bureau of Standards for 221
Federal Crop Insurance Corporation, subscriptions to capital stock, appropriation for 70
Federal home-loan banks, stock held by Reconstruction Finance Corporation, transfer to Treasury Department 208

Treasury Department—Continued Page
Federal Insecticide, Fungicide, and Rodenticide Act, joint prescription with Secretary of Agriculture of regulations for enforcement of provisions respecting imports 169, 171
Federal Supply, Bureau of—
Advances, crediting to general supply fund 224
Appropriation for 223
Reduction 22
Field offices of other Government agencies, transactions with 224
Field warehouses, standard forms and blankbook work for 224
Per diem employees at fuel yards, pay rates 224
Personal services, amount available from general supply fund for 224
Reconditioning of equipment, payment for 224
Strategic and critical materials, appropriation for; contract authority; deposit of certain proceeds 624
Supplies, services, etc., payments for 224
Transfer or detail of employees from other agencies, transfer of funds for 223
Typewriters—
Prices 224, 225
Repairs, payment for 224
Warehousing functions for non-Federal agencies, continuance of 223
Fiscal Service—
Appropriation for 17, 113, 217
Transfers between appropriations 76
Foreign aid program—
Advances to Reconstruction Finance Corporation, interest restriction 939
Cancellation of notes of government agencies for equalization of certain losses 939
Foreign funds control, appropriation for 624
Fort Lauderdale, Fla., conveyance of designated Coast Guard site, time extension 54
General Counsel and Tax Legislative Counsel, Office of, funds for 75, 217
Health service programs, appropriation for 217
Internal Revenue, Bureau of—
Appropriation for 187, 220
Transfer of funds to 76
Joint Committee on Internal Revenue Taxation, study respecting personnel, report to Congress 227
International Organizations Procurement Act of 1947 752
Judgments, appropriation for payment 77, 78, 626

Treasury Department—Continued Page
Lend-lease program; appropriation for liquidation; limitation on availability of funds 613
Liberty Bond Act, Second. *See separate title.*
Mineral Leasing Act, amendment, money received from sales, etc., of public lands under, disposition 119
Mint, Bureau of the, funds for 76, 113, 223
Miscellaneous expenses, appropriation for 217
Mitchell, Brig. Gen. William, appropriation for medal for 113
Narcotics, Bureau of—
Appropriation for 221
Transfer of funds to 76
Law violators, information in connection with apprehension of, expenditure authorized 221
Naval postgraduate school, share of cost of instruction of Coast Guard officers at 706
Overthrow of U. S. Government, restriction on employment of persons advocating 233
Paper for U. S. securities, distinctive, division of award 219
Penalty mail costs, appropriation for 187, 216
Pershing, General of the Armies John J., appropriation for medal for 113
Personnel, Division of, funds for 75, 217
Printing and binding, appropriation for 217, 218, 219, 220, 222, 223, 225
Procurement Division—
Reduction in appropriation 22
Transfer of funds to appropriation 76
Prohibition Act, National, functions under, transfer from Department of Justice 951
Public Debt, Bureau of the, funds for 76, 218
Railroads, successor corporations, benefits of certain carry-overs of predecessor corporation for purposes of certain tax provisions 324
Refund or credit of certain overpayments 326
Reconstruction Finance Corporation—
Loans to Department of Agriculture, certain, transfer, etc 545
Obligations of, issuance to Secretary; maturity, interest, etc 204
Termination of powers prior to expiration of succession, deposit of funds received in course of liquidation 205
Transfer of duty of completing liquidation at expiration of period of succession 206

Treasury Department—Continued Page
Reduction in designated appropriations 22, 187
Renegotiation Act, refunds under, appropriation for 623
Research and Statistics, Division of. *See* Tax Research and Research and Statistics, Division of, *this title.*
Rural Electrification Administration loans, amendment of provisions respecting; transfer of functions, etc 547
Salaries, appropriation for 216
Salaries and expenses, restriction on payment of certain 227
Secret Service Division—
Appropriation for 187, 222
Transfer of funds to 76
Policemen and firemen's relief fund, D. C., credit for service in armed forces in determination of benefits 398
Secretary—
Office of, funds for 70, 75, 187, 216, 623
Presidential succession 380
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 233
Switzerland, Government of, payment in settlement of claims, authorized 11
Tax Legislative Counsel, Office of. *See* General Counsel and Tax Legislative Counsel, Office of, *this title.*
Tax Research and Research and Statistics, Division of, funds for 75, 217
Transfer between appropriations 75
Treasurer of United States—
Office of, funds for 76, 113, 219
Payment of U. S. obligations, nonliability for 730
Treasury building—
Custody of, funds for 75, 217
Guard force, funds for 76, 222
Vessels, anchorage, movement, etc., authority respecting, date of termination of emergency in interpretation of provisions of Act of June 15, 1917 454
War Damage Corporation, payment to Treasury of United States 579
War Shipping Administration funds, disposition; appropriation for liquidation of obligations; limitation on availability 697
Treaties:
Patent provisions, peace treaties, effectuation 794
Publication, etc., in Statutes at Large 636

Page

Trieste, Aid to. *See* Relief Assistance to Countries Devastated by War.
Trona, income-tax percentage depletion 919, 920
Trout, Steelhead, nonapplicability of regulations respecting interstate transportation of certain 518
Trusteeship Agreement, Territory of Pacific Islands, approval by President on behalf of United States, authorized 397
Tuberculosis Control, funds for 72, 107, 268
Tucker, John, Sr., Estate of, payment to Menominee Indian Mills to credit of account of 455
Tucker, Louis, Jr., payment to Menominee Indian Mills to credit of account of 455
Tucson, Ariz., lease of public lands for aviation field, date of termination of state of war, etc., in interpretation of Act of April 12, 1926 451
Turkey:
Assistance to, provisions respecting 103
Appropriation for 613
Tussock Moth Control, appropriation for 65

U

Uinta National Forest, Utah, acquisition of lands for, appropriation for 539
Unemployment Compensation Act, D. C., Amendment, contribution rates after termination of military service 494
Unemployment Compensation Administration. *See* Social Security Administration.
Unemployment Tax Act, Federal, Amendment, allowance of voluntary contributions 416
Unemployment Trust Fund:
Federal unemployment account, authorization of funds, etc 794
Railroad employees, applications for refunds, time extension 793
State unemployment funds, advances to, change of dates affecting 794
UNESCO. *See* United Nations Educational, Scientific, and Cultural Organization.
Unification Act. *See* National Security Act of 1947.
Uniform State Laws, National Conference of Commissioners on, appropriation for support by District of Columbia 426
Union Catalogs, appropriation for 114, 372
United Nations:
Armed forces, members of—
Admissions tax exemption, termination date 919
Death, abatement of tax, termination date 918

United Nations—Continued Page
Armed forces, members of—Continued
Free importation privileges, termination date 917
U. S. citizens or residents, allowance against gross income, termination date 918
Children's Emergency Fund, International—
Appropriation for 613
Contributions by United States; limitations 125, 939
Contributions to, certain, deduction from gross income for tax purposes 6
Food and Agriculture Committee, appropriation for contribution by United States 282
Headquarters, permanent, agreement respecting 758
Aerodrome 759
Annex 1, definition of area 766
Annex 2, maintenance of utilities and underground construction 766
Communications and transit 761
Definitions 758
Disposition of property 759
Effectuation, authorization for 756
Headquarters district 758
Land, acquisition of, authority of President of United States; condemnation proceedings 766
Appropriation authorized 767
Law and authority in 760
Miscellaneous provisions 764
Operation of, matters relating to 764
Police protection of headquarters district 763
Postal service 760
Public services and protection of headquarters district 763
Racial or religious discrimination, prohibition of 764
Radio facilities 759
Resident representatives to United Nations 762
Rights of United States 767
States, agreements with 767
Temporary headquarters, effectiveness of provisions of agreement with respect to, authority of President of United States 767
International Refugee Organization. *See separate title.*
Military and Naval Staff Committee, senior members, rank, pay, etc 887
Military Staff Committee, U. S. representation on, duty of Joint Chiefs of Staff to provide 505

United Nations—Continued Page
Surplus property, acquisition of, authority of Department of State 283
Trusteeship agreement for Territory of Pacific Islands, approval by President on behalf of United States, authorized 397
U. S. participation—
Appropriation for 113, 283
Transfer of funds from 117
Availability of appropriation for expenses incident to maintenance of official residence, U. S. Representative, etc 623
United Nations Educational, Scientific, and Cultural Organization, appropriation for U. S. participation in 283
United Nations Relief and Rehabilitation Administration:
Liquidation of activities, appropriation for administrative expenses, authorized 260
Appropriation for 614
United Pueblos Indian Reservation, N. Mex., appropriation for 467, 468
United States Air Force. *See* Air Force, Department of the, *under* National Security Act of 1947.
United States Code:
Citation 638
Codification and enactment into positive law—
Title 1, General Provisions 633
Title 4, Flag and Seal, Seat of Government, and the States 641
Title 6, Official and Penal Bonds 646
Title 9, Arbitration 669
Title 17, Copyrights 652
Distribution 640
Evidence of the laws 638
Preparation and editing, annual appropriation authorized 640
Publication, distribution, etc 637
Supplements 637
Copies printed at Government Printing Office, conclusive evidence of original 639
Distribution 640
United States Code Annotated, price limitation 609
United States Commercial Company:
Appropriation for 515, 614
Extension of succession 207
Surplus property, care and handling overseas, appropriation for; limitation 614
United States Conciliation Service. *See* Conciliation Service *under* Labor, Department of.
United States Courts. *See also* Justice, Department of. Page
Administrative Office—
Appropriation for 28, 106, 305
Secretaries for circuit and district judges, fixing of compensation 409
Arbitration, codification and enactment into positive law of title 9, U. S. Code 669
Books, transmittal to successors in office; marking 306
Claims, Court of—
Appropriation for 59, 303
Navajo Tribe of Indians, suit against United States respecting consideration for certain lands, jurisdiction 189
Quinaielt Tribe, declaration as proper party plaintiff in designated action; determination of compensation of attorneys 417
Clerks of courts—
Restriction on use of funds for maintaining offices at designated places 304
Salaries, appropriation for 27, 304
Commissioners' fees, appropriation for 27, 304
Criers, appropriation for salaries 27, 304
Customs and Patent Appeals, Court of, appropriation for 27, 184, 303
Customs Court, appropriation for 27, 303
District courts—
Copyright infringements, jurisdiction in enforcing remedies 662, 664
Court reporters, appropriation for salaries 305
Labor organizations, suits by and against, jurisdiction, etc 156, 157, 158
Natural gas pipe lines, acquisition of right-of-way by exercise of right of eminent domain, jurisdiction 459
Sugar Act of 1948, enforcement, etc 932
Texas, Western District, appointment of commissioner for Big Bend National Park; deposit of fees with, etc 91
United Nations, condemnation proceedings in connection with acquisition of property for, jurisdiction 766
District of Columbia—
Appropriation for 63, 184, 302, 435, 612
Building for Court of Appeals and District Court—
Acquisition of site and preparation of plans and specifications 120
Appropriation for 612
Public Buildings, Commissioner of, exercise of powers, etc., by 612

United States Courts—Continued Page
District of Columbia—Continued
Court of Appeals for—
Sale price limitation on reports of 306
Secretary for judge, appointment authorized 409
Sugar Act of 1948, appeal from allotments under 926
District court, secretary for judge, appointment authorized 409
Five Civilized Tribes, Okla., removal of action or proceeding to U. S. district court, restriction; right of appeal 732
Judges—
Circuit and district, appointment of secretaries for, authorized; compensation, etc 409
Salaries of, appropriation for 27, 302, 303
Jurors, appropriation for fees 184, 304
Law clerks, certain, salary limitation 304
Miscellaneous expenses, appropriation for 27, 59, 184, 305
Overthrow of U. S. Government, restriction on employment of persons advocating 306
Penalty mail costs, appropriation for 305
Pennsylvania, transfer of Blair County from middle judicial district to western judicial district 310
Per diem restriction 294
Printing and binding, appropriation for 184, 305
Probation system, appropriation for 27, 304
Referees, appropriation for salaries and miscellaneous expenses 305
Salaries, miscellaneous, appropriation for 304
Secretaries, certain, salary limitation 304
Sockeye Salmon Fishery Act of 1947, issuance of warrants, etc., with respect to violations 513
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 306
Supreme Court—
Appropriation for 15, 27, 106, 302, 305, 369, 373
Civil procedure, preparation of rules for, appropriation for 302
Copyright infringement proceedings, prescription of rules and regulations for practice and procedure 662
Sugar Act of 1948, review of appeals from allotments under 927
Tax Court of United States, appropriation for 28, 109, 603
Territorial courts, appropriation for 59, 303
Traveling expenses, appropriation for 305

United States Courts—Continued Page
United Nations headquarters district, jurisdiction 760
United States Employment Service. *See under* Labor, Department of.
United States Housing Act of 1937, Amendment, loans, capital grants, etc., for low-rent-housing and slum-clearance projects 704
United States Housing Authority. *See under* Housing.
United States Housing Corporation. *See under* Housing.
United States Maritime Commission. *See* Maritime Commission.
United States Military Academy. *See* Military Academy.
United States-Reading Bicentennial Commission, establishment, composition, duties, etc 769
United States Soldiers' Home:
Appropriation for 71, 691
Transfer of surplus property to, authorized 691
UNRRA. *See* United Nations Relief and Rehabilitation Administration.
Upper Mississippi River, allocation of funds for watershed 540
Urgent Deficiency Appropriation Act, 1947. *See* Deficiency Appropriation Act, 1947, Urgent.
Urgent Deficiency Appropriation Act, 1947, Second. *See* Deficiency Appropriation Act, 1947, Second Urgent.
Utah:
Cache National Forest, acquisition of lands for, appropriation for 539
Ogden River project, appropriation for construction 474
Provo River project, appropriation for construction 474

V

Vale Oregon Irrigation District, appropriation for reimbursement to 66
Vaughn, Earl, payment to Menominee Indian Mills to credit of account of 455
Vegetable Crops and Diseases, funds for investigations, etc 73, 533
Vegetables, terms and conditions of orders regulating handling; exemption 707, 710
"Vehicle," definition in construction of statutes 633
Venereal Diseases, prevention, treatment, control, etc., funds for 72, 107, 268
Vermiculite, income-tax percentage depletion 919, 920
Vermont, New England Interstate Water Pollution Control Compact, consent and approval of Congress 682

Page

Vermouth, manufacture, interior communication with other parts of bonded winery 320

Vessels. *See also* Maritime Commission; Merchant Ship Sales Act of 1946; Naval Vessels.

Ajax, Canadian-built dredge, etc., documentation under laws of United States 704

Arbitration, codification and enactment into positive law of title 9, United States Code 669

Arming of, repeal of provisions of Act of November 17, 1941; effective date 451

Charter, sale, etc., of certain vessels acquired by Maritime Commission, suspension of restrictions, repeal of Act of May 14, 1940 450

Charters, termination during national emergency, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454

Coast and Geodetic Survey, employment of public vessels authorized 788

Coast Guard—

Authority respecting anchorage, movement, etc., date of termination of emergency in interpretation of provisions of Act of June 15, 1917 454

Contracts, certain, repeal of provision of Act of July 11, 1941 450

Special projects, reduction in appropriation 22

Vessels and shore facilities—

Acquisition, appropriation for 227

Reductions in appropriations 22, 702

Communications Act of 1934, protection of vessels in wartime, repeal of Act of Dec. 29, 1942 450

Crosline, ferry, admission to American registry, use in coastwise trade 182

Definition of "vessel" in construction of statutes 633

Fish and Wildlife Service, acquisitions by 489, 726

Foreign, naval appropriation for expenses in connection with transfer to United States 395

Foreign ship construction costs, determination, repeal of Acts of June 11, 1940 and May 2, 1941 450

Foreign trade, charter by Maritime Commission to private operators for, repeal of Act of May 2, 1941 450

Hyder, Alaska, transportation of supplies and products of Riverside Mine by vessels of foreign registry; time limit 632

Page

Vessels—Continued

Insurance by War Shipping Administration of certain companies against legal liabilities, repeal of provision of Act of March 24, 1943 450

Iron ore, transportation in vessels of Canadian registry, repeal of Act of Jan. 27, 1942; effective date 451

Italian, return of certain, etc 784, 786

Light money, collection or payment of certain, relief of liability for 97

Lists of persons arriving at or departing from U. S. ports, etc 630

Merchant vessels, priorities in transportation; issuance of warrants, repeal of Act of July 14, 1941 450

Navigation and inspection laws, waivers of compliance with—

Authority of Commandant of Coast Guard and Secretary of War 33, 685

Time limitation, extension of Second War Powers Act 34, 214, 322

Obligations, essential vessels affected by Neutrality Act, maintenance and adjustment, date of termination of emergency in interpretation of provisions of Act of June 29, 1936 454

Officers, licenses; draft exemption; pay, etc., date of termination of war in interpretation of provisions of Act of Oct. 22, 1914 454

Radio operators, restriction on employment in certain cases, repeal of Act of Dec. 17, 1941 450

Radio operators of cargo ships, experience requirement, repeal of Acts of July 8, 1941 and June 22, 1943; effective date 451

Seamen. *See separate title.*

Surplus, care and handling of certain, transfer of funds from Maritime Commission to Navy Department 700

Switzerland, payment of claims for loss of food, etc., in sinking of Japanese vessel *Awa Maru* 11

Tonnage duties, collection or payment of certain, relief of liability for 97

Transfer, designated agencies, authorized 558

Transfer of shipping facilities during war, etc., date of termination of emergency in interpretation of provisions of Act of July 15, 1918 454

Treasury Department, authority respecting anchorage, movement, etc., date of termination of emergency in interpretation of provisions of Act of June 15, 1917 454

War Shipping Administration. *See separate title.*

Veterans. *See also* Veterans Administration. Page

Alien spouses, nonapplicability of provisions respecting racial ineligibility; time limitation 401
Allied nations, veterans of, extension of certain benefits to, date of termination of war in interpretation of Act of July 11, 1946 454
AMVETS (American Veterans of World War II), incorporation of 403
Armed Forces Leave Act of 1946, Amendments. *See* Leave Act of 1946, Armed Forces, Amendments.
Boxer Rebellion, increase in pension rates 610
Civil War, increase in pension rates 610
Claims, presentation by veterans' organization, retired members of armed forces as representatives 716
Deceased, World War II, benefits under Social Security Act, date of termination of war in interpretation of provisions of Act of Aug. 10, 1946 454
District of Columbia—
Fire Department, seniority benefits for certain members 240
Metropolitan Police, seniority benefits for certain members 240
Policemen and firemen's relief fund, certain employees, credit for service in armed forces in determination of benefits 398
Services to, appropriation for 435
Tax, income, exclusion from gross income of certain payments made under laws relating to veterans 336
Temporary housing, date of termination of emergency in interpretation of Act of May 18, 1946 453
Educational facilities—
Appropriation for; limitation on availability 108
Increase in limitation on amount for administrative expenses 598
Institutional on-farm training, inclusion in educational and training program 791
Provision to certain institutions, date of termination of emergency in interpretation of Act of Aug. 8, 1946 453
Relocation of buildings, cost limitation 108
Fiancées or fiancés, alien, admission to United States, time extension of authority 190
Gold star lapel buttons, furnishing to widows, parents, etc., of deceased armed forces members 710

Veterans—Continued Page
Government employment—
Points added to earned ratings, date of termination of war in interpretation of provision of Act of June 27, 1944 453
Restoration of employees to former positions 608
Homestead entries—
Availability of credit to surviving spouse or minor children 123
Credit for military or naval service 123
Preferred right of application 124
Housing. *See separate title.*
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Loans—
Date of termination of war in interpretation of provisions of Act of June 22, 1944 454
Guarantee or insurance under Servicemen's Readjustment Act, purchase by Reconstruction Finance Corporation, repeal of provisions respecting 209
Medals, decorations, etc. *See separate title.*
Merchant marine, reemployment rights, consideration of certain service in, date of termination of emergency in interpretation of provisions of Act of Aug. 8, 1946 454
National Service Life Insurance Act of 1940, Amendments. *See separate title.*
Ordnance, condemned or obsolete, provision for loan or gift to State homes for former members of armed forces 707
Osage Indians, loans under provisions of Servicemen's Readjustment Act of 1944 747
Philippine Insurrection—
Increase in pension rates 610
Payment of certain claims 79, 627
Placement Service Board, membership of Director of Office of Selective Service Records; availability of public records 32
Preference eligibles, discharge, etc., mandatory corrective action on recommendation of Civil Service Commission 723
Reclamation projects, settlement and employment on, transfer of certain lands, etc., to Bureau of Reclamation, Department of the Interior 477

Veterans—Continued Page
Regulations—
No. 1 (a)—
Part II, Paragraph I, subparagraph c, date of termination of war in interpretation of Act of Dec. 19, 1941 454
Part VII—
Date of termination of war in interpretation of Act of March 24, 1943 454
Paragraph 3, amendment 739
Paragraph 8, amendment 180
Part VIII—
Date of termination of war in interpretation of provisions of Act of June 22, 1944 454
Paragraphs 4–6, amendments 791
Paragraph 11 (c), addition 792
Soil Conservation and Domestic Allotment Act, payments to certain inducted farmers 542
Spanish-American War—
Increase in pension rates 610
Payment of certain claims 79, 627
Terminal leave, redeemable date of bonds; cash settlement, etc 510
Unemployment, date of termination of war in interpretation of provision of Act of June 22, 1944 respecting readjustment allowances 454
Veterans' Act, 1924, World War. *See* World War Veterans' Act, 1924.
Veterans Administration. *See also* Veterans.
Adjusted service and dependent pay, reduction in appropriation 18
Administration, medical, hospital, and domiciliary services, appropriation for 17, 28, 62, 184, 604
Administrative facilities, appropriation for acquisition 605
AMVETS, transfer of assets in event of final dissolution 407
Appropriations, disbursements during July 1947 authorized; deductions from 1948 appropriations 244
Automobiles, etc., for disabled veterans of World War II, funds and authority continued available 244
Appropriation for 617
Benefits, veterans', miscellaneous, appropriation for 606
Canteen Service, Veterans', appropriation for 606
Clarksburg, W. Va., acquisition of site for facility at 677
Construction and repair, restriction on use of funds 605

Veterans Administration—Continued Page
Damage claims, appropriation for payment 605
Decentralization allowances, reduction in appropriation 19
Disbursements of appropriations during July 1947 authorized; deductions from 1948 appropriations 244
Family allowance, military and naval, reduction in appropriation 18
Federal Security Agency, transfer of funds to 605
Health service program, appropriation for 604
Hospital and domiciliary facilities—
Appropriation for 605
Limitation on use of funds 606
Reduction in appropriation 18, 609
Sites, limitation on acquisition of certain 606
Hospitalization restriction 607
Insurance. *See* Insurance; National Service Life Insurance Act of 1940, Amendments.
Interior, Department of the, transfer of funds to 605
Lands belonging to United States under supervision of, granting of easements and rights-of-way authorized 124
Leases of property for certain purposes, time extension of authority of Administrator 133
National Housing Council, membership of Administrator 955
National Service Life Insurance Act of 1940, amendments. *See separate title.*
Navy Department, transfer of funds to 605
Penalty mail costs, appropriation for 605
Pensions—
Appropriation for 62, 605
Eligibility for, date of termination of war in interpretation of Act of March 24, 1943 and provisions of Act of June 22, 1944 454
Increase in rates, veterans of Philippine Insurrection and Boxer Rebellion 610
Wartime rates for certain disabilities, date of termination of war in interpretation of Act of Dec. 19, 1941 454
Philippines, offices in, continuance and establishment after independence, authorized; time limitation 132
Printing and binding, appropriation for 62, 605
Public Health Service, transfer of funds to 605

Veterans Administration—Continued Page
Public relations work, limitations—
Employees, number of 605
Funds, use of 62
Readjustment allowances, date of termination of war in interpretation of provision of Act of June 22, 1944 454
Readjustment benefits, appropriation for 62, 605
Reduced-fare requests, funds available for 605
Reduction in designated appropriations 18
Rehabilitation, increase in minimum allowance payable in certain service-connected cases 739
Social Security Act, benefits in the case of deceased World War II veterans, date of termination of war in interpretation of provisions of Act of Aug. 10, 1946 454
Soldiers' and sailors' civil relief, appropriation for 606
State or Territorial homes, aid to 604
Subsistence allowance, increase in minimum payable in certain service-connected cases 739
Tobacco, purchase authorized 604
Travel expenses, increase in limitation on 62
Vocational rehabilitation—
Eligibility for, date of termination of war in interpretation of Act of March 24, 1943, and provisions of Act of June 22, 1944 454
Reduction in appropriation 18
Revolving fund—
Appropriation for 17, 62
Increase in authorization 180
War Department, transfer of funds to 605
Veterans' Affairs, Administrator of. *See* Veterans Administration.
Veterans' Emergency Housing Act of 1946. *See under* Housing.
Veterans of Foreign Wars, attendance of Marine Band at parade in Cleveland, Ohio, authorized 632
Veterans' Placement Service Board, appropriation for 262
Veterans' Preference Act of 1944, Amendment, discharge, etc., of preference eligibles, mandatory corrective action on recommendation of Civil Service Commission 723
Vice President of the United States:
Compensation of, appropriation for 362
Office of, appropriation for 362
Victory Bible Camp Ground, Inc., purchase of land in Alaska 90
Vigue, Louis, payment to Menominee Indian Mills to credit of account of 455
Vigue, Paul, Jr., payment to Menominee Indian Mills to credit of account of 455
Vigue, Paul, Sr., payment to Menominee Indian Mills to credit of account of 455
Village Delivery Service, appropriation for 29, 230
Virgin Islands:
Agricultural station, appropriation for 117, 491
Economic conditions, funds available for study of 299
Farm Tenant Act, Bankhead-Jones, extension of provisions to 493
Government in, appropriation for 66, 117, 491
Military forces other than National Guard, maintenance, etc., repeal of provisions of National Defense Act of June 3, 1916 449
Public works, appropriation for 597
St. Croix, appropriation for municipal government 66, 491
Soil Conservation and Domestic Allotment Act, extension of provisions to 494
Sugar, regulation of commerce in. *See* Sugar Act of 1948.
Topographic surveys, appropriation for 477
Virgin Islands Company, availability of funds, etc 581
Virginia:
American Telephone and Telegraph Company, conveyance by Navy Department, authorized 13
Arlington County, right of assumption and control of certain lands by U.S., date of termination of emergency in interpretation of Act of Feb. 28, 1933 452
Arlington Farm, removal and reestablishment, reduction in appropriation 20
Falls Church, delivery of water from D. C. water system 181
Mount Weather, transfer of U. S. Weather Bureau Station, etc., to Bureau of Mines, Department of the Interior 483
Washington National Airport, agreements for municipal services to; charges; appropriations authorized 95
Virginia Electric and Power Company, conveyance by Navy Department, authorized; transfer of equipment 14
Virus Serum Toxin Act, funds for enforcement 73, 532
Vocational Education, appropriation for 30, 266, 428
Vocational Rehabilitation, Office of. *See under* Federal Security Agency.

Page

Vocational Rehabilitation, Veterans'. *See under* Veterans Administration.
Voluntary Agreements, Stabilization of Economy, Etc. *See* Commodity Prices, Stabilization.

W

W. C. Austin Project, Okla., change of name of Lugert-Altus irrigation project to 99
Wage and Hour Division. *See under* Labor, Department of.
Wage Stabilization Board, National, salaries and expenses, reduction in appropriation 22
Walker, Minn., cooperation in extension, etc., of public-school facilities; appropriation authorized 414
Walnuts, orders regulating handling, terms and conditions 707
Walsh-Healey Act:
Claims under, relief from certain 85, 86
Portal-to-Portal Act of 1947, applicability 85
Definition for purposes of 90
Restriction on liability of employer in designated circumstances 88, 89
Statute of limitations 88
War, Articles of:
Amendment, Article 119, rank and precedence among officers 913
Date of termination of war in interpretation of certain provisions of Act of June 4, 1920 452, 454
War, Secretary of. *See* War Department.
"War, Termination of," construction of term for certain legislative provisions 449–454
War Assets Administration:
Aircraft, transfer to Fish and Wildlife Service, Department of the Interior, for replacement purposes 489
Appropriation for 107, 587
Associate War Assets Administrator, appointment, compensation, duties 952
Educational facilities, provision to certain educational institutions, date of termination of emergency in interpretation of provisions of Act of Aug. 8, 1946 453
Fort McIntosh, Laredo, Tex., transfer of certain property to U. S. Section, International Boundary and Water Commission, U. S. and Mexico 423
Oath, affidavit, etc., administration, authority of employees 588
Supplies and facilities for designated employees, procurement 588

War Assets Administration—Continued Page
Surplus property transfers, etc.—
Fish and Wildlife Service 489
Flood damage, etc., alleviation of 422
Geological Survey 479
Mines, Bureau of 483
Plants, equipment, etc., War or Navy Department 775
Reconstruction Finance Corporation, waiver of reimbursement 516
Selective Service System, approval requirement 31
Synthetic-rubber plants and facilities, limitation on disposal 25
Exceptions 26
Transfer of functions to Surplus Property Administration; redesignation of latter as War Assets Administration 952
War Assistance, Civilian:
Appropriation for continuing 275
Reduction in appropriation 19
War Benefits Program, Civilian:
Appropriation for continuing 616
Reduction in appropriation 19
War Claims Act of 1928, Settlement of, German special deposit account, deposit of certain funds in; change in order of priority for payment from 789
War College, National:
Appropriation for 552
Rescission 572
War College, Naval, funds for 67, 383
War Contracts. *See* Contracts With United States, Etc.
War Contracts Price Adjustment Board:
Claims against United States, prosecution of, nonapplicability of designated provisions of law to service of certain Government employees as counsel, etc 133
Renegotiation Act, refunds under, determination of interest; certification of amount to Treasury 623, 624
War Council. *See under* National Security Act of 1947.
War Damage Commission, Philippine, appropriation for; restriction on certain payments 601
War Damage Corporation:
Payment to Treasury of United States 579
Supplying of funds by Reconstruction Finance Corporation, etc., repeal of provisions 209
War Department. *See also* Army; National Security Act of 1947.
Adjutant General's Office—
Appropriation for 568
Appropriation rescissions 572, 573

War Department—Continued Page
Air Corps—
Appropriation for 559, 568
Reduction 574
Transfer of funds from 71
Commanding General, Army Air Forces, Office of—
Appropriation for 568
Appropriation rescission 574
Contract authority 560
Reserve officers, certain, lump-sum payment on release from active duty; payment to beneficiaries, etc 425
Aircraft—
Contracts for purchase, repeal of Act of March 5, 1940 449
Transfer to Fish and Wildlife Service for replacement purposes 488, 489
Airports, public, disposals of surplus property for, terms, etc 680
Alaska, transportation of U. S. employees on Army transports; limitation 423
Alaska Railroad Retirement Act, reemployment of persons retired under, repeal of Act of Dec. 22, 1942 450
Appropriation Acts—
Civil 686
Military 551
Arlington County, Va., right of assumption and control of certain lands by U. S., date of termination of emergency in interpretation of Act of Feb. 28, 1933 452
Armored force, appropriation rescission 573
Army, Department of the, change of name to 501
Army Ground Forces, appropriation for training and operation 563
Army Medical Service Corps. *See under* Army-Navy Medical Services Corps Act of 1947.
Army-Navy Nurses Act of 1947. *See separate title.*
Arsenals, repair, emergency construction, reduction in appropriation 23
Articles of War. *See separate title.*
Assignments, transfers and allotments, restriction on reclamation of money paid under 553
Boy Scouts, World Jamboree—
Loan of equipment; expense of delivery and return; bond 37, 38
Transportation on vessel of Army Transport Service 38
Buildings, reduction in appropriation 19
Butter substitutes, restriction on use 556

War Department—Continued Page
Canal Zone—
Hours of employment and rates of pay of skilled, etc., personnel 570, 693
Maintenance, etc., appropriation for 691
Panamanian citizens, employment, etc 570, 693
Sanitation, appropriation for 114
Cavalry, Office of Chief of, appropriation rescissions 573
Cemeteries, historic, on abandoned military posts, conveyance to States, etc.; reversion to United States 234
Chaplains, Office of Chief of—
Appropriation for 568
Appropriation rescission 574
Chemical Corps—
Appropriation rescission 573
Chemical Service, appropriation for 562
Chief, Office of, appropriation for 568
Chief of Staff, Office of—
Appropriation for 568
Appropriation rescissions 572, 573
Citizens' Military Training, appropriation for 566
Citizenship requirements—
Canal Zone 570, 693
Nonapplication to personnel under Military Establishment 553
Civil Aeronautics Administration—
Equipment, transfer to Washington National Airport, authorized 297
Transfer of surplus aircraft, parts, etc., to, authorized 296
Civil Appropriation Act, 1948 686
Civil functions, funds for 71, 76, 114, 118, 625, 686, 943
Civilian employees, funds available for instruction and training 570
Claims—
Appropriation for 70, 552, 555, 560, 624, 626
Appropriation rescission 573
Appropriations available for 694
Clothing and equipage—
Appropriation for 557
Appropriation rescission 573
Coast and Geodetic Survey, transfer of equipment, personnel, etc., date of termination of emergency in interpretation of Act of May 22, 1917 452
Coast Artillery, Office of Chief of, appropriation rescission 574
Command and General Staff College, Fort Leavenworth, Kans.—
Appropriation for 552
Appropriation rescission 572
Community facilities, defense public works, reduction in appropriation 22

War Department—Continued Page
Construction—
Buildings, utilities, and appurtenances, reduction in appropriation 22, 625
Permanent, limitation on 562
Contingencies, Army—
Appropriation for 551
Appropriation rescission 572
Contingent expenses—
Appropriation for 569
Appropriation rescission 574
Contracts—
Priority powers, termination dates, amendment of Second War Powers Act 34, 214, 322
War contracts, financing of—
Appropriations available 569
Reduction in appropriation 22
Defense, Office of Secretary of, transfer of funds and equipment to; limitation 703, 704
Defense Plant Corporation, transfer of title of certain plants, equipment, etc 774
Dependents, transportation of—
Change of station 554
Military personnel, air transportation of war spouses and their children, appropriation for 70
Disbursing and certifying officers, relief from liability for certain losses; credit in accounts 493
Disbursing officers, Army, time extension for examination of accounts, date of termination of state of war, etc., in interpretation of provisions respecting 452
District of Columbia, lease of buildings for military purposes, date of termination of war, etc., in interpretation of provision of Act of July 9, 1918 452
Domestic food or clothing products, preference for 556
Emergency fund for the President, defense housing, reduction in appropriation 22, 23
Engineers, Corps of—
Appropriation for 187, 561, 568, 687
Rescissions 573, 574
Transfer of funds from 71
Bridges, alteration of, appropriation for U. S. share of expenses 689
Dan River, dam across, approval of plans; restriction on deviation 98
Falls Church or other water systems in metropolitan area of D. C. in Virginia, delivery of water from D. C. water system 181

War Department—Continued Page
Engineers, Corps of—Continued
Flood control. *See under* Rivers and Harbors.
Little Sioux River, Iowa, flood-control project, supervision, etc 741
Personnel, additional, employment of 687
Power-driven boats, limitation on use of funds for 688
Reclamation, Bureau of, Department of the Interior, cooperation in investigations 473
Rivers and harbors. *See separate title.*
Surveys, etc., unauthorized, restriction 688
Susquehanna River, construction of dam by Pennsylvania Power & Light Company, approval requirement 675
Vehicles, etc., funds for purchase 688
Water mains, Federal, outside D. C., appropriation for maintenance and operation 690
Expediting production, equipment and supplies for national defense, appropriation rescission 572
Family allowances, restriction on use of funds for audit work respecting 572
Field Artillery, Office of Chief of, appropriation rescission 573
Field exercises—
Appropriation for 551
Appropriation rescission 572
Finance Department—
Appropriation for 70, 552
Transfers of funds to 71
Appropriation rescissions 573
Chief of Finance—
Action as fiscal, disbursing, and accounting agent of Director of Office of Selective Service Records 32
Office of—
Appropriation for 568
Appropriation rescission 573
Claims—
Appropriation for 555
Appropriation rescission 573
Flying hours, maximum, in interstate air transportation, under Civil Aeronautics Act of 1938, repeal of Act of April 29, 1942 450
"Flying officer," definition 552
Foreign countries, funds for conducting investigations in 569
Fort Rosecrans, Calif., use of federally owned lands as national cemetery, authorized 742

War Department—Continued Page
Fort Schuyler Military Reservation, N. Y., right of assumption and control by U. S., date of termination of emergency in interpretation of Act of Aug. 19, 1937 452
Gages, dies, jigs, etc., funds available for procurement of 572
General Staff Corps—
Appropriation for 551
Appropriation rescissions 572
Geographic Names, Board on, representation on, etc 456
Gold star lapel buttons, furnishing to widows, parents, etc., of deceased armed forces members 710
Hawaii, conveyance, date of termination of emergency in interpretation of Act of June 19, 1936 454
Health service programs, funds for 569, 694
Helium procurement—
Appropriation for 559
Transfer of funds to Bureau of Mines for 482
Hoboken Pier Terminals, Hoboken, N. J., right of assumption and control by U. S., date of termination of emergency in interpretation of Act of June 21, 1938 452
Horses, draft and pack animals, appropriation for 558
Household effects, transportation of, on change of station 554
Housing. *See separate title.*
Illinois, transfer of certain lands to Secretary of Interior, limitation on jurisdiction over portion used by War Department 770
Infantry, Office of Chief of, appropriation rescission 573
Inspector General, Office of—
Appropriation for 568
Appropriation rescission 573
Inter-American relations—
Appropriation for 568
Appropriation rescission 573
Jefferson Barracks, Mo., use of federally owned lands as national cemetery, authorized 742
Judge Advocate General, Office of—
Appropriation for 568
Appropriation rescission 573
Judgments, appropriation for payment 77, 78, 626
Laborers and mechanics, certain, working hours, etc., date of termination of emergency in interpretation of provisions of Act of July 2, 1940 453

War Department—Continued Page
Land, acquisition of—
Military purposes, date of termination of state of war, etc., in interpretation of Act of July 2, 1917 451
Reduction in appropriations 22
Land purchase contracts, limitation on commissions 571
Leases of real or personal property, authority; report to Congress 774
Appropriation authorized for effecting provisions relating to 776
Taxes, State or local, applicability 775
Leave Act of 1946, Armed Forces, Amendments. *See separate title.*
Mail clerks and assistant mail clerks, Army, repeal of provisions respecting payment of additional compensation 211
Maritime Commission, working fund, reduction in appropriations 18
Medical course of instruction, active duty requirement for certain men who completed, authority of Secretary 451
Medical Department—
Army-Navy Nurses Act of 1947. *See separate title.*
Female physicians and surgeons, appointment, repeal of Act of April 16, 1943 449
Medical and Hospital Department—
Appropriation for 560
Appropriation rescission 573
Transfer of funds to appropriation for 71
Surgeon General, Office of, appropriation for 568
Women's Medical Specialist Corps. *See under* Army-Navy Nurses Act of 1947.
Medical Officer Procurement Act of 1947, Army-Navy-Public Health Service 776
Medical Service Corps, Army. *See* Army Medical Service Corps *under* Army-Navy Medical Services Corps Act of 1947.
Meetings, funds available for attendance at 554
Mileage accounts, military personnel, provision for payment and settlement 23
Military Academy. *See separate title.*
Military Appropriation Act, 1948 551
Military forces other than National Guard, maintenance by States and Territories, issuance of equipment, etc., repeal of provisions of National Defense Act of June 3, 1916 449

War Department—Continued Page
Military posts, construction of buildings, utilities, and appurtenances, reduction in appropriation 22, 625
Military supplies, date of termination of state of war in interpretation of Act of June 3, 1916, respecting purchase or procurement in time of war 452
Missing Persons Act, extension of benefits to certain members of organized military forces of Philippines; reconsideration of claims 455, 456
Mount, no additional pay to officer owning 553
Natchez, Miss., National Cemetery, conveyance on completion of repairs to approach road 687
National Board for Promotion of Rifle Practice, appropriation for 567
National Guard. *See separate title.*
National Security Council, transfer of funds and equipment to; limitation 703, 704
National Security Resources Board, transfer of funds and equipment to; limitation 703, 704
National War College—
Appropriation for 552
Appropriation rescission 572
Naval Establishment, reimbursement for pay, allowances, etc., of naval dental officers detailed to Military Establishment 553
Naval postgraduate school, share of cost of instruction of Army officers at 706
Navigation and vessel inspection laws, vessels operated by War Department, suspension on request of Secretary; time limitation 33
Occupied areas, funds for government, relief, etc 71, 569, 625, 943
Officers, promotion, separation, etc. *See* Officer Personnel Act of 1947.
Olympic games, participation of Army personnel authorized; expenses 243
Ordnance, condemned or obsolete, provision for loan or gift to State homes for former members of armed forces 707
Ordnance Department—
Appropriation for 562, 568
Rescission 573
Transfer of funds from 71
Chief of Ordnance, Office of—
Appropriation for 568
Appropriation rescission 574
Contract authority 562
Rock Island Bridge, Rock Island, Ill., appropriation for maintenance 562

War Department—Continued Page
Ordnance Department—Continued
Scrap or salvage material, sale, use of proceeds; report to Congress 562
Organized Reserves. *See separate title.*
Overthrow of U. S. Government, restriction on employment of persons advocating 571, 693
Painting, etc., of war scenes or portraits, restriction on payment for 556
Panama Canal—
Civil government, appropriation for 118
Construction of additional facilities, appropriation for 692
Maintenance, etc., appropriation for 691
Sanitation, appropriation for 114, 692
Transfer of funds to 76
Seacoast defenses, reduction in appropriation 23
Surplus property, transfer to, authorized 243, 694
Pay costs, increased, appropriation for 118
Penalty mail, exemptions from certain requirements, etc., repeal of provision of Act of June 28, 1944 450
Per diem allowances, funds for 569
Personal services in District of Columbia, increase in limitation on amount for; nonapplicability in certain cases 70
Personnel, additional, limitation on employment 569
Personnel ceilings, nonapplicability in certain cases 71, 126, 188, 572
Philippine Islands, buildings for U. S. representatives, reduction in appropriation 22
Plantations outside continental U. S., management and operation 234
Plants, equipment, etc.—
Appropriation authorized for effecting provisions relating to 776
Disposition of, imposition of terms for assurance of continued availability for war-production purposes, authority 775
Title of Reconstruction Finance Corporation, Defense Plant Corporation, or War Assets Administration to certain, transfer 774, 775
Port Newark Army Base, N. J., right of assumption and control by U. S., date of termination of war, etc., in interpretation of Act of June 20, 1936 452
Post exchanges, limitation on use of funds for 569
Printing and binding, appropriation for 569

War Department—Continued Page
Priority powers, termination dates 34, 214, 322
Prisoners of war, funds for maintenance, etc 572
Professional and scientific service, establishment of positions in; compensation; appointment; report to Congress 715
Property, acquisition and disposition for war purposes, termination date of powers 34, 214, 322
Public moneys—
Advances of, nonapplicability of restrictions on 571
Receipts, use of 553
Publications, restriction on pay of Army personnel connected with certain 553
Quartermaster Corps—
Appropriation for 71, 118, 555, 568, 686, 687, 702, 703
Rescissions 573
Transfer of funds from 71,
Cemeterial expenses—
Funds for 71, 118, 686, 687
Nonapplicability of personnel ceilings 71
Quartermaster General, Office of—
Appropriation for 568
Appropriation rescission 574
Remount Service, appropriation for; transfer of funds in event of transfer of Service 702, 703
Quarters, limitation on construction costs 571
Reconstruction Finance Corporation, transfer of title of certain plants, equipment, etc 774
Reduction in designated appropriations 18, 22, 572, 625
Relief assistance to countries devastated by war, nonapplicability of personnel ceilings to civilian employees required in connection with 126
Remains of certain persons buried outside United States—
Appropriations authorized for effecting provisions relating to 780
Cemeteries, temporary construction and maintenance, authority 780
Evacuation and return 779
Appropriations for 71, 687
Land in foreign countries, acquisition 780
Permanent interment outside U. S 779
Rental of Government facilities, money allowances for personnel 572
Repeals of certain emergency and war powers 449

War Department—Continued Page
Reports to Congress—
Leases, certain 774
Professional and scientific service, establishment of positions, appointments in, etc 715
Rivers and harbors and flood control, employment of additional personnel 688
Scrap or salvage, sale, receipts and disbursements 562
Reserve officers on active duty, funds available for pay and allowances 569
Reserve Officers' Training Corps, Army. *See separate title.*
Retired officers selling supplies to Army or War Department, restriction 553
Salaries—
Appropriation for 568
Appropriation rescissions 573
Personal services in District of Columbia, increase in limitation on amounts for; nonapplicability in certain cases 70
Schooling, dependents of personnel residing on military reservations, funds for; limitation 569
Schools, special service, appropriation rescissions 573
Seacoast defenses, appropriation rescissions 23, 573
Secretary—
Office of—
Appropriation for 70, 551, 568, 569, 624
Appropriation rescission 572, 573, 574
Presidential succession 380, 509
Signal Corps—
Alaska Communication System, appropriation for 118, 687
Appropriation for 118, 558, 568, 687
Rescission 573
Chief Signal Officer, Office of—
Appropriation for 568
Appropriation rescission 574
Contract authority 559
Soldiers' Home—
Appropriation for 71, 691
Transfer of surplus property to, authorized 691
Spruce Production Corporation, U. S., increase in limitation on administrative expenses 625
Stabling rental, limitation 562
Storage facilities for military use, removal of merchandise in customs custody, repeal of Act of Sept. 29, 1942 449

War Department—Continued Page
Strikes against U. S. Government, restriction on employment of persons engaging in, etc 571, 693
Subsidies, restriction on use of funds for payment of 556
Subsistence of the Army—
Appropriation for 556
Appropriation rescission 573
Supplies, regular—
Appropriation for 556
Appropriation rescission 573
Surplus property—
Airports, public, disposals for, terms, etc 680
Alaska Railroad, transfer to 490
Care and handling overseas, appropriation for; limitation 614
Fish and Wildlife Service, transfer to 488, 489
Geological Survey, transfer to 479
Mines, Bureau of, transfer to 483
National Guard, issuance of Army supplies and equipment to 564
Reserve Officers' Training Corps, furnishing of supplies from 567
Susquehanna River, construction of dam by Pennsylvania Power & Light Company, approval requirement 675
Technical and professional personnel, employment of 571
Transportation, appropriation rescission 573
Transportation Corps—
Appropriation for 558
Appropriation rescission 573
Vessels, transfer authorized 558
Transportation facilities for military use, removal of merchandise in customs custody, repeal of Act of Sept. 29, 1942 449
Travel expenses—
Accounts, military personnel, provision for payment and settlement 23
Civilian officers and employees, payment, repeal of Act of Feb. 21, 1942 449
Occupied areas relief work, funds for payment of military personnel engaged in 71
Under Secretary, establishment of office, provisions made permanent 93
Utilities, sale, etc., to welfare activities and private persons in vicinity of naval or military activities; termination of authority 675
Vessels, transfer authorized 558

War Department—Continued Page
Veterans Administration, transfer of funds from 605
Volunteer enlistments, stimulation of. *See under* Army.
War Assets Administration, transfer of title of certain plants, equipment, etc 775
War trophies and devices, distribution, funds for 569
Washington National Airport, transfer of equipment to, authorized 297
Weather Bureau—
Arctic weather stations, transfer of surplus equipment, etc., for 301
Upper air soundings, transfer of equipment and supplies for 301
Welfare of enlisted men—
Appropriation for 555
Appropriation rescission 573
Transfer of funds from appropriation for 71
Women's Army Corps and Women's Army Auxiliary Corps, establishment, repeal of Acts of July 1, 1943, and May 14, 1942; effective date 451
Women's Medical Specialist Corps, Army. *See under* Army-Navy Nurses Act of 1947.
Working fund, Interior, National Park Service, reduction in appropriation 21
War Department Civil Appropriation Act, 1948 686
War Housing Insurance Fund, allocation of funds by Reconstruction Finance Corporation, repeal of provisions of National Housing Act respecting 208
War Information, Vital, Utilization of:
Sugar, continuance in effect of provisions with respect to 35
Time limitation on certain provisions, amendment of Second War Powers Act 34, 214, 322
War Labor Board, National, increase in limitation for printing and binding 67
War Labor Disputes Act, restriction on use of funds of National Labor Relations Board in connection with duties under 277
War Losses, extension of time for claiming credit or refund with respect to 756
War Manpower Functions, migration of workers, reduction in appropriation 21
War Mobilization and Reconversion, Office of:
Liquidation, appropriation for 618
Salaries and expenses, reduction in appropriation for 18

Page

War Mobilization and Reconversion Act of 1944:
Nonapplicability of termination date to certain Social Security Act amendments 794
Sugar, allocations without regard to provisions 35
War Powers, Certain, Repeals 449
War Powers Act, 1941, First, censorship of communications between U. S. and foreign countries, repeal of provision of Act of Dec. 18, 1941 450
War Powers Act, 1942, Second. *See* Second War Powers Act, 1942.
War Relocation Authority, appropriation for liquidation expenses 620
War Shipping Administration. *See also* Maritime Commission.
Alien seamen, waivers for employment 685
Insurance of certain companies against legal liabilities, repeal of provisions of Act of March 24, 1943 450
Judgments, appropriation for payment 77
Medals, etc., for seamen, date of termination of war in interpretation of provisions of Act of May 10, 1943 454
War Tax Rates, Certain, continuation; "rate reduction date" 12
Warehouse Act, funds to effect provisions of 74, 544
Warrington, James, payment to Menominee Indian Mills to credit of account of 455
Warrior River Terminal Company:
Expenditures, contracts, etc., authorization; appropriation for 581
Transfer and merger of funds in event of dissolution of Company 581
Wasatch National Forest, Utah, acquisition of lands for, appropriation for 539
Washinawatok, Louis, payment to Menominee Indian Mills to credit of account of 455
Washington:
Columbia Basin project, appropriation for 116, 474, 475, 944
Crosline, ferry, admission to American registry, use in coastwise trade 182
Indians, industrial assistance, appropriation for 470
Moclips-Aloha District, school construction, appropriation authorized; conditions 211
Appropriation for 699
Olympic National Park, appropriation for protection of adjacent land 483
Pacific Marine Fisheries Compact, approval of Congress 419

Washington—Continued Page
Port Angeles, conveyance to Public Hospital District Numbered 2, Clallam County 211
Quinaielt Tribe of Indians, declaration as proper party plaintiff in designated action; attorneys' compensation 417
Sockeye salmon fishery, designation of State officers and employees to enforce provisions of law and convention relating to 513
Yakima Indian Agency, appropriation for deposit to official trust fund checking account of special disbursing agent 110
Yakima project, appropriation for 116, 474
Washington, D. C. *See* District of Columbia.
Washington, George, Memorial Parkway, appropriation for 484
Washington City Post Office, heat furnished by Capitol Power Plant, reimbursement 370
Washington National Airport. *See under* Civil Aeronautics Administration.
Watauga Dam, appropriation for construction 574
Water Carriers. *See* Carriers.
Waupoose, Alexander, payment to Menominee Indian Mills to credit of account of 455
Weather Bureau. *See under* Commerce, Department of.
Weeks Act, appropriation for acquisition of forest lands under 539
Weights and Measures, International Bureau of, appropriation for contribution 283
Wescott, Dan, payment to Menominee Indian Mills to credit of account of 455
West Point, N. Y.:
Bullion depository, appropriation for 223
Land, acquisition by Military Establishment, reduction in appropriation 22
Military Academy. *See separate title.*
West Virginia:
Clarksburg, acquisition by Veterans Administration of site for facility at 677
Oil and gas conservation, consent of Congress granted to extension and renewal of interstate compact concerning 316
Whaling Treaty Act, appropriation for enforcement 487

Wheat: Page
Acreage allotment, date of termination of state of war, etc., in interpretation of Act of Feb. 28, 1945 451
Crop insurance, provisions respecting 550, 718
Foreign aid program, limitation on acquisition of wheat, wheat flour, and cereal grain 938, 942
Wheat Advisory Committee, International, appropriation for share of expenses 527
Whisky. *See* Distilled Spirits, Etc.
White, Frank, credit in accounts 729
White House Office, appropriation for; detail of Government employees to 585
White House Police:
Benefit payments to, appropriation for reimbursement to District of Columbia for 76, 187, 222
Composition; appointments, etc 132
Funds for 76, 222
Policemen and firemen's relief fund, D. C., credit for service in armed forces in determination of eligibility for and amount of benefits 398
White Pine Blister Rust Control, appropriation for 537
Wichita Mountains Wildlife Refuge, appropriation for maintenance of longhorned cattle 488
Wildlife. *See* Fish and Wildlife Service *under* Interior, Department of the.
Wind River Reservation, Wyo.:
Irrigation projects, appropriation for 467
Shoshone and Arapaho Tribes, segregation and expenditure of trust funds 102
Wines, Tax on:
Exportation, drawback 319
Manufacture 320
Production with sugar-water solution, fermentation 320
War tax rates of certain miscellaneous taxes, continuance 12
Wisconsin:
Indians—
Industrial assistance, appropriation for 470
Menominee Agency, appropriation for support 116
Potawatomie, Wisconsin Band, support, reduction in appropriation 21
Support, etc., appropriation for 469
Withholding Tax. *See* Employment taxes *under* Taxes.
Witnesses:
Arbitrators, witnesses before; fees; compelling attendance 672
Conciliation of certain labor disputes, inquiries, etc., provisions respecting 155
Witnesses—Continued Page
Fees, appropriation for 186, 290
Transfer of funds from 117
National Labor Relations Board, witnesses before, fees and mileage 151
Per diem restriction 294
Women's Army Corps and Women's Army Auxiliary Corps, establishment, repeal of Acts of July 1, 1943, and May 14, 1942; effective date 451
Women's Bureau. *See under* Labor, Department of.
Women's Medical Specialist Corps, Army. *See under* Army-Navy Nurses Act of 1947.
Woods, W. O., credit in accounts 729
Woodward, Okla., appropriation for repair of tornado damage at 533, 534
Wool, price support by Commodity Credit Corporation; disposition of wool owned by Corporation 769
Wool Products Labeling Act, appropriation for enforcement 592
Worden, Dominic, Estate of, payment to Menominee Indian Mills to credit of account of 455
World Jamboree of Boy Scouts. *See* Boy Scouts, World Jamboree.
World War Naval Records, preparation of, appropriation for 392
World War Veterans. *See* Veterans.
World War Veterans' Act, 1924:
Amendments, five-year level-premium term insurance policies, renewal 39
Extension of certain provisions to allied nations, date of termination of war in interpretation of Act of July 11, 1946 454
Philippines, offices of Veterans' Administration in after independence, continuance and establishment authorized; time limitation 132
Wyoming:
Irrigation projects, appropriation for 467
Kendrick project, appropriation for 116, 475
North Platte project—
Appropriation for 116, 474
Reduction of certain accrued interest charges payable by Farmers' Irrigation District; operation, etc., of drain diversion works 101
Riverton project, appropriation for 116, 475
Shoshone project, appropriation for construction 474, 475
Wind River Reservation—
Irrigation projects, appropriation for 467
Shoshone and Arapaho Tribes, segregation and expenditure of trust funds 102

Y

Page

Yakima Indian Agency, Toppenish, Wash., appropriation for deposit to official trust fund checking account of special disbursing agent 110

Yakima Project, Wash., appropriation for 116, 474

Yards and Docks, Bureau of. *See under* Navy Department.

Yazoo Watershed, purchase of lands, requirement of approval of County Board of Supervisors 540

Yellowstone Basin, appropriation for Boysen Dam and Moorehead Dam 699

Yosemite National Park, appropriation for acquisition of lands 485

Youth Administration, National, liquidation expenses, appropriation for 275

Yucca on Public Lands, authority for disposal by Secretary of the Interior 681

Page

Yuma, Ariz.:

Aviation field, exchange of lands for, date of termination of war, etc., in interpretation of Act of May 29, 1926 451

Transfer of surplus property, etc., at Yuma Army air base to Bureau of Reclamation, Department of the Interior 477

Yuma Project, Ariz.-Calif., appropriation for 116, 474, 699

Z

Zinc Concentrates, reduction with methane gas, reduction in appropriation 21

Zion National Park, appropriation for acquisition of lands 485

Zoological Park, National, appropriation for 31, 447

O

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
REORGANIZATION PLANS, AND PROPOSED
AMENDMENT TO THE CONSTITUTION

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

VOLUME 61

IN SIX PARTS

PART 2

PRIVATE LAWS, CONCURRENT RESOLUTIONS,
PROCLAMATIONS, AND TREATIES

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CONTENTS

	Page
List of Private Laws	v
List of Concurrent Resolutions	ix
List of Proclamations	xi
List of Treaties	xiii
Private Laws	963
Concurrent Resolutions	1021
Proclamations	1033
Treaties	1115
Index	CLXVII

LIST OF PRIVATE LAWS

CONTAINED IN THIS VOLUME

THE EIGHTIETH CONGRESS OF THE UNITED STATES
FIRST SESSION, 1947

Private Law		Date	Page
1	*Andrew Chiarodo.* AN ACT For the relief of Andrew Chiarodo	Apr. 16, 1947	963
2	*Lillian M. Lorraine.* AN ACT For the relief of Lillian M. Lorraine	Apr. 16, 1947	963
3	*Maj. Gen. Laurence S. Kuter.* AN ACT To authorize the President to appoint Major General Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites	Apr. 18, 1947	964
4	*Herschel V. Johnson.* JOINT RESOLUTION To authorize Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service	May 15, 1947	964
5	*Lt. Comdr. Paul A. Smith.* AN ACT To authorize the President to appoint Lieutenant Commander Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey	May 15, 1947	965
6	*Wilma E. Baker.* AN ACT For the relief of Wilma E. Baker	May 15, 1947	966
7	*W. H. Baker and Walter Baker.* AN ACT For the relief of W. H. Baker and Walter Baker	May 31, 1947	966
8	*Charles N. Bemis.* AN ACT For the relief of Charles N. Bemis	May 31, 1947	966
9	*Archie S. Woods, estate.* AN ACT For the relief of the estate of Archie S. Woods, deceased	May 31, 1947	967
10	*Nellie P. Dunn, estate.* AN ACT For the relief of the estate of Nellie P. Dunn, deceased	May 31, 1947	967
11	*Isaac B. Jones.* AN ACT For the relief of Isaac B. Jones	May 31, 1947	968
12	*Frank Schindler.* AN ACT To legalize the admission into the United States of Frank Schindler	June 5, 1947	968
13	*Roscoe L. Wood.* AN ACT To authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood	June 14, 1947	968
14	*Blanche E. Broad.* AN ACT For the relief of Blanche E. Broad	June 20, 1947	969
15	*Joseph Ochrimowski.* AN ACT For the relief of Joseph Ochrimowski	June 21, 1947	969
16	*Mrs. Ida Elma Franklin.* AN ACT For the relief of Mrs. Ida Elma Franklin	June 21, 1947	969
17	*Elwood L. Keeler.* AN ACT For the relief of Elwood L. Keeler	June 21, 1947	970
18	*Therese R. Cohen.* AN ACT For the relief of Therese R. Cohen	June 21, 1947	970
19	*Gilda Cowan, guardian.* AN ACT For the relief of the legal guardian of Gilda Cowan, a minor	June 21, 1947	970
20	*Marion O. Cassady.* AN ACT For the relief of Marion O. Cassady	June 23, 1947	971
21	*Eva Bilobran.* AN ACT For the relief of Eva Bilobran	June 23, 1947	971
22	*Robert B. Jones.* AN ACT For the relief of Robert B. Jones	June 25, 1947	972
23	*Alva R. Moore.* AN ACT For the relief of Alva R. Moore	June 25, 1947	972
24	*John H. Gradwell.* AN ACT For the relief of John H. Gradwell	June 25, 1947	973
25	*Robert C. Birkes.* AN ACT For the relief of Robert C. Birkes	June 25, 1947	973
26	*Francis Eugene Hardin, guardian.* AN ACT For the relief of the legal guardian of Francis Eugene Hardin, a minor	June 25, 1947	973
27	*Rubert W. Alexander, estate.* AN ACT For the relief of the estate of Rubert W. Alexander	June 25, 1947	974

Private Law		Date	Page
28	*Lake Landing Township, Hyde County, N. C.* AN ACT For the relief of certain owners of land who suffered loss by fire in Lake Landing Township, Hyde County, North Carolina	June 25, 1947	974
29	*Thomas Gambacorto, estate.* AN ACT For the relief of the estate of Thomas Gambacorto	June 25, 1947	975
30	*Col. Frank R. Loyd.* AN ACT For the relief of Colonel Frank R. Loyd	June 25, 1947	976
31	*Sylvia De Cicco, guardian.* AN ACT For the relief of the legal guardian of Sylvia De Cicco	June 25, 1947	976
32	*The Methodist Home, D. C.* AN ACT To authorize The Methodist Home of the District of Columbia to make certain changes in its certificate of incorporation with respect to stated objects	June 26, 1947	976
33	*A. A. Pelletier and P. C. Silk.* AN ACT For the relief of A. A. Pelletier and P. C. Silk	June 26, 1947	977
34	*Southeastern Sand and Gravel Company.* AN ACT For the relief of Southeastern Sand and Gravel Company	June 26, 1947	977
35	*Rear Admiral Charles E. Rosendahl.* JOINT RESOLUTION Authorizing the presentation of the Distinguished Flying Cross to Rear Admiral Charles E. Rosendahl, United States Navy	June 30, 1947	978
36	*Lt. Gen. Roy Stanley Geiger.* JOINT RESOLUTION Authorizing the President to issue posthumously to the late Roy Stanley Geiger, lieutenant general, United States Marine Corps, a commission as general, United States Marine Corps, and for other purposes	June 30, 1947	978
37	*Claude R. Hall and Florence V. Hall.* AN ACT For the relief of Claude R. Hall and Florence V. Hall	June 30, 1947	978
38	*Mrs. Fuku Kurokawa Thurn.* AN ACT For the relief of Mrs. Fuku Kurokawa Thurn	June 30, 1947	979
39	*Mrs. Frederick Faber Wesche.* AN ACT For the relief of Mrs. Frederick Faber Wesche (formerly Ann Maureen Bell)	June 30, 1947	979
40	*Allen T. Feamster, Jr.* AN ACT For the relief of Allen T. Feamster, Junior	July 1, 1947	979
41	*S. C. Spradling and R. T. Morris.* AN ACT For the relief of S. C. Spradling and R. T. Morris	July 1, 1947	980
42	*Army of the United States, relief of certain disbursing officers.* AN ACT For the relief of certain disbursing officers of the Army of the United States, and for other purposes	July 1, 1947	980
43	*Mary Lomas.* AN ACT For the relief of Mary Lomas	July 1, 1947	983
44	*Louisiana Power and Light Company.* AN ACT To authorize the Secretary of War to grant an easement and to convey to the Louisiana Power and Light Company a tract of land comprising a portion of Camp Livingston in the State of Louisiana	July 1, 1947	983
45	*Samuel W. Davis, Jr., and others.* AN ACT For the relief of Samuel W. Davis, Junior; Mrs. Samuel W. Davis, Junior; and Betty Jane Davis	July 2, 1947	983
46	*Raymond Wesley Doyle.* AN ACT Authorizing the issuance of a patent in fee to Raymond Wesley Doyle	July 9, 1947	984
47	*Thurlow Grey Doyle.* AN ACT Authorizing the issuance of a patent in fee to Thurlow Grey Doyle	July 9, 1947	984
48	*Lawrence Stanley Doyle.* AN ACT Authorizing the issuance of a patent in fee to Lawrence Stanley Doyle	July 9, 1947	984
49	*Spencer Burgess Doyle.* AN ACT Authorizing the issuance of a patent in fee to Spencer Burgess Doyle	July 9, 1947	985
50	*Gladys May Doyle.* AN ACT Authorizing the issuance of a patent in fee to Gladys May Doyle	July 9, 1947	985
51	*Harold Turcean, posthumous citizenship.* AN ACT Conferring United States citizenship posthumously upon Harold Turcean	July 9, 1947	985
52	*Norman Abbott.* AN ACT For the relief of Norman Abbott	July 11, 1947	986
53	*New Jersey, Indiana and Illinois Railroad.* AN ACT For the relief of New Jersey, Indiana and Illinois Railroad	July 11, 1947	986
54	*Kathleen Doyle Harris.* AN ACT Authorizing the issuance of a patent in fee to Kathleen Doyle Harris, sole devisee of Richard Jay Doyle, deceased	July 11, 1947	986
55	*J. F. Powers.* AN ACT For the relief of J. F. Powers	July 11, 1947	987
56	*Abram Banta Bogert, estate.* AN ACT For relief of the estate of Abram Banta Bogert	July 11, 1947	987
57	*John C. Garrett.* AN ACT For the relief of John C. Garrett	July 11, 1947	988
58	*A. J. Davis and others.* AN ACT For the relief of A. J. Davis, Mrs. Lorene Griffin, Earle Griffin, and Harry Musgrove	July 11, 1947	988
59	*Paul Goodman.* AN ACT For the relief of Paul Goodman	July 11, 1947	989

Private Law		Date	Page
60	*Philadelphia, Baltimore and Washington Railroad Company, conveyance.* AN ACT To authorize the sale of the bed of E Street Southwest, between Twelfth and Thirteenth Streets, in the District of Columbia	July 11, 1947	989
61	*Norman Thoreson and Thoreson Brothers.* AN ACT For relief of Norman Thoreson and Thoreson Brothers, a partnership	July 15, 1947	990
62	*Robert Hinton.* AN ACT For the relief of Robert Hinton	July 15, 1947	990
63	*Hugh C. Gilliam.* AN ACT For the relief of Hugh C. Gilliam	July 15, 1947	991
64	*Mrs. Mabel Jones and Mrs. Mildred Wells Martin.* AN ACT For the relief of Mrs. Mabel Jones and Mrs. Mildred Wells Martin	July 16, 1947	991
65	*Adolph Pfannenstiehl.* AN ACT For the relief of Adolph Pfannenstiehl	July 16, 1947	992
66	*Michael Soldo.* AN ACT For the relief of the alien Michael Soldo	July 18, 1947	992
67	*Protestant Episcopal Church, D. C.* AN ACT To authorize the parishes and congregations of the Protestant Episcopal Church in the District of Columbia to establish bylaws governing the election of their vestrymen	July 18, 1947	992
68	*Rev. John C. Young.* AN ACT For the relief of Reverend John C. Young	July 21, 1947	993
69	*Kuo Yu Cheng.* AN ACT For the relief of Kuo Yu Cheng	July 21, 1947	993
70	*Arsenio Acacio Lewis.* AN ACT For the relief of Arsenio Acacio Lewis	July 21, 1947	993
71	*Edna Rita Saffron Fidone.* AN ACT For the relief of Edna Rita Saffron Fidone	July 21, 1947	993
72	*Antonio Belaustegui.* AN ACT For the relief of Antonio Belaustegui	July 21, 1947	994
73	*Fritz Hallquist.* AN ACT For the relief of Fritz Hallquist	July 21, 1947	994
74	*Mrs. Elizabeth Kempton Bailey.* AN ACT For the relief of Mrs. Elizabeth Kempton Bailey	July 21, 1947	994
75	*Donna L. I. Carlisle.* AN ACT For the relief of Donna L. I. Carlisle	July 21, 1947	995
76	*Anna Malama Mark.* AN ACT For the relief of Anna Malama Mark	July 21, 1947	995
77	*Maj. Ralph M. Rowley and First Lt. Irving E. Sheffel.* AN ACT For the relief of Major Ralph M. Rowley and First Lieutenant Irving E. Sheffel	July 22, 1947	995
78	*Eric Seddon.* AN ACT For the relief of Eric Seddon	July 22, 1947	996
79	*Roger Edgar Lapierre.* AN ACT For the relief of Roger Edgar Lapierre	July 22, 1947	996
80	*Choctawhatchee Electric Cooperative, Inc.* AN ACT For the relief of Choctawhatchee Electric Cooperative, Incorporated	July 22, 1947	996
81	*R. W. Wood.* AN ACT For the relief of R. W. Wood	July 22, 1947	997
82	*Baltimore and Ohio Railroad Company.* AN ACT To authorize the construction of a railroad siding in the vicinity of Franklin Street Northeast, District of Columbia	July 22, 1947	997
83	*Fred Pittelli.* AN ACT For the relief of Fred Pittelli	July 23, 1947	997
84	*Erle E. Howe.* AN ACT Authorizing the Secretary of the Interior to issue a patent in fee to Erle E. Howe	July 24, 1947	998
85	*Alice Scott White.* AN ACT To authorize and direct the Secretary of the Interior to issue to Alice Scott White a patent in fee to certain land	July 24, 1947	998
86	*Becker Little Light.* AN ACT Authorizing the Secretary of the Interior to issue a patent in fee to Becker Little Light	July 24, 1947	998
87	*Richard Little Light.* AN ACT Authorizing the sale, under supervision, of land of Richard Little Light	July 24, 1947	999
88	*Persis M. Nichols.* AN ACT For the relief of Persis M. Nichols	July 25, 1947	999
89	*Glenna J. Howrey, guardian.* AN ACT For the relief of the legal guardian of Glenna J. Howrey	July 25, 1947	999
90	*Roman Toporow.* AN ACT For the relief of Roman Toporow	July 25, 1947	1000
91	*Julian M. Thomas.* AN ACT For the relief of Julian M. Thomas	July 30, 1947	1000
92	*William D. McCormick.* AN ACT For the relief of William D. McCormick	July 30, 1947	1000
93	*Walter R. and Kathryn Marshall.* AN ACT For the relief of Walter R. and Kathryn Marshall	July 30, 1947	1001
94	*Lewis H. Rich.* AN ACT For the relief of Lewis H. Rich	July 30, 1947	1001
95	*Harley Shores.* AN ACT For the relief of Harley Shores	July 30, 1947	1002
96	*Charles W. Taylor, Jr.* AN ACT For the relief of Charles W. Taylor, Junior	July 30, 1947	1002
97	*Myron R. Leard.* AN ACT For the relief of Myron R. Leard	July 30, 1947	1002
98	*George Corenevsky.* AN ACT For the relief of George Corenevsky	July 30, 1947	1003

Private Law		Date	Page
99	*Mrs. Georgia Lanser.* AN ACT For the relief of Mrs. Georgia Lanser	July 30, 1947	1003
100	*George W. Coombs, estate.* AN ACT For the relief of the estate of George W. Coombs	July 30, 1947	1004
101	*Ralph Stanfield, guardian.* AN ACT For the relief of the legal guardian of Ralph Stanfield, a minor	July 30, 1947	1004
102	*Yugoslav fliers.* AN ACT To provide for the naturalization of certain United States Army personnel—Yugoslav fliers	July 30, 1947	1004
103	*Owen R. Brewster.* AN ACT For the relief of Owen R. Brewster	July 30, 1947	1005
104	*Elmer A. Norris.* AN ACT For the relief of Elmer A. Norris	July 30, 1947	1005
105	*Ruth A. Hairston.* AN ACT For the relief of Ruth A. Hairston	July 30, 1947	1006
106	*Barrett and Hilp.* AN ACT For the relief of the firm of Barrett and Hilp	July 30, 1947	1006
107	*Queens Chapel Methodist Church.* AN ACT To authorize the Secretary of Agriculture to quitclaim two acres of land near Muirkirk, Maryland, to the Queens Chapel Methodist Church	July 30, 1947	1007
108	*Mack Gene Odom, guardian.* AN ACT For the relief of Mack Gene Odom, a minor	July 30, 1947	1007
109	*George Wesley Hobbs, guardian.* AN ACT For the relief of the legal guardian of George Wesley Hobbs, a minor	July 30, 1947	1007
110	*J. Rutledge Alford.* AN ACT For the relief of J. Rutledge Alford	July 30, 1947	1008
111	*Boise Chamber of Commerce.* AN ACT Authorizing the Secretary of Agriculture to convey certain lands in Boise, Idaho, to the Boise Chamber of Commerce	July 30, 1947	1008
112	*Catholic Society of Alaska.* AN ACT To authorize the sale of certain public lands in Alaska to the Catholic Society of Alaska for use as a mission	July 30, 1947	1008
113	*Dr. Alma Richards and Mrs. Mary Block.* AN ACT For the relief of Doctor Alma Richards and Mrs. Mary Block	July 30, 1947	1009
114	*Thomas M. Farley and others.* AN ACT For the relief of Thomas M. Farley, Mrs. Susie Farley, Mrs. Helen Moss, the legal guardian of Donna Louise Farley, and the legal guardian of Melvin Moss	July 30, 1947	1009
115	*Andrew C. Extrom and Harry C. Pearson.* AN ACT For the relief of Andrew C. Extrom and Harry C. Pearson	July 30, 1947	1010
116	*Mrs. Edna Mary Jakimowicz.* AN ACT For the relief of Mrs. Edna Mary Jakimowicz	July 31, 1947	1010
117	*Archer C. Gunter.* AN ACT For the relief of Archer C. Gunter	July 31, 1947	1011
118	*Jessie Thompkins.* AN ACT For the relief of Jessie Thompkins	July 31, 1947	1011
119	*Dr. Theodore A. Geissman.* AN ACT For the relief of Doctor Theodore A. Geissman	July 31, 1947	1011
120	*James H. Underwood.* AN ACT For the relief of James H. Underwood	July 31, 1947	1012
121	*Methodist Church.* AN ACT To authorize the sale of a small tract of land on the Cherokee Indian Reservation, North Carolina	Aug. 1, 1947	1012
122	*Fred O. Donohue.* AN ACT For the relief of Fred O. Donohue	Aug. 1, 1947	1013
123	*Robert F. Parks.* AN ACT For the relief of Robert F. Parks	Aug. 4, 1947	1013
124	*Reuben Malkin, estate.* AN ACT For the relief of the estate of Reuben Malkin	Aug. 4, 1947	1013
125	*Daniel Broken Leg.* AN ACT Authorizing the issuance of a patent in fee to Daniel Broken Leg	Aug. 4, 1947	1014
126	*Mrs. Marie Salamone.* AN ACT For the relief of Mrs. Marie Salamone	Aug. 4, 1947	1014
127	*O. Dean Settles and others.* AN ACT For the relief of O. Dean Settles and Mrs. Ruth E. Settles, husband and wife; Mrs. Ruth E. Settles, individually; the estate of Ora H. Hatfield; and Mrs. Kittie B. Hatfield	Aug. 4, 1947	1014
128	*George J. Hiner.* AN ACT For the relief of George J. Hiner	Aug. 4, 1947	1015
129	*P. L. (Spud) Murphey.* AN ACT For the relief of P. L. (Spud) Murphey, owner and manager of Spud's Tailors, Laundry, and Dry Cleaning Works	Aug. 5, 1947	1016
130	*Norman Ray Pedron and Carl Franklin Morris.* AN ACT Conferring jurisdiction upon the United States District Court for the Western District of Arkansas to hear, determine, and render judgment upon any claims arising out of the deaths of Norman Ray Pedron and Carl Franklin Morris	Aug. 5, 1947	1016
131	*A. E. McCartney and others.* AN ACT For the relief of A. E. McCartney and others	Aug. 5, 1947	1017

LIST OF CONCURRENT RESOLUTIONS

CONTAINED IN THIS VOLUME

THE EIGHTIETH CONGRESS OF THE UNITED STATES
FIRST SESSION, 1947

	Date	Page
Congress. Joint meeting	Jan. 4, 1947	1021
Congress. Joint meeting	Mar. 10, 1947	1021
"Communism in Action." Printing of additional copies of House document	Mar. 18, 1947	1021
William E. Borah. Placing of statue in rotunda of Capitol	Mar. 24, 1947	1021
Profit sharing and incentive taxation. Printing of additional copies of report	Apr. 28, 1947	1022
William E. Borah. Acceptance of statue in name of United States; thanks of Congress	June 6, 1947	1022
National Labor Relations Act, amendment. Correction in enrollment of bill	June 6, 1947	1022
Housing and Rent Act of 1947. Change in enrollment of bill	June 19, 1947	1022
Postwar foreign economic policy, economic problems, etc. Printing of additional copies of reports	June 26, 1947	1022
Un-American activities. Printing of additional copies of hearing	June 26, 1947	1023
Un-American activities. Printing of additional copies of report	June 26, 1947	1023
Reorganization Plan No. 2 of 1947. Resolution of disfavor	June 30, 1947	1023
International Refugee Organization. Change in enrollment of joint resolution	June 30, 1947	1023
Control of dangerous weapons in the District of Columbia. Return of bill requested	July 1, 1947	1024
District of Columbia Revenue Act of 1947. Change in enrollment of bill	July 8, 1947	1024
"The National Security Act of 1947." Printing of additional copies of hearings	July 16, 1947	1024
Small businessmen of America, representation on Government boards, etc. Expression of desire of Congress	July 21, 1947	1024
Empire Parliamentary Association. Acceptance of invitations to meeting; appointment of delegations; reimbursement for expenses	July 25, 1947	1025
Consumer goods. Study and investigation of present high prices	July 26, 1947	1025
Certain lands or permanent structures. Delay in reporting as surplus or in disposition	July 26, 1947	1026
Congress. Signing of enrolled bills, etc	July 26, 1947	1026
Fiftieth anniversary of liberation of Cuba. Joint committee for planning of U. S. participation in observance and celebration in Cuba	July 26, 1947	1027
Tax revision. Printing of additional copies of hearings, etc	July 26, 1947	1027
Joint Committee on Housing. Establishment, composition, and functions	July 26, 1947	1027
Congress. Adjournment	July 26, 1947	1029
Congress. Joint meeting	Nov. 17, 1947	1029
Congress. Adjournment sine die	Dec. 19, 1947	1029
Congress. Signing of enrolled bills, etc	Dec. 19, 1947	1030

LIST OF PROCLAMATIONS

CONTAINED IN THIS VOLUME

No.		Date	Page
2699	Migratory birds and game mammals, amendments of regulations relating to	Aug. 8, 1946	1033
2700	Fire Prevention Week, 1946	Sept. 3, 1946	1038
2701	Washington's Farewell Address, one hundred and fiftieth anniversary of	Sept. 6, 1946	1039
2702	Deschutes National Forest, Oreg., enlargement	Sept. 9, 1946	1040
2703	National Employ the Physically Handicapped Week, 1946	Sept. 12, 1946	1041
2704	General Pulaski's Memorial Day, 1946	Sept. 25, 1946	1042
2705	Columbus Day, 1946	Sept. 25, 1946	1042
2706	United Nations Education Day	Oct. 17, 1946	1043
2707	National Air Mail Week	Oct. 19, 1946	1044
2708	Timber, lumber, and lumber products, free importation during emergency due to housing shortage	Oct. 25, 1946	1044
2709	Thanksgiving Day, 1946	Oct. 28, 1946	1045
2710	Armistice Day, 1946	Oct. 28, 1946	1046
2711	Dedication Day, 1946	Oct. 30, 1946	1046
2712	Merchandise in general-order and bonded warehouses, amendment of Proclamation No. 2599 of Nov. 4, 1943	Dec. 3, 1946	1047
2713	Bill of Rights Day, 1946	Dec. 9, 1946	1048
2714	Cessation of hostilities of World War II	Dec. 31, 1946	1048
2715	Short harsh or rough cotton, imposition of quota on imports	Feb. 1, 1947	1049
2716	Red Cross Month, 1947	Feb. 12, 1947	1050
2717	Arms, ammunition and implements of war, enumeration of	Feb. 14, 1947	1051
2718	"I Am An American Day", 1947	Mar. 1, 1947	1054
2719	Army Day and Army Week, 1947	Mar. 7, 1947	1055
2720	Pan American Week, 1947	Mar. 17, 1947	1056
2721	Cancer Control Month, 1947	Mar. 21, 1947	1057
2722	Copyright extension: France	Mar. 27, 1947	1057
2723	National Farm Safety Week, 1947	Apr. 2, 1947	1059
2724	Closed area under the Migratory Bird Treaty Act, Fla., regulation designating	Apr. 4, 1947	1059
2725	Member banks of the Federal Reserve System, amendment of Proclamations of March 6 and March 9, 1933, and Executive Order of March 10, 1933	Apr. 7, 1947	1062
2726	Child Health Day, 1947	Apr. 8, 1947	1063
2727	Mother's Day, 1947	Apr. 11, 1947	1064
2728	National Maritime Day, 1947	Apr. 11, 1947	1065
2729	Copyright extension: New Zealand	Apr. 24, 1947	1065
2730	Migratory birds and game mammals, amendment of regulation relating to	May 1, 1947	1067
2731	Flag Day, 1947	May 27, 1947	1068
2732	Control of vessels in territorial waters of the United States, revocation of Proclamation No. 2412 of June 27, 1940	May 31, 1947	1069
2733	Six Rivers National Forest, Calif., establishment	June 3, 1947	1070
2734	Extra long-staple cotton, supplemental quota on imports	June 9, 1947	1071
2735	Timber, lumber, and lumber products, free importation	June 28, 1947	1073
2736	John Paul Jones Bicentennial Day, 1947	July 2, 1947	1073
2737	Air Force Day, 1947	July 10, 1947	1074
2738	Drug Amidone an opiate	July 31, 1947	1075
2739	Migratory birds and game mammals, amendments of regulations relating to	July 31, 1947	1076
2740	Trade-mark registrations, Switzerland, extension of time for renewing	Aug. 6, 1947	1081
2741	Trade-mark registrations, United Kingdom of Great Britain and Northern Ireland, extension of time for renewing	Aug. 6, 1947	1082
2742	Fire Prevention Week, 1947	Aug. 14, 1947	1083
2743	National Guard Day, 1947	Aug. 15, 1947	1084
2744	Migratory birds and game mammals, amendment of regulations relating to	Aug. 21, 1947	1085

No.		Date	Page
2745	National Employ the Physically Handicapped Week, 1947	Aug. 27, 1947	1086
2746	Palestine, suspension of tonnage duties	Sept. 20, 1947	1087
2747	Migratory birds and game mammals, amendments of regulations relating to	Sept. 27, 1947	1088
2748	Closed area under the Migratory Bird Treaty Act, Ill., regulation designating	Oct. 1, 1947	1089
2749	Columbus Day, 1947	Oct. 6, 1947	1092
2750	General Pulaski's Memorial Day, 1947	Oct. 8, 1947	1092
2751	Convening the Congress	Oct. 23, 1947	1093
2752	Migratory birds and game mammals, amendment of regulations relating to	Oct. 28, 1947	1093
2753	Armistice Day, 1947	Oct. 29, 1947	1095
2754	Trade-mark registrations, France, extension of time for renewing	Nov. 10, 1947	1096
2755	Trade-mark registrations, The Netherlands, extension of time for renewing	Nov. 10, 1947	1096
2756	Thanksgiving Day, 1947	Nov. 10, 1947	1097
2757	Sugar Act of 1937, terminating the suspension of title II	Nov. 28, 1947	1098
2758	Closed area under Migratory Bird Treaty Act, Fla., regulation designating	Dec. 2, 1947	1099
2759	Trade-mark registrations, Finland, extension of time for renewing	Dec. 5, 1947	1100
2760	Canton Island, extending the period for establishment of adequate shipping service for, and deferring extension of coastwise laws to	Dec. 9, 1947	1101
2761	Bill of Rights Day, 1947	Dec. 10, 1947	1102
2761A	General Agreement on Tariffs and Trade, modification of existing duties	Dec. 16, 1947	1103

LIST OF TREATIES[1]

CONTAINED IN THIS VOLUME

Page

Multilateral. Extension of sanitary convention of December 15, 1944, modification of sanitary convention of June 21, 1926. Protocol: Open for signature at Washington April 23–May 1, 1946; proclaimed August 6, 1946 1115

Multilateral. Extension of aerial navigation sanitary convention of December 15, 1944, modification of aerial navigation sanitary convention of April 12, 1933. Protocol: Open for signature at Washington April 23–May 1, 1946; proclaimed August 6, 1946 1122

Inter-American. Automotive traffic. Convention: Opened for signature at Washington December 15, 1943; proclaimed November 1, 1946 1129

Philippines. General relations. Treaty and protocol: Signed at Manila July 4, 1946; proclaimed October 31, 1946 1174

Multilateral. International civil aviation. Convention: Signed for the United States of America December 7, 1944; proclaimed March 17, 1947 1180

Multilateral. Amendment of whaling agreement of June 8, 1937, as amended by protocol of June 24, 1938. Protocol: Signed at London November 26, 1945; proclaimed February 10, 1947 1213

International Court of Justice. Declaration by the President August 14, 1946, recognizing the compulsory jurisdiction of the International Court of Justice 1218

Inter-American. Modification and extension of coffee agreement of November 28, 1940. Protocol: Open for signature at Washington September 3–November 1, 1946; proclaimed April 1, 1947 1222

Multilateral. Prolongation of sugar agreement of May 6, 1937. Protocol: Signed at London August 30, 1946; proclaimed May 27, 1947 1236

Multilateral. Supplementation of whaling protocol of November 26, 1945. Supplementary protocol: Signed at London March 3, 1947; proclaimed August 18, 1947 1240

Multilateral. Treaty of Peace with Italy. Dated at Paris February 10, 1947; proclaimed September 15, 1947 1245

Multilateral. Treaty of Peace with Roumania. Dated at Paris February 10, 1947; proclaimed September 15, 1947 1757

Multilateral. Treaty of Peace with Bulgaria. Dated at Paris February 10, 1947; proclaimed September 15, 1947 1915

Multilateral. Treaty of Peace with Hungary. Dated at Paris February 10, 1947; proclaimed September 15, 1947 2065

Multilateral. Amendment of narcotic drug agreements, conventions, and protocols of January 23, 1912, February 11, 1925, February 19, 1925, July 13, 1931, November 27, 1931, and June 26, 1936. Protocol: Opened for signature at Lake Success December 11, 1946; proclaimed October 14, 1947 2230

[1] In this list are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

PRIVATE LAWS

PRIVATE LAWS

ENACTED DURING THE

FIRST SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

[CHAPTER 36]

AN ACT

For the relief of Andrew Chiarodo.

April 16, 1947
[S. 241]
[Private Law 1]

Andrew Chiarodo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Andrew Chiarodo is hereby relieved of any liability to the United States for the repayment of sums amounting in the aggregate to $597.50 heretofore paid to him as a plasterer at the United States naval air station, Anacostia, District of Columbia, for the period from February 26, 1945, to March 17, 1946, inclusive. In the audit and settlement of the accounts of any disbursing officer of the United States the said Andrew Chiarodo shall be considered to have been in the employ of the said air station at the rate of $1.39 per hour during such period and legally entitled to said compensation for such period, and no officer or employee, or former officer or employee, of the United States shall be liable to the United States for the amount paid to the said Andrew Chiarodo as compensation for such period.

Approved April 16, 1947.

[CHAPTER 37]

AN ACT

For the relief of Lillian M. Lorraine.

April 16, 1947
[S. 243]
[Private Law 2]

Lillian M. Lorraine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to cancel the indebtedness to the United States of Lillian M. Lorraine, and the said Lillian M. Lorraine is hereby relieved of any liability to the United States for the repayment of sums amounting in the aggregate to $1,794 heretofore paid to her as a stenographer and clerk in the office of the paymaster, United States Marine Corps, Philadelphia, Pennsylvania, for the period from January 1, 1931, to April 6, 1946, inclusive. In the audit and settlement of the accounts of any disbursing officer of the United States, the said Lillian M. Lorraine shall be considered to have been employed in said office at the rate

of $2,160 per annum from January 1, 1931, to June 30, 1945, inclusive, and at the rate of $2,496 per annum from July 1, 1945, to April 6, 1946, inclusive, during such period and legally entitled to said compensation for such period, and no officer or employee, or former officer or employee, of the United States shall be liable to the United States for the amount paid to the said Lillian M. Lorraine as compensation for such period.

Approved April 16, 1947.

[CHAPTER 40]

April 18, 1947
[S. 875]
[Private Law 3]

AN ACT

To authorize the President to appoint Major General Laurence S. Kuter as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, without affecting his military status and perquisites.

Maj. Gen. Laurence S. Kuter.
Designated appointment authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), and the provisions of section 1223 of the Revised Statutes (U. S. C., title 10, sec. 577), and the provisions of section 1224 of the Revised Statutes (U. S. C., title 10, sec. 495), or any other provisions of law, or any rules and regulations issued thereunder, the President is authorized to appoint Major General Laurence S. Kuter, a general officer in the Army of the United States, as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and Major General Kuter's appointment to, acceptance of, and service as such representative shall in no way affect any status, office, rank, or grade he may occupy or hold in the Army of the United States or any component thereof, or any emolument, perquisite, right, privilege, eligibility for promotion, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided*, That so long as he remains United States representative to the Interim Council of the Provisional International Civil Aviation Organization or its successor, Major General Kuter in lieu of his military pay and allowances shall receive such compensation and allowances as the Secretary of State shall prescribe from appropriations made by law for the Department of State: *Provided further*, That Major General Kuter shall not remain in this position for more than two years after the date of the approval of this Act.

SEC. 2. In the performance of his duties as representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, Major General Kuter shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were in no way connected with the War Department, the Military Establishment, or the Army of the United States, or any component thereof.

Approved April 18, 1947.

[CHAPTER 64]

May 15, 1947
[S. J. Res. 86]
[Private Law 4]

JOINT RESOLUTION

To authorize Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United Nations, to be reappointed to the Foreign Service.

Herschel V. Johnson.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, Herschel V. Johnson, Deputy Representative of the United States to the Security Council of the United

Nations, may continue in such office and be reappointed as a Foreign Service officer, in the class of career minister, and such reappointment may be effective as of November 25, 1946: *Provided*, That the total compensation to be paid him as a Foreign Service officer of the class of career minister and as Deputy Representative of the United States to the Security Council shall be that provided by law for a Foreign Service officer in the class of career minister or that provided by law for Deputy Representative of the United States to the Security Council, whichever is the higher.

Approved May 15, 1947.

[CHAPTER 65]

AN ACT

May 15, 1947
[S. 874]
[Private Law 5]

To authorize the President to appoint Lieutenant Commander Paul A. Smith as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, without affecting his status and perquisites as an officer of the Coast and Geodetic Survey.

Lt. Comdr. Paul A. Smith.
Designated appointment authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the existing provisions of law or any rules or regulations issued thereunder, the President is authorized to appoint Lieutenant Commander Paul A. Smith, an officer in the Coast and Geodetic Survey, as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, and his appointment to, acceptance, and service as such alternate and representative shall in no way affect any status, office, rank, or grade he may occupy or hold in the Coast and Geodetic Survey of the United States or any emolument, perquisite, right, privilege, eligibility for promotion or retirement, or other benefits incident to or arising out of any such status, office, rank, or grade: *Provided*, That during the time he holds the office of alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor and representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization he shall have the rank of rear admiral (lower half) of the Coast and Geodetic Survey, and shall receive such compensation and allowances as the Secretary of State shall prescribe payable from appropriations made by law for the Department of State: *Provided further*, That so long as he remains alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization he shall retain his permanent rank and grade or such rank and grade to which he may be promoted by reason of his position on the lineal list of the Coast and Geodetic Survey.

Rank, compensation and allowances.

SEC. 2. In the performance of his duties as alternate representative of the United States to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and as representative of the United States to the Air Navigation Committee of the Provisional International Civil Aviation Organization, Lieutenant Commander Smith shall be subject to no supervision, control, restriction, or prohibition other than would be operative with respect to him if he was in no way connected with the Coast and Geodetic Survey.

Approved May 15, 1947.

[CHAPTER 66]

May 15, 1947
[H. R. 326]
[Private Law 6]

AN ACT

For the relief of Wilma E. Baker.

Wilma E. Baker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilma E. Baker, the sum of $1,579.70, in full settlement of all claims against the United States for personal injuries sustained by her on August 17, 1944, near Tigard, Oregon, when the car in which she was traveling was struck by a trailer being used and operated at this time by the United States War Food Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved May 15, 1947.

[CHAPTER 92]

May 31, 1947
[H. R. 384]
[Private Law 7]

AN ACT

For the relief of W. H. Baker and Walter Baker.

W. H. Baker and Walter Baker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to W. H. Baker, of Williams, Arizona, the sum of $1,000, in full settlement of all claims of the said W. H. Baker against the United States for the death of his son, Clinton Baker, and to Walter Baker, of Williams, Arizona, the sum of $81.55, in full settlement of all claims of the said Walter Baker for reimbursement of expenses incurred by him in connection with the burial of said Clinton Baker, whose death occurred on October 23, 1942, as the result of the collision of an Army airplane with a commercial transport plane of American Airlines, Incorporated, in which he was riding: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved May 31, 1947.

[CHAPTER 93]

May 31, 1947
[H. R. 428]
[Private Law 8]

AN ACT

For the relief of Charles N. Bemis.

Charles N. Bemis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles N. Bemis, of Albany, New York, is hereby relieved of liability to the United States in the sum of $105.06, and the Secretary of the Treasury is authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, to the said Charles N. Bemis any amounts heretofore paid by him on such indebtedness to the United States. Such indebtedness arose out of the shipment of household goods of

the said Charles N. Bemis from Northfield, Vermont, to Albany, New York, in December 1944, after his change of station as a civil-service employee in the United States Weather Bureau. The transportation charges for such shipment were paid by the United States while the said Charles N. Bemis was legally liable therefor because authority for such shipment had not been obtained within the time allowed by law after the change of station. Any disbursing officer of the United States who disbursed money in payment of the said transportation charges for the said shipment of household goods of the said Charles N. Bemis shall not be liable to the United States by reason of any such disbursement.

Approved May 31, 1947.

[CHAPTER 94]

AN ACT

For the relief of the estate of Archie S. Woods, deceased.

May 31, 1947
[H. R. 444]
[Private Law 9]

Archie S. Woods, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Archie S. Woods, deceased, of Rye, New York, the sum of $5,664, in full satisfaction of all claims against the United States for compensation for the death of Archie S. Woods, who died as a result of personal injuries sustained by him when the Navy vehicle in which he was riding as a passenger struck another vehicle while en route from Los Angeles, California, to consult with the commandant of the United States naval hospital at San Diego, California, on April 19, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved May 31, 1947.

[CHAPTER 95]

AN ACT

For the relief of the estate of Nellie P. Dunn, deceased.

May 31, 1947
[H. R. 1494]
[Private Law 10]

Nellie P. Dunn, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Nellie P. Dunn, of Richmond, Virginia, the sum of $1,507.88, in full settlement of all claims against the United States for the refund of income tax erroneously collected for the taxable year of 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved May 31, 1947.

[CHAPTER 96]

May 31, 1947
[H. R. 2094]
[Private Law 11]

AN ACT

For the relief of Isaac B. Jones.

Isaac B. Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Isaac B. Jones, of Washington, District of Columbia, out of any money in the Treasury not otherwise appropriated, the sum of $9,000, in full settlement of all claims against the United States, which sum represents a portion of the loss sustained by the said Isaac B. Jones on the bail bond of Alfred Layton, who was afterward captured as a result of Jones' efforts, convicted, and sentenced on a charge of using the mails to defraud. The said sum of $9,000 being the amount of the forfeited bail bond after deducting the total cost to the United States, and is in accordance with the report and recommendation made by the Attorney General to the chairman, Committee on Claims: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved May 31, 1947.

[CHAPTER 99]

June 5, 1947
[S. 135]
[Private Law 12]

AN ACT

To legalize the admission into the United States of Frank Schindler.

Frank Schindler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is hereby directed to record the entry into the United States of Frank Schindler at New York City, New York, on June 11, 1939, as a lawful admission to the United States for permanent residence for the purposes of the immigration and naturalization laws. The Secretary of State shall thereupon reduce by one the immigration quota for Czechoslovakia for the first year that such quota may be available.

Quota deduction.

Approved June 5, 1947.

[CHAPTER 107]

June 14, 1947
[H. R. 1288]
[Private Law 13]

AN ACT

To authorize the Secretary of the Interior to grant a private right-of-way to Roscoe L. Wood.

Roscoe L. Wood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant to Roscoe L. Wood, his heirs and assigns, an easement fifteen feet wide from Wilson Avenue to lot 52–E across Federal-owned lots 54 and 52–F and adjacent to the northerly boundaries of said Federal-owned lots for use as a private right-of-way until this land has access to a contiguous highway or public way for ingress and egress to and from lot 52–E, block 4, section 4, Cabin John Park, Montgomery County, Maryland.

Approved June 14, 1947.

[CHAPTER 110]

AN ACT

For the relief of Blanche E. Broad.

June 20, 1947
[H. R. 620]
[Private Law 14]

Blanche E. Broad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanche E. Broad, of Beaver Falls, Pennsylvania, the sum of $3,000, in full settlement of all claims against the Government of the United States for personal injuries and losses sustained by her as a result of a fall in the Capitol of the United States of America in Washington, District of Columbia, on May 31, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 20, 1947.

[CHAPTER 115]

AN ACT

For the relief of Joseph Ochrimowski.

June 21, 1947
[S. 50]
[Private Law 15]

Joseph Ochrimowski.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joseph Ochrimowski, who arrived at the port of New York on January 22, 1946, as a stowaway, shall, upon the payment of the required head tax, be considered for the purpose of immigration and naturalization laws to have been lawfully admitted into the United States. Upon the enactment of the Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota for the first year the Polish quota is available.

Quota deduction.

Approved June 21, 1947.

[CHAPTER 116]

AN ACT

For the relief of Mrs. Ida Elma Franklin.

June 21, 1947
[S. 620]
[Private Law 16]

Mrs. Ida Elma Franklin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ida Elma Franklin, of Phoenix, Arizona, the sum of $1,000, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by her and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of an accident which occurred when she was struck by a United States Government vehicle, driven by an employee of the Department of Agriculture, on North Stone Avenue, Tucson, Arizona, on November 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 21, 1947.

[CHAPTER 117]

June 21, 1947
[H. R. 765]
[Private Law 17]

AN ACT

For the relief of Elwood L. Keeler.

Elwood L. Keeler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elwood L. Keeler, Los Angeles, California, the sum of $5,000, in full settlement of all claims against the United States. The payment of such sum represents reimbursement for the loss sustained by the said Elwood L. Keeler on account of the payment of a fine of a like amount which was covered into the Treasury of the United States prior to the time the President of the United States granted to the said Elwood L. Keeler a full and unconditional pardon with respect to the offense for which he was convicted in the United States District Court for the Southern District of California and sentenced on December 1, 1941, to imprisonment for two years and to pay such fine of $5,000. Such pardon was granted on the ground that the evidence did not support the conviction of the said Elwood L. Keeler: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a midemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 21, 1947.

[CHAPTER 118]

June 21, 1947
[H. R. 925]
[Private Law 18]

AN ACT

For the relief of Therese R. Cohen.

Therese R. Cohen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Therese R. Cohen, Brooklyn, New York, the sum of $3,304, in full settlement of all claims against the United States for injuries sustained by the said Therese R. Cohen, resulting from her being thrown from a United States Navy truck on April 14, 1944, on the grounds of the Floyd Bennett Naval Air Station, Brooklyn, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 21, 1947.

[CHAPTER 119]

June 21, 1947
[H. R. 1482]
[Private Law 19]

AN ACT

For the relief of the legal guardian of Gilda Cowan, a minor.

Guardian of Gilda Cowan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

to the legal guardian of Gilda Cowan the sum of $1,500, as compensation for and in full settlement of all claims for damages against the United States for injuries sustained by her when, on April 28, 1934, a Navy Department trailer attached to the dirigible Macon, at Opa Locka Flying Field, Miami, Florida, ran over her right leg: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 21, 1947.

[CHAPTER 122]

AN ACT

For the relief of Marion O. Cassady.

June 23, 1947
[S. 824]
[Private Law 20]

Marion O. Cassady.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion O. Cassady, of Louisville, Kentucky, a deputy United States marshal in the Western District of Kentucky, the sum of $276.30, in full settlement of all claims against the United States for property damages sustained by him on and about January 3, 1942, while in the discharge of his official duties as a deputy United States marshal: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 23, 1947.

[CHAPTER 123]

AN ACT

For the relief of Eva Bilobran.

June 23, 1947
[H. R. 1221]
[Private Law 21]

Mrs. Eva Bilobran.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Eva Bilobran, 940 South Bouldin Street, Baltimore, Maryland, the sum of $1,646, in full settlement of all claims against the United States for injuries suffered as a result of having been struck by a United States mail truck at the intersection of East Avenue and Dillon Street, Baltimore, Maryland, on December 14, 1943, and for medical services, hospital bills, and loss of salary during her illness: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $10,000.

Approved June 23, 1947.

[CHAPTER 131]

June 25, 1947
[S. 317]
[Private Law 22]

AN ACT

For the relief of Robert B. Jones.

Robert B. Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert B. Jones shall be considered to have been commissioned ensign, United States Naval Reserve, and placed on active duty as of December 8, 1941, to have continued on active duty in that rank until February 23, 1945, to have been promoted to the rank of lieutenant, junior grade, as of February 23, 1945, and to have served on active duty in that rank until February 28, 1946.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert B. Jones a sum of money equal to the active-duty pay and allowances due him by reason of the provisions of section 1 of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 132]

June 25, 1947
[S. 361]
[Private Law 23]

AN ACT

For the relief of Alva R. Moore.

Alva R. Moore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alva R. Moore, of Section, Alabama, the sum of $2,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him on March 11, 1943, at the Huntsville Arsenal, Huntsville, Alabama, as a result of handling in the course of his employment certain salvaged materials which were contaminated with mustard gas, after having been advised by a commissioned officer in charge of the salvage yard at the arsenal that the materials were not so contaminated: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 133]

AN ACT

For the relief of John H. Gradwell.

June 25, 1947
[S. 470]
[Private Law 24]

John H. Gradwell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John H. Gradwell, of Meriden, Connecticut, the sum of $211.30 in full satisfaction of his claim against the United States for compensation for damage to his automobile resulting from a collision with an Army vehicle in Hamden, Connecticut, on January 4, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 134]

AN ACT

For the relief of Robert C. Birkes.

June 25, 1947
[S. 561]
[Private Law 25]

Robert C. Birkes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert C. Birkes, of Portland, Oregon, a former member of the Navy, the sum of $98, in full satisfaction of his claim against the United States for payment of the amount which the Price Administrator recovered from the former landlord of the said Robert C. Birkes because of overcharges for rent for the premises at 30 Linnaean Street, Cambridge, Massachusetts, during the period March 1, 1945, to July 31, 1945; recovery of such sum by the said Robert C. Birkes having been prevented by the fact that he was ordered by the Navy to make a change of station soon after the overcharge was determined by the Office of Price Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 135]

AN ACT

For the relief of the legal guardian of Francis Eugene Hardin, a minor.

June 25, 1947
[H. R. 360]
[Private Law 26]

Guardian of Francis Eugene Hardin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Francis Eugene Hardin, a minor, of Fresno, California, the sum of $3,664.73, in full settlement of all claims against the United States for

property damage and personal injuries sustained by the said Francis Eugene Hardin, when he was struck by a falling signal light knocked from its standard by an Army truck while he was standing on the sidewalk at a corner of York Boulevard and Figueroa Street, Los Angeles, California, on December 4, 1943, and for medical, hospital, and incidental expenses incurred in the treatment of said minor by reason of the injuries sustained by him in said accident: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 136]

June 25, 1947
[H. R. 651]
[Private Law 27]

AN ACT

For the relief of the estate of Rubert W. Alexander.

Rubert W. Alexander, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Rubert W. Alexander, Des Moines, Iowa, the sum of $5,647.97, in full settlement of all claims of the said estate against the United States for personal injuries, property damages, and losses sustained and medical and hospital expenses incurred by the late Rubert W. Alexander as a result of the crash on or about February 6, 1943, of an Army airplane, in which he was a passenger, at Watson Lake, Canada: *Provided*, That the said estate of Rubert W. Alexander, deceased, be, and it is hereby, relieved of all obligation to pay to the United States the sum of $1,439.66 heretofore paid for the benefit of Mr. Alexander by the United States Employees' Compensation Commission as a result of this accident: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Relief from liability.

Approved June 25, 1947.

[CHAPTER 137]

June 25, 1947
[H. R. 888]
[Private Law 28]

AN ACT

For the relief of certain owners of land who suffered loss by fire in Lake Landing Township, Hyde County, North Carolina.

Lake Landing Township, Hyde County, N. C.
Payments to certain persons in settlement of claims.
54 Stat. 1351.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, by reason of determinations reported to the Congress by the Acting Secretary of the Interior pursuant to section 2 of the Act entitled "An Act for the relief of certain claimants on account of loss by fire for which the United States was adjudged liable", approved August 13, 1940, the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the owners of the following lands in Lake Landing Township, Hyde County, North Carolina, the following sums, such sums to be

in full settlement of all claims against the United States for damage or loss sustained by such persons as a result of the forest fire or fires which burned land and timber of the Pamlico Timber Corporation (in the case of which fire or fires the United States, on August 2, 1937, was held liable, in a proceeding in the District Court of the United States for the Eastern District of North Carolina, for damage suffered by certain persons specified in such Act of August 13, 1940):

M. Makely and George Makely, sixty acres, $300; Mary Windley Willis, fourteen acres, $70; Mrs. Thomas G. Weston, two acres, $35; Mrs. Rena S. Jennette, S. E. Jennette, T. A. Jennette, and Mrs. W. H. Robbins, thirty acres, $300; Lenus Benson, Marvin Benson, Arreal Benson, Sill Benson, and Viola Benson, one-half interest in thirty acres, $75; T. J. Mann, two-thirds interest in one hundred acres, $660.66; Mary E. Credle heirs, forty-two acres, $420; Miss Lucy Saddler, thirty acres, $230; Etheline Ballance and Bernice Ballance, sixty-nine acres, $345; Tom C. Spencer heirs, five acres, $50; Emma B. Powell, one-half interest in thirty acres, $75; J. E. Berry, Senior, Estate, thirty-five acres, $280; Mrs. Eitha Mason Payne, Mrs. Euginia Mason Warren, Zinkia Mason Credle, W. T. Mason, Caddie Mason Hooper, Alex W. Mason, and C. R. Mason, forty acres, $200; Mrs. Charlie Gibbs, seven and one-half acres, $48.75; Edward A. Carawan, nineteen and three-tenths acres, $143; E. W. Farrow, ten acres, $100; J. M. Pugh, three and one-half acres, $35; Ola Lucas Spencer, eight acres, $55; J. S. Mann and E. D. Sewells, two-thirds interest in fifty acres, $694; W. H. Farrow and Charlie E. Spencer heirs (claims cover the same tract, W. H. Farrow claiming present ownership of the land), fifty-nine acres, $317: *Provided*, That no part of the amounts appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 138]

AN ACT

For the relief of the estate of Thomas Gambacorto.

June 25, 1947
[H. R. 1065]
[Private Law 29]

Thomas Gambacorto, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Thomas Gambacorto, the sum of $1,500. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of Thomas Gambacorto and hospital and funeral expenses and property damage sustained when the deceased was driving his wagon on State Highway Numbered 35, near Eatontown, New Jersey, and was struck in the rear by an Army-owned vehicle on January 18, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 139]

June 25, 1947
[S. 425]
[Private Law 30]

AN ACT

For the relief of Colonel Frank R. Loyd.

Col. Frank R. Loyd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Colonel Frank R. Loyd, of Laramie, Wyoming, (1) the sum of $604.49, in full satisfaction of his claim against the United States for the difference between (a) the amount he was actually allowed as compensation for the value of the personal property which he lost as a result of the invasion of the Philippine Islands by the Japanese, and (b) the amount which the War Department has now determined should have been allowed to the said Colonel Frank R. Loyd as compensation for the value of such property: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by, any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 140]

June 25, 1947
[S. 514]
[Private Law 31]

AN ACT

For the relief of the legal guardian of Sylvia De Cicco.

Guardian of Sylvia De Cicco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Sylvia De Cicco, a minor, of Jersey City, New Jersey, the sum of $2,000, in full satisfaction of the claim of the said Sylvia De Cicco against the United States for compensation for personal injuries sustained by her as a result of an accident which occurred when she was struck by a United States Army sedan at 228 Princeton Avenue, Jersey City, New Jersey, on June 8, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 25, 1947.

[CHAPTER 151]

June 26, 1947
[H. R. 3604]
[Private Law 32]

AN ACT

To authorize The Methodist Home of the District of Columbia to make certain changes in its certificate of incorporation with respect to stated objects.

The Methodist Home, D. C.

Be it enacted by the Senate and House of Representatives of the the United States of America in Congress assembled, That The Methodist Home of the District of Columbia, a corporation organized under the Revised Statutes of the United States relating to the District of Columbia, by certificate of incorporation filed on January 11, 1889, is authorized to make such changes in the object clause of such certificate of incorporation as may be considered necessary to

make such clause correspond with the present organization of the Methodist Church without changing in any respect the charitable character of such corporation. The procedure followed by such corporation for effectuating such change shall be that prescribed in section 602 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1284), as amended, for changing the name of a benevolent, charitable, educational, musical, literary, scientific, religious, or missionary corporation.

D. C. Code, § 29-604.

Approved June 26, 1947.

[CHAPTER 154]

AN ACT

For the relief of A. A. Pelletier and P. C. Silk.

June 26, 1947
[S. 882]
[Private Law 33]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. A. Pelletier and P. C. Silk, of Great Falls, Montana, the sum of $334.72, in full satisfaction of their claim against the United States for compensation for reporting and transcribing certain hearings held at Helena, Montana, during the period July 8 to July 16, 1946, by the Special Committee To Investigate Senatorial Campaign Expenditures, 1946, pursuant to S. Res. 224, Seventy-ninth Congress.

A. A. Pelletier and P. C. Silk.

Approved June 26, 1947.

[CHAPTER 155]

AN ACT

For the relief of Southeastern Sand and Gravel Company.

June 26, 1947
[H. R. 2257]
[Private Law 34]

Whereas the Southern Bitumen Company heretofore contracted with the United States to build an outfall sewer in the city of Anniston, Alabama, the contract being designated as Federal Works Agency project numbered Ala. 1-160 (F); and

Whereas Roberts Blount became the guarantor on said contract; and

Whereas the Southern Bitumen Company defaulted on its contract and Roberts Blount arranged for the completion of said contract by the Southeastern Sand and Gravel Company, and the same was so completed in 1943; and

Whereas the Federal Works Agency withheld from the contract price the sum of $13,685 on account of liquidated damages for delay in completion and on account of an alleged defect in workmanship resulting in excess seepage of water into the sewer main, which said defect has since proved in actual use for nearly three years to be of no material consequence; and

Whereas the sum of $3,053.88 has been paid to the Southeastern Sand and Gravel Company as assignee of the Southern Bitumen Company in part payment of the sum of $13,685 due under said contract: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Federal Works Agency is hereby authorized and directed to pay to the Southeastern Sand and Gravel Company, or its assignee, the sum of $10,631.12 in full satisfaction of all claims of the Southern Bitumen Company, the Southeastern Sand and Gravel Company, and Roberts Blount arising out of the construction of the aforementioned sewer at Anniston, Alabama, under project numbered Ala. 1-160 (F).

Southeastern Sand and Gravel Company, or its assignee.

Approved June 26, 1947.

[CHAPTER 176]

June 30, 1947
[H. J. Res. 92]
[Private Law 35]

JOINT RESOLUTION

Authorizing the presentation of the Distinguished Flying Cross to Rear Admiral Charles E. Rosendahl, United States Navy.

Rear Admiral Charles E. Rosendahl, U. S. N.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Distinguished Flying Cross, with accompanying ribbon, shall be presented to Rear Admiral Charles E. Rosendahl, United States Navy, by the Secretary of the Navy in recognition of his heroic and distinguished action as commanding officer of the Navy dirigible United States ship Shenandoah on September 3, 1925, on the occasion of its destruction and loss during a violent storm and particularly for the extraordinary achievement of this officer in the successful navigation of the airborne remnant of the airship, without injury to the survivors of the catastrophe.

Approved June 30, 1947.

[CHAPTER 177]

June 30, 1947
[H. J. Res. 96]
[Private Law 36]

JOINT RESOLUTION

Authorizing the President to issue posthumously to the late Roy Stanley Geiger, lieutenant general, United States Marine Corps, a commission as general, United States Marine Corps, and for other purposes.

Lt. Gen. Roy Stanley Geiger, U. S. M. C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to issue posthumously to the late Roy Stanley Geiger, late a lieutenant general, United States Marine Corps, a commission as general, United States Marine Corps, as of January 23, 1947.

Amendment of Navy Department records authorized.

SEC. 2. The Secretary of the Navy is authorized and directed to amend the records of the Navy Department so as to carry the said Roy Stanley Geiger as a general, United States Marine Corps, to rank from January 23, 1947.

Approved June 30, 1947.

[CHAPTER 178]

June 30, 1947
[H. R. 407]
[Private Law 37]

AN ACT

For the relief of Claude R. Hall and Florence V. Hall.

Claude R. Hall and Florence V. Hall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,491.15 to Claude R. Hall and Florence V. Hall, in full settlement of all claims against the United States for damage to personal property at 1233 Sunset Avenue, Santa Rosa, California, caused by United States Navy airplane, bureau number 06307, on October 2, 1944: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 30, 1947.

[CHAPTER 179]

AN ACT

For the relief of Mrs. Fuku Kurokawa Thurn.

June 30, 1947
[H. R. 1318]
[Private Law 38]

Mrs. Fuku Kurokawa Thurn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 8 U. S. C. 703, 57 Stat. 600), and section 13 (c) of the Immigration Act of 1924 (43 Stat. 161–162; 50 Stat. 165; 46 Stat. 581; 8 U. S. C. 213 (c)), the Attorney General is directed to record the admission of Mrs. Fuku Kurokawa Thurn to the United States at the port of New York on September 9, 1937, as a lawful admission to the United States for permanent residence.

Approved June 30, 1947.

[CHAPTER 180]

AN ACT

For the relief of Mrs. Frederick Faber Wesche (formerly Ann Maureen Bell).

June 30, 1947
[H. R. 2915]
[Private Law 39]

Mrs. Frederick Faber Wesche.

39 Stat. 875.

59 Stat. 659.
8 U. S. C. §§ 232–236.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Mrs. Frederick Faber Wesche (formerly Ann Maureen Bell), the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), if she is found otherwise admissible under the provisions of the immigration laws.

Approved June 30, 1947.

[CHAPTER 197]

AN ACT

For the relief of Allen T. Feamster, Junior.

July 1, 1947
[H. R. 381]
[Private Law 40]

Allen T. Feamster, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Allen T. Feamster, Junior, of North Hollywood, California, the sum of $2,666.07. The payment of such sum shall be in full settlement of all claims of the said Allen T. Feamster, Junior, against the United States, arising out of the .45 caliber bullet wound received by him on March 25, 1942, while he was lawfully on the camp grounds of the One Hundred and Twenty-fifth United States Infantry Regiment, Los Angeles, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 1, 1947.

[CHAPTER 198]

July 1, 1947
[H. R. 1067]
[Private Law 41]

AN ACT

For the relief of S. C. Spradling and R. T. Morris.

S. C. Spradling and R. T. Morris.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. C. Spradling, of Durham, North Carolina, the sum of $308.01, and to R. T. Morris, of Durham, North Carolina, the sum of $118.44. The payment of the sum of $308.01 shall be in full settlement of any and all claims against the United States arising out of damages sustained by the automobile of the said S. C. Spradling when a United States Army truck collided with his automobile on August 27, 1944, on Buchanan Road, Durham, North Carolina. The payment of $118.44 shall be in full settlement of any and all claims against the United States arising out of damages sustained by the automobile of the said R. T. Morris when a United States Army truck collided with his automobile on August 27, 1944, on Buchanan Road, Durham, North Carolina: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 1, 1947.

[CHAPTER 199]

July 1, 1947
[H. R. 1514]
[Private Law 42]

AN ACT

For the relief of certain disbursing officers of the Army of the United States, and for other purposes.

Col. T. H. Chambers; Col. R. D. Daugherity; Col. Maxton H. Flint; Col. L. P. Worrall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following officers of the Army of the United States the amounts set opposite their names: Colonel T. H. Chambers, Finance Department (now retired), $43.73; Colonel R. D. Daugherity, Finance Department, $22.53; Colonel Maxton H. Flint, Finance Department, $37.65; Colonel L. P. Worrall, Finance Department (now retired), $594.60, the said amounts representing erroneous payments of public funds for which these officers are accountable, as listed in letter of January 8, 1947, of the Secretary of War to the Speaker of the House of Representatives, such erroneous payments having resulted from minor errors in determining amounts due individuals.

Maj. D. F. Boichot.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major D. F. Boichot, Finance Department, the sum of $200, public funds for which he is accountable, such sum representing two counterfeit $100 Federal Reserve notes received by him in the course of business: *Provided*, That the sum of $200 shall be considered and accounted for as a charge against the appropriation "Finance Service, Army" current on the date of the enactment hereof.

Maj. C. R. Orem, Jr.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major C. R. Orem, Junior, Finance Department, the sum of $50.44, public

funds for which he is accountable, such sum representing four counterfeit French franc notes received by him in the course of business: *Provided*, That the sum of $50.44 shall be considered and accounted for as a charge against the appropriation "Finance Service, Army" current on the date of the enactment hereof.

Maj. Shirley N. Black.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Shirley N. Black, Finance Department, the sum of $30.26, public funds for which he is accountable, such sum representing three counterfeit French franc notes received by him in the course of business: *Provided*, That the sum of $30.26 shall be considered and accounted for as a charge against the appropriation "Finance Service, Army" current on the date of the enactment hereof.

Lt. Col. Jesse P. Bellamy.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Jesse P. Bellamy, Finance Department, the sum of $97.10, public funds for which he is accountable, such sum representing German mark notes received by him in the course of business and later determined to be unacceptable as legal tender: *Provided*, That the sum of $97.10 shall be considered and accounted for as a charge against the appropriation "Finance Service, Army" current on the date of the enactment hereof.

Maj. L. H. Van Horne.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major L. H. Van Horne, Finance Department, the sum of $1,917.34, public funds for which he is accountable, such sum representing the value of three counterfeit French franc notes received by him in the course of business, and five guilder notes which were unacceptable as legal tender: *Provided*, That the sum of $1,917.34 shall be considered and accounted for as a charge against the appropriation "Finance Service, Army" current on the date of the enactment hereof.

Capt. Elton Hall, Jr.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Elton Hall, Junior, Finance Department, the sum of $72.15, public funds for which he is accountable and which were paid by him to an imposter representing himself to be an officer of the United States Army.

Col. W. M. Dixon.

SEC. 8. That the Comptroller General of the United States be, and is hereby, authorized and directed to credit in the accounts of Colonel W. M. Dixon, Finance Department (now retired), the sum of $10.30, public funds for which he is accountable and which were paid by him for newspaper advertising for and in behalf of the United States, said advertising having been published without the prior approval of the Secretary of War as required by Revised Statutes 3828 (44 U. S. C. 324): *Provided*, That no person shall be held pecuniarily liable for said sum of $10.30 or any part thereof.

Maj. Arthur Willink.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Arthur Willink, Ordnance Department (now retired), the sum of $26.49, public funds for which he is accountable, which sum has been disallowed by the Comptroller General of the United States on account of failure to purchase from a contractor listed in the General Schedule of Supplies: *Provided*, That no person shall be held pecuniarily liable for any amount on account of the above-mentioned payment.

Atlanta Journal, Atlanta, Ga.
Greensboro News Company, Greensboro, N. C.
Raleigh Times, Raleigh, N. C.

SEC. 10. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Atlanta Journal, Atlanta, Georgia, $93.65; to the Greensboro News Company, Greensboro, North Carolina, $28.83; and to the Raleigh Times, Raleigh, North Carolina,

$13.48, which amounts are due to the several publishing companies mentioned above for advertising ordered and published for and in the interest of the United States without the prior approval of the Secretary of War as required by Revised Statutes 3828 (44 U. S. C. 324): *Provided*, That no persons shall be held pecuniarily liable for any amount on account of the above-mentioned payments.

Capt. Louis C. Simon, Jr.

SEC. 11. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Louis C. Simon, Junior, Air Corps, the amount of $200, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage in pay-roll funds delivered to him.

Capt. J. F. Stone.

SEC. 12. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain J. F. Stone, Finance Department, the amount of $42.77, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage which developed in the course of conversion of large amounts of French currency.

Capt. A. W. Glienke.

SEC. 13. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain A. W. Glienke, Finance Department, the amount of $20.17, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage which developed when a counterfeit five-pound note was discovered among English currency accepted by him.

Capt. Elton Hall, Jr.

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Elton Hall, Junior, Finance Department, the amount of $201.75, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage which developed when a counterfeit fifty-pound note was discovered among English currency accepted by him.

Lt. Julius A. Stern.

SEC. 15. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Julius A. Stern, Air Corps, the amount of $1,059.85, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage which was later ascertained to be the result of a theft of the funds by another person.

Capt. Walter S. Barnes.

SEC. 16. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Walter S. Barnes, Air Corps, the amount of $895.45, in full satisfaction of his claim against the United States for a like amount which was supplied by him from personal funds to cover a shortage resulting from the theft by some person unknown.

Refunds of amounts used as set-offs, etc.

SEC. 17. Any amounts which otherwise may have been due any of the disbursing officers mentioned herein, or, in the case of deceased officers, may have been due their heirs, for any other purpose, and which amounts or any part thereof have been used as a set-off by the Comptroller General to clear disallowances in said officers' accounts mentioned herein, shall be refunded to such disbursing officers or their heirs: *Provided*, That any amounts refunded by any of said disbursing officers, or their heirs, to the United States on account of said disallowances, shall also be refunded to such disbursing officers or their heirs.

Approved July 1, 1947.

[CHAPTER 200]

AN ACT

For the relief of Mary Lomas.

July 1, 1947
[H. R. 1742]
[Private Law 43]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 19 (a) of the Immigration Act of February 5, 1917 (39 Stat. 889–890; 56 Stat. 1044; 8 U. S. C. 155), the Attorney General is authorized and directed to permit Mary Lomas, of Fairmont, West Virginia, to remain permanently in the United States if she is found to be otherwise admissible under the provisions of the immigration laws other than quotas. Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Greece of the first year that the said quota is available.

Mary Lomas.

Quota deduction.

Approved July 1, 1947.

[CHAPTER 201]

AN ACT

To authorize the Secretary of War to grant an easement and to convey to the Louisiana Power and Light Company a tract of land comprising a portion of Camp Livingston in the State of Louisiana.

July 1, 1947
[H. R. 2248]
[Private Law 44]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Louisiana Power and Light Company a perpetual easement for a right-of-way for transmission-line purposes in, on, and across a portion of Camp Livingston, Louisiana, and convey to the Louisiana Power and Light Company, its successors and/or assigns, by quitclaim deed, a tract of land comprising a portion of Camp Livingston, Louisiana, being two hundred feet wide and four hundred feet long and located adjacent to and on the north side of the Beaver Creek electrical distribution substation of the Louisiana Power and Light Company, on which land to be conveyed the said Beaver Creek substation has been enlarged.

Louisiana Power and Light Company.

Approved July 1, 1947.

[CHAPTER 205]

AN ACT

For the relief of Samuel W. Davis, Junior; Mrs. Samuel W. Davis, Junior; and Betty Jane Davis.

July 2, 1947
[H. R. 1144]
[Private Law 45]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $18,518 to Samuel W. Davis, Junior, of Greensboro, North Carolina, for personal injuries and loss of earnings sustained by him and for medical and hospital expenses incurred by him on account of his injuries and those of his wife, Mrs. Samuel W. Davis, Junior, and his minor daughter, Betty Jane Davis, and for future medical and hospital expenses for their treatment; the sum of $4,000 to the said Mrs. Samuel W. Davis, Junior, for personal injuries sustained by her; and the sum of $3,000 to the legal guardian of the said Betty Jane Davis, a minor, for the personal injuries sustained by said minor, in full settlement of all claims of the said Samuel W. Davis, Junior, Mrs. Samuel W. Davis, Junior, and Betty Jane Davis, against the United States arising out of an accident which occurred on December 24, 1944, on United States

Samuel W. Davis, Jr.

Mrs. Samuel W. Davis, Jr.

Guardian of Betty Jane Davis.

Highway Numbered 15, near Creedmoor, North Carolina, involving an Army truck: *Provided*, That no part of any sum appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim satisfied by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 2, 1947.

[CHAPTER 213]

July 9, 1947
[S. 394]
[Private Law 46]

AN ACT

Authorizing the issuance of a patent in fee to Raymond Wesley Doyle.

Raymond Wesley Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Raymond Wesley Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: (1) The north half of the northwest quarter and the north half of the south half of the northwest quarter of section 27; the east half of section 28; and lots 3 and 4, the northeast quarter, and the north half of the southeast quarter of section 33; township 9 south, range 36 east, Montana principal meridian; and (2) the south half of the south half of the south half of the southeast quarter of section 19; and lot 1 and the northeast quarter of section 30; township 8 south, range 37 east, Montana principal meridian.

Approved July 9, 1947.

[CHAPTER 214]

July 9, 1947
[S. 396]
[Private Law 47]

AN ACT

Authorizing the issuance of a patent in fee to Thurlow Grey Doyle.

Thurlow Grey Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Thurlow Grey Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: The northeast quarter, the southeast quarter of the southwest quarter, the northeast quarter of the southeast quarter; and the south half of the southeast quarter, of section 17; lots 3 and 4, the south half of the south half of the northeast quarter, the east half of the southwest quarter, and the southeast quarter, of section 19; and the north half of the northeast quarter, the northeast quarter of the northwest quarter, the south half of the northwest quarter, and the southwest quarter of section 20; township 9 south, range 36 east, Montana principal meridian.

Approved July 9, 1947.

[CHAPTER 215]

July 9, 1947
[S. 397]
[Private Law 48]

AN ACT

Authorizing the issuance of a patent in fee to Lawrence Stanley Doyle.

Lawrence Stanley Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Lawrence Stanley Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: (1) The

west half of section 28; the north half of the northwest quarter of section 29; lots 1 and 2, the northwest quarter, and the north half of the southwest quarter of section 33; township 9 south, range 36 east, Montana principal meridian; and (2) lots 3 and 4, the north half of the southeast quarter, and the north half of the south half of the south quarter, and the north half of the south half of the south half of the southeast quarter, of section 19, township 8 south, range 37 east, Montana principal meridian.

Approved July 9, 1947.

[CHAPTER 216]

AN ACT

Authorizing the issuance of a patent in fee to Spencer Burgess Doyle.

July 9, 1947
[S. 398]
[Private Law 49]

Spencer Burgess Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Spencer Burgess Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: The south half of the south half of section 20; the west half of the east half of the northeast quarter, the west half of the northeast quarter, the south half of the north half of the southwest quarter, the south half of the southwest quarter, and the southeast quarter of section 21; the south half of the southwest quarter of section 22; the north half of the northwest quarter of section 27; the north half of the northeast quarter of section 28; and the west half of the east half of the west half, and the west half of the west half of section 29; township 8 south, range 37 east, Montana principal meridian.

Approved July 9, 1947.

[CHAPTER 217]

AN ACT

Authorizing the issuance of a patent in fee to Gladys May Doyle.

July 9, 1947
[S. 399]
[Private Law 50]

Gladys May Doyle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Gladys May Doyle a patent in fee to the following-described lands situated in Big Horn County, Montana: The south half of the southwest quarter of section 10; the west half of section 15; the northeast quarter of the southeast quarter of section 16; the east half of the east half of the northeast quarter of section 21; and the north half, and the north half of the south half of section 22; township 8 south, range 37 east, Montana principal meridian.

Approved July 9, 1947.

[CHAPTER 218]

AN ACT

Conferring United States citizenship posthumously upon Harold Turcean.

July 9, 1947
[S. 53]
[Private Law 51]

Harold Turcean.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harold Turcean, a native of Rumania who lived in the United States from the time he was three years old, enlisted in the Army of the United States (serial number 36576489) for service in World War II, and was killed in action in Normandy on June 10, 1944, shall be held and considered to have been a citizen of the United States at the time of his death.

Approved July 9, 1947.

[CHAPTER 232]

July 11, 1947
[H. R. 770]
[Private Law 52]

AN ACT

For the relief of Norman Abbott.

Norman Abbott.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Norman Abbott, Baltimore, Maryland, the sum of $3,500. The payment of such sum shall be in full settlement of all claims of the said Norman Abbott against the United States for personal injuries, medical and hospital expenses, and loss of earnings sustained when he was struck on March 26, 1944, while standing at the intersection of Patapsco Avenue and Ninth Street, Baltimore, Maryland, by a United States Coast Guard automobile: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 11, 1947.

[CHAPTER 233]

July 11, 1947
[H. R. 2302]
[Private Law 53]

AN ACT

For the relief of New Jersey, Indiana and Illinois Railroad.

New Jersey, Indiana and Illinois Railroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the New Jersey, Indiana and Illinois Railroad, the sum of $3,114.34, in full and final satisfaction of all claims against the United States for property damage resulting from the explosions which occurred at the naval ammunition depot at Port Chicago, California, on July 17, 1944, and which has been approved and recommended for payment by the Secretary of the Navy in his report dated September 13, 1945, and entitled "Summary of reports of the Secretary of the Navy to the Congress of the United States pursuant to Public Law 423, Seventy-eighth Congress, second session, of claims resulting from the explosion which occurred at the naval ammunition depot at Port Chicago, California, on July 17, 1944."

58 Stat. 731.

Approved July 11, 1947.

[CHAPTER 237]

July 11, 1947
[S. 395]
[Private Law 54]

AN ACT

Authorizing the issuance of a patent in fee to Kathleen Doyle Harris, sole devisee of Richard Jay Doyle, deceased.

Kathleen Doyle Harris.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Kathleen Doyle Harris, sole devisee of Richard Jay Doyle, deceased, a patent in fee to the following-described lands situated in Big Horn County, Montana: The south half of the northwest quarter, and the southwest quarter of section 29; the southeast

quarter of section 30; lots 6 and 7, the northeast quarter, and the north half of the southeast quarter, of section 31; and lots 1 and 2, the northwest quarter, and the north half of the southwest quarter of section 32; township 9 south, range 36 east, Montana principal meridian.

Approved July 11, 1947.

[CHAPTER 238]

AN ACT

For the relief of J. F. Powers.

July 11, 1947
[H. R. 811]
[Private Law 55]

J. F. Powers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. F. Powers, of Newport News, Virginia, the sum of $400. The payment of such sum shall be in full settlement of all claims against the United States for personal injury, medical and hospital expenses, pain, and suffering as a result of injury sustained by Mary Elizabeth Powers, a minor, because of stepping into a terra cotta cut-off pipe in the rear of vacant Federal Public Housing Authority unit numbered 143, F Street, Copeland Park, Newport News, Virginia, on August 10, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 11, 1947.

[CHAPTER 239]

AN ACT

For relief of the estate of Abram Banta Bogert.

July 11, 1947
[H. R. 837]
[Private Law 56]

Abram Banta Bogert, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of the late Abram Banta Bogert, deceased, the sum of $6,117.65, in full settlement of all claims against the United States for the personal injury and death of the said Abram Banta Bogert, Saugerties, New York, the medical, hospital, and burial expenses incurred by reason of such injury and death, and the property damage sustained as a result of an accident involving an Army truck, which occurred on Route 9-W near Saugerties, New York, on February 26, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 11, 1947.

[CHAPTER 240]

July 11, 1947
[H. R. 1513]
[Private Law 57]

AN ACT

For the relief of John C. Garrett.

John C. Garrett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to remove from the records of his office the debt which has been raised therein against John C. Garrett, a former employee of the Federal Public Housing Authority, in the amount of $1,520.71, and with respect to housing projects designated Florida 8101, 8104, 8105, and 8106 located at Panama City, Florida, together with the interest due on said amount from the day of the loss of public funds for which said John C. Garrett is accountable and which were stolen without his fault from his person while he was performing his duties as agent cashier for said projects. Said John C. Garrett is hereby relieved of pecuniary responsibility for the loss of said public funds.

Guy F. Allen.
Credit in accounts.

SEC. 2. The Comptroller General is authorized and directed to allow credit in the settlement of the accounts of Guy F. Allen, former chief disbursing officer, Treasury Department, in such amounts, not exceeding the sum stated in section 1 hereof, as may be necessary to relieve said former chief disbursing officer of financial liability on account of the loss of said sum.

Approved July 11, 1947.

[CHAPTER 241]

July 11, 1947
[H. R. 1851]
[Private Law 58]

AN ACT

For the relief of A. J. Davis, Mrs. Lorene Griffin, Earle Griffin, and Harry Musgrove.

A. J. Davis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. J. Davis, the sum of $275, for loss of automobile; to Mrs. Lorene Griffin, the sum of $542.75, for personal injuries, hospital and medical expenses; to Earle Griffin, the sum of $635.50, for personal injuries, hospital and medical expenses; and to Harry Musgrove, the sum of $2,821, for personal injuries, hospital and medical expenses, in full satisfaction of all claims against the United States on account of personal injuries received by them on November 25 or 26, 1944, when the car owned by A. J. Davis and operated by Harry Musgrove and occupied by Mrs. Lorene Griffin and Earle Griffin, was struck from the rear by a Government-owned car being operated by Cecil Coleman, an employee of the naval stores experiment station, Forestry Service, United States Department of Agriculture, Olusta, Florida; said accident occurring approximately one and one-half miles west of Sanderson, Florida, on United States Highway 90: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mrs. Lorene Griffin.

Earle Griffin.
Harry Musgrove.

Approved July 11, 1947.

[CHAPTER 242]

AN ACT

For the relief of Paul Goodman.

July 11, 1947
[H. R.1866]
[Private Law 59]

Paul Goodman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul Goodman, of New York City, the sum of $722.37, in full settlement of all claims against the United States for reimbursement for funds expended in replacing funds of military personnel delivered to him as a class A agent officer, and lost in the course of duty through no fault or negligence on his part: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 11, 1947.

[CHAPTER 243]

AN ACT

To authorize the sale of the bed of E Street Southwest, between Twelfth and Thirteenth Streets, in the District of Columbia.

July 11, 1947
[H. R. 1893]
[Private Law 60]

Whereas by Act of Congress approved February 12, 1901 (31 Stat. 767), E Street Southwest, between Twelfth Street Southwest and Water Street, among other streets and avenues in the District of Columbia, was vacated and abandoned for public use; and

Whereas under the provisions of said Act, the Baltimore and Potomac Railroad Company was granted the right to occupy and use said street for tracks and other corporate purposes, subject to tax by the District of Columbia, the same as other property in the District of Columbia; and

Whereas said Act further provided that in case said Baltimore and Potomac Railroad Company consolidated with the Philadelphia, Wilmington and Baltimore Railroad Company, to which the assent of Congress was thereby given, the consolidated company would succeed to all of the rights, powers, property, and privileges of said Baltimore and Potomac Railroad Company, within the District of Columbia, including those granted in said Act; and

Whereas, by instrument of consolidation and merger, dated July 15, 1902, said Baltimore and Potomac Railroad Company consolidated with the Philadelphia, Wilmington and Baltimore Railroad Company under the name of Philadelphia, Baltimore and Washington Railroad Company and later by agreement of consolidation and merger, dated April 3, 1916, all of the rights, powers, property, and privileges of the Philadelphia, Baltimore and Washington Railroad Company became vested in the Philadelphia, Baltimore and Washington Railroad Company; and

Whereas the Philadelphia, Baltimore and Washington Railroad Company desires to acquire the fee-simple title to the bed of E Street Southwest, between the west line of Twelfth Street and the east

line of Thirteenth Street, in said District of Columbia: Therefore

District of Columbia.
Conveyance to Philadelphia, Baltimore and Washington Railroad Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby authorized, under such terms and conditions as they may prescribe, subject to the approval of the Attorney General of the United States, to convey to the Philadelphia, Baltimore and Washington Railroad Company, its successors and/or assigns, all rights, title, and interests of the United States of America in and to a parcel of land, aggregating thirty thousand six hundred and twenty-two and fifty one-hundredths square feet, more or less, being part of lot 805 in square 299, in the District of Columbia, and consisting of the bed of E Street Southwest, between the west line of Twelfth Street and the east line of Thirteenth Street, in said District of Columbia, as shown on plat of computation dated January 29, 1945, filed in the office of the surveyor, District of Columbia, in survey book 149, at page 164.

Approved July 11, 1947.

[CHAPTER 252]

July 15, 1947
[H. R. 1658]
[Private Law 61]

AN ACT

For relief of Norman Thoreson and Thoreson Brothers, a partnership.

Norman Thoreson and Thoreson Brothers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Norman Thoreson, and Thoreson Brothers, a partnership, Pasco, Washington, the sum of $3,202.88. The payment of such sum shall be in full settlement of all claims of the said Norman Thoreson against the United States as the result of damage to grazing land, such damage being caused by fire, June 5, 1944, resulting from practice bombing operations of Navy planes from the Pasco Naval Air Station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 15, 1947.

[CHAPTER 253]

July 15, 1947
[H. R. 1954]
[Private Law 62]

AN ACT

For the relief of Robert Hinton.

Robert Hinton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Hinton, Santa Barbara, California, the sum of $1,500. The payment of such sum shall be in full settlement of all claims of the said Robert Hinton against the United States on account of personal injuries, medical expenses, and loss of earnings sustained on September 23, 1944, when the automobile which he was driving was struck at the intersection of Valerio Street and Chapala Street, Santa Barbara, California, by a United States Marine Corps truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof

shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 15, 1947.

[CHAPTER 254]

AN ACT

For the relief of Hugh C. Gilliam.

July 15, 1947
[H. R. 1956]
[Private Law 63]

Hugh C. Gilliam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hugh C. Gilliam, of Highland Park, New Jersey, the sum of $500. The payment of such sum shall be in full settlement of any and all claims against the United States arising out of personal injuries received by the said Hugh C. Gilliam in a collision between the automobile he was driving and a United States Army truck which occurred on October 12, 1944, near Stelton, New Jersey, at the intersection of Route 27 and Plainfield Avenue: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 15, 1947.

[CHAPTER 259]

AN ACT

For the relief of Mrs. Mabel Jones and Mrs. Mildred Wells Martin.

July 16, 1947
[S. 116]
[Private Law 64]

Mrs. Mildred Wells Martin.

Mrs. Mabel Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mildred Wells Martin, 1512 Lakeview Street, Camden, South Carolina, the sum of $4,000; to pay the sum of $2,500 to Mrs. Mabel Jones, of Camden, South Carolina, in full settlement of all claims against the United States on account of medical and hospital expenses incurred and loss of earnings and personal injuries sustained by them on April 23, 1944, when the automobile in which they were riding as passengers was involved in a collision with a United States Army vehicle on United States Highway Numbered 521, near Camden, South Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 16, 1947.

[CHAPTER 260]

July 16, 1947
[H. R. 1585]
[Private Law 65]

AN ACT

For the relief of Adolph Pfannenstiehl.

Adolph Pfannenstiehl.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, to Adolph Pfannenstiehl, the sum of $750, out of any money in the Treasury not otherwise appropriated, in full settlement of all claims against the United States for personal injuries, loss of wages, and medical and hospital expenses as a result of being knocked through a plate-glass window at 82 Summer Street, Boston, Massachusetts, on September 23, 1943, by an employee of the Navy Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 16, 1947.

[CHAPTER 266]

July 18, 1947
[S. 558]
[Private Law 66]

AN ACT

For the relief of the alien Michael Soldo.

Michael Soldo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the immigration and naturalization laws, the alien Michael Soldo, of West Palm Beach, Florida, whose wife and minor child are citizens and residents of the United States, shall be considered to have been lawfully admitted, at Detroit, Michigan, on October 15, 1936, to the United States for permanent residence.

Approved July 18, 1947.

[CHAPTER 269]

July 18, 1947
[S. 1402]
[Private Law 67]

AN ACT

To authorize the parishes and congregations of the Protestant Episcopal Church in the District of Columbia to establish bylaws governing the election of their vestrymen.

Protestant Episcopal Church, D. C.
Adoption of bylaws governing election of vestrymen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia may by bylaws provide for the manner of conducting elections of vestrymen, the number of vestrymen to be elected, and the length of the terms of the offices of vestrymen. Such bylaws may be adopted at any annual meeting of members of the parish or congregation by a vote of two-thirds of the qualified voters present at such meeting: *Provided*, That notice at least thirty days prior to the meeting shall be given by the vestry to all qualified voters of the parish or congregation that such bylaws are to be presented and voted upon.

SEC. 2. Any bylaws adopted as authorized by this Act shall be subject to amendment, modification, or repeal at any annual meeting of the parish or congregation in the same manner as herein provided for adoption of such bylaws. Notice shall be given to all qualified voters of the parish or congregation at least thirty days prior to any annual meeting of any proposed amendment, modification, or repeal of any of the bylaws adopted pursuant to this Act.

Approved July 18, 1947.

[CHAPTER 277]

AN ACT

For the relief of Reverend John C. Young.

July 21, 1947
[S. 880]
[Private Law 68]

Rev. John C. Young.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Reverend John C. Young, of Montgomery, West Virginia, the sum of $3,500, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him as a result of having been shot by a member of the military police force of the Army of the United States, in Montgomery, West Virginia, on August 11, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 21, 1947.

[CHAPTER 278]

AN ACT

For the relief of Kuo Yu Cheng.

July 21, 1947
[H. R. 379]
[Private Law 69]

Kuo Yu Cheng.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Kuo Yu Cheng, a native of Java and subject of the Netherlands, who entered the United States at Seattle, Washington, on October 6, 1931, and that he shall, for all purposes under the immigration laws, be deemed to have been lawfully admitted as an immigrant for permanent residence as of that date. Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the Chinese of the first year that the said quota is available.

Quota deduction.

Approved July 21, 1947.

[CHAPTER 279]

AN ACT

For the relief of Arsenio Acacio Lewis.

July 21, 1947
[H. R. 553]
[Private Law 70]

Arsenio Acacio Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and he is hereby, directed to record the lawful admission for permanent residence of Arsenio Acacio Lewis as of June 21, 1945, the date on which he was temporarily admitted to the United States. Upon the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Philippine quota of the first year that such quota is available.

Quota deduction.

Approved July 21, 1947.

[CHAPTER 280]

AN ACT

For the relief of Edna Rita Saffron Fidone.

July 21, 1947
[H. R. 555]
[Private Law 71]

Edna Rita Saffron Fidone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Edna Rita Saffron Fidone, the

39 Stat. 875.

wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), if she is found otherwise admissible under the provisions of the immigration laws.

59 Stat. 659.
8 U. S. C. §§ 232-236.

Approved July 21, 1947.

[CHAPTER 281]

July 21, 1947
[H. R. 649]
[Private Law 72]

AN ACT

For the relief of Antonio Belaustegui.

Antonio Belaustegui.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Antonio Belaustegui as of December 21, 1929, at New York City from the Steamship Cabo Sta. Maria, the date and place he entered the United States. Upon the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Spanish quota of the first year that the Spanish quota is hereafter available.

Quota deduction.

Approved July 21, 1947.

[CHAPTER 282]

July 21, 1947
[H. R. 710]
[Private Law 73]

AN ACT

For the relief of Fritz Hallquist.

Fritz Hallquist.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,747 to Fritz Hallquist, in full settlement of all claims against the United States for injuries sustained and damages suffered by him as a result of an accident which occurred June 16, 1944, on Elmwood Avenue, in the city of Norwood, Rhode Island, and which accident involved the operation of a motor vehicle belonging to the United States Navy then and there being operated by an enlisted man in the United States Navy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 21, 1947.

[CHAPTER 283]

July 21, 1947
[H. R. 1176]
[Private Law 74]

AN ACT

For the relief of Mrs. Elizabeth Kempton Bailey.

Mrs. Elizabeth Kempton Bailey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and he is hereby, authorized and directed to record Mrs. Elizabeth Kempton Bailey as having entered the United States for permanent residence on July 28, 1938, the date on which she was temporarily admitted as a student.

Approved July 21, 1947.

[CHAPTER 284]

AN ACT

For the relief of Donna L. I. Carlisle.

July 21, 1947
[H. R. 1393]
[Private Law 75]

Donna L. I. Carlisle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to Donna L. I. Carlisle, of San Jose, California, in full settlement of all claims against the United States for compensation on account of the death of her son, Arthur W. Lawrence, who was killed on July 22, 1929, by being crushed underneath an Army truck while a trainee at a Citizens Military Training Camp at Fort Missoula, Montana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 21, 1947.

[CHAPTER 285]

AN ACT

For the relief of Anna Malama Mark.

July 21, 1947
[H. R. 1493]
[Private Law 76]

Anna Malama Mark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the immigration and naturalization laws, Anna Malama Mark, of Honolulu, Territory of Hawaii, shall be considered to have been lawfully admitted on September 7, 1928, to the United States for permanent residence.

Approved July 21, 1947.

[CHAPTER 291]

AN ACT

For the relief of Major Ralph M. Rowley and First Lieutenant Irving E. Sheffel.

July 22, 1947
[S. 179]
[Private Law 77]

Maj. Ralph M. Rowley and First Lt. Irving E. Sheffel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Ralph M. Rowley, major, Signal Corps, United States Army, and Irving E. Sheffel, first lieutenant, Finance Department, United States Army, are hereby relieved of liability for all charges now entered or which may be entered against them, or either of them, as a result of the theft of 429,257 lire ($4,292.57) of Army funds by a person unknown, near Ruvo, Italy, on November 3, 1943, while the said Ralph M. Rowley was acting as class A agent officer for the said Irving E. Sheffel.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Ralph M. Rowley, an amount equal to the total amount deducted from his pay in partial settlement of any such charges: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 22, 1947.

[CHAPTER 292]

July 22, 1947
[S. 1360]
[Private Law 78]

AN ACT

For the relief of Eric Seddon.

Eric Seddon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration and naturalization laws, the Attorney General is hereby authorized and directed to record the lawful admission for permanent residence of Eric Seddon as of June 26, 1946, and the said Eric Seddon shall, for the purposes of the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States for permanent residence. Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Spanish quota of the first year that the said quota is available.

Quota deduction.

Approved July 22, 1947.

[CHAPTER 293]

July 22, 1947
[H. R. 436]
[Private Law 79]

AN ACT

For the relief of Roger Edgar Lapierre.

Roger Edgar Lapierre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and he is hereby, directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien, Roger Edgar Lapierre, of Lewiston, Maine, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on any unlawful entry of such alien into the United States prior to the enactment of this Act. Hereafter for the purpose of the immigration and naturalization laws such alien shall be considered to have been, at Island Pond, Vermont, on the date of his entry in 1927, lawfully admitted to the United States for permanent residence.

Approved July 22, 1947.

[CHAPTER 294]

July 22, 1947
[H. R. 566]
[Private Law 80]

AN ACT

For the relief of Choctawhatchee Electric Cooperative, Incorporated.

Choctawhatchee Electric Cooperative, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Choctawhatchee Electric Cooperative, Incorporated, De Funiak Springs, Florida, the sum of $899. The payment of such sum shall be in full settlement of all claims of the said cooperative against the United States on account of furnishing to the officers' mess at White Point, Eglin Field, Florida, electric power during the period July 12, 1941, to December 12, 1941, both inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 22, 1947.

[CHAPTER 295]

AN ACT

For the relief of R. W. Wood.

July 22, 1947
[H. R. 3170]
[Private Law 81]

R. W. Wood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $106.34 to R. W. Wood, of 1811 D Street Northeast, Washington, District of Columbia, in full settlement of all claims against the United States for salary not paid while under suspension at Army air base, Key Field, Mississippi, from January 22, 1944, to January 31, 1944, inclusive, while serving as associate civil engineer and superintendent of construction: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 22, 1947.

[CHAPTER 297]

AN ACT

To authorize the construction of a railroad siding in the vicinity of Franklin Street Northeast, District of Columbia.

July 22, 1947
[H. R. 3744]
[Private Law 82]

Baltimore and Ohio Railroad Co.
Construction of siding authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to sections 2 and 3, the Baltimore and Ohio Railroad Company is hereby authorized to construct in the District of Columbia a single siding which shall start at a point on such company's Metropolitan branch track approximately three hundred and sixty-seven feet north of the center line of Franklin Street Northeast and shall run from such point in a southerly direction (a) across the southeast corner of parcel 132/71, (b) under the viaduct in Franklin Street, (c) into parcel 132/85, and (d) along the east line of parcel 132/85.

Location; approval of plans.

SEC. 2. The siding authorized to be constructed by the first section shall pass under the viaduct in Franklin Street in accordance with plans approved in advance of such construction by the Commissioners of the District of Columbia.

SEC. 3. Congress reserves the right to alter, amend, or repeal this Act.

Approved July 22, 1947.

[CHAPTER 303]

AN ACT

For the relief of Fred Pittelli.

July 23, 1947
[H. R. 1015]
[Private Law 83]

Fred Pittelli.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to Fred Pittelli, of Oakland, California, for exclusive use, in full settlement of all claims against the United States for personal injury, medical and hospital expenses, and loss of earnings sustained as a result of being struck by a traveling crane of the United States Navy at pier 5, at the foot of Seventh Street, Oakland, California, on March 3, 1944: *Provided*, That no part of the amount

appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 23, 1947.

[CHAPTER 310]

July 24, 1947
[H. R. 2151]
[Private Law 84]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Erle E. Howe.

Erle E. Howe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Erle E. Howe, Crow Indian Allottee Numbered 1555, the Secretary of the Interior is hereby authorized and directed to sell, for not less than the appraised value, to the highest Crow Indian bidder, or the Crow Tribe, under such terms and conditions as he may prescribe, the following-described lands allotted to him on the Crow Indian Reservation, Montana: The west half of section 10 and the north half of the northwest quarter of section 15, township 5 south, range 28 east, containing four hundred acres; and the east half of the southwest quarter and the north half of the southeast quarter, and the north half of the south half of the southeast quarter of section 21; and the southwest quarter of section 22, township 8 south, range 38 east, Montana principal meridian, containing three hundred and sixty acres.

Approved July 24, 1947.

[CHAPTER 317]

July 24, 1947
[H. R. 1486]
[Private Law 85]

AN ACT

To authorize and direct the Secretary of the Interior to issue to Alice Scott White a patent in fee to certain land.

Alice Scott White.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written application of Alice Scott White, Crow Indian Allottee Numbered 953, the Secretary of the Interior is hereby authorized and directed to sell to the highest Crow Indian bidder, or the Crow Tribe, under such terms and conditions as may be prescribed, that part of the homestead land of the said allottee described as the north half and the north half of the south half of section 10, township 6 south, range 28 east, Montana principal meridian, containing four hundred and eighty acres.

Approved July 24, 1947.

[CHAPTER 318]

July 24, 1947
[H. R. 2885]
[Private Law 86]

AN ACT

Authorizing the Secretary of the Interior to issue a patent in fee to Becker Little Light

Becker Little Light.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior or his authorized representative may, in his discretion, sell, for the benefit of Becker Little Light, the following-described land situated in the State of Montana: Lot 3 of section 2, township 2 south, range 33 east, Montana principal meridian, containing forty and fifteen one-hundredths acres: *Provided*, That such

portion of the proceeds received from the sale of the land as may be approved by the Superintendent of the Crow Indian Agency shall be reinvested in Indian-owned inherited lands on the reservation.

Approved July 24, 1947.

[CHAPTER 319]

AN ACT

Authorizing the sale, under supervision, of land of Richard Little Light.

July 24, 1947
[H. R. 2886]
[Private Law 87]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior or his authorized representative, may, in his discretion, sell under existing regulations, for the benefit of Richard Little Light, of Wyola, Montana, the following-described lands situated in the State of Montana: The south half of the southwest quarter of section 35, township 1 south, range 33 east, Montana principal meridian, containing eighty acres: *Provided*, That such portion of the proceeds received from the sale of the land as may be approved by the Superintendent of the Crow Indian Agency shall be reinvested in Indian-owned inherited lands on the reservation.

Richard Little Light.

Approved July 24, 1947.

[CHAPTER 325]

AN ACT

For the relief of Persis M. Nichols.

July 25, 1947
[H. R. 1162]
[Private Law 88]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Persis M. Nichols, Grand Rapids, Michigan, the sum of $954.38. Such sum represents the amount to which the said Persis M. Nichols would have been entitled, for annual leave accumulated in the course of her employment in the judicial branch of the Government during the period beginning January 1, 1932, and ending August 24, 1946, if the provisions of the Act entitled "An Act to provide for vacations to Government employees, and for other purposes", approved March 14, 1936, as amended (U. S. C., 1940 edition, title 5, secs. 29a, 30b–30e, 30l, and 30m), had been held applicable to her employment during such period: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Persis M. Nichols.

49 Stat. 1161.
5 U. S. C. § 30b.

Approved July 25, 1947.

[CHAPTER 335]

AN ACT

For the relief of the legal guardian of Glenna J. Howrey.

July 25, 1947
[S. 254]
[Private Law 89]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Glenna J. Howrey, a minor, of Pueblo, Colorado, the sum of

Guardian of Glenna J. Howrey.

$1,000, in full satisfaction of the claim of the said Glenna J. Howrey against the United States for compensation for personal injuries sustained by her as a result of an accident which occurred when she was struck by a United States mail truck at the intersection of East Fourth and Erie Streets in Pueblo, Colorado, on December 27, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 25, 1947.

[CHAPTER 336]

July 25, 1947
[H. R. 3243]
[Private Law 90]

AN ACT

For the relief of Roman Toporow.

Roman Toporow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General be, and he is hereby, directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien Roman Toporow, of Los Angeles, California, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such further warrants are based on any unlawful entry of such alien into the United States prior to the enactment of this Act. Hereafter, for the purposes of the immigration and naturalization laws, such alien shall be considered to have entered the United States on June 12, 1946, the date of his last entry, and to have been lawfully admitted to the United States for permanent residence. Upon the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota of the first year that such quota is available.

Quota deduction.

Approved July 25, 1947.

[CHAPTER 362]

July 30, 1947
[S. 358]
[Private Law 91]

AN ACT

For the relief of Julian M. Thomas.

Julian M. Thomas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julian M. Thomas, of Oakland, California, for legal services and expenses in connection with Pershing Hall, a memorial in Paris, France, the sum of $14,717.

Approved July 30, 1947.

[CHAPTER 363]

July 30, 1947
[S. 706]
[Private Law 92]

AN ACT

For the relief of William D. McCormick.

William D. McCormick.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws William D. McCormick shall, upon application at a port of entry into the United States, be admitted for

permanent residence without an immigration visa, provided he meets all the other requirements of the immigration laws. Upon his admission into the United States, the Secretary of State shall deduct one number from the quota for India for the year in which the admission occurs or from the quota of the first available succeeding year.

Quota deduction.

Approved July 30, 1947.

[CHAPTER 364]

AN ACT

For the relief of Walter R. and Kathryn Marshall.

July 30, 1947
[H. R. 406]
[Private Law 93]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, to Walter R. and Kathryn Marshall, of Healdsburg, California, in full settlement of all claims against the United States for damage to their property located at 1251 Sunset Avenue, Santa Rosa, California, caused by United States Navy airplane TBF-1, bureau number 06307, on October 2, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Walter R. and Kathryn Marshall.

SEC. 2. Such sum shall be a final release from any and all damages both insured and uninsured.

Approved July 30, 1947.

[CHAPTER 365]

AN ACT

For the relief of Lewis H. Rich.

July 30, 1947
[H. R. 434]
[Private Law 94]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lewis H. Rich, of Searsport, Maine, the sum of $4,000, in full settlement of all claims against the United States for personal injuries, and loss of earnings sustained by him as the result of his having been struck by a bullet accidentally fired from a submachine gun carried by an officer of the United States Army while making a search of property in the vicinity of Searsport, Maine, on December 6, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Lewis H. Rich.

Approved July 30, 1947.

[CHAPTER 366]

July 30, 1947
[H. R. 640]
[Private Law 95]

AN ACT

For the relief of Harley Shores.

Harley Shores.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harley Shores, of Alma, Crawford County, Arkansas, the sum of $4,000. The payment of such sum shall be in full settlement of all claims of the said Harley Shores against the United States for personal injuries and loss of earnings sustained as a result of an accident on the 19th day of December 1943 near Alma, Arkansas, when he was struck by a cake of ice thrown from the kitchen car of a United States Army troop train, and the said Harley Shores at the time of the receipt of such injury being engaged in his employment as track laborer for the trustee in bankruptcy for the Missouri Pacific Railroad Company, a corporation, and standing beside the track of such railroad while the troop train above-mentioned was passing: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of service rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 367]

July 30, 1947
[H. R. 821]
[Private Law 96]

AN ACT

For the relief of Charles W. Taylor, Junior.

Charles W. Taylor, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,735.14 to Charles W. Taylor, Junior, of San Francisco, California, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and other losses sustained as a result of being struck by a trailer attached to a United States Navy vehicle at the intersection of El Camino Real and Willow Avenue, Burlingame, California, on October 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 368]

July 30, 1947
[H. R. 893]
[Private Law 97]

AN ACT

For the relief of Myron R. Leard.

Myron R. Leard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Myron R. Leard, of

Colbert, Georgia, the sum of $187.15. The payment of such sum shall be in full settlement of all claims against the United States as reimbursement of the amount the said Myron R. Leard, as acting postmaster, paid the Government for loss of money and stamps resulting from robbery of the Colbert, Georgia, post office on July 9, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 369]

AN ACT

For the relief of George Corenevsky.

July 30, 1947
[H. R. 914]
[Private Law 98]

George Corenevsky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Corenevsky, Honolulu, Territory of Hawaii, the sum of $1,905.07. The payment of such sum shall be in full settlement of all claims against the United States for personal injuries sustained on July 5, 1942, when he was struck while at his home at Ashley and Lowela Avenues, Peninsula, Pearl City, Oahu, Territory of Hawaii, by a stray bullet fired in a fight nearby between two enlisted men of the United States Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 370]

AN ACT

For the relief of Mrs. Georgia Lanser.

July 30, 1947
[H. R. 1091]
[Private Law 99]

Mrs. Georgia Lanser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,304.25, to Mrs. Georgia Lanser, of Elkhorn, Wisconsin, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, and loss of services sustained as the result of an accident involving a United States Navy bus en route from Hertford, North Carolina, to the naval auxiliary air station at Harvey Point, North Carolina, on August 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 371]

July 30, 1947
[H. R. 1497]
[Private Law 100]

AN ACT

For the relief of the estate of George W. Coombs.

George W. Coombs, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of George W. Coombs, deceased, the sum of $600 as reimbursement of a like amount improperly collected from the said George W. Coombs while serving as postal superintendent of Inwood station, New York City: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 372]

July 30, 1947
[H. R. 1535]
[Private Law 101]

AN ACT

For the relief of the legal guardian of Ralph Stanfield, a minor.

Guardian of Ralph Stanfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ralph Stanfield, a minor, Tate, Georgia, the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical, and hospital expenses sustained by the said Ralph Stanfield on January 23, 1944, when a United States Army truck left the highway and ran him down at the intersection of the Dawsonville Road with State Highway Numbered Five at Tate, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 373]

July 30, 1947
[H. R. 1652]
[Private Law 102]

AN ACT

To provide for the naturalization of certain United States Army personnel—Yugoslav fliers.

Vojislav N. Skakich.
Milosh M. Jelich.
Zivko T. Miloykovich.
Dejan D. Radich.
Viktor A. Starc.
Momchilo M. Markovich.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon compliance with all other provisions of section 701 or section 702 of the Nationality Act of 1940, as amended (56 Stat. 182–183; 8 U. S. C. 1001–1002), Vojislav N. Skakich, Army of the United States, Army serial number O–2039144; Milosh M. Jelich, Army of the United States, Army serial number O–2039139; Zivko T. Miloykovich, Army of the United States, Army serial number O–2039141; Dejan D. Radich, Army of the United States, Army serial number T–223285; Viktor A. Starc, Army of the United States, Army serial number O–10600769; Momchilo M. Markovich, Army of the United States, Army serial number O–884223; and

Sava J. Milovanovich, Army of the United States, Army serial number O-2039140, may be naturalized pursuant to either of said sections as may be applicable, notwithstanding the facts that at the time of their enlistment or induction into the military forces of the United States none of them had been lawfully admitted to the United States and none was a resident thereof, notwithstanding the fact that Momchilo M. Markovich did not serve in the military forces of the United States prior to December 28, 1945, and notwithstanding the further fact that the time for filing a petition for naturalization expired December 31, 1946. Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the quota for Yugoslavia of the first year that the said quota is available in behalf of Viktor A. Starc and Sava J. Milovanovich.

Sava J. Milovanovich.

Quota deduction.

Approved July 30, 1947.

[CHAPTER 374]

AN ACT

For the relief of Owen R. Brewster.

July 30, 1947
[H. R. 1737]
[Private Law 103]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Owen R. Brewster, Burnet, Texas, the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Owen R. Brewster against the United States on account of the death of his minor daughter, Francis N. Brewster, who died on September 19, 1943, as the result of personal injuries received on September 18, 1943, when the automobile in which she was riding was in collision with a United States Army truck on State Highway Numbered 281 near Lampasas, Texas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Owen R. Brewster.

Approved July 30, 1947.

[CHAPTER 375]

AN ACT

For the relief of Elmer A. Norris.

July 30, 1947
[H. R. 2390]
[Private Law 104]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elmer A. Norris, of Newport, Tennessee, the sum of $3,000, in full settlement of all claims against the United States for personal injuries and property damage sustained by him on or about June 6, 1936, near Calhoun, Tennessee, as a result of an accident involving a Civilian Conservation Corps truck: *Provided*, That the Secretary of the Treasury shall make such payment only after receipt of evidence satisfactory to him that the judgment in the sum of $3,000 entered in the Circuit Court of Cocke County, Tennessee, in Civil Minute Book No. 10, pages 235 and 283, in favor of Elmer A. Norris and against Claud Manis and William Smith, has been satisfied and discharged of record:

Elmer A. Norris.

And provided further, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 376]

July 30, 1947
[H. R. 2434]
[Private Law 105]

AN ACT

For the relief of Ruth A. Hairston.

Ruth A. Hairston.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $255, to Ruth A. Hairston, of Urbancrest, Ohio, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as the result of an accident involving a United States Army vehicle on United States Highway Numbered 62, near Urbancrest, Ohio, on May 13, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 377]

July 30, 1947
[H. R. 2507]
[Private Law 106]

AN ACT

For the relief of the firm of Barrett and Hilp.

Barrett and Hilp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the firm of Barrett and Hilp, general contractors, of San Francisco, California, the sum of $20,193.55. The payment of such sum shall be in full settlement of all claims of the said firm of Barrett and Hilp against the United States arising out of the explosion at Port Chicago, California, on July 17, 1944. Such sum represents the amount of loss determined by the Navy Department to have been sustained by such firm, less the amount received by such firm on contracts of insurance: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 378]

AN ACT

To authorize the Secretary of Agriculture to quitclaim two acres of land near Muirkirk, Maryland, to the Queens Chapel Methodist Church.

July 30, 1947
[H. R. 2511]
[Private Law 107]

Queens Chapel Methodist Church.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed not to exceed two acres of land of the Agricultural Research Center near Muirkirk, Maryland, to the Queens Chapel Methodist Church, upon the payment in cash of $100. Such land shall be devoted to church purposes and the deed shall contain a provision that in the event the land shall cease to be used for such purposes the title to such land shall revert to the United States upon the payment of the sum of $100 or the tender thereof to the church.

Approved July 30, 1947.

[CHAPTER 379]

AN ACT

For the relief of Mack Gene Odom, a minor.

July 30, 1947
[H. R. 2550]
[Private Law 108]

Guardian of Mack Gene Odom.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Mack Gene Odom, a minor, Logansport, Louisiana, the sum of $6,000, in full settlement of all claims against the United States on account of personal injuries sustained on October 12, 1941, as the result of an explosion of a blank cartridge which was left in the yard of the Odom residence by military personnel during special field exercises: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 380]

AN ACT

For the relief of the legal guardian of George Wesley Hobbs, a minor.

July 30, 1947
[H. R. 2607]
[Private Law 109]

Guardian of George Wesley Hobbs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to the legal guardian of George Wesley Hobbs, a minor, of Weaver, Alabama, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings sustained as a result of an explosion of a grenade fuse in or near his home, which grenade fuse apparently had been thrown or dropped near Weaver, Alabama, by some unidentified trainee of the Thirteenth Battalion Fourth Training Regiment, IRTC, Fort McClellan, Alabama, which explosion occurred on May 26, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be

paid or delivered to or received by any agent on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 381]

July 30, 1947
[H. R. 3361]
[Private Law 110]

AN ACT

For the relief of J. Rutledge Alford.

J. Rutledge Alford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Rutledge Alford, of Tallahassee, Florida, the sum of $450. The payment of such sum shall be in full settlement of all claims of the said J. Rutledge Alford against the United States arising out of the loss of a Tennessee walking horse (a sorrel mare by the name of Trixie, registry certificate numbered 360190) owned by him and pastured at Lafayette Plantation, Leon County, Florida. The said horse died, on June 6, 1944, as the result of drinking the water from a pond created by seepage from the laundry of the Federal correctional institution situated adjacent to such plantation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 399]

July 30, 1947
[S. 1505]
[Private Law 111]

AN ACT

Authorizing the Secretary of Agriculture to convey certain lands in Boise, Idaho, to the Boise Chamber of Commerce.

Boise Chamber of Commerce.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey by quit claim deed to the Boise Chamber of Commerce, Boise, Idaho, all right, title, and interest of the United States in and to lots one to nine, inclusive, in block two of Riverside Park addition to Boise City, Ada County, Idaho.

Approved July 30, 1947.

[CHAPTER 400]

July 30, 1947
[H. R. 185]
[Private Law 112]

AN ACT

To authorize the sale of certain public lands in Alaska to the Catholic Society of Alaska for use as a mission.

Catholic Society of Alaska.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Catholic Society of Alaska, a corporation organized and existing under the laws of the Territory of Alaska, whose ex officio president and general manager is the Catholic bishop of Alaska, is hereby authorized for a period of one year from and after the effective date of

this Act to apply for the purchase of, and the Secretary of the Interior is hereby authorized and directed to convey to the corporation, for use as a mission, the following-described public lands situated in Alaska:

Commencing at a point where the Andreafsky River enters the Yukon River from the north, from which point corner numbered 1 of the tract desired bears north approximately three miles where post is situated at the southwest corner of the tract and at the junction of a small stream with the Andreafsky River; running thence in an easterly direction along the said Andreafsky River to corner numbered 2; thence in a northerly direction one-half mile to corner numbered 3; thence in a westerly direction one mile to corner numbered 4; thence in a southerly direction one-half mile to corner numbered 1, the place of beginning, containing approximately three hundred and twenty acres.

Payment, etc.

SEC. 2. That the conveyance shall be made upon the payment by the said bishop for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

Reservation of mineral rights to U. S.

Approved July 30, 1947.

[CHAPTER 401]

AN ACT

For the relief of Doctor Alma Richards and Mrs. Mary Block.

July 30, 1947
[H. R. 348]
[Private Law 113]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Alma Richards, Memphis, Tennessee, the sum of $7,140, and to Mrs. Mary Block, Memphis, Tennessee, the sum of $1,000. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained on December 6, 1940, by the said Doctor Alma Richards and Mrs. Mary Block when the automobile in which they were riding was in collision in Memphis, Tennessee, with a truck in the service of the Work Projects Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Dr. Alma Richards and Mrs. Mary Block.

Approved July 30, 1947.

[CHAPTER 402]

AN ACT

For the relief of Thomas M. Farley, Mrs. Susie Farley, Mrs. Helen Moss, the legal guardian of Donna Louise Farley, and the legal guardian of Melvin Moss.

July 30, 1947
[H. R. 405]
[Private Law 114]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay,

Thomas M. Farley.
Mrs. Susie Farley.
Mrs. Helen Moss.
Guardian of Donna Louise Farley.
Guardian of Melvin Moss.

out of any money in the Treasury not otherwise appropriated, the sum of $1,434.70 to Thomas M. Farley, of Olivehurst, California; the sum of $158.50 to Mrs. Susie Farley, of Manton, California; the sum of $528 to Mrs. Helen Moss, of Central Valley, California; the sum of $50 to the legal guardian of Donna Louise Farley, a minor; and the sum of $150 to the legal guardian of Melvin Moss, a minor; such payments being in full settlement of all their claims against the United States for property damage, personal injuries, losses, and expenses arising out of an accident which occurred on September 13, 1942, near Crescent City, California, and which involved an Army truck: *Provided*, That no payment shall be made under this Act until the above-named claimants have released all their claims against Anthony E. Badaracco, the driver of the Army vehicle involved in this accident, in a manner satisfactory to the Secretary of the Treasury: *And provided further*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 30, 1947.

[CHAPTER 403]

July 30, 1947
[H. R. 3495]
[Private Law 115]

AN ACT

For the relief of Andrew C. Extrom and Harry C. Pearson.

Andrew Charles Extrom and Harry C. Pearson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Andrew Charles Extrom, a city letter carrier of Blue Island post office, Blue Island, Illinois, and Harry C. Pearson, postal clerk in that post office, are relieved of all liability to make refunds to the United States of overpayments of salaries in the amount of $254.09 to Andrew Charles Extrom, and $183.05 to Harry C. Pearson, from the date they were promoted from substitute postal employees to regular postal employees by the postmaster at Blue Island, Illinois, and the effective date of their promotion to regular postal employees as authorized by the Post Office Department.

Any amount heretofore credited to Andrew Charles Extrom or Harry C. Pearson, or refunded to the United States by them on account of such overpayments of salaries shall be repaid to them out of any money available for the payment of salaries to city-delivery carriers and clerks of first- and second-class post offices. In the audit and settlement of the accounts of any postmaster or other transmitting disbursing officer of the Post Office Department or postal service, the payment of such amounts to Andrew Charles Extrom and Harry C. Pearson for services as regular postal employees shall be considered to have been authorized.

Approved July 30, 1947.

[CHAPTER 415]

July 31, 1947
[S. 1431]
[Private Law 116]

AN ACT

For the relief of Mrs. Edna Mary Jakimowicz.

Edna Mary Jakimowicz.

39 Stat. 875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the tenth category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Edna Mary Jakimowicz, the wife of a citizen of the United States who served honorably in the armed forces

of the United States during World War II, may be admitted to the United States for permanent residence under the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), if she is found otherwise admissible under the provisions of the immigration laws.

59 Stat. 659.
8 U. S. C. §§ 232-236.

Approved July 31, 1947.

[CHAPTER 416]

AN ACT

For the relief of Archer C. Gunter.

July 31, 1947
[H. R. 1316]
[Private Law 117]

Archer C. Gunter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Archer C. Gunter, formerly of Philadelphia, Pennsylvania, and now of Menomonie, Wisconsin, in full settlement of all claims against the United States for personal injuries and medical and hospital expenses sustained as the result of an accident involving a United States Navy airplane, at the United States Navy Yard, Philadelphia, Pennsylvania, on May 10, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding $1,000.

Approved July 31, 1947.

[CHAPTER 422]

AN ACT

For the relief of Jessie Thompkins.

July 31, 1947
[H. R. 890]
[Private Law 118]

Jessie Thompkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jessie Thompkins, of Dearing, Georgia, the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of Thomas Thompkins, the husband of the said Jessie Thompkins, as the result of exposure to chemical smoke released from Army airplanes in the vicinity of his home on December 21, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 31, 1947.

[CHAPTER 423]

AN ACT

For the relief of Doctor Theodore A. Geissman.

July 31, 1947
[H. R. 1791]
[Private Law 119]

Dr. Theodore A. Geissman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, to Doctor Theodore A. Geissman, University of California, Los Angeles, California, the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Dr. Geissman against the United States arising out of personal injuries, medical, and hospital expenses sustained by him in April 1944 as a result of an explosion in a laboratory of the University of Pennsylvania, Philadelphia, Pennsylvania, during OSRD project OEMsr-934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved July 31, 1947.

[CHAPTER 424]

July 31, 1947
[H. R. 2534]
[Private Law 120]

AN ACT

For the relief of James H. Underwood.

James H. Underwood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of James H. Underwood, former postmaster at Guam, Guam, in the sum of $25,439.31, representing funds and accountable stock in the amount of $24,520.47 in the postal accounts and $918.84 in the money-order account, and that James H. Underwood is hereby relieved from any liability to refund or pay to the United States said sum of $25,439.31. Such sum being the amount of postal and money-order funds lost when the island of Guam was invaded by the armed forces of the Imperial Government of Japan on December 10, 1941, the postmaster being taken prisoner and forced to open the vault of the post office and surrender the keys to the enemy invaders.

Approved July 31, 1947.

[CHAPTER 443]

August 1, 1947
[S. 794]
[Private Law 121]

AN ACT

To authorize the sale of a small tract of land on the Cherokee Indian Reservation, North Carolina.

Methodist Church. Use of certain land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of the authorized tribal authorities of the Eastern Band of Cherokee Indians, the Secretary of the Interior is authorized to issue a license to the Methodist Church to use from two to four acres of tribal land on the Cherokee Indian Reservation, North Carolina, for so long a time as such land may be used for church purposes, including the construction of a church building and a parsonage. The license shall be issued by the Secretary of the Interior or his authorized representative upon such terms and conditions as may be mutually agreeable to the parties, and may be revoked only if and when the land ceases to be used for the purposes for which said license is issued.

License.

Approved August 1, 1947.

[CHAPTER 444]

AN ACT

For the relief of Fred O. Donohue.

August 1, 1947
[H. R. 618]
[Private Law 122]

Fred O. Donohue.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred O. Donohue, of Hobbs, New Mexico, the sum of $4,822.22. The payment of such sum shall be in full settlement of all claims of the said Fred O. Donohue against the United States arising out of personal injuries, property damage, and subsequent loss of earnings sustained by him, on September 10, 1944, when a truck owned and operated by the said Fred O. Donohue was struck by a United States Army truck on the Black River Bridge, approximately seventeen miles south of Carlsbad, New Mexico, on the Carlsbad-Pecos Highway: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 1, 1947.

[CHAPTER 464]

AN ACT

For the relief of Robert F. Parks.

August 4, 1947
[S. 1181]
[Private Law 123]

Robert F. Parks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert F. Parks, of Stanley, Virginia, the sum of $1,800, in full satisfaction of his claim against the United States for reimbursement for personal funds deposited with the finance officer, Visayan-Mindanao force, on June 16, 1942, at Malaybalay, Bukidnon, Philippine Islands, for use in purchasing food necessary to supplement the ration provided to prisoners of war by the Japanese Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 4, 1947.

[CHAPTER 465]

AN ACT

For the relief of the estate of Reuben Malkin.

August 4, 1947
[H. R. 341]
[Private Law 124]

Reuben Malkin, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the estate of Reuben Malkin, in full settlement of all

claims against the United States as compensation for the death of the said Reuben Malkin who was killed by being electrocuted on May 28, 1943, while engaged in painting the United States post office at Cumberland, Maryland, when in the course of his work and without warning the said Reuben Malkin contacted a high-tension feeder line carrying twenty-three hundred volts of current into the Federal building: *Provided*, That no part of the amount appropriated in the Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 4, 1947.

[CHAPTER 466]

August 4, 1947
[H. R. 3696]
[Private Law 125]

AN ACT

Authorizing the issuance of a patent in fee to Daniel Broken Leg.

Daniel Broken Leg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to Daniel Broken Leg, of Chadron, Nebraska, a patent in fee to the following-described lands situated on the Rosebud Indian Reservation in the State of South Dakota: Allotment numbered 4316, northeast quarter, section 33, township 100 north, range 78 west, of the fifth principal meridian, Tripp County, South Dakota.

Approved August 4, 1947.

[CHAPTER 485]

August 4, 1947
[H. R. 1085]
[Private Law 126]

AN ACT

For the relief of Mrs. Marie Salamone.

Mrs. Marie Salamone.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marie Salamone, Norristown, Pennsylvania, the sum of $6,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Marie Salamone against the United States on account of personal injuries received by her on July 7, 1944, when the automobile which she was driving was struck by a United States Army vehicle at the intersection of Arch and Airy Streets, Norristown, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 4, 1947.

[CHAPTER 486]

August 4, 1947
[H. R. 1736]
[Private Law 127]

AN ACT

For the relief of O. Dean Settles and Mrs. Ruth E. Settles, husband and wife; Mrs. Ruth E. Settles, individually; the estate of Ora H. Hatfield; and Mrs. Kittie B. Hatfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, to the person or persons specified in each of the following cases, the amount specified with respect to such case, in full settlement of all claims against the United States on account of the personal injuries or the property damage and death indicated in each case which resulted when a United States Army airplane crashed, on September 17, 1944, one-half mile southwest of Copeland, Kansas, on the farm owned by Ora H. Hatfield, deceased, late of Gray County, Kansas:

(1) O. Dean Settles and Mrs. Ruth E. Settles, husband and wife, of Dodge City, Kansas, for the death of their minor son, Jay Dean Settles, and for damage to furniture, clothing, books, and other personal property, the sum of $7,234.14; O. Dean Settles and Mrs. Ruth E. Settles.

(2) Mrs. Ruth E. Settles, individually, for severe personal injuries, the sum of $2,500; Mrs. Ruth E. Settles.

(3) The legal representative of the estate of the said Ora H. Hatfield, for the death of the said Ora H. Hatfield and for destruction of the dwelling house and barn, and their contents, and for damage to outbuildings, crops, equipment, and other items of real and personal property, on such farm, the sum of $24,098.59; and Ora H. Hatfield, estate.

(4) Mrs. Kittie B. Hatfield, of Dodge City, Kansas, widow of the said Ora H. Hatfield, for severe personal injuries, and for damage to various items of personal property, the sum of $5,539.65: Mrs. Kittie B. Hatfield.

Provided, That no part of any sum appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or receieved by any agent or attorney on account of services rendered in connection with the claim satisfied by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 4, 1947.

[CHAPTER 487]

AN ACT

For the relief of George J. Hiner.

August 4, 1947
[H. R. 3845]
[Private Law 128]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George J. Hiner, of Pittsburgh, Pennsylvania, the sum of $3,350, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings and property damage sustained on February 12, 1942, when the automobile which he was operating was struck by a United States Army truck at the intersection of Ninth Street and Pennsylvania Avenue, Pittsburgh, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. George J. Hiner.

Approved August 4, 1947.

[CHAPTER 491]

August 5, 1947
[H. R. 1492]
[Private Law 129]

AN ACT

For the relief of P. L. (Spud) Murphey, owner and manager of Spud's Tailors, Laundry, and Dry Cleaning Works.

P. L. (Spud) Murphey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. L. (Spud) Murphey, owner and manager of Spud's Tailors, Laundry, and Dry Cleaning Works, Honolulu, Territory of Hawaii, the sum of $9,540.48, in full settlement of all claims against the United States on account of losses suffered as the result of the destruction of the accounting records of his company ordered by the Navy Intelligence in Honolulu on or about February 13, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any one agent or agency, or by any one attorney or firm of attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 5, 1947.

[CHAPTER 500]

August 5, 1947
[S. 609]
[Private Law 130]

AN ACT

Conferring jurisdiction upon the United States District Court for the Western District of Arkansas to hear, determine, and render judgment upon any claims arising out of the deaths of Norman Ray Pedron and Carl Franklin Morris.

U. S. District Court for Western District of Arkansas.
Jurisdiction to hear certain claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Western District of Arkansas to hear, determine, and render judgment upon any claims against the United States arising out of the deaths of Norman Ray Pedron and Carl Franklin Morris, late of Hope, Arkansas, who were killed April 15, 1944, at Hope, Arkansas, by the explosion of a 37-millimeter shell of the type used by the United States Army.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person.

SEC. 3. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

36 Stat. 1093.
28 U. S. C. § 41 (20).

Approved August 5, 1947.

[CHAPTER 501]

AN ACT

For the relief of A. E. McCartney and others.

August 5, 1947
[H. R. 629]
[Private Law 131]

A. E. McCartney and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. E. McCartney and O. A. Foster, of Newport, Arkansas, the sum of $3,087.02; to pay P. W. Woodyard and J. R. Mahon the sum of $2,982.69; to pay B. E. Truitt, T. L. Truitt, and W. B. Lacy the sum of $6,207.17; to pay G. W. Cox, J. M. Cox, and F. T. Cox the sum of $6,258.05; to pay W. W. Cox, and Doctor J. W. Cox the sum of $7,116.60, and to pay Robert Cathcart and Claude Cathcart the sum of $3,688.69, the sum of $930.75 to Joseph Natali, Stanolind Oil and Gas Company, and Farmers' Land and Canal Company, and the sum of $1,004.06 to J. E. Fournier, Stanolind Oil and Gas Company and Farmers' Land and Canal Company, in full settlement of all claims against the United States for damage to rice crops sustained as a result of dusting operations by the United States Public Health Service in connection with certain malaria-control work in 1943 and 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 5, 1947.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

FIRST SESSION, EIGHTIETH CONGRESS

JOINT MEETING

January 4, 1947
[H. Con. Res. 1]

Communications from the President.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 6th day of January 1947, at 1:00 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed January 4, 1947.

JOINT MEETING

March 10, 1947
[H. Con. Res. 28]

Communications from the President.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, March 12, 1947, at 1 o'clock post meridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed March 10, 1947.

"COMMUNISM IN ACTION"

March 18, 1947
[H. Con. Res. 17]

Printing of additional copies of House document.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed four hundred and twenty-five thousand additional copies of House Document Numbered 754, Seventy-ninth Congress, entitled "Communism in Action", of which three hundred and seventy-five thousand copies shall be for the use of the House of Representatives and fifty thousand copies shall be for the use of the Senate.

Passed March 18, 1947.

STATUE OF THE LATE WILLIAM E. BORAH

March 24, 1947
[S. Con. Res. 8]

Placing of statue in rotunda of Capitol.

Resolved by the Senate (the House of Representatives concurring), That the Borah Memorial Statue Commission of Idaho is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late William E. Borah, of Idaho, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

Agreed to March 24, 1947.

April 28, 1947
[S. Con. Res. 9]

PROFIT SHARING AND INCENTIVE TAXATION

Printing of additional copies of report.

Resolved by the Senate (the House of Representatives concurring), That there be printed two thousand additional copies of Senate Report Numbered 610, Seventy-sixth Congress, first session, being the report entitled "Survey of Experience in Profit Sharing and Possibilities of Incentive Taxation" which was printed as a report from a subcommittee of the Senate Committee on Finance acting pursuant to S. Res. 215, Seventy-fifth Congress, agreed to May 18, 1938. Such additional copies shall be for the use of the Senate Committee on Finance.

Agreed to April 28, 1947.

June 6, 1947
[S. Con. Res. 17]

STATUE OF THE LATE WILLIAM E. BORAH

Acceptance in name of United States; thanks of Congress.

Resolved by the Senate (the House of Representatives concurring), That the statue of the late William E. Borah, presented by the State of Idaho, now in the Capitol Building, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for his historic renown and distinguished civic services.

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Idaho.

Agreed to June 6, 1947.

June 6, 1947
[H. Con. Res. 52]

NATIONAL LABOR RELATIONS ACT, AMENDMENT

Correction in enrollment of bill (H. R. 3020).
61 Stat., Pt. 1, p. 136.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 3020) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes, the Clerk of the House is authorized and directed to make the following correction: In the matter in parentheses in the section designated as "SEC. 15" in title I, change the figure "10" to "11".

61 Stat., Pt. 1, p. 151.

Passed June 6, 1947.

June 19, 1947
[H. Con. Res. 53]

HOUSING AND RENT ACT OF 1947

Change in enrollment of bill (H. R. 3203).
61 Stat., Pt. 1, p. 193.
60 Stat. 207.
50 U. S. C. app. § 1821 *et seq.*
12 U. S. C. § 1738 *et seq.*

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 3203) relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes, is authorized and directed, in section 4 (a) to strike out "March 31, 1948" wherever such date occurs and insert in lieu thereof "March 1, 1948".

Passed June 19, 1947.

June 26, 1947
[H. Con. Res. 35]

POSTWAR FOREIGN ECONOMIC POLICY, ECONOMIC PROBLEMS, ETC.

Printing of additional copies of reports.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand five hundred additional copies of House Report Numbered 541, Seventy-ninth Congress, entitled

"The Postwar Foreign Economic Policy of the United States", of which five hundred copies shall be for the use of the Senate and one thousand copies shall be for the use of the House; one thousand five hundred additional copies of House Report Numbered 1205, Seventy-ninth Congress, entitled "Economic Reconstruction in Europe", of which five hundred copies shall be for the use of the Senate and one thousand copies shall be for the use of the House; and five thousand additional copies of House Report Numbered 2729, Seventy-ninth Congress, entitled "Final Report Reconversion Experience and Current Economic Problems", of which five hundred copies shall be for the use of the Senate and four thousand five hundred copies shall be for the use of the House.

Passed June 26, 1947.

UN-AMERICAN ACTIVITIES

June 26, 1947
[H. Con. Res. 39]

Printing of additional copies of hearing.
34 Stat. 1012.
44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, as amended, the Committee on Un-American Activities, House of Representatives, be, and is hereby, authorized and empowered to have printed for its use two thousand additional copies of the hearing held before said committee on February 6, 1947, pursuant to Public Law 601, Seventy-ninth Congress.

60 Stat. 812.
2 U. S. C. § 72a note.

Passed June 26, 1947.

UN-AMERICAN ACTIVITIES

June 26, 1947
[H. Con. Res. 40]

Printing of additional copies of report.
34 Stat. 1012.
44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, as amended, the Committee on Un-American Activities, House of Representatives, be, and is hereby, authorized and empowered to have printed for its use twenty-five thousand additional copies of House Report 209, Eightieth Congress, first session, entitled "The Communist Party of the United States as an Agent of a Foreign Power".

Passed June 26, 1947.

REORGANIZATION PLAN NO. 2 OF 1947

June 30, 1947
[H. Con. Res. 49]

House Document No. 231, 80th Congress.

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the Reorganization Plan Numbered 2 of May 1, 1947, transmitted to Congress by the President on the 1st day of May 1947.

Passed June 30, 1947.

INTERNATIONAL REFUGEE ORGANIZATION

June 30, 1947
[S. Con. Res. 21]

Change in enrollment of joint resolution (S. J. Res. 77).
61 Stat., Pt. 1, p. 215.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the joint resolution (S. J. Res. 77) providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor, to make the following changes in the House engrossed amendment, namely: On page 3 of said engrossed amendment, in the phrase "for the fiscal year beginning June 30, 1947", where

it occurs in subsections (a) and (b) of section 3, strike out "June 30" and in lieu thereof insert "July 1".

Agreed to June 30, 1947.

July 1, 1947
[S. Con. Res. 22]

Return of bill (H. R. 493) requested.
61 Stat., Pt. 1, p. 743.

CONTROL OF DANGEROUS WEAPONS IN THE DISTRICT OF COLUMBIA

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the House of Representatives the enrolled bill (H. R. 493) to amend section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition); that if and when the said bill is returned by the President, the action of the Presiding Officers of the two Houses in signing the said bill be deemed to be rescinded; and that the House engrossed bill be returned to the Senate.

Agreed to July 1, 1947.

July 8, 1947
[H. Con. Res. 58]

Change in enrollment of bill (H. R. 3737).
61 Stat., Pt. 1, p. 360.

DISTRICT OF COLUMBIA REVENUE ACT OF 1947

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 3737) to provide revenue for the District of Columbia, and for other purposes, the Clerk of the House is authorized and directed, in section 2 of article III, to insert after the word "repealed" the following: ", effective on the first day of the first month following the approval of this Act".

Passed July 8, 1947.

July 16, 1947
[H. Con. Res. 70]

Printing of additional copies of hearings.
34 Stat. 1012.
44 U. S. C. § 154.

"THE NATIONAL SECURITY ACT OF 1947"

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Expenditures in the Executive Departments of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use three thousand additional copies of the hearings held before said committee during the current session on the bill (H. R. 2319) "The National Security Act of 1947".

Passed July 16, 1947.

July 21, 1947
[S. Con. Res. 14]

REPRESENTATION OF SMALL BUSINESSMEN ON GOVERNMENT BOARDS, ETC.

Whereas the three million six hundred and fifty thousand small business concerns in the United States are owned and operated, on the average, by two and one-half persons, or a total of nine million one hundred and twenty-five thousand persons, constituting 92 per centum of our entire economy; and

Whereas these concerns employ about 65 per centum of all commercial and industrial wage earners and produce about 45 per centum of our entire output of commodities: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognize the valid claim of the small businessmen of America to equal representation as an entity, with labor, agriculture, and other groups, on those Government commissions, boards, committees, or other agencies in which the interests of the American economy may be affected; and that the President of the United States, the

members of the Cabinet, and other officers of the Government be, and hereby are, respectfully urged to accord the small businessmen of America representation on such Government agencies including particularly policy-making bodies created by Executive appointment.

Agreed to July 21, 1947.

EMPIRE PARLIAMENTARY ASSOCIATION

July 25, 1947
[H. Con. Res. 110]

Resolved by the House of Representatives (the Senate concurring), That the Senate and the House of Representatives hereby accept the invitations tendered by the President of the Legislative Council and the Speaker of the House of Assembly of the Bahamas Government to have four Members of the Senate and four Members of the House of Representatives attend a meeting of the Empire Parliamentary Association to be held in the Bahamas beginning December 28, 1947. The President pro tempore of the Senate and the Speaker of the House of Representatives are authorized to appoint the Members of the Senate and the Members of the House of Representatives, respectively, to attend such meeting and are further authorized to designate the chairmen of the delegations from each of the Houses. The expenses incurred by the members of the delegations appointed for the purpose of attending such meeting, which shall not exceed $5,000 for each of the delegations, shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

Acceptance of invitations to attend meeting in the Bahamas.

Appointment of members of delegations.

Expenses.

Passed July 25, 1947.

STUDY AND INVESTIGATION OF PRESENT HIGH PRICES OF CONSUMER GOODS

July 26, 1947
[S. Con. Res. 19]

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Economic Report is hereby authorized and directed through two or more subcommittees of the said committee, each to be composed of three members of the Senate (not more than two of whom shall be members of the same political party) and three Members of the House of Representatives (not more than two of whom shall be members of the same political party) take the action prescribed in section 2 hereof. Members of said subcommittees may be selected from the membership of said Joint Committee on the Economic Report or from Members of the Senate and of the House of Representatives not members of said Committee on the Economic Report. Vacancies in the membership of the subcommittees shall not affect the powers of the remaining members to exercise the functions of the subcommittee and shall be filled in the same manner as in the case of the original selection.

Subcommittees of Joint Committee on Economic Report. Action required.

SEC. 2. It shall be the duty of the joint committee through the said subcommittees (1) to make a full and complete study and investigation of the present high prices of consumer goods and (2) to report to the Congress not later than February 1, 1948, the results of the study and investigation of its subcommittees together with such recommendations, as to necessary legislation as it may deem desirable.

Study, etc., of high prices of consumer goods. Report to Congress.

SEC. 3. (a) The subcommittees herein established are authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eightieth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make

Authority of subcommittees.

such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

Appointments and compensation of experts, etc.

(b) The Joint Committee on the Economic Report is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

Expenses.

(c) The expenses of the subcommittees, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate. Upon vouchers signed by the chairman of the Joint Committee on the Economic Report, disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate.

Agreed to July 26, 1947.

July 26, 1947
[S. Con. Res. 31]

DISPOSITION OF CERTAIN LANDS OR PERMANENT STRUCTURES

Delay in reporting as surplus or in disposing of certain lands or permanent structures.

Resolved by the Senate (the House of Representatives concurring), That the War Department, the Navy Department, and the War Assets Administration are requested to delay until March 15, 1948, in reporting as surplus, or in disposing of (1) any lands or permanent structures located thereon declared by any State, municipal, or local government, or political subdivision thereof, through its proper authorities, to be suitable and desirable for its use for educational, recreational, medical, or scientific purposes, or for its use as a public park or place of historic interest; or (2) any lands or permanent structures located thereon which would be transferred for, or devoted to, such purposes or uses under the provisions of any bill or joint resolution pending in Congress if such bill or joint resolution should be enacted into law. This concurrent resolution shall not be deemed to prevent or delay the disposition of any such lands or permanent structures to any State or political subdivision thereof under existing provisions of law.

Report to Committees on Armed Services.

SEC. 2. The Secretary of War and the Secretary of the Navy, acting jointly, and the War Assets Administrator, acting individually, are requested to report to the Committees on Armed Services of the Senate and the House of Representatives on or before January 15, 1948, the location, general description, and fair market value of any property described in the first section of this concurrent resolution which has been reported as surplus or which it is contemplated will be reported as surplus or disposed of.

Agreed to July 26, 1947.

July 26, 1947
[S. Con. Res. 34]

SIGNING OF ENROLLED BILLS, ETC.

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the adjournment of the two Houses until January 2, 1948, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Agreed to July 26, 1947.

FIFTIETH ANNIVERSARY OF LIBERATION OF CUBA

July 26, 1947
[H. Con. Res. 108]

Establishment and composition of joint committee.

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint committee to be composed of eight members, as follows: Four Members of the Senate to be appointed by the President pro tempore of the Senate; and four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The committee shall serve without compensation and shall select a chairman from among their number.

Duty.

SEC. 2. (a) It shall be the duty of the committee to prepare an appropriate plan for the participation in the observance and celebration in Cuba during the summer of 1948 of the fiftieth anniversary of the victories of the military and naval forces of the United States and of their Cuban allies in the War with Spain, resulting in the liberation of Cuba. In the preparation of such plan the committee is authorized to cooperate with official representatives of Cuba.

Report to Congress.

(b) The committee shall, not later than February 2, 1948, submit a report to the Congress setting forth the plan prepared pursuant to subsection (a) of this section and containing such recommendations for carrying out such plan as it deems advisable. The committee shall cease to exist within thirty days after the date of the submission of such report.

Termination of committee.

Authority.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

SEC. 3. The committee is authorized, without regard to the civil-service laws or the Classification Act of 1923, as amended, to appoint and prescribe the duties, and fix the compensation, of such employees as are necessary for the execution of its function. The committee may make such expenditures as are necessary to carry out the purposes of this concurrent resolution, including expenditures for necessary traveling expenses and subsistence expenses of the members of the committee and of employees of the committee.

Expenses.

SEC. 4. The necessary expenses of the joint committee herein authorized not exceeding $25,000 shall be paid one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives on vouchers authorized by the joint committee and signed by the chairman thereof.

Passed July 26, 1947.

TAX REVISION

July 26, 1947
[H. Con. Res. 107]

Printing of additional copies of hearings, etc.
34 Stat. 1012.
44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Ways and Means be, and is hereby, authorized and empowered to have printed for its use one thousand additional copies of the digest of testimony, index to hearings, and each part of the hearings held before the said committee during the current session relative to tax revision, 1947–1948.

Passed July 26, 1947.

JOINT COMMITTEE ON HOUSING

July 26, 1947
[H. Con. Res. 104]

Establishment and composition of Joint Committee on Housing.

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be known as the Joint Committee on Housing (hereafter referred to as the committee), and to be composed of seven Members of the Senate who are members of the Senate Committee on Banking and Currency to be appointed by the President pro tempore of the Senate, and seven Members of the House of Representatives who are members of the

House of Representatives Committee on Banking and Currency to be appointed by the Speaker of the House of Representatives. A vacancy in the membership of the committee shall not affect the powers of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection. The committee shall select a chairman and a vice chairman from among its members.

Study and investigation of housing.

SEC. 2. The committee, acting as a whole or by subcommittee, shall conduct a thorough study and investigation of the entire field of housing, including but not limited to—

(1) the extent of the need for housing in the United States as a whole and in all areas thereof;

(2) the extent, if any, to which shortages in building materials are contributing to the shortage of housing;

(3) the reasons for the existing high costs of building materials and housing and the action which may be taken to reduce such costs;

(4) all factors of whatever kind or nature which contribute to the existing high costs of housing and which prevent the speedy construction of adequate housing to satisfy the needs of the Nation and the action which may be taken to eliminate such factors;

(5) the extent to which archaic building codes and zoning laws contribute to the existing shortage and excessive cost of housing;

(6) the administration and operation of existing Federal laws relating to slum clearance, insurance of mortgages on housing, home loans, guaranties of veterans' housing loans, construction permits, veterans' preference in the renting and purchase of housing, rent control, and all other matters relating to housing;

(7) the availability of private capital and of Government loans to finance the construction of housing;

(8) the organization and operations of Federal, State, and municipal government agencies concerned with housing; and

(9) such other problems and subjects in the field of housing as the committee deems appropriate.

Report.

SEC. 3. The committee shall report to the Senate and the House of Representatives not later than March 15, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable.

Employment and compensation of personnel.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

SEC. 4. The committee shall have the power, without regard to the civil-service laws and the Classification Act of 1923, as amended, to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, including consultants who shall receive compensation at a rate not to exceed $35 for each day actually spent by them in the work of the committee, together with their necessary travel and subsistence expenses. The committee is further authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of all agencies in the executive branch of the Government and may request the governments of the several States, representatives of business, industry, finance, and labor, and such other persons, agencies, organizations, and instrumentalities as it deems appropriate to attend its hearings and to give and present information, advice, and recommendations.

Utilization of Government services, etc.

Powers of committee.

SEC. 5. The committee, or any subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eightieth Congress; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer oaths, to take such testimony; to have such printing and binding done; and to make such expenditures as it deems advisable.

The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per one hundred words. Subpenas shall be issued under the signature of the chairman or vice chairman of the committee and shall be served by any person designated by them.

Reimbursement of members for certain expenses.

SEC. 6. The members of the committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the committee, other than expenses in connection with meetings of the committee held in the District of Columbia during such times as the Congress is in session.

Payment of expenses of committee.

SEC. 7. The expenses of the committee, which shall not exceed $100,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the chairman. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of disbursements so made.

Passed July 26, 1947.

ADJOURNMENT

July 26, 1947
[S. Con. Res. 33]

Resolved by the Senate (the House of Representatives concurring), That when the two Houses adjourn on Sunday, July 27, 1947, they shall stand adjourned until 12 o'clock meridian on Friday, January 2, 1948, or until 12 o'clock meridian on the third day after their respective Members are notified to reassemble in accordance with section 2 of this resolution, whichever event first occurs.

Reassembly of Congress.

SEC. 2. The President pro tempore of the Senate, the Speaker of the House of Representatives, the Majority Leader of the Senate and the Majority Leader of the House of Representatives, all acting jointly, shall notify the Members of the Senate and the House, respectively, to reassemble whenever in their opinion the public interest shall warrant it.

Agreed to July 26, 1947.

JOINT MEETING

November 17, 1947
[H. Con. Res. 118]

Communication from the President.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, November 17, 1947, at 1:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed November 17, 1947.

ADJOURNMENT SINE DIE

December 19, 1947
[H. Con. Res. 127]

Resolved by the House of Representatives (the Senate concurring), That, notwithstanding the provisions of S. Con. Res. 33, Eightieth Congress, the two Houses of Congress shall adjourn on Friday, December 19, 1947, and that when they adjourn on said day, they stand adjourned sine die.

Passed December 19, 1947.

December 19, 1947
[H. Con. Res. 128]

SIGNING OF ENROLLED BILLS, ETC.

Resolved by the House of Representatives (the Senate concurring), That, notwithstanding the adjournment of the first session of the Eightieth Congress, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Passed December 19, 1947.

PROCLAMATIONS

PROCLAMATIONS

Amendments of Regulations Relating to Migratory Birds and Game Mammals

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 8, 1946
[No. 2699]

A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted and submitted to me the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, as amended, relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

58 Stat. 1136.
16 U. S. C. § 704 note.
Post, pp. 1067, 1076.
39 Stat. 1702.
50 Stat. 1311.

Amendments of Migratory Bird Treaty Act Regulations Adopted by the Secretary of the Interior

Under authority and direction of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II, effective July 1, 1939 (53 Stat. 1431), I, J. A. Krug Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend as follows the regulations approved by Proclamation No. 2616 of July 27, 1944, as last amended by Proclamation No. 2658 of July 31, 1945, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.
39 Stat. 1702.
50 Stat. 1311.
58 Stat. 1136; 59 Stat. 873.
16 U. S. C. § 704 note.
Post, pp. 1067, 1076.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

58 Stat. 1139.
16 U. S. C. § 704 note.
Post, pp. 1077, 1088, 1094.

Waterfowl (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, North Dakota, Utah, and Wyoming; Canada geese, including Hutchins and cackling geese, and

white-fronted geese in Minnesota, Wisconsin, Michigan, Iowa, Illinois, Indiana, Ohio, Missouri, Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, Wyoming, and in States bordering on the Atlantic Ocean; Ross' geese; and swans), coots, rails, and gallinules may be taken each day from one-half hour before sunrise to one-half hour before sunset, and woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons from one-half hour before sunrise to sunset, except as otherwise provided in this regulation, during the open seasons prescribed herein; and may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, and when so taken may be possessed in the numbers permitted by regulation 5 during the period constituting the open season where taken and for an additional period of 90 days next succeeding said open season, except as prohibited by State law.

58 Stat. 1138, 1141, 1149.
16 U. S. C. § 704 note.
Post. pp. 1076, 1036, 1080.

Reservations or sanctuaries.

16 U. S. C. § 715.

Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), or on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except so far as may be permitted by the Secretary of the Interior under existing law, or on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

40 Stat. 755.
16 U. S. C. §§ 703–711.

Waterfowl and Coot.—The open seasons on waterfowl and coot, (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, North Dakota, Utah, and Wyoming; Canada geese, including Hutchins and cackling geese, and white-fronted geese in Minnesota, Wisconsin, Michigan, Iowa, Illinois, Indiana, Ohio, Missouri, Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, Wyoming, and in States bordering on the Atlantic Ocean; Ross' geese; and swans) in the several States, Alaska, and Puerto Rico shall be as follows, both dates inclusive:

Maine, Michigan, Minnesota, New Hampshire, North Dakota, South Dakota, Vermont, and Wisconsin, October 5 to November 18.

California, in San Bernardino, Riverside and Imperial Counties, November 23 to January 6; in remainder of State, October 26 to December 9.

Colorado, Connecticut, Delaware, Idaho, Illinois (except coot in Lake and McHenry Counties), Indiana, Iowa, Kansas, Massachusetts, Missouri, Montana, Nebraska, Nevada, New Jersey, New York (except certain hereinafter designated portions of Essex, Clinton, and Washington Counties) including Long Island, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, October 26 to December 9.

New York, in Essex and Clinton Counties east of the tracks of the main line of the Delaware and Hudson Railroad and that part of Washington County east of the aforesaid tracks from the Essex County line to the village of Whitehall and north of the branch line tracks of said railroad from the village of Whitehall, New York to Fair Haven, Vermont and all the waters of South Bay and one mile distant from such water in any direction, October 5 to November 18.

Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Mexico, North Carolina, South Carolina, Tennessee, and Virginia, November 23 to January 6.

Texas, on those portions of Lake Texhoma in Cooke and Grayson Counties, October 26 to December 9; in remainder of State, November 23 to January 6.

Puerto Rico, December 15 to February 12.

Alaska, in Fur Districts 1 and 3 as defined in the regulations governing the taking of game in Alaska, adopted May 15, 1944 (9 F. R. 5270), October 1 to November 14; in the remainder of Alaska, September 1 to October 15.

Provided, That scoters, locally known as sea coots, may be taken in open coastal waters only, beyond outer harbor lines, in Maine and New Hampshire from September 15 to October 4; and in Connecticut, Massachusetts, New York including Long Island, and Rhode Island, from September 15 to October 25, and thereafter from land or water during the open seasons for other waterfowl in these States. Scoters.

Coot, in Lake and McHenry Counties, Illinois, October 1 to October 13 and from October 26 to December 9.

Rails and Gallinules (except Coot).—The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Louisiana, September 15 to December 15.

Maine and Wisconsin, October 5 to November 18.

Maryland, September 1 to October 31.

Massachusetts and New York, including Long Island, October 26 to December 9.

Minnesota, September 16 to November 30.

Mississippi, October 15 to December 30.

Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Iowa, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

Woodcock.—The open seasons on woodcock shall be as follows, both dates inclusive: *Post*, p. 1094.

Arkansas and Oklahoma, December 1 to December 15.

Connecticut, October 19 to November 2.

Delaware and Maryland, November 15 to November 29.

Georgia, Louisiana, and Mississippi, December 15 to December 29.

Indiana and West Virginia, October 16 to October 30.

Maine, in Aroostook, Penobscot, Piscataquis, Somerset, Franklin, and Oxford Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

Massachusetts and New Jersey, October 20 to November 3.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State, October 15 to October 29.

Minnesota, Ohio, Pennsylvania, and Wisconsin, October 10 to October 24.

Missouri, November 10 to November 24.

New Hampshire, in Coos, Carroll, and Grafton Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

New York, north and east of the tracks of the branch line of the New York Central Railroad from Oswego to Syracuse, the main line of the New York Central Railroad from Syracuse to Albany, and the main line of the Boston & Albany Railroad from Albany to the Massachusetts State line, October 10 to October 24; west and south of the line above described, October 21 to November 4; and that part of New York known as Long Island, November 1 to November 15; from 12 o'clock noon until sunset on the opening day in each of these

zones, and thereafter in all of the aforesaid zones from 7:00 a. m. until sunset.

Rhode Island, November 1 to November 15.

Vermont, in Bennington and Windham Counties and those portions of Rutland and Windsor Counties south of U. S. Highway Route 4 from West Haven to White River Junction, October 16 to October 30; in remainder of State, October 1 to October 15.

Virginia, November 20 to December 4.

Mourning, or Turtle, Dove.—The open seasons on mourning, or turtle, dove shall be as follows, both dates inclusive:

Arizona, California, Kansas, Missouri, and Oklahoma, September 1 to October 30.

Alabama and Louisiana, October 1 to October 15, and December 18 to January 31.

Arkansas and Mississippi, September 16 to September 30, and December 18 to January 31.

Colorado, Nevada, and New Mexico, September 1 to October 12.

Delaware and Tennessee, September 16 to November 14.

Post, p. 1085.

Florida, in Broward, Dade and Monroe Counties, October 1 to October 31; in remainder of State, November 20 to January 18.

Georgia, in Muscogee, Taylor, Crawford, Bibb, Jones, Baldwin, Hancock, Warren, McDuffie, and Columbia Counties and all counties north thereof, September 16 to September 30; in the above described counties and throughout the State, December 18 to January 31.

Idaho and Oregon, September 1 to September 15.

Illinois, September 1 to September 30.

Kentucky, September 1 to October 25.

Maryland, September 1 to October 15.

Minnesota, September 16 to September 30.

North Carolina, September 16 to September 30, and December 2 to January 15.

Pennsylvania, November 1 to November 30.

South Carolina, September 16 to October 15 and December 23 to January 22.

Texas, in Val Verde, Kinney, Uvalde, Medina, Kendall, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties, and all counties north and west thereof, September 1 to October 30; in remainder of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), October 20 to December 18; in these latter counties, September 13, 15 and 17, from 4:00 p. m. until sunset, and thereafter, October 20 to December 13, from one-half hour before sunrise to sunset.

Virginia, September 16 to October 31.

White-winged Dove.—The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, September 13, 15 and 17 from 4:00 p. m. until sunset.

Band-tailed Pigeon.—The open seasons on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona and New Mexico, September 16 to October 15.

California, Oregon, and Washington, September 1 to September 30.

58 Stat. 1141.
16 U. S. C. § 704 note.
Post, p. 1080.

The second paragraph of Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

Ducks (except the American and Red-breasted Mergansers).—Seven, including in such limit not more than 1 wood duck, and any person may possess not more than 14 ducks including not more than 1 wood duck.

The fourth paragraph of Regulation 5 is amended to read as follows:

58 Stat. 1141.
16 U. S. C. § 704 note.
Post, p. 1081.

Geese and Brant (except Snow Geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, in Wyoming, and in States bordering on the Atlantic Ocean; Canada Geese, including Hutchins and Cackling Geese, and White-fronted Geese in Minnesota, Wisconsin, Michigan, Iowa, Illinois, Indiana, Ohio, Missouri, Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama; and Ross' Geese anywhere), as follows: Two of any kind in any combination, including brant, plus two snow geese or two blue geese singly or in the aggregate, and any person may possess not more than these limits.

The second paragraph of Regulation 6 "Shipment, Transportation, and Possession of Certain Migratory Game Birds", is amended to read as follows:

58 Stat. 1142.
16 U. S. C. § 704 note.

Not more than the number of such birds permitted by regulation 5 to be taken by one person in 1 day, except American and Red-breasted mergansers, or in 2 days in the case of woodcocks and ducks (except wood ducks) shall be transported by any one person in 1 calendar week out of Alaska, Puerto Rico, or the State where taken, or from Canada or Mexico into the United States.

Ante, p. 1036.

The fifth paragraph of regulation 6 is amended to read as follows:

58 Stat. 1143.
16 U. S. C. § 704 note.

Migratory Game Birds Imported from Countries Other Than Canada and Mexico.—Migratory game birds of a species on which open seasons are prescribed by regulation 4, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made) may be transported by any one person in 1 calendar week in numbers not exceeding those permitted by regulation 5 to be taken by one person in 1 day, except American and red-breasted mergansers, or in 2 days in the case of woodcocks, and ducks (except wood ducks) to any State, Alaska, or Puerto Rico during the open season prescribed by said regulation 4 for such State, Alaska, or Puerto Rico on that species, and to the District of Columbia during the open season so prescribed for Maryland, and may be possessed in such State, Alaska, or Puerto Rico, or the District of Columbia for an additional 90 days immediately succeeding such open season, if transportation and possession of such birds are not prohibited by such State, Alaska, or Puerto Rico and if transported in packages marked as hereinbefore provided.

Ante, p. 1033.

Ante, p. 1036.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 31st day of July, 1946.

J A KRUG
[SEAL] *Secretary of the Interior.*

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

40 Stat. 755.
16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority

40 Stat. 755.
16 U. S. C. § 704.

vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of August in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President
DEAN ACHESON
Acting Secretary of State.

FIRE PREVENTION WEEK, 1946

September 3, 1946
[No. 2700]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS fires threaten this year to exact the greatest toll of lives and the greatest waste of material resources that our nation has ever experienced; and

WHEREAS this destruction is taking place at a time when the entire world is faced with distressing shortages of food and housing and nearly every commodity essential to speedy reconversion to a peacetime economy; and

WHEREAS the vast majority of destructive fires are preventable by the exercise of greater caution on the part of all our citizens:

Designation of week beginning Oct. 6, 1946, as Fire Prevention Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 6, 1946, as Fire Prevention Week.

I ask every citizen to do his part by learning how to detect and eliminate all possible causes of fires in his home and in his business, in order to safeguard both lives and property from the holocaust of fire. I also request that the State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, business and labor organizations, the churches and schools, civic groups, and the agencies of the press, the radio, and the motion-picture industry throughout the country cooperate fully in the observance of Fire Prevention Week; and I direct that the appropriate agencies of the Federal Government likewise assist in arousing the public to the awareness of the dread threat of fires.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 3rd day of September in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
W. L. CLAYTON.
Acting Secretary of State

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF WASHINGTON'S FAREWELL ADDRESS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 6, 1946
[No. 2701]

A PROCLAMATION

WHEREAS September 19, 1946 marks the one hundred and fiftieth anniversary of President Washington's Farewell Address to the American people, in which the Father of our Country, in announcing his intention to retire from political office, gave his fellow countrymen the benefit of his wisdom and laid down a set of political principles which for a century and a half have profoundly affected the course of our history, it is fitting and proper at this time to pay our humble and grateful respects to the deep insight, the spirit of responsible citizenship, and the outstanding devotion to duty which characterized this pronouncement and the entire career of our first President.

In this message, issued to the country at a time when our young and struggling Republic was torn by internal strife and threatened by external dangers, President Washington saw clearly the need for our country to gain time "to settle and mature its recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it . . . the command of its own fortunes."

Pointing to the dangers that lay ahead, he boldly charted a course for our country, based on principles of "national union", "independence and liberty", exemption from the "broils and wars" of other countries, "religion and morality", "pride of patriotism", "institutions for the general diffusion of knowledge", and the observance of "good faith and justice toward all nations".

Guided largely by these principles and favored by nature and the indomitable spirit of freedom and the will of a sturdy and pioneering people, our young Republic has grown to maturity, has gained that "command of its own fortunes" which has freed it from the state of relative dependency in which President Washington found it, and has taken its place in the councils of nations with new responsibilities which a century and a half ago could not have been foreseen.

It is appropriate for us at this time to draw fresh inspiration and renewed faith from the advice and admonitions of the Father of our Country and to apply his wisdom to our times and to the new environment in which we live.

Above all, we should keep fresh in our memory his call to national unity and responsible citizenship, based on principles of morality, and good faith and justice to all nations; for these remain the imperishable foundations of our Republic.

Call to national unity and responsible citizenship.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, on the occasion of the sesquicentennial of President Washington's Farewell Address, do hereby call upon the officials of the Government to display the flag of the United States on all Government buildings on September 19, 1946, and I invite the people of the United States, on or near that date, to observe the event with appropriate ceremonies in schools, colleges, and civic organizations, re-dedicating ourselves to the spirit of loyal service to the Republic which our first President so nobly embodied.

Display of flag on Sept. 19, 1946, and observance of sesquicentennial.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 6th day of September in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
W. L. CLAYTON
Acting Secretary of State

ENLARGING THE DESCHUTES NATIONAL FOREST—OREGON

September 9, 1946
[No. 2702]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS all lands in public ownership within the area hereinafter described are within six miles of the exterior boundaries of the Deschutes National Forest and have been found by the Secretary of Agriculture and the Secretary of the Interior to be chiefly valuable for national-forest purposes; and

WHEREAS it appears that the addition of such public lands to the said forest would be in the public interest; and

WHEREAS the addition of such lands to the said forest makes it desirable for administrative purposes to extend the exterior boundaries of the forest to include within such boundaries the private lands, as well as the public lands, within the said hereinafter-described area:

Extension of exterior boundaries.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the power vested in me by the act of February 2, 1922, c. 46, 42 Stat. 362, as amended by the act of May 24, 1935, c. 140, 49 Stat. 288, do proclaim (1) that the exterior boundaries of the Deschutes National Forest, in Oregon, are hereby extended to include all lands within the following-described area, and (2) that all lands in public ownership within such area are hereby added to and reserved as a part of the said forest, subject to any valid existing claims in such lands:

Lands added.

WILLAMETTE MERIDIAN

T. 11 S., R. 9 E., sec. 35 (unsurveyed).
T. 18 S., R. 12 E., sec. 35, NW¼ and SE¼.
T. 19 S., R. 12 E., sec. 1, SW¼NW¼ and NW¼SW¼.
T. 21 S., R. 14 E., sec. 3, SW¼; sec. 10, NE¼
T. 21 S., R. 15 E., sec. 34, NW¼NE¼.
T. 21 S., R. 16 E., sec. 31, SW¼.
T. 22 S., R. 15 E., sec. 2, SW¼SW¼; sec. 10, N½NE¼, N½SW¼, SW¼SW¼; sec. 21, NE¼; sec. 22, all; sec. 23, N½NE¼, NW¼, W½SW¼, SE¼SW¼, S½SE¼; sec. 25, NW¼, NW¼-SW¼; sec. 26, N½, NE¼SE¼; sec. 27, N½, NW¼SW¼, N½SE¼.
T. 22 S., R. 16 E., sec. 17, NE¼NE¼, SW¼NE¼.
T. 23 S., R. 15 E., sec. 1, NW¼NE¼, W½; sec. 2, E½NE¼, SW¼NE¼, SE¼; sec. 10, W½NE¼, SE¼NE¼; sec. 11, N½NE¼, SE¼NE¼, SW¼SW¼; sec. 12, W½NW¼, NE¼-SW¼; sec. 14, W½, W½SE¼; sec. 16, all; sec. 21, E½; sec. 22, all; sec. 23, W½, SE¼; sec. 24, SE¼NE¼, S½; sec. 25, N½, SW¼; sec. 26, N½; sec. 27, N½; sec. 36, all.
T. 23 S., R. 16 E., sec. 6, SE¼, SE¼SW¼; sec. 7, N½NE¼, SE¼NE¼, NE¼NW¼, NW¼SW¼, NE¼SE¼.

The reservation herein made shall not affect any claim, filing, or entry hitherto made and hereafter legally maintained, or any withdrawal of lands for public purposes, other than for classification or use as a stock driveway, so long as such withdrawal is needed for such public purposes.

Claims, withdrawals, etc.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of September in the year of our Lord nineteen hundred and forty-six and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
W. L. CLAYTON
Acting Secretary of State.

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 12, 1946
[No. 2703]

A PROCLAMATION

WHEREAS the people of this Nation are determined to do their utmost to restore to normal living those of their countrymen who have become physically handicapped and to assist them in developing their potential power for service to themselves and to their fellows; and

WHEREAS the people of this Nation are profoundly conscious of the immeasurable debt they owe to the heroes who went bravely forth to battle and returned with physical handicaps; and

WHEREAS our late President, Franklin Delano Roosevelt, through moral courage, physical stamina, and spiritual strength, exemplified the power of the physically handicapped to bring hope and confidence to mankind; and

WHEREAS the Congress, by a joint resolution approved August 11, 1945 (59 Stat. 530), has designated the first week in October of each year as National Employ the Physically Handicapped Week, during which appropriate ceremonies are to be held throughout the Nation, and has requested that the President issue a suitable proclamation each year:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe the week of October 6–12, 1946, as National Employ the Physically Handicapped Week. I also call upon the Governors of States, the mayors of cities, and the heads of other instrumentalities of government, as well as leaders of civic groups, to hold during that week exercises designed to foster the widest possible public support for and interest in the employment of otherwise qualified but physically handicapped workers.

Observance of Oct. 6–12, 1946, as National Employ the Physically Handicapped Week.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of September in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
W. L. CLAYTON
Acting Secretary of State

GENERAL PULASKI'S MEMORIAL DAY, 1946

September 25, 1946
[No. 2704]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Count Casimir Pulaski, Polish patriot who came from overseas to fight for the freedom of America, gave his life on October 11, 1779, as a result of wounds received while making a gallant cavalry charge at the siege of Savannah; and

WHEREAS the memory of General Pulaski's supreme contribution to the cause of American liberty has profoundly inspired many thousands of devoted citizens of this land who look to Poland as their ancestral home; and

60 Stat. 262.

WHEREAS by a joint resolution approved June 21, 1946 (Public Law 418, 79th Congress), the Congress has authorized me to issue a proclamation designating October 11, 1946, as General Pulaski's Memorial Day for the observance and commemoration of the death of General Pulaski:

Observance of Oct. 11, 1946, as General Pulaski's Memorial Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim October 11, 1946, the one hundred and sixty-seventh anniversary of the death of that gallant warrior, as General Pulaski's Memorial Day; and I invite the people of the United States to observe the day in appropriate ceremonies in schools and churches or other suitable places, and I call upon officials of the Government to have the flag of the United States displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of September in the year of our Lord nineteen hundred and forty-six, and [SEAL] of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
W. L. CLAYTON
Acting Secretary of State

COLUMBUS DAY, 1946

September 25, 1946
[No. 2705]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Christopher Columbus is to be remembered as a man who " * * * found a world, and had no chart, Save one that faith deciphered in the skies;" and

WHEREAS we who are even now engaged in searching out a new world of peace and justice and respect for human rights should endeavor in a thousand and one ways to emulate that magnificent faith which brought Columbus to the Western World; and

36 U. S. C. § 146.

WHEREAS by a joint resolution of Congress approved April 30, 1934 (48 Stat. 657), the President is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day:

Designation of Oct. 12, 1946, as Columbus Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate Saturday, October 12, 1946, as Columbus Day. I direct, also, that on that day the flag of the United States be displayed on all Government buildings; and I invite the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of September in the year of our Lord nineteen hundred and forty-six, and
[SEAL] of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
W. L. CLAYTON
Acting Secretary of State

UNITED NATIONS EDUCATION DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 17, 1946
[No. 2706]

A PROCLAMATION

WHEREAS on October 23, 1946, the United Nations will convene in General Assembly at the seat of that organization in this country; and

WHEREAS weighty and urgent problems, left in the wake of a devastating war and imposed by the need to establish an enduring peace, demand from the United Nations an unprecedented measure of understanding and good will; and

WHEREAS schools, colleges, universities, and other educational institutions are powerful weapons against the ignorance and ill will that produce those minsunderstandings and conflicts which the United Nations are striving to eliminate:

Proclamation of Oct. 23, 1946, as day for special consideration of problems of United Nations by schools, etc.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim Wednesday, the twenty-third day of October, 1946, as a day on which schools, colleges, universities, and other institutions of learning are requested to give special consideration to the problems, plans, and policies of the United Nations; and I urge the heads and governing bodies of such institutions to set aside a period on or about that day for appropriate educational exercises relating to the work of the United Nations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of October in the year of our Lord nineteen hundred and forty-six and of the
[SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

NATIONAL AIR MAIL WEEK

October 19, 1946
[No. 2707]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS every new chapter in the stirring saga of the transportation of mail warms the heart and touches the imagination of the American people; and

WHEREAS air mail has furnished a fresh opportunity for the interchange of thought, and the mail airplane, winging its way to the furthermost places, has become an emissary of peace and social progress; and

WHEREAS the Post Office Department has planned, for the week of October 27 to November 2, 1946, a program to encourage the expansion of mail service over the highways of the air:

Designation of Oct. 27 to Nov. 2, 1946, as National Air Mail Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week of October 27 to November 2, 1946 as National Air Mail Week and urge the people of the United States and its territories and possessions to join in the observance of this week, which marks another milestone on the road to international unity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 19th day of October, in the year of our Lord nineteen hundred and forty-six and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President
JAMES F BYRNES
Secretary of State

EMERGENCY DUE TO HOUSING SHORTAGE—FREE IMPORTATION OF TIMBER, LUMBER, AND LUMBER PRODUCTS

October 25, 1946
[No. 2708]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Post, p. 1073.

WHEREAS the long-term housing shortage and the war have combined to create an unprecedented emergency shortage of housing, particularly for veterans of World War II and their families; and

60 Stat. 207.
50 U. S. C. app. § 1821.

WHEREAS section 1 of the Veterans' Emergency Housing Act of 1946 recognizes the aforesaid unprecedented emergency; and

WHEREAS it is imperative that immediate action be taken on a temporary basis to increase the available supplies of timber, lumber, and lumber products for housing purposes:

Declaration of emergency.

19 U. S. C. § 1318.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Constitution and laws of the United States, and in particular by section 318 of the Tariff Act of 1930 (46 Stat. 590, 696), do hereby declare an emergency to exist, and do hereby authorize

the Secretary of the Treasury to permit, until the termination of the provisions of the Veterans' Emergency Housing Act of 1946, or until the President shall have declared that the emergency declared herein has terminated, whichever shall first occur, under such regulations and subject to such conditions as the Secretary may deem necessary, the importation free of duty of any articles which the Housing Expediter designates and certifies as timber, lumber, or lumber products suitable for the construction or completion of housing accommodations.

Importation of articles certified as timber, etc., by Housing Expediter.
60 Stat. 207.
50 U. S. C. app. §§ 1821–1833.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of October in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

THANKSGIVING DAY, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 28, 1946
[No. 2709]

A PROCLAMATION

At this season, when the year is drawing to a close, tradition suggests and our hearts require that we render humble devotion to Almighty God for the mercies bestowed upon us by His goodness.

Devoutly grateful to Divine Providence for the richness of our endowment and the many blessings received, may we continue to give a good account of our stewardship by utilizing our resources in the service of mankind. May we have the vision and courage to accept and discharge honorably the responsibilities inherent in our strength by consecrating ourselves to the attainment of a better world.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in consonance with the joint resolution of Congress approved December 26, 1941, do hereby proclaim Thursday, November 28, 1946, as a day of national thanksgiving; and I call upon the people of this Nation to observe that day by offering thanks to God for the bounties vouchsafed us, and by rededicating ourselves to the preservation of the "Blessings of Liberty" envisaged by our forefathers in the preamble to the Constitution.

Thursday, Nov. 28, 1946, proclaimed a day of national thanksgiving.
55 Stat. 862.
5 U. S. C. § 87b.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of October in the year of our Lord nineteen hundred and forty-six and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
JAMES F BYRNES
Secretary of State

ARMISTICE DAY, 1946

October 28, 1946
[No. 2710]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Armistice of November 11, 1918, silenced the guns of World War I and brought to humanity hope and promise that the wars of nation against nation were at an end; and

WHEREAS, although that hope and promise were shattered by the Axis aggressors in World War II, the American people are nevertheless resolved to keep faith with the heroes of both wars who sacrificed so valorously for the ideal of lasting peace; and

WHEREAS the anniversary of the Armistice of 1918 provides a challenge to rededicate ourselves to the attainment of that ideal; and

WHEREAS the Congress, by a concurrent resolution of June 4, 1926 (44 Stat. 1982), requested the President to issue a proclamation calling upon officials to display the flag of the United States on all Government buildings on November 11 and inviting the people to observe the day with appropriate ceremonies; and by an act of May 13, 1938 (52 Stat. 351), provided that the eleventh day of November in each year should be celebrated and known as Armistice Day and should be a legal holiday:

5 U. S. C. § 87a.

Observance of Nov. 11, 1946, as Armistice Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe November 11, 1946, as Armistice Day by honoring their fellow countrymen who fought across the seas, and by renewing their determination and their efforts to establish a lasting peace; and I direct that the flag of the United States be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of October in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President
JAMES F. BYRNES
Secretary of State

DEDICATION DAY, 1946

October 30, 1946
[No. 2711]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS November 19, 1946, marks the eighty-third anniversary of the delivery by Abraham Lincoln of the immortal Gettysburg Address; and

WHEREAS those classic lines are enshrined forever in the hearts of all Americans; and

WHEREAS President Lincoln's closing resolve "that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth" has a special and solemn connotation in world affairs at the present moment; and

WHEREAS the Congress by a joint resolution approved August 7, 1946 (Public Law 645, 79th Congress), has designated, and has requested the President to proclaim, November 19, 1946, as Dedication Day:

60 Stat. 894.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do proclaim November 19, 1946, the anniversary of the Gettysburg Address, as Dedication Day, and I urge the people of the United States to observe that day by reading the address in public assemblages throughout the United States and its possessions, on our ships at sea, and wherever the American flag flies.

Proclamation of Nov. 19, 1946, as Dedication Day.

Reading of Gettysburg Address in public assemblages.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 30th day of October in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
JAMES F BYRNES
Secretary of State

AMENDING PROCLAMATION NO. 2599 OF NOVEMBER 4, 1943, ENTITLED "MERCHANDISE IN GENERAL-ORDER AND BONDED WAREHOUSES"

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 3, 1946
[No. 2712]

A PROCLAMATION

WHEREAS Proclamation No. 2599 of November 4, 1943, entitled "Merchandise in General-Order and Bonded Warehouses," authorizes the Secretary of the Treasury to extend the warehousing periods for imported merchandise prescribed in sections 491, 557 and 559 of the Tariff Act of 1930, as amended, provided that the Foreign Economic Administration certifies to the Commissioner of Customs that such extensions will not impede the war effort; and

57 Stat. 758.
19 U. S. C. § 1491 note.

46 Stat. 726, 744.
19 U. S. C. §§ 1491, 1557, 1559.

WHEREAS the functions of the Foreign Economic Administration with respect to such certification were transferred to the Department of Commerce by Executive Order No. 9630 of September 27, 1945, and are now being performed by that department; and

50 U. S. C. app. § 601 note.

WHEREAS such certification is no longer necessary and serves no useful purpose:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 318 of the Tariff Act of 1930, as amended (46 Stat. 696; 19 U. S. C. 1318), do hereby amend the aforesaid Proclamation No. 2599 of November 4, 1943, by eliminating therefrom all provisions and requirements relating to the certification above described.

Amendment of Proclamation No. 2599.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 3rd day of December in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

BILL OF RIGHTS DAY, 1946

December 9, 1946
[No. 2713]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS December 15, 1946, marks the one hundred and fifty-fifth anniversary of the adoption of the Bill of Rights; and

WHEREAS that covenant, which was written into our Constitution by the first ten amendments, guarantees to the American people freedom of religion, freedom of speech and assembly, and freedom to petition for the redress of grievances; and

WHEREAS the preservation of these inestimable privileges can be guaranteed only by courage, determination, and unremitting vigilance; and

WHEREAS it is fitting that we should set aside a day for solemn contemplation of our liberties and of the recent world-wide battle to protect them from annihilation:

Designation of Dec. 15, 1946, as Bill of Rights Day.
60 Stat. 229.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, pursuant to a joint resolution of the Congress approved May 29, 1946, do hereby designate December 15, 1946, as Bill of Rights Day. And I call upon the officials of the Government to display the flag of the United States on all Government buildings on that day; and urge the people of the United States to observe the day with appropriate ceremonies and prayer at their homes, in schools, and in places of congregation and of worship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of December in the year of our Lord nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President
DEAN ACHESON
Acting Secretary of State

CESSATION OF HOSTILITIES OF WORLD WAR II

December 31, 1946
[No. 2714]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

With God's help this nation and our allies, through sacrifice and devotion, courage and perseverance, wrung final and unconditional surrender from our enemies. Thereafter, we, together with the other United Nations, set about building a world in which justice shall replace force. With spirit, through faith, with a determination that there shall be no more wars of aggression calculated to enslave the peoples of the world and destroy their civilization, and with the guidance of Almighty Providence great gains have been made in translating military victory into permanent peace. Although a state of war still exists, it is at this time possible to declare, and I find it to be in the public interest to declare, that hostilities have terminated.

Proclamation of cessation of hostilities of World War II.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the cessation of hostilities of World War II, effective twelve o'clock noon, December 31, 1946.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of December in the year of our Lord nineteen hundred and forty-six, and [SEAL] of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
JAMES F BYRNES
The Secretary of State.

IMPOSING QUOTA ON IMPORTS OF SHORT HARSH OR ROUGH COTTON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 1, 1947
[No. 2715]

A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act of 1933 as amended by section 31 of the act of August 24, 1935, 49 Stat. 750, 773, as amended by section 5 of the act of February 29, 1936, 49 Stat. 1148, 1152, and as reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246 (7 U. S. C. 624), the President issued a proclamation on September 5, 1939 (No. 2351, 54 Stat. 2640), limiting the quantities of certain cotton and cotton waste which might be entered, or withdrawn from warehouse, for consumption, which proclamation was suspended in part by the President's proclamations of December 19, 1940 (No. 2450, 54 Stat. 2769), March 31, 1942 (No. 2544, 56 Stat. 1944), and June 29, 1942 (No. 2560, 56 Stat. 1963); and

3 CFR, Cum. Supp., p. 113.
Post, p. 1071.

3 CFR, Cum. Supp., pp. 205, 294, 308.

WHEREAS, the said proclamation of September 5, 1939, excepted from the quota limitations specified therein harsh or rough cotton having a staple of less than three-fourths of one inch in length and chiefly used in the manufacture of blankets and blanketing; and

WHEREAS, pursuant to the said section 22, as further amended by the act of January 25, 1940 (54 Stat. 17), the United States Tariff Commission has made a supplemental investigation to determine whether changed circumstances require the modification of the President's proclamation of September 5, 1939, with respect to harsh or rough cotton having a staple of less than three-fourths of one inch in length, in order to carry out the purposes of the said section 22, and to determine whether such cotton is being or is practically certain to be imported into the United States under such conditions and in sufficient quantities as to render or tend to render ineffective or materially interfere with any program or operation undertaken, or to reduce substantially the amount of any product processed in the United States from cotton subject to and with respect to which any program is in operation under the Agricultural Adjustment Act of 1933, as amended, the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590a–590q), or section 32 of the act of August 24, 1935, 49 Stat. 774, as amended (7 U. S. C. 612c); and

Supplemental investigation by U. S. Tariff Commission.
7 U. S. C. § 624.

54 Stat. 2640.
3 CFR, Cum. Supp., p. 113.
Post, p. 1071.

48 Stat. 31.
7 U. S. C. § 601 *et seq.*
49 Stat. 1148.

WHEREAS, in the course of the investigation, after due notice, a public hearing was held on October 14 and 15, 1946, at which parties interested were given opportunity to be present, to produce evidence and to be heard, and, in addition to the hearing, the Commission made such investigation as it deemed necessary for a full disclosure and presentation of the facts; and

Public hearing.

WHEREAS, the Commission has made findings of fact and has transmitted to me a report of such findings and its recommendations based thereon, together with a transcript of the evidence submitted at the hearing, and has also transmitted a copy of such report to the Secretary of Agriculture:

Modification of proclamation of Sept. 5, 1939, with respect to harsh or rough cotton.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby find and declare, on the basis of the investigation and report of the Tariff Commission, that changed circumstances require the modification of the President's proclamation of September 5, 1939, with respect to harsh or rough cotton having a staple of less than three-fourths of one inch in length, to carry out the purposes of section 22 of the Agricultural Adjustment Act of 1933, as amended, and that such cotton is being imported into the United States under such conditions and in sufficient quantities as to tend to render ineffective the domestic cotton programs undertaken under section 32 of the act of August 24, 1935, 49 Stat. 774, as amended. Accordingly, pursuant to the said section 22 of the Agricultural Adjustment Act of 1933, as amended, I hereby modify the President's proclamation of September 5, 1939 (No. 2351) by deleting therefrom the words "and chiefly used in the manufacture of blankets and blanketing" wherever they appear therein; and I do hereby proclaim that the total quantity of harsh or rough cotton having a staple of less than three-fourths of one inch in length which may be entered, or withdrawn from warehouse, for consumption, in the year commencing September 20, 1946, and in any subsequent year commencing September 20, shall not exceed 70 million pounds, which quantity I hereby find and declare shown by the investigation to be necessary to prescribe in order that the entry of such cotton will not tend to render ineffective the programs undertaken with respect to cotton under section 32 of the act of August 24, 1935, 49 Stat. 774, as amended. I further find and declare that the total quantity of harsh or rough cotton having a staple of less than three-fourths of one inch in length which is permitted entry hereunder, is not less than the minimum permissible quantity computed under the proviso to section 22 (b) of the Agricultural Adjustment Act of 1933, as amended.

54 Stat. 2640.
3 CFR, Cum. Supp., p. 113.
Post, p. 1071.

49 Stat. 773.
7 U. S. C. § 624.

7 U. S. C. § 612c.

Declaration of annual quantity for consumption.

7 U. S. C. § 612c.

49 Stat. 774.
7 U. S. C. § 624 (b).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this first day of February in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

RED CROSS MONTH, 1947

February 12, 1947
[No. 2716]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the American National Red Cross, traditional friend and counselor of the serviceman and the veteran, furnishes comfort and renewed hope to our sick and wounded in hospitals and provides morale-building welfare and recreational facilities for our occupation forces abroad as well as a wide range of services to those returning to civilian life in this country; and

WHEREAS the Red Cross, chartered by Congress and equipped by experience to cope with human needs when disaster strikes, performs its errands of mercy with skill and expedition; and

WHEREAS the Red Cross is devoting increased attention to its home-nursing and first-aid programs which are designed through training courses to check the spread of disease and to reduce the frightful toll of accidents; and

WHEREAS this organization is entirely dependent upon the voluntary contributions of the people of the United States in rendering these services, and has estimated that a minimum fund of $60,000,000 will be necessary for the implementation of its philanthropic program in 1947:

Designation of March 1947 as Red Cross Month.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America and President of the American National Red Cross, do hereby designate and proclaim the month of March 1947 as Red Cross Month and urge every citizen of this country to respond generously to this essential, humanitarian cause.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this twelfth day of February, in the year of our Lord nineteen hundred and forty-seven
[SEAL] and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 14, 1947
[No. 2717]

A PROCLAMATION

WHEREAS section 12 (i) of the joint resolution of Congress approved November 4, 1939, provides in part as follows (54 Stat. 11; 22 U. S. C. 452 (i)):

> "The President is hereby authorized to proclaim upon recommendation of the [National Munitions Control] Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section * * *"

Designation of certain articles as arms, ammunition, and implements of war.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Congress, and pursuant to the recommendation of the National Munitions Control Board, and in the interest of the foreign-affairs functions of the United States, hereby declare and proclaim that the articles listed below shall, on and after February 20, 1947, be considered arms, ammunition, and implements of war for the purposes of section 12 of the said joint resolution of Congress:

CATEGORY I

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or auto-loading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons; machine-gun mounts;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1), (2), and (3) above, and cartridge cases or bullets for such ammunition; shells and projectiles, filled or unfilled, for the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains; armor plate and turrets for such vehicles.

CATEGORY II

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate and turrets for such vessels.

CATEGORY III

(1) Aircraft (piloted), both heavier and lighter than air, unassembled, assembled or dismantled: (a) classified from the standpoint of military security; or (b) especially designed for warlike purposes; or (c) having a weight empty greater than 35,000 pounds;

(2) Non-piloted aircraft and guided missiles, unassembled, assembled or dismantled;

(3) Any part, component, accessory, or device, of or pertaining to an aircraft either heavier or lighter than air, whether shipped alone or in an unassembled or assembled aircraft: (a) which is classified from the standpoint of military security; or (b) which (1) is not in general use in commercial aircraft and (2) is either especially designed for warlike purposes or adaptable substantially to increase the efficiency or performance of aircraft used for warlike purposes.

CATEGORY IV

(1) Revolvers and automatic pistols using ammunition in excess of caliber .22;

(2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

CATEGORY V

(1) Livens projectors, flame throwers, and fire-barrage projectors;

(2) a. Mustard gas (dichlorethyl sulphide);
b. Lewisite (chlorvinyldichlorarsine and dichlordivinylchlorarsine);
c. Methyldichlorarsine;
d. Diphenylchlorarsine;
e. Diphenylcyanarsine;
f. Diphenylaminechlorarsine;
g. Phenyldichlorarsine;
h. Ethyldichlorarsine;
i. Phenyldibromarsine;
j. Ethyldibromarsine;
k. Phosgene;

l. Monochlormethylchlorformate;
m. Trichlormethylchlorformate (diphosgene);
n. Dichlordimethyl ether;
o. Dibromdimethyl ether;
p. Cyanogen chloride;
q. Ethylbromacetate;
r. Ethyliodoacetate;
s. Brombenzylcyanide;
t. Bromacetone;
u. Brommethylethyl ketone.

CATEGORY VI

(1) Propellent powders;
(2) High explosives as follows:
a. Nitrocellulose having a nitrogen content of more than 12.20%;
b. Trinitrotoluene;
c. Trinitroxylene;
d. Tetryl (trinitrophenol methyl nitramine or "tetranitro methylaniline");
e. Picric acid;
f. Ammonium picrate;
g. Trinitroanisol;
h. Trinitronaphthalene;
i. Tetranitronaphthalene;
j. Hexanitrodiphenylamine;
k. Pentaerythritetetranitrate (penthrite or pentrite);
l. Trimethylenetrinitramine (hexogen or T_4);
m. Potassium nitrate powders (black saltpeter powder);
n. Sodium nitrate powders (black soda powder);
o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

Former proclamation superseded. 56 Stat. 1948. 22 U. S. C. § 452 note.

Effective February 20, 1947, this proclamation shall supersede Proclamation 2549, dated April 9, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of February in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

"I AM AN AMERICAN DAY", 1947

March 1, 1947
[No. 2718]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the rise of the United States of America to a place of eminence among nations in less than two centuries has been greatly enhanced by the migration to its shores of pioneering, freedom-loving peoples; and

WHEREAS the political life-blood of the Nation is annually renewed by the coming of voting age of more than two million native-born young men and women; and

WHEREAS the combined talents, skills, service, and loyalty of these mingled native-born and foreign-born peoples have brought us victoriously through the greatest of all wars; and

WHEREAS in the teamwork of democracy the requisites for good citizenship are not place of birth or race or religious belief; but character, education, cooperation, and loyalty; and

WHEREAS the stupendous task of all men in this new age is to strive to remove from the world the age-old curse of warfare, and to advance the cause of freedom and brotherhood:

Designation of May 18, 1947, as "I Am An American Day."

54 Stat. 178.
36 U. S. C. § 152.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Congress in Public Resolution 67, approved May 3, 1940, do hereby designate Sunday, May 18, 1947, as "I AM AN AMERICAN DAY", and do set aside that day as a public occasion for the honoring of American citizenship by giving special recognition to those who have become naturalized as citizens during the past year and to the young people who have during the year assumed full responsibilities of citizenship by coming of age.

And I urge Federal, State, and local officials and patriotic, civic, and educational organizations to plan and hold, on or about May 18, exercises designed to help our citizens better to understand their privileges and responsibilities as participants in our representative democracy, to the end that world peace and domestic felicity may be attained and perpetuated.

IN WITNESS WHEREOF, I have hereunto set may hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

ARMY DAY AND ARMY WEEK, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 7, 1947
[No. 2719]

A PROCLAMATION

WHEREAS the Army of the United States is a bulwark of our country's strength in time of peril and the faithful guardian of our dearly-bought liberty in time of peace, and has since the inception of this Nation stood between our freedom-loving people and all aggressors; and

WHEREAS the soldiers of our Army continue in active service as loyal servants of our democracy, whose purpose is to insure the establishment of justice, tranquillity, and an enduring peace; and

WHEREAS Senate Concurrent Resolution 5, 75th Congress, 1st Session, which was agreed to by the House of Representatives on March 16, 1937 (50 Stat. 1108), provides:

> "That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day":

Designation of Apr. 7, 1947, as Army Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may give special recognition to our Army, whose soldiers have gallantly secured and guarded our freedom since the founding of the Republic and have heroically sacrificed to bring to the world a lasting peace founded upon justice to all mankind, do hereby proclaim Monday, April 7, 1947, as Army Day, and encourage the observance of the week beginning April 6 and ending April 12, 1947, as Army Week; and I invite the Governors of the several States to issue proclamations for the celebration of this day and this week in such manner as to render appropriate honor to the Army of the United States.

Observance of Apr. 6-12, 1947, as Army Week.

I also remind our citizens that our Army, charged with the responsibility of defending the United States and our territorial possessions and of promoting the firm establishment of peace and good order in the territories of our defeated enemies, can discharge these duties only with the firm support of our people. I therefore urge my fellow countrymen to be mindful of the Army's needs, to the end that our soldiers may not lack the means to perform effectively their continuing tasks and that the hardships of military service in foreign lands may be alleviated in every way possible. There is no means by which we can better honor our heroic dead than by our support of their living comrades who carry on the mission they so nobly advanced.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 7th day of March in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

PAN AMERICAN WEEK, 1947

March 17, 1947
[No. 2720]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Pan American Union was founded on April 14, 1890, to serve the cause of mutual understanding and cooperation among the nations of the Western Hemisphere; and

WHEREAS the inspiration and example furnished by the resulting peaceful collaboration of the American republics have contributed to the development of world-wide international collaboration through the United Nations for the welfare and security of all peoples everywhere; and

WHEREAS the Inter-American System that has developed around the Pan American Union will be further strengthened at the Ninth International Conference of American States to be held at Bogotá, Colombia, in December of this year; and

WHEREAS it is fitting that the people of the United States should testify to the spirit of good neighborliness which binds them to the peoples of the other American republics and should take note of the mutual advantages to be gained through development of even closer cultural and commercial relations:

Designation of week beginning Apr. 13, 1947, as Pan American Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate and proclaim the week beginning April 13, 1947, as Pan American Week; and I call upon the officials of the Government to display the flag of the United States on all public buildings during that week.

I also invite the several States, Territories, and possessions of the United States, through their appropriate officials, and the churches, schools, clubs, and other organizations, as well as the people of the United States generally, to participate in the observance of Pan American Week with suitable commemorative displays, exhibits, and ceremonies, or other activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of March in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

CANCER CONTROL MONTH, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 21, 1947
[No. 2721]

A PROCLAMATION

WHEREAS the health of the citizens of this Nation is vitally important to its strength; and

WHEREAS this Nation, in a grave period of world affairs, is called upon for strong and wise leadership; and

WHEREAS cancer, one of mankind's most insidious enemies, takes an annual toll of 177,000 American lives, and the National Cancer Institute in the United States Public Health Service estimates that 17,000,000 persons now living will perish of this disease unless a cure is found; and

WHEREAS medical science needs the cooperation of every individual and agency to further its fight for the control of this dread malady; and

WHEREAS, by Public Resolution approved March 28, 1938 (52 Stat. 148), the Congress has authorized and requested the President to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

36 U. S. C. § 150.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby set apart the month of April 1947 as Cancer Control Month, and do invite the Governors of the several States and the Territories and possessions of the United States to issue proclamations for a like purpose. I also invite the medical profession, the press, the radio, the motion picture industry, and all organizations and individuals interested in this momentous problem to unite during the month of April in a program of education in methods now available for the control of cancer, as well as a program of promotion of scientific research necessary to alleviate further the suffering caused by this scourge.

Designation of April 1947 as Cancer Control Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of March in the year of our Lord nineteen hundred and forty-seven, and [SEAL] of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

COPYRIGHT EXTENSION: FRANCE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 27, 1947
[No. 2722]

A PROCLAMATION

WHEREAS by the act of Congress approved September 25, 1941 (55 Stat. 732) the President is authorized, on the conditions prescribed in that act, to grant an extension of time for the fulfilment of the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, including works subject to *ad interim* copyright, by

17 U. S. C. § 8.

nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS satisfactory official assurances have been received that under the law of France treatment substantially equal to that authorized by the aforesaid act of September 25, 1941 is accorded in France to citizens of the United States of America; and

55 Stat. 732.
17 U. S. C. § 8.

61 Stat., Pt. 3.

WHEREAS the aforesaid official assurances are embodied in a note dated this day from the Ambassador of France at Washington to the Secretary of State of the United States of America; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated April 9, 1910 (36 Stat. 2685) citizens of France are, and since July 1, 1909 have been, entitled to the benefits of the act of Congress approved March 4, 1909 (35 Stat. 1075) relating to copyright, other than the benefits of section 1 (e) of that act; and

17 U. S. C. §§ 1-62.

WHEREAS by virtue of a proclamation by the President of the United States of America dated May 24, 1918 (40 Stat. 1784), the citizens of France are, and since May 24, 1918 have been, entitled to the benefits of section 1 (e) of the aforesaid act of March 4, 1909;

35 Stat. 1075.
17 U. S. C. § 1 (e).

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of authority vested in me by the aforesaid act of September 25, 1941, do declare and proclaim:

55 Stat. 732.
17 U. S. C. § 8.

Declaration of extension of time respecting designated works of citizens of France.

That with respect to (1) works of citizens of France which were first produced or published outside the United States of America on or after September 3, 1939 and subject to copyright under the laws of the United States of America, and (2) works of citizens of France subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed for several years of the time since September 3, 1939 such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid act of September 25, 1941; and that accordingly the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works until the day on which the President of the United States of America shall, in accordance with that act, terminate or suspend the present declaration and proclamation.

55 Stat. 732.
17 U. S. C. § 8.

Term of copyright; nonliability for prior acts, etc.
55 Stat. 732.
17 U. S. C. § 8.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid act of September 25, 1941, no liability shall attach under the Copyright Act for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-seventh day of March, in the year of our Lord nineteen hundred and forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State

NATIONAL FARM SAFETY WEEK, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 2, 1947
[No. 2723]

A PROCLAMATION

WHEREAS more fatal accidents occur in agriculture than in any other occupation; and

WHEREAS the increasing complexity of modern farm operations creates additional accident hazards; and

WHEREAS caution and intelligent effort on the part of every farm family in the land will lessen the suffering and economic loss caused by accidents, and the coordinated observance by all our people of a week dedicated to farm safety will effect an immense saving to our country:

Observance of week commencing July 20, 1947, as National Farm Safety Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the Nation to observe the week commencing July 20, 1947 as National Farm Safety Week, as a spearhead to a year-round farm safety program, and I request all persons and organizations concerned with agriculture and farm life to cooperate in the observance of this fourth annual National Farm Safety Week. I also urge farm people everywhere to set aside a specific time during National Farm Safety Week for family discussions of methods for the prevention of accidents, in order that these producers of the Nation's food may live and work with greater safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 2nd day of April in the year of our Lord nineteen hundred and forty-seven, and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—FLORIDA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 4, 1947
[No. 2724]

A PROCLAMATION

WHEREAS the Under Secretary of the Interior has submitted to me for approval the following regulations adopted by him, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. Supp. 1003), on March 27, 1947, under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), and Reorganization Plan No. II (53 Stat. 1431):

60 Stat. 238.
5 U. S. C. § 1003.
16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.

REGULATION DESIGNATING AS CLOSED AREA CERTAIN LANDS AND WATERS WITHIN, ADJACENT TO, OR IN THE VICINITY OF THE EVERGLADES NATIONAL WILDLIFE REFUGE, FLORIDA

By virtue of and pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), and Reorganization Plan No. II (53 Stat. 1431), I, Oscar L. Chapman, Under Secretary of the Interior, having due re-

5 U. S. C. § 133t note.

gard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of the migratory birds included in the terms of the conventions between the United States and Great Britian for the protection of migratory birds, concluded August 16, 1916, and between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, do hereby designate as closed area, effective thirty days after publication in the Federal Register, in or on which pursuing, hunting, taking, capturing, or killing of migratory birds, or attempting to take, capture, or kill migratory birds is not permitted, all areas of land and water in Dade and Monroe Counties, Florida, not now owned or controlled by the United States within the following-described exterior boundary:

39 Stat. 1702.

50 Stat. 1311.
Effective date.

TALLAHASSEE MERIDIAN

Beginning at the intersection of the west boundary of T. 54 S., R. 37 E., (as shown on the official plat of the township, surveyed in April 1918 by authority from the Trustees of the Internal Improvement Fund of Florida) with the south right-of-way boundary of the Tamiami Trail, United States Highway No. 94;

Thence South, with the west boundary of Tps. 54 and 55 S., R. 37 E., approximately 11.6 miles to the northwest corner of T. 56 S., R. 37 E.;

Thence East, with the north boundary of T. 56 S., R. 37 E., 6.0 miles to the northeast corner thereof;

Thence South, with the east boundary of T. 56 S., R. 37 E., 6.0 miles to the southeast corner thereof;

Thence West, with the south boundary of T. 56 S., R. 37 E., 6.0 miles to the southwest corner thereof;

Thence South, with the west boundary of T. 57 S., R. 37 E., 3.0 miles to the northwest corner of sec. 19, T. 57 S., R. 37 E.;

Thence East, on the third latitudinal section line through T. 57 S., R. 37 E., 5.0 miles to the corner common to sections 13, 14, 23 and 24 of said township;

Thence South, with the first meridional section line through Tps. 57 and 58 S., R. 37 E., 8.0 miles to the corner common to sections 25, 26, 35, and 36, T. 58 S., R. 37 E.;

Thence West, with the south boundary of sections 26 and 27, 2.0 miles to the corner common to sections 27, 28, 33 and 34 of said township;

Thence North 0.5 mile to the quarter-section corner common to sections 27 and 28;

Thence West 1.5 miles to the center of section 29;

Thence North 1.5 miles to the quarter-section corner common to sections 17 and 20;

Thence East, with the north boundary of sections 20 and 21, 1.5 miles to the corner common to sections 15, 16, 21 and 22;

Thence North, with the west boundary of sections 15 and 10, 2.0 miles to the corner common to sections 3, 4, 9 and 10;

Thence West, with the south boundary of sections 4, 5 and 6, 3.0 miles to the southwest corner of section 6;

Thence West, approximately 1.1 miles to the east boundary of T. 58 S., R. 36 E.;

Thence South, with the east boundary of T. 58 S., R. 36 E., approximately 0.4 mile to the southeast corner of section 24 in said township;

Thence West, passing within T. 58 S., R. 36 E., with the south boundary of sections 24, 23, 22 and 21, 4.0 miles to the corner common to sections 20, 21, 28 and 29 in said township;

Thence South, with the east boundary of sections 29 and 32 approximately 2.0 miles to the southeast corner of section 32;

Thence East, approximately 0.1 mile to the northeast corner of section 6, T. 59 S., R. 36 E.;

Thence South, with the fifth meridional section line through T. 59 S., R. 36 E. (unsurveyed) approximately 4.5 miles to the corner common to sections 19, 20, 29 and 30 in said township;

Thence East, with the second latitudinal section line through T. 59 S., R. 36 E. (unsurveyed) 5.0 miles to the east boundary of said township, the northeast corner of section 25;

Thence South, between Tps. 59 S., Rs. 36 and 37 E., approximately 1.0 mile to the northwest corner of section 19, T. 59 S., R. 37 E.;

Thence East, with the third latitudinal section line through Tps. 59 S., Rs. 37, 38 and 39 E., to the intersection with the westerly right-of-way boundary of United States Highway No. 1, in the north boundary of section 20, T. 59 S., R. 39 E.;

Thence Southeasterly, with the westerly right-of-way boundary of United States Highway No. 1 approximately 8.5 miles to the intersection of the westerly right-of-way boundary of United States Highway No. 1 with the center of the Intracoastal Waterway;

Thence Southwesterly with the center of the Intracoastal Waterway, approximately 36.0 miles to a point in the center of the Intracoastal Waterway about 1.3 miles due North from the most northerly point of Jewfish Key in approximate latitude 24°51′32″ N., longitude 80°47′30″ W.;

Thence Northwesterly across Florida Bay passing about 1 mile northeast of Schooner Bank and about 1 mile southwest of Sandy Key, approximately 25.4 miles to a point, at latitude 25°05′ N., longitude 81°07′ W., approximately 2.8 miles southwest of Cape Sable;

Thence Northwesterly approximately 11.0 miles to a point at latitude 25°13′ N., longitude 81°13′ W., approximately 2.8 miles southwest of Northwest Cape;

Thence Northeasterly approximately 11.6 miles to a point at latitude 25°23′ N., longitude 81°12′ W., approximately 3.1 miles west of Shark Point;

Thence Northwesterly approximately 14.2 miles to a point in the Gulf of Mexico, approximately 3.0 miles south of Seminole Point, 2.7 miles southwest of Porpoise Point, in approximate latitude 25°34′15″ N., and at longitude 81°17′ W.;

Thence East, approximately 3.1 miles to the shore of the Gulf of Mexico approximately 0.5 miles southeast of Porpoise Point;

Thence East along the second latitudinal section line in T. 56 S., R. 31 E. (unsurveyed), approximately 2.2 miles to point for the corner common to sections 22, 23, 26 and 27 (unsurveyed);

Thence North, with the west boundary of section 23, one mile to the northwest corner thereof;

Thence East, with the north boundary of section 23, one mile to the northeast corner thereof;

Thence North, with the west boundary of section 13, one mile to the northwest corner thereof;

Thence East, with north boundary of section 13, one mile to the west boundary of T. 56 S., R. 32 E., the southwest corner of section 7;

Thence North, with the west boundary of T. 56 S., R. 32 E., section 7, one mile to the northwest corner of said section 7;

Thence East, with the fifth latitudinal section line through Tps. 56 S., Rs. 32, 33, 34 and 35 E., 19.0 miles to the northeast corner of section 7, T. 56 S., R. 35 E.;

Thence North, with the fifth meridional section line through Tps. 56, 55 and 54 S., R. 35 E., 10.0 miles to the south right-of-way boundary of Florida State Highway No. 27;

Thence East, in part with the south right-of-way boundary of Florida State Highway No. 27, and in part with the south right-of-way boundary of United States Highway No. 94, Tamiami Trail, through Tps. 54 S., Rs. 35 and 36 E., approximately 11.8 miles to the place of beginning.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this 27th day of March, 1947.

OSCAR L CHAPMAN
[SEAL] *Under Secretary of the Interior.*

40 Stat. 755. 16 U. S. C. §§ 703–711.

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

40 Stat. 755. 16 U. S. C. §§ 703–711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation of the Under Secretary of the Interior.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 4th day of April in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.
[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

AMENDING THE PROCLAMATIONS OF MARCH 6 AND MARCH 9, 1933, AND THE EXECUTIVE ORDER OF MARCH 10, 1933, TO EXCLUDE FROM THEIR SCOPE MEMBER BANKS OF THE FEDERAL RESERVE SYSTEM

April 7, 1947
[No. 2725]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

48 Stat. 1689.
48 Stat. 1691.

WHEREAS on March 10, 1933, the President of the United States, in pursuance of the program to permit resumption of banking operations following the Bank Holiday Proclamations No. 2039 of March 6 and No. 2040 of March 9, 1933, respectively, issued Executive Order No. 6073 which, among other things, authorized the Secretary of the Treasury to permit any member bank of the Federal Reserve System and any other banking institution organized under the laws of the United States to perform any or all of their usual banking functions except as otherwise prohibited; and

48 Stat. 1727.
48 Stat. 1689, 1691.

WHEREAS on December 30, 1933, the President of the United States issued Proclamation No. 2070 which excluded from the scope of the said proclamations of March 6 and March 9, 1933, and the Execu-

tive order of March 10, 1933, all banking institutions which were not members of the Federal Reserve System; and

WHEREAS by December 30, 1933, the Secretary of the Treasury had acted upon all requests for licensing of member banks of the Federal Reserve System; and

WHEREAS on December 31, 1945, the Secretary of the Treasury issued a General License to transact normal banking business to all banks thereafter authorized to begin business by the Comptroller of the Currency and to all State banks thereafter admitted to membership in the Federal Reserve System, and thereby dispensed with the requirement of an individual license for each new member bank of the Federal Reserve System; and

Issuance of General License.

WHEREAS it is no longer necessary, or in the interest of government internal management, for the Secretary of the Treasury to license the transaction of normal banking business:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by section 5(b) of the Trading with the Enemy Act of October 6, 1917, 40 Stat. 415, as amended, and section 4 of the act of March 9, 1933, 48 Stat. 2, and by virtue of all other authority vested in me, do hereby, in the interest of the internal management of the Government, proclaim, order, direct, and declare that the said proclamations of March 6 and March 9, 1933, and Executive order of March 10, 1933, as amended, are further amended to exclude from their scope banking institutions which are members of the Federal Reserve System: *Provided, however*, that no banking institution shall pay out any gold coin, gold bullion, or gold certificates, except as authorized by the Secretary of the Treasury, or allow the withdrawal of any currency for hoarding.

Amendment of designated proclamations and Executive order.

12 U. S. C. § 95a.

12 U. S. C. § 95.

48 Stat. 1689, 1691.

Restriction on payment of gold coin, etc.

This proclamation shall become effective as of March 15, 1947.

Effective date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 7th day of April in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

CHILD HEALTH DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 8, 1947
[No. 2726]

A PROCLAMATION

WHEREAS the Congress, by a joint resolution of May 18, 1928 (45 Stat. 617), authorized and requested the President "to issue annually a proclamation setting apart May 1 of each year as Child Health Day and inviting all agencies and organizations interested in child welfare to unite upon that day in the observance of such exercises as will awaken the people of the Nation to the fundamental necessity of a year-round program for the protection and development of the health of the Nation's children"; and

36 U. S. C. § 143.

WHEREAS every citizen of our country has an inescapable obligation to aid in insuring the American child's birthright of health and of freedom from handicaps; and

WHEREAS accidents are the leading cause of death and an important cause of crippling among children:

Designation of May 1, 1947, as Child Health Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate May 1, 1947 as Child Health Day; and I invite interested individuals and agencies to observe the day with appropriate ceremonies designed to stimulate interest in and devotion to the cause of child welfare in the coming year.

I call upon parents to dedicate themselves on that day to the exercise of unusual diligence throughout the year toward the prevention of accidents in the home, so that the children may be protected from needless injury and suffering and may receive and enjoy the blessings of health and happiness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of April, in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State

MOTHER'S DAY, 1947

April 11, 1947
[No. 2727]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is a felicitous American custom to turn our thoughts anew to the commemoration of motherhood on one day in each year; and

38 Stat. 770.
36 U. S. C. §§ 141, 142.

WHEREAS, in recognition of that custom, Public Resolution 25, 63d Congress, approved May 8, 1914, provides that the second Sunday in May of each year shall be designated as Mother's Day, and authorizes and requests the President to issue a proclamation calling for the public observance of that day; and

WHEREAS, in the eloquent words of the resolution, "the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration":

Display of flag on Mother's Day, May 11, 1947.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, hereby direct the officials of the Government to display the flag on all Government buildings on Mother's Day, May 11, 1947, and I call upon the people of the United States to display the flag on that day in their homes and other suitable places and to manifest through private and public expressions the reverent esteem in which we hold the mothers of our country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of April, in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State

NATIONAL MARITIME DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 11, 1947
[No. 2728]

A PROCLAMATION

WHEREAS the future peace of the world, so earnestly sought by all, will be immeasurably advanced by the cooperation of the several nations in removing excessive restrictions upon international trade, and the United States has already assumed the lead in the reduction of barriers to world commerce; and

WHEREAS international trade and travel, utilizing merchant shipping on all the oceans of the globe, will serve as a vehicle of increased participation of the United States in world affairs; and

WHEREAS the welfare of the American Merchant Marine is of the utmost importance to our national economy, our national defense, and our friendly intercourse with foreign nations; and

WHEREAS the Congress by Public Resolution 7, 73rd Congress, approved May 20, 1933, took cognizance of the historic fact that "on May 22, 1819, the steamship *The Savannah* set sail from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation", and requested the President to issue a proclamation annually calling for the observance of May 22 as National Maritime Day:

48 Stat. 73.
36 U. S. C. § 145.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1947, as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on that day on all Government buildings. I also request that all ships sailing under the American flag dress ship on that day.

Observance of May 22, 1947, as National Maritime Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of April in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State.

COPYRIGHT EXTENSION: NEW ZEALAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 24, 1947
[No. 2729]

A PROCLAMATION

WHEREAS by the act of Congress approved September 25, 1941 (55 Stat. 732) the President is authorized, on the conditions prescribed in that act, to grant an extension of time for the fulfilment of the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, including works subject to *ad interim* copyright, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

17 U. S. C. § 8.

WHEREAS the Governor-General of New Zealand has issued an Order in Council, effective from this day, by the terms of which treatment substantially equal to that authorized by the aforesaid act of September 25, 1941 is accorded in New Zealand to literary and artistic works first produced or published in the United States of America; and

55 Stat. 732.
17 U. S. C. § 8.

61 Stat., Pt. 3.

WHEREAS the aforesaid Order in Council is annexed to and is part of an agreement embodied in notes exchanged this day between the Government of the United States of America and the Government of New Zealand; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated April 9, 1910 (36 Stat. 2685) citizens of New Zealand are, and since July 1, 1909 have been, entitled to the benefits of the act of Congress approved March 4, 1909 (35 Stat. 1075) relating to copyright, other than the benefits of section 1 (e) of that act; and

17 U. S. C. §§ 1-62.

WHEREAS by virtue of a proclamation by the President of the United States of America dated February 9, 1917 (39 Stat. 1815) the citizens of New Zealand are, and since December 1, 1916 have been, entitled to the benefits of section 1 (e) of the aforesaid act of March 4, 1909;

35 Stat. 1075.
17 U. S. C. § 1 (e).

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of September 25, 1941, do declare and proclaim:

55 Stat. 732.
17 U. S. C. § 8.

Declaration of extension of time respecting designated works of citizens of New Zealand.

That with respect to (1) works of citizens of New Zealand which were first produced or published outside the United States of America on or after September 3, 1939 and subject to copyright under the laws of the United States of America, including works subject to *ad interim* copyright and (2) works of citizens of New Zealand subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939 such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid act of September 25, 1941; and that accordingly the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works until the day on which the President of the United States of America shall, in accordance with that act, terminate or suspend the present declaration and proclamation.

55 Stat. 732.
17 U. S. C. § 8.

Term of copyright; nonliability for prior acts.

55 Stat. 732.
17 U. S. C. § 8.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid act of September 25, 1941, no liability shall attach under the Copyright Act for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of April, in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State

AMENDMENT OF REGULATION RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 1, 1947
[No. 2730]

A PROCLAMATION

WHEREAS the Under Secretary of the Interior has submitted to me for approval the following regulations adopted by him, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. Supp. 1003), on March 26, 1947, under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), Reorganization Plan No. II (53 Stat. 1431), and act of August 14, 1946 (Public Law 732, 79th Cong.):

60 Stat. 238.
5 U. S. C. § 1003.
16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.
60 Stat. 1080.
16 U. S. C. §§ 661-666c.

AMENDMENT OF REGULATION RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

By virtue of and pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), and Reorganization Plan No. II (53 Stat. 1431), I, Oscar L. Chapman, Under Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of the migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined that development of future wildlife refuge areas and the protection of wildlife thereon may be accomplished in accordance with approved plans by individuals who have conveyed such lands to the United States for refuge purposes subject to a possessory estate and in accordance with such determinations do hereby amend the regulations approved by Proclamation No. 2616, July 27, 1944, as last amended by Proclamation No. 2699, of August 8, 1946, by the adoption of an amendment to Part I of Subchapter A of Chapter I of Title 50 of the Code of Federal Regulations, effective 30 days after publication in the Federal Register, as follows:

5 U. S. C. § 133t note.
39 Stat. 1702.
50 Stat. 1311.
58 Stat. 1136.
16 U. S. C. § 704 note.
Ante, p. 1033; *post*, p. 1076.
Effective date.

1.71 *Wildlife Development Areas.* With respect to any lands which have been or may hereafter be acquired by the United States for future use as a migratory bird sanctuary or other wildlife refuge, subject to an outstanding possessory estate, the owner of such outstanding estate may, in accordance with a program for the development of the area and the limitation of shooting during such development period, approved by the Secretary of the Interior, take such measures as are calculated to maintain and increase the waterfowl population of the area in question, and engage in the shooting of migratory birds within the limitations set forth in the approved program.

1.72 *Revocation of Program Approval.* Approval of any such program may be revoked by the Secretary of the Interior upon a finding that the terms of such program have been violated by the proponents thereof. Following such revocation, all rights and privileges derived from the existence of an approved area development program shall cease.

1.73 *Notice and Hearing.* Prior to any Secretarial determination that the terms of an approved area development program have been, or are being, violated by the proponent thereof a notice shall be sent to said proponent specifying the character, time and locality of the

alleged violation and designating a representative of the Secretary with whom the proponent of the program may discuss any controverted issue of fact or interpretation in an effort to reach an amicable agreement or understanding. Thereupon, the said proponent shall cease and desist from the commission of acts specified in such notice for a period of 60 days, or if the case be finally determined during such 60-day period then only until such final determination. If, within 30 days after such notice has been received, no such agreement or understanding is reached then the Secretary may, after allowing such further opportunity for hearing as he deems proper, make and promulgate a final order revoking approval of the development area program. Thereupon, the provisions of section 1.3 of Part I, Subchapter A, Chapter I, Title 50 of the Code of Federal Regulations shall be fully applicable to the area in question.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this 28 day of March, 1947.

OSCAR L CHAPMAN
[SEAL] *Under Secretary of the Interior.*

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918;

40 Stat. 755. 16 U. S. C. §§ 703–711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation of the Under Secretary of the Interior.

40 Stat. 755. 16 U. S. C. §§ 703–711.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of May, in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

FLAG DAY, 1947

May 27, 1947
[No. 2731]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it has become our hallowed custom to observe June 14 of each year as Flag Day by engaging in patriotic exercises and by displaying the American flag proudly in commemoration if its adoption on June 14 in the year 1777; and

WHEREAS this symbol of our national strength, our national unity, and our national integrity now flies with the flags of all the other United Nations as an earnest of newly achieved international strength, unity, and integrity; and

WHEREAS in the words of President Wilson set forth in his Flag Day proclamation of 1916, the anniversary of the adoption of the Stars and Stripes as our national emblem "should this year and in

the years to come be given special significance as a day of renewal and reminder, a day upon which we should direct our minds . . . to thoughts of the ideals and principles of which we have sought to make our great Government the embodiment":

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate June 14, 1947, as Flag Day; and I direct the officials of the Federal Government and request the officials of the State and local governments to have our colors displayed on all public buildings on that day.

Designation of June 14, 1947, as Flag Day.

I also urge the people of the United States to fly the American flag from their homes on June 14, and I suggest that civic groups and individuals arrange, where feasible, for joint displays of the emblems of the United Nations in recognition of our joint dedication to the freedom of mankind.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of May in the year of our Lord nineteen hundred and forty-seven, and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

REVOCATION OF PROCLAMATION NO. 2412, RELATING TO THE CONTROL OF VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 31, 1947
[No. 2732]

A PROCLAMATION

WHEREAS by Proclamation No. 2412, issued June 27, 1940, the President consented to the exercise, with respect to foreign and domestic vessels, by the Secretary of the Treasury and the Governor of the Panama Canal of all the powers conferred by section 1 of Title II of the act of Congress approved June 15, 1917, 40 Stat. 220 (50 U. S. C. 191), upon the President, the Secretary of the Treasury, and the Governor of the Panama Canal; and

Preamble.
54 Stat. 2711.
50 U. S. C. § 191 note.

WHEREAS the conditions which necessitated the issuance of the proclamation no longer exist:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority conferred upon me by the said act of June 15, 1917, do hereby revoke the said Proclamation No. 2412 of June 27, 1940.

Revocation of Proclamation No. 2412.

54 Stat. 2711.
50 U. S. C. § 191 note.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of May in the year of our Lord nineteen hundred and forty-seven, and of the [SEAL] Independence of the United States of America the one hundred and seventy-first.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

SIX RIVERS NATIONAL FOREST—CALIFORNIA

June 3, 1947
[No. 2733]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it appears that it would be in the interest of administrative management to consolidate certain portions of the Siskiyou, Klamath, and Trinity National Forests, within the State of California, into a national-forest unit designated as the Six Rivers National Forest:

Six Rivers National Forest, establishment.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1103 (16 U. S. C. 471), and section 1 of the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473), do proclaim that all lands within the exterior boundaries of those parts of the Siskiyou, Klamath, and Trinity National Forests lying west of the following-described line are hereby eliminated from those forests and are consolidated to form and shall hereafter constitute the Six Rivers National Forest:

Description.

Beginning at the point on the California-Oregon State boundary line in sec. 31, T. 19 N., R. 4 E., H. M., at intersection with the divide between the Illinois River and Smith River, thence southeasterly along said divide to "Youngs Peak" in sec. 4, T. 17 N., R. 5 E., H. M., thence southerly along the divide between the drainages of the Smith River and Klamath River to Chimney Rock in sec. 22, T. 14 N., R. 4 E., H. M., thence southeasterly along the divide between drainages of Dillon Creek, Rock Creek, Reynolds Creek, and Teneyok Creek, and those of Blue Creek, Bluff Creek, Camp Creek, and Wilson Creek to the intersection of the Klamath and Salmon Rivers in sec. 4, T. 11 N., R. 6 E., H. M., thence southeasterly along the divide between the drainages of the Salmon River and Klamath River to "Salmon Mountain" in sec. 8, T. 9 N., R. 7 E., H. M., thence southerly along the divide between the drainage of New River and that of the Klamath and Trinity Rivers to the intersection of the Trinity River and New River in sec. 2, T. 5 N., R. 6 E., H. M., thence southwesterly along divide between Gray Creek and Hennessy Creek to summit of "Hennessy Ridge" in sec. 5, T. 5 N., R. 6 E., H. M., thence southerly along divide between the main Trinity River and South Fork Trinity River to "Underwood Mountain" in sec. 11, T. 4 N., R. 6 E., H. M., thence southwesterly along the divide between Underwood Creek and Panther Creek to the South Fork Trinity River in sec. 20, T. 4 N., R. 6 E., H. M., thence southwesterly along the divide between the drainage of Grouse Creek and that of Grapevine, Saddle, Canyon, Monroe, and Big Creeks to the summit of "South Fork Mountain" and divide between South Fork Trinity River and Mad River in sec. 11, T. 3 N., R. 5 E., H. M., thence southeasterly along said divide to its intersection with the south boundary of the Trinity National Forest at "Horsehead Mountain" in sec. 5, T. 26 N., R. 11 W., M. D. M.

Restriction.

It is not intended by this proclamation to give a national-forest status to any publicly-owned lands which have not hitherto had such a status, or to change the status of any publicly-owned lands which have hitherto had national-forest status.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3rd day of June in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

SUPPLEMENTAL QUOTA ON IMPORTS OF EXTRA LONG-STAPLE COTTON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 9, 1947
[No. 2734]

A PROCLAMATION

WHEREAS pursuant to section 22 of the Agricultural Adjustment Act of 1933 as amended by section 31 of the act of August 24, 1935, 49 Stat. 750, 773, as amended by section 5 of the act of February 29, 1936, 49 Stat. 1148, 1152, and as reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246 (7 U. S. C. 624), the President issued a proclamation on September 5, 1939 (No. 2351, 54 Stat. 2640), limiting the quantities of certain cotton and cotton waste which might be entered, or withdrawn from warehouse, for consumption, which proclamation was suspended in part or modified by the President's proclamations of December 19, 1940 (No. 2450, 54 Stat. 2769), March 31, 1942 (No. 2544, 56 Stat. 1944), June 29, 1942 (No. 2560, 56 Stat. 1963), and February 1, 1947 (No. 2715); and

3 CFR, Cum. Supp., p. 113.
Ante, p. 1049.

3 CFR, Cum. Supp., pp. 205, 294, 308.
Ante, p. 1049.

WHEREAS the said proclamation of September 5, 1939, provides that the total quantity of cotton having a staple of 1-⅛ inches or more in length which may be entered, or withdrawn from warehouse, for consumption in any year commencing September 20 shall not exceed 45,656,420 pounds; and

WHEREAS the aforesaid limitation on the entry of cotton having a staple of 1-⅛ inches or more in length was imposed after a finding by the President, on the basis of the investigation and report of the United States Tariff Commission made under the provisions of the said section 22 of the Agricultural Adjustment Act of 1933, as amended, that such cotton was being imported into the United States under such conditions and in sufficient quantities as to tend to render ineffective or materially interfere with the program undertaken with respect to cotton under the Soil Conservation and Domestic Allotment Act, as amended; and

49 Stat. 773.
7 U. S. C. § 624.

49 Stat. 1148.
16 U. S. C. §§ 590a-590q.

WHEREAS the imposition of the aforesaid annual quotas on cotton having a staple of 1-⅛ inches or more in length was recommended by the United States Tariff Commission in its report (Report No. 137, 2d Series) in connection with which it was stated, in finding No. 5, that the quotas recommended "will prevent imports from interfering with the cotton program and at the same time will permit American industry to secure needed supplies of specialized types of cotton"; and

WHEREAS the total quantity of cotton having a staple of 1-⅛ inches or more but less than 1-11/16 inches in length which may be entered for consumption or withdrawn from warehouse for consumption under the said proclamation of September 5, 1939, as modified, during the quota year ending September 19, 1947, has already been entered, or withdrawn from warehouse, for consumption; and

54 Stat. 2640.
3 CFR, Cum. Supp. p. 113.
Ante, p. 1049.

Supplementary investigation by U. S. Tariff Commission.
49 Stat. 773.
7 U. S. C. § 624.

WHEREAS pursuant to the said section 22 of the Agricultural Adjustment Act of 1933, as further amended by the act of January 25, 1940, 54 Stat. 17, the United States Tariff Commission has made a supplementary investigation to determine whether changed circumstances require the modification of the said proclamation of September 5, 1939, so far as it limits the quantity of cotton having a staple of 1-⅛ inches or more in length which may be entered for consumption or withdrawn from warehouse for consumption during the quota year ending September 19, 1947, particularly with reference to the possible need for an increase in the quota for the said quota year, in order to meet the current requirements of domestic manufacturers for long-staple cotton; and

54 Stat. 2640.
3 CFR, Cum. Supp., p. 113.
Ante, p. 1049.

Public hearing.

WHEREAS in the course of the investigation, after due notice, a public hearing was held on February 18, 1947, at which parties interested were given opportunity to be present, to produce evidence, and to be heard, and, in addition to the hearing, the Commission made such investigation as it deemed necessary for a full disclosure and presentation of the facts; and

WHEREAS the Commission has made findings of fact and has transmitted to me a report of such findings and its recommendations based thereon, together with a transcript of the evidence submitted at the hearing, and has also transmitted a copy of such report to the Secretary of Agriculture; and

Recommendation of Commission.

WHEREAS the Commission has recommended that an additional quantity of 23,094,000 pounds of cotton having a staple of 1-⅜ inches or more but less than 1-11/16 inches in length be permitted entry during the quota year ending September 19, 1947, in order to enable domestic users to obtain their essential requirements for such cotton:

Modification of proclamation of Sept. 5, 1939.

54 Stat. 2640.
3 CFR, Cum. Supp., p. 113.
Ante, p. 1049.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby find and declare, on the basis of the investigation and report of the United States Tariff Commission, that changed circumstances require the modification of the said proclamation of September 5, 1939, so as to permit the entry for consumption, or withdrawal from warehouse for consumption, during the quota year ending September 19, 1947, of 23,094,000 pounds of cotton having a staple of 1-⅜ inches or more but less than 1-11/16 inches in length, in addition to the quantity of cotton having a staple of 1-⅛ inches or more but less than 1-11/16 inches in length the entry of which has already been made under the said proclamation of September 5, 1939, during the said quota year, which additional quantity I find should be permitted entry to carry out the purposes of section 22 of the Agricultural Adjustment Act of 1933, as amended. Accordingly, pursuant to the said section 22 of the Agricultural Adjustment Act of 1933, as amended, I hereby modify the said proclamation of September 5, 1939, so as to permit during the quota year ending September 19, 1947, the entry for consumption, or withdrawal from warehouse for consumption, of an additional quantity of 23,094,000 pounds of cotton having a staple of 1-⅜ inches or more but less than 1-11/16 inches in length, which additional quantity I hereby find and declare may be entered for consumption, or withdrawn from warehouse for consumption, during such quota year without rendering or tending to render ineffective or materially interfering with the domestic program undertaken with respect to cotton, or reducing substantially the amount of any product processed in the United States from cotton produced in the United States.

49 Stat. 773.
7 U. S. C. § 624.

Additional quantity of cotton during quota year ending Sept. 19, 1947.

Effective date.

This proclamation shall become effective on the fifth day after the date of its signature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of June in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

FREE IMPORTATION OF TIMBER, LUMBER, AND LUMBER PRODUCTS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 28, 1947
[No. 2735]

A PROCLAMATION

WHEREAS Proclamation No. 2708 of October 25, 1946, authorizes the Secretary of the Treasury to permit, under such regulations and subject to such conditions as the Secretary may deem necessary, the importation free of duty of any articles which the Housing Expediter designates and certifies as timber, lumber, or lumber products suitable for the construction or completion of housing accommodations; and

Ante, p. 1044.

WHEREAS it now appears that it would be in the public interest to terminate the aforesaid proclamation on August 15, 1947:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Constitution and laws of the United States, and in particular by section 318 of the Tariff Act of 1930 (46 Stat. 590, 696), do hereby declare that Proclamation No. 2708 is hereby amended to provide that it shall terminate on August 15, 1947.

Termination of Proclamation No. 2708.

19 U. S. C. § 1318.

Ante, p. 1044.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of June in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

JOHN PAUL JONES BICENTENNIAL DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 2, 1947
[No. 2736]

A PROCLAMATION

WHEREAS the sixth of July nineteen hundred and forty-seven is the two-hundredth anniversary of the birth of John Paul Jones at Arbigland in the parish of Kirkbean, Kirkcudbright, Scotland; and

WHEREAS John Paul Jones drew his sword in the struggle of the American colonies for freedom and the rights of man; and

WHEREAS, on February the fourteenth in the year seventeen hundred and seventy-eight, in the United States Frigate *Ranger*, John Paul Jones received from Admiral La Motte Piquet, commander of the French squadron of Louis XVI, the first salute to the Stars and Stripes from a foreign power; and

WHEREAS John Paul Jones was the first American Naval officer to be awarded a gold medal by the Continental Congress for fearlessness and perseverance in the face of overwhelming odds and, in the words of the Congress, "for the zeal, prudence, and intrepidity, with which he hath supported the honor of the American Flag"; and

WHEREAS he gave our Navy its earliest traditions of heroism and victory which have fostered the high morale and initiative demonstrated throughout our history by the men of our fighting forces:

Designation of July 6, 1947, as John Paul Jones Bicentennial Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim and designate the sixth day of July nineteen hundred and forty-seven as John Paul Jones Bicentennial Day, and I direct the appropriate officials of the Federal Government to have the flag of the United States displayed from public buildings on that day. I also request State and local officials, civic organizations, and interested individuals to observe the day with ceremonies which will reflect honor upon the career of this Naval hero and strengthen the pride of the American people in their Navy and its glorious achievements.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this second day of July in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

AIR FORCE DAY, 1947

July 10, 1947
[No. 2737]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Army Air Forces contributed immeasurably to our victory over the enemy in Europe and Asia, and stands ever ready to defend our nation in time of danger; and

WHEREAS our appreciation of liberty is strengthened by our recollection of the achievements of the living and the sacrifices of the dead, which through four decades have nurtured the growth of American air power; and

WHEREAS August 1, 1947, marks the fortieth anniversary of the birth of the Army Air Forces:

Proclamation of Aug. 1, 1947, as Air Force Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may more justly honor the men and women of the Army Air Forces and more fully acknowledge the contributions of all those who have developed and maintained our nation's air strength, do hereby proclaim Friday, August 1, 1947, as Air Force Day, and invite the Governors of all the States to issue proclamations calling for the observance of that day; and I also direct that the flag of the United States be displayed on all public buildings on that day.

I remind all of our citizens that the air power of the nation is essential to the preservation of our liberty, and that the continued development of the science of air transportation is vital to the trade and commerce of a peaceful world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of July in the year nineteen hundred and forty-seven, and of the Independence [SEAL] of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN.

By the President:
G C MARSHALL
Secretary of State.

DRUG AMIDONE AN OPIATE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 31, 1947
[No. 2738]

A PROCLAMATION

WHEREAS section 3228 (f) of the Internal Revenue Code provides in part as follows:

60 Stat. 38.
26 U. S. C. § 3228 (f).

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

53 Stat. 269.
26 U. S. C. §§ 2550-2565.
52 Stat. 1040.
21 U. S. C. §§ 301-392.
61 Stat., Pt. 1, p. 11.

AND WHEREAS the Secretary of the Treasury, after due notice and opportunity for public hearing, has found the drug Amidone (4,4-Diphenyl-6-Dimethylamino-Heptanone-3) to have an addiction-forming and addiction-sustaining liability similar to morphine, and that in the public interest this finding should be effective immediately:

Drug Amidone.
Effectivity of finding.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim that the Secretary of the Treasury has found the drug Amidone (4,4-Diphenyl-6-Dimethylamino-Heptanone-3) to have an addiction-forming and addiction-sustaining liability similar to morphine, and that in the public interest this finding should be effective immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of July in the year of our Lord nineteen hundred and forty-seven and of the [SEAL] Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

AMENDMENTS OF REGULATIONS RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

July 31, 1947
[No. 2739]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

60 Stat. 238.
5 U. S. C. § 1003.
58 Stat. 1136.
16 U. S. C. § 704 note.
Ante, pp. 1033, 1067.
39 Stat. 1702.
50 Stat. 1311.

WHEREAS the Acting Secretary of the Interior has adopted, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (Pub. Law No. 404–79th Cong.), and has submitted to me for approval the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, as amended, relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

AMENDMENTS OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

16 U. S. C. §§ 703–711.
5 U. S. C. § 133t note.
60 Stat. 237.
5 U. S. C. §§ 1001–1011.
39 Stat. 1702.
50 Stat. 1311.
58 Stat. 1136.
16 U. S. C. § 704 note.
Ante, pp. 1033, 1067.

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (Pub. Law No. 404–79th Cong.), I Oscar L. Chapman Acting Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend as follows the regulations approved by Proclamation No. 2616 of July 27, 1944, as last amended by Proclamation No. 2699 of August 8, 1946, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

58 Stat. 1138.
16 U. S. C. § 704 note.

Regulation 3, "Means by Which Migratory Game Birds May be Taken" is amended to read as follows:

58 Stat. 1139.
16 U. S. C. § 704 note.
Ante, p. 1033; *post*, pp. 1077, 1088, 1094.
58 Stat. 1143, 1144.
16 U. S. C. § 704 note.

Migratory game birds on which open seasons are specified in regulation 4 may be taken during such seasons only with bow and arrow or with a shotgun not larger than No. 10 gage, fired from the shoulder, except as permitted by regulations 7, 8, and 9, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof so as to reduce the capacity of said gun to not

more than three shells at one time in the magazine and chamber combined. Such birds may be taken during the open seasons from land or water, with aid of a dog, and from a blind, boat or other floating craft not under tow or sail, except sinkbox (battery), motorboat (excluding a boat having a detached outboard motor), and sailboat; *provided*, that nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind, the taking of waterfowl by means, aid, or use of cattle, horses, mules, or live duck or goose decoys, the concentrating, driving, rallying, or stirring up of waterfowl and coots by means or aid of any motor driven land, water or air conveyance or sailboat; *provided further*, that nothing herein shall exclude the picking up of injured or dead waterfowl by means of a motorboat, sailboat, or other craft.

Waterfowl (except for propagating, scientific, or other purposes under permit issued pursuant to regulation 8), mourning doves and white-winged doves are not permitted to be taken, directly or indirectly, by means, aid, or use of shelled, shucked, or unshucked corn, or of wheat or other grain, salt, or other feed that has been so deposited, distributed, or scattered as to constitute for such birds a lure, attraction, or enticement to, on, or over the area where hunters are attempting to take them, *provided*, however, such birds may be taken over properly shocked corn and standing crops of corn, wheat, or other grain or feed, and grains found scattered solely as a result of agricultural harvesting.

58 Stat. 1143.
16 U. S. C. § 704 note.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory-bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

58 Stat. 1139.
16 U. S. C. § 704 note.
Ante, p. 1033; *post*, pp. 1088, 1094.

Waterfowl (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, New Jersey, North Dakota, Utah, West Virginia and Wyoming; snow geese in Beaverhead, Gallatin and Madison Counties in Montana, in Colorado, Idaho and Wyoming and snow geese and brant in States bordering on the Atlantic Ocean; Ross' geese; and swans), coots, rails, and gallinules may be taken each day from sunrise to one hour before sunset, except that the hour for the commencement of hunting of waterfowl and coot on the first day of the season (including each first day of the split seasons) shall be 12 o'clock noon, and woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons from one-half hour before sunrise to sunset, except as otherwise provided in this regulation, during the open seasons prescribed herein; and may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, and when so taken may be possessed in the numbers permitted by regulation 5 during the period constituting the open season where taken and for an additional period of 90 days next succeeding said open season, except as prohibited by State law.

58 Stat. 1138, 1141, 1149.
16 U. S. C. § 704 note.
Ante, pp. 1076, 1036, 1037.

Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), or on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except so far as may be permitted by the Secretary of the Interior under existing law, or

Reservations or sanctuaries.
16 U. S. C. § 715.

on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

40 Stat. 755. 16 U. S. C. §§ 703-711.

Waterfowl and Coot.—The open seasons on waterfowl and coot (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, New Jersey, North Dakota, Utah, West Virginia and Wyoming; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Colorado, Idaho and Wyoming, and snow geese and brant in States bordering on the Atlantic Ocean; Ross' geese; and swans) in the several States, Alaska, and Puerto Rico shall be as follows, both dates inclusive:

Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, December 8 to January 6.

Post, p. 1088.

Arizona, New Mexico, and Oklahoma, October 7 to October 20 and December 23 to January 5.

California and Oregon, October 21 to November 3 and December 23 to January 5.

Colorado, Idaho, and Wyoming, October 7 to October 20 and December 2 to December 15.

Connecticut, Indiana, Louisiana, Massachusetts, and New Jersey, November 18 to December 17.

Delaware and New York, including Long Island, October 21 to November 1 and December 2 to December 13.

Illinois, Missouri, and West Virginia, November 4 to December 3.

Post, p. 1088.

Iowa, Ohio, Pennsylvania, Vermont, and Wisconsin, October 21 to November 19.

Kansas, November 4 to December 8.

Maine and New Hampshire, October 7 to October 18 and December 2 to December 13.

Maryland, November 4 to November 15 and December 23 to January 3.

Michigan and Minnesota, October 7 to November 5.

Montana, Nebraska, Nevada, and Utah, October 21 to November 24.

North Dakota and South Dakota, October 7 to November 10.

Rhode Island, December 2 to December 31.

Texas, November 4 to November 17 and December 16 to December 29.

Washington, October 21 to November 3 and December 16 to December 29.

Puerto Rico, December 15 to February 12.

Alaska, in Fur Districts 1 and 3 as defined in the regulations governing the taking of game in Alaska, adopted May 15, 1944 (9 F. R. 5270), October 1 to November 4; in the remainder of Alaska, September 1 to October 5.

Scoters.

Provided, That scoters, locally known as sea coots, may be taken in all areas during the applicable seasons for other ducks in Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, and New York, and otherwise may be taken in open coastal waters only, beyond outer harbor lines, in Maine from October 6 to December 16, in New York from September 16 to December 13, in New Hampshire from September 1 to October 6, in Connecticut and Massachusetts from September 16 to November 17 and in Rhode Island from September 16 to December 1.

Coot, in Lake and McHenry Counties, Illinois, October 1 to October 12 from 7 a. m. to 4 p. m. and thereafter during the seasons and hours provided for ducks.

Rails and Gallinules (except Coot).—The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Illinois, in Lake and McHenry Counties, October 1 to October 12 from 7 a. m. to 4 p. m.; and thereafter during the seasons and hours provided for ducks.

Maine, October 7 to October 18 and December 2 to December 13.

Maryland, September 1 to September 30.

Massachusetts, November 18 to December 17.

Minnesota, September 16 to November 30.

Mississippi, October 15 to December 30.

New York, including Long Island, October 21 to November 1 and December 2 to December 13.

Wisconsin, October 21 to November 19.

Post, p. 1088.

Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Iowa, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

Woodcock.—The open seasons on woodcock shall be as follows, both dates inclusive:

Post, p. 1094.

Arkansas and Oklahoma, December 1 to December 15.

Connecticut, October 28 to November 10.

Delaware and Maryland, November 15 to November 29.

Georgia, Louisiana, and Mississippi, December 23 to January 6.

Indiana and West Virginia, October 16 to October 30.

Maine, in Aroostook, Penobscot, Piscataquis, Somerset, Franklin, and Oxford Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

Massachusetts, November 3 to November 17.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State, October 15 to October 29.

Minnesota, October 11 to October 25.

Missouri, November 10 to November 24.

New Hampshire, in Coos, Carroll, and Grafton Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

New Jersey, October 20 to November 3.

New York, north and east of the tracks of the branch line of the New York Central Railroad from Oswego to Syracuse, the main line of the New York Central Railroad from Syracuse to Albany, and the main line of the Boston & Albany Railroad from Albany to the Massachusetts State line, October 10 to October 24; west and south of the line above described, October 20 to November 3; and that part of New York known as Long Island, November 1 to November 15; from 12 o'clock noon until sunset on the opening day in each of these zones, and thereafter in all of the aforesaid zones from 7:00 a. m. until sunset.

Ohio, Pennsylvania, and Wisconsin, October 10 to October 24.

Rhode Island, November 1 to November 15.

Vermont, in Bennington and Windham Counties and those portions of Rutland and Windsor Counties south of U. S. Highway Route 4 from West Haven to White River Junction, October 16 to October 30; in remainder of State, October 1 to October 15.

Virginia, November 20 to December 4.

Mourning, or Turtle, Dove.—The open seasons on mourning, or turtle, dove shall be as follows, both dates inclusive:

Arizona, Kansas, Kentucky and Missouri, September 1 to October 30.

Alabama, November 27 to January 25.

Arkansas and Delaware, September 16 to November 14.

California, in Imperial County, October 1 to October 31; in remainder of State, September 1 to September 30.

Colorado, Nevada, and New Mexico, September 1 to October 12.

Post, p. 1085.

Florida, in Broward, Dade, and Monroe Counties, October 1 to October 31; in remainder of State, November 20 to January 18.

Georgia, December 3 to January 31.

Idaho and Oregon, September 1 to September 15.

Illinois and Oklahoma, September 1 to September 30.

Louisiana, December 1 to January 29.

Maryland, September 1 to October 15.

Mississippi, October 16 to October 31 and January 1 to January 31.

Nebraska, September 10 to September 24.

North Carolina, September 16 to September 30, and January 1 to January 31.

Pennsylvania, October 10 to October 24.

South Carolina, September 16 to October 9, and December 22 to January 13.

Tennessee, September 1 to October 30 from 12 o'clock noon to sunset.

Texas, in Val Verde, Kinney, Uvalde, Medina, Kendall, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties, and all counties north and west thereof, September 1 to October 15; in remainder of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), October 20 to December 3; in these latter counties, September 12, 14, and 16, from 4 p. m. until sunset, and thereafter, October 20 to November 30, from one-half hour before sunrise to sunset.

Virginia, September 16 to October 31.

White-winged Dove.—The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, September 12, 14, and 16, from 4 p. m. until sunset.

Band-tailed Pigeon.—The open seasons on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona and New Mexico, September 16 to October 15.

California, December 1 to December 31.

Oregon and Washington, September 1 to September 30.

58 Stat. 1141.
16 U. S. C. § 704 note.
Ante, p. 1036.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

58 Stat. 1139.
16 U. S. C. § 704 note.
Ante, pp. 1033, 1077; *post*, pp. 1088, 1094.

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken, such birds may be possessed in the number hereinafter specified, except that no person on the opening day of the season may possess any migratory game birds in excess of the daily limits herein prescribed.

Ducks (except the American and red-breasted mergansers).—Four, including in such limit not more than 1 wood duck, and any person may possess not more than 8 ducks including in such limit not more than 1 wood duck.

American and red-breasted mergansers.—Twenty-five singly or in the aggregate. No possession limit.

Scoters (*sea coots*).—Seven, and any person may possess not more than 14.

Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Colorado, Idaho and Wyoming, and snow geese and brant in States bordering on the Atlantic Ocean; and Ross' geese anywhere), as follows:

In Washington, Oregon, and California 5, including in such limit any combination not exceeding 2 of Canada geese (including Hutchins or cackling geese), white-fronted geese and brant.

In Alaska, Puerto Rico, Idaho, Utah, Arizona, and Nevada 4, including in such limit not more than 2 Canada geese (including Hutchins or cackling geese), or 2 white-fronted geese or 1 of each.

Elsewhere than in the above States 4, including in such limit either 1 Canada goose (including Hutchins or cackling geese) or 1 white-fronted goose.

Any person may possess not more than the above bag limits of geese or brant.

In view of the fact that the hunting season on a number of migratory birds normally opens on September 1, it has been determined that these amendments shall become effective August 31, 1947. Effective date.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 29th day of July, 1947.

OSCAR L CHAPMAN
[SEAL] *Acting Secretary of the Interior.*

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act: 40 Stat. 755. 16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendments. 40 Stat. 755. 16 U. S. C. § 704.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of July in the year of our Lord nineteen hundred and forty-seven, and of the [SEAL] Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President
G C MARSHALL
Secretary of State.

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: SWITZERLAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 6, 1947
[No. 2740]

A PROCLAMATION

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the conditions and formalities for the renewal of trade-mark registrations prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the 15 U. S. C. § 92 note.

33 Stat. 727.

several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), by nationals of countries which accord substantially equal treatment in this respect to citizens of the United States of America:

Switzerland.
Proclamation of extension of time respecting renewal of certain trade-mark registrations.
60 Stat. 568.
15 U. S. C. § 92 note.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of Switzerland registered in the United States Patent Office which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that Switzerland accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States, and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before June 30, 1947, until and including June 30, 1948.

33 Stat. 727.
15 U. S. C. § 92.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 6th day of August, in the year of our Lord nineteen hundred and forty-seven and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

August 6, 1947
[No. 2741]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

15 U. S. C. § 92 note.

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the conditions and formalities for the renewal of trade-mark registration prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), by nationals of countries which accord substantially equal treatment in this respect to citizens of the United States of America:

33 Stat. 727.

United Kingdom of Great Britain and Northern Ireland.
Proclamation of extension of time respecting renewal of certain trade-mark registrations.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of the United Kingdom of Great Britain and Northern Ireland registered in the United States

Patent Office, which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that the United Kingdom of Great Britain and Northern Ireland accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States, and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before June 30, 1947, until and including July 17, 1948.

33 Stat. 727.
15 U. S. C. § 92.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 6th day of August, in the year of our Lord nineteen hundred and forty-seven and of [SEAL] the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

FIRE PREVENTION WEEK, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 14, 1947
[No. 2742]

A PROCLAMATION

WHEREAS each year preventable fires claim the lives of thousands of our citizens, both young and old, and cause permanent disability or painful injury to countless others; and

WHEREAS the destruction by fire of our natural and created resources has almost doubled during the past decade, and cost this nation more than five hundred and sixty million dollars in the year 1946; and

WHEREAS this ravage, if unabated, threatens an even more calamitous loss of life and waste of material wealth; and

WHEREAS the program promulgated at the President's Conference on Fire Prevention held at Washington in May 1947 is designed to assist in stemming the tide of death and destruction from fires:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 5, 1947, as Fire Prevention Week.

Designation of week beginning Oct. 5, 1947, as Fire Prevention Week.

I earnestly request every citizen to eliminate all possible causes of destructive fire in his home and in his place of business, and I urge that vigilance against fire be extended beyond Fire Prevention Week and zealously continued throughout the year. I invite State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, the American National Red Cross, business and labor organizations, churches and schools, civic groups, and agencies of the press, the radio, and the motion-picture industry to cooperate fully in the observance of Fire Prevention

Week with the objective of initiating a fire prevention campaign continuing throughout the year. I also direct the appropriate agencies of the Federal Government to assist in every feasible way in arousing the public to the seriousness of the fire problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fourteenth day of August in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

NATIONAL GUARD DAY, 1947

August 15, 1947
[No. 2743]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the National Guard of the United States has been a bulwark of our military forces in struggles against foreign aggressors and the support of our people in times of domestic disaster; and

WHEREAS the security of our Nation demands that the National Guard be fully manned, equipped and trained as a force immediately available in time of national danger; and

WHEREAS September 16, 1947, marks the seventh anniversary of the entrance of the National Guard into the Nation's service during the emergency immediately preceding World War II:

Proclamation of Sept. 16, 1947, as National Guard Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may give special recognition to the men of the National Guard of the United States who have given their services and their lives to their country and to those who are continuing to give their services for the security of their country, do hereby proclaim Tuesday, September 16, 1947, as National Guard Day, and invite the Governors of the several States to issue proclamations for the observance of that Day; and I also direct that the flag of the United States be displayed on all public buildings on that Day.

Assistance of citizens in organization, etc., of units.

I also remind our citizens that a responsibility rests upon them for the support of the National Guard of the United States, and I therefore urge that all our citizens give their earnest attention to the units of the National Guard in their communities and assist in the organization, recruiting and development of those units in every way possible.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 15th day of August, in the year of our Lord nineteen hundred and forty-seven, and [SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State.

AMENDMENT OF REGULATIONS RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 21, 1947
[No. 2744]

A PROCLAMATION

WHEREAS the Acting Secretary of the Interior has adopted and has submitted to me for approval the following amendment of the regulations approved by Proclamation No. 2739 of July 31, 1947, relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

Ante, p. 1076.

39 Stat. 1702.

50 Stat. 1311.

AMENDMENT OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and having determined, in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (Pub. Law. No. 404-79th Congress), that the amendment adopted herein is corrective and that further notice and public procedure thereon are impracticable and unnecessary, I, Oscar L. Chapman, Acting Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend the regulations approved by Proclamation No. 2739 of July 31, 1947, by deleting from Regulation 4 thereof that portion establishing an open season on mourning, or turtle, dove in the State of Florida and in lieu of such deleted portion, do hereby adopt the following:

16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.
60 Stat. 237.
5 U. S. C. §§ 1001-1011.
39 Stat. 1702.
50 Stat. 1311.
Ante, p. 1080.

> "Florida, in Broward, Dade, and Monroe Counties, October 1 to October 31; in remainder of State, December 3 to January 31."

In view of the fact that the portion of Regulation 4 deleted hereby was adopted by me under a mistake of fact, and in view of the further fact that the present amendment is corrective of regulations which are effective August 31, 1947, it has been determined that this amendment shall become effective August 31, 1947.

Effective date.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 7th day of August, 1947.

OSCAR L CHAPMAN
Acting Secretary of the Interior

[SEAL]

AND WHEREAS upon consideration it appears that approval of the foregoing amendment will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

40 Stat. 755. 16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendment.

40 Stat. 755. 16 U. S. C. § 704.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of August in the year of our Lord nineteen hundred and forty-seven, and [SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President
ROBERT A LOVETT
Acting Secretary of State

August 27, 1947
[No. 2745]

PROCLAMATION

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1947

WHEREAS this Nation has an unused reservoir of skills and strength in those of our fellow citizens who by reason of physical handicaps are denied opportunities for employment, and

WHEREAS the people of this Nation are profoundly conscious of the limitless debt they owe to their fellow citizens who count the costs of wars in terms of physical handicaps; and

WHEREAS each year the toll of industrial and other accidents increases the number of handicapped persons seeking work, and

WHEREAS thousands of handicapped workers have demonstrated that physical handicaps are no insurmountable bar to efficient and productive labor, and

WHEREAS this Nation needs the full measure of faith and participation in our democratic life which can only come in full measure to the handicapped when they become self-supporting and independent citizens, and

WHEREAS the employers of this Nation have a unique opportunity to assist in this national effort to rehabilitate otherwise qualified but physically handicapped workers by employing their services; and

WHEREAS the Congress, by a joint resolution approved August 11, 1945 (59 Stat. 530) has designated the first week in October of each year as National Employ the Physically Handicapped Week, during which appropriate ceremonies are to be held throughout the Nation, and has requested that the President issue each year a suitable proclamation:

Observance of Oct. 5-11, 1947, as National Employ the Physically Handicapped Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe the week of October 5-11, 1947, as National Employ the Physically Handicapped Week. I also call upon the governors of states, mayors of cities, and heads of other agencies of government and other public officials, as well as leaders of industry, labor, and civic groups to make every effort to enlist public support for a sustained program aimed at the employment and full use of the capacities of physically handicapped workers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of August in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

PALESTINE—SUSPENSION OF TONNAGE DUTIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 20, 1947
[No. 2746]

A PROCLAMATION

WHEREAS section 4228 of the Revised Statutes of the United States, as amended by the act of July 24, 1897, c. 13, 30 Stat. 214 (U. S. C., title 46, sec. 141), provides, in part, as follows:

> "Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer . . .";

AND WHEREAS satisfactory proof was received by me from the Government of Palestine on August 6, 1947, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Palestine upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in such vessels, from the United States, or from any foreign country:

Palestine.
Declaration of suspension of foreign discriminating duties, etc.

NOW, THEREFORE, I, Harry S. Truman, President of the United States of America, by virtue of the authority vested in me by the above-quoted statutory provisions, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Palestine and the produce, manufactures, or merchandise imported in said vessels into the United States from Palestine or from any other foreign country; the suspension to take effect from August 6, 1947, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

Effective date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of September in the year of our Lord nineteen hundred and forty-seven and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State.

AMENDMENTS OF REGULATIONS RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

September 27, 1947
[No. 2747]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Ante, pp. 1076, 1085; *post*, p. 1093.

39 Stat. 1702.

50 Stat. 1311.

WHEREAS the Secretary of the Interior has adopted and has submitted to me for approval the following amendments of the regulations approved by Proclamation No. 2739 of July 31, 1947, relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

AMENDMENTS OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.
60 Stat. 237.
5 U. S. C. §§ 1001-1011.

39 Stat. 1702.

50 Stat. 1311.

Ante, pp. 1078, 1085; *post*, p. 1093.

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and having determined, in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (Public Law No. 404-79th Congress), that the amendments adopted herein are corrective and that further notice and public procedure thereon are impracticable and unnecessary, I, J. A. Krug, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend the regulations approved by Proclamation No. 2739 of July 31, 1947, by deleting from Regulation 4 thereof, under the headings specified herein, those portions establishing open seasons on waterfowl, coot, rails, and gallinules in the State of Wisconsin and that portion establishing the open season on waterfowl and coot in the State of Oklahoma, and in lieu of such deleted portions do hereby adopt the following:

Waterfowl and coot.—

"Wisconsin, October 7 to November 5.

"Oklahoma, October 21 to November 3 and December 16 to December 29."

Rails and gallinules.—

"Wisconsin, October 7 to November 5."

These amendments are in accordance with the revised recommendations of the respective State Conservation Departments and in view of the fact that in respect to hunting in Wisconsin they advance the opening dates heretofore specified from October 21 to October 7 and in respect to hunting in Oklahoma the opening date heretofore specified is postponed from October 7 to October 21 and in view of the further fact that the present amendments are corrective of general regulations already in effect, it has been determined that these amendments shall become effective immediately upon publication thereof in the Federal Register.

Effective date.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 25th day of September, 1947.

J A KRUG
[SEAL] *Secretary of the Interior.*

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

40 Stat. 755. 16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendments.

40 Stat. 755. 16 U. S. C. § 704.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of September in the year of our Lord nineteen hundred and forty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President,
ROBERT A LOVETT
Acting Secretary of State

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—ILLINOIS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 1, 1947
[No. 2748]

A PROCLAMATION

WHEREAS the Secretary of the Interior has submitted to me for approval the following regulation adopted by him, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), and Reorganization Plan No. II (53 Stat. 1431):

5 U. S. C. § 1003.
16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.

REGULATION DESIGNATING AS CLOSED AREA CERTAIN LANDS AND WATERS IN ALEXANDER COUNTY, ILLINOIS

By virtue of and pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C.

5 U. S. C. § 133t note.

5 U. S. C. § 1003.

39 Stat. 1702.

50 Stat. 1311.

Effective date.

704), Reorganization Plan No. II (53 Stat. 1431), and in accordance with the provisions of section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), I, J. A. Krug, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of the migratory birds herein referred to and included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, and in consideration of the obligation imposed by said treaties of insuring the preservation of said migratory birds, do hereby designate as closed area, effective November 3, 1947, in or on which pursuing, hunting, taking, capturing, or killing of all species of wild geese, or attempting to take, capture, or kill such wild geese is not permitted, all that area of land and water situate in Alexander County, Illinois, within the following described exterior boundary:

THIRD PRINCIPAL MERIDIAN

Beginning at the intersection of the center line of Sand Ridge Road with the center line of the main track of the Chicago & Eastern Illinois Railroad, said point being approximately in the center of section 28, T. 15 S., R. 2 W.;

Thence southwesterly and westerly, with the center line of the main track of said Chicago & Eastern Illinois Railroad, through Olive Branch, and T. 15 S., R. 2 W., sections 28, 29, 32 and 31, and through T. 15 S., R. 3 W., sections 36 and 35, approximately 5.1 miles to the intersection of the center line of the main track of the aforesaid railroad with the center line of a road leading southwesterly, about one-half mile southeast of Fayville;

Thence southwesterly, with the center line of said road, crossing the Missouri Pacific Railroad approximately 1,650 feet to the left (east) bank of the Mississippi River, near the upper end of Burnham Island;

Thence southeasterly, with the left bank of the Mississippi River, through T. 16 S., R. 3 W., sections 2, 11, 12, 13 and 24, and through T. 16 S., R. 2 W., sections 19, 30 and 31, approximately 6.1 miles, to a point on the left bank of said river at the intersection with the north sixteenth line of section 31, T. 16 S., R. 2 W.;

Thence east, with the north sixteenth line of said section 31, approximately 1,800 feet, to the intersection of said line with the center line of a public road, in the NE¼ of said section 31;

Thence northeasterly, with the center line of said public road, through sections 31 and 29, approximately 3,400 feet to the intersection of the center line of said road with the center line of the Miller City Road, in the SW¼ of said section 29;

Thence southeasterly, easterly and northerly, with the center line of the Miller City Road, through sections 29, 28, 27 and 22, through Willard, approximately 3.8 miles to a point at Roth, on the Missouri Pacific Railroad, in the line common to sections 22 and 23, T. 16 S., R. 2 W., in the center line of a county road;

Thence north, with the center line of said County Road, between sections 22 and 23, and between sections 14 and 15 of said township, approximately one mile, to the intersection of the center line of said road with the center line of the Promised Land Road;

Thence northeasterly, with the center line of said Promised Land Road, crossing the Illinois Central Railroad, through sections 14, 13 and 12, of said township, approximately 2.2 miles to the intersection of the center line of said road with the center line of the main track of the Mobile & Ohio Railroad, in the SE¼ of section 12, about 800 feet west of Cache River;

Thence northerly, with the center line of the main track of said Mobile & Ohio Railroad, through sections 12 and 1, approximately 1.2 miles, to a point in the center line of the main track of the aforesaid railroad, in the SE¼ of said section 1, about 1,320 feet north of the south boundary of said section, at Unity;

Thence northwesterly, approximately 625 feet to a point in the center line of a road running northwesterly, in the SE¼ of section 1;

Thence northwesterly, with the center line of a road, through said section 1, approximately 4,400 feet to the intersection with the line between sections 1 and 2, T. 16 S., R. 2 W.;

Thence northerly, continuing with the center line of said road, through T. 16 S., R. 2 W., between sections 1 and 2, and through T. 15 S., R. 2 W., between sections 35 and 36, approximately one and one-fourth miles to junction of roads north, and northwest;

Thence northwesterly and westerly, with the center line of Sand Ridge Road, through sections 35 and 26, T. 15 S., R. 2 W., approximately one and one-fourth miles to a point in the center line of Sand Ridge Road at the junction with a road north, in the W½ of said section 26;

Thence westerly, with the center line of said Sand Ridge Road, through sections 26, 27 and 28 of said township, approximately 1.8 miles, to the Place of Beginning.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this 25th day of September 1947.

J A KRUG
[SEAL] *Secretary of the Interior.*

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

40 Stat. 755.
16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation of the Secretary of the Interior.

40 Stat. 755.
16 U. S. C. §§ 703-711.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of October in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President,
ROBERT A LOVETT
Acting Secretary of State.

COLUMBUS DAY, 1947

October 6, 1947
[No. 2749]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, in this era of challenging scientific discoveries, new lanes of thinking are needed to reach understanding of undreamed-of forces, to solve new problems of world community living, and to bring to bear upon human relationships in new and more effective ways the positive potentialities of our progress; and

WHEREAS inspiration in the quest for these new goals may be taken from the life and achievement of Christopher Columbus, who sought and who succeeded in finding new lanes across the ocean, new vistas for navigation, and new ways of understanding our planet; and

WHEREAS, in recognition of the vision and superb accomplishment of that admiral, who dared and strove and opened a new world, the Congress of the United States, by a joint resolution approved April 30, 1934 (48 Stat. 657), has authorized and requested the President to issue a proclamation designating October 12 of each year, the anniversary of the sighting of land by Columbus's intrepid crew, as Columbus Day:

36 U. S. C. § 146.

Designation of Oct. 12, 1947, as Columbus Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by this proclamation designate Sunday, October 12, 1947, as Columbus Day, and I invite the people of the United States to observe the day in their homes or churches, or other suitable places, with appropriate ceremonies. I call upon officials of the Government to have the flag of the United States displayed on public buildings on Sunday, October 12, 1947, and I urge the school authorities and civic leaders of the Nation to organize Columbus Day exercises appropriate to commemorate that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 6th day of October in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State.

GENERAL PULASKI'S MEMORIAL DAY, 1947

October 8, 1947
[No. 2750]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a noble deed remembered and cherished generation after generation by a whole people merits the reward of official public notice; and

WHEREAS the people of our Nation recall vividly and with thanks, among the selfless deeds of those who won our independence, the supreme contribution made by Count Casimir Pulaski, a fearless Polish patriot who gallantly fought for American liberty; and

WHEREAS October 11 is the anniversary of the day in 1779 when Count Pulaski, who held the rank of Brigadier General, laid down his life in that momentous cause, having two days earlier been wounded in a cavalry charge near Savannah, Georgia:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by this proclamation designate Saturday, October 11, 1947, as General Pulaski's Memorial Day; I invite the people of the United States to observe the day in civic ceremonies; and I direct the appropriate officials of the Government to have the American flag flown from all Government buildings on that day.

Designation of Oct. 11, 1947, as General Pulaski's Memorial Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of October in the year of our Lord nineteen hundred and forty-seven, and [SEAL] of the independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

CONVENING THE CONGRESS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 23, 1947
[No. 2751]

A PROCLAMATION

WHEREAS the public interest requires that the Congress of the United States should be convened at twelve o'clock, noon, on Monday, the Seventeenth day of November, 1947, to receive such communication as may be made by the Executive;

NOW, THEREFORE, I, Harry S. Truman, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene at the Capitol in the City of Washington on Monday, the Seventeenth day of November, 1947, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

Convening of Congress Nov. 17, 1947.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the City of Washington this twenty-third day of October, in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State.

AMENDMENT OF REGULATIONS RELATING TO MIGRATORY BIRDS AND GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 28, 1947
[No. 2752]

A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted and has submitted to me for approval the following amendment of the regulations approved by Proclamation No. 2739 of July 31, 1947, as amended by Proclamation No. 2747 of September 27, 1947, relating to migratory birds and game mammals included in the terms of the Convention

Ante, pp. 1076, 1088.

39 Stat. 1702.

50 Stat. 1311.

between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

AMENDMENT OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

16 U. S. C. §§ 703-711.

5 U. S. C. § 133t note.

60 Stat. 237.

5 U. S. C. §§ 1001-1011.

39 Stat. 1702.

50 Stat. 1311.

Ante, pp. 1077, 1088.

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and having determined, in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (Public Law No. 404–79th Congress), that the amendment adopted herein is corrective of an emergency condition and that further notice and public procedure thereon are impracticable and unnecessary, I, J. A. Krug Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend the regulations approved by Proclamation No. 2739 of July 31, 1947, as amended by Proclamation No. 2747 of September 27, 1947, by adding to Regulation 4 under the heading "Woodcock" the following:

> "*Provided, however*, that in those States where hunting has been prohibited by State action by reason of emergency fire-hazard conditions, the open seasons specified in these regulations may be extended or reopened for periods not to exceed the number of days during which hunting has been prohibited by State action, and provided that such extension or reopening will not result in a diminution of the abundance of birds to any greater extent than that contemplated under the original hunting season. Any such extended or reopened season shall be determined, fixed, and announced by the Director of the Fish and Wildlife Service and the conservation agency of the State in which the emergency condition has existed, in accordance with the provisions of this regulation."

This amendment is in accordance with the recommendations of the several State conservation departments affected thereby, and in view of the nature of the emergency condition intended to be corrected, it has been determined that this amendment shall become effective immediately upon publication thereof in the Federal Register.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 24th day of October, 1947.

[SEAL]

J A KRUG
Secretary of the Interior.

AND WHEREAS upon consideration it appears that approval of the foregoing amendment will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

40 Stat. 755. 16 U. S. C. §§ 703-711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendment.

40 Stat. 755. 16 U. S. C. § 704.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of October in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President,
ROBERT A LOVETT
Acting Secretary of State.

ARMISTICE DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 29, 1947
[No. 2753]

A PROCLAMATION

WHEREAS now, as ever, men of good will are dedicated to the prevention of armed conflict between nations and to the guidance of mankind into paths of peace; and

WHEREAS it is a wise and wholesome custom to rededicate ourselves to this task on November 11 of each year, the anniversary of the laying down of weapons in the first great war of this century; and

WHEREAS the Congress, in recognition of this opportunity for strengthening our peaceful purposes, passed a concurrent resolution on June 4, 1926 (44 Stat. 1982), calling for the observance of November 11 of each year with appropriate ceremonies; and

Celebration of Armistice Day. 5 U. S. C. § 87a.

WHEREAS it is provided by an act of Congress approved on May 13, 1938 (52 Stat. 351), that the eleventh day of November in each year shall be celebrated and known as Armistice Day and shall be a legal public holiday:

Display of flag, etc., on Nov. 11, 1947.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby urge the people of the United States to devote themselves anew on Tuesday, November 11, 1947, in schools and churches or other suitable places, to the grateful use of the peace we now enjoy in our beloved country, after a second world holocaust, and to the work of promoting with zeal and fervor a permanent peace among all the peoples of the earth; and I call upon the officials of the Government to have the flag of the United States flown upon all public buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of October in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State.

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: FRANCE

November 10, 1947
[No. 2754]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

15 U. S. C. § 92 note.

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the conditions and formalities for the renewal of trade-mark registrations prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), by nationals of countries which accord substantially equal treatment in this respect to citizens of the United States of America:

33 Stat. 727.

France.
Proclamation of extension of time respecting renewal of certain trade-mark registrations.
60 Stat. 568.
15 U. S. C. § 92 note.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of France registered in the United States Patent Office which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that France accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States, and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before July 5, 1947, until and including June 30, 1948.

33 Stat. 727.
15 U. S. C. § 92.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of November in the year of our Lord nineteen hundred and forty-seven and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: THE NETHERLANDS

November 10, 1947
[No. 2755]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

15 U. S. C. § 92 note.

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the

conditions and formalities for the renewal of trade-mark registrations prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), by nationals of countries which accord substantially equal treatment in this respect to citizens of the United States of America:

33 Stat. 727.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of the Netherlands registered in the United States Patent Office which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that the Netherlands accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States, and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before June 30, 1947, until and including June 30, 1948.

The Netherlands.
Proclamation of extension of time respecting renewal of certain trade-mark registrations.
60 Stat. 568.
15 U. S. C. § 92 note.

33 Stat. 727.
15 U. S. C. § 92.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of November in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

THANKSGIVING DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 10, 1947
[No. 2756]

A PROCLAMATION

Older than our nation itself is the hallowed custom of resting from our labors for one day at harvest time and of dedicating that day to expressions of gratitude to Almighty God for the many blessings which He has heaped upon us. Now, as the cycle of the year nears completion, it is fitting that we should lift up our hearts again in special prayers.

May our thanksgiving this year be tempered by humility, by sympathy for those who lack abundance, and by compassion for those in want. As we express appreciation in prayer for our munificent gifts, may we remember that it is more blessed to give than to receive; and may we manifest our remembrance of that precept by generously sharing our bounty with needy people of other nations.

Thursday, Nov. 27, 1947, proclaimed a day of national thanksgiving.
55 Stat. 862.
5 U. S. C. § 87b.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, invite the attention of all citizens to the joint resolution of Congress approved December 26, 1941, which designates the fourth Thursday in November of each year as Thanksgiving Day; I proclaim Thursday, November 27, 1947, as a day of national thanksgiving; and I call upon the people of the United States of every faith to consecrate that day to thoughts of gratitude, acts of devotion, and a firm resolve to assist in the efforts being made by religious groups and other bodies to aid the undernourished, the sick, the aged, and all sufferers in war-devastated lands.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of November in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State

TERMINATING THE SUSPENSION OF TITLE II OF THE SUGAR ACT OF 1937

November 28, 1947
[No. 2757]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

7 U. S. C. § 1179.

WHEREAS section 509 of the Sugar Act of 1937 (50 Stat. 916) provides, in part:

> "Whenever the President finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar, he shall by proclamation suspend the operation of title II or III above, which he determines, on the basis of such findings, should be suspended, and, thereafter, the operation of any such title shall continue in suspense until the President finds and proclaims that the facts which occasioned such suspension no longer exist.";

50 Stat. 904, 909.
7 U. S. C. §§ 1111-1122, 1131-1137.

56 Stat. 1952.
7 U. S. C. § 1111 note.

AND WHEREAS by proclamation issued April 13, 1942 (7 F. R. 2826), the President found and proclaimed that a national economic emergency existed with respect to sugar and suspended the operation of Title II of that Act:

Termination of suspension of operation of Title II of Sugar Act of 1937.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision the Sugar Act of 1937, do hereby find and proclaim that the facts which occasioned such suspension no longer exist, and do hereby terminate such suspension of the operation of Title II of that Act.

50 Stat. 904.
7 U. S. C. §§ 1111-1122.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28th day of November in the year of our Lord one thousand nine hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—FLORIDA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 2, 1947
[No. 2758]

A PROCLAMATION

WHEREAS the Acting Secretary of the Interior has submitted to me for approval the following regulation adopted by him, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), and Reorganization Plan No. II (53 Stat. 1431):

5 U. S. C. § 1003.
16 U. S. C. §§ 703-711.
5 U. S. C. § 133t note.

REGULATION DESIGNATING AS CLOSED AREA CERTAIN LANDS AND WATERS WITHIN, ADJACENT TO, OR IN THE VICINITY OF THE SANIBEL NATIONAL WILDLIFE REFUGE, FLORIDA

By virtue of and pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), Reorganization Plan No. II (53 Stat. 1431), and in accordance with the provisions of section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), I, OSCAR L. CHAPMAN, Acting Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of the migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, do hereby designate as closed area, effective thirty days after publication in the FEDERAL REGISTER, in or on which pursuing, hunting, taking, capturing, or killing of migratory birds, or attempting to take, capture, or kill migratory birds is not permitted, all areas of land and water in Lee County, Florida, not now owned or controlled by the United States within the following-described exterior boundary:

5 U. S. C. § 133t note.
5 U. S. C. § 1003.
39 Stat. 1702.
50 Stat. 1311.
Effective date.

Beginning at low water east of Sanibel Island Light, situated on Point Ybel on the east end of Sanibel Island, Florida, in approximate latitude 26°27′13″ N., longitude 82°00′48″ W.;

Thence Northwesterly with low water along the northeast side of Sanibel Island approximately 5170 yards (2.94 miles) to a point at low water and approximately 704 yards (0.40 mile) southeast of Woodrings Point on Sanibel Island;

Thence Northwesterly, within Pine Island Sound, approximately 1760 yards (1.00 mile) to St. James Light 5, in St. James City Channel, between Sanibel and Pine Islands;

Thence Northwesterly, Southwesterly and then Northwesterly continuing through Pine Island Sound by straight lines connecting in order the following navigation markers: St. James Daybeacon 7 (black); Pine Island Sound Daybeacon 8 (red); Pine Island Sound Light 10; Pine Island Sound Daybeacon 12 (red); Pine Island Sound Daybeacon 14 (red); Pine Island Sound Daybeacon 15 (black); Pine Island Sound Light 16, approximately 11,616 yards (6.60 miles) to Wulfert Daybeacon 1 (black), at the entrance to Wulfert Channel;

Thence Westerly and Southwesterly in Wulfert Channel and between Sanibel and Captiva Islands by straight lines connecting in order the following navigation markers: Wulfert Daybeacon 3 (black); Wulfert Daybeacon 5 (black); Wulfert Daybeacon 7

(black); Horn Passage Daybeacon 2 (red), approximately 3058 yards (1.74 miles) to Horn Passage Daybeacon 3 (black);

Thence Southerly approximately 638 yards (0.36 mile) to the center of the highway bridge connecting Sanibel and Captiva Islands;

Thence Westerly with the center of bridge and the prolongation thereof, across Captiva Island approximately 506 yards (0.29 mile) to low water on the west shore of Captiva Island;

Thence Westerly at right angles to the shore of Captiva Island, 440 yards (0.25 mile) to a point in the Gulf of Mexico;

Thence Southeasterly, Easterly and then Northeasterly, in the Gulf of Mexico, parallel to and 440 yards (0.25 mile) from low water along the south shore of Captiva and Sanibel Islands approximately 24,024 yards (13.65 miles) to a point in the Gulf of Mexico;

Thence Northwesterly 440 yards (0.25 mile) to the place of Beginning.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this tenth day of November 1947.

OSCAR L CHAPMAN
[SEAL] *Acting Secretary of the Interior.*

40 Stat. 755.
16 U. S. C. §§ 703–711.

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

40 Stat. 755.
16 U. S. C. §§ 703–711.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation of the Acting Secretary of the Interior.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 2nd day of December in the year of our Lord nineteen hundred and forty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President,
ROBERT A LOVETT
Acting Secretary of State.

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: FINLAND

December 5, 1947
[No. 2759]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

15 U. S. C. § 92 note.

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the conditions and formalities for the renewal of trade-mark registrations prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), by nationals of coun-

33 Stat. 727.

tries which accord substantially equal treatment in this respect to citizens of the United States of America:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of Finland registered in the United States Patent Office which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that Finland accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States; and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before June 30, 1947, until and including June 30, 1948.

Finland.
Proclamation of extension of time respecting renewal of certain trade-mark registrations.
60 Stat. 568.
15 U. S. C. § 92 note.

33 Stat. 727.
15 U. S. C. § 92.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 5th day of December, in the year of our Lord nineteen hundred and forty-seven and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

EXTENDING THE PERIOD FOR THE ESTABLISHMENT OF ADEQUATE SHIPPING SERVICE FOR, AND DEFERRING EXTENSION OF THE COASTWISE LAWS TO, CANTON ISLAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 9, 1947
[No. 2760]

A PROCLAMATION

WHEREAS section 21 of the Merchant Marine Act, 1920 (41 Stat. 997), provides:

46 U. S. C. § 877.

"That from and after February 1, 1922, the coastwise laws of the United States shall extend to the island Territories and possessions of the United States not now covered thereby, and the board is directed prior to the expiration of such year to have established adequate steamship service at reasonable rates to accommodate the commerce and the passenger travel of said islands and to maintain and operate such service until it can be taken over and operated and maintained upon satisfactory terms by private capital and enterprise: Provided, That if adequate shipping service is not established by February 1, 1922, the President shall extend the period herein allowed for the establishment of such service in the case of any island Territory or possession for such time as may be necessary for the establishment of adequate shipping facilities therefor . . . "; and

WHEREAS an adequate shipping service to accommodate the commerce and the passenger travel of Canton Island has not been established as provided in the aforesaid section; and

WHEREAS the extension of the coastwise laws of the United States to Canton Island, as provided in the aforesaid section, is dependent upon the establishment of such adequate shipping service; and

WHEREAS by various proclamations the period for the establishment of an adequate shipping service for Canton Island was extended to January 1, 1943, and the extension of the coastwise laws of the United States to the Island was deferred to that date; and

55 Stat. 1715.

WHEREAS no extensions have been made beyond that date for the reason that the Secretary of the Treasury waived compliance with the coastwise laws under the authority vested in him by section 501 of the Second War Powers Act, as extended; and

56 Stat. 180.
50 U. S. C. app. § 635.
61 Stat., Pt. 1, pp. 34, 322.
50 U. S. C. app. § 645.
61 Stat., Pt. 1, pp. 34, 322.
41 Stat. 997.
46 U. S. C. § 877.

WHEREAS such authority of the Secretary of the Treasury has, pursuant to section 1 of the act of June 29, 1946, 60 Stat. 345, expired:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 21 of the aforesaid Merchant Marine Act, 1920, do hereby declare and proclaim that the period for the establishment of an adequate shipping service for Canton Island is further extended to January 1, 1953, and that the extension of the coastwise laws of the United States to Canton Island is further deferred to January 1, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of December in the year of our Lord nineteen hundred and forty-seven, and [SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

BILL OF RIGHTS DAY, 1947

December 10, 1947
[No. 2761]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1 Stat. 21.

WHEREAS the first ten amendments to the Constitution of the United States, cherished in our history as the Bill of Rights, became effective on December 15, 1791; and

WHEREAS the anniversary of the adoption of this hallowed declaration of our liberties affords a fitting occasion for rededication to its inspired and lofty principles; and

WHEREAS the Government of the United States has proposed the incorporation of these essential freedoms in a Declaration of Human Rights for all the peoples of the world:

Designation of Dec. 15, 1947, as Bill of Rights Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate December 15, 1947, as Bill of Rights Day; and I call upon the officials of the Government and upon all citizens of the United States to observe that day by displaying the flag of the United States on public and private buildings and on homes, and by meeting together for appropriate ceremonies.

Since to comprehend and value our liberties is the first condition of remaining free, I urge the people of the Nation to reexamine and to reflect upon the provisions of our Constitution which secure our

freedom under law—particularly the guarantees of freedom of religion, speech, the press, and assembly, as well as the pledges of fair trial and of security against unreasonable searches and seizures, and against the deprivation of life, liberty, or property without due process of law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this tenth day of December in the year of our Lord nineteen hundred and forty-seven, [SEAL] and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 16, 1947
[No. 2761A]

A PROCLAMATION

Foreign trade agreements.

WHEREAS (1) section 350 (a) and (b) of the Tariff Act of 1930, as amended by section 1 of the act of June 12, 1934 entitled "AN ACT To amend the Tariff Act of 1930," by the Joint Resolution approved June 7, 1943, and by section 2 of the Act of July 5, 1945, provides as follows:

48 Stat. 943; 59 Stat. 410.
19 U. S. C. § 1351 (a), (b).

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any rate of duty, however established, existing on January 1, 1945 (even though temporarily

suspended by Act of Congress), or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts (including the operations of international cartels) or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part.

"(b) Nothing in this section shall be construed to prevent the application, with respect to rates of duty established under this section pursuant to agreements with countries other than Cuba, of the provisions of the treaty of commercial reciprocity concluded between the United States and the Republic of Cuba on December 11, 1902, or to preclude giving effect to an exclusive agreement with Cuba concluded under this section, modifying the existing preferential customs treatment of any article the growth, produce, or manufacture of Cuba: *Provided*, That the duties on such an article shall in no case be increased or decreased by more than 50 per centum of the duties, however established, existing on January 1, 1945 (even though temporarily suspended by Act of Congress)." (48 Stat. 943 and 944, ch. 474, 57 Stat. 125, ch. 118, 59 Stat. 410 and 411, ch. 269; 19 U. S. C. (1940) 1351 (a), 19 U. S. C. (1940) Supp. V, 1351 (a) (2) and (b).);

WHEREAS (2) the period within which the President is authorized to enter into trade agreements under said section 350 (a) was extended by section 1 of the Act of July 5, 1945 until the expiration of three years from June 12, 1945 (48 Stat. 944, ch. 474, 59 Stat. 410, ch. 269; 19 U. S. C. (1940) Supp. V, 1352 (c).);

52 Stat. 1077.
19 U. S. C. § 1304.

WHEREAS (3) section 304 of the Tariff Act of 1930, as amended by section 3 of the Customs Administrative Act of 1938, provides in part as follows:

"(a) . . . The Secretary of the Treasury may by regulations—

. . . . . .

"(3) Authorize the exception of any article from the requirements of marking if—

. . . . . .

"(J) Such article is of a class or kind with respect to which the Secretary of the Treasury has given notice by publication in the weekly Treasury Decisions within two years after July 1, 1937, that articles of such class or kind were imported in substantial quantities during the five-year period immediately preceding January 1, 1937, and were not required during such period to be marked to indicate their origin: *Provided*, That this subdivision (J) shall not apply after September 1, 1938, to sawed lumber and timbers, telephone, trolley, electric-light, and telegraph poles of wood, and bundles of shingles; but the President is authorized to suspend the effectiveness of this proviso if he finds such action required to carry out any trade agreement entered into under the authority of the Act of June 12, 1934 (U. S. C., 1934 edition, title 19, secs. 1351–1354), as extended." (52 Stat. 1077 and 1078, ch. 679; 19 U. S. C. (1940) 1304 (a) (3) (J).);

WHEREAS (4) I, Harry S. Truman, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America, the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand-Duchy of Luxemburg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, and the United Kingdom of Great Britain and Northern Ireland are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in said section 350 (a) of the Tariff Act of 1930, as amended, will be promoted by a trade agreement between the Government of the United States of America and the Governments of some or all of the above-named countries;

48 Stat. 943.
19 U. S. C. § 1351 (a).

WHEREAS (5) reasonable public notice of the intention to negotiate such trade agreement was given and the views presented by persons interested in the negotiation thereof were received and considered;

General Agreement on Tariffs and Trade.

WHEREAS (6), after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, Commerce, the Army, and the Navy, and from other sources, on October 30, 1947 I entered, through my duly empowered Plenipotentiary, into a trade agreement with the Governments of the above-named countries, which trade agreement, consisting of the General Agreement on Tariffs and Trade including nine annexes and twenty schedules and the related Protocol of Provisional Application of the General Agreement on Tariffs and Trade, together with the Final Act Adopted at the Conclusion of the Second Session of the United Nations Conference on Trade and Employment which authenticated the texts of said general agreement and said protocol, which trade agreement is authentic in the English and French languages as indicated and is embodied in the document annexed to this proclamation;

61 Stat., Pts. 5, 6.

WHEREAS (7) the Governments of the United States of America, the Commonwealth of Australia, Canada, and the Grand-Duchy of Luxemburg, and, in respect of their respective metropolitan territories, the Governments of the Kingdom of Belgium, the French Republic, the Kingdom of the Netherlands, and the United Kingdom of Great Britain and Northern Ireland, having signed said protocol prior to November 15, 1947, will apply provisionally, on and after January 1, 1948, pursuant to paragraph 1 thereof, (a) parts I and III of said general agreement and (b) part II thereof to the fullest extent not inconsistent with existing legislation;

61 Stat., Pt. 5.

WHEREAS (8) I determine, in accordance with the provisions of article XXVII of said general agreement, that the concessions provided for in part I of schedule XX of said general agreement which are identified in the following list should not be applied so long as such concessions are identified in such list:

61 Stat., Pt. 5.

Item (paragraph)	*Rates of duty*
8	1¢ per lb.
15 [second]	50¢ per lb.
15 [third]	17% ad val.
24 [first]	All rates
35	5% ad val.
41 [third]	10% ad val. and 2½¢ per lb.
52	3¢ per gal. [second such rate], identified only as to whale oil.
53	1½¢ per lb.
54 [second]	3¢ per lb.

Item (paragraph)	*Rates of duty*
54 [third]	3¢ per lb.
54 [sixth]	3¢ per lb., but not less than 22½% ad val.
208 (a)	All rates
208 (c)	All rates
208 (d)	22½% ad val.
209 [first]	⅛¢ per lb.
209 [third]	All rates
212 [first]	40¢ per doz., but not less than 40% nor more than 60% ad val.
212 [second]	10¢ per doz. and 45% ad val.
	50¢ per doz., but not less than 45% nor more than 70% ad val.
214	20% ad val. [second such rate]
217	½¢ per lb.
218 (b) [first]	32½% ad val.
218 (c)	All rates
218 (e) [first]	12½% ad val.
	50% ad val.
	37½% ad val.
218 (e) [second]	37½% ad val.
218 (f)	30% ad val.
	50% ad val.
	50¢ on each article or utensil, but not less than 30% nor more than 50% ad val., identified only as to articles or utensils valued at less than $1 each
218 (g)	25% ad val.
230 (d)	40% ad val.
233	25% ad val.
301 [fourth]	All rates
302 (c)	38¢ per lb. on the metallic tungsten contained therein
302 (d)	15/16¢ per lb. on the metallic manganese contained therein
302 (e) [first]	1¢ per lb. on the manganese contained therein and 10% ad val.
302 (e) [second]	15/16¢ per lb. on the manganese contained therein and 10% ad val.
339	32½% ad val.
	2½¢ per lb. and 7½% ad val.
	15% ad val.
348	All rates
350	22½% ad val.
364	25% ad val.
376 [first]	1¢ per lb.
376 [second]	¼¢ per lb.
397	32½% ad val. [first such rate]
	40% ad val.
404 [first]	5% ad val.
404 [second]	7½% ad val.
409 [first]	10% ad val.
409 [second]	30% ad val.
409 [third]	⅝¢ per lb.
412 [second]	40% ad val.
412 [third]	30% ad val.
412 [sixth]	17½% ad val.
	25% ad val.
505 [second]	25% ad val.
506	20% ad val.
601 [second]	15¢ per lb.
710	3½¢ per lb., but not less than 17½% ad val. [second such rate]
712 [second]	5¢ per lb.
713 [first]	5¢ per doz.
713 [second]	7¢ per lb.
713 [third]	17¢ per lb.
717 (c)	⅝¢ per lb.
718 (a) [first]	All rates
718 (a) [second]	All rates
718 (b)	12½% ad val.
719 (1), (2), (3), (4), and (5)	1¢ per lb. net wt.
	15% ad val. [third such rate]

Item (paragraph)	*Rates of duty*
721 (d)	15% ad val.
721 (e)	4¢ per lb., including weight of immediate container
730 [fifth]	3/20¢ per lb.
735	1¢ per lb.
739	1½¢ per lb.
741	17½% ad val.
742	6¼¢ per cu. ft. of such bulk or the capacity of the packages, according as imported
745	¼¢ per lb.
748	17½% ad val.
752 [first]	17½% ad val. [first such rate] 17½% ad val. [second such rate]
752 [second]	All rates
757	All rates
758 [second]	1¾¢ per lb.
760	All rates
761 [first]	All rates
761 [second]	1½¢ per lb.
761 [third]	17½% ad val.
762	¼¢ per lb. 1½¢ per lb. 1¢ per lb.
763	4¢ per lb.
765	2¢ per lb. 1½¢ per lb. [first such rate]
767	¼¢ per lb.
769 [second]	1¢ per lb. on the entire contents of the container
770 [first]	1¾¢ per lb.
770 [second]	¾¢ per lb.
771 [third]	1½¢ per lb.
775 [third]	17½% ad val.
775 [fourth]	17½% ad val.
778	8% ad val.
780 [first]	12¢ per lb.
780 [second]	75¢ per lb.
781	12½% ad val.
804 [third]	62½¢ per gal.
909 [first]	22½¢ per lb., but not less than 20% nor more than 35% ad val.
909 [third]	22½¢ per lb., but not less than 20% nor more than 35% ad val.
911 (a)	22½¢ per lb., but not less than 20% nor more than 35% ad val.
911 (b) [first]	20% ad val.
915	$1.50 per doz. pairs, but not less than 30% nor more than 60% ad val.
917	30% ad val.
1008	All rates
1018	All rates
1019	6/10¢ per sq. yd.
1021 [first]	1½¢ per sq. yd.
1022 [first]	5¢ per sq. yd.
1022 [second]	All rates
1101 (a) [first]	All rates
1101 (a) [second]	All rates
1101 (b)	Free, subject to the provisions of paragraph 1101 (b), Tariff Act of 1930, as amended
1102 (a)	All rates
1102 (b) [second]	All rates
1114 (b) [second]	30¢ per lb. and 17½% ad val. [first such rate] 30¢ per lb. and 17½% ad val. [second such rate]
1116 (a)	15¢ per sq. ft., but not less than 22½% ad val.
1117 (c)	15% ad val. 40% ad val.
1309 [second]	All rates
1413 [fifth]	17½% ad val.
1502 [first]	17½% ad val.
1503 [first]	27½% ad val.
1503 [second]	17½% ad val.
1503 [third]	All rates

46 Stat. 647.
19 U. S. C. § 1001, par. 1101 (b).

Item (paragraph)	*Rates of duty*
1503 [fourth]	37½% ad val.
1503 [fifth]	22½% ad val.
1504 (a)	All rates
1504 (b) (1), (2), (3), and (4)	15% ad val. 25¢ per doz. and 15% ad val.
1506 [first]	12½% ad val.
1507	3¢ per lb.
1510 [first]	¾¢ per line per gross and 12½% ad val.
1510 [third]	22½% ad val.
1513 [first]	45% ad val.
1513 [second]	50% ad val. [first such rate] 35% ad val. [first such rate]
1513 [second]	50% ad val. [second such rate]
1514 [second]	1¢ per lb.
1515	All rates
1518 [first]	10% ad val.
1518 [fourth]	All rates
1519 (a) [second]	All rates
1519 (d)	17½% ad val.
1521	25% ad val.
1523 [first]	5% ad val.
1523 [sixth]	17½% ad val.
1527 (c) (1) and (2)	55% ad val. [first such rate] 65% ad val.
1528 [third]	10% ad val.
1528 [fourth]	30% ad val.
1529 (a) [fourth]	60% ad val. [first such rate] 60% ad val. [second such rate]
1529 (a) [fifth]	60% ad val. [first such rate] 60% ad val. [second such rate]
1529 (a) [fourteenth]	70% ad val.
1529 (b)	All rates
1530 (e) [first]	20% ad val. [first such rate] 10% ad val. [first such rate] 20% ad val. [second such rate]
1530 (e) [second]	20% ad val.
1535 [sixth]	35% ad val.
1536	14% ad val.
1537 (b) [first]	$1.50 per dozen pairs, but not less than 12½% nor more than 25% ad val.
1538 [first]	17½% ad val.
1541 (a) [first]	$2 each, but not less than 20% nor more than 30% ad val. 25% ad val. 20% ad val. [second such rate] 28% ad val.
1541 (a) [third]	25% ad val.
1541 (b) [first]	All rates
1541 (b) [second]	30% ad val.
1544	15% ad val.
1549 (a) [first]	50¢ per gross and 15% ad val.
1549 (a) [third]	50¢ per gross and 15% ad val.
1549 (b)	20% ad val.
1624	Free
1636	Free
1653	Free
1654	Free
1656	Free
1658	Free
1674	Free
1698	Free
1700	Free
1703	Free
1707	Free
1718	Free
1762	Free
1763	Free
1766	Free, identified only as to sodium nitrate, crude or refined
1783 (b)	Free
1794.	Free
(section) 312	Exempt from duty and import tax, subject to the provisions of section 312, Tariff Act of 1930

46 Stat. 692.
19 U. S. C. § 1312.

Item (paragraph)	*Rates of import tax*
2491 (a) [first] . .	1½¢ per lb.
2491 (b) [second] .	3¢ per lb.
2491 (d) [first] . .	0.62¢ per lb.
2491 (d) [second] .	0.69¢ per lb.
2491 (d) [fourth] .	0.59¢ per lb.
3424.	$1.50 per 1000 ft., board measure [first such rate] $3 per 1000 ft., board measure 75¢ per 1000 ft., board measure [first such rate] $1.50 per 1000 ft., board measure [second such rate]
3425 [first]	2¢ per lb. on the copper contained therein
3425 [second]. . .	1½¢ per lb.
3425 [third]. . . .	1½% ad val. or ⅜¢ per lb., whichever is the lower

WHEREAS (9) it is required that the concessions represented by item 720 (a), item 745, item 806 (b), and the first item 1529 (a) of part I of schedule XX of said general agreement be applied as though they were stated as follows: 61 Stat., Pt. 5.

46 Stat. 590. 19 U. S. C. § 1001 *et seq.*

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
720 (a) (1), (2), (3), (4), (5), and (6)	Fish, smoked or kippered (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than fifteen pounds each):	
	Salmon	10% ad val.
	Herring:	
	Whole or beheaded, but not further advanced:	
	Hard dry-smoked	½¢ per lb.
	Other	1¢ per lb.
	Eviscerated, split, skinned, boned (if smoked), or divided into portions	1¼¢ per lb.
	Cod, haddock, hake, pollock, and cusk:	
	Whole, or beheaded or eviscerated or both, but not further advanced (except that the vertebral column may be removed)	1¢ per lb.
	Filleted, skinned, boned, sliced, or divided into portions	1½¢ per lb.
	Other fish	10% ad val.
745	Peaches:	
	Green, ripe, or in brine	½¢ per lb.
	Prepared or preserved, and not specially provided for	20% ad val.
806 (b)	Concentrated juice of citrus fruits, fit for beverage purposes, and sirups containing any of the foregoing, all the foregoing, whether in liquid, powdered, or solid form:	
	Lime juice	20¢ per gal. on the quantity of unconcentrated natural fruit juice contained therein as shown by chemical analysis
	Lemon, orange, and other (except naranjilla (*solanum quitoense lam*)) . .	35¢ per gal. on the quantity of unconcentrated natural fruit juice contained therein as shown by chemical analysis

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
1529 (a) [first]	Lace (except veils and veilings) made on a Levers (including go-through) lace machine, whether or not embroidered, and however provided for in paragraph 1529 (a), Tariff Act of 1930:	
	Made full gauge on a machine of 12 point or finer:	
	Wholly or in chief value of cotton and made with independent beams	40% ad val.
	Wholly or in chief value of silk	40% ad val.
	Other	45% ad val.
	Not made full gauge on a machine of 12 point or finer:	
	Wholly or in chief value of cotton or rayon or other synthetic textile.	75% ad val.
	Wholly or in chief value of silk	65% ad val.
	Other	45% ad val.
	NOTE: [Text as set forth in schedule XX];	

46 Stat. 665. 19 U. S. C. § 1001, par. 1529 (a).

61 Stat., Pt. 5.

WHEREAS (10) I find that such modifications of existing duties and other import restrictions and such continuance of existing customs or excise treatment of articles as are hereinafter proclaimed will be required or appropriate, on and after January 1, 1948, to carry out said trade agreement;

AND WHEREAS (11) I find that the suspension of the effectiveness of the proviso to subdivision (J) of section 304 (a) (3) of the Tariff Act of 1930, as amended, is required, except with respect to bundles of red-cedar shingles, to carry out said trade agreement;

52 Stat. 1078. 19 U. S. C. § 1304 (a) (3) (J).

Proclamation of modifications of existing duties, etc.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, to the end that said trade agreement may be carried out and acting under the authority of the said sections 304 and 350 of the Tariff Act of 1930, as amended, do hereby proclaim, effective on and after January 1, 1948 and subject to the provisions of said protocol and to the exceptions and conditions set forth in subdivisions (a), (b), and (c) below, such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as are specified or provided for in parts I, II, and III, annexes D, H, and I, and part I of, and the general notes in, schedule XX of said general agreement:

52 Stat. 1077; 48 Stat. 943. 19 U. S. C. §§ 1304, 1351.

Effective date.

61 Stat., Pt. 5.

(a) The rates of duty and import tax specified in the column at the right of the respective descriptions of products in part I of schedule XX of the said general agreement shall be applied, subject to the applicable terms, conditions, and qualifications set forth in that schedule and in parts I, II, or III of that agreement, to all articles of the kinds provided for in the said descriptions, except that no such rate shall be applied to a particular article by virtue of this proclamation if, when the article is entered, or withdrawn from warehouse, for consumption,—

Ante, p. 1105.

(I) the rate represents a concession identified in the list set forth in the 8th recital of this proclamation,

61 Stat., Pt. 5.

(II) the rate is specified in item 720 (a), item 745, item 806 (b), or the first item 1529 (a) in part I of schedule XX of said general agreement as set forth in the document annexed to this proclamation, or

(III) more favorable customs treatment is prescribed for the article by a statute, proclamation, or executive order then in effect;

(b) The rates of duty specified in the 9th recital of this proclamation shall be applied respectively to the articles described in the column at the left of such rates as though the said rates, descriptions, and related paragraph numbers appeared in part I of schedule XX of said general agreement; and

Ante, p. 1109.

61 Stat., Pt. 5.

(c) Nothing in this proclamation shall be construed as authorizing the application of any rate of duty or import tax computed on the basis of the provisions of article I of the said general agreement, except such rates as may hereafter be proclaimed pursuant to the provisions of section 350, Tariff Act of 1930, as amended;

61 Stat., Pt. 5.

48 Stat. 943.
19 U. S. C. § 1351.

AND I do further proclaim that, on and after January 1, 1948, the effectiveness of said proviso to subdivision (J) of section 304 (a) (3) of the Tariff Act of 1930, as amended, shall be suspended, except with respect to bundles of red-cedar shingles.

52 Stat. 1078.
19 U. S. C. § 1304 (a) (3) (J).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of December, in the year of our Lord nineteen hundred and forty-seven and [SEAL] of the Independence of the United States of America the one hundred and seventy-second.

HARRY S TRUMAN

By the President:
ROBERT A LOVETT
Acting Secretary of State

TREATIES

NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

TREATIES

Protocol between the United States of America and other powers respecting sanitary maritime navigation, extending the International Sanitary Convention of December 15, 1944, modifying the International Sanitary Convention of June 21, 1926. Open for signature at Washington from April 23 to May 1, 1946; ratification advised by the Senate of the United States of America July 25, 1946; ratified by the President of the United States of America August 6, 1946; ratification deposited by the United States of America August 6, 1946; proclaimed by the President of the United States of America August 6, 1946; effective with respect to the United States of America August 6, 1946.

April 30, 1946
[T. I. A. S. 1551]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Protocol to Prolong the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, was open for signature at Washington from April 23, 1946 to May 1, 1946, and was signed during that period by the Plenipotentiaries of the United States of America (with a reservation "Subject to ratification") and twelve other countries;

59 Stat. 955.
45 Stat. 2492.

WHEREAS the text of the said protocol, being in the English and French languages, is word for word as follows:

PROTOCOL TO PROLONG THE INTERNATIONAL SANITARY CONVENTION, 1944 MODIFYING THE INTERNATIONAL SANITARY CONVENTION OF JUNE 21, 1926

The Governments signatory to the present Protocol,

Considering that, unless prolonged in force by action taken for that purpose by the interested Governments, the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, will expire on July 15, 1946, the expiration of eighteen months from the date on which the said 1944 Convention entered into force; and

Considering that it is desirable that the said 1944 Convention

PROTOCOLE PROROGEANT LA DUREE DE LA CONVENTION SANITAIRE DE 1944 PORTANT MODIFICATION DE LA CONVENTION SANITAIRE DU 21 JUIN 1926

Les Gouvernements signataires du présent Protocole,

Considérant que, si elle n'est pas maintenue en vigueur par des mesures prises à cet effet par les Gouvernements intéressés, la Convention sanitaire internationale de 1944 portant modification de la Convention sanitaire internationale du 21 juin 1926 expirera le 15 juillet 1946, date d'expiration du délai de dix-huit mois à compter du jour où ladite Convention de 1944 est entrée en vigueur; et

59 Stat. 955.
45 Stat. 2492.

Considérant qu'il est désirable de proroger ladite Convention de

shall be prolonged in force after July 15, 1946 between the Governments parties thereto;

Have appointed their respective Plenipotentiaries who, having deposited their full powers, found in good and proper form, have agreed as follows:

ARTICLE I

Continuation in force of designated convention.

59 Stat. 955.

45 Stat. 2492.

Subject to the limitation provided for in Article II of the present Protocol, the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, shall be prolonged in force on and after July 15, 1946, in respect of each of the Governments parties to the present Protocol, until the date on which such Government shall become bound by a further Convention amending or superseding the said 1944 Convention and the said 1926 Convention.

ARTICLE II

Continuation by UNRRA of duties and functions.

International Health Organization.

The United Nations Relief and Rehabilitation Administration (hereinafter referred to as UNRRA) shall continue to perform the duties and functions assigned to it by the said 1944 Convention, as prolonged by the present Protocol, until such time as a new International Health Organization shall be established, at which time such duties and functions shall be transferred to and shall be assumed by such new International Health Organization, provided that if the new International Health Organization has not been formed or, having been formed, is unable to perform the above duties and functions by the date on which UNRRA, owing to the termination of its activities in Europe or for any other reason, ceases to be able to

1944 au delà de la date du 15 juillet 1946 entre les Gouvernements qui y sont parties;

Ont désigné leurs Plenipotentiaires respectifs, qui, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit:

ARTICLE I

Sous réserve des stipulations de l'article II du présent Protocole, la Convention sanitaire internationale de 1944 portant modification de la Convention sanitaire internationale du 21 juin 1926 demeurera en vigueur, à dater du 15 juillet 1946, à l'égard des Gouvernements parties au présent Protocole jusqu'au jour où chacun desdits Gouvernements se trouvera lié par une convention ultérieure modifiant ou remplaçant ladite Convention de 1944 et ladite Convention de 1926.

ARTICLE II

L'Administration des Nations Unies de Secours et de Restauration (dénommée ci-après UNRRA) continuera à assumer les tâches et fonctions qui lui sont assignées par ladite Convention de 1944, telle qu'elle est prorogée par le présent Protocole, jusqu'au jour où une nouvelle Organisation internationale d'Hygiène sera établie, date à laquelle ces tâches et fonctions seront transférées à ladite Organisation internationale d'Hygiène et assumées par elle; toutefois, si la nouvelle Organisation internationale d'Hygiène n'a pas encore été constituée, ou si, après sa constitution, elle se trouve dans l'impossibilité de se charger des tâches et fonctions mentionnées ci-dessus à la date à laquelle UNRRA, parce que ses activités en Europe ont pris fin ou pour

perform them, those duties and functions shall be entrusted to the Office International d'Hygiene Publique and the countries signatory to this Protocol will, in that event, make appropriate financial provisions so as to enable the Office to perform those duties and functions.

toute autre raison, cessera d'être en mesure de s'en charger, ces tâches et fonctions seront confiées à l'Office international d'Hygiène publique et, dans ce cas, les pays signataires du présent Protocole prendront les mesures financières appropriées pour permettre à l'Office de remplir ces tâches et fonctions.

ARTICLE III

The present Protocol shall remain open for signature until May 1, 1946.

ARTICLE III

Le présent Protocole demeurera ouvert à la signature jusqu'au 1er mai 1946.

ARTICLE IV

The present Protocol shall come into force when it has been signed without reservation in regard to ratification, or instruments of ratification have been deposited or notifications of accession have been received on behalf of at least ten governments. The present Protocol shall come into force in respect of each of the other signatory Governments on the date of signature on its behalf, unless such signature is made with a reservation in regard to ratification, in which event the present Protocol shall come into force in respect of such Government on the date of the deposit of its instrument of ratification.

ARTICLE IV

Le présent Protocole entrera en vigueur lorsqu'il aura été signé sans réserve de ratification, ou lorsque des instruments de ratification auront été déposés ou des notifications d'adhésion reçues au nom de dix Gouvernements au moins. Le présent Protocole entrera en vigueur à l'égard de chacun des autres Gouvernements signataires à la date de la signature en son nom, à moins que cette signature ne soit accompagnée d'une réserve de ratification, auquel cas le présent Protocole entrera en vigueur à l'égard de ce Gouvernement à la date du dépôt de son instrument de ratification.

Entry into force.

ARTICLE V

After May 1, 1946, the present Protocol shall be open to accession by any Government which is a party to the 1944 Convention and is not a signatory to the present Protocol. Each accession shall be notified in writing to the Government of the United States of America.

Accessions notified on or before the date on which the present

ARTICLE V

Après le 1er mai 1946, le présent Protocole sera ouvert à l'adhésion de tout Gouvernement partie à la Convention de 1944 qui n'est pas signataire du présent Protocole. Chaque adhésion sera notifiée par écrit au Gouvernement des Etats-Unis d'Amérique.

Les adhésions notifiées avant ou à la date de l'entrée en vigueur du

Accessions.

Protocol enters into force shall be effective as of that date. Accessions notified after the date of the entry into force of the present Protocol shall become effective in respect of each Government upon the date of the receipt of that Government's notification of accession.

Signature; authentic texts; deposit of original.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries sign the present Protocol, on the date indicated opposite their respective signatures, in the English and French languages, both texts being equally authentic, in a single original which shall be deposited in the archives of the Government of the United States of America and of which certified copies shall be furnished by the Government of the United States of America to each of the signatory and acceding Governments and to each of the Governments parties to the said 1944 Convention or the said 1926 Convention.

59 Stat. 955.
45 Stat. 2492.

DONE at Washington this twenty-third day of April, 1946.

présent Protocole deviendront effectives à partir de cette date. Les adhésions notifiées après l'entrée en vigueur du présent Protocole deviendront effectives à l'égard de chaque Gouvernement à partir de la réception de la notification d'adhésion de ce Gouvernement.

EN FOI DE QUOI, les Plénipotentiaires soussignés ont signé les textes anglais et français du présent Protocole, les deux versions faisant également foi, à la date figurant en regard de leurs signatures respectives, en un seul exemplaire qui sera déposé aux archives du Gouvernement des Etats-Unis d'Amérique et dont des copies certifiées conformes seront fournies par le Gouvernement des Etats-Unis d'Amérique à chacun des Gouvernements signataires et adhérents et à chacun des Gouvernements parties à ladite Convention de 1944 et à ladite Convention de 1926.

FAIT à Washington, le vingt-troisième jour d'avril 1946.

FOR NEW ZEALAND:
C. A. BERENDSEN — *April 23, 1946*

FOR BELGIUM:
Sous réserve de ratification.
SILVERCRUYS — *April 24, 1946*

FOR CANADA:
LESTER B PEARSON — *April 25, 1946*

FOR NICARAGUA:
ALBERTO SEVILLA SACASA — *April 26, 1946*

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
HALIFAX. — *April 29, 1946*

FOR THE UNITED STATES OF AMERICA:
Subject to ratification.
DEAN ACHESON — *April 30, 1946*

FOR GREECE:

P. ECONOMOU-GOURAS *April 30, 1946*

FOR CHINA:

WEI TAO-MING *April 30, 1946*

FOR LUXEMBOURG:

HUGUES LE GALLAIS *April 30, 1946*

FOR ECUADOR:

Subject to ratification.

L. N. PONCE *April 30, 1946*

FOR AUSTRALIA:

Subject to the reservations with which Australia acceded to the 1944 Convention to which this Protocol relates. [1]

J B BRIGDEN *April 30, 1946*

FOR HAITI:

DANTES BELLEGARDE *April 30, 1946*

FOR FRANCE:

H BONNET *April 30, 1946*

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[1] [On Apr. 3, 1945, the Australian Government acceded to the International Sanitary Convention, 1944, subject to the following reservations contained in note no. 156/45 dated Mar. 26, 1946, from the Australian Legation:

(a) Under Article No. 24 the Australian Government declares that the Convention does not apply to the Territories of Papua and Norfolk Islands or the Mandated Territories of New Guinea and Nauru.

(b) The Australian Government reserves the right in respect of certificates of inoculation against cholera, typhus, yellow fever and certificates of vaccination against smallpox, to accept only those certificates which are signed by a recognized official of the Public Health Services of the country concerned, and which carry within the text of the certificate an intimation of the office occupied by the person signing the certificate.

(c) The Australian Government reserves full rights under Articles Nos. 7 and 9 of the 1926 Convention, especially with reference to the last paragraph on the re-establishment of the Eastern Bureau or analogous agencies as regional bureau for Asia or the Pacific zone.]

I CERTIFY THAT the foregoing is a true copy of the Protocol to Prolong the International Sanitary Convention, 1944 Modifying the International Sanitary Convention of June 21, 1926, which was open for signature in the English and French languages at Washington, D. C., from April 23, 1946 until May 1, 1946, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, DEAN ACHESON, Acting Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Acting Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this sixth day of May, 1946.

DEAN ACHESON
Acting Secretary of State
By EDRIE C. WAY
Acting Authentication Officer,
Department of State

[SEAL]

WHEREAS the Senate of the United States of America by their Resolution of July 25, 1946 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said protocol;

WHEREAS the said protocol was duly ratified on behalf of the Government of the United States of America on August 6, 1946, and the instrument of ratification on the part of the said Government was deposited on the same day in the archives of the United States of America;

Deposit of instrument of ratification.

WHEREAS it is provided in Article IV of the said protocol that the protocol shall come into force when it has been signed without reservation in regard to ratification, or instruments of ratification have been deposited or notifications of accession have been received on behalf of at least ten Governments;

Ante, p. 1117.

WHEREAS the said protocol was signed on or before April 30, 1946 by the respective Plenipotentiaries of New Zealand, Canada, Nicaragua, the United Kingdom of Great Britain and Northern Ireland, Greece, China, Luxembourg, Australia, Haiti, and France without reservation with respect to ratification;

WHEREAS pursuant to the aforesaid provision of Article IV of the said protocol, the protocol came into force on April 30, 1946 in respect of the aforementioned ten countries on behalf of which the protocol had been signed without any reservation with respect to ratification;

WHEREAS the said protocol was also acceded to by Poland on May 28, 1946, the Dominican Republic on May 29, 1946, Honduras on July 8, 1946, the Union of South Africa on July 12, 1946, and Italy on July 23, 1946;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the Protocol to Prolong the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, on and after August 6, 1946.

59 Stat. 955.
45 Stat. 2492.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year of our Lord one thousand nine hundred forty-six and [SEAL] of the Independence of the United States of America the one hundred seventy-first.

HARRY S TRUMAN

By the President:

DEAN ACHESON
Acting Secretary of State

April 30, 1946
[T. I. A. S. 1552]

Protocol between the United States of America and other powers respecting sanitary aerial navigation, extending the International Sanitary Convention for Aerial Navigation of December 15, 1944, modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933. Open for signature at Washington from April 23, 1946 to May 1, 1946; ratification advised by the Senate of the United States of America July 25, 1946; ratified by the President of the United States of America August 6, 1946; ratification deposited by the United States of America August 6, 1946; proclaimed by the President of the United States of America August 6, 1946; effective with respect to the United States of America August 6, 1946.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

59 Stat. 991.
49 Stat. 3279.

WHEREAS a Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933, was open for signature at Washington from April 23, 1946 to May 1, 1946, and was signed during that period by the Plenipotentiaries of the United States of America (with a reservation "Subject to ratification") and twelve other countries;

WHEREAS the text of the said protocol, being in the English and French languages, is word for word as follows:

PROTOCOL TO PROLONG THE INTERNATIONAL SANITARY CONVENTION FOR AERIAL NAVIGATION, 1944, MODIFYING THE INTERNATIONAL SANITARY CONVENTION FOR AERIAL NAVIGATION OF APRIL 12, 1933

The Governments signatory to the present Protocol,

Considering that, unless prolonged in force by action taken for that purpose by the interested Governments, the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933, will expire on July 15, 1946, the expiration of

59 Stat. 991.
49 Stat. 3279.

PROTOCOLE PROROGEANT LA DUREE DE LA CONVENTION SANITAIRE POUR LA NAVIGATION AERIENNE DE 1944 PORTANT MODIFICATION DE LA CONVENTION SANITAIRE POUR LA NAVIGATION AERIENNE DU 12 AVRIL 1933

Les Gouvernements signataires du présent Protocole,

Considérant que, si elle n'est pas maintenue en vigueur par des mesures prises à cet effet par les Gouvernements intéressés, la Convention sanitaire internationale pour la Navigation aérienne de 1944 portant modification de la Convention sanitaire internationale pour la Navigation aérienne du 12 avril 1933 expirera le 15

eighteen months from the date on which the said 1944 Convention entered into force; and

Considering that it is desirable that the said 1944 Convention shall be prolonged in force after July 15, 1946, between the Governments parties thereto;

Have appointed their respective Plenipotentiaries who, having deposited their full powers, found in good and proper form, have agreed as follows:

juillet 1946, date d'expiration du délai de dix-huit mois à compter du jour où ladite Convention de 1944 est entrée en vigueur; et

Considérant qu'il est désirable de proroger ladite Convention de 1944 au delà de la date du 15 juillet 1946 entre les Gouvernements qui y sont parties;

Ont désigné leurs Plénipotentiaires respectifs, qui, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit:

ARTICLE I

Subject to the limitation provided for in Article II of the present Protocol, the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933, shall be prolonged in force on and after July 15, 1946, in respect of each of the Governments parties to the present Protocol, until the date on which such Government shall become bound by a further Convention amending or superseding the said 1944 Convention and the said 1933 Convention.

ARTICLE I

Sous réserve des stipulations de l'article II du présent Protocole, la Convention sanitaire internationale pour la Navigation aérienne de 1944 portant modification de la Convention sanitaire internationale pour la Navigation aérienne du 12 avril 1933 demeurera en vigueur, à dater du 15 juillet 1946, à l'égard des Gouvernements parties au présent Protocole jusqu'au jour où chacun des dits Gouvernements se trouvera lié par une convention ultérieure modifiant ou remplaçant ladite Convention de 1944 et ladite Convention de 1933.

Continuation in force of designated convention.

59 Stat. 991.

49 Stat. 3279.

ARTICLE II

The United Nations Relief and Rehabilitation Administration (hereinafter referred to as UNRRA) shall continue to perform the duties and functions assigned to it by the said 1944 Convention, as prolonged by the present Protocol, until such time as a new International Health Organization shall be established, at which time such duties and functions shall be transferred to and shall be assumed by such new International Health Organiza-

ARTICLE II

L'Administration des Nations Unies de Secours et de Restauration (dénommée ci-après UNRRA) continuera à assumer les tâches et fonctions qui lui sont assignées par ladite Convention de 1944, telle qu'elle est prorogée par le présent Protocole, jusqu'au jour où une nouvelle Organisation internationale d'Hygiène sera établie, date à laquelle ces tâches et fonctions seront transférées à ladite Organisation internationale d'Hygiène et assumées par elle; toutefois, si la

Continuation by UNRRA of duties and functions.

International Health Organization.

tion, provided that if the new International Health Organization has not been formed or, having been formed, is unable to perform the above duties and functions by the date on which UNRRA, owing to the termination of its activities in Europe or for any other reason, ceases to be able to perform them, those duties and functions shall be entrusted to the Office International d'Hygiene Publique and the countries signatory to this Protocol will, in that event, make appropriate financial provisions so as to enable the Office to perform those duties and functions.

nouvelle Organisation internationale d'Hygiène n'a pas encore été constituée, ou si, après sa constitution, elle se trouve dans l'impossibilité de se charger des tâches et fonctions mentionnées ci-dessus à la date à laquelle UNRRA, parce que ses activités en Europe ont pris fin ou pour toute autre raison, cessera d'être en mesure de s'en charger, ces tâches et fonctions seront confiées à l'Office international d'Hygiène publique et, dans ce cas, les pays signataires du présent Protocole prendront les mesures financières appropriées pour permettre à l'Office de remplir ces tâches et fonctions.

ARTICLE III

The present Protocol shall remain open for signature until May 1, 1946.

ARTICLE III

Le présent Protocole demeurera ouvert à la signature jusqu'au 1er mai 1946.

ARTICLE IV

Entry into force.

The present Protocol shall come into force when it has been signed without reservation in regard to ratification, or instruments of ratification have been deposited or notifications of accession have been received on behalf of at least ten Governments. The present Protocol shall come into force in respect of each of the other signatory Governments on the date of signature on its behalf, unless such signature is made with a reservation in regard to ratification, in which event the present Protocol shall come into force in respect of such Government on the date of the deposit of its instrument of ratification.

ARTICLE IV

Le présent Protocole entrera en vigueur lorsqu'il aura été signé sans réserve de ratification, ou lorsque des instruments de ratification auront été déposés ou des notifications d'adhésion reçues au nom de dix Gouvernements au moins. Le présent Protocole entrera en vigueur à l'égard de chacun des autres Gouvernements signataires à la date de la signature en son nom, à moins que cette signature ne soit accompagnée d'une réserve de ratification, auquel cas le présent Protocole entrera en vigueur à l'égard de ce Gouvernement à la date du dépôt de son instrument de ratification.

ARTICLE V

Accessions.

After May 1, 1946 the present Protocol shall be open to accession by any Government which is a party to the 1944 Convention and

ARTICLE V

Après le 1er mai 1946, le présent Protocole sera ouvert à l'adhésion de tout Gouvernement partie à la Convention de 1944 qui n'est pas

is not a signatory to the present Protocol. Each accession shall be notified in writing to the Government of the United States of America.

Accessions notified on or before the date on which the present Protocol enters into force shall be effective as of that date. Accessions notified after the date of the entry into force of the present Protocol shall become effective in respect of each Government upon the date of the receipt of that Government's notification of accession.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries sign the present Protocol, on the date indicated opposite their respective signatures, in the English and French languages, both texts being equally authentic, in a single original which shall be deposited in the archives of the Government of the United States of America and of which certified copies shall be furnished by the Government of the United States of America to each of the signatory and acceding Governments and to each of the Governments parties to the said 1944 Convention or the said 1933 Convention.

DONE at Washington this twenty-third day of April, 1946.

signataire du présent Protocole. Chaque adhésion sera notifiée par écrit au Gouvernement des Etats-Unis d'Amérique.

Les adhésions notifiées avant ou à la date de l'entrée en vigueur du présent Protocole deviendront effectives à partir de cette date. Les adhésions notifiées après l'entrée en vigueur du présent Protocole deviendront effectives à l'égard de chaque Gouvernement à partir de la réception de la notification d'adhésion de ce Gouvernement.

EN FOI DE QUOI, les Plénipotentiaires soussignés ont signé les textes anglais et français du présent Protocole, les deux versions faisant également foi, à la date figurant en regard de leurs signatures respectives, en un seul exemplaire qui sera déposé aux archives du Gouvernement des Etats-Unis d'Amérique et dont des copies certifiées conformes seront fournies par le Gouvernement des Etats-Unis d'Amérique à chacun des Gouvernements signataires et adhérents et à chacun des Gouvernements parties à ladite Convention de 1944 et à ladite Convention de 1933.

FAIT à Washington, le vingt-troisième jour d'avril 1946.

Signature; authentic texts; deposit of original.

59 Stat. 991.

49 Stat. 3279.

FOR NEW ZEALAND:

C. A. BERENDSEN — *April 23, 1946*

FOR BELGIUM:

Sous réserve de ratification.

SILVERCRUYS — *April 24, 1946*

FOR CANADA:

LESTER B PEARSON — *April 25, 1946*

FOR NICARAGUA:

ALBERTO SEVILLA SACASA — *April 26, 1946*

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

HALIFAX. *April 29, 1946*

FOR THE UNITED STATES OF AMERICA:

Subject to ratification.

DEAN ACHESON *April 30, 1946*

FOR GREECE:

P. ECONOMOU-GOURAS *April 30, 1946*

FOR CHINA:

WEI TAO-MING *April 30, 1946*

FOR LUXEMBOURG:

HUGUES LE GALLAIS *April 30, 1946*

FOR ECUADOR:

Subject to ratification.

L. N. PONCE *April 30, 1946*

FOR AUSTRALIA:

Subject to the reservations with which Australia acceded to the 1944 Convention to which this Protocol relates. [1]

J B BRIGDEN *April 30, 1946*

FOR HAITI:

DANTES BELLEGARDE *April 30, 1946*

FOR FRANCE:

H BONNET *April 30, 1946*

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[1] [On April 3, 1945, the Australian Government acceded to the International Sanitary Convention for Aerial Navigation of 1944, subject to the following reservations contained in note No. 156/45 dated March 26, 1946, from the Australian Legation:

(a) Pursuant to Article No. 21, the Government declares that the Convention does not apply to the Territories of Papua and Norfolk Islands or the Mandated Territories of New Guinea and Nauru.

(b) The Australian Government reserves the right in respect of certificates of inoculation against cholera, typhus, yellow fever and certificates of vaccination against smallpox, to accept only those certificates which are signed by a recognized official of the Public Health Services of the country concerned, and which carry within the text of the certificate an intimation of the office occupied by the person signing the certificate.

(c) The Australian Government, for temporary reasons of a practical nature, is not in a position to accept the full obligations arising out of Section 1, Part 1 of the 1933 Convention in relation to aerodromes within its territory which are within operational areas or under the control of the Air Forces of the Commonwealth or any Allied power.

(d) Notwithstanding Article No. 35 or other provisions of the 1933 or the present Convention, the Australian Government reserves the right to require that every member of the crew and every passenger on every aircraft arriving from overseas shall, on arrival at the first landing place in Australia, produce to the quarantine officer there a certificate of recent vaccination against smallpox as defined in the Convention, or a certificate that he has given proof that he is adequately immune to smallpox, failing both of which certificates he shall submit to be vaccinated against smallpox.

(e) The Australian Government reserves the right to prohibit the importation into Australia on any aircraft of any animal other than approved insects and parasites.]

I CERTIFY THAT the foregoing is a true copy of the Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933, which was open for signature in the English and French languages at Washington, D. C., from April 23, 1946 until May 1, 1946, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, DEAN ACHESON, Acting Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Acting Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this sixth day of May, 1946.

DEAN ACHESON
Acting Secretary of State

By EDRIE C. WAY
Acting Authentication Officer,
Department of State

[SEAL]

WHEREAS the Senate of the United States of America by their Resolution of July 25, 1946 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said protocol;

Deposit of instrument of ratification.

WHEREAS the said protocol was duly ratified on behalf of the Government of the United States of America on August 6, 1946, and the instrument of ratification on the part of the said Government was deposited on the same day in the archives of the United States of America;

Ante, p. 1124.

WHEREAS it is provided in Article IV of the said protocol that the protocol shall come into force when it has been signed without reservation in regard to ratification, or instruments of ratification have been deposited or notifications of accession have been received on behalf of at least ten Governments;

WHEREAS the said protocol was signed on or before April 30, 1946 by the respective Plenipotentiaries of New Zealand, Canada, Nicaragua, the United Kingdom of Great Britain and Northern Ireland, Greece, China, Luxembourg, Australia, Haiti, and France without reservation with respect to ratification;

WHEREAS pursuant to the aforesaid provision of Article IV of the said protocol, the protocol came into force on April 30, 1946 in respect of the aforementioned ten countries on behalf of which the protocol had been signed without any reservation with respect to ratification;

WHEREAS the said protocol was also acceded to by Poland on May 28, 1946, the Dominican Republic on May 29, 1946, Honduras on July 8, 1946, the Union of South Africa on July 12, 1946, and Italy on July 23, 1946;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933, to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, on and after August 6, 1946.

59 Stat. 991.

49 Stat. 3279.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year of our Lord one thousand nine hundred forty-six and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Convention between the United States of America and other American republics respecting inter-American automotive traffic. Opened for signature at Washington December 15, 1943; ratification advised by the Senate of the United States of America July 25, 1946; ratified by the President of the United States of America August 8, 1946; ratification deposited by the United States of America with the Pan American Union at Washington October 29, 1946; proclaimed by the President of the United States of America November 1, 1946; effective with respect to the United States of America October 29, 1946.

December 31, 1943
[T. I. A. S. 1567]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention on the regulation of inter-American automotive traffic was opened for signature at Washington on December 15, 1943, and was signed on or after that date by the Plenipotentiaries of the United States of America and fourteen other American republics;

WHEREAS the text of the said convention, being in the Spanish, English, Portuguese, and French languages, as certified by the Pan American Union, is word for word as follows:

CONVENCION SOBRE LA REGLAMENTACION DEL TRAFICO AUTOMOTOR INTERAMERICANO

- - - - -

CONVENTION ON THE REGULATION OF INTER-AMERICAN AUTOMOTIVE TRAFFIC

- - - - -

CONVENÇÃO SÔBRE A REGULAMENTAÇÃO DO TRAFEGO INTERAMERICANO DE VEÍCULOS AUTOMOTORES

- - - - -

CONVENTION SUR LA REGLEMENTATION DE LA CIRCULATION AUTOMOBILE INTERAMERICAINE

CONVENCION SOBRE LA REGLAMENTACION DEL TRAFICO AUTOMOTOR INTERAMERICANO

Los Gobiernos de las Repúblicas Americanas, deseosos de establecer entre sí reglas uniformes para el control y la reglamentación del tráfico automotor internacional en sus carreteras, y para facilitar el movimiento de vehículos entre dichos Estados,

Han decidido celebrar una Convención con tales propósitos, habiendo convenido en los siguientes artículos:

ARTICULO I

Jurisdiction of State.

Se reconoce que cada Estado tiene jurisdicción exclusiva sobre el uso de sus carreteras, pero conviene en el uso internacional de las mismas tal como se especifica en la presente Convención.

ARTICULO II

"Motor vehicle."

De acuerdo con la presente Convención, se entenderá por vehículo automotor todo vehículo impulsado por sí mismo que circule en la vía pública sin necesidad de rieles, y que se use para el transporte de personas o mercaderías.

"Highway."

Por carreteras se entenderá cualquier vía pública conservada y abierta al público para el tránsito de vehículos.

"Operator."

Por conductor se entenderá cualquier persona que guíe o tenga efectivamente el control físico de un vehículo automotor en una carretera.

ARTICULO III

El conductor de un vehículo automotor que circule en cual-

CONVENTION ON THE REGULATION OF INTER-AMERICAN AUTOMOTIVE TRAFFIC

The Governments of the American Republics, desirous of establishing uniform rules among themselves to control and regulate international automotive traffic on their highways, and to facilitate the movement of motor vehicles among such States,

Have decided to conclude the present Convention in order to effectuate the foregoing purposes, and have agreed upon the following articles:

ARTICLE I

It is recognized that each State has exclusive jurisdiction over the use of its own highways, but agrees to their international use as specified in this Convention.

ARTICLE II

Under the terms of the present Convention, a motor vehicle shall be defined as any self-propelled vehicle circulating upon a public highway without the need of rails and used for the transport of persons or merchandise.

A highway shall be defined as any public way maintained for and open to the use of the public for purposes of vehicular travel.

An operator shall be defined as any person who drives or is in actual physical control of a motor vehicle upon a highway.

ARTICLE III

The operator of a motor vehicle circulating in any State which is a

CONVENÇÃO SÔBRE A REGULAMENTAÇÃO DO TRÁFEGO INTER-AMERICANO DE VEÍCULOS AUTOMOTORES

Os Governos das Repúblicas Americanas, desejosos de estabelecer entre si regras uniformes para a fiscalização e regulamentação do tráfego internacional de veículos automotores em suas estradas, e para facilitar o movimento de veículos entre ditos Estados,

Resolveram celebrar uma Convenção para êste fim, e acordaram os seguintes artigos:

ARTIGO I

É reconhecido que cada país tem exclusiva jurisdição sôbre o uso de suas próprias rodovias, mas se acorda no uso internacional das mesmas pela forma estabelecida nesta Convenção.

ARTIGO II

De acôrdo com a presente Convenção, entender-se-á por veículo automotor todo o veículo de autopropulsão que trafegue na via pública sem necessitar de trilhos, e que se use no transporte de passageiros e carga.

Entender-se-á por rodovia ou estrada, qualquer via pública conservada e aberta ao trânsito público de veículos.

Por condutor, entender-se-á qualquer pessoa que maneje ou que se ache efetivamente na direção de um veículo automotor numa rodovia.

ARTIGO III

O condutor de um veículo automotor que trafegue em qualquer

CONVENTION SUR LA REGLEMENTATION DE LA CIRCULATION AUTOMOBILE

Les Gouvernements des Républiques américaines, désireux d'établir entre eux des règles uniformes pour le contrôle et la règlementation de la circulation automobile sur leurs routes, et de faciliter le mouvement des véhicules automobiles entre les Etats,

Ont décidé, pour accomplir les buts sus-indiqués, de conclure la présente Convention, et ont convenu à cet effet des dispositions suivantes:

ARTICLE I

Il est reconnu que chaque Etat a la jurisdiction exclusive de l'emploi de ses routes mais qu'il consent à leur utilisation internationale dans les conditions stipulées par la présente Convention.

ARTICLE II

Au sens des prescriptions de la présente Convention, le terme "véhicule automobile" signifie tout véhicule à propulsion méchanique circulant sur une route publique sans être lié à une voie ferrée et servant au transport des personnes et des marchandises.

Le terme "route" signifie toute voie publique maintenue en vue de son utilisation publique et ouverte à cette utilisation pour la circulation des véhicules.

Le terme "conducteur" signifie toute personne qui conduit un véhicule automobile sur une voie publique, ou qui est en possession du véhicule.

ARTICLE III

Le conducteur d'un véhicule automobile qui circule dans un

quier Estado parte en esta Convención, está sujeto a las leyes y reglamentos de tráfico vigentes en dicho Estado o subdivisión política del mismo.

Copia de dichas leyes o reglamentos podrá ser suministrada al conductor, al entrar en cada Estado, ya por las autoridades aduaneras que tramitan la entrada del vehículo, o por cualquier agencia autorizada.

ARTICULO IV

Customs and other regulatory measures.

Los Estados Contratantes no permitirán que se pongan en vigor medidas aduaneras que interpongan obstáculo al tránsito internacional.

Se considerará en apoyo de esta Convención, y se fomentará, toda simplificación de los reglamentos aduaneros y demás medidas regulatorias que han sido o sean puestas en vigor por cualquiera de los Estados limítrofes, partes en esta Convención, para facilitar el tráfico internacional de vehículos automotores.

ARTICULO V

Registration of vehicles.

Antes de ser admitido al tráfico internacional, todo vehículo deberá ser inscrito por el Estado de origen en la forma que prescriban sus leyes, o por cualquier subdivisión del mismo que tenga autoridad legítima para hacerlo.

ARTICULO VI

Driving license.

Antes de ser admitido al tráfico internacional, todo conductor de vehículo automotor deberá tener el permiso para conducir que requieran las leyes de su Estado o que sea expedido por cualquiera de las subdivisiones políticas del mismo autorizadas para ello. En caso de no ser necesario tal per-

party to this Convention is subject to the traffic laws and regulations in force in that State or subdivision thereof.

A copy of such laws and regulations may be handed to the operator at the time of entering each State, by the customs authorities who are clearing the vehicle for entry, or by any authorized agency.

ARTICLE IV

The Contracting States shall not allow customs measures to be put into effect which will hinder international travel.

Simplified customs and other regulatory measures which have been or may be put into effect by any contiguous States parties to this Convention, for the facilitation of international automotive traffic, shall be considered to be in furtherance of this Convention and shall be encouraged.

ARTICLE V

Before admission to international traffic, every vehicle shall be registered by the State of origin in the manner prescribed by its laws, or by any subdivision thereof having legal authority to register vehicles.

ARTICLE VI

Every motor vehicle operator before admission to international traffic shall have such driving license as may be required by the laws of his State or such as may be issued by any political subdivision thereof having legal authority to issue driving licenses. In the event that no such driving license

Estado parte nesta Convenção, está sujeito às leis e regulamentos de tráfego em vigor no referido Estado ou subdivisão política do mesmo.

Um exemplar da dita lei ou regulamento poderá ser entregue ao condutor por ocasião de entrar em cada país, pela Alfândega que dá entrada ao veículo, ou por qualquer agência autorizada.

Etat partie à la présente Convention est tenu de se conformer aux lois et règlements en vigueur dans cet Etat ou dans l'une de ses subdivisions pour ce qui touche à la circulation.

Un exemplaire de ces lois et règlements pourra être remis au conducteur à l'entrée dans cet Etat, soit par les autorités douanières qui autorisent l'entrée du véhicule soit par un organisme habilité par celles-ci.

ARTIGO IV

Os Estados Contratantes não consentirão que sejam postas em vigor medidas aduaneiras que sirvam de estôrvo ao trânsito internacional.

Serão consideradas como um apôio a esta Convenção e serão estimuladas toda a simplificação de regulamentos aduaneiros e outras medidas regulatórias que tenham sido ou sejam postas em vigor por quaisquer dos Estados limítrofes partes nesta Convenção, visando facilitar o tráfego internacional de veículos automotores.

ARTICLE IV

Les Etats contractants n'autoriseront pas la mise en vigueur de mesures douanières susceptibles d'entraver le développement de la circulation routière internationale.

Les mesures douanières et autres réglementations simplifiées qui ont été mises en vigueur ou qui pourront l'être à l'avenir entre tous Etats limitrophes, parties à la présente Convention, en vue de faciliter la circulation automobile internationale, seront considerées comme favorisant la présente Convention et seront encouragées.

ARTIGO V

Qualquer veículo, antes de ser admitido ao tráfego internacional, deverá ser registrado pelo Estado de origem na forma prescrita pelas suas leis ou por qualquer subdivisão do mesmo com os necessários poderes para efetuar o registro.

ARTICLE V

Avant d'être admis à la circulation internationale, tout véhicule doit être immatriculé dans l'Etat d'origine en conformité à ses lois, ou par toute subdivision de cet Etat ayant la compétence nécessaire pour l'immatriculation des véhicules.

ARTIGO VI

Todo condutor de veículo automotor, antes de ser admitido ao tráfego internacional, deverá ter a necessária carteira de *chauffeur* exigida pelas leis de seu Estado, ou que tenha sido expedida por qualquer de suas subdivisões políticas para isto autorizadas. No caso em que uma carteira desta

ARTICLE VI

Tout conducteur d'un véhicule automobile, avant d'être admis à la circulation internationale, doit avoir le permis de conduire exigé par les lois de son Etat, ou le permis delivré par toute subdivision politique de cet Etat ayant la compétence necessaire pour la délivrance des permis de conduire.

miso en su Estado, o en las subdivisiones políticas del mismo, será válido un permiso internacional especial para conducir como el que se especifica en el Artículo XIII. Ningún conductor menor de 18 años de edad será admitido al tránsito internacional.

Post, p. 1144.

is required by his State or any political subdivision thereof, a special international driving license such as is specified in Article XIII shall be valid. No operator shall be admitted to international travel who is less than 18 years of age.

Evidence of compliance.

ARTICULO VII

Prueba de haber cumplido con las disposiciones de esta Convención dará a los vehículos automotores y a los conductores de los mismos el derecho de circular por las carreteras de cualquiera de los Estados Contratantes.

ARTICLE VII

Evidence of compliance with the conditions of this Convention shall entitle motor vehicles and motor vehicle operators to circulate on the highways of any of the Contracting States.

Central bureaus of registration.

ARTICULO VIII

Cada Estado o subdivisión política del mismo mantendrá oficinas centrales de registro con facilidades para el intercambio de informaciones, con otros países, sobre la inscripción de vehículos y conductores.

ARTICLE VIII

Each State or its political subdivisions shall maintain central bureaus of registration with facilities for the exchange of information with other States as to registration of vehicles and operators.

International registration marker.

ARTICULO IX

Además de la placa o placas de registro del Estado de origen o de las subdivisiones políticas del mismo, cada vehículo deberá llevar un distintivo de registro internacional que indique el país de origen. Este distintivo consistirá de una placa ovalada no menor de 8 centímetros (3 pulgadas) de ancho por 26 centímetros (10 pulgadas) de largo, con letras latinas mayúsculas negras sobre fondo blanco.

ARTICLE IX

In addition to the registration plate or plates of the State of origin or of its legally empowered political subdivisions each vehicle shall display an international registration marker indicating the country of origin. This marker shall be in the form of an oval plate not less than 3 inches (8 cm.) wide by 10 inches (26 cm.) long bearing capital Latin letters painted black on a white background.

natureza não seja exigida em seu Estado ou em qualquer de suas subdivisões políticas, terá valor a carteira de *chauffeur* especial, internacional, de que trata o artigo XIII. Nenhum condutor menor de 18 anos será admitido ao trânsito internacional.

Si un tel permis n'est exigé ni par cet Etat ni par une de ses subdivisions politiques, un permis international spécial de conduire, conforme aux prescriptions de l'Article XIII de la présente Convention, sera reconnu comme valable. Aucun conducteur ne sera admis à la circulation internationale s'il n'a pas atteint l'age de dix-huit ans.

Artigo VII

Provada a aceitação das condições estipuladas nesta Convenção, tanto os veículos automotores quanto seus respectivos condutores, terão o direito de trafegar nas rodovias de qualquer dos Estados Contratantes.

Article VII

Preuve de se conformer aux dispositions de la présente Convention donnera le droit aux véhicules automobiles et aux conducteurs des mêmes de circuler dans les routes des Etats contractants.

Artigo VIII

Cada Estado ou subdivisões política do mesmo, deverá manter escritórios centrais de registro com facilidades para a permuta de informações com outros países, sôbre o registro de veículos e condutores.

Article VIII

Chaque Etat, ou ses subdivisions politiques, maintiendront des bureaux centraux d'immatriculation ayant les facilités nécessaires pour é hanger avec d'autres Etats les renseignements concernant l'immatriculation des véhicules et des conducteurs.

Artigo IX

Além da chapa ou chapas de registro do Estado de origem ou das subdivisões políticas do mesmo, cada veículo deverá trazer um distintivo de registro internacional que indique o país de origem. Este distintivo deverá consistir de uma placa oval de dimensões não inferiores a 8 centímetros (3 pol.) de largura por 26 centímetros (10 pol.) de comprimento, em letras maiúsculas latinas, de côr preta sôbre fundo branco.

Article IX

En plus de la plaque ou des plaques d'immatriculation de l'Etat d'origine ou des subdivisions politiques légalement autorisées dans cet Etat, chaque véhicule devra porter en évidence un signe distinctif international d'immatriculation indiquant le pays d'origine. Ce signe tiendra la forme d'une plaque ovale d'au moins 8 centimètres (3 pouces) de largeur sur 26 centimètres (10 pouces) de hauteur, portant des caractères latins peints en noir sur un fond blanc.

Las letras o nombres distintivos correspondientes a los diversos países serán como sigue:

Argentina	ARGENTINA
Bolivia	BOLIVIA
Brasil	BRASIL
Colombia	COLOMBIA
Costa Rica	COSTA RICA
Cuba	CUBA
Chile	CHILE
Ecuador	ECUADOR
El Salvador	SALVADOR
Estados Unidos de América	U. S. A.
Guatemala	GUATEMALA
Haití	HAITI
Honduras	HONDURAS
México	MEXICO
Nicaragua	NICARAGUA
Panamá	PANAMA
Paraguay	PARAGUAY
Perú	PERU
República Dominicana	REP. DOM.
Uruguay	URUGUAY
Venezuela	VENEZUELA

Issuance of plate.

Esta placa distintiva será expedida por el Estado, o por sus representantes autorizados.

Toda placa de registro deberá estar claramente visible.

Todo vehículo automotor que lleve el distintivo internacional de registro previsto en la Convención Internacional para la Circulación de Automóviles, suscrita en 1909 y modificada en 1926, se considerará que ha cumplido con las condiciones anteriores respecto a distintivos internacionales de registro.

Name, etc., of manufacturer of vehicle.

Para ser admitido al tráfico internacional, cada vehículo deberá llevar, en lugar de fácil acceso, el nombre del fabricante del vehículo, el número de fábrica del chasis y el número de fábrica del motor.

The distinctive names or letters indicating the several countries shall be the following:

Argentina	ARGENTINA
Bolivia	BOLIVIA
Brazil	BRASIL
Chile	CHILE
Colombia	COLOMBIA
Costa Rica	COSTA RICA
Cuba	CUBA
Dominican Republic	REP. DOM.
Ecuador	ECUADOR
El Salvador	SALVADOR
Guatemala	GUATEMALA
Haiti	HAITI
Honduras	HONDURAS
Mexico	MEXICO
Nicaragua	NICARAGUA
Panama	PANAMA
Paraguay	PARAGUAY
Peru	PERU
United States of America	U. S. A.
Uruguay	URUGUAY
Venezuela	VENEZUELA

This distinctive plate shall be issued by the State or its authorized representatives.

All registration plates shall be plainly visible.

Motor vehicles bearing the international registration markers provided for by the International Convention for the Circulation of Automobiles, 1909, as amended in 1926, shall be recognized as having complied with the foregoing conditions concerning international registration markers.

For admission to international travel, each motor vehicle shall bear in a readily accessible location the name of the manufacturer of the vehicle, the manufacturer's number of the chassis, and the manufacturer's number of the engine.

As letras ou nomes distintivos correspondentes aos diversos países serão como segue:

Argentina	ARGENTINA
Bolívia	BOLIVIA
Brasil	BRASIL
Chile	CHILE
Colômbia	COLOMBIA
Costa Rica	COSTA RICA
Cuba	CUBA
Equador	ECUADOR
El Salvador	SALVADOR
Estados Unidos da América	U. S. A.
Guatemala	GUATEMALA
Haití	HAITI
Honduras	HONDURAS
México	MEXICO
Nicarágua	NICARAGUA
Panamá	PANAMA
Paraguai	PARAGUAY
Perú	PERU
República Dominicana	REP. DOM.
Uruguai	URUGUAY
Venezuela	VENEZUELA

Esta placa distintiva será fornecida pelo Estado ou por seus representantes autorizados.

Toda a placa de registro deverá estar claramente visível.

Todo o veículo automotor que usar o distintivo de registro internacional estipulado pela Convenção Internacional para a Circulação de Automóveis, firmada em 1909 e modificada em 1926, será considerado como tendo cumprido as condições antes mencionadas a respeito de marcas de registro internacional.

Para ser admitido ao tráfego internacional, cada veículo deverá trazer, em lugar de fácil acesso, o nome de seu respectivo fabricante, número de série do chassis e número de série do motor.

Les noms ou lettres distinctifs attribués aux différents pays sont les suivants:

Argentine	ARGENTINA
Bolivie	BOLIVIA
Brésil	BRASIL
Chili	CHILE
Colombie	COLOMBIA
Costa Rica	COSTA RICA
Cuba	CUBA
El Salvador	SALVADOR
Equateur	ECUADOR
Etats Unis d'Amérique	U. S. A.
Guatemala	GUATEMALA
Haïti	HAITI
Honduras	HONDURAS
Mexique	MEXICO
Nicaragua	NICARAGUA
Panama	PANAMA
Paraguay	PARAGUAY
Pérou	PERU
République Dominicaine	REP. DOM.
Uruguay	URUGUAY
Vénézuela	VENEZUELA

Cette plaque distinctive sera fournie par l'Etat ou par ses représentants autorisés.

Toutes les plaques d'immatriculation doivent être clairement visibles.

Les véhicules automobiles portant les signes d'immatriculation prévus dans la Convention Internationale de 1909 relative à la Circulation des Automobiles, telle qu'elle a été modifiée en 1926, sont considérés comme satisfaisant aux conditions stipulées ci-dessus relatives aux signes internationaux d'immatriculation.

Pour être admis à la circulation internationale, tout véhicule automobile doit porter, dans un endroit pratiquement accessible, le nom du constructeur du véhicule, le numéro de fabrication du châssis et le numéro de fabrication du moteur.

Size and loads of vehicles.

ARTICULO X

Siempre que no se haya dispuesto de otra manera en las leyes o reglamentaciones de los respectivos Estados o de sus subdivisiones políticas, el tamaño de los vehículos y de las cargas tendrán las siguientes limitaciones:

1. Ningún vehículo excederá una anchura exterior total de 2 metros y 44 centímetros (8 pies), inclusive la carga que lleve.

2. Ningún vehículo con o sin carga deberá exceder una altura máxima de 3 metros y 80 centímetros (12 pies, 6 pulgadas).

3. Ningún vehículo excederá una longitud total de 10 metros y 70 centímetros (35 pies) y ningún tren o combinación de vehículos enganchados deberá exceder una longitud total de 13 metros y 75 centímetros (45 pies).

4. Ningún vehículo deberá llevar una carga que se extienda más de 91 centímetros (3 pies) fuera del frente del mismo.

5. Ningún vehículo de pasajeros deberá llevar una carga que se extienda fuera de la línea exterior de los guardabarros del lado izquierdo, ni que se extienda más de 15.2 centímetros (6 pulgadas) fuera de la línea exterior de los guardabarros del lado derecho; disponiéndose, sin embargo, que, en los Estados donde sea obligatorio conservar la izquierda, regirán a la inversa las disposiciones de este párrafo relativas al lado donde deben llevarse las cargas.

Special permits for vehicles.

6. Las autoridades competentes de los Estados podrán expedir permisos especiales para vehículos o combinaciones de vehículos que excedan los límites que acaban de estipularse.

ARTICLE X

Unless otherwise provided by the laws or regulations of the respective States or subdivisions thereof, the size of vehicles and loads shall be limited to the following:

1. No vehicle shall exceed a total outside width, including any load thereon, of 8 feet (2.44 meters).

2. No vehicle with or without load shall exceed a maximum height of 12 feet, 6 inches (3.80 meters).

3. No vehicle shall exceed an over-all length of 35 feet (10.70 meters) and no combination of vehicles coupled together shall exceed a total length of 45 feet (13.75 meters).

4. No vehicle shall carry any load extending more than 3 feet (91 centimeters) beyond the front thereof.

5. No passenger vehicle shall carry any load extending beyond the line of the fenders on the left side nor extending more than 6 inches (15.2 centimeters) beyond the line of fenders on the right side thereof; provided however that in States in which the left hand drive is compulsory the provisions of this paragraph referring to the side of loads shall be reversed.

6. Special permits for vehicles or combinations of vehicles exceeding these limits may be issued by the competent authorities of the States.

ARTIGO X

As dimensões do veículo e o tamanho das cargas, a menos que não sejam estipulados pelas leis ou regulamentos dos respectivos Estados ou de suas subdivisões políticas, estarão sujeitos aos seguintes limites:

1. Nenhum veículo nas suas dimensões externas deverá exceder de 2m.44cm. (8 pés) de largura, inclusive a carga que conduza.

2. Nenhum veículo com ou sem carga deverá exceder uma altura máxima de 3m.80cm. (12 pés. 6 pol.)

3. Nenhum veículo deverá ter de comprimento mais de 10m.-70cm. (35 pés), e nenhuma combinação de veículos engatados deverá exceder o comprimento total de 13m.75cm. (45 pés).

4. Nenhum veículo deverá transportar carga que ultrapasse de 91 centímetros (3 pés) à frente do referido veículo.

5. Nenhum veículo de passageiros deverá conduzir carga que exceda da linha exterior dos paralamas do lado esquerdo, nem que passe mais de 15.2 centímetros (6 polegadas) da linha exterior dos paralamas do lado direito; fica estipulado, entretanto, que os Estados em que seja obrigatório respeitar a linha da esquerda, as disposições dêste parágrafo relativas ao lado em que devem ser levadas as cargas, serão observadas à inversa.

6. As autoridades competentes poderão conceder licenças especiais para veículos ou combinações de veículos que excedam os limites prescritos na alínea anterior.

ARTICLE X

A moins que les lois ou règlements de l'Etat interessé ou de ses subdivisions n'en disposent autrement, la grandeur et le chargement des véhicules sont limités comme suit:

1. La largeur extérieure de tout véhicule, y compris le chargement qu'il pourrait éventuellement porter, ne doit pas dépasser 2,44 mètres (8 pieds).

2. La hauteur maximum de tout véhicule, chargé ou vide, ne doit pas dépasser 3,80 mètres (12 pieds 6 pouces).

3. Aucun véhicule ne doit dépasser une longueur totale de 10,70 mètres (35 pieds), et aucun train de véhicules couplés ne doit dépasser une longueur totale de 13,75 mètres (45 pieds).

4. Aucun véhicule ne doit porter un chargement qui dépasse l'avant du véhicule de plus de 91 centimètres (3 pieds).

5. Aucun véhicule à passagers ne doit porter un chargement dépassant la ligne extérieure des pare-chocs du côté gauche, ou dépassant de plus de 15,2 centimètres (6 pouces) la ligne extérieure des pare-chocs du côté droit. Toutefois, dans les Etats où le sens de la circulation à gauche est obligatoire, les dispositions du présent alinéa s'appliqueront à l'inverse pour ce qui concerne la grandeur de la charge par rapport aux côtés du véhicule.

6. Les autorités compétentes des Etats pourront délivrer des permis spéciaux pour des véhicules ou pour des trains de véhicules dépassant les limites prescrites ci-dessus.

ARTICULO XI

Equipment.

Siempre que no dispongan otra cosa las leyes y reglamentos de los respectivos Estados o de las subdivisiones políticas de los mismos, serán indispensables en los vehículos automotores admitidos al tráfico internacional los accesorios siguientes:

Brakes.

1. Todo vehículo deberá tener frenos adecuados para controlar el movimiento del vehículo, pararlo y mantenerlo inmóvil. Los frenos serán capaces de parar el vehículo dentro de una distancia de 9 metros (30 pies), moviéndose a una velocidad de 32 kilómetros (20 millas) por hora, en un camino a nivel, seco y liso.

Warning device.

2. Todo vehículo deberá tener una bocina u otro aparato destinado a llamar la atención, que estimen satisfactorio las autoridades competentes.

Lamps.

3. Todo vehículo automotor, a excepción de las motocicletas, deberá tener dos faros, uno a cada lado de la parte delantera del vehículo, los cuales deberán proyectar de noche, en condiciones atmosféricas normales y en camino nivel, un haz suficiente para distinguir claramente a una persona hasta una distancia no menor de 107 metros (350 pies) y que puedan funcionar sin producir una luz que deslumbre o encandile. Toda motocicleta deberá tener por lo menos un faro delantero.

4. Todo vehículo automotor, y todo remolque o semirremolque que ocupe el último lugar en un tren de vehículos, deberá llevar en la parte trasera una lámpara que proyecte una luz roja, claramente visible de noche en condiciones atmosféricas normales,

ARTICLE XI

Unless the laws and regulations of the respective States or political subdivisions thereof provide otherwise, the following requirements as to equipment shall be indispensable for motor vehicles admitted to international traffic:

1. Every motor vehicle shall have brakes adequate to control the movement of and to stop and hold such vehicle. The brakes shall be capable of stopping the vehicle on a dry, smooth, level road within a distance of 30 feet (9 meters) when travelling at a speed of 20 miles (32 kilometers) per hour.

2. Every motor vehicle shall have a suitable horn or other warning device satisfactory to the regulatory authorities.

3. Every motor vehicle other than a motorcycle shall be equipped with two head lamps, at the front of and on opposite sides of the vehicle, which shall at night, under normal atmospheric conditions and on a level road, produce light sufficient to render clearly discernible a person not less than 350 feet (107 meters) ahead and shall be capable of operation so as not to project a glaring or dazzling light. Every motorcycle shall have at least one head lamp.

4. Every motor vehicle, and every trailer or semi-trailer which is being drawn at the end of a train of vehicles, shall carry at the rear a lamp which exhibits a red light plainly visible at night under normal atmospheric conditions from a distance of 500 feet

ARTIGO XI

Sempre que não haja disposição em contrário nas leis ou regulamentos dos respectivos Estados ou de suas subdivisõs políticas, os veículos automotores admitidos ao tráfego internacional, deverão trazer os seguintes indispensáveis acessórios:

1. Todo veículo deverá ter freios adequados para regular o seu próprio movimento, pará-lo e mantê-lo imóvel. Tais freios deverão ser capazes de parar o veículo dentro em uma distância de 9 m. (30 pés) quando correndo a uma velocidade de 32 km. (20 milhas) por hora, em estrada plana, sêca e lisa.

2. Todo veículo deverá ter uma buzina ou outro aparelho destinado a chamar a atenção, aceite pelas autoridades competentes.

3. Todo veículo automotor, com exceção das motocicletas, deverá ter dois faróis dianteiros, um de cada lado, que, de noite, em condições atmosféricas normais e em estrada plana, deverão projetar um facho de luz suficiente para distinguir claramente uma pessoa a uma distância não inferior a 107m. (350 pés), e capazes de funcionar sem produzir luz ofuscante, ou que encandêie. Toda motocicleta deverá ter pelo menos um farol dianteiro.

4. Todo veículo automotor e todo reboque ou semirreboque na cauda de uma composição de veículos, deverá ter à retaguarda uma lâmpada que projete uma luz vermelha claramente visível à noite, em condições atmosféricas normais a uma distância de 152

ARTICLE XI

A moins que les lois ou règlements des Etats respectifs ou de leurs subdivisions politiques n'en disposent autrement, les conditions suivantes, relatives aux dispositifs dont ils devront être pourvus, seront obligatoires pour les véhicules automobiles admis à la circulation internationale:

1. Tout véhicule automobile doit être muni de freins capables d'en contrôler le mouvement, de l'arrêter et de le retenir. Les freins doivent pouvoir arrêter le véhicule, sur une voie sèche, unie et à niveau, sur une distance de 9 mètres (30 pieds), lorsque le véhicule se déplace à une vitesse de 32 kilomètres (20 milles) à l'heure.

2. Tout véhicule doit être muni d'un klaxon ou d'un autre appareil avertisseur approuvé par les autorités compétentes.

3. Tout véhicule automobile, sauf les motocyclettes, doit être muni de deux phares placés à l'avant, l'un à droite, l'autre à gauche du véhicule. Ces phares doivent produire une lumière suffisante, le soir, dans des conditions atmosphériques normales, pour rendre à l'avant une personne clairement visible jusqu'à une distance d'au moins 107 mètres (350 pieds); en outre, ils doivent être à même de fonctionner sans produire un éblouissement excessif. Toute motocyclette devra avoir au moins un phare à l'avant.

4. Tout véhicule automobile et toute remorque ou demi-remorque tirée au bout d'un train de véhicules doivent porter à l'arrière un feu rouge clairement visible, le soir, dans des conditions atmosphériques normales, à une distance de 152 mètres (500 pieds).

desde una distancia de 152 metros (500 pies). La placa de registro en la parte trasera de dicho vehículo deberá estar iluminada por una luz blanca de modo que, en iguales condiciones, pueda leerse desde una distancia de 15 metros (50 pies).

(152 meters) to the rear of such vehicle. The registration plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of 50 feet (15 meters) to the rear of the vehicle.

Muffler.

5. Todo vehículo automotor deberá tener un silenciador en buen estado de funcionamiento y en uso constante para evitar ruido excesivo o anormal.

5. Every motor vehicle shall have a muffler in good working order and in constant operation to prevent excessive or unusual noise.

Rear-view mirror.

5. Todo vehículo automotor construído o cargado de manera que obstruya la vista del conductor hacia atrás, deberá llevar un espejo colocado de modo que refleje el camino a la vista del conductor hasta una distancia, hacia atrás, no menor de 70 metros (200 pies).

6. Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the operator's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet (70 meters) to the rear of such vehicle.

Windshield wiper.

7. Todo vehículo automotor, a excepción de las motocicletas, deberá tener un limpiaparabrisas en buen estado de funcionamiento.

7. Every motor vehicle other than a motorcycle shall have a windshield wiper in good working order.

ARTICULO XII

ARTICLE XII

Special automobile certificate.

Ante, p. 1132.

Podrá exigirse para cada vehículo automotor que se admita al tráfico de un Estado, parte en esta Convención, un certificado internacional especial para automóviles, además de la matrícula prevista en el Artículo V, si dicho Estado así lo desea. Cada Estado Contratante dispondrá lo necesario para la expedición de tal certificado, el que será expedido por dicho Estado, por cualquiera de sus subdivisiones políticas debidamente autorizadas; por una asociación debidamente habilitada por dichas autoridades, o por un representante autorizado del Estado Contratante o de una de sus ub divisiones políticas que tenga

A special international automobile certificate, in addition to the registration required by Article V, may be required for each motor vehicle for admission to and circulation in any individual State party to this Convention, if the State so elects. Provision for the issuance of such certificate shall be made by each Contracting State, and such document shall be issued by the State, or by any authorized political subdivision thereof, or by an association duly empowered by such authorities, or by an authorized representative of either the Contracting State or of one of its political subdivisions, having legal authority to issue

mts. (500 pés). A chapa de registro na trazeira do dito veículo deverá, em condições idênticas, ser iluminada por uma luz branca que permita ler-se dita placa a uma distância de 15 mts. (50 pés).

Dans des conditions analogues, la plaque d'immatriculation placée à l'arrière du véhicule devra être éclairée par un feu blanc pouvant la rendre visible à une distance de 15 mètres (50 pieds).

5. Todo veículo automotor deverá ter um silencioso em boas condições de funcionamento e em uso constante para evitar ruído excessivo ou anormal.

5. Tout véhicule automobile devra être muni d'un dispositif d'échappement silencieux en bon état de fonctionnement et en usage constant, afin d'éviter tout bruit excessif ou anormal.

6. Todo veículo automotor que pela sua construção, ou devido à carga que transporte obstrua a vista à retaguarda do condutor, deverá ter um espêlho de retrovisão colocado de forma a dar ao condutor o reflexo da vista trazeira numa distância não inferior a 70 mts. (200 pés).

6. Tout véhicule automobile construit ou chargé de manière à empêcher le conducteur de voir en arrière devra être muni d'un miroir rétroviseur disposé de façon à permettre au conducteur de surveiller la route vers l'arrière du véhicule, sur une distance d'au moins 70 mètres (200 pieds).

7. Todo veículo automotor com exceção da motocicleta, deverá ter um limpador de parabrisa em bom estado de funcionamento.

7. Tout véhicule automobile, autre qu'une motocyclette, devra être muni d'un essuie-glace, en bon état de fonctionnement.

ARTIGO XII

Poder-se-á exigir de cada veículo automotor que for admitido ao tráfego em um Estado parte desta Convenção, um certificado internacional especial para automóveis, além da matrícula requerida no Art. V, se o dito Estado assim o desejar. As disposições para a expedição dêsse certificado serão formuladas por cada Estado Contratante, sendo o documento expedido pelo Estado; por qualquer de suas subdivisões políticas com atribuições para isto; por uma associação habilitada por ditas autoridades, ou por um representante autorizado do Estado Contratante ou de uma de suas subdivisões políticas. A validez do

ARTICLE XII

Tout Etat partie à la présente Convention pourra exiger, en plus de l'immatriculation prévue à l'Article V, que tout véhicule automobile, pour être admis à circuler dans cet Etat, soit pourvu d'un certificat international spécial pour automobile. Il appartiendra à chaque Etat contractant de prendre les dispositions nécessaires, relatives à la délivrance de ce certificat, lequel devra être délivré soit par l'Etat, soit par une de ses subdivisions politiques autorisées, soit par une association habilitée par celles-ci avec la compétence nécessaire à cet effet, soit enfin par un représentant de l'Etat contractant ou d'une

Validity.

autoridad legal para expedir tales certificados. La validez de tal certificado internacional especial para automóviles será reconocida por todos los funcionarios que tengan jurisdicción sobre asuntos relacionados con la propiedad legítima del vehículo. El certificado tendrá la forma, el tamaño y la información prescritas en el Anexo "A" de esta Convención, y será válido por un año a partir de la fecha de emisión.

Post, p. 1155.

such certificates. The validity of such special international automobile certificate shall be recognized by all officials having jurisdiction over matters involving legal ownership of the vehicle. The certificate shall be in the form, of the size, and contain the information prescribed in Annex A to this Convention, and shall be valid for one year from date of issuance.

Se estimará que el Certificado Internacional para Automóviles expedido de acuerdo con la Convención Internacional de 1926, para la circulación de automóviles, satisface los requisitos de este artículo.

The international automobile certificate issued in accordance with the International Convention of 1926 on Automobile Circulation shall be deemed to meet the requirements of this Article.

ARTICULO XIII

Special driving license.

Podrá exigirse un permiso especial internacional para conducir a cada conductor que se admita al tráfico en cualquier Estado, parte en esta Convención, si éste así lo desea. En todo caso, se exigirá dicho permiso especial al conductor que no posea un permiso para conducir en su propio país, como se establece en el Artículo VI. Cada Estado Contratante dispondrá lo necesario para la expedición de tal permiso internacional para conducir, el que será expedido por dicho Estado; por cualquiera de sus subdivisions políticas debidamente autorizadas; por una asociación debidamente habilitada por dichas autoridades, o por un representante autorizado del Estado Contratante o de una de sus subdivisiones políticas que tenga autoridad legal para expedir permisos para conducir. La validez de dicho permiso especial para conducir será reconocida por

Ante, p. 1132.

Validity.

ARTICLE XIII

A special international driving license may be required for each operator admitted to circulation in any individual State party to this Convention, if the State so elects. Such a special license shall be required for each operator who does not possess a domestic driving license as required in Article VI. Provision for the issuance of such international driving license shall be made by each Contracting State, and such document shall be issued by the State, or by any authorized political subdivision thereof, or by an association duly empowered by such authorities, or by an authorized representative of either the Contracting State or one of its political subdivisions having legal authority to issue driving licenses. The validity of such special international driving license shall be recognized by all officials having regulatory powers over automo-

referido certificado especial para automóveis, será reconhecida por todos os funcionários que tenham competência sôbre assuntos relacionados com a propriedade legal do veículo. O certificado terá a forma, o tamanho e a informação prescritas no Anexo "A" desta Convenção, e será válido por um ano a partir da data de sua expedição.

O certificado internacional para automóveis expedido em conformidade com a Convenção Internacional de 1926 para a Circulação de Automóveis, será considerado como satisfatório às disposições dêste artigo.

ARTIGO XIII

De cada condutor admitido ao tráfego em qualquer Estado, parte nesta Convenção, poderá ser por êste exigida, se assim o desejar, uma licença especial para guiar automóvel. Em todo caso se exigirá do condutor que não na possúa a carteira de motorista de seu próprio país, como previsto no Artigo VI. As disposições para a expedição dessa licença internacional especial para conduzir automóvel, serão formuladas por cada um dos Estados Contratantes, sendo dito certificado expedido pelo dito Estado; por qualquer de suas subdivisões políticas devidamente autorizadas para isto; por uma associação habilitada por ditas autoridades ou por um representante autorizado do Estado Contratante ou de uma de suas subdivisões políticas competentes para dar licença especial para guiar automóvel. A validez dessa licença especial para

de ses subdivisions politiques ayant la compétence légale nécessaire pour délivrer ces certificats. La validité du certificat international spécial pour automobile sera reconnue par tous les fonctionnaires ayant la compétence des questions relatives à la propriété légale des véhicules. La forme et la grandeur de ce certificat seront celles qui sont prescrites à l'Annexe "A" de la présente Convention, et le certificat restera valable pendant un an à partir de la date de sa délivrance.

Le certificat international pour automobile délivré conformément à la Convention Internationale de 1926 relative à la Circulation des Automobiles sera considéré comme satisfaisant aux prescriptions du présent Article.

ARTICLE XIII

Un permis international spécial de conduire pourra être exigé, pour tout conducteur admis à la circulation dans un Etat quelconque partie à la présente Convention, si l'Etat intéressé en décide ainsi. Ce permis sera obligatoire pour tout conducteur ne possédant pas un permis de conduire national ainsi qu'il est prévu à 'Article VI. Il appartiendra à chaque Etat contractant de prendre les dispositions nécessaires pour la délivrance de ce permis, lequel sera délivré soit par l'Etat, soit par une de ses subdivisions politiques autorisées, soit par une association habilitée par celles-ci avec la compétence nécessaire à cet effet, soit enfin par un représentant autorisé de l'Etat contractant ou d'une de ses subdivisiones politiques ayant la compétence légale nécessaire pour délivrer de permis de conduire. La validité de ce permis international spécial de conduire

todos los funcionarios facultados para reglamentar el tráfico automotor. El permiso tendrá la forma, el tamaño y la información prescritas en el Anexo "B" de esta Convención, y será válido por un año a partir de la fecha en que sea expedido.

Post, p. 1163.

tive traffic. The license shall be in the form, of the size, and contain the information prescribed in Annex B to this Convention, and shall be valid for one year from date of issuance.

Se estimará que el permiso internacional de conducir expedido según la Convención Internacional de 1926 satisface los requisitos de este Artículo.

The international driving license issued in accordance with the International Convention of 1926 shall be deemed to meet the requirements of this Article.

ARTICULO XIV

ARTICLE XIV

Bond.

Cualquier Estado, parte en esta Convención, podrá exigir el depósito de una fianza que garantice el pago de derechos aduaneros sobre cualquier vehículo admitido a tráfico internacional, y pagadera en el Estado donde se incurran tales derechos.

A general bond guaranteeing payment of customs charges on any motor vehicle to be admitted to international traffic, due and payable within the country in which such charges may be incurred, may be required by any State party to this Convention.

International customs pass.

Se estimará que la Libreta Internacional de Paso por Aduanas (Carnet de Passage en Douane) de la Asociación Internacional de Automóvil Clubs Reconocidos (Association Internationale des Automobile Clubs Reconnus) o de la Alianza Internacional de Turismo (Alliance Internationale de Tourisme) satisface los requisitos de este artículo por lo que respecta a cualquier Estado Contratante en el cual se exija depósito de fianza.

The international customs pass (carnet de passage en douane) of the Association Internationale des Automobile Clubs Reconnus or of the Alliance Internationale de Tourisme shall be deemed to satisfy the requirements of this Article for any Contracting State in which a bond is required.

En ninguno de los Estados Contratantes se exigirá depósito de fianza si la estadía del vehículo extranjero no excede del plazo libre que le está permitido.

No bond shall be required in any Contracting State if the stay of the foreign vehicle therein does not exceed the period allowed for free stay.

ARTICULO XV

ARTICLE XV

Records of admission, etc.

Cada Estado podrá establecer las formalidades que estime necesarias para registrar el paso de vehículos y conductores admitidos

Each State may establish such requirements as it may deem necessary to record the passage into and out of its territory, of

conduzir, será reconhecida por todos os funcionários com atribuições para regulamentar o tráfego. Essa licença terá a forma, o tamanho e a informação prescritas no Anexo "B" desta Convenção, e será válida por um ano a partir da data de sua expedição.

sera reconnue par tous les fonctionnaires ayant le pouvoir de réglementer la circulation automobile. La forme et la grandeur de ce permis seront d'après les indications figurant à l'Annexe "B" de la présent Convention, et le permis restera valable pendant un an à partir de la date de sa délivrance.

Consider-se-á a licença internacional para conduzir, expedida de acôrdo com a Convenção Internacional de 1926, como satisfazendo os requisitos dêste Artigo.

Le permis international de conduire délivré conformément à la Convention de 1926 sera considéré comme satisfaisant aux prescriptions du présent Article.

ARTIGO XIV

Em qualquer Estado parte nesta Convenção, poderá ser exigida uma fiança que garanta o pagamento dos direitos aduaneiros, sôbre qualquer veículo automotor admitido ao tráfego internacional e pagável no Estado onde tais direitos sejam incorridos.

A Caderneta Internacional de Passagem (Carnet de Passage en Douane) da Associação Internacional de Automóvel Clubes Reconhecidos (Association Internationale des Automobile Clubs Reconnus), ou da Aliança Internacional de Turismo (Alliance Internationale de Tourisme) satisfaz às disposições dêste Artigo no que respeita a qualquer Estado Contratante em que se exija o depósito de uma fiança.

Tal garantia não será exigida em nenhum dos Estados Contratantes quando a estada nele do veículo automotor estrangeiro não exceder o prazo livre que para isto lhe é concedido.

ARTICLE XIV

Tout Etat partie à la présente Convention pourra exiger, pour assurer le paiement des droits de douane sur tout véhicule admis à la circulation internationale, le dépôt d'une garantie dans l'Etat où ces droits sont percevables.

Le carnet de passage en douane de l'Association Internationale des Automobile Clubs Reconnus ou de l'Alliance Internationale de Tourisme sera considéré comme satisfaisant aux prescriptions du présent Article pour tout Etat contractant où la garantie susmentionnée est exigée.

Aucune garantie ne sera exigée dans un Etat contractant si le séjour du véhicule étranger n'excède pas le délai permis pour le séjour libre.

ARTIGO XV

Cada Estado poderá estabelecer as formalidades que considere necessárias ao registro de trânsito de veículos e condutores admitidos

ARTICLE XV

Chaque Etat pourra prendre les mesures qu'il jugera nécessaires pour l'enregistrement à l'entrée et à la sortie de son territoire des

al tráfico internacional, al entrar al salir de su territorio. Tales registros, si se llevan, deberán incluir anotaciones al efecto de que el vehículo ha cumplido con las disposiciones de los Artículos X y XI.

Ante, pp. 1138, 1140.

vehicles and operators admitted to international traffic. If such records are maintained, they shall include a notation that the vehicle has complied with the provisions of Articles X and XI.

ARTICULO XVI

Fixing of routes, etc., crossing frontiers.

Las horas y rutas habilitadas para el cruce de las fronteras por vehículos debidamente inscritos se fijarán de común acuerdo entre los Estados limítrofes, comunicándose sus decisiones a las autoridades aduaneras correspondientes.

ARTICLE XVI

The hours and routes dedicated to the crossing of frontiers by properly registered vehicles shall be fixed by common consent of the adjacent States and their decisions communicated to the corresponding custom authorities.

ARTICULO XVII

Infractions of Convention.

Las infracciones a la presente Convención serán castigadas de conformidad con las leyes y reglamentos del Estado en el cual se cometan.

Las infracciones que sean motivo de multa legal serán comunicadas por el juez o magistrado a las autoridades correspondientes, las que, a su vez, darán cuenta a las autoridades del país, o de la subdivisión política correspondiente del mismo, en el cual el vehículo y su dueño o conductor se hubieren inscrito originalmente.

ARTICLE XVII

Infractions of this Convention shall be punished in conformity with the laws and regulations of the country in which committed.

Infractions which shall have incurred judicial penalty shall be communicated by the judge or magistrate to the proper authorities, who in turn shall communicate them to the authorities of the State or its political subdivision in which the vehicle and its owner or operator were originally registered.

ARTICULO XVIII

Recognition of fulfillment of requirements of Convention.

Todo vehículo o conductor admitido al tráfico internacional de acuerdo con los términos de la Convención Internacional para la Circulación de Automóviles, suscrita en 1909 y enmendada en 1926, y que exhiba los correspondientes documentos exigidos en la misma, se considerará que ha cumplido con las disposiciones de la presente Convención.

ARTICLE XVIII

Any vehicle or operator admitted to international traffic under the provisions of the International Convention for the Circulation of Automobiles, 1909, as amended in 1926, and holding the documents required thereunder, will be recognized as fulfilling the requirements of the present Convention.

ao tráfego internacional de entrada e saída de seu território. Se tais registros forem mantidos, deverão conter uma anotação indicativa de que o veículo satisfez todas as exigências dos Artigos X e XI.

véhicules et des conducteurs admis à la circulation internationale. Si de tels registres sont établis, ils devront constater que le véhicule a rempli les conditions prévues aux Articles X et XI.

ARTIGO XVI

As horas e os itinerários para o cruzamento das fronteiras pelos veículos devidamente registrados, são fixados de comum acôrdo entre os Estados limítrofes, devendo as decisões ser comunicadas às autoridades aduaneiras competentes.

ARTICLE XVI

Les heures et les routes désignées pour la traversée des frontières par les véhicules dûment enregistrés seront fixées d'un commun accord par les Etats limitrophes, dont les décisions à cet effet seront communiqueés aux autorités douanières correspondantes.

ARTIGO XVII

As infrações a esta Convenção serão punidas pelas leis e regulamentos do país em que tenham sido cometidas.

As infrações que tenham dado lugar a multa legal, serão comunicadas pelo juiz ou magistrado às autoridades competentes, que por sua vez as comunicarão às autoridades do país ou da subdivisão política do mesmo que for de direito, e na qual o veículo e seu dono ou condutor tenham sido originariamente inscritos.

ARTICLE XVII

Les infractions à la présente Convention seront punies conformémente aux lois du pays dans lequel elles auront été comises.

Les infractions pour lesquelles des sanctions pénales sont encourues seront communiquées par le juge ou par le magistrat aux autorités compétentes, lesquelles, à leur tour, les notifieront aux autorités de l'Etat, ou d'une de ses subdivisions politiques, où le véhicule et son propriétaire ou son conducteur ont été immatriculés originairement.

ARTIGO XVIII

Consdiderar-se-ão cumpridas as estipulações da Convenção Internacional para a Circulação de Automóveis firmada em 1909 e modificada em 1926, quando um condutor com seu veículo, admitidos sob tais estipulações ao tráfego internacional, exibir os documentos pela mesma exigidos.

ARTICLE XVIII

Tout véhicule ou conducteur admis à la circulation internationale en vertu des dispositions de la Convention Internationale de 1909 relative à la Circulation Automobile, telle qu'elle a été modifiée en 1926, et possédant les documents exigés par celle-ci, sera considéré comme satisfaisant les conditions prévues dans la présente Convention.

Deposit, etc., of original of Convention.

ARTICULO XIX

El original de la presente Convención en español, inglés, portugués y francés será depositado en la Unión Panamericana y abierto a la firma de las Repúblicas Americanas. La Convención quedará abierta, además, a la adhesión y accesión de los Estados Americanos que no sean miembros de la Unión Panamericana. La Unión Panamericana enviará copias certificadas auténticas a los gobiernos para los efectos de la ratificación.

ARTICLE XIX

The original of the present Convention in Spanish, English. Portuguese, and French shall be deposited with the Pan American Union and opened for signature by the American republics. The Convention shall also be opened for the adherence and accession of American States which are not members of the Pan American Union. The Pan American Union shall transmit authentic certified copies to the Governments for the purpose of ratification.

Ratification.

ARTICULO XX

La presente Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus procedimientos constitucionales respectivos. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana en Wáshington, la cual notificará el depósito a los gobiernos signatarios. Se considerará tal notificación como un cambio de ratificaciones.

ARTICLE XX

The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Entry into force.

ARTICULO XXI

La presente Convención entrará en vigor, con respecto a las Altas Partes Contratantes, en el orden en que depositen sus respectivas ratificaciones.

ARTICLE XXI

The present Convention shall come into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

ARTICULO XXII

La presente Convención permanecerá en vigor indefinidamente, pero podrá ser denunciada previo aviso de un año que se dará a la Unión Panamericana, la que comunicará la denuncia a los demás gobiernos signatarios. Terminado este plazo, la Convención dejará de tener efecto en lo que respecta

ARTICLE XXII

The present Convention shall remain in effect indefinitely, but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Convention shall cease in its effects as regards

ARTIGO XIX

O original da presente Convenção em espanhol, inglês, português e francês, será depositado na União Panamericana e aberto à assinatura das Repúblicas Americanas. Além disso, ficará também aberto à adesão e acessão dos Estados Americanos que não sejam membros da União Panamericana. A União Panamericana enviará cópias autênticas devidamente certificadas aos governos para os efeitos da ratificação.

ARTICLE XIX

Le texte original de la présente Convention, redigé en espagnol, anglais, portugais et français, sera déposé dans les archives de l'Union Panaméricaine, et restera ouvert à la signature des Républiques américaines. En outre, la Convention restera ouverte à l'adhésion des Etats américains non membres de l'Union Panaméricaine. L'Union Panaméricaine transmettra aux gouvernements, à titre de ratification, des copies certifiées conformes de la présente Convention.

ARTIGO XX

A presente Convenção será ratificada pelas Altas Partes Contratantes de acôrdo com os seus respectivos processos constitucionais. Os instrumentos de ratificacão serão depositados nos arquivos da União Panamericana em Washington, a qual notificará o depósito aos governos signatários. Tal notificação será considerada como uma troca de ratificações.

ARTICLE XX

La présente Convention sera ratifiée par les Hautes Parties contractantes conformément à leurs procédures constitutionnelles respectives. Les instruments de ratification seront déposés dans les archives de l'Union Panaméricaine, à Washington, laquelle notifiera de ce dépôt les gouvernements signataires. Cette notification sera considérée comme constituant un échange de ratifications.

ARTIGO XXI

A presente Convenção entrará em vigor, no que respeita às Altas Partes Contratantes, na ordem em que depositarem suas ratificações.

ARTICLE XXI

La présent Convention entrera en vigueur, entre les Hautes Parties contractantes, dans l'ordre où celles-ci en déposeront leurs ratifications respectives.

ARTIGO XXII

A presente Convenção permanecerá em vigor indefinidamente, mas poderá ser denunciada mediante prévio aviso de um ano. Essa denúncia será feita à União Panamericana que a comunicará aos demais governos signatários. Terminado êsse prazo, cessarão os efeitos da Convenção quanto à

ARTICLE XXII

La présente Convention restera en vigueur par temps indéfini; mais elle pourra être dénoncée moyennant une notification à cet effet faite un an à l'avance à l'Union Panaméricaine, laquelle communiquera cette notification aux autres Gouvernements signataires. A l'expiration de ce délai, la Con-

a la Parte denunciante, pero continuará en vigor para las demás Altas Partes Contratantes.

the party which denounces it, but shall remain in effect for the remaining High Contracting Parties.

Signature.

EN FE DE LO CUAL, los infrascritos Plenipotenciarios, después de haber depositado sus plenos poderes, que se han encontrado en buena y debida forma, firman y sellan esta Convención en la Unión Panamericana, Wáshington, D.C., en nombre de sus respectivos Gobiernos, en las fechas indicadas junto a sus firmas.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Convention in Spanish, English, Portuguese, and French, at the Pan American Union, Washington, D.C., on behalf of their respective Governments and affix thereto their seals on the dates appearing opposite their signatures.

parte denunciante, continuando porém em vigor para as demais Altas Partes Contratantes.

EM FÉ DO QUE, os abaixo assinados, Plenipotenciários, depois de haver depositado seus Plenos Poderes, que foram achados em boa e devida forma, firmam e selam esta Convenção na União Panamericana em Washington, Distrito de Columbia, em nome de seus respectivos Governos, nas datas indicadas junto às firmas.

vention cessera en ses effets pour la Partie qui l'aura dénoncée, mais restera en vigueur pour les autres Parties contractantes.

EN FOI DE QUOI les soussignés Plénipotentiaires, ayant déposé leurs pleins pouvoirs, lesquels ont été reconnus en bonne et due forme, signent la présente Convention en espagnol, anglais, portugais et français, à l'Union Panaméricaine, à Washington, D.C., au nom de leurs Gouvernements respectifs, et y apposent leurs sceaux aux dates, vis-à-vis de leurs signatures.

ANEXO A ANNEX A ANNEXE A

CERTIFICADO INTERNACIONAL PARA AUTOMOVILES

INTERNATIONAL AUTOMOBILE CERTIFICATE

CERTIFICADO INTERNACIONAL PARA AUTÓMOVEIS

CERTIFICAT INTERNATIONAL POUR AUTOMOBILES

ANEXO A

ANNEX A

ANNEXE A

(Nombre del país)
(Name of country)
(Nome do país)
(Nom du pays)

Certificado
Internacional para
Automóviles

International
Automobile
Certificate

Certificado
Internacional para
Automóveis

Certificat
International
Pour Automobiles

(Tamaño del carnet impreso: 14.5 x 8.5 cm.)
(Size of form when printed: 5¾'' x 3⅜'')
(Tamanho do modelo impreso: 14.5 x 8.5 cm.)
(Grandeur du format imprimé: 14,5 x 8,5 cm.)

La validez de este certificado será reconocida por todas las autoridades con atribuciones para reglamentar el registro de vehículos en los países siguientes, a excepción del país que lo expida:

The validity of this certificate shall be recognized by all officials having regulatory powers over the registration of motor vehicles in the following countries, with the exception of the country in which issued:

A validêz dêste certificado será reconhecida por todas as autoridades que tenham atribuições para a regulamentação do registro de veículos nos seguintes países, com exceção do país que o expedir:

La validité du présent certificat sera reconnue par toutes les autorités ayant les attributions nécessaires pour l'immatriculation des véhicules automobiles dans les pays suivants, à l'exception du pays dans lequel il est délivré:

Argentina
Bolivia
Brasil
Colombia
Costa Rica
Cuba
Chile
Ecuador
El Salvador
Guatemala
Haïti
Honduras
México
Nicaragua
Panamá
Paraguay
Perú
República Dominicana
United States of America
Uruguay
Venezuela

(Ráyense los nombres de los países que aún no hayan ratificado la Convención cuando se expida el certificado.)
(Draw lines through names of countries which have not ratified the Convention at time of issue.)
(Risquem-se os nomes dos países que ainda não tenham ratificado a Convenção até o momento da expedição do certificado.)
(Rayer les noms des pays qui n'ont pas encore ratifié la Convention au moment de la Délivrance du certificat.)

CERTIFICADO INTERNACIONAL PARA AUTOMOVILES
INTERNATIONAL AUTOMOBILE CERTIFICATE
CERTIFICADO INTERNACIONAL PARA AUTOMÓVEIS
CERTIFICAT INTERNATIONAL POUR AUTOMOBILES

	Página [1] Page
Español	17 – 18
English	19 – 20
Português	21 – 22
Français	23 – 24
Visas	25

CERTIFICADO INTERNACIONAL PARA AUTOMOVILES

Expedido de acuerdo con las disposiciones previstas en la Convención sobre la Reglamentación del Tráfico Automotor Interamericano firmada en Wáshington, D.C., E.U.A., en 1943.

Expedida por_____
En_____
Fecha_____
Firma (x)_____
Número_____

(x) La firma de la Autoridad o la firma de la Asociación con poder otorgado por la Autoridad, y visto bueno de ésta.

Válido por un año a partir de la fecha de emisión.

Propietario o Conductor
- Apellidos:_____
- Nombre:_____
- Domicilio:_____

Clase de vehículo:_____
Nombre del fabricante del chasis:_____
Tipo del chasis:_____
Número de serie del tipo o número de fábrica del chasis:_____

Motor
- Número de cilindros:_____
- Número del motor:_____
- Carrera del émbolo:_____
- Diámetro:_____
- Potencia en C.F.:_____

Carrocería
- Forma:_____
- Color:_____
- Número de asientos:_____

Peso del vehículo descargado (en kilos):_____
Peso del vehículo cargado (en kilos) si excede de 3,500 kilos:_____
Letras y número de matrícula que deben figurar en las placas:_____

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[1] [This pagination in 61 Stat., Pt. 2, is:

Español	1157
English	1158
Português	1159
Français	1160
Visas	1161]

INTERNATIONAL AUTOMOBILE CERTIFICATE

Issued in accordance with the provisions of the Convention on the Regulation of Inter-American Automotive Traffic signed at Washington, D.C., U.S.A., in 1943.

Issued by _____
At _____
Date _____
Signature (x) _____
Number _____

(x) Signature of Authority or signature of Association empowered by the Authority, and "visa" of the latter.

Good for one year from date of issue.

Owner or Holder
- Surname: _____
- Other names: _____
- Home address: _____

Class of vehicle: _____
Name of maker of chassis: _____
Type of chassis: _____
Serial number of type or maker's number of chassis: _____

Engine
- Number of cylinders: _____
- Engine number: _____
- Stroke: _____
- Bore: _____
- Horse power: _____

Body
- Type: _____
- Color: _____
- Number of seats: _____

Weight of vehicle without load (in kilos): _____
Weight of vehicle fully loaded (in kilos) if exceeding 3,500 kilos: _____
Identification marks on plates: _____

CERTIFICADO INTERNACIONAL PARA AUTOMÓVEIS

Expedido de acôrdo com as disposições da Convenção sôbre o Regulamento de Tráfego Interamericano de Veículos Automotores assinada em Washington, D.C., E.U.A., em 1943.

Expedido por.....
Em.....
Data.....
Assinatura (x).....
Número.....
(x) Assinatura da Autoridade ou assinatura da Associação autorizada pela Autoridade e o "visto" desta.

Válido por um ano a partir da data de sua expedição.

Propietário ou Condutor
- Sobrenome:.....
- Primeiro nome:.....
- Domicílio:.....

Espécie de veículo:.....
Nome do fabricante do chassis:.....
Tipo de chassis:.....
Número serial de tipo ou número de fábrica do chassis:.....

Motor:
- Número de cilindros:.....
- Número do motor:.....
- Movimento do émbolo:.....
- Diâmetro interno do cilindro:.....
- Potência em C.F.:.....

Carrosserie
- Tipo:.....
- Côr:.....
- Número de assentos:.....

Peso do veículo vazio (em quilogramos):.....
Peso do veículo com lotação ou carga completa (em quilogramos, se excede de 3,500 quilos):.....
Letras e números de matrícula que devem figurar nas placas.....

CERTIFICAT INTERNATIONAL POUR AUTOMOBILES

Délivré conformément aux dispositions de la Convention sur le Règlement de la Circulation Automobile Interaméricaine signée à Washington, D.C., U.S.A., en 1943.

Délivré par.....
A.....
Date.....
Signature (x).....
Numéro.....
(x) Signature de l'autorité, ou signature de l'Association habilitée par l'autorité, et visa de cette dernière.

Valable pour un an à partir de la date de délivrance.

Propriétaire ou Conducteur:
- Nom:.....
- Prenoms:.....
- Domicile:.....

Catégorie de véhicule:.....
Désignation du constructeur du châssis:.....
Genre de châssis:.....
Numéro de série du genre ou numéro de fabrication du châssis:.....

Moteur
- Nombre de cylindres:.....
- Numéro du moteur:.....
- Course:.....
- Diamètre intérieur:.....
- Puissance en c. v.:.....

Voiture:
- Type ou forme: .....
- Couleur:.....
- Nombre de places:.....

Poids du véhicule vide (en kilos):.....
Poids du véhicule et charge maxima (en kilos) si le poids total excède 3,500 kilos.....
Signes d'immatriculation inscrits sur les plaques.....

VISA DE ENTRADA
ENTRANCE VISA
VISTO DA ENTRADA
VISA D'ENTREE

(La visa de entrada debe contener los siguientes datos: país, lugar, fecha, firma y sello de la autoridad que otorga la visa.)

(The entrance visa should contain the following data: country, place, date, signature and seal of the authority granting the visa.)

(O visto de entrada deverá conter os seguintes dados: país, lugar, data, assinatura e sêlo da autoridade que deu o visto.)

(Le visa d'entree doit contenir les données suivantes: pays, lieu, date, signature et sceau de l'autorité qui accorde le visa.)

ANEXO B ANNEX B ANNEXE B

PERMISO INTERNACIONAL PARA CONDUCIR

INTERNATIONAL DRIVING LICENSE

LICENÇA INTERNACIONAL PARA GUIAR

PERMIS INTERNATIONAL DE CONDUIRE

ANEXO B

ANNEX B

ANNEXE B

(Nombre del país)
(Name of country)
(Nome do país)
(Nom du pays)

PERMISO
INTERNACIONAL
PARA CONDUCIR

INTERNATIONAL
DRIVING
LICENSE

LICENÇA
INTERNACIONAL
PARA GUIAR

PERMIS
INTERNATIONAL
DE CONDUIRE

(Tamaño del carnet impreso, 14.5 x 8.5 cm.)
(Size of form when printed, 5¾'' x 3⅜'')
(Tamanho do modelo impreso, 14.5 x 8.5 cm.)
(Grandeur du format imprimé, 14,5 x 8,5 cm.)

La validez de este permiso será reconocida por todos los funcionarios con atribuciones para reglamentar el tráfico en los siguientes países, a excepción del país que lo expedida.

The validity of this license shall be recognized by all officials having regulatory powers over automotive traffic in the following countries, with the exception of the country in which issued.

A validês desta licença será reconhecida por todos os funcionários que tenham atribuções para regulamentar o tráfego nos seguintes países, com exceção do país em que é expedido.

La validité du présent permis sera reconnue par tous les fonctionnaires ayant les attributions nécessaires pour réglementer la circulation routière dans les pays suivants, à l'exception du pays dans lequel le permis est délivré:

Argentina
Bolivia
Brasil
Colombia
Costa Rica
Cuba
Chile
Ecuador
El Salvador
Guatemala
Haïti
Honduras
México
Nicaragua
Panamá
Paraguay
Perú
República Dominicana
United States of America
Uruguay
Venezuela

(Ráyense los nombres de los países que aún no hayan ratificado la Convención al momento de expedir el permiso.)
(Draw lines through names of countries which have not ratified the Convention at time of issue.)
(Risquem-se os nomes dos países que ainda não tenham ratificado a Convenção até o momento da expedição da licença.)
(Rayer les noms des pays qui n'ont pas encore ratifé la Convention au moment de la délivrance du permis.)

PERMISO INTERNACIONAL PARA CONDUCIR
INTERNATIONAL DRIVING LICENSE
LICENÇA INTERNACIONAL PARA GUIAR
PERMIS INTERNATIONAL DE CONDUIRE

	Página[1] Page
Español	30 – 32
English	33 – 35
Português	36 – 38
Français	39 – 41
Sellos–Seals–Selos–Sceaux	42

[1] [This pagination in 61 Stat., Pt. 2, is:

Español	1166
English	1167
Português	1168
Français	1169
Sellos-Seals-Selos-Sceaux	1170]

PERMISO INTERNACIONAL PARA CONDUCIR

Expedido de acuerdo con las disposiciones de la Convención sobre la Reglamentación del Tráfico Interamericano Automotor firmada en Wáshington, D.C., E.U.A., en 1943.

Expedida por----------
En----------
Fecha----------
Firma (x)----------
Número----------

(x) Firma de la Autoridad o firma de la Asociación con poder de la Autoridad, y visto bueno de ésta.

Válido por un año a partir de la fecha de emisión.

DETALLES SOBRE EL CONDUCTOR

Sello Oficial

Fotografía

Apellido---------- 1
Nombre---------- 2
Lugar de nacimiento---------- 3
Fecha de nacimiento---------- 4
Domicilio---------- 5

(Nombre del país)

REVOCACION

Sr. (apellido y nombre)----------
autorizado por este permiso expedido en (país)----------
queda inhabilitado para conducir en territorio de (país)----------
---
Por----------
Lugar ----------
Fecha ----------

Sello de la autoridad

Firma

FILIACION DEL CONDUCTOR

Para la fotografía véase la página 31 [1]

Apellidos---------- 1
Nombre---------- 2
Lugar de nacimiento---------- 3
Fecha de nacimiento---------- 4
Domicilio---------- 5

[1] [*Supra.*]

INTERNATIONAL DRIVING LICENSE

Issued in accordance with the provisions of the Convention on the Regulation of Inter-American Automotive Traffic signed at Washington, D.C., U.S.A., in 1943.

Issued by----------
At----------
Date----------
Signature (x)----------
Number----------

(x) Signature of Authority or signature of Association empowered by the Authority, and "visa" of the latter.

Valid for one year from date of issue.

PARTICULARS CONCERNING THE DRIVER

Photograph

Official seal

Surname---------- 1
Other names---------- 2
Place of birth---------- 3
Date of birth---------- 4
Home address---------- 5

(Name of country)

REVOCATION

M. (surname and other names)----------
authorized as above by the authority of (country)----------
----------is deprived of the
right to drive in (country)----------
by reason of----------
Place----------
Date----------

(signature)

Seal of Authority

PARTICULARS CONCERNING THE DRIVER

For the photograph, see above (page 34) [1]

Surname: ---------- 1
Other names: ---------- 2
Place of birth: ---------- 3
Date of birth: ---------- 4
Home address: ---------- 5

[1] [*Supra.*]

LICENÇA INTERNACIONAL PARA GUIAR

Expedida de acôrdo com as disposições da Convenção sôbre o tráfego Interamericano de Veículos Automotores, assinada em Washington, D.C., E.U.A., em 1943.

Expedido por----------
Em----------
Data----------
Assinatura (x)----------
Número----------
(x) Assinatura da Autoridade ou assinatura da Associação autorizada pela Autoridade, e o "visto" desta.

Válida por um ano a partir da data de sua expedição.

INFORMAÇÕES SÔBRE O CONDUTOR

Fotografía

Sêlo Oficial

Sobrenome---------- 1
Primeiro nome---------- 2
Lugar de nascimento---------- 3
Data de nascimento---------- 4
Domicílio---------- 5

(Nome do país)

REVOGAÇÃO

Sr. (sobrenome e primeiro nome)----------
autorizado por esta licença expedida no (país)----------
----------Fica inhabilitado para guiar em território do (país)------
Por----------
Lugar----------
Data----------

Sêlo da Autoridade

Assinatura

INFORMAÇÕES SÔBRE O CONDUTOR

Veja-se a fotografía à página 37 [1]

Sobrenome---------- 1
Primeiro nome---------- 2
Lugar de nascimento---------- 3
Data de nascimento---------- 4
Domicílio---------- 5

[1] [*Supra.*]

PERMIS INTERNATIONAL DE CONDUIRE

Délivré conformément aux dispositions de la Convention sur le Règlement de la Circulation Automobile Interaméricaine, signée à Wahsington, D.C., E.U.A., en 1943.

Délivré par _____
A _____
Date _____
Signature (x) _____
Numéro _____

(x) Signature de l'autorité, ou signature de l'Association habilitée par l'autorité, et visa de cette dernière.

Valable pour un an à partir de la date de délivrance.

RENSEIGNEMENTS SUR LE CONDUCTEUR

Photographie

Sceau Officiel

Nom _____
Prenoms _____
Lieu de naissance _____
Date de naissance _____
Domicile _____

(Nom du pays)

REVOCATION

M. (nom et prenoms) _____
autorisé comme il est indiqué ci-dessus par les autorités de (pays) _____
est privé du droit de conduire dans (pays) _____
_____ à cause de _____
Lieu _____
Date _____

signature

Sceau de l'autorité

_____

RENSEIGNEMENTS SUR LE CONDUCTEUR

Pour sa photographie, voir plus haut, à la page 40 [1]

Nom _____ 1
Prenoms _____ 2
Lieu de naissance _____ 3
Date de naissance _____ 4
Domicile _____ 5

[1] [*Supra.*]

(Las tres categorías de permisos para conducir – A, B y C – abajo indicadas, permitirán a los Estados, o subdivisiones políticas de los mismos, donde se exijan formalidades especiales a los conductores de vehículos ligeros, pesados o en combinaciones, y a los de motocicletas, que expidan las licencias correspondientes para dichas categorías, o cualquiera de ellas. Se provee un sello especial de autoridad para tales casos.)

(The three categories of driving licenses indicated below – A, B and C – are established in order to permit States or subdivisions thereof which have special requirements differentiating among drivers of light vehicles, heavy vehicles and combinations, and motorcycles, to issue appropriate licenses for each or all of these classes. A separate seal of authority is provided for use in such case or cases.)

(As três categorias de licenças para guiar – A, B e C – abaixo indicadas, permitirão aos Estados, ou subdivisiões políticas dos mesmos, onde sejam exigidas condições especiais aos condutores de veículos leves, pesados ou em combinações e aos moticiclistas, expedir as licenças correspondentes a cada categoria ou a todas elas. Ha um sêlo especial de autoridade para tais casos.)

(Les trois catégories de permis de conduire indiquées ci-après – A, B et C – sont établies afin de permettre aux Etats, ou à leurs subdivisions politiques, où il existe des conditions spéciales pour les conducteurs de véhicules légers, lourds ou en combinaison, et pour les motocyclettes, de délivrer les permis correspondants à chacune de ces catégories, ou à toutes. Un sceau spécial des autorités est prévu pour ces cas.)

A	B	C
Automóviles cuyo peso, cargados, no excede de 3,500 kilos.	Automóviles cuyo peso, cargados, excede de 3,500 kilos.	Motocicletas con o sin cochecillo lateral.
Motor vehicles of which the weight with load does not exceed 3,500 kilos.	Motor vehicles of which the weight with load exceeds 3,500 kilos.	Motorcycles with or withour side-car.
Automóveis cujo peso, carregados, não exceda de 3,500 kilos.	Automóveis cujo peso, carregados, exceda de 3,500 kilos.	Motocicletas com ou sem carrinho de lado.
Véhicules automobiles dont le poids total en charge n'excède pas 3,500 kilos.	Véhicules automobiles dont le poids en charge excède 3,500 kilos.	Motocyclettes avec ou sans sidecar.

A	B	C
Sello de Autoridad :	Sello de Autoridad :	Sello de Autoridad
Seal of Authority :	Seal of Authority :	Seal of Authority
Sêlo da Autoridade :	Sêlo da Autoridade :	Sêlo da Autoridade
Sceau de l'autorité :	Sceau de l'autorité :	Sceau de l'autorité

POR BOLIVIA:
(F) LUIS F. GUACHALLA *15 de diciembre de 1943* (SELLO)

PELO BRASIL:
(A) FERNANDO LOBO *15 de dezembro de 1943* (SÊLO)

POR CUBA:
(F) AURELIO F. CONCHESO *15 de diciembre de 1943* (SELLO)

POR ECUADOR:
(F) C. E. ALFARO *15 de diciembre de 1943* (SELLO)

POR GUATEMALA:
(F) ADRIÁN RECINOS *15 de diciembre de 1943* (SELLO)

POUR HAÏTI:
(S) A. LIAUTAUD *15 Décembre 1943* (SCEAU)

POR NICARAGUA:
(F) GUILLERMO SEVILLA S. *15 de diciembre de 1943* (SELLO)

POR PERU:
(F) M. DE FREYRE Y S. *15 de diciembre de 1943* (SELLO)

POR LA REPUBLICA DOMINICANA:

El Plenipotenciario de la República Dominicana firma la Convención con la siguiente reserva:
Que la disposición del Art. XIV no implica que el término de un año que indica el Art. XII se refiere al tiempo durante el cual un vehículo puede transitar en un Estado Contratante, sin haber puesto fianza o sin pagar los derechos que sus leyes exijan, sino al término de caducidad del certificado de admisión que el Estado puede no exigir. Asimismo, que esta Convención no afecta los tratados, convenciones u otros acuerdos internacionales que la República Dominicana haya consentido o consienta ni a sus leyes de inmigración.

(F) A. COPELLO *15 de diciembre de 1943* (SELLO)[1]

FOR THE UNITED STATES OF AMERICA:

Signed subject to the understanding and reservation that nothing in Article XV shall be construed to require the use of personnel and facilities of the United States of America for the purpose of determining compliance with the provisions of Articles X and XI by vehicles whenever, in the opinion of the competent authorities of the United States of America, there would result an impairment of essential services performed by such personnel and facilities or an undue hindrance to the movement of automotive traffic into and from the territory of the United States of America.

Ante, p. 1146.

Ante, pp. 1138, 1140.

(S) CORDELL HULL *December 31, 1943* (SEAL)

POR EL SALVADOR:
(F) HÉCTOR DAVID CASTRO *6 de enero de 1944* (SELLO)

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[1] [*Translation:* The Plenipotentiary of the Dominican Republic signs the Convention with the following reservation:

That the provision of Article XIV shall not imply that the period of one year mentioned in Article XII refers to the time during which a vehicle may operate in a Contracting State, without having given bond or paying the taxes that its laws require, but rather to the period of validity of the certificate of admission, which the State may not require. Also, that this Convention shall not affect the treaties, conventions or other international agreements which the Dominican Republic has concluded or may conclude, nor its immigration laws.

(S) A. COPELLO *December 15, 1943* (SEAL)]

I hereby certify that the foregoing document is a true and faithful copy of the original, with the signatures affixed thereto up to the present date, of the Convention on the Regulation of Inter-American Automotive Traffic, deposited in the Pan American Union and opened for signature by the American States on December 15, 1943.

WASHINGTON, D.C., *January 17, 1944.*

PEDRO DE ALBA
Secretary of the Governing Board of the Pan American Union.

[SEAL]

WHEREAS it is provided in Article XXI of the said convention that the convention shall come into force between the High Contracting Parties in the order in which they deposit their respective ratifications with the Pan American Union; *Ante*, p. 1150.

WHEREAS instruments of ratification of the said convention were deposited with the Pan American Union by Guatemala on July 6, 1944, Peru on July 25, 1944, the Dominican Republic on August 4, 1944, Nicaragua on August 31, 1944, Brazil on January 8, 1945, and El Salvador on May 22, 1946;

WHEREAS the convention was, on behalf of the United States of America, "Signed subject to the understanding and reservation that nothing in Article XV shall be construed to require the use of personnel and facilities of the United States of America for the purpose of determining compliance with the provisions of Articles X and XI by vehicles whenever, in the opinion of the competent authorities of the United States of America, there would result an impairment of essential services performed by such personnel and facilities or an undue hindrance to the movement of automotive traffic into and from the territory of the United States of America"; *Ante*, p. 1146. *Ante*, pp. 1138, 1140.

WHEREAS the Senate of the United States of America by their Resolution of July 25, 1946 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said convention on the regulation of inter-American automotive traffic as signed on behalf of the United States of America;

AND WHEREAS the said convention was duly ratified by the President of the United States of America on August 8, 1946, subject to the aforementioned understanding and reservation with respect to Article XV, and the instrument of ratification on the part of the United States of America was duly deposited with the Pan American Union on October 29, 1946; Deposit of instrument of ratification. *Ante*, p. 1146.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said convention on the regulation of inter-American automotive traffic to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after October 29, 1946, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of November in the year of our Lord one thousand nine hundred forty-six and [SEAL] of the Independence of the United States of America the one hundred seventy-first.

HARRY S TRUMAN

By the President:
JAMES F BYRNES
Secretary of State

July 4, 1946
[T. I. A. S. 1568]

Treaty between the United States of America and the Philippines and protocol respecting general relations. Signed at Manila July 4, 1946; ratification advised by the Senate of the United States of America July 31, 1946; ratified by the President of the United States of America August 16, 1946; ratified by the President of the Philippines September 30, 1946; ratifications exchanged at Manila October 22, 1946; proclaimed by the President of the United States of America October 31, 1946; effective October 22, 1946. And interim agreement effected by exchange of notes signed at Manila July 10 and 12, 1946; effective July 4, 1946.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a treaty of general relations between the United States of America and the Republic of the Philippines and a protocol to accompany that treaty were signed at Manila on the fourth day of July, one thousand nine hundred forty-six, the originals of which treaty and protocol are word for word as follows:

TREATY OF GENERAL RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES

The United States of America and the Republic of the Philippines, being animated by the desire to cement the relations of close and long friendship existing between the two countries, and to provide for the recognition of the independence of the Republic of the Philippines as of July 4, 1946 and the relinquishment of American sovereignty over the Philippine Islands, have agreed upon the following articles:

ARTICLE I

Recognition by U.S. of independence of the Republic of the Philippines.

The United States of America agrees to withdraw and surrender, and does hereby withdraw and surrender, all right of possession, supervision, jurisdiction, control or sovereignty existing and exercised by the United States of America in and over the territory and the people of the Philippine Islands, except the use of such bases, necessary appurtenances to such bases, and the rights incident thereto, as the United States of America, by agreement with the Republic of the Philippines, may deem necessary to retain for the mutual protection of the United States of America and of the Republic of the Philippines. The United States of America further agrees to recognize, and does hereby recognize, the independence of the Republic of the Philippines as a separate self-governing nation and to acknowledge, and does hereby acknowledge, the authority and control over the same of the Government instituted by the people thereof, under the Constitution of the Republic of the Philippines.

ARTICLE II

The diplomatic representatives of each country shall enjoy in the territories of the other the privileges and immunities derived from generally recognized international law and usage. The consular representatives of each country, duly provided with exequatur, will be permitted to reside in the territories of the other in the places wherein consular representatives are by local laws permitted to reside; they shall enjoy the honorary privileges and the immunities accorded to such officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any other foreign country.

Diplomatic and consular privileges and immunities.

ARTICLE III

Pending the final establishment of the requisite Philippine Foreign Service establishments abroad, the United States of America and the Republic of the Philippines agree that at the request of the Republic of the Philippines the United States of America will endeavor, in so far as it may be practicable, to represent through its Foreign Service the interests of the Republic of the Philippines in countries where there is no Philippine representation. The two countries further agree that any such arrangements are to be subject to termination when in the judgment of either country such arrangements are no longer necessary.

U. S. representation of Philippines in foreign countries.

ARTICLE IV

The Republic of the Philippines agrees to assume, and does hereby assume, all the debts and liabilities of the Philippine Islands, its provinces, cities, municipalities and instrumentalities, which shall be valid and subsisting on the date hereof. The Republic of the Philippines will make adequate provision for the necessary funds for the payment of interest on and principal of bonds issued prior to May 1, 1934 under authority of an Act of Congress of the United States of America by the Philippine Islands, or any province, city or municipality therein, and such obligations shall be a first lien on the taxes collected in the Philippines.

Debts, liabilities, etc., of Philippine Islands.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

ARTICLE V

The United States of America and the Republic of the Philippines agree that all cases at law concerning the Government and people of the Philippines which, in accordance with Section 7 (6) of the Independence Act of 1934, are pending before the Supreme Court of the United States of America at the date of the granting of the independence of the Republic of the Philippines shall continue to be subject to the review of the Supreme Court of the United States of America for such period of time after independence as may be necessary to effectuate the disposition of the cases at hand. The contracting parties also agree that following the disposition of such cases the Supreme Court of the United States of America will cease to have the right of review of cases originating in the Philippine Islands.

Review of cases at law by U. S. Supreme Court.

48 Stat. 462.
48 U. S. C. § 1237 (6).

ARTICLE VI

Settlement of claims.

In so far as they are not covered by existing legislation, all claims of the Government of the United States of America or its nationals against the Government of the Republic of the Philippines and all claims of the Government of the Republic of the Philippines and its nationals against the Government of the United States of America shall be promptly adjusted and settled. The property rights of the United States of America and the Republic of the Philippines shall be promptly adjusted and settled by mutual agreement, and all existing property rights of citizens and corporations of the United States of America in the Republic of the Philippines and of citizens and corporations of the Republic of the Philippines in the United States of America shall be acknowledged, respected and safeguarded to the same extent as property rights of citizens and corporations of the Republic of the Philippines and of the United States of America respectively. Both Governments shall designate representatives who may in concert agree on measures best calculated to effect a satisfactory and expeditious disposal of such claims as may not be covered by existing legislation.

Property rights.

ARTICLE VII

The Republic of the Philippines agrees to assume all continuing obligations assumed by the United States of America under the Treaty of Peace between the United States of America and Spain concluded at Paris on the 10th day of December, 1898, by which the Philippine Islands were ceded to the United States of America, and under the Treaty between the United States of America and Spain concluded at Washington on the 7th day of November, 1900.

30 Stat. 1754.

31 Stat. 1942.

ARTICLE VIII

Entry into force.

This Treaty shall enter into force on the exchange of instruments of ratification.

Ratification.

This Treaty shall be submitted for ratification in accordance with the constitutional procedures of the United States of America and of the Republic of the Philippines; and instruments of ratification shall be exchanged and deposited at Manila.

Signed at Manila this fourth day of July, one thousand nine hundred forty-six.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

[SEAL] PAUL V. MCNUTT

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

[SEAL] MANUEL ROXAS

PROTOCOL

TO ACCOMPANY THE TREATY OF GENERAL RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES, SIGNED AT MANILA ON THE FOURTH DAY OF JULY 1946.

It is understood and agreed by the High Contracting Parties that this Treaty is for the purpose of recognizing the independence of the Republic of the Philippines and for the maintenance of close and harmonious relations between the two Governments.

It is understood and agreed that this Treaty does not attempt to regulate the details of arrangements between the two Governments for their mutual defense; for the establishment, termination or regulation of the rights and duties of the two countries, each with respect to the other, in the settlement of claims, as to the ownership or control of real or personal property, or as to the carrying out of provisions of law of either country; or for the settlement of rights or claims of citizens or corporations of either country with respect to or against the other.

It is understood and agreed that the conclusion and entrance into force of this Treaty is not exclusive of further treaties and executive agreements providing for the specific regulation of matters broadly covered herein.

It is understood and agreed that pending final ratification of this Treaty, the provisions of Articles II and III shall be observed by executive agreement. *Post*, p. 1179.

Signed at Manila this fourth day of July, one thousand nine hundred forty-six.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

[SEAL] PAUL V. MCNUTT

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

[SEAL] MANUEL ROXAS

WHEREAS the Senate of the United States of America by their Resolution of July 31, 1946 (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said treaty and protocol;

WHEREAS the said treaty and protocol were duly ratified by the President of the United States of America on August 16, 1946, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS the said treaty and protocol have been duly ratified on behalf of the Government of the Republic of the Philippines;

Exchange of instruments of ratification.

AND WHEREAS the instruments of ratification of the said treaty and protocol were duly exchanged at Manila on the twenty-second day of October, one thousand nine hundred forty-six;

Effective date.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said treaty and accompanying protocol to the end that the same and every article and clause thereof may be observed and fulfilled with good faith, on and from the twenty-second day of October, one thousand nine hundred forty-six, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirty-first day of October in the year of our Lord one thousand nine hundred forty-six and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State

The Philippine Secretary of Foreign Affairs to the American Ambassador

OFFICE OF THE VICE PRESIDENT
OF THE PHILIPPINES
Malacañan

JULY 10, 1946

EXCELLENCY:

In accordance with the provisions of the Protocol accompanying the Treaty of General Relations between the United States of America and the Republic of the Philippines signed at Manila on the 4th day of July, 1946, I have the honor to inform you that the Republic of the Philippines shall observe the provisions of Articles II and III pending the final ratification of said treaty effective as of July 4, 1946.

Ante, p. 1177.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO
Vice-President and concurrently
Secretary of Foreign Affairs

His Excellency PAUL V. MCNUTT
American Ambassador
Manila

The American Ambassador to the Philippine Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA,
July 12, 1946.

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of July 10, 1946, confirming that, in accordance with the Protocol Accompanying the Treaty of General Relations Between the United States of America and the Republic of the Philippines signed at Manila on July 4, 1946, your Government will observe the provision of Articles II and III of the Treaty pending final ratification thereof.

In reply I have the honor to confirm to you that my Government intends similarly to observe the provisions of the above mentioned protocol.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary of Foreign Affairs for the
Republic of the Philippines.

December 7, 1944
[T. I. A. S. 1591]

Convention between the United States of America and other governments respecting international civil aviation. Formulated at Chicago December 7, 1944; signed on the part of the United States of America December 7, 1944; ratification advised by the Senate of the United States of America July 25, 1946; ratified by the President of the United States of America August 6, 1946; ratification of the United States of America deposited at Washington August 9, 1946; proclaimed by the President of the United States of America March 17, 1947; effective April 4, 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention on international civil aviation was formulated in the English language at the International Civil Aviation Conference at Chicago and opened for signature on December 7, 1944, and signed on that date by the Plenipotentiary of the United States of America and on or after that date by the Plenipotentiaries of forty-eight other governments;

WHEREAS the said convention in the English language is word for word as follows:

CONVENTION ON INTERNATIONAL CIVIL AVIATION

PREAMBLE

WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and

WHEREAS it is desirable to avoid friction and to promote that cooperation between nations and peoples upon which the peace of the world depends;

THEREFORE, the undersigned governments having agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically;

Have accordingly concluded this Convention to that end.

PART I. AIR NAVIGATION

CHAPTER I

GENERAL PRINCIPLES AND APPLICATION OF THE CONVENTION

Article 1

Sovereignty

The contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory.

Article 2

Territory

For the purposes of this Convention the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State.

Article 3

Civil and state aircraft

(a) This Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft.

(b) Aircraft used in military, customs and police services shall be deemed to be state aircraft.

(c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.

(d) The contracting States undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft.

Article 4

Misuse of civil aviation

Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.

CHAPTER II

FLIGHT OVER TERRITORY OF CONTRACTING STATES

Article 5

Right of non-scheduled flight

Each contracting State agrees that all aircraft of the other contracting States, being aircraft not engaged in scheduled international air services shall have the right, subject to the observance of the terms of this Convention, to make flights into or in transit non-stop across its territory and to make stops for non-traffic purposes without the necessity of obtaining prior permission, and subject to the right of the State flown over to require landing. Each contracting State nevertheless reserves the right, for reasons of safety of flight, to require aircraft desiring to proceed over regions which are inaccessible or without adequate air navigation facilities to follow prescribed routes, or to obtain special permission for such flights.

Such aircraft, if engaged in the carriage of passengers, cargo, or mail for remuneration or hire on other than scheduled international air services, shall also, subject to the provisions of Article 7, have the privilege of taking on or discharging passengers, cargo, or mail, subject to the right of any State where such embarkation or discharge takes place to impose such regulations, conditions or limitations as it may consider desirable.

Article 6

Scheduled air services

No scheduled international air service may be operated over or into the territory of a contracting State, except with the special permission or other authorization of that State, and in accordance with the terms of such permission or authorization.

Article 7

Cabotage

Each contracting State shall have the right to refuse permission to the aircraft of other contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory. Each contracting State undertakes not to enter into any arrangements which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any other State.

Article 8

Pilotless aircraft

No aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a contracting State without special authorization by that State and in accordance with the terms of such authorization. Each contracting State undertakes to insure that the flight of such aircraft without a pilot in regions open to civil aircraft shall be so controlled as to obviate danger to civil aircraft.

Article 9

Prohibited areas

(a) Each contracting State may, for reasons of military necessity or public safety, restrict or prohibit uniformly the aircraft of other States from flying over certain areas of its territory, provided that no distinction in this respect is made between the aircraft of the State whose territory is involved, engaged in international scheduled airline services, and the aircraft of the other contracting States likewise engaged. Such prohibited areas shall be of reasonable extent and location so as not to interfere unnecessarily with air navigation. Descriptions of such prohibited areas in the territory of a contracting State, as well as any subsequent alterations therein, shall be communicated as soon as possible to the other contracting States and to the International Civil Aviation Organization.

(b) Each contracting State reserves also the right, in exceptional circumstances or during a period of emergency, or in the interest of public safety, and with immediate effect, temporarily to restrict or prohibit flying over the whole or any part of its territory, on condition that such restriction or prohibition shall be applicable without distinction of nationality to aircraft of all other States.

(c) Each contracting State, under such regulations as it may prescribe, may require any aircraft entering the areas contemplated in subparagraphs (a) or (b) above to effect a landing as soon as practicable thereafter at some designated airport within its territory.

Article 10

Landing at customs airport

Except in a case where, under the terms of this Convention or a special authorization, aircraft are permitted to cross the territory of a contracting State without landing, every aircraft which enters the territory of a contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a contracting State, such aircraft shall depart from a similarly designated customs airport. Particulars of all designated customs airports shall be published by the State and transmitted to the International Civil Aviation Organization established under Part II of this Convention for communication to all other contracting States.

Post, p. 1192.

Article 11

Applicability of air regulations

Subject to the provisions of this Convention, the laws and regulations of a contracting State relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of all contracting States without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that State.

Article 12

Rules of the air

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each contracting State undertakes to insure the prosecution of all persons violating the regulations applicable.

Article 13

Entry and clearance regulations

The laws and regulations of a contracting State as to the admission to or departure from its territory of passen-

gers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.

Article 14

Prevention of spread of disease

Each contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the contracting States shall from time to time decide to designate, and to that end contracting States will keep in close consultation with the agencies concerned with international regulations relating to sanitary measures applicable to aircraft. Such consultation shall be without prejudice to the application of any existing international convention on this subject to which the contracting States may be parties.

Article 15

Airport and similar charges

Post, p. 1200.

Every airport in a contracting State which is open to public use by its national aircraft shall likewise, subject to the provisions of Article 68, be open under uniform conditions to the aircraft of all the other contracting States. The like uniform conditions shall apply to the use, by aircraft of every contracting State, of all air navigation facilities, including radio and meteorological services, which may be provided for public use for the safety and expedition of air navigation.

Any charges that may be imposed or permitted to be imposed by a contracting State for the use of such airports and air navigation facilities by the aircraft of any other contracting State shall not be higher,

(a) As to aircraft not engaged in scheduled international air services, than those that would be paid by its national aircraft of the same class engaged in similar operations, and

(b) As to aircraft engaged in scheduled international air services, than those that would be paid by its national aircraft engaged in similar international air services.

All such charges shall be published and communicated to the International Civil Aviation Organization: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council, which shall report and make recommendations

thereon for the consideration of the State or States concerned. No fees, dues or other charges shall be imposed by any contracting State in respect solely of the right of transit over or entry into or exit from its territory of any aircraft of a contracting State or persons or property thereon.

Article 16

Search of aircraft

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.

CHAPTER III

NATIONALITY OF AIRCRAFT

Article 17

Nationality of aircraft

Aircraft have the nationality of the State in which they are registered.

Article 18

Dual registration

An aircraft cannot be validly registered in more than one State, but its registration may be changed from one State to another.

Article 19

National laws governing registration

The registration or transfer of registration of aircraft in any contracting State shall be made in accordance with its laws and regulations.

Article 20

Display of marks

Every aircraft engaged in international air navigation shall bear its appropriate nationality and registration marks.

Article 21

Report of registrations

Each contracting State undertakes to supply to any other contracting State or to the International Civil Aviation Organization, on demand, information concerning the registration and ownership of any particular aircraft registered in that State. In addition, each contracting State shall furnish reports to the International Civil Aviation Organization, under such regulations as the latter may prescribe, giving such pertinent data as can be made available concerning the ownership and control of aircraft registered in that State and habitually engaged in international air navigation. The data thus obtained by the International Civil Aviation Organization shall be made available by it on request to the other contracting States.

CHAPTER IV

MEASURES TO FACILITATE AIR NAVIGATION

Article 22

Facilitation of formalities

Each contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.

Article 23

Customs and immigration procedures

Each contracting State undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. Nothing in this Convention shall be construed as preventing the establishment of customs-free airports.

Article 24

Customs duty

(a) Aircraft on a flight to, from, or across the territory of another contracting State shall be admitted temporarily free of duty, subject to the customs regulations of the State. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board an aircraft of a contracting State, on arrival in the territory of another contracting State and retained on board on leaving the territory of that State shall be exempt from customs duty, inspection fees or similar national or local duties and charges. This exemption shall not apply to any quantities or articles unloaded, except in accordance with the customs regulations of the State, which may require that they shall be kept under customs supervision.

(b) Spare parts and equipment imported into the territory of a contracting State for incorporation in or use on an aircraft of another contracting State engaged in international air navigation shall be admitted free of customs duty, subject to compliance with the regulations of the State concerned, which may provide that the articles shall be kept under customs supervision and control.

Article 25

Aircraft in distress

Each contracting State undertakes to provide such measures of assistance to aircraft in distress in its territory as it may find practicable, and to permit, subject to control by its own authorities, the owners of the aircraft

or authorities of the State in which the aircraft is registered to provide such measures of assistance as may be necessitated by the circumstances. Each contracting State, when undertaking search for missing aircraft, will collaborate in coordinated measures which may be recommended from time to time pursuant to this Convention.

Article 26

Investigation of accidents

In the event of an accident to an aircraft of a contracting State occurring in the territory of another contracting State, and involving death or serious injury, or indicating serious technical defect in the aircraft or air navigation facilities, the State in which the accident occurs will institute an inquiry into the circumstances of the accident, in accordance, so far as its laws permit, with the procedure which may be recommended by the International Civil Aviation Organization. The State in which the aircraft is registered shall be given the opportunity to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State.

Article 27

Exemption from seizure on patent claims

(a) While engaged in international air navigation, any authorized entry of aircraft of a contracting State into the territory of another contracting State or authorized transit across the territory of such State with or without landings shall not entail any seizure or detention of the aircraft or any claim against the owner or operator thereof or any other interference therewith by or on behalf of such State or any person therein, on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is an infringement of any patent, design, or model duly granted or registered in the State whose territory is entered by the aircraft, it being agreed that no deposit of security in connection with the foregoing exemption from seizure or detention of the aircraft shall in any case be required in the State entered by such aircraft.

(b) The provisions of paragraph (a) of this Article shall also be applicable to the storage of spare parts and spare equipment for the aircraft and the right to use and install the same in the repair of an aircraft of a contracting State in the territory of any other contracting State, provided that any patented part or equipment so stored shall not be sold or distributed internally in or exported commercially from the contracting State entered by the aircraft.

(c) The benefits of this Article shall apply only to such

States, parties to this Convention, as either (1) are parties to the International Convention for the Protection of Industrial Property and to any amendments thereof; or (2) have enacted patent laws which recognize and give adequate protection to inventions made by the nationals of the other States parties to this Convention.

Article 28

Air navigation facilities and standard systems

Each contracting State undertakes, so far as it may find practicable, to:

(a) Provide, in its territory, airports, radio services, meteorological services and other air navigation facilities to facilitate international air navigation, in accordance with the standards and practices recommended or established from time to time, pursuant to this Convention;

(b) Adopt and put into operation the appropriate standard systems of communications procedure, codes, markings, signals, lighting and other operational practices and rules which may be recommended or established from time to time, pursuant to this Convention;

(c) Collaborate in international measures to secure the publication of aeronautical maps and charts in accordance with standards which may be recommended or established from time to time, pursuant to this Convention.

CHAPTER V

CONDITIONS TO BE FULFILLED WITH RESPECT TO AIRCRAFT

Article 29

Documents carried in aircraft

Every aircraft of a contracting State, engaged in international navigation, shall carry the following documents in conformity with the conditions prescribed in this Convention:

(a) Its certificate of registration;

(b) Its certificate of airworthiness;

(c) The appropriate licenses for each member of the crew;

(d) Its journey log book;

(e) If it is equipped with radio apparatus, the aircraft radio station license;

(f) If it carries passengers, a list of their names and places of embarkation and destination;

(g) If it carries cargo, a manifest and detailed declarations of the cargo.

Article 30

Aircraft radio equipment

(a) Aircraft of each contracting State may, in or over the territory of other contracting States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the contracting State whose territory is flown over shall be in accordance with the regulations prescribed by that State.

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered.

Article 31

Certificates of airworthiness

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

Article 32

Licenses of personnel

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

(b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State.

Article 33

Recognition of certificates and licenses

Certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the requirements under which such certificates or licenses were issued or rendered valid are equal to or above the minimum standards which may be established from time to time pursuant to this Convention.

Article 34

Journey log books

There shall be maintained in respect of every aircraft engaged in international navigation a journey log book in which shall be entered particulars of the aircraft, its crew and of each journey, in such form as may be prescribed from time to time pursuant to this Convention.

Article 35

Cargo restrictions

(a) No munitions of war or implements of war may be carried in or above the territory of a State in aircraft engaged in international navigation, except by permission of such State. Each State shall determine by regulations what constitutes munitions of war or implements of war for the purposes of this Article, giving due consideration, for the purposes of uniformity, to such recommendations as the International Civil Aviation Organization may from time to time make.

(b) Each contracting State reserves the right, for reasons of public order and safety, to regulate or prohibit the carriage in or above its territory of articles other than those enumerated in paragraph (a): provided that no distinction is made in this respect between its national aircraft engaged in international navigation and the aircraft of the other States so engaged; and provided further that no restriction shall be imposed which may interfere with the carriage and use on aircraft of apparatus necessary for the operation or navigation of the aircraft or the safety of the personnel or passengers.

Article 36

Photographic apparatus

Each contracting State may prohibit or regulate the use of photographic apparatus in aircraft over its territory.

CHAPTER VI

INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

Article 37

Adoption of international standards and procedures

Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with:

(a) Communications systems and air navigation aids, including ground marking;

(b) Characteristics of airports and landing areas;

(c) Rules of the air and air traffic control practices;

(d) Licensing of operating and mechanical personnel;

(e) Airworthiness of aircraft;

(f) Registration and identification of aircraft;

(g) Collection and exchange of meteorological information;

(h) Log books;

(i) Aeronautical maps and charts;

(j) Customs and immigration procedures;

(k) Aircraft in distress and investigation of accidents;

and such other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate.

Article 38

Departures from international standards and procedures

Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.

Article 39

Endorsement of certificates and licenses

(a) Any aircraft or part thereof with respect to which there exists an international standard of airworthiness or performance, and which failed in any respect to satisfy that standard at the time of its certification, shall have endorsed on or attached to its airworthiness certificate a complete enumeration of the details in respect of which it so failed.

(b) Any person holding a license who does not satisfy in full the conditions laid down in the international standard relating to the class of license or certificate which he holds shall have endorsed on or attached to his license a complete enumeration of the particulars in which he does not satisfy such conditions.

Article 40

Validity of endorsed certificates and licenses

No aircraft or personnel having certificates or licenses so endorsed shall participate in international navigation, except with the permission of the State or States whose territory is entered. The registration or use of any such aircraft, or of any certificated aircraft part, in any State other than that in which it was originally certificated shall be at the discretion of the State into which the aircraft or part is imported.

Article 41

Recognition of existing standards of airworthiness

The provisions of this Chapter shall not apply to aircraft and aircraft equipment of types of which the prototype is submitted to the appropriate national authorities for certification prior to a date three years after the date of adoption of an international standard of airworthiness for such equipment.

Article 42

Recognition of existing standards of competency of personnel

The provisions of this Chapter shall not apply to personnel whose licenses are originally issued prior to a date one year after initial adoption of an international standard of qualification for such personnel; but they shall in any case apply to all personnel whose licenses remain valid five years after the date of adoption of such standard.

PART II. THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

CHAPTER VII

THE ORGANIZATION

Article 43

Name and composition

An organization to be named the International Civil Aviation Organization is formed by the Convention. It is made up of an Assembly, a Council, and such other bodies as may be necessary.

Article 44

Objectives

The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to:

(a) Insure the safe and orderly growth of international civil aviation throughout the world;

(b) Encourage the arts of aircraft design and operation for peaceful purposes;

(c) Encourage the development of airways, airports, and air navigation facilities for international civil aviation;

(d) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;

(e) Prevent economic waste caused by unreasonable competition;

(f) Insure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international airlines;

(g) Avoid discrimination between contracting States;

(h) Promote safety of flight in international air navigation;

(i) Promote generally the development of all aspects of international civil aeronautics.

Article 45

Permanent seat

The permanent seat of the Organization shall be at such place as shall be determined at the final meeting of the Interim Assembly of the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944. The seat may be temporarily transferred elsewhere by decision of the Council.

59 Stat. 1516.

Article 46

First meeting of Assembly

The first meeting of the Assembly shall be summoned by the Interim Council of the above-mentioned Provisional Organization as soon as the Convention has come into force, to meet at a time and place to be decided by the Interim Council.

Article 47

Legal capacity

The Organization shall enjoy in the territory of each contracting State such legal capacity as may be necessary for the performance of its functions. Full juridical personality shall be granted wherever compatible with the constitution and laws of the State concerned.

CHAPTER VIII

THE ASSEMBLY

Article 48

Meetings of Assembly and voting

(a) The Assembly shall meet annually and shall be convened by the Council at a suitable time and place. Extraordinary meetings of the Assembly may be held at any time upon the call of the Council or at the request of any ten contracting States addressed to the Secretary General.

(b) All contracting States shall have an equal right to be represented at the meetings of the Assembly and each contracting State shall be entitled to one vote. Delegates representing contracting States may be assisted by technical advisers who may participate in the meetings but shall have no vote.

(c) A majority of the contracting States is required to constitute a quorum for the meetings of the Assembly. Unless otherwise provided in this Convention, decisions of the Assembly shall be taken by a majority of the votes cast.

Article 49

Powers and duties of Assembly

The powers and duties of the Assembly shall be to:

(a) Elect at each meeting its President and other officers;

(b) Elect the contracting States to be represented on the Council, in accordance with the provisions of Chapter IX;

(c) Examine and take appropriate action on the reports of the Council and decide on any matter referred to it by the Council;

(d) Determine its own rules of procedure and establish such subsidiary commissions as it may consider to be necessary or desirable;

(e) Vote an annual budget and determine the financial arrangements of the Organization, in accordance with the provisions of Chapter XII;

Post, p. 1199.

(f) Review expenditures and approve the accounts of the Organization;

(g) Refer, at its discretion, to the Council, to subsidiary commissions, or to any other body any matter within its sphere of action;

(h) Delegate to the Council the powers and authority necessary or desirable for the discharge of the duties of the Organization and revoke or modify the delegations of authority at any time;

(i) Carry out the appropriate provisions of Chapter XIII;

Post, p. 1199.

(j) Consider proposals for the modification or amendment of the provisions of this Convention and, if it approves of the proposals, recommend them to the contracting States in accordance with the provisions of Chapter XXI;

Post, p. 1206.

(k) Deal with any matter within the sphere of action of the Organization not specifically assigned to the Council.

CHAPTER IX

THE COUNCIL

Article 50

Composition and election of Council

(a) The Council shall be a permanent body responsible to the Assembly. It shall be composed of twenty-one contracting States elected by the Assembly. An election shall be held at the first meeting of the Assembly and thereafter every three years, and the members of the Council so elected shall hold office until the next following election.

(b) In electing the members of the Council, the Assembly shall give adequate representation to (1) the States of chief importance in air transport; (2) the States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) the States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council. Any vacancy on the Council shall be filled by the Assembly as soon as possible; any contracting State so elected to the Council shall hold office for the unexpired portion of its predecessor's term of office.

(c) No representative of a contracting State on the Council shall be actively associated with the operation of an international air service or financially interested in such a service.

Article 51

President of Council

The Council shall elect its President for a term of three years. He may be reelected. He shall have no vote. The Council shall elect from among its members one or more Vice Presidents who shall retain their right to vote when serving as acting President. The President need not be selected from among the representatives of the members of the Council but, if a representative is elected, his seat shall be deemed vacant and it shall be filled by the State which he represented. The duties of the President shall be to:

(a) Convene meetings of the Council, the Air Transport Committee, and the Air Navigation Commission;

(b) Serve as representative of the Council; and

(c) Carry out on behalf of the Council the functions which the Council assigns to him.

Article 52

Voting in Council

Decisions by the Council shall require approval by a majority of its members. The Council may delegate authority with respect to any particular matter to a committee of its members. Decisions of any committee of the Council may be appealed to the Council by any interested contracting State.

Article 53

Participation without a vote

Any contracting State may participate, without a vote, in the consideration by the Council and by its committees and commissions of any question which especially affects its interests. No member of the Council shall vote in the consideration by the Council of a dispute to which it is a party.

Article 54

Mandatory functions of Council

The Council shall:

(a) Submit annual reports to the Assembly;

(b) Carry out the directions of the Assembly and discharge the duties and obligations which are laid on it by this Convention;

(c) Determine its organization and rules of procedure;

(d) Appoint and define the duties of an Air Transport Committee, which shall be chosen from among the representatives of the members of the Council, and which shall be responsible to it;

(e) Establish an Air Navigation Commission, in accordance with the provisions of Chapter X;

Post, p. 1197.

(f) Administer the finances of the Organization in accordance with the provisions of Chapters XII and XV;

Post, pp. 1199, 1200.

(g) Determine the emoluments of the President of the Council;

(h) Appoint a chief executive officer who shall be called the Secretary General, and make provision for the appointment of such other personnel as may be necessary, in accordance with the provisions of Chapter XI;

(i) Request, collect, examine and publish information relating to the advancement of air navigation and the operation of international air services, including information about the costs of operation and particulars of subsidies paid to airlines from public funds;

(j) Report to contracting States any infraction of this Convention, as well as any failure to carry out recommendations or determinations of the Council;

(k) Report to the Assembly any infraction of this Convention where a contracting State has failed

to take appropriate action within a reasonable time after notice of the infraction;

(l) Adopt, in accordance with the provisions of Chapter VI of this Convention, international standards and recommended practices; for convenience, designate them as Annexes to this Convention; and notify all contracting States of the action taken;

Ante, p. 1190.

(m) Consider recommendations of the Air Navigation Commission for amendment of the Annexes and take action in accordance with the provisions of Chapter XX;

Post, p. 1205.

(n) Consider any matter relating to the Convention which any contracting State refers to it.

Article 55

The Council may:

Permissive functions of Council

(a) Where appropriate and as experience may show to be desirable, create subordinate air transport commissions on a regional or other basis and define groups of states or airlines with or through which it may deal to facilitate the carrying out of the aims of this Convention;

(b) Delegate to the Air Navigation Commission duties additional to those set forth in the Convention and revoke or modify such delegations of authority at any time;

(c) Conduct research into all aspects of air transport and air navigation which are of international importance, communicate the results of its research to the contracting States, and facilitate the exchange of information between contracting States on air transport and air navigation matters;

(d) Study any matters affecting the organization and operation of international air transport, including the international ownership and operation of international air services on trunk routes, and submit to the Assembly plans in relation thereto;

(e) Investigate, at the request of any contracting State, any situation which may appear to present avoidable obstacles to the development of international air navigation; and, after such investigation, issue such reports as may appear to it desirable.

CHAPTER X

THE AIR NAVIGATION COMMISSION

Article 56

Nomination and appointment of Commission

The Air Navigation Commission shall be composed of twelve members appointed by the Council from among

persons nominated by contracting States. These persons shall have suitable qualifications and experience in the science and practice of aeronautics. The Council shall request all contracting States to submit nominations. The President of the Air Navigation Commission shall be appointed by the Council.

Article 57

Duties of Commission

The Air Navigation Commission shall:

(a) Consider, and recommend to the Council for adoption, modifications of the Annexes to this Convention;

(b) Establish technical subcommissions on which any contracting State may be represented, if it so desires;

(c) Advise the Council concerning the collection and communication to the contracting States of all information which it considers necessary and useful for the advancement of air navigation.

CHAPTER XI

PERSONNEL

Article 58

Appointment of personnel

Subject to any rules laid down by the Assembly and to the provisions of this Convention, the Council shall determine the method of appointment and of termination of appointment, the training, and the salaries, allowances, and conditions of service of the Secretary General and other personnel of the Organization, and may employ or make use of the services of nationals of any contracting State.

Article 59

International character of personnel

The President of the Council, the Secretary General, and other personnel shall not seek or receive instructions in regard to the discharge of their responsibilities from any authority external to the Organization. Each contracting State undertakes fully to respect the international character of the responsibilities of the personnel and not to seek to influence any of its nationals in the discharge of their responsibilities.

Article 60

Immunities and privileges of personnel

Each contracting State undertakes, so far as possible under its constitutional procedure, to accord to the President of the Council, the Secretary General, and the other personnel of the Organization, the immunities and privileges which are accorded to corresponding personnel of other public international organizations. If a general

international agreement on the immunities and privileges of international civil servants is arrived at, the immunities and privileges accorded to the President, the Secretary General, and the other personnel of the Organization shall be the immunities and privileges accorded under that general international agreement.

CHAPTER XII

FINANCE

Article 61

Budget and apportionment of expenses

The Council shall submit to the Assembly an annual budget, annual statements of accounts and estimates of all receipts and expenditures. The Assembly shall vote the budget with whatever modification it sees fit to prescribe, and, with the exception of assessments under Chapter XV to States consenting thereto, shall apportion the expenses of the Organization among the contracting States on the basis which it shall from time to time determine.

Article 62

Suspension of voting power

The Assembly may suspend the voting power in the Assembly and in the Council of any contracting State that fails to discharge within a reasonable period its financial obligations to the Organization.

Article 63

Expenses of delegations and other representatives

Each contracting State shall bear the expenses of its own delegation to the Assembly and the remuneration, travel, and other expenses of any person whom it appoints to serve on the Council, and of its nominees or representatives on any subsidiary committees or commissions of the Organization.

CHAPTER XIII

OTHER INTERNATIONAL ARRANGEMENTS

Article 64

Security arrangements

The Organization may, with respect to air matters within its competence directly affecting world security, by vote of the Assembly enter into appropriate arrangements with any general organization set up by the nations of the world to preserve peace.

Article 65

Arrangements with other international bodies

The Council, on behalf of the Organization, may enter into agreements with other international bodies for the maintenance of common services and for common arrangements concerning personnel and, with the approval of the Assembly, may enter into such other arrangements as may facilitate the work of the Organization.

Article 66

Functions relating to other agreements

59 Stat. 1693.

59 Stat. 1701.

(a) The Organization shall also carry out the functions placed upon it by the International Air Services Transit Agreement and by the International Air Transport Agreement drawn up at Chicago on December 7, 1944, in accordance with the terms and conditions therein set forth.

(b) Members of the Assembly and the Council who have not accepted the International Air Services Transit Agreement or the International Air Transport Agreement drawn up at Chicago on December 7, 1944 shall not have the right to vote on any questions referred to the Assembly or Council under the provisions of the relevant Agreement.

PART III. INTERNATIONAL AIR TRANSPORT

CHAPTER XIV

INFORMATION AND REPORTS

Article 67

File reports with Council

Each contracting State undertakes that its international airlines shall, in accordance with requirements laid down by the Council, file with the Council traffic reports, cost statistics and financial statements showing among other things all receipts and the sources thereof.

CHAPTER XV

AIRPORTS AND OTHER AIR NAVIGATION FACILITIES

Article 68

Designation of routes and airports

Each contracting State may, subject to the provisions of this Convention, designate the route to be followed within its territory by any international air service and the airports which any such service may use.

Article 69

Improvement of air navigation facilities

If the Council is of the opinion that the airports or other air navigation facilities, including radio and meteorological services, of a contracting State are not reasonably adequate for the safe, regular, efficient, and economical operation of international air services, present or contemplated, the Council shall consult with the State directly concerned, and other States affected, with a view to finding means by which the situation may be remedied, and may make recommendations for that purpose. No contracting State shall be guilty of an infraction of this Convention if it fails to carry out these recommendations.

Article 70

Financing of air navigation facilities

A contracting State, in the circumstances arising under the provisions of Article 69, may conclude an arrangement with the Council for giving effect to such recommendations. The State may elect to bear all of the costs involved in any such arrangement. If the State does not so elect, the Council may agree, at the request of the State, to provide for all or a portion of the costs.

Article 71

Provision and maintenance of facilities by Council

If a contracting State so requests, the Council may agree to provide, man, maintain, and administer any or all of the airports and other air navigation facilities, including radio and meteorological services, required in its territory for the safe, regular, efficient and economical operation of the international air services of the other contracting States, and may specify just and reasonable charges for the use of the facilities provided.

Article 72

Acquisition or use of land

Where land is needed for facilities financed in whole or in part by the Council at the request of a contracting State, that State shall either provide the land itself, retaining title if it wishes, or facilitate the use of the land by the Council on just and reasonable terms and in accordance with the laws of the State concerned.

Article 73

Expenditure and assessment of funds

Ante, p. 1199.

Within the limit of the funds which may be made available to it by the Assembly under Chapter XII, the Council may make current expenditures for the purposes of this Chapter from the general funds of the Organization. The Council shall assess the capital funds required for the purposes of this Chapter in previously agreed proportions over a reasonable period of time to the contracting States consenting thereto whose airlines use the facilities. The Council may also assess to States that consent any working funds that are required.

Article 74

Technical assistance and utilization of revenues

When the Council, at the request of a contracting State, advances funds or provides airports or other facilities in whole or in part, the arrangement may provide, with the consent of that State, for technical assistance in the supervision and operation of the airports and other facilities, and for the payment, from the revenues derived from the operation of the airports and other facilities, of the operating expenses of the airports and the other facilities, and of interest and amortization charges.

Article 75

Taking over of facilities from Council

A contracting State may at any time discharge any obligation into which it has entered under Article 70, and take over airports and other facilities which the Council has provided in its territory pursuant to the provisions of Articles 71 and 72, by paying to the Council an amount which in the opinion of the Council is reasonable in the circumstances. If the State considers that the amount fixed by the Council is unreasonable it may appeal to the Assembly against the decision of the Council and the Assembly may confirm or amend the decision of the Council.

Article 76

Return of funds

Funds obtained by the Council through reimbursement under Article 75 and from receipts of interest and amortization payments under Article 74 shall, in the case of advances originally financed by States under Article 73, be returned to the States which were originally assessed in the proportion of their assessments, as determined by the Council.

CHAPTER XVI

JOINT OPERATING ORGANIZATIONS AND POOLED SERVICES

Article 77

Joint operating organizations permitted

Nothing in this Convention shall prevent two or more contracting States from constituting joint air transport operating organizations or international operating agencies and from pooling their air services on any routes or in any regions, but such organizations or agencies and such pooled services shall be subject to all the provisions of this Convention, including those relating to the registration of agreements with the Council. The Council shall determine in what manner the provisions of this Convention relating to nationality of aircraft shall apply to aircraft operated by international operating agencies.

Article 78

Function of Council

The Council may suggest to contracting States concerned that they form joint organizations to operate air services on any routes or in any regions.

Article 79

Participation in operating organizations

A State may participate in joint operating organizations or in pooling arrangements, either through its government or through an airline company or companies designated by its government. The companies may, at the sole discretion of the State concerned, be state-owned or partly state-owned or privately owned.

PART IV. FINAL PROVISIONS

CHAPTER XVII

OTHER AERONAUTICAL AGREEMENTS AND ARRANGEMENTS

Article 80

Paris and Habana Conventions

Each contracting State undertakes, immediately upon the coming into force of this Convention, to give notice of denunciation of the Convention relating to the Regulation of Aerial Navigation signed at Paris on October 13, 1919 or the Convention on Commercial Aviation signed at Habana on February 20, 1928, if it is a party to either. As between contracting States, this Convention supersedes the Conventions of Paris and Habana previously referred to.

47 Stat. 1901.

Article 81

Registration of existing agreements

All aeronautical agreements which are in existence on the coming into force of this Convention, and which are between a contracting State and any other State or between an airline of a contracting State and any other State or the airline of any other State, shall be forthwith registered with the Council.

Article 82

Abrogation of inconsistent arrangements

The contracting States accept this Convention as abrogating all obligations and understandings between them which are inconsistent with its terms, and undertake not to enter into any such obligations and understandings. A contracting State which, before becoming a member of the Organization has undertaken any obligations toward a non-contracting State or a national of a contracting State or of a non-contracting State inconsistent with the terms of this Convention, shall take immediate steps to procure its release from the obligations. If an airline of any contracting State has entered into any such inconsistent obligations, the State of which it is a national shall use its best efforts to secure their termination forthwith and shall in any event cause them to be terminated as soon as such action can lawfully be taken after the coming into force of this Convention.

Article 83

Registration of new arrangements

Subject to the provisions of the preceding Article, any contracting State may make arrangements not inconsistent with the provisions of this Convention. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

CHAPTER XVIII

DISPUTES AND DEFAULT

Article 84

Settlement of disputes

If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its Annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council. No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party. Any contracting State may, subject to Article 85, appeal from the decision of the Council to an *ad hoc* arbitral tribunal agreed upon with the other parties to the dispute or to the Permanent Court of International Justice. Any such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

Article 85

Arbitration procedure

If any contracting State party to a dispute in which the decision of the Council is under appeal has not accepted the Statute of the Permanent Court of International Justice and the contracting States parties to the dispute cannot agree on the choice of the arbitral tribunal, each of the contracting States parties to the dispute shall name a single arbitrator who shall name an umpire. If either contracting State party to the dispute fails to name an arbitrator within a period of three months from the date of the appeal, an arbitrator shall be named on behalf of that State by the President of the Council from a list of qualified and available persons maintained by the Council. If, within thirty days, the arbitrators cannot agree on an umpire, the President of the Council shall designate an umpire from the list previously referred to. The arbitrators and the umpire shall then jointly constitute an arbitral tribunal. Any arbitral tribunal established under this or the preceding Article shall settle its own procedure and give its decisions by majority vote, provided that the Council may determine procedural questions in the event of any delay which in the opinion of the Council is excessive.

Article 86

Appeals

Unless the Council decides otherwise, any decision by the Council on whether an international airline is operating in conformity with the provisions of this Convention shall remain in effect unless reversed on appeal. On

any other matter, decisions of the Council shall, if appealed from, be suspended until the appeal is decided. The decisions of the Permanent Court of International Justice and of an arbitral tribunal shall be final and binding.

Article 87

Penalty for non-conformity of airline

Each contracting State undertakes not to allow the operation of an airline of a contracting State through the airspace above its territory if the Council has decided that the airline concerned is not conforming to a final decision rendered in accordance with the previous Article.

Article 88

Penalty for non-conformity by State

The Assembly shall suspend the voting power in the Assembly and in the Council of any contracting State that is found in default under the provisions of this Chapter.

CHAPTER XIX

WAR

Article 89

War and emergency conditions

In case of war, the provisions of this Convention shall not affect the freedom of action of any of the contracting States affected, whether as belligerents or as neutrals. The same principle shall apply in the case of any contracting State which declares a state of national emergency and notifies the fact to the Council.

CHAPTER XX

ANNEXES

Article 90

Adoption and amendment of Annexes

Ante, p. 1197.

(a) The adoption by the Council of the Annexes described in Article 54, subparagraph (1), shall require the vote of two-thirds of the Council at a meeting called for that purpose and shall then be submitted by the Council to each contracting State. Any such Annex or any amendment of an Annex shall become effective within three months after its submission to the contracting States or at the end of such longer period of time as the Council may prescribe, unless in the meantime a majority of the contracting States register their disapproval with the Council.

(b) The Council shall immediately notify all contracting States of the coming into force of any Annex or amendment thereto.

CHAPTER XXI

RATIFICATIONS, ADHERENCES, AMENDMENTS, AND DENUNCIATIONS

Article 91

Ratification of Convention

(a) This Convention shall be subject to ratification by the signatory States. The instruments of ratification shall be deposited in the archives of the Government of the United States of America, which shall give notice of the date of the deposit to each of the signatory and adhering States.

(b) As soon as this Convention has been ratified or adhered to by twenty-six States it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument. It shall come into force for each State ratifying thereafter on the thirtieth day after the deposit of its instrument of ratification.

(c) It shall be the duty of the Government of the United States of America to notify the government of each of the signatory and adhering States of the date on which this Convention comes into force.

Article 92

Adherence to Convention

(a) This Convention shall be open for adherence by members of the United Nations and States associated with them, and States which remained neutral during the present world conflict.

(b) Adherence shall be effected by a notification addressed to the Government of the United States of America and shall take effect as from the thirtieth day from the receipt of the notification by the Government of the United States of America, which shall notify all the contracting States.

Article 93

Admission of other States

States other than those provided for in Articles 91 and 92(a) may, subject to approval by any general international organization set up by the nations of the world to preserve peace, be admitted to participation in this Convention by means of a four-fifths vote of the Assembly and on such conditions as the Assembly may prescribe: provided that in each case the assent of any State invaded or attacked during the present war by the State seeking admission shall be necessary.

Article 94

Amendment of Convention

(a) Any proposed amendment to this Convention must be approved by a two-thirds vote of the Assembly and shall then come into force in respect of States which

have ratified such amendment when ratified by the number of contracting States specified by the Assembly. The number so specified shall not be less than two-thirds of the total number of contracting States.

(b) If in its opinion the amendment is of such a nature as to justify this course, the Assembly in its resolution recommending adoption may provide that any State which has not ratified within a specified period after the amendment has come into force shall thereupon cease to be a member of the Organization and a party to the Convention.

Article 95

Denunciation of Convention

(a) Any contracting State may give notice of denunciation of this Convention three years after its coming into effect by notification addressed to the Government of the United States of America, which shall at once inform each of the contracting States.

(b) Denunciation shall take effect one year from the date of the receipt of the notification and shall operate only as regards the State effecting the denunciation.

CHAPTER XXII

DEFINITIONS

Article 96

For the purpose of this Convention the expression:

(a) "Air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

(b) "International air service" means an air service which passes through the air space over the territory of more than one State.

(c) "Airline" means any air transport enterprise offering or operating an international air service.

(d) "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

SIGNATURE OF CONVENTION

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having been duly authorized, sign this Convention on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language. A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be open for signature at Washington, D. C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or adhere to this Convention.

FOR AFGHANISTAN:

A. HOSAYN AZIZ

FOR THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA:

ARTHUR S. DRAKEFORD

FOR BELGIUM: [1]

FOR BOLIVIA:

TCNL. AL. PACHECO.

FOR BRAZIL: [2]

FOR CANADA:

H J SYMINGTON

FOR CHILE:

R SAÉNZ
G. BISQUERT.
R MAGALLANES B.

FOR CHINA:

CHANG KIA NGAU

FOR COLOMBIA: [3]

FOR COSTA RICA: [4]

FOR CUBA: [5]

FOR CZECHOSLOVAKIA: [6]

FOR THE DOMINICAN REPUBLIC:

C. A. MCLAUGHLIN

FOR ECUADOR:

J. A. CORREA
FRANCISCO GOMEZ JURADO

FOR EGYPT:

M HASSAN
M ROUSHDY
M. A. KHALIFA

FOR EL SALVADOR: [7]

FOR ETHIOPIA: [8]

---

[1] [Signed for Belgium Apr. 9, 1945.]
[2] [Signed for Brazil May 29, 1945.]
[3] [Signed for Colombia Oct. 31, 1947.]
[4] [Signed for Costa Rica Mar. 10, 1945.]
[5] [Signed for Cuba Apr. 20, 1945.]
[6] [Signed for Czechoslovakia Apr. 18, 1945.]
[7] [Signed for El Salvador May 9, 1945.]
[8] [Signed for Ethiopia Feb. 10, 1947.]

FOR FRANCE:

M. HYMANS
C. LEBEL
BOURGES
P. LOCUSSOL

FOR GREECE:

D T NOTI BOTZARIS
A. J. ARGYROPOULOS.

FOR GUATEMALA: [9]

FOR HAITI:

G EDOUARD ROY

FOR HONDURAS:

E. P LEFEBVRE.

FOR ICELAND:

THOR THORS.

FOR INDIA:

G V BEWOOR

FOR IRAN:

M. SHAYESTEH.

FOR IRAQ:

ALI JAWDAT

FOR IRELAND:

ROBT. BRENNAN
JOHN LEYDON.
JOHN J. HEARNE
T. J. O'DRISCOLL

FOR LEBANON:

C CHAMOUN
F EL-HOSS

FOR LIBERIA:

WALTER F WALKER

FOR LUXEMBOURG: [10]

FOR MEXICO:

PEDRO A CHAPA

FOR THE NETHERLANDS:

COPES.
F C ARONSTEIN

---

[9] [Signed for Guatemala Jan. 30, 1945.]
[10] [Signed for Luxembourg July 9, 1945.]

FOR THE GOVERNMENT OF NEW ZEALAND:

DANIEL GILES SULLIVAN

FOR NICARAGUA:

R. E. FRIZELL

FOR NORWAY: [11]

FOR PANAMA:

The Delegation of the Republic of Panama signs this Convention *ad referendum*, and subject to the following reservations:

1. Because of its strategic position and responsibility in the protection of the means of communication in its territory, which are of the utmost importance to world trade, and vital to the defense of the Western Hemisphere, the Republic of Panama reserves the right to take, with respect to all flights through the air space above its territory, all measures which in its judgment may be proper for its own security or the protection of said means of communication.

2. The Republic of Panama understands that the technical annexes to which reference is made in the Convention constitute recommendations only, and not binding obligations.

FOR PARAGUAY: [12]

FOR PERU:

A REVOREDO
J. S. KOECHLIN
LUIS ALVARADO.
F ELGUERA
GLLMO VAN OORDT LEÓN.

FOR THE PHILIPPINE COMMONWEALTH:

J HERNANDEZ
URBANO A. ZAFRA
J H FOLEY

FOR POLAND:

ZBYSLAW CIOLKOSZ
DR. H. J. GORECKI.
STEFAN J. KONORSKI
WITOLD A. URBANOWICZ
LUDWIK H. GOTTLIEB

FOR PORTUGAL:

MÁRIO DE FIGUEIREDO
ALFREDO DELESQUE DOS SANTOS CINTRA
DUARTE CALHEIROS
VASCO VIEIRA GARIN

FOR SPAIN:

E. TERRADAS.
GERMÁN BARAIBAR
DUARTE CALHEIROS

---

[11] [Signed for Norway Jan. 30, 1945.]

[12] [Signed for Paraguay July 27, 1945.]

FOR SWEDEN:
R. KUMLIN

FOR SWITZERLAND: [13]

FOR SYRIA:
N KAHALE

FOR TURKEY:
S. KOCAK
F. SAHINBAS
ORHAN H. EROL

FOR THE UNION OF SOUTH AFRICA: [14]

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
SWINTON

FOR THE UNITED STATES OF AMERICA:
ADOLF A. BERLE Jr.
ALFRED L. BULWINKLE
CHAS. A. WOLVERTON
F. LAGUARDIA.
EDWARD WARNER
L. WELCH POGUE
WILLIAM A. M. BURDEN

FOR URUGUAY:
CARL CARBAJAL
Col. MEDARDO R. FARÍAS

FOR VENEZUELA:

FOR YUGOSLAVIA:

FOR DENMARK:
HENRIK KAUFFMANN

FOR THAILAND:
M. R. SENI PRAMOJ

I CERTIFY THAT the foregoing is a true copy of the Convention on International Civil Aviation dated December 7, 1944, concluded at the International Civil Aviation Conference at Chicago, Illinois, in the English language, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, E. R. Stettinius, Jr., Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this twenty-second day of January, 1945.

[SEAL]

E. R. STETTINIUS Jr
Secretary of State

By M L KENESTRICK
Assistant Chief. Division of Central Services

---

[13] [Signed for Switzerland July 6, 1945.]

[14] [Signed for Union of South Africa June 4, 1945.]

WHEREAS the Senate of the United States of America by their Resolution of July 25, 1946, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said convention;

WHEREAS the said convention was duly ratified by the President of the United States of America on August 6, 1946, in pursuance of the aforesaid advice and consent of the Senate;

Ante, p. 1206.

WHEREAS it is provided by paragraph (b) of Article 91 of the said convention that as soon as the convention has been ratified or adhered to by twenty-six States it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument;

Deposit of instruments of ratification.

WHEREAS instruments of ratification of, or notifications of adherence to, the said convention were deposited with the Government of the United States of America by the Governments of the following States, namely: Poland on April 6, 1945; Turkey on December 20, 1945; Nicaragua on December 28, 1945; Paraguay on January 21, 1946; the Dominican Republic on January 25, 1946; Canada on February 13, 1946; China on February 20, 1946; Peru on April 8, 1946; Argentina on June 4, 1946; Mexico on June 25, 1946; Brazil on July 8, 1946; the United States of America on August 9, 1946; Ireland on October 31, 1946; Sweden on November 7, 1946; Switzerland on February 6, 1947; Liberia on February 11, 1947; Portugal on February 27, 1947; Denmark on February 28, 1947; Australia on March 1, 1947; Czechoslovakia on March 1, 1947; Ethiopia on March 1, 1947; India on March 1, 1947; the Philippines on March 1, 1947; the Union of South Africa on March 1, 1947; the United Kingdom of Great Britain and Northern Ireland on March 1, 1947; Spain on March 5, 1947; New Zealand on March 7, 1947; Chile on March 11, 1947; Egypt on March 13, 1947; and Greece on March 13, 1947;

Entry into force.

WHEREAS, pursuant to the aforesaid provision of paragraph (b) of Article 91 of the said convention, the convention will enter into force on April 4, 1947, the thirtieth day after March 5, 1947, the date of deposit of the twenty-sixth instrument;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, have caused the said convention on international civil aviation to be made public to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after April 4, 1947, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventeenth day of March in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Protocol between the United States of America and other governments amending the International Agreement for the Regulation of Whaling signed June 8, 1937, as amended by the protocol signed June 24, 1938. Signed at London November 26, 1945; ratification advised by the Senate of the United States of America July 30, 1946; ratified by the President of the United States of America August 12, 1946; ratification of the United States of America deposited at London August 30, 1946; articles 2, 3, 4, 6 (1), 6 (2), 7, and 8 proclaimed by the President of the United States of America February 10, 1947.

November 26, 1945
[T. I. A. S. 1597]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol amending the International Agreement for the Regulation of Whaling signed at London on June 8, 1937, as amended by the Protocol signed at London on June 24, 1938, was signed at London on November 26, 1945 by the respective plenipotentiaries of the Governments of the United States of America, the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, the French Republic, the United Mexican States, the Netherlands, New Zealand, Norway, and the United Kingdom of Great Britain and Northern Ireland;

Regulation of whaling.
52 Stat. 1460.
53 Stat. 1794.

WHEREAS the text of the said protocol, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland, is word for word as follows:

PROTOCOL.

THE Governments of the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, France, Mexico, the Netherlands, New Zealand, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

Desiring, in view of the fact that pelagic whaling operations in the area defined by Article 7 of the international Agreement for the Regulation of Whaling, signed at London on the 8th June, 1937 (hereinafter referred to as the Principal Agreement), as amended by the Protocol signed at London on the 24th June, 1938 (hereinafter referred to as the Protocol of 1938), have been interrupted for a considerable period by the war, and in order to meet the emergency produced by post-war conditions without prejudice to the conservation of stocks of whales, to put into force by agreement such provisions as may be necessary in regard to pelagic whaling for the season 1946/47;

Pelagic whaling.
52 Stat. 1461.
53 Stat. 1794.

Have agreed as follows:—

ARTICLE 1.

Subject to the provisions of Article 3 of the present Protocol, the period fixed by Article 7 of the Principal Agreement, during which

Baleen whales.
52 Stat. 1461.

factory ships or whalecatchers attached thereto may be used for the purpose of taking or treating baleen whales, shall be extended for the season 1946/47 so as to cover the period from the 8th December to the 7th April inclusive.

ARTICLE 2.

Notice respecting factory ships.

Each contracting Government shall give notice to the Government of the United Kingdom when factory ships registered under the law of any territory under its authority or otherwise under its jurisdiction engage in whaling operations in the area defined by Article 7 of the Principal Agreement. The Government of the United Kingdom will inform the other contracting Governments of all notices received under this paragraph and shall itself similarly give notice to the other contracting Governments if factory ships registered under the law of any territory under its authority or otherwise under its jurisdiction engage in whaling operations in the said area.

52 Stat. 1461.

ARTICLE 3.

Hump back whales. 53 Stat. 1794.

The prohibition contained in Article 1 of the Protocol of 1938 relating to the taking of hump back whales in any waters south of 40° south latitude shall apply during the season of 1946/47.

ARTICLE 4.

Quota of blue whale units. 52 Stat. 1461.

(1) During the season of 1946/47 the number of baleen whales caught in the area defined by Article 7 of the Principal Agreement shall not exceed 16,000 blue whale units.

(2) For the purposes of paragraph 1 of this Article blue whale units shall be calculated on the basis that one blue whale equals—

(*a*) Two fin whales or
(*b*) Two and a half hump back whales or
(*c*) Six sei whales.

(3) Each contracting Government undertakes to ensure that the International Bureau for Whaling Statistics shall be provided, within two days after the end of each calendar week, with data on the number of blue whale units caught by each factory ship under the jurisdiction of the said Government in the area defined by Article 7 of the Principal Agreement. The Government of the United Kingdom shall consult from time to time with the International Bureau for Whaling Statistics and if it should appear that the annual quota provided by paragraph (1) of this Article may be reached before the 7th April, the International Bureau for Whaling Statistics shall be requested to determine, on the basis of the data provided, the date on which the annual quota of blue whale units shall be deemed to have been reached and to notify each contracting Government of that date not less than two weeks in advance thereof. The taking of baleen whales shall be illegal after the date so determined.

ARTICLE 5.

Operation of factory ships as land stations. 53 Stat. 1795.

The provisions of Article 3, paragraph (2), of the Protocol of 1938, regarding the operation of factory ships as land stations in the terri-

torial waters of any contracting Government, shall not apply during the period from 1st May, 1947, to 31st October, 1947, inclusive.

ARTICLE 6.

Definitions.
52 Stat. 1463.

(1) In the present Protocol the following expressions shall have the meanings assigned to them in Article 18 of the Principal Agreement: "factory ship," "whalecatcher," "land station," "baleen whale," "blue whale," "hump back whale," "fin whale."

(2) Sei whale means, for the purposes of this Protocol, any whale known by the name of balaenoptera borealis, sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale, and shall be taken to include Balaenoptera brydei, Bryde's whale.

(3) The expression "land station" shall, for the purposes of Article 5 of the present Protocol, include a factory ship the movements and anchorage of which are confined to the territorial waters of any contracting Government.

ARTICLE 7.

Ratification; accession.
52 Stat. 1460.
53 Stat. 1794.

(1) The present Protocol shall be ratified and the instruments of ratification deposited as soon as possible with the Government of the United Kingdom; and it shall be open to accession on behalf of any Government which is a party to the Principal Agreement and the Protocol of 1938 and has not signed the present Protocol.

(2) Accession shall be effected by notification addressed to the Government of the United Kingdom.

(3) The Government of the United Kingdom shall inform the Governments which are parties or signatories to the present Protocol of all ratifications of this Protocol or accessions thereto.

ARTICLE 8.

Entry into force.
Post, p. 1241.

(1) The present Protocol shall come into force in its entirety when all the Governments referred to in the Preamble hereof shall have deposited their instruments of ratification or given notifications of accession.

(2) The provisions of this Article and Articles 2, 3, 4, 6 (1), 6 (2) and 7 of the present Protocol shall, when instruments of ratification have been deposited by at least three signatory Governments, become binding on those Governments and shall become binding on each other Government which subsequently ratifies or accedes, on the date of the deposit of its instrument of ratification or notification of its accession.

52 Stat. 1460.
53 Stat. 1794.

(3) The ratification of or accession to the present Protocol by a Government which is not a party to the Principal Agreement and the Protocol of 1938 shall not become effective until such Government becomes a party to that Agreement and the Protocol of 1938.

ARTICLE 9.

The present Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of 14 days thereafter.

In witness whereof the undersigned plenipotentiaries being duly

authorised to this end by their respective Governments have signed the present Protocol.

Done at London this 26th day of November, 1945, in a single copy which shall remain deposited in the archives of the Government of the United Kingdom, by whom certified copies will be transmitted to all the Governments referred to in the preamble.

For the Government of the Union of South Africa:

A. P. VAN DER POST.

For the Government of the Commonwealth of Australia:

J. S. DUNCAN.

For the Government of Canada:

VINCENT MASSEY.

For the Government of Denmark:

P. F. ERICHSEN.

For the Provisional Government of the French Republic:

NOËL HENRY.

For the Government of the United Mexican States:

ALFONSO DE ROSENZWEIG DIAZ.

For the Government of the Netherlands:

E. TEIXEIRA DE MATTOS.

For the Government of New Zealand:

R. M. CAMPBELL.

For the Government of Norway:

BIRGER BERGERSEN.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

A. T. A. DOBSON.
J. E. DE WATTEVILLE.

For the Government of the United States of America:

REMINGTON KELLOGG.
IRA N. GABRIELSON.

Certified a true copy.

[SEAL]

LONDON
27 Dec 1945

D. A. BIGBY
Acting Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

WHEREAS the Senate of the United States of America by their Resolution of July 30, 1946, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said protocol;

WHEREAS the said protocol was duly ratified on behalf of the Government of the United States of America on August 12, 1946, and the instrument of ratification on the part of the said Government was duly deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland on August 30, 1946;

Deposit of instrument of ratification.

WHEREAS it is provided in Article 8 of the said protocol that Articles 2, 3, 4, 6 (1), 6 (2), 7, and 8 of the said protocol shall, when instruments of ratification have been deposited by at least three signatory Governments, become binding on those Governments and shall become binding on each other Government which subsequently ratifies or accedes on the date of the deposit of its instrument of ratification or notification of its accession;

WHEREAS instruments of ratification of the said protocol were deposited with the Government of the United Kingdom of Great Britain and Northern Ireland by the Government of New Zealand on March 7, 1946, the Government of the United Kingdom of Great Britain and Northern Ireland on March 29, 1946, and the Government of Norway on April 4, 1946; and

WHEREAS pursuant to the aforesaid provision of Article 8 of the said protocol, Articles 2, 3, 4, 6 (1), 6 (2), 7, and 8 of the said protocol came into force on April 4, 1946, in respect of the Governments of New Zealand, the United Kingdom of Great Britain and Northern Ireland, and Norway;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public Articles 2, 3, 4, 6 (1), 6 (2), 7, and 8 of the said protocol amending the International Agreement for the Regulation of Whaling signed at London on June 8, 1937, as amended by the Protocol signed at London on June 24, 1938, to the end that the aforesaid Articles and every provision and clause thereof shall be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

Proclamation of designated articles.

52 Stat. 1460.

53 Stat. 1794.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of February in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

G C MARSHALL

Secretary of State

August 14, 1946
[T. I. A. S. 1598]

Declaration by the President of the United States of America August 14, 1946 respecting recognition by the United States of America of the compulsory jurisdiction of the International Court of Justice. Deposited with the Secretary General of the United Nations August 26, 1946.

DECLARATION ON THE PART OF THE UNITED STATES OF AMERICA

I, Harry S. Truman, President of the United States of America, declare on behalf of the United States of America, under Article 36, paragraph 2, of the Statute of the International Court of Justice, and in accordance with the Resolution of August 2, 1946, of the Senate of the United States of America (two-thirds of the Senators present concurring therein), that the United States of America recognizes as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning

59 Stat. 1060.

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that this declaration shall not apply to

a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America; or

c. disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States of America specially agrees to jurisdiction; and

Provided further, that this declaration shall remain in force for a period of five years and thereafter until the expiration of six months after notice may be given to terminate this declaration.

Done at Washington this fourteenth day of August 1946.

HARRY S TRUMAN

The Acting United States Representative to the United Nations to the Secretary General of the United Nations

UNITED STATES DELEGATION TO THE UNITED NATIONS

250 West 57th Street
New York 19, N. Y.

CIrcle 6-4400

AUGUST 26, 1946

EXCELLENCY:

I have the honor to transmit herewith, under cover of a note dated August 16, 1946, from the Acting Secretary of State of the United States, a Declaration by the President of the United States of America recognizing, on behalf of the United States of America, the compulsory jurisdiction of the International Court of Justice under Article 36 of the Statute of the Court. 59 Stat. 1060.

My action today in depositing this Declaration, accepting on behalf of the United States the compulsory jurisdiction of the International Court of Justice, is further testimony to the determination of my Government to do all in its power to assure that the United Nations will fulfill the role assigned to it, which is nothing less than the preservation of world peace.

One of the most elemental functions of the United Nations in the preservation of world peace is the development of procedures of pacific settlement. In these procedures, the role and functions of law is clear. We feel that international law is already sufficiently developed to serve as a guide and basis in international relations. We feel further that the best way of assuring its further development, and the only way of enabling it to fulfill its function, is by referring to a responsible international tribunal all disputes properly justiciable by such a tribunal.

We accordingly look forward to a great development of the rule of law in international relations through a broad acceptance of the function of the Court in the spirit of the Charter.

Accept, Excellency, the renewed assurances of my highest consideration.

Enclosure:
As stated.

HERSCHEL V. JOHNSON

His Excellency
TRYGVE LIE,
Secretary General
of the United Nations,
Lake Success, New York.

UN No. 163

The Secretary General of the United Nations to the Acting United States Representative to the United Nations

Mailing Address:
Box 1000, New York 1, N.Y., U.S.A.

Cable Address:
UNO NEW YORK

UNITED NATIONS • NATIONS UNIES
Hunter College, Bronx 63, New York . Melrose 5-4701

Office of the Secretary General

In reply refer to: 903-2-3/IR

4 SEPTEMBER 1946

SIR,

I have the honor to acknowledge the receipt of a Declaration by the President of the United States of America recognizing, on behalf of the United States of America, the compulsory jurisdiction of the International Court of Justice under Article 36 of the Statute of the Court which you deposited with me on 26 August 1946.

59 Stat. 1060.

The text of the Declaration reads as follows:

"DECLARATION ON THE PART OF THE UNITED STATES OF AMERICA

I, Harry S. Truman, President of the United States of America, declare on behalf of the United States of America, under Article 36, paragraph 2, of the Statute of the International Court of Justice, and in accordance with the Resolution of August 2, 1946, of the Senate of the United States of America (two-thirds of the Senators present concurring therein), that the United States of America recognizes as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning

59 Stat. 1060.

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that this declaration shall not apply to

a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America; or

c. disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States of America specially agrees to jurisdiction; and

Provided further, that this declaration shall remain in force for a period of five years and thereafter until the expiration of six months after notice may be given to terminate this declaration.

Done at Washington this fourteenth day of August 1946.

Harry S. Truman"

I have the honour to be, Sir,
Your obedient Servant,

TRYGVE LIE
Secretary-General

The Honorable
HERSCHEL V. JOHNSON,
Acting United States Representative
to the United Nations,

United States Delegation to the United Nations,
250 West 57th Street,
New York 19, N.Y.

October 1, 1946
[T. I. A. S. 1605]

Protocol between the United States of America and other American Republics modifying and extending for one year from October 1, 1946, the Inter-American Coffee Agreement of November 28, 1940. Open for signature at Washington September 3–November 1, 1946; ratification advised by the Senate of the United States of America February 21, 1947; ratified by the President of the United States of America March 7, 1947; ratification of the United States of America deposited with the Pan American Union at Washington March 19, 1947; proclaimed by the President of the United States of America April 1, 1947; entered into force with respect to the United States of America March 19, 1947; effective October 1, 1946.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol for the extension of the Inter-American Coffee Agreement for one year from October 1, 1946 was open for signature at the Pan American Union in Washington from September 3, 1946 until November 1, 1946 and during that period was signed by the respective Plenipotentiaries of the Government of the United States of America (subject to ratification) and the Governments of fourteen other American Republics;

AND WHEREAS the said protocol, being in the English, Spanish, Portuguese, and French languages, as certified by the Acting Secretary of the Governing Board of the Pan American Union, is word for word as follows:

PROTOCOL FOR THE EXTENSION OF THE INTER-AMERICAN COFFEE AGREEMENT FOR ONE YEAR FROM OCTOBER 1, 1946.

WHEREAS an Inter-American Coffee Agreement (hereinafter referred to as "the Agreement") was signed in Washington on November 28, 1940:

55 Stat. 1143; 56 Stat. 1345.

55 Stat. 1183.

AND WHEREAS by a Protocol signed in Washington April 15, 1941, the Agreement was brought into force on April 16, 1941, in respect of the Governments on behalf of which the Protocol was signed on April 15, 1941:

55 Stat. 1172.

AND WHEREAS Article XXIV of the said Agreement provides that it should continue in force until October 1, 1943:

AND WHEREAS by unanimous consent the Governments signatory to the Agreement twice extended the said Agreement unchanged for one-year periods, these extensions being duly attested by two certified and signed Declarations passed by the Inter-American Coffee Board on May 12, 1943 and July 25, 1944,[1]

[1] [Not printed.]

respectively, which were duly deposited in the Pan American Union on June 11, 1943, and September 11, 1944, respectively, in accordance with the provisions of Article XXIV of the Agreement: 55 Stat. 1172.

AND WHEREAS by a Protocol signed and deposited with the Pan American Union under date of October 1, 1945, the said Agreement was extended for one year from October 1, 1945, with certain changes recommended by the Inter-American Coffee Board. 60 Stat. 1359.

NOW, THEREFORE, in support of a recommendation made by the Inter-American Coffee Board on August 16, 1946, the Governments signatory to the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term, subject to the conditions stated below, have agreed as follows:

Article 1

Continuance in force.

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory to the present Protocol for a period of one year from October 1, 1946.

Article 2

Inoperative provisions.

During the period specified in Article 1 above, the Governments signatory to the present Protocol agree that the provisions of Article 1 through and including VIII of the Agreement shall be inoperative, except that, under emergency conditions, such articles of the Agreement shall again become effective upon a motion approved by at least 95% of the total vote of the Inter-American Coffee Board. 55 Stat. 1146-1157.

Article 3

Inter-American Coffee Board.
Analysis of world coffee situation; recommendations.

a. During the period specified in Article 1 above, the Inter-American Coffee Board shall undertake to complete by March 31, 1947, a thorough analysis of the world coffee situation and shall formulate recommendations for the consideration of the governments now participating in the Agreement and of other governments that might be interested in participating in a revised agreement regarding the type of international cooperation that appears most likely to contribute to the development of sound, prosperous conditions in international trade in coffee equitable for both producers and consumers.

b. Such recommendations shall take due account of any general principles of commodity policy embodied in any agreement which may be concluded under the auspices of the United Nations prior to the submission of such recommendations.

Article 4

Entry into force.

The present Protocol shall be open for signature at the Pan American Union from September 3, 1946, until November 1, 1946, provided, however, that all signatures shall be deemed to have been affixed under date of October 1, 1946, and the Protocol shall be considered as having entered into force on that date with respect to the governments on behalf of which it is signed.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol.

Done at the City of Washington in the English, Spanish, Portuguese, and French languages. The original instrument in each language shall be deposited in the Pan American Union which shall furnish certified copies to the Governments signatory to this Protocol.

OCTAVIO DO NASCIMENTO BRITO
Brazil

EMILIO TORO
Colombia

RAFAEL OREAMUNO
Costa Rica

GMO. BELT Sujeto a la aprobación por el Senado de la República de Cuba
Cuba

EMILIO G GODOY
Dominican Republic

O. GARCÍA
Ecuador

FELIPE VEGA-GÓMEZ
El Salvador

ENRIQUE LOPEZ HERRARTE
Guatemala AD-Referendum

JH. D. CHARLES
Haiti

JULIÁN R. CÁCERES
Honduras

A E DE LOS MONTEROS
Mexico

GUILLERMO SEVILLA SACASA
Nicaragua

JORGE PRADO
Peru

SPRUILLE BRADEN
United States of America
Subject to ratification.

M A FALCÓN BRICEÑO
Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original of the Protocol for the Extension of the Inter-American Coffee Agreement for one year from October 1, 1946, deposited in the Pan American Union.

WASHINGTON, D. C., *January 6, 1947*

William Manger

William Manger
Acting Secretary of the Governing Board
of the Pan American Union

[SEAL]

PROTOCOLO PARA LA PRORROGA DEL CONVENIO INTER-AMERICANO DEL CAFE POR UN AÑO, A PARTIR DE OCTUBRE 1, 1946

POR CUANTO: el Convenio Interamericano del Café (que en lo sucesivo se designará bajo la denominación de "el Convenio") fué suscrito en Washington, el 28 de noviembre de 1940; y

POR CUANTO: que el Protocolo firmado en Washington el 15 de abril de 1941 puso en vigor el Convenio el 16 de abril de 1941, con respecto a los Gobiernos en cuyo nombre se firmó el Protocolo el 15 de abril de 1941; y

POR CUANTO: que el Artículo XXIV de dicho Convenio estipula que continúe en vigor hasta el 1ro. de octubre de 1943; y

POR CUANTO: por consentimiento unánime los Gobiernos signatarios han prorrogado en dos ocasiones dicho Convenio sin modificaciones, por períodos de un año, y dichas prórrogas han sido debidamente formalizadas mediante dos Declaraciones certificadas y firmadas, aprobadas por la Junta Interamericana del Café el 12 de mayo de 1943, y el 25 de julio de 1944, respectivamente, las cuales fueron debidamente depositadas en la Unión Panamericana el 11 de junio de 1943 y el 11 de septiembre de 1944, respectivamente, en conformidad con las estipulaciones del Artículo XXIV del Convenio; y

POR CUANTO: dicho Convenio, según un Protocolo firmado y depositado en la Unión Panamericana en fecha octubre 1, 1945, fué continuado por un año a partir de octubre 1, 1945, con ciertos cambios recomendados por la Junta Interamericana del Café.

POR TANTO; en cumplimiento de una recomendación hecha por la Junta Interamericana del Café el 16 de agosto de 1946, los Gobiernos firmantes del presente Protocolo, considerando que es conveniente que el Convenio sea continuado por un nuevo término, sujeto a las condiciones que se indican más abajo, han acordado lo siguiente:

Artículo 1

El Convenio continuará en vigor entre los Gobiernos firmantes del presente Protocolo, por un período de un año, a partir del 1ro. de octubre de 1946, sujeto a las disposiciones del Artículo 2 de este instrumento.

Artículo 2

Durante el período indicado en el Artículo 1 de este instrumento, los Gobiernos signatarios del presente Protocolo convienen en dejar sin efecto las estipulaciones de los Artículos I a VIII, inclusives, del Convenio, excepto en condiciones de emergencia, en cuyo caso dichos

Artículos se pondrán en vigor nuevamente por moción aprobada por lo menos el 95% del total de los votos de la Junta Interamericana del Café.

Artículo 3

a. Durante el período estipulado en el Artículo 1, la Junta Interamericana del Café dará término para marzo 31, 1947, a un análisis completo de la situación cafetera mundial y formulará recomendaciones para consideración de los Gobiernos que participan actualmente del Convenio y de aquellos otros gobiernos que tengan interés en participar en un Convenio revisado, sobre la clase de cooperación internacional que se considere la más conveniente para el desarrollo de condiciones sanas y prósperas en el comercio internacional de café, equitativas para productores y consumidores.

b. Tales recomendaciones deberán tomar en consideración cualesquiera principios generales de política sobre productos ("commodity policy") que se adopten en cualquier convenio que se celebre bajo los auspicios de las Naciones Unidas antes de que se sometan dichas recomendaciones.

Artículo 4

El presente Protocolo quedará abierto a la firma en la Unión Panamericana desde el 3 de septiembre de 1946, hasta el 1ro. de noviembre de 1946, entendiéndose que todas las firmas se considerarán puestas en la fecha de octubre 1, 1946, y el Protocolo será considerado como habiendo entrado en vigor en dicha fecha con respecto a los Gobiernos en nombre de los cuales ha sido suscrito.

En testimonio de lo cual los abajo firmantes, debidamente autorizados por sus Gobiernos respectivos, suscriben el presente Protocolo.

Hecho en la ciudad de Washington en los idiomas inglés, español, portugués y francés. El instrumento original en cada idioma será depositado en la Unión Panamericana, la cual remitirá copias certificadas a los Gobiernos firmantes de este Protocolo.

OCTAVIO DO NASCIMENTO BRITO
Brasil

EMILIO TORO
Colombia

RAFAEL OREAMUNO.
Costa Rica

GMO BELT
Cuba
Sujeto a la aprobación por el Senado de la Republica de Cuba

O. GARCÍA.
Ecuador

FELIPE VEGA-GÓMEZ
El Salvador

SPRUILLE BRADEN

Estados Unidos de América
Subject to ratification.

ENRIQUE LOPEZ HERRARTE

Guatemala AD-REFERENDUM

JH. D. CHARLES

Haití

JULIÁN R CÁCERES

Honduras

A E DE LOS MONTEROS

México

GUILLERMO SEVILLA SACASA

Nicaragua

JORGE PRADO

Perú

EMILIO G GODOY

República Dominicana

M A FALCÓN BRICEÑO

Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original, in Spanish, of the Protocol for the Extension of the Inter-American Coffee Agreement for one year from October 1, 1946, deposited in the Pan American Union.

WASHINGTON, D. C., *January 6, 1947*

William Manger

William Manger
Acting Secretary of the Governing Board
of the Pan American Union

[SEAL]

PROTOCOLO PARA A PRORROGAÇÃO DO CONVÊNIO INTER-AMERICANO DO CAFÉ POR UM ANO, A PARTIR DE 1° DE OUTUBRO DE 1946

QUE: Considerando que o Convênio Interamericano do Café (aqui referido como "o Convênio") foi assinado em Washington aos 28 de novembro de 1940;

QUE: pelo Protocolo assinado em Washington em 15 de abril de 1941, o Convênio foi posto em vigor em 16 de abril de 1941 com respeito aos Governos em cujo favor o Protocolo fôrá assinado em 15 de abril de 1941;

QUE: o Artigo XXIV do referido Convênio estabelece que o mesmo deve continuar em vigor até 1° de outubro de 1943;

QUE: por consentimento unânime dos Governos signatários do Convênio êste fôra prorrogado duas vezes, sem modificações, por períodos de um ano, sendo essas prorrogações regularmente atestadas por duas Declarações assinadas e reconhecidas, pela Junta Interamericana do Café, com datas de 12 de Maio de 1943 e 25 de julho de 1944, respectivamente, tendo sido ambas regularmente entregues á União Pan-Americana em 11 de junho de 1943 e 11 de setembro de 1944, respectivamente, de acôrdo com o procedimento recomendado no Artigo XXIV do Convênio;

QUE: pelo Protocolo assinado e depositado na União Pan-Americana datada de 1 de outubro de 1945, o referido acordo foi prorrogado por um ano a contar de 1° de outubro de 1945 com certas emendas recomendadas pela Junta Interamericana do Café;

PORTANTO: em apoio á recomendação feita em 16 de agosto de 1946 pela Junta Interamericana do Café, os Governos signatários do presente Protocolo, julgando conveniente que o Convênio seja prolongado por mais um termo, sujeito as condições estabelecidas abaixo, concordam com o seguinte:

Artigo 1

De acôrdo com as determinações do Artigo 2 dêste Protocolo, o Convênio deverá continuar em vigor entre os Governos signatários do mesmo Protocolo pelo período de um ano, a partir de 1° de outubro de 1946.

Artigo 2

Durante o período especificado no artigo precedente, os Governos signatários dêste Protocolo concordam que as determinações do Convênio, dos Artigos I ao VIII, inclusive permanecerão inoperantes, exceto em condições de emergência e, neste caso, tais artigos tornar-se-ão novamente efetivos pela aprovação de, pelo menos, 95% do total de vozes da Junta Interamericana do Café.

Artigo 3

a. Durante o período especificado no Artigo 1 a Junta Interamericana do Café deverá completar para 31 de março de 1947 uma cuidadosa ánálise da situação mundial do café e deverá formular recomendações para a consideração dos Governos participantes do Convênio e outros Governos que possam enventualmente estar interessados na participação de um Convênio, então revisto, visando um tipo de cooperação internacional que poderá provávelmente contribuir para o desenvolvimento de condições harmoniosas e prósperas para um comércio internacional do café justo, tanto para o produtor como para o consumidor.

b. Essas recomendações devem levar em devida consideração quaisquer princípios gerais de entendimento, de política sôbre produtos ("commodity policy") incorporados em qualquer acôrdo que possa ser concluído sob os auspícios das Nações Unidas e anterior à submissão dessas mesmas recomendações.

Artigo 4

O presente Protocolo será aberto para assinaturas, na União Pan-Americana, de 3 de setembro de 1946 a 1° de novembro de 1946, embora tôdas as assinaturas sejam consideradas efetivas a partir de 1° de outubro de 1946, e o Protocolo será considerado como tendo entrado em vigor naquela data com respeito ao Governo em cujo favor é assinado.

Em testemunho da verdade, os signatários, devidamente autorizados pelos respectivos Governos, assinaram o presente Protocolo.

Redigido na cidade de Washington em inglês, espanhol, português e francês. O documento original, em cada um dos referidos idiomas, deverá ser depositado na União Pan-Americana a qual enviafá copias oficialmente reconhecidas aos Governos signatários dêste Protocolo.

OCTAVIO DO NASCIMENTO BRITO

Brasil

EMILIO TORO

Colombia

RAFAEL OREAMUNO

Costa Rica

GMO BELT Sujeto a la aprobación por el Senado de la República de Cuba

Cuba

O. GARCÍA.

Equador

SPRUILLE BRADEN

Estados Unidos da América
Subject to ratification.

ENRIQUE LOPEZ HERRARTE
Guatemala AD-REFERENDUM

JH. D. CHARLES
Haiti

JULIÁN R. CÁCERES
Honduras

A E DE LOS MONTEROS
México

GUILLERMO SEVILLA SACASA
Nicaragua

JORGE PRADO
Perú

FELIPE VEGA-GÓMEZ
Salvador

EMILIO G GODOY
São Domingos

M A FALCÓN BRICEÑO
Venezuela

I hereby certify that the foregoing document is a true and faithful copy of the original, in Portuguese, of the Protocol for the Extension of the Inter-American Coffee Agreement for one year from October 1, 1946, deposited in the Pan American Union.

WASHINGTON, D. C., *January 6, 1947*

William Manger
William Manger
Acting Secretary of the Governing Board
of the Pan American Union

[SEAL]

PROTOCOLE POUR LE RENOUVELLEMENT DE L'ACCORD INTER-AMERICAIN DU CAFE POUR UNE PERIODE D'UNE ANNEE A PARTIR DU PREMIER OCTOBRE MIL-NEUF-CENT-QUARANTE-SIX

ATTENDU que l'Accord Inter-Américain du Café (qui dans le présent texte sera désigné comme "l'Accord") fut signé à Washington à la date du 28 Novembre 1940; et

ATTENDU que par un Protocole signé à Washington à la date du 15 Avril 1941 l'Accord fut considéré comme entrant en vigueur le 16 Avril 1941 en ce qui concernait les Gouvernements aux noms desquels le Protocole fut signé le 15 Avril 1941; et

ATTENDU que l'Article XXIV du dit Accord prévoit qu'il resterait en vigueur jusqu'au Premier Octobre 1943; et

ATTENDU que les Gouvernements signataires, à deux reprises, ont renouvelé, à l'unanimité, le dit Accord, sans changement, pour des périodes d'une année, ces reconductions etant dûment constatées par deux déclarations signées et enrigistrées, faites par le Conseil Inter-Américain du Café, la première le 12 Mai 1943 et la seconde le 25 Juillet 1944, respectivement, declarations qui furent dûment déposées à l'Union Panamericaine respectivement les 11 Juin 1943 et 11 Septembre 1944, conformément à la procedure établie par l'Article XXIV de L'Accord; et

ATTENDU que le dit Accord fut renouvelé por une année à partir du 1er. Octobre 1945, avec certaines modifications recommandées par le Conseil Inter-Américain du Café, d'aprés un Protocole signé et déposé à l'Union Panaméricaine, en date du 1er. Octobre 1945.

PAR CONSEQUENT, maintenant, faisant suite à une Recommandation du Conseil Inter-Américain du Café à la date du 16 Août 1946, les Gouvernements signataires du présent Protocole, considérant qu'il est utile de renouveler l'Accord pour un nouveau terme, sujet aux conditions ci-après stipulées, ont convenu ce quit suit:

Article 1

L'Accord continuera à être en vigueur entre les Gouvernements signataires du présent Protocole pendant une période d'une année à partir du 1er. Octobre 1946, sujet aux dispositions de l'Article 2.

Article 2

Pendant la période spécifiée dans l'Article précédent, les Gouvernements signataires du Présent Protocole consentent à ce que les dispositions des huit premiers Articles de l'Accord demeurent sans

effet, sauf en cas de force majeure, auquel cas ces Articles pourront être de nouveau appliqués par une motion qui devra être approuvée par au moins 95% des votes du Conseil Inter-Américain du Café.

Article 3

a. Durant la période stipulée çi-dessus à l'Article 1, le Conseil Inter-Américain du Café donnera fin au 31 Mars, 1947, à une analyse de la situation du café sur le marché mondial afin de formuler des recommandations qui seront soumises tant aux Gouvernements signataires qu'a tous autres Gouvernements qui seraient intéressés à participer á un Accord revisé, ces recommandations envisageront l'etendue et la forme de coopération internationale qui contribuerait au développement du commerce internationale du café sur des bases saines et équitables á tous, producteurs et consommateurs.

b. De telles recommandations devront tenir compte des principes généraux de toute politique commerciale au sujet des denrées (Commodity policy) qui pourrait être adoptée sous les auspices des Nations Unies avant la soumission des dites recommandations.

Article 4

Le présent Protocole sera ouvert á la signature des pays á l'union Panaméricaine depuis le 3 Septembre 1946 jusqu'au 1er. Novembre 1946, et il est agrée cependant que toutes les signatures seront considérées comme effectives au 1er. Octobre 1945, et le Protocole sera considéré en vigueur á cette date en ce qui concerne les Gouvernements aux noms desquels il a été signé.

En foi de quoi les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent Protocole.

Fait en la Ville de Washington dans les langues anglaise, espagnole, portugaise et française. L'instrument originel en chaque langue sera déposé à l'Union Panaméricaine qui remettra des copies certifiées á chaque Gouvernement signataire du présent Protocole.

OCTAVIO DO NASCIMENTO BRITO

Brésil

EMILIO TORO

Colombie

RAFAEL OREAMUNO

Costa Rica

GMO BELT Sujeto a la aprobación por el Senado de la Republica de Cuba

Cuba

FELIPE VEGA-GÓMEZ

El Salvador

O. GARCÍA.

Équateur

SPRUILLE BRADEN

États-Unis d'Amérique
Subject to ratification.

ENRIQUE LOPEZ HERRARTE

Guatémala AD-REFERENDUM

JH. D. CHARLES

Haiti

JULIÁN R. CÁCERES

Honduras

A E DE LOS MONTEROS

Mexique

GUILLERMO SEVILLA SACASA

Nicaragua

JORGE PRADO

Pérou

EMILIO G GODOY

République Dominicaine

M A FALCÓN BRICEÑO

Vénézuela

I hereby certify that the foregoing document is a true and faithful copy of the original, in French, of the Protocol for the Extension of the Inter-American Coffee Agreement for one year from October 1, 1946, deposited in the Pan American Union.

WASHINGTON, D. C., *January 6, 1947*

William Manger
Acting Secretary of the Governing Board
of the Pan American Union

[SEAL]

AND WHEREAS the Senate of the United States of America, by their resolution of February 21, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said protocol;

Deposit of instrument of ratification.

AND WHEREAS the said protocol was duly ratified by the President of the United States of America on March 7, 1947 and the instrument of ratification on the part of the United States of America was duly deposited in the archives of the Pan American Union on March 19, 1947;

Effective date.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said protocol for the extension of the Inter-American Coffee Agreement for one year from October 1, 1946 to the end that the same and every article and clause thereof shall be observed and fulfilled with

good faith by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of April in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

DEAN ACHESON
Acting Secretary of State

August 30, 1946
[T. I. A. S. 1614]

Protocol between the United States of America and other governments prolonging the international agreement of May 6, 1937, respecting regulation of production and marketing of sugar. Signed at London August 30, 1946; ratification advised by the Senate of the United States of America April 24, 1947; ratified by the President of the United States of America May 7, 1947; ratification of the United States of America deposited in the archives of the government of the United Kingdom of Great Britain and Northern Ireland on May 20, 1947; proclaimed by the President of the United States of America May 27, 1947; effective September 1, 1946.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol dated in London August 30, 1946, prolonging for one year after August 31, 1946, the international agreement regarding the regulation of production and marketing of sugar signed at London on May 6, 1937, was signed by the respective Plenipotentiaries of the Governments of the United States of America (with a reservation "Subject to ratification"), the Union of South Africa, the Commonwealth of Australia, Belgium, Brazil, Cuba, Czechoslovakia, the Dominican Republic, the French Republic, the United Kingdom of Great Britain and Northern Ireland, Haiti, the Netherlands, Peru, the Republic of the Philippines (with a reservation "Subject to ratification for and in the name of the Republic of the Philippines"), Poland, Portugal, the Union of Soviet Socialist Republics, and the Federal People's Republic of Yugoslavia;

59 Stat. 922.

WHEREAS the text of the said protocol, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland in London, is word for word as follows:

PROTOCOL.

WHEREAS an International Agreement regarding the Regulation of the Production and Marketing of Sugar (hereinafter referred to as "the Agreement") was signed in London on the 6th May, 1937;

59 Stat. 922.

And whereas by a Protocol signed in London on the 22nd July, 1942, the Agreement was regarded as having come into force on the 1st September, 1937, in respect of the Governments signatory of the Protocol;

59 Stat. 949.

And whereas it was provided in the said Protocol that the Agreement should continue in force between the said Governments for a period of two years after the 31st August, 1942;

And whereas by further Protocols signed in London on the 31st August, 1944, and the 31st August, 1945, it was agreed that, subject to the provisions of Article 2 of the said Protocols, the Agreement should continue in force between the Governments signatory thereof for periods of one year terminating on the 31st August, 1945, and the 31st August, 1946, respectively; 59 Stat. 951; 60 Stat. 1373.

Now, therefore, the Governments signatory of the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term as between themselves, subject, in view of the present situation, to the conditions stated below, have agreed as follows:—

ARTICLE 1.

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory of this Protocol for a period of one year after the 31st August, 1946. Continuance in force.

ARTICLE 2.

During the period specified in Article 1 above the provisions of Chapters III, IV and V of the Agreement shall be inoperative. Inoperative provisions. 59 Stat. 926, 930, 933.

ARTICLE 3.

1. The Governments signatory of the present Protocol recognise that revision of the Agreement is necessary and should be undertaken as soon as the time appears opportune. Discussion of any such revision should take the existing Agreement as the starting point. Revision of Agreement.

2. For the purposes of such revision due account shall be taken of any general principles of commodity policy embodied in any agreements which may be concluded under the auspices of the United Nations.

ARTICLE 4.

Before the conclusion of the period of one year specified in Article 1, the contracting Governments, if the steps contemplated in Article 3 have not been taken, will discuss the question of a further renewal of the Agreement. Renewal.

ARTICLE 5.

The present Protocol shall bear the date the 30th August, 1946, and shall remain open for signature until the 30th September, 1946; provided however that any signatures appended after the 30th August, 1946, shall be deemed to have effect as from that date

In witness whereof the undersigned being duly authorised thereto by their respective Governments have signed the present Protocol.

Done in London on the 30th day of August, 1946, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and of which certified copies shall be furnished to the signatory Governments.

For the Government of the Union of South Africa:

G. HEATON NICHOLLS.

For the Government of the Commonwealth of Australia

NORMAN R. MIGHELL.

For the Government of Belgium:

G. WALRAVENS.

For the Government of Brazil:

MONIZ DE ARAGÃO.

For the Government of Cuba:

G. DE BLANCK.

For the Government of Czechoslovakia:

B. MESSÁNY.

For the Government of the Dominican Republic:

A. PASTORIZA.

For the Government of the French Republic:

J. PARIS.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

O. G. SARGENT.

For the Government of Haiti:

LÉON LALEAU.

For the Government of the Netherlands:

A. BENTINCK.

For the Government of Peru:

F. BERCKEMEYER.

For the Government of the Republic of the Philippines:

W. J. GALLMAN.
Subject to ratification for and in name of the Republic of the Philippines.

For the Government of Poland:

ZYGMUNT TUSZKIEWICZ.

For the Government of Portugal:

FELIX B. M. DA HORTA.

For the Government of the Union of Soviet Socialist Republics:

VLAS A. KLENTSOV.

For the Government of the United States of America

W. J. GALLMAN.
Subject to ratification

For the Government of the Federal People's Republic of Yugoslavia:

DR. FRANC KOS.

Certified a true copy.

[SEAL] E. J. PASSANT.

LONDON *Librarian and Keeper of the Papers for the*
-8 Oct 1946 *Secretary of State for Foreign Affairs.*

WHEREAS the Senate of the United States of America by their Resolution of April 24, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said protocol;

Deposit of instrument of ratification.

WHEREAS the said protocol was duly ratified on behalf of the Government of the United States of America on May 7, 1947, and the instrument of ratification on the part of the said Government was duly deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland on May 20, 1947;

WHEREAS it is provided in Article 1 of the said protocol that, subject to the provisions of Article 2 of the said protocol, the said agreement of May 6, 1937 shall continue in force between the Governments signatory of the said protocol for a period of one year after August 31, 1946;

59 Stat. 922.

WHEREAS it is provided in Article 5 of the said protocol that it shall bear the date of August 30, 1946, and shall remain open for signature until September 30, 1946, provided however that any signature appended after August 30, 1946 shall be deemed to have effect as from that date;

Effective date.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said protocol, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, the said protocol being deemed to have the effect, as provided in Article 1 thereof, of continuing in force between the Governments signatory of the said protocol, for a period of one year after August 31, 1946, the said agreement regarding the regulation of production and marketing of sugar signed at London May 6, 1937.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-seventh day of May in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

G C MARSHALL
Secretary of State

March 3, 1947
[T. I. A. S. 1634]

Supplementary protocol between the United States of America and other governments respecting whaling, bringing into force in entirety the protocol of November 26, 1945. Signed at London March 3, 1947; ratification advised by the Senate of the United States of America July 2, 1947; ratified by the President of the United States of America July 18, 1947; ratification of the United States of America deposited at London August 1, 1947; proclaimed by the President of the United States of America August 18, 1947; entered into force with respect to the United States of America August 1, 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Regulation of whaling.

Ante, p. 1213.

WHEREAS by my proclamation of February 10, 1947 I did proclaim and make public Articles 2, 3, 4, 6 (1), 6 (2), 7, and 8 of the Protocol, signed at London on November 26, 1945 by the respective plenipotentiaries of the Governments of the United States of America, the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, the French Republic, the United Mexican States, the Netherlands, New Zealand, Norway, and the United Kingdom of Great Britain and Northern Ireland, amending the International Agreement for the Regulation of Whaling signed at London on June 8, 1937, as amended by the Protocol signed at London on June 24, 1938, the said Articles having come into force in respect of the Government of the United States of America on August 30, 1946, pursuant to the provisions of Article 8 of the said Protocol of November 26, 1945;

52 Stat. 1460.

53 Stat. 1794.

Ante, p. 1215.

WHEREAS it is provided in the said Article 8 that the said Protocol of November 26, 1945 shall come into force in its entirety when all the Governments referred to in the Preamble thereof, namely, the Governments of the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, the French Republic, the United Mexican States, the Netherlands, New Zealand, Norway, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, shall have deposited their instruments of ratification or given notifications of accession;

WHEREAS all the said Governments except the Government of the United Mexican States and the Government of the Netherlands deposited their respective instruments of ratification of the said Protocol of November 26, 1945;

WHEREAS a supplementary protocol was signed at London on March 3, 1947 by the respective plenipotentiaries of the Governments of the United States of America (subject to ratification), the Union of South

Africa, the Commonwealth of Australia (subject to approval), Canada, Denmark, France, New Zealand, Norway, the United Kingdom, and the Union of Soviet Socialist Republics for the purpose of bringing into force in its entirety the said Protocol of November 26, 1945 without awaiting ratification by the Governments of the United Mexican States and the Netherlands;

WHEREAS the said supplementary protocol, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland, is word for word as follows:

SUPPLEMENTARY PROTOCOL

The Governments of the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, France, New Zealand, Norway, the United Kingdom, the United States of America and the Union of Soviet Socialist Republics,

Having ratified or acceded to the Protocol signed in London on 26th November, 1945 (hereinafter called "The Protocol"), amending the International Agreement for the Regulation of Whaling signed in London on 8th June, 1937, as amended by the Protocols of 24th June, 1938, and 7th February, 1944;[1]

Ante, p. 1213.

52 Stat. 1460.

53 Stat. 1794.

Considering that it is provided under paragraph (i) of Article VIII of the Protocol that the Protocol shall come into force in its entirety when all the Governments referred to in the preamble of the Protocol shall have deposited their instruments of ratification or given notification of accession;

Ante, p. 1215.

Considering further that ratifications or accessions have been deposited on behalf of all the Governments referred to in the preamble of the Protocol with the exception of the Governments of Mexico and the Netherlands; and

Desiring that the Protocol should be brought into force in its entirety without awaiting ratification by the Governments of Mexico and the Netherlands;

Have decided to conclude a Supplementary Protocol for this purpose and have agreed as follows:—

ARTICLE I

Entry into force of Protocol of Nov. 26, 1945.
Ante, p.1215.

Notwithstanding the provisions of paragraph (i) of Article VIII of the Protocol, the Protocol shall, on the signature of the present Supplementary Protocol, come into force with respect to Governments signing the present Supplementary Protocol immediately upon signature by them.

ARTICLE II

The present Supplementary Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of 14 days thereafter.

[1] [Senate Executive D, 78th Cong., 2d Sess.]

In witness whereof the Undersigned, duly authorised by their respective Governments, have signed the present Supplementary Protocol, done in London this 3rd day of March 1947 in a single copy, which shall be deposited in the archives of the Government of the United Kingdom and of which certified copies shall be transmitted to all the signatory Governments.

For the Government of the Union of South Africa:

EUGENE. K. SCALLAN

For the Government of the Commonwealth of Australia:

JOHN. A. BEASLEY
Subjet. to approval

For the Government of Canada:

N. A ROBERTSON

For the Government of Denmark:

E REVENTLOW.

For the Government of France:

JEAN LE ROY

For the Government of New Zealand:

W. J JORDAN.

For the Government of Norway:

P PREBENSEN

For the Government of the United Kingdom:

O. G. SARGENT

For the Government of the United States of America:

W. J. GALLMAN.
Subject to ratification.

For the Government of the Union of Soviet Socialist Republics:

G ZAROUBIN.

Certified a true copy:
[SEAL]
LONDON,
24 Mar 1947

E. J. PASSANT,
Librarian and Keeper of the Papers at the Foreign Office.

WHEREAS the Senate of the United States of America by their Resolution of July 2, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said supplementary protocol;

WHEREAS the said supplementary protocol was duly ratified on behalf of the Government of the United States of America on July 18, 1947, and the instrument of ratification on the part of the said Government was duly deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland on August 1, 1947; Deposit of instrument of ratification.

WHEREAS, pursuant to the provisions of Article I of the said supplementary protocol, the said supplementary protocol came into force immediately upon the signature thereof in respect of those Governments on behalf of which it was signed without reservation as to ratification or approval; and

WHEREAS, pursuant to the provisions of Article I of the said supplementary protocol, the said Protocol of November 26, 1945, notwithstanding the provisions of paragraph (1) of Article 8 thereof, came into force in respect of each of the Governments parties to the said supplementary protocol; *Ante*, p. 1213. *Ante*, p. 1215.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said supplementary protocol signed at London on March 3, 1947, and do hereby proclaim and make public in its entirety the said Protocol signed at London on November 26, 1945 amending the International Agreement for the Regulation of Whaling signed at London on June 8, 1937, as amended by the Protocol signed at London on June 24, 1938, to the end that the said supplementary protocol and the said Protocol of November 26, 1945 and every provision and clause thereof shall be observed and fulfilled with good faith by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof. 52 Stat. 1460. 53 Stat. 1794.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighteenth day of August in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A LOVETT

Acting Secretary of State

February 10, 1947
[T. I. A. S. 1648]

Treaty of peace with Italy. Dated at Paris February 10, 1947; ratification advised by the Senate of the United States of America June 5, 1947; ratified by the President of the United States of America June 14, 1947; ratification of the United States of America deposited with the French Republic at Paris September 15, 1947; proclaimed by the President of the United States of America September 15, 1947; entered into force September 15, 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Treaty of Peace with Italy, dated at Paris February 10, 1947, was signed by the respective Plenipotentiaries of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, China, France, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa, the People's Federal Republic of Yugoslavia, and Italy;

WHEREAS the text of the said Treaty, in the French, English, Russian, and Italian languages, as certified by the Foreign Office of the Government of the French Republic, is word for word as follows:

TRAITE DE PAIX

AVEC

L'ITALIE

1947

Les Etats-Unis d'Amérique, la Chine, la France, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la Belgique, la République Soviétique Socialiste de Biélorussie, le Brésil, le Canada, l'Ethiopie, la Grèce, l'Inde, la Nouvelle-Zélande, les Pays-Bas, la Pologne, la Tchéchoslovaquie, la République Soviétique Socialiste d'Ukraine, l'Union Sud-Africaine, la République Fédérative Populaire de Yougoslavie, désignés ci-après sous le nom de "Puissances Alliées et Associées", d'une part,

et l'Italie d'autre part;

Considérant que l'Italie, sous le régime fasciste, est devenue l'une des parties contractantes du pacte tripartite avec l'Allemagne et le Japon, qu'elle a entrepris une guerre d'agression et, de ce fait, a provoqué un état de guerre avec toutes les Puissances Alliées et Associées et avec d'autres Nations Unies, et qu'elle porte sa part de responsabilité dans la guerre;

Considérant que, par suite des victoires des forces alliées et avec l'aide des éléments démocratiques du peuple italien, le régime fasciste a été renversé en Italie le 25 juillet 1943, et que l'Italie, après avoir capitulé sans conditions, a signé les clauses d'armistice des 3 et 29 septembre de la même année;

Considérant que, après ledit armistice, des forces armées italiennes, celles du Gouvernement aussi bien que celles de la Résistance, ont pris une part active à la guerre contre l'Allemagne, que l'Italie a déclaré la guerre à l'Allemagne le 13 octobre 1943 et qu'elle est ainsi devenue cobelligérante dans la guerre contre l'Allemagne;

Considérant que les Puissances Alliées et Associées et l'Italie sont désireuses de conclure un traité de paix qui règle, en conformité avec les principes de justice, les questions demeurant en suspens à la suite des événements ci-dessus rappelés et qui forme la base de relations amicales entre elles, permettant ainsi aux Puissances Alliées et Associées d'appuyer les demandes que l'Italie présentera pour devenir membre de l'Organisation des Nations Unies et pour adhérer à toute convention conclue sous les auspices des Nations Unies;

Pour ces motifs, ont décidé de proclamer la cessation de l'état de guerre et de conclure à cet effet le présent Traité de Paix et ont, à ces fins,

désigné les Plénipotentiaires soussignés, lesquels, après présentation de leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des articles suivants:

PARTIE I

CLAUSES TERRITORIALES

SECTION I—FRONTIÈRES

Article 1

Les frontières de l'Italie demeureront telles qu'elles étaient au 1er janvier 1938, sous réserve des modifications indiquées aux articles 2, 3, 4, 11 et 22. Le tracé de ces frontières est indiqué sur les cartes jointes au présent Traité (annexe I). En cas de divergences entre le texte de la description des frontières et les cartes, c'est le texte qui fera foi.

Article 2

La frontière entre l'Italie et la France, telle qu'elle était au 1er janvier 1938, sera modifiée comme suit:

1. *Col du Petit-Saint-Bernard*

La nouvelle frontière suivra la ligne de partage des eaux en quittant la frontière actuelle à 2 kilomètres environ au nord-ouest de l'Hospice, coupant la route à 1 kilomètre environ au nord-est de l'Hospice et rejoignant la frontière actuelle à 2 kilomètres environ au sud-est de l'Hospice.

2. *Plateau du Mont Cenis*

La nouvelle frontière quittera la frontière actuelle à 3 kilomètres environ au nord-ouest du sommet de Rochemelon, coupera la route à 4 kilomètres environ au sud-est de l'Hospice et rejoindra la frontière actuelle à 4 kilomètres environ au nord-est du Mont d'Ambin.

3. *Mont Thabor-Chaberton*

(a) Dans le région du Mont Thabor, la nouvelle frontière quittera la frontière actuelle à 5 kilomètres environ à l'est du Mont Thabor et se dirigera vers le sud-est pour rejoindre la frontière actuelle à 3 kilomètres environ à l'ouest de la Pointe de Charra.

(b) Dans la région du Chaberton, la nouvelle frontière quittera la frontière actuelle à 3 kilomètres environ au nord-nord-ouest du Chaberton qu'elle contournera à l'est, et coupera la route à 1 kilomètre environ de la

frontière actuelle qu'elle rejoindra à 2 kilomètres environ au sud-est de la localité de Montgenèvre.

4. *Vallées supérieures de la Tinée, de la Vésubie et de la Roya*

La nouvelle frontière quittera la frontière actuelle à Colla Longa, suivra la ligne de partage des eaux par le Mont Clapier, le Col de Tende et le Mont Marguareis, d'où elle descendra vers le sud par le Mont Saccarello, le Mont Vacchi, le Mont Pietravecchia, le Mont Lega et atteindra un point situé approximativement à 100 mètres de la frontière actuelle près de Colla Pegairolle à 5 kilomètres environ au nord-est du Breil; de là, en direction du sud-ouest, elle rejoindra la frontière actuelle à 100 mètres environ au sud-ouest du Mont Mergo.

La description détaillée des sections de la frontière auxquelles s'appliquent les modifications indiquées dans les paragraphes 1, 2, 3 et 4 ci-dessus, figure à l'annexe II du présent traité, les cartes auxquelles se réfère cette description se trouvant à l'annexe I.

Article 3

La frontière entre l'Italie et la Yougoslavie sera déterminée comme il suit:

La nouvelle frontière suit une ligne partant du point de jonction des frontières de l'Autriche, de l'Italie et de la Yougoslavie, telles qu'elles étaient au 1er janvier 1938, et suivant vers le sud la frontière de 1938 entre la Yougoslavie et l'Italie jusqu'au point de jonction de cette frontière et de la limite administrative séparant les provinces italiennes du Frioul (Udine) et de Gorizia;

de ce point, la ligne se confond avec ladite limite administrative, jusqu'en un point situé approximativement à 0,5 Km au nord du village description se trouvant à l'annexe I.[1]

laissant en ce point la limite administrative séparant les provinces italiennes du Frioul et de Gorizia, la ligne s'étend à l'est jusqu'en un point situé approximativement à 0,5 Km à l'ouest du village de Vercoglia di Cosbana et de là se dirige vers le sud, entre les vallées du Quarnizzo et de la Cosbana, jusqu'en un point situé approximativement à 1 Km au sud-ouest du village de Fleana, après s'être incurvée de manière à couper la rivière de Recca en un point situé approximativement à 1,5 Km à l'est de l'Iudrio, laissant à l'est la route de Cosbana via Nebola à Castel Dobra;

[1] [By a note dated Apr. 29, 1947, the Government of the French Republic invited attention to the fact that "description se trouvant à l'annexe I" is a printing error and should be replaced by "de Mernico dans la vallee de l'Iudrio" in order to have the French language version correspond with the English and Russian versions.]

de là, la ligne continue vers le sud-est, passant immédiatement au sud de la route entre les cotes 111 et 172, puis au sud de celle de Vipulzano à Uclanzi par les cotes 57 et 122, coupant cette dernière route à 100 m. environ à l'est de la cote 122 pour s'infléchir vers le nord en direction d'un point situé à 350 m. au sud-est de la cote 266;

passant à 0,5 Km environ au nord du village de San Floriano, la ligne s'étend alors vers l'est jusqu'au Mont Sabotino (cote 610), laissant au nord le village de Poggio San Valentino;

du Mont Sabotino, la ligne, se dirigeant vers le sud, traverse l'Isonzo (Soca) à la hauteur de la ville de Salcano, qu'elle laisse en territoire yougoslave; elle longe alors immédiatement à l'ouest la ligne de chemin de fer de Canale d'Isonzo à Montespino jusqu'en un point situé à environ 750 m. au sud de la route de Gorizia à Aisovizza;

se détachant alors du chemin de fer, elle s'infléchit en direction du sud-ouest, laissant en territoire yougoslave la ville de San Pietro et en territoire italien l'Hospice et la route qui le borde, traverse à 700 mètres environ de la station de Gorizia S. Marco la ligne de raccordement entre le chemin de fer précité et celui de Sagrado à Cormons, longe le cimetière de Gorizia, laissé en territoire italien, passe entre la grand'route N° 55 de Gorizia à Trieste, laissée en territoire italien, et le carrefour situé à la cote 54, laissant en territoire yougoslave les villes de Vertoiba et de Merna et atteint un point situé approximativement à la cote 49;

de là, la ligne continue en direction du sud à travers le Carso à 1 Km environ à l'est de la grand'route N° 55, laissant à l'est le village d'Opacchiasella et à l'ouest le village d'Iamiano;

d'un point situé approximativement à 1 Km à l'est d'Iamiano, la ligne suit la limite administrative séparant les provinces de Gorizia et de Trieste jusqu'en un point situé approximativement à 2 Km au nord-est du village de San Giovanni et à environ 0,5 Km au nord-ouest de la cote 208, et qui constitue le point commun aux frontières de la Yougoslavie, de l'Italie et du Territoire Libre de Trieste.

La carte à laquelle se réfère cette description figure à l'annexe I.

Article 4

La frontière entre l'Italie et le Territoire Libre de Trieste sera fixée comme il suit:

La nouvelle frontière part d'un point situé sur la limite administrative séparant les provinces de Gorizia et de Trieste à environ 2 Km au nord-est du village de San Giovanni et à environ 0,5 Km au nord-ouest de la cote 208, et qui constitue le point commun aux frontières de la Yougoslavie, de l'Italie et du Territoire Libre de Trieste, et se dirige vers le sud-ouest jusqu'en un point adjacent à la grand'route N° 14 et situé approximativement à 1 Km au nord-ouest de la jonction des grand'routes N°s 55 et 14 qui vont de Gorizia et de Monfalcone, respectivement, à Trieste;

de là, la ligne se dirige vers le sud jusqu'en un point situé sur le golfe de Panzano, à égale distance de Punta Sdobba, à l'embouchure de l'Isonzo (Soca), et de Castello Vecchio à Duino, à 3,3 Km environ au sud du point où elle quitte la côte, point situé approximativement à 2 Km au nord-ouest de la ville de Duino;

de là, la ligne rejoint la haute mer en passant à égale distance de la côte italienne et de la côte du Territoire Libre de Trieste.

La carte à laquelle se réfère cette description figure à l'annexe I.

Article 5

1. La démarcation finale des nouvelles frontières fixés par les articles 2, 3, 4 et 22 du présent Traité sera déterminée sur place par des Commissions de délimitation composées de représentants des deux Gouvernements intéressés.

2. Ces Commissions commenceront leurs travaux immédiatement après l'entrée en vigueur du présent Traité; elles les termineront le plus tôt possible et, en tout cas, dans un délai de six mois.

3. Toutes les questions sur lesquelles l'accord n'aura pas été réalisé par ces Commissions seront soumises aux Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique à Rome, qui, agissant suivant la procédure prévue à l'article 86, en assureront le règlement final par telle méthode de leur choix, y compris, s'il y a lieu, la nomination d'un troisième Commissaire impartial.

4. Les dépenses des Commissions de délimitation seront supportées par moitié par chacun des deux Gouvernements intéressés.

5. En vue de la détermination finale sur place des frontières établies aux articles 3, 4 et 22, les Commissaires seront autorisés à s'écarter de

0,5 Km de la ligne établie par le présent Traité, afin d'adapter la frontière aux conditions géographiques et économiques locales, sous réserve de ne placer sous une souveraineté autre que celle résultant des délimitations stipulées dans le présent Traité aucun village ni aucune ville de plus de 500 habitants, aucune route ou voie ferrée importante, ni aucun centre important d'approvisionnement en eau ou de fourniture d'énergie électrique.

SECTION II—FRANCE (Clauses Spéciales)

Article 6

L'Italie cède à la France en pleine souveraineté le territoire précédemment italien situé du côté français de la frontière franco-italienne, telle qu'elle est définie à l'article 2.

Article 7

Le Gouvernement italien remettra au Gouvernement français toutes les archives historiques et administratives antérieures à 1860 qui se rapportent au territoire cédé à la France par le Traité du 24 mars 1860 et par la Convention du 23 août 1860.

Article 8

1. Le Gouvernement italien coopérera avec le Gouvernement français à l'établissement éventuel d'une liaison par voie ferrée entre Briançon et Modane par Bardonnèche.

2. Le Gouvernement italien autorisera en franchise, sans visite de douane, sans vérification de passeports ou aucune autre formalité, le trafic par chemin de fer des voyageurs et des marchandises empruntant, en territoire italien, le raccordement ainsi établi, pour se rendre dans un sens ou dans l'autre d'un point situé en France à un autre point situé en France; il prendra toute mesure nécessaire pour assurer le passage, dans les mêmes conditions de franchise et sans retard injustifié, des trains français utilisant ledit raccordement.

3. Les arrangements nécessaires seront conclus en temps utile entre les deux Gouvernements.

Article 9

1. *Plateau du Mont Cenis*

En vue d'assurer à l'Italie des facilités identiques à celles dont elle disposait pour l'énergie hydro-électrique et l'eau fournies par le lac du

Mont Cenis avant la cession de cette région à la France, l'Italie recevra de la France par voie d'accord bilatéral les garanties techniques indiquées dans l'annexe III.

2. *Région de Tende-La Brigue*

Afin que l'Italie n'ait à subir aucune diminution des fournitures d'énergie électrique qu'elle recevait de sources existant dans la région de Tende-La Brigue avant la cession de cette région à la France, l'Italie recevra de la France par voie d'accord bilatéral les garanties techniques indiquées à l'annexe III.

SECTION III—AUTRICHE (Clauses Spéciales)

Article 10

1. L'Italie conclura avec l'Autriche des accords pour assurer la liberté de circulation des voyageurs et des marchandises entre le nord et l'est du Tyrol ou confirmera les accords existant à ce sujet.

2. Les Puissances Alliées et Associées ont pris note des dispositions (dont le texte est contenu dans l'annexe IV), sur lesquelles les Gouvernements autrichien et italien se sont mis d'accord le 5 septembre 1946.

SECTION IV—RÉPUBLIQUE FÉDÉRATIVE POPULAIRE DE YOUGOSLAVIE (Clauses Spéciales)

Article 11

1. L'Italie cède à la Yougoslavie, en pleine souveraineté, le territoire situé entre les nouvelles frontières de la Yougoslavie telles qu'elles sont définies aux articles 3 et 22 et la frontière italo-yougoslave telle qu'elle existait au 1er janvier 1938 ainsi que la commune de Zara et toutes les îles et les îlots adjacents compris dans les zones suivantes:

(a) Région limitée:

au nord par le parallèle 42°50′N.

au sud par le parallèle 42°42′N.

à l'est par le méridien 17°10′E.

à l'ouest par le méridien 16°25′E.

(b) Région limitée:

au nord par une ligne traversant Porto del Quieto en restant à égale distance de la côte du Territoire Libre de Trieste et de celle de la Yougoslavie et, de là, gagnant le point 45°15′N.—13°24′E.

au sud par le parallèle 44°23′N.

à l'ouest par une ligne joignant les points suivants:

1) 45°15′N.—13°24′E.

2) 44°51′N.—13°37′E.

3) 44°23′N.—14°18′30″E.

à l'est par la côte occidentale de l'Istrie, les îles et le territoire continental de la Yougoslavie.

La carte de ces régions figure à l'annexe I.

2. L'Italie cède à la Yougoslavie en pleine souveraineté l'île de Pelagosa et les îlots adjacents.

L'île de Pelagosa restera démilitarisée.

A Pelagosa et dans les eaux avoisinantes, les pêcheurs italiens jouiront des mêmes droits que ceux qui y étaient reconnus aux pêcheurs yougoslaves avant le 6 avril 1941.

Article 12

1. L'Italie restituera à la Yougoslavie tous les objets de caractère artistique, historique, scientifique, pédagogique ou religieux (y compris tous actes, manuscrits, documents et matériel bibliographique) ainsi que les archives administratives (dossiers, registres, plans et documents de toute espèce) qui ont été emportés, entre le 4 novembre 1918 et le 2 mars 1924, à la faveur de l'occupation italienne, hors des territoires rattachés à la Yougoslavie aux termes des traités signés à Rapallo le 12 novembre 1920 et à Rome le 27 janvier 1924. L'Italie restituera également les objets de même nature provenant desdits territoires et qui ont été enlevés par la Mission italienne d'armistice siégeant à Vienne après la première guerre mondiale.

2. L'Italie remettra à la Yougoslavie tous les objets visés au paragraphe 1 du présent article et qui sont juridiquement des biens publics, enlevés

depuis le 4 Novembre 1918 du territoire rattaché à la Yougoslavie aux termes du présent traité, ainsi que les objets intéressant ledit territoire remis à l'Italie par l'Autriche et la Hongrie en exécution des traités de paix signés à Saint-Germain le 10 septembre 1919 et à Trianon le 4 juin 1920 et de la Convention entre l'Autriche et l'Italie signée à Vienne le 4 mai 1920.

3. Si, dans des cas particuliers, il est impossible à l'Italie de restituer à la Yougoslavie les objets définis aux paragraphes 1 et 2 du présent article, l'Italie s'engage à remettre à la Yougoslavie des objets de même nature ou d'une importance sensiblement équivalente à celle des objets enlevés, dans la mesure où il est possible de s'en procurer en Italie.

Article 13

L'alimentation en eau de la commune de Gorizia et de ses environs sera réglée conformément aux dispositions de l'annexe V.

SECTION V—GRÈCE (Clauses Spéciales)

Article 14

1. L'Italie cède à la Grèce en pleine souveraineté les îles du Dodécanèse ci-après énumérées, savoir: Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), Cos (Kos) et Castellorizo, ainsi que les îlots adjacents.

2. Ces îles seront et resteront démilitarisées.

3. Les formalités et les conditions techniques du transfert de ces îles à la Grèce seront fixées par un accord entre les Gouvernements du Royaume-Uni et de la Grèce et des arrangements seront pris pour que le retrait des troupes étrangères soit terminé au plus tard quatre-vingt-dix jours après l'entrée en vigueur du présent Traité.

PARTIE II

CLAUSES POLITIQUES

SECTION I—CLAUSES GÉNÉRALES

Article 15

L'Italie prendra toutes les mesures nécessaires pour assurer à toutes les personnes relevant de sa juridiction, sans distinction de race, de sexe,

de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, y compris la liberté d'expression de la pensée, la liberté de presse et de publication, la liberté du culte, la liberté d'opinion et de réunion.

Article 16

L'Italie ne persécutera ni n'inquiétera les ressortissants italiens, notamment les membres des forces armées, pour le seul fait d'avoir, au cours de la période comprise entre le 10 juin 1940 et la date d'entrée en vigueur du présent Traité, exprimé leur sympathie envers la cause des Puissances Alliées et Associées ou d'avoir mené une action en faveur de cette cause.

Article 17

L'Italie qui, conformément à l'article 30 de la Convention d'Armistice, a pris des mesures pour dissoudre les organisations fascistes en Italie, s'engage à ne pas tolérer la reconstitution sur son territoire d'organisations de cette nature, ayant un caractère politique, militaire ou paramilitaire, et dont le but est de priver le peuple de ses droits démocratiques.

Article 18

L'Italie s'engage à reconnaître la pleine valeur des Traités de Paix avec la Roumanie, la Bulgarie, la Hongrie et la Finlande, ainsi que des autres accords ou arrangements qui ont été conclus ou qui seront conclus par les Puissances Alliées et Associées en ce qui concerne l'Autriche, l'Allemagne et le Japon, en vue du rétablissement de la paix.

SECTION II—NATIONALITÉ

DROITS CIVILS ET POLITIQUES

Article 19

1. Les ressortissants italiens qui étaient domiciliés, à la date du 10 juin 1940, dans un territoire cédé par l'Italie à un autre Etat aux termes du présent Traité, et leurs enfants nés après cette date, deviendront, sous réserve des dispositions du paragraphe suivant, ressortissants de l'Etat auquel le territoire est cédé et jouiront de la pleine capacité civile et politique, conformément à la législation que l'Etat successeur promulguera à cet effet dans les trois mois qui suivront l'entrée en vigueur du présent

Traité. L'acquisition de la nationalité de l'Etat intéressé entraînera la perte de la nationalité italienne.

2. Le Gouvernement de l'Etat auquel le territoire est cédé, prendra, dans les trois mois suivant l'entrée en vigueur du présent Traité, les mesures législatives appropriées pour donner à toutes les personnes mentionnées au paragraphe 1 qui sont âgées de plus de dix-huit ans (ou aux personnes mariées, qu'elles aient ou non atteint cet âge) dont la langue usuelle est l'italien, le droit d'opter pour la nationalité italienne dans un délai d'un an à partir de l'entrée en vigueur du présent Traité. Toute personne ayant ainsi opté conservera la nationalité italienne et ne sera pas considérée comme ayant acquis la nationalité de l'Etat auquel le territoire est cédé. L'option du mari n'entraînera pas celle de la femme. L'option du père ou, si le père est décédé, l'option de la mère entraînera automatiquement celle de tous les enfants non mariés âgés de moins de dix-huit ans.

3. L'Etat auquel le territoire est cédé pourra exiger des personnes qui exerceront leur droit d'option qu'elles transfèrent leur résidence en Italie dans le délai d'un an à compter de la date où l'option aura été exercée.

4. L'Etat auquel le territoire est cédé assurera, conformément à ses lois fondamentales, à toutes personnes se trouvant sur ce territoire, sans distinction de race, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, y compris la liberté d'expression de la pensée, la liberté de presse et de publication, la liberté du culte, la liberté d'opinion et de réunion.

Article 20

1. Dans un délai d'un an à partir de l'entrée en vigueur du présent Traité, les citoyens italiens âgés de plus de dix-huit ans (ou les personnes mariées, qu'elles aient ou non atteint cet âge) dont la langue usuelle est une des langues yougoslaves (serbe, croate ou slovène) et dont le domicile se trouve en territoire italien, pourront obtenir la nationalité yougoslave, si les autorités yougoslaves acceptent la demande qu'ils devront présenter au représentant diplomatique ou consulaire de Yougoslavie en Italie.

2. Dans ce cas, le Gouvernement yougoslave transmettra au Gouvernement italien, par la voie diplomatique, les listes des personnes qui auront ainsi acquis la nationalité yougoslave. Les personnes mentionnées dans ces

listes perdront la nationalité italienne à dater de cette communication officielle.

3. Le Gouvernement italien pourra exiger de ces personnes qu'elles transfèrent leur résidence en Yougoslavie dans le délai d'un an à compter de la date de ladite communication officielle.

4. Les règles relatives à l'effet des options sur les femmes et sur les enfants, stipulées au paragraphe 2 de l'article 19, s'appliqueront aux personnes visées au présent article.

5. Les dispositions de l'annexe XIV paragraphe 10 du présent Traité, visant le transfert des biens des personnes qui optent pour la nationalité italienne, sont également applicables au transfert des biens des personnes qui optent pour la nationalité yougoslave dans les conditions prévues par le présent article.

SECTION III—TERRITOIRE LIBRE DE TRIESTE

Article 21

1. En vertu du présent article se trouve constitué le Territoire Libre de Trieste, dont l'étendue est limitée par la mer Adriatique et les frontières définies aux articles 4 et 22 du présent Traité. Le Territoire Libre de Trieste est reconnu par les Puissances Alliées et Associées et par l'Italie qui conviennent que son intégrité et son indépendance seront assurées par le Conseil de Sécurité des Nations Unies.

2. La souveraineté de l'Italie sur la zone constituant le Territoire Libre de Trieste, tel qu'il est défini au paragraphe 1 du présent article, prendra fin dès l'entrée en vigueur du présent Traité.

3. Dès que la souveraineté de l'Italie sur la zone en question aura pris fin, le Territoire Libre de Trieste sera administré, conformément aux dispositions d'un Instrument relatif au régime provisoire, établi par le Conseil des Ministres des Affaires Etrangères et approuvé par le Conseil de Sécurité. Cet Instrument demeurera en vigueur jusqu'à la date que le Conseil de Sécurité fixera pour l'entrée en vigueur du Statut Permanent qui devra avoir été approuvé par lui. A partir de cette date, le Territoire Libre sera régi par les dispositions de ce Statut Permanent. Les textes du Statut Permanent et de l'Instrument relatif au régime provisoire figurent aux annexes VI et VII.

4. Le Territoire Libre de Trieste ne sera pas considéré comme territoire cédé, au sens de l'article 19 et de l'annexe XIV du présent Traité.

5. L'Italie et la Yougoslavie s'engagent à donner au Territoire Libre de Trieste les garanties indiquées à l'annexe IX.

Article 22

La frontière entre la Yougoslavie et le Territoire Libre de Trieste sera fixée comme il suit:

1. La nouvelle frontière part d'un point situé sur la limite administrative séparant les provinces de Gorizia et de Trieste, à environ 2 Km au nord-est du village de San Giovanni et à environ 0,5 Km au nord-ouest de la cote 208 et qui constitue le point commun aux frontières de la Yougoslavie, de l'Italie et du Territoire Libre de Trieste; elle suit cette limite administrative jusqu'au mont Lanaro (cote 546) et de là, en direction du sud-est, jusqu'au mont Cocusso (cote 672), par la cote 461, Meducia (cote 475), Monte dei Pini (cote 476) et la cote 407 coupant la grand'route No 58 de Trieste à Sesana, à 3,3 Km environ au sud-ouest de cette ville en laissant à l'est les villages de Vogliano et d'Orle et approximativement à 0,4 Km à l'ouest, le village de Zolla.

2. Du mont Cocusso, la ligne continue en direction du sud-est, en laissant le village de Grozzana à l'ouest, atteint le mont Goli (cote 621) et de là, prenant la direction sud-ouest, coupe la route de Trieste à Cosina à la cote 455 et le chemin de fer à la cote 485, passe par les cotes 416 et 326, laissant en Yougoslavie les villages de Beca et de Castel, coupe la route d'Ospo à Gabrovizza d'Istria à 100 mètres environ au sud-est d'Ospo; de là, la ligne franchit la rivière Risana et coupe la route de Villa Decani à Risano en un point situé à 350 mètres environ à l'ouest de Risano, laissant en Yougoslavie le village de Rosario et la route de Risano à San Sergio; de là la ligne rejoint le croisement de routes situé à 1 Km environ au nord-est de la cote 362, en passant par les cotes 285 et 354.

3. De là la ligne rejoint un point situé approximativement à 0,5 Km à l'est du village de Cernova, franchissant la rivière Dragogna à 1 Km environ au nord de ce village, laissant à l'ouest les villages de Bucciai et de Truscolo et à l'est le village de Tersecco, et de là se dirige vers le sud-ouest, au sud-est de la route qui relie les villages de Cernova et de

Chervoi, quittant cette route à 0,8 Km à l'est du village de Cucciani, et de là, dans la direction générale sud-sud-ouest, passant environ à 0,4 Km à l'est du mont Braico et approximativement à 0,4 Km l'ouest du village de Sterna Filaria, laissant à l'est la route qui relie ce village à Piemonte, passant à 0,4 Km environ à l'ouest de la ville de Piemonte et à 0,5 Km environ à l'est de la ville de Castagna et atteignant la rivière Quieto en un point situé approximativement à 1,6 Km au sud-ouest de la ville de Castagna.

4. De là la ligne suit le chenal principal rectifié du Quieto jusqu'à l'embouchure de cette rivière et, à travers Porto del Quieto, atteint la haute mer en restant à égale distance de la côte du Territoire Libre de Trieste et de celle de la Yougoslavie.

La carte à laquelle se réfère cette description figure à l'annexe I.

SECTION IV—COLONIES ITALIENNES

Article 23

1. L'Italie renonce à tous droits et titres sur les possessions territoriales italiennes en Afrique, c'est-à-dire la Libye, l'Erythrée et la Somalie italienne.

2. Lesdites possessions demeureront sous leur administration actuelle jusqu'à ce que leur sort définitif soit réglé.

3. Le sort définitif de ces possessions sera déterminé d'un commun accord par les Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni, et de l'Union Soviétique, dans un délai d'un an à partir de l'entrée en vigueur du présent Traité et selon les termes de la déclaration commune faite par ces Gouvernements le 10 février 1947 et dont le texte est reproduit dans l'annexe XI.

SECTION V—INTÉRÊTS SPÉCIAUX DE LA CHINE

Article 24

L'Italie renonce en faveur de la Chine à tous les privilèges et avantages résultant des dispositions du protocole final signé à Pékin le 7 septembre 1901, ensemble tous annexes, notes et documents complémentaires et elle accepte l'abrogation, en ce qui la concerne, desdits protocole, annexes,

notes et documents. L'Italie renonce également à toute demande d'indemnité de ce fait.

Article 25

L'Italie accepte l'annulation du contrat obtenu du Gouvernement chinois, en vertu duquel la concession italienne de Tientsin a été accordée, et accepte de remettre au Gouvernement chinois tous biens et archives appartenant à la municipalité de ladite concession.

Article 26

L'Italie renonce en faveur de la Chine aux droits qui lui ont été accordés relativement aux concessions internationales de Changhai et d'Amoy et accepte de remettre au Gouvernement chinois l'administration et le contrôle desdites concessions.

SECTION VI—ALBANIE

Article 27

L'Italie reconnaît et s'engage à respecter la souveraineté et l'indépendance de l'Etat albanais.

Article 28

L'Italie reconnaît que l'île de Saseno fait partie du territoire de l'Albanie et renonce à toutes revendications sur cette île.

Article 29

L'Italie renonce formellement en faveur de l'Albanie à tous biens, (à l'exception des immeubles normalement occupés par les missions diplomatiques ou consulaires), à tous droits, concessions, intérêts et avantages de tout ordre en Albanie, appartenant à l'Etat italien ou à des institutions semi-publiques italiennes. L'Italie renonce également à revendiquer tous intérêts spéciaux ou toute influence particulière acquis en Albanie, en conséquence de l'agression du 7 avril 1939 ou en vertu de traités et accords conclus avant cette date.

Les clauses économiques du présent Traité dont peuvent se prévaloir les Puissances Alliées et Associées, s'appliqueront aux autres biens italiens et aux autres relations économiques entre l'Albanie et l'Italie.

Article 30

Les ressortissants italiens en Albanie jouiront du même statut juridique que les ressortissants des autres pays étrangers; toutefois l'Italie

reconnaît la validité de toutes mesures qui seraient prises par l'Albanie pour l'annulation ou la modification des concessions ou des droits particuliers accordés à des ressortissants italiens, à condition que ces mesures interviennent dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

Article 31

L'Italie reconnaît que tous les accords et arrangements intervenus entre l'Italie et les autorités qu'elle avait installées en Albanie entre le 7 avril 1939 et le 3 septembre 1943 sont nuls et non avenus.

Article 32

L'Italie reconnaît la validité de toutes mesures que l'Albanie pourra juger nécessaire de prendre pour confirmer les dispositions ci-dessus ou les mettre à exécution.

SECTION VII—ETHIOPIE

Article 33

L'Italie reconnaît et s'engage à respecter la souveraineté et l'indépendance de l'Etat éthiopien.

Article 34

L'Italie renonce formellement en faveur de l'Ethiopie à tous biens (à l'exception des immeubles normalement occupés par les missions diplomatiques ou consulaires), à tous droits, intérêts et avantages de tout ordre acquis à un moment quelconque en Ethiopie par l'Etat italien, de même qu'à tous les biens semi-publics tels que les définit le premier paragraphe de l'annexe XIV du présent Traité.

L'Italie renonce également à revendiquer tous intérêts spéciaux ou toute influence particulière en Ethiopie.

Article 35

L'Italie reconnaît la validité de toutes les mesures que le Gouvernement éthiopien a prises ou pourra prendre dans l'avenir en vue d'annuler des mesures prises par l'Italie à l'égard de l'Ethiopie, après le 3 octobre 1935, ainsi que leurs effets.

Article 36

Les ressortissants italiens en Ethiopie jouiront du même statut juridique que les ressortissants des autres pays étrangers; toutefois, l'Italie

reconnaît la validité de toutes les mesures qui seraient prises par le Gouvernement éthiopien pour l'annulation ou la modification des concessions ou des droits particuliers accordés à des ressortissants italiens, à condition que ces mesures interviennent dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

Article 37

Dans un délai de dix-huit mois à compter de l'entrée en vigueur du présent Traité, l'Italie restituera toutes oeuvres d'art, tous objets religieux, archives et objets de valeur historique, appartenant à l'Ethiopie ou à ses ressortissants, et transportés d'Ethiopie en Italie depuis le 3 octobre 1935.

Article 38

La date à partir de laquelle les dispositions du présent Traité deviendront applicables en ce qui concerne toutes mesures et faits de toute nature engageant la responsabilité de l'Italie ou de ressortissants italiens à l'égard de l'Ethiopie, est fixée au 3 octobre 1935.

SECTION VIII—ACCORDS INTERNATIONAUX

Article 39

L'Italie s'engage à accepter tous les arrangements qui ont été conclus ou qui pourront être conclus pour la liquidation de la Société des Nations, de la Cour Permanente de Justice Internationale ainsi que de la Commission financière internationale en Grèce.

Article 40

L'Italie renonce à tous droits, à tous titres et à toutes réclamations résultant du régime du Mandat ou des engagements de tout ordre résultant de ce régime, ainsi qu'à tous droits spéciaux de l'Etat italien concernant l'un quelconque des territoires sous mandat.

Article 41

L'Italie accepte les dispositions de l'Acte final du 31 août 1945 et de l'accord franco-britannique du même jour sur le statut de Tanger ainsi que toutes les dispositions que les Puissances signataires pourront adopter en vue de donner effet à ces instruments.

Article 42

L'Italie s'engage à accepter tous arrangements qui pourront être con-

clus par les Puissances Alliées et Associées intéressées pour modifier les traités relatifs au bassin du Congo en vue de les mettre en harmonie avec la Charte des Nations Unies et reconnaîtra la validité de ces arrangements.

Article 43

L'Italie renonce à tous les droits et intérêts qu'elle peut avoir en vertu de l'article 16 du Traité de Lausanne signé le 24 juillet 1923.

SECTION IX—TRAITÉS BILATÉRAUX

Article 44

1. Chacune des Puissances Alliées ou Associées notifiera à l'Italie, dans un délai de six mois à partir de l'entrée en vigueur du présent Traité, les traités bilatéraux qu'elle a conclus avec l'Italie antérieurement à la guerre et dont elle désire le maintien ou la remise en vigueur. Toutes dispositions des traités dont il s'agit qui ne seraient pas en conformité avec le présent Traité seront toutefois supprimées.

2. Tous les traités de cette nature qui auront fait l'objet de cette notification seront enregistrés au Secrétariat de l'Organisation des Nations Unies, conformément à l'article 102 de la Charte des Nations Unies.

3. Tous les traités de cette nature qui n'auront pas fais l'objet d'une telle notification seront tenus pour abrogés.

PARTIE III

CRIMINELS DE GUERRE

Article 45

1. L'Italie prendra toutes les mesures nécessaires pour assurer l'arrestation et la livraison en vue de leur jugement:

(a) des personnes accusées d'avoir commis, ordonné des crimes de guerre et des crimes contre la paix ou l'humanité, ou d'en avoir été complices;

(b) des ressortissants de toute Puissance Alliée ou Associée accusés d'avoir enfreint les lois de leur pays en commettant des actes de trahison ou en collaborant avec l'ennemi pendant la guerre.

2. A la demande du Gouvernement de l'une des Nations Unies intéressées, l'Italie devra assurer en outre la comparution, comme témoins, des

personnes relevant de sa juridiction dont la déposition est nécessaire pour le jugement des personnes visées au paragraphe 1 du présent article.

3. Tout désaccord concernant l'application des dispositions des paragraphes 1 et 2 du présent article sera soumis par tout Gouvernement intéressé aux Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni, et de l'Union Soviétique à Rome, qui se mettront d'accord sur le point soulevé.

PARTIE IV

CLAUSES MILITAIRES, NAVALES ET AERIENNES

SECTION I—DURÉE D'APPLICATION

Article 46

Chacune des clauses militaires, navales et aériennes du présent Traité demeurera en vigueur aussi longtemps qu'elle n'aura pas été modifiée, entièrement ou partiellement, par accord entre les Puissances Alliées et Associées et l'Italie, ou, après que l'Italie sera devenue membre de l'Organisation des Nations Unies, par accord entre le Conseil de Sécurité et l'Italie.

SECTION II—LIMITATION GÉNÉRALES

Article 47

1. *(a)* Le système des fortifications et des installations militaires permanentes italiennes le long de la frontière franco-italienne, ainsi que leurs armements, seront détruits ou enlevés.

(b) Ce système devra être entendu comme comprenant seulement les ouvrages d'artillerie et d'infanterie, qu'ils soient réunis en groupes ou qu'ils soient isolés, les casemates et blockhaus de n'importe quel type, les installations protégées pour le personnel, le matériel et les approvisionnements ainsi que les munitions, les observatoires et les téléfériques militaires, quels que soient leur importance et leur état d'entretien ou leur degré d'avancement, que ces constructions soient en métal, en maçonnerie ou en béton, ou qu'elles soient creusées dans le roc.

2. La destruction ou l'enlèvements prévus au paragraphe 1 ci-dessus s'effectueront dans la limite d'une distance de 20 kilomètres, à partir d'un point quelconque de la frontière telle qu'elle est définie par le présent

Traité; ils devront être achevés dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

3. La reconstruction de ces fortifications et installations est interdite.

4. *(a)* A l'est de la frontière franco-italienne, la construction des ouvrages suivants est interdite: fortifications permanentes où peuvent être installées des armes capables de tirer en territoire français ou dans les eaux territoriales françaises; installations militaires permanentes pouvant être utilisées pour conduire ou diriger le tir en territoire français ou dans les eaux territoriales françaises; moyens permanents de ravitaillement et de stockage édifiés uniquement pour l'usage des fortifications et installations ci-dessus.

(b) Cette interdiction ne vise pas les autres types de fortifications non permanentes ou les casernements et installations de surface qui sont uniquement destinés à répondre à des nécessités d'ordre intérieur et de défense locale des frontières.

5. Dans une zone côtière de 15 kilomètres de profondeur s'étendant de la frontière franco-italienne jusqu'au méridien 9°30′ est, l'Italie ne sera autorisée, ni à établir de nouvelles bases ou installations navales permanentes, ni à développer les bases ou installations existantes. Cette disposition ne fait pas obstacle aux modifications peu importantes des installations navales existantes non plus qu'à leur entretien, pourvu que la capacité de l'ensemble de ces installations ne soit pas accrue.

Article 48

1. *(a)* Toutes fortifications et installations permanentes italiennes existant le long de la frontière italo-yougoslave, y compris leurs armements, seront détruites ou enlevées.

(b) Ces fortifications et installations devront être entendues comme comprenant seulement les ouvrages d'artillerie et d'infanterie, qu'ils soient réunis en groupes ou qu'ils soient isolés, les casemates et blockhaus de n'importe quel type, les installations protégées pour le personnel, le matériel et les approvisionnements ainsi que les munitions, les observatoires et les téléfériques militaires, quels que soient leur importance et leur état d'entretien ou leur degré d'avancement, que ces constructions soient en métal, en maçonnerie ou en béton, ou qu'elles soient creusées dans le roc.

2. La destruction ou l'enlèvement prévus au paragraphe 1 ci-dessus s'effectueront dans la limite d'une distance de 20 kilomètres à partir d'un point quelconque de la frontière telle qu'elle est définie par le présent Traité; ils devront être achevés dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

3. La reconstruction de ces fortifications et installations est interdite.

4. *(a)* La construction des ouvrages suivants est interdite à l'ouest de la frontière italo-yougoslave: fortifications permanentes où peuvent être installées des armes capables de tirer en territoire yougoslave ou dans les eaux territoriales yougoslaves, installations militaires permanentes pouvant être utilisées pour conduire ou diriger le tir en territoire yougoslave ou dans les eaux territoriales yougoslaves; moyens permanents de ravitaillement et de stockage édifiés uniquement pour l'usage des fortifications et installations ci-dessus.

(b) Cette interdiction ne vise pas les autres types de fortifications non permanentes ou les casernements et installations de surface qui sont uniquement destinés à répondre à des nécessités d'ordre intérieur et de défense locale des frontières.

5. Dans une zone côtière de 15 kilomètres de profondeur s'étendant de la frontière entre l'Italie et la Yougoslavie et entre l'Italie et le Territoire Libre de Trieste jusqu'au parallèle 44°50′ nord et dans les îles situées le long de cette zone côtière, l'Italie ne sera autorisée, ni à établir de nouvelles bases ou installations navales permanentes, ni à développer les bases ou installations existantes. Cette disposition ne fait pas obstacle aux modifications peu importantes des installations navales et des bases existantes non plus qu'à leur entretien, pourvu que la capacité de l'ensemble de ces installations et de ces bases ne soit pas accrue.

6. Dans la presqu'île d'Apulie, à l'est du méridien 17°45′ est, l'Italie ne sera autorisée ni à construire aucune installation permanente militaire, navale ou d'aviation militaire, ni à développer les installations existantes. Cette disposition ne fait pas obstacle aux modifications peu importantes des installations existantes, non plus qu'à leur entretien, pourvu que la capacité de l'ensemble de ces installations ne soit pas accrue. Toutefois, la construction de casernements pour les forces de sécurité qu'il serait

nécessaire d'employer à des missions d'ordre intérieur et à la défense locale des frontières sera autorisée.

Article 49

1. Pantellaria, les îles Pélage (Lampéduse, Lampione et Linosa), ainsi que Pianosa (dans l'Adriatique) seront et demeureront démilitarisées.

2. Leur démilitarisation devra être achevée dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

Article 50

1. En Sardaigne, tous les emplacements permanents d'artillerie de défense des côtes ainsi que leurs armements et toutes les installations navales situées à moins de 30 kilomètres des eaux territoriales françaises seront, soit transférés en Italie continentale, soit démolis dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

2. En Sicile et en Sardaigne, toutes les installations permanentes ainsi que le matériel destinés à l'entretien et au stockage des torpilles, des mines marines et des bombes seront, soit démolis, soit transférés en Italie continentale dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

3. Aucune amélioration, reconstruction ou extension des installations existantes ou des fortifications permanentes de Sicile et de Sardaigne ne sera autorisée; toutefois, sauf dans les zones de la Sardaigne septentrionale définies au paragraphe 1 ci-dessus, il pourra être procédé à l'entretien normal de ces installations ou fortifications permanentes et des armes qui y sont déjà installées.

4. En Sicile et en Sardaigne, il sera interdit à l'Italie de construire aucune installation ou fortification navale, militaire ou d'aviation militaire, à l'exception des casernements des forces de sécurité qu'il serait nécessaire d'employer à des missions d'ordre intérieur.

Article 51

L'Italie ne possédera, ne fabriquera ou n'expérimentera 1° aucune arme atomique, 2° aucun projectile auto-moteur ou dirigé, ni aucun dispositif employé pour le lancement de ces projectiles (autre que torpilles ou dispositifs de lancement de torpilles faisant partie de l'armement normal

des navires autorisés par le présent Traité), 3° aucun canon d'une portée supérieure à 30 kilomètres, 4° aucune mine marine ou torpille fonctionnant par mécanisme à influence, 5° aucune torpille humaine.

Article 52

L'acquisition, à l'intérieur ou hors de l'Italie, de matériel de guerre d'origine allemande ou japonaise, ou construit sur des plans allemands ou japonais, ainsi que la fabrication de ce matériel, seront interdites à l'Italie.

Article 53

L'Italie ne devra pas fabriquer ou posséder, à titre public ou privé, de matériel de guerre en excédent ou d'un type différent de celui qui est nécessaire aux forces armées autorisées par les sections III, IV et V ci-dessous.

Article 54

Le nombre total des chars lourds et moyens des forces armées italiennes ne pourra être supérieur à 200.

Article 55

En aucun cas, un officier ou sous-officier de l'ancienne milice fasciste ou de l'ancienne armée républicaine fasciste ne pourra être admis à servir avec un grade d'officier ou de sous-officier dans l'armée, la marine ou l'aviation italienne, ainsi que dans les carabiniers, à l'exception de ceux qui auront été réhabilités par l'organisme compétent, conformément à la loi italienne.

SECTION III—LIMITATIONS À IMPOSER À LA MARINE ITALIENNE

Article 56

1. La flotte italienne actuelle sera réduite aux unités énumérées à l'annexe XII A.

2. Des unités supplémentaires, ne figurant pas à l'annexe XII et utilisées dans le but exclusif de draguer les mines, pourront être maintenues jusqu'à la fin de la période de dragage qui sera fixée par la Commission Centrale Internationale de Dragage pour le déblaiement des mines dans les eaux européennes.

3. Dans un délai de deux mois après la fin de ladite période, ceux

de ces bâtiments qui auront été prêtés à la marine italienne par d'autres Puissances, seront rendus à ces Puissances, et toutes les autres unités supplémentaires seront désarmées et transformées en vue d'un usage civil.

Article 57

1. L'Italie prendra les mesures suivantes à l'égard des unités de la marine italienne spécifiées à l'annexe XII B:

(a) Lesdites unités devront être mises à la disposition des Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni et de l'Union Soviétique.

(b) Les bâtiments de guerre qui doivent être livrés en application de l'alinéa (*a*) ci-dessus seront entièrement équipés et prêts au matériel pour toute opération, avec tout ce qui est nécessaire à l'emploi des armes, le stock de bord des pièces de rechange au complet, et avec toute la documentation technique nécessaire.

(c) La livraison des bâtiments de guerre spécifiés ci-dessus sera effectuée dans un délai de trois mois à partir de l'entrée en vigueur du présent Traité, sauf dans le cas des navires qui ne peuvent être remis en état en trois mois et pour lesquels le délai de livraison pourra être prorogé par les Quatre Gouvernements.

(d) Les stocks de réserve de pièces de rechange et les stocks de réserve de matériel pour l'emploi des armes correspondant aux navires spécifiés ci-dessus devront, autant que possible, être fournis en même temps que les navires.

Le complément des stocks de réserve de pièces de rechange et des stocks de réserve de matériel pour l'emploi des armes sera fourni en quantités et à des dates qui seront fixées par les Quatre Gouvernements et de toute façon dans un délai maximum d'un an à partir de l'entrée en vigueur du présent Traité.

2. Les modalités des transferts et livraisons mentionnés ci-dessus seront fixées par une Commission des Quatre Puissances qui sera instituée par un protocole séparé.

3. Au cas où un ou plusieurs des bâtiments mentionnés à l'annexe XII B et devant faire l'objet d'un transfert viendraient à être perdus ou à subir un dommage ne pouvant être réparé avant la date prévue pour le transfert, quelle que soit la cause de la perte ou du dommage, l'Italie

s'engage à remplacer ce bâtiment ou ces bâtiments par un tonnage équivalent prélevé sur les bâtiments figurant à l'annexe XII A. Dans ce cas le bâtiment ou les bâtiments de remplacement seront choisis par les Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique à Rome.

Article 58

1. L'Italie appliquera les mesures suivantes concernant les sous-marins et les bâtiments de guerre hors d'état de servir. Les délais spécifiés doivent s'entendre comme partant de la date d'entrée en vigueur du présent Traité.

(a) Les bâtiments de guerre de surface à flot qui ne figurent pas dans l'annexe XII, y compris les bâtiments de guerre en construction à flot, seront détruits ou mis à la ferraille dans un délai de neuf mois;

(b) Les bâtiments de guerre en construction sur cale seront détruits ou mis à la ferraille dans un délai de neuf mois;

(c) Les sous-marins à flot qui ne figurent pas dans l'annexe XII B seront coulés en pleine mer par plus de 100 brasses de fond dans un délai de trois mois;

(d) Les bâtiments de guerre coulés dans les ports italiens et les chenaux d'entrée de ces ports, qui entravent la navigation normale, seront, dans un délai de deux ans, détruits sur place ou pourront être renfloués et, par la suite, détruits ou mis à la ferraille;

(e) Les bâtiments de guerre coulés dans les eaux italiennes peu profondes et qui n'entravent pas la navigation normale seront, dans un délai d'un an, mis hors d'état d'être renfloués;

(f) Les bâtiments de guerre pouvant être transformés qui ne rentrent pas dans la définition du matériel de guerre et qui ne figurent pas à l'annexe XII pourront être transformés pour des usages civils ou devront être démolis dans un délai de deux ans.

2. L'Italie s'engage à récupérer, avant d'appliquer les mesures d'immersion ou de destruction de navires de guerre et de sous-marins mentionnés dans le précédent paragraphe, le matériel et les pièces détachées qui pourront servir à compléter les stocks de bord et de réserve de pièces de rechange et de matériel qui devront être fournis en vertu du paragraphe 1 de l'article 57 pour tous les navires spécifiés à l'annexe XII B.

L'Italie pourra également, sous le contrôle des Ambassadeurs des

Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique à Rome, récupérer tout équipement et toute pièce de rechange, n'ayant pas le caractère d'armements, et susceptibles d'être aisément transformés en vue d'un usage civil dans l'économie italienne.

Article 59

1. Il ne sera construit, acquis ou remplacé par l'Italie aucun bâtiment de ligne.

2. Il ne sera construit, acquis, utilisé ou expérimenté par l'Italie aucun porte-avions, sous-marin ou autre bâtiment submersible, aucune vedette lance-torpilles et aucun type spécialisé de bâtiment d'assaut.

3. Le total des déplacements-types des navires de combat de la flotte italienne autres que les bâtiments de ligne, y compris les navires en construction après la date de leur lancement, ne devra pas dépasser 67.500 tonnes.

4. Le remplacement des navires de combat devra être effectué par l'Italie dans la limite du tonnage indiqué au paragraphe 3. Le remplacement des navires auxiliaires ne sera soumis à aucune restriction.

5. L'Italie s'engage à ne faire l'acquisition ou à n'entreprendre la construction d'aucun navire de combat avant le 1er janvier 1950, sauf au cas où il serait nécessaire de remplacer une unité, autre qu'un bâtiment de ligne, perdue accidentellement et, dans ce cas, le déplacement du nouveau navire ne devrait pas excéder de plus de dix pour cent le déplacement du navire perdu.

6. Les termes utilisés dans le présent article sont, aux fins du présent Traité, définis dans l'annexe XIII A.

Article 60

1. L'effectif total de la marine italienne, non compris le personnel de l'aéronautique navale, ne devra pas dépasser 25.000 officiers et hommes.

2. Pendant la période de dragage des mines telle qu'elle sera fixée par la Commission Centrale Internationale de Dragage pour le déblaiement des mines dans les eaux européennes, l'Italie sera autorisée à employer à cet effet un nombre supplémentaire d'officiers et d'hommes qui ne devra pas dépasser 2.500.

3. L'effectif permanent de la marine en excédent de celui qui est autorisé par le paragraphe 1 sera progressivement réduit aux chiffres et dans

les délais indiqués ci-après, les délais devant être comptés à partir de l'entrée en vigueur du présent Traité:

(a) 30.000 dans un délai de six mois;

(b) 25.000 dans un délai de neuf mois.

Deux mois après l'achèvement des opérations de dragage des mines par la marine italienne, le personnel supplémentaire autorisé par le paragraphe 2 devra être licencié ou intégré dans les effectifs indiqués ci-dessus.

4. En dehors des effectifs mentionnés aux paragraphes 1 et 2 et du personnel de l'aéronautique navale autorisé par l'article 65, aucune personne ne devra recevoir, sous aucune forme, d'instruction navale au sens de l'annexe XIII B.

SECTION IV—LIMITATIONS À IMPOSER À L'ARMÉE ITALIENNE

Article 61

L'armée italienne, y compris les gardes-frontières, sera limitée à une force de 185.000 hommes comprenant le personnel de commandement, les unités combattantes et les services et à 65.000 carabiniers; toutefois, l'un ou l'autre de ces deux éléments pourra varier de 10.000 hommes, pourvu que l'effectif global ne dépasse pas 250.000 hommes. L'organisation et l'armement des forces terrestres italiennes ainsi que leur répartition sur l'ensemble du territoire italien seront conçus de manière à répondre exclusivement à des tâches de caractère intérieur, aux besoins de la défense locale des frontières italiennes et de la défense anti-aérienne.

Article 62

Le personnel de l'armée italienne en excédent des chiffres autorisés aux termes de l'article 61 ci-dessus sera licencié dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

Article 63

Aucune forme d'instruction militaire, au sens de l'annexe XIII B, ne sera donnée aux personnes ne faisant pas partie de l'armée italienne ou des carabiniers.

SECTION V—LIMITATIONS À IMPOSER À L'AVIATION ITALIENNE

Article 64

1. L'aviation militaire italienne, y compris toute l'aéronautique navale, sera limitée à 200 appareils de combat et de reconnaissance et à 150 avions de transport, de sauvetage en mer, d'instruction (avions-écoles) et de liaison. Dans ces chiffres totaux seront compris les appareils de réserve. Exception faite des avions de combat et de reconnaissance, aucun appareil ne sera muni d'armement. L'organisation et l'armement de l'aviation italienne ainsi que sa répartition sur le territoire italien seront conçus de manière à répondre uniquement aux tâches de caractère intérieur, aux besoins de la défense locale des frontières italiennes et de la défense contre les attaques aériennes.

2. L'Italie ne possèdera ou n'acquerra aucun avion conçu essentiellement comme bombardier et comportant des dispositifs intérieurs pour le transport des bombes.

Article 65

1. Le personnel de l'aviation militaire italienne, y compris celui de l'aéronautique navale, sera limité à un effectif total de 25.000 hommes comprenant le personnel de commandement, les unités combattantes et les services.

2. Aucune forme d'instruction militaire aérienne, au sens de l'annexe XIII B, ne sera donnée aux personnes ne faisant pas partie de l'aviation militaire italienne.

Article 66

L'aviation militaire italienne en excédent des chiffres autorisés aux termes de l'article 65 ci-dessus sera dissoute dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

SECTION VI—SORT DU MATÉRIEL DE GUERRE (tel qu'il est défini à l'annexe XIII C)

Article 67

1. Tout le matériel de guerre de provenance italienne, en excédent de celui qui est autorisé pour les forces armées spécifiées aux Sections III, IV et V, sera mis à la disposition des Gouvernements des Etats-Unis d'Amérique,

de la France, du Royaume-Uni et de l'Union Soviétique conformément aux instructions que ceux-ci pourront donner à l'Italie.

2. Tout le matériel de guerre de provenance alliée, en excédent de celui qui est autorisé pour les forces armées spécifiées aux Sections III, IV et V, sera mis à la disposition de la Puissance Alliée ou Associée intéressée conformément aux instructions qui seront données par celle-ci à l'Italie.

3. Tout le matériel de guerre de provenance allemande ou japonaise, en excédent de celui qui est autorisé pour les forces armées spécifiées aux Sections III, IV et V, ainsi que tous les projets de provenance allemande ou japonaise, y compris les bleus, prototypes, modèles d'expérience et plans existants, seront mis à la disposition des Quatre Gouvernements conformément aux instructions que ceux-ci pourront donner à l'Italie.

4. L'Italie renonce à tous ses droits sur le matériel de guerre mentionné ci-dessus et se conformera aux dispositions du présent article dans un délai d'un an à partir de l'entrée en vigueur du présent Traité, sous réserve des dispositions contenues dans les articles 56 à 58 ci-dessus.

5. L'Italie fournira aux Quatre Gouvernements, dans un délai de six mois à partir de l'entrée en vigueur du présent Traité, des listes de tout le matériel de guerre en excédent.

SECTION VII—ACTION PRÉVENTIVE CONTRE LE RÉARMEMENT DE L'ALLEMAGNE ET DU JAPON

Article 68

L'Italie s'engage à apporter son entière collaboration aux Puissances Alliées et Associées en vue de mettre l'Allemagne et le Japon dans l'impossibilité de prendre, hors des territoires allemand et japonais, des mesures tendant à leur réarmement.

Article 69

L'Italie s'engage à n'autoriser, sur le territoire italien, ni l'emploi, ni la formation de techniciens, y compris le personnel de l'aviation militaire ou civile, qui sont ou ont été des ressortissants de l'Allemagne ou du Japon.

Article 70

L'Italie s'engage à n'acquérir ou fabriquer aucun avion civil de modèle allemand ou japonais, ou comportant des éléments importants de fabrication ou de conception allemande ou japonaise.

SECTION VIII—PRISONNIERS DE GUERRE

Article 71

1. Les prisonniers de guerre italiens seront rapatriés aussitôt que possible conformément aux arrangements conclus entre chacune des Puissances qui détiennent ces prisonniers et l'Italie.

2. Tous les frais entrainés par le transfert des prisonniers de guerre italiens, y compris les frais de subsistance, depuis leurs centres de rapatriement respectifs, choisis par le Gouvernement de la Puissance Alliée ou Associée intéressée, jusqu'au lieu d'entrée sur le territoire italien, seront à la charge du Gouvernement italien.

SECTION IX—DRAGAGE DES MINES

Article 72

A partir de l'entrée en vigueur du présent Traité, l'Italie sera invitée à devenir membre de la Commission pour la zone méditerranéenne de l'Organisation Internationale de Dragage pour le déblaiement des mines dans les eaux européennes, et elle s'engage à maintenir à la disposition de la Commission Centrale de Dragage des mines la totalité de ses moyens de dragage jusqu'à la fin de la période de dragage d'après-guerre, telle qu'elle sera déterminée par la Commission Centrale.

PARTIE V

RETRAIT DES FORCES ALLIEES

Article 73

1. Toutes les forces armées des Puissances Alliées et Associées seront retirées d'Italie aussitôt que possible et en tout cas dans un délai maximum de quatre-vingt-dix jours à partir de l'entrée en vigueur du présent Traité.

2. Tous les biens italiens n'ayant pas fait l'objet d'une indemnisation et qui se trouvent en la possession des forces armées des Puissances Alliées et Associées en Italie à la date d'entrée en vigueur du présent Traité seront restitués au Gouvernement italien dans le même délai de quatre-vingt-dix jours ou donneront lieu à l'attribution d'une indemnité convenable.

3. Tous les avoirs en banque et les sommes en espèces qui seront en la possession des forces armées des Puissances Alliées et Associées au

moment de l'entrée en vigueur du présent Traité et qui leur auront été fournis gratuitement par le Gouvernement italien seront restitués à ce Gouvernement dans les mêmes conditions et, s'ils ne le sont pas, le Gouvernement italien sera crédité d'une somme correspondant à leur montant.

PARTIE VI

RECLAMATIONS NEES DE LA GUERRE

SECTION I—RÉPARATIONS

Article 74

A. *Réparations au profit de l'Union des Républiques Soviétiques Socialistes*

1. L'Italie paiera à l'Union Soviétique des réparations pour une valeur de 100.000.000 de dollars des Etats-Unis pendant une période de sept ans, à compter de l'entrée en vigueur du présent Traité. Il ne sera pas effectué pendant les deux premières années de prestations prélevées sur la production industrielle courante.

2. Les livraisons au titre des réparations proviendront des sources suivantes:

(a) Une part des installations et de l'outillage industriels italiens destinés à la fabrication du matériel de guerre qui ne sont ni nécessaires aux besoins des effectifs militaires autorisés, ni immédiatement adaptables à des usages civils et qui seront enlevés d'Italie en vertu de l'article 67 du présent Traité;

(b) Les avoirs italiens en Roumanie, en Bulgarie et en Hongrie, sous réserve des exceptions spécifiées au paragraphe 6 de l'article 79;

(c) La production industrielle courante de l'Italie y compris la production des industries extractives.

3. Les quantités et les catégories de marchandises à livrer feront l'objet d'accords entre le Gouvernement de l'Union Soviétique et le Gouvernement italien; le choix en sera effectué et les livraisons en seront échelonnées de façon à ne pas entraver la reconstruction économique de l'Italie et à ne pas imposer aux autres Puissances Alliées ou Associées des charges supplémentaires. Les accords conclus en vertu de ce paragraphe seront communi-

qués aux Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique à Rome.

4. L'Union Soviétique fournira à l'Italie, à des conditions commerciales, les matières premières ou les produits que l'Italie importe normalement et qui sont nécessaires à la production de ces marchandises. Le paiement de ces matières premières ou de ces produits sera effectué en déduisant leur valeur de celle des marchandises livrées à l'Union Soviétique.

5. Les Quatre Ambassadeurs détermineront la valeur des avoirs italiens qui seront transférés à l'Union Soviétique.

6. La base de calcul pour le règlement prévu au présent article sera le dollar des Etats-Unis à sa parité or au 1er juillet 1946, c'est-à-dire 35 dollars pour une once d'or.

B. *Réparations au profit de l'Albanie, de l'Ethiopie, de la Grèce et de la Yougoslavie*

1. L'Italie paiera des réparations aux Etats suivants:

Albanie: pour une valeur de 5.000.000 de dollars des Etats-Unis.

Ethiopie: pour une valeur de 25.000.000 de dollars des Etats-Unis.

Grèce: pour une valeur de 105.000.000 de dollars des Etats-Unis.

Yougoslavie: pour une valeur de 125.000.000 de dollars des Etats-Unis.

Ces paiements seront effectués pendant une période de sept ans à compter de l'entrée en vigueur du présent Traité. Il ne sera pas effectué pendant les deux premières années de prestations prélevées sur la production industrielle courante.

2. Les livraisons au titre des réparations proviendront des sources suivantes:

(a) Une part des installations et de l'outillage industriels italiens destinés à la fabrication du matériel de guerre qui ne sont ni nécessaires aux besoins des effectifs militaires autorisés, ni immédiatement adaptables à des usages civils et qui seront enlevés d'Italie en vertu de l'article 67 du présent Traité;

(b) La production industrielle courante de l'Italie, y compris les produits des industries extractives;

(c) Toutes autres catégories de prestations en capital ou services à

l'exclusion des avoirs italiens qui, aux termes de l'article 79 du présent Traité, relèvent de la juridiction des Etats énumérés au paragraphe 1 ci-dessus. Les prestations faites en application du présent paragraphe comprendront les navires à passagers *Saturnia et Vulcania,* ou l'un des deux, dans le cas où, après évaluation par les Quatre Ambassadeurs, ils seraient demandés dans une période de quatre-vingt dix jours par l'un des Etats énumérés au paragraphe 1 ci-dessus. Les prestations accomplies au titre du présent paragraphe pourront également comprendre des semences.

3. Les quantités et les catégories de marchandises et services à livrer feront l'objet d'accords entre les gouvernements ayant droit à des réparations et le Gouvernement italien; le choix en sera effectué et les livraisons en seront échelonnées de façon à ne pas entraver la reconstruction économique de l'Italie et à ne pas imposer aux autres Puissances Alliées ou Associées des charges supplémentaires.

4. Les Etats ayant droit à des réparations au titre de la production courante fourniront à l'Italie, à des conditions commerciales, les matières premières ou les produits que l'Italie importe normalement et qui seront nécessaires à la production de ces marchandises. Le paiement de ces matières premières ou de ces produits sera effectué en déduisant leur valeur de celle des marchandises livrées.

5. La base de calcul pour le règlement prévu au présent article sera le dollar des Etats-Unis à sa parité or au 1er juillet 1946, c'est-à-dire 35 dollars pour une once d'or.

6. Les réclamations des Etats énumérés au paragraphe 1 de la partie B du présent article, dans la mesure où elles excèdent les montants spécifiés dans ce paragraphe, seront satisfaites à l'aide des actifs italiens placés sous la juridiction respective de ces Etats par l'article 79 du présent Traité.

7. *(a)* Les Quatre Ambassadeurs coordonneront et contrôleront l'exécution des dispositions de la partie B du présent article. Ils se concerteront avec les chefs des missions diplomatiques à Rome des Etats mentionnés au paragraphe 1 de la partie B et, lorsqu'il y aura lieu, avec le Gouvernement italien et ils donneront conseil aux parties intéressées. Aux fins du présent article, les Quatre Ambassadeurs continueront leurs fonctions jusqu'à l'expiration de la période prévue au paragraphe 1 de la partie B pour les livraisons au titre des réparations.

(b) En vue d'éviter les conflits ou les doubles attributions dans la répartition de la production et des ressources italiennes entre les divers Etats ayant droit aux réparations en vertu de la partie B du présent article, les Quatre Ambassadeurs seront informés par tout Gouvernement ayant droit aux réparations en vertu de la partie B du présent article et par le Gouvernement italien de l'ouverture de négociations en vue de conclure un accord, conformément aux dispositions du paragraphe 3 ci-dessus, ainsi que du progrès de ces négociations. Au cas où un différend s'élèverait au cours des négociations, les Quatre Ambassadeurs auront compétence pour décider de toute question qui leur serait soumise par l'un ou l'autre desdits Gouvernements, ou par tout autre Gouvernement ayant droit aux réparations en vertu de la partie B du présent article.

(c) Une fois conclus, les accords seront communiqués aux Quatre Ambassadeurs. Ceux-ci pourront recommander qu'un accord qui ne serait pas ou qui aurait cessé d'être en harmonie avec les principes énoncés au paragraphe 3 ou à l'alinéa *(b)* ci-dessus, soit modifié d'une manière appropriée.

C. *Dispositions spéciales pour livraisons anticipées*

Aucune disposition de la partie A et de la partie B du présent article ne sera considérée comme excluant pendant les deux premières années les prestations prélevées sur la production courante prévues au paragraphe 2*(c)* de la partie A et au paragraphe 2*(b)* de la partie B, si de telles prestations sont faites en exécution d'accords conclus entre le Gouvernement ayant droit aux réparations et le Gouvernement italien.

D. *Réparations au profit d'autres Etats*

1. Les réclamations des autres Puissances Alliées et Associées seront satisfaites sur les actifs italiens soumis à leurs juridictions respectives par l'article 79 du présent Traité.

2. Les réclamations de tout Etat bénéficiant de cessions de territoires en application du présent Traité et qui n'est pas mentionné dans la Partie B du présent article seront satisfaites également par le transfert audit Etat, sans paiement de sa part, des installations et de l'outillage industriels situés dans les territoires cédés, qui servent soit à la distribution de l'eau, soit à la production et à la distribution du gaz et de l'électricité, et qui appartiennent à toute société italienne dont le siège social est situé en Italie ou y est

transféré, ainsi que par le transfert de tous autres avoirs de ces sociétés en territoire cédé.

3. La responsabilité résultant d'engagements financiers garantis par des hypothèques, des privilèges et autres charges grevant ces biens, sera assumée par le Gouvernement italien.

E. *Indemnisation pour les biens saisis au titre des réparations.*

Le Gouvernement italien s'engage à indemniser toute personne physique ou morale dont les biens sont saisis par suite de l'application des dispositions du présent article relatives aux réparations.

SECTION II—RESTITUTIONS PAR L'ITALIE

Article 75

1. L'Italie accepte les principes de la Déclaration des Nations Unies du 5 janvier 1943 et restituera dans le plus bref délai possible les biens enlevés du territoire de l'une quelconque des Nations Unies.

2. L'obligation de restituer s'applique à tous les biens identifiables se trouvant actuellement en Italie et qui ont été enlevés, par force ou par contrainte, du territoire de l'une des Nations Unies, par l'une des Puissances de l'Axe, quelles qu'aient été les transactions ultérieures par lesquelles le détenteur actuel de ces biens s'en est assuré la possession.

3. Le Gouvernement italien restituera en bon état les biens visés dans le présent article et prendra à sa charge tous les frais de main d'oeuvre, de matériaux et de transport engagés à cet effet en Italie.

4. Le Gouvernement italien coopérera avec les Nations Unies à la recherche et à la restitution des biens soumis à restitution aux termes du présent article et fournira à ses frais toutes les facilités nécessaires.

5. Le Gouvernement italien prendra les mesures nécessaires pour restituer les biens visés dans le présent article qui sont détenus dans un tiers pays par des personnes relevant de la juridiction italienne.

6. La demande de restitution d'un bien sera présentée au Gouvernement italien par le Gouvernement du pays du territoire duquel le bien a été enlevé, étant entendu que le matériel roulant sera considéré comme ayant été enlevé du territoire auquel il appartenait à l'origine. Les demandes devront être présentées dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

7. Il incombera au Gouvernement requérant d'identifier le bien et d'en prouver la propriété et au Gouvernement italien d'apporter la preuve que le bien n'a pas été enlevé par force ou par contrainte.

8. Le Gouvernement italien restituera au Gouvernement de la Nation Unie intéressée tout l'or monétaire ayant fait l'objet de spoliations par l'Italie ou transféré indûment en Italie, ou livrera au Gouvernement de la Nation Unie intéressée une quantité d'or égale en poids et en titre à la quantité enlevée ou indûment transférée. Le Gouvernement italien reconnaît que cette obligation n'est pas affectée par les transferts ou les enlèvements d'or qui ont pu être effectués du territoire italien au profit d'autres Puissances de l'Axe ou d'un pays neutre.

9. Si, dans des cas particuliers, il est impossible à l'Italie d'effectuer la restitution d'objets présentant un intérêt artistique, historique ou archéologique qui font partie du patrimoine culturel de la Nation Unie du territoire de laquelle ces objets ont été enlevés par les ressortissants, les autorités ou les armées italiennes, usant de la force ou de la contrainte, l'Italie s'engage à remettre à la Nation Unie intéressée des objets de même nature ou d'une valeur sensiblement équivalente à celle des objets enlevés, dans la mesure où il est possible de s'en procurer en Italie.

SECTION III—ABANDON DE RÉCLAMATIONS PAR L'ITALIE

Article 76

1. L'Italie renonce, au nom du Gouvernement italien et des ressortissants italiens, à faire valoir contre les Puissances Alliées et Associées, toute réclamation de quelque nature que ce soit résultant directement de la guerre ou de mesures prises par suite de l'existence d'un état de guerre en Europe après le 1er septembre 1939, que la Puissance Alliée ou Associée intéressée ait été ou non en guerre avec l'Italie à l'époque.

Sont incluses dans cette renonciation:

(a) Les réclamations relatives à des pertes ou dommages subis par suite de l'action des forces armées ou des autorités de Puissances Alliées ou Associées;

(b) Les réclamations résultant de la présence, des opérations ou de l'action des forces armées ou des autorités de Puissances Alliées ou Associées sur le territoire italien;

(c) Les réclamations portant sur les décisions ou les ordonnances des tribunaux de prises de Puissances Alliées ou Associées, l'Italie acceptant de reconnaître comme valides et comme ayant force exécutoire toutes les décisions et ordonnances desdits tribunaux de prises rendues au 1er septembre 1939 ou postérieurement à cette date et concernant les navires italiens, les marchandises italiennes ou le paiement des frais;

(d) Les réclamations résultant de l'exercice des droits de belligérance ou de mesures prises en vue de l'exercice de ces droits.

2. Les dispositions du présent article excluront complètement et définitivement toutes réclamations de la nature de celles qui y sont visées, et qui seront dès lors éteintes, quelles que soient les parties intéressées. Le Gouvernement italien accepte de verser en lires une indemnité équitable pour satisfaire les réclamations des personnes qui ont fourni, sur réquisition, des marchandises ou des services aux forces armées de Puissances Alliés ou Associées sur le territoire italien, ainsi que les réclamations portées contre les forces armées de Puissances Alliées ou Associées relatives à des dommages causés sur le territoire italien et ne résultant pas de faits de guerre.

3. L'Italie renonce également, au nom du Gouvernement italien et des ressortissants italiens, à faire valoir des réclamations de la nature de celles qui sont visées au paragraphe 1 du présent article, contre toute Nation Unie qui a rompu les relations diplomatiques avec l'Italie et qui a pris des mesures en coopération avec les Puissances Alliées et Associées.

4. Le Gouvernement italien assumera la pleine responsabilité de toute la monnaie militaire alliée émise en Italie par les autorités militaires alliées, y compris toute la monnaie de cette nature en circulation à la date de l'entrée en vigueur du présent Traité.

5. La renonciation à laquelle l'Italie souscrit aux termes du paragraphe 1 du présent article s'étend à toutes les réclamations portant sur les mesures prises par l'une quelconque des Puissances Alliées ou Associées à l'égard des navires italiens entre le 1er Septembre 1939 et la date d'entrée en vigueur du présent Traité, ainsi que à toutes les réclamations et créances résultant des conventions sur les prisonniers de guerre actuellement en vigueur.

6. Les dispositions du présent article ne devront pas être considérées comme affectant les droits de propriété sur les câbles sous-marins qui, au début de la guerre, appartenaient au Gouvernement italien ou à des ressortissants italiens. Ce paragraphe ne fera pas obstacle à l'application aux câbles sous-marins de l'article 79 et de l'annexe XIV.

Article 77

1. A dater de l'entrée en vigueur du présent Traité, les biens en Allemagne de l'Etat et des ressortissants italiens ne seront plus considérés comme biens ennemis et toutes les restrictions résultant de leur caractère ennemi seront levées.

2. Les biens identifiables de l'Etat et des ressortissants italiens que les forces armées ou les autorités allemandes ont enlevés, par force ou par contrainte, du territoire italien et emportés en Allemagne après le 3 septembre 1943, donneront lieu à restitution.

3. Le rétablissement des droits de propriété ainsi que la restitution des biens italiens en Allemagne seront effectués conformément aux mesures qui seront arrêtées par les Puissances occupant l'Allemagne.

4. Sans préjudice de ces dispositions et de toutes autres qui seraient prises en faveur de l'Italie et des ressortissants italiens par les Puissances occupant l'Allemagne, l'Italie renonce, en son nom et au nom des ressortissants italiens, à toutes réclamations contre l'Allemagne et les ressortissants allemands, qui n'étaient pas réglées au 8 mai 1945, à l'exception de celles qui résultent de contrats et d'autres obligations qui étaient en vigueur ainsi que de droits qui étaient acquis avant le 1er septembre 1939. Cette renonciation sera considérée comme s'appliquant aux créances, à toutes les réclamations de caractère intergouvernemental relatives à des accords conclus au cours de la guerre et à toutes les réclamations portant sur des pertes ou des dommages survenus pendant la guerre.

5. L'Italie s'engage à prendre toutes les mesures nécessaires pour faciliter les transferts des biens allemands se trouvant en Italie, qui pourront être décidés par celles des Puissances occupant l'Allemagne qui ont le pouvoir de disposer des biens allemands se trouvant en Italie.

PARTIE VII

BIENS, DROITS ET INTERETS

SECTION I—BIENS DES NATIONS UNIES EN ITALIE

Article 78

1. Pour autant qu'elle ne l'a pas déjà fait, l'Italie rétablira tous les droits et intérêts légaux en Italie des Nations Unies et de leurs ressortissants, tels qu'ils existaient au 10 juin 1940, et restituera à ces Nations Unies et à leurs ressortissants tous les biens leur appartenant en Italie dans l'état où ils se trouvent actuellement.

2. Le Gouvernement italien restituera tous les biens, droits et intérêts visés au présent article, libres de toutes hypothèques et charges quelconques dont ils auraient pu être grevés du fait de la guerre, et sans que la restitution donne lieu à la perception d'aucune somme de la part du Gouvernement italien. Le Gouvernement italien annulera toutes mesures, y compris les mesures de saisie, de séquestre ou de contrôle, prises par lui à l'égard des biens des Nations Unies entre le 10 juin 1940 et la date d'entrée en vigueur du présent Traité. Dans le cas où le bien n'aurait pas été restitué dans les six mois à compter de la date d'entrée en vigueur du présent Traité, la demande devra être présentée aux autorités italiennes dans un délai maximum de douze mois à compter de cette même date, sauf dans les cas où le demandeur serait en mesure d'établir qu'il lui a été impossible de présenter sa demande dans ce délai.

3. Le Gouvernement italien annulera les transferts portant sur des biens, droits et intérêts de toute nature appartenant à des ressortissants des Nations Unies, lorsque ces transferts résultent de mesures de force ou de contrainte prises au cours de la guerre par les Gouvernements des Puissances de l'Axe ou par leurs organes.

4. *(a)* Le Gouvernement italien sera responsable de la remise en parfait état des biens restitués à des ressortissants des Nations Unies en vertu du paragraphe 1 du présent article. Lorsqu'un bien ne pourra être restitué ou que, du fait de la guerre, le ressortissant d'une Nation Unie aura subi une perte par suite d'une atteinte ou d'un dommage causé à un bien en Italie, le Gouvernement italien indemnisera le propriétaire en versant une somme en lires jusqu'à concurrence des deux tiers de la somme

nécessaire à la date du paiement, pour permettre au bénéficiaire, soit d'acheter un bien équivalent, soit de compenser la perte ou le dommage subi. En aucun cas, les ressortissants des Nations Unies ne devront être l'objet d'un traitement moins favorable en matière d'indemnité que le traitement accordé aux ressortissants italiens.

(b) Les ressortissants des Nations Unies qui détiennent directement ou indirectement des parts d'intérêts dans des sociétés ou associations qui ne possèdent pas la nationalité des Nations Unies, au sens du paragraphe 9 *(a)* du présent article, mais qui ont subi une perte par suite d'atteintes ou de dommages causés à leurs biens en Italie recevront une indemnité conformément à l'alinéa *(a)* ci-dessus. Cette indemnité sera calculée en fonction de la perte ou du dommage total subi par la société ou l'association, et son montant par rapport au total de la perte ou du dommage subi aura la même proportion que la part d'intérêts détenue par les dits ressortissants par rapport au capital global de la société ou association en question.

(c) L'indemnité sera versée, nette de tous prélèvements, impôts ou autres charges. Elle pourra être librement employée en Italie mais sera soumise aux règlements relatifs au contrôle des changes qui pourront, à un moment donné, être en vigueur en Italie.

(d) Le Gouvernement italien accordera aux ressortissants des Nations Unies une indemnité en lires, dans la même proportion que celle prévue à l'alinéa *(a)* ci-dessus pour compenser la perte ou les dommages qui résultent de mesures spéciales prises pendant la guerre à l'encontre de leurs biens et qui ne visaient pas les biens italiens. Cet alinéa ne s'applique pas à un manque à gagner.

5. Tous les frais raisonnables auxquels donnera lieu, en Italie, l'établissement des demandes, y compris l'évaluation des pertes et des dommages, seront à la charge du Gouvernement italien.

6. Les ressortissants des Nations Unies ainsi que leurs biens seront exemptés de tous impôts, contributions ou taxes exceptionnels, auxquels le Gouvernement italien ou une autorité italienne quelconque auraient soumis leurs avoirs en capital en Italie entre le 3 Septembre 1943 et la date d'entrée en vigueur du présent Traité, en vue de couvrir les dépenses résultant de la guerre ou celles qui ont été entraînées par l'entretien des forces d'occupation ou par les réparations à payer à l'une des Nations

Unies. Toutes les sommes qui auraient été ainsi perçues seront remboursées.

7. En dépit des transferts de territoires prévus par le présent Traité, l'Italie demeurera responsable des pertes ou des dommages causés, pendant la guerre, aux biens des ressortissants des Nations Unies dans les territoires cédés ou dans le Territoire Libre de Trieste. Les obligations contenues dans les paragraphes 3, 4, 5 et 6 du présent article incomberont également au Gouvernement italien à l'égard des biens des ressortissants des Nations Unies dans les territoires cédés et dans le Territoire Libre de Trieste, mais seulement dans la mesure où il n'en résultera pas de contradiction avec les dispositions du paragraphe 14 de l'annexe X et du paragraphe 14 de l'annexe XIV du présent Traité.

8. Le propriétaire des biens en question et le Gouvernement italien pourront conclure des arrangements qui se substitueront aux dispositions du présent article.

9. Aux fins du présent article:

(a) L'expression "ressortissants des Nations Unies" s'applique aux personnes physiques qui sont ressortissants de l'une quelconque des Nations Unies, ainsi qu'aux sociétés ou associations constituées sous le régime des lois de l'une des Nations Unies lors de l'entrée en vigueur du présent Traité, à condition que lesdites personnes physiques, sociétés ou associations aient déjà possédé ce statut le 3 septembre 1943, date de l'armistice avec l'Italie.

L'expression "ressortissants des Nations Unies" comprend également toutes les personnes physiques et les sociétés ou associations qui, aux termes de la législation en vigueur en Italie pendant la guerre, ont été traitées comme ennemis.

(b) Le terme "propriétaire" désigne le ressortissant d'une des Nations Unies, tel qu'il est défini à l'alinéa (*a*) ci-dessus, qui a un titre légitime au bien en question, et s'applique au successeur du propriétaire, à condition que ce successeur soit aussi ressortissant d'une des Nations Unies au sens de l'alinéa *(a)*. Si le successeur a acheté le bien lorsque celui-ci était déjà endommagé, le vendeur conservera ses droits à l'indemnisation résultant du présent article, sans que les obligations existant entre le vendeur et l'acquéreur, en vertu de la législation interne, en soient affectées.

(c) Le terme "biens" désigne tous les biens mobiliers ou immobiliers, corporels ou incorporels, y compris les droits de propriété industrielle,

littéraire et artistique, ainsi que tous droits ou intérêts de nature quelconque dans des biens. Sans préjudice des dispositions générales qui précèdent, les biens des Nations Unies et de leurs ressortissants comprennent tous les bâtiments de mer et de navigation intérieure avec leurs gréments et leurs équipements, qui appartenaient aux Nations Unies ou à leurs ressortissants ou étaient enregistrés sur le territoire de l'une des Nations Unies ou naviguaient sous le pavillon de l'une des Nations Unies, et qui postérieurement au 10 juin 1940, qu'ils se soient trouvés dans les eaux italiennes ou qu'ils y aient été amenés de force, furent soumis au contrôle des autorités italiennes en tant que biens ennemis, ou cessèrent d'être en Italie à la libre disposition des Nations Unies ou de leurs ressortissants, du fait de mesures de contrôle prises par les autorités italiennes en relation avec l'existence d'un état de guerre entre certaines des Nations Unies et l'Allemagne.

SECTION II—BIENS ITALIENS SITUÉS SUR LE TERRITOIRE DES PUISSANCES ALLIÉES ET ASSOCIÉES

Article 79

1. Chacune des Puissances Alliées ou Associées aura le droit de saisir, retenir ou liquider tous les biens, droits et intérêts qui, à la date d'entrée en vigueur du présent Traité, se trouvent sur son territoire et appartiennent à l'Italie ou à des ressortissants italiens, et de prendre toute autre disposition en ce qui concerne ces biens, droits et intérêts. Elle aura également le droit d'employer ces biens ou le produit de leur liquidation à telles fins qu'elle pourra désirer, à concurrence du montant de ses réclamations ou de celles de ses ressortissants contre l'Italie ou les ressortissants italiens (y compris les créances), qui n'auront pas été entièrement réglées en vertu d'autres articles du présent Traité. Tous les biens italiens ou le produit de leur liquidation en excédent du montant desdites réclamations seront restitués.

2. La liquidation des biens italiens et les mesures de disposition dont ils feront l'objet devront s'effectuer conformément à la législation de la Puissance Alliée ou Associée intéressée. En ce qui concerne lesdits biens,

le propriétaire italien n'aura pas d'autres droits que ceux que peut lui conférer la législation en question.

3. Le Gouvernement italien s'engage à indemniser les ressortissants italiens dont les biens seront saisis en vertu du présent article et auxquels ces biens ne seront pas restitués.

4. Il ne résulte du présent article aucune obligation, pour l'une quelconque des Puissances Alliées ou Associées, de restituer au Gouvernement ou aux ressortissants italiens des droits de propriété industrielle, ni de faire entrer ces droits dans le calcul des sommes qui pourront être retenues en vertu du paragraphe 1 du présent article. Le Gouvernement de chacune des Puissances Alliées ou Associées aura le droit d'imposer aux droits ou intérêts afférents à la propriété industrielle sur le territoire de cette Puissance Alliée ou Associée, acquis par le Gouvernement italien ou ses ressortissants avant l'entrée en vigueur du présent Traité, telles limitations, conditions ou restrictions que le Gouvernement de la Puissance Alliée ou Associée intéressée pourra considérer comme nécessaires dans l'intérêt national.

5. *(a)* Les câbles sous-marins italiens reliant des points situés en territoire yougoslave seront réputés propriété italienne en Yougoslavie, même si une certaine partie de ces câbles se trouve en dehors des eaux territoriales yougoslaves.

(b) Les câbles sous-marins italiens reliant un point situé sur le territoire d'une Puissance Alliée ou Associée et un point situé en territoire italien seront réputés propriété italienne au sens du présent article en ce qui concerne les installations terminales ou les parties de câbles se trouvant dans les eaux territoriales de cette Puissance Alliée ou Associée.

6. Les biens visés au paragraphe 1 du présent article seront considérés comme comprenant les biens italiens qui ont fait l'objet de mesures de contrôle en raison de l'état de guerre existant entre l'Italie et la Puissance Alliée ou Associée dans la juridiction de laquelle les biens sont situés, mais ne comprendront pas:

(a) Les biens du Gouvernement italien utilisés pour les besoins des missions diplomatiques ou consulaires;

(b) Les biens appartenant à des institutions religieuses ou à des institutions philanthropiques privées et servant exclusivement à des fins religieuses ou philanthropiques;

(c) Les biens des personnes physiques qui sont des ressortissants italiens et sont autorisées á résider, soit sur le territoire du pays où sont situés ces biens, soit sur le territoire de l'une quelconque des Nations Unies, autres que les biens italiens qui, à un moment quelconque au cours de la guerre, ont fait l'objet de mesures qui ne s'appliquaient pas d'une manière générale aux biens des ressortissants italiens résidant sur le territoire en question;

(d) Les droits de propriété nés depuis la reprise des relations commerciales et financières entre les Puissances Alliées et Associées et l'Italie, ou nés de transactions entre le Gouvernement d'une Puissance Alliée ou Associée et l'Italie depuis le 3 septembre 1943;

(e) Les droits de propriété littéraire et artistique;

(f) Les biens des ressortissants italiens, situés dans les territoires cédés, auxquels s'appliqueront les dispositions de l'annexe XIV;

(g) Exception faite des avoirs visés au paragraphe 2 *(b)* de la partie A et au paragraphe 1 de la partie D de l'article 74, les biens des personnes physiques résidant dans les territoires cédés ou dans le Territoire Libre de Trieste, qui n'exercent pas le droit d'option pour la nationalité italienne que leur confère le présent Traité, ainsi que les biens des sociétés ou associations dont le siège social est situé dans les territoires cédés ou dans le Territoire Libre de Trieste, à condition que ces sociétés ou associations ne soient ni la propriété de personnes résidant en Italie, ni contrôlées par elles. Dans les cas prévus au paragraphe 2 *(b)* de la partie A et au paragraphe 1 de la partie D de l'article 74, la question de l'indemnisation sera règlée conformément aux dispositions de la partie E de cet article.

SECTION III—DÉCLARATION DES PUISSANCES ALLIÉES ET ASSOCIÉES AU SUJET DE LEURS RÉCLAMATIONS

Article 80

Les Puissances Alliées et Associées déclarent que les droits qui leur sont attribués par les articles 74 et 79 du présent Traité couvrent toutes leurs réclamations et celles de leurs ressortissants pour pertes ou dommages résultant de faits de guerre y compris les mesures prises à la faveur de l'occupation de leur territoire, imputables à l'Italie et survenues en dehors

du territoire italien, à l'exception cependant des réclamations fondées sur les articles 75 et 78.

SECTION IV—DETTES

Article 81

1. L'existence de l'état de guerre ne doit pas être considérée en soi comme affectant l'obligation d'acquitter les dettes pécuniaires résultant d'obligations et de contrats qui étaient en vigueur et de droits qui étaient acquis avant l'existence de l'état de guerre, dettes qui étaient devenues exigibles avant l'entrée en vigueur du présent Traité et qui sont dues, soit par le Gouvernement ou les ressortissants italiens au Gouvernement ou aux ressortissants de l'une des Puissances Alliées ou Associées, soit par le Gouvernement ou les ressortissants d'une des Puissances Alliées ou Associées au Gouvernement ou aux ressortissants italiens.

2. Sauf disposition expressément contraire du présent Traité, aucune clause de ce Traité ne devra être interprétée comme affectant les rapports de débiteurs à créanciers résultant de contrats conclus avant la guerre soit par le Gouvernement soit par des ressortissants italiens.

PARTIE VIII

RELATIONS ECONOMIQUES GENERALES

Article 82

1. En attendant la conclusion de traités ou d'accords commerciaux entre l'une quelconque des Nations Unies et l'Italie, le Gouvernement italien devra, pendant les dix-huit mois qui suivront l'entrée en vigueur du présent Traité, accorder à chacune des Nations Unies qui, en fait, accordent par voie de réciprocité un traitement analogue à l'Italie dans ces domaines, le traitement suivant:

(a) Pour tout ce qui concerne les droits et redevances à l'importation ou à l'exportation, l'imposition à l'intérieur du pays des marchandises importées, et tous les règlements qui s'y rapportent, les Nations Unies bénéficieront de la clause inconditionnelle de la nation la plus favorisée;

(b) L'Italie ne pratiquera, à tous autres égards, aucune discrimination arbitraire au détriment des marchandises en provenance ou à destination

du territoire d'une Nation Unie par rapport aux marchandises analogues en provenance ou à destination du territoire de toute autre Nation Unie ou de tout autre pays étranger;

(c) Les ressortissants des Nations Unies y compris les personnes morales bénéficieront du traitement national et de celui de la nation la plus favorisée pour tout ce qui a trait au commerce, à l'industrie, à la navigation et aux autres formes d'activité commerciale en Italie. Ces dispositions ne s'appliqueront pas à l'aviation commerciale;

(d) L'Italie n'accordera à aucun pays de droit exclusif ou préférentiel en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux; elle offrira des conditions d'égalité à toutes les Nations Unies pour l'obtention de droits en matière de transports aériens commerciaux internationaux sur le territoire italien, y compris le droit d'atterrir à des fins de ravitaillement et de réparation, et, en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux, elle accordera à toutes les Nations Unies, suivant le principe de la réciprocité et de la non-discrimination, le droit de survoler le territoire italien sans escale. Ces dispositions n'affecteront pas les intérêts de la défense nationale de l'Italie.

2. Les engagements ci-dessus pris par l'Italie doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par l'Italie avant la guerre; les dispositions relatives à la réciprocité accordée par chacune des Nations Unies doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par celle-ci.

PARTIE IX

REGLEMENT DES DIFFERENDS

Article 83

1. Tous les différends qui pourront s'élever à propos de l'application des articles 75 et 78, ainsi que des annexes XIV, XV, XVI et XVII, partie B, du présent Traité, seront soumis à une commission de conciliation, composée d'un représentant du Gouvernement de la Nation Unie intéressée et d'un représentant du Gouvernement italien, agissant sur un

pied d'égalité. Si un règlement n'est pas intervenu dans les trois mois qui suivront la date à laquelle le différend a été soumis à la commission de conciliation, l'un ou l'autre Gouvernement pourra demander l'adjonction à la commission d'un tiers membre choisi, d'un commun accord, entre les deux Gouvernements, parmi les ressortissants d'un Etat tiers. A défaut d'accord dans un délai de deux mois, entre les deux Gouvernements, sur le choix de ce membre, ces Gouvernements s'adresseront aux Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique, qui désigneront le tiers membre de la commission. Si les Ambassadeurs ne parviennent pas à se mettre d'accord dans le délai d'un mois sur la désignation du tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général de l'Organisation des Nations Unies de procéder à cette désignation.

2. Lorsqu'une commission de conciliation sera constituée en application du paragraphe 1, elle aura compétence pour connaître de tous les différends qui pourront s'élever par la suite entre la Nation Unie intéressée et l'Italie au sujet de l'application ou de l'interprétation des articles 75 et 78, ainsi que des annexes XIV, XV, XVI et XVII, partie B, du présent Traité, et elle remplira les fonctions qui lui sont dévolues par ces dispositions.

3. Chaque commission de conciliation établira elle-même sa procédure, en adoptant des règles conformes à la justice et à l'équité.

4. Chaque Gouvernement paiera les honoraires du membre de la commission de conciliation qu'il nomme et de tout agent qu'il pourra désigner pour le représenter devant la commission. Les honoraires du tiers membre seront fixés par accord spécial entre les Gouvernements intéressés, et ces honoraires, ainsi que les dépenses communes de chaque commission, seront payés par moitié par les deux Gouvernements.

5. Les parties s'engagent à ce que leurs autorités fournissent directement à la commission de conciliation toute l'aide qui sera en leur pouvoir.

6. La décision de la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

PARTIE X

CLAUSES ECONOMIQUES DIVERSES

Article 84

Les articles 75, 78, 82 et l'annexe XVII du présent Traité s'appliqueront aux Puissances Alliées et Associées et à celles des Nations Unies qui ont rompu les relations diplomatiques avec l'Italie, ou avec qui l'Italie a rompu les relations diplomatiques. Ces articles et cette annexe s'appliqueront également à l'Albanie et à la Norvège.

Article 85

Les dispositions des annexes VIII, X, XIV, XV, XVI et XVII ainsi que celles des autres annexes seront considérées comme faisant partie intégrante du présent Traité, et auront la même valeur et les mêmes effets.

PARTIE XI

CLAUSES FINALES

Article 86

1. Pendant une période qui n'excédera pas dix-huit mois à partir de l'entrée en vigueur du présent Traité, les Ambassadeurs des Etats-Unis d'Amérique, de France, du Royaume-Uni et de l'Union Soviétique à Rome, agissant de concert, représenteront les Puissances Alliées et Associées pour traiter avec le Gouvernement italien de toutes questions relatives à l'exécution et à l'interprétation du présent Traité.

2. Les Quatre Ambassadeurs donneront au Gouvernement italien les conseils, avis techniques et éclaircissements qui pourront être nécessaires pour assurer l'exécution rapide et efficace du présent Traité, aussi bien dans sa lettre que dans son esprit.

3. Le Gouvernement italien fournira aux Quatre Ambassadeurs toutes les informations nécessaires et toute l'aide dont ils pourront avoir besoin dans l'accomplissement des tâches qui leur sont dévolues par le présent Traité.

Article 87

1. Exception faite des cas pour lesquels une autre procédure est

expressément prévue par un article du présent Traité, tout différend relatif à l'interprétation ou à l'exécution de ce Traité, qui n'a pas été réglé par voie de négociations diplomatiques directes, sera soumis aux Quatre Ambassadeurs, agissant comme il est prévu à l'article 86, mais, en pareil cas, les Ambassadeurs ne seront pas tenus par les délais fixés dans ledit article. Tout différend de cette nature qu'ils n'auraient pas encore réglé dans un délai de deux mois sera, sauf si les parties au différend conviennent l'une et l'autre d'un autre mode de règlement, soumis, à la requête de l'une ou l'autre des parties, à une commission composée d'un représentant de chaque partie et d'un tiers membre choisi d'un commun accord entre les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans un délai d'un mois entre les deux parties au sujet de la désignation de ce tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision prise par la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 88

1. Tout membre de l'Organisation des Nations Unies, en guerre avec l'Italie et qui n'est pas signataire du présent Traité, ainsi que l'Albanie, peut accéder au Traité et sera considéré, dès son accession, comme Puissance Associée pour l'application du Traité.

2. Les instruments d'accession seront déposés près le Gouvernement de la République Française et prendront effet dès leur dépôt.

Article 89

Les dispositions du présent Traité ne conféreront aucun droit ni bénéfice à aucun Etat désigné dans le préambule du Traité comme l'une des Puissances Alliées ou Associées ou à ses nationaux, jusqu'à ce que cet Etat devienne partie au Traité par le dépôt de son instrument de ratification.

Article 90

Le présent Traité, dont les textes français, anglais et russe feront foi, devra être ratifié par les Puissances Alliées et Associées. Il devra également être ratifié par l'Italie. Il entrera en vigueur immédiatement après le dépôt des ratifications par les Etats-Unis d'Amérique, la France, le Royaume-

Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques Soviétiques Socialistes. Les instruments de ratification seront, dans le plus bref délai possible, déposés près le Gouvernement de la République Française.

En ce qui concerne chacune des Puissances Alliées ou Associées dont l'instrument de ratification sera déposé ultérieurement, le Traité entrera en vigueur à la date du dépôt. Le présent Traité sera déposé dans les archives du Gouvernement de la République Française, qui en remettra à chacun des Etats signataires une copie certifiée conforme.

95347°—49——PT. II——22

LISTE DES ANNEXES

Annexe *I* — Cartes (voir recueil séparé)

Annexe *II* — Frontière franco-italienne: description détaillée des sections de la frontière correspondant aux modifications prévues à l'article 2.

Annexe *III* — Garanties relatives au Mont Cenis et à la région de Tende — la Brigue.

Annexe *IV* — Dispositions sur lesquelle les Gouvernements italien et autrichien se sont mis d'accord le 5 septembre 1946.

Annexe *V* — Alimentation en eau de la Commune de Gorizia et de ses environs.

Annexe *VI* — Statut Permanent du Territoire Libre de Trieste.

Annexe *VII* — Instrument relatif au régime provisoire du Territoire Libre de Trieste.

Annexe *VIII* — Instrument relatif au Port Franc de Trieste.

Annexe *IX* — Dispositions techniques relatives au Territoire Libre de Trieste.

Annexe *X* — Dispositions économiques et financières relatives au Territoire Libre de Trieste.

Annexe *XI* — Déclaration commune des Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni et de l'Union Soviétique, au sujet des possessions territoriales italiennes en Afrique.

Annexe *XII* — Liste des navires de guerre

A. à conserver par l'Italie

B. à livrer par l'Italie

Annexe *XIII* — Définitions

A. termes navals

B. instruction militaire, aérienne et navale

C. définition et liste du matériel de guerre

D. définition des termes "démilitarisation" et "démilitarisé"

LISTE DES ANNEXES
(suite)

Annexe XIV — Dispositions économiques et financières relatives aux territoires cédés

Annexe XV — Dispositions spéciales concernant certaines catégories de biens:

1. Propriété industrielle, littéraire et artistique
2. Assurances

Annexe XVI — Contrats, prescription, effets de commerce

Annexe XVII — Tribunaux de prises et jugements

ANNEXE I

CARTES

(voir recueil séparé)

A — Frontières de l'Italie (article 1)

B — Frontière franco-italienne (article 2)

C — Frontière italo-yougoslave (article 3)

D — Frontières du Territoire Libre de Trieste (articles 4 et 22)

E — Zones maritimes délimitées à l'article 11 du présent Traité

ANNEXE II

FRONTIERE FRANCO-ITALIENNE

Description détaillée des sections de la frontière correspondant aux modifications prévues à l'article 2

Col du Petit Saint-Bernard

Référence: Carte au 20.000° — Ste Foy Tarentaise N°s 1-2

La nouvelle frontière suit un tracé qui débouche de l'arête rocheuse

de Lancebranlette, puis, descendant vers l'est, suit la ligne de partage des eaux jusqu'au point coté 2180, d'où il passe à la Colonna Joux (2188). De là, suivant toujours la ligne de partage des eaux, le tracé remonte sur la Costa del Belvedere dont il suit les affleurements rocheux, gravit le Mt Belvedere dont il contourne le sommet, laissant ce dernier en territoire français à 120 mètres de la frontière, et rejoint par les cotes 2570, 2703, la Bella Valetta et la cote 2746, l'ancienne frontière au Mt Valaisan.

Plateau du Mont Cenis

Référence: Cartes au 20.000° de Lanslebourg N°s 5-6 et 7-8 et de Mont d'Ambin N°s 1-2

La nouvelle frontière suit un tracé qui quitte l'ancienne frontière au Mt Tour, suit vers l'ouest la limite administrative figurant sur la carte, s'engage dans le T. Vitoun dès qu'il le rencontre sur sa branche nord et descend son cours jusqu'à la Rocca della Toretta.

Longeant ensuite la ligne d'affleurements rocheux, il aboutit au torrent venant de l'Alpe Lamet et descend avec lui jusqu'à la base de l'escarpement rocheux qu'il longe pendant 800 m. environ jusqu'au thalweg en un point situé à environ 200 m. au nord de la cote 1805.

Il chemine ensuite au sommet des arrachements qui dominent Ferrera Cenisio à 300 m. environ et continuant vers l'ouest, il rencontre la route qui contourne à l'est le Rne Paradiso à 400 m. à l'ouest de la boucle (1854) pour l'abandonner aussitôt et s'infléchir en direction du sud.

Il coupe la route de Bar Cenisia à 100 m. environ du sud-est du refuge 5, traverse le thalweg en direction du lac S. Giorgio, suit sensiblement la courbe 1900 jusqu'à hauteur de la cote 1907, vient longer au sud le lac d'Arpon et rejoint l'arête rocheuse sur laquelle il se maintient en direction du sud-ouest jusqu'au confluent des torrents issus du glacier du Bard (Ghiaccajo di Bard), en un point situé à 1400 m. environ du sud-ouest du lac d'Arpon.

De là, s'infléchissant vers le sud, il suit approximativement la courbe 2500, passe à la cote 2579 puis, longeant la courbe 2600, il arrive au lac della Vecchia et vient retrouver, à la limite administrative marquée sur la carte à 700 m. environ du sud-est du lac, le chemin de Pso d'Avanza qui le conduit le long des escarpements rocheux à l'ancienne frontière, à mi-distance entre le Col de la Vecchia et le Col de Clapier.

Mont-Thabor

Référence: Carte au 20.000° de Névache N°s 1-2, 5-6 et 7-8

De la cime de la Planette au Rocher de Guion (Cima del Sueur)

La nouvelle frontière suit un tracé qui se détache de l'ancienne frontière a la Cime de la Planette et, se dirigeant vers le sud, suit la crête, par les cotes 2980, 3178, la Rca Bernaude (3228), les cotes 2842, 2780, 2877, le Pso della Gallina (2671), les cotes 2720, 2806 et la Pta Quattre Sorelle (2700).

Descendant la croupe est de cette pointe, le tracé laisse en territoire français le point coté 2420, d'où il rejoint et suit à l'est le chemin conduisant aux constructions situées à 200 m. environ de la cote 2253, ce chemin et ces constructions étant laissés en territoire français. Il s'engage ensuite dans un thalweg passant à 300 m. environ au nord-est de la cote 1915 d'où il gagne l'extrémité nord-ouest du bassin qui, dans la Vallée Etroite (Valle Stretta), alimente les installations hydroélectriques de Sette Fontane, laissant ce bassin et ces installations en territoire italien. Contournant le bassin par le sud, il atteint le carrefour de routes de la cote 1499.

Il emprunte ensuite le chemin qui épouse, à la lisière du bois, la courbe 1500 et qui le conduit à la Comba della Gorgia aux environs de la courbe 1580; il remonte ensuite le thalweg vers la cote 1974 et rejoint le bord des escarpements du rocher de la Sueur jalonné par les cotes 2272, 2268, 2239, 2266, 2267, bord sur lequel il se maintient jusqu'à sa rencontre avec l'ancienne frontière, la crête du rocher et le chemin qui la longe restant en territoire français.

Chaberton

Référence: Carte au 20.000° de Briancon N°s 3-4

La nouvelle frontière suit un tracé qui quitte l'ancienne frontière à la cote 3042 (au nord de la cote 3070 et au nord de la pointe des Trois Scies) et emprunte l'arête rocheuse jusqu'à la Croce del Vallonetto.

De la Croce del Vallonetto, il s'infléchit vers le sud et le long de l'arête rocheuse, rejoint la route du Chaberton au point où celle-ci pénètre dans le cirque du Clot des Morts.

Franchissant cette route et le thalweg qui la borde, le tracé suit

approximativement pendant 1250 m. la courbe 2300 qui suit sur le terrain vers le sud-est une série d'affleurements rocheux et d'éboulis, puis il coupe en ligne droite le versant est du Mont Chaberton, atteint un point situé à 400 m. environ à l'ouest de la cote 2160, laissant en territoire français la recette intermédiaire du téléférique qui se trouve en cet endroit.

De là, il se dirige en ligne droite, à travers une série de barres rocheuses et de ravins escarpés, vers la position non figurée sur la carte de la Fontaine des Chamois près de la cote 2228 (1,4 km. environ nord-est de Clavières), qu'il contourne par l'est en suivant la deuxième boucle de la route joignant cette position à la caserne fortifiée du Chaberton (sur la route de Cézanne (Cesana) à Clavières), laissant les ouvrages fortifiés de la Fontaine des Chamois en territoire français.

Ensuite, longeant d'abord en direction du Sud la limite de commune marquée sur la carte et ensuite la barre rocheuse à 400 mètres environ au nord de la route Clavières-Cézanne (Cesana), il s'infléchit vers le sud-ouest, passant au bas des falaises rocheuses à une distance de ces dernières suffisante pour permettre la construction d'une route à double circulation.

Contournant ainsi par le nord le village de Clavières, laissé en territoire italien, il rencontre le Rio Secco à 200 m. environ en amont du pont de Clavières et descend son cours, puis celui de la Doire Ripaire (Doria Riparia) jusqu'à la route de Clavières au Val Gimont, laissé à l'Italie, route qu'il suit jusqu'au pont sur le Gimont.

Remontant le cours de celui-ci sur environ 300 m., le tracé l'abandonne pour suivre le chemin muletier qui le conduit à la recette supérieure du téléférique de Clavières (Col du Mont Fort du Boeuf) qu'il laisse en territoire français. Il rejoint ensuite par la crête la frontière actuelle au Mont la Plane, borne frontière 251. La route de la vallée du Gimont est laissée en territoire italien.

Vallées Supérieures de la Tinée, de la Vésubie et de la Roya

1° — *Des Cime de Colla Longa à la Cima di Mercantour*

Références: Carte au 20.000°: St. Etienne de Tinée N°s 3-4 et 7-8 les Trois Ponts N°s 5-6

La nouvelle frontière suit un tracé qui se détache de l'ancienne fron-

tière aux Cime de Colla Longa et, se dirigeant vers l'est en suivant la ligne de partage des eaux, longe la crête rocheuse en passant par les cotes 2719, 2562, le Cle di Seccia, atteint à la cote 2760 la Testa dell'Autaret, passe à la cote 2672, au Cle della Guercia (2456) et par les cotes 2640, 2693, 2689, atteint les Rocche di Saboulé dont il longe l'arête nord.

Suivant la crête, il arrive par les cotes 2537, 2513, le Pso del Lausfer (2461) et la cote 2573, à la Testa Auta del Lausfer (2587) d'où il s'infléchit vers le sud jusqu'à la Testa Colla Auta en passant par la Cima del Lausfer (2544) et laissant le point coté à l'Italie.

De là, par la cote 2484 et en suivant le chemin de crête, laissé en territoire français, par les cotes 2240 et 2356, il traverse le Passo di S. Anna, passe par les cotes 2420 et 2407, et atteint un point situé à environ 80 m. au sud du point coté 2378 (Cima Moravacciera).

Suivant le chemin de crête laissé en territoire français, il passe par la Testa Ga del Caval et la cote 2331 laissées en territoire français, puis abandonnant le chemin, il se maintient sur la crête de la Testa dell'Adreck (2475) et par le Cle della Lombarda et la cote 2556 atteint la Cima della Lombarda (2801).

S'infléchissant vers le sud-est, il s'engage alors sur la crête rocheuse et, par le Pso di Peania, la Cima di Vermeil, la cote 2720 laissée en territoire français, la Testa Cba Grossa (2792) le Pso del Lupo (2730) et la cote 2936, il atteint le Mt. Malinvern.

Ensuite en direction du sud par les cotes 2701, 2612 et la Cima di Tavels (2802), puis en direction de l'est, par la cote 2823, il atteint la Testa del Claus (2889).

S'infléchissant alors en direction générale du sud-est, il traverse le Passo delle Portette, passe à la cote 2814, à la Testa delle Portette, à la cote 2868, à la Testa Margiola (2831), au Cairo di Prefouns (2840), au Passo del Prefouns (2620), à la Testa di Tablasses (2851), au Passo di Bresses (2794), à la Testa di Bresses (2820), et, par la Cima di Fremamorta (2731), le Cle Fremamorta, la cote 2625, la cote 2675 et la cote 2539, la Cima di Pagari (2686), la Cima di Naucetas (2706), les cotes 2660 et 2673, le Cle di Ciriegia (2581), il atteint la Cima di Mercantour (2775).

2° — *de la Cima di Mercantour au Mt Clapier*

Références: Carte au 20.000°: les Trois Ponts N°s 5-6 et le 20.000° italien Madonna delle Finestre

De la Cima di Mercantour, par la cote 2705, le Cle Mercantour (2611), la Cima Ghilie (2998), les cotes 2939 et 2955, la Testa della Rovina (2981), les cotes 2844 et 2862, le Paso della Rovina, le Caire dell'Agnel (2935, 2867, 2784), la Cima del Caire Agnel (2830), la Cima Mallariva (2860), la Cima Cairas (2831), la Cima Cougourda (2881, 2921), la Cima dei Gaisses (2896), les cotes 2766, 2824, la Cima del Lombard (2842), les cotes 2831, 2717, 2591, 2600 et 2582, la Boccia Forno, la Cima delle Finestre (2657), le Col delle Finestre, les cotes 2634, 2686 et 2917, il atteint la Cima dei Gelas (3143), puis par la cote 3070 la Cima della Maledia (3601), longe le sentier du Passo del Pagari (2819) puis la limite de commune marquée sur la carte, arrive au Passo di Mt. Clapier (2827) et contourne le Mt Clapier (3045) par le nord et l'est en suivant la limite administrative tracée sur la carte.

3° — *du Mt Clapier au col de Tende*

Références: 20.000° italien de Madonna delle Finestre et Colle di Tenda

Du Mt Clapier, le tracé, suivant la limite administrative marquée sur la carte par les cotes 2915, 2887 et 2562, le Passo dell'Agnel et la cote 2679, atteint la Cima dell'Agnel (2775).

Se dirigeant vers l'est et suivant toujours la limite administrative marquée sur la carte par les cotes 2845 et 2843 des Rce dell'Agnel, il atteint la Cima della Scandeiera (2706) et traverse le Colle del Sabbione (2332), passe aux cotes 2373, 2226, 2303 et 2313, à la Cima del Sabbione (2610), à la cote 2636, à la Pta Peirafica, aux cotes 2609, 2585, 2572 et 2550 et atteint la Rca dell'Abisso (2755).

Se maintenant toujours sur la limite administrative marquée sur la carte jusqu'à l'est de la cote 2360, puis suivant le bord des affleurements rocheux au nord du Rne Pian Misson d'où il gagne le chemin qui passe au Mt Becco Rosso, et qu'il suit au nord des cotes 2181, 2116 et 1915, jusqu'à la route qu'il longe pendant 1 kilomètre environ en direction du

nord, pour reprendre le chemin ci-dessus jusqu'au Colle di Tenda. Les chemins et la portion de route précités sont laissés en territoire français.

4° — *du Col de Tende à la Cima Missun*

Références: 20.000° italien de Tenda et Certosa di Pesio

Du col de Tende, le tracé, laissant le chemin en territoire français passe à la cote 1887 et à la cote 2206, abandonne ce chemin pour suivre sur la crête la limite administrative marquée sur la carte, et par la cote 2262 arrive à la Cima del Becco (2300).

S'orientant vers le nord, le long de la limite administrative marquée sur la carte, il passe au col della Perla (2086), suit le chemin qui longe l'arête rocheuse de la Cima del Cuni jusqu'au col della Boaira, où il l'abandonne pour s'engager sur la crête, en direction du nord. Il laisse ledit chemin en territoire français.

Longeant ensuite l'arête rocheuse, il passe à la cote 2275, atteint la Testa Ciaudon (2386), longe les escarpements rocheux, franchit la Colla Piana (2219) et arrive à la cote 2355 du Mt delle Carsene, laissé à la France, il longe l'arête rocheuse nord de ce mont par la Pta Straldi (2375), les cotes 2321 et 2305 jusqu'au Paso Scarason, puis fait un crochet vers le nord jusqu'à la cote 2352 où il rencontre la limite administrative marquée sur la carte qu'il suit jusqu'à la Pta Marguareis (2651) par les cotes 2510 et 2532.

S'infléchissant alors vers le sud, il suit la crête, passe par la cote 2585, et descendant le long de l'arête rocheuse, il aboutit au Colle del Lago dei Signori.

Suivant ensuite le chemin de crête, laissé en territoire français, puis la crête elle-même, il atteint la Cima di Pertega (2402), descend le long de l'arête rocheuse jusqu'au Colle delle Vecchie (2106) d'où il suit jusqu'au Mt Bertrand en passant par les cotes 2190, 2162, la Cima del Vescove (2257) et la Cima Di Velega (2366), le chemin de crête qu'il laisse en territoire français.

Du Mt Bertrand (2481), il longe la limite administrative marquée sur la carte jusqu'à la Colla Rossa où il retrouve le chemin de crête qu'il

longe par les cotes 2179 et 2252, jusqu'à la Cima Missun (2356) dont il contourne le sommet par l'est, en continuant à suivre le même chemin, ce chemin étant laissé en territoire français.

5° — *de la Cima Missun au Col de Pegairole*

Références: Carte au 20.000° de Pointe de Lugo N°s 1-2 et 5-6

Le long de ce même chemin de crête, le tracé traverse la Colla Cravirora et passe à l'est de la cote 2265 à la Pta Farenga. Il abandonne le chemin pour contourner à l'est la Cima Ventosa, retrouve le chemin du Passo di Tanarello, laissant à la France les constructions qui le bordent; longe le Mt Tanarello, traverse le Passo Basera (2038), contourne le Mt Saccarello, qu'il laisse à environ 300 m. à l'ouest et, suivant l'arête rocheuse puis le chemin jusqu'au Passo di Collardente, il aborde la crête qui conduit au Mont Collardente en laissant à la France la cote 1762 à hauteur de laquelle il longe un chemin laissé en territoire italien, atteint le Mt Collardente en laissant à la France le chemin qui le traverse et qu'il suivra par la Bassa di Sanson à l'est et au sud de la cote 1769 jusqu'aux constructions (500 m. environ à l'est) de la Testa della Nava (1934) laissées en territoire français.

Abandonnant le chemin à hauteur de ces constructions, il rejoint par la crête le chemin de crête de la Testa della Nava, laissé en territoire français, et le suit jusqu'aux constructions au sud-est de la Cima di Marta ou Mt Vacche qu'il contourne par l'est.

De là, le long du chemin de crête, laissé en territoire français, il contourne le Mt Ceriana, abandonne le chemin pour atteindre le Mt Grai (2014) et vient le rejoindre au col (1875) pour contourner avec lui la Cima della Valetta et le Mt Pietravecchia jusqu'à l'arête rocheuse.

Il traverse ensuite la Gola dell'Incisa, rejoint le long de la crête par la cote 1759 le Mt Torraggio (1972) puis la Cima di Logambon, la Gola del Corvo, contourne le Mt Bauso et le Mt Lega (1552, 1563 et 1556) et descend par la crête jusqu'au Passo di Muratone.

Le long du chemin de crête, laissé en territoire français, il passe au Mt Scarassan, au sud du Mt Battolino, au sud de la cote 1358 et atteint la Cla Pegairole.

6°—de la Cla Pegairole au Mont Mergo

Références: Cartes au 20.000° de Pointe de Lugo N°s 5-6, San Remo N°s 1-2 et Menton N°s 3-4

De la Cla Pegairole, le tracé suit la limite administrative marquée sur la carte, laissant Cisterne à la France, gravit le mont Simonasso, descend jusqu'au col, s'engage sur le chemin de Margheria-Suan qu'il laisse en territoire français, les chalets demeurant en territoire italien.

Longeant toujours ce chemin, laissé en territoire français, il passe à l'est de la Testa d'Alpe, à la Fontana dei Draghi, aux sources de la cote 1406, à la cote 1297, longe à l'est la Colla Sgora, passe aux cotes 1088, 1016 et 1026, franchit l'arête rocheuse du mont Colombin, suit la limite de canton marquée sur la carte par la Cima di Reglie (846 et 858) abandonne cette limite de canton en direction du sud-ouest pour descendre la crête de la Serra dell'Arpetta (543, 474 et 416) jusqu'au thalweg de la Roya dont il franchit le cours à 200 m. environ au nord-ouest du pont de Fanghetto.

Le tracé remonte ensuite le thalweg de la Roya jusqu'en un point situé à 350 m. environ dudit pont. Quittant en ce point la Roya, il prend une direction sud-ouest jusqu'à la cote 566. De ce point, il s'oriente vers l'ouest jusqu'à sa rencontre avec le ravin, qui descend vers Olivetta; il suit le ravin jusqu'à la route, laissant en territoire italien les habitations situées sur cette route, remonte le V. di Trono sur 200 m. environ, puis se dirige vers la cote 410 jusqu'au chemin d'Olivetta à San Cirolamo. De là, après avoir suivi ce chemin sur 100 m. environ vers le sud-est, il reprend la direction générale du sud-ouest jusqu'à la cote 403, longeant à une vingtaine de mètres au sud le chemin marqué sur la carte. A partir de la cote 403, il suit la crête de la Pta Becche jusqu'à la cote 379, puis, s'orientant de nouveau vers le sud-ouest, il traverse le T. Bevera, se dirigeant, en suivant le thalweg, vers le Mont Mergo, dont il contourne par le sud, à 50 mètres environ, le sommet (686), laissé en territoire français, et rejoint la présente frontière en un point situé à 100 mètres environ au sud-ouest dudit sommet.

ANNEXE III

Garanties relatives au Mont Cenis et à la région de Tende-la Brigue

(voir article 9)

A — GARANTIES QUE LA FRANCE DEVRA DONNER À L'ITALIE À L'OCCASION DE LA CESSION DU PLATEAU DU MONT CENIS

I. *Garanties relatives à la fourniture d'eau prélevée dans le lac du Mont Cenis pour la production d'énergie hydro-électrique*

a) La France réglera le volume de l'eau du lac du Mont Cenis déversée dans les conduites souterraines qui alimentent les centrales hydro-électriques de Gran Scala, de Venaus et de Mompantero de manière à fournir à ces centrales la quantité d'eau dont l'Italie pourra avoir besoin, selon le débit qui sera nécessaire à ce pays.

b) La France réparera, maintiendra en bon état de marche et, suivant les nécessités, renouvellera toutes les installations nécessaires pour fournir l'eau et en régler le débit conformément au paragraphe a), pour autant que ces installations seront situées en territoire français.

c) La France informera l'Italie, à la demande de celle-ci, du volume d'eau existant dans le lac du Mont Cenis et lui fournira à ce sujet tous autres renseignements de manière à permettre à l'Italie de déterminer en quelle quantité et suivant quel débit l'eau doit être déversée dans lesdites conduites souterraines.

d) La France appliquera les dispositions ci-dessus en observant une juste économie et facturera à l'Italie les frais effectivement engagés.

II. *Garanties relatives à l'énergie électrique produite par la centrale hydro-électrique de Gran Scala.*

a) La France exploitera la centrale hydro-électrique de Gran Scala de façon à produire (sous réserve du contrôle de l'approvisionnement en eau prévu dans la garantie I) les quantités d'électricité dont l'Italie pourra avoir besoin à la cadence nécessaire à ce pays, une fois que seront couverts les besoins locaux (besoins qui ne devront pas dépasser de façon substan-

tielle les besoins actuels) de la région avoisinant Gran Scala située en territoire français.

b) La France exploitera l'usine élévatrice d'eau adjacente à la centrale de Gran Scala de façon à refouler l'eau dans le lac du Mont Cenis dans la mesure et au moment où l'Italie en aura besoin.

c) La France réparera, maintiendra en bon état de marche et, suivant les nécessités, renouvellera toutes les installations constituant la centrale hydro-électrique de Gran Scala et l'usine élévatrice ainsi que la ligne et l'appareillage de transport de force reliant la centrale de Gran Scala à la frontière franco-italienne.

d) La France assurera, par la ligne reliant Gran Scala à la frontière franco-italienne, le transport du courant correspondant aux besoins susmentionnés de l'Italie et elle livrera ce courant à l'Italie au point où la ligne de transport de force franchit la frontière pour pénétrer en territoire italien.

e) La France maintiendra le voltage et la fréquence du courant fourni conformément aux dispositions ci-dessus à un niveau correspondant aux demandes que l'Italie pourra raisonnablement formuler.

f) La France prendra avec l'Italie des dispositions en vue de l'établissement d'une liaison téléphonique entre Gran Scala et l'Italie et restera en communication avec l'Italie afin d'assurer que l'exploitation de la centrale de Gran Scala, de l'usine élévatrice et de la ligne de transport de force, soit conforme aux garanties énoncées ci-dessus.

g) Le prix que devra facturer la France, et que devra payer l'Italie, pour le courant produit par la centrale hydro-électrique de Gran Scala qui sera mis à la disposition de l'Italie (une fois que seront couverts les besoins locaux indiqués plus haut), sera identique au prix facturé en France pour la fourniture de quantités analogues d'électricité d'origine hydro-électrique en territoire français, aux environs du Mont Cenis ou dans d'autres régions où les conditions sont comparables.

III. *Durée d'application des garanties*

Sauf s'il en est autrement convenu entre la France et l'Italie, ces garanties resteront perpétuellement en vigueur.

IV. *Commission technique de surveillance*

Une Commission technique de surveillance franco-italienne composée en nombre égal de membres français et italiens sera créée pour surveiller et faciliter l'exécution des clauses de garantie ci-dessus dont le but est d'assurer à l'Italie des facilités identiques à celles dont elle disposait en ce qui concerne l'énergie hydro-électrique et l'eau fournies par le lac du Mont Cenis avant la cession de cette région à la France. Il entrera également dans le rôle de la Commission technique de surveillance de coopérer avec les services techniques français compétents pour s'assurer que la sécurité des vallées inférieures n'est pas mise en danger.

B — GARANTIES QUE LA FRANCE DEVRA DONNER À L'ITALIE À L'OCCASION DE LA CESSION À LA FRANCE DE LA RÉGION DE TENDE-LA BRIGUE

1. *Garantie* permettant d'assurer à l'Italie l'énergie électrique produite par les deux alternateurs à 16⅔ périodes de la centrale hydro-électrique de San Dalmazzo et l'énergie électrique à 50 périodes produite par les centrales hydro-électriques de Le Mesce, San Dalmazzo et Confine en plus de la quantité de courant provenant de ces usines qui peut être nécessaire à la France pour alimenter les régions de Sospel, Menton et Nice jusqu'à la reconstruction totale des centrales hydro-électriques détruites de Breil et de Fontan, étant entendu que cette quantité ira en diminuant à mesure des progrès de la reconstruction de ces centrales, que cette quantité ne dépassera pas une puissance de 5.000 kilowatts et 3.000.000 de kilowatts-heure par mois et que, si la reconstruction de ces centrales ne se heurte pas à des difficultés particulières, les travaux devraient être terminés à la fin de 1947 au plus tard.

a) La France exploitera lesdites usines de façon à produire (sous réserve des limitations qui peuvent être imposées par le volume d'eau utilisable et compte tenu, autant qu'il est raisonnablement possible, des besoins des usines situées en aval) des quantités d'électricité à une cadence correspondant aux besoins de l'Italie, premièrement, en courant à 16⅔ périodes, pour les chemins de fer italiens de Ligurie et du Piémont méridional, et deuxièmement en courant à 50 périodes pour les usages généraux, une fois que seront couverts les besoins de la France pour Sospel, Menton et Nice, comme il est dit ci-dessus, ainsi que les besoins locaux de la région avoisinant San Dalmazzo;

b) La France réparera, maintiendra en bon état de marche, et, suivant les nécessités, renouvellera toutes les installations constituant les centrales hydro-électriques de Le Mesce, San Dalmazzo et Confine ainsi que les lignes et installations de transport de force reliant les centrales de Le Mesce et Confine, d'une part, à celle de San Dalmazzo, d'autre part, et les lignes et installations principales de transport de force allant de la centrale de San Dalmazzo à la frontière franco-italienne;

c) La France informera l'Italie, à la demande de celle-ci, du débit de l'eau à Le Mesce et à Confine ainsi que du volume d'eau accumulé à San Dalmazzo et elle fournira tous autres renseignements du même ordre de façon à lui permettre de déterminer ses besoins en courant électrique conformément aux dispositions de l'alinéa a);

d) La France assurera, par les lignes principales reliant San Dalmazzo à la frontière franco-italienne, le transport du courant correspondant aux besoins susmentionnés de l'Italie et elle fournira ce courant à l'Italie aux points où lesdites lignes franchissent la frontière pour pénétrer en territoire italien;

e) La France maintiendra le voltage et la fréquence du courant électrique fourni conformément aux dispositions ci-dessus à un niveau correspondant aux besoins réels de l'Italie;

f) La France prendra avec l'Italie des dispositions en vue d'établir une liaison téléphonique entre San Dalmazzo et l'Italie et restera en communication avec l'Italie afin d'assurer que l'exploitation desdites centrales hydro-électriques et lignes de transport de force soit conforme aux garanties énoncées ci-dessus.

2. *Garantie* relative au prix que la France facturera à l'Italie pour le courant mis à la disposition de l'Italie, conformément au paragraphe 1 ci-dessus, jusqu'à ce que les livraisons cessent, conformément au paragraphe 3 ci-après.

Le prix que la France devra facturer et que l'Italie devra payer pour le courant produit par les centrales hydro-électriques de Le Mesce, San Dalmazzo et Confine qui sera mis à la disposition de l'Italie, une fois que seront couverts les besoins de la France pour Sospel, Menton et Nice, ainsi que les besoins locaux de la région avoisinant San Dalmazzo, conformément aux dispositions de l'alinéa a) de la garantie 1, sera identique au

prix facturé en France pour la fourniture de quantités analogues de courant d'origine hydro-électrique en territoire français aux environs de la vallée supérieure de la Roya ou dans d'autres régions où les conditions sont comparables.

3. *Garantie* selon laquelle la France fournira du courant électrique à l'Italie pendant une période d'une durée raisonnable.

Sauf s'il en est autrement convenu entre la France et l'Italie, les garanties 1 et 2 resteront en vigueur jusqu'au 31 décembre 1961. Elles cesseront d'être applicables à cette date ou le 31 décembre de l'une quelconque des années suivantes, à condition que l'un des deux pays donne par écrit à l'autre, deux ans à l'avance au moins, avis de son intention d'y mettre un terme.

4. *Garantie* concernant l'utilisation totale et équitable par la France et par l'Italie des eaux de la Roya et de ses affluents en vue de l'exploitation des ressources hydro-électriques:

a) La France exploitera les centrales hydro-électriques de la vallée de la Roya situées en territoire français en tenant compte, autant qu'il est raisonnablement possible, des besoins des centrales situées en aval. La France fera connaître d'avance à l'Italie le volume d'eau qui, d'après les prévisions, sera disponible chaque jour et elle fournira tous autres renseignements du même ordre;

b) La France et l'Italie élaboreront, par voie de négociations bilatérales, un plan coordonné d'exploitation des ressources hydrauliques de la Roya qui soit acceptable pour les deux parties.

5. Une commission, ou tel autre organisme analogue qu'il pourra être convenu de créer, sera instituée en vue de surveiller l'exécution du plan mentionné à l'alinéa b) de la garantie 4 et de faciliter l'observation des garanties 1 à 4.

ANNEXE IV

Dispositions dont sont convenus à la date du 5 Septembre 1946 les Gouvernements italien et autrichien

(voir article 10)

1. Les habitants de langue allemande de la province de Bolzano et ceux des communes voisines bilingues de la province de Trente jouiront

d'une complète égalité de droits vis-à-vis des habitants de langue italienne, dans le cadre de dispositions spéciales destinées à sauvegarder le caractère ethnique et le développement culturel et économique du groupe de langue allemande.

Conformément aux mesures législatives qui ont été déjà prises ou qui le seront, les ressortissants de langue allemande bénéficieront des garanties suivantes:

a) enseignement primaire et secondaire dans leur langue maternelle;

b) emploi sur un pied d'égalité des langues allemande et italienne dans les administrations publiques, dans les documents officiels et dans la nomenclature topographique bilingue;

c) droit de rétablir les noms de famille allemands italianisés au cours des dernières années;

d) égalité de droits pour l'accès aux emplois publics en vue de réaliser une proportion d'emploi plus satisfaisante entre les deux groupes ethniques.

2. Les autorités législatives et exécutives des régions indiquées ci-dessus, bénéficieront d'un régime d'autonomie dont les principes essentiels seront fixés en consultation avec des éléments locaux représentatifs de la population de langue allemande.

3. En vue d'établir des relations de bon voisinage entre l'Italie et l'Autriche, le Gouvernement italien s'engage, après consultation avec le Gouvernement autrichien, et dans le délai d'un an à partir de la signature du présent traité:

a) à réviser dans un esprit de large équité le régime des options de nationalité tel qu'il résulte des accords du 21 octobre 1939;

b) à conclure un accord stipulant, dans des conditions de réciprocité, la validité de certains titres d'études et diplômes universitaires;

c) à négocier une convention pour le libre transit des passagers et des marchandises entre le Tyrol septentrional et le Tyrol oriental soit par chemin de fer soit, dans les limites du possible, par route;

d) à conclure des accords spéciaux tendant à faciliter un trafic frontalier plus étendu entre l'Autriche et l'Italie ainsi qu'à permettre les échanges locaux de certaines quantités de biens et produits régionaux.

ANNEXE V

Alimentation en eau de la Commune de Gorizia et de ses environs

(voir article 13)

1. La Yougoslavie assurera en qualité de propriétaire l'entretien et l'exploitation des sources et des installations d'alimentation en eau de Fonte Fredda et de Moncorona, et elle assurera l'alimentation en eau de la partie de la commune de Gorizia qui, aux termes du présent Traité, reste en Italie. L'Italie continuera d'assurer l'entretien et l'exploitation du réservoir et du système d'adduction d'eau qui se trouvent en territoire italien et sont alimentés par les sources mentionnées ci-dessus; elle continuera également de fournir l'eau aux régions situées en territoire yougoslave, qui auront été transférées à la Yougoslavie aux termes du présent Traité, et dont l'alimentation en eau se fait à partir du territoire italien.

2. Les quantités d'eau ainsi procurées correspondront à celles qui ont été habituellement fournies à la région dans le passé. Au cas où les consommateurs de l'un ou l'autre Etat auraient besoin de fournitures supplémentaires d'eau, les deux Gouvernements examineront conjointement la question, en vue de réaliser un accord sur toutes mesures qui pourront être raisonnablement nécessaires pour satisfaire ces besoins. Dans le cas où la quantité d'eau disponible serait réduite pour des causes naturelles, les quantités d'eau provenant des sources d'alimentation précitées, qui seront fournies aux consommateurs se trouvant en Yougoslavie et en Italie, seront réduites pour les uns et les autres au prorata de leur consommation antérieure.

3. Le prix que la commune de Gorizia devra payer à la Yougoslavie pour l'eau mise à sa disposition et le prix que les consommateurs résidant en territoire yougoslave devront payer à la commune de Gorizia seront calculés uniquement sur la base du coût de l'exploitation et de l'entretien dy système d'adduction d'eau, ainsi que d'après le montant des nouvelles dépenses d'installation qui pourront être nécessaires pour l'exécution des présentes dispositions.

4. Dans le délai d'un mois après l'entrée en vigueur du présent Traité,

la Yougoslavie et l'Italie concluront un accord déterminant les responsabilités respectives qui résultent pour elles des dispositions ci-dessus et fixant les sommes à payer en vertu de ces dispositions. Les deux Gouvernements créeront une Commission mixte chargée de surveiller l'exécution dudit accord.

5. A l'expiration d'une période de dix années après l'entrée en vigueur du présent Traité, la Yougoslavie et l'Italie procéderont à un nouvel examen des dispositions qui précèdent, en tenant compte de la situation à cette époque, afin de déterminer s'il y a lieu de les reviser, et elles y apporteront toutes modifications et adjonctions dont elles pourront convenir. Tous différends qui pourraient s'élever à la suite de ce nouvel examen, seront réglés suivant la procédure prévue à l'article 87 du présent Traité.

ANNEXE VI

Statut Permanent du Territoire Libre de Trieste

(voir article 21)

Article 1. Etendue du Territoire Libre

Le Territoire Libre de Trieste sera délimité par les frontières qui sont décrites aux articles 4 et 22 du présent Traité et dont le tracé sera établi conformément à l'article 5 du Traité.

Article 2. Intégrité et Indépendance

Le Conseil de Sécurité de l'Organisation des Nations Unies assure l'intégrité et l'indépendance du Territoire Libre. Cette responsabilité implique qu'il a la charge:

a. de faire observer les dispositions du Statut Permanent, notamment en ce qui concerne la protection des droits fondamentaux de l'homme;

b. de maintenir l'ordre et la sécurité dans le Territoire Libre.

Article 3. Démilitarisation et Neutralité

1. Le Territoire Libre sera démilitarisé et déclaré neutre.

2. Aucune force armée ne sera autorisée dans le Territoire Libre, sauf sur instructions du Conseil de Sécurité.

3. Les formations, exercices et activités paramilitaires seront interdits dans les limites du Territoire Libre.

4. Le Gouvernement du Territoire Libre ne conclura ni ne négociera d'accords ou de conventions militaires avec aucun Etat.

Article 4. Droits de l'Homme et Libertés Fondamentales

La Constitution du Territoire Libre assurera à toute personne relevant de la juridiction du Territoire Libre, sans distinction d'origine ethnique, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, notamment la liberté du culte, la liberté de langage, la liberté d'expression de la pensée par la parole et par l'écrit, la liberté d'enseignement, de réunion et d'association. Les ressortissants du Territoire Libre auront la garantie de conditions égales d'admission aux fonctions publiques.

Article 5. Droits Civils et Politiques

Aucune des personnes ayant acquis la citoyenneté du Territoire Libre ne sera privée de ses droits civils et politiques si ce n'est par décision judiciaire et pour infraction aux lois pénales du Territoire Libre.

Article 6. Citoyenneté

1. Les ressortissants italiens qui étaient domiciliés au 10 juin 1940, dans les limites constituant le Territoire Libre, et leurs enfants nés après cette date, deviendront citoyens d'origine du Territoire Libre et jouiront de la plénitude des droits civils et politiques. En devenant citoyens du Territoire Libre, ils perdront leur nationalité italienne.

2. Toutefois, le Gouvernement du Territoire Libre prescrira que les personnes visées au paragraphe 1, qui sont âgées de plus de 18 ans (et les personnes mariées, qu'elles aient ou non atteint cet âge) et dont la langue usuelle est l'italien, auront le droit d'opter pour la nationalité italienne dans un délai de six mois à partir de l'entrée en vigueur de la Constitution, selon les conditions qui seront établies par celle-ci. Toute personne exerçant ce droit d'option sera considérée comme ayant acquis de nouveau la nationalité italienne. L'option du mari n'entraînera pas celle de la femme. Toutefois l'option du père ou, si le père est décédé, celle de la mère, entraînera automatiquement l'option de tous les enfants non mariés âgés de moins de 18 ans.

3. Le Territoire Libre pourra exiger des personnes qui auront exercé

leur droit d'option, qu'elles transfèrent leur résidence en Italie dans un délai d'un an à compter de la date à laquelle l'option aura été exercée.

4. Les conditions d'acquisition de la citoyenneté par les personnes non qualifiées pour obtenir la citoyenneté d'origine seront déterminées par l'Assemblée Constituante du Territoire Libre et inscrites dans la Constitution. Toutefois, ces conditions devront interdire l'acquisition de la citoyenneté par les personnes ayant appartenu à l'ancienne police fasciste (O.V.R.A.) qui n'auront pas été réhabilitées par les autorités compétentes, notamment par les autorités militaires alliées qui avaient la charge d'administrer le territoire en question.

Article 7. Langues Officielles

Les langues officielles du Territoire Libre seront l'italien et le slovène.

La Constitution déterminera les circonstances dans lesquelles le croate pourra être employé comme troisième langue officielle.

Article 8. Drapeau et Armes

Le Territoire Libre aura son drapeau et ses armes. Son drapeau sera le drapeau traditionnel de la ville de Trieste, et ses armes, les armes historiques de celle-ci.

Article 9. Organes du Gouvernement

Il sera prévu pour le gouvernement du Territoire Libre un Gouverneur, un Conseil de Gouvernement, une Assemblée populaire élue par le peuple du Territoire Libre et un Corps judiciaire. Leurs pouvoirs respectifs seront exercés conformément aux dispositions du présent Statut et de la Constitution du Territoire Libre.

Article 10. Constitution

1. La Constitution du Territoire Libre sera établie conformément aux principes démocratiques et adoptée par une Assemblée Constituante à la majorité des deux tiers des suffrages exprimés. La Constitution devra être conforme aux dispositions du présent Statut. Elle n'entrera pas en vigueur avant la mise en application du Statut.

2. Si le Gouverneur estime qu'une disposition quelconque de la Constitution proposée par l'Assemblée Constituante, ou un amendement qui serait apporté ultérieurement à la Constitution, se trouvent en contradiction avec le Statut, il pourra s'opposer à leur entrée en vigueur, sous

réserve d'en référer au Conseil de Sécurité si l'Assemblée ne partage pas ses vues et n'accepte pas ses recommandations.

Article 11. Nomination du Gouverneur

1. Le Gouverneur sera nommé par le Conseil de Sécurité après consultation avec les Gouvernements yougoslave et italien. Il ne devra être ressortissant ni de la Yougoslavie, ni de l'Italie, ni du Territoire Libre. Il sera nommé pour une période de cinq ans et son mandat pourra être renouvelé. Ses émoluments et indemnités seront à la charge des Nations Unies.

2. Le Gouverneur pourra habiliter une personne de son choix à exercer ses fonctions lorsqu'il devra s'absenter momentanément, ou ne se trouvera pas en mesure, temporairement, de s'acquitter de ses fonctions.

3. Si le Conseil de Sécurité estime que le Gouverneur a manqué aux devoirs de sa charge, il pourra le suspendre et, sous réserve des garanties appropriées d'enquête et de faculté pour le Gouverneur d'être entendu, le révoquer. En cas de suspension, de révocation, d'incapacité ou de décès du Gouverneur, le Conseil de Sécurité pourra désigner ou nommer une autre personne qui remplira les fonctions de Gouverneur Provisoire jusqu'à ce que le Gouverneur ne soit plus dans l'incapacité de remplir ses fonctions ou qu'un nouveau Gouverneur ait été nommé.

Article 12. Pouvoir Législatif

Le pouvoir législatif sera exercé par une Assemblée populaire composée d'une seule chambre, élue sur la base de la représentation proportionnelle par les citoyens des deux sexes du Territoire Libre. Les élections à l'Assemblée se feront au suffrage universel, égal pour tous, direct et secret.

Article 13. Conseil de Gouvernement

1. Sous réserve des responsabilités assignées au Gouverneur aux termes du présent Statut, le pouvoir exécutif dans le Territoire Libre sera exercé par un Conseil de Gouvernement formé par l'Assemblée populaire et responsable devant elle.

2. Le Gouverneur aura le droit d'assister à toutes les séances du Conseil de Gouvernement. Il pourra exprimer ses vues sur toute question touchant à ses responsabilités.

3. Lorsque des questions touchant aux responsabilités de leur charge seront examinées par le Conseil de Gouvernement, le Directeur de la Sûreté et le Directeur du Port Franc seront invités à assister aux séances du Conseil et à y exposer leurs vues.

Article 14. Exercice du Pouvoir Judiciaire

Le pouvoir judiciaire dans le Territoire Libre sera exercé par des tribunaux institués conformément à la Constitution et aux lois du Territoire Libre.

Article 15. Liberté et Indépendance du Pouvoir Judiciaire

La Constitution du Territoire Libre devra garantir la liberté et l'indépendance complètes du pouvoir judiciaire et prévoir une instance d'appel.

Article 16. Nomination des Magistrats

1. Le Gouverneur nommera les magistrats en les choisissant parmi les candidats proposés par le Conseil de Gouvernement ou parmi d'autres personnes, après consultation du Conseil de Gouvernement, à moins que la Constitution ne prévoie un autre mode de nomination aux fonctions judiciaires; sous réserve des garanties qui seront données par la Constitution, le Gouverneur pourra révoquer les magistrats si leur conduite est incompatible avec leurs fonctions judiciaires.

2. L'Assemblée populaire pourra, par un vote à la majorité des deux tiers des suffrages exprimés, inviter le Gouverneur à procéder à une enquête sur toute accusation portée contre un membre de la magistrature. Cette accusation, si elle s'avère fondée, pourra entraîner la suspension ou la révocation de l'intéressé.

Article 17. Responsabilité du Gouverneur devant le Conseil de Sécurité

1. Le Gouverneur, en sa qualité de représentant du Conseil de Sécurité, aura la responsabilité de surveiller l'application du présent Statut, notamment en ce qui concerne la protection des droits fondamentaux de l'homme, et d'assurer le maintien de l'ordre public et de la sécurité par le Gouvernement du Territoire Libre, conformément au présent Statut, à la Constitution et aux lois du Territoire Libre.

2. Le Gouverneur présentera au Conseil de Sécurité des rapports annuels sur l'application du Statut et sur l'exercice de ses fonctions.

Article 18. Droits de l'Assemblée

L'Assemblée populaire aura le droit de procéder à l'examen ou à la discussion de toute question concernant les intérêts du Territoire Libre.

Article 19. Législation

1. L'initiative en matière législative appartient aux membres de l'Assemblée populaire, au Conseil de Gouvernement, ainsi qu'au Gouverneur, pour les questions qui, à son avis, concernent les responsabilités du Conseil de Sécurité, telles qu'elles sont définies à l'article 2 du présent Statut.

2. Aucune loi ne pourra entrer en vigueur avant d'avoir été promulguée. La promulgation des lois aura lieu conformément aux dispositions de la Constitution du Territoire Libre.

3. Avant d'être promulguée, toute loi adoptée par l'Assemblée devra être présentée au Gouverneur.

4. Si le Gouverneur estime que cette loi est contraire au présent Statut, il pourra, dans les dix jours suivant la présentation qui lui en a été faite, la renvoyer à l'Assemblée avec ses observations et recommandations. Si le Gouverneur ne renvoie pas cette loi dans les dix jours fixés, ou s'il avise l'Assemblée dans le même délai que la loi n'appelle aucune observation ou recommandation de sa part, la loi sera promulguée immédiatement.

5. Si l'Assemblée manifeste son refus de retirer la loi qui lui a été renvoyée par le Gouverneur ou de l'amender conformément aux observations ou recommandations du Gouverneur, celui-ci, à moins qu'il ne soit prêt à retirer ses observations et recommandations—et dans ce cas la loi sera promulguée sans délai—, soumettra aussitôt la question au Conseil de Sécurité. Le Gouverneur transmettra également sans délai au Conseil de Sécurité, toute communication que l'Assemblée pourrait désirer faire tenir au Conseil à ce sujet.

6. Les lois qui auront été soumises au Conseil de Sécurité en vertu des dispositions du précédent paragraphe ne seront promulguées que sur instructions du Conseil de Sécurité.

Article 20. Droits du Gouverneur en matière de mesures administratives

1. Le Gouverneur peut demander au Conseil de Gouvernement de suspendre l'application des mesures administratives qui, à son avis, sont

incompatibles avec ses propres responsabilités, telles qu'elles sont définies dans le présent Statut (contrôle de l'application du Statut; maintien de l'ordre public et de la sécurité; respect des droits de l'homme). En cas d'objection de la part du Conseil de Gouvernement, le Gouverneur peut suspendre l'application de ces mesures administratives et le Gouverneur ou le Conseil de Gouvernement peuvent saisir le Conseil de Sécurité de l'ensemble de la question pour qu'il prenne une décision à ce sujet.

2. Lorsque ses responsabilités, telles qu'elles sont définies par le Statut, se trouvent en jeu, le Gouverneur peut proposer au Conseil de Gouvernement d'adopter toutes mesures d'ordre administratif. Si le Conseil de Gouvernement n'accepte pas ces propositions, le Gouverneur peut, sans préjudice des dispositions de l'article 22 du présent Statut, soumettre la question au Conseil de Sécurité pour décision.

Article 21. Budget

1. Le Conseil de Gouvernement sera chargé de préparer le projet de budget du Territoire Libre, qui comprendra les prévisions de recettes et de dépenses, et de soumettre ce projet à l'Assemblée populaire.

2. Au cas où un exercice budgétaire commencerait sans que le budget ait été dûment adopté par l'Assemblée, les dispositions budgétaires de l'exercice précédent seront appliquées au nouvel exercice budgétaire, jusqu'à ce que le nouveau budget ait été voté.

Article 22. Pouvoirs Spéciaux du Gouverneur

1. Afin d'être en mesure de s'acquitter de ses responsabilités envers le Conseil de Sécurité, conformément au présent Statut, le Gouverneur peut, dans les cas qui à son avis présentent un caractère d'extrême urgence et qui menacent l'indépendance ou l'intégrité du Territoire Libre, l'ordre public ou le respect des droits de l'homme, ordonner directement et faire exécuter les mesures appropriées, sous réserve d'adresser immédiatement au Conseil de Sécurité un rapport à ce sujet. En pareil cas, le Gouverneur peut, s'il le juge nécessaire, prendre la direction des services de la Sûreté.

2. L'Assemblée populaire peut adresser une pétition au Conseil de Sécurité au sujet de tout acte accompli par le Gouverneur dans l'exercice de ceux de ses pouvoirs qui sont visés au paragraphe 1 du présent article.

Article 23. Droit de grâce et de commutation de peine

Le droit de grâce et de commutation de peine appartiendra au Gouverneur et sera exercé par lui conformément aux dispositions qui seront inscrites dans la Constitution.

Article 24. Relations Extérieures

1. Le Gouverneur veillera à ce que la conduite des relations extérieures du Territoire Libre soit conforme aux dispositions du Statut, de la Constitution et des lois du Territoire Libre. A cette fin, le Gouverneur aura le pouvoir de s'opposer à la mise en vigueur de traités ou d'accords intéressant les relations extérieures, qui à son avis sont en contradiction avec le Statut, la Constitution ou les lois du Territoire Libre.

2. Les traités et les accords, ainsi que les exequaturs et les commissions consulaires seront signés conjointement par le Gouverneur et par un représentant du Conseil de Gouvernement.

3. Le Territoire Libre peut ou pourra être partie à des conventions internationales, ou devenir membre d'organisations internationales, à condition que le but de ces conventions ou de ces organisations soit de régler des questions économiques, techniques, culturelles, sociales, ou relatives à la santé publique.

4. Toute union économique ou association d'un caractère exclusif avec un Etat quelconque est incompatible avec le Statut du Territoire Libre.

5. Le Territoire Libre reconnaîtra la pleine valeur du Traité de Paix avec l'Italie et donnera effet aux dispositions de ce Traité qui lui sont applicables. Le Territoire Libre reconnaîtra également la pleine valeur des autres accords ou arrangements qui ont été ou qui seront conclus par les Puissances Alliées et Associées pour le rétablissement de la paix.

Article 25. Indépendance du Gouverneur et de son personnel

Dans l'accomplissement de leurs devoirs, le Gouverneur et son personnel ne solliciteront ou n'accepteront d'instructions d'aucun Gouvernement ni d'aucune autre autorité, à l'exception du Conseil de Sécurité. Ils s'abstiendront de tout acte incompatible avec leur situation de fonctionnaires internationaux relevant uniquement du Conseil de Sécurité.

Article 26. Nomination et révocation des fonctionnaires administratifs

1. Les nominations aux fonctions publiques dans le Territoire Libre

seront faites en tenant compte exclusivement des capacités professionnelles, de la compétence et de l'intégrité des candidats.

2. Les fonctionnaires des organismes administratifs ne seront révoqués que pour incompétence ou faute grave et la révocation ne sera prononcée que sous réserve des garanties appropriées d'enquête et de faculté pour l'intéressé d'être entendu. Ces garanties seront déterminées par la loi.

Article 27. Directeur de la Sûreté

1. Le Conseil de Gouvernement soumet au Gouverneur une liste de candidats pour le poste de Directeur de la Sûreté. La nomination du Directeur est faite par le Gouverneur qui le choisit parmi les candidats qui lui ont été présentés ou parmi d'autres personnes, après consultation du Conseil de Gouvernement. Il peut également révoquer le Directeur de la Sûreté après consultation du Conseil de Gouvernement.

2. Le Directeur de la Sûreté ne devra être ressortissant ni de la Yougoslavie ni de l'Italie.

3. Normalement, le Directeur de la Sûreté relève directement du Conseil de Gouvernement et reçoit, pour les questions qui sont de son ressort, les instructions de celui-ci.

4. a. Le Gouverneur doit recevoir régulièrement des rapports du Directeur de la Sûreté et conférer avec le Directeur sur toute question qui est du ressort de celui-ci.

b. Il doit être mis au courant par le Conseil de Gouvernement des instructions que celui-ci donne au Directeur de la Sûreté et peut exprimer son avis à leur sujet.

Article 28. Force de Police

1. Pour maintenir l'ordre public et la sécurité conformément au Statut, à la Constitution et aux lois du Territoire Libre, le Gouvernement du Territoire Libre aura le droit d'entretenir une force de police et des services de Sûreté.

2. Les membres de la police et des services de Sûreté seront recrutés par le Directeur de la Sûreté et pourront être révoqués par lui.

Article 29. Gouvernement Local

La Constitution du Territoire Libre devra prévoir l'établissement, sur

la base de la représentation proportionnelle, d'organes de gouvernement local, selon des principes démocratiques, notamment celui du suffrage universel, égal pour tous, direct et secret.

Article 30. Système Monétaire

Le Territoire Libre aura son système monétaire propre.

Article 31. Chemins de fer

Sans préjudice de ses droits de propriété sur les chemins de fer à l'intérieur de ses frontières, et de son contrôle sur leur administration, le Territoire Libre pourra négocier avec la Yougoslavie et l'Italie des accords en vue d'assurer une exploitation rationnelle et économique de ses chemins de fer. De tels accords détermineront la responsabilité de l'exploitation des chemins de fer en direction de la Yougoslavie ou de l'Italie respectivement, ainsi que de l'exploitation de la tête de ligne de Trieste et des portions de voies communes à toutes les lignes. Dans ce dernier cas, l'exploitation pourra être assurée par une Commission spéciale composée de représentants du Territoire Libre, de la Yougoslavie et de l'Italie sous la présidence du représentant du Territoire Libre.

Article 32. Aviation Commerciale

1. Les aéronefs commerciaux immatriculés sur le territoire de l'une quelconque des Nations Unies, qui accorde les mêmes droits sur son territoire aux aéronefs commerciaux immatriculés dans le Territoire Libre, jouiront des droits accordés à l'aviation commerciale dans le trafic international, notamment le droit d'atterrir à des fins de ravitaillement et de réparations, le droit de survoler sans escale le Territoire Libre, et d'utiliser pour les transports aériens les aéroports qui pourront être désignés par les autorités compétentes du Territoire Libre.

2. Ces droits ne seront pas soumis à d'autres restrictions que celles qui sont imposées sur une base de non-discrimination par les lois et les règlements en vigueur dans le Territoire Libre et dans les pays intéressés ou qui résultent du caractère spécial du Territoire Libre, en tant que territoire neutre et démilitarisé.

Article 33. Immatriculation des Navires

1. Le Territoire Libre est habilité à ouvrir des registres en vue de l'immatriculation des navires et bâtiments appartenant soit au Gouvernement

du Territoire Libre, soit à des personnes physiques ou à des organisations domiciliées dans le Territoire Libre.

2. A la demande de la Tchécoslovaquie et de la Confédération helvétique, le Territoire Libre ouvrira des registres maritimes spéciaux pour les navires et bâtiments tchécoslovaques et helvétiques. Après la conclusion du Traités de Paix avec la Hongrie et du traité rétablissant l'indépendance de l'Autriche respectivement, le Territoire Libre ouvrira, dans les mêmes conditions, des registres maritimes spéciaux pour les navires et bâtiments hongrois et autrichiens. Les navires et bâtiments inscrits dans ces registres battront pavillon de leurs pays respectifs.

3. En donnant effet aux dispositions ci-dessus, et sous réserve de toute convention internationale qui viendrait à être conclue à cet égard avec la participation du Gouvernement du Territoire Libre, celui-ci pourra établir telles conditions concernant l'immatriculation, le maintien sur les registres ou la radiation, qui empêcheront tous abus auxquels donneraient lieu les facilités ainsi accordées. En ce qui concerne, notamment, les navires et bâtiments immatriculés conformément au paragraphe 1 ci-dessus, l'immatriculation sera limitée aux navires et bâtiments gérés du Territoire Libre et servant régulièrement les besoins ou les intérêts du Territoire. Dans le cas des navires et bâtiments immatriculés conformément au paragraphe 2 ci-dessus, l'immatriculation sera limitée aux navires et bâtiments ayant Trieste pour port d'attache et servant d'une manière régulière et permanente les besoins de leurs pays respectifs par le port de Trieste.

Article 34. Port Franc

Il sera créé, dans le Territoire Libre, un port franc qui sera administré conformément aux dispositions d'un Instrument international établi par le Conseil des Ministres des Affaires Etrangères et approuvé par le Conseil de Sécurité. Le texte de cet Instrument figure en annexe au présent Traité (annexe VIII). Le Gouvernement du Territoire Libre mettra en vigueur la législation nécessaire et prendra toutes mesures utiles pour donner effet aux dispositions de cet Instrument.

Article 35. Liberté de Transit

La liberté de transit sera assurée conformément aux conventions internationales usuelles par le Territoire Libre et les Etats par les territoires

desquels s'effectue le transit, aux marchandises transportées par chemin de fer entre le Port Franc et les Etats qu'il dessert, sans aucune discrimination et sans droits de douane, ni taxes autres que celles qui seraient perçues à l'occasion de services rendus.

Article 36. Interprétation du Statut

Exception faite des cas pour lesquels une autre procédure est expressément prévue par un article du présent Statut, tout différend relatif à l'interprétation ou à l'exécution du Statut qui n'a pas été réglé par voie de négociations directes, sera, à moins que les parties ne conviennent entre elles d'un autre mode de règlement, soumis, à la demande de l'une ou l'autre des parties, à une commission composée d'un représentant de chacune des parties et d'un tiers membre, choisi d'un commun accord par les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans le délai d'un mois entre les deux parties au sujet de la désignation du tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation. La décision de la majorité des membres da la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 37. Modification du Statut

Le présent Statut constitue le Statut Permanent du Territoire Libre, sous réserve de toute modification que le Conseil de Sécurité pourra y apporter ultérieurement. L'Assemblée populaire pourra, à la suite d'un vote pris à la majorité des deux tiers des suffrages exprimés, adresser des pétitions au Conseil de Sécurité en vue de la modification du Statut.

Article 38. Entrée en vigueur du Statut

Le présent Statut entrera en vigueur à la date qui sera fixée par le Conseil de Sécurité des Nations Unies.

ANNEXE VII

Instrument relatif au régime provisoire du Territoire Libre de Trieste

(voir article 21)

Les dispositions du présent Instrument s'appliqueront à l'administration du Territoire Libre de Trieste en attendant la mise en application du Statut Permanent.

Article 1

Le Gouverneur entrera en fonctions dans le Territoire Libre le plus tôt possible après l'entrée en vigueur du présent Traité de Paix. Jusqu'à l'entrée en fonctions du Gouverneur, le Territoire Libre continuera d'être administré par les Commandements militaires alliés agissant chacun dans leur zone respective.

Article 2

Dès son entrée en fonctions dans le Territoire Libre, le Gouverneur aura le pouvoir de constituer un Conseil Provisoire de Gouvernement dont il choisira les membres, après consultation des Gouvernements yougoslave et italien, parmi des personnes domiciliées dans le Territoire Libre. Le Gouverneur aura le droit de modifier la composition du Conseil Provisoire de Gouvernement chaque fois qu'il le jugera nécessaire. Le Gouverneur et le Conseil Provisoire de Gouvernement exerceront leurs fonctions de la manière prescrite par les dispositions du Statut Permanent, à mesure que ces dispositions s'avéreront applicables et pour autant que celles du présent Instrument ne s'y substituent pas. De la même façon, toutes les autres dispositions du Statut Permanent seront applicables pendant la durée du régime provisoire, à mesure que ces dispositions s'avéreront applicables et pour autant que celles du présent Instrument ne s'y substituent pas.

Dans ses actes, le Gouverneur sera guidé surtout par le souci des besoins et du bien-être de la population.

Article 3

Le siège du Gouvernement sera établi à Trieste. Le Gouverneur adressera ses rapports directement au Président du Conseil de Sécurité et, par son entremise, fournira au Conseil tous renseignements nécessaires sur l'administration du Territoire Libre.

Article 4

Le premier devoir du Gouverneur sera de veiller au maintien de l'ordre public et de la sécurité. Il nommera, à titre provisoire, un Directeur de la Sûreté qui réorganisera et dirigera les forces de police et les services de Sûreté.

Article 5

a) Dès l'entrée en vigueur du présent Traité, l'effectif des troupes

stationnées dans le Territoire Libre ne dépassera pas 5.000 hommes pour le Royaume-Uni, 5.000 hommes pour les Etats-Unis d'Amérique et 5.000 hommes pour la Yougoslavie.

b) Ces troupes seront mises à la disposition du Gouverneur pendant une période de quatre vingt dix jours à partir de son entrée en fonctions dans le Territoire Libre. Dès la fin de cette période, ces troupes cesseront d'être à la disposition du Gouverneur et seront retirées du Territoire dans un délai complémentaire de quarante cinq jours, à moins que le Gouverneur n'avise le Conseil de Sécurité qu'il estime nécessaire, dans l'intérêt du Territoire, de maintenir ces troupes, en totalité ou en partie. Dans cette dernière hypothèse, les troupes requises par le Gouverneur seront maintenues pendant quarante cinq jours au plus, après que le Gouverneur aura avisé le Conseil de Sécurité que l'ordre intérieur dans le Territoire peut être assuré par les Services de Sûreté sans l'aide de troupes étrangères.

c) Les opérations de retrait prévues au paragraphe b) devront s'effectuer de manière à maintenir autant que possible la proportion prévue au paragraphe a) entre les troupes des trois Puissances intéressées.

Article 6

Le Gouverneur aura le droit, à tout moment, de demander de l'aide aux Commandants en chef de ces contingents et cette aide lui sera donnée sans délai. Dans tous les cas où ce sera possible, le Gouverneur consultera les Commandants militaires intéressés avant de donner ses instructions, mais il ne s'immiscera pas dans les dispositions d'ordre militaire prises à l'égard des forces armées dans l'exécution de ses instructions. Chaque Commandant en chef a le droit de communiquer, par rapport, à son Gouvernement les instructions qu'il aura reçues du Gouverneur, et il informera le Gouverneur du contenu de ces rapports. Le Gouvernement intéressé aura le droit de refuser que ses troupes participent à l'opération en question et il informera le Conseil de Sécurité de son refus.

Article 7

Les dispositions nécessaires relatives aux lieux de stationnement, à l'administration et à l'approvisionnement des contingents militaires fournis par le Royaume-Uni, les Etats-Unis d'Amérique et la Yougoslavie, seront fixées par accord entre le Gouverneur et les Commandants en chef de ces contingents.

Article 8

Le Gouverneur sera chargé d'organiser, en consultation avec le Conseil Provisoire de Gouvernement, l'élection des membres de l'Assemblée Constituante dans les conditions prescrites par le Statut pour les élections à l'Assemblée Populaire.

Les élections auront lieu, au plus tard, quatre mois après l'entrée en fonctions du Gouverneur. Dans le cas où il serait techniquement impossible de procéder aux élections dans ce délai, le Gouverneur en référera au Conseil de Sécurité.

Article 9

Le Gouverneur établira le budget provisoire ainsi que les programmes provisoires d'exportations et d'importations, en consultation avec le Conseil Provisoire de Gouvernement et il s'assurera que les dispositions appropriées sont prises par le Conseil Provisoire de Gouvernement pour la gestion des finances du Territoire Libre.

Article 10

Les lois et règlements existants resteront en vigueur, à moins qu'ils ne soient abrogés ou que leur application ne soit suspendue par le Gouverneur, et jusqu'à ce qu'ils le soient. Le Gouverneur aura le droit de modifier les lois et règlements existants ainsi que d'édicter de nouvelles lois et de nouveaux règlements, en accord avec la majorité du Conseil Provisoire de Gouvernement. Ces lois et règlements modifiés, ces nouvelles lois et ces nouveaux règlements ainsi que les actes du Gouverneur abrogeant les lois et règlements ou suspendant leur application seront valables à moins qu'ils ne soient modifiés, rapportés ou remplacés par des décisions de l'Assemblée Populaire ou du Conseil de Gouvernement, agissant dans leurs domaines respectifs après l'entrée en vigueur de la Constitution, et jusqu'à ce qu'ils le soient.

Article 11

Jusqu'à l'établissement d'un régime monétaire séparé pour le Territoire Libre, la lire italienne continuera d'être la monnaie légale dans le Territoire Libre. Le Gouvernement italien fournira au Territoire Libre les moyens de change étranger et les instruments monétaires qui lui sont nécessaires, dans des conditions qui ne seront pas moins favorables que celles qui sont appliquées en Italie.

95347°—49—PT. II——24

L'Italie et le Territoire Libre concluront un accord pour donner effet aux dispositions ci-dessus et pour prévoir tout règlement qui pourrait être nécessaire entre les deux Gouvernements.

ANNEXE VIII

Instrument relatif au Port Franc de Trieste

(voir article 21)

Article 1

1. Pour garantir que le commerce international ainsi que la Yougoslavie, l'Italie et les Etats d'Europe centrale puissent utiliser, dans des conditions d'égalité, le port et les facilités de transit de Trieste, selon les coutumes en usage dans les autres ports francs du monde:

a) il sera créé dans le Territoire Libre de Trieste, un port franc de douanes, dont les limites sont fixées par les dispositions de l'article 3 du présent Instrument ou seront établies conformément auxdites dispositions;

b) les marchandises passant par le Port Franc de Trieste bénéficieront de la liberté de transit dans les conditions prévues à l'article 16 du présent Instrument.

2. Le régime international du Port Franc sera déterminé par les dispositions du présent Instrument.

Article 2

1. Le Port Franc sera constitué en établissement public du Territoire Libre et administré comme tel. Il aura la pleine capacité d'une personne morale et fonctionnera conformément aux dispositions du présent Instrument.

2. Tous les biens italiens d'Etat et parastataux, se trouvant dans les limites du Port Franc, qui, aux termes du présent Traité seront acquis par le Territoire Libre, seront transférés sans paiement au Port Franc.

Article 3

1. La zone du Port Franc comprendra la superficie et les installations des zones franches du port de Trieste dans leurs limites de 1939.

2. La création dans le Port Franc de zones spéciales relevant de la

juridiction exclusive d'un Etat, quel qu'il soit, est incompatible avec le statut du Territoire Libre et celui du Port Franc.

3. Toutefois, en vue de satisfaire les besoins particuliers de la navigation yougoslave et italienne dans l'Adriatique, le Directeur du Port Franc, à la demande des Gouvernements yougoslave ou italien, et sur avis conforme de la Commission Internationale prévue à l'article 21, pourra réserver aux navires de commerce battant pavillon de l'un ou l'autre de ces deux Etats l'usage exclusif de postes à quai dans certaines parties de la zone du Port Franc.

4. Dans le cas où il serait nécessaire d'agrandir la zone du Port Franc, cet agrandissement pourra être effectué, sur proposition du Directeur du Port Franc, par décision du Conseil de Gouvernement, d'accord avec l'Assemblée populaire.

Article 4

Sauf dispositions contraires du présent Instrument, les lois et règlements en vigueur dans le Territoire Libre seront applicables aux personnes et aux biens dans les limites du Port Franc, et les autorités chargées de leur application dans le Territoire Libre exerceront leurs fonctions dans lesdites limites.

Article 5

1. Les navires de commerce et les marchandises de tous pays jouiront sans restriction du droit d'accès au Port Franc pour chargement et déchargement, tant en ce qui concerne les marchandises en transit que les marchandises à destination ou en provenance du Territoire Libre.

2. Les autorités du Territoire Libre ne percevront sur ces marchandises, à l'occasion de leur importation, de leur exportation ou de leur transit par le Port Franc, ni droits de douane ni taxes autres que celles qui seraient perçues à l'occasion de services rendus.

3. Toutefois, en ce qui concerne les marchandises importées par le Port Franc aux fins de consommation dans les limites du Territoire Libre ou exportées de ce Territoire par le Port Franc, les lois et règlements en vigueur en la matière dans le Territoire Libre seront appliqués.

Article 6

L'entreposage, l'emmagasinage, l'examen, le triage, l'emballage et le réemballage, et les activités similaires qui ont été exercées de façon cou-

tumière dans les zones franches du port de Trieste, seront autorisées dans le Port Franc conformément à la réglementation générale établie par le Directeur du Port Franc.

Article 7

1. Le Directeur du Port Franc pourra également autoriser le traitement primaire des marchandises dans les limites du Port Franc.

2. Les autres activités industrielles seront autorisées dans les limites du Port Franc pour les entreprises qui existaient dans les zones franches du port de Trieste avant l'entrée en vigueur du présent Instrument. Le Conseil de Gouvernement pourra, sur la proposition du Directeur du Port Franc, permettre l'installation de nouvelles entreprises industrielles dans les limites du Port Franc.

Article 8

Les autorités du Territoire Libre seront autorisées à procéder à des inspections à l'intérieur du Port Franc, dans la mesure qui leur sera nécessaire pour faire respecter les règlements douaniers ou autres établis dans le Territoire Libre en vue d'empêcher la contrebande.

Article 9

1. Il appartiendra aux autorités du Territoire Libre de fixer et de percevoir les droits de port dans le Port Franc.

2. Le Directeur du Port Franc fixera le montant de toutes les redevances afférentes à l'utilisation des installations et des services du Port Franc. Ces redevances devront être raisonnables et correspondre aux frais d'exploitation, d'administration, d'entretien et de développement du Port Franc.

Article 10

Il ne sera admis, pour la fixation et la perception dans le Port Franc du montant des droits de port et des autres redevances prévues à l'article 9, ainsi que pour la fourniture des services et l'utilisation des installations du Port Franc, aucune mesure discriminatoire fondée sur la nationalité des navires, la propriété des marchandises ou sur tout autre motif.

Article 11

La circulation de toutes personnes à l'entrée et à la sortie de la zone du Port Franc sera soumise à telle règlementation qui sera établie par les

autorités du Territoire Libre. Toutefois cette règlementation sera établie de manière à ne pas gêner indûment la circulation à l'entrée et à la sortie du Port Franc des personnes, quelle que soit leur nationalité, qui exercent dans la zone du Port Franc une activité légitime.

Article 12

Les règlements généraux et spéciaux en vigueur dans le Port Franc, ainsi que les barêmes des redevances à percevoir dans le Port Franc, devront être rendus publics.

Article 13

La navigation côtière et le cabotage intérieur dans les limites du Territoire Libre seront régis par la réglementation édictée par les autorités du Territoire Libre, les dispositions du présent Instrument étant considérées comme n'imposant à ces autorités aucune restriction à cet égard.

Article 14

Les mesures de protection sanitaire ainsi que les dispositions relatives à la lutte contre les maladies des animaux et des végétaux, en ce qui concerne les navires et les cargaisons, seront appliquées dans les limites du Port Franc par les autorités du Territoire Libre.

Article 15

Les autorités du Territoire Libre seront tenues de fournir au Port Franc l'eau, le gaz, la lumière et l'énergie électriques, les communications, les installations d'assainissement et autres services publics, ainsi que d'y assurer la police et la protection contre l'incendie.

Article 16

1. La liberté de transit sera assurée, conformément aux conventions internationales usuelles, par le Territoire Libre et les Etats, par le territoire desquels s'effectue le transit, aux marchandises transportées par chemin de fer entre le Port Franc et les Etats qu'il dessert, sans aucune discrimination et sans droits de douane ni taxes autres que celles qui seraient perçues à l'occasion de services rendus.

2. Le Territoire Libre et les Etats qui assument les obligations résultant du présent Instrument et sur le territoire desquels ce trafic se fait en transit dans l'une ou l'autre direction, feront tout ce qui est en leur pouvoir pour faciliter à tous égards et dans toute la mesure possible la rapidité

et la bonne marche de ce trafic à un prix raisonnable; ils n'adopteront, à l'égard du mouvement des marchandises à destination et en provenance du Port Franc, aucune mesure discriminatoire en matière de tarifs, de services et de règlements douaniers, sanitaires, de police ou autres.

3. Les Etats qui assument les obligations résultant du présent Instrument ne prendront aucune mesure réglementaire ou tarifaire qui détournerait artificiellement le trafic du Port Franc au profit d'autres ports maritimes. Les mesures prises par le Gouvernement yougoslave en vue d'aménager le trafic vers les ports de la Yougoslavie méridionale ne seront pas considérées comme des mesures visant à détourner artificiellement le trafic.

Article 17

Le Territoire Libre et les Etats qui assument les obligations résultant du présent Instrument accorderont dans leurs territoires respectifs et sur une base de non-discrimination, la liberté des communications postales, télégraphiques et téléphoniques, conformément aux conventions internationales usuelles, entre la zone du Port Franc et tout pays, pour toute communication en provenance ou à destination de la zone du Port Franc.

Article 18

1. Le Port Franc sera administré par le Directeur du Port Franc qui le représentera en tant que personne morale. Le Conseil de Gouvernement présentera au Gouverneur une liste de candidats qualifiés pour le poste de Directeur du Port Franc. Le Gouverneur nommera le Directeur en le choisissant parmi les candidats qui lui ont été présentés, après consultation du Conseil de Gouvernement. En cas de désaccord, la question sera soumise au Conseil de Sécurité. Le Gouverneur pourra également révoquer le Directeur sur recommandation de la Commission Internationale ou du Conseil de Gouvernement.

2. Le Directeur ne devra être ressortissant ni de la Yougoslavie, ni de l'Italie.

3. Tous les autres agents du Port Franc seront nommés par le Directeur. Pour toutes les nominations d'agents, la préférence devra être donnée aux ressortissants du Territoire Libre.

Article 19

Le Directeur du Port Franc, sous réserve des dispositions du présent

Instrument, prendra toutes mesures raisonnables et nécessaires pour administrer, exploiter, entretenir et développer le Port Franc et en faire un port fonctionnant de façon satisfaisante et apte à faire face rapidement à tout le trafic. En particulier, il sera responsable de l'exécution des travaux portuaires de toute nature dans le Port Franc, il dirigera l'exploitation des installations portuaires et du reste de l'équipement du port, il fixera, conformément aux lois du Territoire Libre, les conditions de travail dans le Port Franc et il contrôlera également l'exécution dans le Port Franc des ordres et règlements des autorités du Territoire Libre relatifs à la navigation.

Article 20

1. Le Directeur du Port Franc édictera tels règlements généraux et spéciaux qu'il jugera nécessaires dans l'exercice des fonctions qui lui sont dévolues aux termes de l'article précédent.

2. Il établira le budget autonome du Port Franc; ce budget sera approuvé et géré conformément à la législation qui sera établie par l'Assemblée populaire du Territoire Libre.

3. Le Directeur du Port Franc présentera un rapport annuel sur le fonctionnement du Port Franc au Gouverneur et au Conseil de Gouvernement du Territoire Libre. Une copie de ce rapport sera transmise à la Commission Internationale.

Article 21

1. Il sera créé une Commission Internationale du Port Franc, ci-après dénommée "la Commission Internationale," composée d'un représentant du Territoire Libre et de chacun des Etats suivants: Etats-Unis d'Amérique, France, Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, Union des Républiques Soviétiques Socialistes, République Fédérative Populaire de Yougoslavie, Italie, Pologne, Tchécoslovaquie, Suisse, Autriche, Hongrie, à condition que l'Etat en question ait assumé les obligations résultant du présent Instrument.

2. Le représentant du Territoire Libre sera président permanent de la Commission Internationale. En cas de partage des voix, celle du président sera prépondérante.

Article 22

La Commission Internationale aura son siège dans les limites du Port Franc. Ses locaux et ses activités ne relèveront de la juridiction d'aucune autorité locale. Les membres et les fonctionnaires de la Commission Inter-

nationale bénéficieront, dans le Territoire Libre, de tels privilèges et immunités qui seront nécessaires au libre exercice de leurs fonctions. La Commission Internationale organisera son secrétariat, décidera de sa procédure et établira son budget. Les dépenses communes de la Commission Internationale seront réparties équitablement entre les Etats qui y sont représentés selon les proportions acceptées par eux en Commission Internationale.

Article 23

La Commission Internationale aura le droit de procéder à des enquêtes et à des études sur toutes questions concernant l'exploitation, l'utilisation et l'administration du Port Franc ou les aspects techniques du transit entre le Port Franc et les Etats qu'il dessert, y compris l'unification des méthodes suivies pour assurer le trafic. La Commission Internationale agira soit de sa propre initiative, soit lorsque de telles questions auront été portées à son attention par tout Etat ou par le Territoire Libre ou par le Directeur du Port Franc. La Commission Internationale fera connaître son sentiment ou ses recommandations sur ces questions à l'Etat ou aux Etats intéressés, ou au Territoire Libre, ou au Directeur du Port Franc. Ces recommandations seront examinées et les mesures nécessaires seront prises. Toutefois, si le Territoire Libre ou l'Etat ou les Etats intéressés considèrent que ces mesures seraient incompatibles avec les dispositions du présent Instrument, la question pourra, à la demande du Territoire Libre ou de l'un quelconque des Etats intéressés, être réglée selon la procédure prévue à l'article 24.

Article 24

Tout différend relatif à l'interprétation ou à l'exécution du présent Instrument, qui ne sera pas réglé par voie de négociations directes, devra, à moins que les parties conviennent entre elles d'un autre mode de règlement, être soumis, à la demande de l'une ou l'autre partie, à une commission composée d'un représentant de chacune des parties et d'un tiers membre choisi par accord entre les deux parties parmi des ressortissants de pays tiers. Si, dans le délai d'un mois, les deux parties ne parviennent pas à se mettre d'accord sur la désignation du tiers membre, l'une ou l'autre des parties pourra demander au Secrétaire Général des Nations Unies de procéder à sa nomination. La décision de la majorité des membres sera considérée comme décision de la Commission et acceptée par les parties comme définitive et obligatoire.

Article 25

Des propositions d'amendements au présent Instrument pourront être présentées au Conseil de Sécurité par le Conseil de Gouvernement du Territoire Libre ou par trois au moins des Etats représentés à la Commission Internationale. Tout amendement approuvé par le Conseil de Sécurité prendra effet à la date fixée par celui-ci.

Article 26

Aux fins du présent Instrument, un Etat sera considéré comme ayant assumé les obligations résultant dudit Instrument s'il est partie au Traité de Paix avec l'Italie ou s'il a notifié au Gouvernement de la République Française qu'il assumait ces obligations.

ANNEXE IX

Dispositions techniques relatives au Territoire Libre de Trieste

(voir article 21)

A. *Alimentation en eau de la région nord-ouest de l'Istrie*

La Yougoslavie continuera à alimenter la région du nord-ouest de l'Istrie qui est située à l'intérieur des frontières du Territoire Libre de Trieste, en eau provenant de la source de San Giovanni de Pinguente au moyen du système d'alimentation en eau du Quieto, et en eau provenant de la source de Santa Maria del Risano au moyen du système d'alimentation en eau du Risano, sans que les quantités d'eau fournies puissent dépasser sensiblement celles qui étaient normalement mises à la disposition de la région; cette eau sera fournie selon le volume et le débit que le Territoire Libre pourra demander, en restant toutefois dans les limites imposées par les conditions naturelles. La Yougoslavie assurera l'entretien des canalisations d'eau, des réservoirs, des pompes, des dispositifs d'épuration et des autres installations se trouvant en territoire yougoslave, qui pourrait être nécessaire pour satisfaire à cette obligation. Une dérogation temporaire aux obligations précitées devra être accordée à la Yougoslavie pour lui permettre d'effectuer les réparations nécessaires aux installations d'alimentation en eau endommagées du fait de la guerre. Le Territoire Libre paiera, pour

l'eau ainsi fournie, un prix raisonnable représentant sa participation, évaluée proportionnellement selon la quantité d'eau consommée dans le Territoire Libre, au montant total des frais d'exploitation et d'entretien des systèmes d'alimentation en eau du Quieto et du Risano. Au cas où le Territoire Libre aurait besoin à l'avenir de fournitures supplémentaires d'eau, la Yougoslavie s'engage à étudier la question avec les autorités du Territoire Libre et à prendre en accord avec elles telles mesures raisonnables qui seront nécessaires pour satisfaire à ces besoins.

B. *Fourniture du courant électrique*

1. La Yougoslavie et l'Italie maintiendront l'alimentation actuelle en courant électrique du Territoire Libre de Trieste en fournissant à ce Territoire l'électricité en des quantités et à une cadence correspondant à ses besoins. Les quantités de courant fournies ne devront pas nécessairement, au début, dépasser sensiblement celles qui étaient normalement mises à la disposition de la région englobée dans le Territoire Libre, mais l'Italie et la Yougoslavie fourniront, à la demande du Territoire Libre, des quantités de courant qui iront en augmentant avec ses besoins, à condition que toute demande dépassant 20% de la quantité fournie normalement au Territoire Libre par les différentes sources d'alimentation en courant fasse l'objet d'un accord entre les Gouvernements intéréssés.

2. Le prix que facturera la Yougoslavie ou l'Italie et que paiera le Territoire Libre pour le courant électrique qui lui sera fourni ne sera pas supérieur au prix compté en Yougoslavie ou en Italie pour la fourniture de quantités analogues d'électricité d'origine hydraulique produite par les mêmes sources de courant situées en territoire yougoslave ou italien.

3. La Yougoslavie, l'Italie et le Territoire Libre échangeront, de façon permanente, les renseignements relatifs au débit et à l'importance des réserves d'eau ainsi qu'à la production du courant électrique intéressant les centrales qui alimentent l'ancien district italien de la Vénétie Julienne, afin que chacune des trois parties soit en mesure de fixer ses besoins.

4. La Yougoslavie, l'Italie et le Territoire Libre maintiendront en bon état de marche toutes les centrales électriques, lignes de transport de force, sous-stations et autres installations nécessaires pour assurer l'alimentation continue de l'ancien district italien de la Vénétie Julienne en courant électrique.

5. La Yougoslavie devra garantir que les installations de production d'énergie actuelles et futures de l'Isonzo (Soca) seront exploitées de telle sorte que les quantités d'eau dont l'Italie pourra avoir besoin périodiquement pour irriguer la région comprise entre Gorizia et la côte de l'Adriatique au sud-ouest de cette ville, puissent être prélevées dans l'Isonzo (Soca). L'Italie ne pourra pas revendiquer le droit d'utiliser l'eau de l'Isonzo (Soca) en plus grande quantité ou dans des conditions plus favorables qu'elle ne le faisait habituellement dans le passé.

6. La Yougoslavie, l'Italie et le Territoire Libre devront négocier en commun une convention acceptable pour toutes les parties et conforme aux dispositions ci-dessus, en vue du maintien de l'exploitation du réseau électrique qui dessert l'ancien district italien de la Vénétie Julienne. Une commission mixte dans laquelle les trois Gouvernements seront représentés sur un pied d'égalité sera instituée pour surveiller l'exécution des obligations découlant des dispositions des paragraphes 1 à 5 ci-dessus.

7. A l'expiration d'une période de dix ans à partir de la date d'entrée en vigueur du présent Traité, la Yougoslavie, l'Italie et le Territoire Libre soumettront à un nouvel examen les dispositions qui précèdent, en tenant compte des conditions qui existeront à ce moment, en vue de déterminer celles des obligations ci-dessus qui, le cas échéant, ne seraient plus nécessaires et y apporteront telles modifications, suppressions ou adjonctions dont les parties intéressées pourront convenir. Tous différends qui pourront s'élever à la suite de ce nouvel examen, seront réglés selon la procédure indiquée à l'article 87 du présent Traité.

C. *Dispositions tendant à faciliter les échanges frontaliers*

Dans le mois qui suivra l'entrée en vigueur du présent Traité, des négociations seront engagées entre la Yougoslavie et le Territoire Libre de Trieste, ainsi qu'entre l'Italie et le Territoire Libre de Trieste en vue de conclure des arrangements tendant à faciliter le mouvement, d'un côté à l'autre des frontières, entre le Territoire Libre et les régions limitrophes yougoslaves et italiennes, des denrées alimentaires et des marchandises d'autres catégories qui ont fait normalement l'objet d'échanges locaux entre ces régions, à condition qu'il s'agisse de denrées ou de marchandises récoltées, produites ou manufacturées dans les territoires respectifs. Ces échanges pourront être facilités par des mesures appropriées, notamment en exemptant

de droits et redevances de douanes et de toutes taxes à l'exportation ou à l'importation les produits en question, à concurrence de quantités ou de valeurs fixées d'un commun accord lorsque lesdits échanges ont un caractère local.

ANNEXE X

Dispositions économiques et financières concernant le Territoire Libre de Trieste

1. Le Territoire Libre de Trieste recevra, sans paiement, les biens italiens d'Etat ou parastataux situés dans le Territoire Libre.

Au sens de la présente annexe, sont considérés comme biens d'Etat ou parastataux: les biens et propriétés de l'Etat italien, des collectivités publiques locales, des établissements publics et des sociétés et associations qui sont propriété publique ainsi que les biens et propriétés ayant appartenu au parti fasciste ou à des organisations auxiliaires de ce parti.

2. Tous les transferts de biens italiens d'Etat ou de biens italiens parastataux au sens du paragraphe 1 ci-dessus qui ont été effectués après le 3 septembre 1943, seront considérés comme nuls et non avenus. Toutefois, cette disposition ne s'appliquera pas aux opérations légales correspondant à l'activité courante des organismes d'Etat ou parastataux, dans la mesure où il s'agit de la vente, dans des conditions normales, de marchandises que ces organismes produisent ou vendent habituellement en exécution d'arrangements commerciaux normaux ou dans le cours normal d'activités administratives de caractère public.

3. Les câbles sous-marins appartenant à l'Etat italien ou à des organisations parastatales italiennes tomberont sous le coup des dispositions du paragraphe 1, pour ce qui concerne les installations terminales et les parties des câbles se trouvant dans les eaux territoriales du Territoire Libre.

4. L'Italie remettra au Territoire Libre toutes les archives et tous les documents appropriés présentant un caractère administratif ou un intérêt historique, qui se rapportent au Territoire Libre ou à des biens transférés en exécution du paragraphe 1 de la présente annexe. Le Territoire Libre remettra à la Yougoslavie tous les documents présentant le même caractère ou le même intérêt qui se rapportent au territoire cédé à la Yougoslavie en

exécution du présent Traité, et il remettra à l'Italie tous les documents de même caractère ou intérêt, qui se rapportent au territoire italien et qui peuvent se trouver dans le Territoire Libre.

La Yougoslavie se déclare prête à remettre au Territoire Libre toutes les archives et tous les documents de caractère administratif se rapportant à l'administration du Territoire Libre et nécessaires à cette seule fin, de la nature de ceux qui étaient habituellement détenus avant le 3 septembre 1943 par les autorités locales de la juridiction desquelles relevait la région qui fait maintenant partie du Territoire Libre.

5. Le Territoire Libre ne sera tenu de fournir aucune contribution pour le service de la Dette publique italienne, mais il devra assumer les obligations de l'Etat italien à l'égard des porteurs de titres de cette Dette qui seront soit des personnes physiques qui maintiendront leur résidence dans le Territoire Libre soit des personnes morales qui y conserveront leur siège social ou leur principal établissement, pour autant que ces obligations correspondront à la partie de cette Dette dont les titres ont été émis avant le 10 juin 1940 et qui est imputable à des travaux publics et des services administratifs civils dont ledit Territoire a bénéficié mais qui n'est imputable ni directement ni indirectement à des buts militaires.

Toutes justifications pourront être demandées aux porteurs sur l'origine de ces titres.

L'Italie et le Territoire Libre détermineront, par des arrangements, la partie de la Dette publique italienne qui est visée dans le présent paragraphe et les méthodes à appliquer pour l'exécution de ces dispositions.

6. Le régime futur des dettes extérieures gagées par des privilèges grevant les biens ou revenus du Territoire Libre sera déterminé par de nouveaux accords qui seront conclus par les parties intéressées.

7. L'Italie et le Territoire Libre régleront par des arrangements spéciaux les conditions dans lesquelles seront transférées à des organisations analogues du Territoire Libre les obligations des organisations d'assurances sociales italiennes publiques ou privées à l'égard des habitants du Territoire Libre, ainsi qu'une part proportionnelle des réserves accumulées par lesdites organisations.

Des arrangements analogues conclus entre le Territoire libre et l'Italie ainsi qu'entre le Territoire libre et la Yougoslavie, régleront également les

obligations des organisations d'assurances sociales publiques ou privées dont le siège social est situé dans le Territoire Libre, à l'égard des titulaires de polices ou des cotisants résidant respectivement en Italie ou sur un territoire cédé à la Yougoslavie en exécution du présent Traité.

Le Territoire Libre et la Yougoslavie régleront également par des arrangements analogues les obligations des organisations d'assurances sociales publiques ou privées dont le siège social est situé dans le territoire cédé à la Yougoslavie en exécution du présent Traité, à l'égard des titulaires de polices ou des cotisants qui résident dans le Territoire Libre.

8. L'Italie restera tenue d'assurer le paiement des pensions civiles ou militaires acquises à la date d'entrée en vigueur du présent Traité au service de l'Etat italien ou de collectivités publiques italiennes, municipales ou locales, par des personnes qui reçoivent la citoyenneté du Territoire Libre en vertu du présent Traité; cette obligation s'étend aux droits à pension non encore échus. L'Italie et le Territoire Libre régleront par des arrangements les conditions dans lesquelles cette obligation sera remplie.

9. Les biens, droits et intérêts des ressortissants italiens qui ont établi leur domicile dans le Territoire Libre après le 10 juin 1940 et ceux des personnes qui optent pour la nationalité italienne en vertu des dispositions du Statut du Territoire Libre de Trieste seront, pendant une période de trois ans à partir de la date d'entrée en vigueur du présent Traité, respectés dans la même mesure que les biens, droits et intérêts des ressortissants du Territoire Libre en général, à condition qu'ils aient été légalement acquis.

Les biens, droits et intérêts des autres ressortissants italiens et ceux des personnes morales, de nationalité italienne, qui sont situés dans le Territoire Libre, pourvu qu'ils aient été légalement acquis, ne seront soumis qu'à telles dispositions législatives qui pourront être éventuellement appliquées d'une manière générale aux biens des personnes physiques et morales de nationalité étrangère.

10. Les personnes qui opteront pour la nationalité italienne et qui établiront leur résidence en Italie seront autorisées, après acquittement des dettes ou impositions dont elles pourraient être redevables dans le Territoire Libre, à emporter avec elles leurs biens meubles et à transférer les fonds qu'elles possèdent, à condition que ces biens et ces fonds aient été légalement acquis. Le transfert des biens ne sera frappé d'aucun droit d'exportation

ou d'importation. Ces personnes seront autorisées en outre à vendre leurs biens meubles et immeubles dans les mêmes conditions que les ressortissants du Territoire Libre.

Le transfert des biens en Italie s'effectuera à des conditions qui ne seront pas en contradiction avec la Constitution du Territoire Libre et d'une manière qui sera fixée par accord entre l'Italie et le Territoire Libre. Les conditions et délais dans lesquels s'effectuera le transfert des fonds, y compris le produit des ventes, seront également fixés par accord.

11. Les biens, droits et intérêts existant en Italie à la date d'entrée en vigueur du présent Traité qui appartenaient à d'anciens ressortissants italiens résidant dans le Territoire Libre et devenus ressortissants du Territoire Libre en vertu du présent Traité, seront respectés par l'Italie, dans la même mesure que les biens, droits et intérêts des ressortissants italiens d'une façon générale, pendant une période de trois ans à partir de la date d'entrée en vigueur du présent Traité.

Ces personnes seront autorisées à effectuer le tranfert et la liquidation de leurs biens, droits et intérêts dans les conditions prévues au paragraphe 10 ci-dessus.

12. Les sociétés constituées conformément à la législation italienne et dont le siège social est situé dans le Territoire Libre, qui désirent transférer leur siège social en Italie ou en Yougoslavie, devront également être traitées conformément aux dispositions du paragraphe 10 de la présente annexe, à condition que plus de cinquante pour cent du capital de la société appartienne à des personnes résidant normalement en dehors du Territoire Libre ou à des personnes qui transfèrent leur domicile en Italie ou en Yougoslavie.

13. Les dettes des personnes résidant en Italie ou sur un territoire cédé à la Yougoslavie envers des personnes résidant dans le Territoire Libre ou celles des personnes résidant dans le Territoire Libre envers des personnes résidant en Italie ou sur un territoire cédé à la Yougoslavie, ne seront pas affectées par la cession. L'Italie, la Yougoslavie, et le Territoire Libre s'engagent à faciliter le règlement de ces obligations. Aux fins du présent paragraphe, le terme "personnes" s'applique aux personnes morales.

14. Les biens situés dans le Territoire Libre appartenant à l'une quelconque des Nations Unies ou à ses ressortissants qui n'auraient pas encore été libérés du séquestre ou des mesures de contrôle auxquels ils ont été

soumis par l'Italie, ni restitués à leur propriétaires, seront restitués dans l'état ou ils se trouvent actuellement.

15. L'Italie restituera les biens qui ont été illégalement enlevés du Territoire Libre après le 3 septembre 1943 et emportés en Italie. L'exécution de cette obligation sera régie par les paragraphes 2, 3, 4, 5 et 6 de l'article 75, sauf en ce qui concerne les biens faisant l'objet d'autres dispositions de la présente annexe.

Les dispositions des paragraphes 1, 2, 5 et 6 de l'article 75, s'appliqueront à la restitution par le Territoire Libre des biens enlevés, pendant la guerre, du territoire de l'une quelconque des Nations Unies.

16. L'Italie restituera au Territoire Libre, dans le plus bref délai possible, tous navires détenus par l'Etat ou par des ressortissants italiens, qui, au 3 septembre 1943, appartenaient soit à des personnes physiques résidant dans le Territoire Libre et qui acquièrent la citoyenneté du Territoire Libre en vertu du présent Traité, soit à des personnes morales de nationalité italienne qui ont et conserveront leur siège social dans le Territoire Libre, exception faite des navires qui ont fait l'objet d'une vente effectuée de bonne foi.

17. Des accords seront conclus entre l'Italie et le Territoire Libre, ainsi qu'entre la Yougoslavie et le Territoire Libre, en vue de répartir d'une manière juste et équitable les biens de toute collectivité publique locale existante dont le territoire se trouve divisé par une frontière établie en vertu du présent Traité, et en vue d'assurer le maintien au profit des habitants de ceux des services communaux qui ne sont pas expressément visés par d'autres dispositions du Traité.

Des accords analogues seront conclus pour répartir d'une manière juste et équitable le matériel roulant et autre matériel de chemin de fer, ainsi que l'outillage des bassins et des ports et les bateaux affectés à leur service; des accords régleront également toutes autres questions d'ordre économique en suspens qui ne sont pas visées par la présente annexe.

18. Les citoyens du Territoire Libre continueront, en dépit du transfert de souveraineté et de tout changement de nationalité qui en résultera, de jouir de tous les droits de propriété industrielle, littéraire et artistique en Italie auxquels ils pouvaient prétendre sous le régime de la législation en vigueur en Italie lors du transfert.

Le Territoire Libre reconnaîtra les droits de propriété industrielle, littéraire et artistique qui existaient dans le Territoire Libre sous le régime des lois italiennes en vigueur au moment du transfert, ou qui devront être rétablis ou restitués conformément à la partie A de l'annexe XV du présent Traité, et il donnera effet à ces droits. Lesdits droits resteront en vigueur dans le Territoire Libre pendant la période durant laquelle ils seraient restés en vigueur sous le régime des lois italiennes.

19. Tout différend qui pourra s'élever à propos de l'exécution des dispositions de la présente annexe, sera réglé de la manière prévue à l'article 83 du présent Traité.

20. Les paragraphes 1, 3 et 5 de l'article 76, l'article 77, le paragraphe 3 de l'article 78, l'article 81, la partie A de l'annexe XV, l'annexe XVI et la partie B de l'annexe XVII s'appliqueront au Territoire Libre de Trieste de la même manière qu'à l'Italie.

ANNEXE XI

Déclaration commune des Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni et de l'Union Soviétique au sujet des possessions territoriales italiennes en Afrique

(voir article 23)

1. Les Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et de l'Union des Républiques Soviétiques Socialistes conviennent de déterminer, par une décision prise en commun, dans un délai d'un an à partir de l'entrée en vigueur du Traité de Paix avec l'Italie portant la date du 10 février 1947, le sort définitif des possessions territoriales de l'Italie en Afrique, sur lesquelles l'Italie renonce à tous ses droits et titres en vertu de l'article 23 du présent Traité.

2. Les Quatre Puissances régleront le sort définitif des territoires en question et procéderont aux ajustements appropriés de leurs frontières, en tenant compte des aspirations et du bien-être des habitants, ainsi que des exigences de la paix et de la sécurité, et en prenant en considération les vues des autres Gouvernements intéressés.

3. Si les Quatre Puissances ne peuvent se mettre d'accord sur le sort de l'un quelconque de ces territoires dans un délai d'un an à partir de la date d'entrée en vigueur du Traité de Paix avec l'Italie, la question sera soumise à l'Assemblée générale des Nations Unies pour que celle-ci fasse une recommandation à son sujet, et les Quatre Puissances conviennent d'accepter cette recommandation et de prendre les mesures appropriées pour la mettre à exécution.

4. Les Suppléants des Ministres des Affaires Etrangères poursuivront l'examen de la question du sort des anciennes colonies italiennes en vue de soumettre au Conseil des Ministres des Affaires Etrangères leurs recommandations sur la question. En outre, ils enverront des commissions d'enquête dans telle ou telle des anciennes colonies italiennes afin de leur fournir les éléments nécessaires sur cette question et d'établir quelles sont les vues des habitants.

ANNEXE XII

(voir article 56)

Les noms des bâtiments qui figurent à la présente annexe sont ceux qui étaient en usage dans la Marine italienne le 1er juin 1946.

A. Liste des bâtiments que l'Italie pourra conserver

Principaux bâtiments de combat

Bâtiments de ligne..Andrea Doria
Caio Duilio

Croiseurs...Luigi di Savoia
Duca degli Abruzzi
Giuseppe Garibaldi
Raimondo Montecuccoli
Luigi Cadorna

Destroyers..Carabiniere
Granatiere
Grecale
Nicoloso da Recco

Torpilleurs. Giuseppe Cesare Abba
Aretusa
Calliope
Giacinto Carini
Cassiopea
Clio
Nicola Fabrizi
Ernesto Giovannini
Libra
Monzambano
Antonio Mosto
Orione

Torpilleurs.	Orsa	*Corvettes*..	Flora
	Rosalino Pilo		Folaga
	Sagittario		Gabbiano
	Sirio		Gru
			Ibis
Corvettes..	Ape		Minerva
	Baionetta		Pellicano
	Chimera		Pomona
	Cormorano		Scimittara
	Danaide		Sfinge
	Driade		Sibilla
	Fenice		Urania

Plus une corvette à renflouer, à terminer ou à construire.

Petits bâtiments de combat

Dragueurs de mines R.D. N°s 20, 32, 34, 38, 40, 41, 102, 103, 104, 105, 113, 114, 129, 131, 132, 133, 134, 148, 149 ainsi que 16 bâtiments du type YMS fournis par les Etats-Unis d'Amérique.

Vedettes ..... VAS N°s 201, 204, 211, 218, 222, 224, 233, 235.

Bâtiments Auxiliaires

Pétroliers d'escadre	Nettuno	*Bateaux-citernes*.	Stura
	Lete		Tronto
			Vipacco
Bateaux-citernes.	Arno	*Remorqueurs*.... (grands)	Abbazia
	Frigido		Asinara
	Mincio		Atlante
	Ofanto		Capraia
	Oristano		Chioggia
	Pescara		Emilio
	Po		Gagliardo
	Sesia		Gorgona
	Simeto		Licosa

Remorqueurs (grands)	Lilibeo	*Remorqueurs* (petits)	San Benedetto
	Linosa		Tagliamento
	Mestre		N 1
	Piombino		N 4
	Porto Empedocle		N 5
	Porto Fossone		N 9
	Porto Pisano		N 22
	Porto Rose		N 26
	Porto Recanati		N 27
	San Pietro		N 32
	San Vito		N 47
	Ventimiglia		N 52
Remorqueurs (petits)	Argentario		N 53
	Astico		N 78
	Cordevole		N 96
	Generale Pozzi		N 104
	Irene		RLN 1
	Passero		RLN 3
	Porto Rosso		RLN 9
	Porto Vecchio		RLN 10
	San Bartolomeo		

Bateau-école	Amerigo Vespucci
Transports	Amalia Messina
	Montegrappa
	Tarantola
Ravitailleur	Giuseppe Miraglia
Navire-atelier	Antonio Pacinotti (navire-ravitailleur de sous-marins, à transformer)
Navires hydrographes	Azio (mouilleur de mines, à transformer)
	Cherso
Bateau pour le service des phares	Buffoluto
Câblier	Rampino

B. Liste des bâtiments à mettre à la disposition des Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni et de l'Union Soviétique

Principaux bâtiments de combat

Bâtiments de ligne	Giulio Cesare
	Italia
	Vittorio Veneto
Croiseurs	Emmanuele Filiberto Duca d'Aosta
	Pompeo Magno
	Attilio Regolo
	Eugenio di Savoia
	Scipione Africano
Aviso	Eritrea
Destroyers	Artigliere
	Fuciliere
	Legionario
	Mitragliere
	Alfredo Oriani
	Augusto Riboty
	Velite
Torpilleurs	Aliseo
	Animoso
	Ardimentoso
	Ariete
	Fortunale
	Indomito
Sous-marins	Alagi
	Atropo
	Dandolo
	Giada
	Marea
	Nichelio
	Platino
	Vortice

Petits bâtiments de combat

Vedettes lance-torpilles	MS Nos 11, 24, 31, 35, 52, 53, 54, 55, 61, 65, 72, 73, 74,75 MAS Nos 433, 434, 510, 514, 516, 519, 520, 521, 523, 538, 540, 543, 545, 547, 562. ME Nos 38, 40, 41.
Dragueurs de mines	RD Nos 6, 16, 21, 25, 27, 28, 29.
Canonnière	Illyria
Vedettes	VAS Nos 237, 240, 241, 245, 246, 248.
Unités de débarquement	MZ Nos 713, 717, 722, 726, 728, 729, 737, 744, 758, 776, 778, 780, 781, 784, 800, 831.

Bâtiments auxiliaires

Pétroliers	Prometeo
	Stige
	Tarvisio
	Urano
Bateau-citernes	Anapo
	Aterno
	Basento
	Bisagno
	Dalmazia
	Idria
	Isarco
	Istria
	Liri
	Metauro
	Polcevera
	Sprugola
	Timavo
	Tirso
Remorqueurs (grands)	Arsachena
	Basiluzzo
	Capo d'Istria
	Carbonara
	Cefalu
	Ercole
	Gaeta
	Lampedusa
	Lipari
	Liscanera
	Marechiaro
	Mesco
	Molara
Remorqueurs (grands)	Nereo
	Porto Adriano
	Porto Conte
	Porto Quieto
	Porto Torres
	Porto Tricase
	Procida
	Promontore
	Rapallo
	Salvore
	San Angelo
	San Antioco
	San Remo
	Talamone
	Taormina
	Teulada
	Tifeo
	Vado
	Vigoroso
Remorqueurs (petits)	Generale Valfre
	Licata
	Noli
	Volosca
	N 2
	N 3
	N 23
	N 24
	N 28
	N 35
	N 36
	N 37
	N 80
	N 94

Navire ravitailleur. Anteo

Bateau-école..... Cristoforo Colombo

Mouilleur de mines auxiliaire..... Fasana

Transports.... Giuseppe Messina
Montecucco
Panigaglia

ANNEXE XIII

Définitions

A. TERMES NAVALS

(voir article 59)

Déplacement-type

Le déplacement-type d'un bâtiment de surface est le déplacement du bâtiment achevé, avec son équipage complet, ses machines et chaudières, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres, eau douce pour l'équipage, approvisionnements divers, outillages et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible et sans eau de réserve pour l'alimentation des machines et chaudières.

Le déplacement-type est exprimé en tonnes de 1.016 kilogrammes (2.240 lbs.).

Bâtiment de combat

Un bâtiment de combat, quel que soit son déplacement, est:

1) Soit un navire spécialement construit ou adapté pour être une unité combattante dans les opérations navales, amphibies ou aéro-navales;

2) Soit un navire qui possède une des caractéristiques suivantes:

a) Etre armé d'un canon de calibre supérieur à 120 millimètres (4″,7);

b) Etre armé de plus de 4 canons d'un calibre supérieur à 76 millimètres (3″);

c) Etre conçu ou équipé pour lancer des torpilles ou mouiller des mines;

d) Etre équipé d'appareils destinés au lancement de projectiles dirigés ou propulsés;

e) Etre conçu pour être protégé par des plaques de blindage de plus de 25 millimètres (1″) d'épaisseur;

f) Etre conçu ou aménagé principalement pour mettre en action des aéronefs en mer;

g) Etre équipé de plus de deux appareils à lancer les aéronefs;

h) Etre conçu pour atteindre une vitesse supérieure à vingt noeuds s'il porte un canon d'un calibre supérieur à 76 millimètres (3″).

Un navire de combat de la sous-catégorie 1) cesse d'être considéré comme tel à partir de la vingtième année qui suit son entrée en service à condition qu'il soit démuni de toutes ses armes.

Bâtiment de ligne

Un bâtiment de ligne est un bâtiment de combat autre qu'un porte-aéronefs dont le déplacement-type est supérieur à 10.000 tonnes ou qui porte un canon d'un calibre supérieur à 203 millimètres (8″).

Bâtiment porte-aéronefs

Un bâtiment porte-aéronefs est un bâtiment de combat qui, quel que soit son déplacement, est conçu ou aménagé principalement pour transporter et mettre en action des aéronefs.

Sous-marins

Un sous-marin est un bâtiment conçu pour naviguer au-dessous de la surface de la mer.

Types Spécialisés de bâtiments d'assaut

Ce sont:

1) Tous les types de bâtiments spécialement conçus ou adaptés pour des opérations amphibies;

2) Tous les types de petits bâtiments spécialement conçus ou adaptés pour porter une charge explosive ou incendiaire pour l'attaque des navires ou des ports.

Vedette lance-torpilles

Une vedette lance-torpilles est un navire déplaçant moins de 200 tonnes, ayant une vitesse supérieure à 25 noeuds et pouvant utiliser des torpilles.

B. INSTRUCTION MILITAIRE, AÉRIENNE ET NAVALE

(voir articles 60, 63, et 65)

1. L'instruction militaire est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés à des fins militaires et des dispositifs d'instruction s'y rapportant, l'étude et l'exécution de tous exercices ou manoeuvres utilisés dans l'enseignement ou la pratique des évolutions exécutées par les forces au combat, et l'étude méthodique de la tactique, de la stratégie et du travail d'état-major.

2. L'instruction militaire aérienne est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés aux fins d'une aviation militaire et des dispositifs d'instruction s'y rapportant; l'étude et la pratique de toutes manoeuvres spéciales, y compris le vol en formation, exécutées par des avions dans l'accomplissement d'une mission aérienne militaire, et l'étude méthodique de la tactique aérienne, de la stratégie et du travail d'état-major.

3. L'instruction navale est définie comme comprenant les matières suivantes: l'organisation générale, l'étude et la pratique de l'emploi des bâtiments de guerre ou des installations navales ainsi que l'étude ou l'utilisation de tous appareils et dispositifs d'entraînement qui s'y rapportent et qui sont en usage pour la conduite de la guerre navale, à l'exception de ceux qui sont normalement employés à des fins civiles; en outre, l'enseignement, la pratique et l'étude méthodique de la tactique navale, de la stratégie et du travail d'état-major, y compris l'exécution de toutes les opérations et manoeuvres qui ne sont pas nécessaires à l'emploi pacifique des navires.

C. DÉFINITION ET LISTE DU MATÉRIEL DE GUERRE

(voir article 67)

Le terme "matériel de guerre" aux fins du présent Traité s'applique à toutes les armes et munitions et à tout le matériel spécialement conçus et adaptés à des fins de guerre, qui sont énumérés ci-dessous.

Les Puissances Alliées et Associées se réservent le droit d'amender périodiquement la liste, en la modifiant ou en la complétant, pour tenir

compte des faits nouveaux qui pourront se produire dans le domaine de la science.

Catégorie I

1. Fusils, carabines, revolvers et pistolets de type militaire; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil.

2. Mitrailleuses, fusils de guerre automatiques ou à répétition et pistolets mitrailleurs; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts de mitrailleuses.

3. Canons, obusiers, mortiers, canons spéciaux pour l'aviation; canons sans culasse ou sans recul et lance-flammes; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts mobiles et supports fixes pour ces armes.

4. Lance-fusées; mécanismes de lancement et de contrôle pour projectiles auto-moteurs et dirigés; supports pour ces appareils.

5. Projectiles auto-moteurs et dirigés, projectiles, fusées, munitions et cartouches, chargés ou vides, pour les armes énumérées aux alinéas 1 à 4 ci-dessus, ainsi que fusées, étoupilles ou appareils servant à les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

6. Grenades, bombes, torpilles, mines, grenades sous-marines (charges de profondeur) et matériel et charges incendiaires, chargés ou vides; tous dispositifs permettant de les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

7. Baïonnettes.

Catégorie II

1. Véhicules de combat blindés; trains blindés qui techniquement ne peuvent être transformés en vue d'usages civils.

2. Véhicules mécaniques ou auto-moteurs pour toutes les armes énumérées dans la catégorie I; chassis ou carrosseries militaires de types spéciaux, autres que ceux qui sont énumérés à l'alinéa 1 ci-dessus.

3. Blindages de plus de 3 pouces d'épaisseur, employés dans la guerre à des usages de protection.

Catégorie III

1. Système de pointage et de calcul pour le contrôle du tir, comprenant les appareils régleurs de tir et les appareils d'enregistrement; instruments de direction du tir; hausses de canon; viseurs de bombardement; régleurs de fusées; calibres pour la vérification des canons et des instruments de contrôle du tir.

2. Matériel de pontage d'assaut, bâtiments d'assaut et d'attaque.

3. Dispositifs pour ruses de guerre, dispositifs d'éblouissement et pièges.

4. Equipement militaire du personnel des forces armées de caractère spécialisé, qui n'est pas aisément adaptable à des usages civils.

Catégorie IV

1. Navires de guerre de toutes classes, y compris les navires transformés et les embarcations conçus ou prévus pour leur service et leur appui, qui techniquement ne sont pas transformables en vue d'usages civils, ainsi que les armes, blindages, munitions, avions ou tout autre équipement, matériel, machines et installations, qui ne sont pas utilisés en temps de paix sur d'autres bateaux que les navires de guerre.

2. Bâtiments de débarquement et véhicules ou matériel amphibies de toute nature; bâtiments d'assaut ou matériel d'assaut de tout type, ainsi que catapultes ou autres appareils de mise à l'eau ou de lancement d'avions, fusées, armes propulsées, ou tout autre projectile, instrument ou système avec ou sans équipage et qu'ils soient guidés ou non.

3. Navires, engins, armes, systèmes ou appareils de toute sorte, qu'ils soient submersibles ou semi-submersibles, y compris les estacades spécialement conçues pour la défense des ports, à l'exception du matériel nécessaire pour la récupération, le sauvetage et autres usages civils, ainsi que tout l'équipement, tous les accessoires, les pièces détachées, les dispositifs d'expérimentation ou d'instruction, les instruments ou les installations, qui peuvent être spécialement conçus en vue de la construction, du contrôle, de l'entretien ou du logement de ces navires, engins, armes, systèmes ou appareils.

Catégorie V

1. Aéronefs montés ou démontés, plus lourds ou plus légers que l'air, conçus ou adaptés en vue du combat aérien par l'emploi de mitrailleuses,

de lance-fusées, d'artillerie, ou en vue du transport ou du lancement de bombes, ou qui sont pourvus de l'un quelconque des dispositifs figurant à l'alinéa 2 ci-dessous, ou qui, du fait de leur conception ou de leur construction, peuvent être aisément munis de l'un de ces dispositifs.

2. Supports et bâtis pour canons aériens, lance-bombes, porte-torpilles et dispositifs de largage de bombes ou de torpilles, tourelles et coupoles pour canons.

3. Equipement spécialement conçu pour troupes aéroportées et utilisé seulement par ces troupes.

4. Catapultes ou systèmes de lancement pour avions embarqués, avions terrestres ou hydravions; appareils de lancement de projectiles volants.

5. Ballons de barrage.

Catégorie VI

Tous produits asphyxiants, mortels, toxiques ou susceptibles de mettre hors de combat, destinés à des fins de guerre ou fabriqués en quantités qui excèdent les besoins civils.

Catégorie VII

Propulseurs, explosifs, matériel pyrotechnique ou gaz liquéfiés, destinés à la propulsion, l'explosion, la charge, le remplissage du matériel de guerre décrit dans les catégories ci-dessus, ou à tout usage en liaison avec ce matériel, qui ne sont pas utilisables à des fins civiles ou qui sont fabriqués en quantités qui excèdent les besoins civils.

Catégorie VIII

Installations et outillages industriels spécialement conçus en vue de la production et de la conservation des produits et du matériel énumérés dans les catégories ci-dessus et qui ne peuvent pas être techniquement transformés à des fins civiles.

D. Définition des termes "démilitarisation" et "démilitarisé"

(voir articles 11, 14, 49 et article 3 de l'annexe VI)

Aux fins du présent Traité les termes "démilitarisation" et "démilitarisé" doivent s'entendre comme interdisant, sur le territoire et dans les

eaux territoriales en cause, toutes installations et fortifications navales, militaires ou d'aviation militaire ainsi que leurs armements, les obstacles artificiels, militaires, navals ou aériens; l'utilisation de bases par des unités militaires, navales ou d'aviation militaire ou le stationnement permanent ou temporaire de ces mêmes unités; l'instruction militaire sous toutes ses formes et la fabrication du matériel de guerre. Cette interdiction ne vise pas le personnel de sécurité intérieure limité en nombre à l'exécution de tâches de caractère intérieur et pourvu d'armes qui peuvent être transportées et servies par une seule personne, ainsi que l'instruction militaire nécessaire à un tel personnel.

ANNEXE XIV

Dispositions économiques et financières relatives aux territoires cédés

1. L'Etat successeur recevra sans paiement les biens italiens d'Etat ou parastataux situés sur le territoire cédé en vertu du présent Traité, ainsi que toutes les archives et tous les documents appropriés d'ordre administratif ou d'intérêt historique concernant le territoire en question ou se rapportant à des biens qui ont été transférés en exécution du présent paragraphe.

Au sens de la présente annexe, sont considérés comme biens d'Etat ou parastataux: les biens et propriétés de l'Etat italien, des collectivités publiques locales, des établissements publics et des sociétés et associations qui sont propriété publique ainsi que les biens et propriétés ayant appartenu au Parti Fasciste ou à des organisations auxiliaires de ce Parti.

2. Tous les transferts de biens italiens d'Etat ou de biens italiens parastataux au sens du paragraphe 1 ci-dessus, qui ont été effectués après le 3 septembre 1943, seront considérés comme nuls et non avenus. Toutefois cette disposition ne s'appliquera pas aux opérations légales relatives à l'activité courante des organismes d'Etat ou parastataux dans la mesure où il s'agit de la vente, dans des conditions normales, de marchandises que ces organismes produisent ou vendent habituellement en exécution d'arrangements commerciaux normaux ou dans le cours normal d'activités administratives de caractère public.

3. Les câbles sous-marins italiens qui relient des points du territoire cédé, ou qui relient un point du territoire cédé à un point d'un autre territoire de l'Etat successeur, seront considérés comme des biens italiens situés dans le territoire cédé, en dépit du fait que certaines parties de ces câbles peuvent se trouver hors des eaux territoriales. Les câbles sous-marins italiens reliant un point du territoire cédé à un point se trouvant en dehors de la juridiction de l'Etat successeur, seront considérés comme des biens italiens situés dans le territoire cédé, pour ce qui concerne les installations terminales et les parties des câbles se trouvant dans les eaux territoriales du territoire cédé.

4. Le Gouvernement italien remettra à l'Etat successeur tous les objets présentant un intérêt artistique, historique ou archéologique qui font partie du patrimoine culturel du territoire cédé et qui, lorsque le territoire dont il s'agit se trouvait sous la domination italienne, en ont été enlevés sans paiement et sont détenus par le Gouvernement italien ou par des institutions publiques italiennes.

5. L'Etat successeur procèdera à l'échange contre sa propre monnaie des signes monétaires italiens détenus sur le territoire cédé par des personnes physiques qui y maintiendront leur résidence ou par des personnes morales qui continueront d'y exercer leur activité. Toutes justifications pourront être demandées aux détenteurs sur l'origine des fonds présentés à la conversion.

6. Le Gouvernement de l'Etat successeur ne sera tenu de fournir aucune contribution pour le service de la Dette publique italienne, mais il devra assumer les obligations de l'Etat italien à l'égard des porteurs de titres de cette Dette qui seront, soit des personnes physiques qui maintiendront leur résidence dans le territoire cédé, soit des personnes morales qui y conserveront leur siège social ou leur principal établissement, pour autant que ces obligations correspondront à la partie de cette Dette dont les titres ont été émis avant le 10 juin 1940 et qui est imputable à des travaux publics et des services administratifs civils dont ledit territoire a bénéficié, mais qui n'est imputable ni directement ni indirectement à des buts militaires.

Toutes justifications pourront être demandées aux porteurs sur l'origine des titres.

L'Etat successeur et l'Italie détermineront par des arrangements la partie de la Dette publique italienne qui est visée dans le présent paragraphe et les méthodes à appliquer pour l'exécution de ces dispositions.

7. L'Etat successeur et l'Italie régleront par des arrangements spéciaux les conditions dans lesquelles seront transférées à des organisations analogues de l'Etat successeur les obligations des organisations d'assurances sociales italiennes publiques ou privées à l'égard des habitants du territoire cédé, ainsi qu'une part proportionnelle des réserves accumulées par lesdites organisations.

L'Etat successeur et l'Italie régleront également par des arrangements analogues les obligations des organisations d'assurances sociales, publiques ou privées, dont le siège social est situé dans le territoire cédé, à l'égard des titulaires de polices ou des cotisants qui résident en Italie.

8. L'Italie restera tenue d'assurer le paiement des pensions civiles ou militaires acquises, à la date d'entrée en vigueur du présent Traité, au service de l'Etat italien ou de collectivités publiques italiennes, municipales ou locales, par des personnes qui reçoivent la nationalité de l'Etat successeur en vertu du présent Traité; cette obligation s'étend aux droits à pension non encore échus. L'Etat successeur et l'Italie régleront par des arrangements les conditions dans lesquelles l'Italie s'aquittera de cette obligation.

9. Les biens, droits et intérêts des ressortissants italiens résidant d'une façon permanente dans les territoires cédés à la date d'entrée en vigueur du présent Traité, seront respectés dans la même mesure que ceux des ressortissants de l'Etat successeur, à condition qu'ils aient été légalement acquis.

Les biens, droits et intérêts des autres ressortissants italiens et ceux des personnes morales de nationalité italienne qui sont situés dans le territoire cédé, pourvu qu'ils aient été légalement acquis, ne seront soumis qu'à telles dispositions législatives qui pourront être éventuellement appliquées d'une manière générale aux biens des personnes physiques et morales de nationalité étrangère.

Ces biens, droits et intérêts ne seront sujets ni à être retenus, ni à être liquidés en vertu de l'article 79 du présent Traité; ils seront restitués à leurs propriétaires libérés des effets de toutes mesures de cette nature

et de toute autre mesure de transfert, d'administration forcée ou de séquestre prise au cours de la période s'étendant entre le 3 septembre 1943 et la date d'entrée en vigueur du présent Traité.

10. Les personnes qui opteront pour la nationalité italienne et qui établiront leur résidence en Italie seront autorisées, après acquittement des dettes ou impositions dont elles pourraient être redevables sur le territoire cédé, à emporter avec elles leurs biens meubles et à transférer les fonds qu'elles possèdent à condition que ces biens et ces fonds aient été légalement acquis. Le transfert des biens ne sera frappé d'aucun droit d'exportation ou d'importation. En outre, ces personnes seront autorisées à vendre leurs biens meubles et immeubles dans les mêmes conditions que les ressortissants de l'Etat successeur.

Le transfert des biens en Italie s'effectuera aux conditions et dans les limites convenues entre l'Etat successeur et l'Italie. Les conditions et délais dans lesquels s'effectuera le transfert des fonds, y compris le produit des ventes, seront également fixés par accord.

11. Les biens, droits et intérêts existant en Italie à la date d'entrée en vigueur du présent Traité qui appartenaient à d'anciens ressortissants italiens, résidant dans les territoires cédés et qui sont devenus ressortissants d'un autre pays en vertu du présent Traité, seront respectés par l'Italie dans la même mesure que les biens, droits et intérêts des ressortissants des Nations Unies d'une façon générale.

Ces personnes seront autorisées à effectuer le transfert et la liquidation de leurs biens, droits et intérêts dans les conditions prévues au paragraphe 10 ci-dessus.

12. Les sociétés constituées conformément à la législation italienne et dont le siège social est situé dans le territoire cédé, qui désirent transférer leur siège social en Italie, devront également être traitées conformément aux dispositions du paragraphe 10 de la présente annexe, à condition que plus de cinquante pour cent du capital de la société appartienne à des personnes résidant normalement en dehors du territoire cédé ou à des personnes qui, en vertu du présent Traité, optent pour la nationalité italienne et transfèrent leur domicile en Italie, à condition que la société exerce son activité en majeure partie hors du territoire cédé.

13. Les dettes des personnes résidant en Italie envers des personnes

résidant dans le territoire cédé ou celles des personnes résidant dans le territoire cédé envers des personnes résidant en Italie ne seront pas affectées par la cession. L'Etat successeur et l'Italie s'engagent à faciliter le règlement de ces obligations. Aux fins du présent paragraphe, le terme "personnes" s'applique aux personnes morales.

14. Les biens situés dans le territoire cédé appartenant à l'une quelconque des Nations Unies ou à ses ressortissants qui n'auraient pas encore été libérés du séquestre ou des mesures de contrôle auxquels ils ont été soumis par l'Italie, ni restitués à leurs propriétaires, seront restitués dans l'état où ils se trouvent actuellement.

15. Le Gouvernement italien reconnaît que l'accord de Brioni, en date du 10 août 1942, est nul et non avenu. Il s'engage à participer avec les autres signataires de l'accord de Rome, en date du 29 mai 1923, à toutes négociations ayant pour objet d'introduire dans ses dispositions des modifications nécessaires en vue d'assurer un règlement équitable des annuités qu'il prévoit.

16. L'Italie restituera les biens qui ont été illégalement enlevés des territoires cédés après le 3 septembre 1943 et transférés en Italie. Sauf disposition contraire de la présente annexe, l'exécution de cette obligation sera régie par les paragraphes 2, 3, 4, 5 et 6 de l'article 75.

17. L'Italie restituera à l'Etat successeur, dans les plus brefs délais possibles, tous navires détenus par l'Etat ou par des ressortissants italiens, qui, au 3 septembre 1943, appartenaient soit à des personnes physiques résidant sur le territoire cédé et qui acquièrent la nationalité de l'Etat successeur en vertu du présent Traité, soit à des personnes morales de nationalité italienne qui ont et conserveront leur siège social sur le territoire cédé, exception faite des navires qui ont fait l'objet d'une vente effectuée de bonne foi.

18. Les Etats successeurs et l'Italie concluront des accords répartissant d'une manière juste et équitable les biens de toute collectivité publique locale existante dont le territoire se trouve divisé par une frontière établie en vertu du présent Traité et assurant le maintien de ceux des services communaux nécessaires aux habitants qui ne sont pas expressément visés par d'autres dispositions du Traité.

Des accords analogues seront conclus pour répartir, d'une manière

juste et équitable, le matériel roulant et autre matériel de chemin de fer, ainsi que l'outillage des bassins et des ports et les bateaux affectés à leur service; des accords règleront également toutes autres questions d'ordre économique en suspens qui ne sont pas visées par la présente annexe.

19. Les dispositions de la présente annexe ne seront pas applicables aux anciennes colonies italiennes. Les dispositions économiques et financières qui leur seront appliquées seront incluses dans les arrangements qui, aux termes de l'article 23 du présent traité, règleront le sort de ces territoires.

ANNEXE XV

Dispositions spéciales concernant certaines catégories de biens

A. Propriété industrielle, littéraire et artistique.

1. a. Un délai d'un an à compter de la date d'entrée en vigueur du présent Traité sera accordé aux Puissances Alliées et Associées et à leurs ressortissants sans paiement de droits de prorogation ou autres sanctions quelconques, en vue de leur permettre d'accomplir tous les actes nécessaires pour l'obtention ou la conservation en Italie des droits de propriété industrielle, littéraire ou artistique, qui n'ont pu être accomplis par suite de l'existence de l'état de guerre.

b. Les Puissances Alliées et Associées ou leurs ressortissants, qui auront fait, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, une demande, soit pour l'obtention d'un brevet ou l'enregistrement d'un modèle d'utilité au plus tôt douze mois avant l'ouverture des hostilités avec l'Italie ou au cours de celles-ci, soit pour l'enregistrement d'un dessin industriel, d'un modèle ou d'une marque de fabrique au plus tôt six mois avant l'ouverture des hostilités avec l'Italie ou au cours de celles-ci, auront le droit, pendant une période de douze mois à compter de la date d'entrée en vigueur du présent Traité, de demander des droits correspondants en Italie, avec un droit de priorité fondé sur le dépôt antérieur de leur demande sur le territoire de cette Puissance Alliée ou Associée.

c. Il sera accordé à chacune des Puissances Alliées ou Associées et à ses ressortissants, à partir de la date d'entrée en vigueur du présent Traité,

un délai d'un an pendant lequel ils pourront engager des poursuites en Italie contre les personnes physiques ou morales auxquelles serait imputé un empiétement illégal sur leurs droits de propriété industrielle, littéraire ou artistique entre la date de l'ouverture des hostilités et celle de l'entrée en vigueur du présent Traité.

2. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et l'expiration du dix-huitième mois qui suivra la date d'entrée en vigueur du présent Traité dans la détermination de la période pendant laquelle un brevet d'invention doit être exploité, ou pendant laquelle un modèle ou une marque de fabrique doit être utilisé.

3. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et la date d'entrée en vigueur du présent Traité dans le calcul de la durée normale de validité des droits de propriété industrielle, littéraire et artistique qui étaient en vigueur en Italie à l'ouverture des hostilités ou qui seront reconnus ou établis dans les conditions prévues à la partie A de la présente annexe, et qui appartiennent à l'une des Puissances Alliées ou Associées ou à ses ressortissants. La durée normale de validité de ces droits sera, par conséquent, considérée comme automatiquement prolongée en Italie, d'une nouvelle période correspondant à celle qui aura été ainsi exclue du décompte.

4. Les dispositions précédentes concernant les droits en Italie des Puissances Alliées et Associées et de leurs ressortissants, devront également s'appliquer aux droits de l'Italie et de ses ressortissants dans les territoires des Puissances Alliées et Associées. Toutefois, aucune de ces dispositions ne donnera à l'Italie ou à ses ressortissants droit à un traitement plus favorable sur le territoire de l'une des Puissances Alliées ou Associées que celui qui est accordé, dans les mêmes cas, par cette Puissance à l'une quelconque des autres Nations Unies ou à ses ressortissants; l'Italie ne sera pas non plus tenue, en vertu de ces dispositions, d'accorder à l'une des Puissances Alliées ou Associées ou à ses ressortissants, un traitement plus favorable que celui dont l'Italie ou ses ressortissants bénéficient sur le territoire de cette Puissance relativement aux matières auxquelles s'appliquent les précédentes dispositions.

5. Les tiers résidant sur le territoire de l'une quelconque des Puissances Alliées ou Associées ou sur le territoire italien, qui, avant la date d'entrée

en vigueur du présent Traité, ont acquis de bonne foi des droits de propriété industrielle, littéraire ou artistique se trouvant en opposition avec des droits rétablis en vertu de la partie A de la présente annexe ou avec des droits obtenus grâce à la priorité qui leur est accordée en vertu des présentes dispositions, ou qui, de bonne foi, ont fabriqué, publié, reproduit, utilisé ou vendu l'objet de ces droits, seront autorisés à continuer d'exercer les droits qu'ils avaient acquis de bonne foi et à poursuivre ou reprendre la fabrication, la publication, la reproduction, l'utilisation ou la vente qu'ils avaient entreprises de bonne foi, sans s'exposer à des poursuites pour empiétement.

L'autorisation sera donnée en Italie, sous la forme d'une licence sans exclusivité qui sera accordée à des conditions à fixer par entente entre les parties intéressées, ou, à défaut d'entente, par la commission de conciliation constituée en vertu de l'article 83 du présent Traité. Toutefois, dans les territoires de chacune des Puissances Alliées ou Associées, les tiers de bonne foi bénéficieront de la protection qui est accordée, dans les cas analogues, aux tiers de bonne foi dont les droits sont en opposition avec ceux de ressortissants des autres Puissances Alliées et Associées.

6. Aucune disposition de la partie A de la présente annexe ne devra être interprétée comme donnant à l'Italie ou à ses ressortissants sur le territoire de l'une quelconque des Puissances Alliées ou Associées, des droits à des brevets ou à des modèles d'utilité pour des inventions relatives à un article quelconque expressément désigné dans la définition du matériel de guerre figurant à l'annexe XIII du présent Traité, inventions qui ont été faites ou au sujet desquelles des demandes d'enregistrement ont été déposées par l'Italie ou par l'un de ses ressortissants, en Italie ou sur le territoire d'une autre Puissance de l'Axe ou sur un territoire occupé par les forces de l'Axe, pendant le temps où le territoire en question se trouvait sous le contrôle des forces ou des autorités des Puissances de l'Axe.

7. L'Italie accordera également le bénéfice des dispositions précédentes de la présente annexe aux Nations Unies, autres que les Puissances Alliées et Associées, dont les relations diplomatiques avec l'Italie ont été rompues pendant la guerre et qui s'engageront à accorder à l'Italie les avantages conférés à ce pays en vertu desdites dispositions.

8. Aucune disposition de la partie A de la présente annexe ne doit s'entendre comme étant en contradiction avec les articles 78, 79 et 81 du présent Traité.

B. Assurances.

1. Exception faite des restrictions s'appliquant aux assureurs en général, il ne sera fait aucun obstacle à la reprise par les assureurs qui sont ressortissants des Nations Unies de leurs anciens portefeuilles.

2. Si un assureur, ressortissant d'une des Nations Unies, désire reprendre son activité professionnelle en Italie et si la valeur des dépôts de garantie ou des réserves exigées en Italie des entreprises d'assurances pour l'exercice de leur activité a diminué du fait de la perte ou de la dépréciation des titres qui les constituaient, le Gouvernement italien s'engage à accepter, pendant une période de dix-huit mois, ce qu'il reste de ces titres comme satisfaisant entièrement aux prescriptions légales concernant les dépôts et les réserves.

ANNEXE XVI

Contrats, prescription, effets de commerce

A. Contrats.

1. Sauf exceptions énoncées dans les paragraphes 2 et 3 ci-dessous, tout contrat ayant nécessité pour son exécution des rapports entre des parties qui sont devenues ennemies au sens de la partie D de la présente annexe, sera tenu pour résilié depuis le moment où l'une quelconque des parties est devenue un ennemi. Toutefois, cette résiliation s'entendra sans préjudice des dispositions de l'article 81 du présent Traité; elle ne relèvera pas non plus l'une quelconque des parties au contrat de l'obligation de reverser les sommes perçues à titre d'avances ou d'acomptes et pour lesquelles la partie intéressée n'a pas fourni de contre-partie.

2. Nonobstant les dispositions du paragraphe 1 ci-dessus, les stipulations de tout contrat qui pourront être dissociées et dont l'exécution ne nécessitait pas de rapports entre les parties qui sont devenues ennemies au sens de la partie D de la présente annexe, ne seront pas résiliées et demeureront en vigueur sans préjudice des droits énoncés à l'article 79 du présent Traité. Si les stipulations d'un contrat ne peuvent pas être ainsi dissociées, le contrat sera tenu comme étant intégralement résilié. Les dispositions qui précèdent s'entendent sous réserve de l'application des lois, ordonnances et règlements nationaux édictés par telle ou telle des Puissances

Alliées ou Associées de la juridiction de laquelle relève le contrat ou l'une quelconque des parties au contrat, et sous réserve des stipulations du contrat.

3. Aucune disposition de la partie A de la présente annexe ne sera considérée comme annulant les transactions légalement effectuées conformément à un contrat passé entre ennemis, si ces transactions ont été exécutées avec l'autorisation du Gouvernement d'une des Puissances Alliées ou Associées.

4. Nonobstant les dispositions qui précèdent, les contrats d'assurance et de réassurance feront l'objet de conventions distinctes entre le Gouvernement de la Puissance Alliée ou Associée intéressée et le Gouvernement italien.

B. Prescription.

1. Tous les délais de prescription ou de limitation du droit d'engager ou de poursuivre une action judiciaire ou du droit de prendre des mesures conservatoires dans les rapports juridiques intéressant des personnes ou des biens, mettant en cause des ressortissants des Nations Unies et des ressortissants italiens qui, en raison de l'état de guerre, n'ont pas pu engager ou poursuivre une action judiciaire, ou accomplir les formalités nécessaires pour sauvegarder leurs droits, que ces délais aient commencé à courir avant ou après l'ouverture des hostilités, seront considérés comme ayant été suspendus pendant la durée de la guerre sur le territoire italien d'une part, et sur le territoire de celles des Nations Unies qui, conformément au principe de la réciprocité, accordent à l'Italie le bénéfice des dispositions du présent paragraphe, d'autre part. Ces délais commenceront à courir dès la date d'entrée en vigueur du présent Traité. Les dispositions du présent paragraphe s'appliqueront aux délais fixés pour le dépôt des coupons d'intérêts ou de dividendes ou pour le dépôt, en vue du remboursement, des valeurs sorties au tirage ou remboursables pour tout autre motif.

2. Lorsqu'en raison de l'inexécution d'un acte ou de l'omission d'une formalité quelconque pendant la guerre, des mesures d'exécution ont été prises sur le territoire italien au préjudice d'un ressortissant d'une Nation Unie, le Gouvernement italien rétablira les droits lésés. Si le rétablissement de ces droits est impossible ou devait être inéquitable, le Gouvernement italien fera le nécessaire pour que l'intéressé reçoive telle compensation qui en l'occurence paraîtra juste et équitable.

C. Effets de commerce.

1. Dans les relations entre ennemis, aucun effet de commerce souscrit avant la guerre ne sera considéré comme n'étant plus valable pour la seule raison qu'il n'a pas été présenté à l'acceptation ou à l'encaissement dans les délais prescrits, ou que le tireur ou l'endosseur n'a pas été avisé dans ces délais que l'effet en question n'a pas été accepté ou payé, ou qu'il n'a pas été protesté dans lesdits délais, ou qu'une formalité quelconque a été omise pendant la guerre.

2. Si le délai au cours duquel un effet de commerce aurait dû être présenté à l'acceptation ou à l'encaissement, ou dans lequel un avis de non-acceptation ou de non-paiement aurait dû être donné au tireur ou à l'endosseur, ou durant lequel l'effet aurait dû être protesté, est arrivé à expiration pendant la guerre, et si la partie qui aurait dû présenter ou protester l'effet ou aviser du défaut d'acceptation ou du défaut de paiement a omis de le faire pendant la guerre, il sera accordé un délai de trois mois au moins, à partir de la date d'entrée en vigueur du présent Traité, pendant lequel il sera possible de présenter ou de protester ledit effet ou de donner avis de son défaut d'acceptation ou de son défaut de paiement.

3. Si une personne s'est obligée, soit avant, soit pendant la guerre, au paiement d'un effet de commerce, à la suite d'un engagement pris envers elle, par une autre personne devenue ultérieurement ennemie, celle-ci reste tenue, malgré l'ouverture des hostilités, de garantir la première des conséquences de son obligation.

D. Dispositions spéciales.

1. Aux fins de la présente annexe, les personnes physiques ou morales seront considérées comme étant devenues ennemies à partir de la date où tout commerce entre elles est devenu illégal, aux termes des lois, ordonnances ou règlements auxquels ces personnes ou le contrat étaient soumis.

2. Etant donné le système juridique des Etats-Unis d'Amérique, les dispositions de cette annexe ne s'appliqueront pas aux relations entre les Etats-Unis d'Amérique et l'Italie.

ANNEXE XVII

Tribunaux de prises et Jugements

A. Tribunaux de prises.

1. Chacune des Puissances Alliées ou Associées se réserve le droit d'examiner, conformément à une procédure qu'elle fixera, toutes décisions et ordonnances des Tribunaux de prises italiens rendues à la suite de procès mettant en cause les droits de propriété de ses ressortissants et de recommander au Gouvernement italien de faire procéder à la révision de celles de ces décisions ou ordonnances qui pourraient n'être pas conformes au droit international.

2. Le Gouvernement italien s'engage à communiquer copie de tous les documents et pièces de ces procès, y compris les décisions prises et les ordonnances rendues, à accepter toutes recommandations formulées à la suite de l'examen de ces procès et à donner effet à ces recommandations.

B. Jugements.

Le Gouvernement italien prendra les mesures nécessaires pour permettre aux ressortissants de l'une quelconque des Nations Unies, à tout moment dans un délai d'un an à compter de la date d'entrée en vigueur du présent Traité, d'intenter devant les autorités italiennes compétentes une action en révision de tout jugement rendu par un tribunal italien entre le 10 juin 1940 et la date d'entrée en vigueur du présent Traité dans tout procès dans lequel le ressortissant d'une des Nations Unies n'a pas été à même d'exposer sa cause d'une manière satisfaisante, soit en qualité de demandeur, soit en qualité de défendeur. Le Gouvernement italien prendra les mesures nécessaires pour que, lorsqu'un ressortissant d'une des Nations Unies a subi un préjudice du fait de tout jugement de cette nature, ce ressortissant soit rétabli dans la situation où il se trouvait avant le prononcé du jugement ou reçoive telle compensation qui pourra, en la circonstance, être juste et équitable. L'expression "ressortissants des Nations Unies" comprend les sociétés ou associations organisées ou constituées conformément à la législation de l'une quelconque des Nations Unies.

TREATY OF PEACE

WITH

ITALY

1947

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, China, France, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa, and the People's Federal Republic of Yugoslavia, hereinafter referred to as "the Allied and Associated Powers", of the one part, and Italy, of the other part:

Whereas Italy under the Fascist regime became a party to the Tripartite Pact with Germany and Japan, undertook a war of aggression and thereby provoked a state of war with all the Allied and Associated Powers and with other United Nations, and bears her share of responsibility for the war; and

Whereas in consequence of the victories of the Allied forces, and with the assistance of the democratic elements of the Italian people, the Fascist regime in Italy was overthrown on July 25, 1943, and Italy, having surrendered unconditionally, signed terms of Armistice on September 3 and 29 of the same year; and

Whereas after the said Armistice Italian armed forces, both of the Government and of the Resistance Movement, took an active part in the war against Germany, and Italy declared war on Germany as from October 13, 1943, and thereby became a co-belligerent against Germany; and

Whereas the Allied and Associated Powers and Italy are desirous of concluding a treaty of peace which, in conformity with the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and will form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Italy's application to become a member of the United Nations and also to adhere to any convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

PART I

TERRITORIAL CLAUSES

SECTION I—FRONTIERS

Article 1

The frontiers of Italy shall, subject to the modifications set out in Articles 2, 3, 4, 11 and 22, be those which existed on January 1, 1938. These frontiers are traced on the maps attached to the present Treaty (Annex I).[1] In case of a discrepancy between the textual description of the frontiers and the maps, the text shall be deemed to be authentic.

Article 2

The frontier between Italy and France, as it existed on January 1, 1938, shall be modified as follows:

1. *Little St. Bernard Pass*

The frontier shall follow the watershed, leaving the present frontier at a point about 2 kilometers northwest of the Hospice, crossing the road about 1 kilometer northeast of the Hospice and rejoining the present frontier about 2 kilometers southeast of the Hospice.

2. *Mont Cenis Plateau*

The frontier shall leave the present frontier about 3 kilometers northwest of the summit of Rochemelon, cross the road about 4 kilometers southeast of the Hospice and rejoin the present frontier about 4 kilometers northeast of Mont d'Ambin.

3. *Mont Thabor-Chaberton*

(a) In the Mont Thabor area, the frontier shall leave the present frontier about 5 kilometers to the east of Mont Thabor and run southeastward to rejoin the present frontier about 3 kilometers west of the Pointe de Charra.

(b) In the Chaberton area, the frontier shall leave the present frontier about 3 kilometers north-northwest of Chaberton, which it skirts on the east, and shall cross the road about 1 kilometer from the present frontier, which it rejoins about 2 kilometers southeast of the village of Montgenevre.

[1] [This ANNEX comprises 23 separate large-scale maps. The copies of the maps as received with the certified copy of the Treaty, from the Government of the French Republic, are deposited with the Treaty in the archives of the Department of State where they are available for reference.]

4. *Upper Valleys of the Tinée, Vesubie and Roya*

The frontier shall leave the present frontier at Colla Longa, shall follow along the watershed by way of Mont Clapier, Col de Tenda, Mont Marguareis, whence it shall run southward by way of Mont Saccarello, Mont Vacchi, Mont Pietravecchia, Mont Lega and shall reach a point approximately 100 meters from the present frontier near Colla Pegairolle, about 5 kilometers to the northeast of Breil; it then shall run in a southwesterly direction, and shall rejoin the existing frontier approximately 100 meters southwest of Mont Mergo.

5. The detailed description of those sections of the frontier to which the modifications set out in paragraphs 1, 2, 3 and 4 above apply, is contained in Annex II to the present Treaty and the maps to which this description refers form part of Annex I.

Article 3

The frontier between Italy and Yugoslavia shall be fixed as follows:

(i) The new frontier follows a line starting from the junction of the frontiers of Austria, Italy and Yugoslavia as they existed on January 1, 1938, and proceeding southward along the 1938 frontier between Yugoslavia and Italy to the junction of that frontier with the administrative boundary between the Italian provinces of Friuli (Udine) and Gorizia;

(ii) From this point the line coincides with the said administrative boundary up to a point approximately 0.5 kilometer north of the village of Mernico in the valley of the Iudrio;

(iii) Leaving the administrative boundary between the Italian provinces of Friuli and Gorizia at this point, the line extends eastward to a point approximately 0.5 kilometer west of the village of Vercoglia di Cosbana and thence southward between the valleys of the Quarnizzo and the Cosbana to a point approximately 1 kilometer southwest of the village of Fleana, bending so as to cut the river Recca at a point approximately 1.5 kilometers east of the Iudrio and leaving on the east the road from Cosbana via Nebola to Castel Dobra;

(iv) The line then continues to the southeast passing due south of the road between points 111 and 172, then south of the road from Vipulzano to Uclanzi passing points 57 and 122, then crossing the latter road about 100 meters east of point 122 and curving north in the direction of a point situated 350 meters southeast of point 266;

(v) Passing about 0.5 kilometer north of the village of San Floriano, the line extends eastward to Monte Sabotino (point 610), leaving to the north the village of Poggio San Valentino;

(vi) From Monte Sabotino the line extends southward, crosses the Isonzo (Soca) river at the town of Salcano, which it leaves in Yugoslavia, and runs immediately to the west of the railway line from Canale d'Isonzo to Montespino to a point about 750 meters south of the Gorizia-Aisovizza road;

(vii) Departing from the railway, the line then bends southwest leaving in Yugoslavia the town of San Pietro and in Italy the Hospice and the road bordering it and, some 700 meters from the station of Gorizia S. Marco, crosses the railway connection between the above railway and the Sagrado-Cormons railway, skirts the Gorizia cemetery, which is left in Italy, passes between Highway No. 55 from Gorizia to Trieste, which highway is left in Italy, and the crossroads at point 54, leaving in Yugoslavia the towns of Vertoiba and Merna, and reaches a point located approximately at point 49;

(viii) Thence the line continues in a southerly direction across the Karst plateau, approximately 1 kilometer east of Highway No. 55, leaving on the east the village of Opacchiasella and on the west the village of Iamiano;

(ix) From a point approximately 1 kilometer east of Iamiano, the line follows the administrative boundary between the provinces of Gorizia and Trieste as far as a point approximately 2 kilometers northeast of the village of San Giovanni and approximately 0.5 kilometer northwest of point 208, forming the junction of the frontiers of Yugoslavia, Italy and the Free Territory of Trieste.

The map to which this description refers forms part of Annex I.

Article 4

The frontier between Italy and the Free Territory of Trieste shall be fixed as follows:

(i) The line starts from a point on the administrative boundary between the provinces of Gorizia and Trieste approximately 2 kilometers northeast of the village of San Giovanni and approximately 0.5 kilometer northwest of point 208, forming the junction of the frontiers of Yugoslavia, Italy and the Free Territory of Trieste, and runs southwestward to a point adjacent to Highway No. 14 and approximately 1 kilometer northwest of the junction between Highways Nos. 55 and 14, respectively running from Gorizia and Monfalcone to Trieste;

(ii) The line then extends in a southerly direction to a point, in the Gulf of Panzano, equidistant from Punta Sdobba at the mouth of the Isonzo (Soca) river and Castello Vecchio at Duino, about 3.3 kilometers south from the point where it departs from the coastline approximately 2 kilometers northwest of the town of Duino;

(iii) The line then reaches the high seas by following a line placed equidistant from the coastlines of Italy and the Free Territory of Trieste.

The map to which this description refers forms part of Annex I.

Article 5

1. The exact line of the new frontiers laid down in Articles 2, 3, 4 and 22 of the present Treaty shall be determined on the spot by Boundary Commissions composed of the representatives of the two Governments concerned.

2. The Commissions shall begin their work immediately on the coming into force of the present Treaty, and shall complete it as soon as possible and in any case within a period of six months.

3. Any questions which the Commissions are unable to agree upon will be referred to the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, acting as provided in Article 86, for final settlement by such methods as they may determine, including, where necessary, the appointment of an impartial third Commissioner.

4. The expenses of the Boundary Commissions will be borne in equal parts by the two Governments concerned.

5. For the purpose of determining on the spot the exact frontier laid down in Articles 3, 4 and 22, the Commissioners shall be allowed to depart by 0.5 kilometer from the line laid down in the present Treaty in order to adjust the frontier to local geographical and economic conditions, provided that no village or town of more than 500 inhabitants, no important railroads or highways, and no major power or water supplies are placed under a sovereignty other than that resulting from the delimitations laid down in the present Treaty.

SECTION II—FRANCE (Special Clauses)

Article 6

Italy hereby cedes to France in full sovereignty the former Italian territory situated on the French side of the Franco-Italian frontier defined in Article 2.

Article 7

The Italian Government shall hand over to the French Government all archives, historical and administrative, prior to 1860, which concern the territory ceded to France under the Treaty of March 24, 1860, and the Convention of August 23, 1860.

Article 8

1. The Italian Government shall co-operate with the French Government for the possible establishment of a railway connection between Briançon and Modane, via Bardonnèche.

2. The Italian Government shall authorize, free of customs duty and inspection, passport and other such formalities, the passenger and freight railway traffic travelling on the connection thus established, through Italian territory, from one point to another in France, in both directions; and shall take all necessary measures to ensure that the French trains using the said connection are allowed, under the same conditions, to pass duty free and without unjustifiable delay.

3. The necessary arrangements shall be concluded in due course between the two Governments.

Article 9

1. *Plateau of Mont Cenis*

In order to secure to Italy the same facilities as Italy enjoyed in respect of hydro-electric power and water supply from the Lake of Mont Cenis before cession of this district to France, the latter shall give Italy under a bilateral agreement the technical guarantees set out in Annex III.

2. *The Tenda-Briga District*

In order that Italy shall not suffer any diminution in the supplies of electric power which Italy has drawn from sources existing in the Tenda-Briga district before its cession to France, the latter shall give Italy under a bilateral agreement the technical guarantees set out in Annex III.

SECTION III—AUSTRIA (Special Clauses)

Article 10

1. Italy shall enter into or confirm arrangements with Austria to guarantee free movement of passenger and freight traffic between the North and East Tyrol.

2. The Allied and Associated Powers have taken note of the provisions (the text of which is contained in Annex IV) agreed upon by the Austrian and Italian Governments on September 5, 1946.

SECTION IV—PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA
(Special Clauses)

Article 11

1. Italy hereby cedes to Yugoslavia in full sovereignty the territory situated between the new frontiers of Yugoslavia as defined in Articles 3 and 22 and the Italo-Yugoslav frontier as it existed on January 1, 1938, as well as the commune of Zara and all islands and adjacent islets lying within the following areas:

(a) The area bounded:

On the north by the parallel of 42° 50′ N.;
On the south by the parallel of 42° 42′ N.;
On the east by the meridian of 17° 10′ E.;
On the west by the meridian of 16° 25′ E.;

(b) The area bounded:

On the north by a line passing through the Porto del Quieto, equidistant from the coastline of the Free Territory of Trieste and Yugoslavia, and thence to the point 45° 15′ N., 13° 24′ E.;

On the south by the parallel 44° 23′ N.;

On the west by a line connecting the following points:

1) 45° 15′ N.—13° 24′ E.;
2) 44° 51′ N.—13° 37′ E.;
3) 44° 23′ N.—14° 18′ 30″ E.

On the east by the west coast of Istria, the islands and the mainland of Yugoslavia.

A chart of these areas is contained in Annex I.

2. Italy hereby cedes to Yugoslavia in full sovereignty the island of Pelagosa and the adjacent islets.

The island of Pelagosa shall remain demilitarised.

Italian fishermen shall enjoy the same rights in Pelagosa and the surrounding waters as were there enjoyed by Yugoslav fishermen prior to April 6, 1941.

Article 12

1. Italy shall restore to Yugoslavia all objects of artistic, historical, scientific, educational or religious character (including all deeds, manuscripts, documents and bibliographical material) as well as administrative archives (files, registers, plans and documents of any kind) which, as the result of the Italian occupation, were removed between November 4, 1918, and March 2, 1924, from the territories ceded to Yugoslavia under the treaties signed in Rapallo on November 12, 1920, and in Rome on January 27, 1924. Italy shall also restore all objects belonging to those territories and falling into the above categories, removed by the Italian Armistice Mission which operated in Vienna after the first World War.

2. Italy shall deliver to Yugoslavia all objects having juridically the character of public property and coming within the categories in paragraph 1 of the present Article, removed since November 4, 1918, from the territory which under the present Treaty is ceded to Yugoslavia, and those connected with the said territory which Italy received from Austria or Hungary under the Peace Treaties signed in St. Germain on September 10, 1919, and in the Trianon on June 4, 1920, and under the convention between Austria and Italy, signed in Vienna on May 4, 1920.

3. If, in particular cases, Italy is unable to restore or hand over to Yugoslavia the objects coming under paragraphs 1 and 2 of this Article, Italy shall hand over to Yugoslavia objects of the same kind as, and of approximately equivalent value to, the objects removed, in so far as such objects are obtainable in Italy.

Article 13

The water supply for Gorizia and its vicinity shall be regulated in accordance with the provisions of Annex V.

SECTION V—GREECE (Special Clause)

Article 14

1. Italy hereby cedes to Greece in full sovereignty the Dodecanese Islands indicated hereafter, namely Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), Cos (Kos) and Castellorizo, as well as the adjacent islets.

2. These islands shall be and shall remain demilitarised.

3. The procedure and the technical conditions governing the transfer of these islands to Greece will be determined by agreement between the Governments of the United Kingdom and Greece and arrangements shall be made for the withdrawal of foreign troops not later than 90 days from the coming into force of the present Treaty.

PART II

POLITICAL CLAUSES

SECTION I—GENERAL CLAUSES

Article 15

Italy shall take all measures necessary to secure to all persons under Italian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

Article 16

Italy shall not prosecute or molest Italian nationals, including members of the armed forces, solely on the ground that during the period from June 10, 1940, to the coming into force of the present Treaty, they expressed sympathy with or took action in support of the cause of the Allied and Associated Powers.

Article 17

Italy, which, in accordance with Article 30 of the Armistice Agreement, has taken measures to dissolve the Fascist organizations in Italy, shall not permit the resurgence on Italian territory of such organizations, whether political, military or semi-military, whose purpose it is to deprive the people of their democratic rights.

Article 18

Italy undertakes to recognize the full force of the Treaties of Peace with Roumania, Bulgaria, Hungary and Finland and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

SECTION II — NATIONALITY. CIVIL AND POLITICAL RIGHTS

Article 19

1. Italian citizens who were domiciled on June 10, 1940, in territory transferred by Italy to another State under the present Treaty, and their children born after that date, shall, except as provided in the following paragraph, become citizens with full civil and political rights of the State to which the territory is transferred, in accordance with legislation to that effect to be introduced by that State within three months from the coming into force of the present Treaty. Upon becoming citizens of the State concerned they shall lose their Italian citizenship.

2. The Government of the State to which the territory is transferred shall, by appropriate legislation within three months from the coming into force of the present Treaty, provide that all persons referred to in paragraph 1 over the age of eighteen years (or married persons whether under or over that age) whose customary language is Italian, shall be entitled to opt for Italian citizenship within a period of one year from the coming into force of the present Treaty. Any person so opting shall retain Italian citizenship and shall not be considered to have acquired the citizenship of the State to which the territory is transferred. The option of the husband shall not constitute an option on the part of the wife. Option on the part of the father, or, if the father is not alive, on the part of the mother, shall, however, automatically include all unmarried children under the age of eighteen years.

3. The State to which the territory is transferred may require those who take advantage of the option to move to Italy within a year from the date when the option was exercised.

4. The State to which the territory is transferred shall, in accordance with its fundamental laws, secure to all persons within the territory, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

Article 20

1. Within a period of one year from the coming into force of the present Treaty, Italian citizens over 18 years of age (or married persons whether under or over that age), whose customary language is one of the Yugoslav

languages (Serb, Croat or Slovene), and who are domiciled on Italian territory may, upon filing a request with a Yugoslav diplomatic or consular representative in Italy, acquire Yugoslav nationality if the Yugoslav authorities accept their request.

2. In such cases, the Yugoslav Government will communicate to the Italian Government through the diplomatic channel lists of the persons who have thus acquired Yugoslav nationality. The persons mentioned in such lists will lose their Italian nationality on the date of such official communication.

3. The Italian Government may require such persons to transfer their residence to Yugoslavia within a period of one year from the date of such official communication.

4. For the purposes of this Article, the rules relating to the effect of options on wives and on children, set forth in Article 19, paragraph 2, shall apply.

5. The provisions of Annex XIV, paragraph 10 of the present Treaty, applying to the transfer of properties belonging to persons who opt for Italian nationality, shall equally apply to the transfer of properties belonging to persons who opt for Yugoslav nationality under this Article.

SECTION III—FREE TERRITORY OF TRIESTE

Article 21

1. There is hereby constituted the Free Territory of Trieste, consisting of the area lying between the Adriatic Sea and the boundaries defined in Articles 4 and 22 of the present Treaty. The Free Territory of Trieste is recognized by the Allied and Associated Powers and by Italy, which agree that its integrity and independence shall be assured by the Security Council of the United Nations.

2. Italian sovereignty over the area constituting the Free Territory of Trieste, as above defined, shall be terminated upon the coming into force of the present Treaty.

3. On the termination of Italian sovereignty, the Free Territory of Trieste shall be governed in accordance with an instrument for a provisional regime drafted by the Council of Foreign Ministers and approved by the Security Council. This Instrument shall remain in force until such date as

the Security Council shall fix for the coming into force of the Permanent Statute which shall have been approved by it. The Free Territory shall thenceforth be governed by the provisions of such Permanent Statute. The texts of the Permanent Statute and of the Instrument for the Provisional Regime are contained in Annexes VI and VII.

4. The Free Territory of Trieste shall not be considered as ceded territory within the meaning of Article 19 and Annex XIV of the present Treaty.

5. Italy and Yugoslavia undertake to give to the Free Territory of Trieste the guarantees set out in Annex IX.

Article 22

The frontier between Yugoslavia and the Free Territory of Trieste shall be fixed as follows:

(i) The line starts from a point on the administrative boundary between the provinces of Gorizia and Trieste, approximately 2 kilometers northeast of the village of San Giovanni and approximately 0.5 kilometer northwest of point 208, forming the junction of the frontiers of Yugoslavia, Italy and the Free Territory of Trieste, and follows this administrative boundary as far as Monte Lanaro (point 546); thence it extends southeastward as far as Monte Cocusso (point 672) through point 461, Meducia (point 475), Monte dei Pini (point 476) and point 407, crossing Highway No. 58, from Trieste to Sesana, about 3.3 kilometers to the southwest of this town, and leaving the villages of Vogliano and Orle to the east, and at approximately 0.4 kilometer to the west, the village of Zolla.

(ii) From Monte Cocusso, the line, continuing southeastward leaving the village of Grozzana to the west, reaches Monte Goli (point 621), then turning southwestward, crosses the road from Trieste to Cosina at point 455 and the railway at point 485, passes by points 416 and 326, leaving the villages of Beca and Castel in Yugoslav territory, crosses the road from Ospo to Gabrovizza d'Istria about 100 meters to the southeast of Ospo; then crosses the river Risana and the road from Villa Decani to Risano at a point about 350 meters west of the latter village, the village of Rosario and the road from Risano to San Sergio being left in Yugoslav territory; from this point the line proceeds as far as the cross roads situated about 1 kilometer northeastward of point 362, passing by points 285 and 354.

(iii) Thence, the line runs as far as a point about 0.5 kilometer east of the village of Cernova, crossing the river Dragogna about 1 kilometer north of this village, leaving the villages of Bucciai and Truscolo to the west and the village of Tersecco to the east, it then runs southwestward to the southeast of the road connecting the villages of Cernova and Chervoi, leaving this road 0.8 kilometer to the east of the village of Cucciani; it then runs in a general south-southwesterly direction, passing about 0.4 kilometer east of Monte Braico and at about 0.4 kilometer west of the village of Sterna Filaria, leaving the road running from this village to Piemonte to the east, passing about 0.4 kilometer west of the town of Piemonte and about 0.5 kilometer east of the town of Castagna and reaching the river Quieto at a point approximately 1.6 kilometer southwest of the town of Castagna.

(iv) Thence the line follows the main improved channel of the Quieto to its mouth, passing through Porto del Quieto to the high seas by following a line placed equidistant from the coastlines of the Free Territory of Trieste and Yugoslavia.

The map to which this description refers forms part of Annex I.

SECTION IV—ITALIAN COLONIES

Article 23

1. Italy renounces all right and title to the Italian territorial possessions in Africa, i. e. Libya, Eritrea and Italian Somaliland.

2. Pending their final disposal, the said possessions shall continue under their present administration.

3. The final disposal of these possessions shall be determined jointly by the Governments of the Soviet Union, of the United Kingdom, of the United States of America, and of France within one year from the coming into force of the present Treaty, in the manner laid down in the joint declaration of February 10, 1947, issued by the said Governments, which is reproduced in Annex XI.

SECTION V—SPECIAL INTERESTS OF CHINA

Article 24

Italy renounces in favour of China all benefits and privileges resulting from the provisions of the final Protocol signed at Pekin on September 7, 1901, and all annexes, notes and documents supplementary thereto, and

agrees to the abrogation in respect of Italy of the said protocol, annexes, notes and documents. Italy likewise renounces any claim thereunder to an indemnity.

Article 25

Italy agrees to the cancellation of the lease from the Chinese Government under which the Italian Concession at Tientsin was granted, and to the transfer to the Chinese Government of any property and archives belonging to the municipality of the said Concession.

Article 26

Italy renounces in favour of China the rights accorded to Italy in relation to the International Settlements at Shanghai and Amoy, and agrees to the reversion of the said Settlements to the administration and control of the Chinese Government.

SECTION VI—ALBANIA

Article 27

Italy recognises and undertakes to respect the sovereignty and independence of the State of Albania.

Article 28

Italy recognises that the Island of Saseno is part of the territory of Albania and renounces all claims thereto.

Article 29

Italy formally renounces in favour of Albania all property (apart from normal diplomatic or consular premises), rights, concessions, interests and advantages of all kinds in Albania, belonging to the Italian State or Italian para-statal institutions. Italy likewise renounces all claims to special interests or influence in Albania, acquired as a result of the aggression of April 7, 1939, or under treaties or agreements concluded before that date.

The economic clauses of the present Treaty, applicable to the Allied and Associated Powers, shall apply to other Italian property and other economic relations between Albania and Italy.

Article 30

Italian nationals in Albania will enjoy the same juridical status as other foreign nationals, but Italy recognises the legality of all Albanian

measures annulling or modifying concessions or special rights granted to Italian nationals provided that such measures are taken within a year from the coming into force of the present Treaty.

Article 31

Italy recognises that all agreements and arrangements made between Italy and the authorities installed in Albania by Italy from April 7, 1939, to September 3, 1943, are null and void.

Article 32

Italy recognises the legality of any measures which Albania may consider necessary to take in order to confirm or give effect to the preceding provisions.

SECTION VII—ETHIOPIA

Article 33

Italy recognises and undertakes to respect the sovereignty and independence of the State of Ethiopia.

Article 34

Italy formally renounces in favour of Ethiopia all property (apart from normal diplomatic or consular premises), rights, interests and advantages of all kinds acquired at any time in Ethiopia by the Italian State, as well as all para-statal property as defined in paragraph 1 of Annex XIV of the present Treaty.

Italy also renounces all claims to special interests or influence in Ethiopia.

Article 35

Italy recognises the legality of all measures which the Government of Ethiopia has taken or may hereafter take in order to annul Italian measures respecting Ethiopia taken after October 3, 1935, and the effects of such measures.

Article 36

Italian nationals in Ethiopia will enjoy the same juridical status as other foreign nationals, but Italy recognises the legality of all measures of the Ethiopian Government annulling or modifying concessions or special rights granted to Italian nationals, provided such measures are taken within a year from the coming into force of the present Treaty.

Article 37

Within eighteen months from the coming into force of the present Treaty, Italy shall restore all works of art, religious objects, archives and objects of historical value belonging to Ethiopia or its nationals and removed from Ethiopia to Italy since October 3, 1935.

Article 38

The date from which the provisions of the present Treaty shall become applicable as regards all measures and acts of any kind whatsoever entailing the responsibility of Italy or of Italian nationals towards Ethiopia, shall be held to be October 3, 1935.

SECTION VIII—INTERNATIONAL AGREEMENTS

Article 39

Italy undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations, the Permanent Court of International Justice and also the International Financial Commission in Greece.

Article 40

Italy hereby renounces all rights, titles and claims deriving from the mandate system or from any undertakings given in connection therewith, and all special rights of the Italian State in respect of any mandated territory.

Article 41

Italy recognises the provisions of the Final Act of August 31, 1945, and of the Franco-British Agreement of the same date on the Statute of Tangier, as well as all provisions which may be adopted by the Signatory Powers for carrying out these instruments.

Article 42

Italy shall accept and recognise any arrangements which may be made by the Allied and Associated Powers concerned for the modification of the Congo Basin Treaties with a view to bringing them into accord with the Charter of the United Nations.

Article 43

Italy hereby renounces any rights and interests she may possess by virtue of Article 16 of the Treaty of Lausanne signed on July 24, 1923.

SECTION IX—BILATERAL TREATIES

Article 44

1. Each Allied or Associated Power will notify Italy, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Italy it desires to keep in force or revive. Any provisions not in conformity with the present Treaty shall, however, be deleted from the above-mentioned treaties.

2. All such treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

PART III

WAR CRIMINALS

Article 45

1. Italy shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;

(b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Italy shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, who will reach agreement with regard to the difficulty.

PART IV

NAVAL, MILITARY AND AIR CLAUSES

SECTION I—DURATION OF APPLICATION

Article 46

Each of the military, naval and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Italy or, after Italy becomes a member of the United Nations, by agreement between the Security Council and Italy.

SECTION II—GENERAL LIMITATIONS

Article 47

1. *(a)* The system of permanent Italian fortifications and military installations along the Franco-Italian frontier, and their armaments, shall be destroyed or removed

(b) This system is deemed to comprise only artillery and infantry fortifications whether in groups or separated, pillboxes of any type, protected accommodation for personnel, stores and ammunition, observation posts and military cableways, whatever may be their importance and actual condition of maintenance or state of construction, which are constructed of metal, masonry or concrete or excavated in the rock.

2. The destruction or removal, mentioned in paragraph 1 above, is limited to a distance of 20 kilometers from any point on the frontier as defined by the present Treaty, and shall be completed within one year from the coming into force of the Treaty.

3. Any reconstruction of the above-mentioned fortifications and installations is prohibited.

4. *(a)* The following construction to the east of the Franco-Italian frontier is prohibited: permanent fortifications where weapons capable of firing into French territory or territorial waters can be emplaced; permanent military installations capable of being used to conduct or direct fire into French territory or territorial waters; and permanent supply and storage facilities emplaced solely for the use of the above-mentioned fortifications and installations.

(b) This prohibition does not include other types of non-permanent fortifications or surface accommodations and installations which are designed

to meet only requirements of an internal character and of local defence of the frontiers.

5. In a coastal area 15 kilometers deep, stretching from the Franco-Italian frontier to the meridian of 9°30′E., Italy shall not establish any new, nor expand any existing, naval bases or permanent naval installations. This does not prohibit minor alterations to, nor the maintenance in good repair of, existing naval installations provided that their overall capacity will not thereby be increased.

Article 48

1. *(a)* Any permanent Italian fortifications and military installations along the Italo-Yugoslav frontier, and their armaments, shall be destroyed or removed.

(b) These fortifications and installations are deemed to comprise only artillery and infantry fortifications whether in groups or separated, pill-boxes of any type, protected accommodation for personnel, stores and ammunition, observation posts and military cableways, whatever may be their importance and actual condition of maintenance or state of construction, which are constructed of metal, masonry or concrete or excavated in the rock.

2. The destruction or removal, mentioned in paragraph 1 above, is limited to a distance of 20 kilometers from any point on the frontier, as defined by the present Treaty, and shall be completed within one year from the coming into force of the Treaty.

3. Any reconstruction of the above-mentioned fortifications and installations is prohibited.

4. *(a)* The following construction to the west of the Italo-Yugoslav frontier is prohibited: permanent fortifications where weapons capable of firing into Yugoslav territory or territorial waters can be emplaced; permanent military installations capable of being used to conduct or direct fire into Yugoslav territory or territorial waters; and permanent supply and storage facilities emplaced solely for the use of the above-mentioned fortifications and installations.

(b) This prohibition does not include other types of non-permanent fortifications or surface accommodations and installations which are designed to meet only requirements of an internal character and of local defence of the frontiers.

5. In a coastal area 15 kilometers deep, stretching from the frontier between Italy and Yugoslavia and between Italy and the Free Territory of Trieste to the latitude of 44° 50′ N. and in the islands adjacent to this coast, Italy shall not establish any new, nor expand any existing, naval bases or permanent naval installations. This does not prohibit minor alterations to, nor the maintenance in good repair of, existing naval installations and bases provided that their overall capacity will not thereby be increased.

6. In the Apulian Peninsula east of longitude 17° 45′ E., Italy shall not construct any new permanent military, naval or military air installations nor expand existing installations. This does not prohibit minor alterations to, nor the maintenance in good repair of, existing installations provided that their overall capacity will not thereby be increased. Accommodation for such security forces as may be required for tasks of an internal character and local defence of frontiers will, however, be permitted.

Article 49

1. Pantellaria, the Pelagian Islands (Lampedusa, Lampione and Linosa) and Pianosa (in the Adriatic) shall be and shall remain demilitarised.

2. Such demilitarisation shall be completed within one year from the coming into force of the present Treaty.

Article 50

1. In Sardinia all permanent coast defence artillery emplacements and their armaments and all naval installations which are located within a distance of 30 kilometers from French territorial waters shall be removed to the mainland of Italy or demolished within one year from the coming into force of the present Treaty.

2. In Sicily and Sardinia all permanent installations and equipment for the maintenance and storage of torpedoes, sea mines and bombs shall be demolished or removed to the mainland of Italy within one year from the coming into force of the present Treaty.

3. No improvements to, reconstruction of, or extensions of existing installations or permanent fortifications in Sicily and Sardinia shall be permitted; however, with the exception of the northern Sardinia areas described in paragraph 1 above, normal maintenance of such installations

or permanent fortifications and weapons already installed in them may take place.

4. In Sicily and Sardinia Italy shall be prohibited from constructing any naval, military and air force installations or fortifications except for such accommodation for security forces as may be required for tasks of an internal character.

Article 51

Italy shall not possess, construct or experiment with *(i)* any atomic weapon, *(ii)* any self-propelled or guided missiles or apparatus connected with their discharge (other than torpedoes and torpedo-launching gear comprising the normal armament of naval vessels permitted by the present Treaty), *(iii)* any guns with a range of over 30 kilometers, *(iv)* sea mines or torpedoes of non-contact types actuated by influence mechanisms, *(v)* any torpedoes capable of being manned.

Article 52

The acquisition of war material of German or Japanese origin or design, either from inside or outside Italy, or its manufacture, is prohibited to Italy.

Article 53

Italy shall not manufacture or possess, either publicly or privately, any war material different in type from, or exceeding in quantity, that required for the forces permitted in Sections III, IV and V below.

Article 54

The total number of heavy and medium tanks in the Italian armed forces shall not exceed 200.

Article 55

In no case shall any officer or non-commissioned officer of the former Fascist Militia or of the former Fascist Republican Army be permitted to hold officer's or non-commissioned officer's rank in the Italian Navy, Army, Air Force or Carabinieri, with the exception of such persons as shall have been exonerated by the appropriate body in accordance with Italian law.

SECTION III — LIMITATION OF THE ITALIAN NAVY

Article 56

1. The present Italian Fleet shall be reduced to the units listed in Annex XII A.

2. Additional units not listed in Annex XII and employed only for the specific purpose of minesweeping, may continue to be employed until the end of the mine clearance period as shall be determined by the International Central Board for Mine Clearance of European Waters.

3. Within two months from the end of the said period, such of these vessels as are on loan to the Italian Navy from other Powers shall be returned to those Powers, and all other additional units shall be disarmed and converted to civilian use.

Article 57

1. Italy shall effect the following disposal of the units of the Italian Navy specified in Annex XII B:

(a) The said units shall be placed at the disposal of the Governments of the Soviet Union, of the United Kingdom, of the United States of America, and of France;

(b) Naval vessels required to be transferred in compliance with sub-paragraph *(a)* above shall be fully equipped, in operational condition including a full outfit of armament stores, and complete with on-board spare parts and all necessary technical data;

(c) The transfer of the naval vessels mentioned above shall be effected within three months from the coming into force of the present Treaty, except that, in the case of naval vessels that cannot be refitted within three months, the time limit for the transfer may be extended by the Four Governments;

(d) Reserve allowance of spare parts and armament stores for the naval vessels mentioned above shall, as far as possible, be supplied with the vessels.

The balance of reserve spare parts and armament stores shall be supplied to an extent and at dates to be decided by the Four Governments, in any case within a maximum of one year from the coming into force of the present Treaty.

2. Details relating to the above transfers will be arranged by a Four Power Commission to be established under a separate protocol.

3. In the event of loss or damage, from whatever cause, to any of the vessels in Annex XII B scheduled for transfer, and which cannot be made good by the agreed date for transfer of the vessel or vessels concerned, Italy undertakes to replace such vessel or vessels by equivalent tonnage from the

list in Annex XII A, the actual vessel or vessels to be substituted being selected by the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France.

Article 58

1. Italy shall effect the following disposal of submarines and non-operational naval vessels. The time limits specified below shall be taken as commencing with the coming into force of the present Treaty.

(a) Surface naval vessels afloat not listed in Annex XII, including naval vessels under construction afloat, shall be destroyed or scrapped for metal within nine months.

(b) Naval vessels under construction on slips shall be destroyed or scrapped for metal within nine months.

(c) Submarines afloat and not listed in Annex XII B shall be sunk in the open sea in a depth of over 100 fathoms within three months.

(d) Naval vessels sunk in Italian harbours and approach channels, in obstruction of normal shipping, shall, within two years, either be destroyed on the spot or salvaged and subsequently destroyed or scrapped for metal.

(e) Naval vessels sunk in shallow Italian waters not in obstruction of normal shipping shall within one year be rendered incapable of salvage.

(f) Naval vessels capable of reconversion which do not come within the definition of war material, and which are not listed in Annex XII, may be reconverted to civilian uses or are to be demolished within two years.

2. Italy undertakes, prior to the sinking or destruction of naval vessels and submarines as provided for in the preceding paragraph, to salvage such equipment and spare parts as may be useful in completing the on-board and reserve allowances of spare parts and equipment to be supplied, in accordance with Article 57, paragraph 1, for all ships specified in Annex XII B.

3. Under the supervision of the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, Italy may also salvage such equipment and spare parts of a non-warlike character as are readily adaptable for use in Italian civil economy.

Article 59

1. No battleship shall be constructed, acquired or replaced by Italy.

2. No aircraft carrier, submarine or other submersible craft, motor torpedo boat or specialised types of assault craft shall be constructed, acquired, employed or experimented with by Italy.

3. The total standard displacement of the war vessels, other than battleships, of the Italian Navy, including vessels under construction after the date of launching, shall not exceed 67,500 tons.

4. Any replacement of war vessels by Italy shall be effected within the limit of tonnage given in paragraph 3. There shall be no restriction on the replacement of auxiliary vessels.

5. Italy undertakes not to acquire or lay down any war vessels before January 1, 1950, except as necessary to replace any vessel, other than a battleship, accidentally lost, in which case the displacement of the new vessel is not to exceed by more than ten per cent the displacement of the vessel lost.

6. The terms used in this Article are, for the purposes of the present Treaty, defined in Annex XIII A.

Article 60

1. The total personnel of the Italian Navy, excluding any naval air personnel, shall not exceed 25,000 officers and men.

2. During the mine clearance period as determined by the International Central Board for Mine Clearance of European Waters, Italy shall be authorized to employ for this purpose an additional number of officers and men not to exceed 2,500.

3. Permanent naval personnel in excess of that permitted under paragraph 1 shall be progressively reduced as follows, time limits being taken as commencing with the coming into force of the present Treaty:

(a) To 30,000 within six months;

(b) To 25,000 within nine months.

Two months after the completion of minesweeping by the Italian Navy, the excess personnel authorized by paragraph 2 is to be disbanded or absorbed within the above numbers.

4. Personnel, other than those authorized under paragraphs 1 and 2, and other than any naval air personnel authorized under Article 65, shall not receive any form of naval training as defined in Annex XIII B.

SECTION IV—LIMITATION OF THE ITALIAN ARMY

Article 61

The Italian Army, including the Frontier Guards, shall be limited to a force of 185,000 combat, service and overhead personnel and 65,000

Carabinieri, though either of the above elements may be varied by 10,000 as long as the total ceiling does not exceed 250,000. The organisation and armament of the Italian ground forces, as well as their deployment throughout Italy, shall be designed to meet only tasks of an internal character, local defence of Italian frontiers and anti-aircraft defence.

Article 62

The Italian Army, in excess of that permitted under Article 61 above, shall be disbanded within six months from the coming into force of the present Treaty.

Article 63

Personnel other than those forming part of the Italian Army or Carabinieri shall not receive any form of military training as defined in Annex XIII B.

SECTION V—LIMITATION OF THE ITALIAN AIR FORCE

Article 64

1. The Italian Air Force, including any naval air arm, shall be limited to a force of 200 fighter and reconnaissance aircraft and 150 transport, air-sea rescue, training (school type) and liaison aircraft. These totals include reserve aircraft. All aircraft except for fighter and reconnaissance aircraft shall be unarmed. The organisation and armament of the Italian Air Force as well as their deployment throughout Italy shall be designed to meet only tasks of an internal character, local defence of Italian frontiers and defence against air attack.

2. Italy shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

Article 65

1. The personnel of the Italian Air Force, including any naval air personnel, shall be limited to a total of 25,000 effectives, which shall include combat, service and overhead personnel.

2. Personnel other than those forming part of the Italian Air Force shall not receive any form of military air training as defined in Annex XIII B.

Article 66

The Italian Air Force, in excess of that permitted under Article 65 above, shall be disbanded within six months from the coming into force of the present Treaty.

SECTION VI—DISPOSAL OF WAR MATERIAL
(as defined in ANNEX XIII C)

Article 67

1. All Italian war material in excess of that permitted for the armed forces specified in Sections III, IV and V shall be placed at the disposal of the Governments of the Soviet Union, of the United Kingdom, of the United States of America, and of France, according to such instructions as they may give to Italy.

2. All Allied war material in excess of that permitted for the armed forces specified in Sections III, IV and V shall be placed at the disposal of the Allied or Associated Power concerned according to the instructions to be given to Italy by the Allied or Associated Power concerned.

3. All German and Japanese war material in excess of that permitted for the armed forces specified in Sections III, IV and V, and all German or Japanese drawings, including existing blueprints, prototypes, experimental models and plans, shall be placed at the disposal of the Four Governments in accordance with such instructions as they may give to Italy.

4. Italy shall renounce all rights to the above-mentioned war material and shall comply with the provisions of this Article within one year from the coming into force of the present Treaty except as provided for in Articles 56 to 58 thereof.

5. Italy shall furnish to the Four Governments lists of all excess war material within six months from the coming into force of the present Treaty.

SECTION VII—PREVENTION OF GERMAN AND JAPANESE REARMAMENT

Article 68

Italy undertakes to co-operate fully with the Allied and Associated Powers with a view to ensuring that Germany and Japan are unable to take steps outside German and Japanese territories towards rearmament.

Article 69

Italy undertakes not to permit the employment or training in Italy of any technicians, including military or civil aviation personnel, who are or have been nationals of Germany or Japan.

Article 70

Italy undertakes not to acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

SECTION VIII—PRISONERS OF WAR

Article 71

1. Italian prisoners of war shall be repatriated as soon as possible in accordance with arrangements agreed upon by the individual Powers detaining them and Italy.

2. All costs, including maintenance costs, incurred in moving Italian prisoners of war from their respective assembly points, as chosen by the Government of the Allied or Associated Power concerned, to the point of their entry into Italian territory, shall be borne by the Italian Government.

SECTION IX—MINE CLEARANCE

Article 72

As from the coming into force of the present Treaty, Italy will be invited to join the Mediterranean Zone Board of the International Organisation for Mine Clearance of European Waters, and shall maintain at the disposal of the Central Mine Clearance Board all Italian minesweeping forces until the end of the post-war mine clearance period as determined by the Central Board.

PART V

WITHDRAWAL OF ALLIED FORCES

Article 73

1. All armed forces of the Allied and Associated Powers shall be withdrawn from Italy as soon as possible and in any case not later than 90 days from the coming into force of the present Treaty.

2. All Italian goods for which compensation has not been made and which are in possession of the armed forces of the Allied and Associated Powers in Italy at the coming into force of the present Treaty shall be returned to the Italian Government within the same period of 90 days or due compensation shall be made.

3. All bank and cash balances in the hands of the forces of the Allied and Associated Powers at the coming into force of the present Treaty which have been supplied free of cost by the Italian Government shall similarly be returned or a corresponding credit given to the Italian Government.

PART VI

CLAIMS ARISING OUT OF THE WAR

SECTION I—REPARATION

Article 74

A. *REPARATION FOR THE UNION OF SOVIET SOCIALIST REPUBLICS*

1. Italy shall pay the Soviet Union reparation in the amount of $100,000,000 during a period of seven years from the coming into force of the present Treaty. Deliveries from current industrial production shall not be made during the first two years.

2. Reparation shall be made from the following sources:

(a) A share of the Italian factory and tool equipment designed for the manufacture of war material, which is not required by the permitted military establishments, which is not readily susceptible of conversion to civilian purposes and which will be removed from Italy pursuant to Article 67 of the present Treaty;

(b) Italian assets in Roumania, Bulgaria and Hungary, subject to the exceptions specified in paragraph 6 of Article 79;

(c) Italian current industrial production, including production by extractive industries.

3. The quantities and types of goods to be delivered shall be the subject of agreements between the Governments of the Soviet Union and of Italy, and shall be selected and deliveries shall be scheduled in such a way as to avoid interference with the economic reconstruction of Italy and the imposition of additional liabilities on other Allied or Associated Powers. Agreements concluded under this paragraph shall be communicated to the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France.

4. The Soviet Union shall furnish to Italy on commercial terms the materials which are normally imported into Italy and which are needed for the production of these goods. Payments for these materials shall be made by deducting the value of the materials furnished from the value of the goods delivered to the Soviet Union.

5. The Four Ambassadors shall determine the value of the Italian assets to be transferred to the Soviet Union.

6. The basis of calculation for the settlement provided in this Article will be the United States dollar at its gold parity on July 1, 1946, i.e. $35 for one ounce of gold.

B. *REPARATION FOR ALBANIA, ETHIOPIA, GREECE AND YUGOSLAVIA*

1. Italy shall pay reparation to the following States:

Albania in the amount of	$5,000,000
Ethiopia in the amount of	$25,000,000
Greece in the amount of	$105,000,000
Yugoslavia in the amount of	$125,000,000

These payments shall be made during a period of seven years from the coming into force of the present Treaty. Deliveries from current industrial production shall not be made during the first two years.

2. Reparation shall be made from the following sources:

(a) A share of the Italian factory and tool equipment designed for the manufacture of war material, which is not required by the permitted military establishments, which is not readily susceptible of conversion to civilian purposes and which will be removed from Italy pursuant to Article 67 of the present Treaty;

(b) Italian current industrial production, including production by extractive industries;

(c) All other categories of capital goods or services, excluding Italian assets which, under Article 79 of the present Treaty, are subject to the jurisdiction of the States mentioned in paragraph 1 above. Deliveries under this paragraph shall include either or both of the passenger vessels *Saturnia* and *Vulcania,* if, after their value has been determined by the Four Ambassadors, they are claimed within 90 days by one of the States mentioned in paragraph 1 above. Such deliveries may also include seeds.

3. The quantities and types of goods and services to be delivered shall be the subject of agreements between the Governments entitled to receive reparation and the Italian Government, and shall be selected and deliveries shall be scheduled in such a way as to avoid interference with the economic reconstruction of Italy and the imposition of additional liabilities on other Allied or Associated Powers.

4. The States entitled to receive reparation from current industrial production shall furnish to Italy on commercial terms the materials which are normally imported into Italy and which are needed for the production of these goods. Payment for these materials shall be made by deducting the value of the materials furnished from the value of the goods delivered.

5. The basis of calculation for the settlement provided in this Article will be the United States dollar at its gold parity on July 1, 1946, i.e. $35 for one ounce of gold.

6. Claims of the States mentioned in paragraph 1 of part B of this Article, in excess of the amounts of reparation specified in that paragraph, shall be satisfied out of the Italian assets subject to their respective jurisdictions under Article 79 of the present Treaty.

7. *(a)* The Four Ambassadors will coordinate and supervise the execution of the provisions of part B of this Article. They will consult with the Heads of the Diplomatic Missions in Rome of the States named in paragraph 1 of part B and, as circumstances may require, with the Italian Government, and advise them. For the purpose of this Article, the Four Ambassadors will continue to act until the expiration of the period for reparation deliveries provided in paragraph 1 of part B.

(b) With a view to avoiding conflict or overlapping in the allocation of Italian production and resources among the several States entitled to reparation under part B of this Article, the Four Ambassadors shall be informed by any one of the Governments entitled to reparation under part B of this Article and by the Italian Government of the opening of negotiations for an agreement under paragraph 3 above and of the progress of such negotiations. In the event of any differences arising in the course of the negotiations the Four Ambassadors shall be competent to decide any point submitted to them by either Government or by any other Government entitled to reparation under part B of this Article.

(c) Agreements when concluded shall be communicated to the Four Ambassadors. The Four Ambassadors may recommend that an agreement which is not, or has ceased to be, in consonance with the objectives set out in paragraph 3 or sub-paragraph *(b)* above be appropriately modified.

C. *SPECIAL PROVISION FOR EARLIER DELIVERIES*

With respect to deliveries from current industrial production, as provided in part A, paragraph 2 *(c)* and part B, paragraph 2 *(b)*, nothing in

either part A or part B of this Article shall be deemed to prevent deliveries during the first two years, if such deliveries are made in accordance with agreements between the Government entitled to reparation and the Italian Government.

D. *REPARATION FOR OTHER STATES*

1. Claims of the other Allied and Associated Powers shall be satisfied out of the Italian assets subject to their respective jurisdictions under Article 79 of the present Treaty.

2. The claims of any State which is receiving territories under the present Treaty and which is not mentioned in part B of this Article shall also be satisfied by the transfer to the said State, without payment, of the industrial installations and equipment situated in the ceded territories and employed in the distribution of water, and the production and distribution of gas and electricity, owned by any Italian company whose *siège social* is in Italy or is transferred to Italy, as well as by the transfer of all other assets of such companies in ceded territories.

3. Responsibility for the financial obligations secured by mortgages, liens and other charges on such property shall be assumed by the Italian Government.

E. *COMPENSATION FOR PROPERTY TAKEN FOR REPARATION PURPOSES*

The Italian Government undertakes to compensate all natural or juridical persons whose property is taken for reparation purposes under this Article.

SECTION II—RESTITUTION BY ITALY

Article 75

1. Italy accepts the principles of the United Nations Declaration of January 5, 1943, and shall return, in the shortest possible time, property removed from the territory of any of the United Nations.

2. The obligation to make restitution applies to all identifiable property at present in Italy which was removed by force or duress by any of the Axis Powers from the territory of any of the United Nations, irrespective of any subsequent transactions by which the present holder of any such property has secured possession.

3. The Italian Government shall return the property referred to in this Article in good order and, in this connection, shall bear all costs in Italy relating to labour, materials and transport.

4. The Italian Government shall co-operate with the United Nations in, and shall provide at its own expense all necessary facilities for, the search for and restitution of property liable to restitution under this Article.

5. The Italian Government shall take the necessary measures to effect the return of property covered by this Article held in any third country by persons subject to Italian jurisdiction.

6. Claims for the restitution of property shall be presented to the Italian Government by the Government of the country from whose territory the property was removed, it being understood that rolling stock shall be regarded as having been removed from the territory to which it originally belonged. The period during which such claims may be presented shall be six months from the coming into force of the present Treaty.

7. The burden of identifying the property and of proving ownership shall rest on the claimant Government, and the burden of proving that the property was not removed by force or duress shall rest on the Italian Government.

8. The Italian Government shall restore to the Government of the United Nation concerned all monetary gold looted by or wrongfully removed to Italy or shall transfer to the Government of the United Nation concerned an amount of gold equal in weight and fineness to that looted or wrongfully removed. This obligation is recognised by the Italian Government to exist irrespective of any transfers or removals of gold from Italy to any other Axis Power or a neutral country.

9. If, in particular cases, it is impossible for Italy to make restitution of objects of artistic, historical or archaeological value, belonging to the cultural heritage of the United Nation from whose territory such objects were removed by force or duress by Italian forces, authorities or nationals, Italy shall transfer to the United Nation concerned objects of the same kind as, and of approximately equivalent value to, the objects removed, in so far as such objects are obtainable in Italy.

SECTION III—RENUNCIATION OF CLAIMS BY ITALY

Article 76

1. Italy waives all claims of any description against the Allied and Associated Powers on behalf of the Italian Government or Italian nationals arising directly out of the war or out of actions taken because of the existence

of a state of war in Europe after September 1, 1939, whether or not the Allied or Associated Power was at war with Italy at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers;

(b) Claims arising from the presence, operations, or actions of forces or authorities of Allied or Associated Powers in Italian territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Italy agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Italian ships or Italian goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest. The Italian Government agrees to make equitable compensation in lire to persons who furnished supplies or services on requisition to the forces of Allied or Associated Powers in Italian territory and in satisfaction of non-combat damage claims against the forces of Allied or Associated Powers arising in Italian territory.

3. Italy likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Italian Government or Italian nationals against any of the United Nations which broke off diplomatic relations with Italy and which took action in co-operation with the Allied and Associated Powers.

4. The Italian Government shall assume full responsibility for all Allied military currency issued in Italy by the Allied military authorities, including all such currency in circulation at the coming into force of the present Treaty.

5. The waiver of claims by Italy under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Italian ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Conventions on prisoners of war now in force.

6. The provisions of this Article shall not be deemed to affect the ownership of submarine cables which, at the outbreak of the war, were owned by the Italian Government or Italian nationals. This paragraph shall not preclude the application of Article 79 and Annex XIV to submarine cables.

Article 77

1. From the coming into force of the present Treaty property in Germany of Italy and of Italian nationals shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Italy and of Italian nationals removed by force or duress from Italian territory to Germany by German forces or authorities after September 3, 1943, shall be eligible for restitution.

3. The restoration and restitution of Italian property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

4. Without prejudice to these and to any other dispositions in favour of Italy and Italian nationals by the Powers occupying Germany, Italy waives on its own behalf and on behalf of Italian nationals all claims against Germany and German nationals outstanding on May 8, 1945, except those arising out of contracts and other obligations entered into, and rights acquired, before September 1, 1939. This waiver shall be deemed to include debts, all inter-governmental claims in respect of arrangements entered into in the course of the war, and all claims for loss or damage arising during the war.

5. Italy agrees to take all necessary measures to facilitate such transfers of German assets in Italy as may be determined by those of the Powers occupying Germany which are empowered to dispose of the said assets.

PART VII

PROPERTY, RIGHTS AND INTERESTS

SECTION I—UNITED NATIONS PROPERTY IN ITALY

Article 78

1. In so far as Italy has not already done so, Italy shall restore all legal rights and interests in Italy of the United Nations and their nationals as

they existed on June 10, 1940, and shall return all property in Italy of the United Nations and their nationals as it now exists.

2. The Italian Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Italian Government in connection with their return. The Italian Government shall nullify all measures, including seizures, sequestration or control, taken by it against United Nations property between June 10, 1940, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the present Treaty, application shall be made to the Italian authorities not later than twelve months from the coming into force of the present Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Italian Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

4. *(a)* The Italian Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a United Nations national has suffered a loss by reason of injury or damage to property in Italy, he shall receive from the Italian Government compensation in lire to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Italian nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 9 *(a)* of this Article, but which have suffered a loss by reason of injury or damage to property in Italy, shall receive compensation in accordance with sub-paragraph *(a)* above. This

compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Italy but shall be subject to the foreign exchange control regulations which may be in force in Italy from time to time.

(d) The Italian Government shall grant United Nations nationals an indemnity in lire at the same rate as provided in sub-paragraph *(a)* above to compensate them for the loss or damage due to special measures applied to their property during the war, and which were not applicable to Italian property. This sub-paragraph does not apply to a loss of profit.

5. All reasonable expenses incurred in Italy in establishing claims, including the assessment of loss or damage, shall be borne by the Italian Government.

6. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts imposed on their capital assets in Italy by the Italian Government or any Italian authority between September 3, 1943, and the coming into force of the present Treaty for the specific purpose of meeting charges arising out of the war or of meeting the costs of occupying forces or of reparation payable to any of the United Nations. Any sums which have been so paid shall be refunded.

7. Notwithstanding the territorial transfers provided in the present Treaty, Italy shall continue to be responsible for loss or damage sustained during the war by property in ceded territory or in the Free Territory of Trieste belonging to United Nations nationals. The obligations contained in paragraphs 3, 4, 5 and 6 of this Article shall also rest on the Italian Government in regard to property in ceded territory and in the Free Territory of Trieste of United Nations nationals except in so far as this would conflict with the provisions of paragraph 14 of Annex X and paragraph 14 of Annex XIV of the present Treaty.

8. The owner of the property concerned and the Italian Government may agree upon arrangements in lieu of the provisions of this Article.

9. As used in this Article:

(a) "United Nations nationals" means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status on September 3, 1943, the date of the Armistice with Italy.

The term "United Nations nationals" also includes all individuals, corporations or associations which, under the laws in force in Italy during the war, have been treated as enemy;

(b) "Owner" means the United Nations national, as defined in sub-paragraph *(a)* above, who is entitled to the property in question, and includes a successor of the owner, provided that the successor is also a United Nations national as defined in sub-paragraph *(a)*. If the successor has purchased the property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law;

(c) "Property" means all movable or immovable property, whether tangible or intangible, including industrial, literary and artistic property, as well as all rights or interests of any kind in property. Without prejudice to the generality of the foregoing provisions, the property of the United Nations and their nationals includes all seagoing and river vessels, together with their gear and equipment, which were either owned by United Nations or their nationals, or registered in the territory of one of the United Nations, or sailed under the flag of one of the United Nations and which, after June 10, 1940, while in Italian waters, or after they had been forcibly brought into Italian waters, either were placed under the control of the Italian authorities as enemy property or ceased to be at the free disposal in Italy of the United Nations or their nationals, as a result of measures of control taken by the Italian authorities in relation to the existence of a state of war between members of the United Nations and Germany.

SECTION II—ITALIAN PROPERTY IN THE TERRITORY OF ALLIED AND ASSOCIATED POWERS

Article 79

1. Each of the Allied and Associated Powers shall have the right to seize, retain, liquidate or take any other action with respect to all property,

rights and interests which on the coming into force of the present Treaty are within its territory and belong to Italy or to Italian nationals, and to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Italy or Italian nationals, including debts, other than claims fully satisfied under other Articles of the present Treaty. All Italian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned.

2. The liquidation and disposition of Italian property shall be carried out in accordance with the law of the Allied or Associated Power concerned. The Italian owner shall have no rights with respect to such property except those which may be given him by that law.

3. The Italian Government undertakes to compensate Italian nationals whose property is taken under this Article and not returned to them.

4. No obligation is created by this Article on any Allied or Associated Power to return industrial property to the Italian Government or Italian nationals, or to include such property in determining the amounts which may be retained under paragraph 1 of this Article. The Government of each of the Allied and Associated Powers shall have the right to impose such limitations, conditions and restrictions on rights or interests with respect to industrial property in the territory of that Allied or Associated Power, acquired prior to the coming into force of the present Treaty by the Government or nationals of Italy, as may be deemed by the Government of the Allied or Associated Power to be necessary in the national interest.

5. *(a)* Italian submarine cables connecting points in Yugoslavia shall be deemed to be Italian property in Yugoslavia, despite the fact that lengths of these cables may lie outside the territorial waters of Yugoslavia.

(b) Italian submarine cables connecting a point in the territory of an Allied or Associated Power with a point in Italian territory shall be deemed to be Italian property within the meaning of this Article so far as concerns the terminal facilities and the lengths of cables lying within territorial waters of that Allied or Associated Power.

6. The property covered by paragraph 1 of this Article shall be deemed to include Italian property which has been subject to control by reason of a state of war existing between Italy and the Allied or Associated Power having jurisdiction over the property, but shall not include:

(a) Property of the Italian Government used for consular or diplomatic purposes;

(b) Property belonging to religious bodies or private charitable institutions and used exclusively for religious or charitable purposes;

(c) Property of natural persons who are Italian nationals permitted to reside within the territory of the country in which the property is located or to reside elsewhere in United Nations territory, other than Italian property which at any time during the war was subjected to measures not generally applicable to the property of Italian nationals resident in the same territory;

(d) Property rights arising since the resumption of trade and financial relations between the Allied and Associated Powers and Italy, or arising out of transactions between the Government of any Allied or Associated Power and Italy since September 3, 1943;

(e) Literary and artistic property rights;

(f) Property in ceded territories of Italian nationals, to which the provisions of Annex XIV shall apply;

(g) With the exception of the assets indicated in Article 74, part A, paragraph 2*(b)* and part D, paragraph 1, property of natural persons residing in ceded territories or in the Free Territory of Trieste who do not opt for Italian nationality under the present Treaty, and property of corporations or associations having *siège social* in ceded territories or in the Free Territory of Trieste, provided that such corporations or associations are not owned or controlled by persons in Italy. In the cases provided under Article 74, part A, paragraph 2*(b)*, and part D, paragraph 1, the question of compensation will be dealt with under Article 74, part E.

SECTION III—DECLARATION OF THE ALLIED AND ASSOCIATED POWERS IN RESPECT OF CLAIMS

Article 80

The Allied and Associated Powers declare that the rights attributed to them under Articles 74 and 79 of the present Treaty cover all their claims and those of their nationals for loss or damage due to acts of war, including measures due to the occupation of their territory, attributable to Italy and having occurred outside Italian territory, with the exception of claims based on Articles 75 and 78.

SECTION IV—DEBTS

Article 81

1. The existence of the state of war shall not, in itself, be regarded as affecting the obligation to pay pecuniary debts arising out of obligations and contracts which existed, and rights which were acquired, before the existence of the state of war, which became payable prior to the coming into force of the present Treaty, and which are due by the Government or nationals of Italy to the Government or nationals of one of the Allied and Associated Powers or are due by the Government or nationals of one of the Allied and Associated Powers to the Government or nationals of Italy.

2. Except as otherwise expressly provided in the present Treaty, nothing therein shall be construed as impairing debtor-creditor relationships arising out of pre-war contracts concluded either by the Government or nationals of Italy.

PART VIII

GENERAL ECONOMIC RELATIONS

Article 82

1. Pending the conclusion of commercial treaties or agreements between individual United Nations and Italy, the Italian Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Italy:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Italy shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined for territory of any other of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Italy. These provisions shall not apply to commercial aviation;

(d) Italy shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Italian territory, including the right to land for refueling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Italian territory without landing. These provisions shall not affect the interests of the national defense of Italy.

2. The foregoing undertakings by Italy shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Italy before the war; and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

PART IX

SETTLEMENT OF DISPUTES

Article 83

1. Any disputes which may arise in giving effect to Articles 75 and 78 and Annexes XIV, XV, XVI and XVII, part B, of the present Treaty shall be referred to a Conciliation Commission consisting of one representative of the Government of the United Nation concerned and one representative of the Government of Italy, having equal status. If within three months after the dispute has been referred to the Conciliation Commission no agreement has been reached, either Government may ask for the addition to the Commission of a third member selected by mutual agreement of the two Governments from nationals of a third country. Should the two Governments fail to agree within two months on the selection of a third member of the Commission, the Governments shall apply to the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, who will appoint the third member of the Commission. If the Ambassadors are unable to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. When any Conciliation Commission is established under paragraph 1 above, it shall have jurisdiction over all disputes which may thereafter arise between the United Nation concerned and Italy in the application or interpretation of Articles 75 and 78 and Annexes XIV, XV, XVI, and XVII, part B, of the present Treaty, and shall perform the functions attributed to it by those provisions.

3. Each Conciliation Commission shall determine its own procedure, adopting rules conforming to justice and equity.

4. Each Government shall pay the salary of the member of the Conciliation Commission whom it appoints and of any agent whom it may designate to represent it before the Commission. The salary of the third member shall be fixed by special agreement between the Governments concerned and this salary, together with the common expenses of each Commission, shall be paid in equal shares by the two Governments.

5. The parties undertake that their authorities shall furnish directly to the Conciliation Commission all assistance which may be within their power.

6. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

PART X

MISCELLANEOUS ECONOMIC PROVISIONS

Article 84

Articles 75, 78, 82 and Annex XVII of the present Treaty shall apply to the Allied and Associated Powers and to those of the United Nations which broke off diplomatic relations with Italy or with which Italy broke off diplomatic relations. These Articles and this Annex shall also apply to Albania and Norway.

Article 85

The provisions of Annexes VIII, X, XIV, XV, XVI and XVII shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

PART XI

FINAL CLAUSES

Article 86

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, acting in concert, will represent the Allied and Associated Powers in dealing with the Italian Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Four Ambassadors will give the Italian Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Italian Government shall afford to the said Four Ambassadors all necessary information and any assistance which they may require in the fulfilment of the tasks devolving on them under the present Treaty.

Article 87

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Four Ambassadors acting under Article 86 except that in this case the Ambassadors will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 88

1. Any member of the United Nations, not a signatory to the present Treaty, which is at war with Italy, and Albania, may accede to the Treaty and upon accession shall be deemed to be an Associated Power for the purposes of the Treaty.

2. Instruments of accession shall be deposited with the Government of the French Republic and shall take effect upon deposit.

Article 89

The provisions of the present Treaty shall not confer any rights or benefits on any State named in the Preamble as one of the Allied and Associated Powers or on its nationals until such State becomes a party to the Treaty by deposit of its instrument of ratification.

Article 90

The present Treaty, of which the French, English and Russian texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Italy. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics, by the United Kingdom of Great Britain and Northern Ireland, by the United States of America, and by France. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the French Republic.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the French Republic, which shall furnish certified copies to each of the signatory States.

LIST OF ANNEXES

I. Maps (see separate volume)

II. Franco-Italian Frontier: Detailed description of the sections of the frontier to which the modifications set out in Article 2 apply

III. Guarantees in connection with Mont Cenis and the Tenda-Briga district

IV. Provisions agreed upon by the Austrian and Italian Governments on September 5, 1946

V. Water supply for Gorizia and vicinity

VI. Permanent Statute of the Free Territory of Trieste

VII. Instrument for the Provisional Regime of the Free Territory of Trieste

VIII. Instrument for the Free Port of Trieste

IX. Technical dispositions regarding the Free Territory of Trieste

X. Economic and financial provisions relating to the Free Territory of Trieste

XI. Joint declaration by the Governments of the Soviet Union, of the United Kingdom, of the United States of America, and of France concerning Italian territorial possessions in Africa

XII. List of Naval Units:
- A. To be retained by Italy
- B. To be handed over by Italy

XIII. Definitions:
- A. Naval
- B. Military, Military Air and Naval Training
- C. Definition and list of war material
- D. Definition of the terms "demilitarisation" and "demilitarised"

XIV. Economic and financial provisions relating to ceded territories

XV. Special provisions relating to certain kinds of property:
- A. Industrial, Literary and Artistic Property
- B. Insurance

XVI. Contracts, Prescription and Negotiable Instruments

XVII. Prize Courts and Judgments

ANNEX I

Maps to Accompany the Peace Treaty with Italy

(see separate volume)

A. Frontiers of Italy (Article 1)
B. Franco-Italian Frontier (Article 2)
C. Yugoslav-Italian Frontier (Article 3)
D. Frontiers of the Free Territory of Trieste (Articles 4 and 22)
E. Sea Areas defined in Article 11 of the present Treaty

ANNEX II

Franco-Italian Frontier

Detailed description of the sections of the frontier to which the modifications set out in Article 2 apply

Little Saint Bernard Pass

Reference: 1:20,000 map: Ste. Foy Tarentaise Nos. 1-2

The new frontier follows a line which starts from the rocky ridge of Lancebranlette, then, descending towards the east, follows the line of the watershed to the 2,180 meter level, whence it passes to the Colonna Joux (2188). From there, still following the line of the watershed, it reascends on to Costa del Belvedere, the rocky outcrops of which it follows, climbs Mt. Belvedere, skirting its summit and leaving the latter in French territory 120 meters away from the frontier and, passing through points 2570, 2703, Bella Valletta and point 2746, it rejoins the old frontier at Mt. Valaisan.

Mont Cenis Plateau

Reference: 1:20,000 map: Lanslebourg, Nos. 5-6 and 7-8 and of Mont D'Ambin, Nos. 1-2

The new frontier follows a line which leaves the old frontier at Mt. Tour, follows westwards the administrative boundary shown on the map, follows the Vitoun as soon as it meets it on its northern branch and descends along it as far as Rocca della Torretta.

Then following the line of rocky outcrops, it reaches the stream coming from the Alpe Lamet and descends with it as far as the base of the rocky escarpment along which it runs for about 800 meters as far as the thalweg at a point situated about 200 meters north of point 1805.

Then it mounts to the top of the landslips which overlook Ferrera Cenisio about 300 meters away and, continuing westwards, meets the road which skirts the east of Rne. Paradiso 400 meters west of the loop (1854), leaving it immediately and bending southwards.

It cuts the Bar Cenisia road at a point about 100 meters southeast of Refuge 5, crosses the thalweg in the direction of Lago S. Giorgio, roughly follows contour 1900 as far as point 1907, then skirts the southern side of Lago d'Arpon and rejoins the rocky ridge on which it remains in a southwesterly direction as far as the confluence of the streams coming from the Bard glacier (Ghiacciaio di Bard) at a point approximately 1,400 meters southwest of Lago d'Arpon.

From there, bending southwards, it roughly follows contour 2500, goes as far as point 2579, then, running along contour 2600, it reaches the Lago della Vecchia and rejoins, at the administrative boundary marked on the map about 700 meters southeast of the lake, the Pso. d'Avanza path, which it follows along the rocky escarpments to the old frontier, halfway between the Col della Vecchia and the Col de Clapier.

Mont Thabor

Reference: 1:20,000 map: Nevache, 1-2, 5-6 and 7-8

From Cima de la Planette to Rocher de Guion (Cima del Sueur)

The new frontier follows a line which leaves the present frontier at Cima de la Planette and, proceeding southwards, follows the ridge through points 2980, 3178, Rca. Bernaude (3228), points 2842, 2780, 2877, Pso. della Gallina (2671), points 2720, 2806 and Pta. Quattro Sorelle (2700).

Descending the eastern slope of this summit, the line leaves in French territory point 2420, whence it rejoins and follows on the east the path leading to the buildings situated about 200 meters from point 2253, this path and these buildings being left in French territory. It then enters a thalweg, passing about 300 meters northeast of point 1915, whence it reaches the northwestern edge of the reservoir which, in the Vallee Etroite (Valle Stretta) feeds the hydro-electric installations of Sette Fontane, leaving this reservoir and these installations in Italian territory. Skirting the reservoir on the south, it reaches the crossroads at point 1499.

Thence it follows the path which hugs the edge of the woods along contour 1500 and which leads it to Comba della Gorgia near the 1580

contour; then it ascends the thalweg towards point 1974 and joins the edge of the rocky escarpments of La Sueur as marked by points 2272, 2268, 2239, 2266, 2267, remaining on this edge until it meets the old frontier, the crest of the rocks and the path bordering it remaining in French territory.

Chaberton

Reference: 1:20,000 map: Briançon, Nos. 3-4

The new frontier follows a line which leaves the old frontier at point 3042 (north of point 3070 and north of Pointe des Trois Scies) and follows the rocky ridge as far as Croce del Vallonetto.

From the Croce del Vallonetto it bends towards the south along the rocky ridge and meets the Chaberton road at the point where the latter enters the *cirque* of the Clot des Morts.

Crossing this road and the thalweg which borders it, the line roughly follows, for 1250 meters, contour 2300 which, on the ground, follows to the southeast a series of rocky outcrops and debris, then it cuts straight across the eastern slope of Mt. Chaberton, reaches a point about 400 meters west of point 2160 leaving in French territory the intermediate pylon of the cable railway which stands there.

Then it proceeds in a straight line, across a series of rocky barriers and steep ravines, towards the position (not marked on the map) of La Fontaine des Chamois, near point 2228 (about 1400 meters northeast of Clavières) which it skirts to the east, following the second bend of the road joining this position with the fortified barracks of Chaberton, on the road from Cézanne (Cesana) to Clavières, leaving the fortifications at La Fontaine des Chamois in French territory.

Thence following first in a southerly direction the commune boundary marked on the map, and then the rocky barrier about 400 meters north of the Clavières-Cézanne (Cesana) road, it bends towards the southwest, passing along the foot of the rocky cliffs, sufficiently far from the latter to allow the construction of a double-track road.

Skirting in this way to the north the village of Clavières, which is left in Italian territory, it meets the Rio Secco about 200 meters upstream from the Clavières bridge and follows down its course, then that of Doire Ripaire (Doria Riparia) as far as the road from Clavières to Val Gimont, which is left to Italy, and follows this road as far as the bridge over the Gimont.

Proceeding up the course of the latter for about 300 meters, the line then leaves it and follows the mule-track which takes it to the upper pylon of the Clavières cable railway (Col du Mont Fort du Boeuf), which is left in French territory. Then, across the ridge, it rejoins the present frontier at Mont la Plane, frontier post 251. The road in the valley of the Gimont is left in Italian territory.

Upper Valleys of La Tinée, La Vesubie and La Roya

1. *From Cime de Colla Longa to Cima di Mercantour*

References: 1:20,000 maps: St. Etienne de Tinée, Nos. 3-4 and 7-8, Les Trois Ponts, Nos. 5-6

The new frontier follows a line which leaves the old frontier at Cime de Colla Longa and proceeding eastwards and following the line of the watershed, skirts the rocky ridge, passing through points 2719, 2562, Cle. di Seccia, reaches at point 2760 the Testa dell'Autaret, passes to point 2672, to the Cle. della Guercia (2456) and through points 2640, 2693, 2689, reaches Rocche di Saboulé and follows the northern ridge thereof.

Following the ridge, it passes through points 2537, 2513, Pso. del Lausfer (2461) and point 2573 to Testa Auta del Lausfer (2587) whence it bends southwards as far as Testa Colla Auta, passing Cima del Lausfer (2544), leaving the latter point in Italy.

Thence through point 2484, and along the ridge path which is left in French territory, through points 2240 and 2356, it crosses the Passo di S. Anna, and passing through points 2420 and 2407 it reaches a point about 80 meters south of point 2378 (Cima Moravacciera).

Following the ridge path left in French territory, it passes through Testa Ga del Caval and point 2331, both left in French territory, then leaving the path it continues on the ridge of Testa del'Adreck (2475) and through Cle. della Lombarda and point 2556 and arrives at Cima della Lombarda (2801).

Bending southeastwards, it then follows the rocky ridge and passing through Pso. di Peania, Cima di Vermeil, point 2720 left in French territory, Testa Cba. Grossa (2792), Pso. del Lupo (2730) and point 2936, reaches Mt. Malinvern.

Thence, in a southerly direction, through points 2701, 2612 and Cima di Tavels (2804), then in an easterly direction through point 2823, it reaches Testa del Claus (2889).

Then, bending in a general southeasterly direction, it crosses Passo delle Portette, passes to point 2814, to Testa delle Portette, to point 2868, to Testa Margiola (2831), to Caire di Prefouns (2840), to Passo del Prefouns (2620), to Testa di Tablasses (2851), to Passo di Bresses (2794), to Testa di Bresses (2820), and passing through Cima di Fremamorta (2731), Cle. Fremamorta, point 2625, point 2675, and point 2539, Cima di Pagari (2686), Cima di Naucetas (2706), points 2660 and 2673, Cle. di Ciriegia (2581), reaches Cima di Mercantour (2775).

2. *From Cima di Mercantour to Mt. Clapier*

References: 1:20,000 map: Les Trois Ponts, Nos. 5-6 and the Italian 1:20,000 map: Madonna delle Finestre

From Cima di Mercantour, it proceeds through point 2705, Cle. Mercantour (2611), Cima Ghilie (2998), points 2939 and 2955, Testa della Rovina (2981), points 2844 and 2862, Paso della Rovina, Caire dell'Agnel (2935, 2867, 2784), Cima del Caire Agnel (2830), Cima Mallariva (2860), Cima Cairas (2831), Cima Cougourda (2881, 2921), Cima dei Gaisses (2896), points 2766, 2824, Cima del Lombard (2842), points 2831, 2717, 2591, 2600 and 2582, Boccia Forno, Cima delle Finestre (2657), Col delle Finestre, points 2634, 2686 and 2917 and reaches Cima dei Gelas (3143), then through point 3070 to Cima della Maledia (3061), from whence it skirts the Passo del Pagari (2819) path and then, following the commune boundary, shown on the map, it reaches the Passo di Mt. Clapier (2827), winds round the north and east of Mt. Clapier (3045) along the administrative boundary shown on the map.

3. *From Mt. Clapier to Colle di Tenda*

References: Italian 1:20,000 map: Madonna delle Finestre and Colle di Tenda

From Mt. Clapier, the line follows the administrative boundary represented on the map by points 2915, 2887 and 2562, Passo dell'Agnel and point 2679, up to Cima dell'Agnel (2775).

The line then bears eastwards, still adhering to the administrative boundary represented on the map by points 2845 and 2843 of Rce. dell'Agnel; it then reaches Cima della Scandeiera (2706), crosses Cle. del Sabbione (2332), proceeds over points 2373, 2226, 2303, and 2313 to Cma. del Sabbione (2610), point 2636, Pta. Peirafica, points 2609, 2585, 2572, 2550 and reaches Rca. dell'Abisso (2755).

The line still continues along the administrative boundary marked on the map up to the east of point 2360, then skirts the rocky outcrops north of Rne. Pian Misson, from whence it reaches the Mt. Becco Rosso path and follows it to the north of points 2181, 2116 and 1915 and then skirts the road for approximately 1 kilometer northwards before rejoining the above-mentioned path up to Colle di Tenda. The path and the section of highway mentioned above remain in French territory.

4. *From Colle di Tenda to Cima Missun*

Reference: Italian 1:20,000 map: Tenda and Certosa di Pesio

From Colle di Tenda the line, leaving the path in French territory, proceeds to points 1887 and 2206, then branches off the path to follow along the ridge the administrative boundary shown on the map, then passing through point 2262 reaches Cma. del Becco (2300).

Bearing northward and along the administrative boundary shown on the map it reaches the Col della Perla (2086), follows the path which skirts the rocky outcrop in Cma. del Cuni to Col della Boaira, where it leaves it to follow the ridge to the north. The above-mentioned path remains in French territory.

Skirting the rocky outcrop, it proceeds to point 2275, reaches Testa Ciaudon (2386), skirts the rocky escarpments, crosses Colla Piana (2219) and reaches point 2355 of Mt. Delle Carsene which is left on French soil, then it follows the northern ridge of this mountain over Pta. Straldi (2375), points 2321 and 2305 up to Pso. Scarason, then swerves northwards up to point 2352, where it meets the administrative boundary shown on the map and follows this boundary through points 2510 and 2532 up to Pta. Marguareis (2651).

Deviating southward it then follows the ridge, passes point 2585 and, passing down the rocky crest, reaches Colle del Lago dei Signori.

Following the path on the summit, which is left in French territory, then running along the crest proper, it comes to Cima di Pertega (2402), passes along the rocky ridge down to Cle. delle Vecchie (2106), whence it follows the summit path, which it leaves in French territory, through points 2190, 2162, Cima del Vescovo (2257) and Cima di Velega (2366) up to Mt. Bertrand.

From Mt. Bertrand (2481) it follows the administrative boundary shown on the map up to Cla. Rossa, where it rejoins the summit path which it then skirts passing through points 2179 and 2252 up to Cima Missun (2356), then, winding round the east of this mountain summit, the line follows the above-mentioned path which remains in French territory.

5. *From Cima Missun to Col de Pegairole*

References: 1:20,000 map: Pointe de Lugo, Nos. 1-2 and 5-6

Following the same summit path, the line crosses Cla. Cravirora and passes east of point 2265 to Pta. Farenga. It then leaves the path and winds round Cma. Ventosa to the east, after which it joins the Passo di Tanarello path and leaves in France the constructions beside this path. The line then passes along Mt. Tanarello, crosses Passo Basera (2038), skirts Mt. Saccarello which is left approximately 300 meters to the westwards, then following first the rocky ridge and then the path up to Pso. di Collardente it reaches the ridge which leads up to Mt. Collardente, leaving point 1762 on French territory. At this point it skirts a path which is left in Italian territory and comes to Mt. Collardente, leaving on French soil the path which crosses it. The line then follows this path through the Bassa di Sanson east and south of point 1769 up to the constructions, situated approximately 500 meters east of Testa della Nava (1934), which are left in French territory.

When it reaches these works, it leaves the road, rejoins at the ridge the road along the Testa della Nava ridge which remains in French territory, and follows it as far as the works to the southeast of the Cima di Marta or Mt. Vacche, skirting it from the east.

From there, passing along the ridge road left in French territory, it skirts Mt. Ceriana, leaves the road to reach Mt. Grai (2014) and joins it again at the col (1875), follows it to skirt Cima della Valetta and Mt. Pietravecchia as far as the rocky crest.

It then crosses Gola dell'Incisa, runs by way of the ridge and point 1759 to Mt. Toraggio (1972), then to Cima di Logambon and the Gola del Corvo, skirts Mt. Bauso and Mt. Lega (1552, 1563 and 1556) and follows the ridge downwards to Passo di Muratone.

Along the ridge road, left in French territory, it runs to Mt. Scarassan, to the south of Mt. Battolino and of point 1358 and reaches Cla. Pegairole.

6. *From Cla. Pegairole to Mt. Mergo*

References: 1:20,000 maps: Pointe de Lugo, Nos. 5-6, San Remo, Nos. 1-2 and Menton, Nos. 3-4

From Cla. Pegairole the line follows the administrative boundary marked on the map, leaving Cisterne to France, climbs Mt. Simonasso, drops as far as the col and follows the road to Margheria Suan which it leaves in French territory, the chalets remaining in Italian territory.

Continuing to follow the road, left in French territory, it passes to the east of Testa d'Alpe to Fontana dei Draghi, to the springs at point 1406, to point 1297, skirts Colla Sgora on the east, passes the points 1088, 1016, and 1026, crosses the rocky ridge of Mt. Colombin, follows the cantonal boundary shown on the map along Cima di Reglie (846 and 858), departs from this cantonal boundary in a southwesterly direction to follow the ridge of Serra dell'Arpetta (543, 474 and 416) down to the thalweg of the Roya, which it crosses about 200 meters northwest of the bridge of Fanghetto.

The line then ascends the thalweg of Roya to a point situated about 350 meters from the above-mentioned bridge. It leaves the Roya at this point and bears southwest to point 566. From this point it bears west until it meets the ravine descending to Olivetta which it follows as far as the road, leaving the dwellings on this road in Italian territory, mounts the Vle. di Trono for about 200 meters and then turns towards point 410 as far as the road from Olivetta to San Girolamo. Thence it runs southeast along this road for about 100 meters and then bears generally southwest to point 403, running for about 20 meters along and to the south of the road marked on the map. From point 403, it follows the ridge of Pta. Becche as far as point 379, then again bearing southwest, crosses the Bevera, following the thalweg towards Mt. Mergo which it skirts on the south at about 50 meters from the summit (686), left in French territory, and rejoins the present frontier at a point about 100 meters to the southwest of that summit.

ANNEX III

Guarantees in Connection with Mont Cenis and the Tenda-Briga District

(See Article 9)

A — GUARANTEES TO BE GIVEN BY FRANCE TO ITALY IN CONNECTION WITH THE CESSION OF THE PLATEAU OF MONT CENIS

I. *In Respect of Water Supplied from the Lake of Mont Cenis for Hydro-Electric Purposes*

(a) France shall so control the supply of water from the Lake of Mont Cenis to the underground conduits supplying the Gran Scala, Venaus and Mompantero hydro-electric plants, as to supply for those plants such quantities of water at such rates of flow as Italy may require.

(b) France shall repair and maintain in good and substantial condition and, as may be necessary, shall renew all the works required for the purposes of controlling and supplying the water in accordance with sub-paragraph (a) in so far as these works are within French territory.

(c) France shall inform Italy, as and when required by Italy, of the amount of water in the Lake of Mont Cenis and of any other information pertaining thereto, so as to enable Italy to determine the quantities of water and rates of flow to be supplied to the said underground conduits.

(d) France shall carry out the foregoing provisions with due regard for economy and shall charge Italy the actual cost incurred in so doing.

II. *In Respect of Electricity Produced at the Gran Scala Hydro-Electric Plant*

(a) France shall operate the Gran Scala hydro-electric plant so as to generate (subject to the control of the supply of water as provided in Guarantee I) such quantities of electricity at such rates of output as Italy may require after the local requirements (which shall not substantially exceed the present requirements) in the vicinity of Gran Scala within French territory have been met.

(b) France shall operate the pumping plant adjacent to the Gran Scala plant so as to pump water to the Lake of Mont Cenis as and when required by Italy.

(c) France shall repair and maintain in good and substantial condition and, as may be necessary, shall renew all the works comprising the Gran Scala hydro-electric plant and pumping plant together with the transmission line and equipment from the Gran Scala plant to the Franco-Italian frontier.

(d) France shall transmit over the transmission line from Gran Scala to the Franco-Italian frontier the electricity required by Italy as aforesaid, and shall deliver that electricity to Italy at the point at which that transmission line crosses the Franco-Italian frontier into Italian territory.

(e) France shall maintain the voltage and periodicity of the electricity supplied in accordance with the foregoing provisions at such levels as Italy may reasonably require.

(f) France shall arrange with Italy for telephone communication between Gran Scala and Italy and shall communicate with Italy in order to ensure that the Gran Scala plant, the pumping plant and transmission line are operated in such a manner as to comply with the foregoing guarantees.

(g) The price to be charged by France and paid by Italy for electricity available to Italy from the Gran Scala plant (after the local requirements as aforesaid have been met) shall be the same as the price charged in France for the supply of similar quantities of hydro-electricity in French territory in the neighbourhood of Mont Cenis or in other regions where conditions are comparable.

III. *Duration of Guarantees*

Unless otherwise agreed between France and Italy these guarantees will remain in force in perpetuity.

IV. *Supervisory Technical Commission*

A Franco-Italian Supervisory Technical Commission comprising an equal number of French and Italian members shall be established to supervise and facilitate the execution of the foregoing guarantees which are designed to secure the same facilities as Italy enjoyed in respect of hydro-electric and water supplies from the Lake of Mont Cenis before the cession of this region to France. It shall also be within the functions of the Supervisory Technical Commission to cooperate with the competent French technical services in order to ensure that the safety of the lower valleys is not endangered.

B — GUARANTEES TO BE GIVEN BY FRANCE TO ITALY IN CONNECTION WITH THE CESSION OF THE TENDA-BRIGA DISTRICT TO FRANCE

1. *Guarantees* to ensure to Italy the supply of electricity generated by the two 16⅔ period generators of the hydro-electric plant at San Dalmazzo; and the supply of electricity generated at 50 periods at the hydro-electric plants at Le Mesce, San Dalmazzo and Confine in excess of such amount thereof as may be required by France for supply to the Sospel, Menton and Nice areas until the complete reconstruction of the wrecked hydro-electric plants at Breil and Fontan, it being understood that such amount will decrease as reconstruction of these plants proceeds and will not exceed 5,000 KW in power and 3,000,000 KWH per month and that, if no special difficulties are encountered in the reconstruction, the work should be completed not later than the end of 1947:

(a) France shall operate the said plants so as to generate (subject to such limitations as may be imposed by the amount of water available and taking into account as far as reasonably practicable the needs of the plants downstream) such quantities of electricity at such rates of output as Italy may require, firstly, at 16⅔ periods for the Italian railways in Liguria and South Piedmont and secondly, at 50 periods for general purposes, after the requirements by France for Sospel, Menton and Nice, as aforesaid, and the local requirements in the vicinity of San Dalmazzo, have been met;

(b) France shall repair and maintain in good and substantial condition and, as may be necessary, shall renew all the works comprising the Le Mesce, San Dalmazzo and Confine hydro-electric plants together with the transmission lines and equipment from the Le Mesce and Confine plants to the San Dalmazzo plant and also the main transmission lines and equipment from the San Dalmazzo plant to the Franco-Italian frontier;

(c) France shall inform Italy, as and when required by Italy, of the rate of flow of water at Le Mesce and Confine and of the amount of water stored at San Dalmazzo and of any other information pertaining thereto so as to enable Italy to determine her electricity requirements as indicated in sub-paragraph (a);

95347°—49—PT. II——30

(d) France shall transmit over the main transmission lines from San Dalmazzo to the Franco-Italian frontier the electricity required by Italy as aforesaid, and shall deliver that electricity to Italy at the points at which those main transmission lines cross the Franco-Italian frontier into Italian territory;

(e) France shall maintain the voltage and periodicity of the electricity supplied in accordance with the foregoing provisions at such levels as Italy may actually require;

(f) France shall arrange with Italy for telephone communications between San Dalmazzo and Italy and shall communicate with Italy in order to ensure that the said hydro-electric plants and transmission lines are operated in such a manner as to comply with the foregoing guarantees.

2. *Guarantee* concerning the price to be charged by France to Italy for the electricity made available to Italy under paragraph 1 above until terminated in accordance with paragraph 3 below:

The price to be charged by France and paid by Italy for the electricity made available to Italy from the Le Mesce, San Dalmazzo and Confine hydro-electric plants after the requirements by France for Sospel, Menton and Nice and the local requirements in the vicinity of San Dalmazzo have been met as provided in sub-paragraph (a) of Guarantee 1, shall be the same as the price charged in France for the supply of similar quantities of hydro-electricity in French territory in the neighborhood of the Upper Valley of the Roya or in other regions where conditions are comparable.

3. *Guarantee* of a reasonable period of time for the supply of electricity by France to Italy:

Unless otherwise mutually agreed between France and Italy, Guarantees 1 and 2 shall remain in force until December 31, 1961, and shall terminate then or any subsequent December 31 if either country shall have given to the other at least two years notice in writing of its intention to terminate.

4. *Guarantee* of full and equitable utilization by France and Italy of the waters of the Roya and its tributaries for hydro-electric production:

(a) France shall operate the hydro-electric plants on the Roya in French territory, taking into account as far as reasonably practicable the needs of the plants downstream. France shall inform Italy in advance of the amount of water which it is expected will be available each day, and shall furnish any other information pertaining thereto;

(b) Through bilateral negotiations France and Italy shall develop a mutually agreeable, co-ordinated plan for the exploitation of the water resources of the Roya.

5. A commission or such other similar body as may be agreed shall be established to supervise the carrying out of the plan mentioned in subparagraph (b) of Guarantee 4 and to facilitate the execution of Guarantees 1-4.

ANNEX IV

Provisions Agreed upon by the Austrian and Italian Governments on September 5, 1946

(Original English text as signed by the two Parties and communicated to the Paris Conference on September 6, 1946)

(See Article 10)

1. German-speaking inhabitants of the Bolzano Province and of the neighbouring bilingual townships of the Trento Province will be assured complete equality of rights with the Italian-speaking inhabitants, within the framework of special provisions to safeguard the ethnical character and the cultural and economic development of the German-speaking element.

In accordance with legislation already enacted or awaiting enactment the said German-speaking citizens will be granted in particular:

(a) elementary and secondary teaching in the mother-tongue;

(b) parification of the German and Italian languages in public offices and official documents, as well as in bilingual topographic naming;

(c) the right to re-establish German family names which were italianized in recent years;

(d) equality of rights as regards the entering upon public offices, with a view to reaching a more appropriate proportion of employment between the two ethnical groups.

2. The populations of the above-mentioned zones will be granted the exercise of autonomous legislative and executive regional power. The frame within which the said provisions of autonomy will apply, will be drafted in consultation also with local representative German-speaking elements.

3. The Italian Government, with the aim of establishing good neighbourhood relations between Austria and Italy, pledges itself, in consultation with the Austrian Government and within one year from the signing of the present Treaty:

(a) to revise in a spirit of equity and broadmindedness the question of the options for citizenship resulting from the 1939 Hitler-Mussolini agreements;

(b) to find an agreement for the mutual recognition of the validity of certain degrees and University diplomas;

(c) to draw up a convention for the free passengers and goods transit between northern and eastern Tyrol both by rail and, to the greatest possible extent, by road;

(d) to reach special agreements aimed at facilitating enlarged frontier traffic and local exchanges of certain quantities of characteristic products and goods between Austria and Italy.

ANNEX V

Water Supply for Gorizia and Vicinity

(See Article 13)

1. Yugoslavia, as the owner, shall maintain and operate the springs and water supply installations at Fonte Fredda and Moncorona and shall maintain the supply of water to that part of the Commune of Gorizia, which, under the terms of the present Treaty, remains in Italy. Italy shall continue to maintain and operate the reservoir and water distribution system within Italian territory which is supplied by the above-mentioned springs and shall maintain the supply of water to those areas in Yugoslavia which, under the terms of the present Treaty, will be transferred to that State and which are supplied from Italian territory.

2. The water so supplied shall be in the amounts which have been customarily supplied to the region in the past. Should consumers in either

State require additional supplies of water, the two Governments shall examine the matter jointly with a view to reaching agreement on such measures as may reasonably be required to satisfy these needs. Should there be a temporary reduction in the amount of water available due to natural causes, distribution of water from the above-named sources to the consumers in Yugoslavia and Italy shall be reduced in proportion to their respective previous consumption.

3. The charges to be paid by the Commune of Gorizia to Yugoslavia for the water supplied to it, and the charges to be paid by consumers in Yugoslav territory to the Commune of Gorizia, shall be based solely on the cost of operation and maintenance of the water supply system as well as new capital expenditures which may be required to give effect to these provisions.

4. Yugoslavia and Italy shall, within one month from the coming into force of the present Treaty, enter into an agreement to determine their respective responsibilities under the foregoing provisions and to establish the charges to be paid under these provisions. The two Governments shall establish a joint commission to supervise the execution of the said agreement.

5. Upon the expiration of a ten-year period from the coming into force of the present Treaty, Yugoslavia and Italy shall reexamine the foregoing provisions in the light of conditions at that time in order to determine whether any adjustments should be made in those provisions, and shall make such alterations and additions as they may agree. Any disputes which may arise as a result of this reexamination shall be submitted for settlement under the procedure outlined in Article 87 of the present Treaty.

ANNEX VI

Permanent Statute of the Free Territory of Trieste

(See Article 21)

Article 1. Area of Free Territory

The area of the Free Territory of Trieste shall be the territory within the frontiers described in Articles 4 and 22 of the present Treaty as delimited in accordance with Article 5 of the Treaty.

Article 2. Integrity and Independence

The integrity and independence of the Free Territory shall be assured by the Security Council of the United Nations Organization. This responsibility implies that the Council shall:

(a) ensure the observance of the present Statute and in particular the protection of the basic human rights of the inhabitants.

(b) ensure the maintenance of public order and security in the Free Territory.

Article 3. Demilitarisation and Neutrality

1. The Free Territory shall be demilitarised and declared neutral.

2. No armed forces, except upon direction of the Security Council, shall be allowed in the Free Territory.

3. No para-military formations, exercises or activities shall be permitted within the Free Territory.

4. The Government of the Free Territory shall not make or discuss any military arrangements or undertakings with any State.

Article 4. Human Rights and Fundamental Freedoms

The Constitution of the Free Territory shall ensure to all persons under the jurisdiction of the Free Territory, without distinction as to ethnic origin, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of religious worship, language, speech and publication, education, assembly and association. Citizens of the Free Territory shall be assured of equality of eligibility for public office.

Article 5. Civil and Political Rights

No person who has acquired the citizenship of the Free Territory shall be deprived of his civil or political rights except as judicial punishment for the infraction of the penal laws of the Free Territory.

Article 6. Citizenship

1. Italian citizens who were domiciled on June 10, 1940, in the area comprised within the boundaries of the Free Territory, and their children born after that date, shall become original citizens of the Free Territory with full civil and political rights. Upon becoming citizens of the Free Territory they shall lose their Italian citizenship.

2. The Government of the Free Territory shall, however, provide that the persons referred to in paragraph 1 over the age of eighteen years (or married persons whether under or over that age) whose customary language is Italian shall be entitled to opt for Italian citizenship within six months from the coming into force of the Constitution under conditions to be laid down therein. Any person so opting shall be considered to have re-acquired Italian citizenship. The option of the husband shall not constitute an option on the part of the wife. Option on the part of the father, or if the father is not alive, on the part of the mother, shall, however, automatically include all unmarried children under the age of eighteen years.

3. The Free Territory may require those who take advantage of the option to move to Italy within a year from the date on which the option was exercised.

4. The conditions for the acquisition of citizenship by persons not qualifying for original citizenship shall be determined by the Constituent Assembly of the Free Territory and embodied in the Constitution. Such conditions shall, however, exclude the acquisition of citizenship by members of the former Italian Fascist Police (O.V.R.A.) who have not been exonerated by the competent authorities, including the Allied Military Authorities who were responsible for the administration of the area.

Article 7. Official Languages

The official languages of the Free Territory shall be Italian and Slovene. The Constitution shall determine in what circumstances Croat may be used as a third official language.

Article 8. Flag and Coat-of-Arms

The Free Territory shall have its own flag and coat-of-arms. The flag shall be the traditional flag of the City of Trieste and the arms shall be its historic coat-of-arms.

Article 9. Organs of Government

For the government of the Free Territory there shall be a Governor, a Council of Government, a popular Assembly elected by the people of the Free Territory and a Judiciary, whose respective powers shall be exercised in accordance with the provisions of the present Statute and of the Constitution of the Free Territory.

Article 10. Constitution

1. The Constitution of the Free Territory shall be established in accordance with democratic principles and adopted by a Constituent Assembly with a two-thirds majority of the votes cast. The Constitution shall be made to conform to the provisions of the present Statute and shall not enter into force prior to the coming into force of the Statute.

2. If in the opinion of the Governor any provisions of the Constitution proposed by the Constituent Assembly or any subsequent amendments thereto are in contradiction to the Statute he may prevent their entry into force, subject to reference to the Security Council if the Assembly does not accept his views and recommendations.

Article 11. Appointment of the Governor

1. The Governor shall be appointed by the Security Council after consultation with the Governments of Yugoslavia and Italy. He shall not be a citizen of Yugoslavia or Italy or of the Free Territory. He shall be appointed for five years and may be reappointed. His salary and allowances shall be borne by the United Nations.

2. The Governor may authorize a person selected by him to act for him in the event of his temporary absence or temporary inability to perform his duties.

3. The Security Council, if it considers that the Governor has failed to carry out his duties, may suspend him and, under appropriate safeguards of investigation and hearing, dismiss him from his office. In the event of his suspension or dismissal or in the event of his death or disability the Security Council may designate or appoint another person to act as Provisional Governor until the Governor recovers from his disability or a new Governor is appointed.

Article 12. Legislative Authority

The legislative authority shall be exercised by a popular Assembly consisting of a single chamber elected on the basis of proportional representation, by the citizens of both sexes of the Free Territory. The elections for the Assembly shall be conducted on the basis of universal, equal, direct and secret suffrage.

Article 13. Council of Government

1. Subject to the responsibilities vested in the Governor under the present Statute, executive authority in the Free Territory shall be exercised

by a Council of Government which will be formed by the popular Assembly and will be responsible to the Assembly.

2. The Governor shall have the right to be present at all meetings of the Council of Government. He may express his views on all questions affecting his responsibilities.

3. When matters affecting their responsibilities are discussed by the Council of Government, the Director of Public Security and the Director of the Free Port shall be invited to attend meetings of the Council and to express their views.

Article 14. Exercise of Judicial Authority

The judicial authority in the Free Territory shall be exercised by tribunals established pursuant to the Constitution and laws of the Free Territory.

Article 15. Freedom and Independence of Judiciary

The Constitution of the Free Territory shall guarantee the complete freedom and independence of the Judiciary and shall provide for appellate jurisdiction.

Article 16. Appointment of Judiciary

1. The Governor shall appoint the Judiciary from among candidates proposed by the Council of Government or from among other persons, after consultation with the Council of Government, unless the Constitution provides for a different manner for filling judicial posts; and, subject to safeguards to be established by the Constitution, may remove members of the Judiciary for conduct incompatible with their judicial office.

2. The popular Assembly, by a two-thirds majority of votes cast, may request the Governor to investigate any charge brought against a member of the Judiciary which, if proved, would warrant his suspension or removal.

Article 17. Responsibility of the Governor to the Security Council

1. The Governor, as the representative of the Security Council, shall be responsible for supervising the observance of the present Statute including the protection of the basic human rights of the inhabitants and for ensuring that public order and security are maintained by the Government of the Free Territory in accordance with the present Statute, the Constitution and laws of the Free Territory.

2. The Governor shall present to the Security Council annual reports concerning the operation of the Statute and the performance of his duties.

Article 18. Rights of the Assembly

The popular Assembly shall have the right to consider and discuss any matters affecting the interests of the Free Territory.

Article 19. Enactment of Legislation

1. Legislation may be initiated by members of the popular Assembly and by the Council of Government as well as by the Governor in matters which in his view affect the responsibilities of the Security Council as defined in Article 2 of the present Statute.

2. No law shall enter into force until it shall have been promulgated. The promulgation of laws shall take place in accordance with the provisions of the Constitution of the Free Territory.

3. Before being promulgated legislation enacted by the Assembly shall be presented to the Governor.

4. If the Governor considers that such legislation is in contradiction to the present Statute, he may, within ten days following presentation of such legislation to him, return it to the Assembly with his comments and recommendations. If the Governor does not return the legislation within such ten days or if he advises the Assembly within such period that it calls for no comments or recommendation on his part, the legislation shall be promulgated forthwith.

5. If the Assembly makes manifest its refusal to withdraw legislation returned to the Assembly by the Governor or to amend it in conformity with his comments or recommendations, the Governor shall, unless he is prepared to withdraw his comments or recommendations, in which case the law shall be promulgated forthwith, immediately report the matter to the Security Council. The Governor shall likewise transmit without delay to the Security Council any communication which the Assembly may wish to make to the Council on the matter.

6. Legislation which forms the subject of a report to the Security Council under the provisions of the preceding paragraph shall only be promulgated by the direction of the Security Council.

Article 20. Rights of the Governor with Respect to Administrative Measures

1. The Governor may require the Council of Government to suspend administrative measures which in his view conflict with his responsibilities as defined in the present Statute (observance of the Statute; maintenance of public order and security; respect for human rights). Should the Council of Government object, the Governor may suspend these administrative measures and the Governor or the Council of Government may refer the whole question to the Security Council for decision.

2. In matters affecting his responsibilities as defined in the Statute the Governor may propose to the Council of Government the adoption of any administrative measures. Should the Council of Government not accept such proposals the Governor may, without prejudice to Article 22 of the present Statute, refer the matter to the Security Council for decision.

Article 21. Budget

1. The Council of Government shall be responsible for the preparation of the budget of the Free Territory, including both revenue and expenditure, and for its submission to the popular Assembly.

2. If the Assembly should fail to vote the budget within the proper time limit, the provisions of the budget for the preceding period shall be applied to the new budgetary period until such time as the new budget shall have been voted.

Article 22. Special Powers of the Governor

1. In order that he may carry out his responsibilities to the Security Council under the present Statute, the Governor may, in cases which in his opinion permit of no delay, threatening the independence or integrity of the Free Territory, public order or respect of human rights, directly order and require the execution of appropriate measures subject to an immediate report thereon being made by him to the Security Council. In such circumstances the Governor may himself assume, if he deems it necessary, control of the security services.

2. The popular Assembly may petition the Security Council concerning any exercise by the Governor of his powers under paragraph 1 of this Article.

Article 23. Power of Pardon and Reprieve

The power of pardon and reprieve shall be vested in the Governor and shall be exercised by him in accordance with provisions to be laid down in the Constitution.

Article 24. Foreign Relations

1. The Governor shall ensure that the foreign relations of the Free Territory shall be conducted in conformity with the Statute, Constitution, and laws of the Free Territory. To this end the Governor shall have authority to prevent the entry into force of treaties or agreements affecting foreign relations which, in his judgment, conflict with the Statute, Constitution or laws of the Free Territory.

2. Treaties and agreements, as well as exequaturs and consular commissions, shall be signed jointly by the Governor and a representative of the Council of Government.

3. The Free Territory may be or become a party to international conventions or become a member of international organizations provided the aim of such conventions or organizations is to settle economic, technical, cultural, social or health questions.

4. Economic union or associations of an exclusive character with any State are incompatible with the status of the Free Territory.

5. The Free Territory of Trieste shall recognize the full force of the Treaty of Peace with Italy, and shall give effect to the applicable provisions of that Treaty. The Free Territory shall also recognize the full force of the other agreements or arrangements which have been or will be reached by the Allied and Associated Powers for the restoration of peace.

Article 25. Independence of the Governor and Staff

In the performance of their duties, the Governor and his staff shall not seek or receive instructions from any Government or from any other authority except the Security Council. They shall refrain from any act which might reflect on their position as international officials responsible only to the Security Council.

Article 26. Appointment and Removal of Administrative Officials

1. Appointments to public office in the Free Territory shall be made exclusively on the ground of ability, competence and integrity.

2. Administrative officials shall not be removed from office except for incompetence or misconduct and such removal shall be subject to appropriate safeguards of investigation and hearing to be established by law.

Article 27. Director of Public Security

1. The Council of Government shall submit to the Governor a list of candidates for the post of Director of Public Security. The Governor shall appoint the Director from among the candidates presented to him, or from among other persons, after consultation with the Council of Government. He may also dismiss the Director of Public Security after consultation with the Council of Government.

2. The Director of Public Security shall not be a citizen of Yugoslavia or Italy.

3. The Director of Public Security shall normally be under the immediate authority of the Council of Government from which he will receive instructions on matters within his competence.

4. The Governor shall:

(a) receive regular reports from the Director of Public Security, and consult with him on any matters coming within the competence of the Director.

(b) be informed by the Council of Government of its instructions to the Director of Public Security and may express his opinion thereon.

Article 28. Police Force

1. In order to preserve public order and security in accordance with the Statute, the Constitution and the laws of the Free Territory, the Government of the Free Territory shall be empowered to maintain a police force and security services.

2. Members of the police force and security services shall be recruited by the Director of Public Security and shall be subject to dismissal by him.

Article 29. Local Government

The Constitution of the Free Territory shall provide for the establishment on the basis of proportional representation of organs of local government on democratic principles, including universal, equal, direct and secret suffrage.

Article 30. Monetary System

The Free Territory shall have its own monetary system.

Article 31. Railways

Without prejudice to its proprietary rights over the railways within its boundaries and its control of the railway administration, the Free Territory may negotiate with Yugoslavia and Italy agreements for the purpose of ensuring the efficient and economical operation of its railways. Such agreements would determine where responsibility lies for the operation of the railways in the direction of Yugoslavia or Italy respectively and also for the operation of the railway terminal of Trieste and of that part of the line which is common to all. In the latter case such operation may be effected by a special commission comprised of representatives of the Free Territory, Yugoslavia and Italy under the chairmanship of the representative of the Free Territory.

Article 32. Commercial Aviation

1. Commercial aircraft registered in the territory of any one of the United Nations which grants on its territory the same rights to commercial aircraft registered in the Free Territory, shall be granted international commercial aviation rights, including the right to land for refueling and repairs, to fly over the Free Territory without landing and to use for traffic purposes such airports as may be designated by the competent authorities of the Free Territory.

2. These rights shall not be subject to any restrictions other than those imposed on a basis of non-discrimination by the laws and regulations in force in the Free Territory and in the countries concerned or resulting from the special character of the Free Territory as neutral and demilitarized.

Article 33. Registration of Vessels

1. The Free Territory is entitled to open registers for the registration of ships and vessels owned by the Government of the Free Territory or by persons or organisations domiciled within the Free Territory.

2. The Free Territory shall open special maritime registers for Czechoslovak and Swiss ships and vessels upon request of these Governments, as well as for Hungarian and Austrian ships and vessels upon the request of these Governments after the conclusion of the Treaty of Peace with Hungary

and the treaty for the reestablishment of the independence of Austria respectively. Ships and vessels entered in these registers shall fly the flags of their respective countries.

3. In giving effect to the foregoing provisions, and subject to any international convention which may be entered into concerning these questions, with the participation of the Government of the Free Territory, the latter shall be entitled to impose such conditions governing the registration, retention on and removal from the registers as shall prevent any abuses arising from the facilities thus granted. In particular as regards ships and vessels registered under paragraph 1 above, registration shall be limited to ships and vessels controlled from the Free Territory and regularly serving the needs or the interests of the Free Territory. In the case of ships and vessels registered under paragraph 2 above, registration shall be limited to ships and vessels based on the Port of Trieste and regularly and permanently serving the needs of their respective countries through the Port of Trieste.

Article 34. Free Port

A free port shall be established in the Free Territory and shall be administered on the basis of the provisions of an international instrument drawn up by the Council of Foreign Ministers, approved by the Security Council, and annexed to the present Treaty (Annex VIII). The Government of the Free Territory shall enact all necessary legislation and take all necessary steps to give effect to the provisions of such instrument.

Article 35. Freedom of Transit

Freedom of transit shall, in accordance with customary international agreements, be assured by the Free Territory and the States whose territories are traversed to goods transported by railroad between the Free Port and the States which it serves, without any discrimination and without customs duties or charges other than those levied for services rendered.

Article 36. Interpretation of Statute

Except where another procedure is specifically provided under any Article of the present Statute, any dispute relating to the interpretation or execution of the Statute, not resolved by direct negotiations, shall, unless the parties mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one

representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 37. Amendment of Statute

This Statute shall constitute the permanent Statute of the Free Territory, subject to any amendment which may hereafter be made by the Security Council. Petitions for the amendment of the Statute may be presented to the Security Council by the popular Assembly upon a vote taken by a two-thirds majority of the votes cast.

Article 38. Coming into Force of Statute

The present Statute shall come into force on a date which shall be determined by the Security Council of the United Nations Organisation.

ANNEX VII

Instrument for the Provisional Regime of the Free Territory of Trieste

(See Article 21)

The present provisions shall apply to the administration of the Free Territory of Trieste pending the coming into force of the Permanent Statute.

Article 1

The Governor shall assume office in the Free Territory at the earliest possible moment after the coming into force of the present Treaty. Pending assumption of office by the Governor, the Free Territory shall continue to be administered by the Allied military commands within their respective zones.

Article 2

On assuming office in the Free Territory of Trieste the Governor shall be empowered to select from among persons domiciled in the Free Territory and after consultation with the Governments of Yugoslavia and Italy a Provisional Council of Government. The Governor shall have the right to

make changes in the composition of the Provisional Council of Government whenever he deems it necessary. The Governor and the Provisional Council of Government shall exercise their functions in the manner laid down in the provisions of the Permanent Statute as and when these provisions prove to be applicable and in so far as they are not superseded by the present Instrument. Likewise all other provisions of the Permanent Statute shall be applicable during the period of the Provisional Regime as and when these provisions prove to be applicable and in so far as they are not superseded by the present Instrument. The Governor's actions will be guided mainly by the needs of the population and its well being.

Article 3

The seat of Government will be established in Trieste. The Governor will address his reports directly to the Chairman of the Security Council and will, through that channel, supply the Security Council with all necessary information on the administration of the Free Territory.

Article 4

The first concern of the Governor shall be to ensure the maintenance of public order and security. He shall appoint on a provisional basis a Director of Public Security, who will reorganize and administer the police force and security services.

Article 5

(a) From the coming into force of the present Treaty, troops stationed in the Free Territory shall not exceed 5,000 men for the United Kingdom, 5,000 men for the United States of America and 5,000 men for Yugoslavia.

(b) These troops shall be placed at the disposal of the Governor for a period of 90 days after his assumption of office in the Free Territory. As from the end of that period, they will cease to be at the disposal of the Governor and will be withdrawn from the Territory within a further period of 45 days, unless the Governor advises the Security Council that, in the interests of the Territory, some or all of them should not, in his view, be withdrawn. In the latter event, the troops required by the Governor shall remain until not later than 45 days after the Governor has advised the Security Council that the security services can maintain internal order in the Territory without the assistance of foreign troops.

(c) The withdrawal prescribed in paragraph (b) shall be carried out so as to maintain, in so far as possible, the ratio prescribed in paragraph (a) between the troops of the three Powers concerned.

Article 6

The Governor shall have the right at any time to call upon the Commanders of such contingents for support and such support shall be given promptly. The Governor shall, whenever possible, consult with the Commanders concerned before issuing his instructions but shall not interfere with the military handling of the forces in the discharge of his instructions. Each Commander has the right to report to his Government the instructions which he has received from the Governor, informing the Governor of the contents of such reports. The Government concerned shall have the right to refuse the participation of its forces in the operation in question, informing the Security Council accordingly.

Article 7

The necessary arrangements relating to the stationing, administration and supply of the military contingents made available by the United Kingdom, the United States of America, and Yugoslavia shall be settled by agreement between the Governor and the Commanders of those contingents.

Article 8

The Governor, in consultation with the Provisional Council of Government, shall be responsible for organizing the elections of Members of the Constituent Assembly in accordance with the conditions provided for in the Statute for elections to the popular Assembly.

The elections shall be held not later than four months after the Governor's assumption of office. In case this is technically impossible the Governor shall report to the Security Council.

Article 9

The Governor will, in consultation with the Provisional Council of Government, prepare the provisional budget and the provisional export and import programmes and will satisfy himself that appropriate arrangements are made by the Provisional Council of Government for the administration of the finances of the Free Territory.

Article 10

Existing laws and regulations shall remain valid unless and until revoked or suspended by the Governor. The Governor shall have the right

to amend existing laws and regulations and to introduce new laws and regulations in agreement with the majority of the Provisional Council of Government. Such amended and new laws and regulations, as well as the acts of the Governor in regard to the revocation or suspension of laws and regulations, shall be valid unless and until they are amended, revoked or superseded by acts of the popular Assembly or the Council of Government within their respective spheres after the entry into force of the Constitution.

Article 11

Pending the establishment of a separate currency regime for the Free Territory the Italian lira shall continue to be the legal tender within the Free Territory. The Italian Government shall supply the foreign exchange and currency needs of the Free Territory under conditions no less favorable than those applying in Italy.

Italy and the Free Territory shall enter into an agreement to give effect to the above provisions as well as to provide for any settlement between the two Governments which may be required.

ANNEX VIII

Instrument for the Free Port of Trieste

Article 1

1. In order to ensure that the port and transit facilities of Trieste will be available for use on equal terms by all international trade and by Yugoslavia, Italy and the States of Central Europe, in such manner as is customary in other free ports of the world:

(a) There shall be a customs free port in the Free Territory of Trieste within the limits provided for by or established in accordance with Article 3 of the present Instrument.

(b) Goods passing through the Free Port of Trieste shall enjoy freedom of transit as stipulated in Article 16 of the present Instrument.

2. The international regime of the Free Port shall be governed by the provisions of the present Instrument.

Article 2

1. The Free Port shall be established and administered as a State corporation of the Free Territory, having all the attributes of a juridical person and functioning in accordance with the provisions of this Instrument.

2. All Italian state and para-statal property within the limits of the Free Port which, according to the provisions of the present Treaty, shall pass to the Free Territory shall be transferred, without payment, to the Free Port.

Article 3

1. The area of the Free Port shall include the territory and installations of the free zones of the port of Trieste within the limits of the 1939 boundaries.

2. The establishment of special zones in the Free Port under the exclusive jurisdiction of any State is incompatible with the status of the Free Territory and of the Free Port.

3. In order, however, to meet the special needs of Yugoslav and Italian shipping in the Adriatic, the Director of the Free Port, on the request of the Yugoslav or Italian Government and with the concurring advice of the International Commission provided for in Article 21 below, may reserve to merchant vessels flying the flags of either of these two States the exclusive use of berthing spaces within certain parts of the area of the Free Port.

4. In case it shall be necessary to increase the area of the Free Port such increase may be made upon the proposal of the Director of the Free Port by decision of the Council of Government with the approval of the popular Assembly.

Article 4

Unless otherwise provided for by the present Instrument the laws and regulations in force in the Free Territory shall be applicable to persons and property within the boundaries of the Free Port and the authorities responsible for their application in the Free Territory shall exercise their functions within the limits of the Free Port.

Article 5

1. Merchant vessels and goods of all countries shall be allowed unrestricted access to the Free Port for loading and discharge both for goods in transit and goods destined for or proceeding from the Free Territory.

2. In connection with importation into or exportation from or transit through the Free Port, the authorities of the Free Territory shall not levy on such goods customs duties or charges other than those levied for services rendered.

3. However, in respect of goods, imported through the Free Port for consumption within the Free Territory or exported from this Territory through the Free Port, appropriate legislation and regulations in force in the Free Territory shall be applied.

Article 6

Warehousing, storing, examining, sorting, packing and repacking and similar activities which have customarily been carried on in the free zones of the port of Trieste shall be permitted in the Free Port under the general regulations established by the Director of the Free Port.

Article 7

1. The Director of the Free Port may also permit the processing of goods in the Free Port.

2. Manufacturing activities in the Free Port shall be permitted to those enterprises which existed in the free zones of the port of Trieste before the coming into force of the present Instrument. Upon the proposal of the Director of the Free Port, the Council of Government may permit the establishment of new manufacturing enterprises within the limits of the Free Port.

Article 8

Inspection by the authorities of the Free Territory shall be permitted within the Free Port to the extent necessary to enforce the customs or other regulations of the Free Territory for the prevention of smuggling.

Article 9

1. The authorities of the Free Territory will be entitled to fix and levy harbour dues in the Free Port.

2. The Director of the Free Port shall fix all charges for the use of the facilities and services of the Free Port. Such charges shall be reasonable and be related to the cost of operation, administration, maintenance and development of the Free Port.

Article 10

In the fixing and levying in the Free Port of harbour dues and other charges under Article 9 above, as well as in the provision of the services and

facilities of the Free Port, there shall be no discrimination in respect of the nationality of the vessels, the ownership of the goods or on any other grounds.

Article 11

The passage of all persons into and out of the Free Port area shall be subject to such regulations as the authorities of the Free Territory shall establish. These regulations, however, shall be established in such a manner as not unduly to impede the passage into and out of the Free Port of nationals of any State who are engaged in any legitimate pursuit in the Free Port area.

Article 12

The rules and bye-laws operative in the Free Port and likewise the schedules of charges levied in the Free Port must be made public.

Article 13

Coastwise shipping and coastwise trade within the Free Territory shall be carried on in accordance with regulations issued by the authorities of the Free Territory, the provisions of the present Instrument not being deemed to impose upon such authorities any restrictions in this respect.

Article 14

Within the boundaries of the Free Port, measures for the protection of health and measures for combating animal and plant diseases in respect of vessels and cargoes shall be applied by the authorities of the Free Territory.

Article 15

It shall be the duty of the authorities of the Free Territory to provide the Free Port with water supplies, gas, electric light and power, communications, drainage facilities and other public services and also to ensure police and fire protection.

Article 16

1. Freedom of transit shall, in accordance with customary international agreements, be assured by the Free Territory and the States whose territories are traversed to goods transported by railroad between the Free Port and the States which it serves, without any discrimination and without customs duties or charges other than those levied for services rendered.

2. The Free Territory and the States assuming the obligations of the present Instrument through whose territory such traffic passes in transit in

either direction shall do all in their power to provide the best possible facilities in all respects for the speedy and efficient movement of such traffic at a reasonable cost, and shall not apply with respect to the movement of goods to and from the Free Port any discriminatory measures with respect to rates, services, customs, sanitary, police or any other regulations.

3. The States assuming the obligations of the present Instrument shall take no measures regarding regulations or rates which would artificially divert traffic from the Free Port for the benefit of other seaports. Measures taken by the Government of Yugoslavia to provide for traffic to ports in southern Yugoslavia shall not be considered as measures designed to divert traffic artificially.

Article 17

The Free Territory and the States assuming the obligations of the present Instrument shall, within their respective territories and on non-discriminatory terms, grant in accordance with customary international agreements freedom of postal, telegraphic, and telephonic communications between the Free Port area and any country for such communications as originate in or are destined for the Free Port area.

Article 18

1. The administration of the Free Port shall be carried on by the Director of the Free Port who will represent it as a juridical person. The Council of Government shall submit to the Governor a list of qualified candidates for the post of Director of the Free Port. The Governor shall appoint the Director from among the candidates presented to him after consultation with the Council of Government. In case of disagreement the matter shall be referred to the Security Council. The Governor may also dismiss the Director upon the recommendation of the International Commission or the Council of Government.

2. The Director shall not be a citizen of Yugoslavia or Italy.

3. All other employees of the Free Port will be appointed by the Director. In all appointments of employees preference shall be given to citizens of the Free Territory.

Article 19

Subject to the provisions of the present Instrument, the Director of the Free Port shall take all reasonable and necessary measures for the admin-

istration, operation, maintenance and development of the Free Port as an efficient port adequate for the prompt handling of all the traffic of that port. In particular, the Director shall be responsible for the execution of all kinds of port works in the Free Port, shall direct the operation of port installations and other port equipment, shall establish, in accordance with legislation of the Free Territory, conditions of labour in the Free Port, and shall also supervise the execution in the Free Port of orders and regulations of the authorities of the Free Territory in respect to navigation.

Article 20

1. The Director of the Free Port shall issue such rules and bye-laws as he considers necessary in the exercise of his functions as prescribed in the preceding Article.

2. The autonomous budget of the Free Port will be prepared by the Director, and will be approved and applied in accordance with legislation to be established by the popular Assembly of the Free Territory.

3. The Director of the Free Port shall submit an annual report on the operations of the Free Port to the Governor and the Council of Government of the Free Territory. A copy of the report shall be transmitted to the International Commission.

Article 21

1. There shall be established an International Commission of the Free Port, hereinafter called "the International Commission", consisting of one representative from the Free Territory and from each of the following States: France, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the United States of America, the People's Federal Republic of Yugoslavia, Italy, Czechoslovakia, Poland, Switzerland, Austria and Hungary, provided that such State has assumed the obligations of the present Instrument.

2. The representative of the Free Territory shall be the permanent Chairman of the International Commission. In the event of a tie in voting, the vote cast by the Chairman shall be decisive.

Article 22

The International Commission shall have its seat in the Free Port. Its offices and activities shall be exempt from local jurisdiction. The members and officials of the International Commission shall enjoy in the Free Territory

such privileges and immunities as are necessary for the independent exercise of their functions. The International Commission shall decide upon its own secretariat, procedure and budget. The common expenses of the International Commission shall be shared by member States in an equitable manner as agreed by them through the International Commission.

Article 23

The International Commission shall have the right to investigate and consider all matters relating to the operation, use, and administration of the Free Port or to the technical aspects of transit between the Free Port and the States which it serves, including unification of handling procedures. The International Commission shall act either on its own initiative or when such matters have been brought to its attention by any State or by the Free Territory or by the Director of the Free Port. The International Commission shall communicate its views or recommendations on such matters to the State or States concerned, or to the Free Territory, or to the Director of the Free Port. Such recommendations shall be considered and the necessary measures shall be taken. Should the Free Territory or the State or States concerned deem, however, that such measures would be inconsistent with the provisions of the present Instrument, the matter may at the request of the Free Territory or any interested State be dealt with as provided in Article 24 below.

Article 24

Any dispute relating to the interpretation or execution of the present Instrument, not resolved by direct negotiations, shall, unless the parties mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 25

Proposals for amendments to the present Instrument may be submitted to the Security Council by the Council of Government of the Free Territory

or by three or more States represented on the International Commission. An amendment approved by the Security Council shall enter into force on the date determined by the Security Council.

Article 26

For the purposes of the present Instrument a State shall be considered as having assumed the obligations of this Instrument if it is a party to the Treaty of Peace with Italy or has notified the Government of the French Republic of its assumption of such obligations.

ANNEX IX

Technical Dispositions Regarding the Free Territory of Trieste

(See Article 21)

A. *Water Supply to Northwestern Istria*

Yugoslavia shall continue to supply water to the region of northwestern Istria within the Free Territory of Trieste from the spring of San Giovanni de Pinguente through the Quieto water supply system and from the spring of Santa Maria del Risano through the Risano system. The water so supplied shall be in such amounts, not substantially exceeding those amounts which have been customarily supplied to the region, and at such rates of flow, as the Free Territory may request, but within limits imposed by natural conditions. Yugoslavia shall maintain the water conduits, reservoirs, pumps, purifying systems and such other works within Yugoslav territory as may be required to fulfill this obligation. Temporary allowance must be made in respect of the foregoing obligations on Yugoslavia for necessary repair of war damage to water supply installations. The Free Territory shall pay a reasonable price for the water thus supplied, which price should represent a proportionate share, based on the quantity of water consumed within the Free Territory, of the total cost of operation and maintenance of the Quieto and the Risano water supply systems. Should, in the future, additional supplies of water be required by the Free Territory, Yugoslavia undertakes to examine the matter jointly with the authorities of the Free Territory and by agreement to take such measures as are reasonable to meet these requirements.

B. *Electricity Supplies*

1. Yugoslavia and Italy shall maintain the existing supply of electricity to the Free Territory of Trieste, furnishing to the Free Territory such quantities of electricity at such rates of output as the latter may require. The quantities furnished need not at first substantially exceed those which have been customarily supplied to the area comprised in the Free Territory, but Italy and Yugoslavia shall, on request of the Free Territory, furnish increasing amounts as the requirements of the Free Territory grow, provided that any increase of more than 20% over the amount normally furnished to the Free Territory from the respective sources shall be the subject of an agreement between the interested Governments.

2. The price to be charged by Yugoslavia or by Italy and to be paid by the Free Territory for the electricity furnished to it shall be no higher than the price charged in Yugoslavia or in Italy for the supply of similar quantities of hydro-electricity from the same sources in Yugoslav or Italian territory.

3. Yugoslavia, Italy and the Free Territory shall exchange information continuously concerning the flow and storage of water and the output of electricity in respect of stations supplying the former Italian *compartimento* of Venezia Giulia, so that each of the three parties will be in a position to determine its requirements.

4. Yugoslavia, Italy and the Free Territory shall maintain in good and substantial condition all of the electrical plants, transmission lines, substations and other installations which are required for the continued supply of electricity to the former Italian *compartimento* of Venezia Giulia.

5. Yugoslavia shall ensure that the existing and any future power installations on the Isonzo (Soca) are operated so as to provide that such supplies of water as Italy may from time to time request may be diverted from the Isonzo (Soca) for irrigation in the region from Gorizia southwestward to the Adriatic. Italy may not claim the right to the use of water from the Isonzo (Soca) in greater volume or under more favorable conditions than has been customary in the past.

6. Yugoslavia, Italy and the Free Territory shall, through joint negotiations, adopt a mutually agreeable convention in conformity with the foregoing provisions for the continuing operation of the electricity system which

serves the former Italian *compartimento* of Venezia Giulia. A mixed commission with equal representation of the three Governments shall be established for supervising the execution of the obligations arising under paragraphs 1 to 5 above.

7. Upon the expiration of a ten-year period from the coming into force of the present Treaty, Yugoslavia, Italy and the Free Territory shall re-examine the foregoing provisions in the light of conditions at that time in order to determine which, if any, of the foregoing obligations are no longer required, and shall make such alterations, deletions and additions as may be agreed upon by the parties concerned. Any disputes which may arise as a result of this re-examination shall be submitted for settlement under the procedure outlined in Article 87 of the present Treaty.

C. *Facilities for Local Frontier Trade*

Yugoslavia and the Free Territory of Trieste, and Italy and the Free Territory of Trieste, shall, within one month of the coming into force of the present Treaty, undertake negotiations to provide arrangements which shall facilitate the movement across the frontiers between the Free Territory and the adjacent areas of Yugoslavia and Italy of foodstuffs and other categories of commodities which have customarily moved between those areas in local trade, provided these commodities are grown, produced or manufactured in the respective territories. This movement may be facilitated by appropriate measures, including the exemption of such commodities, up to agreed quantities or values, from tariffs, customs charges, and export or import taxes of any kind when such commodities are moving in local trade.

ANNEX X

Economic and Financial Provisions Relating to the Free Territory of Trieste

1. The Free Territory of Trieste shall receive, without payment, Italian State and para-statal property within the Free Territory.

The following are considered as State or para-statal property for the purposes of this Annex: movable and immovable property of the Italian State, of local authorities and of public institutions and publicly owned com-

panies and associations, as well as movable and immovable property formerly belonging to the Fascist Party or its auxiliary organizations.

2. All transfers effected after September 3, 1943, of Italian State and para-statal property as defined in paragraph 1 above shall be deemed null and void. This provision shall not, however, extend to lawful acts relating to current operations of State and para-statal agencies in so far as they concern the sale, within normal limits, of goods ordinarily produced by them or sold in the execution of normal commercial arrangements or in the normal course of governmental administrative activities.

3. Submarine cables owned by the Italian State or by Italian para-statal organizations shall fall within the provisions of paragraph 1 so far as concerns terminal facilities and the lengths of cables lying within territorial waters of the Free Territory.

4. Italy shall hand over to the Free Territory all relevant archives and documents of an administrative character or historical value concerning the Free Territory or relating to property transferred under paragraph 1 of this Annex. The Free Territory shall hand over to Yugoslavia all documents of the same character relating to territory ceded to Yugoslavia under the present Treaty, and to Italy all documents of the same character which may be in the Free Territory and which relate to Italian territory.

Yugoslavia declares herself ready to hand over to the Free Territory all archives and documents of an administrative character concerning and required exclusively for the administration of the Free Territory, which are of a kind which were usually held before September 3, 1943, by the local authorities having jurisdiction over what now forms part of the Free Territory.

5. The Free Territory shall be exempt from the payment of the Italian public debt, but shall assume the obligations of the Italian State towards holders who continue to reside in the Free Territory, or who, being juridical persons, retain their *siège social* or principal place of business there, in so far as these obligations correspond to that portion of this debt which has been issued prior to June 10, 1940, and is attributable to public works and civil administrative services of benefit to the said Territory but not attributable directly or indirectly to military purposes.

Full proof of the source of such holdings may be required from the holders.

Italy and the Free Territory shall conclude arrangements to determine the portion of the Italian public debt referred to in this paragraph and the methods for giving effect to these provisions.

6. The future status of external obligations secured by charges upon the property or revenues of the Free Territory shall be governed by further agreements between the parties concerned.

7. Special arrangements shall be concluded between Italy and the Free Territory to govern the conditions under which the obligations of Italian public or private social insurance organizations towards the inhabitants of the Free Territory, and a proportionate part of the reserves accumulated by the said organizations, shall be transferred to similar organizations in the Free Territory.

Similar arrangements shall also be concluded between the Free Territory and Italy, and between the Free Territory and Yugoslavia, to govern the obligations of public and private social insurance organizations whose *siège social* is in the Free Territory, with regard to policy holders or subscribers residing respectively in Italy or in territory ceded to Yugoslavia under the present Treaty.

Similar arrangements shall also be concluded between the Free Territory and Yugoslavia to govern the obligations of public and private social insurance organizations whose *siège social* is in territory ceded to Yugoslavia under the present Treaty, with regard to policy holders or subscribers residing in the Free Territory.

8. Italy shall continue to be liable for the payment of civil or military pensions earned, as of the coming into force of the present Treaty, for service under the Italian State, municipal or other local government authorities, by persons who under the Treaty acquire the nationality of the Free Territory, including pension rights not yet matured. Arrangements shall be concluded between Italy and the Free Territory providing for the method by which this liability shall be discharged.

9. The property, rights and interests of Italian nationals who became domiciled in the Free Territory after June 10, 1940, and of persons who opt for Italian citizenship pursuant to the Statute of the Free Territory of Trieste shall, provided they have been lawfully acquired, be respected in the same measure as the property, rights and interests of nationals of the

Free Territory generally, for a period of three years from the coming into force of the Treaty.

The property, rights and interests within the Free Territory of other Italian nationals and also of Italian juridical persons, provided they have been lawfully acquired, shall be subject only to such legislation as may be enacted from time to time regarding the property of foreign nationals and juridical persons generally.

10. Persons who opt for Italian nationality and move to Italy shall be permitted, after the settlement of any debts or taxes due from them in the Free Territory, to take with them their movable property and transfer their funds, provided such property and funds were lawfully acquired. No export or import duties shall be imposed in connection with the moving of such property. Further, they shall be permitted to sell their movable and immovable property under the same conditions as nationals of the Free Territory.

The removal of property to Italy will be effected under conditions which will not be in contradiction to the Constitution of the Free Territory and in a manner which will be agreed upon between Italy and the Free Territory. The conditions and the time periods of the transfer of the funds, including the proceeds of sales, shall be determined in the same manner.

11. The property, rights and interests of former Italian nationals, resident in the Free Territory, who become nationals of the Free Territory under the present Treaty, existing in Italy at the coming into force of the Treaty, shall be respected by Italy in the same measure as the property, rights and interests of Italian nationals generally, for a period of three years from the coming into force of the Treaty.

Such persons are authorized to effect the transfer and the liquidation of their property, rights and interests under the same conditions as are provided for under paragraph 10 above.

12. Companies incorporated under Italian law and having *siège social* in the Free Territory, which wish to remove *siège social* to Italy or Yugoslavia, shall likewise be dealt with under the provisions of paragraph 10 above, provided that more than fifty per cent. of the capital of the company is owned by persons usually resident outside the Free Territory, or by persons who move to Italy or Yugoslavia.

13. Debts owed by persons in Italy, or in territory ceded to Yugoslavia, to persons in the Free Territory, or by persons in the Free Territory to persons in Italy or in territory ceded to Yugoslavia, shall not be affected by the cession. Italy, Yugoslavia and the Free Territory undertake to facilitate the settlement of such obligations. As used in this paragraph, the term "persons" includes juridical persons.

14. The property in the Free Territory of any of the United Nations and its nationals, if not already freed from Italian measures of sequestration or control and returned to its owner, shall be returned in the condition in which it now exists.

15. Italy shall return property unlawfully removed after September 3, 1943, from the Free Territory to Italy. Paragraphs 2, 3, 4, 5 and 6 of Article 75 shall govern the application of this obligation except as regards property provided for elsewhere in this Annex.

The provisions of paragraphs 1, 2, 5 and 6 of Article 75 shall apply to the restitution by the Free Territory of property removed from the territory of any of the United Nations during the war.

16. Italy shall return to the Free Territory in the shortest possible time any ships in Italian possession which were owned on September 3, 1943, by natural persons resident in the Free Territory who acquire the nationality of the Free Territory under the present Treaty, or by Italian juridical persons having and retaining *siège social* in the Free Territory, except any ships which have been the subject of a bona fide sale.

17. Italy and the Free Territory, and Yugoslavia and the Free Territory, shall conclude agreements providing for a just and equitable apportionment of the property of any existing local authority whose area is divided by any frontier settlement under the present Treaty, and for a continuance to the inhabitants of necessary communal services not specifically covered in other parts of the Treaty.

Similar agreements shall be concluded for a just and equitable allocation of rolling stock and railway equipment and of dock and harbour craft and equipment, as well as for any other outstanding economic matters not covered by this Annex.

18. Citizens of the Free Territory shall, notwithstanding the transfer of sovereignty and any change of nationality consequent thereon, continue to

enjoy in Italy all the rights in industrial, literary and artistic property to which they were entitled under the legislation in force in Italy at the time of the transfer.

The Free Territory shall recognize and give effect to rights of industrial, literary and artistic property existing in the Free Territory under Italian laws in force at the time of transfer, or to be re-established or restored in accordance with Annex XV, part A of the present Treaty. These rights shall remain in force in the Free Territory for the same period as that for which they would have remained in force under the laws of Italy.

19. Any dispute which may arise in giving effect to this Annex shall be dealt with in the same manner as provided in Article 83 of the present Treaty.

20. Paragraphs 1, 3 and 5 of Article 76; Article 77; paragraph 3 of Article 78; Article 81; Annex XV, part A; Annex XVI and Annex XVII, part B, shall apply to the Free Territory in like manner as to Italy.

ANNEX XI

Joint Declaration by the Governments of the Soviet Union, of the United Kingdom, of the United States of America and of France concerning Italian Territorial Possessions in Africa

(See Article 23)

1. The Governments of the Union of Soviet Socialist Republics, of the United Kingdom of Great Britain and Northern Ireland, of the United States of America, and of France agree that they will, within one year from the coming into force of the Treaty of Peace with Italy bearing the date of February 10, 1947, jointly determine the final disposal of Italy's territorial possessions in Africa, to which, in accordance with Article 23 of the Treaty, Italy renounces all right and title.

2. The final disposal of the territories concerned and the appropriate adjustment of their boundaries shall be made by the Four Powers in the light of the wishes and welfare of the inhabitants and the interests of peace and security, taking into consideration the views of other interested Governments.

95347°—49—PT. II——32

3. If with respect to any of these territories the Four Powers are unable to agree upon their disposal within one year from the coming into force of the Treaty of Peace with Italy, the matter shall be referred to the General Assembly of the United Nations for a recommendation, and the Four Powers agree to accept the recommendation and to take appropriate measures for giving effect to it.

4. The Deputies of the Foreign Ministers shall continue the consideration of the question of the disposal of the former Italian Colonies with a view to submitting to the Council of Foreign Ministers their recommendations on this matter. They shall also send out commissions of investigation to any of the former Italian Colonies in order to supply the Deputies with the necessary data on this question and to ascertain the views of the local population.

ANNEX XII

(See Article 56)

The names in this Annex are those which were used in the Italian Navy on June 1, 1946.

A. List of Naval Vessels to be Retained by Italy

MAJOR WAR VESSELS

Battleships . . .Andrea Doria
Caio Duilio

Cruisers . . . . .Luigi di Savoia Duca degli Abruzzi
Giuseppe Garibaldi
Raimondo Montecuccoli
Luigi Cadorna

Destroyers . . .Carabiniere
Granatiere
Grecale
Nicoloso da Recco

Torpedo Boats Giuseppe Cesare Abba
Aretusa
Calliope
Giacinto Carini
Cassiopea
Clio
Nicola Fabrizi
Ernesto Giovannini
Libra
Monzambano
Antonio Mosto
Orione
Orsa
Rosalino Pilo
Sagittario
Sirio

Corvettes...	Ape	Gru
	Baionetta	Ibis
	Chimera	Minerva
	Cormorano	Pellicano
	Danaide	Pomona
	Driade	Scimittara
	Fenice	Sfinge
	Flora	Sibilla
	Folaga	Urania
	Gabbiano	

Together with one corvette to be salvaged, completed or constructed.

MINOR WAR VESSELS

Minesweepers R. D. Nos. 20, 32, 34, 38, 40, 41, 102, 103, 104, 105, 113, 114, 129, 131, 132, 133, 134, 148, 149, together with 16 YMS type acquired from the United States of America.

Vedettes VAS Nos. 201, 204, 211, 218, 222, 224, 233, 235

AUXILIARY NAVAL VESSELS

Fleet Tankers ...	Nettuno	*Water Carriers*.. (continued)	Stura
	Lete		Tronto
			Vipacco
Water Carriers ..	Arno		
	Frigido	*Tugs (large)* ...	Abbazia
	Mincio		Asinara
	Ofanto		Atlante
	Oristano		Capraia
	Pescara		Chioggia
	Po		Emilio
	Sesia		Gagliardo
	Simeto		Gorgona

Tugs (large) ... (continued)
Licosa
Lilibeo
Linosa
Mestre
Piombino
Porto Empedocle
Porto Fossone
Porto Pisano
Porto Rose
Porto Recanati
San Pietro
San Vito
Ventimiglia

Tugs (small) ... Argentario
Astico
Cordevole
Generale Pozzi
Irene
Passero
Porto Rosso
Porto Vecchio

Tugs (small) ... (continued)
San Bartolomeo
San Benedetto
Tagliamento
N 1
N 4
N 5
N 9
N 22
N 26
N 27
N 32
N 47
N 52
N 53
N 78
N 96
N 104
RLN 1
RLN 3
RLN 9
RLN 10

Training Ship ..... Amerigo Vespucci

Transports ..... Amalia Messina
Montegrappa
Tarantola

Supply Ship ..... Giuseppe Miraglia

Repair Ship ..... Antonio Pacinotti (after conversion from S/M Depot Ship)

Surveying Ships ..... Azio (after conversion from minelayer)
Cherso

Lighthouse-Service Vessel ..... Buffoluto

Cable Ship ..... Rampino

B. List of Naval Vessels to be placed at the Disposal of the Governments of the Soviet Union, of the United Kingdom, of the United States of America, and of France

MAJOR WAR VESSELS

Battleships.....Giulio Cesare
Italia
Vittorio Veneto

Cruisers.....Emanuele Filiberto Duca d'Aosta
Pompeo Magno
Attilio Regolo
Eugenio di Savoia
Scipione Africano

Sloop.....Eritrea

Destroyers.....Artigliere
Fuciliere
Legionario
Mitragliere
Alfredo Oriani
Augusto Riboty
Velite

Torpedo Boats..Aliseo
Animoso
Ardimentoso
Ariete
Fortunale
Indomito

Submarines ...Alagi
Atropo
Dandolo
Giada
Marea
Nichelio
Platino
Vortice

MINOR WAR VESSELS

M.T.Bs ..... MS Nos. 11, 24, 31, 35, 52, 53, 54, 55, 61, 65, 72, 73, 74, 75.

MAS Nos. 433, 434, 510, 514, 516, 519, 520, 521, 523, 538, 540, 543, 545, 547, 562.

ME Nos. 38, 40, 41.

Minesweepers ..... RD Nos. 6, 16, 21, 25, 27, 28, 29.

Gunboat ..... Illyria

Vedettes ..... VAS Nos. 237, 240, 241, 245, 246, 248.

Landing Craft..... MZ Nos. 713, 717, 722, 726, 728, 729, 737, 744, 758, 776, 778, 780, 781, 784, 800, 831.

AUXILIARY NAVAL VESSELS

Tankers ..... Prometeo
Stige
Tarvisio
Urano

Water Carriers .. Anapo
Aterno
Basento
Bisagno
Dalmazia
Idria
Isarco
Istria
Liri
Metauro
Polcevera
Sprugola
Timavo
Tirso

Tugs (Large)... Arsachena
Basiluzzo
Capo d'Istria
Carbonara
Cefalu
Ercole
Gaeta
Lampedusa

Tugs (Large) (continued)... Lipari
Liscanera
Marechiaro
Mesco
Molara
Nereo
Porto Adriano
Porto Conte
Porto Quieto
Porto Torres
Porto Tricase
Procida
Promontore
Rapallo
Salvore
San Angelo
San Antioco
San Remo
Talamone
Taormina
Teulada
Tifeo
Vado
Vigoroso

Tugs (Small) . . . Generale Valfre
Licata
Noli
Volosca
N 2
N 3
N 23
N 24
N 28
N 35
N 36
N 37
N 80
N 94

Depot Ship . . . . . Anteo

Training Ship . . . Cristoforo Colombo

Auxiliary Mine-Layer . . . . . Fasana

Transports . . . . . Giuseppe Messina
Montecucco
Panigaglia

ANNEX XIII

Definitions

A. NAVAL

(See Article 59)

Standard Displacement

The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

The standard displacement is expressed in tons of 2,240 lbs. (1,016 Kgs).

War Vessel

A war vessel, whatever its displacement, is:

1. A vessel specifically built or adapted as a fighting unit for naval, amphibious or naval air warfare; or

2. A vessel which has one of the following characteristics:

(a) mounts a gun with a calibre exceeding 4.7 inches (120 mm.);

(b) mounts more than four guns with a calibre exceeding 3 inches (76 mm.);

(c) is designed or fitted to launch torpedoes or to lay mines;

(d) is designed or fitted to launch self-propelled or guided missiles;

(e) is designed for protection by armour plating exceeding 1 inch (25 mm.) in thickness;

(f) is designed or adapted primarily for operating aircraft at sea;

(g) mounts more than two aircraft launching apparatus;

(h) is designed for a speed greater than twenty knots if fitted with a gun of calibre exceeding 3 inches (76 mm.).

A war vessel belonging to sub-category 1 is no longer to be considered as such after the twentieth year since completion if all weapons are removed.

Battleship

A battleship is a war vessel, other than an aircraft carrier, the standard displacement of which exceeds 10,000 tons or which carries a gun with a calibre exceeding 8 inches (203 mm.).

Aircraft Carrier

An aircraft carrier is a war vessel, whatever her displacement, designed or adapted primarily for the purpose of carrying and operating aircraft.

Submarine

A submarine is a vessel designed to operate below the surface of the sea.

Specialised Types of Assault Craft

1. All types of craft specially designed or adapted for amphibious operations.

2. All types of small craft specially designed or adapted to carry an explosive or incendiary charge for attacks on ships or harbours.

Motor Torpedo Boat

A vessel of a displacement less than 200 tons, capable of a speed of over 25 knots and of operating torpedoes.

B. MILITARY, MILITARY AIR AND NAVAL TRAINING
(See Articles 60, 63 and 65)

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organised study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission; and the organised study of air tactics, strategy and staff work.

3. Naval training is defined as: the study, administration or practice in the use of warships or naval establishments as well as the study or employment of all apparatus and training devices relative thereto, which are used in the prosecution of naval warfare, except for those which are also normally used for civilian purposes; also the teaching, practice or organised study of naval tactics, strategy and staff work including the execution of all operations and manoeuvres not required in the peaceful employment of ships.

C. DEFINITION AND LIST OF WAR MATERIAL
(See Article 67)

The term "war material" as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

Category I.

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft, breechless or recoil-less guns and flamethrowers; barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in sub-paragraphs 1-4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary materials or charges, filled or unfilled; all means for exploding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

Category II.

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self-propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness, used for protective purposes in warfare.

Category III.

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

Category IV.

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition,

aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices, or apparatus of any kind, including specially designed harbour defence booms, except as required by salvage, rescue or other civilian uses, as well as all equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be specially designed for the construction, testing, maintenance or housing of the same.

Category V.

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery, or for the carrying and dropping of bombs, or which are equipped with, or which by reason of their design or construction are prepared for, any of the appliances referred to in subparagraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

Category VI.

Asphyxiating, lethal, toxic or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

Category VII.

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging or filling of, or for use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

Category VIII.

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

D. DEFINITION OF THE TERMS "DEMILITARISATION" AND "DEMILITARISED"

(See Articles 11, 14, 49 and Article 3 of Annex VI)

For the purpose of the present Treaty the terms "demilitarisation" and "demilitarised" shall be deemed to prohibit, in the territory and territorial waters concerned, all naval, military and military air installations, fortifications and their armaments; artificial military, naval and air obstacles; the basing or the permanent or temporary stationing of military, naval and military air units; military training in any form; and the production of war material. This does not prohibit internal security personnel restricted in number to meeting tasks of an internal character and equipped with weapons which can be carried and operated by one person, and the necessary military training of such personnel.

ANNEX XIV

Economic and Financial Provisions Relating to Ceded Territories

1. The Successor State shall receive, without payment, Italian State and para-statal property within territory ceded to it under the present Treaty, as well as all relevant archives and documents of an administrative character or historical value concerning the territory in question, or relating to property transferred under this paragraph.

The following are considered as State or para-statal property for the purposes of this Annex: movable and immovable property of the Italian State, of local authorities and of public institutions and publicly owned companies and associations, as well as movable and immovable property formerly belonging to the Fascist Party or its auxiliary organizations.

2. All transfers effected after September 3, 1943, of Italian State and para-statal property as defined in paragraph 1 above shall be deemed null and void. This provision shall not, however, extend to lawful acts relating

to current operations of State and para-statal agencies in so far as they concern the sale, within normal limits, of goods ordinarily produced or sold by them in the execution of normal commercial arrangements or in the normal course of governmental administrative activities.

3. Italian submarine cables connecting points in ceded territory, or connecting a point in ceded territory with a point in other territory of the Successor State, shall be deemed to be Italian property in the ceded territory, despite the fact that lengths of these cables may lie outside territorial waters. Italian submarine cables connecting a point in ceded territory with a point outside the jurisdiction of the Successor State shall be deemed to be Italian property in ceded territory so far as concerns the terminal facilities and the lengths of cables lying within territorial waters of the ceded territory.

4. The Italian Government shall transfer to the Successor State all objects of artistic, historical or archaeological value belonging to the cultural heritage of the ceded territory, which, while that territory was under Italian control, were removed therefrom without payment and are held by the Italian Government or by Italian public institutions.

5. The Successor State shall make arrangements for the conversion into its own currency of Italian currency held within the ceded territory by persons continuing to reside in the said territory or by juridical persons continuing to carry on business there. Full proof of the source of the funds to be converted may be required from their holders.

6. The Government of the Successor State shall be exempt from the payment of the Italian public debt, but will assume the obligations of the Italian State towards holders who continue to reside in the ceded territory, or who, being juridical persons, retain their *siège social* or principal place of business there, in so far as these obligations correspond to that portion of this debt which has been issued prior to June 10, 1940, and is attributable to public works and civil administrative services of benefit to the said territory but not attributable directly or indirectly to military purposes.

Full proof of the source of such holdings may be required from the holders.

The Successor State and Italy shall conclude arrangements to determine the portion of the Italian public debt referred to in this paragraph and the methods for giving effect to these provisions.

7. Special arrangements shall be concluded between the Successor State and Italy to govern the conditions under which the obligations of Italian public or private social insurance organizations towards the inhabitants of the ceded territory, and a proportionate part of the reserves accumulated by the said organizations, shall be transferred to similar organizations in the Successor State.

Similar arrangements shall also be concluded between the Successor State and Italy to govern the obligations of public and private social insurance organizations whose *siège social* is in the ceded territory, with regard to policy holders or subscribers residing in Italy.

8. Italy shall continue to be liable for the payment of civil or military pensions earned, as of the coming into force of the present Treaty, for service under the Italian State, municipal or other local government authorities, by persons who under the Treaty acquire the nationality of the Successor State, including pension rights not yet matured. Arrangements shall be concluded between the Successor State and Italy providing for the method by which this liability shall be discharged.

9. The property, rights and interests of Italian nationals permanently resident in the ceded territories at the coming into force of the present Treaty shall, provided they have been lawfully acquired, be respected on a basis of equality with the rights of nationals of the Successor State.

The property, rights and interests within the ceded territories of other Italian nationals and also of Italian juridical persons, provided they have been lawfully acquired, shall be subject only to such legislation as may be enacted from time to time regarding the property of foreign nationals and juridical persons generally.

Such property, rights and interests shall not be subject to retention or liquidation under the provisions of Article 79 of the present Treaty, but shall be restored to their owners freed from any measures of this kind and from any other measure of transfer, compulsory administration or sequestration taken between September 3, 1943, and the coming into force of the present Treaty.

10. Persons who opt for Italian nationality and move to Italy shall be permitted, after the settlement of any debts or taxes due from them in ceded territory, to take with them their movable property and transfer their

funds, provided such property and funds were lawfully acquired. No export or import duties will be imposed in connection with the moving of such property. Further, they shall be permitted to sell their movable and immovable property under the same conditions as nationals of the Successor State.

The removal of property to Italy will be effected under conditions and within the limits agreed upon between the Successor State and Italy. The conditions and the time periods of the transfer of the funds, including the proceeds of sales, shall likewise be agreed.

11. The property, rights and interests of former Italian nationals, resident in the ceded territories, who become nationals of another State under the present Treaty, existing in Italy at the coming into force of the Treaty, shall be respected by Italy in the same measure as the property, rights and interests of United Nations nationals generally.

Such persons are authorized to effect the transfer and the liquidation of their property, rights and interests under the same conditions as may be established under paragraph 10 above.

12. Companies incorporated under Italian law and having *siège social* in the ceded territory, which wish to remove *siège social* to Italy, shall likewise be dealt with under the provisions of paragraph 10 above, provided that more than fifty per cent. of the capital of the company is owned by persons usually resident outside the ceded territory, or by persons who opt for Italian nationality under the present Treaty and who move to Italy, and provided also that the greater part of the activity of the company is carried on outside the ceded territory.

13. Debts owed by persons in Italy to persons in the ceded territory or by persons in the ceded territory to persons in Italy shall not be affected by the cession. Italy and the Successor State undertake to facilitate the settlement of such obligations. As used in this paragraph, the term "persons" includes juridical persons.

14. The property in ceded territory of any of the United Nations and its nationals, if not already freed from Italian measures of sequestration or control and returned to its owner, shall be returned in the condition in which it now exists.

15. The Italian Government recognizes that the Brioni Agreement of August 10, 1942, is null and void. It undertakes to participate with the other signatories of the Rome Agreement of May 29, 1923,[1] in any negotiations having the purpose of introducing into its provisions the modifications necessary to ensure the equitable settlement of the annuities which it provides.

16. Italy shall return property unlawfully removed after September 3, 1943, from ceded territory to Italy. Paragraphs 2, 3, 4, 5 and 6 of Article 75 shall govern the application of this obligation except as regards property provided for elsewhere in this Annex.

17. Italy shall return to the Successor State in the shortest possible time any ships in Italian possession which were owned on September 3, 1943, by natural persons resident in ceded territory who acquire the nationality of the Successor State under the present Treaty, or by Italian juridical persons having and retaining *siège social* in ceded territory, except any ships which have been the subject of a bona fide sale.

18. Italy and the Successor States shall conclude agreements providing for a just and equitable apportionment of the property of any existing local authority whose area is divided by any frontier settlement under the present Treaty, and for a continuance to the inhabitants of necessary communal services not specifically covered in other parts of the Treaty.

Similar agreements shall be concluded for a just and equitable allocation of rolling stock and railway equipment and of dock and harbour craft and equipment, as well as for any other outstanding economic matters not covered by this Annex.

19. The provisions of this Annex shall not apply to the former Italian Colonies. The economic and financial provisions to be applied therein will form part of the arrangements for the final disposal of these territories pursuant to Article 23 of the present Treaty.

ANNEX XV

Special Provisions Relating to Certain Kinds of Property

A. Industrial, Literary and Artistic Property

1. *(a)* A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their

[1] [The correct date of the Rome Agreement is Mar. 29, 1923.]

nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Italy of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Italy or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Italy or during the war, shall be entitled within twelve months after the coming into force of the present Treaty to apply for corresponding rights in Italy, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Italy against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the present Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in industrial, literary and artistic property which were in force in Italy at the outbreak of the war or which are recognised or established under part A of this Annex, and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Italy for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Italy of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Italy and its na-

tionals. Nothing, however, in these provisions shall entitle Italy or its nationals to more favourable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Italy be required thereby to accord to any of the Allied and Associated Powers or its nationals more favourable treatment than Italy or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Italy who, before the coming into force of the present Treaty, had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under part A of this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Italy, such permission shall take the form of a non-exclusive license granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 83 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in part A of this Annex shall be construed to entitle Italy or its nationals to any patent or utility model rights in the territory of any of the Allied and Associated Powers with respect to inventions, relating to any article listed by name in the definition of war material contained in Annex XIII of the present Treaty, made, or upon which applications were filed, by Italy, or any of its nationals, in Italy or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Italy shall likewise extend the benefits of the foregoing provisions of this Annex to United Nations, other than Allied or Associated Powers,

whose diplomatic relations with Italy have been broken off during the war and which undertake to extend to Italy the benefits accorded to Italy under the said provisions.

8. Nothing in part A of this Annex shall be understood to conflict with Articles 78, 79 and 81 of the present Treaty.

B. INSURANCE

1. No obstacles, other than any applicable to insurers generally, shall be placed in the way of the resumption by insurers who are United Nations nationals of their former portfolios of business.

2. Should an insurer, who is a national of any of the United Nations, wish to resume his professional activities in Italy, and should the value of the guarantee deposits or reserves required to be held as a condition of carrying on business in Italy be found to have decreased as a result of the loss or depreciation of the securities which constituted such deposits or reserves, the Italian Government undertakes to accept, for a period of eighteen months, such securities as still remain as fulfilling any legal requirements in respect of deposits and reserves.

ANNEX XVI

Contracts, Prescription and Negotiable Instruments

A. CONTRACTS

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in paragraphs 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, is without prejudice to the provisions of Article 81 of the present Treaty, nor shall it relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and, without prejudice to the rights contained in Article 79 of the present Treaty, there shall remain in force such parts of any contract as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall be subject to separate agreements between the Government of the Allied or Associated Power concerned and the Government of Italy.

B. Periods of Prescription

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations affecting persons or property, involving United Nations nationals and Italian nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Italian territory on the one hand, and on the other hand in the territory of those United Nations which grant to Italy, on a reciprocal basis, the benefit of the provisions of this paragraph. These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Italian territory to the prejudice of a national of one of the United Nations, the Italian Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Italian Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

C. NEGOTIABLE INSTRUMENTS

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

D. SPECIAL PROVISIONS

1. For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have

become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

2. Having regard to the legal system of the United States of America, the provisions of this Annex shall not apply as between the United States of America and Italy.

ANNEX XVII

Prize Courts and Judgments

A. Prize Courts

Each of the Allied and Associated Powers reserves the right to examine, according to a procedure to be established by it, all decisions and orders of the Italian Prize Courts in cases involving ownership rights of its nationals, and to recommend to the Italian Government that revision shall be undertaken of such of those decisions or orders as may not be in conformity with international law.

The Italian Government undertakes to supply copies of all documents comprising the records of these cases, including the decisions taken and orders issued, and to accept all recommendations made as a result of the examination of the said cases, and to give effect to such recommendations.

B. Judgments

The Italian Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into force of the present Treaty to submit to the appropriate Italian authorities for review any judgment given by an Italian court between June 10, 1940, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Italian Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term "United Nations nationals" includes corporations or associations organised or constituted under the laws of any of the United Nations.

МИРНЫЙ ДОГОВОР С ИТАЛИЕЙ

1947 г.

Союз Советских Социалистических Республик, Соединенное Королевство Великобритании и Северной Ирландии, Соединенные Штаты Америки, Китай, Франция, Австралия, Бельгия, Белорусская Советская Социалистическая Республика, Бразилия, Канада, Чехословакия, Эфиопия, Греция, Индия, Нидерланды, Новая Зеландия, Польша, Украинская Советская Социалистическая Республика, Южно-Африканский Союз и Федеративная Народная Республика Югославии, именуемые в дальнейшем «Союзные и Соединенные Державы», с одной стороны,

и Италия, с другой стороны,

Принимая во внимание, что Италия под фашистским режимом стала участником тройственного пакта с Германией и Японией, предприняла агрессивную войну и тем самым вызвала состояние войны со всеми Союзными и Соединенными Державами и с другими Объединенными Нациями, и несет свою долю ответственности за эту войну; и

Принимая во внимание, что в результате побед вооруженных сил Союзников и с помощью демократических элементов итальянского народа фашистский режим в Италии был 25 июля 1943 года свергнут, и Италия, безоговорочно капитулировав, 3 и 29 сентября того же года подписала условия Перемирия; и

Принимая во внимание, что после указанного Перемирия итальянские вооруженные силы, как правительственные, так и движения сопротивления, приняли активное участие в войне против Германии, и 13 октября 1943 года Италия объявила войну Германии и тем самым стала совоюющей против Германии; и

Принимая во внимание, что Союзные и Соединенные Державы и Италия желают заключить мирный договор, который, соответствуя принципам справедливости, урегулирует вопросы, остающиеся еще нерешенными в результате перечисленных выше событий, и явится основой дружественных отношений между ними, тем самым давая Союзным и Соединенным Державам возможность поддержать обращение Италии о принятии ее в члены Организации Объединенных Наций, а также о присоединении Италии к любой конвенции, заключенной по почину Организации Объединенных Наций;

В соответствии с этим решили объявить о прекращении состо-

яния войны и для этой цели заключить настоящий Мирный Договор и назначили для этого нижеподписавшихся в качестве своих Полномочных Представителей, которые по представлении своих полномочий, найденных в порядке и надлежащей форме, согласились о следующих постановлениях:

ЧАСТЬ I.

ТЕРРИТОРИАЛЬНЫЕ ПОСТАНОВЛЕНИЯ.

Раздел I. Границы.

Статья 1.

Границами Италии должны быть границы, существовавшие на 1 января 1938 года, с изменениями, установленными в статьях 2, 3, 4, 11 и 22. Эти границы показаны на картах, прилагаемых к настоящему Договору (Приложение I). В случае расхождения между описанием границ в тексте и картами, правильным будет считаться описание.

Статья 2.

Граница между Италией и Францией, существовавшая на 1 января 1938 года, должна быть изменена следующим образом:

1. Перевал Малый Сен Бернар.

Граница следует по водоразделу, отходя от нынешней границы в точке около 2 километров к северо-западу от Оспис, пересекая дорогу приблизительно в 1 километре к северо-востоку от Оспис и примыкая к нынешней границе приблизительно в 2 километрах к юго-востоку от Оспис.

2. Плато Мон Сени.

Граница оставляет нынешнюю границу приблизительно в 3 километрах к северо-западу от вершины Рошмелон, пересекает дорогу приблизительно в 4 километрах к юго-востоку от Оспис и примыкает к нынешней границе приблизительно в 4 километрах к северо-востоку от Мон д'Амбэн.

3. Мон Табор-Шабертон.

a) В районе Мон Табор граница оставляет нынешнюю границу приблизительно в 5 километрах к востоку от Мон Табор и напра-

вляется к юго-востоку до соединения с нынешней границей приблизительно в 3 километрах к западу от Пуэнт де Шарра.

b) В районе Шабертона граница отходит от нынешней границы приблизительно в 3 километрах к северо-северо-западу от Шабертона, который она огибает с востока, пересекает дорогу приблизительно в 1 километре от нынешней границы и соединяется с последней приблизительно в 2 километрах к юго-востоку от поселка Монженевр.

4. Верховья долин рек Тине, Везубия и Ройя.

Граница отходит от нынешней границы у Колла Лонга, следует вдоль водораздела через гору Клапье, перевал Тенда, гору Маргарейс, далее идет на юг через гору Саккарелло, гору Вакке, гору Пьетравеккия, гору Лега и достигает точки приблизительно в 100 метрах от нынешней границы близ перевала Пегайроле, около 5 километров к северо-востоку от Брейль; граница затем идет в юго-западном направлении и примыкает к нынешней границе приблизительно в 100 метрах к юго-западу от горы Мерго.

5. Подробное описание участков границы, соответствующее изменениям, установленным в пунктах 1, 2, 3 и 4 выше, содержится в Приложении II к настоящему Договору, причем карты, на которые делается ссылка в этом описании, являются частью Приложения I.

Статья 3.

Граница между Италией и Югославией будет определена следующим образом:

(i) новая граница идет по линии, исходящей из точки соединения границ Австрии, Италии и Югославии, как они существовали на 1 января 1938 года, и следует на юг по границе 1938 года между Югославией и Италией до точки соединения этой границы с административной границей, разделяющей итальянские провинции Фриули (Удине) и Горица;

(ii) от этой точки линия границы совпадает с указанной административной границей до точки, расположенной приблизительно в 0,5 км. к северу от деревни Мернико в долине Иудрио;

(iii) оставляя в этой точке административную границу, разделяющую итальянские провинции Фриули и Горица, линия границы идет на восток до точки, расположенной приблизительно в 0,5 км. к западу от деревни Верколья ди Косбана, и оттуда направляется на юг, между долинами Куарницца и Косбана, до точки, расположенной приблизительно в 1 километре к юго-западу от деревни Флеана, делая при этом изгиб и пересекая реку Рекка в точке, расположенной приблизительно в 1,5 км. к востоку от Иудрио, и оставляя на востоке дорогу, ведущую из Косбана через Небола в Кастель Добра;

(iv) отсюда линия границы продолжает следовать на юго-восток, проходя непосредственно на юг от дороги между высотами 111 и 172, затем через высоты 57 и 122 южнее дороги из Випульцано в Укланци, которую она пересекает приблизительно в 100 м. восточнее высоты 122, и отклоняется на север в направлении точки, расположенной в 350 м. к юго-востоку от высоты 266;

(v) проходя примерно в 0,5 км. севернее деревни Сан Флориано, линия границы идет на восток до горы Саботино (610), оставляя севернее деревню Поджо Сан Валентино;

(vi) от горы Саботино линия границы идет на юг, пересекает реку Соча (Изонцо) у города Салькано, который остается на территории Югославии, и идет вдоль линии железной дороги из Канале д'Изонцо в Монтеспино непосредственно к западу от нее до точки приблизительно в 750 м. к югу от дороги Горица-Айзовицца;

(vii) отходя затем от железной дороги, линия границы отклоняется в югозападном направлении, оставляя на территории Югославии город Сан Пьетро и на территории Италии — Оспис и проходящую около него дорогу, пересекает приблизительно в 700 м. от станции Горица Сан Марко ветку, которая связывает упомянутую выше железную дорогу с железной дорогой Заградо — Кормонс, огибает кладбище Горицы, остающееся на территории Италии, проходит между шоссе № 55 из Горицы в Триест, остающимся на территории Италии, и перекрестком дорог у высоты 54, оставляя на территории Югославии города Вертойба и Мерна, и достигает точки, расположенной примерно у высоты 49;

(viii) отсюда линия границы идет в южном направлении, пересекая плато Карсо приблизительно в 1 км. восточнее шоссе № 55 и оставляя восточнее деревню Опаккиаселла и западнее деревню Иамиано;

(ix) от точки, расположенной примерно в 1 км. к востоку от Иамиано, линия границы следует по административной границе, разделявшей провинции Горица и Триест, до точки, расположенной примерно в 2 км. к северо-востоку от деревни Сан Джованни и приблизительно в 0,5 км. к северо-западу от высоты 208 и являющейся точкой соединения границ Югославии, Италии и Свободной Территории Триест.

Карта, к которой относится это описание, является частью Приложения I.

Статья 4.

Граница между Италией и Свободной Территорией Триест будет определена следующим образом:

(i) линия границы начинается от точки, расположенной на административной границе, разделявшей провинции Горица и Триест приблизительно в 2 км. к северо-востоку от деревни Сан Джованни и приблизительно в 0,5 км. к северо-западу от высоты 208 и являющейся точкой соединения границ Югославии, Италии и Свободной Территории Триест, идет в направлении на юго-запад до точки у шоссейной дороги № 14 примерно в 1 км. к северо-западу от стыка шоссейных дорог №№ 55 и 14, идущих соответственно из Горицы и Монфальконе на Триест;

(ii) далее линия границы идет в южном направлении до точки в заливе Панцано, расположенной на равном расстоянии от Пунта Сдобба, у устья реки Соча (Изонцо), и Кастелло Веккио, у Дуино, приблизительно в 3,3 км. к югу от той точки, где линия границы отходит от линии побережья примерно в 2 км. к северо-западу от города Дуино;

(iii) далее граница выходит к открытому морю, следуя линии, равноотстоящей от черты итальянского берега и черты берега Свободной Территории Триест.

Карта, к которой относится это описание, является частью Приложения I.

Статья 5.

1. Точная линия новых границ, установленных в статьях 2, 3, 4 и 22 настоящего Договора, должна быть определена на местности пограничными комиссиями, состоящими из представителей двух заинтересованных Правительств.

2. Комиссии приступят к работе немедленно по вступлении в силу настоящего Договора и закончат ее как можно скорее и, во всяком случае, в течение шестимесячного срока.

3. Любые вопросы, по которым комиссии не смогут достигнуть соглашения, будут передаваться Послам Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме, действующим, как это предусмотрено в статье 86, для окончательного урегулирования такими методами, какие они могут определить, включая, в случае необходимости, назначение беспристрастного третьего члена комиссии.

4. Расходы пограничных комиссий будут покрываться в равных долях двумя заинтересованными Правительствами.

5. В целях определения на местности точных границ, установленных в статьях 3, 4 и 22, уполномоченным будет разрешено отклоняться на 0,5 километра от установленной в настоящем Договоре линии с тем, чтобы приспособить границу к местным географическим и экономическим условиям, имея в виду, чтобы ни одна деревня или город с населением более 500 жителей, ни одна важная железная или шоссейная дорога, ни одна важная установка энергоснабжения или водоснабжения не были поставлены под суверенитет, иной чем тот, который следует из разграничений, установленных в настоящем Договоре.

Раздел II. Франция (специальные постановления).

Статья 6.

Италия настоящим передает Франции на правах полного суверенитета прежние итальянские территории, расположенные на

французской стороне франко-итальянской границы, определенной в статье 2.

Статья 7.

Правительство Италии обязуется передать Правительству Франции все исторические и административные архивы периода до 1860 года, касающиеся территории, перешедшей к Франции по договору от 24 марта 1860 года и по конвенции от 23 августа 1860 года.

Статья 8.

1. Правительство Италии окажет содействие Правительству Франции в отношении возможного установления железнодорожной связи между Бриансон и Модана через Бардонеш.

2. Правительство Италии обязуется разрешить без взимания пошлин и без таможенного досмотра, без паспортных и других подобных формальностей пассажирские и грузовые железнодорожные перевозки, осуществляемые по построенной таким образом ветке через итальянскую территорию между двумя пунктами, расположенными во Франции, в обоих направлениях, и принимать все меры, необходимые для обеспечения того, чтобы французским поездам разрешалось проходить по указанной ветке на тех же условиях, беспошлинно и без необоснованных задержек.

3. Необходимые соглашения будут в надлежащее время заключены между двумя Правительствами.

Статья 9.

1. Плато Мон Сени.

В целях обеспечения за Италией тех же возможностей, которыми она обладала в отношении гидроэлектроэнергии и водоснабжения из озера Мон Сени до перехода этого района к Франции, последняя, путем двустороннего соглашения с Италией, предоставит Италии технические гарантии, указанные в Приложении III.

2. Район Тенда-Брига.

Для того, чтобы никоим образом не уменьшилось снабжение Италии электроэнергией, которой она пользовалась из источников,

существующих в районе Тенда-Брига, до перехода его к Франции, последняя, путем двустороннего соглашения с Италией, предоставит Италии технические гарантии, указанные в Приложении III.

Раздел III. Австрия (специальные постановления).

Статья 10.

1. Италия заключит или подтвердит соглашения с Австрией, чтобы гарантировать беспрепятственное пассажирское и грузовое движение между Северным и Восточным Тиролем.

2. Союзные и Соединенные Державы приняли к сведению те постановления (текст которых содержится в Приложении IV), по которым Правительства Австрии и Италии достигли соглашения 5 сентября 1946 года.

Раздел IV. Федеративная Народная Республика Югославии (специальные постановления).

Статья 11.

1. Италия настоящим передает Югославии на правах полного суверенитета территорию, расположенную между новыми границами Югославии, определенными в статьях 3 и 22, и итало-югославской границей, существовавшей на 1 января 1938 года, а также коммуну Зара и все острова и прилегающие островки, расположенные в следующих зонах:

a) в зоне, ограниченной:
с севера—параллелью 42°50′ северной широты,
с юга—параллелью 42°42′ северной широты,
с востока—меридианом 17°10′ восточной долготы,
с запада—меридианом 16°25′ восточной долготы;

b) в зоне, ограниченной:
с севера—линией, проходящей через Порто дель Квието на равном расстоянии от черты побережья Свободной Территории Триест и Югославии, а затем к точке с координатами 45°15′ северной широты и 13°24′ восточной долготы,
с юга—параллелью 44°23′ северной широты,

с запада—линией, соединяющей следующие точки:

1) 45°15′ северной широты, 13°24′ восточной долготы,

2) 44°51′ северной широты, 13°37′ восточной долготы,

3) 44°23′ северной широты, 14°18′30″ восточной долготы,

с востока—западным побережьем Истрии, островами и материковым берегом Югославии.

Карта вышеупомянутых зон является частью Приложения I.

2. Италия настоящим передает Югославии на правах полного суверенитета остров Пелагоза и прилегающие островки.

Остров Пелагоза должен оставаться демилитаризованным.

Итальянские рыбаки должны пользоваться на Пелагозе и в окружающих водах такими же правами, какими там пользовались югославские рыбаки до 6 апреля 1941 года.

Статья 12.

1. Италия вернет Югославии все предметы художественного, исторического, научного, педагогического или религиозного характера (включая все акты, рукописи, документы и библиографические материалы), а также архивы административного характера (досье, регистры, планы и документы любого рода), которые были вывезены между 4 ноября 1918 года и 2 марта 1924 года, в связи с итальянской оккупацией, с территорий, перешедших к Югославии на основании договоров, подписанных в Раппало 12 ноября 1920 года и в Риме 27 января 1924 года. Италия равным образом вернет все предметы, относящиеся к этим территориям и входящие в указанные выше категории, которые были вывезены итальянской миссией по перемирию, пребывавшей в Вене после первой мировой войны.

2. Италия передаст Югославии все предметы публично-правового характера, относящиеся к категориям, предусмотренным в пункте 1 настоящей статьи, и вывезенные, начиная с 4 ноября 1918 года, с территорий, переходящих к Югославии на основании настоящего Договора, а также предметы, относящиеся к упомянутым территориям, которые Италия получила от Австрии и Венгрии на основании мирных договоров, подписанных в Сен-Жермене 10 сен-

тября 1919 года и в Трианоне 4 июня 1920 года, и конвенции между Австрией и Италией, подписанной в Вене 4 мая 1920 года.

3. Если в отдельных случаях Италия не сможет вернуть или передать Югославии предметы, предусмотренные в пунктах 1 и 2 настоящей статьи, то она обязуется передать Югославии предметы того же рода и приблизительно равноценные вывезенным предметам, поскольку такие предметы могут быть получены в Италии.

Статья 13.

Водоснабжение Горицы и ее окрестностей будет урегулировано в соответствии с положениями Приложения V.

Раздел V. Греция (специальные постановления).

Статья 14.

1. Италия настоящим передает Греции на правах полного суверенитета нижеперечисленные Додеканезские острова, а именно: Стампалия (Астропалия), Родос, Калки (Харки), Скарпанто, Кассос (Кассо), Пископис (Тилос), Мисирос (Нисирос), Калимнос, Лерос, Патмос, Липсос (Липсо), Сими, Кос, Кастеллориццо и островки, прилегающие ко всем этим островам.

2. Эти острова должны быть и останутся демилитаризованными.

3. Порядок и технические условия передачи этих островов Греции будут установлены соглашением между Правительствами Соединенного Королевства и Греции, причем будет предусмотрен вывод иностранных войск в течение срока не более 90 дней со дня вступления в силу настоящего Договора.

ЧАСТЬ II.

ПОЛИТИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Раздел I. Общий.

Статья 15.

Италия обязуется принять все меры, необходимые для обеспечения того, чтобы все лица, находящиеся под итальянской юрисдикцией, без различия расы, пола, языка или религии, пользовались

правами человека и основными свободами, включая свободу слова, печати и изданий, религиозного культа, политических убеждений и публичных собраний.

Статья 16.

Италия не будет преследовать или притеснять итальянских граждан, в частности, военнослужащих, исключительно на том основании, что в период с 10 июня 1940 года до даты вступления в силу настоящего Договора они выражали сочувствие делу Союзных и Соединенных Держав или предпринимали действия для поддержки этого дела.

Статья 17.

Италия, которая в соответствии со статьей 30 Соглашения о Перемирии предприняла меры по роспуску фашистских организаций в Италии, не должна разрешать возрождения на итальянской территории таких организаций, будь то политических, военных или военизированных, целью которых является лишение народа его демократических прав.

Статья 18.

Италия обязуется признать полную силу Мирных Договоров с Румынией, Болгарией, Венгрией и Финляндией и других соглашений или урегулирований, которые были или будут достигнуты Союзными и Соединенными Державами относительно Австрии, Германии и Японии для восстановления мира.

Раздел II. Гражданство. Гражданские и политические права.

Статья 19.

1. Итальянские граждане, которые постоянно проживали к 10 июня 1940 года на территории, переходящей от Италии к другому государству на основании настоящего Договора, и их дети, родившиеся после этой даты, станут, за исключением случаев, предусмотренных в нижеследующем пункте, гражданами, обладающими полными гражданскими и политическими правами, государства, к которому переходит территория, в соответствии с законами, которые должны быть введены с этой целью этим государством

в течение трех месяцев со дня вступления в силу настоящего Договора. По приобретении гражданства государства, о котором идет речь, они потеряют итальянское гражданство.

2. Правительство государства, к которому переходит территория, путем соответствующих законов обеспечит в течение трех месяцев со дня вступления в силу настоящего Договора, чтобы все лица, упомянутые в пункте 1, старше 18 лет (или состоящие в браке лица, достигшие или не достигшие этого возраста) и обиходным языком которых является итальянский, имели право оптировать итальянское гражданство в течение одного года со дня вступления в силу настоящего Договора. Любое лицо, оптирующее таким образом, сохранит итальянское гражданство и не будет считаться приобретшим гражданство государства, к которому перешла территория. Оптация мужа не влечет за собой оптации со стороны жены. Оптация со стороны отца или, если отца нет в живых, со стороны матери будет, однако, автоматически включать всех несостоящих в браке детей моложе 18 лет.

3. Государство, к которому переходит территория, может потребовать, чтобы лица, которые воспользовались правом оптации, переселились в Италию в течение года со дня совершения оптации.

4. Государство, к которому переходит территория, обеспечит в соответствии с его основными законами всем лицам на этой территории, без различия расы, пола, языка или религии, пользование правами человека и основными свободами, включая свободу слова, печати и изданий, религиозного культа, политических убеждений и публичных собраний.

Статья 20.

1. В течение одного года со дня вступления в силу настоящего Договора итальянские граждане старше 18 лет (или состоящие в браке лица, достигшие или не достигшие этого возраста), обиходным языком которых является один из югославских языков (сербский, хорватский или словенский) и которые постоянно проживают на итальянской территории, могут, обратившись к дипломатиче-

скому или консульскому представителю Югославии в Италии с соответствующей просьбой, получить югославское гражданство, если югославские власти удовлетворят эту просьбу.

2. В таких случаях Правительство Югославии будет передавать Правительству Италии дипломатическим путем списки лиц, которые получают таким образом югославское гражданство. Лица, занесенные в эти списки, теряют итальянское гражданство с момента такого официального сообщения.

3. Правительство Италии может потребовать от этих лиц, чтобы они переселились в Югославию в годичный срок, считая со дня упомянутого официального сообщения.

4. Правила, касающиеся последствий оптации для жен и детей, установленные в пункте 2 статьи 19, применяются для целей настоящей статьи.

5. Положения пункта 10 Приложения XIV к настоящему Договору, относящиеся к передаче имущества, принадлежащего лицам, оптирующим итальянское гражданство, будут равным образом применяться к передаче имущества, принадлежащего лицам, оптирующим югославское гражданство согласно настоящей статье.

Раздел III. Свободная Территория Триест.

Статья 21.

1. Настоящим создается Свободная Территория Триест, состоящая из района, лежащего между Адриатическим морем и границами, определенными в статьях 4 и 22 настоящего Договора. Свободная Территория Триест признается Союзными и Соединенными Державами и Италией, которые соглашаются, что ее целостность и независимость должны обеспечиваться Советом Безопасности Объединенных Наций.

2. Итальянский суверенитет над районом, составляющим Свободную Территорию Триест, как этот район определен выше, прекратится по вступлении в силу настоящего Договора.

3. По прекращении итальянского суверенитета Свободная Территория Триест будет управляться в соответствии с Положением

о временном режиме, составленным Советом Министров Иностранных Дел и утвержденным Советом Безопасности. Это Положение будет оставаться в силе до даты, которую Совет Безопасности определит для вступления в силу утвержденного им Постоянного Статута. Свободная Территория с этой даты будет управляться согласно постановлениям такого Постоянного Статута. Тексты Постоянного Статута и Положения о временном режиме содержатся в Приложениях VI и VII.

4. Свободная Территория Триест не должна рассматриваться как переходящая территория в значении статьи 19 и Приложения XIV настоящего Договора.

5. Италия и Югославия обязуются предоставить Свободной Территории Триест гарантии, установленные в Приложении IX.

Статья 22.

Граница между Югославией и Свободной Территорией Триест будет определена следующим образом:

(i) граница начинается от точки, расположенной на административной границе, разделявшей провинции Горица и Триест, приблизительно в 2 км. к северо-востоку от деревни Сан Джованни и приблизительно 0,5 км. к северо-западу от высоты 208 и являющейся точкой соединения границ Югославии, Италии и Свободной Территории Триест, и следует по этой административной границе до горы Ланаро (546); отсюда она идет в юговосточном направлении до горы Кокуссо (672) через высоту 461, Медуча (475), гору деи Пини (476) и высоту 407, пересекая шоссейную дорогу № 58 из Триеста в Сесана, приблизительно в 3,3 км. югозападнее этого города, и оставляя на востоке деревни Вольяно и Орле и приблизительно в 0,4 км. на западе деревню Цолла;

(ii) от горы Кокуссо линия границы, продолжая итти на юговосток, достигает горы Голи (621), оставляя деревню Гроццана на западе, а затем, направляясь на юго-запад, пересекает дорогу Триест-Козина у высоты 455 и железную дорогу у высоты 485, проходит через высоты 416 и 326, оставляя деревни Бека и Кастель на территории Югославии, пересекает дорогу Оспо-Габровица д'Ист-

рия приблизительно в 100 м. на юго-восток от Оспо; затем пересекает реку Ризана и дорогу Вилла Декани-Ризано в точке, расположенной приблизительно в 350 м. на запад от этой последней деревни, причем деревня Розарио и дорога Ризано-Сан Серджо остаются на территории Югославии; от этой точки линия границы направляется к перекрестку дорог, расположенному приблизительно в одном километре на северо-восток от высоты 362, проходя через высоты 285 и 354;

(iii) отсюда линия границы направляется к точке, расположенной приблизительно в 0,5 км. на восток от деревни Чернова, пересекая реку Драгонья приблизительно в одном километре севернее этой деревни и оставляя западнее деревни Буччай и Трусколо и восточнее — деревню Терсекко, затем идет в юго-западном направлении к юго-востоку от дороги, соединяющей деревни Чернова и Кервой, отходя от этой дороги приблизительно в 0,8 км. восточнее деревни Куччани, и затем идет в общем юго-югозападном направлении, проходя приблизительно в 0,4 км. на восток от горы Браико и приблизительно в 0,4 км. на запад от деревни Стерна Филариа, оставляя восточнее дорогу, которая ведет из этой деревни в город Пьемонте, проходя приблизительно в 0,4 км. западнее этого города и приблизительно в 0,5 км. восточнее города Кастанья, и достигает реки Квието в точке, расположенной приблизительно в 1,6 км. юго-западнее города Кастанья;

(iv) отсюда граница следует по главному улучшенному руслу Квието до устья этой реки и, проходя через Порто дель Квието, достигает открытого моря, следуя по линии, равноотстоящей от черты берега Свободной Территории Триест и от черты берега Югославии.

Карта, к которой относится это описание, является частью Приложения I.

Раздел IV. Итальянские колонии.

Статья 23.

1. Италия отказывается от всех прав и правооснований на итальянские территориальные владения в Африке, а именно, на Ливию, Эритрею и Итальянское Сомали.

2. Впредь до окончательного решения их судьбы означенные владения будут оставаться под своим нынешним управлением.

3. Окончательная судьба этих владений будет определена совместно Правительствами Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в течение одного года со дня вступления в силу настоящего Договора путем, указанным в Совместной Декларации от 10 февраля 1947 года, принятой указанными выше Правительствами и приведенной в Приложении XI.

Раздел V. Особые интересы Китая.

Статья 24.

Италия отказывается в пользу Китая от всех выгод и привилегий, вытекающих из положений Заключительного Протокола, подписанного в Пекине 7 сентября 1901 года, а также из всех приложений, нот и документов, дополняющих его, и соглашается на отмену упомянутых Протокола, приложений, нот и документов в отношении Италии. Италия равным образом отказывается от всех претензий на возмещение по этим документам.

Статья 25.

Италия соглашается на аннулирование договора об аренде у Китайского Правительства, по которому была предоставлена итальянская концессия в Тяньцзине, а также на передачу Китайскому Правительству всей собственности и архивов, принадлежащих муниципалитету упомянутой концессии.

Статья 26.

Италия отказывается в пользу Китая от прав, предоставленных Италии в отношении международных сетльментов в Шанхае и Амое, и соглашается на возвращение упомянутых сетльментов под управление и контроль Китайского Правительства.

Раздел VI. Албания.

Статья 27.

Италия признает и обязуется уважать суверенитет и независимость Албанского государства.

Статья 28.

Италия признает, что остров Сасено является частью территории Албании, и отказывается от всяких претензий на этот остров.

Статья 29.

Италия формально отказывается в пользу Албании от всей собственности (кроме зданий, обычно занимаемых дипломатическими и консульскими представительствами), от всех прав, концессий, интересов и преимуществ всякого рода в Албании, принадлежащих итальянскому государству или итальянским парастатальным учреждениям. Италия равным образом отказывается от всех претензий на особые интересы или влияние в Албании, которыми она пользовалась в результате агрессии 7 апреля 1939 года или в силу договоров или соглашений, заключенных до этой даты.

В отношении другой итальянской собственности и других экономических отношений между Албанией и Италией действуют экономические статьи настоящего Договора, подлежащие применению к Союзным и Соединенным Державам.

Статья 30.

Итальянские граждане в Албании будут пользоваться тем же юридическим статусом, как и другие иностранные граждане, но Италия признает законность всех албанских мероприятий, аннулирующих концессии или изменяющих их условия, или аннулирующих или изменяющих особые права, предоставленные итальянским гражданам, при условии, что такие мероприятия будут проведены в течение одного года со дня вступления в силу настоящего Договора.

Статья 31.

Италия признает, что все соглашения и урегулирования между Италией и властями, установленными Италией в Албании в период между 7 апреля 1939 года и 3 сентября 1943 года, считаются несуществующими.

Статья 32.

Италия признает законность любых мероприятий, которые Албания может счесть необходимым предпринять с целью подтверждения или проведения в жизнь вышеизложенных положений.

Раздел VII. Эфиопия.

Статья 33.

Италия признает и обязуется уважать суверенитет и независимость Эфиопского государства.

Статья 34.

Италия формально отказывается в пользу Эфиопии от всей собственности (кроме зданий, обычно занимаемых дипломатическими и консульскими представительствами), прав, интересов и преимуществ всякого рода, приобретенных когда-либо итальянским государством в Эфиопии, а также от всей парастатальной собственности, как она определена в пункте 1 Приложения XIV к настоящему Договору.

Италия также отказывается от всех претензий на особые интересы или влияние в Эфиопии.

Статья 35.

Италия признает законность всех мероприятий, которые Правительство Эфиопии предприняло или в будущем может предпринять с целью аннулирования итальянских мероприятий в отношении Эфиопии, имевших место после 3 октября 1935 года, а также последствий этих мероприятий.

Статья 36.

Итальянские граждане в Эфиопии будут пользоваться тем же юридическим статусом, как и другие иностранные граждане, но Италия признает законность всех мероприятий Эфиопского Правительства, аннулирующих концессии или изменяющих их условия, или аннулирующих или изменяющих особые права, предоставленные итальянским гражданам, при условии, что такие мероприятия будут проведены в течение одного года со дня вступления в силу настоящего Договора.

Статья 37.

В течение 18 месяцев со дня вступления в силу настоящего Договора Италия возвратит все принадлежащие Эфиопии или ее гражданам произведения искусства, предметы религиозного харак-

тера, архивы, а также предметы исторического значения, вывезенные из Эфиопии в Италию после 3 октября 1935 года.

Статья 38.

Датой, с которой положения настоящего Договора будут применяться в отношении всех мер и действий любого рода, влекущих за собой ответственность Италии или итальянских граждан в отношении Эфиопии, будет считаться 3 октября 1935 года.

Раздел VIII. Международные соглашения.

Статья 39.

Италия обязуется принять любые соглашения, которые были или могут быть заключены для ликвидации Лиги Наций, Постоянной Палаты Международного Правосудия, а также Международной Финансовой Комиссии в Греции.

Статья 40.

Италия настоящим отказывается от всех прав, правооснований и притязаний, вытекающих из мандатной системы или из любых обязательств, возникших в связи с ней, и от всех особых прав итальянского государства в отношении любой подмандатной территории.

Статья 41.

Италия признает постановления Заключительного Акта от 31 августа 1945 года и франко-британского Соглашения от того же числа о статуте Танжера так же, как все постановления, которые могут быть приняты для проведения в жизнь этих документов подписавшими их Державами.

Статья 42.

Италия обязуется принять и признать любые соглашения, которые могут быть заключены заинтересованными Союзными и Соединенными Державами об изменении договоров о бассейне Конго с целью приведения их в соответствие с Уставом Организации Объединенных Наций.

Статья 43.

Италия настоящим отказывается от любых прав и интересов,

которые она может иметь в силу статьи 16 Лозаннского Договора, подписанного 24 июля 1923 года.

Раздел IX. Двусторонние договоры.

Статья 44.

1. Каждая Союзная или Соединенная Держава нотифицирует Италии в течение шести месяцев со дня вступления в силу настоящего Договора о своих довоенных двусторонних договорах с Италией, которые эта Держава желает сохранить в силе или действие которых она желает возобновить. Любые положения, не находящиеся в соответствии с настоящим Договором, будут, однако, исключены из вышеупомянутых договоров.

2. Все вышеупомянутые договоры, о которых будет нотифицировано таким образом, будут зарегистрированы в Секретариате Объединенных Наций в соответствии со статьей 102 Устава Организации Объединенных Наций.

3. Все вышеупомянутые договоры, о которых не будет нотифицировано таким образом, будут считаться отмененными.

ЧАСТЬ III.

ВОЕННЫЕ ПРЕСТУПНИКИ.

Статья 45.

1. Италия обязуется принять все необходимые меры, чтобы обеспечить задержание и выдачу для суда над ними:

a) лиц, обвиняемых в том, что они совершили военные преступления и преступления против мира или против человечности, дали приказ о совершении таких преступлений или содействовали их совершению;

b) граждан какой-либо из Союзных и Соединенных Держав, которые обвиняются в нарушении законов их стран изменой или сотрудничеством с врагом во время войны.

2. Италия, по требованию Правительства заинтересованной Объединенной Нации, также обеспечит явку в качестве свидетелей находящихся под ее юрисдикцией лиц, показания которых потребуются для суда над лицами, указанными в пункте 1 настоящей статьи.

3. Всякое разногласие относительно применения постановлений пунктов 1 и 2 настоящей статьи должно быть передано любым заинтересованным Правительством Послам Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме, которые достигнут соглашения по поводу этого затруднения.

ЧАСТЬ IV.

ВОЕННЫЕ, ВОЕННО-МОРСКИЕ И ВОЕННО-ВОЗДУШНЫЕ ПОСТАНОВЛЕНИЯ.

Раздел I. Срок действия ограничений.

Статья 46.

Каждая из военных, военно-морских и военно-воздушных статей настоящего Договора будет оставаться в силе до тех пор, пока она не будет изменена полностью или частично по соглашению между Союзными и Соединенными Державами и Италией или же, — после того как Италия станет членом Организации Объединенных Наций, — по соглашению между Советом Безопасности и Италией.

Раздел II. Общие ограничения.

Статья 47.

1. *a*) Система долговременных итальянских укреплений и военных сооружений вдоль франко-итальянской границы и их вооружение будут уничтожены или удалены.

b) Эта система считается состоящей только из артиллерийских и пехотных укреплений, как групповых, так и изолированных, бетонных огневых точек всех типов, защищенных сооружений для личного состава, продовольствия, материалов и боеприпасов, наблюдательных пунктов и военных подвесных дорог, каковы бы ни были их значение и действительное состояние эксплоатации или строительства, и которые построены из металла, камня или железобетона или высечены в скале.

2. Упомянутые в пункте 1 выше уничтожение или удаление ограничиваются пределами 20-километровой дистанции от любой точки границы, как она определена настоящим Договором, и будут

закончены в течение одного года со дня вступления в силу настоящего Договора.

3. Всякая реконструкция вышеуказанных укреплений и сооружений запрещается.

4. *a*) К востоку от франко-итальянской границы запрещается следующее строительство: долговременных укреплений, где может быть установлено оружие, способное вести огонь по французской территории или территориальным водам; долговременных военных сооружений, которые могут быть использованы для управления огнем по французской территории или территориальным водам или для его координирования; а также долговременных средств снабжения и складирования, установленных исключительно для использования вышеупомянутых укреплений и сооружений.

b) Это запрещение не распространяется на другие типы недолговременных укреплений, надземных помещений и сооружений, которые предназначаются исключительно для задач внутреннего характера и местной обороны границ.

5. В прибрежном районе глубиной в 15 километров, простирающемся от франко-итальянской границы до меридиана 9°30′ восточной долготы, Италии не будет разрешено ни создание каких-либо новых, ни расширение каких-либо существующих военно-морских баз или долговременных военно-морских сооружений. Этим не запрещаются поддержание существующих военно-морских сооружений в исправном состоянии и незначительные изменения в них, но с условием, что их общая мощность при этом не будет увеличена.

Статья 48.

1. *a*) Любые долговременные итальянские укрепления и военные сооружения вдоль итало-югославской границы и их вооружение будут уничтожены или удалены.

b) Эти укрепления и сооружения считаются состоящими только из артиллерийских и пехотных укреплений, как групповых, так и изолированных, бетонных огневых точек любого типа, защищенных сооружений для личного состава, продовольствия, материалов и боеприпасов, наблюдательных пунктов и военных подвесных

дорог, каковы бы ни были их значение и действительное состояние эксплоатации или строительства, и которые построены из металла, камня или железобетона или высечены в скале.

2. Упомянутые в пункте 1 выше уничтожение или удаление ограничиваются пределами 20-километровой дистанции от любой точки границы, как она определена настоящим Договором, и будут закончены в течение одного года со дня вступления в силу настоящего Договора.

3. Всякая реконструкция вышеуказанных укреплений и сооружений запрещается.

4. *a*) К западу от итало-югославской границы запрещается следующее строительство: долговременных укреплений, где может быть установлено оружие, способное вести огонь по югославской территории или территориальным водам; долговременных военных сооружений, которые могут быть использованы для управления огнем по югославской территории или территориальным водам или для его координирования; а также долговременных средств снабжения и складирования, установленных исключительно для использования вышеупомянутых укреплений и сооружений.

b) Это запрещение не распространяется на другие типы недолговременных укреплений, надземных помещений и сооружений, которые предназначаются исключительно для задач внутреннего характера и местной обороны границ.

5. В прибрежном районе глубиной в 15 километров, простирающемся от итало-югославской границы и границы между Италией и Свободной Территорией Триест до параллели 44°50′ северной широты, и на прилегающих к этому побережью островах, Италии не будет разрешено ни создание каких-либо новых, ни расширение каких-либо существующих военно-морских баз или долговременных военно-морских сооружений. Этим не запрещаются поддержание существующих военно-морских сооружений и баз в исправном состоянии и незначительные изменения в них, но с условием, что их общая мощность при этом не будет увеличена.

6. На Апулийском полуострове к востоку от меридиана 17°45′ восточной долготы Италии не будет разрешено ни строительство каких-либо новых долговременных, военных, военно-морских или военно-воздушных сооружений, ни расширение существующих сооружений. Этим не запрещаются поддержание существующих сооружений в исправном состоянии и незначительные изменения в них, но с условием, что их общая мощность при этом не будет увеличена. Однако, будут разрешены такие помещения для войск внутренней безопасности, какие могут потребоваться для задач внутреннего характера и местной обороны границ.

Статья 49.

1. Пантеллерия, Пелагские острова (Лампедуза, Лампионе и Линоза) и Пианоза (в Адриатическом море) должны быть и останутся демилитаризованными.

2. Такая демилитаризация должна быть закончена в течение одного года со дня вступления в силу настоящего Договора.

Статья 50.

1. В Сардинии все долговременные артиллерийские площадки береговой обороны и их вооружение, а также все военно-морские сооружения, которые находятся в пределах 30 километров от французских территориальных вод, должны быть перенесены на материк Италии или уничтожены в течение одного года со дня вступления в силу настоящего Договора.

2. В Сицилии и Сардинии все долговременные сооружения и оборудование для ремонта и складирования торпед, морских мин и бомб и для ухода за ними должны быть уничтожены или перенесены на материк Италии в течение одного года со дня вступления в силу настоящего Договора.

3. В Сицилии и Сардинии не будут разрешены улучшение, реконструкция или расширение существующих сооружений или долговременных укреплений, однако, за исключением описанных в пункте 1 выше районов северной Сардинии, нормальное содержание таких сооружений или долговременных укреплений и уже установленного в них вооружения может иметь место.

4. Италии запрещается строительство в Сицилии и Сардинии каких бы то ни было военно-морских, военных или военно-воздушных сооружений или укреплений, за исключением таких помещений для войск внутренней безопасности, какие могут потребоваться для задач внутреннего характера.

Статья 51.

Италия не должна иметь, производить или экспериментировать: (i) любые виды атомного вооружения; (ii) какие-либо самодвижущиеся или управляемые снаряды или аппараты, связанные с их выбрасыванием (за исключением торпед и торпедных аппаратов, составляющих нормальное вооружение военно-морских кораблей, разрешенных настоящим Договором); (iii) какие-либо орудия, способные вести огонь на дистанцию свыше 30 километров; (iv) морские мины или торпеды неконтактного типа, действующие от чувствительных механизмов; (v) какие-либо торпеды, которые могут быть укомплектованы людьми.

Статья 52.

Италии запрещается приобретение военных материалов и техники германского или японского происхождения или конструкции как в Италии, так и вне пределов ее территории, или их производство.

Статья 53.

Италия не должна иметь или производить как в государственном, так и в частном порядке какие-либо военные материалы и технику, по количеству или по типам выходящие за пределы того, что требуется для военных сил, разрешенных разделами III, IV и V ниже.

Статья 54.

Общее число средних и тяжелых танков в итальянских вооруженных силах не должно превышать 200.

Статья 55.

Ни в коем случае ни один офицер или унтер-офицер бывшей фашистской милиции или бывшей фашистской республиканской армии не должен быть допущен к службе в чине офицера или унтер-офицера в итальянской армии, военно-морском флоте, военно-воз-

душных силах или в войсках карабинеров, за исключением тех лиц, которые были реабилитированы надлежащим органом в соответствии с итальянским законом.

Раздел III.

Ограничения, налагаемые на итальянский военно-морской флот.

Статья 56.

1. Существующий итальянский военно-морской флот должен быть уменьшен до единиц, поименованных в Приложении XII A.

2. Дополнительные единицы, не поименованные в Приложении XII и используемые только для специальных целей траления, могут быть и далее использованы до окончания периода траления, установленного Международной Центральной Коллегией по тралению мин в европейских водах.

3. В течение двух месяцев после окончания названного периода те из упомянутых выше судов, которые были заимообразно переданы итальянскому военно-морскому флоту другими державами, должны быть возвращены этим державам, а все остальные дополнительные единицы должны быть разоружены и приспособлены для гражданского использования.

Статья 57.

1. Италия должна выполнить следующее распоряжение в отношении кораблей итальянского военно-морского флота, поименованных в Приложении XII B:

a) вышеуказанные корабли должны быть переданы в распоряжение Правительств Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции;

b) корабли, подлежащие передаче в соответствии с подпунктом «*a*» выше, должны быть полностью оборудованы и в пригодном для любых действий состоянии, включая полный комплект запасов вооружения, и снабжены корабельными запасными частями и всей необходимой технической документацией;

c) передача кораблей, указанных выше, должна быть выполнена в течение трех месяцев со дня вступления настоящего Договора

в силу, за исключением таких случаев, когда корабли не могут быть отремонтированы в течение трех месяцев; в этих случаях сроки передачи могут быть продлены Четырьмя Правительствами;

d) базовые запасные части и запасы вооружения для указанных выше кораблей должны, насколько это возможно, передаваться вместе с кораблями.

Недостающие базовые запасные части и запасы вооружения должны быть поставлены в размерах и в сроки, которые будут установлены Четырьмя Правительствами, и, во всяком случае, в течение не более чем одного года со дня вступления в силу настоящего Договора.

2. Подробности, относящиеся к вышеуказанной передаче, будут установлены Комиссией Четырех Держав, которая должна быть создана в соответствии с отдельным протоколом.

3. В случае потери или повреждения, какова бы ни была их причина, любого из кораблей, поименованных в Приложении XII B и предназначенных для передачи, если потеря или повреждение не могут быть возмещены или исправлены к дате, установленной для передачи соответствующего корабля или кораблей, Италия обязуется заменить такой корабль или корабли эквивалентным тоннажем из числа кораблей, поименованных в Приложении XII A, причем корабль или корабли для замены будут выбираться Послами Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме.

Статья 58.

1. Италия должна выполнить следующее распоряжение в отношении подводных лодок и не находящихся в строю военно-морских кораблей. Сроки, указанные ниже, должны считаться со дня вступления настоящего Договора в силу.

a) Военно-морские надводные корабли на плаву, не поименованные в Приложении XII, включая военно-морские корабли, находящиеся в постройке на плаву, в течение девяти месяцев должны быть уничтожены или разобраны на металл.

b) Военно-морские корабли, находящиеся в постройке на ста-

пелях, в течение девяти месяцев должны быть уничтожены или разобраны на металл.

c) Подводные лодки на плаву, не поименованные в Приложении XII B, должны быть в течение трех месяцев потоплены в открытом море на глубине свыше 100 сажен.

d) Военно-морские корабли, потопленные в итальянских гаванях и входных каналах, мешающие нормальному судоходству, должны быть в течение двух лет или уничтожены на месте или подняты и впоследствии уничтожены или же разобраны на металл.

e) Военно-морские корабли, потопленные на малых глубинах в итальянских водах, не мешающие нормальному судоходству, должны быть приведены в течение одного года в такое состояние, при котором они не могут быть подняты.

f) Военно-морские корабли, которые могут быть переоборудованы и не подходят под определение военных материалов и которые не перечислены в Приложении XII, могут быть в течение двух лет переоборудованы для гражданского использования или должны быть разрушены.

2. Италия обязуется перед потоплением или уничтожением военно-морских кораблей и подводных лодок, как предусмотрено в предыдущем пункте, снять такое оборудование и запасные части, которые могут быть использованы для пополнения корабельных и базовых запасных частей и оборудования, которые должны быть поставлены, в соответствии с пунктом 1 статьи 57, для всех кораблей, поименованных в Приложении XII B.

Под наблюдением Послов Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме Италия может также снять оборудование и запасные части невоенного характера, которые могут быть легко приспособлены для использования в ее гражданской экономике.

Статья 59.

1. Италия не должна строить, приобретать или заменять линейные корабли.

2. Италия не должна строить, приобретать или использовать

авианосцы, подводные лодки или другие типы подводных судов, торпедные катеры или специализированные типы штурмовых судов и производить с ними эксперименты.

3. Общее стандартное водоизмещение военных кораблей итальянского военно-морского флота, кроме линейных кораблей, включая строящиеся корабли после их спуска, не должно превышать 67.500 тонн.

4. Любая замена военных кораблей должна производиться Италией в пределах тоннажа, указанного в пункте 3. Не налагается ограничений на замену вспомогательных судов.

5. Италия обязуется не приобретать и не закладывать каких бы то ни было военных кораблей раньше 1 января 1950 года, за исключением тех, которые необходимы для замены любого корабля, кроме линейных кораблей, потерянного в результате несчастного случая, причем в этом случае водоизмещение нового корабля не должно превышать более чем на 10% водоизмещение потерянного корабля.

6. Термины, применяемые в этой статье, для целей настоящего Договора определены в Приложении XIII A.

Статья 60.

1. Общая численность личного состава итальянского военно-морского флота, за исключением личного состава морской авиации, не должна превышать 25.000 офицеров и рядовых.

2. На период траления мин, установленный Международной Центральной Коллегией по тралению мин в европейских водах, Италии будет разрешено использовать для этой цели дополнительное количество офицеров и рядовых не свыше 2.500 человек.

3. Постоянный личный состав военно-морского флота, превышающий то, что разрешено в пункте 1, должен быть постепенно уменьшен, как указано ниже, в сроки, которые считаются со дня вступления Договора в силу:

a) до 30.000 в течение шести месяцев;

b) до 25.000 в течение девяти месяцев.

Через два месяца после окончания траления мин итальянским военно-морским флотом дополнительный личный состав, разрешенный в пункте 2, должен быть распущен или включен в численность, указанную выше.

4. Никакой личный состав свыше количества, разрешенного на основании пунктов 1 и 2, и никакой личный состав военно-морской авиации свыше разрешенного на основании статьи 65, не должен проходить военно-морского обучения в какой-либо форме, как оно определено в Приложении XIII B.

Раздел IV. Ограничения, налагаемые на итальянскую армию.

Статья 61.

Итальянская армия, включая пограничную охрану, будет ограничена контингентом в 185.000 строевого, нестроевого состава и штабного персонала и в 65.000 карабинеров, однако, любая из вышеуказанных цифр может быть уменьшена или увеличена на число в пределах 10.000 человек, при условии, что общая численность не будет превышать 250.000 человек. Организация и вооружение итальянских сухопутных сил, а также их дислокация по всей Италии будут проведены таким образом, чтобы отвечать лишь задачам внутреннего характера, местной обороны итальянских границ и противовоздушной обороны.

Статья 62.

Итальянская армия, превышающая то, что разрешено статьей 61 выше, будет распущена в течение шести месяцев со дня вступления в силу настоящего Договора.

Статья 63.

Личный состав, кроме того, который является частью итальянской армии или карабинеров, не должен проходить военного обучения в какой-либо форме, как оно определено в Приложении XIII B.

Раздел V. Ограничения, налагаемые на итальянские военно-воздушные силы.

Статья 64.

1. Итальянские военно-воздушные силы, включая воздушные силы военно-морского флота, будут ограничены количеством в 200 самолетов истребительных и разведывательных и 150 самолетов транспортных, морских спасательных, тренировочных (учебного типа) и связных. Эти общие цифры включают и резервные самолеты. Все самолеты, за исключением истребительных и разведывательных самолетов, будут невооруженными. Организация и вооружение итальянских военно-воздушных сил, а также их дислокация по всей Италии будут проведены таким образом, чтобы отвечать лишь задачам внутреннего характера, местной обороны итальянских границ и обороны против нападения с воздуха.

2. Италия не должна иметь или приобретать каких-либо самолетов, спроектированных в основном как бомбардировщики с приспособлениями для внутренней подвески бомб.

Статья 65.

1. Личный состав итальянских военно-воздушных сил, включая любой личный состав морской авиации, будет ограничен общей численностью в 25.000 человек, включая строевой, нестроевой состав и штабной персонал.

2. Личный состав, не входящий в состав итальянских военно-воздушных сил, не должен проходить военно-воздушного обучения в какой-либо форме, как оно определено в Приложении XIII B.

Статья 66.

Итальянские военно-воздушные силы, превышающие то, что разрешено статьей 65 выше, будут распущены в течение шести месяцев со дня вступления в силу настоящего Договора.

Раздел VI. Распоряжение военными материалами и техникой (как они определены в Приложении XIII C).

Статья 67.

1. Все итальянские военные материалы и техника, превышающие то, что разрешено для вооруженных сил, предусмотренных разделами III, IV и V, будут переданы в распоряжение Правительств Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции согласно указаниям, которые могут быть даны ими Италии.

2. Все союзные военные материалы и техника, превышающие то, что разрешено для вооруженных сил, предусмотренных разделами III, IV и V, будут переданы в распоряжение соответствующей Союзной или Соединенной Державы согласно указаниям, которые будут даны Италии соответствующей Союзной или Соединенной Державой.

3. Все германские и японские военные материалы и техника, превышающие то, что разрешено для вооруженных сил, предусмотренных разделами III, IV и V, и все германские или японские чертежи, включая существующие «синьки», прототипы, экспериментальные модели и планы, будут переданы в распоряжение Четырех Правительств согласно указаниям, которые могут быть даны ими Италии.

4. Италия отказывается от всех прав на вышеупомянутые военные материалы и технику и выполнит положения этой статьи в течение одного года со дня вступления в силу настоящего Договора с теми исключениями, которые предусмотрены статьями 56-58 выше.

5. Италия должна представить Четырем Правительствам списки всех излишков военных материалов и техники в течение шести месяцев со дня вступления в силу настоящего Договора.

Раздел VII. Предотвращение возрождения вооружения Германии и Японии.

Статья 68.

Италия обязуется полностью сотрудничать с Союзными и Соединенными Державами с целью обеспечения того, чтобы Германия и Япония не смогли предпринять каких-либо мер за пределами германской и японской территорий в направлении возрождения своего вооружения.

Статья 69.

Италия обязуется не допускать найма на работу или обучения в Италии каких-либо технических специалистов, включая военный или гражданский авиационный персонал, из числа лиц, которые являются или являлись гражданами Германии или Японии.

Статья 70.

Италия обязуется не приобретать и не производить гражданских самолетов германской или японской конструкции или самолетов, включающих крупные узлы германского или японского производства или конструкции.

Раздел VIII. Военнопленные.

Статья 71.

1. Итальянские военнопленные должны быть репатриированы как можно скорее в соответствии с соглашениями между отдельными державами, содержащими этих военнопленных, и Италией.

2. Все издержки на перевозку итальянских военнопленных, включая их содержание, от сборных пунктов, установленных Правительством соответствующей Союзной или Соединенной Державы, до пункта вступления на итальянскую территорию, будет нести Правительство Италии.

Раздел IX. Траление мин.

Статья 72.

Со дня вступления настоящего Договора в силу Италия будет приглашена вступить в Коллегию зоны Средиземного моря Между-

народной Организации по тралению мин в европейских водах и должна сохранить в распоряжении Центральной Коллегии по тралению мин все свои миннотральные силы до конца установленного Центральной Коллегией периода послевоенного траления.

ЧАСТЬ V.

ВЫВОД СОЮЗНЫХ ВОЙСК.

Статья 73.

1. Все вооруженные силы Союзных и Соединенных Держав будут выведены из Италии в возможно короткий срок и, во всяком случае, не более чем в 90 дней со дня вступления в силу настоящего Договора.

2. Все итальянское имущество, за которое не была предоставлена компенсация и которое будет находиться в распоряжении вооруженных сил Союзных и Соединенных Держав в Италии на день вступления настоящего Договора в силу, будет возвращено Правительству Италии в пределах того же срока 90 дней или за него будет предоставлена надлежащая компенсация.

3. Все остатки по банковским счетам и остатки наличных средств, находящихся в распоряжении вооруженных сил Союзных и Соединенных Держав на день вступления в силу настоящего Договора, предоставленных безвозмездно Правительством Италии, будут таким же образом возвращены, или соответствующие кредиты будут открыты Правительству Италии.

ЧАСТЬ VI.

ПРЕТЕНЗИИ, ВЫТЕКАЮЩИЕ ИЗ ВОЙНЫ.

Раздел I. Репарации.

Статья 74.

А. РЕПАРАЦИИ В ПОЛЬЗУ СОЮЗА СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК.

1. Италия должна выплатить Советскому Союзу репарации на сумму в 100.000.000 долларов США в течение семилетнего срока, начиная со дня вступления в силу настоящего Договора. Поставки

из текущей продукции промышленности не будут производиться в течение первых двух лет.

2. Репарации будут покрываться из следующих источников:

a) часть итальянского заводского и инструментального оборудования, предназначенного для производства военных материалов и техники, которое не требуется для разрешенных военных формирований, не может быть легко приспособлено для гражданских целей и которое будет изъято из Италии в соответствии со статьей 67 настоящего Договора;

b) итальянские активы в Румынии, Болгарии и Венгрии, за исключением указанных в пункте 6 статьи 79;

c) текущая продукция итальянской промышленности, включая продукцию добывающей промышленности.

3. Количество и виды товаров, подлежащих поставке, должны явиться предметом соглашений между Правительством Советского Союза и Правительством Италии, и эти товары должны выбираться, а поставки распределяться во времени таким путем, чтобы не помешать экономической реконструкции Италии и не создавать дополнительных обязательств для других Союзных или Соединенных Держав. Заключенные согласно этому пункту соглашения должны сообщаться Послам Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме.

4. Советский Союз будет поставлять Италии на коммерческих условиях материалы, которые обычно импортируются в Италию и которые необходимы для производства этих товаров. Оплата этих материалов будет производиться путем вычета стоимости поставленных материалов из стоимости доставленных в Советский Союз товаров.

5. Четыре Посла должны определить сумму итальянских активов, подлежащих передаче Советскому Союзу.

6. В основу расчетов по платежам, предусмотренным в настоящей статье, положен доллар США по его золотому паритету на 1 июля 1946 года, т. е. 35 долларов за одну унцию золота.

B. РЕПАРАЦИИ В ПОЛЬЗУ АЛБАНИИ, ЭФИОПИИ, ГРЕЦИИ И ЮГОСЛАВИИ.

1. Италия должна платить репарации следующим государствам:

Албании	— на сумму	5.000.000 долларов США,
Эфиопии	— на сумму	25.000.000 долларов США,
Греции	— на сумму	105.000.000 долларов США,
Югославии	— на сумму	125.000.000 долларов США.

Эти платежи должны быть произведены в течение 7 лет, начиная со дня вступления в силу настоящего Договора. Поставки из текущей продукции промышленности не будут производиться в течение первых двух лет.

2. Репарации будут покрываться из следующих источников:

a) часть итальянского заводского и инструментального оборудования, предназначенного для производства военных материалов и техники, которое не требуется для разрешенных военных формирований, не может быть легко приспособлено для гражданских целей и которое будет изъято из Италии в соответствии со статьей 67 настоящего Договора;

b) текущая продукция итальянской промышленности, включая продукцию добывающей промышленности;

c) все другие виды капитальных ценностей или услуг, за исключением итальянских активов, на которые в силу статьи 79 настоящего Договора распространяется юрисдикция государств, перечисленных в предыдущем пункте 1. Поставки, производимые согласно настоящему пункту, будут включать пассажирские суда «Сатурния» и «Вулкания», или любое из них, если, после оценки их стоимости Четырьмя Послами, в течение 90 дней на них будут заявлены претензии со стороны одного из государств, указанных в предыдущем пункте 1. Такие поставки могут включать также семена.

3. Количество и виды товаров, подлежащих поставке, а также услуги, которые должны быть оказаны, явятся предметом соглашений между Правительствами, которые имеют право на репарации,

и Правительством Италии, и эти товары и услуги должны выбираться, а поставки распределяться во времени таким путем, чтобы не помешать экономической реконструкции Италии и не создавать дополнительных обязательств для других Союзных или Соединенных Держав.

4. Государства, имеющие право на репарации за счет текущей промышленной продукции, будут поставлять Италии на коммерческих условиях материалы, которые обычно импортируются в Италию и которые необходимы для производства этих товаров. Оплата этих материалов будет производиться путем вычета стоимости поставленных материалов из стоимости доставленных товаров.

5. В основу расчетов по платежам, предусмотренным в настоящей статье, положен доллар США по его золотому паритету на 1 июля 1946 года, т. е. 35 долларов за 1 унцию золота.

6. Требования государств, перечисленных в пункте 1 части B настоящей статьи, в размере, превышающем суммы репараций, определенные в указанном пункте 1, будут удовлетворены за счет итальянских активов, поставленных под юрисдикцию соответственных государств на основании статьи 79 настоящего Договора.

7. *a*) Четыре Посла будут координировать и наблюдать за выполнением положений части B настоящей статьи. Они будут консультироваться с Главами дипломатических миссий в Риме, представляющими государства, поименованные в пункте 1 части B, и, когда потребуют обстоятельства, — с Правительством Италии, а также будут давать им советы. Для целей настоящей статьи Четыре Посла будут продолжать действовать до истечения периода репарационных поставок, предусмотренного в пункте 1 части B.

b) Для того, чтобы избежать конфликтов или взаимно исключающих совпадений при распределении итальянской продукции и ресурсов между различными государствами, имеющими право на репарации согласно части B настоящей статьи, Четыре Посла будут информироваться любым из Правительств, имеющих право на репарации согласно части B настоящей статьи, и Правительством

Италии о начале переговоров по заключению соглашения, согласно пункту 3 выше, и о ходе таких переговоров. В случае каких-либо разногласий, возникающих в ходе переговоров, Четыре Посла будут правомочны разрешать любой вопрос, переданный им тем или другим из Правительств, ведущих переговоры, или любым другим Правительством, имеющим право на репарации согласно части B настоящей статьи.

c) Заключенные соглашения должны сообщаться Четырем Послам. Четыре Посла могут рекомендовать внести соответствующие изменения в соглашение, которое не соответствует или перестало соответствовать целям, изложенным в пункте 3 или в подпункте «*b*» настоящего пункта.

C. СПЕЦИАЛЬНОЕ ПОСТАНОВЛЕНИЕ О ДОСРОЧНЫХ ПОСТАВКАХ.

Что касается поставок за счет текущей промышленной продукции, как они предусмотрены в пункте 2 «*c*» части A и пункте 2 «*b*» части B, то ничто в частях A и B настоящей статьи не должно рассматриваться как предотвращающее поставки в течение первых двух лет, если такие поставки производятся в соответствии с соглашениями между Правительством, имеющим право на репарации, и Правительством Италии.

D. РЕПАРАЦИИ В ПОЛЬЗУ ДРУГИХ ГОСУДАРСТВ.

1. Претензии других Союзных и Соединенных Держав будут удовлетворены за счет итальянских активов, находящихся соответственно в пределах их юрисдикции согласно статье 79 настоящего Договора.

2. Претензии любого государства, к которому переходят территории согласно настоящему Договору и которое не упомянуто в части B настоящей статьи, будут также удовлетворены путем безвозмездной передачи указанному государству промышленных предприятий и оборудования, находящихся на переходящих территориях и используемых для водоснабжения и для производства и распределения газа и электроэнергии и принадлежащих какой-либо итал-

янской компании, главная контора которой находится в Италии или переведена в Италию, а также путем передачи всех других активов таких компаний на переходящих территориях.

3. Правительство Италии принимает на себя ответственность по финансовым обязательствам, обеспеченным закладными, залоговыми и другими обременениями такой собственности.

Е. КОМПЕНСАЦИЯ ЗА СОБСТВЕННОСТЬ, ИЗЪЯТУЮ ДЛЯ ЦЕЛЕЙ РЕПАРАЦИЙ.

Правительство Италии обязуется компенсировать всех физических или юридических лиц, собственность которых изъята для репарационных целей в соответствии с настоящей статьей.

Раздел II. Реституции, осуществляемые Италией.

Статья 75.

1. Италия принимает принципы Декларации Объединенных Наций от 5 января 1943 года и вернет в возможно кратчайший срок имущество, вывезенное с территории любой из Объединенных Наций.

2. Обязательство производить реституции относится ко всей опознаваемой собственности, находящейся в настоящее время в Италии, которая была вывезена насильственно или по принуждению какой-либо из держав оси с территории любой из Объединенных Наций, независимо от каких-либо последующих сделок, путем которых нынешний владелец такой собственности вступил во владение ею.

3. Правительство Италии должно вернуть указанное в настоящей статье имущество в сохранности и принять на себя в этом отношении все расходы в Италии, относящиеся к рабочей силе, материалам и транспорту.

4. Правительство Италии будет оказывать содействие Объединенным Нациям и предоставит за свой счет все необходимые возможности для розыска и реституции имущества, подлежащего реституции согласно настоящей статье.

5. Правительство Италии примет необходимые меры, чтобы добиться возвращения имущества, указанного в настоящей статье, которым владеют в любой третьей стране лица, находящиеся под итальянской юрисдикцией.

6. Требования реституции имущества должны быть предъявлены Правительству Италии Правительством той страны, с территории которой было вывезено это имущество; при этом понимается, что железнодорожный подвижной состав будет рассматриваться как вывезенный из страны, которой он первоначально принадлежал. Такие требования могут предъявляться в течение шести месяцев со дня вступления в силу настоящего Договора.

7. Бремя доказательства в отношении опознавания имущества и доказательства права собственности возлагается на Правительство, предъявляющее претензию, а бремя доказательства того, что имущество не было вывезено насильственно или по принуждению, возлагается на Правительство Италии.

8. Правительство Италии должно вернуть Правительству соответствующей Объединенной Нации все монетное золото, награбленное или незаконно вывезенное в Италию, или передать Правительству соответствующей Объединенной Нации количество золота, равное по весу и пробе тому количеству, которое было награблено или незаконно вывезено. Это обязательство признается Правительством Италии существующим независимо от каких бы то ни было передач или вывоза золота из Италии в любую другую державу оси или в нейтральную страну.

9. Если в отдельных случаях для Италии является невозможным произвести реституцию предметов, представляющих художественную, историческую или археологическую ценность, которые составляют часть культурного достояния Объединенной Нации, с терррритории которой эти предметы были вывезены итальянскими армиями, властями или гражданами насильственно или по принуждению, Италия обязуется передать заинтересованной Объединенной Нации предметы того же рода и приблизительно равноценные вывезенным предметам, поскольку такие предметы могут быть получены в Италии.

Раздел III. Отказ Италии от претензий.

Статья 76.

1. Италия отказывается от всех претензий любого характера, от имени Правительства Италии или итальянских граждан, к Союзным и Соединенным Державам, связанных непосредственно с войной или вытекающих из мероприятий, предпринятых в силу существования состояния войны в Европе после 1 сентября 1939 года, независимо от того, находилась ли в это время соответствующая Союзная или Соединенная Держава в состоянии войны с Италией или нет. Этот отказ от претензий включает нижеследующее:

a) претензии в связи с потерями или ущербом, понесенными вследствие действий вооруженных сил или властей Союзных или Соединенных Держав;

b) претензии, вытекающие из присутствия, операций или действий вооруженных сил или властей Союзных или Соединенных Держав на итальянской территории;

c) претензии в отношении решений или распоряжений призовых судов Союзных или Соединенных Держав, причем Италия признает действительными и обязательными все решения и распоряжения таких призовых судов, вынесенные 1 сентября 1939 года или позднее, относительно итальянских судов или итальянских грузов или оплаты издержек;

d) претензии, вытекающие из осуществления прав воюющей стороны или из мер, принятых с целью осуществления этих прав.

2. Положения настоящей статьи должны исключать полностью и окончательно все претензии указанного выше характера, которые отныне будут прекращены, кто бы ни являлся заинтересованной стороной. Правительство Италии соглашается выплатить справедливую компенсацию в лирах лицам, которые предоставили вооруженным силам Союзных или Соединенных Держав на итальянской территории снабжение или услуги по реквизиции, а также для удовлетворения возникших на итальянской территории претензий за невоенный ущерб, предъявленных вооруженным силам Союзных или Соединенных Держав.

3. Италия равным образом отказывается от всех претензий такого характера, который указан в пункте 1 настоящей статьи, от имени Правительства Италии или итальянских граждан, к любой из Объединенных Наций, порвавшей дипломатические отношения с Италией и предпринявшей действия в сотрудничестве с Союзными и Соединенными Державами.

4. Правительство Италии должно принять на себя полную ответственность за всю военную валюту союзников, выпущенную в Италии союзными военными властями, включая всю такую валюту, которая будет находиться в обращении на день вступления в силу настоящего Договора.

5. Отказ Италии от претензий согласно пункту 1 настоящей статьи включает любые претензии, вытекающие из мер, принятых любой из Союзных и Соединенных Держав в отношении итальянских судов между 1 сентября 1939 года и днем вступления в силу настоящего Договора, а также любые претензии и долги, вытекающие из ныне действующих конвенций о военнопленных.

6. Положения настоящей статьи не должны рассматриваться как затрагивающие право собственности на подводные кабели, которые к началу войны принадлежали Правительству Италии или итальянским гражданам. Этот пункт не исключает применения к подводным кабелям статьи 79 и Приложения XIV.

Статья 77.

1. Со дня вступления в силу настоящего Договора собственность Италии и итальянских граждан, находящаяся в Германии, не будет больше рассматриваться как вражеская собственность, и все ограничения, связанные с таким режимом, должны быть отменены.

2. Опознаваемая собственность Италии и итальянских граждан, вывезенная насильственно или по принуждению с территории Италии в Германию германскими вооруженными силами или властями после 3 сентября 1943 года, подлежит возврату.

3. Реституция и восстановление итальянской собственности

в Германии будут осуществляться в соответствии с мероприятиями, которые будут определены Державами, оккупирующими Германию.

4. Без ущерба для вышеизложенных и для любых других постановлений, принятых в пользу Италии и ее граждан Державами, оккупирующими Германию, Италия, от своего имени и от имени итальянских граждан отказывается от всех оставшихся неурегулированными на 8 мая 1945 года претензий в отношении Германии и германских граждан, за исключением претензий, вытекающих из контрактов и других обязательств, заключенных до 1 сентября 1939 года, и прав, приобретенных до этой даты. Этот отказ будет рассматриваться как включающий долги, все межправительственные претензии, связанные с соглашениями, заключенными во время войны, и все претензии на возмещение за потери или ущерб, возникшие во время войны.

5. Италия соглашается принять все необходимые меры для облегчения такой передачи германских активов, находящихся в Италии, какая может быть определена теми из оккупирующих Германию Держав, которые имеют право распоряжаться указанными активами.

ЧАСТЬ VII.

СОБСТВЕННОСТЬ, ПРАВА И ИНТЕРЕСЫ.

Раздел I. Собственность Объединенных Наций в Италии.

Статья 78.

1. Италия, поскольку ею это еще не сделано, восстановит все законные права и интересы Объединенных Наций и их граждан в Италии, как они существовали на 10 июня 1940 года, и вернет всю собственность Объединенных Наций и их граждан в Италии в том состоянии, в котором она находится в настоящее время.

2. Правительство Италии обязуется восстановить всю собственность, права и интересы, подпадающие под действие настоящей статьи, без всяких обременений и обложений любого вида, ко-

торым они могли подвергнуться вследствие войны, и без взимания Правительством Италии каких-либо сборов в связи с их возвращением. Правительство Италии аннулирует все мероприятия, включая отобрание, секвестр или контроль, проведенные им в отношении собственности Объединенных Наций между 10 июня 1940 года и днем вступления в силу настоящего Договора. В случаях невозвращения собственности в течение 6 месяцев со дня вступления в силу настоящего Договора, заявление о возвращении собственности должно быть подано итальянским властям не позднее чем в течение 12 месяцев со дня вступления в силу настоящего Договора, за исключением случаев, когда заявитель может доказать, что он не мог подать своего заявления в течение этого срока.

3. Правительство Италии должно аннулировать передачи, относящиеся к собственности, правам и интересам всякого рода, принадлежащим гражданам Объединенных Наций, в тех случаях, когда такие передачи были результатом насилия или принуждения со стороны правительств держав оси или их органов во время войны.

4. *a*) Правительство Италии несет ответственность за приведение во вполне исправное состояние собственности, возвращаемой гражданам Объединенных Наций согласно пункту 1 настоящей статьи. В тех случаях, когда собственность не может быть возвращена, или когда в результате войны гражданин Объединенных Наций потерпел убыток вследствие повреждения или порчи собственности в Италии, он должен получить от Правительства Италии компенсацию в лирах в пределах двух третей суммы, необходимой в день выплаты для того, чтобы купить аналогичную собственность или возместить понесенный убыток. Граждане Объединенных Наций ни в коем случае не должны ставиться в менее благоприятное положение в отношении компенсации, чем итальянские граждане.

b) Граждане Объединенных Наций, имеющие прямой или косвенный собственнический интерес в корпорациях или ассоциациях, национальность которых не является национальностью Объединенных Наций в значении пункта 9 «*a*» настоящей статьи, но которые потерпели убыток вследствие повреждения или порчи собственности в Италии, должны получить компенсацию в соответствии

с подпунктом «*a*» выше. Эта компенсация должна исчисляться на основе общих убытков или ущерба, понесенных корпорацией или ассоциацией, и должна составлять по отношению к таким убыткам или ущербу ту же пропорцию, какую составляют приносящие доход интересы таких граждан по отношению к общему капиталу корпорации или ассоциации.

c) Компенсация должна выплачиваться без каких-либо обложений, налогов или других сборов. Она может свободно использоваться в Италии, но должна подлежать правилам контроля над иностранными девизами, которые могут время от времени вводиться в Италии.

d) Правительство Италии предоставит гражданам Объединенных Наций возмещение в лирах в том же самом размере, который предусмотрен в подпункте «*a*» выше, чтобы компенсировать потери или ущерб, возникшие в результате особых мер, которые применялись к их собственности во время войны, но которые не применялись к итальянской собственности. Этот подпункт не распространяется на упущенные выгоды.

5. Все произведенные в Италии разумные расходы по предъявлению претензий, включая расходы на подсчет потерь или ущерба, должно нести Правительство Италии.

6. Граждане Объединенных Наций и их собственность должны быть освобождены от всяких исключительных налогов, сборов или податей, налагавшихся на их основные фонды в Италии Правительством Италии или любой итальянской властью в период между 3 сентября 1943 года и днем вступления в силу настоящего Договора со специальной целью покрытия расходов, связанных с войной, или покрытия издержек на оккупационные силы или на репарации в пользу любой из Объединенных Наций. Любые суммы, выплаченные таким образом, должны быть возвращены.

7. Несмотря на переход территории, предусмотренный в настоящем Договоре, Италия продолжает нести ответственность за убытки или ущерб, понесенные во время войны на переходящей территории или на Свободной Территории Триест собственностью,

принадлежащей гражданам Объединенных Наций. Обязательства, содержащиеся в пунктах 3, 4, 5 и 6 настоящей статьи, также лежат на Правительстве Италии в отношении находящейся на переходящей территории и на Свободной Территории Триест собственности граждан Объединенных Наций, за исключением случаев, когда это противоречит положениям пункта 14 Приложения X и пункта 14 Приложения XIV к настоящему Договору.

8. Заинтересованный собственник и Правительство Италии могут заключать соглашения взамен положений настоящей статьи.

9. Применяемые в настоящей статье:

a) Выражение «граждане Объединенных Наций» означает физических лиц, являющихся к моменту вступления в силу настоящего Договора гражданами любой из Объединенных Наций, или корпорации или ассоциации, организованные к этому моменту по законам любой из Объединенных Наций, при условии, что указанные лица, корпорации или ассоциации имели такой статус также и в момент заключения Перемирия с Италией 3 сентября 1943 года.

Выражение «граждане Объединенных Наций» также включает всех физических лиц, корпорации или ассоциации, которые на основании законов, действовавших в Италии во время войны, рассматривались как вражеские.

b) Выражение «собственник» означает гражданина Объединенных Наций, как определено в подпункте «*a*» выше, имеющего право на данную собственность, и включает преемника такого собственника, при условии, что преемник также является гражданином одной из Объединенных Наций, как определено в подпункте «*a*» Если преемник приобрел собственность в поврежденном виде, то лицо передающее сохраняет свои права на возмещение на основании настоящей статьи без ущерба для обязательств, существующих между лицом передающим и лицом приобретающим в соответствии с внутренними законами.

c) Выражение «собственность» означает всю движимую или недвижимую собственность, материальную или нематериальную, включая промышленную, литературную и художественную собственность, а также все права или интересы всякого рода в соб-

ственности. Без ущерба для общего характера предыдущих постановлений выражение «собственность Объединенных Наций и их граждан» включает все морские и речные суда вместе с их инвентарем и оборудованием, которые либо принадлежали Объединенным Нациям или их гражданам, либо были зарегистрированы на территории одной из Объединенных Наций, либо плавали под флагом одной из Объединенных Наций, и которые после 10 июня 1940 года, во время нахождения их в итальянских водах или после их насильственного привода в итальянские воды, либо были поставлены под контроль итальянских властей, как вражеская собственность, либо перестали находиться в Италии в свободном распоряжении Объединенных Наций или их граждан вследствие проведения итальянскими властями мероприятий по контролю в связи с существованием состояния войны между Объединенными Нациями и Германией.

Раздел II. Итальянская собственность на территории Союзных и Соединенных Держав.

Статья 79.

1 Каждая из Союзных и Соединенных Держав будет иметь право взять, удержать, ликвидировать или предпринять любое другое действие в отношении всей собственности, прав и интересов, которые на день вступления в силу настоящего Договора будут находиться на ее территории и принадлежать Италии или итальянским гражданам, а также использовать такую собственность или выручку от нее для таких целей, какие эта держава сочтет желательными в пределах претензий этой державы и ее граждан к Италии или к итальянским гражданам, — включая долги, — которые не были полностью удовлетворены в силу других статей настоящего Договора. Вся итальянская собственность или выручка от ее ликвидации, превышающие сумму таких претензий, должны быть возвращены.

2. Ликвидация итальянской собственности и распоряжение ею будут проводиться в соответствии с законом заинтересованной

Союзной или Соединенной Державы. Итальянский собственник не будет иметь прав в отношении такой собственности, за исключением тех, которые могут быть предоставлены ему в силу этого закона.

3. Правительство Италии обязуется компенсировать итальянских граждан, собственность которых изъята в силу настоящей статьи и не возвращена им.

4. Данная статья не возлагает на ту или иную из Союзных или Соединенных Держав никакого обязательства возвратить Правительству Италии или итальянским гражданам промышленную собственность или включить такую собственность при определении суммы, которая может быть удержана согласно пункту 1 настоящей статьи. Правительство каждой из Союзных и Соединенных Держав будет иметь право установить такие ограничения и условия в отношении прав или интересов, касающихся промышленной собственности, приобретенной до дня вступления в силу настоящего Договора на территории этой Союзной или Соединенной Державы Правительством или гражданами Италии, какие Правительство данной Союзной или Соединенной Державы сочтет необходимыми в своих национальных интересах.

5. *a*) Итальянские подводные кабели, соединяющие пункты, расположенные на югославской территории, будут рассматриваться как итальянская собственность в Югославии, даже и в том случае, если некоторая часть этих кабелей находится за пределами югославских территориальных вод.

b) Итальянские подводные кабели, соединяющие пункт, расположенный на территории одной из Союзных или Соединенных Держав, с пунктом на итальянской территории, будут для целей настоящей статьи рассматриваться как итальянская собственность, поскольку это касается конечных сооружений и тех частей кабелей, которые находятся в территориальных водах этой Союзной или Соединенной Державы.

6. Собственность, предусмотренная пунктом 1 настоящей статьи, должна рассматриваться как включающая итальянскую собственность, которая подлежала контролю в силу состояния войны,

существовавшего между Италией и Союзной или Соединенной Державой, имеющей юрисдикцию над этой собственностью, но не должна включать:

a) собственность Правительства Италии, используемую для консульских или дипломатических целей;

b) собственность, принадлежащую религиозным организациям или частным благотворительным учреждениям и используемую исключительно для религиозных или благотворительных целей;

c) собственность физических лиц, которые являются итальянскими гражданами, получившими разрешение проживать в пределах территории той страны, в которой находится эта собственность, или проживать в любом другом месте на территории стран Объединенных Наций, за исключением итальянской собственности, которая когда-либо во время войны являлась объектом мер, не применявшихся как правило к собственности итальянских граждан, проживающих на той же территории;

d) имущественные права, возникшие после возобновления торговых и финансовых отношений между Союзными и Соединенными Державами и Италией или возникшие из сделок между Правительством любой Союзной или Соединенной Державы и Италией после 3 сентября 1943 года;

e) права на литературную и художественную собственность;

f) собственность итальянских граждан, находящуюся на переходящих территориях, к которой должны применяться постановления Приложения XIV;

g) за исключением активов, указанных в пункте 2 «*b*» части A и пункте 1 части D статьи 74, собственность физических лиц, проживающих на переходящих территориях или на Свободной Территории Триест, которые не оптируют итальянского гражданства в силу настоящего Договора, и собственность корпораций или ассоциаций, имеющих главную контору на переходящих территориях или на Свободной Территории Триест, при условии, что такие корпорации или ассоциации не принадлежат лицам, проживающим в Ита-

лии, или не контролируются ими. Что касается случаев, предусмотренных в пункте 2 «*b*» части А статьи 74 и в пункте 1 части D той же статьи, то вопрос о компенсации будет разрешен в соответствии с частью Е статьи 74.

Раздел III. Заявление Союзных и Соединенных Держав относительно их претензий.

Статья 80.

Союзные и Соединенные Державы заявляют, что права, которые им предоставлены статьями 74 и 79 настоящего Договора, охватывают все их претензии и претензии их граждан за потери и ущерб в результате войны, включая сюда и мероприятия, принятые в условиях оккупации их территории, ответственность за которые будет падать на Италию и которые имели место за пределами территории Италии, за исключением, однако, претензий, основанных на статьях 75 и 78.

Раздел IV. Долги.

Статья 81.

1. Существование состояния войны само по себе не будет считаться фактором, влияющим на обязательство выплачивать денежные долги, вытекающие из обязательств и контрактов, существовавших до возникновения состояния войны, — а также из прав, приобретенных до этого времени, — срок уплаты которых наступил до дня вступления в силу настоящего Договора и которые причитаются с Правительства или граждан Италии Правительству или гражданам одной из Союзных и Соединенных Держав, или которые причитаются с Правительства или граждан одной из Союзных и Соединенных Держав Правительству или гражданам Италии.

2. За исключением случаев, специально предусмотренных в настоящем Договоре, ничто в нем не должно толковаться как наносящее ущерб отношениям между дебиторами и кредиторами, вытекающим из довоенных контрактов, заключенных Правительством или гражданами Италии.

ЧАСТЬ VIII.

ОБЩИЕ ЭКОНОМИЧЕСКИЕ ОТНОШЕНИЯ.

Статья 82.

1. До заключения торговых договоров или соглашений между отдельными Объединенными Нациями и Италией, Правительство Италии будет предоставлять в течение 18 месяцев со дня вступления в силу настоящего Договора нижеуказанный режим каждой из Объединенных Наций, которая на началах взаимности фактически предоставит Италии аналогичный режим в подобных вопросах:

a) Во всем, что касается пошлин и сборов по импорту или экспорту, внутреннего обложения импортируемых товаров, а также всех правил, относящихся к этому, Объединенным Нациям будет предоставлен безусловный режим наибольшего благоприятствования.

b) Во всех других отношениях Италия не должна проводить произвольной дискриминации, направленной против товаров, производимых на любой территории любой из Объединенных Наций или предназначенных для этой территории, по сравнению с подобными товарами, производимыми на территории любой другой из Объединенных Наций или на территории любой другой иностранной державы или предназначенными для этих территорий.

c) Гражданам Объединенных Наций, в том числе юридическим лицам, должен быть предоставлен национальный режим и режим наибольшего благоприятствования во всех вопросах, касающихся торговли, промышленности, мореплавания и других видов торговой деятельности в Италии. Эти постановления не должны применяться к коммерческой авиации.

d) Италия не будет предоставлять никакого исключительного или дискриминационного права какой бы то ни было стране в отношении использования коммерческих самолетов в международном сообщении; она предоставит всем Объединенным Нациям равные возможности в приобретении на итальянской территории прав в области международной коммерческой авиации, включая право посадки для заправки горючим и ремонта; что касается использования коммерче-

ских самолетов в международном сообщении, она предоставит всем Объединенным Нациям на основе взаимности и без дискриминации право беспосадочного полета над итальянской территорией. Эти постановления не должны затрагивать интересов национальной обороны Италии.

2. Вышеупомянутые обязательства Италии должны пониматься в том смысле, что на них распространяются изъятия, обычно включавшиеся в торговые договоры, заключенные Италией до войны, а постановления, относящиеся к взаимности со стороны каждой из Объединенных Наций, должны пониматься в том смысле, что на них распространяются изъятия, обычно включаемые в торговые договоры данного государства.

ЧАСТЬ IX.

РАЗРЕШЕНИЕ СПОРОВ.

Статья 83.

1. Споры, могущие возникнуть при осуществлении статей 75 и 78 и Приложений XIV, XV, XVI и части B Приложения XVII настоящего Договора, должны передаваться Согласительной Комиссии, составленной на паритетных началах из одного представителя Правительства заинтересованной Объединенной Нации и одного представителя Правительства Италии. Если в течение трех месяцев после передачи спора Согласительной Комиссии не будет достигнуто соглашения, каждое из Правительств может потребовать включения в Комиссию третьего члена, избираемого по взаимному соглашению между обоими Правительствами из числа граждан третьих стран. Если два Правительства в течение двух месяцев не смогут достигнуть соглашения относительно избрания третьего члена Комиссии, они обращаются к Послам Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме, которые назначат третьего члена Комиссии. Если Послы не смогут в течение одного месяца согласиться о назначении этого члена, то любая из сторон может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Когда та или иная Согласительная Комиссия будет учреждена согласно пункту 1, в ее компетенцию будет входить разрешение всех споров, которые могут впоследствии возникнуть между заинтересованной страной Объединенных Наций и Италией при применении или толковании статей 75 и 78 и Приложений XIV, XV, XVI и части B Приложения XVII настоящего Договора, и она будет выполнять функции, возложенные на нее этими постановлениями.

3. Каждая Согласительная Комиссия определит свою собственную процедуру, устанавливая правила, соответствующие принципам справедливости и правосудия.

4. Каждое Правительство будет платить жалование тому члену Согласительной Комиссии, которого оно назначит, а также любому представителю, которому оно может поручить представлять его в Комиссии. Жалование третьего члена будет установлено по специальному соглашению между заинтересованными Правительствами, и это жалование, вместе с общими расходами каждой Комиссии, будет выплачиваться обоими Правительствами в равных долях.

5. Стороны принимают на себя обязательство, что их власти будут оказывать Согласительной Комиссии непосредственно всякое содействие в пределах своих полномочий.

6. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

ЧАСТЬ X.

РАЗНЫЕ ЭКОНОМИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Статья 84.

Статьи 75, 78 и 82 и Приложение XVII настоящего Договора будут применяться к Союзным и Соединенным Державам и к тем из Объединенных Наций, которые порвали дипломатические отношения с Италией или с которыми Италия порвала дипломатические отношения. Эти статьи и Приложение будут также применяться в отношении Албании и Норвегии.

Статья 85.

Постановления Приложений VIII, X, XIV, XV, XVI и XVII, как и постановления других Приложений, будут иметь силу как неотъемлемые части настоящего Договора.

ЧАСТЬ XI.

ЗАКЛЮЧИТЕЛЬНЫЕ ПОСТАНОВЛЕНИЯ.

Статья 86.

1. В течение периода, не превышающего 18 месяцев со дня вступления в силу настоящего Договора, Послы Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции в Риме, действуя по согласованию, будут представлять Союзные и Соединенные Державы в сношениях с Правительством Италии по всем вопросам, касающимся выполнения и толкования настоящего Договора.

2. Четыре Посла будут предоставлять Правительству Италии такие руководство, технические советы и разъяснения, какие могут быть необходимы для обеспечения быстрого и эффективного выполнения настоящего Договора в соответствии с его духом и текстом.

3. Правительство Италии обязуется предоставлять упомянутым Четырем Послам всю необходимую информацию и оказывать любое содействие, которые они могут потребовать при выполнении задач, возложенных на них настоящим Договором.

Статья 87.

1. За исключением тех случаев, когда иной порядок специально предусмотрен какой-либо из статей настоящего Договора, любой спор относительно толкования или выполнения этого Договора, не урегулированный путем прямых дипломатических переговоров, должен передаваться Четырем Послам, действующим на основании статьи 86 с тем исключением, что в этом случае Послы не будут ограничены сроком, предусмотренным этой статьей. Любой такой спор, не разрешенный Послами в течение двух месяцев, должен, если спорящие стороны не придут к взаимному соглашению об иных

способах урегулирования спора, передаваться, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой из сторон и третьего члена, выбранного по взаимному соглашению двух сторон из граждан третьих стран. Если двум сторонам не удастся в месячный срок притти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 88.

1. Любой член Организации Объединенных Наций, не являющийся стороной, подписавшей настоящий Договор, и находящийся в состоянии войны с Италией, а также Албания, может присоединиться к этому Договору и после присоединения будет для целей Договора считаться одной из Соединенных Держав.

2. Акты о присоединении будут сданы Правительству Французской Республики и вступят в силу со дня сдачи.

Статья 89.

Постановления настоящего Договора не будут предоставлять каких-либо прав или преимуществ какому-либо государству, поименованному в преамбуле Договора в качестве одной из Союзных и Соединенных Держав, или его гражданам до тех пор, пока такое государство не станет участником Договора путем сдачи на хранение его ратификационных грамот.

Статья 90.

Настоящий Договор, русский, английский и французский тексты которого являются аутентичными, будет ратифицирован Союзными и Соединенными Державами. Договор должен быть также ратифицирован Италией. Договор вступит в силу немедленно после сдачи ратификационных грамот Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и

Северной Ирландии, Соединенными Штатами Америки и Францией. Ратификационные грамоты будут в кратчайший срок сданы на хранение Правительству Французской Республики.

В отношении каждой из Союзных или Соединенных Держав, ратификационная грамота которой будет сдана после этого, Договор вступит в силу со дня сдачи на хранение. Настоящий Договор будет сдан в архивы Правительства Французской Республики, которое разошлет заверенные копии каждому из подписавших этот Договор государств.

ПЕРЕЧЕНЬ ПРИЛОЖЕНИЙ.

I. Карты (см. отдельный том).

II. Франко-итальянская граница. Подробное описание участков границы, к которым относятся изменения, указанные в статье 2.

III. Гарантии, относящиеся к Мон Сени и к району Тенда-Брига.

IV. Положения, о которых Правительства Австрии и Италии достигли соглашения 5 сентября 1946 года.

V. Водоснабжение коммуны Горица и ее окрестностей.

VI. Постоянный Статут Свободной Территории Триест.

VII. Положение о временном режиме Свободной Территории Триест.

VIII. Положение о Свободном Порте Триест.

IX. Технические постановления, относящиеся к Свободной Территории Триест.

X. Экономические и финансовые постановления, относящиеся к Свободной Территории Триест.

XI. Совместная Декларация Правительств Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции относительно итальянских территориальных владений в Африке.

XII. Списки военно-морских кораблей:

A. Список кораблей, оставляемых Италии.

B. Список кораблей, передаваемых Италией.

XIII. Определения:

A. Военно-морские определения.

B. Определение военного, военно-воздушного и военно-морского обучения.

C. Определение и перечень военных материалов и техники.

D. Определение терминов «демилитаризация» и «демилитаризованный».

XIV. Экономические и финансовые постановления, относящиеся к переходящим территориям.

XV. Специальные постановления, относящиеся к некоторым видам собственности:

A. Промышленная, литературная и художественная собственность.

B. Страховое дело.

XVI. Контракты, сроки давности и ценные бумаги.

XVII. Призовые суды и судебные решения.

ПРИЛОЖЕНИЕ I.

Карты к Мирному Договору с Италией.

(см. отдельный том)

A. Границы Италии (статья 1).

B. Граница между Италией и Францией (статья 2).

C. Граница между Италией и Югославией (статья 3).

D. Границы Свободной Территории Триест (статьи 4 и 22).

E. Морские зоны, определенные в статье 11 настоящего Договора.

ПРИЛОЖЕНИЕ II.

Франко-итальянская граница.

Подробное описание участков границы, к которым относятся изменения, указанные в статье 2.

Перевал Малый Сен Бернар.

См. карту 1:20.000, Сент Фуа Тарантез № 1-2.

Новая граница будет следовать по линии, которая начинается на скалистом гребне Лансебранлет, затем, спускаясь к востоку, следует по линии водораздела до высоты 2.180, откуда она идет к Колонна Жу (2.188). Отсюда, продолжая следовать по линии водораздела, она поднимается на гору Коста дель Бельведер, проходит по ее скалистым отрогам, поднимается на гору Бельведер, вершину которой она огибает, оставляя ее на французской территории в 120 м. от границы, и, проходя через высоты 2.570, 2.703, гору Белла Валетта и высоту 2.746, соединяется с прежней границей у горы Валезан.

Плато Мон Сени.

См. карту 1:20.000, Лансебург 5-6 и 7-8 и Мон д'Амбэн 1-2.

Новая граница будет следовать по линии, которая отходит от прежней границы у горы Тур, идет к западу по административной

границе, которая обозначена на карте, и вниз по течению горного потока Витун, начиная с того места, где она встречается с его северным рукавом, до Рокка делля Торретта (скала Торретта).

Далее, следуя вдоль скалистых отрогов, линия границы доходит до горного потока, текущего с Альп Ламет, и идет вниз по его течению до подножья скалистого склона, вдоль которого она проходит по тальвегу на протяжении примерно 800 метров до пункта, расположенного приблизительно в 200 метрах к северу от высоты 1.805.

Затем линия идет к вершине гряды оползней, которая возвышается над Феррера Ченизио, приблизительно в 300 метрах от него, и, продолжая следовать в западном направлении, достигает дороги, которая огибает с востока Реджоне Парадизо, в точке в 400 метрах на запад от ее поворота (1.854), затем сразу отходит от этой дороги и спускается в южном направлении.

Линия границы пересекает затем дорогу, ведущую в Бар Ченизиа, приблизительно в 100 метрах на юго-восток от убежища 5, пересекает также тальвег, идя в направлении озера Сан Джорджо, следует примерно по горизонтали 1.900 до высоты 1.907, обходя озеро Арпон с южной стороны, и достигает скалистого гребня, по которому она идет в югозападном направлении до слияния горных потоков, берущих начало у ледника Бард (Гъяччайо ди Бард), в пункте приблизительно в 1.400 метрах к юго-западу от озера Арпон.

Отсюда, отклоняясь к югу, линия границы следует примерно по горизонтали 2.500, достигает высоты 2.579, идет затем вдоль горизонтали 2.600, достигает озера Веккия и соединяется у административной границы, обозначенной на карте, примерно в 700 м. к юго-востоку от озера, с тропой, ведущей к перевалу д'Аванца, по которой она идет вдоль скалистого обрыва до прежней границы, соединяясь с ней в точке, расположенной на полпути между перевалом Веккия и перевалом Клапье.

Мон Табор.

См. карту 1:20.000, Неваш 1-2, 5-6 и 7-8.

От вершины Планетт до Роше де Гион (вершина Сюер).

Новая граница будет следовать по линии, которая отходит от прежней границы у вершины Планетт, и, направляясь к югу, проходит по хребту через высоты 2.980, 3.178, Рокка Бернауде (скала Бернауде) (3.228), высоты 2.842, 2.780, 2.877, перевал Галлина (2.671), высоты 2.720, 2.806 и пик Кваттро Сорелле (2.700).

Спускаясь по восточному склону этого пика, линия границы оставляет на французской территории высоту 2.420, откуда далее она выходит к тропе и следует вдоль нее с восточной стороны по направлению к постройкам, расположенным приблизительно в 200 метрах от высоты 2.253, оставляя эту тропу и эти постройки на французской территории. Затем она выходит к тальвегу, проходя по нему приблизительно в 300 метрах к северо-востоку от высоты 1.915, откуда она достигает северозападного края водохранилища в Валле Стретта (Узкая Долина), которое питает гидроэлектрические сооружения Сетте Фонтане, оставляя это водохранилище и эти сооружения на итальянской территории. Огибая водохранилище с юга, она достигает перекрестка дорог у высоты 1.499.

Затем она выходит к тропе, идущей по опушке леса вдоль горизонтали 1.500, и следует по ней до Комба делля Горджа (приблизительно у горизонтали 1.580) далее она идет вверх по тальвегу к высоте 1.974, выходит к гребню скалистых отрогов Сюер через высоты 2.272, 2.268, 2.239, 2.266, 2.267 и идет вдоль этих отрогов вплоть до прежней границы; причем гребень отрогов и тропа, которая идет вдоль него, остаются на французской территории.

Шабертон.

См. карту 1:20.000, Бриансон 3-4.

Новая граница будет следовать по линии, которая, отходя от прежней границы у высоты 3.042 (к северу от высоты 3.070 и к северу от пика Труа Си), идет по скалистому гребню до Кроче дель Валлонетто.

От Кроче дель Валлонетто линия границы направляется к югу вдоль скалистого гребня и достигает дороги, ведущей к Шабертон в том пункте, где эта дорога входит в котловину Кло де Мор.

Пересекая эту дорогу и тальвег, вдоль которого эта дорога идет, линия границы следует на протяжении 1.250 м. приблизительно по горизонтали 2.300, которая на местности проходит к юго-востоку по ряду скалистых отрогов и осыпей, затем она пересекает по прямой восточный склон горы Шабертон и доходит до точки, расположенной примерно в 400 метрах к западу от высоты 2.160, оставляя на французской территории промежуточную опору канатной дороги, находящуюся в этом месте.

Отсюда линия границы идет также по прямой, пересекает ряд скалистых гряд и крутых скатов, и, направляясь к позиции Фонтен де Шамуа, не обозначенной на карте, у высоты 2.228 (приблизительно в 1.400 метрах к северо-востоку от Клавьера), которую она огибает с востока, идет по второй петле дороги, связывающей эту позицию с укрепленной казармой Шабертона (на дороге от Сезанн (Чезана) в Клавьер), оставляя укрепления в Фонтен де Шамуа на французской территории.

Затем линия границы, следуя сначала в южном направлении по показанной на карте административной границе коммуны и по скалистой гряде приблизительно в 400 метрах на север от дороги Клавьер-Сезанн (Чезана), отклоняется затем на юго-запад, проходя у подножья скал на таком расстоянии, чтобы имелось достаточно места для постройки дороги с двусторонним движением.

Огибая таким образом с севера деревню Клавьер, остающуюся на итальянской территории, она выходит к реке Секко, примерно в 200 метрах выше моста Клавьер, и затем спускается по течению этой реки и далее по течению реки Дуар Рипер (Дориа Рипариа) до дороги из Клавьера в долину Жимон, которая остается за Италией, и идет по этой дороге до моста через реку Жимон.

Следуя вверх по течению этой реки, примерно на протяжении 300 м., линия затем отходит от нее, следуя вдоль горной дороги, доходит до верхней опоры канатной дороги Клавьер (у перевала Мон-Фор дю Беф), которую она оставляет на французской территории, и затем, проходя по кряжу, достигает нынешней границы у горы ля План, у пограничного знака 251. Дорога в долине реки Жимон остается на итальянской территории.

Верховья долин Тине, Везубия и Ройя.

1. От вершины Колла Лонга до вершины Меркантур.

См. карту 1:20.000, Сент-Этьен де Тине 3-4 и 7-8, Труа Пон 5-6.

Новая граница будет следовать по линии, которая отходит от прежней границы у вершины Колла Лонга и, направляясь к востоку по водоразделу, идет вдоль скалистого гребня, проходя через высоты 2.719, 2.562, перевал Сечча, достигает у высоты 2.760 Теста делль Аутарет, проходит через высоту 2.672 к перевалу Герча (2.456) и через высоты 2.640, 2.693, 2.689 достигает Рокке ди Сабоуле и идет вдоль северного гребня этой горы.

Следуя по этому гребню, линия границы доходит, через высоты 2.537, 2.513, перевал Лаусфер (2.461) и высоту 2.573, до высоты Теста Аута дель Лаусфер (2.587), откуда она отклоняется к югу до Теста Колла Аута, проходя через вершину Лаусфер (2.544) и оставляя ее за Италией. Отсюда она идет через высоту 2.484 вдоль тропы, идущей по гребню горы, оставляя эту тропу на французской территории, через высоты 2.240 и 2.356, пересекает перевал Санта-Анна и достигает, проходя через высоты 2.420 и 2.407, точки, расположенной в 80 метрах к югу от высоты 2.378 (вершина Моравaччера).

Следуя по остающейся на французской территории тропе, проходящей по хребту, линия границы проходит через Теста Га дель Каваль и через высоту 2.331, которые остаются на французской территории, затем, отходя от дороги, она идет по гребню Теста дель Адрек (2.475) и, через перевал Ломбарда и высоту 2.556, достигает вершины Ломбарда (2.801).

Отклоняясь к юго-востоку, линия границы далее проходит по скалистому гребню и, через проход Пеаниа, вершину Вермейль, высоту 2.720, которая остается на французской территории, Теста Комба Гросса (2.792), перевал Лупо (2.730) и высоту 2.936, достигает горы Малинверн.

Далее, идя в южном направлении через высоты 2.701, 2.612 и вершину Тавельс (2.804) и оттуда в восточном направлении, через высоту 2.823, линия границы достигает Теста дель Клаус (2.889).

Далее, отклоняясь в общем юговосточном направлении, линия границы пересекает перевал Портетте, идет через высоту 2.814, Теста делля Портетте, высоту 2.868, Теста Марджоля (2.831), Кайре ди Префоунс (2.840), перевал Префоунс (2.620), Теста ди Таблассес (2.851), перевал Брессес (2.794), Теста ди Брессес (2.820), вершину Фремаморта (2.731), перевал Фремаморта, высоты 2.625, 2.675 и 2.539, вершину Пагари (2.686), вершину Научетас (2.706), высоты 2.660 и 2.673, перевал Чириеджа (2.581) и достигает вершины Меркантур (2.775).

2. От вершины Меркантур до горы Клапье.

См. карту 1:20.000, Труа Пон 5-6 и итальянскую карту 1:20.000, Мадонна делле Финестре.

Линия границы идет от вершины Меркантур через высоту 2.705, перевал Меркантур (2.611), вершину Гилье (2.998), высоты 2.939 и 2.955, Теста делля Ровина (2.981), высоты 2.844 и 2.862, перевал Ровина, Кайре дель Аньель (2.935, 2.867, 2.784), вершину Кайре дель Аньель (2.830), вершину Малларива (2.860), вершину Кайрас (2.831), вершину Кугурда (2.881, 2.921), вершину Гаиссес (2.896), высоты 2.766, 2.824, вершину Ломбарда (2.842), высоты 2.831, 2.717, 2.591, 2.600 и 2.582, Бочча Форно, вершину Финестре (2.657), перевал Финестре, высоты 2.634, 2.686, 2.917 и достигает вершины Джелас (3.143); затем идет через высоту 3.070 и вершину Маледиа (3.061), следует вдоль тропы, ведущей к перевалу Пагари (2.819), затем, по показанной на карте административной границе коммуны, доходит до перевала горы Клапье (2.827) и огибает гору Клапье (3.045) с северной и восточной стороны, проходя по административной границе, нанесенной на карте.

3. От горы Клапье до перевала Тенда.

См. итальянскую карту 1:20.000, Мадонна делле Финестре и Колле ди Тенда.

От горы Клапье линия границы, следуя по административной границе, показанной на карте, и через высоты 2.915, 2.887, 2.562, перевал Аньель и высоту 2.679, достигает вершины Аньель (2.775).

Идя в восточном направлении и продолжая следовать по пока-

занной на карте административной границе и через высоты 2.845 и 2.843 кряжа Аньель, линия границы доходит до вершины Скандейера (2.706), пересекает перевал Саббионе (2.332), проходит через высоты 2.373, 2.226, 2.303 и 2.313, вершину Саббионе (2.610), высоту 2.636, пик Пейрафика, высоты 2.609, 2.585, 2.572 и 2.550 и достигает Рокка делль Абиссо (скала Абиссо) (2.755).

Продолжая следовать по показанной на карте административной границе до восточного склона высоты 2.360, а затем, следуя вдоль скалистых отрогов на север от Реджоне Пьян Миссон, линия границы выходит на тропу, идущую к горе Бекко Россо, и следует по ней к северу от высот 2.181, 2.116, 1.915, затем она идет вдоль шоссе на протяжении около 1 км. в северном направлении, а затем опять возвращается к указанной тропе и следует по ней до перевала Тенда, причем как тропа, так и упомянутый отрезок шоссе остаются на французской территории.

4. От перевала Тенда до вершины Миссун.

См. итальянскую карту 1:20.000, Тенда и Чертоза ди Пезио.

От перевала Тенда новая линия границы, оставляя тропу на французской территории, идет через высоты 1.887 и 2.206, отходит от этой тропы и следует вдоль скалистого гребня, по показанной на карте административной границе, до вершины Бекко (2.300), проходя через высоту 2.262.

Идя к северу вдоль показанной на карте административной границы, линия границы проходит через перевал Перла (2.086), следует по тропе, которая идет вдоль скалистого сброса на вершине Куни до перевала Боайра, где она отходит от этой тропы и идет по кряжу в северном направлении, оставляя упомянутую тропу на французской территории.

Проходя затем по скалистому сбросу, линия границы идет к высоте 2.275, доходит до Теста Чаудон (2.386), идет вдоль скалистых скатов, пересекает перевал Пьяна (2.219) и доходит до высоты 2.355 горы Карсене, остающейся за Францией, проходя по ее северному скалистому гребню, через пик Стральди (2.375) и высоты 2.321 и 2.305 до перевала Скаразон, затем резко поворачивает к северу до высоты 2.352, где она сходится с обозначенной

на карте административной границей, по которой она следует до пика Маргарейс (2.651) через высоты 2.510 и 2.532.

Отклоняясь затем к югу, линия границы идет по кряжу, проходит через высоту 2.585 и, спускаясь вдоль скалистого гребня, доходит до перевала Лаго деи Синьори.

Следуя затем по остающейся на французской территории тропе, проходящей по склону горы, и, проходя далее по гребню горы Пертега, линия границы доходит до ее вершины (2.402), спускаясь вдоль скалистого сброса до перевала Веккие (2.106) и следует оттуда по тропе, остающейся на французской территории, до горы Бертран, проходя через высоты 2.190, 2.162, вершину Весково (2.257) и вершину Велега (2.366).

От горы Бертран (2.481) линия границы идет по административной границе, показанной на карте, до перевала Росса, где она снова сходится с тропой, идущей по кряжу, идет вдоль нее через высоты 2.179 и 2.252 до вершины Миссун (2.356), огибая ее с востока, и продолжает следовать по той же тропе, оставляя ее на французской территории.

5. От вершины Миссун до перевала Пегайроле.

См. карту 1:20.000, Пуэнт де Люго 1-2 и 5-6.

Следуя вдоль этой тропы по кряжу, линия границы проходит мимо перевала Кравирора и восточнее высоты 2.265 к пику Фаренга. Затем она отходит от тропы, обходя с востока вершину Вентоза, выходит на тропу, идущую через перевал Танарелло, оставляя за Францией расположенные у тропы строения, и идет далее мимо горы Танарелло. Она пересекает затем перевал Базера (2.038), огибает гору Сакарелло, оставляя ее примерно в 300 метрах к западу, и, следуя сначала по скалистому гребню, а затем вверх по тропе до перевала Колларденте, достигает гребня, по которому она идет к горе Колларденте, оставляя Франции высоту 1.762. С этого места она следует вдоль тропы, которую оставляет на итальянской территории, достигает горы Колларденте, оставляя за Францией тропу, которая пересекает эту гору, и затем следует по этой тропе через Басса ди Сансон, огибая с востока и с юга высоту 1.769, до строений, находящихся примерно в 500 м. на восток от Теста делля

Нава (высота 1.934) и остающихся на французской территории.

Отходя от тропы у этих строений, линия границы проходит по гребню горы Теста делля Нава, сходится с тропой, идущей по этому гребню и остающейся на французской территории, и следует вдоль нее до строений юговосточнее вершины горы Марта (Вакке), мимо которой она проходит с востока.

Оттуда вдоль тропы, идущей по гребню и остающейся на французской территории, линия границы проходит мимо горы Чериана, отходит от тропы и достигает горы Граи (2.014), и вновь выходит к тропе у перевала (1.875). По этой тропе она идет, огибая вершину Валетта и гору Пьетравеккиа, до скалистого гребня последней горы.

Линия границы пересекает затем дефиле Инейза, идет вдоль гребня, через высоту 1.759, до горы Тораджо (1.972), затем до вершины Логамбон и дефиле Корво, идет мимо горы Баузо и горы Лега (1.552, 1.563 и 1.556) и спускается по гребню последней горы до перевала Муратоне.

Идя вдоль гребня по тропе, остающейся на французской территории, линия границы выходит к горе Скарассан, идя далее к югу от горы Баттолино и южнее высоты 1.358 до перевала Пегайроле.

6. От перевала Пегайроле до горы Мерго.

См. карту 1:20.000, Пуэнт де Люго 5-6, Сан-Ремо 1-2, Ментона 3-4.

От перевала Пегайроле линия границы следует по административной границе, отмеченной на карте, оставляя Чистерне за Францией, поднимается на гору Симонассо, спускается до перевала и идет вдоль тропы на Маргериа Суан, оставляя эту тропу на французской территории, а шале — на итальянской территории.

Продолжая следовать вдоль этой тропы, остающейся на французской территории, линия границы идет восточнее горы Теста д'Альпе через Фонтана деи Драги к источникам у высоты 1.406. Оттуда через высоту 1.297 она проходит к востоку от Колла Сгора, минует высоты 1.088, 1.016, и 1.026, пересекает скалистый кряж горы Коломбин и идет по административной границе кантона, показанной на карте. Далее она идет по вершине горы Релье (846

и 858), на юго-западе от которой она отходит от административной границы, следует в югозападном направлении, спускаясь по кряжу Серра дель Арпетта (543, 474 и 416) до тальвега реки Ройя, и пересекает эту реку приблизительно в 200 метрах к северо-западу от моста Фангетто.

Линия границы поднимается затем по другому берегу Ройя до пункта, расположенного приблизительно в 350 метрах от упомянутого моста, и оттуда отходит от реки в югозападном направлении до высоты 566. От этого пункта она идет в западном направлении до оврага, который спускается к Оливетта, затем идет по нему до шоссейной дороги, оставляя на итальянской территории жилые дома вдоль этой дороги, и поднимается по долине Троно приблизительно на 200 метров. Далее она направляется к высоте 410 до пересечения с горной дорогой Оливетта — Сан Джироламо. Отсюда, пройдя по этой дороге приблизительно на 100 метров в юговосточном направлении, она снова идет в общем направлении на юго-запад до высоты 403, идя приблизительно в 20 метрах к югу вдоль дороги, отмеченной на карте. От высоты 403 она идет по гребню пика Бекке до отметки 379, затем, снова направляясь на юго-запад, пересекает поток Бевера, идя по тальвегу в направлении горы Мерго, вершину которой (высота 686) она огибает приблизительно в 50 метрах к югу, оставляя ее на французской территории, и соединяется с прежней границей в точке, расположенной приблизительно в 100 метрах к югозападу от упомянутой вершины.

ПРИЛОЖЕНИЕ III.

Гарантии, относящиеся к Мон Сени и району Тенда-Брига.

(см. статью 9)

А. ГАРАНТИИ, КОТОРЫЕ ДОЛЖНЫ БЫТЬ ПРЕДОСТАВЛЕНЫ ФРАНЦИЕЙ ИТАЛИИ В СВЯЗИ С ПЕРЕХОДОМ ПЛАТО МОН СЕНИ:

1. **В отношении водной энергии, поступающей из озера Мон Сени для гидроэлектрических целей:**

a) Франция будет контролировать поступление воды из озера Мон Сени в подземный трубопровод, снабжающий гидростанции

в Гран Скала, Венаус и Момпантеро с таким расчетом, чтобы подавать этим электростанциям такое количество воды и при таком режиме, как это может потребоваться для Италии;

b) Франция должна ремонтировать и содержать в хорошем и вполне исправном состоянии и, по мере надобности, обновлять все необходимые для регулирования и подачи воды сооружения, как это предусмотрено в п. «*a*», поскольку эти сооружения находятся на французской территории;

c) Франция должна информировать Италию, поскольку и когда Италия потребует этого, о количестве запасов воды в озере Мон Сени, а также давать ей всякую другую информацию, относящуюся к этому вопросу, с тем, чтобы дать Италии возможность определять количество подлежащей подаче через указанный подземный трубопровод воды и ее режим;

d) Франция будет выполнять вышеуказанные постановления с соблюдением должной экономии и относить за счет Италии фактические расходы, понесенные при этом.

2. **В отношении электроэнергии, вырабатываемой на гидроэлектростанции Гран Скала:**

a) Франция должна эксплоатировать гидроэлектростанцию Гран Скала таким образом, чтобы вырабатывать (при условии контроля водоснабжения, как это предусмотрено в разделе 1 настоящего Приложения) такое количество электроэнергии и при таком режиме, которые могут потребоваться Италии, после того как будут удовлетворены местные нужды (которые не будут существенно превышать теперешние потребности) в районе Гран Скала на французской территории;

b) Франция будет эксплоатировать водонасосную станцию у электростанции Гран Скала с тем, чтобы подавать воду в озеро Мон Сени, поскольку и когда это будет нужно Италии;

c) Франция должна ремонтировать и содержать в хорошем и вполне исправном состоянии и, по мере необходимости, обновлять все сооружения, составляющие гидроэлектростанцию Гран Скала и водонасосную станцию, вместе с оборудованием и линиями передач от станции Гран Скала до франко-итальянской границы.

d) Франция должна передавать через линию передачи, идущую от Гран Скала до франко-итальянской границы, электроэнергию, необходимую Италии, как указано выше, и должна подавать эту электроэнергию Италии в том пункте, где указанная линия передачи пересекает франко-итальянскую границу и переходит на итальянскую территорию;

e) Франция должна поддерживать напряжение и частоту поставляемого в соответствии с вышеуказанными постановлениями электротока на таком уровне, как этого Италия может обоснованно потребовать;

f) Франция должна условиться с Италией об установлении телефонной связи между Гран Скала и Италией и должна поддерживать связь с Италией в целях обеспечения того, чтобы эксплоатация гидроэлектростанции Гран Скала, водонасосной станции и линии передачи осуществлялась в соответствии с вышеуказанными гарантиями;

g) Цена, устанавливаемая Францией и уплачиваемая Италией за электроэнергию, поставляемую Италии с гидроэлектростанции Гран Скала (после удовлетворения местных нужд, как указано выше), будет равна цене, установленной во Франции за такое же количество гидроэлектроэнергии на французской территории в соседних с Мон Сени районах или других таких районах, где условия являются примерно такими же.

3. **Сроки гарантий:**

Если не будет достигнуто иного соглашения между Францией и Италией, эти гарантии останутся в силе на вечные времена.

4. **Наблюдательная Техническая Комиссия:**

Создается франко-итальянская Наблюдательная Техническая Комиссия, составляемая из равного числа французских и итальянских представителей, с целью наблюдения за выполнением вышеуказанных гарантий, которые направлены на обеспечение таких же возможностей, которыми Италия пользовалась в отношении гидроэлектрических и водных ресурсов из озера Мон Сени до перехода этого района к Франции, а также для содействия выполнению этих гарантий. Равным образом в компетенцию Наблюдательной Технической Комиссии будет входить сотрудничество с соответствую-

щими техническими службами Франции для обеспечения того, чтобы безопасность нижележащих долин не была поставлена под угрозу.

B. ГАРАНТИИ, КОТОРЫЕ ДОЛЖНЫ БЫТЬ ДАНЫ ФРАНЦИЕЙ ИТАЛИИ В СВЯЗИ С ПЕРЕХОДОМ РАЙОНА ТЕНДА-БРИГА К ФРАНЦИИ:

1. **Гарантии,** обеспечивающие снабжение Италии электроэнергией, вырабатываемой на двух 16⅔-периодных генераторах гидроэлектростанции в Сан Далмаццо, и энергией в 50 периодов, вырабатываемой на гидроэлектростанциях в Ле Мепе, Сан Далмаццо и Конфине сверх той, которая может потребоваться Франции для снабжения районов Соспель, Ментоны и Ниццы до окончательного завершения реконструкции поврежденных электростанций в Брейле и Фонтане; при чем предполагается, что это количество энергии будет сокращаться по мере реконструкции этих электростанций, и оно не будет превышать 5.000 квт. и 3.000.000 квч. в месяц, и что если не встретится никаких особых трудностей в реконструкции этих электростанций, то работы по их восстановлению должны быть закончены не позднее конца 1947 года:

a) Франция должна эксплоатировать упомянутые станции таким образом, чтобы (в соответствии с ограничениями, которые могут налагаться в зависимости от количества имеющейся в наличии воды, и принимая во внимание, насколько это практически возможно, нужды электростанций нижнего течения реки) производить такое количество энергии и при таком режиме, какие могут потребоваться для Италии: во-первых, энергии в 16²/₃ периода для итальянских железных дорог в Лигурии и Южном Пьемонте, и, во-вторых, энергии в 50 периодов для общих потребностей после удовлетворения нужд Франции для снабжения районов Соспель, Ментоны и Ниццы, как указано выше, а также после удовлетворения местных нужд района Сан Далмаццо;

b) Франция должна ремонтировать и содержать в хорошем состоянии и, по мере необходимости, обновлять все сооружения, относящиеся к системе электростанций Ле Мепе, Сан Далмаццо и Конфине, а также оборудование и линии передачи, связывающие

станции Ле Меше и Конфине со станцией Сан Далмаццо и, кроме того, оборудование и главные линии передачи, идущие от станции Сан Далмаццо к франко-итальянской границе;

c) Франция должна информировать Италию, поскольку и когда Италия будет этого требовать, о скорости течения воды у электростанций Ле Меше и Конфине и о количестве воды в Сан-Далмаццо, а также давать ей всякую другую информацию по этому вопросу с тем, чтобы дать возможность Италии определить свои потребности в электроэнергии, как указано выше в подпункте «*a*»;

d) Франция должна передавать через главные линии передачи, идущие от Сан Далмаццо к франко-итальянской границе, электроэнергию, необходимую Италии, как указано выше, и должна передавать эту электроэнергию Италии в пунктах, где указанные главные линии передачи пересекают франко-итальянскую границу и переходят на итальянскую территорию;

e) Франция должна поддерживать напряжение и частоту поставляемого в соответствии с вышеуказанными постановлениями электротока на таком уровне, как это может действительно потребоваться Италии;

f) Франция должна условиться с Италией об установлении телефонной связи между Сан Далмаццо и Италией и должна поддерживать связь с Италией для того, чтобы обеспечить работу упомянутых гидроэлектростанций и линий передачи в соответствии с вышеуказанными гарантиями.

2. **Гарантия,** касающаяся цены, установленной Францией для Италии за электроэнергию, предоставляемую в распоряжение Италии согласно пункту 1 выше, до истечения срока действия этой гарантии в соответствии с пунктом 3 ниже:

Цена, которая должна быть установлена Францией и должна уплачиваться Италией за электроэнергию, предоставляемую Италии с гидроэлектростанций Ле Меше, Сан Далмаццо и Конфине после удовлетворения потребностей Франции для снабжения районов Соспель, Ментоны и Ниццы и после удовлетворения местных нужд в районе Сан Далмаццо, как предусмотрено в пункте 1 «*a*», будет равна цене, установленной во Франции для такого же коли-

чества гидроэлектроэнергии на французской территории в соседних с долиной верхней Ройя районах или других районах, где условия являются примерно такими же.

3. **Гарантия** относительно поставки Францией электроэнергии Италии в течение разумного периода времени:

Гарантии 1 и 2 останутся в силе до 31 декабря 1961 года, если по соглашению между Францией и Италией не будет решено иначе, и срок их действия прекратится с того времени или с 31 декабря какого-либо последующего года, если одна из сторон не меньше чем за два года известит в письменной форме другую сторону о своем намерении прекратить действие этих гарантий.

4. **Гарантия** полного и справедливого использования Францией и Италией вод реки Ройя и ее притоков для производства гидроэлектроэнергии:

a) Франция будет использовать электростанции на реке Ройя, находящиеся на французской территории, учитывая, насколько это практически возможно, потребности станций, находящихся в низовьях этой реки. Франция будет информировать Италию заранее о количестве воды, которое возможно иметь каждый день, а также будет давать любую другую информацию, имеющую к этому отношение;

b) Франция и Италия выработают посредством двусторонних переговоров обоюдно приемлемый координированный план для использования гидроресурсов реки Ройя.

5. Для наблюдения за выполнением плана, упомянутого в пункте 4 «*b*», и для обеспечения осуществления гарантий, изложенных в пунктах 1-4, будет создана комиссия или другой подобный орган, в зависимости от того, как об этом договорятся.

ПРИЛОЖЕНИЕ IV.

Положения, о которых Правительства Австрии и Италии достигли соглашения 5 сентября 1946 года.

(см. статью 10)

1. Говорящим на немецком языке жителям провинции Больцано и соседних двуязычных коммун провинции Тренто будет обес-

печено полное равенство прав с жителями, говорящими на итальянском языке, в рамках специальных постановлений, предназначенных для охраны этнического характера и культурного и экономического развития говорящей на немецком языке части населения.

В соответствии с уже введенным или подлежащим введению законодательством вышеупомянутым гражданам, говорящим на немецком языке, будет предоставлено, в частности, следующее:

a) обучение в начальной и средней школе на родном языке;

b) пользование на равных основаниях немецким и итальянским языками в государственных учреждениях и официальных документах, а также в том, что касается двуязычной топографической номенклатуры;

c) право восстановления немецких фамилий, итальянизированных за последние годы;

d) равенство прав в отношении доступа к государственным должностям для того, чтобы обеспечить более правильное соотношение находящихся на государственной службе лиц, принадлежащих к этим двум этническим группам.

2. Население вышеупомянутых зон будет пользоваться местной законодательной и административной автономией. Пределы, в которых эта автономия будет осуществляться, устанавливаются также в порядке консультации с местными элементами, представляющими говорящую на немецком языке часть населения.

3. Правительство Италии в целях установления добрососедских отношений между Австрией и Италией обязуется, консультируясь с Правительством Австрии, в течение одного года со дня подписания настоящего соглашения:

a) пересмотреть в духе справедливости и терпимости вопрос об оптации гражданства, связанный с соглашениями от 21 октября 1939 года;

b) притти к соглашению о взаимном признании действительности некоторых ученых степеней и университетских дипломов;

c) подготовить конвенцию для свободного транзита пассажиров и грузов между Северным и Восточным Тиролем как по железной дороге, так и, в пределах возможного, по шоссейным дорогам;

d) заключить специальные соглашения с целью облегчить более широкое пограничное сообщение между Австрией и Италией, а также местный обмен некоторым количеством характерных для данной области продуктов и товаров.

ПРИЛОЖЕНИЕ V.

Водоснабжение коммуны Горица и ее окрестностей.

(см. статью 13)

1. Югославия в качестве собственника будет содержать и эксплоатировать источники и установки водоснабжения, находящиеся в Фонте Фредда и Монкорона, и будет осуществлять водоснабжение той части коммуны Горица, которая согласно условиям настоящего Договора остается в Италии. Италия будет продолжать содержать и эксплоатировать резервуар и водораспределительную систему на итальянской территории, которые пополняются из вышеупомянутых источников, и будет осуществлять водоснабжение тех районов в Югославии, которые согласно условиям настоящего Договора перейдут к этому государству и которые снабжаются с итальянской территории.

2. Поставляемая таким образом вода должна быть в таких количествах, в которых она обычно поставлялась этому району в прошлом. Если потребители в любом из этих государств будут нуждаться в дополнительном количестве воды, оба Правительства рассмотрят вопрос совместно с целью достижения соглашения о таких мероприятиях, которые могут разумно потребоваться для удовлетворения этих нужд. Если произойдет временное сокращение количества имеющейся воды в силу естественных причин, то подача воды из вышеупомянутых источников потребителям в Югославии и Италии будет соответственно сокращена пропорционально их предыдущему потреблению.

3. Плата, которая должна производиться коммуной Горица Югославии за поставляемую ей воду, а также плата, которая должна производиться потребителями на югославской территории коммуне

Горица, должны устанавливаться исключительно на основании стоимости эксплоатации и содержания системы водоснабжения, а также на основании новых капитальных расходов, которые могут потребоваться для осуществления изложенных выше постановлений.

4. Югославия и Италия в течение одного месяца со дня вступления в силу настоящего Договора заключат соглашение, определяющее их соответствующие обязательства согласно вышеуказанным положениям и устанавливающее плату, которая должна производиться согласно этим положениям. Оба Правительства создадут совместную комиссию для наблюдения за выполнением упомянутого соглашения.

5. По истечении десятилетнего периода со дня вступления в силу настоящего Договора Югославия и Италия пересмотрят вышеприведенные положения в свете условий, которые будут существовать в то время, для того, чтобы определить, должны ли быть произведены какие-либо изменения в этих положениях, и произведут такие изменения и внесут такие дополнения, которые могут быть ими согласованы. Всякие споры, которые могут возникнуть в результате этого пересмотра, должны передаваться на решение согласно процедуре, изложенной в статье 87 настоящего Договора.

ПРИЛОЖЕНИЕ VI.

Постоянный Статут Свободной Территории Триест.

(см. статью 21)

Статья 1. Район Свободной Территории Триест.

Районом Свободной Территории Триест будет территория в границах, описанных в статьях 4 и 22 настоящего Договора, в том виде, как они будут определены на местности в соответствии со статьей 5 Договора.

Статья 2. Целостность и независимость.

Целостность и независимость Свободной Территории обеспе-

чиваются Советом Безопасности Организации Объединенных Наций. Эта ответственность подразумевает, что Совет должен:

a) обеспечить соблюдение настоящего Статута и, в частности, защиту основных прав человека;

b) обеспечить поддержание общественного порядка и безопасности на Свободной Территории.

Статья 3. Демилитаризация и нейтральность.

1. Свободная Территория будет демилитаризована и объявлена нейтральной.

2. Никакие вооруженные силы, кроме как по распоряжению Совета Безопасности, не должны находиться на Свободной Территории.

3. Никакие военизированные формирования, маневры или деятельность в пределах Свободной Территории не будут разрешены.

4. Правительство Свободной Территории не будет заключать или обсуждать какие-либо военные соглашения или обязательства с каким-либо государством.

Статья 4. Права человека и основные свободы.

Конституция Свободной Территории должна обеспечить всем лицам, находящимся под юрисдикцией Свободной Территории, без различия этнического происхождения, пола, языка или религии, пользование основными правами человека и основными свободами, включая свободу религиозного культа, языка, слова и изданий, образования, собраний и союзов. Гражданам Свободной Территории будут обеспечены равные условия занятия государственных должностей.

Статья 5. Гражданские и политические права.

Ни одно лицо, которое приобрело гражданство Свободной Территории, не будет лишено гражданских или политических прав, кроме как по суду в наказание за нарушение уголовных законов Свободной Территории.

Статья 6, Гражданство.

1. Итальянские граждане, домицилированные к 10 июня 1940 года в пределах границ Свободной Территории, и их дети, родившиеся после этой даты, станут коренными гражданами Свободной Территории с полными гражданскими и политическими правами. По приобретении гражданства Свободной Территории они потеряют итальянское гражданство.

2. Правительство Свободной Территории обеспечит, однако, чтобы лица, упомянутые в пункте 1, старше 18 лет (или состоящие в браке лица, достигшие или не достигшие этого возраста), и обиходным языком которых является итальянский, имели право оптировать итальянское гражданство в течение шести месяцев после вступления в силу Конституции на условиях, которые будут предусмотрены этой Конституцией. Любое лицо, оптирующее таким образом, будет считаться приобретшим вновь итальянское гражданство. Оптация мужа не влечет за собой оптации со стороны жены. Оптация со стороны отца или, если отца нет в живых, со стороны матери будет, однако, автоматически включать всех не состоящих в браке детей моложе 18 лет.

3. Свободная Территория может потребовать, чтобы те, кто воспользовались правом оптации, переселились в Италию в течение года со дня совершения оптации.

4. Условия приобретения гражданства лицами, которые не имеют оснований для приобретения коренного гражданства, будут определены Учредительным Собранием Свободной Территории и включены в Конституцию. Такие условия, однако, будут исключать приобретение гражданства членами бывшей итальянской фашистской полиции (О.В.Р.А.), которые не были реабилитированы компетентными властями, в том числе союзными военными властями, которые несли ответственность за управление этим районом.

Статья 7. Официальные языки.

Официальными языками Свободной Территории будут итальянский и словенский. Конституция предусмотрит условия использования хорватского языка как третьего официального языка.

Статья 8. Флаг и герб.

Свободная Территория будет иметь свой флаг и свой герб. Ее флаг будет традиционным флагом города Триест, а ее герб — его историческим гербом.

Статья 9. Органы правления.

Для управления Свободной Территорией будут Губернатор, Правительственный Совет, Народное Собрание, избранное народом Свободной Территории, и судебное ведомство. Их соответствующие полномочия будут осуществляться в соответствии с положениями настоящего Статута и Конституции Свободной Территории.

Статья 10. Конституция.

1. Конституция Свободной Территории будет составлена в соответствии с демократическими принципами и будет принята Учредительным Собранием большинством двух третей поданных голосов. Конституция должна быть согласована с положениями настоящего Статута. Она не должна войти в силу до вступления в силу Статута.

2. Если, по мнению Губернатора, какие-либо положения Конституции, предложенной Учредительным Собранием, или какие-либо последующие изменения в ней, находятся в противоречии со Статутом, он может предотвратить введение их в силу, при условии обращения к Совету Безопасности в том случае, если Собрание не примет его взглядов и рекомендаций.

Статья 11. Назначение Губернатора.

1. Губернатор будет назначен Советом Безопасности после консультации с Правительствами Югославии и Италии. Он не должен быть гражданином Югославии или Италии или Свободной Территории. Он будет назначен на срок в пять лет и может быть назначен на новый срок. Его жалование и средства на содержание будут выплачиваться Организацией Объединенных Наций.

2. Губернатор может уполномочить избранное им лицо замещать его в случае временного отсутствия или временной неспособности выполнять свои обязанности.

3. Если Совет Безопасности считает, что Губернатор не выполнил своих обязанностей, он может временно отстранить его и, с соблюдением надлежащих гарантий в отношении расследования и заслушивания дела, уволить его с должности. В случае его временного отстранения или увольнения или в случае его смерти или неспособности, Совет Безопасности может выделить или назначить другое лицо в качестве временного Губернатора, которое будет действовать до тех пор, пока Губернатор не станет способным выполнять свои обязанности или пока не будет назначен новый Губернатор.

Статья 12. Законодательная власть.

Законодательная власть будет осуществляться Народным Собранием, состоящим из одной палаты, избранным на основе пропорционального представительства гражданами обоего пола Свободной Территории. Выборы в Народное Собрание будут проводиться на основе всеобщего, равного, прямого и тайного голосования.

Статья 13. Правительственный Совет.

1. При сохранении ответственности, возложенной на Губернатора согласно настоящему Статуту, исполнительная власть на Свободной Территории будет осуществляться Правительственным Советом, который образуется Народным Собранием и несет ответственность перед ним.

2. Губернатор имеет право присутствовать на всех заседаниях Правительственного Совета. Он может излагать свои взгляды в отношении всех вопросов, касающихся своей ответственности.

3. Директор общественной безопасности и Директор Свободного Порта будут приглашаться на заседания Совета и могут излагать свои взгляды, когда Правительственный Совет обсуждает вопросы, затрагивающие их ответственность.

Статья 14. Осуществление судебной власти.

Судебная власть на Свободной Территории будет осуществляться судами, учрежденными в соответствии с Конституцией и законами Свободной Территории.

Статья 15. Свобода и независимость судебной власти.

Конституция Свободной Территории должна гарантировать

полную свободу и независимость судебной власти и предусматривать апелляционную юрисдикцию.

Статья 16. Назначение чинов судебного ведомства.

1. Губернатор назначает чинов судебного ведомства из числа кандидатов, представляемых Правительственным Советом, или из числа других лиц, после консультации с Правительственным Советом, если Конституция не предусматривает иного порядка заполнения судебных должностей, и, при условии соблюдения гарантий, которые должны быть установлены Конституцией, может увольнять чинов судебного ведомства за поведение, несовместимое с их судебными функциями.

2. Народное Собрание решением в две трети поданных голосов может просить Губернатора расследовать любое обвинение, выдвинутое против чинов судебного ведомства, которое, в случае, если оно будет доказано, даст основание для их временного отстранения от должности или увольнения.

Статья 17. Ответственность Губернатора перед Советом Безопасности.

1. Губернатор в качестве представителя Совета Безопасности несет ответственность в отношении наблюдения за соблюдением настоящего Статута, включая защиту основных прав человека, а также в отношении обеспечения того, чтобы общественный порядок и безопасность поддерживались Правительством Свободной Территории в соответствии с настоящим Статутом, Конституцией и законами Свободной Территории.

2. Губернатор должен представлять Совету Безопасности ежегодно отчеты относительно применения Статута и выполнения своих обязанностей.

Статья 18. Права Собрания.

Народное Собрание имеет право рассматривать и обсуждать любые вопросы, затрагивающие интересы Свободной Территории.

Статья 19. Издание законов.

1. Законодательная инициатива может осуществляться членами Народного Собрания и Правительственным Советом, а также

Губернатором в тех вопросах, которые, по его мнению, затрагивают ответственность Совета Безопасности, как она определена в статье 2 настоящего Статута.

2. Ни один закон не должен вступать в силу до тех пор, пока он не будет опубликован. Опубликование законов будет производиться в соответствии с постановлениями Конституции Свободной Территории.

3. До опубликования закон, принятый Собранием, должен быть представлен Губернатору.

4. Если Губернатор считает, что такой закон противоречит настоящему Статуту, он может, в течение 10 дней после представления ему этого закона, вернуть его Собранию со своими замечаниями и рекомендациями. Если Губернатор не вернет этого закона в течение 10 дней или если он уведомит Собрание в течение того же периода о том, что закон не вызывает замечаний или рекомендаций с его стороны, то закон будет опубликован немедленно.

5. Если Собрание заявит о своем отказе взять назад закон, возвращенный Собранию Губернатором, или изменить его соответственно замечаниям или рекомендациям Губернатора, то последний должен,—за исключением случая, когда он согласится снять свои замечания или рекомендации, и в этом случае закон должен быть опубликован немедленно, — без промедления доложить по этому вопросу Совету Безопасности. Губернатор равным образом передаст Совету Безопасности без промедления любое сообщение, которое Собрание может пожелать передать Совету по этому вопросу.

6. Закон, который согласно положениям предыдущего пункта составляет предмет доклада Совету Безопасности, будет опубликован лишь по указанию Совета Безопасности.

Статья 20. Права Губернатора в отношении административных мер.

1. Губернатор может потребовать от Правительственного Совета приостановления административных мер, которые, по его мнению, находятся в противоречии с его ответственностью, как она

определена в настоящем Статуте (соблюдение Статута, поддержание общественного порядка и безопасности, уважение прав человека). Если Правительственный Совет будет возражать, то Губернатор может приостановить эти административные меры, и Губернатор или Правительственный Совет могут передать весь вопрос на решение Совета Безопасности.

2. В вопросах, затрагивающих его ответственность, как она определена в Статуте, Губернатор может предложить Правительственному Совету принять любые административные меры. Если Правительственный Совет не примет таких предложений, Губернатор может, без ущерба для положений статьи 22 настоящего Статута, передать вопрос на решение Совета Безопасности.

Статья 21. Бюджет.

1. Правительственный Совет несет ответственность за составление бюджета Свободной Территории, включая доходы и расходы, и за его представление Народному Собранию.

2. Если Собрание не примет бюджета в течение надлежащего срока, то статьи бюджета предыдущего периода будут применяться в новом бюджетном периоде до тех пор, пока не будет принят новый бюджет.

Статья 22. Особые полномочия Губернатора.

1. Для того, чтобы иметь возможность нести ответственность перед Советом Безопасности согласно настоящему Статуту, Губернатор может,—в случаях, не терпящих, по его мнению, отлагательства, угрожающих независимости или целостности Свободной Территории, общественному порядку или уважению прав человека, — непосредственно приказать и потребовать осуществления надлежащих мероприятий при условии, что он немедленно сообщит об этом Совету Безопасности. При этих обстоятельствах Губернатор может взять на себя, если он это считает необходимым, руководство службами безопасности.

2. Народное Собрание может ходатайствовать перед Советом Безопасности в связи с любым осуществлением Губернатором своих полномочий согласно пункту 1 настоящей статьи.

Статья 23. Право помилования и смягчения приговора.

Право помилования и смягчения приговора принадлежит Губернатору и осуществляется им в соответствии с положениями, которые будут предусмотрены в Конституции.

Статья 24. Внешние отношения.

1. Губернатор должен обеспечить, чтобы внешние отношения Свободной Территории велись в соответствии со Статутом, Конституцией и законами Свободной Территории. С этой целью Губернатор будет иметь право предотвращать вступление в силу договоров или соглашений, касающихся внешних отношений и, по его мнению, противоречащих Статуту, Конституции и законам Свободной Территории.

2. Договоры и соглашения, так же как и экзекватуры и консульские патенты, должны подписываться совместно Губернатором и представителем Правительственного Совета.

3. Свободная Территория может являться или стать стороной в международных конвенциях или может стать членом международных организаций, при условии, что целью таких конвенций или организаций является урегулирование экономических, технических, культурных и социальных вопросов и вопросов здравоохранения.

4. Экономическая уния или объединения исключительного характера с каким-либо государством несовместимы со статусом Свободной Территории.

5. Свободная Территория признает полную силу Мирного Договора с Италией и должна проводить в жизнь те постановления этого Договора, которые к ней применимы. Свободная Территория также признает полную силу других соглашений или урегулирований, которые были или будут достигнуты Союзными и Соединенными Державами для восстановления мира.

Статья 25. Независимость Губернатора и его штата.

При исполнении своих обязанностей Губернатор и его штат не должны запрашивать или получать указаний от какого бы то ни было правительства или власти, кроме Совета Безопасности. Они

должны воздерживаться от всяких действий, которые могли бы отразиться на их положении как международных чиновников, ответственных лишь перед Советом Безопасности.

Статья 26. Назначение и увольнение
административных чиновников.

1. Назначение на государственные должности на Свободной Территории будет производиться исключительно на основе способностей, компетентности и моральных качеств.

2. Административные чиновники не будут увольняться с должности, кроме как в случае некомпетентности или неподобающего поведения, причем такое увольнение должно производиться при условии соблюдения надлежащих гарантий в отношении расследования и заслушивания дела, которые должны быть установлены законом.

Статья 27. Директор общественной безопасности.

1. Правительственный Совет представляет Губернатору список кандидатов на пост Директора общественной безопасности. Губернатор назначает Директора из числа кандидатов, представленных ему, или из числа других лиц, после консультации с Правительственным Советом. Он может также уволить Директора общественной безопасности после консультации с Правительственным Советом.

2. Директор общественной безопасности не должен быть гражданином Югославии или Италии.

3. Директор общественной безопасности обычно находится под непосредственным начальством Правительственного Совета, от которого он получает инструкции по вопросам, находящимся в его компетенции.

4. Губернатор должен:

а) регулярно получать доклады от Директора общественной безопасности и консультироваться с ним по любым вопросам, входящим в компетенцию Директора;

b) получать информацию от Правительственного Совета относительно его инструкций, даваемых Директору общественной безопасности, и может высказывать свое мнение по поводу этих инструкций.

Статья 28. Полицейские силы.

1. В целях сохранения общественного порядка и безопасности в соответствии со Статутом, Конституцией и законами Свободной Территории Правительство Свободной Территории будет иметь право содержать полицию и службу безопасности.

2. Служащие полиции и службы безопасности набираются Директором общественной безопасности и могут им увольняться.

Статья 29. Местное управление.

Конституция Свободной Территории должна предусматривать учреждение на основе пропорционального представительства органов местного управления, построенного на демократических принципах, включая всеобщее, равное, прямое и тайное голосование.

Статья 30. Денежная система.

Свободная Территория будет иметь свою собственную денежную систему.

Статья 31. Железные дороги.

Свободная Территория, без ущерба для своих прав собственности в отношении железных дорог в пределах своих границ и контроля над администрацией железных дорог, может заключить с Югославией и Италией соглашения с целью обеспечения эффективной и экономичной эксплоатации своих железных дорог. Такие соглашения будут предусматривать, на ком лежит ответственность за эксплоатацию железных дорог, идущих в направлении Югославии или Италии соответственно, а также эксплоатацию железнодорожного узла Триест и той части линии, которая является общей для всех. В последнем случае такая эксплоатация будет осуществляться особой комиссией, состоящей из представителей Свободной Территории, Югославии и Италии под председательством представителя Свободной Территории.

Статья 32. Коммерческая авиация.

1. Коммерческим самолетам, зарегистрированным на территории любой из Объединенных Наций, которая предоставляет на своей территории те же самые права коммерческим самолетам, зарегистрированным на Свободной Территории, будут предоставлены права международной коммерческой авиации, включая право посадки для заправки горючим и ремонта, беспосадочного полета над Свободной Территорией и пользования для коммерческих целей теми аэропортами, которые могут быть указаны компетентными властями Свободной Территории.

2. Эти права не будут подвергаться никаким другим ограничениям, кроме как тем, которые установлены, на основе неприменения дискриминации, законами и правилами, действующими на Свободной Территории и в заинтересованных странах, или вытекающими из особого характера Свободной Территории как территории нейтральной и демилитаризованной.

Статья 33. Регистрация судов.

1. Свободная Территория имеет право завести реестры для регистрации судов, принадлежащих Правительству Свободной Территории или лицам или организациям, домицилированным в пределах Свободной Территории.

2. Свободная Территория будет открывать специальные судовые реестры для чехословацких и швейцарских судов, по просьбе соответствующих Правительств, а также для венгерских и австрийских судов, по просьбе соответствующих Правительств, после заключения Мирного Договора с Венгрией и договора о восстановлении независимости Австрии, соответственно. Суда, внесенные в эти реестры, будут плавать под флагом соответствующего государства.

3. Осуществляя вышеприведенные положения и при условии соблюдения любой международной конвенции, которая может быть заключена по этим вопросам с участием Правительства Свободной Территории, последнее будет иметь право устанавливать такие условия регистрации, сохранения записей в реестре или исключения их из него, которые предотвратят всякое злоупотребление предоставлен-

ными таким образом льготами. В частности, в том, что касается судов, зарегистрированных в соответствии с пунктом 1 выше, право регистрации будет распространяться только на те суда, которые контролируются со Свободной Территории и регулярно обслуживают нужды или интересы Свободной Территории. В том, что касается судов, зарегистрированных в соответствии с пунктом 2 выше, право регистрации будет распространяться только на те суда, которые базируются на порт Триест и регулярно и постоянно обслуживают нужды своих соответствующих стран через порт Триест.

Статья 34. Свободный Порт.

На Свободной Территории будет создан Свободный Порт, управляемый на основе постановлений международного Положения, составленного Советом Министров Иностранных Дел, утвержденного Советом Безопасности и приложенного к настоящему Договору (Приложение VIII). Правительство Свободной Территории издаст все необходимые законы и примет все необходимые меры для осуществления постановлений такого Положения.

Статья 35. Свобода транзита.

В соответствии с обычными международными соглашениями Свободная Территория и государства, через территорию которых производится транзит, обеспечат свободу транзита товарам, перевозимым по железной дороге между Свободным Портом и государствами, которые он обслуживает, без всякой дискриминации и взимания таможенных или фискальных пошлин, кроме оплаты оказанных услуг.

Статья 36. Толкование Статута.

За исключением тех случаев, когда иной порядок специально предусмотрен какой-либо из статей настоящего Статута, всякий спор относительно толкования или выполнения Статута, оставшийся неразрешенным путем прямых переговоров, должен, если спорящие стороны не придут к взаимному соглашению относительно иного способа урегулирования спора, быть передан, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой стороны и третьего члена, избранного по взаимному

соглашению двух сторон из граждан третьих стран. Если две стороны в месячный срок не смогут притти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение. Решение большинства членов Комиссии будет являться решением этой Комиссии и должно быть принято сторонами как окончательное и обязательное.

Статья 37. Изменение Статута.

Настоящий Статут является Постоянным Статутом Свободной Территории при условии, что те или иные изменения могут быть впоследствии внесены Советом Безопасности. Ходатайства об изменении Статута могут быть представлены Совету Безопасности Народным Собранием в результате решения, принятого большинством в две трети поданных голосов.

Статья 38. Вступление Статута в силу.

Настоящий Статут вступит в силу в день, который будет установлен Советом Безопасности Объединенных Наций.

ПРИЛОЖЕНИЕ VII.

Положение о временном режиме Свободной Территории Триест.

(см. статью 21)

Впредь до вступления в силу Постоянного Статута для управления Свободной Территорией Триест будут применяться следующие положения:

Статья 1.

Губернатор приступит к исполнению своих обязанностей на Свободной Территории сразу, как это будет возможно, после вступления в силу настоящего Мирного Договора. До вступления Губернатора в исполнение его обязанностей Свободная Территория будет продолжать управляться Союзными командованиями, действующими каждое в своей соответствующей зоне.

Статья 2.

Вступив в исполнение своих обязанностей на Свободной Территории Триест, Губернатор будет уполномочен избрать среди

лиц, постоянно проживающих на Свободной Территории, после консультации с Югославским и Итальянским Правительствами, Временный Правительственный Совет. Губернатор будет иметь право производить изменения в составе Временного Правительственного Совета, когда он сочтет это необходимым. Губернатор и Временный Правительственный Совет будут осуществлять свой функции согласно порядку, предусмотренному положениями Постоянного Статута, поскольку и когда эти положения окажутся применимыми и поскольку они не заменены настоящим Положением.

Равным образом, все другие постановления Постоянного Статута будут применяться в течение периода временного режима, поскольку и когда эти постановления окажутся применимыми и поскольку они не заменены настоящим Положением.

В своих действиях Губернатор будет руководствоваться, главным образом, нуждами населения и его благосостоянием.

Статья 3.

Местопребыванием Правительства является Триест. Губернатор направляет свои доклады непосредственно председателю Совета Безопасности и будет этим путем снабжать Совет Безопасности всей необходимой информацией относительно управления Свободной Территорией.

Статья 4.

Первой обязанностью Губернатора является обеспечение поддержания общественного порядка и безопасности. Он назначает на временной основе Директора общественной безопасности, который реорганизует полицию и службу безопасности и управляет ими.

Статья 5.

a) С даты вступления в силу настоящего Договора количество войск, находящихся на Свободной Территории, не должно превышать 5.000 человек Соединенного Королевства, 5.000 человек Соединенных Штатов Америки и 5.000 человек Югославии;

b) Эти войска будут переданы в распоряжение Губернатора на период в 90 дней, начиная со вступления его в исполнение своих обязанностей на Свободной Территории. По окончании этого

периода эти войска не будут более находиться в распоряжении Губернатора и будут выведены с Территории в дополнительный срок 45 дней, если Губернатор не известит Совет Безопасности, что он считает необходимым в интересах Территории сохранить эти войска полностью или частично. В случае этой последней возможности войска, требуемые Губернатором, будут оставаться в течение периода не более 45 дней, после того как Губернатор известит Совет Безопасности, что внутренний порядок на Территории может быть обеспечен силами службы общественной безопасности без помощи иностранных войск.

c) Операции по выводу войск, предусмотренные в пункте «*b*», должны проводиться таким образом, чтобы по возможности сохранялась пропорция, предусмотренная в пункте «*a*», между войсками трех заинтересованных Держав.

Статья 6.

Губернатор имеет право в любое время обращаться за поддержкой к командующим упомянутыми войсками, и такая поддержка должна быстро оказываться. Губернатор при всякой возможности консультируется с соответствующим командующим перед отдачей своих указаний, однако, он не вмешивается в военную сторону использования войск, исполняющих его указания. Каждый командующий имеет право докладывать своему Правительству указания, полученные от Губернатора, информируя Губернатора о содержании таких докладов. Соответствующее Правительство имеет право отказаться от участия своими войсками в данной операции и в соответствии с этим информирует Совет Безопасности.

Статья 7.

Необходимые соглашения о размещении, управлении и снабжении военных контингентов Соединенного Королевства, Соединенных Штатов Америки и Югославии будут заключены между Губернатором и командующими этими контингентами.

Статья 8.

Губернатор, консультируясь с Временным Правительственным Советом, будет уполномочен организовать выборы членов Учреди-

тельного Собрания в соответствии с положениями Статута, установленными для выборов Народного Собрания.

Выборы должны иметь место не позже чем через четыре месяца после вступления Губернатора в его обязанности. В случае технической невозможности проведения выборов в установленный срок Губернатор доложит Совету Безопасности.

Статья 9.

Губернатор при консультации с Временным Правительственным Советом подготовит временный бюджет и временную программу экспорта и импорта. Он должен убедиться в том, что Временным Правительственным Советом приняты надлежащие меры для управления финансами на Свободной Территории.

Статья 10.

Существующие законы и постановления останутся в силе, если и пока действие их не будет отменено или приостановлено Губернатором.

Губернатор будет иметь право, по согласованию с большинством Временного Правительственного Совета, вносить изменения в действующие законы и постановления и издавать новые. Такие измененные и новые законы и постановления, равно как и декреты Губернатора об отмене или приостановлении законов или постановлений, будут иметь силу, если и пока они не будут изменены, отменены или заменены актами Народного Собрания или Правительственного Совета в их соответствующих областях после вступления в силу Конституции.

Статья 11.

Впредь до установления отдельного валютного режима для Свободной Территории итальянская лира будет продолжать оставаться законным платежным средством на Свободной Территории. Правительство Италии будет удовлетворять нужды Свободной Территории в иностранных девизах и в валюте на условиях, не менее благоприятных, чем те, которые применяются в Италии.

Италия и Свободная Территория заключат соглашение с целью осуществления вышеприведенных положений, а также с той целью,

чтобы предусмотреть всякие расчеты между обоими Правительствами, которые окажутся необходимыми.

ПРИЛОЖЕНИЕ VIII.

Положение о Свободном Порте Триест.

Статья 1.

1. Для обеспечения того, чтобы порт и транзитные льготы Триеста могли быть доступны для пользования на равных условиях для всей международной торговли и для Югославии, Италии и государств Центральной Европы, как это принято в других свободных портах мира:

a) в пределах Свободной Территории Триест будет порт в границах, указанных или установленных в соответствии со статьей 3 настоящего Положения, где не будет таможенного обложения;

b) грузы, проходящие через Свободный Порт Триест, будут пользоваться свободой транзита, как это указано в статье 16 настоящего Положения.

2. Международный режим Свободного Порта будет регулироваться постановлениями настоящего Положения.

Статья 2.

1. Свободный Порт будет учрежден и будет управляться в качестве государственной организации Свободной Территории Триест, наделенной правами юридического лица и функционирующей в соответствии с постановлениями настоящего Положения.

2. Вся итальянская государственная и приравненная к ней собственность в пределах Свободного Порта, которая согласно положениям настоящего Мирного Договора должна перейти к Свободной Территории, будет передана бесплатно Свободному Порту.

Статья 3.

1. Район Свободного Порта будет включать территорию и сооружения свободных зон Порта Триест в пределах границ 1939 года.

2. Образование особых зон в пределах Свободного Порта под исключительной юрисдикцией какого бы то ни было государства несовместимо со статусом Свободной Территории и Свободного Порта.

3. Однако, с целью удовлетворения особых нужд судоходства Югославии и Италии в Адриатическом море Директор Свободного Порта, по просьбе Правительства Югославии или Италии и при наличии положительного совета со стороны Международной Комиссии, предусмотренной в статье 21, может предоставить торговым судам, плавающим под флагом любого из этих двух государств, исключительное право пользования причалами в некоторых частях района Свободного Порта.

4. В случае возникновения необходимости в расширении территории Свободного Порта такое расширение по представлению Директора Свободного Порта может быть произведено решением Правительственного Совета с согласия Народного Собрания.

Статья 4.

Поскольку иное не предусмотрено настоящим Положением, законы и правила, действующие на Свободной Территории, подлежат применению к лицам и имуществу в пределах границ Свободного Порта, а власти, ответственные за их применение на Свободной Территории, будут осуществлять свои функции в пределах границ Свободного Порта.

Статья 5.

1. Торговые суда и грузы всех стран будут беспрепятственно допускаться в Свободный Порт для производства погрузки и выгрузки товаров, как транзитных, так и предназначаемых для Свободной Территории Триест или вывозимых с этой Территории.

2. Власти Свободной Территории не будут взимать с этих товаров таможенных пошлин или других налогов, кроме оплаты оказанных услуг, в связи с их ввозом, вывозом или провозом транзитом через Свободный Порт.

3. Однако, в отношении товаров, ввозимых через Свободный Порт для потребления в пределах Свободной Территории или вы-

возимых из пределов этой Территории через Свободный Порт, будут применяться соответствующие законоположения и правила, действующие на Свободной Территории.

Статья 6.

В Свободном Порту Триест в соответствии с общими правилами, установленными Директором Свободного Порта, будет разрешаться хранение товаров на складах, осмотр, сортировка, упаковка и переупаковка и другие операции подобного рода, которые обычно допускались в свободных зонах порта Триест.

Статья 7.

1. Директором Свободного Порта может быть также разрешена переработка товаров в Свободном Порту.

2. Производственная деятельность в Свободном Порту будет разрешена тем предприятиям, которые находились в свободных зонах порта Триест до вступления в силу настоящего Положения. По представлению Директора Свободного Порта Правительственный Совет может разрешить создание новых производственных предприятий в пределах границ Свободного Порта.

Статья 8.

Инспектирование властями Свободной Территории будет допускаться в Свободном Порту в пределах, необходимых для осуществления таможенных и других правил Свободной Территории по борьбе с контрабандой.

Статья 9.

1. Властям Свободной Территории предоставляется право устанавливать и взимать корабельные сборы в Свободном Порту.

2. Директор Свободного Порта установит размер всех обложений за пользование средствами и услугами Свободного Порта. Такие обложения будут разумными и соответствующими стоимости эксплоатации, управления, содержания в порядке и развития Свободного Порта.

Статья 10.

При установлении и взимании в Свободном Порту корабельных сборов и других обложений, указанных в статье 9, а также при

оказании услуг и при предоставлении средств Свободного Порта не будет допускаться дискриминация в зависимости от флага судна, принадлежности товаров или по каким-либо другим основаниям.

Статья 11.

Допуск всех лиц в Свободный Порт, а равно и выход из Порта, будут регулироваться теми правилами, которые могут быть установлены властями Свободной Территории. Однако, эти правила будут установлены таким образом, чтобы не создавать ненужных затруднений в допуске в Свободный Порт и выходе из Порта для граждан любого государства, которые имеют какое-либо законное занятие в Свободном Порту.

Статья 12.

Действующие в Свободном Порту правила и обязательные постановления, а равно тарифы взимаемых в Порту сборов, должны быть опубликованы.

Статья 13.

Каботажное судоходство и прибрежная торговля в пределах Свободной Территории будут осуществляться в соответствии с правилами, издаваемыми властями Свободной Территории, причем постановления настоящего Положения не будут рассматриваться как устанавливающие для этих властей какие-либо ограничения в этом отношении.

Статья 14.

В пределах Свободного Порта в отношении судов и грузов мероприятия по здравоохранению, а также мероприятия по борьбе с болезнями растений и животных, будут осуществляться властями Свободной Территории.

Статья 15.

Обеспечение Свободного Порта водоснабжением, газом, электроэнергией, средствами связи, канализацией и другими коммунальными услугами, а равно принятие мер полицейской и противопожарной охраны, будут лежать на обязанности властей Свободной Территории.

Статья 16.

1. В соответствии с обычными международными соглашениями Свободная Территория и государства, через территорию которых производится транзит, обеспечат свободу транзита товарам, перевозимым по железной дороге между Свободным Портом и государствами, которые он обслуживает, без всякой дискриминации и взимания таможенных или фискальных пошлин, кроме оплаты оказанных услуг.

2. Свободная Территория и государства, принявшие на себя обязательства, содержащиеся в настоящем Положении, через территорию которых осуществляются такие транзитные перевозки в любом направлении, сделают все, что в их силах, для того, чтобы оказать по возможности лучшее содействие во всех отношениях в целях быстрого и эффективного осуществления таких перевозок по разумной стоимости, и не будут принимать по отношению к перевозкам товаров в Свободный Порт и из него каких-либо дискриминационных мер в отношении тарифов, услуг, таможенных, санитарных, полицейских и любых других правил.

3. Государства, принявшие на себя обязательства, содержащиеся в настоящем Положении, не будут принимать никаких мер в отношении правил или тарифов, которые искусственным образом отвлекали бы перевозки от Свободного Порта Триест в пользу других морских портов. Меры, предпринимаемые Правительством Югославии для того, чтобы обеспечить перевозки через порты в южной Югославии, не должны рассматриваться как меры, предназначенные для искусственного отвлечения перевозок.

Статья 17.

Свободная Территория и государства, принимающие на себя обязательства, содержащиеся в настоящем Положении, предоставят, в соответствии с обычными международными соглашениями, в пределах своих соответствующих территорий, без какой-либо дискриминации, свободу почтовой, телеграфной и телефонной связи между территорией Свободного Порта и любой страной для передачи

сообщений, отправным пунктом которых или местом их назначения является территория Свободного Порта.

Статья 18.

1. Управление Свободным Портом будет осуществляться Директором Свободного Порта, который будет представлять Порт как юридическое лицо. Правительственный Совет представляет Губернатору список квалифицированных кандидатов на пост Директора Свободного Порта. Губернатор назначает Директора из числа кандидатов, представленных ему, после консультации с Правительственным Советом. В случае разногласия вопрос будет передан Совету Безопасности. Губернатор может также уволить Директора по рекомендации Международной Комиссии, предусмотренной в статье 21, или Правительственного Совета.

2. Директор не должен быть гражданином Югославии или Италии.

3. Назначение всех остальных служащих Свободного Порта будет производиться Директором. При всех назначениях служащих Свободного Порта предпочтение должно быть оказано гражданам Свободной Территории.

Статья 19.

Директор Свободного Порта, с соблюдением постановлений настоящего Положения, будет осуществлять все разумные и необходимые мероприятия по управлению, эксплоатации, содержанию в порядке и развитию Свободного Порта в качестве эффективно действующего порта, достаточного для быстрого обслуживания всего грузооборота этого порта. В частности, Директор будет нести ответственность за производство всякого рода портовых работ в Свободном Порту, распоряжаться эксплоатацией портовых сооружений и другого портового оборудования, устанавливать в соответствии с законодательством Свободной Территории условия труда в Свободном Порту, а также будет наблюдать за выполнением в Свободном Порту постановлений и распоряжений властей Свободной Территории в отношении навигации.

Статья 20.

1. Директор Свободного Порта будет издавать такие правила и обязательные постановления, какие он сочтет необходимыми при осуществлении своих функций, указанных в предыдущей статье.

2. Автономный бюджет Свободного Порта будет подготовляться Директором Свободного Порта и будет утверждаться и осуществляться согласно законодательству, которое в этом отношении будет установлено Народным Собранием Свободной Территории.

3. Директор Свободного Порта будет представлять ежегодный доклад о деятельности Свободного Порта Губернатору и Правительственному Совету Свободной Территории. Копия доклада будет представляться Международной Комиссии, предусмотренной в статье 21.

Статья 21.

1. Будет учреждена Международная Комиссия по Свободному Порту, в дальнейшем именуемая «Международная Комиссия», в состав которой войдут представитель Свободной Территории и по одному представителю от каждого из следующих государств: Союза Советских Социалистических Республик, Соединенных Штатов Америки, Соединенного Королевства Великобритании и Северной Ирландии, Франции, Федеративной Народной Республики Югославии, Италии, Польши, Чехословакии, Швейцарии, Австрии и Венгрии, при условии, что данное государство примет на себя обязательства, содержащиеся в настоящем Положении.

2. Представитель Свободной Территории будет постоянным председателем Международной Комиссии. В случае равного деления голосов при голосовании, голос председателя будет решающим.

Статья 22.

Международная Комиссия будет находиться в Свободном Порту. Ее учреждение и деятельность будут свободны от местной юрисдикции. Члены и должностные лица Международной Комиссии будут пользоваться на Свободной Территории такими привилегиями и иммунитетом, которые необходимы для независимого осуществления их функций. Международная Комиссия сама будет решать вопрос о своем секретариате, процедуре и бюджете. Общие

расходы Международной Комиссии будут справедливым образом оплачиваться государствами-членами, как это будет согласовано между ними через посредство этой Комиссии.

Статья 23.

Международная Комиссия будет иметь право расследовать и рассматривать все вопросы, касающиеся эксплоатации, использования и управления Свободного Порта или технических вопросов транзита между Свободным Портом и государствами, которые он обслуживает, включая вопросы унификации операций по обработке грузов. Международная Комиссия будет действовать как по своей собственной инициативе, так и тогда, когда такие вопросы будут доведены до ее сведения каким-либо государством или Свободной Территорией или Директором Свободного Порта. Международная Комиссия будет сообщать свое мнение или рекомендации по таким вопросам заинтересованному государству или государствам или Свободной Территории или Директору Свободного Порта. Такие рекомендации будут рассмотрены, и будут приняты необходимые меры. Если Свободная Территория или заинтересованное государство или государства сочтут, однако, такие меры несовместимыми с постановлениями настоящего Положения, то этот вопрос может, по просьбе Свободной Территории или любого заинтересованного государства, решаться, как это предусмотрено в статье 24.

Статья 24.

Всякий спор относительно толкования или выполнения настоящего Положения, оставшийся неразрешенным путем прямых переговоров, должен, если спорящие стороны не придут к взаимному соглашению относительно иного способа урегулирования спора, быть передан, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой стороны и третьего члена, избранного по взаимному соглашению двух сторон из граждан третьих стран. Если две стороны в месячный срок не смогут придти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение. Решение большинства членов Комиссии будет являться решением этой Комиссии и должно быть принято сторонами как окончательное и обязательное.

Статья 25.

Предложения, вносящие поправки в настоящее Положение, могут быть представлены Совету Безопасности Правительственным Советом Свободной Территории или тремя или более государствами, представленными в Международной Комиссии. Поправка, одобренная Советом Безопасности, вступит в силу в срок, определенный Советом Безопасности.

Статья 26.

Для целей настоящего Положения государство будет считаться принявшим на себя обязательства настоящего Положения, если оно является стороной в Мирном Договоре с Италией или если оно нотифицировало Правительству Французской Республики о принятии на себя таких обязательств.

ПРИЛОЖЕНИЕ IX.

Технические постановления, относящиеся к Свободной Территории Триест.

(см. статью 21)

А. Водоснабжение северозападной Истрии.

Югославия будет продолжать снабжение водой района северозападной Истрии, расположенного в пределах Свободной Территории Триест, из источника Сан Джованни де Пингуенте через систему водоснабжения Квието и из источника Санта Мария дель Ризано через систему Ризано. Подаваемое таким образом количество воды не должно значительно превышать того количества, которое обычно подавалось этому району; водный режим при этом будет соответствовать тем требованиям, какие могут быть предъявлены со стороны Свободной Территории, но лишь в пределах, допускаемых естественными условиями. Югославия обеспечит функционирование водопроводов, резервуаров, водокачек, системы фильтров и других подобных сооружений в пределах югославской территории, поскольку это может потребоваться для выполнения настоящего постановления. В отношении вышеупомянутых обязательств Югославии будут допущены временные отступления для производства необходимого ремонта, связанного с теми повреж-

дениями, которые были нанесены сооружениям водоснабжения войной. Свободная Территория должна уплачивать за подаваемую в этих условиях воду разумную цену, представляющую пропорциональную долю, исчисляемую на основе количества воды, потребляемой в пределах Свободной Территории, от общей стоимости эксплоатации и содержания систем водоснабжения Квието и Ризано. Если в будущем для Свободной Территории потребуется дополнительное снабжение водой, Югославия рассмотрит этот вопрос совместно с властями Свободной Территории и предпримет по соглашению те меры, какие окажутся разумными для удовлетворения этих требований.

B. Снабжение электроэнергией.

1. Югославия и Италия сохранят существующее снабжение электроэнергией Свободной Территории Триест, поставляя Свободной Территории такое количество электроэнергии и по такому графику, как это может ей потребоваться. Поставляемое количество электроэнергии не должно вначале значительно превышать количества, в которых она обычно поставлялась району, входящему в Свободную Территорию, но Югославия и Италия будут, по просьбе Свободной Территории, поставлять увеличивающиеся количества по мере роста потребностей Свободной Территории, при условии, что любое такое увеличение более, чем на 20% количества, обычно поставлявшегося Свободной Территории из соответствующих источников, должно явиться предметом соглашения между заинтересованными Правительствами.

2. Цена, которая будет взиматься Югославией или Италией и уплачиваться Свободной Территорией за поставляемую ей электроэнергию, не должна превышать цену, взимаемую в Югославии или Италии за поставку таких же количеств электроэнергии из тех же гидроэлектрических установок на югославской или итальянской территории.

3. Югославия, Италия и Свободная Территория будут постоянно обмениваться той информацией о водном режиме, запасах воды и выработке электроэнергии, которая относится к электростан-

циям, снабжающим бывший итальянский район Венеция Джулия, для того, чтобы каждая из трех сторон имела возможность определить свои потребности.

4. Югославия, Италия и Свободная Территория будут содержать в хорошем и исправном состоянии все электростанции, линии передачи, подстанции и другие установки, необходимые для непрерывного снабжения электроэнергией бывшего итальянского района Венеция Джулия.

5. Югославия обеспечит, чтобы ныне существующие и любые будущие силовые установки на Соча (Изонцо) эксплоатировались таким образом, чтобы запасы воды, какие Италия может время от времени просить, могли быть отведены с Соча (Изонцо) для орошения в районе от Горицы на юго-запад к Адриатике. Италия не может претендовать на право получения воды из Соча (Изонцо) в большем количестве и на более благоприятных условиях, чем это обычно имело место в прошлом.

6. Югославия, Италия и Свободная Территория путем совместных переговоров, в соответствии с вышеизложенными постановлениями, придут к взаимно приемлемому соглашению о продолжении эксплоатации электроэнергетической системы, которая обслуживает бывший итальянский район Венеция Джулия. Будет создана совместная комиссия с равным представительством трех Правительств для наблюдения за выполнением обязательств, вытекающих из пунктов 1-5 выше.

7. По истечении десятилетнего периода со дня вступления в силу настоящего Договора Югославия, Италия и Свободная Территория пересмотрят вышеприведенные положения в свете условий, которые будут существовать в то время, для того, чтобы в подлежащем случае определить, какие из вышеприведенных обязательств больше не требуются, и произведут такие изменения, исключения и внесут такие дополнения, которые могут быть ими согласованы. Всякие споры, которые могут возникнуть в результате этого пересмотра, должны передаваться на решение согласно процедуре, изложенной в статье 87 настоящего Договора.

С. Содействие местной пограничной торговле.

В течение одного месяца со дня вступления в силу настоящего Договора Югославия и Свободная Территория Триест, а также Италия и Свободная Территория Триест, начнут переговоры с целью заключения соглашений, которые будут способствовать движению через границы между Свободной Территорией и прилегающими районами Югославии и Италии продовольствия и других видов товаров, которые обычно обращались между этими районами в порядке местной торговли, при условии, что эти товары выращиваются, производятся или вырабатываются на этих территориях соответственно. Это обращение товаров в порядке местной торговли будет поощряться соответствующими мерами, включая освобождение таких товаров, в пределах согласованных количеств или стоимости, от пошлин, таможенных сборов и всякого рода налогов на экспорт или импорт.

ПРИЛОЖЕНИЕ X.

Экономические и финансовые постановления, относящиеся к Свободной Территории Триест.

1. Свободная Территория Триест должна безвозмездно получить итальянскую государственную и парастатальную (приравненную к государственной) собственность в пределах Свободной Территории.

Для целей настоящего Приложения государственной и парастатальной собственностью считается следующее: движимая и недвижимая собственность Итальянского государства, местных властей и публичных учреждений, а также компаний и ассоциаций, принадлежащих публично-правовым организациям, равно как движимая и недвижимая собственность, ранее принадлежавшая фашистской партии или ее вспомогательным организациям.

2. Все передачи итальянской государственной и парастатальной собственности, как это определено в пункте 1 выше, совершенные после 3 сентября 1943 года, будут считаться недействительными и несуществующими. Это постановление не распространяется, однако, на законные действия, относящиеся к текущей деятельности

государственных и парастатальных предприятий, поскольку они касаются продажи в нормальных пределах товаров, обычно производимых или продаваемых ими при осуществлении нормальных торговых сделок или в ходе нормальной правительственной административной деятельности.

3. Подводные кабели, принадлежащие итальянским государственным или парастатальным организациям, подпадают под действие положений пункта 1, поскольку это касается конечных устройств и участков кабелей, находящихся в пределах территориальных вод Свободной Территории.

4. Италия передаст Свободной Территории все соответствующие архивы и документы административного характера или представляющие исторический интерес, касающиеся Свободной Территории или относящиеся к собственности, переходящей согласно пункту 1 настоящего Приложения. Свободная Территория передаст Югославии все документы того же характера, относящиеся к территории, переходящей к Югославии согласно настоящему Договору, а Италии — все документы того же характера, касающиеся итальянской территории, которые могут оказаться на Свободной Территории.

Югославия заявляет о своей готовности передать Свободной Территории все архивы и документы административного характера, касающиеся и требуемые исключительно для администрации Свободной Территории, являющиеся документами такого рода, которые до 3 сентября 1943 года обычно хранились местными властями, имевшими юрисдикцию над районами, которые сейчас составляют часть Свободной Территории.

5. Свободная Территория будет освобождена от уплаты итальянского государственного долга; однако, она примет на себя обязательства Итальянского государства перед теми держателями облигаций, которые продолжают проживать на Свободной Территории или которые, являясь юридическими лицами, сохраняют там свои главные конторы или основное место своей деятельности, поскольку такие обязательства соответствуют той части этого долга, которая

была сделана до 10 июня 1940 года и которая относится к общеполезным сооружениям и гражданским административным службам, приносящим пользу упомянутой территории, но не имеет прямого или косвенного отношения к военным целям.

От держателей может быть потребовано полное доказательство в отношении источника приобретения таких облигаций.

Италия и Свободная Территория заключат соглашения, которые определят часть итальянского государственного долга, упомянутую в этом пункте, и способы осуществления этих постановлений.

6. Будущий статус внешних обязательств, обеспеченных обременениями собственности или доходов Свободной Территории, будет регулироваться дальнейшими соглашениями между заинтересованными сторонами.

7. Между Италией и Свободной Территорией будут заключены специальные соглашения для определения условий, на которых обязательства итальянских государственных или частных организаций социального страхования в отношении жителей Свободной Территории и сответствующая часть резервов, накопленных указанными организациями, будут переданы подобным организациям на Свободной Территории.

Между Свободной Территорией и Италией, а также между Свободной Территорией и Югославией, будут заключены подобные соглашения, имеющие целью регулировать обязательства государственных и частных организаций социального страхования, главные конторы которых находятся на Свободной Территории, в отношении полисодержателей или застрахованных лиц, проживающих соответственно в Италии или на территории, переходящей к Югославии в соответствии с настоящим Договором.

Между Свободной Территорией и Югославией будут также заключены подобные соглашения, имеющие целью регулировать обязательства государственных и частных организаций социального страхования, главные конторы которых находятся на территории, переходящей к Югославии в соответствии с настоящим Договором, в отношении полисодержателей или застрахованных лиц, проживающих на Свободной Территории.

8. Италия должна продолжать нести ответственность за выплату гражданских или военных пенсий, причитающихся на день вступления в силу настоящего Договора за службу в итальянских государственных, муниципальных или в других местных государственных учреждениях лицам, приобретшим гражданство Свободной Территории согласно этому Договору, включая права на пенсии, срок реализации которых еще не наступил. Между Италией и Свободной Территорией должны быть заключены соглашения, предусматривающие метод, посредством которого это обязательство будет выполнено.

9. Собственность, права и интересы итальянских граждан, постоянно проживающих на Свободной Территории после 10 июня 1940 года, и лиц, которые оптируют итальянское гражданство согласно Статуту Свободной Территории Триест, должны, если они приобретены законно, уважаться в той же мере, что и вообще собственность, права и интересы граждан Свободной Территории, в течение трехлетнего периода со дня вступления в силу настоящего Договора.

Собственность, права и интересы на Свободной Территории, принадлежащие другим итальянским гражданам, а также итальянским юридическим лицам, должны, если они приобретены законно, подлежать лишь такому законодательству, которое может время от времени вводиться в отношении вообще собственности иностранных граждан и юридических лиц.

10. Лицам, оптирующим итальянское гражданство и переезжающим в Италию, должно быть разрешено, после уплаты всяких долгов или налогов, причитающихся с них на Свободной Территории, брать с собой свою движимую собственность и переводить свои денежные средства, при условии, что такая собственность и денежные средства были приобретены законно. Никакие экспортные или импортные пошлины не должны налагаться в связи с перемещением такой собственности. Кроме того, указанным лицам должно быть разрешено продавать свою движимую и недвижимую собственность на тех же условиях, что и гражданам Свободной Территории.

Вывоз собственности в Италию будет осуществляться на условиях, не противоречащих Конституции Свободной Территории, и в порядке, согласованном между Италией и Свободной Территорией. Условия и сроки перевода денежных средств, включая выручку от продаж, должны быть установлены таким же образом.

11. Собственность, права и интересы бывших итальянских граждан, являющихся жителями Свободной Территории и согласно настоящему Договору ставших гражданами Свободной Территории, которые будут существовать в Италии ко дню вступления в силу настоящего Договора, должны уважаться Италией в той же мере, что и вообще собственность, права и интересы итальянских граждан, в течение трехлетнего периода со дня вступления в силу настоящего Договора.

Таким лицам разрешается осуществлять перевод и ликвидацию их собственности, прав и интересов на условиях, которые могут быть установлены на основании пункта 10 выше.

12. С компаниями, которые учреждены по итальянскому закону и имеют главную контору на Свободной Территории и которые пожелают перевести главную контору в Италию или Югославию, должно быть равным образом поступлено согласно положениям пункта 10 выше, при условии, что более 50% капитала компании принадлежит лицам, обычно проживающим вне пределов Свободной Территории, или лицам, которые переедут в Италию или Югославию.

13. Долги, причитающиеся с лиц в Италии или на территории, переходящей к Югославии, лицам на Свободной Территории или с лиц на Свободной Территории лицам в Италии или на территории, переходящей к Югославии, не должны затрагиваться переходом территории. Италия, Югославия и Свободная Территория обязуются способствовать выполнению таких обязательств. Применяемое в настоящем пункте выражение «лица» включает юридические лица.

14. Находящаяся на Свободной Территории собственность любой из Объединенных Наций и ее граждан, если она еще не освобождена от итальянских мероприятий по секвестру или контролю и

не возвращена ее собственнику, должна быть возвращена в состоянии, в котором она существует в настоящее время.

15. Италия вернет собственность, незаконно вывезенную после 3 сентября 1943 года со Свободной Территории в Италию. Пункты 2, 3, 4, 5 и 6 статьи 75 будут регулировать применение этого обязательства, за исключением случаев, когда в отношении собственности предусмотрено иное в настоящем Приложении.

Положения пунктов 1, 2, 5 и 6 статьи 75 будут применяться в отношении реституции Свободной Территорией собственности, вывезенной с территорий Объединенных Наций во время войны.

16. Италия должна в возможно кратчайший срок возвратить Свободной Территории любые находящиеся в итальянском владении суда, принадлежавшие на 3 сентября 1943 года проживающим на Свободной Территории физическим лицам, приобретшим гражданство Свободной Территории согласно настоящему Договору, или принадлежавшие итальянским юридическим лицам, имеющим и сохраняющим главные конторы на Свободной Территории, за исключением судов, которые были добросовестно проданы.

17. Италия и Свободная Территория, а также Югославия и Свободная Территория, заключат соглашения, предусматривающие законное и справедливое распределение собственности, принадлежащей любому существующему местному органу, район которого разделяется любым урегулированием границ в соответствии с настоящим Договором, а также предусматривающие сохранение для жителей необходимых коммунальных услуг, которые специально не охвачены другими частями настоящего Договора.

Будут заключены аналогичные соглашения о законном и справедливом распределении подвижного состава и железнодорожного оборудования, а также доковых и портовых пловучих средств и оборудования, равно как и о всяких других неразрешенных экономических вопросах, не охваченных настоящим Приложением.

18. Граждане Свободной Территории, несмотря на переход суверенитета и на то или иное изменение гражданства, последовав-

шее за этим переходом, должны продолжать пользоваться в Италии всеми правами в отношении промышленной, литературной и художественной собственности, на которую они имели право согласно законам, действовавшим в Италии к моменту перехода суверенитета.

Свободная Территория должна признать и предоставить возможность осуществить права на промышленную, литературную и художественную собственность, которые существовали согласно итальянским законам, имевшим силу на Свободной Территории к моменту указанного перехода, или которые должны быть восстановлены в соответствии с частью А Приложения XV к настоящему Договору. Эти права будут оставаться в силе на Свободной Территории в течение того же периода, в течение которого они оставались бы в силе согласно итальянским законам.

19. Всякий спор, который может возникнуть при осуществлении настоящего Приложения, должен разрешаться в том же порядке, как это предусмотрено в статье 83 настоящего Договора.

20. Пункты 1, 3 и 5 статьи 76, статья 77, пункт 3 статьи 78, статья 81, часть А Приложения XV, Приложение XVI и часть В Приложения XVII применяются к Свободной Территории Триест в том же порядке, что и к Италии.

ПРИЛОЖЕНИЕ XI.

СОВМЕСТНАЯ ДЕКЛАРАЦИЯ

Правительств Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции относительно итальянских территориальных владений в Африке.

(см. статью 23).

1. Правительства Союза Советских Социалистических Республик, Соединенного Королевства Великобритании и Северной Ирландии, Соединенных Штатов Америки и Франции соглашаются путем совместно принятого решения определить в течение одного года с момента вступления в силу Мирного Договора с Италией от

10 февраля 1947 года окончательную судьбу территориальных владений Италии в Африке, в отношении которых Италия отказывается от всех своих прав и правооснований в силу статьи 23 Договора.

2. Четыре Державы определят окончательную судьбу территорий, о которых идет речь, и произведут надлежащее уточнение их границ, принимая во внимание желания и благосостояние жителей, равно как и интересы мира и безопасности, и учитывая точки зрения других заинтересованных правительств.

3. Если Четыре Державы не смогут договориться о судьбе какой-либо из этих территорий в течение одного года со дня вступления в силу Мирного Договора с Италией, вопрос будет передан Генеральной Ассамблее Объединенных Наций для того, чтобы последняя сделала рекомендацию по этому вопросу, и Четыре Державы соглашаются принять рекомендацию и предпринять надлежащие меры для ее выполнения.

4. Заместители Министров Иностранных Дел будут продолжать рассмотрение вопроса о судьбе бывших итальянских колоний с целью представить Совету Министров Иностранных Дел свои рекомендации по этому вопросу. Кроме того, они направят комиссии по обследованию в любую из бывших итальянских колоний с тем, чтобы представить Заместителям необходимые данные по этому вопросу и определить взгляды местного населения.

ПРИЛОЖЕНИЕ XII.

(см. статью 56)

Названия судов, указанные в настоящем Приложении, были в употреблении в итальянском военно-морском флоте на 1 июня 1946 года.

ЧАСТЬ А.

Список военно-морских судов, оставляемых Италии.

Большие военные корабли.

Линейные корабли.....Андреа Дориа
Кайо Дуилио

Крейсеры..... Луиджи ди Савойя дука дельи Абруции
Джузеппе Гарибальди
Раймондо Монтекукколи
Луиджи Кадорна

Эскадренные миноносцы.. Карабиниери
Гранатиери
Грекале
Николозо да Рекко

Миноносцы.. Джузеппе Чезаре Абба
Аретуза
Каллиопе
Джиацинто Карини
Кассиопея
Клио
Никола Фабризи
Эрнесто Джиованнини
Либра
Монзамбано
Антонио Мосто
Орионе
Орса
Розалино Пило
Саджиттарио
Сирио

Корветы.... Апе
Байонетта
Чимера
Корморано
Данаиде
Дриаде
Фениче
Флора
Фолага
Габбиано
Гру
Ибис
Минерва
Пелликано
Помона
Сцимиттара
Сфинджe
Сибилла
Урания

Вместе с одним корветом, который будет поднят или достроен или построен.

Малые военные корабли.

Тральщики.....RD №№ 20, 32, 34, 38, 40, 41, 102, 103, 104, 105, 113, 114, 129, 131, 132, 133, 134, 148, 149, вместе с 16 минными тральщиками типа „YMS“, приобретенными у Соединенных Штатов Америки.

Сторожевые катеры.....VAS №№ 201, 204, 211, 218, 222, 224, 233, 235.

Вспомогательные военно-морские суда.

Танкеры...Неттуно
Лете

Водолеи..Арно
Фриджидо
Минчио
Офанто
Ористано
Пескара
По
Сесна
Симето
Стура
Тронто
Випаччо

Буксиры..Аббазиа
(большие) Асинара
Атланте
Капрайя
Чиогтия
Эмилио
Гальярдо
Горгона

Буксиры..... Ликоза
(большие) Лилибео
Линоза
Местре
Пиомбино
Порто Эмпедокле
Порто Фоссоне
Порто Пизано
Порто Розе
Порто Реканати
Сан Пиетро
Сан Вито
Вентимилья

Буксиры..... Арджентарио
(малые) Астико
Кордеволе
Дженерале Поцци
Ирене
Пассеро
Порто Россо
Порто Веккио
Сан Бартоломео

Сан Бенедетто	N 47
Тальяменто	N 52
N 1	N 53
N 4	N 78
N 5	N 96
N 9	N 104
N 22	RLN 1
N 26	RLN 3
N 27	RLN 9
N 32	RLN 10

Учебный корабль.....Америго Веспуччи

Транспорты.....Амалиа Мессина
Монтеграппа
Тарантола

Судно снабжения.....Джузеппе Миралиа

Ремонтная мастерская.....Антонио Пачинотти (после переделки из пловучей базы подводных лодок)

Гидрографические суда.....Азио (после переделки из минного заградителя)
Черсо

Судно обслуживания маяков...Буффолуто

Кабелепрокладчик.....Рампино

ЧАСТЬ В.

Список военно-морских судов, передаваемых в распоряжение Правительств Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и Франции.

Большие военные корабли.

Линейные корабли.....Джулио Чезаре
Италия
Витторио Венето

Крейсеры	Эммануэле Филиберто дука д'Аоста
	Помпео Магно
	Аттилио Реголо
	Эугенио ди Савойя
	Сципионе Африкано
Шлюп	Эритрея
Эскадренные миноносцы	Артильери
	Фусилиери
	Леджионарио
	Митральери
	Альфредо Ориани
	Аугусто Риботи
	Велите

Миноносцы	Ализео	Подводные лодки	Аладжи
	Анимозо		Атропо
	Ардиментозо		Дандоло
	Ариете		Джиада
	Фортунале		Мареа
	Индомито		Ничелио
			Платино
			Вортиче

Малые военные корабли.

Торпедные катеры	MS №№	11, 24, 31, 35, 52, 53, 54, 55, 61, 65, 72, 73, 74, 75.
	MAS №№	433, 434, 510, 514, 516, 519, 520, 521, 523, 538, 540, 543, 545, 547, 562.
	ME №№	38, 40, 41.
Тральщики	RD №№	6, 16, 21, 25, 27, 28, 29.
Канонерская лодка		Иллириа
Сторожевые катеры	VAS №№	237, 240, 241, 245, 246, 248.

Десантные баржи.....MZ №№ 713, 717, 722, 726, 728, 729, 737, 744, 758, 776, 778, 780, 781, 784, 800, 831.

Вспомогательные военно-морские суда.

Танкеры.... Прометео
Стидже
Тарвизио
Урано

Водолеи.... Анапо
Атерно
Басенто
Бисаньо
Далмация
Идрия
Исарко
Истрия
Лири
Метауро
Полчевера
Спругола
Тимаво
Тирсо

Буксиры.. (большие) Арсачена
Базилуццо
Капо д'Истрия
Карбонара
Чефалу
Эрколе
Гаета
Лампедуза
Липари
Лисканера
Маречиаро

Буксиры.... (большие) Меско
Молара
Нерео
Порто Конте
Порто Адриано
Порто Квието
Порто Торрес
Порто Трикасе
Прочида
Промонтора
Рапалло
Сальворе
Сан Анджело
Сан Антиоко
Сан Ремо
Таламоне
Таормина
Теуладо
Тифео
Вадо
Вигорозо

Буксиры.... (малые) Дженерале Вальфре
Ликата
Ноли
Волоска
N 2
N 3
N 23
N 24

Буксиры....	N 28	N 37
(малые)	N 35	N 80
	N 36	N 94

Пловучая база.....Антео

Учебный корабль.....Кристофоро Коломбо

Вспомогательный минный заградитель..Фазана

Транспорты.....Джузеппе Мессина
Монтекукко
Панигалья

ПРИЛОЖЕНИЕ XIII.

ЧАСТЬ А. ВОЕННО-МОРСКИЕ ОПРЕДЕЛЕНИЯ.

(см. статью 59)

Стандартное водоизмещение.

Стандартное водоизмещение надводного корабля есть водоизмещение законченного постройкой корабля с полным своим экипажем, с установленными машинами и котлами, готового к выходу в море, со всем вооружением и боеприпасами, оборудованием, установками, запасами продовольствия и пресной воды для экипажа, различными запасами и оборудованием всякого рода, которые корабль должен иметь во время войны, но без топлива или запасов котельной воды.

Стандартное водоизмещение выражается в тоннах. Под словом «тонна» должна пониматься тонна — 2.240 фунтов (1016 кг.).

Военный корабль.

Военный корабль любого водоизмещения есть:

1. корабль, специально построенный или приспособленный как боевая единица для ведения морской, земноводной или воздушной войны на море;

2. или корабль, который имеет одну из следующих характеристик:

a) установлено орудие калибром свыше 4,7 дюйма (120 мм.);

b) установлено более, чем 4 орудия калибром свыше 3 дюймов (76 мм.);

c) спроектирован или оборудован для стрельбы торпедами или для постановки мин;

d) спроектирован или оборудован для выпуска самодвижущихся или управляемых снарядов;

e) спроектирован для защиты броневыми плитами толщиною свыше 1 дюйма (25 мм.);

f) спроектирован или приспособлен специально для использования самолетов в море;

g) установлено больше, чем два приспособления для выпуска самолетов;

h) спроектирован для скорости хода больше, чем 20 узлов, если на нем установлено орудие калибром свыше 3 дюймов (76 мм.).

Военный корабль, принадлежащий к подкатегории 1, не рассматривается больше как таковой после 20 лет с момента его постройки, если с него снято все вооружение.

Линейный корабль.

Линейный корабль есть военный корабль, не являющийся авианосцем, стандартное водоизмещение которого превышает 10.000 тонн или на котором установлено орудие калибром свыше 8 дюймов (203 мм.).

Авианосец.

Авианосец есть военный корабль любого водоизмещения, спроектированный или приспособленный специально для целей несения и использования самолетов в море.

Подводная лодка.

Подводная лодка является кораблем, спроектированным для действия под поверхностью моря.

Специализированные типы штурмовых судов.

1. Все типы судов, специально спроектированных или приспособленных для земноводных операций.

2. Все типы небольших судов, специально спроектированных или приспособленных для несения взрывчатых или зажигательных зарядов для атак кораблей или гаваней.

Торпедный катер.

Торпедный катер есть корабль, водоизмещение которого меньше 200 тонн, способный развивать скорость хода свыше 25 узлов и использовать торпеды.

ЧАСТЬ В. ОПРЕДЕЛЕНИЕ ВОЕННОГО, ВОЕННО-ВОЗДУШНОГО И ВОЕННО-МОРСКОГО ОБУЧЕНИЯ.

(см. статьи 60, 63, 65)

1. Термин «военное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех строевых упражнений или передвижений, предназначенных для обучения маневрированию или для выполнения маневрирования, применяемого действующими частями в бою; а также организованное изучение тактики, стратегии и штабной работы.

2. Термин «военно-воздушное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военно-воздушных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех специализированных эволюций, включая полеты соединением, которые применяются авиацией при выполнении боевых заданий; а также организованное изучение военно-воздушной тактики, стратегии и штабной работы.

3. Термин «военно-морское обучение» означает изучение, руководство или практику в использовании военных кораблей, военно-морских сооружений или учреждений, а также изучение или применение всех относящихся к этому приборов и учебных приспособлений, которые используются для ведения морской войны, кроме тех, которые обычно также используются для гражданских целей; а также преподавание, практику или организованное изучение морской тактики, стратегии и штабной работы, включая выполнение всех операций и маневров, которые не требуются для мирного использования кораблей.

ЧАСТЬ С. ОПРЕДЕЛЕНИЕ И ПЕРЕЧЕНЬ ВОЕННЫХ МАТЕРИАЛОВ И ТЕХНИКИ.

(см. статью 67)

Термин «военные материалы и техника», применяемый в настоящем Договоре, должен включать все оружие, боеприпасы и средства, специально сконструированные или приспособленные для использования в войне, как это перечисляется ниже.

Союзные и Соединенные Державы сохраняют за собой право изменять периодически данный перечень путем внесения поправок или добавлений, в свете дальнейшего развития науки.

Категория I.

1. Военные винтовки, карабины, револьверы и пистолеты; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей.

2. Пулеметы, военные автоматические или самозарядные винтовки, пистолеты-пулеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; пулеметные установки.

3. Пушки, гаубицы, мортиры, специальные пушки для самолетов, беззатворные или безоткатные орудия и огнеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; лафеты и установки для вышеперечисленного оружия.

4. Установки для запуска ракет; запускные и контрольные приборы для самодвижущихся и управляемых снарядов; установки для них.

5. Начиненные или неначиненные самодвижущиеся и управляемые снаряды, ракеты, унитарные патроны и патроны, предназначенные для оружия, перечисленного в пунктах 1-4 выше, приспособления для обращения с ними или для производства взрыва, а также взрыватели и трубки, за исключением взрывателей, необходимых для гражданских нужд.

6. Начиненные или неначиненные гранаты, бомбы, торпеды,

мины, глубинные бомбы и зажигательные вещества или заряды, а также все средства для обращения с ними или для производства взрыва, за исключением взрывателей, необходимых для гражданских нужд.

7. Штыки.

Категория II.

1. Бронированные боевые машины; бронепоезда, которые технически не могут быть переделаны для гражданских целей.

2. Механические и самодвижущиеся лафеты для всякого оружия, перечисленного в категории 1, специального типа военные шасси или кузовы, кроме перечисленных в пункте 1 выше.

3. Броневые плиты толщиною свыше 3 дюймов, используемые для целей защиты на войне.

Категория III.

1. Прицельные и вычислительные приборы для управления огнем, включая линейки зенитного планшета и построители; приборы для пристрелки; орудийные прицелы, прицелы для бомбометания; трубочные номероустановки; инструменты и приборы для калибрования орудий и для выверки приборов управления огнем.

2. Штурмовые мостки и штурмовые лодки.

3. Средства для ведения замаскированных военных действий, а также ослепляющие средства и средства для обмана.

4. Личное военное снаряжение специального характера, которое трудно приспособить для использования в гражданских целях.

Категория IV.

1. Военные суда любого типа, включая переделанные суда и пловучие средства, спроектированные или предназначенные для их обслуживания или поддержки, которые технически не могут быть переделаны для гражданского использования, а также вооружение, броня, боеприпасы, самолеты и всякое другое оборудование, материалы, машины и установки, которые не применяются в мирное время на судах, кроме военных судов.

2. Десантные суда и земноводные перевозочные средства или приспособления всякого рода; штурмовые лодки или приспособления всякого рода, а также катапульты и другие аппараты для выпуска самолетов, ракет, движимых боевых средств или всяких других снарядов, аппаратов или приспособлений, укомплектованных или неукомплектованных людьми, управляемых или неуправляемых.

3. Подводные или полуподводные суда, пловучие средства, боевые средства, приспособления или аппараты всякого рода, включая специально сконструированные защитные боны для гавани, за исключением тех случаев, когда это может быть потребовано для целей спасения или для других гражданских целей, а также все оборудование, принадлежности, запасные части, экспериментальные или учебные средства, приборы или установки, которые могут быть специально предназначены для строительства, испытания, содержания или хранения вышеперечисленного.

Категория V.

1. Собранные и несобранные летательные аппараты тяжелее и легче воздуха, которые предназначены или приспособлены для воздушных боевых действий посредством применения пулеметов, артиллерии, установок для выбрасывания ракет, или предназначены или приспособлены для перевозки и сбрасывания бомб, или оборудованы или же по своему типу или конструкции могут быть оборудованы какими-либо из приспособлений, перечисленных в пункте 2 ниже.

2. Авиационные орудийные установки и рамы, бомбодержатели, торпедодержатели, а также механизмы для сбрасывания бомб или торпед; орудийные башни и боковые пулеметные башни.

3. Оснащение, специально предназначенное и использующееся исключительно в авиадесантных войсках.

4. Катапульты или запускные аппараты для запуска самолетов с судов, суши и моря; катапульты для запуска самолетов-снарядов.

5. Заградительные аэростаты.

Категория VI.

Удушающие, смертоносные, отравляющие и выводящие из строя вещества, предназначенные для военных целей или производимые сверх того, что требуется для гражданских целей.

Категория VII.

Метательные средства, взрывчатые вещества, пиротехнические средства и жидкие газы, предназначенные для метания, взрыва, заряжания и наполнения перечисленных в настоящих категориях военных материалов или для использования в связи с последними, которые не могут быть использованы для гражданских целей или производство которых превышает то, что требуется для гражданских целей.

Категория VIII.

Фабричное и инструментальное оборудование, которое специально сконструировано для производства и содержания вышеперечисленных материалов и техники и которое технически не может быть приспособлено для гражданских целей.

ЧАСТЬ D. ОПРЕДЕЛЕНИЕ ТЕРМИНОВ «ДЕМИЛИТАРИЗАЦИЯ» И «ДЕМИЛИТАРИЗОВАННЫЙ».

(см. ст. ст. 11, 14, 49 и ст. 3 Приложения VI)

Для целей настоящего Договора термины «демилитаризация» и «демилитаризованный» будут означать запрещение в пределах данной территории и территориальных вод всех военно-морских, военных и военно-воздушных сооружений, укреплений и их вооружения; искусственных военных, военно-морских и военно-воздушных заграждений; базирования или пребывания, как постоянного, так и временного, каких-либо частей сухопутных, военно-морских и военно-воздушных сил; военного обучения в какой-либо форме; и производства военных материалов и техники.

Этим не запрещается персонал внутренней охраны ограниченной численности, отвечающей задачам внутреннего характера,

вооруженный таким оружием, которое может быть носимо и используемо одним человеком, и необходимое для этого персонала военное обучение.

ПРИЛОЖЕНИЕ XIV.

Экономические и финансовые постановления, относящиеся к переходящим территориям.

1. Государство-преемник должно безвозмездно получить итальянскую государственную и парастатальную (приравненную к государственной) собственность в пределах территории, переходящей к нему в силу настоящего Договора, а также все соответствующие архивы и документы административного характера или представляющие исторический интерес, касающиеся данной территории или относящиеся к собственности, переходящей в соответствии с настоящим пунктом.

Для целей настоящего Приложения государственной и парастатальной собственностью считается следующее: движимая и недвижимая собственность итальянского государства, местных властей и публичных учреждений, а также компаний и ассоциаций, принадлежащих публично-правовым организациям, равно как движимая и недвижимая собственность, ранее принадлежавшая фашистской партии или ее вспомогательным организациям.

2. Все передачи итальянской государственной и парастатальной собственности, как это определено в пункте 1 выше, совершенные после 3 сентября 1943 года, будут считаться недействительными и несуществующими. Это постановление не распространяется, однако, на законные действия, относящиеся к текущей деятельности государственных и парастатальных предприятий, поскольку они касаются продажи в нормальных пределах товаров, обычно производимых или продаваемых ими при осуществлении нормальных торговых сделок или в ходе нормальной правительственной административной деятельности.

3. Итальянские подводные кабели, соединяющие пункты на переходящей территории или соединяющие какой-либо пункт на

переходящей территории с пунктом на другой территории государства-преемника, будут считаться итальянской собственностью на переходящей территории, несмотря на то, что части этих кабелей могут проходить вне территориальных вод. Итальянские подводные кабели, соединяющие какой-либо пункт на переходящей территории с пунктом, находящимся вне юрисдикции государства-преемника, будут считаться итальянской собственностью на переходящей территории, поскольку это касается конечных устройств и тех частей кабелей, которые находятся в территориальных водах переходящей территории.

4. Правительство Италии передаст государству-преемнику все предметы, имеющие художественную, историческую или археологическую ценность, принадлежащие к культурному достоянию переходящей территории и которые во время итальянского контроля над этой территорией были вывезены оттуда без оплаты и находятся в распоряжении Правительства Италии или итальянских публичных учреждений.

5. Государство-преемник должно урегулировать конвертирование в свою валюту итальянской валюты, находящейся на переходящей территории у физических лиц, продолжающих проживать на упомянутой территории, или у юридических лиц, продолжающих там вести дела. От держателей может быть потребовано полное доказательство в отношении источника приобретения фондов, подлежащих конвертированию.

6. Правительство государства-преемника будет освобождено от уплаты итальянского государственного долга; однако, оно примет на себя обязательства итальянского государства перед теми держателями облигаций, которые продолжают проживать на переходящей территории или которые, являясь юридическими лицами, сохраняют там свои главные конторы или основное место своей деятельности, поскольку такие обязательства соответствуют той части этого долга, которая была сделана до 10 июня 1940 года и которая относится к общеполезным сооружениям и гражданским admини-

стративным службам, приносящим пользу упомянутой территории, но не имеет прямого или косвенного отношения к военным целям.

От держателей может быть потребовано полное доказательство в отношении источника приобретения таких облигаций.

Государство-преемник и Италия заключат соглашения, которые определят часть итальянского государственного долга, упомянутую в этом пункте, и способы осуществления этих постановлений.

7. Между государством-преемником и Италией будут заключены специальные соглашения для определения условий, на которых обязательства итальянских государственных или частных организаций социального страхования в отношении жителей переходящей территории и соответственная часть резервов, накопленных указанными организациями, будут переданы подобным организациям государства-преемника.

Между государством-преемником и Италией будут также заключены подобные соглашения, имеющие целью регулировать обязательства государственных и частных организаций социального страхования, главные конторы которых находятся на переходящей территории, в отношении полисодержателей или застрахованных лиц, проживающих в Италии.

8. Италия должна продолжать нести ответственность за выплату гражданских или военных пенсий, причитающихся на день вступления в силу настоящего Договора за службу в итальянских государственных, муниципальных или в других местных государственных учреждениях лицам, приобретшим гражданство государства-преемника согласно этому Договору, включая права на пенсии, срок реализации которых еще не наступил. Между государством-преемником и Италией будут заключены соглашения, предусматривающие метод, посредством которого это обязательство будет выполнено.

9. Собственность, права и интересы итальянских граждан,

являющихся в день вступления в силу настоящего Договора постоянными жителями переходящих территорий, должны, если они приобретены законно, уважаться наравне с правами граждан государства-преемника.

Собственность, права и интересы на переходящих территориях, принадлежащие другим итальянским гражданам, а также итальянским юридическим лицам, должны, если они приобретены законно, подлежать лишь такому законодательству, которое может время от времени вводиться в отношении вообще собственности иностранных граждан и юридических лиц.

Такие собственность, права и интересы не должны подвергаться удержанию или ликвидации согласно положениям статьи 79 настоящего Договора, а должны быть возвращены их собственникам освобожденными от всяких мер такого рода и от любой другой меры по передаче, принудительному управлению или секвестру, принятых в период между 3 сентября 1943 г. и днем вступления в силу настоящего Договора.

10. Лицам, оптирующим итальянское гражданство и переезжающим в Италию, должно быть разрешено, после уплаты всяких долгов или налогов, причитающихся с них на переходящей территории, брать с собой свою движимую собственность и переводить свои денежные средства, при условии, что такие собственность и денежные средства были приобретены законно. Никакие экспортные или импортные пошлины не должны налагаться в связи с перемещением такой собственности. Кроме того, им должно быть разрешено продавать свою движимую и недвижимую собственность на тех же условиях, что и гражданам государства-преемника.

Вывоз собственности в Италию должен осуществляться на условиях и в пределах, согласованных между государством-преемником и Италией. Условия и сроки перевода денежных средств, включая выручку от продаж, должны быть равным образом согласованы.

11. Собственность, права и интересы бывших итальянских граждан, являющихся жителями переходящих территорий и, согласно настоящему Договору, ставших гражданами другого государства, которые будут существовать в Италии ко дню вступления в силу настоящего Договора, должны уважаться Италией в той же мере, что и вообще собственность, права и интересы граждан Объединенных Наций.

Таким лицам разрешается осуществлять перевод и ликвидацию их собственности, прав и интересов на тех же условиях, которые могут быть установлены на основании пункта 10 выше.

12. С учрежденными по итальянским законам компаниями, которые имеют главную контору на переходящей территории и которые пожелают перевести главную контору в Италию, должно быть равным образом поступлено согласно пункту 10 выше, при условии, что более 50% капитала компании принадлежит лицам, обычно проживающим вне пределов переходящей территории, или лицам, которые, согласно настоящему Договору, оптируют итальянское гражданство и переедут в Италию, а также при условии, что компания проводит большую часть своей деятельности вне пределов переходящей территории.

13. Долги, причитающиеся с лиц в Италии лицам на переходящей территории или с лиц на переходящей территории лицам в Италии, не должны затрагиваться переходом территории. Италия и государство-преемник обязуются способствовать выполнению таких обязательств. Применяемое в настоящем пункте выражение «лица» включает юридические лица.

14. Находящаяся на переходящей территории собственность любой из Объединенных Наций и ее граждан, если она еще не освобождена от итальянских мероприятий по секвестру или контролю и не возвращена ее собственнику, должна быть возвращена в том состоянии, в котором она существует в настоящее время.

15. Правительство Италии признает, что соглашение в Бриони от 10 августа 1942 года является несуществующим. Оно обязуется участвовать с другими сторонами, подписавшими Римское соглашение от 29 мая 1923 года, в любых переговорах, имеющих

целью включение в его постановления необходимых изменений для обеспечения справедливого урегулирования предусмотренных в нем платежей.

16. Италия вернет собственность, незаконно вывезенную после 3 сентября 1943 года с переходящей территории в Италию. Пункты 2, 3, 4, 5 и 6 статьи 75 будут регулировать применение этого обязательства, за исключением случаев, когда в отношении собственности предусмотрено иное в настоящем Приложении.

17. Италия должна в возможно кратчайший срок возвратить государству-преемнику любые находящиеся в итальянском владении суда, принадлежавшие на 3 сентября 1943 года проживающим на переходящей территории физическим лицам, приобретшим гражданство государства-преемника согласно настоящему Договору, или принадлежавшие итальянским юридическим лицам, имеющим и сохраняющим главные конторы на переходящей территории, за исключением судов, которые были добросовестно проданы.

18. Италия и государства-преемники должны заключить соглашения, предусматривающие законное и справедливое распределение собственности, принадлежащей любому существующему местному органу, район которого разделяется любым урегулированием границ в соответствии с настоящим Договором, а также предусматривающие сохранение для жителей необходимых коммунальных услуг, которые специально не охвачены другими частями настоящего Договора.

Будут заключены аналогичные соглашения о законном и справедливом распределении подвижного состава и железнодорожного оборудования, а также доковых и портовых пловучих средств и оборудования, равно как и о всяких других неразрешенных экономических вопросах, не охваченных настоящим Приложением.

19. Постановления настоящего Приложения не должны распространяться на бывшие итальянские колонии. Экономические и финансовые постановления, которые будут применяться к бывшим итальянским колониям, составят часть соглашений относительно окончательного решения судьбы этих владений в соответствии со статьей 23 настоящего Договора.

ПРИЛОЖЕНИЕ XV.

Специальные постановления, относящиеся к некоторым видам собственности.

A. Промышленная, литературная и художественная собственность.

1. *a*) Союзным и Соединенным Державам и их гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора для того, чтобы дать им возможность, без взимания с них дополнительных сборов или других штрафов любого рода, совершить все необходимые акты для приобретения или сохранения в Италии прав промышленной, литературной и художественной собственности, которые не могли быть совершены вследствие существования состояния войны.

b) Союзные и Соединенные Державы или их граждане, которые надлежащим образом сделали заявку на территории любой Союзной или Соединенной Державы о патенте или о регистрации образца не ранее, чем за 12 месяцев до возникновения войны с Италией или в течение войны, или о регистрации промышленного рисунка, или модели, или товарного знака не ранее, чем за 6 месяцев до возникновения войны с Италией или во время войны, будут иметь право в течение 12 месяцев со дня вступления в силу настоящего Договора сделать заявку о соответствующих правах в Италии вместе с правом приоритета, основанным на более ранней регистрации заявки на территории этой Союзной или Соединенной Державы.

c) Каждой из Союзных и Соединенных Держав и ее гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора, в течение которого они могут возбуждать дело в Италии против тех физических или юридических лиц, в отношении которых утверждается, что они незаконно нарушили их права промышленной, литературной или художественной собственности между датой возникновения войны и датой вступления в силу настоящего Договора.

2. Период с момента возникновения войны до истечения 18 месяцев после вступления в силу настоящего Договора должен быть

исключен при исчислении срока, в течение которого патент должен был быть осуществлен или рисунок или товарный знак—использован.

3. Период с момента возникновения войны до дня вступления в силу настоящего Договора должен быть исключен из нормального срока прав промышленной, литературной и художественной собственности, которые имели силу в Италии к моменту возникновения войны, или которые признаны или установлены на основании части А настоящего Приложения и которые принадлежат любой из Союзных и Соединенных Держав или ее гражданам. Поэтому нормальная продолжительность таких прав должна считаться автоматически продленной в Италии на дальнейший срок, соответствующий исключенному таким образом периоду.

4. Предшествующие положения, касающиеся прав в Италии Союзных и Соединенных Держав и их граждан, должны равным образом применяться в отношении прав Италии и ее граждан на территориях Союзных и Соединенных Держав. Однако, ничто в этих положениях не дает Италии или ее гражданам права на более благоприятный режим на территории какой-либо из Союзных и Соединенных Держав, чем тот, который предоставляется в подобных случаях этой Державой какой-либо другой из Объединенных Наций или ее гражданам. Италия не будет также обязана на основании этих положений предоставлять любой из Союзных и Соединенных Держав или ее гражданам более благоприятный режим, чем тот, которым пользуются на территории этой Державы Италия или ее граждане в вопросах, предусмотренных в предшествующих положениях.

5. Третьим лицам на территориях любой из Союзных и Соединенных Держав или Италии, которые до дня вступления в силу настоящего Договора добросовестно приобрели права на промышленную, литературную или художественную собственность, находящиеся в противоречии с правами, восстановленными на основании части А настоящего Приложения, или в противоречии с правами, приобретенными на основании приоритета в силу этого же Приложения, или которые добросовестно изготовили, опубликовали, воспроизвели, использовали или продали предмет, к которому

относятся эти права, будет разрешено, без всякой ответственности за нарушение, продолжать осуществлять такие права и продолжать или возобновить такое изготовление, публикацию, репродукцию, использование или продажу, которые были добросовестно приобретены или начаты. В Италии такое разрешение будет носить форму неисключительной лицензии, предоставляемой на условиях по взаимному соглашению сторон, а при отсутствии соглашения — на условиях, устанавливаемых Согласительной Комиссией, учрежденной на основании статьи 83 настоящего Договора. Однако, на территории каждой из Союзных и Соединенных Держав добросовестные третьи лица будут пользоваться такой защитой, какая предоставляется при аналогичных обстоятельствах добросовестным третьим лицам, права которых находятся в противоречии с правами граждан других Союзных и Соединенных Держав.

6. Ничто в части А настоящего Приложения не должно толковаться как дающее Италии или ее гражданам право на какой-либо патент или образец на территории какой-либо из Союзных и Соединенных Держав в отношении изобретений, относящихся к любому предмету, поименнованному в определении и перечне военных материалов и техники, данных в Приложении XIII к настоящему Договору, которые сделаны или в отношении которых заявки были зарегистрированы Италией или любым из ее граждан в Италии или на территории любой из держав оси или на территории, которая была оккупирована вооруженными силами держав оси, в течение периода времени, когда данная территория находилась под контролем вооруженных сил или властей держав оси.

7. Италия равным образом распространит действие предыдущих положений настоящего Приложения на неявляющиеся Союзными или Соединенными Державами Объединенные Нации, дипломатические отношения которых с Италией были порваны во время войны и которые обязуются предоставить Италии преимущества, предоставляемые Италии этими же положениями.

8. Ничто в части А настоящего Приложения не будет пониматься как противоречащее статьям 78. 79 и 81 настоящего Договора.

B. Страховое дело.

1. Никакие препятствия, кроме тех, которые вообще устанавливаются в отношении страховщиков, не должны ставиться к возобновлению страховщиками, являющимися гражданами Объединенных Наций, их бывших деловых портфелей.

2. Если страховщик из числа граждан любой из Объединенных Наций желает возобновить свою профессиональную деятельность в Италии и если будет установлено, что стоимость гарантийных депозитов или резервных фондов, требующихся в качестве условия для ведения дела в Италии, уменьшилась вследствие потери или обесценения ценных бумаг, из которых состояли эти депозиты или резервные фонды, Правительство Италии обязуется считать в течение 18 месяцев такие ценные бумаги, которые сохранились, удовлетворяющими предписаниям закона в отношении депозитов и резервных фондов.

ПРИЛОЖЕНИЕ XVI.

Контракты, сроки давности и ценные бумаги.

A. Контракты.

1. Всякий контракт, который для своего выполнения требовал установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения, должен, при условии соблюдения исключений, изложенных в пунктах 2 и 3 ниже, считаться расторгнутым с того времени, когда любые из его сторон стали врагами. Такое расторжение, однако, не затрагивает положений статьи 81 настоящего Договора, и оно не должно освобождать ту или иную сторону контракта от обязательства вернуть суммы, полученные в качестве авансов или частичных платежей, в отношении которых такая сторона ничего не сделала взамен.

2. Несмотря на положения пункта 1 выше, не подлежат расторжению и, без ущерба для прав, изложенных в статье 79 настоящего Договора, остаются в силе такие части любого контракта, которые отделимы и не требовали для своего исполнения установ-

ления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения. Если положения того или иного контракта не могут быть таким образом отделены, контракт должен считаться полностью расторгнутым. Вышеизложенное имеет силу при условии применения внутренних законов, распоряжений или правил, изданных любой из Союзных и Соединенных Держав, имеющих юрисдикцию в отношении контракта или в отношении любой из его сторон, а также будет подчиняться условиям контракта.

3. Ничто в части A настоящего Приложения не должно рассматриваться как аннулирующее сделки, законно осуществленные в соответствии с контрактом между врагами, если они осуществлены с разрешения Правительства любой из Союзных и Соединенных Держав.

4. Несмотря на вышеприведенные положения, контракты по страхованию и перестрахованию будут подчиняться отдельным соглашениям между Правительством заинтересованной Союзной или Соединенной Державы и Правительством Италии.

B. Сроки давности.

1. Все сроки давности или сроки ограничения права на иск или права принимать охранительные меры в отношениях, касающихся лиц или собственности и затрагивающих граждан Объединенных Наций и итальянских граждан, которые в силу состояния войны не могли предъявить иска или выполнить формальностей, необходимых для обеспечения своих прав, независимо от того, началось ли течение этих сроков до или после возникновения войны, будут считаться приостановленными на время войны на территории Италии, с одной стороны, и на территории тех из Объединенных Наций, которые предоставят Италии на началах взаимности преимущества, предусматриваемые положениями настоящего пункта, — с другой. Течение приостановленных сроков давности возобновится со дня вступления в силу настоящего Договора. Положения настоящего пункта будут применимы в отношении сроков, установленных для предъявления процентных купонов или купонов на дивиденд или

для предъявления к оплате ценных бумаг, вышедших в тираж или подлежащих оплате на каком-либо другом основании.

2. В тех случаях, когда, вследствие невыполнения какого-либо акта или какой-либо формальности во время войны, были приняты исполнительные меры на итальянской территории в ущерб тому или иному гражданину любой из Объединенных Наций, Правительство Италии восстановит права, которым был нанесен ущерб. Если такое восстановление является несправедливым или невозможным, Правительство Италии примет меры к тому, чтобы гражданину Объединенных Наций было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах.

C. Ценные бумаги.

1. В отношениях между врагами ни одна ценная бумага, составленная до войны, не будет рассматриваться как утратившая силу только потому, что эта бумага не была в установленные сроки предъявлена для акцепта или оплаты, или не было сделано уведомление составителю или лицу, учинившему передаточную надпись, об отказе в акцепте или платеже, или она не была опротестована, или же потому, что не была выполнена какая-либо формальность во время войны.

2. В тех случаях, когда срок, установленный для того, чтобы ценная бумага была предъявлена для акцепта или оплаты, или срок, в который уведомление об отказе от акцепта или платежа должно было быть сделано составителю или лицу, учинившему передаточную надпись, или в течение которого документ должен был быть опротестован, истек во время войны, а сторона, которая должна была предъявить или опротестовать документ или уведомить об отказе от акцепта или платежа, не сделала этого во время войны, ей будет предоставлен срок не менее трех месяцев, считая со дня вступления в силу настоящего Договора, в течение которого может быть сделано предъявление, уведомление об отказе от акцепта или платежа или опротестование.

3. Если какое-либо лицо до или во время войны вступило в обязательство по какой-либо ценной бумаге в связи с обязатель-

ством, выданным ему лицом, ставшим в дальнейшем врагом, то последнее остается обязанным предоставить первому возмещение в отношении этого обязательства, независимо от возникновения войны.

D. Особые постановления.

1. Для целей настоящего Приложения физические или юридические лица будут рассматриваться как враги с того дня, когда торговля между ними стала незаконной на основании законов, распоряжений или правил, действию которых такие лица или контракты подлежали.

2. Принимая во внимание особенности правовой системы Соединенных Штатов Америки, постановления настоящего Приложения не будут применяться в отношениях между Соединенными Штатами Америки и Италией.

ПРИЛОЖЕНИЕ XVII.

Призовые суды и судебные решения.

A. Призовые суды.

Каждая из Союзных и Соединенных Держав оставляет за собой право рассмотреть в соответствии с процедурой, которая должна быть ею установлена, все решения и распоряжения итальянских призовых судов по делам относительно прав собственности ее граждан и рекомендовать Правительству Италии, чтобы был предпринят пересмотр тех решений или распоряжений, которые могут оказаться несоответствующими международному праву.

Правительство Италии обязуется предоставить копии всех документов, составляющих досье этих дел, включая вынесенные решения и распоряжения, и принять все рекомендации, сделанные в результате рассмотрения упомянутых дел, и осуществить такие рекомендации.

B. Судебные решения.

Правительство Италии предпримет необходимые меры для того, чтобы дать гражданам любой из Объединенных Наций возможность в любое время в течение одного года со дня вступления в силу настоящего Договора передать соответствующим итальян-

ским властям для пересмотра любое судебное решение, вынесенное итальянским судом между 10 июня 1940 года и днем вступления в силу настоящего Договора при любом судебном разбирательстве, в котором гражданин Объединенных Наций не смог в достаточной мере изложить свое дело в качестве истца или ответчика. Правительство Италии должно предусмотреть, чтобы в тех случаях, когда гражданин Объединенных Наций потерпел ущерб в силу любого такого судебного решения, он был бы восстановлен в том положении, в котором он находился до вынесения этого судебного решения, или чтобы ему было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах. Выражение «граждане Объединенных Наций» включает корпорации или ассоциации, организованные или учрежденные на основании законов любой из Объединенных Наций.

TRATTATO DI PACE

CON

L'ITALIA

1947

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L'Unione delle Repubbliche Sovietiche Socialiste, il Regno Unito di Gran Bretagna ed Irlanda del Nord, gli Stati Uniti d'America, la Cina, la Francia, l'Australia, il Belgio, la Repubblica Sovietica Socialista di Bielorussia, il Brasile, il Canada, la Cecoslovacchia, l'Etiopia, la Grecia, l'India, i Paesi Bassi, la Nuova Zelanda, la Polonia, la Repubblica Sovietica Socialista d'Ucraina, l'Unione del Sud Africa, la Repubblica Federale Popolare di Jugoslavia, in appresso designate "Le Potenze Alleate ed Associate" da una parte

e l'Italia dall'altra parte

Premesso che l'Italia sotto il regime fascista ha partecipato al Patto tripartito con la Germania ed il Giappone, ha intrapreso una guerra di aggressione ed ha in tal modo provocato uno stato di guerra con tutte le Potenze Alleate ed Associate e con altre fra le Nazioni Unite e che ad essa spetta la sua parte di responsabilità della guerra; e

Premesso che a seguito delle vittorie delle Forze alleate e con l'aiuto degli elementi democratici del popolo italiano, il regime fascista venne rovesciato il 25 luglio 1943 e l'Italia, essendosi arresa senza condizioni, firmò i patti d'armistizio del 3 e del 29 settembre del medesimo anno; e

Premesso che dopo l'armistizio suddetto Forze Armate italiane, sia quelle governative che quelle appartenenti al Movimento della Resistenza, presero parte attiva alla guerra contro la Germania, l'Italia dichiarò guerra alla Germania alla data del 13 ottobre 1943 e così divenne cobelligerante nella guerra contro la Germania stessa; e

Premesso che le Potenze Alleate ed Associate e l'Italia desiderano concludere un trattato di pace che, conformandosi ai principi di giustizia, regoli le quistioni che ancora sono pendenti a seguito degli avvenimenti di cui nelle premesse che precedono, e che costituisca la base di amichevoli relazioni fra di esse, permettendo così alle Potenze Alleate ed Associate di appoggiare le domande che l'Italia presenterà per entrare a far parte delle Nazioni Unite ed anche per aderire a qualsiasi convenzione stipulata sotto gli auspici delle predette Nazioni Unite;

hanno pertanto convenuto di dichiarare la cessazione dello stato di guerra e di concludere a tal fine il presente Trattato di Pace ed hanno di

conseguenza nominato i plenipotenziari sottoscritti, i quali dopo aver presentato i loro pieni poteri, che vennero trovati in buona e debita forma, hanno concordato le condizioni seguenti:

PARTE I

CLAUSOLE TERRITORIALI

SEZIONE I—FRONTIERE

Articolo 1

I confini dell'Italia, salvo le modifiche indicate agli Articoli 2, 3, 4, 11 e 22, rimarranno quelli in esistenza il 1° gennaio 1938. Tali confini sono tracciati nelle carte allegate al presente trattato (Allegato I). In caso di discrepanza fra la descrizione dei confini fatta nel testo e le carte, sarà il testo che farà fede.

Articolo 2

Le frontiere fra la Francia e l'Italia, quali erano segnate al 1° gennaio 1938, saranno modificate nel modo seguente:

1. *Passo del Piccolo San Bernardo*

Il confine seguirà lo spartiacque, lasciando il confine attuale ad un punto a circa 2 chilometri a nord-ovest dell'Ospizio, intersecando la strada a circa un chilometro a nord-est dell'Ospizio stesso e raggiungendo il confine attuale a circa 2 chilometri a sud-est dell'Ospizio.

2. *Ripiano del Moncenisio*

Il confine lascerà il confine attuale a circa 3 chilometri a nord-ovest dalla cima del Rocciamelone, intersecherà la strada a circa 4 chilometri a sud-est dell'Ospizio e si ricongiungerà al confine attuale a circa 4 chilometri a nord-est del Monte di Ambin.

3. *Monte Tabor—Chaberton*

(a) Nella zona del Monte Tabor, il confine abbandonerà il tracciato attuale a circa 5 chilometri ad est del Monte Tabor e procederà verso sud-est per ricongiungersi al confine attuale a circa 3 chilometri ad ovest dalla Punta di Charra.

(b) Nella zona dello Chaberton, il confine abbandonerà il tracciato attuale a circa 3 chilometri a nord-nord-ovest dello Chaberton, che contornerà verso oriente, taglierà poi la strada a circa un chilometro dal confine attuale, al quale si ricongiungerà a circa due chilometri a sud-est del villaggio di Montgenèvre.

4. *Valli Superiori della Tinea, della Vesubie e della Roja*

Il confine lascerà il tracciato attuale a Colla Longa, seguirà lo spartiacque passando per il Monte Clapier, il Colle di Tenda, il Monte Marguareis, da cui discenderà verso mezzogiorno passando dal Monte Saccarello, Monte Vacchi, Monte Pietravecchia, Monte Lega, per raggiungere un punto a circa 100 metri dal confine attuale, presso la Colla Pegairolle, a circa 5 chilometri a nord-est di Breil; di lì proseguirà in direzione di sud-ovest e si ricongiungerà con il confine ora esistente a circa 100 metri a sud-ovest dal Monte Mergo.

5. La descrizione dettagliata di questi tratti di confine ai quali si applicano le modifiche indicate nei precedenti paragrafi 1, 2, 3, e 4 è contenuta nell'Allegato II del presente trattato e le carte alle quali tale descrizione si riferisce fanno parte dell'Allegato I.

Articolo 3

Le frontiere fra l'Italia e la Jugoslavia saranno determinate nel modo seguente:

(i) Il nuovo confine seguirà una linea che parte dal punto di congiunzione delle frontiere dell'Austria, Italia e Jugoslavia, quali esistevano al 1° gennaio 1938 e procederà verso sud, seguendo il confine del 1938 fra la Jugoslavia e l'Italia fino alla congiunzione di detto confine con la linea di demarcazione amministrativa fra le province italiane del Friuli (Udine) e di Gorizia;

(ii) da questo punto la linea di confine coincide con la predetta linea di demarcazione fino ad un punto che trovasi approssimativamente a mezzo chilometro a nord del villaggio di Mernico nella Valle dell'Iudrio;

(iii) abbandonando a questo punto la linea di demarcazione fra le province italiane del Friuli e di Gorizia, la frontiera si prolunga verso oriente fino ad un punto situato approssimativamente a mezzo chilometro ad ovest del villaggio di Vercoglia di Cosbana e quindi verso sud fra le

valli del Quarnizzo e della Cosbana fino ad un punto a circa 1 chilometro a sud-ovest del villaggio di Fleana, piegandosi in modo da intersecare il fiume Recca ad un punto a circa un chilometro e mezzo ad est del Iudrio, lasciando ad est la strada che allaccia Cosbana a Castel Dobra, per via di Nebola;

(iv) la linea quindi continua verso sud-est, passando immediatamente a sud della strada fra le quote 111 e 172, poi a sud della strada da Vipulzano ad Uclanzi, passando per le quote 57 e 122, quindi intersecando quest'ultima strada a circa 100 metri ad est della quota 122, e piegando verso nord in direzione di un punto situato a 350 metri a sud-est della quota 266;

(v) passando a circa mezzo chilometro a nord del villaggio di San Floriano, la linea si estende verso oriente al Monte Sabotino (quota 610) lasciando a nord il villaggio di Poggio San Valentino;

(vi) dal Monte Sabotino la linea si prolunga verso sud, taglia il fiume Isonzo (Soca) all'altezza della città di Salcano, che rimane in Jugoslavia e corre immediatamente ad ovest della linea ferroviaria da Canale d'Isonzo a Montespino fino ad un punto a circa 750 metri a sud della strada Gorizia-Aisovizza;

(vii) allontanandosi dalla ferrovia, la linea quindi piega a sud-ovest, lasciando alla Jugoslavia la città di San Pietro ed all'Italia l'Ospizio e la strada che lo costeggia ed a circa 700 metri dalla stazione di Gorizia-S. Marco, taglia il raccordo ferroviario fra la ferrovia predetta e la ferrovia Sagrado-Cormons, costeggia il Cimitero di Gorzia, che rimane all'Italia, passa fra la Strada Nazionale N.° 55 fra Gorizia e Trieste, che resta in Italia, ed il crocevia alla quota 54, lasciando alla Jugoslavia le città di Vertoiba e Merna, e raggiunge un punto situato approssimativamente alla quota 49;

(viii) di là, la linea continua in direzione di mezzogiorno attraverso l'altipiano del Carso, a circa 1 chilometro ad est della Strada Nazionale N.° 55, lasciando ad est il villaggio di Opacchiasella ed a ovest il villaggio di Iamiano;

(ix) partendo da un punto a circa 1 chilometro ad est di Iamiano, il confine segue la linea di demarcazione amministrativa fra le province di

Gorizia e di Trieste fino ad un punto a circa 2 chilometri a nord-est del villaggio di San Giovanni ed a circa mezzo chilometro a nord-ovest di quota 208, che segna il punto di incontro fra le frontiere della Jugoslavia, dell'Italia e del Territorio Libero di Trieste.

La carta, alla quale la presente descrizione si riferisce, fa parte dell'Allegato I.

Articolo 4

I confini fra l'Italia ed il Territorio Libero di Trieste saranno fissati come segue:

(i) La linea di confine parte da un punto situato sulla linea di demarcazione amministrativa fra le provincie di Gorizia e di Trieste, a circa 2 chilometri a nord-est del villaggio di San Giovanni ed a circa mezzo chilometro a nord-ovest della quota 208, che segna il punto d'incontro delle frontiere della Jugoslavia, dell'Italia e del Territorio Libero di Trieste e corre in direzione di sud-ovest fino ad un punto adiacente alla Strada Nazionale N.° 14 ed a circa 1 chilometro a nord-ovest della congiunzione fra le strade Nazionali N.° 55 e 14, che conducono rispettivamente da Gorizia e da Monfalcone a Trieste;

(ii) la linea si prolunga quindi in direzione di mezzogiorno fino ad un punto nel golfo di Panzano, che è equidistante dalla Punta Sdobba, alla foce del fiume Isonzo (Soca) e da Castel Vecchio a Duino, a circa chilometri 3,3 a sud dal punto dove si allontana dalla linea costiera, che è ad approssimativamente 2 chilometri a nord-ovest dalla città di Duino;

(iii) il tracciato quindi raggiunge il mare aperto, seguendo una linea situata ad eguale distanza dalla costa d'Italia e da quella del Territorio Libero di Trieste.

La carta alla quale la descrizione presente si riferisce, fa parte dell'Allegato I.

Articolo 5

1. Il preciso tracciato di confine delle nuove frontiere fissate negli Articoli 2, 3, 4 e 22 del presente Trattato sarà stabilito sul posto dalle Commissioni confinarie composte dei rappresentanti dei due Governi interessati.

2. Le Commissioni inizieranno i loro lavori immediatamente dopo

l'entrata in vigore del presente Trattato e li porteranno a termine al più presto possibile e comunque entro un termine di sei mesi.

3. Qualsiasi questione sulla quale le Commissioni siano incapaci di raggiungere un accordo sarà sottoposta ai quattro Ambasciatori a Roma della Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, i quali, procedendo nel modo previsto all'Articolo 86, la risolveranno in modo definitivo, seguendo i metodi che piacerà loro di determinare, ivi compreso, occorrendo, quello della nomina di un terzo Commissario imparziale.

4. Le spese della Commissione confinaria saranno sopportate in parti eguali dai due Governi interessati.

5. Al fine di determinare sul posto le esatte frontiere fissate dagli Articoli 3, 4 e 22, i Commissari avranno facoltà di allontanarsi di mezzo chilometro dalla linea di confine fissata nel presente Trattato per adeguare la frontiera alle condizioni geografiche ed economiche locali, ma ciò alla condizione che nessun villaggio o città di più di 500 abitanti, nessuna ferrovia o strada importante, e nessuna importante sorgente di energia elettrica o d'acqua venga ad essere sottoposta in tal modo ad una sovranità che non sia quella risultante dalle delimitazioni stabilite dal presente Trattato.

SEZIONE II—FRANCIA (Clausole Speciali)

Articolo 6

L'Italia cede, mediante il presente Trattato, in piena sovranità alla Francia, il territorio già italiano situato sul versante francese del confine franco-italiano, quale è stato definito all'Articolo 2.

Articolo 7

Il Governo italiano consegnerà al Governo francese tutti gli archivi, storici ed amministrativi, precedenti al 1860 che riguardano il territorio ceduto alla Francia in base al Trattato del 24 marzo 1860 ed alla Convenzione del 23 agosto 1860.

Articolo 8

1. Il Governo italiano collaborerà col Governo francese per l'eventuale

creazione di un collegamento ferroviario fra Briançon e Modane, per via di Bardonecchia.

2. Il Governo italiano permetterà che il traffico ferroviario di passeggeri e di merci che si varrà di tale collegamento, in una direzione come nell'altra, per recarsi da un punto all'altro del territorio francese, passando attraverso il territorio italiano, avvenga in franchigia doganale, sia quanto a dazi, che quanto a visita, senza verifica di passaporti ed altre simili formalità; e prenderà tutte le misure del caso per assicurare che i treni francesi che useranno del suddetto collegamento abbiano facoltà di passare, in condizioni analoghe, in franchigia doganale e senza ingiustificati ritardi.

3. Gli accordi necessari verranno conclusi fra i due Governi al momento opportuno.

Articolo 9

1. *Ripiano del Moncenisio*

Al fine di garantire all'Italia lo stesso godimento dell'energia idroelettrica e delle acque provenienti dal Lago del Cenisio, come prima della cessione del relativo territorio alla Francia, quest'ultima concederà all'Italia, in forza di un accordo bilaterale, le garanzie tecniche stabilite nell'Allegato III.

2. *Territorio di Tenda-Briga*

Affinchè l'Italia non debba soffrire alcuna diminuzione nelle forniture di energia elettrica che essa traeva da sorgenti esistenti nel territorio di Tenda-Briga prima della cessione di tale territorio alla Francia, quest'ultima darà all'Italia, in forza di un accordo bilaterale, le garanzie tecniche stabilite all'Allegato III.

SEZIONE III—AUSTRIA (Clausole Speciali)

Articolo 10

1. L'Italia concluderà con l'Austria, ovvero confermerà gli accordi esistenti intesi a garantire il libero traffico di passeggeri e merci fra il Tirolo settentrionale ed il Tirolo orientale.

2. Le Potenze Alleate ed Associate hanno preso atto delle intese (il cui testo è riportato nell'Allegato IV) prese di comune accordo fra il Governo austriaco ed il Governo italiano il 5 settembre 1946.

SEZIONE IV—REPUBLICA FEDERALE POPOLARE DI JUGOSLAVIA
(Clausole Speciali)

Articolo 11

1. L'Italia cede, mediante il presente Trattato, in piena sovranità alla Jugoslavia il territorio situato fra i nuovi confini della Jugoslavia, come sono definiti dagli Articoli 3 e 22 ed i confini italo-jugoslavi, quali esistevano il 1° gennaio 1938, come pure il commune di Zara e tutte le isole e isolette adiacenti, che sono comprese nelle zone seguenti:

(a) La zona delimitata:

—al nord dal parallelo 42° 50′ N;

—al sud dal parallelo 42° 42′ N;

—al'est dal meridiano 17° 10′ E;

—all'ovest dal meridiano 16° 25′ E;

(b) La zona delimitata:

—al nord da una linea che passa attraverso il Porto del Quieto, equidistante dalla costa del Territorio Libero di Trieste e da quella della Jugoslavia, e di là raggiunge il punto 45° 15′N—13° 24′ E.

—al sud dal parallelo 44° 23′ N;

—all'ovest da una linea che congiunge i punti seguenti:

1) 45° 15′ N—13° 24′ E
2) 44° 51′ N—13° 37′ E
3) 44° 23′ N—14° 18′ 30″ E

—ad oriente dalla costa occidentale dell'Istria, le isole ed il territorio continentale della Jugoslavia.

Una carta di queste zone figura nell'Allegato I.

2. L'Italia cede alla Jugoslavia in piena sovranità l'Isola di Pelagosa e le isolette adiacenti.

L'Isola di Pelagosa rimarrà smilitarizzata.

I pescatori italiani godranno a Pelagosa e nelle acque circostanti degli stessi diritti di cui godevano i pescatori jugoslavi prima del 6 aprile 1941.

Articolo 12

1. L'Italia restituirà alla Jugoslavia tutti gli oggetti di carattere artistico, storico, scientifico, educativo o religioso (compresi tutti gli atti, manoscritti, documenti e materiale bibliografico) come pure gli archivi amministrativi (pratiche, registri, piani e documenti di qualunque specie) che, per effetto dell'occupazione italiana, vennero rimossi fra il 4 novembre 1918 ed il 2 marzo 1924 dai territori ceduti alla Jugoslavia in base ai Trattati firmati a Rapallo il 12 Novembre 1920 ed a Roma il 27 Gennaio 1924. L'Italia restituirà pure tutti gli oggetti appartenenti ai detti territori e facenti parte delle categorie di cui sopra, rimossi dalla Missione italiana di armistizio che sedette a Vienna dopo la prima guerra mondiale.

2. L'Italia consegnerà alla Jugoslavia tutti gli oggetti aventi giuridicamente carattere di beni pubblici e facenti parte delle categorie di cui al paragrafo 1 dell'articolo presente, rimossi a partire dal 4 novembre 1918 dal territorio che, in base al presente Trattato, viene ceduto alla Jugoslavia e quelli, relativi al detto territorio, che l'Italia ricevette dall'Austria e dall'Ungheria per effetto dei Trattati di pace firmati a St. Germain il 10 settembre 1919 ed al Trianon il 4 giugno 1920 ed in base alla Convenzione fra l'Austria e l'Italia firmata a Vienna il 4 maggio 1920.

3. Se, in determinati casi, l'Italia si trovasse nell'impossibilità di restituire o consegnare alla Jugoslavia gli oggetti di cui ai paragrafi 1 e 2 del presente Articolo, l'Italia consegnerà alla Jugoslavia oggetti dello stesso genere e di valore approssimativamente equivalente a quello degli oggetti rimossi, in quanto siffatti oggetti possano trovarsi in Italia.

Articolo 13

L'approvvigionamento dell'acqua per Gorizia ed i suoi dintorni sarà regolato a norma delle disposizioni dell'Allegato V.

SEZIONE V—GRECIA (Clausole Speciali)

Articolo 14

1. L'Italia cede alla Grecia in sovranità piena le Isole del Dodecaneso in appresso indicate e precisamente: Stampalia (Astropalia), Rodi (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), Cos (Kos) e Castellorizo, come pure le isolette adiacenti.

2. Le predette isole saranno e rimarranno smilitarizzate.

3. La procedura e le condizioni tecniche che regoleranno il trapasso di tali isole alla Grecia saranno stabilite d'accordo fra i Governi del Regno Unito e di Grecia ed accordi verranno presi per il ritiro delle truppe straniere non oltre 90 giorni dall'entrata in vigore del presente Trattato.

PARTE II

CLAUSOLE POLITICHE

SEZIONE I—CLAUSOLE GENERALI

Articolo 15

L'Italia prenderà tutte le misure necessarie per assicurare a tutte le persone soggette alla sua giurisdizione, senza distinzione di razza, sesso, lingua o religione, il godimento dei diritti dell'uomo e delle libertà fondamentali, ivi compresa la libertà d'espressione, di stampa e di diffusione, di culto, di opinione politica e di pubblica riunione.

Articolo 16

L'Italia non incriminerà, nè altrimenti perseguiterà alcun cittadino italiano, compresi gli appartenenti alle forze armate, pel solo fatto di avere, durante il periodo di tempo corrente dal 10 giugno 1940 all'entrata in vigore del presente Trattato, espressa simpatia od avere agito in favore della causa delle Potenze Alleate ed Associate.

Articolo 17

L'Italia, la quale, in conformità dell'articolo 30 della Convenzione di Armistizio, ha preso misure per sciogliere le organizzazioni fasciste in Italia, non permetterà, in territorio italiano, la rinascita di simili organizzazioni, siano esse politiche, militari o militarizzate, che abbiano per oggetto di privare il popolo dei suoi diritti democratici.

Articolo 18

L'Italia si impegna a riconoscere piena forza ai Trattati di Pace con la Romania, Bulgaria, Ungheria e Finlandia ed a quelle altre convenzioni od accordi che siano stati o siano per essere raggiunti dalle Potenze Alleate ed Associate rispetto all'Austria, alla Germania ed al Giappone, al fine di ristabilire la pace.

SEZIONE II—NAZIONALITÀ—DIRITTI CIVILI E POLITICI

Articolo 19

1. I cittadini italiani che, al 10 giugno 1940, erano domiciliati in territorio ceduto dall'Italia ad un altro Stato per effetto del presente Trattato, ed i loro figli nati dopo quella data diverranno, sotto riserva di quanto dispone il paragrafo seguente, cittadini godenti di pieni diritti civili e politici dello Stato al quale il territorio viene ceduto, secondo le leggi che a tale fine dovranno essere emanate dallo Stato medesimo entro tre mesi dall'entrata in vigore del presente Trattato. Essi perderanno la loro cittadinanza italiana al momento in cui diverranno cittadini dello Stato subentrante.

2. Il Governo dello Stato al quale il territorio è trasferito, dovrà disporre, mediante appropriata legislazione entro tre mesi dall'entrata in vigore del presente Trattato, perchè tutte le persone di cui al paragrafo 1, di età superiore ai diciotto anni (e tutte le persone coniugate, siano esse al disotto od al disopra di tale età) la cui lingua usuale è l'italiano, abbiano facoltà di optare per la cittadinanza italiana entro il termine di un anno dall'entrata in vigore del presente Trattato. Qualunque persona che opti in tal senso conserverà la cittadinanza italiana e non si considererà avere acquistato la cittadinanza dello Stato al quale il territorio viene trasferito. L'opzione esercitata dal marito non verrà considerata opzione da parte della

moglie. L'opzione esercitata dal padre, o se il padre non è vivente, dalla madre, si estenderà tuttavia automaticamente a tutti i figli non coniugati, di età inferiore ai diciotto anni.

3. Lo Stato al quale il territorio è ceduto potrà esigere che coloro che si avvalgono dell'opzione, si trasferiscano in Italia entro un anno dalla data in cui l'opzione venne esercitata.

4. Lo Stato al quale il territorio è ceduto dovrà assicurare, conformemente alle sue leggi fondamentali, a tutte le persone che si trovano nel territorio stesso, senza distinzione di razza, sesso, lingua o religione, il godimento dei diritti dell'uomo e delle libertà fondamentali, ivi comprese la libertà di espressione, di stampa e di diffusione, di culto, di opinione politica, e di pubblica riunione.

Articolo 20

1. Entro il termine di un anno dall'entrata in vigore del presente Trattato, i cittadini italiani di oltre 18 anni di età (e quelli coniugati, siano essi al disotto od al disopra di tale età), la cui lingua usuale è una delle lingue jugoslave (serbo, croato o sloveno) e che sono domiciliati in territorio italiano, potranno, facendone domanda ad un rappresentante diplomatico o consolare jugoslavo in Italia, acquistare la nazionalità jugoslava, se le autorità jugoslave accetteranno la loro istanza.

2. In siffatti casi il Governo jugoslavo comunicherà al Governo italiano, per via diplomatica, gli elenchi delle persone che avranno così acquistato la nazionalità jugoslava. Le persone indicate in tali elenchi perderanno la loro nazionalità italiana alla data della suddetta comunicazione ufficiale.

3. Il Governo italiano potrà esigere che tali persone trasferiscano la loro residenza in Jugoslavia entro il termine di un anno dalla data della suddetta comunicazione ufficiale.

4. Ai fini del presente Articolo varranno le medesime norme, relative all'effetto delle opzioni rispetto alle mogli ed ai figli, contenute nell'articolo 19, paragrafo 2.

5. Le disposizioni dell'Allegato XIV, paragrafo 10 del presente Trattato, che si applicano al trasferimento dei beni appartenenti alle persone che optano per la nazionalità italiana, si applicheranno egualmente al trasferi-

mento dei beni appartenenti alle persone che optano per la nazionalità jugoslava, in base al presente Articolo.

SEZIONE III—TERRITORIO LIBERO DI TRIESTE

Articolo 21

1. È costituito in forza del presente Trattato il Territorio Libero di Trieste, consistente dell'area che giace fra il mare Adriatico ed i confini definiti negli Articoli 4 e 22 del presente Trattato. Il Territorio Libero di Trieste è riconosciuto dalle Potenze Alleate ed Associate e dall'Italia, le quali convengono che la sua integrità e indipendenza saranno assicurate dal Consiglio di Sicurezza delle Nazioni Unite.

2. La sovranità italiana sulla zona costituente il Territorio Libero di Trieste, così come esso è sopra definito, cesserà con l'entrata in vigore del presente Trattato.

3. Dal momento in cui la sovranità italiana sulla predetta zona avrà cessato d'esistere il Territorio Libero di Trieste sarà governato in conformità di uno Strumento per il regime provvisorio, redatto dal Consiglio dei Ministri degli Esteri e approvato dal Consiglio di Sicurezza. Detto Strumento resterà in vigore fino alla data che il Consiglio di Sicurezza determinerà per l'entrata in vigore dello Statuto Permanente, che dovrà essere stato da esso Consiglio approvato. A decorrere da tale data, il Territorio Libero sarà governato secondo le disposizioni dello Statuto Permanente. I testi dello Statuto permanente e dello Strumento per il regime provvisorio sono contenuti negli Allegati VI e VII.

4. Il Territorio Libero di Trieste non sarà considerato come territorio ceduto, ai sensi dell'Articolo 19 e dell'Allegato XIV del presente Trattato.

5. L'Italia e la Jugoslavia s'impegnano a dare al Territorio Libero di Trieste le garanzie di cui all'Allegato IX.

Articolo 22

La frontiera fra la Jugoslavia ed il Territorio Libero di Trieste sarà fissata come segue:

(i) Il confine parte da un punto situato sulla linea di demarcazione amministrativa che separa le province di Gorizia e di Trieste, a circa 2 chilometri a nord-est del villaggio di S. Giovanni e a circa mezzo chilometro a nord-ovest di quota 208, che costituisce il punto d'incontro delle frontiere della Jugoslavia, dell'Italia e del Territorio Libero di Trieste; segue la detta linea di demarcazione fino a Monte Lanaro (quota 546); continua a sud-est fino a Monte Cocusso (quota 672) passando per le quote 461, Meducia (quota 475), Monte dei Pini (quota 476) e quota 407, che taglia la Strada Nazionale N° 58, che va da Trieste a Sesana, a circa 3,3 chilometri a sud-ovest di detta città e lasciando ad est i villaggi di Vogliano e di Orle e a circa 0,4 chilometri ad ovest, il villaggio di Zolla.

(ii) Da Monte Cocusso, la linea, continuando in direzione sud-est lascia ad ovest il villaggio di Grozzana, raggiunge il Monte Goli (quota 621), poi, proseguendo verso sud-ovest, taglia la strada tra Trieste e Cosina alla quota 455 e la linea ferroviaria alla quota 485; passa per le quote 416 e 326, lasciando i villaggi di Beca e Castel in territorio jugoslavo, taglia la strada tra Ospo e Gabrovizza d'Istria a circa 100 metri a sud-est di Ospo; taglia poi il fiume Risana e la strada fra Villa Decani e Risano ad un punto a circa 350 metri ad ovest di Risano, lasciando in territorio jugoslavo il villaggio di Rosario e la strada tra Risano e San Sergio. Da questo punto la linea procede fino al crocevia situato a circa 1 chilometro a nord-est della quota 362, passando per le quote 285 e 354.

(iii) Di qui, la linea prosegue fino ad un punto a circa mezzo chilometro ad est del villaggio di Cernova, tagliando il fiume Dragogna a circa 1 chilometro a nord di detto villaggio, lasciando ad ovest i villaggi di Bucciai e Truscolo e ad est il villaggio di Tersecco; di qui, procede in direzione di sud-ovest a sud-est della strada che congiunge i villaggi di Cernova e Chervoi, lasciando questa strada a 0,8 chilometri ad est del villaggio di Cucciani; prosegue poi in direzione generale di sud, sud-ovest, passando a circa 0,4 chilometri ad est del monte Braico e a circa 0,4 chilometri ad ovest del villaggio di Sterna Filaria, lasciando ad oriente la strada che va da detto villagio a Piemonte, passando a circa 0,4 chilometri ad ovest della città di Piemonte e a circa mezzo chilometro ad est della città di Castagna e raggiungendo il fiume Quieto ad un punto a 1,6 chilometri circa, a sud-ovest della città di Castagna.

(iv) Di qui il tracciato segue il canale principale rettificato del Quieto fino alla foce, e, passando attraverso Porto del Quieto, raggiunge il mare aperto, seguendo una linea ad eguale distanza dalla costa del Territorio Libero di Trieste e da quella della Jugoslavia.

La carta alla quale la descrizione presente si riferisce, fa parte dell'Allegato I.

SEZIONE IV—COLONIE ITALIANE

Articolo 23

1. L'Italia rinuncia a ogni diritto e titolo sui possedimenti territoriali italiani in Africa e cioè la Libia, l'Eritrea e la Somalia italiana.

2. I detti possedimenti resteranno sotto l'attuale loro amministrazione, finchè non sarà decisa la loro sorte definitiva.

3. La sorte definitiva di detti possedimenti sarà decisa di comune accordo dai Governi dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia entro un anno dall'entrata in vigore del presente Trattato e secondo i termini della dichiarazione comune fatta dai detti Governi il 10 febbraio 1947, il cui testo è riprodotto nell'Allegato XI.

SEZIONE V—SPECIALI INTERESSI DELLA CINA

Articolo 24

L'Italia rinuncia a favore della Cina a tutti i benefici e privilegi risultanti dalle disposizioni del Protocollo finale, firmato a Pechino il 7 settembre 1901 e dei relativi allegati, note e documenti complementari ed accetta l'abrogazione, per quanto la riguarda, del detto Protocollo, allegati, note e documenti. L'Italia rinuncia egualmente a far valere qualsiasi domanda d'indennità al riguardo.

Articolo 25

L'Italia accetta l'annullamento del contratto d'affitto concessole dal Governo cinese in base al quale era stabilita la Concessione italiana a Tientsin ed accetta inoltre di trasmettere al Governo cinese tutti i beni e gli archivi appartenenti al Municipio di detta Concessione.

Articolo 26

L'Italia rinuncia a favore della Cina ai diritti accordatile rispetto alle Concessioni internazionali di Shanghai e di Amoy ed accetta che l'ammini-

strazione e il controllo di dette Concessioni siano ritrasferite al Governo cinese.

SEZIONE VI—ALBANIA

Articolo 27

L'Italia riconosce e s'impegna a rispettare la sovranità e l'indipendenza dello Stato di Albania.

Articolo 28

L'Italia riconosce che l'isola di Saseno fa parte del territorio albanese e rinuncia a qualsiasi rivendicazione a suo riguardo.

Articolo 29

1. L'Italia rinuncia formalmente in favore dell'Albania a tutti i beni (eccettuati gli immobili normalmente occupati dalle Rappresentanze diplomatiche e consolari) a tutti i diritti, concessioni, interessi e vantaggi di ogni genere spettanti allo Stato italiano o ad enti parastatali italiani in Albania. L'Italia rinuncia egualmente a rivendicare ogni speciale interesse o influenza in Albania, acquisita a seguito dell'aggressione del 7 aprile 1939 o in virtù di trattati od accordi conclusi prima di detta data.

2. Le clausole economiche del presente Trattato, applicabili alle Potenze Alleate ed Associate, si applicheranno agli altri beni italiani ed agli altri rapporti economici tra l'Italia e l'Albania.

Articolo 30

I cittadini italiani in Albania godranno dello stesso statuto giuridico dei cittadini degli altri paesi stranieri; l'Italia tuttavia riconosce la validità di tutti i provvedimenti che potranno essere presi dall'Albania per l'annullamento o la modificazione delle concessioni o dei speciali diritti accordati a cittadini italiani, a condizione che tali provvedimenti siano attuati entro un anno dall'entrata in vigore del presente Trattato.

Articolo 31

L'Italia riconosce che tutte le convenzioni ed intese intervenute tra l'Italia e le autorità insediate dall'Italia in Albania tra il 7 aprile 1939 ed il 3 settembre 1943 siano considerate nulle e non avvenute.

95347°—49—PT. II——43

Articolo 32

L'Italia riconosce la validità di ogni provvedimento che l'Albania potrà ritenere necessario di adottare in applicazione od esecuzione delle disposizioni di cui sopra.

SEZIONE VII—ETIOPIA

Articolo 33

L'Italia riconosce e s'impegna a rispettare la sovranità e l'indipendenza dello Stato etiopico.

Articolo 34

1. L'Italia rinuncia formalmente a favore dell'Etiopia a tutti i beni (eccettuati gli immobili normalmente occupati dalle Rappresentanze diplomatiche o consolari), a tutti i diritti, interessi e vantaggi di qualsiasi natura, acquisiti in qualsiasi momento in Etiopia da parte dello Stato italiano e a tutti i beni parastatali, quali sono definiti dal 1° paragrafo dell'Allegato XIV del presente Trattato.

2. L'Italia rinuncia egualmente a rivendicare qualsiasi interesse speciale od influenza particolare in Etiopia.

Articolo 35

L'Italia riconosce la validità di tutti i provvedimenti adottati o che potrà adottare lo Stato etiopico, allo scopo di annullare le misure prese dall'Italia nei riguardi dell'Etiopia, dopo il 3 ottobre 1935, e gli effetti relativi.

Articolo 36

I cittadini italiani in Etiopia godranno dello stesso statuto giuridico degli altri cittadini stranieri; l'Italia tuttavia riconosce la validità di tutti i provvedimenti che potranno essere presi dal Governo etiopico per annullare o modificare le concessioni o gli speciali diritti accordati a cittadini italiani, a condizione che tali provvedimenti siano attuati entro un anno dall'entrata in vigore del presente Trattato.

Articolo 37

Entro diciotto mesi dall'entrata in vigore del presente Trattato, l'Italia

restituirà tutte le opere d'arte, gli archivi e oggetti di valore religioso o storico appartenenti all'Etiopia od ai cittadini etiopici e portati dall'Etiopia in Italia dopo il 3 ottobre 1935.

Articolo 38

La data, a decorrere dalla quale le disposizioni del presente Trattato diverranno applicabili, per quanto riguarda le misure e gli atti di qualsiasi natura che comportino responsabilità per l'Italia o per i cittadini italiani nei riguardi della Etiopia, s'intenderà fissata al 3 ottobre 1935.

SEZIONE VIII—ACCORDI INTERNAZIONALI

Articolo 39

L'Italia s'impegna ad accettare ogni intesa che sia già stata o sia per essere conclusa per la liquidazione della Società delle Nazioni, della Corte Permanente di giustizia internazionale e della Commissione finanziaria internazionale in Grecia.

Articolo 40

L'Italia rinuncia a ogni diritto, titolo e rivendicazione risultanti dal regime dei Mandati o da impegni di qualsiasi natura risultanti da detto regime, e ad ogni diritto speciale dello Stato italiano nei riguardi di qualsiasi territorio sotto mandato.

Articolo 41

L'Italia riconosce le disposizioni dell'Atto finale del 31 agosto 1945 e dell'Accordo franco-britannico dello stesso giorno sullo statuto di Tangeri, come pure ogni disposizione che le Potenze firmatarie potranno adottare, allo scopo di dare esecuzione ai detti strumenti.

Articolo 42

L'Italia accetterà e riconoscerà ogni accordo che possa essere concluso dalle Potenze Alleate ed Associate, per modificare i trattati relativi al bacino del Congo, ai fini di farli conformare alle disposizioni dello Statuto delle Nazioni Unite.

Articolo 43

L'Italia rinuncia ad ogni diritto od interesse che possa avere, in virtù dell'Articolo 16 del Trattato di Losanna, firmato il 24 luglio 1923.

SEZIONE IX—TRATTATI BILATERALI

Articolo 44

1. Ciascuna delle Potenze Alleate o Associate notificherà all'Italia, entro sei mesi dall'entrata in vigore del presente Trattato, i trattati bilaterali conclusi con l'Italia anteriormente alla guerra, di cui desideri il mantenimento o la rimessa in vigore. Tutte le disposizioni dei trattati di cui sopra, che non siano compatibili con il presente Trattato, saranno tuttavia abrogate.

2. Tutti i trattati che formeranno oggetto di tale notificazione saranno registrati presso il Segretariato delle Nazioni Unite, in conformità dell'Articolo 102 dello Statuto delle Nazioni Unite.

3. Tutti i trattati che non formeranno oggetto di tale notifica, si avranno per abrogati.

PARTE III

CRIMINALI DI GUERRA

Articolo 45

1. L'Italia prenderà tutte le misure necessarie per assicurare l'arresto e la consegna ai fini di un successivo giudizio:

(a) delle persone accusate di aver commesso od ordinato crimini di guerra e crimini contro la pace o l'umanità, o di complicità in siffatti crimini;

(b) dei sudditi delle Potenze Alleate od Associate, accusati di aver violato le leggi del proprio paese, per aver commesso atti di tradimento o di collaborazione con il nemico, durante la guerra.

2. A richiesta del Governo della Nazione Unita interessata, l'Italia dovrà assicurare inoltre la comparizione come testimoni delle persone sottoposte alla sua giurisdizione, le cui deposizioni siano necessarie per poter giudicare le persone di cui al paragrafo 1 del presente Articolo.

3. Ogni divergenza concernente l'applicazione delle disposizioni dei

paragrafi 1 e 2 del presente Articolo sarà sottoposta da uno qualsiasi dei Governi interessati agli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, i quali dovranno reggiungere un accordo sulla questione oggetto della divergenza.

PARTE IV

CLAUSOLE MILITARI, NAVALI ED AEREE

SEZIONE I—DURATA DI APPLICAZIONE

Articolo 46

Ognuna delle clausole militari, navali ed aeree del presente Trattato resterà in vigore, finchè non sarà stata modificata in tutto o in parte, mediante accordo tra le Potenze Alleate ed Associate e l'Italia, o, dopo che l'Italia sia divenuta membro delle Nazioni Unite, mediante accordo tra il Consiglio di Sicurezza e l'Italia.

SEZIONE II—RESTRIZIONI GENERALI

Articolo 47

1. *(a)* Il sistema di fortificazioni ed installazioni militari permanenti italiane lungo la frontiera franco-italiana e i relativi armamenti saranno distrutti o rimossi.

(b) Dovranno intendersi comprese in tale sistema soltanto le opere d'artiglieria e di fanteria, sia in gruppo che isolate, le casematte di qualsiasi tipo, i ricoveri protetti per il personale, le provviste e le munizioni, gli osservatori e le teleferiche militari, le quali opere od impianti siano costruiti in metallo, in muratura o in cemento, oppure scavati nella roccia, qualunque sia la loro importanza e l'effettivo loro stato di conservazione o di costruzione.

2. La distruzione o la rimozione, prevista dal paragrafo 1, di cui sopra, dovrà effettuarsi soltanto nel limite di 20 chilometri da qualsiasi punto della frontiera, quale è determinata dal presente Trattato e dovrà essere completata entro un anno dall'entrata in vigore del Trattato.

3. Ogni ricostruzione delle predette fortificazioni ed installazioni è vietata.

4. *(a)* Ad est della frontiera franco-italiana è vietata la costruzione delle opere seguenti: fortificazioni permanenti, in cui possano essere installate armi capaci di sparare sul territorio francese o sulle acque territoriali francesi; installazioni militari permanenti, che possano essere usate per condurre o dirigere il tiro sul territorio francese o sulle acque territoriali francesi; locali permanenti di rifornimento e di magazzinaggio, edificati unicamente per l'uso delle fortificazioni ed installazioni di cui sopra.

(b) Tale proibizione non riguarda altri tipi di fortificazioni non permanenti, nè le sistemazioni ed i locali di superficie, che siano destinati unicamente a soddisfare esigenze di ordine interno e di difesa locale delle frontiere.

5. In una zona costiera della profondità di 15 chilometri, compresa tra la frontiera franco-italiana e il meridiano 9°30′E., l'Italia non dovrà stabilire nuove basi o installazioni navali permanenti, nè estendere quelle già esistenti. Tale divieto non involge le modifiche di minore importanza, nè lavori per la buona conservazione delle installazioni navali esistenti, purchè la capacità di tali installazioni, considerate nel loro insieme, non sia in tal modo accresciuta.

Articolo 48

1. *(a)* Ogni fortificazione e installazione militare permanente italiana lungo la frontiera italo-jugoslava e i relativi armamenti dovranno essere distrutti o rimossi.

(b) Si intende che tali fortificazioni e installazioni comprendono soltanto le opere di artiglieria e di fanteria, sia in gruppo che isolate, le casematte di qualsiasi tipo, i ricoveri protetti per il personale, le provviste e le munizioni, gli osservatori e le teleferiche militari, le quali opere od impianti siano, costruiti in metallo, in muratura o in cemento, oppure scavati nella roccia, qualunque possa essere la loro importanza e l'effettivo loro stato di conservazione o di costruzione.

2. La distruzione o la rimozione, prevista dal paragrafo 1 di cui sopra, dovrà effettuarsi soltanto nel limite di 20 chilometri da qualsiasi punto della frontiera, quale è determinata dal presente Trattato e dovrà essere completata entro un anno dall'entrata in vigore del Trattato.

3. Ogni ricostruzione delle predette fortificazioni e installazioni è vietata.

4. *(a)* Ad ovest della frontiera italo-jugoslava, è proibita la costruzione delle opere seguenti: fortificazioni permanenti in cui possano essere installate armi capaci di sparare sul territorio jugoslavo, o sulle acque territoriali jugoslave; installazioni militari permanenti che possano essere usate per condurre o dirigere il tiro sul territorio jugoslavo o sulle acque territoriali jugoslave; locali permanenti di rifornimento e di magazzinaggio, edificati unicamente per l'uso delle fortificazioni e installazioni di cui sopra.

(b) Tale proibizione non riguarda altri tipi di fortificazioni non permanenti o le sistemazioni ed i locali di superficie, che siano destinati unicamente a soddisfare esigenze di ordine interno o di difesa locale delle frontiere.

5. In una zona costiera della profondità di 15 chilometri, compresa tra la frontiera fra l'Italia e la Jugoslavia e fra l'Italia e il Territorio Libero di Trieste e il parallelo 44°50'N. e nelle isole situate lungo tale zona costiera, l'Italia non dovrà stabilire nuove basi o installazioni navali permanenti, nè sviluppare le basi o installazioni già esistenti. Tale divieto non involge le modifiche di minore importanza, nè i lavori per la buona conservazione delle installazioni navali esistenti, purchè la capacità di tali installazioni, considerate nel loro insieme, non sia in tal modo accresciuta.

6. Nella penisola delle Puglie ad est del meridiano 17°45'E., l'Italia non dovrà costruire alcuna nuova installazione permanente militare, navale o aeronautica, nè sviluppare le installazioni esistenti. Tale divieto non involge le modifiche di minore importanza nè i lavori per la buona conservazione delle installazioni esistenti, purchè la capacità di tali installazioni, considerate nel loro insieme, non sia in tal modo accresciuta. Tuttavia, sarà autorizzata la costruzione di opere per provvedere gli alloggiamenti di quelle forze di sicurezza, che fossero necessarie per compiti d'ordine interno o per la difesa locale delle frontiere.

Articolo 49

1. Pantelleria, le Isole Pelagie (Lampedusa, Lampione e Linosa) e Pianosa (nell'Adriatico) saranno e rimarranno smilitarizzate.

2. Tale smilitarizzazione dovrà essere completata entro un anno a decorrere dall'entrata in vigore del presente Trattato.

Articolo 50

1. In Sardegna, tutte le postazioni permanenti d'artiglieria per la difesa costiera e i relativi armamenti e tutte le installazioni navali situate a meno di 30 chilometri dalle acque territoriali francesi, saranno o trasferite nell'Italia continentale o demolite entro un anno dall'entrata in vigore del presente Trattato.

2. In Sicilia e Sardegna, tutte le installazioni permanenti e il materiale per la manutenzione e il magazzinaggio delle torpedini, delle mine marine e delle bombe saranno o demolite o trasferite nell'Italia continentale entro un anno dall'entrata in vigore del presente Trattato.

3. Non sarà permesso alcun miglioramento o alcuna ricostruzione o estensione delle installazioni esistenti o delle fortificazioni permanenti della Sicilia e della Sardegna; tuttavia, fatta eccezione per le zone della Sardegna settentrionale di cui al paragrafo 1 di cui sopra, potrà procedersi alla normale conservazione in efficienza di quelle installazioni o fortificazioni permanenti e delle armi che vi siano già installate.

4. In Sicilia e Sardegna è vietato all'Italia di costruire alcuna installazione o fortificazione navale, militare o per l'aeronautica militare, fatta eccezione per quelle opere destinate agli alloggiamenti di quelle forze di sicurezza, che fossero necessarie per compiti d'ordine interno.

Articolo 51

L'Italia non dovrà possedere, costruire o sperimentare: *(i)* alcuna arma atomica, *(ii)* alcun proiettile ad auto-propulsione o guidato, o alcun dispositivo impiegato per il lancio di tali proiettili (salvo le torpedini o dispositivi di lancio di torpedini facenti parte dell'armamento normale del naviglio autorizzato dal presente Trattato), *(iii)* alcun cannone di una portata superiore ai 30 chilometri, *(iv)* mine marine o torpedini di tipo non a percussione azionate mediante meccanismo ad influenza, *(v)* alcuna torpedine umana.

Articolo 52

È vietato all'Italia l'acquisto, sia all'interno che all'estero, o la fabbricazione di materiale bellico di origine o disegno germanico o giapponese.

Articolo 53

L'Italia non dovrà fabbricare o possedere, a titolo pubblico o privato, alcun materiale bellico in eccedenza o di tipo diverso da quello necessario per le forze autorizzate dalle seguenti Sezioni III, IV, e V.

Articolo 54

Il numero totale dei carri armati pesanti e medi delle Forze armate italiane non dovrà superare 200.

Articolo 55

In nessun caso, un ufficiale o sottufficiale dell'ex-milizia fascista o dell'ex-esercito repubblicano fascista potrà essere ammesso, con il grado di ufficiale o di sottufficiale, nella Marina, nell'Esercito, nell'Aeronautica italiana, o nell'Arma dei Carabinieri, fatta eccezione per coloro che siano stati riabilitati dalle autorità competenti, in conformità della legge italiana.

SEZIONE III—RESTRIZIONI IMPOSTE ALLA MARINA ITALIANA

Articolo 56

1. La flotta italiana attuale sarà ridotta alle unità enumerate nell'Allegato XII A.

2. Unità supplementari, non enumerate nell'Allegato XII e utilizzate soltanto per il fine esclusivo della rimozione delle mine, potranno continuare ad essere utilizzate fino alla fine del periodo della rimozione delle mine, nel modo che verrà fissato dalla Commissione Centrale Internazionale per la rimozione delle mine dalle acque europee.

3. Entro due mesi dalla fine di detto periodo, quelle unità che siano state prestate alla Marina italiana da altre Potenze, saranno restituite a tali Potenze e tutte le altre unità supplementari saranno disarmate e trasformate per usi civili.

Articolo 57

1. L'Italia disporrà come segue delle unità della Marina italiana enumerate nell'Allegato XII B:

(a) Dette unità dovranno essere messe a disposizione dei Governi dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia.

(b) Le navi da guerra che devono essere trasferite in conformità dell'alinea *(a)* di cui sopra, dovranno essere interamente equipaggiate, in condizioni di poter operare con armamento completo, pezzi di ricambio di bordo e tutta la documentazione tecnica necessaria.

(c) Il trasferimento delle navi da guerra sopra indicate sarà effettuato entro tre mesi dall'entrata in vigore del presente Trattato. Tuttavia, nel caso di unità che non possano essere riparate entro tre mesi, il termine per il trasferimento potrà essere prorogato dai Quattro Governi.

(d) Una riserva di pezzi di ricambio e d'armamento di scorta per le unità sopra indicate dovrà essere fornita, per quanto possibile, insieme con le unità stesse.

Il saldo dei pezzi di ricambio di riserva e delle scorte d'armamento dovrà essere fornito nella misura ed alle date che saranno fissate dai Quattro Governi, ma comunque entro il termine massimo di un anno dall'entrata in vigore del presente Trattato.

2. Le modalità pel trasferimento di cui sopra saranno stabilite da una Commissione delle Quattro Potenze, che sarà istituita con protocollo a parte.

3. In caso di perdita od avaria, dovuta a qualsiasi causa, di qualunque delle unità enumerate nell'Allegato XII B e destinate ad esser trasferite, che non possa essere riparata entro la data fissata per il trasferimento, l'Italia s'impegna a sostituire detta o dette unità con tonnellaggio equivalente, tratto dalle unità di cui all'Allegato XII A. Detta o dette unità in sostituzione dovranno essere scelte dagli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia.

Articolo 58

1. L'Italia dovrà prendere le seguenti misure, per quanto riguarda i sommergibili e le navi da guerra in disarmo. I termini di tempo sotto

indicati dovranno intendersi decorrere dall'entrata in vigore del presente Trattato.

(a) Il naviglio da guerra di superficie, galleggiante, non compresso nella lista di cui all'Allegato XII, compreso il naviglio in costruzione ma galleggiante, dovrà essere distrutto o demolito per trarne rottame entro nove mesi.

(b) Il naviglio da guerra in costruzione, non ancora varato, dovrà essere distrutto o demolito per trarne rottame entro nove mesi.

(c) I sommergibili galleggianti, non compresi nella lista di cui all'Allegato XII B, dovranno essere affondati in mare aperto, ad una profondità di oltre 100 braccia entro tre mesi.

(d) Il naviglio da guerra affondato nei porti italiani e nei canali d'entrata di detti porti, che ostacoli la navigazione normale, dovrà essere, entro due anni, o distrutto sul posto o recuperato e successivamente distrutto o demolito per trarne rottame.

(e) Il naviglio da guerra affondato in acque italiane poco profonde e che non ostacoli la navigazione normale, dovrà, entro un anno, essere messo in condizione di non poter essere recuperato.

(f) Il naviglio da guerra, che si trovi in condizioni di essere riconvertito, e non rientri nella definizione di materiale bellico e non sia compreso nella lista di cui all'Allegato XII, potrà essere riconvertito per usi civili, oppure dovrà essere demolito entro due anni.

2. L'Italia s'impegna, prima di procedere all'affondamento o alla distruzione del naviglio da guerra e dei sommergibili, ai sensi del paragrafo precedente, a recuperare il materiale ed i pezzi di ricambio che potessero servire a completare le riserve di bordo e le scorte di pezzi di ricambio e di materiale, che dovranno essere forniti, in base all'Articolo 57, paragrafo 1, per tutte le navi comprese nella lista di cui all'Allegato XII B.

3. L'Italia potrà inoltre, sotto il controllo degli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, provvedere al recupero di quel materiale e pezzi di ricambio di carattere non bellico, che siano facilmente utilizzabili nell'economia italiana, per usi civili.

Articolo 59

1. Nessuna nave da battaglia potrà essere costruita, acquistata o sostituita dall'Italia.

2. Nessuna nave portaerei, nessun sottomarino o altro naviglio sommergibile, nessuna moto-silurante o tipo specializzato di naviglio d'assalto potrà essere costruito, acquistato, utilizzato o sperimentato dall'Italia.

3. La stazza totale media del naviglio da guerra, escluse le navi da battaglia, della Marina italiana, comprese le navi in costruzione, dopo la data del loro varo, non potrà superare 67.500 tonnellate.

4. Ogni sostituzione di naviglio da guerra da parte dell'Italia dovrà essere effettuata entro i limiti del tonnellaggio di cui al paragrafo 3. La sostituzione del naviglio ausiliario non sarà sottoposta ad alcuna restrizione.

5. L'Italia s'impegna a non acquistare od impostare in cantiere navi da guerra prima del 1° gennaio 1950, salvo che sia necessario sostituire un'unità, che non sia una nave da battaglia, accidentalmente perduta. In tal caso il tonnellaggio della nuova unità non dovrà superare di più del dieci per cento il tonnellaggio dell'unità perduta.

6. I termini usati nel presente Articolo sono definiti, ai fini del presente Trattato, nell'Allegato XIII A.

Articolo 60

1. Gli effettivi totali della Marina italiana, non compreso il personale dell'Aviazione per la Marina, non potranno superare i 25 mila uomini, fra ufficiali e marinai.

2. Durante il periodo del dragaggio delle mine, che sarà fissato dalla Commissione Internazionale Centrale per la rimozione delle mine dalle acque europee, l'Italia sarà autorizzata ad impiegare a questo scopo un numero supplementare di ufficiali e di marinai che non dovrà superare 2500.

3. Il personale della Marina in servizio permanente, che risulterà in eccedenza agli effettivi autorizzati dal paragrafo 1, sarà gradualmente ri-

dotto come segue, considerandosi i limiti di tempo come decorrenti dall'entrata in vigore del presente Trattato:

(a) a 30.000 entro sei mesi;

(b) a 25.000 entro nove mesi.

Due mesi dopo la conclusione delle operazioni di dragaggio delle mine da parte della Marina italiana, il personale in sopranumero, autorizzato dal paragrafo 2 dovrà essere smobilitato o assorbito negli effettivi sopra indicati.

4. All'infuori degli effettivi autorizzati ai sensi dei paragrafi 1 e 2 e del personale dell'Aviazione per la Marina autorizzato ai sensi dell'Articolo 65, nessun altro personale potrà ricevere qualsiasi forma di istruzione navale, secondo la definizione datane nell'Allegato XIII B.

SEZIONE IV—RESTRIZIONI IMPOSTE ALL'ESERCITO ITALIANO

Articolo 61

Gli effettivi dell'Esercito italiano, compresa la guardia di frontiera, saranno limitati a 185.000 uomini, comprendenti le unità combattenti, i servizi ed il personale di comando e a 65.000 carabinieri. Ciascuno dei due elementi potrà tuttavia variare di 10.000 uomini, purchè gli effettivi totali non superino i 250.000 uomini. L'organizzazione e l'armamento delle forze italiane di terra, e la loro dislocazione nel territorio italiano dovranno essere concepiti in modo da soddisfare unicamente compiti di carattere interno, di difesa locale delle frontiere italiane e di difesa antiaerea.

Articolo 62

Il personale dell'Esercito italiano in eccedenza agli effettivi autorizzati dall'Articolo 61 di cui sopra, dovrà essere smobilitato entro sei mesi dall'entrata in vigore del presente Trattato.

Articolo 63

Nessun personale che non sia quello incorporato nell'Esercito italiano o nell'Arma dei Carabinieri potrà ricevere alcuna forma di istruzione militare, secondo la definizione datane nell'Allegato XIII B.

SEZIONE V—RESTRIZIONI IMPOSTE ALL'AERONAUTICA MILITARE ITALIANA

Articolo 64

1. L'Aeronautica militare italiana, compresa tutta l'Aviazione per la Marina, dovrà essere limitata ad una forza di 200 apparecchi da caccia e da ricognizione e di 150 apparecchi da trasporto, da salvataggio in mare, da allenamento (apparecchi-scuola) e da collegamento. Nelle cifre predette sono compresi gli apparecchi di riserva. Tutti gli apparecchi, fatta eccezione per quelli da caccia e da ricognizione, dovranno essere privi di armamento. L'organizzazione e l'armamento dell'Aeronautica italiana e la relativa dislocazione sul territorio italiano dovranno essere concepite in modo da soddisfare soltanto esigenze di carattere interno, di difesa locale delle frontiere italiane e di difesa contro attacchi aerei.

2. L'Italia non potrà possedere o acquistare apparecchi concepiti essenzialmente come bombardieri e muniti dei dispositivi interni per il trasporto delle bombe.

Articolo 65

1. Il personale dell'Aeronautica militare italiana, compreso quello dell'Aviazione per la Marina, dovrà essere limitato ad un effettivo totale di 25.000 uomini, comprendente il personale combattente, i comandi ed i servizi.

2. Nessun altro personale, che non sia quello incorporato nell'Aeronautica militare italiana, potrà ricevere qualsiasi forma di istruzione aeronautica militare, secondo la definizione datane nell'Allegato XIII B.

Articolo 66

Il personale dell'Aeronautica militare italiana in eccedenza agli effettivi autorizzati dall'Articolo 65 di cui sopra, dovrà essere smobilitato entro sei mesi dall'entrata in vigore del presente Trattato.

SEZIONE VI—DESTINAZIONE DEL MATERIALE BELLICO (come definito dall'Allegato XIII, C)

Articolo 67

1. Tutto il materiale bellico italiano, in eccedenza a quello consentito per le Forze armate di cui alle Sezioni III, IV e V, dovrà essere messo a

disposizione dei Governi dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, in conformità alle istruzioni ch'essi potranno dare all'Italia.

2. Tutto il materiale bellico di provenienza alleata, in eccedenza a quello consentito per le Forze armate, di cui alle Sezioni III, IV e V, dovrà essere messo a disposizione della Potenza Alleata o Associata interessata, in conformità delle istruzioni che la stessa Potenza Alleata o Associata potrà dare all'Italia.

3. Tutto il materiale bellico di provenienza tedesca o giapponese in eccedenza a quello consentito per le Forze armate di cui alle Sezioni III, IV, e V, e tutti i disegni di provenienza tedesca o giapponese, comprese cianotipie, prototipi, modelli e piani sperimentali esistenti, dovranno essere messi a disposizione dei Quattro Governi, in conformità delle istruzioni ch'essi potranno dare all'Italia.

4. L'Italia rinuncia a tutti i suoi diritti sul materiale di guerra sopra citato e si conformerà alle disposizioni del presente Articolo entro un anno dall'entrata in vigore del presente Trattato, salvo per quanto è disposto negli Articoli 56-58 di cui sopra.

5. L'Italia fornirà ai Quattro Governi, entro sei mesi dall'entrata in vigore del presente Trattato, gli elenchi di tutto il materiale bellico in eccedenza.

SEZIONE VII—AZIONE PREVENTIVA CONTRO IL RIARMO DELLA GERMANIA E DEL GIAPPONE

Articolo 68

L'Italia s'impegna a prestare alle Potenze Alleate e Associate tutta la sua collaborazione, allo scopo di mettere la Germania e il Giappone in condizione di non poter adottare, fuori dei territori della Germania e del Giappone, misure tendenti al proprio riarmo.

Articolo 69

L'Italia s'impegna a non permettere l'impiego o l'allenamento in Italia di tecnici, compreso il personale dell'aviazione militare o civile, che siano o siano stati sudditi della Germania o del Giappone.

Articolo 70

L'Italia s'impegna a non acquistare e a non fabbricare alcun apparecchio civile che sia di disegno tedesco o giapponese o che comporti importanti elementi di fabbricazione o di disegno tedesco o giapponese.

SEZIONE VIII—PRIGIONIERI DI GUERRA

Articolo 71

1. I prigionieri di guerra italiani saranno rimpatriati al più presto possibile, in conformità degli accordi conclusi tra ciascuna delle Potenze che detengono tali prigionieri e l'Italia.

2. Tutte le spese, comprese le spese per il loro mantenimento, incorse per il trasferimento dei prigionieri di guerra italiani, dai rispettivi centri di rimpatrio, scelti dal Governo della Potenza Alleata o Associata interessata, al luogo del loro arrivo in territorio italiano, saranno a carico del Governo italiano.

SEZIONE IX—RIMOZIONE DELLE MINE

Articolo 72

A decorrere dall'entrata in vigore del presente Trattato, l'Italia sarà invitata a diventare membro delle Commissione per la Zona Mediterranea dell'Organizzazione Internazionale per la rimozione delle mine dalle acque europee e manterrà a disposizione della Commissione Centrale per la rimozione delle mine tutte le sue forze dragamine, fino alla fine del periodo postbellico di dragaggio delle mine, quale verrà determinato dalla Commissione Centrale suddetta.

PARTE V

RITIRO DELLE FORZE ALLEATE

Articolo 73

1. Tutte le forze armate delle Potenze Alleate ed Associate saranno ritirate dall'Italia al più presto possibile e comunque non oltre 90 giorni dall'entrata in vigore del presente Trattato.

2. Tutti i beni italiani che non abbiano formato oggetto di indennità e che si trovino in possesso delle Forze Armate delle Potenze Alleate e Associate in Italia, all'entrata in vigore del presente Trattato, dovranno essere restituiti al Governo italiano, entro lo stesso periodo di 90 giorni o daranno luogo al pagamento di una adeguata indennità.

3. Tutte le somme in banca ed in contanti che saranno in possesso delle Forze Armate delle Potenze Alleate e Associate all'entrata in vigore del presente Trattato, e che siano state provvedute gratuitamente dal Governo italiano, dovranno essere restituite egualmente, ovvero un ammontare corrispondente dovrà essere accreditato a favore del Governo italiano.

PARTE VI

INDENNITÀ IN CONSEGUENZA DELLA GUERRA

SEZIONE I—RIPARAZIONI

Articolo 74

A. *Riparazioni a Favore dell'Unione delle Repubbliche Sovietiche Socialiste*

1. L'Italia pagherà all'Unione Sovietica riparazioni per un ammontare di 100 milioni di dollari degli Stati Uniti nello spazio di 7 anni, decorrenti dall'entrata in vigore del presente Trattato. Durante i primi due anni non si farà luogo a prestazioni tratte dalla produzione industriale corrente.

2. Le riparazioni saranno tratte dalle seguenti fonti:

(a) una parte di quel macchinario ed attrezzatura utensile italiana, destinata alla fabbricazione di materiale bellico, non necessaria agli effettivi militari autorizzati, nè immediatamente adattabile ad usi civili, che sarà rimossa dall'Italia ai termini dell'Articolo 67 del presente Trattato;

(b) beni italiani in Romania, Bulgaria e Ungheria, salve le eccezioni di cui al paragrafo 6 dell'Articolo 79;

(c) produzione industriale italiana corrente, compresa la produzione delle industrie estrattive.

3. I quantitativi ed i tipi delle merci da consegnare saranno oggetto di accordi tra il Governo dell'Unione Sovietica e il Governo italiano; la scelta sarà effettuata e le consegne saranno distribuite nel tempo in modo da non creare interferenze con la ricostruzione economica dell'Italia e da evitare l'imposizione di ulteriori oneri a carico di altre Potenze Alleate od Associate. Gli accordi conclusi in base a questo paragrafo saranno comunicati agli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia.

4. L'Unione Sovietica fornirà all'Italia, a condizioni commerciali, le materie prime ed i prodotti che l'Italia importa normalmente e che sono necessari alla produzione di dette merci. Il pagamento di tali materie prime e di tali prodotti sarà effettuato, deducendo il relativo valore da quello delle merci consegnate all'Unione Sovietica.

5. I Quattro Ambasciatori determineranno il valore dei beni italiani che dovranno essere trasferiti all'Unione Sovietica.

6. La base del calcolo per il regolamento previsto dal presente Articolo sarà il dollaro degli Stati Uniti, secondo la sua parità-oro alla data del 1° luglio 1946 e cioè 35 dollari per un'oncia d'oro.

B. *Riparazioni a Favore dell'Albania, dell'Etiopia, della Grecia e della Jugoslavia*

1. L'Italia pagherà riparazioni a favore dei seguenti Stati:

Albania, per un ammontare di.... 5.000.000 di dollari
Etiopia, per un ammontare di.... 25.000.000 di dollari
Grecia, per un ammontare di.....105.000.000 di dollari
Jugoslavia, per un ammontare di..125.000.000 di dollari

Tali pagamenti saranno effettuati nello spazio di 7 anni, a decorrere dall'entrata in vigore del presente Trattato. Durante i primi due anni non si farà luogo a prestazioni tratte dalla produzione italiana corrente.

2. Le riparazioni saranno tratte dalle seguenti fonti:

(a) una parte di quel macchinario ed attrezzatura utensile italiana, destinata alla fabbricazione di materiale bellico, non necessaria agli effettivi militari autorizzati, nè immediatamente adattabile ad usi civili, che sarà

rimossa dall'Italia ai termini dell'Articolo 67 del presente Trattato;

(b) produzione industriale italiana corrente, compresa la produzione delle industrie estrattive;

(c) tutte quelle altre categorie di beni e di servizi, esclusi gli averi italiani che, in base all'Articolo 79 del presente Trattato, sono sottoposti alla giurisdizione degli Stati enumerati al paragrafo 1, di cui sopra. Le prestazioni da corrispondersi ai sensi del presente paragrafo, comprenderanno anche entrambe le motonavi Saturnia e Vulcania o una soltanto di esse, se, dopo che il loro valore sia stato determinato dai Quattro Ambasciatori, esse saranno richieste, entro 90 giorni, da uno degli Stati enumerati al paragrafo 1. Le prestazioni da farsi ai sensi del presente paragrafo potranno anche comprendere semi.

3. I quantitativi ed i tipi delle merci e dei servizi che dovranno essere forniti, formeranno oggetto di accordi tra i Governi aventi diritto alle riparazioni e il Governo italiano; la scelta sarà effettuata e le consegne saranno distribuite nel tempo in modo da non creare interferenze con la ricostruzione economica dell'Italia e da evitare l'imposizione di ulteriori oneri a carico di altre Potenze Alleate od Associate.

4. Gli Stati aventi diritto alle riparazioni da trarsi dalla produzione industriale corrente, forniranno all'Italia, a condizioni commerciali, le materie prime ed i prodotti che l'Italia importa normalmente e che saranno necessari per la produzione di dette merci. Il pagamento di tali materie prime e di tali prodotti sarà effettuato, deducendo il relativo valore da quello delle merci consegnate.

5. La base del calcolo per il regolamento previsto dal presente Articolo sarà il dollaro degli Stati Uniti, secondo la sua parità-oro alla data del 1° luglio 1946 e cioè 35 dollari per un'oncia d'oro.

6. Le pretese degli Stati enumerati nel paragrafo 1, capo B del presente Articolo, eccedenti l'ammontare delle riparazioni specificate in detto paragrafo, saranno soddisfatte sugli averi italiani soggetti alla loro rispettiva giurisdizione, ai sensi dell'Articolo 79 del presente Trattato.

7. *(a)* I Quattro Ambasciatori coordineranno e controlleranno l'esecu-

zione delle disposizioni di cui al capo B del presente Articolo. Essi si consulteranno con i Capi delle Missioni diplomatiche in Roma degli Stati enumerati al paragrafo 1 del capo B e, quando le circostanze lo richiederanno, con il Governo italiano, e daranno il loro consiglio. Ai fini del presente Articolo, i Quattro Ambasciatori continueranno ad esplicare le loro predette funzioni fino allo spirare del termine previsto al paragrafo 1 del capo B per le consegne a titolo di riparazioni.

(b) Allo scopo di evitare controversie o conflitti d'attribuzione nella ripartizione della produzione italiana e delle risorse italiane tra i diversi Stati, aventi diritto alle riparazioni ai sensi del capo B del presente Articolo, i Quattro Ambasciatori saranno informati da ognuno dei Governi aventi diritto alle riparazioni ai sensi del capo B del presente Articolo e dal Governo italiano, dell'inizio di negoziati per un accordo, in conformità delle disposizioni del paragrafo 3 di cui sopra, e dello sviluppo di tali negoziati. In caso di controversia sorgente nel corso dei negoziati, i Quattro Ambasciatori saranno competenti a decidere di ogni questione che sia ad essi sottoposta da uno qualsiasi di detti Governi o da qualsiasi altro Governo avente diritto a riparazioni ai sensi del capo B del presente Articolo.

(c) Appena conclusi, gli accordi saranno resi noti ai Quattro Ambasciatori. Questi potranno raccomandare che un accordo che non fosse o che avesse cessato di essere conforme agli obiettivi enunciati al paragrafo 3 o all'alinea *(b)* di cui sopra, sia opportunamente modificato.

C. *Disposizioni Speciali per Prestazioni Anticipate*

Per quanto concerne le prestazioni provenienti dalla produzione corrente, ai sensi del capo A, paragrafo 2 *(c)* e del capo B, paragrafo 2 *(b)*, nessuna disposizione del capo A e del capo B del presente Articolo dovrà essere interpretata nel senso di escludere siffatte prestazioni, durante i primi due anni, a condizione che siano fatte in conformità di accordi tra il Governo avente diritto alle riparazioni e il Governo italiano.

D. *Riparazioni a Favore di Altri Stati*

1. Le ragioni delle altre Potenze Alleate e Associate saranno soddisfatte a valere sui beni italiani sottoposti alla loro rispettiva giurisdizione, in base all'Articolo 79 del presente Trattato.

2. Le ragioni di ogni Stato al quale siano fatte cessioni territoriali in applicazione del presente Trattato e che non sia menzionato nella parte B del presente Articolo, saranno ugualmente soddisfatte, attraverso il trasferimento a suo favore, senza pagamento, delle installazioni e dell'attrezzatura industriale esistenti nei territori ceduti, destinati sia alla distribuzione dell'acqua che alla produzione e alla distribuzione del gas e dell'elettricità e che appartengano a qualsiasi società italiana, la cui sede sociale sia in Italia o sia trasferita in Italia. Le ragioni di detti Stati potranno essere soddisfatte anche mediante il trasferimento di tutti gli altri beni di società di tale natura, che si trovino nei territori ceduti.

Il Governo italiano assumerà l'onere risultante dalle obbligazioni finanziarie garantite da ipoteche, da privilegi e da altri vincoli gravanti su tali beni.

E. *Indennità per Beni Presi a Titolo di Riparazioni*

Il Governo italiano s'impegna ad indennizzare le persone fisiche o giuridiche, dei cui beni ci si sia appropriati, in base alle disposizioni del presente Articolo, a titolo di riparazioni.

SEZIONE II—RESTITUZIONI DA PARTE DELL'ITALIA

Articolo 75

1. L'Italia accetta i principi della Dichiarazione delle Nazioni Unite del 5 gennaio 1943 e restituirà, nel più breve tempo possibile, i beni sottratti dal territorio di una qualsiasi delle Nazioni Unite.

2. L'obbligo di restituire si applica a tutti i beni identificabili, che si trovino attualmente in Italia e che siano stati sottratti, con la violenza o la costrizione, dal territorio di una delle Nazioni Unite, da qualunque delle Potenze dell'Asse, qualunque siano stati i successivi negozi, mediante i quali l'attuale detentore di tali beni se ne sia assicurato il possesso.

3. Il Governo italiano restituirà i beni di cui al presente Articolo in buone condizioni e prenderà a suo carico tutte le spese di mano d'opera, di materiali e di trasporto che siano state, a tale effetto, sostenute in Italia.

4. Il Governo italiano collaborerà con le Nazioni Unite e provvederà

a sue spese tutti i mezzi necessari per la ricerca e la restituzione dei beni da restituirsi ai sensi del presente Articolo.

5. Il Governo italiano prenderà le misure necessarie per far luogo alla restituzione dei beni previsti dal presente Articolo, che siano detenuti in qualunque terzo Paese da persone soggette alla giurisdizione italiana.

6. Le richieste di restituzione di beni saranno presentate al Governo italiano dal Governo del paese, dal territorio del quale i beni furono sottratti, essendo inteso che il materiale rotabile dovrà considerarsi come sottratto dal territorio al quale esso apparteneva in origine. Le domande dovranno essere presentate entro sei mesi dall'entrata in vigore del presente Trattato.

7. Spetterà al Governo richiedente d'identificare i beni e di fornire la prova della proprietà, mentre al Governo italiano incomberà l'onere della prova che il bene non fu sottratto con la violenza o la costrizione.

8. Il Governo italiano restituirà al Governo della Nazione Unita interessata tutto l'oro coniato, sottratto o indebitamente trasferito in Italia, oppure consegnerà al Governo della Nazione Unita interessata una quantità d'oro uguale in peso e titolo a quella sottratta o indebitamente trasferita. Il Governo italiano riconosce che tale obbligo sussiste, indipendentemente da qualsiasi trasferimento o rimozione di oro che abbia potuto essere effettuata dal territorio italiano ad altre Potenze dell'Asse o ad un paese neutro.

9. Se, in casi specifici, fosse impossibile per l'Italia di effettuare la restituzione di oggetti aventi un valore artistico, storico od archeologico e appartenenti al patrimonio culturale della Nazione Unita, dal territorio della quale tali oggetti vennero sottratti, con la violenza o la costrizione, da parte delle Forze Armate, delle autorità o di cittadini italiani, l'Italia s'impegna a consegnare alla Nazione Unita interessata oggetti della stessa natura e di valore approssimativamente equivalente a quello degli oggetti sottratti, in quanto siffatti oggetti possano procurarsi in Italia.

SEZIONE III—RINUNCIA A RAGIONI DA PARTE DELL'ITALIA

Articolo 76

1. L'Italia rinuncia a far valere contro le Potenze Alleate ed Associate, ogni ragione di qualsiasi natura, da parte del Governo o di cittadini italiani,

che possa sorgere direttamente dal fatto della guerra o dai provvedimenti adottati a seguito dell'esistenza di uno stato di guerra in Europa, dopo il 1° settembre 1939, indipendentemente dal fatto che la Potenza Alleata o Associata interessata fosse o non fosse in guerra con l'Italia a quella data. Sono comprese in tale rinuncia:

(a) le domande pel risarcimento di perdite o danni subiti in conseguenza di atti delle Forze Armate o delle autorità di Potenze Alleate o Associate;

(b) le ragioni risultanti dalla presenza, dalle operazioni o dalle azioni delle Forze Armate od autorità di Potenze Alleate o Associate in territorio italiano;

(c) le doglianze rispetto a decreti ed ordinanze dei tribunali delle Prede di Potenze Alleate o Associate, impegnandosi l'Italia a riconoscere come validi e aventi forza esecutiva tutti i decreti e le ordinanze di detti tribunali emessi alla data del 1° settembre 1939 o successivamente e concernenti navi italiane, merci italiane o il pagamento delle spese;

(d) le ragioni risultanti dall'esercizio o dall'asserto esercizio di diritti di belligeranza.

2. Le disposizioni del presente Articolo precluderanno, completamente e definitivamente, ogni domanda della specie di quelle a cui questo Articolo si riferisce, che rimarrà da questo momento estinta, quali che siano le parti interessate. Il Governo italiano accetta di corrispondere equa indennità in lire alle persone che abbiano fornito, a seguito di requisizione, merci o servizi a favore delle Forze Armate di Potenze Alleate o Associate in territorio italiano e per soddisfare le domande avanzate contro le Forze Armate di Potenze Alleate o Associate relative a danni causati in territorio italiano e non provenienti da fatti di guerra.

3. L'Italia rinuncia ugualmente a fare valere domande della specie di quelle previste dal paragrafo 1 del presente Articolo, da parte del Governo od cittadini italiani contro una qualsiasi delle Nazioni Unite, che abbia rotto le relazioni diplomatiche con l'Italia e che abbia adottato provvedimenti in collaborazione con le Potenze Alleate ed Associate.

4. Il Governo italiano assumerà piena responsabilità della valuta mili-

tare alleata emessa in Italia dalle autorità militari alleate, compresa tutta la valuta in circolazione alla data dell'entrata in vigore del presente Trattato.

5. La rinuncia da parte dell'Italia, ai sensi del paragrafo 1 del presente Articolo, si estende ad ogni domanda nascente dai provvedimenti adottati da qualunque delle Potenze Alleate ed Associate nei confronti delle navi italiane, tra il 1° settembre 1939 e la data di entrata in vigore del presente Trattato e ad ogni domanda o debito risultante dalle Convenzioni sui prigionieri di guerra, attualmente in vigore.

6. Le disposizioni del presente Articolo non dovranno essere interpretate nel senso di recare pregiudizio ai diritti di proprietà sui cavi sottomarini, che, allo scoppio delle ostilità, appartenevano al Governo italiano od a cittadini italiani. Il presente paragrafo non precluderà l'applicazione, nei riguardi dei cavi sottomarini, dell'Articolo 79 e dell'Allegato XIV.

Articolo 77

1. A decorrere dall'entrata in vigore del presente Trattato, i beni esistenti in Germania ed appartenenti allo Stato italiano ed a cittadini italiani, non saranno più considerati come beni nemici e tutte le restrizioni fondate su tale qualifica saranno abrogate.

2. I beni identificabili appartenenti allo Stato italiano ed a cittadini italiani, che le Forze Armate germaniche o le autorità germaniche abbiano trasferito con la violenza o la costrizione, dal territorio italiano in Germania, dopo il 3 settembre 1943, daranno luogo a restituzione.

3. La restituzione e la rimessa in pristino dei beni italiani saranno effettuate in conformità delle misure che saranno adottate dalle Potenze che occupano la Germania.

4. Senza pregiudizio di tali disposizioni e di quelle altre disposizioni che fossero adottate in favore dell'Italia e dei cittadini italiani dalle Potenze che occupano la Germania, l'Italia rinuncia, a suo nome e a nome dei cittadini italiani, a qualsiasi domanda contro la Germania e i cittadini germanici pendente alla data dell' 8 maggio 1945, salvo quelle risultanti da contratti o da altre obbligazioni che fossero in forza, ed ai diritti che fossero stati acquisiti, prima del 1° settembre 1939. Questa rinuncia sarà considerata applicarsi ai debiti, a tutte le ragioni di carattere interstatale relative

ad accordi conclusi nel corso della guerra e a tutte le domande di risarcimento di perdite o di danni occorsi durante la guerra.

5. L'Italia si impegna a prendere tutti i provvedimenti necessari per facilitare quei trasferimenti dei beni germanici in Italia, che verranno stabiliti da quelle fra le Potenze occupanti la Germania che abbiano facoltà di disporre di detti beni.

PARTE VII

BENI, DIRITTI ED INTERESSI

SEZIONE I—BENI DELLE NAZIONI UNITE IN ITALIA

Articolo 78

1. In quanto non l'abbia già fatto, l'Italia ristabilirà tutti i legittimi diritti ed interessi delle Nazioni Unite e dei loro cittadini in Italia, quali esistevano alla data del 10 giugno 1940 e restituirà ad esse e ai loro cittadini, tutti i beni ad essi appartenenti, nello stato in cui attualmente si trovano.

2. Il Governo italiano restituirà tutti i beni, diritti ed interessi di cui al presente Articolo, liberi da ogni vincolo o gravame di qualsiasi natura, a cui possano essere stati assoggettati per effetto della guerra e senza che la restituzione dia luogo alla percezione di qualsiasi somma da parte del Governo italiano. Il Governo italiano annullerà tutti i provvedimenti, compresi quelli di requisizione, di sequestro o di controllo, che siano stati adottati nei riguardi dei beni delle Nazioni Unite tra il 10 giugno 1940 e la data di entrata in vigore del presente Trattato. Nel caso in cui i beni non siano restituiti entro 6 mesi dall'entrata in vigore del presente Trattato, dovrà essere presentata istanza alle autorità italiane nel termine di 12 mesi dall'entrata in vigore del presente Trattato, salvo il caso in cui il richiedente sia in grado di dimostrare che gli era impossibile di presentare la propria istanza entro il termine suddetto.

3. Il Governo italiano annullerà i trasferimenti riguardanti beni, diritti e interessi di qualsiasi natura appartenenti a cittadini delle Nazioni

Unite, quando tali trasferimenti siano stati effettuati con violenza o costrizione da parte di Governi dell'Asse o di loro organi, durante la guerra.

4. *(a)* Il Governo italiano sarà responsabile della rimessa in ottimo stato dei beni restituiti a cittadini delle Nazioni Unite, ai sensi del paragrafo 1 del presente Articolo. Nei casi in cui i beni non possano essere restituiti o in cui, per effetto della guerra, un cittadino delle Nazioni Unite abbia subito una perdita, a seguito di lesione o danno arrecato ad un bene in Italia, egli riceverà dal Governo italiano, a titolo d'indennità, una somma in lire, fino alla concorrenza di due terzi della somma necessaria, alla data del pagamento, per l'acquisto di un bene equivalente o per compensare la perdita subita. In nessun caso i cittadini delle Nazioni Unite potranno avere, in materia d'indennità, un trattamento meno favorevole di quello accordato ai cittadini italiani.

(b) I cittadini delle Nazioni Unite, che posseggono direttamente o indirettamente partecipazioni in società o associazioni che non abbiano la nazionalità di una delle Nazioni Unite, secondo la definizione datane dal paragrafo 9 *(a)* del presente Articolo, ma che abbiano subito una perdita, a seguito di lesione o danno arrecato a beni in Italia, saranno indennizzati ai sensi dell'alinea *(a)* di cui sopra. Tale indennità sarà calcolata in funzione della perdita totale o del danno subito dalla società o associazione e il suo ammontare, rispetto alla perdita o al danno subito, sarà nella medesima proporzione intercorrente tra la quota di partecipazione posseduta da detti cittadini nella società o associazione in parola, ed il capitale complessivo della società od associazione stessa.

(c) L'indennità sarà versata, al netto da ogni imposta, tassa o altra forma d'imposizione fiscale. Tale indennità potrà essere liberamente spesa in Italia, ma sarà sottoposta alle disposizioni, che siano via via in vigore in Italia in materia di controllo dei cambi.

(d) Il Governo italiano accorderà ai cittadini delle Nazioni Unite un'indennità in lire, nella stessa misura prevista all'alinea *(a)*, per compensare le perdite o i danni risultanti dall'applicazione di speciali provvedimenti, adottati durante la guerra nei confronti dei loro beni, che non si applicavano invece ai beni italiani. Il presente alinea non si applica ai casi di lucro cessante.

5. Tutte le spese ragionevoli a cui darà luogo in Italia la procedura di esame delle domande, compresa la determinazione dell'ammontare delle perdite e dei danni, saranno a carico del Governo italiano.

6. I cittadini delle Nazioni Unite ed i loro beni saranno esentati da ogni imposta, tassa o contributo di carattere straordinario a cui il Governo italiano o altra autorità italiana abbia sottoposto i loro capitali in Italia nel periodo compreso tra il 3 settembre 1943 e la data di entrata in vigore del presente Trattato, allo scopo specifico di coprire spese risultanti dalla guerra o per far fronte al costo delle forze di occupazione o delle riparazioni da pagarsi ad una qualsiasi delle Nazioni Unite. Tutte le somme, che siano state a detto titolo percepite, dovranno essere restituite.

7. Nonostante i trasferimenti territoriali, a cui si provvede con il presente Trattato, l'Italia continuerà ad essere responsabile per le perdite o i danni subiti durante la guerra dai beni appartenenti a cittadini delle Nazioni Unite nei territori ceduti o nel Territorio Libero di Trieste. Gli obblighi contenuti nei paragrafi 3, 4, 5 e 6 del presente Articolo saranno egualmente a carico del Governo italiano, rispetto ai beni appartenenti a cittadini delle Nazioni Unite nei territori ceduti o nel Territorio Libero di Trieste, ma soltanto nella misura in cui ciò non sia in contrasto con le disposizioni del paragrafo 14 dell'Allegato X e del paragrafo 14 dell'Allegato XIV del presente Trattato.

8. Il proprietario dei beni di cui trattasi e il Governo italiano potranno concludere tra loro accordi in sostituzione delle disposizioni del presente Articolo.

9. Ai fini del presente Articolo:

(a) L'espressione "cittadini delle Nazioni Unite" si applica alle persone fisiche, che siano cittadini di una qualsiasi delle Nazioni Unite ed alle società o associazioni costituite secondo le leggi di una delle Nazioni Unite alla data dell'entrata in vigore del presente Trattato, a condizione ch'esse già possedessero tale qualità il 3 settembre 1943, alla data cioè dell'Armistizio con l'Italia.

L'espressione "cittadini delle Nazioni Unite" s'applica anche a tutte le

persone fisiche e alle società o associazioni, che, ai sensi della legislazione in vigore in Italia durante la guerra, siano state considerate come nemiche.

(b) Il termine "proprietario" serve a designare il cittadino di una delle Nazioni Unite, secondo la definizione datane all'alinea *(a)* di cui sopra, che abbia un titolo legittimo di proprietà sul bene di cui trattasi e si applica anche al successore del proprietario, a condizione che tale successore sia anch'egli cittadino delle Nazioni Unite, ai sensi dell'alinea *(a)*. Se il successore ha acquistato il bene, quando questo era già danneggiato, il venditore conserverà i suoi diritti all'indennità prevista dal presente Articolo, senza pregiudizio delle obbligazioni esistenti tra il venditore e l'acquirente, ai sensi della legislazione locale.

(c) Il termine "beni" serve a designare tutti i beni mobili e immobili, materiali ed incorporei, compresi i diritti di proprietà industriale, letteraria e artistica e tutti i diritti od interessi in beni di qualsiasi natura. Senza pregiudizio delle disposizioni generali precedenti, l'espressione "beni delle Nazioni Unite e dei loro cittadini" comprende tutti i bastimenti destinati alla navigazione marittima e fluviale, compresi gli strumenti e l'armamento di bordo, che hanno appartenuto alle Nazioni Unite o ai loro cittadini o che sono stati iscritti nel territorio di una delle Nazioni Unite o hanno navigato battendo la bandiera di una delle Nazioni Unite e che, posteriormente al 10 giugno 1940, sia che si trovassero in acque italiane o che vi fossero state portate a forza, sono state poste sotto il controllo delle autorità italiane come beni nemici o hanno cessato di essere a libera disposizione in Italia delle Nazioni Unite o dei loro cittadini, a seguito delle misure di controllo adottate dalle autorità italiane in relazione all'esistenza di uno stato di guerra tra membri delle Nazioni Unite e la Germania.

SEZIONE II—BENI ITALIANI SITUATI NEL TERRITORIO DELLE POTENZE ALLEATE E ASSOCIATE

Articolo 79

1. Ciascuna delle Potenze Alleate e Associate avrà il diritto di requisire, detenere, liquidare o prendere ogni altra azione nei confronti di tutti i beni, diritti e interessi, che, alla data dell'entrata in vigore del presente

Trattato si trovino entro il suo territorio e che appartengano all'Italia o a cittadini italiani e avrà inoltre il diritto di utilizzare tali beni o i proventi della loro liquidazione per quei fini che riterrà opportuni, entro il limite dell'ammontare delle sue domande o di quelle dei suoi cittadini contro l'Italia o i cittadini italiani, ivi compresi i crediti che non siano stati interamente regolati in base ad altri Articoli del presente Trattato. Tutti i beni italiani od i proventi della loro liquidazione, che eccedano l'ammontare di dette domande, saranno restituiti.

2. La liquidazione dei beni italiani e le misure in base alle quali ne verrà disposto, dovranno essere attuate in conformità della legislazione delle Potenze Alleate o Associate interessate. Per quanto riguarda detti beni, il proprietario italiano non avrà altri diritti che quelli che a lui possa concedere la legislazione suddetta.

3. Il Governo italiano s'impegna a indennizzare i cittadini italiani, i cui beni saranno confiscati ai sensi del presente Articolo e non saranno loro restituiti.

4. Il presente Articolo non pone l'obbligo per alcuna delle Potenze Alleate o Associate, di restituire al Governo italiano od ai cittadini italiani, diritti di proprietà industriale, nè di contare tali diritti nel calcolo delle somme, che potranno essere trattenute, ai sensi del paragrafo 1 del presente Articolo. Il Governo di ognuna delle Potenze Alleate ed Associate avrà il diritto di imporre sui diritti e interessi afferenti alla proprietà industriale sul territorio di detta Potenza Alleata o Associata, acquisiti dal Governo italiano o da cittadini italiani prima dell'entrata in vigore del presente Trattato, quelle limitazioni, condizioni e restrizioni che il Governo della Potenza Alleata o Associata interessata potrà considerare necessarie nell'interesse nazionale.

5. *(a)* I cavi sottomarini italiani colleganti punti situati in territorio jugoslavo saranno considerati come beni italiani in Jugoslavia, anche se una parte di tali cavi si trovi a giacere al di fuori delle acque territoriali jugoslave.

(b) I cavi sottomarini italiani, colleganti un punto situato sul territorio di una Potenza Alleata o Associata e un punto situato in territorio

italiano, saranno considerati beni italiani, ai sensi del presente Articolo, per quanto concerne gli impianti terminali e quella parte dei cavi che giace entro le acque territoriali di detta Potenza Alleata o Associata.

6. I beni di cui al paragrafo 1 del presente Articolo saranno considerati come comprendenti anche i beni italiani che abbiano formato oggetto di misure di controllo, a causa dello stato di guerra esistente tra l'Italia e la Potenza Alleata o Associata, avente giurisdizione sui beni stessi, ma non comprenderanno:

(a) i beni del Governo italiano utilizzati per le esigenze delle Rappresentanze diplomatiche o consolari;

(b) i beni appartenenti ad istituzioni religiose o ad enti privati di assistenza e beneficienza ed usati esclusivamente a fini religiosi o filantropici;

(c) i beni delle persone fisiche, che siano cittadini italiani, autorizzati a risiedere sia sul territorio del paese, dove sono situati i beni, che sul territorio di una qualsiasi delle Nazioni Unite, esclusi i beni, che in qualsiasi momento, nel corso della guerra, siano stati sottoposti a provvedimenti non applicabili in linea generale ai beni dei cittadini italiani residenti nello stesso territorio;

(d) i diritti di proprietà sorti dopo la ripresa dei rapporti commerciali e finanziari tra le Potenze Alleate e Associate e l'Italia o sorti da operazioni e negozi tra il Governo di una delle Potenze Alleate o Associate e l'Italia, dopo il 3 settembre 1943;

(e) i diritti di proprietà letteraria e artistica;

(f) i beni dei cittadini italiani, situati nei territori ceduti, a cui si applicheranno le disposizioni dell'Allegato XIV;

(g) fatta eccezione per i beni indicati all'Articolo 74, capo A, paragrafo 2 *(b)* e capo D paragrafo 1, i beni delle persone fisiche, residenti nei territori ceduti o nel Territorio Libero di Trieste, che non eserciteranno il diritto d'opzione per la nazionalità italiana previsto dal presente Trattato, e i beni delle società o associazioni, la cui sede sociale sia situata nei territori ceduti o nel Territorio Libero di Trieste, a condizione che tali società o asso-

ciazioni non appartengano o siano controllate da persone residenti in Italia. Nei casi previsti dall'Articolo 74, capo A, paragrafo 2 *(b)* e capo D, paragrafo 1, la questione dell'indennità sarà regolata in conformità delle disposizioni di cui all'Articolo 74, capo E.

SEZIONE III—DICHIARAZIONE DELLE POTENZE ALLEATE E ASSOCIATE IN ORDINE ALLE LORO DOMANDE

Articolo 80

Le Potenze Alleate e Associate dichiarano che i diritti ad esse attribuiti in base agli Articoli 74 e 79 del presente Trattato esauriscono tutte le loro domande e le domande dei loro cittadini per perdite o danni risultanti da fatti di guerra, ivi compresi i provvedimenti adottati durante l'occupazione dei loro territori, che siano imputabili all'Italia e che si svolsero fuori del territorio italiano, eccezione fatta delle domande fondate sugli Articoli 75 e 78.

SEZIONE IV—DEBITI

Articolo 81

1. L'esistenza dello stato di guerra non deve, di per sè, essere considerata come precludente l'obbligo di pagare i debiti pecuniari risultanti da obbligazioni e da contratti che erano in vigore, e da diritti, che erano stati acquisiti prima dell'esistenza dello stato di guerra e che erano divenuti esigibili prima dell'entrata in vigore del presente Trattato e che sono dovuti dal Governo italiano o da cittadini italiani al Governo o ai cittadini di una delle Potenze Alleate ed Associate o sono dovute dal Governo o da cittadini di una delle Potenze Alleate ed Associate al Governo italiano od a cittadini italiani.

2. Salvo disposizioni espressamente contrarie contenute nel presente Trattato, nessuna sua clausola dovrà essere interpretata nel senso di precludere o colpire i rapporti di debito e credito, risultanti da contratti conclusi prima della guerra, sia dal Governo, che da cittadini italiani.

PARTE VIII

RELAZIONI ECONOMICHE GENERALI

Articolo 82

1. In attesa della conclusione di trattati o accordi commerciali tra le singole Nazioni Unite e l'Italia, il Governo italiano dovrà, durante i 18 mesi che seguiranno l'entrata in vigore del presente Trattato, accordare a ciascuna delle Nazioni Unite, che già accordano a titolo di reciprocità un trattamento analogo all'Italia in tale materia, il trattamento seguente:

(a) Per tutto quanto si riferisce a dazi ed a tasse sull'importazione e l'esportazione, alla tassazione interna delle merci importate e a tutti i regolamenti in materia, le Nazioni Unite godranno incondizionatamente della clausola della nazione più favorita;

(b) sotto ogni altro riguardo, l'Italia non adotterà alcuna discriminazione arbitraria contro merci provenienti dal territorio o destinate al territorio di alcuna delle Nazioni Unite, rispetto a merci analoghe proveniente dal territorio o destinate al territorio di alcun'altra Nazione Unita, o di qualunque altro paese straniero;

(c) i cittadini delle Nazioni Unite, comprese le persone giuridiche, godranno dello stesso trattamento dei cittadini e di quello della nazione più favorita, in ogni questione che si riferisca al commercio, all'industria, alla navigazione ed alle altre forme di attività commerciale in Italia. Tali disposizioni non si applicheranno all'aviazione civile.

(d) L'Italia non accorderà ad alcun paese diritti esclusivi o preferenziali, per quanto riguarda le operazioni dell'aviazione civile nel campo dei traffici internazionali e offrirà a tutte le Nazioni Unite condizioni di parità nell'acquisizione dei diritti in materia di trasporti aerei commerciali internazionali in territorio italiano, compreso il diritto di atterraggio per rifornimento e riparazioni ed accorderà, per gli apparecchi civili operanti nel campo dei traffici internazionali, a tutte le Nazioni Unite, su una base di reciprocità e di non-discriminazione, il diritto di sorvolo sul territorio italiano senza atterraggio. Queste disposizioni non dovranno recare pregiudizio agli interessi della difesa nazionale dell'Italia.

2. Gli impegni come sopra assunti dall'Italia, debbono intendersi soggetti alle eccezioni normalmente incluse nei trattati di commercio conclusi dall'Italia prima della guerra; e le disposizioni in materia di reciprocità accordate da ciascuna delle Nazioni Unite debbono intendersi soggette alle eccezioni normalmente incluse nei trattati di commercio da ciascuna di dette Nazioni.

PARTE IX

REGOLAMENTO DELLE CONTROVERSIE

Articolo 83

1. Ogni controversia che possa sorgere a proposito dell'applicazione degli Articoli 75 e 78 e degli Allegati XIV, XV, XVI e XVII, parte B, del presente Trattato, dovrà essere sottoposta ad una Commissione di Conciliazione, composta di un rappresentante del Governo della Nazione Unita interessata e di un rappresentante del Governo italiano, esercitanti le loro funzioni su una base di parità. Se entro tre mesi dal giorno in cui la controversia è stata sottoposta alla Commissione di Conciliazione, nessun accordo è intervenuto, ciascuno dei due Governi potrà chiedere che sia aggiunto alla Commissione un terzo membro, scelto di comune accordo tra i due Governi, tra i cittadini di un terzo paese. Qualora entro due mesi, i due Governi non riescano ad accordarsi sulla scelta di un terzo membro, i Governi si rivolgeranno agli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, i quali provvederanno a designare il terzo membro della Commissione. Se gli Ambasciatori non riescono a mettersi d'accordo entro un mese sulla designazione del terzo membro, l'una o l'altra parte interessata potrà chiedere al Segretario Generale delle Nazioni Unite di procedere alla relativa designazione.

2. Quando una Commissione di Conciliazione sia stata costituita ai sensi del paragrafo 1 di cui sopra, essa avrà giurisdizione su tutte le controversie che, in seguito, possano sorgere tra la Nazione Unita interessata e l'Italia, in sede di applicazione o di interpretazione degli Articoli 75 e 78

e degli Allegati XIV, XV, XVI, e XVII, Parte B, del presente Trattato ed eserciterà le funzioni ad essa devolute dalle dette disposizioni.

3. Ciascuna Commissione di Conciliazione determinerà la propria procedura, adottando norme conformi alla giustizia e all'equità.

4. Ciascun Governo pagherà gli onorari del membro della Commissione di Conciliazione ch'esso abbia nominato e di ogni agente ch'esso Governo possa designare per rappresentarlo davanti alla Commissione. Gli onorari del terzo membro saranno fissati mediante accordo speciale tra i Governi interessati e tali onorari, così come le spese comuni di ogni Commissione, saranno pagati per metà da ciascuno dei due Governi.

5. Le parti si impegnano a far in modo che le loro autorità forniscano direttamente alla Commissione di Conciliazione tutta l'assistenza che sarà in loro potere di fornire.

6. La decisione presa dalla maggioranza dei membri della Commissione costituirà la decisione della Commissione e sarà accettata dalle parti come definitiva e obbligatoria.

PARTE X

CLAUSOLE ECONOMICHE VARIE

Articolo 84

Gli Articoli 75, 78, 82 e l'Allegato XVII del presente Trattato si applicheranno alle Potenze Alleate e Associate e a quelle Nazioni Unite, che abbiano rotto le relazioni diplomatiche con l'Italia o con cui l'Italia abbia rotto le relazioni diplomatiche. Questi Articoli e l'Allegato suddetto, si applicheranno anche all'Albania e alla Norvegia.

Articolo 85

Le disposizioni degli Allegati VIII, X, XIV, XV, XVI e XVII, come pure quelle degli altri Allegati, saranno considerate come parte integrante del presente Trattato e ne avranno lo stesso valore ed effetto.

PARTE XI

CLAUSOLE FINALI

Articolo 86

1. Durante un periodo che non supererà i diciotto mesi, a decorrere dall'entrata in vigore del presente Trattato, gli Ambasciatori a Roma dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, agendo di comune accordo, rappresenteranno le Potenze Alleate ed Associate, per trattare con il Governo italiano ogni questione relativa all'esecuzione e all'interpretazione del presente Trattato.

2. I Quattro Ambasciatori daranno al Governo italiano i consigli, i pareri tecnici ed i chiarimenti che potranno essere necessari per assicurare l'esecuzione rapida ed efficace del presente Trattato, sia nella lettera che nello spirito.

3. Il Governo italiano fornirà ai Quattro Ambasciatori tutte le informazioni necessarie e tutta l'assistenza di cui essi potranno aver bisogno nell'esercizio delle funzioni ad essi conferite dal presente Trattato.

Articolo 87

1. Salvo i casi per i quali una diversa procedura sia prevista da un Articolo del presente Trattato, ogni controversia relativa all'interpretazione od all'esecuzione del presente Trattato, che non sia stata regolata per via di negoziati diplomatici diretti, sarà sottoposta ai Quattro Ambasciatori, che procederanno ai sensi dell'Articolo 86. In tal caso però gli Ambasciatori non saranno tenuti ad osservare i termini di tempo fissati in detto Articolo. Ogni controversia di tale natura, ch'essi non abbiano regolato entro un periodo di due mesi, salvo che le parti interessate si mettano d'accordo su un altro mezzo per dirimere la controversia stessa, sarà sottoposta, a richiesta di una o dell'altra delle parti, ad una Commissione composta di un rappresentante di ciascuna delle parti e di un terzo membro scelto di comune accordo tra le due parti tra i cittadini di un terzo paese. In mancanza di accordo tra le due parti entro un mese sulla questione della designazione di detto terzo membro, l'una o l'altra delle parti potrà chiedere al Segretario Generale delle Nazioni Unite di procedere alla relativa designazione.

2. La decisione presa dalla maggioranza dei membri della Commissione costituirà la decisione della Commissione e sarà accettata dalle parti come definitiva e obbligatoria.

Articolo 88

1. Ogni altro membro delle Nazioni Unite che sia in guerra con l'Italia e che non sia firmatario del presente Trattato, e l'Albania, potranno aderire al Trattato e, dal momento dell'adesione, saranno considerati come Potenze Associate ai fini del presente Trattato.

2. Gli strumenti d'adesione saranno depositati presso il Governo della Repubblica francese e avranno valore dal momento del loro deposito.

Articolo 89

Le disposizioni del presente Trattato non conferiranno alcun diritto o beneficio ad alcuno Stato designato nelle Premesse come una delle Potenze Alleate e Associate o ai rispettivi cittadini, finchè detto Stato non sia divenuto parte contraente del Trattato, attraverso il deposito del proprio strumento di ratifica.

Articolo 90

Il presente Trattato, di cui il testo francese, inglese e russo fanno fede, dovrà essere ratificato dalle Potenze Alleate e Associate. Esso dovrà anche essere ratificato dall'Italia. Esso entrerà in vigore immediatamente dopo il deposito delle ratifiche da parte dell'Unione delle Repubbliche Socialiste Sovietiche, del Regno Unito di Gran Bretagna e dell'Irlanda del Nord, degli Stati Uniti d'America e della Francia. Gli strumenti di ratifica saranno, nel più breve tempo possibile, depositati presso il Governo della Repubblica francese.

Per quanto concerne ciascuna delle Potenze Alleate o Associate, i cui strumenti di ratifica saranno depositati in epoca successiva, il Trattato entrerà in vigore alla data del deposito. Il presente Trattato sarà depositato negli archivi del Governo della Repubblica francese, che rimetterà copie autentiche a ciascuno degli Stati firmatari.

ELENCO DEGLI ALLEGATI

I. Carte (vedi raccolta a parte)

II. Descrizione dettagliata dei tratti di frontiera a cui si applicano le modificazioni di cui all'Articolo 2

III. Garanzie relative al Moncenisio e alla regione di Tenda e di Briga

IV. Accordo tra il Governo Italiano e il Governo Austriaco in data 5 settembre 1946

V. Approvvigionamento dell'acqua per il comune di Gorizia e dintorni

VI. Statuto Permanente del Territorio Libero di Trieste

VII. Strumento relativo al regime provvisorio del Territorio Libero di Trieste

VIII. Strumento relativo al Porto Franco di Trieste

IX. Disposizioni tecniche relative al Territorio Libero di Trieste

X. Disposizioni economiche e finanziarie relative al Territorio Libero di Trieste

XI. Dichiarazione comune dei Governi dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, concernente i possedimenti territoriali italiani in Africa

XII. Elenco delle navi da guerra:
- A. che l'Italia può conservare
- B. che l'Italia deve consegnare

XIII. Definizioni:
- A. Termini navali
- B. Istruzione militare, navale ed aerea
- C. Definizione ed elenco del materiale bellico
- D. Definizione dei termini "Smilitarizzazione" e "Smilitarizzato"

XIV. Disposizioni economiche e finanziarie relative ai territori ceduti

XV. Disposizioni speciali concernenti certe categorie di beni:
- A. Proprietà industriale, letteraria ed artistica
- B. Assicurazioni

XVI. Contratti, prescrizione, titoli all'ordine

XVII. Tribunali delle prede e giudizi

ALLEGATO I

Carte Allegate al Trattato di Pace con l'Italia

(vedi raccolta a parte)

A. Frontiere dell'Italia (Articolo 1)
B. Frontiera franco-italiana (Articolo 2)
C. Frontiera italo-jugoslava (Articolo 3)
D. Frontiera del Territorio Libero di Trieste (Articoli 4 e 22)
E. Zone maritime definite all'Articolo 11 del presente Trattato

ALLEGATO II

Frontiera Franco-Italiana

Descrizione dettagliata dei tratti di frontiera a cui si applicano le modificazioni di cui all'Articolo 2

Passo del Piccolo San Bernardo

Riferimento: carta 1:20.000: Ste Foy Tarentaise N. 1 e 2

Il nuovo confine segue un tracciato che parte dalla cresta rocciosa di Lancebranlette, poi, discendendo verso oriente, segue la linea dello spartiacque al livello di 2180 metri donde passa alla colonna Joux (2188). Di qui, seguendo ancora la linea dello spartiacque, risale alla Costa del Belvedere di cui segue gli affioramenti rocciosi, risale il Monte Belvedere, di cui contorna la cima, lasciando quest'ultimo in territorio francese a 120 metri dalla frontiera e passando per le quote 2570, 2703, la Bella Valletta e la quota 2746, si ricongiunge all'antico confine al Monte Valaisan.

Ripiano del Moncenisio

Riferimento: carte 1:20.000 di Lanslebourg N. 5-6 e 7-8 e di Monte D'Ambin, N. 1-2

Il nuovo confine segue un tracciato che abbandona l'antica frontiera a Monte Tour, segue verso occidente la linea di demarcazione amministra-

tiva, che figura nella carta, segue poi il Vitoun dal punto in cui incontra il suo braccio settentrionale e ne discende il corso fino alla Rocca della Torretta.

Continuando poi a seguire la linea degli affioramenti rocciosi, raggiunge il torrente che viene dall'Alpe Lamet e discende con esso fino alla base della scarpata rocciosa lungo la quale esso corre per circa 800 metri fino alla linea del thalweg, ad un punto situato a circa 200 metri al nord della quota 1805.

Prosegue quindi fino alla sommità del tratto di terreno franoso che domina Ferrera Cenisio a circa 300 metri da questa e continuando verso occidente, raggiunge la strada che circonda ad est il Rne. Paradiso, a 400 metri ad ovest dello spiazzo terminale (1854), per lasciarla subito e piegare a sud.

Taglia la strada di Bar Cenisia in un punto a circa 100 metri a sudest del Rifugio No. 5, traversa il thalweg in direzione del lago S. Giorgio, segue all'incirca la costa 1900 fino alla quota 1907, costeggia poi la riva meridionale del Lago d'Arpon e raggiunge la cima rocciosa che continua a seguire in direzione sudovest fino alla confluenza dei torrenti che scendono dal Ghiacciaio di Bard ad un punto a circa 1400 metri a sudovest del lago d'Arpon.

Di qui, piegando verso sud, segue all'incirca la costa 2500, passa per quota 2579 e poi correndo lungo la costa 2600 raggiunge il Lago della Vecchia e si ricongiunge, alla linea di demarcazione amministrativa segnata sulla carta a 700 metri circa a sud est del lago, al sentiero di Passo d'Avanza che segue lungo le scarpate rocciose fino all'antica frontiera, a metà strada tra il Col della Vecchia e il Colle del Clapier.

Monte Tabor

Riferimento: carte 1:20.000 di Nevache, N. 1-2, 5-6 e 7-8

Dalla Cima de la Planette al Rocher de Guion (Cima del Sueur)

Il nuovo confine segue un tracciato che lascia l'attuale frontiera a Cima de La Planette e, procedendo verso mezzogiorno, segue la cresta attraverso le quote 2980, 3178, la Rca. Bernaude (3228), le quote 2842, 2780,

2877, il Passo della Gallina (2671), le quote 2720, 2806 e la Punta Quattro Sorelle (2700).

Discendendo il pendio ad oriente di questa cima, il tracciato lascia in territorio francese la quota 2420, di dove raggiunge e segue ad est il sentiero che conduce agli edifici situati a circa 200 metri da quota 2253, restando detto sentiero e detti edifici in territorio francese. Entra poi in un thalweg che passa a circa 300 metri a nordest di quota 1915, donde raggiunge l'estremità nord-occidentale del bacino che, nella Vallée Etroite (Valle Stretta) alimenta le centrali idroelettriche di Sette Fontane, lasciando detto bacino e dette centrali in territorio italiano. Contornando il bacino a sud, raggiunge il crocevia a quota 1499.

Segue poi il sentiero che affianca strettamente la costa 1500 lungo l'estremità dei boschi e che conduce a Comba della Gorgia, vicino a costa 1580; risale poi il thalweg verso quota 1974 e raggiunge l'estremità delle scarpate rocciose di La Sueur, segnate dalle quote 2272, 2268, 2239, 2266, 2267, mantenendosi su detta estremità sinchè non incontra l'antica frontiera. La cresta delle roccie ad il sentiero che corre lungo di essa resta in territorio francese.

Chaberton

Riferimento: Carte 1:20.000 di Briançon N. 3-4

Il nuovo confine segue un tracciato che abbandona l'antica frontiera a quota 3042 (a nord della quota 3070 e della Pointe des Trois Scies) e segue la cresta rocciosa fino alla Croce del Vallonetto.

Dalla Croce del Vallonetto piega verso sud lungo la cresta rocciosa e raggiunge la strada del Chaberton nel punto in cui quest'ultima entra nell'avvallamento circolare del Clot des Morts.

Traversata detta strada e il thalweg che la delimita, il tracciato segue all'incirca per 1250 metri la costa 2300, che, sul terreno, segue verso sud-est una serie di affioramenti rocciosi e di detriti, poi taglia direttamente il versante orientale del Monte Chaberton, raggiunge un punto a circa 400 metri ad ovest della quota 2160, lasciando in territorio francese il pilone intermedio della teleferica che vi si trova.

Di là si dirige direttamente, attraverso una serie di sbarramenti roc-

ciosi e di dirupi, verso la posizione (non segnata sulla carta) di La Fontaine des Chamois, vicino alla quota 2228 (circa 1400 metri a nordest di Clavières), che fiancheggia verso est, seguendo la seconda curva della strada che unisce questo punto alla caserma fortificata del Chaberton, sulla strada da Cézanne (Cesana) a Clavières, lasciando le opere fortificate di La Fontaine des Chamois in territorio francese.

Di qui, seguendo in un primo momento in direzione sud la linea di demarcazione comunale segnata sulla carta e poi lo sbarramento roccioso a circa 400 metri a nord della strada Clavières-Cézanne (Cesana), piega verso sud-ovest passando ai piedi della parete rocciosa, a una distanza da quest'ultima, sufficiente per consentire la costruzione di una strada a doppia circolazione.

Contornando così a nord il villaggio di Clavières, che resta in territorio italiano, il tracciato raggiunge il Rio Secco a circa 200 metri a monte del ponte di Clavières, ne discende il corso, segue poi il corso della Doire Ripaire (Dora Riparia) fino alla strada da Clavières a Val Gimont, che è lasciata all'Italia e segue quindi detta strada fino al ponte sul Gimont.

Risalendo il corso di quest'ultimo per circa 300 metri, il tracciato l'abbandona poi per seguire la mulattiera che lo porta fino al pilone superiore della teleferica di Clavières (Col du Mont Fort du Boeuf) che è lasciato in territorio francese. Poi, attraverso la cresta, si ricongiunge all'attuale frontiera a Mont La Plane, posto di frontiera 251. La strada della Valle del Gimont è lasciata in territorio italiano.

Valli superiori della Tinea, della Vesubie e della Roya

1. *Dalla Cima di Colla Longa alla Cima di Mercantour*

Riferimenti: carte 1:20.000 di St. Etienne de Tinée, N. 3-4 e 7-8 e di Les Trois Ponts, N. 5-6

Il nuovo confine segue un tracciato che abbandona la vecchia frontiera alla Cima di Colla Longa e, procedendo verso oriente e seguendo la linea dello spartiacque, va lungo le creste rocciose passando per le quote 2719, 2562, il Colle di Seccia, raggiunge a quota 2760 la Testa dell'Autaret, passa per quota 2672 al Colle della Guercia (2456) e per le quote 2640, 2693 e 2689, raggiunge le Rocche di Saboulé e ne segue la cresta nord.

Seguendo la cresta, il tracciato passa per le quote 2537, 2513, Passo del Lausfer (2461) e quota 2573 fino alla Testa Auta del Lausfer (2587), donde piega verso sud fino a Testa Colla Auta, passando Cima del Lausfer (2554) e lasciando detta quota in Italia.

Di qui, attraverso quota 2484 e seguendo il sentiero di cresta, cne rimane in territorio francese, attraverso quote 2240 e 2356 ed il Passo di S. Anna e quote 2420 e 2407, raggiunge un punto a circa 80 metri a sud di quota 2378 (Cima Moravacciera).

Seguendo il sentiero di cresta, lasciato in territorio francese, passa per la Testa Ga del Caval e quota 2331, lasciate entrambe in territorio francese e poi, abbandonando il sentiero, continua sulla cresta di Testa dell'Adreck (2475) e, attraverso il Colle della Lombarda e quota 2556, raggiunge Cima della Lombarda (2801).

Ripiegando verso sud-est, segue quindi la cresta rocciosa e passando per Passo di Peania, Cima di Vermeil, quota 2720, lasciata in territorio francese, Testa Cba. Grossa (2792), Passo del Lupo, (2730) e quota 2936, raggiunge Monte Malinvern.

Di qui, in direzione sud, attraverso quote 2701, 2612 e Cima di Tavels (2804) e poi in direzione est attraverso quota 2823, raggiunge Testa del Claus (2889).

Poi, piegando in direzione generale sud-est, traversa il Passo delle Portette, passa per quota 2814 e Testa delle Portette, quota 2868, Testa Margiola (2831), Caire di Prefouns (2840), Passo del Prefouns (2620), Testa di Tablasses (2851), Passo di Bresses (2794) e Testa di Bresses (2820) e passando per Cima di Fremamorta (2731), Colle Fremamorta, quote 2625, 2675 e 2539, Cima di Pagari (2686), Cima di Naucetas (2706), quote 2660, 2673, e Colle di Ciriegia (2581), raggiunge Cima di Mercantour (2775).

2. *Da Cima di Mercantour a Monte Clapier*

Riferimento: Carta 1:20.000: Les Trois Ponts, N. 5-6 e carta italiana 1:20.000: Madonna delle Finestre

Dalla Cima di Mercantour procede per quota 2705, Colle Mercantour (2611), Cima Ghilie (2998), le quote 2939 e 2955, Testa della Rovina (2981), quote 2844 e 2862, Passo della Rovina, Caire dell'Agnel (2935,

2867, 2784), Cima del Caire Agnel (2830), Cima Mallariva (2860), Cima Cairas (2831), Cima Cougourda (2881, 2921), Cima dei Gaisses (2896), quote 2766, 2824, Cima del Lombard (2842), quote 2831, 2717, 2591, 2600 e 2582, Boccia Forno, Cima delle Finestre (2657), Col delle Finestre, quote 2634, 2686 e 2917, e raggiunge Cima dei Gelas (3143) e, attraverso quote 3070, Cima della Maledia (3061), donde segue poi il sentiero di Passo del Pagari (2819); quindi, seguendo la linea di demarcazione comunale, segnata sulla carta, raggiunge il Passo di Monte Clapier (2827) e contorna il Monte Clapier (3045) a nord e ad est, seguendo la linea di demarcazione amministrativa segnata sulla carta.

3. *Dal Monte Clapier al Colle di Tenda*

Riferimento: Carta italiana 1:20.000: Madonna delle Finestre e Colle di Tenda

Dal Monte Clapier, il tracciato segue la linea di demarcazione amministrativa rappresentata sulla carta da quote 2915, 2887 e 2562, dal Passo dell'Agnel e da quota 2679, fino a Cima dell'Agnel (2775).

Si dirige poi verso oriente, seguendo sempre la linea di demarcazione amministrativa rappresentata sulla carta da quota 2845 e 2843 delle Roccie dell'Agnel; raggiunge poi Cima della Scandeiera (2706), attraverso il Colle del Sabbione (2332), prosegue per quote 2373, 2226, 2303 e 2313 fino a Cima del Sabbione (2610), quota 2636, Punta Peirafica, quote 2609, 2585, 2572, 2550 e raggiunge la Rocca dell'Abisso (2755).

Il tracciato si mantiene ancora sulla linea di demarcazione amministrativa segnata sulla carta fino ad est della quota 2360, poi corre lungo gli affioramenti rocciosi a nord di Rne. Pian Misson, da cui raggiunge il sentiero di Monte Becco Rosso e lo segue a nord delle quote 2181, 2116 e 1915; costeggia quindi per circa un chilometro la strada in direzione nord prima di riprendere il sentiero surricordato fino al Colle di Tenda. Il sentiero e la parte di strada nazionale sopramenzionata rimangono in territorio francese.

4. *Dal Colle di Tenda alla Cima Missun*

Riferimento: carta italiana 1:20.000: Tenda e Certosa di Pesio

Dal Colle di Tenda il tracciato, lasciando il sentiero in territorio francese, prosegue fino a quote 1887 e 2206, poi abbandona il sentiero per

seguire sulla cresta la linea di demarcazione amministrativa segnata sulla carta; quindi passando per quota 2262 raggiunge Cima del Becco (2300).

Dirigendosi verso nord e lungo la linea di demarcazione amministrativa segnata sulla carta, raggiunge il Col della Perla (2086), segue il sentiero che corre lungo gli affioramenti rocciosi di Cima del Cuni fino al Col della Boaira, dove l'abbandona per seguire la cresta in direzione nord. Il sentiero sopramenzionato rimane in territorio francese.

Costeggiando l'affioramento roccioso, prosegue fino a quota 2275, raggiunge Testa Ciaudon (2386), corre lungo le scarpate rocciose, attraversa Colla Piana (2219) e raggiunge quota 2355 del Monte delle Carsene, che è lasciato in territorio francese; segue poi la cresta nord di detto monte per Punta Straldi (2375), quote 2321 e 2305, fino a Passo Scarason, poi piega a nord fino alla quota 2352, dove incontra la linea di demarcazione amministrativa segnata sulla carta e segue detta linea attraverso quote 2510 e 2532, fino a Punta Marguareis (2651).

Deviando verso mezzogiorno, segue poi la cresta, passa quota 2585 e discendendo lungo lo spigolo roccioso, raggiunge Colle del Lago dei Signori.

Seguendo il sentiero di cresta, che rimane in territorio francese e seguendo quindi la cresta stessa, raggiunge Cima di Pertega (2402), scende lungo la cresta rocciosa fino al Colle delle Vecchie (2106); di qui segue il sentiero di cresta, che lascia in territorio francese, attraverso quote 2190, 2162, Cima del Vescovo (2257) e Cima di Velega (2366), fino a Monte Bertrand.

Da Monte Bertrand (2481) il tracciato segue la linea di demarcazione amministrativa segnata sulla carta fino a Colla Rossa, dove riprende il sentiero di cresta che poi costeggia passando attraverso quote 2179 e 2252 fino a Cima Missun (2356); contornando quindi questa cima verso est, continua a seguire il sentiero sopramenzionato, che rimane in territorio francese.

5. *Da Cima Missun a Col de Pegairole*

Riferimento: carta 1:20.000 Pointe de Lugo, N. 1-2 e 5-6

Seguendo lo stesso sentiero di cresta il tracciato attraversa Colla Cravirora e passa ad est della quota 2265 fino a Punta Farenga. Abbandona poi il sentiero per contornare ad est la Cima Ventosa, dopodichè raggiunge

il sentiero del Passo di Tanarello, lasciando in Francia le costruzioni dall'altra parte del sentiero. Il tracciato passa poi lungo il Monte Tanarello, attraversa Passo Basera (2038), contorna il Monte Saccarello, che è lasciato a circa 300 metri in direzione di occidente, poi, seguendo prima la cresta rocciosa e quindi il sentiero fino al Passo di Collardente, raggiunge la cresta che conduce al Monte Collardente, lasciando quota 1762 in territorio francese. A questo punto costeggia un sentiero che è lasciato in territorio italiano e raggiunge il Monte Collardente, lasciando in territorio francese il sentiero che lo attraversa. Il tracciato segue poi questo sentiero attraverso la Bassa di Sanson ad est ed a sud di quota 1769, fino alle costruzioni situate a circa 500 metri ad est di Testa della Nava (1934), che sono lasciate in territorio francese.

Abbandonando la strada all'altezza di dette fabbriche, raggiunge in cresta la strada lungo la cresta di Testa di Nava, che rimane in territorio francese e la segue fino alle fabbriche a sud-est della Cima di Marta o Monte Vacche, contornandolo dall'est.

Di qui, lungo la strada di cresta, lasciata in territorio francese, contorna il Monte Ceriana, abbandona la strada per raggiungere il Monte Grai (2014), la riprende di nuovo al Col (1875), la segue per contornare Cima della Valletta e Monte Pietravecchia, fino alla cresta rocciosa.

Attraversa poi la Gola dell'Incisa, raggiunge per via della cresta e quota 1759 il Monte Toraggio (1972), e poi Cima di Logambon e la Gola del Corvo, contorna il Monte Bauso e Monte Lega (1552, 1563 e 1556) e segue la cresta giù fino al Passo di Muratone.

Lungo la strada di cresta, lasciata in territorio francese, arriva fino a Monte Scarassan, al sud di Monte Battolino e di quota 1358, raggiungendo Colla Pegairole.

6. *Da Colla Pegairole a Monte Mergo*

Riferimento: carta 1:20.000 di Pointe de Lugo N. 5-6, San Remo N. 1-2 e Menton N. 3-4

Da Colla Pegairole il tracciato segue la linea di demarcazione amministrativa segnata sulla carta, lasciando Cisterne alla Francia, risale Monte Simonasso, discende fino al Col e segue la strada fino a Margheria Suan, che lascia in territorio francese, mentre i chalets rimangono in territorio italiano.

Continuando a seguire la strada, lasciata in territorio francese, passa ad est di Testa d'Alpe, per Fontana dei Draghi, per le sorgenti di quota 1406, per quota 1297, contorna Colla Sgora ad est, passa per quote 1088, 1016 e 1026, attraversa la cresta rocciosa di Monte Colombin, segue la linea di demarcazione amministrativa segnata sulla carta lungo Cima di Reglie (846 e 858), abbandona detta linea in direzione sudovest per seguire la cresta di Serra dell'Arpetta (543, 474 e 416) fino al thalweg della Roya, che attraversa a circa 200 metri a nordovest del ponte di Fanghetto.

Il tracciato risale poi il thalweg della Roya fino ad un punto situato a circa 350 metri dal ponte sopramenzionato. Abbandona la Roya a detto punto e si dirige a sudovest verso quota 566. Da questo punto procede verso ovest fino ad incontrare il burrone che discende verso Olivetta; lo segue fino alla strada, lasciando in territorio italiano le abitazioni situate sulla strada stessa, risale la Val di Trono per circa 200 metri e poi si dirige verso quota 410, fino alla strada tra Olivetta e S. Girolamo. Di qui, dopo aver seguito la strada per cento metri circa verso sudest, riprende la direzione generale di sudovest fino a quota 403, proseguendo per circa 20 metri lungo ed a sud della strada segnata sulla carta. Da quota 403 segue la cresta di Punta Becche fino a quota 379, poi, dirigendosi di nuovo verso sudovest, attraversa il Bevera, seguendo il thalweg verso Monte Mergo, che contorna a sud a circa 50 metri dalla cima (686) lasciata in territorio francese, e raggiunge l'attuale frontiera ad un punto situato a circa 100 metri a sudovest di detta cima.

ALLEGATO III

Garanzie relative al Moncenisio e alla regione di Tenda-Briga

(vedi Articolo 9)

A—GARANZIE CHE LA FRANCIA DOVRÀ FORNIRE ALL'ITALIA IN RELAZIONE ALLA CESSIONE DEL RIPIANO DEL MONCENISIO

I. *Garanzie relative alla fornitura d'acqua del Lago del Moncenisio per la produzione d'energia idroelettrica*

(a) La Francia controllerà il rifornimento dell'acqua dal Lago del Moncenisio alle condotte sotterranee che alimentano le centrali idroelet-

triche di Gran Scala, di Venaus e di Mompantero, in modo da assicurare a dette centrali quei quantitativi d'acqua a quel ritmo di flusso di cui l'Italia potrà aver bisogno.

(b) La Francia riparerà, conserverà in buono stato di funzionamento e rinnoverà quando sia necessario, tutti gli impianti occorrenti per il controllo e la fornitura dell'acqua, in conformità dell'alinea *(a)*, in quanto detti impianti si trovino in territorio francese.

(c) La Francia informerà l'Italia a richiesta di quest'ultima, del volume d'acqua esistente nel lago del Moncenisio e darà al riguardo ogni altra informazione, per consentire all'Italia di determinare i quantitativi d'acqua e il ritmo di flusso, con cui dovranno essere alimentate le dette condotte sotterranee.

(d) La Francia darà esecuzione alle disposizioni che precedono, con il dovuto riguardo all'economia e farà pagare all'Italia le relative spese effettivamente sostenute.

II. *Garanzie relative all'energia elettrica prodotta dalla centrale idroelettrica di Gran Scala*

(a) La Francia farà funzionare l'impianto idroelettrico di Gran Scala, in modo da produrre (sotto riserva del controllo della fornitura d'acqua, come disposto dalla Garanzia I), i quantitativi di energia elettrica di cui l'Italia potrà aver bisogno, al ritmo da essa richiesto, dopo aver coperto il fabbisogno locale (che non dovrà superare sensibilmente il fabbisogno attuale) della regione vicina a Gran Scala, situata in territorio francese.

(b) La Francia farà funzionare l'impianto di pompe adiacente alla centrale di Gran Scala, in modo da far affluire l'acqua al lago del Moncenisio, nella misura e nel momento in cui l'Italia possa averne bisogno.

(c) La Francia riparerà, conserverà in buono stato di funzionamento e rinnoverà, quando sia necessario, tutti gli impianti costituenti la centrale idroelettrica di Gran Scala, compreso l'impianto di pompe e la linea di trasmissione, con relativa attrezzatura, congiungente la centrale di Gran Scala con la frontiera franco-italiana.

(d) La Francia assicurerà, attraverso la linea congiungente Gran Scala

con la frontiera franco-italiana, il trasporto dell'energia elettrica, come sopra occorrente all'Italia e consegnerà tale energia all'Italia nel punto in cui la linea di trasmissione taglia la frontiera franco-italiana per entrare in territorio italiano.

(e) La Francia manterrà il voltaggio e la frequenza dell'energia fornita in conformità delle disposizioni di cui sopra, a quel livello che l'Italia potrà ragionevolmente richiedere.

(f) La Francia prenderà accordi con l'Italia per quanto riguarda il collegamento telefonico tra Gran Scala e l'Italia e resterà in contatto con l'Italia al fine di assicurare che la centrale di Gran Scala, l'impianto delle pompe e la linea di trasmissione siano fatte funzionare in modo conforme alle garanzie sopraenunciate.

(g) Il prezzo che la Francia dovrà fissare e l'Italia dovrà pagare per l'energia elettrica messa a disposizione dell'Italia e prodotta dalla centrale elettrica di Gran Scala (dopo che siano soddisfatte le necessità locali sopradette) dovrà essere eguale al prezzo fissato in Francia per la fornitura di analoghi quantitativi di elettricità d'origine idroelettrica in territorio francese, nelle vicinanze del Moncenisio o in altre regioni in cui si abbiano condizioni analoghe.

III. *Durata delle garanzie*

Salvo che non sia altrimenti convenuto tra la Francia e l'Italia, le garanzie di cui trattasi resteranno perpetuamente in vigore.

IV. *Commissione tecnica di sorveglianza*

Una Commissione tecnica di sorveglianza, franco-italiana, comprendente un egual numero di membri francesi ed italiani, sarà creata per sorvegliare e facilitare l'esecuzione delle clausole di garanzia di cui sopra, che hanno per oggetto di assicurare all'Italia i mezzi identici a quelli di cui essa disponeva quanto ad energia idroelettrica ed al rifornimento idrico proveniente dal Lago del Moncenisio, prima della cessione di questa regione alla Francia. Rientrerà anche tra le funzioni della Commissione tecnica di sorveglianza quella di cooperare con i competenti servizi tecnici francesi per accertarsi che la sicurezza delle valli sottostanti non sia compromessa.

B—GARANZIE CHE LA FRANCIA DOVRÀ FORNIRE ALL'ITALIA IN RELAZIONE ALLA CESSIONE DELLA REGIONE DI TENDA-BRIGA ALLA FRANCIA

1. *Garanzie* per assicurare all'Italia l'energia elettrica prodotta dai due generatori a frequenza 16⅔ della centrale idroelettrica di S. Dalmazzo e l'energia elettrica prodotta alla frequenza di 50 dalle centrali idroelettriche di Le Mesce, San Dalmazzo e Confine, in eccedenza al quantitativo proveniente da dette centrali, che sia necessario alla Francia per alimentare le zone di Sospel, Mentone e Nizza, finchè non siano ricostruite le centrali idroelettriche distrutte a Breil e Fontan, rimanendo inteso che dette forniture andranno diminuendo, man mano che le centrali di cui trattasi saranno ricostruite e non dovranno comunque superare 5000 Kilowatts di potenza e 3.000.000 di Kilowatt-ore al mese e che, se la ricostruzione delle centrali non incontrerà speciali difficoltà, i lavori saranno completati non oltre la fine del 1947:

(a) La Francia farà funzionare i detti impianti in modo da produrre (salve le limitazioni che possano essere imposte dal volume di acqua disponibile e tenendo conto, per quanto ragionevolmente possibile, delle necessità delle centrali situate a valle) i quantitativi di energia elettrica di cui l'Italia possa aver bisogno, al ritmo richiesto, in primo luogo, in corrente della frequenza 16⅔, per le ferrovie italiane della Liguria e del Piemonte meridionale e in secondo luogo, in corrente della frequenza 50, per usi generali, dopo che siano stati coperti il fabbisogno della Francia per Sospel, Mentone e Nizza, come è detto più sopra, e le necessità locali dei dintorni di San Dalmazzo;

(b) La Francia riparerà, conserverà in buono stato di funzionamento e rinnoverà, quando sia necessario, tutti gli impianti costituenti le centrali idroelettriche di Le Mesce, San Dalmazzo e Confine, comprese le linee di trasmissione con relative attrezzature congiungenti le centrali di Le Mesce e di Confine con la centrale di San Dalmazzo e le linee di trasmissione principali con relative attrezzature, che vanno dalla centrale di San Dalmazzo alla frontiera franco-italiana;

(c) La Francia informerà l'Italia, a richiesta di quest'ultima, del flusso dell'acqua a Le Mesce e a Confine e del volume d'acqua in riserva a San Dalmazzo e darà al riguardo ogni altra informazione, per consentire all'Italia di determinare il suo fabbisogno di energia elettrica in conformità alle disposizioni dell'alinea *(a)*;

(d) La Francia assicurerà, attraverso le linee principali congiungenti San Dalmazzo con la frontiera franco-italiana, il trasporto dell'energia elettrica richiesta dall'Italia in base alle necessità sopradette e consegnerà tale energia all'Italia, nei punti in cui le linee di trasmissione principali tagliano la frontiera franco-italiana per entrare in territorio italiano;

(e) La Francia manterrà il voltaggio e la frequenza dell'energia fornita in conformità alle disposizioni di cui sopra, a quel livello che all'Italia potrà effettivamente abbisognare;

(f) La Francia prenderà delle intese con l'Italia per quanto riguarda il collegamento telefonico tra San Dalmazzo e l'Italia e resterà in contatto con l'Italia per assicurare che le dette centrali idroelettriche e le linee di trasmissione siano fatte funzionare in modo conforme alle garanzie sopraenunciate.

2. *Garanzia* relativa al prezzo che la Francia farà pagare all'Italia per l'energia elettrica messa a disposizione dell'Italia ai sensi del paragrafo 1 di cui sopra, fino alla cessazione della fornitura, in conformità al del paragrafo 3 di cui in appresso:

il prezzo che la Francia fisserà e l'Italia dovrà pagare per l'energia elettrica messa a disposizione dell'Italia e prodotta dalle centrali idroelettriche di Le Mesce, San Dalmazzo e Confine, dopo che siano soddisfatti il fabbisogno della Francia per Sospel, Mentone e Nizza e le necessità locali dei dintorni di San Dalmazzo, in conformità alle disposizioni dell'alinea *(a)* della Garanzia 1, dovrà essere eguale al prezzo fissato in Francia per le forniture di analoghi quantitativi di elettricità d'origine idroelettrica in territorio francese, nelle vicinanze dell'Alta Valle della Roya o in altre regioni in cui si verifichino analoghe condizioni.

3. *Garanzia,* per cui la Francia dovrà fornire energia elettrica all'Italia per un ragionevole periodo di tempo:

salvo che non sia stato altrimenti convenuto tra la Francia e l'Italia, le Granzie 1 e 2 resteranno in vigore fino al 31 dicembre 1961. Esse cesseranno di essere applicabili a tale data ovvero al 31 dicembre di qualunque anno successivo, a condizione che uno dei due paesi abbia notificato per iscritto all'altro, con almeno due anni di anticipo, l'intenzione di porvi termine.

4. *Garanzia* relative alla piena ed equa utilizzazione da parte della Francia e dell'Italia delle acque della Roya e dei suoi affluenti per la produzione di energia idroelettrica:

(a) la Francia farà funzionare le centrali idroelettriche della vallata della Roya, situate in territorio francese, tenendo conto, per quanto ragionevolmente possibile, delle necessità delle centrali situate a valle. La Francia informerà l'Italia del volume di acqua, che, secondo le previsioni, sarà disponibile ogni giorno e fornirà ogni altra informazione al riguardo;

(b) la Francia e l'Italia elaboreranno, medianti negoziati bilaterali, un piano coordinato per l'utilizzazione delle risorse idriche della Roya, che sia accettabile da entrambe le parti.

5. Una Commissione, o quell'altro analogo organo che si convenga di creare, sarà istituito per controllare l'esecuzione del piano di cui all'alinea *(b)* della Garanzia 4 e facilitare l'osservanza delle Garanzie 1-4.

ALLEGATO IV

Accordi intervenuti tra il Governo italiano ed il Governo austriaco il 5 settembre 1946

(Testo originale inglese quale venne firmato dalle due Parti e comunicato alla Conferenza di Parigi il 6 settembre 1946)

(vedi Articolo 10)

1. Gli abitanti di lingua tedesca della provincia di Bolzano e quelli dei vicini comuni bilingui della provincia di Trento, godranno di completa

eguaglianza di diritti rispetto agli abitanti di lingua italiana, nel quadro delle disposizioni speciali destinate a salvaguardare il carattere etnico e lo sviluppo culturale ed economico del gruppo di lingua tedesca.

In conformità dei provvedimenti legislativi già emanati od emanandi, ai cittadini di lingua tedesca sarà specialmente concesso:

(a) l'insegnamento primario e secondario nella loro lingua materna;

(b) l'uso, su di una base di parità, della lingua tedesca e della lingua italiana nelle pubbliche amministrazioni, nei documenti ufficiali, come pure nella nomenclatura topografica bilingue;

(c) il diritto di ristabilire i nomi di famiglia tedeschi, che siano stati italianizzati nel corso degli ultimi anni;

(d) l'eguaglianza di diritti per l'ammissione ai pubblici uffici, allo scopo di attuare una più soddisfacente distribuzione degli impieghi tra i due gruppi etnici.

2. Alle popolazioni delle zone sopradette sarà concesso l'esercizio di un potere legislativo ed esecutivo autonomo, nell'ambito delle zone stesse. Il quadro nel quale detta autonomia sarà applicata sarà determinato, consultando anche elementi locali rappresentanti la popolazione di lingua tedesca.

3. Il Governo italiano, allo scopo di stabilire relazioni di buon vicinato tra l'Austria e l'Italia, s'impegna, dopo essersi consultato con il Governo austriaco, ed entro un anno dalla firma del presente Trattato:

(a) a rivedere, in uno spirito di equità e di comprensione, il regime delle opzioni di cittadinanza, quale risulta dagli accordi Hitler-Mussolini del 1939;

(b) a concludere un accordo per il reciproco riconoscimento della validità di alcuni titoli di studio e diplomi universitari;

(c) ad approntare una convenzione per il libero transito dei passeggeri e delle merci tra il Tirolo settentrionale e il Tirolo orientale, sia per ferrovia che, nella misura più larga possibile, per strada;

(d) a concludere accordi speciali tendenti a facilitare un più esteso traffico di frontiera e scambi locali di determinati quantitativi di prodotti e di merci tipiche tra l'Austria e l'Italia.

ALLEGATO V

Approvvigionamento idrico del Comune di Gorizia e dintorni

(vedi Articolo 13)

1. La Jugoslavia, nella sua qualità di proprietaria delle sorgenti e degli impianti idrici di Fonte Fredda e di Moncorona, ne curerà la manutenzione e l'utilizzazione ed assicurerà l'approvvigionamento idrico di quella parte del Comune di Gorizia, che, ai sensi del presente Trattato, resterà in territorio italiano. L'Italia continuerà ad assicurare la manutenzione e l'utilizzazione del bacino e del sistema di distribuzione dell'acqua, che si trovano in territorio italiano e sono alimentati dalle sorgenti sopradette e continuerà ugualmente a fornire l'acqua a quelle zone situate in territorio jugoslavo, che siano state trasferite alla Jugoslavia ai sensi del presente Trattato e che siano rifornite d'acqua dal territorio italiano.

2. I quantitativi d'acqua da fornirsi come sopra dovranno corrispondere a quelli che sono stati abitualmente forniti nel passato alla regione. Qualora consumatori di uno o dell'altro Stato abbiano bisogno di forniture ulteriori d'acqua, i due Governi esamineranno d'intesa la questione, allo scopo di raggiungere un accordo sui provvedimenti che potranno ragionevolmente essere adottati per soddisfare detti bisogni. Nel caso in cui il quantitativo d'acqua disponibile sia temporaneamente ridotto per cause naturali, i quantitativi d'acqua, provenienti dalle sorgenti di approvvigionamento sopradette, distribuiti ai consumatori trovantisi in Jugoslavia e in Italia, saranno ridotti in proporzione al rispettivo consumo precedente.

3. Il prezzo che il Comune di Gorizia dovrà pagare alla Jugoslavia per l'acqua provvedutale e il prezzo che i consumatori residenti in territorio jugoslavo dovranno pagare al Comune di Gorizia saranno calcolati unicamente sulla base del costo di funzionamento e di manutenzione del sistema di approvvigionamento idrico ed altresì dell'ammontare delle nuove spese che possano essere necessarie per l'attuazione delle presenti disposizioni.

4. La Jugoslavia e l'Italia, entro un mese dall'entrata in vigore del presente Trattato, concluderanno un accordo per la determinazione dei rispettivi oneri, risultanti dalle disposizioni che precedono e la fissazione

delle somme da pagarsi ai sensi delle disposizioni stesse. I due Governi creeranno una commissione mista incaricata di presiedere all'esecuzione di detto accordo.

5. Allo scadere di un termine di dieci anni dall'entrata in vigore del presente Trattato, la Jugoslavia e l'Italia riesamineranno le disposizioni che precedono, alla luce della situazione esistente a quell'epoca, allo scopo di determinare se si debba procedere ad una loro revisione e vi apporteranno quelle modifiche ed aggiunte che converranno di adottare. Ogni controversia che possa sorgere in sede di detto riesame, dovrà essere regolata secondo la procedura prevista all'Articolo 87 del presente Trattato.

ALLEGATO VI

Statuto Permanente del Territorio Libero di Trieste

(vedi Articolo 21)

Articolo 1. Estensione del Territorio Libero

Il Territorio Libero di Trieste sarà delimitato dai confini descritti agli Articoli 4 e 22 del presente Trattato, il cui tracciato sarà stabilito in conformità dell'Articolo 5 del Trattato stesso.

Articolo 2. Integrità e indipendenza

L'integrità e l'indipendenza del Territorio Libero di Trieste sarà garantita dal Consiglio di Sicurezza delle Nazioni Unite. Tale responsabilità comporta l'obbligo da parte del Consiglio:

(a) di assicurare l'osservanza del presente Statuto e in particolare la protezione dei fondamentali diritti umani della popolazione.

(b) di assicurare il mantenimento dell'ordine pubblico e la sicurezza nel Territorio Libero.

Articolo 3. Smilitarizzazione e neutralità

1. Il Territorio Libero sarà smilitarizzato e dichiarato neutro.

2. Nessuna forza armata sarà permessa nel Territorio Libero, salvo che per ordine del Consiglio di Sicurezza.

3. Non saranno permesse, entro i confini del Territorio Libero, formazioni, esercitazioni e attività paramilitari.

4. Il Governo del Territorio Libero non concluderà, nè tratterà accordi o convenzioni militari con alcuno Stato.

Articolo 4. Diritti dell'uomo e libertà fondamentali

La Costituzione del Territorio Libero assicurerà a ogni persona sottoposta alla giurisdizione del Territorio Libero, senza distinzione di origine etnica, di sesso, di lingua o di religione, il godimento dei diritti dell'uomo e delle libertà fondamentali, ivi comprese la libertà di culto, di lingua, di espressione e di stampa, di insegnamento, di riunione e di associazione. Ai cittadini del Territorio Libero sarà assicurata l'eguaglianza rispetto alle condizioni di ammissione ai pubblici uffici.

Articolo 5. Diritti civili e politici

Nessuna persona che abbia acquistato la cittadinanza del Territorio Libero di Trieste potrà essere privata dei suoi diritti civili o politici, se non come condanna penale inflitta dalla autorità giudiziaria, per infrazione delle leggi penali del Territorio Libero.

Articolo 6. Cittadinanza

1. I cittadini italiani che, alla data del 10 giugno 1940, erano domiciliati entro i confini del Territorio Libero ed i loro figli nati dopo detta data, diverranno cittadini originari del Territorio ed avranno pieno godimento dei diritti civili e politici. Diventando cittadini del Territorio Libero, essi perderanno la cittadinanza italiana.

2. Tuttavia il Governo del Territorio Libero disporrà che le persone di cui al paragrafo 1, che abbiano superato i 18 anni (e le persone coniugate, abbiano o non abbiano superato detta età), la cui lingua abituale sia quella italiana, abbiano il diritto di optare per la cittadinanza italiana, entro sei mesi dall'entrata in vigore della Costituzione, sotto determinate condizioni che la Costituzione stessa fisserà. L'esercizio del diritto di opzione sarà considerato come un riacquisto della cittadinanza italiana. L'opzione del marito non verrà considerata opzione da parte della moglie. L'opzione

del padre, o, se il padre è deceduto, quella della madre, importerà peraltro automaticamente l'opzione di tutti i figli minori di 18 anni e non sposati.

3. Il Territorio Libero potrà esigere che le persone che abbiano esercitato il loro diritto di opzione si trasferiscano in Italia, entro un anno dalla data in cui tale diritto d'opzione sarà stato esercitato.

4. Le condizioni per l'acquisto della cittadinanza da parte di persone non aventi i requisiti per ottenere la cittadinanza originaria, saranno stabilite dall'Assemblea Costituente del Territorio Libero e inserite nella Costituzione. Tuttavia tali condizioni vieteranno l'acquisto della cittadinanza da parte di coloro che abbiano appartenuto alla disciolta polizia fascista (O.V.R.A.) e che non siano stati prosciolti da parte delle Autorità competenti, comprese le Autorità militari alleate, cui era affidata l'amministrazione della zona in questione.

Articolo 7. Lingue ufficiali

Le lingue ufficiali del Territorio Libero saranno l'italiano e lo sloveno.

La Costituzione determinerà le circostanze nelle quali il croato potrà essere usato come terza lingua ufficiale.

Articolo 8. Bandiera e stemma

Il Territorio Libero avrà la sua bandiera ed il suo stemma. La bandiera sarà quella tradizionale della città di Trieste; stemma sarà lo storico stemma della città stessa.

Articolo 9. Organi di Governo

Il governo del Territorio Libero sarà affidato ad un Governatore, un Consiglio di Governo, un'Assemblea popolare eletta dai cittadini del Territorio Libero ed agli organi giudiziari. I rispettivi poteri saranno esercitati, in conformità alle disposizioni del presente Statuto e della Costituzione del Territorio Libero.

Articolo 10. Costituzione

1. La Costituzione del Territorio Libero sarà stabilita in conformità dei principi democratici e adottata da una Assemblea Costituente, a maggioranza di due terzi dei voti espressi. La Costituzione dovrà conformarsi

alle disposizioni del presente Statuto e non entrerà in vigore prima dell'entrata in vigore dello Statuto stesso.

2. Qualora il Governatore ritenesse che una qualunque clausola della Costituzione proposta dall'Assemblea Costituente o qualsiasi successivo emendamento fosse in contraddizione con lo Statuto, egli avrà facoltà di impedirne l'entrata in vigore, salvo riferire la questione al Consiglio di Sicurezza, se l'Assemblea non accettasse le sue vedute e le sue raccomandazioni.

Articolo 11. Nomina del Governatore

1. Il Governatore sarà nominato dal Consiglio di Sicurezza, dopo che siano stati consultati i Governi della Jugoslavia e dell'Italia. Egli non dovrà essere nè cittadino italiano, nè cittadino jugoslavo, nè cittadino del Territorio Libero. Egli sarà nominato per un periodo di cinque anni e potrà essere riconfermato in carica. Il suo stipendio e le sue indennità saranno a carico delle Nazioni Unite.

2. Il Governatore potrà delegare una persona di sua scelta ad esercitare le sue funzioni, in caso di sua assenza temporanea o di temporaneo impedimento.

3. Il Consiglio di Sicurezza, se riterrà che il Governatore sia venuto meno ai doveri della sua carica, potrà disporne la sospensione e, con le opportune garanzie di inchiesta e di difesa da parte del Governatore stesso, revocarlo dalla carica. In caso di sospensione o di revoca dalla carica o in caso di morte o di incapacità, il Consiglio di Sicurezza potrà designare o nominare altra persona, con l'incarico di agire come Governatore provvisorio, fino a che il Governatore sia nuovamente in condizione di poter esercitare le sue funzioni, ovvero un nuovo Governatore sia stato nominato.

Articolo 12. Potere legislativo

Il potere legislativo sarà esercitato da un'Assemblea popolare composta di una sola Camera, eletta sulla base della rappresentanza proporzionale, dai cittadini del Territorio Libero di entrambi i sessi. Le elezioni per l'Assemblea saranno effettuate con il sistema del suffragio universale, eguale, diretto e segreto.

Articolo 13. Consiglio di Governo

1. Subordinatamente alle responsabilità assegnate al Governatore dal presente Statuto, il potere esecutivo nel Territorio Libero sarà esercitato da un Consiglio di Governo, che sarà designato dall'Assemblea popolare e sarà di fronte ad essa responsabile.

2. Il Governatore avrà il diritto di assistere alle sedute del Consiglio di Governo e potrà esprimere il suo parere su tutte le questioni di sua competenza.

3. Il Direttore della Pubblica Sicurezza e il Direttore del Porto Franco saranno invitati ad assistere alle sedute del Consiglio di Governo e ad esporre il loro parere nei casi in cui siano in discussione questioni di loro competenza.

Articolo 14. Esercizio del potere giudiziario

Il potere giudiziario nel Territorio Libero sarà esercitato da tribunali istituiti in conformità della Costituzione e delle leggi del Territorio Libero.

Articolo 15. Libertà e indipendenza del potere giudiziario

La Costituzione del Territorio Libero dovrà garantire al potere giudiziario libertà ed indipendenza e disporre la creazione di una giurisdizione d'appello.

Articolo 16. Nomina dei magistrati

1. Il Governatore nominerà i magistrati, scegliendoli tra i candidati proposti dal Consiglio di Governo o tra altre persone, dopo essersi consultato con il Consiglio di Governo, a meno che la Costituzione non preveda un altro sistema per la nomina dei magistrati. Il Governatore potrà, sotto determinate garanzie fissate dalla Costituzione, rimuoverli dalla carica, nei casi in cui la loro condotta sia incompatibile con l'esercizio delle funzioni giudiziarie.

2. L'Assemblea popolare potrà, a maggioranza di due terzi dei voti espressi, invitare il Governatore a promuovere inchiesta su ogni accusa avanzata contro un funzionario dell'ordine giudiziario, che possa importare, se provata, la sospensione o la rimozione dalla carica del funzionario medesimo.

Articolo 17. Responsabilità del Governatore verso il Consiglio di Sicurezza

1. Il Governatore, nella sua qualità di rappresentante del Consiglio di Sicurezza, avrà il compito di controllare l'applicazione del presente Statuto, compresa la protezione dei diritti fondamentali dell'uomo spettanti alla popolazione e di assicurare il mantenimento dell'ordine pubblico e della sicurezza da parte del Governo del Territorio Libero, in conformità del presente Statuto, della Costituzione e delle leggi del Territorio Libero.

2. Il Governatore presenterà al Consiglio di Sicurezza rapporti annuali sull'applicazione dello Statuto e sull'adempimento dei doveri della sua carica.

Articolo 18. Diritti dell'Assemblea

L'Assemblea popolare avrà il diritto di procedere all'esame ed alla discussione di qualsiasi questione, che concerna gli interessi del Territorio Libero.

Articolo 19. Legislazione

1. L'iniziativa in materia legislativa spetta ai membri dell'Assemblea popolare ed al Consiglio di Governo, come pure al Governatore, qualora si tratti di questioni che, a suo parere, ricadano nella competenza del Consiglio di Sicurezza, quale è determinata dall'Articolo 2 del presente Statuto.

2. Nessuna legge potrà entrare in vigore fino a che non sia stata promulgata. La promulgazione delle leggi avrà luogo in conformità delle disposizioni della Costituzione del Territorio Libero.

3. Ogni legge proposta dall'Assemblea deve essere sottoposta al Governatore, prima di essere promulgata.

4. Se il Governatore ritiene che detta legge sia contraria al presente Statuto, egli può, entro dieci giorni dalla data in cui la legge stessa è stata a lui sottoposta, rinviarla all'Assemblea con le sue osservazioni e raccomandazioni. Se il Governatore non rinvia detta legge entro i dieci giorni previsti od informa l'Assemblea entro lo stesso periodo di tempo, che la legge non dà luogo da parte sua ad alcuna osservazione o raccomandazione, si procederà immediatamente alla promulgazione.

5. Se l'Assemblea manifesta il suo rifiuto di ritirare la legge che ad essa è stata rinviata dal Governatore, o di emendarla in conformità delle

osservazioni o raccomandazioni del Governatore medesimo, questi, a meno che non sia disposto a ritirare le sue osservazioni o raccomandazioni — nel qual caso la legge sarà immediatamente promulgata — dovrà subito sottoporre la questione al Consiglio di Sicurezza. Il Governatore trasmetterà ugualmente senza ritardo al Consiglio di Sicurezza, ogni comunicazione che l'Assemblea ritenesse di far pervenire al Consiglio sulla questione.

6. Le leggi che formeranno oggetto di una relazione al Consiglio di Sicurezza in virtù delle disposizioni del paragrafo precedente, non saranno promulgate che per ordine del Consiglio di Sicurezza.

Articolo 20. Diritti del Governatore in materia di provvedimenti amministrativi

1. Il Governatore può richiedere al Consiglio di Governo di sospendere l'applicazione di provvedimenti amministrativi, che, a suo parere, siano incompatibili con i principi della cui tutela egli è responsabile ai sensi del presente Statuto (osservanza dello Statuto; mantenimento dell'ordine pubblico e della sicurezza; rispetto dei diritti dell'uomo). Nel caso in cui il Consiglio di Governo non sia d'accordo, il Governatore può sospendere l'applicazione di detti provvedimenti amministrativi e il Governatore o il Consiglio di Governo possono rinviare l'intera questione al Consiglio di Sicurezza perchè questo prenda una decisione al riguardo.

2. In materia di competenza del Governatore, secondo la definizione datane dallo Statuto, egli può proporre al Consiglio di Governo l'adozione di qualsiasi provvedimento amministrativo. Qualora il Consiglio di Governo non accolga le proposte, il Governatore può, senza pregiudizio delle disposizioni dell'Articolo 22 del presente Statuto, riferire la questione al Consiglio di Sicurezza, perchè sia adottata una decisione al riguardo.

Articolo 21. Bilancio preventivo

1. Al Consiglio di Governo spetterà la formulazione del bilancio preventivo del Territorio Libero, comprendente sia le entrate che le spese e la sua presentazione all'Assemblea popolare.

2. Nel caso in cui l'Assemblea non dia il suo voto sul bilancio preventivo entro il termine previsto, le disposizioni di bilancio dell'esercizio

precedente saranno applicate al nuovo esercizio, finchè non sia stato votato il nuovo bilancio.

Articolo 22. Poteri speciali del Governatore

1. Per non venir meno alle responsabilità assunte verso il Consiglio di Sicurezza ai sensi del presente Statuto, il Governatore può, in casi che, a suo parere, non ammettano ritardo e che costituiscano una minaccia all'indipendenza o all'integrità del Territorio Libero, all'ordine pubblico o al rispetto dei diritti dell'uomo, direttamente disporre od esigere l'applicazione di opportune misure, riferendone immediatamente al Consiglio di Sicurezza. In dette circostanze, il Governatore può, se lo ritiene necessario, assumere personalmente il controllo dei servizi di pubblica sicurezza.

2. L'Assemblea popolare può presentare al Consiglio di Sicurezza le proprie doglianze in ordine all'esercizio da parte del Governatore dei poteri di cui al paragrafo 1 del presente Articolo.

Articolo 23. Diritto di grazia e di indulto

Il diritto di grazia e di indulto apparterrà al Governatore e sarà da lui esercitato, in conformità delle disposizioni che al riguardo saranno inserite nella Costituzione.

Articolo 24. Relazioni con l'estero

1. Il Governatore dovrà assicurare che la condotta delle relazioni con l'estero del Territorio Libero sia conforme alle disposizioni dello Statuto, della Costituzione e delle leggi del Territorio Libero. A tal fine, il Governatore avrà il potere di impedire l'entrata in vigore di trattati od accordi concernenti le relazioni con l'estero, che, a suo parere, si trovino in contrasto con lo Statuto, la Costituzione o le leggi del Territorio Libero.

2. I trattati ed accordi, così come le concessioni di exequature le patenti consolari, dovranno essere firmati sia dal Governatore, che da un rappresentante del Consiglio di Governo.

3. Il Territorio Libero può essere o divenire firmatario di convenzioni internazionali, o far parte di organizzazioni internazionali, a condizione che lo scopo di dette convenzioni od organizzazioni sia quello di rego-

lare questioni di carattere economico, tecnico, culturale o sociale, o questioni d'igiene.

4. L'unione economica o vincoli di carattere esclusivo con qualsiasi Stato sono incompatibili con lo Statuto del Territorio Libero.

5. Il Territorio Libero di Trieste riconoscerà pieno vigore al Trattato di Pace con l'Italia e darà esecuzione a quelle disposizioni del Trattato stesso, che si applicano al Territorio Libero. Il Territorio Libero riconoscerà ugualmente il pieno vigore degli altri accordi ed intese che siano state o saranno concluse dalle Potenze Alleate e Associate per il ristabilimento della Pace.

Articolo 25. Indipendenza del Governatore e del personale dipendente

Nel compimento dei suoi doveri, il Governatore ed il personale alle sue dipendenze non dovranno sollecitare, nè ricevere istruzioni da alcun Governo o da alcuna autorità che non sia il Consiglio di sicurezza. Essi si asterranno dal compiere qualsiasi atto che sia incompatibile con la loro veste di funzionari internazionali, responsabili soltanto verso il Consiglio di Sicurezza.

Articolo 26. Nomina e revoca dei funzionari amministrativi

1. Le nomine ai pubblici uffici nel Territorio Libero saranno effettuate, tenendo conto esclusivamente della capacità, della competenza e dell'integrità dei candidati.

2. I funzionari amministrativi non potranno essere rimossi dal loro ufficio, se non per incompetenza o cattiva condotta e la revoca sarà sottoposta ad opportune garanzie in materia d'inchiesta e di diritto de difesa, che saranno stabilite per legge.

Articolo 27. Direttore della Pubblica Sicurezza

1. Il Consiglio di Governo sottoporrà al Governatore un elenco di candidati al posto di Direttore della Pubblica Sicurezza. Il Governatore sceglierà il Direttore tra i candidati a lui segnalati o tra altre persone, dopo essersi consultato con il Consiglio di Governo. Egli può anche revocare dalle sue funzioni il Direttore della Pubblica Sicurezza, dopo essersi consultato con il Consiglio di Governo.

2. Il Direttore della Pubblica Sicurezza non potrà essere nè un cittadino jugoslavo, nè un cittadino italiano.

3. Il Direttore della Pubblica Sicurezza sarà normalmente sotto l'immediata autorità del Consiglio di Governo, da cui riceverà istruzioni nelle materie di sua competenza.

4. Il Governatore dovrà

(a) ricevere regolari rapporti dal Direttore della Publica Sicurezza e consultarsi con lui su ogni questione che rientri nella competenza del Direttore predetto.

(b) essere informato dal Consiglio di Governo circa le istruzioni da questo impartite al Direttore della Pubblica Sicurezza e potrà esprimere il suo parere al riguardo.

Articolo 28. Forze di polizia

1. Per assicurare l'ordine pubblico e la sicurezza publica, in conformità dello Statuto, della Costituzione e delle leggi del Territorio Libero, il Governo del Territorio Libero avrà diritto di mantenere una forza di polizia e dei servizi di pubblica sicurezza.

2. I membri delle forze di polizia e dei servizi di pubblica sicurezza dovranno essere reclutati dal Direttore della Pubblica Sicurezza e potranno essere da lui licenziati.

Articolo 29. Governo locale

La Costituzione del Territorio Libero dovrà prevedere la istituzione, sulla base della rappresentanza proporzionale, di organi di governo locale, secondo i principi democratici, compreso il suffragio universale, eguale, diretto e segreto.

Articolo 30. Sistema monetario

Il Territorio Libero avrà un proprio sistema monetario.

Articolo 31. Ferrovie

Senza pregiudizio dei suoi diritti di proprietà sulle ferrovie correnti entro i suoi confini e del suo controllo sulla amministrazione delle ferrovie

stesse, il Territorio Libero potrà negoziare con la Jugoslavia e l'Italia accordi per assicurare un esercizio efficiente ed economico delle ferrovie. Detti accordi determineranno a chi rispettivamente spetti di assicurare il funzionamento delle ferrovie in direzione della Jugoslavia e dell'Italia, come pure l'utilizzazione del capolinea di Trieste e di quei tratti di linea comuni a tutti. In quest'ultimo caso, l'esercizio potrà essere condotto da una Commissione speciale, composta di rappresentanti del Territorio Libero, della Jugoslavia e dell'Italia, sotto la presidenza del rappresentante del Territorio Libero.

Articolo 32. Aviazione commerciale

1. Gli apparecchi dell'aviazione commerciale immatricolati sul Territorio di qualunque delle Nazioni Unite, la quale accordi sul proprio territorio gli stessi diritti agli apparecchi dell'aviazione commerciale immatricolati nel Territorio Libero, godranno dei diritti accordati all'aviazione commerciale nei traffici internazionali, compreso il diritto di atterraggio per rifornimento di carburante e per riparazioni, il diritto di sorvolo del Territorio Libero senza atterraggio e il diritto di uso, ai fini del traffico di quegli aeroporti che potranno essere designati dalle autorità competenti del Territorio Libero.

2. Questi diritti non saranno sottoposti ad altre restrizioni, che non siano quelle imposte, su una base di non-discriminazione, dalle leggi e dai regolamenti in vigore nel Territorio Libero e nei paesi interessati o che risultino dallo speciale carattere del Territorio Libero, in quanto territorio neutro e smilitarizzato.

Articolo 33. Immatricolazione delle navi

1. Il Territorio Libero ha il diritto di aprire registri per l'immatricolazione delle navi di proprietà del Governo del Territorio Libero o di persone od organizzazioni aventi il loro domicilio nel Territorio Libero.

2. Il Territorio Libero aprirà speciali registri marittimi per le navi cecoslovacche e svizzere su richiesta dei rispettivi Governi. Altrettanto farà per le navi ungheresi ed austriache, su richiesta dei Governi interessati, dopo la conclusione del Trattato di Pace con l'Ungheria e del Trattato per il ristabilimento dell'indipendenza dell'Austria. Le navi immatricolate in detti registri potranno battere bandiera dei rispettivi paesi.

3. Nel dare esecuzione alle disposizioni di cui sopra, e salvo quanto possa essere stabilito in qualunque convenzione internazionale, che concerna tale materia ed a cui participi il Governo del Territorio Libero, il Governo stesso potrà stabilire, riguardo all'immatricolazione, alla permanenza od alla cancellazione dalle matricole, norme atte ad impedire ogni abuso, cui potesse dar luogo la concessione delle suddette facilitazioni. Per quanto riguarda in particolare le navi immatricolate in conformità del paragrafo 1 di cui sopra, l'immatricolazione sarà limitata alle navi, la cui gestione sia condotta nel Territorio Libero e siano fatte navigare regolarmente per soddisfare i bisogni o servire gli interessi del Territorio Libero. Nel caso di navi immatricolate ai sensi del paragrafo 2 di cui sopra, l'immatricolazione sarà limitata alle navi che abbiano come porto d'armamento il porto di Trieste e che servano a soddisfare in maniera regolare e permanente i bisogni dei rispettivi paesi, attraverso il porto stesso.

Articolo 34. Porto franco

Verrà creato, nel Territorio Libero, un Porto franco, che sarà amministrato, in conformità delle disposizioni contenute nello Strumento internazionale redatto dal Consiglio dei Ministri degli Esteri, approvato dal Consiglio di Sicurezza ed allegato al presente Trattato (Allegato VIII). Il Governo del Territorio Libero dovrà adottare i provvedimenti legislativi necessari e prendere tutte le necessarie misure per dare esecuzione alle disposizioni di detto Strumento.

Articolo 35. Libertà di transito

Il Territorio Libero e gli Stati, i cui territori siano attraversati da merci trasportate per ferrovie tra il Porto franco e gli Stati che esso serve, assicureranno alle merci stesse libertà di transito, in conformità delle consuete convenzioni internazionali, senza alcuna discriminazione e senza percezione di dazi doganali o gravami, che non siano quelli applicati in relazione a servizi prestati.

Articolo 36. Interpretazione dello Statuto

Fatta eccezione per i casi, rispetto ai quali una diversa procedura sia espressamente prevista da un Articolo del presente Statuto, ogni controversia riguardante l'interpretazione o l'esecuzione dello Statuto non risolta

mediante negoziati diretti, dovrà, a meno che le parti non convengano di ricorrere ad altro mezzo per il regolamento della controversia stessa, essere sottoposta a richiesta di una delle parti, ad una Commissione composta di un rappresentante di ciascuna delle parti e di un terzo membro, scelto di comune accordo dalle due parti stesse, tra i cittadini di un terzo Paese. Qualora le parti non si mettano d'accordo entro un mese sulla nomina del terzo membro, il Segretario Generale delle Nazioni Unite sarà invitato a procedere alla designazione. La decisione della maggioranza dei membri della Commissione costituirà la decisione della Commissione, e dovrà essere accettata dalle parti come definitiva e obbligatoria.

Articolo 37. Emendamento allo Statuto

Il presente Statuto costituirà lo Statuto permanente del Territorio Libero, salvo ogni emendamento che possa esservi successivamente apportato dal Consiglio di Sicurezza. L'assemblea popolare, a seguito di deliberazione presa alla maggioranza di due terzi dei voti espressi, potrà presentare petizione al Consiglio di Sicurezza, diretta ad ottenere l'adozione di emendamenti.

Articolo 38. Entrata in vigore dello Statuto

Il presente Statuto entrerà in vigore alla data che sarà stabilita dal Consiglio di Sicurezza delle Nazioni Unite.

ALLEGATO VII

Strumento per il regime provvisorio del Territorio Libero di Trieste

(vedi Articolo 21)

Le disposizioni seguenti si applicheranno all'amministrazione del Territorio Libero di Trieste, fino all'entrata in vigore dello Statuto permanente.

Articolo 1

Il Governatore assumerà le sue funzioni nel Territorio Libero, al più presto possibile dopo l'entrata in vigore del presente Trattato di Pace. Fino all'assunzione dei poteri da parte del Governatore, il Territorio Libero

continuerà ad essere amministrato dai Comandi militari alleati, entro le rispettive zone di competenza.

Articolo 2

Appena assunte le sue funzioni nel Territorio Libero di Trieste, il Governatore avrà il potere di costituire un Consiglio Provvisorio di Governo, di cui sceglierà i componenti, dopo essersi consultato con i Governi della Jugoslavia e dell'Italia, tra le persone domiciliate nel Territorio Libero. Il Governatore avrà diritto di modificare la composizione del Consiglio Provvisorio di Governo, ogni qualvolta lo ritenga necessario. Il Governatore e il Consiglio Provvisorio di Governo eserciteranno le loro funzioni in base alle norme contenute nelle disposizioni dello Statuto permanente, quando ed in quanto tali disposizioni siano applicabili e non siano sostituite da quelle contenute nel presente Strumento. Tutte le altre disposizioni dello Statuto permanente saranno parimenti applicabili per la durata del regime provvisorio, quando ed in quanto tali disposizioni siano applicabili e non siano sostituite da quelle contenute nel presente Strumento. Il Governatore sarà guidato nella sua linea di condotta sopratutto dalla preoccupazione di far fronte ai bisogni materiali della popolazione e di assicurarne il benessere.

Articolo 3

La sede del Governo sarà stabilita in Trieste. Il Governatore invierà i suoi rapporti direttamente al Presidente del Consiglio di Sicurezza e, attraverso di lui, fornirà al Consiglio di Sicurezza, tutte le informazioni necessarie sull'amministrazione del Territorio Libero.

Articolo 4

Il primo dovere del Governatore sarà quello di assicurare il mantenimento dell'ordine pubblico e della sicurezza. Egli nominerà a titolo provvisorio un Direttore di Pubblica Sicurezza, che riorganizzerà e amministrerà le forze di polizia e i servizi di pubblica sicurezza.

Articolo 5

(a) Dalla data di entrata in vigore del presente Trattato, le truppe stazionanti nel Territorio Libero non dovranno superare gli effettivi seguenti:

Regno Unito, 5000 uomini; Stati Uniti d'America, 5000 uomini; Jugoslavia, 5000 uomini.

(b) Queste truppe dovranno essere poste a disposizione del Governatore per un periodo di 90 giorni dalla data in cui il Governatore stesso avrà assunto i suoi poteri nel Territorio Libero. Alla fine di detto periodo, le truppe cesseranno di essere a disposizione del Governatore e saranno ritirate dal Territorio entro un ulteriore termine di 45 giorni, a meno che il Governatore informi il Consiglio di Sicurezza che, nell'interesse del Territorio, una parte delle truppe o l'intero contingente non dovrebbe, a suo parere, essere ritirato. In tal caso le truppe richieste dal Governatore rimarranno non oltre 45 giorni dalla data in cui il Governatore avrà informato il Consiglio di Sicurezza, che i servizi di pubblica sicurezza possono assicurare il mantenimento dell'ordine interno nel Territorio, senza l'assistenza di truppe straniere.

(c) Le operazioni di ritiro delle truppe, di cui al paragrafo *(b)* dovranno svolgersi in modo da mantenere, per quanto possibile, il rapporto previsto al paragrafo *(a)* tra le truppe delle tre Potenze interessate.

Articolo 6

Il Governatore avrà il diritto, in ogni momento, di richiedere assistenza ai Comandanti di detti contingenti, e tale assistenza dovrà essere immediatamente fornita. Il Governatore, ogni volta che sia possibile, si consulterà con i Comandanti militari interessati prima di emanare le sue istruzioni, ma non dovrà intervenire nelle misure di carattere militare prese per dare esecuzione alle sue istruzioni. Ogni Comandante avrà il diritto di riferire al proprio Governo le istruzioni ricevute dal Governatore, informando il Governatore stesso del contenuto di tali suoi rapporti. Il Governo interessato avrà il diritto di rifiutare che le sue truppe partecipino all'operazione in oggetto, informandone debitamente il Consiglio di Sicurezza.

Articolo 7

Le misure necessarie relative alla dislocazione, all'amministrazione e approvvigionamento per i contingenti militari forniti dal Regno Unito, dagli Stati Uniti d'America e dalla Jugoslavia, saranno prese d'accordo tra il Governatore e i Comandanti di detti contingenti.

Articolo 8

Il Governatore sarà incaricato di organizzare, consultandosi con il Consiglio Provvisorio di Governo, l'elezione dei membri dell'Assemblea Costituente, nelle condizioni previste dallo Statuto per le elezioni dell'Assemblea popolare.

Le elezioni dovranno aver luogo non più tardi di quattro mesi, dal giorno in cui il Governatore avrà assunto le proprie funzioni. Nel caso in cui sia tecnicamente impossibile procedere alle elezioni entro il periodo predetto, il Governatore dovrà riferirne al Consiglio di Sicurezza.

Articolo 9

Il Governatore, d'intesa con il Consiglio Provvisorio di Governo, dovrà preparare il bilancio preventivo provvisorio e i programmi provvisori per le importazioni e le esportazioni e dovrà assicurarsi che siano adottate dal Consiglio Provvisorio di Governo misure opportune per la gestione finanziaria del Territorio Libero.

Articolo 10

Le leggi ed i regolamenti esistenti resteranno in vigore, salvo e fino a che non siano abrogati o sospesi dal Governatore. Il Governatore avrà il diritto di emendare le leggi e i regolamenti esistenti e di emanare nuove leggi e nuovi regolamenti, d'accordo con la maggioranza del Consiglio Provvisorio di Governo. Le leggi e i regolamenti emendati e le leggi e i regolamenti di nuova emanazione, così come gli atti del Governatore, comportanti la abrogazione o la sospensione di leggi e regolamenti, rimarranno in vigore, salvo e fino a che non siano emendati, abrogati o sospesi da atti dell'Assemblea popolare o del Consiglio di Governo, agenti entro la rispettiva loro sfera di competenza, dopo l'entrata in vigore della Costituzione.

Articolo 11

Finchè non sia stabilito un regime monetario autonomo per il Territorio Libero, la lira italiana continuerà ad avere corso legale entro il Territorio Libero. Il Governo italiano dovrà fornire al Territorio Libero la valuta estera e i mezzi monetari che siano ad esso necessari, a condizioni non meno favorevoli di quelle vigenti in Italia.

L'Italia e il Territorio Libero concluderanno un accordo per dare esecuzione alle disposizioni di cui sopra, e per provvedere alla sistemazione di quelle questioni, che sia necessario di regolare fra i due Governi.

ALLEGATO VIII

Strumento relativo al Porto Franco di Trieste

Articolo 1

1. Per assicurare che il porto ed i mezzi di transito di Trieste possano essere utilizzati in condizioni di eguaglianza da tutto il commercio internazionale e dalla Jugoslavia, l'Italia e gli Stati dell'Europa Centrale, secondo le consuetudini vigenti negli altri porti franchi del mondo:

(a) sarà creato nel Territorio Libero di Trieste un porto franco doganale, entro i limiti fissati o previsti dall'Articolo 3 del presente Strumento;

(b) le merci in transito per il Porto Franco di Trieste godranno libertà di transito, ai sensi dell'Articolo 16 del presente Strumento.

2. Il regime internazionale del Porto Franco sarà regolato dalle disposizioni del presente Strumento.

Articolo 2

1. Il Porto Franco sarà costituito e amministrato come un Ente pubblico del Territorio Libero, avente tutti gli attributi di una persona giuridica ed operante in conformità delle disposizioni del presente Strumento.

2. Tutti i beni italiani statali e parastatali entro i limiti del Porto Franco, che, ai sensi delle disposizioni del presente Trattato, passeranno in proprietà al Territorio Libero, saranno trasferiti senza pagamento, al Porto Franco.

Articolo 3

1. La zona del Porto Franco comprenderà il territorio e gli impianti delle zone franche del Porto di Trieste, entro i loro confini del 1939.

2. La creazione di zone speciali nel Porto Franco sotto la giurisdizione esclusiva di uno Stato qualunque è incompatible con la figura del Territorio Libero e del Porto Franco.

3. Allo scopo tuttavia di soddisfare le speciali esigenze della navigazione jugoslava e italiana nel mare Adriatico, il Direttore del Porto Franco, a richiesta del Governo jugoslavo o di quello italiano, e su conforme parere della Commissione Internazionale prevista al successivo Articolo 21, potrà riservare a favore delle navi mercantili battenti bandiera di uno o dell'altro dei due Stati, l'uso esclusivo di punti d'ormeggio in determinate parti della zona del Porto Franco.

4. Nel caso in cui sia necessario di allargare l'area del Porto Franco, ciò potrà farsi su proposta del Direttore del Porto Franco, con decisione del Consiglio di Governo e con l'approvazione dell'Assemblea popolare.

Articolo 4

Salvo che non sia diversamente stabilito dal presente Strumento, le leggi ed i regolamenti in vigore nel Territorio Libero si applicheranno alle persone e ai beni entro i confini del Porto Franco e le autorità incaricate di assicurare la loro osservanza nel Territorio Libero, eserciteranno le proprie funzioni entro i confini del Porto Franco.

Articolo 5

1. Le navi mercantili e le merci di tutti i paesi godranno senza restrizione del diritto di accesso al Porto Franco per il carico e la discarica sia di merci in transito, che di merci destinate al Territorio Libero o da esso provenienti.

2. Le autorità del Territorio Libero non percepiranno sulle merci in importazione, in esportazione od in transito attraverso il Porto Franco nè dazi doganali, nè altri gravami, che non siano in corrispettivo di servizi prestati.

3. Per quanto si riferisce tuttavia alle merci importate attraverso il Porto Franco, per essere consumate entro il Territorio Libero od alle merci esportate dal Territorio Libero attraverso il Porto Franco, saranno applicate le relative leggi e regolamenti in vigore nel Territorio Libero.

Articolo 6

Il deposito, il magazzinaggio, la verifica, la cernita delle merci, l'imballaggio ed il riimballaggio e le operazioni consimili, che era costume

per il passato di svolgere nelle zone franche del Porto di Trieste, saranno autorizzate nel Porto Franco, in conformità dei regolamenti generali emanati dal Direttore del Porto Franco.

Articolo 7

1. Il Direttore del Porto Franco potrà anche autorizzare in Porto Franco la lavorazione delle merci.

2. L'esercizio di attività industriali sarà consentito in Porto Franco soltanto a quelle imprese che esistevano nelle zone franche del porto di Trieste prima dell'entrata in vigore del presente Strumento. Su proposta del Direttore del Porto Franco, il Consiglio di Governo può consentire che vengano stabilite nuove imprese industriali entro i confini del Porto Franco.

Articolo 8

Le autorità del Territorio Libero saranno autorizzate a procedere ad ispezioni in Porto Franco nella misura che sarà necessaria per far rispettare i regolamenti doganali o gli altri regolamenti del Territorio Libero, per la prevenzione del contrabbando.

Articolo 9

1. Le autorità del Territorio Libero saranno autorizzate a determinare ed a percepire i diritti portuali nel Porto Franco.

2. Il Direttore del Porto Franco determinerà la tariffa per l'uso delle installazioni e dei servizi del Porto Franco. Tale tariffa dovrà essere mantenuta ad un livello ragionevole ed essere in funzione del costo di funzionamento, di amministrazione, di manutenzione e di sviluppo del Porto Franco.

Articolo 10

Nel determinare e percepire nel Porto Franco i diritti portuali e le altre tasse di cui al precedente Articolo 9, come nel disporre dei mezzi e dei servizi del Porto Franco, non sarà ammessa alcuna discriminazione, basata sulla bandiera delle navi, oppure sulla proprietà delle merci o su qualsiasi altro motivo.

Articolo 11

L'entrata e l'uscita di tutte le persone in e dal Porto Franco sarà sottoposta a quelle norme che verranno stabilite dalle autorità del Territorio Libero. Tali norme tuttavia saranno formulate in modo da non intralciare eccessivamente l'entrata e l'uscita dal Porto Franco dei cittadini di qualunque Stato, i quali esercitino un'attività legittima nella zona del Porto Franco.

Articolo 12

Le norme e regolamenti in vigore nel Porto Franco e le tariffe dei diritti e delle tasse percepite nel Porto Franco devono essere rese pubbliche.

Articolo 13

Il cabotaggio ed il traffico costiero entro il Territorio Libero saranno esercitati in conformità delle norme emanate dalle autorità del Territorio Libero, le disposizioni del presente Strumento non dovendo considerarsi come implicanti alcuna restrizione al riguardo per le predette autorità.

Articolo 14

Nell'ambito del Porto Franco i provvedimenti sanitari e le disposizioni relative alla lotta contro le malattie degli animali e delle piante, per quanto concerne le navi da passeggieri e da carico, saranno applicate dalle autorità del Territorio Libero.

Articolo 15

Le autorità del Territorio Libero saranno tenute a fornire al Porto Franco l'acqua, il gas, la luce e l'energia elettrica, i mezzi di comunicazione, i mezzi per il drenaggio ed altri servizi pubblici ed a assicurare i servizi di polizia e la protezione contro gli incendi.

Articolo 16

1. Il Territorio Libero e gli Stati, i cui territori sono attraversati da merci trasportate per ferrovia tra il Porto Franco e gli Stati che esso serve, assicureranno alle merci stesse libertà di transito, in conformità delle consuete convenzioni doganali, senza alcuna discriminazione e senza percezione

di dazi doganali o gravami, che non siano quelli applicati in corrispettivo di servizi prestati.

2. Il Territorio Libero e gli Stati che assumono le obbligazioni nascenti dal presente Strumento, sul territorio dei quali detto traffico transiterà in una direzione o nell'altra, faranno tutto quanto sarà in loro potere per provvedere i mezzi più adeguati che sia possibile, sotto ogni rispetto, per assicurare la rapidità ed il buon andamento di detto traffico ad un costo ragionevole. Essi inoltre non applicheranno, per quanto concerne il movimento delle merci a destinazione od in provenienza dal Porto Franco, alcuna misura discriminatoria in materia di tariffe, servizi, dogane, regolamenti sanitari, di polizia o di ogni altra natura.

3. Gli Stati che si assumono le obbligazioni nascenti dal presente Strumento, non adotteranno alcuna misura in materia di regolamenti o di tariffe che possa deviare artificialmente il traffico del Porto Franco a favore di altri porti marittimi. I provvedimenti adottati dal Governo jugoslavo per provvedere al traffico diretto ai porti della Jugoslavia meridionale, non saranno considerati come misure miranti a deviare artificialmente il traffico.

Articolo 17

Il Territorio Libero e gli Stati che assumono le obbligazioni nascenti dal presente Strumento, concederanno, nei loro rispettivi territori ed in modo tale da escludere qualsiasi discriminazione, libertà di comunicazioni postali, telegrafiche e telefoniche, in conformità delle consuete convenzioni internazionali, tra la zona del Porto Franco e qualsiasi altro paese, e ciò per ogni comunicazione che provenga dalla zona del Porto Franco o sia ad essa destinata.

Articolo 18

1. Il Porto Franco sarà amministrato da un Direttore del Porto Franco, che ne avrà la legale rappresentanza, in quanto persona giuridica. Il Consiglio di Governo sottoporrà al Governatore un elenco di candidati idonei per il posto di Direttore del Porto Franco. Il Governatore nominerà il Direttore, scegliendolo tra i candidati a lui segnalati, dopo essersi consultato con il Consiglio di Governo. In caso di disaccordo, la questione

sarà riferita al Consiglio di Sicurezza. Il Governatore può anche licenziare il Direttore, dietro raccomandazione della Commissione Internazionale o del Consiglio di Governo.

2. Il Direttore non sarà nè un cittadino jugoslavo, nè un cittadino italiano.

3. Tutti gli altri impiegati del Porto Franco saranno nominati dal Direttore. Nella nomina degli impiegati, dovrà essere data preferenza ai cittadini del Territorio Libero.

Articolo 19

Il Direttore del Porto Libero, compatibilmente con le disposizioni del presente Strumento, adotterà tutte le misure ragionevoli e necessarie per l'amministrazione, il funzionamento, la manutenzione e lo sviluppo del Porto Franco, come un porto efficiente ed idoneo a far prontamente fronte a tutto il traffico relativo. In particolare, egli sarà responsabile dell'esecuzione dei lavori portuali di ogni tipo nel Porto Franco, dirigerà il funzionamento delle installazioni e degli altri impianti portuali, determinerà, conformemente alle leggi del Territorio Libero, le condizioni di lavoro nel Porto Franco e sopravedrà alla osservanza inoltre nel Porto Franco, delle ordinanze e dei regolamenti emanati dalle autorità del Territorio Libero in materia di navigazione.

Articolo 20

1. Il Direttore del Porto Franco emanerà quelle norme e quei regolamenti che riterrà necessari nell'esercizio delle sue funzioni, quali sono stabilite dall'Articolo che precede.

2. Il bilancio preventivo autonomo del Porto Franco verrà approntato dal Direttore e sarà approvato e amministrato in conformità delle leggi che saranno stabilite dall'Assemblea popolare del Territorio Libero.

3. Il Direttore del Porto Franco sottoporrà un rapporto annuale sul funzionamento del Porto Franco al Governatore e al Consiglio di Governo del Territorio Libero. Una copia del rapporto dovrà essere inviata alla Commissione Internazionale.

Articolo 21

1. Sarà creata una Commissione Internazionale del Porto Franco, in appresso designata "La Commissione Internazionale", composta di un rappresentante del Territorio Libero e di un rappresentante di ognuno dei seguenti Stati: Francia, Regno Unito di Gran Bretagna e Irlanda del Nord, Unione delle Repubbliche Socialiste Sovietiche, Stati Uniti d'America, Repubblica Federale Popolare di Jugoslavia, Italia, Cecoslovacchia, Polonia, Svizzera, Austria e Ungheria, a condizione che ognuno di detti Stati abbia assunto le obbligazioni di cui al presente Strumento.

2. Il rappresentante del Territorio Libero sarà Presidente permanente della Commissione Internazionale. In caso di parità di voti, prevarrà il voto espresso dal Presidente.

Articolo 22

La Commissione Internazionale avrà la sua sede in Porto Franco. I suoi uffici e le sue attività saranno sottratte alla giurisdizione locale. I membri e i funzionari della Commissione Internazionale godranno nel Territorio Libero di quei privilegi ed immunità che saranno necessarie per il libero esercizio delle loro funzioni. La Commissione Internazionale organizzerà il proprio Segretariato, stabilirà la procedura di funzionamento e determinerà il proprio bilancio. Le spese comuni della Commissione Internazionale saranno ripartite tra gli Stati membri, in una maniera equa, secondo le proporzioni da essi accettate in seno alla Commissione Internazionale stessa.

Articolo 23

La Commissione Internazionale avrà il diritto di procedere ad inchieste ed a studi su tutte le questioni concernenti il funzionamento, l'utilizzazione e l'amministrazione del Porto Franco o gli aspetti tecnici del transito tra il Porto Franco e gli Stati ch'esso serve, compresa l'unificazione dei metodi seguiti per lo smistamento del traffico. La Commissione Internazionale agirà, sia di propria iniziativa, sia quando siffatte questioni siano portate alla sua attenzione da qualunque Stato, o dal Territorio Libero, o dal Direttore del Porto Franco. La Commissione Internazionale comunicherà le sue vedute o raccomandazioni al riguardo allo Stato od agli Stati

interessati, od al Territorio Libero, od al Direttore del Porto Franco. Tali raccomandazioni saranno prese in considerazione e saranno adottati gli opportuni provvedimenti. Nel caso in cui tuttavia il Territorio Libero, o lo Stato, o gli Stati interessati ritengano che detti provvedimenti siano incompatibili con le disposizioni del presente Strumento, la questione potrà essere regolata, a richiesta del Territorio Libero, o di uno qualunque degli Stati interessati, secondo la procedura prevista all'Articolo 24.

Articolo 24

Ogni controversia relativa all'interpretazione o all'esecuzione del presente Strumento, che non sia regolata mediante negoziati diretti, dovrà, a meno che le parti non convengano di adottare un altro sistema per il regolamento della controversia stessa, essere sottoposta a richiesta di una o dell'altra parte, a una Commissione composta di un rappresentante di ciascuna delle parti e di un terzo membro, scelto di comune accordo tra le parti, fra cittadini di un terzo paese. Se nello spazio di un mese le due parti non riescano a mettersi d'accordo sulla designazione del terzo membro, il Segretario Generale delle Nazioni Unite sarà invitato a procedere alla designazione. Le decisione della maggioranza dei membri della Commissione costituirà la decisione della Commissione e dovrà essere accettata dalle parti come definitiva e obbligatoria.

Articolo 25

Potranno presentarsi al Consiglio di Sicurezza da parte del Consiglio di Governo del Territorio Libero, o da tre o più Stati rappresentati nella Commissione Internazionale, proposte di emendamenti al presente Strumento. Ogni emendamento approvato dal Consiglio di Sicurezza entrerà in vigore alla data stabilita dal Consiglio stesso.

Articolo 26

Ai fini del presente Strumento, uno Stato sarà considerato aver assunto le obbligazioni nascenti dallo Strumento stesso, se esso sia parte contraente del Trattato di Pace con l'Italia o se esso abbia notificato al Governo della Repubblica francese l'assunzione da parte sua di dette obbligazioni.

ALLEGATO IX

Disposizioni techniche relative al Territorio Libero di Trieste

(vedi Articolo 21)

A. *Approvvigionamento idrico dell'Istria nord-occidentale*

La Jugoslavia continuerà ad approvvigionare la regione dell'Istria nord-occidentale, entro il Territorio Libero di Trieste, con acqua proveniente dalla sorgente di San Giovanni de Pinguente, attraverso il sistema di approvvigionamento idrico del Quieto e dalla sorgente di S. Maria del Risano, attraverso il sistema di approvvigionamento idrico del Risano. L'acqua da fornirsi così, sarà in quantità — che non superi sensibilmente quella abitualmente provveduta alla regione — ed al ritmo di flusso, che il Territorio Libero sarà per richiedere, sempre peraltro entro i limiti imposti dalle condizioni naturali. La Jugoslavia assicurerà la manutenzione delle condutture, dei bacini, delle pompe, dei dispositivi di purificazione delle acque e degli altri impianti in territorio jugoslavo, che possano essere necessari per assolvere le suddette obbligazioni. Una temporanea tolleranza rispetto a tali obbligazioni dovrà essere consentita alla Jugoslavia, per le necessarie riparazioni dei danni di guerra sofferti dalle installazioni per l'approvvigionamento idrico. Il Territorio Libero pagherà, per l'acqua così fornita, un prezzo ragionevole, che rappresenti il suo contributo proporzionale, basato sul quantitativo d'acqua consumato entro il Territorio Libero, rispetto al costo totale di funzionamento e di manutenzione dei sistemi di approvvigionamento idrico del Quieto e del Risano. Nel caso in cui il Territorio Libero abbia bisogno in futuro di forniture supplementari d'acqua, la Jugoslavia s'impegna ad esaminare la questione assieme alle autorità del Territorio Libero e ad adottare di comune accordo quelle ragionevoli misure che siano necessarie per soddisfare detti bisogni.

B. *Forniture di energia elettrica*

1. La Jugoslavia e l'Italia manterranno le attuali forniture di energia elettrica a favore del Territorio Libero di Trieste, fornendo ad esso quei quantitativi e quel ritmo di fornitura che il Territorio Libero sarà per richiedere. I quantitativi d'energia forniti non dovranno superare sensibil-

mente, all'inizio, i quantitativi normalmente messi a disposizione della zona compresa nei confini del Territorio Libero, ma l'Italia e la Jugoslavia, a richiesta del Territorio Libero, dovranno fornire crescenti quantitativi in relazione alle crescenti esigenze del Territorio Libero, a condizione peraltro che ogni aumento di più del 20% rispetto al quantitativo normalmente fornito al Territorio Libero dalle diverse fonti, formi l'oggetto di un accordo tra i Governi interessati.

2. Il prezzo che sarà fissato dalla Jugoslavia o dall'Italia e che sarà pagato dal Territorio Libero per l'energia elettrica ad esso fornita, non potrà essere superiore al prezzo fissato in Jugoslavia o in Italia, per la fornitura di uguali quantitativi di energia idroelettrica prodotta dalle stesse fonti in territorio jugoslavo od italiano.

3. La Jugoslavia, l'Italia e il Territorio Libero, si scambieranno continuamente informazioni concernenti il flusso, le riserve di acqua e la produzione di energia delle centrali che alimentano l'antico compartimento italiano della Venezia Giulia, in modo che ognuna delle tre parti possa essere in condizione di determinare il rispettivo fabbisogno.

4. La Jugoslavia, l'Italia e il Territorio Libero manterranno in buono stato di funzionamento tutte le centrali elettriche, le linee di trasmissione, le sottostazioni e le altre installazioni necessarie per assicurare l'approvvigionamento continuato di energia all'antico compartimento italiano della Venezia Giulia.

5. La Jugoslavia provvederà a che gli impianti esistenti o che possano venire in futuro costruiti nella zona dell'Isonzo (Soca) per la produzione di energia elettrica siano utilizzati in modo che i quantitativi d'acqua di cui l'Italia abbia bisogno periodicamente per irrigare la regione compresa tra Gorizia e la costa adriatica a sudovest di detta città, possano essere prelevati dall'Isonzo (Soca). L'Italia non potrà rivendicare il diritto di utilizzare l'acqua dell'Isonzo (Soca) in quantitativi maggiori o in condizioni più favorevoli di quelle abituali per il passato.

6. La Jugoslavia, l'Italia e il Territorio Libero dovranno negoziare fra loro ed adottare una convenzione che sia accettabile da tutte le parti e sia conforme alle disposizioni di cui sopra, per assicurare che il sistema elettrico che serve l'antico compartimento italiano della Venezia Giulia

possa continuare a funzionare. Una Commissione mista, nella quale i tre Governi saranno rappresentati su una base di parità, sarà istituita per presiedere all'esecuzione delle obbligazioni risultanti dai paragrafi da 1 a 5, di cui sopra.

7. Allo scadere di un periodo di dieci anni dall'entrata in vigore del presente Trattato, la Jugoslavia, l'Italia e il Territorio Libero riesamineranno le disposizioni che precedono alla luce delle condizioni in allora esistenti, allo scopo di determinare quali delle obbligazioni di cui sopra siano eventualmente non più necessarie e vi apporteranno quelle modifiche, soppressioni od aggiunte, che le parti interessate fra loro convenissero. Ogni controversia che possa sorgere in sede di detto riesame, dovrà essere regolata secondo la procedura prevista dall'Articolo 87 del presente Trattato.

C. *Disposizioni per facilitare il traffico locale di frontiera*

La Jugoslavia ed il Territorio Libero di Trieste, e l'Italia e il Territorio Libero di Trieste, dovranno entro un mese dall'entrata in vigore del presente Trattato, intraprendere negoziati, in vista di concludere intese allo scopo di facilitare il passaggio attraverso la frontiera tra il Territorio Libero e le zone adiacenti di Jugoslavia e d'Italia, di generi alimentari e di altre categorie di merci che hanno formato abitualmente oggetto di scambi locali tra dette regioni, a condizione che si tratti di derrate o merci prodotte o fabbricate nei territori rispettivi. Detti scambi potranno essere facilitati da opportuni provvedimenti, compresa l'esenzione entro determinati limiti di quantità o valore, da diritti, dazi doganali e tasse di qualsiasi genere sull'importazione e sulla esportazione, quando i prodotti sopradetti rimangano nel commercio locale.

ALLEGATO X

Disposizioni economiche e finanziarie relative al Territorio Libero di Trieste

1. Il Territorio Libero di Trieste acquisterà, senza pagamento, i beni italiani statali e parastatali che si trovano entro i confini del Territorio Libero.

Ai sensi del presente Allegato, saranno considerati come beni statali o parastatali: i beni mobili ed immobili dello Stato italiano, degli Enti locali e degli Enti pubblici e delle società o associazioni di proprietà statale, così come i beni mobili e immobili già appartenenti al Partito Fascista od alle sue organizzazioni ausiliarie.

2. Tutti i trasferimenti di beni italiani statali e parastatali, secondo la definizione datane al paragrafo 1 di cui sopra, effettuati dopo il 3 settembre 1943, saranno considerati come nulli e non avvenuti. Tuttavia tale disposizione non si applicherà agli atti legittimi relativi ad operazioni correnti di Enti statali e parastatali, in quanto detti atti concernano la vendita, in condizioni normali, di merci da essi prodotte o vendute, in esecuzione di normali intese commerciali o nel corso normale di attività amministrative del Governo.

3. I cavi sottomarini appartenenti allo Stato italiano o ad Enti parastatali italiani, cadranno sotto la disciplina delle disposizioni del paragrafo 1, per quanto si riferisce agli impianti terminali ed ai tratti di cavi giacenti nelle acque territoriali del Territorio Libero.

4. L'Italia trasferirà al Territorio Libero tutti gli archivi e i documenti di carattere amministrativo o di valore storico riferentisi al Territorio Libero o a beni trasferiti in esecuzione del paragrafo 1 del presente Allegato. Il Territorio Libero consegnerà alla Jugoslavia tutti i documenti dello stesso carattere riferentisi ai territori ceduti alla Jugoslavia ai sensi del presente Trattato, e all'Italia tutti i documenti dello stesso carattere, che possano trovarsi nel Territorio Libero e che si riferiscano al territorio italiano.

La Jugoslavia si dichiara pronta a trasferire al Territorio Libero tutti gli archivi e documenti di carattere amministrativo riguardanti l'amministrazione del Territorio Libero e necessari soltanto per l'amministrazione del territorio stesso, che siano del tipo di quelli che venivano normalmente conservati, prima del 3 settembre 1943, dalle autorità locali, aventi giurisdizione sulla zona che fa ora parte del Territorio Libero.

5. Il Territorio Libero sarà esente dal pagamento del Debito Pubblico italiano, ma dovrà assumere le obbligazioni dello Stato italiano nei con-

fronti dei detentori di titoli, i quali siano persone fisiche che continuino a risiedere nel Territorio Libero, o persone giuridiche che vi conservino la loro sede sociale od il centro principale dei loro affari, nella misura in cui dette obbligazioni corrispondano alla parte di tale Debito, emessa prima del 10 giugno 1940, che sia attribuibile ad opere pubbliche od a servizi amministrativi civili di cui detto Territorio abbia beneficiato e non attribuibile direttamente od indirettamente a scopi militari.

Potrà richiedersi ai detentori dei titoli di fornire piena prova dell'origine dei titoli stessi.

L'Italia e il Territorio Libero concluderanno un accordo per determinare la parte del Debito Pubblico italiano, a cui si riferisce il presente paragrafo e i metodi da applicare per l'esecuzione delle disposizioni relative.

6. Il regime futuro dei debiti esteri garantiti da privilegi gravanti sui beni o sulle entrate del Territorio Libero, sarà regolato da ulteriori accordi, che saranno conclusi tra le parti interessate.

7. L'Italia e il Territorio Libero regoleranno con speciali accordi le condizioni in cui saranno trasferite ad organizzazioni consimili del Territorio Libero, le obbligazioni verso gli abitanti del Territorio Libero, delle organizzazioni italiane pubbliche, come private, per le assicurazioni sociali, come pure una parte proporzionale delle riserve accumulate dalle dette organizzazioni.

Accordi analoghi saranno anche conclusi tra il Territorio Libero e l'Italia e tra il Territorio Libero e la Jugoslavia, per regolare le obbligazioni di organizzazioni per le assicurazioni sociali, pubbliche e private, la cui sede sociale sia nel Territorio Libero, nei confronti dei detentori di polizze e dei sottoscrittori residenti rispettivamente in Italia o in territorio ceduto alla Jugoslavia in base al presente Trattato.

Il Territorio Libero e la Jugoslavia regoleranno con accordi analoghi, le obbligazioni delle organizzazioni per le assicurazioni sociali, pubbliche e private, la cui sede sociale sia nel territorio ceduto alla Jugoslavia ai sensi del presente Trattato, nei confronti di detentori di polizze o di sottoscrittori che risiedano nel Territorio Libero.

8. L'Italia continuerà ad essere responsabile del pagamento delle

pensioni civili o militari acquisite alla data dell'entrata in vigore del presente Trattato, al servizio dello Stato italiano o di municipi od altri Enti pubblici locali, da persone che acquistino la cittadinanza del Territorio Libero, in virtù del presente Trattato. Tale obbligazione riguarda anche il diritto a pensioni non ancora maturate. Accordi saranno conclusi tra l'Italia e il Territorio Libero, per determinare le condizioni, in cui detta obbligazione sarà soddisfatta.

9. I beni, diritti e interessi dei cittadini italiani, che hanno stabilito il loro domicilio nel Territorio Libero dopo il 10 giugno 1940 e delle persone che opteranno per la cittadinanza italiana, in virtù delle disposizioni dello Statuto del Territorio Libero di Trieste, saranno rispettati, a condizione ch'essi siano stati legittimamente acquisiti, per un periodo di tre anni dalla data dell'entrata in vigore del presente Trattato, nella stessa misura che i beni, diritti e interessi dei cittadini del Territorio Libero in generale.

I beni, diritti e interessi degli altri cittadini italiani ed anche quelli delle persone giuridiche di nazionalità italiana, che siano situati nel Territorio Libero, purchè siano stati legittimamente acquisiti, saranno sottoposti soltanto a quei provvedimenti che potranno essere via via adottati in linea generale rispetto ai beni di cittadini stranieri e di persone giuridiche di nazionalità straniera.

10. Le persone che opteranno per la cittadinanza italiana e che stabiliranno la loro residenza in Italia, saranno autorizzate, dopo ch'esse abbiano pagato ogni debito o imposta dovuta nel Territorio Libero, a portare con sè i loro beni mobili e a trasferire i loro fondi, purchè detti beni e fondi siano stati legittimamente acquisiti. Nessun diritto d'importazione o di esportazione sarà imposto in relazione al trasferimento di tali beni. Dette persone saranno autorizzate inoltre a vendere i loro beni mobili e immobili nelle stesse condizioni dei cittadini del Territorio Libero.

Il trasferimento dei beni in Italia sarà effettuato a condizioni che non dovranno essere in contrasto con la Costituzione del Territorio Libero e nel modo che sarà determinato d'accordo tra l'Italia e il Territorio Libero. Le condizioni e i termini di tempo per il trasferimento dei fondi, compresi i proventi delle vendite, saranno fissati nella medesima maniera.

11. I beni, diritti e interessi esistenti in Italia alla data dell'entrata in vigore del presente Trattato e che appartengano a ex-cittadini italiani, residenti nel Territorio Libero, che divengono cittadini del Territorio Libero stesso ai sensi del presente Trattato, saranno rispettati dall'Italia, nella stessa misura dei beni, diritti e interessi dei cittadini italiani in genere, per un periodo di tre anni dall'entrata in vigore del presente Trattato.

Dette persone sono autorizzate ad effettuare il trasferimento e la liquidazione dei loro beni, diritti, ed interessi, nelle stesse condizioni previste al paragrafo 10 di cui sopra.

12. Le società costituite a norma delle leggi italiane e aventi la loro sede sociale nel Territorio Libero, che desiderino spostare detta sede sociale in Italia, od in Jugoslavia, dovranno egualmente essere trattate in conformità del paragrafo 10 di cui sopra, a condizione che più del cinquanta per cento del loro capitale appartenga a persone residenti normalmente fuori del Territorio Libero o che trasferiscano il loro domicilio in Italia o in Jugoslavia.

13. I debiti dovuti da persone residenti in Italia o in territorio ceduto alla Jugoslavia, a persone residenti nel Territorio Libero e i debiti dovuti da persone residenti nel Territorio Libero a persone residenti in Italia o in territorio ceduto alla Jugoslavia, non saranno rimessi o lesi per effetto della cessione. L'Italia, la Jugoslavia e il Territorio Libero s'impegnano a facilitare il regolamento di dette obbligazioni. Ai fini del presente paragrafo, il termine "persone" si riferisce anche alle persone giuridiche.

14. I beni situati nel Territorio Libero, appartenenti a qualunque delle Nazioni Unite e ai suoi cittadini, riguardo a cui non fossero state ancora revocate le misure di sequestro o di controllo adottate dall'Italia e che non fossero stati restituiti ai rispettivi proprietari, verranno restituiti nello stato in cui si trovano attualmente.

15. L'Italia restituirà i beni illegalmente asportati dopo il 3 settembre 1943, dal Territorio Libero e portati in Italia. L'esecuzione di tale obbligazione sarà regolata dai paragrafi 2, 3, 4, 5 e 6 dell'Articolo 75, salvo per quanto si riferisce ai beni formanti oggetto di altre disposizioni del presente Allegato.

Le disposizioni dei paragrafi 1, 2, 5 e 6 dell'Articolo 75 si applicheranno alla restituzione, da parte del Territorio Libero, dei beni che siano stati asportati durante la guerra dai territori delle Nazioni Unite.

16. L'Italia restituirà al Territorio Libero, nel più breve tempo possibile, tutte le navi detenute dallo Stato italiano o da cittadini italiani che, alla data del 3 settembre 1943 appartenevano sia a persone fisiche residenti nel Territorio Libero e che acquistino la cittadinanza del Territorio Libero ai sensi del presente Trattato, sia a persone giuridiche di nazionalità italiana, che abbiano e conservino la loro sede sociale nel Territorio Libero, fatta eccezione delle navi che siano state oggetto di vendita effettuata in buona fede.

17. L'Italia e il Territorio Libero, e la Jugoslavia e il Territorio Libero, concluderanno degli accordi fra loro per procedere alla ripartizione, su basi di giustizia e di equità, dei beni appartenenti agli enti locali, il territorio della cui giurisdizione venga a trovarsi diviso per effetto della nuova delimitazione di confini recata dal presente Trattato e per assicurare la continuazione a favore degli abitanti, di quei servizi comunali, a cui non si riferiscano espressamente altre disposizioni del presente Trattato.

Accordi analoghi saranno conclusi per una ripartizione giusta ed equa del materiale rotabile e dell'altro materiale ferroviario e dei galleggianti ed impianti dei bacini e del porto; accordi saranno egualmente presi per regolare qualsiasi altra questione economica pendente, che non sia regolata dal presente Allegato.

18. I cittadini del Territorio Libero continueranno, nonostante il trasferimento di sovranità e ogni mutamento di cittadinanza che ne risulti, a godere in Italia di tutti i diritti di proprietà industriale, letteraria e artistica, previsti dalla legislazione ivi vigente, al momento del trasferimento.

Il Territorio Libero riconoscerà e darà effetto ai diritti di proprietà industriale, letteraria e artistica, esistenti nel Territorio Libero a sensi della legislazione italiana vigente al momento del trasferimento ed a quelli che dovessero essere ristabiliti o restituiti ai legittimi titolari, ai sensi dell'Allegato XV capo A del presente Trattato. Detti diritti rimarranno in vigore nel Territorio Libero, per lo stesso periodo di tempo durante il quale sarebbero rimasti in vigore, ai sensi della legislazione italiana.

19. Ogni controversia che possa sorgere in merito alla attuazione delle disposizioni del presente Allegato, sarà regolata nel modo previsto dall'Articolo 83 del presente Trattato.

20. I paragrafi 1, 3 e 5 dell'Articolo 76, l'Articolo 77, il paragrafo 3 dell'Articolo 78, l'Articolo 81, l'Allegato XV capo A, l'Allegato XVI e l'Allegato XVII capo B, si applicheranno al Territorio Libero nello stesso modo in cui si applicheranno all'Italia.

ALLEGATO XI

Dichiarazione comune dei Governi dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia, concernente i possedimenti territoriali italiani in Africa

(vedi Articolo 23)

1. I Governi dell'Unione delle Repubbliche Socialiste Sovietiche, del Regno Unito di Gran Bretagna e dell'Irlanda del Nord, degli Stati Uniti d'America e della Francia, convengono di decidere di comune accordo, entro un anno dall'entrata in vigore del Trattato con l'Italia, che porta la data del 10 febbraio 1947, della sorte definitiva dei possedimenti territoriali italiani in Africa, sui quali l'Italia, in base all'Articolo 23 del Trattato, rinuncia ad ogni diritto e titolo.

2. Le Quattro Potenze decideranno della sorte definitiva dei territori in questione e procederanno alle opportune modifiche dei confini dei territori stessi, tenendo conto delle aspirazioni e del benessere degli abitanti, oltre che delle esigenze della pace e della sicurezza, prendendo in considerazione i pareri degli altri Governi interessati.

3. Se le Quattro Potenze non possono mettersi d'accordo sulla sorte di uno qualunque dei detti territori, entro un anno dall'entrata in vigore del presente Trattato, la questione sarà sottoposta all'ssemblea Generale delle Nazioni Unite per una raccomandazione e le Quattro Potenze convengono di accettare la raccomandazione stessa e di prendere le misure del caso, per darvi esecuzione.

4. I sostituti dei Ministri degli Esteri continueranno l'esame della questione della sorte dell'ex-colonie italiane, allo scopo di sottoporre al Consiglio dei Ministri degli Esteri le loro raccomandazioni al riguardo. Essi invieranno inoltre commissioni d'inchiesta in qualsiasi delle ex-colonie italiane, perchè raccolgano e sottopongano ai sostituti stessi le necessarie informazioni sull'argomento ed accertino le vedute delle popolazioni locali.

ALLEGATO XII

(vedi Articolo 56)

I nomi delle navi elencate nel presente allegato sono quelli usati dalla Marina italiana alla data del 1° giugno 1946.

A. Elenco delle navi che l'Italia potrà conservare

PRINCIPALI UNITÀ DA GUERRA

Navi da battaglia. . Andrea Doria
Caio Duilio

Incrociatori. Luigi di Savoia Duca degli Abruzzi
Giuseppe Garibaldi
Raimondo Montecuccoli
Luigi Cadorna

Cacciatorpediniere. Carabiniere
Granatiere
Grecale
Nicoloso da Recco

Torpediniere. . Giuseppe Cesare Abba
Aretusa
Calliope
Giacinto Carini
Cassiopea
Clio
Nicola Fabrizi
Ernesto Giovannini
Libra
Monzambano
Antonio Mosto
Orione
Orsa
Rosalino Pilo
Sagittario
Sirio

Corvette... Ape
Baionetta
Chimera
Cormorano
Danaide
Driade
Fenice
Flora
Folaga
Gabbiano

Corvette... Gru
Ibis
Minerva
Pellicano
Pomona
Scimitarra
Sfinge
Sibilla
Urania

Si aggiunga una corvetta da recuperare, completare o costruire.

MINORI UNITÀ DA GUERRA

Dragamine R. D. N° 20, 32, 34, 38, 40, 41, 102, 103, 104, 105, 113, 114, 129, 131, 132, 133, 134, 148, 149, assieme a 16 unità del tipo YMS fornite dagli Stati Uniti d'America.

Vedette VAS N° 201, 204, 211, 218, 222, 224, 233, 235.

NAVIGLIO AUSILIARIO

Navi-cisterna petroliere.... Nettuno
Lete

Navi-cisterna da acqua.... Arno
Frigido
Mincio
Ofanto
Oristano
Pescara
Po
Sesia
Simeto
Stura
Tronto
Vipaccio

Rimorchiatori (grandi).... Abbazia
Asinara
Atlante
Capraia
Chioggia
Emilio
Gagliardo
Gorgona
Licosa
Lilibeo
Linosa
Mestre
Piombino
Porto Empedocle
Porto Fossone

Rimorchiatori (grandi)	Porto Pisano	*Rimorchiatori (piccoli)*	N 1
	Porto Rose		N 4
	Porto Recanati		N 5
	San Pietro		N 9
	San Vito		N 22
	Ventimiglia		N 26
Rimorchiatori (piccoli)	Argentario		N 27
	Astico		N 32
	Cordevole		N 47
	Generale Pozzi		N 53
	Irene		N 78
	Passero		N 96
	Porto Rosso		N 104
	Porto Vecchio		RLN 1
	San Bartolomeo		RLN 3
	San Benedetto		RLN 9
	Tagliamento		RLN 10

Nave-scuola ..... Amerigo Vespucci

Navi-trasporto ..... Amalia Messina
Montegrappa
Tarantola

Nave-appoggio ..... Giuseppe Miraglia

Nave-officina ..... Antonio Pacinotti (navi-appoggio sommergibili, da trasformare in nave-officina)

Navi-idrografiche ..... Azio (nave posa-mine da trasformare in nave idrografica)
Cherso

Battello per il servizio dei fari.... Buffoluto

Nave posa-cavi ..... Rampino

B. Elenco delle Navi che l'Italia dovrà mettere a disposizione dell'Unione Sovietica, del Regno Unito, degli Stati Uniti d'America e della Francia

PRINCIPALI UNITÀ DA GUERRA

Navi da battaglia. .Giulio Cesare
Italia
Vittorio Veneto

Incrociatori. . . . . .Emanuele Filiberto Duca d'Aosta
Pompeo Magno
Attilio Regolo
Eugenio di Savoia
Scipione Africano

Esploratore. . . . . .Eritrea

Cacciatorpediniere. Artigliere
Fuciliere
Legionario
Mitragliere
Alfredo Oriani
Augusto Riboty
Velite

Torpediniere. . . . . .Aliseo
Animoso
Ardimentoso
Ariete
Fortunale
Indomito

Sommergibili. . . . . Alagi
Atropo
Dandolo
Giada
Marea
Nichelio
Platino
Vortice

PICCOLE UNITÀ DA GUERRA

Motosiluranti . . . .M.S. N° 11, 24, 31, 35, 52, 53, 54, 55, 61, 65, 72, 73, 74, 75;

MAS N° 433, 434, 510, 514, 516, 519, 520, 521, 523, 538, 540, 543, 545, 547, 562;

M.E. N° 38, 40, 41.

Dragamine . . . . .RD N° 6, 16, 21, 25, 27, 28, 29;

Cannoniera .....Illyria;

Vedette .....VAS N° 237, 240, 241, 245, 246, 248;

Unità da sbarco..MZ N° 713, 717, 722, 726, 728, 729, 737, 744, 758, 776, 778, 780, 781, 784, 800, 831.

NAVIGLIO AUSILIARIO

Petroliere.....Prometeo
Stige
Tarvisio
Urano

Navi-cisterna.....Anapo
Aterno
Basento
Bisagna
Dalmazia
Idria
Isarco
Istria
Liri
Metauro
Polcevera
Sprugola
Timavo
Tirso

Rimorchiatori (grandi) .....Arsachena
Basiluzzo
Capo d'Istria
Carbonara
Cefalu
Ercole
Gaeta
Lampedusa
Lipari
Liscanera
Marechiaro
Mesco
Molara
Nereo
Porto Adriano
Porto Conte
Porto Quieto
Porto Torres
Porto Tricase
Procida
Promontore
Rapallo
Salvore
San Angelo
San Antioco
San Remo
Talamone
Taormina
Teulada
Tifeo
Vado
Vigoroso

Rimorchiatori (piccoli).....Generale Valfre
Licata
Noli
Volosca
N 2
N 3
N 23
N 24
N 28
N 35
N 36
N 37
N 80
N 94

Nave-appoggio.. Anteo

Nave-scuola.....Cristoforo Colombo

Nave-posamine ausiliaria....Fasana

Navi-trasporto...Giuseppe Messina
Montecucco
Panigaglia

ALLEGATO XIII

Definizioni

A. TERMINI NAVALI

(vedi Articolo 59)

Stazza media

La stazza media di un'unità di superficie è la stazza dell'unità con l'equipaggio al completo, le sue macchine e le sue caldaie, pronta a prendere il mare, con tutto il suo armamento e le sue munizioni, le sue installazioni ed attrezzature di bordo, i viveri, l'acqua dolce per l'equipaggio, provviste diverse e utensili di ogni tipo necessari in tempo di guerra, ma senza combustibile o riserve di acqua per l'alimentazione delle macchine e delle caldaie.

La stazza media è espressa in tonnellate di 2.240 libbre (1.016 chilogrammi).

Navi da Guerra

Una nave da guerra, qualunque sia la sua stazza, è:

1. un'unità specialmente costruita o adattata per essere un'unità combattente in operazioni navali, anfibie o aeronavali; oppure

2. un'unità che ha una delle seguenti caratteristiche:

(a) è armata con un cannone di calibro superiore a 4,7 pollici (120 millimetri);

(b) è armata con più di 4 cannoni di calibro superiore a 3 pollici (76 millimetri);

(c) è progettata o allestita per il lancio di siluri o la posa di mine;

(d) è progettata o allestita per il lancio di proiettili ad auto-propulsione od auto-guidati;

(e) è progettata per essere protetta da piastre di corazza di più di 1 pollice (25 millimetri) di spessore;

(f) è progettata o adattata principalmente per mettere in azione aerei in mare;

(g) è armata con più di due dispositivi per il lancio di aerei;

(h) è progettata per raggiungere una velocità superiore ai venti nodi, se armata con cannone di calibro superiore a 3 pollici (76 millimetri).

Una nave da guerra, rientrante nella sottocategoria 1 non è più considerata tale, dopo venti anni di servizio, se tutte le armi sono state rimosse.

Nave da battaglia

Una nave da battaglia è una nave da guerra, che non sia una nave portaaerei, la cui stazza media è superiore alle 10 mila tonnellate o che porta un cannone di calibro superiore a 8 pollici (203 millimetri).

Nave-portaaerei

Una nave portaaerei è una nave da guerra, di qualunque stazza, concepita o adattata principalmente per trasportare e mettere in azione aerei.

Sommergibile

Un sommergibile è una nave progettata per navigare sotto la superficie del mare.

Tipi speciali di naviglio d'assalto

1. Tutti i tipi di imbarcazioni specialmente progettate od adattate per operazioni anfibie;

2. tutti i tipi di piccole imbarcazioni specialmente progettate o adattate per portare una carica esplosiva o incendiaria nell'attacco contro navi o porti.

Motosilurante

Unità di stazza inferiore a 200 tonnellate, capace di una velocità superiore a 25 nodi e attrezzata per il lancio dei siluri.

B. ISTRUZIONE MILITARE, AERONAUTICA E NAVALE

(vedi Articoli 60, 63 e 65)

1. L'istruzione militare è definita come segue: lo studio e la pratica dell'impiego di armamenti specialmente destinati o adattati a fini militari e dei mezzi di allenamento relativi; lo studio e l'esecuzione di esercitazioni o di movimenti diretti ad insegnare o praticare le manovre eseguite dalle forze combattenti sul campo di battaglia; e lo studio organico della tattica, della strategia e dei servizi di stato maggiore.

2. L'istruzione militare aeronautica è definita come segue: lo studio e la pratica dell'impiego di armamenti specialmente destinati o adattati ai fini dell'aviazione militare e dei mezzi d'allenamento relativi; lo studio e la pratica di ogni speciale manovra, compreso il volo in formazione, eseguita da aerei nel compimento di una missione militare aerea; e lo studio organico della tattica aerea, della strategia e dei servizi di stato maggiore.

3. L'istruzione navale è definita come segue: lo studio, l'organizzazione o la pratica dell'impiego di unità da guerra o di installazioni navali e lo studio o l'impiego di ogni apparecchio o mezzo di allenamento relativo, usato per la condotta della guerra navale, che non sia anche normalmente usato per fini civili; inoltre l'insegnamento, la pratica o lo studio organico della tattica navale, della strategia e dei servizi di stato maggiore, compresa l'esecuzione di qualunque operazione e manovra non necessaria nell'impiego pacifico delle navi.

C. DEFINIZIONE ED ELENCO DEL MATERIALE BELLICO

(vedi Articolo 67)

Il termine "materiale bellico", quale è usato nel presente Trattato, comprenderà tutte le armi, le munizioni e i materiali specialmente concepiti o adattati per gli usi bellici, di cui all'elenco che segue. Le Potenze Alleate ed Associate si riservano il diritto di emendare periodicamente l'elenco, modificandolo o completandolo, alla luce degli sviluppi scientifici futuri.

Categoria I.

1. Fucili, carabine, rivoltelle e pistole di tipo militare; canne per tali armi ed altri pezzi di ricambio non immediatamente adattabili per usi civili.

2. Mitragliatrici, fucili da guerra automatici o a ripetizione e pistole mitragliatrici; canne per tali armi e altri pezzi di ricambio non immediatamente adattabili per usi civili; affusti di mitragliatrici.

3. Cannoni, obici, mortai, cannoni speciali per l'aviazione, cannoni senza culatta o senza rinculo e lanciafiamme; canne e altri pezzi di ricambio non immediatamente adattabili per usi civili; affusti mobili e supporti fissi per dette armi.

4. Lancia razzi; apparecchi di lancio e di controllo per proiettili ad auto-propulsione e auto-guidati; supporti per detti apparecchi.

5. Proiettili ad auto-propulsione ed auto-guidati, proiettili, razzi, munizioni e cartucce, cariche o scariche, per le armi elencate agli alinea 1-4 di cui sopra, e inoltre fusi, tubi o apparecchi destinati a farle esplodere o funzionare. Non sono compresi i fusi richiesti per usi civili.

6. Granate, bombe, siluri, mine, cariche subacquee e materiali o cariche incendiarie, cariche o scariche; ogni dispositivo per farle esplodere o funzionare. Non sono compresi i fusi richiesti per usi civili.

7. Baionette.

Categoria II.

1. Veicoli da combattimento blindati; treni blindati, che non possano, per ragioni tecniche, essere trasformati per usi civili.

2. Veicoli meccanici e ad auto-propulsione per tutte le armi elencate nella Categoria I; telai o carrozzerie militari di tipi speciali, diversi da quelli elencati all'alinea 1 di cui sopra.

3. Piastre di corazza, dello spessore di più di 3 pollici, usate per fini di protezione in guerra.

Categoria III.

1. Dispositivi di puntamento e di calcolo per il controllo del tiro, compresi gli apparecchi per la registrazione del tiro; istrumenti per la direzione del tiro; alzi per cannoni; dispositivi di mira per il lancio di bombe; regolatori per fusi; apparecchi per la calibrazione dei cannoni e degli istrumenti per il controllo del tiro.

2. Materiale per la posa di ponti di assalto, battelli da assalto e da attacco.

3. Dispositivi per stratagemmi di guerra e apparecchi per abbagliare e ingannare il nemico.

4. Equipaggiamento di tipo speciale per il personale delle forze armate, non immediatamente adattabile per usi civili.

Categoria IV.

1. Navi da guerra di ogni tipo, comprese le navi trasformate e le imbarcazioni concepite o assegnate pel loro servizio od appoggio, che non possano per ragioni tecniche essere trasformate per usi civili, così come le armi, le armature blindate, le munizioni, gli aerei ed ogni altro impianto, materiale, macchinario e installazione, che non sia usato in tempo di pace su navi che non siano quelle da guerra.

2. Imbarcazioni da sbarco e veicoli o materiale anfibio di ogni tipo; battelli da assalto o materiale da assalto di ogni tipo; così come catapulte od altri apparecchi per varare o lanciare aerei, razzi, armi a propulsione o ogni altro proiettile, strumento o dispositivo, con equipaggio o senza, guidato o non controllato.

3. Battelli, imbarcazioni, armi, dispositivi od apparecchi sommergibili o semi sommergibili, comprese le palizzate specialmente concepite per

la difesa dei porti, eccettuato il materiale necessario per recuperi, salvataggi od altri usi civili, così come le attrezzature, gli accessori, i pezzi di ricambio, i dispositivi di sperimentazione e di allenamento, gli strumenti o le installazioni specialmente concepite per la costruzione, il controllo, la manutenzione o il ricovero di detti battelli, imbarcazioni, armi, dispositivi od apparecchi.

Categoria V.

1. Aerei, montati o smontati, più pesanti o più leggeri dell'aria, concepiti o adattati per il combattimento aereo attraverso l'impiego di mitragliatrici, di lanciarazzio di pezzi d'artiglieria, o per il trasporto e il lancio di bombe o che siano provvisti di uno qualunque dei dispositivi di cui all'alinea 2 di cui in appresso o che, a ragione del loro disegno o della loro costruzione, siano atti a ricevere uno dei suddetti dispositivi.

2. Supporti o sostegni di cannoni aerei, lanciabombe, portasiluri, torrette e soprastrutture per cannoni.

3. Equipaggiamento specialmente concepito ed usato solo per le truppe aeroportate.

4. Catapulte o sistemi di lancio per aerei imbarcati, apparecchi terrestri o idrovolanti, apparecchi per il lancio di proiettili volanti.

5. Palloni di sbarramento.

Categoria VI.

Tutti i prodotti asfissianti, mortali, tossici o capaci di mettere fuori combattimento, destinati a fini di guerra o fabbricati in quantitativi, che eccedano i bisogni civili.

Categoria VII.

Propulsori, esplosivi, materiale pirotecnico, gas liquidi destinati alla propulsione, all'esplosione, alla carica del materiale bellico previsto dalle presenti categorie o destinati ad essere usati in relazione al materiale bellico stesso, e che non siano suscettibili di utilizzazione a fini civili o siano fabbricati in quantitativi che eccedano i bisogni civili.

Categoria VIII.

Macchinario e utensili industriali, specialmente concepiti ai fini della produzione e manutenzione del materiale sopra enunciato e, per ragioni tecniche, non trasformabili per usi civili.

D. DEFINIZIONE DEI TERMINI "SMILITARIZZAZIONE" E "SMILITARIZZATO"

(vedi Articoli 11, 14, 49 e Articolo 3 dell'Allegato VI)

Ai fini del presente Trattato, i termini "smilitarizzazione" e "smilitarizzato" debbono intendersi come comportanti la proibizione, nel territorio e nelle acque territoriali di cui trattasi, di tutte le installazioni e fortificazioni navali, militari ed aeronautiche militari, così come degli armamenti relativi; degli sbarramenti artificiali militari, navali ed aerei; dell'utilizzazione di basi da parte di unità militari, navali e aeree od il loro stazionamento temporaneo o permanente; dell'istruzione militare in tutte le forme e della fabbricazione di materiale bellico. Detta proibizione non riguarda il personale per la sicurezza interna, limitato al numero necessario per l'esecuzione di compiti di carattere interno e armato con armi che possano essere trasportate e servite da una sola persona, così come non riguarda l'istruzione militare necessaria per il personale predetto.

ALLEGATO XIV

Disposizioni economiche e finanziarie relative ai territori ceduti

1. Lo Stato successore riceverà, senza pagamento, i beni statali e parastatali situati nel territorio ceduto, in forza del presente Trattato, e tutti gli archivi e documenti di carattere amministrativo o di valore storico, relativi al territorio di cui trattasi o ai beni trasferiti ai sensi del presente paragrafo.

Ai fini del presente allegato saranno considerati come beni statali o parastatali: i beni mobili ed immobili dello Stato italiano, degli Enti pubblici e degli Enti locali e delle società o associazioni di proprietà pubblica, così come i beni mobili e immobili già appartenenti al Partito Fascista o alle sue organizzazioni ausiliarie.

2. Tutti i trasferimenti di beni italiani, statali e parastatali, secondo la definizione datane al paragrafo 1 di cui sopra, effettuati dopo il 3 settembre 1943, saranno considerati nulli e non avvenuti. Tuttavia tale disposizione non si applicherà agli atti legittimi relativi ad operazioni correnti di Enti statali e parastatali, in quanto detti atti concernano la vendita, in condizioni normali, di merci da essi regolarmente prodotte o vendute in esecuzione di normali accordi commerciali o nel corso normale di attività amministrative di carattere pubblico.

3. I cavi sottomarini italiani, colleganti punti del territorio ceduto o un punto del territorio ceduto con un punto in un altro territorio dello Stato successore, dovranno essere considerati beni italiani in territorio ceduto, nonostante che parti di detti cavi possano trovarsi a giacere fuori delle acque territoriali. I cavi sottomarini italiani colleganti un punto del territorio ceduto con un punto al di fuori della giurisdizione dello Stato successore, dovranno essere considerati beni italiani nel territorio ceduto, per quanto si riferisce agli impianti terminali e alla parte dei cavi giacente nelle acque territoriali del territorio ceduto.

4. Il Governo italiano trasferirà allo Stato successore tutti gli oggetti di valore artistico, storico o archeologico, appartenenti al patrimonio culturale del territorio ceduto, che siano stati rimossi, senza pagamento, mentre detto territorio si trovava sotto controllo italiano, e che siano trattenuti dal Governo italiano o da istituzioni pubbliche italiane.

5. Lo Stato successore procederà alla conversione nella propria valuta della valuta italiana detenuta entro il territorio ceduto, da persone fisiche che continuino a risiedere in detto territorio o da persone giuridiche che continuino a esercitare in esso la loro attività. Si potrà esigere che i detentori forniscano piena prova dell'origine dei fondi presentati alla conversione.

6. Il Governo dello Stato successore sarà esente dal pagamento del Debito Pubblico italiano, ma dovrà assumere le obbligazioni dello Stato italiano, nei confronti dei detentori di titoli del Debito Pubblico che siano, o persone fisiche che continuino a risiedere nel territorio ceduto, o persone giuridiche che vi conservino la loro sede sociale o il centro principale dei loro affari, nella misura in cui dette obbligazioni corrispondano alla parte

del Debito, i cui titoli siano stati emessi prima del 10 giugno 1940, è che sia attribuibile ad opere pubbliche ed a servizi amministrativi civili, di cui il territorio ceduto abbia beneficiato, ma non direttamente od indirettamente a scopi militari.

Si potrà esigere che i detentori dei titoli forniscano piena prova sull'origine dei titoli stessi.

Lo Stato successore e l'Italia concluderanno un accordo per determinare la parte del Debito Pubblico italiano a cui si dovrà riferre il presente paragrafo e i metodi per dare esecuzione alle disposizioni relative.

7. Lo Stato successore e l'Italia regoleranno con speciali accordi le condizioni in base alle quali saranno trasferite ad organizzazioni analoghe esistenti nel territorio ceduto le obbligazioni verso gli abitanti del territorio ceduto di organizzazioni italiane per le assicurazioni sociali, sia pubbliche che private, come pure una parte proporzionale delle riserve accumulate da dette organizzazioni.

Accordi analoghi saranno anche conclusi tra lo Stato successore e l'Italia per regolare le obbligazioni di organizzazioni per le assicurazioni sociali, pubbliche e private, la cui sede sociale sia nel territorio ceduto, verso detentori di polizze o sottoscrittori, residenti in Italia.

8. L'Italia continuerà a rispondere del pagamento delle pensioni civili o militari, acquisite, alla data dell'entrata in vigore del presente Trattato, al servizio dello Stato italiano o di Enti pubblici locali da persone che, in virtù del presente Trattato, acquistino la cittadinanza dello Stato successore. Tale obbligazione riguarda anche il diritto a pensioni non ancora maturate. Accordi saranno conclusi tra lo Stato successore e l'Italia per determinare il modo con cui la suddetta obbligazione sarà soddisfatta.

9. I beni, diritti e interessi dei cittadini italiani, che siano residenti permanenti nei territori ceduti alla data dell'entrata in vigore del presente Trattato, saranno rispettati, su una base di parità rispetto ai diritti dei cittadini dello Stato successore, purchè siano stati legittimamente acquisiti.

I beni, diritti e interessi entro i territori ceduti degli altri cittadini italiani e quelli delle persone giuridiche di nazionalità italiana, purchè legittimamente acquisiti, saranno sottoposti soltanto a quei provvedimenti che potranno essere via via adottati in linea generale rispetto ai beni di cittadini stranieri e di persone giuridiche di nazionalità straniera.

Detti beni, diritti e interessi non potranno essere trattenuti o liquidati ai sensi dell'articolo 79 del presente Trattato, ma dovranno essere restituiti ai rispettivi proprietari, liberi da vincoli di qualsiasi natura o da ogni altra misura di alienazione, di amministrazione forzosa o di sequestro presa nel periodo compreso tra il 3 settembre 1943 e l'entrata in vigore del presente Trattato.

10. Le persone che opteranno per la cittadinanza italiana e si trasferiranno in Italia, saranno autorizzate, dopo ch'esse abbiano pagato ogni debito o imposta dovuta nel territorio ceduto, a portare con sè i loro beni mobili e a trasferire i loro fondi, purchè detti beni e fondi siano stati legittimamente acquisiti. Nessun diritto d'importazione o d'esportazione sarà imposto in relazione al trasferimento dei beni stessi. Dette persone saranno inoltre autorizzate a vendere i loro beni mobili e immobili alle stesse condizioni dei cittadini dello Stato successore.

Il trasferimento dei beni in Italia sarà effettuato a condizioni ed entro i limiti, che verranno concordati tra lo Stato successore e l'Italia. Le condizioni ed i termini di tempo per il trasferimento dei fondi suddetti, compresi i proventi delle vendite, saranno egualmente fissati d'accordo.

11. I beni, diritti e interessi esistenti in Italia alla data dell'entrata in vigore del presente Trattato e che appartengano a cittadini italiani, residenti nei territori ceduti, che siano divenuti cittadini di un altro Stato ai sensi del presente Trattato, saranno rispettati dall'Italia nella stessa misura dei beni, diritti e interessi dei cittadini delle Nazione Unite in genere.

Dette persone sono autorizzate ad effettuare il trasferimento e la liquidazione dei loro beni, diritti e interessi alle stesse condizioni di quelle previste al paragrafo 10 di cui sopra.

12. Le società costituite ai sensi della legislazione italiana e aventi la loro sede sociale nel territorio ceduto, che desiderino spostare detta sede sociale in Italia, dovranno egualmente essere trattate in conformità del paragrafo 10 di cui sopra, a condizione che più del cinquanta per cento del capitale della società appartenga a persone residenti normalmente fuori del territorio ceduto o a persone che optino per la cittadinanza italiana, ai sensi del presente Trattato e trasferiscano il loro domicilio in Italia e a condizione altresì che la massima parte dell'attività della società si svolga fuori del territorio ceduto.

13. I debiti dovuti da persone residenti in Italia verso persone residenti nel territorio ceduto e i debiti dovuti da persone residenti in territorio ceduto verso persone residenti in Italia non saranno rimessi o lesi per effetto della cessione. L'Italia e lo Stato successore s'impegnano a facilitare il regolamento di dette obbligazioni. Ai sensi del presente paragrafo, il termine "persone" si riferisce anche alle persone giuridiche.

14. I beni situati nel territorio ceduto, appartenenti a una qualunque delle Nazioni Unite e ai suoi cittadini, riguardo a cui non fossero state ancora revocate le misure di sequestro o di controllo adottate dall'Italia, o che non fossero stati restituiti ai rispettivi proprietari, saranno restituiti nello stato in cui attualmente si trovano.

15. Il Governo italiano riconosce che l'Accordo di Brioni del 10 agosto 1942 è nullo e non avvenuto e s'impegna a partecipare, insieme con gli altri firmatari dell'Accordo di Roma del 29 maggio 1923, a qualsiasi negoziato mirante ad apportare a detto accordo le modificazioni necessarie per assicurare un equo regolamento delle annualità in esso previste.

16. L'Italia restituirà i beni illegalmente asportati, dopo il 3 settembre 1943, dai territori ceduti e trasferiti in Italia. I paragrafi 2, 3, 4, 5 e 6 dell'Articolo 75 regoleranno l'adempimento di detta obbligazione, salvo che per quanto si riferisce a beni, che formino oggetto di altre disposizioni del presente Allegato.

17. L'Italia restituirà allo Stato successore, nel più breve tempo possibile, tutte le navi, detenute dallo Stato italiano o da cittadini italiani, che, alla data del 3 settembre 1943, appartenevano sia a persone fisiche residenti nel territorio ceduto e che acquistino la cittadinanza dello Stato successore ai sensi del presente Trattato, sia a persone giuridiche di nazionalità italiana, che abbiano e conservino la loro sede sociale in territorio ceduto, fatta eccezione delle navi che siano state oggetto di vendita effettuata in buona fede.

18. L'Italia e lo Stato successore concluderanno degli accordi per procedere alla ripartizione, su basi di giustizia e di equità, dei beni appartenenti agli enti locali esistenti, il territorio della cui giurisdizione venga a trovarsi diviso dai nuovi confini previsti dal presente Trattato, e per assicurare la continuazione, a favore degli abitanti, di quei necessari servizi

comunali, a cui non si riferiscano espressamente altre disposizioni del presente Trattato.

Accordi analoghi saranno conclusi per una ripartizione giusta ed equa del materiale rotabile e dell'altro materiale ferroviario, e dei galleggianti e dell'attrezzatura dei bacini e dei porti, ed altresì per regolare qualsiasi altra importante questione economica, che non sia presa in considerazione dal presente Allegato.

19. Le disposizioni del presente Allegato non si applicheranno alle ex-colonie italiane. Le disposizioni economiche e finanziarie ad esse applicabili dovranno formare oggetto degli accordi per la sorte definitiva di detti territori, ai sensi dell'Articolo 23 del presente Trattato.

ALLEGATO XV

Disposizioni speciali relative a certi tipi di beni

A. PROPRIETÀ INDUSTRIALE, LETTERARIA ED ARTISTICA

1. *(a)* Sarà concesso alle Potenze Alleate ed Associate ed ai loro cittadini un termine di un anno dall'entrata in vigore del presente Trattato per permettere loro di adempiere, senza dover pagare diritti di proroga od altre sanzioni di qualunque genere, tutti quegli atti, necessari per conseguire o conservare in Italia i diritti di proprietà industriale, letteraria ed artistica, che non poterono compiersi a causa dell'esistenza dello stato di guerra.

(b) Le Potenze Alleate ed Associate od i loro cittadini, che abbiano fatto regolare domanda nel territorio di qualunque Potenza Alleata od Associata diretta ad ottenere un brevetto o la registrazione di un modello d'utilità entro i dodici mesi precedenti allo scoppio della guerra, o durante la stessa, ovvero abbiano fatto domanda diretta ad ottenere la registrazione di un disegno o modello industriale o di un marchio di fabbrica entro i sei mesi precedenti allo scoppio della guerra o durante la guerra, avranno diritto, nel termine di dodici mesi dall'entrata in vigore del presente Trattato, di presentare domanda, al fine di ottenere i corrispondenti diriti in Italia, con una priorità basata sulla data della presentazione della domanda nel territorio di quella Potenza Alleata od Associata.

(c) Sarà concesso ad ognuna delle Potenze Alleate od Associate ed ai loro cittadini un termine di un anno dall'entrata in vigore del presente Trattato, durante il quale potranno istituire giudizio in Italia contro quelle persone fisiche o giuridiche, alle quali si attribuisca di aver illegittimamente violato i loro diritti di proprietà industriale, letteraria od artistica, durante il periodo corrente dallo scoppio della guerra all'entrata in vigore del presente Trattato.

2. Nel determinare il tempo entro il quale un brevetto deve essere attuato od un disegno od un marchio deve essere messo in uso, non si terrà conto di un periodo di tempo estendentesi dallo scoppio della guerra, fino alla fine del diciottesimo mese dall'entrata in vigore del presente Trattato.

3. Nel calcolo dei termini normali di validità dei diritti di proprietà industriale, letteraria ed artistica, che erano in vigore in Italia allo scoppio della guerra o che saranno riconosciuti o stabiliti in forza della Parte A del presente Allegato, appartenenti a qualunque delle Potenze Alleate ed Associate od ai loro cittadini, non si terrà conto del periodo intercorso dallo scoppio della guerra, fino all'entrata in vigore del presente Trattato. Per conseguenza, la durata normale di tali diritti si considererà automaticamente estesa in Italia per un termine ulteriore, corrispondente al periodo di sospensione di cui sopra.

4. Le disposizioni che precedono, concernenti i diritti delle Potenze Alleate ed Associate e dei loro cittadini in Italia, si applicheranno egualmente ai diritti dell'Italia e dei suoi cittadini, nei territori delle Potenze Alleate ed Associate. Nessuna delle disposizioni che precedono darà peraltro diritto all'Italia od ai suoi cittadini di conseguire nel territorio di alcuna delle Potenze Alleate ed Associate un trattamento più favorevole di quello accordato da tale Potenza in casi analoghi ad altre Nazioni Unite ed ai loro cittadini, nè imporrà all'Italia di accordare ad alcuna delle Potenze Alleate ed Associate od ai loro cittadini un trattamento più favorevole di quello che l'Italia od i suoi cittadini riceveranno nel territorio di tale Potenza, rispetto alle materie formanti oggetto delle disposizioni di cui sopra.

5. I terzi che, nel territorio di qualunque delle Potenze Alleate ed Associate od in teritorio italiano, prima dell'entrata in vigore del presente Trattato, abbiano in buona fede acquistato diritti di proprietà industriale,

letteraria od artistica, in contrasto con i diritti ristabiliti in forza della parte A del presente Allegato, o con diritti ottenuti grazie alla priorità consentita in forza dell'Allegato medesimo, ovvero che abbiano, in buona fede, fabbricato, pubblicato, riprodotto, usato o venduto quanto forma oggetto di tali diritti, avranno facoltà di continuare ad esercitare i diritti stessi ed a continuare od a riprendere tale fabbricazione, pubblicazione, riproduzione, uso o vendita, da essi in buona fede intrapresa, senza esporsi a conseguenze per la relativa violazione. In Italia tale concessione prenderà la forma di licenza nonesclusiva concessa ai termini ed alle condizioni che le parti di comune accordo concorderanno, ovvero, in difetto di accordo, che verranno determinate dalla Commissione stabilita in base all'Articolo 83 del presente Trattato. Tuttavia nei territori di ognuna delle Potenze Alleate ed Associate, terzi di buona fede, riceveranno quella protezione, che si accorda in circostanze analoghe ai terzi in buona fede, i cui diritti siano in conflitto con quelli di cittadini di altre Potenze Alleate ed Associate.

6. Nessuna disposizione contenuta nella parte A de presente Allegato potrà interpretarsi nel senso di accordare all'Italia od ai suoi cittadini nel territorio di alcuna delle Potenze Alleate ed Associate, diritti a brevetti od a modelli d'utilità relativi ad invenzioni concernenti qualsiasi articolo elencato nominativamente nella definizione di materiale bellico, contenuta nell'Allegato XIII del presente Trattato, le quali invenzioni siano state fatte o per cui domanda di registrazione sia stata presentata dall'Italia, o da un suo cittadino, in Italia o nel territorio di qualunque altra Potenza dell'Asse, ovvero in territorio occupato dalle forze dell'Asse, durante il tempo in cui il territorio stesso si trovava sotto il controllo delle forze o delle autorità delle Potenze dell'Asse.

7. L'Italia estenderà egualmente i vantaggi nascenti dalle disposizioni che precedono a quelle Nazioni Unite, che non siano fra le Potenze Alleate od Associate, le quali abbiano rotto le relazioni diplomatiche con l'Italia durante la guerra, e che si obblighino ad estendere all'Italia gli stessi vantaggi accordatile in forza delle disposizioni suddette.

8. Nessuna delle disposizioni contenute nella parte A del presente Allegato dovrà intendersi in contrasto con gli Articoli 78, 79 ed 81 del presente Trattato.

B. ASSICURAZIONI

1. Salvo le restrizioni che si applicano in genere a tutti gli assicuratori, non verrà frapposto alcun ostacolo alla riassunzione dei loro antichi portafogli da parte degli assicuratori che sono cittadini delle Nazioni Unite.

2. Qualora un assicuratore, cittadino di una delle Nazioni Unite, desideri riprendere la sua attività professionale in Italia, ma si trovi che il valore dei depositi di garanzia o delle riserve prescritte per essere autorizzato a trattare affari in Italia, sia diminuito per effetto di perdite o deprezzamento dei valori che costituivano tali depositi o riserve, il Governo italiano si obbliga ad accettare per un periodo di 18 mesi i valori che rimangono, come se fossero adeguati depositi o riserve, ai sensi di legge.

ALLEGATO XVI

Contratti, prescrizione e titoli all'ordine

A. CONTRATTI

1. Salve le eccezioni di cui agli infrascritti paragrafi 2 e 3, ogni contratto che implicasse, ai fini della sua esecuzione, la necessità di contatti fra le parti contraenti, le quali fossero divenute nemiche, secondo la definizione datane nella parte D del presente Allegato, si avrà per risolto a far tempo dal momento in cui una delle parti contraenti sia divenuta nemica. Tale risoluzione peraltro non influirà su quanto dispone l'Articolo 81 del presente Trattato, nè libererà alcuna delle parti contraenti dall'obbligazione di rimborsare le somme che avessero ricevuto come anticipi, o pagamenti in conto, e rispetto alle quali la parte medesima non abbia fornito la relativa controprestazione.

2. Malgrado quanto dispone il paragrafo 1 che precede, quelle parti di un contratto che potessero rimanere avulse e che non esigessero, per la loro esecuzione, la necessità di contatti fra le parti contraenti, divenute nemiche secondo la definizione datane nella parte D del presente Allegato, saranno escluse dalla risoluzione contrattuale e rimarranno in vigore, senza pregiudizio dei diritti contemplati dall'Articolo 79 del presente Trattato. Nei casi in cui il contenuto del contratto non fosse suscettibile di divisione, il contratto stesso si avrà per interamente risolto. Quanto precede rimane subordinato all'osservanza delle leggi, ordinanze e regolamenti interni ema-

nati da qualsiasi delle Potenze Alleate ed Associate che abbiano giurisdizione e riassicurazione formeranno oggetto di separati accordi fra il Governo nato ai termini del contratto stesso.

3. Nulla di quanto stabilito nella parte A del presente Allegato sarà considerato come comportante l'annullamento delle operazioni e negozi intervenuti in dipendenza di un contratto fra nemici, allorquando siffatte operazioni e negozi abbiano avuto corso con l'autorizzazione del Governo di una delle Potenze Alleate ed Associate.

4. Nonostante le disposizioni che precedono, i contratti di assicurazione e riassicurazione formeranno oggetto di separati accordi fra il Governo della Potenza Alleata od Associata interessata ed il Governo italiano.

B. TERMINI DI PRESCRIZIONE

1. Tutti i termini di prescrizione o di decadenza del diritto di agire o di prendere provvedimenti conservativi rispetto a rapporti di natura personale o patrimoniale in cui si trovino coinvolti cittadini delle Nazioni Unite e cittadini italiani, che, a seguito dello stato di guerra, si siano trovati nella impossibilità di instaurare giudizio o di compiere le formalità necessarie per la salvaguardia dei loro diritti, e sia che detti termini abbiano cominciato a decorrere prima o dopo lo scoppio della guerra, si avranno per sospesi per la durata della guerra da un canto in territorio italiano e d'altro canto, nel territorio di quelle Nazioni Unite che concedono all'Italia, in via di reciprocità, il beneficio delle provvidenze di cui al presente paragrafo. I predetti termini ricominceranno a decorrere con l'entrata in vigore del presente Trattato. Le disposizioni di cui al presente paragrafo, si applicheranno ai termini previsti per la presentazione di cedole di interessi o dividendi o per la presentazione di titoli sorteggiati o per altro motivo redimibili.

2. Quando misure d'esecuzione siano state prese in territorio italiano a carico di un cittadino di una delle Nazioni Unite, a seguito dell'omissione di qualche atto o della mancata osservanza di qualche formalità durante la guerra, il Governo italiano ristabilirà i diritti che siano stati in tal modo lesi. Qualora tale reintegrazione fosse impossibile o risultasse iniqua, il Governo italiano disporrà perchè il cittadino della Nazione Unita riceva quel compenso che potrà essere giusto ed equo, nel caso in oggetto.

C. TITOLI ALL'ORDINE

1. Nei rapporti fra nemici, non si avrà per invalido alcun titolo all'ordine fatto prima della guerra, soltanto per il fatto della mancata sua presentazione nel termine prescritto per l'accettazione o per il pagamento o pel fatto dell'omissione dell'avviso di mancata accettazione o di mancato pagamento ai traenti o ai giranti, ovvero per l'omissione del protesto, ovvero per la mancata osservanza di qualsiasi formalità, durante la guerra.

2. Allorquando il termine entro cui un titolo all'ordine avrebbe dovuto essere presentato per l'accettazione o per il pagamento, ovvero entro cui avrebbe dovuto darsi avviso della mancata accettazione o del mancato pagamento al traente od al girante, ovvero entro cui avrebbe dovuto levarsi protesto, sia scaduto durante la guerra e la parte che avrebbe dovuto presentare o far protestare il titolo o dare avviso della sua mancata accettazione o pagamento, non lo abbia fatto durante la guerra, sarà concesso un termine di non meno di tre mesi dall'entrata in vigore del presente Trattato, durante il quale potrà farsi luogo alla presentazione, all'avviso di mancata accettazione o di mancato pagamento od al protesto.

3. Se una persona, prima o durante la guerra, sia divenuta obbligata in base ad un titolo all'ordine a seguito di un impegno verso di lei assunto da una persona che sia poi divenuta nemica, quest'ultima persona resterà obbligata a tenere indenne la prima per l'obbligazione da essa assunta, malgrado l'intervenuto scoppio della guerra.

D. DISPOSIZIONI SPECIALI

1. Ai fini del presente allegato, le persone fisiche o giuridiche saranno considerate come nemiche, dalla data in cui i rapporti commerciali fra di esse sono divenuti illeciti, in base alle leggi, ordinanze e regolamenti ai quali erano soggette le predette persone od i contratti.

2. In vista del sistema giuridico degli Stati Uniti d'America, le disposizioni del presente Allegato non si applicheranno nei rapporti fra gli Stati Uniti d'America e l'Italia.

ALLEGATO XVII

Tribunali delle Prede e giudizi

A. TRIBUNALI DELLE PREDE

Ognuna delle Potenze Alleate ed Associate si riserva il diritto di esaminare, in conformità di una procedura da stabilire con propria decisione, tutte le sentenze e ordinanze emesse dai Tribunali italiani delle Prede, concernenti i diritti di proprietà dei propri cittadini e di raccomandare al Governo italiano di procedere alla revisione di quelle sentenze o ordinanze che non siano conformi al diritto internazionale.

Il Governo italiano s'impegna a fornire copie di tutti i documenti facenti parte degli atti dei singoli giudizi, comprese le sentenze e le ordinanze emesse e di accettare tutte le raccomandazioni formulate, a seguito del riesame di detti giudizi, e di dare esecuzione alle raccomandazioni stesse.

B. GIUDIZI

Il Governo italiano prenderà le misure necessarie per permettere ai cittadini di qualunque delle Nazioni Unite, in qualsiasi momento, entro un anno dall'entrata in vigore del presente Trattato, di sottoporre al riesame delle competenti autorità italiane ogni sentenza emessa da una autorità giudiziaria italiana tra il 10 giugno 1940 e la data dell'entrata in vigore del presente Trattato, in qualsiasi giudizio, in cui il cittadino di una delle Nazioni Unite non abbia potuto fare adeguatamente valere le proprie ragioni, sia come attore, che come convenuto. Il Governo italiano disporrà perchè, nel caso che il cittadino di una delle Nazioni Unite abbia sofferto danno a causa di siffatta sentenza, egli possa essere restituito nella condizione in cui si trovava prima della pronuncia della sentenza stessa, o venga ammesso a godere di quelle provvidenze che appaiano giuste ed eque, nel caso specifico. L'espressione "cittadini delle Nazioni Unite" comprende anche le società o associazioni organizzate o costituite in conformità delle leggi di qualunque delle Nazioni Unite.

En foi de quoi, les Plénipotentiaires soussignés ont apposé leurs signatures et leurs cachets au bas du présent Traité.

Fait à Paris, le dix février mil neuf cent quarante-sept, en langues française, anglaise, russe et italienne.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. [1]

Done in the city of Paris in the French, English, Russian and Italian languages, this tenth day of February, One Thousand Nine Hundred Forty-Seven.

В удостоверение чего нижеподписавшиеся Полномочные Представители подписали настоящий Договор и приложили к нему свои печати.

Совершено в Париже на русском, английском, французском и итальянском языках, февраля десятого дня тысяча девятьсот сорок седьмого года.

In fede di che i sottoscritti Plenipotenziari hanno apposto le loro firme e i loro sigilli al presente Trattato.

Fatto a Parigi in lingua francese, inglese, russa e italiana, il dieci febbraio millenovecentoquarantasette.

POUR L'UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES:
FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
За Союз Советских Социалистических Республик:
PER L'UNIONE DELLE REPUBBLICHE SOVIETICHE SOCIALISTE:

[SEAL]

[SEAL]

[1] [For romanization of the facsimile signatures, see p. 1755.]

POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
За Соединенное Королевство Великобритании и Северной Ирландии:
PER IL REGNO UNITO DI GRAN BRETAGNA ED IRLANDA DEL NORD:

Ernest Bevin

[SEAL] Duff Cooper

POUR LES ETATS-UNIS D'AMERIQUE:
FOR THE UNITED STATES OF AMERICA:
За Соединенные Штаты Америки:
PER GLI STATI UNITI D'AMERICA:

[SEAL] James F. Byrnes

[SEAL] Joseph C. Grew

POUR LA CHINE:
FOR CHINA:
За Китай:
PER LA CINA:

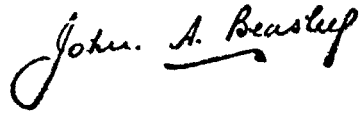
[SEAL]

POUR LA FRANCE:
FOR FRANCE:
За Францию:
PER LA FRANCIA:

[SEAL]

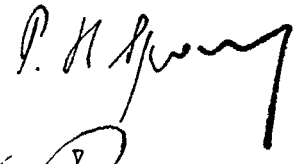
POUR L'AUSTRALIE:
FOR AUSTRALIA:
За Австралию:
PER L'AUSTRALIA:

[SEAL]

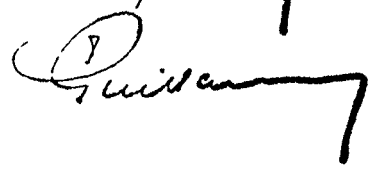


POUR LA BELGIQUE:
FOR BELGIUM:
За Бельгию:
PER IL BELGIO:

[SEAL]



[SEAL]



POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE:
FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
За Белорусскую Советскую Социалистическую Республику:
PER LA REPUBBLICA SOVIETICA SOCIALISTA DI BIELORUSSIA:

[SEAL]

POUR LE BRESIL:
FOR BRAZIL:
За Бразилию:
PER IL BRASILE:

[SEAL]

POUR LE CANADA:
FOR CANADA:
За Канаду:
PER IL CANADA:

[SEAL]

POUR LA TCHECOSLOVAQUIE:
FOR CZECHOSLOVAKIA:
За Чехословакию:
PER LA CECOSLOVACCHIA:

[SEAL]

[SEAL]

POUR L'ETHIOPIE:
FOR ETHIOPIA:
За Эфиопию:
PER L'ETIOPIA:

[SEAL]

POUR LA GRECE:
FOR GREECE:
За Грецию:
PER LA GRECIA:

[SEAL]

[SEAL]

POUR L'INDE:
FOR INDIA:
За Индию:
PER L'INDIA:

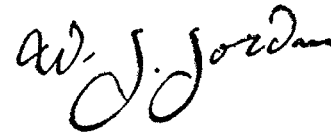
[SEAL]

POUR LES PAYS-BAS:
FOR THE NETHERLANDS:
За Нидерланды:
PER I PAESI BASSI:

[SEAL]

POUR LA NOUVELLE-ZELANDE:
FOR NEW ZEALAND:
За Новую Зеландию:
PER LA NUOVA ZELANDA:

[SEAL]



POUR LA POLOGNE:
FOR POLAND:
За Польшу:
PER LA POLONIA:

[SEAL]

POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE:
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
За Украинскую Советскую Социалистическую Республику:
PER LA REPUBBLICA SOVIETICA SOCIALISTA D'UCRAINA:

[SEAL]

POUR L'UNION SUD-AFRICAINE:
FOR THE UNION OF SOUTH AFRICA:
За Южно-Африканский Союз:
PER L'UNIONE DEL SUD AFRICA:

[SEAL]

POUR LA REPUBLIQUE FEDERATIVE POPULAIRE DE YOUGOSLAVIE:
FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:
За Федеративную Народную Республику Югославии:
PER LA REPUBBLICA FEDERALE POPOLARE DI JUGOSLAVIA:

[SEAL]

[SEAL]

[SEAL]

POUR L'ITALIE:
FOR ITALY:
За Италию:
PER L'ITALIA:

[SEAL]

La présente copie est certifiée conforme à l'exemplaire unique du Traité de Paix avec l'Italie, rédigé en langues française, anglaise, russe et italienne, signé à Paris, le dix Février mil neuf-cent-quarante-sept et déposé dans les Archives de la République Française.

LE MINISTRE PLÉNIPOTENTIAIRE
CHEF DU SERVICE DU PROTOCOLE:

Jacques Dumaine

JACQUES DUMAINE.

WHEREAS the Senate of the United States of America by their resolution of June 5, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty;

WHEREAS the said Treaty was duly ratified by the President of the United States of America on June 14, 1947, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS it is provided in Article 90 of the said Treaty that the Treaty shall come into force immediately upon the deposit with the Government of the French Republic of ratifications by the United States of America, by the Union of Soviet Socialist Republics, by the United Kingdom of Great Britain and Northern Ireland, and by France;

WHEREAS instruments of ratification were deposited with the Government of the French Republic on September 15, 1947 by the United States of America, by the Union of Soviet Socialist Republics, by the United Kingdom of Great Britain and Northern Ireland, and by France;

AND WHEREAS instruments of ratification were also deposited with the Government of the French Republic on September 4, 1947 by the People's Federal Republic of Yugoslavia and on September 15, 1947 by Canada, by India, and by Italy;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Treaty of Peace with Italy to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after September 15, 1947, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and do hereby further proclaim that the state of war between the United States of America and Italy terminated on September 15, 1947.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of September in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A. LOVETT.

Acting Secretary of State

Note by the Department of State

The following is a romanization of the facsimile signatures:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
V. MOLOTOV.
A. BOGOMOLOV.
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
ERNEST BEVIN
DUFF COOPER
FOR THE UNITED STATES OF AMERICA:
JAMES F BYRNES
JEFFERSON CAFFERY
FOR CHINA:
T. TAI
FOR FRANCE:
G BIDAULT
F. BILLOUX
MARIUS MOUTET
FOR AUSTRALIA:
JOHN. A. BEASLEY
FOR BELGIUM:
P. N. SPAAK
J GUILLAUME
FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
K. KISSELEV
FOR BRAZIL:
F. DE CASTELLO-BRANCO CLARK
FOR CANADA:
GEORGE P. VANIER
FOR CZECHOSLOVAKIA:
JAN MASARYK.
V. CLEMENTIS
FOR ETHIOPIA:
EPHREM T. MEDHEN
TESFAE TEGUEGNE
A Z HEYWOT
FOR GREECE:
LEON V. MELAS
R. RAPHAEL
FOR INDIA:
S. E. RUNGANADHAN
FOR THE NETHERLANDS:
A W L TJARDA VAN STARKENBORGH
FOR NEW ZEALAND:
W. J. JORDAN
FOR POLAND:
Z MODSELEWSKI
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
I. SENIN
FOR THE UNION OF SOUTH AFRICA:
W. G. PARMINTER.
FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:
STANOJE S. SIMIC
RODOLJUB COLAKOVIC
DR. PAVLE GREGORIC
FOR ITALY:
ANTONIO MELI LUPI DI SORAGNA

Treaty of peace with Roumania. Dated at Paris February 10, 1947; ratification advised by the Senate of the United States of America June 5, 1947; ratified by the President of the United States of America June 14, 1947; ratification of the United States of America deposited with the Union of Soviet Socialist Republics at Moscow September 15, 1947; proclaimed by the President of the United States of America September 15, 1947; entered into force September 15, 1947.

February 10, 1947
[T. I. A. S. 1649]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Treaty of Peace with Roumania, dated at Paris February 10, 1947, was signed by the respective Plenipotentiaries of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, and Roumania;

WHEREAS the text of the said Treaty, in the Russian, English, French, and Roumanian languages, as certified by the Foreign Office of the Government of the Union of Soviet Socialist Republics, is word for word as follows:

МИРНЫЙ ДОГОВОР С РУМЫНИЕЙ

1947 г.

Союз Советских Социалистических Республик, Соединенное Королевство Великобритании и Северной Ирландии, Соединенные Штаты Америки, Австралия, Белорусская Советская Социалистическая Республика, Канада, Чехословакия, Индия, Новая Зеландия, Украинская Советская Социалистическая Республика и Южно-Африканский Союз, как государства, находящиеся в состоянии войны с Румынией и активно участвовавшие в войне против вражеских государств в Европе существенными военными контингентами, именуемые в дальнейшем «Союзные и Соединенные Державы», с одной стороны,

и Румыния, с другой стороны,

Принимая во внимание, что, став союзником гитлеровской Германии и участвуя на ее стороне в войне против Союза Советских Социалистических Республик, Соединенного Королевства, Соединенных Штатов Америки и других Объединенных Наций, Румыния несет свою долю ответственности за эту войну;

Принимая, однако, во внимание, что 24 августа 1944 года Румыния полностью прекратила военные действия против Союза Советских Социалистических Республик, вышла из войны против Объединенных Наций, порвала отношения с Германией и ее сателлитами и, заключив 12 сентября 1944 года Перемирие с Правительствами Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки, действовавшими в интересах всех Объединенных Наций, приняла активное участие в войне против Германии; и

Принимая во внимание, что Союзные и Соединенные Державы и Румыния желают заключить мирный договор, который, соответствуя принципам справедливости, урегулирует вопросы, остающиеся еще нерешенными в результате перечисленных выше событий, и явится основой дружественных отношений между ними, тем самым давая Союзным и Соединенным Державам возможность поддержать обращение Румынии о принятии ее в члены Организации Объединенных Наций, а также о присоединении Румынии к любой

конвенции, заключенной по почину Организации Объединенных Наций;

В соответствии с этим решили объявить о прекращении состояния войны и для этой цели заключить настоящий Мирный Договор и назначили для этого нижеподписавшихся в качестве своих Полномочных Представителей, которые по представлении своих полномочий, найденных в порядке и надлежащей форме, согласились о следующих постановлениях:

ЧАСТЬ I.

ГРАНИЦЫ.

Статья 1.

Границы Румынии, показанные на прилагаемой к настоящему Договору карте (Приложение I), будут такими, как они существовали на 1 января 1941 года, за исключением румыно-венгерской границы, которая определяется статьей 2 настоящего Договора.

Советско-румынская граница устанавливается при этом в соответствии с Советско-Румынским Соглашением от 28 июня 1940 года и Советско-Чехословацким Соглашением от 29 июня 1945 года.

Статья 2.

Решения Венского Арбитража от 30 августа 1940 года объявляются несуществующими. Граница между Румынией и Венгрией, существовавшая на 1 января 1938 года, настоящим восстанавливается.

ЧАСТЬ II.

ПОЛИТИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Раздел I.

Статья 3.

1. Румыния обязуется принять все меры, необходимые для обеспечения того, чтобы все лица, находящиеся под румынской юрисдикцией, без различия расы, пола, языка или религии, пользовались правами человека и основными свободами, включая сво-

боду слова, печати и изданий, религиозного культа, политических убеждений и публичных собраний.

2. Румыния также принимает обязательство, что действующие в Румынии законы, как в отношении своего содержания, так и применения, не будут устанавливать дискриминации или влечь за собой дискриминацию для лиц румынского гражданства на основании их расы, пола, языка или религии как в том, что касается их личности, имущества, занятий, профессиональных или финансовых интересов, статуса, политических или гражданских прав, так и любых других вопросов.

Статья 4.

Румыния, которая в соответствии с Соглашением о Перемирии провела мероприятия по освобождению, независимо от гражданства и национальной принадлежности, всех лиц, содержавшихся в заключении в связи с их деятельностью в пользу Объединенных Наций, или за их сочувствие Объединенным Нациям, или ввиду их расового происхождения, и мероприятия по отмене дискриминационного законодательства и вытекающих из него ограничений, обязуется закончить проведение этих мероприятий и впредь не принимать каких-либо мер или законов, которые были бы несовместимы с целями, предусмотренными в этой статье.

Статья 5.

Румыния, которая в соответствии с Соглашением о Перемирии провела мероприятия по роспуску всех находившихся на румынской территории организаций фашистского типа: политических, военных, военизированных, а также других организаций, ведущих враждебную Советскому Союзу или любой из других Объединенных Наций пропаганду, — обязуется и впредь не допускать существования и деятельности организаций такого рода, преследующих цель лишения народа его демократических прав.

Статья 6.

1. Румыния обязуется принять все необходимые меры, чтобы обеспечить задержание и выдачу для суда над ними:

a) лиц, обвиняемых в том, что они совершили военные преступления и преступления против мира или против человечности, дали приказ о совершении таких преступлений или содействовали их совершению;

b) граждан какой-либо из Союзных и Соединенных Держав, которые обвиняются в нарушении законов их стран изменой или сотрудничеством с врагом во время войны.

2. Румыния, по требованию Правительства заинтересованной Объединенной Нации, обеспечит также явку в качестве свидетелей находящихся под ее юрисдикцией лиц, показания которых потребуются для суда над лицами, указанными в пункте 1 настоящей статьи.

3. Всякое разногласие относительно применения постановлений пунктов 1 и 2 настоящей статьи должно быть передано любым заинтересованным Правительством Главам Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Бухаресте, которые достигнут соглашения по поводу этого затруднения.

Раздел II.

Статья 7.

Румыния обязуется признать полную силу Мирных Договоров с Италией, Болгарией, Венгрией и Финляндией и других соглашений или урегулирований, которые были или будут достигнуты Союзными и Соединенными Державами относительно Австрии, Германии и Японии для восстановления мира.

Статья 8.

Состояние войны между Румынией и Венгрией прекратится со дня вступления в силу как настоящего Мирного Договора, так и Мирного Договора между Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ирландии, Соединенными Штатами Америки, Австралией, Белорусской Советской Социалистической Республикой, Канадой, Чехословакией, Индией, Новой Зеландией, Украинской Советской Со-

циалистической Республикой, Южно-Африканским Союзом и Федеративной Народной Республикой Югославии, с одной стороны, и Венгрией, с другой стороны.

Статья 9.

Румыния обязуется принять любые соглашения, которые были или могут быть заключены для ликвидации Лиги Наций и Постоянной Палаты Международного Правосудия.

Статья 10.

1. Каждая Союзная или Соединенная Держава нотифицирует Румынии в течение шести месяцев со дня вступления в силу настоящего Договора о своих довоенных двусторонних договорах с Румынией, которые эта Держава желает сохранить в силе или действие которых она желает возобновить. Любые положения, не находящиеся в соответствии с настоящим Договором, будут, однако, исключены из вышеупомянутых договоров.

2. Все вышеупомянутые договоры, о которых будет нотифицировано таким образом, будут зарегистрированы в Секретариате Объединенных Наций в соответствии со статьей 102 Устава Организации Объединенных Наций.

3. Все вышеупомянутые договоры, о которых не будет нотифицировано таким образом, будут считаться отмененными.

ЧАСТЬ III.

ВОЕННЫЕ, ВОЕННО-МОРСКИЕ И ВОЕННО-ВОЗДУШНЫЕ ПОСТАНОВЛЕНИЯ.

Раздел I.

Статья 11.

Содержание сухопутных, морских и военно-воздушных вооружений и укреплений будет строго ограничено так, чтобы отвечать задачам внутреннего характера и местной обороны границ. В соответствии с вышеуказанным Румынии разрешается иметь вооруженные силы, не свыше чем:

a) сухопутная армия, включая пограничные войска, с общей численностью личного состава в 120.000 человек;

b) зенитная артиллерия с численностью личного состава в 5.000 человек;

c) военно-морской флот с численностью личного состава в 5.000 человек и общим тоннажем в 15.000 тонн;

d) военно-воздушные силы, в том числе военно-воздушные силы военно-морского флота, численностью в 150 самолетов, включая резервные, из которых не более 100 самолетов боевых типов, с общей численностью личного состава в 8.000 человек. Румыния не должна иметь или приобретать самолетов, сконструированных в основном как бомбардировщики с приспособлениями для внутренней подвески бомб.

Эта численность в каждом случае будет включать строевой, нестроевой состав и штабной персонал.

Статья 12.

Личный состав румынской армии, военно-морского флота и военно-воздушных сил, превышающий соответственно разрешенную статьей 11 численность, будет распущен в течение шести месяцев со дня вступления в силу настоящего Договора.

Статья 13.

Людские контингенты, не входящие в состав румынской армии, военно-морского флота или военно-воздушных сил, не будут проходить в какой-либо форме военного, военно-морского или военно-воздушного обучения, как оно определено в Приложении II.

Статья 14.

Румыния не должна иметь, производить или экспериментировать: любые виды атомного вооружения; какие-либо самодвижущиеся или управляемые снаряды или аппараты, связанные с их выбрасыванием (за исключением торпед и торпедных аппаратов, составляющих нормальное вооружение военно-морских кораблей, разрешенных настоящим Договором); морские мины или торпеды неконтактного типа, действующие от чувствительных механизмов; торпеды, которые могут быть укомплектованы людьми; подводные

лодки или другие подводные суда, торпедные катеры и специализированные типы штурмовых судов.

Статья 15.

Румыния не должна сохранять, производить или приобретать другими путями военные материалы и технику или содержать производственные мощности для их изготовления, сверх того, что требуется для содержания вооруженных сил, разрешенных статьей 11 настоящего Договора.

Статья 16.

1. Излишки военных материалов и техники союзного происхождения будут переданы в распоряжение соответствующей Союзной или Соединенной Державы, согласно указаниям, которые будут даны этой Державой. Излишки румынских военных материалов и техники будут переданы в распоряжение Правительств Советского Союза, Соединенного Королевства и Соединенных Штатов Америки. Румыния откажется от всех прав на эти материалы и технику.

2. Военные материалы и техника германского происхождения или конструкции, превышающие то, что требуется для вооруженных сил, разрешенных настоящим Договором, будут переданы в распоряжение Трех Правительств. Румыния не будет приобретать или производить каких-либо военных материалов и техники германского происхождения или конструкции, или нанимать на работу или обучать каких-либо технических специалистов, включая военный и гражданский авиационный персонал, из числа лиц, которые являются или являлись гражданами Германии.

3. Излишки военных материалов и техники, упомянутые в пунктах 1 и 2 настоящей статьи, будут переданы или уничтожены в течение одного года со дня вступления в силу настоящего Договора.

4. Определение термина «военные материалы и техника» и перечень военных материалов и техники для целей настоящего Договора даны в Приложении III.

Статья 17.

Румыния обязуется полностью сотрудничать с Союзными и Соединенными Державами в целях обеспечения того, чтобы Германия не смогла предпринять каких-либо мер за пределами германской территории в направлении возрождения своего вооружения.

Статья 18.

Румыния обязуется не приобретать и не производить гражданских самолетов германской или японской конструкции или самолетов, включающих крупные узлы германского или японского производства или конструкции.

Статья 19.

Каждая из военных, военно-морских и военно-воздушных статей настоящего Договора будет оставаться в силе до тех пор, пока она не будет изменена полностью или частично по соглашению между Союзными и Соединенными Державами и Румынией или, после того как Румыния станет членом Организации Объединенных Наций, — по соглашению между Советом Безопасности и Румынией.

Раздел II.

Статья 20.

1. Румынские военнопленные должны быть репатриированы как можно скорее в соответствии с соглашениями между отдельными Державами, содержащими этих военнопленных, и Румынией.

2. Все издержки на перевозку румынских военнопленных, включая их содержание, от сборных пунктов, установленных Правительством соответствующей Союзной или Соединенной Державы, до пункта вступления на румынскую территорию будет нести Правительство Румынии.

ЧАСТЬ IV.

ВЫВОД СОЮЗНЫХ ВОЙСК.

Статья 21.

1. После вступления в силу настоящего Договора все союзные войска должны быть в течение 90 дней выведены из Румынии,

при сохранении за Советским Союзом права держать на территории Румынии такие вооруженные силы, какие будут ему необходимы для поддержания коммуникационных линий Советской Армии с советской зоной оккупации в Австрии.

2. Вся неиспользованная румынская валюта и все неиспользованные румынские запасы, находящиеся в распоряжении союзных войск в Румынии и полученные в соответствии со статьей 10 Соглашения о Перемирии, будут возвращены Правительству Румынии в течение того же срока в 90 дней.

3. Румыния, однако, должна предоставить такие снабжение и услуги, которые могут быть специально потребованы для поддержания коммуникационных линий с советской зоной оккупации в Австрии и за которые Правительству Румынии будет выплачена соответствующая компенсация.

ЧАСТЬ V.

РЕПАРАЦИИ И РЕСТИТУЦИИ.

Статья 22.

1. Убытки, причиненные Советскому Союзу военными действиями и оккупацией Румынией советской территории, будут Румынией возмещены Советскому Союзу, причем, принимая во внимание, что Румыния не просто вышла из войны против Объединенных Наций, а объявила войну и вела ее на деле против Германии, Стороны уславливаются о том, что возмещение указанных убытков будет произведено Румынией не полностью, а только частично, а именно, в сумме 300.000.000 долларов США, с погашением в течение 8 лет, начиная с 12 сентября 1944 года, товарами (нефтепродукты, зерно, лесные материалы, морские и речные суда, различное машинное оборудование и другие товары).

2. В основу расчетов по настоящей статье положен доллар США по его золотому паритету на день подписания Соглашения о Перемирии, т. е. 35 долларов за одну унцию золота.

Статья 23.

1. Румыния принимает принципы Декларации Объединенных Наций от 5 января 1943 года и вернет имущество, вывезенное с территории любой из Объединенных Наций.

2. Обязательство производить реституцию относится ко всей находящейся в настоящее время в Румынии опознаваемой собственности, которая была вывезена насильственно или по принуждению какой-либо из держав оси с территории любой из Объединенных Наций, независимо от каких-либо последующих сделок, путем которых нынешний владелец такой собственности вступил во владение ею.

3. Правительство страны, которая имеет право на реституцию, и Правительство Румынии могут заключать соглашения взамен постановлений настоящей статьи.

4. Правительство Румынии должно вернуть указанное в настоящей статье имущество в сохранности и принять на себя в этом отношении все расходы в Румынии, относящиеся к рабочей силе, материалам и транспорту.

5. Правительство Румынии будет оказывать содействие Объединенным Нациям и предоставит за свой счет все необходимые возможности для розыска и реституции имущества, подлежащего реституции согласно настоящей статье.

6. Правительство Румынии примет необходимые меры, чтобы добиться возвращения имущества, указанного в настоящей статье, которым владеют в любой третьей стране лица, находящиеся под румынской юрисдикцией.

7. Требования реституции имущества должны быть предъявлены Правительству Румынии Правительством той страны, с территории которой было вывезено это имущество; при этом понимается, что железнодорожный подвижной состав будет рассматриваться как вывезенный из страны, которой он первоначально принадлежал. Такие требования могут предъявляться в течение 6 месяцев со дня вступления в силу настоящего Договора.

8. Бремя доказательства в отношении опознавания имущества и доказательства права собственности возлагается на Правительство, предъявляющее претензию, а бремя доказательства того, что имущество не было вывезено насильственно или по принуждению, возлагается на Правительство Румынии.

ЧАСТЬ VI.

ЭКОНОМИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Статья 24.

1. Румыния, поскольку ею это еще не сделано, восстановит все законные права и интересы Объединенных Наций и их граждан в Румынии, как они существовали на 1 сентября 1939 года, и вернет всю собственность Объединенных Наций и их граждан в Румынии, включая суда, в том состоянии, в котором она находится в настоящее время.

Если необходимо, Правительство Румынии отменит законодательство, введенное в силу после 1 сентября 1939 года, в той мере, в какой оно устанавливает дискриминацию в отношении прав граждан Объединенных Наций.

2. Правительство Румынии обязуется восстановить всю собственность, права и интересы, подпадающие под действие настоящей статьи, без всяких обременений и обложений любого вида, которым они могли подвергнуться вследствие войны, и без взимания Правительством Румынии каких-либо сборов в связи с их возвращением. Правительство Румынии аннулирует все мероприятия, включая отобрание, секвестр или контроль, проведенные им в отношении собственности Объединенных Наций между 1 сентября 1939 года и днем вступления в силу настоящего Договора. В случаях невозвращения собственности в течение 6 месяцев со дня вступления в силу настоящего Договора, заявление о возвращении собственности должно быть подано румынским властям не позднее, чем в течение 12 месяцев со дня вступления в силу настоящего Договора, за исключением случаев, когда заявитель может доказать, что он не мог подать своего заявления в течение этого срока.

3. Правительство Румынии должно аннулировать передачи, относящиеся к собственности, правам и интересам всякого рода, принадлежащим гражданам Объединенных Наций, в тех случаях, когда такие передачи были результатом насилия или принуждения со стороны правительств держав оси или их органов во время войны.

4. *a*) Правительство Румынии несет ответственность за приведение во вполне исправное состояние собственности, возвращаемой гражданам Объединенных Наций согласно пункту 1 настоящей статьи. В тех случаях, когда собственность не может быть возвращена или когда в результате войны гражданин Объединенных Наций потерпел убыток вследствие повреждения или порчи собственности в Румынии, он должен получить от Правительства Румынии компенсацию в леях в пределах двух третей суммы, необходимой в день выплаты для того, чтобы купить аналогичную собственность или возместить понесенный убыток. Граждане Объединенных Наций ни в коем случае не должны ставиться в менее благоприятное положение в отношении компенсации, чем румынские граждане.

b) Граждане Объединенных Наций, имеющие прямой или косвенный собственнический интерес в корпорациях или ассоциациях, национальность которых не является национальностью Объединенных Наций в значении пункта 9 «*a*» настоящей статьи, но которые потерпели убыток вследствие повреждения или порчи собственности в Румынии, должны получить компенсацию в соответствии с подпунктом «*a*» выше. Эта компенсация должна исчисляться на основе общих убытков или ущерба, понесенных корпорацией или ассоциацией, и должна составлять по отношению к таким убыткам или ущербу ту же пропорцию, какую составляют приносящие доход интересы таких граждан по отношению к общему капиталу корпорации или ассоциации.

c) Компенсация должна выплачиваться без каких-либо обложений, налогов или других сборов. Она может свободно использоваться в Румынии, но должна подлежать правилам контроля над

иностранными девизами, которые могут время от времени вводиться в Румынии.

d) Правительство Румынии предоставит гражданам Объединенных Наций такой же режим при распределении материалов для ремонта или восстановления их собственности в Румынии, а также при распределении иностранных девиз для импорта таких материалов, который применяется в отношении румынских граждан.

e) Правительство Румынии предоставит гражданам Объединенных Наций возмещение в леях в том же самом размере, который предусмотрен в подпункте «*a*» выше, чтобы компенсировать потери или ущерб, возникшие в результате особых мер, которые применялись к их собственности во время войны, но которые не применялись к румынской собственности. Этот подпункт не распространяется на упущенные выгоды.

5. Постановления пункта 4 настоящей статьи не будут применяться к Румынии, поскольку действия, которые могут вызвать претензии в связи с ущербом собственности, находящейся в Северной Трансильвании и принадлежащей Объединенным Нациям или их гражданам, имели место, когда эта территория не находилась под властью Румынии.

6. Все произведенные в Румынии разумные расходы по предъявлению претензий, включая расходы на подсчет потерь или ущерба, должно нести Правительство Румынии.

7. Граждане Объединенных Наций и их собственность должны быть освобождены от всяких исключительных налогов, сборов или податей, налагавшихся на их основные фонды в Румынии Правительством Румынии или любой румынской властью в период между днем заключения Перемирия и днем вступления в силу настоящего Договора со специальной целью покрытия расходов, связанных с войной, или покрытия издержек на оккупационные силы или на репарации в пользу любой из Объединенных Наций. Любые суммы, выплаченные таким образом, должны быть возвращены.

8. Заинтересованный собственник и Правительство Румынии могут заключать соглашения взамен положений настоящей статьи.

9. Применяемые в настоящей статье:

a) Выражение «граждане Объединенных Наций» означает физических лиц, являющихся к моменту вступления в силу настоящего Договора гражданами любой из Объединенных Наций, или корпорации или ассоциации, организованные к этому моменту по законам любой из Объединенных Наций, при условии, что указанные лица, корпорации или ассоциации имели такой статус также и в момент заключения Перемирия с Румынией.

Выражение «граждане Объединенных Наций» также включает всех физических лиц, корпорации или ассоциации, которые на основании законов, действовавших в Румынии во время войны, рассматривались как вражеские.

b) Выражение «собственник» означает гражданина Объединенных Наций, как определено в подпункте «*a*» выше, имеющего право на данную собственность, и включает преемника такого собственника, при условии, что преемник также является гражданином одной из Объединенных Наций, как определено в подпункте «*a*». Если преемник приобрел собственность в поврежденном виде, то лицо передающее сохраняет свои права на возмещение на основании настоящей статьи без ущерба для обязательств, существующих между лицом передающим и лицом приобретающим в соответствии с внутренними законами.

c) Выражение «собственность» означает всю движимую или недвижимую собственность, материальную или нематериальную, включая промышленную, литературную и художественную собственность, а также все права или интересы всякого рода в собственности. Без ущерба для общего характера предыдущих постановлений выражение «собственность Объединенных Наций и их граждан» включает все морские и речные суда вместе с их инвентарем и оборудованием, которые либо принадлежали Объединенным Нациям или их гражданам, либо были зарегистрированы на территории одной из Объединенных Наций, либо плавали под флагом одной из Объединенных Наций и которые после 1 сентября 1939 года, во время нахождения их в румынских водах или после их насильственного привода в румынские воды, либо были поставлены под

контроль румынских властей, как вражеская собственность, либо перестали находиться в свободном распоряжении Объединенных Наций или их граждан в Румынии, вследствие проведения румынскими властями мероприятий по контролю в связи с существованием состояния войны между Объединенными Нациями и Германией.

Статья 25.

1. Румыния обязуется, что во всех случаях, когда собственность, законные права или интересы в Румынии находящихся под румынской юрисдикцией лиц подвергались после 1 сентября 1939 года секвестру, конфискации или контролю вследствие расового происхождения или религии таких лиц, эта собственность, законные права и интересы будут восстановлены вместе с привходящими правами, а если восстановление невозможно, за них будет выплачена справедливая компенсация.

2. Вся собственность, права и интересы в Румынии, принадлежащие лицам, организациям или обществам, которые индивидуально или в качестве членов групп являлись объектом применения расовых, религиозных или других фашистских мер преследования, и оставшиеся в течение 6 месяцев со дня вступления в силу настоящего Договора без наследника или невостребованными, должны быть переданы Правительством Румынии организациям в Румынии, представляющим таких лиц, организации или общества. Переданная собственность должна использоваться такими организациями для целей оказания помощи оставшимся членам таких групп, организаций и обществ в Румынии и для их восстановления. Такая передача должна быть произведена в течение 12 месяцев со дня вступления в силу настоящего Договора и должна включать собственность, права и интересы, восстановление которых требуется согласно пункту 1 настоящей статьи.

Статья 26.

Румыния признает, что Советский Союз имеет право на все германские активы в Румынии, переданные Советскому Союзу Контрольным Советом в Германии, и обязуется принять все необходимые меры для облегчения передачи таких активов.

Статья 27.

1. Каждая из Союзных и Соединенных Держав будет иметь право взять, удержать, ликвидировать или предпринять любое другое действие в отношении всей собственности, прав и интересов, которые на день вступления в силу настоящего Договора будут находиться на ее территории и принадлежать Румынии или румынским гражданам, а также использовать такую собственность или выручку от нее для таких целей, какие эта Держава сочтет желательными в пределах претензий этой Державы и ее граждан к Румынии или к румынским гражданам, — включая долги, — которые не были полностью удовлетворены в силу других статей настоящего Договора. Вся румынская собственность или выручка от ее ликвидации, превышающие сумму таких претензий, должны быть возвращены.

2. Ликвидация румынской собственности и распоряжение ею будут проводиться в соответствии с законом заинтересованной Союзной или Соединенной Державы. Румынский собственник не будет иметь прав в отношении такой собственности, за исключением тех, которые могут быть предоставлены ему в силу этого закона.

3. Правительство Румынии обязуется компенсировать румынских граждан собственность которых изъята в силу настоящей статьи и не возвращена им.

4. Данная статья не налагает на ту или иную из Союзных или Соединенных Держав никакого обязательства возвратить Правительству Румынии или румынским гражданам промышленную собственность или включить такую собственность при определении суммы, которая может быть удержана согласно пункту 1 настоящей статьи. Правительство каждой из Союзных и Соединенных Держав будет иметь право установить такие ограничения и условия в отношении прав или интересов, касающихся промышленной собственности, приобретенной до дня вступления в силу настоящего Договора на территории этой Союзной или Соединенной Державы Правительством или гражданами Румынии, какие Правительство данной Союзной или Соединенной Державы сочтет необходимыми в своих национальных интересах.

5. Собственность, предусмотренная пунктом 1 настоящей статьи, должна рассматриваться как включающая румынскую собственность, которая подлежала контролю в силу состояния войны, существовавшего между Румынией и Союзной или Соединенной Державой, имеющей юрисдикцию над этой собственностью, но не должна включать:

a) собственность Правительства Румынии, используемую для консульских или дипломатических целей;

b) собственность, принадлежащую религиозным организациям или частным благотворительным учреждениям и используемую для религиозных или благотворительных целей;

c) собственность физических лиц, которые являются румынскими гражданами, получившими разрешение проживать в пределах территории той страны, в которой находится эта собственность, или проживать в любом другом месте на территории стран Объединенных Наций, за исключением румынской собственности, которая когда-либо во время войны являлась объектом мер, не применявшихся как правило к собственности румынских граждан, проживающих на той же территории;

d) имущественные права, возникшие после возобновления торговых и финансовых отношений между Союзными и Соединенными Державами и Румынией или возникшие из сделок между Правительством любой Союзной или Соединенной Державы и Румынией после 12 сентября 1944 года;

e) права на литературную и художественную собственность.

Статья 28.

1. Со дня вступления в силу настоящего Договора собственность Румынии и румынских граждан, находящаяся в Германии, не будет больше рассматриваться как вражеская собственность, и все ограничения, связанные с таким режимом, должны быть отменены.

2. Опознаваемая собственность Румынии и румынских граждан, вывезенная насильственно или по принуждению с территории Румынии в Германию германскими вооруженными силами или властями после 12 сентября 1944 года, подлежит возврату.

3. Реституция и восстановление румынской собственности в Германии будут осуществляться в соответствии с мероприятиями, которые будут определены Державами, оккупирующими Германию.

4. Без ущерба для вышеизложенных и для любых других постановлений, принятых в пользу Румынии и ее граждан Державами, оккупирующими Германию, Румыния от своего имени и от имени румынских граждан отказывается от всех оставшихся неурегулированными на 8 мая 1945 года претензий в отношении Германии и германских граждан, за исключением претензий, вытекающих из контрактов и других обязательств, заключенных до 1 сентября 1939 года, и прав, приобретенных до этой даты. Этот отказ будет рассматриваться как включающий долги, все межправительственные претензии, связанные с соглашениями, заключенными во время войны, и все претензии на возмещение за потери или ущерб, возникшие во время войны.

Статья 29.

1. Существование состояния войны само по себе не будет считаться фактором, влияющим на обязательство выплачивать денежные долги, вытекающие из обязательств и контрактов, существовавших до возникновения состояния войны, — а также из прав, приобретенных до этого времени, — срок уплаты которых наступил до дня вступления в силу настоящего Договора и которые причитаются с Правительства или граждан Румынии Правительству или гражданам одной из Союзных и Соединенных Держав, или которые причитаются с Правительства или граждан одной из Союзных и Соединенных Держав Правительству или гражданам Румынии.

2. За исключением случаев, специально предусмотренных в настоящем Договоре, ничто в нем не должно толковаться как наносящее ущерб отношениям между дебиторами и кредиторами, вытекающим из довоенных контрактов, заключенных Правительством или гражданами Румынии.

Статья 30.

1. Румыния отказывается от всех претензий любого характера, от имени Правительства Румынии или румынских граждан, к Союз-

ным и Соединенным Державам, связанных непосредственно с войной или вытекающих из мероприятий, предпринятых в силу существования состояния войны в Европе после 1 сентября 1939 года, независимо от того, находилась ли в это время соответствующая Союзная или Соединенная Держава в состоянии войны с Румынией или нет. Этот отказ от претензий включает нижеследующее:

a) претензии в связи с потерями или ущербом, понесенными вследствие действий вооруженных сил или властей Союзных или Соединенных Держав;

b) претензии, вытекающие из присутствия, операций или действий вооруженных сил или властей Союзных или Соединенных Держав на румынской территории;

c) претензии в отношении решений или распоряжений призовых судов Союзных или Соединенных Держав, причем Румыния признает действительными и обязательными все решения и распоряжения таких призовых судов, вынесенные 1 сентября 1939 года или позднее, относительно румынских судов или румынских грузов или оплаты издержек;

d) претензии, вытекающие из осуществления прав воюющей стороны или из мер, принятых с целью осуществления этих прав.

2. Положения настоящей статьи должны исключать полностью и окончательно все претензии указанного выше характера, которые отныне будут прекращены, кто бы ни являлся заинтересованной стороной. Правительство Румынии соглашается выплатить справедливую компенсацию в леях лицам, которые предоставили вооруженным силам Союзных или Соединенных Держав на румынской территории снабжение или услуги по реквизиции, а также для удовлетворения возникших на румынской территории претензий за невоенный ущерб, предъявленных вооруженным силам Союзных или Соединенных Держав.

3. Румыния равным образом отказывается от всех претензий такого характера, который указан в пункте 1 настоящей статьи, от имени Правительства Румынии или румынских граждан к любой из Объединенных Наций, дипломатические отношения которой с Ру-

мынией были порваны во время войны и которая предприняла действия в сотрудничестве с Союзными и Соединенными Державами.

4. Правительство Румынии должно принять на себя полную ответственность за всю военную валюту Союзников, выпущенную в Румынии союзными военными властями, включая всю такую валюту, которая будет находиться в обращении на день вступления в силу настоящего Договора.

5. Отказ Румынии от претензий согласно пункту 1 настоящей статьи включает любые претензии, вытекающие из мер, принятых любой из Союзных и Соединенных Держав в отношении румынских судов между 1 сентября 1939 года и днем вступления в силу настоящего Договора, а также любые претензии и долги, вытекающие из ныне действующих конвенций о военнопленных.

Статья 31.

1. До заключения торговых договоров или соглашений между отдельными Объединенными Нациями и Румынией, Правительство Румынии будет предоставлять в течение 18 месяцев со дня вступления в силу настоящего Договора нижеуказанный режим каждой из Объединенных Наций, которая на началах взаимности фактически предоставит Румынии аналогичный режим в подобных вопросах:

a) Во всем, что касается пошлин и сборов по импорту или экспорту, внутреннего обложения импортируемых товаров, а также всех правил, относящихся к этому, Объединенным Нациям будет предоставлен безусловный режим наибольшего благоприятствования.

b) Во всех других отношениях Румыния не должна проводить произвольной дискриминации, направленной против товаров, производимых на любой территории любой из Объединенных Наций или предназначенных для этой территории, по сравнению с подобными товарами, производимыми на территории любой другой из Объединенных Наций или на территории любой другой иностранной державы или предназначенными для этих территорий.

c) Гражданам Объединенных Наций, в том числе юридическим лицам, должен быть предоставлен национальный режим и режим наибольшего благоприятствования во всех вопросах, касающихся торговли, промышленности, мореплавания и других видов торговой деятельности в Румынии. Эти постановления не должны применяться к коммерческой авиации.

d) Румыния не будет предоставлять никакого исключительного или дискриминационного права какой бы то ни было стране в отношении использования коммерческих самолетов в международном сообщении; она предоставит всем Объединенным Нациям равные возможности в приобретении на румынской территории прав в области международной коммерческой авиации, включая право посадки для заправки горючим и ремонта; что касается использования коммерческих самолетов в международном сообщении, она предоставит всем Объединенным Нациям на основе взаимности и без дискриминации право беспосадочного полета над румынской территорией. Эти постановления не должны затрагивать интересов национальной обороны Румынии.

2. Вышеупомянутые обязательства Румынии должны пониматься в том смысле, что на них распространяются изъятия, обычно включавшиеся в торговые договоры, заключенные Румынией до войны; а постановления, относящиеся к взаимности со стороны каждой из Объединенных Наций, должны пониматься в том смысле, что на них распространяются изъятия, обычно включаемые в торговые договоры данного государства.

Статья 32.

1. Споры, могущие возникнуть при осуществлении статей 23 и 24 и Приложений IV, V и части B Приложения VI настоящего Договора, должны передаваться Согласительной Комиссии, состоящей из равного числа представителей Правительства заинтересованной Объединенной Нации и Правительства Румынии. Если в течение трех месяцев после передачи спора Согласительной Комиссии не будет достигнуто соглашения, каждое из Правительств может потребовать включения в Комиссию третьего члена

и, в случае несогласия между двумя Правительствами относительно избрания этого члена, любая из сторон может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 33.

Споры, могущие возникнуть в связи с ценами, уплачиваемыми Правительством Румынии за товары, поставляемые этим Правительством в счет репараций и приобретаемые у граждан Союзной или Соединенной Державы или у компаний, принадлежащих им, будут разрешаться, без ущерба выполнению обязательств Румынии по репарациям, путем дипломатических переговоров между Правительством заинтересованной страны и Правительством Румынии. Если прямые дипломатические переговоры заинтересованных сторон не приведут в течение двух месяцев к разрешению спора, то такой спор передается на решение Глав Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Бухаресте. В случае, если Главы Миссий не достигнут соглашения в течение двух месяцев, любая из сторон может обратиться к Генеральному Секретарю Объединенных Наций с просьбой назначить арбитра, который примет решение, обязательное для спорящих сторон.

Статья 34.

Статьи 23, 24 и 31 и Приложение VI настоящего Договора будут применяться к Союзным и Соединенным Державам и Франции, а также к тем из Объединенных Наций, дипломатические отношения которых с Румынией были порваны во время войны.

Статья 35.

Постановления Приложений IV, V и VI, как и постановления других Приложений, будут иметь силу как неотъемлемые части настоящего Договора.

ЧАСТЬ VII.

ПОСТАНОВЛЕНИЯ, ОТНОСЯЩИЕСЯ К ДУНАЮ.

Статья 36.

Навигация на реке Дунай должна быть свободной и открытой для граждан, торговых судов и товаров всех государств на основе равенства в отношении портовых и навигационных сборов и условий торгового судоходства. Вышеизложенное не распространяется на перевозки между портами одного и того же государства.

ЧАСТЬ VIII.

ЗАКЛЮЧИТЕЛЬНЫЕ ПОСТАНОВЛЕНИЯ.

Статья 37.

1. В течение периода, не превышающего 18 месяцев со дня вступления в силу настоящего Договора, Главы Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Бухаресте, действуя по согласованию, будут представлять Союзные и Соединенные Державы в сношениях с Правительством Румынии по всем вопросам, касающимся выполнения и толкования настоящего Договора.

2. Три Главы Миссий будут предоставлять Правительству Румынии такие руководство, технические советы и разъяснения, какие могут быть необходимы для обеспечения быстрого и эффективного выполнения настоящего Договора в соответствии с его духом и текстом.

3. Правительство Румынии будет предоставлять упомянутым Трем Главам Миссий всю необходимую информацию и оказывать всякое содействие, которые они могут потребовать при выполнении задач, возложенных на них настоящим Договором.

Статья 38.

1. За исключением тех случаев, когда иной порядок специально предусмотрен какой-либо из статей настоящего Договора, любой спор относительно толкования или выполнения этого До-

говора, не урегулированный путем прямых дипломатических переговоров, должен передаваться Трем Главам Дипломатических Миссий, действующим на основании статьи 37, с тем исключением, что в этом случае Главы Миссий не будут ограничены сроком, предусмотренным этой статьей. Любой такой спор, не разрешенный Главами Миссий в течение двух месяцев, должен, если спорящие стороны не придут к взаимному соглашению об иных способах урегулирования спора, передаваться, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой из сторон и третьего члена, выбранного по взаимному соглашению двух сторон из граждан третьих стран. Если двум сторонам не удастся в месячный срок притти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 39.

1. Любой член Организации Объединенных Наций, не являющийся стороной, подписавшей настоящий Договор, и находящийся в состоянии войны с Румынией, может присоединиться к этому Договору и после присоединения будет для целей Договора считаться одной из Соединенных Держав.

2. Акты присоединения будут сданы на хранение Правительству Союза Советских Социалистических Республик и будут иметь силу со дня сдачи.

Статья 40.

Настоящий Договор, русский и английский тексты которого являются аутентичными, будет ратифицирован Союзными и Соединенными Державами. Договор должен быть также ратифицирован Румынией. Договор вступит в силу немедленно после сдачи ратификационных грамот Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ир-

ландии и Соединенными Штатами Америки. Ратификационные грамоты будут в кратчайший срок сданы на хранение Правительству Союза Советских Социалистических Республик.

В отношении каждой из Союзных или Соединенных Держав, ратификационная грамота которой будет сдана после этого, Договор вступит в силу со дня сдачи на хранение. Настоящий Договор будет сдан в архивы Правительства Союза Советских Социалистических Республик, которое разошлет заверенные копии каждому из подписавших этот Договор государств.

ПЕРЕЧЕНЬ ПРИЛОЖЕНИЙ.

Приложение I. Карта границ Румынии.

Приложение II. Определение военного, военно-воздушного и военно-морского обучения.

Приложение III. Определение и перечень военных материалов и техники.

Приложение IV. Специальные постановления, относящиеся к некоторым видам собственности:

A. Промышленная, литературная и художественная собственность.

B. Страховое дело.

Приложение V. Контракты, сроки давности и ценные бумаги.

Приложение VI. Призовые суды и судебные решения.

ПРИЛОЖЕНИЕ I.

(См. статью 1).

Карта границ Румынии.

ПРИЛОЖЕНИЕ II.

(См. статью 13).

Определение военного, военно-воздушного и военно-морского обучения.

1. Термин «военное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех строевых упражнений или передвижений, предназначенных для обучения маневрированию или для выполнения маневрирования, применяемого действующими частями в бою; а также организованное изучение тактики, стратегии и штабной работы.

2. Термин «военно-воздушное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военно-воздушных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех специализированных эволюций, включая полеты соединением, которые применяются авиацией при выполнении боевых заданий; а также организованное изучение военно-воздушной тактики, стратегии и штабной работы.

3 Термин «военно-морское обучение» означает изучение, руководство или практику в использовании военных кораблей, военно-морских сооружений или учреждений, а также изучение или применение всех относящихся к этому приборов и учебных приспособлений, которые используются для ведения морской войны, кроме тех, которые обычно также используются для гражданских целей; а также преподавание, практику или организованное изу-

чение морской тактики, стратегии и штабной работы, включая выполнение всех операций и маневров, которые не требуются для мирного использования кораблей.

ПРИЛОЖЕНИЕ III.

(См. статью 16).

Определение и перечень военных материалов и техники.

Термин «военные материалы и техника», применяемый в настоящем Договоре, должен включать все оружие, боеприпасы и средства, специально сконструированные или приспособленные для использования в войне, как это перечисляется ниже.

Союзные и Соединенные Державы сохраняют за собой право изменять периодически данный перечень путем внесения поправок или добавлений, в свете дальнейшего развития науки.

Категория 1.

1. Военные винтовки, карабины, револьверы и пистолеты; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей.

2. Пулеметы, военные автоматические или самозарядные винтовки, пистолеты-пулеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; пулеметные установки.

3. Пушки, гаубицы, мортиры, специальные пушки для самолетов, беззатворные или безоткатные орудия и огнеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; лафеты и установки для вышеперечисленного оружия.

4. Установки для запуска ракет; запускные и контрольные приборы для самодвижущихся и управляемых снарядов; установки для них.

5. Начиненные или неначиненные самодвижущиеся и управ-

ляемые снаряды, ракеты, унитарные патроны и патроны, предназначенные для оружия, перечисленного в пунктах 1-4 выше, приспособления для обращения с ними или для производства взрыва, а также взрыватели и трубки, за исключением взрывателей, необходимых для гражданских нужд.

6. Начиненные или неначиненные гранаты, бомбы, торпеды, мины, глубинные бомбы и зажигательные вещества или заряды, а также все средства для обращения с ними или для производства взрыва, за исключением взрывателей, необходимых для гражданских нужд.

7. Штыки.

Категория II.

1. Бронированные боевые машины; бронепоезда, которые технически не могут быть переделаны для гражданских целей.

2. Механические и самодвижущиеся лафеты для всякого оружия, перечисленного в категории I, специального типа военные шасси или кузовы, кроме перечисленных в пункте 1 выше.

3. Броневые плиты толщиной свыше 3 дюймов, используемые для целей защиты на войне.

Категория III.

1. Прицельные и вычислительные приборы для управления огнем, включая линейки зенитного планшета и построители; приборы для пристрелки; орудийные прицелы, прицелы для бомбометания; трубочные номероустановки; инструменты и приборы для калибрования орудий и для выверки приборов управления огнем.

2. Штурмовые мостки и штурмовые лодки.

3. Средства для ведения замаскированных военных действий, а также ослепляющие средства и средства для обмана.

4. Личное военное снаряжение специального характера, которое трудно приспособить для использования в гражданских целях.

Категория IV.

1. Военные суда любого типа, включая переделанные суда и пловучие средства, спроектированные или предназначенные для их обслуживания или поддержки, которые технически не могут быть переделаны для гражданского использования, а также вооружение, броня, боеприпасы, самолеты и всякое другое оборудование, материалы, машины и установки, которые не применяются в мирное время на судах, кроме военных судов.

2. Десантные суда и земноводные перевозочные средства или приспособления всякого рода; штурмовые лодки или приспособления всякого рода, а также катапульты и другие аппараты для выпуска самолетов, ракет, движимых боевых средств или всяких других снарядов, аппаратов или приспособлений, укомплектованных или неукомплектованных людьми, управляемых или неуправляемых.

3. Подводные или полуподводные суда, пловучие средства, боевые средства, приспособления или аппараты всякого рода, включая специально сконструированные защитные боны для гавани, за исключением тех случаев, когда это может быть потребовано для целей спасения или для других гражданских целей, а также все оборудование, принадлежности, запасные части, экспериментальные или учебные средства, приборы или установки, которые могут быть специально предназначены для строительства, испытания, содержания или хранения вышеперечисленного.

Категория V.

1. Собранные и несобранные летательные аппараты тяжелее и легче воздуха, которые предназначены или приспособлены для воздушных боевых действий посредством применения пулеметов, артиллерии, установок для выбрасывания ракет, или предназначены или приспособлены для перевозки и сбрасывания бомб, или оборудованы или же по своему типу или конструкции могут быть оборудованы какими-либо из приспособлений, перечисленных в пункте 2 ниже.

2. Авиационные орудийные установки и рамы, бомбодержа-

тели, торпедодержатели, а также механизмы для сбрасывания бомб или торпед; орудийные башни и боковые пулеметные башни.

3. Оснащение, специально предназначенное и использующееся исключительно в авиадесантных войсках.

4. Катапульты или запускные аппараты для запуска самолетов с судов, суши и моря; катапульты для запуска самолетов-снарядов.

5. Заградительные аэростаты.

Категория VI.

Удушающие, смертоносные, отравляющие и выводящие из строя вещества, предназначенные для военных целей или производимые сверх того, что требуется для гражданских целей.

Категория VII.

Метательные средства, взрывчатые вещества, пиротехнические средства и жидкие газы, предназначенные для метания, взрыва, заряжания и наполнения перечисленных в настоящих категориях военных материалов или для использования в связи с последними, которые не могут быть использованы для гражданских целей или производство которых превышает то, что требуется для гражданских целей.

Категория VIII.

Фабричное и инструментальное оборудование, которое специально сконструировано для производства и содержания вышеперечисленных материалов и техники и которое технически не может быть приспособлено для гражданских целей.

ПРИЛОЖЕНИЕ IV.

Специальные постановления, относящиеся к некоторым видам собственности.

А. Промышленная, литературная и художественная собственность.

1. *a*) Союзным и Соединенным Державам и их гражданам

должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора для того, чтобы дать им возможность, без взимания с них дополнительных сборов или других штрафов любого рода, совершить все необходимые акты для приобретения или сохранения в Румынии прав промышленной, литературной и художественной собственности, которые не могли быть совершены вследствие существования состояния войны.

b) Союзные и Соединенные Державы или их граждане, которые надлежащим образом сделали заявку на территории любой Союзной или Соединенной Державы о патенте или о регистрации образца не ранее, чем за 12 месяцев до возникновения войны с Румынией или в течение войны, или о регистрации промышленного рисунка или модели, или товарного знака не ранее, чем за 6 месяцев до возникновения войны с Румынией или во время войны, будут иметь право в течение 12 месяцев со дня вступления в силу настоящего Договора сделать заявку о соответствующих правах в Румынии вместе с правом приоритета, основанным на более ранней регистрации заявки на территории этой Союзной или Соединенной Державы.

c) Каждой из Союзных и Соединенных Держав и ее гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора, в течение которого они могут возбуждать дело в Румынии против тех физических или юридических лиц, в отношении которых утверждается, что они незаконно нарушили их права промышленной, литературной или художественной собственности между датой возникновения войны и датой вступления в силу настоящего Договора.

2. Период с момента возникновения войны до истечения 18 месяцев после вступления в силу настоящего Договора должен быть исключен при исчислении срока, в течение которого патент должен был быть осуществлен или рисунок или товарный знак — использован.

3. Период с момента возникновения войны до дня вступления в силу настоящего Договора должен быть исключен из нормального

срока прав промышленной, литературной и художественной собственности, которые имели силу в Румынии к моменту возникновения войны, или которые признаны или установлены на основании части А настоящего Приложения и которые принадлежат любой из Союзных и Соединенных Держав или ее гражданам. Поэтому нормальная продолжительность таких прав должна считаться автоматически продленной в Румынии на дальнейший срок, соответствующий исключенному таким образом периоду.

4. Предшествующие положения, касающиеся прав в Румынии Союзных и Соединенных Держав и их граждан, должны равным образом применяться в отношении прав Румынии и ее граждан на территориях Союзных и Соединенных Держав. Однако, ничто в этих положениях не дает Румынии или ее гражданам права на более благоприятный режим на территории какой-либо из Союзных и Соединенных Держав, чем тот, который предоставляется в подобных случаях этой Державой какой-либо другой из Объединенных Наций или ее гражданам. Румыния не будет также обязана на основании этих положений предоставлять любой из Союзных и Соединенных Держав или ее гражданам более благоприятный режим, чем тот, которым пользуются на территории этой Державы Румыния или ее граждане в вопросах, предусмотренных в предшествующих положениях.

5. Третьим лицам на территориях любой из Союзных и Соединенных Держав или Румынии, которые до дня вступления в силу настоящего Договора добросовестно приобрели права на промышленную, литературную или художественную собственность, находящиеся в противоречии с правами, восстановленными на основании части А настоящего Приложения, или в противоречии с правами, приобретенными на основании приоритета в силу этого же Приложения, или которые добросовестно изготовили, опубликовали, воспроизвели, использовали или продали предмет, к которому относятся эти права, будет разрешено, без всякой ответственности за нарушение, продолжать осуществлять такие права и продолжать или возобновить такое изготовление, публикацию, репродукцию, использование или продажу, которые были добросовестно приобретены или

начаты. В Румынии такое разрешение будет носить форму неисключительной лицензии, предоставляемой на условиях по взаимному соглашению сторон, а при отсутствии соглашения — на условиях, устанавливаемых Согласительной Комиссией, учрежденной на основании статьи 32 настоящего Договора. Однако, на территории каждой из Союзных и Соединенных Держав добросовестные третьи лица будут пользоваться такой защитой, какая предоставляется при аналогичных обстоятельствах добросовестным третьим лицам, права которых находятся в противоречии с правами граждан других Союзных и Соединенных Держав.

6. Ничто в части А настоящего Приложения не должно толковаться как дающее Румынии или ее гражданам право на какой-либо патент или образец на территории какой-либо из Союзных и Соединенных Держав в отношении изобретений, относящихся к любому предмету, поименованному в Приложении III к настоящему Договору, которые были сделаны или в отношении которых заявки были зарегистрированы Румынией или любым из ее граждан в Румынии, или на территории любой из держав оси, или на территории, которая была оккупирована вооруженными силами держав оси, в течение периода времени, когда данная территория находилась под контролем вооруженных сил или властей держав оси.

7. Румыния равным образом распространит действие предыдущих положений настоящего Приложения на Францию и другие неявляющиеся Союзными или Соединенными Державами Объединенные Нации, дипломатические отношения которых с Румынией были порваны во время войны и которые обязуются предоставить Румынии преимущества, предоставляемые Румынии этими же положениями.

8. Ничто в части А настоящего Приложения не будет пониматься как противоречащее статьям 24, 27 и 29 настоящего Договора.

B. Страховое дело.

1. Никакие препятствия кроме тех, которые вообще устанавливаются в отношении страховщиков, не должны ставиться к воз-

обновлению страховщиками, являющимися гражданами Объединенных Наций, их бывших деловых портфелей.

2. Если страховщик из числа граждан любой из Объединенных Наций желает возобновить свою профессиональную деятельность в Румынии и если будет установлено, что стоимость гарантийных депозитов или резервных фондов, требующихся в качестве условия для ведения дела в Румынии, уменьшилась вследствие потери или обесценения ценных бумаг, из которых состояли эти депозиты или резервные фонды, Правительство Румынии обязуется считать в течение 18 месяцев такие ценные бумаги, которые сохранились, удовлетворяющими предписаниям закона в отношении депозитов и резервных фондов.

ПРИЛОЖЕНИЕ V.

Контракты, сроки давности и ценные бумаги.

A. Контракты.

1. Всякий контракт, который для своего выполнения требовал установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения, должен, при условии соблюдения исключений, изложенных в пунктах 2 и 3 ниже, считаться расторгнутым с того времени, когда любые из его сторон стали врагами. Такое расторжение, однако, не затрагивает положений статьи 29 настоящего Договора, и оно не должно освобождать ту или иную сторону контракта от обязательства вернуть суммы, полученные в качестве авансов или частичных платежей, в отношении которых такая сторона ничего не сделала взамен.

2. Несмотря на положения пункта 1 выше, не подлежат расторжению и, без ущерба для прав, изложенных в статье 27 настоящего Договора, остаются в силе такие части любого контракта, которые отделимы и не требовали для своего исполнения установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения. Если положения того или иного контракта не могут быть таким образом отделены, контракт должен считаться полностью расторгнутым. Вышеизложен-

ное имеет силу при условии применения внутренних законов, распоряжений или правил, изданных любой из Союзных и Соединенных Держав, имеющих юрисдикцию в отношении контракта или в отношении любой из его сторон, а также будет подчиняться условиям контракта.

3. Ничто в части А настоящего Приложения не должно рассматриваться как аннулирующее сделки, законно осуществленные в соответствии с контрактом между врагами, если они осуществлены с разрешения Правительства любой из Союзных и Соединенных Держав.

4. Несмотря на вышеприведенные положения, контракты по страхованию и перестрахованию будут подчиняться отдельным соглашениям между Правительством заинтересованной Союзной или Соединенной Державы и Правительством Румынии.

B. Сроки давности.

1. Все сроки давности или сроки ограничения права на иск или права принимать охранительные меры в отношениях, касающихся лиц или собственности и затрагивающих граждан Объединенных Наций и румынских граждан, которые в силу состояния войны не могли предъявить иска или выполнить формальностей, необходимых для обеспечения своих прав, независимо от того, началось ли течение этих сроков до или после возникновения войны, будут считаться приостановленными на время войны на территории Румынии, с одной стороны, и на территории тех из Объединенных Наций, которые предоставляют Румынии на началах взаимности преимущества, предусматриваемые положениями настоящего пункта, — с другой. Течение приостановленных сроков давности возобновится со дня вступления в силу настоящего Договора. Положения настоящего пункта будут применимы в отношении сроков, установленных для предъявления процентных купонов или купонов на дивиденд или для предъявления к оплате ценных бумаг, вышедших в тираж или подлежащих оплате на каком-либо другом основании.

2. В тех случаях, когда вследствие невыполнения какого-либо акта или какой-либо формальности во время войны были приняты

исполнительные меры на румынской территории в ущерб тому или иному гражданину любой из Объединенных Наций, Правительство Румынии восстановит права, которым был нанесен ущерб. Если такое восстановление является несправедливым или невозможным, Правительство Румынии примет меры к тому, чтобы гражданину Объединенных Наций было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах.

C. Ценные бумаги.

1. В отношениях между врагами ни одна ценная бумага, составленная до войны, не будет рассматриваться как утратившая силу только потому, что эта бумага не была в установленные сроки предъявлена для акцепта или оплаты, или не было сделано уведомление составителю или лицу, учинившему передаточную надпись, об отказе от акцепта или платежа, или она не была опротестована, или же потому, что не была выполнена какая-либо формальность во время войны.

2. В тех случаях, когда срок, установленный для того, чтобы ценная бумага была предъявлена для акцепта или оплаты, или срок, в который уведомление об отказе от акцепта или платежа должно было быть сделано составителю или лицу, учинившему передаточную надпись, или в течение которого документ должен был быть опротестован, истек во время войны, а сторона, которая должна была предъявить или опротестовать документ или уведомить об отказе от акцепта или платежа, не сделала этого во время войны, ей будет предоставлен срок не менее трех месяцев, считая со дня вступления в силу настоящего Договора, в течение которого может быть сделано предъявление, уведомление об отказе от акцепта или платежа или опротестование.

3. Если какое-либо лицо до или во время войны вступило в обязательство по какой-либо ценной бумаге в связи с обязательством, выданным ему лицом, ставшим в дальнейшем врагом, то последнее остается обязанным предоставить первому возмещение в отношении этого обязательства, независимо от возникновения войны.

D. Особые постановления.

1. Для целей настоящего Приложения физические или юридические лица будут рассматриваться как враги с того дня, когда торговля между ними стала незаконной на основании законов, распоряжений или правил, действию которых такие лица или контракты подлежали.

2. Принимая во внимание особенности правовой системы Соединенных Штатов Америки, постановления настоящего Приложения не будут применяться в отношениях между Соединенными Штатами Америки и Румынией.

ПРИЛОЖЕНИЕ VI.

Призовые суды и судебные решения.

A. Призовые суды.

Каждая из Союзных и Соединенных Держав оставляет за собой право рассмотреть в соответствии с процедурой, которая должна быть ею установлена, все решения и распоряжения румынских призовых судов по делам относительно прав собственности ее граждан и рекомендовать Правительству Румынии, чтобы был предпринят пересмотр тех решений или распоряжений, которые могут оказаться несоответствующими международному праву.

Правительство Румынии обязуется предоставить копии всех документов, составляющих досье этих дел, включая вынесенные решения и распоряжения, и принять все рекомендации, сделанные в результате рассмотрения упомянутых дел, и осуществить такие рекомендации.

B. Судебные решения.

Правительство Румынии предпримет необходимые меры для того, чтобы дать гражданам любой из Объединенных Наций возможность в любое время в течение одного года со дня вступления в силу настоящего Договора передать соответствующим румынским властям для пересмотра любое судебное решение, вынесенное румынским судом между 22 июня 1941 года и днем вступления в силу настоящего Договора при любом судебном разбирательстве, в ко-

тором граждании Объединенных Наций не смог в достаточной мере изложить свое дело в качестве истца или ответчика. Правительство Румынии должно предусмотреть, чтобы в тех случаях, когда гражданин Объединенных Наций потерпел ущерб в силу любого такого судебного решения, он был бы восстановлен в том положении, в котором он находился до вынесения этого судебного решения, или чтобы ему было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах. Выражение «граждане Объединенных Наций» включает корпорации или ассоциации, организованные или учрежденные на основании законов любой из Объединенных Наций.

TREATY OF PEACE

WITH

ROUMANIA

1947

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, and the Union of South Africa, as the States which are at war with Roumania and actively waged war against the European enemy states with substantial military forces, hereinafter referred to as "the Allied and Associated Powers", of the one part,

and Roumania, of the other part;

Whereas Roumania, having become an ally of Hitlerite Germany and having participated on her side in the war against the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and other United Nations, bears her share of responsibility for this war;

Whereas, however, Roumania, on August 24, 1944, entirely ceased military operations against the Union of Soviet Socialist Republics, withdrew from the war against the United Nations, broke off relations with Germany and her satellites and having concluded on September 12, 1944, an Armistice with the Governments of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, acting in the interests of all the United Nations, took an active part in the war against Germany; and

Whereas the Allied and Associated Powers and Roumania are desirous of concluding a treaty of peace, which, conforming to the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Roumania's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

PART I

FRONTIERS

Article 1

The frontiers of Roumania, shown on the map annexed to the present Treaty (Annex I), [1] shall be those which existed on January 1, 1941, with the exception of the Roumanian-Hungarian frontier, which is defined in Article 2 of the present Treaty.

The Soviet-Roumanian frontier is thus fixed in accordance with the Soviet-Roumanian Agreement of June 28, 1940, and the Soviet-Czechoslovak Agreement of June 29, 1945.

Article 2

The decisions of the Vienna Award of August 30, 1940, are declared null and void. The frontier between Roumania and Hungary as it existed on January 1, 1938, is hereby restored.

PART II

POLITICAL CLAUSES

SECTION I

Article 3

1. Roumania shall take all measures necessary to secure to all persons under Roumanian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Roumania further undertakes that the laws in force in Roumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Roumanian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter.

[1] [This Annex is a large-scale map. A copy of the map as received with the certified copy of the Treaty, from the Government of the Union of Soviet Socialist Republics, is deposited with the Treaty in the archives of the Department of State where it is available for reference.]

Article 4

Roumania, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

Article 5

Roumania, which in accordance with the Armistice Agreement has taken measures for dissolving all organizations of a Fascist type on Roumanian territory, whether political, military or para-military, as well as other organizations conducting propaganda hostile to the Soviet Union or to any of the other United Nations, shall not permit in future the existence and activities of organizations of that nature which have as their aim denial to the people of their democratic rights.

Article 6

1. Roumania shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;

(b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Roumania shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Bucharest of the Soviet Union, the United Kingdom and the United States of America, who will reach agreement with regard to the difficulty.

SECTION II

Article 7

Roumania undertakes to recognize the full force of the Treaties of Peace with Italy, Bulgaria, Hungary and Finland and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

Article 8

The state of war between Roumania and Hungary shall terminate upon the coming into force both of the present Treaty of Peace and the Treaty of Peace between the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa and the People's Federal Republic of Yugoslavia, of the one part, and Hungary of the other part.

Article 9

Roumania undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations and the Permanent Court of International Justice.

Article 10

1. Each Allied or Associated Power will notify Roumania, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Roumania it desires to keep in force or revive. Any provisions not in conformity with the present Treaty shall, however, be deleted from the above-mentioned treaties.

2. All such treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

PART III

MILITARY, NAVAL AND AIR CLAUSES

SECTION I

Article 11

The maintenance of land, sea and air armaments and fortifications shall be closely restricted to meeting tasks of an internal character and local defense of frontiers. In accordance with the foregoing, Roumania is authorised to have armed forces consisting of not more than:

(a) A land army, including frontier troops, with a total strength of 120,000 personnel;

(b) Anti-aircraft artillery with a strength of 5,000 personnel;

(c) A navy with a personnel strength of 5,000 and a total tonnage of 15,000 tons;

(d) An air force, including any naval air arm, of 150 aircraft, including reserves, of which not more than 100 may be combat types of aircraft, with a total personnel strength of 8,000. Roumania shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

These strengths shall in each case include combat, service and overhead personnel.

Article 12

The personnel of the Roumanian Army, Navy and Air Force in excess of the respective strengths permitted under Article 11 shall be disbanded within six months from the coming into force of the present Treaty.

Article 13

Personnel not included in the Roumanian Army, Navy or Air Force shall not receive any form of military training, naval training or military air training as defined in Annex II.

Article 14

Roumania shall not possess, construct or experiment with any atomic weapon, any self-propelled or guided missiles or apparatus connected with

their discharge (other than torpedoes and torpedo-launching gear comprising the normal armament of naval vessels permitted by the present Treaty), sea mines or torpedoes of non-contact types actuated by influence mechanisms, torpedoes capable of being manned, submarines or other submersible craft, motor torpedo boats, or specialised types of assault craft.

Article 15

Roumania shall not retain, produce or otherwise acquire, or maintain facilities for the manufacture of, war material in excess of that required for the maintenance of the armed forces permitted under Article 11 of the present Treaty.

Article 16

1. Excess war material of Allied origin shall be placed at the disposal of the Allied or Associated Power concerned according to the instructions given by that Power. Excess Roumanian war material shall be placed at the disposal of the Governments of the Soviet Union, the United Kingdom and the United States of America. Roumania shall renounce all rights to this material.

2. War material of German origin or design in excess of that required for the armed forces permitted under the present Treaty shall be placed at the disposal of the Three Governments. Roumania shall not acquire or manufacture any war material of German origin or design, or employ or train any technicians, including military and civil aviation personnel, who are or have been nationals of Germany.

3. Excess war material mentioned in paragraphs 1 and 2 of this Article shall be handed over or destroyed within one year from the coming into force of the present Treaty.

4. A definition and list of war material for the purposes of the present Treaty are contained in Annex III.

Article 17

Roumania shall co-operate fully with the Allied and Associated Powers with a view to ensuring that Germany may not be able to take steps outside German territory towards rearmament.

Article 18

Roumania shall not acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

Article 19

Each of the military, naval and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Roumania or, after Roumania becomes a member of the United Nations, by agreement between the Security Council and Roumania.

SECTION II

Article 20

1. Roumanian prisoners of war shall be repatriated as soon as possible, in accordance with arrangements agreed upon by the individual Powers detaining them and Roumania.

2. All costs, including maintenance costs, incurred in moving Roumanian prisoners of war from their respective assembly points, as chosen by the Government of the Allied or Associated Power concerned, to the point of their entry into Roumanian territory, shall be borne by the Roumanian Government.

PART IV

WITHDRAWAL OF ALLIED FORCES

Article 21

1. Upon the coming into force of the present Treaty, all Allied Forces shall, within a period of 90 days, be withdrawn from Roumania, subject to the right of the Soviet Union to keep on Roumanian territory such armed forces as it may need for the maintenance of the lines of communication of the Soviet Army with the Soviet zone of occupation in Austria.

2. All unused Roumanian currency and all Roumanian goods in possession of the Allied forces in Roumania, acquired pursuant to Article 10 of the Armistice Agreement, shall be returned to the Roumanian Government within the same period of 90 days.

3. Roumania shall, however, make available such maintenance and facilities as may specifically be required for the maintenance of the lines of communication with the Soviet zone of occupation in Austria, for which due compensation will be made to the Roumanian Government.

PART V

REPARATION AND RESTITUTION

Article 22

1. Losses caused to the Soviet Union by military operations and by the occupation by Roumania of Soviet territory shall be made good by Roumania to the Soviet Union, but, taking into consideration that Roumania has not only withdrawn from the war against the United Nations, but has declared and, in fact, waged war against Germany, it is agreed that compensation for the above losses will be made by Roumania not in full but only in part, namely in the amount of $300,000,000 payable over eight years from September 12, 1944, in commodities (oil products, grain, timber, seagoing and river craft, sundry machinery and other commodities).

2. The basis of calculation for the settlement provided in this Article will be the United States dollar at its gold parity on the day of the signing of the Armistice Agreement, i.e. $35 for one ounce of gold.

Article 23

1. Roumania accepts the principles of the United Nations Declaration of January 5, 1943, and shall return property removed from the territory of any of the United Nations.

2. The obligation to make restitution applies to all identifiable property at present in Roumania which was removed by force or duress

by any of the Axis Powers from the territory of any of the United Nations, irrespective of any subsequent transactions by which the present holder of any such property has secured possession.

3. The Government entitled to restitution and the Roumanian Government may conclude agreements which will replace the provisions of the present Article.

4. The Roumanian Government shall return the property referred to in this Article in good order and, in this connection, shall bear all costs in Roumania relating to labour, materials and transport.

5. The Roumanian Government shall co-operate with the United Nations in, and shall provide at its own expense all necessary facilities for, the search for and restitution of property liable to restitution under this Article.

6. The Roumanian Government shall take the necessary measures to effect the return of property covered by this Article held in any third country by persons subject to Roumanian jurisdiction.

7. Claims for the restitution of property shall be presented to the Roumanian Government by the Government of the country from whose territory the property was removed, it being understood that rolling stock shall be regarded as having been removed from the territory to which it originally belonged. The period during which such claims may be presented shall be six months from the coming into force of the present Treaty.

8. The burden of identifying the property and of proving ownership shall rest on the claimant Government, and the burden of proving that the property was not removed by force or duress shall rest on the Roumanian Government.

PART VI

ECONOMIC CLAUSES

Article 24

1. In so far as Roumania has not already done so, Roumania shall restore all legal rights and interests in Roumania of the United Nations

and their nationals as they existed on September 1, 1939, and shall return all property in Roumania, including ships, of the United Nations and their nationals as it now exists.

If necessary, the Roumanian Government shall revoke legislation enacted since September 1, 1939, in so far as it discriminates against the rights of United Nations nationals.

2. The Roumanian Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Roumanian Government in connection with their return. The Roumanian Government shall nullify all measures, including seizures, sequestration or control, taken by it against United Nations property between September 1, 1939, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the present Treaty, application shall be made to the Roumanian authorities not later than twelve months from the coming into force of the Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Roumanian Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

4. *(a)* The Roumanian Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a United Nations national has suffered a loss by reason of injury or damage to property in Roumania, he shall receive from the Roumanian Government compensation in lei to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Roumanian nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 9*(a)* of this Article, but which have suffered a loss by reason of injury or damage to property in Roumania, shall receive compensation in accordance with sub-paragraph *(a)* above. This compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Roumania but shall be subject to the foreign exchange control regulations which may be in force in Roumania from time to time.

(d) The Roumanian Government shall accord to United Nations nationals the same treatment in the allocation of materials for the repair or rehabilitation of their property in Roumania and in the allocation of foreign exchange for the importation of such materials as applies to Roumanian nationals.

(e) The Roumanian Government shall grant United Nations nationals an indemnity in lei at the same rate as provided in sub-paragraph *(a)* above to compensate them for the loss or damage due to special measures applied to their property during the war, and which were not applicable to Roumanian property. This sub-paragraph does not apply to a loss of profit.

5. The provisions of paragraph 4 of this Article shall not apply to Roumania in so far as the action which may give rise to a claim for damage to property in Northern Transylvania belonging to the United Nations or their nationals took place during the period when this territory was not subject to Roumanian authority.

6. All reasonable expenses incurred in Roumania in establishing claims, including the assessment of loss or damage, shall be borne by the Roumanian Government.

7. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts imposed on their capital

assets in Roumania by the Roumanian Government or any Roumanian authority between the date of the Armistice and the coming into force of the present Treaty for the specific purpose of meeting charges arising out of the war or of meeting the costs of occupying forces or of reparation payable to any of the United Nations. Any sums which have been so paid shall be refunded.

8. The owner of the property concerned and the Roumanian Government may agree upon arrangements in lieu of the provisions of this Article.

9. As used in this Article:

(a) "United Nations nationals" means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status at the date of the Armistice with Roumania.

The term "United Nations nationals" also includes all individuals, corporations or associations which, under the laws in force in Roumania during the war, have been treated as enemy;

(b) "Owner" means the United Nations national, as defined in sub-paragraph *(a)* above, who is entitled to the property in question, and includes a successor of the owner, provided that the successor is also a United Nations national as defined in sub-paragraph *(a)*. If the successor has purchased the property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law;

(c) "Property" means all movable or immovable property, whether tangible or intangible, including industrial, literary and artistic property, as well as all rights or interests of any kind in property. Without prejudice to the generality of the foregoing provisions, the property of the United Nations and their nationals includes all seagoing and river vessels, together with their gear and equipment, which were either owned by United Nations or their nationals, or registered in the territory of one of the United Nations, or sailed under the flag of one of the United Nations and which, after September 1, 1939, while in Roumanian waters, or after they had been forcibly brought into Roumanian waters, either were placed under the

control of the Roumanian authorities as enemy property or ceased to be at the free disposal in Roumania of the United Nations or their nationals, as a result of measures of control taken by the Roumanian authorities in relation to the existence of a state of war between members of the United Nations and Germany.

Article 25

1. Roumania undertakes that in all cases where the property, legal rights or interests in Roumania of persons under Roumanian jurisdiction have, since September 1, 1939, been the subject of measures of sequestration, confiscation or control on account of the racial origin or religion of such persons, the said property, legal rights and interests shall be restored together with their accessories or, if restoration is impossible, that fair compensation shall be made therefor.

2. All property, rights and interests in Roumania of persons, organisations or communities which, individually or as members of groups, were the object of racial, religious or other Fascist measures of persecution, and remaining heirless or unclaimed for six months after the coming into force of the present Treaty, shall be transferred by the Roumanian Government to organisations in Roumania representative of such persons, organisations or communities. The property transferred shall be used by such organisations for purposes of relief and rehabilitation of surviving members of such groups, organisations and communities in Roumania. Such transfer shall be effected within twelve months from the coming into force of the Treaty, and shall include property, rights and interests required to be restored under paragraph 1 of this Article.

Article 26

Roumania recognizes that the Soviet Union is entitled to all German assets in Roumania transferred to the Soviet Union by the Control Council for Germany and undertakes to take all necessary measures to facilitate such transfers.

Article 27

1. Each of the Allied and Associated Powers shall have the right to seize, retain, liquidate or take any other action with respect to all property, rights and interests which at the coming into force of the present Treaty are within its territory and belong to Roumania or to Roumanian nationals, and

to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Roumania or Roumanian nationals, including debts, other than claims fully satisfied under other Articles of the present Treaty. All Roumanian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned.

2. The liquidation and disposition of Roumanian property shall be carried out in accordance with the law of the Allied or Associated Power concerned. The Roumanian owner shall have no rights with respect to such property except those which may be given him by that law.

3. The Roumanian Government undertakes to compensate Roumanian nationals whose property is taken under this Article and not returned to them.

4. No obligation is created by this Article on any Allied or Associated Power to return industrial property to the Roumanian Government or Roumanian nationals, or to include such property in determining the amounts which may be retained under paragraph 1 of this Article. The Government of each of the Allied and Associated Powers shall have the right to impose such limitations, conditions and restrictions on rights or interests with respect to industrial property in the territory of that Allied or Associated Power, acquired prior to the coming into force of the present Treaty by the Government or nationals of Roumania, as may be deemed by the Government of the Allied or Associated Power to be necessary in the national interest.

5. The property covered by paragraph 1 of this Article shall be deemed to include Roumanian property which has been subject to control by reason of a state of war existing between Roumania and the Allied or Associated Power having jurisdiction over the property, but shall not include:

(a) Property of the Roumanian Government used for consular or diplomatic purposes;

(b) Property belonging to religious bodies or private charitable institutions and used for religious or charitable purposes;

(c) Property of natural persons who are Roumanian nationals permitted to reside within the territory of the country in which the property

is located or to reside elsewhere in United Nations territory, other than Roumanian property which at any time during the war was subjected to measures not generally applicable to the property of Roumanian nationals resident in the same territory;

(d) Property rights arising since the resumption of trade and financial relations between the Allied and Associated Powers and Roumania, or arising out of transactions between the Government of any Allied or Associated Power and Roumania since September 12, 1944;

(e) Literary and artistic property rights.

Article 28

1. From the coming into force of the present Treaty, property in Germany of Roumania and of Roumanian nationals shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Roumania and of Roumanian nationals removed by force or duress from Roumanian territory to Germany by German forces or authorities after September 12, 1944, shall be eligible for restitution.

3. The restoration and restitution of Roumanian property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

4. Without prejudice to these and to any other dispositions in favour of Roumania and Roumanian nationals by the Powers occupying Germany, Roumania waives on its own behalf and on behalf of Roumanian nationals all claims against Germany and German nationals outstanding on May 8, 1945, except those arising out of contracts and other obligations entered into, and rights acquired, before September 1, 1939. This waiver shall be deemed to include debts, all inter-governmental claims in respect of arrangements entered into in the course of the war and all claims for loss or damage arising during the war.

Article 29

1. The existence of the state of war shall not, in itself, be regarded as affecting the obligation to pay pecuniary debts arising out of obligations

and contracts which existed, and rights which were acquired, before the existence of the state of war, which became payable prior to the coming into force of the present Treaty, and which are due by the Government or nationals of Roumania to the Government or nationals of one of the Allied and Associated Powers or are due by the Government or nationals of one of the Allied and Associated Powers to the Government or nationals of Roumania.

2. Except as otherwise expressly provided in the present Treaty, nothing therein shall be construed as impairing debtor-creditor relationships arising out of pre-war contracts concluded either by the Government or nationals of Roumania.

Article 30

1. Roumania waives all claims of any description against the Allied and Associated Powers on behalf of the Roumanian Government or Roumanian nationals arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, whether or not the Allied or Associated Power was at war with Roumania at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers;

(b) Claims arising from the presence, operations or actions of forces or authorities of Allied or Associated Powers in Roumanian territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Roumania agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Roumanian ships or Roumanian goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest. The Roumanian Government agrees to make equitable compensation in lei to persons who

furnished supplies or services on requisition to the forces of Allied or Associated Powers in Roumanian territory and in satisfaction of non-combat damage claims against the forces of Allied or Associated Powers arising in Roumanian territory.

3. Roumania likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Roumanian Government or Roumanian nationals against any of the United Nations whose diplomatic relations with Roumania were broken off during the war and which took action in co-operation with the Allied and Associated Powers.

4. The Roumanian Government shall assume full responsibility for all Allied military currency issued in Roumania by the Allied military authorities, including all such currency in circulation at the coming into force of the present Treaty.

5. The waiver of claims by Roumania under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Roumanian ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Conventions on prisoners of war now in force.

Article 31

1. Pending the conclusion of commercial treaties or agreements between individual United Nations and Roumania, the Roumanian Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Roumania:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Roumania shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined

for territory of any other of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Roumania. These provisions shall not apply to commercial aviation;

(d) Roumania shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Roumanian territory, including the right to land for refueling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Roumanian territory without landing. These provisions shall not affect the interests of the national defence of Roumania.

2. The foregoing undertakings by Roumania shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Roumania before the war, and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

Article 32

1. Any disputes which may arise in connection with Articles 23 and 24 and Annexes IV, V and VI, part B of the present Treaty shall be referred to a Conciliation Commission composed of an equal number of representatives of the United Nations Government concerned and of the Roumanian Government. If agreement has not been reached within three months of the dispute having been referred to the Conciliation Commission, either Government may require the addition of a third member to the Commission, and failing agreement between the two Governments on the selection of this member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding.

Article 33

Any disputes which may arise in connection with the prices paid by the Roumanian Government for goods delivered by this Government on account of reparation and acquired from nationals of an Allied or Associated Power or companies owned by them shall be settled, without prejudice to the execution of the obligations of Roumania with regard to reparation, by means of diplomatic negotiations between the Government of the country concerned and the Roumanian Government. Should the direct diplomatic negotiations between the parties concerned not result in a solution of the dispute within two months, such dispute shall be referred to the Heads of the Diplomatic Missions in Bucharest of the Soviet Union, the United Kingdom and the United States of America for settlement. In case the Heads of Mission fail to reach agreement within two months, either party may request the Secretary-General of the United Nations to appoint an arbitrator whose decision shall be binding on the parties to the dispute.

Article 34

Articles 23, 24, 31 and Annex VI of the present Treaty shall apply to the Allied and Associated Powers and France and to those of the United Nations whose diplomatic relations with Roumania have been broken off during the war.

Article 35

The provisions of Annexes IV, V and VI shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

PART VII

CLAUSE RELATING TO THE DANUBE

Article 36

Navigation on the Danube shall be free and open for the nationals, vessels of commerce, and goods of all States, on a footing of equality in regard to port and navigation charges and conditions for merchant shipping. The foregoing shall not apply to traffic between ports of the same State.

PART VIII

FINAL CLAUSES

Article 37

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Bucharest of the Soviet Union, the United Kingdom and the United States of America, acting in concert, will represent the Allied and Associated Powers in dealing with the Roumanian Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Three Heads of Mission will give the Roumanian Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Roumanian Government shall afford the said Three Heads of Mission all necessary information and any assistance which they may require in the fulfilment of the tasks devolving on them under the present Treaty.

Article 38

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 37, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 39

1. Any member of the United Nations, not a signatory to the present Treaty, which is at war with Roumania, may accede to the Treaty and upon accession shall be deemed to be an Associated Power for the purposes of the Treaty.

2. Instruments of accession shall be deposited with the Government of the Union of Soviet Socialist Republics and shall take effect upon deposit.

Article 40

The present Treaty, of which the Russian and English texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Roumania. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the Union of Soviet Socialist Republics.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the Union of Soviet Socialist Republics, which shall furnish certified copies to each of the signatory States.

LIST OF ANNEXES

I. Map of Roumanian Frontiers

II. Definition of Military, Military Air and Naval Training

III. Definition and list of war material

IV. Special provisions relating to certain kinds of property:

A. Industrial, Literary and Artistic Property

B. Insurance

V. Contracts, Prescription and Negotiable Instruments

VI. Prize Courts and Judgments

ANNEX I

(See Article 1)

Map of the Roumanian Frontiers

ANNEX II

(See Article 13)

Definition of Military, Military Air and Naval Training

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organised study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission; and the organised study of air tactics, strategy and staff work.

3. Naval training is defined as: the study, administration or practice in the use of warships or naval establishments as well as the study or employment of all apparatus and training devices relative thereto, which are used in the prosecution of naval warfare, except for those which are also normally used for civilian purposes; also the teaching, practice or organised study of naval tactics, strategy and staff work including the execution of all operations and manoeuvres not required in the peaceful employment of ships.

ANNEX III

(See Article 16)

Definition and List of War Material

The term "war material" as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

Category I.

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft; breechless or recoil-less guns and flamethrowers; barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in subparagraphs 1-4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary materials or charges, filled or unfilled; all means for exploding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

Category II.

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self-propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness, used for protective purposes in warfare.

Category III.

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

Category IV.

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition, aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices or apparatus of any kind, including specially designed harbour defence booms, except as required by salvage, rescue or other civilian uses, as well as all

equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be specially designed for the construction, testing, maintenance or housing of the same.

Category V.

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of their design or construction are prepared for, any of the appliances referred to in subparagraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

Category VI.

Asphyxiating, lethal, toxic or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

Category VII.

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging or filling of, or for use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

Category VIII.

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

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ANNEX IV

Special Provisions Relating to Certain Kinds of Property

A. Industrial, Literary and Artistic Property

1. *(a)* A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Roumania of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Roumania or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Roumania or during the war, shall be entitled within twelve months after the coming into force of the present Treaty to apply for corresponding rights in Roumania, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Roumania against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in

industrial, literary and artistic property which were in force in Roumania at the outbreak of the war or which are recognized or established under part A of this Annex and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Roumania for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Roumania of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Roumania and its nationals. Nothing, however, in these provisions shall entitle Roumania or its nationals to more favourable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Roumania be thereby required to accord to any of the Allied and Associated Powers or its nationals more favourable treatment than Roumania or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Roumania who, before the coming into force of the present Treaty, had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under part A of this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Roumania, such permission shall take the form of a non-exclusive licence granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 32 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in part A of this Annex shall be construed to entitle Roumania or its nationals to any patent or utility model rights in the territory of any of the Allied and Associated Powers with respect to inventions, relating to any article listed by name in Annex III of the present Treaty, made, or upon which applications were filed, by Roumania, or any of its nationals, in Roumania or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Roumania shall likewise extend the benefits of the foregoing provisions of this Annex to France, and to other United Nations which are not Allied or Associated Powers, whose diplomatic relations with Roumania have been broken off during the war and which undertake to extend to Roumania the benefits accorded to Roumania under the said provisions.

8. Nothing in part A of this Annex shall be understood to conflict with Articles 24, 27 and 29 of the present Treaty.

B. INSURANCE

1. No obstacles, other than any applicable to insurers generally, shall be placed in the way of the resumption by insurers who are United Nations nationals of their former portfolios of business.

2. Should an insurer, who is a national of any of the United Nations, wish to resume his professional activities in Roumania, and should the value of the guarantee deposits or reserves required to be held as a condition of carrying on business in Roumania be found to have decreased as a result of the loss or depreciation of the securities which constituted such deposits or reserves, the Roumanian Government undertakes to accept, for a period of eighteen months, such securities as still remain as fulfilling any legal requirements in respect of deposits and reserves.

ANNEX V

Contracts, Prescription and Negotiable Instruments

A. CONTRACTS

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in paragraphs 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, is without prejudice to the provisions of Article 29 of the present Treaty, nor shall it relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and, without prejudice to the rights contained in Article 27 of the present Treaty, there shall remain in force such parts of any contract as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall be subject to separate agreements between the Government of the Allied or Associated Power concerned and the Government of Roumania.

B. Periods of Prescription

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations affecting persons or property, involving United Nations nationals and Roumanian nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Roumanian territory on the one hand, and on the other hand in the territory of those United Nations which grant to Roumania, on a reciprocal basis, the benefit of the provisions of this paragraph. These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Roumanian territory to the prejudice of a national of one of the United Nations, the Roumanian Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Roumanian Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

C. Negotiable Instruments

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice

of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

D. SPECIAL PROVISIONS

1. For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

2. Having regard to the legal system of the United States of America, the provisions of this Annex shall not apply as between the United States of America and Roumania.

ANNEX VI

Prize Courts and Judgments

A. PRIZE COURTS

Each of the Allied and Associated Powers reserves the right to examine, according to a procedure to be established by it, all decisions and orders of the Roumanian Prize Courts in cases involving ownership rights of its nationals, and to recommend to the Roumanian Government that revision shall be undertaken of such of those decisions or orders as may not be in conformity with international law.

The Roumanian Government undertakes to supply copies of all documents comprising the records of these cases, including the decisions taken and orders issued, and to accept all recommendations made as a result of the examination of the said cases, and to give effect to such recommendations.

B. JUDGMENTS

The Roumanian Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into force of the present Treaty to submit to the appropriate Roumanian authorities for review any judgment given by a Roumanian court between June 22, 1941, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Roumanian Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term "United Nations nationals" includes corporations or associations organised or constituted under the laws of any of the United Nations.

TRAITE DE PAIX
AVEC LA
ROUMANIE

1947

Les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la République Soviétique Socialiste de Biélorussie, le Canada, l'Inde, la Nouvelle-Zélande, la Tchécoslovaquie, la République Soviétique Socialiste d'Ukraine, et l'Union Sud-Africaine, en tant qu'Etats en guerre avec la Roumanie et qui ont participé activement à la lutte contre les Etats européens ennemis avec des forces militaires importantes, désignés ci-après sous le nom de "Puissances Alliées et Associées", d'une part;

et la Roumanie d'autre part;

Considérant que la Roumanie, qui a conclu une alliance avec l'Allemagne hitlérienne et a participé à ses côtés à la guerre contre les Etats-Unis d'Amérique, le Royaume-Uni, l'Union des Républiques Soviétiques Socialistes et d'autres Nations Unies, porte sa part de responsabilité dans cette guerre;

Considérant toutefois que le 24 août 1944 la Roumanie a cessé toutes opérations militaires contre l'Union Soviétique, qu'elle s'est retirée de la guerre contre les Nations Unies et qu'elle a rompu ses relations avec l'Allemagne et ses satellites et qu'après avoir conclu, le 12 septembre 1944, un armistice avec les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Soviétiques Socialistes, agissant dans l'intérêt de toutes les Nations Unies, elle a pris une part active à la guerre contre l'Allemagne;

Considérant que les Puissances Alliées et Associées et la Roumanie sont désireuses de conclure un traité de paix qui règle, en conformité avec les principes de justice, les questions demeurant en suspens à la suite des événements ci-dessus rappelés et qui forme la base de relations amicales entre elles, permettant ainsi aux Puissances Alliées et Associées d'appuyer les demandes que la Roumanie présentera pour devenir membre de l'Organisation des Nations Unies et pour adhérer à toute convention conclue sous les auspices des Nations Unies;

Pour ces motifs, ont décidé de proclamer la cessation de l'état de guerre et de conclure à cet effet le présent Traité de Paix et ont, à ces fins, désigné les Plénipotentiaires soussignés, lesquels, après présentation de leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des articles suivants:

PARTIE I

FRONTIERES

Article 1

Les frontières de la Roumanie, telles qu'elles sont indiquées sur la carte jointe au présent Traité (annexe I) demeureront telles qu'elles étaient au 1er janvier 1941, à l'exception de la frontière roumano-hongroise qui est définie à l'article 2 du présent Traité.

La frontière soviéto-roumaine est ainsi fixée conformément aux dispositions de l'accord soviéto-roumain du 28 juin 1940 et à celles de l'accord soviéto-tchécoslovaque du 29 juin 1945.

Article 2

Les décisions de la Sentence de Vienne du 30 août 1940 sont déclarées nulles et non avenues. La frontière entre la Roumanie et la Hongrie est rétablie par le présent article telle qu'elle était au 1er janvier 1938.

PARTIE II

CLAUSES POLITIQUES

SECTION I

Article 3

1. La Roumanie prendra toutes les mesures nécessaires pour assurer à toutes les personnes relevant de sa juridiction, sans distinction de race, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, y compris la liberté d'expression de la pensée, la liberté de presse et de publication, la liberté du culte, la liberté d'opinion et de réunion.

2. La Roumanie s'engage en outre à ce que les lois en vigueur en Roumanie ne comportent, soit dans leur texte, soit dans les modalités de leur application, aucune discrimination directe ou indirecte entre les ressortissants roumains en raison de leur race, de leur sexe, de leur langue, de

leur religion, tant en ce qui concerne leur personne, leurs biens, leurs intérêts commerciaux, professionnels ou financiers, leur statut, leurs droits politiques et civils qu'en toute autre matière.

Article 4

La Roumanie qui, conformément à la Convention d'Armistice, a pris des mesures pour mettre en liberté, sans distinction de citoyenneté ou de nationalité, toutes les personnes détenues en raison de leurs activités en faveur des Nations Unies ou de leur sympathie pour celles-ci, ou en raison de leur origine raciale, et pour abroger la législation ayant un caractère discriminatoire et rapporter les restrictions imposées en vertu de celle-ci, s'engage à compléter ces mesures et à ne prendre à l'avenir aucune mesure ou à n'édicter aucune loi qui serait incompatible avec les fins énoncées dans le présent article.

Article 5

La Roumanie qui, conformément à la Convention d'Armistice, a pris des mesures en vue de dissoudre toutes les organisations politiques, militaires ou paramilitaires de caractère fasciste existant sur le territoire roumain, ainsi que toutes autres organisations faisant une propagande hostile à l'Union Soviétique ou à toute autre Nation Unie, s'engage à ne pas tolérer à l'avenir l'existence et l'activité d'organisations de cette nature qui ont pour but de priver le peuple de ses droits démocratiques.

Article 6

1. La Roumanie prendra toutes les mesures necessaires pour assurer l'arrestation et la livraison en vue de leur jugement:

(a) des personnes accusées d'avoir commis, ordonné des crimes de guerre et des crimes contre la paix ou l'humanité, ou d'en avoir été complices;

(b) des ressortissants de l'une quelconque des Puissances Alliées ou Associées accusés d'avoir enfreint les lois de leur pays en commettant des actes de trahison ou en collaborant avec l'ennemi pendant la guerre.

2. A la demande du Gouvernement de l'une des Nations Unies intéressées, la Roumanie devra assurer en outre la comparution, comme témoins,

des personnes relevant de sa juridiction dont la déposition est nécessaire pour le jugement des personnes visées au paragraphe 1 du présent article.

3. Tout désaccord concernant l'application des dispositions des paragraphes 1 et 2 du présent article sera soumis par tout Gouvernement intéressé aux Chefs des missions diplomatiques à Bucarest des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique, qui se mettront d'accord sur le point soulevé.

SECTION II

Article 7

La Roumanie s'engage à reconnaître la pleine valeur des Traités de Paix avec l'Italie, la Bulgarie, la Hongrie et la Finlande ainsi que des autres accords ou arrangements qui ont été conclus ou qui seront conclus par les Puissances Alliées et Associées, en ce qui concerne l'Autriche, l'Allemagne et le Japon, en vue du rétablissement de la paix.

Article 8

L'état de guerre entre la Roumanie et la Hongrie prendra fin à la date d'entrée en vigueur du présent Traité de Paix et du Traité de Paix entre les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la République Soviétique Socialiste de Biélorussie, le Canada, l'Inde, la Nouvelle-Zélande, la Tchécoslovaquie, la République Soviétique Socialiste d'Ukraine, l'Union Sud-Africaine, et la République Fédérative Populaire de Yougoslavie d'une part, et la Hongrie d'autre part.

Article 9

La Roumanie s'engage à accepter tous les arrangements qui ont été conclus ou qui pourront être conclus pour la liquidation de la Société des Nations et de la Cour Permanente de Justice Internationale.

Article 10

1. Chacune des Puissances Alliées et Associées notifiera à la Roumanie, dans un délai de six mois à partir de l'entrée en vigueur du présent

Traité, les traités bilatéraux qu'elle a conclus avec la Roumanie, antérieurement à la guerre, et dont elle désire le maintien ou la remise en vigueur. Toutes dispositions des traités dont il s'agit qui ne seraient pas en conformité avec le présent Traité seront toutefois supprimées.

2. Tous les traités de cette nature qui auront fait l'objet de cette notification seront enregistrés au Secrétariat de l'Organisation des Nations Unies, conformément à l'article 102 de la Charte des Nations Unies.

3. Tous les traités de cette nature qui n'auront pas fait l'objet d'une telle notification seront tenus pour abrogés.

PARTIE III

CLAUSES MILITAIRES, NAVALES ET AERIENNES

SECTION I

Article 11

Les armements terrestres, maritimes et aériens et les fortifications seront strictement limités de manière à répondre aux tâches d'ordre intérieur et à la défense locale des frontières. Conformément aux dispositions ci-dessus, la Roumanie est autorisée à conserver des forces armées ne dépassant pas:

(a) Pour l'armée de terre, y compris les gardes-frontières, un effectif total de 120.000 hommes;

(b) Pour l'artillerie de défense anti-aérienne, un effectif de 5.000 hommes;

(c) Pour la marine, un effectif de 5.000 hommes et un tonnage total de 15.000 tonnes;

(d) Pour l'aviation militaire, y compris l'aéronautique navale et les avions de réserve, 150 avions dont 100 au maximum pourront être des avions de combat et un effectif total de 8.000 hommes. La Roumanie ne devra ni posséder, ni acquérir d'avions conçus essentiellement comme bombardiers et comportant des dispositifs intérieurs pour le transport des bombes.

Ces effectifs comprendront, dans chaque cas, le personnel de commandement, les unités combattantes et les services.

Article 12

Le personnel de l'armée, de la marine et de l'aviation roumaines en excédent des effectifs autorisés dans chaque cas aux termes de l'article 11, sera licencié dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

Article 13

Aucune forme d'instruction militaire, navale ou aérienne, au sens de l'annexe II, ne sera donnée aux personnes ne faisant pas partie de l'armée, de la marine ou de l'aviation roumaines.

Article 14

La Roumanie ne possèdera, ne fabriquera ni n'expérimentera aucune arme atomique, aucun projectile automoteur ou dirigé, ni aucun dispositif employé pour le lancement de ces projectiles (autre que les torpilles ou dispositifs de lancement de torpilles faisant partie de l'armement normal des navires autorisés par le présent Traité), aucune mine marine ou torpille fonctionnant par un mécanisme à influence, aucune torpille humaine, aucun sous-marin ou autre bâtiment submersible, aucune vedette lance-torpilles, ni aucun type spécialisé de bâtiment d'assaut.

Article 15

La Roumanie ne devra pas conserver, fabriquer ou acquérir par tout autre moyen, de matériel de guerre en excédent de ce qui est nécessaire au maintien des forces armées autorisées par l'article 11 du présent Traité, ni laisser subsister de facilités pour la production de ce matériel de guerre.

Article 16

1. Le matériel de guerre de provenance alliée en excédent sera mis à la disposition de la Puissance Alliée ou Associée intéressée conformément aux instructions qui seront données par celle-ci; le matériel de guerre roumain en excédent sera mis à la disposition des Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique. La Roumanie renoncera à tous droits sur ce matériel.

2. Le matériel de guerre de provenance allemande, ou construit sur des plans allemands, en excédent de ce qui est nécessaire aux forces armées autorisées par le présent Traité, sera mis à la disposition des trois Gouvernements. La Roumanie n'acquerra, ni ne fabriquera aucun matériel de guerre de provenance allemande ou construit sur des plans allemands; elle n'emploiera, ni n'instruira aucun technicien, y compris le personnel de l'aviation militaire ou civile, qui soit ou ait été ressortissant allemand.

3. Le matériel de guerre en excédent mentionné aux paragraphes 1 et 2 du présent article sera livré ou détruit dans un délai d'un an à partir de l'entrée en vigueur du présent Traité.

4. La définition et la liste du matériel de guerre aux fins du présent Traité figurent à l'annexe III.

Article 17

La Roumanie apportera son entière collaboration aux Puissances Alliées et Associées en vue de mettre l'Allemagne dans l'impossibilité de prendre hors du territoire allemand des mesures tendant à son réarmement.

Article 18

La Roumanie n'acquerra ni ne fabriquera aucun avion civil de modèle allemand ou japonais ou comportant des éléments importants de fabrication ou de conception allemande ou japonaise.

Article 19

Chacune des clauses militaires, navales et aériennes du présent Traité restera en vigueur aussi longtemps qu'elle n'aura pas été modifiée, entièrement ou partiellement, par accord entre les Puissances Alliées et Associées et la Roumanie, ou, après que la Roumanie sera devenue membre de l'Organisation des Nations Unies, par accord entre le Conseil de Sécurité et la Roumanie.

SECTION II

Article 20

1. Les prisonniers de guerre roumains seront rapatriés aussitôt que possible conformément aux arrangements conclus entre chacune des Puissances qui détiennent ces prisonniers et la Roumanie.

2. Tous les frais, y compris les frais de subsistance, entraînés par le transfert des prisonniers de guerre roumains, depuis leurs centres de rapatriement respectifs, choisis par le Gouvernement de la Puissance Alliée ou Associée intéressée, jusqu'au lieu d'entrée sur le territoire roumain, seront à la charge du Gouvernement roumain.

PARTIE IV

RETRAIT DES FORCES ALLIEES

Article 21

1. Toutes les forces armées alliées seront retirées de Roumanie dans un délai de quatre-vingt-dix jours à compter de l'entrée en vigueur du présent Traité, l'Union Soviétique se réservant le droit de conserver en territoire roumain les forces armées qui pourront lui être nécessaires pour le maintien des lignes de communication de l'Armée Soviétique avec la zone soviétique d'occupation en Autriche.

2. Toutes les devises roumaines non employées et tous les biens roumains qui sont en la possession des armées alliées sur le territoire roumain et qui ont été acquis en application de l'article 10 de la Convention d'Armistice seront restitués au Gouvernement roumain dans le même délai de quatre-vingt-dix jours.

3. Toutefois, la Roumanie fournira tous les approvisionnements et facilités qui pourront être particulièrement nécessaires au maintien des lignes de communication avec la zone soviétique d'occupation en Autriche, prestations pour lesquelles le Gouvernement roumain sera dûment indemnisé.

PARTIE V

REPARATIONS ET RESTITUTIONS

Article 22

1. La Roumanie indemnisera l'Union Soviétique des pertes causées du fait des opérations militaires et de l'occupation par la Roumanie de territoires soviétiques; toutefois, tenant compte du fait que la Roumanie,

non seulement s'est retirée de la guerre contre les Nations Unies, mais encore a déclaré la guerre à l'Allemagne et a effectivement mené la guerre contre celle-ci, les Parties Contractantes conviennent que les réparations pour les pertes indiquées ci-dessus seront effectuées par la Roumanie non en totalité, mais seulement en partie, à savoir pour une valeur de 300.000.000 de dollars des Etats-Unis payables en huit années à partir du 12 septembre 1944 en nature (produits pétroliers, céréales, bois, navires de mer et navires fluviaux, outillage divers, et autres marchandises).

2. La base de calcul pour le règlement prévu au présent article sera le dollar des Etats-Unis à sa parité or à la date de la signature de la Convention d'Armistice, c'est-à-dire 35 dollars pour une once d'or.

Article 23

1. La Roumanie accepte les principes de la Déclaration des Nations Unies du 5 janvier 1943 et restituera les biens enlevés du territoire de l'une quelconque des Nations Unies.

2. L'obligation de restituer s'applique à tous les biens identifiables se trouvant actuellement en Roumanie et qui ont été enlevés, par force ou par contrainte, du territoire de l'une des Nations Unies, par l'une des Puissances de l'Axe, quelles qu'aient été les transactions ultérieures par lesquelles le détenteur actuel de ces biens s'en est assuré la possession.

3. Le Gouvernement ayant droit à la restitution et le Gouvernement roumain pourront conclure des accords qui se subsistueront aux dispositions du présent article.

4. Le Gouvernement roumain restituera en bon état les biens visés dans le présent article et prendra à sa charge tous les frais de main d'oeuvre, de matériaux et de transport engagés à cet effet en Roumanie.

5. Le Gouvernement roumain coopérera avec les Nations Unies à la recherche et à la restitution des biens soumis à restitution aux termes du présent article et il fournira à ses frais toutes les facilités nécessaires.

6. Le Gouvernement roumain prendra les mesures nécessaires pour restituer les biens visés dans le présent article, qui sont détenus dans un tiers pays par des personnes relevant de la juridiction roumaine.

7. La demande de restitution d'un bien sera présentée au Gouvernement roumain par le Gouvernement du pays du territoire duquel le bien a été enlevé, étant entendu que le matériel roulant sera considéré comme ayant été enlevé du territoire auquel il appartenait à l'origine. Les demandes devront être présentées dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

8. Il incombera au Gouvernement requérant d'identifier le bien et d'en prouver la propriété et au Gouvernement roumain d'apporter la preuve que le bien n'a pas été enlevé par force ou par contrainte.

PARTIE VI

CLAUSES ECONOMIQUES

Article 24

1. Pour autant qu'elle ne l'a pas déjà fait, la Roumanie rétablira tous les droits et intérêts légaux en Roumanie des Nations Unies et de leurs ressortissants tels qu'ils existaient au 1er septembre 1939 et restituera à ces Nations Unies et à leurs ressortissants tous les biens leur appartenant en Roumanie, y compris les navires, dans l'état où ils se trouvent actuellement.

S'il y a lieu le Gouvernement roumain abolira la législation édictée depuis le 1er septembre 1939 dans la mesure où elle présente un caractère de discrimination à l'encontre des droits des ressortissants des Nations Unies.

2. Le Gouvernement roumain restituera tous les biens, droits et intérêts visés au présent article, libres de toutes hypothèques et charges quelconques dont ils auraient pu être grevés du fait de la guerre, et sans que cette restitution donne lieu à la perception d'aucune somme de la part du Gouvernement roumain. Le Gouvernement roumain annulera toutes mesures, y compris les mesures de saisie, de séquestre ou de contrôle, prises par lui à l'égard des biens des Nations Unies entre le 1er septembre 1939 et l'entrée en vigueur du présent Traité. Dans le cas où le bien n'aura pas été restitué dans les six mois à compter de la date d'entrée en vigueur du présent Traité, la demande devra être présentée aux autorités roumaines dans un délai maximum de douze mois à compter de cette même date, sauf

dans les cas où le demandeur sera en mesure d'établir qu'il lui a été impossible de présenter sa demande dans ce délai.

3. Le Gouvernement roumain annulera les transferts portant sur des biens, droits et intérêts de toute nature appartenant à des ressortissants des Nations Unies, lorsque ces transferts résultent de mesures de force ou de contrainte prises au cours de la guerre par les Gouvernements des Puissances de l'Axe ou par leurs organes.

4 *(a)* Le Gouvernement roumain sera responsable de la remise en parfait état des biens restitués à des ressortissants des Nations Unies en vertu du paragraphe 1 du présent article. Lorsqu'un bien ne pourra être restitué ou que, du fait de la guerre, le ressortissant d'une Nation Unie aura subi une perte par suite d'une atteinte ou d'un dommage causé à un bien en Roumanie, le Gouvernement roumain indemnisera le propriétaire en versant une somme en lei jusqu'à concurrence des deux tiers de la somme nécessaire, à la date du paiement, pour permettre au bénéficiaire, soit d'acheter un bien équivalent, soit de compenser la perte ou le dommage subi. En aucun cas, les ressortissants des Nations Unies ne devront être l'objet d'un traitement moins favorable en matière d'indemnité que le traitement accordé aux ressortissants roumains.

(b) Les ressortissants des Nations Unies qui détiennent directement ou indirectement des parts d'intérêts dans des sociétés ou associations qui ne possèdent pas la nationalité des Nations Unies au sens du paragraphe 9 *(a)* du présent article, mais qui ont subi une perte par suite d'atteintes ou de dommages causés à leurs biens en Roumanie, recevront une indemnité conformément à l'alinéa *(a)* ci-dessus. Cette indemnité sera calculée en fonction de la perte ou du dommage total subi par la société ou l'association, et son montant par rapport au total de la perte ou du dommage subi aura la même proportion que la part d'intérêts détenue par lesdits ressortissants par rapport au capital global de la société ou association en question.

(c) L'indemnité sera versée, nette de tous prélèvements, impôts ou autres charges. Elle pourra être librement employée en Roumanie, mais sera soumise aux règlements relatifs au contrôle des changes qui pourront, à un moment donné, être en vigueur en Roumanie.

(d) Le Gouvernement roumain accordera aux ressortissants des Na-

tions Unies le même traitement qu'aux ressortissants roumains, en ce qui concerne l'attribution des matériaux pour la réparation ou la remise en état de leurs biens en Roumanie, ainsi qu'en ce qui concerne l'attribution de devises étrangères en vue de l'importation de tels matériaux.

(e) Le Gouvernement roumain accordera aux ressortissants des Nations Unies une indemnité en lei dans la même proportion que celle qui est prévue à l'alinéa *(a)* ci-dessus, pour compenser la perte ou les dommages qui résultent des mesures spéciales prises pendant la guerre à l'encontre de leurs biens et qui ne visaient pas les biens roumains. Cet alinéa ne s'applique pas à un manque à gagner.

5. Les dispositions du paragraphe 4 du présent article ne s'appliqueront pas à la Roumanie dans les cas où les mesures, qui peuvent donner lieu à une demande de compensation pour les dommages causés à des biens situés en Transylvanie du Nord et appartenant aux Nations Unies ou à leurs ressortissants, auront été prises durant la période où ce territoire n'était pas soumis à l'autorité de la Roumanie.

6. Tous les frais raisonnables auxquels donnera lieu, en Roumanie, l'établissement des demandes, y compris l'évaluation des pertes et des dommages, seront à la charge du Gouvernement roumain.

7. Les ressortissants des Nations Unies ainsi que leurs biens seront exemptés de tous impôts, contributions ou taxes exceptionnels, auxquels le Gouvernement roumain ou une autorité roumaine quelconque auraient soumis leurs avoirs en capital en Roumanie entre la date de l'Armistice et la date d'entrée en vigueur du présent Traité, en vue de couvrir les dépenses résultant de la guerre ou celles qui ont été entraînées par l'entretien des forces d'occupation ou par les réparations à payer à l'une des Nations Unies. Toutes les sommes qui auraient été ainsi perçues seront remboursées.

8. Le propriétaire des biens en question et le Gouvernement roumain pourront conclure des arrangements qui se substitueront aux dispositions du présent article.

9. Aux fins du présent article:

(a) L'expression "ressortissants des Nations Unies" s'applique aux personnes physiques qui sont ressortissants de l'une quelconque des Na-

tions Unies, ainsi qu'aux sociétés ou associations constituées sous le régime des lois de l'une des Nations Unies lors de l'entrée en vigueur du présent Traité, à condition que lesdites personnes physiques, sociétés ou associations aient déjà possédé ce statut à la date de l'Armistice avec la Roumanie.

L'expression "ressortissants des Nations Unies" comprend également toutes les personnes physiques et les sociétés ou associations qui, aux termes de la législation en vigueur en Roumanie pendant la guerre, ont été traitées comme ennemis.

(b) Le terme "propriétaire" désigne le ressortissant d'une des Nations Unies, tel qu'il est défini à l'alinéa *(a)* ci-dessus, qui a un titre légitime au bien en question, et s'applique au successeur du propriétaire, à condition que ce successeur soit aussi ressortissant d'une des Nations Unies au sens de l'alinéa *(a)*. Si le successeur a acheté le bien lorsque celui-ci était déjà endommagé, le vendeur conservera ses droits à l'indemnisation résultant du présent article, sans que les obligations existant entre le vendeur et l'acquéreur en vertu de la législation interne en soient affectées.

(c) Le terme "biens" désigne tous les biens mobiliers ou immobiliers, corporels ou incorporels, y compris les droits de propriété industrielle, littéraire et artistique ainsi que tous droits ou intérêts de nature quelconque dans des biens. Sans préjudice des dispositions générales qui précèdent, les biens des Nations Unies et de leurs ressortissants comprennent tous les bâtiments de mer et de navigation intérieure avec leur grément et leurs équipements, qui appartenaient aux Nations Unies ou à leurs ressortissants ou étaient enregistrés sur le territoire de l'une des Nations Unies ou naviguaient sous le pavillon de l'une des Nations Unies et qui, postérieurement au 1er septembre 1939, qu'ils se soient trouvés dans les eaux roumaines ou qu'ils y aient été amenés de force, furent soumis au contrôle des autorités roumaines en tant que biens ennemis ou cessèrent d'être, en Roumanie, à la libre disposition des Nations Unies ou de leurs ressortissants, du fait de mesures de contrôle prises par les autorités roumaines, en rapport avec l'existence d'un état de guerre entre certaines des Nations Unies et l'Allemagne.

Article 25

1. La Roumanie prend l'engagement, dans tous les cas où les biens, droits ou intérêts légaux en Roumanie des personnes se trouvant sous

la juridiction roumaine depuis le 1er septembre 1939, ont fait l'objet de mesures de séquestre, de saisie ou d'administration forcée en raison de l'origine raciale ou de la religion de ces personnes, de restituer lesdits biens et de rétablir lesdits droits et intérêts légaux, ainsi que les droits qui s'y rattachent ou, si cette restitution ou ce rétablissement sont impossibles, de fournir à cet égard une compensation équitable.

2. Tous les biens, droits et intérêts en Roumanie de personnes, d'organisations ou de communautés qui, individuellement ou collectivement, ont été l'objet de mesures de persécution, pour un motif racial ou religieux ou pour tout autre motif d'inspiration fasciste, et qui, pendant une période de six mois à partir de la date d'entrée en vigueur du présent Traité, sont restés en deshérence ou n'ont fait l'objet d'aucune revendication, seront transférés par le Gouvernement roumain aux organisations qui représentent en Roumanie lesdites personnes, organisations ou communautés. Les biens transférés seront employés par ces organisations à l'assistance et au relèvement des membres survivants de ces groupes, organisations et communautés en Roumanie. Ces transferts seront effectués dans un délai de douze mois à partir de la date d'entrée en vigueur du Traité et porteront également sur les biens qui doivent être restitués et sur les droits et intérêts qui doivent être rétablis aux termes du paragraphe 1 du présent article.

Article 26

La Roumanie reconnaît que l'Union Soviétique a droit à tous les avoirs allemands en Roumanie qui ont été transférés à l'Union Soviétique par le Conseil de Contrôle en Allemagne et elle s'engage à prendre toutes les mesures nécessaires pour faciliter ces transferts.

Article 27

1. Chacune des Puissances Alliées ou Associées aura le droit de saisir, retenir ou liquider tous les biens, droits et intérêts qui, à la date d'entrée en vigueur du présent Traité, se trouvent sur son territoire, et appartiennent à la Roumanie ou à des ressortissants roumains, et de prendre toute autre disposition en ce qui concerne ces biens, droits et intérêts. Elle aura également le droit d'employer ces biens ou le produit de leur liquidation à telles fins qu'elle pourra désirer, à concurrence du montant de ses réclamations

et de celles de ses ressortissants contre la Roumanie ou les ressortissants roumains (y compris les créances), qui n'auront pas été entièrement réglées en vertu d'autres articles du présent Traité. Tous les biens roumains ou le produit de leur liquidation, en excédent du montant desdites réclamations, seront restitués.

2. La liquidation des biens roumains et les mesures de disposition dont ils feront l'objet devront s'effectuer conformément à la législation de la Puissance Alliée ou Associée intéressée. En ce qui concerne lesdits biens le propriétaire roumain n'aura pas d'autres droits que ceux que peut lui conférer la législation en question.

3. Le Gouvernement roumain s'engage à indemniser les ressortissants roumains dont les biens seront saisis en vertu du présent article et ne leur seront pas restitués.

4. Il ne résulte du présent article aucune obligation pour l'une quelconque des Puissances Alliées ou Associées de restituer au Gouvernement ou aux ressortissants roumains des droits de propriété industrielle ni de faire entrer ces droits dans le calcul des sommes qui pourront être retenues en vertu du paragraphe 1 du présent article. Le Gouvernement de chacune des Puissances Alliées ou Associées aura le droit d'imposer aux droits ou intérêts afférents à la propriété industrielle sur le territoire de cette Puissance Alliée ou Associée, acquis par le Gouvernement roumain ou ses ressortissants avant l'entrée en vigueur du présent Traité, telles limitations, conditions ou restrictions que le Gouvernement de la Puissance Alliée ou Associée intéressée pourra considérer comme nécessaires dans l'intérêt national.

5. Les biens visés au paragraphe 1 du présent article seront considérés comme comprenant les biens roumains qui ont fait l'objet de mesures de contrôle en raison de l'état de guerre existant entre la Roumanie et la Puissance Alliée ou Associée dans la juridiction de laquelle les biens sont situés mais ne comprendront pas:

(a) Les biens du Gouvernement roumain utilisés pour les besoins des missions diplomatiques ou consulaires;

(b) Les biens appartenant à des institutions religieuses ou à des insti-

tutions philanthropiques privées et servant à des fins religieuses ou philanthropiques;

(c) Les biens des personnes physiques qui sont ressortissants roumains et sont autorisées à résider, soit sur le territoire du pays où sont situés ces biens, soit sur le territoire de l'une quelconque des Nations Unies, autres que les biens roumains qui, à un moment quelconque, au cours de la guerre, ont fait l'objet de mesures qui ne s'appliquaient pas d'une manière générale aux biens des ressortissants roumains résidant sur le territoire en question;

(d) Les droits de propriété nés depuis la reprise des relations commerciales et financières entre les Puissances Alliées et Associées et la Roumanie, ou nés de transactions entre le Gouvernement d'une Puissance Alliée ou Associée et la Roumanie depuis le 12 septembre 1944;

(e) Les droits de propriété littéraire et artistique.

Article 28

1. A dater de l'entrée en vigueur du présent Traité, les biens, en Allemagne, de l'Etat et des ressortissants roumains ne seront plus considérés comme biens ennemis et toutes les restrictions résultant de leur caractère ennemi seront levées.

2. Les biens identifiables de l'Etat et des ressortissants roumains que les forces armées ou les autorités allemandes ont enlevés, par force ou par contrainte, du territoire roumain et emportés en Allemagne après le 12 septembre 1944 donneront lieu à restitution.

3. Le rétablissement des droits de propriété ainsi que la restitution des biens roumains en Allemagne seront effectués conformément aux mesures qui seront arrêtées par les Puissances occupant l'Allemagne.

4. Sans préjudice de ces dispositions et de toutes autres qui seraient prises en faveur de la Roumanie et des ressortissants roumains par les Puissances occupant l'Allemagne, la Roumanie renonce, en son nom et au nom des ressortissants roumains, à toutes réclamations contre l'Allemagne et les ressortissants allemands qui n'étaient pas réglées au 8 mai 1945, à l'exception de celles qui résultent de contrats et d'autres obligations qui étaient en vigueur ainsi que de droits qui étaient acquis avant le 1er

septembre 1939. Cette renonciation sera considérée comme s'appliquant aux créances, à toutes les réclamations de caractère intergouvernemental relatives à des accords conclus au cours de la guerre et à toutes les réclamations portant sur des pertes ou des dommages survenus pendant la guerre.

Article 29

1. L'existence de l'état de guerre ne doit pas être considérée en soi comme affectant l'obligation d'acquitter les dettes pécuniaires résultant d'obligations et de contrats qui étaient en vigueur, et de droits qui étaient acquis, avant l'existence de l'état de guerre, dettes qui étaient devenues exigibles avant l'entrée en vigueur du présent Traité et qui sont dues, soit par le Gouvernement ou les ressortissants roumains au Gouvernement ou aux ressortissants de l'une des Puissances Alliées ou Associées, soit par le Gouvernement ou les ressortissants d'une des Puissances Alliées ou Associées au Gouvernement ou aux ressortissants roumains.

2. Sauf dispositions expressément contraires du présent Traité, aucune clause de ce Traité ne devra être interprétée comme affectant les rapports de débiteurs à créanciers résultant de contrats conclus avant la guerre, soit par le Gouvernement, soit par les ressortissants roumains.

Article 30

1. La Roumanie renonce, au nom du Gouvernement roumain et des ressortissants roumains, à faire valoir contre les Puissances Alliées et Associées, toute réclamation de quelque nature que ce soit résultant directement de la guerre ou de mesures prises par suite de l'existence d'un état de guerre en Europe après le 1er septembre 1939, que la Puissance Alliée ou Associée intéressée ait été ou non en guerre avec la Roumanie à l'époque.

Sont incluses dans cette renonciation:

(a) les réclamations relatives à des pertes ou dommages subis par suite de l'action des forces armées ou des autorités de Puissances Alliées ou Associées;

(b) les réclamations résultant de la présence, des opérations ou de l'action des forces armées ou des autorités de Puissances Alliées ou Associées sur le territoire roumain;

(c) les réclamations portant sur les décisions ou les ordonnances des tribunaux de prises de Puissances Alliés ou Associées, la Roumanie acceptant de reconnaître comme valides et comme ayant force exécutoire toutes les décisions et ordonnances desdits tribunaux de prises rendues au 1er septembre 1939 ou postérieurement à cette date et concernant les navires roumains, les marchandises roumaines ou le paiement des frais;

(d) les réclamations résultant de l'exercice des droits de belligérance ou de mesures prises en vue de l'exercice de ces droits.

2. Les dispositions du présent article excluront complètement et définitivement toutes réclamations de la nature de celles qui y sont visées, qui seront dès lors éteintes, quelles que soient les parties intéressées. Le Gouvernement roumain accepte de verser, en lei, une indemnité équitable pour satisfaire les réclamations des personnes qui ont fourni, sur réquisition, des marchandises ou des services aux forces armées de Puissances Alliées ou Associées sur le territoire roumain, ainsi que les réclamations portées contre les forces armées de Puissances Alliées ou Associées, relatives à des dommages causés sur le territoire roumain et ne résultant pas de faits de guerre.

3. La Roumanie renonce également, au nom du Gouvernement roumain et des ressortissants roumains, à faire valoir des réclamations de la nature de celles qui sont visées au paragraphe 1 du présent article, contre toute Nation Unie dont les relations diplomatiques avec la Roumanie ont été rompues pendant la guerre, et qui a pris des mesures en coopération avec les Puissances Alliées et Associées.

4. Le Gouvernement roumain assumera la pleine responsabilité de toute la monnaie militaire alliée émise en Roumanie par les autorités militaires alliées, y compris toute la monnaie de cette nature en circulation à la date d'entrée en vigueur du présent Traité.

5. La renonciation à laquelle la Roumanie souscrit aux termes du paragraphe 1 du présent article s'étend à toutes les réclamations portant sur les mesures prises par l'une quelconque des Puissances Alliées ou Associées à l'égard des navires roumains, entre le 1er septembre 1939 et la date d'entrée en vigueur du présent Traité, ainsi que toutes les réclama-

tions et créances résultant des conventions sur les prisonniers de guerre actuellement en vigueur.

Article 31

1. En attendant la conclusion de traités ou d'accords commerciaux entre l'une quelconque des Nations Unies et la Roumanie, le Gouvernement roumain devra, pendant les dix-huit mois qui suivront l'entrée en vigueur du présent Traité, accorder à chacune des Nations Unies qui, en fait, accordent par voie de réciprocité un traitement analogue à la Roumanie dans ces domaines, le traitement suivant:

(a) Pour toute ce qui concerne les droits et redevances à l'importation ou à l'exportation, l'imposition à l'intérieur du pays des marchandises importées, et tous les règlements qui s'y rapportent, les Nations Unies bénéficieront de la clause inconditionnelle de la nation la plus favorisée;

(b) La Roumanie ne pratiquera, à tous autres égards, aucune discrimination arbitraire au détriment des marchandises en provenance ou à destination du territoire d'une Nation Unie par rapport aux marchandises analogues en provenance ou à destination du territoire de toute autre Nation Unie ou de tout autre pays étranger;

(c) Les ressortissants des Nations Unies, y compris les personnes morales, bénéficieront du traitement national et de celui de la nation la plus favorisée pour tout de qui a trait au commerce, à l'industrie, à la navigation et aux autres formes d'activité commerciale en Roumanie. Ces dispositions ne s'appliqueront pas à l'aviation commerciale;

(d) La Roumanie n'accordera à aucun pays de droit exclusif ou préférentiel en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux, elle offrira des conditions d'égalité à toutes les Nations Unies pour l'obtention de droits en matière de transports aériens commerciaux internationaux sur le territoire roumain, y compris le droit d'atterrir à des fins de ravitaillement et de réparation, et, en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux, elle accordera à toutes les Nations Unies, suivant le principe de la réciprocité et de la non-discrimination, le droit de survoler le territoire roumain sans escale. Ces dispositions n'affecteront pas les intérêts de la défense nationale de la Roumanie.

2. Les engagements ci-dessus pris par la Roumanie doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par la Roumanie avant la guerre; les dispositions relatives à la réciprocité accordée par chacune des Nations Unies doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par celle-ci.

Article 32

1. Tous les différends qui pourront s'élever à propos de l'application des articles 23 et 24, ainsi que des annexes IV, V et VI B du présent Traité, seront soumis à une commission de conciliation, composée en nombre égal de représentants du Gouvernement de la Nation Unie intéressée et de représentants du Gouvernement roumain. Si un règlement n'est pas intervenu dans les trois mois qui suivront la date à laquelle le différend a été soumis à la commission de conciliation, l'un ou l'autre Gouvernement pourra demander l'adjonction à la Commission d'un tiers membre; à défaut d'accord entre les deux Gouvernements sur le choix de ce membre, l'un ou l'autre d'entre eux pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision de la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 33

Tous différends qui pourront s'élever au sujet des prix payés par le Gouvernement roumain pour les marchandises livrées par ce Gouvernment au titre des réparations et achetées à des ressortissants d'une Puissance Alliée ou Associée, ou à des sociétés appartenant à des ressortissants de ces Puissances, seront réglés, sans préjudice de l'exécution des obligations de la Roumanie relatives aux réparations, par voie de négociations diplomatiques entre le Gouvernement du pays intéressé et le Gouvernement roumain. Si les négociations diplomatiques directes entre les parties intéressées n'aboutissent pas à un règlement du différend dans un délai de deux mois, ce différend sera soumis aux Chefs des missions diplomatiques à Bucarest des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique pour qu'ils le règlent. Dans le cas où les Chefs de Mission ne se mettraient pas d'accord dans un délai de deux mois, l'une ou l'autre des

parties pourra demander au Secrétaire Général des Nations Unies de nommer un arbitre dont la décision sera obligatoire pour les parties.

Article 34

Les articles 23, 24, 31 et l'annexe VI du présent Traité s'appliqueront aux Puissances Alliées et Associées et à la France ainsi qu'à celles des Nations Unies dont les relations diplomatiques avec la Roumanie ont été rompues pendant la guerre.

Article 35

Les dispositions des annexes IV, V et VI, ainsi que celles des autres annexes seront considérées comme faisant partie intégrante du présent Traité, et auront la même valeur et les mêmes effets.

PARTIE VII

CLAUSES RELATIVES AU DANUBE

Article 36

La navigation sur le Danube sera libre et ouverte aux ressortissants, aux bateaux marchands et aux marchandises de tous les Etats sur un pied d'égalité en ce qui concerne les droits de port et les taxes sur la navigation, ainsi que les conditions auxquelles est soumise la navigation commerciale. Les dispositions ci-dessus ne seront pas applicables au trafic entre les ports d'un même Etat.

PARTIE VIII

CLAUSES FINALES

Article 37

1. Pendant une période qui n'excèdera pas dix-huit mois à partir de l'entrée en vigueur du présent Traité, les Chefs des missions diplomatiques à Bucarest des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union

Soviétique agissant de concert, représenteront les Puissances Alliées et Associées pour traiter avec le Gouvernement roumain de toutes questions relatives à l'exécution et à l'interprétation du présent Traité.

2. Ces trois Chefs de Mission donneront au Gouvernement roumain les conseils, avis techniques et éclaircissements qui pourront être nécessaires pour assurer l'exécution rapide et efficace du présent Traité, aussi bien dans sa lettre que dans son esprit.

3. Le Gouvernement roumain fournira à ces trois Chefs de Mission toutes les informations nécessaires et toute l'aide dont ils pourront avoir besoin dans l'accomplissement des tâches qui leur sont dévolues par le présent Traité.

Article 38

1. Exception faite des cas pour lesquels une autre procédure est expressément prévue par un article du présent Traité, tout différend relatif à l'interprétation ou à l'exécution de ce Traité, qui n'a pas été réglé par voie de négociations diplomatiques directes, sera soumis aux trois Chefs de Mission, agissant comme il est prévu à l'article 37 mais, en pareil cas, les Chefs de Mission ne seront pas tenus par les délais fixés dans ledit article. Tout différend de cette nature qu'ils n'auraient pas encore réglé dans un délai de deux mois sera, sauf si les Parties au différend conviennent l'une et l'autre d'un autre mode de règlement, soumis à la requête de l'une ou l'autre des parties à une commission composée d'un représentant de chaque partie et d'un tiers membre choisi d'un commun accord entre les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans un délai d'un mois entre les deux parties au sujet de la désignation de ce tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision prise par la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 39

1. Tout membre de l'Organisation des Nations Unies, en guerre avec la Roumanie et qui n'est pas signataire du présent Traité, peut accé-

der au présent Traité et sera considéré, dès son accession, comme Puissance Associée pour l'application du Traité.

2. Les instruments d'accession seront déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes et prendront effet dès leur dépôt.

Article 40

Le présent Traité, dont les textes russe et anglais feront foi, devra être ratifié par les Puissances Alliées et Associées. Il devra également être ratifié par la Roumanie. Il entrera en vigueur immédiatement après le dépôt des ratifications par les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques Soviétiques Socialistes. Les instruments de ratification seront, dans le plus bref délai possible, déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes.

En ce qui concerne chacune des Puissances Alliées ou Associées dont les instruments de ratification seront déposés ultérieurement, le Traité entrera en vigueur à la date du dépôt. Le présent Traité sera déposé dans les archives du Gouvernement de l'Union des Républiques Soviétiques Socialistes, qui en remettra à chacun des Etats signataires une copie certifiée conforme.

LISTE DES ANNEXES

Annexe I. Carte des frontières roumaines

Annexe II. Définitions de l'instruction militaire, aérienne et navale

Annexe III. Définition et liste du matériel de guerre

Annexe IV. Dispositions spéciales concernant certaines catégories de biens:

A. Propriété industrielle, littéraire et artistique

B. Assurances

Annexe V. Contrats, prescription, effets de commerce

Annexe VI. Tribunaux de prises et Jugements

95347°—49—PT. II——57

ANNEXE I

(voir article 1)

Carte des frontières roumaines

ANNEXE II

(voir article 13)

Définition de l'instruction militaire, aérienne et navale

1. L'instruction militaire est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés à des fins militaires et des dispositifs d'instruction s'y rapportant, l'étude et l'exécution de tous exercices ou manoeuvres utilisés dans l'enseignement ou la pratique des évolutions exécutées par les forces au combat, et l'étude méthodique de la tactique, de la stratégie et du travail d'etat-major.

2. L'instruction militaire aérienne est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés aux fins d'une aviation militaire et des dispositifs d'instruction s'y rapportant; l'étude et la pratique de toutes manoeuvres spéciales, y compris le vol en formation, exécutées par des avions dans l'accomplissement d'une mission aérienne militaire, et l'étude méthodique de la tactique aérienne, de la stratégie et du travail d'état-major.

3. L'instruction navale est définie comme comprenant les matières suivantes: l'organisation générale, l'étude et la pratique de l'emploi des bâtiments de guerre ou des installations navales ainsi que l'étude ou l'utilisation de tous appareils et dispositifs d'entraînement qui s'y rapportent et qui sont en usage pour la conduite de la guerre navale, à l'exception de ceux qui sont normalement employés à des fins civiles; en outre, l'enseignement, la pratique et l'étude méthodique de la tactique navale, de la stratégie et du travail d'état-major, y compris l'exécution de toutes les opérations et manoeuvres qui ne sont pas nécessaires à l'emploi pacifique des navires.

ANNEXE III

(voir article 16)

Définition et liste du matériel de guerre

Le terme "matériel de guerre" aux fins du présent Traité s'applique à toutes les armes et munitions et à tout le matériel spécialement conçus et adaptés à des fins de guerre, qui sont énumérés ci-dessous.

Les Puissances Alliées et Associées se réservent le droit d'amender périodiquement la liste, en la modifiant ou en la complétant, pour tenir compte des faits nouveaux qui pourront se produire dans le domaine de la science.

Catégorie I

1. Fusils, carabines, revolvers et pistolets de type militaire; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil.

2. Mitrailleuses, fusils de guerre automatiques ou à répétition et pistolets mitrailleurs; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts de mitrailleuse.

3. Canons, obusiers, mortiers, canons spéciaux pour l'aviation; canons sans culasse ou sans recul et lance-flammes; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts mobiles et supports fixes pour ces armes.

4. Lance-fusées; mécanismes de lancement et de contrôle pour projectiles auto-moteurs et dirigés; supports pour ces appareils.

5. Projectiles auto-moteurs et dirigés, projectiles, fusées, munitions et cartouches, chargés ou vides, pour les armes énumérées aux alinéas 1 à 4 ci-dessus, ainsi que fusées, étoupilles ou appareils servant à les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

6. Grenades, bombes, torpilles, mines, grenades sous-marines (charges de profondeur), matériel et charges incendiaires chargés ou vides; tous

dispositifs permettant de les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

7. Baïonnettes.

Catégorie II

1. Véhicules de combat blindés; trains blindés qui techniquement ne peuvent être transformés en vue d'usages civils.

2. Véhicules mécaniques ou auto-moteurs pour toutes les armes énumérées dans la catégorie I; chassis ou carrosseries militaires de types spéciaux, autres que ceux qui sont énumérés à l'alinéa 1 ci-dessus.

3. Blindages de plus de 3 pouces d'épaisseur, employés dans la guerre à des usages de protection.

Catégorie III

1. Système de pointage et de calcul pour le contrôle du tir, comprenant les appareils régleurs de tir et les appareils d'enregistrement; instruments de direction du tir; hausses de canon; viseurs de bombardement; régleurs de fusées; calibres pour la vérification des canons et des instruments de contrôle du tir.

2. Matériel de pontage d'assaut, bâtiments d'assaut et d'attaque.

3. Dispositifs pour ruses de guerre, dispositifs d'éblouissement et pièges.

4. Equipement militaire du personnel des forces armées de caractère spécialisé qui n'est pas aisément adaptable à des usages civils.

Catégorie IV

1. Navires de guerre de toutes classes, y compris les navires transformés et les embarcations conçues ou prévues pour leur service et leur appui, qui techniquement ne sont pas transformables en vue d'usage civils, ainsi que les armes, blindages, munitions, avions ou tout autre équipement, matériel, machines et installations, qui ne sont pas utilisés en temps de paix sur d'autres bateaux que les navires de guerre.

2. Bâtiments de débarquement et véhicules ou matériel amphibies de toute nature; bâtiments d'assaut ou matériel d'assaut de tout type, ainsi

que catapultes ou autres appareils de mise à l'eau ou de lancement d'avions, fusées, armes propulsées, ou tout autre projectile, instrument ou système, avec ou sans équipage et qu'ils soient guidés ou non.

3. Navires, engins, armes, systèmes ou appareils de toute sorte, qu'ils soient submersibles ou semi-submersibles, y compris les estacades spécialement conçues pour la défense des ports, à l'exception du matériel nécessaire pour la récupération, le sauvetage et autres usages civils, ainsi que tout l'équipement, tous les accessoires, les pièces détachées, les dispositifs d'expérimentation ou d'instruction, les instruments ou les installations, qui peuvent être spécialement conçus en vue de la construction, du contrôle, de l'entretien ou du logement de ces navires, engins, armes, systèmes ou appareils.

Catégorie V

1. Aéronefs montés ou démontés, plus lourds ou plus légers que l'air, conçus ou adaptés en vue du combat aérien par l'emploi de mitrailleuses, de lance-fusées, d'artillerie, ou en vue du transport ou du lancement de bombes, ou qui sont pourvus de l'un quelconque des dispositifs figurant a l'alinéa 2 ci-dessous ou qui, du fait de leur conception ou de leur construction, peuvent être aisément munis de l'un de ces dispositifs.

2. Supports et bâtis pour canons aériens, lance-bombes, porte-torpilles et dispositifs de largage de bombes ou de torpilles, tourelles et coupoles pour canons.

3. Equipement spécialement conçu pour troupes aéroportées et utilisé seulement par ces troupes.

4. Catapultes ou systèmes de lancement pour avions embarqués, avions terrestres ou hydravions; appareils de lancement de projectiles volants.

5. Ballons de barrage.

Catégorie VI

Tous produits asphyxiants, mortels, toxiques ou susceptibles de mettre hors de combat, destinés à des fins de guerre ou fabriqués en quantités qui excèdent les besoins civils.

Catégorie VII

Propulseurs, explosifs, matériel pyrotechnique, ou gaz liquéfiés, destinés à la propulsion, l'explosion, la charge, le remplissage du matériel de guerre décrit dans les catégories ci-dessus, ou à tout usage en liaison avec ce matériel, qui ne sont pas utilisables à des fins civiles ou qui sont fabriqués en quantités qui excèdent les besoins civils.

Catégorie VIII

Installations et outillages industriels spécialement conçus en vue de la production et de la conservation des produits et du matériel énumérés dans les catégories ci-dessus et qui ne peuvent pas être techniquement transformés à des fins civiles.

ANNEXE IV

Dispositions spéciales concernant certaines catégories de biens

A. Propriété industrielle, littéraire et artistique

1. *(a)* Un délai d'un an à compter de la date d'entrée en vigueur du présent Traité sera accordé aux Puissances Alliées et Associées et à leurs ressortissants, sans paiement de droits de prorogation ou autres sanctions quelconques, en vue de leur permettre d'accomplir tous les actes nécessaires pour l'obtention ou la conservation en Roumanie des droits de propriété industrielle, littéraire et artistique, qui n'ont pu être accomplis par suite de l'existence de l'état de guerre.

(b) Les Puissances Alliées et Associées ou leurs ressortissants, qui auront fait, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, une demande, soit pour l'obtention d'un brevet ou l'enregistrement d'un modèle d'utilité au plus tôt douze mois avant l'ouverture des hostilités avec la Roumanie ou au cours de celles-ci, soit pour l'enregistrement d'un dessin industriel, d'un modèle ou d'une marque de fabrique, au plus tôt six mois avant l'ouverture des hostilités avec la Roumanie ou au cours de celles-ci, auront le droit, pendant une période de douze mois à compter de la date d'entrée en vigueur du présent Traité, de demander

des droits correspondants en Roumanie, avec un droit de priorité fondé sur le dépôt antérieur de leur demande sur le territoire de cette Puissance Alliée ou Associée.

(c) Il sera accordé à chacune des Puissances Alliées ou Associées et à ses ressortissants, à partir de la date d'entrée en vigueur du présent Traité, un délai d'un an pendant lequel ils pourront engager des poursuites en Roumanie contre les personnes physiques ou morales auxquelles serait imputé un empiètement illégal sur leurs droits de propriété industrielle, littéraire ou artistique entre la date de l'ouverture des hostilités et celle de l'entrée en vigueur du présent Traité.

2. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et l'expiration du dix-huitième mois qui suivra la date d'entrée en vigueur du présent Traité dans la détermination de la période pendant laquelle un brevet d'invention doit être exploité, ou pendant laquelle un modèle ou une marque de fabrique doit être utilisé.

3. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et la date d'entrée en vigueur du présent Traité dans le calcul de la durée normale de validité des droits de propriété industrielle, littéraire et artistique qui étaient en vigueur en Roumanie à l'ouverture des hostilités ou qui seront reconnus ou établis dans les conditions prévues à la partie A de la présente annexe, et qui appartiennent à l'une des Puissances Alliées ou Associées ou à ses ressortissants. La durée normale de validité de ces droits sera, par conséquent, considérée comme automatiquement prolongée en Roumanie, d'une nouvelle période correspondant à celle qui aura été ainsi exclue du décompte.

4. Les dispositions précédentes concernant les droits en Roumanie des Puissances Alliées et Associées et de leurs ressortissants devront également s'appliquer aux droits de la Roumanie et de ses ressortissants dans les territoires des Puissances Alliées et Associées. Toutefois, aucune de ces dispositions ne donnera à la Roumanie ou à ses ressortissants droit à un traitement plus favorable sur le territoire de l'une quelconque des Puissances Alliées ou Associées que celui qui est accordé dans les mêmes cas par cette Puissance à l'une quelconque des autres Nations Unies ou à ses ressortissants. La Roumanie ne sera pas non plus tenue en vertu de ces dispositions d'accorder à l'une quelconque des Puissances Alliées ou Asso-

ciées ou à ses ressortissants un traitement plus favorable que celui dont la Roumanie ou ses ressortissants bénéficient sur le territoire de cette Puissance relativement aux matières auxquelles s'appliquent les précédentes dispositions.

5. Les tiers résidant sur le territoire de l'une quelconque des Puissances Alliées ou Associées ou sur le territoire roumain, qui, avant la date d'entrée en vigueur du présent Traité, ont acquis de bonne foi des droits de propriété industrielle, littéraire ou artistique se trouvant en opposition avec des droits rétablis en vertu de la partie A de la présente annexe ou avec des droits obtenus grâce à la priorité qui leur est accordée en vertu des présentes dispositions, ou qui, de bonne foi, ont fabriqué, publié, reproduit, utilisé ou vendu l'objet de ces droits, seront autorisés à continuer d'exercer les droits qu'ils avaient acquis de bonne foi et à poursuivre ou reprendre la fabrication, la publication, la reproduction, l'utilisation ou la vente qu'ils avaient entreprises de bonne foi, sans s'exposer à des poursuites pour empiètement.

L'autorisation sera donnée en Roumanie, sous la forme d'une licence sans exclusivité qui sera accordée à des conditions à fixer par entente entre les parties intéressées ou, à défaut d'entente, par la commission de conciliation constituée en vertu de l'article 32 du présent Traité. Toutefois, dans les territoires de chacune des Puissances Alliées ou Associées, les tiers de bonne foi bénéficieront de la protection qui est accordée, dans les cas analogues, aux tiers de bonne foi dont les droits sont en opposition avec ceux des ressortissants des autres Puissances Alliées et Associées.

6. Aucune disposition de la partie A de la présente annexe ne devra être interprétée comme donnant à la Roumanie ou à ses ressortissants sur le territoire de l'une quelconque des Puissances Alliées ou Associées, des droits à des brevets ou à des modèles d'utilité pour des inventions relatives à un article quelconque expressément désigné à l'annexe III du présent Traité, inventions qui ont été faites ou au sujet desquelles des demandes d'enregistrement ont été déposées, par la Roumanie ou par l'un de ses ressortissants, en Roumanie ou sur le territoire d'une autre Puissance de l'Axe ou sur un territoire occupé par les forces de l'Axe, pendant le temps où le territoire en question se trouvait sous le contrôle des forces ou des autorités des Puissances de l'Axe.

7. La Roumanie accordera également le bénéfice des dispositions précédentes de la présente annexe à la France et aux autres Nations Unies qui ne sont pas des Puissances Alliées et Associées, dont les relations diplomatiques avec la Roumanie ont été rompues pendant la guerre et qui s'engageront à accorder à la Roumanie les avantages conférés à ce pays en vertu desdites dispositions.

8. Aucune disposition de la partie A de la présente annexe ne doit s'entendre comme étant en contradiction avec les articles 24, 27 et 29 du présent Traité.

B. Assurances

1. Exception faite des restrictions s'appliquant aux assureurs en général, il ne sera fait aucun obstacle à la reprise par les assureurs qui sont ressortissants des Nations Unies de leurs anciens portefeuilles.

2. Si un assureur, ressortissant d'une des Nations Unies, désire reprendre son activité professionnelle en Roumanie et si la valeur des dépôts de garantie ou des réserves exigées en Roumanie des entreprises d'assurances pour l'exercice de leur activité a diminué du fait de la perte ou de la dépréciation des titres qui les constituaient, le Gouvernement roumain s'engage à accepter, pendant une période de dix-huit mois, ce qu'il reste de ces titres comme satisfaisant entièrement aux prescription légales concernant les dépôts et les réserves.

ANNEXE V

Contrats, prescription, effets de commerce

A. Contrats

1. Sauf exceptions énoncées dans les paragraphes 2 et 3 ci-dessous, tout contrat ayant nécessité pour son exécution des rapports entre des parties qui sont devenues ennemies au sens de la partie D de la présente annexe, sera tenu pour résilié depuis le moment où l'une quelconque des parties est devenue un ennemi. Toutefois, cette résiliation s'entendra sans préjudice des dispositions de l'article 29 du présent Traité; elle ne relèrera

pas non plus l'une quelconque des parties au contrat de l'obligation de reverser les sommes perçues à titre d'avances ou d'acomptes et pour lesquelles la partie intéressée n'a pas fourni de contre-partie.

2. Nonobstant les dispositions du paragraphe 1 ci-dessus, les stipulations de tout contrat qui pourront être dissociées et dont l'exécution ne nécessitait pas de rapports entre les parties qui sont devenues ennemies au sens de la partie D de la présente annexe, ne seront pas résiliées et demeureront en vigueur sans préjudice des droits énoncés à l'article 27 du présent Traité. Si les stipulations d'un contrat ne peuvent pas être ainsi dissociées, le contrat sera tenu comme étant intégralement résilié. Les dispositions qui précèdent s'entendent sous réserve de l'application des lois, ordonnances et règlements nationaux édictés par telle ou telle des Puissances Alliées ou Associées de la juridiction de laquelle relève le contrat ou l'une quelconque des parties au contrat, et sous réserve des stipulations du contrat.

3. Aucune disposition de la partie A de la présente annexe ne sera considérée comme annulant les transactions légalement effectuées conformément à un contrat passé entre ennemis, si ces transactions ont été exécutées avec l'autorisation du Gouvernement d'une des Puissances Alliées ou Associées.

4. Nonobstant les dispositions qui précèdent, les contrats d'assurance et de réassurance feront l'objet de conventions distinctes entre le Gouvernement de la Puissance Alliée ou Associée intéressée et le Gouvernement roumain.

B. Prescription

1. Tous les délais de prescription ou de limitation du droit d'engager ou de poursuivre une action judiciaire ou du droit de prendre des mesures conservatoires dans les rapports juridiques intéressant des personnes ou des biens, mettant en cause des ressortissants des Nations Unies et des ressortissants roumains qui, en raison de l'état de guerre, n'ont pas pu engager ou poursuivre une action judiciaire, ou accomplir les formalités nécessaires pour sauvegarder leurs droits, que ces délais aient commencé à courir avant ou après l'ouverture des hostilités, seront considérés comme ayant été suspendus pendant la durée de la guerre sur le territoire roumain d'une part, et sur le territoire de celles des Nations Unies qui, conformément au

principe de la réciprocité, accordent à la Roumanie le bénéfice des dispositions du présent paragraphe, d'autre part. Ces délais commenceront à courir dès la date d'entrée en vigueur du présent Traité. Les dispositions du présent paragraphe s'appliqueront aux délais fixés pour le dépôt des coupons d'intérêts ou de dividendes ou pour le dépôt, en vue du remboursement, des valeurs sorties au tirage ou remboursables pour tout autre motif.

2. Lorsqu'en raison de l'inexécution d'un acte ou de l'omission d'une formalité quelconque pendant la guerre, des mesures d'exécution ont été prises sur le territoire roumain au préjudice d'un ressortissant d'une Nation Unie, le Gouvernement roumain rétablira les droits lésés. Si le rétablissement de ces droits est impossible ou devait être inéquitable, le Gouvernement roumain fera le nécessaire pour que l'intéressé reçoive telle compensation qui en l'occurrence paraîtra juste et équitable.

C. Effets de commerce

1. Dans les relations entre ennemis, aucun effet de commerce souscrit avant la guerre ne sera considéré comme n'étant plus valable pour la seule raison qu'il n'a pas été présenté à l'acceptation ou à l'encaissement dans les délais prescrits, ou que le tireur ou l'endosseur n'a pas été avisé dans ces délais que l'effet en question n'a pas été accepté ou payé, ou qu'il n'a pas été protesté dans lesdits délais ou qu'une formalité quelconque a été omise pendant la guerre.

2. Si le délai au cours duquel un effet de commerce aurait dû être présenté à l'acceptation ou à l'encaissement, ou dans lequel un avis de non-acceptation ou de non-paiement aurait dû être donné au tireur ou à l'endosseur, ou durant lequel l'effet aurait dû être protesté, est arrivé à expiration pendant la guerre, et si la partie qui aurait dû présenter ou protester l'effet ou aviser du défaut d'acceptation ou du défaut de paiement a omis de le faire pendant la guerre, il sera accordé un délai de trois mois au moins, à partir de la date d'entrée en vigueur du présent Traité, pendant lequel il sera possible de présenter ou de protester ledit effet ou de donner avis de son défaut d'acceptation ou de son défaut de paiement.

3. Si une personne s'est obligée, soit avant, soit pendant la guerre, au paiement d'un effet de commerce, à la suite d'un engagement pris

envers elle par une autre personne devenue ultérieurement ennemie, celle-ci reste tenue, malgré l'ouverture des hostilités, de garantir la première des conséquences de son obligation.

D. Dispositions spéciales

1. Aux fins de la présente annexe, les personnes physiques ou morales seront considérées comme étant devenues ennemies à partir de la date où tout commerce entre elles est devenu illégal, aux termes des lois, ordonnances ou règlements auxquels ces personnes ou le contrat étaient soumis.

2. Etant donné le système juridique des Etats-Unis d'Amérique, les dispositions de cette annexe ne s'appliqueront pas aux relations entre les Etats-Unis d'Amérique et la Roumanie.

ANNEXE VI

Tribunaux de prises et jugements

A. Tribunaux de prises

1. Chacune des Puissances Alliées ou Associées se réserve le droit d'examiner, conformément à une procédure qu'elle fixera, toutes décisions et ordonnances des tribunaux de prises roumains, rendues à la suite de procès, mettant en cause les droits de propriété de ses ressortissants et de recommander au Gouvernement roumain de faire procéder à la révision de celles de ces décisions ou ordonnances qui pourraient n'être pas conformes au droit international.

2. Le Gouvernement roumain s'engage à communiquer copie de tous les documents et pièces de ces procès, y compris les décisions prises et les ordonnances rendues, à accepter toutes recommandations formulées à la suite de l'examen de ces procès et à donner effet à ces recommandations.

B. Jugements

Le Gouvernement roumain prendra les mesures nécessaires pour permettre aux ressortissants de l'une quelconque des Nations Unies, à tout

moment dans un délai d'un an à compter de la date d'entrée en vigueur du présent Traité, d'intenter devant les autorités roumaines compétentes une action en révision de tout jugement rendu par un tribunal roumain entre le 22 juin 1941 et la date de l'entrée en vigueur du présent Traité dans tout procès dans lequel le ressortissant d'une des Nations Unies n'a pas été à même d'exposer sa cause d'une manière satisfaisante, soit en qualité de demandeur, soit en qualité de défendeur. Le Gouvernement roumain prendra les mesures nécessaires pour que, lorsqu'un ressortissant d'une des Nations Unies a subi un préjudice du fait de tout jugement de cette nature, ce ressortissant soit rétabli dans la situation où il se trouvait avant le prononcé du jugement ou reçoive telle compensation qui pourra, en la circonstance, être juste et équitable. L'expression "ressortissants des Nations Unies" comprend les sociétés ou associations organisées ou constituées conformément à la législation de l'une quelconque des Nations Unies.

TRATAT DE PACE

CU

ROMANIA

1947

Uniunea Republicelor Socialiste Sovietice, Regatul Unit al Marei Britanii si Irlandei de Nord, Statele Unite ale Americei, Australia, Republica Socialista Sovietica Bielorusia, Canada, Cehoslovacia, India, Noua Zelanda, Republica Socialista Sovietica Ucraina si Uniunea Sudafricana ca state aflate in razboi cu Romania si care au participat activ la lupta contra statelor europene inamice cu forte militare importante, desemnate in cele ce urmeaza sub numele de Puterile Aliate si Asociate, de o parte,

si Romania de alta parte;

Avand in vedere ca Romania, care a incheiat o alianta cu Germania hitlerista si a participat la razboi alaturi de ea impotriva U.R.S.S., Regatul Unit, Statele Unite ale Americei si a celorlalte Natiuni Unite, are partea sa de raspundere in acest razboi;

Tinand seama, pe de alta parte, de faptul ca, la 24 August 1944 Romania a incetat toate operatiunile militare impotriva U.R.S.S., ca s'a retras din razboi contra Natiunilor Unite si ca a rupt relatiile sale cu Germania si satelitii sai si, dupa ce a incheiat la 12 Septembrie 1944 un Armistitiu cu guvernele U.R.S.S., Regatul Unit si Statele Unite ale Americei, actionand in interesul tuturor Natiunilor Unite, a participat activ la razboi contra Germaniei;

Avand in vedere ca Puterile Aliate si Asociate si Romania doresc sa incheie un tratat de pace care, in conformitate cu principiile de justitie, va rezolva chestiunile inca in suspensie ca rezultat al evenimentelor mai sus mentionate si va constitui baza unor relatiuni amicale intre ele, permitand astfel Puterilor Aliate si Asociate sa sprijine cererea Romaniei de a deveni membra a Natiunilor Unite si de a adera deasemenea la orice alta Conventie incheiata sub auspiciile Natiunilor Unite;

Pentru aceste motive au hotarat sa declare incetarea starei de razboi si sa incheie in acest scop prezentul Tratat de Pace si in consecinta au numit pe mai jos semnatii plenipotentiari cari, dupa ce au schimbat intre ei deplinele lor puteri, gasite in buna si cuvenita forma, au cazut de acord asupra urmatoarelor dispozitiuni:

PARTEA I

FRONTIERE

Articolul 1

Frontierele Romaniei, astfel cum sunt indicate pe harta anexata Tratatului de fata (Anexa I) vor fi cele existente la 1 Ianuarie 1941, cu exceptia frontierei romano-ungare care este definita in art. 2 din prezentul Tratat.

Frontiera sovieto-romana este astfel fixata in conformitate cu dispozitiunile acordului sovieto-roman din 28 Iunie 1940 si cu ale acordului sovieto-cehoslovac din 29 Iunie 1945.

Articolul 2

Hotararile sentintei dela Viena din 30 August 1940 sunt declarate nule si neavenite. Frontiera dintre Romania si Ungaria este restabilita prin prezentul articol, astfel cum exista la 1 Ianuarie 1938.

PARTEA II

CLAUZE POLITICE

SECTIUNEA I

Articolul 3

1. Romania va lua toate masurile necesare pentru a asigura tuturor persoanelor de sub jurisdictia romana, fara deosebire de rasa, de sex, de limba sau de religie, folosirea dreptului omului si a libertatilor fundamentale inclusiv libertatea de exprimare a gandirii, a presei si de publicare, libertatea de serviciu divin, de opinie politica si de intrunire.

2. Romania isi ia in plus angajamentul ca legile in vigoare in Romania sa nu faca nici o discriminare sau sa rezulte in vreo discriminare, fie in continutul fie in aplicarea lor, intre persoanele de nationalitate romana pe temeiul rasei, sexului, limbei sau religiei lor, atat in ceace priveste persoana lor, bunurile lor, interesele lor comerciale, profesionale sau financiare statutul lor, drepturile lor politice sau civile cat si in orice alta privinta.

Articolul 4

Romania care in conformitate cu Conventia de Armistitiu a luat masuri pentru eliberarea, fara deosebire de cetatenie sau de nationalitate, a tuturor persoanelor detinute pentru activitatea lor in favoarea Natiunilor Unite sau pentru simpatiile lor fata de acestea sau din cauza originei lor rasiale si care a luat masuri pentru abrogarea legislatiei discriminatorii si anularea restrictiunilor impuse prin aceasta, va complecta aceste masuri si nu va lua in viitor nici o masura si nici nu va promulga vreo lege care ar fi incompatibila cu scopurile si telurile mentionate in prezentul articol.

Articolul 5

Romania care, in conformitate cu Conventia de Armistitiu a luat masuri pentru disolvarea tuturor organizatiilor politice, militare si paramilitare cu caracter fascist in fiinta pe teritorul roman, precum si a oricaror alte organizatii carefac o propaganda ostila Uniunei Sovietice sau oricarei alte Natiuni Unite, nu va tolera pe viitor existenta si activitatea vreunor organizatii de asemenea natura, care au drept tel sa priveze poporul de drepturile sale democratice.

Articolul 6

1. Romania va lua toate masurile necesare pentru a asigura arestarea si predarea in vederea judecarii lor a:

(a) Persoanelor acuzate ca au comis, au ordonat crime de razboi si crime contra pacii sau umanitatii sau de a fi fost complici la comiterea lor:

(b) Supusilor Puterilor Aliate si Asociate acuzati ca au violat legile tarii lor facand acte de tradare sau colaborand cu inamicul in timpul razboiului;

2. La cererea guvernelor Natiunilor Unite interesate, Romania va facilita deasemeni si prezentarea ca martori a persoanelor de sub jurisdictia sa a caror marturie este necesara pentru judecarea persoanelor mentionate in paragraful 1 din articolul de fata.

3. Orice dezacord cu privire la aplicarea stipulatiilor din paragrafele 1 si 2 din articolul de fata va fi supus de orice guvern interesat sefilor misiunilor diplomatice din Bucuresti ale Statelor Unite ale Americei, Regatul Unit si U.R.S.S., cari se vor pune de acord asupra chestiunei ridicate.

SECTIUNEA II

Articolul 7

Romania se obliga sa recunoasca deplina valoare a tratatelor de pace cu Italia, Ungaria, Bulgaria si Finlanda precum si a acordurilor sau angajamentelor care au fost sau vor fi incheiate de Puterile Aliate si Asociate in ce priveste Austria, Germania si Japonia pentru restaurarea pacei.

Articolul 8

Starea de razboi intre Romania si Ungaria va inceta la intrarea in vigoare a prezentului Tratat de Pace si a Tratatului de Pace dintre Uniunea Republicelor Socialiste Sovietice, Regatul Unit al Marei Britanii si Irlandei de Nord, Statele Unite ale Americei, Australia, Republica Socialista Sovietica Bielorusia, Canada, Cehoslovacia, India, Noua Zelanda, Republica Socialista Sovietica Ucraina, Uniunea Sudafricana si Republica Federala Populara Jugoslaviei de o parte si Ungaria de alta parte.

Articolul 9

Romania se obliga sa accepte orice aranjamente cari au fost sau vor putea fi incheiate pentru lichidarea Societatei Natiunilor si a Curtii permanente de Justitie internationala.

Articolul 10

1. Fiecare dintre Puterile Aliate si Asociate va notifica Romaniei in termen de sase luni dela intrarea in vigoare a prezentului Tratat de Pace, tratatele bilaterale dinainte de razboi cu Romania pe cari doreste sa le mentina sau sa le repuna in vigoare. Orice dispozitiuni ale Tratatelor in chestiune, care nu ar fi conforme cu Tratatul de fata vor fi insa suprimate.

2. Toate tratatele care vor fi facut obiectul acestei notificari vor fi inregistrate la Secretariatul Organizatiei Natiunilor Unite, in conformitate cu articolul 102 din Charta Natiunilor Unite.

3. Toate tratatele cari nu vor fi facut obiectul unui astfel de notificari, vor fi considerate drept abrogate.

PARTEA III

CLAUZE MILITARE, NAVALE SI AERIENE

SECTIUNEA I

Articolul 11

Mentinerea armatelor terestre, maritine si aeriene si a fortificatiilor va fi strict limitata in asa fel incat sa corespunda exclusiv sarcinilor de ordin intern si ale apararii locale a frontierelor. Conform celor de mai sus, Romania este autorizata sa pastreze forte armate cari nu vor depasi:

(a) pentru Armata de uscat, inclusiv granicerii, un efectiv total de 120.000 oameni.

(b) pentru artilerie anti-aeriana, un efectiv de 5.000 oameni.

(c) pentru Marina un efectiv de 5.000 oameni si un tonaj total de 15.000 tone.

(d) pentru aviatia militara, inclusiv intreaga aeronautica navala si avioanele de rezerva 150 avioane, dintre cari cel mult 100 vor putea fi avioane de lupta si un efectiv total de 8.000 oameni. Romania nu va putea poseda nici achizitiona avioane concepute esential ca bombardiere si posedand dispozitive interioare pentru transportul bombelor.

Efectivele vor cuprinde, in fiecare caz, personalul de comandament, unitatile combatante si serviciile.

Articolul 12

Personalul Armatei, Marinei si Aviatiei romane care depaseste efectivele autorizate in fiecare caz prin Articolul 11 va fi licentiat intr'un termen de sase luni dela intrarea in vigoare a prezentului Tratat.

Articolul 13

Personalul ce nu face parte din armata, Marina sau Aviatia romana nu va primi nici un fel de instructie militara, navala sau aeriana, asa cum sunt definite in anexa II.

Articolul 14

Romania nu va poseda, construi sau experimenta nici un fel de arma atomica nici un fel de proectile automotoare ori dirijate, sau dispozitive intrebuintate pentru lansarea lor (altele decat torpile si dispozitivele de lansare a torpilelor facand parte din armamentul normal al vaselor autorizate prin prezentul Tratat), nici un fel de mine marine sau torpile de tipurile fara contact puse in miscare printr'un mecanism prin influenta, nici o torpila umana, nici un submarin sau alt bastiment submersibil, nici o vedeta aruncatoare de torpile si niciun alt tip specializat de vas de asalt.

Articolul 15

Romania nu va putea conserva, fabrica sau achizitiona prin orice alte mijloace, materiale de razboi depasind ceace este necesar pentru mentinerea fortelor armate autorizate prin articolul 11 al prezentului Tratat, nici nu va pastra instalatiuni pentru fabricarea acestui material.

Articolul 16

1. Materialul de razboi de provenienta aliata, in excedent, va fi pus la dispozitia Puterii Aliate sau Asociate interesate, potrivit instructiunilor ce vor fi date de aceasta. Materialul de razboi roman, in excedent, va fi pus la dispozitia Guvernelor Uniunii Sovietice, Regatului Unit si Statelor Unite ale Americei. Romania va renunta la toate drepturile asupra acestui material.

2. Materialul de razboi de provenienta germana, sau construit dupa planuri germane, in excedent fata de ceace este necesar fortelor armate autorizate prin prezentul Tratat, va fi pus la dispozitia celor trei guverne. Romania nu va achizitiona si nu va fabrica nici un material de razboi de provenienta germana, sau construit dupa planuri germane; ea nu va intrebuinta si nu va instrui nici un tehnician inclusiv personalul aviatiei militare si civile, care sa fie sau sa fi fost supus german.

3. Materialul de razboi, in excedent, mentionat in paragrafele 1 si 2 din articolul de fata va fi predat sau distrus in termen de un an dela intrarea in vigoare a prezentului Tratat.

4. O definitie si o lista a materialului de razboi pentru scopurile acestui tratat sunt cuprinse in Anexa III.

Articolul 17

Romania va da intreaga ei colaborare Puterilor Aliate si Asociate in scop dea pune Germania in imposibilitate de a lua in afara de teritoriul german, masuri tinzand la reinarmarea ei.

Articolul 18

Romania nu va dobandi si nu va fabrica nici un avion civil de model german sau japonez, sau cuprinzand elemente importante de conceptie sau de constructie germana sau japoneza.

Articolul 19

Fiecare din clauzele militare, navale si aeriene ale prezentului Tratat va ramane in vigoare atata timp cat nu va fi fost modificat, in intregime sau in parte, prin acord intre Puterile Aliate si Asociate si Romania, sau, dupa ce Romania va fi devenit membra a Organizatiei Natiunilor Unite, prin acord intre Consiliul de Securitate si Romania.

SECTIUNEA II

Articolul 20

1. Prizionerii de razboi romani vor fi repatriati cat mai curand cu putinta, conform angajamentelor stabilite intre fiecare din Puterile care detin pe acesti prizoniei si Romania.

2. Toate cheltuelile, inclusiv cele de subzistenta, cauzate de transferul prizonierilor de razboi dela centrele de repatriere respective, care vor fi alese de Guvernul Puterii Aliate sau Asociate interesate, pana la locul de intrare pe teritorul roman, vor fi in sarcina Guvernului Roman.

PARTEA IV

RETRAGEREA FORTELOR ALIATE

Articolul 21

1. Toate fortele armate aliate vor fi retrase din Romania intr'un termen de 90 de zile cu incepere dela intrarea in vigoare a prezentului Tratat, Uniunea Sovietica rezervandu-si dreptul de a pastra pe teritoriul roman,

forte armate care i-ar putea fi necesare pentru mentinerea liniilor de comunicatii ale Armatei Rosii cu zona sovietica de ocupatie din Austria.

2. Toate devizele romanesti neintrebuintate si toate bunurile romanesti cari se afla in posesia armatelor aliate pe teritorul romanesc si care au fost dobandite pe baza articolului 10 al Armistitiului, vor fi restituite guvernului roman in acelasi termen de 90 zile.

3. Totusi, Romania va procura toate aprovizionarile si inlesnirile care pot sa fie in mod special necesare la mentinerea liniilor de comunicatie cu zona sovietica de ocupatie din Austria, pentru care Guvernul Roman va primi o indemnizatie potrivita.

PARTEA V

REPARATII SI RESTITUIRI

Articolul 22

1. Romania va despagubi Uniunea Sovietica pentru pagubile pricinuite prin faptul operatiunilor militare si ocupatiunii de catre Romania a teritoriilor sovietice, dar tinand seama de faptul ca Romania, nu numai ca s'a retras din razboi contra Natiunilor Unite, dar a declarat razboi Germaniei si a dus efectiv razboi contra acesteia, partile convin ca reparatiunile pentru pagubile mai sus indicate, vor fi efectuate de catre Romania, nu in totaliatea lor, dar numai in parte anume pentru o valoare de 300.000.000 dolari U.S.A. platibili in 8 ani incepand dela 12 Septembrie 1944 in natura (produse petrolifere, cereale, lemn, vase maritime si vase fluviale, utilaj divers si alte marfuri).

2. Baza de calcul pentru reglementarea prevazuta la prezentul articol, va fi dolarul U.S.A. la paritatea lui aur la data semnarii Conventiei de Armistitiu, adica 35 dolari pentru o uncie aur.

Articolul 23

1. Romania accepta principiile din Declaratia Natiunilor Unite din 5 Ianuarie 1943 si va restitui bunurile ridicate de pe teritoriul orcareia dintre Natiunile Unite.

2. Obligatiunea de restituire se aplica la toate bunurile identificabile ce se gasesc actualmente in Romania, si cari au fost ridicate, cu forta sau prin constrangere de pe teritoriul uneia din Natiunile Unite de catre una din Puterile Axei, oricare ar fi fost tranzactiunile ulterioare prin care detinatorul actual al acestor bunuri si-ar fi asigurat posesiunea lor.

3. Guvernul indreptatit la restituire si Guvernul Roman vor putea incheia acorduri care se vor substitui dispozitiunilor prezentului articol.

4. Guvernul Roman se obliga sa restitue in buna stare bunurile vizate de acest articol si sa asume toate cheltuelile de manopera, de materiale si de transport angajate in acest scop in Romania.

5. Guvernul Roman va coopera cu Natiunile Unite la cautarea si la restituirea bunurilor supuse restuirii conform acestui articol si va procura pe cheltuiala sa toate inlesnirile necesare.

6. Guvernul Roman va lua masurile necesare pentru restituirea bunurilor vizate de acest articol care sunt detinute intr'o tara terta de catre persoane supuse jurisdictiunei romane.

7. Cererea de restituire a bunului va fi prezentata Guvernului Roman de catre Guvernul tarii de pe teritoriul careia bunul a fost ridicat, ramanand inteles ca materialul rulant va fi considerat a fi fost ridicat de pe teritoriul caruia ii apartinea la origina. Cererile vor trebui sa fie prezentate intr'un termen de sase luni dela data intrarii in vigoare a prezentului Tratat.

8. Guvernul reclamant va avea ca sarcina de a identifica bunul si de a dovedi propietatea lui, ira Guvernul Roman de a dovedi ca bunul nu a fost ridicat cu forta sau prin constrangere.

PARTEA VI

CLAUZE ECONOMICE

Articolul 24

1. In masura in care Romania nu o va fi facut pana acum, Romania va restitui toate drepturile si interesele legale ale Natiunilor Unite si ale supusilor acestora in Romania astfel cum existau la 1 Septembrie 1939 si

va restitui acestor Natiuni si supusilor acestora toate bunurile ce le apartineau in Romania, inclusiv vasele, in starea in care se gasesc in prezent.

Daca ya fi necesar, Guvernul Roman va abroga legislatia promulgata dela 1 Septembrie 1939 in masura in care ea prezinta un caracter de discriminare cu privire la drepturile supusilor Natiunilor Unite.

2. Guvernul Roman se obliga sa restitue toate bunurile, drepturile si interesele mentionate in acest articol libere de orice ipoteci sau sarcini cu care au putut sa fie grevate din cauza razboiului, si fara ca restituirea lor sa dea loc la perceperea vreunei sume din partea Guvernului roman. Guvernul Roman va anula orice masuri, inclusiv masurile de confiscare, de sechestru sau de control, luate de el cu privire la bunurile Natiunilor Unite intre 1 Septembrie 1939 si data intrarii in vigoare a prezentului Tratat.

In cazul cand bunul nu va fi fost restituit in termen de sase luni cu incepere dela data intrarii in vigoare a prezentului Tratat, cererea va trebui sa fie adresata autoritatilor romane intr'un termen de maximum 12 luni cu incepere dela data intrarii in vigoare a acestui Tratat, afara de cazul in care reclamantul va fi in masura sa stabileasca ca i-a fost imposibil sa prezinte cererea sa inauntru acestui termen.

3. Guvernul Roman va anula transferurile privind bunurile, drepturile si interesele de orice natura, apartinand supusilor Natiunilor Unite, atunci cand aceste transferuri sunt consecinta unor masuri de forta sau de constrangere luate in cursul razboiului de catre Guvernele Puterilor Axei sau de organele acestora.

4. *(a)* Guvernul Roman va fi responsabil pentru restituirea in perfecta stare a bunurilor inapoiate supusilor Natiunilor Unite in virtutea paragrafului 1 al prezentului articol. In cazul cand un bun nu va putea fi restituit sau cand, din pricina razboiului, un supus al Natiunilor Unite va fi suferit vreo paguba ca urmare a unei daune sau stricaciuni cauzate unui bun din Romania, el va primi din partea Guvernului Roman o compensatie in lei pana la concurenta a doua treimi din suma necesara, la data platii, ca sa cumpere un bun similar sau ca sa compenseze paguba suferita. In nici un caz supusii Natiunilor Unite nu vor primi un tratament mai putin favorabil in privinta compensatiei decat cel acordat supusilor romani.

(b) Supusii Natiunilor Unite cari detin, direct sau indirect, parti de interes in societati sau asociatii ce nu poseda nationalitatea Natiunilor Unite in sensul paragrafului 9 *(a)* din prezentul articol, dar cari au suferit o paguba ca urmare a unei daune sau stricaciuni cauzate bunurilor lor din Romania, vor primi o compensatie in conformitate cu aliniatul *(a)* de mai sus. Aceasta compensatie va fi calculata in raport cu pierderea sau paguba totala suferita de societate sau asociatie si quantumul ei, in raport cu totalul pierderii sau pagubei suferite, va avea aceiasi proportie ca si partea de interes detinuta de acesti supusi raportata la capitalul global al societatii sau asociatiei in chestiune.

(c) Compensatia va fi platita scutita de orice fel de retineri, impozite sau alte sarcini. Ea va putea fi folosita in mod liber in Romania, dar va fi supusa regulamentelor cu privire la controlul schimburilor cu strainatatea care pot fi in vigoare in Romania la un moment dat.

(d) Guvernul Roman va acorda supusilor Natiunilor Unite acelas tratament ca si supusilor romani in privinta alocarii de materiale pentru repararea si refacerea bunurilor lor din Romania siia privinta alocarii de devize straine in vederea importarii unor asemenea materiale.

(e) Guvernul Roman va acorda supusilor Natiunilor Unite o compensatie in lei in proportie prevazuta in alineatul *(a)* de mai sus, pentru a-i compensa pentru pierderea sau paguba suferita din pricina masurilor speciale aplicate bunurilor lor in timpul razboiului, masuri cari nu erau aplicabile bunurilor romanesti.

Acest alineat nu se aplica unei pierderi de castig.

5. Prevederile paragrafului 4 ale acestui articol nu se vor aplica Romaniei in cazurile in care masurile ce pot prilejui o cerere de compensatie pentru pagubele suferite de bunurile din Transilvania de Nord apartinand Natiunilor Unite sau supusilor lor in perioada in care acest teritoriu nu era supus autoritatii romanesti.

6. Toate cheltuelile rezonabile facute in Romania de stabilirea cererilor, inclusiv evaluarea pierderilor si pagubelor, vor cadea in sarcina Guvernului Roman.

7. Supusii Natiunilor Unite si bunurile lor vor fi scutiti de orice fel de taxe, retineri si impozite exceptionale impuse pe activul lor din Romania

de catre Guvernul Roman sau orice autoritate romaneasca intre data Armistitiului si data intrarii in vigoare a prezentului Tratat, in vederea scopului specific de a acoperi cheltuelile rezultate din razboi sau de a acoperi costul de intretinere a fortelor de ocupatie sau de reparatii platibile uneia din Natiunile Unite. Toate sumele cari vor fi fost astfel percepute vor fi rambursate.

8. Propietarul bunurilor in chestiune si Guvernul Roman pot incheia aranjamente cari sa se substitue prevederilor acestui articol.

9. In intelesul prezentului articol:

(a) Expresiunea "supusi ai Natiunilor Unite" se aplica persoanelor fizice cari sunt supusi ai vreuneia din Natiunele Unite, precum si societatilor sau asociatiunilor constituite sub regiumul legilor uneia din Natiunele Unite, la data intratii in vigoare a prezentului Tratat, cu conditia ca ele sa fi posedat acest statut la data Armistitiului cu Romania.

Expresiunea "supusi ai Natiunelor Unite" cuprinde de esemenea toate persoanele fizice si societatile care, in conformitate cu legislatiunea in vigoare in Romania in timpul razboiului, au fost tratate ca inamice.

(b) Termenul "proprietar" indica pe supusiul uneia din Natiunile Unite asfel cum este definit la alineatul *(a)* de mai sus, care are un titlu legitim la bunul in chestiune, si se aplica succesorului proprietarului cu conditia ca acest succesor sa fie deasemenea supus al uneia din Natiunile Unite, in sensul alineatului *(a)*. Daca succesorul a cumparat bunul cand era deja avariat vanzatorul va conserva dreptul la compensatie rezultata din prezentul articol, fara ca obligatiunile existente intre vanzator si achizitor, in virtutea legislatiunii interne, sa fie afectate.

(c) Termenul "bunuri" indica toate bunurile mobile si imobile, corporale sau necorporale, inclusiv drepturile de propietate industriala, literara si artistica, precum si toate drepturile, patrimoniile sau interesele in bunuri de orice natura.

Fara a prejudicia dispozitiunile generale precedente, bunurile Natiunilor Unite si ale supusilor lor cuprind toate vasele maritime si fluviale, impreuna cu aparatura si echipamentul lor, care apartineau Natiunilor Unite sau supusilor lor, sau cari erau inregistrate pe teritoriul vreuneia din

Natiunile Unite, sau navigau sub steagul uneia din Natiunele Unite si care, dupa 1 Septembrie 1939, in timp ce se gaseau in apele romanesti sau dupa ce fusesera aduse cu forta in apele romanesti, au fost fie sub controlul autoritatilor romanesti ca bunuri inamice ori au incetat de a mai fi, in Romania, la libera dispozitie a Natiunilor Unite sau a supusilor lor, ca rezultat al masurilor de control luate de autoritatile romanesti in legatura cu existenta unei stari de razboi intre membrii ai Natiunilor Unite si Germania.

Articolul 25

1. Romania isi ia obligatia ca in toate cazurile in care bunurile, drepturile sau interesele legale din Romania ale persoanelor de sub jurisdictiune romana au fost, dela 1 Septembrie 1939, obiectul unor masuri de sechestre, confiscare sau control din pricina originei rasiale sau a religiei acelor persoane, sa restitue zisele bunuri, drepturi si interese legale impreuna cu drepturile lor accesorii sau, daca restituirea este imposibila, sa acorde pentru ele o compensatie echitabila.

2. Toate bunurile, drepturile si interesele din Romania a persoanelor, organizatiilor si comunitatiilor cari, individual sau ca membrii ai unor grupari, au fost obiectul unor masuri de persecutie, dintr'un motiv rasial sau religios sau din oricare motiv de natura fascista, si cari vor fi ramas fara mostenitori sau nu vor fi facut obiectul vreunei revendicari timp de sase luni dela intrarea in vigoare a prezentului Tratat, vor fi transferate de catre Guvernul Roman Organizatiilor din Romania, care reprezinta acele persoane, organizatii sau comunitati. Bunurile transferate vor fi folosite de asemenea organizatii in scopuri de asistenta si redresare a membrilor supravetuitori din acele grupe, organizatii sau comunitati din Romania. Aceste Transferuri vor fi efectuate in curs de douasprezece luni dela intrarea in vigoare a Tratatului si vor include bunurile, drepturile si interesele cari trebuesc restituite in termenii paragrafului 1 al prezentului articol.

Articolul 26

Romania recunoaste ca Uniunea Sovietica are dreptul la toate bunurile germane situate in Romania si care au fost transferate Uniunii Sovietice de catre Consiliul de Control in Germania si se obliga sa ia toate masurile necesare pentru a usura aceste transferuri.

Articolul 27

1. Fiecare din puterile Aliate si Asociate va aveadreptul sa sechestreze, sa retina sau sa lichideze toate bunurile, drepturile si interesele situate pe teritoriul ei si care la intrarea in vigoare a prezentului Tratat, vor apartine Romaniei sau unor supusi romani sau sa ia orice dispozitiune in ceace priveste aceste bunuri, drepturi si interese. Ea va avea deasemeni dreptul de a utiliza aceste bunuri sau produsul rezultat din lichidarea lor in orice scop dorit de ea, pana la concurenta totalului reclamatiunilor ei si ale supusilor ei in contra Romaniei sau a supusilor romani inclusiv creantele, altele decat acelea cari nu vor fi fost reglementate in intregime in virtutea altor articole ale prezentului Tratat. Toate bunurile romanesti sau produsul lichidarii lor depasind totalul ziselor reclamatiuni, vor fi restituite.

2. Lichidarea bunurilor romanesti si masurile de dispozitie la care vor fi supuse vor fi facute in conformitate cu Legislatiunea Puterii Aliate sau Asociate interesate. Propietarul roman nu va avea alte drepturi, in ceace priveste bunurile in chestiune, decat acelea pe care poate sa i le confere aceasta legislatiune.

3. Guvernul Roman se obliga sa indemnizeze pe supusii romani ale caror bunuri vor fi sechestrate in virtutea prezentului articol si care nu le vor fi restituite.

4. Nu rezulta din prezentul articol nici-o obligatiune pentru vre una din Puterile Aliate sau Asociate de a restitui guvernului sau supusilor romani dreturile de propietate industriala, nici de a include aceste drepturi in calculul sumelor ce vor putea fi retinute in baza primului alineat al prezentului articol. Guvernul fiecareia dintre Puterile Aliate si Asociate va avea dreptul de a impune drepturilor sau intereselor aferente propietatii industriale achizitionate inaintea intrarii in vigoare a prezentului Tratat, pe teritoriul acelei Puteri Aliate sau Asociate de catre guvernul sau supusii romani, orice limitari, conditiuni sau restrictiuni pe care guvernul Puterii Aliate sau Asociate interesate le va putea considera ca necesare in interesul national.

5. Bunurile prevazute la paragraful (1) al prezentului articol vor fi considerate ca cuprind bunurile romane care au facut obiectul unor ma-

suri de control din cauza starii de razboi existente intre Romania si Puterea Aliata si Asociata, in jurisdictiunea careia sunt situate bunurile, dar nu vor cuprinde:

(a) bunurile guvernului roman utilizate pentru necesitatile misiunilor diplomatice sau consulare.

(b) bunurile apartinand institutiunilor religioase sau institutiunilor filantropice private si sevind scopuri religioase sau filantropice.

(c) bunurile persoanelor fizice care sunt supusi romani si sunt autorizate sa rezideze fie pe teritoriul tarii unde sunt situate aceste bunuri, fie pe teritoriul oricareia dintre Natiunile Unite, altele decat bunurile romanesti care, la un moment oarecare in cursul razboiului au facut obiectul unor masuri ce nu se aplicau in mod general bunurilor supusilor romani rezidand in teritoriile in chestiune.

(d) drepturile de propietate nascute dupa reluarea relatiunilor comerciale si financiare intre Puterile Aliate si Asociate si Romania, sau nascute din tranzactiuni intre Guvernul unei Puteri Aliate sau Asociate si Romania dupa 12 Septembrie 1944.

(e) drepturile de propietate literara si artistica.

Articolul 28

1. Dela intrarea in vigoare a prezentului Tratat, bunurile din Germania ale Romaniei si ale supusilor romani nu vor mai fi considerate drept propietate inamica si toate restrictiunele ce rezulta din caracterul lor inamic vor fi ridicare.

2. Bunurile identificabile ale Romaniei si ale supusilor romani duse prin forta sau constrangere in Germania de catre fortele militare sau autoritatile germane dupa 12 Septembrie 1944 vor da lor larestituire.

3. Restituirea si refacerea bunurilor romanesti din Germania va fi efectuata in conformitate cu masurile ce vor fi luate de Puterile ocupante din Germania.

4. Fara a prejudicia acestor dispozitii si orcaror alete dispozitii luate in favoarea Romaniei si a supusilor romani de catre Puterile care ocupa Germania, Romania renunta in numele ei si in numele supusilor romani la toate reclamatiile contra Germaniei si a supusilor Germani cari n'au

fost reglementate pana la 8 Mai 1945, cu exceptia acelora cari rezulta din contracte si din alte obligatii care au fost incheiate, precum si din drepturi care au fost dobandite inainte de 1 Septembrie. Acesta renuntare se va socoti ca cuprinde creantele, toate reclamatiile cu caracter interguvernamental cu privire la acordurile incheiate in timpul razboiului si toate reclamatiile asupra pierderilor si pagubelor survenite in timpul razboiului.

Articolul 29

1. Existenta starii de razboi nu trebue sa fie considerata in sine ca afectand obligatiunea de a se achita datoriile pecuniare ce rezulta din obligatiuni si contracte care erau in vigoare si din drepturi care erau dobandite inaintea de existenta starii de razboi, datorii cari devenisera exigibile inainte de intrarea in vigoare a prezentului Tratat si care sunt datorate, fie de catre guvernul roman sau supusii romani guvernului sau supusilor uneia sin Puterile Aliate si Asociate, fie de catre guvernul sau supusii uneia din Puterile Aliate si Asociate guvernului sau supusilor romani.

2. Afara de dispozitii in mod expres contrare din prezentul Tratat, nici o clauza a acestui Tratat nu va putea sa fie interpretata ca afectand raporturile de la debitori la creditori rezultand din contracte incheiate inainte de razboi, fie de catre guvernul, fie de catre supusii romani.

Articolul 30

1. Romania renunta in numele Guvernului Roman sau al supusilor romani, de a ridica, contra Puterilor Aliate si Asociate, vreo reclamatie de orice natura ar fi, rezultand direct din razboi sau din masuri luate in urma existentei unei stari de razboi in Europa dupa 1 Septembrie 1939, fie ca Puterea Aliata sau Asociata interesata a fost sau nu in razboi cu Romania in acel timp sunt cuprinse in aceasta renuntare:

(a) reclamatiunile relative la pierderi sau daune suferite din cauza actiunii fortelor armate sau a autoritatilor Puterilor Aliate sau Asociate.

(b) reclamatiunile rezultand din prezenta, din operatiunile sau din actiunea fortelor armate sau autoritatilor Puterilor Aliate sau Asociate pe teritoriul roman.

(c) reclamatiunile referitoare la deciziunile si ordonantele tribunalelor de prize ale Puterilor Aliate sau Asociate, Romania acceptand sa recunoasca

ca valabile si ca avand forta executorie toate deciziunile sau ordonantele ziselor tribunale de prize pronuntate la 1 Septembrie 1939 sau dupa aceasta data si privind vasele romanesti, marfurile romanesti sau plata cheltuelilor;

(d) reclamatiunile rezultand din exercitarea drepturilor de beligeranta sau a masurilor luate in vederea exercitarii acelor drepturi.

2. Dispozitiunile prezentului articol vor exclude complect si definitiv toate reclamatiunile de natura acelora care sunt prevazute in el si care se vor stinge din acel moment, oricare ar fi partile interesate. Guvernul Roman accepta sa verse in lei, o compensatie echitabila persoanelor care au furnizat, pe cale de rechizitie, marfuri sau servicii fortelor armate ale Puterilor Aliate sau Asociate pe teritoriul romanesc, precum si sa satisfaca reclamatiunile impotriva fortelor armate ale Puterilor Aliate sau Asociate, relative la pagube pricinuite pe teritoriul romanesc si care nu rezulta din fapte de razboi.

3. Romania renunta deasemenea, in numele Guvernului Roman sau al supusilor romani sa ridice reclamatiuni de natura celor prevazute in paragraful (1) al prezentului articol, impotriva orcarei Natiuni Unite care a rupt relatiile diplomatice cu Romania si care a luat masuri de cooperare cu Puterile Aliate sau Asociate.

4. Guvernul Roman va asuma raspunderea deplina pentru intreaga cantitate de moneda militara aliata emisa in Romania de catre autoritatile militare aliate, inclusiv toata cantitatea de moneda de aceasta natura aflata in circulatie la intrarea in vigoare a prezentului Tratat.

5. Renuntarea la care subscrie Romania in conformitate cu dispozitiunile paragrafului (1) al prezentului articol, se aplica tuturor reclamatiunilor ce privesc masurile luate de vreuna din Puterile Aliate sau Asociate cu privire la vasele romane intre 1 Septembrie 1939 si data intrarii in viguare a prezentului Tratat, precum si tuturor reclamatiunilor si creantelor ce rezulta din conventiunile actualmente in vigoare, privitoare la prizonierii de razboi.

Articolul 31

1. In asteptarea incheierii unor tratate sau acorduri comerciale individuale intre Romania si Natiunile Unite, guvernul roman va trebui, in cursul celor 18 luni dela intrarea in vigoare a prezentului Tratat, sa acorde

fiecareia din Natiunil Unite care, in fapt, acorda ele insile Romaniei, pe baza de reciprocitate, un tratament analog in aceste domenii urmatorul tratament:

(a) In tot ceace priveste drepturile si redeventele la import sau la export, impunerea in interitoriul tarii a marfurilor importate, si toate reglementarile in legatura cu ele, Natiunile Unite vor beneficia de clauza neconditionata a natiunii celei mai favorizate.

(b) Romania nu va aplica, in orice alta privinta, nici o discriminare arbitrara in detrimentul marfurilor provenite din, sau destinate teritorului vre-uneia din Natiunele Unite, in raport cu marfurile analoage provenite din sau destinate teritorului oricarei alte i Tari straine.

(c) Supusii Natiunilor Unite, inclusiv persoanele juridice, vor beneficia de tratamentul national si de acela al natiunii celei mai favorizate in tot ceace priveste comertul, industria, navigatia, sau orice alta forma de activitate comerciala in Romania.

Aceste dispozitii nu se vor aplica aviatiei comerciala.

(d) Romania nu va acorda niciunei tari drept exclusiv sau preferential in ceace priveste exploatarea serviciilor aeriene comerciale pentru transporturile internationale, ea va oferi tuturor Natiunelor Unite conditii de egalitate pentru obtinerea drepturilor in materie de transporturi aeriene comerciale internationale pe teritoriul roman, inclusiv dreptul de aterizare pentru aprovizionare si reparatie si, in ceace priveste exploatarea serviciilor aeriene comerciale pentru transporturi internationale, ea va acorda tuturor Natiunilor Unite, pe baza de reciprocitate si nediscriminare, dreptul de a zbura peste teritoriul romanesc fara escala. Aceste dispozitiuni nu vor afecta interesele de aparare nationala a Romaniei.

2. Angajamentele de mai sus luate de Romania trebuesc intelese sub rezerva exceptiunilor obisnuite in tratatele de comert incheiate de catre Romania inainte de razboi, iar dispozitiunile relative la reciprocitatea acordata de catre oricare din Natiunile Unite trebuesc intelese sub rezerva exceptiunilor obisnuite in tratatele de comert, incheiate de acest Stat.

Articolul 32

1. Toate diferendele care se vor putea ridica cu privire la articolele

23 si 24 si Anexele IV, V, si VI B ale prezentului Tratat, vor fi supuse unei Comisiuni de Conciliatiune compusa dintr'un numar egal de reprezentanti ai Guvernului Natiunilor Unite interesate si ai Guvernului Roman. Daca un acord nu a fost stabilit in decursul a trei luni dela data la care diferendul a fost supus Comisiunii de Conciliatiune, unul sau cellalt dintre Guverne poate cere adaugarea unui al treilea membru in Comisiune si, in lipsa unei intelegeri intre cele doua Guverne cu privire la alegerea acestui membru, oricare din cele doua parti poate cere Secretariatului General al Natiunilor Unite sa faca aceasta numire.

2. Decizia majoritatii membrilor Comisiunii va fi decizia Comisiunii si va fi acceptata de parti ca definitiva si obligatorie.

Articolul 33

1. Orice diferende care se vor putea ivi in legatura cu preturile platite de Guvernul roman pentru bunurile livrate de acest Guvern cu titlu de reparatii si dobandite de supusii unei Puteri Aliate sau Asociate sau de Societati apartinand acestora vor fi reglementate, fara prejudiciul executarii obligatiilor Romaniei cu privire la reparatii, prin tratative diplomatice intre Guvernul tarii interesate si Guvernul roman. Daca tratativele diplomatice directe dintre partile interesate nu vor duce la o reglementare a diferendului in termen de doua luni, diferendul va fi supus spre reglementare sefilor Misiunilor diplomatice din Bucuresti ale Uniunii Sovietice, Regatului Unit si Statelor Unite ale Americei. In cazul in care Sefii Misiunilor nu isbutesc sa ajunga la o intelegere in curs de doua luni, fiecare parte poate cere Secretariatului General al Natiunilor Unite sa numeasca un arbitru a carui hotarare va fi obligatorie pentru parti.

Articolul 34

Articolele 23, 24 si 31 si Anexa VI ale prezentului Tratat se vor aplica Puterilor Aliate si Asociate si Frantei precum si acelora dintre Natiunele Unite ale caror relatii diplomatice cu Romania au fost rupte in timpul razboiului.

Articolul 35

Dispozitiunile Anexelor IV, V si VI, ca si ale celorlalte anexe, vor fi considerate ca facand parte din prezentul Tratat si vor avea aceeasi valoare si acelas efect.

PARTEA VII

CLAUZA RELATIVA LA DUNARE

Articolul 36

Navigatia pe Dunare va fi libera si deschisa pentru supusii, vasele de comert si marfurile tuturor Statelor, pe picior de egalitate in privinta taxelor de port si navigatie si in privinta conditiunilor de navigatie comerciala. Dispozitiile de mai sus nu se vor aplica traficului intre porturile aceluias Stat.

PARTEA VIII

CLAUZE FINALE

Articolul 37

1. In timpul unei perioade ce nu va depasi 18 luni cu incepere dela intrarea in vigoare a prezentului Tratat, Sefii Misiunilor Diplomatice din Bucuresti, ai U.R.S.S.-ului, Regatului Unit si Statelor Unite, lucrand de comun acord, vor reprezenta Puterile Aliate si Asociate pentru a trata cu Guvernul Roman toate chestiunile relative la executarea si la interpretarea prezentului Tratat.

2. Cei trei Sefi de Misiune vor da Guvernului Roman sfaturile, avizele tehnice si lamuririle care ar putea fi necesare, pentru a asigura executarea grabnica si eficace, atat in litera cat si in spirit a prezentului Tratat.

3. Guvernul Roman va procura celor trei Sefi de Misiune toate informatiile necesare si tot ajutorul de care ei ar putea avea nevoe in implinirea sarcinelor ce le sunt conferite prin prezentul Tratat.

Articolul 38

1. Cu exceptia cazurilor in care o alta procedura este prevazuta in mod expres prin oricare Articol al prezentului Tratat, orice diferend cu privire la interpretarea sau executarea Tratatului care nu este reglementat prin tratative diplomatice directe va fi supus celor trei Sefi de Misiune care actioneaza asa cum este prevazut in Articolul 37, cu exceptia faptului ca, in acest caz, Sefii Misiunilor nu vor fi restransi de termenele fixate de acel Articol. Orice diferend de aceasta natura pe care ei nu il vor fi rezolvat in decurs de doua luni vi fi, in afara de cazul in care partile in diferend convin atat una cat si cealalta asupra unei alte modalitati de reglementare,

supus la cererea uneia sau celeilalte dintre parti, unei Comisiuni alcatuite din cate un reprezentant al fiecarei parti si dintr'un al treilea membru ales de comun acord intre cele doua parti, dintre supusii unei a treia tari. Daca cele doua parti nu izbutesc sa se inteleaga in decurs de o luna asupra desemnarii celui de al treilea membru, fiecare din cele doua parti va putea cere Secretarului General al Natiunilor Unite sa procedeze la numire.

2. Decizia majoritatii membrilor Comisiunii va fi decizia Comisiunii si va fi acceptata de parti ca definitiva si obligatorie.

Articolul 39

1. Orice alt membru al Natiunilor Unite, in razboi cu Romania, si care nu este semnatar al prezentului Tratat, poate sa adere la Tratat si va fi considerat din momentul adeziunei ca Putere Asociata pentru aplicarea Tratatului.

2. Instrumentele de adeziune vor fi depuse in mainile Guvernului Uniunii Republicelor Socialiste Sovietice si vor produce efect din momentul depunerii.

Articolul 40

Prezentul Tratat, ale carui texte-rus si englez- sunt autentice, va fi ratificat de Puterile Aliate si Asociate. El va fi, deasemenea, ratificat de Romania. El va intra in vigoare imediat dupa depunerea ratificarilor de catre Uniunea Republicelor Socialiste Sovietice, Regatul Unit al Marei Britanii si Irlandei de Nord si Statele Unite ale Americei. Instrumentele de ratificare vor fi depuse in cel mai scurt timp posibil in mainile Guvernului Uniunii Republicelor Socialiste Sovietice.

In ceeace priveste fiecare din Puterile Aliate sau Asociate ale caror instrumente de ratificare vor fi depuse ulterior, Tratatul va intra in vigoare la data depunerii. Prezentul Tratat va fi depus in arhivele Guvernului Uniunii Republicelor Socialiste Sovietice care va remite fiecaruia din Statele semnatare o copie certificata pentru conformitate.

LISTA ANEXELOR

Anexa I. Harta frontierelor romanesti

Anexa II. Definitia instructiunii militare, militare aeriene si navale

Anexa III. Definitia si lista materialului de razboi

Anexa IV. Dispozitiuni speciale privind anumite categorii de bunuri

A. Proprietatea industriala, literara si artistica

B. Asigurari

Anexa V. Contracte, prescriptii si efecte negociabile

Anexa VI. Tribunale de prize si sentinte

ANEXA I

(A se vedea articolul 1)

Harta Frontierelor Romanesti

ANEXA II

(A se vedea articolul 13)

Definitia Instructiunii Militare, Militare Aeriene si Navale

1. Instructiunea militara este definita dupa cum urmeaza: studiul si practica intrebuintarii tuturor armamentelor in mod special destinate sau adaptate unor scopuri militare si a dispozitivelor de instructie cu privire la acestea; studiul si executia tuturor exercitiilor sau miscarilor folosite in invatamantul sau in practica evolutiunilor executate de catre fortele in lupta si studiul metodic al tacticei, strategiei si lucrarilor de Stat Major.

2. Instructiunea militara aeriana este definita dupe cum urmeaza: studiul si practica intrebuintarii tuturor armamentelor destinate in mod special sau adaptate scopurilor unei aviatii militare si a dispozitivelor de instructie cu privire la acestea; studiul si practica tuturor manevrelor speciale, printre care si zborul in formatie, executate de avioane in indeplinirea unei misiuni aeriene militare si studiul metodic al tacticei aeriene, al strategiei si al lucrarilor de Stat Major.

3. Instructiunea navala este definita dupa cum urmeaza: studiul, teoria, si practica intrebuintarii bastimentelor de razboi sau a instalatiilor navale, precum si studiul sau intrebuintarea tuturor aparatelor si dispozitivelor de exercitiu care se refera la acestea si care sunt folosite pentru purtarea razboiului naval, cu exceptia acelora care sunt intrebuintate in mod normal in scopuri civile; deasemenea invatamantul, practica sau studiul metodic al tacticei navale, al strategiei si al lucrarilor de Stat Major, inclusiv executarea operatiunilor si manevrelor care nu sunt necesare intrebuintarii pacifice a navelor.

ANEXA III

(A se vedea articolul 16)

Definitia si Lista Materialului de Razboi

Termenul "material de razboi" in sensul prezentului Tratat se va aplica tuturor armelor si munitiunilor si oricarui material concepute in mod special si adaptate scopurilor de razboi, enumerate mai jos.

Puterile Aliate si Asociate isi rezerva dreptul sa amendeze in mod periodic lista, modificand-o sau completand-o, pentru a tine seama de faptele noi care se vor putea produce in domeniul stiintei.

Categoria I.

1. Pusti, carabine, revolvere si pistoale de tip militar; tevi de schimb si alte piese detasate pentru aceste arme care nu sunt imediat adaptabile unei intrebuintari civile.

2. Mitraliere, pusti de razboi automate sau cu repetitie si pistoale mitraliere, tevi de schimb si alte piese detasate pentru aceste arme care nu sunt imediat adaptabile unei intrebuintari civile; afete de mitraliera.

3. Tunuri, obuziere, mortiere, tunuri speciale pentru aviatie; tunuri fara culasa sau fara recul si aruncatoare de flacari, tevi de schimb si alte piese detasate pentru aceste arme care nu sunt imediat adaptabile unei intrebuintari civile; afete mobile si suporturi fixe pentru aceste arme.

4. Aruncatoare de rachete, mecanisme de lansare si de control pentru proectilele auto-motoare si dirijate; suporturi pentru aceste aparate.

5. Proectile auto-motoare si dirijate, proectile, rachete si munitiuni si cartuse, incarcate sau goale pentru armele enumerate in alineatele 1-4 inclusiv de mai sus, precum si rachete, stupile sau aparate servind sa le faca sa explodeze sau sa functioneze, cu exceptia amorsajelor necesare pentru trebuintele civile.

6. Grenade, bombe, torpile, mine, grenade submarine (incarcaturi de adancime) si material si incarcaturi incendiare, incarcate sau goale; orice fel de dispozitive permitand sa le faca sa explodeze sau sa functioneze cu exceptia amorsajelor necesare pentru trebuintele civile.

7. Baionete.

Categoria II.

1. Vehicule de lupta blindate, trenuri blindate, care in mod tehnic nu pot fi transformate in vederea intrebuintarii civile.

2. Vehicule mecanice sau automotoare pentru toate armele enumerate in categoria I; sasiuri sau caroserii militare de tipuri speciale, altele decat cele ce sunt mentionate la alineatul 1 de mai sus.

3. Blindaje de mai mult de trei degete grosime intrebuintate in razboi in scopuri de protectiune.

Categoria III.

1. Sisteme de ochire si de calcul pentru controlul tragerii cuprinzand aparatele regulatoare de tragere si aparate de inregistrare; instrumente de dirijare a tragerii, inaltatoare de tun; vizoare de bombardament; regulatoare de focoase; calibre pentru calibrajul tunurilor si instrumente de control al tragerii.

2. Material de pontoane de asalt, bastimente de asalt si de atac.

3. Dispozitive pentru viclesuguri de razboi, dispozitive de orbire si de capcane.

4. Echipajul militar al personalului fortelor armate de tip specializat care nu este imediat adaptabil intrebuintarilor civile.

Categoria IV.

1. Vase de razboi de orice clasa, inclusiv vasele transformate si imbarcatiunile create sau prevazute pentru serviciul si sprijinul lor, care in mod tehnic nu se pot transforma in vederea intrebuintarilor civile, precum si armele, blindajele, munitiunile, avioanele sau orice alt echipament, material, masini si instalatiuni, care nu sunt intrebuintate in timp de pace, pe alte vase decat vasele de razboi.

2. Bastimentele de debarcare si vehicule sau materiale amfibii de orice fel; bastimente de asalt sau material deasalt de orice tip, precum si catapulte sau alte aparate de punere in aerul sau de lansat avioane, rachete, arme propulsate, sau orice alt proectil, instrument sau sistem cu sau fara echipaj si fie ca sunt dirijate sau nedirijate.

3. Vase, barchi, arme, sisteme sau aparate de tot felul, fie ca sunt submersibile sau semi-submersibile inclusiv estacadele destinate in mod special pentru apararea porturilor, cu exceptiunea materialelor necesare pentru recuperare, salvare si alte intrebuintari civile, precum si tot echipamentul, toate accesoriile, piesele detasate dispozitivele de experimentare sau de instructie, instrumentele sau instalatiunile care pot sa fie concepute in mod special in vederea constructiei, controlului, intretinerii sau adapostirei acestor vase, masini, arme, sisteme sau aparate.

Categoria V.

1. Aeronave, montate sau demontate, mai grele sau mai usoare ca aerul, concepute sau adaptate in vederea luptelor aeriene prin intrebuintarea de mitraliere, de aruncatoare de rachete, de artilerie, sau in vederea transportului sau a lansarii de bombe, sau care sunt prevazute cu vreunul din dispozitivele figurand la paragraful 2 de mai jos, sau care prin conceptiunea sau constructia lor, sunt fabricate in vederea intrebuintarii vreunuia din aceste dispozitive.

2. Suporturi si amplasamente pentru tunuri aeriene, aruncatoare de bombe, port-torpile si dispozitive de lansat bombe sau torpile, turele si cupole pentru tunuri.

3. Echipament conceput in mod special pentru trupe aeropurtate si utilizate numai de aceste trupe.

4. Catapulte sau sisteme de lansare pentru avioane imbarcate, avioane terestre sau hidroavioane; aparate de lansare de proectile sburatoare.

5. Baloane de baraj.

Categoria VI.

Toate produsele asfixiante, mortale, toxice sau susceptibile a scoate din lupta, destinate in scopuri de razboi, sau fabricate in cantitati care depasesc nevoile civile.

Categoria VII.

Propulsoare, explozibile, material pirotehnic, gaze lichefiate, destinate propulsiunii, exploziei, incarcaturii, umplerii materialului de razboi din prezentele categorii, sau la orice folosinta in legatura cu acest material,

care nu pot fi utilizate in scopuri civile, sau care sunt fabricate in cantitati care depasesc nevoile civile.

Categoria VIII.

Instalatiuni si utilaj industrial concepute in mod special in vederea fabricarii si conservarii produselor si materialelor enumerate in categoriile de mai sus si care nu pot fi in mod tehnic transformate din nou in scopuri civile.

ANEXA IV

Dispozitiuni Speciale Privitoare la Unele Categorii de Bunuri

A. Proprietate Industriala, Literara si Artistica

1. *(a)* Un termen de un an cu incepere dela intrarea in vigoare a prezentului tratat va fi a cordat Puterilor Aliate si Asociate sau supusilor acestora fara plata taxelor de prorogare sau alte sanctiuni de acest fel, spre a le permite sa indeplineasca toate actele necesare pentru obtinerea sau conservarea in Romania a drepturilor de proprietate industriala, literara si artistica, ce nu au putut fi indeplinite din cauza existentii starii de razboi.

(b) Puterile Aliate sau Asociate sau supusii lor care vor fi facut pe teritoriul uneia din Puterile Aliate si Asociate o cerere fie pentru obtinerea unui brevet sau pentru inregistrarea unui model de utilitate cel mult 12 luni inainte de inceperea razboiului cu Romania sau in cursul acestui razboi, fie pentru inregistrarea unui desen industrial, unui model sau marci de fabrica, cel mult 6 luni inain te de inceperea razboiului cu Romania sau in cursul acestuia, vor avea dreptul in timpul unei perioade de 12 luni, socotite dela data intrarii in vigoare a prezentului tratat, de a cere drepturile corespunzatoare in Romania cu un drept de prioritate bazat pe depunerea anterioara a cererii lor pe teritoriul acestei Puteri Aliate sau Asociate.

(c) Se va acorda fiecareia din Puterile Aliate si Asociate si supusilor acesteia cu incepere dela intrarea in vigoare a prezen tului Tratat, un ter-

men de un an in timpul caruia ei vor putea incepe urmariri contra persoanelor, fizice sau juridice, carora li s'ar imputa o incalcare ilegala asupra drepturilor lor de proprietate industriala, literara si artistica, intre data inceperii ostilitatilor si intrarea in vigoare a prezentului Tratat.

2. Nu se va tine seama, in determinarea perioadei in timpul careia un brevet de inventiune ar trebui sa fie exploatat sau in tim pul careia un model sau o marca de fabrica ar trebui sa fie folosite, de perioada cuprinsa intre inceperea ostilitatilor si expirarea celei de a optsprezecea luna care va urma intrarii in vigoare a prezentului Tratat.

3. Nu se va tine seama de perioada cuprinsa intre inceperea ostilitatilor si intrarea in vigoare a prezentului Tratat, in calculul duratei normale de valabilitate a drepturilor de proprietate industriala, literara si artistica, care erau in vigoare in Romania la inceperea ostilitatilor sau care vor fi recunoscute sau stabilite in conditiunile prevazute in prezenta Anexa si care apartin uneia din Puterile Aliate si Asociate sau supusilor acesteia. Durata normala a valabilitatii acestor drepturi va fi, prin urmare, considerata ca prelungita in mod automat, in Romania, cu o noua perioada corespunzand aceleia care va fi fost astfel exclusa din decont.

4. Dispozitiunile care preced, privind drepturile in Romania a Puterilor Aliate si Asociate sau ale supusilor acestora vor trebui sa se aplice deasemenea drepturilor pe teritoriul a Puterilor Aliate si Asociate Romaniei si supusilor ei. Totusi, niciuna din aceste dispozitiuni nu va trebui sa aiba ca efect de a da Romaniei sau supusilor ei dreptul la un tratament mai favorabil pe teritoriul vreuneia din Puterile Aliate sau Asociate decat acela pe care aceasta Putere acorda in aceleasi cazuri altor Natiuni Unite sau supusilor lor, si nici Romania nu va fi tinuta sa acorde vreuneia din Puterile Aliate sau Asociate sau supusilor ei un tratament mai favorabil decat acela de care beneficiaza Romania sau supusii ei pe teritoriul acelei Puteri cu privire la chestiunile tratate in dispozitiunile anterioare.

5. Tertii rezidand pe teritoriul vreuneia din Puterile Aliate sau Asociate sau pe teritoriul roman, care inainte de intrarea in vigoare a prezentului Tratat au dobandit de buna credinta drepturi de proprietate industriala, literara sau artistica, in opozitie cu drepturile restabilite pe baza parti A prezentei Anexe, sau cu drepturile dobandite datorita unei prioritati, revendi-

cata in virtutea prezentelor dispozitiuni sau cari, de buna credinta au fabricat, utilizat sau vandut obiectul acestor drepturi, vor fi autorizati sa continue a exercita drepturile pe care le dobandisera de buna credinta si sa continue sau sa reia fabricarea, utilizarea sau vanzarea pe care ei le intreprinsesera de buna credinta, fara a se expune la urmariri pentru incalcare. Autorizatia va fi data in Romania sub forma unei licente fara exclusivitate care va fi acordata in conditiuni ce urmeaza sa fie fixate prin intelegere intre partile interesate, sau in lipsa unei intelegeri, de catre Comisiunea de Conciliatiune, constituita in virtutea articolului 32 al prezentului Tratat. Totusi, in teritoriile Puterilor Aliate si Asociate tertii de buna credinta vor beneficia de protectia care este acordata in aceleasi cazuri tertilor de buna credinta ale caror drepturi sunt in opozitie cu acelea ale supusilor altor Puteri Aliate si Asociate.

6. Nicio dispozitie a prezentei Anexe nu va trebui sa fie interpretata in sensul ca acorda Romaniei sau supusilor ei, pe teritoriul oricareia din Puterile Aliate si Asociate drepturi la brevete sau la modele de folosire pentru inventiile relative la un articol oarecare care a fost indicat in mod expres la Anexa III a prezentului Tratat, inventii care au fost facute sau in legatura cu care sau depus cereri de inregistrare de catre Romania sau de unul din supusii ei, in Romania sau pe teritoriul vreunei alte Puteri a Axei sau pe teritoriul ocupat de catre fortele Axei, in timpul cand localitatea in chestiune se gasea sub controlul fortelor sau autoritatilor puterilor Axei.

7. Romania va acorda deasemenea beneficiul dispozitiunilor prezentei Anexe Frantei, si altor Natiuni Unite care nu sunt Puteri Aliate sau Asociate, ale caror relatii diplomatice cu Romania au fost rupte in timpul Razboiului si care se vor angaja sa acorde Romaniei beneficiile acordate acestei tari in virtutea ziselor dispozitiuni.

8. Nicio dispozitiune a prezentei Anexe nu trebue sa se inteleaga ca fiind in contradictie cu Articolele 24, 27 si 29 ale prezentului Tratat.

B. ASIGURARI

1. Cu exceptia restrictiilor ce se aplica asiguratorilor in general, nu se va pune nici o piedica in calea reluarii de catre asiguratori care sunt supusi ai Natiunilor Unite a fostelor lor portofolii.

2. Daca un asigurator, supus al vreuneia din Natiunile Unite, doreste sa-si reia activitatea profesionala in Romania si daca valoarea depozitelor de garantie sau de rezerve cerute in Romania de intreprinderile de asigurare in vederea exercitarii activitatii lor, s'a micsorat din pricina pierderii sau deprecierii titlurilor care le constituiau, Guvernul Roman se angajeaza sa accepte pentru o perioada de 18 luni ceeace ramane din aceste titluri drept indeplinind toate prescriptiile legale cu privire la depozite sau rezerve.

ANEXA V

Contracte, Prescriptii, si Efecte Negociabile

A. CONTRACTE

1. In afara exceptiilor enuntate in paragrafele 2 si 3 de mai jos, orice contract ce a necesitat pentru executarea sa relatii intre parti ce au devenit inamice in sensul definit in Partea D a prezentei Anexe, va fi socotit reziliat din momentul in care oricare din parti au devenit inamice. Totusi, aceasta reziliere se intelege fara prejudiciul dispozitiilor Articolului 29 al prezentului Tratat si nici nu va scuti vreuna din partile Contractului de obligatia de a rambursa sumele primite ca avansuri sau ca aconturi fata de care partea interesata nu a furnizat contra partida in schimb.

2. Cu toate dispozitiunile paragrafului 1 de mai sus, vor fi exceptate de reziliere si, fara a prejudicia drepturile continute in Articolul 27 al prezentului Tratat, vor ramane in vigoare acele parti din orice contract care vor putea fi disociate si care pentru a fi executate nu au necesitat legaturi intre partile devenite inamice in sensul Partii D a prezentei Anexe. Atunci cand stipulatiile oricarui Contract nu pot fi astfel disociate, contractul va fi socotit ca reziliat in intregimea lui. Dispozitiile de mai sus se inteleg sub rezerva aplicarii legilor, ordonantelor si regulamentelor interne promulgate de oricare din Puterile Aliate si Asociate de jurisdictia carora apartine contractul sau oricare parte din contract si sub rezerva stipulatiilor contractului.

3. Niciuna din dispozitiile Partii A a prezentei Anexe nu va fi socotita ca anuleaza tranzactiile legal executate conform unui contract incheiat intre

inamici daca au fost executate cu permisiunea Guvernului uneia din Puterile Aliate sau Asociate.

4. Cu toate dispozitiunile de mai sus, contractele de asigurare si reasigurare vor face obiectul unor intelegeri separate intre Guvernul Puterii Aliate sau Asociate interesate si Guvernul Roman.

B. TERMENE DE PRESCRIPTIE

1. Toate termenele de prescriptie sau de limitare a dreptului de a introduce sau de a urmari o actiune juridica sau de a lua masuri conservatorii in raporturile juridice ce intereseaza persoane sau bunuri, care pun in cauza pe supusii Natiunilor Unite, si pe supusii Romani cari, din pricina starii de razboi nu au putut sa introduca sau sa urmareasca o actiune judiciara, sau sa indeplineasca formalitatile necesare salvgardarii dreptilor lor, fie ca aceste termene au inceput sa curga inainte sau dupa izbucnirea razboiului, ele vor fi considerate ca fiind suspendate pe timpul duratei razboiului, pe teritoriul roman, pe de o parte, si pe teritoriul acelor dintre Natiunile Unite care, conform principiilor de reciprocitate, acorda Romaniei beneficiul dispozitiilor prezentului paragraf, pe de alta parte. Aceste termene vor incepe sa curga iar dela intrarea in vigoare a prezentului Tratat. Dispozitiile prezentului paragraf se vor aplica termenelor fixate pentru depunerea cupoanelor de interese sau de dividende sau pentru depunerea in vederea rambursarii a valorilor iesite la tragere, sau rambursabile pentru orice alt motiv.

2. Cand, din cauza neexecutarii unui act sau omisiunii unei formalitati oarecare, in timp de razboi, au fost luate masuri de executare pe teritoriul romanesc in prejudiciul unui supus al vreuneia din Natiunile Unite, Guvernul Roman va restabili drepturile ce au fost lezate. Daca restabilirea acestor drepturi este imposibila sau ar fi inechitabila, Guvernul Roman va face cele necesare pentruca supusul Natiunilor Unite sa capete o compensatie care sa fie, in imprejurarile date, justa si echitabila.

C. EFECTE NEGOCIABILE

1. In relatiunile dintre inamici niciun efect negociabil subscris inainte de razboi nu va fi considerat a-si fi pierdut valoarea pentru simplul motiv ca nu a fost prezentat spre acceptare sau spre incasare in termenii prescrisi,

sau ca tragatorul sau girantul nu au fost anuntati in aceste termene ca efectul in chestiune nu a fost acceptat sau platit sau ca nu a fost protestat in zisele termene sau ca vreo formalitate oarecare a fost omisa in timpul razboiului.

2. Daca termenul inauntrul caruia un efect negociabil ar fi trebuit sa fie prezentat spre acceptare sau incasare sau inlauntrul caruia un aviz de neacceptare sau de neplata ar fi trebuit dat tragatorului sau girantului, sau in timpul caruia efectul ar fi trebuit protestat, a expirat in timpul razboiului si daca partea care ar fi trebuit sa se prezinte sau sa protesteze efectul sau sa dea aviz de neacceptare sau de neplata, a omis a le face in timpul razboiului, se va acorda, dela intrarea in vigoare a prezentului Tratat, un termen de cel putin trei luni, in care va fi posibil sa se prezinte sau sa protesteze zisul efect sau sa se dea avizul de neacceptare sau de neplata.

3. Daca o persoana a devenit, inaintea sau in timpul razboiului, debitoare in virtutea unui efect negociabil in urma unei obligatiuni, luate fata de ea, de catre o persoana care a devenit ulterior inamica, aceasta din urma va ramane tinuta sa despagubeasca pe cea dintai pentru aceasta datorie fara a se tine seama de inceperea ostilitatilor.

D. DISPOZITIUNI SPECIALE

1. Pentru scopurile acestei Anexe, persoanele fizice si juridice vor fi socotite ca inamice dela data la care comertul dintre ele a devenit ilegal sub legile, ordinele sau regulamentele carora le erau supuse aceste persoane sau contractele.

2. Avand in vedere sistemul juridic al Statelor Unite ale Americei, dispozitiunile acestei Anexe nu se vor aplica intre Statele Unite ale Americei si Romania.

ANEXA VI

Tribunalele de Priza si Sentinte

A. TRIBUNALE DE PRIZA

Fiecare din Puterile Aliate si Asociate isi rezerva dreptul de a examina, in conformitate cu procedura pe care o va fixa toate deciziunile si

ordonantele Tribunalelor de Priza romane in procesele care pun in discutiune drepturile de proprietate ale supusilor ei, si de a recomanda Guvernului Roman sa faca sa se procedeze la revizuirea acelor deciziuni sau ordonante care ar putea sa nu fie conforme cu Dreptul International.

Guvernul Roman se obliga sa comunice copii dupa toate documentale, inclusiv actele acestor procese, deciziunile luate si ordonantele date, si sa accepte orice recomandatiuni formulate dupa examinarea ziselor afaceri si sa dea urmare acestor recomandatiuni.

B. SENTINTE

Guvernul Roman va lua masurile necesare pentru a permite supusilor oricareia din Natiunile Unite, in orice moment, in termen de un an, cu incepere dela intrarea in vigoare a prezentului Tratat, sa introduca in fata autoritatilor romanesti competente o actiune in revizuire a oricaror hotarari date de un Tribunal roman intre 22 Iunie 1941 si data intrarii in vigoare a prezentului Tratat, in orice proces in care supusul uneia din Natiunile Unite nu a ost in masura de a-si expune cauza in chip satisfacator, fie in calitate de reclamant, fie in calitate de parat. Guvernul Roman va lua masurile necesare pentruca atunci cand un supus al uneia din Natiunile Unite a suferit un prejudiciu dinc cauza oricarei hotarari de asemenea natura, acest supus sa fie repus in situatia in care se gasea inainte de pronuntarea sentintei sau sa primeasca o compensatiune care sa fie in acel caz, justa si echitabila. Expresiunea "supusi ai Natiunilor Unite" cuprinde Societatile sau Asociatiunile organizate sau constituite conform cu legislatiunea oricareia din Natiunile Unite.

В удостоверение чего нижеподписавшиеся Полномочные Представители подписали настоящий Договор и приложили к нему свои печати.

Совершено в Париже на русском, английском, французском и румынском языках, февраля десятого дня тысяча девятьсот сорок седьмого года.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. [1]

Done in the city of Paris in the Russian, English, French and Roumanian languages this tenth day of February, One Thousand Nine Hundred Forty-Seven.

En foi de quoi, les Plénipotentiaires soussignés ont apposé leurs signatures et leurs cachets au bas du présent Traité.

Fait à Paris, le dix février mil neuf cent quarante-sept, en langues russe, anglaise, française et roumaine.

Drept care, Plenipotentiarii mai jos semnati, si-au depus semnaturile si sigiliile in josul prezentului Tratat.

Facut in orasul Paris, in limbile rusa, engleza, franceza si romana. azi 10 Februarie. una mie noua sute patruzeci si sapte.

За Союз Советских Социалистических Республик:
FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES:
PENTRU UNIUNEA REPUBLICELOR SOCIALISTE SOVIETICE:

[SEAL] В. Молотов.

[SEAL] Авакумов.

[1] [For romanization of the facsimile signatures, see p. 1913.]

За Соединенное Королевство Великобритании и Северной Ирландии:
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
PENTRU REGATUL UNIT AL MAREI BRITANII SI IRLANDA DE NORD:

[SEAL]

За Соединенные Штаты Америки:
FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMERIQUE:
PENTRU STATELE UNITE ALE AMERICEI:

[SEAL]

[SEAL]

За Австралию:
FOR AUSTRALIA:
POUR L'AUSTRALIE:
PENTRU AUSTRALIA:

[SEAL] John A. Beasley

За Белорусскую Советскую Социалистическую Республику:
FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE:
PENTRU REPUBLICA SOCIALISTA SOVIETICA BIELORUSA:

[SEAL]

За Канаду:
FOR CANADA:
POUR LE CANADA:
PENTRU CANADA:

[SEAL]

За Чехословакию:
FOR CZECHOSLOVAKIA:
POUR LA TCHECOSLOVAQUIE:
PENTRU CEHO-SLOVACIA:

[SEAL]

[SEAL]

За Индию:
FOR INDIA:
POUR L'INDE:
PENTRU INDIA:

[SEAL]

За Новую Зеландию:
FOR NEW ZEALAND:
POUR LA NOUVELLE-ZELANDE:
PENTRU NOUA ZELANDA:

[SEAL]

За Украинскую Советскую Социалистическую Республику:
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE:
PENTRU REPUBLICA SOCIALISTA SOVIETICA UCRAINIANA:

[SEAL]

За Южно-Африканский Союз:
FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
PENTRU UNIUNEA SUD AFRICANA:

[SEAL]

За Румынию:
FOR ROUMANIA:
POUR LA ROUMANIE:
PENTRU ROMANIA:

[SEAL]

[SEAL]

[SEAL]

[SEAL]

Министерство Иностранных Дел Союза Советских Социалистических Республик удостоверяет с приложением печати, что настоящий документ является верной копией Мирного Договора с Румынией, подписанного в Париже 10 февраля 1947 года на русском, английском, французском и румынском языках в одном экземпляре, подлинник которого находится на хранении в архивах Правительства Союза Советских Социалистических Республик.

По распоряжению Министра, Член Коллегии и Начальник Договорно-Правового Управления Министерства Иностранных Дел СССР.

С. ГОЛУНСКИЙ.

WHEREAS the Senate of the United States of America by their resolution of June 5, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty;

WHEREAS the said Treaty was duly ratified by the President of the United States of America on June 14, 1947, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS it is provided in Article 40 of the said Treaty that the Treaty shall come into force immediately upon the deposit with the Government of the Union of Soviet Socialist Republics of ratifications by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

WHEREAS instruments of ratification were deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

AND WHEREAS an instrument of ratification was also deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by Roumania;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Treaty of Peace with Roumania to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after September 15, 1947, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and do hereby further proclaim that the state of war between the United States of America and Roumania terminated on September 15, 1947.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of September in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A LOVETT

Acting Secretary of State

Note by the Department of State

The following is a romanization of the facsimile signatures:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

V. MOLOTOV.
A BOGOMOLOV.

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

ERNEST BEVIN
DUFF COOPER

FOR THE UNITED STATES OF AMERICA:

JAMES F BYRNES
JEFFERSON CAFFERY

FOR AUSTRALIA:

JOHN. A. BEASLEY.

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

K KISSELEV

FOR CANADA:

GEORGE P. VANIER

FOR CZECHOSLOVAKIA:

JAN MASARYK.
V. CLEMENTIS.

FOR INDIA:

S. E. RUNGANADHAN.

FOR NEW ZEALAND:

W. J JORDAN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

I. SENIN

FOR THE UNION OF SOUTH AFRICA:

W. G PARMINTER.

FOR ROUMANIA:

GH. TATARESCO
L. PATRASCANO
S. VOITEC
GEN. D. DAMACEANO

The certification on page 1911 reads, in translation, as follows:

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics certifies by the seal affixed hereto that the present document is a true copy of the Treaty of Peace with Roumania signed at Paris on February 10, 1947, in the Russian, English, French and Roumanian languages in a single copy, the original of which is preserved in the archives of the Government of the Union of Soviet Socialist Republics.

By order of the Minister, Member of the Collegium and Chief of the Treaty-Law Division of the Ministry of Foreign Affairs of the U.S.S.R.

February 26, 1947.

[SEAL] S. GOLUNSKI.

Treaty of peace with Bulgaria. Dated at Paris February 10, 1947; ratification advised by the Senate of the United States of America June 5, 1947; ratified by the President of the United States of America June 14, 1947; ratification of the United States of America deposited with the Union of Soviet Socialist Republics at Moscow September 15, 1947; proclaimed by the President of the United States of America September 15, 1947; entered into force September 15, 1947.

February 10, 1947
[T. I. A. S. 1650]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Treaty of Peace with Bulgaria, dated at Paris February 10, 1947, was signed by the respective Plenipotentiaries of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Greece, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, the People's Federal Republic of Yugoslavia, and Bulgaria;

WHEREAS the text of the said Treaty, in the Russian, English, French, and Bulgarian languages, as certified by the Foreign Office of the Government of the Union of Soviet Socialist Republics, is word for word as follows:

МИРНЫЙ ДОГОВОР С БОЛГАРИЕЙ

1947 г.

Союз Советских Социалистических Республик, Соединенное Королевство Великобритании и Северной Ирландии, Соединенные Штаты Америки, Австралия, Белорусская Советская Социалистическая Республика, Чехословакия, Греция, Индия, Новая Зеландия, Украинская Советская Социалистическая Республика, Южно-Африканский Союз и Федеративная Народная Республика Югославии, как государства, находящиеся в состоянии войны с Болгарией и активно участвовавшие в войне против вражеских государств в Европе существенными военными контингентами, именуемые в дальнейшем «Союзные и Соединенные Державы», с одной стороны,

и Болгария, с другой стороны,

Принимая во внимание, что, став союзником гитлеровской Германии и участвуя на ее стороне в войне против Союза Советских Социалистических Республик, Соединенного Королевства, Соединенных Штатов Америки и других Объединенных Наций, Болгария несет свою долю ответственности за эту войну;

Принимая, однако, во внимание, что Болгария, прекратив военные действия против Объединенных Наций, порвала отношения с Германией и, заключив 28 октября 1944 года Перемирие с Правительствами Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки, действовавшими от имени всех Объединенных Наций, находившихся в состоянии войны с Болгарией, приняла активное участие в войне против Германии; и

Принимая во внимание, что Союзные и Соединенные Державы и Болгария желают заключить мирный договор, который, соответствуя принципам справедливости, урегулирует вопросы, остающиеся еще нерешенными в результате перечисленных выше событий, и явится основой дружественных отношений между ними, тем самым давая Союзным и Соединенным Державам возможность поддержать обращение Болгарии о принятии ее в члены Организации Объединенных Наций, а также о присоединении Болгарии к любой конвенции, заключенной по почину Организации Объединенных Наций;

В соответствии с этим решили объявить о прекращении со-

стояния войны и для этой цели заключить настоящий Мирный Договор и назначили для этого нижеподписавшихся в качестве своих Полномочных Представителей, которые по представлении своих полномочий, найденных в порядке и надлежащей форме, согласились о следующих постановлениях:

ЧАСТЬ I.

ГРАНИЦЫ БОЛГАРИИ.

Статья 1.

Границы Болгарии, показанные на прилагаемой к настоящему Договору карте (Приложение I), будут такими, как они существовали на 1 января 1941 года.

ЧАСТЬ II.

ПОЛИТИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Раздел I.

Статья 2.

Болгария обязуется принять все меры, необходимые для обеспечения того, чтобы все лица, находящиеся под болгарской юрисдикцией, без различия расы, пола, языка или религии, пользовались правами человека и основными свободами, включая свободу слова, печати и изданий, религиозного культа, политических убеждений и публичных собраний.

Статья 3.

Болгария, которая в соответствии с Соглашением о Перемирии провела мероприятия по освобождению, независимо от гражданства и национальной принадлежности, всех лиц, содержавшихся в заключении в связи с их деятельностью в пользу Объединенных Наций, или за их сочувствие Объединенным Нациям, или ввиду их расового происхождения, и мероприятия по отмене дискриминационного законодательства и вытекающих из него ограничений, обязуется закончить проведение этих мероприятий и впредь не принимать каких-либо мер или законов, которые были бы несовместимы с целями, предусмотренными в этой статье.

Статья 4.

Болгария, которая в соответствии с Соглашением о Перемирии провела мероприятия по роспуску всех находившихся на болгарской территории организаций фашистского типа: политических, военных, военизированных, а также других организаций, ведущих враждебную Объединенным Нациям пропаганду, — обязуется и впредь не допускать существования и деятельности организаций такого рода, преследующих цель лишения народа его демократических прав.

Статья 5.

1. Болгария обязуется принять все необходимые меры, чтобы обеспечить задержание и выдачу для суда над ними:

a) лиц, обвиняемых в том, что они совершили военные преступления и преступления против мира или против человечности, дали приказ о совершении таких преступлений или содействовали их совершению;

b) граждан какой-либо из Союзных и Соединенных Держав, которые обвиняются в нарушении законов их стран изменой или сотрудничеством с врагом во время войны.

2. Болгария, по требованию Правительства заинтересованной Объединенной Нации, обеспечит также явку в качестве свидетелей находящихся под ее юрисдикцией лиц, показания которых потребуются для суда над лицами, указанными в пункте 1 настоящей статьи.

3. Всякое разногласие относительно применения постановлений пунктов 1 и 2 настоящей статьи должно быть передано любым заинтересованным Правительством Главам Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Софии, которые достигнут соглашения по поводу этого затруднения.

Раздел II.

Статья 6.

Болгария обязуется признать полную силу Мирных Договоров с Италией, Румынией, Венгрией и Финляндией и других согла-

шений или урегулирований, которые были или будут достигнуты Союзными и Соединенными Державами относительно Австрии, Германии и Японии для восстановления мира.

Статья 7.

Болгария обязуется принять любые соглашения, которые были или могут быть заключены для ликвидации Лиги Наций и Постоянной Палаты Международного Правосудия.

Статья 8.

1. Каждая Союзная или Соединенная Держава нотифицирует Болгарии в течение шести месяцев со дня вступления в силу настоящего Договора о своих довоенных двусторонних договорах с Болгарией, которые эта Держава желает сохранить в силе или действие которых она желает возобновить. Любые положения, не находящиеся в соответствии с настоящим Договором, будут, однако, исключены из вышеупомянутых договоров.

2. Все вышеупомянутые договоры, о которых будет нотифицировано таким образом, будут зарегистрированы в Секретариате Объединенных Наций в соответствии со статьей 102 Устава Организации Объединенных Наций.

3. Все вышеупомянутые договоры, о которых не будет нотифицировано таким образом, будут считаться отмененными.

ЧАСТЬ III.

ВОЕННЫЕ, ВОЕННО-МОРСКИЕ И ВОЕННО-ВОЗДУШНЫЕ ПОСТАНОВЛЕНИЯ.

Раздел I.

Статья 9.

Содержание сухопутных, морских и военно-воздушных вооружений и укреплений будет строго ограничено так, чтобы отвечать задачам внутреннего характера и местной обороны границ. В соответствии с вышеуказанным Болгарии разрешается иметь вооруженные силы, не свыше чем:

a) сухопутная армия, включая пограничные войска, с общей численностью личного состава в 55.000 человек;

b) зенитная артиллерия с численностью личного состава в 1.800 человек;

c) военно-морской флот с численностью личного состава в 3.500 человек и общим тоннажем в 7.250 тонн;

d) военно-воздушные силы, в том числе военно-воздушные силы военно-морского флота, численностью в 90 самолетов, включая резервные, из которых не более 70 самолетов боевых типов, с общей численностью личного состава в 5.200 человек. Болгария не должна иметь или приобретать самолетов, сконструированных в основном как бомбардировщики с приспособлениями для внутренней подвески бомб.

Эта численность в каждом случае будет включать строевой, нестроевой состав и штабной персонал.

Статья 10.

Личный состав болгарской армии, военно-морского флота и военно-воздушных сил, превышающий соответственно разрешенную статьей 9 численность, будет распущен в течение шести месяцев со дня вступления в силу настоящего Договора.

Статья 11.

Людские контингенты, не входящие в состав болгарской армии, военно-морского флота или военно-воздушных сил, не будут проходить в какой-либо форме военного, военно-морского или военно-воздушного обучения, как оно определено в Приложении II.

Статья 12.

1. К северу от греко-болгарской границы запрещается следующее строительство: долговременных укреплений, где может быть установлено оружие, способное вести огонь по греческой территории; долговременных военных сооружений, которые могут быть использованы для управления огнем по греческой территории или для его координирования, а также долговременных средств снабжения и складирования, установленных исключительно для использования вышеупомянутых укреплений и сооружений.

2. Это запрещение не распространяется на другие типы недолговременных укреплений, надземных помещений и сооружений,

которые предназначаются исключительно для задач внутреннего характера и местной обороны границ.

Статья 13.

Болгария не должна иметь, производить или экспериментировать: любые виды атомного вооружения; какие-либо самодвижущиеся или управляемые снаряды или аппараты, связанные с их выбрасыванием (за исключением торпед и торпедных аппаратов, составляющих нормальное вооружение военно-морских кораблей, разрешенных настоящим Договором); морские мины или торпеды неконтактного типа, действующие от чувствительных механизмов; торпеды, которые могут быть укомплектованы людьми; подводные лодки или другие подводные суда, торпедные катеры и специализированные типы штурмовых судов.

Статья 14.

Болгария не должна сохранять, производить или приобретать другими путями военные материалы и технику или содержать производственные мощности для их изготовления, сверх того, что требуется для содержания вооруженных сил, разрешенных статьей 9 настоящего Договора.

Статья 15.

1. Излишки военных материалов и техники союзного происхождения будут переданы в распоряжение соответствующей Союзной или Соединенной Державы, согласно указаниям, которые будут даны этой Державой. Излишки болгарских военных материалов и техники будут переданы в распоряжение Правительств Советского Союза, Соединенного Королевства и Соединенных Штатов Америки. Болгария откажется от всех прав на эти материалы и технику.

2. Военные материалы и техника германского происхождения или конструкции, превышающие то, что требуется для вооруженных сил, разрешенных настоящим Договором, будут переданы в распоряжение Трех Правительств. Болгария не будет приобретать или производить каких-либо военных материалов и техники германского происхождения или конструкции, или нанимать на работу или обучать каких-либо технических специалистов, включая воен-

ный и гражданский авиационный персонал, из числа лиц, которые являются или являлись гражданами Германии.

3. Излишки военных материалов и техники, упомянутые в пунктах 1 и 2 настоящей статьи, будут переданы или уничтожены в течение одного года со дня вступления в силу настоящего Договора.

4. Определение термина «военные материалы и техника» и перечень военных материалов и техники для целей настоящего Договора даны в Приложении III.

Статья 16.

Болгария обязуется полностью сотрудничать с Союзными и Соединенными Державами в целях обеспечения того, чтобы Германия не смогла предпринять каких-либо мер за пределами германской территории в направлении возрождения своего вооружения.

Статья 17.

Болгария обязуется не приобретать и не производить гражданских самолетов германской или японской конструкции или самолетов, включающих крупные узлы германского или японского производства или конструкции.

Статья 18.

Каждая из военных, военно-морских и военно-воздушных статей настоящего Договора будет оставаться в силе до тех пор, пока она не будет изменена полностью или частично по соглашению между Союзными и Соединенными Державами и Болгарией или, после того как Болгария станет членом Организации Объединенных Наций, — по соглашению между Советом Безопасности и Болгарией.

Раздел II.

Статья 19.

1. Болгарские военнопленные должны быть репатриированы как можно скорее в соответствии с соглашениями между отдельными Державами, содержащими этих военнопленных, и Болгарией.

2. Все издержки на перевозку болгарских военнопленных, включая их содержание, от сборных пунктов, установленных Пра-

вительством соответствующей Союзной или Соединенной Державы, до пункта вступления на болгарскую территорию будет нести Правительство Болгарии.

ЧАСТЬ IV.

ВЫВОД СОЮЗНЫХ ВОЙСК.

Статья 20.

1. Все вооруженные силы Союзных и Соединенных Держав будут выведены из Болгарии в возможно короткий срок и, во всяком случае, не более чем в 90 дней со дня вступления в силу настоящего Договора.

2. Вся неиспользованная болгарская валюта и все неиспользованные болгарские запасы, находящиеся в распоряжении союзных вооруженных сил в Болгарии и полученные в соответствии со статьей 15 Соглашения о Перемирии, будут возвращены Правительству Болгарии в течение того же срока в 90 дней.

3. Болгария, однако, должна предоставить в период между днем вступления в силу настоящего Договора и окончательным выводом союзных войск все такие услуги и снабжение, которые могут специально потребоваться выводимым вооруженным силам Союзных и Соединенных Держав, и надлежащая компенсация будет выплачена Правительству Болгарии за такие услуги и снабжение.

ЧАСТЬ V.

РЕПАРАЦИИ И РЕСТИТУЦИИ.

Статья 21.

1. Убытки, причиненные Югославии и Греции военными действиями и оккупацией Болгарией территории этих государств, будут Болгарией возмещены Югославии и Греции, причем, принимая во внимание, что Болгария не просто вышла из войны против Объединенных Наций, а объявила войну и вела ее на деле против Германии, Стороны уславливаются о том, что возмещение указанных убытков будет произведено Болгарией не полностью, а только частично, а именно, в сумме 70.000.000 долларов США, с погашением в течение 8 лет, начиная со дня вступления в силу на-

стоящего Договора, товарами, производимыми болгарской добывающей и обрабатывающей промышленностью и сельским хозяйством. Сумма возмещения Греции составит 45.000.000 долларов США, а сумма возмещения Югославии составит 25.000.000 долларов США.

2. Количество и виды товаров, подлежащих поставке, будут определены соглашениями, заключенными Правительствами Греции и Югославии с Правительством Болгарии. Эти соглашения будут сообщены Главам Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Софии.

3. В основу расчетов по настоящей статье положен доллар США по его золотому паритету на 1 июля 1946 года, т.е. 35 долларов за одну унцию золота.

4. В основу оценки товаров, поставляемых согласно настоящей статье, будут положены международные рыночные цены 1938 года в долларах США с повышением на 15% на промышленные продукты и на 10% на другие продукты. Расходы по доставке до греческой или югославской границы будут отнесены за счет Правительства Болгарии.

Статья 22.

1. Болгария принимает принципы Декларации Объединенных Наций от 5 января 1943 года и вернет в возможно кратчайший срок имущество, вывезенное с территории любой из Объединенных Наций.

2. Обязательство производить реституцию относится ко всей находящейся в настоящее время в Болгарии опознаваемой собственности, которая была вывезена насильственно или по принуждению какой-либо из держав оси с территории любой из Объединенных Наций, независимо от каких-либо последующих сделок, путем которых нынешний владелец такой собственности вступил во владение ею.

3. Если в отдельных случаях для Болгарии является невозможным произвести реституцию предметов, представляющих худо-

жественную, историческую или археологическую ценность, которые составляют часть культурного достояния Объединенной Нации, с территории которой эти предметы были вывезены болгарскими армиями, властями или гражданами насильственно или по принуждению, Болгария обязуется передать заинтересованной Объединенной Нации предметы того же рода и приблизительно равноценные вывезенным предметам, поскольку такие предметы могут быть получены в Болгарии.

4. Правительство Болгарии должно вернуть указанное в настоящей статье имущество в сохранности и принять на себя в этом отношении все расходы в Болгарии, относящиеся к рабочей силе, материалам и транспорту.

5. Правительство Болгарии будет оказывать содействие Объединенным Нациям и предоставит за свой счет все необходимые возможности для розыска и реституции имущества, подлежащего реституции согласно настоящей статье.

6. Правительство Болгарии примет необходимые меры, чтобы добиться возвращения имущества, указанного в настоящей статье, которым владеют в любой третьей стране лица, находящиеся под болгарской юрисдикцией.

7. Требования реституции имущества должны быть предъявлены Правительству Болгарии Правительством той страны, с территории которой было вывезено это имущество; при этом понимается, что железнодорожный подвижной состав будет рассматриваться как вывезенный из страны, которой он первоначально принадлежал. Такие требования могут предъявляться в течение 6 месяцев со дня вступления в силу настоящего Договора.

8. Бремя доказательства в отношении опознавания имущества и доказательства права собственности возлагается на Правительство, предъявляющее претензию, а бремя доказательства того, что имущество не было вывезено насильственно или по принуждению, возлагается на Правительство Болгарии.

ЧАСТЬ VI.

ЭКОНОМИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Статья 23.

1. Болгария, поскольку ею это еще не сделано, восстановит все законные права и интересы Объединенных Наций и их граждан в Болгарии, как они существовали на 24 апреля 1941 года, и вернет всю собственность Объединенных Наций и их граждан в Болгарии в том состоянии, в котором она находится в настоящее время.

2. Правительство Болгарии обязуется восстановить всю собственность, права и интересы, подпадающие под действие настоящей статьи, без всяких обременений и обложений любого вида, которым они могли подвергнуться вследствие войны, и без взимания Правительством Болгарии каких-либо сборов в связи с их возвращением. Правительство Болгарии аннулирует все мероприятия, включая отобрание, секвестр или контроль, проведенные им в отношении собственности Объединенных Наций между 24 апреля 1941 года и днем вступления в силу настоящего Договора. В случаях невозвращения собственности в течение 6 месяцев со дня вступления в силу настоящего Договора, заявление о возвращении собственности должно быть подано болгарским властям не позднее, чем в течение 12 месяцев со дня вступления в силу настоящего Договора, за исключением случаев, когда заявитель может доказать, что он не мог подать своего заявления в течение этого срока.

3. Правительство Болгарии должно аннулировать передачи, относящиеся к собственности, правам и интересам всякого рода, принадлежащим гражданам Объединенных Наций, в тех случаях, когда такие передачи были результатом насилия или принуждения со стороны правительств держав оси или их органов во время войны.

4. *a*) Правительство Болгарии несет ответственность за приведение во вполне исправное состояние собственности, возвращаемой гражданам Объединенных Наций согласно пункту 1 настоящей статьи. В тех случаях, когда собственность не может быть возвращена или когда в результате войны гражданин Объединенных Наций потерпел убыток вследствие повреждения или порчи соб-

ственности в Болгарии, он должен получить от Правительства Болгарии компенсацию в левах в пределах двух третей суммы, необходимой в день выплаты для того, чтобы купить аналогичную собственность или возместить понесенный убыток. Граждане Объединенных Наций ни в коем случае не должны ставиться в менее благоприятное положение в отношении компенсации, чем болгарские граждане.

b) Граждане Объединенных Наций, имеющие прямой или косвенный собственнический интерес в корпорациях или ассоциациях, национальность которых не является национальностью Объединенных Наций в значении пункта 8 «*a*» настоящей статьи, но которые потерпели убыток вследствие повреждения или порчи собственности в Болгарии, должны получить компенсацию в соответствии с подпунктом «*a*» выше. Эта компенсация должна исчисляться на основе общих убытков или ущерба, понесенных корпорацией или ассоциацией, и должна составлять по отношению к таким убыткам или ущербу ту же пропорцию, какую составляют приносящие доход интересы таких граждан по отношению к общему капиталу корпорации или ассоциации.

c) Компенсация должна выплачиваться без каких-либо обложений, налогов или других сборов. Она может свободно использоваться в Болгарии, но должна подлежать правилам контроля над иностранными девизами, которые могут время от времени вводиться в Болгарии.

d) Правительство Болгарии предоставит гражданам Объединенных Наций такой же режим при распределении материалов для ремонта или восстановления их собственности в Болгарии, а также при распределении иностранных девиз для импорта таких материалов, который применяется в отношении болгарских граждан.

e) Правительство Болгарии предоставит гражданам Объединенных Наций возмещение в левах в том же самом размере, который предусмотрен в подпункте «*a*» выше, чтобы компенсировать потери или ущерб, возникшие в результате особых мер, которые применялись к их собственности во время войны, но которые не применялись к болгарской собственности. Этот подпункт не распространяется на упущенные выгоды.

5. Все произведенные в Болгарии разумные расходы по предъявлению претензий, включая расходы на подсчет потерь или ущерба, должно нести Правительство Болгарии.

6. Граждане Объединенных Наций и их собственность должны быть освобождены от всяких исключительных налогов, сборов или податей, налагавшихся на их основные фонды в Болгарии Правительством Болгарии или любой болгарской властью в период между днем заключения Перемирия и днем вступления в силу настоящего Договора со специальной целью покрытия расходов, связанных с войной, или покрытия издержек на оккупационные силы или на репарации в пользу любой из Объединенных Наций. Любые суммы, выплаченные таким образом, должны быть возвращены.

7. Заинтересованный собственник и Правительство Болгарии могут заключать соглашения взамен положений настоящей статьи.

8. Применяемые в настоящей статье:

a) Выражение «граждане Объединенных Наций» означает физических лиц, являющихся к моменту вступления в силу настоящего Договора гражданами любой из Объединенных Наций, или корпорации или ассоциации, организованные к этому моменту по законам любой из Объединенных Наций, при условии, что указанные лица, корпорации или ассоциации имели такой статус также и в момент заключения Перемирия с Болгарией.

Выражение «граждане Объединенных Наций» также включает всех физических лиц, корпорации или ассоциации, которые на основании законов, действовавших в Болгарии во время войны, рассматривались как вражеские.

b) Выражение «собственник» означает гражданина Объединенных Наций, как определено в подпункте «*a*» выше, имеющего право на данную собственность, и включает преемника такого собственника, при условии, что преемник также является гражданином одной из Объединенных Наций, как определено в подпункте «*a*». Если преемник приобрел собственность в поврежденном виде, то лицо передающее сохраняет свои права на возмещение на основании настоящей статьи без ущерба для обязательств, существу-

ющих между лицом передающим и лицом приобретающим в соответствии с внутренними законами.

c) Выражение «собственность» означает всю движимую или недвижимую собственность, материальную или нематериальную, включая промышленную, литературную и художественную собственность, а также все права или интересы всякого рода в собственности.

Статья 24.

Болгария признает, что Советский Союз имеет право на все германские активы в Болгарии, переданные Советскому Союзу Контрольным Советом в Германии, и обязуется принять все необходимые меры для облегчения передачи таких активов.

Статья 25.

1. Каждая из Союзных и Соединенных Держав будет иметь право взять, удержать, ликвидировать или предпринять любое другое действие в отношении всей собственности, прав и интересов, которые на день вступления в силу настоящего Договора будут находиться на ее территории и принадлежать Болгарии или болгарским гражданам, а также использовать такую собственность или выручку от нее для таких целей, какие эта Держава сочтет желательными в пределах претензий этой Державы и ее граждан к Болгарии или к болгарским гражданам, — включая долги, — которые не были полностью удовлетворены в силу других статей настоящего Договора. Вся болгарская собственность или выручка от ее ликвидации, превышающие сумму таких претензий, должны быть возвращены.

2. Ликвидация болгарской собственности и распоряжение ею будут проводиться в соответствии с законом заинтересованной Союзной или Соединенной Державы. Болгарский собственник не будет иметь прав в отношении такой собственности, за исключением тех, которые могут быть предоставлены ему в силу этого закона.

3. Правительство Болгарии обязуется компенсировать болгарских граждан, собственность которых изъята в силу настоящей статьи и не возвращена им.

4. Данная статья не налагает на ту или иную из Союзных или Соединенных Держав никакого обязательства возвратить Правительству Болгарии или болгарским гражданам промышленную собственность или включить такую собственность при определении суммы, которая может быть удержана согласно пункту 1 настоящей статьи. Правительство каждой из Союзных и Соединенных Держав будет иметь право установить такие ограничения и условия в отношении прав или интересов, касающихся промышленной собственности, приобретенной до дня вступления в силу настоящего Договора на территории этой Союзной или Соединенной Державы Правительством или гражданами Болгарии, какие Правительство данной Союзной или Соединенной Державы сочтет необходимыми в своих национальных интересах.

5. Собственность, предусмотренная пунктом 1 настоящей статьи, должна рассматриваться как включающая болгарскую собственность, которая подлежала контролю в силу состояния войны, существовавшего между Болгарией и Союзной или Соединенной Державой, имеющей юрисдикцию над этой собственностью, но не должна включать:

a) собственность Правительства Болгарии, используемую для консульских или дипломатических целей;

b) собственность, принадлежащую религиозным организациям или частным благотворительным учреждениям и используемую для религиозных или благотворительных целей;

c) собственность физических лиц, которые являются болгарскими гражданами, получившими разрешение проживать в пределах территории той страны, в которой находится эта собственность, или проживать в любом другом месте на территории стран Объединенных Наций, за исключением болгарской собственности, которая когда-либо во время войны являлась объектом мер, не применявшихся как правило к собственности болгарских граждан, проживающих на той же территории;

d) имущественные права, возникшие после возобновления торговых и финансовых отношений между Союзными и Соединен-

ными Державами и Болгарией или возникшие из сделок между Правительством любой Союзной или Соединенной Державы и Болгарией после 28 октября 1944 года;

e) права на литературную и художественную собственность.

Статья 26.

1. Со дня вступления в силу настоящего Договора собственность Болгарии и болгарских граждан, находящаяся в Германии, не будет больше рассматриваться как вражеская собственность, и все ограничения, связанные с таким режимом, должны быть отменены.

2. Опознаваемая собственность Болгарии и болгарских граждан, вывезенная насильственно или по принуждению с территории Болгарии в Германию германскими вооруженными силами или властями после 28 октября 1944 года, подлежит возврату.

3. Реституция и восстановление болгарской собственности в Германии будут осуществляться в соответствии с мероприятиями, которые будут определены Державами, оккупирующими Германию.

4. Без ущерба для вышеизложенных и для любых других постановлений, принятых в пользу Болгарии и ее граждан Державами, оккупирующими Германию, Болгария от своего имени и от имени болгарских граждан отказывается от всех оставшихся неурегулированными на 8 мая 1945 года претензий в отношении Германии и германских граждан, за исключением претензий, вытекающих из контрактов и других обязательств, заключенных до 1 сентября 1939 года, и прав, приобретенных до этой даты. Этот отказ будет рассматриваться как включающий долги, все межправительственные претензии, связанные с соглашениями, заключенными во время войны, и все претензии на возмещение за потери или ущерб, возникшие во время войны.

Статья 27.

1. Существование состояния войны само по себе не будет считаться фактором, влияющим на обязательство выплачивать денежные долги, вытекающие из обязательств и контрактов, суще-

ствовавших до возникновения состояния войны, — а также из прав, приобретенных до этого времени, — срок уплаты которых наступил до дня вступления в силу настоящего Договора и которые причитаются с Правительства или граждан Болгарии Правительству или гражданам одной из Союзных и Соединенных Держав, или которые причитаются с Правительства или граждан одной из Союзных и Соединенных Держав Правительству или гражданам Болгарии.

2. За исключением случаев, специально предусмотренных в настоящем Договоре, ничто в нем не должно толковаться, как наносящее ущерб отношениям между дебиторами и кредиторами, вытекающим из довоенных контрактов, заключенных Правительством или гражданами Болгарии.

Статья 28.

1. Болгария отказывается от всех претензий любого характера, от имени Правительства Болгарии или болгарских граждан, к Союзным и Соединенным Державам, связанных непосредственно с войной или вытекающих из мероприятий, предпринятых в силу существования состояния войны в Европе после 1 сентября 1939 года, независимо от того, находилась ли в это время соответствующая Союзная или Соединенная Держава в состоянии войны с Болгарией или нет. Этот отказ от претензий включает нижеследующее:

a) претензии в связи с потерями или ущербом, понесенными вследствие действий вооруженных сил или властей Союзных или Соединенных Держав;

b) претензии, вытекающие из присутствия, операций или действий вооруженных сил или властей Союзных или Соединенных Держав на болгарской территории;

c) претензии в отношении решений или распоряжений призовых судов Союзных или Соединенных Держав, причем Болгария признает действительными и обязательными все решения и распоряжения таких призовых судов, вынесенные 1 сентября 1939 года или позднее, относительно болгарских судов или болгарских грузов или оплаты издержек;

d) претензии, вытекающие из осуществления прав воюющей стороны или из мер, принятых с целью осуществления этих прав.

2. Положения настоящей статьи должны исключать полностью и окончательно все претензии указанного выше характера, которые отныне будут прекращены, кто бы ни являлся заинтересованной стороной. Правительство Болгарии соглашается выплатить справедливую компенсацию в левах лицам, которые предоставили вооруженным силам Союзных или Соединенных Держав на болгарской территории снабжение или услуги по реквизиции, а также для удовлетворения возникших на болгарской территории претензий за невоенный ущерб, предъявленных вооруженным силам Союзных или Соединенных Держав.

3. Болгария равным образом отказывается от всех претензий такого характера, который указан в пункте 1 настоящей статьи, от имени Правительства Болгарии или болгарских граждан к любой из Объединенных Наций, дипломатические отношения которой с Болгарией были порваны во время войны и которая предприняла действия в сотрудничестве с Союзными и Соединенными Державами.

4. Отказ Болгарии от претензий согласно пункту 1 настоящей статьи включает любые претензии, вытекающие из мер, принятых любой из Союзных и Соединенных Держав в отношении болгарских судов между 1 сентября 1939 года и днем вступления в силу настоящего Договора, а также любые претензии и долги, вытекающие из ныне действующих конвенций о военнопленных.

Статья 29.

1. До заключения торговых договоров или соглашений между отдельными Объединенными Нациями и Болгарией, Правительство Болгарии будет предоставлять в течение 18 месяцев со дня вступления в силу настоящего Договора нижеуказанный режим каждой из Объединенных Наций, которая на началах взаимности фактически предоставит Болгарии аналогичный режим в подобных вопросах:

a) Во всем, что касается пошлин и сборов по импорту или экспорту, внутреннего обложения импортируемых товаров, а также

всех правил, относящихся к этому, Объединенным Нациям будет предоставлен безусловный режим наибольшего благоприятствования.

b) Во всех других отношениях Болгария не должна проводить произвольной дискриминации, направленной против товаров, производимых на любой территории любой из Объединенных Наций или предназначенных для этой территории, по сравнению с подобными товарами, производимыми на территории любой другой из Объединенных Наций или на территории любой другой иностранной державы или предназначенными для этих территорий.

c) Гражданам Объединенных Наций, в том числе юридическим лицам, должен быть предоставлен национальный режим и режим наибольшего благоприятствования во всех вопросах, касающихся торговли, промышленности, мореплавания и других видов торговой деятельности в Болгарии. Эти постановления не должны применяться к коммерческой авиации.

d) Болгария не будет предоставлять никакого исключительного или дискриминационного права какой бы то ни было стране в отношении использования коммерческих самолетов в международном сообщении; она предоставит всем Объединенным Нациям равные возможности в приобретении на болгарской территории прав в области международной коммерческой авиации, включая право посадки для заправки горючим и ремонта; что касается использования коммерческих самолетов в международном сообщении, она предоставит всем Объединенным Нациям на основе взаимности и без дискриминации право беспосадочного полета над болгарской территорией. Эти постановления не должны затрагивать интересов национальной обороны Болгарии.

2. Вышеупомянутые обязательства Болгарии должны пониматься в том смысле, что на них распространяются изъятия, обычно включавшиеся в торговые договоры, заключенные Болгарией до войны; а постановления, относящиеся к взаимности со стороны каждой из Объединенных Наций, должны пониматься в том смысле, что на них распространяются изъятия, обычно включаемые в торговые договоры данного государства.

Статья 30.

Болгария окажет содействие в пределах возможного в железнодорожных транзитных перевозках на своей территории, с разумными тарифами, и будет готова с этой целью заключить с соседними государствами взаимные соглашения.

Статья 31.

1. Споры, могущие возникнуть при осуществлении статей 22 и 23 и Приложений IV, V и VI настоящего Договора, должны передаваться Согласительной Комиссии, состоящей из равного числа представителей Правительства заинтересованной Объединенной Нации и Правительства Болгарии. Если в течение трех месяцев после передачи спора Согласительной Комиссии не будет достигнуто соглашения, каждое из Правительств может потребовать включения в Комиссию третьего члена и, в случае несогласия между двумя Правительствами относительно избрания этого члена, любая из сторон может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 32.

Статьи 22, 23 и 29 и Приложение VI настоящего Договора будут применяться к Союзным и Соединенным Державам и Франции, а также к тем из Объединенных Наций, дипломатические отношения которых с Болгарией были порваны во время войны.

Статья 33.

Постановления Приложений IV, V и VI, как и постановления других Приложений, будут иметь силу как неотъемлемые части настоящего Договора.

ЧАСТЬ VII.

ПОСТАНОВЛЕНИЯ, ОТНОСЯЩИЕСЯ К ДУНАЮ.

Статья 34.

Навигация на реке Дунай должна быть свободной и открытой для граждан, торговых судов и товаров всех государств на основе

равенства в отношении портовых и навигационных сборов и условий торгового судоходства. Вышеизложенное не распространяется на перевозки между портами одного и того же государства.

ЧАСТЬ VIII.

ЗАКЛЮЧИТЕЛЬНЫЕ ПОСТАНОВЛЕНИЯ.

Статья 35.

1. В течение периода, не превышающего 18 месяцев со дня вступления в силу настоящего Договора, Главы Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Софии, действуя по согласованию, будут представлять Союзные и Соединенные Державы в сношениях с Правительством Болгарии по всем вопросам, касающимся выполнения и толкования настоящего Договора.

2. Три Главы Миссий будут предоставлять Правительству Болгарии такие руководство, технические советы и разъяснения, какие могут быть необходимы для обеспечения быстрого и эффективного выполнения настоящего Договора в соответствии с его духом и текстом.

3. Правительство Болгарии будет предоставлять упомянутым Трем Главам Миссий всю необходимую информацию и оказывать всякое содействие, которые они могут потребовать при выполнении задач, возложенных на них настоящим Договором.

Статья 36.

1. За исключением тех случаев, когда иной порядок специально предусмотрен какой-либо из статей настоящего Договора, любой спор относительно толкования или выполнения этого Договора, не урегулированный путем прямых дипломатических переговоров, должен передаваться Трем Главам Дипломатических Миссий, действующим на основании статьи 35, с тем исключением, что в этом случае Главы Миссий не будут ограничены сроком, предусмотренным этой статьей. Любой такой спор, не разрешенный

Главами Миссий в течение двух месяцев, должен, если спорящие стороны не придут к взаимному соглашению об иных способах урегулирования спора, передаваться, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой из сторон и третьего члена, выбранного по взаимному соглашению двух сторон из граждан третьих стран. Если двум сторонам не удастся в месячный срок притти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 37.

1. Любой член Организации Объединенных Наций, не являющийся стороной, подписавшей настоящий Договор, и находящийся в состоянии войны с Болгарией, может присоединиться к этому Договору и после присоединения будет для целей Договора считаться одной из Соединенных Держав.

2. Акты присоединения будут сданы на хранение Правительству Союза Советских Социалистических Республик и будут иметь силу со дня сдачи.

Статья 38.

Настоящий Договор, русский и английский тексты которого являются аутентичными, будет ратифицирован Союзными и Соединенными Державами. Договор должен быть также ратифицирован Болгарией. Договор вступит в силу немедленно после сдачи ратификационных грамот Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ирландии и Соединенными Штатами Америки. Ратификационные грамоты будут в кратчайший срок сданы на хранение Правительству Союза Советских Социалистических Республик.

В отношении каждой из Союзных или Соединенных Держав, ратификационная грамота которой будет сдана после этого, Договор вступит в силу со дня сдачи на хранение. Настоящий Договор будет сдан в архивы Правительства Союза Советских Социалистических Республик, которое разошлет заверенные копии каждому из подписавших этот Договор государств.

ПЕРЕЧЕНЬ ПРИЛОЖЕНИЙ

Приложение I.	Карта границ Болгарии.
Приложение II.	Определение военного, военно-воздушного и военно-морского обучения.
Приложение III.	Определение и перечень военных материалов и техники.
Приложение IV.	Промышленная, литературная и художественная собственность.
Приложение V.	Контракты, сроки давности и ценные бумаги.
Приложение VI.	Судебные решения.

ПРИЛОЖЕНИЕ I.

(См. статью 1).

Карта границ Болгарии.

ПРИЛОЖЕНИЕ II.

(См. статью 11).

Определение военного, военно-воздушного и военно-морского обучения.

1. Термин «военное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех строевых упражнений или передвижений, предназначенных для обучения маневрированию или для выполнения маневрирования, применяемого действующими частями в бою; а также организованное изучение тактики, стратегии и штабной работы.

2. Термин «военно-воздушное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военно-воздушных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех специализированных эволюций, включая полеты соединением, которые применяются авиацией при выполнении боевых заданий; а также организованное изучение военно-воздушной тактики, стратегии и штабной работы.

3. Термин «военно-морское обучение» означает изучение, руководство или практику в использовании военных кораблей, военно-морских сооружений или учреждений, а также изучение или применение всех относящихся к этому приборов и учебных приспособлений, которые используются для ведения морской войны, кроме тех, которые обычно также используются для гражданских целей; а также преподавание, практику или организованное изучение морской тактики, стратегии и штабной работы, включая

выполнение всех операций и маневров, которые не требуются для мирного использования кораблей.

ПРИЛОЖЕНИЕ III.

(См. статью 15).

Определение и перечень военных материалов и техники.

Термин «военные материалы и техника», применяемый в настоящем Договоре, должен включать все оружие, боеприпасы и средства, специально сконструированные или приспособленные для использования в войне, как это перечисляется ниже.

Союзные и Соединенные Державы сохраняют за собой право изменять периодически данный перечень путем внесения поправок или добавлений, в свете дальнейшего развития науки.

Категория I.

1. Военные винтовки, карабины, револьверы и пистолеты, стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей.

2. Пулеметы, военные автоматические или самозарядные винтовки, пистолеты-пулеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; пулеметные установки.

3. Пушки, гаубицы, мортиры, специальные пушки для самолетов, беззатворные или безоткатные орудия и огнеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; лафеты и установки для вышеперечисленного оружия.

4. Установки для запуска ракет; запускные и контрольные приборы для самодвижущихся и управляемых снарядов; установки для них.

5. Начиненные или неначиненные самодвижущиеся и управляемые снаряды, ракеты, унитарные патроны и патроны, предназначенные для оружия, перечисленного в пунктах 1-4 выше, приспособления для обращения с ними или для производства взрыва, а

также взрыватели и трубки, за исключением взрывателей, необходимых для гражданских нужд.

6. Начиненные или неначиненные гранаты, бомбы, торпеды, мины, глубинные бомбы и зажигательные вещества или заряды, а также все средства для обращения с ними или для производства взрыва, за исключением взрывателей, необходимых для гражданских нужд.

7. Штыки.

Категория II.

1. Бронированные боевые машины; бронепоезда, которые технически не могут быть переделаны для гражданских целей.

2. Механические и самодвижущиеся лафеты для всякого оружия, перечисленного в категории I, специального типа военные шасси или кузовы, кроме перечисленных в пункте 1 выше.

3. Броневые плиты толщиною свыше 3 дюймов, используемые для целей защиты на войне.

Категория III.

1. Прицельные и вычислительные приборы для управления огнем, включая линейки зенитного планшета и построители; приборы для пристрелки; орудийные прицелы, прицелы для бомбометания; трубочные номероустановки; инструменты и приборы для калибрования орудий и для выверки приборов управления огнем.

2. Штурмовые мостки и штурмовые лодки.

3. Средства для ведения замаскированных военных действий, а также ослепляющие средства и средства для обмана.

4. Личное военное снаряжение специального характера, которое трудно приспособить для использования в гражданских целях.

Категория IV.

1. Военные суда любого типа, включая переделанные суда и пловучие средства, спроектированные или предназначенные для их обслуживания или поддержки, которые технически не могут быть переделаны для гражданского использования, а также вооружение, броня, боеприпасы, самолеты и всякое другое оборудование,

материалы, машины и установки, которые не применяются в мирное время на судах, кроме военных судов.

2. Десантные суда и земноводные перевозочные средства или приспособления всякого рода; штурмовые лодки или приспособления всякого рода, а также катапульты и другие аппараты для выпуска самолетов, ракет, движимых боевых средств или всяких других снарядов, аппаратов или приспособлений, укомплектованных или неукомплектованных людьми, управляемых или неуправляемых.

3. Подводные или полуподводные суда, пловучие средства, боевые средства, приспособления или аппараты всякого рода, включая специально сконструированные защитные боны для гавани, за исключением тех случаев, когда это может быть потребовано для целей спасения или для других гражданских целей, а также все оборудование, принадлежности, запасные части, экспериментальные или учебные средства, приборы или установки, которые могут быть специально предназначены для строительства, испытания, содержания или хранения вышеперечисленного.

Категория V.

1. Собранные и несобранные летательные аппараты тяжелее и легче воздуха, которые предназначены или приспособлены для воздушных боевых действий посредством применения пулеметов, артиллерии, установок для выбрасывания ракет, или предназначены или приспособлены для перевозки и сбрасывания бомб, или оборудованы или же по своему типу или конструкции могут быть оборудованы какими-либо из приспособлений, перечисленных в пункте 2 ниже.

2. Авиационные орудийные установки и рамы, бомбодержатели, торпедодержатели, а также механизмы для сбрасывания бомб или торпед; орудийные башни и боковые пулеметные башни.

3. Оснащение, специально предназначенное и использующееся исключительно в авиадесантных войсках.

4. Катапульты или запускные аппараты для запуска самолетов с судов, суши и моря; катапульты для запуска самолетов-снарядов.

5. Заградительные аэростаты.

Категория VI.

Удушающие, смертоносные, отравляющие и выводящие из строя вещества, предназначенные для военных целей или производимые сверх того, что требуется для гражданских целей.

Категория VII.

Метательные средства, взрывчатые вещества, пиротехнические средства и жидкие газы, предназначенные для метания, взрыва, заряжания и наполнения перечисленных в настоящих категориях военных материалов или для использования в связи с последними, которые не могут быть использованы для гражданских целей или производство которых превышает то, что требуется для гражданских целей.

Категория VIII.

Фабричное и инструментальное оборудование, которое специально сконструировано для производства и содержания вышеперечисленных материалов и техники и которое технически не может быть приспособлено для гражданских целей.

ПРИЛОЖЕНИЕ IV.

Промышленная, литературная и художественная собственность.

1. *a*) Союзным и Соединенным Державам и их гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора для того, чтобы дать им возможность, без взимания с них дополнительных сборов или других штрафов любого рода, совершить все необходимые акты для приобретения или сохранения в Болгарии прав промышленной, литературной и художественной собственности, которые не могли быть совершены вследствие существования состояния войны.

b) Союзные и Соединенные Державы или их граждане, которые надлежащим образом сделали заявку на территории любой Союзной или Соединенной Державы о патенте или о регистрации образца не ранее, чем за 12 месяцев до возникновения войны с Болгарией или в течение войны, или о регистрации промышленного рисунка, или модели, или товарного знака не ранее, чем за 6 месяцев

до возникновения войны с Болгарией или во время войны, будут иметь право в течение 12 месяцев со дня вступления в силу настоящего Договора сделать заявку о соответствующих правах в Болгарии вместе с правом приоритета, основанным на более ранней регистрации заявки на территории этой Союзной или Соединенной Державы.

c) Каждой из Союзных и Соединенных Держав и ее гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора, в течение которого они могут возбуждать дело в Болгарии против тех физических или юридических лиц, в отношении которых утверждается, что они незаконно нарушили их права промышленной, литературной или художественной собственности между датой возникновения войны и датой вступления в силу настоящего Договора.

2. Период с момента возникновения войны до истечения 18 месяцев после вступления в силу настоящего Договора должен быть исключен при исчислении срока, в течение которого патент должен был быть осуществлен или рисунок или товарный знак — использован.

3. Период с момента возникновения войны до дня вступления в силу настоящего Договора должен быть исключен из нормального срока прав промышленной, литературной и художественной собственности, которые имели силу в Болгарии к моменту возникновения войны, или которые признаны или установлены на основании настоящего Приложения и которые принадлежат любой из Союзных и Соединенных Держав или ее гражданам. Поэтому нормальная продолжительность таких прав должна считаться автоматически продленной в Болгарии на дальнейший срок, соответствующий исключенному таким образом периоду.

4. Предшествующие положения, касающиеся прав в Болгарии Союзных и Соединенных Держав и их граждан, должны равным образом применяться в отношении прав Болгарии и ее граждан на территориях Союзных и Соединенных Держав. Однако, ничто в этих положениях не дает Болгарии или ее гражданам права на более благоприятный режим на территории какой-либо из Союзных и Соеди-

ненных Держав, чем тот, который предоставляется в подобных случаях этой Державой какой-либо другой из Объединенных Наций или ее гражданам. Болгария не будет также обязана на основании этих положений предоставлять любой из Союзных и Соединенных Держав или ее гражданам более благоприятный режим, чем тот, которым пользуются на территории этой Державы Болгария или ее граждане в вопросах, предусмотренных в предшествующих положениях.

5. Третьим лицам на территориях любой из Союзных и Соединенных Держав или Болгарии, которые до дня вступления в силу настоящего Договора добросовестно приобрели права на промышленную, литературную или художественную собственность, находящиеся в противоречии с правами, восстановленными на основании настоящего Приложения, или в противоречии с правами, приобретенными на основании приоритета в силу этого же Приложения, или которые добросовестно изготовили, опубликовали, воспроизвели, использовали или продали предмет, к которому относятся эти права, будет разрешено, без всякой ответственности за нарушение, продолжать осуществлять такие права и продолжать или возобновить такое изготовление, публикацию, репродукцию, использование или продажу, которые были добросовестно приобретены или начаты. В Болгарии такое разрешение будет носить форму неисключительной лицензии, предоставляемой на условиях по взаимному соглашению сторон, а при отсутствии соглашения — на условиях, устанавливаемых Согласительной Комиссией, учрежденной на основании статьи 31 настоящего Договора. Однако, на территории каждой из Союзных и Соединенных Держав добросовестные третьи лица будут пользоваться такой защитой, какая предоставляется при аналогичных обстоятельствах добросовестным третьим лицам, права которых находятся в противоречии с правами граждан других Союзных и Соединенных Держав.

6. Ничто в настоящем Приложении не должно толковаться как дающее Болгарии или ее гражданам право на какой-либо патент или образец на территории какой-либо из Союзных и Соединенных Держав в отношении изобретений, относящихся к любому предмету,

поименованному в Приложении III к настоящему Договору, которые были сделаны или в отношении которых заявки были зарегистрированы Болгарией или любым из ее граждан в Болгарии, или на территории любой из держав оси, или на территории, которая была оккупирована вооруженными силами держав оси, в течение периода времени, когда данная территория находилась под контролем вооруженных сил или властей держав оси.

7. Болгария равным образом распространит действие предыдущих положений настоящего Приложения на Францию и другие неявляющиеся Союзными или Соединенными Державами Объединенные Нации, дипломатические отношения которых с Болгарией были порваны во время войны и которые обязуются предоставить Болгарии преимущества, предоставляемые Болгарии этими же положениями.

8. Ничто в настоящем Приложении не будет пониматься как противоречащее статьям 23, 25 и 27 настоящего Договора.

ПРИЛОЖЕНИЕ V.

Контракты, сроки давности и ценные бумаги.

A. Контракты.

1. Всякий контракт, который для своего выполнения требовал установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения, должен, при условии соблюдения исключений, изложенных в пунктах 2 и 3 ниже, считаться расторгнутым с того времени, когда любые из его сторон стали врагами. Такое расторжение, однако, не затрагивает положений статьи 27 настоящего Договора, и оно не должно освобождать ту или иную сторону контракта от обязательства вернуть суммы, полученные в качестве авансов или частичных платежей, в отношении которых такая сторона ничего не сделала взамен.

2. Несмотря на положения пункта 1 выше, не подлежат расторжению и, без ущерба для прав, изложенных в статье 25 настоящего Договора, остаются в силе такие части любого контракта,

которые отделимы и не требовали для своего исполнения установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения. Если положения того или иного контракта не могут быть таким образом отделены, контракт должен считаться полностью расторгнутым. Вышеизложенное имеет силу при условии применения внутренних законов, распоряжений или правил, изданных любой из Союзных и Соединенных Держав, имеющих юрисдикцию в отношении контракта или в отношении любой из его сторон, а также будет подчиняться условиям контракта.

3. Ничто в части A настоящего Приложения не должно рассматриваться как аннулирующее сделки, законно осуществленные в соответствии с контрактом между врагами, если они осуществлены с разрешения Правительства любой из Союзных и Соединенных Держав.

4. Несмотря на вышеприведенные положения, контракты по страхованию и перестрахованию будут подчиняться отдельным соглашениям между Правительством заинтересованной Союзной или Соединенной Державы и Правительством Болгарии.

B. Сроки давности.

1. Все сроки давности или сроки ограничения права на иск или права принимать охранительные меры в отношениях, касающихся лиц или собственности и затрагивающих граждан Объединенных Наций и болгарских граждан, которые в силу состояния войны не могли предъявить иска или выполнить формальностей, необходимых для обеспечения своих прав, независимо от того, началось ли течение этих сроков до или после возникновения войны, будут считаться приостановленными на время войны на территории Болгарии, с одной стороны, и на территории тех из Объединенных Наций, которые предоставляют Болгарии на началах взаимности преимущества, предусматриваемые положениями настоящего пункта, — с другой. Течение приостановленных сроков давности возобновится со дня вступления в силу настоящего Договора. Положения настоящего пункта будут применимы в отношении сроков, установленных

для предъявления процентных купонов или купонов на дивиденд или для предъявления к оплате ценных бумаг, вышедших в тираж или подлежащих оплате на каком-либо другом основании.

2. В тех случаях, когда вследствие невыполнения какого-либо акта или какой-либо формальности во время войны были приняты исполнительные меры на болгарской территории в ущерб тому или иному гражданину любой из Объединенных Наций, Правительство Болгарии восстановит права, которым был нанесен ущерб. Если такое восстановление является несправедливым или невозможным, Правительство Болгарии примет меры к тому, чтобы гражданину Объединенных Наций было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах.

C. Ценные бумаги

1. В отношениях между врагами ни одна ценная бумага, составленная до войны, не будет рассматриваться как утратившая силу только потому, что эта бумага не была в установленные сроки предъявлена для акцепта или оплаты, или не было сделано уведомление составителю или лицу, учинившему передаточную надпись, об отказе от акцепта или платежа, или она не была опротестована, или же потому, что не была выполнена какая-либо формальность во время войны.

2. В тех случаях, когда срок, установленный для того, чтобы ценная бумага была предъявлена для акцепта или оплаты, или срок, в который уведомление об отказе от акцепта или платежа должно было быть сделано составителю или лицу, учинившему передаточную надпись, или в течение которого документ должен был быть опротестован, истек во время войны, а сторона, которая должна была предъявить или опротестовать документ или уведомить об отказе от акцепта или платежа, не сделала этого во время войны, ей будет предоставлен срок не менее трех месяцев, считая со дня вступления в силу настоящего Договора, в течение которого может быть сделано предъявление, уведомление об отказе от акцепта или платежа или опротестование.

3. Если какое-либо лицо до или во время войны вступило в

обязательство по какой-либо ценной бумаге в связи с обязательством, выданным ему лицом, ставшим в дальнейшем врагом, то последнее остается обязанным предоставить первому возмещение в отношении этого обязательства, независимо от возникновения войны.

D. Особые постановления.

1. Для целей настоящего Приложения физические или юридические лица будут рассматриваться как враги с того дня, когда торговля между ними стала незаконной на основании законов, распоряжений или правил, действию которых такие лица или контракты подлежали.

2. Принимая во внимание особенности правовой системы Соединенных Штатов Америки, постановления настоящего Приложения не будут применяться в отношениях между Соединенными Штатами Америки и Болгарией.

ПРИЛОЖЕНИЕ VI.

Судебные решения.

Правительство Болгарии предпримет необходимые меры для того, чтобы дать гражданам любой из Объединенных Наций возможность в любое время в течение одного года со дня вступления в силу настоящего Договора передать соответствующим болгарским властям для пересмотра любое судебное решение, вынесенное болгарским судом между 24 апреля 1941 года и днем вступления в силу настоящего Договора при любом судебном разбирательстве, в котором гражданин Объединенных Наций не смог в достаточной мере изложить свое дело в качестве истца или ответчика. Правительство Болгарии должно предусмотреть, чтобы в тех случаях, когда гражданин Объединенных Наций потерпел ущерб в силу любого такого судебного решения, он был бы восстановлен в том положении, в котором он находился до вынесения этого судебного решения, или чтобы ему было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах. Выражение «граждане Объединенных Наций» включает корпорации или ассоциации, организованные или учрежденные на основании законов любой из Объединенных Наций.

TREATY OF PEACE

WITH

BULGARIA

1947

95347°—49—PT. II——63

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Greece, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa and the People's Federal Republic of Yugoslavia, as the States which are at war with Bulgaria and actively waged war against the European enemy states with substantial military forces, hereinafter referred to as "the Allied and Associated Powers", of the one part,
and Bulgaria, of the other part;

Whereas Bulgaria, having become an ally of Hitlerite Germany and having participated on her side in the war against the Union of Soviet Socialist Republics, the United Kingdom, the United States of America and other United Nations, bears her share of responsibility for this war;

Whereas, however, Bulgaria, having ceased military operations against the United Nations, broke off relations with Germany, and, having concluded on October 28, 1944, an Armistice with the Governments of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, acting on behalf of all the United Nations at war with Bulgaria, took an active part in the war against Germany; and

Whereas the Allied and Associated Powers and Bulgaria are desirous of concluding a treaty of peace, which, conforming to the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Bulgaria's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

PART I

FRONTIERS OF BULGARIA

Article 1

The frontiers of Bulgaria, as shown on the map annexed to the present Treaty (Annex I), [1] shall be those which existed on January 1, 1941.

PART II

POLITICAL CLAUSES

SECTION I

Article 2

Bulgaria shall take all measures necessary to secure to all persons under Bulgarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

Article 3

Bulgaria, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

Article 4

Bulgaria, which in accordance with the Armistice Agreement has taken measures for dissolving all organisations of a Fascist type on Bulgarian territory, whether political, military or para-military, as well as other organisations conducting propaganda hostile to the United Nations, shall not permit in future the existence and activities of organisations of that nature which have as their aim denial to the people of their democratic rights.

[1] [This Annex is a large-scale map. A copy of the map as received with the certified copy of the Treaty, from the Government of the Union of Soviet Socialist Republics, is deposited with the Treaty in the archives of the Department of State where it is available for reference.]

Article 5

1. Bulgaria shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;

(b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Bulgaria shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Sofia of the Soviet Union, the United Kingdom and the United States of America, who will reach agreement with regard to the difficulty.

SECTION II

Article 6

Bulgaria undertakes to recognize the full force of the Treaties of Peace with Italy, Roumania, Hungary and Finland and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

Article 7

Bulgaria undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations and the Permanent Court of International Justice.

Article 8

1. Each Allied or Associated Power will notify Bulgaria, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Bulgaria it desires to keep in force or revive. Any provisions not in conformity with the present Treaty shall, however, be deleted from the above-mentioned treaties.

2. All such treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

PART III

MILITARY, NAVAL AND AIR CLAUSES

SECTION I

Article 9

The maintenance of land, sea and air armaments and fortifications shall be closely restricted to meeting tasks of an internal character and local defence of frontiers. In accordance with the foregoing, Bulgaria is authorised to have armed forces consisting of not more than:

(a) A land army, including frontier troops, with a total strength of 55,000 personnel;

(b) Anti-aircraft artillery with a strength of 1,800 personnel;

(c) A navy with a personnel strength of 3,500 and a total tonnage of 7,250 tons;

(d) An air force, including any naval air arm, of 90 aircraft, including reserves, of which not more than 70 may be combat types of aircraft, with a total personnel strength of 5,200. Bulgaria shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

These strengths shall in each case include combat, service and overhead personnel.

Article 10

The personnel of the Bulgarian Army, Navy and Air Force in excess of the respective strengths permitted under Article 9 shall be disbanded within six months from the coming into force of the present Treaty.

Article 11

Personnel not included in the Bulgarian Army, Navy or Air Force

shall not receive any form of military training, naval training or military air training as defined in Annex II.

Article 12

1. The following construction to the north of the Greco-Bulgarian frontier is prohibited: permanent fortifications where weapons capable of firing into Greek territory can be emplaced; permanent military installations capable of being used to conduct or direct fire into Greek territory; and permanent supply and storage facilities emplaced solely for the use of the said fortifications and installations.

2. This prohibition does not include other types of non-permanent fortifications or surface accommodations and installations which are designed to meet only requirements of an internal character and of local defence of the frontiers.

Article 13

Bulgaria shall not possess, construct or experiment with any atomic weapon, any self-propelled or guided missiles or apparatus connected with their discharge (other than torpedoes and torpedo-launching gear comprising the normal armament of naval vessels permitted by the present Treaty), sea mines or torpedoes of non-contact types actuated by influence mechanisms, torpedoes capable of being manned, submarines or other submersible craft, motor torpedo boats, or specialised types of assault craft.

Article 14

Bulgaria shall not retain, produce or otherwise acquire, or maintain facilities for the manufacture of, war material in excess of that required for the maintenance of the armed forces permitted under Article 9 of the present Treaty.

Article 15

1. Excess war material of Allied origin shall be placed at the disposal of the Allied or Associated Power concerned according to the instructions given by that Power. Excess Bulgarian war material shall be placed at the disposal of the Governments of the Soviet Union, the United Kingdom and the United States of America. Bulgaria shall renounce all rights to this material.

2. War material of German origin or design in excess of that required

for the armed forces permitted under the present Treaty shall be placed at the disposal of the Three Governments. Bulgaria shall not acquire or manufacture any war material of German origin or design, or employ or train any technicians, including military and civil aviation personnel, who are or have been nationals of Germany.

3. Excess war material mentioned in paragraphs 1 and 2 of this Article shall be handed over or destroyed within one year from the coming into force of the present Treaty.

4. A definition and list of war material for the purposes of the present Treaty are contained in Annex III.

Article 16

Bulgaria shall co-operate fully with the Allied and Associated Powers with a view to ensuring that Germany may not be able to take steps outside German territory towards rearmament.

Article 17

Bulgaria shall not acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

Article 18

Each of the military, naval and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Bulgaria or, after Bulgaria becomes a member of the United Nations, by agreement between the Security Council and Bulgaria.

SECTION II

Article 19

1. Bulgarian prisoners of war shall be repatriated as soon as possible, in accordance with arrangements agreed upon by the individual Powers detaining them and Bulgaria.

2. All costs, including maintenance costs, incurred in moving Bulgarian prisoners of war from their respective assembly points, as chosen by the Government of the Allied or Associated Power concerned, to the point of their entry into Bulgarian territory, shall be borne by the Bulgarian Government.

PART IV

WITHDRAWAL OF ALLIED FORCES

Article 20

1. All armed forces of the Allied and Associated Powers shall be withdrawn from Bulgaria as soon as possible and in any case not later than 90 days from the coming into force of the present Treaty.

2. All unused Bulgarian currency and all Bulgarian goods in possession of the Allied forces in Bulgaria, acquired pursuant to Article 15 of the Armistice Agreement, shall be returned to the Bulgarian Government within the same period of 90 days.

3. Bulgaria shall, however, provide, during the period between the coming into force of the present Treaty and the final withdrawal of Allied forces, all such supplies and facilities as may be specifically required for the forces of the Allied and Associated Powers which are being withdrawn, and due compensation shall be paid to the Bulgarian Government for such supplies and facilities.

PART V

REPARATION AND RESTITUTION

Article 21

1. Losses caused to Yugoslavia and Greece by military operations and by the occupation by Bulgaria of the territory of those States shall be made good by Bulgaria to Yugoslavia and Greece, but, taking into consideration that Bulgaria has not only withdrawn from the war against the United Nations, but has declared and, in fact, waged war against Germany, the Parties agree that compensation for the above losses will be made by Bulgaria not in full but only in part, namely in the amount of $70,000,000 payable in kind from the products of manufacturing and extractive industries and agriculture over eight years beginning from the coming into force of the present Treaty. The sum to be paid to Greece shall amount to $45,000,000 and the sum to be paid to Yugoslavia shall amount to $25,000,000.

2. The quantities and categories of goods to be delivered shall be deter-

mined by agreements to be concluded by the Governments of Greece and Yugoslavia with the Government of Bulgaria. These agreements shall be communicated to the Heads of the Diplomatic Missions in Sofia of the Soviet Union, the United Kingdom and the United States of America.

3. The basis of calculation for the settlement provided in this Article will be the United States dollar at its gold parity on July 1, 1946, i.e. $35 for one ounce of gold.

4. The basis of valuation of goods delivered under this Article shall be the 1938 international market prices in United States dollars, with an increase of fifteen per cent. for industrial products and ten per cent. for other products. The cost of transport to the Greek or Yugoslav frontier shall be chargeable to the Bulgarian Government.

Article 22

1. Bulgaria accepts the principles of the United Nations Declaration of January 5, 1943, and shall return, in the shortest possible time, property removed from the territory of any of the United Nations.

2. The obligation to make restitution applies to all identifiable property at present in Bulgaria which was removed by force or duress by any of the Axis Powers from the territory of any of the United Nations, irrespective of any subsequent transactions by which the present holder of any such property has secured possession.

3. If, in particular cases, it is impossible for Bulgaria to make restitution of objects of artistic, historic or archaeological value, belonging to the cultural heritage of the United Nation from whose territory such objects were removed by force or duress by Bulgarian forces, authorities or nationals, Bulgaria shall transfer to the United Nation concerned objects of the same kind as, and of approximately equivalent value to, the objects removed, in so far as such objects are obtainable in Bulgaria.

4. The Bulgarian Government shall return the property referred to in this Article in good order and, in this connection, shall bear all costs in Bulgaria relating to labour, materials and transport.

5. The Bulgarian Government shall co-operate with the United Nations in, and shall provide at its own expense all necessary facilities for, the search for and restitution of property liable to restitution under this Article.

6. The Bulgarian Government shall take the necessary measures to

effect the return of property covered by this Article held in any third country by persons subject to Bulgarian jurisdiction.

7. Claims for the restitution of property shall be presented to the Bulgarian Government by the Government of the country from whose territory the property was removed, it being understood that rolling stock shall be regarded as having been removed from the territory to which it originally belonged. The period during which such claims may be presented shall be six months from the coming into force of the present Treaty.

8. The burden of identifying the property and of proving ownership shall rest on the claimant Government, and the burden of proving that the property was not removed by force or duress shall rest on the Bulgarian Government.

PART VI

ECONOMIC CLAUSES

Article 23

1. In so far as Bulgaria has not already done so, Bulgaria shall restore all legal rights and interests in Bulgaria of the United Nations and their nationals as they existed on April 24, 1941, and shall return all property in Bulgaria of the United Nations and their nationals as it now exists.

2. The Bulgarian Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Bulgarian Government in connection with their return. The Bulgarian Government shall nullify all measures, including seizures, sequestration or control, taken by it against United Nations property between April 24, 1941, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the present Treaty, application shall be made to the Bulgarian authorities not later than twelve months from the coming into force of the Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Bulgarian Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

4. *(a)* The Bulgarian Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a United Nations national has suffered a loss by reason of injury or damage to property in Bulgaria, he shall receive from the Bulgarian Government compensation in levas to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Bulgarian nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 8*(a)* of this Article, but which have suffered a loss by reason of injury or damage to property in Bulgaria, shall receive compensation in accordance with sub-paragraph *(a)* above. This compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Bulgaria but shall be subject to the foreign exchange control regulations which may be in force in Bulgaria from time to time.

(d) The Bulgarian Government shall accord to United Nations nationals the same treatment in the allocation of materials for the repair or rehabilitation of their property in Bulgaria and in the allocation of foreign exchange for the importation of such materials as applies to Bulgarian nationals.

(e) The Bulgarian Government shall grant United Nations nationals an indemnity in levas at the same rate as provided in sub-paragraph *(a)* above to compensate them for the loss or damage due to special measures

applied to their property during the war, and which were not applicable to Bulgarian property. This sub-paragraph does not apply to a loss of profit.

5. All reasonable expenses incurred in Bulgaria in establishing claims, including the assessment of loss or damage, shall be borne by the Bulgarian Government.

6. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts imposed on their capital assets in Bulgaria by the Bulgarian Government or any Bulgarian authority between the date of the Armistice and the coming into force of the present Treaty for the specific purpose of meeting charges arising out of the war or of meeting the costs of occupying forces or of reparation payable to any of the United Nations. Any sums which have been so paid shall be refunded.

7. The owner of the property concerned and the Bulgarian Government may agree upon arrangements in lieu of the provisions of this Article.

8. As used in this Article:

(a) "United Nations nationals" means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status at the date of the Armistice with Bulgaria.

The term "United Nations nationals" also includes all individuals, corporations or associations which, under the laws in force in Bulgaria during the war, have been treated as enemy;

(b) "Owner" means the United Nations national, as defined in sub-paragraph *(a)* above, who is entitled to the property in question, and includes a successor of the owner, provided that the successor is also a United Nations national as defined in sub-paragraph *(a)*. If the successor has purchased the property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law;

(c) "Property" means all movable or immovable property, whether tangible or intangible, including industrial, literary and artistic property, as well as all rights or interests of any kind in property.

Article 24

Bulgaria recognizes that the Soviet Union is entitled to all German

assets in Bulgaria transferred to the Soviet Union by the Control Council for Germany and undertakes to take all necessary measures to facilitate such transfers.

Article 25

1. Each of the Allied and Associated Powers shall have the right to seize, retain, liquidate or take any other action with respect to all property, rights and interests which at the coming into force of the present Treaty are within its territory and belong to Bulgaria or to Bulgarian nationals, and to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Bulgaria or Bulgarian nationals, including debts, other than claims fully satisfied under other Articles of the present Treaty. All Bulgarian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned.

2. The liquidation and disposition of Bulgarian property shall be carried out in accordance with the law of the Allied or Associated Power concerned. The Bulgarian owner shall have no rights with respect to such property except those which may be given him by that law.

3. The Bulgarian Government undertakes to compensate Bulgarian nationals whose property is taken under this Article and not returned to them.

4. No obligation is created by this Article on any Allied or Associated Power to return industrial property to the Bulgarian Government or Bulgarian nationals, or to include such property in determining the amounts which may be retained under paragraph 1 of this Article. The Government of each of the Allied and Associated Powers shall have the right to impose such limitations, conditions and restrictions on rights or interests with respect to industrial property in the territory of that Allied or Associated Power, acquired prior to the coming into force of the present Treaty by the Government or nationals of Bulgaria, as may be deemed by the Government of the Allied or Associated Power to be necessary in the national interest.

5. The property covered by paragraph 1 of this Article shall be deemed to include Bulgarian property which has been subject to control by reason of a state of war existing between Bulgaria and the Allied or Associated Power having jurisdiction over the property, but shall not include:

(a) Property of the Bulgarian Government used for consular or diplomatic purposes;

(b) Property belonging to religious bodies or private charitable institutions and used for religious or charitable purposes;

(c) Property of natural persons who are Bulgarian nationals permitted to reside within the territory of the country in which the property is located or to reside elsewhere in United Nations territory, other than Bulgarian property which at any time during the war was subjected to measures not generally applicable to the property of Bulgarian nationals resident in the same territory;

(d) Property rights arising since the resumption of trade and financial relations between the Allied and Associated Powers and Bulgaria, or arising out of transactions between the Government of any Allied or Associated Power and Bulgaria since October 28, 1944;

(e) Literary and artistic property rights.

Article 26

1. From the coming into force of the present Treaty, property in Germany of Bulgaria and of Bulgarian nationals shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Bulgaria and of Bulgarian nationals removed by force or duress from Bulgarian territory to Germany by German forces or authorities after October 28, 1944, shall be eligible for restitution.

3. The restoration and restitution of Bulgarian property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

4. Without prejudice to these and to any other dispositions in favour of Bulgaria and Bulgarian nationals by the Powers occupying Germany, Bulgaria waives on its own behalf and on behalf of Bulgarian nationals all claims against Germany and German nationals outstanding on May 8, 1945, except those arising out of contracts and other obligations entered into, and rights acquired, before September 1, 1939. This waiver shall be deemed to include debts, all inter-governmental claims in respect of arrangements entered into in the course of the war and all claims for loss or damage arising during the war.

Article 27

1. The existence of the state of war shall not, in itself, be regarded as affecting the obligation to pay pecuniary debts arising out of obligations and contracts which existed, and rights which were acquired, before the existence of the state of war, which became payable prior to the coming into force of the present Treaty, and which are due by the Government or nationals of Bulgaria to the Government or nationals of one of the Allied and Associated Powers or are due by the Government or nationals of one of the Allied and Associated Powers to the Government or nationals of Bulgaria.

2. Except as otherwise expressly provided in the present Treaty, nothing therein shall be construed as impairing debtor-creditor relationships arising out of pre-war contracts concluded either by the Government or nationals of Bulgaria.

Article 28

1. Bulgaria waives all claims of any description against the Allied and Associated Powers on behalf of the Bulgarian Government or Bulgarian nationals arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, whether or not the Allied or Associated Power was at war with Bulgaria at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers;

(b) Claims arising from the presence, operations or actions of forces or authorities of Allied or Associated Powers in Bulgarian territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Bulgaria agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Bulgarian ships or Bulgarian goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest. The Bulgarian Government agrees to make equitable compensation in levas to persons who furnished

supplies or services on requisition to the forces of Allied or Associated Powers in Bulgarian territory and in satisfaction of non-combat damage claims against the forces of Allied or Associated Powers arising in Bulgarian territory.

3. Bulgaria likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Bulgarian Government or Bulgarian nationals against any of the United Nations whose diplomatic relations with Bulgaria were broken off during the war and which took action in cooperation with the Allied and Associated Powers.

4. The waiver of claims by Bulgaria under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Bulgarian ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Conventions on prisoners of war now in force.

Article 29

1. Pending the conclusion of commercial treaties or agreements between individual United Nations and Bulgaria, the Bulgarian Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Bulgaria:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Bulgaria shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined for territory of any other of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Bulgaria. These provisions shall not apply to commercial aviation;

(d) Bulgaria shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international

traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Bulgarian territory, including the right to land for refueling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Bulgarian territory without landing. These provisions shall not affect the interests of the national defence of Bulgaria.

2. The foregoing undertakings by Bulgaria shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Bulgaria before the war, and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

Article 30

Bulgaria shall facilitate as far as possible railway traffic in transit through its territory at reasonable rates and shall negotiate with neighboring States all reciprocal agreements necessary for this purpose.

Article 31

1. Any disputes which may arise in connection with Articles 22 and 23 and Annexes IV, V and VI of the present Treaty shall be referred to a Conciliation Commission composed of an equal number of representatives of the United Nations Government concerned and of the Bulgarian Government. If agreement has not been reached within three months of the dispute having been referred to the Conciliation Commission, either Government may require the addition of a third member to the Commission, and failing agreement between the two Governments on the selection of this member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding.

Article 32

Articles 22, 23, 29 and Annex VI of the present Treaty shall apply to the Allied and Associated Powers and France and to those of the United

Nations whose diplomatic relations with Bulgaria have been broken off during the war.

Article 33

The provisions of Annexes IV, V and VI shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

PART VII

CLAUSE RELATING TO THE DANUBE

Article 34

Navigation on the Danube shall be free and open for the nationals, vessels of commerce, and goods of all States, on a footing of equality in regard to port and navigation charges and conditions for merchant shipping. The foregoing shall not apply to traffic between ports of the same State.

PART VIII

FINAL CLAUSES

Article 35

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Sofia of the Soviet Union, the United Kingdom and the United States of America, acting in concert, will represent the Allied and Associated Powers in dealing with the Bulgarian Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Three Heads of Mission will give the Bulgarian Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Bulgarian Government shall afford the said Three Heads of

Mission all necessary information and any assistance which they may require in the fulfilment of the tasks devolving on them under the present Treaty.

Article 36

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 35, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 37

1. Any member of the United Nations, not a signatory to the present Treaty, which is at war with Bulgaria, may accede to the Treaty and upon accession shall be deemed to be an Associated Power for the purposes of the Treaty.

2. Instruments of accession shall be deposited with the Government of the Union of Soviet Socialist Republics and shall take effect upon deposit.

Article 38

The present Treaty, of which the Russian and English texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Bulgaria. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of Amer-

ica. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the Union of Soviet Socialist Republics.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the Union of Soviet Socialist Republics, which shall furnish certified copies to each of the signatory States.

LIST OF ANNEXES

I. Map of Bulgarian Frontiers

II. Definition of Military, Military Air and Naval Training

III. Definition and list of war material

IV. Industrial, Literary and Artistic Property

V. Contracts, Prescription and Negotiable Instruments

VI. Judgments

ANNEX I

(See Article 1)

Map of the Bulgarian Frontiers

ANNEX II

(See Article 11)

Definition of Military, Military Air and Naval Training

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organised study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission; and the organised study of air tactics, strategy and staff work.

3. Naval training is defined as: the study, administration or practice in the use of warships or naval establishments as well as the study or employment of all apparatus and training devices relative thereto, which are used in the prosecution of naval warfare, except for those which are also normally used for civilian purposes; also the teaching, practice or organised study of naval tactics, strategy and staff work including the execution of all operations and manoeuvres not required in the peaceful employment of ships.

ANNEX III

(See Article 15)

Definition and List of War Material

The term "war material" as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

Category I.

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft; breechless or recoil-less guns and flamethrowers; barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in sub-paragraphs 1-4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary material or charges, filled or unfilled; all means for exploding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

Category II.

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness, used for protective purposes in warfare.

Category III.

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

Category IV.

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition, aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices or apparatus of any kind, including specially designed harbour defence booms, except as required by salvage, rescue or other civilian uses, as well as all equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be specially designed for the construction, testing, maintenance or housing of the same.

Category V.

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of their design or con-

struction are prepared for, any of the appliances referred to in sub-paragraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

Category VI.

Asphyxiating, lethal, toxic or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

Category VII.

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging or filling of, or for use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

Category VIII.

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

ANNEX IV

Industrial, Literary and Artistic Property

1. *(a)* A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Bulgaria of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Bulgaria or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Bulgaria or during the war, shall be entitled within twelve months after the coming into force of the present Treaty to apply for corresponding rights in Bulgaria, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Bulgaria against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in industrial, literary and artistic property which were in force in Bulgaria at the outbreak of the war or which are recognized or established under this Annex and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Bulgaria for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Bulgaria of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Bulgaria and its nationals. Nothing, however, in these provisions shall entitle Bulgaria or its nationals to more favorable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Bulgaria be thereby

required to accord to any of the Allied and Associated Powers or its nationals more favorable treatment than Bulgaria or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Bulgaria who, before the coming into force of the present Treaty, had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Bulgaria, such permission shall take the form of a non-exclusive licence granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 31 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in this Annex shall be construed to entitle Bulgaria or its nationals to any patent or utility model rights in the territory of any of the Allied and Associated Powers with respect to inventions, relating to any article listed by name in Annex III of the present Treaty, made, or upon which applications were filed, by Bulgaria, or any of its nationals, in Bulgaria or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Bulgaria shall likewise extend the benefits of the foregoing provisions of this Annex to France, and to other United Nations which are not Allied or Associated Powers, whose diplomatic relations with Bulgaria have been broken off during the war and which undertake to extend to Bulgaria the benefits accorded to Bulgaria under the said provisions.

8. Nothing in this Annex shall be understood to conflict with Articles 23, 25 and 27 of the present Treaty.

ANNEX V

Contracts, Prescription and Negotiable Instruments

A. CONTRACTS

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in paragraphs 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, is without prejudice to the provisions of Article 27 of the present Treaty, nor shall it relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and, without prejudice to the rights contained in Article 25 of the present Treaty, there shall remain in force such parts of any contract as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall be subject to separate agreements between the Govern-

ment of the Allied or Associated Power concerned and the Government of Bulgaria.

B. PERIODS OF PRESCRIPTION

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations affecting persons or property, involving United Nations nationals and Bulgarian nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Bulgarian territory on the one hand, and on the other hand in the territory of those United Nations which grant to Bulgaria, on a reciprocal basis, the benefit of the provisions of this paragraph. These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Bulgarian territory to the prejudice of a national of one of the United Nations, the Bulgarian Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Bulgarian Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

C. NEGOTIABLE INSTRUMENTS

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

D. Special Provisions

1. For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

2. Having regard to the legal system of the United States of America, the provisions of this Annex shall not apply as between the United States of America and Bulgaria.

ANNEX VI

Judgments

The Bulgarian Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into force of the present Treaty to submit to the appropriate Bulgarian authorities for review any judgment given by a Bulgarian court between April 24, 1941, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Bul-

garian Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term "United Nations nationals" includes corporations or associations organised or constituted under the laws of any of the United Nations.

TRAITE DE PAIX

AVEC LA

BULGARIE

1947

95347°—49—PT. II——65

Les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la République Soviétique Socialiste de Biélorussie, la Grèce, l'Inde, la Nouvelle-Zélande, la Tchécoslovaquie, la République Soviétique Socialiste d'Ukraine, l'Union Sud-Africaine et la République Fédérative Populaire de Yougoslavie, en tant qu'Etats en guerre avec la Bulgarie et ayant participé à la lutte contre les Etats européens ennemis avec des forces militaires importantes, désignés ci-après sous le nom de "Puissances Alliées et Associées" d'une part,

et la Bulgarie d'autre part;

Considérant que la Bulgarie, qui a conclu une alliance avec l'Allemagne hitlérienne et a participé à ses côtés à la guerre contre les Etats-Unis d'Amérique, le Royaume-Uni, l'Union des Républiques Soviétiques Socialistes et d'autres Nations Unies, porte sa part de responsabilité dans cette guerre;

Considérant toutefois que la Bulgarie, après avoir cessé les opérations militaires contre les Nations Unies, a rompu ses relations avec l'Allemagne et, ayant conclu le 28 octobre 1944 un armistice avec les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Soviétiques Socialistes, agissant au nom de toutes les Nations Unies en guerre avec la Bulgarie, a pris une part active dans la guerre contre l'Allemagne;

Considérant que les Puissances Alliées et Associées et la Bulgarie sont désireuses de conclure un traité de paix qui règle, en conformité avec les principes de justice, les questions demeurant en suspens à la suite des événements ci-dessus rappelés et qui forme la base de relations amicales entre elles, permettant ainsi aux Puissances Alliées et Associées d'appuyer les demandes que la Bulgarie présentera pour devenir membre de l'Organisation des Nations Unies et pour adhérer à toute convention conclue sous les auspices des Nations Unies;

Pour ces motifs, ont décidé de proclamer la cessation de l'état de guerre et de conclure à cet effet le présent Traité de Paix et ont, à ces fins, désigné les Plénipotentiaires soussignés, lesquels, après présentation de leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des articles suivants:

PARTIE I

FRONTIERES DE LA BULGARIE

Article 1

Les frontières de la Bulgarie, telles qu'elles sont indiquées sur la carte jointe au présent Traité (annexe I), demeureront telles qu'elles étaient au 1er janvier 1941.

PARTIE II

CLAUSES POLITIQUES

SECTION I

Article 2

La Bulgarie prendra toutes les mesures nécessaires pour assurer à toutes les personnes relevant de sa juridiction, sans distinction de race, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, y compris la liberté d'expression de la pensée, la liberté de presse et de publication, la liberté du culte, la liberté d'opinion et de réunion.

Article 3

La Bulgarie qui, conformément à la Convention d'Armistice, a pris des mesures pour mettre en liberté, sans distinction de citoyenneté ou de nationalité, toutes les personnes détenues en raison de leurs activités en faveur des Nations Unies ou de leur sympathie pour celles-ci, ou en raison de leur origine raciale, et pour abroger la législation ayant un caractère discriminatoire et rapporter les restrictions imposées en vertu de celle-ci, s'engage à compléter ces mesures et à ne prendre à l'avenir aucune mesure ou à n'édicter aucune loi qui serait incompatible avec les fins énoncées dans le présent article.

Article 4

La Bulgarie qui, conformément à la Convention d'Armistice, a pris des mesures en vue de dissoudre toutes les organisations politiques, militaires ou paramilitaires de caractère fasciste existant sur le territoire bulgare, ainsi que toutes autres organisations faisant une propagande hostile

aux Nations Unies, s'engage à ne pas tolérer à l'avenir l'existence et l'activité d'organisations de cette nature qui ont pour but de priver le peuple des ses droits démocratiques.

Article 5

1. La Bulgarie prendra toutes les mesures nécessaires pour assurer l'arrestation et la livraison en vue de leur jugement:

a) des personnes accusées d'avoir commis, ordonné des crimes de guerre et des crimes contre la paix ou l'humanité, ou d'en avoir été complices;

b) des ressortissants de l'une quelconque des Puissances Alliées ou Associées accusés d'avoir enfreint les lois de leur pays en commettant des actes de trahison ou en collaborant avec l'ennemi pendant la guerre.

2. A la demande du Gouvernement de l'une des Nations Unies intéressées, la Bulgarie devra assurer en outre la comparution comme témoins des personnes relevant de sa juridiction dont la déposition est nécessaire pour le jugement des personnes visées au paragraphe 1 du présent article.

3. Tout désaccord concernant l'application des dispositions des paragraphes 1 et 2 du présent article sera soumis par tout Gouvernement intéressé aux Chefs des missions diplomatiques à Sofia des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique, qui se mettront d'accord sur le point soulevé.

SECTION II

Article 6

La Bulgarie s'engage à reconnaître la pleine valeur des Traités de Paix avec l'Italie, la Roumanie, la Hongrie et la Finlande, ainsi que des autres accords ou arrangements qui ont été conclus ou qui seront conclus par les Puissances Alliées et Associées en ce qui concerne l'Autriche, l'Allemagne et le Japon, en vue du rétablissement de la paix.

Article 7

La Bulgarie s'engage à accepter tous les arrangements qui ont été conclus ou qui pourront être conclus pour la liquidation de la Société des Nations et de la Cour Permanente de Justice Internationale.

Article 8

1. Chacune des Puissances Alliées ou Associées notifiera à la Bulgarie, dans un délai de six mois à partir de l'entrée en vigueur du présent Traité, les traités bilatéraux qu'elle a conclus avec la Bulgarie antérieurement à la guerre et dont elle désire le maintien ou la remise en vigueur. Toutes dispositions des traités dont il s'agit qui ne seraient pas en conformité avec le présent Traité seront toutefois supprimées.

2. Tous les traités de cette nature qui auront fait l'objet de cette notification seront enregistrés au Secrétariat de l'Organisation des Nations Unies, conformément à l'article 102 de la Charte des Nations Unies.

3. Tous les traités de cette nature qui n'auront pas fait l'objet d'une telle notification seront tenus pour abrogés.

PARTIE III

CLAUSES MILITAIRES, NAVALES ET AERIENNES

SECTION I

Article 9

Les armements terrestres, maritimes et aériens et les fortifications seront strictement limités de manière à répondre aux tâches d'ordre intérieur et à la défense locale des frontières. Conformément aux dispositions ci-dessus, la Bulgarie est autorisée à conserver des forces armées ne dépassant pas:

a) pour l'armée de terre, y compris les gardes-frontières, un effectif total de 55.000 hommes;

b) pour l'artillerie de défense anti-aérienne, un effectif de 1.800 hommes;

c) pour la marine, un effectif de 3.500 hommes et un tonnage total de 7.250 tonnes;

d) pour l'aviation militaire, y compris l'aéronautique navale et les avions de réserve, 90 avions, dont 70 au maximum pourront être des avions de combat, et un effectif total de 5.200 hommes. La Bulgarie ne devra ni posséder ni acquérir d'avions conçus essentiellement comme bombardiers et comportant des dispositifs intérieurs pour le transport des bombes.

Ces effectifs comprendront, dans chaque cas, le personnel de commandement, les unités combattantes et les services.

Article 10

Le personnel de l'armée, de la marine et de l'aviation bulgares en excédent des effectifs autorisés dans chaque cas aux termes de l'article 9 sera licencié dans un délai de six mois à partir de la date d'entrée en vigueur du présent Traité.

Article 11

Aucune forme d'instruction militaire, navale ou aérienne au sens de l'annexe II, ne sera donnée aux personnes ne faisant pas partie de l'armée, de la marine ou de l'aviation bulgare.

Article 12

1. La construction des ouvrages suivants est interdite au nord de la frontière gréco-bulgare: fortifications permanentes où peuvent être installées des armes capables de tirer en territoire hellénique, installations militaires permanentes pouvant être utilisées pour conduire ou diriger le tir en territoire hellénique et moyens permanents de ravitaillement et de stockage édifiés uniquement pour l'usage des fortifications et installations ci-dessus.

2. Cette interdiction ne vise pas les autres types de fortifications non permanentes ou les casemates, casernements et installations de surface qui sont uniquement destinés à répondre à des nécessités d'ordre intérieur et de défense locale des frontières.

Article 13

La Bulgarie ne possédera, ne fabriquera ni n'expérimentera aucune arme atomique, aucun projectile automoteur ou dirigé, ni aucun dispositif employé pour le lancement de ces projectiles (autre que les torpilles ou dispositifs de lancement de torpilles faisant partie de l'armement normal des navires autorisés par le présent Traité), aucune mine marine ou torpille fonctionnant par un mécanisme à influence, aucune torpille humaine, aucun sous-marin ou autre bâtiment submersible, aucune vedette lance-torpilles, ni aucun type spécialisé de bâtiment d'assaut.

Article 14

La Bulgarie ne devra pas conserver, fabriquer ou acquérir par tout autre moyen, de matériel de guerre en excédent de ce qui est nécessaire au maintien des forces armées autorisées par l'article 9 du présent Traité ni laisser subsister de facilités pour la production de ce matériel de guerre.

Article 15

1. Le matériel de guerre de provenance alliée en excédent sera mis à la disposition de la Puissance Alliée ou Associée intéressée conformément aux instructions qui seront données par celle-ci; le matériel de guerre bulgare en excédent sera mis à la disposition des Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique. La Bulgarie renoncera à tous droits sur ce matériel.

2. Le matériel de guerre de provenance allemande ou construit sur des plans allemands, en excédent de celui qui est nécessaire aux forces armées autorisées par le présent Traité, sera mis à la disposition des trois Gouvernements. La Bulgarie n'acquerra, ni ne fabriquera aucun matériel de guerre de provenance allemande ou construit sur des plans allemands; elle n'emploiera ni n'instruira aucun technicien, y compris le personnel de l'aviation militaire ou civile, qui soit ou ait été ressortissant allemand.

3. Le matériel de guerre en excédent mentionné aux paragraphes 1 et 2 du présent article sera livré ou détruit dans un délai d'un an à partir de la date d'entrée en vigueur du présent Traité.

4. La définition et la liste du matériel du guerre aux fins du présent Traité figurent à l'annexe III.

Article 16

La Bulgarie s'engage à apporter son entière collaboration aux Puissances Alliées et Associées, en vue de mettre l'Allemagne dans l'impossibilité de prendre hors du territoire allemand des mesures tendant à son réarmement.

Article 17

La Bulgarie s'engage à n'acquérir ou fabriquer aucun avion civil de modèle allemand ou japonais ou comportant des éléments importants de fabrication ou de conception allemande ou japonaise.

Article 18

Chacune des clauses militaires, navales et aériennes du présent Traité demeurera en vigueur aussi longtemps qu'elle n'aura pas été modifiée, entièrement ou partiellement, par accord entre les Puissances Alliées et Associées et la Bulgarie, ou, après que la Bulgarie sera devenue membre de l'Organisation des Nations Unies, par accord entre le Conseil de Sécurité et la Bulgarie.

SECTION II

Article 19

1. Les prisonniers de guerre bulgares seront rapatriés aussitôt que possible conformément aux arrangements conclus entre chacune des Puissances qui détiennent ces prisonniers et la Bulgarie.

2. Tous les frais, y compris les frais de subsistance, entraînés par le transfert des prisonniers de guerre bulgares depuis leurs centres de rapatriement respectifs, choisis par le Gouvernement de la Puissance Alliée ou Associée intéressée, jusqu'au lieu d'entrée sur le territoire bulgare, seront à la charge du Gouvernement bulgare.

PARTIE IV

RETRAIT DES FORCES ALLIEES

Article 20

1. Toutes les forces armées des Puissances Alliées et Associées seront retirées de Bulgarie aussitôt que possible et en tout cas dans un délai maximum de quatre-vingt-dix jours à partir de l'entrée en vigueur du présent Traité.

2. Toutes les devises bulgares non employées et tous les biens bulgares qui sont en la possession des armées alliées sur le territoire bulgare et qui ont été acquis en application de l'article 15 de la Convention d'Armistice, seront restitués au Gouvernement bulgare dans le même délai de quatre-vingt-dix jours.

3. Toutefois, la Bulgarie fournira pendant la période comprise entre l'entrée en vigueur du présent Traité et le retrait définitif des forces armées alliées, tous les approvisionnements et facilités qui pourront être particu-

lièrement nécessaires pour les forces armées des Puissances Alliées et Associées pendant leur retrait, prestations pour lesquelles le Gouvernement bulgare sera dûment indemnisé.

PARTIE V

REPARATIONS ET RESTITUTIONS

Article 21

1. La Bulgarie indemnisera la Yougoslavie et la Grèce des pertes causées du fait des opérations militaires et de l'occupation par la Bulgarie du territoire de ces Etats; toutefois, tenant compte du fait que la Bulgarie, non seulement s'est retirée de la guerre contre les Nations Unies, mais encore a déclaré la guerre à l'Allemagne et a effectivement mené la guerre contre celle-ci, les Parties Contractantes conviennent que la Bulgarie les indemnisera des pertes indiquées ci-dessus non en totalité, mais seulement en partie, à savoir, jusqu'à concurrence d'un montant de 70.000.000 de dollars des Etats-Unis, payables en marchandises provenant de la production des industries de transformation et des industries extractives, ainsi que de celle de l'agriculture, pendant une période de huit années, à partir de la date d'entrée en vigueur du présent Traité. La somme que la Bulgarie devra payer à la Grèce s'élèvera à 45.000.000 de dollars, et celle qu'elle devra payer à la Yougoslavie, à 25.000.000 de dollars.

2. Les quantités et les catégories de marchandises à livrer seront déterminées par accords entre les Gouvernements de Grèce et de Yougoslavie et le Gouvernement bulgare. Ces accords seront communiqués aux Chefs des missions diplomatiques à Sofia des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique.

3. La base de calcul pour le règlement prévu dans le présent article sera le dollar des Etats-Unis, à sa parité or, à la date du 1er juillet 1946, c'est-à-dire 35 dollars pour une once d'or.

4. La valeur des marchandises livrées en exécution du présent article sera calculée sur la base des prix pratiqués en 1938 sur le marché international, en dollars des Etats-Unis, avec un coefficient de majoration de quinze pour cent pour les produits industriels et de dix pour cent pour les autres

produits. Les frais de transport jusqu'à la frontière grecque ou yougoslave seront à la charge du Gouvernement bulgare.

Article 22

1. La Bulgarie accepte les principes de la Déclaration des Nations Unies du 5 janvier 1943 et restituera dans le plus bref délai possible les biens enlevés du territoire de l'une quelconque des Nations Unies.

2. L'obligation de restituer s'applique à tous les biens identifiables se trouvant actuellement en Bulgarie et qui ont été enlevés, par force ou par contrainte, du territoire de l'une des Nations Unies par l'une des Puissances de l'Axe, quelles qu'aient été les transactions ultérieures par lesquelles le détenteur actuel de ces biens s'en est assuré la possession.

3. Si, dans des cas particuliers, il est impossible à la Bulgarie d'effectuer la restitution d'objets présentant un intérêt artistique, historique ou archéologique, et qui font partie du patrimoine culturel de la Nation Unie du territoire de laquelle ces objets ont été enlevés par les armées, les autorités ou les ressortissants bulgares, usant de la force ou de la contrainte, la Bulgarie s'engage à remettre à la Nation Unie intéressée des objets de même nature et d'une valeur sensiblement équivalente à celle des objets enlevés, dans la mesure où il est possible de s'en procurer en Bulgarie.

4. Le Gouvernement bulgare restituera en bon état les biens visés dans le présent article et prendra à sa charge tous les frais de main-d'oeuvre, de matériaux et de transport engagés à cet effet en Bulgarie.

5. Le Gouvernement bulgare coopérera avec les Nations Unies à la recherche et à la restitution des biens soumis à restitution aux termes du présent article et il fournira à ses frais toutes les facilités nécessaires.

6. Le Gouvernement bulgare prendra les mesures nécessaires pour restituer les biens visés dans le présent article, qui sont détenus dans un tiers pays par des personnes relevant de la juridiction bulgare.

7. La demande de restitution d'un bien sera présentée au Gouvernement bulgare par le Gouvernement du pays du territoire duquel le bien a été enlevé, étant entendu que le matériel roulant sera considéré comme ayant été enlevé du territoire auquel il appartenait à l'origine. Les demandes

devront être présentées dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

8. Il incombera au Gouvernement requérant d'identifier le bien et d'en prouver la propriété et au Gouvernement bulgare d'apporter la preuve que le bien n'a pas été enlevé par force ou par contrainte.

PARTIE VI

CLAUSES ECONOMIQUES

Article 23

1. Pour autant qu'elle ne l'a pas déjà fait, la Bulgarie rétablira tous les droits et intérêts légaux en Bulgarie des Nations Unies et de leurs ressortissants, tels qu'ils existaient au 24 avril 1941 et restituera à ces Nations Unies et à leurs ressortissants tous les biens leur appartenant en Bulgarie, dans l'état où ils se trouvent actuellement.

2. Le Gouvernement bulgare restituera tous les biens, droits et intérêts visés au présent article, libres de toutes hypothèques et charges quelconques dont ils auraient pu être grevés du fait de la guerre, et sans que la restitution donne lieu à la perception d'aucune somme de la part du Gouvernement bulgare. Le Gouvernement bulgare annulera toutes mesures, y compris les mesures de saisie, de séquestre ou de contrôle, prises par lui à l'égard des biens des Nations Unies entre le 24 avril 1941 et la date d'entrée en vigueur du présent Traité. Dans le cas où le bien n'aurait pas été restitué dans les six mois à compter de la date d'entrée en vigueur du présent Traité, la demande devra être présentée aux autorités bulgares dans un délai maximum de douze mois à compter de cette même date, sauf dans les cas où le demandeur serait en mesure d'établir qu'il lui a été impossible de présenter sa demande dans ce délai.

3. Le Gouvernement bulgare annulera les transferts portant sur des biens, droits et intérêts de toute nature appartenant à des ressortissants des Nations Unies, lorsque ces transferts résultent de mesures de force ou de contrainte prises au cours de la guerre par les Gouvernements des Puissances de l'Axe ou par leurs organes.

4. *a)* Le Gouvernement bulgare sera responsable de la remise en parfait état des biens restitués à des ressortissants des Nations Unies en vertu du paragraphe 1 du présent article. Lorsqu'un bien ne pourra être restitué ou que, du fait de la guerre, le ressortissant d'une Nation Unie aura subi une perte par suite d'une atteinte ou d'un dommage causé à un bien en Bulgarie, le Gouvernement bulgare indemnisera le propriétaire en versant une somme en levas jusqu'à concurrence des deux tiers de la somme nécessaire, à la date du paiement, pour permettre au bénéficiaire, soit d'acheter un bien équivalent, soit de compenser la perte ou le dommage subi. En aucun cas, les ressortissants des Nations Unies ne devront être l'objet d'un traitement moins favorable en matière d'indemnité que le traitement accordé aux ressortissants bulgares.

b) Les ressortissants des Nations Unies qui détiennent directement ou indirectement des parts d'intérêts dans des sociétés ou associations qui ne possèdent pas la nationalité des Nations Unies, au sens du paragraphe 8 *(a)* du présent article, mais qui ont subi une perte par suite d'atteintes ou de dommages causés à leurs biens en Bulgarie recevront une indemnité conformément à l'alinéa *a)* ci-dessus. Cette indemnité sera calculée en fonction de la perte ou du dommage total subi par la société ou l'association, et son montant par rapport au total de la perte ou du dommage subi aura la même proportion que la part d'intérêts détenue par lesdits ressortissants par rapport au capital global de la société ou association en question.

c) L'indemnité sera versée, nette de tous prélèvements, impôts ou autres charges. Elle pourra être librement employée en Bulgarie mais sera soumise aux règlements relatifs au contrôle des changes qui pourront, à un moment donné, être en vigueur en Bulgarie.

d) Le Gouvernement bulgare accordera aux ressortissants des Nations Unies le même traitement qu'aux ressortissants bulgares, en ce qui concerne l'attribution des matériaux pour la réparation ou la remise en état de leurs biens en Bulgarie, ainsi qu'en ce qui concerne l'attribution de devises étrangères en vue de l'importation de tels matériaux.

e) Le Gouvernement bulgare accordera aux ressortissants des Nations Unies une indemnité en levas, dans la même proportion que celle qui est prévue à l'alinéa *a)* ci-dessus pour compenser la perte ou les dommages qui résultent de mesures spéciales prises pendant la guerre à l'encontre de

leurs biens et qui ne visaient pas les biens bulgares. Cet alinéa ne s'applique pas à un manque à gagner.

5. Tous les frais raisonnables auxquels donnera lieu, en Bulgarie, l'établissement des demandes, y compris l'évaluation des pertes et des dommages, seront à la charge du Gouvernement bulgare.

6. Les ressortissants des Nations Unies ainsi que leurs biens seront exemptés de tous impôts, contributions ou taxes exceptionnels, auxquels le Gouvernement bulgare ou une autorité bulgare quelconque auraient soumis leurs avoirs en capital en Bulgarie entre la date de l'Armistice et la date d'entrée en vigueur du présent Traité, en vue de couvrir les dépenses résultant de la guerre ou celles qui ont été entraînées par l'entretien des forces d'occupation ou par les réparations à payer à l'une des Nations Unies. Toutes les sommes qui auraient été ainsi perçues seront remboursées.

7. Le propriétaire des biens en question et le Gouvernement bulgare pourront conclure des arrangements qui se substitueront aux dispositions du présent article.

8. Aux fins du présent article:

a) L'expression "ressortissants des Nations Unies" s'applique aux personnes physiques qui sont ressortissants de l'une quelconque des Nations Unies, ainsi qu'aux sociétés ou associations constituées sous le régime des lois de l'une des Nations Unies lors de l'entrée en vigueur du présent Traité, à condition que lesdites personnes physiques, sociétés ou associations aient déjà possédé ce statut à la date de l'Armistice avec la Bulgarie.

L'expression "ressortissants des Nations Unies" comprend également toutes les personnes physiques et les sociétés ou associations qui, aux termes de la législation en vigueur en Bulgarie pendant la guerre, ont été traitées comme ennemis.

b) Le terme "propriétaire" désigne le ressortissant d'une des Nations Unies, tel qu'il est défini à l'alinéa *a)* ci-dessus, qui a un titre légitime au bien en question, et s'applique au successeur du propriétaire, à condition que ce successeur soit aussi ressortissant d'une des Nations Unies au sens de l'alinéa *a)*. Si le successeur a acheté le bien lorsque celui-ci était déjà endommagé, le vendeur conservera ses droits à l'indemnisation résul-

tant du présent article, sans que les obligations existant entre le vendeur et l'acquéreur, en vertu de la législation interne, en soient affectées.

c) Le terme "biens" désigne tous les biens mobiliers ou immobiliers, corporels ou incorporels, y compris les droits de propriété industrielle, littéraire et artistique, ainsi que tous droits ou intérêts de nature quelconque dans des biens.

Article 24

La Bulgarie reconnaît que l'Union Soviétique a droit à tous les avoirs allemands en Bulgarie transférés à l'Union Soviétique par le Conseil de Contrôle en Allemagne et elle s'engage à prendre toutes les mesures nécessaires pour faciliter ces transferts.

Article 25

1. Chacune des Puissances Alliées ou Associées aura le droit de saisir, retenir ou liquider tous les biens, droits et intérêts qui, à la date d'entrée en vigueur du présent Traité, se trouvent sur son territoire et appartiennent à la Bulgarie ou à des ressortissants bulgares, et de prendre toute autre disposition en ce qui concerne ces biens, droits et intérêts. Elle aura également le droit d'employer ces biens ou le produit de leur liquidation à telles fins qu'elle pourra désirer, à concurrence du montant de ses réclamations et de celles de ses ressortissants contre la Bulgarie ou les ressortissants bulgares (y compris les créances), qui n'auront pas été entièrement réglées en vertu d'autres articles du présent Traité. Tous les biens bulgares ou le produit de leur liquidation, en excédent du montant desdites réclamations, seront restitués.

2. La liquidation des biens bulgares et les mesures de disposition dont ils feront l'objet devront s'effectuer conformément à la législation de la Puissance Alliée ou Associée intéressée. En ce qui concerne lesdits biens, le propriétaire bulgare n'aura pas d'autres droits que ceux que peut lui conférer la législation en question.

3. Le Gouvernement bulgare s'engage à indemniser les ressortissants bulgares dont les biens seront saisis en vertu du présent article et auxquels ces biens ne seront pas restitués.

4. Il ne résulte du présent article aucune obligation, pour l'une quelconque des Puissances Alliées ou Associées, de restituer au Gouvernement

ou aux ressortissants bulgares des droits de propriété industrielle, ni de faire entrer ces droits dans le calcul des sommes qui pourront être retenues en vertu du paragraphe 1 du présent article. Le Gouvernement de chacune des Puissances Alliées ou Associées aura le droit d'imposer aux droits ou intérêts afférents à la propriété industrielle sur le territoire de cette Puissance Alliée ou Associée, acquis par le Gouvernement bulgare ou ses ressortissants avant l'entrée en vigueur du présent Traité, telles limitations, conditions ou restrictions que le Gouvernement de la Puissance Alliée ou Associée intéressée pourra considérer comme nécessaires dans l'intérêt national.

5. Les biens visés au paragraphe 1 du présent article seront considérés comme comprenant les biens bulgares qui ont fait l'objet de mesures de contrôle en raison de l'état de guerre existant entre la Bulgarie et la Puissance Alliée ou Associée dans la juridiction de laquelle les biens sont situés, mais ne comprendront pas:

a) les biens du Gouvernement bulgare utilisés pour les besoins des missions diplomatiques ou consulaires;

b) les biens appartenant à des institutions religieuses ou à des institutions philanthropiques privées et servant à des fins religieuses ou philanthropiques;

c) les biens des personnes physiques qui sont des ressortissants bulgares et sont autorisées à résider, soit sur le territoire du pays où sont situés ces biens, soit sur le territoire de l'une quelconque des Nations Unies, autres que les biens bulgares qui, à un moment quelconque au cours de la guerre, ont fait l'objet de mesures qui ne s'appliquaient pas d'une manière générale aux biens des ressortissants bulgares résidant sur le territoire en question;

d) les droits de propriété nés depuis la reprise des relations commerciales et financières entre les Puissances Alliées et Associées et la Bulgarie, ou nés de transactions entre le Gouvernement d'une Puissance Alliée ou Associée et la Bulgarie depuis le 28 octobre 1944;

e) les droits de propriété littéraire et artistique.

Article 26

1. A dater de l'entrée en vigueur du présent Traité, les biens en Allemagne de l'Etat et des ressortissants bulgares ne seront plus considérés

comme biens ennemis et toutes les restrictions résultant de leur caractère ennemi seront levées.

2. Les biens identifiables de l'Etat et des ressortissants bulgares que les forces armées ou les autorités allemandes ont enlevés, par force ou par contrainte, du territoire bulgare et emportés en Allemagne après le 28 octobre 1944, donneront lieu à restitution.

3. Le rétablissement des droits de propriété ainsi que la restitution des biens bulgares en Allemagne seront effectués conformément aux mesures qui seront arrêtées par les Puissances occupant l'Allemagne.

4. Sans préjudice de ces dispositions et de toutes autres qui seraient prises en faveur de la Bulgarie et des ressortissants bulgares par les Puissances occupant l'Allemagne, la Bulgarie renonce, en son nom et au nom des ressortissants bulgares, à toutes réclamations contre l'Allemagne et les ressortissants allemands, qui n'étaient pas réglées au 8 mai 1945, à l'exception de celles qui résultent de contrats et d'autres obligations qui étaient en vigueur ainsi que de droits qui étaient acquis avant le 1er septembre 1939. Cette renonciation sera considérée comme s'appliquant aux créances, à toutes les réclamations de caractère intergouvernemental relatives à des accords conclus au cours de la guerre et à toutes les réclamations portant sur des pertes ou des dommages survenus pendant la guerre.

Article 27

1. L'existence de l'état de guerre ne doit pas être considérée en soi comme affectant l'obligation d'acquitter les dettes pécuniaires résultant d'obligations et de contrats qui étaient en vigueur et de droits qui étaient acquis avant l'existence de l'état de guerre, dettes qui étaient devenues exigibles avant l'entrée en vigueur du présent Traité et qui sont dues, soit par le Gouvernement ou les ressortissants bulgares au Gouvernement ou aux ressortissants de l'une des Puissances Alliées ou Associées, soit par le Gouvernement ou les ressortissants d'une des Puissances Alliées ou Associées au Gouvernement ou aux ressortissants bulgares.

2. Sauf dispositions expressément contraires du présent Traité, aucune clause de ce Traité ne devra être interprétée comme affectant les rapports de débiteurs à créanciers résultant de contrats conclus avant la guerre soit par le Gouvernement, soit par les ressortissants bulgares.

Article 28

1. La Bulgarie renonce, au nom du Gouvernement bulgare et des ressortissants bulgares, à faire valoir contre les Puissances Alliées et Associées, toute réclamation de quelque nature que ce soit résultant directement de la guerre ou de mesures prises par suite de l'existence d'un état de guerre en Europe après le 1er septembre 1939, que la Puissance Alliée ou Associée intéressée ait été ou non en guerre avec la Bulgarie à l'époque.

Sont incluses dans cette renonciation:

a) les réclamations relatives à des pertes ou dommages subis par suite de l'action des forces armées ou des autorités de Puissances Alliées ou Associées;

b) les réclamations résultant de la présence, des opérations ou de l'action des forces armées ou des autorités de Puissances Alliées ou Associées sur le territoire bulgare;

c) les réclamations portant sur les décisions ou les ordonnances des tribunaux de prises de Puissances Alliées ou Associées, la Bulgarie acceptant de reconnaître comme valides et comme ayant force exécutoire toutes les décisions et ordonnances desdits tribunaux de prises rendues au 1er septembre 1939 ou postérieurement à cette date et concernant les navires bulgares, les marchandises bulgares ou le paiement des frais;

d) les réclamations résultant de l'exercice des droits de belligérance ou de mesures prises en vue de l'exercice de ces droits.

2. Les dispositions du présent article excluront complètement et définitivement toutes réclamations de la nature de celles qui y sont visées, qui seront dès lors éteintes, quelles que soient les parties intéressées. Le Gouvernement bulgare accepte de verser, en levas, une indemnité équitable pour satisfaire les réclamations des personnes qui ont fourni, sur réquisition, des marchandises ou des services aux forces armées de Puissances Alliées ou Associées sur le territoire bulgare, ainsi que les réclamations portées contre les forces armées de Puissances Alliées ou Associées, relatives à des dommages causés sur le territoire bulgare et ne résultant pas de faits de guerre.

3. La Bulgarie renonce également, au nom du Gouvernement bulgare et des ressortissants bulgares, à faire valoir des réclamations de la nature de celles qui sont visées au paragraphe 1 du présent article, contre l'une

quelconque des Nations Unies dont les relations diplomatiques avec la Bulgarie ont été rompues pendant la guerre et qui a pris des mesures en coopération avec les Puissances Alliées et Associées.

4. La renonciation à laquelle la Bulgarie souscrit aux termes du paragraphe 1 du présent article s'étend à toutes les réclamations portant sur les mesures prises par l'une quelconque des Puissances Alliées ou Associées à l'égard des navires bulgares entre le 1er septembre 1939 et la date d'entrée en vigueur du présent Traité, ainsi qu'à toutes les réclamations et créances résultant des conventions sur les prisonniers de guerre actuellement en vigueur.

Article 29

1. En attendant la conclusion de traités ou d'accords commerciaux entre l'une quelconque des Nations Unies et la Bulgarie, le Gouvernement bulgare devra, pendant les dix-huit mois qui suivront l'entrée en vigueur du présent Traité, accorder à chacune des Nations Unies qui, en fait, accordent par voie de réciprocité un traitement analogue à la Bulgarie dans ces domaines, le traitement suivant:

a) Pour tout ce qui concerne les droits et redevances à l'importation ou à l'exportation, l'imposition à l'intérieur du pays des marchandises importées, et tous les règlements qui s'y rapportent, les Nations Unies bénéficieront de la clause inconditionnelle de la nation la plus favorisée;

b) La Bulgarie ne pratiquera, à tous autres égards, aucune discrimination arbitraire au détriment des marchandises en provenance ou à destination du territoire d'une Nation Unie par rapport aux marchandises analogues en provenance ou à destination du territoire de toute autre Nation Unie ou de tout autre pays étranger;

c) Les ressortissants des Nations Unies, y compris les personnes morales, bénéficieront du traitement national et de celui de la nation la plus favorisée pour tout ce qui a trait au commerce, à l'industrie, à la navigation et aux autres formes d'activité commerciale en Bulgarie. Ces dispositions ne s'appliqueront pas à l'aviation commerciale;

d) La Bulgarie n'accordera à aucun pays de droit exclusif ou préférentiel en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux; elle offrira des conditions d'égalité à toutes les Nations Unies pour l'obtention de droits en matière de transports

aériens commerciaux internationaux sur le territoire bulgare, y compris le droit d'atterrir à des fins de ravitaillement et de réparation, et, en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux, elle accordera à toutes les Nations Unies, suivant le principe de la réciprocité et de la non-discrimination, le droit de survoler le territoire bulgare sans escale. Ces dispositions n'affecteront pas les intérêts de la défense nationale de la Bulgarie.

2. Les engagements ci-dessus pris par la Bulgarie doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par la Bulgarie avant la guerre; les dispositions relatives à la réciprocité accordée par chacune des Nations Unies doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par celle-ci.

Article 30

La Bulgarie facilitera, dans la mesure du possible, les transports ferroviaires en transit par son territoire à des tarifs raisonnables, et se prêtera à la conclusion avec les Etats voisins, sur une base de réciprocité, de tous accords nécessaires à cet effet.

Article 31

1. Tous les différends qui pourront s'élever à propos de l'application des articles 22 et 23, ainsi que des annexes IV, V et VI du présent Traité, seront soumis à une commission de conciliation composée en nombre égal de représentants du Gouvernement de la Nation Unie intéressée et de représentants du Gouvernement bulgare. Si un règlement n'est pas intervenu dans les trois mois qui suivront la date à laquelle le différend a été soumis à la commission de conciliation, l'un ou l'autre Gouvernement pourra demander l'adjonction à la commission d'un tiers membre; à défaut d'accord entre les deux Gouvernements sur le choix de ce membre, l'un ou l'autre d'entre eux pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision de la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 32

Les articles 22, 23 et 29 et l'annexe VI du présent Traité s'appli-

queront aux Puissances Alliées et Associées et à la France ainsi qu'à celles des Nations Unies dont les relations diplomatiques avec la Bulgarie ont été rompues pendant la guerre.

Article 33

Les dispositions des annexes IV, V et VI ainsi que celles des autres annexes seront considérées comme faisant partie intégrante du présent Traité et auront la même valeur et les mêmes effets.

PARTIE VII

CLAUSES RELATIVES AU DANUBE

Article 34

La navigation sur le Danube sera libre et ouverte aux ressortissants, aux bateaux marchands et aux marchandises de tous les Etats sur un pied d'égalité, en ce qui concerne les droits de port et les taxes sur la navigation ainsi que les conditions auxquelles est soumise la navigation commerciale. Les dispositions ci-dessus ne seront pas applicables au trafic entre les ports d'un même Etat.

PARTIE VIII

CLAUSES FINALES

Article 35

1. Pendant une période qui n'excédera pas dix-huit mois à partir de l'entrée en vigueur du présent Traité, les Chefs des missions diplomatiques à Sofia des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique, agissant de concert, représenteront les Puissances Alliées et Associées pour traiter avec le Gouvernement bulgare de toutes questions relatives à l'exécution et à l'interprétation du présent Traité.

2. Ces trois Chefs de Mission donneront au Gouvernement bulgare les conseils, avis techniques et éclaircissements qui pourront être nécessaires pour assurer l'exécution rapide et efficace du présent Traité, aussi bien dans sa lettre que dans son esprit.

3. Le Gouvernement bulgare fournira à ces trois Chefs de Mission toutes les informations nécessaires et toute l'aide dont ils pourront avoir besoin dans l'accomplissement des tâches qui leur sont dévolues par le présent Traité.

Article 36

1. Exception faite des cas pour lesquels une autre procédure est expressément prévue par un article du présent Traité, tout différend relatif à l'interprétation ou à l'exécution de ce Traité, qui n'a pas été réglé par voie de négociations diplomatiques directes, sera soumis aux trois Chefs de Mission, agissant comme il est prévu à l'article 35, mais, en pareil cas, ces Chefs de Mission ne seront pas tenus par les délais fixés dans ledit article. Tout différend de cette nature qu'ils n'auraient pas encore réglé dans un délai de deux mois sera, sauf si les parties au différend conviennent l'une et l'autre d'une autre mode de règlement, soumis, à la requête de l'une ou l'autre des parties, à une commission composée d'un représentant de chaque partie et d'un tiers membre choisi d'un commun accord entre les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans un délai d'un mois entre les deux parties au sujet de la désignation de ce tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision prise par la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 37

1. Tout membre de l'Organisation des Nations Unies en guerre avec la Bulgarie et qui n'est pas signataire du présent Traité peut accéder au Traité et sera considéré dès son accession comme Puissance Associée pour l'application du Traité.

2. Les instruments d'accession seront déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes et prendront effet dès leur dépôt.

Article 38

Le présent Traité, dont les textes russe et anglais feront foi, devra être ratifié par les Puissances Alliées et Associées. Il devra également être

ratifié par la Bulgarie. Il entrera en vigueur immédiatement après le dépôt des ratifications par les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques Soviétiques Socialistes. Les instruments de ratification seront, dans le plus bref délai possible, déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes.

En ce qui concerne chacune des Puissances Alliées ou Associées dont l'instrument de ratification sera déposé ultérieurement, le Traité entrera en vigueur à la date du dépôt. Le présent Traité sera déposé dans les archives du Gouvernement de l'Union des Républiques Soviétiques Socialistes, qui en remettra à chacun des Etats signataires une copie certifiée conforme.

LISTE DES ANNEXES

Annexe I — Carte des frontières bulgares

Annexe II — Définitions de l'instruction militaire, aérienne et navale

Annexe III — Définition et liste du matériel de guerre

Annexe IV — Propriété industrielle, littéraire et artistique

Annexe V — Contrats, prescription, effets de commerce

Annexe VI — Jugements

ANNEXE I

(voir article 1)

Carte des frontières bulgares

ANNEXE II

(voir article 11)

Définition de l'instruction militaire, aérienne et navale

1. L'instruction militaire est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés à des fins militaires et des dispositifs d'instruction s'y rapportant, l'étude et l'exécution de tous exercices ou manoeuvres utilisés dans l'enseignement ou la pratique des évolutions exécutées par les forces au combat, et l'étude méthodique de la tactique, de la stratégie et du travail d'état-major.

2. L'instruction militaire aérienne est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés aux fins d'une aviation militaire et des dispositifs d'instruction s'y rapportant, l'étude et la pratique de toutes manoeuvres spéciales, y compris le vol en formation, exécutées par des avions dans l'accomplissement d'une mission aérienne militaire, et l'étude méthodique de la tactique aérienne, de la stratégie et du travail d'état-major.

3. L'instruction navale est définie comme comprenant les matières suivantes: l'organisation générale, l'étude et la pratique de l'emploi des bâtiments de guerre ou des installations navales ainsi que l'étude ou l'utilisation de tous appareils et dispositifs d'entraînement qui s'y rapportent et qui sont en usage pour la conduite de la guerre navale, à l'exception de ceux qui sont normalement employés à des fins civiles; en outre, l'enseignement, la pratique et l'étude méthodique de la tactique navale, de la stratégie et du travail d'état-major, y compris l'exécution de toutes les opérations et manoeuvres qui ne sont pas nécessaires à l'emploi pacifique des navires.

ANNEXE III

(voir article 15)

Définition et liste du matériel de guerre

Le terme "matériel de guerre" aux fins du présent Traité s'applique à toutes les armes et munitions et à tout le matériel spécialement conçus et adaptés à des fins de guerre, qui sont énumérés ci-dessous.

Les Puissances Alliées et Associées se réservent le droit d'amender périodiquement la liste, en la modifiant ou en la complétant, pour tenir compte des faits nouveaux qui pourront se produire dans le domaine de la science.

Catégorie I

1. Fusils, carabines, revolvers et pistolets de type militaire; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil.

2. Mitrailleuses, fusils de guerre automatiques ou à répétition et pistolets mitrailleurs; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts de mitrailleuses.

3. Canons, obusiers, mortiers, canons spéciaux pour l'aviation; canons sans culasse ou sans recul et lance-flammes; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts mobiles et supports fixes pour ces armes.

4. Lance-fusées; mécanismes de lancement et de contrôle pour projectiles auto-moteurs et dirigés; supports pour ces appareils.

5. Projectiles auto-moteurs et dirigés, projectiles, fusées, munitions et cartouches, chargés ou vides, pour les armes énumérées aux alinéas 1 à 4 ci-dessus, ainsi que fusées, étoupilles ou appareils servant à les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

6. Grenades, bombes, torpilles, mines, grenades sous-marines (charges de profondeur), matériel et charges incendiaires, chargés ou vides; tous dispositifs permettant de les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

7. Baïonnettes.

Catégorie II

1. Véhicules de combat blindés; trains blindés qui techniquement ne peuvent être transformés en vue d'usages civils.

2. Véhicules mécaniques ou auto-moteurs pour toutes les armes énumérées dans la catégorie 1; chassis ou carrosseries militaires de types spéciaux, autres que ceux qui sont énumérés à l'alinéa 1 ci-dessus.

3. Blindages de plus de 3 pouces d'épaisseur, employés, dans la guerre, à des usages de protection.

Catégorie III

1. Système de pointage et de calcul pour le contrôle du tir, comprenant les appareils régleurs de tir et les appareils d'enregistrement; instruments de direction du tir; hausses de canon; viseurs de bombardement; régleurs de fusées; calibres pour la vérification des canons et des instruments de contrôle du tir.

2. Matériel de pontage d'assaut, bâtiments d'assaut et d'attaque.

3. Dispositifs pour ruses de guerre, dispositifs d'éblouissement et pièges.

4. Equipement militaire du personnel des forces armées de caractère spécialisé, qui n'est pas aisément adaptable à des usages civils.

Catégorie IV

1. Navires de guerre de toutes classes, y compris les navires transformés et les embarcations conçus ou prévus pour leur service et leur appui, qui techniquement ne sont pas transformables en vue d'usages civils, ainsi que les armes, blindages, munitions, avions ou tout autre équipement, matériel, machines et installations, qui ne sont pas utilisés en temps de paix sur d'autres bateaux que les navires de guerre.

2. Bâtiments de débarquement et véhicules ou matériel amphibies de toute nature; bâtiments d'assaut ou matériel d'assaut de tout type, ainsi que catapultes ou autres appareils de mise à l'eau ou de lancement d'avions, fusées, armes propulsées ou tout autre projectile, instrument ou système, avec ou sans équipage et qu'ils soient guidés ou non.

3. Navires, engins, armes, systèmes ou appareils de toute sorte, qu'ils

soient submersibles ou semi-submersibles, y compris les estacades spécialement conçues pour la défense des ports, à l'exception du matériel nécessaire pour la récupération, le sauvetage et autres usages civils, ainsi que tout l'équipement, tous les accessoires, les pièces détachées, les dispositifs d'expérimentation ou d'instruction, les instruments ou les installations, qui peuvent être spécialement conçus en vue de la construction, du contrôle, de l'entretien ou du logement de ces navires, engins, armes, systèmes ou appareils.

Catégorie V

1. Aéronefs montés ou démontés, plus lourds ou plus légers que l'air, conçus ou adaptés en vue du combat aérien par l'emploi de mitrailleuses, de lance-fusées, d'artillerie, ou en vue du transport ou du lancement de bombes, ou qui sont pourvus de l'un quelconque des dispositifs figurant à l'alinéa 2 ci-dessous ou qui, du fait de leur conception ou de leur construction, peuvent être aisément munis de l'un de ces dispositifs.

2. Supports et bâtis pour canons aériens, lance-bombes, porte-torpilles et dispositifs de largage de bombes ou de torpilles, tourelles et coupoles pour canons.

3. Equipement spécialement conçu pour troupes aéroportées et utilisé seulement par ces troupes.

4. Catapultes ou systèmes de lancement pour avions embarqués, avions terrestres ou hydravions; appareils de lancement de projectiles volants.

5. Ballons de barrage.

Catégorie VI

Tous produits asphyxiants, mortels, toxiques ou susceptibles de mettre hors de combat, destinés à des fins de guerre ou fabriqués en quantités qui excèdent les besoins civils.

Catégorie VII

Propulseurs, explosifs, matériel pyrotechnique ou gaz liquéfiés, destinés à la propulsion, l'explosion, la charge, le remplissage du matériel de guerre décrit dans les catégories ci-dessus, ou à tout usage en liaison avec ce matériel, qui ne sont pas utilisables à des fins civiles ou qui sont fabriqués en quantités qui excèdent les besoins civils.

Catégorie VIII

Installations et outillages industriels spécialement conçus en vue de la production et de la conservation des produits et du matériel énumérés dans les catégories ci-dessus et qui ne peuvent pas être techniquement transformés à des fins civiles.

ANNEXE IV

Propriété industrielle, littéraire et artistique

1. *(a)* Un délai d'un an à compter de la date d'entrée en vigueur du présent Traité sera accordé aux Puissances Alliées et Associées et à leurs ressortissants sans paiement de droits de prorogation ou autres sanctions quelconques, en vue de leur permettre d'accomplir tous les actes nécessaires pour l'obtention ou la conservation en Bulgarie des droits de propriété industrielle, littéraire ou artistique, qui n'ont pu être accomplis par suite de l'existence de l'état de guerre.

(b) Les Puissances Alliées et Associées ou leurs ressortissants qui auront fait, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, une demande, soit pour l'obtention d'un brevet ou l'enregistrement d'un modèle d'utilité au plus tôt douze mois avant l'ouverture des hostilités avec la Bulgarie ou au cours de celles-ci, soit pour l'enregistrement d'un dessin industriel, d'un modèle ou d'une marque de fabrique au plus tôt six mois avant l'ouverture des hostilités avec la Bulgarie ou au cours de celles-ci, auront le droit, pendant une période de douze mois à compter de la date d'entrée en vigueur du présent Traité, de demander des droits correspondants en Bulgarie, avec un droit de priorité fondé sur le dépôt antérieur de leur demande sur le territoire de cette Puissance Alliée ou Associée.

(c) Il sera accordé à chacune des Puissances Alliées ou Associées et à ses ressortissants, à partir de la date d'entrée en vigueur du présent Traité, un délai d'un an pendant lequel ils pourront engager des poursuites en Bulgarie contre les personnes physiques ou morales auxquelles serait imputé un empiétement illégal sur leurs droits de propriété industrielle, littéraire ou artistique entre la date de l'ouverture des hostilités et celle de l'entrée en vigueur du présent Traité.

2. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et l'expiration du dix-huitième mois qui suivra la date d'entrée en vigueur du présent Traité dans la détermination de la période pendant laquelle un brevet d'invention doit être exploité, ou pendant laquelle un modèle ou une marque de fabrique doit être utilisé.

3. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et la date d'entrée en vigueur du présent Traité dans le calcul de la durée normale de validité des droits de propriété industrielle, littéraire et artistique qui étaient en vigueur en Bulgarie à l'ouverture des hostilités ou qui seront reconnus ou établis dans les conditions prévues à la présente annexe, et qui appartiennent à l'une des Puissances Alliées ou Associées ou à ses ressortissants. La durée normale de validité de ces droits sera, par conséquent, considérée comme automatiquement prolongée, en Bulgarie, d'une nouvelle période correspondant à celle qui aura été ainsi exclue du décompte.

4. Les dispositions précédentes concernant les droits en Bulgarie des Puissances Alliées et Associées et de leurs ressortissants devront également s'appliquer aux droits de la Bulgarie et de ses ressortissants dans les territoires des Puissances Alliées et Associées. Toutefois, aucune de ces dispositions ne donnera à la Bulgarie ou à ses ressortissants droit à un traitement plus favorable sur le territoire de l'une des Puissances Alliées ou Associées que celui qui est accordé, dans les mêmes cas, par cette Puissance à l'une quelconque des autres Nations Unies ou à ses ressortissants; la Bulgarie ne sera pas non plus tenue, en vertu de ces dispositions, d'accorder à l'une des Puissances Alliées ou Associées ou à ses ressortissants un traitement plus favorable que celui dont la Bulgarie ou ses ressortissants bénéficient sur le territoire de cette Puissance relativement aux matières auxquelles s'appliquent les précédentes dispositions.

5. Les tiers résidant sur le territoire de l'une quelconque des Puissances Alliées ou Associées ou sur le territoire bulgare, qui, avant la date d'entrée en vigueur du présent Traité, ont acquis de bonne foi des droits de propriété industrielle, littéraire ou artistique, se trouvant en opposition avec des droits rétablis en vertu de la présente annexe ou avec des droits obtenus grâce à la priorité qui leur est accordée en vertu des présentes dispositions,

ou qui, de bonne foi, ont fabriqué, publié, reproduit, utilisé ou vendu l'objet de ces droits, seront autorisés à continuer d'exercer les droits qu'ils avaient acquis de bonne foi et à poursuivre ou reprendre la fabrication, la publication, la reproduction, l'utilisation ou la vente qu'ils avaient entreprises de bonne foi, sans s'exposer à des poursuites pour empiétement. L'autorisation sera donnée, en Bulgarie, sous forme d'une licence sans exclusivité qui sera accordée à des conditions à fixer par entente entre les parties intéressées ou, à défaut d'entente, par la commission de conciliation constituée en vertu de l'article 31 du présent Traité. Toutefois, dans les territoires de chacune des Puissances Alliées ou Associées, les tiers de bonne foi bénéficieront de la protection qui est accordée, dans les cas analogues, aux tiers de bonne foi dont les droits sont en opposition avec ceux de ressortissants des autres Puissances Alliées et Associées.

6. Aucune disposition de la présente annexe ne devra être interprétée comme donnant à la Bulgarie ou à ses ressortissants, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, des droits à des brevets ou à des modèles d'utilité pour des inventions relatives à un article quelconque expressément désigné à l'annexe III du présent Traité, inventions qui ont été faites ou au sujet desquelles des demandes d'enregistrement ont été déposées par la Bulgarie ou par l'un de ses ressortissants, en Bulgarie ou sur le territoire d'une autre Puissance de l'Axe ou sur un territoire occupé par les forces de l'Axe, pendant le temps où le territoire en question se trouvait sous le contrôle des forces ou des autorités des Puissances de l'Axe.

7. La Bulgarie accordera également le bénéfice des dispositions précédentes de la présente annexe à la France et aux autres Nations Unies qui ne sont pas des Puissances Alliées et Associées, dont les relations diplomatiques avec la Bulgarie ont été rompues pendant la guerre et qui s'engageront à accorder à la Bulgarie les avantages conférés à ce pays en vertu desdites dispositions.

8. Aucune disposition de la présente annexe ne doit s'entendre comme étant en contradiction avec les articles 23, 25 et 27 du présent Traité.

ANNEXE V

Contrats, prescription, effets de commerce

A. Contrats

1. Sauf exceptions énoncées dans les paragraphes 2 et 3 ci-dessous, tout contrat ayant nécessité pour son exécution des rapports entre des parties qui sont devenues ennemies au sens de la partie D de la présente annexe, sera tenu pour résilié depuis le moment où l'une quelconque des parties est devenue un ennemi. Toutefois, cette résiliation s'entendra sans préjudice des dispositions de l'article 27 du présent Traité; elle ne relèvera pas non plus l'une quelconque des parties au contrat de l'obligation de reverser les sommes perçues à titre d'avances ou d'acomptes et pour lesquelles la partie intéressée n'a pas fourni de contre-partie.

2. Nonobstant les dispositions du paragraphe 1 ci-dessus, les stipulations de tout contrat qui pourront être dissociées et dont l'exécution ne nécessitait pas de rapports entre les parties qui sont devenues ennemies au sens de la partie D de la présente annexe, ne seront pas résiliées et demeureront en vigueur sans préjudice des droits énoncés à l'article 25 du présent Traité. Si les stipulations d'un contrat ne peuvent pas être ainsi dissociées, le contrat sera tenu comme étant intégralement résilié. Les dispositions qui précèdent s'entendent sous réserve de l'application des lois, ordonnances et règlements nationaux édictés par telle ou telle des Puissances Alliées ou Associées de la juridiction de laquelle relève le contrat ou l'une quelconque des parties au contrat et sous réserve des stipulations du contrat.

3. Aucune disposition de la partie A de la présente annexe ne sera considérée comme annulant les transactions légalement effectuées conformément à un contrat passé entre ennemis, si ces transactions ont été exécutées avec l'autorisation du Gouvernement d'une des Puissances Alliées ou Associées.

4. Nonobstant les dispositions qui précèdent, les contrats d'assurance et de réassurance feront l'objet de conventions distinctes entre le Gouvernement de la Puissance Alliée ou Associée intéressée et le Gouvernement bulgare.

B. Prescription

1. Tous les délais de prescription ou de limitation du droit d'engager ou de poursuivre une action judiciaire ou du droit de prendre des mesures conservatoires dans les rapports juridiques intéressant des personnes ou des biens, mettant en cause des ressortissants des Nations Unies et des ressortissants bulgares qui, en raison de l'état de guerre, n'ont pas pu engager ou poursuivre une action judiciaire, ou accomplir les formalités nécessaires pour sauvegarder leurs droits, que ces délais aient commencé à courir avant ou après l'ouverture des hostilités, seront considérés comme ayant été suspendus, pendant la durée de la guerre, sur le territoire bulgare d'une part, et sur le territoire de celles des Nations Unies qui, conformément au principe de la réciprocité, accordent à la Bulgarie le bénéfice des dispositions du présent paragraphe, d'autre part. Ces délais commenceront à courir dès la date d'entrée en vigueur du présent Traité. Les dispositions du présent paragraphe s'appliqueront aux délais fixés pour le dépôt des coupons d'intérêts ou de dividendes ou pour le dépôt, en vue du remboursement, des valeurs sorties au tirage ou remboursables pour tout autre motif.

2. Lorsqu'en raison de l'inexécution d'un acte ou de l'omission d'une formalité quelconque pendant la guerre, des mesures d'exécution ont été prises sur le territoire bulgare au préjudice d'un ressortissant d'une Nation Unie, le Gouvernement bulgare rétablira les droits lésés. Si le rétablissement de ces droits est impossible ou devait être inéquitable, le Gouvernement bulgare fera le nécessaire pour que l'intéressé reçoive telle compensation qui, en l'occurence, paraîtra juste et équitable.

C. Effets de commerce

1. Dans les relations entre ennemis, aucun effet de commerce souscrit avant la guerre ne sera considéré comme n'étant plus valable pour la seule raison qu'il n'a pas été présenté à l'acceptation ou à l'encaissement dans les délais prescrits, ou que le tireur ou l'endosseur n'a pas été avisé dans ces délais que l'effet en question n'a pas été accepté ou payé, ou qu'il n'a pas été protesté dans lesdits délais, ou qu'une formalité quelconque à été omise pendant la guerre.

2. Si le délai au cours duquel un effet de commerce aurait dû être présenté à l'acceptation ou à l'encaissement, ou durant lequel un avis de

non-acceptation ou de non-paiement aurait dû être donné au tireur ou à l'endosseur, ou durant lequel l'effet aurait dû être protesté, est arrivé à expiration pendant la guerre, et si la partie qui aurait dû présenter ou protester l'effet ou aviser du défaut d'acceptation ou du défaut de paiement a omis de le faire pendant la guerre, il sera accordé un délai de trois mois au moins, à partir de la date d'entrée en vigueur du présent Traité, pendant lequel il sera possible de présenter ou de protester ledit effet ou de donner avis de son défaut d'acceptation ou de son défaut de paiement.

3. Si une personne s'est obligée, soit avant, soit pendant la guerre, au paiement d'un effet de commerce, à la suite d'un engagement pris envers elle par une autre personne devenue ultérieurement ennemie, celle-ci reste tenue, malgré l'ouverture des hostilités, de garantir la première des conséquences de son obligation.

D. Dispositions spéciales

1. Aux fins de la présente annexe, les personnes physiques ou morales seront considérées comme étant devenues ennemies à partir de la date où tout commerce entre elles est devenu illégal, aux termes des lois, ordonnances ou règlements auxquels ces personnes ou le contrat étaient soumis.

2. Etant donné le système juridique des Etats-Unis d'Amérique, les dispositions de cette annexe ne s'appliqueront pas aux relations des Etats-Unis d'Amérique avec la Bulgarie.

ANNEXE VI

Jugements

Le Gouvernement bulgare prendra les mesures nécessaires pour permettre aux ressortissants de l'une quelconque des Nations Unies, à tout moment dans un délai d'un an à compter de la date d'entrée en vigueur du présent Traité, d'intenter devant les autorités bulgares compétentes une action en révision de tout jugement rendu par un tribunal bulgare entre le 24 avril 1941 et la date d'entrée en vigueur du présent Traité dans tout procès dans lequel le ressortissant d'une des Nations Unies n'a pas été à même d'exposer sa cause d'une manière satisfaisante, soit en qualité de demandeur, soit en qualité de défendeur. Le Gouvernement bulgare prendra les mesures

nécessaires pour que, lorsqu'un ressortissant d'une des Nations Unies a subi un préjudice du fait de tout jugement de cette nature, ce ressortissant soit rétabli dans la situation où il se trouvait avant le prononcé du jugement ou reçoive telle compensation qui pourra, en la circonstance, être juste et équitable. L'expression "ressortissants des Nations Unies" comprend les sociétés ou associations organisées ou constituées conformément à la législation de l'une quelconque des Nations Unies.

МИРЕН ДОГОВОР С БЪЛГАРИЯ

1947 г.

Съюзът на Съветските Социалистически Републики, Съединеното Кралство на Великобритания и Северна Ирландия, Съединените Американски Щати, Австралия, Бело-Руската Съветска Социалистическа Република, Чехословакия, Гърция, Индия, Нова-Зеландия, Украйнската Съветска Социалистическа Република, Южно-Африканския Съюз и Народната Федеративна Република Югославия, като държави намиращи се в състояние на война с България и активно водили война срещу неприятелските държави в Европа с значителни военни сили, означени по-долу като «Съюзени и Сдружени Сили», от една страна,

и България, от друга страна;

Вземайки пред вид, че България, станала съюзница на Хитлеристка Германия и участвувала на нейна страна във войната срещу Съюза на Съветските Социалистически Републики, Съединеното Кралство, Съединените Американски Щати и други Обединени Народи, носи своя дял от отговорност в тази война;

Вземайки пред вид, обаче, че България, след приключване на военните действия против Обединените Народи, скъса връзките си с Германия и, сключвайки примирие на 28 октомври 1944 г. с правителствата на Съединените Американски Щати, на Съединеното Кралство на Великобритания и на Съюза на Съветските Социалистически Републики, действуващи за всички Обединени Народи във война с България, взе дейно участие във войната срещу Германия; и

Вземайки пред вид, че Съюзените и Сдружени Сили и България желаят да сключат мирен договор, който, съгласно принципите на справедливостта, ще разреши още висящите като последица на по-горе изложените събития въпроси и който ще изгради основа за приятелски отношения помежду им, давайки възможност с това на Съюзените и Сдружени Сили да поддържат искането на България да стане член на Обединените Народи и също така да се присъедини към всички конвенции сключени по почин на Обединените Народи;

На тези основания решиха да обявят прекратяването на състоянието на война и за тази цел да сключат настоящия мирен договор

и съответно назначиха долуподписаните пълномощници, които след представяне на пълномощията си, намерени в изправност и надлежна форма, се съгласиха на следните постановления:

ЧАСТ I.

ГРАНИЦИ НА БЪЛГАРИЯ.

Член 1.

Границите на България, показани на приложената към настоящия договор карта (Приложение I) остават тези, които съществуваха на 1 януари 1941 г.

ЧАСТ II.

ПОЛИТИЧЕСКИ КЛАУЗИ.

Отдел I.

Член 2.

България ще вземе всички необходими мерки за да осигури на всички лица под българска юрисдикция, без разлика на раса, пол, език или религия, да се ползуват от човешки права и от основните свободи, включително свобода на слово, на печат и публикация, на религиозно изповедание, на политическо мнение и на публични събрания.

Член 3.

България, която съобразно със Съглашението за Примирие, е взела мерки да освободи, без разлика на поданство и националност, всички лица задържани заради дейността им в полза на, или заради симпатията им към Обединените Народи или заради расовия им произход и да отмени дискриминационното законодателство и произлизащите от него ограничения, се задължава да завърши провеждането на тези мерки и да не взима в бъдаще каквито и да било мерки, нито да издава каквито и да било закони, които биха били несъвместими с целите изложени в този член.

Член 4.

България, която съгласно Съглашението за Примирие, е взела мерки за разтурянето на всички намиращи се на българска територия организации от фашистки тип, били те политически, военни или милитаристични, както и на други организации, които вършат враждебна към Обединените Народи пропаганда, се задължава да не допусне в бъдаще съществуването и дейността на организации от такъв вид, които имат за цел да лишат народа от демократическите му права.

Член 5.

1. България ще вземе всички необходими мерки за да осигури залавянето и предаването за да бъдат съдени:

a) лицата обвинени че са извършили, заповядали или предизвикали военни престъпления и престъпления против мира и човечността;

b) поданици на Съюзените и Сдружени Сили обвинени в това, че са нарушили закона на страната си чрез предателство или сътрудничество с неприятеля през време на войната.

2. По искане на правителството на един от заинтересованите Обединени Народи, България също трябва да осигури явяването като свидетели, на лица намиращи се под нейна юрисдикция, чийто показания са нуждни за съдането на лицата указани в точка 1 на този член.

3. Всеко разногласие относно приложението на постановленията на точки 1 и 2 на този Член трябва да бъде отнесено от всяко от заинтересованите правителства до шефовете на дипломатическите Мисии в София на Съветския Съюз, на Съединеното Кралство и на Съединените Американски Щати, които ще се споразумеят относно затруднението.

Отдел II.

Член 6.

България се задължава да признае пълната сила на Мирните Договори с Италия, Ромъния, Унгария и Финландия и други съгла-

шения или споразумения, които са били или ще бъдат сключени от Съюзените и Сдружени Сили относно Австрия, Германия и Япония за възстановяването на мира.

Член 7.

България се задължава да приеме всички споразумения, които са били или може да бъдат сключени за ликвидацията на Обществото на Народите и за Постоянния Съд за Международно Правосъдие.

Член 8.

1. Всяка една от Съюзените или Сдружени Сили ще уведоми България, в течение на един период от 6 месеци от влизането в сила на настоящия договор, кои от предвоенните си двустранни договори с България тя желае да запази в сила или да поднови. Всякакви постановления, които не са в съответствие с настоящия Договор ще бъдат, обаче, премахнати от горепоменатите договори.

2. Всички договори предмет на такава нотификация ще бъдат зарегистрирани в Секретариата на Обединените Народи съобразно с член 102 на Устава на Обединените Народи.

3. Всички договори, за които не се направи такава нотификация, ще се считат отменени.

ЧАСТ III.

ВОЕННИ, МОРСКИ И ВЪЗДУШНИ КЛАУЗИ.

Отдел I.

Член 9.

Поддържането на сухопътни, морски и военно-въздушни въоръжения и укрепления ще бъде строго ограничено за да отговаря на задачи от вътрешен характер и за местната защита на границите. Съгласно с гореизложеното, на България се разрешава да има въоръжени сили ненадминаващи:

а) Сухопътна армия, включително погранична войска, с общ брой 55.000 души;

b) Противо-въздушна артилерия с общ брой 1.800 души;

c) Военна флота с личен състав от 3.500 души и общ тонаж от 7.250 тона;

d) военни въздушни сили, включително всякакви военно-въздушни сили на военната морска флота с общ брой 90 самолета, включително резервните, от които не повече от 70 могат да бъдат тип бойни самолети, с общ брой на личния състав от 5.200 човека. България не трябва да притежава или придобива самолети построени главно като бомбардировачи с приспособления за вътрешен превоз на бомби.

Този състав ще включва за всеки случай строевия, нестроевия и щабния персонал.

Член 10.

Личният състав на българската армия, военна флота и военно въздухоплаване, който превишава съответния разрешен по член 9 брой ще бъде разпуснат в срок от 6 месеца от влизането в сила на настоящия Договор.

Член 11.

Лица незачислени съответно в българската армия, военна флота и военно въздухоплаване, не ще получават каквото и да било военно, военно-морско или военно-въздухоплавателно обучение, както е определено в Приложение II.

Член 12.

1. На север от гръцко-българската граница се забранява следния строеж: постоянни укрепления където може да бъдат поставени оръжия, способни да стрелят в гръцка територия; постоянни военни съоръжения годни да бъдат използувани за водене или насочване на огън по гръцка територия; и дълговременни средства за продоволствие и складиране, установени единствено за използуване на горепоменатите укрепления и съоръжения.

2. Това запрещение не включва други видове кратковременни укрепления или надземни помещения и съоръжения, които са предназначени да задоволят само изискванията от вътрешно естество и за местната защита на границите.

Член 13.

България не ще притежава, построява или прави опити с каквито и да били атомни оръжия, с каквито и да било самодвижещи се или направляеми снаряди или апарати свързани с тяхното изхвърляне (с изключение на торпили и апарати за изхвърляне на торпили, които съставляват нормалното въоръжение на военноморски съдове, разрешени от настоящия Договор), морски мини или торпили от не-контактния тип действуващи чрез чувствителни механизми, торпили, които могат да имат екипаж, подводници или други подводни съдове, моторни торпилни лодки или специализирани видове нападателни съдове.

Член 14.

България не трябва да запазва, произвежда или придобива по друг начин или да поддържа приспособления за производство на военни материали, които превишават нужното за поддържането на въоръжените сили разрешени по Член 9 от настоящия Договор.

Член 15.

1. Намиращия се в излишък военен материал от Съюзнически произход ще бъде поставен на разположение на съответната Съюзена или Сдружена Сила според указания дадени от тази Сила. Намиращия се в излишък български военен материал ще бъде поставен на разположение на Правителствата на Съветския Съюз, на Съединеното Кралство и на Съединените Американски Щати. България ще се откаже от всички права върху този материал.

2. Военен материал от немско произхождение или конструкция в повече от този нужен за въоръжените сили разрешени от настоящия Договор ще бъде поставен на разположение на Трите Правителства. България няма да придобива или произвежда никакъв военен материал от немски произход, или модел, нито да наема на работа или обучава каквито и да било техници, включително личния състав на военното и гражданско въздухоплаване, които са или са били германски поданици.

3. Намиращият се в излишък военен материал споменат в точки 1 и 2 на този член ще бъде предаден или унищожен в течение на една година от влизането в сила на настоящия Договор.

4. Определението на термина «военен материал» и списъкът на военния материал за целите на настоящия Договор се съдържат в Приложение III.

Член 16.

България ще сътрудничи напълно със Съюзените и Сдружени Сили с цел да обезпечи щото Германия да не може да вземе мерки за превъоръжаване извън германска територия.

Член 17.

България не ще придобива или произвежда граждански самолети, които са от германски или японски модел или съдържащи съществени елементи от германско или японско производство или модел.

Член 18.

Всяка една от военните, морски и въздушни клаузи на настоящия договор ще остане в сила дотогава, докато тя не бъде изменена, изцяло или частично, по споразумение между Съюзените и Сдружени Сили и България или, след като България стане член на Обединените Народи, по споразумение между Съвета на Сигурността и България.

Отдел II.

Член 19.

1. Българските военнопленници трябва да бъдат репатрирани колкото е възможно по-скоро, съгласно споразуменията постигнати между отделните Сили които ги задържат и България.

2. Всички разноски, включително тези за издръжка, произлизащи от превозването на български военнопленници от съответните им сборни пунктове, избрани от Правителството на съответната Съюзена или Сдружена Сила, до входния пункт в българска територия ще се понесат от Българското Правителство.

ЧАСТ IV.

ОТТЕГЛЯНЕ НА СЪЮЗНИ СИЛИ.

Член 20.

1. Всички въоръжени сили на Съюзените и Сдружени Сили ще бъдат оттеглени от България колкото е възможно по-скоро и във всеки случай не по-късно от 90 дни от влизането в сила на настоящия Договор.

2. Всичката неизползувана българска валута и всички български имущества намиращи се в притежание на Съюзените Сили в България, които са били придобити съгласно член 15 на Съглашението за Примирие, ще бъдат върнати на Българското Правителство в течение на същия 90 дневен срок.

3. България, обаче, през периода между влизането в сила на настоящия Договор и окончателното изтегляне на Съюзните войски, ще достави всякакви улеснения и продоволствия, каквито може да са специално потребни на оттеглящите се войски на Съюзените и Сдружени Сили и надлежна компенсация ще се заплати на българското Правителство за такива продоволствия и улеснения.

ЧАСТ V.

РЕПАРАЦИИ И РЕСТИТУЦИИ.

Член 21.

1. България ще обезщети Югославия и Гърция за загуби причинени от военни действия и от окупацията от страна на България на територия на тези държави; обаче, вземайки под внимание, че България не само се е оттеглила от войната срещу Обединените Народи, но е обявила и на дяло е водила война срещу Германия, Страните се съгласяват, че компенсацията за посочените горе загуби ще бъде дадена от България не в пълен размер, а само частично, а именно на стойност от 70.000.000 долара платими в стоки от производството на добивните и преработващи индустрии и на земеделието в течение на 8 години, считано от влизането в сила на

настоящия Договор. Сумата, която България ще трябва да заплати на Гърция ще възлезе на 45.000.000 долара и сумата, която трябва да се плати на Югославия ще възлезе на 25.000.000 долара.

2. Количествата и категориите на стоки, които трябва да бъдат доставени, ще бъдат определени чрез споразумения, които ще бъдат сключени от Правителствата на Гърция и Югославия с Правителството на България. Тези съглашения ще бъдат съобщени на Шефовете на Дипломатическите Мисии в София на Съветския Съюз, на Съединеното Кралство и на Съединените Американски Щати.

3. Основата на изчисленията за изпълнението на този член ще бъде долара на Съединените Американски Щати по златния му паритет на 1 юли 1946 г. т. е. 35 долара за една унция злато.

4. Основата за оценката на стоките доставени по този член ще бъдат цените на международния пазар в 1938 г. в щатски долари, с 15 на сто повишение за индустриални произведения и 10 на сто за други произведения. Разходите по превоза до гръцката и югославянска граница ще бъдат за сметка на Българското Правителство.

Член 22.

1. България приема принципите на Декларацията на Обединените Народи от 5 януари 1943 г. и се задължава да върне във възможно най-кратък срок имущества изнесени от териториите на който и да е от Обединените Народи.

2. Задължението за реституция се отнася до всички разпознаваеми вещи понастоящем в България, които са били изнесени на сила или под принуда от която и да е от Силите на Оста из територията на който да е от Обединените Народи, независимо от каквито и да са сделки извършени в последствие, посредством които настоящият държател на такива имущества е встъпил в тяхно владение.

Ако в отделни случаи е невъзможно за България да направи реституция за предмети, представляващи художествена, историче-

ска или археологическа ценност, които са част от културното наследство на Обединения Народ, из чиято територия такива предмети са били изнесени на сила или под принуда от българските войски, власти или поданици, България се задължава да предаде на заинтересования Обединен Народ, предмети от същия вид както и с приблизителна равностойна ценност на изнесените предмети, доколкото такива предмети могат да се намерят в България.

3. Българското Правителство се задължава да върне имуществото, споменато в този член, в добро състояние и да поеме във връзка с това всички разноски в България, отнасящи се до работна ръка, материали и превоз.

4. Българското Правителство трябва да окаже съдействие на Обединените Народи и да достави за своя сметка всички необходими улеснения за издирването и реституцията на имуществата, подлежащи на реституция по този член.

5. Българското Правителство се задължава да вземе необходимите мерки за да върне обратно имуществата, споменати в този член, които се държат в която и да е трета страна от лица намиращи се под българска юрисдикция.

6. Искания за реституция на имущества трябва да бъдат представени на Българското Правителство от Правителството на страната от чиято територия имуществото е било изнесено; като се подразбира, че железопътният подвижен материал ще се счита, че е бил изнесен от територията на която първоначално е принадлежал. Времето, през което могат да бъдат предявени такива искания ще бъде 6 месеца от деня на влизането в сила на настоящия Договор.

7. Изявяващото претенции за реституция Правителство ще се наеме с разпознаването на имуществото и върху него пада тежестта на доказването на правото на собственост, а върху българското Правителство пада тежестта на доказването, че имуществото не е било изнесено на сила или под принуда.

ЧАСТ VI.

ЕКОНОМИЧЕСКИ КЛАУЗИ.

Член 23.

1. Доколкото тя не го е вече сторила, България ще възстанови всички законни права и интереси в България на Обединените Народи и техните поданици, както те съществуваха на 24 Април 1941 г. и ще върне всички имущества в България на Обединените Народи и на техните поданици в състоянието, в което се намират сега.

2. Българското правителство поема задължението да върне всички имущества, права и интереси, подпадащи под този член, без всякакви тяжести и налози, каквито може да са били установени върху тях като последица от войната и без да бъдат облагани от страна на българското Правителство с каквито и да е налози във връзка с връщането им. Българското Правителство ще отмени всички мерки, включително възбрани, секвестри или контроли, взети от него срещу имущества на Обединените Народи между 24 Април 1941 г. и влизането в сила на настоящия Договор. В случаи когато имуществото не е било върнато в течение на 6 месеца от влизането в сила на настоящия Договор, молбата за връщане на имущества трябва да бъде подадена на българските власти не по-късно от 12 месеца от влизането в сила на настоящия Договор, освен в случаи, когато молителят може да докаже, че не е могъл да подаде молбата си в течение на този срок.

3. Българското Правителство е длъжно да унищожи прехвърлянията на имущества, права и интереси от всякакъв вид, които принадлежат на поданици на Обединените Народи, там където такива прехвърляния са последвали от сила или принуда упражнени от Правителства на Оста или от техни органи през време на войната.

4. *а*) Българското Правителство ще бъде отговорно за привеждането в пълно изправно състояние на имуществата, върнати на поданици на Обединените Народи съгласно точка 1 на този член.

В случаи, при които имуществото не може да бъде върнато или когато, като последица от войната, поданик на Обединените Народи е претърпял загуба по причина на повреди или щети на имущество в България, той ще получи от Българското Правителство компенсация в лева до размер на две трети от сумата необходима в деня на заплащането за купуване на подобно имущество или за компенсиране на понесената загуба. Поданиците на Обединените Народи в никакъв случай не трябва да бъдат поставени в по-малко благоприятно положение, относно компенсацията, отколкото българските поданици.

b) Поданици на Обединените Народи, които пряко или косвено имат интереси на собственици в дружества или сдружения, които не са поданици на Обединените Народи в смисъла на точка 8 (а) а на този член, но които са претърпяли загуби вследствие на повреди и щети на собственост в България, ще получат компенсация съгласно алинеа «*a*» по-горе. Тази компенсация ще бъде изчислена въз основа на общите загуби или вреди претърпяни от дружеството или сдружението и ще има същото отношение към такива загуби или щети, каквото отношение имат приходоносните интереси на такива поданици в дружеството или сдружението към общия капитал на дружеството или сдружението.

c) Компенсацията ще бъде платена без всякакви облагания, данъци и други сборове. Тя може да бъде свободно използувана в България, обаче ще бъде подчинена на разпоредбите за контрол на чужда валута, които могат да бъдат в сила в България от време на време.

d) Българското Правителство ще даде на поданиците на Обединените Народи същото третиране в отпущането на материали за поправката или възстановяването на тяхната собственост в България и в отпущането на чужда валута за внос на такива материали, каквото дава на български поданици.

e) Българското Правителство ще отпусне на поданиците на Обединените Народи обезщетение в лева в същата пропорция предвидена в алинеа «*a*» по-горе, за да компенсира загубата или щетата, дължима на специални мерки взети спрямо тяхната собстве-

ност през време на войната и които не са се прилагали спрямо българска собственост. Тази алинеа не се прилага по отношение на пропуснати печалби.

5. Всички умерени разходи извършени в България по предявяване на искания, включително изчислението на загубите и щетите, ще се понесат от Българското Правителство.

6. Поданиците на Обединените Народи и тяхната собственост ще бъдат освободени от всякакви изключителни данъци, сборове и такси наложени на техните капитални влогове в България от Българското Правителство или която и да била българска власт между датата на примирието и влизането в сила на настоящия Договор със специалната цел да се покрият разходите произлизащи от войната или за посрещане разходите на окупационните сили или на репарациите в полза на който и да било от Обединените Народи. Всички суми, които са били така платени ще бъдат върнати.

7. Заинтересованият собственик и Българското Правителство могат да сключват споразумения, които ще заместят разпоредбите на настоящия член.

8. Употребените в този член:

a) Израз «поданици на Обединените Наради» значи физически лица, които са поданици на който и да е от Обединените Народи, или дружества или сдружения съставени по законите на който и да е от Обединените Народи по времето на влизането в сила на настоящия Договор, при условие, че те също са имали този статус на датата на слючването на примирието с България.

Изразът «поданици на Обедините Народи» също включва физически лица, дружества и сдружения, които на основание на действуващите в България по време на войната закони са били третирани като неприятелски.

b) Израз «собственик» значи поданик на Обединените Народи, както е определен по-горе в алинеа «*a*», който има право на въпросната собственост и включва и правоприемника на собственика при условие, че правоприемникът е също поданик на

Обединените Народи в смисъла на алинеа «*a*». Ако правоприемникът е купил имуществото в повреден вид, прехвърлителя ще запази правата си за компенсация по този член, без това да става в ущърб на задълженията между прехвърлителя и купувача по вътрешните закони.

c) Израз «имущества» значи целата движима или недвижима собственост, вещи или права, включително правата на индустриална, литературна и художествена собственост, както и всички права, имущества или интереси на собственост от всякакъв вид.

Член 24.

България признава, че Съветският Съюз има право на всички германски авоари в България прехвърлени на Съветския Съюз от Контролния Съвет за Германия и се задължава да вземе всички необходими мерки за улесняването на такива прехвърляния.

Член 25.

1. Всека от Съюзените и Сдружени Сили ще има право да вземе, задържи, ликвидира или да предприеме каквито и да е действия по отношение на всички имущества, права и интереси, които при влизането в сила на настоящия Договор са на нейна територия и принадлежат на България или на български поданици и да употреби такива имущества или реализираните от тяхната ликвидация суми за такива цели, за каквито тя желае в границите на своите рекламации и тези на своите поданици срещу България или български поданици, включително дългове, освен тези които са били напълно удовлетворени по силата на други членове на настоящия Договор. Всички български имущества, или реализираните от тяхната ликвидация суми, надвишаващи размера на тези рекламации ще бъдат върнати.

2. Ликвидацията и разпореждането на български имущества ще бъде проведено съгласно закона на съответната Съюзена и Сдружена Сила. Българският собственик ще има по отношение на такива имущества само тези права, които може да му се дават от този закон.

3. Българското Правителство се задължава да компенсира

българските поданици, чиито имущества са взети по този Член и не им са върнати.

4. Никакво задължение не се създава по този член за която и да било Съюзена или Сдружена Сила да върне индустриална собственост на Българското Правителство или на български поданици или да включи такава собственост при определяне на сумите, които може да бъдат задържани по силата на точка 1 от този член. Правителството на всяка от Съюзените и Сдружени Сили ще има правото да наложи такива ограничения и условия на правата или интересите отнасящи се до индустриална собственост в територията на тази Съюзена или Сдружена Сила, придобита преди влизането в сила на настоящия Договор от Правителството или поданиците на България, каквито могат да бъдат счетени за необходими за неговия национален интерес от Правителството на Съюзената или Сдружена Сила.

5. Имуществата визирани от точка 1 на този член ще се счита, че включват българските имущества, които са били под контрол на основание на състоянието на война съществуващо между България и Съюзената или Сдружена Сила, която има юрисдикция върху имуществото, но не ще включва:

a) Имущества на Българското Правителство използувани за консулски или дипломатически цели;

b) Имуществата принадлежащи на религиозни общества или частни благотворителни организации и употребявани за религиозни или благотворителни цели;

c) Имущества на физически лица, които са български поданици получили разрешение да пребивават на територията на страната, в която се намират имуществата или да пребивават другаде в територия на Обединените Народи, с изключение на българските имущества, които в което и да е време през войната са били предмет на мерки наприлагани по общо правило спрямо имуществата на българските поданици пребиващи на същата територия;

d) Права на собственост възникнали след възстановяването на търговските и финансови отношения между Съюзените и Сдружени Сили и България или възникнали от сделки между Прави-

телството на която и да било Съюзена или Сдружена Сила и България от 28 октомври 1944 г.

е) Права на литературна и художествена собственост.

Член 26.

1. От деня на влизането в сила на настоящия Договор имуществата намиращи се в Германия и принадлежащи на България и на български поданици не ще бъдат считани повече за неприятелски имущества и всички ограничения основани на такова третиране ще бъдат премахнати.

2. Разпознаваеми имущества принадлежащи на България и български поданици изнесени на сила или под принуда от българска територия в Германия от германските въоръжени сили или власти след 28 октомври 1944 г. ще подлежат на възвръщане.

3. Реституцията и възстановяването на български имущества в Германия ще се извърши съгласно с мерките, които ще се определят от Силите окупиращи Германия.

4. Без това да става в ущърб на тези и всички други разпоредби направени от окупиращите Германия Сили в полза на България и български поданици, България се отказва от свое име и от името на българските поданици от всички рекламации срещу Германия и германски поданици останали неуредени на 8 май 1945 г. с изключение на тези произтичащи от договори сключени или други задължения поети или права придобити преди 1 септември 1939 г. Това отказване ще се счита, че включва дългове, всички междуправителствени вземания свързани със споразумения сключени в течение на войната и всички рекламации за загуби или щети възникнали през войната.

Член 27.

1. Съществуването на състояние на война не ще се счита по само себе си като засягащо задължението за плащане на парични дългове произтичащи от задължения и договори, които са съществували и права, които са били придобити преди съществуването на

състоянието на война и които са станали платими преди влизането в сила на настоящия договор и които се дължат от Правителството или поданиците на България на Правителството или поданиците на една от Съюзените и Сдружени Сили или се дължат от Правителството или поданиците на една от Съюзените и Сдружени Сили на Правителството или поданиците на България.

2. Освен ако е другояче изрично постановено в настоящия Договор, нищо в него не трябва да се тълкува като увреждащо взаимоотношенията между длъжници и кредитори произтичащи от предвоенни договори сключени от Правителството или поданиците на България.

Член 28.

1. От името на Българското Правителство и от името на българските поданици България се отказва от всички рекламации от каквото и да било естество срещу Съюзените и Сдружени Сили, произтичащи директно от войната или от мерките взети поради съществуването на състояние на война в Европа след 1 септември 1939 г. независимо от това дали Съюзената или Сдружена Сила е била във война с България по това време. Това отказване включва следното:

a) Рекламации за загуби или щети претърпени като последица от действията на въоръжените сили или власти на Съюзените или Сдружени Сили.

b) Рекламации произтичащи от присътствието, операциите или действията на въоръжените сили или власти на Съюзените или Сдружени Сили на българска територия.

c) Рекламации отнасящи се до решения и разпореждания на Съдилищата за Призове на Съюзените или Сдружени Сили, като България се съгласява да признае за валидни и обвързващи всички решения и разпореждания на такива Съдилища за Призове на или след 1 септември 1939 г. отнасящи се до български кораби или български стоки или плащания на разноски;

d) Рекламации произтичащи от упражнението на правата на воюваща страна или от мерките взети с цел за упражнение на тези права.

2. Разпоредбите на този Член ще изключат, напълно и окончателно, всички рекламации от определеното по-горе естество, които ще бъдат погасени от сега нататък, които и да бъдат заинтересованите страни. Българското Правителство се съгласява да даде справедлива компенсация в лева на лицата, които са доставяли продоволствие или правили услуги по реквизиция на Съюзените и Сдружени Сили на българска територия, и за удовлетворение на възникнали на българска територия рекламации срещу въоръжени сили на Съюзени или Сдружени Сили за невоенни щети.

3. България също се отказва от всички рекламации от естество посочено в точка 1 на този член от името на Българското Правителство или българските поданици срещу който и да било от Обединените Народи, чиито дипломатически сношения с България са били прекъснати през войната и които са предприели действия в сътрудничество със Съюзените и Сдружени Сили.

4. Отказването от рекламации от страна на България по силата на точка 1 от този член включва каквито и да било рекламации произтичащи от мерките взети от която и да е от Съюзените и Сдружени Сили по отношение на български кораби между 1 септември 1939 г. и влизането в сила на настоящия Договор, както и на каквито и да било рекламации и дългове произтичащи от Конвенцията за военнопленниците сега в сила.

Член 29.

1. До сключването на търговски договори или споразумения между отделни Обединени Народи и България, Българското Правителство в течение на срок от 18 месеца от влизането в сила на настоящия Договор, ще даде следното третиране на всеки един от Обединените Народи, който фактически, на базата на взаимност дава аналогичен режим на България за подобни въпроси:

a) Във всичко, което се отнася до мита и сборове, върху внос или износ, вътрешно облагане на внесени стоки и всички правила отнасящи се към него, на Обединените Народи ще се даде безусловен режим на най-облагодетелствуваната нация;

b) Във всеко друго отношение, България няма да прави никакво произволно разграничение във вреда на стоки, произлизащи от или предназначени за която и да е територия на който и да е от Обединените Народи в сравнение с подобни стоки произлизащи от или предназначени за която и да е друга територия на Обединените Народи или на която и да е друга чужда страна;

c) На поданици на Обединените Народи, включително юридически лица, ще се даде националния режим и режима на най-облагодетелствуваната нация във всички въпроси отнасящи се до търговия, индустрия, корабоплаване и други форми на търговска дейност в България. Тези разпоредби не ще се прилагат за търговско въздухоплаване;

d) България не ще даде никакви изключителни или дискриминационни права на която и да е страна във връзка с използването на търговски самолети в международните съобщения и ще даде на всички Обединени Народи еднакви възможности за получаване на права за международно търговско въздухоплаване на българска територия, включително правото на слизане за снабдяване с гориво и за ремонт и що се отнася до използването на търговско въздухоплаване в международни съобщения, България, на базата на взаимност и без разграничаване, ще даде на всички Обединени Народи право за прелитане над българска територия без слизане. Тези разпоредби не ще засегнат интересите на народната отбрана на България.

2. Ще се подразбира, че гореизброените задължения, поети от България, ще подлежат на изключенията, които е обичайно да се включват в търговските договори, сключвани от България преди войната и разпоредбите отнасящи се до взаимност дадена от всеки един от Обединените Народи ще се подразбира да подлежи на изключенията, които обичайно се включват в търговските договори, сключвани от тази държава.

Член 30.

България ще улесни доколкото е възможно железопътния транзитен превоз през своята територия при умерени тарифи и ще склю-

чи със съседните държави всички необходими за тази цел взаимни споразумения.

Член 31.

1. Спорове, които могат да възникнат във връзка с членове 22 и 23 и Приложенията IV, V и VI на настоящия Договор ще се отнесат пред Помирителната Комисия съставена от равно число представители на заинтересованото Правителство на Обединените Народи и на Българското Правителство. Ако не се постигне споразумение в течение на три месеца от предаването на спора на Помирителната Комисия, всяко едно от двете Правителства може да поиска да се прибави един трети член към Комисията и в случай че не се постигне споразумение между двете Правителства относно избора на този член, Главния Секретар на Обединените Народи може да бъде замолен да го назначи.

2. Решението на мнозинството от членовете на Комисията ще бъде решение на Комисията и ще се приеме от страните като окончателно и задължително.

Член 32.

Членове 22, 23, 29 и Приложение VI от настоящия Договор ще се прилагат спрямо Съюзените и Сдружени Народи и Франция и спрямо тези от Обединените Народи, чиито дипломатически отношения с България са били прекъснати през войната.

Член 33.

Разпоредбите на Приложения IV, V и VI ще имат, както и другите приложения, сила и действие като неразделни части от Договора.

ЧАСТ VII.

Клаузи относно Дунава.

Член 34.

Корабоплаването по Дунава ще бъде свободно и открито за поданиците, търговските кораби и стоки на всички държави на

базата на равенство по отношение на пристанищни и навигационни такси и на условията за търговско корабоплаване. Горното не ще се прилага върху превоза между пристанищата на същата държава.

ЧАСТ VIII.

Заключителни клаузи.

Член 35.

1. В срок ненадвишаващ 18 месеца от влизането на настоящия Договор в сила, Шефовете на Дипломатическите Мисии в София на Съветския Съюз, Съединеното Кралство и Съединените Американски Щати, действувайки в съгласие, ще представляват Съюзените и Сдружени Сили в отношенията с Българското Правителство по всички въпроси отнасящи се до изпълнението и тълкуването на настоящия Договор.

2. Трима та Шефове на Мисии ще дадат на Българското Правителство такова ръководство, технически съвети и разяснения, които могат да бъдат необходими за да се осигури бързото и ефикасно изпълнение на настоящия Договор съответствуващо както на текста, така и на духа му.

3. Българското Правителство ще достави на казаните трима Шефове на Мисии всичката необходима информация и помощ, която те може да поискат при изпълнението на задачите възложени им от настоящия Договор.

Член 36.

С изключение на случаите, в които друга процедура е изрично предвидена по силата на който и да е член от настоящия Договор, всеки спор относно тълкуванието или изпълнението на Договора, който не е уреден чрез преки дипломатически преговори, ще бъде отнесен пред трима та Шефове на Мисии действуващи на основание на член 35, с изключение на това че в този случай Шефовете на Мисиите не ще бъдат ограничени от срока предвиден в този член. Всеки

такъв спор неразрешен от тях в срок от два месеца, ще бъде, освен ако страните по спора взаимно се споразумеят за друг начин на уреждане, отнесен, по искането на една от двете спорещи страни пред една Комисия съставена от един представител на всяка страна и един трети член избран по взаимно съгласие на двете страни измежду поданиците на една трета страна. Ако двете страни не успеят да се съгласят в едномесечен срок относно назначаването на третия член, Главния Секретар на Обединените Народи може да бъде замолен от която и да е от двете страни да го назначи.

2. Решението на мнозинството от членовете на Комисията ще бъде решение на Комисията и ще се приеме от страните като окончателно и задължително.

Член 37.

1. Всеки друг член на Обединените Народи, който не е подписал настоящия Договор и който се намира в състояние на война с България, може да се присъедини към Договора и след присъединение ще се счита за целите на Договора за Сдружена Сила.

2. Актовете за присъединение ще се депозират у Правителството на Съюза на Съветските Социалистически Републики и ще имат сила от деня на депозирането.

Член 38.

Настоящия Договор, чиито руски и английски текстове са автентични, ще се ратифицира от Съюзените и Сдружени Сили. Той трябва също да се ратифицира от България. Той ще влезе в сила веднага след депозирането на ратификациите от Съюза на Съветските Социалистически Републики, Съединеното Кралство на Великобритания и Северна Ирландия и Съдинените Американски Щати. Ратификационните инструменти ще бъдат депозирани у Правителството на Съюза на Съветските Социалистически Републики в най-краткото възможно време.

По отношение на всяка от Съюзените или Сдружени Сили, чиито ратификационен инструмент е депозиран след това, Договора ще влезе в сила от деня на депозирането. Настоящият

Договор ще се депозира в архивите на Правителството на Съюза на Съветските Социалистически Републики, което ще разпрати заверени преписи на всяка от подписалите държави.

СПИСЪК НА ПРИЛОЖЕНИЯТА.

Приложение I. Карта на българските граници.

Приложение II. Определение на военно, военно-въздушно и военно-морско обучение.

Приложение III. Определение и списък на военен материал.

Приложение IV. Индустриална, литературна и художествена собственост.

Приложение V. Договори, давности и ценни книжа.

Приложение VI. Съдебни решения.

ПРИЛОЖЕНИЕ I.

(виж член 1)

Карта на българските граници.

ПРИЛОЖЕНИЕ II.

(виж член 11)

Определение на военно, военно-въздушно и военно-морско обучение.

Военно обучение се определя както следва:

Изучаване и упражнение в употребата на военен материал нарочно предназначен или пригоден за военни цели и учебни пособия отнасящи се до него; изучаването и изпълняването на всички строеви упражнения или предвижвания предназначени за обучението или извършването на маневри, които се извършват от бойни сили в сражение; организираното изучаване на тактика, стратегия и щабна работа.

Военно-морско обучение се определя както следва:

Изучаването, ръководството или упражнението в употреба на военни кораби или военно-морски съоръжения или учреждения, както и изучаването или употребата на всички отнасящи се към това прибори и учебни пособия, които се използват за водене на морска война, освен за тези, които обикновено също се употребяват за граждански цели; също преподаването, упражнението или организираното изучаване на морска тактика, стратегия и щабна работа, включително изпълнението на всички операции и маневри, които не са нужни при мирновременното използване на кораби.

Военно-въздушно обучение се определя както следва:

Изучаването и упражняването в употребата на военни материали нарочно предназначени или пригодени за военно-въздушни цели и отнасящи се към това обучение учебни пособия; изучаването и упражнението на всички специализирани маневри, включи-

телно летене в формация, извършвани от самолети при изпълнение на военно-въздушна бойна задача; и организираното изучаване на военно-въздушна тактика, стратегия и щабна работа.

ПРИЛОЖЕНИЕ III.

(виж член 14)

Определение и списък на военен материал.

Терминът «военен материал» както е употребен в настоящия Договор ще включи всички оръжия, бойни припаси и средства нарочно построени или приспособени за използуване във война, както са изброени по-долу.

Съюзените и Сдружени Сили си запазват правото периодически да изменят списъка чрез поправки и добавки, държейки сметка за научни данни, които могат да се появят.

Категория I.

1. Военни пушки, карабини, револвери и пистолети; цеви за тези оръжия и други запасни части, които не може лесно да се приспособят за гражданска употреба.

2. Картечници, военни автоматични или самозарядни пушки и картечни пистолети; цеви за тези оръжия и други запасни части, които не могат лесно да се приспособят за гражданска употреба; картечни стойки.

3. Оръдия, гаубици, мортири, специални противо-самолетни оръдия; беззатворни или безоткатни оръдия и огнепръскачки; цеви и други запасни части, които не могат лесно да се приспособят за гражданска употреба; лафети и стойки за гореизброените оръжия.

4. Уреди за пускане на ракети; механизми за пускане и контролиране на самодвижещи се и направляеми снаряди; стойки за същите.

5. Самодвижещи се и направляеми снаряди, снаряди, ракети, унитарни муниции и патрони, пълни или празни, за оръжията избро-

ени погоре в точки 1-4 включително и запалки, тръби или приспособления за действие с тях или за пръсването им. Възпламенители нужни за гражданска употреба не се включват.

6. Ръчни бомби, бомби, торпили, мини, подводни бомби и подпалителни вещества или заряди, пълни или празни; всички средства за действие с тях и за пръсването им. Възпламенители необходими за граждански нужди не се включват.

7. Ножове.

Категория II.

1. Бронирани бойни коли; бронирани влакове, които технически не могат да бъдат приспособени за граждански цели.

2. Механически и самодвижещи се лафети за което и да е от оръжията изброени в категория I; специален вид военни шасита или каруцерии извън тези изброени по-горе в точка 1.

3. Броневи плочи с повече от три инча дебелина, които се използват за защитни цели във война.

Категория III.

1. Мерни и изчислителни прибори за управляване на стрелбата, включително линийки на зенитния планшет и построители; прибори за престрелка; мерници; бомбохвърлачни мерници; ключове за запалки; прибори за проверка на калибрите на оръдията и за проверка на инструментите за управление на стрелбата.

2. Щурмови мостове и щурмови лодки.

3. Средства за маскирани военни действия, както и ослепителни средства и средства за измама.

4. Лично военно снаряжение от специален характер, което не може лесно да бъде приспособено за граждански цели.

Категория IV.

1. Военни кораби от всякакъв вид, включително и приспособени кораби и съдове проектирани или предназначени да ги

обслужват или поддържат, които не могат да бъдат технически приспособени за граждански цели, както и въоръжения, броня, бойни припаси, самолети и всички други снаряжения, материали, машини и инсталации, които не се употребяват в мирно време от кораби освен военни кораби.

2. Десантни съдове и земноводни превозни средства или снаряжение от всякакъв вид; щурмови лодки или приспособления от всякакъв вид, както и катапулти или други апарати за пущане или изхвърляне самолети, ракети, движими бойни средства или всякакви други снаряди, апарати или приспособления с или без екипаж, управлявани или неуправлявани.

3. Подводни или полу-подводни съдове, плавателни средства, бойни средства, приспособления или апарати от всякакъв вид, включително и специално конструирани пристанищни защитни прегради, с изключение на тези, които могат да се употребяват за спасителни цели или други граждански цели, както и всякакво снаряжение, принадлежности, запасни части, експериментални или учебни средства, инструменти или инсталации, които могат да бъдат специално предназначени за построяването, изпитването, поддържането или съхранението на същите.

Категория V.

1. Сглобени или несглобени летателни апарати, по-тежки или по-леки от въздуха, които са предназначени или приспособени за въздушна борба посредством употребата на картечници, ракетохвърграчки или артилерия, или за носене и пущане на бомби, или които са снабдени с, или които поради типа или конструкцията си са годни за което и да е от приспособленията, споменати в точка 2 по-долу.

2. Авиационни оръдейни стойки и рами, бомбодържатели, торпедодържатели, както и механизми за пущане на бомби или торпили; оръдейни куполи и картечни куполи.

3. Снаряжение специално предназначено за и използувано изключително от въздушно-преносими войски.

4. Катапулти или изхвъргателни апарати за самолети от плавателни съдове, суша и море; апарати за изхвърляне на самолетни снаряди.

5. Баражни балони.

Категория VI.

Задушителни, смъртоносни, отровни или извеждащи от строя вещества предназначени за военни цели или произвеждани в повече от гражданските нужди.

Категория VII.

Метателни средства, взривни вещества, пиротехнически средства или течни газове предназначени за хвърляне, възпламеняване, зареждане и пълнене или употреба във връзка с военните материали в настоящите категории, които не могат да се използват за граждански цели или произведени в повече от гражданските нужди.

Категория VIII.

Фабрично и инструментално снаряжение специално конструирано за производството и подържането на материалите изброени по-горе и технически неприспособимо за гражданско употребление.

ПРИЛОЖЕНИЕ IV.

Индустриална, литературна и художествена собственост.

1. *а)* Срок от една година от влизането в сила на настоящия Договор ще бъде даден на Съюзените и Сдружени Сили и техните поданици, без да се вземат от тях допълнителни или други глоби от какъвто и да е вид, за да им се даде възможност да извършат всички необходими актове за получаването или запазването в България на права на индустриална, литературна или художествена собственост, които не са могли да бъдат извършени поради съществуването на състояние на война.

b) Съюзени и Сдружени Сили или техни поданици, които надлежно са направили искане на територията на която и да е Съюзена или Сдружена Сила за патент или регистрация на модел не по-рано от 12 месеца преди започването на войната с България или през време на войната или за регистрирането на индустриален чертеж или модел или търговска марка не по-рано от 6 месеца преди започването на войната с България или през време на войната, ще имат право в течение на 12 месеца след влизането в сила на настоящия Договор да направят искане за съответните права в България, с право на приоритет на основание на по-рано направеното заявление на територията на тази Съюзена или Сдружена Сила.

c) На всяка една от Съюзените и Сдружени Сили и нейните поданици ще бъде даден срок от една година от влизането на настоящия Договор в сила, през време на който те могат да заведат дела в България срещу тези физически или юридически лица, за които се поддържа, че незаконно съ накърнили техните права на индустриална, литературна или художествена собственост в периода между датата на започването на войната и влизането в сила на Договора.

2. Един период от започването на войната до 18 месеца след влизането в сила на настоящия Договор ще бъде изключен при определянето на срока, през който патента, чертежа или търговската марка е трябвало да бъдат използувани.

3. Периода от започването на войната до влизането в сила на настоящия Договор ще бъде изключен от нормалния срок на права на индустриална, литературна и художествена собственост, които са били в сила в България при започването на войната или които са признати или установени по силата на това Приложение и принадлежат на която и да е Съюзена и Сдружена Сила или нейните поданици. Следователно, нормалното времетраене на такива права ще се счита автоматично удължено в България за един по-нататъшен срок съответствуващ на така изключения период.

4. Предходните постановления относно правата в България на Съюзените и Сдружени Сили и техните поданици ще се прилагат

еднакво и по отношение правата на България и нейните поданици в териториите на Съюзените и Сдружени Сили. Нищо, обаче, в настоящите разпоредби не дава на България или на нейните поданици права за по-благоприятно третиране в територията на която и да е Съюзена и Сдружена Сила отколкото се дават от тази Сила в подобни случаи на други Обединени Народи или на техни поданици, нито пък ще се иска от България с настоящето да дава на която и да е Съюзена и Сдружена Сила или нейните поданици по-благоприятно третиране отколкото България или нейните поданици получават на територията на такава Сила по отношение на въпросите разгледани в предходните разпоредби.

5. Трети лица в териториите на която и да е от Съюзените и Сдружени Сили или България, които преди влизането в сила на настоящия Договор са придобили добросъвестно права на индустриална, литературна и художествена собственост, които са в противоречие с правата възстановени по силата на настоящето Приложение или с правата придобити съгласно приоритета даден от него, или добросъвестно са фабрикували, публикували, възпроизвеждали, употребявали или продавали артикули предмет на подобни права, ще им бъде позволено, без отговорност за нарушение, да продължат да упражняват такива права и да продължат или да възобновят фабрикуване, публикация, възпроизвеждане, употребяване или продажба, които са били добросъвестно придобити или започнати. В България такова разрешение ще има формата на неизключително позволително, дадено при условия приети по взаимно съгласие от заинтересованите страни, или, при липса на съглашение, да бъде определено от Помирителната Комисия установена съгласно член 31 от настоящия Договор. В териториите на всяка от Съюзените и Сдружени Сили, обаче, добросъвестните трети лица ще получат такава защита, каквато се дава при подобни обстоятелства на добросъвестни трети лица чиито права са в противоречие с тези на поданиците от други Съюзени и Сдружени Сили.

6. Нищо в това Приложение не ще се тълкува като даващо на България или на нейните поданици права върху какъвто и да е патент или модел, в териториите на която и да е Съюзена и Сдру-

жена Сила за изобретения, отнасящи се до какъвто и да е предмет упоменат поименно в Приложение III от настоящия Договор, изобретения направени или за които заявления са били зарегистрирани от България, или който и да е от нейните поданици, в България или в територията на която и да е друга от държавите на Оста, или в която и да е територия окупирана от въоръжените сили на държавите от Оста през времето когато тази територия е била под контрола на въоръжените сили или властите на държавите от Оста.

7. България по същия начин ще разпростре предходните разпоредби на това Приложение върху Франция и върху други Обединени Народи извън Съюзените или Сдружени Сили, чиито дипломатически отношения с България са били прекъснати през време на войната и които се задължат да дадат на България преимуществата дадени й с поменатите разпоредби.

8. Нищо в това Приложение не ще бъде разбрано като противоречащо на членове 23, 25 и 27 от настоящия Договор.

ПРИЛОЖЕНИЕ V.

Договори, давности и ценни книжа.

А. Договори.

1. Всеки договор за чието изпълнение са били необходими сношения между която и да е от страните на договора, станали неприятели по определението в част «D» на това Приложение, трябва, с изключение на условията изложени в точки 2 и 3 по-долу, да се счита, че е бил развален от времето, когато страните по договора са станали неприятели. Това разваляне, обаче, не е в ущърб на разпоредбите на член 27 на настоящия Договор, нито трябва да освободи която и да е страна по договора от задължението да върне суми получени като аванси или като частични плащания, за които тази страна не е дала насрещно изпълнение.

2. Въпреки разпоредбите на точка 1 по-горе, ще бъдат изключени от разваляне и, без ущърб на правата изброени в член 25 от настоящия Договор, ще останат в сила такива части на който и

да е договор, които са отделими и за чието изпълнение не се е изисквало сношения между която и да е от страните по него, станали неприятели, както е определено в част «D» на това Приложение. Където постановленията на който и да е договор не са отделими по този начин, договорът требва да се счита, че е бил изцяло унищожен. Гореизложеното ще подпадне под разпоредбите на вътрешните закони, наредби и правилници, изработени от която и да е от Съюзените и Сдружени Сили, които имат юрисдикция над договора или над която и да е от заинтересованите страни и ще подпадне под клаузите на договора.

3. Нищо в част «А» на това Приложение не трябва да се счита, че унищожава сделки изпълнени законно в съответствие с един договор между неприятели, ако те са били изпълнени с разрешението на Правителството на една от Съюзените и Сдружени Сили.

4. Въпреки горните разпоредби, договори за застраховка и презастраховка ще подпаднат под отделни съглашения между Правителството на заинтересованата Съюзена или Сдружена Сила и Правителството на България.

B. Давностни срокове.

1. Всички давностни срокове или ограничения на правото на иск или ограничения на правото да се вземат обезпечителни мерки касателно отношенията засягащи лица или имущество, които засягат поданици на Обединените Народи и български поданици и които поради състоянието на война не са могли да предявят съдебни искове или да изпълнят формалностите необходими за запазването на правата си, независимо от това дали тези срокове са започнали преди или след започването на войната, ще се считат преустановени за времетраенето на войната, на българска територия от една страна и, от друга страна на територията на тези Обединени Народи които, на база на взаимност, дават на България преимуществата на разпоредбите по тази точка. Тези срокове ще почнат да текат отново с влизането в сила на настоящия Договор. Разпоредбите на тази точка ще бъдат приложими относно сроковете определени за предявление на лихвоносни или дивидентни купони или за предявление за запла-

щане на ценни книжа, излезли в тираж, или подлежащи на изплащане на каквото и да било друго основание.

2. В случаите, когато поради неизпълнение на какъвто и да е акт или на каквито и да са формалности през време на войната, са били взети изпълнителни мерки на българска територия във вреда на някой поданик на един от Обединените Народи, Българското Правителство ще възстанови накърнените права. Ако подобно възстановяване е невъзможно или би било несправедливо, Българското Правителство ще вземе мерки щото на поданика на Обединения Народ да бъде дадена такава помощ, каквато при тези обстоятелства може да се счита за справедлива.

C. Ценни книжа.

1. В отношенията между неприятели никоя ценна книга, издадена до войната, не ще се счита, че е станала невалидна само поради непредставяне в установения за приемане или плащане срок е трябвало да бъде уведомен издателя или джиранта за отказ отказ за приемане или плащане в съответния срок или поради непротестирането й, нито поради неизпълнението на каквито и да са формалности през време на войната в определените срокове.

2. В случаите, когато срокът, в който ценната книга е трябвало да бъде представена за приемане или заплащане или в който срок е трябвало да бъде уведомен издателя или джиранта за отказ за приемане или плащане, или в който срок ценната книга е трябвало да бъде протестирана, е изтекъл през време на войната, и страната, която е трябвало да представи или протестира ценната книга или да уведоми за отказ на приемане или плащане, не го е направила през време на войната, ще се даде срок от не по-малко от три месеца от влизането в сила на настоящия Договор, през който може да бъде направено представянето и уведомлението за отказ на приемане или заплащане или през който да бъде тя протестирана.

3. Ако едно лице, било преди или през време на войната, е поело задължение по каквато и да била ценна книга вследствие на едно задължение поето спрямо него от лице, което в последствие е станало неприятел, последното лице продължава да носи задълже-

нието да обезщети първото лице що се отнася до неговата отговорност, независимо от избухването на войната.

D. Особени разпоредби.

1. За целите на това приложение, физически или юридически лица ще се считат за неприятели от деня, когато търговия между тях е станала незаконна на основание на закони, разпоредби или правилници, под каквито такива лица или договорите са подпаднали.

2. Имайки предвид правната система на Съединените Американски Щати, разпоредбите на това приложение не ще се прилагат в отношениета между Съединените Американски Щати и България.

ПРИЛОЖЕНИЕ VI.

Съдебни решения.

Българското Правителство ще вземе необходимите мерки за да даде възможност на поданици на който и да е от Обединените Народи, когато и да е, в течение на една година от влизането в сила на настоящия Договор да предадат на съответните български власти за повторно разглеждане всякакви съдебни решения, издадени от българско съдилище между 24 април 1941 г. и влизането в сила на настоящия Договор, в всякакви производства, в които поданикът на Обединените Народи не е могъл да изложи задоволително своето дяло, било като ищец, било като ответник. Българското Правителство ще разпореди щото, в случаи когато поданик на Обединените Народи е претърпял щета по причина на каквото и да било такова съдебно решение, той да бъде възстановен в това положение, в което е бил преди да е било издадено съдебното решение или да му се даде помощ каквато би се смятнала за справедлива съобразно обстоятелствата. Терминът «поданици на Обединените Народи» включва дружества или сдружения, организирани или учредени на основание на законите на който и да е от Обединените Народи.

В удостоверение чего нижеподписавшиеся Полномочные Представители подписали настоящий Договор и приложили к нему свои печати.

Совершено в Париже на русском, английском, французском и болгарском языках, февраля десятого дня тысяча девятьсот сорок седьмого года.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. [1]

Done in the city of Paris in the Russian, English, French and Bulgarian languages this tenth day of February, One Thousand Nine Hundred Forty-Seven.

En foi de quoi, les Plénipotentiaires soussignés ont apposé leurs signatures et leurs cachets au bas du présent Traité.

Fait à Paris, le dix février mil neuf cent quarante-sept, en langues russe, anglaise, française et bulgare.

В удостоверение на което подписаните Пълномощници подписаха настоящия Договор и положиха върху него печатите си.

Извършено в Париж на руски, английски, френски и български езици на десети февруари хилядо деветстотин четиридесет и седма година.

За Союз Советских Социалистических Республик:
FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES:
За Съюзът на Съветските Социалистически Републики:

[SEAL] И. Молотов

[SEAL] Абоимов

[1] [For romanization of the facsimile signatures, see p. 2063.]

За Соединенное Королевство Великобритании и Северной Ирландии:
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
За Съединеното Кралство на Великобритания и Северна Ирландия:

Ernest Bevin

[SEAL] Duff Cooper

За Соединенные Штаты Америки:
FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMERIQUE:
За Съединените Американски Щати:

[SEAL] James F. Byrnes

[SEAL] Jefferson Caffery

За Австралию:
FOR AUSTRALIA:
POUR L'AUSTRALIE:
За Австралия:

[SEAL]

John A. Beasley

За Белорусскую Советскую Социалистическую Республику:
FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE:
За Бело-Руската Съветска Социалистическа Република:

[SEAL]

За Чехословакию:
FOR CZECHOSLOVAKIA:
POUR LA TCHECOSLOVAQUIE:
За Чехословакия:

[SEAL]

[SEAL]

За Грецию:
FOR GREECE:
POUR LA GRECE:
За Гърция:

[SEAL]

[SEAL]

За Индию:
FOR INDIA:
POUR L'INDE:
За Индия:

[SEAL]

За Новую Зеландию:
FOR NEW ZEALAND:
POUR LA NOUVELLE-ZELANDE:
За Нова Зеландия:

[SEAL]

За Украинскую Советскую Социалистическую Республику:
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE:
За Украйнската Съветска Социалистическа Република:

[SEAL]

J Smith

За Южно-Африканский Союз:
FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
За Южно-Африканския Съюз:

[SEAL]

W. P. Barminter.

За Федеративную Народную Республику Югославии:
FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:
POUR LA REPUBLIQUE FEDERATIVE POPULAIRE DE YOUGOSLAVIE:
За Народната Федеративна Република Югославия:

[SEAL]

[SEAL]

[SEAL]

За Болгарию:
FOR BULGARIA:
POUR LA BULGARIE:
За България:

[SEAL]

[SEAL]

[SEAL]

Министерство Иностранных Дел Союза Советских Социалистических Республик удостоверяет с приложением печати, что настоящий документ является верной копией Мирного Договора с Болгарией, подписанного в Париже 10 февраля 1947 года на русском, английском, французском и бол[illegible]зыках в одном экземпляре, подлинник которого находится на хранении в ар[illegible]льства Союза Советских Социалистических Республик.

По распоря[illegible] Член Коллегии и Начальник Договорно-Правового Управления Минист[illegible] Дел СССР.

[illegible] 194[illegible]

С. ГОЛУНСКИЙ.

WHEREAS the Senate of the United States of America by their resolution of June 5, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty;

WHEREAS the said Treaty was duly ratified by the President of the United States of America on June 14, 1947, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS it is provided in Article 38 of the said Treaty that the Treaty shall come into force immediately upon the deposit with the Government of the Union of Soviet Socialist Republics of ratifications by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

WHEREAS instruments of ratification were deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

AND WHEREAS an instrument of ratification was also deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by Bulgaria;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Treaty of Peace with Bulgaria to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after September 15, 1947, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and do hereby further proclaim that the state of war between the United States of America and Bulgaria terminated on September 15, 1947.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of September in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A LOVETT

Acting Secretary of State

Note by the Department of State

The following is a romanization of the facsimile signatures:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

V. MOLOTOV
A BOGOMOLOV.

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

ERNEST BEVIN
DUFF COOPER

FOR THE UNITED STATES OF AMERICA:

JAMES F BYRNES
JEFFERSON CAFFERY

FOR AUSTRALIA:

JOHN. A. BEASLEY

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

K KISSELEV

FOR CZECHOSLOVAKIA:

JAN MASARYK.
V CLEMENTIS

FOR GREECE:

LEON V. MELAS
R. RAPHAEL

FOR INDIA:

S. E. RUNGANADHAN.

FOR NEW ZEALAND:

W. J JORDAN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

I. SENIN

FOR THE UNION OF SOUTH AFRICA:

W. G. PARMINTER.

FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:

STANOJE S. SIMIĆ
RODOLJUB ČOLAKOVIC
Dr PAVLE GREGORIC

FOR BULGARIA:

K GEORGIEV
A OBBOV
T KOSTOV

The certification on page 2061 reads, in translation, as follows:

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics certifies by the seal affixed hereto that the present document is a true copy of the Treaty of Peace with Bulgaria, signed at Paris on February 10, 1947, in the Russian, English, French and Bulgarian languages in a single copy, the original of which is preserved in the archives of the Government of the Union of Soviet Socialist Republics.

By order of the Minister, Member of the Collegium and Chief of the Treaty-Law Division of the Ministry of Foreign Affairs of the U.S.S.R.

February 26, 1947.

[SEAL] S. GOLUNSKI.

Treaty of peace with Hungary. Dated at Paris February 10, 1947; ratification advised by the Senate of the United States of America June 5, 1947; ratified by the President of the United States of America June 14, 1947; ratification of the United States of America deposited with the Union of Soviet Socialist Republics at Moscow September 15, 1947; proclaimed by the President of the United States of America September 15, 1947; entered into force September 15, 1947.

February 10, 1947
[T. I. A. S. 1651]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Treaty of Peace with Hungary, dated at Paris February 10, 1947, was signed by the respective Plenipotentiaries of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, the People's Federal Republic of Yugoslavia, and Hungary;

WHEREAS the text of the said Treaty, in the Russian, English, French, and Hungarian languages, as certified by the Foreign Office of the Government of the Union of Soviet Socialist Republics, is word for word as follows:

МИРНЫЙ ДОГОВОР С ВЕНГРИЕЙ

1947 г.

Союз Советских Социалистических Республик, Соединенное Королевство Великобритании и Северной Ирландии, Соединенные Штаты Америки, Австралия, Белорусская Советская Социалистическая Республика, Канада, Чехословакия, Индия, Новая Зеландия, Украинская Советская Социалистическая Республика, Южно-Африканский Союз и Федеративная Народная Республика Югославии, как государства, находящиеся в состоянии войны с Венгрией и активно участвовавшие в войне против вражеских государств в Европе существенными военными контингентами, именуемые в дальнейшем «Союзные и Соединенные Державы», с одной стороны,

и Венгрия, с другой стороны,

Принимая во внимание, что, став союзником гитлеровской Германии и участвуя на ее стороне в войне против Союза Советских Социалистических Республик, Соединенного Королевства, Соединенных Штатов Америки и других Объединенных Наций, Венгрия несет свою долю ответственности за эту войну;

Принимая, однако, во внимание, что 28 декабря 1944 года Венгрия порвала отношения с Германией, объявила войну Германии и заключила 20 января 1945 года Перемирие с Правительствами Союза Советских Социалистических Республик, Соединенного Королевства и Соединенных Штатов Америки, действовавшими от имени всех Объединенных Наций, находившихся в состоянии войны с Венгрией; и

Принимая во внимание, что Союзные и Соединенные Державы и Венгрия желают заключить мирный договор, который, соответствуя принципам справедливости, урегулирует вопросы, остающиеся еще нерешенными в результате перечисленных выше событий, и явится основой дружественных отношений между ними, тем самым давая Союзным и Соединенным Державам возможность поддержать обращение Венгрии о принятии ее в члены Организации Объединенных Наций, а также о присоединении Венгрии к любой конвенции, заключенной по почину Организации Объединенных Наций;

В соответствии с этим решили объявить о прекращении состояния войны и для этой цели заключить настоящий Мирный Договор

и назначили для этого нижеподписавшихся в качестве своих Полномочных Представителей, которые по представлении своих полномочий, найденных в порядке и надлежащей форме, согласились о следующих постановлениях:

ЧАСТЬ I.

ГРАНИЦЫ ВЕНГРИИ.

Статья 1.

1. Границы Венгрии с Австрией и Югославией останутся такими, как они существовали на 1 января 1938 года.

2. Решения Венского Арбитража от 30 августа 1940 года объявляются несуществующими. Граница между Венгрией и Румынией, существовавшая на 1 января 1938 года, настоящим восстанавливается.

3. Граница между Венгрией и Союзом Советских Социалистических Республик от точки, общей для границы этих двух государств и границы Румынии, до точки, общей для границы этих двух государств и границы Чехословакии, устанавливается вдоль прежней границы между Венгрией и Чехословакией, как она существовала на 1 января 1938 года.

4. *a*) Решения Венского Арбитража от 2 ноября 1938 года объявляются несуществующими.

b) Граница между Венгрией и Чехословакией от точки, общей для границы этих двух государств и границы Австрии, до точки, общей для границы этих двух государств и границы Союза Советских Социалистических Республик, настоящим восстанавливается, как она существовала на 1 января 1938 года, за исключением изменения, вытекающего из положений следующего подпункта.

c) Венгрия передаст Чехословакии деревни Горватьярфалу, Орошвар и Дуначун вместе с числящейся за ними по кадастрам

территорией, как показано на карте IA, приложенной к настоящему Договору. В соответствии с этим чехословацкая граница в этом секторе будет установлена следующим образом: от точки, общей для границ Австрии, Венгрии и Чехословакии, как они существовали на 1 января 1938 года, нынешняя венгеро-австрийская граница станет границей между Австрией и Чехословакией вплоть до пункта, расположенного примерно в 500 метрах к югу от высоты 134 (3,5 км. северозападнее церкви в Райка), причем этот пункт станет общим для границ трех поименованных государств; отсюда новая граница между Чехословакией и Венгрией пойдет в восточном направлении вдоль северной кадастровой границы деревни Райка к правому берегу Дуная до пункта, расположенного примерно в 2 км. к северу от высоты 128 (3,5 км. к востоку от церкви в Райка), где новая граница, проходя по главному судоходному руслу Дуная, соединится с чехословацко-венгерской границей, существовавшей на 1 января 1938 года; плотина и водослив в границах деревни Райка останутся на венгерской территории.

d) Точная линия новой границы между Венгрией и Чехословакией, установленная в предыдущем подпункте, будет определена на местности пограничной комиссией, состоящей из представителей двух заинтересованных Правительств. Комиссия должна закончить свою работу в течение двух месяцев со дня вступления в силу настоящего Договора.

e) В случае незаключения двустороннего соглашения между Венгрией и Чехословакией относительно переселения в Венгрию населения переходящего района, Чехословакия гарантирует населению этого района полные права человека и гражданина. Все гарантии и прерогативы, предусмотренные в Чехословацко-Венгерском Соглашении от 27 февраля 1946 года относительно обмена населением, будут применяться к лицам, добровольно выехавшим из района, переходящего к Чехословакии.

5. Границы, описанные выше, показаны на картах I и IA в Приложении I к настоящему Договору.

ЧАСТЬ II.

ПОЛИТИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Раздел I.

Статья 2.

1. Венгрия обязуется принять все меры, необходимые для обеспечения того, чтобы все лица, находящиеся под венгерской юрисдикцией, без различия расы, пола, языка или религии, пользовались правами человека и основными свободами, включая свободу слова, печати и изданий, религиозного культа, политических убеждений и публичных собраний.

2. Венгрия также принимает обязательство, что действующие в Венгрии законы, как в отношении своего содержания, так и применения, не будут устанавливать дискриминации или влечь за собой дискриминацию для лиц венгерского гражданства на основании их расы, пола, языка или религии как в том, что касается их личности, имущества, занятий, профессиональных или финансовых интересов, статуса, политических или гражданских прав, так и любых других вопросов.

Статья 3.

Венгрия, которая в соответствии с Соглашением о Перемирии провела мероприятия по освобождению, независимо от гражданства и национальной принадлежности, всех лиц, содержавшихся в заключении в связи с их деятельностью в пользу Объединенных Наций, или за их сочувствие Объединенным Нациям, или ввиду их расового происхождения, и мероприятия по отмене дискриминационного законодательства и вытекающих из него ограничений, обязуется закончить проведение этих мероприятий и впредь не принимать каких-либо мер или законов, которые были бы несовместимы с целями, предусмотренными в этой статье.

Статья 4.

Венгрия, которая в соответствии с Соглашением о Перемирии провела мероприятия по роспуску всех находившихся на венгерской территории организаций фашистского типа: политических,

военных, военизированных, а также других организаций, ведущих враждебную Объединенным Нациям пропаганду, включая ревизионистскую пропаганду, — обязуется и впредь не допускать существования и деятельности организаций такого рода, преследующих цель лишения народа его демократических прав.

Статья 5.

1. Венгрия вступит в переговоры с Чехословакией с целью разрешения вопроса о тех жителях мадьярского этнического происхождения, проживающих в Чехословакии, которые не будут поселены в Венгрии в соответствии с условиями Соглашения от 27 февраля 1946 года об обмене населением.

2. В случае, если в течение шести месяцев со дня вступления в силу настоящего Договора, соглашение не будет достигнуто, Чехословакия будет иметь право поставить этот вопрос перед Советом Министров Иностранных Дел с просьбой о содействии Совета в достижении окончательного решения.

Статья 6.

1. Венгрия обязуется принять все необходимые меры, чтобы обеспечить задержание и выдачу для суда над ними:

a) лиц, обвиняемых в том, что они совершили военные преступления и преступления против мира или против человечности, дали приказ о совершении таких преступлений или содействовали их совершению;

b) граждан какой-либо из Союзных и Соединенных Держав, которые обвиняются в нарушении законов их стран изменой или сотрудничеством с врагом во время войны.

2. Венгрия, по требованию Правительства заинтересованной Объединенной Нации, обеспечит также явку в качестве свидетелей находящихся под ее юрисдикцией лиц, показания которых потребуются для суда над лицами, указанными в пункте 1 настоящей статьи.

3. Всякое разногласие относительно применения постановлений пунктов 1 и 2 настоящей статьи должно быть передано любым заинтересованным Правительством Главам Дипломатических Миссий

Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Будапеште, которые достигнут соглашения по поводу этого затруднения.

Раздел II.

Статья 7.

Венгрия обязуется признать полную силу Мирных Договоров с Италией, Румынией, Болгарией и Финляндией и других соглашений или урегулирований, которые были или будут достигнуты Союзными и Соединенными Державами относительно Австрии, Германии и Японии для восстановления мира.

Статья 8.

Состояние войны между Венгрией и Румынией прекратится со дня вступления в силу как настоящего Мирного Договора, так и Мирного Договора между Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ирландии, Соединенными Штатами Америки, Австралией, Белорусской Советской Социалистической Республикой, Канадой, Чехословакией, Индией, Новой Зеландией, Украинской Советской Социалистической Республикой и Южно-Африканским Союзом, с одной стороны, и Румынией, с другой стороны.

Статья 9.

Венгрия обязуется принять любые соглашения, которые были или могут быть заключены для ликвидации Лиги Наций и Постоянной Палаты Международного Правосудия.

Статья 10.

1. Каждая Союзная или Соединенная Держава нотифицирует Венгрии в течение шести месяцев со дня вступления в силу настоящего Договора о своих довоенных двусторонних договорах с Венгрией, которые эта Держава желает сохранить в силе или действие которых она желает возобновить. Любые положения, не находящиеся в соответствии с настоящим Договором, будут, однако, исключены из вышеупомянутых договоров.

2. Все вышеупомянутые договоры, о которых будет нотифицировано таким образом, будут зарегистрированы в Секретариате Объединенных Наций в соответствии со статьей 102 Устава Организации Объединенных Наций.

3. Все вышеупомянутые договоры, о которых не будет нотифицировано таким образом, будут считаться отмененными.

Статья 11.

1. Венгрия должна в течение периода, не превышающего 18 месяцев со дня вступления в силу настоящего Договора, передать Югославии и Чехословакии предметы указанных ниже категорий, составляющие культурное достояние этих стран, происходящие с их территорий и после 1848 года оказавшиеся во владении венгерского государства или венгерских государственных учреждений вследствие венгерского господства над этими территориями, которое продолжалось до 1919 года:

a) исторические архивы, которые возникли как единое целое на югославской или чехословацкой территориях;

b) библиотеки, исторические документы, предметы старины и другие предметы культуры, которые принадлежали учреждениям на югославской или чехословацкой территориях или историческим личностям югославского или чехословацкого народов;

c) оригинальные художественные, литературные и научные произведения, которые созданы югославскими или чехословацкими художниками, писателями и учеными.

2. Предметы, купленные или полученные в качестве дара или по наследству, а также оригинальные произведения венгров не подпадают под действие положений пункта 1.

3. Венгрия также должна передать Югославии архивы, относящиеся к Иллирийской Депутации, Иллирийской Комиссии и к Иллирийской Канцелярии XVIII века.

4. По вступлении в силу настоящего Договора Правительство Венгрии должно оказать уполномоченным представителям Югославии и Чехословакии всю необходимую помощь для розыска этих

предметов и предъявления их для осмотра. После этого, но не позднее одного года со дня вступления в силу настоящего Договора, Правительства Югославии и Чехословакии должны передать Правительству Венгрии список предметов, на которые будут предъявлены претензии согласно этой статье. Если Правительство Венгрии в течение трех месяцев со дня получения списка заявит возражения против включения в этот список некоторых предметов и если не будет достигнуто соглашения между заинтересованными Правительствами в течение последующего месяца, то спор должен быть урегулирован в соответствии с положениями статьи 40 настоящего Договора.

ЧАСТЬ III.

ПОСТАНОВЛЕНИЯ ПО ВОЕННЫМ ВОПРОСАМ.

Раздел I.

Статья 12.

Содержание сухопутных и военно-воздушных вооружений и укреплений будет строго ограничено так, чтобы отвечать задачам внутреннего характера и местной обороны границ. В соответствии с вышеуказанным Венгрии разрешается иметь вооруженные силы, не свыше чем:

a) сухопутная армия, включая пограничные войска и личный состав зенитной артиллерии и речной флотилии, с общей численностью личного состава в 65.000 человек;

b) военно-воздушные силы численностью в 90 самолетов, включая резервные, из которых не более 70 самолетов боевых типов, с общей численностью личного состава в 5.000 человек. Венгрия не должна иметь или приобретать самолетов, сконструированных в основном как бомбардировщики с приспособлениями для внутренней подвески бомб.

Эта численность в каждом случае будет включать строевой, нестроевой состав и штабной персонал.

Статья 13.

Личный состав венгерской армии и военно-воздушных сил, превышающий соответственно разрешенную статьей 12 численность, будет распущен в течение шести месяцев со дня вступления в силу настоящего Договора.

Статья 14.

Людские контингенты, не входящие в состав венгерской армии или военно-воздушных сил, не будут проходить в какой-либо форме военного или военно-воздушного обучения, как оно определено в Приложении II.

Статья 15.

Венгрия не должна иметь, производить или экспериментировать: любые виды атомного вооружения; какие-либо самодвижущиеся или управляемые снаряды или аппараты, связанные с их выбрасыванием (за исключением торпед и торпедных аппаратов, составляющих нормальное вооружение военных кораблей, разрешенных настоящим Договором); морские мины или торпеды неконтактного типа, действующие от чувствительных механизмов; торпеды, которые могут быть укомплектованы людьми; подводные лодки или другие подводные суда, торпедные катеры и специализированные типы штурмовых судов.

Статья 16.

Венгрия не должна сохранять, производить или приобретать другими путями военные материалы и технику или содержать производственные мощности для их изготовления, сверх того, что требуется для содержания вооруженных сил, разрешенных статьей 12 настоящего Договора.

Статья 17.

1. Излишки военных материалов и техники союзного происхождения будут переданы в распоряжение соответствующей Союзной или Соединенной Державы, согласно указаниям, которые будут даны этой Державой. Излишки венгерских военных материалов и техники будут переданы в распоряжение Правительств Советского Союза, Соединенного Королевства и Соединенных Штатов

Америки. Венгрия откажется от всех прав на эти материалы и технику.

2. Военные материалы и техника германского происхождения или конструкции, превышающие то, что требуется для вооруженных сил, разрешенных настоящим Договором, будут переданы в распоряжение Трех Правительств. Венгрия не будет приобретать или производить каких-либо военных материалов и техники германского происхождения или конструкции, или нанимать на работу или обучать каких-либо технических специалистов, включая военный и гражданский авиационный персонал, из числа лиц, которые являются или являлись гражданами Германии.

3. Излишки военных материалов и техники, упомянутые в пунктах 1 и 2 настоящей статьи, будут переданы или уничтожены в течение одного года со дня вступления в силу настоящего Договора.

4. Определение термина «военные материалы и техника» и перечень военных материалов и техники для целей настоящего Договора даны в Приложении III.

Статья 18.

Венгрия обязуется полностью сотрудничать с Союзными и Соединенными Державами в целях обеспечения того, чтобы Германия не смогла предпринять каких-либо мер за пределами германской территории в направлении возрождения своего вооружения.

Статья 19.

Венгрия обязуется не приобретать и не производить гражданских самолетов германской или японской конструкции или самолетов, включающих крупные узлы германского или японского производства или конструкции.

Статья 20.

Каждая из военных и военно-воздушных статей настоящего Договора будет оставаться в силе до тех пор, пока она не будет изменена полностью или частично по соглашению между Союзными и Соединенными Державами и Венгрией или, после того как Венгрия

станет членом Организации Объединенных Наций, — по соглашению между Советом Безопасности и Венгрией.

Раздел II.

Статья 21.

1. Венгерские военнопленные должны быть репатриированы как можно скорее в соответствии с соглашениями между отдельными Державами, содержащими этих военнопленных, и Венгрией.

2. Все издержки на перевозку венгерских военнопленных, включая их содержание, от сборных пунктов, установленных Правительством соответствующей Союзной или Соединенной Державы, до пункта вступления на венгерскую территорию будет нести Правительство Венгрии.

ЧАСТЬ IV.

ВЫВОД СОЮЗНЫХ ВОЙСК.

Статья 22.

1. После вступления в силу настоящего Договора все союзные войска должны быть в течение 90 дней выведены из Венгрии, при сохранении за Советским Союзом права держать на территории Венгрии такие вооруженные силы, какие будут ему необходимы для поддержания коммуникационных линий Советской Армии с советской зоной оккупации в Австрии.

2. Вся неиспользованная венгерская валюта и все неиспользованные венгерские запасы, находящиеся в распоряжении союзных войск в Венгрии и полученные в соответствии со статьей 11 Соглашения о Перемирии, будут возвращены Правительству Венгрии в течение того же срока в 90 дней.

3. Венгрия, однако, должна предоставить такие снабжение и услуги, которые могут быть специально потребованы для поддержания коммуникационных линий с советской зоной оккупации в Австрии и за которые Правительству Венгрии будет выплачена соответствующая компенсация.

ЧАСТЬ V.

РЕПАРАЦИИ И РЕСТИТУЦИИ.

Статья 23.

1. Убытки, причиненные Советскому Союзу, Чехословакии и Югославии военными действиями и оккупацией Венгрией территории этих государств, будут Венгрией возмещены Советскому Союзу, Чехословакии и Югославии, причем, принимая во внимание, что Венгрия не просто вышла из войны против Объединенных Наций, но и объявила войну Германии, Стороны уславливаются о том, что возмещение указанных убытков будет произведено Венгрией не полностью, а только частично, а именно, в сумме 300.000.000 долларов США, с погашением в течение 8 лет, начиная с 20 января 1945 года, товарами (машинное оборудование, речные суда, зерно и другие товары), причем сумма возмещения Советскому Союзу составит 200.000.000 долларов США, а сумма возмещения Чехословакии и Югославии составит 100.000.000 долларов США.

2. В основу расчетов по настоящей статье положен доллар США по его золотому паритету на день подписания Соглашения о Перемирии, т.е. 35 долларов за одну унцию золота.

Статья 24.

1. Венгрия принимает принципы Декларации Объединенных Наций от 5 января 1943 года и вернет в возможно кратчайший срок имущество, вывезенное с территории любой из Объединенных Наций.

2. Обязательство производить реституцию относится ко всей находящейся в настоящее время в Венгрии опознаваемой собственности, которая была вывезена насильственно или по принуждению какой-либо из держав оси с территории любой из Объединенных Наций, независимо от каких-либо последующих сделок, путем которых нынешний владелец такой собственности вступил во владение ею.

3. Если в отдельных случаях для Венгрии является невозмож-

ным произвести реституцию предметов, представляющих художественную, историческую или археологическую ценность, которые составляют часть культурного достояния Объединенной Нации, с территории которой эти предметы были вывезены венгерскими армиями, властями или гражданами насильственно или по принуждению, Венгрия обязуется передать заинтересованной Объединенной Нации предметы того же рода и приблизительно равноценные вывезенным предметам, поскольку такие предметы могут быть получены в Венгрии.

4. Правительство Венгрии должно вернуть указанное в настоящей статье имущество в сохранности и принять на себя в этом отношении все расходы в Венгрии, относящиеся к рабочей силе, материалам и транспорту.

5. Правительство Венгрии будет оказывать содействие Объединенным Нациям и предоставит за свой счет все необходимые возможности для розыска и реституции имущества, подлежащего реституции согласно настоящей статье.

6. Правительство Венгрии примет необходимые меры, чтобы добиться возвращения имущества, указанного в настоящей статье, которым владеют в любой третьей стране лица, находящиеся под венгерской юрисдикцией.

7. Требования реституции имущества должны быть предъявлены Правительству Венгрии Правительством той страны, с территории которой было вывезено это имущество; при этом понимается, что железнодорожный подвижной состав будет рассматриваться как вывезенный из страны, которой он первоначально принадлежал. Такие требования могут предъявляться в течение 6 месяцев со дня вступления в силу настоящего Договора.

8. Бремя доказательства в отношении опознавания имущества и доказательства права собственности возлагается на Правительство, предъявляющее претензию, а бремя доказательства того, что имущество не было вывезено насильственно или по принуждению, возлагается на Правительство Венгрии.

Статья 25.

Аннулирование решений Венского Арбитража от 2 ноября 1938 года, предусмотренное в пункте 4 статьи 1 настоящего Договора, влечет за собой аннулирование соглашений, так же как и их правовых последствий, в отношении финансовых вопросов и государственного и частного страхования, заключенных между двумя заинтересованными государствами или от их имени или между чехословацкими и венгерскими юридическими лицами на основании решений Венского Арбитража, и в отношении материалов, переданных в соответствии с Протоколом от 22 мая 1940 года. Это аннулирование, во всяком случае, не будет применяться к отношениям между физическими лицами. Детали вышеупомянутого урегулирования будут установлены двусторонними соглашениями между заинтересованными Правительствами в течение шестимесячного периода со дня вступления в силу настоящего Договора.

ЧАСТЬ VI.

ЭКОНОМИЧЕСКИЕ ПОСТАНОВЛЕНИЯ.

Статья 26.

1. Венгрия, поскольку ею это еще не сделано, восстановит все законные права и интересы Объединенных Наций и их граждан в Венгрии, как они существовали на 1 сентября 1939 года, и вернет всю собственность Объединенных Наций и их граждан в Венгрии в том состоянии, в котором она находится в настоящее время.

2. Правительство Венгрии обязуется восстановить всю собственность, права и интересы, подпадающие под действие настоящей статьи, без всяких обременений и обложений любого вида, которым они могли подвергнуться вследствие войны, и без взимания Правительством Венгрии каких-либо сборов в связи с их возвращением. Правительство Венгрии аннулирует все мероприятия, включая отобрание, секвестр или контроль, проведенные им в отношении собственности Объединенных Наций между 1 сентября 1939 года и днем вступления в силу настоящего Договора. В случаях невозвращения собственности в течение 6 месяцев со дня

вступления в силу настоящего Договора, заявление о возвращении собственности должно быть подано венгерским властям не позднее, чем в течение 12 месяцев со дня вступления в силу настоящего Договора, за исключением случаев, когда заявитель может доказать, что он не мог подать своего заявления в течение этого срока.

3. Правительство Венгрии должно аннулировать передачи, относящиеся к собственности, правам и интересам всякого рода, принадлежащим гражданам Объединенных Наций, в тех случаях, когда такие передачи были результатом насилия или принуждения со стороны правительств держав оси или их органов во время войны.

В отношении чехословацких граждан этот пункт будет также включать передачи, имевшие место после 2 ноября 1938 года в результате применения насилия или принуждения или мероприятий, предпринятых на основании внутренних дискриминационных законов Правительством Венгрии или его органами на чехословацкой территории, которая была аннексирована Венгрией.

4. *a*) Правительство Венгрии несет ответственность за приведение во вполне исправное состояние собственности, возвращаемой гражданам Объединенных Наций согласно пункту 1 настоящей статьи. В тех случаях, когда собственность не может быть возвращена или когда в результате войны гражданин Объединенных Наций потерпел убыток вследствие повреждения или порчи собственности в Венгрии, он должен получить от Правительства Венгрии компенсацию в венгерской валюте в пределах двух третей суммы, необходимой в день выплаты для того, чтобы купить аналогичную собственность или возместить понесенный убыток. Граждане Объединенных Наций ни в коем случае не должны ставиться в менее благоприятное положение в отношении компенсации, чем венгерские граждане.

b) Граждане Объединенных Наций, имеющие прямой или косвенный собственнический интерес в корпорациях или ассоциациях, национальность которых не является национальностью Объединенных Наций в значении пункта 9 «*a*» настоящей статьи, но

которые потерпели убыток вследствие повреждения или порчи собственности в Венгрии, должны получить компенсацию в соответствии с подпунктом «*a*» выше. Эта компенсация должна исчисляться на основе общих убытков или ущерба, понесенных корпорацией или ассоциацией, и должна составлять по отношению к таким убыткам или ущербу ту же пропорцию, какую составляют приносящие доход интересы таких граждан по отношению к общему капиталу корпорации или ассоциации.

c) Компенсация должна выплачиваться без каких-либо обложений, налогов или других сборов. Она может свободно использоваться в Венгрии, но должна подлежать правилам контроля над иностранными девизами, которые могут время от времени вводиться в Венгрии.

d) Правительство Венгрии предоставит гражданам Объединенных Наций такой же режим при распределении материалов для ремонта или восстановления их собственности в Венгрии, а также при распределении иностранных девиз для импорта таких материалов, который применяется в отношении венгерских граждан.

e) Правительство Венгрии предоставит гражданам Объединенных Наций возмещение в венгерской валюте в том же самом размере, который предусмотрен в подпункте «*a*» выше, чтобы компенсировать потери или ущерб, возникшие в результате особых мер, которые применялись к их собственности во время войны, но которые не применялись к венгерской собственности. Этот подпункт не распространяется на упущенные выгоды.

5. Постановления пункта 4 настоящей статьи будут применяться к Венгрии, поскольку действия, которые могут вызвать претензии в связи с ущербом собственности, находящейся в Северной Трансильвании и принадлежащей Объединенным Нациям или их гражданам, имели место, когда эта территория находилась под властью Венгрии.

6. Все произведенные в Венгрии разумные расходы по предъявлению претензий, включая расходы на подсчет потерь или ущерба, должно нести Правительство Венгрии.

7. Граждане Объединенных Наций и их собственность должны быть освобождены от всяких исключительных налогов, сборов или податей, налагавшихся на их основные фонды в Венгрии Правительством Венгрии или любой венгерской властью в период между днем заключения Перемирия и днем вступления в силу настоящего Договора со специальной целью покрытия расходов, связанных с войной, или покрытия издержек на оккупационные силы, или на репарации в пользу любой из Объединенных Наций. Любые суммы, выплаченные таким образом, должны быть возвращены.

8. Заинтересованный собственник и Правительство Венгрии могут заключать соглашения взамен положений настоящей статьи.

9. Применяемые в настоящей статье:

a) Выражение «граждане Объединенных Наций» означает физических лиц, являющихся к моменту вступления в силу настоящего Договора гражданами любой из Объединенных Наций, или корпорации или ассоциации, организованные к этому моменту по законам любой из Объединенных Наций, при условии, что указанные лица, корпорации или ассоциации имели такой статус также и в момент заключения Перемирия с Венгрией.

Выражение «граждане Объединенных Наций» также включает всех физических лиц, корпорации или ассоциации, которые на основании законов, действовавших в Венгрии во время войны, рассматривались как вражеские.

b) Выражение «собственник» означает одну из Объединенных Наций или гражданина одной из Объединенных Наций, как определено в подпункте «*a*» выше, имеющего право на данную собственность, и включает преемника такого собственника, при условии, что преемник также является гражданином одной из Объединенных Наций, как определено в подпункте «*a*», или Объединенной Нацией. Если преемник приобрел собственность в поврежденном виде, то лицо передающее сохраняет свои права на возмещение на основании настоящей статьи без ущерба для обязательств, существующих между лицом передающим и лицом приобретающим в соответствии с внутренними законами.

c) Выражение «собственность» означает всю движимую или недвижимую собственность, материальную или нематериальную, включая промышленную, литературную и художественную собственность, а также все права или интересы всякого рода в собственности.

10. Правительство Венгрии признает, что Соглашение в Бриони от 10 августа 1942 года является несуществующим. Оно обязуется участвовать с другими сторонами, подписавшими Римское соглашение от 29 мая 1923 года, в любых переговорах, имеющих целью включение в его постановления необходимых изменений для обеспечения справедливого урегулирования предусмотренных в нем платежей.

Статья 27.

1. Венгрия обязуется, что во всех случаях, когда собственность, законные права или интересы в Венгрии находящихся под венгерской юрисдикцией лиц подвергались после 1 сентября 1939 года секвестру, конфискации или контролю вследствие расового происхождения или религии таких лиц, эти собственность, законные права и интересы будут восстановлены вместе с привходящими правами, а если восстановление невозможно, за них будет выплачена справедливая компенсация.

2. Вся собственность, права и интересы в Венгрии, принадлежащие лицам, организациям или обществам, которые индивидуально или в качестве членов групп являлись объектом применения расовых, религиозных или других фашистских мер преследования, и оставшиеся в течение 6 месяцев со дня вступления в силу настоящего Договора без наследника или невостребованными, должны быть переданы Правительством Венгрии организациям в Венгрии, представляющим таких лиц, организации или общества. Переданная собственность должна использоваться такими организациями для целей оказания помощи оставшимся членам таких групп, организаций и обществ в Венгрии и для их восстановления. Такая передача должна быть произведена в течение 12 месяцев со дня вступления в силу настоящего Договора и должна включать соб-

ственность, права и интересы, восстановление которых требуется согласно пункту 1 настоящей статьи.

Статья 28.

Венгрия признает, что Советский Союз имеет право на все германские активы в Венгрии, переданные Советскому Союзу Контрольным Советом в Германии, и обязуется принять все необходимые меры для облегчения передачи таких активов.

Статья 29.

1. Каждая из Союзных и Соединенных Держав будет иметь право взять, удержать, ликвидировать или предпринять любое другое действие в отношении всей собственности, прав и интересов, которые на день вступления в силу настоящего Договора будут находиться на ее территории и принадлежать Венгрии или венгерским гражданам, а также использовать такую собственность или выручку от нее для таких целей, какие эта Держава сочтет желательными в пределах претензий этой Державы и ее граждан к Венгрии или к венгерским гражданам, — включая долги, — которые не были полностью удовлетворены в силу других статей настоящего Договора. Вся венгерская собственность или выручка от ее ликвидации, превышающие сумму таких претензий, должны быть возвращены.

2. Ликвидация венгерской собственности и распоряжение ею будут проводиться в соответствии с законом заинтересованной Союзной или Соединенной Державы. Венгерский собственник не будет иметь прав в отношении такой собственности, за исключением тех, которые могут быть предоставлены ему в силу этого закона.

3. Правительство Венгрии обязуется компенсировать венгерских граждан, собственность которых изъята в силу настоящей статьи и не возвращена им.

4. Данная статья не налагает на ту или иную из Союзных или Соединенных Держав никакого обязательства возвратить Правительству Венгрии или венгерским гражданам промышленную собственность или включить такую собственность при определении

суммы, которая может быть удержана согласно пункту 1 настоящей статьи. Правительство каждой из Союзных и Соединенных Держав будет иметь право установить такие ограничения и условия в отношении прав или интересов, касающихся промышленной собственности, приобретенной до дня вступления в силу настоящего Договора на территории этой Союзной или Соединенной Державы Правительством или гражданами Венгрии, какие Правительство данной Союзной или Соединенной Державы сочтет необходимыми в своих национальных интересах.

5. Собственность, предусмотренная пунктом 1 настоящей статьи, должна рассматриваться как включающая венгерскую собственность, которая подлежала контролю в силу состояния войны, существовавшего между Венгрией и Союзной или Соединенной Державой, имеющей юрисдикцию над этой собственностью, но не должна включать:

a) собственность Правительства Венгрии, используемую для консульских или дипломатических целей;

b) собственность, принадлежащую религиозным организациям или частным благотворительным учреждениям и используемую для религиозных или благотворительных целей;

c) собственность физических лиц, которые являются венгерскими гражданами, получившими разрешение проживать в пределах территории той страны, в которой находится эта собственность, или проживать в любом другом месте на территории стран Объединенных Наций, за исключением венгерской собственности, которая когда-либо во время войны являлась объектом мер, не применявшихся как правило к собственности венгерских граждан, проживающих на той же территории;

d) имущественные права, возникшие после возобновления торговых и финансовых отношений между Союзными и Соединенными Державами и Венгрией или возникшие из сделок между Правительством любой Союзной или Соединенной Державы и Венгрией после 20 января 1945 года;

e) права на литературную и художественную собственность.

Статья 30.

1. Со дня вступления в силу настоящего Договора собственность Венгрии и венгерских граждан, находящаяся в Германии, не будет больше рассматриваться как вражеская собственность, и все ограничения, связанные с таким режимом, должны быть отменены.

2. Опознаваемая собственность Венгрии и венгерских граждан, вывезенная насильственно или по принуждению с территории Венгрии в Германию германскими вооруженными силами или властями после 20 января 1945 года, подлежит возврату.

3. Реституция и восстановление венгерской собственности в Германии будут осуществляться в соответствии с мероприятиями, которые будут определены Державами, оккупирующими Германию.

4. Без ущерба для вышеизложенных и для любых других постановлений, принятых в пользу Венгрии и ее граждан Державами, оккупирующими Германию, Венгрия от своего имени и от имени венгерских граждан отказывается от всех оставшихся неурегулированными на 8 мая 1945 года претензий в отношений Германии и германских граждан, за исключением претензий, вытекающих из контрактов и других обязательств, заключенных до 1 сентября 1939 года, и прав, приобретенных до этой даты. Этот отказ будет рассматриваться как включающий долги, все межправительственные претензии, связанные с соглашениями, заключенными во время войны, и все претензии на возмещение за потери или ущерб, возникшие во время войны.

Статья 31.

1. Существование состояния войны само по себе не будет считаться фактором, влияющим на обязательство выплачивать денежные долги, вытекающие из обязательств и контрактов, существовавших до возникновения состояния войны,—а также из прав, приобретенных до этого времени, — срок уплаты которых наступил до дня

вступления в силу настоящего Договора и которые причитаются с Правительства или граждан Венгрии Правительству или гражданам одной из Союзных и Соединенных Держав, или которые причитаются с Правительства или граждан одной из Союзных и Соединенных Держав Правительству или гражданам Венгрии.

2. За исключением случаев, специально предусмотренных в настоящем Договоре, ничто в нем не должно толковаться как наносящее ущерб отношениям между дебиторами и кредиторами, вытекающим из довоенных контрактов, заключенных Правительством или гражданами Венгрии.

Статья 32.

1. Венгрия отказывается от всех претензий любого характера, от имени Правительства Венгрии или венгерских граждан, к Союзным и Соединенным Державам, связанных непосредственно с войной или вытекающих из мероприятий, предпринятых в силу существования состояния войны в Европе после 1 сентября 1939 года, независимо от того, находилась ли в это время соответствующая Союзная или Соединенная Держава в состоянии войны с Венгрией или нет. Этот отказ от претензий включает нижеследующее:

a) претензии в связи с потерями или ущербом, понесенными вследствие действий вооруженных сил или властей Союзных или Соединенных Держав;

b) претензии, вытекающие из присутствия, операций или действий вооруженных сил или властей Союзных или Соединенных Держав на венгерской территории;

c) претензии в отношении решений или распоряжений призовых судов Союзных или Соединенных Держав, причем Венгрия признает действительными и обязательными все решения и распоряжения таких призовых судов, вынесенные 1 сентября 1939 года или позднее, относительно венгерских судов или венгерских грузов или оплаты издержек;

d) претензии, вытекающие из осуществления прав воюющей стороны, или из мер, принятых с целью осуществления этих прав.

2. Положения настоящей статьи должны исключать полностью и окончательно все претензии указанного выше характера, которые отныне будут прекращены, кто бы ни являлся заинтересованной стороной. Правительство Венгрии соглашается выплатить справедливую компенсацию в венгерской валюте лицам, которые предоставили вооруженным силам Союзных или Соединенных Держав на венгерской территории снабжение или услуги по реквизиции, а также для удовлетворения возникших на венгерской территории претензий за невоенный ущерб, предъявленных вооруженным силам Союзных или Соединенных Держав.

3. Венгрия равным образом отказывается от всех претензий такого характера, который указан в пункте 1 настоящей статьи, от имени Правительства Венгрии или венгерских граждан к любой из Объединенных Наций, дипломатические отношения которой с Венгрией были порваны во время войны и которая предприняла действия в сотрудничестве с Союзными или Соединенными Державами.

4. Правительство Венгрии должно принять на себя полную ответственность за всю военную валюту Союзников, выпущенную в Венгрии союзными военными властями, включая всю такую валюту, которая будет находиться в обращении на день вступления в силу настоящего Договора.

5. Отказ Венгрии от претензий согласно пункту 1 настоящей статьи включает любые претензии, вытекающие из мер, принятых любой из Союзных и Соединенных Держав в отношении венгерских судов между 1 сентября 1939 года и днем вступления в силу настоящего Договора, а также любые претензии и долги, вытекающие из ныне действующих конвенций о военнопленных.

Статья 33.

1. До заключения торговых договоров или соглашений между отдельными Объединенными Нациями и Венгрией, Правительство Венгрии будет предоставлять в течение 18 месяцев со дня вступления в силу настоящего Договора нижеуказанный режим каждой из

Объединенных Наций, которая на началах взаимности фактически предоставит Венгрии аналогичный режим в подобных вопросах:

a) Во всем, что касается пошлин и сборов по импорту или экспорту, внутреннего обложения импортируемых товаров, а также всех правил, относящихся к этому, Объединенным Нациям будет предоставлен безусловный режим наибольшего благоприятствования.

b) во всех других отношениях Венгрия не должна проводить произвольной дискриминации, направленной против товаров, производимых на любой территории любой из Объединенных Наций или предназначенных для этой территории, по сравнению с подобными товарами, производимыми на территории любой другой из Объединенных Наций или на территории любой другой иностранной державы или предназначенными для этих территорий.

c) Гражданам Объединенных Наций, в том числе юридическим лицам, должен быть предоставлен национальный режим и режим наибольшего благоприятствования во всех вопросах, касающихся торговли, промышленности, мореплавания и других видов торговой деятельности в Венгрии. Эти постановления не должны применяться к коммерческой авиации.

d) Венгрия не будет предоставлять никакого исключительного или дискриминационного права какой бы то ни было стране в отношении использования коммерческих самолетов в международном сообщении; она предоставит всем Объединенным Нациям равные возможности в приобретении на венгерской территории прав в области международной коммерческой авиации, включая право посадки для заправки горючим и ремонта; что касается использования коммерческих самолетов в международном сообщении, она предоставит всем Объединенным Нациям на основе взаимности и без дискриминации право беспосадочного полета над венгерской территорией. Эти постановления не должны затрагивать интересов национальной обороны Венгрии.

2. Вышеупомянутые обязательства Венгрии должны пониматься в том смысле, что на них распространяются изъятия, обычно включавшиеся в торговые договоры, заключенные Венгрией до

войны; а постановления, относящиеся к взаимности со стороны каждой из Объединенных Наций, должны пониматься в том смысле, что на них распространяются изъятия, обычно включаемые в торговые договоры данного государства.

Статья 34.

Венгрия окажет содействие в пределах возможного в железнодорожных транзитных перевозках на своей территории, с разумными тарифами, и будет готова с этой целью заключить с соседними государствами взаимные соглашения.

Статья 35.

1. Споры, могущие возникнуть при осуществлении статей 24, 25 и 26 и Приложений IV, V и VI настоящего Договора, должны передаваться Согласительной Комиссии, состоящей из равного числа представителей Правительства заинтересованной Объединенной Нации и Правительства Венгрии. Если в течение 3 месяцев после передачи спора Согласительной Комиссии не будет достигнуто соглашения, каждое из Правительств может потребовать включения в Комиссию третьего члена и, в случае несогласия между двумя Правительствами относительно избрания этого члена, любая из сторон может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 36.

Статьи 24, 26 и 33 и Приложение VI настоящего Договора будут применяться к Союзным и Соединенным Державам и Франции, а также к тем из Объединенных Наций, дипломатические отношения которых с Венгрией были порваны во время войны.

Статья 37.

Постановления Приложений IV, V и VI, как и постановления других Приложений, будут иметь силу как неотъемлемые части настоящего Договора.

ЧАСТЬ VII.

ПОСТАНОВЛЕНИЯ, ОТНОСЯЩИЕСЯ К ДУНАЮ.

Статья 38.

Навигация на реке Дунай должна быть свободной и открытой для граждан, торговых судов и товаров всех государств на основе равенства в отношении портовых и навигационных сборов и условий торгового судоходства. Вышеизложенное не распространяется на перевозки между портами одного и того же государства.

ЧАСТЬ VIII.

ЗАКЛЮЧИТЕЛЬНЫЕ ПОСТАНОВЛЕНИЯ.

Статья 39.

1. В течение периода, не превышающего 18 месяцев со дня вступления в силу настоящего Договора, Главы Дипломатических Миссий Советского Союза, Соединенного Королевства и Соединенных Штатов Америки в Будапеште, действуя по согласованию, будут представлять Союзные и Соединенные Державы в сношениях с Правительством Венгрии по всем вопросам, касающимся выполнения и толкования настоящего Договора.

2. Три Главы Миссий будут предоставлять Правительству Венгрии такие руководство, технические советы и разъяснения, какие могут быть необходимы для обеспечения быстрого и эффективного выполнения настоящего Договора в соответствии с его духом и текстом.

3. Правительство Венгрии будет предоставлять упомянутым Трем Главам Миссий всю необходимую информацию и оказывать всякое содействие, которые они могут потребовать при выполнении задач, возложенных на них настоящим Договором.

Статья 40.

1. За исключением тех случаев, когда иной порядок специально предусмотрен какой-либо из статей настоящего Договора, любой спор относительно толкования или выполнения этого Договора,

не урегулированный путем прямых дипломатических переговоров, должен передаваться Трем Главам Дипломатических Миссий, действующим на основании статьи 39, с тем исключением, что в этом случае Главы Миссий не будут ограничены сроком, предусмотренным этой статьей. Любой такой спор, не разрешенный Главами Миссий в течение двух месяцев, должен, если спорящие стороны не придут к взаимному соглашению об иных способах урегулирования спора, передаваться, по требованию любой из спорящих сторон, в Комиссию в составе одного представителя от каждой из сторон и третьего члена, выбранного по взаимному соглашению двух сторон из граждан третьих стран. Если двум сторонам не удастся в месячный срок притти к соглашению относительно назначения третьего члена, то любая из них может обратиться к Генеральному Секретарю Объединенных Наций с просьбой произвести это назначение.

2. Решение большинства членов Комиссии будет являться решением Комиссии и должно приниматься сторонами как окончательное и обязательное.

Статья 41.

1. Любой член Организации Объединенных Наций, не являющийся стороной, подписавшей настоящий Договор, и находящийся в состоянии войны с Венгрией, может присоединиться к этому Договору и после присоединения будет для целей Договора считаться одной из Соединенных Держав.

2. Акты присоединения будут сданы на хранение Правительству Союза Советских Социалистических Республик и будут иметь силу со дня сдачи.

Статья 42.

Настоящий Договор, русский и английский тексты которого являются аутентичными, будет ратифицирован Союзными и Соединенными Державами. Договор должен быть также ратифицирован Венгрией. Договор вступит в силу немедленно после сдачи ратификационных грамот Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ир-

ландии и Соединенными Штатами Америки. Ратификационные грамоты будут в кратчайший срок сданы на хранение Правительству Союза Советских Социалистических Республик.

В отношении каждой из Союзных или Соединенных Держав, ратификационная грамота которой будет сдана после этого, Договор вступит в силу со дня сдачи на хранение. Настоящий Договор будет сдан в архивы Правительства Союза Советских Социалистических Республик, которое разошлет заверенные копии каждому из подписавших этот Договор государств.

ПЕРЕЧЕНЬ ПРИЛОЖЕНИЙ.

Приложение I. Карты границ Венгрии.

Приложение II. Определение военного и военно-воздушного обучения.

Приложение III. Определение и перечень военных материалов и техники.

Приложение IV. Специальные положения, относящиеся к некоторым видам собственности:

A. Промышленная, литературная и художественная собственность.

B. Страховое дело.

Приложение V. Контракты, сроки давности и ценные бумаги.

Приложение VI. Судебные решения.

ПРИЛОЖЕНИЕ I.

(См. статью 1).

Карты: I. Границы Венгрии.

IA. Исправление границы между Венгрией и Чехословакией.

ПРИЛОЖЕНИЕ II.

(См. статью 14).

Определение военного и военно-воздушного обучения.

1. Термин «военное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех строевых упражнений или передвижений, предназначенных для обучения маневрированию или для выполнения маневрирования, применяемого действующими частями в бою; а также организованное изучение тактики, стратегии и штабной работы.

2. Термин «военно-воздушное обучение» означает изучение и упражнения в области применения военных материалов и техники, специально предназначенных или приспособленных для военно-воздушных целей, и учебных приспособлений, имеющих отношение к этому; изучение и выполнение всех специализированных эволюций, включая полеты соединением, которые применяются авиацией при выполнении боевых заданий; а также организованное изучение военно-воздушной тактики, стратегии и штабной работы.

ПРИЛОЖЕНИЕ III.

(См. статью 17).

Определение и перечень военных материалов и техники.

Термин «военные материалы и техника», применяемый в настоящем Договоре, должен включать все оружие, боеприпасы и средства, специально сконструированные или приспособленные для использования в войне, как это перечисляется ниже.

Союзные и Соединенные Державы сохраняют за собой право изменять периодически данный перечень путем внесения поправок или добавлений, в свете дальнейшего развития науки.

Категория I.

1. Военные винтовки, карабины, револьверы и пистолеты; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей.

2. Пулеметы, военные автоматические или самозарядные винтовки, пистолеты-пулеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; пулеметные установки.

3. Пушки, гаубицы, мортиры, специальные пушки для самолетов, беззатворные или безоткатные орудия и огнеметы; стволы и другие запасные части к этому оружию, которые не могут быть легко приспособлены для гражданских целей; лафеты и установки для вышеперечисленного оружия.

4. Установки для запуска ракет; запускные и контрольные приборы для самодвижущихся и управляемых снарядов; установки для них.

5. Начиненные или неначиненные самодвижущиеся и управляемые снаряды, ракеты, унитарные патроны и патроны, предназначенные для оружия, перечисленного в пунктах 1-4 выше, приспособления для обращения с ними или для производства взрыва, а также взрыватели и трубки, за исключением взрывателей, необходимых для гражданских нужд.

6. Начиненные или неначиненные гранаты, бомбы, торпеды, мины, глубинные бомбы и зажигательные вещества или заряды, а также все средства для обращения с ними или для производства взрыва, за исключением взрывателей, необходимых для гражданских нужд.

7. Штыки.

Категория II.

1. Бронированные боевые машины; бронепоезда, которые технически не могут быть переделаны для гражданских целей.

2. Механические и самодвижущиеся лафеты для всякого оружия, перечисленного в категории I, специального типа военные шасси или кузовы, кроме перечисленных в пункте 1 выше.

3. Броневые плиты толщиною свыше 3 дюймов, используемые для целей защиты на войне.

Категория III.

1. Прицельные и вычислительные приборы для управления огнем, включая линейки зенитного планшета и построители; приборы для пристрелки; орудийные прицелы, прицелы для бомбометания; трубочные номероустановки; инструменты и приборы для калибрования орудий и для выверки приборов управления огнем.

2. Штурмовые мостки и штурмовые лодки.

3. Средства для ведения замаскированных военных действий, а также ослепляющие средства и средства для обмана.

4. Личное военное снаряжение специального характера, которое трудно приспособить для использования в гражданских целях.

Категория IV.

1. Военные суда любого типа, включая переделанные суда и пловучие средства, спроектированные или предназначенные для их обслуживания или поддержки, которые технически не могут быть переделаны для гражданского использования, а также вооружение, броня, боеприпасы, самолеты и всякое другое оборудование, материалы, машины и установки, которые не применяются в мирное время на судах, кроме военных судов.

2. Десантные суда и земноводные перевозочные средства или приспособления всякого рода; штурмовые лодки или приспособления

всякого рода, а также катапульты и другие аппараты для выпуска самолетов, ракет, движимых боевых средств или всяких других снарядов, аппаратов или приспособлений, укомплектованных или неукомплектованных людьми, управляемых или неуправляемых.

3. Подводные или полуподводные суда, пловучие средства, боевые средства, приспособления или аппараты всякого рода, включая специально сконструированные защитные боны для гавани, за исключением тех случаев, когда это может быть потребовано для целей спасения или для других гражданских целей, а также все оборудование, принадлежности, запасные части, экспериментальные или учебные средства, приборы или установки, которые могут быть специально предназначены для строительства, испытания, содержания или хранения вышеперечисленного.

Категория V.

1. Собранные и несобранные летательные аппараты тяжелее и легче воздуха, которые предназначены или приспособлены для воздушных боевых действий посредством применения пулеметов, артиллерии, установок для выбрасывания ракет, или предназначены или приспособлены для перевозки и сбрасывания бомб, или оборудованы или же по своему типу или конструкции могут быть оборудованы какими-либо из приспособлений, перечисленных в пункте 2 ниже.

2. Авиационные орудийные установки и рамы, бомбодержатели, торпедодержатели, а также механизмы для сбрасывания бомб или торпед; орудийные башни и боковые пулеметные башни.

3. Оснащение, специально предназначенное и использующееся исключительно в авиадесантных войсках.

4. Катапульты или запускные аппараты для запуска самолетов с судов, суши и моря; катапульты для запуска самолетов-снарядов.

5. Заградительные аэростаты.

Категория VI.

Удушающие, смертоносные, отравляющие и выводящие из строя вещества, предназначенные для военных целей или производимые сверх того, что требуется для гражданских целей.

Категория VII.

Метательные средства, взрывчатые вещества, пиротехнические средства и жидкие газы, предназначенные для метания, взрыва, заряжания и наполнения перечисленных в настоящих категориях военных материалов или для использования в связи с последними, которые не могут быть использованы для гражданских целей или производство которых превышает то, что требуется для гражданских целей.

Категория VIII.

Фабричное и инструментальное оборудование, которое специально сконструировано для производства и содержания вышеперечисленных материалов и техники и которое технически не может быть приспособлено для гражданских целей.

ПРИЛОЖЕНИЕ IV.

Специальные постановления, относящиеся к некоторым видам собственности.

А. Промышленная, литературная и художественная собственность.

1. *а*) Союзным и Соединенным Державам и их гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора для того, чтобы дать им возможность, без взимания с них дополнительных сборов или других штрафов любого рода, совершить все необходимые акты для приобретения или сохранения в Венгрии прав промышленной, литературной и художественной собственности, которые не могли быть совершены вследствие существования состояния войны.

b) Союзные и Соединенные Державы или их граждане, которые надлежащим образом сделали заявку на территории любой Союзной или Соединенной Державы о патенте или о регистрации образца не ранее, чем за 12 месяцев до возникновения войны с Венгрией или в течение войны, или о регистрации промышленного рисунка, или модели, или товарного знака не ранее, чем за 6 месяцев до возникновения войны с Венгрией или во время войны, будут иметь право в течение 12 месяцев со дня вступления в силу настоящего Договора сделать заявку о соответствующих правах в Венгрии вместе с правом приоритета, основанным на более ранней регистрации заявки на территории этой Союзной или Соединенной Державы.

c) Каждой из Союзных и Соединенных Держав и ее гражданам должен быть предоставлен срок в один год со дня вступления в силу настоящего Договора, в течение которого они могут возбуждать дело в Венгрии против тех физических или юридических лиц, в отношении которых утверждается, что они незаконно нарушили их права промышленной, литературной или художественной собственности между датой возникновения войны и датой вступления в силу настоящего Договора.

2. Период с момента возникновения войны до истечения 18 месяцев после вступления в силу настоящего Договора должен быть исключен при исчислении срока, в течение которого патент должен был быть осуществлен или рисунок или товарный знак — использован.

3. Период с момента возникновения войны до дня вступления в силу настоящего Договора должен быть исключен из нормального срока прав промышленной, литературной и художественной собственности, которые имели силу в Венгрии к моменту возникновения войны, или которые признаны или установлены на основании части А настоящего Приложения и которые принадлежат любой из Союзных и Соединенных Держав или ее гражданам. Поэтому нормальная продолжительность таких прав должна считаться автоматически продленной в Венгрии на дальнейший срок, соответствующий исключенному таким образом периоду.

4. Предшествующие положения, касающиеся прав в Венгрии Союзных и Соединенных Держав и их граждан, должны равным образом применяться в отношении прав Венгрии и ее граждан на территориях Союзных и Соединенных Держав. Однако, ничто в этих положениях не дает Венгрии или ее гражданам права на более благоприятный режим на территории какой-либо из Союзных и Соединенных Держав, чем тот, который предоставляется в подобных случаях этой Державой какой-либо другой из Объединенных Наций или ее гражданам. Венгрия не будет также обязана на основании этих положений предоставлять любой из Союзных и Соединенных Держав или ее гражданам более благоприятный режим, чем тот, который пользуются на территории этой Державы Венгрия или ее граждане в вопросах, предусмотренных в предшествующих положениях

5. Третьим лицам на территориях любой из Союзных и Соединенных Держав или Венгрии, которые до дня вступления в силу настоящего Договора добросовестно приобрели права на промышленную, литературную или художественную собственность, находящиеся в противоречии с правами, восстановленными на основании части А настоящего Приложения, или в противоречии с правами, приобретенными на основании приоритета в силу этого же Приложения, или которые добросовестно изготовили, опубликовали, воспроизвели, использовали или продали предмет, к которому относятся эти права, будет разрешено, без всякой ответственности за нарушение, продолжать осуществлять такие права и продолжать или возобновить такое изготовление, публикацию, репродукцию, использование или продажу, которые были добросовестно приобретены или начаты. В Венгрии такое разрешение будет носить форму неисключительной лицензии, предоставляемой на условиях по взаимному соглашению сторон, а при отсутствии соглашения — на условиях, устанавливаемых Согласительной Комиссией, учрежденной на основании статьи 35 настоящего Договора. Однако, на территории каждой из Союзных и Соединенных Держав добросовестные третьи лица будут пользоваться такой защитой, какая предоставляется при аналогичных обстоятельствах добросовестным третьим

лицам, права которых находятся в противоречии с правами граждан других Союзных и Соединенных Держав.

6. Ничто в части А настоящего Приложения не должно толковаться как дающее Венгрии или ее гражданам право на какой-либо патент или образец на территории какой-либо из Союзных и Соединенных Держав в отношении изобретений, относящихся к любому предмету, поименованному в Приложении III к настоящему Договору, которые были сделаны или в отношении которых заявки были зарегистрированы Венгрией или любым из ее граждан в Венгрии, или на территории любой из держав оси, или на территории, которая была оккупирована вооруженными силами держав оси, в течение периода времени, когда данная территория находилась под контролем вооруженных сил или властей держав оси.

7. Венгрия равным образом распространит действие предыдущих положений настоящего Приложения на Францию и другие неявляющиеся Союзными или Соединенными Державами Объединенные Нации, дипломатические отношения которых с Венгрией были порваны во время войны и которые обязуются предоставить Венгрии преимущества, предоставляемые Венгрии этими же положениями.

8. Ничто в части А настоящего Приложения не будет пониматься как противоречащее статьям 26, 29 и 31 настоящего Договора.

B. Страховое дело.

1. Никакие препятствия, кроме тех, которые вообще устанавливаются в отношении страховщиков, не должны ставиться к возобновлению страховщиками, являющимися гражданами Объединенных Наций, их бывших деловых портфелей.

2. Если страховщик из числа граждан любой из Объединенных Наций желает возобновить свою профессиональную деятельность в Венгрии и если будет установлено, что стоимость гарантийных депозитов или резервных фондов, требующихся в качестве условия для ведения дела в Венгрии, уменьшилась вследствие потери или обесценения ценных бумаг, из которых состояли эти депозиты или резервные фонды, Правительство Венгрии обязуется счи-

тать в течение 18 месяцев такие ценные бумаги, которые сохранились, удовлетворяющими предписаниям закона в отношении депозитов и резервных фондов.

ПРИЛОЖЕНИЕ V.

Контракты, сроки давности и ценные бумаги.

А. Контракты.

1. Всякий контракт, который для своего выполнения требовал установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения, должен, при условии соблюдения исключений, изложенных в пунктах 2 и 3 ниже, считаться расторгнутым с того времени, когда любые из его сторон стали врагами. Такое расторжение, однако, не затрагивает положений статьи 31 настоящего Договора, и оно не должно освобождать ту или иную сторону контракта от обязательства вернуть суммы, полученные в качестве авансов или частичных платежей, в отношении которых такая сторона ничего не сделала взамен.

2. Несмотря на положения пункта 1 выше, не подлежат расторжению и, без ущерба для прав, изложенных в статье 29 настоящего Договора, остаются в силе такие части любого контракта, которые отделимы и не требовали для своего исполнения установления сношений между любыми из его сторон, ставшими врагами, как это определено в части D настоящего Приложения. Если положения того или иного контракта не могут быть таким образом отделены, контракт должен считаться полностью расторгнутым. Вышеизложенное имеет силу при условии применения внутренних законов, распоряжений или правил, изданных любой из Союзных и Соединенных Держав, имеющих юрисдикцию в отношении контракта или в отношении любой из его сторон, а также будет подчиняться условиям контракта.

3. Ничто в части А настоящего Приложения не должно рассматриваться как аннулирующее сделки, законно осуществленные в соответствии с контрактом между врагами, если они осуществле-

ны с разрешения Правительства любой из Союзных и Соединенных Держав.

4. Несмотря на вышеприведенные положения, контракты по страхованию и перестрахованию будут подчиняться отдельным соглашениям между Правительством заинтересованной Союзной или Соединенной Державы и Правительством Венгрии.

B. Сроки давности.

1. Все сроки давности или сроки ограничения права на иск или права принимать охранительные меры в отношениях, касающихся лиц или собственности и затрагивающих граждан Объединенных Наций и венгерских граждан, которые в силу состояния войны не могли предъявить иска или выполнить формальностей, необходимых для обеспечения своих прав, независимо от того, началось ли течение этих сроков до или после возникновения войны, будут считаться приостановленными на время войны на территории Венгрии, с одной стороны, и на территории тех из Объединенных Наций, которые предоставляют Венгрии на началах взаимности преимущества, предусматриваемые положениями настоящего пункта, — с другой. Течение приостановленных сроков давности возобновится со дня вступления в силу настоящего Договора. Положения настоящего пункта будут применимы в отношении сроков, установленных для предъявления процентных купонов или купонов на дивиденд или для предъявления к оплате ценных бумаг, вышедших в тираж или подлежащих оплате на каком-либо другом основании.

2. В тех случаях, когда вследствие невыполнения какого-либо акта или какой-либо формальности во время войны были приняты исполнительные меры на венгерской территории в ущерб тому или иному гражданину любой из Объединенных Наций, Правительство Венгрии восстановит права, которым был нанесен ущерб. Если такое восстановление является несправедливым или невозможным, Правительство Венгрии примет меры к тому, чтобы гражданину Объединенных Наций было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах.

C. Ценные бумаги.

1. В отношениях между врагами ни одна ценная бумага, составленная до войны, не будет рассматриваться как утратившая силу только потому, что эта бумага не была в установленные сроки предъявлена для акцепта или оплаты, или не было сделано уведомление составителю, или лицу, учинившему передаточную надпись, об отказе от акцепта или платежа, или она не была опротестована, или же потому, что не была выполнена какая-либо формальность во время войны.

2. В тех случаях, когда срок, установленный для того, чтобы ценная бумага была предъявлена для акцепта или оплаты, или срок, в который уведомление об отказе от акцепта или платежа должно было быть сделано составителю или лицу, учинившему передаточную надпись, или в течение которого документ должен был быть опротестован, истек во время войны, а сторона, которая должна была предъявить или опротестовать документ или уведомить об отказе от акцепта или платежа, не сделала этого во время войны, ей будет предоставлен срок не менее трех месяцев, считая со дня вступления в силу настоящего Договора, в течение которого может быть сделано предъявление, уведомление об отказе от акцепта или платежа или опротестование.

3. Если какое-либо лицо до или во время войны вступило в обязательство по какой-либо ценной бумаге в связи с обязательством, выданным ему лицом, ставшим в дальнейшем врагом, то последнее остается обязанным предоставить первому возмещение в отношении этого обязательства, независимо от возникновения войны.

D. Особые постановления.

1. Для целей настоящего Приложения физические или юридические лица будут рассматриваться как враги с того дня, когда торговля между ними стала незаконной на основании законов, распоряжений или правил, действию которых такие лица или контракты подлежали.

2. Принимая во внимание особенности правовой системы Соединенных Штатов Америки, постановления настоящего Приложения не будут применяться в отношениях между Соединенными Штатами Америки и Венгрией.

ПРИЛОЖЕНИЕ VI.

Судебные решения.

Правительство Венгрии предпримет необходимые меры для того, чтобы дать гражданам любой из Объединенных Наций возможность в любое время в течение одного года со дня вступления в силу настоящего Договора передать соответствующим венгерским властям для пересмотра любое судебное решение, вынесенное венгерским судом между 10 апреля 1941 года и днем вступления в силу настоящего Договора при любом судебном разбирательстве, в котором гражданин Объединенных Наций не смог в достаточной мере изложить свое дело в качестве истца или ответчика. Правительство Венгрии должно предусмотреть, чтобы в тех случаях, когда гражданин Объединенных Наций потерпел ущерб в силу любого такого судебного решения, он был бы восстановлен в том положении, в котором он находился до вынесения этого судебного решения, или чтобы ему было предоставлено такое пособие, которое может оказаться справедливым при этих обстоятельствах. Выражение «граждане Объединенных Наций» включает корпорации или ассоциации, организованные или учрежденные на основании законов любой из Объединенных Наций.

TREATY OF PEACE

WITH

HUNGARY

1947

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, and the People's Federal Republic of Yugoslavia, as the States which are at war with Hungary and actively waged war against the European enemy States with substantial military forces, hereinafter referred to as "the Allied and Associated Powers", of the one part,
and Hungary, of the other part;

Whereas Hungary, having become an ally of Hitlerite Germany and having participated on her side in the war against the Union of Soviet Socialist Republics, the United Kingdom, the United States of America and other United Nations, bears her share of responsibility for this war;

Whereas, however, Hungary on December 28, 1944, broke off relations with Germany, declared war on Germany and on January 20, 1945, concluded an Armistice with the Governments of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, acting on behalf of all the United Nations which were at war with Hungary; and

Whereas the Allied and Associated Powers and Hungary are desirous of concluding a treaty of peace, which, conforming to the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Hungary's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

PART I

FRONTIERS OF HUNGARY

Article 1

1. The frontiers of Hungary with Austria and with Yugoslavia shall remain those which existed on January 1, 1938.

2. The decisions of the Vienna Award of August 30, 1940, are declared null and void. The frontier between Hungary and Roumania as it existed on January 1, 1938, is hereby restored.

3. The frontier between Hungary and the Union of Soviet Socialist Republics, from the point common to the frontier of those two States and Roumania to the point common to the frontier of those two States and Czechoslovakia, is fixed along the former frontier between Hungary and Czechoslovakia as it existed on January 1, 1938.

4. *(a)* The decisions of the Vienna Award of November 2, 1938, are declared null and void.

(b) The frontier between Hungary and Czechoslovakia from the point common to the frontier of those two States and Austria to the point common to those two States and the Union of Soviet Socialist Republics is hereby restored as it existed on January 1, 1938, with the exception of the change resulting from the stipulations of the following sub-paragraph.

(c) Hungary shall cede to Czechoslovakia the villages of Horvathjarfalu, Oroszvar and Dunacsun, together with their cadastral territory as indicated on Map No. IA [1] annexed to the present Treaty. Accordingly, the Czechoslovak frontier on this sector shall be fixed as follows: from the point common to the frontiers of Austria, Hungary and Czechoslovakia, as they existed on January 1, 1938, the present Hungarian-Austrian frontier shall become the frontier between Austria and Czechoslovakia as far as a point roughly 500 meters south of hill 134 (3.5 kilometers northwest of the church of Rajka), this point now becoming common to the frontiers of the three named States; thence the new frontier between Czechoslovakia and Hungary shall go eastwards along the northern cadastral boundary of the village of Rajka to the right bank of the Danube at a point approximately 2 kilometers north of hill 128 (3.5 kilometers east of the

[1] [This is one of two large-scale maps which comprise Annex I as indicated in note (1) on the following page.]

church of Rajka), where the new frontier will, in the principal channel of navigation of the Danube, join the Czechoslovak-Hungarian frontier as it existed on January 1, 1938; the dam and spillway within the village limits of Rajka will remain on Hungarian territory.

(d) The exact line of the new frontier between Hungary and Czechoslovakia laid down in the preceding sub-paragraph shall be determined on the spot by a boundary Commission composed of the representatives of the two Governments concerned. The Commission shall complete its work within two months from the coming into force of the present Treaty.

(e) In the event of a bilateral agreement not being concluded between Hungary and Czechoslovakia concerning the transfer to Hungary of the population of the ceded area, Czechoslovakia guarantees them full human and civic rights. All the guarantees and prerogatives stipulated in the Czechoslovak-Hungarian Agreement of February 27, 1946, on the exchange of populations will be applicable to those who voluntarily leave the area ceded to Czechoslovakia.

5. The frontiers described above are shown on Maps I and IA in Annex I [1] of the present Treaty.

PART II

POLITICAL CLAUSES

SECTION I

Article 2

1. Hungary shall take all measures necessary to secure to all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

2. Hungary further undertakes that the laws in force in Hungary shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Hungarian nationality on the ground of their race, sex, language or religion, whether in reference to their per-

[1] [This Annex comprises two separate large-scale maps. The copies of the maps as received with the certified copy of the Treaty, from the Government of the Union of Soviet Socialist Republics, are deposited with the Treaty in the archives of the Department of State where they are available for reference.]

sons, property, business, professional or financial interests, status, political or civil rights or any other matter.

Article 3

Hungary, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

Article 4

Hungary, which in accordance with the Armistice Agreement has taken measures for dissolving all organisations of a Fascist type on Hungarian territory, whether political, military or para-military, as well as other organisations conducting propaganda, including revisionist propaganda, hostile to the United Nations, shall not permit in future the existence and activities of organisations of that nature which have as their aim denial to the people of their democratic rights.

Article 5

1. Hungary shall enter into negotiations with Czechoslovakia in order to solve the problem of those inhabitants of Magyar ethnic origin, residing in Czechoslovakia, who will not be settled in Hungary in accordance with the provisions of the Agreement of February 27, 1946, on exchange of populations.

2. Should no agreement be reached within a period of six months from the coming into force of the present Treaty, Czechoslovakia shall have the right to bring this question before the Council of Foreign Ministers and to request the assistance of the Council in effecting a final solution.

Article 6

1. Hungary shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;

(b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Hungary shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Budapest of the Soviet Union, the United Kingdom and the United States of America, who will reach agreement with regard to the difficulty.

SECTION II

Article 7

Hungary undertakes to recognise the full force of the Treaties of Peace with Italy, Roumania, Bulgaria and Finland and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

Article 8

The state of war between Hungary and Roumania shall terminate upon the coming into force both of the present Treaty of Peace and the Treaty of Peace between the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic and the Union of South Africa, of the one part, and Roumania of the other part.

Article 9

Hungary undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations and the Permanent Court of International Justice.

Article 10

1. Each Allied or Associated Power will notify Hungary, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Hungary it desires to keep in force or revive. Any provisions not in conformity with the present Treaty shall, however, be deleted from the above-mentioned treaties.

2. All such treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

Article 11

1. Hungary shall hand over to Yugoslavia and to Czechoslovakia, within a period of not more than eighteen months from the coming into force of the present Treaty, objects of the following categories constituting the cultural heritage of Yugoslavia and Czechoslovakia which originated in those territories and which, after 1848, came into the possession of the Hungarian State or of Hungarian public institutions as a consequence of Hungarian domination over those territories prior to 1919:

(a) Historical archives which came into being as integral wholes in Yugoslav or Czechoslovak territories;

(b) Libraries, historical documents, antiquities and other cultural objects which belonged to the institutions on Yugoslav or Czechoslovak territories or to historical personalities of the Yugoslav and Czechoslovak peoples;

(c) Original artistic, literary and scientific objects which are the work of Yugoslav or Czechoslovak artists, writers and scientists.

2. Objects acquired by purchase, gift or legacy and original works of Hungarians are excluded from the provisions of paragraph 1.

3. Hungary shall also hand over to Yugoslavia the archives of the Illyrian Deputation, the Illyrian Commission and Illyrian Chancellery, which relate to the 18th century.

4. The Hungarian Government shall, on the coming into force of the present Treaty, give the authorised representatives of Yugoslavia and Czechoslovakia all necessary assistance in finding these objects and making

them available for examination. Thereafter, but no later than one year from the coming into force of the present Treaty, the Yugoslav and Czechoslovak Governments shall hand the Hungarian Government a list of the objects claimed under this Article. Should the Hungarian Government, within three months of the receipt of the list, raise objection to the inclusion therein of any objects, and should no agreement be reached between the Governments concerned within a further month, the dispute shall be settled in accordance with the provisions of Article 40 of the present Treaty.

PART III

MILITARY AND AIR CLAUSES

SECTION I

Article 12

The maintenance of land and air armaments and fortifications shall be closely restricted to meeting tasks of an internal character and local defence of frontiers. In accordance with the foregoing, Hungary is authorized to have armed forces consisting of not more than:

(a) A land army, including frontier troops, anti-aircraft and river flotilla personnel, with a total strength of 65,000 personnel;

(b) An air force of 90 aircraft, including reserves, of which not more than 70 may be combat types of aircraft, with a total personnel strength of 5,000. Hungary shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

These strengths shall in each case include combat, service and overhead personnel.

Article 13

The personnel of the Hungarian Army and Air Force in excess of the respective strengths permitted under Article 12 shall be disbanded within six months from the coming into force of the present Treaty.

Article 14

Personnel not included in the Hungarian Army or Air Force shall not receive any form of military training or military air training as defined in Annex II.

Article 15

Hungary shall not possess, construct or experiment with any atomic weapon, any self-propelled or guided missiles or apparatus connected with their discharge (other than torpedoes and torpedo launching gear comprising the normal armament of naval vessels permitted by the present Treaty), sea mines or torpedoes of non-contact types actuated by influence mechanisms, torpedoes capable of being manned, submarines or other submersible craft, motor torpedo boats, or specialised types of assault craft.

Article 16

Hungary shall not retain, produce or otherwise acquire, or maintain facilities for the manufacture of, war material in excess of that required for the maintenance of the armed forces permitted under Article 12 of the present Treaty.

Article 17

1. Excess war material of Allied origin shall be placed at the disposal of the Allied or Associated Power concerned according to the instructions given by that Power. Excess Hungarian war material shall be placed at the disposal of the Governments of the Soviet Union, the United Kingdom and the United States of America. Hungary shall renounce all rights to this material.

2. War material of German origin or design in excess of that required for the armed forces permitted under the present Treaty shall be placed at the disposal of the Three Governments. Hungary shall not acquire or manufacture any war material of German origin or design, or employ or train any technicians, including military and civil aviation personnel, who are or have been nationals of Germany.

3. Excess war material mentioned in paragraphs 1 and 2 of this Article shall be handed over or destroyed within one year from the coming into force of the present Treaty.

4. A definition and list of war material for the purposes of the present Treaty are contained in Annex III.

Article 18

Hungary shall co-operate fully with the Allied and Associated Powers

with a view to ensuring that Germany may not be able to take steps outside German territory towards rearmament.

Article 19

Hungary shall not acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

Article 20

Each of the military and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Hungary or, after Hungary becomes a member of the United Nations, by agreement between the Security Council and Hungary.

SECTION II

Article 21

1. Hungarian prisoners of war shall be repatriated as soon as possible, in accordance with arrangements agreed upon by the individual Powers detaining them and Hungary.

2. All costs, including maintenance costs, incurred in moving Hungarian prisoners of war from their respective assembly points, as chosen by the Government of the Allied or Associated Power concerned, to the point of their entry into Hungarian territory, shall be borne by the Hungarian Government.

PART IV

WITHDRAWAL OF ALLIED FORCES

Article 22

1. Upon the coming into force of the present Treaty, all Allied forces shall, within a period of 90 days, be withdrawn from Hungary, subject to the right of the Soviet Union to keep on Hungarian territory such armed forces as it may need for the maintenance of the lines of communication of the Soviet Army with the Soviet zone of occupation in Austria.

2. All unused Hungarian currency and all Hungarian goods in possession of the Allied forces in Hungary, acquired pursuant to Article 11 of the Armistice Agreement, shall be returned to the Hungarian Government within the same period of 90 days.

3. Hungary shall, however, make available such maintenance and facilities as may specifically be required for the maintenance of the lines of communication with the Soviet zone of occupation in Austria, for which due compensation will be made to the Hungarian Government.

PART V

REPARATION AND RESTITUTION

Article 23

1. Losses caused to the Soviet Union, Czechoslovakia and Yugoslavia by military operations and by the occupation by Hungary of the territories of these States shall be made good by Hungary to the Soviet Union, Czechoslovakia and Yugoslavia, but, taking into consideration that Hungary has not only withdrawn from the war against the United Nations, but has also declared war on Germany, the Parties agree that compensation for the above losses will be made by Hungary not in full but only in part, namely in the amount of $300,000,000 payable over eight years from January 20, 1945, in commodities (machine equipment, river craft, grain and other commodities), the sum to be paid to the Soviet Union to amount to $200,000,000, and the sum to be paid to Czechoslovakia and Yugoslavia to amount to $100,000,000.

2. The basis of calculation for the settlement provided in this Article will be the United States dollar at its gold parity on the day of the signing of the Armistice Agreement, i.e. $35 for one ounce of gold.

Article 24

1. Hungary accepts the principles of the United Nations Declaration of January 5, 1943, and shall return, in the shortest possible time, property removed from the territory of any of the United Nations.

2. The obligation to make restitution applies to all identifiable property at present in Hungary which was removed by force or duress by any of the Axis Powers from the territory of any of the United Nations, irrespective of any subsequent transactions by which the present holder of any such property has secured possession.

3. If, in particular cases, it is impossible for Hungary to make restitution of objects of artistic, historic or archaeological value, belonging to the cultural heritage of the United Nation from whose territory such objects were removed by force or duress by Hungarian forces, authorities or nationals, Hungary shall transfer to the United Nation concerned objects of the same kind as, and of approximately equivalent value to, the objects removed, in so far as such objects are obtainable in Hungary.

4. The Hungarian Government shall return the property referred to in this Article in good order and, in this connection, shall bear all costs in Hungary relating to labour, materials and transport.

5. The Hungarian Government shall co-operate with the United Nations in, and shall provide at its own expense all necessary facilities for, the search for and restitution of property liable to restitution under this Article.

6. The Hungarian Government shall take the necessary measures to effect the return of property covered by this Article held in any third country by persons subject to Hungarian jurisdiction.

7. Claims for the restitution of property shall be presented to the Hungarian Government by the Government of the country from whose territory the property was removed, it being understood that rolling stock shall be regarded as having been removed from the territory to which it originally belonged. The period during which such claims may be presented shall be six months from the coming into force of the present Treaty.

8. The burden of identifying the property and of proving ownership shall rest on the claimant Government, and the burden of proving that the property was not removed by force or duress shall rest on the Hungarian Government.

Article 25

The annulment of the Vienna Award of November 2, 1938, as provided in Article 1, paragraph 4, of the present Treaty, shall entail the annulment

of the agreements, as well as the legal consequences ensuing therefrom, relating to matters of finance and public and private insurance, concluded between or on behalf of the two States concerned or between Czechoslovak and Hungarian juridical persons on the basis of the Vienna Award and in respect of the material handed over in accordance with the Protocol of May 22, 1940. This annulment shall not apply in any way to relations between physical persons. The details of the above-mentioned settlement shall be arranged by bilateral agreements between the Governments concerned, within a period of six months from the coming into force of the present Treaty.

PART VI

ECONOMIC CLAUSES

Article 26

1. In so far as Hungary has not already done so, Hungary shall restore all legal rights and interests in Hungary of the United Nations and their nationals as they existed on September 1, 1939, and shall return all property in Hungary of the United Nations and their nationals as it now exists.

2. The Hungarian Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Hungarian Government in connection with their return. The Hungarian Government shall nullify all measures, including seizures, sequestration or control, taken by it against United Nations property between September 1, 1939, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the present Treaty, application shall be made to the Hungarian authorities not later than twelve months from the coming into force of the Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Hungarian Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations

nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

In the case of Czechoslovak nationals, this paragraph shall also include transfers after November 2, 1938, which resulted from force or duress or from measures taken under discriminatory internal legislation by the Hungarian Government or its agencies in Czechoslovak territory annexed by Hungary.

4. *(a)* The Hungarian Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a United Nations national has suffered a loss by reason of injury or damage to property in Hungary, he shall receive from the Hungarian Government compensation in Hungarian currency to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Hungarian nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 9 *(a)* of this Article, but which have suffered a loss by reason of injury or damage to property in Hungary, shall receive compensation in accordance with sub-paragraph *(a)* above. This compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Hungary but shall be subject to the foreign exchange control regulations which may be in force in Hungary from time to time.

(d) The Hungarian Government shall accord to United Nations nationals the same treatment in the allocation of materials for the repair or rehabilitation of their property in Hungary and in the allocation of foreign exchange for the importation of such materials as applies to Hungarian nationals.

(e) The Hungarian Government shall grant United Nations nationals an indemnity in Hungarian currency at the same rate as provided in sub-paragraph *(a)* above to compensate them for the loss or damage due to special measures applied to their property during the war, and which were not applicable to Hungarian property. This sub-paragraph does not apply to a loss of profit.

5. The provisions of paragraph 4 of this Article shall apply to Hungary in so far as the action which may give rise to a claim for damage to property in Northern Transylvania belonging to the United Nations or their nationals took place during the period when this territory was subject to Hungarian authority.

6. All reasonable expenses incurred in Hungary in establishing claims, including the assessment of loss or damage, shall be borne by the Hungarian Government.

7. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts imposed on their capital assets in Hungary by the Hungarian Government or any Hungarian authority between the date of the Armistice and the coming into force of the present Treaty for the specific purpose of meeting charges arising out of the war or of meeting the costs of occupying forces or of reparation payable to any of the United Nations. Any sums which have been so paid shall be refunded.

8. The owner of the property concerned and the Hungarian Government may agree upon arrangements in lieu of the provisions of this Article.

9. As used in this Article:

(a) "United Nations nationals" means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status at the date of the Armistice with Hungary.

The term "United Nations nationals" also includes all individuals, corporations or associations which, under the laws in force in Hungary during the war, have been treated as enemy;

(b) "Owner" means the United Nation, or the United Nations national as defined in sub-paragraph *(a)* above, entitled to the property in question,

and includes a successor of the owner, provided that the successor is also a United Nation, or a United Nations national as defined in sub-paragraph *(a)*. If the successor has purchased the property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law;

(c) "Property" means all movable or immovable property, whether tangible or intangible, including industrial, literary and artistic property, as well as all rights or interests of any kind in property.

10. The Hungarian Government recognizes that the Brioni Agreement of August 10, 1942, is null and void. It undertakes to participate with the other signatories of the Rome Agreement of May 29, 1923, [1] in any negotiations having the purpose of introducing into its provisions the modifications necessary to ensure the equitable settlement of the annuities which it provides.

Article 27

1. Hungary undertakes that in all cases where the property, legal rights or interests in Hungary of persons under Hungarian jurisdiction have, since September 1, 1939, been the subject of measures of sequestration, confiscation or control on account of the racial origin or religion of such persons, the said property, legal rights and interests shall be restored together with their accessories or, if restoration is impossible, that fair compensation shall be made therefor.

2. All property, rights and interests in Hungary of persons, organisations or communities which, individually or as members of groups, were the object of racial, religious or other Fascist measures of persecution, and remaining heirless or unclaimed for six months after the coming into force of the present Treaty, shall be transferred by the Hungarian Government to organisations in Hungary representative of such persons, organisations or communities. The property transferred shall be used by such organisations for purposes of relief and rehabilitation of surviving members of such groups, organisations and communities in Hungary. Such transfer shall be effected within twelve months from the coming into force of the Treaty, and shall include property, rights and interests required to be restored under paragraph 1 of this Article.

[1] [The correct date of the Rome Agreement is Mar. 29, 1923.]

Article 28

Hungary recognizes that the Soviet Union is entitled to all German assets in Hungary transferred to the Soviet Union by the Control Council for Germany and undertakes to take all necessary measures to facilitate such transfers.

Article 29

1. Each of the Allied and Associated Powers shall have the right to seize, retain, liquidate or take any other action with respect to all property, rights and interests which at the coming into force of the present Treaty are within its territory and belong to Hungary or to Hungarian nationals, and to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Hungary or Hungarian nationals, including debts, other than claims fully satisfied under other Articles of the present Treaty. All Hungarian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned.

2. The liquidation and disposition of Hungarian property shall be carried out in accordance with the law of the Allied or Associated Power concerned. The Hungarian owner shall have no rights with respect to such property except those which may be given him by that law.

3. The Hungarian Government undertakes to compensate Hungarian nationals whose property is taken under this Article and not returned to them.

4. No obligation is created by this Article on any Allied or Associated Power to return industrial property to the Hungarian Government or Hungarian nationals, or to include such property in determining the amounts which may be retained under paragraph 1 of this Article. The Government of each of the Allied and Associated Powers shall have the right to impose such limitations, conditions and restrictions on rights or interests with respect to industrial property in the territory of that Allied or Associated Power, acquired prior to the coming into force of the present Treaty by the Government or nationals of Hungary, as may be deemed by the Government of the Allied or Associated Power to be necessary in the national interest.

5. The property covered by paragraph 1 of this Article shall be deemed to include Hungarian property which has been subject to control

by reason of a state of war existing between Hungary and the Allied or Associated Power having jurisdiction over the property, but shall not include:

(a) Property of the Hungarian Government used for consular or diplomatic purposes;

(b) Property belonging to religious bodies or private charitable institutions and used for religious or charitable purposes;

(c) Property of natural persons who are Hungarian nationals permitted to reside within the territory of the country in which the property is located or to reside elsewhere in United Nations territory, other than Hungarian property which at any time during the war was subjected to measures not generally applicable to the property of Hungarian nationals resident in the same territory;

(d) Property rights arising since the resumption of trade and financial relations between the Allied and Associated Powers and Hungary, or arising out of transactions between the Government of any Allied or Associated Power and Hungary since January 20, 1945;

(e) Literary and artistic property rights.

Article 30

1. From the coming into force of the present Treaty, property in Germany of Hungary and of Hungarian nationals shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Hungary and of Hungarian nationals removed by force or duress from Hungarian territory to Germany by German forces or authorities after January 20, 1945, shall be eligible for restitution.

3. The restoration and restitution of Hungarian property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

4. Without prejudice to these and to any other dispositions in favour of Hungary and Hungarian nationals by the Powers occupying Germany, Hungary waives on its own behalf and on behalf of Hungarian nationals all claims against Germany and German nationals outstanding on May 8, 1945,

except those arising out of contracts and other obligations entered into, and rights acquired, before September 1, 1939. This waiver shall be deemed to include debts, all inter-governmental claims in respect of arrangements entered into in the course of the war and all claims for loss or damage arising during the war.

Article 31

1. The existence of the state of war shall not, in itself, be regarded as affecting the obligation to pay pecuniary debts arising out of obligations and contracts which existed, and rights which were acquired, before the existence of the state of war, which became payable prior to the coming into force of the present Treaty, and which are due by the Government or nationals of Hungary to the Government or nationals of one of the Allied and Associated Powers or are due by the Government or nationals of one of the Allied and Associated Powers to the Government or nationals of Hungary.

2. Except as otherwise expressly provided in the present Treaty, nothing therein shall be construed as impairing debtor-creditor relationships arising out of pre-war contracts concluded either by the Government or nationals of Hungary.

Article 32

1. Hungary waives all claims of any description against the Allied and Associated Powers on behalf of the Hungarian Government or Hungarian nationals arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, whether or not the Allied or Associated Power was at war with Hungary at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers;

(b) Claims arising from the presence, operations or actions of forces or authorities of Allied or Associated Powers in Hungarian territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Hungary agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Hungarian ships or Hungarian goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest. The Hungarian Government agrees to make equitable compensation in Hungarian currency to persons who furnished supplies or services on requisition to the forces of Allied or Associated Powers in Hungarian territory and in satisfaction of non-combat damage claims against the forces of Allied or Associated Powers arising in Hungarian territory.

3. Hungary likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Hungarian Government or Hungarian nationals against any of the United Nations whose diplomatic relations with Hungary were broken off during the war and which took action in co-operation with the Allied and Associated Powers.

4. The Hungarian Government shall assume full responsibility for all Allied military currency issued in Hungary by the Allied military authorities, including all such currency in circulation at the coming into force of the present Treaty.

5. The waiver of claims by Hungary under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Hungarian ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Conventions on prisoners of war now in force.

Article 33

1. Pending the conclusion of commercial treaties or agreements between individual United Nations and Hungary, the Hungarian Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Hungary:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Hungary shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined for territory of any other of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Hungary. These provisions shall not apply to commercial aviation;

(d) Hungary shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Hungarian territory, including the right to land for refueling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Hungarian territory without landing. These provisions shall not affect the interests of the national defence of Hungary.

2. The foregoing undertakings by Hungary shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Hungary before the war, and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

Article 34

Hungary shall facilitate as far as possible railway traffic in transit through its territory at reasonable rates and shall negotiate with neighbouring States all reciprocal agreements necessary for this purpose.

Article 35

1. Any disputes which may arise in connection with Articles 24, 25 and 26 and Annexes IV, V and VI of the present Treaty shall be referred to a Conciliation Commission composed of an equal number of representatives of the United Nations Government concerned and of the Hungarian Government. If agreement has not been reached within three months of the

dispute having been referred to the Conciliation Commission, either Government may require the addition of a third member to the Commission, and failing agreement between the two Governments on the selection of this member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding.

Article 36

Articles 24, 26, 33 and Annex VI of the present Treaty shall apply to the Allied and Associated Powers and France and to those of the United Nations whose diplomatic relations with Hungary have been broken off during the war.

Article 37

The provisions of Annexes IV, V and VI shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

PART VII

CLAUSE RELATING TO THE DANUBE

Article 38

Navigation on the Danube shall be free and open for the nationals, vessels of commerce, and goods of all States, on a footing of equality in regard to port and navigation charges and conditions for merchant shipping. The foregoing shall not apply to traffic between ports of the same State.

PART VIII

FINAL CLAUSES

Article 39

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Budapest of the Soviet Union, the United Kingdom and the United States of

America, acting in concert, will represent the Allied and Associated Powers in dealing with the Hungarian Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Three Heads of Mission will give the Hungarian Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Hungarian Government shall afford the said Three Heads of Mission all necessary information and any assistance which they may require in the fulfilment of the tasks devolving on them under the present Treaty.

Article 40

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 41

1. Any member of the United Nations, not a signatory to the present Treaty, which is at war with Hungary, may accede to the Treaty and upon accession shall be deemed to be an Associated Power for the purposes of the Treaty.

2. Instruments of accession shall be deposited with the Government of the Union of Soviet Socialist Republics and shall take effect upon deposit.

Article 42

The present Treaty, of which the Russian and English texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Hungary. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the Union of Soviet Socialist Republics.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the Union of Soviet Socialist Republics, which shall furnish certified copies to each of the signatory States.

LIST OF ANNEXES

I. Maps of Hungarian Frontiers

II. Definition of Military and Military Air Training

III. Definition and list of war material

IV. Special provisions relating to certain kinds of property:

A. Industrial, Literary and Artistic Property

B. Insurance

V. Contracts, Prescription and Negotiable Instruments

VI. Judgments

ANNEX I

(See Article 1)

Maps

I. Hungarian Frontiers

IA. Rectification of the Hungarian-Czechoslovak Frontier

ANNEX II

(See Article 14)

Definition of Military and Military Air Training

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organised study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission; and the organised study of air tactics, strategy and staff work.

ANNEX III

(See Article 17)

Definition and List of War Material

The term "war material" as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

Category I.

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft; breechless or recoil-less guns and flamethrowers; barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in sub-paragraphs 1-4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary materials or charges, filled or unfilled; all means for exploding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

Category II.

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self-propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness, used for protective purposes in warfare.

Category III.

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

Category IV.

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition, aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices or apparatus of any kind, including specially designed harbour defence booms, except as required by salvage, rescue or other civilian uses, as well as all equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be specially designed for the construction, testing, maintenance or housing of the same.

Category V.

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of their design or construction are prepared for, any of the appliances referred to in subparagraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

Category VI.

Asphyxiating, lethal, toxic or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

Category VII.

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging or filling of, or for use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

Category VIII.

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

ANNEX IV

Special Provisions Relating to Certain Kinds of Property

A. Industrial, Literary and Artistic Property

1. *(a)* A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Hungary of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Hungary or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Hungary or during the war, shall be entitled within twelve months after the coming into force of the present

Treaty to apply for corresponding rights in Hungary, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Hungary against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in industrial, literary and artistic property which were in force in Hungary at the outbreak of the war or which are recognized or established under part A of this Annex and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Hungary for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Hungary of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Hungary and its nationals. Nothing, however, in these provisions shall entitle Hungary or its nationals to more favourable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Hungary be thereby required to accord to any of the Allied and Associated Powers or its nationals more favourable treatment than Hungary or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Hungary who, before the coming into force of the present Treaty,

had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under part A of this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Hungary, such permission shall take the form of a non-exclusive license granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 35 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in part A of this Annex shall be construed to entitle Hungary or its nationals to any patent or utility model rights in the territory of any of the Allied and Associated Powers with respect to inventions, relating to any article listed by name in Annex III of the present Treaty, made, or upon which applications were filed, by Hungary, or any of its nationals, in Hungary or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Hungary shall likewise extend the benefits of the foregoing provisions of this Annex to France, and to other United Nations which are not Allied or Associated Powers, whose diplomatic relations with Hungary have been broken off during the war and which undertake to extend to Hungary the benefits accorded to Hungary under the said provisions.

8. Nothing in part A of this Annex shall be understood to conflict with Articles 26, 29 and 31 of the present Treaty.

B. INSURANCE

1. No obstacles, other than any applicable to insurers generally, shall be placed in the way of the resumption by insurers who are United Nations nationals of their former portfolios of business.

2. Should an insurer, who is a national of any of the United Nations, wish to resume his professional activities in Hungary, and should the value of the guarantee deposits or reserves required to be held as a condition of carrying on business in Hungary be found to have decreased as a result of the loss or depreciation of the securities which constituted such deposits or reserves, the Hungarian Government undertakes to accept, for a period of eighteen months, such securities as still remain as fulfilling any legal requirements in respect of deposits and reserves.

ANNEX V

Contracts, Prescription and Negotiable Instruments

A. Contracts

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in paragraphs 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, is without prejudice to the provisions of Article 31 of the present Treaty, nor shall it relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and, without prejudice to the rights contained in Article 29 of the present Treaty, there shall remain in force such parts of any contract as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies

if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall be subject to separate agreements between the Government of the Allied or Associated Power concerned and the Government of Hungary.

B. PERIODS OF PRESCRIPTION

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations affecting persons or property, involving United Nations nationals and Hungarian nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Hungarian territory on the one hand, and on the other hand in the territory of those United Nations which grant to Hungary, on a reciprocal basis, the benefit of the provisions of this paragraph. These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Hungarian territory to the prejudice of a national of one of the United Nations, the Hungarian Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Hungarian Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

C. NEGOTIABLE INSTRUMENTS

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or pay-

ment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

D. Special Provisions

1. For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

2. Having regard to the legal system of the United States of America, the provisions of this Annex shall not apply as between the United States of America and Hungary.

ANNEX VI

Judgments

The Hungarian Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into force of the present Treaty to submit to the appropriate

Hungarian authorities for review any judgment given by a Hungarian court between April 10, 1941, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Hungarian Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term "United Nations nationals" includes corporations or associations organised or constituted under the laws of any of the United Nations.

TRAITE DE PAIX

AVEC LA

HONGRIE

1947

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Les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la République Soviétique Socialiste de Biélorussie, le Canada, l'Inde, la Nouvelle-Zélande, la Tchécoslovaquie, la République Soviétique Socialiste d'Ukraine, l'Union Sud-Africaine et la République Fédérative Populaire de Yougoslavie, en tant qu'Etats en guerre avec la Hongrie et qui ont participé activement à la lutte contre les Etats européens ennemis avec des forces militaires importantes, désignés ci-après sous le nom de "Puissances Alliées et Associées," d'une part,

et la Hongrie, d'autre part;

Considérant que la Hongrie, qui a conclu une alliance avec l'Allemagne hitlérienne et a participé à ses côtés à la guerre contre les Etats-Unis d'Amérique, le Royaume-Uni, l'Union des Républiques Soviétiques Socialistes et d'autres Nations Unies, porte sa part de responsabilité dans cette guerre;

Considérant toutefois que, le 28 décembre 1944, la Hongrie a rompu les relations avec l'Allemagne, qu'elle a déclaré la guerre à ce pays et que le 20 janvier 1945, elle a conclu un armistice avec les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union des Républiques Soviétiques Socialistes, agissant au nom de toutes les Nations Unies qui étaient en guerre avec la Hongrie;

Considérant que les Puissances Alliées et Associées et la Hongrie sont désireuses de conclure un traité de paix qui règle, en conformité avec les principes de justice, les questions demeurant en suspens à la suite des événements ci-dessus rappelés et qui forme la base de relations amicales entre elles, permettant ainsi aux Puissances Alliées et Associées d'appuyer les demandes que la Hongrie présentera pour devenir membre de l'Organisation des Nations Unies et pour adhérer à toute convention conclue sous les auspices des Nations Unies;

Pour ces motifs, ont décidé de proclamer la cessation de l'état de guerre et de conclure à cet effet le présent Traité de Paix et ont, à ces fins, désigné les Plénipotentiaires soussignés, lesquels, après présentation de leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des articles suivants:

PARTIE I

FRONTIERES DE LA HONGRIE

Article 1

1. Les frontières de la Hongrie avec l'Autriche et la Yougoslavie seront celles qui existaient au 1er janvier 1938.

2. Les décisions de la Sentence de Vienne du 30 août 1940 sont déclarées nulles et non avenues. La frontière entre la Hongrie et la Roumanie, telle qu'elle existait au 1er janvier 1938, est rétablie par la présente disposition.

3. La frontière entre la Hongrie et l'Union des Républiques Soviétiques Socialistes, du point de jonction de la frontière de ces deux Etats et de la Roumanie au point de jonction de la frontière de ces deux Etats et de la Tchécoslovaquie, suit l'ancienne frontière entre la Tchécoslovaquie et la Hongrie telle qu'elle existait au 1er janvier 1938.

4. *(a)* Les décisions de la Sentence de Vienne du 2 novembre 1938 sont déclarées nulles et non avenues.

(b) La frontière entre la Hongrie et la Tchécoslovaquie depuis le point de jonction de la frontière de ces deux Etats avec la frontière autrichienne jusqu'au point de jonction de la frontière de ces deux Etats avec la frontière de l'Union des Républiques Soviétiques Socialistes, est rétablie par la présente disposition, telle qu'elle existait au 1er janvier 1938, sous réserve de la modification résultant des dispositions de l'alinéa suivant:

(c) La Hongrie cède à Tchécoslovaquie les villages de Horvathjarfalu, Oroszvar et Dunacsun, avec leur territoire cadastral tel qu'il est indiqué sur la carte N° 1 *(a)* jointe au présent Traité. En conséquence, la frontière tchécoslovaque sera dans ce secteur fixée comme suit: à partir du point de jonction des frontières autrichienne, hongroise et tchécoslovaque, telles qu'elles existaient au 1er janvier 1938, la frontière austro-hongroise actuelle deviendra la frontière entre l'Autriche et la Tchécoslovaquie jusqu'en un point situé approximativement à 0,5 Km au sud de la cote 135 (3,5 Km au nord-ouest de l'église de Rajka) ce point devenant désormais le point de jonction des frontières des trois pays précités; de là, la nouvelle frontière entre la Tchécoslovaquie et la Hongrie se dirigera vers l'est en suivant

la limite cadastrale nord du village de Rajka jusqu'à la rive droite du Danube, en un point situé à 2 Km environ au nord de la cote 128 (3,5 Km à l'est de l'église de Rajka), point où la nouvelle frontière rejoindra, dans le chenal principal de navigation du Danube, la frontière hungaro-tchécoslovaque telle qu'elle existait au 1er janvier 1938; l'écluse et le passe-déversoir situés dans les limites du village de Rajka demeureront en territoire hongrois.

(d) Le tracé exact de la nouvelle frontière entre la Hongrie et la Tchécoslovaquie, définie à l'alinéa précédent, sera déterminé sur le terrain par une commission de délimitation composée de représentants des deux Gouvernements intéressés. La commission devra terminer ses travaux dans un délai de deux mois à partir de l'entrée en vigueur du présent Traité.

(e) Au cas où il ne serait pas conclu d'accord bilatéral entre la Tchécoslovaquie et la Hongrie au sujet du transfert en Hongrie de la population du territoire cédé, la Tchécoslovaquie garantira à celle-ci la pleine jouissance des droits de l'homme et du citoyen. Toutes les garanties et prérogatives stipulées dans l'accord hungaro-tchécoslovaque du 27 février 1946 relatif à l'échange des populations, seront applicables aux personnes qui quitteront de leur plein gré le territoire cédé à la Tchécoslovaquie.

5. Le tracé de ces frontières est indiqué sur les cartes 1 et 1*(a)* de l'annexe I du présent Traité.

PARTIE II

CLAUSES POLITIQUES

SECTION I

Article 2

1. La Hongrie prendra toutes les mesures nécessaires pour assurer à toutes les personnes relevant de sa juridiction, sans distinction de race, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales, y compris la liberté d'expression de la pensée, la liberté de presse et de publication, la liberté du culte, la liberté d'opinion et de réunion.

2. La Hongrie s'engage en outre à ce que les lois en vigueur en Hongrie ne comportent, soit dans leur texte, soit dans les modalités de leur application, aucune discrimination directe ou indirecte entre les ressortissants hongrois en raison de leur race, de leur sexe, de leur langue, de leur religion, tant en ce qui concerne leur personne, leurs biens, leurs intérêts commerciaux, professionnels ou financiers, leur statut, leurs droits politiques et civils qu'en toute autre matière.

Article 3

La Hongrie qui, conformément à la Convention d'Armistice, a pris des mesures pour mettre en liberté, sans distinction de citoyenneté ou de nationalité, toutes les personnes détenues en raison de leurs activités en faveur des Nations Unies ou de leur sympathie pour celles-ci, ou en raison de leur origine raciale, et pour abroger la législation ayant un caractère discriminatoire et rapporter les restrictions imposées en vertu de celle-ci, s'engage à compléter ces mesures et à ne prendre à l'avenir aucune mesure ou à n'édicter aucune loi qui serait incompatible avec les fins énoncées dans le présent article.

Article 4

La Hongrie qui, conformément à la Convention d'Armistice, a pris des mesures en vue de dissoudre toutes les organisations politiques, militaires ou paramilitaires de caractère fasciste existant sur le territoire hongrois, ainsi que toutes autres organisations faisant une propagande hostile aux Nations Unies, y compris une propagande révisionniste, s'engage à ne pas tolérer à l'avenir l'existence et l'activité d'organisations de cette nature qui ont pour but de priver le peuple de ses droits démocratiques.

Article 5

1. La Hongrie entreprendra des négociations avec la Tchécoslovaquie, afin de résoudre le problème des habitants d'origine ethnique magyare résidant en Tchécoslovaquie, qui ne seront pas établis en Hongrie conformément à l'accord du 27 février 1946 sur l'échange de populations.

2. Au cas où aucun accord ne serait intervenu dans un délai de six mois à compter de l'entrée en vigueur du présent Traité, la Tchécoslovaquie aura le droit de porter la question devant le Conseil des Ministres des

Affaires Etrangères, et de lui demander son assistance pour un règlement définitif.

Article 6

1. La Hongrie prendra toutes les mesures nécessaires pour assurer l'arrestation et la livraison en vue de leur jugement:

(a) des personnes accusées d'avoir commis, ordonné des crimes de guerre et des crimes contre la paix ou l'humanité, ou d'en avoir été complices;

(b) des ressortissants de l'une quelconque des Puissances Alliées ou Associées accusés d'avoir enfreint les lois de leur pays en commettant des actes de trahison ou en collaborant avec l'ennemi pendant la guerre.

2. A la demande du Gouvernement de l'une des Nations Unies intéressées, la Hongrie devra assurer en outre la comparution, comme témoins, des personnes relevant de sa juridiction dont la déposition est nécessaire pour le jugement des personnes visées au paragraphe 1 du présent article.

3. Tout désaccord concernant l'application des dispositions des paragraphes 1 et 2 du présent article sera soumis, par tout Gouvernement intéressé aux Chefs des missions diplomatiques à Budapest des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique, qui se mettront d'accord sur le point soulevé.

SECTION II

Article 7

La Hongrie s'engage à reconnaître la pleine valeur des Traités de Paix avec l'Italie, la Roumanie, la Bulgarie et la Finlande, ainsi que des autres accords ou arrangements qui ont été conclus ou qui seront conclus par les Puissances Alliées et Associées, en ce qui concerne l'Autriche, l'Allemagne et le Japon, en vue du rétablissement de la paix.

Article 8

L'état de guerre entre la Hongrie et la Roumanie prendra fin à la date d'entrée en vigueur du présent Traité de Paix et du Traité de Paix entre les Etats-Unis d'Amérique, le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, l'Union des Républiques Soviétiques Socialistes, l'Australie, la République Soviétique Socialiste de Biélorussie, le Canada, l'Inde, la Nou-

velle-Zélande, la Tchécoslovaquie, la République Soviétique Socialiste d'Ukraine, l'Union Sud-Africaine d'une part et la Roumanie d'autre part.

Article 9

La Hongrie s'engage à accepter tous les arrangements qui ont été conclus ou qui pourront être conclus pour la liquidation de la Société des Nations et de la Cour Permanente de Justice Internationale.

Article 10

1. Chacune des Puissances Alliées ou Associées notifiera à la Hongrie, dans un délai de six mois à partir de l'entrée en vigueur du présent Traité, les traités bilatéraux qu'elle a conclus avec la Hongrie antérieurement à la guerre et dont elle désire le maintien ou la remise en vigueur. Toutes dispositions des traités dont il s'agit qui ne seraient pas en conformité avec le présent Traité seront toutefois supprimées.

2. Tous les traités de cette nature qui auront fait l'objet de cette notification seront enregistrés au Secrétariat de l'Organisation des Nations Unies, conformément à l'article 102 de la Charte des Nations Unies.

3. Tous les traités de cette nature qui n'auront pas fait l'objet d'une telle notification seront tenus pour abrogés

Article 11

1. La Hongrie remettra à la Yougoslavie et à la Tchécoslovaquie, dans un délai maximum de dix-huit mois à partir de l'entrée en vigueur du présent Traité, les objets entrant dans les catégories ci-dessous, qui constituent le patrimoine culturel de la Yougoslavie et de la Tchécoslovaquie, qui ont eu leur origine dans ces territoires et qui, après 1848, se sont trouvés en la possession de l'Etat hongrois ou des institutions publiques hongroises par suite de la domination exercée par la Hongrie sur ces territoires avant 1919:

(a) les archives historiques qui ont été constituées sous forme d'ensembles en territoire yougoslave ou tchécoslovaque;

(b) les bibliothèques, les documents historiques, les antiquités et autres objets ayant un intérêt culturel qui appartenaient à des institutions situées en territoire yougoslave ou tchécoslovaque, ou à des personnages historiques yougoslaves ou tchécoslovaques;

(c) les objets originaux artistiques, littéraires et scientifiques, qui sont l'oeuvre d'artistes, d'écrivains ou de savants yougoslaves ou tchécoslovaques.

2. Les objets acquis à la suite d'achats, dons ou legs, et les oeuvres originales dues à des Hongrois, sont exclus des dispositions du paragraphe 1.

3. La Hongrie devra également remettre à la Yougoslavie les archives de la Députation illyrienne, de la Commission illyrienne et de la Chancellerie illyrienne, se rapportant au XVIIIème siècle.

4. Le Gouvernement hongrois, dès la date d'entrée en vigueur du présent Traité, devra donner aux représentants autorisés de la Yougoslavie et de la Tchécoslovaquie toute l'aide nécessaire pour retrouver les objets visés et les tenir à leur disposition aux fins d'examen. Par la suite, sans dépasser toutefois le délai d'un an à partir de la date d'entrée en vigueur du présent Traité, les Gouvernements yougoslave et tchécoslovaque remettront au Gouvernement hongrois la liste des objets réclamés en vertu du présent article. Dans le cas où, dans le délai de trois mois à partir de la réception de la liste, le Gouvernement hongrois présenterait des objections à l'inclusion de certains objets dans cette liste, et dans le cas où, dans un délai ultérieur d'un mois, un accord ne serait pas conclu entre les Gouvernements intéressés, le différend devra être réglé conformément aux dispositions de l'article 40 du présent Traité.

PARTIE III

CLAUSES MILITAIRES

SECTION I

Article 12

Les armements terrestres et aériens et les fortifications seront strictement limités de manière à répondre aux tâches d'ordre intérieur et à la défense locale des frontières. Conformément aux dispositions ci-dessus, la Hongrie est autorisée à conserver des forces armées ne dépassant pas:

(a) pour l'armée de terre, y compris les gardes-frontières, le personnel de la défense anti-aérienne et de la flottille fluviale, un effectif total de 65.000 hommes;

(b) pour l'aviation, y compris les avions de réserve, 90 avions dont 70 au maximum pourront être des avions de combat, et un effectif total de 5.000 hommes. La Hongrie ne devra ni posséder ni acquérir d'avions conçus essentiellement comme bombardiers et comportant des dispositifs intérieurs pour le transport des bombes.

Ces effectifs comprendront dans chaque cas le personnel de commandement, les unités combattantes et les services.

Article 13

Le personnel de l'armée et de l'aviation hongroises en excédent des effectifs autorisés dans chaque cas aux termes de l'article 12, sera licencié dans un délai de six mois à partir de la date d'entrée en vigueur du présent Traité.

Article 14

Aucune forme d'instruction militaire ou aérienne, au sens de l'annexe II, ne sera donnée aux personnes ne faisant pas partie de l'armée ou de l'aviation hongroise.

Article 15

La Hongrie ne possédera, ne fabriquera ni n'expérimentera aucune arme atomique, aucun projectile automoteur ou dirigé, ni aucun dispositif employé pour le lancement de ces projectiles (autre que les torpilles ou dispositifs de lancement de torpilles faisant partie de l'armement normal des navires autorisés par le présent Traité), aucune mine marine ou torpille fonctionnant par un mécanisme à influence, aucune torpille humaine, aucun sous-marin ou autre bâtiment submersible, aucune vedette lance-torpilles, ni aucun type spécialisé de bâtiment d'assaut.

Article 16

La Hongrie ne devra pas conserver, fabriquer ou acquérir par tout autre moyen, de matériel de guerre en excédent de ce qui est nécessaire au maintien des forces armées autorisées par l'article 12 du présent Traité, ni laisser subsister de facilités pour la production de ce matériel de guerre.

Article 17

1. Le matériel de guerre de provenance alliée en excédent sera mis à la disposition de la Puissance Alliée ou Associée intéressée, conformément aux instructions qui seront données par celle-ci; le matériel de guerre hongrois en excédent sera mis à la disposition des Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique. La Hongrie renoncera à tous droits sur ce matériel.

2. Le matériel de guerre de provenance allemande ou construit sur des plans allemands, en excédent de celui qui est nécessaire aux forces armées autorisées par le présent Traité, sera mis à la disposition des trois Gouvernements. La Hongrie n'acquerra ni ne fabriquera aucun matériel de guerre de provenance allemande ou construit sur des plans allemands; elle n'emploiera ni n'instruira aucun technicien, y compris le personnel de l'aviation militaire ou civile, qui soit ou ait été ressortissant allemand.

3. Le matériel de guerre en excédent mentionné aux paragraphes 1 et 2 du présent article sera livré ou détruit dans un délai d'un an à partir de la date d'entrée en vigueur du présent Traité.

4. La définition et la liste du matériel de guerre aux fins du présent Traité figurent à l'annexe III.

Article 18

La Hongrie s'engage à apporter son entière collaboration aux Puissances Alliées et Associées en vue de mettre l'Allemagne dans l'impossibilité de prendre hors du territoire allemand des mesures tendant à son réarmement.

Article 19

La Hongrie s'engage à n'acquérir ou fabriquer aucun avion civil de modèle allemand ou japonais ou comportant des éléments importants de fabrication ou de conception allemande ou japonaise.

Article 20

Chacune des clauses militaires et aériennes du présent Traité demeurera en vigueur aussi longtemps qu'elle n'aura pas été modifiée, entièrement ou partiellement, par accord entre les Puissances Alliées et Associées et

la Hongrie, ou, après que la Hongrie sera devenue membre de l'Organisation des Nations Unies, par accord entre le Conseil de Sécurité et la Hongrie.

SECTION II

Article 21

1. Les prisonniers de guerre hongrois seront rapatriés aussitôt que possible conformément aux arrangements conclus entre chacune des Puissances qui détiennent ces prisonniers, et la Hongrie.

2. Tous les frais, y compris les frais de subsistance, entraînés par le transfert des prisonniers de guerre hongrois, depuis leurs centres de rapatriement respectifs, choisis par le Gouvernement de la Puissance Alliée ou Associée intéressée jusqu'au lieu d'entrée sur le territoire hongrois, seront à la charge du Gouvernement hongrois.

PARTIE IV

RETRAIT DES FORCES ALLIEES

Article 22

1. Toutes les forces armées alliées seront retirées de Hongrie dans un délai de quatre-vingt-dix jours à compter de l'entrée en vigueur du présent Traité, l'Union Soviétique se réservant le droit de conserver en territoire hongrois les forces armées qui pourront lui être nécessaires pour le maintien des lignes de communication de l'Armée Soviétique avec la zone soviétique d'occupation en Autriche.

2. Toutes les devises hongroises non employées et tous les biens hongrois qui sont en la possession des armées alliées sur le territoire hongrois et qui ont été acquis en application de l'article 11 de la Convention d'Armistice seront restitués au Gouvernement hongrois dans le même délai de quatre-vingt-dix jours.

3. Toutefois, la Hongrie fournira tous les approvisionnements et facilités qui pourront être particulièrement nécessaires au maintien des lignes de communication avec la zone soviétique d'occupation en Autriche, prestations pour lesquelles le Gouvernement hongrois sera dûment indemnisé.

PARTIE V

REPARATIONS ET RESTITUTIONS

Article 23

1. La Hongrie indemnisera l'Union Soviétique, la Tchécoslovaquie et la Yougoslavie des pertes causées du fait des opérations militaires et de l'occupation par la Hongrie du territoire de ces Etats; toutefois, tenant compte du fait que la Hongrie, non seulement s'est retirée de la guerre contre les Nations Unies, mais encore a déclaré la guerre à l'Allemagne, les Parties Contractantes conviennent que la Hongrie les indemnisera des pertes indiquées ci-dessus, non en totalité, mais seulement en partie, à savoir jusqu'à concurrence d'un montant de 300.000.000 de dollars des Etats-Unis payables en huit ans, à dater du 20 janvier 1945, en nature (outillage mécanique, navires fluviaux, céréales et autres marchandises), la somme à payer à l'Union Soviétique s'élevant à 200.000.000 de dollars des Etats-Unis et la somme payable à la Tchécoslovaquie et à la Yougoslavie à un montant de 100.000.000 de dollars des Etats-Unis.

2. La base de calcul pour le règlement prévu dans le présent article sera le dollar des Etats-Unis à sa parité or à la date de la signature de la Convention d'Armistice, soit 35 dollars pour une once d'or.

Article 24

1. La Hongrie accepte les principes de la Déclaration des Nations Unies du 5 janvier 1943, et restituera dans le plus bref délai possible les biens enlevés du territoire de l'une quelconque des Nations Unies.

2. L'obligation de restituer s'applique à tous les biens identifiables se trouvant actuellement en Hongrie et qui ont été enlevés, par force ou par contrainte, du territoire de l'une des Nations Unies par l'une des Puissances de l'Axe, quelles qu'aient été les transactions ultérieures par lesquelles le détenteur actuel de ces biens s'en est assuré la possession.

3. Si, dans des cas particuliers, il est impossible à la Hongrie d'effectuer la restitution d'objets présentant un intérêt artistique, historique ou archéologique, et qui font partie du patrimoine culturel de la Nation Unie du territoire de laquelle ces objets ont été enlevés par les armées, les autorités ou les ressortissants hongrois, usant de la force ou de la contrainte, la Hongrie s'engage à remettre à la Nation Unie intéressée des objets de

même nature et d'une valeur sensiblement équivalente à celle des objets enlevés, dans la mesure où il est possible de s'en procurer en Hongrie.

4. Le Gouvernement hongrois restituera en bon état les biens visés dans le présent article et prendra à sa charge tous les frais de main d'oeuvre, de matériaux et de transport engagés à cet effet en Hongrie.

5. Le Gouvernement hongrois coopérera avec les Nations Unies à la recherche et à la restitution des biens soumis à restitution aux termes du présent article et il fournira à ses frais toutes les facilités nécessaires.

6. Le Gouvernement hongrois prendra les mesures nécessaires pour restituer les biens visés dans le présent article, qui sont détenus dans un tiers pays par des personnes relevant de la juridiction hongroise.

7. La demande de restitution d'un bien sera présentée au Gouvernement hongrois par le Gouvernement du pays du territoire duquel le bien a été enlevé, étant entendu que le matériel roulant sera considéré comme ayant été enlevé du territoire auquel il appartenait à l'origine. Les demandes devront être présentées dans un délai de six mois à partir de l'entrée en vigueur du présent Traité.

8. Il incombera au Gouvernement requérant d'identifier le bien et d'en prouver la propriété et au Gouvernement hongrois d'apporter la preuve que le bien n'a pas été enlevé par force ou par contrainte.

Article 25

L'annulation de la Sentence de Vienne du 2 novembre 1938, prévue au paragraphe 4 de l'article 1 du présent Traité, entraînera de plein droit l'annulation des accords conclus en vertu de cette Sentence en matière de finances et d'assurances publiques et privées entre la Tchécoslovaquie et la Hongrie ou au nom de ces deux Etats, ou entre des personnes morales tchécoslovaques et hongroises, ainsi que l'annulation des conséquences légales de ces accords. De la même façon se trouve annulé le protocole du 22 mai 1940 concernant la livraison à la Hongrie de certaines catégories de matériel. Cette annulation ne s'appliquera en aucune façon aux relations entre personnes physiques. Les détails du règlement ci-dessus mentionné feront l'objet d'accords bilatéraux, qui devront être conclus par les Gouvernements intéressés dans les six mois qui suivront l'entrée en vigueur du présent Traité.

PARTIE VI

CLAUSES ECONOMIQUES

Article 26

1. Pour autant qu'elle ne l'a pas déjà fait, la Hongrie rétablira tous les droits et intérêts légaux en Hongrie des Nations Unies et de leurs ressortissants, tels qu'ils existaient au 1er septembre 1939 et restituera à ces Nations Unies et à leurs ressortissants tous les biens leur appartenant en Hongrie, dans l'état où ils se trouvent actuellement.

2. Le Gouvernement hongrois restituera tous les biens, droits et intérêts visés au présent article, libres de toutes hypothèques et charges quelconques dont ils auraient pu être grevés du fait de la guerre, et sans que cette restitution donne lieu à la perception d'aucune somme de la part du Gouvernement hongrois. Le Gouvernement hongrois annulera toutes mesures, y compris les mesures de saisie, de séquestre ou de contrôle, prises par lui à l'égard des biens des Nations Unies entre le 1er septembre 1939 et la date d'entrée en vigueur du présent Traité. Dans le cas où le bien n'aurait pas été restitué dans les six mois à compter de la date d'entrée en vigueur du présent Traité, la demande devra être présentée aux autorités hongroises dans un délai maximum de douze mois à compter de cette même date, sauf dans les cas où le demandeur serait en mesure d'établir qu'il lui a été impossible de présenter sa demande dans ce délai.

3. Le Gouvernement hongrois annulera les transferts portant sur des biens, droits et intérêts de toute nature appartenant à des ressortissants des Nations Unies, lorsque ces transferts résultent de mesures de force ou de contrainte prises au cours de la guerre par les Gouvernements des Puissances de l'Axe ou par leurs organes.

En ce qui concerne les ressortissants tchécoslovaques, ce paragraphe s'appliquera également aux transferts effectués après le 2 novembre 1938, par force ou par contrainte, ou par suite de mesures prises en vertu d'une législation présentant un caractère de discrimination par le Gouvernement hongrois ou ses organes en territoire tchécoslovaque annexé par la Hongrie.

4. *(a)* Le Gouvernement hongrois sera responsable de la remise en parfait état des biens restitués à des ressortissants des Nations Unies en

vertu du paragraphe 1 du présent article. Lorsqu'un bien ne pourra être restitué ou que, du fait de la guerre, le ressortissant d'une Nation Unie aura subi une perte par suite d'une atteinte ou d'un dommage causé à un bien en Hongrie, le Gouvernement hongrois indemnisera le propriétaire en versant une somme en monnaie légale hongroise jusqu'à concurrence des deux tiers de la somme nécessaire, à la date du paiement, pour permettre au bénéficiaire, soit d'acheter un bien équivalent, soit de compenser la perte ou le dommage subi. En aucun cas, les ressortissants des Nations Unies ne devront être l'objet d'un traitement moins favorable en matière d'indemnité que le traitement accordé aux ressortissants hongrois.

(b) Les ressortissants des Nations Unies qui détiennent directement ou indirectement des parts d'intérêts dans des sociétés ou associations qui ne possèdent pas la nationalité des Nations Unies au sens du paragraphe 9 *(a)* du présent article, mais qui ont subi une perte par suite d'atteintes ou de dommages causés à leurs biens en Hongrie recevront une indemnité conformément à l'alinéa *(a)* ci-dessus. Cette indemnité sera calculée en fonction de la perte ou du dommage total subi par la société ou l'association, et son montant par rapport au total de la perte ou du dommage subi aura la même proportion que la part d'intérêts détenue par lesdits ressortissants par rapport au capital global de la société ou association en question.

(c) L'indemnité sera versée, nette de tous prélèvements, impôts ou autres charges. Elle pourra être librement employée en Hongrie, mais sera soumise aux règlements relatifs au contrôle des changes qui pourront, à un moment donné, être en vigueur en Hongrie.

(d) Le Gouvernement hongrois accordera aux ressortissants des Nations Unies le même traitement qu'aux ressortissants hongrois, en ce qui concerne l'attribution des matériaux pour la réparation ou la remise en état de leurs biens en Hongrie, ainsi qu'en ce qui concerne l'attribution de devises étrangères en vue de l'importation de tels matériaux.

(e) Le Gouvernement hongrois accordera aux ressortissants des Nations Unies une indemnité en monnaie légale hongroise dans la même proportion que celle qui est prévue à l'alinéa *(a)* ci-dessus, pour compenser la perte ou les dommages qui résultent de mesures spéciales prises pendant

la guerre à l'encontre de leurs biens et qui ne visaient pas les biens hongrois. Cet alinéa ne s'applique pas à un manque à gagner.

5. Les dispositions du paragraphe 4 du présent article s'appliqueront à la Hongrie dans les cas où les mesures qui peuvent donner lieu à une demande de compensation pour les dommages causés à des biens situés en Transylvanie du Nord et appartenant aux Nations Unies ou à leurs ressortissants auront été prises pendant la période où ce territoire était soumis à la domination hongroise.

6. Tous les frais raisonnables auxquels donnera lieu, en Hongrie, l'établissement des demandes, y compris l'évaluation des pertes et des dommages, seront à la charge du Gouvernement hongrois.

7. Les ressortissants des Nations Unies ainsi que leurs biens seront exemptés de tous impôts, contributions ou taxes exceptionnels, auxquels le Gouvernement hongrois ou une autorité hongroise quelconque auraient soumis leurs avoirs en capital en Hongrie entre la date de l'Armistice et la date d'entrée en vigueur du présent Traité, en vue de couvrir les dépenses résultant de la guerre ou celles qui ont été entraînées par l'entretien des forces d'occupation ou par les réparations à payer à l'une des Nations Unies. Toutes les sommes qui auraient été ainsi perçues seront remboursées.

8. Le propriétaire des biens en question et le Gouvernement hongrois pourront conclure des arrangements qui se substitueront aux dispositions du présent article.

9. Aux fins du présent article:

(a) L'expression "ressortissants des Nations Unies" s'applique aux personnes physiques qui sont ressortissants de l'une quelconque des Nations Unies, ainsi qu'aux sociétés ou associations constituées sous le régime des lois de l'une des Nations Unies lors de l'entrée en vigueur du présent Traité, à condition que lesdites personnes physiques, sociétés ou associations aient déjà possédé ce statut à la date de l'armistice avec la Hongrie.

L'expression "ressortissants des Nations Unies" comprend également toutes les personnes physiques et les sociétés ou associations qui, aux termes de la législation en vigueur en Hongrie pendant la guerre, ont été traitées comme ennemis.

(b) Le terme "propriétaire" désigne soit un Etat membre des Nations Unies, soit le ressortissant d'une des Nations Unies tel qu'il est défini à l'alinéa *(a)* ci-dessus, qui a un titre légitime au bien en question, et s'applique au successeur du propriétaire, à condition que ce successeur soit aussi, soit un Etat membre des Nations Unies, soit un ressortissant d'une des Nations Unies au sens de l'alinéa *(a)*. Si le successeur a acheté le bien lorsque celui-ci était déjà endommagé, le vendeur conservera ses droits à l'indemnisation résultant du présent article, sans que les obligations existant entre le vendeur et l'acquéreur en vertu de la législation interne en soient affectées.

(c) Le terme "biens" désigne tous les biens mobiliers ou immobiliers, corporels ou incorporels, y compris les droits de propriété industrielle, littéraire et artistique, ainsi que tous droits ou intérêts de nature quelconque dans des biens.

10. Le Gouvernement hongrois reconnaît que l'accord de Brioni, en date du 10 août 1942, est nul et non avenu. Il s'engage à participer, avec les autres signataires de l'accord de Rome, en date du 29 mai 1923, à toutes négociations ayant pour objet d'introduire dans ses dispositions, les modifications nécessaires en vue d'assurer un règlement équitable des annuités qu'il prévoit.

Article 27

1. La Hongrie prend l'engagement, dans tous les cas où les biens, les droits ou intérêts légaux en Hongrie des personnes se trouvant sous la juridiction hongroise depuis le 1er septembre 1939, ont fait l'objet de mesures de séquestre, de saisie ou d'administration forcée en raison de l'origine raciale ou de la religion de ces personnes, de restituer lesdits biens, et de rétablir lesdits droits et intérêts légaux, ainsi que les droits qui s'y rattachent ou, si cette restitution ou ce rétablissement sont impossibles, de fournir à cet égard une compensation équitable.

2. Tous les biens, droits et intérêts en Hongrie de personnes, d'organisations ou de communautés qui, individuellement ou collectivement, ont été l'objet de mesures de persécution, pour un motif racial ou religieux ou pour tout autre motif d'inspiration fasciste, et qui, pendant une période de six mois à partir de la date d'entrée en vigueur du présent Traité sont restés en deshérence ou n'ont fait l'objet d'aucune revendication, seront transférés

par le Gouvernement hongrois aux organisations qui représentent en Hongrie lesdites personnes, organisations ou communautés. Les biens transférés seront employés par ces organisations à l'assistance et au relèvement des membres survivants de ces groupes, organisations et communautés en Hongrie. Ces transferts seront effectués dans un délai de douze mois à partir de la date d'entrée en vigueur du Traité et porteront également sur les biens qui doivent être restitués et sur les droits et intérêts qui doivent être rétablis aux termes du paragraphe 1 du présent article.

Article 28

La Hongrie reconnait que l'Union Soviétique a droit à tous les avoirs allemands en Hongrie transférés à l'Union Soviétique par le Conseil de Contrôle en Allemagne et elle s'engage à prendre toutes les mesures nécessaires pour faciliter ces transferts.

Article 29

1. Chacune des Puissances Alliées ou Associées aura le droit de saisir, retenir ou liquider tous les biens, droits et intérêts qui, à la date d'entrée en vigueur du présent Traité, se trouvent sur son territoire et appartiennent à la Hongrie ou à des ressortissants hongrois, et de prendre toute autre disposition en ce qui concerne ces biens, droits et intérêts. Elle aura également le droit d'employer ces biens ou le produit de leur liquidation à telles fins qu'elle pourra désirer, à concurrence du montant de ses réclamations et de celles de ses ressortissants contre la Hongrie ou les ressortissants hongrois (y compris les créances), qui n'auront pas été entièrement réglées en vertu d'autres articles du présent Traité. Tous les biens hongrois ou le produit de leur liquidation, en excédent du montant desdites réclamations, seront restitués.

2. La liquidation des biens hongrois et les mesures de disposition dont ils feront l'objet devront s'effectuer conformément à la législation de la Puissance Alliée ou Associée intéressée. En ce qui concerne lesdits biens, le propriétaire hongrois n'aura pas d'autres droits que ceux que peut lui conférer la législation en question.

3. Le Gouvernement hongrois s'engage à indemniser les ressortissants hongrois dont les biens seront saisis en vertu du présent article et auxquels ces biens ne seront pas restitués.

4. Il ne résulte du présent article aucune obligation, pour l'une quelconque des Puissances Alliées ou Associées, de restituer au Gouvernement ou aux ressortissants hongrois des droits de propriété industrielle, ni de faire entrer ces droits dans le calcul des sommes qui pourront être retenues en vertu du paragraphe 1 du présent article. Le Gouvernement de chacune des Puissances Alliées ou Associées aura le droit d'imposer aux droits ou intérêts afférents à la propriété industrielle sur le territoire de cette Puissance Alliée ou Associée, acquis par le Gouvernement hongrois ou ses ressortissants avant l'entrée en vigueur du présent Traité, telles limitations, conditions ou restrictions que le gouvernement de la Puissance Alliée ou Associée intéressée pourra considérer comme nécessaires dans l'intérêt national.

5. Les biens visés au paragraphe 1 du présent article seront considérés comme comprenant les biens hongrois qui ont fait l'objet de mesures de contrôle en raison de l'état de guerre existant entre la Hongrie et la Puissance Alliée ou Associée dans la juridiction de laquelle les biens sont situés, mais ne comprendront pas:

(a) les biens du Gouvernement hongrois utilisés pour les besoins des missions diplomatiques ou consulaires;

(b) les biens appartenant à des institutions religieuses ou à des institutions philanthropiques privées et servant à des fins religieuses ou philanthropiques;

(c) les biens des personnes physiques qui sont des ressortissants hongrois et sont autorisées à résider, soit sur le territoire du pays où sont situés ces biens, soit sur le territoire de l'une quelconque des Nations Unies, autres que les biens hongrois qui, à un moment quelconque au cours de la guerre, ont fait l'objet de mesures qui ne s'appliquaient pas d'une manière générale aux biens des ressortissants hongrois résidant sur le territoire en question;

(d) les droits de propriété nés depuis la reprise des relations commerciales et financières entre les Puissances Alliées et Associées et la Hongrie, ou nés de transactions entre le Gouvernement d'une Puissance Alliée ou Associée et la Hongrie depuis le 20 janvier 1945;

(e) les droits de propriété littéraire et artistique.

Article 30

1. A dater de l'entrée en vigueur du présent Traité, les biens, en Allemagne, de l'Etat et des ressortissants hongrois ne seront plus considérés comme biens ennemis et toutes les restrictions résultant de leur caractère ennemi seront levées.

2. Les biens identifiables de l'Etat et des ressortissants hongrois que les forces armées ou les autorités allemandes ont enlevés, par force ou par contrainte, du territoire hongrois, et emportés en Allemagne après le 20 janvier 1945 donneront lieu à restitution.

3. Le rétablisement des droits de propriété ainsi que la restitution des biens hongrois en Allemagne seront effectués conformément aux mesures qui seront arrêtées par les Puissances occupant l'Allemagne.

4. Sans préjudice de ces dispositions et de toutes autres qui seraient prises en faveur de la Hongrie et des ressortissants hongrois par les Puissances occupant l'Allemagne, la Hongrie renonce, en son nom et au nom des ressortissants hongrois, à toutes réclamations contre l'Allemagne et les ressortissants allemands qui n'étaient pas réglées au 8 mai 1945, à l'exception de celles qui résultent de contrats et d'autres obligations qui étaient en vigueur ainsi que de droits qui étaient acquis avant le 1er septembre 1939. Cette renonciation sera considérée comme s'appliquant aux créances, à toutes les réclamations de caractère intergouvernemental relatives à des accords conclus au cours de la guerre et à toutes les réclamations portant sur des pertes ou des dommages survenus pendant la guerre.

Article 31

1. L'existence de l'état de guerre ne doit pas être considérée en soi comme affectant l'obligation d'acquitter les dettes pécuniaires résultant d'obligations et de contrats qui étaient en vigueur et de droits qui étaient acquis avant l'existence de l'état de guerre, dettes qui étaient devenues exigibles avant l'entrée en vigueur du présent Traité et qui sont dues, soit par le Gouvernement ou les ressortissants hongrois au Gouvernement ou aux ressortissants de l'une des Puissances Alliées ou Associées, soit par le Gouvernement ou les ressortissants d'une des Puissances Alliées ou Associées au Gouvernement ou aux ressortissants hongrois.

2. Sauf dispositions expressément contraires du présent Traité, aucune clause de ce Traité ne devra être interprétée comme affectant les rapports de débiteurs à créanciers résultant de contrats conclus avant la guerre soit par le Gouvernement soit par des ressortissants hongrois.

Article 32

1. La Hongrie renonce, au nom du Gouvernement hongrois et des ressortissants hongrois, à faire valoir contre les Puissances Alliées et Associées, toute réclamation de quelque nature que ce soit résultant directement de la guerre ou de mesures prises par suite de l'existence d'un état de guerre en Europe après le 1er septembre 1939, que la Puissance Alliée ou Associée intéressée ait été ou non en guerre avec la Hongrie à l'époque.

Sont incluses dans cette renonciation:

(a) les réclamations relatives à des pertes ou dommages subis par suite de l'action des forces armées ou des autorités de Puissances Alliées ou Associées;

(b) les réclamations résultant de la présence, des opérations ou de l'action des forces armées ou des autorités de Puissances Alliées ou Associées sur le territoire hongrois;

(c) les réclamations portant sur les décisions ou les ordonnances des tribunaux de prises de Puissances Alliées ou Associées, la Hongrie acceptant de reconnaître comme valides et comme ayant force exécutoire toutes les décisions et ordonnances desdits tribunaux de prises rendues au 1er septembre 1939 ou postérieurement à cette date et concernant les navires hongrois, les marchandises hongroises ou le paiement des frais;

(d) les réclamations résultant de l'exercice des droits de belligérance ou de mesures prises en vue de l'exercice de ces droits.

2. Les dispositions du présent article excluront complètement et définitivement toutes réclamations de la nature de celles qui y sont visées et qui seront dès lors éteintes, quelles que soient les parties intéressées. Le Gouvernement hongrois accepte de verser, en monnaie légale hongroise, une indemnité équitable pour satisfaire les réclamations des personnes qui ont fourni, sur réquisition, des marchandises ou des services aux forces armées de Puissances Alliées ou Associées sur le territoire hongrois, ainsi que les réclamations portées contre les forces armées de Puissances Alliées ou

Associées, relatives à des dommages causés sur le territoire hongrois et ne résultant pas de faits de guerre.

3. La Hongrie renonce également, au nom du Gouvernement hongrois et des ressortissants hongrois, à faire valoir des réclamations de la nature de celles qui sont visées au paragraphe 1 du présent article, contre l'une quelconque des Nations Unies dont les relations diplomatiques avec la Hongrie ont été rompues pendant la guerre et qui a pris des mesures en coopération avec les Puissances Alliées et Associées.

4. Le Gouvernement hongrois assumera la responsabilité de toute la monnaie militaire alliée émise en Hongrie par les autorités militaires alliées, y compris toute la monnaie de cette nature en circulation à la date d'entrée en vigueur du présent Traité.

5. La renonciation à laquelle la Hongrie souscrit aux termes du paragraphe 1 du présent article s'étend à toutes les réclamations portant sur les mesures prises par l'une quelconque des Puissances Alliées ou Associées à l'égard des navires hongrois entre le 1er septembre 1939 et la date d'entrée en vigueur du présent Traité, ainsi qu'à toutes les réclamations et créances résultant des conventions sur les prisonniers de guerre actuellement en vigueur.

Article 33

1. En attendant la conclusion de traités ou d'accords commerciaux entre l'une quelconque des Nations Unies et la Hongrie, le Gouvernement hongrois devra, pendant les dix-huit mois qui suivront la date d'entrée en vigueur du présent Traité, accorder à chacune des Nations Unies qui, en fait, accordent par voie de réciprocité un traitement analogue à la Hongrie dans ces domaines, le traitement suivant:

(a) Pour tout ce qui concerne les droits et redevances à l'importation ou à l'exportation, l'imposition à l'intérieur du pays des marchandises importées, et tous les règlements qui s'y rapportent, les Nations Unies bénéficieront de la clause inconditionnelle de la nation la plus favorisée;

(b) La Hongrie ne pratiquera, à tous autres égards, aucune discrimination arbitraire au détriment des marchandises en provenance ou à destination du territoire d'une Nation Unie par rapport aux marchandises analo-

gues en provenance ou à destination du territoire de toute autre Nation Unie ou de tout autre pays étranger;

(c) Les ressortissants des Nations Unies, y compris les personnes morales, bénéficieront du traitement national et de celui de la nation la plus favorisée pour tout ce qui a trait au commerce, à l'industrie, à la navigation et aux autres formes d'activité commerciale en Hongrie. Ces dispositions ne s'appliqueront pas à l'aviation commerciale;

(d) La Hongrie n'accordera à aucun pays de droit exclusif ou préférentiel en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux; elle offrira des conditions d'égalité à toutes les Nations Unies pour l'obtention de droits en matière de transports aériens commerciaux internationaux sur le territoire hongrois, y compris le droit d'atterrir à des fins de ravitaillement et de réparation et, en ce qui concerne l'exploitation des services aériens commerciaux pour les transports internationaux, elle accordera à toutes les Nations Unies, suivant le principe de la réciprocité et de la non-discrimination, le droit de survoler le territoire hongrois sans escale. Ces dispositions n'affecteront pas les intérêts de la défense nationale de la Hongrie.

2. Les engagements ci-dessus pris par la Hongrie doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par la Hongrie avant la guerre; les dispositions relatives à la réciprocité accordée par chacune des Nations Unies doivent s'entendre sous réserve des exceptions usuelles des traités de commerce conclus par celle-ci.

Article 34

La Hongrie facilitera, dans la mesure du possible, les transports ferroviaires en transit par son territoire, à des tarifs raisonnables, et se prêtera à la conclusion avec les Etats voisins sur une base de réciprocité, de tous accords nécessaires à cet effet.

Article 35

1. Tous les différends qui pourront s'élever à propos de l'application des articles 24, 25 et 26, ainsi que des annexes IV, V et VI du présent Traité, seront soumis à une commission de conciliation composée en nombre égal de représentants du Gouvernement de la Nation Unie intéressée et de représentants du Gouvernement hongrois. Si un règlement n'est pas

intervenu dans les trois mois qui suivront la date à laquelle le différend a été soumis à la commission de conciliation, l'un ou l'autre Gouvernement pourra demander l'adjonction à la commission d'un tiers membre; à défaut d'accord entre les deux Gouvernements sur le choix de ce membre, l'un ou l'autre d'entre eux pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision de la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 36

Les articles 24, 26, 33 et l'annexe VI du présent Traité s'appliqueront aux Puissances Alliées et Associées et à la France, ainsi qu'à celles des Nations Unies dont les relations diplomatiques avec la Hongrie ont été rompues pendant la guerre.

Article 37

Les dispositions des annexes IV, V et VI ainsi que celles des autres annexes seront considérées comme faisant partie intégrante du présent Traité, et auront la même valeur et les mêmes effets.

PARTIE VII

CLAUSES RELATIVES AU DANUBE

Article 38

La navigation sur le Danube sera libre et ouverte aux ressortissants, aux bateaux marchands et aux marchandises de tous les Etats sur un pied d'égalité, en ce qui concerne les droits de port et les taxes sur la navigation, ainsi que les conditions auxquelles est soumise la navigation commerciale. Les dispositions ci-dessus ne seront pas applicables au trafic entre les ports d'un même Etat.

PARTIE VIII

CLAUSES FINALES

Article 39

1. Pendant une période qui n'excédera pas dix-huit mois à partir de l'entrée en vigueur du présent Traité, les Chefs des missions diplomatiques

à Budapest des Etats-Unis d'Amérique, du Royaume-Uni et de l'Union Soviétique, agissant de concert, représenteront les Puissances Alliées et Associées pour traiter avec le Gouvernement hongrois de toutes questions relatives à l'exécution et à l'interprétation du présent Traité.

2. Ces trois Chefs de Mission donneront au Gouvernement hongrois les conseils, avis techniques et éclaircissements qui pourront être nécessaires pour assurer l'exécution rapide et efficace du présent Traité, aussi bien dans sa lettre que dans son esprit.

3. Le Gouvernement hongrois fournira à ces trois Chefs de Mission toutes les informations nécessaires et toute l'aide dont ils pourront avoir besoin dans l'accomplissement des tâches qui leur sont dévolues par le présent Traité.

Article 40

1. Exception faite des cas pour lesquels une autre procédure est expressément prévue par un article du présent Traité, tout différend relatif à l'interprétation ou à l'exécution de ce Traité, qui n'a pas été réglé par voie de négociations diplomatiques directes, sera soumis aux trois Chefs de Mission, agissant comme il est prévu à l'article 39, mais, en pareil cas, ces Chefs de Mission ne seront pas tenus par les délais fixés dans ledit article. Tout différend de cette nature qu'ils n'auraient pas encore réglé dans un délai de deux mois sera, sauf si les parties au différend conviennent l'une et l'autre d'un autre mode de règlement, soumis, à la requête de l'une ou l'autre des parties, à une commission composée d'un représentant de chaque partie et d'un tiers membre choisi d'un commun accord entre les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans un délai d'un mois entre les deux parties au sujet de la désignation de ce tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation.

2. La décision prise par la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

Article 41

1. Tout membre de l'Organisation des Nations Unies, en guerre avec la Hongrie et qui n'est pas signataire du présent Traité, peut accéder

au Traité et sera considéré dès son accession comme Puissance Associée pour l'application du Traité.

2. Les instruments d'accession seront déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes et prendront effet dès leur dépôt.

Article 42

Le présent Traité, dont les textes russe et anglais feront foi, devra être ratifié par les Puissances Alliées et Associées. Il devra également être ratifié par la Hongrie. Il entrera en vigueur immédiatement après le dépôt des ratifications par les Etats-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques Soviétiques Socialistes. Les instruments de ratification seront, dans le plus bref délai possible, déposés près le Gouvernement de l'Union des Républiques Soviétiques Socialistes.

En ce qui concerne chacune des Puissances Alliées ou Associées dont l'instrument de ratification sera déposé ultérieurement, le Traité entrera en vigueur à la date du dépôt. Le présent Traité sera déposé dans les archives du Gouvernement de l'Union des Républiques Soviétiques Socialistes, qui en remettra à chacun des Etats signataires une copie certifiée conforme.

LISTE DES ANNEXES

Annexe I. Cartes des frontières de la Hongrie

Annexe II. Définition de l'instruction militaire et aérienne

Annexe III. Définition et liste du matériel de guerre

Annexe IV. Dispositions spéciales concernant certaines catégories de biens:

A. Propriété industrielle, littéraire et artistique

B. Assurances

Annexe V. Contrats, prescription, effets de commerce

Annexe VI. Jugements

ANNEXE I

(voir article 1)

Cartes

1. Frontières de la Hongrie

1*(a)* Rectification de la frontière hungaro-tchécoslovaque.

ANNEXE II

(voir article 14)

Définition de l'instruction militaire et aérienne

1. L'instruction militaire est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés à des fins militaires, et des dispositifs d'instruction s'y rapportant, l'étude et l'exécution de tous exercices ou manoeuvres utilisés dans l'enseignement ou la pratique des évolutions exécutées par les forces au combat, et l'étude méthodique de la tactique, de la stratégie et du travail d'état-major.

2. L'instruction militaire aérienne est définie comme suit: l'étude et la pratique de l'emploi de tous armements spécialement destinés ou adaptés aux fins d'une aviation militaire et des dispositifs d'instruction s'y rapportant, l'étude et la pratique de toutes manoeuvres spéciales, y compris le vol en formation, exécutées par des avions dans l'accomplissement d'une mission aérienne militaire et l'étude méthodique de la tactique aérienne, de la stratégie et du travail d'état-major.

ANNEXE III

(voir article 17)

Définition et liste du matériel de guerre

Le terme "matériel de guerre" aux fins du présent Traité s'applique à toutes les armes et munitions et à tout le matériel spécialement conçus et adaptés à des fins de guerre, qui sont énumérés ci-dessous.

Les Puissances Alliées et Associées se réservent le droit d'amender périodiquement la liste, en la modifiant ou en la complétant, pour tenir compte des faits nouveaux qui pourront se produire dans le domaine de la science.

Catégorie I

1. Fusils, carabines, revolvers et pistolets de type militaire; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil.

2. Mitrailleuses, fusils de guerre automatiques ou à répétition et pistolets mitrailleurs; canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts de mitrailleuses.

3. Canons, obusiers, mortiers, canons spéciaux pour l'aviation; canons sans culasse ou sans recul et lance-flammes, canons de rechange pour ces armes et autres pièces détachées non aisément adaptables à un usage civil; affûts mobiles et supports fixes pour ces armes.

4. Lance-fusées; mécanismes de lancement et de contrôle pour projectiles auto-moteurs et dirigés; supports pour ces appareils.

5. Projectiles auto-moteurs et dirigés, projectiles, fusées, munitions et cartouches, chargés ou vides, pour les armes énumérées aux alinéas 1 à 4 ci-dessus, ainsi que fusées, étoupilles ou appareils servant à les faire exploser ou fonctionner non compris les amorçages nécessaires pour les besoins civils.

6. Grenades, bombes, torpilles, mines, grenades sous-marines (charges de profondeur), matériel et charges incendiaires, chargés ou vides; tous dispositifs permettant de les faire exploser ou fonctionner, non compris les amorçages nécessaires pour les besoins civils.

7. Baïonnettes.

Catégorie II

1. Véhicules de combat blindés; trains blindés qui techniquement ne peuvent être transformés en vue d'usages civils.

2. Véhicules mécaniques ou auto-moteurs pour toutes les armes énumérées dans la catégorie I; châssis ou carrosseries militaires de types spéciaux, autres que ceux qui sont énumérés à l'alinéa 1 ci-dessus.

3. Blindages de plus de 3 pouces d'épaisseur, employés dans la guerre à des usages de protection.

Catégorie III

1. Système de pointage et de calcul pour le contrôle du tir comprenant les appareils régleurs de tir et les appareils d'enregistrement; instruments de direction du tir; hausses de canon; viseurs de bombardement; régleurs de fusées; calibres pour la vérification des canons et des instruments de contrôle du tir.

2. Matériel de pontage d'assaut, bâtiments d'assaut et d'attaque.

3. Dispositifs pour ruses de guerre, dispositifs d'éblouissement et pièges.

4. Equipement militaire du personnel des forces armées de caractère spécialisé, qui n'est pas aisément adaptable à des usages civils.

Catégorie IV

1. Navires de guerre de toutes classes, y compris les navires transformés et les embarcations conçus ou prévus pour leur service et leur appui, qui techniquement ne sont pas transformables en vue d'usages civils, ainsi que les armes, blindages, munitions, avions ou tout autre équipement, matériel, machines et installations qui ne sont pas utilisés en temps de paix sur d'autres bateaux que les navires de guerre.

2. Bâtiments de débarquement et véhicules ou matériel amphibies de toute nature; bâtiments d'assaut ou matériel d'assaut de tout type, ainsi que catapultes ou autres appareils de mise à l'eau ou de lancement d'avions, fusées, armes propulsées ou tout autre projectile, instrument ou système, avec ou sans équipage et qu'ils soient guidés ou non.

3. Navires, engins, armes, systèmes ou appareils de toute sorte, qu'ils soient submersibles ou semi-submersibles, y compris les estacades spécialement conçues pour la défense des ports, à l'exception du matériel nécessaire pour la récupération, le sauvetage et autres usages civils, ainsi que tout l'équipement, tous les accessoires, les pièces détachées, les dispositifs d'expérimentation ou d'instruction, les instruments ou les installations, qui peuvent être spécialement conçus en vue de la construction, du contrôle,

de l'entretien ou du logement de ces navires, engins, armes, systèmes ou appareils.

Catégorie V

1. Aéronefs montés ou démontés, plus lourds ou plus légers que l'air, conçus ou adaptés en vue du combat aérien par l'emploi de mitrailleuses, de lance-fusées, d'artillerie, ou en vue du transport ou du lancement de bombes, ou qui sont pourvus de l'un quelconque des dispositifs figurant à l'alinéa 2 ci-dessous, ou qui, du fait de leur conception ou de leur construction, peuvent être aisément munis de l'un de ces dispositifs.

2. Supports et bâtis pour canons aériens, lance-bombes, porte-torpilles et dispositifs de largage de bombes ou de torpilles, tourelles et coupoles pour canons.

3. Equipement spécialement conçu pour troupes aéroportées et utilisé seulement par ces troupes.

4. Catapultes ou systèmes de lancement pour avions embarqués, avions terrestres ou hydravions; appareils de lancement de projectiles volants.

5. Ballons de barrage.

Catégorie VI

Tous produits asphyxiants, mortels, toxiques ou susceptibles de mettre hors de combat, destinés à des fins de guerre ou fabriqués en quantités qui excèdent les besoins civils.

Catégorie VII

Propulseurs, explosifs, matériel pyrotechnique ou gaz liquéfiés, destinés à la propulsion, l'explosion, la charge, le remplissage du matériel de guerre décrit dans les catégories ci-dessus, ou à tout usage en liaison avec ce matériel, qui ne sont pas utilisables à des fins civiles ou qui sont fabriqués en quantités qui excèdent les besoins civils.

Catégorie VIII

Installations et outillages industriels spécialement conçus en vue de la production et de la conservation des produits et du matériel énumérés dans les catégories ci-dessus et qui ne peuvent pas être techniquement transformés à des fins civiles.

ANNEXE IV

Dispositions spéciales concernant certaines catégories de biens

A. Propriété industrielle, littéraire et artistique

1. *(a)* Un délai d'un an à compter de la date d'entrée en vigueur du présent Traité sera accordé aux Puissances Alliées et Associées et à leurs ressortissants sans paiement de droits de prorogation ou autres sanctions quelconques, en vue de leur permettre d'accomplir tous les actes nécessaires pour l'obtention ou la conservation en Hongrie, des droits de propriété industrielle, littéraire ou artistique, qui n'ont pu être accomplis par suite de l'existence de l'état de guerre.

(b) Les Puissances Alliées et Associées ou leurs ressortissants qui auront fait, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, une demande soit pour l'obtention d'un brevet ou l'enregistrement d'un modèle d'utilité au plus tôt douze mois avant l'ouverture des hostilités avec la Hongrie ou au cours de celles-ci, soit pour l'enregistrement d'un dessin industriel, d'un modèle ou d'une marque de fabrique au plus tôt six mois avant l'ouverture des hostilités avec la Hongrie ou au cours de celles-ci, auront le droit, pendant une période de douze mois à compter de la date d'entrée en vigueur du présent Traité, de demander des droits correspondants en Hongrie, avec un droit de priorité fondé sur le dépôt antérieur de leur demande sur le territoire de cette Puissance Alliée ou Associée.

(c) Il sera accordé à chacune des Puissances Alliées ou Associées et à ses ressortissants, à partir de la date d'entrée en vigueur du présent Traité, un délai d'un an pendant lequel ils pourront engager des poursuites en Hongrie contre les personnes physiques ou morales auxquelles serait imputé un empiétement illégal sur leurs droits de propriété industrielle, littéraire ou artistique entre la date de l'ouverture des hostilités et celle de l'entrée en vigueur du présent Traité.

2. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et l'expiration du dix-huitième mois qui suivra la date d'entrée en vigueur du présent Traité, dans la détermination de la période pendant laquelle un brevet d'invention doit être exploité, ou pendant laquelle un modèle ou une marque de fabrique doit être utilisé.

3. Il ne sera pas tenu compte de la période comprise entre l'ouverture des hostilités et la date d'entrée en vigueur du présent Traité dans le calcul de la durée normale de validité des droits de propriété industrielle, littéraire et artistique qui étaient en vigueur en Hongrie à l'ouverture des hostilités ou qui seront reconnus ou établis dans les conditions prévues à la partie A de la présente annexe, et qui appartiennent à l'une des Puissances Alliées ou Associées ou à ses ressortissants. La durée normale de validité de ces droits sera, par conséquent, considérée comme automatiquement prolongée en Hongrie, d'une nouvelle période correspondant à celle qui aura été ainsi exclue du décompte.

4. Les dispositions précédentes concernant les droits en Hongrie des Puissances Alliées et Associées et de leurs ressortissants devront également s'appliquer aux droits de la Hongrie et de ses ressortissants dans les territoires des Puissances Alliées et Associées. Toutefois, aucune de ces dispositions ne donnera à la Hongrie ou à ses ressortissants droit à un traitement plus favorable sur le territoire de l'une des Puissances Alliées ou Associées, que celui qui est accordé, dans les mêmes cas, par cette Puissance à l'une quelconque des autres Nations Unies ou à ses ressortissants; la Hongrie ne sera pas non plus tenue, en vertu de ces dispositions, d'accorder à l'une des Puissances Alliées ou Associées ou à ses ressortissants, un traitement plus favorable que celui dont la Hongrie ou ses ressortissants bénéficient sur le territoire de cette Puissance relativement aux matières auxquelles s'appliquent les précédentes dispositions.

5. Les tiers résidant sur le territoire de l'une quelconque des Puissances Alliées ou Associées ou sur le territoire hongrois, qui, avant la date d'entrée en vigueur du présent Traité, ont acquis de bonne foi des droits de propriété industrielle, littéraire ou artistique, se trouvant en opposition avec des droits rétablis en vertu de la partie A de la présente annexe ou avec des droits obtenus grâce à la priorité qui leur est accordée en vertu des présentes dispositions, ou qui, de bonne foi, ont fabriqué, publié, reproduit, utilisé ou vendu l'objet de ces droits, seront autorisés à continuer d'exercer les droits qu'ils avaient acquis de bonne foi et à poursuivre ou reprendre la fabrication, la publication, la reproduction, l'utilisation ou la vente qu'ils avaient entreprises de bonne foi, sans s'exposer à des poursuites pour empiétement. L'autorisation sera donnée en

Hongrie, sous la forme d'une licence sans exclusivité, qui sera accordée à des conditions à fixer par entente entre les parties intéressées, ou, à défaut d'entente, par la commission de conciliation constituée en vertu de l'article 35 du présent Traité. Toutefois, dans les territoires de chacune des Puissances Alliées ou Associées, les tiers de bonne foi bénéficieront de la protection qui est accordée, dans les cas analogues, aux tiers de bonne foi dont les droits sont en opposition avec ceux de ressortissants des autres Puissances Alliées et Associées.

6. Aucune disposition de la partie A de la présente annexe ne devra être interprétée comme donnant à la Hongrie ou à ses ressortissants, sur le territoire de l'une quelconque des Puissances Alliées ou Associées, des droits à des brevets ou à des modèles d'utilité pour des inventions relatives à un article quelconque expressément désigné à l'annexe III du présent Traité, inventions qui ont été faites ou au sujet desquelles des demandes d'enregistrement ont été déposées par la Hongrie ou par l'un de ses ressortissants, en Hongrie ou sur le Territoire d'une autre Puissance de l'Axe ou sur un territoire occupé par les forces de l'Axe, pendant le temps où le territoire en question se trouvait sous le contrôle des forces ou des autorités des Puissances de l'Axe.

7. La Hongrie accordera également le bénéfice des dispositions précédentes de la présente annexe à la France, et aux autres Nations Unies qui ne sont pas des Puissances Alliées ou Associées, dont les relations diplomatiques avec la Hongrie ont été rompues pendant la guerre et qui s'engageront à accorder à la Hongrie les avantages conférés à ce pays en vertu desdites dispositions.

8. Aucune disposition de la partie A de la présente annexe ne doit s'entendre comme étant en contradiction avec les articles 26, 29 et 31 du présent Traité.

B. Assurances

1. Exception faite des restrictions s'appliquant aux assureurs en général, il ne sera fait aucun obstacle à la reprise par les assureurs qui sont ressortissants des Nations Unies de leurs anciens portefeuilles.

2. Si un assureur, ressortissant d'une des Nations Unies, désire reprendre son activité professionnelle en Hongrie et si la valeur des dépôts de garantie ou des réserves exigées en Hongrie des entreprises d'assurances pour l'exercice de leur activité a diminué du fait de la perte ou de la dépréciation des titres qui les constituaient, le Gouvernement hongrois s'engage à accepter, pendant une période de dix-huit mois ce qu'il reste de ces titres comme satisfaisant entièrement aux prescriptions légales concernant les dépôts et les réserves.

ANNEXE V

Contrats, prescription, effets de commerce

A. CONTRATS

1. Sauf exceptions énoncées dans les paragraphes 2 et 3 ci-dessous, tout contrat ayant nécessité, pour son exécution, des rapports entre des parties qui sont devenues ennemies au sens de la partie D de la présente annexe, sera tenu pour résilié depuis le moment où l'une quelconque des parties est devenue un ennemi. Toutefois, cette résiliation s'entendra sans préjudice des dispositions de l'article 31 du présent Traité; elle ne relèvera pas non plus l'une quelconque des parties au contrat de l'obligation de reverser les sommes perçues à titre d'avances ou d'acomptes et pour lesquelles la partie intéressée n'a pas fourni de contre-partie.

2. Nonobstant les dispositions du paragraphe 1 ci-dessus, les stipulations de tout contrat qui pourront être dissociées et dont l'exécution ne nécessitait pas de rapports entre les parties qui sont devenues ennemies au sens de la partie D de la présente annexe, ne seront pas résiliées et demeureront en vigueur sans préjudice des droits énoncés à l'article 29 du présent Traité. Si les stipulations d'un contrat ne peuvent pas être ainsi dissociées, le contrat sera tenu comme étant intégralement résilié. Les dispositions qui précèdent s'entendent sous réserve de l'application des lois, ordonnances et règlements nationaux édictés par telle ou telle des Puissances Alliées ou Associées de la juridiction de laquelle relève le contrat ou l'une quelconque des parties au contrat et sous réserve des stipulations du contrat.

3. Aucune disposition de la partie A de la présente annexe ne sera considérée comme annulant les transactions légalement effectuées conformément à un contrat passé entre ennemis si ces transactions ont été exécutées avec l'autorisation du Gouvernement d'une des Puissances Alliées ou Associées.

4. Nonobstant les dispositions qui précèdent, les contrats d'assurance et de réassurance feront l'objet de conventions distinctes entre le Gouvernement de la Puissance Alliée ou Associée intéressée et le Gouvernement hongrois.

B. PRESCRIPTION

1. Tous les délais de prescription ou de limitation du droit d'engager ou de poursuivre une action judiciaire ou du droit de prendre des mesures conservatoires dans les rapports juridiques intéressant des personnes ou des biens, mettant en cause des ressortissants des Nations Unies et des ressortissants hongrois qui, en raison de l'état de guerre, n'ont pas pu engager ou poursuivre une action judiciaire, ou accomplir les formalités nécessaires pour sauvegarder leurs droits, que ces délais aient commencé à courir avant ou après l'ouverture des hostilités, seront considérés comme ayant été suspendus, pendant la durée de la guerre, sur le territoire hongrois d'une part, et sur le territoire de celles des Nations Unies qui, conformément au principe de la réciprocité, accordent à la Hongrie le bénéfice des dispositions du présent paragraphe, d'autre part. Ces délais commenceront à courir dès la date d'entrée en vigueur du présent Traité. Les dispositions du présent paragraphe s'appliqueront aux délais fixés pour le dépôt des coupons d'intérêts ou de dividendes ou pour le dépôt, en vue du remboursement, des valeurs sorties au tirage ou remboursables pour tout autre motif.

2. Lorsqu'en raison de l'inexécution d'un acte ou de l'omission d'une formalité quelconque pendant la guerre, des mesures d'exécution ont été prises sur le territoire hongrois au préjudice d'un ressortissant d'une Nation Unie, le Gouvernement hongrois rétablira les droits lésés. Si le rétablissement de ces droits est impossible ou devait être inéquitable, le Gouvernement hongrois fera le nécessaire pour que l'intéressé reçoive telle compensation qui, en l'occurrence paraîtra juste et équitable.

C. EFFETS DE COMMERCE

1. Dans les relations entre ennemis, aucun effet de commerce souscrit avant la guerre ne sera considéré comme n'étant plus valable pour la seule raison qu'il n'a pas été présenté à l'acceptation ou à l'encaissement dans les délais prescrits, ou que le tireur ou l'endosseur n'a pas été avisé dans ces délais que l'effet en question n'a pas été accepté ou payé, ou qu'il n'a pas été protesté dans lesdits délais, ou qu'une formalité quelconque a été omise pendant la guerre.

2. Si le délai au cours duquel un effet de commerce aurait dû être présenté à l'acceptation ou à l'encaissement, ou dans lequel un avis de non-acceptation ou de non-paiement aurait dû être donné au tireur ou à l'endosseur, ou durant lequel l'effet aurait dû être protesté, est arrivé à expiration pendant la guerre, et si la partie qui aurait dû présenter ou protester l'effet ou aviser du défaut d'acceptation ou du défaut de paiement a omis de le faire pendant la guerre, il sera accordé un délai de trois mois au moins à partir de la date d'entrée en vigueur du présent Traité pendant lequel il sera possible de présenter ou de protester ledit effet ou de donner avis de son défaut d'acceptation ou son défaut de paiement.

3. Si une personne s'est obligée, soit avant, soit pendant la guerre, au paiement d'un effet de commerce, à la suite d'un engagement pris envers elle par une autre personne devenue ultérieurement ennemie, celle-ci reste tenue, malgré l'ouverture des hostilités, de garantir la première des conséquences de son obligation.

D. DISPOSITIONS SPÉCIALES

1. Aux fins de la présente annexe, les personnes physiques ou morales seront considérées comme étant devenues ennemies à partir de la date où tout commerce entre elles est devenu illégal, aux termes des lois, ordonnances ou règlements auxquels ces personnes ou le contrat étaient soumis.

2. Etant donné le système juridique des Etats-Unis d'Amérique, les dispositions de cette annexe ne s'appliqueront pas aux relations entre les Etats-Unis d'Amérique et la Hongrie.

ANNEXE VI

Jugements

Le Gouvernement hongrois prendra les mesures nécessaires pour permettre aux ressortissants de l'une quelconque des Nations Unies, à tout moment dans un délai d'un an à compter de la date d'entrée en vigueur du présent Traité, d'intenter devant les autorités hongroises compétentes une action en révision de tout jugement rendu par un tribunal hongrois entre le 10 avril 1941 et la date d'entrée en vigueur du présent Traité dans tout procès dans lequel le ressortissant d'une des Nations Unies n'a pas été à même d'exposer sa cause d'une manière satisfaisante, soit en qualité de demandeur, soit en qualité de défendeur. Le Gouvernement hongrois prendra les mesures nécessaires pour que, lorsqu'un ressortissant d'une des Nations Unies a subi un préjudice du fait de tout jugement de cette nature, ce ressortissant soit rétabli dans la situation où il se trouvait avant le prononcé du jugement ou reçoive telle compensation qui pourra, en la circonstance, être juste et équitable. L'expression "ressortissants des Nations Unies" comprend les sociétés ou associations organisées ou constituées conformément à la législation de l'une quelconque des Nations Unies.

MAGYAR
BÉKESZERZŐDÉS

1947

A Szocialista Szovjet Köztársaságok Uniója, a Nagy Britanniai és Észak Irorzági Egyesült Királyság, az Amerikai Egyesült Államok, Ausztrália, a Fehérorosz Szocialista Szovjet Köztársaság, Kanada, Csehszlovákia, India, Uj Zéland, az Ukrán Szocialista Szovjet Köztársaság, a Délafrikai Unió és a Jugoszláviai Federális Népköztársaság azoknak az államoknak részéről, amelyek háboruban állanak Magyarországgal és, amelyek jelentékeny katonai erővel ténylegesen háborut viseltek az európai ellenséges államok ellen, és a továbbiakban mint a "Szövetséges és Társult Hatalmak" szerepelnek, egyrészről,

és Magyarország másrészről;

Tekintettel arra, hogy Magyarország szövetségre lépvén a hitlerista Németországgal és annak oldalán résztvevén a háboruban a Szocialista Szovjet Köztársaságok Uniója, az Egyesült Királyság, az Amerikai Egyesült Államok és más Egyesült Nemzetek ellen, viseli az ezért a háboruért való felelősség reáeső részét;

Tekintettel azonban arra, hogy 1944 december 28.-án Magyarország megszüntette a kapcsolatát Németországgal, hadat üzent Németországnak és 1945 január 20.-án fegyverszünetet kötött a Szocialista Szovjet Köztársaságok Uniója, az Egyesült Királyság, és az Amerikai Egyesült Államok kormányával, amelyek a valamennyi Magyarországgal háboruban lévő Egyesült Nemzet részéről is eljártak és,

Tekintettel arra, hogy a Szövetséges és Társult Hatalmak és Magyarország békeszerződést óhajtanak kötni, amely, az igazság elveinek megfelelően, megoldja az előbb előadott események következményeképpen még fennálló kérdéseket és, amely közöttük barátságos kapcsolatok alapjául szolgál és ezáltal lehetővé teszi a Szövetséges és Társult Hatalmak részére, hogy támogassák Magyarország kérelmét, hogy az Egyesült Nemzetek tagjává váljék és, hogy az Egyesült Nemzetek fennhatósága alatt kötött valamennyi megállapodáshoz csatlakozzék;

Megegyeztek ezért abban, hogy a hadiállapot megszünését kijelentik és evégből a jelen békeszerződést megkötik. Ennek következtében az alulirottakat meghatalmazottaikká kijelölték, akik jó és kellő alakban talált meghatalmazásaik bemutatása után a következő rendelkezésekben állapodtak meg.

I. RÉSZ

MAGYARORSZÁG HATÁRAI

1. Cikk

1. Magyarország határai Ausztriával és Jugoszláviával ugyanazok lesznek, amelyek 1938 január 1.-én fennállottak.

2. Az 1940 augusztus 30.-án kelt bécsi döntés rendelkezései semmisnek és meg nem történtnek nyilvánittatnak. A Magyarország és Románia közötti határ ezennel visszaállittatik, amint az 1938 január 1.-én fennállott.

3. A Magyarország és a Szovjet Szocialista Köztársaságok Uniója közötti határ a két állam és Románia határainak közös pontjától kezdve a két állam és Csehszlovákia határának közös pontjáig a Magyarország és Csehszlovákia közötti régebbi határvonalban állapittatik meg, amint ez a határvonal 1938 január 1.-én fennállott.

4. *(a)* Az 1938 november 2.-i bécsi döntés rendelkezései semmisnek és meg nem történtnek nyilvánittatnak.

(b) A Magyarország és Csehszlovákia közötti határ az ennek a két államnak és Ausztria határának közös pontjától az ennek a két államnak és Ausztria határának közös pontjáig ezennel visszaállittatik az 1938 január 1.-i állapotnak megfelelően, a következő pont rendelkezéseiből folyó változások kivételével.

(c) Magyarország átadja Csehszlovákiának Horvátjárfalu, Oroszvár és Dunacsun községeket, azok katasztrális területével együtt, amint azt a jelen Szerződéshez csatolt 1. számu térkép megjelöli. Ennek megfelelően a csehszlovák határ, ezen a szakaszon, a következőképpen állapittatik meg: attól a ponttól, ahol Ausztria, Magyarország és Csehszlovákia 1938 január 1.-én fennálló határa találkozott, a jelenlegi magyar-osztrák határ az Ausztria és Csehszlovákia közötti határrá válik egy, a 134-es dombtól mintegy 500 méterre délre lévő pontig (3.5 kilométerre északnyugatra a rajkai templomtól), mely pont most a három megnevezett ország határának közös pontjává válik; innét a Csehszlovákia és Magyarország közötti uj határ kelet felé fog haladni Rajka község északi katasztrális határa mentén a Duna jobbpartján, egy, a 128-as dombtól mintegy 2 kilométerre északra fekvő pontig (3.5 kilométerre keletre a rajkai templomtól), ahol az uj

határ a Duna hajózási főágában találkozik az 1938 január 1.-én fennállott csehszlovák-magyar határral; a Rajka község területén belül eső gát és visszafolyó csatorna megmarad magyar területnek.

(d) A Magyarország és Csehszlovákia között az előbbi bekezdésben megállapitott uj határ pontos vonalát a helyszinen állapitja meg egy, a két érdekelt ország képviselőiből álló határbizottság. A bizottság a jelen Szerződés jogerőre emelkedésétől számitott két hónapon belül befejezi munkálatait.

(e) Abban az esetben, ha Magyarország és Csehszlovákia között kétoldali megállapodás nem jön létre az átadott terület lakosságának Magyarországra való áttelepitése ügyében, Csehszlovákia biztositja számukra a teljes emberi és polgári jogaikat. Az 1946 február 27.-én kötött csehszlovák-magyar népcsere-egyezmény összes biztositéka és kedvezménye alkalmazandó azokra, akik önszántukból elhagyják a Csehszlovákiának átengedett területet.

5. A jelen szerződéshez csatolt 1. függelékben lévő 1 és 1*(a)* térképek feltüntetik a fentiekben leirt határokat.

II. RÉSZ

POLITIKAI RENDELKEZÉSEK

I. CIM

2. Cikk

1. Magyarország megteszi az összes intézkedéseket, hogy faji, nemi, anyanyelvi és felekezeti különbség nélkül, az összes magyar fennhatóság alatt álló személyek részére biztositsa az emberi jogok és alapvető szabadságok élvezetét, beleértve a szólás, a sajtó és közlés, a vallás gyakorlásának, a politikai vélemény és a nyilvános gyülekezés szabadságát.

2. Magyarország továbbá kötelezi magát arra, hogy a Magyarországon hatályos törvények sem tartalmukban, sem végrehajtásukban nem fognak sem közvetlen, sem közvetett különbséget tenni magyar állampolgárok között, fajuk, nemük, nyelvük vagy vallásuk miatt, akár személyük, tulajdonuk, kereskedelmi, foglalkozási vagy pénzügyi érdekeik, jogi helyzetük, politikai vagy polgári jogaik tekintetében, akár pedig bármely más vonatkozásban.

3. Cikk

Magyarország, amely a fegyverszüneti egyezmény értelmében intézkedéseket tett, nemzetiségre és állampolgárságra való tekintet nélkül azoknak a személyeknek szabadonbocsátására, akik az Egyesült Nemzetek érdekében kifejtett tevékenységük vagy az irántuk tanusitott rokonszenvük, vagy faji származásuk miatt fogva voltak és a megkülönböztető törvényhozás, valamint az annak értelmében elrendelt korlátozások hatályon kivül helyezésére, kötelezi magát ezeknek az intézkedéseknek kiegészitésére és arra, hogy a jövőben semmi olyan intézkedést sem fog tenni vagy nem fog olyan törvényt becikkelyezni, amely összeférhetetlen volna a jelen szakaszban kinyilvánitott célokkal.

4. Cikk

Magyarország, amely a fegyverszüneti egyezmény értelmében intézkedéseket tett mindennemü, politikai, katonai vagy katonai jellegü I, fasiszta vagy bármely más az Egyesült Nemzetek iránt ellenséges propagandát, beleértve a revizionista propagandát, folytató szervezet feloszlatására magyar területen, nem fogja megengedni a jövőben oly természetü szervezetek fennállását és tevékenységét, amelyek célja, hogy a népet demokratikus jogaitól megfosszák.

5. Cikk

1. Magyarország kétoldalu tárgyalásokat fog kezdeni Csehszlovákiával abból a célból, hogy azoknak a magyar nemzetiségü csehszlovákiai lakosoknak kérdése megoldassék, akik nem telepittetnek le Magyarországon a népességcserére vonatkozó 1946 február 27.-én kelt egyezmény rendelkezései értelmében.

2. Ha a jelen szerződés életbeléptétől számitott hat hónapon belül megegyezés nem jön létre, Csehszlovákia jogositva lesz, hogy a kérdést a Külügyminiszterek Tanácsa elé terjessze és a Tanács segitségét kérje a végleges megoldás érdekében.

6. Cikk

1. Magyarország megteszi a szükséges intézkedéseket, hogy letartóztatását és birói eljárás céljaira való kiadatását biztositsa:

(a) azoknak a személyeknek, akik háborus büntettek, a béke és emberiesség elleni büntettek elkövetésével vagy elrendelésével, vagy ilyen bünökben való bünrészességgel vádoltatnak,

(b) a Szövetséges és Társult Hatalmak oly állampolgárainak, akik hazai törvényeiknek árulás vagy a háboru alatt az ellenséggel való együttmüködés által való megszegésével vádoltatnak.

2. Az Egyesült Nemzetek érdekelt kormányának megkeresésére Magyarország biztositani fogja fennhatósága alatt lévő oly személyeknek tanuként való megjelölését, akiknek vallomása a jelen szakasz első pontjában hivatkozott személyek ellen folytatott büntető perben szükséges.

3. Bármely érdekelt kormány a jelen szakasz 1. és 2. bekezdésének alkalmazására vonatkozólag felmerülő mindennemü vétót az Egyesült Államok, az Egyesült Királyság és a Szovjetunió budapesti diplomáciai képviseleteinek vezetői elé terjeszt, akik meg fognak egyezni a felvetett kérdést illetőleg.

II. CIM

7. Cikk

Magyarország kötelezi magát arra, hogy elismeri az Olaszországgal, Romániával, Bulgáriával, Finnországgal kötendő békeszerződések teljes érvényét és mindazokat az egyezményeket vagy megállapodásokat, amelyeket a Szövetséges és Társult Hatalmak a béke helyreállitása érdekében Ausztriára, Németországra és Japánra vonatkozólag kötöttek vagy kötni fognak.

8. Cikk

A hadiállapot Magyarország és Románia között meg fog szünni a jelen szerződés, valamint a Szocialista Szovjetköztársaságok Uniója, a Nagy Britanniai és Észak Irországi Egyesült Királyság, az Amerikai Egyesült Államok, Ausztrália, a Fehérorosz Szocialista Szovjet Köztársaság, Kanada, Csehszlovákia, India, Uj Zéland, az Ukrán Szocialista Szovjet Köztársaság, a Délafrikai Unió egyrészről és Románia között másrészről kötendő szerződés életbelépésének időpontjában.

9. Cikk

Magyarország kötelezi magát a Nemzetek Szövetsége és az Állandó Nemzetközi Biróság felszámolása tárgyában kötött vagy kötendő megállapodások elfogadására.

10. Cikk

1. A jelen szerződés életbeléptétől számitott hat hónapon belül minden egyes Szövetséges és Társult Hatalom közölni fogja Magyarországgal azokat a háboru előtt Magyarországgal kötött kétoldalu szerződéseket, amelyeket érvényben kiván tartani vagy ujra érvénybe kiván helyezni. Fentemlitett szerződéseknek azok a rendelkezései azonban, amelyek a jelen szerződéssel nem állnának összhangban, töröltetni fognak.

2. Mindazok a szerződések, amelyek fenti közlésekben foglaltatnak, az Egyesült Nemzetek alapokmánya 102. szakaszának megfelelően, az Egyesült Nemzetek titkárságánál beiktattatnak.

3. Mindazok a szerződések, amelyek ily közlésben nem foglaltattak, hatálytalannak tekintendők.

11. Cikk

1. A jelen szerződés életbelépésétől számitott legfeljebb 18 hónapon belül, Magyarország át fogja adni Jugoszláviának és Csehszlovákiának az alábbi csoportokba tartozó és Jugoszlávia és Csehszlovákia kulturális örökségét képező tárgyakat, amelyek ezekről a területekről származnak és amelyek 1848 után a magyar állam vagy magyar közintézmények birtokába jutottak, Magyarországnak 1919 előtt ezek felett a területek felett gyakorolt fennhatósága következtében:

(a) történelmi levéltárak, amelyek a maguk egészében jugoszláv vagy csehszlovák területen jöttek létre;

(b) könyvtárak, történelmi okmányok, régiségek és más kulturális tárgyak, amelyek jugoszláv vagy csehszlovák területen elhelyezett intézményeké vagy a jugoszláv és csehszlovák népek történelmi személyiségeié voltak;

(c) eredeti müvészeti, irodalmi és történelmi tárgyak, amelyek jugoszláv vagy csehszlovák müvészek, irók és tudósok müvei.

2. Vásárlás, adomány vagy hagyományozás utján szerzett tárgyak, vagy magyarok eredeti müvei kivül esnek az 1. bekezdés rendelkezésein.

3. Magyarország kiszolgáltatja Jugoszláviának az Illyr Deputatio, az Illyr Bizottság és Illyr Kancellária levéltárát, amely a 18. századra vonatkozik.

4. A magyar kormány a jelen Szerződés életbeléptével Jugoszlávia és Csehszlovákia meghatalmazott megbizottjainak minden szükséges támogatást megad ezeknek a tárgyaknak megtalálására és rendelkezésükre tartja azokat megvizsgálás céljából. Ezután, de a jelen Szerződés életbelépésétől számitott egy éven belül, a jugoszláv és csehszlovák kormányok átadják a magyar kormánynak a jelen cikk alapján igényelt tárgyak jegyzékét. Ha a magyar kormány a jegyzék vételétől számitott három hónapon belül bármely tárgy felvétele ellen kifogással él, és ha egy további hónapon belül az érdekelt kormányok között megállapodás nem jön létre, a vita jelen Szerződés 40. cikkében foglalt rendelkezéseknek megfelelően nyer elintézést.

III. RÉSZ

KATONAI ÉS LÉGI RENDELKEZÉSEK

I. CIM

12. Cikk

A szárazföldi és légi fegyverkezések, valamint az erődítések szigoruan belső természetü feladatokra és a határok helyi védelmére korlátoztatnak. Ennek megfelelően Magyarország jogosult az alábbiaknál nem nagyobb haderő tartására:

(a) Szárazföldi hadsereg, a határvédelmi alakulatokat, a légvédelmi és a folyami flotilla személyzetét beleértve 65.000 főnyi összlétszámmal;

(b) 90 gépből álló légihaderő, a tartalékokat beleértve, amelyből 70-nél több nem lehet harci gép, összesen 5.000 főnyi létszámmal. Magyarország nem birtokolhat és nem szerezhet meg semmiféle, belső bombaszállitási berendezéssel ellátott, eredetileg bombázónak tervezett légi járművet.

Ezek a létszámok minden esetben magukba foglaják a harcoló, rendes és segédalakulatokat.

13. Cikk

Jelen szerződés életbeléptétől számitott hat hónapon belül a magyar hadsereg és légihaderőnek a 12. szakaszban engedélyezett mértékét meghaladó létszámot el kell bocsátani.

14. Cikk

A magyar hadsereghez vagy légihaderőhöz nem tartozó személyek nem

részesülhetnek semmiféle katonai vagy katonai repülő kiképzésben, amint az a II. számu Függelékben le van fektetve.

15. Cikk

Magyarország nem tarthat, épithet vagy kisérletezhet semmiféle atomfegyverrel, önmagát meghajtó vagy kormányzott lövedékkel vagy ilyenek kilövésére szolgáló szerkezettel (kivéve torpedókat és torpedólenditő szerkezeteket, amelyek a jelen Szerződés által engedélyezett hajóknak szokásos felszerelését jelentik), tengeri aknákkal, nem érintkezés, hanem távolról ható szerkezetek által robbantott torpedókkal, legénység befogadására alkalmas torpedókkal, tengeralattjárókkal vagy más elsüllyedésre alkalmas jármüvel, motor-torpedó csónakkal, vagy különleges jellegü rohamjármüvel.

16. Cikk

Magyarország nem tarthat meg, nem állithat elő, vagy szerezhet meg más uton több hadianyagot, mint amennyi a jelen Szerződés 12. szakaszában engedélyezett haderő fenntartásához szükséges és nem tarthat fenn berendezéseket ily hadianyag gyártására.

17. Cikk

1. A Szövetséges eredetü hadianyag-felesleget az érdekelt Szövetséges és Társult Hatalom rendelkezésére kell bocsátani az utóbbi által adott utasitásoknak megfelelően. A magyar eredetü hadianyag-felesleget a Szovjetunió, az Egyesült Királyság és az Amerikai Egyesült Államok kormányainak rendelkezésére kell bocsátani. Magyarország lemond minden jogáról ezzel a hadianyaggal kapcsolatban.

2. A jelen Szerződés által engedélyezett haderő szükségleteit meghaladó német eredetü vagy tervezésü hadianyagot a három kormány rendelkezésére kell bocsátani. Magyarország nem szerezhet meg, nem gyárthat német eredetü vagy tervezésü hadianyagot, nem alkalmazhat és nem képezhet ki müszaki erőket, a katonai és polgári repülés személyzetét beleértve, amelyek német állampolgárok, vagy azok voltak.

3. A jelen cikk 1. és 2. pontjában emlitett hadianyag-felesleget a jelen Szerződés életbeléptétől számitott egy éven belül át kell adni vagy meg kell semmisiteni.

4. A III. függelék tartalmazza mindannak meghatározását és jegyzékét, ami a jelen Szerződés szerint hadianyagnak tekintendő.

18. Cikk

Magyarország teljes mértékben együtt fog müködni a Szövetséges és Társult Hatalmakkal annak biztositása céljából, hogy Németország német területen kivül ne folytathasson az ujrafegyverkezésre irányuló tevékenységet.

19. Cikk

Magyarország nem szerezhet meg és nem állithat elő polgári légi jármüveket, amelyek német vagy japán tervek szerint készültek, vagy nagyobb mértékben használnak fel német vagy japán gyártmányu vagy tervezésü alkatrészeket.

20. Cikk

A jelen Szerződés minden egyes katonai vagy légügyi rendelkezése érvényben marad mindaddig, amig a Szövetséges és Társult Hatalmak és Magyarország közös megegyezésével, vagy miután Magyarország az Egyesült Nemzetek tagja lett, a Biztonsági Tanács és Magyarország közös megegyezésével részben vagy egészben nem módosittatik.

II. CIM

21. Cikk

1. A magyar hadifoglyok — mihelyt lehetséges — hazaszállitandók azoknak a megállapodásoknak megfelelően, amelyeket az őket fogva tartó hatalmak és Magyarország kötni fognak.

2. A magyar hadifoglyoknak az érdekelt Szövetséges és Társult Hatalom által kijelölt gyülekezési helyétől a magyar területig való szállitásával kapcsolatban felmerülő összes költségek, az ellátási költségeket beleértve, a magyar kormány által viselendők.

IV. RÉSZ

A SZÖVETSÉGES CSAPATOK KIVONULÁSA

22. Cikk

1. A jelen Szerződés életbeléptétől számitott 90 napon belül az összes szövetséges haderők kivonulnak Magyarországról, fennmaradván a Szovjet-

uniónak az a joga, hogy Magyarországon tartson oly haderőket, amilyenekre a szovjet hadsereg és az ausztriai szovjet megszállási övezet közötti közlekedési vonalak fenntartása végett szüksége lehet.

2. Az összes fel nem használt magyar fizetési eszközök és az összes magyar javak, amelyek a fegyverszüneti egyezmény 11. szakasza értelmében szereztettek meg és a magyarországi szövetséges haderők birtokában vannak, ugyanezen 90 napos határidőn belül visszaadandók a magyar kormánynak.

3. Magyarország mindazonáltal rendelkezésre fogja bocsátani mindazokat az ellátási szolgáltatásokat és berendezéseket, amelyek az ausztriai szovjet megszállási övezet felé irányuló közlekedési vonalak fönntartása végett igényeltetni fognak és amelyekért a magyar kormány megfelelő kártéritésben fog részesülni.

V. RÉSZ

JOVÁTÉTEL ÉS HELYREÁLLITÁS

23. Cikk

1. A Szojetuniónak, Csehszlovákiának és Jugoszláviának hadműveletekkel és ez államok területének megszállásával Magyarország által okozott károk jóváteendők; mindazonáltal tekintetbevéve azt, hogy Magyarország nemcsak kilépett az Egyesült Nemzetek ellen folytatott háboruból, hanem hadat is üzent Németországnak, a felek megállapodnak abban, hogy Magyarország a fenti károkért nem teljes, hanem csak részleges kártéritést tartozik teljesiteni, nevezetesen 300,000.000 dollár erejéig, amely 1945. január 20.-tól számitott 8 éven át fizetendő javakban (gépi felszerelés, folyami jármü, gabona és egyéb javak), amiből a Szovjetunióra 200,000.000 dollárnyi, Csehszlovákiára és Jugoszláviára 100,000.000 dollárnyi összeg esik.

2. A jelen cikkben megállapitott rendezés kiszámitási alapja az US dollárnak, a fegyverszünet aláirásának napjan érvényben volt arany-egyenértéke, vagyis 35 dollár egy uncia aranyért.

24. Cikk

1. Magyarország elfogadja az Egyesült Nemzetek 1943. évi január hó 5.-én kelt nyilatkozatának alapelveit és a lehető legrövidebb időn belül visszaszolgáltatja a bármely Egyesült Nemzet területéről elszállitott javakat.

2. A visszaszolgáltatási kötelezettség vonatkozik minden jelenleg Magyarországon lévő azonositható javakra, amelyet valamely tengelyhatalom erőszakkal vagy kényszerrel elvitt valamely Egyesült Nemzet területéről, tekintet nélkül a későbbi jogügyletre, amellyel a jelenlegi birtokos bármely ily tulajdon birtokába jutott.

Ha különleges esetekben Magyarország részére lehetetlen oly müvészeti, történelmi vagy régészeti értékü tárgyakat visszaszolgáltatni, amelyek azon Egyesült Nemzet kulturális örökségéhez tartoznak, amelynek területéről magyar katonai erők, hatóságok vagy állampolgárok erőszakkal vagy kényszerrel elvitték, Magyarország az érdekelt Egyesült Nemzetnek ugyanolyan jellegü és hozzávetőleg ugyanolyan értékü tárgyakat fog átadni, feltéve, hogy ily tárgy Magyarországon beszerezhető.

3. A magyar kormány a jelen cikkben érintett tulajdont jó állapotban tartozik visszaadni és viselni fogja a Magyarországon munkával, anyaggal és szállitással kapcsolatban felmerülő költségeket.

4. A magyar kormány együtt fog müködni az Egyesült Nemzetekkel a jelen cikk értelmében visszaadandó javak felkutatásában és visszaadásában és a saját költségére biztositani fogja az összes szükséges könnyitéseket.

5. A magyar kormány megteszi a szükséges intézkedéseket, hogy a jelen cikk által érintett és harmadik ország területén a fennhatósága alatt álló személyek birtokában lévő tulajdon visszaadását előmozditsa.

6. A tulajdon visszaadására vonatkozó igényeket az a kormány fogja a magyar kormánynak bejelenteni, amelynek területéről a tulajdont elszállitották. Megállapodás áll fenn arranézve, hogy a gördülő anyagot ugy kell tekinteni, mint amely annak az országnak területéről szállittatott el, amelyhez eredetileg tartozott. Ily igények a jelen szerződés életbeléptétől számitott hat hónapon belül jelenthetők be.

7. A javak azonositása és a tulajdonjog bizonyitása az igénylő kormányt terheli, annak bizonyitása, hogy a javak nem erőszakkal vagy kényszerrel szállittattak el, a magyar kormányt terheli.

25. Cikk

Az 1938. évi november hó 2.-án kelt bécsi döntésnek a jelen Szerződés 1. cikke 4. pontjában kimondott semmissége maga után vonja az ennek a

döntésnek értelmében a két érdekelt állam által vagy nevükben, valamint csehszlovák és magyar jogi személyek által pénzügyi, magán és közbiztositási ügyekben kötött megállapodások és jogi következményeik semmisségét. Hasonlóképpen semmis a bécsi döntés értelmében Magyarországnak átadott bizonyos anyagokra vonatkozó 1940. évi május 22.-én kelt jegyzőkönyv.

Ez a semmisség semmiképpen sem vonatkozik természeti személyek közötti jogviszonyokra. A fentebb emlitett rendezés részleteit az érdekelt kormányok által a jelen Szerződés életbeléptétől számitott hat hónapon belül kötendő kétoldalu megállapodás szabályozza.

VI. RÉSZ

GAZDASÁGI RENDELKEZÉSEK

26. Cikk

1. Amennyiben ez még nem történt volna meg, Magyarország helyre fogja állitani az Egyesült Nemzetek és állampolgáraik magyarországi törvényes jogait és érdekeit az 1939. szeptember 1.-én fennállott állapotnak megfelelően és visszaadja az Egyesült Nemzeteknek, valamint állampolgáraiknak összes magyarországi javaikat a jelenlegi állapotukban.

2. A magyar kormány kötelezi magát arra, hogy a jelen cikk hatálya alá eső összes javakat, jogokat és érdekeket minden oly tehertől és költségtől mentesen fogja visszaadni, amely a háboru következtében hárulhatott volna rájuk és hogy visszaszolgáltatásukkal kapcsolatban azokat költségekkel terhelni nem fogja. A magyar kormány hatályon kivül helyezi mindazokat a rendszabályokat, lefoglalást, zár alá helyezést és ellenőrzést beleértve, amelyeket 1939. szeptember 1. és a jelen Szerződés életbelépésének időpontja között az Egyesült Nemzetek javai ellen elrendelt. Oly esetekben, amidőn a javak a szerződés életbeléptétől számitott hat hónapon belül nem adattak vissza, az életbeléptetéstől számitott 12 hónap lejárta előtt az igényeket a magyar hatóságoknál be kell jelenteni, kivéve ha az igénylő be tudja bizonyitani, hogy nem volt képes ezen időn belül igényét bejelenteni.

3. A magyar kormány hatálytalanitja az Egyesült Nemzetek állampolgárai mindennemü javainak, jogainak vagy érdekeinek átruházását érintő jogügyleteket, mindazokban az esetekben, amelyekben az átruházás tengely-

kormányok vagy azok szervei által kifejtett erőszak vagy kényszer hatása alatt következett be.

Csehszlovák állampolgárok esetében ez a szakasz azokra az átruházásokra is vonatkozik, amelyek 1938. november 2.-a után erőszak vagy kényszer hatása alatt, vagy a megkülönböztető belső törvényhozás alapján a magyar kormány vagy szervei által a Magyarországhoz átcsatolt csehszlovák területen foganatositott intézkedések folyományaként következtek be.

4. *(a)* A magyar kormány felelős jelen cikk 1. bekezdése alapján az Egyesült Nemzetek állampolgárainak visszaadott javak teljesen ép állapotban való helyreállitásáért. Abban az esetben, ha a javak nem adhatók vissza, vagy a háboru következtében az Egyesült Nemzetek állampolgára kárt szenvedett Magyarországon lévő javait ért sérülés vagy károsodás miatt, az Egyesült Nemzetek állampolgára a magyar kormánytól magyar pénznemben kártéritést fog kapni annak az összegnek kétharmada erejéig, amely összeg a kifizetés időpontjában hasonló vagyontárgy megvételéhez, vagy a szenvedett kár jóvátételéhez szükséges. Semmiesetre sem részesülhetnek az Egyesült Nemzetek állampolgárai kevésbbé kedvező elbánásban, mint amilyenben magyar állampolgárok részesülnek.

(b) Az Egyesült Nemzeteknek azok az állampolgárai, akik közvetve vagy közvetlenül tulajdoni érdekeltséggel birnak társaságokban vagy egyesületekben, amelyek ennek a cikknek 9. *(a)* pontja értelmében nem rendelkeznek az Egyesült Nemzetek állampolgárságával, de amelyek Magyarországon fekvő javakat ért sérülés vagy károsodás következtében kárt szenvedtek, a fenti pont rendelkezéseinek megfelelő kártéritésben részesülnek. Ez a kártérités a társaságot vagy egyesületet ért összes veszteség vagy károsodás alapján számitandó ki olymódon, hogy a kártérités mérve ugyanolyan arányban álljon az összes veszteséggel vagy károsodással, amilyen arányu ezeknek az állampolgároknak részesedése a kérdéses társaság vagy egyesület egész tőkéjében.

(c) A kártéritések mindennemü levonások, adók vagy költségek nélkül fizetendők ki. A kártérités szabadon használható fel Magyarországon, de alá van vetve azoknak a korlátozásoknak, amelyek a külföldi fizetési eszközökre vonatkozólag adott időpontban Magyarországon érvényben vannak.

(d) A magyar kormány ugyanolyan elbánásban fogja részesiteni az

Egyesült Nemzetek állampolgárait magyarországi vagyontárgyaik kijavitásához és helyreállitásához szükséges anyagok, valamint ilyen anyagoknak behozatalához szükséges külföldi fizetési eszközök kiutalása tekintetében, mint a magyar állampolgárokat.

(e) A magyar kormány az Egyesült Nemzetek állampolgárait magyar pénznemben a fenti pont rendelkezéseinek megfelelő kártéritésben fogja részesiteni azokért a veszteségekért vagy károsodásokért, amelyeket a háboru alatt tulajdonuk ellen foganatositott és magyar tulajdonra nem alkalmazott különleges intézkedések következtében szenvedtek. Ez a pont nem vonatkozik az elmaradt haszonra.

5. Ennek a cikknek 4. pontjában foglalt rendelkezései alkalmazandók Magyarországra oly esetekben, amikor azok az intézkedések, amelyek az Egyesült Nemzetek vagy állampolgáraik tulajdonát képező és Északerdélyben fekvő vagyontárgyban károsodást idéztek elő, az alatt az idő alatt foganatosittattak, amidőn ez a terület magyar fennhatóság alatt állott.

6. A magyar kormány viseli mindazokat a méltányos költségeket, amelyek az igények megállapitása folyamán, a veszteség vagy kár felbecsülését beleértve, Magyarországon keletkeznek.

7. Az Egyesült Nemzetek állampolgárai és vagyontárgyaik mentesek mindennemü rendkivüli adótól, hozzájárulástól vagy illetéktől, amelyeket a magyar kormány vagy valamilyen magyar hatóság vetett ki magyarországi tőkeköveteléseikre a fegyverszüneti egyezmény és a jelen szerződés életbeléptének időpontja között, azzal a különleges céllal, hogy a háboruból származó terhek vagy a megszálló csapatok, vagy valamely Egyesült Nemzetnek fizetendő jóvátétel költségei fedeztessenek. Mindennemü ilymódon kifizetett összeg visszatéritendő.

8. A kérdéses vagyontárgyak tulajdonosa és a magyar kormány megállapodásokat köthetnek, amelyek a jelen cikk rendelkezései helyébe lépnek.

9. A jellen cikkben foglaltak szempontjából:

(a) az "Egyesült Nemzetek Állampolgárainak" tekintendők azok a személyek, akik valamely Egysült Nemzet állampolgárai, azok a társaságok vagy egyesületek, amelyek a jelen Szerződés életbeléptekor valamely Egyesült Nemzet törvényeinek hatálya alatt szervezve müködnek, feltéve,

hogy a Magyarországgal kötött Fegyverszüneti Egyezmény időpontjában már ez volt a jogállásuk.

Az "Egyesült Nemzetek Állampolgára" kifejezés magában foglalja mindazokat a személyeket, társaságokat vagy egyesületeket, amelyek a háboru alatt Magyarországon érvényben volt törvények értelmében oly elbánásban részesültek, mint az ellenségek.

(b) "Tulajdonos"-nak tekintendő az Egyesült Nemzet vagy az Egyesült Nemzet állampolgára a fenti pontban foglaltak értelmében, aki a kérdéses vagyontárgy jogos tulajdonosa, és magában foglalja a tulajdonos jogutódját is, feltéve, hogy a jogutód is Egyesült Nemzetnek vagy Egyesült Nemzet állampolgárának tekintendő a fenti *(a)* pontban foglaltak értelmében.

Ha a jogutód a vagyontárgyat károsodott állapotban vette meg, az eladó megtartja az őt e cikk szerint megillető jogát a kártéritésre anélkül, hogy ez az eladó és vevő között a belső törvényhozás szerint fennálló kötelmet érintené.

(c) "Vagyontárgy"-nak tekintendő minden ingó vagy ingatlan tulajdon, akár testi, akár szellemi, beleértve ipari, irodalmi és müvészeti tulajdont és jogokat, tulajdoni jogosultságot és érdekeket bármily természetü vagyontárgyak tekintetében.

10. A magyar kormány elismeri, hogy a Brioni-ban 1942 augusztus 10.-én kelt megállapodás semmisnek és meg nem történtnek tekintendő. Kötelezi magát arra, hogy a Rómában 1923 május 29.-én kelt egyezmény többi aláiróival együtt részt fog venni minden olyan tárgyalásban, amelynek célja, hogy az egyezményben foglalt törlesztések kérdésének méltányos rendezése érdekében a szükséges módositásokat eszközölje.

27. Cikk

1. Magyarország kötelezi magát arra, hogy mindazokban az esetekben, amelyekben magyar fennhatóság alatt álló személyek Magyarországon lévő javai, jogai vagy jogos érdekei 1939 szeptember 1. óta a tekintetbe jövő személyek faji származása vagy felekezete miatt zár alá helyeztettek vagy elkoboztattak, az emlitett javak, jogok és jogos érdekek járulékaikkal együtt visszaadassanak, vagy, ha a helyreállitás lehetetlen, méltányos kártérités adassék értük.

2. Mindazoknak a személyeknek, szervezeteknek vagy közösségeknek, amelyek egyénileg, vagy mint csoportok tagjai, faji, vallási vagy más fasiszta üldöztetés áldozatai voltak, Magyarországon lévő javait, jogait és érdekeit, amelyek a jelen Szerződés életbeléptétől számitott hat hónap alatt örökös nélkül maradtak vagy nem igényeltettek, a magyar kormány át fogja ruházni ily személyek, szervezetek vagy közösségek képviselőiből álló szervezetekre. Ezek a szervezetek az ilymódon átruházott javakat ily magyarországi csoportok, szervezetek vagy közösségek életbenmaradt tagjainak segélyezésére és támogatására fogják felhasználni. Ez az átruházás a Szerződés életbeléptétől számitott 12 hónapon belül foganatositandó és kiterjed mindazokra a javakra, jogokra és érdekekre, amelyeknek visszaadását jelen cikk 1. pontja elrendeli.

28. Cikk

Magyarország elismeri, hogy a Szovjetuniónak joga van az összes Magyarországon lévő német tulajdonra, amelyet a németországi Ellenőrző Tanács a Szovjetunióra átruházott és kötelezi magát, hogy minden intézkedést megtesz ilyen átruházások megkönnyitésére.

29. Cikk

1. Minden egyes Szövetséges és Társult Hatalomnak joga van, hogy lefoglalja, visszatartsa, felszámolja vagy bármely más intézkedésnek alávesse azokat a javakat, jogokat és érdekeket, amelyek a jelen Szerződés életbeléptekor területén Magyarország vagy magyar állampolgárok tulajdonában vannak. Joga van továbbá, hogy ezeket a javakat vagy azok hozadékát a saját és állampolgárainak Magyarországgal szemben fennálló követeléseinek határain belül, — beleértve az adósságokat és más, a jelen Szerződés egyéb cikkei által teljes egészükben ki nem elégitett követeléseket, — saját belátása szerint használja fel. Az ily követelések összegét meghaladó értékü magyar javak vagy azok hozadéka tulajdonosaiknak visszaadatnak.

2. A magyar javak felszámolása és a felettük való rendelkezés az érdekelt Szövetséges és Társult Hatalom törvényei szerint fog eszközöltetni. A magyar tulajdonos csak oly jogokkal fog ezek fölött a javak fölött rendelkezni, amilyeneket részére a kérdéses törvény esetleg biztosit.

3. A magyar kormány kötelezi magát, hogy kártéritésben részesiti

azokat a magyar állampolgárokat, akiknek a javai a jelen cikk értelmében lefoglaltatnak és nem adatnak vissza.

4. Jelen cikk egyik Szövetséges vagy Társult Hatalom részére sem állapit meg kötelezettséget abban a tekintetben, hogy a magyar kormánynak vagy magyar állampolgároknak ipari tulajdonjogot visszaadjon, vagy hogy ily tulajdonjogok értékét a jelen cikk első pontja értelmében visszatartható összegekbe beleszámitsa. Minden egyes Szövetséges és Társult Hatalom kormányának joga van arra, hogy a magyar kormány vagy magyar állampolgárok által a jelen Szerződés életbelépte előtt a Szövetséges és Társult Hatalom területén ipari tulajdonra vonatkozólag megszerzett jogokat és érdekeket oly korlátozásoknak, feltételeknek vagy csökkentéseknek vesse alá, amilyeneket a Szövetséges és Társult Hatalmak kormánya a nemzeti érdek szempontjából szükségesnek tart.

5. A jelen cikk 1. pontja által érintett javak ugy tekintendők, mint amelyek magukba foglalják azokat a magyar javakat, amelyek a Magyarország és azon Szövetséges és Társult Főhatalom között, amelynek fennhatósága alatt vannak, fennálló hadiállapot következtében ellenőrzésnek voltak alávetve, de nem foglalják magukba:

(a) a magyar kormány konzuli vagy diplomáciai célokra szolgáló javait,

(b) vallásos testületek vagy magán jótékonysági intézmények tulajdonában lévő javakat, amelyek vallásos vagy jótékonysági célokra haszáltatnak,

(c) oly magyar állampolgárságu természetes személyek javait, akik jogositva vannak vagy annak az államnak területén, amelyen a javak fekszenek, vagy más Egyesült Nemzet területén lakni, sem oly magyar javakat, amelyek a háboru folyamán valamely adott időpontban alá voltak vetve oly intézkedéseknek, amelyek nem nyertek általános alkalmazást az ugyanazon a területen lakó magyar állampolgárok javaira,

(d) a Szövetséges és Társult Hatalmak és Magyarország közötti kereskedelmi és pénzügyi kapcsolatok ujrafelvétele óta, vagy a Szövetséges és Társult Hatalom kormánya és Magyarország között 1945 január 20.-a után kötött jogügyletből keletkezett tulajdonjogokat,

(e) irodalmi és müvészeti tulajdonjogokat.

30. Cikk

1. A jelen szerződés életbeléptétől kezdve a magyar kormány és a magyar állampolgárok Németországban lévő javai nem tekintetnek többé ellenséges javaknak és mindennemü, az ellenséges jellegből folyó korlátozás megszünik.

2. A magyar kormánynak vagy magyar állampolgároknak azonositható javai, amelyeket a német haderők vagy hatóságok 1945 január 20.-a után erőszakkal vagy kényszerrel magyar területről Németországba elszállitottak, visszaadásra tekintetbe jönnek.

3. A Németországban fekvő magyar javak visszaadása és helyreallitása a Németországot megszálló hatalmak által meghatározandó módozatok szerint eszközöltetik.

4. Ezeknek és a Németországot megszálló hatalmak által Magyarország vagy magyar állampolgárok javára esetleg teendő rendelkezéseknek sérelme nélkül, Magyarország a saját, valamint állampolgárai nevében lemond Németországgal és német állampolgárokkal szemben 1945 május 8.-án fennállot mindennemü követelésekről, kivéve azokat, amelyek 1939. szeptember 1. előtt létrejött szerződésekből és más kötelmekből, valamint ugyanezen időpont előtt szerzett jogokból erednek. Ez a lemondás olyannak tekintendő, mint amely magában foglalja az adósságokat, továbbá az összes kormányközi követeléseket, amelyek a háboru folyamán kötött megállapodásokkal kapcsolatosak és az összes igényeket a háboru alatt keletkezett károkra vonatkozólag.

31. Cikk

1. A hadiállapot fennállása nem tekintendő oly ténynek, amely önmagában kihatással van a hadiállapot fennállása előtt érvényben volt szerződésekből, kötelmekből és megszerzett jogokból származó pénzadósságok kiegyenlitésének kötelezettségére és oly adósságokra, amelyek esedékessé váltak a jelen Szerződés életbelépte előtt és amelyekkel a magyar kormány vagy magyar állampolgárok tartoznak valamely Szövetséges és Társult Hatalom kormányának vagy állampolgárainak, vagy amelyekkel valamely Szövetséges és Társult Hatalom kormányai vagy állampolgárai tartoznak a magyar kormánynak vagy magyar állampolgároknak.

2. A jelen Szerződés kifejezetten ellenkező rendelkezéseitől eltekintve, a jelen Szerződés egyetlen cikke sem értelmezhető olymódon, mintha kihatással volna a háboru előtt a magyar kormány vagy magyar állampolgárok által kötött szerződésekből eredő, adós és hitelező közötti viszonyra.

32. Cikk

1. Magyarország a magyar kormány és a magyar állampolgárok nevében lemond a Szövetséges és Társult Hatalmakkal szemben minden néven nevezendő, vagy közvetlenül a háboru tényéből, vagy az Európában 1939. szeptember 1. után fennállott hadiállapot következtében tett intézkedésekből származó igény támasztásáról, tekintet nélkül arra, hogy az illető Szövetséges és Társult Hatalom háboruban állott-e Magyarországgal vagy sem.

A lemondás hatálya alá tartoznak:

(a) a Szövetséges és Társult Hatalmak haderejének vagy hatóságainak tényked ése következtében szenvedett veszteségek vagy károk;

(b) a Szövetséges és Társult Hatalmak haderejének vagy hatóságának magyar területen való jelenléte és ott folytatott hadmüveletei vagy tényked ése következtében keletkezett igények;

(c) a Szövetséges és Társult Hatalmak zsákmánybiróságainak határozatait vagy rendelkezéseit érintő igények. Magyarország hozzájárul ahhoz, hogy érvényesnek és kötelezőnek ismeri el az ily zsákmánybiróságoknak 1939 szeptember 1.-én vagy azután kelt összes határozatait vagy rendelkezéseit, magyar hajókra, magyar javakra vagy költségek fizetésére vonatkozólag;

(d) a hadviselő jogainak gyakorlásából, vagy ezeknek a jogoknak gyakorlása érdekében foganatositott rendszabályokból származó igények.

2. A jelen cikk rendelkezései véglegesen és teljesen kizárják a jelen cikkben emlitett összes igényeket, amelyek mostantól fogva érvényüket vesztik, bárki is legyen az érdekelt fél. Magyarország hozzájárul ahhoz, hogy magyar pénznemben méltányos kártéritést nyujt azoknak a személyeknek, akik a Szövetséges és Társult Hatalmak haderejének felhivására javakat vagy szolgáltatásokat teljesitettek magyar területen, méltányos kárpótlást nyujt továbbá nem háborus természetü cselekményekkel a Szövetséges és Társult Hatalmak hadereje által magyar területen okozott károkért.

3. Magyarország a magyar kormány és a magyar állampolgárok nevében továbbá lemond mindennemü, a jelen cikk 1. pontjában foglalt és oly Egyesült Nemzet ellen irányuló igényről, amely Egyesült Nemzet a háboru folyamán diplomáciai összeköttetéseit Magyarországgal megszakitotta és a Szövetséges és Társult Hatalmakkal való együttmüködésben foganatositott intézkedéseket.

4. Magyarország teljes felelősséget vállal a szövetséges katonai hatóságok által Magyarországon kibocsátott szövetséges katonai pénznemért, beleértve azt a mennyiséget, amely a jelen Szerződés életbeléptekor forgalomban van.

5. A jelen cikk 1. pontja értelmében Magyarország által eszközölt lemondás kiterjed mindazokra az igényekre, amelyek bármely Szövetséges és Társult Hatalom által 1939 szeptember 1. és a jelen szerződés életbelépte között magyar hajókra vonatkozólag foganatositott intézkedésekből származnak és a hadifoglyokra vonatkozólag jelenleg érvényben lévő egyezményekből származó igényekre és adósságokra.

33. Cikk

1. Addig is, amig egyes Egyesült Nemzetek és Magyarország kereskedelmi szerződéseket vagy megállapodásokat kötnek egymással, a magyar kormány a jelen Szerződés életbelépését követő 18 hónapon á a következő elbánásban részesit minden egyes Egyesült Nemzetet, amely a viszonosság alapján ténylegesen hasonló elbánásban részesiti Magyarországot:

(a) A behozatali vagy kiviteli vámok és illetékek a behozott javak belső megadóztatása és minden errevonatkozó rendelkezések tekintetében az Egyesült Nemzeteket a feltétel nélküli legtöbb kedvezményes elbánásban kell részesiteni.

(b) Egyéb vonatkozásokban Magyarország semmiféle önkényes megkülönböztető intézkedéseket nem fog alkalmazni bármely Egyesült Nemzet területéről származó vagy odairányuló javak tekintetében, összehasonlitva bármely más, az azonos javakra vonatkozólag más Egyesült Nemzet vagy bármely más idegen állam területéről származó vagy odairányuló javakra alkalmazott intézkedésekkel.

(c) Az Egyesült Nemzetek állampolgárai, beleértve jogi személyeket is, a magyar állampolgárokkal szemben alkalmazott és a legnagyobb ked-

vezmény elvének megfelelő elbánásban fognak részesülni Magyarországon belül mindennemü kereskedelmi, ipari, hajózási vagy bármely más üzleti tevékenység tekintetében. Ezek a rendelkezések a kereskedelmi légiforgalomra nem vonatkoznak.

(d) Magyarország egyetlen országnak sem fog kizárólagos vagy megkülönböztetett elbánást biztositani a nemzetközi kereskedelmi légiforgalomban való közremüködés tekintetében, és minden egyes Egyesült Nemzetnek egyenlő lehetőségeket fog biztositani, hogy Magyarország területén nemzetközi kereskedelmi légiforgalmi jogokat szerezzen, beleértve az üzemanyag felvétele és javitások eszközlése végett való leszállás jogát, és a nemzetközi kereskedelmi légiforgalomban való közremüködés tekintetében minden egyes Egyesült Nemzetnek megadja, kölcsönösség és meg nem különböztetés alapján, a jogot magyar területnek leszállás nélkül való átrepülésére. Ez a rendelkezés nem érinti Magyarország honvédelmi érdekeit.

2. Magyarország fenti kötelezettségei ugy értelmezendők, hogy a Magyarország által a háboru előtt kötött kereskedelmi szerződésekben foglalt szokásos kivételekre nem vonatkoznak és az egyes Egyesült Nemzetek által biztositott kölcsönösség ugy értelmezendő, hogy az illető állam által kötött kereskedelmi szerződésekben foglalt szokásos kivételekre nem vonatkozik.

34. Cikk

Magyarország a lehetőség határain belül megkönnyiti a területén méltányos dijtételek fejében átmenő vasuti forgalmat és az összes szomszéd állammal tárgyalni fog az ennek a célnak eléréséhez szükséges kölcsönös egyezmények megkötése érdekében.

35. Cikk

1. A jelen Szerződés 24. 25. 26. cikke és IV. V. és VI. függelékével kapcsolatban felmerülő összes vitás kérdés az érdekelt Egyesült Nemzet kormánya és a magyar kormány egyenlőszámu képviselőiből alakult Egyeztető Bizottság elé terjesztendő. Ha a vitás kérdésnek az Egyeztető Bizottság elé való terjesztésétől számitott három hónapon belül megegyezés nem jön létre, bármely kormány kérheti a Bizottságnak egy harmadik taggal való kiegészitését. Megegyezés hiányában bármely fél felkérheti az Egyesült Nemzetek főtitkárát a kijelölés eszközlésére.

2. A Bizottság többségének döntése a Bizottság döntésének tekintendő és az érdekelt felek által véglegesnek és kötelező erejünek ismerendő el.

36. Cikk

A jelen Szerződés 24. 26. és 33. cikke és VI. függeléke alkalmazást nyer a Szövetséges és Társult Hatalmakra és Franciaországra, valamint azokra az Egyesült Nemzetekre, amelyeknek diplomáciai kapcsolatai Magyarországgal a háboru alatt megszakittattak.

37. Cikk

A IV. V. és VI. függelék rendelkezései, mint az összes többi függelék, a jelen Szerződés szerves részeiként tekintendők és ugyanolyan érvénnyel és joghatállyal birnak.

VII. RÉSZ

A DUNÁRA VONATKOZÓ RENDELKEZÉSEK

38. Cikk

A dunai hajózás szabad és az összes államok polgárainak, kereskedelmi hajóinak és áruinak, a kikötő és hajózási dijak és a kereskedelmi hajózásra vonatkozó rendelkezések tekintetében, az egyenlőség alapján nyitva áll. Az előbbi rendelkezés nem vonatkozik ugyanannak az államnak a kikötői között lebonyolódó forgalomra.

VIII. RÉSZ

ZÁRÓ RENDELKEZÉSEK

39. Cikk

1. A jelen Szerződés életbeléptétől számitott 18 hónapnál nem hosszabb időszak alatt a Szovjetunió, az Egyesült Királyság és az Amerikai Egyesült Államok budapesti diplomáciai képviseleteinek vezetői együttes eljárásban képviselik a Szövetséges és Társult Hatalmakat a jelen szerződés végrehajtására és értelmezésére vonatkozó összes ügyekben a magyar kormánnyal szemben.

2. A három képviselet vezetője meg fogja adni azt a tanácsot, szakértői véleményt és felvilágositást, amelyre a jelen Szerződés szövegének és szellemének megfelelő gyors és hatályos végrehajtás biztositása érdekében szükség lehet.

3. A magyar kormány az emlitett három képviselet vezetőjének megadja az összes szükséges felvilágositást és támogatást, amelyre a jelen Szerződésből reájuk háramló feladatok elvégzése folyamán szükségük lehet.

40. Cikk

1. Kivéve azokat az eseteket, amidőn a jelen Szerződés bármely cikke kifejezetten más eljárást ir elő, a Szerződés értelmezésére vagy végrehajtására vonatkozó mindennemü vitás kérdés, amely közvetlen diplomáciai tárgyalások utján rendezést nem nyer, a 39. cikk értelmében eljáró három képviselet vezetője elé terjesztendő, ily esetekben a képviseletek vezetőit nem korlátozza a hivatkozott cikkben megállapitott határidő. Minden ilyen, általuk két hónapon belül meg nem oldott vitás kérdés, feltéve, hogy a felek közösen nem egyeznek meg más elintézési módban, az egyik fél kérésére mindkét fél egy-egy képviselőjéből és egy, közös megegyezéssel egy harmadik állam polgárai közül választott harmadik tagból álló bizottság elé terjesztendő. Ha egy hónapon belül a felek nem egyeznek meg a harmadik tag kijelölésében, ugy bármely fél felkérheti az Egyesült Nemzetek főtitkárát a kijelölés eszközlésére.

2. A bizottság többségének döntése a bizottság döntésének tekintendő és az érdekelt felek által véglegesnek és kötelező erejünek ismerendő el.

41. Cikk

Az Egyesült Nemzetek bármely tagja, amely a jelen Szerződésnek nem aláirója és Magyarországgal háboruban áll, csatlakozhatik a Szerződéshez és csatlakozásától kezdve Szövetséges és Társult Hatalomnak tekintendő a jelen Szerződés rendelkezései értelmében.

2. A csatlakozási okiratok a Szocialista Szovjet Köztársaságok Uniójának kormányánál helyezendők letétbe és a letétbehelyezés időpontjában lépnek érvénybe.

42. Cikk

A jelen Szerződés, amelynek orosz és angolnyelvü szövege irányadó, meg fog erősittetni a Szövetséges és Társult Hatalmak által. A Szerződés Magyarország által is meg fog erősittetni. A Szerződés a Szocialista Szovjet Köztársaságok Uniójának, Nagybritannia és Északirország Egyesült Királyságának és az Amerikai Egyesült Államok megerősitő okiratának letétbehelyezésének időpontjában lép életbe. A megerősitő okiratokat a lehető legrövidebb időn belül a Szocialista Szovjet Köztársaságok Uniójának kormányánál kell letétbe helyezni.

Minden más Szövetséges és Társult Hatalom tekintetében, amelynek megerősitő okirata ezután helyeztetik letétbe, a Szerződés a letétbehelyezés időpontjával lép életbe. A jelen Szerződés a Szocialista Szovjet Köztársaságok Uniója kormányának levéltárában helyeztetik letétbe, amely kormány minden egyes aláiró hatalomnak hiteles másolatot szolgáltat ki.

FÜGGELÉKEK JEGYZÉKE

I. sz. Függelék — A magyar határok térképe.

II. sz. Függelék — A katonai és légügyi kiképzés meghatározása.

III. sz. Függelék — A hadianyagok jegyzékének meghatározása.

IV. sz. Függelék — Bizonyos tulajdonokkal kapcsolatos különleges intézkedések:

A. Ipari, irodalmi és müvészi tulajdon;

B. Biztositás.

V. sz. Függelék — Szerződések, elévülések és forgatható papirok.

VI. sz. Függelék — Itéletek.

I. SZ. FÜGGELÉK

(lásd 1. cikket)

Térképek

I. Magyar határok.

I. *(a)* A csehszlovák-magyar határ módositása.

II. SZ. FÜGGELÉK

(lásd 14. cikket)

A katonai és katonai légügyi kiképzés meghatározása.

1. A katonai kiképzésnek a meghatározása a következő: kifejezetten a hadsereg használatára tervezett, vagy annak céljaihoz alkalmazott hadianyag tanulmányozása vagy használatának gyakorlása, valamint az ezzel összefüggő gyakorlati szabályzatok; harci egységek csatában való felfejlődésének tanitására, vagy gyakorlására irányuló mindennemü kiképzés vagy gyakorlat; továbbá harcászatnak, hadászatnak és vezérkari munkának rendszeres tanulmányozása.

2. A katonai légügyi kiképzés meghatározása a következő: kifejezetten a légierők használatára tervezett, vagy annak céljaihoz alkalmazott hadianyag tanulmányozása vagy használatának gyakorlása, valamint az ezzel összefüggő gyakorlati szabályzatok; a repülőgépeknek légi harcfeladatok végrehajtásánál alkalmazott különleges mozzanatainak tanulmányozása és gyakorlása, beleértve a harcirendben való repülést; továbbá harcászatnak, hadászatnak és vezérkari munkának rendszeres tanulmányozása.

III. SZ. FÜGGELÉK

(lásd 17. cikket)

A hadianyagok jegyzékének meghatározása.

A "hadianyag" kifejezés a jelen Szerződésben való használat szempontjából, az alanti jegyzéknek megfelelően, magában foglal mindennemü,

kifejezetten a háboruban való használat céljára tervezett, vagy arra alkalmazott fegyvert, lőszert és segédeszközt.

I. *Csoport.*

1. Katonai puskák és karabélyok, revolverek és pisztolyok; ezekhez a fegyverekhez tartozó zárak és egyéb tartalék alkatrészek, amelyek nem alkalmazhatók közvetlenül polgári használat céljára.

2. Gépfegyverek, katoni önmüködő, vagy öntöltő puskák és géppisztolyok; ezekhez a fegyverekhez tartozó zárak és egyéb alkatrészek, amelyek nem alkalmazhatók közvetlenül polgári használat céljára; gépfegyver állványok.

3. Ágyuk, tarackok, mozsarak, különleges repülőgépágyuk; hátsórész nélküli és vissza nem ugró ágyuk és lángszórók; zárak és egyéb tartalék alkatrészek, melyek nem alkalmazhatók közvetlenül polgári haszálatra; az az imént emlitettekhez tartozó vontató vagy szállitóeszközök és állványok.

4. Rakéta kilövők; önhajtásu és irányitásu lövedékkilövő és ellenőrző szerkezetek; ezekhez tartozó állványok.

5. Önhajtásu és irányitott lövedékek, kilövő szerkezetek, rakéták, elkészitett lőszer és tárak — töltve, vagy töltetlenül, — a fenti 1-4 pontokban felsorolt fegyverekhez, valamint azok robbantását, vagy müködtetését szolgáló robbanóanyagok, csövek, vagy szerkezetek. Polgári célra használt robbanóanyagok nem foglaltatnak bent.

6. Gránátok, bombák, torpedók, aknák, mélyvizi bombák és gyujtóanyagok, vagy töltetek — töltve vagy töltetlenül —; azok müködtetését szolgáló mindennemü eszköz. Polgári célra használt robbanóanyagok nem foglaltatnak bent.

7. Szuronyok.

II. *Csoport.*

1. Páncélozott harcikocsik; páncélvonatok, amelyek gyakorlatilag nem épithetők át polgári használat céljaira.

2. Az I. csoportban felsorolt fegyverek bármelyikéhez tartozó gépesitett és önhajtásu vontató vagy szállitóeszközök; különleges tipusu katonai alvázak vagy felépitmények, amelyek az 1. pontban nincsenek felsorolva.

3. Háboruban védelmi célokra használt, három inch-nél nem vastagabb páncéllemez.

III. *Csoport.*

1. Tüzszabályozás célját szolgáló célzó és elemképző berendezések, beleértve felderitő és helymeghatározó szerkezeteket; ágyu és bombairányzékok, időzitő szerkezetek, ürmértékező felszerelés, ágyuk és tüzellenőrző készülékek ürmértékezésére.

2. Rohamhidak, támadó- és rohamcsónakok.

3. Megtévesztő hadviselés, zavaró és álcázó tervek.

4. Különleges személyi hadfelszerelés, amely nem alkalmazható közvetlenül polgári használatra.

IV. *Csoport.*

1. Mindennemü hadihajók, beleértve átalakitott hajókat és azok kiszolgálása és támogatása céljára tervezett vagy átalakitott jármüveket, amelyek közvetlenül nem alakithatók vissza polgári használat céljára, valamint fegyverek, fegyverzet, lőszer, repülőgépek és minden egyéb felszerelés, anyag, gép és berendezés, amelyet békében kizárólag hadihajókon használnak.

2. Partraszálló jármüvek és kétéltü jármüvek, vagy bárminemü egyéb felszerelések; támadó csónakok, vagy bármilyen fajta eszközök, valamint katapultok, vagy repülőgépek, rakéták, légcsavarhajtásu fegyverek, vagy bármilyen más lövedék kilövését vagy ellenditését szolgáló egyéb szerkezetek, legyenek ezek akár személyek által kezelt szerkezetek, vagy sem, akár irányitottak, akár irányitás nélküliek.

3. Bármilyenfajta elsüllyesztésre alkalmas, vagy félig alkalmas hajók, jármüvek, fegyverek, eszközök vagy szerkezetek, beleértve külön tervezett kikötő-védelmi gátakat, kivéve azokat, amelyek mentési, vagy más polgári használati célokra szükségesek, valamint minden egyéb felszerelés, tartozék, tartalékalkatrész, kisérleti vagy gyakorlati segédeszköz, azoknak szerkesztésére, kipróbálására, karbantartására és elhelyezésére különlegesen tervezett mindennemü szerszámok és berendezések.

V. *Csoport.*

1. Repülőgépek, összeszerelt, vagy összeszereletlen állapotban, levegőnél nehezebbek és könnyebbek egyaránt, amelyeket gépfegyver használatával, rakétakilövőkkel, vagy tüzérséggel folytatott légi ütközetek céljára, vagy bombák szállitására vagy ledobására szerkesztettek, vagy alkalmaztak, vagy pedig amelyeket tervük, vagy szerkezetük alapján az alanti 2. pontban emlitett tartozékok számára készitettek elő.

2. Légi ágyu állványok és keretek, bombaállványok, torpedó szállitóberendezések vagy torpedó, illetőleg bombakioldó szerkezetek; ágyutornyok és erkélyek.

3. Különlegesen ejtőernyős csapatok számára tervezett és kizárólag azok által használt felszerelés.

4. Hajónszállitott, szárazföldi, vagy vizirepülőgépek számára való katapultok, vagy kilövő berendezések; repülőgépfegyverek kilövését szolgáló szerkezetek.

5. Záróléggömbök.

VI. *Csoport.*

Háborus használat célját szolgáló, vagy a polgári használat mérvén tul gyártott, háborus célra felhasználni szándékozott, tetszhalált előidéző, halálos, mérgező vagy bénitó anyagok.

VII. *Csoport.*

Polgári célra nem használható, vagy a polgári használat célját szolgáló szükséglet mérvét tulhaladó mennyiségben gyártott hajtóanyagok, robbanóanyagok, tüzszerek, vagy folyékonyitott gázok, melyek jelen csoportokban felsorolt hadianyagok meghajtására, robbantására, azok töltetként való felhasználásra, töltésre, vagy azokkal kapcsolatban való felhasználásra terveztettek.

VIII. *Csoport.*

Különlegesen a fent felsorolt gyártmányok gyártásához és karbantartásához szerkesztett és polgári használat céljára gyakorlatilag vissza nem alakitható gyári és szerszámfelszerelés.

IV. SZ. FÜGGELÉK

Bizonyos tulajdonokkal kapcsolatos kûlönleges intézkedések.

A. IPARI, IRODALMI ÉS MÜVÉSZI TULAJDON.

1. *(a)* A Szövetséges és Társult Hatalmak és azok állampolgárai számára a jelen Szerződés hatálybalépésétől számitott egy évi időszakot kell biztositani, amelyen belül mindennemü meghosszabbitási illeték, vagy egyéb birság nélkül megtehetik ipari, irodalmi és müvészi tulajdonoknak Magyarországon való megszerzéséhez, vagy megőrzéséhez szükséges mindazon intézkedéseket, amelyeket a háborus állapot fennállása folytán nem tehettek meg.

(b) Azok a Szövetséges és Társult Hatalmak, vagy azoknak azok az állampolgárai, akik valamely Szövetséges és Társult ország területén nem korábban mint 12 hónappal a hadiállapotnak Magyarországgal szemben való beállta előtt, vagy a háboru alatt megfelelő módon bejelentették igényüket valamely szabadalomra, vagy valamely használati minta bejegyzésére, vagy akik nem korábban mint hat hónappal a hadiállapotnak Magyarországgal szemben való beállta előtt, vagy a háboru tartama alatt megfelelő módon bejelentették igényüket valamely ipari tervrajz, minta, vagy védjegy bejegyzésére vonatkozóan, a jelen Szerződés hatálybalépésétöl számitott 12 hónapon belül az illető Szövetséges és Társult Hatalom területén jogosultak lesznek az előző bejelentésen alapuló elsőbbségi joggal a megfelelő jogot igényelni.

(c) A Szövetséges és Társult Hatalmak mindegyike, valamint azok állampolgárai számára a jelen Szerződés hatálybalépésétől számitott egy évi határidőt kell biztositani, amelyen belül jogosultak lesznek eljárást inditani Magyarországon azok ellen a természetes és jogi személyek ellen, akiket azzal vádolnak, hogy ipari, irodalmi és müvészi jogaikat a háboru kitörése és a Szerződés hatálybaléptének időpontja között jogtalanul megcsorbitották.

2. A háboru kitörésétől a jelen Szerződés hatálybalépésétől számitott 18 hónap mulva bekövetkező időpontig eltelő idő figyelmen kivül hagyandó annak megállapitásánál, hogy valamely szabadalmat müködtetnek-e, illetóleg valamely tervrajzot vagy védjegyet használnak-e.

3. A háboru kitörésétől a jelen Szerződés hatálybalépéséig számitott időszak figyelmen kivül hagyandó a háboru kitörésekor Magyarországon

érvényben lévő, vagy a jelen Függelék A. cikkében elismert vagy megállapitott, és valamely Szövetséges és Társult Hatalom vagy annak állampolgára tulajdonát képező ipari, irodalmi és müvészi tulajdonjogának rendes lejárata szempontjából. Következésképen az ilyen jogok rendes érvénye Magyarországon a felfüggesztés időtartamára magától kiterjesztettnek tekintendő.

4. A Szövetséges és Társult Hatalmak magyarországi jogaira vonatkozó fenti intézkedések azonos módon vonatkoznak Magyarország, valamint Magyarország állampolgárainak a Szövetséges és Társult Hatalmak területén lévő jogaira. Ezek az intézkedések azonban semmiképp sem jogositják Magyarországot, vagy Magyarország állampolgárait a Szövetséges és Társult Hatalmak területén kedvezőbb elbánásra, mint amilyen elbánásban az illető Hatalom hasonló esetekben az Egyesült Nemzetek más tagjait, vagy azok állampolgárait részesiti és nem köteleztetik Magyarország ezáltal arra, hogy a Szövetséges és Társult Hatalmaknak, vagy azok állampolgárainak kedvezőbb elbánást biztositson, mint amilyen elbánást Magyarország, vagy állampolgárai az illető Hatalom területén a fenti intézkedések által érintett ügyekben élveznek.

5. Harmadik személyek a Szövetséges és Társult Hatalmak bármelyikének vagy Magyarországnak területén, — akik a jelen Szerződés életbelépése előtt jóhiszemüleg oly ipari, irodalmi vagy müvészeti tulajdonjogokat szereztek, melyek e Függelék A. cikkében visszaállitott jogokkal, vagy oly jogokkal, melyek részére elsőbbség biztosittatott e cikk alatt, összeütközésbe kerülnek, vagy akik az emlitett jogok tárgyát jóhiszemüleg készitették, sokszorositották, használták vagy értékesitették, — jogot nyernek arra, minden bitorlás felelőssége nélkül, ily jogok gyakorlásának folytatására és arra, hogy folytassák, vagy ujból kezdjenek ily gyártást, kiadást, reprodukálást, használatot vagy árubabocsátást, amit jóhiszemüleg megszereztek, vagy elkezdettek. Magyarországon ily engedély egy nem kizárólagos engedmény alakszerüségét fogja felvenni, amelynek feltételei és határideje az érdekelt felek kölcsönös megegyezése alapján állapitandók meg, vagy pedig, megegyezés hiányában, ezek a jelen Szerződés 35. cikke alatt felállitott Egyeztető Bizottság által határoztatnak meg. A Szövetséges és Társult Hatalmak területén azonban jóhiszemü harmadik személyek oly védelemben fognak részesülni, mint amilyenben hasonló körülmények között oly jóhi-

szemü harmadik személyek részesülnek, akiknek jogai ellenkeznek más Szövetséges és Társult Hatalmak állampolgárainak jogaival.

6. Semmiféle oly értelmezést azonban nem lehet adni jelen Függelék A. részének, hogy Magyarországnak és állampolgárainak bármiféle szabadalomhoz, vagy használati mintához joga volna a Szövetséges és Társult Hatalmak bármelyikének területén, találmányokat illetőleg bármiféle oly cikkekre vonatkozólag, amelyek névszerint fel vannak sorolva a jelen Szerződés III. Függeléke alatt, és amelyek Magyarország által, vagy bármelyik állampolgára által Magyarországon vagy bármely másik Tengelyhatalom területén, vagy a Tengelyhatalmak katonasága által bármely megszállott területen, abban az időben, midőn ily területek a Tengelyhatalmak hadserege vagy hatóságainak ellenőrzése alatt állottak, készittettek, vagy amelyekre szabadalmi bejelentést tettek.

7. Magyarország hasonlóképpen kiterjeszti a jelen Függelék előbbeniekben felsorolt kikötéseivel meghatározott előnyöket Franciaországra és az Egyesült Nemzetek azon tagjaira, amelyek nem Szövetséges és Társult Hatalmak és amelyek a diplomáciai kapcsolatokat a háboru alatt Magyarországgal megszakitották és amelyek elvállalják, hogy Magyarországra kiterjesztik az emlitett kikötésekkel Magyarországnak juttatott előnyöket.

8. Jelen Függelék A. része alapján semmit sem lehet ugy értelmezni, hogy az a jelen Szerződés 26. 29. és 31. cikkeivel ellenkezne.

B. BIZTOSITÁS.

1. A biztositóknak utjába — akik az Egyesült Nemzetek polgárai, — korábbi üzleti tevékenységük ujbóli felvétele alkalmából semmiféle más akadály, mint általában a biztositókra alkalmazható, nem gördithető.

2. Ha egy biztositó, aki az Egyesült Nemzetek bármelyikének polgára, szakmabeli tevékenységét Magyarországon ujból felvenni óhajtja és ha az óvadékletétek vagy tartalékok értéke, melyeknek fenntartása a Magyarországon folytatandó üzleti tevékenységnek előfeltétele, csökkent ily letéteket vagy tartalékokat képező kötvények elvesztése, vagy értékbeni csökkenése folytán: a magyar kormány elvállalja, hogy 18 hónap tartamára elfogadja az oly kötvényeket, melyek még megmaradtak e betéteket és tartalékokat illető bármiféle jogi követelmény teljesitéseként.

V. FÜGGELÉK

A. SZERZŐDÉSEK, ELÉVÜLÉS ÉS KERESKEDELMI PAPIROK.

1. Bármiféle szerződést, amelynek teljesitéséhez szükséges volt, hogy a szerződő felek érintkezést tartsanak fenn és e szerződő felek bármelyike a jelen Függelék D. részének értelmében ellenséggé vált, hatálytalannak kell tekinteni az alanti 2. és 3. fejezetekben meghatározott kivételek sérelme nélkül, attól az időponttól kezdve, midőn a szerződő felek bármelyike ellenséggé vált. E hatálytalanná válás azonban a jelen Szerződés 27. cikkében meghatározott rendelkezéseket nem befolyásolhatja és nem mentesiti a szerződő felek egyikét sem azon kötelesség alól, hogy vissza kell fizetniök az előlegként kapott, vagy részletfizetési összegeket, amelyek tekintetében ily szerződő fél ellenszolgáltatást nem teljesitett.

2. Függetlenül a fenti 1. pont rendelkezéseitől, a hatálytalanná válás alól ki vannak véve és a jelen Szerződés 26. cikkében meghatározott jogok sérelme nélkül érvényben kell hogy maradjanak bármely szerződésnek oly kikötései, melyek különválaszthatók és amelyeknek teljesitéséhez nem volt szükséges, hogy a szerződő felek — akik a jelen Függelék D. részének értelmében ellenséggé váltak — az egymás közötti érintkezést fenntartsák. Az esetben, midőn bármely szerződésnek kikötései ilymódon nem választhatók külön, a szerződést teljes egészében hatálytalanná váltnak kell tekinteni. Az előbbeniek azoknak a belső törvényeknek, rendeleteknek és rendszabályoknak vannak alárendelve, melyeket azok a Szövetséges és Társult Hatalmak alkottak, amelyek a szerződést illetőleg, vagy pedig a szerződő felek bármelyikét illetőleg birói illetékességgel birnak.

3. A jelen Függelék A. részének egyik rendelkezését sem lehet ugy értelmezni, hogy érvénytelenitené az ellenségek közötti szerződések értelmében jogszerüen létrejött ügyleteket, ha azok a Szövetséges és Társult Hatalmak egyikének engedélyével teljesittettek.

4. Az előbbeni kikötések dacára, biztositási és viszontbiztositási szerződések az illetékes Szövetséges és Társult Hatalmak és Magyarország közötti külön megegyezés tárgyát fogják képezni.

B. ELÉVÜLÉSI IDŐSZAK.

1. Félbeszakadtnak kell tekinteni egyrészről Magyarország területén, másrészről azoknak az Egyesült Nemzeteknek területén, melyek viszonossági alapon Magyarország részére a jelen szakasz kikötéseivel meghatározott kedvezményeket biztositják, mindazon időszakot, melyek elévülésre, vagy perinditási határidő korlátozására, vagy jogvédelmi intézkedések megtételére vonatkoznak, személyi vagy tulajdonjogi viszonylatban, az Egyesült Nemzetek azon polgárait és Magyarország azon polgárait illetőleg, akik a háborus állapotok következtében képtelenek voltak jogvédelmi eljárást folyamatba tenni, vagy pedig jogaik megvédéséhez szükséges alakiságnak megfelelni, függetlenül attól, hogy ezek az időszakok a háboru kitörése előtt vagy után vették kezdetüket. Ezek az időszakok a jelen Szerződés érvénybelépésekor fogják kezdetüket venni. Ennek a résznek rendelkezéseit kell alkalmazni a kamat és osztalék szelvények, valamint oly értékpapirok fizetés céljából való bemutatásának határidőire is, melyek kisorsolás vagy egyéb alapon visszaváltandók.

2. Ha, ama körülmény folytán, hogy a háboru alatt valamely cselekmény foganatositása elmulasztatott, vagy hogy valamely alakiság nem teljesittetett, Magyarország területén az Egyesült Nemzetek bármelyikének polgárát sértő végrehajtási cselekmények foganatosittattak, a magyar kormánynak vissza kell állitani azokat a jogokat, melyek hátrányosan befolyásoltattak. Ha ily helyreállitás lehetetlen, vagy méltánytalan volna, a magyar kormánynak gondoskodnia kell arról, hogy az Egyesült Nemzetek polgára oly kártéritésben részesüljön, amely a körülmények között igazságosnak és méltányosnak tekinthető.

C. KERESKEDELMI PAPIROK.

1. Ellenségek közötti viszonylatban háboru előtt kiállitott kereskedelmi papirok érvénytelenné váltaknak nem tekinthetők csupán ama oknál fogva, hogy azokat megszabott határidőn belül elfogadás, vagy fizetés végett nem mutatták be, vagy hogy a kibocsátókat, vagy forgatókat az el nem fogadásról vagy nem fizetésről nem értesitették, vagy nem óvatolták meg a papirt; sem pedig annál az oknál fogva, hogy a háboru alatt valamely alakiság nem teljesittetett.

2. Ha az az időszak, amely alatt a kereskedelmi papirt elfogadás, vagy fizetés végett be kellett volna mutatni, vagy amely alatt az el nem fogadásról vagy nem fizetésről a kibocsátót, vagy forgatót értesiteni kellett volna, vagy amely alatt a papirt meg kellett volna óvatolni, a háboru alatt lejárt és a fél, akinek a papirt bemutatnia, óvatolnia kellett volna, vagy az el nem fogadásról, vagy nem fizetésről értesitést kellett volna adnia, ezt nem tette meg a háboru alatt, a jelen Szerződés életbeléptétől számitott legkevesebb három hónapi időszak fog rendelkezésre állni, amely alatt bemutatás, az el nem fogadásról, vagy nem fizetésről szóló értesités, vagy óvatolás eszközölhető.

3. Ha valaki, akár a háboru előtt, akár a háboru alatt, egy kereskedelmi papiron alapuló kötelezettséget vállalt egy később ellenséggé vált személynek vele szemben elvállalt kötelezettsége alapján, az utóbbi felelős fog maradni a háboru kitörésének dacára is, az előbbeninek ezen kötelezettségek tekintetében kártalanitásáért.

D. ÁLTALÁNOS RENDELKEZÉSEK.

1. E Függelék alkalmazásának céljából egyéni vagy jogi személyeket ellenségnek kell tekinteni attól a naptól kezdve, midőn kereskedés közöttük jogellenessé vált, azoknak a törvényeknek, rendeleteknek, vagy rendszabályoknak értelmében, melyek az ily felekre, vagy szerződésekre nézve kötelezőek.

2. Az Amerikai Egyesült Államok jogrendszerére való tekintettel e Függelék rendelkezéseit nem lehet alkalmazni az Amerikai Egyesült Államok és Magyarország között.

VI. FÜGGELÉK

Itéletek

A magyar kormánynak meg kell tenni a szükséges lépéseket acélból, hogy lehetővé tegye az Egyesült Nemzetek bármelyikének állampolgára részére azt, hogy a jelen Szerződés életbelépésétől számitott egy éven belül bármikor az illetékes magyar hatóságok elé terjeszthessen felülvizsgálás céljából bármely itéletet, amelyet egy magyar biróság 1941. évi junius 22.-e és a jelen Szerződés életbelépése között hozott, bármiféle eljárás folyamán,

amelynek során az Egyesült Nemzetek polgára képtelen volt megfelelően előterjeszteni ügyét, akár mint felperes, vagy alperes. A magyar kormánynak gondoskodnia kell arról, az esetben, ha az Egyesült Nemzetek polgára sérelmet szenvedett bármiféle ilyen itéletből kifolyólag, hogy őt abba az állapotba kell visszahelyezni, amelyben a biróság itéletét megelőzőleg volt, vagy olyan jogorvoslatban kell őt részesitenie, ami igazságos és méltányos az adott körülmények között. Az "Egyesült Nemzetek polgárai" kifejezés magában foglalja az Egyesült Nemzetek bármelyikének törvényei szerint alakitott társaságokat és egyesületeket.

В удостоверение чего нижеподписавшиеся Полномочные Представители подписали настоящий Договор и приложили к нему свои печати.

Совершено в Париже на русском, английском, французском и венгерском языках, февраля десятого дня тысяча девятьсот сорок седьмого года.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. [1]

Done in the city of Paris in the Russian, English, French and Hungarian languages this tenth day of February, One Thousand Nine Hundred Forty-Seven.

En foi de quoi, les Plénipotentiaires soussignés ont apposé leurs signatures et leurs cachets au bas du présent Traité.

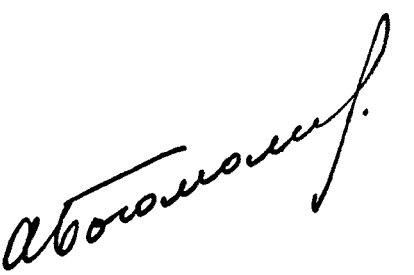
Fait à Paris, le dix février mil neuf cent quarante-sept, en langues russe, anglaise, française et hongroise.

Ennek hiteléül az alulírott meghatalmazottak a jelen szerződést aláírták és pecsétjeikkel ellátták.

Kelt Párisban, orosz, angol, francia és magyar nyelven, ezerkilencszáznegyvenhetedik év február hó tizedik napján.

За Союз Советских Социалистических Республик:
FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES:
A SZOCIALISTA SZOVJET KÖZTÁRSASÁGOK UNIÓJA RÉSZÉRÖL:

[SEAL]

[SEAL] 

[1] [For romanization of the facsimile signatures, see p. 2228.]

За Соединенное Королевство Великобритании и Северной Ирландии:
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
A NAGYBRITANNIAI ÉS ÉSZAK IRORSZÁGI EGYESÜLT KIRÁLYSÁG RÉSZÉRÖL:

[SEAL]

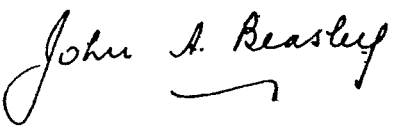
За Соединенные Штаты Америки:
FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMERIQUE:
AZ AMERIKAI EGYESÜLT ÁLLAMOK RÉSZÉRÖL:

[SEAL]

[SEAL]

За Австралию:
FOR AUSTRALIA:
POUR L'AUSTRALIE:
AUSZTRÁLIA RÉSZÉRÖL:

[SEAL]



За Белорусскую Советскую Социалистическую Республику.
FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE:
A FEHÉROROSZ SZOCIALISTA SZOVJET KÖZTÁRSASÁG RÉSZÉRÖL:

[SEAL]

За Канаду:
FOR CANADA:
POUR LE CANADA:
KANADA RÉSZÉRÖL:

[SEAL]

За Чехословакию:
FOR CZECHOSLOVAKIA:
POUR LA TCHECOSLOVAQUIE:
CSEHSZLOVÁKIA RÉSZÉRÖL:

[SEAL]

[SEAL]

За Индию:
FOR INDIA:
POUR L'INDE:
INDIA RÉSZÉRÖL:

[SEAL]

За Новую Зеландию:
FOR NEW ZEALAND:
POUR LA NOUVELLE-ZELANDE:
UJ ZÉLAND RÉSZÉRÖL:

[SEAL]

За Украинскую Советскую Социалистическую Республику:
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE:
AZ UKRÁN SZOCIALISTA SZOVJET KÖZTÁRSASÁG RÉSZÉRŐL:

[SEAL]

За Южно-Африканский Союз:
FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION DE L'AFRIQUE DU SUD:
A DÉLAFRIKAI UNIÓ RÉSZÉRŐL:

[SEAL]

За Федеративную Народную Республику Югославии:
FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:
POUR LA REPUBLIQUE FEDERATIVE POPULAIRE DE YOUGOSLAVIE:
A JUGOSZLÁVIAI FEDERÁLIS NÉPKÖZTÁRSASÁG RÉSZÉRÖL:

[SEAL]

[SEAL]

[SEAL]

За Венгрию:
FOR HUNGARY:
POUR LA HONGRIE:
MAGYARORSZÁG RÉSZÉRÖL:

[SEAL]

Министерство Иностранных Дел Союза Советских Социалистических Республик удостоверяет с приложением печати, что настоящий документ является верной копией Мирного Договора с Венгрией, подписанного в Париже 10 февраля 1947 года на русском, английском, французском и венгерском языках в одном экземпляре, подлинник которого находится на хранении в архивах Правительства Союза Советских Социалистических Республик.

По распоряжению Министра, Член Коллегии и Начальник Договорно-Правового Управления Министерства Иностранных Дел СССР.

. Москва, [illegible] 1947 г.

С. ГОЛУНСКИЙ.

WHEREAS the Senate of the United States of America by their resolution of June 5, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty;

WHEREAS the said Treaty was duly ratified by the President of the United States of America on June 14, 1947, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS it is provided in Article 42 of the said Treaty that the Treaty shall come into force immediately upon the deposit with the Government of the Union of Soviet Socialist Republics of ratifications by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

WHEREAS instruments of ratification were deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by the United States of America, by the Union of Soviet Socialist Republics, and by the United Kingdom of Great Britain and Northern Ireland;

AND WHEREAS an instrument of ratification was also deposited with the Government of the Union of Soviet Socialist Republics on September 15, 1947 by Hungary;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Treaty of Peace with Hungary to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith, on and after September 15, 1947, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and do hereby further proclaim that the state of war between the United States of America and Hungary terminated on September 15, 1947.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of September in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A LOVETT

Acting Secretary of State

Note by the Department of State

The following is a romanization of the facsimile signatures:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
V. MOLOTOV.
A BOGOMOLOV.

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
ERNEST BEVIN
DUFF COOPER

FOR THE UNITED STATES OF AMERICA:
JAMES F BYRNES
JEFFERSON CAFFERY

FOR AUSTRALIA:
JOHN. A. BEASLEY

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
K KISSELEV

FOR CANADA:
GEORGE P. VANIER

FOR CZECHOSLOVAKIA:
JAN MASARYK
V. CLEMENTIS

FOR INDIA:
S. E. RUNGANADHAN.

FOR NEW ZEALAND:
W. J JORDAN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
I. SENIN

FOR THE UNION OF SOUTH AFRICA:
W. G. PARMINTER.

FOR THE PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA:
STANOJE S SIMIĆ
RODOLJUB ČOLAKOVIĆ
DR PAVLE GREGORIĆ

FOR HUNGARY:
JÁNOS GYONGYOSSI

The certification on page 2226 reads, in translation, as follows:

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics certifies by the seal affixed hereto that the present document is a true copy of the Treaty of Peace with Hungary signed at Paris on February 10, 1947, in the Russian, English, French and Hungarian languages in a single copy, the original of which is preserved in the archives of the Government of the Union of Soviet Socialist Republics.

By order of the Minister, Member of the Collegium and Chief of the Treaty-Law Division of the Ministry of Foreign Affairs of the U.S.S.R.

February 26, 1947.

[SEAL] S. GOLUNSKI.

December 11, 1946
[T.I.A.S. 1671]

Protocol, with annex, between the United States of America and other governments respecting narcotic drugs, amending the agreements, conventions, and protocols of January 23, 1912, February 11, 1925, February 19, 1925, July 13, 1931, November 27, 1931, and June 26, 1936. Opened for signature at Lake Success December 11, 1946; ratification advised by the Senate of the United States of America June 24, 1947; ratified by the President of the United States of America July 15, 1947; ratification of the United States of America deposited with the United Nations at Lake Success August 12, 1947; protocol proclaimed by the President of the United States of America October 14, 1947; protocol entered into force with respect to the United States of America August 12, 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Protocol, with accompanying Annex, amending the Agreements, Conventions and Protocols on Narcotic Drugs was opened for signature at Lake Success, New York, on December 11, 1946, and was signed by the respective Plenipotentiaries of the United States of America (with a reservation "Subject to approval") and forty-eight other countries;

WHEREAS the text of the said Protocol in the Chinese, English, French, Russian and Spanish languages and the accompanying Annex in the English and French languages, as certified by the Acting Assistant Secretary-General of the United Nations in charge of the Legal Department, are word for word as follows:

PROTOCOL

AMENDING THE AGREEMENTS, CONVENTIONS AND PROTOCOLS ON NARCOTIC DRUGS

CONCLUDED AT THE HAGUE ON 23 JANUARY 1912,
AT GENEVA ON 11 FEBRUARY 1925 AND 19 FEBRUARY 1925, AND 13 JULY 1931,
AT BANGKOK ON 27 NOVEMBER 1931 AND AT GENEVA ON 26 JUNE 1936

UNITED NATIONS
Lake Success, New York
1946

PROTOCOL AMENDING THE AGREEMENTS, CONVENTIONS AND PROTOCOLS ON NARCOTIC DRUGS CONCLUDED AT THE HAGUE ON 23 JANUARY 1912, AT GENEVA ON 11 FEBRUARY 1925 AND 19 FEBRUARY 1925, AND 13 JULY 1931, AT BANGKOK ON 27 NOVEMBER 1931 AND AT GENEVA ON 26 JUNE 1936

Narcotic drugs. Performance of duties and functions of League of Nations, etc.
Post, p. 2251.

The States Parties to the present Protocol, considering that under the international Agreements, Conventions and Protocols relating to narcotic drugs which were concluded on 23 January 1912, 11 February 1925, [1] 19 February 1925, [2] 13 July 1931, 27 November 1931 [3] and 26 June 1936, [4] the League of Nations was invested with certain duties and functions for whose continued performance it is necessary to make provision in consequency of the dissolution of the League, and considering that it is expedient that these duties and functions should be performed henceforth by the United Nations and the World Health Organization or its Interim Commission, have agreed upon the following provisions:

38 Stat. 1912.

48 Stat. 1543.

48 Stat. 1543.

ARTICLE I

The States Parties to the present Protocol undertake that as between themselves they will, each in respect of the instruments to which it is a party, and in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to those instruments which are set forth in the Annex to the present Protocol.

Post, p. 2251.

ARTICLE II

1. It is agreed that, during the period preceding the entry into force of the Protocol in respect of the International Convention relating to Dangerous Drugs of 19 February 1925, and in respect of the International Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, the Permanent Central Board and the Supervisory Body as at present constituted shall continue to perform their functions. Vacancies in the membership of the Permanent Central Board may during this period be filled by the Economic and Social Council.

2. The Secretary-General of the United Nations is authorized to perform at once the duties hitherto discharged by the Secretary-General of the League of Nations in connection with the Agreements, Conventions and Protocols mentioned in the Annex to the present Protocol.

[1] League of Nations Treaty Series, vol. 51, p. 337.
[2] *Ibid.*, vol. 81, p. 317.
[3] *Ibid.*, vol. 177, p. 373.
[4] *Ibid.*, vol. 198, p. 299.

3. States which are Parties to any of the instruments which are to be amended by the present Protocol are invited to apply the amended texts of those instruments so soon as the amendments are in force even if they have not yet been able to become Parties to the present Protocol.

4. Should the amendments to the Convention relating to Dangerous Drugs of 19 February 1925, or the amendments to the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, come into force before the World Health Organization is in a position to assume its functions under these Conventions, the functions conferred on that Organization by the amendments shall, provisionally, be performed by its Interim Commission.

ARTICLE III

The functions conferred upon the Netherlands Government under articles 21 and 25 of the International Opium Convention signed at The Hague on 23 January 1912, and entrusted to the Secretary-General of the League of Nations with the consent of the Netherlands Government, by a resolution of the League of Nations Assembly dated 15 December 1920, shall henceforward be exercised by the Secretary-General of the United Nations.

ARTICLE IV

As soon as possible after this Protocol has been opened for signature, the Secretary-General shall prepare texts of the Agreements, Conventions and Protocols revised in accordance with the present Protocol and shall send copies for their information to the Government of every Member of the United Nations and every non-member State to which this Protocol has been communicated by the Secretary-General.

ARTICLE V

The present Protocol shall be open for signature or acceptance by any of the States Parties to the Agreements, Conventions and Protocols on narcotic drugs on 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, to which the Secretary-General of the United Nations has communicated a copy of the present Protocol.

38 Stat. 1912.
48 Stat. 1543.

ARTICLE VI

States may become Parties to the present Protocol by

(a) signature without reservation as to approval,
(b) signature subject to approval followed by acceptance or
(c) acceptance.

Exercise of functions conferred upon Netherlands Government.

Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

38 Stat. 1918, 1919.

ARTICLE VII

1. The present Protocol shall come into force in respect of each Party on the date upon which it has been signed on behalf of that Party without reservation as to approval, or upon which an instrument of acceptance has been deposited.

Entry into force.

2. The amendments set forth in the Annex to the present Protocol shall come into force in respect of each Agreement, Con-

vention and Protocol when a majority of the Parties thereto have become Parties to the present Protocol.

ARTICLE VIII

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register and publish the amendments made in each instrument by the present Protocol on the dates of the entry into force of these amendments.

59 Stat. 1052.

38 Stat. 1912.

48 Stat. 1543.

ARTICLE IX

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Agreements, Conventions and Protocols to be amended in accordance with the Annex being in the English and French languages only, the English and French texts of the Annex shall equally be the authentic texts and the Chinese, Russian and Spanish texts will be translations. A certified copy of the Protocol, including the Annex, shall be sent by the Secretary-General to each of the States Parties to the Agreements, Conventions and Protocols on narcotic drugs of 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, as well as to all Members of the United Nations and non-member States mentioned in Article IV.

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Protocol on behalf of their respective Governments on the dates appearing opposite their respective signatures.

DONE at Lake Success, New York, this eleventh day of December one thousand nine hundred and forty-six.

PROTOCOLE

AMENDANT LES ACCORDS, CONVENTIONS ET PROTOCOLES SUR LES STUPEFIANTS

CONCLUS A LA HAYE LE 23 JANVIER 1912,
A GENEVE LE 11 FEVRIER 1925 ET LE 19 FEVRIER 1925 ET LE 13 JUILLET 1931,
A BANGKOK LE 27 NOVEMBRE 1931 ET A GENEVE LE 26 JUIN 1936

NATIONS UNIES
Lake Success, New-York
1946

PROTOCOLE AMENDANT LES ACCORDS, CONVENTIONS ET PROTOCOLES SUR LES STUPEFIANTS CONCLUS A LA HAYE LE 23 JANVIER 1912, A GENEVE LE 11 FEVRIER 1925 ET LE 19 FEVRIER 1925 ET LE 13 JUILLET 1931, A BANGKOK LE 27 NOVEMBRE 1931 ET A GENEVE LE 26 JUIN 1936

Les Etats Parties au présent Protocole, considérant que les Accords, Conventions et Protocoles internationaux concernant les stupéfiants qui ont été conclus le 23 janvier 1912, le 11 février 1925, le 19 février 1925, le 13 juillet 1931, le 27 novembre 1931 et le 26 juin 1936 ont confié à la Société des Nations certains devoirs et certaines fonctions et, en raison de la dissolution de la Société des Nations, il est nécessaire de prendre des dispositions en vue d'en assurer l'accomplissement sans interruption, et considérant qu'il est opportun que ces devoirs et ces fonctions soient accomplis désormais par l'Organisation des Nations Unies et par l'Organisation mondiale de la santé ou par sa Commission intérimaire, sont convenus des dispositions suivantes:

ARTICLE I

Les Etats Parties au présent Protocole prennent l'engagement qu'entre eux-mêmes, chacun en ce qui concerne les instruments auxquels il est Partie, et conformément aux dispositions du présent Protocole, ils attribueront plein effet juridique aux amendements à ces instruments mentionnés à l'annexe au présent Protocole, les mettront en vigueur et en assureront l'application.

ARTICLE II

1. Il est convenu que, en attendant l'entrée en vigueur du Protocole relativement à la Convention internationale du 19 février 1925 concernant les drogues nuisibles et relativement à la Convention internationale du 13 juillet 1931 pour limiter la fabrication et réglementer la distribution des stupéfiants, le Comité central permanent et l'Organe de contrôle, tels qu'ils sont constitués actuellement, continueront à exercer leurs fonctions. Pendant cette période, le Conseil économique et social pourra pourvoir aux sièges vacants au Comité central permanent.

2. Le Secrétaire général de l'Organisation des Nations Unies est autorisé à assumer immédiatement les fonctions dont le Secrétaire général de la Societé des Nations était chargé jusqu'à présent en ce qui concerne les Accords, Conventions et Protocoles mentionnés à l'annexe du présent Protocole.

3. Les Etats Parties à l'un des instruments qui doivent être amendés par le présent Protocole sont invités à appliquer les textes amendés de ces instruments dès l'entrée en vigueur des amendements, même s'ils n'ont pas encore pu devenir Parties au présent Protocole.

4. Si les amendements à la Convention sur les drogues nuisibles du 19 février 1925 ou les amendements à la Convention pour limiter la fabrication et réglementer la distribution des stupéfiants du 13 juillet 1931 entrent en vigueur avant que l'Organisation mondiale de la santé soit en mesure de remplir les fonctions que ces Conventions lui attribuent, les fonctions confiées à cette Organisation par les amendements seront provisoirement remplies par la Commission intérimaire.

ARTICLE III

Les fonctions attribuées au Gouvernement des Pays-Bas en vertu des articles 21 et 25 de la Convention internationale de l'opium signée à La Haye le 23 janvier 1912 et confiées au Secrétaire général de la Société des Nations, avec le consentement du Gouvernement des Pays-Bas, par une résolution de l'Assemblée de la Société des Nations en date du 15 décembre 1920, seront exercées désormais par le Secrétaire général de l'Organisation des Nations Unies.

ARTICLE IV

Aussitôt que possible après l'ouverture à la signature du présent Protocole, le Secrétaire général préparera les textes des Accords, Conventions et Protocoles revisés conformément au présent Protocole et transmettra, à titre d'information, des copies au Gouvernement de chaque Membre des Nations Unies et de chaque Etat non membre auquel le présent Protocole aura été communiqué par le Secrétaire général.

ARTICLE V

Le présent Protocole sera ouvert à la signature ou à l'acceptation de tous les Etats Parties aux Accords, Conventions et Protocoles sur les stupéfiants du 23 janvier 1912, du 11 février 1925, du 19 février 1925, du 13 juillet 1931, du 27 novembre 1931 et du 26 juin 1936, auxquels le Secrétaire général de l'Organisation des Nations Unies aura communiqué une copie du présent Protocole.

ARTICLE VI

Les Etats pourront devenir Parties au présent Procotole

a) En le signant sans réserve quant à l'approbation,
b) En le signant sous réserve d'approbation, suivie d'acceptation,
c) En l'acceptant.

L'acceptation s'effectuera par le dépôt d'un instrument formel auprès du Secrétaire général de l'Organisation des Nations Unies.

ARTICLE VII

1. Le présent Protocole entrera en vigueur à l'égard de chaque Partie à la date où celle-ci y aura adhéré sans formuler de réserves quant à son acceptation, ou à la date à laquelle un instrument d'acceptation aura été déposé.

2. Les amendements mentionnés à l'annexe au présent Protocole entreront en vigueur, en ce qui concerne chaque Accord, Convention et Protocole, lorsqu'une majorité des Parties à l'Accord, à la Convention et au Protocole en question seront devenues Parties au présent Protocole.

ARTICLE VIII

Conformément à l'Article 102 de la Charte des Nations Unies, le Secrétaire général de l'Organisation des Nations Unies enregistrera et publiera les amendements apportés à chaque instrument par le présent Protocole avec dates d'entrée en vigueur de ces amendements.

ARTICLE IX

Le présent Protocole, dont les textes anglais, chinois, espagnol, français et russe feront également foi, sera déposé aux archives du Secrétariat de l'Organisation des Nations Unies. Les Conventions, Accords et Protocoles à amender conformément à l'annexe ayant été rédigés seulement en anglais et en français, les textes anglais et français de l'annexe feront également foi, les textes chinois, espagnol et russe étant des traductions. Une copie certifiée conforme du présent Protocole, y compris l'annexe, sera envoyée par le Secrétaire général à chacun des Etats Parties aux Accords, Conventions et Protocoles sur les stupéfiants du 23 janvier 1912, du 11 février 1925, du 19 février 1925, du 13 juillet 1931, du 27 novembre 1931 et du 26 juin 1936, ainsi qu'à tous les Membres des Nations Unies et aux Etats non membres mentionnés à l'article IV.

EN FOI DE QUOI les soussignés dûment autorisés ont signé le présent Protocole au nom de leurs Gouvernements respectifs aux dates figurant en regard de leur signature respective.

FAIT à Lake Success, New-York, le onze décembre mil neuf cent quarante-six.

修 正

一九一二年一月二十三日在海牙簽訂，
一九二五年二月十一日，一九二五年二月十九日，一九三一年七月十三日在日內瓦簽訂，
一九三一年十一月二十七日在曼谷簽訂，一九三六年六月二十六日在日內瓦簽訂，

關於麻醉品之各種協定，公約及議定書之

議 定 書

聯合國
經約成功團
公曆一九四六年

修正一九一二年一月二十三日在海牙簽訂，一九二五年二月十一日，一九二五年二月十九日，一九三一年七月十三日在日內瓦簽訂，一九三一年十一月二十七日在曼谷簽訂，及一九三六年六月二十六日在日內瓦簽訂關於麻醉品之各種協定，公約及議定書之議定書。

本議定書簽訂國，鑒於國際聯合會依據一九一二年一月二十三日，一九二五年二月十一日，一九二五年二月十九日，一九三一年七月十三日，一九三一年十一月二十七日及一九三六年六月二十六日所訂關於麻醉品之國際協定，公約及議定書，負有某種職責，玆因國際聯合會業已解散，爲求上述職責得以繼續執行起見，實有重行規定之必要，又鑒於上述職責以後交由聯合國及世界衛生組織或其過渡委員會執行，至爲適當，用特議定下列各條欵：

第一條

本議定書各簽訂國承諾於彼此間各就其所簽訂之規約，並依照本議定書之規定，使本議定書附件所列各該規約之修正條欵發生法律上完全效力，並付之實施。

第二條

一．各簽訂國同意，在本議定書與一九二五年二月十九日危險藥品國際公約，及一九三一年七月十三日限制麻醉品製造及管制麻醉品運銷國際公約有關之部分發生效力以前，現有之中央鴉片常設委員會及監察機關應繼續執行其職務．中央鴉片常設委員會委員在此期間內如有出缺，得由經濟暨社會理事會遴選人員接替。

二．玆授權聯合國秘書長立即執行前由國際聯合會秘書長執行，與本議定書附件中所列各種協定，公約及議定書有關之職務。

三．凡須依照本議定書修正之任何規約，其簽訂國雖尚不能爲本議定書之簽訂國者，應請其於修正條欵發生效力之時，即將各該規約之修正全文施行。

四．世界衛生組織倘於一九二五年二月十九日危險藥品國際公約及一九三一年七月十三日限制麻醉品製造及管制麻醉品運銷國際公約之各修正條欵發生效力之時，尚不能執行該兩公約所規定之職務，則修正條欵所授予該組織之職務，應暫由該組織之過渡委員會執行之。

第三條

前經依照一九一二年一月二十三日在海牙簽定之國際鴉片公約第二十一條及第二十五條授予荷蘭政府，復由國際聯合會大會商得荷蘭政府同意，經以一九二〇年十二月十五日決議案委諸國際聯合會秘書長之職務，嗣後應由聯合國秘書長行使之。

第四條

一俟本議定書提供簽字時，秘書長應儘速備具依照本議定書規定修正之協定，公約及議定書全文；並應將其抄本分送聯合國各會員國政府及曾由秘書長送交本議定書之非會員國政府，供其參考。

第五條

一九一二年一月二十三日，一九二五年二月十一日，一九二五年二月十九日，一九三一年七月十三日，一九三一年十一月二十七日及一九三六年六月二十六日關於麻醉品各種協定，公約及議定書之任何簽訂國，曾由聯合國秘書長送交本議定書抄本者，均得簽字於本議定書或接受之。

第六條

各國得經由下列程序之一爲本議定書簽訂國：

（甲）對於認可不附保留，逕行簽署；

（乙）簽署後仍須認可，然後接受；

（丙）接受.

接受須以正式文書送交聯合國秘書長。

第七條

一．本議定書自簽訂國對於認可不附保留，逕行簽署或自其接受書送存之日起對該簽訂國發生效力。

二．本議定書附件中所列之修正條款，自協定，公約及議定書簽訂國過半數成爲本議定書簽訂國之日起，就各該協定，公約及議定書發生效力。

第八條

聯合國秘書長應依照聯合國憲章第一百零二條之規定於上述修正條款發生效力之日起將各規約經由本議定書修正之處予以登記，並公佈之。

第九條

本議定書應留存聯合國秘書處檔庫，其中．英．法．俄．及西文各本同一作準．須依照附件修正之協定．公約．及議定書因僅有英．法文兩本，故附件之英．法文各本同一作準，而中．俄．及西文各本僅係譯本．　秘書長應將議定書連同附件在內之正式副本分送一九一二年一月二十三日，一九二五年二月十一日，一九二五年二月十九日，一九三一年七月十三日，一九三一年十一月二十七日及一九三六年六月二十六日關於麻醉品協定，公約，議定書之各簽訂國，聯合國各會員國及本議定書第四條所稱之非聯合國會員國。

爲此下列代表秉其本國政府正式授予之權，謹爲其各該本國政府簽字於本議定書，以昭信守．　簽署日期與簽字並列。

公曆一九四六年十二月十一日訂於紐約成功湖。

三

ПРОТОКОЛ

О ВНЕСЕНИИ ИЗМЕНЕНИЙ В СОГЛАШЕНИЯ, КОНВЕНЦИИ И ПРОТОКОЛЫ О НАРКОТИКАХ,

ЗАКЛЮЧЕННЫЕ В ГААГЕ 23 ЯНВАРЯ 1912 г.,
В ЖЕНЕВЕ 11 ФЕВРАЛЯ 1925 г. и 19 ФЕВРАЛЯ 1925 г. и 13 ИЮЛЯ 1931 г.,
В БАНГКОКЕ 27 НОЯБРЯ 1931 г. и В ЖЕНЕВЕ 26 ИЮНЯ 1936 г.

ОБЪЕДИНЕННЫЕ НАЦИИ
ЛЕЙК САКСЕС, НЬЮ-ЙОРК
1946

ПРОТОКОЛ О ВНЕСЕНИИ ИЗМЕНЕНИЙ В СОГЛАШЕНИЯ, КОНВЕНЦИИ И ПРОТОКОЛЫ О НАРКОТИКАХ, ЗАКЛЮЧЕННЫЕ В ГААГЕ 23 ЯНВАРЯ 1912 Г., В ЖЕНЕВЕ 11 ФЕВРАЛЯ 1925 Г., И 19 ФЕВРАЛЯ 1925 Г., И 13 ИЮЛЯ 1931 Г., В БАНГКОКЕ 27 НОЯБРЯ 1931 Г. И В ЖЕНЕВЕ 26 ИЮНЯ 1936 Г.

Государства, являющиеся сторонами в настоящем Протоколе, — принимая во внимание, что в соответствии с положениями Международных Соглашений, Конвенций и Протоколов о наркотиках, заключенных 23 января 1912 г., 11 февраля 1925 г., 19 февраля 1925 г., 13 июля 1931 г., 27 ноября 1931 г. и 26 июня 1936 г., на Лигу Наций были возложены известные обязанности и функции, для непрерывного выполнения которых необходимо, вследствие роспуска Лиги Наций, предусмотреть правила, и считая целесообразным, чтобы впредь эти функции и обязанности выполнялись Организацией Объединенных Наций и Международной организацией здравоохранения или ее Временной Комиссией, — согласились о следующих постановлениях:

Статья I

Государства, являющиеся сторонами в настоящем Протоколе, обязуются в отношениях между ними и каждое в отношении документов, стороной в которых оно является, — и в соответствии с постановлениями настоящего Протокола, признавать полную правовую силу и действие изменений, внесенных в эти документы в Приложении к настоящему Протоколу, и должным образом применять их.

Статья II

1. Устанавливается, что в период времени, предшествующий вступлению в силу этого Протокола в отношении Международной Конвенции о сильно действующих средствах от 19 февраля 1925 г. и Международной Конвенции по ограничению производства и регулированию распределения наркотиков от 13 июля 1931 г., Постоянный Центральный Комитет и Контрольная Комиссия, в их настоящем составе, будут продолжать выполнять свои функции. В течение этого времени Экономический и Социальный Совет может замещать вакантные должности членов Постоянного Центрального Комитета.

2. Генеральный Секретарь Организации Объединенных Наций уполномачивается немедленно приступить к исполнению обязанностей, которые до сих пор выполнялись Генеральным Секретарем Лиги Наций в связи с Соглашениями, Конвенциями и Протоколами, упомянутыми в Приложении к настоящему Протоколу.

3. Государства, являющиеся сторонами в любом из актов, в которые вносятся изменения настоящим Протоколом, приглашаются применять исправленные тексты этих актов, как только изменения войдут в силу, даже если эти Государства еще не могли стать участниками настоящего Протокола.

4. Если изменения Конвенции о сильно действующих средствах от 19 февраля 1925 года или изменения Конвенции по ограничению производства и регулированию распределения наркотиков от 13 июля 1931 года войдут в силу до того, как Международная организация здравоохранения будет иметь возможность принять на себя функции на основании этих Конвенций, то функции, возложенные на эту Организацию в силу таких изменений, будут до этого выполняться Временной Комиссией.

Статья III

Функции, возложенные на Правительство Нидерландов, согласно статьям 21 и 25 Международной Конвенции по опиуму, подписанной в Гааге 23 января 1912 г., и выполнение которых, с согласия Правительства Нидерландов, было поручено Генеральному Секретарю Лиги Наций, на основании резолюции Ассамблеи Лиги Наций от 15 декабря 1920 г., будут впредь

выполняться Генеральным Секретарем Организации Объединенных Наций.

Статья IV

В возможно кратчайший срок после того, как этот Протокол будет открыт для подписания, Генеральный Секретарь заготовит тексты Соглашений, Конвенций и Протоколов, пересмотренных в соответствии с настоящим Протоколом, и разошлет для сведения копии их Правительству каждого государства, состоящего Членом Организации Объединенных Наций, и Правительству каждого государства, не состоящего Членом Организации, которому Генеральный Секретарь сообщил настоящий Протокол.

Статья V

Настоящий Протокол будет открыт для подписания или принятия его любым из государств, являющихся сторонами в Соглашениях, Конвенциях и Протоколах о наркотиках от 23 января 1912 г., 11 февраля 1925 г., 19 февраля 1925 г., 13 июля 1931 г., 27 ноября 1931 г. и 26 июня 1936 г., которым Генеральный Секретарь Объединенных Наций сообщил копию настоящего Протокола.

Статья VI

Государства могут стать участниками настоящего Протокола посредством:

a) подписания без оговорок, относящихся к его одобрению;

b) подписания под условием его одобрения с последующим принятием; или

c) принятия.

Принятие осуществляется путем сдачи на хранение формального документа Генеральному Секретарю Организации Объединенных Наций.

Статья VII

1. Настоящий Протокол вступит в силу в отношении к каждой из сторон в день его подписания от имени этой стороны без оговорок относительно одобрения или же в день сдачи документа об его принятии.

2. Изменения, указанные в Приложении к настоящему Протоколу, вступят в силу в отношении каждого Соглашения, Конвенции и Протокола, после того, как большинство сторон в них станут сторонами в настоящем Протоколе.

Статья VIII

В соответствии со статьей 102 Устава Объединенных Наций, Генеральный Секретарь Организации Объединенных Наций регистрирует и опубликовывает изменения, внесенные настоящим Протоколом в каждый из этих актов, в день вступления этих изменений в силу.

Статья IX

Настоящий Протокол, английский, испанский, китайский, русский и французский тексты которого являются равно аутентичными, будет храниться в архивах Секретариата Организации Объединенных Наций. Ввиду того, что соглашения, конвенции и протоколы, подлежащие изменению в соответствии с Приложением, составлены лишь на английском и французском языках; английский и французский тексты Приложения будут одинаково аутентичными текстами, а испанский, китайский и русский тексты будут переводными. Заверенная копия Протокола, включая Приложение, будет послана Генеральным Секретарем каждому из государств, являющихся сторонами в Соглашениях, Конвенциях и Протоколах о наркотиках, от 23 января 1912 г., 11 февраля 1925 г., 19 февраля 1925 г., 13 июля 1931 г., 27 ноября 1931 г. и 26 июня 1936 г., а также и всем государствам—Членам Организации Объединенных Наций и государствам, не состоящим Членами Организации, упомянутым в статье IV.

В УДОСТОВЕРЕНИЕ ЧЕГО, нижеподписавшиеся, будучи должным образом уполномочены, подписали настоящий Протокол от имени соответственных Правительств в дни, указанные против их подписей.

СОСТАВЛЕНО в Лейк Соксес, Нью-Йорк, одиннадцатого декабря, тысяча девятьсот сорок шестого года.

PROTOCOLO

ENMENDANDO LOS ACUERDOS, CONVENCIONES Y PROTOCOLOS SOBRE ESTUPEFACIENTES

CONCERTADOS EN LA HAYA EL 23 DE ENERO DE 1912, EN GINEBRA EL 11 DE FEBRERO DE 1925 Y EL 19 DE FEBRERO DE 1925, Y EL 13 DE JULIO DE 1931, EN BANGKOK EL 27 DE NOVIEMBRE DE 1931 Y EN GINEBRA EL 26 DE JUNIO DE 1936

NACIONES UNIDAS
Lake Success, Nueva York
1946

PROTOCOLO ENMENDANDO LOS ACUERDOS, CONVENCIONES Y PROTOCOLOS SOBRE ESTUPEFACIENTES CONCERTADOS EN LA HAYA EL 23 DE ENERO DE 1912, EN GINEBRA EL 11 DE FEBRERO DE 1925 Y EL 19 DE FEBRERO DE 1925, Y EL 13 DE JULIO DE 1931, EN BANGKOK EL 27 DE NOVIEMBRE DE 1931 Y EN GINEBRA EL 26 DE JUNIO DE 1936

Los Estados Partes del presente Protocolo, considerando que en virtud de los Acuerdos, Convenios y Protocolos internacionales relativos a estupefacientes concertados el 23 de enero de 1912, el 11 de febrero de 1925, el 19 de febrero de 1925, el 13 de julio de 1931, el 27 de noviembre de 1931 y el 26 de junio de 1936, la Sociedad de Naciones fué investida con ciertos deberes y funciones, para cuyo desempeño continuado se necesita adoptar medidas adecuadas, a consecuencia de la disolución de la Sociedad, y considerando que es conveniente que estos deberes y funciones sean ejercidos en adelante por las Naciones Unidas y la Organización Mundial de la Salud o su Comisión Interina, han convenido en las siguientes disposiciones:

ARTICULO I

Los Estados Partes del presente Protocolo se comprometen entre sí, cada uno con respecto a los instrumentos del cual es parte, y de acuerdo con las disposiciones del presente Protocolo, a atribuir plena fuerza legal y efecto, y aplicar debidamente las enmiendas a esos instrumentos expuestos en el Anexo al presente Protocolo.

ARTICULO II

1. Se conviene que durante el período anterior a la entrada en vigor del Protocolo respecto al Convenio Internacional relativo a drogas peligrosas del 19 de febrero de 1925 y respecto al Convenio Internacional para limitar la manufactura y regular la distribución de estupefacientes del 13 de julio de 1931, el Comité Central Permanente y el Organo de Fiscalización, tal como están actualmente constituídos, continuarán ejerciendo sus funciones. Las vacantes en el personal del Comité Central Permanente podrán ser llenadas, durante este período, por el Consejo Económico y Social.

2. El Secretario General de las Naciones Unidas está autorizado para ejercer inmediatamente los deberes hasta ahora desempeñados por el Secretario General de la Sociedad de Naciones en relación con los Acuerdos, Convenios y Protocolos mencionados en el Anexo al presente Protocolo.

3. Los Estados que son parte de cualquiera de los instrumentos que van a ser enmendados por el presente Protocolo serán invitados a aplicar los textos enmendados de esos instrumentos, tan pronto como sean efectivas las enmiendas, aun cuando no hayan podido todavía llegar a ser Partes del presente Protocolo.

4. En caso de que las enmiendas al Convenio referente a drogas peligrosas del 19 de febrero de 1925, o las enmiendas al Convenio

para limitar la manufactura y regular la distribución de estupefacientes del 13 de julio de 1931, se pusieran en vigor antes que la Organización Mundial de la Salud estuviera en una posición que la permitiera asumir sus funciones según estos Convenios, la Comisión Interina se encargaría de ellas con carácter provisional.

ARTICULO III

Las funciones conferidas al Gobierno de Holanda de acuerdo con los Artículos 21 y 25 del Convenio Internacional sobre el Opio firmado en La Haya el 23 de enero de 1912, y confiados al Secretario General de la Sociedad de Naciones, con el consentimiento del Gobierno de Holanda, por resolución de la Asamblea de la Sociedad de Naciones fechada el 15 de diciembre de 1920, serán de ahora en adelante ejercidas por el Secretario General de las Naciones Unidas.

ARTICULO IV

Tan pronto como sea posible después que este Protocolo esté listo para la firma, el Secretario General preparará textos de los Acuerdos, Convenios y Protocolos, revisados de acuerdo con el presente Protocolo, y enviará copias para su información al Gobierno de todo Miembro de las Naciones Unidas y a todo Estado no miembro al cual este Protocolo ha sido comunicado por el Secretario General.

ARTICULO V

El presente Protocolo quedará abierto para su firma o aceptación por cualquiera de los Estados Partes de los Acuerdos, Convenios y Protocolos sobre estupefacientes del 23 de enero de 1912, 11 de febrero de 1925, 19 de febrero de 1925, 13 de julio de 1931, 27 de noviembre de 1931 y 26 de junio de 1936, a los cuales el Secretario General de las Naciones Unidas ha enviado una copia del presente Protocolo.

ARTICULO VI

Los Estados pueden llegar a ser Partes del presente Protocolo mediante:

(*a*) la firma sin reserva en cuanto a su aprobación,
(*b*) la firma sujeta a aprobación seguida por aceptación, o
(*c*) la aceptación.

La aceptación se efectuará mediante el depósito de un instrumento oficial ante el Secretario General de las Naciones Unidas.

ARTICULO VII

1. Este Protocolo comenzará a tener fuerza obligatoria con cada Parte contratante a partir de la fecha en que ha sido firmado por cada una de estas Partes sin reserva alguna respecto a su aceptación, o cuando se ha depositado sobre el mismo un instrumento de aceptación.

2. Las enmiendas expuestas en el Anexo al presente Protocolo serán efectivas con respecto a cada Acuerdo, Convenio y Protocolo cuando una mayoría de las Partes de los mismos hayan pasado a ser Partes del presente Protocolo.

ARTICULO VIII

De acuerdo con el Artículo 102 de la Carta de las Naciones Unidas, el Secretario General de las Naciones Unidas registrará y publicará las enmiendas hechas en cada instrumento por el presente Protocolo en las fechas en que entren en vigor estas enmiendas.

ARTICULO IX

El presente Protocolo, cuyas versiones en chino, español, francés, inglés y ruso serán igualmente auténticas, será depositado en los archivos de la Secretaría de las Naciones Unidas. Dado que los Acuerdos, Convenios y Protocolos, que han de ser enmendados según el Anexo están redactados solamente en francés e inglés, los textos francés e inglés del Anexo serán igualmente auténticos y las versiones china, española y rusa serán traducciones de ellos. Una copia certificada del Protocolo, comprendiendo el Anexo, será enviada por el Secretario General a cada uno de los Estados Partes de los Acuerdos, Convenios y Protocolos sobre estupefacientes, del 23 de enero de 1912, 11 de febrero de 1925, 19 de febrero de 1925, 13 de julio de 1931, 27 de noviembre de 1931 y 26 de junio de 1936, como también a los Estados Miembros de las Naciones Unidas y Estados no miembros mencionados en el artículo IV.

EN FE DE LO CUAL, los infrascritos, debidamente autorizados para este objeto, han firmado el presente Protocolo en nombre de sus respectivos gobiernos en las fechas que aparecen frente a sus respectivas firmas.

HECHO en Lake Success, Nueva York, el once de diciembre del año mil novecientos cuarenta y seis.

ANNEX

TO THE PROTOCOL AMENDING THE AGREEMENTS, CONVENTIONS AND PROTOCOLS ON NARCOTIC DRUGS CONCLUDED AT THE HAGUE ON 23 JANUARY 1912, AT GENEVA ON 11 FEBRUARY 1925 AND 19 FEBRUARY 1925, AND 13 JULY 1931, AT BANGKOK ON 27 NOVEMBER 1931 AND AT GENEVA ON 26 JUNE 1936

1. AGREEMENT CONCERNING THE MANUFACTURE OF, INTERNAL TRADE IN, AND USE OF PREPARED OPIUM, WITH PROTOCOL AND FINAL ACT, SIGNED AT GENEVA ON 11 FEBRUARY 1925

In articles 10, 13, 14 and 15 of the Agreement, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations" and "the Secretariat of the United Nations" shall be substituted for "the Secretariat of the League of Nations".

In articles 3 and 4 of the Protocol, "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations".

2. INTERNATIONAL CONVENTION RELATING TO DANGEROUS DRUGS, WITH PROTOCOL, SIGNED AT GENEVA ON 19 FEBRUARY 1925

For article 8, the following article shall be substituted:

"In the event of the World Health Organization, on the advice of an expert committee appointed by it, finding that any preparation containing any of the narcotic drugs referred to in the present chapter cannot give rise to the drug habit on account of the medicaments with which the said drugs are compounded and which in practice preclude the recovery of the said drugs, the World Health Organization shall communicate this finding to the Economic and Social Council of the United Nations. The Council will communicate the finding to the Contracting Parties, and thereupon the provisions of the present Convention will not be applicable to the preparation concerned."

For article 10, the following article shall be substituted:

"In the event of the World Health Organization, on the advice of an expert committee appointed by it, finding that any narcotic drug to which the present Convention does not apply is liable to similar abuse and productive of similar ill-effects as the substances to which this chapter of the Convention applies, the World Health Organization shall inform the Economic and Social Council accordingly and recommend that the provisions of the present Convention shall be applied to such drug.

"The Economic and Social Council shall communicate the said recommendation to the Contracting Parties. Any Contracting Party which is prepared to accept the recommendation shall notify the Secretary-General of the United Nations, who will inform the other Contracting Parties.

"The provisions of the present Convention shall thereupon apply to the substance in question as between the Contracting Parties who have accepted the recommendation referred to above."

In the third paragraph of article 19, "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations".

The fourth paragraph of article 19 shall be deleted.

In articles 20, 24, 27, 30, 32 and 38 (paragraph 1), "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations" and "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations", wherever these words occur.

In article 32, "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice".

Article 34 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947, the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and the non-member States to which the Secretary-General has communicated a copy of the Convention."

Article 35 shall read as follows:

"After the 30th day of September 1925, the present Convention may be acceded to by any State represented at the Conference at which this Convention was drawn up and which has not signed the Convention, by any Member of the United Nations, or by any non-member State mentioned in article 34.

"Accessions shall be effected by an instrument communicated to the Secretary-General of the United Nations to be deposited in the archives of the Secretariat of the United Nations. The Secretary-General shall at once notify such deposit to all the Members of the United Nations signatories of the Convention and to the signatory non-member States mentioned in article 34 as well as to the adherent States."

Article 37 shall read as follows:

"A special record shall be kept by the Secretary-General of the United Nations showing which States have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and shall be published from time to time as may be directed."

The second paragraph of article 38 shall read as follows:

"The Secretary-General of the United Nations shall notify the receipt of any such denunciations to all the Members of the United Nations and to the States mentioned in article 34."

3. INTERNATIONAL CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, WITH PROTOCOL OF SIGNATURE, SIGNED AT GENEVA ON 13 JULY 1931

48 Stat. 1543.

In article 5, paragraph 1, the words "to all the Members of the

League of Nations and to the non-member States mentioned in article 27" shall be replaced by the words "to all the Members of the United Nations and to the non-member States mentioned in article 28".

For the first sub-paragraph of paragraph 6 of article 5, the following sub-paragraph shall be substituted:

"The estimates will be examined by a Supervisory Body consisting of four members. The World Health Organization shall appoint two members and the Commission on Narcotic Drugs of the Economic and Social Council and the Permanent Central Board shall each appoint one member.

"The secretariat of the Supervisory Body shall be provided by the Secretary-General of the United Nations who will ensure close collaboration with the Permanent Central Board."

In article 5, paragraph 7, the words "December 15th in each year" shall be substituted for the words "November 1st in each year", and the words "through the intermediary of the Secretary-General of the United Nations to all the Members of the United Nations and non-member States referred to in article 28" shall be substituted for the words "through the intermediary of the Secretary-General, to all the Members of the League of Nations and non-member States referred to in article 27".

For paragraphs 2, 3, 4 and 5 of article 11, the following paragraphs shall be substituted:

"2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the United Nations, who shall advise the other High Contracting Parties and the World Health Organization.

"3. The World Health Organization, acting on the advice of the expert committee appointed by it, will thereupon decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (*a*) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (*b*) of Group I or in Group II).

"4. In the event of the World Health Organization, on the advice of the expert committee appointed by it, deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (*b*) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Commission on Narcotic Drugs of the Economic and Social Council, and the third by the two members so selected.

"5. Any decision arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the United Nations, who will communicate it to all States Members of the United

Nations and the non-member States mentioned in article 28."

In paragraphs 6 and 7 of article 11, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General".

In articles 14, 20, 21, 23, 26, 31, 32 and 33, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations".

In article 21 for the words "by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs" shall be substituted the words "by the Commission on Narcotic Drugs of the Economic and Social Council".

For the second paragraph of article 25, the following paragraph shall be substituted:

"In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the International Court of Justice, if all the Parties to the dispute are Parties to the Statute, and, if any of the Parties to the dispute is not a Party to the Statute, to an arbitral tribunal constituted in accordance with the Hague Convention of 18 October 1907 for the Pacific Settlement of International Disputes."

For the last paragraph of article 26, the following paragraph shall be substituted:

"The Secretary-General shall communicate to all Members of the United Nations or non-member States mentioned in article 28 all declarations and notices received in virtue of the present article."

Article 28 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947, the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and to the non-member States to which the Secretary-General has communicated a copy of the Convention."

Article 29 shall read as follows:

"The present Convention may be acceded to on behalf of any Member of the United Nations or any non-member State mentioned in article 28. The instruments of accession shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and to the non-member States mentioned in article 28."

In the first paragraph of article 32, the last sentence shall read as follows:

"Each denunciation shall operate only as regards the High Contracting Party on whose behalf it has been deposited."

The second paragraph of article 32 shall read as follows:

"The Secretary-General shall notify all the Members of the United Nations and non-member States mentioned in article 28 of any denunciation received."

In the third paragraph of article 32, the words "High Contracting Parties" shall replace the words "Members of the League and non-

member States bound by the present Convention".

In article 33, the words "High Contracting Party" and "High Contracting Parties" shall replace the words "Member of the League of Nations or non-member State bound by this Convention" and "Members of the League of Nations or non-member States bound by this Convention".

4. AGREEMENT FOR THE CONTROL OF OPIUM-SMOKING IN THE FAR EAST, WITH FINAL ACT, SIGNED AT BANGKOK ON 27 NOVEMBER 1931

In articles V and VII, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations".

5. INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF ILLICIT TRAFFIC IN DANGEROUS DRUGS, SIGNED AT GENEVA ON 26 JUNE 1936

In articles 16, 18, 21, 23 and 24, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations".

For article 17, second paragraph, the following paragraph shall be substituted:

"In case there is no such agreement between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the International Court of Justice, if all the Parties to the dispute are Parties to the Statute, and, if any of the Parties to the dispute is not a Party to the Statute, to an arbitral tribunal constituted in accordance with the Hague Convention of 18 October 1907 for the Pacific Settlement of International Disputes."

Paragraph 4 of article 18 shall read as follows:

"The Secretary-General shall communicate to all the Members of the United Nations and to the non-member States mentioned in article 20 all declarations and notices received in virtue of this article."

Article 20 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947, the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and the non-member States to which the Secretary-General has communicated a copy of the Convention."

Paragraph 1 of article 21 shall read as follows:

"The present Convention shall be open to accession on behalf of any Member of the United Nations or non-member State mentioned in article 20."

In paragraph 1 of article 24, the words "High Contracting Party" shall be substituted for the words "Member of the League or non-member State".

The second paragraph of article 24 shall read as follows:

"The Secretary-General shall notify all the Members of the United Nations and non-mem-

ber States mentioned in article 20 of any denunciations received."

In paragraph 3 of article 24, the words "High Contracting Parties" shall replace the words "Members of the League or non-member States bound by the present Convention".

Article 25 shall read as follows:

"Request for the revision of the present Convention may be made at any time by any High Contracting Party by means of a notice addressed to the Secretary-General of the United Nations. Such notice shall be communicated by the Secretary-General to the other High Contracting Parties and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention."

ANNEXE

AU PROTOCOLE AMENDANT LES ACCORDS, CONVENTIONS ET PROTOCOLES SUR LES STUPEFIANTS CONCLUS A LA HAYE LE 23 JANVIER 1912, A GENEVE LE 11 FEVRIER 1925 ET LE 19 FEVRIER 1925 ET LE 13 JUILLET 1931, A BANGKOK LE 27 NOVEMBRE 1931 ET A GENEVE LE 26 JUIN 1936

1. ACCORD CONCERNANT LA FABRICATION, LE COMMERCE INTÉRIEUR ET L'USAGE DE L'OPIUM PRÉPARÉ, AVEC PROTOCOLE ET ACTE FINAL, SIGNÉS A GENÈVE LE 11 FÉVRIER 1925

Aux articles 10, 13, 14 et 15 de l'Accord, on remplacera "Secrétaire général de la Société des Nations" par "Secrétaire général de l'Organisation des Nations Unies" et "Secrétariat de la Société des Nations" par "Secrétariat de l'Organisation des Nations Unies".

Aux articles 3 et 4 du Protocole, on remplacera "le Conseil de la Société des Nations" par "le Conseil économique et social de l'Organisation des Nations Unies".

2. CONVENTION INTERNATIONALE SUR LES DROGUES NUISIBLES, AVEC PROTOCOLE, SIGNÉS A GENÈVE LE 19 FÉVRIER 1925

On remplacera l'article 8 par l'article suivant:

"Lorsque l'Organisation mondiale de la santé, sur l'avis d'un Comité d'experts nommé par elle, aura constaté que certaines préparations contenant les stupéfiants visés dans le présent chapitre ne peuvent donner lieu à la toxicomanie en raison de la nature des substances médicamenteuses avec lesquelles ces stupéfiants sont associés et qui empêchent de les récupérer pratiquement, l'Organisation mondiale de la santé avisera de cette constatation le Conseil économique et social de l'Organisation des Nations Unies. Le Conseil communiquera cette constatation aux Parties contractantes, ce qui aura pour effet de soustraire au régime de la présente Convention les préparations en question."

On remplacera l'article 10 par l'article suivant:

"Lorsque l'Organisation mondiale de la santé, sur l'avis d'un comité d'experts nommé par elle, aura constaté que tout stupéfiant auquel la présente Convention ne s'applique pas est susceptible de donner lieu à des abus analogues et de produire des effets aussi nuisibles que les substances visées par ce chapitre de la Convention, l'Organisation mondiale de la santé en informera le Conseil économique et social et lui recommandera que les dispositions de la présente Convention soient appliquées à cette substance.

"Le Conseil économique et social communiquera cette recommandation aux Parties contractantes. Toute Partie contractante qui accepte la recommandation signifiera son acceptation au Secrétaire général de l'Organisation des Nations

Unies, qui en avisera les autres Parties contractantes.

"Les dispositions de la présente Convention deviendront immédiatement applicables à la substance en question dans les relations entre les Parties contractantes qui auront accepté la recommendation visée par les paragraphes précédents."

Au troisième paragraphe de l'article 19, on remplacera "le Conseil de la Société des Nations" par "le Conseil économique et social de l'Organisation des Nations Unies".

Le quatrième paragraphe de l'article 19 sera supprimé.

Aux articles 20, 24, 27, 30, 32, et 38 (paragraphe 1), on remplacera "le Conseil de la Société des Nations" par "le Conseil économique et social de l'Organisation des Nations Unies" et "le Secrétaire général de la Société des Nations" par "le Secrétaire général de l'Organisation des Nations Unies" partout où ces appellations se rencontreront.

A l'article 32, on remplacera "la Cour permanente de Justice internationale" par "la Cour internationale de Justice".

L'article 34 sera rédigé comme suit:

"La présente Convention est sujette à ratification. A partir du 1er janvier 1947, les instruments de ratification seront déposés auprès du Secrétaire général de l'Organisation des Nations Unies qui en notifiera le dépôt à tous les Membres de l'Organisation des Nations Unies et aux Etats non membres auxquels le Secrétaire général aura communiqué un exemplaire de la Convention."

L'article 35 sera rédigé comme suit:

"A partir du 30 septembre 1925, tout Etat représenté à la Conférence où fut élaborée la présente Convention et non signataire de celle-ci, tout Membre des Nations Unies ou tout Etat non membre mentionné à l'article 34 pourra adhérer à la présente Convention.

"Cette adhésion s'effectuera au moyen d'un instrument communiqué au Secrétaire général de l'Organisation des Nations Unies et qui sera déposé dans les archives du Secrétariat de l'Organisation des Nations Unies. Le Secrétaire général notifiera immédiatement ce dépôt aux Membres des Nations Unies signataires de la Convention et aux autres Etats non membres signataires mentionnés à l'article 34 ainsi qu'aux Etats adhérents."

L'article 37 sera rédigé comme suit:

"Un recueil spécial sera tenu par le Secrétaire général de l'Organisation des Nations Unies, indiquant quels Etats ont signé ou ratifié la présente Convention, y ont adhéré ou l'ont dénoncée. Ce recueil sera constamment ouvert aux Parties contractantes et publication en sera faite de temps à autre."

Le second paragraphe de l'article 38 sera rédigé comme suit:

"Le Secrétaire général de l'Organisation des Nations Unies portera à la connaissance de chacun des Membres de l'Organisation des Nations Unies et des Etats mentionnés à l'article 34 de toute dénonciation reçue par lui."

3. CONVENTION INTERNATIONALE POUR LIMITER LA FABRICATION ET RÉGLEMENTER LA DISTRIBUTION DES STUPÉFIANTS, AVEC PROTOCOLE DE SIGNATURE, SIGNÉS A GENÈVE LE 13 JUILLET 1931

Dans l'article 5, paragraphe 1, les mots: "à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 27" seront remplacés par les mots "à tous les Membres de l'Organisation des Nations Unies et aux Etats non membres mentionnés à l'article 28".

Au premier alinéa du paragraphe 6 de l'article 5, sera substitué l'alinéa suivant:

"Les évaluations seront examinées par un Organe de contrôle comprenant quatre membres. L'Organisation mondiale de la santé nommera deux membres et la Commission des stupéfiants du Conseil économique et social ainsi que le Comité central permanent nommeront chacun un membre. Le secrétariat de l'Organe de contrôle sera assuré par le Secrétaire général de l'Organisation des Nations Unies en s'assurant la collaboration étroite du Comité central permanent."

Dans l'article 5, paragraphe 7, les mots "15 décembre de chaque année" remplaceront les mots "1er novembre de chaque année" et les mots "par l'entremise du Secrétaire général de l'Organisation des Nations Unies à tous les Membres des Nations Unies et aux Etats non membres mentionnés à l' article 28" remplaceront les mots "par l'entremise du Secrétaire général à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 27".

Aux paragraphes 2, 3, 4 et 5 de l'article 11, seront substitués les paragraphes suivants:

"2. La Haute Partie contractante qui autorisera le commerce ou la fabrication commerciale d'un de ces produits en avisera immédiatement le Secrétaire général de l'Organisation des Nations Unies, qui communiquera cette notification aux autres Hautes Parties contractantes et à l'Organisation mondiale de la santé.

"3. L'Organisation mondiale de la santé, prenant l'avis du comité d'experts nommé par elle, décidera si le produit dont il s'agit peut engendrer la toxicomanie (et doit être assimilé de ce fait aux "drogues" mentionnées dans le sous-groupe *a*) du groupe I) ou s'il peut être transformé en une de ces mêmes drogues (et être, de ce fait, assimilé aux "drogues" mentionnées dans le sous-groupe *b*) du groupe I ou dans le groupe II).

"4. Si l'Organisation mondiale de la santé, prenant l'avis du comité d'experts nommé par elle, décide que, sans être une "drogue" susceptible d'engendrer la toxicomanie, le produit dont il s'agit peut être transformé en une telle "drogue", la question de savoir si ladite "drogue" rentre dans le sous-groupe *b*) du groupe I ou dans le groupe II sera soumise pour décision à un comité de trois experts qualifiés pour en examiner les aspects scientifiques et techniques. Deux de ces experts seront désignés respectivement par le gouvernement intéressé et

par la Commission des stupéfiants du Conseil économique et social, le troisième sera désigné par les deux précités.

"5. Toute décision prise conformément aux deux paragraphes précédents sera portée à la connaissance du Secrétaire général de l'Organisation des Nations Unies, qui la communiquera à tous les Membres de l'Organisation et aux Etats non membres mentionnés à l'article 28."

Dans les paragraphes 6 et 7 de l'article 11, on remplacera "le Secrétaire général" par "le Secrétaire général de l'Organisation des Nations Unies".

Dans les articles 14, 20, 21, 23, 26, 31, 32 et 33, on remplacera "le Secrétaire général de la Société des Nations" par "le Secrétaire général de l'Organisation des Nations Unies".

A l'article 21, les mots "la Commission consultative du trafic de l'opium et autres drogues nuisibles" seront remplacés par les mots "la Commission des stupéfiants du Conseil économique et social".

On substituera au deuxième paragraphe de l'article 25 le paragraphe suivant:

"Au cas où de telles dispositions n'existeraient pas entre les Parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire. A défaut d'un accord sur le choix d'un autre tribunal, elles soumettront le différend, à la requête de l'une d'elles, à la Cour internationale de Justice si elles sont toutes Parties au Statut et, si elles n'y sont pas toutes Parties, à un tribunal d'arbitrage constitué conformément à la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux."

Le dernier paragraphe de l'article 26 sera remplacé par le suivant:

"Le Secrétaire général communiquera à tous les Membres de l'Organisation des Nations Unies, ainsi qu'aux Etats non membres mentionnés à l'article 28, toutes les déclarations et tous les avis reçus aux termes du présent article."

L'article 28 sera rédigé comme suit:

"La présente Convention est sujette à ratification. A partir du 1er janvier 1947, les instruments de ratification seront déposés auprès du Secrétaire général de l'Organisation des Nations Unies qui en notifiera le dépôt à tous les Membres de l'Organisation des Nations Unies ainsi qu'aux Etats non membres auxquels le Secrétaire général aura communiqué un exemplaire de la Convention."

L'article 29 sera rédigé comme suit:

"Tout Membre de l'Organisation des Nations Unies et tout Etat non membre visé à l'article 28 pourra adhérer à la présente Convention. Les instruments d'adhésion seront déposés auprès du Secrétaire général de l'Organisation des Nations Unies, qui en notifiera le dépôt à tous les Membres de l'Organisation des Nations Unies, ainsi qu'aux Etats non membres visés à l'article 28."

Au premier paragraphe de l'article 32, la dernière phrase sera rédigée comme suit:

"Chaque dénonciation ne sera opérante que pour la Haute Partie contractante au nom de laquelle elle aura été déposée."

Le second paragraphe de l'article 32 sera rédigé comme suit:

"Le Secrétaire général notifiera à tous les Membres de l'Organisation des Nations Unies et aux Etats non membres mentionnés à l'article 28 les dénonciations ainsi reçues."

Au troisième paragraphe de l'article 32, les mots "des Hautes Parties contractantes" remplaceront les mots "des Membres de la Société des Nations et des Etats non membres qui sont liés par la présente Convention."

A l'article 33, les mots "toute Haute Partie contractante" remplaceront les mots "Membres de la Société des Nations ou Etats non membres liés par la présente Convention" et les mots "toutes les Hautes Parties contractantes" remplaceront les mots "tous les autres Membres de la Société des Nations et Etats non membres ainsi liés."

4. ACCORD POUR LE CONTRÔLE DE L'HABITUDE DE FUMER L'OPIUM EN EXTRÊME-ORIENT, AVEC ACTE FINAL, SIGNÉS A BANGKOK LE 27 NOVEMBRE 1931

Aux articles V et VII, les mots "le Secrétaire général de l'Organisation des Nations Unies" remplaceront les mots "le Secrétaire général de la Société des Nations".

5. CONVENTION INTERNATIONALE POUR LA RÉPRESSION DU TRAFIC ILLICITE DES DROGUES NUISIBLES, SIGNÉE À GENÈVE LE 26 JUIN 1936

Aux articles 16, 18, 21, 23 et 24, on remplacera "Secrétaire général de la Société des Nations" par "Secrétaire général de l'Organisation des Nations Unies".

A l'article 17, on remplacera le deuxième paragraphe par le paragraphe suivant:

"Au cas où de telles dispositions n'existeraient pas entre les Parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire. A défaut d'un accord sur le choix d'un autre tribunal, elles soumettront le différend, à la requête de l'une d'elles, a la Cour internationale de Justice si elles sont toutes Parties au Statut et, si elles n'y sont pas toutes Parties, à un tribunal d'arbitrage constitué conformément à la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux."

Le paragraphe 4 de l'article 18 sera rédigé comme suit:

"Le Secrétaire général communiquera à tous les Membres de l'Organisation des Nations Unies, ainsi qu'aux Etats non membres mentionnés à l'article 20, toutes les déclarations et tous les avis reçus aux termes du présent article."

L'article 20 sera rédigé comme suit:

"La présente Convention est sujette à ratification. A partir du 1er janvier 1947, les instruments de ratification seront déposés auprès du Secrétaire général de l'Organisation des Nations Unies qui en notifiera le dépôt à tous les Membres de l'Organisation des Nations Unies, ainsi qu'aux Etats non membres auxquels le Secrétaire général aura communiqué un exemplaire de la Convention."

Le paragraphe 1 de l'article 21 sera rédigé comme suit:

"Il pourra être adhéré à la présente Convention au nom de tous les Membres de l'Organisation des Nations Unies ou de tout Etat non membre visé à l'article 20."

Au paragraphe 1 de l'article 24, les mots "la Haute Partie contractante" remplaceront les mots "le Membre de la Société des Nations ou l'Etat non membre".

Le paragraphe 2 de l'article 24 sera rédigé comme suit:

"Le Secrétaire général notifiera à tous les Membres de l'Organisation des Nations Unies et aux Etats non membres mentionnés à l'article 20, les dénonciations ainsi reçues."

Au paragraphe 3 de l'article 24, les mots "Membres de la Société des Nations et des Etats non membres qui sont liés par la présente Convention" seront remplacés par les mots "les Hautes Parties contractantes."

L'article 25 sera rédigé comme suit:

"Une demande de revision de la présente Convention pourra être formulée en tout temps, par toute Haute Partie contractante, par voie de notification adressée au Secrétaire général de l'Organisation des Nations Unies. Cette notification sera communiquée par le Secrétaire général aux Hautes Parties contractantes et, si elle est appuyée par un tiers au moins d'entre elles, les Hautes Parties contractantes s'engagent à se réunir en une conférence aux fins de revision de la Convention."

FOR AFGHANISTAN:
POUR L'AFGHANISTAN:
阿富汗：
За Афганистан:
POR EL AFGANISTAN:

A. Hosayn AZIZ
Dec. 11, 1946

FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷：
За Аргентину:
POR LA ARGENTINA:

José ARCE
Diciembre 11, 1946

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞：
За Австралию:
POR AUSTRALIA:

Subject to the approval of the Government of Australia[1]
Norman J. O. MAKIN
December 11, 1946

Traduction du Secrétariat des Nations Unies:
[1]Sous réserve d'approbation par le Gouvernement de l'Australie.

FOR THE KINGDOM OF BELGIUM:
POUR LE ROYAUME DE BELGIQUE:
比利時王國：
За Королевство Бельгии:
POR EL REINO DE BÉLGICA:

G. KAECKENBEECK
11 décembre 1946

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞：
За Боливию:
POR BOLIVIA:

E. SANJINÉS
14 de Diciembre de 1946

FOR BRAZIL:
POUR LE BRÉSIL:
巴西：
За Бразилию:
POR EL BRASIL:

P. Leão VELLOSO
17 décembre 1946

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國：
За Белорусскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA BIELORUSA:

К. КИСЕЛЕВ[1]
11 декабря 1946 г.

FOR CANADA:
POUR LE CANADA:
加拿大：
За Канаду:
POR EL CANADÁ:

Paul MARTIN
11 Dec. 1946

FOR CHILE:
POUR LE CHILI:
智利：
За Чили:
POR CHILE:

F. NIETO DEL RIO
11 Dec. 1946

Translation by the Secretariat of the United Nations:
[1]Kuzma V. KISELEV, 11 December 1946.
Traduction du Secrétariat des Nations Unies:
[1]Kuzma V. KISELEV, 11 décembre 1946.

FOR CHINA:
POUR LA CHINE:
中國：
За Китай:
POR LA CHINA:

P. C. CHANG
11 December 1946

張 春 彭
三十五年十二月十一日

FOR COLOMBIA:
POUR LA COLOMBIE:
哥倫比亞：
За Колумбию:
POR COLOMBIA:

Alfonso LOPEZ
December 11, 1946

FOR COSTA RICA:
POUR COSTA-RICA:
哥斯大黎加：
За Коста-Рику:
POR COSTA RICA:

F. DE P. GUTIERREZ
Dec. 11, 1946

FOR CUBA:
POUR CUBA:
古巴：
За Кубу:
POR CUBA:

Sujeto a la aprobación por el Senado de la República[1]
Guillermo BELT
Diciembre 12, 1946

FOR CZECHOSLOVAKIA:
POUR LA TCHÉCOSLOVAQUIE:
捷克斯拉夫：
За Чехословакию:
POR CHECOESLOVAQUIA:

V. CLEMENTIS
11. XII. 1946

FOR DENMARK:
POUR LE DANEMARK:
丹麥：
За Данию:
POR DINAMARCA:

Gustav RASMUSSEN
11 décembre 1946

Translation by the Secretariat of the United Nations:
[1]Subject to approval by the Senate of the Republic.
Traduction du Secrétariat des Nations Unies:
[1]Sous réserve d'approbation par le Sénat de la République.

FOR THE DOMINICAN REPUBLIC:
POUR LA RÉPUBLIQUE DOMINICAINE:
多明尼加共和國：
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

Emilio GARCIA GODOY
11 December 1946

FOR ECUADOR:
POUR L'EQUATEUR:
厄瓜多：
За Эквадор:
POR EL ECUADOR:

Sujeta a aprobación[a]
F. ILLESCAS
Dec. 14, 1946

FOR EGYPT:
POUR L'EGYPTE:
埃及：
За Египет:
POR EGIPTO:

A. SANHOURY
11 December 1946

Translation by the Secretariat of the United Nations:
[a]Subject to approval.
Traduction du Secrétariat des Nations Unies:
[a]Sous réserve d'approbation.

FOR EL SALVADOR:
POUR LE SALVADOR:
薩爾瓦多：
За Сальвадор:
POR EL SALVADOR:

FOR ETHIOPIA:
POUR L'ETHIOPIE:
阿比西尼亞：
За Эфиопию:
POR ETIOPÍA:

FOR FRANCE:
POUR LA FRANCE:
法蘭西：
За Францию:
POR FRANCIA:

Alexandre PARODI
11 décembre 1946

FOR GREECE:
POUR LA GRÈCE:
希臘：
За Грецию:
POR GRECIA:

V. DENDRAMIS
December 11, 1946

FOR GUATEMALA:
POR LE GUATEMALA:
瓜地馬拉：
За Гватемалу:
POR GUATEMALA:

Jorge Garcia GRANADOS
13 de Diciembre de 1946

FOR HAITI:
POUR HAÏTI:
海地：
За Гаити:
POR HAITÍ:

Ad referendum
Hérard C. L. ROY
14 décembre 1946

FOR HONDURAS:
POUR LE HONDURAS:
洪都拉斯：
За Гондурас:
POR HONDURAS:

Tiburcio CARIAS, Jr.
December 11, 1946

FOR ICELAND:
POUR L'ISLANDE:
冰島：
За Исландию:
POR ISLANDA:

FOR INDIA:
POUR L'INDE:
印度：
За Индию:
POR LA INDIA:

M. C. CHAGLA
11th Dec. 1946

FOR IRAN:
POUR L'IRAN:
伊朗：
За Иран:
POR IRÁN:

Nasrollah ENTEZAM
11 décembre 1946

FOR IRAQ:
POUR L'IRAK:
伊拉克：
За Ирак:
POR IRAK:

A. BAKR
December 12, 1946

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩：
За Ливан:
POR EL LÍBANO:

C. CHAMOUN
13 décembre 1946

FOR LIBERIA:
POUR LE LIBÉRIA:
利比里亞：
За Либерию:
POR LIBERIA:

C. Abayomi CASSELL
11 December 1946

FOR THE GRAND DUCHY OF LUXEMBOURG:
POUR LE GRAND-DUCHÉ DE LUXEMBOURG:
盧森堡大公國：
За Великое Герцогство Люксембург:
POR EL GRAN DUCADO DE LUXEMBURGO:

Pierre ELVINGER
December 11th, 1946

FOR MEXICO:
POUR LE MEXIQUE:
墨西哥：
За Мексику:
POR MÉXICO:

Luis PADILLA NERVO
Dec. 11, 1946

FOR THE KINGDOM OF THE NETHERLANDS:
POUR LE ROYAUME DES PAYS-BAS:
荷蘭王國：
За Королевство Нидерландов:
POR EL REINO DE HOLANDA:

E. N. VAN KLEFFENS
December 11, 1946

FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭：
За Новую Зеландию:
POR NUEVA ZELANDIA:

C. A. BERENDSEN
11th December 1946

FOR NICARAGUA:
POUR LE NICARAGUA:
尼加拉瓜：
За Никарагуа:
POR NICARAGUA:

[3]Sujeta a aprobación[3]
G. SEVILLA-SACASA
13 December 1946

Translation by the Secretariat of the United Nations:
[3]Subject to approval.
Traduction du Secrétariat des Nations Unies:
[3]Sous réserve d'approbation.

FOR THE KINGDOM OF NORWAY:
POUR LE ROYAUME DE NORVÈGE:
挪威王國：
За Королевство Норвегии:
POR EL REINO DE NORUEGA:

Finn MOE
December 11th, 1946

FOR PANAMA:
POUR LE PANAMA:
巴拿馬：
За Панаму:
POR PANAMÁ:

R. J. ALFARO
Diciembre 15, 1946

FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭：
За Парагвай:
POR EL PARAGUAY:

Ad referendum
César Romeo ACOSTA
December 14, 1946

FOR PERU:
POUR LE PÉROU:
秘魯：
За Перу:
POR EL PERÚ:

FOR THE PHILIPPINE REPUBLIC:
POUR LA RÉPUBLIQUE DES PHILIPPINES:
菲律賓共和國：
За Филиппинскую Республику:
POR LA REPÚBLICA DE FILIPINAS:

Carlos P. ROMULO
December 11, 1946

FOR POLAND:
POUR LA POLOGNE:
波蘭：
За Польшу:
POR POLONIA:

Dr. S. TUBIASZ
Dec. 11, 1946

FOR SAUDI ARABIA:
POUR L'ARABIE SAOUDITE:
蘇地亞拉伯：
За Сауди Аравию:
POR ARABIA SAUDITA:

فيصل[1]
١١ دسمبر ١٩٤٦

FOR SWEDEN:
POUR LA SUÈDE:
瑞典：
За Швецию:
POR SUECIA:

FOR SYRIA:
POUR LA SYRIE:
叙利亞：
За Сирию:
POR SIRIA:

فارس الخوري
١٩٤٦/١٢/١١

F. KHOURI
11/12/1946

Translation by the Secretariat of the United Nations:
[1]Amir FAISAL al Saud, 11 December 1946.
Traduction du Secrétariat des Nations Unies:
[1]Amir FAISAL al Saud, 11 décembre 1946.

FOR TURKEY:
POUR LA TURQUIE:
土耳其：
За Турцию:
POR TURQUÍA:

Only in respect of Conventions to which Turkey is a Party[1]
Muzaffer GOKER
11 décembre 1946

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:
烏克蘭蘇維埃社會主義共和國：
За Украинскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA UCRANIANA:

З НАСТУПНОЮ РАТІФІКАЦІЄЮ[2]
Л. МЕДВЕДЬ
11 грудня 1946 р.

FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
南非聯邦：
За Южноафриканский Союз:
POR LA UNIÓN SUDAFRICANA:

H. T. ANDREWS
15 December 1946

Traduction du Secrétariat des Nations Unies:
[1]Uniquement en ce qui concerne les Conventions auxquelles la Turquie est Partie.
[2]Sous réserve d'approbation. L. I. MEDVED, 11 décembre 1946.
Translation by the Secretariat of the United Nations:
[2]Subject to approval. L. I. MEDVED, 11 December 1946.

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦：
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

Subject to approval[1]
N. NOVIKOV
11/XII – 1946

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國：
За Соединенное Королевство Великобритании и Северной Ирландии:
POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

Hartley SHAWCROSS
11. XII. 46

FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMÉRIQUE:
美利堅合衆國：
За Соединенные Штаты Америки:
POR LOS ESTADOS UNIDOS DE AMÉRICA:

Subject to approval[1]
Warren R. AUSTIN
December 11, 1946

Traduction du Secrétariat des Nations Unies:
[1]Sous réserve d'approbation.

FOR URUGUAY:
POUR L'URUGUAY:
烏拉圭：
За Уругвай:
POR EL URUGUAY:

Ad referendum
José A. MORA
14, Diciembre, 1946

FOR VENEZUELA:
POUR LE VENEZUELA:
委內瑞拉：
За Венесуэлу:
POR VENEZUELA:

Ad referendum
E. STOLK
11 décembre 1946

FOR YUGOSLAVIA:
POUR LA YOUGOSLAVIE:
南斯拉夫：
За Югославию:
POR YUGOSLAVIA:

Stanoje SIMIC
11 décembre 1946

Certified true copy.
For the Secretary-General:

Copie certifiée conforme.
Pour le Secrétaire général:

A. H. Feller

Acting *Assistant Secretary-General in charge of the Legal Department.*
Secrétaire général adjoint chargé du Département juridique p.i.

WHEREAS the Senate of the United States of America by their resolution of June 24, 1947, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Protocol and accompanying Annex;

Ante, p. 2231.
Ante, p. 2251.

WHEREAS the said Protocol and accompanying Annex were duly ratified by the President of the United States of America on July 15, 1947, in pursuance of the aforesaid advice and consent of the Senate;

Ante, p. 2233.

WHEREAS it is provided in Article VII of the said Protocol that the said Protocol shall come into force in respect of each Party on the date upon which it has been signed on behalf of that Party without reservation as to approval, or upon which an instrument of acceptance has been deposited;

WHEREAS it is further provided in Article VII of the said Protocol that the amendments set forth in the Annex shall come into force in respect of each Agreement, Convention and Protocol mentioned therein when a majority of the Parties thereto have become Parties to the present Protocol;

Deposit of instrument of ratification.

WHEREAS the instrument of ratification on the part of the United States of America of the said Protocol, including the Annex thereto, was deposited with the Secretary-General of the United Nations on August 12, 1947;

WHEREAS the said Protocol, in accordance with Article VII thereof, entered into force with respect to the United States of America upon the deposit of the aforesaid instrument of ratification;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the aforesaid Protocol amending the Agreements, Conventions and Protocols on Narcotic Drugs to the end that the said Protocol and every article and clause thereof shall, on and after August 12, 1947, be observed and fulfilled with good faith by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof; and

Supplementary proclamation.

FURTHER, be it known that, when the amendments set forth in the Annex to the said Protocol shall have come into force in accordance with Article VII of the said Protocol, I shall issue a supplementary proclamation with respect to the said amendments.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourteenth day of October in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-second.

[SEAL]

HARRY S TRUMAN

By the President:

ROBERT A LOVETT
Acting Secretary of State

INDEX

A

Page

Abbott, Norman, payment to 986
Aerial Navigation, Convention Relating to Regulation of, Paris, Oct. 13, 1919, denunciation by parties to international civil aviation convention of Dec. 7, 1944 1203
Aerial Navigation, International Sanitary Convention for, Dec. 15, 1944, extension 1122
Afghanistan:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Africa, Italian Territorial Possessions in:
Joint declaration by Governments of Soviet Union, United Kingdom, United States of America, and France 1457
Renunciation by Italy; disposition, etc 1382
Agreements. *See* International Agreements Other Than Treaties, *Parts 3–6 of this volume;* Treaties.
Agriculture, Department of:
Boise Chamber of Commerce, Boise, Idaho, conveyance to, authorized 1008
Queens Chapel Methodist Church, Muirkirk, Md., conveyance to 1007
Air Force Day, 1947, proclamation 1074
Air Mail Week, National, proclamation 1044
Air Navigation Commission, composition, etc 1197
Air Navigation Committee, Provisional International Civil Aviation Organization, appointment of Lt. Comdr. Paul A. Smith as U. S. representative 965
Alaska, Catholic Society of, conveyance to, authorized 1008
Albania:
General provisions in treaty of peace with Italy relating to 1383
Reparations from Italy 1398
Alexander, Rubert W., payment to estate of; relief from liability 974
Alford, J. Rutledge, payment to 1008
Allen, Guy F., credit in accounts 988
Amidone, drug found to be an opiate, proclamation 1075
Arabia. *See* Saudi Arabia.

Page

Argentina:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Armistice Day, Proclamation:
1946 1046
1947 1095
Arms, Ammunition and Implements of War, enumeration of, proclamation 1051
Army Day and Army Week, 1947, proclamation 1055
Army of United States, relief of certain disbursing officers 980
Atlanta Journal, Atlanta, Ga., payment to 981
Australia:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Austria:
Frontiers, provisions in treaty of peace with Hungary 2111
Provisions agreed upon by the Austrian and Italian Governments on Sept. 5, 1946 1427
Special clauses in treaty of peace with Italy relating to 1375
Automobile Certificate, International, contents, etc 1155–1160
Automotive Traffic, Inter-American, multilateral convention respecting 1129
Aviation, International Civil, multilateral convention respecting 1180

B

Page

Bailey, Mrs. Elizabeth Kempton, admission for permanent residence 994
Baker, W. H., payment to 966
Baker, Walter, payment to 966
Baker, Wilma E., payment to 966
Ballance, Bernice, payment to 975
Ballance, Etheline, payment to 975
Baltimore and Ohio Railroad Co., construction of siding in District of Columbia authorized 997
Barnes, Walter S. (Capt.), payment to 982
Barrett and Hilp, San Francisco, Calif., payment to 1006
Belaustegui, Antonio, admission for permanent residence 994
Belgium:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Treaty of peace with Italy 1245
Bellamy, Jesse P. (Lt. Col.), credit in accounts 981
Bemis, Charles N., relief from liability; refund of amounts to 966
Benson, Arreal, payment to 975
Benson, Lenus, payment to 975
Benson, Marvin, payment to 975
Benson, Sill, payment to 975
Benson, Viola, payment to 975
Berry, J. E., Sr., payment to estate of 975
Bill of Rights Day, Proclamation:
1946 1048
1947 1102
Bilobran, Mrs. Eva, payment to 971
Birds, Migratory. *See* Migratory Birds.
Birkes, Robert C., payment to 973
Black, Shirley N. (Maj.), credit in accounts 981
Block, Mrs. Mary, payment to 1009
Bogert, Abram Banta, payment to estate of 987
Boichot, D. F. (Maj.), credit in accounts 980
Boise Chamber of Commerce, Boise, Idaho, conveyance to, authorized 1008
Bolivia:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230

Page

Bondsmen, Relief of, payment to Isaac B. Jones 968
Borah, William E., Statue of:
Acceptance in name of U. S.; thanks of Congress 1022
Placing in Capitol rotunda 1021
Boundaries, Changes in. *See* Frontiers Changed by Peace Treaties.
Brazil:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Treaty of peace with Italy 1245
Brewster, Owen R., payment to 1005
Brioni Agreement of Aug. 10, 1942, Recognition as Null and Void:
Hungary 2124
Italy 1472
Broad, Blanche E., payment to 969
Broken Leg, Daniel, issuance of patent in fee authorized 1014
Bulgaria:
Treaty of peace with 1915
Accession to 1971
Allied forces, withdrawal of 1960
Annexes, list of 1973
Contracts, prescription, and negotiable instruments 1980
Danube, clause relating to the 1970
Economic clauses 1962
Entry into force 1971
Final clauses 1970
Frontiers 1955
Industrial, literary, and artistic property 1977
Judgments 1982
Military, military air, and naval training, definition of 1974
Military, naval and air clauses 1957
Political clauses 1955
Reparation and restitution 1960
War material, definition and list of 1974
Byelorussian Soviet Socialist Republic:
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757

C

Page

California, establishment of Six Rivers National Forest 1070
Camp Livingston, La., easement and conveyance to Louisiana Power and Light Company 983
Canada:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Treaties of peace—
Hungary 2065
Italy 1245
Roumania 1757
Cancer Control Month, 1947, proclamation 1057
Canton Island, extension of period for establishment of adequate shipping service for and deferring extension of coastwise laws to, proclamation 1101
Carawan, Edward A., payment to 975
Carlisle, Donna L. I., payment to 995
Cassady, Marion O., payment to 971
Cathcart, Claud, payment to 1017
Cathcart, Robert, payment to 1017
Catholic Society of Alaska, conveyance to, authorized 1008
Cessation of Hostilities of World War II, proclamation 1048
Chambers, T. H. (Col.), credit in accounts 980
Cheng, Kuo Yu, admission for permanent residence 993
Cherokee Indian Reservation, N. C., use of certain land by Methodist Church, authorized 1012
Chiarodo, Andrew, relief from liability 963
Child Health Day, 1947, proclamation 1063
Chile:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
China:
Convention respecting international civil aviation 1180
Italian rights, privileges, etc., in, certain, renunciation by Italy 1382

China—Continued Page
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Treaty of peace with Italy 1245
Choctawhatchee Electric Cooperative, Inc., De Funiak Springs, Fla., payment to 996
Civil Aviation, International, multilateral convention respecting 1180
Civil Aviation Organization, International, formation, composition, etc 1192
Civil Aviation Organization, Provisional International:
Kuter, Laurence S. (Maj. Gen.), appointment as U. S. representative to Interim Council 964
Smith, Paul A. (Lt. Comdr.), appointment as alternate U. S. representative to Interim Council and U. S. representative to Air Navigation Committee 965
Coffee Agreement, Inter-American, modification and extension 1222
Cohen, Therese R., payment to 970
Colombia:
Convention respecting international civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Columbus Day, Proclamation:
1946 1042
1947 1092
Commercial Aviation, Convention on, Habana, Feb. 20, 1928, denunciation by parties to international civil aviation convention of Dec. 7, 1944 1203
"Communism in Action", printing of additional copies of House document 1021
"Communist Party of the United States as an Agent of a Foreign Power", printing of additional copies of House report 1023
Concurrent Resolutions:
Borah, William E., statue of—
Acceptance in name of U. S.; thanks of Congress 1022
Placing in Capitol rotunda 1021
"Communism in Action", printing of additional copies of House document 1021

Concurrent Resolutions—Continued Page
"Communist Party of United States as an Agent of a Foreign Power", printing of additional copies of House report 1023
Congress—
Adjournment 1029
Adjournment sine die 1029
Enrolled bills, etc., signing of, after adjournment 1026, 1030
Joint meeting of two Houses 1021, 1029
Cuba, liberation, fiftieth anniversary celebration; appointment of joint committee, etc 1027
District of Columbia—
Control of weapons, request for return of bill; signing rescinded 1024
Revenue Act of 1947, change in enrollment of bill 1024
"Economic Reconstruction in Europe", printing of additional copies of House report 1023
Empire Parliamentary Association, acceptance of invitation to meeting; appointment of delegations; expenses 1025
"Final Report Reconversion Experience and Current Economic Problems", printing of additional copies of House report 1023
High prices of consumer goods, appointment of subcommittees of Joint Committee on Economic Report for study, etc.; report 1025
Housing, Joint Committee on, establishment, etc 1027
Housing and Rent Act of 1947, change in enrollment of bill 1022
International Refugee Organization, change in enrollment of bill 1023
National Labor Relations Act, Amendment, correction in enrollment of bill 1022
"National Security Act of 1947", printing of additional copies of hearings 1024
"Postwar Foreign Economic Policy of the United States", printing of additional copies of House report 1022
Profit Sharing and Possibilities of Incentive Taxation, Survey of Experience in, printing of additional copies of Senate report 1022
Reorganization Plan No. 2 of 1947, resolution respecting 1023
Small businessmen, representation on Government boards, etc., resolution respecting 1024
Surplus lands or structures, certain, report as, or disposition of, by War Department, Navy Department, and War Assets Administration 1026

Concurrent Resolutions—Continued Page
Tax revision, printing of additional copies of hearings, etc 1027
Un-American Activities, Committee on, printing of additional copies of hearing and report 1023
Congo Basin Treaties, arrangements for modification, acceptance and recognition by Italy 1385
Congress:
Adjournment 1029
Adjournment sine die 1029
Convening of, proclamation 1093
Cuba, fiftieth anniversary celebration of liberation, appointment of joint committee, etc 1027
Empire Parliamentary Association, acceptance of invitation to meeting; appointment of delegations; expenses 1025
Enrolled bills, etc., signing of, after adjournment 1026, 1030
High prices of consumer goods, appointment of subcommittees of Joint Committee on Economic Report for study, etc.; report 1025
Joint Committee on Housing, establishment, etc 1027
Joint meeting of two Houses to receive communications from President 1021, 1029
Conventions. *See also* Treaties.
Civil aviation, international, multilateral 1180
Inter-American automotive traffic 1129
Coombs, George W., payment to estate of 1004
Copyright Extension, Proclamations:
France 1057
New Zealand 1065
Corenevsky, George, payment to 1003
Costa Rica:
Convention respecting international civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Cotton:
Extra long-staple, supplemental quota on imports, proclamation 1071
Harsh or rough, certain, quota on imports, proclamation 1049
Court of Justice, International, recognition of compulsory jurisdiction, declaration respecting 1218
Cowan, Gilda, payment to legal guardian of 970
Cox, F. T., payment to 1017
Cox, G. W., payment to 1017

Page

Cox, J. M., payment to 1017
Cox, J. W. (Dr.), payment to 1017
Cox, W. W., payment to 1017
Credle, Mary E., payment to heirs of 975
Credle, Zinkia Mason, payment to 975
Crow Indian Reservation, Mont., issuance of patent in fee to Erle E. Howe authorized 998
Cuba:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Liberation, fiftieth anniversary celebration of; appointment of joint committee, etc 1027
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Czechoslovakia:
Convention respecting international civil aviation 1180
Frontiers, provisions in treaty of peace with Hungary 2111
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Reparations from Hungary 2119
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757

D

Danube, Navigation on the, Provisions in Treaties of Peace:
Bulgaria 1970
Hungary 2130
Roumania 1818
Daugherity, R. D. (Col.), credit in accounts 980
Davis, A. J., payment to 988
Davis, Betty Jane, payment to legal guardian of 983
Davis, Mr. and Mrs. Samuel W., Jr., payment to 983
De Cicco, Sylvia, payment to legal guardian of 976
Decorations. *See* Medals, Decorations, Etc.

Page

Dedication Day, 1946, proclamation 1046
Denmark:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Deschutes National Forest, Oreg., enlargement, proclamation 1040
District of Columbia:
Baltimore & Ohio Railroad Co., construction of siding authorized 997
Methodist Home, authorization for making certain changes in certificate of incorporation 976
Philadelphia, Baltimore and Washington Railroad Company, conveyance to, authorized 989
Protestant Episcopal Church, adoption of bylaws governing election of vestrymen 992
Revenue Act of 1947, change in enrollment of bill 1024
Weapons, control of, request for return of bill; signing rescinded 1024
Dixon, W. M. (Col.), credit in accounts 981
Dodecanese Islands, certain, cession by Italy to Greece; demilitarization 1377
Dominican Republic:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Donohue, Fred O., payment to 1013
Doyle, Gladys May, issuance of patent in fee authorized 985
Doyle, Lawrence Stanley, issuance of patent in fee authorized 984
Doyle, Raymond Wesley, issuance of patent in fee authorized 984
Doyle, Spencer Burgess, issuance of patent in fee authorized 985
Doyle, Thurlow Grey, issuance of patent in fee authorized 984

Driving License, International: Page
Forms 1164–1170
Requirement in certain cases under convention respecting inter-American automotive traffic 1144
Dunn, Nellie P., payment to estate of 967
Duties and Other Import Restrictions, Existing, modifications or continuance of, proclamation 1103

E

"Economic Reconstruction in Europe", printing of additional copies of House report 1023
Economic Report, Joint Committee on, appointment of subcommittees for study, etc., of high prices of consumer goods; report 1025
Ecuador:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Egypt:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Eire. *See* Ireland.
El Salvador:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocol modifying and extending Inter-American Coffee Agreement 1222
Empire Parliamentary Association, acceptance by Senate and House of Representatives of invitation to meeting; appointment of delegations; expenses 1025
Employ the Physically Handicapped Week, National, Proclamation:
1946 1041
1947 1086
England. *See* Great Britain.
Ethiopia:
Convention respecting international civil aviation 1180
Independence, recognition by Italy; general provisions in treaty of peace with Italy 1834
Reparations from Italy 1398
Treaty of peace with Italy 1245
Europe, Economic Reconstruction in, printing of additional copies of House report 1023
Everglades National Wildlife Refuge, Fla., designation of closed area, proclamation 1059
Executive Agreements. *See* International Agreements Other Than Treaties, *Parts 3–6 of this volume.*
Extrom, Andrew Charles, relief from liability; repayment to 1010

F

Farley, Donna Louise, payment to legal guardian of 1010
Farley, Mrs. Susie, payment to 1010
Farley, Thomas M., payment to 1010
Farm Safety Week, National, 1947, observance of, proclamation 1059
Farrow, E. W., payment to 975
Farrow, W. H., payment to 975
Feamster, Allen T., Jr., payment to 979
Federal Reserve System, exclusion of member banks from the scope of the proclamations of Mar. 6 and 9, 1933, and the Executive order of Mar. 10, 1933, proclamation 1062
Federal Works Agency, payment to Southeastern Sand and Gravel Company 977
Fidone, Edna Rita Saffron, admission for permanent residence 993
"Final Report Reconversion Experience and Current Economic Problems", printing of additional copies of House report 1023
Finland, extension of time for renewing trade-mark registrations, proclamation 1100
Fire Prevention Week, Proclamation:
1946 1038
1947 1083
Flag Day, 1947, proclamation 1068
Flint, Maxton H. (Col.), credit in accounts 980
Florida:
Everglades National Wildlife Refuge, designation of closed area 1059
Sanibel National Wildlife Refuge, designation of closed area for taking, etc., of migratory birds 1099
Foreign Economic Policy of the United States, Postwar, printing of additional copies of House report 1022
Foreign Service, Department of State, reappointment of Herschel V. Johnson 964
Foster, O. A., payment to 1017
Fournier, J. E., payment to 1017

France: Page
Convention respecting international civil aviation 1180
Copyrights, extension of time respecting designated works of citizens of France, proclamation 1057
Frontier between Italy and France, change by treaty of peace with Italy 1371, 1374, 1415
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Trade-mark registrations, extension of time for renewing, proclamation 1096
Treaty of peace with Italy 1245
Franklin, Mrs. Ida Elma, payment to 969
Frontiers Changed by Peace Treaties:
Albania 1383
Austria 2111
Bulgaria 1955
Czechoslovakia 2111
France 1371, 1374, 1415
Greece 1377
Hungary 1801, 2111
Italy 1371, 1415
Roumania 1801
Soviet Socialist Republics, Union of 1801, 2111
Trieste, Free Territory of 1373, 1380, 1381
Yugoslavia 1372, 1376, 1381, 2111

G

Gambacorto, Thomas, payment to estate of 975
Game Mammals, amendment of regulations relating to, proclamation 1067
Garrett, John C., removal from records of debt against; relief from pecuniary responsibility 988
Geiger, Roy Stanley (Lt. Gen.), issuance posthumously of commission as general, U. S. M. C 978
Geissman, Theodore A. (Dr.), payment to 1011
General Pulaski's Memorial Day, Proclamation:
1946 1042
1947 1092
General Relations, treaty and protocol with Philippines respecting 1174
Gettysburg Address, eighty-third anniversary proclaimed as Dedication Day 1046
Gibbs, Mrs. Charlie, payment to 975
Gilliam, Hugh C., payment to 991
Glienke, A. W. (Capt.), payment to 982
Goodman, Paul, payment to 989
Gradwell, John H., payment to 973
Great Britain:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Trade-mark registrations, extension of time for renewing, proclamation 1082
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Greece:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Reparations from—
Bulgaria 1960
Italy 1398
Territory ceded by Italy in treaty of peace 1377
Treaties of peace—
Bulgaria 1915
Italy 1245
Greensboro News Company, Greensboro, N. C., payment to 981
Griffin, Earle, payment to 988
Griffin, Mrs. Lorene, payment to 988
Guatemala:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180

Page

Guatemala—Continued
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Gunter, Archer C., payment to 1011

H

Hairston, Ruth A., payment to 1006
Haiti:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Hall, Claude R., payment to 978
Hall, Elton, Jr. (Capt.):
Credit in accounts 981
Payment to 982
Hall, Florence V., payment to 978
Hallquist, Fritz, payment to 994
Hardin, Francis Eugene, payment to legal guardian of 973
Harris, Kathleen Doyle, issuance of patent in fee authorized 986
Hatfield, Mrs. Kittie B., payment to 1015
Hatfield, Ora H., payment to estate of 1015
High Prices, Consumer Goods, appointment of subcommittees of Joint Committee on Economic Report for study, etc.; report 1025
Highways. *See* Automotive Traffic, Inter-American.
Hiner, George J., payment to 1015
Hinton, Robert, payment to 990
Hobbs, George Wesley, payment to legal guardian of 1007
Honduras:
Convention respecting international civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115

Page

Hooper, Caddie Mason, payment to 975
House of Representatives. *See* Congress.
Housing, Joint Committee on, establishment, etc 1027
Housing and Rent Act of 1947, change in enrollment of bill 1022
Housing Shortage, declaration of emergency due to, proclamation 1044
Termination of proclamation 1073
Howe, Erle E., issuance of patent in fee authorized 998
Howrey, Glenna J., payment to legal guardian of 999
Hungary:
Frontier between Roumania and Hungary, change by treaty of peace with Roumania 1801
Treaty of peace with 2065
Accession to 2131
Allied forces, withdrawal of 2118
Annexes, list of 2133
Contracts, prescription and negotiable instruments 2140
Danube, clause relating to the 2130
Economic clauses 2121
Entry into force 2132
Final clauses 2130
Frontiers 2111
Judgments 2142
Maps, list of 2134
Military and air clauses 2116
Military and military air training, definition of 2134
Political clauses 2112
Property, special provisions relating to certain kinds of 2137
Reparation and restitution 2119
War material, definition and list of 2134

I

"I Am An American Day," 1947, proclamation 1054
Iceland, convention respecting international civil aviation 1180
Illinois, Alexander County, designation of closed area for taking, etc., of migratory birds 1089
Immigrants, Admission for Permanent Residence:
Bailey, Mrs. Elizabeth Kempton 994
Belaustegui, Antonio 994
Cheng, Kuo Yu 993
Fidone, Edna Rita Saffron 993
Jakimowicz, Edna Mary 1010
Lapierre, Roger Edgar 996
Lewis, Arsenio Acacio 993
Lomas, Mary 983
Mark, Anna Malama 995
McCormick, William D 1000
Ochrimowski, Joseph 969
Schindler, Frank 968

Immigrants, Admission for Permanent Residence—Continued
Seddon, Eric 996
Soldo, Michael 992
Thurn, Mrs. Fuku Kurokawa 979
Toporow, Roman 1000
Wesche, Mrs. Frederick Faber 979
India:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Inter-American Automotive Traffic, multilateral convention respecting 1129
Inter-American Coffee Agreement, modification and extension 1222
Interim Council of Provisional International Civil Aviation Organization:
Kuter, Laurence S. (Maj. Gen.), appointment as U. S. representative 964
Smith, Paul A. (Lt. Comdr.), appointment as alternate U. S. representative 965
Interior, Department of the:
Catholic Society of Alaska, conveyance to, authorized 1008
Cherokee Indian Reservation, N. C., use of certain land by Methodist Church, authorized 1012
Crow Indian Reservation, Mont., issuance of patent in fee to Erle E. Howe authorized 998
Little Light, Richard, sale of land for benefit of, authorized 999
Patents in fee, issuance authorized—
Broken Leg, Daniel 1014
Doyle, Gladys May 985
Doyle, Lawrence Stanley 984
Doyle, Raymond Wesley 984
Doyle, Spencer Burgess 985
Doyle, Thurlow Grey 984
Harris, Kathleen Doyle 986
Howe, Erle E 998
Little Light, Becker 998
White, Alice Scott 998
Wood, Roscoe L., grant of private right-of-way to 968
International Agreements Other Than Treaties. *See Parts 3–6 of this volume.*
International Civil Aviation, multilateral convention respecting 1180
International Civil Aviation Organization, formation, composition, etc 1192
International Court of Justice, recognition of compulsory jurisdiction, declaration respecting 1218
International Refugee Organization, change in enrollment of bill 1023
International Sanitary Convention for Aerial Navigation of Dec. 15, 1944, extension 1122
International Sanitary Convention of Dec. 15, 1944, extension 1115
Iran:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Iraq:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Ireland, convention respecting international civil aviation 1180
Italy:
Protocols—
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Treaty of peace with 1245
Accession to 1413
Africa, Italian territorial possessions in, joint declaration by Governments of Soviet Union, United Kingdom, United States of America, and France 1457
Air Force, Italian, limitation 1394
Albania, general provisions relating to 1383
Allied forces, withdrawal of 1396
Annexes, list of 1414
Army, Italian, limitation of 1393
Ceded territories, economic and financial provisions relating to 1468
China, certain rights, privileges, etc., in, renunciation 1382
Claims arising out of the war 1397
Colonies 1382
Contracts, prescription and negotiable instruments 1475
Definitions 1463
Disputes, settlement of 1410
Economic provisions, miscellaneous 1411
Economic relations, general 1409
Entry into force 1413
Ethiopia, recognition of independence, etc 1384
Final clauses 1412
Franco-Italian frontier 1371, 1374, 1415
Gorizia and vicinity, water supply for 1428
International agreements 1385
Maps to accompany peace treaty, list of 1415

Italy—Continued Page
Treaty of peace with—Continued
Mine clearance 1396
Mont Cenis, guarantees in connection with 1423
Nationality; civil and political rights 1379
Naval, military, and air clauses 1387
Naval vessels, disposition of 1458
Navy, Italian, limitation of 1390
Political clauses 1378
Prisoners of war 1396
Prize courts and judgments 1478
Property—
Rights and interests 1403
Special provisions relating to certain kinds of 1472
Provisions agreed upon by the Austrian and Italian Governments on Sept. 5, 1946 1427
Rearmament, German and Japanese, cooperation in prevention 1395
Reparations to—
Albania 1398
Ethiopia 1398
Greece 1398
Other states 1400
Soviet Socialist Republics, Union of 1397
Yugoslavia 1398
Tenda-Briga District, guarantees in connection with 1425
Territorial clauses 1371
Treaties, bilateral 1386
Trieste—
Free Port of—
Instrument for the 1443
International Commission of the, establishment, etc 1448
Free Territory of—
Economic and financial provisions relating to 1452
Establishment, etc 1380
Instrument for the provisional regime of 1440
Permanent Statute of 1429
Technical dispositions regarding 1450
War criminals 1386
War material, disposal of 1395

J

Jakimowicz, Edna Mary, admission for permanent residence 1010
Jelich, Milosh M., provision for naturalization 1004
Jennette, Mrs. Rena S., payment to 975
Jennette, S. E., payment to 975
Jennette, T. A., payment to 975
John Paul Jones Bicentennial Day, 1947, proclamation 1073
Johnson, Herschel V., reappointment to Foreign Service, Department of State 964
Joint Committee on Economic Report, appointment of subcommittees for study, etc., of high prices of consumer goods; report 1025
Joint Committee on Housing, establishment, etc 1027
Jones, Isaac B., payment to 968
Jones, Mrs. Mabel, payment to 991
Jones, Robert B., consideration of active service in U. S. Naval Reserve; payment to 972
Jugoslavia. *See* Yugoslavia.
Justice, International Court of, recognition of compulsory jurisdiction, declaration respecting 1218

K

Keeler, Elwood L., payment to 970
Klamath National Forest, consolidation of certain portion into Six Rivers National Forest, Calif 1070
Kuter, Laurence S. (Maj. Gen.), appointment as U. S. representative to Interim Council of Provisional International Civil Aviation Organization 964

L

Labor Relations Act, National, Amendment, correction in enrollment of bill 1022
Lacy, W. B., payment to 1017
Lake Landing Township, Hyde County, N. C., payments to certain persons in settlement of claims 974
Lanser, Mrs. Georgia, payment to 1003
Lapierre, Roger Edgar, cancellation of warrant of arrest, etc.; admission for permanent residence 996
League of Nations, duties under designated narcotic drug agreements, etc., transferred to United Nations 2232
Leard, Myron R., payment to 1002
Lebanon:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Lewis, Arsenio Acacio, admission for permanent residence 993
Liberia:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Little Light, Becker, issuance of patent in fee authorized 998
Little Light, Richard, sale of land for benefit of, authorized 999

Page

Lomas, Mary, admission for permanent residence 983
Lorraine, Lillian M., cancellation of indebtedness; relief from liability 963
Louisiana Power and Light Company, easement and conveyance at Camp Livingston, La 983
Loyd, Frank R. (Col.), payment to 976
Lumber and Lumber Products, free importation, proclamation authorizing 1044
Termination of proclamation 1073
Luxembourg:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115

M

Mahon, J. R., payment to 1017
Makely, George, payment to 975
Makely, M., payment to 975
Malkin, Reuben, payment to estate of 1013
Mammals, Game, amendment of regulations relating to, proclamation 1067
Mann, J. S., payment to 975
Mann, T. J., payment to 975
Marine Corps, issuance posthumously of commission as general to Lt. Gen. Roy Stanley Geiger, U. S. M. C 978
Maritime Day, National, 1947, proclamation 1065
Maritime Navigation, Sanitary, multilateral protocol extending International Sanitary Convention of Dec. 15, 1944 1115
Mark, Anna Malama, admission for permanent residence 995
Markovich, Momchilo M., provision for naturalization 1004
Marshall, Walter R., and Kathryn, payment to 1001
Martin, Mrs. Mildred Wells, payment to 991
Mason, Alex W., payment to 975
Mason, C. R., payment to 975
Mason, W. T., payment to 975
McCartney, A. E., payment to 1017
McCormick, William D., admission for permanent residence 1000
Medals, Decorations, Etc., presentation of Distinguished Flying Cross to Rear Adm. Charles E. Rosendahl 978
Merchandise in General-Order and Bonded Warehouses, amendment of Proclamation No. 2599 1047
Mesopotamia. *See* Iraq.
Methodist Church, use of certain land on Cherokee Indian Reservation, N. C., authorized 1012
Methodist Home, D. C., authorization for making certain changes in certificate of incorporation 976
Mexico:
Convention respecting international civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Whaling, International Agreement for the Regulation of, amendment 1213
Migratory Birds:
Closed areas, designation of, proclamations—
Alexander County, Ill., certain lands and waters in 1089
Everglades National Wildlife Refuge, Fla 1059
Sanibel National Wildlife Refuge, Fla 1099
Regulations relating to, amendments, proclamations 1033, 1067, 1076, 1085, 1088, 1093
Milovanovich, Sava J., provision for naturalization 1004
Miloykovich, Zivko T., provision for naturalization 1004
Moore, Alva R., payment to 972
Morris, Carl Franklin, jurisdiction of Court to hear claims arising out of death of 1016
Morris, R. T., payment to 980
Moss, Mrs. Helen, payment to 1010
Moss, Melvin, payment to legal guardian of 1010
Mother's Day, 1947, proclamation 1064
Muirkirk, Md., Queens Chapel Methodist Church, conveyance to, authorized 1007
Murphey, P. L. (Spud), payment to 1016
Musgrove, Harry, payment to 988

N

Narcotic Drugs, multilateral protocol amending designated prior agreements, etc 2230
Annex to protocol 2251
Natali, Joseph, payment to 1017
National Air Mail Week, proclamation 1044
National Employ the Physically Handicapped Week, Proclamation:
1946 1041
1947 1086
National Farm Safety Week, 1947, proclamation 1059
National Forests:
Deschutes National Forest, Oreg., enlargement, proclamation 1040
Six Rivers National Forest, Calif., establishment; consolidation of portions of Klamath, Siskiyou, and Trinity National Forests into 1070

Page

National Guard Day, 1947, proclamation 1084
National Labor Relations Act, Amendment, correction in enrollment of bill 1022
National Maritime Day, 1947, proclamation 1065
"National Security Act of 1947", printing of additional copies of hearings 1024
Naturalization, Provision for:
Jelich, Milosh M 1004
Markovich, Momchilo M 1004
Milovanovich, Sava J 1004
Miloykovich, Zivko T 1004
Radich, Dejan D 1004
Skakich, Vojislav N 1004
Starc, Viktor A 1004
Navigation, Aerial, International Sanitary Convention for, Dec. 15, 1944, extension 1122
Navigation, Sanitary Maritime, multilateral protocol extending International Sanitary Convention of Dec. 15, 1944 1115
Navy Department:
Geiger, Roy Stanley (Lt. Gen.), amendment of records respecting rank 978
Rosendahl, Charles E. (Rear Adm.), presentation of Distinguished Flying Cross to 978
Surplus lands or structures, certain, report as, or disposition of 1026
Netherlands:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, International Agreement for the Regulation of, amendment 1213
Trade-mark registrations, extension of time for renewing 1096
Treaty of peace with Italy 1245
New Jersey, Indiana and Illinois Railroad, payment to 986
New Zealand:
Convention respecting international civil aviation 1180
Copyright extension, proclamation 1065
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115

Page

New Zealand—Continued
Protocols—Continued
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Nicaragua:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Nichols, Persis M., payment to 999
Norris, Elmer A., payment to; satisfaction and discharge of judgment 1005
Norway:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240

O

Ochrimowski, Joseph, admission for permanent residence 969
Odom, Mack Gene, payment to legal guardian of 1007
Oregon, enlargement of Deschutes National Forest, proclamation 1040
Orem, C. R., Jr. (Maj.), credit in accounts 980

P

Palestine, suspension of tonnage duties, proclamation 1087
Pamlico Timber Corporation, payment to certain persons in settlement of claims as result of forest fires at 975
Pan American Week, 1947, proclamation 1056
Panama:
Convention respecting international civil aviation 1180

Panama—Continued Page
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Panama Canal, control of vessels in territorial waters of United States, revocation of proclamation relating to 1069
Paraguay:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Parks, Robert F., payment to 1013
Payne, Mrs. Eitha Mason, payment to 975
Peace Treaties:
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Pearson, Harry C., relief from liability; repayment 1010
Pedron, Norman Ray, jurisdiction of Court to hear claims arising out of death of 1016
Pelagic Whaling, regulation of 1213, 1240
Pelletier, A. A., payment to 977
Persia. *See* Iran.
Peru:
Conventions—
Inter-American automotive traffic 1129
International civil aviation 1180
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Pfannenstiehl, Adolph, payment to 992
Philadelphia, Baltimore and Washington Railroad Company, conveyance in District of Columbia authorized 989
Philippines:
Convention respecting international civil aviation 1180
Independence, recognition of 1174
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Treaty and protocol respecting general relations 1174
Pittelli, Fred, payment to 997
Poland:
Convention respecting international civil aviation 1180

Poland—Continued Page
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Treaty of peace with Italy 1245
Portugal:
Convention respecting international civil aviation 1180
Protocol prolonging agreement of May 6, 1937, respecting regulation of production and marketing of sugar 1236
"Postwar Foreign Economic Policy of the United States", printing of additional copies of House report 1022
Powell, Emma B., payment to 975
Powers, J. F., payment to 987
President of the United States:
Appointments by—
Kuter, Laurence S. (Maj. Gen.), as U. S. representative to Interim Council of Provisional International Civil Aviation Organization 964
Smith, Paul A. (Lt. Comdr.), as alternate representative to Interim Council and as representative to Air Navigation Committee, Provisional International Civil Aviation Organization 965
Geiger, Roy Stanley (Lt. Gen.), issuance posthumously of commission as general, U. S. M. C 978
Proclamations. *See separate title.*
Prisoners of War:
Peace treaty provisions relating to—
Bulgaria 1959
Hungary 2118
Italy 1396
Roumania 1806
Proclamations:
Air Force Day, 1947 1074
Amidone, drug found to be an opiate 1075
Armistice Day—
1946 1046
1947 1095
Arms, ammunition, and implements of war, designation of certain articles as 1051
Army Day and Army Week, 1947 1055
Bill of Rights Day—
1946 1048
1947 1102

Proclamations—Continued Page
Cancer Control Month, 1947 1057
Canton Island, extension of period for establishment of adequate shipping service for and deferring extension of the coastwise laws to 1101
Cessation of hostilities of World War II 1048
Child Health Day, 1947 1063
Columbus Day—
1946 1042
1947 1092
Congress, convening of 1093
Copyright extensions—
France 1057
New Zealand 1065
Cotton—
Extra long-staple, supplemental quota on imports 1071
Harsh or rough, certain, quota on imports 1049
Dedication Day, 1946 1046
Deschutes National Forest, Oreg., enlargement 1040
Duties and other import restrictions, existing, modifications or continuance of 1103
Everglades National Wildlife Refuge, Fla., designation of closed area 1059
Federal Reserve System, exclusion of member banks from the scope of the proclamations of Mar. 6 and 9, 1933, and the Executive order of Mar. 10, 1933 1062
Fire Prevention Week—
1946 1038
1947 1083
Flag Day, 1947 1068
Game mammals, amendment of regulations relating to 1067
General Pulaski's Memorial Day—
1946 1042
1947 1092
"I Am An American Day", 1947 1054
John Paul Jones Bicentennial Day, 1947 1073
Merchandise in general-order and bonded warehouses, amendment of Proclamation No. 2599 1047
Migratory birds—
Closed areas, designation of—
Alexander County, Ill., certain lands and waters in 1089
Everglades National Wildlife Refuge, Fla 1059
Sanibel National Wildlife Refuge, Fla 1099
Regulations relating to, amendments 1033, 1067, 1076, 1085, 1088, 1093
Mother's Day, 1947 1064
National Air Mail Week 1044

Proclamations—Continued Page
National Employ the Physically Handicapped Week—
1946 1041
1947 1086
National Farm Safety Week, 1947 1059
National Guard Day, 1947 1084
National Maritime Day, 1947 1065
Palestine, suspension of tonnage duties 1087
Pan American Week, 1947 1056
Red Cross Month, 1947 1050
Six Rivers National Forest, Calif., establishment 1070
Sugar Act of 1937, termination of suspension of title II 1098
Thanksgiving Day—
1946 1045
1947 1097
Timber, lumber, and lumber products, temporary free importation of 1044
Termination 1073
Trade-mark registrations, extension of time for renewing—
Finland 1100
France 1096
Netherlands 1096
Switzerland 1081
United Kingdom of Great Britain and Northern Ireland 1082
United Nations Education Day 1043
Vessels, control of, in territorial waters of United States, revocation of proclamation relating to 1069
Washington's Farewell Address, one hundred and fiftieth anniversary of 1039
Profit Sharing and Possibilities of Incentive Taxation, Survey of Experience in, printing of additional copies of Senate report 1022
Protestant Episcopal Church, D. C., adoption of bylaws governing election of vestrymen 992
Protocols. *See also* Treaties; International Agreements Other Than Treaties, *Parts 3–6 of this volume.*
Inter-American Coffee Agreement, modification and extension 1222
Multilateral—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Annex to protocol 2251
Sanitary aerial navigation, extension of International Sanitary Convention for Aerial Navigation of Dec. 15, 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolongation of agreement of May 6, 1937 1236

Page

Protocols—Continued
Multilateral—Continued
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Philippines, general relations 1177
Provisional International Civil Aviation Organization:
Air Navigation Committee, appointment of Lt. Comdr. Paul A. Smith as U. S. representative 965
Interim Council—
Kuter, Laurence S. (Maj. Gen.), appointment as U. S. representative 964
Smith, Paul A. (Lt. Comdr.), appointment as alternate U. S. representative 965
Pugh, J. M., payment to 975
Pulaski, General, Memorial Day, Proclamation:
1946 1042
1947 1092

Q

Queens Chapel Methodist Church, Muirkirk, Md., conveyance to, authorized 1007

R

Radich, Dejan D., provision for naturalization 1004
Raleigh Times, Raleigh, N. C., payment to 981
Reconversion Experience and Current Economic Problems, Final Report, printing of additional copies of House report 1023
Red Cross Month, 1947, proclamation 1050
Refugee Organization, International, change in enrollment of bill 1023
Reorganization Plan No. 2 of 1947, resolution respecting 1023
Reparations Provisions in Peace Treaties:
Bulgaria 1960
Hungary 2119
Italy 1397
Roumania 1807
Rich, Lewis H., payment to 1001
Richards, Alma (Dr.), payment to 1009
Robbins, Mrs. W. H., payment to 975
Rome Agreement of Mar. 29, 1923, provision for Hungarian participation in modification 2124
Rosendahl, Charles E. (Rear Adm.), presentation of Distinguished Flying Cross to 978
Roumania:
Treaty of peace with 1757
Accession to 1820
Allied forces, withdrawal of 1806

Page

Roumania—Continued
Treaty of peace with—Continued
Annexes, list of 1821
Contracts, prescription and negotiable instruments 1829
Danube, clause relating to the 1818
Economic clauses 1808
Entry into force 1820
Final clauses 1819
Frontiers 1801
Military, military air, and naval training, definition of 1822
Military, naval, and air clauses 1804
Political clauses 1801
Prize courts and judgments 1831
Property, special provisions relating to certain kinds of 1826
Reparation and restitution 1807
War material, definition and list of 1823
Rowley, Ralph M. (Maj.), relief from liability; payment to 995
Russia. *See* Soviet Socialist Republics, Union of.

S

Saddler, Miss Lucy, payment to 975
Salamone, Mrs. Marie, payment to 1014
Salvador. *See* El Salvador.
Sanibel National Wildlife Refuge, Fla., designation of closed area for taking, etc., of migratory birds, proclamation 1099
Sanitary Convention, International, Dec. 15, 1944, extension 1115
Sanitary Convention for Aerial Navigation, International, Dec. 15, 1944, extension 1122
Sanitary Maritime Navigation, multilateral protocol extending International Sanitary Convention of Dec. 15, 1944 1115
Saudi Arabia, protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230
Schindler, Frank, admission for permanent residence 968
Security Act of 1947, National, printing of additional copies of hearings 1024
Seddon, Eric, admission for permanent residence 996
Senate. *See* Congress.
Settles, O. Dean, payment to 1015
Settles, Mrs. Ruth E., payment to 1015
Sewells, E. D., payment to 975
Sheffel, Irving E. (First Lt.), relief from liability 995
Shores, Harley, payment to 1002
Silk, P. C., payment to 977
Simon, Louis C., Jr. (Capt.), payment to 982
Siskiyou National Forest, consolidation of certain portion into Six Rivers National Forest, Calif 1070
Six Rivers National Forest, Calif., establishment, proclamation 1070

Page

Skakich, Vojislav N., provision for naturalization 1004
Small Businessmen, Representation on Government Boards, Etc., resolution respecting 1024
Smith, Paul A. (Lt. Comdr.), appointment as alternate U. S. representative to Interim Council and U. S. representative to Air Navigation Committee, Provisional International Civil Aviation Organization 965
Soldo, Michael, admission for permanent residence 992
South Africa, Union of:
Convention respecting international civil aviation 1180
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sanitary aerial navigation, extension of convention of 1944 1122
Sanitary maritime navigation, extension of convention of 1944 1115
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, International Agreement for the Regulation of, amendment 1213
Supplementary protocol 1240
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Southeastern Sand and Gravel Company, payment to 977
Soviet Socialist Republics, Union of:
Frontiers, provisions in treaties of peace with Roumania and Hungary 1801, 2111
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Whaling, supplementary protocol 1240
Reparations from—
Hungary 2119
Italy 1397
Roumania 1807
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Roumania 1757
Spain, convention respecting international civil aviation 1180
Spencer, Charlie E., payment to heirs of 975
Spencer, Ola Lucas, payment to 975

Page

Spencer, Tom C., payment to heirs of 975
Spradling, S. C., payment to 980
Spud's Tailors, Laundry, and Dry Cleaning Works, Honolulu, Hawaii, payment to P. L. (Spud) Murphey as owner and manager 1016
Stanfield, Ralph, payment to legal guardian of 1004
Starc, Viktor A., provision for naturalization 1004
State, Department of:
Johnson, Herschel V., reappointment to Foreign Service 964
Kuter, Laurence S. (Maj. Gen.), payment of compensation and allowances during designated period 964
Smith, Paul A. (Lt. Comdr.), payment of compensation and allowances during designated period 965
Stern, Julius A. (Lt.), payment to 982
Stone, J. F. (Capt.), payment to 982
Sugar, multilateral protocol prolonging agreement of May 6, 1937, respecting regulation of production and marketing 1236
Sugar Act of 1937, termination of suspension of title II, proclamation 1098
Supreme Court of United States, review of pending Philippine cases; termination of right of review 1175
Surplus Lands or Structures, Certain, report as, or disposition of, by War Department, Navy Department, and War Assets Administration 1026
Sweden, convention respecting international civil aviation 1180
Switzerland:
Convention respecting international civil aviation 1180
Trade-mark registrations, extension of time for renewing, proclamation 1081
Syria:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230

T

Tariff and Trade, General Agreement on, Etc., modifications or continuance of existing duties and other import restrictions pursuant to, proclamation 1103
Tax Revision, printing of additional copies of hearings, etc 1027
Taylor, Charles W., Jr., payment to 1002
Thailand, convention respecting international civil aviation 1180

Page

Thanksgiving Day, Proclamation:
1946 ... 1045
1947 ... 1097
Thomas, Julian M., payment to ... 1000
Thompkins, Jessie, payment to ... 1011
Thoreson, Norman, and Thoreson Brothers, Pasco, Wash., payment to ... 990
Thurn, Mrs. Fuku Kurokawa, admission for permanent residence ... 979
Timber, Lumber, and Lumber Products, temporary free importation, proclamation authorizing ... 1044
Termination of proclamation ... 1073
Toporow, Roman, cancellation of warrant of arrest, etc.; admission for permanent residence ... 1000
Trade-Mark Registrations:
Extension of time for renewing, proclamations—
Finland ... 1100
France ... 1096
Netherlands ... 1096
Switzerland ... 1081
United Kingdom of Great Britain and Northern Ireland ... 1082
Travel. *See* Automotive Traffic, Inter-American.
Treaties. *See also* International Agreements Other Than Treaties, *Parts 3–6 of this volume.*
Inter-American—
Automotive traffic ... 1129
Coffee Agreement, modification and extension ... 1222
International Court of Justice, declaration of recognition of compulsory jurisdiction ... 1218
Multilateral—
Bulgaria, treaty of peace with ... 1915
Bulgarian text ... 2019
English text ... 1953
French text ... 1985
Russian text ... 1917
Civil aviation, international ... 1180
Hungary, treaty of peace with ... 2065
English text ... 2109
French text ... 2145
Hungarian text ... 2183
Russian text ... 2067
Italy, treaty of peace with ... 1245
English text ... 1369
French text ... 1247
Italian text ... 1617
Russian text ... 1479
Narcotic drugs, amendment of designated prior agreements, etc ... 2230
Roumania, treaty of peace with ... 1757
English text ... 1799
French text ... 1833
Roumanian text ... 1871
Russian text ... 1759

Page

Treaties—Continued
Multilateral—Continued
Sanitary aerial navigation, extension of International Sanitary Convention for Aerial Navigation of Dec. 15, 1944 ... 1122
Sanitary maritime navigation, extension of convention of 1944 ... 1115
Sugar, regulation of production and marketing, prolongation of agreement of May 6, 1937 ... 1236
Whaling, International Agreement for the Regulation of, amendment ... 1213
Supplementary protocol ... 1240
Philippines, general relations ... 1174
Treaties and Other International Acts Series. *See* Treaties; International Agreements Other Than Treaties, *Parts 3–6 of this volume.*
Trieste, Free Territory of:
Economic and financial provisions relating to ... 1452
Free Port of Trieste—
Establishment, provision for ... 1439
Instrument for ... 1443
International Commission of the, establishment, etc ... 1448
Frontiers—
Italian ... 1373
Yugoslav ... 1380, 1381
General provisions, in treaty of peace with Italy ... 1380
Permanent Statute of ... 1429
Provisional regime of, instrument for ... 1440
Technical dispositions regarding ... 1450
Trinity National Forest, consolidation of certain portion into Six Rivers National Forest, Calif., proclamation ... 1070
Truitt, B. E., payment to ... 1017
Truitt, T. L., payment to ... 1017
Turcean, Harold, consideration as U. S. citizen at time of death ... 985
Turkey:
Convention respecting international civil aviation ... 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc ... 2230
Tyrol, North and East, passenger and freight traffic between, free movement of ... 1375

U

Ukrainian Soviet Socialist Republic:
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc ... 2230
Treaties of peace—
Bulgaria ... 1915
Hungary ... 2065

Ukrainian Soviet Socialist Republic—Con. Page
Treaties of peace—Continued
Italy 1245
Roumania 1757
Un-American Activities, Committee on, printing of additional copies of hearing and report 1023
Underwood, James H., credit in account; relief from liability 1012
Union of South Africa. *See* South Africa, Union of.
Union of Soviet Socialist Republics. *See* Soviet Socialist Republics, Union of.
United Kingdom. *See* Great Britain.
United Nations, duties under designated narcotic drug agreements, etc., transfer from League of Nations 2232
United Nations Education Day, proclamation 1043
United Nations Relief and Rehabilitation Administration:
Aerial Navigation, International Sanitary Convention for, 1944, continuation of functions assigned by 1123
International Sanitary Convention of 1944, continuation of functions assigned by 1116
Uruguay:
Convention respecting international civil aviation 1180
Protocol respecting narcotic drugs, amendment of designated prior agreements, etc 2230

V

Van Horne, L. H. (Maj.), credit in accounts 981
Venezuela:
Protocols—
Inter-American Coffee Agreement, modification and extension 1222
Narcotic drugs, amendment of designated prior agreements, etc 2230
Vessels, control of, in territorial waters of the United States, revocation of proclamation relating to 1069
Vienna Award of Aug. 30, 1940, decisions declared null and void by treaty of peace with Roumania 1801
Vienna Awards of Nov. 2, 1938, and Aug. 30, 1940, declared null and void by treaty of peace with Hungary 2111, 2120

W

War Assets Administration, surplus lands or structures, certain, report as, or disposition of 1026
War Criminals:
Peace treaty provisions relating to—
Bulgaria 1956
Hungary 2113
Italy 1386
Roumania 1802
War Department: Page
Louisiana Power and Light Company, easement and conveyance at Camp Livingston, La 983
Surplus lands or structures, certain, report as, or disposition of 1026
Warren, Mrs. Euginia Mason, payment to 975
Washington's Farewell Address, one hundred and fiftieth anniversary of, proclamation 1039
Wesche, Mrs. Frederick Faber, admission for permanent residence 979
Weston, Mrs. Thomas G., payment to 975
Whaling, International Agreement for the Regulation of, protocol amending 1213
Supplementary protocol 1240
White, Alice Scott, issuance of patent in fee authorized 998
Willink, Arthur (Maj.), credit in accounts 981
Willis, Mary Windley, payment to 975
Wood, R. W., payment to 997
Wood, Roscoe L., grant of private right-of-way to 968
Woods, Archie S., payment to estate of 967
Woodyard, P. W., payment to 1017
World Health Organization, duties under designated narcotic drug agreements, etc., transferred from League of Nations 2232
World War II, cessation of hostilities, proclamation 1048
Worrall, L. P. (Col.), credit in accounts 980

Y

Young, John C. (Rev.), payment to 993
Yugoslav Fliers, Certain, provision for naturalization 1004
Yugoslavia:
Frontiers, provisions in treaties of peace with Italy and Hungary 1372, 1376, 1381, 2111
Italian citizens, certain, acquisition of Yugoslav nationality 1379
Property, etc., restoration by Italy 1377
Protocols—
Narcotic drugs, amendment of designated prior agreements, etc 2230
Sugar, regulation of production and marketing, prolonging agreement of May 6, 1937 1236
Reparations from—
Bulgaria 1960
Hungary 2119
Italy 1398
Treaties of peace—
Bulgaria 1915
Hungary 2065
Italy 1245
Trieste, Free Territory of, supply of water and electricity to; frontier trade 1450

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
REORGANIZATION PLANS, AND PROPOSED
AMENDMENT TO THE CONSTITUTION

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

VOLUME 61

IN SIX PARTS

PART 3

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OTHER THAN TREATIES

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CONTENTS

	Page
LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES[1]	V
INTERNATIONAL AGREEMENTS OTHER THAN TREATIES	2285
INDEX	CLXXXV

[1] [International agreements other than treaties are continued in Parts 4, 5, and 6 of this Volume.]

LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

CONTAINED IN PART 3 OF THIS VOLUME[1]

	Page
Turkey. Air transport services	2285
Poland. Reciprocal customs privileges for foreign service personnel	2297
Brazil. Cooperative program of rural education in Brazil	2301
Honduras. Health and sanitation program	2319
Brazil. Naval mission	2338
Multilateral. World Health Organization and establishment of an Interim Commission	2349
Peru. Military aviation mission	2398
Colombia. Naval mission	2413
Netherlands. Commercial policy	2424
Iceland. Termination of defense agreement of July 1, 1941, and provision for interim use of Keflavik airport	2426
Czechoslovakia. Commercial policy	2431
Philippines. Trade relations	2436
New Zealand. Air transport services	2453
Australia. Air transport services	2464
United Kingdom. Economic fusion of American and British zones of occupation in Germany	2475
Philippines. Air transport services	2479
Peru. Health and sanitation program	2484
Multilateral. Constitution of the United Nations Educational, Scientific and Cultural Organization	2495
Canada. Waiver of certain claims involving government vessels	2520
Multilateral. Preparatory Commission of the International Refugee Organization	2525
Philippines. Public roads program in the Philippines	2561
Nepal. Friendship and commerce	2566
India. Air transport services	2573
Peru. Air transport services	2586
Philippines. Trade	2611
United Kingdom of Great Britain and Northern Ireland. Prevention of abuses of customs privileges at certain leased naval and air bases	2637
Union of South Africa. Mutual aid settlement	2640
Multilateral. Reparation to non-repatriable victims of German action	2649
El Salvador. Cooperative educational program in El Salvador	2660
Finland. Relief from double taxation on shipping profits	2671
Haiti. Haitian finances	2674
Multilateral. Zones of occupation in Austria and the administration of the City of Vienna	2679
Paraguay. Reciprocal trade	2688
United Kingdom. Claims for damages resulting from acts of armed forces personnel	2728
Canada. Surplus property disposal operations	2738
Multilateral. Italian military armistice, etc	2740
Ecuador. Air transport services	2773
Siam. Air transport services	2789
France. Passport visa fees	2795
China. Air transport services	2799
France. Extension of time for fulfilling conditions and formalities of copyright	2829
Philippines. Fishery program in the Philippines	2834
Philippines. American-Philippine financial commission	2840
New Zealand. Extension of time for fulfilling conditions and formalities of copyright	2842
Multilateral. Prolonging agreement of Jan. 4, 1946, respecting a European Coal Organization	2847
Philippines. Coast and geodetic program in the Philippines	2852
Philippines. Meteorological program in the Philippines	2858
Philippines. Air navigation program in the Philippines	2864
Canada. Air transport services	2869
Ireland. Air transport services	2872
Iceland. Air transportation of Icelandic passengers and mail	2874

[1] [International agreements other than treaties are continued in Parts 4, 5, and 6 of this Volume.]

Page

United Kingdom. Claims for damages resulting from acts of members or civilian employees of armed forces 2876
Colombia. Cooperative health and sanitation program in Colombia 2880
Mexico. Fisheries mission 2903
Greece. Aid to Greece 2907
Greece. Air transport services 2937
Brazil and United Kingdom of Great Britain and Northern Ireland. Purchase of Brazilian rice surpluses 2943
Canada. Patent rights in connection with RDX and other explosives 2949
Turkey. Aid to Turkey 2953
Peru. Cooperative health and sanitation program in Peru 2961
Austria. Relief assistance 2970
Lebanon. Air transport services 2987
El Salvador. Military aviation mission 3002
United Kingdom of Great Britain and Northern Ireland. Intergovernmental claims 3012
United Kingdom of Great Britain and Northern Ireland. Marine transportation and litigation 3014
Greece. Relief assistance 3017
Canada. Termination of reciprocal trade agreement signed Dec. 13, 1940, relating to fox furs and skins 3054
Union of South Africa. Air transport services 3057
United Kingdom of Great Britain and Northern Ireland. Air transport services on routes to and from Fiji Island 3089
United Kingdom of Great Britain and Northern Ireland. Air transport services, Gander Airport, Newfoundland 3092
Chile. Commercial relations 3094
Haiti. Haitian finances 3097
Norway. Passport visa fees 3101
Ecuador. Cooperative health and sanitation program in Ecuador 3103
Honduras. Cooperative health and sanitation program in Honduras 3114
Peru. Cooperative food production program in Peru 3123
United Kingdom of Great Britain and Northern Ireland. Standardization of distance measuring equipment for telecommunications 3131
Italy. Foreign relief program in Italy 3135
Siam. Exchange of official publications 3154
Multilateral. Distribution of German reparation, establishment of inter-allied reparation agency, and restitution of monetary gold 3157
Portugal. Air transport services 3185
France, United Kingdom, and Sweden. Liquidation of German property in Sweden 3191
United Kingdom of Great Britain and Northern Ireland, and Italy. Transfer to Italian Government of gold captured at Fortezza 3239
Austria. Air transport services 3241
Ecuador. Cooperative educational program in Ecuador 3257
Venezuela. Cooperative health and sanitation program in Venezuela 3271
Philippines. Military assistance to Philippines 3283
Guatemala. United States armed forces in Guatemala 3289
France, United Kingdom of Great Britain and Northern Ireland, and Italy. Liquidation of German property in Italy 3292
United Nations. Trusteeship for former Japanese mandated islands 3301
Iran. Military mission to Iran 3306
France. Restoration of certain industrial property rights affected by World War II 3316
Ecuador. Exchange of official publications 3322
Peru. Cooperative food production program in Peru 3326

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

FIRST SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

Agreement between the United States of America and Turkey respecting air transport services. Signed at Ankara February 12, 1946; effective May 25, 1946, pursuant to an exchange of notes of that date.

February 12, 1946
[T. I. A. S. 1538]

AIR TRANSPORT AGREEMENT

BETWEEN

THE UNITED STATES OF AMERICA AND TURKEY

Having in mind the resolution signed under date of December 7, 1944, at the International Civil Aviation Conference in Chicago Illinois, for the adoption of a standard form of agreement for provisional air routes and services, [1] and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States of America and Turkey, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE I

Each contracting party grants to the other contracting party the rights as specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

Post, p. 2289.

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[1] [Resolution VIII, *International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, pp. 39–41.]

ARTICLE 2

Inauguration of air services.

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

Prevention of discrimination, etc.

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most favored nation.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2289.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating

the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Post, p. 2289.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

Registration of agreement.

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Termination of rights for services.

Either contracting party may terminate the rights for services granted by it under this agreement and its Annex by giving one year's notice to the other contracting party.

ARTICLE 9

Modification of routes or conditions set forth in Annex.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Effective date.
Post, p. 2296.

The effective date of this agreement shall be established through an exchange of notes, which shall take place at Ankara as soon as possible.

In witness whereof the undersigned representatives, duly authorized by their respective Governments, have signed the present agreement and have affixed thereto their seals.

Authentic languages.

Done at Ankara in duplicate, in the English and Turkish languages, each of which shall be of equal authenticity, this 12th day of February, 1946.

For the Government of the
United States of America: EDWIN C. WILSON

For the Turkish Government: FERIDUN CEMAL ERKIN
[SEAL] [SEAL]

ANNEX TO THE
AIR TRANSPORT AGREEMENT
BETWEEN
THE UNITED STATES OF AMERICA AND TURKEY

A. Airlines of the United States of America authorized under the present agreement are accorded the rights of transit and non-traffic stop in Turkish territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Istanbul and Ankara on the route or routes indicated below:

"From the United States, via intermediate points to the continent of Europe and to Istanbul and Ankara, and thence to points beyond; in both directions".

B. Airlines of Turkey authorized under the present agreement are accorded in the territory of the United States of America corresponding rights of transit and non-traffic stop as well as corresponding rights of international commercial traffic on a specific route or routes to be determined at a later date.

C. It is agreed that either contracting party, before placing an airline in operation, will notify to the other party the proposed directions of entry into and exit from its territory, whereupon the other party will indicate the points of entry and exit and the route to be followed within its territory.

AMERİKA BİRLEŞİK DEVLETLERİ İLE TÜRKİYE
ARASINDA
HAVA NAKLİYATINA DAİR ANLAŞMA

Muvakkat hava yolları ve servisleri için bir standard anlaşma şekli kabul edilmesi zımnında Illinois eyaletinde Şikago şehrinde akdedilen Milletlerarası Sivil Havacılık Konferansında 7 Aralık 1944 tarihinde imzalanan kararı ve Amerika Birleşik Devletleri ile Türkiye arasında hava nakliyatının ekonomik bakımdan sağlam bir suretle gelişmesini karşılıklı olarak kolaylaştırmanın ve teşvik etmenin arzuya değer olduğunu göz önünde tutarak, bu anlaşmayı akdeden iki Hükûmet, kendi ülkeleri arasındaki hava nakliyatının aşağıdaki hükümlere göre kurulması ve gelişmesi hususunda mutabık kalmışlardır :

MADDE 1

Akid Taraflar, bu Anlaşmanın Ekinde gösterilen milletlerarası sivil hava yollarının ve servislerinin kurulması için lâzım gelip mezkûr Ekde muazzah bulunan hakları birbirlerine bahşederler; bu servislere, işbu haklar kendisine verilen Akid Tarafın ihtiyarına göre, ister derhal ister daha sonra başlanılmış olması bahşedilen hakları ihlâl etmez.

MADDE 2

(a) Bu suretle tarif edilen hava servislerinin her biri, birinci madde gereğince kendisine mevzuubahs yol için bir veya bir kaç hava hattını tayin hakkı bahşedilmiş olan Akid Taraf bu yol üzerinde bir hava hattına ruhsat verir vermez, işletilmiye başlanacak ve hakları bahşeden Akid Taraf, 6.ncı madde hükümleri mahfuz kalmak şartıyle, ilgili hava hattına veya hatlarına gereken işletme müsaadesini vermekle mükellef olacaktır; şu kadar ki, böylece tayin edilen hava hatlarından, bu Anlaşmada derpiş edilen faaliyete başlamalarına müsaade edilmeden önce, hakları veren Akid Tarafın yetkili hava makamlarına,

bu makamlar ....

bu makamlar tarafından umumiyetle tatbik edilen kanun ve nizamlar gereğince ehliyetlerini isbat etmeleri istenebilecekdir; muhasemat veya askerî işgal sahalarında veya bu kabil ahvalin tesiri altında bulunan sahalarda bu şekilde faaliyete başlamak keyfiyeti yetkili askerî makamların tasvibine tâbi olacakdır.

(b) Şurası mukarrerdir ki, işbu Anlaşma gereğince kendilerine ticarî haklar bahşedilen Akid Taraflardan her biri, bunları, muvakkat imkânsızlık halleri müstesna, mümkün olan en kısa bir zamanda istimâle başlıyacakdır.

MADDE 3

Tatbikatta herhangi bir farklı muameleye meydan vermemek ve eşitliği sağlamak maksadıyle Akid Taraflar aşağıdaki hususlarda mutabıkdırlar :

(a) Akid Taraflardan her biri, kendi kontrolu altındaki umumî hava meydanlarının kullanılması ve diger kolaylıklardan faydalanma karşılıklı olarak haklı ve makûl mükellefiyetler tarhetmekde veya ettirmekde serbesttir. Ancak, Akid Taraflardan her biri bu mükellefiyetlerin, aynı şekilde milletlerarası servisler yapan kendi millî uçaklarınca işbu hava meydanlarının kullanılması ve kolaylıklardan faydalanma için ödenilmesi icabeden mikdardan daha fazla olmamasını kabul eder.

(b) Akid Taraflardan birinin ülkesinde diger Akid Tarafca veya bunun tebaasınca ithal edilip münhasiran kendi uçakları tarafından istimâle mahsus olan yakıt, makina yağları ve yedek parçalar için gümrük resmi, muayene ücreti veya diger millî resim veya mükellefiyetler tarhı hususunda, ülkesine işbu ithalât yapılmış olan Tarafca millî hatlara ve en ziyade müsaadeye mazhar milletin hatlarına tatbik edilen muamele tatbik edilecekdir.

(c) Ekde tarif olunan yolları ve servisleri işletmiye mezun olan Akid Tarafın hava hatlarına aid sivil uçaklarda bulunan yakıt,

makina ....

makina yağları, yedek parçalar, mutâd techizat ve uçak komanyası, anılan uçaklar tarafından öteki Akid Tarafın ülkesi üzerindeki uçuşlarda kullanılsa veya sarfedilse bile, o ülkeye giriş ve çıkışda gümrük resmi, muayene ücreti veya buna benzer resim ve mükellefiyetlerden muaf tutulacakdır.

MADDE 4

Akid Taraflardan birinin verdiği veya muteber olduğunu tasdik eylediği uçuşa elverişlilik vesikaları, ehliyetnâmeler ve ruhsatiyeler Ekde gösterilen hava yollarının ve servislerinin işletilmesi için diger Akid Tarafca da muteber olarak tanılacakdır. Ancak, Akid Taraflardan her biri, kendi tebaasına başka bir Devlet tarafından verilmiş ehliyetnâmeleri ve ruhsatiyeleri kendi ülkesi üzerinde uçuş için muteber tanımakdan istinkâf etmek hakkını muhafaza eder.

MADDE 5

(a) Akid Taraflardan birinin milletlerarası hava seyrüseferinde işliyen uçakların kendi ülkesine giriş ve çıkışı hakkındaki, veya bu uçakların kendi ülkesinde iken işletilmesi ve seyrüseferi ile ilgili kanun ve nizamları, diger Akid Tarafın uçaklarına da tatbik edilecektir. Birinci Tarafın ülkesine giriş ve çıkış esnasında veya o ülkede bulundukları müddetce, bu kanun ve nizamlara, anılan uçaklarca riayet olunacakdır.

(b) Akid Taraflardan birinin ülkesine uçak yolcusu, mürettebatı veya hamulesinin sokulması ve bunların o ülkeden ayrılması ile ilgili giriş, çıkış, göçmen, paseport, gümrük ve karantina işleri gibi hususata müteallik kanun ve nizamlara, gerek işbu tarafın ülkesine giriş ve çıkışda, gerekse o ülke dahilinde iken, öteki Akid Tarafın yolcuları ve mürettebatı tarafından veya onlar namına riayet edilecek ve aynı keyfiyet hamûle hakkında da varid olacakdır.

MADDE 6 ....

MADDE 6

Akid Taraflardan herbiri, diger Tarafa ait bir hava hattının esas mülkiyeti ile filî kontrolünün bu Anlaşmayı akteden Taraflardan birinin tebaasının elinde bulunduğuna kanaat getirmediği hallerde veya bir hava hattının, ülkesinde faaliyette bulunduğu Devletin kanunlarına 5.nci maddede tarif olunduğu veçhile riayet etmediği veya bu Anlaşmadan doğan vecibelerini yerine getirmediği taktirde, işbu hatta ruhsatiye veya müsaade vermemek veya bunları geri almak hakkını muhafaza eder.

MADDE 7

Bu Anlaşma ve bununla ilgili bütün mukaveleler Milletlerarası Sivil Havacılık Geçici Teşkilâtı nezdinde tescil ettirilecekdir.

MADDE 8

Akid Taraflardan her biri, öteki Akid Tarafa bir yıl önceden haber vermek suretiyle, bu Anlaşma ve Eki ile bahşettiği hava servisi haklarına nihayet verebilir.

MADDE 9

Akid Taraflardan biri, ilişik Ekde gösterilen yolların veya şartların değiştirilmesini arzuya deger gördüğü taktirde, her iki Tarafın yetkili makamları arasında istişare yapılmasını istiyebilir, ve bu istişare, istek tarihinden itibaren 60 gün içinde başlar. Anılan makamlar arasında Eke tesir eden yeni veya değiştirilmiş şartlar üzerinde uyuşulduğu taktirde, onların bu meselede tavsiye ettikleri hususlar diplomatik Nota teatisiyle teyid edildikden sonra yürürlüğe girer.

MADDE 10

İşbu Anlaşmanın yürürlüğe giriş tarihi mümkün olduğu kadar kısa bir zamanda Ankara'da Nota teatisi suretiyle tayin edilecekdir.

Yukarıdakileri ....

Yukarıdakileri tasdiken, imzaları aşağıda bulunan ve hükûmetleri tarafından usûlü dairesinde yetkilendirilmiş olan temsilciler işbu Anlaşmayı imzalayıp mühürlemişlerdir.

Ankarada, 1946 yılı Şubat ayının on ikisinde, ingilizce ve türkçe olarak ve her iki lisandaki metin aynı derecede muteber olmak üzere ikişer nüsha olarak tanzim edilmiştir.

Amerika Birleşik Devletleri Hükûmeti namına :

Türkiye Cümhuriyeti Hükûmeti namına :

AMERİKA BİRLEŞİK DEVLETLERİ İLE TÜRKİYE

ARASINDA

HAVA NAKLİYATI ANLAŞMASINA

E K

A. İşbu Anlaşma gereğince mezun kılınmış olan Amerika Birleşik Devletleri Hava hatlarına Türkiye ülkesinde transit ve teknik tevakkuf hakkı, ve aşağıda gösterilen yolu veya yolları tâkiben İstanbul ve Ankara'da milletlerarası yolcu, yük ve posta almak ve boşaltmak hakkı verilmişdir :

" Her iki istikâmette olmak üzere:
Birleşik Devletlerden, mutavassıt noktalar tarikiyle, Avrupa kıt'asına ve İstanbul ve Ankara'ya, ve oradan daha ileri noktalara."

B. Bu Anlaşma gereğince mezun kılınmış olan Türkiye hava hatlarına da, Amerika Birleşik Devletleri ülkesinde aynı transit ve teknik tevakkuf ve ileride tesbit edilecek muayyen yol veya yolları takiben aynı milletlerarası ticarî seyrüsefer hakları verilmişdir.

C. Şurası mukarrerdir ki Âkid Tarafdan her biri bir hava hattı işletmeğe başlamazdan önce, diger Âkid Tarafa, onun ülkesine giriş ve ülkesinden çıkış için mutasavver istikâmetleri bildirecek ve bunun üzerine diger Taraf giriş ve çıkış noktaları ile ülkesinde tâkib edilecek olan uçuş yolunu gösterecekdir.

The Turkish Minister of Foreign Affairs to the American Ambassador

TÜRKIYE CÜMHURIYETI
HARICIYE VEKÂLETI

45610–110 ANKARA, *le 25 Mai 1946*

MONSIEUR L'AMBASSADEUR,

Me référant à l'article 10 de l'Accord relatif aux transports aériens entre le Gouvernement de la République Turque et le Gouvernement des Etats-Unis d'Amérique, signé à Ankara en date du 12 Février 1946, j'ai l'honneur de proposer à Votre Excellence au nom de mon Gouvernement que la date de la mise en vigueur de l'Accord précité soit fixée au 25 Mai 1946.

Je prie Votre Excellence, de bien vouloir me confirmer l'accord du Gouvernement des Etats-Unis d'Amérique sur ce qui précède.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

HASAN SAKA

Excellence
Monsieur EDWIN C. WILSON,
Ambassadeur des Etats-Unis d'Amérique
Ankara.

The American Ambassador to the Turkish Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 757 *Ankara, May 25, 1946*

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note No. 45610–110 dated May 25, 1946 reading as follows:

"Mr. Ambassador:

"With reference to Article 10 of the Air Transport Agreement between the Government of the Turkish Republic and the Government of the United States of America, signed at Ankara on February 12, 1946, I have the honor to propose to your Excellency on behalf of my Government that the date of entry into effect of the above mentioned agreement be May 25, 1946.

Ante, p. 2288.

"I request, Mr. Ambassador, that you be good enough to give me confirmation of the agreement of the Government of the United States of America with the foregoing.

"Please accept, etc.,"

I take pleasure in informing your Excellency that my Government is in agreement with the foregoing.

Please accept Excellency, the assurances of my highest consideration.

EDWIN C. WILSON

His Excellency
M. HASAN SAKA,
Minister of Foreign Affairs,
Ankara.

Agreement between the United States of America and Poland respecting reciprocal customs privileges for foreign service personnel. Effected by exchange of notes signed at Warsaw October 5 and 30, 1945; effective October 30, 1945.

October 5 and 30, 1945
[T. I. A. S. 1544]

The American Ambassador to the Polish Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Warsaw, October 5, 1945

No. 67

EXCELLENCY:

Pursuant to my note no. 55 of September 26, 1945 to Your Excellency regarding the proposed opening of several American consular offices in Poland and the functioning of Polish consular offices in the United States, I am instructed to deliver the following communication to Your Excellency:

In accordance with instructions from my Government, I have the honor to inquire whether the Polish Provisional Government of National Unity is disposed to enter into an agreement whereby on the basis of reciprocity, in addition to free entry of baggage and effects upon arrival and return to their posts in the United States after visits abroad which Polish consular officers assigned to the United States already enjoy, the Department of State will arrange, upon request of the Polish Embassy in each instance, for the free entry of articles imported for their personal use during their official residence in the United States by Polish consular officers and their families and by Polish Embassy and Consular clerks. It is understood that such officers and clerks shall be Polish nationals and not engaged in any private occupations for gain and that no article for the importation of which is prohibited by the laws of the United States shall be imported by them. If agreeable to this, it is suggested that October 30, 1945 shall be set as the date on which this reciprocal agreement shall become effective.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

ARTHUR BLISS LANE

His Excellency
WINCENTY RZYMOWSKI,
Minister of Foreign Affairs.

The Polish Minister of Foreign Affairs to the American Ambassador

Nr.K.I.424 '/1 WARSZAWA, *dnia 30 października 1945*

Ekscelencjo:

W odpowiedzi na notę Waszej Ekscelencji z dnia 5.X.1945 r. Nr.67, dotyczącej porozumienia w sprawie wolnego od opłat celnych przywozu towarów przez członków konsulatów dla osobistego użytku przez nich samych i członków ich rodzin pozwalam sobie zakomunikować co następuje:

Rząd Jedności Narodowej wyraża zgodę na to, by na zasadzie wzajemności członkowie Ambasady Stanów Zjednoczonych Ameryki oraz członkowie mających się otworzyć konsulatów amerykańskich w Polsce i ich rodziny korzystali z wolnego od opłat celnych przywozu towarów niezależnie od istniejącego już porozumienia dotyczącego wolnego wwozu bagażu i rzeczy przy przyjeździe na swoje placówki konsularne, jeżeli są obywatelami Stanów Zjednoczonych Ameryki i nie oddają się prywatnym zajęciom dla zysku na terenie Polski.

Do odprawy przesyłek nadchodzących pod adresem Konsulatów Stanów Zjednoczonych Ameryki w Gdańsku-Gdyni, Łodzi, Krakowie, Wrocławiu, Poznaniu i Szczecinie wyznaczone będą urzędy celne w Warszawie, Gdańsku, Krakowie, Wrocławiu, Poznaniu i Łodzi, w Szczecinie zaś po otworzeniu tam

Urzędu Celnego.

Na każde żądanie Ambasady Stanów Zjednoczonych Ministerstwo Spraw Zagranicznych załatwi sprawę wolnego od opłat celnych przywozu towarow, oczywiście jeżeli sprowadzanie ich nie jest zakazane przez polskie ustawodawstwo.

Rząd Jedności Narodowej wyraża również zgodę na proponowaną datę 30.X.1945, od której to wzajemne porozumienie stanie się skuteczne.

Korzystam ze sposobności, by zapewnić Waszą Ekscelencję o moim najgłębszym poważaniu

Minister

Jego Ekscelencja
ARTHUR BLISS-LANE
Ambasador Stanów Zjednoczonych

Translation

No. K. I. 424 b/1

WARSAW, *October 30, 1945*

EXCELLENCY:

Ante, p. 2297.

In reply to Your Excellency's note no. 67 of October 5, 1945, regarding an agreement for the duty-free importation of goods by members of consulates for their own personal use and that of the members of their families, I respectfully communicate to you the following:

The Government of National Unity agrees that on the basis of reciprocity members of the Embassy of the United States of America, as well as members and their families of American consulates yet to be opened in Poland, would benefit by the duty-free importation of goods, independently of an agreement already in existence regarding the free entry of baggage and effects upon arrival at their consular posts, if they are citizens of the United States of America and will not engage in private occupations for gain on the territory of Poland.

Customs offices at Warsaw, Gdańsk, Krakow, Wroclaw, Poznan and Lodz, and at Szczecin after the customs office there is opened, will be instructed to expedite shipments directed to the Consulates of the United States of America at Gdańsk-Gdynia, Lodz, Krakow, Wroclaw, Poznan and Szczecin.

The Ministry of Foreign Affairs will arrange, upon the request of the American Embassy in each instance, the duty-free entry of goods if, of course, the importation thereof is not prohibited by Polish law.

The Government of National Unity at the same time expresses agreement with the proposed date of October 30, 1945 as the date on which this reciprocal agreement shall become effective.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Minister
Z MODZELEWSKI

His Excellency
ARTHUR BLISS LANE
Ambassador of the United States

Agreement between the United States of America and Brazil respecting a cooperative program of rural education in Brazil. Effected by exchange of notes signed at Rio de Janeiro January 21 and February 15, 1946; effective January 1, 1946.

January 21 and February 15, 1946
[T. I. A. S. 1549]

The American Chargé d'Affaires ad interim to the Brazilian Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Rio de Janeiro, January 21, 1946

N° 375

EXCELLENCY,

I have the honor to refer to Resolution N° 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics held in Panamá in September and October of 1943 and to our conversations relative to a certain cooperative program in Rural Education which might be undertaken between the Governments of the United States of Brazil and the United States of America.

I have also the honor to refer to the informal conversations relative to such a cooperative program in Rural Education held between representatives of the Brazilian Ministry of Agriculture and representatives of the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America.

In accordance with the antecedents under reference, the Inter-American Educational Foundation, Inc., has entered into an agreement with the Ministry of Agriculture for a cooperative program in the field of Rural Education. Under the terms of this agreement the Inter-American Educational Foundation, Inc., will make available for said cooperative program the sum of Two Hundred and Fifty Thousand ($250,000.00) Dollars U.S. Currency, and the Ministry of Agriculture will contribute the equivalent in Brazilian currency of Seven Hundred and Fifty Thousand ($750,000.00) Dollars U.S. currency, this amount to be in addition to the regular budget of the Government of Brazil for rural education.

Post, p. 2305.

This cooperative program will be carried out by a special organization created within the Brazilian Ministry of Agriculture and pursuant to specific project agreements which will define the kind of work to be undertaken and the cost thereof and which will be signed by an appropriate official of the Inter-American Educational Foundation, Inc., and by an appropriate official of the Ministry of Agriculture.

It is understood that the Government of the United States of America will furnish through the Inter-American Educational Foundation, Inc., such educators, specialists and technicians as it may consider appropriate in order to collaborate with Brazilian educators, specialists and technicians in the realization of this cooperative educational program.

All materials, equipment and property acquired in connection with this program shall remain the property of the Government of Brazil upon the conclusion of the agreement referred to above, which agreement is expected to terminate on June 30, 1948.

I should appreciate it if Your Excellency would be so kind as to confirm to me your approval of this cooperative agreement which was signed on October 20th, 1945, by the Minister of Agriculture and by the President of the Inter-American Educational Foundation, Inc., and which embodies the details relative to the establishment and the methods of fulfillment of this cooperative educational program.

Accept, Excellency, the renewed assurance of my highest consideration.

PAUL C. DANIELS
Chargé d'Affaires ad interim

His Excellency
Dr. PEDRO LEÃO VELLOSO
Minister for Foreign Affairs
Rio de Janeiro.

The Brazilian Minister of Foreign Affairs to the American Ambassador

MINISTERIO DAS RELAÇÕES EXTERIORES,
RIO DE JANEIRO.
Em 15 de fevereiro de 1946.

URGENTE
DEC/SEB/DAI/38/542.22(22)

SENHOR EMBAIXADOR,

Tenho a honra de acusar o recebimento da nota dessa Embaixada, nº 375, de 21 de janeiro último, relativa a um programa de cooperação sôbre ensino rural entre os Estados Unidos do Brasil e os Estados Unidos da América, o qual foi objeto de Acôrdo celebrado entre a "Inter-American Educational Foundation, Inc.", e o Ministério da Agricultura do Brasil.

2. Ficou estabelecido no referido Acôrdo que a "Inter-American Educational Foundation, Inc." corporação do Escritório de Negócios Interamericanos e repartição do Govêrno dos Estados Unidos da América, concorrerá para a execução dêsse programa com a soma de US$ 250.000,00 (duzentos e cinquenta mil dólares), moeda americana, e o Ministério da Agricultura contribuirá com a quantia, em moeda brasileira, equivalente a US$ 750.000,00 (setecentos e cinquenta mil dólares), quantia esta que não se confundirá com o orçamento regular do Govêrno brasileiro para a educação rural.

3. Êsse programa de cooperação será levado a efeito por um organismo especial, a ser criado no Ministério da Agricultura, e obedecerá a projetos específicos que definirão a espécie de trabalho a ser executado e o custo respectivo. Esses projetos deverão ser assinados pelos funcionários representantes da "Inter-American Educational Foundation, Inc." e do Ministério da Agricultura.

4. O Govêrno dos Estados Unidos da América fornecerá, por intermédio da "Inter-American Educational Foundation, Inc.", os educadores, especialistas e técnicos que, na sua opinião, devam colaborar com os seus colegas brasileiros na execução do programa previsto.

5. O material, o equipamento e os bens adquiridos em virtude dêste plano continuarão sob a propriedade do Govêrno do Brasil, quando expirar o acôrdo aqui referido, o que deverá ocorrer a 30 de junho de 1948.

6. Em resposta, cabe-me confirmar a Vossa Excelência haver o Govêrno brasileiro concordado com o mencionado Acôrdo sôbre educação rural, o qual, assinado a 20 de outubro último pelo Ministro da Agricultura e pelo Presidente da "Inter-American Educational Foundation, Inc.", dispõe acêrca do estabelecimento dêsse programa e dos métodos de pô-lo em prática.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

JOÃO NEVES DA FONTOURA

A Sua Excelência o Senhor ADOLF BERLE Jr.,
Embaixador dos Estados Unidos da América.

Translation

MINISTRY OF FOREIGN RELATIONS,
RIO DE JANEIRO.
February 15, 1946.

URGENT
DEC/SEB/DAI/38/524.22(22)

MR. AMBASSADOR:

I have the honor to acknowledge receipt of your Embassy's note No. 375, of January 21st last, relative to a program of cooperation in Rural Education between the United States of Brazil and the United States of America, and which was the subject of an Agreement entered into by the Inter-American Educational Foundation, Inc., and the Ministry of Agriculture of Brazil.

2. It was established in the said Agreement that the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America, will make available for the execution of that program a sum of $250,000.00 (two hundred and fifty thousand dollars), United States currency, and the Ministry of Agriculture will contribute the equivalent in Brazilian currency of $750,000.00 (seven hundred and fifty thousand dollars), this amount to be in addition to the regular budget of the Brazilian Government for rural education.

3. This cooperative program will be carried out by a special organization to be created within the Ministry of Agriculture, and pursuant to the specific project agreements which will define the kind of work to be undertaken and the cost thereof. These project agreements will be signed by the officials representing the Inter-American Educational Foundation, Inc. and the Ministry of Agriculture.

4. The Government of the United States of America will furnish through the Inter-American Educational Foundation, Inc., such educators, specialists and technicians as it may consider appropriate in order to collaborate with their Brazilian colleagues in the realization of the foregoing program.

5. The material, equipment and property acquired by virtue of this plan shall remain the property of the Government of Brazil upon the conclusion of the agreement referred to above, which agreement is expected to terminate on June 30, 1948.

6. In reply, I have to confirm to Your Excellency the fact that the Brazilian Government has approved the aforementioned Agreement on rural education which, signed on October 20th last, by the Minister of Agriculture and by the President of the Inter-American Educational Foundation, Inc., embodies the details relative to the establishment and the methods of fulfillment of this cooperative educational program.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

JOÃO NEVES DA FONTOURA

His Excellency ADOLF BERLE Jr.,
Ambassador of the United States of America.

AGREEMENT ON RURAL EDUCATION BETWEEN THE MINISTRY OF AGRICULTURE OF THE UNITED STATES OF BRAZIL AND THE INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

The Ministry of Agriculture of the United States of Brazil (hereinafter called the Ministry of Agriculture) and the Inter-American Educational Foundation, Inc., a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America (hereinafter called the "Foundation"), have decided to enter into the following agreement to undertake a cooperative educational program to promote Inter-American understanding by bringing about a better interchange of educators, educational ideas and methods between Brazil and the United States of America, pursuant to Resolution 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics held in Panama in September and October of 1943. [1]

Clause I

The objectives of this cooperative educational program are: Objectives.

a) the development of closer relations between teachers of vocational agriculture in the United States of Brazil and the United States of America;
b) the interchange and training of Brazilian and American specialists in vocational agriculture;
c) the development of such other projects in the field of rural education as may be of mutual interest to the parties.

Clause II

The methods of carrying out the said cooperative educational program are expected to include: Methods.

A. The furnishing by the Foundation of a small Field Staff of specialists in vocational agriculture to collaborate in the realization of the cooperative educational program;
B. The development and realization, in cooperation with various Brazilian authorities, of programs related to:
1. Studies and surveys relative to the educational needs of Brazil and of the United States of America, especially in the field of vocational agriculture, and of the resources which are available to meet them;
2. Grants to permit Brazilian administrators, educators, and special service personnel to go to the United States of America to study, to lecture, to teach and to interchange ideas and

[1] [Not printed.]

experiences with administrators, educators, and specialists in the United States of America;

3. The organization and development of teacher training programs in vocational agriculture;

4. The purchase of equipment, the preparation of teaching materials, and the development of such media as the radio, films, rural missions, bookmobiles and circulating museums;

C. The use of whatever other methods and means which may be mutually considered appropriate for the realization of the objectives of this cooperative educational program.

Clause III

Field Staff.

The Field Staff of the Foundation, mentioned in Clause II, Section A, of this agreement, shall be of such size as the Foundation shall deem advisable and shall be under the direction of an official of the Foundation who shall have the title of "Special Representative, Inter-American Educational Foundation, Inc." (hereinafter called the "Special Representative of the Foundation") and who shall be the representative in Brazil of the Foundation in connection with the program to be undertaken in accordance with this agreement. The Special Representative and the other members of the Field Staff of the Foundation shall be acceptable to the Minister of State of Agriculture.

Clause IV

Establishment of special Commission ("CBAR").

There shall be created as an integral part of the Ministry of Agriculture of Brazil a special Commission, which shall have the name of "Comissão Brasileiro-Americana de Educação das Populações Rurais" (hereinafter referred to as the "CBAR") and which shall act as the executing body in the realization of the cooperative educational program. The Superintendente do Ensino Agrícola e Veterinário of the Ministry of Agriculture of Brazil shall be Superintendent of the CBAR. The Special Representative of the Foundation shall participate in the CBAR with the designation of "United States of America Representative in the CBAR", and the other members of the Field Staff of the Foundation shall participate in the activities of the CBAR and of the cooperative educational program in general in such capacities as shall be determined by mutual agreement between the Superintendent of the CBAR and the Special Representative of the Foundation.

Clause V

Program.

Project Agreements.

A. The cooperative educational program shall consist of individual projects. Each project shall be embodied in a written Project Agreement which shall be mutually agreed upon and signed by the Superintendent of the CBAR and the Special Representative of the Foundation and which shall define the kind of work to be done, the allocation of funds therefor and the parties responsible for execution and such other matters as the parties mentioned shall desire to include.

Selection of Brazilian Specialists.

B. The selection of Brazilian Specialists to be sent to the United States of America pursuant to this program, as well as the programs

of training which they shall follow, shall be made by mutual written agreement between the Superintendent of the CBAR and the Special Representative of the Foundation.

Policies and procedures.

C. The general policies and procedures governing the realization of the cooperative educational program, the carrying out of the projects, and the operations of the CBAR such as, the disbursement and accounting of funds, the purchase, use, inventory, control and disposition of property, the appointment and discharge of personnel of the CBAR and their conditions of employment, and any other administrative matters, shall be determined and established by mutual written agreement between the Superintendent of the CBAR and the Special Representative of the Foundation. All contracts of the CBAR, as well as all disbursements from the CBAR bank account, shall bear the joint signatures of the Superintendent of the CBAR and of the Special Representative of the Foundation, in his capacity as United States of America Representative in the CBAR. The books and records of the CBAR relating to the cooperative educational program shall be open at all times for inspection by representatives of the Government of Brazil and of the Foundation, and the Superintendent of the CBAR shall render reports to the Government of Brazil and to the Foundation at such intervals as may be agreed upon between the Superintendent of the CBAR and the Special Representative of the Foundation.

Reports.

Clause VI

Projects to be undertaken.

It is contemplated that the projects to be undertaken in accordance with this cooperative educational agreement shall include assistance to, and cooperation with other Brazilian Institutions of an official or semi-official character. Funds of the CBAR and other resources contributed by the parties hereto may be allocated and expended for such purposes upon the authority of written project agreements as provided in the preceding clause. Additional or supplementary contributions of whatever nature or source may be accepted and used for projects in furtherance of this cooperative Educational Agreement.

Contributions.

Clause VII

Rights and privileges of CBAR.

In view of the fact that the CBAR is a part of the Ministry of Agriculture, the CBAR and all its personnel shall enjoy the same rights and privileges which are enjoyed by other divisions of the Ministry of Agriculture and by the personnel of the same.

Clause VIII

Funds, materials, etc., of CBAR to become property of Brazilian Government.

All funds, materials, equipment and supplies acquired for the CBAR shall become the property of the Government of Brazil and shall be devoted to the Program. The Superintendent of the CBAR and the Special Representative of the Foundation shall determine by mutual agreement the precise disposition and use of any funds and any personnel property remaining unobligated or unexpended on the termination of this agreement.

Clause IX

Salaries and expenses.

A. The Foundation shall determine and pay the salaries and other expenses directly payable to the members of the Field Staff, as well as such other committments of an administrative nature as the Foundation may incur in connection with the development of this program, from the sum of One Hundred and Twenty-Five Thousand ($125,000.00) Dollars, U.S. Currency, which it will retain and which for the purposes of this agreement shall be denominated the "Administrative Funds of the Foundation".

Special bank account.

B. In addition, the Foundation shall deposit in a special bank account, in a Brazilian bank mutually agreed upon by the Superintendent of the CBAR and the Special Representative of the Foundation, to the account of the CBAR, the sum of One Hundred and Twenty-Five Thousand ($125,000.00) Dollars, U.S. Currency. These funds, which shall, for the purposes of this agreement, be denominated the "Program Funds of the Foundation", shall be deposited by the Foundation on the following dates in the following amounts:

"Program Funds of the Foundation."

During January 1946	U. S. $ 40, 000. 00
During January 1947	U. S. $ 45, 000. 00
During January 1948	U. S. $ 40, 000. 00
Total to be deposited	U. S. $125, 000. 00
Administrative Funds of the Foundation	U. S. $125, 000. 00
Total contribution of the Foundation	U. S. $250, 000. 00

Aid by Foundation in U. S.

C. The Foundation furthermore expresses its intention and willingness to place at the disposition of the cooperative educational program, whenever in the judgment of the Foundation that may be possible, the organization and staff of the Foundation in the United States of America, its knowledge of, and contacts with, cooperating educational agencies in the United States of America and its experience and special facilities which, within the limitations of available resources, are expected to provide many of the necessary services to enable Brazilian educators and special service personnel to derive maximum profit from their stay in the United States of America.

Clause X

Deposits by Brazil in special bank account.

The Government of the United States of Brazil, in addition to its regular budget for rural education, shall deposit in the same special bank account, to the order of the CBAR, the equivalent in Brazilian currency of Seven Hundred and Fifty Thousand ($750,000.00) Dollars, U.S. Currency, on the following dates and in the following amounts:

During January 1946	U. S. $ 250, 000. 00
During January 1947	U. S. $ 250, 000. 00
During January 1948	U. S. $ 250, 000. 00
Total to be deposited	U. S. $ 750, 000. 00

Clause XI

Additional aid by Brazilian Government.

The Government of Brazil, in addition to its contribution as provided herein, shall in agreement with the Special Representative of the Foundation: (a) appoint specialists to collaborate with the Field Staff of the Foundation; (b) collaborate with the CBAR in making available office space, office equipment, furnishings and other such facilities, materials, equipment, supplies and services as it may conveniently provide for the said program; and (c) lend the general assistance thereto of the other Departments of the Government of Brazil.

Clause XII

Matching of funds.

The funds deposited by either party for any year shall not be drawn until the funds for the same year are deposited by the other party. Funds deposited by either party and not matched by the required deposit of the other party shall be returned to the contributor.

Clause XIII

Availability of funds.

All the funds mentioned in this agreement, that is, of the Government of Brazil, of the Foundation and of the CBAR, shall continue to be available for the said cooperative educational program during the existence of this agreement, without regard to annual periods or fiscal years of either of the parties.

Clause XIV

Interest, etc., on funds.

Interest on funds of the CBAR, and any income, upon investments of the CBAR, and any increment of assets of the CBAR, of whatever nature or source, shall be dedicated to the realization of the program and shall not be credited against the contributions of the Government of Brazil or of the Foundation.

Clause XV

Withholding of funds from CBAR bank account.

In view of the fact that many purchases of materials, supplies, and equipment and other disbursements relating to the execution of the Program, as well as other payments and disbursements on behalf of Brazilian personnel sent on grants to the United States of America, must necessarily be made in the United States of America, the Superintendent of the CBAR and the Special Representative of the Foundation may agree to withhold from the payments to be made by the Foundation into the bank account of the CBAR the amounts deemed to be necessary to pay for such purchases and disbursements in the United States of America. Such amounts shall be considered as if deposited under the terms of this agreement. Any funds so withheld by the Foundation for such purposes and not expended or obligated therefor shall be deposited in the said bank account at any time upon the mutual agreement of the Superintendent of the CBAR and the Special Representative of the Foundation.

Clause XVI

Surplus administrative funds.

In the event that, upon the expiration of each twelve-month period of this agreement, calculated from the date of its execution, and again six months before its expiration, the Foundation deems that the funds, which it has set aside as "Administrative Funds of the Foundation", will be more than are needed for that purpose for the entire period of the program, the Foundation will thereupon advise the Superintendent of the CBAR of the surplus which it can accordingly make available for projects, and such additional sums shall be paid into the bank account of the CBAR or shall be otherwise disposed of pursuant to this Agreement.

Clause XVII

Tax exemption, etc., of funds.

All the funds introduced into Brazil by the Foundation for the purposes of the cooperative educational program shall be exempt from all taxes, service charges, investment or deposit requirements and other currency controls, and shall be converted into Cruzeiros at the most favorable rate of exchange which the Government of Brazil or any of its Agencies or any Brazilian bank concedes to the Government of Brazil or to any of its Departments or to any other Nation, organization, or individual. Similarly, where it may be necessary or advisable to convert Cruzeiros into Dollars for the financing of grants or for other expenditures in the United States of America, the conversion of Cruzeiros into Dollars shall be made at the official rate of exchange.

Clause XVIII

Exemptions and immunities of Foundation.

The Government of Brazil accepts and recognizes the Foundation as a corporate agency of the Government of the United States of America, having juridic personality, and, accordingly, the Foundation shall be exempt and immune from, among other things, any and all taxes, fees, charges, imposts, and custom duties, whether national, state, provincial or municipal, and from all requirements for licenses. The personnel of the Foundation who are citizens of the United States of America shall be exempt from all Brazilian income taxes and social security taxes with respect to the income on which they are obliged to pay income taxes or social security taxes in the United States of America. Such personnel shall also be exempt from the payment of customs or other duties on personal effects and on goods, equipment and supplies imported or exported for their own personal use or for the personal use of the members of their families.

Clause XIX

Delegation of authority.

Any right, privilege, power, or duty conferred by this Agreement upon either the Superintendent of the CBAR or the Special Representative of the Foundation may be delegated by the recipient thereof to representatives, provided that each such representative be satisfactory to the said official of the other Government. But regardless of the naming of such representatives, the Superintendent of the CBAR and the Special Representative of the Foundation shall have the right to refer any matter directly to one another for discussion and decision.

Clause XX

The Executive Power of the Government of Brazil will take the necessary steps to obtain the legislation, decrees, orders, or resolutions necessary to carry out the terms of this agreement.

Cooperation by Executive Power of Government of Brazil.

Clause XXI

This agreement may be amended from time to time, if deemed advisable by the parties hereto, but all amendments shall be in writing and signed by a representative of the Government of Brazil and of the Foundation duly authorized thereto.

Amendments.

Clause XXII

This Agreement shall become effective the 1st. of January, 1946, and shall remain in force through June 30, 1948, and may be extended by mutual written agreement. And in pursuance thereto there shall be an exchange of diplomatic notes between the Ministry of Foreign Affairs of the United States of Brazil and the Embassy of the United States of America in Brazil.

Effective date; period in force; extension.

In Witness Whereof the undersigned, duly authorized thereto, sign the present agreement in duplicate, in the English and Portuguese languages, in Rio de Janeiro, Brazil, this twentieth day of October, nineteen hundred and forty-five.

FOR THE
MINISTRY OF AGRICULTURE OF THE
UNITED STATES OF BRAZIL

APOLONIO JORGE DE FARIA SALLES
Minister of State of Agriculture

and

FOR THE INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

KENNETH HOLLAND
President

ACÔRDO CELEBRADO ENTRE O MINISTÉRIO DA AGRICULTURA DOS ESTADOS UNIDOS DO BRASIL E A "INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.", SÔBRE A EDUCAÇÃO RURAL.

O Ministério da Agricultura dos Estados Unidos do Brasil (doravante chamado "Ministério da Agricultura") e a "Inter-American Educational Foundation, Inc.", corporação subordinada ao "Office of Inter-American Affairs" e, portanto, agência do Govêrno dos Estados Unidos da América (doravante, "Fundação"), firmam o presente Acôrdo para a realização de um programa de cooperação educacional, visando maior aproximação inter-americana, mediante intercâmbio intensivo de educadores, idéias e métodos pedagógicos entre ambos países, de conformidade com a Resolução 28, adotada pela 1ª Conferência de Ministros e Diretores de Educação das Repúblicas Americanas, realizada no Panamá, durante os meses de setembro e outubro de 1943.

Cláusula I

O presente Acôrdo visa:–

a) desenvolver relações mais íntimas entre professores do ensino profissional agrícola dos Estados Unidos do Brasil e dos Estados Unidos da América.
b) facilitar o intercâmbio e o treinamento de brasileiros e americanos especializados em ensino profissional agrícola;
c) possibilitar que, no setor da educação rural, sejam programadas outras atividades que possam interessar a ambas as partes contratantes.

Cláusula II

Para ser levado a efeito, o mencionado programa de cooperação educacional poderá incluir:

a) O fornecimento por parte da Fundação de um pequeno corpo de especialistas em ensino agrícola, para colaborar na realização do programa cooperativo.
b) A preparação e realização, em cooperação com as diversas autoridades brasileiras, de programas referentes a:–
   1 – estudos e pesquises que se prendam às necessidades educacionais do Brasil e dos Estados Unidos da América, especialmente no que diz respeito à educação rural e aos recursos disponíveis para tal fim;
   2 – concessão de meios que permitam a administradores, educadores e técnicos ir aos Estados Unidos da América, com o fim de estudar, proferir conferências, lecionar e permutar idéias e experiência com seus colegas daquele país;
   3 – a realização de programas de treinamento de professores no ramo do ensino profissional agrícola;

4 – a aquisição de equipamento, preparação dematerial de ensino, utilização de recursos tais como o rádio, o cinema, as missões rurais, as bibliotecas e os museus circulantes.

c – A utilização de quaisquer outros meios que possam ser considerados, por ambas as partes, convenientes à realização dêste programa de cooperação educacional.

Cláusula III

O corpo de especialistas da Fundação, mencionado na letra (A) da cláusula II dêste Acôrdo, será constituido como aquela entidade julgar preferível e estará sob a direção de um funcionário da mesma, que receberá o título de "Representante Especial da *Inter-American Educational Foundation, Inc.* (doravante chamado "Representante Especial da Fundação"). Êsse funcionário atuará como delegado da Fundação no Brasil, para todos os efeitos do presente Acôrdo. Tanto o Representante Especial como cada um dos membros do corpo de especialistas da Fundação devem ser *personnae gratae* do Ministro de Estado da Agricultura.

Cláusula IV

Será criada, como parte integrante do Ministério da Agricultura, uma comissão especial denominada "Comissão Brasileiro-Americana de Educação das Populações Rurais" (doravante mencionada sob a sigla "C.B.A.R."), que atuará como órgão executivo na realização do programa de cooperação educacional. O Superintendente do Ensino Agrícola e Veterinário do Ministério da Agricultura será o Superintendente da C.B.A.R. e representará o Ministro da Agricultura para todos os efeitos dêste acôrdo. O Representante Especial da Fundação participará da C.B.A.R. com a designação de "Representante Americano junto à C.B.A.R." Os outros membros do corpo de especialistas da Fundação tomarão parte nas atividades da C.B.A.R. e no programa cooperativo em geral, conforme lhes for determinado em virtude do entendimento entre o Superintendente da C.B.A.R. e o Representante Especial da Fundação.

Cláusula V

A – O programa de cooperação educacional será constituido por meio de projetos para cada caso especial. Cada projeto, corporificado num documento escrito, representará a decisão e conterá as assinaturas do Superintendente da C.B.A.R. e do Representante Especial da Fundação. Os projetos especiais deverão conter a especificação do trabalho a ser realizado e a correspondente distribuição de verbas, além de outros assuntos que as partes contratantes desejarem incluir.

B – A seleção dos especialistas brasileiros que, de conformidade com êste programa, forem enviados aos Estados Unidos da América, será feita mediante acôrdo escrito, efetuado entre o Superintendente da C.B.A.R. e o Representante Especial da Fundação.

C – As normas reguladoras da realização do programa de cooperação educacional, a execução dos projetos, as operações da C.B.A.R. (tais

como: aplicação e contabilidade de verbas, aquisição, uso, inventário, contrôle e disposição de bens, admissão e dispensa de pessoal, condições de emprêgo), e quaisquer outros assuntos administrativos, serão determinados e estabelecidos por acôrdo firmado entre o Superintendente da C.B.A.R. e o Representante Especial da Fundação. Todos os contratos da C.B.A.R., bem como todas as despesas contra a conta bancária da C.B.A.R., deverão ser assinados pelo Superintendente da Comissão e pelo Representante Especial da Fundação, na sua capacidade de Representante Americano junto à C.B.A.R. Em qualquer tempo, os livros e os arquivos da comissão, referentes ao programa de cooperação educacional, poderão ser inspecionados por autoridades do Govêrno brasileiro ou da Fundação. O Superintendente da C.B.A.R. enviará relatórios ao Govêrno brasileiro e à Fundação em periodos que serão determinados mediante entendimento com o Representante Especial da Fundação.

Cláusula VI

Os programas a serem elaborados e postos em execução conforme estabelece o presente Acôrdo deverão ser organizados de modo a servirem a instituições federais e estaduais, assim como a outras instituições brasileiras, oficiais ou semi-oficiais. Os fundos da C.B.A.R. e os outros recursos fornecidos pelas partes contratantes poderão ser aplicados para êsse fim, mediante a autorização conferida pelos projetos especiais a que se refere a cláusula anterior. Poderão também ser aceitas e utilizadas, nesse programa de cooperação educacional, contribuições suplementares ou adicionais, qualquer que seja a sua natureza ou procedência, obedecidas as prescrições dêste Acôrdo.

Cláusula VII

Sendo a C.B.A.R. parte integrante do Ministério da Agricultura, serão conferidos a ela e a todo o seu pessoal todos os direitos e privilégios de que gozem as outras repartições do mesmo Ministério e seus servidores.

Cláusula VIII

As dotações, o material, o equipamento e as instalações pertencentes à C.B.A.R. considerar-se-ão propriedade do Govêrno brasileiro e serão empregados na execução do programa. O Superintendente da C.B.A.R. e o Representante Especial da Fundação determinarão, por acordo mútuo, o destino a ser dado a quaisquer dos fundos ou bens que permaneçam esobrigados, ou que não tenham sido gastos quando da terminação dêste Acôrdo.

Cláusula IX

A – Para execução dêste Acôrdo, a Fundação compromete-se a estipular e pagar os salários e outras despesas dos membros do seu corpo de especialistas, bem como quaisquer outros compromissos de natureza administrativa que ela venha a assumir para a execução dêste programa, até um total de US$....125.000,00 dólares, moeda corrente dos Estados Unidos. Essa contribuição ficará retida nos

Estados Unidos e, para efeito do presente Acôrdo, será denominada: "Fundos Administrativos da Fundação."

B – Além disso, a Fundação depositará em conta especial, em Banco brasileiro escolhido de comum acôrdo pelo Superintendente da C.B.A.R. e pelo Representante Especial da Fundação, à ordem da C.B.A.R., uma quantia de US$ 125.000,00 dólares, moeda corrente dos Estados Unidos. Êsses fundos que, para efeito do presente Acôrdo, terão o nome de "Fundos para o Programa da Fundação", devem ser por esta depositados, parceladamente, nas seguintes datas:–

No decorrer de janeiro de 1946	US$ 40. 000, 00
No decorrer de janeiro de 1947	US$ 45. 000, 00
No decorrer de janeiro de 1948	US$ 40. 000, 00
Total a ser depositado	US$ 125. 000, 00
Fundos administrativos da Fundação	US$ 125. 000, 00
Contribuição total da Fundação	US$ 250. 000, 00

C – A Fundação manifesta ainda o desejo de colocar à disposição dêste programa cooperativo, sempre que lhe for possível, os elementos e o pessoal de que dispõe nos Estados Unidos, seus conhecimentos e contatos com órgãos empenhados em atividades de cooperação educacional naquele país, além de sua experiência e de facilidades especiais que, dentro da limitação dos recursos disponíveis, poderão ser de grande utilidade a educadores e a técnicos brasileiros, permitindolhes aproveitar ao máximo a sua permanência nos Estados Unidos da América.

Cláusula X

Independentemente das dotações atribuidas em seu orçamento regular para o ensino rural, o Govêrno brasileiro depositará, parceladamente, na mesma conta especial, à ordem da C.B.A.R., o equivalente em moeda brasileira a US$ 750.000,00 (setecentos e cinquenta mil dólares,) moeda corrente americana, observados os seguintes prazos:

No decorrer de janeiro de 1946	US$ 250. 000, 00
No decorrer de janeiro de 1947	US$ 250. 000, 00
No decorrer de janeiro de 1948	US$ 250. 000, 00
Total a ser depositado	US$ 750. 000, 00

Cláusula XI

Além dessa contribuição em dinheiro, o Govêrno brasileiro, de acôrdo com o Representante Especial da Fundação, deverá:

a) designar técnicos para colaborar com o corpo de especialistas da Fundação;
b) colaborar, se lhe for possível, na instalação dos escritórios, aquisição do equipamento e do material de expediente, bem como do que mais se fizer necessário à execução do programa;
c) proporcionar a colaboração e a assistência dos outros departamentos do Govêrno brasileiro.

Cláusula XII

As quantias referentes a qualquer ano depositadas por uma das partes contratantes não poderão ser aplicadas antes que a outra parte deposite os fundos correspondentes ao mesmo ano. Os fundos depositados por uma das partes e não completados pela outra serão restituidos ao depositante.

Cláusula XIII

Todos os fundos mencionados neste acôrdo, isto é, do Govêrno brasileiro, da Fundação e da C.B.A.R., deverão continuar à disposição do programa cooperativo durante a vigência dêste Acôrdo, independentemente dos exercícios financeiros de qualquer das partes.

Cláusula XIV

Os juros sôbre os fundos de C.B.A.R. e tôda renda produzida pelos valores a crédito da Comissão, bem como aumento de ativo, qualquer que seja a sua natureza ou procedência, deverão ser empregados na realização do programa e não poderão servir de motivo para que o Govêrno brasileiro ou a Fundação diminuam as suas contribuições.

Cláusula XV

Tendo em vista o fato de que frequentemente a aquisição de material e de equipamento, bem como outras despesas relativas à execução do programa, inclusive as que forem efetuadas com o pessoal brasileiro enviado aos Estados Unidos da América, serão feitas necessáriamente naquêle país, o Superintendente da C.B.A.R. e o Representante especial da Fundação poderão acordar que se excluam dos pagamentos a serem feitos pela Fundação, à conta de C.B.A.R., as quantias que forem consideradas necessárias para o pagamento das referidas compras e despesas nos Estados Unidos da América. Essas quantias serão consideradas como se tivessem sido depositadas consoante os têrmos dêste Acôrdo. Quaisquer fundos ao dispor da Fundação com esta finalidade e não dispendidos ou comprometidos com a mesma serão depositados na referida conta bancária a qualquer tempo, mediante entendimento do Superintendente da C.B.A.R. com o Representante Especial da Fundação.

Cláusula XVI

Se, ao fim de cada período de 12 (doze) meses, calculado da data de vigência dêste Acôrdo, e, ainda, 6 (seis) meses antes de expirar o seu prazo, a Fundação chegar à conclusão de que há saldo nos fundos que deixou de lado como Fundos Administrativos da Fundação, deverá comunicar ao Superintendente da C.B.A.R. a quanto monta êsse saldo que poderá ser utilizado em projetos. Essas somas adicionais serão transferidas para a conta bancária da C.B.A.R., ou então, dispendidas de outro modo, obedecido o que estabelece o presente Acôrdo.

Cláusula XVII

Todos os recursos pecuniários que a Fundação trouxer para o Brasil com o objetivo de aplicá-los nos programas de cooperação educacional serão isentos de toda e qualquer taxa de comissões, das exigências para inversões ou depósitos financeiros e de outros contrôles monetários; e serão convertidos em cruzeiros ao câmbio mais favorável que o Govêrno brasileiro ou qualquer das suas repartições ou banco brasileiro conceda a qualquer de seus departamentos ou a qualquer outra mação, organização ou indivíduo. Da mesma forma, sempre que for aconselhável converter cruzeiros em dólares para quaisquer despesas nos Estados Unidos da América, essa conversão se fará ao câmbio oficial.

Cláusula XVIII

O Govêrno brasileiro aceita e reconhece a Fundação como uma corporação do Govêrno dos Estados Unidos da América, tendo personalidade jurídica; por conseguinte, a Fundação estará isenta, entre outras coisas, de quaisquer taxas, contribuições, impostos, cobranças e tarifas alfandegárias, sejam federais, estaduais, territoriais ou municipais, e de tôdas as exigências para licenças. Os servidores da Fundação que forem cidadãos dos Estados Unidos da América serão isentos no Brasil do imposto de renda e das taxas de previdência social no tocante àqueles rendimentos que já sejam onerados por êsse imposto ou por essas taxas nos Estados Unidos da América. Êsses servidores serão também isentos de pagamento de taxas aduaneiras sôbre objetos de seu uso pessoal ou sôbre bens, equipamento e suprimentos importados ou exportados para seu uso pessoal ou para uso pessoal de membros de suas famílias.

Cláusula XIX

Todo direito, privilégio, facilidade ou obrigação conferidos por êste Acôrdo ao Superintendente da C.B.A.R. ou ao Representante Especial da Fundação poderão ser transferidos a representantes de ambos, desde que isso mereça aprovação da outra parte. Todavia, não obstante a existência de tais representantes, o Superintendente da C.B.A.R. e o Representante Especial da Fundação poderão discutir e deliberar diretamente um com o outro sôbre qualquer assunto.

Cláusula XX

O Govêrno brasileiro tomará as medidas necessárias para obter a legislação, os decretos, as ordens ou resoluções indispensáveis ao fiel cumprimento dêste Acôrdo.

Cláusula XXI

Êste Acôrdo poderá ser alterado se as partes o julgarem necessário, mas tôdas as alterações deverão apresentar a forma escrita e ser assinadas por um representante do Govêrno brasileiro e um da Fundação, devidamente autorizados para isso.

Cláusula XXII

O período de vigência do presente Acôrdo deverá ser de 1° de janeiro de 1946 a 30 de junho de 1948, e poderá ser prorrogado mediante acôrdo escrito.

Para os devidos efeitos, êste Acôrdo será sujeito a uma troca de Notas entre o Ministério das Relações Exteriores do Brasil e a Embaixada dos Estados Unidos da América acreditada junto ao Govêrno brasileiro.

Em fé do que os Abaixo Assinados, devidamente autorizados, firmam o presente Acôrdo, em dois exemplares, nas línguas portugêsa e inglêsa, na cidade do Rio de Janeiro, aos vinte dias de outubro de 1945.

PELO MINISTÉRIO DA AGRICULTURA
APOLONIO JORGE DE FARIA SALLES,
Ministro de Estado da Agricultura

e

PELA INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.
KENNETH HOLLAND,
Presidente.

Agreement between the United States of America and Honduras respecting health and sanitation. Effected by exchange of notes signed at Tegucigalpa April 18 and 19, 1944; effective May 1, 1944. And exchange of notes of May 5 and 8, 1942.

May 5, 8, 1942, and April 18, 19, 1944
[T. I. A. S. 1557]

The American Chargé d'Affaires ad interim to the Honduran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Tegucigalpa, D.C., April 18, 1944.

Note No. 184

EXCELLENCY:

I have the honor to refer to the notes exchanged between the Minister of Foreign Affairs to the Republic of Honduras and the Envoy Extraordinary and Minister Plenipotentiary from the United States of America to the Republic of Honduras, dated May 8, 1942 and May 5, 1942, respectively, and to the Agreement between the Republic of Honduras and the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs, dated July 8, 1942, all relative to a cooperative program of public health and sanitation in the Republic of Honduras as approved for by Resolution XXX at the Third Meeting of Ministers of Foreign Affairs of the American Republics in Rio de Janeiro, in January 1942. [1] In accordance with the notes and agreement referred to the United States of America has contributed the sum of $500,000.00 to the cooperative health and sanitation program, which is now being carried out in the Republic of Honduras.

Post, pp. 2332, 2331.

Post, p. 2334.

If desired by the Government of the Republic of Honduras, the Government of the United States of America, through the Institute of Inter-American Affairs, Office of the Coordinator of Inter-American Affairs, which is an agency of the Government of the United States of America, is prepared to contribute an additional sum of $300,000.00 for the purpose of cooperating with the Government of the Republic of Honduras in extending the cooperative program of public health and sanitation, and providing for the termination of the program within a three-year period, beginning May 1, 1944, provided the Republic of Honduras makes a like sum of $300,000.00 available for the said cooperative program of public health and sanitation. It is understood that the funds contributed by both governments will be expended through a special agency created within the Direccion General de Sanidad Publica of the Republic of Honduras, which special agency is known as the "Servicio Cooperative Interamericano de Salud Publica". The kind of work and specific projects to be undertaken and the expenditure of the funds are to be mutually

Contribution of additional sums by U. S. and Honduras.

Expenditure through special agency.

[1] [*Department of State Bulletin*, Feb. 7, 1942, p. 137.]

agreed to by the appropriate official of the Government of the Republic of Honduras and the appropriate official of the Institute of Inter-American Affairs.

Continuation of program; termination.

Detailed arrangements for the continuation of the cooperative program of public health and sanitation and the termination of the program will be effected by an agreement between the appropriate official of the Government of the Republic of Honduras and the appropriate official of the Institute of Inter-American Affairs.

Post, p. 2334.

Please accept, Excellency, the renewed assurance of my most distinguished consideration.

JOHN B. FAUST
Charge d'Affaires ad interim

His Excellency
Doctor SILVERIO LAINEZ,
Minister for Foreign Affairs,
Tegucigalpa, D.C.

The Honduran Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

SECRETARIA DE RELACIONES EXTERIORES
DE LA
REPUBLICA DE HONDURAS

Of. N° 1619 *Tegucigalpa, D.C., 19 de abril de 1944.*

HONORABLE SEÑOR:

Tengo el honor de acusar recibo a Vuestra Señoría de su atenta nota N° 184 de fecha 18 del corriente, y en contestación le trascribo el oficio del Señor Ministro de Gobernación, Justicia, Sanidad y Beneficencia que dice:

"MINISTERIO DE GOBERNACION, JUSTICIA, SANIDAD Y BENEFICENCIA—*Tegucigalpa, D.C., Abril 19, 1944*—Of. N° 3.281—SR. MINISTRO:—Tengo el honor de acusar a Ud. recibo de su nota N° 1611, fechada el 18 del corriente mes, por medio de la cual se sirve trascribir a este Despacho la comunicación dirigida a esa Secretaría de Estado por la Embajada de los Estados Unidos de América, que literalmente dice:——"EMBAJADA DE LOS ESTADOS UNIDOS DE AMERICA.–Nota N° 184.–*Tegucigalpa, D.C., 18 de Abril de 1944.*–EXCELENCIA: Tengo el honor de referirme a las notas cambiadas entre el Ministro de Relaciones Exteriores de la República de Honduras y el Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos de América ante la República de Honduras, fechadas el 8 de Mayo de 1942 y el 5 de Mayo de 1942, respectivamente, y el Convenio entre la República de Honduras y el Instituto de Asuntos Interamericanos de la Oficina del Coordinador de Asuntos Interamericanos, fecha 8 de julio de 1942, todo relativo al programa cooperativo y sanidad

pública en la República de Honduras en conformidad con la Resolución XXX de la Tercera Reunión de Ministros de Relaciones Exteriores de las Repúblicas Americanas celebrada en Río de Janeiro en enero de 1942.–De acuerdo con las notas y el convenio aludidos los Estados Unidos han contribuido con la suma de dólares $500,000.oo al programa cooperativo de salud y sanidad, que se está ejecutando actualmente en la República de Honduras.–Si lo desea la República de Honduras, el Gobierno de los Estados Unidos de América, por medio del Instituto de Asuntos Interamericanos de la Oficina del Coordinador de Asuntos Interamericanos, que es una agencia del Gobierno de los Estados Unidos de América, está preparado para aportar una suma adicional de dólares $300,000.oo con el propósito de cooperar con el Gobierno de la República de Honduras en ampliar el programa cooperativo de salud y sanidad públicas y proveer la terminación del programa dentro de un período de tres años a partir del 1° de Mayo de 1944, siempre que la República de Honduras facilite una suma igual de Dólares $300,000.oo para dicho programa cooperativo de salud y sanidad públicas.–Es entendido que los fondos contribuidos por ambos Gobiernos serán gastados por una agencia especial creada dentro de la Dirección General de Sanidad Pública de la República de Honduras, cuya agencia especial se conoce con el nombre de "Servicio Cooperativo Interamericano de Salud Pública". La clase de trabajo y los proyectos específicos que se lleven a cabo, lo mismo que el gasto de los fondos, deben ser convenidos mutuamente por el funcionario correspondiente del Gobierno de Honduras y el funcionario correspondiente del Instituto de Asuntos Interamericanos.–Los arreglos detallados para la continuación del programa cooperativo de salud y sanidad públicas y la terminación del programa se establecerán en un convenio entre el funcionario correspondiente del Gobierno de Honduras y el funcionario correspondiente del Instituto de Asuntos Interamericanos.–Sírvase aceptar, Excelencia, las renovadas seguridades de mi más distinguida consideración, (f) JOHN B. FAUST, *Encargado de Negocios a.i.*–A Su Excelencia el Sr. Dr. don SILVERIO LAÍNEZ, *Secretario de Relaciones Exteriores, Tegucigalpa, D.C.*"——En contestación, tengo el honor de manifestar a Ud. con instrucciones del Señor Presidente de la República, que el Gobierno de Honduras, por medio de esta Secretaría de Estado, acepta la propuesta contenida en la nota preinserta, lo cual ruego a Ud. poner en conocimiento de la Embajada de los Estados Unidos de América, expresándole, al mismo tiempo, el reconocimiento del Gobierno de Honduras por la cooperación que el Gobierno de los Estados Unidos de América, por medio del Instituto de Asuntos Interamericanos de la Oficina del Coordinador de Asuntos Interamericanos, le ha prestado y que le seguirá prestando al de este país en el desarrollo del programa cooperativo de salud y sanidad públicas, de conformidad con la Resolución XXX de la III Reunión

de Ministros de Relaciones Exteriores de las Repúblicas Americanas—Con toda consideración, soy del Sr. Ministro muy atento y seguro servidor—(f) ABRAHAM WILLIAMS—*Al Sr. Ministro de Relaciones Exteriores, Su Despacho.*"

Aprovecho esta oportunidad para reiterar a Vuestra Señoría el testimonio de mi alto aprecio y distinguida consideración,

SILVERIO LAÍNEZ

Honorable Señor JOHN B. FAUST,
Encargado de Negocios a.i. de los
Estados Unidos de América.
Embajada Americana

Translation

MINISTRY OF FOREIGN AFFAIRS
OF THE
REPUBLIC OF HONDURAS

Of. No. 1619 *Tegucigalpa, D.C., April 19, 1944.*

SIR:

I have the honor to acknowledge the receipt of your courteous note No. 184 dated the 18th of the current month, and in reply I transcribe the communications of the Minister of Interior, Justice, Health and Welfare, which reads:

"MINISTRY OF INTERIOR, JUSTICE, HEALTH AND WELFARE—*Tegucigalpa, D.C., April 19, 1944*—Of. No. 3,281—MR. MINISTER: I have the honor to acknowledge the receipt of your note No. 1611 dated the 18th of the current month, in which you are good enough to transcribe for this Office the communication addressed to your Department by the Embassy of the United States of America, which reads, word for word:——'EMBASSY OF THE UNITED STATES OF AMERICA.–Note No. 184.–*Tegucigalpa, D.C., April 18, 1944.*–EXCELLENCY: I have the honor to refer to the notes exchanged between the Minister of Foreign Relations of the Republic of Honduras and the Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Honduras, dated May 8, 1942 and May 5, 1942, respectively, and to the Agreement between the Republic of Honduras and the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs, dated July 8, 1942, all of which relate to the cooperative public health program in the Republic of Honduras in accordance with Resolution XXX of the Third Meeting of the Ministers of Foreign Affairs of the American Republics held in Rio de Janeiro in January 1942.–In accordance with the aforementioned notes and the Agreement, the United States has contributed the sum of $500,000.00 to the cooperative health and sanitation program which is at present being carried out in the Republic of Honduras.–If the Republic of Honduras so desires, the Government of the United States

of America is prepared to contribute, through the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs, which is an agency of the Government of the United States of America, an additional sum of $300,000.00 for the purpose of cooperating with the Government of the Republic of Honduras in extending the cooperative public health and sanitation program and in providing for the termination of the program within a period of three years beginning with May 1, 1944, provided that the Republic of Honduras furnishes a like sum of $300,000.00 for the said cooperative public health and sanitation program. It is understood that the funds contributed by both Governments will be expended by a special agency created within the General Public Health Administration of the Republic of Honduras, which special agency is known by the name of "Cooperative Inter-American Public Health Service". The type of work and the specific projects carried out and the expenditure of them must be agreed upon mutually by the appropriate official of the Government of Honduras and the appropriate official of the Institute of Inter-American Affairs.–The detailed arrangements for the continuation of the cooperative public health and sanitation program and for the termination of the program will be set forth in an agreement between the appropriate official of the Government of Honduras and the appropriate official of the Institute of Inter-American Affairs.–Please accept, Excellency, the renewed assurances of my highest consideration. (sgd.) JOHN B. FAUST, *Chargé d'Affaires ad interim.*–His Excellency Dr. SILVERIO LAÍNEZ, *Minister of Foreign Affairs, Tegucigalpa, D.C.*'——In reply, I have the honor to inform you, on instructions from the President of the Republic, that the Government of Honduras accepts, through this Department, the proposal contained in the note quoted above, and I beg you to make this known to the Embassy of the United States of America, at the same time expressing to it the gratitude of the Government of Honduras for the cooperation which the Government of the United States of America, through the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs, has extended to the Government of Honduras and will continue to extend in carrying out the cooperative public health and sanitation program in accordance with Resolution XXX of the Third Meeting of the Ministers of Foreign Affairs of the American Republics.—I am, Mr. Minister, respectfully yours, (sgd.) ABRAHAM WILLIAMS.—*To the Minister of Foreign Affairs, His Office.*"

Acceptance of proposal by Government of Honduras.

I avail myself of this opportunity to repeat, Sir, the assurance of my high esteem and distinguished consideration.

SILVERIO LAÍNEZ

The Honorable JOHN B. FAUST,
Chargé d'Affaires ad interim
of the United States of America.
American Embassy

The Executive Vice-President, Institute of Inter-American Affairs, to the Honduran Minister of Government, Justice, Health and Welfare

TEGUCIGALPA, HONDURAS
April 19, 1944.

His Excellency
General ABRAHAM WILLIAMS
Ministro de Gobernación, Justicia,
Sanidad y Beneficencia
Tegucigalpa, Honduras

YOUR EXCELLENCY:

I have the honor to refer to the notes exchanged by His Excellency, the Honduran Minister for Foreign Affairs, and the Minister of the United States of America in Tegucigalpa on May 5 and 8, 1942, respectively; to an agreement entered into between The Institute of Inter-American Affairs, of the Office of the Coordinator of Inter-American Affairs, an agency of the Government of the United States of America, and the Republic of Honduras on July 8, 1942; to a further exchange of notes between His Excellency, the Honduran Minister for Foreign Affairs and the Ambassador of the United States of America in Tegucigalpa on April 18, 1944 and April 19, 1944, respectively, all relating to the establishment in Honduras of a cooperative health and sanitation program as provided for in Resolution XXX approved at the Third Meeting of the Ministers of Foreign Affairs of the American Republics held at Río de Janeiro in January 1942; and to propose that Your Excellency, acting on behalf of the Government of the Republic of Honduras, agree to the following:

Post, pp. 2331, 2332.

Post, p. 2334.

Ante, pp. 2319, 2320.

Allocation of sums by U. S. and Honduras.

1. – The Institute of Inter-American Affairs, of the Office of the Coordinator of Inter-American Affairs and an agency of the Government of the United States of America, is prepared to allocate a sum of not to exceed $300,000.00 for the purpose of extending the cooperative health and sanitation program being carried out by the Servicio Cooperativo Interamericano de Salud Pública (hereinafter referred to as the "SCISP"), for a period of approximately three years beginning May 1, 1944, provided the Government of Honduras appropriates a like sum equivalent in Lempiras to $300,000.00, U.S. Currency, for the same purpose. These funds are to be allocated and employed for maintaining projects in operation, or those to be placed in operation under the terms of the said agreement, and, insofar as funds may be available, for any new projects, including those which may relate to the procurement of strategic materials, which may be mutually agreed upon between the Minister of Government, Justice, Health and Welfare of the Republic, or his representative, and the Chief of Field Party of the Institute, or his representative.

2. – For the purpose of effectuating the objectives of this agreement, the Institute agrees to deposit in the Banco de Honduras to the

account of the SCISP, the sum of Three Hundred Thousand Dollars ($300,000.00) on the following basis:

During May, 1944 U. S. $150,000.00
During May, 1945 U. S. 100,000.00
During May, 1946 U. S. 50,000.00

and the Republic of Honduras agrees to deposit in the Banco de Honduras to the account of the SCISP the amount of Three Hundred Thousand Dollars ($300,000.00) on the following basis:

During May, 1944, the equivalent in Lempiras of $75,000.00
During May, 1945, the equivalent in Lempiras of $100,000.00
During May, 1946, the equivalent in Lempiras of $125,000.00

Restriction on withdrawal of funds.

The funds deposited by the Republic in any particular year or the funds deposited by the Institute in any particular year to the credit of the SCISP in the Banco de Honduras as herein provided are not to be withdrawn by the Director of the SCISP until the funds for that year have been deposited by both parties as agreed to herein.

Unexpended funds.

3.—In accordance with its obligations under the said agreement the Institute hereby acknowledges that its previous obligation for the health and sanitation program in Honduras was $500,000.00. In the event that any part of the said sum of $500,000.00 has not been expended on May 31, 1944, such funds will then be deposited in the Banco de Honduras to the account of the SCISP and will be used for projects previously agreed upon and to be agreed upon. Any of these funds remaining unexpended after the completion of the original program will be available for use in the extended program of the SCISP.

4.—Any part of the funds deposited in the Banco de Honduras to the account of the SCISP according to the schedule outlined above which may be unexpended at the termination of the period in which they were deposited will continue to be available for the purpose of the general health program of the SCISP and will not revert to either the Institute of Inter-American Affairs or to the Republic of Honduras. The Minister of Government, Justice, Health and Welfare, or his representative, and the Chief of Field Party of the Institute, or his representative, shall determine by mutual agreement the disposition of all unobligated funds remaining to the credit of the SCISP upon the expiration of this agreement.

Duration of agreement.

5.—The said Agreement will remain in full force and effect for the purpose of extending the said cooperative health and sanitation program until April 30, 1947, and the terms and provisions therein contained will apply during the continuation of the said program. The procedures and methods established and in use for the operation of the SCISP, pursuant to the said Agreement, will continue to apply to the operation of the SCISP until the termination of the extended agreement on April 30, 1947.

Post, p. 2330.

If this proposal is agreeable to Your Excellency this letter and Your Excellency's acceptance thereof will constitute a binding and

effective agreement between the Institute of Inter-American Affairs and the Republic of Honduras in accordance with the terms and provisions contained therein.

Accept, Excellency, the assurances of my highest consideration.

FOR THE INSTITUTE OF INTER-AMERICAN AFFAIRS
GEORGE C. DUNHAM,
Executive Vice-President.

The Honduran Minister of Government, Justice, Health and Welfare to the Executive Vice-President, Institute of Inter-American Affairs

MINISTERIO DE GOBERNACION, JUSTICIA, SANIDAD Y BENEFICENCIA

TEGUCIGALPA, D.C., HONDURAS, C.A.–

Oficio N° 3297 *Abril 19, 1944*

Sr. General GEORGE C. DUNHAM,
Vice-Presidente Ejecutivo,
Instituto de Asuntos Interamericanos,
Tegucigalpa, D.C.

SR. VICE-PRESIDENTE EJECUTIVO:

Tengo el honor de contestar su atenta comunicación del 19 del corriente mes en que, refiriéndose a las notas cambiadas por Su Excelencia el Ministro de Relaciones Exteriores de Honduras y Su Excelencia el Ministro de los Estados Unidos de América en Tegucigalpa, D.C., el 5 y 8 de Mayo de 1942, respectivamente; a un convenio celebrado entre el Instituto de Asuntos Interamericanos, de la Oficina del Coordinador de Asuntos Interamericanos, que es una Agencia del Gobierno de los Estados Unidos de América, y la República de Honduras, el 8 de Julio de 1942; a un intercambio adicional de notas entre Su Excelencia el Ministro de Relaciones Exteriores de Honduras y Su Excelencia el Embajador de los Estados Unidos de América en Tegucigalpa, D.C., el 18 y 19 de Abril corriente, respectivamente, todos relacionados con el establecimiento en Honduras de un programa cooperativo de salud y sanidad como se convino en la Resolución XXX aprobada en la Tercera Reunión de los Ministros de Relaciones Exteriores de las Repúblicas Americanas, celebrada en Río de Janeiro, en Enero de 1942; para proponerme que, actuando en nombre del Gobierno de la República de Honduras, convenga en lo siguiente:

1. – El Instituto de Asuntos Inter-Americanos, de la Oficina del Coordinador de Asuntos Inter-Americanos, que es una agencia del Gobierno de los Estados Unidos de América, está preparada para asignar una suma que no exceda de $300,000.00, con el objeto de extender el programa cooperativo de salud y sanidad que se está llevando a cabo por el Servicio Cooperativo Interamericano de Salud Pública (que en adelante será llamado "SCISP"), por un período de aproximadamente tres años empezando el 1° de Mayo de 1944, con tal de que el Gobierno de Honduras destine una suma igual equivalente en Lempiras a $300,000.00, moneda de los Estados Unidos, para el mismo objeto.

Estos fondos serán destinados y empleados para el mantenimiento de los proyectos en operación, o aquellos que se pondrán en operación bajo las condiciones de dicho convenio y, según que los fondos puedan ser disponibles, para cualesquiera nuevos proyectos, incluyendo aquellos que puedan relacionarse con la obtención de materiales estratégicos, que puedan ser mutuamente convenidos entre el Ministerio de Gobernación, Justicia, Sanidad y Beneficencia de la República, o su representante, y el Jefe de Operaciones de Campo del Instituto, o su representante.

2.– Con el objeto de llevar a cabo los propósitos de este convenio, el Instituto conviene en depositar en el Banco de Honduras a la cuenta del "SCISP", la suma de Trescientos Mil Dólares ($300,000.00), bajo las siguientes bases:

Durante Mayo, 1944 – $150,000.00 Moneda de los E. U. de A.
Durante Mayo, 1945 – $100,000.00 " " " " " " "
Durante Mayo, 1946 – $50,000.00 " " " " " " "

y la República de Honduras conviene en depositar en el Banco de Honduras a la cuenta del "SCISP" la suma de Trescientos Mil Dólares ($300,000.00) bajo las bases siguientes:

Durante Mayo, 1944, el equivalente en Lps. de (Dólares) $ 75,000.00
Durante Mayo, 1945, el equivalente en Lps. de (Dólares) $100,000.00
Durante Mayo, 1946, el equivalente en Lps. de (Dólares) $125,000.00

Los fondos depositados por la República en cualquier año en particular o los fondos depositados por el Instituto en cualquier año en particular para el crédito del "SCISP" en el Banco de Honduras como queda establecido no podrán ser retirados por el Director del "SCISP", sino hasta que los fondos para ese año hayan sido depositados por ambas partes como aquí queda convenido.

3. – Conforme con sus obligaciones bajo dicho convenio, el Instituto, por el presente, reconoce que su anterior obligación para el programa de salud y sanidad en Honduras era de $500,000.00. En el caso de que alguna parte de dicha suma de $500,000.00 no haya sido gastada el 31 de Mayo de 1944, tales fondos serán entonces depositados en el Banco de Honduras a la cuenta del "SCISP" y serán usados para proyectos previamente convenidos y que se convengan. Cualesquiera de estos fondos que permanezcan sin gastarse después de completarse el programa original serán disponibles para su uso en el programa de extensión del "SCISP".

4. – Cualquier parte de los fondos depositados en el Banco de Honduras a la cuenta del "SCISP", conforme a la lista arriba detallada, que pueda quedar sin gastarse a la terminación del período en que fueron depositados continuarán siendo disponsibles para el objeto del programa general de salud del "SCISP" y no revertirá sea a favor del Instituto de Asuntos Interamericanos o a favor de la República de Honduras. El Ministerio de Gobernación, Justicia, Sanidad y Beneficencia, o su representante, y el Jefe de Operaciones de Campo del Instituto, o su representante, determinarán por mutuo convenio la disposición que se hará de todos los fondos no obligados que queden para el crédito del "SCISP" a la expiración de este convenio.

5.–El expresado Convenio permanecerá en pleno vigor y efecto para el objeto de la extensión de dicho programa de salud y sanidad hasta el 30 de Abril de 1947, y las condiciones y estipulaciones en él contenidas regirán durante la continuación del citado programa. Los procedimientos y métodos establecidos y en uso para la operación del "SCISP" conforme al expresado convenio, continuarán aplicándose en la operación del "SCISP" hasta la terminación del convenio prorrogado hasta el 30 de Abril de 1947.

Se sirve Ud. manifestar, además, que si la proposición a que me vengo refiriendo es satisfactoria para mi Gobierno, la carta de Ud. y la aceptación de parte del Gobierno de Honduras constituirán un convenio obligatorio y efectivo entre el Instituto de Asuntos Inter-Americanos y la República de Honduras, de acuerdo con los términos y estipulaciones contenidas en la apreciable carta de Ud.

En respuesta, tengo el honor de manifestar a Ud., con la autorización del Sr. Presidente de la República, que el Gobierno de Honduras, por mi medio, gustosamente acepta la propuesta para la extensión del programa de salud y sanidad contenida en su expresada carta, por un período de tres años más, a partir del próximo 1° de Mayo de 1944 hasta el 30 de Abril de 1947, bajo las estipulaciones del Convenio del 8 de Julio de 1942, celebrado entre el Gobierno de la República de Honduras y el Instituto de Asuntos Inter-Americanos, de la Oficina del Coordinador de Asuntos Inter-Americanos, que es una Agencia del Gobierno de los Estados Unidos de América, y aprobado en Acuerdo del Poder Ejecutivo N° 60 emitido por esta Secretaría de Estado.

El Gobierno de la República de Honduras, por mi medio, desea expresar su vivo reconocimiento al Instituto de Asuntos Inter-Americanos por la cooperación que le ha prestado y sigue prestándole al programa de salud y sanidad de Honduras, para beneficio de ambos países.

Con muestras de mi distinguida consideración y aprecio, me es grato suscribirme de Ud. como su muy atento y seguro servidor,

ABRAHAM WILLIAMS,
Secretario de Estado en los Despachos de Gobernación, Justicia, Sanidad y Beneficencia.

Translation

MINISTRY OF GOVERNMENT, JUSTICE, HEALTH AND WELFARE
TEGUCIGALPA, D.C., HONDURAS, C. A.

File No. 3297 *April 19, 1944*

General GEORGE C. DUNHAM
Executive Vice President
Institute of Inter-American Affairs
Tegucigalpa, D.C.

MR. EXECUTIVE VICE PRESIDENT:

I have the honor to reply to your courteous letter of the 19th of the current month, referring to the notes exchanged by His Excellency

the Minister of Foreign Relations of Honduras and His Excellency the Minister of the United States of America in Tegucigalpa, D. C., on the 5th and 8th of May 1942, respectively; to an agreement concluded between the Institute of Inter-American Affairs, of the Office of the Coordinator of Inter-American Affairs, which is an agency of the Government of the United States of America, and the Republic of Honduras, on July 8, 1942; to an additional exchange of notes between His Excellency the Minister of Foreign Relations of Honduras and His Excellency the Ambassador of the United States of America in Tegucigalpa, D. C., on the 18th and 19th, respectively, of this present month of April, all relating to the establishment in Honduras of a cooperative health and sanitation program as was agreed upon in Resolution XXX approved during the Third Meeting of the Ministers of Foreign Affairs of the American Republics, held in Rio de Janeiro in January 1942; and proposing that, acting in the name of the Government of the Republic of Honduras, I agree to the following:

1. – The Institute of Inter-American Affairs, of the Office of the Coordinator of Inter-American Affairs, which is an agency of the Government of the United States of America, is prepared to allocate a sum not exceeding $300,000.00 for the purpose of extending the cooperative health and sanitation program now being carried out by the Inter-American Cooperative Public Health Service (henceforth designated as the "SCISP."), for a period of approximately three years beginning May 1, 1944, provided that the Government of Honduras appropriates a like sum in lempiras, equivalent to $300,000.00 U. S. currency, for the same purpose. These funds will be allocated and employed for the maintenance of the projects in operation or those which will be placed in operation under the terms of the said agreement, and, as funds may be available, for any new projects, including those which may relate to the procurement of strategic materials, which may be mutually agreed between the Ministry of Government, Justice, Health and Welfare of the Republic, or its representative, and the Chief of Field Party of the Institute, or his representative.

2. – For the purpose of accomplishing the objectives of this agreement, the Institute agrees to deposit in the Bank of Honduras, to the account of the "SCISP.", the sum of three hundred thousand dollars ($300,000.00) on the following bases:

During May 1944 $150,000.00 U. S. currency
During May 1945 100,000.00 U. S. currency
During May 1946 50,000.00 U. S. currency

and the Republic of Honduras agrees to deposit in the Bank of Honduras, to the account of the "SCISP", the sum of three hundred thousand dollars ($300,000.00) on the following bases:

During May 1944, the equivalent in lempiras of $75,000.00 (dollars)
During May 1945, the equivalent in lempiras of $100,000.00 (dollars)
During May 1946, the equivalent in lempiras of $125,000.00 (dollars)

The funds deposited by the Republic in any particular year or the funds deposited by the Institute in any particular year to the credit

of "SCISP", in the Bank of Honduras, as provided, cannot be withdrawn by the Director of the "SCISP" until the funds for that year have been deposited by both parties, as agreed to herein.

3. – In accordance with its obligations under the said agreement, the Institute hereby acknowledges that its previous obligation for the health and sanitation program in Honduras was $500,000.00. In the event that any part of the said sum of $500,000.00 has not been expended on May 31, 1944, such funds will then be deposited in the Bank of Honduras to the account of the "SCISP" and will be used for projects previously agreed upon, or which may be agreed upon. Any of these funds that remain unexpended after the completion of the original program will be available for use in the extension of the "SCISP" in the extension program.

4. – Any part of the funds deposited in the Bank of Honduras to the account of the "SCISP" in accordance with the schedule outlined above, which may be unexpended at the termination of the period in which they were deposited, will continue to be available for the purpose of the general health program of the "SCISP", and will not revert either to the Institute of Inter-American Affairs or the Republic of Honduras. The Ministry of Government, Justice, Health and Welfare, or its representative, and the Chief of Field Party of the Institute, or his representative, shall determine by mutual agreement the disposition to be made of all unobligated funds remaining to the credit of the "SCISP" upon the expiration of this agreement.

5. – The said agreement will remain in full force and effect for the purpose of extending the said program of health and sanitation until April 30, 1947, and the conditions and stipulations contained therein will be in effect during the continuation of the said program. The procedures and methods established and in use for the operation of the "SCISP", pursuant to the said agreement, will continue to apply in the operation of the "SCISP" until the termination of the agreement extended to April 30, 1947.

You are good enough to state, moreover, that if the proposal to which I refer is satisfactory to my Government, your letter and the acceptance on the part of the Government of Honduras will constitute a binding and effective agreement between the Institute of Inter-American Affairs and the Republic of Honduras in accordance with the terms and stipulations contained in your esteemed letter.

Acceptance of proposal by Government of Honduras.

In reply, I have the honor to inform you, with the authorization the President of the Republic, that the Government of Honduras, acting through me, accepts with pleasure the proposal for the extension of the health and sanitation program, as set forth in your letter mentioned above, for a period of three years more, from May 1, 1944 to April 30, 1947, under the stipulations of the agreement of July 8, 1942 concluded between the Government of the Republic of Honduras and the Institute of Inter-American Affairs, of the Office of the Coordinator of Inter-American Affairs, which is an agency of the Government of the United States of America, and which was approved in Executive Decree No. 60 issued by this Department of State.

The Government of the Republic of Honduras wishes to express, through me, its deep gratitude to the Institute of Inter-American Affairs for the assistance that it has rendered and is continuing to render to the program of health and sanitation in Honduras, to the benefit of both countries.

With the expression of my distinguished consideration and esteem, I have the pleasure of signing myself as your humble and obedient servant,

ABRAHAM WILLIAMS
Secretary of State for the Departments of Government, Justice, Health and Welfare

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The American Minister to the Honduran Minister for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
No. 644 *Tegucigalpa, D.C., Honduras, May 5, 1942.*

EXCELLENCY:

I have the honor to inform you that, in accordance with Resolution XXX of the Third Meeting of Ministers of Foreign Affairs of the American Republics at Rio de Janeiro, relating to health and sanitary conditions, the Government of the United States is prepared to contribute a sum in the amount of $500,000 to be expended in ways which will assist the Government of Honduras in attaining its objectives in matters of health and sanitation.

U. S. contribution.

My Government notes that projects such as the improvement of water supply, the development of facilities for adequate sewage disposal, and the control of endemic or epidemic diseases have been among the chief objectives of the Honduran Government in health and sanitation matters. My Government considers that the further development of projects of this character will contribute to the realization of the general objectives set forth in the above-mentioned resolution to which our respective Governments are committed.

Development of specific program by experts from U. S.

In this connection, the Government of the United States acting through the agency of the Office of the Coordinator of Inter-American Affairs will send, if it is agreeable to you, a small group of experts to Honduras in order to develop a specific program in agreement with your Government, acting through officials designated by it. This group will be under the immediate direction of the Chief Medical Officer of the Office of the Coordinator of Inter-American Affairs, and will work in the closest cooperation with the appropriate Honduran officials. The salaries and expenses of the group of experts will not be debited against project funds. Approval for the actual execution of the specific projects agreed upon will be given by the respective Governments or their duly appointed agents. Expenditures for such projects shall be made upon certification of the Chief Medical Officer and the appropriate Honduran official designated for the areas where projects will be executed.

Projects to become property of Honduras.

These projects upon completion will of course become the sole property of Honduras. The United States Government will be prepared to facilitate such training of personnel as the two Governments deem advisable.

My Government anticipates that the Honduran Government will be willing to provide, in accordance with its ability, such raw materials, services and funds as may be deemed necessary for the proper execution of the program.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOHN D. ERWIN

His Excellency
Dr. SALVADOR AGUIRRE,
Minister for Foreign Affairs,
Tegucigalpa, D.C.

The Honduran Minister for Foreign Affairs to the American Minister

SECRETARIA DE RELACIONES EXTERIORES
DE LA
REPUBLICA DE HONDURAS

PALACIO NACIONAL

Of. N° 2657 *Tegucigalpa, D.C., 8 de mayo de 1942*

SEÑOR MINISTRO:

Tengo el honor de acusar recibo a Vuestra Excelencia de su atenta nota N° 644, fechada el 5 del mes en curso en la que se sirve informarme que, de acuerdo con la Resolución XXX de la Tercera Reunión de Ministros de Relaciones Exteriores de las Repúblicas Americanas en Río de Janeiro, Brasil, en relación con las condiciones de salud y sanidad, el Gobierno de los Estados Unidos está preparado para contribuir con la suma de $500.000.oo para ser gastada en una forma en que pueda ayudar al Gobierno de Honduras para alcanzar sus objetivos en asuntos de salud y sanidad; que su Gobierno nota que proyectos tales como el mejoramiento del agua potable, el desarrollo de facilidades para la disposición adecuada de cloacas y el control de enfermedades endémicas y epidémicas han sido los principales objetivos del Gobierno de Honduras en asuntos de salud y sanidad y que considera que el desenvolvimiento posterior de proyectos de este carácter contribuirá a la realización de los objetivos generales indicados en la Resolución arriba mencionada, a la cual nuestros respectivos Gobiernos se han comprometido.

Agrega Vuestra Excelencia que su Gobierno por medio de la Oficina del Coordinador de Asuntos Interamericanos, enviará, si a este Despacho le parece bien, un pequeño grupo de expertos a Honduras con el objeto de desarrollar un programa específico de acuerdo con mi Gobierno, el que debe de actuar por medio de funcionarios designados por él; grupo que estará bajo la inmediata dirección del Oficial Médico en Jefe de la Oficina del Coordinador de los Asuntos Inter-

americanos y trabajará en estrecha cooperación con las apropiadas autoridades hondureñas.

En contestación me es grato informar a Vuestra Excelencia que mi Gobierno con el mayor gusto acepta el ofrecimiento del Gobierno americano en los términos que se sirve Vuestra Excelencia explanar en su nota al principio citada y espera la llegada al país del grupo de expertos ofrecido que se encargará de desarrollar un programa específico en relación con las condiciones de salud y sanidad del país, para proceder a designar los funcionarios hondureños que cooperarán en dicha obra.

Al rendir al Gobierno Americano, por el digno medio de Vuestra Excelencia, las más expresivas gracias por su expontáneo ofrecimiento en beneficio de la sanidad de Honduras, aprovecho la oportunidad para reiterarle el testimonio de mi más alto aprecio y distinguida consideración,

SALVADOR AGUIRRE

Excelentísimo Señor JOHN D. ERWIN,
Enviado Extraordinario y Ministro Plenipotenciario
de los Estados Unidos de América.
Legacion Americana.

Translation

MINISTRY OF FOREIGN AFFAIRS
OF THE
REPUBLIC OF HONDURAS

NATIONAL PALACE
Of. No. 2657 *Tegucigalpa, D.C., May 8, 1942*

MR. MINISTER:

I have the honor to acknowledge the receipt of Your Excellency's courteous note No. 644, dated the 5th instant, by which you are good enough to inform me that, in accordance with Resolution of the Third Meeting of Ministers of Foreign Affairs of the American Republics at Rio de Janeiro, Brazil, in connection with health and sanitation conditions, the Government of the United States is prepared to contribute the sum of $500,000.00 to be expended in ways which will assist the Government of Honduras in attaining its objectives in matters of health and sanitation; that your Government notes that projects such as the improvement of water supply, the development of facilities for adequate sewage disposal and the control of endemic and epidemic diseases have been the chief objectives of the Government of Honduras in health and sanitation matters and that it considers that the further development of projects of this character will contribute to the realization of the general objectives set forth in the above-mentioned Resolution to which our respective Governments are committed.

Your Excellency adds that your Government, acting through the Office of the Coordinator of Inter-American Affairs, will send, if it is agreeable to this Office, a small group of experts to Honduras in

order to develop a specific program in agreement with my Government, acting through officials designated by it; this group will be under the immediate direction of the Chief Medical Officer of the Office of the Coordinator of Inter-American Affairs, and will work in the closest cooperation with the appropriate Honduran officials.

Acceptance of U. S. offer by Government of Honduras.

In reply, I am happy to inform Your Excellency that my Government accepts with the greatest pleasure the offer of the American Government on the terms which Your Excellency is good enough to set forth in your above-mentioned note and awaits the arrival in the country of the group of experts offered which will take charge of developing a specific program in connection with the health and sanitation conditions of the country, in order to proceed to designate the Honduran officials who will cooperate in the said work.

Expressing to the American Government, through Your Excellency's high intermediary, my sincerest thanks for its spontaneous offer in behalf of the sanitation of Honduras, I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration,

SALVADOR AGUIRRE

His Excellency JOHN D. ERWIN,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America,
American Legation.

Contract Signed by the Honduran Director of Public Health and a Representative of the Institute of Inter-American Affairs

PEDRO H. ORDOÑEZ DIAZ, in his capacity of Director General of Public Health of the Republic of Honduras and I. Frank Tullis, in his capacity as representative of the Institute of Inter-American Affairs of the United States Government, duly authorized, have agreed to enter into the following

CONTRACT:

I

"SCISP".

The Institute of Inter-American Affairs of the city of Washington, D.C., United States of America, shall provide gratuitously to the Government of Honduras a service under the denomination of "Servicio Cooperativo Interamericano de Salud Pública" (Interamerican Cooperative Service of Public Health) that, hereinafter, in the text of this contract shall be called "S C I S P" which will function as an integral part of the Direction General of Public Health and shall have for its essential objective the development of the activities of Public Health and the construction of sanitary works.

II

Acceptance of service by Government of Honduras.

The Government of Honduras accepts the organization of this service in the form indicated hereinabove in the preceding article and obliges itself to make all necessary facilities to carry out said activities.

III

The "S C I S P" shall name, with the consent of the Government of Honduras, a Physician, member of the personnel of the Institute, of Interamerican Affairs as Chief of the Organization. – There will be also an Official Sanitary Physician and a Civil or Sanitary Engineer, Hondurans, appointed by the President of the Republic as Assistants to the Chief of the Service.

Chief of Organization and Assistants.

IV

The salary and expenses, including traveling expenses of the personnel of the Institute of Interamerican Affairs employed in Honduras shall be paid by the Institute and not from the funds assigned to the "S C I S P".

Salary and expenses.

V

All the employees of the "S C I S P" shall be appointed, contracted for and removed by the Chief of the Service in agreement with the Direction General of Public Health.

Appointments; removals.

VI

The "S C I S P" shall be maintained, partly, with the funds furnished by the Institute of Interamerican Affairs in an amount not to exceed FIVE HUNDRED THOUSAND DOLLARS ($500.000.00), to be spent totally or partly, during a period of, approximately, two years, starting from July 1st 1942; and, partly, with funds, personnel and material which the Government of Honduras may furnish.

Maintenance of "SCISP".

VII

The funds of the "S C I S P" shall be employed exclusively in sanitary works, approved by the Director General of Public Health and the Chief of the "S C I S P"; however, any other special activity shall be the subject of a new contract between the Director General of Public Health and the Institute of Interamerican Affairs. Any sanitary work already initiated by the Government of Honduras may be accepted to be finished by the contracting parties.

Employment of "SCISP" funds, etc.

VIII

The "S C I S P" shall include in its plan of activities and works the following: improvement of the water supply and sewerage service; control of transmisible diseases such as tuberculosis, intestinal parasitism, syphilis, etc.; installation and improvement of Sanitary Units in the Republic and Sanitary Sections; training of the personnel for Public Health service and extension of the program of control of the malaria and public health measures in general. In addition, other projects may be added to those above stated with the approval of the Direction General of Public Health and the Chief of the "S C I S P".

IX

All projects executed under this contract shall be the exclusive property of the Government and people of Honduras.

Ownership of projects.

X

Importation of materials.

All materials imported for the work and activities of the service shall be introduced into the country free of custom duties and of any other tax or official charge. As far as possible, in the execution of these works the Institute shall use only materials and implements produced in the country.

IN WITNESS WHEREOF the parties sign in duplicate the present contract, in English and Spanish, in the city of Tegucigalpa, D.C., Republic of Honduras, this eighth day of July of the year one thousand nine hundred and forty two.

P. H. ORDÓÑEZ DIAZ I. FRANK TULLIS, Jr.

PEDRO H. ORDOÑEZ DIAZ, en su caracter de Director General de Sanidad de la República de Honduras, e I. FRANK TULLIS, en su calidad de Representante del Instituto de Asuntos Interamericanos del Gobierno de los Estados Unidos, debidamente autorizados, han convenido en celebrar el siguiente:

CONTRATO:

I

El Instituto de Asuntos Interamericanos de la ciudad de Washington, D.C., Estados Unidos de América, proveerá gratuitamente al Gobierno de Honduras de un servicio que se denominará "Servicio Cooperativo Interamericano de Salud Pública", y que en adelante, en el texto de ese Contrato se llamará "S C I S P", que funcionará como parte integrante de la Dirección General de Sanidad y que tendrá por objetivo esencial, el desarrollo de las actividades de Salud Pública y construcción de obras de saneamiento.

II

El Gobierno de Honduras acepta la organización de este servicio en la forma indicada en el Artículo precedente y se obliga a hacer todas las facilidades necesarias para llevar a cabo tales actividades.

III

El "S C I S P", nombrará, con el consentimiento del Gobierno de Honduras, a un médico como Jefe de la Organización, perteneciente al personal del Instituto de Asuntos Interamericanos. También habrá un Oficial Médico Sanitario y un Ingeniero Civil o Sanitario hondureños, como Asistentes del Jefe del Servicio, nombrados por el señor Presidente de la República.

IV

Los salarios y gastos, incluyendo los de viajes del personal del Instituto de Asuntos Interamericanos, empleados en Honduras, serán pagados por el Instituto y no de los fondos asignados al "S C I S P".

V

Todos los empleados del "S C I S P", serán nombrados, contratados y removidos por el Jefe del Servicio de acuerdo con la Dirección General de Sanidad.

VI

El "S C I S P", será mantenido, en parte con los fondos suplidos por el Instituto de Asuntos Interamericanos, en una cantidad que no excederá de QUINIENTOS MIL DOLLARS ($500,000,00), para ser gastados totalmente o en parte, durante un período de, aproximadamente, dos años, a partir del primero de Julio de 1,942; y en parte con fondos, personal, facilidades y material que el Gobierno de Honduras pueda suministrar.

VII

Los fondos del "S C I S P", serán empleados exclusivamente en trabajos sanitarios, aprobados por el Director General de Sanidad y el Jefe del "S C I S P"; no obstante, cualquier otra actividad especial será objeto de un nuevo contrato entre el Director General de Sanidad y el Instituto de Asuntos Interamericanos. La Terminación de cualquier trabajo sanitario, ya iniciada por el Gobierno de Honduras, puede ser aceptada por las partes contratantes.

VIII

El "S C I S P", iniciará en su plan de actividades y trabajos, los siguientes: Mejoramiento de los Abastos de Agua y Servicio de Cloacas; control de Enfermedades trasmisibles, tales como tuberculosis, parasitismo intestinal, sífilis, etc.; instalaciones y mejoramiento de las Unidades Sanitarias en la República y Secciones de Sanidad; entrenamiento del personal para el Servicio de Salubridad Pública y extensión del Programa de Control de la malaria y medidas sanitarias en general. En adición, otros proyectos pueden agregarse a los arriba estipulados, conforme aprobación de la Dirección General de Sanidad y el Jefe del "S C I S P".

IX

Todos los proyectos ejecutados bajo este contrato serán propiedad exclusiva del Gobierno y pueblo de Honduras.

X

Todos los materiales importados para los trabajos y actividades del servicio, serán introducidas al país. libre de derechos de aduana y de cualquier otro impuesto o gasto oficial.–Hasta donde sea posible, el Instituto usará para la ejecución de las obras, solamente materiales e implementos producidos en el país.

En fé de lo cual firman el presente Contrato, por duplicado, en los idiomas inglés y español, en la ciudad de Tegucigalpa, D.C. República de Honduras el ocho de julio de mil novecientos cuarenta y dos.

P. H. ORDÓÑEZ DIAZ

I. FRANK TULLIS, Jr.

January 3, 18, March 21, May 2, June 8, August 10, September 17, 1946
[T. I. A. S. 1559]

Agreement between the United States of America and Brazil extending the agreement of May 7, 1942, respecting a naval mission. Effected by exchanges of notes signed at Washington January 3 and 18, March 21, May 2, June 8, August 10, and September 17, 1946; effective from May 7, 1946.

The Brazilian Ambassador to the Secretary of State

EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL

Nº 1/530.1 (22) *Washington, em 3 de janeiro de 1946.*

SENHOR SECRETÁRIO DE ESTADO,

Devendo terminar em 7 de Maio de 1946 o contrato da Missão Naval dos Estados Unidos no Brasil, solicito de Vossa Excelência o obséquio de suas providências, junto às autoridades competentes, afim de que o referido contrato seja prorrogado pelo prazo de mais quatro anos.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

CARLOS MARTINS PEREIRA E SOUSA

A Sua Excelência o Senhor JAMES F. BYRNES,
Secretário de Estado dos Estados Unidos da América.

Translation

EMBASSY OF THE UNITED STATES OF BRAZIL

No. 1/530.1 (22) *Washington, January 3, 1946.*

MR. SECRETARY OF STATE:

In as much as the Agreement for the United States Naval Mission in Brazil is due to expire May 7, 1946, I respectfully request Your Excellency to use your good offices with the proper authorities to the end that the said Agreement may be extended for a period of four more years.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CARLOS MARTINS PEREIRA E SOUSA

His Excellency JAMES F. BYRNES,
Secretary of State of the United States of America.

The Acting Secretary of State to the Brazilian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jan 18 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of January 3, 1946 in which you convey the request of your Government for the renewal of the Agreement entered into on May 7, 1942, between the Governments of the United States of America and the Republic of Brazil, providing for the assignment of a United States Naval Mission to Brazil. 56 Stat. 1462.

I note that Your Excellency's Government desires to renew this agreement for a period of four years, the renewal to commence upon the termination of the present agreement on May 7, 1946, and I am pleased to inform Your Excellency that this arrangement is agreeable to this Government, provided the agreement is so amended as to include the following language as an additional article to the basic agreement: Inclusion of additional article to basic agreement.

> "The members of this Mission are permitted and may be authorized to represent the United States of America on any commission and in any other capacity having to do with military cooperation or hemispheric defense without prejudice to this contract."

I shall appreciate it if Your Excellency will inform me whether the suggested amendment is acceptable to the Brazilian Government.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:
SPRUILLE BRADEN

His Excellency
CARLOS MARTINS,
Ambassador of Brazil.

The Brazilian Ambassador to the Secretary of State

EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL

N° 61/530.1 (22) *Washington, em 21 de março de 1946*

SENHOR SECRETÁRIO DE ESTADO,

Tenho a honra de acusar o recebimento da nota de 18 de janeiro do corrente ano, pela qual Vossa Excelência comunicou-me que Govêrno norte-americano concorda em prorrogar por um periodo de quatro anos, a começar de 7 de maio de 1946, o contrato da Missão Naval dos Estados Unidos no Brasil, desde que seja incluido no mesmo o seguinte artigo adicional:

> "Os membros desta Missão ficam capacitados e podem ser autorizados a representar os Estados Unidos da América em qualquer comissão ou capacidade que se relacione com a cooperação militar ou defesa do Hemisfério, sem prejuizo deste contrato."

2. Em resposta, levo ao conhecimento de Vossa Excelência que o Govêrno do Brasil concorda com a inclusão do artigo adicional acima mencionado.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

CARLOS MARTINS PEREIRA E SOUSA

A Sua Excelência o Senhor JAMES F. BYRNES,
Secretário de Estado dos Estados Unidos da América.

Translation

EMBASSY OF THE UNITED STATES OF BRAZIL

No. 61/530.1 (22) *Washington, March 21, 1946*

MR. SECRETARY OF STATE:

I have the honor to acknowledge receipt of the note of January 18 of the current year by which Your Excellency informed me that United States Government concurs in extending for a period of four years, beginning on May 7, 1946, the Naval Mission Agreement between the United States of America and Brazil, after the following additional article has been included in the same:

> "The members of this Mission are enabled and may be authorized to represent the United States of America on any board or in any capacity which pertains to military cooperation or defense of the Hemisphere, without prejudice to this agreement."

Concurrence of Brazilian Government.

2. In reply, I inform Your Excellency that the Government of Brazil concurs in the inclusion of the additional article mentioned above.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CARLOS MARTINS PEREIRA E SOUSA

His Excellency JAMES F. BYRNES,
Secretary of State of the United States of America.

The Brazilian Ambassador to the Secretary of State

URGENTE EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL

No. 98/530.1 (22) *Washington, em 2 de maio de 1946.*

SENHOR SECRETÁRIO DE ESTADO,

Em aditamento à minha nota no. 61, de 21 de março último, sôbre a renovação do contrato da Missão Naval Americana no Brasil, tenho a honra de levar ao conhecimento de Vossa Excelência que o Govêrno brasileiro desejaria que, nas cláusulas do contrato a entrar em vigor no dia 7 do corrente mês, fossem feitos alguns acréscimos e alterações no sentido de:

a) Estabelecer que os oficiais da Missão possam trabalhar junto aos Estados Maiores das Forças Navais ou nos diversos Departa-

mentos da Marinha, sempre que a sua experiência técnico-profissional se fizer necessária em tais comissões;

b) Modificar o Capítulo I, Artigo 2, do atual contrato, acrescentando um novo período assim redigido:

> "No caso de serem designados membros da Missão Naval com o fim de familiarizar a Marinha do Brasil no emprego de equipamento ou métodos especiais, poderá o Govêrno dos Estados Unidos removê-los sem substitui-los, ao finalizarem as tarefas especiais para as quais foram designados."

c) Modificar o Capítulo IV, Artigo 4 do atual contrato, alterando o último período que deverá ter a seguinte redação:

> "No caso de pessoal que, a pedido do Ministro da Marinha do Brasil, possa vir a ser designado como membro da Missão com o fim de familiarizar a Marinha do Brasil no emprego de equipamento ou métodos especiais, como disposto no Capítulo I, Artigo 2, o pagamento de despesas para o transporte das famílias, objetos domésticos e automóveis, não estará sujeito a êste contrato, mas será determinado por entendimento entre o Representante da Marinha dos Estados Unidos e o Representante autorizado do Ministério da Marinha do Brasil, em Washington, na época em que for, de comum acôrdo, feita a escolha do pessoal para tal serviço".

2. As alterações constantes das alineas *b* e *c*, sugeridas pela Missão Naval Americana, visam atender à necessidade que, para o futuro, a Marinha brasileira terá do auxílio do pessoal da Marinha americana nas questões do treinamento, manutenção e suprimento que aparecerão durante o período de familiarização do pessoal brasileiro com os novos navios e equipamentos.

3. Posto que essa incumbência constitua uma das funções da Missão Naval Americana, tendo em vista o caráter temporário que ela terá em muitos casos, não será necessário que o pessoal dela encarregado seja incluido como membro efetivo da Missão pelo espaço de tempo dos dois anos do contrato.

4. Entretanto, haverá conveniência de dar-se ao pessoal que porventura venha a ser designado para tais funções, uma situação definida no contrato, limitado em tempo pela realização de suas incumbências particulares.

5. Quanto ao assunto do efetivo da Missão Naval Americana, o Govêrno brasileiro estimaria que o mesmo se compuzesse de:

a) *Oficiais:*
(x) 1 Chefe
(x) 1 Sub Chefe
(x) 1 Oficial de Fazenda
(x) 1 Oficial de Armamento
(x) 1 Oficial de Comunicações
(x) 1 Oficial de Construção Naval
Oficiais para o Ensino
(x) 1 Oficial para a Escola de Guerra Naval

(x) 1 Oficial para o Centro de Treinamento e Escola de Instrutores
1 Oficial para o Método de Seleção do Pessoal subalterno
1 Oficial para a Escola de Formação de Técnicos em reparo e conservação de equipamento electrônico, rádio, radar e sonar
Oficiais de Máquinas
1 Oficial de Caldeiras
1 Oficial de Turbinas
1 Oficial de Controle de Avarias
1 Oficial de Fábrica de Torpedos
1 Oficial de Medicina
1 Oficial do Corpo de Fuzileiros Navais
(x) 2 Oficiais para o serviço da Secretaria da Missão

18 Total de Oficiais.

b) *Sub-Oficiais:*
1 Sub-Oficial especializado em reparo e conservação de equipamento ótico
1 Sub-Oficial Torpedista com experiência de submarino
1 Sub-Oficial Motorista com conhecimento de frigoríficos
1 Sub-Oficial de Caldeiras com conhecimento de Caldeiras de alta pressão
1 Sub-Oficial de Máquinas com conhecimento de turbinas a vapor
1 Sub-Oficial Eletricista com conhecimento de giroscópicas e comunicações internas
1 Sub-Oficial especializado em canalização e controle de avarias
1 Sub-Oficial Artilheiro ou Chefe de Torre com conhecimento de organização e treinamento de guarnições de canhões e conservação de suas respectivas baterias
(x) 1 Sub-Oficial para os serviços da Secretaria da Missão Naval
1 Sub-Oficial para os serviços da Secretaria da Escola de Guerra Naval
1 Sub-Oficial para a Diretoria do Ensino Naval

11 Total de Sub-Oficiais.

Os Oficiais e Sub-Oficiais marcados com (x) já se encontram no Brasil.

6. Muito agradeceria a Vossa Excelência o obséquio de me informar se o Govêrno americano concorda com o que propõe o Govêrno brasileiro, e foi exposto por mim nesta nota, no tocante aos acréscimos e alterações nas cláusulas do contrato da Missão Naval e também quanto à constituição de seu efetivo.

7. Finalmente, comunico a Vossa Excelência que o Govêrno brasileiro nada tem a opôr à sugestão feita pela Missão Naval Americana sôbre o restabelecimento da cláusula que figurava nos contratos anteriores ao vigente, segundo a qual eram concedidos aos membros da Missão os mesmos direitos e privilégios de que gozam os representantes diplomáticos de categoria correspondente acreditados no Brasil.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

CARLOS MARTINS PEREIRA E SOUSA

A Sua Excelência o Senhor JAMES F. BYRNES,
Secretário de Estado dos Estados Unidos da América.

Translation

URGENT

No. 98/530.1 (22)

EMBASSY OF THE UNITED STATES OF BRAZIL

Washington, May 2, 1946

MR. SECRETARY OF STATE:

Supplementary to my note No. 61, of March 21 last, concerning the renewal of the Naval Mission Agreement between the United States of America and Brazil, I have the honor to inform Your Excellency that the Brazilian Government wishes to have certain additions and alterations inserted in the articles of the Agreement which is to come into force on the seventh of the current month, in order to:

Insertion of additions and alterations in agreement.

a) Establish the fact that the officers of the Mission may work in conjunction with the Staffs of the Naval Forces or in the various Bureaus of the Navy, whenever their technical and professional experience is required on such commissions;

b) Modify Title I, Article 2, of the present Agreement by the addition of a new sentence, to read as follows:

56 Stat. 1462.

> "In case members of the Naval Mission are appointed for the purpose of familiarizing the Brazilian Navy with the use of special equipment or methods, the United States Government may withdraw them without replacing them, on the completion of the special assignments for which they were appointed."

c) Modify Title IV, Article 4 of the present agreement, changing the final sentence to read as follows:

56 Stat. 1466.

> "In the case of personnel who, at the request of the Minister of Marine of Brazil, may be appointed as members of the Mission for the purpose of familiarizing the Brazilian Navy with the use of special equipment or methods, as set forth in Title I, Article 2, the payment of expenses for the transportation of families, household effects and automobiles shall not be subject to this agreement, but shall be determined by negotiation between the representative of the United States Navy and the authorized representative of the Ministry of Marine of Brazil in Washington at such time as the choice of the personnel for such duty may be agreed upon."

56 Stat. 1462.

2. The changes given in paragraphs *b* and *c*, suggested by the United States Naval Mission, are intended to provide for the need which the Brazilian Navy will have in future for the assistance of personnel of the United States Navy in questions of training, maintenance and supply which will arise during the period in which Brazilian personnel is being familiarized with the new ships and equipment.

3. Although that duty constitutes one of the functions of the United States Naval Mission, in view of the fact that in many cases it will be of a temporary character, it will not be necessary that the personnel assigned to it be included as full members of the Mission for the entire two years of the agreement.

4. However, it will be advisable to assign the personnel who may be

appointed to such duties a status which is defined in the agreement, to terminate upon completion of their particular assignments.

Proposed composition of U. S. Naval Mission.

5. With regard to the strength of the United States Naval Mission, the Brazilian Government would like for it to be composed of:

a) *Officers*

(x) 1 chief
(x) 1 assistant chief
(x) 1 finance officer
(x) 1 ordnance officer
(x) 1 communications officer
(x) 1 naval construction officer

Officers to serve as Instructors

(x) 1 officer for the Naval War School
(x) 1 officer for the Training Center and Instructors' School
1 officer for the System of Selection of Subaltern Personnel
1 officer for the School for Training Technicians in the repair and maintenance of electronic radio, radar and sound equipment.

Engineer Officers

1 boiler officer
1 turbine officer
1 damage control officer
1 torpedo factory officer
1 medical officer
1 Marine Corps officer
(x) 2 officers to serve at Staff Headquarters of the Mission.

18 Total number of officers

b) *Petty Officers*

1 petty officer specialist in the repair and maintenance of optical equipment
1 petty officer torpedoman with experience in submarines
1 petty officer motor expert, with a knowledge of refrigerator plants
1 petty officer, boiler specialist, with a knowledge of high-pressure boilers
1 machinist's mate with a knowledge of steam turbines
1 electrician's mate with a knowledge of gyroscopes and internal communications
1 petty officer specialist in the localizing and control of damage
1 gunner's mate or turret chief with a knowledge of the organization and training of gun crews and the maintenance of their respective batteries.
(x) 1 petty officer to serve at Staff Headquarters of the Mission
1 petty officer to serve at the headquarters of the Naval War School
1 petty officer to serve in the office of the Director of Naval Instruction

11 Total number of petty officers

The officers and petty officers marked "(x)" are already in Brazil,

6. I should be very grateful if Your Excellency would be so good as to inform me whether the American Government is in agreement with these proposals of the Brazilian Government, as set forth by me in this note, with reference to the additions and alterations in the articles of the Naval Mission Agreement, and also with reference to the composition of its complement.

7. Lastly, I inform Your Excellency that the Brazilian Government has no objection to the suggestion made by the United States Naval Mission concerning the reestablishment of the clause which appeared in our agreements prior to the one now in force, according to which the

members of the Mission were granted the same rights and privileges which are enjoyed by diplomatic representatives of corresponding rank accredited in Brazil.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CARLOS MARTINS PEREIRA E SOUSA

His Excellency
JAMES F. BYRNES
Secretary of State of the United States of America

The Secretary of State to the Brazilian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jun 8 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note, no. 98/530.1(22) dated May 2, 1946, requesting certain modifications to the basic Agreement entered into on May 7, 1942 and extended for a period of four years by an exchange of notes dated January 3 and 18 and March 21, 1946 respectively, which provides for the assignment of a United States Naval Mission to Brazil.

56 Stat. 1462.

Ante, pp. 2338, 2339.

In this connection, I am pleased to inform Your Excellency that the modification of Title IV, Article 4 of the basic Agreement, as suggested in paragraph (c) of Your Excellency's note under reference, is acceptable to the Government of the United States of America provided the Agreement is amended as follows: after the word "appointed" there shall be inserted "for a period of less than six months." The Navy Department is of the opinion that for periods longer than six months, temporary members of the Mission should not, in peacetime, be ordered to duty which would require separation from their families for an excessive length of time. When the services of temporary members are required for longer than six months, they should be entitled to the privileges of the present Agreement.

56 Stat. 1466.

With regard to the new composition suggested for the Mission, the Navy Department informs the Department it cannot make definite commitments to furnish all the specialized personnel of officers and enlisted men requested, although every effort will be put forth to make them available.

I shall appreciate it if Your Excellency will inform me whether the suggested amendment is acceptable to the Brazilian Government.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
SPRUILLE BRADEN

His Excellency
CARLOS MARTINS,
Ambassador of Brazil.

The Brazilian Ambassador to the Acting Secretary of State

EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL
No. 205/530.1 (22) *Washington, em 10 de agosto de 1946.*

SENHOR SECRETÁRIO DE ESTADO,

Em aditamento a minha nota no. 124/530.1(22), de 11 de junho último, relativa ao contrato da Missão Naval Americana no Brasil, tenho a honra de levar ao conhecimento de Vossa Excelência que o Govêrno brasileiro, atendendo às razões apresentadas pelo Govêrno americano, concorda com a alteração proposta para a redação do Art. 4, Capítulo IV do referido contrato.

2. Êsse artigo passará então a ficar assim redigido:

> "No caso de pessoal que, a pedido do Ministro da Marinha do Brasil, possa vir a ser designado, por um período inferior a seis meses, como Membro da Missão, com o fim de familiarisar a Marinha do Brasil no emprego de equipamento ou métodos especiais, como disposto no Capítulo I, Artigo 2, o pagamento de despesas para o transporte das famílias, objetos domésticos e automóveis não estará sujeito a êste contrato, mas será determinado por entendimentos entre o Representante da Marinha dos Estados Unidos e o Representante autorizado do Ministério da Marinha do Brasil em Washington, na época em que fôr, de comum acôrdo, feita a escolha do pessoal para tal serviço".

3. Quanto ao efetivo da Missão Naval Americana no Brasil, comunico a Vossa Excelência que o Govêrno brasileiro estimaria que do mesmo constasse também um "Chief fire Control man" graduado em curso de reparo, no Navy Yard–Washington, D. C., conhecendo profundamente o reparo do sistema Diretor marca XXXIII, os controles à distância, elétrico e hidro-elétrico, marcas 4 e 5 e que tenha também experiência na instalação do equipamento de Artilharia a bordo dos novos Contratorpedeiros.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

CARLOS MARTINS PEREIRA E SOUSA

A Sua Excelência o Senhor DEAN ACHESON,
Secretário de Estado interino dos Estados Unidos da América.

Translation

EMBASSY OF THE UNITED STATES OF BRAZIL
No. 205/530.1(22) *Washington, August 10, 1946*

MR. SECRETARY OF STATE:

In supplement to my note No. 124/530.1(22), of June 11 last,[1] relative to the agreement for the American Naval Mission in Brazil, I have the honor to inform Your Excellency that the Brazilian Government, taking into consideration the reasons given by the American

[1] [Not printed.]

Government, agrees to the proposed change in the wording of Art. 4, Chapter IV, of the said contract. 56 Stat. 1466.

2. This article shall therefore be worded thus:

> "In the case of personnel who, at the request of the Minister of Marine of Brazil, may join the Mission for a period of less than six months for the purpose of instructing the Brazilian Navy in the use of equipment or special methods, as provided in Title I, Art. 2, payment of expenses for the transportation of families, household effects and automobiles shall not be required under this Agreement, but shall be determined by agreement between the representative of the United States Navy and the authorized representative of the Ministry of Marine of Brazil in Washington at such time as the detail of personnel for such duty may be agreed upon."

Addition of chief fire control man to members of Mission.

3. With respect to the members of the American Naval Mission in Brazil, I communicate to Your Excellency that the Brazilian Government would be gratified if there were among the members a "Chief Fire Control Man" who has passed a course in repairs at the Navy Yard in Washington, D. C., and who is well acquainted with repairs on the Director XXXIII type system, distance control, electric and hydro-electric, types 4 and 5, and who has likewise had experience in the installation of artillery equipment aboard the new destroyers.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

CARLOS MARTINS PEREIRA E SOUSA

His Excellency DEAN ACHESON,
Acting Secretary of State of the United States of America.

The Acting Secretary of State to the Brazilian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Sep 17 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note, no. 205/530.1(22) of August 10, 1946, concerning the renewal of the Agreement for the United States Naval Mission to Brazil signed May 7, 1942. 56 Stat. 1462.

In this connection, I am pleased to note that the extension of the Agreement, with the changes in the wording of Title IV, Article 4, as set forth in your note, is agreeable to your Government. 56 Stat. 1466.

I am informed that the Navy Department is seeking a Chief Fire Control Man and as soon as a suitable selection is made his name and biographical sketch will be submitted for consideration by your Government.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:
SPRUILLE BRADEN

His Excellency
CARLOS MARTINS,
Ambassador of Brazil.

Arrangement between the United States of America and other governments respecting a World Health Organization and the establishment of an Interim Commission. Signed at New York July 22, 1946; effective July 22, 1946.

July 22, 1946
[T. I. A. S. 1561]

ARRANGEMENT CONCLUDED BY THE GOVERNMENTS REPRESENTED AT THE INTERNATIONAL HEALTH CONFERENCE

Held in the City of New York, from 19 June to 22 July 1946

THE GOVERNMENTS represented at the International Health Conference convened on 19 June 1946 in the City of New York by the Economic and Social Council of the United Nations,

Having agreed that an international organization to be known as the World Health Organization shall be established,

Having this day agreed upon a Constitution for the World Health Organization, and

Having resolved that, pending the coming into force of the Constitution and the establishment of the World Health Organization, as provided in the Constitution, an Interim Commission should be established,

AGREE as follows:

Establishment of Interim Commission of World Health Organization.

1. There is hereby established an Interim Commission of the World Health Organization consisting of the following eighteen States entitled to designate persons to serve on it: Australia, Brazil, Canada, China, Egypt, France, India, Liberia, Mexico, Netherlands, Norway, Peru, Ukrainian Soviet Socialist Republic, United Kingdom, United States of America, Union of Soviet Socialist Republics, Venezuela and Yugoslavia. Each of these States should designate to the Interim Commission a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Functions.

2. The functions of the Interim Commission shall be:

(a) to convoke the first session of the World Health Assembly as soon as practicable, but not later than six months after the date on which the Constitution of the Organization comes into force;

(b) to prepare and submit to the signatories to this Arrangement, at least six weeks before the first session of the Health Assembly, the provisional agenda for that session and necessary documents and recommendations relating thereto, including:

(i) proposals as to programme and budget for the first year of the Organization,

(ii) studies regarding location of headquarters of the Organization,

(iii) studies regarding the definition of geographical areas with a view to the eventual establishment of regional organizations as contemplated in Chapter XI of the Constitution, due consideration being given to the views of the governments concerned, and

(iv) draft financial and staff regulations for approval by the Health Assembly.

In carrying out the provisions of this paragraph due consideration shall be given to the proceedings of the International Health Conference.

(c) to enter into negotiations with the United Nations with a view to the preparation of an agreement or agreements as contemplated in Article 57 of the Charter of the United Nations and in Article 69 of the Constitution. Such agreement or agreements shall:

59 Stat. 1046.

(i) provide for effective co-operation between the two organizations in the pursuit of their common purposes;

59 Stat. 1046.

(ii) facilitate, in conformity with Article 58 of the Charter, the coordination of the policies and activities of the Organization with those of other specialized agencies; and

(iii) at the same time recognize the autonomy of the Organization within the field of its competence as defined in its Constitution.

Transfer of functions, etc., of League of Nations Health Organization.

(d) to take all necessary steps to effect the transfer from the United Nations to the Interim Commission of the functions, activities, and assets of the League of Nations Health Organization which have been assigned to the United Nations;

(e) to take all necessary steps in accordance with the provisions of the Protocol concerning the Office International d'Hygiène publique signed 22 July 1946 for the transfer to the Interim Commission of the duties and functions of the Office, and to initiate any action necessary to facilitate the transfer of the assets and liabilities of the Office to the World Health Organization upon the termination of the Rome Agreement of 1907;

35 Stat. 2061.

(f) to take all necessary steps for assumption by the Interim Commission of the duties and functions entrusted to the United Nations Relief and Rehabilitation Administration by the International Sanitary Convention, 1944, modifying the International Sanitary Convention of 21 June 1926, the Protocol to Prolong the International Sanitary Convention, 1944, the International Sanitary Convention for Aerial Navigation, 1944, modifying the International Sanitary Convention for Aerial Navigation of 12 April 1933, and the Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944;

59 Stat. 955.

45 Stat. 2492.

61 Stat., Pt. 2, p. 1115.

59 Stat. 991.

49 Stat. 3279.

61 Stat., Pt. 2, p. 1122.

Arrangements, etc., with other organizations.

(g) to enter into the necessary arrangements with the Pan American sanitary organization and other existing inter-governmental regional health organizations with a view to giving

effect to the provisions of Article 54 of the Constitution, which arrangements shall be subject to approval by the Health Assembly;

(h) to establish effective relations and enter into negotiations with a view to concluding agreements with other inter-governmental organizations as contemplated in Article 70 of the Constitution;

(i) to study the question of relations with non-governmental international organizations and with national organizations in accordance with Article 71 of the Constitution, and to make interim arrangements for consultation and co-operation with such organizations as the Interim Commission may consider desirable;

(j) to undertake initial preparations for revising, unifying and strengthening existing international sanitary conventions;

(k) to review existing machinery and undertake such preparatory work as may be necessary in connection with:

(i) the next decennial revision of "The International Lists of Causes of Death" (including the lists adopted under the International Agreement of 1934 relating to Statistics of Causes of Death); and

49 Stat. 3785.

(ii) the establishment of International Lists of Causes of Morbidity;

(l) to establish effective liaison with the Economic and Social Council and such of its commissions as may appear desirable, in particular the Commission on Narcotic Drugs; and

(m) to consider any urgent health problem which may be brought to its notice by any government, to give technical advice in regard thereto, to bring urgent health needs to the attention of governments and organizations which may be in a position to assist, and to take such steps as may be desirable to co-ordinate any assistance such governments and organizations may undertake to provide.

3. The Interim Commission may establish such committees as it considers desirable.

Election of Chairman and other officers.

4. The Interim Commission shall elect its Chairman and other officers, adopt its own rules of procedure, and consult such persons as may be necessary to facilitate its work.

Duties of Executive Secretary.

5. The Interim Commission shall appoint an Executive Secretary who shall:

(a) be its chief technical and administrative officer;

(b) be ex-officio secretary of the Interim Commission and of all committees established by it;

(c) have direct access to national health administrations in such manner as may be acceptable to the government concerned; and

(d) perform such other functions and duties as the Interim Commission may determine.

6. The Executive Secretary, subject to the general authority of the Interim Commission, shall appoint such technical and administrative staff as may be required. In making these appointments he shall have due regard for the principles embodied in Article 35 of the Constitution. He shall take into consideration the desirability of appointing available personnel from the staffs of the League of Nations Health Organization, the Office International d'Hygiène publique, and the Health Division of the United Nations Relief and Rehabilitation Administration. He may appoint officials and specialists made available by governments. Pending the recruitment and organization of his staff, he may utilize such technical and administrative assistance as the Secretary-General of the United Nations may make available.

First session.

7. The Interim Commission shall hold its first session in New York immediately after its appointment and shall meet thereafter as often as may be necessary, but not less than once in every four months. At each session the Interim Commission shall determine the place of its next session.

Expenses.

8. The expenses of the Interim Commission shall be met from funds provided by the United Nations and for this purpose the Interim Commission shall make the necessary arrangements with the appropriate authorities of the United Nations. Should these funds be insufficient, the Interim Commission may accept advances from governments. Such advances may be set off against the contributions of the governments concerned to the Organization.

Budget estimates.

9. The Executive Secretary shall prepare and the Interim Commission shall review and approve budget estimates:

(a) for the period from the establishment of the Interim Commission until 31 December 1946, and

(b) for subsequent periods as necessary.

Report.

10. The Interim Commission shall submit a report of its activities to the Health Assembly at its first session.

Termination of Interim Commission.

11. The Interim Commission shall cease to exist upon resolution of the Health Assembly at its first session, at which time the property and records of the Interim Commission and such of its staff as may be required shall be transferred to the Organization.

Date of entry into force.

12. This Arrangement shall come into force for all signatories on this day's date.

Authentic texts.

IN FAITH WHEREOF the undersigned representatives, having been duly authorized for that purpose, sign this Arrangement in the Chinese, English, French, Russian and Spanish languages, all texts being equally authentic.

Post, pp. 2371, 2394.

SIGNED in the City of New York this twenty-second day of July 1946.

ARRANGEMENT CONCLU PAR LES GOUVERNEMENTS REPRESENTES A LA CONFERENCE INTERNATIONALE DE LA SANTE QUI S'EST TENUE A NEW-YORK, DU 19 JUIN AU 22 JUILLET 1946.

LES GOUVERNEMENTS représentés à la Conférence internationale de la santé, convoquée le 19 juin 1946 à New-York par le Conseil économique et social de l'Organisation des Nations Unies,

Ayant décidé de créer une organisation internationale qui prendra le nom d'Organisation mondiale de la santé,

Ayant adopté, ce jour, un texte de constitution de l'Organisation mondiale de la santé, et

Ayant décidé de créer, en attendant l'entrée en vigueur de la Constitution et l'établissement de l'Organisation mondiale de la santé, telle qu'elle est prévue dans la Constitution, une commission intérimaire,

DECIDENT ce qui suit:

1. Il est créé, par les présentes, une Commission intérimaire de l'Organisation mondiale de la santé, composée des dix-huit Etats ci-après désignés, habilités à nommer les personnes devant en faire partie:

Australie, Brésil, Canada, Chine, Egypte, Etats-Unis d'Amérique, France, Inde, Libéria, Mexique, Norvège, Pays-Bas, Pérou, Royaume-Uni, République Socialiste Soviétique d'Ukraine, Union des Républiques Socialistes Soviétiques, Vénézuéla, Yougoslavie. Chacun de ces Etats devrait désigner pour siéger à la Commission intérimaire une personnalité, techniquement qualifiée dans les questions de santé, et qui pourra être accompagnée de suppléants et de conseillers.

2. La Commission intérimaire aura pour fonctions:

a) de convoquer la première session de l'Assemblée mondiale de la santé, aussitôt que possible et six mois au plus tard après la date de l'entrée en vigueur de la Constitution de l'Organisation;

b) de préparer et de soumettre aux signataires de cet arrangement, six semaines au moins avant la première session de l'Assemblée mondiale de la santé, l'ordre du jour provisoire de cette session ainsi que les documents et les recommandations nécessaires s'y rapportant, notamment:

(i) les propositions relatives au programme de travail et au budget de l'Organisation, pour la première année;

(ii) des études portant sur le lieu d'établissement du siège de l'Organisation;

(iii) des études concernant la détermination des régions géographiques en vue de la création éventuelle des organisations régionales envisagées dans le Chapitre XI de la Constitution et qui tiendront dûment compte des points de vue des Gouvernements intéressés, et

(iv) un projet de règlement financier et de statut du personnel pour approbation par l'Assemblée générale.

Pour la mise en oeuvre des dispositions de ce paragraphe, il y aura lieu d'accorder une attention particulière aux délibérations de la Conférence internationale de la santé.

c) entamer des négociations avec l'Organisation des Nations Unies en vue de préparer un ou plusieurs accords, ainsi qu'il est prévu à l'article 57 de la Charte des Nations Unies et à l'article 69 de la Constitution. Cet accord ou ces accords devront:

(i) établir une collaboration effective entre les deux Organisations dans la poursuite de leur but commun;

(ii) faciliter, conformément à l'article 58 de la Charte, la coordination de la politique générale et de l'activité de l'Organisation avec celle d'autres institutions spécialisées; et

(iii) en même temps, reconnaître l'autonomie de l'Organisation dans le domaine de sa compétence, tel qu'il est défini dans sa Constitution.

d) prendre toutes les mesures nécessaires en vue de procéder au transfert, des Nations Unies à la Commission intérimaire, des fonctions, activités et avoirs de l'Organisation d'hygiène de la Société des Nations qui ont été assignés jusqu'ici à l'Organisation des Nations Unies;

e) prendre toutes mesures nécessaires, conformément aux dispositions du Protocole, signé le 22 juillet 1946, concernant l'Office International d'Hygiène publique, pour le transfert à la Commission intérimaire des charges et fonctions de l'Office, et prendre l'initiative de toutes mesures nécessaires en vue de faciliter le transfert de l'actif et du passif de l'Office à l'Organisation mondiale de la santé, lorsque l'Arrangement de Rome de 1907 arrivera à expiration;

f) prendre toutes les mesures nécessaires en vue de permettre à la Commission intérimaire d'assumer les charges et fonctions confiées à l'Administration des Nations Unies pour les Secours et la Réhabilitation (UNRRA) par la Convention sanitaire internationale de 1944 portant modification de la Convention sanitaire internationale du 21 juin 1926, le protocole prorogeant la Convention sanitaire internationale de 1944, la Convention sanitaire internationale pour la Navigation aérienne de 1944 portant modification de la Convention sanitaire internationale pour la Navigation aérienne du 12 avril 1933 et le protocole prorogeant la Convention sanitaire internationale pour la Navigation aérienne de 1944;

g) conclure les accords nécessaires avec l'Organisation sanitaire panaméricaine et les autres organisations régionales intergouvernementales de santé existantes, en vue de donner effet à l'article 54 de la Constitution, sous réserve de l'approbation de ces accords par l'Assemblée de la santé;

h) établir des relations effectives et entamer des négociations en vue de conclure des accords avec d'autres organisations intergouvernementales, tel que prévu à l'article 70 de la Constitution;

i) étudier la question des relations avec les organisations internationales non-gouvernementales et avec les organisations nationales, conformément à l'article 71 de la Constitution, et prendre des dispositions provisoires lui permettant d'entrer en consultation et de coopérer avec telles organisations que la Commission intérimaire jugera souhaitables;

j) entreprendre les premiers préparatifs en vue de la révision, l'unification et le renforcement des conventions sanitaires internationales existantes;

k) étudier l'ensemble du mécanisme existant et entreprendre les travaux préparatoires qui peuvent être nécessaires:

(i) en vue de la prochaine révision décennale des "Nomenclatures internationales des causes de décès" (y compris les listes adoptées conformément à l'Accord international de 1934, ayant trait aux statistiques des causes de décès), et

(ii) de l'établissement des listes internationales des causes de maladies;

l) établir une liaison effective avec le Conseil économique et social et celles de ses commissions avec lesquelles il apparaîtra utile de le faire, en particulier avec la Commission des stupéfiants;

m) examiner tous les problèmes de santé urgents que tout Gouvernement pourra lui signaler, donner des conseils techniques à leur sujet, attirer l'attention des Gouvernements et des Organisations, susceptibles d'apporter leur concours sur les besoins urgents en ce qui concerne la santé et prendre toutes les mesures désirables afin de coordonner toute assistance que ces Gouvernements et ces Organisations sont susceptibles d'apporter.

3. La Commission intérimaire peut créer les commissions qu'elle estime désirables.

4. La Commission intérimaire élit son Président et son bureau, adopte son propre règlement et consulte toutes personnes susceptibles de faciliter son travail.

5. La Commission intérimaire désigne un Secrétaire exécutif, lequel:

a) est le plus haut fonctionnaire technique et administratif;

b) est, de droit, secrétaire de la Commission intérimaire et de tous les comités créés par elle;

c) a accès directement auprès des administrations nationales de santé, selon des modalités que peut agréer le Gouvernement intéressé;

d) remplit toutes autres fonctions et charges que la Commission intérimaire pourra fixer.

6. Dans les limites de l'autorisation générale donnée par la Commission intérimaire, le Secrétaire exécutif nomme le personnel technique et administratif nécessaire. En procédant à ces nominations, il prend en considération les principes contenus dans l'article 35 de la Constitution. Il tiendra compte, en outre, du fait qu'il est desirable de nommer le personnel disponible choisi parmi les fonctionnaires de l'Organisation d'hygiène de la Société des Nations, de l'Office International d'Hygiène publique et de la Division de la santé de l'Administration des Nations Unies pour les Secours et la Réhabilitation (UNRRA). Il peut nommer des fonctionnaires et des spécialistes mis à sa disposition par les Gouvernements. En attendant d'avoir pu recruter et organiser son personnel, il peut recevoir toute aide technique et administrative que le Secrétaire général des Nations Unies est en mesure de lui fournir.

7. La Commission intérimaire tiendra sa première séance à New-York immédiatement après sa création et se réunira par la suite aussi souvent que nécessaire mais au moins une fois tous les quatre mois. A chaque session, la Commission intérimaire détermine le lieu de sa prochaine session.

8. Les dépenses de la Commission intérimaire sont couvertes au moyen de fonds fournis par les Nations Unies et la Commission intérimaire prendra dans ce but les dispositions nécessaires avec les autorités compétentes des Nations Unies. Dans le cas où ces fonds seraient insuffisants, la Commission intérimaire pourra accepter des avances des Gouvernements. Ces avances pourront être effectuées sur les contributions des Gouvernements appartenant à l'Organisation.

9. Le Secrétaire exécutif est chargé de préparer et la Commission intérimaire de reviser et d'approuver les prévisions budgétaires:

a) afférentes à la période allant de la création de la Commission intérimaire jusqu'au 31 décembre 1946, et

b) afférentes aux périodes ultérieures pour lesquelles il y aurait lieu de le faire.

10. La Commission intérimaire soumettra un rapport sur son activité à l'Assemblée de la santé lors de sa première session.

11. La Commission intérimaire cessera d'exister en vertu d'une résolution de l'Assemblée de la santé lors de sa première session, époque à laquelle les biens et les archives de la Commission intérimaire ainsi que cette partie de son personnel jugée nécessaire seront transférés à l'Organisation.

12. Cet Arrangement entrera en vigueur pour tous les signataires à la date de ce jour.

EN FOI DE QUOI les Représentants soussignés, dûment autorisés à cet effet, signent le présent Arrangement en langues anglaise, chinoise, espagnole, française et russe, tous ces textes étant également authentiques.

SIGNÉ en la Ville de New-York ce vingt-deux juillet 1946.

國際衛生會議與會各國政府所訂定之過渡辦法

（一九四六年六月十九日至七月二十二日在紐約市開會）

聯合國經濟暨社會理事會召開之國際衛生會議於一九四六年六月十九日在紐約開會，與會各國政府

業經決議成立一國際組織定名世界衛生組織；

經於本日決議通過世界衛生組織之組織法；

并經決議在組織法發生效力及世界衛生組織成立以前，應依照組織法所規定，設立一過渡委員會；

茲決議如次：

1．茲設立世界衛生組織之過渡委員會，由下列十八國指派委員各人組織之：澳大利亞，巴西，加拿大，中國，埃及，法蘭西，印度，伊比亞，墨西哥，和蘭，挪威，秘魯，烏克蘭共和國，英聯王國，美利堅合衆國，蘇聯共和國，委內瑞拉與南斯拉夫。以上諸國應各指定一人在衛生界上具有相當專門技術者，爲過渡委員會委員，該委員得有副代表與顧問隨同出席。

2．過渡委員會有下列之職掌：

一．在最短可行期間內，召開世界衛生大會之第一屆屆會，但不得遲至本組織法發生效力之日六個月之後。

二．在衛生大會第一屆屆會至少六星期前，擬具并向議訂此項辦法之各簽字國提出該屆屆會之臨時議事日程以及各項必要文件與相關之建議案，包括下列各項在內：

甲．關於本組織第一年度之工作方案與預算之各項提案，

乙．關於本組織會所所在地之研究，

丙．關於區劃各種地理區域之研究，以求設立組織法第九章內擬辦之各項區域組織對於關係各國政府之意見當予以相當之考慮；

丁．各項財政辦法與辦事人員條例草案，以便提交衛生大會核准；

在執行本節內各項規定時，應對於國際衛生會議之議事程序予以相當之考慮。

三．與聯合國進行談判以便草擬聯合國憲章第五十七條內以及本組織組織法第六十九條內所擬訂之一種或多種協定。此項或此等協定應：一

甲．籌劃兩大組織間之切實合作，以求達成共同之宗旨；

乙．依憲章第五十八條之規定，促進本組織與其他各種專門機關各項政策與工作方面之協調；

丙．同時承認本組織在其組織法規定之職務範圍以內有自治權。

四．採取各項必要之步驟，以便將聯合國秘書處所接收之國際聯合會衛生組織各項任務，工作與資產等移交過渡委員會；

95347°—49—PT. III——6

五・採取各項必需之步驟，依照一九四六年七月二十二日所簽訂關於國際公共衛生局之議定書內各項規定，將該局之職責移交過渡委員會，并發起任何必要行動以便一九〇七年羅馬協定終結後，得迅速將該局各項資產與債務移交世界衛生組織；

六・採取各項必要之步驟，以便過渡委員會接收由下列各種公約與議定書所託付于聯合國救濟善後總署之各項職責：一九四四年國際清潔公約（修正一九二六年六月二十一日國際清潔公約）；一九四四年延展國際清潔公約議定書；一九四四年國際航空清潔公約（修正一九三三年四月十二日國際航空清潔公約）；及一九四四年延展國際航空清潔公約議定書。

七・與汎美衛生組織及其他現行政府間區域衛生組織締訂各項必要辦法，俾本組織組織法第五十四條各項規定得以發生效力，又此等辦法應提交衛生大會核准；

八・依照組織法第七十條之規定，與其他政府間之組織建立切實之關係并進行談判，以求締結各項協定；

九・依照組織法第七十一條之規定研究與非政府國際組織暨國內組織之關係，并與過渡委員會認爲適宜之各組織，建立互商與合作之過渡辦法；

十・採取各項初步之措置以便修正，統一與加强現行各種國際清潔公約。

・審核現有機構并就下列事項採取必要之準備工作：

甲・修訂此後十年一度之「國際死亡原因統計表」（包括一九三四年關於死亡原因統計之國際協定所採用之各種統計表）；

乙・制定國際病弱原因統計表；

十二・與經濟暨社會理事會及其各委員會中之相宜者，取得切實有效之聯絡，尤以拒毒委員會爲最要；

十三・考慮任何政府提請注意之任何緊急衛生問題，提供關於該方面之技術上諸意見，提請可能出力協助之各政府與各組織注意於衛生方面之緊急需要，并採取各項適當之步驟以協調此等政府與組織所供給之任何協助。

3・過渡委員會得設置其認爲適宜之各委員會。

4・過渡委員會應選舉其主席一人及其他職員，通過其議事規則；并與其認爲適宜之人士商以促進其工作。

5・過渡委員會應任命執行秘書一人，其職掌如下

一・爲委員會行政與技術方面之長官；

二・爲委員會暨其所設一切委員會之當然秘書；

三・在關係各政府可以接受之方式下與各國衛生當局有直接之接洽；

四・履行過渡委員會所決定之其他務與職責。

6・在過渡委員會之一般職權下，執行秘書應指派其所需要之技術與行政方面辦事人員。在任命此等人員時，彼應尊重組織法第三十六條內所含之各項原則。彼應酌審是否適宜將國際聯合會衛生組織，國際公共衛生局與聯合國救濟善後總署衛生部內可利用之人員予以任命。彼

得任命各國政府所提供之官員與專門人才。在徵聘辦事人員及組織內部以前，彼得利用聯合國秘書長所提供之各種技術與行政方面之協助。

7. 過渡委員會人選發表後應在紐約市立即舉行第一屆集會，此後應視其執行職務上之必要時常集會，但至少每四個月應集會一次。在每屆集會之際，應決定下屆集會之地點。

8. 過渡委員會之費用應自聯合國為此專設之經費內提供之，因此委員會應與聯合國之負責當局作該方面之必要部署。倘此項經費不敷應用時，過渡委員會得接受各國政府之墊款。此等墊款將來可自各該政府應向本組織繳納之會費項下扣除。

9. 執行秘書應編製下列預算概算，由過渡委員會審核通過之：

一. 自委員會成立之日至一九四六年十二月三十一日期間內之預算概算，

二. 此後必要時各期間之預算概算。

10. 過渡委員會應就其各項工作情形向衛生大會第一屆集會提出報告書。

11. 過渡委員會應自衛生大會第一屆集會決議解散之時起停止存在，屆時委員會之資產與紀錄以及不可或缺之辦事人員應移轉於本組織。

12. 本憲法應自本日起對一切簽字國發生效力。

下列各代表秉其各本國政府正式授予簽字之權，謹簽字於中，英，法，俄，西，同一作準之五種正式文字之文件，以昭信守。

公曆一千九百四十六年七月二十二日訂於紐約市

СОГЛАШЕНИЕ ЗАКЛЮЧЕННОЕ ПРАВИТЕЛЬСТВАМИ
ПРЕДСТАВЛЕННЫМИ НА МЕЖДУНАРОДНОЙ КОНФЕРЕНЦИИ ЗДРАВООХРАНЕНИЯ,
Состоявшейся в городе Нью-Йорке между 19 июня и 22 июля, 1946г.

ПРАВИТЕЛЬСТВА, представленные на Международной Конференции Здравоохранения, созванной Экономическим и Социальным Советом Объединенных Наций в городе Нью-Йорке 19 июня 1946 г.,

Придя к соглашению о том, что надлежит учредить международную организацию под названием Всемирная Организация Здравоохранения,

Придя сегодня к соглашению об Уставе (Конституции) Всемирной Организации Здравоохранения, и

Постановив, что впредь до вступления Устава в силу и учреждения Всемирной Организации Здравоохранения, как это предусмотрено в Уставе, надлежит учредить Временную Комиссию,

СОГЛАШАЮТСЯ о нижеследующем:

1. Настоящим учреждается Временная Комиссия Всемирной Организации Здравоохранения, состоящая из нижеперечисленных восемнадцати Государств, которым предоставляется право назначения лиц, для несения обязанностей ее членов: Австралии, Бразилии, Канады, Китая, Египта, Франции, Индии, Либерии, Мексики, Нидерландов, Норвегии, Перу, Украинской Советской Социалистической Республики, Соединенного Королевства, Соединенных Штатов Америки, Союза Советских Социалистических Республик, Венесуэлы и Югославии. Каждое из этих Государств должно назначить во Временную Комиссию лицо, технически квалифицированное в области здравоохранения, которое может быть сопровождаемо заместителями и советниками.

2. Функции Временной Комиссии следующие:

a) созвать первую сессию Ассамблеи Всемирной Организации Здравоохранения в возможно короткий срок, не позже шести месяцев со дня вступления Устава Организации в силу;

b) составить и представить участникам настоящего Соглашения, по крайней мере за шесть недель до первой сессии Ассамблеи

Здравоохранения, временную повестку дня этой сессии и необходимые документы и рекомендации, относящиеся к ней, включая:

i) предложения относительно программы и бюджета Организации на первый год,

ii) обследование относительно местонахождения управления Организации,

iii) обследование относительно определения географических районов, в видах установления впоследствии региональных организаций, предусмотренных в главе XI Устава, с уделением должного внимания мнениям заинтересованных государств, и

iv) составить проект правил о финансах и личном составе для утверждения Ассамблеей Здравоохранения.

При проведении в жизнь положений настоящего параграфа необходимо уделять должное внимание трудам Международной Конференции Здравоохранения;

c) вступить в переговоры с Объединенными Нациями, имея в виду составления соглашения или соглашений, предусмотренных статьей 57 Устава Объединенных Наций и статьей 69 Устава Всемирной Организации Здравоохранения. Эти соглашение или соглашения должны:

i) предусматривать эффективное сотрудничество между обеими организациями в их стремлении к достижению общих им целей;

ii) облегчать в согласии со статьей 58 Устава Объединенных Наций согласование политики и деятельности Организации с политикой и деятельностью других специализированных учреждений;

iii) вместе с тем признавать автономию Организации в пределах ее компетенции, определенной в ее Уставе;

d) предпринимать все необходимые шаги для осуществления пере-

дачи Объединенными Нациями Временной Комиссии функций, деятельности и активов Организации Здравоохранения Лиги Наций, переданных Объединенным Нациям;

e) предпринимать все необходимые шаги, в соответствии с положениями Протокола относительно Международного Бюро Общественной Гигиены (Office International d'Hygiene publique), подписанного 22 июля 1946 г.; о передаче Временной Комиссии обязанностей и функций Бюро и предпринять действия, необходимые для облегчения передачи Всемирной Организации Здравоохранения активов и пассивов Бюро, после прекращения Римского Соглашения 1907 г.;

f) предпринимать все необходимые шаги для принятия Временной Комиссией обязанностей и функций, возложенных на Администрацию Помощи и Восстановления Объединенных Наций Международной Санитарной Конвенцией 1944 г., об изменении Международной Санитарной Конвенции от 21 июня 1926 г., Протоколом о Пролонгации Международной Санитарной Конвенции для Воздушных Сообщений 1944 г., вносящей изменения в Международную Конвенцию о Санитарных Мерах для Воздушных Сообщений от 12 апреля 1933 г., и Протоколом о Пролонгации Международной Конвенции о Санитарных Мерах для Воздушных Сообщений 1944 г.;

g) вступить в необходимые соглашения с Панамериканской Санитарной Организацией и другими существующими межправительственными региональными организациями по здравоохранению в целях проведения в жизнь положений статьи 54 Устава Международной Организации Здравоохранения, каковые соглашения подлежат утверждению Ассамблеей Здравоохранения;

h) установить эффективную связь и вступить в переговоры в целях заключения соглашений с другими межправительственными организациями, как это предусмотрено в статье 70 Устава

Международной Организации Здравоохранения;

i) изучить вопрос об отношениях с неправительственными международными организациями и с национальными организациями, в соответствии со статьей 71 Устава Международной Организации Здравоохранения, и предпринимать временные мероприятия для консультации и сотрудничества с такими организациями, насколько Временная Комиссия будет считать это желательным;

j) предпринять первоначальную подготовку пересмотра, унифицирования и усиления существующих международных санитарных конвенций;

k) пересмотреть существующий аппарат и предпринять такую подготовительную работу, которая может быть необходима и в связи с:

i) следующим очередным десятилетним пересмотром "Международных списков причин смерти" (включая списки, принятые по Международному Соглашению 1934 г. относительно Статистики причин смерти) и

ii) составлением Международных списков причин заболеваемости;

l) установить эффективную связь с Экономическим и Социальным Советом и такими из его комиссии, с которыми это может представиться желательным, и в частности с Комиссией по наркотическим средствам;

m) рассматривать любые срочные проблемы здравоохранения, которые могут быть доведены до его сведения любым правительством, давать по ним технические заключения, обращать внимание правительств и организаций, могущих оказать содействие, на срочные нужды, связанные со здравоохранением, и делать такие шаги, которые могут оказаться желательными для согласования любых видов содействия, оказание которого может быть принято на себя

этими правительствами и организациями.

3. Временная Комиссия может учреждать такие комитеты, какие она считает желательными.

4. Временная Комиссия избирает своего Председателя и других должностных лиц, устанавливает свои собственные правила процедуры и консультирует с такими лицами, советы которых могут быть необходимы для облегчения ее работы.

5. Временная Комиссия назначает Исполнительного Секретаря, который:

a) является ее главным техническим и административным должностным лицом;

b) является по должности (ex officio) секретарем Временной Комиссии и всех комитетов, учрежденных ею;

c) имеет непосредственный доступ в национальные администрации по здравоохранению в порядке, приемлемом для соответствующих правительств;

d) исполняет такие другие функции и обязанности, которые могут быть определены Временной Комиссией.

6. Исполнительный Секретарь, под общим руководством Временной Комиссии, назначает такой технический и административный персонал, какой может оказаться необходимым. Делая такие назначения, он должен уделять должное внимание принципам, указанным в статье 35 Устава Международной Организации Здравоохранения. Он принимает во внимание желательность назначения персонала, который можно привлечь из состава Организации Здравоохранения Лиги Наций, Международного Бюро Общественной Гигиены (Office International d'Hygiene publique) и Отдела Здравоохранения Администрации Помощи и Восстановления Объединенных Наций. Он может назначать должностных лиц и специалистов, которых правительства предоставляют в его распоряжение. До набора и организации своего штата служащих он может пользоваться технической и административной

помощью, которая может быть ему предоставлена Генеральным Секретарем Объединенных Наций.

7. Первая сессия Временной Комиссии состоится в Нью-Йорке немедленно после назначения ее и после этого будет собираться по мере необходимости, но не реже чем раз в четыре месяца. На каждой сессии Временная Комиссия определяет место для своей следующей сессии.

8. Расходы Временной Комиссии покрываются из фондов, предоставляемых Объединенными Нациями, и, для этой цели, Временная Комиссия заключает необходимые соглашения с надлежащими властями Объединенных Наций. Если эти фонды окажутся недостаточными, Временная Комиссия может получать авансы от правительств. Такие авансы могут зачисляться в счет взносов соответствующих правительств в Организацию.

9. Исполнительный Секретарь приготовляет, а Временная Комиссия пересматривает и утверждает бюджетные сметы:

a) на период времени от учреждения Временной Комиссии до 31 декабря 1946 г. и

b) на последующие периоды времени, по мере необходимости.

10. Временная Комиссия представляет доклад о своей деятельности Ассамблее Здравоохранения на ее первой сессии.

11. Временная Комиссия прекращает свое существование по резолюции Ассамблеи Здравоохранения на ее первой сессии, в каковой момент имущество, архивы Временной Комиссии и служебный персонал, который может оказаться необходимым, - передаются Организации.

12. Настоящее Соглашение вступает в силу в отношении всех подписавших его со дня его подписания.

В УДОСТОВЕРЕНИЕ ЧЕГО нижеподписавшиеся представители, будучи на то

должным образом уполномочены, подписали настоящее Соглашение на китайском, английском, французском, русском и испанском языках, из которых каждый текст равно аутентичен.

ПОДПИСАНО в городе Нью-Йорке июля двадцать второго дня, 1946 г.

ARREGLO CONCLUIDO ENTRE LOS GOBIERNOS REPRESENTADOS EN LA CONFERENCIA INTERNACIONAL DE LA SALUD

Celebrada en la Ciudad de Nueva York, del 19 de junio al 22 de julio de 1946

LOS GOBIERNOS representados en la Conferencia Internacional de la Salud reunida el 19 de junio de 1946 en la ciudad de Nueva York convocada por el Consejo Económico y Social de las Naciones Unidas,

Habiendo acordado que se establecerá una organización internacional que será conocida como Organización Mundial de la Salud,

Habiendo acordado en esta fecha una Constitución para la Organización Mundial de la Salud, y

Habiendo resuelto que, hasta tanto entre en vigor la Constitución y se establezca la Organización Mundial de la Salud, como se dispone en la Constitución, se debe establecer una Comisión Interina,

ACUERDAN lo siguiente:

1. Por este acto se establece una Comisión Interina de la Organización Mundial de la Salud compuesta por los siguientes dieciocho Estados, facultados para designar las personas que la integren: Australia, Brasil, Canadá, China, Egipto, Estados Unidos de América, Francia, Holanda, India, Liberia, México, Noruega, Perú, Reino Unido, República Socialista Soviética de Ucrania, Unión de Repúblicas Socialistas Soviéticas, Venezuela y Yugoslavia. Cada uno de estos Estados debería designar para la Comisión Interina una persona técnicamente capacitada en el campo de la salud, que podrá ser acompañada por suplentes y asesores.

2. Las funciones de la Comisión Interina serán:

(a) convocar la primera sesión de la Asamblea Mundial de la Salud tan pronto como sea posible, pero no más de seis meses después de que la Constitución de la Organización entre en vigor;

(b) preparar y presentar a los signatarios de este Arreglo, por lo menos seis semanas antes de la primera sesión de la Asamblea de la Salud, el programa provisional para esa sesión y los documentos y recomendaciones necesarios relacionados con ella, inclusive:

(i) proposiciones respecto al programa y al presupuesto para el primer año de la Organización,

(ii) estudios relativos a la ubicación de la sede de la Organización,

(iii) estudios relativos a la demarcación de las zonas geográficas con miras al establecimiento eventual de las organizaciones regionales a que se refiere el Capítulo XI de la Constitución, tomando en debida consideración las opiniones de los gobiernos interesados, y

(iv) redactar reglamentos financieros y de personal para ser sometidos a la aprobación de la Asamblea de la Salud.

Al llevar a efecto las disposiciones de este párrafo se dará debida consideración a las actas de la Conferencia Internacional de la Salud.

(c) entrar en negociaciones con las Naciones Unidas con el fin de preparar el acuerdo o acuerdos previstos en el Artículo 57 de la Carta de las Naciones Unidas, y en el Artículo 69 de la Constitución. Dicho acuerdo o acuerdos:

(i) dispondrán la cooperación eficaz entre las dos organizaciones para la consecución de sus objetivos comunes;

(ii) facilitarán, de acuerdo con el Artículo 58 de la Carta, la coordinación de la política y actividades de la Organización con las de los organismos especializados; y

(iii) reconocerán al mismo tiempo la autonomía de la Organización en el campo de su competencia, tal como se define en su Constitución.

(d) tomar todas las medidas necesarias para hacer efectivo el traspaso a la Comisión Interina de las funciones, actividades y bienes de la Organización de Higiene de la Sociedad de las Naciones que han sido asignados a las Naciones Unidas;

(e) tomar todas las medidas necesarias, de acuerdo con las disposiciones del protocolo relativo al Office International d'Hygiène Publique, suscrito el 22 de julio de 1946, para el traspaso a la Comisión Interina, de los deberes y funciones del Office, e iniciar la acción que sea necesaria para facilitar el traspaso de los bienes y obligaciones del Office a la Organización Mundial de la Salud cuando cese el Acuerdo de Roma de 1907;

(f) tomar todas las medidas necesarias para que la Comisión Interina asuma las obligaciones y funciones encomendadas a la Administración de Socorros y Rehabilitación de las Naciones Unidas por la Convención Sanitaria Internacional de 1944 que modifica la Convención Sanitaria Internacional del 21 de junio de 1926, el Protocolo para Prolongar la Convención Sanitaria Internacional, 1944, la Convención Sanitaria Internacional para la Navegación Aérea, 1944, que modifica la Convención Sanitaria Internacional para la Navegación Aérea del 12 de abril de 1933, y el Protocolo para Prolongar la Convención Sanitaria Internacional para la Navegación Aérea, 1944;

(g) concertar los arreglos necesarios con la Organización Sanitaria Panamericana y otras organizaciones regionales intergubernamentales de sanidad existentes, con la mira de llevar a efecto las disposiciones del Artículo 54 de la Constitución, arreglos que estarán sujetos a la aprobación de la Asamblea de la Salud;

(h) establecer relaciones eficaces y entrar en negociaciones con la mira de concertar acuerdos con otras organizaciones intergubernamentales como lo dispone el Artículo 70 de la Constitución;

(i) estudiar el problema de las relaciones con organizaciones internacionales no gubernamentales y con organizaciones nacionales, de acuerdo con el Artículo 71 de la Constitución, y concertar arreglos provisionales para consulta y cooperación con dichas organizaciones, según lo considere conveniente la Comisión Interina;

(j) emprender preparativos iniciales para revisar, unificar y fortalecer las convenciones sanitarias internacionales existentes;

(k) revisar los mecanismos existentes y emprender los trabajos preparatorios que sean necesarios en relación con:

(i) la próxima revisión decenal de "Las Listas Internacionales de Causas de Muerte" (inclusive las listas adoptadas según el Convenio Internacional de 1934 relativo a las Estadísticas de Causas de Muerte); y

(ii) el establecimiento de Listas Internacionales de Causas de Morbosidad;

(l) establecer un enlace eficaz con el Consejo Económico y Social y las comisiones de éste que se consideren convenientes, en particular la Comisión sobre Estupefacientes; y

(m) considerar todo problema urgente de la salud que le presente a su atención cualquier gobierno, asesorar técnicamente sobre tales problemas, llamar la atención de los gobiernos y organizaciones que estén capacitados para cooperar, sobre las necesidades urgentes en materia de salubridad, y tomar las medidas que se juzguen convenientes para coordinar la cooperación que los gobiernos y organizaciones decidan prestar.

3. La Comisión Interina puede establecer los comités que juzgue convenientes.

4. La Comisión Interina elegirá su propio Presidente y demás funcionarios, aprobará su propio reglamento interno, y consultará a las personas que sean necesarias para facilitar su labor.

5. La Comisión Interina nombrará un Secretario Ejecutivo quién:

(a) será su principal funcionario técnico y administrativo;

(b) será secretario ex-officio de la Comisión Interina y de todos los comités que ésta establezca;

(c) tendrá acceso directo a todas las administraciones nacionales de salubridad en la manera que sea aceptable a los gobiernos interesados; y

(d) desempeñar las demás funciones y obligaciones que la Comisión Interina determine.

6. El Secretario Ejecutivo, sujeto a la autoridad general de la Comisión Interina, nombrará el personal técnico y administrativo que se requiera. Al hacer estos nombramientos tomará debidamente en cuenta los principios expuestos en el Artículo 35 de la Constitución. Tomará en consideración la conveniencia de nombrar al personal disponible de la Organización de Higiene de la Sociedad de las Naciones, del Office International d'Hygiène Publique, y la División de Salubridad de la Administración de Socorros y Rehabilitación de las Naciones Unidas. Podrá nombrar los funcionarios y especialistas

que pongan a su disposición los gobiernos. Mientras contrate y organice su personal, podrá aprovechar la ayuda técnica y administrativa que el Secretario General de las Naciones Unidas ponga a su disposición.

7. La Comisión Interina celebrará su primera sesión en Nueva York tan pronto sea nombrada y, en adelante, se reunirá con la frecuencia que sea necesario, pero no menos de una vez cada cuatro meses. En cada una de sus sesiones la Comisión Interina fijará el lugar de su sesión subsiguiente.

8. Los gastos de la Comisión Interina se cubrirán con los fondos que provean las Naciones Unidas, y para este fin la Comisión Interina concertará los arreglos necesarios con las autoridades competentes de las Naciones Unidas. En caso de que los fondos sean insuficientes, la Comisión Interina podrá aceptar adelantos de los gobiernos. Los adelantos podrán descontarse de las contribuciones de los gobiernos interesados en la Organización.

9. El Secretario Ejecutivo preparará y la Comisión Interina estudiará y aprobará los proyectos de presupuesto:

(a) para el período desde el establecimiento de la Comisión Interina hasta el 31 de diciembre de 1946, y

(b) para los períodos posteriores, según sea necesario.

10. La Comisión Interina someterá un informe de sus actividades a la Asamblea de la Salud en su primera sesión.

11. La Comisión Interina dejará de existir por resolución de la Asamblea de la Salud en su primera sesión, en cuya ocasión los bienes y archivos de la Comisión Interina y el personal de esta que se requiera, se traspasarán a la Organización.

12. Este Arreglo entrará en vigor para todos los signatarios en esta misma fecha.

EN FE DE LO CUAL los infrascritos representantes, habiendo sido debidamente autorizados para este fin, firman este Arreglo en los idiomas chino, español, francés, inglés y ruso, cuyos textos serán igualmente auténticos.

FIRMADO en la Ciudad de Nueva York el día veintidós de julio de 1946.

For Argentina:
Pour l'Argentine:
阿根廷：
За Аргентину:
Por la Argentina:

For Australia:
Pour l'Australie:
澳大利亞：
За Австралию:
Por Australia:

Subject to approval and acceptance by Government of Commonwealth of Australia

For the Kingdom of Belgium:
Pour le Royaume de Belgique:
比利時王國：
За Королевство Бельгию:
Por el Reino de Bélgica:

Sous réserve de ratification

For Bolivia:
Pour la Bolivie:
玻利維亞；
За Боливию:
Por Bolivia:

For Brazil:
Pour le Brésil:
巴 西：
За Бразилию:
Por el Brasil:

For Byelorussian Soviet Socialist Republic:
Pour la République Soviétique Socialiste de Bélorussie:
白俄羅斯蘇維埃社會主義共和國：
За Белорусскую Советскую Социалистическую Республику:
Por la República Socialista Soviética Bielorrusa:

For Canada:
Pour le Canada:
加拿大：
За Канаду:
Por el Canadá:

Brock Chisholm

For Chile:
Pour le Chili:
智利：
За Чили:
Por Chile:

Julio Bustos A.

For China:
Pour la Chine:
中華民國:
За Китай:
Por la China:

沈克非 Shen Ji K.
袁紹瑾 S. Shin Yuan
施思明 Szeming Shi.

For Columbia:
Pour la Colombie:
哥倫比亞:
За Колумбию:
Por Colombia:

Carlos White Aguirre.

For Costa Rica:
Pour Costa-Rica:
哥斯大黎加:
За Коста-Рику:
Por Costa Rica:

Jaime Bernales.

For Cuba:
Pour Cuba:
古 巴:
За Кубу:
Por Cuba:

Ad. Referendum

For Czechoslovakia:
Pour la Tchécoslovaquie:
捷克斯拉夫:
За Чехословакию:
Por Checoeslovaquia:

Ad referendum

For Denmark:
Pour le Danemark:
丹 麥:
За Данию:
Por Dinamarca:

Ad referendum

For the Dominican Republic:
Pour la République Dominicaine:
多明尼加共和國:
За Доминиканскую Республику:
Por la República Dominicana:

For Ecuador:
Pour l'Equateur:
厄瓜多:
За Эквадор:
Por el Ecuador:

For Egypt:
Pour l'Egypte:
埃及:
За Египет:
Por Egipto:

Taha Elsayed Nasr bey
Royal Counsellor
M. Abaza

For El Salvador:
Pour le Salvador:
薩爾瓦多:
За Сальвадор:
Por El Salvador:

Antotides Mock (ad ref.)

For Ethiopia:
Pour l'Ethiopie:
阿比西尼亞:
За Эфиопию:
Por Etiopía:

G. Tesemma.

For France:
Pour la France:
法蘭西:
За Францию:
Por Francia:

Warisoy

For Greece:
Pour la Grèce:
希臘:
За Грецию:
Por Grecia:

Dr Phokion Kapanaris

For Guatemala:
Pour le Guatemala:
瓜地馬拉:
За Гватемалу:
Por Guatemala:

ad referendum —

For Haiti:
Pour Haïti:
海地:
За Гаити:
Por Haití:

For Honduras:
Pour le Honduras:
洪都拉斯:
За Гондурас:
Por Honduras:

For India:
Pour l'Inde:
印度:
За Индию:
Por la India:

Lt. Lawrence
24.05.1946

Shami
Major JIM

These Signatures are appended in agreement with His Majesty's Representative for the exercise of the functions of the Crown in its relations with the Indian States.

For Iran:
Pour l'Iran:
伊朗:
За Иран:
Por Irán:

Ghassome Ghani M.D.
غنی

H. Hagagi
حاجی

For Iraq:
Pour l'Irak:
伊拉克:
За Ирак:
Por Irak:

Dr Ihsan Dogramaji.
الدكتور احسان الدجرمجي

For Lebanon:
Pour le Liban:
黎巴嫩:
За Ливан:
Por El Líbano:

Georges Hakim
Dr. Yaghloufi

For Liberia:
Pour le Libéria:
利比里亞:
За Либерию:
Por Liberia:

Joseph Nagbe Togba, M.D.
John Bull, M.D.

For the Grand Duchy of Luxembourg:
Pour le Grand Duché de Luxembourg:
盧森堡大公國:
За Великое Герцогство Люксембург:
Por el Gran Ducado de Luxemburgo:

Sous réserve de ratification
Y. Luc Zaat.

For Mexico:
Pour le Mexique:
墨西哥:
За Мексику:
Por México:

For the Kingdom of the Netherlands:
Pour le Royaume des Pays-Bas:
和蘭王國:
За Королевство Нидерландов:
Por el Reino de Holanda:

ad referendum

For New Zealand:
Pour la Nouvelle-Zélande:
紐西蘭:
За Новую Зеландию:
Por Nueva Zelandia:

ad referendum

For Nicaragua:
Pour le Nicaragua:
尼加拉瓜:
За Никарагуа:
Por Nicaragua:
ad-referendum
R. Sevilla Sacasa

For the Kingdom of Norway:
Pour le Royaume de Norvège:
挪威王國:
За Королевство Норвегии:
Por el Reino de Noruega:
Ad referendum
H. Th. Sandberg

For Panama:
Pour le Panama:
巴拿馬:
За Панаму:
Por Panamá:
ad referendum.
J. D. Castillero

For Paraguay:
Pour le Paraguay:
巴拉圭：
За Парагвай:
Por el Paraguay:

For Peru:
Pour le Pérou:
秘魯：
За Перу:
Por el Perú:

For the Republic of the Philippines:
Pour la République des Philippines:
菲律賓：
За Филиппины:
Por Filipinas:

For Poland:
Pour la Pologne:

波蘭:

За Польшу:
Por Polonia:

For Saudi Arabia:
Pour l'Arabie Saoudite:

沙地阿拉伯:

За Саудовскую Аравию:
Por Arabia Saudita:

Dr Yahia Nasri الدكتور يحيى نصري

Dr Mehot Cheikh el arab

الدكتور محمد شيخ العرب

For Syria:
Pour la Syrie:

叙利亞:

За Сирию:
Por Siria: Dr a. Trefi

الدكتور

For Turkey:
Pour la Turquie:

土耳其:

За Турцию
Por Turquía:

For the Ukrainian Soviet Socialist Republic:
Pour la République Soviétique Socialiste d'Ukraine:

烏克蘭蘇維埃社會主義共和國:

За Украинскую Советскую Социалистическую Республику
Por la República Socialista Soviética Ucraniana:

For the Union of Soviet Socialist Republics:
Pour l'Union des Républiques Soviétiques Socialistes:

蘇維埃社會主義共和國聯邦:

За Союз Советских Социалистических Республик:
Por la Unión de Repúblicas Socialistas Soviéticas:

For the Union of South Africa:
Pour l'Union Sud-Africaine:
南非聯邦:
За Южноафриканский Союз:
Por la Unión Sudafricana:

ad referendum
H.S. Geer.

For the United Kingdom of Great Britain and Northern Ireland:
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:
英聯王國:
За Соединенное Королевство Великобритании:
Por el Reino Unido de la Gran Bretaña:

Melville D. Mackenzie
F. S. Yates

For the United States of America:
Pour les Etats-Unis d'Amérique:
美利堅合衆國:
За Соединенные Штаты Америки:
Por los Estados Unidos de América:

Thomas Parran
Martin M. Elliot
Frank G. Boudreau

For Uruguay:
Pour l'Uruguay:
烏拉圭：
За Уругвай:
Por el Uruguay:

For Venezuela:
Pour le Venezuela:
委内瑞拉：
За Венесуэлу:
Por Venezuela:

For Yugoslavia:
Pour la Yougoslavie:
南斯拉夫：
За Югославию:
Por Yugoslavia:

For Afghanistan:

Pour l'Afghanistan:

阿富汗:

За Афганистан:

Por Afganistán:

For Albania:

Pour L'Albanie:

阿班尼亞:

За Албанию:

Por Albania:

Djakova

For Austria:

Pour l'Autriche:

奧大利:

За Австрию:

Por Austria:

Dr Marius Kaiser

For Bulgaria:

Pour la Bulgarie:

保加利亞:

За Болгарию:

Por Bulgaria:

S. P. Orahovats

For Eire:
Pour l'Eire:
愛爾蘭:
За Ирландию:
Por Irlanda:

John D. MacCormack

For Finland:
Pour la Finlande:
芬蘭:
За Финляндию:
Por Finlandia:

Otto Turpeinen

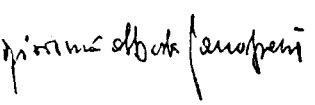
For Hungary:
Pour la Hongrie:
匈牙利:
За Венгрию:
Por Hungría:

For Iceland:
Pour l'Islande:
冰島國:
За Исландию:
Por Islandia:

For Italy:
Pour l'Italie:

義 大 利 :

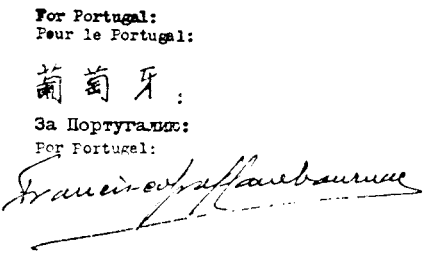
За Италию:
Por Italia:



For Portugal:
Pour le Portugal:

葡 萄 牙 :

За Португалию:
Por Portugal:



For Rumania:
Pour la Roumanie :
羅馬尼亞 :
За Румынию:
Por Rumania:

For Siam:
Pour le Siam :
暹羅 :
За Сиам:
Por Siam:
Sunliang Tamthai [illegible]

For Sweden:
Pour la Suède :

瑞 典 :

За Швецию:
Por Suecia:

For Switzerland:
Pour la Suisse :

瑞 士 :

За Швейцарию:
Por Suiza:

For Transjordan:
Pour la Transjordanie:
泰蘭斯喬頓:
За Трансиорданию:
Por Transjordania:

For Yemen:
Pour le Yémen:
葉門:
За Йемен:
Por Yemen:

The foregoing is a true copy of the Arrangement concluded by the Governments represented at the International Health Conference, signed in New York, on July 22, 1946, in the Chinese, English, French, Russian and Spanish languages, the original of which is deposited in the Archives of the United Nations.

Le texte qui précède est une copie exacte de l'Arrangement conclu par les Gouvernements représentés à la Conférence Internationale de la Santé, signé à New York, le 22 juillet 1946, en langues anglaise, chinoise, espagnole, française et russe, dont l'original a été déposé dans les archives des Nations Unies.

For the Secretary-General:
Pour le Secrétaire général:

Dr IVAN KERNO

Assistant Secretary-General for Legal Affairs.
Sous-Secrétaire général pour les Affaires Juridiques.

Note by the Department of State

The following is a romanization of the facsimile signatures.

FOR ARGENTINA:
ALBERTO ZWANCK
FOR AUSTRALIA:
A. H. TANGE
FOR THE KINGDOM OF BELGIUM:
Dr. M DE LAET.
FOR BOLIVIA:
LUIS V. SOTELO.
FOR BRAZIL:
GERALDO PAULA SOUZA
FOR BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
N EVSTAFIEV
FOR CANADA:
BROOKE CLAXTON
BROCK CHISHOLM
FOR CHILE:
JULIO BUSTOS A.
FOR CHINA:
SHEN, J. K.
L. CHIN YUAN
SZEMING SZE.
FOR COLOMBIA:
CARLOS URIBE AGUIRRE.
FOR COSTA RICA:
JAIME BENAVIDES.
FOR CUBA:
Dr PEDRO NOGUEIRA
VICTOR SANTAMARINA
FOR CZECHOSLOVAKIA:
Dr JOSEF CANČIK
FOR DENMARK:
J. OERSKOV
FOR THE DOMINICAN REPUBLIC:
Dr L. F. THOMEN
FOR ECUADOR:
R. NEVAREZ VÀSQUEZ
FOR EGYPT:
Dr. A. T. CHOUCHA
TAHA ELSAYED NASR BEY
M S. ABAZA
FOR EL SALVADOR:
ARÍSTIDES MOLL
FOR ETHIOPIA:
G. TESEMMA.
FOR FRANCE:
J PARISOT

FOR GREECE:
Dr. PHOKION KOPANARIS
FOR GUATEMALA:
G MORÁN
J A MUÑOZ
FOR HAITI:
RULX LEÓN
FOR HONDURAS:
JUAN MANUEL FIALLOS
FOR INDIA:
C. K. LAKSHMANAN
C. MANI
FOR IRAN:
GHASSEME GHANI M. D.
H. HAFEZI
FOR IRAQ:
S AL-ZAHAWI
Dr IHSAN DOGRAMAJI.
FOR LEBANON:
GEORGES HAKIM
Dr A MAKHLOUF
FOR LIBERIA:
JOSEPH NAGBE TOGBA, M. D.
JOHN B WEST, M. D.
FOR THE GRAND DUCHY OF LUXEMBOURG:
Dr. M DE LAET.
FOR MEXICO:
MONDRAGÓN.
FOR THE KINGDOM OF THE NETHERLANDS:
C BERG.
C BANNING.
W. A. TIMMERMAN
FOR NEW ZEALAND:
T R RITCHIE
FOR NICARAGUA:
A SEVILLA SACASA
FOR THE KINGDOM OF NORWAY:
H. TH. SANDBERG
FOR PANAMA:
J. J. VALLARINO.
FOR PARAGUAY:
ANGEL R GINÉS
FOR PERU:
CARLOS ENRIQUE PAZ SOLDÁN
ALB. TORANZO.
FOR THE REPUBLIC OF THE PHILIPPINES:
H LARA
WALFRIDO DE LEON
FOR POLAND:
EDWARD GRZEGORZEWSKI

FOR SAUDI ARABIA:
DR YAHIA NASRI
DR MEDHAT CHEIKH EL ARDH
FOR SYRIA:
DR C. TREFI
FOR TURKEY:
Z. N BARKER
FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
L I MEDVED
I I KALTCHENKO
FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
F. G. KROTKOV
FOR THE UNION OF SOUTH AFRICA:
H. S. GEAR.
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
MELVILLE D. MACKENZIE
G. E. YATES
FOR THE UNITED STATES OF AMERICA:
THOMAS PARRAN
MARTHA M. ELIOT
FRANK G BOUDREAU
FOR URUGUAY:
JOSÉ A. MORA
R RIVERO
CARLOS M. BARBEROUSSE
FOR VENEZUELA:
A ARREAZA GUZMÁN
FOR YUGOSLAVIA:
DR A. STAMPAR
FOR AFGHANISTAN:

FOR ALBANIA:
T. JAKOVA
FOR AUSTRIA:
DR MARIUS KAISER
FOR BULGARIA:
DR D. P. ORAHOVATZ.
FOR EIRE:
JOHN D. MACCORMACK.
FOR FINLAND:
OSMO TURPEINEN
FOR HUNGARY:

FOR ICELAND:

FOR ITALY:
GIOVANNI ALBERTO CANAPERIA
FOR PORTUGAL:
FRANCISCO JOSE C CAMBOURNAC

FOR RUMANIA:

FOR SIAM:
BUNLIANG TAMTHAI

FOR SWEDEN:

FOR SWITZERLAND:
DR J EUGSTER
A. SAUTER.

FOR TRANSJORDAN:
DR. D. P. TUTUNJI

FOR YEMEN:

October 7, 1946
[T. I. A. S. 1562]

Agreement between the United States of America and Peru respecting a military aviation mission. Signed at Washington October 7, 1946; effective October 7, 1946.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF PERU FOR ESTABLISHING A UNITED STATES ARMY AIR FORCES MISSION FOR THE PURPOSE OF INSTRUCTION OF THE PERSONNEL OF THE PERUVIAN AIR CORPS

In conformity with the request of the Government of the Republic of Peru to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men of the Army of the United States of America and of the United States Navy to constitute a Military Aviation Mission to the Republic of Peru under the conditions specified below:

TITLE I

Purpose and Duration

ARTICLE 1. The purpose of this Mission is to cooperate with the Minister of Aeronautics of Peru and with the Officers of the Peruvian Air Corps, with a view to enhancing the efficiency of the Peruvian Air Corps.

ARTICLE 2. This Mission shall continue for a period of four (4) years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of Peru, unless previously terminated

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y EL GOBIERNO DE LA REPUBLICA DEL PERU PARA LA CONTRATACION DE UNA MISION DEL CUERPO AEREO DEL EJERCITO DE LOS ESTADOS UNIDOS CON FINES DE INSTRUCCION DEL PERSONAL DEL CUERPO AERONAUTICO DEL PERU

De conformidad con la solicitud del Gobierno del Perú al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de Oficiales y Personal Subalterno del Ejército y la Armada de los Estados Unidos para constituir una Misión de Aviación Militar en la República del Perú, de acuerdo con las condiciones estipuladas a continuación:

TITULO I

Propósito y Duración

ARTICULO 1. El objeto de esta Misión es cooperar con el Ministro de Aeronáutica del Perú y con los Oficiales del Cuerpo Aeronáutico del Perú (C.A.P.) con miras de aumentar la eficiencia del C.A.P.

ARTICULO 2. Esta Misión durará cuatro (4) años desde la fecha de la firma de este acuerdo por los representantes acreditados del Gobierno de los Estados Unidos y del Gobierno del Peru, siempre que no sea terminado antes o prorrogado en la forma

or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of two years of service, in which case another member shall be furnished to replace him.

que se establece más adelante. Cualquier miembro de la Misión puede ser retirado por el Gobierno de los Estados Unidos después de la expiración de dos años de servicios, en cuyo caso otro miembro será proporcionado para reemplazarlo.

Extension of services of Mission.

ARTICLE 3. If the Government of Peru should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTICULO 3. Si el Gobierno del Perú deseara que los servicios de la Misión fueren prorrogados más allá del período estipulado, hará una propuesta por escrito con este objeto seis meses antes de la expiración de este Acuerdo.

Termination of agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government.

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICULO 4. Este Acuerdo puede ser terminado antes de la expiración del período de cuatro años, prescrito en el Artículo 2, o antes de la expiración de la prórroga autorizada en el Artículo 3 de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación.

(b) Por llamada de todo el personal de la Misión por el Gobierno de los Estados Unidos en razón de interés público de los Estados Unidos, sin tener que cumplir con la disposición del inciso (a) de este Artículo.

Cancellation in case of hostilities.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of Peru in case either country becomes involved in domestic or foreign hostilities.

ARTICULO 5. Este Acuerdo está sujeto a cancelación por iniciativa ya sea del Gobierno de los Estados Unidos o del Gobierno del Perú en caso de que cualquiera de los dos países se vea envuelto en una guerra interna o extranjera.

Authority of members to represent U. S. in other capacities relating to military cooperation.

ARTICLE 6. The members of this Mission are permitted and may be authorized to represent the United States of America on any commission or in any other capacity relating to military co-

ARTICULO 6. Los miembros de esta Misión están permitidos y pueden ser autorizados a representar a los Estados Unidos de América en cualquier comisión o en cualquier capacidad que tenga

operation for the defense of the hemisphere without prejudice to this Agreement in conformity with the inter-American and international pacts which have been ratified by the Government of the United States of America and the Government of Peru.

relación con la cooperación militar para la defensa hemisférica, sin perjuicio de este Acuerdo, conforme a los convenios interamericanos o internacionales vigentes y ratificados por el Gobierno de los Estados Unidos de América y el Gobierno del Perú.

TITLE II

Composition and Personnel

ARTICLE 7. This Mission shall consist of members of the personnel of any corps of the Army of the United States of America or of the United States Navy as may be requested by the Minister of Aeronautics through his authorized representative in Washington and agreed upon by the War and Navy Departments of the aforementioned Government.

TITULO II

Composición y Personal

ARTICULO 7. Esta Misión consistirá de miembros del personal de cualquier Cuerpo del Ejército de los Estados Unidos de América o de la Marina de los Estados Unidos de América que puedan ser solicitados por el Ministro de Aeronáutica por conducto de su representante autorizado en Washington y de acuerdo con los Departamentos de Guerra y de Marina de dicha Nación.

ARTICLE 8. This Mission may be composed of such additional personnel of the Army of the United States of America or of the United States Navy as the Chief of Mission, with the approval of the Minister of Aeronautics, considers indispensable for the accomplishment of his duties as Chief of Mission in Peru, provided that such additional personnel shall not require any expenditures by the Government of Peru and shall be subject to all the requirements set forth herein with respect to the personnel assigned to the Mission in accordance with the provisions of the preceding article.

ARTICULO 8. Podrán formar parte de esta Misión, el personal adicional del Ejército de los Estados Unidos de América o de la Armada de los Estados Unidos de América que el Jefe de la Misión, con aprobación del Ministro de Aeronáutica, considere indispensable para el desarrollo de sus actividades como Jefe de la Misión en el Perú, sin que este personal adicional obligue al Gobierno del Perú a desembolso de dinero en ninguna forma, quedando este personal sujeto en todas las demás obligaciones, a las mismas que se establecen para el personal que constituye la Misión conforme al Artículo anterior.

TITLE III

Duties, Rank, and Precedence

ARTICLE 9. The personnel of the Mission shall perform such duties as may be agreed upon between the Minister of Aeronautics of

TITULO III

Servicios, Grados y Precedencia

ARTICULO 9. El personal de la Misión desempeñará los servicios que puedan ser acordados entre el Ministro de Aeronáutica del Perú

Peru and the Chief of the Mission. All of these services shall be performed in accordance with the laws and regulations of the Government of Peru.

y el Jefe de la Misión. Todos estos servicios se prestarán de conformidad con las leyes y reglamentos del Gobierno del Perú.

ARTICLE 10. The members of the Mission shall be responsible solely to the Minister of Aeronautics of Peru, through the Chief of the Mission.

ARTICULO 10. Los miembros de la Misión serán responsables solamente ante el Ministro de Aeronáutica del Perú, por conducto del Jefe de la Misión.

ARTICLE 11. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army or Navy and shall wear the uniforms of his rank in the United States Army or Navy, but shall have precedence over all Peruvian Officers of the same rank.

ARTICULO 11. Cada miembro de la Misión desempeñará sus funciones en la Misión con la clase militar que tiene en el Ejército o en la Marina de los Estados Unidos y llevará el uniforme de su clase en dicho Ejército o Marina, pero tendrá precedencia sobre todos los Oficiales peruanos de la misma clase.

ARTICLE 12. Each member of the Mission shall be entitled to all benefits or privileges which the Regulations of the Peruvian Air Corps provide for Peruvian Officers and enlisted personnel with regard to rank and position.

Benefits, etc.

ARTICULO 12. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los Reglamentos del Cuerpo Aeronáutico del Perú establecen para los Oficiales peruanos y para el personal subalterno, en lo que respecta al grado y a la función.

ARTICLE 13. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army or Navy.

Disciplinary regulations.

ARTICULO 13. El personal de la Misión estará regido por los Reglamentos de disciplina del Ejército o de la Armada de los Estados Unidos.

TITLE IV

Compensation and Perquisites

ARTICLE 14. The Members of the Mission shall receive from the Government of Peru a net monthly compensation computed in Peruvian currency. This compensation shall be paid monthly in Peruvian national currency, due and payable on the last day of each month. The scale of pay, allowances, and subsistence of each member of the Mission shall be equal to that established in the

TITULO IV

Retribución y Goces

ARTICULO 14. Los miembros de la Misión recibirán del Gobierno del Perú una retribución neta mensual computada en moneda corriente de la República del Perú para cada miembro. Esta retribución será abonada mensualmente, debida y pagadera el último día de cada mes, en moneda nacional peruana. La escala de haberes, emolumentos y gratificaciones de cada miembro de la

Peruvian Air Force for personnel of corresponding rank and position.

Misión será igual a la establecida dentro del Cuerpo Aeronáutico del Perú para los grados o cargos correspondientes.

Tax exemption.

Compensation shall not be subject to any tax, now or hereafter in effect, of the Government of Peru or any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be paid by the Ministry of Aeronautics in order to comply with the provisions of this Article that the compensation agreed upon shall be net.

Esta retribución no estará sujeta a ningún impuesto, ahora en vigencia o que se cree en el futuro, del Gobierno del Perú o de ninguna de sus dependencias políticas y administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existiesen algunos que pudieran afectar esta retribución, dichos impuestos serán pagados por el Ministerio de Aeronáutica, con el objeto de cumplir con la disposición de este Artículo, que establece que los salarios convenidos serán netos.

ARTICLE 15. The compensation agreed upon in the preceding Article shall begin on the date of departure from the United States of America of each member of the Mission, and shall continue after the termination of his service with the Mission during his return trip to the United States of America and thereafter for the period of any accumulated leave to which he is entitled.

ARTICULO 15. La retribución, en el Artículo precedente convenida, comenzará a regir desde la fecha de la salida de los Estados Unidos de cada miembro de la Misión y continuará después de la terminación de sus servicios con la Misión durante el viaje de regreso a los Estados Unidos; y durante el período de cualquier licencia acumulada a que el miembro tenga derecho.

ARTICLE 16. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from Peru, and such payment shall be computed for travel by the shortest usually traveled route, regardless of the route and method of travel used by the said detached member of the Mission.

ARTICULO 16. La retribución debida por el período del viaje de regreso y licencia acumulada, debe ser pagada a un miembro cesante antes de su partida del Perú, y tal pago debe ser calculado por un viaje por la ruta más corta usualmente empleada, independientemente de la ruta y método de viaje usados por dicho miembro cesante de la Misión.

Travel accommodations.

ARTICLE 17. Each member of the Mission and each member of his family shall be provided by the Government of Peru with first-class accommodations for travel required and performed under this Agreement, by the shortest

ARTICULO 17. A cada miembro de la Misión y a cada miembro de su familia el Gobierno del Perú le proporcionará pasajes de primera clase para el viaje requerido y efectuado de conformidad con este Acuerdo, por la ruta más corta

usually traveled route between a port in the United States of America and his official residence in Peru, both for the outward and for the return voyage.

usualmente empleada entre un puerto de los Estados Unidos y su residencia oficial en el Perú, tanto para el viaje de ida como para el viaje de regreso.

Shipment of household effects, etc.

The expenses of shipment of the household effects, baggage and automobile of each member of the Mission between a port in the United States of America and his official residence in Peru shall also be paid by the Government of Peru; this shall include all necessary expenses incident to unloading from the steamer upon arrival in Peru, cartage between the ship and the residence in Peru, and packing and loading on board the steamer upon departure from Peru.

Los gastos de transporte de los efectos domésticos, equipaje y automóvil de cada miembro de la Misión entre un puerto de los Estados Unidos y su residencia oficial en el Perú, serán también por cuenta del Gobierno del Perú; éstos deberán incluir todos los gastos necesarios relacionados con la descarga de a bordo del vapor a su llegada al Perú, transporte entre el vapor y la residencia en el Perú y embalaje y carga a bordo del vapor a su partida del Perú.

The transportation of such household effects, baggage and automobile shall be made in a single shipment and all subsequent shipments shall be at the expense of the respective members of the Mission except when necessitated by circumstances beyond their control. Payment by the Government of Peru of the expenses for the transportation of the families, household effects, baggage and automobiles of personnel who may join the Mission for temporary service at the request of the Minister of Aeronautics shall not be at the expense of the Peruvian Government.

El transporte de estos efectos domésticos, equipaje y automóvil deberá ser hecho en un solo embarque y todos los embarques sucesivos serán a costo de los respectivos miembros de la Misión, exceptuando casos derivados de circunstancias ajenas a su voluntad. El pago por el Gobierno del Perú de los gastos para el transporte de las familias, de los efectos domésticos, de los equipajes y de los automóviles del personal que pueda unirse a la Misión para servicio temporal a solicitud del Ministro de Aeronáutica no será por cuenta del Gobierno del Perú.

Exemptions from customs duties.

ARTICLE 18. The Government of Peru shall allot in the budget of the Ministry of Aeronautics an amount adequate to pay customs duties on articles, including those mentioned in Article 17 of this Agreement, imported by members of the Mission, who shall be granted the scale of exemptions allowed the diplomatic corps accredited to the Government of

ARTICULO 18. El Gobierno del Perú consignará en el Presupuesto del Ministerio de Aeronáutica una suma adecuada para pagar derechos de Aduana por aquellos artículos, incluyendo los citados en el Artículo 17 de este Acuerdo, que sean importados por los miembros de la Misión, a quienes se concederán las exenciones extendidas al Cuerpo Diplomático

Peru, in accordance with the following classification:

The Chief of the Mission, in the category of Resident Minister,

The Senior Officers, in the category of Chargé d'Affaires,

The Junior Officers (Captain and Lieutenants), in the category of Counsellors,

The Enlisted Personnel, in the category of Second Secretary.

All duties and taxes for the importation of articles which exceed the exemption granted shall be paid by the member of the Mission concerned and not by the Government of Peru.

Sale of household goods, etc.

Ante, p. 2400.

ARTICLE 19. If any member serving on the Mission pursuant to Article 7 of the present Agreement should, at the termination of his service with the Mission and prior to his return to the United States of America, desire to sell in the Peruvian market his household effects, baggage, and personal automobile which were imported free of duty and for which transportation was paid by the Government of Peru in accordance with the provisions of Article 17 of this Agreement, he shall be required to give the Government of Peru priority in the purchase of said articles, discounting from the sale price the value of transportation and customs duties.

Ante, p. 2402.

For such a sale, the Chief of the Mission and the authorized representative of the Minister of Aeronautics shall confer, and in case the prices of the articles are not satisfactory to the Govern-

acreditado ante el Gobierno del Perú, de acuerdo con las clasificaciones siguientes:

El Jefe de la Misión, con categoría de Ministro residente;

Los Oficiales Superiores, con categoría de Encargados de Negocios;

Los Oficiales Subalternos (de Capitanes a Tenientes), con categoría de Consejeros;

Los Miembros del Personal Subalterno, con categoría de Segundos Secretarios.

Todos los derechos e impuestos por importación de artículos, que excedan de la exención concedida serán abonados particularmente por el miembro de la Misión que sea del caso y no por el Gobierno del Perú.

ARTICULO 19. Si cualquier miembro que sirviere en la Misión de conformidad con el presente Acuerdo deseara, al término de su tiempo de servicios en la Misión y antes de regresar a los Estados Unidos, vender en el mercado del Perú sus efectos domésticos, equipaje y automóvil de uso personal que hayan sido importados libres de derechos, y cuyo transporte ha sido abonado por el Gobierno del Perú conforme a lo establecido en el Articulo 17 de este Acuerdo, se obligará a dar preferencia al Gobierno del Perú en la compra de dichos artículos, descontando del precio de venta el valor del transporte y de las exenciones.

Para tal venta se pondrán de acuerdo el Jefe de la Misión con el representante autorizado del Ministro de Aeronáutica, y en caso de no ser conveniente el precio de los artículos, para el

ment of Peru, the sale or return to the United States of America shall be authorized. In the latter case, the first paragraph of Article 17 of this Agreement shall be applicable.

Gobierno del Perú, se autorizará su venta o su regreso a los Estados Unidos. En este último caso rige lo indicado en el primer párrafo del Artículo 17 de este Convenio.

Ante, p. 2402.

Return trip expenses of members serving less than 2 years, etc.

ARTICLE 20. If the services of any member of the Mission should be terminated by the Government of the United States of America, except as established in the provisions of Article 5, before the completion of two years of service, the provisions of Article 17 shall not apply to the return trip. If the services of any member of the Mission should terminate before the completion of two years' service by reason of termination of the Mission or for reasons contemplated in Article 5, each member shall receive from the Government of Peru compensation for the return trip expenses and compensation for vacations in the proportion resulting between the effective period of services rendered and the normal time of two years' service. However, if the Government of the United States of America should recall any member for breach of discipline, the cost of the return trip to the United States of America of such a member, his family, household effects, baggage or automobile shall not be borne by the Government of Peru.

ARTICULO 20. Si los servicios de cualquier miembro de la Misión fueren terminados por el Gobierno de los Estados Unidos, exceptuando lo estipulado en las disposiciones del Artículo 5, antes de la terminación de dos años de servicios, las disposiciones del Artículo 17, no se aplicarán para el viaje de regreso. Si los servicios de cualquier miembro de la Misión terminaren antes de completar dos años de servicios por razón de terminación de la Misión o por los motivos contemplados en el Articulo 5, cada miembro recibirá del Gobierno del Perú las retribuciones en materia de gastos de viaje de regreso y compensación por vacaciones en la proporción que resulte entre el período efectivo de servicios prestados y el tiempo normal de 2 años de servicios. Pero si el Gobierno de los Estados Unidos retira a cualquier miembro por faltas cometidas contra la disciplina, el costo del viaje de regreso a los Estados Unidos de este miembro, de su familia, efectos domésticos, equipaje y automóvil, no será pagado por el Gobierno del Perú.

Ante, p. 2399.

Ante, p. 2402.

Ante, p. 2399.

Compensation for transportation and traveling expenses.

ARTICLE 21. Compensation and payments for transportation and traveling expenses while on duty within the territory of the Republic of Peru on official business of the Government of Peru shall be provided by the Ministry of Aeronautics in accordance with the provisions of Article 12 of Title III of this Agreement.

ARTICULO 21. La compensación y pagos por gastos de transporte y de viaje mientras se preste servicios dentro del territorio de la República del Perú, en comisiones oficiales del Gobierno del Perú será proporcionada por el Ministerio de Aeronáutica de acuerdo con las disposiciones del Artículo 12 del Título III de este Acuerdo.

Ante, p. 2401.

Automobile for Chief of Mission.

Motor transportation and launch for use of members.

ARTICLE 22. The Government of Peru shall provide the Chief of the Mission with a suitable automobile with chauffeur for use on official business. Suitable motor transportation with chauffeur, and when necessary a launch properly equipped, shall on call be made available by the Government of Peru for use of the members of the Mission for the conduct of the official business of the Mission.

ARTICULO 22 El Gobierno del Perú proporcionará al Jefe de la Misión un automóvil con chauffeur, para uso oficial. Transporte adecuado en automóvil con chauffeur, y cuando sea necesario una lancha convenientemente equipada, serán provistos, a pedido, por el Gobierno del Perú para el uso de los miembros de la Misión para el cumplimiento de las funciones oficiales de la misma.

Flight authorization.

ARTICLE 23. The Government of Peru shall grant to the personnel of the Mission blanket authorization to make flights in Peru in United States aircraft or in Peruvian aircraft which shall be made available, as necessary in the conduct of the official business of the Mission, as well as such periodic flights as may be required to maintain their proficiency as aviators. No liability shall be incurred by any member of the Mission or by the Government of the United States of America for damage to property or equipment or for injury or death to others as the result of any accident in which a member of the Mission may be involved while engaged in flights in accordance with the provisions of this Agreement.

Reciprocally, the Government of the United States of America may grant blanket flight authorization to any member of the Peruvian Air Force to make flights within the territory of Peru as a passenger in any United States Army Air Force plane which has been made available to the Mission for the performance of its duties as defined in this Agreement.

ARTICULO 23. El Gobierno del Perú concederá al personal de la Misión, autorización general para hacer vuelos en el Perú, en aviones de los Estados Unidos o en aviones peruanos que se hayan puesto a su disposición, para el desempeño necesario de las funciones oficiales de la Misión, y también para los vuelos periódicos que sean requeridos para mantener su habilidad como aviadores. No incurrirá en ninguna responsabilidad ningún miembro de la Misión ni el Gobierno de los Estados Unidos por razón de daños a la propiedad o al material o por lesiones o muertes de otras personas como resultado de cualquier accidente en que un miembro de la Misión esté envuelto mientras realice estos vuelos de acuerdo con disposiciones de este Acuerdo.

En forma recíproca el Gobierno de los Estados Unidos puede proporcionar autorización general de vuelo a cualquier miembro del Cuerpo Aeronáutico del Perú para efectuar vuelos como pasajero, dentro del territorio de la República del Perú, en cualquier avión del Ejército Americano que se haya puesto a órdenes de la Misión para el desempeño de las funciones de ésta, según el presente Acuerdo.

ARTICLE 24. The Government of Peru shall provide suitable office space and adequate facilities for the Mission, including suitable facilities for parking and storage for the airplanes assigned to the Mission.

Office space, parking facilities for airplanes, etc.

ARTICULO 24. El Gobierno del Perú proporcionará local para oficinas y facilidades adecuadas para la Misión, así como facilidades de estacionamiento y almacenamiento para el o los aviones asignados a la Misión.

ARTICLE 25. If any member of the Mission or any member of his family should die in Peru, the Government of Peru shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of Peru shall not exceed the cost of transporting the remains from the place of decease to the City of New York. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to the City of New York for the family of the deceased member and for their household effects, baggage and automobile shall be provided as prescribed in Article 17. All compensation due the deceased member, including salary for the fifteen (15) days following his death, and reimbursement due the deceased member for expenses and transportation on trips made on official business of the Government of Peru, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while he was serving under the terms of this Agreement; but the widow or other person shall not be compensated for accrued leave due but not taken by the deceased. All compensations due the widow or other persons designated by the deceased under the provisions

Transportation of remains in case of death.

Return transportation for family.

Ante, p. 2402.

Compensation due deceased member.

ARTICULO 25. Si cualquier miembro de la Misión o cualquier miembro de su familia falleciese en el Perú, el Gobierno del Perú hará que los restos sean transportados hasta el lugar de los Estados Unidos determinado por los miembros sobrevivientes de la familia pero el costo para el Gobierno del Perú no excederá del costo del transporte de los restos del lugar del fallecimiento a la ciudad de Nueva York. Si el fallecido es un miembro de la Misión, sus servicios con la Misión deben ser considerados como que han terminado quince (15) días después de su muerte. El transporte de regreso a la ciudad de Nueva York para la familia del miembro fallecido y para sus efectos domésticos, equipaje y automóvil, será provisto como se prescribe en el Artículo 17. Toda retribución debida al miembro fallecido, incluyendo el sueldo por los quince (15) días subsiguientes a su muerte y reembolso adeudado al miembro fallecido por gastos y transporte en viajes realizados en asuntos oficiales del Gobierno del Perú, serán pagados a la viuda del miembro fallecido o a cualquiera otra persona que pueda haber sido designada por escrito por el fallecido mientras estaba sirviendo en conformidad con los términos de este Acuerdo; pero la viuda o la otra persona no será compensada por la licencia acumulada a que tenía derecho el fallecido pero no usada por él. Todas las compensaciones debidas a la viuda o

of this Article, shall be paid before the departure of the widow or such other person from Peru and within fifteen (15) days after the death of the member.

a la otra persona designada por el fallecido, según las disposiciones de este Artículo, serán pagadas antes de la partida de dicha viuda o dicha persona del Perú y dentro de quince (15) días después del fallecimiento del miembro.

TITLE V

Requisites and Conditions

Services of personnel of other foreign governments, restriction.

ARTICLE 26. So long as this Agreement, or any extension thereof, is in effect, the Government of Peru shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Peruvian Air Force, except by mutual agreement between the Government of the United States of America and the Government of Peru.

Secrecy requirement.

ARTICLE 27. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

"Family".

ARTICLE 28. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

Annual leave.

ARTICLE 29. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall not be cumulative from year to year during

TITULO V

Requisitos y Condiciones

ARTICULO 26. Mientras este Acuerdo, o cualquiera prórroga de él, esté en vigencia, el Gobierno del Perú no empleará los servicios de ningún personal de ningún otro Gobierno extranjero para servicios de cualquiera naturaleza relacionados con el Cuerpo Aeronáutico del Perú, excepto por mutuo convenio entre el Gobierno de los Estados Unidos de América y el Gobierno del Perú.

ARTICULO 27. Cada miembro de la Misión convendrá en no divulgar o por cualquier medio revelar a cualquier Gobierno extranjero o a cualquiera persona cualquier secreto o asunto confidencial del cual pueda tener conocimiento en su capacidad de miembro de la Misión. Este requisito continuará en vigencia después de la terminación de los servicios con la Misión y después de la expiración o cancelación de este Acuerdo o cualquiera prórroga de él.

ARTICULO 28. En todo este Acuerdo el término "familia" estará restringido a significar esposa e hijos dependientes.

ARTICULO 29. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren no

service as a member of the Mission.

The leave specified in the preceding paragraph may be spent in the Republic of Peru, in the United States of America, or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding paragraph.

ARTICLE 30. The Government of Peru agrees to grant the leave specified in Article 29 upon receipt of written application, approved by the Chief of the Mission with due consideration for the convenience of the Government of Peru.

ARTICLE 31. Members of the Mission that may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTICLE 32. The Government of Peru shall provide suitable medical attention to members of the Mission and their families.

In case a member of the Mission becomes ill or suffers injury, he may be attended by medical authorities of the Peruvian Air Force who shall determine, by mutual agreement with the Chief of the Mission, the need for hospitalization and the hospital where he will be hospitalized.

podrán acumularse de año en año mientras la persona preste servicio como miembro de la Misión.

La licencia que se estipula en el párrafo anterior podrá disfrutarse en la República del Perú, en los Estados Unidos de América o en otros países, pero los gastos de viaje y de transporte que no sean abonables de acuerdo con las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el párrafo precendente.

ARTICULO 30. El Gobierno del Perú conviene en conceder la licencia especificada en el Artículo 29 al recibir la solicitud escrita y aprobada por el Jefe de la Misión con la debida consideración por la conveniencia del Gobierno del Perú.

Termination of services of replaced members.

ARTICULO 31. Los miembros de la Misión que sean reemplazados sólo podrán cesar en sus funciones en la Misión a la llegada de los reemplazantes, exceptuando los casos en que sea convenido de otra manera y de antemano por los Gobiernos respectivos.

Medical attention.

ARTICULO 32. El Gobierno del Perú proporcionará a los miembros de la Misión y de sus familias la atención médica apropiada.

En caso de que un miembro de la Misión se enferme o sufra lesión, podrá ser atendido por las autoridades sanitarias del Cuerpo Aeronáutico del Perú, quienes determinarán de común acuerdo con el Jefe de la Misión, la necesidad de su hospitalización y el nosocomio en el cual será internado.

All expenses incurred as the result of such illness or injury while the patient is a permanent member of the Mission in Peru as prescribed in Article 7, shall be paid by the Government of Peru. If the hospitalized member is a commissioned officer he shall pay his cost of subsistence, but if he is an enlisted man, the cost of subsistence will be paid by the Government of Peru.

Ante, p. 2400.

Todos los gastos en que se incurra como resultado de esta enfermedad o lesión, siempre que el paciente sea un miembro permanente de la Misión en el Perú comprendido dentro de aquéllos especificados en el Artículo 7, serán pagados por el Gobierno del Perú. En caso de que el miembro hospitalizado sea un Oficial comisionado, él mismo pagará sus gastos de subsistencia; en caso de que sea un subalterno, los gastos de subsistencia serán pagados por el Gobierno del Perú.

Families shall enjoy the same privileges agreed upon in this Article for members of the Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his family, except as may be provided under Article 12.

Ante, p. 2401.

Las familias gozarán de los mismos privilegios convenidos en este Artículo para los miembros de la Misión, exceptuando que un miembro de la Misión pagará en todos los casos los gastos de subsistencia relacionados con la hospitalización de un miembro de su familia, con excepción de lo que se ha dispuesto en el Artículo 12.

Replacement in case of disability.

ARTICLE 33. Any member of the Mission unable to discharge his duties with the Mission by reason of prolonged physical disability shall be replaced; however, the expenses of his return trip prior to the completion of two years of service with the Mission shall be borne by the Government of the United States of America.

ARTICULO 33. Cualquier miembro de la Misión inhabilitado para desempeñar sus servicios con la Misión por razón de incapacidad física prolongada antes de cumplir dos años de servicio será reemplazado, corriendo los gastos de su traslado por cuenta del Gobierno de los Estados Unidos.

TITLE VI

Common and Individual Obligations of the Members of the Mission

ARTICLE 34. The Mission as an organized entity directed by its Chief is under obligation to inform and advise the Peruvian Government through the Minister of Aeronautics, the methods which it believes necessary to adopt in

TITULO VI

Obligaciones comunes e individuales de los Miembros de la Misión

ARTICULO 34. La Misión como organismo conjunto, dirigido por el Jefe de ella, está en la obligación de proponer al Gobierno Peruano por intermedio del Ministro de Aeronáutica, las medidas que crea necesario adoptar para organizar

order to organize and elevate to the highest degree of efficiency the fighting forces of the Peruvian Air Corps, in keeping with the potential capacity of the Republic of Peru.

y elevar al más alto grado de eficiencia el poderío bélico del Cuerpo Aeronáutico del Perú, en conformidad con la capacidad potencial de la República del Perú.

Proposals for instruction, organization, etc., of Department to which assigned.

Ante, p. 2400.

ARTICLE 35. Each member of the Mission in his capacity as advisor in the department to which he has been assigned, in accordance with Article 9, shall be required to propose the most expedient means for planning the instruction, organization and functioning of the Department to which he has been assigned. These proposals may be submitted directly to the Chief of the Department or to the Peruvian officer to whom the Mission member is assigned for duty without necessity of transmitting such proposals through the Chief of the Mission.

ARTICULO 35. Cada miembro de la Misión dentro de su categoría de Asesor en las Dependencias a las que haya sido asignado, conforme lo dispone el Artículo 9, estará en la obligación de proponer las medidas más expeditas para planear la instrucción, la organización y el funcionamiento de la Dependencia a la cual haya sido asignado. Estas proposiciones podrán ser hechas directamente al Jefe de la Dependencia o al Oficial peruano al cual esté asesorando, sin perjuicio de hacerlo también directamente por intermedio del Jefe de la Misión.

Language requirement.

ARTICLE 36. Each member of the Mission shall be capable of conceiving and producing plans of organization, instruction, etc. for the Peruvian Air Forces in his respective specialty. It will not be an indispensable requisite to read, speak, or understand Spanish, but each Mission member shall be expected to understand that language within a short time following his arrival in Peru.

ARTICULO 36. Cada miembro de la Misión será capaz de concebir y producir planes de organización, de instrucción y similares, para el Cuerpo Aeronáutico del Perú en su respectiva especialidad. No será requisito indispensable el saber leer, hablar, o comprender el idioma castellano, pero sí será capaz de comprender dicho idioma al poco tiempo de su permanencia en el Perú.

IN WITNESS WHEREOF, the undersigned, Dean Acheson, Acting Secretary of State of the United States of America, and Jorge Prado, Ambassador Extraordinary and Plenipotentiary of the Republic of Peru to the United States of America, duly authorized thereto, have signed this Agreement in duplicate in the English and

EN TESTIMONIO DE LO CUAL, los infrascritos, Dean Acheson, Secretario de Estado Interino de los Estados Unidos de América, y Jorge Prado, Embajador Extraordinario y Plenipotenciario del Perú en los Estados Unidos de América, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés e

Spanish languages, at Washington, this seventh day of October, one thousand nine hundred and forty-six.

castellano, en Washington, hoy día siete de octubre mil novecientos cuarenta y seis.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

DEAN ACHESON

FOR THE GOVERNMENT OF THE REPUBLIC OF PERU:
POR EL GOBIERNO DE LA REPUBLICA DEL PERU:

JORGE PRADO

Agreement between the United States of America and Colombia respecting a naval mission. Signed at Washington October 14, 1946; effective October 14, 1946.

October 14, 1946
[T. I. A. S. 1563]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA

In conformity with the request made by the Ambassador of the Republic of Colombia in Washington to the Secretary of State, the President of the United States of America, by virtue of the authority conferred by the Act of Congress of May 19, 1926, entitled "An Act To authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the governments of the Latin-American Republics in military and naval matters," as amended by the Act of May 14, 1935, to include the Philippine Islands, has authorized the appointment of officers and enlisted men to constitute a Naval Mission to the Republic of Colombia under the conditions specified below:

TITLE I

Purpose and Duration

ARTICLE 1. The purpose of this Naval Mission is to cooperate in an *advisory capacity* with the Director General and the officers of the Colombian Navy, wherever desired in the Republic of Colombia by the Ministry of War, with

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE COLOMBIA

De conformidad con la solicitud hecha por el Embajador de la República de Colombia en Wáshington al Secretario de Estado, el Presidente de los Estados Unidos de América, en virtud de la autoridad conferídale por la Ley del Congreso del 19 de mayo de 1926, titulada "Ley para Autorizar al Presidente a destinar oficiales y personal subalterno del Ejército, la Armada y el Cuerpo de Infantería de Marina de los Estados Unidos de América a cooperar con los gobiernos de las Repúblicas Latino-americanas en asuntos militares y navales", según fué enmendada por Ley del 14 de mayo de 1935 para incluir a las Islas Filipinas, ha autorizado el nombramiento de oficiales y personal subalterno para constituir una Misión Naval en la República de Colombia, de acuerdo con las condiciones estipuladas a continuación:

44 Stat. 565; 49 Stat. 218.
34 U. S. C. § 441a.

TÍTULO I

Propósito y Duración

ARTÍCULO 1. El objeto de esta Misión Naval es prestar cooperación *de carácter consultivo* al Director General de Marina y a los oficiales de la Armada de Colombia, en cualquier lugar de la República de Colombia que designare

a view to enhancing the efficiency of the Colombian Navy.

el Ministerio de Guerra, y con miras a aumentar la eficiencia de la Armada de Colombia.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of Colombia unless sooner terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of two years' service, in which case another member will be furnished in replacement, after mutual agreement between the two Governments.

ARTÍCULO 2. Esta Misión durará cuatro años desde la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Colombia, siempre que éste no sea terminado antes o extendido en la forma que se establece más adelante. Cualquier miembro de la Misión puede ser retirado por el Gobierno de los Estados Unidos de América después de la expiración de dos años de servicios, en cuyo caso otro miembro será proporcionado para reemplazarlo, mediante acuerdo mutuo entre ambos Gobiernos.

Extension of services of Mission.

ARTICLE 3. If the Government of the Republic of Colombia should desire that the services of the Mission be extended in whole or in part beyond the period stipulated, it shall make a written proposal to that effect six months before the expiration of this agreement.

ARTÍCULO 3. Si el Gobierno de la República de Colombia deseara que los servicios de parte de la Misión, o de toda la Misión fueren extendidos más allá del período estipulado, hará una propuesta por escrito con este objeto seis meses antes de la expiración de este Acuerdo.

Termination of agreement.

ARTICLE 4. The present agreement may be terminated prior to the expiration of the period of four years prescribed in Article 2, or prior to the expiration of the extension authorized in Article 3, in the following manner:

ARTÍCULO 4. Este Acuerdo puede ser terminado antes de la expiración del período de cuatro años prescrito en el Artículo 2, o antes de la expiración de la extensión autorizada en el Artículo 3, de la manera siguiente:

a) By either Government, subject to three months' notice in writing to the other Government;

a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación.

b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America;

b) Por llamada de todo el personal de la Misión por el Gobierno de los Estados Unidos de América, en razón de interés publico de los Estados Unidos de América.

Termination in case of war.

c) In case of war between the Republic of Colombia and any

c) En caso de guerra entre la República de Colombia y cual-

other nation, or in the case of civil war in the Republic of Colombia;

d) In case of war between the United States of America and any other country.

quiera otra nación, o en caso de guerra civil en la República de Colombia.

d) En caso de guerra entre los Estados Unidos de América y cualquier otro país.

TITLE II

Composition and Personnel

ARTICLE 5. This Mission will consist of a Chief of Mission of the rank of Captain or Commander on active service in the United States Navy and such other United States naval personnel as may subsequently be requested by the Ministry of War of Colombia through its authorized representative in Washington and agreed upon by the United States Navy Department.

TÍTULO II

Composición y Personal

ARTÍCULO 5. Esta Misión constará de un Jefe de Misión con grado de capitán de navío o de capitán de fragata en servicio activo de la Armada de los Estados Unidos de América y del personal naval adicional que solicitare el Ministerio de Guerra de Colombia por medio de su representante autorizado en Wáshington, y que sea convenido por la Secretaría de Marina de los Estados Unidos de América.

TITLE III

Duties, Rank, and Precedence

ARTICLE 6. The duties of the Mission shall consist of such professional services, advice, and direction as may be agreed upon between the Minister of War of the Republic of Colombia and the Chief of the Naval Mission.

TÍTULO III

Deberes, Grados y Precedencia

ARTÍCULO 6. La Misión deberá dar aquellos consejos, dirección y servicios profesionales, que acuerden entre sí el Ministro de Guerra de la República de Colombia, y el Jefe de la Misión Naval.

ARTICLE 7. The performance of duty of all Mission personnel shall be under the direction of the Chief of Mission who will be responsible to the Minister of War and the Director General of the Navy.

ARTÍCULO 7. El cumplimiento de las obligaciones de todo el personal de la Misión estará a cargo del Jefe de la Misión, quien será responsable ante el Ministro de Guerra y ante el Director General de Marina.

Responsibility.

ARTICLE 8. Each member of the Mission shall retain the rank he holds in the United States Navy and shall wear the uniform of his rank in the United States Navy.

ARTÍCULO 8. Cada miembro de la Misión retendrá el grado que tiene en la Armada de los Estados Unidos de América, y llevará el uniforme que corresponda a su grado en dicha Armada.

ARTICLE 9. Each member of the Mission shall be entitled to all the benefits and prerogatives which

ARTÍCULO 9. Cada miembro de la Misión tendrá derecho a todos los beneficios y prerrogativas que

Benefits and prerogatives.

the Colombian Navy regulations provide for Colombian Naval officers and enlisted men of corresponding rank.

los reglamentos de la Armada de Colombia conceden a sus oficiales y personal subalterno del mismo grado.

Disciplinary regulations.

ARTICLE 10. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Navy.

ARTÍCULO 10. El personal de la Misión estará regido por los reglamentos disciplinarios de la Armada de los Estados Unidos de América.

TITLE IV

Compensation and Perquisites

TÍTULO IV

Remuneración y Obvenciones

ARTICLE 11. Each member of the Mission shall receive from the Government of the Republic of Colombia the net annual compensation computed in currency of the United States of America that may be agreed upon between the United States of America and the Republic of Colombia. Personnel of the Mission shall be classified in four categories, to wit:

Classification of personnel.

(a) Chief of Mission
(b) Assistant Chief of Mission
(c) Other Commissioned Officers
(d) Chief Warrant, Warrant, and Petty Officers.

ARTÍCULO 11. Cada miembro de la Misión recibirá del Gobierno de la República de Colombia la remuneración neta anual, computada en moneda de los Estados Unidos de América, que de mutuo acuerdo convengan los Estados Unidos de América y la República de Colombia. El personal de la Misión se clasificará en cuatro categorías, a saber:

a) Jefe de la Misión
b) Jefe Auxiliar de la Misión
c) Otros Oficiales
d) Primer Oficial Subalterno, Oficiales Subalternos y Suboficiales.

This compensation shall be paid in twelve equal monthly payments, each due and to be paid on the last day of the month. These payments, when effected within the Republic of Colombia, may be made in Colombian currency computed at the current official rate of exchange for dollars. Payments which are effected outside the Republic of Colombia shall be made in currency of the United States of America. The said compensation shall not be subject to any Colombian tax, or to a tax by any political subdivision of the Republic of Colombia, that is now or shall hereafter be imposed. Should there, however, at present

Tax exemption.

Esta remuneración será abonada en doce mensualidades iguales, que vencen y deben pagarse el día último de cada mes. Cuando se efectúen dentro de la República de Colombia, estos pagos pueden hacerse en moneda nacional de la República de Colombia, computándose a la tasa oficial de cambio que esté rigiendo para el dólar. Los pagos efectuados fuera de la República de Colombia se harán en moneda de los Estados Unidos de América. Esta remuneración no estará gravada por impuesto alguno del Gobierno de Colombia, o de cualquiera de sus divisiones políticas, que esté actualmente en vigor o que se establezca en el

or while this agreement is in effect, be any taxes that might affect the said compensation, such taxes shall be paid by the Ministry of War of Colombia in order to comply with the foregoing provisions that the stipulated compensation shall be net.

futuro. Sin embargo, si en la actualidad, o durante la vigencia de este Acuerdo, existiesen algunos que pudieran afectar esta remuneración, serán pagados por el Ministerio de Guerra de Colombia, a fin de cumplir con las disposiciones anteriores al efecto de que la remuneración estipulada sea neta.

Commencement and continuation of compensation.

ARTICLE 12. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America of each member of the Mission, and, except as otherwise expressly provided in the present agreement, shall continue, following the termination of duty with the Mission, for the return voyage to a customary port of entry into the United States of America, and thereafter for the period of any accumulated leave which may be due.

ARTÍCULO 12. La retribución convenida según el Artículo precedente comenzará desde el día de la salida de los Estados Unidos de América de cada miembro de la Misión y, excepto lo que expresamente se dispone en contrario en este Acuerdo, continuará, después de la terminación de sus servicios en la Misión, durante el viaje de regreso hasta un puerto de entrada ordinario de los Estados Unidos de América, y además mientras dure cualquier licencia acumulada a que tenga derecho.

ARTICLE 13. The compensation due for the period of the return voyage and accumulated leave shall be paid to a detached member of the Mission prior to his departure from the Republic of Colombia, and such payment shall be computed for travel via the shortest usually traveled route regardless of the route and method of travel used by the said detached member.

ARTÍCULO 13. La remuneración debida por el período del viaje de regreso y la licencia acumulada, se le pagará al miembro de la Misión que haya sido retirado, antes de su partida de Colombia, y tal pago se calculará a base de la ruta ordinaria más corta, cualesquiera que sean la ruta y el modo de viajar utilizados por el miembro de la Misión.

Travel accommodations.

ARTICLE 14. Each member of the Mission and his family shall be furnished by the Government of the Republic of Colombia with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this agreement, between the port of embarkation in the United States of America and his official residence in the Repub-

ARTÍCULO 14. El Gobierno de la República de Colombia proporcionará a cada miembro de la Misión y a su familia pasaje de primera clase para el viaje requerido y efectuado de conformidad con este Acuerdo, por la ruta ordinaria más corta, entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de Colombia

lic of Colombia, both for the outward and the return voyage.

Shipment of household effects, etc.

All expenses of shipment and transportation of household effects, baggage, and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in the Republic of Colombia shall be paid in the same manner by the Government of the Republic of Colombia. Transportation of such household effects, baggage, and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects, and automobiles, and of the extra compensation prescribed in Article 15, below, in the case of personnel who may join the Mission for temporary duty at the request of the Minister of War of the Republic of Colombia, shall not be required under this agreement, but shall be determined by negotiations between the United States Navy Department and the authorized representative of the Ministry of War of the Republic of Colombia in Washington at such time as the detail of personnel for such temporary duty may be agreed upon.

Extra expenses.

ARTICLE 15. An additional allowance of one month's compensation, but of not less than two hundred United States dollars ($200.00), shall be provided by the Government of the Republic of Colombia to each member of

tanto para el viaje de ida como para el de regreso. Todos los gastos de embarque y transporte de los efectos domésticos, equipaje y automóvil de cada miembro de la Misión entre el puerto de embarque de los Estados Unidos y su residencia oficial en la República de Colombia, serán igualmente pagados por el Gobierno de la República de Colombia. El transporte de estos efectos domésticos, equipaje y automóvil deberá ser hecho en un solo embarque, y todos los embarques sucesivos serán por cuenta del miembro de la Misión, excepto en aquellos casos para los cuales este Acuerdo dispone lo contrario, o cuando tales embarques sucesivos resulten de circunstancias fuera del control de dicho miembro. El pago de los gastos incurridos en el transporte de las familias, de los efectos domésticos y los automóviles, y de la compensación adicional prescrita más adelante en el Artículo 15, no queda incluído en las disposiciones de este Acuerdo para el caso del personal que pueda unirse a la Misión a fin de prestar servicios temporales a solicitud del Ministro de Guerra de la República de Colombia. Se determinará mediante negociación entre la Secretaría de Marina de los Estados Unidos y el representante autorizado en Wáshington del Ministerio de Guerra de la República de Colombia, en el momento de acordarse el envío del personal que vaya a prestar tales servicios temporales.

ARTÍCULO 15. El Gobierno de la República de Colombia otorgará una bonificación adicional de un mes de remuneración, pero de no menos de doscientos dólares en moneda de los Estados Unidos de América ($200.00), a cada miem-

the Mission to cover extra expenses involved in change of residence from the United States of America to the Republic of Colombia. An equal additional allowance shall be paid to each member for expenses incident to change of residence from the Republic of Colombia to the United States of America upon completion of duty with the Mission.

bro de la Misión para compensar los gastos extraordinarios en que haya incurrido al cambiar su residencia de los Estados Unidos de América a la República de Colombia. Se le pagará además una bonificación igual a cada miembro de la Misión para compensar los gastos extraordinarios originados por el cambio de domicilio desde la República de Colombia a los Estados Unidos de América, al terminarse el servicio con la Misión.

ARTICLE 16. The Government of the Republic of Colombia shall grant, upon request of the Chief of the Mission, free entry for articles for the personal use of the members of the Mission and their families and exemption from tax on motor fuel used in official Mission cars.

Free entry for articles for personal use, etc.

Exemption from tax on motor fuel.

ARTÍCULO 16. El Gobierno de la República de Colombia concederá, a solicitud del Jefe de la Misión, entrada libre de artículos para el uso personal de los miembros de la Misión y sus familias, y les exonerará del pago del impuesto sobre el combustible que utilicen en viajes oficiales en automóviles de la Misión.

ARTICLE 17. If the services of any member of the Mission should be terminated prior to the completion of two years' service by action of the Government of the United States of America, except in accordance with the provisions of Article 4 (c), the provisions of Articles 14 and 15 shall not apply to the return voyage. If the services of any member of the Mission should terminate or be terminated prior to the completion of two years' service for any other reason, including those set forth in Article 4 (c), he shall receive from the Government of the Republic of Colombia all the compensations, emoluments, and perquisites which would be due if he had completed two years' service, but the annual salary shall terminate as provided by Article 12. But should the Government of the United States of America detach any member for breach of discipline, no cost of the return to the

Return trip expenses of members serving less than 2 years, etc.

ARTÍCULO 17. Si el servicio de cualquier miembro de la Misión se termina por acto del Gobierno de los Estados Unidos de América antes de cumplirse dos años de servicio, excepto en los casos previstos en el Artículo 4 (c), las estipulaciones de los Artículos 14 y 15 no serán aplicables para el viaje de regreso. Si el servicio de cualquiera de los miembros de la Misión se terminase antes de cumplir dos años por otra razón cualquiera, incluyendo lo dispuesto por el Artículo 4 (c), tal miembro recibirá del Gobierno de la República de Colombia todas las remuneraciones, emolumentos y obvenciones que le hubieran correspondido después de concluir dos años de servicio, pero el salario anual se dará por terminado como se dispone en el Artículo 12. Mas si el Gobierno de los Estados Unidos de América retirase algún miembro por falta de disciplina, ninguno de los gastos del regreso

Ante, p. 2414.

Ante, p. 2417.

United States of America of such member, his family, household effects, baggage, or automobile shall be borne by the Republic of Colombia nor shall the additional allowance provided in Article 15 be paid to him.

Compensation for transportation and traveling expenses.

ARTICLE 18. Compensation for transportation and traveling expenses in the Republic of Colombia, on Colombian official business, shall be provided by the Government of the Republic of Colombia in accordance with Article 9, except for travel performed incident to the provisions of Article 14, which shall be compensated as provided in that Article.

Ante, p. 2417.

Transportation of remains in case of death.

ARTICLE 19. If any member of the Mission, or any of his family, should die in the Republic of Colombia, the Government of the Republic of Colombia shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the Republic of Colombia shall not exceed the cost of transporting the remains from the place of decease to the port of entry in the United States of America. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death, and compensations as specified in Title IV of this agreement shall be paid to the widow of the deceased or to any other person who may have been designated in writing by the deceased while serving under the terms of this agreement; provided that such widow or other person shall not be compensated for the accrued leave of the deceased; and provided further that all compensations due under the provisions of this Arti-

Compensation due deceased member.

a los Estados Unidos de América de dicho miembro, ni de su familia, mobiliario, equipaje o automóvil será sufragado por la República de Colombia, ni se le pagará a dicho miembro la recompensa adicional estipulada en el Artículo 15.

ARTÍCULO 18. La remuneración por transporte y gastos de viaje en la República de Colombia, originados por asuntos oficiales del Gobierno de Colombia, será otorgada por dicho Gobierno de acuerdo con el Artículo 9, excepto en el caso de los viajes contemplados en las disposiciones del Artículo 14, los cuales se compensarán conforme a tal Artículo.

ARTÍCULO 19. Si cualquiera de los miembros de la Misión, o cualquiera de los miembros de su familia falleciere en la República de Colombia, el Gobierno de la República de Colombia tomará las medidas necesarias para que los restos sean transportados al lugar de los Estados Unidos de América que decidan los miembros sobrevivientes de su familia, pero los gastos que correspondan a la República de Colombia no excederán los del transporte de los restos desde el lugar de fallecimiento hasta el puerto de entrada en los Estados Unidos de América. En caso de que el fallecido sea un miembro de la Misión, sus servicios se darán por terminados quince (15) días después del fallecimiento, y las remuneraciones y obvenciones de que trata el Título IV de este Acuerdo se pagarán a la viuda del fallecido o a cualquiera otra persona que el fallecido hubiere designado por escrito mientras servía bajo este Acuerdo; pero no se compensará a dicha viuda o a la otra persona por la licencia acumulada a que tenía derecho el fallecido. Las

cle shall be paid within fifteen (15) days of the decease of the said member.

sumas que se adeuden conforme a las disposiciones de este Artículo serán pagadas dentro de los quince (15) días siguientes al fallecimiento.

TITLE V

Administrative Provisions

ARTICLE 20. The offices of the Mission shall be located at such place or places as the Minister of War and/or the Director General of the Navy may direct. Adequate office furniture, equipment, supplies, and official stationery shall be provided by the Government of the Republic of Colombia.

Location of offices, etc.

ARTICLE 21. The Government of the United States of America shall provide the Mission with requisite motor transportation and maintenance thereof, for local use. The Government of the Republic of Colombia shall provide the services of two chauffeurs, one for the Chief of Mission and one for utility service of the Mission as a whole.

Motor transportation, etc.

TÍTULO V

Disposiciones Administrativas

ARTÍCULO 20. Las oficinas de la Misión estarán localizadas en el lugar o los lugares que designaren el Ministro de Guerra y/o el Director General de Marina, o uno de ellos. El Gobierno de la República de Colombia suplirá mobiliario adecuado, equipo, materiales y papel de correspondencia oficial.

ARTÍCULO 21. El Gobierno de los Estados Unidos de América proveerá a la Misión de los vehículos que se necesiten para el transporte local, y sufragará los gastos de operación y conservación de ellos. El Gobierno de la República de Colombia proveerá los servicios de dos choferes, uno para el Jefe de la Misión, y otro para el uso de la Misión en general.

TITLE VI

Requisites and Conditions

Services of personnel of other foreign governments, restriction.

ARTICLE 22. So long as this agreement, or any extension thereof, is in effect, the Government of the Republic of Colombia shall not engage the services of any personnel of any other foreign government, except teachers, for military duties connected with the Colombian Navy, except by mutual agreement between the Government of the United States of America and the Government of the Republic of Colombia.

Secrecy requirement.

ARTICLE 23. Each member of the Mission shall agree not to divulge or by any means disclose to any foreign government or to any person whatsoever any secret

TÍTULO VI

Requisitos y Condiciones

ARTÍCULO 22. Mientras este Acuerdo, o cualquier prórroga del mismo esté en vigor, el Gobierno de la República de Colombia no contratará personal de ningún otro Gobierno extranjero, salvo profesores, para prestar servicios militares relacionados con la Armada de Colombia, excepto mediante mutuo acuerdo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Colombia.

ARTÍCULO 23. Cada miembro de la Misión se comprometerá a no divulgar ni revelar por ningún medio a Gobierno extranjero alguno, o a persona alguna,

or confidential matter of which he may become cognizant in any way. This requirement shall continue to be binding after termination of duty with the Mission and after the expiration or cancellation of this agreement or any extension thereof.

ningún secreto ni asunto confidencial que pueda llegar a su conocimiento en cualquier forma. Este requisito subsistirá después de terminados los servicios con la Misión, y después de la expiración o cancelación de este Acuerdo o cualquier prórroga del mismo.

"Family".

ARTICLE 24. Throughout this agreement the term "family" shall be construed as meaning wife and dependent children.

ARTÍCULO 24. En todo este Acuerdo se entenderá que el término "familia" significa la esposa y los hijos no emancipados.

Annual leave.

ARTICLE 25. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTÍCULO 25. Cada miembro de la Misión tendrá derecho a un mes de licencia con sueldo por cada año de servicio, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no hayan sido usadas podrán acumularse de año en año mientras el interesado preste servicios como miembro de la Misión.

ARTICLE 26. The leave cited in the preceding Article may be spent in foreign countries. All travel time, including sea travel, shall count as leave and shall not be in addition to that authorized in the preceding Article.

ARTÍCULO 26. La licencia estipulada en el Artículo anterior podrá disfrutarse en países extranjeros. Todo el tiempo que se emplee en viajar, incluso los viajes por mar, contará como parte de la licencia y no se añadirá al tiempo autorizado en el Artículo anterior.

ARTICLE 27. The Government of the Republic of Colombia agrees to grant the leave specified in Article 25 upon receipt of written application, approved by the Chief of the Mission.

ARTÍCULO 27. El Gobierno de la República de Colombia conviene en conceder la licencia estipulada en el Artículo 25, al recibir una solicitud escrita, aprobada por el Jefe de la Misión.

Hospitalization, etc.

ARTICLE 28. In case a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be placed by the Government of the Republic of Colombia in such hospital as the Chief of the Mission deems suitable after consultation with the Colombian authorities, and all expenses incurred as the result of such illness or injury

ARTÍCULO 28. En caso de que un miembro de la Misión se enferme o sufra lesiones, el Gobierno de la República de Colombia, por recomendación del Jefe de la Misión, lo recluirá en el hospital que dicho Jefe estime adecuado después de consultar con las autoridades colombianas. Todos los gastos ocasionados como resultado de tal enfermedad o de tales lesiones

while the patient is a member of the Mission and remains in the Republic of Colombia shall be paid by the Government of the Republic of Colombia.

serán pagados por el Gobierno de la República de Colombia, mientras el paciente sea miembro de la Misión y permanezca en Colombia.

Replacement in case of disability.

ARTICLE 29. Any member unable to perform his duties with the Mission by reason of long-continued physical disability shall be replaced.

ARTÍCULO 29. Cualquier miembro de la Misión que no pudiere cumplir con sus deberes por razón de incapacidad física prolongada, será reemplazado.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this agreement in duplicate, in the English and Spanish languages, at Washington, this 14th day of October 1946.

EN TESTIMONIO DE LO CUAL, los infrascritos, debidamente autorizados firman este Acuerdo en duplicado, en los idiomas inglés y español, en Wáshington, hoy día el 14 de octubre de 1946.

FOR THE UNITED STATES OF AMERICA:
POR LOS ESTADOS UNIDOS DE AMERICA:

DEAN ACHESON

FOR THE REPUBLIC OF COLOMBIA:
POR LA REPÚBLICA DE COLOMBIA:

C. S. DE SANTAMARIA

November 21, 1946
[T. I. A. S. 1564]

Agreement between the United States of America and the Netherlands respecting commercial policy. Effected by exchange of notes signed at Washington November 21, 1946; effective November 21, 1946.

The Acting Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
Nov 21 1946

EXCELLENCY:

I have the honor to make the following statement of the understanding reached during the discussions concerning the "Proposals for Expansion of World Trade and Employment", transmitted to the Netherlands Government by the Government of the United States of America, and the general international conference on trade and employment contemplated by those Proposals.

Pending the conclusion of the negotiations at this conference, the Netherlands Government and the Government of the United States of America declare it to be their policy to abstain from adopting new measures which would prejudice the objectives of the conference. In this connection your Government has indicated that it may need to adopt special measures for the Netherlands and for the Netherlands Indies in view of the extraordinary conditions consequent upon the termination of the war. My Government recognizes that it may be necessary for the Netherlands Government to take certain emergency measures during the post-war transitional period, and in fact has provided for such measures in the aforementioned Proposals. Any such emergency measures would not, of course, prejudice the objectives of the conference. It is understood, moreover, that modifications in the Netherlands customs tariff, on the basis of the Customs Agreement of September 5, 1944 between the Governments of the Netherlands, Belgium and Luxembourg, would not be considered new measures, since a result of this customs agreement will be that the general level of tariff rates for the three countries as a whole will not be raised. Our two Governments shall afford each other an adequate opportunity for consultation regarding proposed measures falling within the scope of this paragraph.

I have the honor to suggest that this note and Your Excellency's reply confirming the foregoing shall be regarded as constituting an agreement between our two Governments concerning this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands.

The Netherlands Ambassador to the Acting Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D.C.
HA-13839

NOVEMBER 21, 1946

SIR:

I have the honor to acknowledge the receipt of your note of today's date in regard to the understanding reached during the recent discussions concerning the proposed general international conference on trade and employment, and hereby confirm your statement of the understanding reached as therein set out.

Accept, Sir, the renewed assurances of my highest consideration.

A. LOUDON

The Honorable
DEAN ACHESON,
Acting Secretary of State,
Washington, D.C.

October 7, 1946
[T. I. A. S. 1566]

Agreement between the United States of America and Iceland respecting the termination of the defense agreement of July 1, 1941, and provision for the interim use of Keflavik airport. Effected by exchange of notes signed at Reykjavik October 7, 1946; effective October 7, 1946.

The Icelandic Minister for Foreign Affairs to the American Minister

UTANRÍKISRÁÐUNEYTIÐ

REYKJAVÍK, *7th October, 1946.*

No. 283.

Db. 65.K.8.
(óskast tilgreint í svari)

MONSIEUR LE MINISTRE,

I have the honour to refer to Your Excellency's note no. 616 dated September 19, 1946, [1] proposing certain arrangements with regard to the termination of the defense agreement of July 1, 1941, the withdrawal of the United States Armed Forces now in Iceland, and the future use of the Keflavik airport.

55 Stat. 1547.

In accordance with further conversations that have taken place between representatives of the Government of Iceland and representatives of the Government of the United States I have the honour to suggest that the proposals for an agreement between the two Governments set forth in Your Excellency's note above mentioned be amended to read as follows:

1. The Government of Iceland and the Government of the United States agree to the abrogation of the defense agreement of July 1, 1941, which shall terminate upon the coming into force of the present agreement.

2. The Keflavik area and the airfields, hereinafter referred to as the airport, and the immovable installations constructed thereon by the United States which will be listed in a joint Icelandic-United States inventory to be prepared concurrently with the transfer of the airport, will be transferred to the Government of Iceland. The airport shall then become the undisputed property of the Icelandic State in fulfilment of the undertakings of the Government of the United States with respect thereto.

3. The Government of the United States will withdraw as promptly as possible United States military and naval personnel now in the city of Reykjavík and during a period of 180 days commencing upon the coming into force of the present agreement will progressively withdraw all United States military and naval personnel now in Iceland.

4. The Keflavik airport will continue to be available for use by aircraft operated by or on behalf of the Government of the United

[1] [Not printed.]

States in connection with the fulfilment of United States obligations to maintain control agencies in Germany. To this end the Government of the United States shall have the right to and may, at its expense, maintain at the airport either directly or under its responsibility the services, facilities and personnel necessary to such use. The special character of these aircraft and their personnel will be respected as far as customs, immigration and other formalities are concerned. No landing fees shall be charged such aircraft.

5. Neither the stipulations in the foregoing paragraph nor any other stipulations in this agreement shall impair the sovereign rights or the ultimate authority of the Republic of Iceland with regard to the control and operation of the airport or any construction or activities there.

6. In connection with the operation of the airport the United States will train Icelandic personnel in airport techniques to enable Iceland to assume progressively the operation of the airport.

7. The Government of Iceland after having consulted the Government of the United States will place in effect operational, safety, and similar rules to govern use of the airport by all aircraft.

8. The Government of Iceland and the Government of the United States will determine a mutually satisfactory formula for the equitable distribution between them of the cost of maintenance and operation of the airport, provided, however, that neither Government shall be obligated to incur any expense with regard to the maintenance and operation of the airport which it does not deem necessary to meet its own needs.

9. No duty or other taxes shall be charged on material, equipment, supplies or goods imported for the use of the Government of the United States, or its agents, under the agreement or for the use of personnel in Iceland by reason of employment pursuant to the agreement. No export tax shall be charged on the removal of such articles.

10. No personnel of the United States resident on the territory of Iceland by reason of employment pursuant to the agreement shall be liable to pay income tax on income derived from sources outside of Iceland.

11. Upon the termination of the present agreement the Government of the United States shall have the right to remove from the airport all movable installations and equipment which have been constructed or provided by the United States or its agents after the date of the agreement unless by agreement such installations and equipment are bought by the Government of Iceland.

12. The agreement shall continue in effect until the obligations of the Government of the United States to maintain control agencies in Germany shall have been fulfilled; provided, however, that at any time after the lapse of five years from the coming into force of the present agreement, either Government may propose a review of the agreement. In such case the two Governments shall consult as soon as possible. If no agreement is reached as a result of such consultation within a period of six months from the date of original notification,

either Government may at any time thereafter give notice in writing of intention to denounce the agreement which shall then terminate twelve months from the date of such notice.

Should the Government of the United States accept the amended wording set forth above, the affirmative reply of Your Excellency shall constitute, together with this note, the agreement of the two Governments in these matters.

I have the honour to renew to you, Monsieur le Ministre, the assurance of my highest consideration.

OLAFUR THORS.

His Excellency LOUIS G. DREYFUS, jr.
United States Minister to Iceland,
Reykjavík.

The American Minister to the Icelandic Minister for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
No. 628 *Reykjavik, Iceland, October 7, 1946.*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date in the following terms:

"I have the honour to refer to Your Excellency's note no. 616 dated September 19, 1946, proposing certain arrangements with regard to the termination of the defense agreement of July 1st, 1941, the withdrawal of the United States Armed Forces now in Iceland, and the future use of the Keflavik airport.

55 Stat. 1547.

"In accordance with further conversations that have taken place between representatives of the Government of Iceland and representatives of the Government of the United States I have the honour to suggest that the proposals for an agreement between the two Governments set forth in Your Excellency's note above mentioned be amended to read as follows:

Abrogation of defense agreement.

"1. The Government of Iceland and the Government of the United States agree to the abrogation of the defense agreement of July 1, 1941, which shall terminate upon the coming into force of the present agreement.

55 Stat. 1547.

Transfer of Keflavik airport to Government of Iceland.

"2. The Keflavik area and the airfields, hereinafter referred to as the airport, and the immovable installations constructed thereon by the United States which will be listed in a joint Icelandic-United States inventory to be prepared concurrently with the transfer of the airport, will be transferred to the Government of Iceland. The airport shall then become the undisputed property of the Icelandic State in fulfillment of the undertakings of the Government of the United States with respect thereto.

Withdrawal of U. S. military and naval personnel.

"3. The Government of the United States will withdraw as promptly as possible United States military and naval personnel

now in the city of Reykjavik and during a period of 180 days commencing upon the coming into force of the present agreement will progressively withdraw all United States military and naval personnel now in Iceland.

Availability of airport to U. S., etc.

"4. The Keflavik airport will continue to be available for use by aircraft operated by or on behalf of the Government of the United States in connection with the fulfillment of United States obligations to maintain control agencies in Germany. To this end the Government of the United States shall have the right to and may, at its expense, maintain at the airport either directly or under its responsibility the services, facilities and personnel necessary to such use. The special character of these aircraft and their personnel will be respected as far as customs, immigration and other formalities are concerned. No landing fees shall be charged such aircraft.

Sovereign rights of Iceland.

"5. Neither the stipulations in the foregoing paragraph nor any other stipulations in this agreement shall impair the sovereign rights or the ultimate authority of the Republic of Iceland with regard to the control and operation of the airport or any construction or activities there.

Training of Icelandic personnel.

"6. In connection with the operation of the airport the United States will train Icelandic personnel in airport techniques to enable Iceland to assume progressively the operation of the airport.

Rules for use of airport.

"7. The Government of Iceland after having consulted the Government of the United States will place in effect operational, safety, and similar rules to govern use of the airport by all aircraft.

Distribution of cost.

"8. The Government of Iceland and the Government of the United States will determine a mutually satisfactory formula for the equitable distribution between them of the cost of maintenance and operation of the airport, provided, however, that neither Government shall be obligated to incur any expense with regard to the maintenance and operation of the airport which it does not deem necessary to meet its own needs.

Nonapplication of import and export taxes.

"9. No duty or other taxes shall be charged on material, equipment, supplies or goods imported for the use of the Government of the United States, or its agents, under the agreement or for the use of personnel in Iceland by reason of employment pursuant to the agreement. No export tax shall be charged on the removal of such articles.

Nonliability of U. S. personnel for payment of income tax.

"10. No personnel of the United States resident on the territory of Iceland by reason of employment pursuant to the agreement shall be liable to pay income tax on income derived from sources outside of Iceland.

Right of U. S. to remove installations, etc.

"11. Upon the termination of the present agreement the Government of the United States shall have the right to remove from the airport all movable installations and equipment which have been constructed or provided by the United States or its agents

after the date of the agreement unless by agreement such installations and equipment are bought by the Government of Iceland.

Termination of agreement.

"12. The agreement shall continue in effect until the obligations of the Government of the United States to maintain control agencies in Germany shall have been fulfilled; provided, however, that at any time after the lapse of five years from the coming into force of the present agreement, either Government may propose a review of the agreement. In such case the two Governments shall consult as soon as possible. If no agreement is reached as a result of such consultation within a period of six months from the date of original notification, either Government may at any time thereafter give notice in writing of intention to denounce the agreement which shall then terminate twelve months from the date of such notice.

"Should the Government of the United States accept the amended wording set forth above, the affirmative reply of Your Excellency shall constitute, together with this note, the agreement of the two Governments in these matters."

Acceptance of agreement by U. S.

I have the honor to inform Your Excellency that the Government of the United States accepts the agreement set out in Your Excellency's note quoted above.

Accept, Excellency, the renewed assurances of my highest consideration.

LOUIS G. DREYFUS, Jr.

His Excellency
OLAFUR THORS,
Minister for Foreign Affairs,
Reykjavik.

Agreement between the United States of America and Czechoslovakia respecting commercial policy. Effected by exchange of notes signed at Washington November 14, 1946; effective November 14, 1946.

November 14, 1946
[T. I. A. S. 1569]

The Acting Secretary of State to the Czechoslovak Ambassador

DEPARTMENT OF STATE
WASHINGTON
November 14, 1946.

EXCELLENCY:

The Government of the United States expresses its satisfaction at the successful conclusion of the discussions with the Government of Czechoslovakia concerning commercial policy, compensation for nationalized properties and related matters of mutual interest in furthering the economic relations between their two countries. These discussions have resulted in agreement by the two Governments on the following matters:

Elimination of discriminatory treatment, etc.

1. The two Governments affirm their continued support of the principles set forth in Article VII of the Mutual Aid Agreement of July 11, 1942, and reiterate their desire to achieve the elimination of all forms of discriminatory treatment in international commerce, and the reduction of tariffs and other trade barriers.

56 Stat. 1564.

Abstention from measures prejudicial to objectives of conference.

2. The Government of Czechoslovakia is in accord with the general tenor of the "Proposals for Expansion of World Trade and Employment" recently transmitted to the Government of Czechoslovakia by the Government of the United States. Pending the conclusion of the negotiations at the general international conference on trade and employment contemplated by the "Proposals", the two Governments declare it to be their policy to abstain from adopting new measures which would prejudice the objectives of the conference.

Return to multilateralism.

3. The two Governments share the view that the conduct of international trade through the mechanism of bilateral barter, clearing, and similar agreements is generally not compatible with the maximization of benefits deriving from trade or with the goal of eliminating trade discrimination. The Government of Czechoslovakia has expressed the view, however, that the use of such agreements during the postwar transition period has been necessary, but it will direct its efforts to their abandonment and a return to multilateralism at the earliest possible date.

Maintenance by Czechoslovakia of import and export controls.

4. The Government of Czechoslovakia has declared that it must maintain a system of import and export controls during the postwar transition period in order to safeguard the equilibrium of its balance of payments while seeking to achieve in an orderly way its plan of economic reconstruction. The Government of Czechoslovakia will administer the issuance of import licenses without discrimination as

among foreign sources of supply as soon as Czechoslovakia possesses or is able to obtain sufficient free foreign exchange so that it is no longer necessary for her to make her purchases within the limits of bilateral trade and financial agreements.

Treatment by monopolies.

5. If the Government of either country establishes or maintains a monopoly or enterprise for the importation, exportation, purchase, sale, distribution or production of any article, or grants exclusive privileges to any enterprise to import, export, purchase, sell, distribute or produce any article, such monopoly or enterprise shall accord to the commerce of the other country fair and equitable treatment in respect of its purchases of articles the growth, produce or manufacture of foreign countries and its sales of articles destined for foreign countries. To this end the monopoly or enterprise shall, in making such purchases or sales of any article, be influenced solely by considerations, such as price, quality, marketability, transportation and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms.

Intention to conclude treaty of friendship and commerce.

6. The two Governments express their intention at the earliest practicable date to enter into negotiations looking toward the conclusion of a comprehensive treaty of friendship and commerce which will regulate to their mutual satisfaction economic relations between the two countries. Meanwhile the two Governments have taken cognizance of the fact that each continues to accord to articles the growth, produce or manufacture of the other unconditional most-favored-nation treatment with respect to customs duties, the rules and formalities of customs, and the taxation, sale, distribution, and use within its territory of such articles consistent with provisions of the former trade agreement between the two countries dated March 7, 1938.

Continuation of most-favored-nation treatment.

53 Stat. 2293.

Compensation for claims.

7. The Government of the United States and the Government of Czechoslovakia will make adequate and effective compensation to nationals of one country with respect to their rights or interests in properties which have been or may be nationalized or requisitioned by the Government of the other country. In this connection, the Government of the United States has noted with satisfaction that negotiations concerning compensation on account of such claims will shortly begin in Praha.

Information concerning international economic relations of Czechoslovakia.

8. The two Governments agree to afford each other adequate opportunity for consultation regarding the matters mentioned above, and the Government of Czechoslovakia, recognizing that it is the normal practice of the Government of the United States to make public comprehensive information concerning its international economic relations, agrees to make available to the Government of the United States full information, similar in scope and character to that normally made public by the United States, concerning the international economic relations of Czechoslovakia.

The Government of the United States will be pleased to receive

from the Government of Czechoslovakia a statement confirming its understanding of this agreement reached by the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
DR. JURAJ SLÁVIK,
Ambassador of Czechoslovakia.

The Czechoslovak Ambassador to the Acting Secretary of State

CZECHOSLOVAK EMBASSY,
WASHINGTON, D. C.
November 14, 1946.

EXCELLENCY:

The Government of Czechoslovakia expresses its satisfaction at the successful conclusion of the discussions with the Government of the United States concerning commercial policy, compensation for nationalized properties and related matters of mutual interest in furthering the economic relations between their two countries. These discussions have resulted in agreement by the two Governments on the following matters:

1. The two Governments affirm their continued support of the principles set forth in Article VII of the Mutual Aid Agreement of July 11, 1942, and reiterate their desire to achieve the elimination of all forms of discriminatory treatment in international commerce, and the reduction of tariffs and other trade barriers.

2. The Government of Czechoslovakia is in accord with the general tenor of the "Proposals for Expansion of World Trade and Employment" recently transmitted to the Government of Czechoslovakia by the Government of the United States. Pending the conclusion of the negotiations at the general international conference on trade and employment contemplated by the "Proposals", the two Governments declare it to be their policy to abstain from adopting new measures which would prejudice the objectives of the conference.

3. The two Governments share the view that the conduct of international trade through the mechanism of bilateral barter, clearing, and similar agreements is generally not compatible with the maximization of benefits deriving from trade or with the goal of eliminating trade descrimination. The Government of Czechoslovakia has expressed the view, however, that the use of such agreements during the postwar transition period has been necessary, but it will direct its efforts to their abandonment and a return to multilateralism at the earliest possible date.

4. The Government of Czechoslovakia has declared that it must maintain a system of import and export controls during the postwar transition period in order to safeguard the equilibrium of its

balance of payments while seeking to achieve in an orderly way its plan of economic reconstruction. The Government of Czechoslovakia will administer the issuance of import licenses without discrimination as among foreign sources of supply as soon as Czechoslovakia possesses or is able to obtain sufficient free foreign exchange so that it is no longer necessary for her to make her purchases within the limits of bilateral trade and financial agreements.

5. If the Government of either country establishes or maintains a monopoly or enterprise for the importation, exportation, purchase, sale distribution or production of any article, or grants exclusive privileges to any enterprise to import, export, purchase, sell, distribute or produce any article, such monopoly or enterprise shall accord to the commerce of the other country fair and equitable treatment in respect of its purchases of articles the growth, produce or manufacture of foreign countries and its sales of articles destined for foreign countries. To this end the monopoly or enterprise shall, in making such purchases or sales of any article, be influenced solely by considerations, such as price, quality, marketability, transportation and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms.

6. The two Governments express their intention at the earliest practicable date to enter into negotiations looking toward the conclusion of a comprehensive treaty of friendship and commerce which will regulate to their mutual satisfaction economic relations between the two countries. Meanwhile the two Governments have taken cognizance of the fact that each continues to accord to articles the growth, produce or manufacture of the other unconditional most-favored-nation treatment with respect to customs duties, the rules and formalities of customs, and the taxation, sale, distribution, and use within its territory of such articles consistent with provisions of the former trade agreement between the two countries dated March 7, 1938.

7. The Government of the United States and the Government of Czechoslovakia will make adequate and effective compensation to nationals of one country with respect to their rights or interests in properties which have been or may be nationalized or requisitioned by the Government of the other country. In this connection, the Government of the United States has noted with satisfaction that negotiations concerning compensation on account of such claims will shortly begin in Praha.

8. The two Governments agree to afford each other adequate opportunity for consultation regarding the matters mentioned above, and the Government of Czechoslovakia, recognizing that it is the normal practice of the Government of the United States to make public comprehensive information concerning its international economic relations, agrees to make available to the Government of the United States full information, similar in scope and character to that normally made public by the United States, concerning the international economic relations of Czechoslovakia.

The Government of the Czechoslovak Republic is pleased to confirm by the present note its understanding of this agreement reached by the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

DR. JURAJ SLÁVIK

His Excellency
DEAN G. ACHESON,
Acting Secretary of State,
Washington, D. C.

May 4, 18, June 10, July 4, 8, 11, August 15, 26, September 10, October 3, 7, 1946
[T. I. A. S. 1572]

Understandings respecting trade relations with the Philippines. Effected by exchanges of notes between the United States of America and other governments signed at Washington May 4, 18, June 10, July 4, 8, 11, August 15, 26, September 10, and October 3, 7, 1946, regarding the application of certain treaties and agreements.

The Acting Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 4, 1946

EXCELLENCY:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

Nonextension to Belgium of advantages accorded by U. S. to Philippines.

With a view, therefore, to placing the relations between the United States and Belgium upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the most-favored-nation provisions of the Reciprocal Trade Agreement between the United States of America and the Belgo-Luxembourg Economic Union signed February 27, 1935, shall not be understood to require the extension to Belgium of advantages accorded by the United States to the Philippines.

49 Stat. 3680.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of Your Excellency's Government to this proposal at an early date.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
Baron ROBERT SILVERCRUYS,
Belgian Ambassador.

The Belgian Ambassador to the Acting Secretary of State

AMBASSADE DE BELGIQUE

WASHINGTON, *July 11th, 1946.*

SIR,

I have the honour to acknowledge receipt of your letter of May 4th, by which you kindly advised me that the Government of the United States of America considers that provision for a transitional period for dealing with the special tariff position which the Philippines products have occupied for many years in the United States, is an essential accompaniment to Philippine independence.

Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines, will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Upon instructions received from my Government, I am pleased to advise you that, on behalf of the Belgian-Luxembourg Economic Union, they agree that the most-favoured-nation provisions of the Reciprocal Trade Agreement between the United States of America and the Belgo-Luxembourg Economic Union, signed February 27, 1935, shall not be understood to require during the above mentioned period, the extension to the Economic Union of advantages accorded by the United States of America to the Philippines.

Accept, Sir, the renewed assurance of my highest consideration.

SILVERCRUYS
The Belgian Ambassador

The Honorable DEAN ACHESON
Acting Secretary of State
Washington D. C.

The Acting Secretary of State to the Bolivian Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

EXCELLENCY:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a

transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine Independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946. 60 Stat. 141. 22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456. 48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Bolivia upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the most-favored-nation provisions of the Treaty of Peace, Friendship, Commerce and Navigation between the United States and Bolivia signed May 13, 1858, shall not be understood to require the extension to Bolivia of advantages accorded by the United States to the Philippines.

Nonextension to Bolivia of advantages accorded by U. S. to Philippines.

12 Stat. 1003.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of Your Excellency's Government to this proposal at an early date.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
Señor Don VICTOR ANDRADE,
Ambassador of Bolivia.

The Bolivian Ambassador to the Secretary of State

EMBAJADA DE BOLIVIA
WASHINGTON

EXCELLENCY:

I have the honor to refer to Your Excellency's note of May 4, 1946, with regard to the provision that the most favored nation clause of the Treaty of Peace, Friendship, Commerce and Navigation between the United States and Bolivia, signed May 13, 1858, shall not be under-

stood to require the extension to Bolivia of advantages accorded by the United States to the Philippines.

In appreciation of the facts explained in Your Excellency's note, and as an act of friendship to the Philippine Nation in the achieving of its independence, I have the honor to express, on behalf of the Bolivian Government, the acceptance of this proposition.

Accept, Excellency, the assurances of my highest consideration.

V ANDRADE

Washington, D.C., June 10, 1946

His Excellency
Mr. JAMES F. BYRNES,
Secretary of State,
Washington, D.C.

The Acting Secretary of State to the Danish Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Denmark upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, my Government proposes that the most-favored-nation provisions of the Treaty of Friendship,

Nonextension to Denmark of advantages accorded by U.S. to Philippines.

8 Stat. 340.

Commerce and Navigation between the United States and the Kingdom of Denmark signed April 26, 1826, shall not be understood to require the extension to Denmark of advantages accorded by the United States to the Philippines.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my high consideration.

DEAN ACHESON
Acting Secretary of State

Mr. CARL A. C. BRUN,
Chargé d'Affairs ad interim of Denmark.

The Danish Chargé d'Affaires ad interim to the Acting Secretary of State

ROYAL DANISH LEGATION
WASHINGTON, D.C.

SEPTEMBER 10, 1946

SIR:

I have the honor to acknowledge receipt of the Department of State's note of May 4th, according to which the Government of the United States of America considers that provision for a transitional period for dealing with the special tariff position which the Philippines products have occupied for many years in the United States, is an essential accompaniment to Philippine independence.

Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines, will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Upon instructions received, I have the honor to inform you that the Danish Government agree that the most-favored-nation provisions of the Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Denmark signed on April 26, 1826, shall not be understood to require during the said period the extension to Denmark of the above-mentioned advantages accorded by the United States of America to the Republic of the Philippines.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

POVL BANG-JENSEN

The Honorable
WILLIAM L. CLAYTON
Acting Secretary of State
Department of State
Washington, D.C.

The Acting Secretary of State to the Dominican Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946. 60 Stat. 141. 22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456. 48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and the Dominican Republic upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the provisions of the Agreement between the United States and the Dominican Republic effected by an exchange of notes signed September 25, 1924, shall not be understood to require the extension to the Dominican Republic of advantages accorded by the United States to the Philippines.

Nonextension to Dominican Republic of advantages accorded by U. S. to Philippines.

Treaty Series 700.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

The Honorable
Señor Dr. Don J. R. RODRIGUEZ,
Chargé d'Affaires ad interim of the Dominican Republic.

The Dominican Ambassador to the Acting Secretary of State

EMBAJADA DE LA REPÚBLICA DOMINICANA
WASHINGTON

Octubre 7 de 1946.

SEÑOR SECRETARIO:

Tengo la honra de referirme a la nota de Vuestra Excelencia del 4 de mayo del año en curso y de informar a Vuestra Excelencia, de conformidad con instrucciones que he recibido al efecto, que el Gobierno Dominicano acepta que no se considere que las provisiones del Acuerdo entre los Estados Unidos y la República Dominicana, efectuado por un cambio de notas firmadas el 25 de Septiembre de 1924, implican la extensión a la República Dominicana de las ventajas concedidas por los Estados Unidos a las Filipinas.

Acepte, Señor Secretario, las renovadas seguridades de mi más alta consideración.

EMILIO G. GODOY

A Su Excelencia DEAN ACHESON,
Secretario de Estado Interino
de los Estados Unidos de América,
Washington, D.C.

Translation

EMBASSY OF THE DOMINICAN REPUBLIC
WASHINGTON

October 7, 1946.

MR. SECRETARY:

I have the honor to refer to Your Excellency's note of the 4th of May of the present year, and to inform Your Excellency, in conformity with instructions that I have received to that effect, that the Dominican Government agrees that the provisions of the Agreement between the United States and the Dominican Republic, effected by an exchange of notes signed the 25th of September 1924, shall not be understood to imply the extension to the Dominican Republic of the advantages accorded by the United States to the Philippines.

Accept, Mr. Secretary, the renewed assurances of my highest consideration.

EMILIO G. GODOY

His Excellency DEAN ACHESON,
Acting Secretary of State
of the United States of America,
Washington, D.C.

The Acting Secretary of State to the Egyptian Minister

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Egypt upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the provisions of the Provisional Commercial Agreement between the United States of America and Egypt effected by an exchange of notes signed May 24, 1930, shall not be understood to require the extension to Egypt of advantages accorded by the United States to the Philippines.

Nonextension to Egypt of advantages accorded by U. S. to Philippines.

47 Stat. 2582.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

The Honorable
MAHMOUD HASSAN,
Minister of Egypt.

The Egyptian Minister to the Acting Secretary of State

ROYAL EGYPTIAN LEGATION
WASHINGTON, D.C.
August 15, 1946

SIR,

I have the honour to refer to your letter dated May 4, 1946 informing me that your Government made a provision for a transitional period for dealing with the special tariff position which Philippine products have occupied before independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

I have the pleasure to inform you that after referring the contents of your communication to my Government, I have been authorized to state that until the expiration date of the exceptional treatment of Philippine imports, my Government does not intend to invoke the most-favored-nation clause under the Provisional Commercial Agreement between the United States of America and Egypt effected by an exchange of notes signed May 24, 1930.

Accept, Sir, the renewed assurances of my highest consideration.

M HASSAN

The Honourable
DEAN ACHESON
Acting Secretary of State
Washington, D.C.

The Acting Secretary of State to the Ethiopian Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Ethiopia upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, my Government proposes that the most-favored-nation provisions of the Treaty of Commerce between the United States and Ethiopia signed June 27, 1914, shall not be understood to require the extension to Ethiopia of advantages accorded by the United States to the Philippines.

Nonextension to Ethiopia of advantages accorded by U. S. to Philippines.

41 Stat. 1711.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my high consideration.

DEAN ACHESON
Acting Secretary of State

Mr. GETAHOUN TESEMMA,
Chargé d'Affaires ad interim of Ethiopia.

The Ethiopian Minister to the Under Secretary of State

IMPERIAL ETHIOPIAN LEGATION
WASHINGTON, D.C.

No: 2318/GO/2.

JULY 4, 1946.

SIR:

With reference to your Note of the 4th May last and subsequent reply No: 2073/GO/2 of the 10th May, I have the honour to inform you that the Imperial Ethiopian Government are in agreement that the most-favored-nation provisions of the Treaty of Commerce between the United States and Ethiopia signed June 27, 1914, shall not be understood to require the extension to Ethiopia of advantages accorded by the United States to the Philippines.

I avail myself of this opportunity to express to you, Sir, the assurances of my highest consideration.

RAS H. S. IMRU
Minister

Honourable DEAN ACHESON
Under-Secretary of State
Department of State
Washington, D.C.

The Acting Secretary of State to the Norwegian Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Norway upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, my Government proposes that the most-favored-nation provisions of the Treaty of Friendship, Commerce and Consular Rights between the United States of America and Norway signed June 5, 1928, shall not be understood to require the extension to Norway of advantages accorded by the United States to the Philippines.

Nonextension to Norway of advantages accorded by U. S. to Philippines.

47 Stat. 2135.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my high consideration.

DEAN ACHESON
Acting Secretary of State

Mr. KNUT LYKKE,
Chargé d'Affaires ad interim of Norway.

The Norwegian Ambassador to the Acting Secretary of State

NORWEGIAN EMBASSY
WASHINGTON 7, D.C.

JULY 8, 1946.

EXCELLENCY:

I have the honor to refer to your note of May 4th, 1946 in which you proposed that the most-favored-nations provisions of the Treaty of Friendship, Commerce and Consular Rights between Norway and the United States of America signed June 5th, 1928, shall not be understood to require the extension to Norway of advantages accorded by the United States to the Phillipines during a transitional period following the proclamation of Phillipine independence.

I am happy to reply that in appreciation of the need for such concessions and as an act of friendship toward the Republic of the Phillipines my Government has instructed me to accept your Excellency's proposal.

Please accept, Excellency, the renewed assurances of my highest consideration.

W. MORGENSTIERNE

His Excellency
DEAN ACHESON,
Acting Secretary of State,
Washington 25, D.C.

No: 213

The Acting Secretary of State to the Portuguese Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 18, 1946

EXCELLENCY:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

Nonextension to Portugal of advantages accorded by U. S. to Philippines.

With a view, therefore, to placing the relations between the United States and Portugal upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the provisions of the Commercial Arrangement between the United States of America and Portugal effected by an exchange of notes signed June 28, 1910, shall not be understood to require the extension to Portugal of advantages accorded by the United States to the Philippines.

Treaty Series 514½.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of Your Excellency's Government to this proposal at an early date.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
Dr. JOAO ANTONIO DE BIANCHI,
Ambassador of Portugal.

The Portuguese Ambassador to the Acting Secretary of State

Proc. 11
No.—108

EMBAIXADA DE PORTUGAL
WASHINGTON
August 26, 1946.

SIR:–

With reference to Your Excellency's note of 18 May, 1946, I have the honour to inform your Excellency, under instructions, that the Portuguese Government agrees to the proposal set out in Your Excellency's note quoted above, according to which the provisions of the Commercial Arrangement between Portugal and the United States of America effected by an exchange of notes signed June 28, 1910, shall not be understood to require extension to Portugal of advantages accorded by the United States to the Philippines, during the transitional period covered by the Philippine Trade Act approved April 30, 1946.

I avail myself of this opportunity to convey to you, Sir, the renewed assurances of my highest consideration./.

J BIANCHI

The Honourable, DEAN ACHESON
Acting Secretary of State
etc., etc., etc.

The Acting Secretary of State to the Spanish Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

EXCELLENCY:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Spain upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the provisions of the Commercial Agreement between the United States and Spain effected by an exchange of notes signed October 26 and November 7, 1927, shall not be understood to require the extension to Spain of advantages accorded by the United States to the Philippines.

Nonextension to Spain of advantages accorded by U. S. to Philippines.

Treaty Series 758-A.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of Your Excellency's Government to this proposal at an early date.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
Señor Don JUAN FRANCISCO DE CÁRDENAS,
Ambassador of Spain.

The Spanish Ambassador to the Acting Secretary of State

SPANISH EMBASSY
WASHINGTON

No. 170 WASHINGTON, *11 de julio de 1946*

SEÑOR SECRETARIO:

Con referencia a la atenta nota de Vuestra Excelencia de fecha 4 del pasado mayo, sobre las preferencias que se concederan por parte de los Estados Unidos a las Filipinas, de acuerdo con lo establecido en la "Philippine Trade Act" del 30 de abril de 1946, tengo la honra de poner en su conocimiento que el Ministerio de Asuntos Exteriores de Madrid acaba de enviarme instrucciones para que ponga en conocimiento del Departamento de Estado que el Gobierno Español da su conformidad respecto a las derivaciones aduaneras con motivo de la independencia de las Filipinas.

Aprovecho esta oportunidad, Señor Secretario, para reiterarle el testimonio de mi alta consideración.

JUAN F. DE CARDENAS
Embajador de España

Su Excelencia
Señor DEAN ACHESON
Secretario de Estado Interino
Washington D.C.

Translation

SPANISH EMBASSY
WASHINGTON

No. 170 WASHINGTON, *July 11, 1946*

MR. SECRETARY:

In reference to Your Excellency's courteous note dated May 4, last, concerning the preferences which will be given on the part of the United States to the Philippines, in agreement with that which is set forth in the "Philippine Trade Act" of April 30, 1946, I have the honor to inform you that the Ministry of Foreign Affairs at Madrid has just sent me instructions to inform the Department of State that the Spanish Government states its conformity with the effects on customs deriving from the Independence of the Philippines.

I avail myself of this opportunity, Mr. Secretary, to renew to you the assurances of my highest consideration.

JUAN F DE CARDENAS
Ambassador of Spain

His Excellency
DEAN ACHESON,
Acting Secretary of State,
Washington, D.C.

The Acting Secretary of State to the Yugoslav Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
May 4 1946

SIR:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Entry of Philippine goods under Philippine Trade Act of 1946.
60 Stat. 141.
22 U. S. C. § 1251 *et seq.*

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

48 Stat. 456.
48 U. S. C. § 1232 *et seq.*

With a view, therefore, to placing the relations between the United States and Yugoslavia upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, my Government proposes that the most-favored-nation provisions of the Treaty for Facilitating and Developing Commercial Relations between the United States and Yugoslavia signed October 2/14, 1881, shall not be understood to require the extension to Yugoslavia of advantages accorded by the United States to the Philippines.

Nonextension to Yugoslavia of advantages accorded by U.S. to Philippines.

22 Stat. 963.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my high consideration.

DEAN ACHESON
Acting Secretary of State

DR. SERGIJE MAKIEDO,
Chargé d'Affaires ad interim of Yugoslavia.

The Yugoslav Ambassador to the Acting Secretary of State

EMBASSY OF THE FEDERAL PEOPLE'S
REPUBLIC OF YUGOSLAVIA
WASHINGTON

Pov. Br. 1297

SIR:

I have the honor to inform you that the Government of the Federal People's Republic of Yugoslavia has accepted the proposal of the Government of the United States of America that the most-favored-nation provisions of the Treaty for Facilitating and Developing Commercial Relations between the United States and Yugoslavia signed October 2/14, 1881, shall not be understood to require the extension to Yugoslavia of advantages accorded by the United States to the Philippines.

Accept, Sir, the renewed assurances of my high consideration.

WASHINGTON, *October 3, 1946*

S. N. KOSANOVIĆ
Ambassador of Yugoslavia

The Honorable
the Acting Secretary of State,
Washington, D.C.

Agreement between the United States of America and New Zealand respecting air transport services. Signed at Washington December 3, 1946; effective December 3, 1946.

December 3, 1946
[T. I. A. S. 1573]

AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NEW ZEALAND

The Government of the United States of America and the Government of New Zealand,

Desiring to conclude an Agreement for the purpose of promoting direct air services as rapidly as possible between their respective territories,

Have accordingly appointed authorized representatives for this purpose, who have agreed as follows:—

ARTICLE I

For the purpose of this Agreement and its Annex unless the context otherwise requires:

Post, p. 2459.

(A) The term "territory" shall mean in respect of either Contracting Party the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, or trusteeship of such Party.

"Territory".

(B) The term "aeronautical authorities" shall mean in the case of New Zealand the Minister in Charge of Civil Aviation, and in the case of the United States the Civil Aeronautics Board, and in both cases any person or body authorized by the respective Contracting Parties to perform the functions presently exercised by the abovementioned authorities.

"Aeronautical authorities".

(C) The term "designated airline" shall mean the air transport enterprise or enterprises which the aeronautical authorities of one of the Contracting Parties have notified in writing to the aeronautical authorities of the other Contracting Party as the airline designated by the first Contracting Party in accordance with Article III of this Agreement for the route specified in such notification.

"Designated airline".

(D) The terms "airline" and "route" shall be deemed to include "airlines" and "routes" respectively.

"Airline"; "route".

(E) The definitions contained in paragraphs (a), (b), and (d) of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944 [1] shall apply.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, p. 85.]

"National of New Zealand".

(F) The term "National of New Zealand" shall mean

(i) The Government of New Zealand or a British subject who is ordinarily resident in New Zealand or

(ii) A partnership comprised entirely of a number of such subjects or of one or more of such subjects and the Government of New Zealand or

(iii) A corporation or association created or organized under the laws of New Zealand or of any Territory thereof and which is substantially owned and effectively controlled by the Government of New Zealand or by such subjects or by both such Government and one or more of such subjects.

"National of Australia".

(G) The term "National of Australia" shall mean

(i) The Government of Australia or a British subject who is ordinarily resident in Australia or

(ii) A partnership comprised entirely of a number of such subjects or of one or more of such subjects and the Government of Australia or

(iii) A corporation or association created or organized under the laws of Australia or of any State or Territory thereof and which is substantially owned and effectively controlled by the Government of Australia or by such subjects or by both such Government and one or more of such subjects.

"National of the United States".

(H) The term "National of the United States" shall mean a citizen of the United States within the meaning of the Civil Aeronautics Act of 1938, as amended.

52 Stat. 973.
49 U. S. C. § 401 *et seq.*

ARTICLE II

Post, p. 2459.

Post, p. 2457.

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of the international air services set forth in that Annex, or as amended in accordance with Article XI of the present Agreement (hereinafter referred to as the "agreed services").

ARTICLE III

Inauguration of agreed services.

(A) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, but not before:

(1) The Contracting Party to whom the rights have been granted shall have designated an airline for the specified route;

(2) The Contracting Party which grants the rights shall have given the appropriate operating permission to the airline concerned which (subject to the provisions of paragraph (B) of this Article and of Article VII) it shall do with the least possible delay.

Post, p. 2456.

(B) The designated airline may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it is qualified to fulfill the conditions prescribed by or under the laws

and regulations normally applied by those authorities to the operations of international commercial air services.

ARTICLE IV

Charges.

(A) The charges which either of the Contracting Parties may impose or permit to be imposed on the designated airline of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(B) Subject to paragraph (C) of this Article, aircraft of the designated airline of one Contracting Party operating on the agreed services, as well as fuel, lubricating oils, and spare parts introduced into or taken on board aircraft in the territory of the second Contracting Party by or on behalf of the designated airline of the other Contracting Party and intended solely for use by the aircraft of such airline, shall be accorded with respect to customs duties, inspection fees, or other charges imposed in the territory of the second Contracting Party treatment not less favorable than that granted to national airlines engaged in international air transport or the airlines of any other nation.

(C) Aircraft of the designated airline of one Contracting Party operating on the agreed services on a flight to, from, or across the territory of the other Contracting Party shall be admitted temporarily free from customs duties, subject otherwise to the customs regulations of such other Contracting Party. Supplies of fuel, lubricating oils, spare parts, regular equipment, and aircraft stores retained on board aircraft of the designated airline of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees, or similar duties or charges, even though such supplies be used by such aircraft on flights in that territory.

Right of designated airlines to use airports, etc.

(D) Each of the designated airlines shall have the right to use all airports, airways, and other facilities provided by the Contracting Parties for use by international air services on the specified routes.

Equal treatment in administration of customs, regulations, etc.

(E) Each Contracting Party shall grant equal treatment to its own designated airline and that of the other Contracting Party in the administration of its customs, immigration, quarantine, and similar regulations.

ARTICLE V

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency, and licenses issued or rendered valid by one Contracting Party and still in force shall be recognized as valid by the other Contracting Party for the purpose of operation of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory certificates of competency and licenses granted to its own nationals by the other Contracting Party or by another State.

ARTICLE VI

Laws and regulations.

(A) The laws and regulations of one Contracting Party relating to entry into or departure from its territory of aircraft engaged in

international air navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the designated airline of the other Contracting Party.

(B) The laws and regulations of one Contracting Party relating to the entry into, sojourn in, and departure from its territory of passengers, crew, or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine) shall be applicable to the passengers, crew, or cargo of the aircraft of the designated airline of the other Contracting Party while in the territory of the first Contracting Party.

ARTICLE VII

Right to withhold or revoke certificates, etc.

(A) Each Contracting Party reserves the right to itself to withhold or revoke the certificate or permit of an airline designated by the other Contracting Party if it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of the other Contracting Party, or in nationals of New Zealand and of Australia with respect to an airline designated by New Zealand. Each Contracting Party also reserves the right to itself to withhold or revoke, or impose such appropriate conditions as it may deem necessary with respect to, any certificate or permit in case of failure by the designated airline of the other Contracting Party to comply with the laws and regulations of the first Contracting Party or in case, in the judgment of the first Contracting Party, there is failure to fulfill the conditions under which the rights are granted pursuant to this Agreement. In the event of action by one Contracting Party under this Article the rights of the other Contracting Party under Article IX shall not be prejudiced.

Notice.

(B) Prior to exercising the right conferred in paragraph (A) of this Article to withhold or revoke, or to impose conditions with respect to, any certificate or permit issued to the designated airline of the other Contracting Party, the Contracting Party desiring to exercise such right shall give notice thereof to the other Contracting Party and simultaneously to the designated airline concerned. Such notice shall state the basis of the proposed action and shall afford opportunity to the other Contracting Party to consult in regard thereto. Any revocation or imposition of conditions shall become effective on the date specified in such notice (which shall not be less than one calendar month after the date on which the notice would in the ordinary course of transmission be received by the Contracting Party to whom it is addressed) unless the notice is withdrawn before such date.

ARTICLE VIII

Collaboration of authorities.

(A) In a spirit of close collaboration the aeronautical authorities of the two Contracting Parties will consult regularly with a view to assuring the observance of the principles and the implementation of the provisions outlined in this Agreement and its Annex.

Post, p. 2459.

Failure to publish information, etc.

(B) In the event of the aeronautical authorities of either Contracting Party failing or ceasing to publish information in relation

to the agreed services on lines similar to that included in the Airline Traffic Surveys (Station to Station and Origination and Destination) now published by the Civil Aeronautics Board and failing or ceasing to supply such data of this character as may be required by the Provisional International Civil Aviation Organization or its successor, the aeronautical authorities of such Contracting Party shall supply, on the request of the aeronautical authorities of the other Contracting Party, such information of that nature as may be requested.

ARTICLE IX

Disputes.

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III, Section 6(8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor, and the executive authorities of each Contracting Party will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

59 Stat. 1521.

ARTICLE X

Registration of agreement and contracts.

This Agreement shall be registered by both Contracting Parties with the United Nations and shall also be registered, together with all relative contracts, with the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago December 7, 1944 or its successor.

59 Stat. 1516.

ARTICLE XI

Amendments.

(A) If a general multilateral air transport convention enters into force in relation to both Contracting Parties, the present Agreement shall be amended so as to conform with the provisions of such convention.

(B) Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience.

(C) If either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement, it may request consultation between the aeronautical authorities of both Contracting Parties, and such consultation shall begin within a period of sixty days from the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by the Contracting Parties by an exchange of notes through the diplomatic channel.

ARTICLE XII

Termination.

It shall be open to either Contracting Party at any time to give notice to the other of its desire to terminate this Agreement. Such

notice shall be simultaneously communicated to the Provisional International Civil Aviation Organization or its successor. If such notice is given, this Agreement shall terminate twelve calendar months after the date of receipt of the notice by the other Contracting Party unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment by the other Contracting Party specifying an earlier date of receipt, notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organization or its successor.

ARTICLE XIII

Entry into force.

This Agreement, including the provisions of the Annex thereof, will come into force on the day it is signed.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate at Washington, this third day of December, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
DEAN ACHESON

FOR THE GOVERNMENT OF NEW ZEALAND:
C. A. BERENDSEN
JOHN S. REID

ANNEX

SECTION I

U. S. rights of transit and stop in New Zealand.

The airline of the United States of America designated pursuant to the present Agreement is accorded rights of transit and of stop for non-traffic purposes in the territory of New Zealand, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Auckland, on the following route:

The United States via Honolulu, Canton Island, the Fiji Islands, New Caledonia (optional), to Auckland; in both directions.

This service shall terminate at Auckland.

SECTION II

New Zealand rights of transit and stop in U. S.

The airline of New Zealand designated pursuant to the present Agreement is accorded rights of transit and of stop for non-traffic purposes in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Honolulu and San Francisco, on the following route:

New Zealand via the Fiji Islands, Canton Island, Honolulu, to San Francisco, and (optional) beyond to Vancouver; in both directions.

SECTION III

General objectives.

It is agreed between the Contracting Parties:

Encouragement of air travel.

(A) That the two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles, and desire to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

Equal opportunity for operation of services.

(B) The designated airlines of the two Contracting Parties operating on the routes described in this Annex shall enjoy fair and equal opportunity for the operation of the agreed services. If the designated airline of one Contracting Party is temporarily unable, as a result of the war or for reasons within the control of the other Contracting Party, to take advantage of such opportunity, the Contracting Parties shall review the situation with the object of assisting the said airline to take full advantage of the fair and equal opportunity to participate in the agreed services.

(C) That in the operation by the designated airline of either Contracting Party of the trunk services described in the present Annex, the interests of any airline of the other Contracting Party shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same route.

(D) That the total air transport services offered by the designated airlines of the two Contracting Parties over the routes specified in

this Annex shall bear a close relationship to the requirements of the public for such services.

Provision of adequate capacity.

(E) That the services provided by each designated airline under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country which designates such airline and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the route specified in the Annex to this Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

(a) to traffic requirements between the country of origin and the countries of destination;
(b) to the requirements of through airline operation; and
(c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION IV

Determination of rates.

(A) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other airline, as well as the characteristics of each service.

Approval of rates.

(B) The rates to be charged by the designated airline of either Contracting Party between points in the territory of the United States and points in New Zealand territory referred to in this Annex, shall, consistent with the provisions of the present Agreement and its Annex, be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under the present Agreement and its Annex, within their respective constitutional powers and obligations.

"IATA".

(C) The Civil Aeronautics Board of the United States having approved the traffic conference machinery of the International Air Transport Association (hereinafter called "IATA"), for a period of one year beginning in February 1946, any rate agreements concluded through this machinery during this period and involving any United States airline will be subject to approval by the Board.

Filing of proposed new rates.

(D) Any new rate proposed by the designated airline of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

(E) The Contracting Parties agree that the procedure described in paragraphs (F), (G), and (H) of this section shall apply

(1) if, during the period of the Civil Aeronautics Board's approval of the IATA traffic conference machinery, either any specific

rate agreement is not approved within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or

(2) at any time no IATA machinery is applicable, or

(3) if either Contracting Party at any time withdraws or fails to renew its approval of that part of the IATA traffic conference machinery relevant to this provision.

Prevention of unfair or uneconomic rates.

(F) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services, and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by its designated airline for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if in the judgment of the aeronautical authorities of the Contracting Party whose designated airline is proposing such rate, that rate is unfair or uneconomic. If one of the Contracting Parties on receipt of the notification referred to in paragraph (D) above is dissatisfied with the new rate proposed by the designated airline of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

Notice of dissatisfaction with proposed new rate.

In the event that such agreement is reached, each Contracting Party will exercise its statutory powers to give effect to such agreement.

Provisional rate pending settlement of dispute.

If agreement has not been reached at the end of the thirty-day period referred to in paragraph (D) above, the proposed rate may, unless the aeronautical authorities of the country of the airline concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (H) below.

(G) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied with any new rate proposed by the designated airline of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty-day period referred to in paragraph (D) above, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

In the event that such agreement is reached, each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its designated airline.

It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection

to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

(H) When in any case under paragraphs (F) and (G) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the designated airline of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organization or its successor for an advisory report, and the executive authorities of each Contracting Party will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

(I) The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services, and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

Round-trip rates.

(J) In this Annex references to rates between a point in the territory of one Contracting Party and a point in the territory of the other Contracting Party shall be deemed to include round-trip rates for a journey from the territory of the first mentioned Contracting Party to the territory of the second mentioned Contracting Party and back to the territory of the first mentioned Contracting Party.

SECTION V

Determination of rates over segment of route.

It is recognized that the determination of rates to be charged by an airline of one Contracting Party over a segment of the specified route, which segment lies between the territories of the other Contracting Party and a third country, is a complex question the overall solution of which cannot be sought through consultation between only the two Contracting Parties. Pending the acceptance by both Contracting Parties of any multilateral agreement or recommendations with respect to such rates, the rates to be charged by the designated airlines of the two Contracting Parties over the route segment involved shall be set in the first instance by agreement between such airlines operating over such route segment, subject to the approval of the aeronautical authorities of the two Contracting Parties. In case such designated airlines can not reach agreement or in case the aeronautical authorities of both Contracting Parties do not approve any rates set by such airlines, the question shall become the subject of consultation between the aeronautical authorities of the two Contracting Parties. In considering such rates the aeronautical authorities shall have regard particularly to subparagraph (C) of Section III of this Annex and to the desire of both Contracting Parties to foster and encourage the develop-

Ante, p. 2459.

ment of efficient and economically sound trunk air services by the designated airlines over the specified routes and the development of efficient and economically sound regional air services along and in areas adjacent to the specified routes. If the aeronautical authorities can not reach agreement the matter shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and the executive authorities of each Contracting Party shall use their best efforts under the powers available to them to put into effect the opinion expressed in such report. Pending determination of the rates in the manner herein provided, the rates to be charged over the particular route segment or segments involved shall be as fixed by the aeronautical authorities of the Contracting Party whose territory is on the segment or segments involved, provided that no discrimination is made between the rates to be charged by the designated airlines of the two Contracting Parties. After any rate has been agreed to in accordance with the procedure described in this Section, such rate shall remain in effect until changed in accordance with this procedure.

SECTION VI

Exchange of information concerning authorizations.

After the present Agreement comes into force the aeronautical authorities of both Contracting Parties will exchange information as promptly as possible concerning the authorizations extended to their respective designated airline to render service to, through, and from the territory of the other Contracting Party. This will include copies of current certificates and authorizations for service on the routes which are the subject of this Agreement and, for the future, such new certificates and authorizations as may be issued together with amendments, exemption orders, and authorized service patterns.

December 3, 1946
[T. I. A. S. 1574]

Agreement between the United States of America and Australia respecting air transport services. Signed at Washington December 3, 1946; effective December 3, 1946.

AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA

The Government of the United States of America and the Government of the Commonwealth of Australia,

Desiring to conclude an Agreement for the purpose of promoting direct air services as rapidly as possible between their respective territories,

Have accordingly appointed authorized representatives for this purpose, who have agreed as follows:–

ARTICLE I

Post, p. 2470.

For the purpose of this Agreement and its Annex unless the context otherwise requires:

"Territory".

(A) The term "territory" shall have the meaning assigned to it by Article 2 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944. [1]

"Aeronautical authorities".

(B) The term "aeronautical authorities" shall mean in the case of Australia the Director-General of Civil Aviation, and in the case of the United States the Civil Aeronautics Board, and in both cases any person or body authorized by the respective Contracting Parties to perform the functions presently exercised by the above-mentioned authorities.

"Designated airline".

(C) The term "designated airline" shall mean the air transport enterprise or enterprises which the aeronautical authorities of one of the Contracting Parties have notified in writing to the aeronautical authorities of the other Contracting Party as the airline designated by the first Contracting Party in accordance with Article III of this Agreement for the route specified in such notification.

"Airline"; "route".

(D) The terms "airline" and "route" shall be deemed to include "airlines" and "routes" respectively.

(E) The definitions contained in paragraphs (a), (b), and (d) of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944 [2] shall apply.

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[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, p. 59.]

[2] [*Ibid.*, p. 85.]

(F) The term "National of Australia" shall mean

"National of Australia".

(i) The Government of Australia or a British subject who is ordinarily resident in Australia or

(ii) A partnership comprised entirely of a number of such subjects or of one or more of such subjects and the Government of Australia or

(iii) A corporation or association created or organized under the laws of Australia or of any State or Territory thereof and which is substantially owned and effectively controlled by the Government of Australia or by such subjects or by both such Government and one or more of such subjects.

(G) The term "National of New Zealand" shall mean

"National of New Zealand".

(i) The Government of New Zealand or a British subject who is ordinarily resident in New Zealand or

(ii) A partnership comprised entirely of a number of such subjects or of one or more of such subjects and the Government of New Zealand or

(iii) A corporation or association created or organized under the laws of New Zealand or of any Territory thereof and which is substantially owned and effectively controlled by the Government of New Zealand or by such subjects or by both such Government and one or more of such subjects.

(H) The term "National of the United States" shall mean a citizen of the United States within the meaning of the Civil Aeronautics Act of 1938, as amended.

"National of the United States".

52 Stat. 973.
49 U. S. C. § 401 *et seq.*

ARTICLE II

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of the international air services set forth in that Annex, or as amended in accordance with Article XI of the present Agreement (hereinafter referred to as the "agreed services").

Post, p. 2470.

Post, p. 2463.

ARTICLE III

(A) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, but not before:

Inauguration of agreed services.

(1) The Contracting Party to whom the rights have been granted shall have designated an airline for the specified route;

(2) The Contracting Party which grants the rights shall have given the appropriate operating permission to the airline concerned which (subject to the provisions of paragraph (B) of this Article and of Article VII) it shall do with the least possible delay.

Post, p. 2467.

(B) The designated airline may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it is qualified to fulfill the conditions prescribed by or under the laws

and regulations normally applied by those authorities to the operations of international commercial air services.

ARTICLE IV

Charges.

(A) The charges which either of the Contracting Parties may impose or permit to be imposed on the designated airline of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(B) Subject to paragraph (C) of this Article, aircraft of the designated airline of one Contracting Party operating on the agreed services, as well as fuel, lubricating oils, and spare parts introduced into or taken on board aircraft in the territory of the second Contracting Party by or on behalf of the designated airline of the other Contracting Party and intended solely for use by the aircraft of such airline, shall be accorded with respect to customs duties, inspection fees, or other charges imposed in the territory of the second Contracting Party treatment not less favorable than that granted to national airlines engaged in international air transport or the airlines of the most favored nation.

(C) Aircraft of the designated airline of one Contracting Party operating on the agreed services on a flight to, from, or across the territory of the other Contracting Party shall be admitted temporarily free from customs duties, subject otherwise to the customs regulations of such other Contracting Party. Supplies of fuel, lubricating oils, spare parts, regular equipment, and aircraft stores retained on board aircraft of the designated airline of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees, or similar duties or charges, even though such supplies be used by such aircraft on flights in that territory.

Right of designated airlines to use airports, etc.

(D) Each of the designated airlines shall have the right to use all airports, airways, and other facilities provided by the Contracting Parties for use by international air services on the specified routes.

Equal treatment in administration of customs regulations, etc.

(E) Each Contracting Party shall grant equal treatment to its own designated airline and that of the other Contracting Party in the administration of its customs, immigration, quarantine, and similar regulations.

ARTICLE V

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency, and licenses issued or rendered valid by one Contracting Party and still in force shall be recognized as valid by the other Contracting Party for the purpose of operation of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory certificates of competency and licenses granted to its own nationals by the other Contracting Party or by another State.

ARTICLE VI

Laws and regulations.

(A) The laws and regulations of one Contracting Party relating to entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the designated airline of the other Contracting Party.

(B) The laws and regulations of one Contracting Party relating to the entry into, sojourn in, and departure from its territory of passengers, crew, or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine) shall be applicable to the passengers, crew, or cargo of the aircraft of the designated airline of the other Contracting Party while in the territory of the first Contracting Party.

ARTICLE VII

Right to withhold or revoke certificates, etc.

(A) Each Contracting Party reserves the right to itself to withhold or revoke the certificate or permit of an airline designated by the other Contracting Party if it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of the other Contracting Party, or in nationals of Australia and of New Zealand with respect to an airline designated by Australia. Each Contracting Party also reserves the right to itself to withhold or revoke, or impose such appropriate conditions as it may deem necessary with respect to, any certificate or permit in case of failure by the designated airline of the other Contracting Party to comply with the laws and regulations of the first Contracting Party or in case, in the judgment of the first Contracting Party, there is failure to fulfill the conditions under which the rights are granted pursuant to this Agreement. In the event of action by one Contracting Party under this Article the rights of the other Contracting Party under Article IX shall not be prejudiced.

Notice.

(B) Prior to exercising the right conferred in paragraph (A) of this Article to withhold or revoke, or to impose conditions with respect to, any certificate or permit issued to the designated airline of the other Contracting Party, the Contracting Party desiring to exercise such right shall give notice thereof to the other Contracting Party and simultaneously to the designated airline concerned. Such notice shall state the basis of the proposed action and shall afford opportunity to the other Contracting Party to consult in regard thereto. Any revocation or imposition of conditions shall become effective on the date specified in such notice (which shall not be less than one calendar month after the date on which the notice would in the ordinary course of transmission be received by the Contracting Party to whom it is addressed) unless the notice is withdrawn before such date.

ARTICLE VIII

Collaboration of authorities.

(A) In a spirit of close collaboration the aeronautical authorities of the two Contracting Parties will consult regularly with a view to

assuring the observance of the principles and the implementation of the provisions outlined in this Agreement and its Annex.

Post, p. 2470.

Failure to publish information, etc.

(B) In the event of the aeronautical authorities of either Contracting Party failing or ceasing to publish information in relation to the agreed services on lines similar to that included in the Airline Traffic Surveys (Station to Station and Origination and Destination) now published by the Civil Aeronautics Board and failing or ceasing to supply such data of this character as may be required by the Provisional International Civil Aviation Organization or its successor, the aeronautical authorities of such Contracting Party shall supply, on the request of the aeronautical authorities of the other Contracting Party, such information of that nature as may be requested.

ARTICLE IX

Disputes.

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III, Section 6(8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor, and the executive authorities of each Contracting Party will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

59 Stat. 1521.

ARTICLE X

Registration of agreement and contracts.

This Agreement and all relative contracts shall be registered by both Contracting Parties with the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago December 7, 1944 or its successor.

59 Stat. 1516.

ARTICLE XI

Amendments.

(A) If a general multilateral air transport convention enters into force in relation to both Contracting Parties, the present Agreement shall be amended so as to conform with the provisions of such convention.

(B) Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience.

(C) If either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement, it may request consultation between the aeronautical authorities of both Contracting Parties, and such consultation shall begin within a period of sixty days from the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by the Contracting Parties by an exchange of notes through the diplomatic channel.

ARTICLE XII

Termination.

It shall be open to either Contracting Party at any time to give notice to the other of its desire to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organization or its successor. If such notice is given, this Agreement shall terminate twelve calendar months after the date of receipt of the notice by the other Contracting Party unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment by the other Contracting Party specifying an earlier date of receipt, notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organization or its successor.

ARTICLE XIII

Entry into force.

This Agreement, including the provisions of the Annex thereof, will come into force on the day it is signed.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate at Washington, this third day of December, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

DEAN ACHESON

FOR THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA:

NORMAN J. O. MAKIN

EDGAR C JOHNSTON

ANNEX

SECTION I

U. S. rights of transit and stop in Australia.

The airline of the United States of America designated pursuant to the present Agreement is accorded rights of transit and of stop for non-traffic purposes in the territory of Australia, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Sydney, on the following route:

> The United States via Honolulu, Canton Island, the Fiji Islands, New Caledonia (optional), to Sydney; in both directions.

It is agreed that, if and so long as the airport at Melbourne is used as a terminal of an international air service operated by an airline other than the designated airline of the United States of America, the designated airline of the United States of America may proceed beyond Sydney to Melbourne and may in addition enjoy at Melbourne the rights conveyed herein in respect to Sydney.

SECTION II

Australian rights of transit and stop in U. S.

The airline of Australia designated pursuant to the present Agreement is accorded rights of transit and of stop for non-traffic purposes in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Honolulu and San Francisco, on the following route:

> Australia via New Caledonia (optional), the Fiji Islands, Canton Island, Honolulu, to San Francisco, and (optional) beyond to Vancouver; in both directions.

SECTION III

General objectives.

It is agreed between the Contracting Parties:

Encouragement of air travel.

(A) That the two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles, and desire to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

Equal opportunity for operation of services.

(B) The designated airlines of the two Contracting Parties operating on the routes described in this Annex shall enjoy fair and equal opportunity for the operation of the agreed services. If the designated airline of one Contracting Party is temporarily unable, as a result of the war or for reasons within the control of the other Contracting Party, to take advantage of such opportunity, the Contracting Parties shall review the situation with the object of assisting the said airline to take full advantage of the fair and equal opportunity to participate in the agreed services.

(C) That in the operation by the designated airline of either

Contracting Party of the trunk services described in the present Annex, the interests of any airline of the other Contracting Party shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same route.

(D) That the total air transport services offered by the designated airlines of the two Contracting Parties over the routes specified in this Annex shall bear a close relationship to the requirements of the public for such services.

Provision of adequate capacity.

(E) That the services provided by each designated airline under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country which designates such airline and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the route specified in the Annex to this Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

(a) to traffic requirements between the country of origin and the countries of destination;
(b) to the requirements of through airline operation; and
(c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION IV

Determination of rates.

(A) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other airline, as well as the characteristics of each service.

Approval of rates

(B) The rates to be charged by the designated airline of either Contracting Party between points in the territory of the United States and points in Australian territory referred to in this Annex, shall, consistent with the provisions of the present Agreement and its Annex, be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under the present Agreement and its Annex, within their respective constitutional powers and obligations.

"IATA".

(C) The Civil Aeronautics Board of the United States having approved the traffic conference machinery of the International Air Transport Association (hereinafter called "IATA"), for a period of one year beginning in February 1946, any rate agreements concluded through this machinery during this period and involving any United States airline will be subject to approval by the Board.

Filing of proposed new rates.

(D) Any new rate proposed by the designated airline of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date

of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

(E) The Contracting Parties agree that the procedure described in paragraphs (F), (G), and (H) of this section shall apply

(1) if, during the period of the Civil Aeronautics Board's approval of the IATA traffic conference machinery, either any specific rate agreement is not approved within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or

(2) at any time no IATA machinery is applicable, or

(3) if either Contracting Party at any time withdraws or fails to renew its approval of that part of the IATA traffic conference machinery relevant to this provision.

Prevention of unfair or uneconomic rates.

(F) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services, and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by its designated airline for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if in the judgment of the aeronautical authorities of the Contracting Party whose designated airline is proposing such rate, that rate is unfair or uneconomic. If one of the Contracting Parties on receipt of the notification referred to in paragraph (D) above is dissatisfied with the new rate proposed by the designated airline of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

Notice of dissatisfaction with proposed new rate.

In the event that such agreement is reached, each Contracting Party will exercise its statutory powers to give effect to such agreement.

Provisional rate pending settlement of dispute.

If agreement has not been reached at the end of the thirty-day period referred to in paragraph (D) above, the proposed rate may, unless the aeronautical authorities of the country of the airline concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (H) below.

(G) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied with any new rate proposed by the designated airline of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty-day period referred

to in paragraph (D) above, and the Contracting Parties shall endeavor to reach agreement on the appropriate rate.

In the event that such agreement is reached, each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its designated airline.

It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

(H) When in any case under paragraphs (F) and (G) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the designated airline of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organization or its successor for an advisory report, and the executive authorities of each Contracting Party will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

(I) The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services, and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

Round-trip rates.

(J) In this Annex references to rates between a point in the territory of one Contracting Party and a point in the territory of the other Contracting Party shall be deemed to include round-trip rates for a journey from the territory of the first mentioned Contracting Party to the territory of the second mentioned Contracting Party and back to the territory of the first mentioned Contracting Party.

SECTION V

Determination of rates over segment of route.

It is recognized that the determination of rates to be charged by an airline of one Contracting Party over a segment of the specified route, which segment lies between the territories of the other Contracting Party and a third country, is a complex question the overall solution of which cannot be sought through consultation between only the two Contracting Parties. Pending the acceptance by both Contracting Parties of any multilateral agreement or recommendations with respect to such rates, the rates to be charged by the designated airlines of the two Contracting Parties over the route segment involved shall be set in the first instance by agreement between such airlines operating over such route segment, subject to the approval of the aeronautical authorities of the two Contracting Parties. In

case such designated airlines can not reach agreement or in case the aeronautical authorities of both Contracting Parties do not approve any rates set by such airlines, the question shall become the subject of consultation between the aeronautical authorities of the two Contracting Parties. In considering such rates the aeronautical authorities shall have regard particularly to subparagraph (C) of Section III of this Annex and to the desire of both Contracting Parties to foster and encourage the development of efficient and economically sound trunk air services by the designated airlines over the specified routes and the development of efficient and economically sound regional air services along and in areas adjacent to the specified routes. If the aeronautical authorities can not reach agreement the matter shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization or its successor, and the executive authorities of each Contracting Party shall use their best efforts under the powers available to them to put into effect the opinion expressed in such report. Pending determination of the rates in the manner herein provided, the rates to be charged over the particular route segment or segments involved shall be as fixed by the aeronautical authorities of the Contracting Party whose territory is on the segment or segments involved, provided that no discrimination is made between the rates to be charged by the designated airlines of the two Contracting Parties. After any rate has been agreed to in accordance with the procedure described in this Section, such rate shall remain in effect until changed in accordance with this procedure.

Ante, p. 2470.

SECTION VI

Exchange of information concerning authorizations.

After the present Agreement comes into force the aeronautical authorities of both Contracting Parties will exchange information as promptly as possible concerning the authorizations extended to their respective designated airline to render service to, through, and from the territory of the other Contracting Party. This will include copies of current certificates and authorizations for service on the routes which are the subject of this Agreement and, for the future, such new certificates and authorizations as may be issued together with amendments, exemption orders, and authorized service patterns.

Memorandum of agreement between the United States of America and the United Kingdom respecting the economic fusion of American and British zones of occupation in Germany. Signed December 2, 1946.

December 2, 1946
[T. I. A. S. 1575]

MEMORANDUM OF AGREEMENT

Representatives of the two Governments have met at Washington to discuss the questions arising out of the economic fusion of their zones of occupation in Germany. They have taken as the basis of their discussion the fact that the aim of the two Governments is to achieve the economic unity of Germany as a whole, in accordance with the agreement reached at Potsdam on 2nd August, 1945. The arrangements set out hereunder, for the United States and United Kingdom Zones, should be regarded as the first step towards the achievement of the economic unity of Germany as a whole in accordance with that agreement. The two Governments are ready at any time to enter into discussions with either of the other occupying powers with a view to the extension of these arrangements to their zones of occupation.

On this basis, agreement has been reached on the following paragraphs:-

1. *Date of inception.* This agreement for the economic fusion of the two zones shall take effect on 1st January, 1947.

2. *Pooling of resources.* The two zones shall be treated as a single area for all economic purposes. The indigenous resources of the area and all imports into the area, including food, shall be pooled in order to produce a common standard of living.

3. *German administrative agencies.* The United States and United Kingdom Commanders-in-Chief are responsible for setting up under their joint control the German administrative agencies necessary to the economic unification of the two zones.

4. *Agency for foreign trade.* Responsibility for foreign trade will rest initially with the Joint Export-Import Agency (United States-United Kingdom) or such other agency as may be established by the two Commanders-in-Chief. This responsibility shall be transferred to the German administrative agency for foreign trade under joint supervision to the maximum extent permitted by the restrictions existing in foreign countries at any given period. (All references in this agreement to the Joint Export-Import Agency shall apply to this agency or to any agency established by the two Commanders-in-Chief to succeed it.)

5. *Basis of economic planning.* The aim of the two Governments is the achievement by the end of 1949 of a self-sustaining economy for the area.

6. *Sharing of financial responsibility.* Subject to the provision of the necessary appropriations, the Governments of the United States and the United Kingdom will become responsible on an equal basis for costs of approved imports brought into account after 31st December, 1946 (including stocks on hand financed by the respective Governments), insofar as those cannot be paid for from other sources, in accordance with the following provisions:–

Division of imports.

(a) For this purpose the imports of the area shall be divided into two categories: those imports required to prevent disease and unrest (Category A), which are financed in decreasing amounts by appropriated funds; and those further imports (including raw materials), however financed, which will be required if the economic state of the area is to recover to an extent sufficient to achieve the aim laid down in paragraph 5 of this Agreement (Category B).

Defrayal of cost of Category A imports.

(b) It is the intention of the two Governments that the full cost of Category A imports shall be defrayed as soon as possible, subject to sub-paragraph (c) below, from the proceeds of exports. Any portion of the cost of Category A imports which is not met by export proceeds will be defrayed by the two Governments in equal shares from appropriated funds.

Use of proceeds of exports for Category B imports, etc.

(c) The proceeds of exports from the area shall be collected by the Joint Export-Import Agency and shall be used primarily for the provision of Category B imports until there is a surplus of export proceeds over the cost of these imports.

(d) In order to provide funds to procure Category B imports:–

(i) The Government of the United Kingdom will make available to the Joint Export-Import Agency the sum of $29,300,000 in settlement of the understanding reached in September, 1945, for the pooling of the proceeds of exports from the two zones in proportion to import expenditures, which shall be credited to the United States contribution.

(ii) In addition to this sum the accumulated proceeds of exports from the United States Zone (estimated at $14,500,000), will be made available to the Joint Export-Import Agency for the purchase of Category B imports.

(iii) The Government of the United Kingdom will provide Category B goods at the request of the Joint Export-Import Agency to a value equal to that of the United States contribution under sub-paragraphs (i) and (ii) above.

(iv) The Governments of the United States and the United Kingdom will make available to the Joint Export-Import Agency in like amounts their respective shares of the sum to be used for financing purchases of essential commodities for the German economy under the provisions, and upon ratification by the Government of Sweden, of the accord dated 18th July, 1946, between the Governments of the United States, the United Kingdom and France on the one hand and of Sweden on the other.

Post, p. 2191.

(v) Any further sums which are agreed by the Joint Export-Import Agency to be required for the purchase of Category B imports shall be provided by the two Governments on an equal basis in such manner as they may agree. To the extent that either Government advances sums for the purchase of raw materials for processing and re-export on special terms as regards security and repayment, the other Government may advance equal sums on similar terms.

Recovery of costs from future German exports.

(e) The costs incurred by the two Governments for their two zones before 1st January, 1947, and for the area thereafter, shall be recovered from future German exports in the shortest practicable time consistent with the rebuilding of the German economy on healthy non-aggressive lines.

7. *Relaxation of barriers to trade.* With a view to facilitating the expansion of German exports, barriers in the way of trade with Germany should be removed as rapidly as world conditions permit. To the same end the establishment of an exchange value for the mark should be undertaken as soon as this is practicable; financial reform should be effected in Germany at an early date; and the exchange of full technical and business communications between Germany and other countries should be facilitated as soon as possible. Potential buyers of German goods should be provided access to both zones to the full extent that facilities permit, and normal business channels should be restored as soon as possible.

8. *Procurement.* The determination of import requirements shall be the responsibility of the Joint Export-Import Agency. The procurement of these requirements shall be dealt with as follows:–

(i) Procurement of Category A imports to the extent that they are financed from appropriated funds of either Government shall be the responsibility of that Government.

(ii) Procurement of Category B imports and of Category A imports to the extent that they are not financed by appropriated funds shall be the responsibility of the Joint Export-Import Agency, with such assistance from the two Governments as may be desired.

Unless otherwise agreed, subject to the provisions of this paragraph, procurement shall be from the most economical source of supply. However, the sources shall be selected to the fullest extent practicable so as to minimise the drain on the dollar resources of the United Kingdom.

Establishment of joint committee.

The two Governments will establish a joint committee in Washington with the following responsibilities:–

(a) In the case of commodities in short supply, to support the requirements of the Joint Export-Import Agency before the appropriate authorities.

(b) To determine, where necessary, sources of supply and to designate procurement agencies having regard to the financial

responsibilities and exchange resources of the two Governments.

With respect to sub-paragraph (a) above, the two Governments agree to assist the committee in obtaining the requirements of the Joint Export-Import Agency having regard to all other legitimate claims on available world supply.

With respect to sub-paragraph (b) above, where the financial responsibility rests with one Government, and the designated source of supply is the territory under the authority of the other Government, the latter, if so requested, will accept responsibility for procuring those supplies as agent for the former.

9. *Currency and banking arrangements.* The Bipartite Finance Committee (United States-United Kingdom) will be authorized to open accounts with approved banks of the countries in which the Joint Export-Import Agency is operating, provided that agreements are negotiated with those countries for credit balances to be transferred on demand into dollars or sterling. The Bipartite Finance Committee will be authorised to accept payment of balances in either dollars or sterling, whichever, in the judgment of the Joint Export-Import Agency, may be better utilized in financing essential imports.

10. *Food.* The two Governments will support, to the full extent that appropriated and other funds will permit, an increase in the present ration standard to 1800 calories for the normal consumer as soon as the world food supply permits. This standard is accepted as the minimum which will support a reasonable economic recovery in Germany. However, in view of the current world food supply, a ration standard of 1550 calories for the normal consumer must be accepted at present.

11. *Imports for displaced persons.* Subject to any international arrangements which may subsequently be made for the maintenance of displaced persons, the maintenance of displaced persons within both zones from the German economy shall not exceed the maintenance of German citizens from this economy. Supplementary rations and other benefits which may be provided for displaced persons in excess of those available to German citizens must be brought in to Germany without cost to the German economy.

12. *Duration.* It is the intention of the two Governments that this agreement shall govern their mutual arrangements for the economic administration of the area pending agreement for the treatment of Germany as an economic unit or until amended by mutual agreement. It shall be reviewed at yearly intervals.

JAMES F BYRNES
ERNEST BEVIN
2nd December, 1946.

Agreement between the United States of America and the Republic of the Philippines respecting air transport services. Signed at Manila November 16, 1946; effective November 16, 1946.

November 16, 1946
[T. I. A. S. 1577]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES

Having in mind the resolution signed under date of December 7, 1944, at the International Civil Aviation Conference in Chicago, [1] for the adoption of a standard form of agreement for air routes and services, and the desirability of mutually stimulating and promoting the further development of air transportation between the United States of America and the Republic of the Philippines, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE I

Each contracting party grants to the other contracting party the rights as specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

Rights.

Post, p. 2483.

ARTICLE II

Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article I to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article VII hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that any airline so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas

Inauguration of air services.

Post, p. 2481.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

ARTICLE III

Continuance of previously granted operating rights.

Operating rights which the Philippine Government may have heretofore granted to any United States air transport enterprise shall continue in force in accordance with their terms, except for any provisions included in such operating rights which would prevent any airline designated under Article II above from operating under this Agreement.

ARTICLE IV

Prevention of discriminatory practices, etc.

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most-favored-nation.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2483.

ARTICLE V

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

ARTICLE VI

Laws and regulations.

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged

in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE VII

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke the certificate or permit of any airline of the other party in case it is not satisfied that substantial ownership and effective control of airlines of the first party are vested in nationals of that party, or in case of failure of such airline to comply with the laws of the State over which it operates, as described in Article VI hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this Agreement and its Annexes.

ARTICLE VIII

Registration of agreement and contracts.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE IX

Termination.

This Agreement or any of the rights for air transport services granted thereunder may be terminated by either contracting party upon giving one year's written notice to the other contracting party.

ARTICLE X

Modification of Annex.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE XI

Entry into force.

This Agreement, including the provisions of the Annex thereto, will come into force on the day it is signed.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed the present Agreement.

Done in duplicate this 16th day of November, 1946 at Manila.

For the Government of the United States of America:

[SEAL] PAUL V. MCNUTT

For the Government of the Republic of the Philippines:

[SEAL] ELPIDIO QUIRINO.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN

THE UNITED STATES OF AMERICA

AND

THE REPUBLIC OF THE PHILIPPINES

A. Airlines of the United States of America authorized under the present Agreement are accorded the rights of transit and non-traffic stop in Philippine territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Manila, on the route or routes indicated below:

> From the United States, via intermediate points to Manila and thence to points beyond in both directions.

B. Airlines of the Republic of the Philippines authorized under the present Agreement are accorded the rights of transit and non-traffic stop in United States territory, as well as the right to pick up and discharge international commercial traffic in passengers, cargo, and mail at Honolulu and San Francisco, on the route indicated below:

> From the Philippines to San Francisco and thence to points beyond over a reasonably direct route via intermediate points in the Pacific which are United States territory, including Honolulu, in both directions.

C. In the operation of the air services authorized under this Agreement, both contracting parties agree to the following principles and objectives:

1. Fair and equal opportunity for the airlines of each contracting party to operate air services on international routes, and the creation of machinery to obviate unfair competition by unjustifiable increases of frequencies or capacity.

2. The adjustment of fifth freedom traffic with regard to:

   (a) Traffic requirements between the country of origin and the countries of destination.
   (b) The requirements of through airline operation, and
   (c) The traffic requirements of the area through which the airline passes after taking account of local and regional services.

March 2 and April 3, 1944
[T. I. A. S. 1578]

Agreement between the United States of America and Peru respecting a health and sanitation program. Effected by exchange of notes signed at Lima March 2 and April 3, 1944; effective July 1, 1944.

The American Chargé d'Affaires ad interim to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1707 *Lima, March 2, 1944.*

EXCELLENCY:

I have the honor to refer to notes exchanged between His Excellency David Dasso, Minister of Finance and Commerce of Peru, and His Excellency Sumner Welles, Under Secretary of State of the United States of America, on May 9 and May 11, 1942, relative to the cooperative program of Health and Sanitation provided for by Resolution XXX, approved at the third meeting of Ministers of Foreign Affairs of the American Republics held in Rio de Janeiro in January, 1942.[1] In accordance with the notes under reference, the United States of America has contributed the sum of One Million Three Hundred and Fifty Thousand U. S. Dollars ($1,350,000.00) to the cooperative health and sanitation program now being carried out in Peru.

58 Stat. 1543, 1544.

Contribution of additional sums by U. S. and Peru.

If desired by the Government of Peru, the Government of the United States of America through the Institute of Inter-American Affairs, an agency of the Office of the Coordinator of Inter-American Affairs, is prepared to contribute an additional sum of Five Hundred Thousand U. S. Dollars ($500,000.00) for the purpose of cooperating with the Government of Peru in extending the cooperative program of health and sanitation and providing for the termination of this program within a three-year period beginning July 1, 1944, in so far as the funds contributed by the United States of America are concerned.

It is understood that the Government of Peru will contribute a sum of soles equivalent to Five Hundred Thousand U. S. Dollars ($500,000.00) to be combined with the funds contributed by the United States of America and expended over the same three-year period for the cooperative program of health and sanitation in Peru.

The kind of work and specific projects to be undertaken and the cost thereof are to be mutually agreed to by the appropriate official of the Government of Peru and appropriate official of the Institute

[1] [*Department of State Bulletin*, Feb. 7, 1942, p. 137.]

of Inter-American Affairs for the Government of the United States of America.

It is understood that the funds contributed by both Governments will be expended through the special agency created within the Ministry of Public Health and Social Welfare by your Government, which special agency is known as the Servicio Cooperativo Inter-Americano de Salud Publica. Detailed arrangements for the continuation of this special agency and the fulfillment of the program will be effected by agreement between the appropriate official of the Government of Peru and the appropriate official of the Institute of Inter-American Affairs of the United States of America.

Expenditure through special agency.

All projects completed and property acquired in connection with the health and sanitation program shall be the property of the Government of Peru.

Ownership of projects, etc.

No project will be undertaken that will require supplies or materials the procurement of which would handicap any phase of the war effort.

I should appreciate it if Your Excellency would be so kind as to confirm to me your approval of this general proposal, with the understanding that the details of the program will be the subject of further discussion and agreement as provided for herein.

Accept, Excellency, the renewed assurance of my highest consideration.

J. P.
JEFFERSON PATTERSON

His Excellency
Doctor ALFREDO SOLF Y MURO,
Minister for Foreign Affairs,
Lima.

The Peruvian Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

N° (D). 6-3/70 LIMA, *3 de abril de 1944.*

SEÑOR ENCARGADO DE NEGOCIOS:

En respuesta a la atenta nota de Vuestra Señoria N° 1707 de 2 de marzo último, referente a la prórroga del contrato celebrado por el Gobierno peruano en relación con el programa cooperativo de salubridad acordado en la resolución XXX de la Tercera Reunión de Cancilleres de las Repúblicas Americanas celebrada en Río de Janeiro en 1942, tengo a honra remitirle copia de la Resolución Suprema expedida por el Ministerio de Salud Pública y Asistencia Social, en la que se aprueba el referido contrato.

Al llevar este hecho a conocimiento de Vuestra Señoria aprovecho

la oportunidad, para reiterarle las seguridades de mi mas distinguida consideración.

ALFREDO SOLF Y MURO

Honorable señor
JEFFERSON PATTERSON,
Encargado de Negocios a.i.
de los Estados Unidos de América.
Ciudad.

COPIA

"Visto el adjunto contrato adicional celebrado entre el Gobierno peruano, representado por el Ministro de Salud Pública y Asistencia Social y el Instituto de Asuntos Inter-Americanos de la Oficina del Coordinador de Asuntos Interamericanos, representado por el General George C. Dunham, para la prosecución de los trabajos que se efectúan de conformidad con la resolución suprema nº 1895a, de 14 de julio de 1942; y Estando a lo acordado; Se resuelve: Aprobar el referido contrato adicional que consta de 9 claúsulas refrendado el 16 del mes en curso; y en consecuencia: 1) – El Instituto de Asuntos Inter-Americanos, contribuirá con cantidad no mayor de quinientos mil dollares, para continuar el trabajo en ejecución relacionado con obras de salubridad, por un periodo de tres años que se contará desde el 1° de julio del presente año. El Gobierno Peruano contribuirá para el mismo propósito, con suma equivalente a quinientos mil dollares.–Tanto el Instituto citado como el Gobierno Peruano, transferirán a la cuenta del "Servicio" las cantidades precitadas, en armadas mensuales, según se puntualiza en el contrato adicional referido; transferencias que se anticiparán por períodos trimestrales, previa presentación al Ministerio de Salud Pública y Asistencia Social, por parte del "Servicio", de los informes mensuales de los gastos efectuados en el período trimestral anterior.– 2) – Desde el 1° de enero de 1947, el Ministerio de Salud Pública y Asistencia Social asumirá el control directo e inmediato del funcionamiento y sostenimiento del programa de salubridad de la Selva; – pero el "Servicio" continuará hasta la terminación del contrato de 30 de junio de 1947, en la ejecución de su programa, en zonas distintas de la Selva y en las obras de los nuevos programas que pudieran ser acordados entre el Ministerio del Ramo y el Director del "Servicio".–El mismo Instituto y el Ministerio de Salud Pública y Asistencia Social se ratifican en el contenido de las notas intercambiadas, de 7 y 11 de julio de 1942, que constituyen el convenio original del programa cooperativo de salubrida, asi como en las notas de 10 y 31 de octubre de 1942, referentes a las obras de saneamiento de Chimbote. – 4) – Todo saldo de fondos transferidos a la cuenta del "Servicio"; pero, del saldo que exista a la expiración del contrato, es decir, el 30 de junio de 1947, se podrá disponer en la forma y en el modo, que acuerden el Ministro de Salud Pública y Asistencia Social y el Director del "Servicio". – 5) – El Director del "Servicio" y el co-Director del mismo, prepararán presupuestos administrativos previos para todas las obras del programa del "Servicio", a fin de que dichos presupuestos sean aprobados por

resolución suprema; debiendo rendir el "Servicio" cuenta mensual de los gastos efectuados, que se acreditarán con los comprobantes originales respectivos. – Regístrese y comuníquese. – Rúbrica del Presidente de la República. – CARVALLO".

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

N° (D). 6–3/70 LIMA, *April 3, 1944*

MR. CHARGÉ D'AFFAIRES:

In response to your Excellency's courteous note No. 1707 of the 2d of last March referring to the extension of the agreement made by the Peruvian Government with relation to the cooperative sanitary program agreed upon in Resolution XXX of the Third Meeting of the Ministers of Foreign Affairs of the American Republics, held at Rio de Janeiro in 1942, I have the honor to transmit to you a copy of the Supreme Resolution issued by the Ministry of Public Health and Social Welfare, in which the aforementioned agreement is approved.

Upon bringing this matter to Your Excellency's attention I avail myself of the opportunity to renew the assurances of my most distinguished consideration.

ALFREDO SOLF Y MURO

The Honorable JEFFERSON PATTERSON,
Chargé d'Affaires ad interim
of the United States of America.
City.

COPY

"Having seen the attached additional agreement concluded between the Peruvian Government, represented by the Minister of Public Health and Social Welfare, and the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs, represented by General George C. Dunham, for the continuation of the work that is being carried out in conformity with supreme resolution N° 1895a of July 14, 1942; and it being agreed upon: It is resolved: To approve the additional agreement referred to, which consists of 9 clauses, countersigned on the 16th of the present month; and consequently: 1) – The Institute of Inter-American Affairs will contribute an amount not larger than five hundred thousand dollars to continue the work in progress connected with sanitary work, for a period of three years to begin as of July 1 of the present year. The Peruvian Government will contribute for the same purpose a sum equivalent to five hundred thousand dollars. The aforementioned Institute as well as the Peruvian Government will transfer to the account of the 'Service' the aforementioned amounts, in monthly payments, as is specified in the additional agreement referred to; transfers will be made in advance for quarterly periods, after presentation to the Ministry of Public Health and Social Welfare, on the part of the 'Service',

Resolution of approval.

of the monthly reports of the expenses incurred in the preceding quarterly period.– 2) – Beginning on January 1, 1947, the Ministry of Public Health and Social Welfare will assume direct and immediate control of the functioning and maintenance of the sanitary program of the Selva; – but the 'Service' shall continue until the termination of the contract of June 30, 1947, the execution of its program in different zones of the Selva and in the work of the new programs which may be arranged between the Ministry in question and the Director of the 'Service'.– The same Institute and the Ministry of Public Health and Social Welfare agree to the contents of the notes exchanged, of July 7 and 11 of 1942, which constitute the original agreement of the cooperative sanitary program, as well as the notes of October 10 and 31, 1942, with reference to the plan for drainage in Chimbote.– 4) – Any balance of funds will be transferred to the account of the 'Service'; but the balance which may exist at the expiration of the contract, that is to say, on June 30, 1947, may be disposed of in the form and manner upon which the Minister of Public Health and Social Welfare and the Director of the 'Service' may agree.–5) – The Director of the 'Service' and the co-Director of the same will prepare in advance administrative budgets for all the works of the program of the 'Service', in order that the said budgets may be approved by supreme resolution; the 'Service' being required to render a monthly account of the expenses incurred which shall be corroborated by the respective original vouchers. Let it be registered and communicated. Seal of the President of the Republic.

CARVALLO"

The Executive Vice-President, The Institute of Inter-American Affairs, to the Peruvian Minister of Public Health and Social Welfare

LIMA *March 11 1944*

His Excellency
Dr CONSTANTINO J CARVALLO
Minister of Public Health & Social Welfare
Lima Peru

YOUR EXCELLENCY:

I have the honor to refer to the notes exchanged between His Excellency, David Dasso, Minister of Finance and Commerce of Peru and His Excellency, Sumner Welles, Under Secretary of State of the United States of America on May 9th and May 11th, 1942 and to the subsequent correspondence exchanged between the Institute of Inter-American Affairs and the Ministry of Public Health and Social Welfare on July 7th, 1942 and July 11th, 1942 and on October 10th and October 31st, 1942 establishing in Peru a cooperative health and sanitation program as provided for by Resolution XXX approved at the third meeting of Ministers of Foreign Affairs of the American Republics held in Rio de Janeiro in January, 1942.

58 Stat. 1543, 1544.

Proposals for additional cooperative health work.
Post, p. 2965.
61 Stat., Pt. 4, p. 3361.

I now have the following proposals for additional cooperative health work to submit to your Excellency for your consideration:

Allocation of sums by U. S. and Peru.

1. If desired by the Government of Peru, the Government of the United States of America, through the Institute of Inter-American Affairs, an agency of the Office of the Coordinator of Inter-American Affairs, is prepared to allocate a sum of not to exceed U.S. $500,000.00 for the purpose of extending the cooperative health and sanitation program being carried out by the Servicio Cooperativo Inter-Americano de Salud Pública (hereafter referred to as the Servicio) for a period of three years beginning July 1st, 1944, provided the Government of Peru appropriates a like sum equivalent in Soles of U.S. $500,000.00 for the same purpose. These funds are to be employed for maintaining projects in operation, or to be placed in operation under the terms of the existing agreement; and, insofar as funds may be available, for any such new projects as may be mutually agreed upon between the Minister of Public Health and Social Welfare, or his representative, and the Director of the Servicio.

2. For the purpose of effectuating the objectives of this agreement, the Institute of Inter-American Affairs agrees to transfer to the account of the Servicio, the sum of U.S. $500,000.00 on the following basis:

During July 1944	U.S. $58,000
During October 1944	U.S. 58,000
During January 1945	U.S. 40,000
During April 1945	U.S. 40,000
During July 1945	U.S. 40,000
During October 1945	U.S. 40,000
During January 1946	U.S. 50,000
During April 1946	U.S. 50,000
During July 1946	U.S. 50,000
During October 1946	U.S. 50,000
During January 1947	U.S. 12,000
During April 1947	U.S. 12,000

The government of Peru will agree to transfer to the account of the Servicio the equivalent in Soles of U.S. $500,000.00 on the following basis:

During July	1944	the equivalent	in Soles	of U.S.	$19,275
During October	1944	"	"	"	19,275
During January	1945	"	"	"	60,000
During April	1945	"	"	"	60,000
During July	1945	"	"	"	60,000
During October	1945	"	"	"	60,000
During January	1946	"	"	"	50,000
During April	1946	"	"	"	50,000
During July	1946	"	"	"	50,000
During October	1946	"	"	"	50,000
During January	1947	"	"	"	10,725
During April	1947	"	"	"	10,725

The transfer of funds according to this schedule will be made in advance of expenditures and for three months periods. Transfer of each three months allotment by the Government of Peru will be made during the month stipulated above, and on the presentation by the

Servicio to the Ministry of Public Health of monthly expenditure summaries for the preceding three months period.

Use of funds.

3. The above funds are to be used for the maintenance of the health program being carried out by the Servicio under the terms of the original agreement from the period of July 1, 1944 to December 31, 1946. At this date the Servicio will turn over to the Ministry of Public Health for operation and maintenance, all of its Amazon program, continuing thereafter until the expiration of this extended agreement on June 30, 1947 to operate only that part of its program which is outside of the Amazon area, and such new projects that may have been mutually agreed upon under the terms of this extended agreement.

Amazon program. *Post*, p. 2965.

Obligations of U. S. and Peru.

4. It is understood that the Institute of Inter-American Affairs recognizes its obligation to make available a sum of not to exceed U.S. $1,000,000 and the Ministry of Public Health and Social Welfare will likewise recognize its obligation to contribute such funds, personnel, facilities and equipment as might be considered necessary for the cooperative health and sanitation program in Peru in accordance with the terms of the letters exchanged between the Institute of Inter-American Affairs and the Ministry of Public Health and Social Welfare dated July 7th and July 11th, 1942 respectively, which constitute the original agreement for the cooperative health and sanitation program.

In the event that any part of the funds referred to in this section has not been expended at the termination of the original agreement date of June 30, 1944, such funds will be transferred in their entirety to the account of the Servicio and used for the completion of the projects agreed upon under the terms of the original agreement. Any of these funds remaining unexpended after the completion of the original program will be available for use in the extended program of the Servicio.

Chimbote project.

5. It is also understood that the Institute of Inter-American Affairs recognizes its obligation to make available for the Chimbote project a sum of not to exceed U.S. $ 350,000 which constitutes 67 percent of the total amount made available for this purpose and that the Ministry of Public Health and Social Welfare likewise recognizes its obligation to make available for the Chimbote project the equivalent in Soles of U.S. $172,388.00 which is 33 percent of the total made available for this project, in accordance with the terms of the letters exchanged October 10th and October 31st, 1942, extending the original agreement referred to above.

In the event that any part of the total sum made available for the Chimbote project by the Institute of Inter-American Affairs and the Ministry of Public Health and Social Welfare remains unexpended when the Chimbote project is completed, such unexpended funds will

be transferred to the account of the Servicio and expended for the completion of its program formulated under the original agreement. Any of these funds remaining unexpended at the completion of the original program will be available for use in the extended program of the Servicio.

Nonreversion of funds.

6. Any part of the funds transferred to the account of the Servicio according to the schedule outlined above, which may be unexpended at the termination of the period in which they were transferred shall continue to be available for the purpose of the general health program of the Servicio and shall not revert to either the Institute of Inter-American Affairs or the Ministry of Public Health and Social Welfare.

Disposition of unexpended funds.

7. The Minister of Public Health and Social Welfare or his representative of the Division of Health and Sanitation of the Institute of Inter-American Affairs in Peru, shall determine by mutual agreement, the disposition of any unexpended funds, which may remain to the credit of the Servicio on June 30th, 1947.

Applicability of provisions of designated agreements.

8. The agreements effectuated by the letters exchanged between the Institute of Inter-American Affairs and the Ministry of Public Health on July 7th and July 11th, 1942 and on October 10th and 31st, 1942 will remain in full force and effect for the purpose of extending the cooperative health and sanitation program to June 30th, 1947 and the provisions contained therein will apply during the continuation of the program. The procedures and methods established and in use for the operation of the Servicio, under the terms of the agreements referred to above, will continue to apply to the operation of the Servicio until the termination of this extended agreement on June 30th, 1947.

Budgets.

Submission of monthly summaries.

9. The Director of the Servicio and the Representative of the Minister of Public Health will prepare budgets outlining the expenditure of funds in mutually agreed upon Servicio projects for each fiscal year, and the Servicio will submit monthly summaries of expenditures to the Ministry of Public Health along with the original receipts for all expenditures.

If this proposal is acceptable to Your Excellency, this letter and Your Excellency's acceptance will constitute a binding and effective agreement between the Institute of Inter-American Affairs and the Ministry of Public Health and Social Welfare of Peru in accordance with the terms contained therein.

Accept, Excellency, the assurances of my highest consideration.

GEORGE C DUNHAM
Executive Vice-President
The Institute of Inter-American Affairs

The Peruvian Minister of Public Health and Social Welfare to the Executive Vice-President, The Institute of Inter-American Affairs

MINISTERIO DE SALUD PUBLICA
Y ASISTENCIA SOCIAL

Of. No. 14

LIMA, *15 de Marzo de 1944.*

Señor
GEORGE C. DUNHAM
Vice-President del Instituto
de Asuntos Inter-Americanos.

En mi poder su oficio de 11 del mes en curso en el que, en su calidad de Vice-Presidente del Instituto de Asuntos Inter-Americanos, propone un contrato adicional del celebrado con este Ministerio, aprobado por Resolución Suprema de 13 de Julio de 1942, en ejecución del programa cooperativo de salubridad previsto en la Resolución N° XXX sancionada en la Tercera Conferencia de Ministros de Relaciones Exteriores de las Repúblicas Americanas, celebrada en Rio de Janeiro en enero de 1942.

Este Ministerio ha estudiado su propuesta constante de 10 clausulas y expresa su completa conformidad con su contenido conviniendo en continuar el Servicio Cooperativo en materia de sanidad con ese Instituto por un período de 3 años que comenzará a contarse a partir del 1° de julio del año en curso y de acuerdo con los términos de su propuesta.

Para la debida ejecución de este convenio se expedirá en breve la correspondiente Resolución aprobatoria.

Sírvase aceptar las expresiones de reconocimiento de este Despacho así como las seguridades de mi consideración mas distinguida.

Dios guarde a Ud.

CONSTANTINO J. CARVALLO
Ministro de Salud Publica
y Asistencia Social.

Translation

MINISTRY OF PUBLIC HEALTH
AND SOCIAL WELFARE

Of. No. 14

LIMA, *March 15, 1944.*

Mr. GEORGE C. DUNHAM
Vice President of the Institute
of Inter-American Affairs.

I have your communication of the 11th of the current month in which, in your capacity as Vice President of the Institute of Inter-American Affairs, you propose an agreement additional to that concluded with this Ministry, which was approved by the Supreme Resolution of July 13, 1942, for the execution of the cooperative sanitary program provided for in Resolution XXX approved at the Third Meeting of the Ministers of Foreign Affairs of the American Republics, held at Rio de Janeiro in January 1942.

This Ministry has studied your proposal, consisting of 10 clauses, and expresses its complete agreement with its contents, agreeing upon the continuation of the Cooperative Service in the matter of sanitary conditions with your Institute for a period of 3 years, to begin as of July 1 of the present year, and in accordance with the terms of your proposal.

For the proper execution of this agreement there will be sent shortly the corresponding Resolution of Approval.

Please accept the expressions of appreciation of this Office as well as the assurances of my most distinguished consideration.

May God keep you.

CONSTANTINO J. CARVALLO
Minister of Public Health
and Social Welfare.

Constitution of the United Nations Educational, Scientific and Cultural Organization adopted by the United States of America and other governments. Concluded at London November 16, 1945; instrument of acceptance deposited by the United States of America September 30, 1946; effective November 4, 1946.

September 30, 1946
[T. I. A. S. 1580]

CONSTITUTION OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION

THE GOVERNMENTS OF THE STATES PARTIES TO THIS CONSTITUTION ON BEHALF OF THEIR PEOPLES DECLARE

Preamble.

that since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed;

that ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war;

that the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races;

that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfill in a spirit of mutual assistance and concern;

that a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.

FOR THESE REASONS,

the States parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

IN CONSEQUENCE WHEREOF

Creation of United Nations Educational, Scientific and Cultural Organisation.

they do hereby create the United Nations Educational, Scientific and Cultural Organisation for the purpose of advancing, through the educational and scientific and cultural relations of the peoples of the world, the objectives of international peace and of the common welfare of mankind for which the United Nations Organisation was established and which its Charter proclaims.

59 Stat. 1031.

ARTICLE I.

Purposes and Functions

1. The purpose of the Organisation is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

59 Stat. 1031.

2. To realise this purpose the Organisation will:

(a) collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;

(b) give fresh impulse to popular education and to the spread of culture;

by collaborating with Members, at their request, in the development of educational activities;

by instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social;

by suggesting educational methods best suited to prepare the children of the world for the responsibilities of freedom;

(c) maintain, increase and diffuse knowledge;

by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;

by encouraging cooperation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information;

by initiating methods of international cooperation calculated to give the people of all countries access to the printed and published materials produced by any of them.

Nonintervention in matters within domestic jurisdiction.

3. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States Members of this Organisation, the Organisation is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

ARTICLE II.

Membership

1. Membership of the United Nations Organisation shall carry with it the right to membership of the United Nations Educational, Scientific and Cultural Organisation.

2. Subject to the conditions of the agreement between this Organisation and the United Nations Organisation, approved pursuant to Article X of this Constitution, States not members of the United Nations Organisation may be admitted to membership of the Organisation, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference.

Post, p. 2502.

3. Members of the Organisation which are suspended from the exercise of the rights and privileges of membership of the United Nations Organisation shall, upon the request of the latter, be suspended from the rights and privileges of this Organisation.

4. Members of the Organisation which are expelled from the United Nations Organisation shall automatically cease to be members of this Organisation.

ARTICLE III.

Organs

The Organisation shall include a General Conference, an Executive Board and a Secretariat.

ARTICLE IV.

The General Conference

A. Composition

1. The General Conference shall consist of the representatives of the States Members of the Organisation. The Government of each Member State shall appoint not more than five delegates, who shall be selected after consultation with the National Commission, if established, or with educational, scientific and cultural bodies.

B. Functions

2. The General Conference shall determine the policies and the main lines of work of the Organisation. It shall take decisions on programmes drawn up by the Executive Board.

3. The General Conference shall, when it deems it desirable, summon international conferences on education, the sciences and humanities and the dissemination of knowledge.

4. The General Conference shall, in adopting proposals for submission to the Member States, distinguish between recommendations and international conventions submitted for their approval. In the former case a majority vote shall suffice; in the latter case a two-thirds majority shall be required. Each of the Member States shall submit recommendations or conventions to its competent authorities within a period of one year from the close of the session of the General Conference at which they were adopted.

5. The General Conference shall advise the United Nations Organisation on the educational, scientific and cultural aspects of matters of concern to the latter, in accordance with the terms and procedure agreed upon between the appropriate authorities of the two Organisations.

6. The General Conference shall receive and consider the reports submitted periodically by Member States as provided by Article VIII. *Post*, p. 2501.

7. The General Conference shall elect the members of the Executive Board and, on the recommendation of the Board, shall appoint the Director-General.

C. Voting

8. Each Member State shall have one vote in the General Conference. Decisions shall be made by a simple majority except in cases in which a two-thirds majority is required by the provisions of this Constitution. A majority shall be a majority of the Members present and voting.

D. Procedure

9. The General Conference shall meet annually in ordinary session; it may meet in extraordinary session on the call of the Executive Board. At each session the location of its next session shall be designated by the General Conference and shall vary from year to year.

10. The General Conference shall, at each session, elect a President and other officers and adopt rules of procedure.

11. The General Conference shall set up special and technical committees and such other subordinate bodies as may be necessary for its purposes.

12. The General Conference shall cause arrangements to be made for public access to meetings, subject to such regulations as it shall prescribe.

E. Observers

13. The General Conference, on the recommendation of the Executive Board and by a two-thirds majority may, subject to its rules of procedure, invite as observers at specified sessions of the Conference or of its commissions representatives of international organisations, such as those referred to in Article XI, paragraph 4. *Post*. p. 2503.

ARTICLE V.

Executive Board

A. Composition

1. The Executive Board shall consist of eighteen members elected by the General Conference from among the delegates appointed by the Member States, together with the President of the Conference who shall sit *ex officio* in an advisory capacity.

2. In electing the members of the Executive Board the General Conference shall endeavour to include persons competent in the arts, the humanities, the sciences, education and the diffusion of ideas, and qualified by their experience and capacity to fulfil the administrative

and executive duties of the Board. It shall also have regard to the diversity of cultures and a balanced geographical distribution. Not more than one national of any Member State shall serve on the Board at any one time, the President of the Conference excepted.

3. The elected members of the Executive Board shall serve for a term of three years, and shall be immediately eligible for a second term, but shall not serve consecutively for more than two terms. At the first election eighteen members shall be elected of whom one third shall retire at the end of the first year and one third at the end of the second year, the order of retirement being determined immediately after the election by the drawing of lots. Thereafter six members shall be elected each year.

4. In the event of the death or resignation of one of its members, the Executive Board shall appoint, from among the delegates of the Member State concerned, a substitute, who shall serve until the next session of the General Conference which shall elect a member for the remainder of the term.

B. Functions

5. The Executive Board, acting under the authority of the General Conference, shall be responsible for the execution of the programme adopted by the Conference and shall prepare its agenda and programme of work.

6. The Executive Board shall recommend to the General Conference the admission of new Members to the Organisation.

7. Subject to decisions of the General Conference, the Executive Board shall adopt its own rules of procedure. It shall elect its officers from among its members.

8. The Executive Board shall meet in regular session at least twice a year and may meet in special session if convoked by the Chairman on his own initiative or upon the request of six members of the Board.

9. The Chairman of the Executive Board shall present to the General Conference, with or without comment, the annual report of the Director-General on the activities of the Organisation, which shall have been previously submitted to the Board.

10. The Executive Board shall make all necessary arrangements to consult the representatives of international organisations or qualified persons concerned with questions within its competence.

11. The members of the Executive Board shall exercise the powers delegated to them by the General Conference on behalf of the Conference as a whole and not as representatives of their respective Governments.

ARTICLE VI.

Secretariat

1. The Secretariat shall consist of a Director-General and such staff as may be required.

2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of six years,

under such conditions as the Conference may approve, and shall be eligible for re-appointment. He shall be the chief administrative officer of the Organisation.

3. The Director-General, or a deputy designated by him, shall participate, without the right to vote, in all meetings of the General Conference, of the Executive Board, and of the committees of the Organisation. He shall formulate proposals for appropriate action by the Conference and the Board.

4. The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations to be approved by the General Conference. Subject to the paramount consideration of securing the highest standards of integrity, efficiency and technical competence, appointment to the staff shall be on as wide a geographical basis as possible.

5. The responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organisation. They shall refrain from any action which might prejudice their position as international officials. Each State Member of the Organisation undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.

6. Nothing in this Article shall preclude the Organisation from entering into special arrangements within the United Nations Organisation for common services and staff and for the interchange of personnel.

ARTICLE VII.

National Co-operating Bodies

1. Each Member State shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organisation, preferably by the formation of a National Commission broadly representative of the Government and such bodies.

2. National Commissions or national co-operating bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference and to their Governments in matters relating to the Organisation and shall function as agencies of liaison in all matters of interest to it.

3. The Organisation may, on the request of a Member State, delegate, either temporarily or permanently, a member of its Secretariat to serve on the National Commission of that State, in order to assist in the development of its work.

ARTICLE VIII.

Reports by Member States

Each Member State shall report periodically to the Organisation, in a manner to be determined by the General Conference, on its laws,

regulations and statistics relating to educational, scientific and cultural life and institutions, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4.

Ante, p. 2498.

ARTICLE IX.

Budget

1. The budget shall be administered by the Organisation.

2. The General Conference shall approve and give final effect to the budget and to the apportionment of financial responsibility among the States Members of the Organisation subject to such arrangement with the United Nations as may be provided in the agreement to be entered into pursuant to Article X.

3. The Director-General, with the approval of the Executive Board, may receive gifts, bequests, and subventions directly from governments, public and private institutions, associations and private persons.

ARTICLE X.

Relations with the United Nations Organisation

This Organisation shall be brought into relation with the United Nations Organisation, as soon as practicable, as one of the specialised agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organisation under Article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organisation. The agreement shall provide for effective co-operation between the two Organisations in the pursuit of their common purposes, and at the same time shall recognise the autonomy of this Organisation, within the fields of its competence as defined in this Constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organisation by the General Assembly of the United Nations.

59 Stat. 1046.

59 Stat. 1047.

ARTICLE XI.

Relations with other specialized international Organisations and agencies

1. This Organisation may co-operate with other specialised inter-governmental organisations and agencies whose interests and activities are related to its purposes. To this end the Director-General, acting under the general authority of the Executive Board, may establish effective working relationships with such organisations and agencies and establish such joint committees as may be necessary to assure effective co-operation. Any formal arrangements entered into with such organisations or agencies shall be subject to the approval of the Executive Board.

2. Whenever the General Conference of this Organisation and the competent authorities of any other specialised inter-governmental organisations or agencies whose purposes and functions lie within the competence of this Organisation, deem it desirable to effect a transfer

of their resources and activities to this Organisation, the Director-General, subject to the approval of the Conference, may enter into mutually acceptable arrangements for this purpose.

3. This Organisation may make appropriate arrangements with other intergovernmental organisations for reciprocal representation at meetings.

4. The United Nations Educational, Scientific and Cultural Organisation may make suitable arrangements for consultation and co-operation with nongovernmental international organisations concerned with matters within its competence, and may invite them to undertake specific tasks. Such co-operation may also include appropriate participation by representatives of such organisations on advisory committees set up by the General Conference.

ARTICLE XII.

Legal status of the Organisation

The provisions of Articles 104 and 105 of the Charter of the United Nations Organisation concerning the legal status of that Organisation, its privileges and immunities shall apply in the same way to this Organisation. 59 Stat. 1053.

ARTICLE XIII.

Amendments

1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority; provided, however, that those amendments which involve fundamental alterations in the aims of the Organisation or new obligations for the Member States shall require subsequent acceptance on the part of two-thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated by the Director-General to the Member States at least six months in advance of their consideration by the General Conference.

2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this Article.

ARTICLE XIV.

Interpretation

1. The English and French texts of this Constitution shall be regarded as equally authoritative. Authoritative texts.

2. Any question or dispute concerning the interpretation of this Constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its rules of procedure.

ARTICLE XV.

Entry into force

1. This Constitution shall be subject to acceptance. The instruments of acceptance shall be deposited with the Government of the United Kingdom.

2. This Constitution shall remain open for signature in the archives of the Government of the United Kingdom. Signature may take place either before or after the deposit of the instrument of acceptance. No acceptance shall be valid unless preceded or followed by signature.

3. This Constitution shall come into force when it has been accepted by twenty of its signatories. Subsequent acceptances shall take effect immediately.

4. The Government of the United Kingdom will inform all members of the United Nations of the receipt of all instruments of acceptance and of the date on which the Constitution comes into force in accordance with the preceding paragraph.

Post, p. 2519.

In faith whereof, the undersigned, duly authorised to that effect, have signed this Constitution in the English and French languages, both texts being equally authentic.

Done in London the sixteenth day of November, 1945 in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the Governments of all the Members of the United Nations.

ARGENTINE REPUBLIC
CONRADO TRAVERSO

AUSTRALIA

BELGIUM
A. BUISSERET

BOLIVIA
C. SALAMANCA

BRAZIL
MONIZ DE ARAGAO

THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

CANADA
VINCENT MASSEY

CHILE
FRANCISCO WALKER LINARES

CHINA
HU SHIH

COLOMBIA
J. J. ARANGO

COSTA RICA

CUBA
LUIS MARINO PEREZ

CZECHOSLOVAKIA
JAN OPOCENSKY

DENMARK
ALB. MICHELSEN

THE DOMINICAN REPUBLIC
A. PASTORIZA

ECUADOR
ALB. PUIG

EGYPT
A. FATTAH AH. AMR

EL SALVADOR

ETHIOPIA

FRANCE

GREECE
TH. AGHNIDES

GUATEMALA
M. GALICH

HAITI
LEON LALEAU

HONDURAS

INDIA
JOHN SARGENT

IRAN
A. A. HEKMAT

IRAQ
NAJI AL ASIL

LEBANON
CAMILLE CHAMOUN

LIBERIA
J. W. PEARSON

LUXEMBOURG
A. ALS

MEXICO
J. T. BODET

THE NETHERLANDS
V. D. LEEUW

NEW ZEALAND

NICARAGUA
ERNESTO SELVA

NORWAY
NILS HJELMTVEIT

PANAMA
E. A. MORALES

PARAGUAY

PERU
E. LETTS

THE PHILIPPINES
MAXIMO M. KALAW

POLAND
BERNARD DRZEWIESKI

SAUDI ARABIA
HAFIZ WAHBA

SYRIA
N. ARMANAZI

TURKEY
YÜCEL

THE UKRAINIAN SOVIET SOCIALIST REPUBLIC

THE UNION OF SOUTH AFRICA
G. HEATON NICHOLLS

THE UNION OF SOVIET SOCIALIST REPUBLICS

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ELLEN WILKINSON

THE UNITED STATES OF AMERICA

URUGUAY
R. E. MACEACHEN

VENEZUELA
A. RODRIGUEZ ASPURUA

YUGOSLAVIA
DR. LJUBO LEONTIC

Certified a true copy:
[SEAL] D. A. BIGBY

LONDON.
Acting Librarian and Keeper of the Papers at the Foreign Office.

31 Jan 1946

CONVENTION
CREANT UNE ORGANISATION DES NATIONS UNIES POUR L'EDUCATION, LA SCIENCE ET LA CULTURE

LES GOUVERNEMENTS DES ETATS
PARTIES A LA PRESENTE CONVENTION
AU NOM DE LEURS PEUPLES
DECLARENT

que, les guerres prenant naissance dans l'esprit des hommes, c'est dans l'esprit des hommes que doivent être élevées les défenses de la paix;

que l'incompréhension mutuelle des peuples a toujours été, au cours de l'histoire, à l'origine de la suspicion et de la méfiance entre nations par où leurs désaccords ont trop souvent dégénéré en guerre;

que la grande et terrible guerre qui vient de finir a été rendue possible par le reniement de l'idéal démocratique de dignité, d'égalité et de respect de la personne humaine et par la volonté de lui substituer, en exploitant l'ignorance et le préjugé, le dogme de l'inégalité des races et des hommes;

que, la dignité de l'homme exigeant la diffusion de la culture et l'éducation de tous en vue de la justice, de la liberté et de la paix, il y a là, pour toutes les nations, des devoirs sacrés à remplir dans un esprit de mutuelle assistance;

qu'une paix fondée sur les seuls accords économiques et politiques des Gouvernements ne saurait entraîner l'adhésion unanime, durable et sincère des peuples et que, par conséquent, cette paix doit être établie sur le fondement de la solidarité intellectuelle et morale de l'humanité.

POUR CES MOTIFS

les Etats signataires de cette Convention, résolus à assurer à tous le plein et égal accès à l'éducation, la libre poursuite de la vérité objective et le libre échange des idées et des connaissances, décident de développer et de multiplier les relations entre leurs peuples, en vue de se mieux comprendre et d'acquérir une connaissance plus précise et plus vraie de leurs coutumes respectives.

EN CONSEQUENCE

ils créent par les présentes l'Organisation des Nations Unies pour l'Education, la Science et la Culture afin d'atteindre graduellement, par la coopération des Nations du monde dans les domaines de l'éducation, de la science et de la culture, les buts de paix internationale et de prospérité commune de l'humanité en vue desquels l'Organisation des Nations Unies a été constituée, et que sa Charte proclame.

ARTICLE I

Buts et Fonctions

1. L'Organisation se propose de contribuer au maintien de la paix et de la sécurité en resserrant, par l'éducation, la science et la culture, la

collaboration entre nations, afin d'assurer le respect universel de la justice, de la loi, des droits de l'homme et des libertés fondamentales pour tous, sans distinction de race, de sexe, de langue ou de religion, que la Charte des Nations Unies reconnaît à tous les peuples.

2. A ces fins, l'Organisation:

a) favorise la connaissance et la compréhension mutuelle des nations en prêtant son concours aux organes d'information des masses; elle recommande à cet effet tels accords internationaux qu'elle juge utiles pour faciliter la libre circulation des idées, par le mot et par l'image;

b) imprime une impulsion vigoureuse à l'éducation populaire et à la diffusion de la culture:

en collaborant avec les Etats Membres qui le désirent pour les aider à développer leur action éducatrice;

en instituant la collaboration des nations afin de réaliser graduellement l'idéal d'une chance égale d'éducation pour tous, sans distinction de race, de sexe ni d'aucune condition économique ou sociale;

en suggérant des méthodes d'éducation convenables pour préparer les enfants du monde entier aux responsabilités de l'homme libre;

c) aide au maintien, à l'avancement et à la diffusion du savoir:

en veillant à la conservation et protection du patrimoine universel de livres, d'oeuvres d'art et d'autres monuments d'intérêt historique ou scientifique, et en recommandant aux peuples intéressés des conventions internationales à cet effet;

en encourageant la coopération entre nations dans toutes les branches de l'activité intellectuelle, l'échange international de représentants de l'éducation, de la science et de la culture ainsi que celui de publications, d'oeuvres d'art, de matériel de laboratoire et de toute documentation utile;

en facilitant par des méthodes de coopération internationale appropriées l'accès de tous les peuples à ce que chacun d'eux publie.

3. Soucieuse d'assurer aux Etats Membres de la présente Organisation l'indépendance, l'intégrité et la féconde diversité de leurs cultures et de leurs systèmes d'éducation, l'Organisation s'interdit d'intervenir en aucune matière relevant essentiellement de leur juridiction intérieure.

ARTICLE II

Membres.

1. Les Etats membres de l'Organisation des Nations Unies possèdent le droit de faire partie de l'Organisation des Nations Unies pour l'Education, la Science et la Culture.

2. Sous réserve des termes de l'accord à intervenir entre la présente Organisation et l'Organisation des Nations Unies, approuvé conformément à l'Article X de la présente Convention, les Etats non

membres de l'Organisation des Nations Unies peuvent être admis comme membres de l'Organisation sur recommandation du Conseil Exécutif, par la Conférence Générale votant à la majorité des deux tiers.

3. Les Etats membres de l'Organisation suspendus de l'exercice de leurs droits et privilèges de membres de l'Organisation des Nations Unies, seront sur la demande de cette dernière suspendus des droits et privilèges inhérents à la qualité de membre.

4. Les Etats membres de l'Organisation cessent *ipso facto* d'en être membres s'ils sont exclus de l'Organisation des Nations Unies.

ARTICLE III

Organes.

L'Organisation comprend une Conférence générale, un Conseil exécutif et un Secrétariat.

ARTICLE IV.

La Conférence générale.

A. Composition.

1. – La Conférence générale se compose des représentants des Etats membres de l'Organisation. Le Gouvernement de chaque Etat Membre nomme au plus cinq représentants choisis après consultation avec le Comité National, s'il en existe, ou avec les institutions et corps éducatifs, scientifiques et culturels.

B. Fonctions.

2. – La Conférence générale détermine l'orientation et la ligne de conduite générale de l'Organisation. Elle se prononce sur les programmes établis par le Conseil exécutif.

3. – La Conférence générale convoque, s'il y a lieu, des conférences internationales sur l'éducation, les sciences, les humanités et la diffusion du savoir.

4. – Quand elle se prononce pour l'adoption de projets à soumettre aux Etats Membres, la Conférence générale doit distinguer entre les recommandations aux Etats Membres et les conventions internationales à ratifier par les Etats Membres. Dans le premier cas, la majorité simple suffit; dans le second, une majorité des deux tiers est requise. Chacun des Etats Membres soumettra les recommandations ou conventions aux autorités nationales compétentes dans le délai d'un an à partir de la clôture de la session de la Conférence générale au cours de laquelle elles auront été adoptées.

5. – La Conférence générale conseille l'Organisation des Nations Unies sur les aspects éducatifs, scientifiques et culturels des questions intéressant les Nations Unies, dans les conditions et suivant la procédure qui auront été adoptées par les autorités compétentes des deux Organisations.

6. – La Conférence générale reçoit et examine les rapports qui lui sont soumis périodiquement par les Etats Membres, conformément à l'Article VIII.

7. – La Conférence générale élit les membres du Conseil exécutif; elle nomme le Directeur Général sur présentation du Conseil exécutif.

C. Vote.

8. – Chaque Etat Membre dispose d'une voix à la Conférence générale. Les décisions sont prises à la majorité simple, sauf dans les cas où les dispositions de la présente Convention exigent une majorité des deux tiers. Par majorité, il faut entendre la majorité des membres présents et votant.

D. Procédure.

9. – La Conférence générale se réunit chaque année en session ordinaire; elle peut se réunir en session extraordinaire sur convocation du Conseil exécutif. Au cours de chaque session la Conférence fixe le siège de la session suivante; ce siège change chaque année.

10. – La Conférence générale, à chaque session, élit son président et son bureau et adopte son règlement intérieur.

11. – La Conférence générale crée les commissions tant spéciales que techniques et autres organismes subsidiaires qui peuvent être nécessaires à l'exécution de sa tâche.

12. – Des dispositions seront prises pour que le public puisse assister aux délibérations, sous réserve des dispositions du règlement intérieur.

E. Observateurs.

13. – La Conférence générale, votant à la majorité des deux tiers, sur la recommandation du Conseil exécutif, et sous réserve du règlement intérieur, peut inviter comme observateurs à des sessions déterminées de la Conférence ou de ses commissions, des représentants d'organisations internationales, notamment de celles qui sont visées à l'article XI, paragraphe 4.

ARTICLE V

Conseil exécutif.

A. Composition.

1. – Le Conseil exécutif est composé de dix huit membres élus par la Conférence générale parmi les délégués nommés par les Etats Membres ainsi que du Président de la Conférence qui siège ès-qualité avec voix consultative.

2. – En procédant à l'élection des membres du Conseil exécutif, la Conférence générale s'efforcera d'y faire figurer des personnalités compétentes dans le domaine des arts, des lettres, des sciences, de l'éducation et de la diffusion de la pensée, et ayant l'expérience et la compétence nécessaires pour remplir les fonctions administratives et exécutives qui incombent au Conseil. Elle tiendra compte également de la diversité des cultures et d'une répartition géographique équitable. Il ne pourra jamais y avoir en même temps au Conseil exécutif plus d'un ressortissant d'un même Etat Membre, le Président de la Conférence n'entrant pas en compte.

3. – Les membres élus du Conseil exécutif conservent leurs fonctions pendant une durée de trois ans; ils sont immédiatement rééligibles pour un second mandat, mais ils ne peuvent siéger plus de deux termes consécutifs. A la première élection, dix huit membres seront élus parmi lesquels un tiers se retirera à l'expiration de la première année

de mandat et un tiers à l'expiration de la deuxième, l'ordre de sortie étant déterminé par tirage au sort immédiatement après l'élection. Par la suite, six membres seront élus chaque année.

4. – En cas de décès ou de démission d'un des membres, le Conseil exécutif désigne parmi les délégués de l'Etat Membre intéressé, un suppléant qui siègera jusqu'à la plus prochaine session de la Conférence générale, laquelle élira un titulaire pour la portion du mandat restant à courir.

B. Fonctions.

5. – Le Conseil exécutif, agissant sous l'autorité de la Conférence générale, est responsable devant elle de l'exécution du programme adopté par la Conférence. Il prépare l'ordre du jour des réunions de la Conférence et le programme de travail qui est soumis à celle-ci.

6. – Le Conseil exécutif recommande à la Conférence générale l'admission de nouveaux Membres dans l'Organisation.

7. – Sous réserve des décisions de la Conférence générale, le Conseil exécutif établit son règlement intérieur. Il élit, parmi ses membres, son bureau.

8. – Le Conseil exécutif se réunit en session ordinaire au moins deux fois par an; il peut se réunir en session extraordinaire sur convocation de son Président à l'initiative de celui-ci, ou à la demande de six membres du Conseil.

9. – Le Président du Conseil exécutif présente à la Conférence générale, avec ou sans commentaires, le rapport annuel du Directeur Général sur l'activité de l'Organisation, préalablement soumis au Conseil.

10. – Le Conseil exécutif prend toutes dispositions utiles pour consulter les représentants des organismes internationaux ou les personnalités qualifiées qui s'occupent de questions relevant de sa compétence.

11. – Les membres du Conseil exécutif exercent les pouvoirs qui leur sont délégués par la Conférence générale, au nom de la Conférence tout entière et non comme représentants de leurs gouvernements respectifs.

ARTICLE VI

Secrétariat.

1. – Le Secrétariat se compose d'un Directeur Général et du personnel reconnu nécessaire.

2. – Le Directeur Général est proposé par le Conseil exécutif et nommé par la Conférence générale pour une période de six ans, aux conditions qui seront approuvées par la Conférence. Sa nomination est renouvelable. Le Directeur Général est le plus haut fonctionnaire de l'Organisation.

3. – Le Directeur Général ou, à son défaut, le remplaçant qu'il aura désigné, prend part, sans droit de vote, à toutes les réunions de la Conférence générale, du Conseil exécutif et des commissions de l'Organisation. Il formule des propositions en vue des mesures à prendre par la Conférence et le Conseil.

4. – Le Directeur Général nomme le personnel du Secrétariat conformément au statut du personnel qui devra être soumis à l'approbation de la Conférence générale. Sous réserve de réunir les plus hautes qualités d'intégrité, d'efficacité et de compétence technique, le personnel devra être recruté sur une base géographique aussi large que possible.

5. – Les responsabilités du Directeur Général et du personnel ont un caractère exclusivement international. Dans l'accomplissement de leurs devoirs, ils ne demanderont ni ne recevront d'instructions d'aucun Gouvernement ni d'aucune autorité étrangère à l'Organisation. Ils s'abstiendront de tout acte de nature à compromettre leur situation de fonctionnaires internationaux. Tous les Etats membres de l'Organisation s'engagent à respecter le caractère international des fonctions du Directeur Général et du personnel et à ne pas chercher à les influencer dans l'accomplissement de leur tâche.

6. – Aucune des dispositions de cet article ne saurait empêcher l'Organisation de passer, dans le cadre de l'Organisation des Nations Unies, des accords spéciaux pour la constitution de services communs et le recrutement de personnel commun ainsi que pour l'échange de personnel.

ARTICLE VII

Comités nationaux de coopération.

1. – Chaque Etat Membre prendra les dispositions appropriées à sa situation particulière pour associer aux travaux de l'Organisation les principaux groupes nationaux qui s'intéressent aux problèmes d'éducation, de recherche scientifique et de culture, de préférence en constituant une Commission nationale où seront représentés le Gouvernement et ces différents groupes.

2. – Dans les pays où il en existe les Commissions nationales ou les organismes nationaux de coopération remplissent un rôle consultatif auprès de leur Délégation nationale à la Conférence générale et auprès de leur Gouvernement pour tous les problèmes se rapportant à l'Organisation. Ils jouent le rôle d'organe de liaison pour toutes les questions qui intéressent l'Organisation.

3. – Sur la demande d'un Etat Membre, l'Organisation peut déléguer, à titre temporaire ou permanent, auprès de la Commission nationale de cet Etat, un membre de son Secrétariat pour collaborer aux travaux de cette Commission.

ARTICLE VIII

Présentation de rapports par les Etats Membres.

Chaque Etat Membre adresse à l'Organisation un rapport périodique, sous la forme que déterminera la Conférence générale, sur les lois, règlements et statistiques relatifs à ses institutions et à son activité dans l'ordre de l'éducation, de la science et de la culture ainsi que sur la suite donnée aux recommandations et conventions visées à l'Article IV, paragraphe 4.

ARTICLE IX

Budget.

1. – Le budget est administré par l'Organisation.

2. – La Conférence générale approuve définitivement le budget et fixe la participation financière de chacun des Etats Membres, sous réserve des dispositions qui pourront être prévues en cette matière par la convention conclue avec l'Organisation des Nations Unies conformément à l'article X de la présente Convention.

3. – Le Directeur Général peut, avec l'approbation du Conseil exécutif, recevoir directement tous dons, legs et subventions provenant de Gouvernements, d'institutions publiques ou privées, d'associations ou de particuliers.

ARTICLE X

Relations avec l'Organisation des Nations Unies.

L'Organisation sera reliée, dès que possible, à l'Organisation des Nations Unies. Elle en constituera l'une des institutions spécialisées prévues à l'article 57 de la Charte des Nations Unies. Ces relations feront l'objet d'un accord avec l'Organisation des Nations Unies conformément aux dispositions de l'article 63 de la Charte. Cet accord sera soumis, pour approbation, à la Conférence Générale de la présente Organisation. Il devra fournir les moyens d'établir une coopération effective entre les deux organisations, dans la poursuite de leurs fins communes. Il consacrera, en même temps, l'autonomie de l'Organisation dans le domaine de sa compétence particulière, tel qu'il est défini dans la présente Convention. Cet accord pourra notamment contenir toutes dispositions concernant l'approbation du budget et le financement de l'Organisation par l'Assemblée générale des Nations Unies.

ARTICLE XI

Relations avec d'autres organisations et institutions internationales spécialisées.

1. – L'Organisation peut coopérer avec d'autres organisations et institutions intergouvernementales spécialisées, dont les tâches et activités sont en harmonie avec les siennes. A cet effet, le Directeur Général peut, sous la haute autorité du Conseil exécutif, établir des relations effectives avec ces organisations et institutions et constituer les commissions mixtes jugées nécessaires pour assurer une coopération efficace. Tout accord passé avec ces organisations ou institutions spécialisées sera soumis à l'approbation du Conseil exécutif.

2. – Toutes les fois que la Conférence générale et les autorités compétentes de toute autre organisation ou institution intergouvernementale spécialisée poursuivant des activités et des objectifs analogues, jugeront souhaitable de transférer à l'Organisation les ressources et fonctions de ladite organisation ou institution, le Directeur Général pourra, sous réserve de l'approbation de la Conférence, conclure, à la satisfaction des deux parties, les accords nécessaires.

3. – L'Organisation peut, d'un commun accord avec d'autres organisations intergouvernementales, prendre des dispositions appropriées pour s'assurer une représentation à leurs réunions respectives.

4. – L'Organisation des Nations Unies pour l'Education, la Science et la Culture peut prendre toutes dispositions utiles pour faciliter les consultations et assurer la coopération avec les organisations internationales privées s'occupant de questions qui entrent dans son domaine. Elle peut les inviter à entreprendre certaines tâches déterminées rentrant dans leur compétence. Cette coopération peut également prendre la forme d'une participation appropriée de représentants desdites organisations aux travaux de comités consultatifs créés par la Conférence générale.

ARTICLE XII

Statut juridique de l'Organisation.

Les dispositions des Articles 104 et 105 de la Charte de l'Organisation des Nations Unies relatives au statut juridique de cette Organisation, à ses privilèges et immunités, s'appliquent également à la présente organisation.

ARTICLE XIII

Amendements.

1. – Les projets d'amendements à la présente Convention prendront effet lorsqu'ils auront été adoptés par la Conférence générale à la majorité des deux tiers; néanmoins, les amendements entraînant des modifications fondamentales dans les buts de l'Organisation ou des obligations nouvelles pour les Etats Membres, devront être ensuite acceptés par les deux tiers des Etats Membres avant d'entrer en vigueur. Le texte des projets d'amendements sera communiqué aux Etats Membres par le Directeur Général six mois au moins avant d'être soumis à l'examen de la Conférence générale.

2. – La Conférence générale aura pouvoir d'adopter à la majorité des deux tiers un règlement en vue de l'application des dispositions du présent article.

ARTICLE XIV

Interprétation

1. – Les textes anglais et français de la présente Convention font également foi.

2. – Toutes questions et tous différends relatifs à l'interprétation de la présente Convention seront soumis pour décision à la Cour Internationale de Justice ou à un tribunal arbitral, selon ce que décidera la Conférence générale conformément à son règlement intérieur.

ARTICLE XV

Entrée en vigueur.

1. – La présente Convention sera soumise à acceptation. Les instruments d'acceptation seront déposés auprès du Gouvernement du Royaume-Uni.

2. – La présente Convention sera déposée dans les archives du Gouvernement du Royaume-Uni où elle restera ouverte à la signature. Les signatures pourront être apposées avant ou après le dépôt des instruments d'acceptation. L'acceptation ne sera valable que si elle est précédée ou suivie d'une signature.

3. – La présente Convention entrera en vigueur lorsqu'elle aura été acceptée par vingt de ses signataires. Les acceptations ultérieures prendront effet immédiatement.

4. – Le Gouvernement du Royaume-Uni notifiera à tous les Membres de l'Organisation des Nations Unies la réception de tous les instruments d'acceptation et la date à laquelle la Convention entrera en vigueur conformément au paragraphe précédent.

En foi de quoi les soussignés, dûment autorisés à cet effet, ont signé la présente Convention dans les langues anglaise et française, les deux textes faisant également foi.

Fait à Londres, le seize Novembre 1945, en un seul exemplaire dans les langues anglaise et française. Des copies dûment certifiées conformes seront remises par le Gouvernement du Royaume-Uni aux Gouvernements de tous les Etats membres des Nations Unies.

REPUBLIQUE ARGENTINE
CONRADO TRAVERSO

AUSTRALIE

BELGIQUE
A. BUISSERET

BOLIVIE
C. SALAMANCA

BRESIL
MONIZ DE ARAGAO

REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE

CANADA
VINCENT MASSEY

CHILI
FRANCISCO WALKER LINARES

CHINE
HU SHIH

COLOMBIE
J. J. ARANGO

COSTA RICA

CUBA
LUIS MARINO PEREZ

TCHECOSLOVAQUIE
JAN OPOCENSKY

DANEMARK
ALB. MICHELSEN

REPUBLIQUE DOMINICAINE
A. PASTORIZA

EQUATEUR
ALB. PUIG

EGYPTE
A. FATTAH AH. AMR

SALVADOR

ETHIOPIE

FRANCE

GRECE
TH. AGHNIDES

GUATEMALA
M. GALICH

HAITI
LEON LALEAU

HONDURAS

INDE
JOHN SARGENT

IRAN
A. A. HEKMAT

IRAK
NAJI AL ASIL

LIBAN
CAMILLE CHAMOUN

LIBERIA
J. W. PEARSON

LUXEMBOURG
A. ALS

MEXIQUE
J. T. BODET

PAYS-BAS
V. D. LEEUW

NOUVELLE-ZELANDE

NICARAGUA
ERNESTO SELVA

NORVEGE
NILS HJELMTVEIT

PANAMA
E. A. MORALES

PARAGUAY

PEROU
E. LETTS

PHILIPPINES
MAXIMO M. KALAW

POLOGNE
BERNARD DRZEWIESKI

ARABIE SAOUDITE
HAFIZ WAHBA

SYRIE
N. ARMANAZI

TURQUIE
YÜCEL

REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE

UNION SUD AFRICAINE
G. HEATON NICHOLLS

UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES

ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE DU NORD
ELLEN WILKINSON

ETATS-UNIS D'AMERIQUE

URUGUAY
R. E. MACEACHEN

VENEZUELA
A. RODRIGUEZ AZPURUA

YOUGOSLAVIE
DR. LJUBO LEONTIC

Certified a true copy:
[SEAL] D. A. BIGBY

LONDON.
Acting Librarian and Keeper of the Papers at the Foreign Office.

31 Jan 1946

The British Ambassador to the Secretary of State

No: 670
Ref: 282/98/46

His Majesty's Ambassador presents his compliments to the Secretary of State and, under instructions from His Majesty's principal Secretary of State for Foreign Affairs, has the honour to inform him that Instruments of Acceptance of the Constitution of the United Nations Educational, Scientific and Cultural Organisation were deposited by the governments of the undermentioned countries in the archives of the Foreign Office on the dates shown:–

Czecholsovakia	5th October, 1946
Brazil	14th October, 1946
Lebanon	28th October, 1946
Greece	4th November, 1946
Poland	6th November, 1946

Date of entry into force.

2. Instruments of Acceptance having now been deposited on behalf of twenty signatory countries, in accordance with the provisions of paragraph 3 Article XV, the Constitution came into force on 4th November, 1946, the date of the deposit of the twentieth acceptance.

Ante, p. 2504.

3. The other countries which have previously accepted the Constitution, with the date upon which the acceptances were deposited, are as follows:–

United Kingdom	20th February, 1946
New Zealand	6th March, 1946
Saudi Arabia	30th April, 1946
Union of South Africa	3rd June, 1946
Commonwealth of Australia	11th June, 1946
India	12th June, 1946
Mexico	12th June, 1946
France	29th June, 1946
Dominican Republic	2nd July, 1946
Turkey	6th July, 1946
Egypt	16th July, 1946
Norway	8th August, 1946
Canada	6th September, 1946
China	13th September, 1946
Denmark	20th September, 1946
United States	30th September, 1946

BRITISH EMBASSY
WASHINGTON, D.C.
10th December, 1946

September 28 and November 13, 15, 1946
[T. I. A. S. 1582]

Agreement between the United States of America and Canada respecting waiver of certain claims involving government vessels. Effected by exchange of notes signed at Washington September 28, November 13 and 15, 1946; effective November 15, 1946.

The Canadian Ambassador to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D. C.,
September 28, 1946.

No. 348

SIR,

57 Stat. 1021.

With reference to the exchange of notes of May 25 and 26, 1943, between the Governments of Canada and of the United States of America recording an agreement for the waiver of claims from collisions between vessels of war, I have the honour to inform you that the Government of Canada is prepared to give effect to an agreement in the following terms:

ARTICLE I

"Government vessel".

In this Agreement the expression "Government vessel" means a vessel (including a vessel of war), flying-boat or drydock owned by or under bareboat charter to, requisitioned by, demised to, or otherwise operated by, either Government, its servant, agent or instrumentality on bareboat terms or chartered to or otherwise operated by or for such Government on terms which authorize such Government to make this Agreement effective with respect to such vessel, flying-boat or drydock; it includes a vessel operated under the supervision of the War Shipping Administration or Park Steamship Company Limited, but does not include (a) a vessel, flying-boat or drydock on bareboat charter or otherwise on demise by either Government to a Government other than a contracting Government, or to any person, firm or corporation otherwise than as the servant, agent or instrumentality of either contracting Government; or (b) a vessel owned by Canadian National (West Indies) Steamships Limited, Canadian National Steamship Company Limited or associated or subsidiary companies.

ARTICLE 2

Waiver of designated claims.

The Government of Canada and the Government of the United States of America agree that each shall waive all those legal maritime claims by either Government against the other Government or any servant, agent or instrumentality of the other Government or any Government vessel in respect of collision, salvage, general average, negligent navigation or negligent management of the said Government vessel or in respect of the loss or salvage of, damage to, or general

average in connection with, cargoes carried in the said Government vessel; subject however to the provisions of Articles 3 and 4.

ARTICLE 3

Inapplicability.

Where in any case claims arise which are not required to be waived by this Agreement in addition to or in conjunction with claims which are so required to be waived and it is necessary in any proceedings including proceedings for the limitation of liability that claims be marshalled or for the proper assessment of any salvage or general average that values should be estimated, the provisions of this Agreement shall not apply but claims which would otherwise be required to be waived under this Agreement shall be asserted. Any recoveries, however, shall be waived by the Government entitled to such recoveries or at the option of such Government shall be dealt with in such other way as will give effect to the purpose of this Agreement.

ARTICLE 4

Bareboat charters, etc.

1. In order to carry out the full intention of this Agreement each Government will so arrange in connection with bareboat charters or demises to it or requisitions by it that neither the owners, nor the persons, firms or corporations interested through such owners, shall have or assert any claims of the character specified herein.

Claims arising under insurance.

2. Each Government represents that in no case in which a legal maritime claim arises under any insurance that has been or will be effected on or in respect of any Government vessel or cargo carried therein shall any rights that can be exercised against the other Government be subrogated to the insurers concerned insofar as the insurers' liability relates to a claim which is required to be waived by this Agreement.

ARTICLE 5

Assertion of sovereign immunity.

Each Government shall facilitate the assertion by the other Government of sovereign immunity in relation to any Government vessel.

ARTICLE 6

Applicability.

57 Stat. 1021.

This Agreement terminates the agreement contained in the exchange of notes of May 25 and 26, 1943, and it shall apply to legal maritime claims arising since December 7, 1941, but remaining unsettled on the day this Agreement enters into force, as well as in respect of claims arising on or after such day and during the period in which the Agreement shall remain in force.

ARTICLE 7

Duration.

This Agreement shall remain in force until the expiration of six months from the day on which either Government shall have given notice in writing to the other Government of an intention to terminate the Agreement.

I have the honour to inform you that if an Agreement in accordance

with the above terms is acceptable to the Government of the United States of America, it shall be considered by the Government of Canada to have been concluded and to be in effect as of the date of a corresponding note from you indicating that the Government of the United States of America is prepared to give effect to the Agreement.

Accept, Sir, the renewed assurance of my highest consideration.

L B PEARSON

The Honourable WILLIAM L. CLAYTON,
Acting Secretary of State
for the United States,
Washington, D.C.

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Nov 13 1946

SIR:

Reference is made to the Ambassador's note No. 348 of September 28, 1946 containing the text of a proposed agreement between the Governments of Canada and of the United States of America for the waiver of certain claims involving vessels of the two Governments.

The terms of the proposed agreement are acceptable to this Government, but after the words "War Shipping Administration" in Article I of the text of the agreement there should be added the words "and United States Maritime Commission". If this addition is satisfactory, the agreement will be regarded as effective from the date of your note so advising.

Accept, Sir, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
HUMPHREY HUME WRONG,
Ambassador of Canada.

The Canadian Ambassador to the Acting Secretary of State

No. 428 *November 15, 1946.*

SIR,

I have the honour to refer to your note of November 13, 1946, regarding the proposed agreement between the Governments of Canada and the United States of America for the waiver of certain claims involving vessels of the two governments and to Mr. Pearson's note No. 348 of September 28, 1946, containing the text of said proposed agreement.

Ante, p. 2520.

I also note that your government wishes an addition to be made to the text of Article I of the said proposed agreement, namely, that after

the words, "War Shipping Administration", there should be added the words "and United States Maritime Commission".

This addition to the text of Article I is acceptable to the Canadian Government. It is understood, therefore, that the agreement is in force from the date of this note.

Effective date.

Accept, Sir, the renewed assurances of my highest consideration.

H H WRONG

DEAN ACHESON, Esq.,
Acting Secretary of State,
Washington, D.C.

Agreement between the United States of America and other powers respecting the Preparatory Commission of the International Refugee Organization. Opened for signature at New York December 15, 1946; signed for the United States of America December 16, 1946; effective December 31, 1946.

December 16, 1946
[T. I. A. S. 1583]

AGREEMENT ON INTERIM MEASURES TO BE TAKEN IN RESPECT OF REFUGEES AND DISPLACED PERSONS

UNITED NATIONS
Lake Success, New York
1946

AGREEMENT ON INTERIM MEASURES TO BE TAKEN IN RESPECT OF REFUGEES AND DISPLACED PERSONS

THE GOVERNMENTS which have signed the Constitution of the International Refugee Organization,

having determined that they will take all measures possible to accomplish expeditiously the entry into effective operation of that Organization, and to provide for an orderly transfer to it of the functions and assets of existing organizations;

having decided that, pending the entry into force of the Constitution of the Organization, a Preparatory Commission for the International Refugee Organization should be established for the performance of certain functions and duties;

AGREE to the following measures:

1. There is hereby established a Preparatory Commission for the International Refugee Organization, which shall consist of one representative from each Government signatory to the Constitution. The Director of the Inter-governmental Committee on Refugees, the Director-General of UNRRA and the Director of the International Labour Organization, or their representatives, shall be invited to sit with the Commission in a consultative capacity.

2. The Commission shall:

(*a*) take all necessary and practicable measures for the purpose of bringing the Organization into effective operation as soon as possible;

(*b*) arrange for the convening of the General Council in its first session at the earliest practicable date following the entry into force of the Constitution of the Organization;

(*c*) prepare the provisional agenda for this first session as well as documents and recommendations relating thereto;

(*d*) suggest plans, in consultation with existing organizations and the control authorities, for the programme for the first year of the Organization;

(*e*) prepare draft financial and staff regulations, and draft rules of procedure for the General Council and the Executive Committee.

3. The Commission may, in its discretion and after agreement with existing organizations dealing with refugees and displaced persons, take over any of the functions, activities, assets and personnel of such organizations, provided that the Commission is satisfied that this is essential in order to accomplish the orderly transfer to the International Refugee Organization of such functions or activities.

4. The Commission shall be governed by the rules of procedure of the Economic and Social Council of the United Nations so far as these are applicable.

5. The Commission shall appoint an Executive Secretary, who shall serve the Commission in that capacity and perform such duties as the Commission may determine. He shall be responsible for the appointment and direction of such staff as may be required for the work of the Commission.

6. The expenses of the Commission may be met by advances from such Governments as choose to make advance contributions, which shall be deductible from their first contributions to the Organization; and from such funds and assets as may be transferred from existing organizations to meet the cases provided for in paragraph 3 of this Agreement.

7. The first meeting of the Commission shall be convened as soon as practicable by the Secretary-General of the United Nations.

8. The Commission shall cease to exist upon the election of the Director-General of the Organization, at which time its property, assets and records shall be transferred to the Organization.

9. This Agreement shall come into force as soon as it has been signed by the representatives of eight Governments signatories to the Constitution of the International Refugee Organization and shall remain open for signature by Members of the United Nations which sign the Constitution of the International Refugee Organization until the Commission is dissolved in accordance with paragraph 8 of this Agreement.

IN FAITH WHEREOF, the undersigned representatives, having been duly authorized for that purpose, sign this Agreement in the Chinese, English, French, Russian and Spanish languages, all five texts being equally authentic.

DONE at Flushing Meadow, New York, this fifteenth day of December, one thousand nine hundred and forty-six.

ACCORD RELATIF AUX DISPOSITIONS PROVISOIRES DEVANT ETRE PRISES A L'EGARD DES REFUGIES ET PERSONNES DEPLACEES

NATIONS UNIES
Lake Success, New-York
1946

ACCORD RELATIF AUX DISPOSITIONS PROVISOIRES DEVANT ETRE PRISES A L'EGARD DES REFUGIES ET PERSONNES DEPLACEES

LES GOUVERNEMENTS qui ont signé la Constitution de l'Organisation internationale pour les réfugiés,

ayant décidé de prendre toutes les mesures en leur pouvoir pour que le fonctionnement effectif de l'Organisation devienne promptement une réalité, et pour assurer le transfert méthodique à cette Organisation des fonctions qu'exercent les organisations existantes, ainsi que les avoirs de celles-ci;

ayant décidé que, en attendant l'entrée en vigueur de la Constitution de l'Organisation, une Commission préparatoire de l'Organisation internationale pour les réfugiés devrait être créée pour exercer certaines fonctions et remplir certaines obligations;

CONVIENNENT des dispositions suivantes:

1. Il est créé, par les présentes, une Commission préparatoire de l'Organisation internationale pour les réfugiés, qui se composera d'un représentant de chacun des Gouvernements signataires de la Constitution. Le Directeur du Comité intergouvernemental pour les réfugiés, le Directeur général de l'UNRRA et le Directeur de l'Organisation internationale du Travail, ou leurs représentants, seront invités à assister, à titre consultatif, aux séances de la Commission.

2. La Commission devra:

a) prendre toutes les mesures nécessaires et possibles pour que l'Organisation puisse commencer à fonctionner effectivement aussitôt que possible;

b) prendre les dispositions nécessaires en vue de convoquer le Conseil général, pour sa première session, à une date aussi rapprochée que possible après l'entrée en vigueur de la Constitution de l'Organisation;

c) préparer l'ordre du jour provisoire de cette première session, ainsi que les documents et recommandations s'y rapportant;

d) préparer, de concert avec les organisations existantes et les autorités chargées du contrôle, des projets pour le programme des activités de l'Organisation pendant la première année de son existence:

e) préparer un projet de règlement financier, un projet de statut du personnel et des projets de règlement intérieur pour le Conseil général et le Comité exécutif.

3. La Commission peut, si elle le désire, et après accord avec les organisations existantes qui s'occupent des réfugiés et des personnes déplacées, prendre en charge les fonctions, les activités, les avoirs et le personnel de ces organisations, qu'elle juge nécessaires pour assurer le transfert régulier à l'Organisation de ces fonctions ou activités.

4. La Commission sera soumise au règlement intérieur du Conseil économique et social de l'Organisation des Nations Unies, dans la mesure où ce règlement est applicable.

5. La Commission nommera un Secrétaire exécutif, qui l'assistera à ce titre et remplira les fonctions que la Commission pourra déterminer. Le Secrétaire exécutif sera chargé de nommer et de diriger le personnel que le travail de la Commission pourra exiger.

6. Les dépenses de la Commission pourront être payées au moyen d'avances des Gouvernements qui accepteront de faire des avances à déduire de leurs premières contributions à l'Organisation, et au moyen des fonds et des biens qui pourront être transférés des organisations existantes, pour faire face aux cas prévus au paragraphe 3 du présent Accord.

7. La première réunion de la Commission sera convoquée aussitôt que possible par le Secrétaire général des Nations Unies.

8. La Commission cessera d'exister lorsque le Directeur général de l'Organisation aura été élu, et à ce moment, ses biens et avoirs et ses archives seront transférés à l'Organisation.

9. Le présent accord prendra effet aussitôt qu'il aura été signé par les représentants de huit Gouvernements signataires de la Constitution de l'Organisation internationale pour les réfugiés et restera ouvert à la signature des Membres des Nations Unies qui signeront la Constitution de l'Organisation jusqu'à ce que la Commission soit dissoute conformément aux dispositions du paragraphe 8 du présent Accord.

EN FOI DE QUOI les représentants soussignés, dûment autorisés, signent le présent accord rédigé en anglais, en chinois, en espagnol, en français et en russe, les cinq textes faisant également foi.

FAIT à Flushing Meadow, New-York, le quinze décembre, mil neuf cent quarante-six.

關於處理
難民及失所人民事宜
各項過渡辦法之協定

聯 合 國
紐 約 成 功 湖
公曆一九四六年

95347°—49—PT. III——17

關於處理難民及失所人民事宜各項過渡辦法之協定

國際難民組織組織法各簽訂國政府，同具決心採取一切可能措施，使該組織得以早日開始有效工作，並使現有各組織之職務及資產得以向該組織妥爲移交，又決定於該組織組織法發生效力以前，應設立國際難民組織籌備委員會，俾便執行某種職責，爰議定過渡辦法如下：

一　茲設立國際難民組織籌備委員會，由全體組織法簽字國各派代表一人組成之。各國政府間難民委員會總幹事，聯合國善後救濟總署署長，國際勞工局局長，或其各該代表應被邀以諮議資格列席。

二　籌備委員會應：

（子）採取一切必要及可行措施促使該組織儘速開始有效工作；

（丑）於該組織組織法發生效力後，儘早定期召開全體大會第一屆會；

（寅）擬具該大會第一屆會臨時議事日程及有關文件及建議；

（卯）與現有各組織及各管治當局商榷後，爲該組織第一年度施政計劃提出若干方案；

（辰）擬訂財務及職員服務規程草案，並草擬全體大會及執行委員會議事規則。

三　籌備委員會如認爲爲使該組織順利接管以下所稱之職務及工作有必要時，得與管理難民及失所人民之現有各組織商妥後，權宜接管各該組織之職務，工作，資產及辦事人員。

四　籌備委員會於可適用經濟暨社會理事會議事規則時應遵照其規定。

五　籌備委員會應委定執行秘書一人，其資格及職務由籌備委員會定之。執行秘書視籌備委員會工作需要，負責委派及指揮辦事人員。

六　籌備委員會經費得自各簽訂國政府自願先期繳納之攤款中支付，是項先期繳納之攤款將來須自其第一次應付攤款總額中扣還；上述經費並得自依照上述第三節規定，自現有各組織所移交之基金及資產中支用。

七　籌備委員會第一次會議應由聯合國秘書長於可行範圍內儘速召集之。

八　籌備委員會一俟該組織總幹事選定後即行解散，屆時其財產資金及紀錄應移歸該組織。

九　本辦法如經國際難民組織組織法八簽訂國政府之代表簽署，應立即發生效力；並於籌備委員會依照第八節之規定解散以前，仍得由已簽訂國際難民組織組織法之聯合國會員國隨時簽署。

爲此下列代表各秉其本國政府正式授予簽字之權謹簽字於本辦法，以昭信守。本辦法之英，法，俄，中，西文各本同一作準。

公曆一千九百四十六年十二月十五日訂於紐約發拉星草場。

СОГЛАШЕНИЕ О ВРЕМЕННЫХ МЕРОПРИЯТИЯХ, КОТОРЫЕ ДОЛЖНЫ БЫТЬ ПРИНЯТЫ ПО ОТНОШЕНИЮ К БЕЖЕНЦАМ И ПЕРЕМЕЩЕННЫМ ЛИЦАМ

ОБЪЕДИНЕННЫЕ НАЦИИ
ЛЕЙК СОКСЕС, НЬЮ-ЙОРК
1946

СОГЛАШЕНИЕ О ВРЕМЕННЫХ МЕРОПРИЯТИЯХ, КОТОРЫЕ ДОЛЖНЫ БЫТЬ ПРИНЯТЫ ПО ОТНОШЕНИЮ К БЕЖЕНЦАМ И ПЕРЕМЕЩЕННЫМ ЛИЦАМ

ГОСУДАРСТВА, подписавшие Устав Международной Организации по Делам Беженцев,

решив принять все возможные меры в целях быстрого достижения эффективности в функционировании Организации и обеспечения планомерной передачи ей функций и активов существующих организаций;

приняв решение о необходимости учреждения Подготовительной Комиссии Международной Организации по Делам Беженцев для выполнения ею определенных функций и обязанностей впредь до вступления в силу Устава Организации;

ПРИНИМАЮТ следующее соглашение:

1. Настоящим учреждается Подготовительная Комиссия Международной Организации по Делам Беженцев, в которую входит по одному представителю от каждого правительства, подписавшего Устав. Директор Межправительственного Комитета по Вопросам о Беженцах, Генеральный Директор Администрации Помощи и Восстановления Объединенных Наций и Директор Международного Бюро Труда или их представители приглашаются участвовать в заседаниях Комиссии в качестве консультантов.

2. Комиссия:

(a) проводит все необходимые и практически осуществимые мероприятия в целях скорейшего достижения эффективного функционирования Организации;

(b) принимает меры к созыву первой сессии Генерального Совета в возможно кратчайший срок по вступлении в силу Устава Организации;

(c) составляет временную повестку дня первой сессии, а также приготовляет относящиеся к ней документы и рекомендации;

(d) в консультации с существующими организациями и органами контроля, разрабатывает программу для первого года Организации;

(e) составляет проект финансовых и служебных правил, а также проект правил процедуры для Генерального Совета и Исполнительного Комитета.

3. Комиссия имеет право, по своему усмотрению и по соглашении с существующими организациями, занимающимися вопросами о беженцах и перемещенных лицах, принимать любые функции, виды деятельности, активы и персонал от указанных организаций, если по мнению Комиссии это является существенным для обеспечения планомерной передачи означенных функций и видов деятельности Международной Организации по Делам Беженцев.

4. Комиссия руководствуется правилами процедуры Экономического и Социального Совета Объединенных Наций, поскольку эти правила являются применимыми.

5. Комиссия назначает Ответственного Секретаря, который осуществляет функции, присущие его должности, а также выполняет по усмотрению Комиссии другие обязанности. Он является ответственным за подбор необходимого для работы Комиссии персонала и за руководство им.

6. Расходы Комиссии покрываются авансами по платежам, которые поступают от правительств, желающих внести авансы в счет причитающихся с них взносов, причем эти авансы подлежат вычету из их первых взносов в Организацию; а также суммами и активами, которые будут переведены существующими организациями на покрытие расходов, предусмотренных выше в параграфе 3.

7. Первое заседание Комиссии созывается при первой возможности Генеральным Секретарем Объединенных Наций.

8. Комиссия ликвидируется по избрании

Генерального Директора Организации, причем ее имущество, активы и архив передаются Организации.

9. Настоящее соглашение вступает в силу немедленно по подписании его представителями восьми государств, подписывающих Устав Международной Организации по Делам Беженцев. Соглашение остается открытым для подписания его Членами Объединенных Наций, подписывающими Устав Международной Организации по Делам Беженцев, впредь до ликвидации Комиссии в соответствии с параграфом 8.

В УДОСТОВЕРЕНИЕ ЧЕГО, нижеподписавшиеся представители, будучи должным образом на то уполномочены, подписывают настоящее Соглашение на английском, испанском, китайском, русском и французском языках, причем все пять текстов рассматриваются как подлинники.

СОСТАВЛЕНО в Флошинг Мэдоу, Штат Нью Йорк, пятнадцатого декабря, тысяча девятьсот сорок шестого года.

ACUERDO PROVISIONAL
ACERCA DE LAS MEDIDAS QUE SE HAN DE ADOPTAR RESPECTO A LOS REFUGIADOS Y PERSONAS DESPLAZADAS

NACIONES UNIDAS
Lake Success, Nueva York
1946

ACUERDO PROVISIONAL ACERCA DE LAS MEDIDAS QUE SE HAN DE ADOPTAR RESPECTO A LOS REFUGIADOS Y PERSONAS DESALOJADAS

LOS GOBIERNOS signatarios de los Estatutos de la Organización Internacional de Refugiados,

habiendo resuelto tomar todas las medidas posibles para poner rápidamente en funcionamiento efectivo a la Organización, y disponer la transferencia ordenada a la misma de las funciones y los haberes de las organizaciones existentes;

habiendo resuelto que, mientras entran en vigor los estatutos de la Organización, se establezca una Comisión Preparatoria para la Organización Internacional de Refugiados, que se haga cargo de ciertas funciones y atribuciones.

CONVIENEN en lo que a continuación se expresa:

1. Se establece por este medio una Comisión Preparatoria para la Organización Internacional de Refugiados, integrada por un representante de cada uno de los países firmantes de los estatutos. El Director del Comité Intergubernamental de Refugiados, el Director General de la Administración de Socorro y Rehabilitación de las Naciones Unidas y el Director de la Organización Internacional del Trabajo, o sus respectivos representantes, serán invitados a tomar parte en los trabajos de la Comisión a título consultivo.

2. La Comisión:

(*a*) tomará todas las medidas necesarias y viables para poner en funcionamiento efectivo a la Organización tan pronto como sea posible;

(*b*) hará los arreglos necesarios para la convocación de la primera reunión del Consejo General en la fecha más próxima posible a partir de la entrada en vigor de los estatutos de la Organización;

(*c*) preparará el orden del día provisional para el primer período de sesiones así como los documentos y recomendaciones relacionados con el mismo;

(*d*) sugerirá planes, en consulta con las organizaciones existentes y las autoridades de control, para el programa que se ha de desarrollar durante el primer año de la Organización;

(*e*) preparará proyectos de reglamentos financieros y para el personal, así como el proyecto de reglamento interior para el Consejo General y el Comité Ejecutivo.

3. La Comisión puede, a su discreción y después de ponerse de acuerdo con las organizaciones existentes, tratar de todos los asuntos referentes a los refugiados y personas desalojadas, asumir las funciones y actividades y hacerse cargo de haberes y personal de dichas organizaciones, con tal que la Comisión convenga en que ello es indispensable para llevar a cabo la transferencia ordenada de tales funciones y actividades a la Organización Internacional de Refugiados.

4. La Comisión estará regida por el reglamento interior del Consejo Económico y Social de las Naciones Unidas siempre que el mismo fuere aplicable.

5. La Comisión designará un Secretario Ejecutivo que desempeñará las funciones de tal en el seno de la misma y se hará cargo de las atribuciones que la Comisión determine. El Secretario Ejecutivo se hará cargo del nombramiento y dirección del personal que requieran los trabajos de la Comisión.

6. Los gastos de la Comisión pueden ser sufragados mediante anticipos de aquellos gobiernos que deseen hacer contribuciones anticipadas que serán deductibles de la primera cuota de los mismos a la Organización; y recurriendo a fondos y haberes que se traspasen de las organizaciones existentes para hacer frente a los casos previstos en el párrafo 3 de este acuerdo.

7. El Secretario General de las Naciones Unidas convocará, tan pronto como sea posible, la primera reunión de la Comisión.

8. La Comisión dejará de existir tan pronto como se elija al Director General de la Organización efectuándose, en ese momento, el traspaso de sus propiedades, haberes y archivos a la Organización.

9. Este arreglo entrará en vigor tan pronto como sea firmado por los representantes de los ocho países signatarios de los estatutos de la Organización Internacional de Refugiados y podrá ser firmado por los Miembros de las Naciones Unidas que suscriban los estatutos de la Organización Internacional de Refugiados hasta que sea disuelta la Comisión, de acuerdo con el párrafo 8.

EN FE DE LO CUAL, los infrascritos representantes, debidamente autorizados para estos fines, firman el presente acuerdo, en los idiomas chino, español, francés, inglés y ruso, cuyos cinco textos son igualmente auténticos.

HECHO en Flushing Meadow, Nueva York, a los quince días del mes de diciembre de mil novecientos cuarenta y seis.

FOR AFGHANISTAN:
POUR L'AFGHANISTAN:
阿富汗：
За Афганистан:
POR EL AFGANISTÁN:

FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷：
За Аргентину:
POR LA ARGENTINA:

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞：
За Австралию:
POR AUSTRALIA:

FOR THE KINGDOM OF BELGIUM:
POUR LE ROYAUME DE BELGIQUE:
比利時王國：
За Королевство Бельгии:
POR EL REINO DE BÉLGICA:

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞：
За Боливию:
POR BOLIVIA:

FOR BRAZIL:
POUR LE BRÉSIL:
巴西：
За Бразилию:
POR EL BRASIL:

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國：
За Белорусскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA BIELORUSA:

FOR CANADA:
POUR LE CANADA:
加拿大：
За Канаду:
POR EL CANADÁ:

Paul MARTIN
Dec. 16, 1946

FOR CHILE:
POUR LE CHILI:
智利：
За Чили:
POR CHILE:

FOR CHINA:
POUR LA CHINE:
中國：
За Китай:
POR LA CHINA:

FOR COLOMBIA:
POUR LA COLOMBIE:
哥倫比亞：
За Колумбию:
POR COLOMBIA:

FOR COSTA RICA:
POUR COSTA-RICA:
哥斯大黎加：
За Костарику:
POR COSTA RICA:

FOR CUBA:
POUR CUBA:
古巴：
За Кубу:
POR CUBA:

FOR CZECHOSLOVAKIA:
POUR LA TCHÉCOSLOVAQUIE:
捷克斯拉夫：
За Чехословакию:
POR CHECOESLOVAQUIA:

FOR DENMARK:
POUR LE DANEMARK:
丹麥：
За Данию:
POR DINAMARCA:

FOR THE DOMINICAN REPUBLIC:
POUR LA RÉPUBLIQUE DOMINICAINE:
多明尼加共和國：
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

Emilio GARCIA GODOY
Diciembre 17, 1946

FOR ECUADOR:
POUR L'EQUATEUR:
厄瓜多：
За Эквадор:
POR EL ECUADOR:

FOR EGYPT:
POUR L'EGYPTE:
埃及：
За Египет:
POR EGIPTO:

FOR EL SALVADOR:
POUR LE SALVADOR:
薩爾瓦多：
За Сальвадор:
POR EL SALVADOR:

FOR ETHIOPIA:
POUR L'ETHIOPIE:
阿比西尼亞：
За Эфиопию:
POR ETIOPÍA:

FOR FRANCE:
POUR LA FRANCE:
法蘭西：
За Францию:
POR FRANCIA:

Alexandre PARODI
17 décembre 1946

FOR GREECE:
POUR LA GRÈCE:
希臘：
За Грецию:
POR GRECIA:

FOR GUATEMALA:
POUR LE GUATEMALA:
瓜地馬拉：
За Гватемалу:
POR GUATEMALA:

Jorge Garcia GRANADOS
16 de Diciembre de 1946

FOR HAITI:
POUR HAÏTI:
海地：
За Гаити:
POR HAITÍ:

FOR HONDURAS:
POUR LE HONDURAS:
洪都拉斯：
За Гондурас:
POR HONDURAS:

Tiburcio CARIAS, Jr.
Diciembre 18 de 1946

FOR ICELAND:
POUR L'ISLANDE:
冰島：
За Исландию:
POR ISLANDIA:

FOR INDIA:
POUR L'INDE:
印度：
За Индию:
POR LA INDIA:

FOR IRAN:
POUR L'IRAN:
伊朗：
За Иран:
POR IRÁN:

FOR IRAQ:
POUR L'IRAK:
伊拉克：
За Ирак:
POR IRAK:

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩：
За Ливан:
POR EL LÍBANO:

FOR LIBERIA:
POUR LE LIBÉRIA:
利比里亞：
За Либерию:
POR LIBERIA:

C. Abayomi CASSELL
31 December 1946

FOR THE GRAND DUCHY OF LUXEMBOURG:
POUR LE GRAND-DUCHÉ DE LUXEMBOURG:
盧森堡大公國：
За Великое Герцогство Люксембург:
POR EL GRAN DUCADO DE LUXEMBURGO:

FOR MEXICO:
POUR LE MEXIQUE:
墨西哥：
За Мексику:
POR MÉXICO:

FOR THE KINGDOM OF THE NETHERLANDS:
POUR LE ROYAUME DES PAYS-BAS:
荷蘭王國：
За Королевство Нидерландов:
POR EL REINO DE HOLANDA:

FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭：
За Новую Зеландию:
POR NUEVA ZELANDIA:

FOR NICARAGUA:
POUR LE NICARAGUA:
尼加拉瓜：
За Никарагуа:
POR NICARAGUA:

FOR THE KINGDOM OF NORWAY:
POUR LE ROYAUME DE NORVÈGE:
那威王國：
За Королевство Норвегии:
POR EL REINO DE NORUEGA:

FOR PANAMA:
POUR LE PANAMA:
巴拿馬：
За Панаму:
POR PANAMÁ:

FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭：
За Парагвай:
POR EL PARAGUAY:

FOR PERU:
POUR LE PÉROU:
秘魯：
За Перу:
POR EL PERÚ:

FOR THE PHILIPPINE REPUBLIC:
POUR LA RÉPUBLIQUE DES PHILIPPINES:
菲律賓共和國：
За Филиппинскую Республику:
POR LA REPÚBLICA DE FILIPINAS:

Carlos P. ROMULO
December 16, 1946

FOR POLAND:
POUR LA POLOGNE:
波蘭：
За Польшу:
POR POLONIA:

FOR SAUDI ARABIA:
POUR L'ARABIE SAOUDITE:
蘇地亞拉伯：
За Сауди Аравию:
POR ARABIA SAUDITA:

FOR SWEDEN:
POUR LA SUÈDE:
瑞典：
За Швецию:
POR SUECIA:

FOR SYRIA:
POUR LA SYRIE:
叙利亞：
За Сирию:
POR SIRIA:

FOR TURKEY:
POUR LA TURQUIE:
土耳其：
За Турцию:
POR TURQUÍA:

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:
烏克蘭蘇維埃社會主義共和國：
За Украинскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA UCRANIANA:

FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
南非聯邦：
За Южноафриканский Союз:
POR LA UNIÓN SUDAFRICANA:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦：
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國：
За Соединенное Королевство Великобритании и Северной Ирландии:
POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMÉRIQUE:
美利堅合衆國：
За Соединенные Штаты Америки:
POR LOS ESTADOS UNIDOS DE AMÉRICA:

Warren R. AUSTIN
December 16, 1946

FOR URUGUAY:
POUR L'URUGUAY:
烏拉圭：
За Уругвай:
POR EL URUGUAY:

FOR VENEZUELA:
POUR LE VENEZUELA:
委內瑞拉：
За Венесуэлу:
POR VENEZUELA:

FOR YUGOSLAVIA:
POUR LA YOUGOSLAVIE:
南斯拉夫：
За Югославию:
POR YUGOSLAVIA:

Certified true copy.
For the Secretary-General:

Copie certifiée conforme.
Pour le Secrétaire général:

Dr Ivan Kerno [1]

Assistant Secretary-General in charge of the Legal Department.
Secrétaire général adjoint chargé du Département juridique.

[1] Dr Ivan Kerno

Agreement between the United States of America and the Republic of the Philippines respecting a public roads program in the Philippines Signed at Manila February 14, 1947; effective February 14, 1947.

February 14, 1947
[T. I. A. S. 1584]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES REGARDING A ROAD, STREET AND BRIDGE PROGRAM

WHEREAS, the Government of the Republic of the Philippines is desirous of improving its public roads, streets, and bridges; and

WHEREAS, the Government of the United States of America has enacted Public Law No. 370, 79th Congress, approved April 30, 1946, providing, among other things, that its Public Roads Administration is authorized to plan, design, restore and build in accordance with its usual contract procedures, in cooperation with the Philippine Government, certain roads, streets, and bridges as may be determined necessary from the standpoint of the national defense and economic rehabilitation of the Republic of the Philippines and to the extent that the President of the United States approves the findings in a report on Philippine Highway Requirements as prepared by the Public Roads Administration; and, in accordance with such regulations as may be adopted by the Commissioner of the said Public Roads Administration, to provide training for not to exceed ten Filipino engineers from the regularly employed staff of the Philippine Public Works Department, to be designated by the President of the Philippines;

60 Stat. 128.
50 U. S. C. app. §§ 1751-1806.

The Governments of the United States of America and the Republic of the Philippines have decided to conclude an agreement for those purposes and have agreed as follows:

ARTICLE I

The responsible agent of the Government of the United States for effectuating the provisions of this Agreement shall be the Commissioner of the United States Public Roads Administration who may delegate to a duly authorized representative all or any part of his authority and responsibility for effectuating the provisions of this Agreement. The duties, functions and powers exercised under the terms of this Agreement by the representative of the Commissioner of the United States Public Roads Administration in the Philippines shall be carried out under the general supervision of the Ambassador of the United States accredited to the Government of the Philippines.

U. S. agent.

ARTICLE II

The Governments of the United States of America and the Republic of the Philippines agree that the road, street and bridge program in the Republic of the Philippines is to be advanced progressively

Advancement of program.

as may be determined by the duly authorized representative of the Philippine Department of Public Works and Communications and the authorized representative of the United States Public Roads Administration subject to such regulations as may be issued by the Commissioner of the United States Public Roads Administration and subject to the availability of such funds as may be allotted by the administrative agency of the Government of the United States of America which is or may be authorized and empowered to administer the provisions of the Act of the Congress of the United States of America approved April 30, 1946, referred to above.

60 Stat. 128.
50 U. S. C. app. §§ 1751-1806.

ARTICLE III

Studies of highway transportation.

The United States Public Roads Administration personnel assigned to this work will aid and assist the Philippine Department of Public Works and Communications in making appropriate studies of highway transportation in order that the latter shall be enabled to submit a comprehensive program of work to be undertaken with funds under the Act for each fiscal year as well as the over-all program. These programs will be supported by Project Statements and Project Agreements which are to be determined and negotiated between the Philippine Department of Public Works and Communications and the United States Public Roads Administration.

ARTICLE IV

Filipino trainees.

The United States Public Roads Administration, subject to the availability of appropriated funds, shall provide training during the period of this Agreement for not to exceed ten engineers, citizens of the Republic of the Philippines, in the construction, maintenance, and highway traffic engineering and control necessary for the continued maintenance and for the efficient and safe operation of highway transport facilities.

The President of the Republic of the Philippines shall designate trainees selected in accordance with procedures and standards established by the Commissioner of Public Roads of the United States. The Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names of trainees so designated.

ARTICLE V

Reimbursement.

The United States Public Roads Administration will reimburse the Philippine Department of Public Works and Communications monthly (or as otherwise agreed between these two governmental agencies) in United States dollars for the United States Government's share of the value of the work found to have been satisfactorily performed under any or all active Project Agreements in accordance with the pro rata and other conditions provided in said Project Agreements.

ARTICLE VI

Accounts and records.

The United States Public Roads Administration personnel will confer with the Philippine Department of Public Works and Communi-

cations accounting and audit staff with respect to maintaining appropriate project cost accounts, and adequate basic field records to be kept by contractors or other constructing agency for jobs handled under force account or direct labor construction methods; the sufficiency of these accounts and records being subject at all times to approval of the United States Public Roads Administration. The United States Public Roads Administration shall have the right of access to all such records and accounts for the purpose of conducting detailed audits and cost analyses as may be found requisite to support the disbursements of the funds made available by the United States Government under this Agreement. The United States Public Roads Administration also shall have access to records and all other data and documents of the Philippine Department of Public Works and Communications pertaining to the financial ability and other qualifications of contractors bidding on work embraced in this Agreement.

ARTICLE VII

Provision of lands, etc.

The Republic of the Philippines agrees to provide all lands, easements, and rights-of-way necessary for the execution of the projects under the programs to which this Agreement relates; and the Public Roads Administration is authorized in the prosecution of these programs to accept and utilize thereon contributions of labor, materials, equipment, and money from the Government of the Republic of the Philippines and its political subdivisions.

ARTICLE VIII

Standards of construction.

On projects financed jointly by the United States of America and the Republic of the Philippines, agreement will be reached between the representatives of the United States Public Roads Administration and the Philippine Department of Public Works and Communications as to standards of construction. Frequent inspections will be made by representatives of the United States Public Roads Administration to determine whether these standards are being met. The Philippine Department of Public Works and Communications will be advised of the results of such inspections. Payment of funds for work so determined as satisfactory will be made as outlined in Article V hereof. Unsatisfactory work will be corrected before payment is made therefor.

ARTICLE IX

Maintenance and operation.

The Republic of the Philippines shall maintain and operate to the satisfaction of the United States Public Roads Administration on the projects and facilities provided for in this Agreement during the period of this Agreement. Representatives of the United States Public Roads Administration shall make frequent inspections to determine whether maintenance and operation are satisfactory. The Philippine Department of Public Works and Communications will be advised of the results of such inspections.

ARTICLE X

Office space, etc.

The Government of the Republic of the Philippines will cooperate with the United States Public Roads Administration in providing necessary office space and facilities, and adequate housing accommodations for its personnel and their families at reasonable rental rates.

ARTICLE XI

Damage suits, etc.

The Government of the Republic of the Philippines will save harmless all officers and employees of the United States Public Roads Administration who are citizens of the United States from damage suits or other civil actions arising out of their performance of their duties under this Agreement.

ARTICLE XII

Availability of surplus property received from U. S.

It is agreed that the Philippine Governmental body authorized to receive surplus property from the United States shall transfer or make the use thereof available without charge to the Department of Public Works and Communications such construction and maintenance equipment, shop tools, machinery spare parts and supplies as are necessary to the economic and efficient fulfillment of the purposes of this Agreement, all such disposals to be in accordance with Title II of the Philippine Rehabilitation Act of 1946.

60 Stat. 134.
50 U. S. C. app. §§ 1771–1776.

ARTICLE XIII

Free passage.

Employees and agents of the Government of the United States of America on duty or assigned to duty in the Republic of the Philippines under the provisions of the present Agreement shall be permitted to move freely into and out of the Republic of the Philippines subject to existing Visa and Passport Regulations. Free passage shall also be afforded over all bridges, ferries, roads and other facilities of the highways where tolls are collected for passage of vehicles or occupants.

ARTICLE XIV

Nontaxability of funds, etc.

Pending the conclusion of negotiations now being considered by the United States and the Republic of the Philippines, no import, excise, consumption, or other tax, duty or impost shall be levied on funds or property in the Republic of the Philippines which is owned by the Public Roads Administration and used for purposes under the present Agreement or on funds, materials, supplies and equipment imported into the Republic of the Philippines for use in connection with such purposes; neither shall any such tax, duty or impost be levied on personal funds or property, not intended for resale, imported into the Republic of the Philippines for the use or consumption of the Public Roads Administration personnel who are United States citizens; nor shall export or other tax be placed on any such property in the event of its removal from the Philippines.

ARTICLE XV

Right to remove personnel.

Each Government reserves the right to remove any personnel paid by it and involved in carrying out the provisions of this Agreement

with the understanding that each Government shall maintain an adequate force to carry out the provisions and requirements of this Agreement so long as the Agreement is in effect.

ARTICLE XVI

Effective date; duration.

This Memorandum of Agreement shall become effective on the date of its signature and continue in effect until June 30, 1950; however, this Agreement may be revised, amended, or changed in whole or in part with the approval of both parties as indicated and effected by an exchange of notes between the two contracting parties; and further, either party may terminate this Agreement by giving to the other party ninety days notice in writing through diplomatic channels.

Termination.

IN WITNESS WHEREOF, the Undersigned, duly authorized thereto, have signed the present Agreement in duplicate at Manila this fourteenth day of February, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

PAUL V. MCNUTT

PAUL V. MCNUTT

Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

R NEPOMUCENO

R. NEPOMUCENO

Secretary of Public Works and Communications

April 25, 1947
[T. I. A. S. 1585]

Agreement between the United States of America and the Kingdom of Nepal respecting friendship and commerce. Effected by exchange of notes signed at Kathmandu April 25, 1947; entered into force April 25, 1947.

The Chief of the United States Special Diplomatic Mission to the Prime Minister and Supreme Commander-in-Chief of Nepal

UNITED STATES SPECIAL DIPLOMATIC
MISSION TO THE KINGDOM OF NEPAL
Kathmandu, April 25, 1947

YOUR HIGHNESS:

I have the honor to make the following statement of my Government's understanding of the agreement reached through recent conversations held at Kathmandu by representatives of the Government of the United States of America and the Government of the Kingdom of Nepal with reference to diplomatic and consular representation, juridical protection, commerce and navigation. These two Governments, desiring to strengthen the friendly relations happily existing between the two countries, to further mutually advantageous commercial relations between their peoples, and to maintain the most-favored-nation principle in its unconditional and unlimited form as the basis of their commercial relations, agree to the following provisions:

Establishment of diplomatic relations.

1. The United States of America and the Kingdom of Nepal will establish diplomatic and consular relations at a date which shall be fixed by mutual agreement between the two Governments.

Rights, privileges, etc., of diplomatic representatives.

Consular officers.

2. The diplomatic representatives of each Party accredited to the Government of the other Party shall enjoy in the territories of such other Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law. The consular officers of each Party who are assigned to the Government of the other Party, and are duly provided with exequaturs, shall be permitted to reside in the territories of such other Party at the places where consular officers are permitted by the applicable laws to reside; they shall enjoy the honorary privileges and the immunities accorded to officers of their rank by general international usage; and they shall not, in any event, be treated in a manner less favorable than similar officers of any third country.

Free entry of furniture, supplies, etc.

3. All furniture, equipment and supplies intended for official use in a consular or diplomatic office of the sending state shall be permitted entry into the territory of the receiving state free of all customs duties and internal revenue or other taxes whether imposed upon or by reason of importation.

4. The baggage and effects and other articles imported exclusively for the personal use of consular and diplomatic officers and employees and the members of their respective families and suites, who are nationals of the sending state and are not nationals of the receiving state and are not engaged in any private occupation for gain in territory of the receiving state, shall be exempt from all customs duties and internal revenue or other taxes whether imposed upon or by reason of importation. Such exemption shall be granted with respect to property accompanying any person entitled to claim an exemption under this paragraph on first arrival or on any subsequent arrival and with respect to property consigned to any such person during the period the consular or diplomatic officer or employee, for or through whom the exemption is claimed, is assigned to or is employed in the receiving state by the sending state.

Notification of names of consular employees, etc.

5. It is understood, however, (a) that the exemptions provided by paragraph 4 of this Agreement shall be accorded in respect of employees in a consular office only when the names of such employees have been duly communicated to the appropriate authorities of the receiving state; (b) that in the case of the consignments to which paragraph 4 of this Agreement refers, either state may, as a condition to the granting of the exemption provided, require that a notification of any such consignment be given in such manner as it may prescribe; and (c) that nothing herein shall be construed to permit the entry into the territory of either state of any article the importation of which is specifically prohibited by law.

Rights and privileges of nationals.

6. Nationals of the Kingdom of Nepal in the United States of America and nationals of the United States of America in the Kingdom of Nepal shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, such nationals shall enjoy the fullest protection of the laws and authorities of the country, and shall not be treated in any manner less favorable than the nationals of any third country.

Customs duties, etc.

7. In all matters relating to customs duties and charges of any kind imposed on or in connection with importation or exportation or otherwise affecting commerce and navigation, to the method of levying such duties and charges, to all rules and formalities in connection with importation or exportation, and to transit, warehousing and other facilities, each Party shall accord unconditional and unrestricted most-favored-nation treatment to articles the growth, produce or manufacture of the other Party, from whatever place arriving, or to articles destined for exportation to the territories of such other Party, by whatever route. Any advantage, favor, privilege or immunity with respect to any duty, charge or regulation affecting commerce or navigation now or hereafter accorded by the United States of America or by the Kingdom of Nepal to any third country shall be accorded immediately and unconditionally to the commerce and navigation of the Kingdom of Nepal and of the United States of America, respectively.

Exceptions to provisions of paragraph 7.

8. There shall be excepted from the provisions of paragraph 7 of this Agreement advantages now or hereafter accorded: (a) by virtue of a customs union of which either Party may become a member; (b) to adjacent countries in order to facilitate frontier traffic; (c) to third countries which are parties to a multilateral economic agreement of general applicability, including a trade area of substantial size, having as its objective the liberalization and promotion of international trade or other international economic intercourse and open to adoption by all the United Nations; and (d) by the United States of America or its territories or possessions to one another, to the Republic of Cuba, to the Republic of the Philippines, or to the Panama Canal Zone. Clause (d) shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its territories or possessions to one another irrespective of any change in the political status of any such territories or possessions.

Adoption of certain measures and statutes.

9. Nothing in this Agreement shall prevent the adoption or enforcement by either Party: (a) of measures relating to fissionable materials, to the importation or exportation of gold and silver, to the traffic in arms, ammunition and implements of war, or to such traffic in other goods and materials as is carried on for the purpose of supplying a military establishment; (b) of measures necessary in pursuance of obligations for the maintenance of international peace and security or necessary for the protection of the essential interests of such Party in time of national emergency; or (c) of statutes in relation to immigration.

Nonextension to designated prohibitions, etc.

10. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either Party against the nationals, commerce or navigation of the other Party in favor of the nationals, commerce or navigation of any third country, the provisions of this Agreement shall not extend to prohibitions or restrictions: (a) imposed on moral or humanitarian grounds; (b) designed to protect human, animal, or plant life or health; (c) relating to prison-made goods; or (d) relating to the enforcement of police or revenue laws.

Applicability.

11. The provisions of this Agreement shall apply to all territory under the sovereignty or authority of either of the parties, except the Panama Canal Zone.

Continuance in force; termination.

12. This Agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until thirty days from the date of a written notice of termination given by either Party to the other Party, whichever is the earlier. Moreover either Party may terminate paragraphs 7 and 8 on thirty days' written notice.

If the above provisions are acceptable to the Government of the Kingdom of Nepal this note and the reply signifying assent thereto shall, if agreeable to that Government, be regarded as constituting an agreement between the two Governments which shall become effective on the date of such acceptance.

Post, p. 2571.

Please accept, Your Highness, the renewed assurances of my highest consideration.

JOSEPH C. SATTERTHWAITE

His Highness
The Maharaja
PADMA SHUM SHERE JUNG BAHADUR RANA
Prime Minister and Supreme Commander-in-Chief
Nepal

The Prime Minister and Supreme Commander-in-Chief of Nepal to the Chief of the United States Special Diplomatic Mission

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your note dated 25th April 1947, in which there is set forth the understanding of your Government of the agreement reached through recent conversations held at Kathmandu between the representatives of the Government of the United States of America and the representatives of the Government of the Kingdom of Nepal, in the following terms:

The Government of the United States of America and the Government of the Kingdom of Nepal, desiring to strengthen the friendly relations happily existing between the two countries, to further mutually advantageous commercial relations between their peoples, and to maintain the most-favored-nation principle in its unconditional and unlimited form as the basis of their commercial relations, agree to the following provisions:

1. The United States of America and the Kingdom of Nepal will establish diplomatic and consular relations at a date which shall be fixed by mutual agreement between the two Governments.

2. The diplomatic representatives of each Party accredited to the Government of the other Party shall enjoy in the territories of such other Party the rights, privileges, exemptions and immunities accorded under generally recognised principles of international law. The consular officers of each Party who are assigned to the Government of the other Party, and are duly provided with exequaturs, shall be permitted to reside in the territories of such other Party at the places where consular officers are permitted by the applicable laws to reside; they shall enjoy the honorary privileges and the immunities accorded to officers of their rank by general international usage; and they shall not, in any event, be treated in a manner less favorable than similar officers of any third country.

3. All furniture, equipment and supplies intended for official use in a consular or diplomatic office of the sending state shall be permitted entry into the territory of the receiving state free of all customs duties and internal revenue or other taxes whether imposed upon or by reason of importation.

4. The baggage and effects and other articles imported exclusively for the personal use of consular and diplomatic officers and employees and the members of their respective families and suites, who are nationals of the sending state and are not nationals of the receiving state and are not engaged in any private occupation for gain in territory of the receiving state, shall be exempt from all customs duties and internal revenue or other taxes whether imposed upon or by reason of importation. Such exemption shall be granted with respect to property accompanying any person entitled to claim an exemption under this paragraph on first arrival or on any subsequent arrival and with respect to property consigned to any such person during the period the consular or diplomatic officer or employee, for or through whom the exemption is claimed, is assigned to or is employed in the receiving state by the sending state.

5. It is understood, however, (a) that the exemptions provided by paragraph 4 of this Agreement shall be accorded in respect of employees in a consular office only when the names of such employees have been duly communicated to the appropriate authorities of the receiving state; (b) that in the case of the consignments to which paragraph 4 of this Agreement refers, either state may, as a condition to the granting of the exemption provided, require that a notification of any such consignment be given in such manner as it may prescribe; and (c) that nothing herein shall be construed to permit the entry into the territory of either state of any article the importation of which is specifically prohibited by law.

6. Nationals of the Kingdom of Nepal in the United States of America and nationals of the United States of America in the Kingdom of Nepal shall be received and treated in accordance with the requirements and practices of generally recognised international law. In respect of their persons, possessions and rights, such nationals shall enjoy the fullest protection of the laws and authorities of the country, and shall not be treated in any manner less favorable than the nationals of any third country.

7. In all matters relating to customs duties and charges of any kind imposed on or in connection with importation or exportation or otherwise affecting commerce and navigation, to the method of levying such duties and charges, to all rules and formalities in connection with importation or exportation, and to transit, warehousing and other facilities, each Party shall accord unconditional and unrestricted most-favored-nation treatment to articles the growth, produce or manufacture of the other Party, from whatever place arriving, or to articles destined for exportation to the territories of such other Party, by whatever route. Any advantage, favor, privilege or immunity with respect to any duty, charge or regulation affecting commerce or navigation now or hereafter accorded by the United States of America or by the Kingdom of Nepal to any third country shall be accorded immediately and unconditionally to the commerce and navigation of the

Kingdom of Nepal and of the United States of America, respectively.

8. There shall be excepted from the provisions of paragraph 7 of this Agreement advantages now or hereafter accorded; (a) by virtue of a customs union of which either Party may become a member; (b) to adjacent countries in order to facilitate frontier traffic; (c) to third countries which are parties to a multilateral economic agreement of general applicability, including a trade area of substantial size, having as its objective the liberalization and promotion of international trade or other international economic intercourse and open to adoption by all the United Nations; and (d) by the United States of America or its territories or possessions to one another, to the Republic of Cuba, to the Republic of the Philippines, or to the Panama Canal Zone. Clause (d) shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its territories or possessions to one another irrespective of any change in the political status of any such territories or possessions.

9. Nothing in this Agreement shall prevent the adoption or enforcement by either Party: (a) of measures relating to fissionable materials, to the importation or exportation of gold and silver, to the traffic in arms, ammunition and implements of war, or to such traffic in other goods and materials as is carried on for the purpose of supplying a military establishment; (b) of measures necessary in pursuance of obligations for the maintenance of international peace and security or necessary for the protection of the essential interests of such Party in time of national emergency; or (c) of statutes in relation to immigration.

10. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either Party against the nationals, commerce or navigation of the other Party in favor of the nationals, commerce or navigation of any third country, the provisions of this agreement shall not extend to prohibitions or restrictions: (a) imposed on moral or humanitarian grounds; (b) designed to protect human, animal, or plant life or health; (c) relating to prison-made goods; or (d) relating to the enforcement of police or revenue laws.

11. The provisions of this Agreement shall apply to all territory under the sovereignty or authority of either of the parties, except the Panama Canal Zone.

12. This Agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until thirty days from the date of a written notice of termination given by either Party to the other Party, whichever is the earlier. Moreover either Party may terminate paragraphs 7 and 8 on 30 days' written notice.

Effective date.

The Government of the Kingdom of Nepal approves the above provisions and is prepared to give effect thereto beginning with the date of this reply note.

Please accept Your Excellency the renewed assurance of high consideration with which I remain,

Your Excellency's sincerely,

PADMA SHUM SHERE
JUNG R. B.

Dated KATHMANDU
the 25th April 1947.

To,

His Excellency
The Hon'ble Mr. JOSEPH C. SATTERTHWAITE
Chief, United States Special
Diplomatic Mission to the Kingdom of Nepal
Kathmandu.

Agreement between the United States of America and India respecting air transport services. Signed at New Delhi November 14, 1946; effective November 14, 1946. And exchange of notes signed at New Delhi November 14, 1946.

November 14, 1946
[T. I. A. S. 1586]

AGREEMENT BETWEEN THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF THE UNITED STATES RELATING TO AIR SERVICES.

The Government of India and the Government of the United States of America, hereinafter described as the Contracting Parties, being parties to the Interim Agreement on International Civil Aviation and the International Air Services Transit Agreement, both signed at Chicago on the seventh day of December, 1944, the terms of which agreements are binding on both parties,

59 Stat. 1516.
59 Stat. 1693.

Considering

That it is desirable to organise international air services in a safe and orderly manner and to further as much as possible the development of international cooperation in this field, and

That it is desirable to stimulate international air travel, at the lowest rates consistent with sound economic principles, as a means of promoting friendly understanding and good will among peoples and securing the many indirect benefits of this new form of transportation to the common welfare of both countries, and

That it is desirable to establish direct air communications between the United States of America and India,

have accordingly appointed plenipotentiaries, who, being duly authorised to this effect, have agreed as follows:

ARTICLE I.

Right of operation.

(A) Each Contracting Party grants to the other Contracting Party the right to operate the air services specified in the Annex to this Agreement (hereinafter referred to as the "specified air services") and to carry traffic to, from and in transit over the territory of the other Party as provided in this Agreement.

Post, p. 2582.

(B) The air lines designated as provided in Article II hereof shall have the right to use

(i) for traffic purposes, airports provided for public use at the points specified in the Annex to this Agreement and ancillary services provided for public use on the air routes specified in the said Annex (hereinafter referred to as the "specified air routes") and

(ii) for non-traffic purposes, all airports and ancillary services provided for public use on the specified air routes,

subject in either case to such conditions as may normally be applicable thereto.

ARTICLE II.

Inauguration of specified air services.

(A) Each of the specified air services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, on condition that:

(1) The Contracting Party to whom the rights have been granted shall have designated an air line (hereinafter referred to as a "designated air line") for the specified air route.

(2) The Contracting Party which grants the rights shall have given the appropriate operating permission to the air line pursuant to Paragraph (C) of this Article which it shall do with the least possible delay.

(B) Substantial ownership and effective control of the designated air lines of each Contracting Party shall be vested in that Party or its nationals.

(C) The designated air line may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it is qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operation of commercial air carriers.

(D) The operation of each of the specified air services shall be subject to the agreement of the Contracting Party concerned that the route organisation available for civil aviation on the specified air route is adequate for the safe operation of air services.

ARTICLE III.

Traffic rights in Indian territory.

(A) The air lines designated by the United States Government shall, subject to the provisions of Article IV, be entitled in Indian territory to carry, set down or pick up traffic as detailed below:

(1) Traffic embarked in or destined for the United States.

(2) Traffic between any two countries other than the United States and India carried in transit across Indian territory and not embarked or disembarked in India.

(3) Subject to the consent of the other State concerned, traffic embarked in the territory of a third country and destined for India, and traffic embarked in India and destined for a third country.

Traffic rights in U. S. territory.

(B) The air lines designated by the Government of India, shall, subject to the provisions of Article IV, be entitled in United States territory to carry, set down or pick up traffic as detailed below:

(1) Traffic embarked in or destined for India.

(2) Traffic between any two countries other than India and the United States carried in transit across United States territory and not embarked or disembarked in the United States.

(3) Subject to the consent of the other State concerned, traffic embarked in the territory of a third country and destined for the United States, and traffic embarked in the United States and destined for a third country.

ARTICLE IV.

In order to maintain equilibrium between the capacity of the specified air services and the requirements of the public for air transport on the specified air routes and in order to maintain proper relationship between the specified air services and other air services operating on the specified air routes or sections thereof, the Contracting Parties agree as follows:

Equal opportunity for operation of services.

(A) The air lines of each Contracting Party shall enjoy equal opportunity for the operation of air services between the territories of the two Parties.

(B) To the extent that the air lines of one of the Contracting Parties are temporarily unable to take advantage of such opportunities as a result of the war, the situation will be mutually examined by the two Parties for the purpose of aiding as soon as possible the air lines concerned increasingly to make their proper contribution to the services contemplated.

(C) In the operation by the air lines of either Contracting Party of the specified air services the interests of the air lines of the other Party shall be taken into consideration so as not to affect unduly the services which the latter provide on all or part of the same route.

(D) The air transport offered by the air lines of both countries should bear a close relationship to the requirements of the public for such air transport.

Provision of adequate capacity.

(E) The services provided by a designated air line under this Agreement shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air line is a national and the country of ultimate destination of the traffic, and the right of the air lines of either Party to embark and to disembark at points in the territory of the other Party international traffic destined for or coming from third countries shall be applied in accordance with the general principles of orderly development to which both Parties subscribe and shall be subject to the general principle that capacity shall be related:

(1) to traffic requirements between the country of origin of the air service and destinations on the specified air routes,

(2) to the requirements of through air line operation for fill-up traffic,

and

(3) to the traffic requirements of the area through which the air line passes after taking account of other air transport services established by air lines of the States concerned between their respective territories.

ARTICLE V.

Connecting service.

When, for the purpose of economy of onward carriage of through traffic, different aircraft are used on different sections of a specified air route, with the point of change in the territory of one of the Contracting Parties, such change of aircraft shall not affect the provisions of this Agreement relating to the capacity of the air service and the carriage of traffic. In such cases the second aircraft shall be scheduled to provide a connecting service with the first aircraft, and shall normally await its arrival.

ARTICLE VI.

Determination of rates.

(A) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other air lines, as well as the characteristics of each service.

Approval of rates.

(B) The rates to be charged by the air lines of either Contracting Party between points in the territory of the United States and points in Indian territory on the specified air routes shall be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under this Agreement, within the limits of their legal powers.

(C) The Civil Aeronautics Board of the United States has approved the traffic conference machinery of the International Air Transport Association for a period of one year beginning in February 1946. Any rate agreements concluded through this machinery during this period and involving United States air lines will be subject to approval by the Board. While neither Contracting Party desires in this Agreement to commit itself to any continued approval of the traffic conference machinery of the International Air Transport Association, both Parties express their desire to facilitate rate agreements by means of machinery of this type, it being understood, however, that rates agreed upon through such machinery must be subject to the approval of the Contracting Parties of this Agreement.

Filing of proposed rates.

(D) Any rate proposed by the air line or air lines of either Contracting Party for carriage from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

Procedure if U. S. authorities are empowered to fix rates, etc.

(E) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, the following procedure shall apply:

Notice of dissatisfaction with proposed rate.

(1) If one of the Contracting Parties on receipt of the notification referred to in Paragraph (D) above is dissatisfied with the rate proposed by the air line or air lines of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiration of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavour to reach agreement on the proposed rate.

(2) In the event that such agreement is reached, each Contracting Party will exercise its statutory powers to give effect to such agreement.

Provisional rate pending settlement of dispute.

(3) If agreement has not been reached at the end of the thirty-day period referred to in Paragraph (D) above, the proposed rate may, unless the aeronautical authorities of the country of the air line concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute by submitting the question to the Provisional International Civil Aviation Organisation, as provided in Paragraph (G) below; provided, however, that if the Provisional International Civil Aviation Organisation, or its successor, has not rendered its report on the matter in dispute within a period of ninety days from the date of the submission to it of the question, the Contracting Party raising the objection to the proposed rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Procedure if power to fix rates, etc., is not conferred.

(F) In the event that the power referred to in Paragraph (E) above has not been conferred by law upon the aeronautical authorities of the United States, the following procedure shall apply:

(1) If one of the Contracting Parties on receipt of the notification referred to in Paragraph (D) above is dissatisfied with the rate proposed by the airline or airlines of the other Contracting Party it shall so notify the other Contracting Party prior to the expiration of the first fifteen of the thirty days referred to and the Contracting Parties shall endeavour to reach agreement on the appropriate rate.

(2) In the event that such agreement is reached, each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air line or air lines. It is recognised that if such efforts are not successful the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

(3) If agreement has not been reached at the end of the thirty days period referred to in Paragraph (D) above the Contracting Party raising the objection to the rate may, if it so elects, take such steps as it may consider necessary to prevent the inauguration or continuation of the service in

question at the rate complained of, pending the submission of the question to the Provisional International Civil Aviation Organisation as provided in Paragraph (G) below.

Advisory report.

(G) When in any case under Paragraphs (E) and (F) above the aeronautical authorities of the two Contracting Parties, after consultation as provided therein, cannot agree within a reasonable time upon the appropriate rate, both Contracting Parties shall, upon the request of either, submit the question to the Provisional International Civil Aviation Organisation for an advisory report, and each Party shall use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

(H) In order to give effect to the provisions of this section, the executive branch of the United States Government will use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for international air services and to suspend proposed rates, in the same manner as the Civil Aeronautics Board is qualified to act with respect to air transportation within the United States.

ARTICLE VII.

Exchange of information concerning authorizations, etc.

(A) The aeronautical authorities of both Contracting Parties shall exchange information as promptly as possible concerning the authorisations extended to their respective designated air lines to render service to, through and from the territory of the other Contracting Party. This will include copies of current certificates and authorisations for service on the specified air routes, together with amendments, exemption orders and authorised service patterns.

(B) Each Contracting Party shall cause its designated air lines to provide to the aeronautical authorities of the other Contracting Party, as long in advance as practicable, copies of time tables, tariff schedules and all other similar relevant information concerning the operation of the specified air services and of all modifications thereof.

(C) Each Contracting Party shall, upon request, cause to be provided to the aeronautical authorities of the other Contracting Party copies of any reports relating to traffic carried on their air services to, from or over the territory of the other Contracting Party which are required to be filed with the Provisional International Civil Aviation Organisation in accordance with the provisions of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944.

59 Stat. 1516.

ARTICLE VIII.

Customs duties, etc.

(A) Fuel, lubricating oils and spare parts introduced into or taken on board aircraft in the territory of one Contracting Party by, or on behalf of, the other Contracting Party or its designated air lines and intended solely for use by the latter's aircraft shall be accorded, with respect to customs duty, inspection fees or other charges imposed by the former Contracting Party, treatment not less favourable than that

granted to its national air lines engaged in international public transport or to the air lines of the most favoured nation.

(B) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of the designated air lines of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights in that territory.

ARTICLE IX.

Right to impose appropriate conditions, etc.

Each Contracting Party reserves the right to itself to withhold or revoke, or impose such appropriate conditions as it may deem necessary with respect to, an operating permission in case of failure by a designated air line of the other Party to comply with the laws and regulations of the former Party, or in case, in the judgment of the former Party, there is a failure to fulfil the conditions under which the rights are granted in accordance with this Agreement. Except in case of a failure to comply with laws and regulations, such action shall be taken only after consultation between the Parties. In the event of action by one Party under this Article, the rights of the other Party under Article XI shall not be prejudiced.

ARTICLE X.

Consultations.

(A) In a spirit of close collaboration, the aeronautical authorities of the two Contracting Parties will consult regularly with a view to assuring the observance of the principles and the implementation of the provisions outlined in this Agreement.

Amendments.

(B) Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement which may be desirable in the light of experience. Such consultation shall begin within a period of sixty days from the date of the request. Any modification of this Agreement agreed to as a result of such consultation shall come into effect when it has been confirmed by an exchange of diplomatic notes.

Notice of desire to terminate agreement.

(C) When the procedure for consultation provided for in Paragraph (B) of this Article has been initiated, either Contracting Party may at any time give notice to the other of its desire to terminate this Agreement as provided in Paragraph (E) of this Article. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organisation.

Changes in air routes.

(D) Changes made by either Contracting Party in the specified air routes, except those which change the points served by the designated air lines in the territory of the other Contracting Party, shall not be considered as modifications of this Agreement. The aeronautical authorities of either Contracting Party may therefore proceed unilaterally to make such changes, provided, however, that notice of any change shall be given without delay to the aeronautical authorities of the other Contracting Party. If such latter aeronautical authorities find that, having regard to the principles set forth in Article IV of

Notice of change.

Ante, p. 2575.

this Agreement, the interests of any of their air lines are prejudiced by the carriage by a designated air line of the first Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country, the latter Party may request consultation in accordance with the provisions of Paragraph (B) of this Article.

Termination.

(E) This Agreement shall terminate one year after the date of receipt by the other Contracting Party of the notice to terminate, unless the notice is withdrawn by agreement before the expiration of this period. In the absence of acknowledgment of receipt by the other Contracting Party notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organisation.

ARTICLE XI.

Disputes.

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement, which cannot be settled through consultation, shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organisation, in accordance with the provisions of Article III, Section 6 (8), of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944, and the executive authorities of each Contracting Party will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

59 Stat. 1521.

ARTICLE XII.

Entry into force; registration.

This Agreement shall come into force on the day it is signed. The Agreement and all relative contracts shall be registered with the Provisional International Civil Aviation Organisation set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944.

59 Stat. 1516.

ARTICLE XIII.

61 Stat., Pt. 2, p. 1180.

(A) When the Convention on International Civil Aviation signed at Chicago on December 7, 1944, comes into operation in respect of both the Contracting Parties reference in this Agreement to the Interim Agreement and the Provisional International Civil Aviation Organisation shall be interpreted as reference to the Convention and the corresponding organisation established pursuant thereto. In the event of the conclusion of any other multilateral convention concerning air transport to which both Contracting Parties adhere, this Agreement shall be modified to conform with the provisions of such convention.

"Territory"; "air service"; "international air service"; "air line".

(B) For the purpose of this Agreement the terms "territory", "air service", "international air service" and "air line" shall have the meaning specified in the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944.

59 Stat. 1516.

"Aeronautical authorities".

(C) The term "aeronautical authorities" shall mean, in the case of India, the Director General of Civil Aviation in India and, in the

case of the United States, the Civil Aeronautics Board, and in both cases any person or body authorised to perform the functions presently exercised by the above mentioned authorities.

(D) The Annex to this Agreement shall be deemed to be part of the Agreement and all references to the "Agreement" shall include references to the Annex, except where otherwise expressly provided. Annex.

In witness whereof the undersigned plenipotentiaries, being duly authorised thereto by their respective Governments, have signed the present Agreement.

Done this fourteenth day of November 1946 in duplicate at New Delhi.

For the Government of India:

JAWAHARLAL NEHRU
[SEAL] *Member for External Affairs.*

ABDUR RAB NISHTAR
Member for Communications.

These signatures are appended in agreement with His Majesty's Representative for the exercise of the functions of the Crown in its relations with the Indian States.

For the Government of the United States of America:

GEORGE R. MERRELL
Charge d'Affaires a. i.
Embassy of the United States of America.

GEORGE A. BROWNELL
Personal Representative of the President of the United States.

ANNEX

1. An air line designated by the United States Government shall be entitled to operate air services on each of the routes specified and to make scheduled landings in India at the points specified in this paragraph:

Route 1: The United States through Central Europe and the Near East to Karachi, Delhi and Calcutta, thence to a point in Burma, a point in Siam, a point in Indo China and beyond to the United States over various routes; via intermediate points in both directions.

Route 2: The United States through Western Europe, North Africa and the Near East to Bombay and beyond Bombay to:

(a) Calcutta, a point in Burma, a point in Indo China, points in China, points in Japan and beyond to the United States over Pacific routes; via intermediate points in both directions;

(b) Ceylon, Singapore and beyond; via intermediate points in both directions.

2. An air line designated by the Government of India shall be entitled to operate air services on each of the routes to, from and across United States territory to be mutually agreed at a later date.

3. (A) Points on any of the specified routes may, at the option of the designated air line, be omitted on any or all flights.

(B) If, at any time, scheduled flights on any of the specified air services of one Contracting Party are operated so as to terminate in the territory of the other Contracting Party and not as part of a through air service extending beyond such territory, the latter Party shall have the right to nominate the terminal point of such scheduled flights on the specified air route in its territory. The latter Party shall give not less than six months notice to the other Party if it decides to nominate a new terminal point for such scheduled flights.

The Secretary to the Government of India to the American Chargé d'Affaires

GOVERNMENT OF INDIA.
DEPARTMENT OF COMMUNICATIONS.

NEW DELHI, *the 14th November 1946.*

From
SIR HAROLD SHOOBERT, C.I.E., E.D., I.C.S.,
Secretary to the Government of India,

To
The Chargé d'Affaires of the United States of America, New Delhi.

SIR,

I am directed to refer to the Agreement between the Government of India and the Government of the United States of America relating to air services which has been signed on behalf of both Governments today, and to say, with regard to two matters which have been discussed, that the understanding of the Government of India is as follows:

1. Ratification of the Convention on International Civil Aviation.

The Government of the United States of America and the Government of India, having both ratified the Convention on International Civil Aviation signed at Chicago on the seventh day of December 1944, it is understood to be the intention of both Governments to deposit their instruments of ratification of the Convention on or before the 1st day of March 1947. In the event that either Government should fail to complete the necessary steps whereby they will become bound by the provisions of the Convention when it enters into force, it is agreed that the two Governments will consult together and will enter into a supplementary agreement giving effect to the following articles of the Convention namely Articles 11, 13, 15, 32 and 33 and such other articles as may be mutually agreed to be applicable and necessary.

2. Regulation of rates for Fifth Freedom Traffic.

It is recognised that the determination of rates to be applied by an air line of one Contracting Party between the territory of the other Contracting Party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such rates is now being studied by the Provisional International Civil Aviation Organisation. It is understood under these circumstances:

(1) That, pending the acceptance by both Parties of any recommendations which the Provisional International Civil Aviation Organization may make after its study of this matter, such rates shall be fixed on the basis of the principles set out in Paragraph (A) of Article VI of the Agreement and after taking into consideration the interests

of the air lines of the other Party and shall not vary unduly in a discriminatory manner from the rates established by the air lines of the other Party operating air services on that part of the specified air routes concerned. Provided, however, that a designated air line under the Agreement shall not be required to charge rates higher than those established by any other air line operating on the specified air routes.

(2) That in case the Provisional International Civil Aviation Organization fails to establish a means of determining such rates satisfactory to both Contracting Parties within a reasonable time, the consultation provided for in Article X of the Agreement shall be inaugurated.

I am to request that you will be good enough to confirm your understanding on these matters to be as set out in this letter.

I have the honour to be, Sir,

Your most obedient servant,

W. H. SHOOBERT
Secretary to the Government of India.

The American Chargé d'Affaires to the Secretary to the Government of India

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 174 *New Delhi, November 14, 1946*

SIR HAROLD SHOOBERT, C.I.E., E.D., I.C.S.,
Secretary to the Government of India
in the Department of Communications (Post and Air),
New Delhi.

SIR:

I have the honor to refer to your note of today's date on the subject of the Agreement between the Government of the United States of America and the Government of India relating to air services signed on behalf of both our Governments today, and to state, with regard to two matters which have been under discussion, that the understanding of the Government of the United States of America is as follows:

1. Ratification of the Convention on International Civil Aviation.

The Government of India and the Government of the United States of America, having both ratified the Convention on International Civil Aviation signed at Chicago on the seventh day of December 1944, it is understood to be the intention of both Governments to deposit their instruments of ratification of the Convention on or before the first day of March 1947. In the event that either Government should fail to complete the necessary steps whereby they will become bound by the provisions of the Convention when it enters into force, it is agreed that the two Governments will consult together and will enter into a supplementary agreement giving effect to the following articles of the

61 Stat., Pt. 2, p. 1180.

Convention, namely Articles 11, 13, 15, 32 and 33, and such other articles as may be mutually agreed to be applicable and necessary.

61 Stat., Pt. 2, pp. 1183, 1184, 1189.

2. Regulation of Rates for Fifth Freedom Traffic.

It is recognized that the determination of rates to be applied by an an air line of one Contracting Party between the territory of the other Contracting Party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such rates is now being studied by the Provisional International Civil Aviation Organization. It is understood under these circumstances:

(1) That, pending the acceptance by both Parties of any recommendations which the Provisional International Civil Aviation Organization may make after its study of this matter, such rates shall be fixed on the basis of the principles set out in Paragraph (a) of Article VI of the Agreement and after taking into consideration the interests of the air lines of the other Party and shall not vary unduly in a discriminatory manner from the rates established by the air lines of the other Party operating air services on that part of the specified air routes concerned. Provided, however, that a designated air line under the Agreement shall not be required to charge rates higher than those established by any other air line operating on the specified air routes.

Ante, p. 2576.

(2) That in case the Provisional International Civil Aviation Organization fails to establish a means of determining such rates satisfactory to both Contracting Parties within a reasonable time, the consultation provided for in Article X of this Agreement shall be inaugurated.

Ante, p. 2579.

I have the honor to be, Sir,

Your obedient servant,

GEORGE R. MERRELL
Charge d'Affaires a.i.

December 27, 1946, May 6, 8, July 21, 1947
[T. I. A. S. 1587]

Agreement between the United States of America and Peru, and accompanying notes, respecting air transport services. Signed at Lima December 27, 1946; entered into force December 27, 1946. And agreement effected by exchange of notes signed at Washington May 6 and 8, and July 21, 1947; entered into force July 21, 1947.

AIR TRANSPORT AGREEMENT

The Governments of the United States of America and the Republic of Peru, desiring to stimulate and promote the development of Air Transportation between both countries, and having in mind the recommendations of Section VIII of the Final Act of the Conference on International Civil Aviation, signed in Chicago on the seventh of December, 1944,[1] have resolved to sign an Air Transport Agreement and for that purpose have designated their respective Plenipotentiaries to wit:

His Excellency the President of the United States of America,
Their Excellencies
Mr. Prentice Cooper, Ambassador Extraordinary and Plenipotentiary before the Government of Peru, and
Mr. William Mitchell, Special Representative and Minister Plenipotentiary specially acredited for this purpose,
His Excellency the President of the Republic of Peru,
Their Excellencies Señores
Enrique Garcia Sayán, Minister for Foreign Affairs, and
Enrique Góngora, Minister of Aeronautics.

who, after exchanging their full powers which they have found to be in good and proper form, have agreed that the establishment and development of Air Transport Services between their respective territories shall be subject to the provisions of the present Agreement and of its Annex as follows:

ARTICLE 1

Each contracting party grants to the other contracting party the rights as specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

Inauguration of air services.

Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by article 1 to designate an airline or airlines for the route concerned

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282, p. 39.]

has authorized an airline for such route, and the contracting party granting the rights shall, subject to article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occopation, or in areas affected thereby, such operations shall be subject to the approval of the competent military authorities.

ARTICLE 3

Prevention of discriminatory practices, etc.

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

b) Fuel, lubricating oils, and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of the airlines of such contracting party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most-favored nation.

c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2590.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificate of competency and licenses issued or rendered valid by one contracting party and still in force shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Post, p. 2590.

ARTICLE 5

Laws and regulations.

a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in

international air navigation, or to the operation and navigation of such aircraft while within its territoy, shall be applied to the aircraft of airlines designated by the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, inmigration, passports, customs and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the airlines designated by the other contracting party upon entrance into or departure from or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke the certificate or permit of an airline designated by the other contracting party in the event substantial ownership and effective control of such airlines are not vested in nationals of the other contracting party, or in case of failure by the airline designated by the other contracting party to comply with the laws and regulations of the contracting party over whose territory it operates, as described in Article 5 hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this agreement and its Annex.

ARTICLE 7

Registry of agreement.

This agreement, its Annex, and all amendments thereof, shall be registered with the Provisional International Civil Aviation Organization or its successor.

ARTICLE 8

Termination.

This agreement or any of the rights for air transport services granted thereunder may be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 9

Request for consultation.
Post, p. 2590.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request.

When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Submission of controversy for advisory report.

Except as otherwise provided in this agreement, or its Annex, any controversy between the contracting parties relative to the interpretation or application of this agreement, or its Annex, which cannot be settled through consultation shall be submitted for an advisory report to the Interim Council of the Provisional International Civil

Aviation Organization, in accordance with the provisions of Article III, Section six (8) of the Provisional Agreement on International Civil Aviation signed at Chicago on December 7, 1944 or to its successor, unless the contracting parties agree to submit the controversy to some other person or body designated by mutual agreement between the same contracting parties. The executive authorities of the contracting parties will use their best efforts under the powers available to them to put into effect the opinion expressed in such report.

59 Stat. 1521.

ARTICLE 11

For the purpose of the present Agreement, and its Annex, except where the text provides otherwise:

a) The term "aeronautical authorities" shall mean in the case of the United States of America the Civil Aeronautics Board and any person or agency authorized to perform the functions exercised at the present time by the Civil Aeronautics Board or similar functions, and, in the case of Peru, the Minister of Aeronautics and any person or agency authorized to perform the functions exercised at present by the said Minister.

"Aeronautical authorities."

b) The term "designated airlines" shall mean those airlines that the aeronautical authorities of one of the contracting parties have communicated in writing to the aeronautical authorities of the other contracting party that they are the airlines that it has designated in conformity with Article 1 and 2 of the present Agreement for the routes specified in such designation.

"Designated airlines."

Ante, p. 2586.

ARTICLE 12

This agreement, including the provisions of the Annex thereof, will come into force on the day it is signed.

Entry into force.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed the present agreement.

Done at Lima this 27th. day of December, 1946, in duplicate in the English and Spanish languages, each of which shall be of equal authenticity.

Authentic languages.

For the Government of the United States of America:

PRENTICE COOPER
WILLIAM MITCHELL

For the Government of the Republic of Peru:

E. GARCÍA SAYÁN
E. GÓNGORA

Attachment:
Annex to Air Transport Agreement

ANNEX TO AIR TRANSPORT AGREEMENT

It is agreed between the contracting parties:

Equal opportunity for operation of routes.

A. That the airlines of the two contracting parties operating on the routes described in this Annex shall enjoy fair and equal opportunity for the operation of the said routes.

Capacity.

B. That the air transport capacity offered by the airlines of both countries shall bear a close relationship to traffic requirements.

C. That in the operation of common sections of trunk routes the airlines of the contracting parties shall take into account their reciprocal interests so as not to affect unduly their respective services.

D. That the services provided by a designated airline under this agreement and its Annex shall retain as their primary objetive the provision of capacity adequate to the traffic demands between the country, or points under its jurisdiction, of which such airline is a national and the country of ultimate destination of the traffic.

Right to embark, etc.

E. That the right to embark and to disembark at points under the jurisdiction of the other country international traffic destined for or coming from third countries at a point or points hereinafter specified, shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity shall be related:

1. To traffic requirements between the country of origin, or points under its jurisdiction, and the countries of destination.

2. To the requirements of through airline operation, and

3. To the traffic requirements of the area through which the airline passes after taking account of local and regional services.

Determination of rates.

F. That the determination of rates to be charged by the airlines of either contracting party between points under the jurisdiction of the United States of America and points in the territory of the Republic of Peru on the routes specified in this Annex shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other carriers, as well as the characteristics of each service.

Consultation.

G. That the appropriate aeronautical authorities of each of the contracting parties will consult from time to time, or at the request of one of the parties, to determine the extent to which the principles set forth in paragraphs A to F inclusive of this Annex are being followed by the airlines designated by the contracting parties. When these authorities agree on further measures necesary to give these principles practical application, the executive authorities of each of the contracting parties will use their best efforts under the powers available to them to put such measures into effect.

U. S. rights of transit and stop in Peru.

H. Airlines of the United States of America, designated in conformity with the present agreement, are accorded rights of transit and of nontraffic stop in and through the territory of the Republic of Peru as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Lima, Talara, Chiclayo and Arequipa on the following route via intermediate points in both directions:

The United States and/or the Canal Zone to Talara, Chiclayo, Lima and Arequipa; and beyond Peru, to points in Chile and Bolivia or beyond.

On the above route the airline or airlines authorized to operate the route may operate nonstop flights between any of the points enumerated omitting stops at one or more of the other points so enumerated.

Peruvian rights of transit and stop in U. S. and Canal Zone.

I. Airlines of the Republic of Peru, designated in conformity with the present agreement, are accorded rights of transit and of nontraffic stop in and through the territory of the United States of America and in and through the Canal Zone as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Washington D. C., New York, N. Y., and the Canal Zone on the following route via intermediate points in both directions:

From Peru via the Canal Zone and Havana, Cuba, to Washington, D. C., and New York, N. Y; and beyond the United States to Montreal, Canada.

Nonstop flights.

On the above route the airline or airlines authorized to operate the route may operate nonstop flights between any of the points enumerated omitting stops at one or more of the other points so enumerated.

PRENTICE COOPER
WILLIAM MITCHELL
E. GARCÍA SAYÁN
E. GÓNGORA

ACUERDO SOBRE TRANSPORTE AEREO

Los Gobiernos de los Estados Unidos de América y del Perú deseosos de estimular y fomentar el adelanto del transporte aéreo entre ambos países; y teniendo en cuenta la Recomendación VIII de la Conferencia Internacional de Aviación Civil, reunida en Chicago el 7 de diciembre de 1944, han resuelto suscribir un Acuerdo sobre Transporte Aéreo, a cuyo efecto han designado sus respectivos Plenipotenciarios, a saber:

Su Excelencia el señor Presidente de los Estados Unidos de América a los Excelentísimos señores

Prentice Cooper, Embajador Extraordinario y Plenipotenciario ante el Gobierno del Perú, y

William Mitchell, Enviado Extraordinario y Ministro Plenipotenciario especialmente acreditado para este efecto;

Su Excelencia el señor Presidente de la República del Perú a los Excelentísimos señores

Enrique García Sayán, Ministro de Estado en el Despacho de Relaciones Exteriores, y

Enrique Góngora, Ministro de Estado en el Despacho de Aeronáutica;

quienes, después de cambiar sus Plenos Poderes que encontraron en buena y debida forma, han convenido en que el establecimiento y desarrollo de los servicios de transporte aéreo en sus respectivos territorios se sujeten a las estipulaciones del presente Acuerdo y de su Anexo, que siguen:

ARTICULO I

Cada Parte Contratante concede a la otra Parte Contratante los derechos especificados en el anexo adjunto, necesarios para establecer las rutas aéreas civiles y los servicios internacionales descritos en dicho Anexo, ya sea que tales servicios sean inaugurados inmediatamente o en fecha posterior, a opción de la Parte Contratante a la que se otorgan dichos derechos.

ARTICULO II

Cada uno de los servicios aéreos así descritos, será puesto en operación tan pronto como la Parte Contratante, a la cual se ha concedido por el Artículo I el derecho de designar una línea aérea o líneas aéreas para la ruta respectiva, haya autorizado una línea aérea para tal ruta; y la Parte Contratante que otorga los derechos estará obligada, conforme al Artículo VI de este Acuerdo, a conceder el permiso de operaciones pertinente a la línea aérea o líneas aéreas respectivas; teniéndose entendido que las líneas aéreas así designadas, antes de ser autorizadas para iniciar las operaciones contempladas en este Acuerdo, podrán

ser sometidas a calificación por las autoridades aeronáuticas competentes de la Parte Contratante que otorga los derechos, dentro de las leyes y reglamentos normalmente aplicados por dichas autoridades; y teniéndose igualmente entendido que tales operaciones estarán sujetas a la aprobación de las autoridades militares competentes, en áreas de hostilidades o de ocupación militar, en areas afectadas por las mismas.

ARTICULO III

Con el fín de impedir prácticas discriminatorias y de asegurar igualdad de tratamiento, ambas Partes Contratantes acuerdan que:

a).–Cada una de las Partes Contratantes podrá imponer o permitir que se impongan gravámenes justos y razonables por el uso de aeropuertos públicos y de otras facilidades bajo su control. Sin embargo, cada una de las Partes Contratantes conviene en que esos gravámenes no serán mayores que los que afecten a sus aeronaves nacionales empleadas en servicios internacionales similares, por el uso de tales aeropuertos y facilidades.

b).–El combustible, los aceites lubrificantes y las piezas de repuesto importados al territorio de una Parte Contratante por la otra Parte Contratante o por sus nacionales, para el uso exclusivo de las aeronaves de las líneas aéreas de tal parte contratante, estarán con respecto a la imposición de derechos de aduana, derechos de inspección y otros derechos o gravámenes nacionales aplicados por la Parte Contratante hacia cuyo territorio se importan, sujetos al mismo tratamiento que se aplique a las líneas aéreas nacionales y a las líneas aéreas de la nación más favorecida.

c).–El combustible, los aceites lubrificantes, las piezas de repuesto, el equipo normal y los artículos almacenados abordo de aeronaves civiles de las líneas aéreas de una Parte Contratante, autorizadas para operar las rutas y servicios descritos en el Anexo, deberán estar exonerados, a su llegada o partida del territorio de la otra Parte Contratante, de derechos de aduana, derechos de inspección, u otros derechos o gravámenes similares, aún cuando tales artículos sean usados o consumidos por dichos aviones en vuelo sobre dicho territorio.

ARTICULO IV

Los certificados de aeronavegabilidad, los certificados de competencia y las licencias, expedidos o reconocidos como válidos por una Parte Contratante, y aún en vigencia, serán reconocidos como válidos por la otra Parte Contratante, con el fín de operar las rutas y servicios descritos en el Anexo. Cada Parte Contratante se reserva el derecho, sin embargo, para los efectos de vuelo sobre su propio territorio, de rehusar el reconocimiento de certificados de competencia y licencias expedidos a favor de sus propios nacionales, por otro Estado.

ARTICULO V

a).–Las leyes y los reglamentos de una Parte Contratante relativos a la admisión en o partida de su territorio de las aeronaves dedicadas a la navegación aérea internacional, o relativos a la operación y

navegación de tales aeronaves mientras se hallen en o sobre su propio territo, serán aplicados a las aeronaves de las líneas aéreas designadas por la otra Parte Contratante, y serán cumplidos por tales aeronaves a la entrada al, salida del y permanencia en o sobre el territorio de la primera Parte Contratante.

b).—Las leyes y los reglamentos de una Parte Contratante, relativos a la admisión en o partida de su propio territorio, de pasajeros, tripulación o carga de aeronaves, tales como los reglamentos relativos a entrada, despacho, inmigración, pasaportes, aduanas y cuarentenas, serán cumplidos por, en nombre de o por razón de tales pasajeros, tripulaciones o carga, de las líneas aéreas designadas por la otra Parte Contratante, a la entrada al, salida del y permanencia en o sobre el territorio de la primera Parte Contratante.

ARTICULO VI

Cada Parte Contratante se reserva el derecho de suspender o revocar el certificado o permiso de operaciones de una línea aérea designada por la otra Parte Contratante, en el caso de que la propiedad sustancial y el control efectivo de tal línea aérea no se halle en manos de nacionales de la otra Parte Contratante, o en caso de falta por parte de la línea aérea designada por la otra Parte Contratante, al no cumplir las leyes y los reglamentos de la Parte Contratante sobre cuyo territorio opera, según se especifica en el Artículo V, o al no cumplir de otra manera las condiciones bajo las cuales se le han otorgado los derechos, de conformidad con este Acuerdo y su Anexo.

ARTICULO VII

Este Acuerdo, su Anexo y todas las modificaciones que pudieran convenirse deberán ser registrados en la Organización Provisional de Aviación Civil Internacional, o en la entidad que la suceda.

ARTICULO VIII

Este Acuerdo o cualquiera de los derechos relativos a servicios de transporte aéreo otorgados en su virtud, podrán darse por terminados por cualquiera de las Partes Contratantes, mediante aviso previo de un año a la otra Parte Contratante.

ARTICULO IX

En el caso de que cualquiera de las Partes Contratantes deseara modificar las rutas o condiciones establecidas en el Anexo, podrá promover consultas entre las autoridades competentes de ambas Partes Contratantes, debiendo iniciarse dichas consultas dentro de un plazo de sesenta días, contado a partir de la fecha de la solicitación. Cuando estas autoridades acuerden condiciones nuevas o revisadas que afecten al Anexo, sus recomendaciones serán puestas en vigencia después de que hayan sido confirmadas por un cambio de notas diplomáticas.

ARTICULO X

Salvo que se especifique de otro modo en este Acuerdo, o su Anexo, cualquier controversia entre las Partes Contratantes relativa a la interpretación o aplicación de este Acuerdo, o de su Anexo, que no pudiera ser resuelta por medio de consultas, deberá ser sometida, para los efectos de un informe consultivo, al Consejo Interino de la Organización Provisional de Aviación Civil Internacional, de acuerdo con lo establecido en el Artículo III, Sección seis, parágrafo 8 del Convenio Provisional sobre Aviación Civil Internacional, suscrito en Chicago en 7 de Diciembre de 1944, o al Organismo que la suceda, a menos que las Partes Contratantes convengan en someter la controversia a algún otro organismo o persona designado de común acuerdo por las mismas Partes Contratantes. Las autoridades ejecutivas de las Partes Contratantes realizarán sus mejores esfuerzos, dentro de sus facultades, para atenerse a la opinión expresada en tal informe consultivo.

ARTICULO XI

Para los fines de este Acuerdo, y de su Anexo, a menos que se estipule de otro modo:

a).–La expresión "autoridades aeronáuticas" significará, en el caso de los Estados Unidos de América, la "Civil Aeronautics Board" y cualquiera persona o agencia autorizada para ejercer las funciones actualmente ejercidas por la "Civil Aeronautics Board", o para ejercer funciones similares, y, en el caso del Perú, el Ministro de Aeronáutica y cualquiera persona o agencia autorizada para ejercer las funciones actualmente ejercidas por dicho Ministro;

b).–La expresión "líneas aéreas designadas" significará aquellas líneas aéreas respecto de las cuales las autoridades aeronáuticas de una de las Partes Contratantes hayan comunicado por escrito a las autoridades aeronáuticas de la otra Parte Contratante, que son las líneas aéreas por ella designadas, de conformidad con los artículos I y II del presente Acuerdo, para las rutas especificadas en tal designación.

ARTICULO XII

Este Acuerdo, incluyendo las disposiciones del anexo, entre en vigencia en la fecha.

En fe de lo cual, los Plenipotenciarios arriba nombrados firman el presente Acuerdo, en idiomas español e inglés, en doble ejemplar, en Lima, a los veintisiete días del mes de diciembre de mil novecientos cuarenta y seis.

PRENTICE COOPER
WILLIAM MITCHELL
E. GARCÍA SAYÁN
E GÓNGORA

ANEXO AL ACUERDO SOBRE TRANSPORTE AEREO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y DE LA REPUBLICA DEL PERU

Ambas Partes Contratantes convienen en:

A.–Que las líneas aéreas de ambas Partes Contratantes, que operen en las rutas descritas en este Anexo, gozarán de justas e iguales oportunidades en la explotación de dichas rutas.

B.–Que la capacidad de transporte aéreo ofrecida por las líneas aéreas de ambos países deberá guardar una estrecha relación con las necesidades del tránsito.

C.–Que en la explotación de las secciones comunes de las rutas troncales las líneas aéreas de las Partes Contratantes deberán tener en cuenta sus intereses recíprocos, a fín de no afectar indebidamente sus respectivos servicios.

D.–Que los servicios proporcionados por una línea aérea designada de conformidad con este Acuerdo, y su Anexo mantendran, como objetivo principal, la provisión de una capacidad adecuada a la demanda del tránsito entre el país al que pertenece tal línea aérea, o lugares bajo su jurisdicción, y aquel país al que está destinado el tránsito.

E.–Que el derecho de embarcar y desembarcar en lugares bajo la jurisdicción del otro país las personas u objetos de tránsito internacional, destinados hacia o provenientes de terceros países, en un lugar o lugares que a continuación se especifican, será ejercido de acuerdo con los principios generales de desarrollo ordenado, a los cuales ambos Gobiernos se someten; y estará sujeto al principio general de que la capacidad deberá guardar relación con:

1.–Las necesidades del tránsito entre el país de origen, o lugares bajo su jurisdicción, y los países de destino;

2.–Las necesidades inherentes a líneas que operan a través de varios países; y

3.–Las necesidades del tránsito de la zona a través de la cual opera la línea aérea, después de tomar en cuenta los servicios locales y regionales.

F.–Que la determinación de las tarifas a cobrarse por las líneas aéreas de cualquiera de las Partes Contratantes entre puntos bajo la jurisdicción de los Estados Unidos de América y puntos en territorio peruano en las rutas especificadas en este Anexo, deberán ser razonables, teniendo en cuenta todos los factores pertinentes, tales como, gastos de explotación, utilidades equitativas, tarifas cobradas por cualquier otra empresa, así como las características de cada servicio.

G.–Que las autoridades aeronáuticas competentes de ambas Partes Contratantes se consultarán de tiempo en tiempo, o a pedido de una de las partes, para determinar hasta qué punto los principios enunciados en los párrafos A a F inclusive de este Anexo son observados por las líneas aéreas designadas por cada una de las Partes Contratantes. Cuando dichas autoridades convengan en medidas adicionales, necesarias para dar aplicación práctica a tales principios, las autoridades

ejecutivas de cada una de las Partes Contratantes realizarán sus mejores esfuerzos, dentro de sus facultades, para poner en vigencia tales medidas.

H.–Las líneas aéreas de los Estados Unidos de América designadas conforme al presente Acuerdo gozarán de los derechos de tránsito y de parada técnica, en y a través del territorio de la República del Perú, así como del derecho de embarcar y desembarcar pasajeros, carga y correo en tránsito internacional, en Lima, Talara, Chiclayo y Arequipa, en la siguiente ruta, vía puntos intermedios en ambas direcciones.

De los Estados Unidos de América, y o la Zona del Canal, a Talara, Chiclayo, Lima y Arequipa; y más allá del Perú, a lugares en Chile y Bolivia o más allá.

En la ruta arriba indicada, la línea o líneas aéreas autorizadas para operarla, podrán efectuar vuelos sin escalas entre cualesquiera de los lugares enumerados, omitiendo escalas en uno o más de los otros lugares enumerados.

I.–Las líneas aéreas de la República del Perú designadas conforme al presente Acuerdo, gozarán de los derechos de tránsito y de parada técnica, en y a través del territorio de los Estados Unidos de América y en y a través de la Zona del Canal, así como del derecho de embarcar y desembarcar pasajeros, carga y correo en tránsito internacional, en Washington, D. C., Nueva York, N. Y., y la Zona del Canal, en la siguiente ruta, vía puntos intermedios en ambas direcciones:

Del Perú, vía Zona del Canal y Habana, Cuba, a Washington, D. C., Nueva York, N. Y.; y más allá de los Estados Unidos de América a Montreal, Canadá.

En la ruta arriba indicada, la línea o líneas aéreas autorizadas para operarla, podrán efectuar vuelos sin escalas entre cualesquiera de los lugares enumerados, omitiendo escalas en uno o más de los otros lugares enumerados.

Lima, 27 de diciembre de 1946.

PRENTICE COOPER
WILLIAM MITCHELL
E. GARCÍA SAYÁN
E GÓNGORA

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

Nº:(D)-6-Y/5 LIMA, *27 de diciembre de 1946.*

SEÑOR EMBAJADOR:

Tengo a honra dirigirme a Vuestra Excelencia, de conformidad con una solicitud del Ministerio de Aeronáutica, para exponer la manera como el Gobierno peruano entiende y se propone poner en ejecución el Acuerdo sobre Transporte Aéreo entre el Perú y los Estados Unidos de América, suscrito en la fecha.

El Gobierno del Perú desea llamar la atención sobre el hecho de que, cuando menos hasta hoy, no es posible designar una o varias líneas aéreas, que estén sustancialmente bajo propiedad y control efectivo de nacionales peruanos, para que ellas gocen de los derechos que se conceden por el indicado Acuerdo. Esto se debe a que el tiempo es un factor imprescindible para adiestrar personal técnico y administrativo, así como para atraer al capital necesario.

La experiencia de los último meses conduce a la conclusión de que el Gobierno del Perú podrá fomentar la constitución de una o varias empresas aéreas peruanas para ser designadas en relación con el Acuerdo, solamente si se pudiera disponer de un plazo prudencial para que una compañía, constituída originalmente con un moderado porcentaje de capital efectivamente peruano pudiera ir aumentando paulatinamente, bajo el control del Gobierno del Perú, la proporción del capital peruano hasta llegar a obtener una proporción mínima de 51% que permita asegurar para ella el título de compañía efectivamente peruana; y como las investigaciones efectuadas han revelado que, el capital de origen norteamericano y canadiense, sería el más probable y quizás el único que estaría en aptitud de facilitar ese proceso de peruanización gradual de la compañía o de las compañías que serán designadas, es a dicho capital a quien habría que entregar la propiedad de la proporción de aquel que no estuviera en manos de nacionales del Perú.

Por las razones anteriormente expuestas y no obstante las difíciles pero transitorias condiciones económicas del momento actual, el Gobierno del Perú se esforzará porque el Acuerdo suscrito produzca resultados benéficos para las dos partes contratantes; y en tal sentido el Gobierno del Perú tiene entendido que podrá designar, dentro de los términos del Acuerdo, una línea o líneas aéreas que satisfagan las siguientes condiciones:

1.–En todo tiempo, estará en manos de nacionales peruanos o del Gobierno del Perú, un mínimo de 30% del capital.

2.–Antes del vencimiento de un plazo de 10 (diez) años, contados a partir de la fecha del Acuerdo, deberá estar en manos de nacionales peruanos o del Gobierno del Perú un mínimo de 51% del capital, así como el control efectivo de la Compañía.

3.–Mientras no se satisfagan las condiciones del párrafo 2, la porción del capital que no se encuentre en manos de nacionales peruanos, deberá haber sido suscrita por nacionales de los

Estados Unidos de América y del Dominio del Canadá, en forma tal que, entre los respectivos grupos de nacionales de cada uno de estos dos países, no exista en ningún momento una diferencia mayor del 20% en el monto de sus respectivas participaciones en el capital de la Compañía.

Mucho estimaré a Vuestra Excelencia se sirva informarme si lo arriba expuesto refleja debidamente el entendimiento mutuo de nuestros respectivos Gobiernos, que ha servido de base para la celebración del Acuerdo de Transporte Aéreo.

Aprovecho la oportunidad para reiterarle, Señor Embajador, las seguridades de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Al Excelentísimo Señor
PRENTICE COOPER, *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.*
Ciudad.-

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

No. (D)-6-Y/5 LIMA, *December 27, 1946.*

MR. AMBASSADOR:

I have the honor to address Your Excellency, in compliance with a request of the Ministry of Aeronautics, to explain how the Peruvian Government understands and proposes to put into execution the Air Transport Agreement between Peru and the United States of America, signed today.

The Government of Peru desires to call attention to the fact that at least up to the present, it has not been possible to designate an air line or air lines which are substantially owned and effectively controlled by Peruvian nationals, so that they may enjoy the rights granted by the aforesaid Agreement. This is due to the fact that time is an indispensable factor in training technical and administrative personnel, as well as in attracting the necessary capital.

The experience of recent months leads to the conclusion that the Government of Peru will be able to promote the formation of one or more Peruvian aviation enterprises for the purpose of being designated, as regards the Agreement, only if a reasonable period of time could be available for a company originally formed with a moderate percentage of effectively Peruvian capital, to increase gradually, under the control of the Government of Peru, the proportion of Peruvian capital until a minimum proportion of 51% is reached, which will permit securing for it the title of an effectively Peruvian company; and, as the investigations made have shown that capital of United States and Canadian origin would be the most probable and perhaps the only capital which would be in a position to facilitate the process of gradual Peruvianization of the company or companies to be designated, it is to the said capital that ownership of the proportion not in the possession of nationals of Peru would have to be handed over.

For the reasons set forth above and notwithstanding the present difficult but transitory economic conditions, the Government of Peru will endeavor to have the Agreement signed produce results profitable for the two contracting parties; and, in that sense, the Government of Peru understands that it may designate, under the terms of the Agreement, an air line or air lines meeting the following conditions:

1. At all times, a minimum of 30% of the capital shall be held by Peruvian nationals or by the Government of Peru.
2. Before the expiration of a term of 10 (ten) years, counting from the date of the Agreement, a minimum of 51% of the capital, as well as the effective control of the Company, must be held by Peruvian nationals or by the Government of Peru.
3. Until the conditions of paragraph 2 are met, the portion of the capital which is not held by Peruvian nationals must have been subscribed by nationals of the United States of America and of the Dominion of Canada, in such manner that, among the respective groups of nationals of each of those two countries, there shall not at any time exist a difference of more than 20% in the amount of their respective shares in the capital of the Company.

I shall greatly appreciate it if Your Excellency will be so good as to inform me whether the foregoing duly reflects the mutual understanding of our respective Governments, which served as a basis for the conclusion of the Air Transport Agreement.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

The American Ambassador to the Peruvian Minister for Foreign Affairs

No. 306

The Ambassador of the United States of America presents his compliments to His Excellency the Minister for Foreign Affairs and with reference to the signing of the Air Transport Agreement between the Republic of Peru and the United States of America on this date has the honor to acknowledge the receipt of His Excellency's confidential note No. 6–Y/5, in which is expressed the understanding in connection with which the Government of Peru proposes to execute the Air Transport Agreement. The Ambassador is pleased to express hereby the acceptance by the Government of the United States of America of the terms of understanding contained in His Excellency's note.

Prentice Cooper avails himself of this occasion to extend to His

Excellency Dr. Enrique García Sayán the renewed assurance of his highest and most distinguished consideration.

LIMA, *December 27, 1946*

The American Ambassador to the Peruvian Minister for Foreign Affairs

No. 303

The Ambassador of the United States of America presents his compliments to His Excellency the Minister for Foreign Affairs, and has the honor to present herewith a statement of the understanding upon which the Government of the United States proposes to execute the Air Transport Agreement to be entered into with the Government of the Republic of Peru.

The Air Transport Agreement to be concluded on this date between the United States of America and the Republic of Peru contemplates the use of the military airport in the Canal Zone by the airlines designated in conformity with the aforementioned Agreement, but the United States military authorities reserve the right to restrict or prohibit the civil use of this airport as warranted by military requirements, although such restrictions on or prohibition of its use will be applied on a non-discriminatory basis, and no distinction in this respect will be made between airlines designated by the United States of America and airlines designated by the Republic of Peru. Also, an international civil airport is now being constructed in the Republic of Panama, and the United States military authorities contemplate that the further civil use of the military airport in the Canal Zone may be prohibited as soon as the international airport in the Republic of Panama becomes available. In such event, there will be no further opportunity for the use of the military airport in the Canal Zone by civil airlines, and presumably it will be necessary for appropriate arrangements to be made with the Republic of Panama for the use of its new international airport in substitution for the military airport in the Canal Zone presently used by civil air services.

With reference to the rights granted to designated Peruvian airlines to carry international traffic to and from the Canal Zone, the Government of the United States of America wishes to call attention to its Air Commerce Act of 1926 as amended by its Civil Aeronautics Act of 1938, which precludes the carriage by foreign aircraft of traffic between the Canal Zone and points in the United States, and the grant of rights to designated Peruvian airlines is accordingly subject to this limitation. This limitation will be applied without discrimination to the airlines of all countries, other than the United States.

44 Stat. 568; 52 Stat. 973.
49 U. S. C. §§ 171 *et seq.*, 401 *et seq.*

It would be appreciated if His Excellency would inform the Embassy as to whether the foregoing correctly reflects the understanding of the Government of the Republic of Peru as the basis upon which the Air Transport Agreement is to be concluded.

Prentice Cooper avails himself of this occasion to extend to His Excellency Dr. Enríque Sayán the renewed assurance of his highest and most distinguished consideration.

LIMA, *December 27, 1946*

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

N°:(D)–6–Y/6 LIMA, *27 de diciembre de 1946.*

SEÑOR EMBAJADOR:

Tengo a honra avisar recibo a Vuestra Excelencia de su atenta nota N° 303, de la fecha, por la que se sirve exponer algunas consideraciones respecto a la forma como el Gobierno de los Estados Unidos de América se propone llevar a efecto el Acuerdo sobre Transporte Aéreo suscrito el día de hoy.

Expresa Vuestra Excelencia que las autoridades militares de los Estados Unidos de América se reservan el derecho de restringir o prohibir el uso con fines civiles del aeropuerto militar de la Zona del Canal, si así lo exigieran las necesidades militares; y que, tan pronto como esté concluído el aeropuerto civil internacional que se construye en Panamá, las autoridades militares norteamericanas tienen el propósito de prohibir la utilización de dicho aeropuerto militar por las aeronaves civiles y comerciales.

Agrega Vuestra Excelencia que en virtud de la Ley de Comercio Aéreo de 1926, reformada por la Ley de Aeronáutica Civil de 1938, la concesión de derechos a las líneas aéreas designadas por el Gobierno del Perú está sujeta a las limitaciones impuestas por dichas leyes, en lo que se refiere al transporte entre la Zona del Canal y los Estados Unidos de América.

En respuesta, y al agradecer a Vuestra Excelencia las informaciones referidas, de las que he tomado debida nota, me es grato expresarle que ellas están de acuerdo con el pensamiento que ha guíado al Gobierno del Perú al celebrar dicho Acuerdo sobre Transporte Aéreo entre nuestros dos países.

Aprovecho la oportunidad para reiterarle, Señor Embajador, las seguridades de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Al Excelentísimo Señor PRENTICE COOPER,
Embajador Extraordinario y Plenipotenciario de los
Estados Unidos de America.
Ciudad.

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

No.: (D)–6–Y/6 LIMA, *December 27, 1946.*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's courteous note No. 303 of even date, in which you were good enough to set forth certain considerations in regard to the way in which the Government of the United States of America proposes to carry out the Air Transport Agreement signed today.

Your Excellency states that the military authorities of the United States of America reserve the right to restrict or prohibit the use, for civilian purposes, of the military airport of the Canal Zone, should military needs so require; and that, as soon as the international civil airport which is being constructed in Panama is completed, the United States military authorities intend to prohibit the use of the said military airport by civil and commercial aircraft.

Your Excellency adds that, under the Air Commerce Act of 1926, amended by the Civil Aeronautics Act of 1938, the granting of rights to the air lines designated by the Government of Peru is subject to the restrictions imposed by the said Acts, as regards transportation between the Canal Zone and the United States of America.

In reply, I thank Your Excellency for the above-mentioned information, which I have duly noted, and I am happy to inform you that it is in accordance with the thought which led the Government of Peru to conclude the said Air Transport Agreement between our two countries.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

The American Ambassador to the Peruvian Minister for Foreign Affairs

No. 301

The Ambassador of the United States of America presents his compliments to His Excellency the Minister for Foreign Affairs, and with reference to the negotiations leading up to the Air Transport Agreement between the Republic of Peru and the United States of America signed on this date, has the honor to convey on behalf of the representatives of the Government of the United States of America concerned certain information regarding possible future routes considered during the course of the negotiations.

At such time as the Government of the United States of America should consider that the surrounding circumstances have sufficiently developed, it contemplates requesting the Government of Peru for consultation pursuant to Article 9 of the Agreement referred to regarding modification of the Annex to include a proposed route from the United States and the Canal Zone via Colombia to Iquitos and other points in Southern Peru, and beyond to terminal points in Argentina, Brazil, and Uruguay, to be operated by an airline or airlines designed by the Government of the United States of America.

Ante, p. 2588.

It would be appreciated if His Excellency would be kind enough

to acknowledge the receipt of the information which is conveyed hereby on behalf of the United States Representatives.

Prentice Cooper avails himself of this occasion to extend to His Excellency Dr. Enrique García Sayán the renewed assurance of his highest and most distinguished consideration.

LIMA, *December 27, 1946*

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

Numero: (L) 6–3–/259 LIMA, *27 de diciembre de 1946.*

SEÑOR EMBAJADOR:

Tengo a honra avisar recibo a Vuestra Excelencia de su atenta nota N° 301, de la fecha, por la que se sirve transmitirme ciertas informaciones relativas a las posibles rutas aéreas futuras que han sido consideradas en el curso de las negociaciones que se han realizado para concluir el Acuerdo sobre Transporte Aéreo, suscrito el día de hoy.

Expresa Vuestra Excelencia, que el Gobierno de los Estados Unidos de América tiene el propósito de promover consultas con el Gobierno del Perú, cuando las circunstancias del caso lo permitan y de conformidad con el Artículo IX del mencionado Acuerdo, con el objeto de convenir en la modificación del Anexo a dicho instrumento, a fin de incluir una ruta entre los Estados Unidos de América y la Zona del Canal y puntos terminales en la Argentina, Brasil, y Uruguay, via Colombia a Iquitos y otros lugares del Perú, la cual sería operada por una línea o líneas aéreas designadas por el Gobierno de los Estados Unidos de América.

En respuesta, cúmpleme manifestar a Vuestra Excelencia que he tomado debida nota de las informaciones que me transmite en relación con el Acuerdo suscrito en la fecha.

Aprovecho la oportunidad, señor Embajador, para reiterarle las seguridades de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Al Excelentísimo Señor PRENTICE COOPER,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Ciudad

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

Number: (L) 6–3–/259 LIMA, *December 27, 1946.*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's courteous note No. 301 of even date, in which you were good enough to send me certain information relating to the possible future air routes which were considered during the negotiations which were

carried out for the purpose of concluding the Air Transport Agreement signed today.

Your Excellency states that the Government of the United States of America intends to encourage consultations with the Government of Peru when the circumstances of the case permit in conformity with Article IX of the above-mentioned Agreement, for the purpose of agreeing upon the amending of the Annex to the said instrument in order to include a route between the United States of America and the Canal Zone and terminal points in Argentina, Brazil and Uruguay, via Colombia, to Iquitos and other places in Peru, which would be operated by an air line or air lines designated by the Government of the United States of America.

It is my duty, in reply, to state to Your Excellency that I have taken due note of the information which you have transmitted to me in regard to the Agreement signed today.

I avail myself of the opportunity, Mr. Ambassador, to renew to you the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

N°: D-6-3/258 LIMA, *27 de diciembre de 1946.*

SEÑOR EMBAJADOR:

Tengo a honra dirigirme a Vuestra Excelencia, con relación al Acuerdo sobre Transporte Aéreo entre el Perú y los Estados Unidos de América, suscrito en la fecha, para transmitir a Vuestra Excelencia, atendiendo a una solicitud del Ministerio de Aeronáutica, ciertas informaciones relativas a las posibles rutas aéreas futuras que han sido consideradas en el curso de las negociaciones.

El Gobierno del Perú, tiene el propósito de promover consultas con el Gobierno de los Estados Unidos de América, cuando las circunstancias del caso lo aconsejen, a fin de convenir la modificación del Anexo al citado Acuerdo sobre Transporte Aéreo, de conformidad con el Artículo 9 del mismo, para incluir una ruta entre el Perú y los Angeles y San Francisco, California, via Zona del Canal y Ciudad de México, que pudiere extenderse a Vancouver, Canadá, y hasta el Oriente, la cual sería operada por una linea o lineas aéreas designadas por el Gobierno del Perú.

Ruego a Vuestra Excelencia se sirva tomar nota de lo anteriormente expuesto y considerarlo como expresión del pensamiento que ha guiado al Gobierno del Perú al celebrar el mencionado Acuerdo, por todo lo cual mucho agradeceré a Vuestra Excelencia se sirva extenderme el correspondiente aviso de recibo.

Aprovecho la oportunidad para reiterarle, señor Embajador, las seguridades de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Al Excelentisimo Señor
PRENTICE COOPER, *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.*
Ciudad.–

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

No. D–6–3/258 LIMA, *December 27, 1946.*

MR. AMBASSADOR:

I have the honor to address Your Excellency in regard to the Air Transport Agreement between Peru and the United States of America, signed on this date, in order to transmit to Your Excellency, in compliance with a request of the Ministry of Aeronautics, certain information relating to the possible future air routes which were considered during the negotiations.

The Government of Peru intends to encourage consultations with the Government of the United States of America when the circumstances of the case make it advisable, with a view to agreeing upon the amending of the Annex to the above-mentioned Air Transport Agreement, in conformity with Article 9 thereof, in order to include a route between Peru and Los Angeles and San Francisco, California, via the Canal Zone and Mexico City, which could extend to Vancouver, Canada, as far as the Orient, and which would be operated by an air line or air lines designated by the Government of Peru.

I beg Your Excellency to be so good as to note the foregoing and to consider it as the expression of the thought which led the Government of Peru to conclude the above-mentioned Agreement. I shall therefore be very grateful to Your Excellency if you will be good enough to acknowledge receipt of this communication.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

The American Ambassador to the Peruvian Minister for Foreign Affairs

No. 307

The Ambassador of the United States of America presents his compliments to His Excellency the Minister for Foreign Affairs, and

with reference to the negotiations leading up to the Air Transport Agreement between the Republic of Perú and the United States of America signed on this date has the honor to acknowledge the receipt of His Excellency's note No. 6–3/258 in which certain information regarding possible future routes considered during the course of the negotiations is communicated on behalf of the representatives of the Peruvian Government.

Prentice Cooper avails himself of this occasion to extend to His Excellency Dr. Enrique García Sayán the renewed assurance of his highest and most distinguished consideration.

LIMA, *December 27, 1946*

The Peruvian Ambassador to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON 6, D.C.

M/109.– *May 6, 1947*

YOUR EXCELLENCY:

I refer to the text of the notes of the Minister of Foreign Affairs of Peru and the Ambassador from the United States which were exchanged on December 27, 1946 and effected at the time of the conclusion of the bilateral Transport Agreement between the United States and Peru. This text was made public on April 29, 1947 by the State Department. As a consequence of this publication, the oral agreement on the application of the Peruvian International Airways for a permit to enter the United States was postponed until May 9, 1947.

I have been instructed by my Government to direct your attention to the English translation of the Foreign Office note of December 27, 1946 which had reference to participation by United States and Canadian capital in an airline to be designated by the Government of Peru (in this case the Peruvian International Airways) to enjoy the rights granted by the United States to a Peruvian airline.

In order that there may be no possible misinterpretation as to the mutual understanding, my Government desires to invite your attention to the following matters:

(1) The English word "held" employed in the translation of each of the three conditions does not have the meaning of the Spanish words "en manos de". A more accurate redaction would be the literal translation of the words, namely "in the hands of".

(2) It will be recalled that in the discussions held before the exchange of the above mentioned notes with respect to the third condition, it was the agreement that the balance of the capital of the Company which was not in the hands of Peruvian nationals should be in the hands of nationals of the United States and of Canada; and that the relative participation in this balance by the nationals of these two countries should not exceed a limit of 40% for one and 60% for the other, either way, based on the total non-Peruvian capital. This would permit a maximum discrepancy of 50% in the relative participations of the national groups of the United States and Canada,

as compared to each other, but at the same time achieves the intended effect of preventing either of these national groups from acquiring more than 42% of the total capital. I would like to call to your attention that the note just published states that "among the respective groups of nationals of each of those two countries (United States and Canada), there shall not at any time exist a difference of more than 20% in the amount of their respective shares in the capital of the Company." The effect of the wording of this note would be that, assuming 30% of the capital were in the hands of Peruvian nationals, the relative participations in the balance by nationals of the United States and Canada could not exceed a limit of 45.5 for one and 54.5 for the other, either way, if the percentage were computed upon the relative holdings of Americans and Canadians rather than on the total non-Peruvian capital. The Minister of Foreign Affairs believes that you will agree that this was not the intention of both the United States and the Peruvian Governments when the Agreement was drawn up. Therefore, with the provision that this is agreeable to you, I suggest that the third paragraph be expressed as follows: "Of the remaining total participation by Americans and Canadians, no more than 60% shall be in the hands of nationals of either country." Furthermore, my Government believes that the use of the word "shares" is subject to misinterpretation. As used in the translation, this could be interpreted to mean "shares of stock". The Spanish word for shares of stock is "acciones". The word used in the Peruvian note of December 27th is "participaciones" and it should be translated as "participation in the capital of the Company."

I will appreciate very much receiving your confirmation of this interpretation of our mutual understanding at the time of the conclusion of the bilateral Air Transport Agreement.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

JORGE PRADO

His Excellency
General GEORGE MARSHALL
Secretary of State
Washington, D.C.

The Secretary of State to the Peruvian Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 8 1947

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. M/109 of May 6, 1947, concerning the construction of the note of December 27, 1946, No. (D) 6Y/5 delivered to the Ambassador of the United States of America in Lima on that date by His Excellency the Minister for Foreign Affairs of the Republic of Peru, the terms of which latter

note were accepted by note No. 306 dated December 27, 1946 from the Ambassador of the United States of America to His Excellency the Minister for Foreign Affairs of the Republic of Peru.

In paragraph (1) of your note you refer to the translation of the Spanish words "en manos de" by the English word "held," and suggest that a more accurate translation would be "in the hands of." The intent of the two notes exchanged in Lima, to which reference is made above, was to establish a standard of true, actual ownership of the shares of the Peruvian airline concerned. I believe that there is no doubt that such was the intention of all parties concerned. I therefore believe that whether the word "held" or the words "in the hands of" are used to translate the phrase "en manos de" is not a matter of substance, but would accept your phraseology, provided that the intention to establish a standard based on factual ownership is understood. It would be appreciated if Your Excellency would confirm this interpretation of the matter.

I accept the understandings expressed by Your Excellency in paragraph (2) of your note as representing a more precise expression of the intention of our respective Governments than evidenced by the exchange of notes in Lima above referred to.

If Your Excellency will inform me that these understandings are acceptable to your Government, I would suggest that your note of May 6, this note, and your reply thereto be deemed to constitute the controlling expression of understanding between our Governments concerning these matters.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
WILLARD L. THORP

His Excellency,
Senor Don JORGE PRADO,
Ambassador of Peru.

The Peruvian Ambassador to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON 6, D. C.

No. 5-3-M/160. *July 21, 1947*

YOUR EXCELLENCY:

I have the honor to refer to the notes exchanged between the Department of State and this Embassy in relation to the interpretation of certain terms of the Bilateral Transport Agreement signed by the United States and Peru. I also refer particularly to the note of the Department of May 8, 1947.

In reply, I am pleased to inform Your Excellency, following instructions from my Government, that since the Department in its above-mentioned note of May 8th agrees with my Government's translation of the Spanish words "en manos de" as "in the hands of", it may be understood that it was the intention of the parties in the

exchange-of-notes to establish a standard based on factual ownership of the shares of stock in the hands of nationals of Peru, the United States and Canada.

Since my Government agrees with the Government of the United States in this interpretation, I have the honor to inform Your Excellency that the notes on this matter may be considered as the agreement of both Governments.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

JORGE PRADO

His Excellency
General GEORGE MARSHALL
Secretary of State
Department of State
Washington, D.C.

Agreement between the United States of America and the Republic of the Philippines respecting trade. Signed at Manila July 4, 1946; amended by exchange of notes signed October 22, 1946; proclaimed by the President of the United States of America December 17, 1946; proclaimed by the President of the Philippines January 1, 1947; supplementary proclamation issued by the President of the United States of America January 8, 1947; entered into force January 2, 1947.

July 4 and October 22, 1946
[T. I. A. S. 1588]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 401 of the Act of the Congress of the United States of America of April 30, 1946 entitled "Philippine Trade Act of 1946" (Public Law 371, 79th Congress) provides that the President of the United States of America is authorized under the terms and conditions set forth in said Act to enter into an executive agreement with the President of the Philippines concerning trade and related matters;

60 Stat. 151.
22 U. S. C. § 1341.

WHEREAS the President of the United States of America, acting pursuant to the provisions of the said section 401 of the Philippine Trade Act of 1946, through his duly empowered Plenipotentiary entered into an agreement on July 4, 1946 with the President of the Philippines, which agreement, including a protocol and annexes thereto, is in words and figures as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING TRADE AND RELATED MATTERS DURING A TRANSITIONAL PERIOD FOLLOWING THE INSTITUTION OF PHILIPPINE INDEPENDENCE

The President of the United States of America and the President of the Philippines, recalling the close economic ties between the people of the United States and the people of the Philippines during many years of intimate political relations, mindful of the great physical destruction and social disturbances suffered by the Philippines as a result of their valiant support of the cause of the United Nations in the war against Japan, and desiring to enter into an agreement accepting on the part of each country the provisions of Title II and Title III (except Part 1) of the Philippine Trade Act of 1946 of the United States of America, have agreed to the following Articles:

60 Stat. 143, 148.
22 U. S. C. § 1251 *et seq.*

ARTICLE I

Admission of articles duty free.

1. During the period from the date of the entry into force of this Agreement to July 3, 1954, both dates inclusive, United States articles

Post, p. 2623.

as defined in Subparagraph (*e*) of Paragraph 1 of the Protocol to this Agreement entered, or withdrawn from warehouse, in the Philippines for consumption, and Philippine articles as defined in Subparagraph (*f*) of Paragraph 1 of the Protocol entered, or withdrawn from warehouse, in the United States for consumption, shall be admitted into the Philippines and the United States, respectively, free of ordinary customs duty.

Determination of ordinary customs duty.

2. The ordinary customs duty to be collected on United States articles as defined in Subparagraph (*e*) of Paragraph 1 of the Protocol, which during the following portions of the period from July 4, 1954, to July 3, 1974, both dates inclusive, are entered, or withdrawn from warehouse, in the Philippines for consumption, and on Philippine articles as defined in Subparagraph (*f*) of Paragraph 1 of the Protocol, other than those specified in Items D to G, both inclusive, of the Schedule to Article II, which during such portions of such period are entered, or withdrawn from warehouse, in the United States for consumption, shall be determined by applying the following percentages of the Philippine duty as defined in Subparagraph (*h*) of Paragraph 1 of the Protocol, and of the United States duty as defined in Subparagraph (*g*) of Paragraph 1 of the Protocol, respectively:

Post, pp. 2615, 2632.

Post, p. 2624.

(*a*) During the period from July 4, 1954, to December 31, 1954, both dates inclusive, five *per centum*.

(*b*) During the calendar year 1955, ten *per centum*.

(*c*) During each calendar year after the calendar year 1955 until and including the calendar year 1972, a percentage equal to the percentage for the preceding calendar year increased by five *per centum* of the Philippine duty and the United States duty, respectively, as so defined.

(*d*) During the period from January 1, 1973, to July 3, 1974, both dates inclusive, one hundred *per centum*.

Determination of other customs duties.

3. Customs duties on United States articles, and on Philippine articles, other than ordinary customs duties, shall be determined without regard to the provisions of Paragraphs 1 and 2 of this Article, but shall be subject to the provisions of Paragraph 4 of this Article.

Duty on importation.

4. With respect to United States articles imported into the Philippines, and with respect to Philippine articles imported into the United States, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the duty is not imposed with respect to such like articles. As used in this Paragraph the term "duty" includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes or ordinary customs duties.

5. With respect to products of the United States which do not come within the definition of United States articles, imported into the Philippines, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign

country, or collected or paid in any amount if the duty is not imposed with respect to such like articles which are the product of any other foreign country. As used in this Paragraph the term "duty" includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes.

6. With respect to products of the Philippines, which do not come within the definition of Philippine articles, imported into the United States, no duty on or in connection with importation shall be collected or paid in an amount in excess of the duty imposed with respect to like articles which are the product of any other foreign country (except Cuba), or collected or paid in any amount if the duty is not imposed with respect to such like articles which are the product of any other foreign country (except Cuba). As used in this Paragraph the term "duty" includes taxes, fees, charges, or exactions, imposed on or in connection with importation; but does not include internal taxes.

ARTICLE II

Total amounts of articles of specified classes.

1. During the period from January 1, 1946 to December 31, 1973, both dates inclusive, the total amount of the articles falling within one of the classes specified in Items A and A–1, and C to G, both inclusive, of the Schedule to this Article which are Philippine articles as defined in Subparagraph (*f*) of Paragraph 1 of the Protocol, and which, in any calendar year, may be entered, or withdrawn from warehouse, in the United States for consumption shall not exceed the amounts specified in such Schedule as to each class of articles. During the period from January 1, 1946, to December 31, 1973, both dates inclusive, the total amount of the articles falling within the class specified in Item B of the Schedule to this Article which are the product of the Philippines, and which, in any calendar year, may be entered, or withdrawn from warehouse, in the United States for consumption, shall not exceed the amounts specified in such Schedule as to such class of articles. During the period from January 1, 1974, to July 3, 1974, both dates inclusive, the total amounts referred to in the preceding sentences of this Paragraph shall not exceed one-half of the amount specified in such Schedule with respect to each class of articles, respectively.

Post, p. 2615.
Post, p. 2623.

Determination of duty-free quotas.

2. Philippine articles as defined in Subparagraph (*f*) of Paragraph 1 of the Protocol falling within one of the classes specified in Items D to G, both inclusive, of the Schedule to this Article, which during the following portions of the period from January 1, 1946, to December 31, 1973, both dates inclusive, are entered, or withdrawn from warehouse, in the United States for consumption, shall be free of ordinary customs duty, in quantities determined by applying the following percentages of the amounts specified in such Schedule as to each such class of articles:

Post, p. 2623.
Post, p. 2615.

(*a*) During each of the calendar years 1946 to 1954, one hundred *per centum*.

(*b*) During the calendar year 1955, ninety-five *per centum*.

(*c*) During each calendar year after the calendar year 1955

until and including the calendar year 1973, a percentage equal to the percentage for the preceding calendar year decreased by five *per centum* of such specified amounts.

Any such Philippine article so entered or withdrawn from warehouse in excess of the duty-free quota provided in this Paragraph shall be subject to one hundred *per centum* of the United States duty as defined in Subparagraph (*g*) of Paragraph 1 of the Protocol.

Post, p. 2624.

Allocation of quotas to manufacturers in Philippines.

Post, p. 2615.

3. Each of the quotas provided for in Paragraphs 1 and 2 of this Article for articles falling within one of the classes specified in Items A–1 and B, and D to G, each inclusive, of the Schedule to this Article shall be allocated annually by the Philippines to the manufacturers in the Philippines in the calendar year 1940 of products of a class for which such quota is established, and whose products of such class were exported to the United States during such calendar year, or their successors in interest, proportionately on the basis of the amount of the products of such class produced by each such manufacturer (or in the case of such successor in interest, the amount of the products of such class produced by his predecessor in interest) which was exported to the United States during the following period: (*a*) In the case of Items A–1 and D to G, each inclusive, the calendar year 1940, and (*b*) in the case of Item B, the twelve months immediately preceding the inauguration of the Commonwealth of the Philippines. The quota provided for in Paragraph 1 of this Article for unrefined sugar specified in Item A of such Schedule, including that required to manufacture the refined sugar specified in Item A–1 of the Schedule, shall be allotted annually by the Philippines to the sugar-producing mills and plantation owners in the Philippines in the calendar year 1940 whose sugars were exported to the United States during such calendar year, or their successors in interest, proportionately on the basis of their average annual production (or in the case of such a successor in interest, the average annual production of his predecessor in interest) for the calendar years 1931, 1932, and 1933, and the amount of sugars which may be so exported shall be allocated in each year between each mill and the plantation owners on the basis of the proportion of sugars to which each mill and the plantation owners are respectively entitled, in accordance with any milling agreements between them, or any extension, modification, or renewal thereof.

Sugar.

Post, pp. 2615, 2632.
Post, pp. 2615, 2632.
Post, p. 2632.

Transfer of allotments, etc.

4. The holder of any allotment under law existing on April 29, 1946, including his successor in interest, and the holder of any allotment under any of the quotas which are provided for in Paragraphs 1 and 2 of this Article the allocation of which is provided for in Paragraph 3 of this Article, may transfer or assign all or any amount of such allotment on such terms as may be agreeable to the parties in interest. If, after the first nine months of any calendar year, the holder of any allotment, for that year, under any of the quotas referred to in the preceding sentence, is or will be unable for any reason to export to the United States all of his allotment, in time to fulfill the quota for that year, that amount of such allotment which it is established by sufficient evidence cannot be so exported during the

remainder of the calendar year may be apportioned by the Philippine Government to other holders of allotments under the same quota, or in such other manner as will insure the fulfillment of the quota for that year: *Provided*, That no transfer or assignment or reallocation under the provisions of this Paragraph shall diminish the allotment to which the holder may be entitled in any subsequent calendar year.

The following Schedule to Article II shall constitute an integral part thereof:

I Numerical Item	II Commodity Description	III All Quantities	
A	Sugars.	952,000 short tons	*Post*, p. 2632.
A-1	May be refined sugars, meaning "direct-consumption sugar" as defined in Section 101 of the Sugar Act of 1937 of the United States which is set forth in part as Annex I to this Agreement.	Not to exceed 56,000 short tons	
B	Cordage, including yarns, twines (including binding twines described in Paragraph 1622 of the Tariff Act of 1930 of the United States, as amended, which is set forth as Annex II to this Agreement), cords, cordage, rope, and cable, tarred or untarred, wholly or in chief value of Manila (abaca) or other hard fiber.	6,000,000 lbs.	*Post*, p. 2632.
C	Rice, including rice meal, flour, polish, and bran.	1,040,000 lbs.	
D	Cigars (exclusive of cigarettes, cheroots of all kinds, and paper cigars and cigarettes, including wrappers).	200,000,000 cigars	
E	Scrap tobacco, and stemmed and unstemmed filler tobacco described in Paragraph 602 of the Tariff Act of 1930 of the United States, as amended, which is set forth as Annex III to this Agreement.	6,500,000 lbs.	
F	Coconut oil.	200,000 long tons	
G	Buttoms of pearl or shell.	850,000 gross	*Post*, p. 2633.

ARTICLE III

Establishment of U. S. quotas on Philippine articles. *Post*, p. 2623.

1. With respect to quotas on Philippine articles as defined in Subparagraph (*f*) of Paragraph 1 of the Protocol (other than the quotas provided for in Paragraphs 1 and 2 of Article II, and other than quotas established in conjunction with quantitative limitations, applicable to products of all foreign countries, on imports of like articles), the United States will not establish any such quota for any period before January 1, 1948, and for any part of the period from January 1, 1948, to July 3, 1974, both dates inclusive, it will establish such a quota only if—

(*a*) The President of the United States, after investigation, finds and proclaims that such Philippine articles are coming, or are likely to come, into substantial competition with like articles the product of the United States; *Post*, p. 2633.

(*b*) The quota for any Philippine article as so defined for any twelve-month period is not less than the amount determined by the President as the total amount of Philippine articles of such

class which (during the twelve months ended on the last day of the month preceding the month in which occurred the date proclaimed by the President as the date of the beginning of the investigation) was entered, or withdrawn from warehouse, in the United States for consumption; or, if the quota is established for any period other than a twelve-month period, is not less than a proportionate amount.

Discontinuance.

Any quota established pursuant to this Paragraph shall not continue in effect after the President, following investigation, finds and proclaims that the conditions which gave rise to the establishment of such quota no longer exist.

Post, p. 2633.

2. If the President of the United States finds that the allocation of any quota established pursuant to Paragraph 1 of this Article is necessary to make the application of the quota just and reasonable between the United States and the Philippines, he shall, in such proclamation or a subsequent proclamation, provide the basis for such allocation, and if he exercises such right, the Philippines will promptly put and keep in effect, on the basis proclaimed by the President of the United States, the allocation of such quota.

ARTICLE IV

Internal tax on U. S. articles coming into Philippines.

1. With respect to articles which are products of the United States coming into the Philippines, or with respect to articles manufactured in the Philippines wholly or in part from such articles, no internal tax shall be—

(*a*) Collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of the Philippines, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles;

(*b*) Collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles.

Internal tax on articles of foreign countries.

Where an internal tax is imposed with respect to an article which is the product of a foreign country to compensate for an internal tax imposed (1) with respect to a like article which is the product of the Philippines, or (2) with respect to materials used in the production of a like article which is the product of the Philippines, if the amount of the internal tax which is collected and paid with respect to the article which is the product of the United States is not in excess of that permitted by Paragraph 1 (*b*) of Article IV such collection and payment shall not be regarded as in violation of the first sentence of this Paragraph.

Internal tax on articles of Philippines coming into U. S.

2. With respect to articles which are products of the Philippines coming into the United States, or with respect to articles manufactured in the United States wholly or in part from such articles, no internal tax shall be—

(*a*) Collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of the United States, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles;

(*b*) Collected or paid in an amount in excess of the internal tax imposed with respect to like articles which are the product of any other foreign country, or collected or paid in any amount if the internal tax is not imposed with respect to such like articles.

Internal tax on articles of foreign country.

Where an internal tax is imposed with respect to an article which is the product of a foreign country to compensate for an internal tax imposed (1) with respect to a like article which is the product of the United States, or (2) with respect to materials used in the production of a like article which is the product of the United States, if the amount of the internal tax which is collected and paid with respect to the article which is the product of the Philippines is not in excess of that permitted by Paragraph 2 (*b*) of Article IV such collection and payment shall not be regarded as in violation of the first sentence of this Paragraph. This Paragraph shall not apply to the taxes imposed under Sections 2306, 2327, or 2356 of the Internal Revenue Code of the United States which are set forth in part as Annexes IV, V, and VI to this Agreement.

Nonapplicability.

Post, pp. 2626–2628.

Nonimposition of export tax.

3. No export tax shall be imposed or collected by the United States on articles exported to the Philippines, or by the Philippines on articles exported to the United States.

Nonimposition of internal tax on articles for use of Government.

4. No processing tax or other internal tax shall be imposed or collected in the United States or in the Philippines with respect to articles coming into such country for the official use of the Government of the Philippines or of the United States, respectively, or any department or agency thereof.

Manila fiber.

Post, p. 2633.

5. No processing tax or other internal tax shall be imposed or collected in the United States with respect to Manila (abaca) fiber not dressed or manufactured in any manner.

Nonreduction of preference on coconut oil, etc.

Post, p. 2628.

6. The United States will not reduce the preference of two cents per pound provided in Section 2470 of the Internal Revenue Code of the United States (relating to processing taxes on coconut oil, etc.), which is set forth as Annex VII to this Agreement, with respect to articles "wholly the production of the Philippine Islands" or articles "produced wholly from materials the growth or production of the Philippine Islands"; except that it may suspend the provisions of Subsection (*a*) (2) of such Section during any period as to which the President of the United States, after consultation with the President of the Philippines, finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States.

ARTICLE V

Value of Philippine currency, etc.

Post, p. 2633.

The value of Philippine currency in relation to the United States dollar shall not be changed, the convertibility of Philippine pesos into the United States dollars shall not be suspended, and no restric-

tions shall be imposed on the transfer of funds from the Philippines to the United States except by agreement with the President of the United States.

ARTICLE VI

Non-quota immigrant.

1. Any citizen of the United States who actually resided in the Philippines, and any citizen of the Philippines who actually resided in the United States, for a continuous period of three years during the period of forty-two months ending November 30, 1941, if entering the country of such former residence during the period from July 4, 1946, to July 3, 1951, both dates inclusive, for the purpose of resuming residence therein, shall for the purposes of the immigration laws, be considered a non-quota immigrant. After such admission as a non-quota immigrant he shall, for the purposes of the immigration and naturalization laws, be considered as lawfully admitted to such country for permanent residence. The benefits of this Paragraph shall also apply to the wife of any such citizen of the United States, if she is also a citizen thereof, and to his unmarried children under eighteen years of age, and to the wife of any such citizen of the Philippines, if she is also a citizen thereof or is eligible for United States citizenship, and to his unmarried children under eighteen years of age, if such wife or children of such citizen of the United States or of such citizen of the Philippines are accompanying or following to join him during such period. This Paragraph shall not apply to a citizen of the Philippines admitted to the Territory of Hawaii, without an immigration or passport visa, under the provisions of Paragraph (1) of Section 8 (*a*) of the Act of March 24, 1934, of the United States which is set forth as Annex VIII to this Agreement.

Post, p. 2630.

Entry of U. S. citizens into Philippines.

2. There shall be permitted to enter the Philippines, without regard to any numerical limitations under the laws of the Philippines, in each of the calendar years 1946 to 1951, both inclusive, 1,200 citizens of the United States, each of whom shall be entitled to remain in the Philippines for 5 years.

ARTICLE VII

Utilization of natural resources of Philippines by citizens of U. S., etc.

1. The disposition, exploitation, development, and utilization of all agricultural, timber, and mineral lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces and sources of potential energy, and other natural resources of the Philippines, and the operation of public utilities, shall, if open to any person, be open to citizens of the United States and to all forms of business enterprise owned or controlled, directly or indirectly, by United States citizens, except that (for the period prior to the amendment of the Constitution of the Philippines referred to in Paragraph 2 of this Article) the Philippines shall not be required to comply with such part of the foregoing provisions of this sentence as are in conflict with such Constitution.

Period prior to amendment of Constitution of Philippines.

2. The Government of the Philippines will promptly take such steps as are necessary to secure the amendment of the Constitution of the Philippines so as to permit the taking effect as laws of the Phil-

ippines of such part of the provisions of Paragraph 1 of this Article as is in conflict with such Constitution before such amendment [1].

ARTICLE VIII

Provisions placing obligations on U. S. and Philippines.

1. Upon the taking effect of this Agreement the provisions thereof placing obligations on the United States: (*a*) if in effect as laws of the United States at the time this Agreement takes effect, shall continue in effect as laws of the United States during the effectiveness of the Agreement; or (*b*) if not so in effect at the time the Agreement takes effect, shall take effect and continnue in effect as laws of the United States during the effectiveness of the Agreement. The Philippines will continue in effect as laws of the Philippines, during the effectiveness of this Agreement, the provisions thereof placing obligations on the Philippines, except as is otherwise provided in Paragraph 1 of Article VII.

Post, p. 2633.

Supplementary legislation.

2. The United States and the Philippines will promptly enact, and shall keep in effect during the effectiveness of this Agreement, such legislation as may be necessary to supplement the laws of the United States and the Philippines, respectively, referred to in Paragraph 1 of this Article, and to implement the provisions of such laws and the provisions of this Agreement placing obligations on the United States and the Philippines, respectively. Moreover, the Philippines will promptly enact, and keep in force and effect during the effectiveness of this Agreement, such legislation as may be necessary to put and keep in effect during the effectiveness of this Agreement, the allocation, reallocation, transfer, and assignment of quotas on the basis provided for in Paragraphs 3 and 4 of Article II; and, if the United States exercises the right to establish quotas pursuant to Paragraph 1 of Article III and to provide for the allocation thereof pursuant to Paragraph 2 of the same Article, the Philippines will promptly enact, and

Ante, p. 2614.

Ante, p. 2616.

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[1] [By a note of May 16, 1947, the Acting Secretary of Foreign Affairs of the Republic of the Philippines informed the American Chargé d'Affaires ad interim at Manila of the adoption of a constitutional amendment, effective Apr. 9, 1947, which provides:

"Notwithstanding the provisions of section one, Article Thirteen, and section eight, Article Fourteen, of the foregoing Constitution, during the effectivity of the Executive Agreement entered into by, the President of the Philippines with the President of the United States on the fourth of July, nineteen hundred and forty-six, pursuant to the provisions of Commonwealth Act Numbered Seven hundred and thirty-three, but in no case to extend beyond the third of July, nineteen hundred and seventy-four, the disposition, exploitation, development, and utilization of all agricultural, timber, and mineral lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces and sources of potential energy, and other natural resources of the Philippines, and the operation of public utilities, shall, if open to any person, be open to citizens of the United States and to all forms of business enterprise owned or controlled, directly or indirectly, by citizens of the United States in the same manner as to, and under the same conditions imposed upon, citizens of the Philippines or corporations or associations owned or controlled by citizens of the Philippines."]

keep in force during the period for which each such quota is established, such legislation as is necessary to put and keep in effect, on the basis provided by the United States, the allocation of such quotas.

Offenses.

60 Stat. 128.
50 U. S. C. app. §§ 1751–1763.

3. The Philippines agree to assist the United States in carrying out Title I of the Philippine Rehabilitation Act of 1946 of the United States by providing that the following acts relative to such Title shall be offenses under the laws of the Philippines, and that, upon conviction thereof, the penalties attached to such offenses shall be enforced:

False statement.

(*a*) Whoever, in the Philippines or elsewhere, makes any statement or representation knowing it to be false, or whoever willfully and fraudulently overvalues loss of or damage to property for the purpose of obtaining for himself or for any claimant any compensation pursuant to such Title, or for the purpose of influencing in any way the action of the Philippine War Damage Commission of the United States with respect to any claim for compensation pursuant to such Title, or for the purpose of obtaining money, property, or anything of value under such Title, shall be punished by a fine of not more than the equivalent, in the currency of the Philippines, of five thousand dollars, United States currency, or by imprisonment for not more than two years, or both, and shall not receive any payments or other benefits under such Title and, if any payment or benefit shall have been made or granted, such Commission shall take such action as may be necessary to recover the same.

Excess remuneration for services in connection with certain claims.

(*b*) Whoever, in the Philippines or elsewhere, pays or offers to pay, or promises to pay, or receives, on account of services rendered or to be rendered in connection with any claim for compensation under such Title, any remuneration in excess of five *per centum* of the compensation paid by the Philippine War Damage Commission of the United States on account of such claim, shall be deemed guilty of a misdemeanor and shall be fined not more than the equivalent, in the currency of the Philippines, of five thousand dollars, United States currency, or imprisonment for not more than twelve months, or both, and, if any such payment or benefit shall have been made or granted, such Commission shall take such action as may be necessary to recover the same, and, in addition thereto, any such claimant shall forfeit all rights under such Title.

ARTICLE IX

Consultation.

The United States and the Philippines agree to consult with each other with respect to any questions as to the interpretation or the application of this Agreement, concerning which either Government may make representations to the other.

ARTICLE X

Acceptance of agreement by Congress of the Philippines.

60 Stat. 141.
22 U. S. C. § 1251 note.

1. The Philippine Trade Act of 1946 of the United States having authorized the President of the United States to enter into this Agreement, and the Congress of the United States having enacted such legislation as may be necessary to make the provisions thereof placing

obligations on the United States take effect as laws of the United States, this Agreement shall not take effect unless and until the Congress of the Philippines accepts it by law and has enacted such legislation as may be necessary to make all provisions hereof placing obligations on the Philippines take effect as laws of the Philippines, except as is otherwise provided in Paragraph 1 of Article VII. This Agreement shall then be proclaimed by the President of the United States and by the President of the Philippines, and shall enter into force on the day following the date of such proclamations, or, if they are issued on different dates, on the day following the later in date.

Proclamations; entry into force.

2. This Agreement shall have no effect after July 3, 1974. It may be terminated by either the United States or the Philippines at any time, upon not less than five years' written notice. If the President of the United States or the President of the Philippines determines and proclaims that the other country has adopted or applied measures or practices which would operate to nullify or impair any right or obligation provided for in this Agreement, then the Agreement may be terminated upon not less than six months' notice.

Termination.

Post, p. 2633.

3. If the President of the United States determines that a reasonable time for the making of the amendment to the Constitution of the Philippines referred to in Paragraph 2 of Article VII has elapsed, but that such amendment has not been made, he shall so proclaim and this Agreement shall have no effect after the date of such proclamation.

Ante, p. 2618.

4. If the President of the United States determines and proclaims, after consultation with the President of the Philippines, that the Philippines or any of its political subdivisions or the Philippine Government is in any manner discriminating against citizens of the United States or any form of United States business enterprise, then the President of the United States shall have the right to suspend the effectiveness of the whole or any portion of this Agreement. If the President of the United States subsequently determines and proclaims, after consultation with the President of the Philippines, that the discrimination which was the basis for such suspension (*a*) has ceased, such suspension shall end; or (*b*) has not ceased after the lapse of a time determined by the President of the United States to be reasonable, then the President of the United States shall have the right to terminate this Agreement upon not less than six months' written notice.

Suspension.

In witness whereof the President of the Philippines and the Plenipotentiary of the President of the United States have signed this Agreement and have affixed hereunto their seals.

Done in duplicate in the English language at Manila, this 4th day of July, one thousand nine hundred and forty-six.

For the President of the United States of America

[SEAL] PAUL V. MCNUTT

President of the Philippines

[SEAL] MANUEL ROXAS

PROTOCOL TO ACCOMPANY THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING TRADE AND RELATED MATTERS DURING A TRANSITIONAL PERIOD FOLLOWING THE INSTITUTION OF PHILIPPINE INDEPENDENCE

The undersigned duly empowered Plenipotentiaries have agreed to the following Protocol to this Agreement between the United States of America and the Republic of the Philippines concerning trade and related matters during a transitional period following the institution of Philippine Independence, signed this day, which shall constitute an integral part of the Agreement:

1. For the purpose of the Agreement—

"Person."

(*a*) The term "person" includes partnerships, corporations, and associations.

"United States."

(*b*) The term "United States" means the United States of America and, when used in a geographical sense, means the States, the District of Columbia, the Territories of Alaska and Hawaii, and Puerto Rico.

"Philippines."

(*c*) The term "Philippines" means the Republic of the Philippines and, when used in a geographical sense, means the territories of the Republic of the Philippines, whether a particular act in question took place, or a particular situation in question existed, within such territories before or after the institution of the Republic of the Philippines. As used herein the territories of the Republic of the Philippines comprise all the territories specified in Section 1 of Article I of the Constitution of the Philippines which is set forth as Annex XI to this Agreement.

Post, p. 2631.

"Ordinary customs duty."

(*d*) The term "ordinary customs duty" means a customs duty based on the article as such (whether or not such duty is also based in any manner on the use, value, or method of production of the article, or on the amount of like articles imported, or on any other factor); but does not include—

(1) A customs duty based on an act or omission of any person with respect to the importation of the article, or of the country from which the article is exported, or from which it comes; or

(2) A countervailing duty imposed to offset a subsidy, bounty, or grant; or

(3) An anti-dumping duty imposed to offset the selling of merchandise for exportation at a price less than the prevailing price in the country of export; or

(4) Any tax, fee, charge, or exaction, imposed on or in connection with importation unless the law of the country imposing it designates or imposes it as a customs duty or contains a provision to the effect that it shall be treated as a duty imposed under the customs laws; or

(5) The tax imposed by Section 2491 (*c*) of the Internal Revenue Code of the United States, which is set forth as Annex IX to this Agreement, with respect to an article, merchandise, or combination, ten *per centum* or more of the quantity by weight or which consists of, or is derived directly or indirectly from, one or more of the oils, fatty acids, or salts specified in Section 2470 of such Code which is set forth as Annex VII to this Agreement; or the tax imposed by Section 3500 of such Code which is set forth as Annex X to this Agreement.

Post, p. 2630.
Post, p. 2633.
Post, p. 2628.
Post, p. 2631.

"United States article."

(*e*) The term "United States article" means an article which is the product of the United States, unless, in the case of an article produced with the use of materials imported into the United States from any foreign country (except the Philippines) the aggregate value of such imported materials at the time of importation into the United States was more than twenty *per centum* of the value of the article imported into the Philippines, the value of such article to be determined in accordance with, and as of the time provided by, the customs laws of the Philippines in effect at the time of importation of such article. As used in this Subparagraph the term "value", when used in reference to a material imported into the United States, includes the value of the material ascertained under the customs laws of the United States in effect at the time of importation into the United States, and, if not included in such value, the cost of bringing the material to the United States, but does not include the cost of landing it at the port of importation, or customs duties collected in the United States. For the purposes of this Subparagraph any imported material, used in the production of an article in the United States, shall be considered as having been used in the production of an article subsequently produced in the United States, which is the product of a chain of production in the United States in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

"Philippine article."

(*f*) The term "Philippine article" means an article which is the product of the Philippines, unless, in the case of an article produced with the use of materials imported into the

Philippines from any foreign country (except the United States) the aggregate value of such imported materials at the time of importation into the Philippines was more than twenty *per centum* of the value of the article imported into the United States, the value of such article to be determined in accordance with, and as of the time provided by, the customs laws of the United States in effect at the time of importation of such article. As used in this Subparagraph the term "value", when used in reference to a material imported into the Philippines, includes the value of the material ascertained under the customs laws of the Philippines in effect at the time of importation into the Philippines, and, if not included in such value, the cost of bringing the material to the Philippines, but does not include the cost of landing it at the port of importation, or customs duties collected in the Philippines. For the purposes of this Subparagraph any imported material, used in the production of an article in the Philippines, shall be considered as having been used in the production of an article subsequently produced in the Philippines, which is the product of a chain of production in the Philippines in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

"United States duty."

(*g*) The term "United States duty" means the rate or rates of ordinary customs duty which (at the time and place of entry, or withdrawal from warehouse, in the United States for consumption, of the Philippine article) would be applicable to a like article if imported from that foreign country which is entitled to the lowest rate, or the lowest aggregate of rates, of ordinary customs duty with respect to such like article.

"Philippine duty."

(*h*) The term "Philippine duty" means the rate or rates of ordinary customs duty which (at the time and place of entry, or withdrawal from warehouse, in the Philippines for consumption, of the United States article) would be applicable to a like article if imported from that foreign country which is entitled to the lowest rate, or the lowest aggregate of rates, of ordinary customs duty with respect to such like article.

"Internal tax."

(*i*) The term "internal tax" includes an internal fee, charge, or exaction, and includes—

(1) The tax imposed by Section 2491 (*c*) of the Internal Revenue Code of the United States which is set forth as Annex IX to this Agreement, with respect to an article, merchandise, or combination, ten *per centum* or more of the quantity by weight of which consists of, or is derived directly or indirectly

Post, p. 2630.

from, one or more of the oils, fatty acids, or salts specified in Section 2470 of such Code which is set forth as Annex VII to this Agreement; and the tax imposed by Section 3500 of such Code which is set forth as Annex X to this Agreement; and

Post, p. 2628.

Post, p. 2631.

(2) Any other tax, fee, charge, or exaction, imposed on or in connection with importation unless the law of the country imposing it designates or imposes it as a customs duty or contains a provision to the effect that it shall be treated as a duty imposed under the customs laws.

2. For the purposes of Subparagraphs (*g*) and (*h*) of Paragraph 1 of this Protocol—

Foreign country entitled to lowest rate of ordinary customs duty.

(*a*) If an article is entitled to be imported from a foreign country free of ordinary customs duty, that country shall be considered as the country entitled to the lowest rate of ordinary customs duty with respect to such article; and

Equivalent reduction in rate.

(*b*) A reduction in ordinary customs duty granted any country, by law, treaty, trade agreement, or otherwise, with respect to any article, shall be converted into the equivalent reduction in the rate of ordinary customs duty otherwise applicable to such article.

Material used in production of article.

Ante, p. 2616.

3. For the purposes of Paragraphs 1 and 2 of Article IV, any material, used in the production of an article, shall be considered as having been used in the production of an article subsequently produced, which is the product of a chain of production in the course of which an article, which is the product of one stage of the chain, is used by its producer or another person, in a subsequent stage of the chain, as a material in the production of another article.

"Includes"; "including."

4. The terms "includes" and "including" when used in a definition contained in this Agreement shall not be deemed to exclude other things otherwise within the meaning of the term defined.

In witness whereof the President of the Philippines and the Plenipotentiary of the President of the United States have signed this Protocol and have affixed hereunto their seals.

Done in duplicate in the English language at Manila, this 4th day of July, one thousand nine hundred forty-six.

For the President of the United States of America

[SEAL] PAUL V. MCNUTT

President of the Philippines

[SEAL] MANUEL ROXAS

ANNEXES OF STATUTORY PROVISIONS REFERRED TO IN THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING TRADE AND RELATED MATTERS DURING A TRANSITIONAL PERIOD FOLLOWING THE INSTITUTION OF PHILIPPINE INDEPENDENCE

ANNEX I

Sugar Act of 1937 of the United States, as amended to May 1, 1946.

SECTION 101. For the purposes of this Act, except Title IV—

"(*e*) The term 'direct-consumption sugar' means any sugars which are principally of crystalline structure and which are not to be further refined or otherwise improved in quality." (50 Stat.) Pt. 1 (903, Ch. 898)

7 U. S. C. § 1101.

ANNEX II

Tariff Act of 1930 of the United States, as amended to May 1, 1946.

"PAR. 1622. All binding twine manufactured from New Zealand hemp, henequen, Manila, istle or Tampico fibre, sisalgrass, or sunn, or a mixture of any two or more of them, of single ply and measuring not exceeding seven hundred and fifty feet to the pound". (46 Stat.) Pt. 1 (675, Ch. 497)

Post, p. 2633.

19 U. S. C. § 1001, par. 1622.

ANNEX III

Tariff Act of 1930 of the United States, as amended to May 1, 1946.

"PAR. 602. The term 'wrapper tobacco' as used in this title means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term 'filler tobacco' means all other leaf tobacco . . . ." (46 Stat.) Pt. 1 (631, Ch. 497)

19 U. S. C. § 1001, par. 602.

ANNEX IV

Internal Revenue Code of the United States, as amended to May 1, 1946.

"Chapter 16—Oleomargarine, adulterated butter, and process or renovated butter.

"SEC. 2300. Oleomargarine defined.

"For the purpose of this chapter, and of sections 3200 and 3201, certain manufactured substances, certain extracts, and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as 'oleomargarine,' namely: All substances known prior to August 2, 1886, as oleomargarine, oleo,

53 Stat. 380.
26 U. S. C. §§ 3200, 3201.

oleomargarine oil, butterine, lardine, suine, and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, fish oil or fish fat, vegetable oil, annatto, and other coloring matter, intestinal fat, and offal fat;—if (1) made in imitation or semblance of butter, or (2) calculated or intended to be sold as butter or for butter, or (3) churned, emulsified or mixed in cream, milk, water or other liquid, and containing moisture in excess of one *per centum* or common salt. This section shall not apply to puff-pastry shortening not churned or emulsified in milk, or cream, and having a melting point of one hundred and eighteen degrees Fahrenheit or more, nor to any of the following containing condiments and spices: salad dressings, mayonnaise dressings or mayonnaise products nor to liquid emulsion, pharmaceutical preparations, oil meals, liquid preservatives, illuminating oils, cleansing compounds, or flavoring compounds. (53 Stat.) 247 and 248."

Post, p. 2633.

26 U. S. C. § 2300.

ANNEX V

Internal Revenue Code of the United States, as amended to May 1, 1946.

"SEC. 2306. Importation.

"All oleomargarine imported from foreign countries shall, in addition to any import duty imposed on the same, pay an internal revenue tax of fifteen cents per pound, such tax to be represented by coupon stamps as in the case of oleomargarine manufactured in the United States . . ."

"SEC. 2320. Definitions.

"(*a*) *Butter.*—For the purpose of this chapter and sections 3206 and 3207, the word 'butter' shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt and with or without additional coloring matter.

"(*b*) *Adulterated butter.*—'Adulterated butter' is defined to mean a grade of butter produced by mixing, reworking, rechurning in milk or cream, refining, or in any way producing a uniform, purified, or improved product from different lots or parcels of melted or unmelted butter or butter fat, in which any acid, alkali, chemical, or any substance whatever is introduced or used for the purpose with the effect of deodorizing or removing therefrom rancidity, or any butter or butter fat with which there is mixed any substance foreign to butter as defined in subsection (*a*), with intent or effect of cheapening in cost the product, or any butter in the manufacture or manipulation of which any process or material is used with intent or effect of causing the absorption of abnormal quantities of water, milk, or cream. 53 Stat. 252 and 253."

Post, p. 2633.

"SEC. 2327. Other laws applicable.

"(*a*) *Oleomargarine.*—The provisions of sections 2301 (*c*) (2), 2305 to 2311, inclusive (except subsections (*a*), (*b*) and (*h*) of section 2308),

53 Stat. 248, 249-252, 467.
26 U. S. C. §§ 2301 (c) (2), 2305-2311, 3791 (a) (1).

and section 3791 (*a*) (1), shall apply to the manufacturers of adulterated butter to an extent necessary to enforce the marking, branding, identification, and regulation of the exportation and importation of adulterated butter. 53 Stat. 255." (53 Stat.) Pt. 1 (247, 250, 252, 253, and 255, Ch. 2)

26 U. S. C. §§ 2306, 2320, 2327.

ANNEX VI

Internal Revenue Code of the United States, as amended to May 1, 1946.

"SEC. 2350. Definitions.

53 Stat. 381.
26 U. S. C. §§ 3210, 3211.

"For the purpose of this chapter and sections 3210 and 3211—

"(*a*) *Cheese.*—The word 'cheese' shall be understood to mean the food product known as cheese, and which is made from milk or cream and without the addition of butter, or any animal, vegetable, or other oils or fats foreign to such milk or cream, with or without additional coloring matter.

"(*b*) *Filled cheese.*—Certain substances and compounds shall be known and designated as 'filled cheese,' namely: all substances made of milk or skimmed milk, with the admixture of butter, animal oils or fats, vegetable or any other oils, or compounds foreign to such milk, and made in imitation or semblance of cheese. Substances and compounds, consisting principally of cheese with added edible oils, which are not sold as cheese or as substitutes for cheese but are primarily useful for imparting a natural cheese flavor to other foods shall not be considered 'filled cheese' within the meaning of this chapter. 53 Stat. 256."

26 U. S. C. § 2350.

"SEC. 2356. Importation.

"All filled cheese as defined in section 2350 (*b*) imported from foreign countries shall, in addition to any import duty imposed on the same, pay an internal revenue tax of 8 cents per pound, such tax to be represented by coupon stamps; and such imported filled cheese and the packages containing the same shall be stamped, marked, and branded, as in the case of filled cheese manufactured in the United States. 53 Stat. 258." (53 Stat.) Pt. 1 (256 and 258, Ch. 2)

26 U. S. C. § 2356.

ANNEX VII

Internal Revenue Code of the United States, as amended to May 1, 1946.

"SEC. 2470. Tax.

"(*a*) Rate.

"(1) *In general.*—There shall be imposed upon the first domestic processing of coconut oil, palm oil, palm-kernel oil, fatty acids derived from any of the foregoing oils, salts of any of the foregoing (whether or not such oils, fatty acids, or salts have been refined, sulphonated, sulphated, hydrogenated, or otherwise processed), or any combination or mixture containing a substantial quantity of any one or more of such oils, fatty acids, or salts, a tax of three cents per pound to be paid by the processor.

"(2) *Additional rate on coconut oil.*—There shall be imposed (in

addition to the tax imposed by the preceding paragraph) a tax of two cents per pound, to be paid by the processor, upon the first domestic processing of coconut oil or of any combination or mixture containing a substantial quantity of coconut oil with respect to which oil there has been no previous first domestic processing, except that the tax imposed by this sentence shall not apply when it is established, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, that such coconut oil (whether or not contained in such a combination or mixture), (A) is wholly the production of the Philippine Islands or any possession of the United States, or (B) was produced wholly from materials the growth or production of the Philippine Islands or any possession of the United States, or (C) was brought into the United States on or before June 9, 1934, or produced from materials brought into the United States on or before June 9, 1934, or (D) was purchased under a bona fide contract entered into prior to April 26, 1934, or produced from materials purchased under a bona fide contract entered into prior to April 26, 1934. The tax imposed by this paragraph shall not apply to any domestic processing after July 3, 1974.

"(*b*) *Exemption.*—The tax under subsection (*a*) shall not apply (1) with respect to any fatty acid or salt resulting from a previous first domestic processing taxed under this section or upon which an import tax has been paid under Chapter 22, or (2) with respect to any combination or mixture by reason of its containing an oil, fatty acid, or salt with respect to which there has been a previous first domestic processing or upon which an import tax has been paid under Chapter 22.

53 Stat. 267.
26 U. S. C. §§ 2490–2494.

"(*c*) *Importation prior to August 21, 1936.*—Notwithstanding the provisions of subsections (*a*) and (*b*) of this section, the first domestic processing of sunflower oil or sesame oil (or any combination or mixture containing a substantial quantity of sunflower oil or sesame oil), if such oil or such combination or mixture or such oil contained therein was imported prior to August 21, 1936, shall be taxed in accordance with the provisions of section 602½ of the Revenue Act of 1934, 48 Stat. 763, in force on June 22, 1936. 53 Stat. 264."

26 U. S. C. § 2470.
60 Stat. 141.
22 U. S. C. § 1251 note.

(53 Stat.) Pt. 1 (264 and 265, Ch. 2; Pub. Law 371—79th Cong.)

An Act of the United States to suspend in part the processing tax on coconut oil, as amended to May 1, 1946.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2470 (*a*) (2) of the Internal Revenue Code is hereby suspended: *Provided,* That if the President after receipt by him of a request from the Government of the Commonwealth of the Philippine Islands that the suspension of section 2470 (*a*) (2) be terminated, shall find that adequate supplies of copra, coconut oil, or both, the product of the Philippine Islands, are readily available for processing in the United States, he shall so proclaim; and thirty days after such proclamation, the suspension of section 2470 (*a*) (2) of the Internal Revenue Code, shall terminate.

Post, p. 2633.
26 U. S. C. § 2470 note.

"SEC. 2. This Act shall become effective the day following its enactment, and shall terminate on May 30, 1946." (56 Stat.) Pt. 1 (752 and 753, Ch. 560); (58 Stat.) Pt. 1 (647, Ch. 332)

ANNEX VIII

Act of March 24, 1934 of the United States, as amended to May 1, 1946.

"SEC. 8. (*a*) Effective upon the acceptance of this Act by concurrent resolution of the Philippine Legislature or by a convention called for that purpose, as provided in section 17—

39 Stat. 874; 43 Stat. 153.
8 U. S. C. § 201 note.

"(1) For the purposes of the Immigration Act of 1917, the Immigration Act of 1924 (except section 13 (*c*), this section, and all other laws of the United States relating to the immigration, exclusion, or expulsion of aliens, citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for each fiscal year a quota of fifty. This paragraph shall not apply to a person coming or seeking to come to the Territory of Hawaii who does not apply for and secure an immigration or passport visa, but such immigration shall be determined by the Department of the Interior on the basis of the needs of industries in the Territory of Hawaii. 48 Stat. 462." (48 Stat.) Pt. 1 (462, Ch. 84)

ANNEX IX

Internal Revenue Code of the United States, as amended to May 1, 1946.

"SEC. 2490. Imposition of Tax.

"In addition to any other tax or duty imposed by law, there shall be imposed upon the following articles imported into the United States, unless treaty provisions of the United States otherwise provide, a tax at the rates set forth in section 2491, to be paid by the importer. 53 Stat. 267."

26 U. S. C. § 2490.

"SEC. 2491. Rate of Tax.

53 Stat. 264.
26 U. S. C. § 2470.

"(*c*) Any article, merchandise, or combination (except oils specified in section 2470), 10 *per centum* or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the products specified above in this paragraph or of the oils, fatty acids, or salts specified in section 2470, a tax at the rate or rates per pound equal to that proportion of the rate or rates prescribed in this paragraph or such section 2470 in respect of such product or products which the quantity by weight of the imported article, merchandise, or combination, consisting of or derived from such product or products, bears to the total weight of the imported article, merchandise, or combination; but there shall not be taxable under this subparagraph any article, merchandise, or combination (other than an oil, fat, or grease, and other than products resulting from processing seeds without full commercial extraction of the oil content), by reason of the presence therein of an oil, fat, or grease which is a natural component of such article, merchandise, or combination and has never had a

separate existence as an oil, fat, or grease. 53 Stat. 267 and 268." (53 Stat.) Pt. 1 (267 and 268, Ch. 2)

26 U. S. C. § 2491.

ANNEX X

Internal Revenue Code of the United States, as amended to May 1, 1946.

"CHAPTER 32. Sugar.

"SEC. 3500. Rate of Tax.

"In addition to any other tax or duty imposed by law, there shall be imposed, under such regulations as the Commissioner of Customs shall prescribe, with the approval of the Secretary, a tax upon articles imported or brought into the United States as follows:

"(1) On all manufactured sugar testing by the polariscope ninety-two sugar degrees, 0.465 cent per pound, and for each additional sugar degree shown by the polariscopic test, 0.00875 cent per pound additional, and fractions of a degree in proportion;

"(2) On all manufactured sugar testing by the polariscope less than ninety-two sugar degrees 0.5144 cent per pound of the total sugars therein;

"(3) On all articles composed in chief value of manufactured sugar 0.5144 cent per pound of the total sugars therein. 53 Stat. 428."

26 U. S. C. § 3500.

"SEC. 3507. Definitions.

"(*b*) *Manufactured sugar.*—The term 'manufactured sugar' means any sugar derived from sugar beets or sugar cane, which is not to be, and which shall not be, further refined or otherwise improved in quality; except sugar in liquid form which contains nonsugar solids (excluding any foreign substance that may have been added) equal to more than 6 *per centum* of the total soluble solids, and except also sirup of cane juice produced from sugar cane grown in continental United States.

Post, p. 2633.

"The grades or types of sugar within the meaning of this definition shall include, but shall not be limited to, granulated sugar, lump sugar, cube sugar, powdered sugar, sugar in the form of blocks, cones, or molded shapes, confectioners' sugar, washed sugar, centrifugal sugar, clarified sugar, turbinado sugar, plantation white sugar, muscovado sugar, refiners' soft sugar, invert sugar mush, raw sugar, sirups, molasses, and sugar mixtures.

"(*c*) *Total sugars.*—The term 'total sugars' means the total amount of the sucrose (Clerget) and of the reducing or invert sugars. The total sugars contained in any grade or type of manufactured sugar shall be ascertained in the manner prescribed in paragraphs 758, 759, 762, and 763 of the United States Customs Regulations (1931 edition). 53 Stat. 428 and 429." (53 Stat.) Pt. 1 (426, 428, and 429, Ch. 2).

26 U. S. C. § 3507.

ANNEX XI

Constitution of the Philippines as amended to May 1, 1946.

"ARTICLE I.—THE NATIONAL TERRITORY

"SECTION 1. The Philippines comprises all the territory ceded to the United States by the Treaty of Paris concluded between the

United States and Spain on the tenth day of December, eighteen hundred and ninety-eight, the limits of which are set forth in Article III of said treaty, together with all the islands embraced in the treaty concluded at Washington, between the United States and Spain on the seventh day of November, nineteen hundred, and in the treaty concluded between the United States and Great Britain on the second day of January, nineteen hundred and thirty, and all territory over which the present Government of the Philippine Islands exercises jurisdiction."

WHEREAS the Ambassador of the United States of America to the Republic of the Philippines and the Vice-President and Concurrently Secretary of Foreign Affairs of the Republic of the Philippines have exchanged notes making certain clarifying amendments to said agreement, which notes are in words and figures as follows:

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

EMBASSY OF THE
UNITED STATES OF AMERICA
October 22, 1946.

EXCELLENCY:

I have the honor to make the following statement of my Government's understanding of recent conversations held at Manila relative to the correction of certain typographical errors in the Agreement between the United States of America and the Republic of the Philippines concerning Trade and Related Matters during a Transitional Period following the Institution of Philippine Independence, signed at Manila on July 4, 1946, and in the Protocol and the Annexes to that Agreement, and relative to the making of certain clarifying amendments therein.

Ante, p. 2614.

1. In Article II, Paragraph 3, second sentence, (a) the phrase "unrefined sugar specified in Item A" shall be changed to read "unrefined sugars specified in Item A", (b) the phrase "refined sugar specified in Item A–1" shall be changed to read "refined sugars specified in Item A–1", and (c) the phrase "shall be allotted annually by the Philippines" shall be changed to read "shall be allocated annually by the Philippines".

Ante, p. 2615.

2. The column headings of the Schedule to Article II and Items A and A–1 of such Schedule shall be changed to read as follows:

"Items	*Classes of Articles*	*Amounts*
A	Sugars	952,000 short tons,
A–1	of which not to exceed . . . . . may be refined sugars, meaning 'direct-consumption sugar' as defined in Section 101 of the Sugar Act of 1937 of the United States which is set forth in part as Annex I to this Agreement."	56,000 short tons

Ante, p. 2615.

3. In Item B of the Schedule to Article II the phrase "including binding twines described" shall be changed to read "including bind-

ing twine described", and the word "Manila" shall be changed to read "manila".

4. In Item G of the Schedule to Article II the word "Buttoms" should be changed to read "Buttons". *Ante*, p. 2615.

5. In Article III, Paragraph 1 the word "and" shall be inserted after the semicolon at the end of indented Subparagraph (*a*). *Ante*, p. 2615.

6. Article III, Paragraph 2 shall be changed to read as follows: *Ante*, p. 2616.

"2. If the President of the United States finds that the allocation of any quota established pursuant to Paragraph 1 of this Article is necessary to make the application of the quota just and reasonable between the United States and the Philippines, the United States shall have the right to provide the basis for the allocation of such quota, and, if the United States exercises such right, the Philippines will promptly put and keep in effect, on the basis provided by the United States, the allocation of such quota."

7. In the last sentence of Article IV, Paragraph 2 the word "Sections" shall be changed to read "Section". *Ante*, p. 2617.

8. In Article IV, Paragraph 5 the word "Manila" shall be changed to read "manila". *Ante*, p. 2617.

9. In Article V the phrase "into the United States dollars" shall be changed to read "into United States dollars". *Ante*, p. 2617.

10. In clause (*b*) of the first sentence of Article VIII, Paragraph 1 the phrase "and continnue in effect" shall be changed to read "and continue in effect". *Ante*, p. 2619.

11. At the end of Article X, Paragraph 2 the phrase "six months' notice." shall be changed to read "six months' written notice." *Ante*, p. 2621.

12. In clause (5) of Subparagraph (*d*) of Paragraph 1 of the Protocol the phrase "weight or which consists of" shall be changed to read "weight of which consists of". *Ante*, p. 2623.

13. In Annex II the word "Manila" shall be changed to read "manila". *Ante*, p. 2626.

14. In the last sentence of Annex IV, Section 2300 delete the comma after the word "milk". *Ante*, p. 2627.

15. In Annex V, Section 2320, Subsection (*b*) the phrase "used for the purpose with the effect of" shall be changed to read "used for the purpose or with the effect of". *Ante*, p. 2627.

16. At the end of Annex VII the date "May 30, 1946." shall be changed to read "June 30, 1946." *Ante*, p. 2630.

17. In Annex X, Section 3507, Subsection (*b*) the phrase "sugar beets or sugar cane" shall be changed to "sugar beets or sugarcane". *Ante*, p. 2631.

Since this note includes the matters covered by the notes exchanged on July 5, 1946 and July 16, 1946 relative to the correction of two typographical errors in said Agreement of July 4, 1946, the present exchange of notes shall supersede such earlier exchange of notes.

If the above provisions are acceptable to the Government of the Republic of the Philippines this note and the reply signifying assent thereto shall, if agreeable to that Government, be regarded as amending the said Agreement of July 4, 1946, and the Protocol and Annexes thereto, and as constituting an integral part thereof.

Accept, Excellency, the assurances of my most distinguished consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary for Foreign Affairs of the Republic of the Philippines.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

MANILA, *October 22, 1946*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date recording your Government's understanding of recent conversations held at Manila relative to the correction of certain typographical errors in the Agreement between the United States of America and the Republic of the Philippines concerning trade and related matters during a transitional period following the institution of Philippine Independence, signed at Manila on July 4, 1946, and in the Protocol and the Annexes to that Agreement, and relative to the making of certain clarifying amendments therein.

I have the honor to confirm your Excellency's statement with regard to this matter and to state that my Government is agreeable that your note and this reply signifying assent thereto shall be regarded as amending the said Agreement of July 4, 1946, and the Protocol and the Annexes thereto, and as constituting an integral part thereof.

Accept, Excellency, the assurances of my most distinguished consideration.

ELPIDIO QUIRINO
Vice-President and concurrently Secretary of Foreign Affairs

His Excellency
PAUL V. MCNUTT
American Ambassador to the Philippines
Manila

60 Stat. 154.
22 U. S. C. § 1348.

WHEREAS section 408 of the said Philippine Trade Act of 1946 provides as follows:

60 Stat. 151.
22 U. S. C. § 1341.

> When the President of the United States determines that the executive agreement entered into under section 401 has been accepted by the Congress of the Philippines by law and that the Congress of the Philippines has enacted the legislation the enactment of which is, under section 401, a condition precedent to the taking effect of the agreement, he shall so proclaim, and in his proclamation specify the effective date of the agreement.;

Ante, p. 2620.

WHEREAS Article X of the said agreement provides that it shall not take effect unless and until the Congress of the Philippines accepts it by law and, except as otherwise expressly provided in the agreement, has enacted such legislation as may be necessary to make all the

provisions of the agreement placing obligations on the Philippines take effect as laws of the Philippines, and that the agreement shall then be proclaimed by the President of the United States of America and by the President of the Philippines, and shall enter into force on the day following the date of such proclamations, or, if they are issued on different dates, on the day following the later in date; and

Acceptance of agreement by Congress of the Philippines.

WHEREAS the President of the United States of America has determined that the Congress of the Philippines by Act of July 3, 1946 accepted the aforesaid agreement and has enacted such legislation as is required by said section 408 of the Philippine Trade Act of 1946 and said Article X of the agreement;

60 Stat. 154.
22 Stat. § 1348.
Ante, p. 2620.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting pursuant to the authority conferred by the said section 408 of the Philippine Trade Act of 1946, do hereby proclaim that the said agreement has been accepted by the Congress of the Philippines by law and that the Congress of the Philippines has enacted the legislation required as a condition precedent to the taking effect of the agreement, and do proclaim the said agreement and the said notes to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America, the citizens of the United States of America, and all other persons subject to the jurisdiction thereof, on and after the day following the proclamation of the said agreement and the said notes by the President of the Philippines as provided for in Article X of the said agreement.

Ante, p. 2620.

Following the said proclamation by the President of the Philippines, I shall proclaim the date of entry into force of the said agreement and the said notes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventeenth day of December, in the year of our Lord one thousand nine hundred forty-six, and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

SUPPLEMENTARY PROCLAMATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

60 Stat. 151.
22 U. S. C. § 1341.

WHEREAS, pursuant to the authority conferred by section 401 of the Act of the Congress of the United States of America of April 30, 1946 entitled "Philippine Trade Act of 1946" (Public Law 371, 79th Congress), the President of the United States of America through his duly empowered Plenipotentiary entered into an agreement on July 4, 1946 with the President of the Philippines;

Ante, pp. 2632, 2634.

WHEREAS on October 22, 1946 the Ambassador of the United States of America to the Republic of the Philippines and the Vice-President and Concurrently Secretary of Foreign Affairs of the Republic of the Philippines exchanged notes making certain clarifying amendments to the said agreement;

WHEREAS, by proclamation of December 17, 1946, the President of the United States of America proclaimed that the said agreement has been accepted by the Congress of the Philippines by law and that the Congress of the Philippines has enacted the legislation required as a condition precedent to the taking effect of the agreement, and proclaimed the said agreement, including the said notes, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America, the citizens of the United States of America, and all other persons subject to the jurisdiction thereof on and after the day following the proclamation of the said agreement by the President of the Philippines as provided for in Article X of the said agreement; and

Ante, p. 2620.

Proclamation by President of Philippines.

WHEREAS the said agreement and the said notes were proclaimed by the President of the Philippines on January 1, 1947;

Entry into force.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, supplementing my said proclamation of December 17, 1946, do hereby proclaim that the said agreement and the said notes entered into force on January 2, 1947, the day following January 1, 1947, the date of the proclamation of the said agreement and the said notes by the President of the Philippines.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighth day of January, in the year of our Lord one thousand nine hundred forty-seven, and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting prevention of abuses of customs privileges at certain leased naval and air bases. Effected by exchange of notes signed at Washington January 18 and February 21, 1946; effective February 21, 1946.

January 18 and February 21, 1946
[T. I. A. S. 1592]

The British Ambassador to the Acting Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.
January 18th, 1946.

No. 35
Ref: 265/2/46

SIR,

I have the honour to inform Your Excellency that the Government of the United Kingdom has agreed to the following understanding in respect of paragraph (1) (D) of Article XIV of the Agreement for the Use and Operation of Certain Bases which was concluded between the Governments of the United States and of the United Kingdom at London on March 27th, 1941, insofar as that Agreement relates to bases in Bermuda, in the Caribbean and in British Guiana:

55 Stat. 1566.

Cooperation with Colonial authorities to prevent abuses of customs privileges.

(a) By arrangement with the United States authorities, the Colonial authorities will be shown and have explained to them the administrative measures taken to prevent the unauthorised resale of goods sold under Article XIV (1) (C) and other precautions taken to prevent abuse of customs privileges granted under that Article.

55 Stat. 1566.

(b) The United States authorities will undertake to ensure that free importation is strictly limited to goods covered by the abovementioned Agreement and subsequent correspondence and, in particular, that goods outside the interpretation given by the Government of the United Kingdom to Article XIV (1) (D) but within that given to it by the Government of the United States (consumable goods and goods acquired after first arrival) and presents are not admitted free of duty unless they comply with the conditions already agreed, i.e. they must be (i) of United States origin, if the Colonial Government so requires, (ii) imported by (or presents for) United States personnel described in Article XIV (1) (C), and (iii) imported for the personal use of the recipient.

(c) This understanding and these arrangements are subject to and without prejudice to reconsideration of the question *ab initio* in due course.

(d) It is, of course, also understood that the United States will continue to do all in their power to prevent any abuse of customs privileges and that United States authorities will co-operate with

the Colonial authorities to this end at every level both in prevention and in investigation of cases where there is evidence of leakage.

2. If the Government of the United States agrees to this understanding, I would suggest that the present Note and Your Excellency's reply to that effect be regarded as placing it on record.

I have the honour to be with the highest consideration Sir,
Your most obedient humble Servant,

JOHN BALFOUR.
(For the Ambassador)

The Honourable DEAN ACHESON,
Acting Secretary of State,
Department of State,
Washington, D.C.

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
February 21, 1946

EXCELLENCY:

I have the honor to acknowledge receipt of Your Excellency's note no. 35 of January 18, 1946 (Ref: 265/2/46), stating that the Government of the United Kingdom has agreed to the following understanding in respect of paragraph (1) (D) of Article XIV of the Agreement for the Use and Operation of Certain Bases, which was concluded between the Governments of the United States and of the United Kingdom at London on March 27, 1941, in so far as that Agreement relates to Bases in Bermuda, in the Caribbean and in British Guiana:

55 Stat. 1566.

"(a) By arrangement with the United States authorities, the Colonial authorities will be shown and have explained to them the administrative measures taken to prevent the unauthorised resale of goods sold under Article XIV (1) (C) and other precautions taken to prevent abuse of customs privileges granted under that Article.

55 Stat. 1566.

"(b) The United States authorities will undertake to ensure that free importation is strictly limited to goods covered by the above-mentioned Agreement and subsequent correspondence and, in particular, that goods outside the interpretation given by the Government of the United Kingdom to Article XIV (1) (D) but within that given to it by the Government of the United States (consumable goods and goods acquired after first arrival) and presents are not admitted free of duty unless they comply with the conditions already agreed, i.e. they must be (i) of United States origin, if the Colonial Government so requires, (ii) imported by (or presents for) United States personnel described in Article XIV (1) (C), and (iii) imported for the personal use of the recipient.

"(c) This understanding and these arrangements are subject to and without prejudice to reconsideration of the question *ab initio* in due course.

"(d) It is, of course, also understood that the United States will continue to do all in their power to prevent any abuse of customs privileges and that United States authorities will co-operate with the Colonial authorities to this end at every level both in prevention and in investigation of cases where there is evidence of leakage."

In reply I have the honor to inform Your Excellency that the Government of the United States agrees with the above understanding and that Your Excellency's note and this reply will be regarded as placing it on record.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
DONALD RUSSELL

His Excellency
The Right Honorable
THE EARL OF HALIFAX, K.G.,
British Ambassador.

March 21, 1947
[T. I. A. S. 1593]

Agreement between the United States of America and the Union of South Africa respecting a mutual aid settlement. Effected by exchange of notes signed at Washington March 21, 1947; effective March 21, 1947.

The Acting Secretary of State to the Minister of the Union of South Africa

DEPARTMENT OF STATE
WASHINGTON
March 21, 1947

SIR:

Representatives of the Governments of the United States of America and the Union of South Africa have now finished their discussions concerning the settlement of Lend-Lease, Reciprocal Aid, Surplus War Property and Claims. Accord has been reached on all points as set forth in the accompanying document, which gives complete terms of the overall settlement accepted by both sides.

The Government of the United States of America hereby signifies its acceptance of the terms and conditions of settlement set forth in the accompanying document entitled "Agreement between the Government of the United States of America and the Government of the Union of South Africa on Settlement for Lend-Lease, Reciprocal Aid, Surplus War Property, and Claims" and suggests that this note and your reply indicating acceptance by the Government of the Union of South Africa be regarded as placing on record the agreement of our two Governments in this matter, to take effect on this date.

Accept, Sir, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

Enclosure:
Agreement between the Government of the United States of America and the Government of the Union of South Africa.

The Honorable
H. T. ANDREWS,
Minister of the Union of South Africa.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOUTH AFRICA ON SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY, AND CLAIMS

The Government of the United States of America and the Government of the Union of South Africa have reached agreement as set forth below regarding settlement for all lend-lease and reciprocal aid, for the surplus war property specified herein, and for the financial claims of each Government against the other arising as the result of World War II. This settlement is complete and final. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the course of the war. No further benefits will be sought as consideration for lend-lease or reciprocal aid, for the surplus war property specified herein, or for the settlement of claims or other obligations arising out of the war, except as herein specifically provided.

In reaching this agreement, the two Governments, pursuant to the general obligations assumed by them in the exchange of notes dated April 17, 1945, in Washington, D. C., reaffirm their intention to cooperate in formulating a program of agreed action, open to participation by all countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers. To this end, the two governments have reached substantial mutual accord on agreements relating to air transportation, telecommunications and the avoidance of double estate and income taxation.

60 Stat. 1579.

1. (a) The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States of America under the Act of March 11, 1941;

"Lend-lease article."

55 Stat. 31.
22 U. S. C. §§ 411-419.

(i) to the Government of the Union of South Africa, or

(ii) to any other Government and retransferred to the Government of the Union of South Africa.

(b) The term "reciprocal aid article" as used in this Agreement means any article transferred by the Government of the Union of South Africa to the Government of the United States of America under reciprocal aid.

"Reciprocal aid article."

2. The net sum due from the Union of South Africa to the Government of the United States of America, over and above any payments heretofore made, for the settlement of lend-lease and reciprocal aid, for acquisition of surplus war property specified herein, and for settlement of net outstanding claims covered by this Agreement, shall be One Hundred Million United States dollars, one-half of this sum

Net sum due from Union of South Africa.

being payable within thirty (30) days, the remaining half within one hundred eighty (180) days, from the date on which this Agreement becomes effective.

Acquisition of title to designated articles by Union of South Africa.

3. The Government of the Union of South Africa hereby acquires full title, without qualification as to disposition or use, to all lend-lease articles in the possession of the Government of the Union of South Africa, its agents or transferees, on the date of this Agreement, except vessels covered by paragraph 6 of this Agreement; provided that the Government of the Union of South Africa hereby agrees not to transfer to any third country, without the prior consent of the Government of the United States of America and without payment of any proceeds to the Government of the United States of America, any lend-lease article held by it in the categories of arms, ammunition and lethal weapons. The Government of the Union of South Africa, upon completion of the necessary formalities, shall receive full title, without qualification as to disposition or use, to items of property listed in the Schedule attached hereto.

Acquisition of title to reciprocal aid articles by U. S.

4. The Government of the United States of America hereby acquires full title, without qualification as to disposition or use, to all reciprocal aid articles in the possession of the Government of the United States of America, its agents or transferees, on the date of this Agreement.

5. This Agreement does not cover articles of lend-lease origin, regardless of their present location, with respect to which the Government of the Union of South Africa has not acknowledged responsibility or accountability to the Government of the United States of America (even if such articles are now in the physical possession of the Government of the Union of South Africa, its agents or transferees) except as such articles may be listed in the Schedule attached hereto.

Return of vessels by Union of South Africa.

6. The Government of the Union of South Africa will, unless otherwise agreed, return as soon as possible after receiving notice of the request for return all vessels procured or constructed out of funds appropriated to the United States Navy Department or the United States Maritime Commission and transferred to it under lend-lease.

Settlement and payment of claims by Union of South Africa.

7. (a) The Government of the Union of South Africa hereby assumes responsibility for the settlement and payment of all claims against the Government of the United States of America or members of the United States Armed Forces arising from acts or omissions occurring before June 30, 1946, in the course of military duties of members of the United States Armed Forces in the Union of South Africa.

Waiver of claims.

(b) All financial claims whatsoever of one Government against the other which (i) arose out of lend-lease or reciprocal aid, or (ii) otherwise arose on or after September 3, 1939 and prior to September 2, 1945, out of or incidental to the conduct of World War II are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other. The foregoing waiver shall not be applicable to claims of the Government of the United States of America against the Government of the Union of South Africa arising out of cash reimbursement orders for lend-lease articles filed by

Nonapplicability.

the Union of South Africa; however, such portion of the sum of $100 million payable under paragraph 2 above as may be necessary to discharge the obligations of the Government of the Union of South Africa in connection with these existing arrangements shall be used for this purpose and no additional payment of any kind shall be required. The foregoing waiver shall also not be applicable to claims submitted in accordance with the practice whereby one Government espouses a claim of one of its nationals and presents it through diplomatic channels to the other Government.

8. In consideration of the mutual undertakings of this Agreement, the two Governments hereby waive all claims whatsoever of one Government against the other arising out of all disposals made by the War Stores Disposal Board of the Union of South Africa of articles title to which is acquired by the Union of South Africa under this Agreement.

Importation of surplus property into U. S.

9. In connection with property acquired under this Agreement, the Government of the Union of South Africa will observe and will call the attention of any transferee to the regulations of the United States Department of State which prohibit, except in certain cases, the importation into the United States of America of surplus property sold in foreign areas.

Avoidance of discrimination in disposal of articles.

10. Both Governments, when they dispose of articles acquired pursuant to the terms of this Agreement, will use their best endeavors to avoid discrimination against the legitimate interests of the manufacturers or producers of such articles, or their agents or distributors, in each country.

Post, p. 2647.

11. This Agreement shall take effect on the date of its acceptance by both Governments.

SCHEDULE

Property to which the Union of South Africa shall receive full title on a "where is, as is" basis upon completion of the necessary formalities of transfer.

Property located in Union of South Africa.

A. This category comprises property located in the Union of South Africa noted as "B L/L Material Held by U. K. Government" on a list headed "Lend Lease Material on hand in South Africa which Union Government is prepared to consider purchasing." handed the United States negotiators by the South African negotiators on August 7, 1946 and consists of items thereon as follows:

(vii) 25 C–47 Aircraft.
(viii) 25 Vega P. V. 1. Aircraft.
(ix) 120 Harvard Aircraft.
(x) 60 Spare P. & W. Engines for Harvard Aircraft.
(xi) Spares to maintain 80 Harvards and their engines.
(xii) 60 P. & W. Engines (R 1830–90 C) and American Propeller and instrument equipment installed in 15 Sunderland Aircraft.
(xiii) 14 P. & W. Engines R 1830–90 C (spares for Sunderland).

Property for retransfer in Italy.

B. This category comprises property consent to the retransfer of which from U.K. Military Holdings in Italy to the South African Forces in Italy is given in letter from the Lend Lease Administrator, State Department to British Army Staff dated January 3, 1947[1] and consists of property listed below. It should be noted that the consent to retransfer of January 3, 1947 specifically does not cover any items which might no longer have been available at the time and that, therefore, the quantities listed below are subject to revision to that effect.

Tank Sherman 1BM4 (105mm)	15
" " 11A M4A1 (76mm)	67
" " 1C M4 (17 pr)	15
" ARV T/5 M32B1	1
GMC 3-in M10 (SP)	24
Tank Amn (to match the above)	
76–mm H.E.	89,000
76–mm A.P.	34,500
76–mm Smoke	13,500
105–mm H.E.	20,000
105–mm A.P.	7,500
105–mm Smoke	3,000
Car 5 cwt 4 x 4	2
Trailer 5 cwt 2 wh Amphibian GS	2
Tractors Gun 5.5 in (Mack)	9
Tractors Gun 3.7 in H.A.A. (Mack)	2
Lorry 3 ton 4/6 wh Machy GMC	3
Lorry 5 ton 4/6 wh Tech Machy Shop GMC	2
Lorry 3 ton 4/6 wh Instruments Wksp GMC	1
Lorry 3 ton 4/6 wh Welding GMC	1
Lorry 3 ton 4/6 wh Machy type Z GMC	2
6 x 6 Wrecker B/D Ward la France	6
Tractor tracked D4 Bulldozer Caterpillar	4
Tractor tracked D7 Bulldozer Caterpillar	1
Tractor tracked D8 Caterpillar	2
Tractor 6 x 4 B/D Diamond T	4
Tractor 6 x 4 B/D Mack	5
Tractor 6 x 6 B/D Diamond T	1
Tptr 20 ton 6x4–4 Semi trailer Federal	2
Tractor 6x4 for 40 ton Tptr trailer Diamond T	8
Trailer 40 ton 24 wh Tptr Rogers	2
Compressors Ingersoll Rand K160 Truck Mtd	2
" " " " Portable	12
" " " K210 "	2
" Le Roi K160 Truck Mtd	6
" " " " Portable	1
" Chicago Pneumatic K210 Truck Mtd	6
" " " K500 Portable	2
" Davey D160 Portable	7
Compressor Davey CD 14 Portable	1
Compressors Gardner Denver BUG4010 Stationary	1
Compressors Curtiss 50 cu/ft/min approx Stationary	3
" Curtiss 210 cu/ft/min approx Stationary	1
" Sullivan 160 cu/ft/min Stationary	1

[1] [Not printed.]

Bulldozers with PCU Caterpillar D8	2
" " " " D7	3
" " " " D6	3
" " Hysterwinch Caterpillar D4	1
" Cable operated Caterpillar D7	2
" W/out PCU Caterpillar D6	1
" " " " D4	2
Angledozers with PCU Caterpillar D8	6
" " " " D7	3
" " " " D6	3
" " " " D4	3
Angledozers with Hyster winch Caterpillar D8	1
" W/out PCU Caterpillar D8	1
" " " " D4	5
Tractors Solo Caterpillar D8	1
" " " D4	3
" With PCU Caterpillar D8	4
" " " " D7	5
Tptr Tractors wh M/30 Caterpillar	1
Tptr Tractors Diamond T	4
Tptr Tractors Federal	4
Tptr Tractors Mack 10 ton	4
Tptr Tractors Mack 6 ton	1
Trailers Rogers 40 ton	6
Trailers Rogers 30 ton	4
Trailers Rogers 10 ton	1
Trailers Federal	4
Trailers 8 wh Tech Mob Wksp Freuhauf	1
Trailers Machy Freuhauf	1
Trailers 8 wh Stores Freuhauf	2
Truck 6x6 Tech Mob Wksp USA GMC	1
Excavators Michigan Truck Mtd	2
Excavators Quickway Truck Mtd	1
Motor Graders Caterpillar 12	9
Motor Graders Caterpillar Auto 112	6
Motor Graders Galion 101 Pet	1
Graders Caterpillar 66 drawn blade	5
Graders Adams drawn blade	1
Crane D4 Caterpillar	1
Crane Truck Mtd type "E" Quickway	1
Crane T61 Michigan	1
Crane WH P and H 8 ton	1
Scrapers 8 cu yd Tourneau Carryall	3
Scrapers 6 cu yd Tourneau Carryall	4
Rooters Le Tourneau S8	1
" " " K30	2
Rippers Le Tourneau	3
Timte Trailer with following accessories for Quickway Crane, Clamshell and Dragline	2
Machine Spray Painting Curtiss	4
Plant Spray Painting Aerograph	2
Welding Plants Electric Hobart	17
Welding Plants Dual Arc	2
Welding Plants Electric Portable	4
Welding Plants Electric Arc	1
Pillar Drilling Machine Pollard Corna	1
Milling Machine Milwaukee	1
Grinder Pedestal	1

Furnace Heat Treatment	1
Machine Drilling Sets Pollard	1
Generator Set 50 Kva Caterpillar D8/D4	4
Pipe Screwing Machine Osler	1
Press Straightening Machine Weaver	1
Bandsaw	1
Generating Sets "Buddha" 31.2 kva 220/380v	2
Rifle No. 4 MK–1 "T" Snipers	60

Boats shipped to South Africa under requisition.

C. This category comprises property shipped to South Africa under requisition filed by the British Admiralty Delegation and consists of the following:

11 Miami 63 ft. Aircraft Rescue Boats

The Government of the Union of South Africa shall offer these boats for return to the Government of the United States after which title shall be transferred to the Union of South Africa in accordance with procedures for the disposal of surplus property.

The Minister of the Union of South Africa to the Acting Secretary of State

LEGATION OF
THE UNION OF SOUTH AFRICA
WASHINGTON 8, D. C.
21st March, 1947.

C. 84

SIR,

I have the honour to acknowledge the receipt of your Note of today's date concerning the discussions which have taken place between representatives of our two Governments on the subject of the settlement of Lend-Lease and related matters, and setting forth terms and conditions which are acceptable to the Government of the United States of America in a document attached thereto entitled, "Agreement between the Government of the United States of America and the Government of the Union of South Africa on Settlement for Lend-Lease, Reciprocal Aid, Surplus War Property, and Claims".

At the direction of my Government, I have the honour to state that the terms and conditions contained in the document which accompanied your Note are acceptable to the Government of the Union of South Africa.

The Government of the Union of South Africa agrees that your Note and this reply shall be regarded as placing on record the Agreement of our two Governments in this matter, and that the Agreement shall take effect on this date.

Effective date.

Accept, Sir, the renewed assurances of my highest consideration.

H. T. ANDREWS

The Honourable DEAN ACHESON,
Acting Secretary of State
of the United States of America,
Department of State,
Washington, D.C.

Agreement between the United States of America and other governments respecting reparation to non-repatriable victims of German action. Signed at Paris June 14, 1946; effective June 14, 1946.

June 14, 1946
[T. I. A. S. 1594]

AGREEMENT

ON A PLAN FOR ALLOCATION OF A REPARATION SHARE TO NON-REPATRIABLE VICTIMS OF GERMAN ACTION

AGREEMENT ON A PLAN FOR ALLOCATION OF A REPARATION SHARE TO NON-REPATRIABLE VICTIMS OF GERMAN ACTION.

Post, p. 3171.

In accordance with the provisions of Article 8 of the Final Act of the Paris Conference on Reparation, the Governments of the United States of America, France, the United Kingdom, Czechoslovakia and Yugoslavia, in consultation with the Inter-Governmental Committee on Refugees, have worked out, in common agreement, the following plan to aid in the rehabilitation and resettlement of nonrepatriable victims of German action. In working out this plan the signatory Powers have been guided by the intent of Article 8, and the procedures outlined below are based on its terms:

Distribution of funds.

In recognition of special and urgent circumstances, the sum of $25,000,000, having been made available by Allied governments as a priority on the proceeds of the liquidation of German assets in neutral countries, is hereby placed at the disposal of the Inter-Governmental Committee on Refugees or its successor organization for distribution to appropriate public and private field organizations as soon as they have submitted practicable programs in accordance with this Agreement.

Use of assets for rehabilitation, etc.

Post, p. 3173.

A. It is the unanimous and considered opinion of the Five Powers that in light of Paragraph H of Article 8 of the Paris Agreement on Reparation, the assets becoming available should be used not for the compensation of individual victims but for the rehabilitation and resettlement of persons in eligible classes, and that expenditures on rehabilitation shall be considered as essential prepatory outlays to resettlement. Since all available statistics indicate beyond any reasonable doubt that the overwhelming majority of eligible persons under the provisions of Article 8 are Jewish, all assets except as specified in Paragraph B below are allocated for the rehabilitation and resettlement of eligible Jewish victims of Nazi action, among whom children should receive preferential assistance. Eligible Jewish victims of Nazi action are either refugees from Germany or Austria who do not desire to return to these countries, or German and Austrian Jews now resident in Germany or Austria who desire to emigrate, or Jews who were nationals or former nationals of previously occupied countries and who were victims of Nazi concentration camps or concentration camps established by regimes under Nazi influence.

B. The sum of $2,500,000, amounting to ten percent, arising out of the $25,000,000 priority on the proceeds of German assets in neutral countries, ten percent of the proceeds of the "non-monetary gold", and five percent of the "heirless funds" shall be administered by the Inter-Governmental Committee on Refugees or its successor organization through appropriate public and private organizations for the

rehabilitation and resettlement of the relatively small numbers of non-Jewish victims of Nazi action who are in need of resettlement. Eligible non-Jewish victims of Nazi action are refugees from Germany and Austria who can demonstrate that they were persecuted by the Nazis for religious, political, or racial reasons and who do not desire to return, or German and Austrian nationals, similarly persecuted, who desire to emigrate.

Availability of funds for programs.

C. The Director of the Inter-Governmental Committee on Refugees or the Director General of the successor organization shall under the mandate of this Agreement make funds available for programs submitted by the appropriate field organizations referred to in Paragraphs A and B above as soon as he has satisfied himself that the programs are consistent with the foregoing. Only in exceptional circumstances may the cost of resettlement programs exceed a maximum of $1,000 per adult and $2,500 per child under twelve years of age. The action of the Inter-Governmental Committee on Refugees or its successor organization shall be guided by the intent of Article 8 and by this Agreement which is to place into operation as quickly as possible practicable programs of rehabilitation and resettlement submitted by the appropriate field organizations.

Post, p. 3171.

Liquidation of designated assets.

D. In addition to the $25,000,000 sum the Inter-Governmental Committee on Refugees or its successor organization is hereby authorized to take title from the appropriate authorities to all "non-monetary gold" found by the Allies in Germany and to take such steps as may be needed to liquidate these assets as promptly as possible, due consideration being given to secure the highest possible realizable value. As these assets are liquidated, the funds shall be distributed in accordance with Paragraphs A and B above.

Availability of "heirless funds."

Post, pp. 3172, 3173.

E. Furthermore, pursuant to Paragraphs C and E of Article 8, in the interest of justice, the French Government on behalf of the Five Governments concluding this Agreement, are making representations to the neutral Powers to make available all assets of victims of Nazi action who died without heirs. The Governments of the United States of America, the United Kingdom, Czechoslovakia, and Yugoslavia are associating themselves with the French Government in making such representations to the neutral Powers. The conclusion that ninety-five percent of the "heirless funds" thus made available should be allocated for the rehabilitation and resettlement of Jewish victims takes cognizance of the fact that these funds are overwhelmingly Jewish in origin, and the five percent made available for non-Jewish victims is based upon a liberal presumption of "heirless" funds" non Jewish in origin. The "heirless funds" to be used for the rehabilitation and resettlement of Jewish victims of Nazi action should be made available to appropriate field organizations. The "heirless funds" to be used for the rehabilitation and resettlement of non-Jewish victims of Nazi action should be made available to the Inter-Governmental Committee on Refugees or its successor organization for distribution to appropriate public and private field organizations. In making these joint representations, the signatories are

requesting the neutral countries to take all necessary action to facilitate the identification, collection, and distribution of these assets which have arisen out of a unique condition in international law and morality. If further representations are indicated the governments of the United States of America, France, and the United Kingdom will pursue the matter on behalf of the Signatory Powers.

Retention and transfer of currency.

F. To insure that all funds made available shall inure to the greatest possible benefit of the victims whom it is desired to assist, all funds shall be retained in the currency from which they arise and shall be transferred therefrom only upon the instructions of the organization to which the Inter-Governmental Committee on Refugees or its successor organization has allocated the funds for expenditure.

Letter of Instruction to Director.

G. The Director of the Inter-Governmental Committee on Refugees shall carry out his responsibilities to the Five Governments in respect of this Agreement in accordance with the terms of the Letter of Instruction which is being transmitted to him by the French Government on behalf of the Governments concluding this Agreement.

IN WITNESS WHEREOF the undersigned have signed the present Agreement.

Authentic texts.

Done in Paris on the 14th of June, 1946, in the English and French Languages, the two texts being equally authentic, in a single original, which shall be deposited in the Archives of the Government of the French Republic, certified copies thereof being furnished by that Government to the signatories of this present Agreement.

Delegate of the United States of America,
ELI GINZBERG.

Delegate of Czechoslovakia,
J. V. KLVANA.

Delegate of France,
PHILIPPE PERIER

Delegate of Yugoslavia,
M. D. JAKSIC.

Delegate of the United Kingdom of Great Britain & Northern Ireland,
DOUGLAS MACKILLOP.

POUR COPIE CERTIFIÉE CONFORME:
Le Ministre Plénipotentiaire
Chef du Service du Protocole.
JACQUES DUMAINE.

ANNEX TO THE AGREEMENT ON A PLAN FOR ALLOCATION OF A REPARATION SHARE TO NON-REPATRIABLE VICTIMS OF GERMAN ACTION

DECLARATION BY THE CZECHOSLOVAK AND YUGOSLAV DELEGATES

In accepting the phrasing of Paragraph E of the Agreement, the Czechoslovak and Yugoslav Delegates have declared that the Republic of Czechoslovakia and the Republic of Yugoslavia have not by so accepting, given up their claim to the forthcoming inheritances mentioned therein which, according to the provisions of international law, belong to their respective States.

PARIS, *14th June, 1946.*

The Czechoslovak Delegate:
J. V. KLVANA

The Yugoslav Delegate:
M. D. JAKSIC

ACCORD

SUR UN PLAN POUR L'ALLOCATION D'UNE PART DE REPARATIONS AUX VICTIMES NON RAPATRIABLES DE L'ACTION ALLEMANDE

ACCORD SUR UN PLAN POUR L'ALLOCATION D'UNE PART DE REPARATIONS AUX VICTIMES NON-RAPATRIABLES DE L'ACTION ALLEMANDE

Conformément aux dispositions de l'Article 8 de l'Acte Final de la Conférence de Paris sur les Réparations, les Gouvernements des Etats-Unis d'Amérique, de la France, du Royaume-Uni, de la Tchécoslovaquie et de la Yougoslavie, après avoir consulté le Comité intergouvernemental pour les Réfugiés, ont élaboré, d'un commun accord, les dispositions suivantes relatives à un programme tendant à assister et réinstaller les victimes non-rapatriables de l'action allemande.

En élaborant ce programme, les Puissances signataires se sont inspirées des intentions de l'Article 8, et la procédure exposée ci-dessous est fondée sur les termes de ce dernier.

Tenant compte des conditions particulières et pressantes, la somme de $25.000.000, rendue disponible par les Gouvernements alliés, par priorité sur le produit de la liquidation des avoirs allemands dans les pays neutres, est mise à la disposition du Comité inter-gouvernemental pour les Réfugiés, ou de l'organisme qui lui succédera, en vue de sa répartition parmi les oeuvres compétentes de caractère public ou privé, aussitôt qu'elles auront soumis des programmes praticables, conformément à cet Accord.

A.–Après décision unanime des cinq Puissances, et compte tenu du paragraphe 2 de l'Article 8 de l'Accord de Paris sur les Réparations, les avoirs qui auront été rendus disponibles devront servir, non pas à secourir des victimes individuelles, mais à assister et à réinstaller les personnes appartenant aux catégories prévues, et les dépenses d'assistance devront être considérées essentiellement comme une mise de fonds préparatoire à la réinstallation.

Etant donné que toutes les statistiques existantes indiquent d'une manière indubitable que l'immense majorité des ayants-droit visés par l'Article 8 sont Israélites, tous les avoirs, à l'exception de ceux qui sont stipulés au paragraphe *B* ci-dessous, sont alloués à l'assistance et à la réinstallation des catégories prévues d'Israélites, victimes de l'action nazie, parmi lesquels les enfants recevront une assistance préférentielle.

Les catégories prévues d'Israélites victimes de l'action nazie sont, soit les réfugiés d'Allemagne ou d'Autriche qui ne veulent pas être rapatriés, soit les Israélites allemands ou autrichiens résidant actuellement en Allemagne ou en Autriche qui veulent émigrer, soit les Israélites ressortissants ou anciens ressortissants de pays ayant été occupés, et qui ont été victimes des camps de concentration nazis ou des camps de concentration établis par des régimes sous l'influence nazie.

B.–La somme de $2.500.000, représentant 10% de la somme prioritaire de $25.000.000 fournie par les avoirs allemands dans les pays

neutres, les 10% du produit de l'or non-monétaire et les 5% des "successions en déshérence", seront gérés par le Comité intergouvernemental pour les Réfugiés, ou l'organisation qui lui succédera, par l'entremise d'oeuvres compétentes, de caractère public ou privé, pour l'assistance et la réinstallation des non-Israélites, relativement peu nombreux, victimes de l'action nazie, qui ont besoin d'être réinstallés.

Les ayants-droit non-Israélites, victimes de l'action nazie, sont les réfugiés d'Allemagne et d'Autriche qui peuvent prouver qu'ils ont été persécutés par les nazis pour des motifs religieux, politiques ou raciaux, et qui ne veulent pas être rapatriés, ou des ressortissants allemands et autrichiens, pareillement persécutés, qui désirent émigrer.

C.–Le Directeur du Comité inter-gouvernemental pour les Réfugiés, ou le Directeur Général de l'organisation qui lui succédera, libérera, en vertu du mandat qui découle du présent Accord, les fonds destinés à la mise en oeuvre de programmes soumis par les oeuvres compétentes dont il est fait mention aux paragraphes *A* et *B* ci-dessus, aussitôt qu'il se sera assuré que les programmes sont compatibles avec ce qui précède.

Ce n'est que dans des circonstances exceptionnelles que le coût du plan d'établissement pourra dépasser un maximum de $1.000 par personne adulte et de $2.500 par enfant de moins de 12 ans. Le Comité inter-gouvernemental pour les Réfugiés, ou l'organisation qui lui succédera, devra s'inspirer, dans son action, du sens de l'Article 8 du présent Accord qui doit mettre en oeuvre le plus tôt possible les plans praticables d'assistance et de réinstallation soumis par les oeuvres compétentes.

D.–Outre la somme de $25.000.000, le Comité inter-gouvernemental pour les Réfugiés, ou l'organisation qui lui succédera, est autorisé, par le présent Accord, à recevoir des autorités compétentes tout "l'or non-monétaire" trouvé par les Alliés en Allemagne et à entreprendre telles démarches qui se révèleraient nécessaires en vue de liquider lesdits avoirs aussi rapidement que possible, étant entendu que les précautions nécessaires seront prises pour obtenir la valeur de réalisation la plus haute possible.– Lorsque ces avoirs auront été liquidés, les fonds seront distribues, conformément aux paragraphes *A* et *B* ci-dessus.

E.–En outre, conformément aux paragraphes *C* et *E* de l'Article 8, et dans l'intérêt de la justice, le Gouvernement français fera, au nom des cinq Gouvernements qui ont conclu cet Accord, une démarche auprès des Puissances neutres, pour obtenir remise de tous les avoirs ayant appartenu à des victimes de l'action nazie mortes sans héritiers. Les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni, de Tchécoslovaquie et de Yougoslavie s'associeront au Gouvernement français, en faisant cette démarche auprès des Puissances neutres.

La décision de consacrer 95% des "successions en déshérence" ainsi rendues disponibles à l'assistance et à la réinstallation de victimes israélites a été prise en raison du fait que l'immense majorité de ces fonds ont une origine israélite, et les 5% consacrés aux victimes non-israélites l'ont été sur l'estimation libéralement faite de l'importance des "successions en déshérence" d'origine non-israélite.

Les "successions en déshérence" employées à l'assistance et à la réinstallation des victimes israélites de l'action nazie seront mises à la disposition des oeuvres compétentes. Les "successions en déshérence" employées à l'assistance et à la réinstallation des victimes non-israélites de l'action nazie seront mises à la disposition du Comité intergouvernemental pour les Réfugiés, ou de l'organisation qui lui succédera, à charge par ce dernier de les distribuer aux oeuvres publiques ou privées compétentes.

En faisant cette démarche commune, les signataires prient les pays neutres de faire toutes les démarches nécessaires en vue de faciliter l'identification, la collecte et la distribution de ces avoirs qui sont le résultat d'une situation unique dans la morale et le droit internationaux.

Si de nouvelles démarches se révèlent nécessaires, les Gouvernements des Etats-Unis d'Amérique, de France et du Royaume-Uni poursuivront l'action nécessaire au nom des Puissances signataires.

F.–En vue d'obtenir que les fonds rendus disponibles soient utilisés dans des conditions permettant d'assurer le plus d'avantages possibles aux victimes à assister, ces fonds demeureront comptabilisés dans la monnaie du pays où ils se trouvent. Ils seront ensuite transférés, seulement sur instructions de l'oeuvre à laquelle le Comité intergouvernemental pour les Réfugiés aura alloué lesdits fonds en vue de les dépenser.

G.–Le Directeur du Comité inter-gouvernemental pour les Réfugiés sèra responsable de l'exécution du présent Accord à l'égard des cinq Gouvernements, en conformité avec les termes de la lettre d'instructions qui lui sera transmise par le Gouvernement français au nom des Gouvernements signataires du présent Accord.

En foi de quoi, les soussignés ont signé le présent Accord.

Fait à Paris le 14 juin 1946, en langues anglaise et française, les deux textes faisant également foi, en un exemplaire unique qui sera conservé dans les archives du Gouvernement de la République française, lequel Gouvernement remettra copie conforme de ce texte à chacun des Gouvernements.

Le Délégué des Etats-Unis d'Amérique:

ELI GINZBERG

Le Délégué de la France:

PHILIPPE PERIER

Le Délégué du Royaume-Uni, de Grande-Bretagne et de l'Irlande du Nord:

DOUGLAS MACKILLOP.

Le Délégué de Tchécoslovaquie:

J. V. KLVANA

Le Délégué de Yougoslavie:

M. D. JAKSIC

POUR COPIE CERTIFIÉE CONFORME:
Le Ministre Plénipotentiaire
Chef du Service du Protocole.
JACQUES DUMAINE

ANNEXE A L'ACCORD SUR UN PLAN POUR L'ALLOCATION D'UNE PART DE REPARATIONS AUX VICTIMES NON RAPATRIABLES DE L'ACTION ALLEMANDE

DÉCLARATION DES DÉLÉGUÉS TCHÉCOSLOVAQUE ET YOUGOSLAVE

En acceptant la formule du paragraphe *E* de l'Accord, les Délégués tchécoslovaque et yougoslave ont déclaré que la République de Tchécoslovaquie et la République de Yougoslavie n'ont pas renoncé, par cette acceptation, aux héritages éventuels visés appartenant, d'après les dispositions de droit international, à leurs Etats respectifs./.

PARIS, *le 14 juin 1946*

Le Délégué tchécoslovaque:
J. V. KLVANA

Le Délégué yougoslave:
M. D. JAKSIC

June 9, 1945
[T. I. A. S. 1595]

Agreement between the United States of America and El Salvador respecting a cooperative educational program in El Salvador. Signed at San Salvador June 9, 1945; effective July 25, 1945.

The American Ambassador to the Salvadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
San Salvador, June 9, 1945.

No. 97

EXCELLENCY:

I have the honor to refer to your Excellency's courteous note of June 4, 1945, (A–842.D–885) in which Your Excellency was so good as to invite, in the name of the Government of El Salvador, Mr. Kenneth Holland, President of the Inter-American Educational Foundation, Inc., to visit El Salvador in order to study educational problems of the country in collaboration with the Ministerio de Cultura Popular.

Pursuant to your gracious invitation, Mr. Holland arrived in El Salvador on June 8, 1945, and entered into discussions with the Ministro de Cultura Popular. As a result of these discussions, the Government of the United States of America, acting through the Inter-American Educational Foundation, Inc., is prepared to assist the Government of El Salvador in carrying out a cooperative educational program in El Salvador, by contributing the sum of US$80,000 (EIGHTY THOUSAND U.S. DOLLARS) with the understanding that the Republic of El Salvador will contribute ₡200,000 (TWO HUNDRED THOUSAND COLONES) for the same program.

It is further my understanding that the details governing the carrying out of the cooperative educational program will be worked out in an agreement to be entered into between the appropriate officer of the Government of El Salvador and a representative of the Inter-American Educational Foundation, Inc.

I should appreciate receiving from Your Excellency confirmation that my understanding is satisfactory to the Government of El Salvador.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

JOHN F. SIMMONS
American Ambassador

His Excellency
Dr. ARTURO ARGUELLO LOUCEL,
Minister for Foreign Affairs,
San Salvador.

The Salvadoran Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES EXTERIORES
REPUBLICA DE EL SALVADOR, C. A.

PALACIO NACIONAL:
San Salvador, Junio 9 de 1945.–

SP. 665.
A. 842.-D-956

EXCELENCIA:

Tengo el honor de referirme a la atenta nota de Vuestra Excelencia, No. 97 de esta misma fecha, la que inmediatamente hice transcribir al Señor Ministro de Cultura Popular, quien tuvo la bondad de contestar lo siguiente:

"No. 9923. San Salvador, 9 de junio de 1945.–Señor Ministro:– He recibido su atento oficio No. SP. 655, de esta misma fecha, en el cual se digna transcribirme la nota del señor Embajador de los Estados Unidos de Norte América, referente al ofrecimiento del Gobierno Norteamericano de efectuar por medio del señor Presidente de la Fundación de Enseñanza Interamericana, señor Kenneth Holland, un programa educacional cooperativo en nuestro país.–Como resultado de las pláticas sostenidas por el suscrito con el señor Holland, muy atentamente manifiesto a usted que, este Despacho está de acuerdo en la realización del mencionado programa cooperativo, aportando por parte de nuestro Gobierno la cantidad de ₡200.000.oo, toda vez que el Gobierno de los Estados Unidos ofrece aportar un total de $80.000.oo para el fin indicado, siendo entendido que los demás detalles relacionados con dicho programa educacional cooperativo serán determinados mediante acuerdo celebrado entre funcionarios de ambos países.–Aprovecho esta oportunidad para renovar al señor Ministro las protestas de mi consideración y estima muy distinguidas.– DIOS, UNION, LIBERTAD.–R. CASTRO."

La que tengo gusto en transcribir a Vuestra Excelencia para su conocimiento.

Aprovecho esta oportunidad para renovarle las seguridades de mi consideración más alta y distinguida.

A. ARGUELLO LOUCEL

Excelentísimo señor don JOHN F. SIMMONS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de America,
Presente.–

EHA.

Translation

MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF EL SALVADOR, C.A.

NATIONAL PALACE,
San Salvador, June 9, 1945.

SP.665.
A. 842-D-956

EXCELLENCY:

I have the honor to refer to Your Excellency's courteous note No. 97 of this date, which I immediately referred to the Minister of Popular Culture, who was kind enough to reply as follows:

"No. 9923. San Salvador, June 9, 1945.—Mr. Minister: I have received your official communication No. SP. 655, of this date, in which you are good enough to transcribe the note of the Ambassador of the United States of America, concerning the offer of the American Government to conduct, through the President of the Inter-American Educational Foundation, Mr. Kenneth Holland, a cooperative educational program in our country.—As a result of the conversations held by the undersigned with Mr. Holland, I state most respectfully to you that this Office agrees to the carrying out of the said cooperative program, with the contribution by our Government of the sum of ₡200,000.00, in as much as the Government of the United States offers to contribute a total of $80,000.00 for the indicated purpose, it being understood that the other details relating to the said cooperative educational program will be settled through an agreement concluded between the officials of both countries. I avail myself of this opportunity to renew to you, Mr. Minister, the assurances of my very distinguished consideration and esteem.—GOD, UNION, LIBERTY.—R. CASTRO."

I take pleasure in transcribing the foregoing to Your Excellency for your information.

I avail myself of this opportunity to renew to you the assurances of my highest and most distinguished consideration.

A. ARGUELLO LOUCEL

His Excellency JOHN F. SIMMONS,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Local.

EHA.

Contract Signed by the Salvadoran Minister of Popular Culture and the President of the Inter-American Educational Foundation, Inc.

The REPUBLIC OF EL SALVADOR (hereinafter called the "Republic"); and the INTER-AMERICAN EDUCATIONAL FOUNDATION, INC., a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America (hereinafter called the "Foundation"), have decided to celebrate the following contract to undertake a Cooperative Educational Program to promote Inter-American understanding by bringing about a better interchange of Educators, educational ideas and methods between El Salvador and the United States, pursuant to Resolution 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics held in Panama in September and October 1943, and pursuant to Resolution 58 adopted by the Inter-American Conference on Problems of War and Peace, held at Mexico City in February and March 1945.[1]

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[1] [*Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, Mexico City, Mexico, February 21–March 8, 1945*, Department of State publication 2497, p. 217.]

1. The said Cooperative Educational Program may include:

a. Furnishing by the Foundation of a Field Staff of educational specialists requested by the Ministerio de Cultura Popular de la República de El Salvador for service in El Salvador in carrying out the said Cooperative Educational Program;

b. Grants to permit Salvadorean educators to go to the United States for specialized training, to lecture, to teach and to interchange ideas and experience with United States educators;

c. Exploration and survey in El Salvador of local educational needs and resources for carrying out training projects on the elementary, secondary and normal school levels.

d. Development, adaptation, and exchange of suitable teaching materials.

e. Local projects needed to implement the program in El Salvador.

The program does not contemplate the construction of buildings.

Field staff.

2. The Field Staff shall be under the direction of an official who shall have the title of Special Representative, Inter-American Educational Foundation, Inc., and who shall be the representative of the Foundation in connection with the program to be undertaken in accordance with this Agreement. The Special Representative and other members of the Field Staff shall be acceptable to the Republic.

Projects.

3. The said Cooperative Educational Program shall be carried out in El Salvador through the Ministerio de Cultura Popular de la República de El Salvador, with the technical advice and assistance of the Field Staff of the Foundation, as provided herein. It shall consist of individual Projects. The Projects shall consist of specific kinds of work and activity to be undertaken by the representatives of either or both Governments in the execution of this Agreement. The Projects and the allocation of funds therefor and the procedures for carrying out the same shall be mutually agreed upon in writing by the Ministro de Cultura Popular of the Republic (hereinafter called the "Ministro") and the Special Representative of the Foundation.

Salaries and expenses.

Special bank account.

4. The Foundation shall determine and pay the salaries and other expenses of the members of the Field Staff in an amount not to exceed Fifty Thousand Dollars ($50,000), U.S. currency and shall in addition pay into a special bank account in the bank of the Republic's choice, to be entitled "Cooperative Education Program–Inter-American Educational Foundation, Inc.", from time to time on the basis of need as determined by the Special Representative of the Foundation and the Ministro, the sum or sums which will aggregate Thirty Thousand Dollars ($30,000), U. S. currency. The total contribution of the Foundation for the said program accordingly, shall be Eighty Thousand Dollars, U. S. currency. The Republic shall pay into the said special bank account from time to time on the basis of need, as determined by the Ministro and the Special Representative of the Foundation, the sum or sums which will aggregate Two Hundred Thousand Colones (₡200,000) Salvadorean currency. The

said contribution of Two Hundred Thousand Colones (₡200,000) shall be in addition to the Republic's regular budget for education. Within sixty days after the becoming effective of this Agreement, under the laws of El Salvador, the Foundation shall pay into the said special bank account the sum of Ten Thousand Dollars ($10,000), U. S. currency, and the Republic shall pay into the said special bank account the sum of Sixty-Five Thousand Colones (₡65,000), Salvadorean currency, as the first installment from each Government for the said Cooperative Educational Program. The funds in the said special bank account shall be disbursed by the Foundation and devoted exclusively to the Projects of the said Cooperative Educational Program as provided herein, and all Contracts necessary to carry out the terms of the Projects mutually agreed to by the representatives of the two Governments shall be in the name of the Foundation. If the Republic desires and so notifies the Foundation in writing, checks for the expenditure of funds in the said special bank account shall be countersigned by a representative of the Republic. The books and records of the Foundation relating to the expenditures for the said Cooperative Educational Program shall be open at all times for inspection by representatives of the Republic, and the Foundation shall render financial reports to the Republic at such times as may be agreed upon between the Ministro and the Special Representative of the Foundation.

Disbursements.

Reports.

Additional assistance by Republic.

5. The Republic, in addition to its cash contribution as provided herein, shall (a) appoint specialists to collaborate with the Field Staff of the Foundation and pay their compensation; (b) make available office space, office equipment, furnishings, transportation and such other of its facilities, material, equipment and supplies as it may conveniently provide for the said program, and (c) lend the general assistance thereto of the other Departments of the Republic.

Withholding of funds from account.

6. In view of the fact that purchases of some materials and supplies must necessarily be made in the United States of America, the Ministro and the Special Representative of the Foundation may agree to withhold from the payments to be made by the Foundation into the said special bank account as provided herein, an amount or amounts deemed to be necessary to pay for such purchases of materials and supplies in the United States of America. Any funds so withheld by the Foundation for such purchases and not obligated therefor shall be paid into the said special bank account at any time upon the mutual agreement of the Ministro and the Special Representative of the Foundation.

Availability of funds.

7. The funds paid and payable into the said special bank account by the parties hereto shall continue to be available for the said Cooperative Educational Program during the existence of this Agreement. Interest, if any, on any balances of funds in the said special bank account shall be used for the said Cooperative Educational Program. The Ministro and the Special Representative of the Foundation shall determine by mutual agreement the disposition of any unobligated funds remaining in the said special bank account upon the termination of this Agreement. In the event that, upon the expiration of each

Disposition of unobligated funds.

twelve-month period of this Agreement, the Foundation deems that the said funds which it has set aside for the payment of salaries and other direct expenses of members of the Field Staff, as provided in Paragraph 4 hereof, will be more than is needed for that purpose, the Foundation, at the end of each such twelve-month period, shall advise the Republic of the additional sum which has become available for Projects and such additional sum shall be paid into the said special bank account or otherwise disposed of by mutual agreement between the Ministro and the Special Representative of the Foundation. At least six months prior to the termination of this Agreement the Foundation shall similarly notify the Republic as to what, if any, of such funds will be available for Projects of the said Cooperative Educational Program during the remainder of the program, and the disposition of any such funds so made available shall be determined by mutual agreement between the Ministro and the Special Representative of the Foundation.

Immunity of Foundation from taxes, etc.

8. The Republic shall accept and recognize the Foundation as an Agency of the Government of the United States of America, and accordingly, the Foundation shall be exempt and immune from, among other things, any and all taxes, fees, charges, imposts, and customs duties, whether national, departamental, provincial or municipal, and from all requirements for licenses. The Foundation and its personnel shall also enjoy all the rights and privileges which are enjoyed by departments and officials of the Republic. Such rights and privileges shall include, for example, postal, telegraph, and telephone franks and the right to special rates allowed to the Departments of the Republic by domestic companies of maritime, railroad, and air travel, telegraph, telephone, etc. The personnel of the Foundation who are citizens of the United States of America shall be exempt from all Salvadorean income taxes and social security taxes with respect to income on which they are obliged to pay income or social security taxes to the Government of the United States of America, and from property taxes on personal property intended for their own use. Said employees shall also be exempt from customs duties on their personal effects and on supplies and equipment imported or exported for their personal use.

Rights and privileges.

Exemption of U. S. personnel from Salvadorean income taxes, etc.

Ownership of equipment, etc.

9. All materials, equipment, and supplies purchased with funds from the said bank account shall become the property of the Republic immediately upon such purchase but shall be used only for the purposes of the said Cooperative Educational Program.

Delegation of power, etc.

10. Any right, power, or duty conferred by this Agreement upon either the Ministro or the Special Representative of the Foundation may be delegated by the recipient thereof to representatives, provided that such representatives are satisfactory to both officials.

Amendments.

11. This Agreement may be amended from time to time if deemed advisable by the parties hereto, such amendments to be in writing and signed by representatives of the Republic and the Foundation.

Legislation, etc.

12. The Executive Power of the Republic will take the necessary steps to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this Agreement.

Duration of agreement.

13. This Agreement shall be in force for approximately three years

from the date of its becoming effective under the laws of El Salvador.[1] Its termination shall be effected after the expiration of the said period of three years, by either party hereto by the giving of at least 60 days written notice in advance to the other.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives, in English and in Spanish, in San Salvador, El Salvador, C.A., this ninth day of June, 1945.

REPUBLIC OF EL SALVADOR
By R. CASTRO
Ministro de Cultura Popular

INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.
By KENNETH HOLLAND
President

LA REPUBLICA DE EL SALVADOR (en adelante llamada "La República") y el INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.; un organismo de la Oficina de Asuntos Inter-Americanos y agencia del Gobierno de los Estados Unidos de América (en adelante llamada la "Fundación"), han decidido celebrar el siguiente convenio, con el fin de poner en práctica un Programa Cooperativo Educacional para promover el mejor entendimiento Inter-Americano, mediante el intercambio de educadores e ideas y métodos entre El Salvador y los Estados Unidos, de conformidad con la Resolución 28 de la Primera Conferencia de Ministros y Directores de Educación de las Repúblicas Americanas, adoptada en Panamá en Septiembre y Octubre de 1943, y de conformidad con la Resolución 58 de la Conferencia Inter-Americana sobre Problemas de Guerra y Paz adoptados en la Ciudad de México en Febrero y Marzo de 1945.

1. El mencionado Programa Cooperativo Educacional comprenderá:

   a. Envío por parte de la Fundación y a requerimiento del Ministerio de Cultura Popular de la República de El Salvador, de un cuerpo de educadores especializados que prestarán sus servicios en El Salvador, para llevar adelante el dicho Programa Cooperativo Educacional;
   b. Facilidades para que educadores Salvadoreños vayan a los Estados Unidos con el objeto de seguir cursos de especialización, contribuyendo, por su parte, por medio de conferencias y otros procedimientos adecuados al intercambio de ideas y experiencias con los educadores de los Estados Unidos;
   c. Estudio, en la República de El Salvador de las necesidades y recursos locales con vistas a establecer una serie de proyectos educacionales en los campos de la enseñanza primaria,

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[1] [Effective July 25, 1945, the date of publication in the *Diario Oficial* (vol. 139, no. 163, p. 2551) of the decree of ratification (no. 145) by the National Assembly of El Salvador.]

secundaria y el entrenamiento de maestros y profesores.

d. Desarrollo, adaptación e intercambio de materiales.

e. Adopción de planes de trabajo locales para el desarrollo del Programa en El Salvador.

Este programa no comprende la construcción de edificios.

2. El Cuerpo de educadores especializados a que se refiere el inciso a.) del artículo anterior estará bajo la dirección de un funcionario con el cargo de Representante Especial de la Inter-American Educational Foundation, Inc., a quién se tendrá como Delegado de la Fundación para todo lo relacionado con el Programa que será puesto en práctica de acuerdo con este convenio. La designación de Representante Especial así como la de los demás técnicos de su oficina debe recibir previamente, la aceptación del Gobierno de la República.

3. El desarrollo del Programa Cooperativo de que se trata, se llevará a cabo por medio del Ministerio de Cultura Popular de la República de El Salvador, con la cooperación técnica y asistencia del Cuerpo de Educadores de la Fundación, del que ya se ha hecho mérito, y consistirá en planos de trabajos locales sobre determinadas actividades que estarán encomendadas a los Representantes de uno o de los dos países entre los que se celebre este Convenio. Tales planes de trabajo, así como el empleo de los fondos necesarios y los procedimientos para llevarlos a cabo, habrán de ser previamente aprobados mediante un documento que, de mutuo acuerdo, suscribirán el Ministro de Cultura Popular de la República (en adelante llamado "el Ministro"), y el Representante Especial de la Fundación.

4. La Fundación determinará y pagará los sueldos y los otros gastos de los miembros del Cuerpo de Educadores Especializados, para lo que habrá de disponer de una suma que no exceda de $50.000 (Cincuenta Mil Dólares) moneda Americana; y además depositar en una cuenta bancaria especial en un Banco que eligirá la República, que se dominará "Programa Educacional Cooperativo—Inter-American Educational Foundation Inc.", de tiempo en tiempo a medida que se presenten las necesidades del caso según lo determine el Representante Especial de la Fundación y el Ministro, la suma o sumas hasta completar la cantidad de $30.000 (Treinta Mil Dólares) moneda Americana. El aporte total de los Estados Unidos a este programa será, de este modo, de $80.000 (Ochenta Mil Dólares) moneda Americana. La República pagará a dicha cuenta bancaria especial, de tiempo en tiempo que se presenten las necesidades del caso según lo determine el Representante Especial de la Fundación y el Ministro, la suma o sumas hasta completar la cantidad de ₡200.000 (Doscientos Mil Colones) moneda de El Salvador. Dicha contribución de Doscientos Mil Colones (₡200.000) será además del presupuesto ordinario de la República para Educación. Dentro de los 60 días subsiguientes que este Convenio entre en vigor bajo las leyes de El Salvador la Fundación depositará a dicha cuenta bancaria especial la suma de $10.000 (Diez Mil Dólares) moneda Americana, y la República depositará en dicha cuenta bancaria especial la suma de ₡65.000 (Sesenta y Cinco Mil Colones) moneda de El Salvador, como primer abono de cada uno de

los Gobiernos para dicho Programa Cooperativo Educacional. Las sumas pagaderas de dicha cuenta bancaria especial serán desembolsados por la Fundación y dedicados exclusivamente al desarrollo de dicho Programa Cooperativo Educacional tal como queda establecido por este Convenio; y todos los contratos necesarios para llevar adelante los puntos contenidos en los planes de trabajo aceptados de mútuo acuerdo por los Representantes de los dos Gobiernos, serán celebrados en nombre de la Fundación. Si la República lo desea y así lo notifique a la Fundación por escrito, los cheques para la inversión de los fondos de la mencionada cuenta especial irán firmados por un Representante Especial de la República. Los libros y Registros de la Fundación relacionados con los gastos de dicho Programa Cooperativo Educacional, estarán siempre disponibles para su inspección por parte de los Representantes de la República, y la Fundación rendirá cuentas relativas al manejo de fondos a la República en los periódicos fijos que acuerden el Ministro y el Representante Especial de la Fundación.

5. La República además de su contribución monetaria aquí estipulada deberá: a.) Designar y pagar por sus servicios a especialistas que colaboren con el Cuerpo de Educadores especializados de la Fundación; b.) Proporcionará local para la Oficina, equipo de oficina, mobiliario, y cualquier otra facilidad para la misma, material, equipo e implementos, y transportes que convenientemente pueda suplir para dicho programa; y c.) Prestará la cooperación que tal Oficina pueda necesitar de otras dependencias de la República.

6. En vista de que compras de algunos materiales e implementos tendrán necesariamente que hacerse en los Estados Unidos de Norte América, el Ministro y el Representante Especial de la Fundación, podrán disponer que se reserven, de los abonos que habría de hacer la Fundación a la cuenta especial de la que se habla más arriba, una suma o sumas consideradas necesarias para el pago de tales compras de materiales e implementos en los Estados Unidos de América. Los fondos así retenidos por la Fundación para las compras de que se trata, y que aún no hayan sido invertidos, serán pagados a la mencionada cuenta especial en cualquier tiempo mediante mutuo acuerdo entre el Ministro y el Representante Especial de la Fundación.

7. Los fondos abonados y por abonarse por las partes interesadas a la cuenta especial continuarán en disponibilidad para el desarrollo del Programa Cooperativo Educacional durante la duración de este Convenio. Los intereses, si los hubiera sobre cualquiera de los fondos de la cuenta especial, serán utilizados para el desarrollo del Programa Cooperativo Educacional. El Ministro y el Representante Especial de la Fundación determinarán, de mutuo acuerdo, el destino que hayan de darse a los fondos de la cuenta especial no invertidos a la terminación de este Convenio. En el caso de que, a la expiración de cada período de doce meses de los que comprende este Convenio, la Fundación considere que las sumas que se han reservado para el pago de sueldos y otros gastos directos de los miembros del Cuerpo de Educadores especializados, conforme el párrafo 4 de este Convenio, excede de lo que se necesita para tal objeto, la misma Fundación, al fin de cada período de doce meses, dará a conocer a la República el

dato relativo a la suma adicional que, por tal concepto, quede en disponibilidad para sufragar los planes de trabajo; y dicha suma adicional será entonces abonada a la cuenta especial o destinada en otra forma por mutuo acuerdo entre el Ministro y el Representante Especial de la Fundación. Por lo menos seis meses antes de la terminación de este Convenio, la Fundación notificará igualmente a la República, acerca de los fondos disponibles, si los hubiere, para los planes de trabajo del Programa Cooperativo Educacional, durante el período que falte para la terminación del Convenio; y el destino que haya de darse a tales fondos será determinado de mutuo acuerdo entre el Ministro y el Representante Especial de la Fundación.

8. La República aceptará y reconocerá a la Fundación como una agencia del Gobierno de los Estados Unidos de América, y así mismo, la Fundación estará exenta e inmune de así como otras cosas, cualquier contribución, impuesto, derecho, cargo, tributo y gasto de aduana, ya sean nacionales, departamentales, provinciales o municipales y de todo requerimiento para licencias. La Fundación y su personal también gozarán de los derechos y privilegios de que disfrutan las diversas divisiones oficiales de la República. Tales derechos y privilegios incluirán, entre otras cosas, franquicia postal, telegráfica y telefónica; el derecho a ciertas tarifas especiales concedidas a las oficinas de la República por compañías domésticas de servicio marítimo, ferrocarrilero, aéreo, telegráfico, telefónico, etc. El personal de la Fundación, de nacionalidad Norteamericana, encargado de llevar a cabo el mencionado programa cooperativo de educación será exento del pago de todo impuesto sobre la renta y descuentos destinados al seguro social sobre rentas sujetas a impuestos de carácter semejante al Gobierno de los Estados Unidos. Tales funcionarios serán así mismo exentos del pago de derechos aduaneros u otros impuestos sobre sus efectos personales y sobre equipos y suministros importados o exportados para su propio uso.

9. Todo material, equipo u utensilios comprados con dinero de la mencionada cuenta especial del banco será propiedad de la República inmediatamente pero será utilizado únicamente para los fines del Programa Cooperativo Educacional.

10. Todo derecho, poder o responsabilidad que por este Convenio adquieran así el Ministro como el Representante Especial de la Fundación, puede ser delegado por cada uno de ellos en sus representantes, siempre que tales representantes sean juzgados idoneos por las otras de las partes.

11. Este contrato puede ser reformado de tiempo, en tiempo, si las partes interesadas consideran necesaria tal reforma, la cual se hará constar por escrito y será autorizada con la firma de los representantes de la República y de la Fundación.

12. El Poder Ejecutivo de la República, tomará las medidas necesarias para que sean adoptadas las leyes, decretos, órdenes o resoluciones necesarias para llevar a la práctica los términos de este Convenio.

13. Este Convenio estará en vigor durante un período aproximadamente de tres años a contar de la fecha en que entra en vigor bajo las

leyes de El Salvador. Su terminación será efectuada después de la expiración de dicho período de 3 años por cualquiera de las partes dando un período por lo menos de 60 días por escrito y por adelantado a la otra parte.

EN FE DE LO CUAL, las partes contratantes suscriben este Convenio por medio de sus representantes autorizados en los idiomas inglés y español en la ciudad de San Salvador, República de El Salvador, C. A. en este noveno día de Junio de 1945.

REPUBLICA DE EL SALVADOR.
por R. CASTRO
Ministro de Cultura Popular.

INTERAMERICAN EDUCATIONAL FOUNDATION, INC.
por KENNETH HOLLAND
Presidente.

Agreement between the United States of America and Finland respecting relief from double taxation on shipping profits. Effected by exchange of notes signed at Washington June 6, 1946, and January 7, 1947; effective November 19, 1943.

June 6, 1946, and January 7, 1947
[T. I. A. S. 1596]

The Finnish Minister to the Secretary of State

LEGATION OF FINLAND
WASHINGTON, D. C.

4962 JUNE 6, 1946

EXCELLENCY,

I have the honor to inform Your Excellency that the Government of Finland is desirous of entering into an agreement with the Government of the United States of America relating to reciprocal exemption from double taxation on shipping profits.

With a view to obtaining from the appropriate authorities of the Government of the United States of America a decision that Finland meets the requirements, with respect to reciprocal exemption, of the applicable United States revenue laws, and consequently that the income of Finnish nationals and corporations which consists exclusively of earnings derived from the operation of ships documented under the laws of Finland are exempted from taxation by the United States, I furnish the following information, under the instructions from my Government, with respect to the provisions of Finnish law under which, on the basis of reciprocity, shipping profits of United States nationals and corporations are accorded exemption from Finnish income tax:

> "The Government is empowered to allow exceptions on the basis of reciprocity from the provisions of this law with regard to the obligatory payment of tax on income derived from abroad and on property located there and also as regards the liability to taxation of a foreign individual as well as of a foreign state, corporation, institution and foundation." (Section 6 of "Law Regarding Tax on Income and Property", enacted November 19, 1943, No. 888).

The Government of Finland would appreciate, therefore, receiving assurances from the Government of the United States of America with respect to the granting of the tax exemption, as requested above, on a basis of reciprocity. The Government of Finland will consider an agreement to this effect between the two Governments as being concluded and in force beginning with the date specified in Your Excellency's reply note giving such assurances. The Government of Finland will understand that such agreement may be terminated at any time by a six months' notice in writing given by either Government to the other Government.

Accept, Excellency, the renewed assurances of my highest consideration.

K. T. JUTILA.

His Excellency
The Honorable JAMES F. BYRNES
The Secretary of State
The Department of State
Washington

The Secretary of State to the Finnish Minister

DEPARTMENT OF STATE
WASHINGTON
January 7 1947

SIR:

I have the honor to refer to your note dated June 6, 1946, relating to the desire of the Government of Finland to enter into an agreement with the Government of the United States of America relating to reciprocal exemption from double taxation on shipping profits.

A copy of your note was sent to the Secretary of the Treasury with a view to obtaining an expression of the views of the Treasury Department with respect to this matter. A letter dated October 30, 1946 has been received from the Treasury Department in which, after references to the Legation's note and to the Finnish income tax law cited in that note, and to section 3 of the Finnish Law of December 5, 1924 on the same subject, it is pointed out that the corresponding provisions of United States income tax law provide in the case of a nonresident alien or foreign corporation for exemption of earnings derived from the operation of ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States of America and to corporations organized in the United States of America. (Section 212 (b) and section 231 (d), Internal Revenue Code.)

53 Stat. 76, 78.
26 U. S. C. §§ 212 (b), 231 (d).

The Treasury Department's letter contains the following statement:

> "It is the view of this Department that from the date specified in your reply note to the Finnish Legation, Finland will satisfy the equivalent exemption provisions of section 212 (b) and 231 (d) of the Internal Revenue Code, and hence that the Government of the United States may give to the Government of Finland assurances that the income of Finnish nationals and Finnish corporations which consists exclusively of earnings derived from the operation of ships documented under the laws of Finland will be exempt from United States income tax from such specified date."

It is, therefore, the view of the Government of the United States of America that Finland meets the requirements, with respect to reciprocal exemption, of the applicable United States revenue laws, and consequently that the income of Finnish nationals and corporations

which consists exclusively of earnings derived from the operation of ships documented under the laws of Finland are exempted from taxation by the United States of America.

The Government of the United States of America considers that your note above-mentioned and this reply note constitute an agreement between the two Governments with respect to this matter, it being understood that this agreement, and the exemption from United States taxes to which it relates, shall be deemed to be effective beginning November 19, 1943, the date of the Finnish law cited in your note. It is understood, further, that this agreement may be terminated at any time by a six months' notice in writing given by either Government to the other Government.

Effective date.

Termination.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:
WILLARD L. THORP

The Honorable
Dr. K. T. JUTILA,
Minister of Finland.

September 30, 1946
[T. I. A. S. 1599]

Agreement between the United States of America and Haiti respecting Haitian finances, amending the agreement of September 13, 1941. Effected by exchange of notes signed at Port-au-Prince September 30, 1946; effective October 1, 1946.

The American Ambassador to the Haitian Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Port-au-Prince, Haiti, September 30, 1946.

No. 10

EXCELLENCY:

I have the honor to refer to my Note dated September 23, 1946 [1] and to Your Excellency's reply dated September 26, 1946 [1] regarding a proposed exchange of notes with your Government in order to amend paragraphs one and two of Article III of the Executive Agreement of September 13, 1941 between Haiti and the United States. The proposed amendment would provide for four voting members of the Board of Directors of the National Bank of the Republic of Haiti—two citizens of Haiti and two citizens of the United States—in place of the present six voting members consisting of three Haitians and three Americans. In addition, my Government agrees to the insertion of the following words immediately after the penultimate sentence, first paragraph of Article III of the Executive Agreement:

55 Stat. 1350.

Continuation of terms.

"Provided, however, that the terms commencing October 1, 1946 shall continue until September 30, 1947 only."

The following is the full text of Article III as amended:

Reorganization of Bank.

"The National Bank of the Republic of Haiti shall be reorganized with a Board of Directors consisting of an Honorary President and four voting members. The Haitian Minister of Finance, or in his absence, the Acting Minister of Finance, shall be *ex officio* the Honorary President. Two of the voting members are always to be citizens of the Republic of Haiti. The other two voting members are always to be citizens of the United States of America. Decisions of the Board of Directors shall require a majority vote of the voting members of the Board. The President of the Republic of Haiti shall appoint the Haitian members of the Board of Directors; the citizens of the United States of America who are members of the Board shall be chosen by mutual agreement of the two Governments. All of the voting members of the Board shall hold office for a period of five years and shall not be removed except for cause. Provided, however, that the terms commencing October 1, 1946 shall continue until September 30, 1947 only. Vacancies on the Board of Directors shall be filled in the same manner as the original appointments.

[1] [Not printed.]

"There shall be two co-Presidents of the Board of Directors of the Bank. One of these, the Haitian Minister of Finance, shall act as Honorary President, as indicated above, and shall preside over the meetings of the Board of Directors, and may be one of the two Haitian voting members. The other co-President shall be one of the two citizens of the United States of America. It shall be his duty to represent the holders of the bonds of 1922 and 1923 and to coordinate and direct the functions and activities of the two Vice Presidents, who shall be elected by the Board of Directors of the Bank, and who may be members of the Board. One of the Vice Presidents shall be charged with supervising and carrying out the commercial operations of the Bank, and the other shall be charged with supervising and carrying out the fiscal functions of the Bank, under the immediate direction of the President who shall be responsible for such work.

"Any voting member of the Board of Directors of the Bank who is unable to attend a meeting of the Board may give a proxy to any other member of the Board of Directors.

"The Board of Directors shall exercise with respect to the fiscal functions of the Bank the powers hereinafter set forth. The Fiscal functions of the Bank shall be undertaken by a Fiscal Department to be operated in accordance with the regulations issued by the Board of Directors pursuant to such powers.

"The Board of Directors shall continue to exercise with respect to all other functions of the Bank the powers set forth in the charter and by-laws of the Bank."

I await Your Excellency's Note in reply confirming the amendments to the text of Article III as set forth above and containing the full text in the French language of the Article as amended.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

HAROLD H. TITTMANN

His Excellency
Dr. JEAN PRICE-MARS,
Secretary of State for Foreign Affairs,
Port-au-Prince.

The Haitian Secretary of State for Foreign Affairs to the American Ambassador

SECRÉTAIRERIE D'ETAT
DES
RELATIONS EXTÉRIEURES

No. DEC/A-3: 869

PORT-AU-PRINCE, *le 30 Septembre 1946*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception de la note No. 10, datée du 30 Septembre en cours, par laquelle Votre Excellence me fait part de l'acceptation par Son Gouvernement des modifications de l'Art. III de l'Accord Exécutif du 13 Septembre 1941, envisagées dans la note

du 23 Septembre de Votre Excellence et la mienne du 26 Septembre.

En réponse, j'ai l'honneur de confirmer également l'acceptation par mon Gouvernement des dites modifications qui portent sur le nombre des membres du Conseil d'Administration de la Banque Nationale de la République d'Haiti et sur la durée de leur mandat.

Conséquemment, le texte de l'Article III, tel qu'il est amendé, devient le suivant:

La Banque Nationale de la République d'Haiti sera réorganisée avec un Conseil d'Administration composé d'un Président honoraire et de quatre membres votants. Le Secrétaire d'Etat des Finances de la République d'Haiti ou, en son absence, le Secrétaire d'Etat des Finances par interim, sera d'office Président honoraire. Deux des membres votants devront toujours être des citoyens de la République d'Haiti. Les deux autres membres votants seront toujours des citoyens des Etats-Unis d'Amérique. Les décisions du Conseil d'Administration seront prises à la majorité des voix des membres votants du Conseil. Le Président de la République d'Haiti nommera les membres haitiens du Conseil d'Administration; les citoyens des Etats-Unis d'Amérique qui feront partie du Conseil d'Administration seront choisis par accord mutuel entre les deux Gouvernements. Tous les membres votants du Conseil resteront en fonctions pendant cinq ans et ne pourront être révoqués que pour cause valable. Toutefois, les mandats commençant le 1er. Octobre 1946 expireront le 30 Septembre 1947. Les vacances survenues dans le Conseil d'Administration seront comblées de la même manière que lorsqu'il s'agira des nominations originaires.

Le Conseil d'Administration aura deux Co-Présidents l'un deux, le Secrétaire d'Etat des Finances de la République d'Haiti, exercera la fonction de Président honoraire, comme il est indiqué ci-dessus; il présidera toutes les réunions du Conseil d'Administration et pourra être l'un des deux membres votants haitiens. L'autre Co-Président sera l'un des deux citoyens des Etats-Unis d'Amérique; ses fonctions consisteront à représenter les porteurs des titres 1922 et 1923, à coordonner et à diriger les fonctions et les activités des deux Vice-Présidents qui seront élus par le Conseil d'Administration de la Banque et qui pourront être des membres du Conseil. L'un de ces Vice-Présidents sera chargé de superviser et d'exécuter les opérations commerciales de la Banque; l'autre sera chargé de superviser et d'exercer les fonctions fiscales de la Banque, le tout sous la direction immédiate du Président qui sera responsable de la bonne marche de ces Services.

Tout membre votant du Conseil d'Administration de la Banque, empêché d'assister à une réunion du Conseil, peut donner procuration à un autre membre du Conseil pour le représenter.

Le Conseil d'Administration exercera, en ce qui concerne les fonctions fiscales de la Banque, les pouvoirs mentionnés ci-après. Les fonctions fiscales de la Banque seront exercées par un Département Fiscal qui remplira ses attributions conformément aux règlements émis par le Conseil d'Administration, en vertu des pouvoirs ci-après prévus.

En ce qui concerne les autres fonctions de la Banque, le Conseil d'Administration exercera les pouvoirs prévus dans l'Acte Constitutif et les Statuts de la Banque.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

DR. PRICE-MARS

Son Excellence
Monsieur HAROLD H. TITTMANN,
Ambassadeur Extraordinaire
& Plénipotentiaire des Etats-Unis d'Amérique
Port-au-Prince.

Translation

SECRETARY OF STATE
FOR
FOREIGN AFFAIRS

No. DEC/A-3:869

PORT-AU-PRINCE, *September 30, 1946*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of note No. 10 dated September 30, 1946, in which Your Excellency informs me of the acceptance by your Government of the amendments of Article III of the Executive Agreement of September 13, 1941, envisaged in Your Excellency's note of September 23 and mine of September 26.

In reply, I have the honor to confirm also the acceptance by my Government of the said amendments which relate to the number of members of the Board of Directors of the National Bank of the Republic of Haiti and to their term of office.

Consequently, the text of Article III, as amended, becomes the following:

"The National Bank of the Republic of Haiti shall be reorganized with a Board of Directors consisting of an Honorary President and four voting members. The Haitian Minister of Finance, or in his absence, the Acting Minister of Finance, shall be *ex officio* the Honorary President. Two of the voting members are always to be citizens of the Republic of Haiti. The other two voting members are always to be citizens of the United States of America. Decisions of the Board of Directors shall require a majority vote of the voting members of the Board. The President of the Republic of Haiti shall appoint the Haitian members of the Board of Directors; the citizens of the United States of America who are members of the Board shall be chosen by mutual agreement of the two Governments. All of the voting members of the Board shall hold office for a period of five years and shall not be removed except for cause. Provided, however, that the terms commencing October 1, 1946 shall continue until September 30, 1947 only. Vacancies on the Board of Directors shall be filled in the same manner as the original appointments.

"There shall be two Co-Presidents of the Board of Directors of the Bank. One of these, the Haitian Minister of Finance, shall act

as Honorary President, as indicated above, and shall preside over the meetings of the Board of Directors, and may be one of the two Haitian voting members. The other Co-President shall be one of the two citizens of the United States of America. It shall be his duty to represent the holders of the bonds of 1922 and 1923 and to coordinate and direct the functions and activities of the two Vice Presidents, who shall be elected by the Board of Directors of the Bank, and who may be members of the Board. One of the Vice Presidents shall be charged with supervising and carrying out the commercial operations of the Bank, and the other shall be charged with supervising and carrying out the fiscal functions of the Bank, under the immediate direction of the President who shall be responsible for such work.

"Any voting member of the Board of Directors of the Bank who is unable to attend a meeting of the Board may give a proxy to any other member of the Board of Directors to represent him.

"The Board of Directors shall exercise with respect to the fiscal functions of the Bank the powers hereinafter set forth. The fiscal functions of the Bank shall be undertaken by a Fiscal Department to be operated in accordance with the regulations issued by the Board of Directors pursuant to such powers.

"The Board of Directors shall continue to exercise with respect to all other functions of the Bank the powers set forth in the charter and by-laws of the Bank."

Please accept, Mr. Ambassador, the assurances of my very high consideration.

DR. PRICE-MARS

His Excellency
HAROLD H. TITTMANN,
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Port-au-Prince

Agreement between the United States of America and other governments respecting zones of occupation in Austria and the administration of the City of Vienna. Signed at London July 9, 1945; entered into force July 24, 1945.

July 9, 1945
[T. I. A. S. 1600]

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON ZONES OF OCCUPATION IN AUSTRIA AND THE ADMINISTRATION OF THE CITY OF VIENNA.

Occupation of Austria.

1. The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland and the Provisional Government of the French Republic have agreed that the territory of Austria within her frontiers as they were on 31st December, 1937, will be occupied by armed forces of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom and the French Republic.

Zones of occupation.

2. For the purposes of occupation, Austria will be divided as follows into four zones, one of which will be allotted to each of the four Powers, and a special Vienna area which will be jointly occupied by armed forces of the four Powers:

North-Eastern (Soviet) Zone (as shown on the annexed map "A")	The province of Lower Austria with the exception of the City of Vienna, that part of the province of Upper Austria situated on the left bank of the Danube, and the province of Burgenland which existed prior to the Decree of 1st October, 1938, [1] concerning boundary changes in Austria, will be occupied by armed forces of the Union of Soviet Socialist Republics.
North-Western (United States) Zone (as shown on the annexed map "A")	The province of Salzburg and that part of the province of Upper Austria situated on the right bank of the Danube will be occupied by armed forces of the United States.
Western (French) Zone (as shown on the annexed map "A")	The provinces of Tirol and Vorarlberg will be occupied by armed forces of the French Republic.

[1] ["Gesetz Über Gebietsveränderungen im Lande Österreich. Vom 1. Oktober 1938." Translation: "The Law concerning territorial changes in Austria since October 1, 1938." *Reichsgesetzblatt*, Part 1, pp. 1333 ff. (1938).]

Southern (United Kingdom) Zone (as shown on the annexed map "A")	The province of Carinthia, including Ost Tirol, and the province of Styria, except the area of the Burgenland as it existed before the Decree of 1st October, 1938, will be occupied by armed forces of the United Kingdom.

City of Vienna

The territory of the City of Vienna will be divided into the following parts as shown on the annexed map "B":–

The districts of Leopoldstadt, Brigittenau, Floridsdorf, Wieden and Favoriten will be occupied by armed forces of the Soviet Union;

The districts of Neubau, Josefstadt, Hernals, Alsergrund, Währing and Döbling will be occupied by armed forces of the United States of America;

The districts of Mariahilf, Penzing, Funfhaus (including the district of Rudolfsheim) and Ottakring will be occupied by armed forces of the French Republic;

The districts of Hietzing, Margareten, Meidling, Landstrasse and Simmering will be occupied by armed forces of the United Kingdom.

The district of Innere Stadt will be occupied by armed forces of the four Powers.

Boundaries.

3. Boundaries between the zones of occupation, with the exception of the boundaries of the City of Vienna and of the province of Burgenland, will be those obtaining after the coming into effect of the Decree of 1st October, 1938, concerning boundary changes in Austria. The boundaries of the City of Vienna and of the province of Burgenland will be those which existed on 31st December, 1937.

Joint administration of City of Vienna.

4. An inter-Allied Governing Authority (Komendatura), consisting of four Commandants appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the City of Vienna.

Tulln airdrome.

Schwechat airdrome.

5. The Tulln airdrome, together with all installations and facilities pertaining thereto, will be under the administrative and operational control of the armed forces of the United States of America. The Schwechat airdrome, together with all installations and facilities pertaining thereto, will be under the administrative and operational control of the armed forces of the United Kingdom for the joint use of the British and French armed forces. The armed forces and officials of the occupying Powers will enjoy free and unimpeded access to the airdromes assigned to their respective occupancy and use.

Authentic texts.

6. The present Agreement has been drawn up in quadruplicate in the English, Russian and French languages. All three texts are authentic.

7. The present Agreement will come into force as soon as it has been approved by the four Governments. [1]

Entry into force.

The above text of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic on the Zones of Occupation in Austria and the Administration of the City of Vienna has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 9th July, 1945.

Representative of the Government of the United States of America on the European Advisory Commission:

JOHN G. WINANT.

Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Commission:

F T GUSEV.

Representative of the Government of the United Kingdom on the European Advisory Commission:

RONALD I. CAMPBELL

Representative of the Provisional Government of the French Republic on the European Advisory Commission:

R MASSIGLI

LANCASTER HOUSE,
LONDON, S.W.1.
9th July, 1945.

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[1] [Notices of approval dated as follows: by the United Kingdom July 12, 1945; by France July 16, 1945; by the Union of Soviet Socialist Republics July 21, 1945; and by the United States of America July 24, 1945.]

СОГЛАШЕНИЕ

МЕЖДУ ПРАВИТЕЛЬСТВАМИ СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ, СОЮЗА СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК И СОЕДИНЕННОГО КОРОЛЕВСТВА И ВРЕМЕННЫМ ПРАВИТЕЛЬСТВОМ ФРАНЦУЗСКОЙ РЕСПУБЛИКИ О ЗОНАХ ОККУПАЦИИ В АВСТРИИ И ОБ УПРАВЛЕНИИ ГОРОДОМ ВЕНА.

1. Правительства Соединенных Штатов Америки, Союза Советских Социалистических Республик и Соединенного Королевства Великобритании и Северной Ирландии и Временное Правительство Французской Республики согласились о том, чтобы территория Австрии в границах, существовавших на 31 декабря 1937 года, была оккупирована вооруженными силами Соединенных Штатов Америки, Союза Советских Социалистических Республик, Соединенного Королевства и Французской Республики.

2. Для целей оккупации территория Австрии разделяется на следующие четыре зоны, по одной из которых будет отведено каждой из четырех держав, а также выделяется в особый район город Вена, который занимается совместно вооруженными силами четырех держав:

Северовосточная /советская/ зона. Как показано на прилагаемой карте "А".	Провинция Нижняя Австрия, за исключением города Вена, та часть провинции Верхняя Австрия, которая находится на левом берегу Дуная, и провинция Бургенланд, которая существовала до Декрета от 1 октября 1938 года относительно изменений границ в Австрии, занимаются вооруженными силами Союза Советских Социалисткческих Республик.
Северозападная /американская/ зона. Как показано на прилагаемой карте "А".	Провинция Зальцбург и та часть провинции Верхняя Австрия, которая находится на правом берегу Дуная, занимаются вооруженными силами Соединенных Штатов Америки.

Западная /французская/ зона. Как показано на прилагаемой карте "А".	Провинции Тироль и Форарльберг занимаются вооруженными силами Французской Республики.
Южная/британская/ зона. Как показано на прилагаемой карте "А".	Провинция Каринтия, включая Восточный Тироль, и провинция Штирия, за исключением провинции Бургенланд, как она существовала до Декрета от I октября 1938 года, занимаются вооруженными силами Соединенного Королевства.

Город Вена.

Территория города Вена, как показано на прилагаемой карте "В", разделяется на следующие части:

Районы Леопольдштадт, Бригиттенау, Флориндсдорф, Виден и Фаворитен занимаются вооруженными силами Советского Союза.

Районы Нойбау, Мозефштадт, Хернальс, Альзергрунд, Зеринг и Дёблинг занимаются вооруженными силами Соединенных Штатов Америки.

Районы Мариахильф, Пенцинг, Фюнфхаус, включая Рудольфсхейм, и Оттакринг занимаются вооруженными силами Французской Республики.

Районы Гитцинг, Маргаретен, Шейдлинг, Ландштрассе и Зиммеринг занимаются вооруженными силами Соединенного Королевства.

Район Иннере Штадт занимается вооруженными силами четырех держав.

3. Границами между зонами оккупации, за исключением границ города Вена и провинции Бургенланд, будут те, которые установлены после вступления в силу Декрета от 1 октября 1938 года относительно изменения границ в Австрии. Границами города Вена и провинции Бургенланд будут те, которые существовали на 31 декабря 1937 года.

4. Для совместного управления городом Вена создается Межсоюзническая Комендатура, состоящая из четырех комендантов, назначаемых их соответствующими главнокомандующими.

3.-

5. Аэродром в Туллын вместе со всеми принадлежащими ему установками и оборудованием будет находиться под административным и оперативным контролем вооруженных сил Соединенных Штатов Америки. Аэродром в Швехат вместе со всеми принадлежащими ему установками и оборудованием будет находиться под административным и оперативным контролем вооруженных сил Соединенного Королевства для совместного пользования британскими и французскими вооруженными силами. Вооруженные силы и должностные лица оккупирующих держав будут пользоваться свободным и беспрепятственным доступом к аэродромам, отведенным для занятия и использования соответствующими державами.

6. Настоящее Соглашение составлено в четырех экземплярах на английском, русском и французском языках. Все три текста являются аутентичными.

7. Настоящее Соглашение вступит в силу, как только оно будет утверждено четырьмя Правительствами.

Вышеприведенный текст Соглашения между Правительствами Соединенных Штатов Америки, Союза Советских Социалистических Республик и Соединенного Королевства и Временным Правительством Французской Республики о зонах оккупации в Австрии и об управлении городом Вена подготовлен и единогласно принят Европейской Консультативной Комиссией на заседании, состоявшемся 9 июля 1945 года.

Представитель Правительства Соединенных Штатов Америки в Европейской Консультативной Комиссии:	Представитель Правительства Союза Советских Социалистических Республик в Европейской Консультативной Комиссии:	Представитель Правительства Соединенного Королевства в Европейской Консультативной Комиссии:	Представитель Временного Правительства Французской Республики в Европейской Консультативной Комиссии:
John G. Winant	Ф. Гусев	Ronald I. Campbell	R. Massigli.[1]

ЛАНКАСТЕР ХАУС,
ЛОНДОН.
9 июля 1945 года.

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[1] [The above signatures are: John G. Winant; F T Gusev; Ronald I. Campbell; R Massigli.]

ACCORD ENTRE LES GOUVERNEMENTS DES ETATS-UNIS D'AMERIQUE, DE L'UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES, DU ROYAUME-UNI ET LE GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE SUR LES ZONES D'OCCUPATION EN AUTRICHE ET L'ADMINISTRATION DE LA VILLE DE VIENNE.

1. Les Gouvernements des Etats-Unis d'Amérique, de l'Union des Républiques Socialistes Soviétiques et du Royaume-Uni et le Gouvernement Provisoire de la République Française sont tombés d'accord pour décider que l'Autriche, à l'intérieur de ses frontières telles qu'elles existaient le 31 décembre 1937, sera occupée par les forces armées des Etats-Unis d'Amérique, de l'Union des Républiques Socialistes Soviétiques, du Royaume-Uni et de la République Française.

2. Aux fins d'occupation, l'Autriche sera divisée en quatre zones, dont une sera attribuée à chacune des quatre Puissances; Vienne formera une région spéciale qui sera occupée conjointement par les forces armées des quatre Puissances:

Zone Nord-Est (Soviets) (voir carte "A" en annexe)	La province de Basse Autriche, à l'exception de la ville de Vienne, la partie de la province de Haute Autriche située sur la rive gauche du Danube, et la province du Burgenland, telle qu'elle existait avant la mise en vigueur du Décret du 1er octobre 1938 concernant les modifications de frontières en Autriche, seront occupées par les forces armées de l'Union des Républiques Socialistes Soviétiques.
Zone Nord-Ouest (Etats-Unis) (voir carte "A" en annexe)	La province de Salzbourg et la partie de la province de Haute Autriche située sur la rive droite du Danube, seront occupées par les forces armées des Etats-Unis d'Amérique.
Zone Ouest (France) (voir carte "A" en annexe)	Les provinces du Tyrol et du Vorarlberg seront occupées par les forces armées de la République Française.
Zone Sud (Royaume-Uni) (voir carte "A" en annexe)	La province de Carinthie, y compris le Tyrol oriental, et la province de Styrie, à l'exception de la région du Burgenland telle qu'elle existait avant la mise en vigueur du Décret du 1er octobre 1938, seront occupées par les forces armées du Royaume-Uni.

Ville de Vienne Le territoire de la ville de Vienne sera divisé comme suit en quatre secteurs : (voir carte "B" en annexe).

Les arrondissements de Leopoldstadt, Brigittenau, Florisdorf, Wieden et Favoriten seront occupés par les forces armées de l'Union des Républiques Socialistes Soviétiques;

Les arrondissements de Neubau, Josefstadt, Hernals, Alsergrund, Wahring et Dobling seront occupés par les forces armées des Etats-Unis d'Amérique;

Les arrondissements de Mariahilf, Penzing, Funfhaus (Rudolfsheim compris) et Ottakring seront occupés par les forces armées de la République Française;

Les arrondissements de Wietzing, Margareten, Meidling, Landstrasse et Simmering seront occupés par les forces armées du Royaume-Uni;

L'arrondissement de Innere Stadt sera occupé par les forces armées des quatre puissances.

3. Les limites entre les zones d'occupation, à l'exception des limites de la ville de Vienne et de la province du Burgenland, seront les limites existant après la mise en vigueur du Décret du 1er octobre 1938 concernant les modifications des limites administratives autrichiennes. Les limites de la ville de Vienne et de la province du Burgenland seront celles qui existaient le 31 décembre 1937.

4. Une Autorité Interalliée de Gouvernement (en russe: Komendatura) composée de quatre Commandants supérieurs, nommés par les Commandants en Chef respectifs, sera établie pour diriger conjointement l'administration de la ville de Vienne.

5. L'aérodrome de Tulln, ainsi que toutes les installations et facilités s'y trouvant, sera administré et exploité par les forces armées des Etats-Unis d'Amérique. L'aérodrome de Schwechat, ainsi que toutes les installations et facilités s'y trouvant, sera administré et exploité par les forces armées du Royaume-Uni. pour être utilisé en commun par les forces armées britanniques et françaises. Les forces armées et fonctionnaires des puissances occupantes auront libre accès aux aérodromes respectivement désignés pour être occupés et utilisés par elles.

6. Le présent Accord a été établi en quatre exemplaires, en anglais, français et russe. Les trois textes sont authentiques.

7. Le présent accord entrera en vigueur dès que les quatre Gouvernements l'auront approuvé.

Le texte ci-dessus de l'accord entre les Gouvernements des Etats-Unis d'Amérique, de l'Union des Républiques Socialistes Soviétiques,

du Royaume-Uni et le Gouvernement Provisoire de la République Française sur les zones d'occupation en Autriche et l'administration de la ville de Vienne a été préparé et adopté à l'unanimité par la Commission Consultative Européenne dans sa séance du 9 juillet 1945.

Le Représentant du Gouvernement des Etats-Unis d'Amérique à la Commission Consultative Européenne

JOHN G. WINANT.

Le Représentant de l'Union des République Socialistes Soviétiques à la Commission Consultative Européenne

F T GUSEV.

Le Représentant du Gouvernement du Royaume-Uni à la Commission Consultative Européenne

RONALD I. CAMPBELL

Le Représentant du Gouvernement Provisoire de la République Française à la Commission Consultative Européenne

R MASSIGLI.

LANCASTER HOUSE, LONDRES, S.W.1.
9 juillet 1945.

September 12, 1946
[T. I. A. S. 1601]

Agreement and supplemental exchanges of notes between the United States of America and Paraguay respecting reciprocal trade. Signed at Asunción September 12, 1946; published in Gaceta Oficial of the Republic of Paraguay February 26, 1947; proclaimed by the President of the United States of America March 10, 1947; effective April 9, 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 350 (a) of the Tariff Act of 1930, as amended by the act of June 12, 1934 entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), and as further amended by the joint resolution of June 7, 1943 (57 Stat. 125) and by the act of July 5, 1945 (59 Stat. 410), provides that the President is authorized under the terms and conditions set forth in said enactments to enter into trade agreements with foreign governments or instrumentalities thereof, and to proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by trade agreements, as are required or appropriate to carry out any such trade agreement;

19 U. S. C. § 1351 (a).

WHEREAS the period during which the President is authorized to enter into trade agreements under the said section 350 (a) of the Tariff Act of 1930, as amended, has been extended by joint resolutions approved March 1, 1937, April 12, 1940 and June 7, 1943, and by act of July 5, 1945 (50 Stat. 24; 54 Stat. 107; 57 Stat. 125; 59 Stat. 410), the latest extension being effective for a period of three years from June 12, 1945;

19 U. S. C. § 1352 (c).

WHEREAS I, Harry S. Truman, President of the United States of America, acting pursuant to the said section 350 (a) of the Tariff Act of 1930, as amended, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Paraguay are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said section 350 (a) of the Tariff Act of 1930, as amended, will be promoted by a trade agreement between the United States of America and the Republic of Paraguay;

WHEREAS reasonable public notice of the intention to negotiate such trade agreement was given as prescribed by section 4 of the act of June 12, 1934 entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 945), as amended by the act of July 5, 1945 (59 Stat. 411), and the views presented by persons interested in the negotiation of such agreement were received and considered;

19 U. S. C. § 1354.

WHEREAS, after seeking and obtaining information and advice with respect to such agreement from the United States Tariff Commission, the Departments of State, War, Navy, Agriculture, and

Commerce, and from other sources, as prescribed by the aforesaid act of June 12, 1934, as amended, I entered into a Trade Agreement on September 12, 1946, through my duly empowered Plenipotentiary, with the President of the Republic of Paraguay, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Paraguay, being desirous of strengthening the traditional bonds of friendship existing between the two countries through the maintenance of the principle of equality of treatment in its unconditional and unlimited form as the basis of commercial relations and through the granting of mutual and reciprocal concessions and advantages for the promotion of trade, have resolved to conclude a Trade Agreement so providing and have appointed for this purpose as their Plenipotentiaries:

The President of the United States of America:

Willard L. Beaulac, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay; and

The President of the Republic of Paraguay:

His Excellency Doctor Miguel Angel Soler, Minister of Foreign Relations and Worship;

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following provisions:

El Presidente de los Estados Unidos de América y el Presidente de la República del Paraguay, deseosos de fortalecer los tradicionales vínculos de amistad que existen entre los dos países mediante el mantenimiento del principio de igualdad de tratamiento en su forma incondicional e ilimitada como base de las relaciones comerciales y mediante el otorgamiento de mutuas y recíprocas concesiones y ventajas para el fomento del comercio, han resuelto celebrar un Convenio Comercial que así lo establezca y, a tal efecto, han designado sus Plenipotenciarios, a saber:

Plenipotentiaries.

El Presidente de los Estados Unidos de América:

Al Señor Willard L. Beaulac, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América a la República del Paraguay; y

El Presidente de la República del Paraguay:

A Su Excelencia el Doctor Miguel Angel Soler, Ministro de Relaciones Exteriores y Culto;

Quienes, después de haber canjeado sus plenos poderes, hallados en buena y debida forma, han convenido en las disposiciones siguientes:

ARTICLE I

1. The United States of America and the Republic of Paraguay will grant each other unconditional and unrestricted most-favored-nation treatment in all matters con-

ARTICULO I

Most-favored-nation treatment.

1. Los Estados Unidos de América y la República del Paraguay se concederán mutuamente el tratamiento incondicional e ilimitado de la nación más favorecida

cerning customs duties and subsidiary charges of every kind and in the method of levying such duties and charges, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale, taxation, distribution or use of imported goods within the country.

2. Accordingly, articles the growth, produce or manufacture of either country imported into the other shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like articles the growth, produce or manufacture of any third country are or may hereafter be subject.

3. Similarly, articles exported from the territory of the United States of America or the Republic of Paraguay and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like articles when consigned to the territory of any third country are or may hereafter be subject.

4. Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Paraguay in regard to

en todas las cuestiones relativas a derechos aduaneros y cargas subsidiarias de cualquier clase, al modo de percibir tales derechos y cargas, y, además, en todo lo concerniente a las reglas, formalidades y cargas a que las operaciones de despacho de aduana pudieran estar sujetas, y con respecto a todas las leyes o reglamentos que afectan la venta, la tributación, la distribución o el uso dentro del país de las mercancías importadas.

2. En consecuencia, los artículos cultivados, producidos o manufacturados en cualquiera de los dos países, que se importen en el otro, no estarán sujetos en ningún caso, con respecto a las cuestiones precitadas, a derechos, impuestos o cargas distintos o más elevados, ni a reglas o formalidades distintas o más gravosas que aquéllos a que están o en el futuro puedan estar sujetos los artículos similares cultivados, producidos o manufacturados en cualquier tercer país.

3. Igualmente, los artículos que se exporten desde el territorio de los Estados Unidos de América o de la República del Paraguay con destino al territorio del otro país, no estarán sujetos en ningún caso, con respecto a su exportación y a las cuestiones arriba mencionadas, a derechos, impuestos o cargas distintos o más elevados, ni a reglas o formalidades distintas o más gravosas que aquéllos a que están o en el futuro puedan estar sujetos los artículos similares destinados al territorio de cualquier tercer país.

4. Cualquier ventaja, favor, privilegio o inmunidad que haya sido concedido o que en el futuro sea concedido por los Estados Unidos de América o por la República del

the above-mentioned matters, to any article originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like article originating in or consigned to the territory of the Republic of Paraguay or the United States of America, respectively.

Paraguay, respecto de las materias precitadas, a cualquier artículo originario de cualquier tercer país o destinado al territorio de cualquier tercer país, será concedido inmediatamente y sin compensación al artículo similar originario del territorio de la República del Paraguay o de los Estados Unidos de América, respectivamente, o destinado a cualquiera de los mismos.

ARTICLE II

Articles the growth, produce or manufacture of the United States of America or the Republic of Paraguay imported into the other country shall, after their release from customs custody, be exempt from all internal taxes, fees, charges or exactions other or higher than those imposed on like articles of national origin.

ARTICULO II

Exemption from internal taxes, etc.

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República del Paraguay importados al otro país estarán exentos, después de su despacho de la custodia aduanera, de todo impuesto, tasa, carga o gravamen internos distintos o más elevados que los impuestos sobre artículos similares de origen nacional.

ARTICLE III

Freedom of imports and exports.

1. No prohibition or restriction of any kind shall be imposed by the Government of the United States of America or the Government of the Republic of Paraguay on the importation, sale, distribution or use of any article the growth, produce or manufacture of the other country, or on the exportation of any article destined for the territory of the other country, unless the importation, sale, distribution or use of the like article the growth, produce or manufacture of all third countries, or the exportation of the like article to all third countries, respectively, is similarly prohibited or restricted.

2. If the Government of the United States of America or the Government of the Republic of Paraguay imposes any quantita-

ARTICULO III

1. Ni el Gobierno de los Estados Unidos de América ni el Gobierno de la República del Paraguay impondrá prohibiciones o restricciones de ninguna especie a la importación, venta, distribución o uso de cualquier artículo cultivado, producido o manufacturado en el otro país, o a la exportación de cualquier artículo destinado al territorio del otro país, a menos que la importación, venta, distribución o uso del artículo similar cultivado, producido o manufacturado en todos los demás países, o la exportación del artículo similar a todos los demás países, respectivamente, sea prohibida o restringida en forma similar.

Public notice of quantitative regulations.

2. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay impone cualquier regulación cuan-

tive regulation on the importation or exportation of any article, or on the sale, distribution or use of any imported article, it shall as a general rule give public notice of the total quantity or value of such article permitted to be imported, exported, sold, distributed or used during a specified period, and of any change in such quantity or value. Furthermore, if the Government of either country allots a share of such total quantity or value to any third country, it shall as a general rule allot to the other country, with respect to any article in which the latter has an important interest, a share based upon the proportion of the total quantity or value supplied by, or in the case of exports a share based upon the proportion exported to, such other country during a previous representative period.

Allotments.

3. The provisions of this Article relating to imported articles shall also apply in respect of the quantity or value of any article permitted to be imported free of duty or tax or at a lower rate of duty or tax than the rate of duty or tax imposed on imports in excess of such quantity or value.

titativa a la importación o exportación de cualquier artículo, o a la venta, distribución o uso de cualquier artículo importado, dará por regla general noticia pública de la cantidad o valor total de tal artículo que se permita importar, exportar, vender, distribuir o usar en un período especificado, y de cualquier cambio en tal cantidad o valor. Además, si el Gobierno de cualquiera de los dos países asigna una parte de dicha cantidad o valor total a cualquier tercer país, por regla general asignará al otro país, con respecto a cualquier artículo en el cual éste tenga interés importante, una parte basada sobre la proporción de la cantidad o valor total suministrada por, o en el caso de exportaciones, una parte basada sobre la proporción exportada a, tal otro país en un período típico anterior.

3. Las disposiciones de este Artículo relativas a los artículos importados se aplicarán también con respecto a la cantidad o valor de cualquier artículo que se permita importar libre de derechos o impuestos de aduanas, o a un derecho o impuesto de aduanas más bajo que el derecho o impuesto de aduanas con que se graven las importaciones en exceso de dicha cantidad o valor.

ARTICLE IV

Control of means of international payment.

1. If the Government of the United States of America or the Government of the Republic of Paraguay establishes or maintains any form of control of the means of international payment, it shall accord unconditional most-favored-nation treatment to the commerce of the other country with respect to all aspects of such control.

ARTICULO IV

1. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay establece o mantiene una forma cualquiera de control de los medios de pagos internacionales, concederá el tratamiento incondicional de la nación más favorecida al comercio del otro país con respecto a todos los aspectos de tal control.

2. The Government establishing or maintaining such control shall impose no prohibition, restriction or delay on the transfer of payment for any article the growth, produce or manufacture of the other country which is not imposed on the transfer of payment for the like article the growth, produce or manufacture of any third country. With respect to rates of exchange and with respect to taxes or charges on exchange transactions, articles the growth, produce or manufacture of the other country shall be accorded unconditionally treatment no less favorable than that accorded to the like articles the growth, produce or manufacture of any third country. The foregoing provisions shall also extend to the application of such control to payments necessary for or incidental to the importation of articles the growth, produce or manufacture of the other country. In general, the control shall be administered so as not to influence to the disadvantage of the other country the competitive relationships between articles the growth, produce or manufacture of the territories of that country and like articles the growth, produce or manufacture of third countries.

2. El Gobierno que establezca o mantenga tal control no impondrá ninguna prohibición, restricción o demora a la transferencia del pago para cualquier artículo cultivado, producido o manufacturado en el otro país que no se imponga a la transferencia del pago para un artículo similar cultivado, producido o manufacturado en cualquier tercer país. Con respecto a los tipos de cambio y con respecto a las tasas o cargas sobre operaciones de cambio, a los artículos cultivados, producidos o manufacturados en el otro país se les concederá un tratamiento incondicional no menos favorable que el concedido a los artículos similares cultivados, producidos o manufacturados en cualquier tercer país. Las disposiciones que anteceden también se extenderán a la aplicación del control a los pagos necesarios para o inherentes a la importación de los artículos cultivados, producidos o manufacturados en el otro país. En general, el control se aplicará de manera que no sea en perjuicio del otro país en lo que respecta a la competencia entre los artículos cultivados, producidos o manufacturados en los territorios de ese país y los artículos similares cultivados, producidos o manufacturados en terceros países.

ARTICLE V

1. If the Government of the United States of America or the Government of the Republic of Paraguay establishes or maintains a monopoly for the importation, exportation, sale, distribution or production of any article or grants exclusive privileges to any agency to import, export, sell, distribute or produce any article, the commerce of the other country shall

ARTICULO V

Monopolies.

1. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay establece o mantiene un monopolio para la importación, exportación, venta, distribución o producción de cualquier artículo u otorga privilegios exclusivos a cualquier organismo para importar, exportar, vender, distribuir o producir cualquier artículo, se concederá al

be accorded fair and equitable treatment in respect of the foreign purchases or sales of such monopoly or agency. To this end such monopoly or agency shall, in making its foreign purchases or sales of any article, be influenced solely by considerations, such as price, quality, marketability and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms.

comercio del otro país un tratamiento justo y equitativo con respecto a las compras o ventas en el extranjero de dicho monopolio u organismo. A ese efecto, dicho monopolio u organismo, al efectuar sus compras o ventas de cualquier artículo en el extranjero, se guiará únicamente por consideraciones tales como precio, calidad, posibilidades de compraventa y condiciones de compra o venta que ordinariamente tomaría en cuenta una empresa comercial privada interesada solamente en comprar o vender tal artículo en las condiciones más favorables.

Public-works contracts, etc.

2. The Government of the United States of America and the Government of the Republic of Paraguay, in the awarding of contracts for public works and generally in the purchase of supplies, shall accord fair and equitable treatment to the commerce of the other country as compared with the treatment accorded to the commerce of any third country.

2. El Gobierno de los Estados Unidos de América y el Gobierno de la República del Paraguay, al adjudicar contratos para obras públicas y generalmente al hacer compras de materiales, concederán un tratamiento justo y equitativo al comercio del otro país en comparación con el tratamiento concedido al comercio de cualquier tercer país.

ARTICLE VI

ARTICULO VI

Publication of laws, regulations, and decisions.

1. Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America and the Republic of Paraguay, respectively, pertaining to the classification of articles for customs purposes or to rates of duty, shall be published as soon as possible in such a manner as to enable traders to become acquainted with them.

1. Las leyes, reglamentaciones de autoridades administrativas y decisiones de autoridades administrativas o judiciales de los Estados Unidos de América y de la República del Paraguay, respectivamente, relativas a la clasificación de artículos para fines aduaneros o a aranceles, serán publicadas tan pronto como sea posible, en forma de permitir a los comerciantes el conocimiento de las mismas.

Rulings effecting advances in rates of duty, etc.

2. No administrative ruling by the Government of the United States of America or the Government of the Republic of Paraguay effecting advances in rates of duties or in charges applicable

2. Ninguna disposición administrativa del Gobierno de los Estados Unidos de América o del Gobierno de la República del Paraguay que disponga aumentos en los aranceles de aduanas o en

under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or as a general rule with respect to articles either entered, or withdrawn from warehouse, for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner; provided that, in respect to articles imported into the Republic of Paraguay, the foregoing provisions as to the effective date of administrative rulings may be limited (a) to articles which at the time of such publication are in a Paraguayan customs warehouse, (b) to articles which at such time are *en route* and (c) to articles which at such time are covered by complete export shipping documents already issued. The provisions of this paragraph shall not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal or plant life or health, or relating to public safety, or giving effect to judicial decisions.

las cargas aplicables de conformidad con una práctica establecida y uniforme a las importaciones originarias del territorio del otro país, o que imponga cualquier nuevo requisito con respecto a tales importaciones, se aplicará en forma retroactiva ni aun como práctica general con respecto a artículos que hayan entrado, o hayan sido retirados del depósito aduanero, para el consumo antes de la expiración de treinta días siguientes a la fecha de publicación del anuncio de dicha disposición en la forma oficial acostumbrada; disponiéndose que, en lo que respecta a artículos importados por la República del Paraguay, las anteriores disposiciones relativas a la fecha efectiva de disposiciones administrativas, podrán limitarse (a) a artículos que a la fecha de dicha publicación se encuentren en un depósito de aduanas paraguayo, (b) a artículos que para esa fecha estén en tránsito y (c) a artículos que para esa fecha estén amparados por documentos de exportación completos ya expedidos. Lo estipulado en este párrafo no se aplicará a las disposiciones administrativas que impongan derechos contra mercancías vendidas para efectuar un "dumping", o relativas a reglamentaciones para la protección de la vida o salud humana, animal o vegetal, o relativas a la seguridad pública, o para la ejecución de resoluciones judiciales.

Nonapplicability.

3. Greater than nominal penalties shall not be imposed by the Government of the United States of America or the Government of the Republic of Paraguay in connection with the importation of articles the growth, produce or manufacture of the other country

3. No se impondrán por el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay más que multas nominales con respecto a la importación de artículos cultivados, producidos o manufacturados en el otro país, con motivo

Penalties for errors in documentation.

because of errors in documentation which are obviously clerical in origin.

de errores en la documentación que patentemente se deban a la simple escritura o sean errores tipográficos (clerical errors).

Consultation.

4. The Government of the United States of America and the Government of the Republic of Paraguay will accord sympathetic consideration to, and will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative regulations or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal or plant life or health.

4. El Gobierno de los Estados Unidos de América y el Gobierno de la República del Paraguay prestarán benévola consideración, y ofrecerán oportunidades adecuadas de consulta, a las representaciones que el otro Gobierno haga con respecto a la aplicación de reglamentaciones aduaneras, a regulaciones cuantitativas o a la aplicación de las mismas, a la observancia de formalidades aduaneras y a la aplicación de leyes y reglamentaciones sanitarias para la protección de la vida o de la salud humana, animal y vegetal.

Disagreement respecting application of sanitary laws, etc.

5. If the Government of the United States of America or the Government of the Republic of Paraguay makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal or plant life or health, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations with respect thereto.

5. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay hiciera representaciones al otro Gobierno con respecto a la aplicación de cualquier ley o reglamentación sanitaria para la protección de la vida o de la salud humana, animal o vegetal, y hubiera desacuerdo con respecto a la misma, se constituirá, a pedido de cualquiera de los dos Gobiernos, una comisión de expertos técnicos, en la cual cada Gobierno estará representado, a fin de considerar el asunto y someter sus recomendaciones pertinentes.

ARTICLE VII

ARTICULO VII

Imports from U. S.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made an integral part thereof, shall, on their importation into the Republic of Paraguay, be exempt from ordi-

Post, p. 2706.

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Planilla I anexa a este Convenio, del cual forma parte integrante, al ser importados en la República del Paraguay, estarán exentos de derechos

nary customs duties in excess of those set forth and provided for in the said Schedule, subject to the conditions therein set out. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of Paraguay in force on that day. Nevertheless, the Government of the Republic of Paraguay reserves the right to consolidate, in connection with a general revision of the customs tariff, the duties, taxes, fees, charges or exactions imposed on or in connection with importation, provided that such consolidation does not have the effect of impairing the value of any concession provided for in Schedule I.

aduaneros ordinarios superiores a los estipulados y previstos en dicha Planilla, con sujeción a las condiciones establecidas en la misma. Dichos artículos estarán también exentos de todo otro derecho aduanero, impuesto, tasa, carga o gravamen impuesto a la importación o en relación con ella, que excediere a los que se impongan en la fecha de la firma de este Convenio o a aquéllos cuya imposición ulterior estipulen las leyes de la República del Paraguay en vigor en esa fecha. No obstante, el Gobierno de la República del Paraguay se reserva el derecho de consolidar, en conexión con una revisión general del arancel aduanero de importaciones, los derechos, impuestos, tasas, cargas o gravámenes impuestos a la importación o en relación con ella, siempre que dicha consolidación no tenga el efecto de menoscabar el valor de cualquier concesión prevista en la Planilla I.

Right to consolidate duties, etc.

ARTICLE VIII

Articles the growth, produce or manufacture of the Republic of Paraguay, enumerated and described in Schedule II annexed to this Agreement and made an integral part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule, subject to the conditions therein set out. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under

ARTICULO VIII

Los artículos cultivados, producidos o manufacturados en la República del Paraguay, enumerados y descritos en la Planilla II anexa a este Convenio, del cual forma parte integrante, al ser importados en los Estados Unidos de América, estarán exentos de derechos aduaneros ordinarios superiores a los estipulados y previstos en dicha Planilla, con sujeción a las condiciones establecidas en la misma. Dichos artículos estarán también exentos de todo otro derecho aduanero, impuesto, tasa, carga o gravamen impuesto a la importación o en relación con ella, que excediere a los que ya se impongan en la fecha de la firma de este Convenio o a aquéllos cuya

Imports from Paraguay.

Post, p. 2714.

laws of the United States of America in force on that day.

imposición ulterior estipulen las leyes de los Estados Unidos de América en vigor en esa fecha.

ARTICLE IX

Imposition of charges on imports.

The provisions of Articles VII and VIII of this Agreement shall not prevent the Government of the United States of America or the Government of the Republic of Paraguay from imposing at any time on the importation of any article a charge equivalent to an internal tax imposed in respect of a like domestic article or in respect of a commodity from which the imported article has been manufactured or produced in whole or in part.

ARTICULO IX

Las disposiciones de los Artículos VII y VIII de este Convenio no impedirán al Gobierno de los Estados Unidos de América o al Gobierno de la República del Paraguay imponer, en cualquier momento, a la importación de cualquier artículo un gravamen equivalente a un impuesto interno que se aplique a un articulo nacional similar, o a un producto con el cual el artículo importado ha sido manufacturado o producido en su totalidad o en parte.

ARTICLE X

Assessment of *ad valorem* rates.

In respect of articles the growth, produce or manufacture of the United States of America or of the Republic of Paraguay enumerated and described in Schedules I and II, respectively, imported into the other country, on which *ad valorem* rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, the general principles applicable in the respective countries for determining dutiable value and converting currencies shall not be altered so as to impair the value of any of the concessions provided for in this Agreement.

Post, pp. 2706, 2714.

ARTICULO X

Con respecto a los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República del Paraguay, enumerados y descritos en las Planillas I y II, respectivamente, importados al otro país, sobre los cuales se apliquen o pueden aplicarse derechos ad valorem, o derechos basados o regulados en cualquier forma por su valor, los principios generales que se apliquen en los países respectivos para la determinación del valor sujeto a derecho y para la conversión de monedas no deberán ser alterados de manera que menoscaben el valor de cualquier concesión prevista en este Convenio.

ARTICLE XI

Nonimposition of quantitative regulations on articles in Schedules.

1. No prohibition, restriction or any other form of quantitative regulation shall be imposed by the Government of the Republic of Paraguay on the importation, sale, distribution or use of any article the growth, produce or

ARTICULO XI

1. Ninguna prohibición, restricción o cualquier otra forma alguna de regulación cuantitativa podrá ser impuesta por el Gobierno de la República del Paraguay a la importación, venta, distribución o uso de cualquier artículo cultivado,

manufacture of the United States of America enumerated and described in Schedule I, or by the Government of the United States of America on the importation, sale, distribution or use of any article the growth, produce or manufacture of the Republic of Paraguay enumerated and described in Schedule II.

2. The foregoing provision shall not prevent the Government of the United States of America or the Government of the Republic of Paraguay from imposing quantitative regulations in whatever form on the importation or sale of any article in conjunction with governmental measures or measures under governmental authority operating to regulate or control the production, market supply, quality or prices of like domestic articles, or tending to increase the labor costs of production of such articles, or to maintain the exchange value of the currency of the country. Whenever the Government of either country proposes to impose or to alter substantially any quantitative regulation authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity to consult with it in respect of the proposed action; and if agreement with respect thereto is not reached the Government which proposes to take such action shall, nevertheless, be free to do so and the other Government shall be free within thirty days after such action is taken to terminate this Agreement in whole or in part on thirty days' written notice.

producido o manufacturado en los Estados Unidos de América, enumerado y descrito en la Planilla I, o por el Gobierno de los Estados Unidos de América a la importación, venta, distribución o uso de cualquier artículo cultivado, producido o manufacturado en la República del Paraguay, enumerado y descrito en la Planilla II.

Post, p. 2706.

Post, p. 2714.

Exception.

2. La disposición que antecede no impedirá al Gobierno de los Estados Unidos de América o al Gobierno de la República del Paraguay imponer regulaciones cuantitativas en cualquier forma a la importación o venta de cualquier artículo conjuntamente con medidas gubernativas o con medidas bajo la autoridad gubernativa que operen para regir o controlar la producción, el abastecimiento del mercado, la calidad o los precios de artículos nacionales análogos, o tendientes a aumentar el costo de la mano de obra de la producción de tales artículos, o a mantener el valor de cambio de la moneda nacional. Cuando el Gobierno de cualquiera de los dos países propusiere imponer o modificar sustancialmente cualquier regulación cuantitativa autorizada por este párrafo, dará aviso de ello por escrito al otro Gobierno y proporcionará a éste la oportunidad de consultarle respecto a la acción proyectada; y si no se llegare a un acuerdo con respecto a ello, el Gobierno que proponga tomar tal acción estará, sin embargo, en libertad de llevarla a cabo y el otro Gobierno estará en libertad, dentro de treinta días después de tomada tal acción, de dar por terminado este Convenio en su totalidad o en parte, mediante un aviso previo de treinta días por escrito.

Notice to other government.

Right to take proposed action, etc.

ARTICLE XII

Withdrawal or modification of concession.

1. If, as a result of unforeseen developments and of the concession granted on any article enumerated and described in the Schedules annexed to this Agreement, such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like or similar articles, the Government of either country shall be free to withdraw the concession, in whole or in part, or to modify it to the extent and for such time as may be necessary to prevent such injury. Accordingly, if the President of the United States of America finds as a fact that imports of any article enumerated and described in Schedule II are entering the United States of America under the circumstances specified in the preceding sentence, he shall determine whether the withdrawal, in whole or in part, of the concession with regard to the article, or any modification of the concession, by the imposition of quantitative regulations or otherwise, is necessary to prevent such injury, and he shall, if he finds that the public interest will be served thereby, proclaim such finding and determination, and on and after the effective date specified in such proclamation, and so long as such proclamation remains in effect, imports of the article into the United States of America shall be subject to the customs treatment so determined to be necessary to prevent such injury. Similarly, if the Government of the Republic of Paraguay finds as a fact that any article enumerated and described in Schedule I is being imported into the Republic of Para-

Post, pp. 2706, 2714.

Proclamation of finding and determination.

Post, p. 2714.

Post, p. 2706.

ARTICULO XII

1. Si, como resultado de acontecimientos imprevistos y de la concesión otorgada a cualquier artículo enumerado y descrito en las Planillas anexas a este Convenio, tal artículo se esté importando en cantidades tan crecidas y en condiciones tales que amenacen u ocasionen serios perjuicios a los productores nacionales de artículos iguales o similares, el Gobierno de cualquiera de los dos países estará en libertad de retirar en todo o en parte la concesión, o de modificarla en la medida y por el tiempo que sea necesario para evitar tales perjuicios. Por lo tanto, si el Presidente de los Estados Unidos de América encuentra que de hecho las importaciones de cualesquiera de los artículos enumerados y descritos en la Planilla II se están efectuando en los Estados Unidos de América en las circunstancias previstas en la frase precedente, decidirá si es necesario para evitar tal perjuicio el retiro en todo o en parte de la concesión relativa al artículo, o cualquier modificación a dicha concesión mediante el establecimiento de reglamentaciones cuantitativas o por otras medidas, y si encuentra que los intereses públicos se benefician con ello, proclamará dichos hechos y resoluciones, y a partir de la fecha señalada en la proclama para su vigencia, y durante el tiempo que ésta permanezca en vigor, las importaciones del artículo en los Estados Unidos de América quedarán sujetas al tratamiento aduanal así determinado por necesario para evitar dicho perjuicio. Igualmente, si el Gobierno de la República del Paraguay encuentra que de hecho cualquier artículo

guay under the circumstances specified, it may, if it finds that the public interest will be served thereby, withdraw in whole or in part the concession with regard to the article, or modify the concession by the imposition of quantitative regulations or otherwise, to the extent and for such time as may be necessary to prevent such injury.

enumerado y descrito en la Planilla I está importándose en la República del Paraguay bajo las circunstancias mencionadas, podrá, si encuentra que los intereses públicos se benefician con ello, retirar en todo o en parte la concesión relativa al artículo, o modificar dicha concesión por medio del establecimiento de reglamentaciones cuantitativas o por otros medios, en la medida y por el tiempo que sea necesario para evitar tal perjuicio.

Notice to other government.

2. Before the Government of either country shall withdraw or modify a concession pursuant to the provisions of paragraph 1 of this Article, it shall give notice in writing to the Government of the other country as far in advance as may be practicable and shall afford such other Government an opportunity to consult with it in respect of the proposed action; and if agreement with respect thereto is not reached the Government which proposes to take such action shall, nevertheless, be free to do so and the other Government shall be free within thirty days after such action is taken to terminate this Agreement in whole or in part on thirty days' written notice.

2. El Gobierno de cualquiera de los dos países, antes de retirar o modificar una concesión de acuerdo con las disposiciones del inciso 1 de este Artículo, dará al otro Gobierno aviso por escrito, y con toda la anticipación posible, y le proporcionará la oportunidad de opinar con respecto a la acción propuesta; y si no se llegare a un acuerdo, el Gobierno que se proponga tomar tal acción quedará, no obstante, en libertad de hacerlo y el otro Gobierno quedará en libertad, dentro de un término de treinta días después de la fecha en que se tome tal acción, de dar por terminado este Convenio en todo o en parte, previo aviso por escrito con treinta días de anticipación.

Right to take proposed action, etc.

ARTICLE XIII

ARTICULO XIII

Establishment of Commission.

1. The Government of the United States of America and the Government of the Republic of Paraguay agree to consult to the fullest possible extent in regard to all matters affecting the operation of the present Agreement. In order to facilitate such consultation, a Commission consisting of representatives of each Government shall be established to study the operation of the Agreement, to make recommendations regarding the fulfillment of the provisions of

1. El Gobierno de los Estados Unidos de América y el Gobierno de la República del Paraguay convienen en consultarse en la forma más amplia posible con respecto a todas las cuestiones que afecten la aplicación del presente Convenio. Con el fin de facilitar tal consulta se creará una Comisión compuesta por representantes de cada Gobierno para que estudie la aplicación del Convenio, haga recomendaciones referentes al cumplimiento de las disposiciones

the Agreement, and to consider such other matters as may be submitted to it by the two Governments.

del Convenio y considere las otras cuestiones que le sean sometidas por los dos Gobiernos.

Adjustment of measures impairing objects of agreement.

2. If the Government of the United States of America or the Government of the Republic of Paraguay should consider that any measure adopted by the other Government, even though it does not conflict with the terms of this Agreement, has the effect of nullifying or impairing any object of the Agreement, such other Government shall give sympathetic consideration to such written representations or proposals as may be made with a view to effecting a mutually satisfactory adjustment of the matter.

2. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay considera que cualquier medida adoptada por el otro Gobierno, aunque no esté en conflicto con los términos de este Convenio, tiene el efecto de anular o menoscabar cualquier finalidad del Convenio, dicho otro Gobierno prestará benévola consideración a las representaciones o proposiciones escritas que le puedan ser presentadas con el fin de lograr un arreglo mutuo y satisfactorio sobre el asunto.

ARTICLE XIV

ARTICULO XIV

Application of agreement to respective customs territories.

1. The provisions of this Agreement relating to the treatment to be accorded by the United States of America and the Republic of Paraguay, respectively, to the commerce of the other country shall apply to the respective customs territories of the two countries.

1. Las disposiciones de este Convenio relativas al tratamiento que han de conceder los Estados Unidos de América y la República del Paraguay, respectivamente, al comercio del otro país, se aplicarán a los territorios aduaneros respectivos de los dos países.

Nonapplication to Panama Canal Zone.

2. Furthermore, the provisions of this Agreement relating to most-favored-nation treatment shall apply to all territory under the sovereignty or authority of the United States of America or the Republic of Paraguay, except that they shall not apply to the Panama Canal Zone.

2. Además, las disposiciones de este Convenio relativas al tratamiento de la nación más favorecida se aplicarán a todo el territorio bajo la soberanía o autoridad de los Estados Unidos de América o la República del Paraguay, pero no se aplicarán a la Zona del Canal de Panamá.

ARTICLE XV

ARTICULO XV

Advantages accorded to adjacent countries, etc.

1. The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Paraguay to adjacent countries in order to facilitate frontier traffic, and advantages accorded by virtue of a customs union to which either country may become a party, shall

1. Las ventajas concedidas en la actualidad o que en adelante sean concedidas por los Estados Unidos de América o por la República del Paraguay a los países limítrofes con objeto de facilitar el tráfico de frontera, y las ventajas concedidas en virtud de una unión aduanera en la cual cual-

be excepted from the operation of this Agreement.

2. The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change in the political status of any of the territories or possessions of the United States of America.

quiera de los dos países llegue a ser parte, quedarán exceptuadas de los efectos de este Convenio.

2. Las ventajas concedidas en la actualidad o que en adelante sean concedidas por los Estados Unidos de América, sus territorios o posesiones, o la Zona del Canal de Panamá, entre sí, o a la República de Cuba, quedarán exceptuadas de los efectos de este Convenio. Las disposiciones de este párrafo continuarán aplicándose con respecto a cualesquiera ventajas concedidas en la actualidad o que en adelante se concedan entre sí los Estados Unidos de América, sus territorios o posesiones, o la Zona del Canal de Panamá, independientemente de cualquier cambio en el estado político de cualquiera de los territorios o posesiones de los Estados Unidos de América.

ARTICLE XVI

1. Nothing in this Agreement shall be construed to prevent the adoption or enforcement of measures

(a) imposed on moral or humanitarian grounds;

(b) designed to protect human, animal or plant life or health;

(c) relating to prison-made goods;

(d) relating to the enforcement of police or revenue laws;

(e) relating to the importation or exportation of gold or silver;

(f) relating to the control of the export, sale for export, or transit of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies;

ARTICULO XVI

Adoption or enforcement of certain measures.

1. Ninguna disposición de este Convenio deberá interpretarse en el sentido de que impide la adopción o el cumplimiento de medidas

(a) impuestas para fines morales o humanitarios;

(b) destinadas a proteger la vida o la salud humana, animal o vegetal;

(c) relativas a los artículos fabricados en las cárceles;

(d) relativas al cumplimiento de leyes de policía o de renta pública;

(e) relativas a la importación o exportación de oro o plata;

(f) relativas al control de la exportación, venta para la exportación, o tránsito de armas, municiones o material de guerra, y, en circunstancias excepcionales, de todos los demás suministros militares;

(g) relating to neutrality;

(h) relating to public security, or imposed for the protection of the country's essential interests in time of war or other national emergency.

2. The provisions of this Agreement relating to the sale, taxation or use of imported articles within the United States of America are understood to be subject to the constitutional limitations on the authority of the Federal Government.

ARTICLE XVII

Proclamation.

1. This Agreement shall be proclaimed by the President of the United States of America and shall be made effective in the Republic of Paraguay in conformity with the laws of that country. It shall enter into force on the thirtieth day following the day of the proclamation thereof by the President of the United States of America and publication thereof in the *Gaceta Oficial* of the Republic of Paraguay, or, should such proclamation and publication take place on different days, on the thirtieth day following the date of the later in time of such proclamation or publication, and, subject to the provisions of Article XI and Article XII, shall remain in force for a period of two years thereafter.

Entry into force.

Post, p. 2725.

Duration.

Ante, pp. 2698, 2700.

2. Unless six months before the expiration of the aforesaid period of two years the Government of the United States of America or the Government of the Republic of Paraguay shall have given in writing to the other Government notice of intention to terminate this Agreement upon the expira-

(g) relativas a la neutralidad;

(h) relativas a la seguridad pública, o impuestas para la protección de los intereses esenciales del país en tiempo de guerra u otra emergencia nacional.

2. Queda entendido que las disposiciones de este Convenio relativas a la venta, la tributación o el uso artículos importados dentro de los Estados Unidos de América están sujetas a las limitaciones constitucionales sobre la autoridad del Gobierno Federal.

ARTICULO XVII

1. Este Convenio será proclamado por el Presidente de los Estados Unidos de América y se hará efectivo en la República del Paraguay en conformidad con las leyes de este país. Entrará en vigor a los treinta días de la fecha de la proclamación por el Presidente de los Estados Unidos de América y publicación en la Gaceta Oficial de la República del Paraguay, o, en el caso de que la proclamación y publicación fueran hechas en fechas distintas, a los treinta días de la fecha de la última de ellas, y, sujeto a las disposiciones del Artículo XI y Artículo XII, permanecerá en vigor por un período de dos años.

2. A no ser que seis meses antes de la terminación del precitado plazo de dos años el Gobierno de los Estados Unidos de América o el Gobierno de la República del Paraguay le haya notificado por escrito al otro Gobierno su intención de terminar este Convenio al cumplirse el antedicho plazo, el

tion of the aforesaid period, the Agreement shall remain in force thereafter, subject to the provisions of Article XI and Article XII, until six months from the date on which notice of intention to terminate it shall have been given by either Government.

Convenio seguirá en vigor después de tal período, sujeto a las disposiciones del Artículo XI y Artículo XII, hasta seis meses después de la fecha en que cualquiera de los Gobiernos haya notificado su intención de terminarlo.

Ante, pp. 2698, 2700.

IN WITNESS WHEREOF, the respective Plenipotentiaries sign this Agreement and affix their seals hereto.

EN FE DE LO CUAL los respectivos Plenipotenciarios firman este Convenio y aplican en él sus sellos.

DONE in duplicate, in the English and Spanish languages, both authentic, in the City of Asunción this twelfth day of September, 1946.

HECHO en dos ejemplares, en los idiomas inglés y español, ambos auténticos, en la Ciudad de Asunción, a los doce días del mes de septiembre de mil novecientos cuarenta y seis.

Authentic languages.

For the President of the United States of America:
Por el Presidente de los Estados Unidos de América:

WILLARD L. BEAULAC [SEAL]

For the President of the Republic of Paraguay:
Por el Presidente de la República del Paraguay:

M A SOLER [SEAL]

SCHEDULE I

Paraguayan Tariff Paragraph Number	Description of Article	Unit	Duties (In Guaranies or *ad valorem*) Basic Duty	Surtax
43	Prunes in general	100 L.K.	10.00	11%
55	Fruits and berries dried or desiccated, not elsewhere specified, for food	100 G.K.	8.00	11%
Ex–60	Nuts, in the shell:			
	Walnuts	G.K.	0.13	11%
Ex–63	Raisins:			
	Seedless	G.K.	0.15	11%
154	Tobacco:			
	(a) In cigarettes	Thousand	5.73	11%
156	Lubricating oils for machinery and vehicles in general, including grease, of whatever origin, composition or mixture, not elsewhere specified:			
	Oil	100 G.K.	9.55	11%
	Grease	100 G.K.	8.02	11%
255	Turpentine	100 G.K.	7.16	11%
261	Varnishes, driers, and gumlac, prepared, including wood stains	G.K.	0.30	11%
	Note: No article classified under paragraph 261 will pay, without taking into account the surtax, a duty less than, *ad valorem*		22%	11%
283	Toilet colors, eyebrow and eyelash pencils, lipsticks and rouge, depilatory preparations, nail polish and color; powdered sheets for the dressing table, and in general all cosmetics not specified, perfumed or not	L.K.	3.82	11%
286	Shaving soap, in paste, solid, powdered, cream, liquid, or any other form	L.K.	1.43	11%
290	Toilet soap not elsewhere specified, in paste, cream, solid, liquid, or powdered form	L.K.	0.95	11%
	Note: No article classified under paragraph 290 will pay, without taking into account the surtax, a duty less than, *ad valorem*		33%	11%
292	Paste, powder, soap, and any preparation not specified, for dental cleaning and hygiene, perfumed or not	L.K.	1.43	11%
	Note: Nothing in this Agreement shall prevent the application to articles enumerated and described in paragraphs 283, 286, 290, and 292 of the provisions of the following Notes which appear in Section "E" of Customs Tariff Law No. 667 of September 27, 1924:			

PLANILLA I

Número del Párrafo del Arancel de Aduanas del Paraguay	Descripción del Artículo	Unidad	Derechos (en guaraníes o ad valorem) Aforo	Adicional
43	Ciruelas pasas en general	100 K. L.	10. 00	11%
55	Frutas y bayas secas o desecadas, no previstas en otra parte, para la alimentación	100 K.B.	8. 00	11%
Ex–60	Nueces, con cáscara:			
	Nogales	K.B.	0. 13	11%
Ex–63	Pasas de uva:			
	Sin semilla	K.B.	0. 15	11%
154	Tabaco:			
	(a) En cigarrillos	Mil	5. 73	11%
156	Aceites lubrificantes para maquinarias y vehículos en general, incluso grasa, de cualquier orígen, composición o mezcla, no previstos en otra parte:			
	Aceite	100 K.B.	9. 55	11%
	Grasa	100 K.B.	8. 02	11%
255	Aguarrás	100 K.B.	7. 16	11%
261	Barnices, secantes, y goma laca, preparados, incluso tintes para madera	K.B.	0. 30	11%
	Nota: Ningún artículo clasificado según el párrafo 261, pagará, sin tenerse en cuenta el derecho adicional, un derecho menor de, ad valorem		22%	11%
283	Colores para el tocador, lápices para colorear las cejas y pestañas, carmín para los labios y mejillas, preparaciones depilatorias, preparaciones para bruñir o colorear las uñas; hojas empolvadas para el tocador, y en general todos los cosméticos no especificados, todos los perfumados o no	K.L.	3. 82	11%
286	Jabón de afeitar, en pasta, sólido, en polvo, crema, líquido o en cualquier otra forma	K.L.	1. 43	11%
290	Jabón de tocador no previsto en otra parte, sean en forma de pasta, crema, sólido, líquido o en polvo	K.L.	0. 95	11%
	Nota: Ningún artículo clasificado según el párrafo 290, pagará, sin tenerse en cuenta el derecho adicional, un derecho menor de, ad valorem		33%	11%
292	Pasta, polvo, jabón, y cualquier preparación no especificada, para la limpieza e higiene dentífrica, perfumada o no	K.L.	1. 43	11%
	Nota: Nada de lo estipulado en este Convenio impedirá la aplicación a los artículos enumerados y descritos en los párrafos 283, 286, 290 y 292 de las disposiciones de las Notas que siguen, las cuales aparecen en la Sección "E" de la Ley N. 667 de Tarifa y Arancel de Aduanas del 27 de septiembre de 1924:			

SCHEDULE I—Continued

Paraguayan Tariff Paragraph Number	Description of Article	Unit	Duties (In Guaranies or *ad valorem*) Basic Duty	Surtax
	"*Note* (*XI*)–Any article classified under paragraphs 278 to 280 inclusive, 282 to 284 inclusive, 286, 289 to 296 inclusive, and 298 to 300 inclusive, if imported in flasks, bottles, boxes, tins, jars, or other immediate containers other than those regularly used for retail sale, or if packed without any part of the inner or outer container used for retail sale, will be subject to a surcharge of 100% of the specified duty. "*Note* (*XII*)–If extracts of scent, toilet water, toilet soap, or toilet powder are imported in an individual box or case, or if similar combinations are imported in an individual box or case, joint duties shall be charged at the highest rate corresponding to any one of the articles so combined."			
356	Colophony rosin, Burgundy pitch, vegetable tar and pitch	100 G. K.	0. 72	11%
376	All other mineral, chemical and pharmaceutical products, compounded or not, not elsewhere specified, including pharmaceutical specialties and alkaloids, in any pharmaceutical form		7%	11%
533	Horseshoe nails, of iron	100 G. K.	8. 00	11%
543	Axes, hatchets and adzes, with or without handles	L. K.	0. 10	11%
546	Horseshoes, of iron	100 G. K.	4. 00	11%
666	Typewriter ribbons	Dozen	2. 29	11%
667	Mechanical coin counters; cash registers; calculating machines; bookkeeping machines; parts of the foregoing		11%	11%
675	Typewriters, covers for same, and parts		16. 5%	11%
690	Storage batteries, and parts or elements for same		11%	11%
694	Wireless installations and parts, for telegraphy, telephony, telephotography, radio direction, and similar apparatus, intended for the transmission, application or amplification of electric current		14%	11%

PLANILLA I—Continuación

Número del Párrafo del Arancel de Aduanas del Paraguay	Descripción del Artículo	Unidad	Derechos (en guaraníes o ad valorem) Aforo	Adicional
	"*Nota* (*XI*)—Cualquiera de los artículos clasificados en los párrafos 278 al 280, inclusives, 282 al 284, inclusives, 286, 289 al 296, inclusives, y 298 al 300 inclusives, si fueren importados en frascos, botellas, cajas, cajitas, latas, potes, u otros envases inmediatos, que no sean los que regularmente se emplean para ser puestos a la venta al detalle, o si en su embalaje cualquier parte del envase interior o exterior con que se vende al detalle, quedará sujeto a un recargo de 100% sobre el derecho específico. "*Nota*(*XII*)—Si se importan en una sola cajita o estuche, extracto de olor, agua de tocador, jabón de tocador, y polvos de tocador, o si en una sola cajita o estuche se importan combinaciones semejantes, adeudarán en conjunto derechos según la clasificación más alta que corresponda a cualquiera de los artículos así combinados."			
356	Resina colofonia, pez de Borgoña, brea y alquitrán vegetal	100 K.B.	0. 72	11%
376	Todos los demás productos minerales, químicos y farmacéuticos, compuestos o no, no previstos en otra parte, inclusos las especialidades farmacéuticas y los alcaloides, en cualquier forma farmacéutica		7%	11%
533	Clavos de herradura, de hierro	100 K.B.	8. 00	11%
543	Hachas, hachitas y azuelas con o sin cabo	K.L.	0. 10	11%
546	Herraduras, de hierro	100 K.B.	4. 00	11%
666	Cintas para máquinas de escribir	Docena	2. 29	11%
667	Contadores mecánicos de efectivo; cajas registradoras; máquinas de computar; máquinas para teneduría de libros; piezas sueltas de todas éstas		11%	11%
675	Máquinas de escribir, tapas para las mismas, y piezas sueltas de ellas		16. 5%	11%
690	Baterías acumuladoras y partes o elementos para las mismas		11%	11%
694	Instalaciones inalámbricas y partes de ellas, para telegrafía, telefonía, telefotografía, dirección inalámbrica, y semejantes, siempre que estén destinadas a la transmisión, aplicación o ampliación de la corriente eléctrica		14%	11%

SCHEDULE I—Continued

Paraguayan Tariff Paragraph Number	Description of Article	Unit	Duties (In Guaranies or *ad valorem*) Basic Duty	Surtax
	Note: It is understood that, with regard to radio receivers, the duties agreed upon shall apply only to those which contain up to and including five tubes.			
702	Electric batteries in general and their elements, of metal, carbon, or any other material	L.K.	0.10	11%
	Note: No article classified under paragraph 702 will pay, without taking into account the surtax, a duty less than, *ad valorem*		14%	11%
703	Telephones and their accessories except those elsewhere provided for		14%	11%
710	Passenger automobiles, passenger busses and omnibusses, with steam, explosion or internal combustion or electric motors, including motors for same and in general automotive vehicles and trucks and trailers for trucks or automobile tractors with a load capacity of more than 3 tons, complete or not, new or used	100 N.K.	14.32	11%
	Plus *ad valorem*		11%	
	Note: No article or manufacture classified under paragraph 710 will pay, without taking into account the complementary duty or the surtax, a duty less than, *ad valorem*		30%	11%
	Passenger busses with a load capacity of less than 3 tons	100 N.K.	14.32	11%
	Note: No passenger bus classified under the preceding paragraph shall pay, without taking into account the surtax, a duty less than, *ad valorem*		22%	11%
716	Automobile trucks for the transportation of goods, including tank trucks, with steam, explosion or internal combustion, or electric motors, complete or not, new or used, with a load capacity not exceeding 3 tons, and spare parts or totally unassembled parts, not elsewhere specified, for all automotive vehicles		11%	11%
740	Spare wheels for passenger automobiles, mounted with tires or not, even though entering with the automobiles for which they are intended as spares	L.K.	0.53	11%

PLANILLA I—Continuación

Número del Párrafo del Arancel de Aduanas del Paraguay	Descripción del Artículo	Unidad	Derechos (en guaraníes o ad valorem) Aforo	Adicional
	Nota: Queda entendido que en cuanto a los receptores los derechos convencionados se aplican solamente a los aparatos que contienen hasta cinco válvulas inclusive.			
702	Pilas eléctricas en general y elementos para las mismas, sean de metal, carbón, o cualquier otro material	K.L.	0. 10	11%
	Nota: Ningún artículo clasificado según el párrafo 702 pagará, sin tenerse en cuenta el derecho adicional, un derecho menor de, ad valorem		14%	11%
703	Teléfonos y accesorios de ellos, excepto los previstos en otra parte		14%	11%
710	Automóviles de pasajeros, guaguas y ómnibus de pasajeros, con motores a vapor, de explosión o de combustión interna o eléctricos, inclusive motores para los mismos y en general autovehículos y zorras y wagones de camión o tractor automóvil cuya capacidad de carga exceda de 3 toneladas, completos o no, nuevos o usados	100 K.N.	14. 32	11%
	Más ad valorem		11%	
	Nota: Ningún artículo o manufactura clasificados según el párrafo 710 pagará, sin tenerse en cuenta el derecho complementario o el derecho adicional, un derecho menor de, ad valorem		30%	11%
	Omnibus de pasajeros cuya capacidad de carga sea menor de 3 toneladas	100 K.N.	14. 32	11%
	Nota: Ningún ómnibus clasificado según el párrafo anterior pagará, sin tenerse en cuenta el derecho adicional, un derecho menor de, ad valorem		22%	11%
716	Camiones automóviles para el transporte de carga, sean de tanque o no, con motores a vapor, de explosión o combustión interna o eléctricos, completos o no, nuevos o usados, cuya capacidad de carga no exceda de 3 toneladas, y piezas sueltas o partes totalmente desmontadas, no previstas en otra parte, de todo autovehículo		11%	11%
740	Ruedas de repuesto para automóviles de pasajeros, con o sin llantas puestas, aunque vengan con los automóviles de los cuales forman parte de repuesto	K.L.	0. 53	11%

SCHEDULE I—Continued

Paraguayan Tariff Paragraph Number	Description of Article	Unit	Duties (In Guaranies or *ad valorem*) Basic Duty	Surtax
743	Automotive tractors and parts for same		Free	11%
780	Automatic refrigerators, of wood or any other material, of any system, for the preservation of foods, refrigeration of beverages and similar uses, and their parts and accessories	G.K.	0.10	11%
872	Paper called hygienic, for water-closets	L.K.	0.06	11%
1173	Disks, cylinders, or other means for reproducing sound, for phonographs and talking machines, in blank		11%	11%
Ex-1175	Dictating machines and parts and accessories therefor, for the purpose of recording and reproducing acoustically and electrically, conversations, conferences, and correspondence *Note:* This paragraph refers exclusively to dictating machines in general, and excludes phonographs in general, talking machines or apparatus, or sound reproducers, and their parts not specifically provided for.		19%	11%
1186	Needles for phonographs and talking machines in general, of any material	L.K.	0.48	11%
	Plus *ad valorem*		5.5%	

PLANILLA I—Continuación

Número del Párrafo del Arancel de Aduanas del Paraguay	Descripción del Artículo	Unidad	Derechos (en guaraníes o ad valorem) Aforo	Adicional
743	Tractores automóviles y partes de los mismos		Libre	11%
780	Refrigeradoras automáticas, de madera o de cualquier otro material, de cualquier sistema, para la conservación de comestibles, refrigeración de bebidas y para usos análogos, y sus piezas y accesorios	K.B.	0. 10	11%
872	Papel llamado higiénico, para inodoros	K.L.	0. 06	11%
1173	Discos, cilindros, u otros medios para reproducción de sonido, para fonógrafos y máquinas parlantes, en blanco		11%	11%
Ex-1175	Máquinas para dictar y piezas y accesorios para las mismas, para hacer impresiones y reproducir acústica y eléctricamente, conversaciones, conferencias y correspondencia *Nota:* Este párrafo se entiende exclusivamente para máquinas para dictar en general, con exclusión de fonógrafos en general, máquinas y aparatos parlantes, o reproductores de sonidos, y partes de ellos no previsto especialmente.		19%	11%
1186	Púas para fonógrafos y máquinas parlantes en general, de cualquier material	K.L.	0. 48	11%
	Más ad valorem		5. 5%	

SCHEDULE II

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States of America to the provisions of this Schedule shall be determined, in so far as may be practicable, as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles.

Continuance in force of separate or additional duties.

In the case of any article enumerated in this Schedule, which is subject on the day of the signature of this Agreement to any additional or separate ordinary customs duty, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duty shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.

46 Stat. 590.
19 U. S. C. § 1001 *et seq.*

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
35	Maté, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	5% *ad valorem*
38	Extracts, dyeing and tanning, not containing alcohol:	
	Quebracho	7½% *ad valorem*
	Urunday (if on the effective date of the proclamation of this Agreement it is, or shall thereafter be, held by competent administrative or judicial authority to be dutiable under paragraph 38, Tariff Act of 1930)	7½% *ad valorem*
58	Oils, distilled or essential, not containing alcohol, and not specially provided for:	
	Guaiac wood oil	12½% *ad valorem*
	Essence of guayacan (Caesalpinia melanocarpa criseb)	12½% *ad valorem*
701	Tallow	¼¢ per lb.
705	Extract of meat, including fluid	7½¢ per lb.
706	Meats, prepared or preserved, not specially provided for (except meat pastes other than liver pastes, packed in air-tight containers weighing with their contents not more than 3 ounces each)	3¢ per lb., but not less than 20% *ad valorem*
802	Rum (including *caña paraguaya*), in containers holding each 1 gallon or less	$2.50 per proof gallon

PLANILLA II

NOTA: Las disposiciones de esta Planilla serán interpretadas y tendrán la misma validez, y la aplicación de las disposiciones colaterales de las leyes aduaneras de los Estados Unidos de América a las disposiciones de esta Planilla será determinada, hasta donde fuere factible, como si cada disposición de esta Planilla apareciese respectivamente en la disposición de la ley anotada en la columna de la izquierda de las respectivas descripciones de artículos.

En el caso de cualquier artículo enumerado en esta Planilla que esté sujeto en el día de la firma de este Convenio a cualquier derecho aduanero ordinario adicional o distinto, impuesto o no bajo la disposición de la ley anotada en la columna a la izquierda de la respectiva descripción del artículo, continuará estándolo, sujeto a la reducción indicada en esta Planilla o que en adelante se estipule, hasta que sea dejado sin efecto de conformidad con la ley, pero dicho derecho no será aumentado.

Ley Arancelaria de los Estados Unidos de 1930 Párrafo	Descripción del Artículo	Tipo de Derecho
35	Yerba maté, natural y no compuesta, pero cuyo valor o calidad haya sido mejorado por el cortado, la molienda, el picado, el machacado u otro procedimiento o tratamiento que no sea el indispensable para el envase propiamente dicho o para evitar el deterioro antes de su elaboración, que no contenga alcohol	5% ad valorem
38	Extractos para teñir y curtir que no contengan alcohol:	
	Quebracho	7½% ad valorem
	Urundey (si en la fecha efectiva de este Convenio, o a partir de ella, las autoridades administrativas o judiciales competentes lo consideran sujeto a impuestos de acuerdo con el párrafo 38 de la Ley Arancelaria de 1930)	7½% ad valorem
58	Aceites, destilados o esenciales, que no contengan alcohol, no mencionados expresamente en otra partida:	
	Aceite de guayaco o guayacán	12½% ad valorem
	Esencia de guayacán (Caesalpinia melanocarpa criseb)	12½% ad valorem
701	Sebo	¼¢ por lb.
705	Extracto de carne, inclusive extractos flúidos	7½¢ por lb.
706	Carnes preparadas o conservadas, no mencionadas expresamente en otra partida (excepto pastas de carne que no sean pastas de hígado, en envases herméticos y que pesen con sus contenidos no más de 3 onzas cada uno)	3¢ por lb. pero no menos de 20% ad valorem
802	Ron (inclusive caña paraguaya), en recipientes con capacidad de un galón o menos cada uno	$2.50 por galón de prueba

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1530 (a)	Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), raw or uncured, or dried, salted, or pickled	5% *ad valorem*
1558	Articles manufactured, in whole or in part, not specially provided for:	
	Urunday extract if not classifiable under paragraph 38, Tariff Act of 1930	10% *ad valorem*
1602	Maté, natural and uncompounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	Free
1625	Blood, dried, not specially provided for	Free
1627	Bones: Crude, steamed, or ground; bone dust, bone meal, and bone ash; and animal carbon suitable only for fertilizing purposes	Free
1670	Dyeing or tanning materials, whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any similar process, not containing alcohol:	
	Quebracho wood	Free
	Bark of curupay (Piptadenia rigida Benth.)	Free
1681	Furs and fur skins, not specially provided for, undressed:	
	Fox (other than silver or black fox)	Free
	Otter	Free
	Ocelot	Free
	Wildcat	Free
	Nutria	Free
	Jaguar	Free
1685	Tankage of a grade used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers	Free
1688	Hair of horse and cattle (including calf), cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially provided for:	
	Body hair	Free
	Other	Free

PLANILLA II—Continuación

Ley Arancelaria de los Estados Unidos de 1930 Párrafo	Descripción del Artículo	Tipo de Derecho
1530 (a)	Cueros y pieles de ganado de la especie bovina (exceptuando cueros y pieles de búfalo acuático de la India que sean importados para emplearse en la fabricación de artículos de cuero crudo), curados o no, secados, salados o conservados (pickled)	5% ad valorem
1558	Artículos manufacturados, total o parcialmente, no especificados:	
	Extracto de urundey, si no está clasificado de acuerdo con el párrafo 38 de la Ley Arancelaria de 1930	10% ad valorem
1602	Yerba maté, natural y no compuesta, no elaborada, y cuyo valor o calidad no haya sido mejorado por el cortado, la molienda, el picado, el machacado u otro procedimiento o tratamiento que no sea el indispensable para el envase propiamente dicho o para evitar el deterioro antes de su elaboración, que no contenga alcohol	Libre
1625	Sangre seca, no mencionada expresamente en otra partida	Libre
1627	Huesos: en bruto, sometidos al vapor o molidos; polvo, harina y ceniza de huesos; y carbón animal apto solamente para fines fertilizantes	Libre
1670	Materiales para teñir o curtir, ya sea en bruto o mejorados en valor o calidad por el cortado, la molienda, el picado, el machacado, o por un procedimiento similar, que no contenga alcohol:	
	Madera de quebracho	Libre
	Corteza de curupay (Piptadenia rigida Benth.)	Libre
1681	Pieles y cueros de pieles, no mencionados expresamente en otra partida, no preparados:	
	De zorro (que no sea zorro plateado o negro)	Libre
	Nutria de mar	Libre
	Ocelote	Libre
	Gato montés	Libre
	Nutria	Libre
	Jaguar	Libre
1685	Guano de una clase que se utiliza principalmente para abono, o principalmente como ingrediente en la fabricación de abonos	Libre
1688	Pelo de ganado equino y bovino (incluyendo ternero), limpio o sucio, peinado o no, pero no manufacturado, no mencionado expresamente en otra partida:	
	Pelo del cuerpo	Libre
	Otros	Libre

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1693	Hoofs, unmanufactured	Free
1694	Horns and parts of, including strips and tips, unmanufactured	Free
1731	Oils, distilled or essential, not containing alcohol:	
	Pettigrain	Free
1755	Sausage casings, weasands, intestines, bladders, tendons, and integuments, not specially provided for	Free
1765	Skins of all kinds, raw, and hides not specially provided for:	
	Deerskins	Free
	Carpincho	Free
	Wild pig and wild hog	Free
1780	Tankage, unfit for human consumption	Free

Internal Revenue Code Section	Description of Article	Import Tax
2491 (a)	Tallow	1½¢ per lb.

53 Stat. 267.
26 U.S.C. § 2491 (a).

PLANILLA II—Continuación

Ley Arancelaria de los Estados Unidos del 1930 Párrafo	Descripción del Artículo	Tipo de Derecho
1693	Cascos y pezuñas sin manufacturar	Libre
1694	Astas y sus partes, incluso pedazos y puntas, sin manufacturar	Libre
1731	Aceites, destilados o esenciales, que no contengan alcohol:	
	De petit-grain	Libre
1755	Tripas para embutidos, tráqueas, intestinos, vejigas, tendones y envolturas, no mencionadas expresamente en otra partida	Libre
1765	Pieles de toda clase, sin curtir, y cueros no mencionados expresamente en otra partida:	
	De venado	Libre
	De carpincho	Libre
	De puercos y cerdos salvajes	Libre
1780	Residuos grasos (tankage) no aptos para consumo humano	Libre

Artículo del Código de Impuestos Internos	Descripción del Artículo	Gravamen a la Importación
2491 (a)	Sebo	1½¢ por lb.

WHEREAS the said Agreement was supplemented by three exchanges of notes between the Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay and the Minister of Foreign Relations and Worship of the Republic of Paraguay, which notes are word for word as follows: [1]

REPUBLICA DEL PARAGUAY
Asunción, Septiembre 12 de 1946.–

SEÑOR EMBAJADOR:

Tengo el honor de hacer referencia a las conversaciones entre los representantes de los Gobiernos de la República del Paraguay y de los Estados Unidos de América, en conexión con el Convenio Comercial firmado hoy, relativo a las relaciones comerciales entre el Paraguay y países limítrofes y el Uruguay.

Durante estas conversaciones, los representantes del Paraguay han señalado que aun cuando el Gobierno de la República del Paraguay está completamente de acuerdo con el principio expresado por los representantes del Gobierno de los Estados Unidos de América, que el comercio internacional debería desarrollarse a lo máximo sobre una base multilateral e incondicional de nación más favorecida, el Gobierno del Paraguay puede considerar necesario, en circunstancias especiales, que se otorguen ciertas preferencias tarifarias a los países limítrofes y al Uruguay.

Los representantes paraguayos indicaron, a este respecto, la recomendación adoptada por el Comité Consultivo Económico Financiero Interamericano, el 18 de septiembre de 1941, de que tales preferencias de tarifas, para que sean instrumento para una sana promoción del comercio, habrían de efectuarse por medio de convenios comerciales que contengan reducciones o exenciones de tarifas; que las partes contratantes se reservarán el derecho de reducir o eliminar los impuestos aduaneros sobre importaciones iguales de otros países; y que semejantes preferencias tarifarias regionales no deberían de entorpecer amplios programas de reconstrucción económica que impliquen reducción de tarifas y la disminución o eliminación de tarifas y otras preferencias comerciales con el fin de dar el mayor impulso posible al comercio internacional, sobre una base multilateral e incondicional de nación más favorecida.

Las conversaciones a las cuales he aludido han revelado un entendimiento mutuo como sigue:

El Gobierno de los Estados Unidos de América no invocará las estipulaciones del Artículo I del Convenio Comercial firmado hoy con el fin de obtener el beneficio de preferencias tarifarias que respondan a los requisitos de la recomendación infrascripta, adoptada por el Comité Consultivo Económico Financiero Interamericano, que el Paraguay pueda otorgar a un país limítrofe o al Uruguay, quedando entendido que si tal preferencia fuera ofrecida por el Paraguay a un

[1] [For translations of Paraguayan notes, see p. 2725.]

país no limítrofe, otro que el Uruguay, ésta se extendería inmediata e incondicionalmente a los Estados Unidos de América.

Reciba, Señor Embajador, las renovadas seguridades de mi más alta consideración.–

MIGUEL ANGEL SOLER

A Su Excelencia el Señor *Embajador Extraordinario*
y Plenipotenciario de los Estados Unidos de América,
Hon. WILLARD L. BEAULAC.
Presente.–

EMBASSY OF THE
UNITED STATES OF AMERICA
Asunción, September 12, 1946.

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date with reference to the agreement reached between representatives of the Government of the United States of America and the Government of the Republic of Paraguay, in connection with the Trade Agreement signed this day, regarding trade relations between Paraguay and contiguous countries and Uruguay.

In the course of these conversations the Paraguayan representatives have pointed out that although the Government of the Republic of Paraguay is completely in accord with the principle expressed by the representatives of the Government of the United States of America that international trade should be developed to the fullest possible extent on a multilateral unconditional most-favored-nation basis, the Government of Paraguay may consider it necessary, in special circumstances, to grant certain tariff preferences to contiguous countries and Uruguay.

The Paraguayan representatives have referred in this connection to the recommendation, adopted by the Inter-American Financial and Economic Advisory Committee on September 18, 1941, that any such tariff preferences, in order to be an instrument for sound promotion of trade, should be made effective through trade agreements embodying tariff reductions or exemptions; that the parties to such agreements should reserve the right to reduce or eliminate the customs duties on like imports from other countries; and that any such regional tariff preferences should not be permitted to stand in the way of any broad program of economic reconstruction involving the reduction of tariffs and the scaling down or elimination of tariff and other trade preferences with a view to the fullest possible development of international trade on a multilateral unconditional most-favored-nation basis.

I have the honor to confirm Your Excellency's statement of the understanding reached with reference to this matter as follows:

The Government of the United States of America will not invoke the provisions of Article I of the Trade Agreement signed this day for the purpose of obtaining the benefit of tariff preferences meeting the requirements of the aforementioned recommendation

adopted by the Inter-American Financial and Economic Advisory Committee which Paraguay may accord to a contiguous country, or to Uruguay, it being understood that if any such preference should be extended by Paraguay to any noncontiguous country, other than Uruguay, it would be extended immediately and unconditionally to the United States of America.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLARD L. BEAULAC

His Excellency
Doctor MIGUEL ANGEL SOLER,
Minister of Foreign Relations and Worship.

EMBASSY OF THE
UNITED STATES OF AMERICA
Asunción, September 12, 1946.

EXCELLENCY:

I have the honor to refer to the discussions during the course of the negotiation of the Trade Agreement between our two Governments signed this day with regard to the duties and surtaxes to be imposed, upon importation into the Republic of Paraguay, on certain products of the United States of America included in Schedule I of the Agreement. The following is my understanding of the customs treatment which will be accorded by the Republic of Paraguay to such articles the growth, produce or manufacture of the United States of America, upon their importation into the Republic of Paraguay, so long as the Trade Agreement remains in force:

Ante, p. 2706.

Articles exempt from excess duty.

1. Each of the articles enumerated and described in List 1 of this note shall be exempt from ordinary customs duty in excess of that set forth and provided for in List 1, so long as the 50 percent increase in the basic rate of duty on such articles provided for by Decree No. 54,777 of November 22, 1934 remains suspended.

List 1

Paraguayan Tariff Paragraph Number	Description of Article	Unit	Duties (in Guaranies)
154	Tobacco:		
	(a) In cigarettes	Thousand	3. 82
283	Toilet colors, eyebrow and eyelash pencils, lipsticks and rouge, depilatory preparations, nail polish and color; powdered sheets for the dressing table, and in general all cosmetics not specified, perfumed or not	L. K.	2. 55
290	Toilet soap not elsewhere specified, in paste, cream, solid, liquid, or powdered form	L. K.	0. 64
	Note: No article classified under paragraph 290 will pay, without taking into account the surtax, a duty less than, *ad valorem*		22%
292	Paste, powder, soap, and any preparation not specified, for dental cleaning and hygiene, perfumed or not	L. K.	0. 95

2. Should the exemption from payment of the 50 percent increase in duty be discontinued in the case of any article enumerated and described in List 1 of this note, such article shall thereafter be exempt from ordinary customs duty in excess of that set forth and provided for in Schedule I of the Trade Agreement.

Ante, p. 2706.

Articles exempt from customs surtax.

3. Each of the articles enumerated and described in List 2 of this note shall be exempt from customs surtax, so long as the customs surtax on such article provided for by Decree-Law No. 19,360 of August 12, 1943, as amended by Decree No. 914 of October 22, 1943, remains suspended.

List 2

Paraguayan Tariff Paragraph Number	Description of Article
43	Prunes in general
55	Fruits and berries dried or desiccated, not elsewhere specified, for food
Ex-63	Raisins: Seedless
283	Toilet colors, eyebrow and eyelash pencils, lipsticks and rouge, depilatory preparations, nail polish and color; powdered sheets for the dressing table, and in general all cosmetics not specified, perfumed or not

Discontinuance of exemption.

4. Should the exemption from the payment of customs surtax be discontinued in the case of any article enumerated and described in List 2 of this note, such article may thereafter be subject, notwithstanding the provisions of Article VII of the Trade Agreement, to a customs surtax not in excess of 11 percent *ad valorem*.

Ante, p. 2696.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLARD L. BEAULAC

His Excellency
Doctor MIGUEL ANGEL SOLER,
Minister of Foreign Relations and Worship.

REPUBLICA DEL PARAGUAY
Asunción, Septiembre 12 de 1946.-

SEÑOR EMBAJADOR:

Tengo el honor de acusar recibo de la nota de Vuestra Excelencia de esta fecha, relativa a las conversaciones durante el curso de la negociación del Convenio Comercial entre nuestros dos Gobiernos firmado hoy, referente a los derechos y adicionales a ser impuestos, sobre ciertos productos de los Estados Unidos de América incluídos en la Planilla I del Convenio, a su importación en la República del Paraguay.

Tengo el honor de confirmar el entendimiento expresado en la nota de Vuestra Excelencia.

Sírvase aceptar, Señor Embajador, las renovadas seguridades de mi más alta consideración.-

MIGUEL ANGEL SOLER

A Su Excelencia el Señor *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América,*
Hon. WILLARD L. BEAULAC.
Presente.-

EMBASSY OF THE
UNITED STATES OF AMERICA
Asunción, September 12, 1946.

EXCELLENCY:

I have the honor to refer to conversations between the representatives of the Governments of the United States of America and the Republic of Paraguay, in connection with the Trade Agreement signed this day, relating to the application of Paragraph 2 of Article XV of the Agreement to the Philippine Islands.

Ante, p. 2703.

Since the inception of the negotiations which have thus culminated in the signature of the Agreement, my Government has intended that advantages accorded to the Philippines should, regardless of any change in political status, be excepted from the operation of the Agreement. Accordingly, as a result of the conversations referred to, it is the understanding of my Government that the two Governments are in agreement that, notwithstanding the inauguration of an independent Philippine Government on July 4, 1946, Paragraph 2 of Article XV of the Trade Agreement will be interpreted to mean that advantages which the United States now or hereafter accords to the Republic of the Philippines are excepted from the operation of the Agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLARD L. BEAULAC

His Excellency
Doctor MIGUEL ANGEL SOLER,
Minister of Foreign Relations and Worship.

REPUBLICA DEL PARAGUAY
Asunción, Septiembre 12 de 1946.–

SEÑOR EMBAJADOR:

Tengo el honor de acusar recibo de la nota de Vuestra Excelencia fecha de hoy, y de confirmar el entendimiento de los dos Gobiernos expuesto en la misma de que el Párrafo 2 del Artículo XV del Convenio Comercial firmado hoy será interpretado significando que las ventajas concedidas por los Estados Unidos en la actualidad o en adelante a la República de Filipinas, quedarán exceptuadas de los efectos del Convenio.

Reciba, Señor Embajador, las renovadas seguridades de mi más alta consideración.–

MIGUEL ANGEL SOLER

A Su Excelencia el Señor *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América,*
Hon. WILLARD L. BEAULAC.
Presente.–

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement

and the Schedules thereunto annexed, and the said notes, are required and appropriate to carry out the said Agreement;

WHEREAS it is provided in article XVII, paragraph 1, of the said Agreement that it shall enter into force on the thirtieth day following the day of the proclamation thereof by the President of the United States of America and publication thereof in the *Gaceta Oficial* of the Republic of Paraguay, or, should such proclamation and publication take place on different days, on the thirtieth day following the date of the later in time of such proclamation or publication;

Ante, p. 2704.

AND WHEREAS the said Agreement was published in the *Gaceta Oficial* of the Republic of Paraguay on February 26, 1947;

Publication in *Gaceta Oficial*.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting under the authority conferred by the said section 350 (a) of the Tariff Act of 1930, as amended, do hereby proclaim the said Trade Agreement, including the said Schedules and notes, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America, the citizens of the United States of America and all other persons subject to the jurisdiction thereof, on and after April 9, 1947, the thirtieth day following March 10, 1947, the date of this my proclamation of the said Agreement.

Proclamation of agreement.

48 Stat. 943.
19 U.S.C. § 1351 (a).

Effective date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at Washington this tenth day of March in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:
DEAN ACHESON
Acting Secretary of State

TRANSLATIONS OF PARAGUAYAN NOTES

The Paraguayan Minister of Foreign Relations and Worship to the American Ambassador

REPUBLIC OF PARAGUAY
Asunción, September 12, 1946.–

MR. AMBASSADOR:

I have the honor to refer to the conversations between the representatives of the Governments of the Republic of Paraguay and the United States of America, in connection with the Trade Agreement signed this day, regarding trade relations between Paraguay and contiguous countries and Uruguay.

In the course of these conversations, the Paraguayan representatives have pointed out that although the Government of the Republic of Paraguay is completely in accord with the principle expressed by the representatives of the Government of the United States of America,

that international trade should be developed to the fullest extent possible on a multilateral unconditional most-favored-nation basis, the Government of Paraguay may consider it necessary, in special circumstances, to grant certain tariff preferences to contiguous countries and Uruguay.

The Paraguayan representatives have referred in this connection to the recommendation, adopted by the Inter-American Financial and Economic Advisory Committee on September 18, 1941, that any such tariff preferences, in order to be an instrument for sound promotion of trade, should be made effective through trade agreements embodying tariff reductions or exemptions; that the parties to such agreements will reserve the right to reduce or eliminate the customs duties on like imports from other countries; and that any such regional tariff preferences should not stand in the way of any broad programs of economic reconstruction involving the reduction of tariffs and the scaling down or elimination of tariff and other trade preferences with a view to the fullest possible development of international trade on a multilateral unconditional most-favored-nation basis.

The conversations to which I have referred have disclosed a mutual understanding as follows:

The Government of the United States of America will not invoke the provisions of Article I of the Trade Agreement signed this day for the purpose of obtaining the benefit of tariff preferences meeting the requirements of the aforementioned recommendation, adopted by the Inter-American Financial and Economic Advisory Committee, which Paraguay may accord to a contiguous country or to Uruguay, it being understood that if any such preference should be offered by Paraguay to any noncontiguous country, other than Uruguay, it would be extended immediately and unconditionally to the United States of America.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

MIGUEL ANGEL SOLER

His Excellency
WILLARD L. BEAULAC,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

REPUBLIC OF PARAGUAY
Asunción, September 12, 1946.–

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date, concerning the discussions during the course of the negotiation of the Trade Agreement between our two Governments signed this day with regard to the duties and surtaxes to be imposed, upon importation into the Republic of Paraguay, on certain products

of the United States of America included in Schedule I of the Agreement.

I have the honor to confirm the understanding set forth in Your Excellency's note.

Please accept, Mr. Ambassador, the renewed assurances of my highest consideration.

MIGUEL ANGEL SOLER

His Excellency
WILLARD L. BEAULAC,
Ambassador Extraordinary and
Plenipotentiary of the United States of America,
City.

REPUBLIC OF PARAGUAY
Asunción, September 12, 1946.–

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date, and to confirm the understanding of the two Governments set forth therein that Paragraph 2 of Article XV of the Trade Agreement signed today will be interpreted to mean that advantages which the United States now or hereafter accords to the Republic of the Philippines are excepted from the operation of the Agreement.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

MIGUEL ANGEL SOLER

His Excellency
WILLARD L. BEAULAC,
Ambassador Extraordinary and
Plenipotentiary of the United States of America,
City.

February 29 and March 28, 1944
[T. I. A. S. 1602]

Agreement between the United States of America and the United Kingdom respecting claims for damages resulting from acts of armed forces personnel. Effected by exchange of notes signed at London February 29 and March 28, 1944; effective March 28, 1944.

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W.1.
29th February, 1944.

No. W 3151/150/64.

YOUR EXCELLENCY,

Claims against members of U. S. forces in the United Kingdom.

I have the honour to refer to Your Excellency's note No. 3295 [1] of the 19th January concerning the question of civil claims arising in tort against members of the United States forces in the United Kingdom.

2. As you are aware, His Majesty's Government have been reluctant to accept responsibility for these claims since to do so would involve payment by the British public of compensation for damage or injury sustained by the British public through the tortious acts of United Service personnel and might therefore seem undesirable on political grounds. They had therefore hoped that the arrangements previously made with His Majesty's Treasury Solicitor for the settlement of this matter could be maintained. They are, however, glad to note that the United States Government recognise that certain of the claims in question raise political issues and that the proposals now put forward are subject to the reserve that His Majesty's Government are not to be required to assume responsibility for claims which they regard as politically objectionable. In the light of this and recognising that the United States Government regard claims against the personnel of the armed forces of the United States in the line of duty to be part of the normal expenses of the United States forces, His Majesty's Government are prepared to undertake certain responsibilities for the settlement of these claims on behalf of the United States Government as a reciprocal aid service. They assume that the United States Government for their part will be willing to make similar arrangements for the settlement of civil claims of like nature arising against members of His Majesty's Forces in the United States in the course of their duties. His Majesty's Government are, in the circumstances, able to assume these responsibilities only within certain limitations and conditions which are summarised in an Annex attached to this Note. An explanation of the more important of these will be given hereunder.

Post, p. 2732.

3. In the first place, His Majesty's Government find it necessary for administrative reasons to distinguish between claims which are now outstanding and claims which may arise in future. Your Excellency

[1] [Not printed.]

will appreciate that the British Claims Commission is already occupied with the settlement and payment of claims brought against members of His Majesty's Forces and that to take over a large accumulation of similar claims against members of the United States Forces would not only seriously interfere with the present work of the Commission but would also delay still further the settlement of claims against members of the United States Forces. Although, therefore, His Majesty's Government desire to render the fullest possible assistance to the United States authorities in this matter they have reluctantly decided that they can assume responsibility for the settlement on behalf of the United States Government of certain classes of claims against personnel of the United States armed forces only if such claims arise out of incidents occurring on or after the 20th March, 1944. These claims will be additional to claims arising from training manoeuvres of the United States Forces and from certain damage resulting from the operation of United States aircraft for which His Majesty's Government have already undertaken such a responsibility. His Majesty's Government are prepared to undertake the payment but not, for the reasons given above, the examination and settlement of certain claims which are now outstanding. Their proposals for the rapid settlement of these outstanding claims are set out in paragraph 12 of this Note.

Post, p. 2731.

4. It will be convenient if I first make certain observations about claims arising out of incidents occurring on or after the 20th March 1944. As I have indicated, His Majesty's Government would wish to reserve the right to refuse consideration of any claim where there are in their opinion good political reasons for doing so. Furthermore, His Majesty's Government feel it to be essential that they should have complete discretion and liberty of action in the means adopted for dealing with any claim to which the proposed arrangements would apply. The departments of His Majesty's Government, who would be charged with the settlement of such claims, are now responsible for the settlement of claims brought against members of His Majesty's Forces and it will clearly be necessary for them to settle claims against members of both forces as far as possible upon the same principles, within the same limitations, and by the same methods. His Majesty's Government can for this reason only assume responsibility for the settlement of such claims against members of the United States Forces in the course of their military duties in the United Kingdom and Northern Ireland if these claims arise from

(a) traffic accidents
(b) accidental shootings
(c) accidental explosions
(d) loss of, or damage to, chattels in requisitioned premises occupied by United States Forces under arrangements made by His Majesty's Government Departments.
(e) certain other incidents (e.g. practice gunfire, fires in billets, etc.) where they would in certain circumstances accept claims had members of His Majesty's Forces been involved.

5. His Majesty's Government propose that the claims to which these arrangements will apply should normally be restricted to those brought by members of the public, although they might wish to include claims brought by members of His Majesty's Forces, including Dominion Forces and, in special circumstances, by members of the Allied Forces now in this country. Claims by United States nationals and members of the United States Forces would however be excluded for political reasons.

6. As I have stated, His Majesty's Government will wish to secure complete liberty of action in dealing with such claims. It is particularly necessary that this should be the case in determining

(a) whether any claim falls within one or other of the above categories, and

(b) whether or not, for the purposes of these arrangements (but for no other purpose), members of the United States Forces were acting in the course of their military duties at the time of any occurrence which might give rise to a claim.

Unless liberty of action is reserved on these matters, it will not be possible to secure equality as between claimants against members of His Majesty's Forces and claimants against members of the United States Forces under the proposed arrangements. In deciding this and other material questions His Majesty's Government will avail themselves of the procedure adopted for deciding similar questions in claims brought against members of His Majesty's Forces. The expenses incurred by His Majesty's Government in settling such claims, together with any sums payable by way of compensation, will be treated by them as a reciprocal aid service. Having regard to the statement in Your Excellency's note that the disposition of claims by the British authorities will be final, I assume that the United States Government will agree to the above stipulations and will accept without question any settlement however reached.

7. You should further be aware that it may be necessary for His Majesty's Government to reopen those claims which have not been admitted by the United States Claims Commission and in which no payment has been made.

8. I have noted with satisfaction your statement that the United States authorities would co-operate by assisting in the production of evidence and, so long as available in the United Kingdom, of parties and witnesses wherever military duties are not paramount. It will clearly be an essential condition of the proposed arrangements that the United States Army and Navy commands in this country should render to His Majesty's Government all facilities and assistance in their power to enable the appropriate agencies of His Majesty's Government to carry out the onerous task which would thereby fall upon them. I shall therefore be glad to receive from Your Excellency an assurance that these facilities and assistance will be forthcoming and that the necessary instructions will be given to all United States units to do all in their power to assist those officers of His Majesty's Gov-

ernment whose duty it will be to deal with the large number of claims against personnel of the United States Forces under the proposed arrangements.

9. I note with satisfaction that the United States Government are willing to transfer to the British authorities all property damage claims against third parties, and they agree for their part that any sums recovered in this manner should be credited as offset receipts against reciprocal aid. The views of His Majesty's Government on this matter are elaborated in paragraph 7 of the Annex to this Note. *Post*, p. 2733.

10. I am in agreement with your proposal that property losses of the respective Governments arising out of acts in which only personnel and equipment of the two Governments are involved should be borne where they fall, and I suggest that this Mutual Forbearance Agreement should be extended so as to cover claims of the respective Governments arising out of the death of or injury to their personnel and should be retroactive so as to cover any outstanding cases. It is also suggested that in connexion with traffic accident claims arising out of accidents in which both a British and United States vehicle are concerned, an equal proportion of the total cost of settlement of third party claims should be attributed to each Government, irrespective of the question of responsibility as between those Governments. Similar agreements for sharing claims in such circumstances have been made by His Majesty's Government with other Governments with the result that the difficulty of adjudicating upon the degree of responsibility of the respective drivers in individual cases is avoided.

11. Finally, in view of the strong political feeling to which this question may give rise, particularly among those who are involved in these incidents, I trust that the United States authorities will continue to take all possible steps, such as previous instruction as well as firm disciplinary action, to minimise the number of cases to which the procedure now proposed will apply.

12. I now turn to claims arising from incidents occurring before the 20th March, 1944. For the reasons stated in paragraph 2 of this note, His Majesty's Government consider that these claims must continue to be dealt with by the United States Claims Commission. In order to assist the rapid disposal of such claims, His Majesty's Government are prepared to agree that any sums paid on or after the 20th March arising out of incidents occurring before that date in settlement of any claims unpaid on that date shall be treated as a matter of reciprocal aid. They assume that this proposal will be satisfactory to the United States Government and trust that the United States Government will agree that the objections which the latter felt to the continuation of the Collision and other Agreements, which were negotiated on their behalf and the operation of which was suspended at their request in the summer of 1943, no longer apply. In this event these Collision and other Agreements can so far as possible forthwith be reinstated and this step would immediately and substantially reduce the number of outstanding claims. Claimants, with whom no settlement by other means is possible, shall have recourse in the Courts of *Ante*, p. 2728.

the United Kingdom in the ordinary way against the tort feasor, unless military duties render this impossible. His Majesty's Government will however except from these arrangements all claims exceeding the local financial powers of the United States Claims Commissions, and they themselves will take over at once the examination and final settlement of all such claims. The conditions which His Majesty's Government wish to attach to the proposals made in this paragraph are set out in paragraphs 13 to 15 of the Annex to this Note.

Post, p. 2735.

13. His Majesty's Government are of the opinion that it is essential for the good working of the arrangements proposed in this Note and Annex that particular care should be taken by the British and United States authorities to ensure the prompt settlement of claims arising out of incidents occurring before the 20th March, 1944, and they trust that in this matter as in the other matters previously mentioned they can count on the fullest possible co-operation of the United States authorities.

14. As Your Excellency is aware, I am most anxious to reach a conclusion of this matter with the least possible delay, and I shall be grateful if I may be informed at the earliest opportunity whether the assumptions and conditions upon which His Majesty's Government are prepared to agree to the request made by you are acceptable to the United States Government.

I have the honour to be, with the highest consideration,
Your Excellency's obedient Servant,

ANTHONY EDEN

His Excellency
The Honourable
JOHN GILBERT WINANT,
etc., etc., etc.,
1, Grosvenor Square,
W.1.

ANNEX

The conditions upon which His Majesty's Government will take over under reciprocal aid certain classes of claims against members of the United States Forces arising out of their military duties in the United Kingdom and Northern Ireland.

Classes of claims.

1. The claims shall be limited to claims in respect of:-

(a) Traffic accidents
(b) Accidental shootings
(c) Accidental explosions
(d) Loss of or damage to chattels in requisitioned premises occupied by United States forces under arrangements made with His Majesty's Government Departments
(e) Other claims arising from e.g. practice gunfire, fires in billets etc. which His Majesty's Government would in certain cir-

cumstances accept if members of His Majesty's Forces were involved.

2. These claims will be accepted by His Majesty's Government only if brought by members of the public and in certain circumstances by members of His Majesty's Forces, including Dominion Forces and of the Allied Forces in this country. Claims brought by United States citizens or members of the United States Forces will not be accepted.

Claims accepted by U. K.

A. Claims in the classes set out in paragraph 1 above and arising out of incidents occurring on or after 20th March, 1944.

3. The British Claims Commission will decide in each case whether, having regard to the liability which His Majesty's Government accept in the case of members of His Majesty's Forces, the claim is one which can be accepted under this arrangement.

4. All other claims, together with any claims in the above classes which His Majesty's Government find it impossible to take over for reasons of policy, shall be dealt with by the United States Claims Commission.

5. All claims accepted by His Majesty's Government for reciprocal aid shall be dealt with by the British Claims Commission, who shall have complete discretion and liberty of action to dispose of them on behalf of the United States Government by way of payment, compromise, settlement, legal proceedings or otherwise as they think fit. The United States Government will accept as final the result reached by the British Claims Commission and any sum payable as a result of action taken by the British Claims Commission shall be treated as reciprocal aid.

Contested claims.

6. If the British Claims Commission decide that any claims shall be contested, the United States authorities will provide full facilities to the British Claims Commission to enable the matter to be disposed of by appropriate legal proceedings, and will supply the names of the United States personnel involved together with a retainer to the Treasury Solicitor to act on their behalf in the proceedings and to conduct, compromise or settle the proceedings in accordance with the complete discretion of the Treasury Solicitor.

Estimates of damage to U. S. military property.

7. The United States authorities will give to the British Claims Commission at the earliest possible time full particulars and estimates of damage to United States military vehicles and property so that claims in respect thereof may be made by the British Claims Commission either by way of affirmative claim or counterclaim or for the purposes of any collision agreements. The United States authorities will give to the Treasury Solicitor any authorisation necessary for this purpose.

Control by U. S. authorities over disciplinary action.

8. The United States authorities will retain complete control over disciplinary action, and United States liaison officers will be appointed in order to facilitate the smooth working of the arrangements and to provide a channel of communication for British Claims Officers with United States units. The functions of the United States liaison officers will be

Functions of U. S. liaison officers.

(a) to ensure prompt reference of cases, together with the material information, reports and statements of witnesses to the British Claims Commission;

(b) to ensure that all information as to the cost of repairs and damage sustained by United States vehicles is provided in due time;

(c) to secure the attendance of witnesses at the offices of the Treasury Solicitor or his agents and at Court where such attendance is practicable;

(d) generally to give any assistance which the British Claims Commission may require in order to enable them to deal with any particular claim.

Witnesses, documents, etc.

9. The British Claims Commission will use their best endeavours to avoid any interference with the military duties of any witness or defendant in the United States Armed Forces, but the United States authorities will use their best endeavours to provide these witnesses and any other essential parties in this country where this is practicable, having regard to military exigencies. The United States authorities will make available to the British Claims Commission and the Treasury Solicitor all relevant documents, for example, copies of proceedings of United States Courts of Enquiry and Courts Martial.

Correspondence.

10. The United States will give instructions to all their Service authorities not to enter into any correspondence with claimants or their solicitors apart from the formal acknowledgments of letters. Any correspondence should be immediately passed on through the liaison officer, to the appropriate British Claims Officer.

Government claims, restriction.
Post, p. 2878.

11. (i) Neither Government shall make any claim against the other in respect of any property loss or damage, or in respect of any expenses or charges incurred as a result of the death of or injury to their personnel arising out of an accident in which only personnel and equipment of the respective Governments are concerned. This arrangement shall be retroactive in respect of any claims now outstanding.

Third party claims.

(ii) The cost of settling claims made by a third party as a result of an accident involving both His Majesty's Government and a United States Government vehicle shall, irrespective of the question of responsibility, be borne in equal shares provided—

(a) that so far as the driver of His Majesty's Government's vehicle is concerned the claim is one for which His Majesty's Government would assume responsibility in the circumstances, and,

(b) that so far as the driver of the United States Government vehicle is concerned the claim falls within one of the categories covered by the arrangement referred to above. Where third party claims fall to be shared equally between the two Governments under the arrangement half of the cost of settling such claims would be treated as Reciprocal Aid.

Cooperation of U. S. authorities.

12. The United States Service authorities in the United Kingdom will co-operate to the fullest extent to carry out the above-stated conditions and arrangements and appropriate instructions will be given to the various United States Service authorities concerned.

B. Similar Claims arising out of incidents occurring before 20th March, 1944.

13. Such of these claims as are unpaid on the 19th March, 1944 will be examined and assessed by the United States Claims Commission. The necessary payments will be made by His Majesty's Government as a matter of reciprocal aid.

Payments by U. K.

14. For the purposes of paragraph 13 above,

(a) the Collision or other Agreements negotiated on behalf of the United States authorities by the Treasury Solicitor, which are now suspended shall so far as possible be forthwith and retroactively reinstated,

Reinstatement of designated collision, etc., agreements.

(b) claimants with whom no reasonable settlement by other means is possible, shall have recourse in the Courts of the United Kingdom in the ordinary way against the tortfeasor. In that event the United States authorities will immediately transfer all papers material to the claim in question to His Majesty's Treasury Solicitor through the channel of the British Claims Commission and will render all other possible assistance to His Majesty's Treasury Solicitor by way of the production of witnesses etc. A similar procedure will so far as necessary be applied to all such cases when the claimant has obtained a judgment in a United Kingdom Court which has remained unsatisfied.

Recourse in U. K. courts.

15. In any case where it seems to the United States Claims Commission that the amount claimed is more than $5,000, the claim shall be transferred as soon as possible to the British Claims Commission for examination and assessment as well as for payment.

Claims over $5,000.

C. General.

16. In order to facilitate the smooth transfer of the United States Claims work to the British Claims Commission, United States Claims Service will release immediately for employment by the British Claims Commission such of their civilian clerical and typing staff as are employed upon claims work at British rates of pay and whose services are required by the British Claims Commission for the purposes of settlement of the claims falling within the above categories.

Employment of U. S. personnel by British Claims Commission.

The American Ambassador to the British Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
London, March 28, 1944.

No. 3493.

SIR:

I have the honor to refer to your note of February 29, 1944 (No. W 3151/150/64) and to the annex thereto, concerning the question of civil claims arising in tort against personnel of the United States

Ante, pp. 2728, 2732.

armed forces in the United Kingdom, and, under instructions from my Government, to reply as follows:

Acceptance by U. S.

The Government of the United States accepts the conditions and limitations set forth in your note under reference and in the annex thereto as applicable to claims arising out of acts of personnel of the armed forces of the United States in line of duty which the British Government has agreed to accept for settlement and payment, such payment to be credited to reciprocal aid. The United States Government, for its part, agrees to settle and pay under Lend-Lease on a reciprocal basis claims arising out of acts of members of the armed forces of Great Britain in the United States in line of duty.

Ante, p. 2730.

The War Department has agreed with reluctance to paragraph 7 of your note, concerning the reopening of claims in which payment has been denied by the United States Claims Commission. I therefore venture to express the hope that the number of such claims which the British authorities desire to reopen will be small and that every effort will be made not to extend the number of such cases.

Ante, p. 2733.

"Retainer."

Post, p. 2737.

The United States Government notes that paragraph 6 of the annex suggests that the United States authorities will supply "a retainer to the Treasury Solicitor" and assumes that "retainer" is here used in the sense of a power of attorney. I have the honor to suggest this clarification since "retainer" is commonly used in the United States to describe the fee paid to an attorney for retaining his services.

Ante, p. 2734.

The United States Government understands paragraph 11 of the annex as a waiver by it only of claims in its own behalf and not as a waiver of claims of its nationals in their own right on account of personal injury, death or property losses.

Ante, p. 2735.

The United States Government agrees to paragraph 16 of the annex in principle, but decisions as to the carrying out of the undertaking will have to be made by United States army and navy authorities in London.

Accept, Sir, the renewed assurances of my highest consideration,

JOHN G. WINANT

The Right Honorable
ANTHONY EDEN, M.C., M.P.,
Secretary of State for Foreign Affairs,
Foreign Office
London, S.W.1.

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W.1.
1st May, 1944.

No. W 5776/150/64

YOUR EXCELLENCY,

I have the honour to refer to Your Excellency's note No. 3493 of the 29th March, concerning the question of civil claims arising in

tort against members of the United States Forces in the United Kingdom.

2. I was most gratified to learn that the United States Government are able to accept the conditions and limitations which I attached, in my note No. W 3151/150/64 of the 29th February and in the annex thereto, to the acceptance by His Majesty's Government of responsibility for a settlement as a matter of reciprocal aid of a number of classes of such claims. I am further most grateful for your assurance that the United States Government for their part will make similar arrangements for the settlement under Lend-Lease of such claims arising out of the acts of His Majesty's Forces in the United States in the course of their Military duties.

Ante, pp. 2728, 2732.

3. I am able to confirm the interpretation placed by the United States Government upon paragraphs 6 and 11 of the annex to my note of the 29th February. In stipulating in the former paragraph that the United States authorities should supply a retainer to the Treasury Solicitor I have used the word "retainer" in the sense of an authority to act on behalf of the defendant. The intention of the latter paragraph is, as the United States Government assumes, that claims should not be brought by one government against the other. It is not suggested that the claims of United States nationals in their own right on account of personal injury, death, or property losses should be waived.

Ante, pp. 2733, 2734, 2736.

"Retainer."

4. Your Excellency is no doubt aware that on receiving your note under reference, I announced in Parliament on the 30th March that a satisfactory solution to this problem had been reached. At the same time I circulated a written statement of the details of this solution in the official report of Parliamentary debates, and I enclose ten copies of this statement for your information.

5. I shall be grateful if you will inform the United States Government of the pleasure with which I have received their acceptance of the proposals made to them and of my satisfaction that it has been possible to reach a settlement of this matter.

I have the honour to, with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)

E. E. CROWE.

His Excellency
The Honourable
JOHN G. WINANT,
etc., etc., etc.,
1, Grosvenor Square,
W.1.

January 9, 1947
[T. I. A. S. 1603]

Agreement between the United States of America and Canada respecting surplus property disposal operations. Effected by exchange of notes signed at Ottawa January 9, 1947; effective January 9, 1947.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 3 OTTAWA, *January 9, 1947*

EXCELLENCY:

I have the honour to refer to conversations held in 1944 between Mr. Clayton, then United States Surplus War Property Administrator, and Mr. Carswell, then President of War Assets Corporation of Canada, relating to the disposal of surplus property owned by either of the two governments.

Sale of surplus property.

2. It is my understanding that it has been agreed that the following arrangements should govern the sale of surplus property owned by the United States or Canada:

1. Save as hereinafter provided, the surplus disposal agencies of either country (United States and Canada) will not:–

   (a) knowingly sell or offer for sale any such surplus property intended for use and/or re-sale within the territory of the other country;

   (b) cause residents of the other country to be circularized or solicited concerning the sale of any such surplus property.

Issuance of certificate.

2. It is further agreed that in the case of the United States the appropriate disposal agency and in the case of Canada, War Assets Corporation, will, notwithstanding the foregoing, issue, on request, a certificate permitting to be done any of the matters which are set out in Para. 1 above, provided that such a certificate is given only for a purpose which is considered by the United States disposal agency or War Assets Corporation, whichever is concerned, as unlikely adversely to affect their disposal operations.

3. It is understood that any such certificate issued by War Assets Corporation will apply only to operations of that Corporation and is not to be construed in any way as a permit from any other Department of the Government of Canada should such a permit be otherwise required.

3. I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the arrangements agreed to in the conversations are as above set forth. If so, it is suggested that this note and your reply shall be regarded as placing on record the agreement of our two Governments in this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

L B PEARSON
for Secretary of State
for External Affairs.

His Excellency,
The United States Ambassador,
United States Embassy,
Ottawa.

The American Ambassador to the Canadian Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, January 9, 1947

No. 633

SIR:

I have the honor to acknowledge the receipt of your note No. 3 of January 9, 1947 referring to conversations held in 1944 between Mr. Clayton, then United States Surplus War Property Administrator, and Mr. Carswell, then President of War Assets Corporation of Canada, relating to the disposal of surplus property owned by either of the two governments. You set forth therein your understanding of the arrangements agreed upon for the sale of surplus property owned by the United States and Canada.

It is the understanding of my Government that the terms of the arrangements agreed to in the conversations are as set forth in your note under reference, and my Government agrees to your suggestion that your note and this note in reply shall be regarded as placing on record the agreement of our two Governments in this matter.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

September 3, 23, 29, November 9, 17, 1943
[T. I. A. S. 1604]

Italian military armistice, September 3, 1943; instrument of surrender of Italy, September 29, 1943; letter from General Eisenhower to Marshal Badoglio, September 29, 1943; protocol of November 9, 1943; memorandum of agreement on the employment and disposition of the Italian fleet and mercantile marine, September 23, 1943; amendment to agreement with respect to the employment of the Italian navy, November 17, 1943; and statement of Admiral de Courten, November 17, 1943.

Italian Military Armistice, September 3, 1943

FAIRFIELD CAMP
SICILY
September 3, 1943

The following conditions of an Armistice are presented by

General Dwight D. Eisenhower,
Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal Pietro Badoglio
Head of the Italian Government

1. Immediate cessation of all hostile activity by the Italian armed forces.

2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.

3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.

4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.

5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military-naval program.

6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.

7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.

8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.

9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.

Rights of Commander in Chief of Allied Forces.

10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied Military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.

12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at a later date.

Official text.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal Pietro Badoglio
Head of Italian Government.
By:

Guiseppe Castellano
Guiseppe Castellano
Brigadier General, attached to
The Italian High Command

DWIGHT D. EISENHOWER,
General, U. S. Army,
Commander in Chief,
Allied Forces.

By: Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army,
Chief of Staff.

Present:

RT. HON. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the President of the United States

ROYER DICK
Commodore, R.N.
Chief of Staff to the C. in C. Med.

LOWELL W. ROOKS
Major General, U.S. Army
Assistant Chief of Staff, G-3 A.F.H.Q.

FRANCO MONTANARI
Official Italian Interpreter

BRIGADIER KENNETH STRONG
Assistant Chief of Staff, G-3 A.F.H.Q.

Post, p. 2761.

INSTRUMENT OF SURRENDER OF ITALY

Post, p. 2761; *ante*, p. 2740.

Whereas in consequence of an armistice dated September 3rd, 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

And whereas in addition to those terms it was also provided in the said Armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

And whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

Terms for suspension of hostilities against Italy.
Post, p. 2761.

The following together with the terms of the Armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these Powers in any way and complies with the requirements of these Governments.

These terms have been presented by GENERAL DWIGHT D. EISENHOWER, Commander-in-Chief, Allied Forces, duly authorised to that effect;

Post, p. 2761.

And have been accepted by MARSHAL PIETRO BADOGLIO, Head of the Italian Government.

1.

Post, p. 2761.

(A) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.

(B) Italian participation in the war in all Theaters will cease immediately. There will be no opposition to landings, movements or other operations of the Land, Sea and Air Forces of the United Nations. Accordingly, the Italian Supreme Command will order the immediate cessation of hostilities of any kind against the Forces of the United Nations and will direct the Italian Navy, Military and Air Force authorities in all Theaters to issue forthwith the appropriate instructions to those under their Command.

(C) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.

2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's Allies as are situated in Italian or Italian occupied territory.

3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities, and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure Law and Order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander-in-Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.

Withdrawal of Italian forces to areas specified by United Nations.

4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Allied Commander-in-Chief.

5. No requisitioning, seizures or other coercive measures shall be effected by Italian Land, Sea and Air Forces or officials in regard to persons or property in the areas notified under Article 4.

Demobilization.

6. The demobilization of Italian Land, Sea and Air Forces in excess of such establishments as shall be notified will take place as prescribed by the Allied Commander-in-Chief.

Assembly of Italian warships, etc.

7. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by the Allied Commander-in-Chief and will be dealt with as prescribed by the Allied Commander-in-Chief. (Note. If at the date of the Armistice the whole of the Italian Fleet has been assembled in Allied ports, this article would run—"Italian warships of all descriptions, auxiliaries, and transports will remain until further notice in the ports where they are at present assembled, and will be dealt with as prescribed by the Allied Commander-in-Chief.")

Italian aircraft.

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.

Merchant ships in Italian waters, etc.

9. Without prejudice to the provisions 14, 15 and 28 (A) and (D) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

Information, etc., to be made available by Italian Supreme Command.

10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defences, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea

or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations Land, Sea or Air Forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.

Lists of war material; storage; disposal.

11. The Italian Government will furnish forthwith lists of quantities of all war material showing the location of the same. Subject to such use as the Allied Commander-in-Chief may make of it, the war material will be placed in store under such control as he may direct. The ultimate disposal of war material will be prescribed by the United Nations.

Maintenance of facilities, etc.

12. There will be no destruction of nor damage to nor except as authorized or directed by the United Nations any removal of war material, wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

Manufacture, etc., of war material.

13. The manufacture, production and construction of war material and its import, export and transit is prohibited, except as directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or construction and the import, export or transit of war material.

14.

Italian merchant ships, etc.

(A) All Italian merchant shipping and fishing and other craft, wherever they may be, and any constructed or completed during the period of the present instrument will be made available in good repair and in seaworthy condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews will remain on board pending further instructions regarding their continued employment or dispersal. Any existing options to repurchase or re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war will forthwith be exercised and the above provisions will apply to all such vessels and their crews.

Inland transport and port equipment.

(B) All Italian inland transport and all port equipment will be held at the disposal of the United Nations for such purposes as they may direct.

United Nations merchant ships, etc., in Italian hands.

15. United Nations merchant ships, fishing and other craft in Italian hands wherever they may be (including for this purpose those of any country which has broken off diplomatic relations with Italy) whether or not the title has been transferred as the result of prize court proceedings or otherwise, will be surrendered to the United Nations and will be assembled in ports to be specified by the United Nations for disposal as directed by them. The Italian Government will take all such steps as may be required to secure any necessary

transfers of title. Any neutral merchant ship, fishing or other craft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal. Any necessary repairs to any of the above mentioned vessels will be effected by the Italian Government, if required, at their expense. The Italian Government will take the necessary measures to insure that the vessels and their cargo are not damaged.

Neutral merchant ships, etc.

Repairs.

16. No radio or telecommunication installations or other forms of intercommunication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

Intercommunication.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

Use of territorial waters, etc., by U. N. vessels and aircraft.

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article 4 above. The Italian Supreme Command will guarantee immediate use and access to the Allies of all airfields and Naval ports in Italy under their control.

Occupation of Italian territory by U. N. forces.

Ante, p. 2743.

19. In the territories or areas referred to in article 18 all Naval, Military and Air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all intercommunication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian Government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 18 to 20,

Rights of U. N. in non-occupied Italian territory.

(A) Members of the Land, Sea or Air Forces and officials of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and construction facilities.

22. The Italian Government and people will abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

Italian currency.

23. The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and redeem in Italian currency within such time limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and business in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters.

Control of banks, business, etc.

24. There shall be no financial, commercial or other intercourse with or dealings with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries or any other foreign country except under authorisation of the Allied Commander-in-Chief or designated officials.

25.

Breaking of relations with countries at war with U. N.

(A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian Land, Sea and Air Forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

Regulations governing communications.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding

communications emanating from or destined for the representatives of neutral countries in Italian territory.

Italian subjects.

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorised by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any of the territories referred to in article 25 (A) nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present so serving or working will be recalled as directed by the Allied Commander-in-Chief.

Military personnel, etc., of hostile country.

27. The Military, Naval and Air personnel and material and the merchant shipping, fishing and other craft and the aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

28.

(A) The warships, auxiliaries and transports of any such country or occupied country referred to in article 27 in Italian or Italian-occupied ports and waters and the aircraft, vehicles and other transport equipment of such countries in or over Italian or Italian-occupied territory will, pending further instructions, be prevented from leaving.

Internment.

(B) The Military, Naval and Air personnel and the civilian nationals of any such country or occupied country in Italian or Italian-occupied territory will be prevented from leaving and will be interned pending further instructions.

Impounding of property.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

Compliance of Italian Government with instructions.

(D) The Italian Government will comply with any instructions given by the Allied Commander-in-Chief concerning the internment, custody or subsequent disposal, utilisation or employment of any of the above mentioned persons, vessels, aircraft, material or property.

Apprehension, etc., of war criminals.
Post, p. 2761.

29. BENITO MUSSOLINI, his Chief Fascist associates and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

Disbanding of Fascist organizations, etc.

30. All Fascist organisations, including all branches of the Fascist Militia (MVSN), the Secret Police (OVRA), all Fascist youth organisations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander-in-Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

Rescinding of laws involving racial, etc., discrimination.

31. All Italian laws involving discrimination on grounds of race, color, creed or political opinions will insofar as this is not already accomplished be rescinded, and persons detained on such grounds will, as directed by the United Nations, be released and relieved from all legal disabilities to which they have been subjected. The Italian Government will comply with all such further directions as the Allied Commander-in-Chief may give for repeal of Fascist legislation and removal of any disabilities or prohibitions resulting therefrom.

32.

Prisoners of war, etc.

(A) Prisoners of war belonging to the forces of or specified by the United Nations and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian or Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Any removal during the period between the presentation and the signature of the present instrument will be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations and relieved from all legal disabilities to which they have subjected.

(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign nationals and property of foreign states and nationals.

33.

Reparation, etc.

(A) The Italian Government will comply with such directions as the United Nations may prescribe regarding restitution, deliveries, services or payments by way of reparation and payment of the costs of occupation during the period of the present instrument.

Assets of Italian state, etc.

(B) The Italian Government will give to the Allied Commander-in-Chief such information as may be prescribed regarding the assets, whether inside or outside Italian territory, of the Italian state, the Bank of Italy, any Italian state or semi-state institutions or Fascist organisations or residents in Italian territory and will not dispose or allow the disposal, outside Italian territory of any such assets except with the permission of the United Nations.

Disarmament, etc.

34. The Italian Government will carry out during the period of the present instrument such measures of disarmament, demobilisation and demilitarisation as may be prescribed by the Allied Commander-in-Chief.

Information and documents.

35. The Italian Government will supply all information and provide all documents required by the United Nations. There shall be

no destruction or concealment of archives, records, plans or any other documents or information.

Legislation, etc.

36. The Italian Government will take and enforce such legislative and other measures as may be necessary for the execution of the present instrument. Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purpose.

Control Commission.

37. There will be appointed a Control Commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

38.

"United Nations."

(A) The term "United Nations" in the present instrument includes the Allied Commander-in-Chief, the Control Commission and any other authority which the United Nations may designate.

"Allied Commander-in-Chief."

(B) The term "Allied Commander-in-Chief" in the present instrument includes the Control Commission and such other officers and representatives as the Commander-in-Chief may designate.

Inclusion of Fascist Militia, etc., in Italian forces.

39. Reference to Italian Land, Sea and Air Forces in the present instrument shall be deemed to include Fascist Militia and all such other military or para-military units, formations or bodies as the Allied Commander-in-Chief may prescribe.

"War Material."

40. The term "War Material" in the present instrument denotes all material specified in such lists or definitions as may from time to time be issued by the Control Commission.

"Italian Territory."

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall for the purposes of the present instrument (but without prejudice to the question of sovereignty) be deemed to include Albania. Provided however that except in such cases and to such extent as the United Nations may direct the provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency already occupied by the United Nations or the rights or powers therein possessed or exercised by them.

Representation of Italian interests.

42. The Italian Government will send a delegation to the Headquarters of the Control Commission to represent Italian interests and to transmit the orders of the Control Commission to the competent Italian authorities.

Entry into force.

43. The present instrument shall enter into force at once. It will remain in operation until superseded by any other arrangements or until the voting into force of the peace treaty with Italy.

Denouncement; punitive action.

44. The present instrument may be denounced by the United Nations with immediate effect if Italian obligations thereunder are not fulfilled or, as an alternative, the United Nations may penalize contravention of it by measures appropriate to the circumstances such as the extension of the areas of military occupation or air or other punitive action.

Authentic text.

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation, the decision of the Control Commission will prevail.

Signed at Malta on the 29 day of September, 1943.

Badoglio

Marshal PIETRO BADOGLIO
Head of the Italian Government

Dwight D. Eisenhower

DWIGHT D. EISENHOWER
General, United States Army,
Commander-in-Chief, Allied Force.

STRUMENTO D'ARRENDIMENTO DELL'ITALIA

Poichè in seguito ad un armistizio in data 3 settembre 1943, fra i Governi degli Stati Uniti e della Gran Bretagna da una parte e il Governo Italiano dall'altra, le ostilità sono state sospese fra l'Italia e le Nazioni Unite in base ad alcune condizioni di carattere militare;

e poichè oltre queste condizioni, era stabilito in detto armistizio che il Governo Italiano si impegnava ad eseguire altre condizioni di carattere politico, economico e finanziario da trasmettere in seguito;

e poichè è opportuno che le condizioni di carattere militare e le suddette condizioni di carattere politico, economico e finanziario siano, senza menomare la validità delle condizioni del suddetto armistizio del 3 settembre 1943, comprese in un atto successivo;

Le seguenti, insieme con le condizioni dell'armistizio del 3 settembre 1943, sono le condizioni in base a cui i Governi degli Stati Uniti e della Gran Bretagna, agendo per conto delle Nazioni Unite, sono disposti a sospendere le ostilità contro l'Italia sempre che le loro operazioni militari contro la Germania ed i suoi alleati non siano ostacolate e che l'Italia non aiuti queste Potenze in qualsiasi modo e eseguisca le richieste di questi Governi.

Queste condizioni sono state presentate dal GENERALE DWIGHT D. EISENHOWER, Comandante Supremo delle Forze Alleate, debitamente autorizzato a tale effetto;

E sono state accettate dal MARESCIALLO PIETRO BADOGLIO, Capo del Governo Italiano.

1.

(A) Le Forze Italiane di Terra, Mare e Aria, ovunque si trovino, a questo scopo si arrendono a discrezione.

(B) La partecipazione dell'Italia in guerra in qualsiasi zona deve cessare immediatamente. Non vi sarà opposizione agli sbarchi, movimenti ed altre operazioni in Terra, sul Mare e nell'Aria delle forze delle Nazioni Unite. In conformità il Comando Supremo Italiano ordinerà la cessazione immediata delle ostilità di qualunque genere contro le forze delle Nazioni Unite ed impartirà ordini alle autorità Navali, Militari, ed Aeronautiche Italiane in tutti le zone di guerra di emanare immediatamente le istruzioni opportune ai loro comandi subordinati.

(C) Inoltre il Comando Supremo Italiano impartirà alle forze Navali, Militari ed Aeronautiche nonchè alle autorità civili ed ai funzionari ordini di desistere immediatamente dalla distruzione o dal danneggiamento di qualsiasi proprietà reale o personale, sia pubblica che privata.

2. Il Comando Supremo Italiano fornirà tutte le informazioni relative alla dislocazione ed alla situazione di tutte le forze armate italiane di Terra, di Mare, ed Aeree, ovunque si trovino, e di tutte le forze degli Alleati dell'Italia che si trovano in Italia od in territori occupati dall'Italia.

3. Il Comando Supremo Italiano prenderà tutte le precauzioni necessarie per salvaguardare gli aerodromi, le installazioni portuarie e qualsiasi altri impianti contro cattura od attacco da parte di qualsiasi alleato dell'Italia. Il Comando Supremo Italiano prenderà tutte le disposizioni necessarie per salvaguardare l'ordine pubblico e per usare le forze armate disponibili per assicurare la pronta e precisa esecuzione del presente atto e di tutti i suoi provvedimenti. Fatta eccezione all'impiego di truppe italiane a secondo dello scopo che potrà essere sanzionato dal Comandante Supremo delle Forze Alleate, tutte le altre forze italiane di Terra, di Mare a di Aria rientreranno e rimarranno in caserna, negli accampamenti o sulle navi in attesa di istruzioni dalle Nazioni Unite per quanto riguarda il loro futuro stato e loro disposizioni definitive. In via eccezionale, il personale navale si trasferirà in quelle caserme navali che le Nazioni Unite indicheranno.

4. Le forze di Terra, Mare e Aeree, entro il termine che verrà stabilito dalle Nazioni Unite, si ritireranno da tutti i territorio fuori dell'Italia che saranno notificati al Governo Italiano dalle Nazioni Unite e si trasferiranno in quelle zone che verranno indicate dalle Nazioni Unite. Questi movimenti delle forze di Terra, Mare ed Aeree verranno eseguiti secondo le istruzioni che verranno impartite dalle Nazioni Unite e d'accordo con gli ordini che verranno da esse emanati. Nello stesso modo, tutti i funzionari italiani lasceranno le zone notificate eccetto coloro ai quali verrà dato il permesso di rimanere da parte delle Nazioni Unite. Quelli ai quali verrà concesso il permesso di rimanere si conformeranno alle istruzioni del Comando Supremo delle Forze Alleate.

5. Nessuna requisizione, appropriazione, od altra forma di costrizione potrà essere effettuata dalle forze italiane di Terra, Mare ed Aeree e da funzionari nei riguardi di persone o proprietà nelle zone specificate nel capoverso No. 4.

6. La smobilitazione delle forze di Terra, Mare ed Aeree in eccesso al numero che verrà notificato dovrà seguire le norme stabilite dal Comandante Supremo delle Forze Alleate.

7. Le navi da guerra italiane di tutte le categorie, ausiliarie e di trasporto saranno riunite, secondo gli ordini, nei porti che verranno indicati dal Comandante Supremo delle Forze Alleate, ed orni decisione In Merito a dette Navi Verrà presa dal Comandante Supremo delle Forze Alleate, (Annotazione. Se alla data dell'Armistizio, l'intera flotta da guerra italiana sarà stata riunita nei porti alleati, questo capoverso sarà come segue - "Le navi da guerra italiane di tutte le categorie ausiliarie e di trasporto, rimarranno fino ad ulteriori ordini nei porti dove sono attualmente radunate ed ogni decisione in merito ad esse verrà presa dal Comandante Supremo delle Forze Alleate.")

8. Gli aeroplani italiani di qualsiasi genere non decolleranno dalla Terra, dall'Acqua o dalle Navi senza previ ordini del Comandante Supremo delle Forze Alleate.

9. Senza andar contro alle disposizioni dei capoversi 14, 15 e 28 (A) e (D) che seguono, tutti le navi mercantili, da pesca ed altri navi sotto qualsiasi bandiera, tutti gli aeroplani, e mezzi di trasporto terrestri di qualunque nazionalità in territorio italiano od in territorio occupato dall'Italia od in acque italiane dovranno, in attesa di verifica della loro identità e posizione, essere impediti di partire.

10. Il Comando Supremo Italiano fornirà tutte le informazioni relative ai mezzi navali, militari ed aerei, ad impianti e difese, ai trasporti e mezzi di communicazione costruiti dall'Italia o dai suoi Alleati nel territorio italiano o nelle vicinanze di esso, ai campi di mine od altre ostruzioni ai movimenti per via di terra, mare ed aria e qualsiasi altre informazioni che le Nazioni Unite potranno richiedere in merito all'uso delle basi italiane o alle operazioni, la sicurezza od il benessere delle forze di terra, mare ed aeree delle Nazioni Unite. Le forze e il materiale italiano verranno messe a disposizione delle Nazioni Unite quando richieste, per togliere le summenzionate ostruzioni.

11. Il Governo Italiano fornirà subito elenchi indicanti i quantitativi di tutto il materiale da guerra coll'indicazione della località dove esso si trova. A meno che il Comandante Supremo delle Forze Alleate non decida di farne uso, il materiale da guerra verrà posto in magazzino sotto il controllo che egli potrà stabilire. La destinazione definitiva del materiale da guerra verrà decisa dalle Nazioni Unite.

12. Non dovrà avere luogo alcuna distruzione ne danneggiamento, ne, fatta eccezione a quanto verrà autorizzato o disposto dalle Nazioni Unite, alcuno spostamento di materiale da guerra, radio, radio localizzazione, o stazione metereologiche, impianti ferroviari, stradali e portuari od altri installazioni od in via generale di servizi pubblici e privati e di proprietà di qualsiasi sorta ovunque si trovino, e la manutenzione necessaria e le riparazioni saranno a carico delle Autorità Italiane.

13. La fabbricazione, produzione e costruzione del materiale da guerra, la sua importazione, esportazione e trasporto, e proibita, fatta eccezione a quanto verrà disposto dalle Nazioni Unite. Il Governo Italiano si conformerà a quelle istruzioni che le verrà impartite dalle Nazioni Unite per la fabbricazione, produzione e costruzione, e l'importazione, esportazione e transito di materiale da guerra.

14.

(A) Tutte le navi italiane mercantili, da pesca ed altre imbarcazioni, ovunque si trovino, nonchè quelle costruite o completate durante il periodo del presente atto saranno dalle Autorità Italiane competenti messe a disposizione in buono stato di riparazione e di navigazione in quei luoghi a tali scopi e periodi di tempo che le Nazioni Unite potranno prescrivere. Il trasferimento alla bandiera nemica o neutrale e proibito. Equipaggi rimarranno a bordo in attesa di ulteriori istruzioni in riguardo al loro ulteriore impiego o licenziamento. Qualunque opzione esistente per il riacquisto o la restituzione o la ripresa in possesso di navi italiane o precedentemente italiane

che erano state vendute od in altro modo trasferite o noleggiate durante la guerra verranno immediatamente messi in effetto le condizioni sopra indicate verranno applicate a tutte dette navi e i loro equipaggi.

(B) Tutti i trasporti interni italiani e tutti gl'impianti portuali saranno tenuti a disposizione delle Nazioni Unite per gli usi che loro necessiteranno.

15. Navi mercantili, da pesca ed altre imbarcazioni delle Nazioni Unite, ovunque esse si trovino, in mano degli italiani (anche, a tale scopo, quelle navi di ogni paese che abbia rotto relazioni diplomatiche con l'Italia) anche se il titolo di proprietà e già stato trasferito per merito di procedure del tribunale delle prede od altro, verranno consegnate alle Nazioni Unite e verranno radunate nei porti che saranno indicati dalle Nazioni Unite le quali disporranno di esse come crederanno opportuno. Il Governo Italiano prenderà le disposizioni necessarie per il trasferimento del titolo di proprietà. Qualsiasi nave mercantile, da pesca od altri imbarcazioni gestite o controllate dagli Italiani saranno radunate in modo simile in attesa di accordi per la loro sorte definitiva. Qualunque riparazione alle sopra indicate navi se richieste saranno eseguite dal Governo Italiano a proprie spese. Il Governo Italiano prenderà tutte le misure necessarie per assicurare che le navi ed i loro carichi non saranno danneggiati.

16. Nessun impianto di radio o di comunicazione a lunga distanza od altri mezzi di inter-comunicazione a terra o galleggiante, sotto controllo italiano, od appartenente all'Italia od altra nazione non facente parte delle Nazioni Unite potrà trasmettere finchè disposizioni per il controllo di questi impianti saranno state impartite dal Comandante Supremo delle Forze Alleate. Le autorità italiane si conformeranno alle disposizioni per il controllo e la censura della stampa e delle altre pubblicazioni, delle rappresentazioni teatrali e cinematografiche della radio diffusione e di qualsiasi altro mezzo di inter-comunicazione che potrà prescrivere il Comandante Supremo delle Forze Alleate. Il Comando Supremo delle Forze Alleate potrà a suo gradimento rilevare stazioni radio, cavi od altri mezzi di comunicazione.

17. Le navi da guerra, ausiliarie, di trasporto e mercantili e altre navi ed aeroplani al servizio delle Nazioni Unite avranno il diritto di usare liberamente le acque territoriali lungo la costa Italiana e di sorvolare il territorio Italiano.

18. Le forze delle Nazioni Unite dovranno occupare certe zone del territorio Italiano. I territori o le zone in questione verranno notificate di volta in volta dalle Nazioni Unite, e tutte le forze Italiane di terra, mare e aria, si ritireranno da questi territori o zone in conformità agli ordini emessi dal Comandante Supremo delle Forze Alleate. Le provisioni di questo capoverso non pregiudicano quelle del capoverso 4 sopradetto. Il Comandante Supremo Italiano garantirà l'uso e l'accesso immediato agli aerodromi ai porti navali in Italia sotto il loro controllo.

19. Nei territori o zone di cui e cenno nell'articolo 18, tutte le installazioni navali, militari ed aeree, tutte gli impianti elettrici, le raffinerie, i servizi pubblici, porti, le installazioni per i trasporti e le comunicazioni, i mezzi ed il materiale e quelli impianti e mezzi e altri depositi che

potranno essere richiesti dalle Nazioni Unite saranno messi a disposizione in buone condizioni dalle competenti autorità italiane con il personale necessario per il loro funzionamento. Il Governo Italiano metterà a disposizione quelle altre risorse o servizi locali che le Nazioni Unite potranno richiedere.

20. Senza pregiudizio alle condizioni di questo atto, le Nazioni Unite eserciteranno tutti i diritti di una potenza occupante nei territori e nelle zone di cui all'articolo 18, per la cui amministrazione verrà provveduto mediante l'emissione di proclami, ordini e regolamenti. Il personale dei servizi amministrativi, giudiziari e pubblici italiani eseguiranno le loro funzioni sotto il controllo del Comandante in Capo Alleato a meno che non venga stabilito altrimenti.

21. In aggiunta ai diritti relativi ai territori occupati Italiani descritti negli articoli dal numero 18 al 20,

(A) I componenti delle forze terrestri, navali, ed aeree ed i funzionari delle Nazioni Unite avranno diritto di passaggio in o sul territorio italiano non occupato e verranno forniti di tutte le facilitazioni e l'assistenza necessaria per eseguire le loro funzioni.

(B) Le autorità italiane metteranno a disposizione, nel territorio Italiano non occupato, tutte le facilitazioni per i trasporti richieste dalle Nazioni Unite compreso il libero transito per il loro materiale ed i loro rifornimenti di guerra, ed eseguiranno le istruzioni emanate dal Comandante in Capo Alleato relative all'uso ed al controllo degli aeroporti, porti, navigazione, sistemi e mezzi di trasporto terrestri, sistemi di comunicazione, centrali elettriche e servizi pubblici, raffinerie, materiali e altri rifornimenti di carburante e di elettricità ed i mezzi per produrli, a seconda delle richieste delle Nazioni Unite, insieme colle relative facilitazioni per le riparazioni e per la costruzione.

22. Il governo e il popolo italiano si asterranno da ogni azione control gl'interessi delle Nazioni Unite e eseguiranno prontamente ed efficacemente tutti gli ordini delle Nazioni Unite.

23. Il Governo Italiano metterà a disposizione la valuta italiana che le Nazioni Unite domanderanno. Il Governo Italiano ritirerà e riscatterà il denaro italiano entro i periodi di tempo e in base ai termini che saranno stabiliti tutte le disponibilità in territorio italiano della valuta emessa dalle Nazioni Unite durante le operazioni militari o di occupazione e consegnerà alle Nazioni Unite senza alcuna spesa la valuta ritirata. Il Governo Italiano prenderà quelle misure che saranno richieste dalle Nazioni Unite per il controllo delle banche e degli affari in territorio italiano, per il controllo del cambio coll'estero, delle relazioni commerciali e finanziarie coll'estero, e per il regolamento del commercio e della produzione ed eseguirà qualsiasi istruzioni relative a dette e simili materie emesse dalle Nazioni Unite.

24. Non vi dovranno essere relzioni finanziarie, commerciali o di altro carattere o trattativi con o a favore dei paesi in guerra con una delle Nazioni Unite o coi territori occupati da dette Nazioni o da qualsiasi altra nazione straniera, salvo autorizzazione del Comandante in Capo Alleato o di funzionari designati.

25.

(A) Le relazioni con i paesi in guerra con una qualsiasi delle Nazioni Unite, od occupati da uno di detti paesi, saranno interrotte. I funzionari diplomatici, consolari ed altri funzionari e componenti delle forze terrestri, navali ed aeree accreditati o in missione presso uno qualsiasi di detti paesi o in qualsiasi altro territorio specificato dalle Nazioni Unite saranno richiamati. I funzionari diplomatici e consolari di detti paesi saranno trattati secondo le disposizioni delle Nazioni Unite.

(B) Le Nazioni Unite si riservano il diritto di richiedere il ritiro degli ufficiali diplomatici e consolari neutrali dal territorio italiano occupato ed a prescrivere ed a stabilire i regolamenti relativi alla procedura, ed i metodi per communicare tra il Governo Italiano ed i suoi rappresentanti nei paesi neutrali ed a riguardo alle communicazioni emesse da o destinate ai rappresentanti nei paesi neutrali in territorio Italiano.

26. In attesa di numovi ordini sudditi Italiani saranno impediti di lasciare territorio Italiano salvo d'autorità del Comandante Supremo delle Forze Alleate e in nessun caso non presteranno servizio con nessuna nazione od in qualsiasi dei territori a cui si riferisce l'articolo 25 (A), ne procederanno a qualsiasi luogo coll'intenzione d'intraprendere lavoro per qualsiasi di tali stati. Quelli che già servono o lavorano saranno richiamati secondo le disposizioni del Comandante Supremo delle Forze Alleate.

27. Personale e materiale delle forze militari, navali, ed aeree, e la marina mercantile, navi da pesca ed altri imbarcazioni, velivoli, veicoli, ed altri mezzi di trasporto di qualsiasi nazione contro la quale qualunque delle Nazioni Unite si batte od è occupata da tale nzaione rimarrà soggetta ad attacco o sequestro dovunque si trova entro o sopra territorio od acque italiane.

28.

(A) Le navi da guerra, ausiliarie, e le navi trasporto di qualsiasi tale nazione o territorio occupato e di cui si riferisce nell'articolo 27 nei porti ed acque italiane od occupate dagli Italiani ed i velivoli, veicoli, e mezzi di trasporto di tali stati entro o sopra territorio italiano od occupato dagli Italiani saranno nell'attesa di ulteriori istruzioni impediti di partire.

(B) Personale militare, navale, ed aeronautico, e la popolazione civile di qualsiasi tale nazione o territorio occupato in territorio italiano od occupato dagli Italiani sarà impedito di partire e sarà internato in attesa di ulteriori istruzioni.

(C) Qualsiasi proprietà in territorio italiano appartenente a qualsiasi tale nazione o territorio occupato o dai suoi nazionali sarà sequestrata e tenuta in custodia in attesa di ulteriori istruzioni.

(D) Il Governo Italiano si conformerà a qualsiasi istruzione data dal Comandante Supremo delle Forze Alleate concernente l'internamento, custodia o disposizione susseguente utilizzazione od impiego di qualsiasi delle sopradette persone, imbarcazioni, velivoli, materiale, o proprietà.

29. BENITO MUSSOLINI, i suoi principali associati Fascisti e tutte persone sospette di aver commesso delitti di guerra o delitti analoghi i cui nomi si trovano sugli elenchi che verranno comunicati dalle Nazioni Unite, saranno immediatamente arrestati e consegnati alle forze delle Nazioni Unite. Tutti gli ordini impartiti dalle Nazioni Unite in questo riguardo verranno osservati.

30. Tutte le organizzazioni Fasciste, comprese tutti i rami della milizia Fascista (MVSN), la polizia segreta (OVRA) e le organizzazioni della gioventù Fascista saranno, se questo non sia già stato fatto, sciolte in conformità alle disposizioni del Comandante Supremo delle Forze Alleate. Il Governo Italiano conformerà a tutte le direttive future che le Nazioni Unite daranno per l'abolizione delle istituzioni Fasciste, il licenziamento ed internamento del personale Fascista, il controllo di fondi Fascisti, la soppressione della ideologia ed insegnamento Fascista.

31. Tutte le leggi italiane che implicano discriminazioni di razza, colore, fede, od opinioni politiche, saranno fino a quanto questo non sia già stato fatto, abrogate e persone trattenute per tali ragioni saranno, secondo gli ordini delle Nazioni Unite, liberate e sciolte da qualsiasi impedimento legale a cui sono state sottomesse. Il Governo Italiano adempierà tutte le nuove direttive che il Comandante Supremo delle Forze Alleate potrà dare per l'abrogazione della legislazione Fascista ed il ritiro di qualsiasi impedimento o proibizione che risultano da essi.

32.

(A) Prigionieri di guerra appartenenti alle forze delle Nazioni Unite o designati dalle Nazioni Unite e qualsiasi suddito delle Nazioni Unite compresi i sudditi abbissini, confinati, internati, o in qualsiasi altro modo detenuti in territorio italiano od occupato dagli italiani non saranno trasferiti e saranno immediatamente consegnati ai rappresentanti delle Nazioni Unite o saranno trattati come sarà disposto dalle Nazioni Unite. Qualunque trasferimento durante il periodo tra la presentazione e la firma del presente atto sarà trattato come una violazione delle condizioni.

(B) Persone di qualsiasi nazionalità che sono state sorvegliate, detenute o condannate (incluso condanna in absentia)

od in conseguenza delle loro relazioni e simpatie colle Nazioni Unite saranno rilasciate in conformità agli ordini delle Nazioni Unite, e saranno sollevati da tutti gl'impedimenti legali ai quali sono stati sottomessi.

(C) Il Governo Italiano prenderà le misure che potranno essere prescritte dalle Nazioni Unite per proteggere le persone di nazionalità straniera e proprietà di stati e nazionali stranieri.

33.

(A) Il Governo Italiano adempierà le istruzioni che potranno essere prescritte dalle Nazioni Unite a riguardo alla restituzione, consegna, servizi o pagamenti quale indennizzo e pagamento delle spese di occupazione durante il periodo del presente atto.

(B) Il Governo Italiano consegnerà al Comandante Supremo delle Forze Alleate qualsiasi informazione prescritto a riguardo alle attività sia in territorio Italiano o fuori di territorio Italiano appartenendo allo stato Italiano, alla Banca d'Italia, a qualsiasi istitute statale o para-statale italiano od organizzazioni fasciste, o persone domiciliate in territorio italiano, e non disporrà ne permetterà di disporre qualsiasi tale attività fuori del territorio italiano salvo col permesso delle Nazioni Unite.

34. Il Governo Italiano procederà durante il periodo del presente atto a misure di disarmamento, smobilitazione, e smilitarizazione come potrà essere prescritto dal Comandante Supremo delle Forze Alleate.

35. Il Governo Italiano fornirà tutte le informazioni e provvederà tutti i documenti occorrenti alle Nazioni Unite, e sarà proibito distruggere o nascondere archivi, verbali, progetti o qualsiasi altri documenti od informazioni.

36. Il Governo Italiano prenderà ed applicherà qualsiasi misure, sia legislativa od altra, che sarà necessario per l'esecuzione del presente atto. Le autorità militari e civili Italiane si conformeranno a qualsiasi istruzioni emesse dal Comandante Supremo delle Forze Alleate a tale scopo.

37. Verrà nominato una Commissione di Controllo rappresentativa delle Nazioni Unite e regolerà e darà corso al presente atto sotto gli ordini ed istruzioni generali del Comandante Supremo delle Forze Alleate.

38.

(A) Il termine "Nazioni Unite" nel presente atto comprende il Comandante Supremo delle Forze Alleate, la commissione di controllo, e qualsiasi altro autorità che le Nazioni Unite possono nominare.

(B) Il termine "Comandante Supremo delle Forze Alleate" nel presente atto comprende la commissione di controllo, e tali altri ufficiali e rappresentanti che il Comandante Supremo delle Forze Alleate potrà nominare.

39. Ogni riferimento alle forze terrestri, navali, ed aeronautiche Italiane nel presente atto s'intende ad includere la milizia Fascista e qualsiasi unita militare o para-militare, formazioni o nuclei quale potrà essere prescritto dal Comandante Supremo delle Forze Alleate.

40. Il termine "materiali di guerra" nel presente atto significa tutto il materiale specificato in tali elenchi o definizioni che saranno di tanto in tanto emessi dalla commissione di controllo.

41. Il termine "territorio Italiano" comprende tutte le colonie e dipendenze Italiane, e, per l'intento di questo atto, (e senza pregiudizio alla questione della sovranita) sarà ritenuto ad includere l'Albania. Sempre che, però, ad eccezione di tali casi e tali limiti prescritti dalle Nazioni Unite, i provenimenti del presente atto non saranno applicabili, ne riguarderanno, l'amministrazione di qualsiasi colonia o dipendenza Italiana già occupata dalle Nazioni Unite, o nei diritti o poteri colà posseduti o esercitati da essi.

42. Il Governo Italiano invierà una delegazione al Quartiere Generale della commissione di controllo per rappresentare gli interessi Italiani e per trasmettere alle competenti autorità Italiane gli ordini della commissione di controllo.

43. Il presente atto entrerà in vigore immediatamente. Rimarrà in vigore fino a che sarà sostituito da qualsiasi altri accordi o fino a che non entrerà in vigore il trattato di pace coll'Italia.

44. Il presente atto può essere denunciato dalle Nazioni Unite con effetto immediato se gli obblighi Italiani di cui il presente atto non sono adempiti, od altrimenti, le Nazioni Unite possono punire contravvenzioni dell'atto con misure adatte alle circostanze, quale ad esempio l'estenzione delle zone di occupazione militare, o azioni aeree, oppure altra azione punitiva.

Il presente atto è redatto in inglese ed italiano, il testo inglese essendo quello autentico ed in caso di qualsiasi disputa riguardando interpretazione, la decisione della commissione di controllo prevalerà.

Firmato a Malta il giorno 29 settembre 1943.

Maresciallo PIETRO BADOGLIO
Capo Del Governo Italiano

DWIGHT D. EISENHOWER,
Generale Corpo d'Armata Degli Stati Uniti,
Comandante in Capo Alleato

The Commander-in-Chief of the Allied Forces to the Head of the Italian Government

29TH SEPTEMBER, 1943.

MY DEAR MARSHAL BADOGLIO,

The terms of the armistice to which we have just appended our signatures are supplementary to the short military armistice signed by your representative and mine on September 3rd, 1943. They are based upon the situation obtaining prior to the cessation of hostilities. Developments since that time have altered considerably the status of Italy, which has become in effect a co-operator with the United Nations.

Ante, p. 2740.

It is fully recognised by the Governments on whose behalf I am acting that these terms are in some respects superseded by subsequent events and that several of the clauses have become obsolescent or have already been put into execution. We also recognise that it is not at this time in the power of the Italian Government to carry out certain of the terms. Failure to do so because of existing conditions will not be regarded as a breach of good faith on the part of Italy. However, this document represents the requirements with which the Italian Government can be expected to comply when in a position to do so.

It is to be understood that the terms both of this document and of the short military armistice of September 3rd may be modified from time to time if military necessity or the extent of co-operation by the Italian Government indicates this as desirable.

Sincerely,

DWIGHT D. EISENHOWER.
General, United States Army.
Commander-in-Chief, Allied Forces.

His Excellency,
MARSHAL PIETRO BADOGLIO,
Head of the Italian Government.

PROTOCOL

It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

Ante, p. 2742.

In the first paragraph of the Preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 *a* the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is amended to read as follows:

Ante, p. 2747.

"Benito Mussolini, his chief Fascist associates, and all persons suspected of having committed war crimes or analogous offences whose

names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations to this purpose will be complied with."

Authentic text.

The present Protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at BRINDISI.

For the Allied Commander-in-Chief

Capo del Governo italiano

P R O T O C O L L O

E' inteso che il titolo del documento firmato a Malta il 29 settembre 1943 dal Maresciallo Pietro BADOGLIO, Capo del Governo Italiano, e il Generale Dwight D. Eisenhower, Comandante in Capo delle Forze Alleate, deve essere cambiato in "Condizioni aggiuntive di armistizio con l'Italia". I seguenti ulteriori emendamenti a questo documento sono anche concordati:

"" Nel 1° paragrafo del preambolo le parole "agendo nell'interesse di tutte le Nazioni Unite" sono inserite fra le parole "Governi" e "dall'altro canto". Detto paragrafo sarà perciò del seguente tenore: "Poichè in seguito ad un armistizio in data 3 settembre 1943 fra i Governi degli Stati Uniti e della Gran Brettagna, agendo nell'interesse di tutte le Nazioni Unite, da una parte e il Governo Italiano dall'altra, le ostilità sono state sospese fra l'Italia e le Nazioni Unite in base ad alcune condizioni di carattere militare.

Nel 4° paragrafo del preambolo le parole "e dell'Unione Sovietica" sono inserite fra le parole "Gran Brettagna" e "Governi" e la parola "e" fra le parole "Stati Uniti" e "Gran Brettagna" è cancellata. Detto paragrafo avrà pertanto il seguente tenore: "Le seguenti insieme con le condizioni di armistizio del 3 settembre 1943, sono le condizioni in base a cui i Governi degli Stati Uniti, della Gran Brettagna e dell'Unione Sovietica, agendo per conto delle Nazioni Unite, sono disposti a sospendere le ostilità contro l'Italia

sempre che le loro operazioni militari contro la Germania ed i suoi alleati non siano ostacolate e che l'Italia non aiuti queste potenze in qualsiasi modo e eseguisca le richieste di questi Governi".

Nel paragrafo 6 del preambolo la parola "senza condizioni" è inserita fra la parola "accettate" e "dal". Detto paragrafo avrà pertanto il seguente tenore: "e sono state accettate senza condizioni dal Maresciallo Pietro BADOGLIO, Capo del Governo Italiano".

Nell'articolo 1a la parola "a discrezione" è cancellata. Detto articolo avrà pertanto il seguente tenore: "Le forze italiane di terra, mare ed aria, ovunque si trovino, a questo scopo si arrendono".

L'articolo 29 viene emendato e avrà il seguente tenore: "Benito Mussolini i suoi principali fascisti e tutte persone sospette di aver commesso delitti di guerra o delitti analoghi i cui nomi si trovino sugli elenchi che verranno comunicati dalle Nazioni Unite e che ora o in avvenire si trovino in territorio controllato dal Comando Militare Alleato o dal Governo Italiano, saranno immediatamente arrestati e consegnati alle forze delle Nazioni Unite. Tutti gli ordini impartiti dalle Nazioni Unite in questo riguardo verranno osservati".

Il presente protocollo è redatto in inglese ed italiano, il testo inglese essendo quello autentico ed in caso di qualsiasi disputa riguardante l'interpretazione, la decisione della Commissione di Controllo prevarrà.

Firmato a Brindisi il giorno 9 novembre 1943

Maresciallo Pietro BADOGLIO
Capo del Governo Italiano

p. IL COMANDANTE IN CAPO
ALLEATO

OFFICE OF THE COMMANDER-IN-CHIEF,
MEDITERRANEAN.
23rd September, 1943

MEMORANDUM OF AGREEMENT ON THE EMPLOYMENT AND DISPOSITION OF THE ITALIAN FLEET AND MERCANTILE MARINE BETWEEN THE ALLIED NAVAL COMMANDER IN CHIEF, MEDITERRANEAN, ACTING ON BEHALF OF THE ALLIED COMMANDER IN CHIEF AND THE ITALIAN MINISTER OF MARINE

Disposition of Italian navy and merchant marine.
Post, p. 2769.

The armistice having been signed between the Head of the Italian Government and the Allied Commander-in-Chief under which all Italian warships and the Italian Mercantile Marine were placed unconditionally at the disposal of the United Nations, and H. M. The King of Italy and the Italian Government having since expressed the wish that the Fleet and the Italian Mercantile Marine should be employed in the Allied effort to assist in the prosecution of the war against the Axis powers, the following principles are established on which the Italian Navy and Mercantile Marine will be disposed.

Decisions of U. N.

It is understood and agreed that the provisions of this Agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of the United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time.

Ships for active assistance.

(A) Such ships as can be employed to assist actively in the Allied effort will be kept in commission and will be used under the orders of the Commander-in-Chief, Mediterranean as may be arranged between the Allied Commander-in-Chief and the Italian Government.

Ships reduced to care and maintenance basis.

(B) Ships which cannot be so employed will be reduced to a care and maintenance basis and be placed in designated ports, measures of disarmament being undertaken as may be necessary.

Declaration of names, etc., of U. N. ships in Italian possession.

(C) The Government of Italy will declare the names and whereabouts of

(i) Warships
(ii) Merchant ships

now in their possession which previously belonged to any of the United Nations. These vessels are to be returned forthwith as may be directed by the Allied Commander-in-Chief. This will be without prejudice to negotiations between the Governments which may subsequently be made in connection with replacing losses of ships of the United Nations caused by Italian action.

Agent of Allied Commander-in-Chief.

(D) The Allied Naval Commander-in-Chief will act as the agent of the Allied Commander-in-Chief in all matters concerning

the employment of the Italian Fleet or Merchant Navy, their disposition and related matters.

(E) It should be clearly understood that the extent to which the terms of the armistice are modified to allow of the arrangements outlined above and which follow, are dependent upon the extent and effectiveness of Italian co-operation. Modification of terms.

2. *Method of Operation.* The Commander-in-Chief, Mediterranean will place at the disposal of the Italian Ministry of Marine a high ranking Naval officer with the appropriate staff who will be responsible to the Commander-in-Chief, Mediterranean, for all matters in connection with the operation of the Italian Fleet, and be the medium through which dealings will be carried out in connection with the Italian Mercantile Marine. The Flag Officer acting for these duties (Flag Officer Liaison), will keep the Italian Ministry of Marine informed of the requirements of the Commander-in-Chief, Mediterranean, and will act in close co-operation as regards issue of all orders to the Italian Fleet.

3. *Proposed disposition of the Italian Fleet.*

(a) All battleships will be placed on a care and maintenance basis in ports to be designated and will have such measures of disarmament applied as may be directed. These measures of disarmament will be such that the ships can be brought into operation again if it so seems desirable. Each ship will have on board a proportion of Italian Naval personnel to keep the ships in proper condition and the Commander-in-Chief, Mediterranean, will have the right of inspection at any time. Battleships.

(b) *Cruisers.* Such cruisers as can be of immediate assistance will be kept in commission. At present it is visualised that one squadron of four cruisers will suffice and the remainder will be kept in care and maintenance as for the battleships but at a rather greater degree of readiness to be brought into service if required.

(c) *Destroyers and Torpedo Boats.* It is proposed to keep these in commission and to use them on escort and similar duties as may be requisite. It is proposed that they should be divided into escort groups working as units and that they should be based on Italian ports.

(d) *Small Craft.* M. A. S., Minesweepers, auxiliaries and similar small craft will be employed to the full, detailed arrangements being made with the Flag Officer (Liaison) by the Italian Ministry of Marine for their best employment.

(e) *Submarines.* In the first instance submarines will be immobilised in ports to be designated and at a later date these may be brought into service as may be required to assist the Allied effort.

4. *Status of Italian Navy.* Under this modification of the armistice terms, all the Italian ships will continue to fly their flags. A large proportion of the Italian Navy will thus remain in active commission operating their own ships and fighting alongside the forces of the United Nations against the Axis Powers.

Liaison officers.

The requisite Liaison officers will be supplied to facilitate the working of the Italian ships in co-operation with allied forces. A small Italian liaison mission will be attached to the Headquarters of the Commander-in-Chief, Mediterranean, to deal with matters affecting the Italian Fleet.

5. *Mercantile Marine.* It is the intention that the Italian Mercantile Marine should operate under the same conditions as the merchant ships of the Allied Nations. That is to say, all mercantile shipping of the United Nations is formed into a pool which is employed as may be considered necessary for the benefit of all the United Nations. In this will naturally be included the requirements for the supply and maintenance of Italy. The system will be analogous to that used in North Africa, where the North Africa Shipping Board controls all United States, British and French shipping under certain agreements which will have to be arranged in detail in so far as Italian ships are concerned. While it may be expected that a proportion of Italian ships will be working within the Mediterranean and to and from Italian ports, it must be appreciated that this will not always necessarily be the case and ships flying the Italian flag may be expected to be used elsewhere as is done with the merchant ships of all the United Nations. Italian ships employed as outlined in this paragraph will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag.

Post, p. 2769.

AMENDMENT TO AGREEMENT BETWEEN THE NAVAL COMMANDER-IN-CHIEF, MEDITERRANEAN, ALLIED FORCES AND THE ROYAL ITALIAN MINISTER OF MARINE WITH RESPECT TO THE EMPLOYMENT OF THE ITALIAN NAVY.

The aforementioned agreement is amended as follows:

The following phrase to be added to the Preamble: *Ante*, p. 2766.

"It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time."

Final sentence of last paragraph to be amended to read: *Ante*, p. 2768.

"will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag."

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail. Authentic text.

Signed on the 17th November 1943 at BRINDISI.

For the Naval Commander-in-Chief
Mediterranean, Allied Forces.

Rear Admiral.

Amm. Ministro della Marina

Flag Officer Liaison. Italy.

EMENDAMENTO ALL'ACCORDO TRA IL COMANDANTE IN CAPO DELLE FORZE ALLEATE NEL MEDITERRANEO E IL MINISTRO ITALIANO DELLA MARINA RELATIVO ALL'IMPIEGO DELLA MARINA ITALIANA.

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L'ACCORDO SUMMENZIONATO È EMENDATO COME SEGUE :

1.- LA FRASE SEGUENTE VIENE AGGIUNTA AL PREAMBOLO:
" E' INTESO E CONCORDATO CHE LE DISPOSIZIONI DEL PRESENTE ACCORDO RELATIVE ALL'IMMEDIATO IMPIEGO E DISPOSIZIONE DELLE NAVI DA GUERRA E MERCANTILI ITALIANE NON ALTERANO IL DIRITTO DELLE NAZIONI UNITE DI PRENDERE QUELLE ALTRE DISPOSIZIONI RELATIVE A TUTTE O PARTE DELLE NAVI ITALIANE CHE ESSE CONSIDERINO OPPORTUNE.
LE LORO DECISIONI A QUESTO RIGUARDO SARANNO NOTIFICATE DI VOLTA IN VOLTA AL GOVERNO ITALIANO".

2.- L'ULTIMA FRASE DELL'ULTIMO PARAGRAFO VIENE EMENDATA COME SEGUE:
" SARANNO ARMATE NEI LIMITI DEL POSSIBILE CON EQUIPAGGI PROVVISTI DAL MINISTERO DELLA MARINA ITALIANA E BATTERANNO BANDIERA ITALIANA".

IL PRESENTE ACCORDO È REDATTO IN INGLESE ED ITALIANO, IL TESTO INGLESE ESSENDO QUELLO AUTENTICO ED IN CASO DI QUALSIASI DISPUTA RIGUARDANTE L'INTERPRETAZIONE, LA DECISIONE DELLA COMMISSIONE DI CONTROLLO PREVARRÀ.

FIRMATO A BRINDISI IL GIORNO 17 NOVEMBRE 1943

AMMIRAGLIO RAFFAELE DE CURTEN
MINISTRO DELLA MARINA ITALIANA

Amm. De Courten
Ministro della Marina

P. IL COMANDANTE IN CAPO
DELLE FORZE NAVALI ALLEATE NEL MEDITERRANEO

R. Lingen Rear Admiral.
Naval Officer Liaison.
Italy.

Statement of Admiral de Courten, November 17, 1943

In obbedienza agli ordini di S.E. il Maresciallo Badoglio, Capo del Governo, ho firmato le clausole aggiuntive al preambolo ed all'ultimo paragrafo del Cunningham-de Courten Agreement, richieste dai Governi alleati come condizioni di firma degli emendamenti all'atto di armistizio.

Nel procedere a tale firma, chiedo che sia preso atto della seguente dichiarazione:

"Ritengo mio dovere mettere in chiaro rilievo che la richiesta di inserzione di queste clausole, avanzata a poco meno di due mesi all'incontro con Sir Andrew Cunningham, allora comandante in capo della flotta Alleata del Mediterraneo, altera lo spirito dell'accordo concluso fra l'Amm. Cunningham e me. Le clausole di tale Agreement erano state proposte, in regime di armistizio, dallo stesso Amm. Cunningham, il quale mi aveva invitato ad esaminarle ed a comunicargli le mie osservazioni e considerazioni: poiché era stato raggiunto il completo accordo sul testo presentato da parte Alleata e poiché l'Agreement ha avuto finora la più larga e completa applicazione senza nessun contrasto nè nella lettera, nè nello spirito, non avevo e non ho nessuna ragione di pensare che esso dovesse essere modificato e completato con una ulteriore clausola di carattere cautelativo. Tale clausola appare in antitesi con la collaborazione attiva data finora dalla Marina Italiana e con la palese dimostrazione della leale disposizione della flotta italiana ad intensificare fino al massimo limite il suo contributo alla condotta della guerra contro il comune nemico, nello spirito della co-belligeranza in atto."

Brindisi, 17 novembre 1943

Amm. F. R. de Courten
Ministro della Marina

Translation

By order of His Excellency, Marshal Badoglio, Chief of the Government, I have signed the clauses added to the Preamble and to the last paragraph of the Cunningham–de Courten Agreement, which were requested by the Allied Governments as conditions of the signature of the amendments to the Armistice.

In signing, I request that note be taken of the following statement:

"I believe it my duty to make clear that the request for insertion of these clauses, put forth less than two months after the meeting with Sir Andrew Cunningham, then Commander-in-Chief of the Allied Mediterranean Fleet, alters the spirit of the agreement concluded between Admiral Cunningham and me. The clauses of this Agreement had been put forward in accordance with the Armistice, by Admiral Cunningham himself, who invited me to examine them and make known to them my observations and comments. In as much as there was complete agreement in regard to the text presented by the Allies, and as the Agreement has up to now been carried out in the widest and most complete manner without opposition either in letter or spirit, I did not and do not have any reason to believe it should be modified and completed by a subsequent safeguarding clause. This clause seems to be at odds with the active collaboration given up to now by the Italian Navy and with the visible demonstration of the loyalty with which the Italian Fleet is contributing to the utmost to the conduct of the war against the common enemy in the spirit of existing co-belligerency".

BRINDISI, *17 November 1943*
ADMIRAL DE COURTEN
Minister of the Navy

Agreement between the United States of America and Ecuador respecting air transport services. Signed at Quito January 8, 1947; entered into force April 24, 1947.

January 8, 1947
[T. I. A. S. 1606]

COMMERCIAL AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF ECUADOR

Having in mind the resolution signed under date of December 7, 1944, [1] at the International Civil Aviation Conference in Chicago, for the adoption of a standard form of agreement for air routes and services, and the desirability of mutually stimulating and promoting the further development of air transportation between the United States of America and the Republic of Ecuador, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the provisions of the present agreement, for which purpose they have appointed the following plenipotentiaries: His Excellency the Constitutional President of the Republic of Ecuador, Señor Don Enrique Arízaga Toral, Minister of the Treasury, Acting Minister for Foreign Affairs;

His Excellency the President of the United States of America, Mr. Robert McGregor Scotten, his Ambassador Extraordinary and Plenipotentiary in Quito.

Who, having exhibited their Full Powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE 1

Post, p. 2778.

Each contracting party grants to the other contracting party the rights as specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

Inauguration of air services.

Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to fulfill before the competent aeronautical authorities of the contracting party granting the rights the requirements of law and to comply with laws and the regulations in force and those which may be prescribed subsequently before being authorized to initiate the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, this service shall be subject to the approval of the competent military authorities.

Post, p. 2775.

ARTICLE 3

Charges.

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils, and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of the airlines of such contracting party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most-favored-nation.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2778.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party and still in force shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by the authorities of another state.

Certificates of airworthiness, etc.

Post, p. 2778.

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of airlines designated by the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

Laws and regulations.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the airlines designated by the other contracting party upon entrance into or departure from or while within the territory of the first party.

ARTICLE 6

Each contracting party reserves the right to withhold or revoke the certificate or permit of an airline designated by the other contracting party in the event substantial ownership and effective control of such

Withholding or revocation of certificate or permit.

airline are not vested in nationals of the other contracting party, or in case of failure by the airline designated by the other contracting party to comply with the laws and regulations of the contracting party over whose territory it operates, as described in Article 5 hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this agreement and its Annex; or in case the aircraft in service are not operated by crews which are nationals of the other contracting party, except when the crews are receiving instruction.

Post, p. 2778.

ARTICLE 7

Registration.

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization or its successor.

ARTICLE 8

Continuance of rights and privileges.

Existing rights and privileges relating to air transport services which may have been granted previously by either of the contracting parties to an airline of the other contracting party shall continue in force according to their terms.

ARTICLE 9

Termination.

This agreement or any of the rights for air transport services granted thereunder may, without prejudice to Article 8 above, be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 10

Modification of routes or conditions.
Post, p. 2778.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 11

Submission of dispute for advisory report.

Except as otherwise provided in this agreement, or its Annex, any dispute between the contracting parties relative to the interpretation or application of this agreement, or its Annex, which cannot be settled through consultation shall be submitted for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III, Section six (8) of the Provisional Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or to its successor, unless the contracting parties agree to submit the dispute to an arbitration tribunal designated by agreement between the same contracting parties, or to some other person or body. The executive authorities of each of the contracting parties will use their best efforts under the powers available to them to put into effect the opinion expressed in any such report.

59 Stat. 1521.

ARTICLE 12

Upon the coming into force of a general multilateral aviation convention, agreed to by both contracting parties, the provisions of the present agreement shall be modified to conform with those of such convention. Modification.

ARTICLE 13

For the purposes of this agreement and its Annex, except where otherwise provided therein:

(a) the expression "aeronautical authorities" shall mean, in the case of the United States of America, the Civil Aeronautics Board, and any person or agency authorized to perform the functions exercised at the present time by the Civil Aeronautics Board, or similar functions, and in the case of the Republic of Ecuador, the Minister of National Defense or any person or agency authorized to perform the functions exercised at present by that Minister, or similar functions. "Aeronautical authorities."

(b) the expression "designated airlines" shall mean those airlines, that the aeronautical authorities of one of the contracting parties have stated in writing to the aeronautical authorities of the other contracting party, have been designated by it, in conformity with the stipulations of this agreement, for the routes specified in such designation. "Designated airlines."

ARTICLE 14

This agreement, including the provisions of the Annex thereof, will come into force when ratified by Ecuador in accordance with its Constitution.[1] Entry into force.

In witness whereof, the plenipotentiaries heretofore mentioned have signed the present agreement and have affixed their seals thereto.

Done at Quito this eighth day of January, 1947, in duplicate in the English and Spanish languages, each of which shall be of equal authenticity. Authentic languages.

For the Government of the United States of America:

R. M. SCOTTEN [SEAL]

For the Government of the Republic of Ecuador:

E. ARÍZAGA TORAL [SEAL]

[1] [By note no. 151-DAO of July 9, 1947, the Ecuadoran Minister of Foreign Affairs informed the American Chargé d'Affaires ad interim at Quito that April 24, 1947, the date of publication of the agreement in the Ecuadoran *Registro Oficial*, should be considered the date of ratification of the agreement on the part of the Ecuadoran Government.]

ANNEX TO COMMERCIAL AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF ECUADOR

SECTION 1

It is agreed between the contracting parties:

Equal opportunity.

A. That the airlines of the two contracting parties operating on the routes described in this Annex shall enjoy fair and equal opportunity for the operation of the said routes.

Capacity.

B. That the air transport capacity offered by the airlines of both countries should bear a close relationship to traffic requirements.

C. That in the operation of common sections of trunk routes the airlines of the contracting parties should take into account their reciprocal interests so as not to affect unduly their respective services.

D. That the services provided by a designated airline under this agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such airline is a national, and points under its jurisdiction, and the country of ultimate destination of the traffic.

Right to embark, etc.

E. That the right to embark and to disembark at points under the jurisdiction of the other contracting party international traffic destined for or coming from third countries at a point or points hereinafter specified, shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity shall be related:

1. To traffic requirements between the country of origin, and points under its jurisdiction, and the countries of destination.
2. To the requirements of through airline operation, and
3. To the traffic requirements of the area through which the airline passes after taking account of local and regional services.

Consultation.

F. The appropriate aeronautical authorities of each of the contracting parties will consult from time to time, or at the request of one of the parties, to determine the extent to which the principles set forth in Section E of this Annex are being followed by the airlines designated by the contracting parties, so as to prevent an unfair proportion of traffic being diverted from any designated airline through violation of the principle or principles enunciated elsewhere in this agreement or its Annex.

SECTION 2

U. S. rights of transit and stop in Ecuador.

A. Airlines of the United States of America, designated in conformity with the present agreement, are accorded rights of transit and of nontraffic stop in the territory of the Republic of Ecuador as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Quito, Guayaquil, Riobamba, Esmeraldas, Manta, Salinas, Cuenca and Loja, on the following routes via intermediate points in both directions:

1. The United States and/or the Canal Zone to Quito, Riobamba, Esmeraldas, Manta, Salinas, Guayaquil, Cuenca and Loja and beyond Ecuador.

   a. From Quito to Ipiales, Colombia
   b. To points in Peru and beyond

2. The United States to Quito and Guayaquil and thence to Peru and beyond.

On the above route the airline or airlines authorized to operate the route may operate nonstop flights between any of the points enumerated omitting stops at one or more of the other points so enumerated.

Nonstop flights.

B. Airlines of the Republic of Ecuador, designated in conformity with the present agreement, are accorded rights of transit and of nontraffic stop in the territory of the United States of America as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at a point or points in the territory of the United States along a route or routes agreed to by the Governments of the United States and of Ecuador at such time as the Government of Ecuador desires to commence operations.

Ecuadoran rights of transit and stop in U. S.

On the above route the airline or airlines authorized to operate the route may operate nonstop flights between any of the points enumerated omitting stops at one or more of the other points so enumerated.

Nonstop flights.

ACUERDO
DE TRANSPORTE AEREO COMERCIAL
INTERNACIONAL
ENTRE
EL GOBIERNO DE LA REPUBLICA
DEL ECUADOR
Y
EL GOBIERNO DE LOS
ESTADOS UNIDOS DE AMERICA

Teniendo en cuenta la resolución firmada con fecha 7 de diciembre de 1944, en la Conferencia Internacional de Aviación Civil de Chicago, para adoptar un tipo uniforme de Acuerdo para el uso de las rutas y de los servicios aéreos, y, deseando estimular y fomentar el mútuo desarrollo del transporte aéreo entre los Estados Unidos de América y la República del Ecuador, ambos Gobiernos convienen en que el establecimiento y desarrollo de los servicios del transporte aéreo entre sus respectivos territorios, se sujetarán a las disposiciones del presente Convenio, para cuyo efecto han nombrado los siguientes Plenipotenciarios:

Su Excelencia el Señor Presidente Constitucional de la República del Ecuador al Excelentísimo Señor Don Enrique Arízaga Toral, Ministro del Tesoro, Encargado de la Cartera de Relaciones Exteriores; y

Su Excelencia el Señor Presidente de los Estados Unidos de América, al Excelentísimo Señor Don Robert Mc. Gregor Scotten, su Embajador Extraordinario y Plenipotenciario en Quito.

Quienes, después de haber exhibido sus Plenos Poderes, encontrados en buena y debida forma, han convenido en los Artículos siguientes:

ARTICULO I

Cada Parte Contratante concede a la otra Parte Contratante los derechos especificados en el Anexo a este Acuerdo, necesarios para establecer los servicios y rutas internacionales aéreas civiles descritas en dicho Anexo, ya sea que estos servicios y rutas sean inaugurados inmediatamente o en fecha posterior, a opción de la Parte Contratante a la que se otorgan dichos derechos.

ARTICULO II

Cada servicio así descrito, será puesto en operación tan pronto como la Parte Contratante, a la cual se ha concedido por el Artículo I derecho para designar una línea aérea o líneas aéreas en determinada ruta, haya autorizado una línea aérea o líneas aéreas para dicha ruta y la Parte Contratante que otorga los derechos, conforme al Artículo VI de este Acuerdo, estará obligada a conceder el permiso de operaciones pertinente a la línea aérea o líneas aéreas que le conciernen, quedando entendido que dichas líneas aéreas, antes de ser autorizadas para iniciar las operaciones contempladas en este Acuerdo, podrán ser obligadas a llenar ante las Autoridades competentes de Aeronáutica de la Parte otorgante, los requisitos de ley, y a cumplir con las demás Leyes y Reglamentos vigentes y los que se dictaren posteriormente. Cuando se trate de zonas donde se lleven a cabo hostilidades, de zonas de ocupación militar o de zonas afectadas por ellas, este servicio estará sujeto a la aprobación de las Autoridades militares competentes.

ARTICULO III

Con el fin de evitar prácticas discriminatorias y asegurar la igualdad de tratamiento, ambas Partes Contratantes acuerdan que:

a) Cada una de ellas podrá imponer o permitir que se le imponga tarifas justas y razonables para el uso de los aeropuertos públicos, u otras facilidades bajo su control. Cada Parte Contratante conviene sin embargo, que estas tarifas no serán mayores que las que pagarían por el uso de dichos aeropuertos, y facilidades para sus aeronaves nacionales empleadas en servicios similares internacionales.

b) El combustible, aceites, lubricantes y piezas de repuestos introducidos en el territorio de una de las Partes Contratantes por la otra Parte Contratante o sus nacionales, para el uso exclusivo de las aeronaves de las líneas aéreas de dicha Parte Contratante, estarán sujetos al mismo tratamiento que se da a dichos materiales destinados a las líneas aéreas nacionales o las líneas aéreas de la Nación más favorecida, en lo que respecta a derechos de aduana, tarifas de inspección, o cualquier gravamen o derecho nacional impuesto por la Parte Contratante a cuyo territorio se introduzcan.

c) El combustible, aceites lubricantes, piezas de repuestos, equipo corriente y el abastecimiento que se transporten a bordo de las aeronaves civiles de las líneas aéreas de una de las Partes Contratantes autorizada a operar las rutas y servicios que se describen en el Anexo, deberán, al llegar o dejar el territorio de la otra Parte Contratante, ser exonerados de derechos de aduana, de derechos de inspección o de otros derechos similares, aún cuando tales materiales sean usados o consumidos por dichas aeronaves en vuelos sobre dicho territorio.

ARTICULO IV

Los Certificados de navegabilidad aérea, los certificados de competencia y licencias, expedidos o revalidados por una de las Partes Contratantes y aún en vigencia serán reconocidos como válidos por la otra Parte Contratante con el fin de operar las rutas y servicios descritos en el Anexo. Cada Parte Contratante, se reserva el derecho, sin embargo, cuando se trata de vuelos sobre su propio territorio, de rehusar el reconocimiento de tales certificados de competencia y licencias expedidos a sus propios nacionales por las autoridades de cualquier otro Estado.

ARTICULO V

a) Las leyes y reglamentos de una de las Partes Contratantes, relacionados con la admisión en, o partida de, su territorio de las aeronaves dedicadas a la navegación aérea internacional, o relacionados con las operaciones y navegación de dichas aeronaves, mientras estén dentro de su territorio, se aplicarán a las aeronaves de las líneas aéreas designadas por la otra Parte Contratante y se cumplirán por dichas aeronaves a la entrada, salida o mientras permanezcan en el territorio de la primera Parte Contratante.

b) Las Leyes y Reglamentos de una de las Partes Contratantes

referentes a la entrada en, o salida de su territorio de pasajeros, tripulaciones o carga de aeronaves, tales como Reglamentos relacionados con la entrada, despacho inmigración, pasaportes, aduanas y cuarentenas, deberán cumplirse por los pasajeros, tripulaciones o carga de las líneas aéreas designadas por la otra Parte Contratante o por los representantes de los mismos, a la entrada, salida o mientras permanezca la aeronave en el territorio de la primera Parte Contratante.

ARTICULO VI

Cada Parte Contratante se reserva el derecho de no otorgar o, de revocar el permiso de operaciones de una línea aérea designada por la Parte Contratante en el caso de que dicha línea aérea no sea en manera substancial de propiedad de nacionales de la otra Parte Contratante, y no se halle bajo el efectivo control de los nacionales de dicha Parte, o en cualquier caso en que una línea aérea designada por la otra Parte Contratante no cumpliere con las Leyes y Reglamentos de la Parte Contratante sobre cuyo territorio estuviere operando, tal como se describen en el Artículo 5, o que de otra manera dejara de cumplir con las condiciones bajo las cuales se conceden los derechos contemplados en este Acuerdo y su anexo; o en caso de que las aeronaves en servicio no estén tripuladas por nacionales de la otra Parte Contratante, excepto cuando las dotaciones se hallen recibiendo adiestramiento.

ARTICULO VII

Este Acuerdo y todos los contratos relacionados con el mismo, deberán registrarse en la Organización Provisional de Aviación Civil Internacional o la Entidad que le suceda.

ARTICULO VIII

Los derechos y privilegios existentes referentes a servicios de transporte aéreo los cuales pueden haber sido concedidos previamente por cualquiera de las Partes Contratantes para una línea aérea de la otra Parte Contratante continuarán en vigor de acuerdo con sus condiciones.

ARTICULO IX

Este Acuerdo o cualquiera de los derechos para el servicio de transporte aéreo otorgado por este Acuerdo, podrán darse por terminados, sin perjuicio de lo dispuesto en el Artículo 8. por cualquiera de las Partes Contratantes, mediante aviso previo de un año a la otra Parte Contratante.

ARTICULO X

En el caso de que cualquiera de las Partes Contratantes deseara modificar las rutas o condiciones establecidas en el Anexo, podrá solicitar consultas entre las Autoridades competentes de las dos Partes Contratantes, debiendo iniciarse dichas consultas dentro de un período de sesenta díás a partir de la fecha de la solicitud. Cuando dichas Autoridades estén de acuerdo en que las circunstancias han cambiado, o que han surgido nuevas circunstancias, haciéndose conveniente modi-

ficar el Anexo, las recomendaciones que hagan las autoridades sobre el asunto, se llevarán a efecto después de haber sido confirmadas por un intercambio de notas diplomáticas.

ARTICULO XI

Salvo las estipulaciones en contrario del presente Acuerdo o de su Anexo, cualquiera divergencia entre las Partes Contratantes relativa a la interpretación o aplicación del presente Acuerdo o de su Anexo, que no pudiere ser resuelta por medio de consultas, deberá ser sometida al Consejo Provisional de la Organización Provisional de Aviación Civil Internacional (en conformidad con las disposiciones del Artículo III, Sección seis "8" del Convenio Provisional sobre Aviación Civil Internacional, suscrito en Chicago el 7 de diciembre de 1944) o del Organismo que le sucediera, para su opinión consultiva, a menos que las Partes Contratantes acordaren someter la divergencia a un Tribunal Arbitral designado en virtud de Acuerdo entre las mismas Partes Contratantes, o a alguna otra persona u organismo. Las Autoridades Ejecutivas de cada una de las Partes Contratantes se comprometen a hacer uso de sus mejores esfuerzos bajo los Poderes que ejercieran para hacer cumplir la decisión expresada en tal fallo.

ARTICULO XII

De entrar en vigor una Convención multilateral aérea general o suscrita por ambas Partes Contratantes, las disposiciones del presente Acuerdo deberán modificarse y conformarse a las de la citada Convención.

ARTICULO XIII

A los fines de este Acuerdo y de su Anexo, salvo cuando el texto disponga otra cosa:

a) La Expresión "Autoridades Aeronáuticas", significará, en el caso de los Estados Unidos de América, la Junta de Aeronáutica Civil y cualquier persona u organismo autorizado a ejercer las funciones actuales de la Junta de Aeronáutica Civil o funciones similares, y en el caso de la República del Ecuador, el Ministro de Defensa Nacional o cualquier organismo o persona autorizados a ejercer las funciones de dicho Ministro o funciones similares.

b) La expresión "líneas aéreas designadas", significará aquellas Empresas de transporte aéreo, respecto a las cuales las Autoridades Aeronáuticas de una de las Partes Contratantes, hayan comunicado por escrito a las Autoridades Aeronáuticas de la otra Parte Contratante, que son las Empresas aéreas por esta última designadas, de conformidad con las estipulaciones anteriormente expuestas, con respecto a las rutas especificadas en la indicada designación.

ARTICULO XIV

Este Acuerdo, incluyendo las disposiciones del Anexo, entrará en vigencia al ser ratificado por el Ecuador, de conformidad con el procedimiento que establece su Carta Política.

En fé de lo cual, los Plenipotenciarios antes nombrados, firman el presente Acuerdo y lo signan con sus sellos respectivos, en los idiomas español e inglés, cada uno de los cuales de idéntica autenticidad.

Hecho en Quito, a 8 de Enero de 1947.

Por el Gobierno del Ecuador

E. ARÍZAGA TORAL

Por el Gobierno de los Estados Unidos de América

R. M. SCOTTEN

[SEAL] [SEAL]

ANEXO AL ACUERDO SOBRE TRANSPORTE AEREO COMERCIAL ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS Y EL GOBIERNO DEL ECUADOR.

SECCION 1.

Ambas Partes Contratantes convienen:

A. Que las líneas aéreas de ambas Partes Contratantes que operan en las rutas descritas en el presente Anexo, gozarán de justas e iguales oportunidades en la explotación de las rutas mencionadas.

B. Que la capacidad del transporte aéreo ofrecida por las líneas aéreas de ambos países, deberá guardar una estrecha relación con las necesidades del movimiento aéreo.

C. Que en las operaciones de las secciones comunes de las rutas troncales, las líneas aéreas de las Partes Contratantes deberán tener en cuenta sus intereses recíprocos a fin de no afectar indebidamente sus respectivos servicios.

D. Que los servicios prestados por una línea aérea designada de acuerdo con los términos de este Acuerdo y su Anexo, tendrán como objetivo principal ofrecer una capacidad adecuada a las demandas del movimiento aéreo entre el país al que pertenece la línea aérea y lugares bajo su jurisdicción y el país de destino.

E. Que el derecho de embarcar y desembarcar en lugares bajo la jurisdicción de la otra Parte Contratante, todo lo que intervenga en el movimiento internacional con destino a, o procedente de terceros países en un punto o puntos que a continuación se especifican, será ejercido en conformidad con los principios generales del desarrollo ordenado, aceptados por los dos Gobiernos y se sujetará al principio general que la capacidad debe guardar relación con:

1. Las necesidades del movimiento aéreo entre el país de origen y lugares bajo su jurisdicción, y los países de destino;
2. Las necesidades de operar una línea aérea de extremo a extremo; y,
3. Las necesidades del movimiento aéreo existente en las zonas atravesadas, tomando en cuenta los servicios locales y regionales.

F. Las Autoridades Aeronáuticas competentes de ambas Partes Contratantes, se consultarán periódicamente o a pedido de una de ellas, para determinar hasta qué punto los principios enunciados en la Cláusula E. de este Anexo están siendo observados por las líneas aéreas designadas por las Partes Contratantes, a fin de evitar que a cualquiera de las líneas aéreas designadas se le reste una parte desproporcionada del movimiento aéreo a causa de la violación de un principio o de los principios enunciados en cualquier parte de este Acuerdo o de su Anexo.

SECCION 2.

A. Las líneas aéreas de los Estados Unidos de América designadas conforme al presente Acuerdo, gozarán de los derechos de tránsito, de escalas para fines no comerciales, en el territorio de la República del Ecuador, así como del derecho de embarcar y desembarcar pasajeros,

carga y correo de tránsito internacional en Quito, Guayaquil, Riobamba, Esmeraldas, Manta, Salinas, Cuenca y Loja, en las siguientes rutas vía puntos intermedios en ambas direcciones:

1. Los Estados Unidos, y/o la Zona del Canal, a Quito, Riobamba, Esmeraldas, Manta, Salinas, Guayaquil, Cuenca y Loja; y desde el Ecuador:

a)–Desde Quito a Ipiales, Colombia,

b)–A puntos en Perú, y a puntos fuera del Perú.

2.– Los Estados Unidos a Quito y Guayaquil y de ahí al Perú y otros puntos fuera de este país.

En la ruta arriba indicada, la línea aérea o las líneas aéreas autorizadas para operar dicha ruta, podrán efectuar vuelos sin escalas entre cualquiera de los puntos enumerados, omitiendo escalas en uno o más de los otros puntos enumerados.

B. Las líneas aéreas del Ecuador designadas conforme al presente Acuerdo, gozarán de los derechos de tránsito, de escalas para fines no comerciales en el territorio de los Estados Unidos, y del derecho de embarcar y desembarcar pasajeros, carga y correo de tránsito internacional, en un punto o puntos en el territorio de los Estados Unidos, para una ruta o rutas acordadas por los Gobiernos del Ecuador y Estados Unidos, en la fecha en que el Gobierno del Ecuador deseare comenzar las operaciones.

En la ruta arriba indicada, la línea aérea o líneas aéreas autorizadas para operar dicha ruta, podrán efectuar vuelos sin escalas entre cualquiera de los puntos enumerados, omitiendo escalas en uno o más de los otros puntos enumerados.

Agreement between the United States of America and Siam respecting air transport services. Signed at Bangkok February 26, 1947; effective February 26, 1947.

February 26, 1947
[T. I. A. S. 1607]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF SIAM RELATING TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES

The Government of the United States of America and the Government of the Kingdom of Siam,

Having in mind the resolution signed under date of December 7, 1944, [1] at the International Civil Aviation Conference in Chicago, for the adoption of a standard form of agreement for air routes and services, and the desirability of mutually stimulating and promoting the further development of air transportation between the United States of America and the Kingdom of Siam, the two Governments parties to this arrangement have appointed their representatives, who, duly authorized, have agreed that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

Each contracting party grants to the other contracting party the rights as specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

Post, p. 2793.

ARTICLE 2

Inauguration of air services.

Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in

Post, p. 2791.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

ARTICLE 3

Charges.

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such contracting party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most-favored-nation.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2793.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Post, p. 2793.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, im-

migration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke the certificate or permit of an airline designated by the other contracting party in the event it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of the other contracting party, or in case of failure by the airline designated by the other contracting party to comply with the laws and regulations of the contracting party over whose territories it operates, as described in Article 5 hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this agreement and its annex.

Post, p. 2793.

ARTICLE 7

Registration.

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization, or its successor body.

ARTICLE 8

Termination.

This agreement or any of the rights for air transport services granted thereunder may be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 9

Modification of routes or conditions.

Post, p. 2793.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Amendment.

If a general multilateral air transport Convention enters into force in relation to both contracting parties, the present agreement shall be amended so as to conform with the provisions of such Convention.

ARTICLE 11

Disputes.

Any dispute between the contracting parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor.

59 Stat. 1521.

ARTICLE 12

Entry into force.

This agreement, including the provisions of the Annex thereto, will come into force on the day it is signed.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed the present agreement.

Done in duplicate at Bangkok this twenty-sixth day of February in the nineteen hundred and forty-seventh year of the Christian Era, corresponding to the two thousand four hundred and ninetieth year of the Buddhist Era, in the English language.

For the Government of the United States of America:

[SEAL] EDWIN F. STANTON
EDWIN F. STANTON

For the Government of the Kingdom of Siam:

[SEAL] T. THAMRONG NAWASAWAT.
T. THAMRONG NAWASAWAT

ANNEX TO AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF SIAM RELATING TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES.

U. S. rights of transit and stop in Siam.

A. Airlines of the United States, authorized under the present agreement, are accorded rights of transit and non-traffic stop in the territory of Siam, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Bangkok, on the following route via intermediate points; in both directions:

1. The United States over a Pacific route to Bangkok and beyond.

Siamese rights of transit and stop in U. S.

B. Airlines of Siam, authorized under the present agreement, are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Los Angeles and Honolulu on the following route via intermediate points; in both directions:

1. Siam to Los Angeles over reasonably direct route.

C. In the establishment and operation of air services covered by this Agreement and its Annex, the following principles shall apply:

Encouragement of air travel.

1. The two contracting parties desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

Equal opportunity.

2. There shall be a fair and equal opportunity for the airlines of the two contracting parties to operate on their respective routes.

Capacity.

3. It is the understanding of both contracting parties that services provided by a designated air carrier under the Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic. The right to embark and disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in the Annex to the Agreement shall be applied in accordance with the general principles of orderly development to which both contracting parties subscribe and shall be subject to the general principle that capacity should be related:

Right to embark, etc.

(a) to traffic requirements between the country of origin and the countries of destination;

(b) to the requirements of through airline operation, and

(c) to the traffic requirements of the area through which the airline passes after taking into consideration local and regional services.

Consultation.

4. The contracting parties should undertake regular and frequent consultation between their respective aeronautical authorities so that there should be close collaboration in observance of the principles and the implementation of the provisions outlined in the Agreement and its Annex, and in case of dispute the matter shall be settled in accordance with the provisions of Article 11 of the Agreement.

Ante, p. 2791.

Agreement between the United States of America and France respecting passport visa fees. Effected by exchange of notes signed at Washington November 20 and December 10, 1946; effective January 1, 1947.

November 20 and December 10, 1946
[T. I. A. S. 1608]

The Secretary of State to the French Ambassador

The Secretary of State presents his compliments to His Excellency the Ambassador of the French Republic and has the honor to refer to a conversation between Mr. Strauss and a member of the Department regarding the conclusion of an agreement between the Government of the French Republic and the United States Government relating to visa fees for nonimmigrants who are nationals of either country, to take the place of the present agreement.

52 Stat. 1513.
61 Stat., Pt. 4, p. 3776
Effective date.
Fees for visa of U. S. passport.

It is understood that effective January 1, 1947, the French authorities will collect the following fees for the visa of a valid American passport covering the persons included therein who are members of the immediate family, entering France or any of its possessions: (1) transit visa valid for a stay not exceeding fifteen days, 325 francs; (2) visa valid for a stay for a period of sixteen days to one year, 400 francs; and (3) visa valid for a stay exceeding one year, 1200 francs.

Fees for visa of French passport.

The United States authorities will, on a corresponding basis, collect the following fees for the visa of a valid French passport covering the persons included therein who are members of the immediate family, entering the United States or any of its possessions: (1) transit visa valid for one or more entries during a period of one year from the date of issuance for such period as the immigration authorities may prescribe, not to exceed sixty days, $2.75; and (2) a nonimmigrant passport visa valid for one or more entries during a period of one year from the date of issuance for such period as the immigration authorities may prescribe, subject to extension by such authorities without charge, $3.50.

It will be appreciated if the Department may be informed whether the French Government is agreeable to the adoption of the foregoing schedule of visa fees for nonimmigrants who are bearers of French passports or American passports, in order that appropriate instructions may be sent to American diplomatic and consular officers.

DEPARTMENT OF STATE,
Washington, November 20 1946

G J H

The French Embassy to the Department of State

AMBASSADE DE FRANCE
AUX ETATS-UNIS
SERVICE CONSULAIRE

No. 557 SCA-4-1

WASHINGTON, *le 10 Décembre 1946.*

L'Ambassade de France présente ses compliments au Département d'Etat et a l'honneur de lui faire savoir que son gouvernement a accepté la proposition contenue dans la note du Département d'Etat en date du 20 Novembre, concernant un accord de réciprocité sur le tarif des visas de passeports.

Il est entendu qu'à partir du 1er Janvier 1947, les autorités françaises appliqueront le tarif suivant pour les visas apposés sur des passeports américains valables pour la personne pour laquelle il a été délivré et les membres de sa famille immédiate y mentionnés, se rendant en France ou dans un territoire français:

(1) Visa de transit valable 15 jours au maximum: 325 francs
(2) Visa d'entrée valable 16 jours à 1 an: 400 francs
(3) Visa d'entrée valable plus d'un an: 1200 francs

Les autorités américaines, réciproquement, appliqueront le tarif suivant pour les visas apposés sur des passeports français valables pour la personne pour laquelle il a été délivré et les membres de sa famille immédiate y mentionnés, se rendant aux Etats-Unis ou dans un territoire américain:

(1) Visa de transit valable pour une ou plusieurs entrées pendant 1 an et au maximum, pour chaque séjour, pendant 60 jours: $2.75
(2) Visa de non-immigrant valable 1 an pour une ou plusieurs entrées, ce visa donnant droit à des séjours d'une durée qui doit être fixée par le service de l'immigration, susceptible d'être renouvelée sans frais par ces autorités: $2.50
(3) Visa valable plus d'un an (visa d'immigrant): $10.00./.

L'Ambassade de France est heureuse de saisir l'occasion de la présente note pour renouveler au Département d'Etat les assurances de sa très haute considération.

F L

DÉPARTEMENT D'ETAT,
Washington, D.C.

Translation[1]

DECEMBER 10, 1946.

The French Embassy presents its compliments to the Department of State and has the honor to advise that its government has accepted the proposition contained in the note of the Department of State under date of November 20, regarding an agreement between American and French Governments relative to the fee of passports visas.

It is understood that effective January 1, 1947 the French authorities will collect the following fees for the visa of a valid American passport covering the persons included therein who are members of the immediate family, entering France or any of its possessions:

(1) transit visa valid for a stay not exceeding fifteen days, 325 francs;

(2) visa valid for a stay for a period of sixteen days to one year, 400 francs;

(3) visa valid for a stay exceeding one year, 1200 francs.

The United States authorities will, on a corresponding basis, collect the following fees for the visa of a valid French passport covering the persons included therein who are members of the immediate family, entering the United States or any of its possessions:

(1) transit visa valid for one or more entries during a period of one year from the date of issuance for such period as the immigration authorities may prescribe, not to exceed sixty days, $2.75;

(2) a non immigrant passport visa valid for one or more entries during a period of one year from the date of issuance for such period as the immigration authorities may prescribe, subject to extension by such authorities without charge, $3.50;

(3) visa valid for more than one year (immigrant visa), $10.00./.

The French Embassy seizes this opportunity to renew to the Department of State the assurances of its highest consideration.

DEPARTMENT OF STATE,
Washington, D. C.

[1] [As received from the French Embassy, Washington, D. C.]

Agreement and accompanying exchange of notes between the United States of America and China respecting air transport services. Signed at Nanking December 20, 1946; entered into force December 20, 1946.

December 20, 1946
[T. I. A. S. 1609]

[SEAL]

[SEAL]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

Having in mind the resolution signed under date of December 7, 1944, [1] at the International Civil Aviation Conference in Chicago, Illinois, for the adoption of a standard form of agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States of America and the Republic of China, the two Governments parties to this Agreement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

Article 1

Post, p. 2804.

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

Article 2

Inauguration of air services.

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the right has been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the right shall, subject to Article 7 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airline so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

Post, p. 2802.

(b) It is understood that the contracting parties should undertake to exercise the commercial rights granted under this Agreement at the earliest practicable date except in the case of temporary inability to do so.

Article 3

Operating rights which may have been granted previously by either of the contracting parties to any State not a party to this Agreement or to an airline shall continue in force according to their terms.

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[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

Article 4

Charges.

In order to prevent discriminatory practices and to assure equality of treatment, it is agreed that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of airports and other facilities. Each of the contracting parties agrees, however, that these charges shall not be higher than those which would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2804.

Article 5

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Post, p. 2804.

Article 6

Laws and regulations.

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that contracting party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew, or cargo of the aircraft of the other contracting party upon entrance into or departure from or while within the territory of that contracting party.

Article 7

Withholding or revocation of certificate or permit.

Substantial ownership and effective control of airlines of each contracting party authorized under this Agreement shall be vested in nationals of that contracting party. Each contracting party reserves the right to withhold or revoke the certificate or permit of any airline of the other contracting party in case of failure of such airline to comply with the laws of the State over which it operates, as described in Article 6 hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this Agreement and its Annex.

Post, p. 2804.

Article 8

Registration.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization, or its successor.

Article 9

Disputes.

Except as otherwise provided in this Agreement or in its Annex, any dispute between the contracting parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred, for an advisory report, to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III, Section 6(8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor.

59 Stat. 1521.

Article 10

For the purposes of this Agreement and its Annex, unless the context otherwise requires:

"Aeronautical authorities."

(a) The term "aeronautical authorities" shall mean, in the case of the United States of America, the Civil Aeronautics Board and any person or body authorized to perform the functions presently exercised by the Board or similar functions, and, in the case of the Republic of China, the Minister of Communications for the time being, and any person or body authorized to perform any functions presently exercised by the said Minister or similar functions.

"Designated airline."

(b) The term "designated airline" shall mean the air transport enterprises which the aeronautical authorities of one of the contracting parties have notified in writing to the aeronautical authorities of the other contracting party as the airlines designated by it in accordance with paragraph (a) of Article 2 of this Agreement for the routes specified in such notification.

"Territory."

(c) The term "territory" shall have the meaning assigned to it by Article 2 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944.

61 Stat., Pt. 2, p. 1181.

(d) The definitions contained in paragraphs (a), (b) and (d) of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944 shall apply.

61 Stat., Pt. 2, p. 1207.

Article 11

Consultation.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent aeronautical authorities of both contracting parties, such consultation to begin within a period of 60 days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

Article 12

Duration of agreement.

This Agreement shall continue in force for a period of four years or until it may be superseded in order to conform with a general multilateral air transport convention which may enter into force in relation to both contracting parties. Upon the expiration of this Agreement its renewal for additional periods of time to be agreed upon may be effected by an exchange of diplomatic notes. It is understood and agreed, however, that this Agreement may be terminated by either contracting party upon giving one year's notice to the other contracting party. Such notice may be given at any time after a period of two months to allow for consultation between the contracting parties.

Article 13

Entry into force.

This Agreement, including the provisions of the Annex hereto, will come into force on the day it is signed.

Authentic languages.

Done in duplicate, in the English and Chinese languages, both equally authentic, at Nanking, this twentieth day of December, one thousand nine hundred forty-six, corresponding to the twentieth day of the twelfth month of the thirty-fifth year of the Republic of China.

For the Government of the United States of America:

J. LEIGHTON STUART

For the Government of the Republic of China:

WANG SHIH-CHIEH

ANNEX

U. S. rights of transit and stop in Chinese territory.

A. Airlines of the United States authorized under the present Agreement are accorded rights of transit and nontraffic stop in Chinese territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Shanghai, Tientsin, and Canton, as well as at such additional points as may be agreed upon from time to time, on the following routes, via intermediate points in both directions:

1. The United States over a Pacific route to Tientsin and Shanghai and thence to the Philippine Islands and beyond, as well as beyond Shanghai via Route No. 3 described below.

2. The United States over a Pacific route to Shanghai and Canton and beyond.

3. The United States over an Atlantic route via intermediate points in Europe, Africa, the Near East, India, Burma and Indo-China to Canton and Shanghai and beyond.

On each of the above routes the airline authorized to operate such route may operate nonstop flights between any of the points on such route omitting stops at one or more of the other points on such route.

Chinese rights of transit and stop in U. S. territory.

B. Airlines of China authorized under the present Agreement are accorded rights of transit and nontraffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at San Francisco, New York, and Honolulu, as well as at such additional points as may be agreed upon from time to time, on the following routes, via intermediate points in both directions:

1. China over a Pacific route via Tokyo, Kurile Islands, the Aleutian Islands and Alaska to San Francisco and beyond.

2. China over a Pacific route via the intermediate points of Manila, Guam, Wake, and Honolulu to San Francisco and beyond.

3. China over an Atlantic route via intermediate points in Indo-China, Burma, India, the Near East, Africa and Europe to New York and beyond.

On each of the above routes the airline authorized to operate such route may operate nonstop flights between any of the points on such route omitting stops at one or more of the other points on such route.

C. In the operation of the air services authorized under this Agreement, both contracting parties agree to the following principles and objectives:

Equal opportunity.

1. Fair and equal opportunity for the airlines of each contracting party to operate air services on international routes, and the creation of machinery to obviate unfair competition by unjustifiable increases of frequencies or capacity;

2. The elimination of formulae for the predetermination of frequencies or capacity or of any arbitrary division of air traffic between countries and their national airlines;

3. The adjustment of fifth freedom traffic with regard to:

(a) Traffic requirements between the country of origin and the countries of destination;

(b) The requirements of through airline operation;

(c) The traffic requirements of the area through which the airline passes after taking account of local and regional services.

Approval of rates.

D. 1. Rates to be charged by the air carriers of either contracting party between points in the territory of the United States and points in the territory of China referred to in this Annex shall be subject to the approval of the contracting parties within their respective constitutional powers and obligations. In the event of disagreement the matter in dispute shall be handled as provided below.

"IATA."

2. The Civil Aeronautics Board of the United States having announced its intention to approve the rate conference machinery of the International Air Transport Association (hereinafter called "IATA"), as submitted, for a period of one year beginning in February, 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

3. Any new rate proposed by the air carrier or carriers of either contracting party shall be filed with the aeronautical authorities of both contracting parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both contracting parties.

4. The contracting parties hereby agree that where:

(a) during the period of the Board's approval of the IATA rate conference machinery, either any specific rate agreement is not approved within a reasonable time by either contracting party or a conference of IATA is unable to agree on a rate, or

(b) at any time no IATA machinery is applicable, or

(c) either contracting party at any time withdraws or fails to renew its approval of that part of the IATA rate conference machinery relevant to this provision,

the procedure described in paragraphs 5, 6 and 7 hereof shall apply.

Prevention of unfair or uneconomic rates.

5. In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the contracting parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one contracting party to a point or points in the territory of the other contracting party from becoming effective, if in the judgment of the aeronautical authorities

Notice of dissatisfaction with proposed new rate.

of the contracting party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic. If one of the contracting parties on receipt of the notification referred to in paragraph 3 above is dissatisfied with the new rate proposed by the air carrier or carriers of the other contracting party, it shall so notify the other contracting party prior to the expiry of the first fifteen of the thirty days referred to, and the contracting parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each contracting party will exercise its statutory powers to give effect to such agreement. If agreement has not been reached at the end of the thirty day period referred to in paragraph 3 above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its operation, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph 7 below.

Provisional rate pending settlement of dispute.

6. Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the contracting parties is dissatisfied with any new rate proposed by the air carrier or carriers of either contracting party for services from the territory of one contracting party to a point or points in the territory of the other contracting party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph 3 above, and the contracting parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each contracting party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers. It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the contracting party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

7. When in any case under paragraphs 5 and 6 above the aeronautical authorities of the two contracting parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one contracting party concerning the proposed rate or an existing rate of the air carrier or carriers of the other contracting party, upon the request of either, both contracting parties shall submit the question to the Provisional International Civil Aviation Organization or to its successor for an advisory report, and each party will use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

Fixing of rates.

8. The rates to be agreed in accordance with the above paragraphs shall be fixed at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit and the rates charged by any other air carriers.

9. The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the

aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

J. LEIGHTON STUART

WANG SHIH-CHIEH

美利堅合衆國
中華民國
空中運輸協定

締約雙方政府，鑒於一千九百四十四年十二月七日於伊里諾芝加哥國際民用航空會議因採用臨時航空路線及業務協定之標準方式而簽訂之決議案，並為互相鼓勵與促進美利堅合衆國及中華民國間空運之健全經濟發展起見，茲同意彼此領土間空運業務之設立及發展，應依左列條款之規定：

第一條

締約雙方授予在本協定附件中所規定而為設立國際民用航空路線及業務所必需之權利，無論此項業務立即開辦，抑或日後開辦，悉由受權之締約一方任意抉擇。

第二條

(甲)俟依第一條受權指定一航空組織或數航空組織經營有關航線之締約一方，業已准許一航空組織經營該航線時，前述之各航空業務，應立即開辦；又授權之締約一方，在不違背本協定第七條之規定下，必須給予各該有關航空組織適當之營業許可；但經指定之航空組織，於獲許從事本協定所規定之營業以前，得由授權之締約一方主管航空官廳，令其依照該官廳通常適用之法律規章證明其資格；又在戰事或軍事佔領區域內，或在受其影響之區域內，此項開業，須經主管軍事官廳之核准。

(乙)締約雙方了解，締約雙方應於最近可能日期，負責行使依本協定所給

予之商務權利，但因一時無法行使者，不在此限。

第三條

凡締約任何一方，對於本協定簽字國以外之任何國家或對於一航空組織前所給予之營業權利，應依其條件繼續有效。

第四條

爲防止歧視，並爲保證平等待遇起見，締約雙方同意：

(甲)締約任何一方得徵課或准予徵課關於航空站及其他設備之使用之公允與合理之費用。但締約雙方同意，此項費用不得高於其本國籍航空器於從事類似國際空運業務時關於此項航空站及設備之使用所須繳納之費用。

(乙)締約此方或其國民所輸入締約彼方領土內之燃料、滑潤油及配件，而專爲供締約此方航空器使用者，關於其關稅、檢查費及其他國內稅費之徵課，應由輸入地[1]所屬之締約一方給予國民待遇及最惠國待遇。

(丙)凡留在締約此方獲許經營附件中所述航線及業務之航空組織，其民用航空器內之燃料、滑潤油、配件、經常設備，以及航空器材，於其進入或離去締約彼方領土時，此項供應品縱係該航空器在該締約彼方領土內飛行時所使用或消耗者，仍應免繳關稅、檢查費或類似之稅費。

第五條

[1] [2]

[1] [WANG SHIH-CHIEH]
[2] [J. L. S.]

締約此方所發給或確認爲有效之適航證書。勝任證書及執照，爲經營附件中所述之航線及業務之目的者，締約彼方應承認其爲有效；但締約雙方保留拒絕承認他國對各該本國國民，爲在各該本國領土上空飛行而發給之勝任證書及執照之權利。

第六條

(甲)締約此方關於從事國際航空之航空器之進入或離去其領土，或關於此項航空器之在其領土內經營及飛航之法律規章，應不分國籍，而適用於締約彼方之航空器，並應由該項航空器，於其進入、離去或留在締約此方領土時遵守之。

(乙)締約此方關於航空器內乘客、航員或載貨進入或離去其領土之法律規章，例如關於入境、報關、移民、護照、關務及檢疫之規章，應由締約彼方航空器內之此等乘客、航員或載貨，於其進入、離去或留在締約此方領土時遵守之，或代爲遵守之。

第七條

依本協定所准許之締約任何一方之航空組織，其大部所有權及有效管理權，應屬諸各該方之國民。遇有締約彼方之任何航空組織，不遵守其飛經國家之法律，如本協定第六條所指者，或不履行依本協定及其附件而授權之條

件時，締約此方保留扣發或撤消其證書或許可證之權利。

第八條

本協定及與其有關之一切契約，應送交國際民用航空臨時組織或其接替組織登記。

第九條

除本協定或其附件內另有規定外，締約雙方間如有關於本協定或其附件之解釋或適用上之任何爭執，而不能經由協商予以解決者，應交由國際民用航空臨時組織臨時理事會（依一千九百四十四年十二月七日在芝加哥所簽訂之國際民用航空臨時協定第三條第六款(八)之規定）或其接替組織提出諮詢報告書。

第十條

除在文義上須另作解釋外，為解釋本協定及其附件，左列用語之意義如次：

(甲)「航空官廳」一詞，在美利堅合衆國方面，為民用航空局及有權執行該局現所行使之職務或類似職務之任何人或機關，在中華民國方面，指目前之交通部部長及有權執行該部長現所行使之任何職務或類似職務之任何人或機關。

(乙)「指定之航空組織」一詞，指締約此方航空官廳，對締約彼方航空官廳以書面通知其爲依本協定第二條甲項所指定之航空組織以從事於此項通知中所特定航線之空運事業者。

(丙)「領土」一詞，具有一千九百四十四年十二月七日在芝加哥所簽訂之國際民用航空公約第二條所確定之意義。

(丁)一千九百四十四年十二月七日在芝加哥所簽訂之國際民用航空公約第九十六條(甲)(乙)及(丁)項中所列之定義，應予適用。

第十一條

如締約任何一方認爲附件中所規定之航線或條件官予修正時，得請由締約雙方主管航空官廳進行協商，該項協商應自聲請之日起六十日之期間內開始。此項官廳互相同意有關附件之新設或修正之條件時，則其所提有關該事項之建議，俟雙方互換外交照會予以證實後發生效力。

第十二條

本協定於四年期間內應繼續有效，或至經締約雙方爲符合將來對其生效之普遍多邊空運公約，而予以替代時爲止。本協定之有效期間屆滿，於雙方同意延長其期限時，得互換外交照會爲之，但締約雙方了解並同意，本協定得由締約此方於一年前預先通知彼方廢止之，此項通知得於締約雙方經過兩

個月協商期間後隨時提出之。

第十三條

本協定包括其附件之規定，應自其簽訂之日起發生效力。

本協定用英文及中文各繕兩份，英文本及中文本同一作準。

公曆一千九百四十六年十二月二十日訂於南京

中華民國三十五年十二月二十日

美利堅合衆國：[1]

中華民國：[2]

[1] [J. LEIGHTON STUART]
[2] [WANG SHIH-CHIEH]

附件

(甲)依本協定而獲許之美國航空組織，給以通過中國領土及在中國領土內作非營業性降落之權利，並給以在上海、天津、廣州及在左列各航線所隨時商定而增闢之地點，沿線來往裝卸國際客、貨及郵件之權利：

(一)由美國橫渡太平洋航線，至天津及上海，並由該地至菲律賓羣島及以外各處，以及經過下述第三款航線至上海以外各處。

(二)由美國橫渡太平洋航線，至上海、廣州及以外各處。

(三)由美國橫渡大西洋航線，經過歐洲、非洲、近東、印度、緬甸及越南沿線各地點至廣州、上海及以外各處。

凡經准許在上述各航線上營業之航空組織，得在各該航線上任何地點間作不着陸之飛行，而免在各該航線上其他地點之一處或數處降落。

(乙)依本協定而獲許之中國航空組織，給以通過美國領土及在美國領土內作非營業性降落之權利，並給以在金山、紐約、檀香山及在左列各航線所隨時商定而增闢之地點，沿線來往裝卸國際客、貨及郵件之權利：

(一)由中國橫渡太平洋航線，經過東京、千島羣島、阿留申羣島及阿拉斯加至金山、及以外各處。

(二)由中國橫渡太平洋航線，經過馬尼剌、關島、威克島及檀香山沿線各地

點至金山及以外各處。

(三)由中國橫渡大西洋航線，經過越南。緬甸。印度。近東。非洲及歐洲沿線各地點至紐約及以外各處。

凡經准許在上述各航線上營業之航空組織，得在各該航線上任何地點間作不着陸之飛行，而免在該航線上其他地點之一處或數處降落。

(丙)關於依本協定獲許之空運業務之經營，締約雙方同意左列各項原則及目的：

(一)對於凡在國際航線上經營國際空運業務之締約任何一方之航空組織，予以公允及平等之機會；並創設機構，以消除因班次或運量之不正當增加而引起之不公允之競爭。

(二)對於預先訂定班次或運量之任何方式，或關於各國與各該本國航空組織間空運業務之任何擅意分配，予以廢除。

(三)關於左列各點，應將第五自由之運輸業務，予以調整：

(甲)出發地之國家與目的地之國家間運輸之需要；

(乙)直達航線業務之需要；

(丙)航線所經地區之運輸之需要，並應顧及其地方性及區域性業務。

(丁)(一)締約任何一方之航空組織所擬訂關於本附件所指在美國領土內各地點與中國領土內各地點間之運率，應經締約雙方就其各該方管法上之權力及義

時期內，予以核定。倘有意見不同時，其爭執事件，應照下述規定解決之。

(二)每國民用航空局既已宣告其意圖，即可如所提交之國際空運協會運率評議機構，自一千九百四十六年二月起，為期一年，凡在此期內，經由該機構所訂立之運率協定及每國航空機構者，應經該局之核准。

(四)締約任何一方之一航空機構或實航空機構所提出之任何新運率，應在其所提關給之日期前至少三十日，向締約他方航空官廳備案；但在特殊情形之下，此三十日之期間，如經締約他方航空官廳之同意，得予縮短。

(五)締約他方同意，本項第五款第六款及第七款所規定之程序，遇有下述情形，應適用：

(甲)在每國民用航空局認可國際空運協會運率評議機構期間內，如締約任何一方不在合理時間內認可，任何新運率延宕時，或國際空運協會未能議定運率時，或

(乙)凡無國際空運協會機構可資應用時，或

(丙)在締約任何一方對於國際空運協會運率評議機構之有關本項規定之部分，於無論何時，撤銷其認可，或不賦予認可時。

(六)倘有法律授予每國航空官廳以訂定在國際業務上關於客、貨空運之公允

及經濟之權力，及停止實施所提運率之權力，一如現時所授予美國民用航空局在美國國內關於此項客、貨空運運率所執行之權力，如提出運率之一航空組織或數航空組織所屬締約一方之航空官廳，認該項運率爲不公允或不經濟時，則締約任何一方應行使其職權，以阻止其一航空組織所提自締約此方領土至締約彼方領土內一地點或數地點間營業之一運率或數運率，發生效力。締約此方接到本項第三款所指之通知，對於締約彼方之一航空組織或數航空組織所提出之運率，如不滿意時，應於上述三十日期間內之前十五日內，通知締約彼方。締約雙方應需力議定適當之運率。如經議定，締約雙方應行使其法律上之權力，使其生效。如本項第三款所指之三十日期間業已屆滿而尚未議定時，則所提運率，除其有關航空組織所屬國航空官廳，認爲官停止其實施者外，在任何爭議依本項第七款所規定之程序獲得解決以前，得暫予實施。

(六) 在法律尚未授予美國航空官廳以上述權力以前，締約此方對於締約任何一方之一航空組織或數航空組織所提出之自締約此方領土至締約彼方領土內一地點或數地點間營業之任何新運率，如不滿意時，應於本項第三款所指之三十日期間內之前十五日內，通知締約彼方。締約雙方應需力議定適當之運率。如經議定，締約雙方應需最大之努力，使其一航空組

織或數航空組織將此項議定運率付諸實施。締約雙方承認，如在此三十日期間屆滿以前，未能議定時，即對所提運率表示異議之締約一方，得採取其所認爲必要之步驟，以阻止依此項業經表示異議之運率，開辦或續辦此項空運業務。

(七) 締約雙方航空官廳，於本項第五款及第六款之任何情形下，並於因締約此方對於締約彼方之一航空組織或數航空組織所提出之運率或現行運率，表示異議，而於由此發起協商後未能在一合理時間內，議定適當之運率時，經任何一方之請求，締約雙方應將此項問題提交國際民用航空臨時組織或其接替組織，請其提出諮詢報告書；締約雙方，並應各在其權限範圍內，以最大之努力，使該報告書內所表達之意見，付諸實施。

(八) 凡依上述各款應行議定之運率，應依合理標準，並顧及一切有關因素，如營業費用合理利潤及由任何其他航空組織所徵收之運率等項訂定之。

(九) 美國政府行政部門同意，需其最大之努力，促訂法律，授予其航空官廳以訂定在國際業務上關於客、貨空運之公允及經濟之運率之權力，及停止實施所提運率之權力；一如現時所授予美國民用航空局在美國國內關於此項客、貨空運運率所執行之權力。

[1] J. Leighton Stuart

[2] 王世杰

[1] [J. LEIGHTON STUART]
[2] [WANG SHIH-CHIEH]

EXCHANGE OF NOTES

Note From the American Ambassador to the Chinese Minister for Foreign Affairs

AMERICAN EMBASSY, NANKING,
December 20, 1946

EXCELLENCY:

I have the honor to refer to the Air Transport Agreement signed today between the Government of the United States of America and the Government of the Republic of China, and to state that, in connection with this Agreement, it is the understanding of my Government that the following points have been collaterally agreed to:

Ante, p. 2799.

(a) Until such time as the airport facilities at Tientsin are enlarged and improved to the extent necessary to accommodate aircraft flying on the international route serving the traffic point of Tientsin as designated in the aforesaid Agreement, aircraft serving this route will be permitted by the Government of China to land for international traffic purposes at Peiping.

Permission to land at Peiping.

(b) There will be no objection if United States carriers designated to serve Routes 2 and 3 described in paragraph "A" of the Annex, serve Hongkong instead of Canton at the option of the United States Government; provided, however, no shuttle service will be operated by the designated United States carriers between Hongkong and any one of the points in Chinese territory mentioned in the Annex attached to the Agreement. Furthermore, the United States carrier designated to serve Route No. 2, described in paragraph "A" of the Annex, will have the right to connect with its mid-Pacific service at Canton, in event the option to serve Canton instead of Hongkong is exercised by the United States Government. Likewise, the Chinese carriers designated to serve Routes numbered 1 and 2, described in paragraph "B" of the Annex will have the right to connect at San Francisco.

Optional service. *Ante*, p. 2804.

Ante, p. 2804.

(c) The Government of the United States is desirous of obtaining the right for United States carriers to serve other international traffic points in China beyond those mentioned in the present Agreement. The Government of China does not wish to extend these points at present but will be ready to give prompt consideration thereto when conditions justify.

Service by U. S. carriers to other points in China.

(d) United States carriers will be authorized to serve additional traffic points in Chinese territory as soon as the carriers of any third country are so authorized, and on a basis of reciprocity Chinese carriers will also then be authorized to serve additional points in United States territory.

(e) The term "and beyond" as used in the Annex to the Agreement means that the route so described may be extended beyond the territorial limits of the contracting party to one or more other countries. This term shall not be interpreted to commit either

"And beyond." *Ante*, p. 2804.

contracting party to the granting of additional traffic points in its respective territories.

Agreement adopting formulae for predetermination of frequencies, etc.

(f) The Government of the United States agrees that if at any time it should enter into an agreement with any other nation adopting formulae for the predetermination of frequencies or capacity, it will enter into a similar agreement with the Government of China.

I shall be much obliged if Your Excellency will confirm the foregoing.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

J. LEIGHTON STUART

His Excellency
DR. WANG SHIH-CHIEH,
Minister for Foreign Affairs,
Nanking.

Note in the English and Chinese Languages From the Chinese Minister for Foreign Affairs to the American Ambassador

MINISTRY OF FOREIGN AFFAIRS,
Nanking, December 20, 1946.

EXCELLENCY:

I have the honor to acknowledge the receipt of your Note of December 20, 1946 which reads as follows:

"I have the honor to refer to the Air Transport Agreement signed today between the Government of the United States of America and the Government of the Republic of China, and to state that, in connection with this Agreement, it is the understanding of my Government that the following points have been collaterally agreed to:

(a) Until such time as the airport facilities at Tientsin are enlarged and improved to the extent necessary to accommodate aircraft flying on the international route serving the traffic point of Tientsin as designated in the aforesaid Agreement, aircraft serving this route will be permitted by the Government of China to land for international traffic purposes at Peiping.

(b) There will be no objection if United States carriers designated to serve routes 2 and 3 described in paragraph "A" of the Annex, serve Hongkong instead of Canton at the option of the United States Government; provided, however, no shuttle service will be operated by the designated United States carriers between Hongkong and any one of the points in Chinese territory mentioned in the Annex attached to the Agreement. Furthermore, the United States carrier designated to serve Route No. 2, described in paragraph "A" of

the Annex, will have the right to connect with its mid-Pacific service at Canton, in event the option to serve Canton instead of Hongkong is exercised by the United States Government. Likewise, the Chinese carriers designated to serve Routes numbered 1 and 2, described in paragraph "B" of the Annex will have the right to connect at San Francisco.

(c) The Government of the United States is desirous of obtaining the right for United States carriers to serve other international traffic points in China beyond those mentioned in the present Agreement. The Government of China does not wish to extend these points at present but will be ready to give prompt consideration thereto when conditions justify.

(d) United States carriers will be authorized to serve additional traffic points in Chinese territory as soon as the carriers of any third country are so authorized, and on a basis of reciprocity Chinese carriers will also then be authorized to serve additional points in United States territory.

(e) The term "and beyond" as used in the Annex to the Agreement means that the route so described may be extended beyond the territorial limits of the contracting party to one or more other countries. This term shall not be interpreted to commit either contracting party to the granting of additional traffic points in its respective territories.

(f) The Government of the United States agrees that if at any time it should enter into an agreement with any other nation adopting formulae for the predetermination of frequencies or capacity, it will enter into a similar agreement with the Government of China.

I shall be much obliged if Your Excellency will confirm the foregoing.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration."

Acceptance by China.

I take pleasure in stating that the contents of your Note, as quoted above, are acceptable to the Government of the Republic of China.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WANG SHIH-CHIEH

王世杰

To the Honorable
J. LEIGHTON STUART,
Ambassador of the United States of America,
Nanking.

照會

接准一九四六年十二月二十日

貴大使來照內開：

「關於美利堅合衆國政府與中華民國政府本日所簽訂之空運協定，本國政府了解下列各點，業經附帶議定：

(甲)在擴充及改善天津航空站之設備至足以容納在上述協定內所指定以天津爲空運地點之國際航線上飛行之航空器所必需之限度以前，中國政府准許經營此線之航空器，爲國際空運之目的，在北平降落。

(乙)凡指定經營附件(甲)項中所列第二及第三兩航線之美國航空組織，

得由美國政府抉擇，在香港營業，以代在廣州營業；但該指定之美國航空組織，不得經營香港與協定附件內所載中國領土內各地點之任何一地點間之區間航空業務。又倘美國政府抉擇廣州以代香港，則指定經營附件(甲)項中所列第二航線之美國航空組織，有在廣州與其中太平洋航線銜接之權利。指定經營附件(乙)項中所列第一及第二航線之中國航空組織，亦有在金山銜接之權利。

(丙) 美國政府欲使美國航空組織獲得經營本協定所規定以外之中國國內其他國際空運地點之權利。中國政府目前不擬增加此項空運地點，但準備於情勢適宜時迅予考慮之。

(丁) 一俟任何第三國之航空組織，獲准經營在中國境內增闢之空運地

點時，美國航空組織，應亦即同樣獲准、又根據互惠原則，中國航空組織，亦應獲准經營在美國境內增闢之空運地點。

(戊)協定附件內所用「及以外各處」字樣，係指所指定之航線得延展至締約一方領土界限以外，以訖其他一國或數國而言。此項字樣，不得解釋爲締約任何一方必須在其領土內准予增闢空運地點。

(己)美國政府同意，倘於任何時期，美國與任何其他國家簽訂協定，採用預先訂定班次或運量之方式時，亦應與中國政府簽訂同樣之協定。相應照達

查照，倘蒙

貴部長對上列各點，予以證實，本大使實深感荷。

本大使順向

貴部長重表敬意。」

本部長茲特聲明中國政府同意

貴大使上開來照之內容。

本部長順向

貴大使重表敬意。

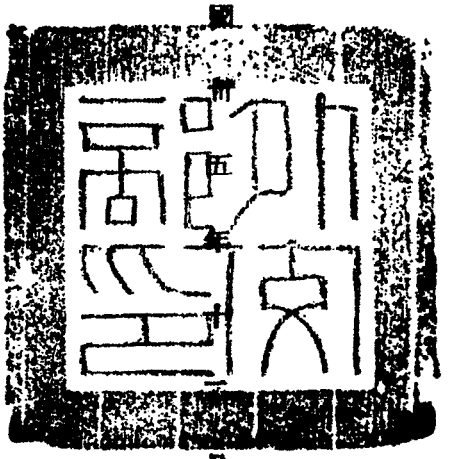
此致

美利堅合衆國駐華特命全權大使司徒雷登閣下

[1]

[1] [WANG SHIH-CHIEH]

中華民國卅五年十二月二十日於南京



Agreement between the United States of America and France respecting the extension of time for fulfilling conditions and formalities of copyright. Effected by exchange of notes signed at Washington March 27, 1947; effective March 27, 1947.

March 27, 1947
[T. I. A. S. 1610]

The French Ambassador to the Acting Secretary of State

AMBASSADE DE FRANCE
AUX ETATS-UNIS

WASHINGTON, *le 27 Mars 1947.*

MONSIEUR LE SECRÉTAIRE D'ETAT,

Le Gouvernement de la République Française a pris connaissance de l'Acte du Congrès des Etats-Unis du 25 septembre 1941 qui prévoit, sous condition de réciprocité, l'extension, pour les conditions et formalités exigées par la législation américaine, du délai accordé aux auteurs, propriétaires de copyrights ou propriétaires d'oeuvres présentées ou publiées en premier lieu à l'étranger, qui ont été empêchés de remplir ces formalités par suite de la suspension ou de la cessation des facilités nécessaires.

Mon Gouvernement me demande de vous faire savoir que, du fait de la deuxième guerre mondiale, les ressortissants français, auteurs et propriétaires de copyrights ont, depuis l'ouverture des hostilités entre la France et l'Allemagne, le 3 septembre 1939, été empêchés de remplir les formalités exigées par la loi américaine.

Le Gouvernement Français exprime le désir que les ressortissants français dont les oeuvres peuvent faire l'objet de copyrights aux Etats-Unis, soient admis à bénéficier, conformément à la procédure prévue dans l'Acte du 25 septembre 1941, de l'extension de délai accordée pour l'accomplissement de ces formalités.

A ce sujet, le Gouvernement Français m'a demandé de soumettre à l'attention de Votre Excellence les dispositions suivantes de la législation française concernant les droits d'auteurs:

1o. – La loi du 19 juillet 1793 protège l'auteur pendant toute sa vie contre la contrefaçon d'une oeuvre publiée en France. Ce droit appartient aux héritiers de l'auteur pendant une durée de 50 ans après la mort de celui-ci. Ce délai a été porté à 56 ans et 152 jours par la loi du 3 février 1919 pour les oeuvres publiées avant le 31 décembre 1920 et non tombées dans le domaine public à la date de la promulgation de ladite loi. Aucun dépôt, déclaration ou paiement de taxe ne sont nécessaires pour que les intéressés soient admis au bénéfice de ce droit.

2o. – L'Acte, dit loi du 22 juillet 1941, a prorogé les droits des héritiers et ayants cause des auteurs jusqu'à la fin de l'année qui suivra la signature des traités de paix.

3o. – Le décret-loi du 28 mars 1852 a étendu aux ouvrages publiés à l'étranger la protection accordée aux oeuvres publiées en France; ce décret assure aux étrangers une protection égale à celle qui leur est

accordée par leur législation nationale. Par exemple, une oeuvre américaine n'est pas protégée en France pendant la durée de la vie de l'auteur plus 56 ans et 152 jours, mais 28 ans plus 28 ans (sur justification que le copyright a été renouvelé aux Etats-Unis pour la deuxième période de 28 ans). En outre, les étrangers ne peuvent avoir, en France, plus de droits que les Français.

4o. – Cette législation très libérale, et qui n'exige aucune condition de réciprocité, a été maintenue en vigueur pendant la guerre. En conséquence, aucun préjudice n'a été causé, du fait de la guerre, aux droits des auteurs américains en France.

Le Gouvernement Français attacherait, en conséquence, le plus grand prix à ce que le Président des Etats-Unis proclamât, conformément à l'Acte du 25 septembre 1941, qu'en raison des conditions qui ont existé pendant plusieurs années depuis le 3 septembre 1939, les ressortissants français, auteurs, propriétaires de copyrights ou propriétaires d'ouvrages présentés ou publiés en premier lieu en dehors des Etats-Unis et qui, d'après la loi américaine, peuvent faire l'objet de copyright ou de renouvellement, ont été temporairement dans l'impossibilité de répondre aux conditions et de remplir les formalités prévues, à cet égard, par la loi américaine.

En raison du fait que la loi française précitée du 22 juillet 1941 proroge les droits des héritiers et ayants-cause des auteurs jusqu'à la fin de l'année qui suivra la signature des traités de paix, le Gouvernement Français souhaiterait, d'autre part, recevoir l'assurance que le délai prévu par la proclamation du Président des Etats-Unis, sera d'au moins un an à partir de sa mise en vigueur et éventuellement susceptible d'être prorogé par accord entre les deux gouvernements.

Veuillez agréer, Monsieur le Secrétaire d'Etat, l'assurance de ma très haute considération.

H BONNET

Son Excellence
Monsieur DEAN ACHESON,
Secrétaire d'Etat, a.i.,
Washington, D. C.

Translation

EMBASSY OF FRANCE
IN THE UNITED STATES

WASHINGTON, *March 27, 1947.*

MR. SECRETARY OF STATE:

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

The Government of the French Republic has taken cognizance of the Act of the Congress of the United States of September 25, 1941, which provides for extending, on a reciprocal basis, the time for the fulfilment of the conditions and formalities prescribed by the laws of the United States in the case of authors, copyright owners, or proprietors of works first produced or published abroad who have been prevented from complying with those formalities because of the disruption or suspension of the necessary facilities.

My Government requests me to inform you that, because of World War II, French nationals who are authors and copyright owners

have been prevented, since the outbreak of hostilities between France and Germany on September 3, 1939, from fulfilling the formalities prescribed by the laws of the United States.

It is the desire of the French Government that French nationals whose works are eligible for copyright in the United States be permitted to benefit, in accordance with the procedure provided in the Act of September 25, 1941, by the extension of time granted for fulfilling those formalities.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

In this connection, the French Government has requested me to invite Your Excellency's attention to the following provisions of French legislation regarding copyright:

1. The law of July 19, 1793 protects the author during his entire life-time against the pirating of a work published in France. This right belongs to the heirs of the author for fifty years after the latter's death. This time limit was increased to 56 years and 152 days by the Law of February 3, 1919, for works published before December 31, 1920 which had not become public property at the time of the promulgation of the said law. No deposit, declaration or tax payment is necessary in order that the persons concerned may enjoy such right.

2. The Act called Law of July 22, 1941, extended the rights of the heirs and assigns of the authors until the end of the year following the signature of the peace treaties.

3. The Decree-Law of March 28, 1852 extended to works published abroad the protection granted to works published in France: that Decree assures to foreigners the same protection as that which is granted to them by their own national laws. For example, an American work is not protected in France for the duration of the author's life plus 56 years and 152 days, but for 28 years plus 28 years (on proof that the copyright has been renewed in the United States for the second period of 28 years). Furthermore, aliens cannot have in France more rights than have French nationals.

4. This very liberal legislation, which is not subject to reciprocity, was kept in force during the war. American authors have accordingly suffered no prejudice to their rights in France because of the war.

The French Government would, therefore, greatly appreciate it if the President of the United States would proclaim, in accordance with the Act of September 25, 1941, that, by reason of the conditions which existed for several years after September 3, 1939, French citizens who are the authors, copyright owners, or proprietors of works which were first produced or published outside the United States and which are eligible for copyright or renewal under the laws of the United States, have been temporarily unable to comply with the conditions and formalities prescribed, with respect to such works, by the laws of the United States.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

By reason of the fact that the aforesaid French Law of July 22, 1941 extends the rights of the heirs and assigns of authors until the end of the year following the signature of the peace treaties, the French Government would further appreciate receiving the assurance

that the extension of time provided by the proclamation of the President of the United States will be for a period of at least one year from the date of its coming into force and, should the occasion arise, liable to extension by agreement between the two Governments.

Please accept, Mr. Secretary of State, the assurance of my very high consideration.

H BONNET

His Excellency
DEAN ACHESON,
Acting Secretary of State,
Washington, D.C.

The Acting Secretary of State to the French Ambassador

DEPARTMENT OF STATE
WASHINGTON
March 27 1947

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date in which you refer to the Act of Congress approved September 25, 1941 which authorizes the President to extend by proclamation the time for compliance with the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright under the laws of the United States of America when the authors, copyright owners, or proprietors of such works are or may have been temporarily unable to comply with those conditions and formalities because of the disruption or suspension of the facilities essential to such compliance.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

You state that by reason of conditions arising out of World War II authors, copyright owners, and proprietors who are citizens of France have lacked during several years of the time since the outbreak of the war between France and Germany on September 3, 1939 the facilities essential to compliance with and to the fulfillment of the conditions and formalities established by the laws of the United States of America relating to copyright.

Extension of time for fulfillment of formalities, etc.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

You express the desire of the Government of the French Republic that, in accordance with the procedure provided in the Act of September 25, 1941, the time for fulfilling the conditions and formalities of the copyright laws of the United States of America be extended for the benefit of citizens of France whose works are eligible to copyright in the United States of America.

You invite attention to the very favorable legislation in France which was kept in force during the war and point out that, as a consequence, American authors have suffered no prejudice to their rights in France because of the war.

Proclamation.

61 Stat., Pt. 2, p. 1057.

I have the honor to inform Your Excellency that the President has issued today a proclamation, a copy of which is annexed hereto, declaring and proclaiming pursuant to the provisions of the aforesaid Act of September 25, 1941 on the basis of the favorable treatment accorded by France to authors and copyright proprietors of the United States of America that as regards (1) works of citizens of France which were first produced or published outside the United States of America on or after September 3, 1939 and subject to copyright under the laws of the United States of America and (2) works of citizens of France subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939 such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the said Act of September 25, 1941; and that accordingly the time within which compliance with such conditions and formalities may take place is extended with respect to such works until the day on which the President of the United States of America shall, in accordance with the said Act, terminate or suspend that declaration and proclamation. That proclamation provides that it shall be understood that the term of copyright in any case is not and cannot be altered or affected by the President's action and that the extension is subject to the proviso of the said Act of September 25, 1941 that no liability shall attach under the copyright act for lawful uses made or acts done prior to the effective date of that proclamation in connection with the works to which it relates, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

Duration; effective date.

In accordance with the proposal made by Your Excellency in the note under acknowledgment, the extension of time provided by that proclamation will continue for at least one year from today's date, subject to extension on agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State.

Enclosure:
Copy of proclamation.

His Excellency
HENRI BONNET,
Ambassador of the French Republic.

March 14, 1947
[T. I. A. S. 1611]

Agreement between the United States of America and the Republic of the Philippines respecting a fishery program in the Philippines. Signed at Manila March 14, 1947; effective March 14, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING A FISHERY REHABILITATION AND DEVELOPMENT PROGRAM AND A FISHERY TRAINING PROGRAM.

WHEREAS, the Government of the United States has enacted Public Law No. 370, 79th Congress, approved April 30, 1946, known as the Philippine Rehabilitation Act of 1946, whereof Section 309, entitled "Philippine Fisheries," provides:

60 Stat. 138.
50 U. S. C. app. § 1789.

Cooperation of Fish and Wildlife Service.

Sec. 309. (a) The Fish and Wildlife Service of the Department of the Interior is authorized to cooperate with the Government of the Philippines, and with other appropriate agencies or organizations, in the rehabilitation and development of the fishing industry, and in the investigation and conservation of the fishery resources of the Philippines and adjacent waters.

Studies.

Instruction.

(b) To accomplish such purposes the Fish and Wildlife Service shall conduct oceanographic, biological, fish cultural, technological, engineering, statistical, economic, and market development studies and demonstrations and fishery explorations, and in conjunction therewith may establish and maintain a vocational school or schools of fisheries in the Philippines for the purpose of providing practical instruction and training in the fisheries; and may, at any time prior to July 1, 1950, provide one year of training to not more than one hundred and twenty-five Filipinos, to be designated by the President of the Philippines subject to the provisions of section 311(c), in methods of deep-sea fishing and in other techniques necessary to the development of fisheries.

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

Research and experimental facilities.

(c) The Fish and Wildlife Service is authorized to acquire, construct, maintain, equip, and operate such research and experimental stations, schools, research and exploratory fishing vessels, or any other facilities in the Philippines that may be necessary to carry out the purposes of this section.

Transfer of small vessels.

(d) The United States Maritime Commission is authorized, upon recommendation of the Fish and Wildlife Service of the Department of the Interior, to make arrangements for the transfer by sale or charter of small vessels, considered by the United States Maritime Commission to be satisfactory for the purpose, to be used in the establishment and continuance of a fishing industry to be operated in or near the Philippines. Such transfers may be made on such terms and conditions, including transfer for a nominal consideration,

as the United States Maritime Commission may approve, but only if, in the opinion of the Fish and Wildlife Service, such small vessels so to be used for Philippine Island fishing are not needed by the fishing industry of the United States, its Territories, and possessions; and

WHEREAS, the Government of the Republic of the Philippines is desirous of availing itself of the benefits, facilities and services which are authorized by the above-quoted Section 309 of the said Public Law No. 370, 79th Congress;

THEREFORE, the Government of the United States of America and the Government of the Republic of the Philippines have decided to conclude an agreement for the foregoing purposes and have agreed mutually as follows:

ARTICLE I

Responsible agent of U. S. Government.

The responsible agent of the Government of the United States of America for effectuating the provisions of this Agreement shall be the Director of the Fish and Wildlife Service of the United States Department of the Interior, hereinafter called the Director. The Director may delegate to a duly authorized representative all or any part of his authority and responsibility for effectuating the provisions of this Agreement. The duties, functions, and powers exercised in the Republic of the Philippines under the terms of this Agreement by the Director or his duly authorized representative shall be under the general supervision of the Ambassador of the United States of America accredited to the Government of the Republic of the Philippines, or, in the absence of the Ambassador, of the Charge d'Affaires ad interim of the United States of America.

ARTICLE II

Responsible agent of Philippine Government.

The responsible agent of the Government of the Republic of the Philippines for effectuating the provisions of this Agreement shall be the Chief of the Bureau of Fisheries of the Department of Agriculture and Commerce, hereinafter called the Chief. The Chief may delegate to a duly authorized representative all or any part of his authority and responsibility for effectuating the provisions of this Agreement. The Chief, or his authorized representative, shall cooperate with the Director, or the authorized representative of the Director, in planning the programs of work to be conducted pursuant to this Agreement and in effectuating close cooperation and integration with the programs, functions and responsibilities of the Bureau of Fisheries of the Department of Agriculture and Commerce of the Government of the Philippines. The Director, or his authorized representative, may negotiate and conclude with the Chief, or the authorized representative of the Chief, any working agreement necessary to the carrying out of this Agreement.

ARTICLE III

Items comprising fishery rehabilitation, etc., program.

The fishery rehabilitation, improvement and development program to be conducted pursuant to this Agreement shall comprise such of

the following items as may be determined from time to time by the Director, or his representative, and the Chief, or his representative: (a) Oceanography of the waters in which fisheries are conducted or may be developed to determine the nature of physical factors such as currents, salinity, temperature, plankton abundance, et cetera, affecting such fisheries, which will be correlated with (b) studies of the kinds, abundance, distribution, seasonal and periodic migration, life history and ecology of the various species that comprise the fishery resources, and their management on a sustained yield basis, which studies are fundamental to (c) exploratory fishing to determine the commercial practicability of conducting operations in various areas; the optimum types of gear suitable for exploitation of the resources in such areas; and modifications or improvements in existing fishing practices in order to provide for better utilization of the resources. As an adjunct to the foregoing there also may be conducted (d) studies of handling, dressing, and storing catches on shipboard and at shore fishery establishments in order to improve the quality of the product, to prevent waste, and to promote efficiency of operations; (e) experiments in the freezing, smoking, salting, canning, and other processing of fishery products to promote efficiency and quality of the product as well as to devise methods that are the most economical and efficient; (f) studies and pilot-plant experiments in the preparation of fishery by-products such as industrial and vitamin oils, fish meal, glue, pearl essence, hides for leather, and other items, so as to utilize species, portions of the catch, and offal, that cannot be utilized for human food; (g) studies of the management of brackish and fresh water fish ponds, with a view toward promoting greater production and efficiency through fertilization, the introduction of sanitary measures and control of parasites and diseases; (h) the collection, analysis, and dissemination of current and annual statistics on fishery production as business indices and as an aid in biological assessment of the condition of the fishery stocks and fluctuations in abundance; (i) economic studies of employment, production, distribution, and marketing including cost analyses and business consultant services and all segments of the fishing industry to aid in its development and promote its efficiency; (j) studies of distribution and marketing of fishery products in order that supplies may be diverted to deficiency areas, thus avoiding the unprofitable and wasteful accumulation of surpluses in other areas; and (k) efforts to provide such aids as the industry may require in acquiring equipment and facilities.

ARTICLE IV

Provision of lands, equipment, etc., by Philippine Government.

The Government of the Republic of the Philippines agrees to provide free of cost to the Government of the United States of America such lands, rights-of-way and easements as may be necessary for carrying out the terms of this Agreement. Furthermore, the Government of the Republic of the Philippines shall furnish such equipment, facilities and qualified personnel necessary to carry out the purposes of this Agreement as may be available to the Government

of the Republic of the Philippines. The Fish and Wildlife Service of the United States Department of the Interior is authorized to accept and utilize for the performance of the terms of this Agreement contributions of labor, materials, equipment and money from the Government of the Republic of the Philippines and its political subdivisions.

ARTICLE V

Training for Philippine citizens.

The Fish and Wildlife Service of the United States Department of the Interior shall provide training during the period of this Agreement for not to exceed one hundred and twenty-five citizens of the Republic of the Philippines in methods of deep-sea fishing and other techniques necessary to the development of the fisheries. The Fish and Wildlife Service of the United States Department of the Interior shall provide for the payment of all expenses incidental to such training, including, but not necessarily limited to, actual transportation expenses to and from and in the United States of America, allowances for tuition, educational fees and subsistence.

Expenses.

Designation of trainees.
60 Stat. 139.
50 U. S. C. app. § 1791 (c).

In accordance with the procedure set forth in Section 311 (c) of the said Public Law No. 370, 79th Congress, the President of the Republic shall designate trainees selected in accordance with procedures and standards established by the Director, and the Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names and necessary supporting documents of trainees so designated.

ARTICLE VI

Fishery research laboratory.

The Fish and Wildlife Service of the United States Department of the Interior may construct a fishery research laboratory in the Republic of the Philippines at such place and in accordance with such specifications as may be agreed upon pursuant to Article II of this Agreement.

Ante, p. 2835.

ARTICLE VII

Free movement of U. S. vessels, etc.

Vessels owned by the Government of the United States of America (including small boats) operated by the Fish and Wildlife Service of the United States Department of the Interior as part of the program carried out pursuant to this Agreement shall be permitted to move freely in the territorial waters of the Republic of the Philippines, to enter and sail from the several ports with or without pilots and without the necessity of formal entrance or clearance that may ordinarily be required of commercial and other vessels and to establish or utilize such means of communications between such vessels and shore facilities as may be necessary to the effective administration of the programs contemplated by this Agreement. Quarantine procedures and inspections shall be required only at the first Philippine port of call on original entry.

Vessels of the Government of the United States of America used in the fishery program (including small boats), their equipment, tackle, and appurtenances shall be immune from seizure under Admiralty or other legal process.

Vessels owned by the Government of the United States of America (including small boats) used in the fishery program shall be exempt from all requirements of the Government of the Republic of the Philippines relating to inspection, registry, manning or licensing of vessels or marine personnel.

Where suitable public wharves or facilities for moorage are available, such vessels shall be furnished wharfage or moorage without cost.

ARTICLE VIII

Office space, housing accommodations, etc.

The Government of the Republic of the Philippines will cooperate with the Fish and Wildlife Service of the United States Department of the Interior in providing such temporary or permanent office, laboratory, or other space as may be required and shall render all practicable assistance in securing housing accommodations, at reasonable rental rates, for personnel of the Fish and Wildlife Service of the United States Department of the Interior who are engaged in effectuating this program, and their families.

ARTICLE IX

Damage suits, etc.

The Government of the Republic of the Philippines will save harmless all officers and employees of the Fish and Wildlife Service of the United States Department of the Interior who are citizens of the United States from damage suits or other civil actions arising out of their performance of their duties under this Agreement.

ARTICLE X

Free movement of U. S. officers, etc.

Officers, employees and agents of the Government of the United States of America who are citizens of the United States and who are on duty or who may be assigned to duty in the Republic of the Philippines under the provisions of the present Agreement, and their families, shall be permitted to move freely into and out of the Republic of the Philippines, subject to existing visa and passport regulations. Gratis transit shall be extended to all officers, employees, or agents of the Fish and Wildlife Service over all bridges, ferries, roads and other facilities of the highways where tolls are collected for passage of vehicles or occupants.

ARTICLE XI

Nontaxability of funds, etc.

Pending the conclusion of negotiations now being considered by the United States of America and the Republic of the Philippines, no import, excise, consumption, or other tax, duty or impost shall be levied on funds or property in the Republic of the Philippines which is owned by the Fish and Wildlife Service of the United States Department of the Interior and used for purposes under the present Agreement or on funds, materials, supplies, and equipment imported into the Republic of the Philippines for use in connection with such purposes; nor shall any such tax, duty or impost be levied on personal funds or property, not intended for resale, imported into the Republic of the Philippines for the use or consumption of Fish and Wildlife

Service personnel who are United States citizens; nor shall any export or other tax be placed on any such funds or property, including United States Government property, in the event of its removal from the Republic of the Philippines.

ARTICLE XII

Each Government reserves the right to remove any personnel paid by it and involved in carrying out the provisions of this Agreement with the understanding that each Government shall maintain an adequate force to carry out the provisions and requirements of this Agreement so long as the Agreement is in effect.

Right to remove personnel, etc.

ARTICLE XIII

All commitments made in this Agreement on the part of the Government of the United States of America shall be subject to the availability of appropriated funds by the Government of the United States of America.

Commitments by U.S.

ARTICLE XIV

This Agreement shall become effective on the date of its signature, and shall continue in effect until completely executed on both sides, but in no event later than June 30, 1950; provided, however, that this Agreement may be revised, amended, or changed in whole or in part with the approval of both parties as indicated and effected by an exchange of notes between the two contracting parties; and provided further, that either Government may terminate this Agreement by giving to the other party ninety days notice in writing through diplomatic channels.

Effective date; duration.

Termination.

IN WITNESS WHEREOF the Undersigned, duly authorized thereto, have signed the present Agreement in duplicate at Manila this fourteenth day of March, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

PAUL V. MCNUTT
Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

MARIANO GARCHITORENA
Secretary of Agriculture and Commerce.

September 13 and 17, 1946
[T. I. A. S. 1612]

Agreement between the United States of America and the Republic of the Philippines respecting an American-Philippine financial commission. Effected by exchange of notes signed at Manila September 13 and 17, 1946; effective September 17, 1946.

The American Ambassador to the Secretary of Foreign Affairs for the Republic of the Philippines

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

EMBASSY OF THE UNITED STATES OF AMERICA,
September 13, 1946.

EXCELLENCY:

American - Philippine Financial Commission.

I have the honor to state that in further reference to your note of August 6 [1] regarding the creation of a joint American-Philippine Commission to consider the financial and budgetary problems of the Philippines and to make recommendations thereon to our two Governments, I am in receipt of information from the Department of State as follows:

Membership.

"Because of special needs here, State and Treasury jointly propose that American-Philippine Financial Commission consist of three American and three Filipino members with co-chairmanship and American members to include a representative of State as co-chairman, Treasury, and Federal Reserve Board. Expect American delegation will have additional staff members to advise chairman on specific technical problems. Terms of reference of joint commission as follows:

"To consider the financial and budgetary problems of the Philippine Government and to make recommendations thereon to the two Governments, with reference to tax system and administration, budget, public debt, currency and banking reform, exchange and trade problems, reconstruction and development.

"Please inform Philippine Government that commission cannot be empowered to consider application for Export-Import Bank loan as Export-Import Bank and NAC [2] cannot delegate this responsibility. However, findings and recommendations will be brought to attention of Export-Import Bank and NAC and will be utmost value in their consideration of specific action.

"Request you consult with Philippine Government with view to obtaining concurrence in above proposals and early formation

[1] [Not printed.]

[2] [National Advisory Council on International Monetary and Financial Problems.]

and activation of commission. You will be advised names of American members when designated and probable date of departure. In view of exchange correspondence between President Truman and President Roxas last month on this question, it is desired here that arrangements go forward with all possible speed. Please advise promptly of all developments."

I shall be very glad to receive and transmit to the Department of State the concurrence of your Government and, thus, to facilitate the establishment of the American-Philippine Financial Commission.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary of Foreign Affairs for the Republic of the Philippines.

The Secretary of Foreign Affairs for the Republic of the Philippines to the American Ambassador

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

MANILA, *September 17, 1946*

EXCELLENCY:

I have the honor to refer to your note of September 13 regarding the creation of a joint American-Philippine Commission to consider the financial and budgetary problems of the Philippines and to make recommendations thereon to our two governments.

Acceptance by Philippines.

My Government accepts with pleasure the proposal of your Government that a joint American-Philippine Finance Commission be established. My Government approves the plan to entrust to the proposed Commission the consideration of the financial and budgetary problems of the Philippine Government and the formulation of recommendations to the two governments of measures to meet budgetary deficits of the Philippine Government. My Government also approves the proposal that this Commission consider and make recommendations to the Philippine Government with reference to our taxes and administration, the budget, public debt, currency and banking reform, exchange and trade problems, reconstruction and development.

Accept, Excellency, the renewed assurances of my highest consideration.

E. QUIRINO
ELPIDIO QUIRINO
Vice-President and concurrently Secretary of Foreign Affairs

His Excellency
PAUL V. MCNUTT
United States Ambassador
Manila

April 24, 1947
[T. I. A. S. 1613]

Agreement between the United States of America and New Zealand respecting an extension of time for fulfilling conditions and formalities of copyright. Effected by exchange of notes signed at Washington April 24, 1947; effective April 24, 1947.

The Minister of New Zealand to the Acting Secretary of State

NEW ZEALAND LEGATION
WASHINGTON, D. C.
April 24, 1947

EXCELLENCY,

The attention of the New Zealand Government has been invited to the Act of Congress of the United States of America approved September 25, 1941, which provides for extending, on a reciprocal basis, the time for the fulfilment of the conditions and formalities prescribed by the copyright laws of the United States in the case of authors, copyright owners, or proprietors of works first produced or published abroad who are or may have been temporarily unable to comply with those conditions and formalities because of the disruption or suspension of the facilities essential for their compliance.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

My Government has requested me to inform you that, by reason of the conditions arising out of World War II, New Zealand authors, copyright owners, and proprietors have lacked during several years of the time since the outbreak of war between New Zealand and Germany on September 3, 1939 the facilities essential to compliance with and to the fulfilment of the conditions and formalities established by the laws of the United States relating to copyright.

It is the desire of the New Zealand Government that, in accordance with the procedure provided in the said Act of September 25, 1941, the time for fulfilling the conditions and formalities of the copyright laws of the United States be extended for the benefit of citizens of New Zealand whose works are eligible to copyright in the United States.

With a view to assuring the Government of the United States of America of reciprocal protection for authors, copyright owners, and proprietors of the United States, the Governor-General has made an Order in Council, the text of which is annexed hereto, which comes into effect today, on which date it is understood that the President of the United States of America shall proclaim, in accordance with the said Act of September 25, 1941, that by reason of the disruption or suspension of facilities during several years of the time since September 3, 1939 citizens of New Zealand who are authors, copyright owners, or proprietors of works first produced or published outside the United States and subject to copyright, *ad interim* copyright, or renewal of copyright under the laws of the United States, have been temporarily

unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States.

The New Zealand Government is prepared, if this proposal is acceptable to the Government of the United States of America, to regard the present note and Your Excellency's reply to the same effect as constituting an agreement between the two Governments, which shall take effect this day.

Accept, Excellency, the renewed assurances of my highest consideration.

CARL BERENDSEN

Enclosure.

The Honourable *the Acting Secretary of State,*
Washington, D. C.

THE COPYRIGHT (UNITED STATES OF AMERICA) ORDER 1946

Michael Myers

Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington, this 5th day of June, 1946

Present:

HIS EXCELLENCY THE ADMINISTRATOR
OF THE GOVERNMENT IN COUNCIL

WHEREAS, by reason of conditions arising out of the present war, difficulties have been experienced by citizens of the United States of America in complying with the requirements of the Copyright Act, 1913, as to the first publication within New Zealand of their works first published in the United States of America during the present war: And whereas the Administrator of the Government is advised that the Government of the United States of America has undertaken to grant such extension of time as may be deemed appropriate for the fulfilment of the conditions and formalities prescribed by the laws of the United States with respect to the works of citizens of New Zealand first produced or published outside the United States and subject to copyright or to renewal of copyright under the laws of the United States, including works subject to *ad interim* copyright: And whereas by reason of the said undertaking of the Government of the United States of America the Administrator of the Government is satisfied that the said Government has made, or has undertaken to make, such provision as it is expedient to require for the protection of works first made or published in New Zealand during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war and entitled to copyright under Part I of the Copyright Act, 1913: And whereas by the Copyright Act, 1913, authority is conferred to extend, by Order in Council, the protection of the said Act to certain classes of foreign works within New Zealand: And whereas by reason of these premises it is desirable to provide protection within New Zealand for literary or artistic works first published in the United States of America during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war which have failed to accomplish the formalities prescribed by the Copyright Act, 1913, by reason of conditions arising out of the war:

Now, therefore, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council of the Dominion of

New Zealand, and in pursuance and exercise of the power and authority conferred by the Copyright Act, 1913, doth hereby direct as follows:—

1. This Order may be cited as the Copyright (United States of America) Order 1946.

2. This Order shall come into force on the date of the notification in the *Gazette* of the making thereof.

3. The Copyright Act, 1913, shall, subject to the provisions of the said Act and of this Order, apply to works first published in the United States of America during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war, which have not been republished in New Zealand within fourteen days of the publication in the United States of America, in like manner as if they had been first published within New Zealand:

Provided that the enjoyment by any such work of the rights conferred by the Copyright Act, 1913, shall be conditional upon publication of the work within New Zealand not later than one year after the termination of the present war, and shall commence from and after such publication, which shall not be colourable only, but shall be intended to satisfy the reasonable requirements of the public.

4. The provisions of section 52 of the Copyright Act, 1913, as to the delivery of books to the General Assembly Library, shall apply to works to which this Order relates upon their publication in New Zealand.

5. Nothing in this Order shall be construed as depriving any work of any rights which have been lawfully acquired under the provisions of the Copyright Act, 1913, or any Order in Council thereunder.

6. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any rights or interest arising from or in connection with such action which were subsisting and valuable at the said date, unless the person who by virtue of this Order becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

W. O. HARVEY
Acting Clerk of the Executive Council.

The Acting Secretary of State to the Minister of New Zealand

DEPARTMENT OF STATE
WASHINGTON
Apr 24 1947

SIR:

I have the honor to acknowledge the receipt of your note of today's date in which you refer to the Act of Congress approved September 25, 1941 which authorizes the President to extend by proclamation the time for compliance with the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright under the laws of the United States of America when the authors, copyright owners, or proprietors of such works are or may have been temporarily unable to comply with those conditions and formalities because of the disruption or suspension of the facilities essential to such compliance.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

You state that by reason of conditions arising out of World War II

authors, copyright owners, and proprietors who are citizens of New Zealand have lacked during several years of the time since the outbreak of war between New Zealand and Germany on September 3, 1939, the facilities essential to compliance with and to the fulfilment of the conditions and formalities established by laws of the United States of America relating to copyright.

Extension of time for fulfillment of formalities, etc.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

You express the desire of the New Zealand Government that, in accordance with the procedure provided in the Act of September 25, 1941, the time for fulfilling the conditions and formalities of the copyright laws of the United States of America be extended for the benefit of citizens of New Zealand whose works are eligible to copyright in the United States of America. You add that with a view to assuring the Government of the United States of America reciprocal protection for authors, copyright owners, and proprietors of the United States of America, the Governor-General has made an Order in Council, the text of which accompanies your note under acknowledgment, which comes into effect today, on which date it is understood that the President of the United States of America shall proclaim, in accordance with the Act of September 25, 1941, that by reason of the disruption or suspension of facilities during several years of the time since September 3, 1939 citizens of New Zealand who are authors, copyright owners, or proprietors of works first produced or published outside the United States of America and subject to copyright, *ad interim* copyright, or renewal of copyright under the laws of the United States of America have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America.

You further state that the New Zealand Government is prepared, if this proposal should be accepted by the Government of the United States of America, to regard the note under acknowledgment and this Government's reply thereto to that effect as constituting an agreement between the two Governments, which shall take effect this day.

Proclamation.

61 Stat., Pt. 2, p. 1065.

55 Stat. 732.
17 U. S. C. § 8.
61 Stat., Pt. 1, p. 652.

I have the honor to inform you that, with a view to giving effect to the commitment proposed in the note under acknowledgment, the President has issued today a proclamation, a copy of which is annexed hereto, declaring and proclaiming, pursuant to the provisions of the aforesaid Act of September 25, 1941 on the basis of the assurances set forth in your note and the Order in Council annexed thereto, that as regards (1) works of citizens of New Zealand which were first produced or published outside the United States of America on or after September 3, 1939 and subject to copyright under the laws of the United States of America, including works subject to *ad interim* copyright, and (2) works of citizens of New Zealand subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939 such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the said Act of September 25, 1941; and that accordingly the time

within which compliance with such conditions and formalities may take place is extended in respect of such works until the day on which the President of the United States of America shall, in accordance with the said Act, terminate or suspend that declaration and proclamation. The proclamation provides that it shall be understood that the term of copyright in any case is not and cannot be altered or affected by the President's action and that the extension is subject to the proviso of the said Act of September 25, 1941 that no liability shall attach under the Copyright Act for lawful uses made or acts done prior to the effective date of that proclamation in connection with the works to which it relates, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

Effective date.

The Government of the United States of America accordingly considers the agreement in regard to such extension of time to be in effect as of today's date.

Accept, Sir, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

Enclosure:

Copy of Proclamation.

The Honorable
Sir CARL BERENDSEN, K.C.M.G.,
Minister of New Zealand.

Protocol between the United States of America and other governments prolonging the agreement of January 4, 1946, respecting a European Coal Organization. Concluded at London December 12, 1946; open for signature until December 31, 1946; signed on behalf of the United States of America December 30, 1946; effective January 1, 1947.

December 30, 1946
[T. I. A. S. 1615]

PROTOCOL FOR THE PROLONGATION OF THE EUROPEAN COAL ORGANISATION AGREEMENT OF 4TH JANUARY, 1946

WHEREAS Article 10 of the Agreement for the establishment of the European Coal Organisation, signed in London on 4th January, 1946, provides that the Agreement should be for an initial period of one year, and whereas it is the desire of member Governments to prolong its operation, it is agreed as follows:—

60 Stat. 1522.

Continuance in force; effective date.

1. The Agreement shall continue in force as between the signatories of the present Protocol for a further period of one year from 1st January, 1947, subject to the right of any member Government to withdraw from the Agreement after giving, to the Government of the United Kingdom, three months' notice of their intention to withdraw.

Transfer of functions, etc.

2. In the event of a new organisation being constituted on the initiative of the United Nations for the purpose of dealing with problems relating to fuel and power, the parties to this Protocol will consider among themselves what steps should be taken for the transfer of the functions, assets and liabilities, personnel and archives of the European Coal Organisation to the new organisation and for the termination of the Agreement.

3. This Protocol shall remain open for signature until 31st December, 1946.

Done in London the 12th day of December, 1946, in a single copy which shall be deposited with the Government of the United Kingdom and of which certified copies shall be communicated to all signatory Governments

For the Government of Belgium:

MAX BUYSE.

For the Government of Czechoslovakia:

B. MESSANY.

For the Government of Denmark:

ANTHON VESTBIRK.

For the Government of the French Republic:

GUERONIK.

PROTOCOLE RELATIF À LA PROLONGATION DE L'ACCORD DU 4 JANVIER 1946 PORTANT CRÉATION DU COMITÉ EUROPÉEN DU CHARBON

CONSIDÉRANT que l'article 10 de l'Accord portant création du Comité Européen du Charbon, signé à Londres le 4 janvier 1946, prévoit que l'Accord aura une durée initiale d'une année, et considérant que les Gouvernements-membres ont le désir d'en prolonger la validité, les soussignés sont convenus de ce qui suit:

1. L'Accord restera en vigueur entre les signataires du présent Protocole pour une nouvelle période d'une année à compter du 1er janvier 1947, sous réserve du droit de tout Gouvernement-membre de dénoncer l'Accord en donnant au Gouvernement du Royaume-Uni un préavis de trois mois.

2. Dans le cas où un nouvel organisme serait constitué à l'initiative des Nations Unies pour traiter des problèmes relatifs au charbon et à l'énergie, les signataires du présent Protocole examineront entre eux les mesures à prendre pour le transfert des fonctions, de l'actif et du passif, du personnel et des archives du Comité Européen du Charbon au nouvel organisme et pour mettre fin à l'Accord.

3. Le présent Protocole restera ouvert pour signature jusqu'au 31 décembre 1946.

Fait à Londres le 12 décembre 1946, en un seul exemplaire, qui sera déposé dans les archives du Gouvernement du Royaume-Uni, qui en remettra des copies certifiées conformes à tous les Gouvernements signataires.

Pour le Gouvernement de Belgique:

MAX BUYSE.

Pour le Gouvernement de la Tchécoslovaquie:

B. MESSANY.

Pour le Gouvernement du Danemark:

ANTHON VESTBIRK.

Pour le Gouvernement de la République Française:

GUERONIK.

For the Government of Greece:

B. MOSTRAS.

For the Government of Luxembourg:

L. CLASEN.

For the Government of the Netherlands:

E. MICHIELS VAN VERDUYNEN.

For the Government of Norway:

JOHAN MELANDER.

For the Government of Poland:

C. ALEXANDROWICZ.

For the Government of Sweden:

For the Government of Turkey:

I. ŞADI KAVUR.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

O. G. SARGENT.

For the Government of the United States of America:

W. J. GALLMAN.

Certified a true copy.

[SEAL]
LONDON

E. J. PASSANT.
Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

Pour le Gouvernement de la Grèce:

B. MOSTRAS.

Pour le Gouvernement du Luxembourg:

L. CLASEN.

Pour le Gouvernement des Pays-Bas:

E. MICHIELS VAN VERDUYNEN.

Pour le Gouvernement de Norvège:

JOHAN MELANDER.

Pour le Gouvernement de Pologne:

C. ALEXANDROWICZ.

Pour le Gouvernement de Suède:

Pour le Gouvernement de la Turquie:

I. ŞADI KAVUR.

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

O. G. SARGENT.

Pour le Gouvernement des États-Unis d'Amérique:

W. J. GALLMAN.

May 12, 1947
[T. I. A. S. 1616]

Agreement between the United States of America and the Republic of the Philippines respecting a coast and geodetic program in the Philippines. Signed at Manila May 12, 1947; entered into force May 12, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES REGARDING COAST AND GEODETIC SURVEY WORK AND TRAINING PROGRAM.

WHEREAS, the Government of the United States of America has enacted Public Law 370—79th Congress, approved April 30, 1946, known as the Philippine Rehabilitation Act of 1946, whereof Section 310, entitled "Coast and Geodetic Surveys," provides:

60 Stat. 139.
50 U. S. C. app. § 1790.

"The Coast and Geodetic Survey of the Department of Commerce is authorized to continue, until June 30, 1950, the survey work which was being conducted by it in the Philippines prior to December 7, 1941. The Director of the Coast and Geodetic Survey is authorized to train not exceeding twenty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of section 311 (c), in order that they may become qualified to take over and continue such survey work on and after July 1, 1950, and to pay all expenses incident to their temporary employment and training." and

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

WHEREAS, the Government of the Republic of the Philippines is desirous of availing itself of the benefits, facilities and services which are authorized by the above-quoted Section 310 of the said Public Law 370—79th Congress;

THEREFORE, the Government of the United States of America and the Government of the Republic of the Philippines have decided to conclude an agreement for the foregoing purposes and have mutually agreed as follows:

ARTICLE I

U. S. Director.

The responsible agent of the Government of the United States of America for effectuating the provisions of this Agreement shall be the Director of the United States Coast and Geodetic Survey of the Department of Commerce, hereinafter referred to as the United States Director. The United States Director may delegate to a duly authorized representative all or any part of his authority for effectuating the provisions of this Agreement. The duties, functions and powers exercised in the Republic of the Philippines under the terms of this Agreement by the United States Director, or his duly authorized representative, shall be under the general supervision of the United States Ambassador accredited to the Government of the Republic of the Philippines or, in the absence of the Ambassador, of the Charge d'Affaires ad interim of the United States of America.

The United States Director, or his duly authorized representative, may negotiate and conclude any working agreements necessary for carrying out the provisions of this Agreement.

Philippine Director.

The responsible agent of the Government of the Republic of the Philippines for effectuating the provisions of this Agreement shall be the Director of the Bureau of Coast and Geodetic Survey of the Department of National Defense, hereinafter referred to as the Philippine Director. The Philippine Director may delegate to an officer or employee of the Bureau of Coast and Geodetic Survey of the Department of National Defense all or any part of his authority for effectuating the provisions of this Agreement. The Philippine Director, or his authorized representative, shall be the representative of the Government of the Republic of the Philippines in the negotiation and conclusion of all working agreements necessary for carrying out the provisions of this Agreement.

Cooperation.

The United States Director and the Philippine Director shall cooperate in every way possible to carry out the spirit and purpose of this Agreement.

ARTICLE II

Director o Coast Surveys.

The United States Director shall assign one commissioned officer of the United States Coast and Geodetic Survey of the Department of Commerce who shall perform the duties of Director of Coast Surveys, Manila Field Station, United States Coast and Geodetic Survey.

The Director of Coast Surveys, Manila Field Station, shall act as adviser on Coast and Geodetic Surveys to the President of the Republic of the Philippines and shall also direct the office and field operations of all personnel paid with United States Government funds. Other Coast and Geodetic Survey commissioned officers and Civil Service personnel may, pursuant to the purposes of this Agreement, be assigned to duty in the Republic of the Philippines and shall serve under the Director of Coast Surveys, Manila Field Station. The organization of the Philippine Bureau of Coast and Geodetic Survey is to be determined entirely by the Republic of the Philippines.

Survey vessel "TULIP."

The United States Coast and Geodetic Survey of the Department of Commerce shall assume financial responsibility for manning, repairing and operating one survey vessel, the "TULIP."

Surveys; instruction.

The United States Coast and Geodetic Survey shall conduct surveying operations in the Republic of the Philippines and instruct Philippine personnel in the Republic of the Philippines in United States Coast and Geodetic Survey techniques of surveying, mapping and charting.

Ownership of records, etc.

Original hydrographic, topographic, triangulation and leveling records and accompanying surveys and reports made by the United States Coast and Geodetic Survey under the terms of this Agreement will become the property of the Government of the Republic of the Philippines, and the United States Coast and Geodetic Survey will retain, or be provided with, three photo-lithographic copies of all triangulation, air photo, topographic, tidal, magnetic, photogrammetric, leveling, hydrographic and other surveys and one copy of each descriptive report.

Printing of charts by U. S.

The United States Coast and Geodetic Survey will print charts of the Republic of the Philippines for the Philippine Bureau of the Coast and Geodetic Survey until the latter is in position to assume responsibility for the operation.

ARTICLE III

Philippine trainees.

The United States Director shall provide for the temporary employment and training during the period of this Agreement of not to exceed twenty (20) citizens of the Republic of the Philippines each year in surveying, mapping, charting and related activities. The United States Director shall provide for the payment of all expenses incidental to such temporary employment and training, including, but not necessarily limited to, actual transportation expenses to and from and in the United States of America, allowances for tuition, educational fees and subsistence.

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

Subject to the provisions of Section 311 (c) of the said Public Law 370—79th Congress, the trainees referred to in the preceding paragraph of this Article shall be designated by the President of the Philippines in accordance with procedures and standards established by the United States Director. The Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names and necessary supporting documents of the trainees so designated.

ARTICLE IV

Free movement of U. S. vessels, etc.

Vessels owned by the Government of the United States of America (including small boats) operated by the Coast and Geodetic Survey of the United States Department of Commerce as part of the program carried out pursuant to this Agreement shall be permitted to move freely in the territorial waters of the Republic of the Philippines, to enter and sail from the several ports with or without pilots and without the necessity of formal entrance or clearance that may ordinarily be required of commercial and other vessels and to establish or utilize such means of communications between such vessels and shore facilities as may be necessary to the effective administration of the programs contemplated by this Agreement. Quarantine procedures and inspections shall be required only at the first Philippine port of call on original entry.

Vessels of the Government of the United States of America used in the Coast and Geodetic Survey program (including small boats), their equipment, tackle, and appurtenances shall be immune from seizure under Admiralty or other legal process.

Vessels owned by the Government of the United States of America (including small boats) used in the Coast and Geodetic Survey program shall be exempt from all requirements of the Government of the Republic of the Philippines relating to inspection, registry, manning or licensing of vessels or marine personnel.

Where suitable public wharves or facilities for moorage are available, such vessels shall be furnished wharfage or moorage without cost.

ARTICLE V

Provision of lands, etc.

The Government of the Republic of the Philippines agrees to provide free of cost to the Government of the United States of America such lands, rights-of-way and easements as may be necessary for carrying out the terms of this Agreement. The United States Director is authorized to accept and utilize for the performance of the terms of this Agreement contributions of labor, materials, equipment and money from the Government of the Republic of the Philippines and its political subdivisions.

ARTICLE VI

Provision of equipment, personnel, etc.

The Government of the Republic of the Philippines agrees to provide such equipment and facilities, including such satisfactory ships and small boats for survey work as may be necessary to carry out the purposes of this Agreement and as may be available to the Government of the Republic of the Philippines.

The Government of the Republic of the Philippines shall provide and pay qualified personnel (except officers and employees referred to in Articles II and III of this Agreement) necessary to conduct surveying, mapping and charting operations in the Republic of the Philippines, and shall defray all expenses necessary for the operation of the Philippine Bureau of the Coast and Geodetic Survey except as specifically provided for elsewhere in this Agreement.

ARTICLE VII

Office space, etc.

The Government of the Republic of the Philippines will cooperate with the United States Director, or his duly authorized representative, in providing such temporary or permanent office and other space and facilities as may be required and shall render all practicable assistance in securing adequate housing accomodations, at reasonable rental rates, for personnel of the United States Coast and Geodetic Survey who are engaged in effectuating this program, and their families.

ARTICLE VIII

Damage suits, etc.

The Government of the Republic of the Philippines will save harmless all officers and employees of the United States Coast and Geodetic Survey of the Department of Commerce who are citizens of the United States of America from damage suits or other civil actions arising out of their performance of their duties under this Agreement.

ARTICLE IX

Free movement of U. S. officers, etc.

Officers, employees and agents of the Government of the United States of America who are citizens of the United States and who are on duty or who may be assigned to duty in the Republic of the Philippines under the provisions of the present Agreement, and their families, shall be permitted to move freely into and out of the Republic of the Philippines, subject to existing visa and passport regulations. Gratis transit shall be extended to all officers, employees, or agents of the

United States Coast and Geodetic Survey over all bridges, ferries, roads and other facilities of the highways where tolls are collected for passage of vehicles or occupants.

ARTICLE X

Nontaxability of funds, etc.

Pending the conclusion of negotiations now being considered by the United States of America and the Republic of the Philippines, no import, excise, consumption, or other tax, duty, or impost shall be levied on funds or property in the Republic of the Philippines which is owned by the United States Coast and Geodetic Survey of the Department of Commerce and used for purposes under the present Agreement or on funds, materials, supplies, and equipment imported into the Republic of the Philippines for use in connection with such purposes; nor shall any such tax, duty or impost be levied on personal funds or property, not intended for resale, imported into the Republic of the Philippines for the use or consumption of United States Coast and Geodetic Survey personnel who are United States citizens; nor shall any export or other tax be placed on any such funds or property, including United States Government property, in the event of its removal from the Republic of the Philippines.

ARTICLE XI

Right to remove personnel.

Each Government reserves the right to remove any personnel paid by it and involved in carrying out the provisions of this Agreement with the understanding that each Government shall maintain an adequate force to carry out the provisions and requirements of this Agreement so long as the Agreement is in effect.

ARTICLE XII

Commitments by U. S.

All commitments made in this Agreement on the part of the Government of the United States of America shall be subject to the availability of appropriated funds by the Government of the United States of America.

ARTICLE XIII

Effective date; duration.

This Agreement shall become effective on the date of its signature and shall continue in effect until completely executed on both sides, but in no event later than June 30, 1950; provided, however, that this Agreement may be revised, amended, or changed in whole or in part with the approval of both parties as indicated and effected by an exchange of notes between the two contracting parties; and provided further that either Government may terminate this Agreement by giving to the other party ninety days notice in writing through diplomatic channels.

Termination.

IN WITNESS WHEREOF the Undersigned, duly authorized thereto, have signed the present Agreement in duplicate at Manila this twelfth day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

Nathaniel P. Davis
Charge d'Affaires ad interim of the
United States of America at Manila.

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

RUPERTO K. KANGLEON
Secretary of National Defense

May 12, 1947
[T. I. A. S. 1617]

Agreement between the United States of America and the Republic of the Philippines respecting a meteorological program in the Philippines. Signed at Manila May 12, 1947; entered into force May 12, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES REGARDING METEOROLOGICAL FACILITIES AND TRAINING PROGRAM.

WHEREAS, the Government of the United States of America has enacted Public Law 370–79th Congress, approved April 30, 1946, known as the Philippine Rehabilitation Act of 1946, whereof Section 308, entitled "Weather Information", provides:

60 Stat. 138.
50 U. S. C. app. § 1788.

Meteorological facilities.

"(a) The Chief of the Weather Bureau of the Department of Commerce is authorized to establish meteorological facilities in the Philippines as may be required to provide weather information, warnings, and forecasts for general agricultural and commercial activities, including meteorological service for the air routes on which air-navigation facilities are operated by the Civil Aeronautics Administration, and to maintain such meteorological offices until the Philippine Weather Bureau is reestablished and in position to assume responsibility for the service.

Filipino trainees

"(b) The Chief of the Weather Bureau of the Department of Commerce is authorized, under such regulations as he may adopt, to train not to exceed fifty Filipinos in the first year and not to exceed twenty-five Filipinos in each succeeding year prior to July 1, 1950, the trainees to be designated by the President of the Philippines subject to the provisions of Section 311 (c), and the training to include meteorological observations, analyses, forecasting, briefing of pilots, and such other meteorological duties as are deemed necessary in maintenance of general weather service, including weather information required for air navigation and the safe operation of air traffic. The training of these employees shall be in addition to and not in lieu of Weather Bureau employees to be trained under current Weather Bureau appropriations." and

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

WHEREAS, the Government of the Republic of the Philippines is desirous of availing itself of the benefits, facilities and services which are authorized by the above-quoted Section 308 of the said Public Law 370–79th Congress;

THEREFORE, the Government of the United States of America and the Government of the Republic of the Philippines have decided to conclude an agreement for the foregoing purposes and have agreed mutually as follows:

ARTICLE I

U. S. Chief.

The responsible agent of the Government of the United States of America for effectuating the provisions of this Agreement shall be the Chief of the United States Weather Bureau of the Department of Commerce, hereinafter referred to as the Chief. The Chief may delegate to a duly authorized representative all or part of his authority for effectuating the provisions of this Agreement. The duties, functions, and powers exercised in the Republic of the Philippines under the terms of this Agreement by the Chief, or his duly authorized representative, shall be under the general supervision of the United States Ambassador accredited to the Government of the Republic of the Philippines, or, in the absence of the Ambassador, of the Charge d'Affaires ad interim of the United States of America. The Chief, or his duly authorized representative, may negotiate and conclude working agreements and contracts necessary for carrying out the provisions of this Agreement.

Philippine Director.

The responsible agent of the Government of the Republic of the Philippines for effectuating the provisions of this Agreement shall be the Director of the Weather Bureau of the Department of Agriculture and Commerce, hereinafter referred to as the Director. The Director may delegate to an officer or employee of the Weather Bureau of the Philippine Department of Agriculture and Commerce all or part of his authority for effectuating the provisions of this Agreement. The Director, or his duly authorized representative, shall be the representative of the Government of the Republic of the Philippines in the negotiation and conclusion of all working agreements and contracts necessary for carrying out the provisions of this Agreement.

Cooperation.

The Chief and the Director shall cooperate in every way possible to carry out the spirit and purpose of this Agreement.

ARTICLE II

Establishment of meteorological facilities in Philippines, etc.

The Chief, or his authorized representative, shall, with the consent of and in cooperation with the Government of the Republic of the Philippines, establish, maintain, and operate such meteorological facilities in the Republic of the Philippines as may be required to provide weather information, warnings, and forecasts for general agricultural and commercial activities, including meteorological service for the air routes on which air-navigation facilities are operated, all such meteorological facilities to be operated insofar as possible in conformance with recognized international standards for meteorological observations and procedures.

Instructors, administrative personnel, etc.

The Chief shall assign to the Republic of the Philippines for the purpose of carrying out the provisions of this Agreement a representative and assistants, including instructors and administrative personnel, the salaries and expenses of all such personnel to be paid directly by the United States Weather Bureau of the Department of Commerce.

Analysis of operational plans and programs.

The Chief, or his duly authorized representative, shall analyze the plans submitted by the Government of the Republic of the Philippines within the terms of this Agreement involving the expenditure of funds by the Government of the United States of America and after consultation with the Director shall approve, disapprove, or modify such plans. The Chief, or his authorized representative, upon his approval of operational plans and programs shall enter into contracts with the Government of the Republic of the Philippines when necessary for the carrying out of such programs.

Contracts.

ARTICLE III

Philippine trainees.

The Chief shall provide for the training during the period of this Agreement of not to exceed fifty (50) citizens of the Republic of the Philippines in the first year and not to exceed twenty-five (25) citizens of the Republic of the Philippines in each succeeding year. This training will include meteorological observations, analyses, forecasting, briefing of pilots, and such other duties as are deemed necessary in the maintenance of a general weather service, including weather information required for air navigation and the safe operation of air traffic. The Chief shall provide for the payment of all expenses incidental to such training, including, but not necessarily limited to, transportation to and from and in the United States of America, allowances for tuition, educational fees, and subsistence.

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

Subject to the provisions of Section 311 (c) of the said Public Law 370–79th Congress, the trainees referred to in the preceding paragraph of this Article shall be designated by the President of the Philippines in accordance with procedures and standards established by the Chief. The Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names and necessary supporting documents of the trainees so designated.

ARTICLE IV

Provision of lands, etc.

The Government of the Republic of the Philippines agrees to provide free of cost to the Government of the United States of America such lands, rights-of-way and easements necessary for carrying out the terms of this Agreement. Furthermore, the Government of the Republic of the Philippines shall furnish such equipment, facilities, and qualified personnel, including technicians, administrative personnel, and such other trained persons necessary to carry out the purposes of this Agreement, as may be available to the Government of the Republic of the Philippines. The Chief is authorized to accept and utilize for the performance of the terms of this Agreement contributions of labor, materials, equipment, and money from the Government of the Republic of the Philippines and its political subdivisions.

ARTICLE V

Submission of designated plans to Chief.

The responsible agent of the Government of the Republic of the Philippines shall submit to the Chief, or his duly authorized representative, plans for:

(1) The establishment and maintenance of a suitable network of basic weather observing and reporting stations including a suitable number of stations at which upper air observations will be made;
(2) The prompt collection of weather observations at one or more central forecasting offices and the development of weather analysis and forecasting procedures designed to furnish general weather service as well as meeting the economic requirements of domestic and international aviation and maritime commerce;
(3) The establishment of international exchanges of weather information in accordance with recognized international standards;
(4) The compilation and publication of weather records and reports including the results of meteorological investigations;
(5) The training of technical and professional personnel required to maintain a modern weather service;
(6) Fiscal requirements for the inauguration, maintenance, and operation of the foregoing programs.

ARTICLE VI

Office space, etc.

The Government of the Republic of the Philippines will cooperate with the Chief, or his duly authorized representative, in providing such temporary or permanent office and other space and facilities as may be required and shall render all practicable assistance in securing adequate housing accommodations, at reasonable rental rates, for personnel of the United States Weather Bureau of the Department of Commerce engaged in effectuating this program, and their families.

ARTICLE VII

Damage suits, etc.

The Government of the Republic of the Philippines will save harmless all officers and employees of the United States Weather Bureau of the Department of Commerce who are citizens of the United States of America from damage suits or other civil actions arising out of their performance of their official duties under this Agreement.

ARTICLE VIII

Free movement of officers, etc.

Officers, employees and agents of the Government of the United States of America who are citizens of the United States and who are on duty or who may be assigned to duty in the Republic of the Philippines under the provisions of the present Agreement, and their families, shall be permitted to move freely into and out of the Republic of the Philippines, subject to existing visa and passport regulations. Gratis transit shall be extended to all officers, employees, or agents of the United States Weather Bureau of the Department of Commerce over all bridges, ferries, roads, and other facilities of the highways where tolls are collected for passage of vehicles or occupants.

ARTICLE IX

Nontaxability of funds, etc.

Pending the conclusion of negotiations now being considered by the Government of the United States of America and the Government of the Republic of the Philippines, no import, excise, consumption, or other tax, duty, or impost shall be levied on funds or property in the Republic of the Philippines which are owned by the United States Weather Bureau of the Department of Commerce and used for purposes under the present Agreement or on funds, materials, supplies, and equipment imported into the Republic of the Philippines for use in connection with such purposes; nor shall any such tax, duty, or impost be levied on the personal funds or property, not intended for resale, imported into the Republic of the Philippines for the use of or consumption of the United States Weather Bureau personnel who are United States citizens; nor shall any export or other tax be placed on any such funds or property, including United States Government property, in the event of its removal from the Republic of the Philippines.

ARTICLE X

Right to remove personnel.

Each Government reserves the right to remove any personnel paid by it and involved in carrying out the provisions of this Agreement with the understanding that each Government shall maintain an adequate force to carry out the provisions and requirements of this Agreement so long as the Agreement is in effect.

ARTICLE XI

Commitments by U. S.

All commitments made in this Agreement on the part of the Government of the United States of America shall be subject to the availability of appropriated funds by the Government of the United States of America.

ARTICLE XII

Effective date; duration.

This Agreement shall become effective on the date of its signature and shall continue in effect until completely executed on both sides, but in no event later than June 30, 1950; provided, however, that this Agreement may be revised, amended, or changed in whole or in part with the approval of both parties as indicated and effected by an exchange of notes between the two contracting parties; and provided further that either Government may terminate this Agreement by giving to the other party ninety days notice in writing through diplomatic channels.

Termination.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed the present Agreement in duplicate at Manila this 12th day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

Nathaniel P. Davis
Charge d'Affaires ad interim of the
United States of America at Manila

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

MARIANO GARCHITORENA
Secretary of Agriculture and Commerce

May 12, 1947
[T. I. A. S. 1618]

Agreement between the United States of America and the Republic of the Philippines respecting an air navigation program in the Philippines. Signed at Manila May 12, 1947; entered into force May 12, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES REGARDING AIR NAVIGATION FACILITIES AND TRAINING PROGRAM

WHEREAS, the Government of the United States of America has enacted Public Law 370–79th Congress, approved April 30, 1946, known as the Philippine Rehabilitation Act of 1946, whereof Section 307, entitled "Inter-Island Air Navigation," provides:

60 Stat. 137.
50 U. S. C. app. § 1787.

Inter-island air navigation.

"(a) The Administrator of Civil Aeronautics of the Department of Commerce is authorized to acquire, establish, operate, and to maintain a system of air-navigation facilities and associated airways communications services in the Philippines for inter-island airways operation and to connect the Philippine airways with international and interoceanic routes.

Filipino trainees.

"(b) The Administrator of Civil Aeronautics is authorized, under such regulations as he may adopt, to train not exceeding fifty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of Section 311 (c), in air-traffic control, aircraft communications, maintenance of air-navigation facilities, and such other airman functions as are deemed necessary for the maintenance and operation of aids to air navigation and other services essential to the orderly and safe operation of air traffic." and

60 Stat. 139.
50 U. S. C. § 1791 (c).

WHEREAS, the Government of the Republic of the Philippines is desirous of availing itself of the benefits, facilities and services which are authorized by the above-quoted Section 307 of the said Public Law 370–79th Congress;

THEREFORE, the Government of the United States of America and the Government of the Republic of the Philippines have decided to conclude an agreement for the foregoing purposes and have agreed mutually as follows:

ARTICLE I

U. S. Administrator.

The responsible agent of the Government of the United States of America for effectuating the provisions of this Agreement shall be the Administrator of Civil Aeronautics of the Department of Commerce, hereinafter referred to as the Administrator. The Administrator may delegate to a duly authorized representative of the Civil Aeronautics Administration all or any part of his authority for effectuating the provisions of this Agreement. The duties, functions, and powers exercised in the Republic of the Philippines under the terms

of this Agreement by the Administrator or his duly authorized representative shall be under the general supervision of the United States Ambassador accredited to the Government of the Republic of the Philippines or, in the absence of the Ambassador, of the Charge d'Affaires ad interim of the United States of America. The Administrator, or his duly authorized representative, may negotiate and conclude any working agreements necessary for carrying out the provisions of this Agreement.

Philippine Director of Aeronautics.

The responsible agent of the Government of the Republic of the Philippines for effectuating the provisions of this Agreement shall be the Director of Aeronautics of the Bureau of Aeronautics of the Department of National Defense, hereinafter referred to as the Director of Aeronautics. The Director of Aeronautics may delegate to an officer or employee of the Bureau of Aeronautics of the Department of National Defense all or part of his authority for effectuating the provisions of this Agreement. The Director of Aeronautics, or his duly authorized representative, shall be the representative of the Government of the Republic of the Philippines in the negotiation and conclusion of all working agreements necessary for carrying out the provisions of this Agreement.

Cooperation.

The Administrator and the Director of Aeronautics shall cooperate in every way possible to carry out the spirit and purposes of this Agreement.

ARTICLE II

Acquisition of air navigation facilities, etc.

The Administrator shall acquire and establish, and shall maintain and operate during the period required for the training of citizens of the Republic of the Philippines for such operation, a system of air navigation facilities and associated airway communications services in the Philippines for inter-island airways operation and to connect the Philippine airways with international and interoceanic routes.

Analysis and approval of plans.

The Administrator, or his duly authorized representative, shall analyze the plans submitted by the Government of the Republic of the Philippines within the terms of this Agreement involving the expenditure of funds by the Government of the United States of America and after consultation with the Director of Aeronautics shall approve, disapprove, or modify such plans.

ARTICLE III

Trainees.

The Administrator shall provide for the training during the period of this Agreement of not to exceed fifty citizens of the Republic of the Philippines each year in the duties of air traffic control, aircraft communication, maintenance of air navigation facilities, and such other airman functions as he deems necessary for the maintenance and operation of aids to air navigation and other services essential to the orderly and safe operation of air traffic. The Administrator shall provide for the payment of all expenses incidental to such training, including, but not necessarily limited to, actual transportation expenses to and from and in the United States of America, allowances for tuition, educational fees, and subsistence.

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

Subject to the provisions of Section 311 (c) of the said Public Law 370–79th Congress, the trainees referred to in the preceding paragraph of this Article shall be designated by the President of the Philippines in accordance with procedures and standards established by the Administrator. The Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names and necessary supporting documents of the trainees so designated.

ARTICLE IV

Provision of lands, etc.

The Government of the Republic of the Philippines agrees to provide free of cost to the Government of the United States of America such lands, rights-of-way and easements necessary for carrying out the terms of this Agreement. The Administrator is authorized to accept and utilize for the performance of the terms of this Agreement contributions of labor, materials, equipment and money from the Government of the Republic of the Philippines and its political subdivisions.

ARTICLE V

Assistance by Director.

The Director of Aeronautics shall assist the representative of the Administrator in carrying out the objectives of this Agreement by providing:

(1) recommendations relative to locations for the establishment of air navigation facilities and the type of facilities and services required for each location;

(2) advice as to the specific radio frequency assignments which may be used and as to materials and equipment owned by the Government of the Republic of the Philippines which can be made available for use in carrying out this Agreement; and

(3) suggestions for the accomplishment of all phases of the Agreement, including suggestions for the accomplishment of the physical work involved and for the maintenance and operation of completed facilities.

The Government of the Republic of the Philippines shall furnish such equipment, facilities, and qualified personnel, including technicians, administrative personnel, and other personnel, as may be necessary and as may be available to the Government of the Republic of the Philippines to carry out the purpose and intent of this Agreement.

ARTICLE VI

Office space, etc.

The Government of the Republic of the Philippines will cooperate with the Administrator, or his duly authorized representative, in providing such temporary or permanent office and other space and facilities as may be required, and shall render all practicable assistance in securing adequate housing accommodations, at reasonable rental rates, for personnel of the Civil Aeronautics Administration engaged in effectuating this program, and their families.

ARTICLE VII

Damage suits, etc.

The Government of the Republic of the Philippines will save harmless all officers and employees of the Civil Aeronautics Administration of the Department of Commerce who are citizens of the United States from damage suits or other civil actions arising out of their performance of their duties under this Agreement.

ARTICLE VIII

Free movement of U. S. officers, etc.

Officers, employees, and agents of the Government of the United States of America who are citizens of the United States and who are on duty or who may be assigned to duty in the Republic of the Philippines under the provisions of the present Agreement, and their families, shall be permitted to move freely into and out of the Republic of the Philippines, subject to existing visa and passport regulations. Gratis transit shall be extended to all officers, employees or agents of the Civil Aeronautics Administration of the Department of Commerce over all bridges, ferries, roads and other facilities of the highways where tolls are collected for passage of vehicles or occupants.

ARTICLE IX

Nontaxability of funds, etc.

Pending the conclusion of negotiations now being considered by the Government of the United States of America and the Government of the Republic of the Philippines, no import, excise, consumption, or other tax, duty or impost shall be levied on funds or property in the Republic of the Philippines which are owned by the Civil Aeronautics Administration and used for purposes under the present Agreement or on funds, materials, supplies, and equipment imported into the Republic of the Philippines for use in connection with such purposes; nor shall any such tax, duty, or impost be levied on the personal funds or property, not intended for resale, imported into the Republic of the Philippines for the use or consumption of Civil Aeronautics Administration personnel who are United States citizens; nor shall any export or other tax be placed on any such funds or property, including United States Government property, in the event of its removal from the Republic of the Philippines.

ARTICLE X

Right to remove personnel.

Each Government reserves the right to remove any personnel paid by it and involved in carrying out the provisions of this Agreement with the understanding that each Government shall maintain an adequate force to carry out the provisions and requirements of this Agreement so long as the Agreement is in effect.

ARTICLE XI

Commitments by U. S.

All commitments made in this Agreement on the part of the Government of the United States of America shall be subject to the availability of appropriated funds made by the Government of the United States of America.

ARTICLE XII

Effective date; duration.

This Agreement shall become effective on the date of its signature, and shall continue in effect until completely executed on both sides but in no event later than June 30, 1950; provided, however, that this Agreement may be revised, amended, or changed in whole or in part with the approval of both parties as indicated and effected by an exchange of notes between the two contracting parties; and provided further that either Government may terminate this Agreement by giving to the other party ninety days' notice in writing through diplomatic channels.

Termination.

IN WITNESS WHEREOF the Undersigned, duly authorized thereto, have signed the present Agreement in duplicate at Manila this 12th day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

NATHANIEL P. DAVIS
Charge d'Affaires ad interim
of the United States of America at Manila

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:

RUPERTO K. KANGLEON
Secretary of National Defense

Agreement between the United States of America and Canada amending the agreement of February 17, 1945, respecting air transport services. Effected by exchange of notes signed at Ottawa April 10 and 12, 1947; effective April 12, 1947.

April 10 and 12, 1947
[T. I. A. S. 1619]

The American Ambassador to the Canadian Secretary of State for External Affairs

No. 675. OTTAWA, CANADA, *April 10, 1947.*

SIR:

I have the honor to refer to the recent discussions held in Ottawa by the representatives of the Governments of the United States of America and Canada relative to air transport. As a result of these discussions I would propose that the agreement between the United States of America and Canada for air transport services, effected by exchange of notes signed at Washington February 17, 1945, be amended by the substitution of the following Annex in lieu of the Annex contained therein:

59 Stat. 1353.

"Annex

"A. The airlines designated by the Government of the United States of America may operate on the following routes, with the right to take on and put down passengers, mail and cargo at the Canadian terminals specified:

Routes for U. S. airlines.

Boston	–	Moncton
Boston	–	Montreal
New York or Boston	–	Quebec
New York	–	Montreal Ottawa
Washington	–	Montreal Ottawa
Buffalo	–	Toronto
Fargo	–	Winnipeg
Great Falls	–	Lethbridge
Seattle	–	Vancouver
Seattle	–	Whitehorse
Fairbanks	–	Whitehorse

"In consideration of special circumstances existing on the routes from New York and Washington to Montreal and Ottawa, the Canadian Government agrees that the United States carrier may serve both Canadian points on the same flights, so long as no Canadian cabotage rights are exercised.

"The service on the route between Buffalo and Toronto may, at the election of the United States Government, be rendered by two airlines. On the other routes service by a single airline only will be authorized.

"In addition to the routes listed above, airlines of United States registry will be authorized to stop in Windsor on any route on which they are now or in the future may be authorized by the United States Government to serve Detroit.

Routes for Canadian airlines.

"B. The airlines designated by the Government of Canada may operate on the following routes, with the right to take on and put down passengers, mail and cargo at the United States terminals specified:

Halifax	–	Boston
Toronto	–	New York
Toronto	–	Cleveland
Toronto	–	Chicago
Port Arthur	–	Duluth
Victoria	–	Seattle
Whitehorse	–	Fairbanks
Winnipeg	–	Sault Ste. Marie, Michigan–Toronto

"In consideration of special circumstances existing on the internal Canadian route between Winnipeg and Toronto, the United States Government agrees that the Canadian carrier on this route may make use of an airfield at Sault Ste. Marie, Michigan, and may pick up and set down traffic there.

"A single airline will be authorized for each of the foregoing routes. With respect to the routes between Toronto and Cleveland and Toronto and Chicago no through services will be operated from either point in the United States to points lying beyond the territorial limits of Canada.

"In addition to the routes listed above, airlines of Canadian registry will be authorized to stop in Detroit on any route on which they are now or in the future may be authorized by the Canadian Government to serve Windsor."

If the foregoing is acceptable to the Government of Canada, this note, and your reply thereto accepting the proposals, shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON.

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 42

OTTAWA, *12th April, 1947.*

EXCELLENCY,

I have the honour to refer to your Note No. 675 of April 10, 1947, in which you propose that the Agreement between the United States and Canada for Air Transport Services, effected by an exchange of notes signed at Washington February 17, 1945, be amended by the substitution of the Annex contained in the above mentioned note, in lieu of the Annex contained in the notes of February 17, 1945. The terms contained in the new Annex are acceptable to the Government of Canada, which agrees that your note No. 675 of April 10 and this reply shall be regarded as constituting an understanding between our two Governments concerning this matter.

59 Stat. 1356.

Accept, Excellency, the renewed assurances of my highest consideration.

L B PEARSON
for
Secretary of State
for External Affairs.

His Excellency the Hon. RAY ATHERTON,
Ambassador for the United States,
100 Wellington Street,
Ottawa.

June 2 and 3, 1947
[T. I. A. S. 1620]

Agreement between the United States of America and Ireland amending the agreement of February 3, 1945, respecting air transport services. Effected by exchange of notes signed at Washington June 2 and 3, 1947; effective June 3, 1947.

The Secretary of State to the Irish Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
June 2, 1947

SIR:

I refer to previous correspondence with the Legation concerning the air transport agreement concluded between Ireland and the United States of America in February 1945, particularly with respect to the determination of traffic points in the United States to be granted to the Irish air services as referred to in Paragraph B of the Annex.

59 Stat. 1405.

My Government, after consideration of the wishes of the Government of Ireland in this matter, proposes that Paragraph B of the Annex of the Agreement be amended to read as follows:

"Airlines of Ireland authorized under the present agreement are accorded in the territory of the United States rights of transit, non-traffic stop and commercial entry for international traffic at Boston, New York and Chicago on the following route:

"Ireland via intermediate points to New York (via Boston) and Chicago, in both directions; provided that Chicago shall not be served on any flight serving New York and/or Boston."

If this proposal is acceptable to your Government it is suggested that this note, together with your reply thereto, constitute an amendment of the Agreement as set forth above.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State:
GARRISON NORTON

Mr. JOSEPH D. BRENNAN,
Charge d'Affaires ad interim of Ireland.

The Irish Chargé d'Affaires ad interim to the Secretary of State

IRISH LEGATION
WASHINGTON, D. C.
June 3, 1947

SIR:

I have the honour to acknowledge receipt of your note of June 2nd, 1947 in which you propose that Paragraph B of the Annex to the Air

Transport Agreement concluded between Ireland and the United States of America in February, 1945 be amended to read as follows:— 59 Stat. 1405.

"Airlines of Ireland authorized under the present agreement are accorded in the territory of the United States rights of transit, non-traffic stop and commercial entry for international traffic at Boston, New York and Chicago on the following route:

"Ireland via intermediate points to New York (via Boston) and Chicago, in both directions; provided that Chicago shall not be served on any flight serving New York and/or Boston."

I am instructed to state that this proposal is acceptable to my Government and that they accept also your suggestion that your note and this reply constitute an amendment of the Agreement as set forth above.

Accept, Sir, the renewed assurances of my high consideration.

JOSEPH D. BRENNAN.
Chargé d'Affaires ad interim

The Honourable GEORGE C. MARSHALL,
Secretary of State
Washington, D.C.

January 27 and April 11, 1945
[T. I. A. S. 1621]

Agreement between the United States of America and Iceland respecting air transportation of Icelandic passengers and mail. Effected by exchange of notes signed at Reykjavik January 27 and April 11, 1945; entered into force April 11, 1945.

The Icelandic Minister for Foreign Affairs to the American Minister

UTANRÍKISRÁÐUNEYTIÐ [1]

REYKJAVÍK, *January 27, 1945.*

Db. 65.D.1.
(óskast tilgreint í svari)

MONSIEUR LE MINISTRE,

59 Stat. 1464.

I have the honour to refer to our exchange of notes, dated today, establishing an agreement between Iceland and the United States of America relating to air transport services.

Transportation of passengers, etc., to and from Iceland.

Furthermore I wish to refer to our conversation concerning the said agreement, in which I expressed the desire, considering that Iceland is an intermediate point on the contemplated air route, to have an additional article included in the agreement to insure the transportation of passengers and mail to and from Iceland in both directions. However this question was not stressed, because Your Excellency assured me, that this was a matter, which might more properly be taken up separately, as it did not come within the scope of a general basic agreement, such as the one which just has been concluded between Iceland and the United States.

With reference to the aforesaid I have the honour to request, that through the good offices of the Legation, the Government of the United States arrange, that the operators of the airlines concerned transport Icelandic passengers and mail to and from Iceland in both directions, on an equal basis with nationals of other countries, and further that the charges for such transportation be fixed in proportion to the distances.

I have the honour to renew to Your Excellency the assurances of my highest consideration.

OLAFUR THORS.

His Excellency
LOUIS G. DREYFUS,
Minister of the United States of America,
Reykjavik.

[1] [*Translation:* Ministry of Foreign Affairs.]

The American Chargé d'Affaires ad interim to the Icelandic Minister for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
Reykjavik, April 11, 1945.

No. 220

EXCELLENCY:

I have the honor to refer to Your Excellency's note dated January 22, 1945 [1] requesting that the United States Government arrange that operators of the airlines concerned in the reciprocal air transport agreement concluded between Iceland and the United States on January 27, 1945 carry Icelandic passengers and mail to and from Iceland in both directions on an equal basis with nationals of other countries, and further that the charges for such transportation be fixed in proportion to the distances. 59 Stat. 1464.

I have now been authorized by my Government to give you assurance that airlines of the United States, having the right to pick up and discharge international traffic under paragraph A of the annex to the above mentioned agreement, will offer reasonable commercial service for Icelandic traffic at the airport referred to in that paragraph provided that this undertaking shall not involve any discrimination between airlines of the United States and other countries operating on that same route, shall take into account the capacity of the aircraft, and shall be fulfilled in such a manner as not to prejudice the normal operations of the international air services concerned. 59 Stat. 1466.

Accept, Excellency, the renewed assurances of my highest consideration.

FRANCIS L. SPALDING

His Excellency
OLAFUR THORS,
Minister for Foreign Affairs,
Reykjavik.

[1] [Correct date Jan. 27, 1945.]

October 23, 1946, and January 23, 1947
[T. I. A. S. 1622]

Agreement between the United States of America and the United Kingdom modifying the agreement of February 29 and March 28, 1944, respecting claims for damages resulting from acts of members or civilian employees of armed forces. Effected by exchange of notes signed at Washington October 23, 1946, and January 23, 1947; entered into force January 23, 1947.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.,
October 23, 1946.

No. 581
REF: 403/24/46

SIR,

I have the honour to inform Your Excellency that discussions which have taken place between representatives of the United Kingdom and the United States of America, concerning the mutual forbearance by the Governments of the United Kingdom of Great Britain and Northern Ireland and of the United States of America from asserting claims arising from matters in which members and civilian employees of the respective armed forces are concerned, have led to agreement in the terms set out in the annex hereto.

2. His Majesty's Government in the United Kingdom have considered and approved the provisions of the annex.

3. I shall be grateful if Your Excellency will inform me whether the United States Government likewise approve the said provisions and whether they agree that the present note and Your Excellency's reply shall be regarded as constituting an Agreement between our two Governments in this matter.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble Servant.

INVERCHAPEL

The Honourable
JAMES F. BYRNES,
Secretary of State
of the United States,
Washington, D.C.

ANNEX.

(W6037/15/64).

ARTICLE I.

(1) Each contracting Government agrees to bear its own loss and to forbear from asserting on its own behalf against the other any claim in relation to the loss, destruction or damage to its property, or injury to or death of any members or civilian employees of its Armed Forces resulting from any acts, omissions or other activities during the operation of this Agreement of any members or civilian employees of the Armed Forces of the other contracting Government.

Forbearance from assertion of designated claims.

(2) The provisions of paragraph (1) of this Article shall not apply to the following claims–

Nonapplicability.

(i) Claims in relation to loss, destruction or damage to property or to injury or death resulting from combat activity.

(ii) Claims based on the taking for military purposes of the property of either contracting Government by members or civilian employees of the Armed Forces of the other contracting Government.

(iii) Claims made by or on behalf of individuals or by or on behalf of private associations partnerships, corporations or other non-governmental bodies.

ARTICLE II.

(1) (i) Subject to the provisions of paragraph (3) of this Article, claims of third parties (other than enemy nationals) arising out of incidents involving vehicles of both contracting Governments shall be submitted for investigation and determination as to liability to the United States Claims Service if the incident occurs in a United States controlled area or to the British Claims Service if the incident occurs in a British controlled area, but no liability shall be assumed and no settlement of a claim effected by either Government with respect to any such claim unless the authorities appointed by the other contracting Government for the purpose of reviewing such claims decide in the particular case that such liability exists.

Investigation, etc., of claims of third parties.

(ii) For the purpose of this Agreement the expression "claims of third parties" shall mean claims based on the acts or omissions of the drivers or riders of vehicles which are the property of either Government brought against either contracting Government by any person other than the drivers or riders.

"Claims of third parties."

(2) If it is found that the incident resulted from negligence or fault attributable to both contracting Governments, the cost of settlement will be borne equally between them, irrespective of the relative degree of negligence or fault attributable to each Government. Neither contracting Government shall be liable to contribute to the cost of settlement where no negligence or fault is attributable to either Government or where the incident results from combat activity.

Cost of settlement.

Claims falling within matters of reciprocal or mutual aid.

(3) If any such claim by a third party falls within the matters which are the subject of reciprocal aid under the Reciprocal Aid Agreements of 1944 in force between the United States and France, the Netherlands and Belgium, or of mutual aid under the Mutual Aid Agreements of 1944 in force between the United Kingdom and France, the Netherlands and Belgium, such claims shall be investigated in the country in which the incident occurred by the authorities provided under the respective Reciprocal or Mutual Aid Agreement. If such authorities decide that both the Government of the United States and the Government of the United Kingdom are liable, the cost of settlement of the claim as between the Government of the United States and the Government of the United Kingdom, shall be charged as reciprocal aid to the United States and as mutual aid to the United Kingdom in equal proportions irrespective of the degree of fault attributable to either Government. The provisions of this paragraph shall not, however, be read as affecting any existing right of the Government of the United States or of the Government of the United Kingdom as against the Government of the country in which a claim is investigated under this paragraph to consider and decide whether such charge should be treated as reciprocal or mutual aid under the respective Reciprocal or Mutual Aid Agreement.

ARTICLE III.

Applicability of agreement.

This Agreement shall apply to claims in relation to acts, omissions or other activities occurring in any part of the world.

ARTICLE IV.

Retroactive provision.

(1) This Agreement shall be deemed to have come into force on the 6th June, 1944, except as to such claims by third parties as may have been determined prior to the 12th November, 1945.

(2) This Agreement shall supersede, as from the 6th June, 1944, the arrangement for mutual forbearance from a certain class of claims embodied in paragraph 11 of the annex to the Notes exchanged in London on the 29th February, 1944, by His Majesty's Principal Secretary of State for Foreign Affairs and the United States Ambassador, but the arrangement made by exchange of notes on 29th February, 1944, remains in full force as to claims arising out of incidents which occurred before the 6th June, 1944.

Ante, p. 2734.

ARTICLE V.

Duration.

Termination.

This Agreement shall remain in force during the period of the present joint participation by the Governments of the United States and of the United Kingdom in any military operation or military occupation but if before the period of joint participation expires either contracting Government gives to the other a written notice of its intention to terminate this Agreement, the Agreement shall cease to have effect three months after the date of such notice.

ARTICLE VI.

This Agreement shall not be deemed to modify or affect the provisions of the Agreement between His Majesty's Government in the United Kingdom and the United States Government for the Provision of Mutual Aid concerning Certain Problems of Marine Transportation and Litigation signed at London on the 4th December, 1942. 56 Stat. 1780.

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
January 23, 1947

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 581 of October 23, 1946 to which was annexed the text of a proposed agreement concerning the mutual forbearance by the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland from asserting claims arising out of matters in which members or civilian employees of the respective armed forces of the two countries are concerned. *Ante*, p. 2876.

The terms of the proposed agreement are acceptable to this Government, and your Excellency's note and this reply thereto shall be regarded as constituting an Agreement between our two Governments in this matter. Acceptance by U. S.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
For the Secretary of State

His Excellency
The Right Honorable
THE LORD INVERCHAPEL, P.C., G.C. M.G.,
British Ambassador.

January 24 and February 12, 1944, and February 14 and 19, 1946
[T. I. A. S. 1623]

Agreements between the United States of America and Colombia respecting a cooperative health and sanitation program in Colombia. Effected by exchange of notes signed at Bogotá February 14 and 19, 1946; entered into force February 19, 1946. And exchange of notes signed at Bogotá January 24 and February 12, 1944; entered into force February 12, 1944.

The American Ambassador to the Colombian Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Bogotá, February 14, 1946

No. 137

EXCELLENCY:

57 Stat. 1310, 1313.

I have the honor to refer to Note No. 115 of October 23, 1942 of the Ambassador of the United States in Colombia, to communication No. S–1110 of October 23, 1942 from the Minister of Foreign Affairs, to Note No. 285 of January 24, 1944 of the Ambassador of the United States and to communication No. S–134 of February 12, 1944 from the Ministry of Foreign Affairs, which relate to the establishment and continuance of a cooperative program of public health and sanitation in Colombia, the specific operational details of which were established in agreements entered into between The Institute of Inter-American Affairs and the Ministry of Labor, Health and Social Welfare in October of 1942 [1] and January of 1944. The program was undertaken by both governments pursuant to Resolution XXX approved at the Third Meeting of the Ministers of Foreign Affairs of the American Republics held at Rio de Janeiro in January, 1942. [2]

Post, p. 2892.

Post, p. 2893.

Post, p. 2894.

Contributions of U. S. and Colombia.

It will be recalled that as agreed in the mentioned communications, my Government continuously since 1942 has furnished the services of experts in the field of health and sanitation to cooperate with officials of the Colombian Government and particularly the Ministry of Labor, Health and Social Welfare in a specific cooperative program for the improvement of health and sanitation in Colombia, and that the Servicio Cooperativo Interamericano de Salud Pública was established within the said Ministry as the instrumentality for the execution of that program.

Under the agreement of 1942 my Government has furnished the sum of one million dollars (US$1,000,000.) and Your Excellency's Government has contributed the sum of one million pesos (Col. $1,000,000.) for the execution of the cooperative program and under the agreement of 1944 my Government has furnished the additional

[1] [Not printed.]

[2] [*Department of State Bulletin*, Feb. 7, 1942, p. 137.]

sum of six hundred thousand dollars (US$600,000.) and Your Excellency's Government has contributed an equivalent amount in Colombian pesos or one million fifty thousand pesos (Col.$1,050,000.) for the same purpose. These sums, which are in addition to the services and expenses of the group of experts, have been paid to and expended by the Servicio Cooperativo in the execution of the cooperative program and will be virtually exhausted at the expiration of the present agreement on June 30, 1946.

Projects.

The program has consisted of specific projects agreed upon between the Minister of Labor, Health and Social Welfare and the chief of the group of experts, as representative of the Institute of Inter-American Affairs. While many projects have been completed, others of importance are still in process of execution, and the opportunity exists for the initiation of beneficial new projects.

My Government's participation in the program has been carried out through The Institute of Inter-American Affairs, which, as Your Excellency knows, is a corporate agency of my Government and is wholly owned, controlled and financed by it.

Extension o program after June 30, 1946.

Your Excellency's Government has indicated in informal conversations with me and with the representative of the Institute of Inter-American Affairs its desire that the cooperative program of health and sanitation be further extended after June 30, 1946, and its willingness to make additional funds available for the purpose.

I have the honor to state that my Government pursuant to the expressed desire of Your Excellency's Government, is also willing to extend the cooperative program of health and sanitation in Colombia for an additional period, and is prepared to make available through The Institute of Inter-American Affairs, additional funds and to continue to furnish the services of experts, for the purpose of cooperating with Your Excellency's Government in prolonging that program. Such funds would be added to the funds remaining from the contributions made under the previous agreements and to the new funds offered by Your Excellency's Government. It is proposed that the period of extension, the sums to be made available by both Governments and any additional details with regard to the continuance and scope of the program be worked out by mutual agreement between the Ministry of Labor, Health and Social Welfare and Colonel Harold B. Gotaas, President of The Institute of Inter-American Affairs, and be incorporated in a written agreement between the Ministry and the Institute. It is not contemplated that any substantial change in the modus operandi established under the existing agreement will be required.

Post, p. 2883.

Colonel Gotaas has now arrived in Bogotá to represent the Institute in connection with any extension of the program.

I am hopeful that the proposal is agreeable to Your Excellency's Government and I would appreciate receiving an expression of Your Excellency's opinion as soon as may be possible in order that the details of the extension may be worked out during Colonel Gotaas' stay in Bogotá.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOHN C. WILEY

His Excellency
Señor Doctor don FERNANDO LONDOÑO Y LONDOÑO,
Minister of Foreign Affairs,
Bogotá.

The Colombian Minister of Foreign Relations to the American Ambassador

MINISTERIO DE
RELACIONES EXTERIORES
Bogotá, febrero 19 de 1946

Nº D.– 343–

SEÑOR EMBAJADOR:

Tengo el honor de avisar recibo de la nota de Vuestra Excelencia, fecha 14 de febrero en curso, número 137, relativa a la continuación del programa cooperativo de higiene y salubridad en Colombia cuyos detalles han venido siendo precisados entre el Ministerio de Trabajo, Higiene y Previsión Social y el Instituto de Asuntos Interamericanos de Washington. El texto de la nota de Vuestra Excelencia fue pasado oportunamente a conocimiento del mencionado Ministerio del Trabajo.

Por otra parte, el Instituto de Asuntos Interamericanos en nota de 19 de los corrientes, se ha dirigido al Ministerio de Trabajo, puntualizando algunas reformas que considera necesarias para la prórroga del anterior convenio y para la mutua conveniencia de las Partes.

Me es grato manifestar a Vuestra Excelencia ante todo que el Gobierno de Colombia ve con verdadera satisfacción que la colaboración entre este Gobierno y el Instituto de Asuntos Interamericanos, como rama del Gobierno de los Estados Unidos, pueda continuar y que se lleve a cabo la prórroga de los programas, sujeta naturalmente a las modificaciones que se acuerden conforme a las necesidades de esta nueva época.

En cuanto al período de prórroga, a las sumas que han de ser aportadas por ambos Gobiernos y a otros particulares, todo ello puede ser materia de estudio entre el señor Coronel Gotaa, como representante del Instituto, y el Ministerio de Trabajo, Higiene y Previsión Social.

Esta Cancillería autoriza plenamente la celebración de ese pacto entre las dos entidades mencionadas.

Con esta grata oportunidad renuevo a Vuestra Excelencia las seguridades de mi más elevada consideración.

FERNANDO LONDOÑO L

A Su Excelencia
el señor JOHN C. WILEY,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Ciudad.

Translation

MINISTRY OF
FOREIGN RELATIONS
Bogotá, February 19, 1946

No. D.-343-

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's note, of February 14 of the current year, number 137, with reference to the continuation of the cooperative program of hygiene and health in Colombia the details of which are being planned by the Ministry of Labor, Hygiene and Social Welfare and the Institute of Inter-American Affairs in Washington. The text of Your Excellency's note was communicated to the aforementioned Ministry of Labor.

Ante, p. 2880.

On the other hand, the Institute of Inter-American Affairs in a note of the 19th of the current month, has addressed the Ministry of Labor, indicating some changes which it considers necessary for the extension of the above agreement and for the mutual convenience of the Parties.

I am pleased to inform Your Excellency in the first place that the Government of Colombia views with real satisfaction the fact that the collaboration between this Government and the Institute of Inter-American Affairs, as a branch of the Government of the United States, may continue and carry out the extension of the programs, subject naturally to the changes which are agreed upon in conformity with the necessities of this new epoch.

As to the time of extension, the amounts which have to be contributed by both Governments and other particulars, all that may be a matter for study between Colonel Gotaa, as the representative of the Institute, and the Ministry of Labor, Hygiene and Social Welfare.

This Chancelry authorizes fully the carrying out of this agreement between the two entities referred to.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

FERNANDO LONDOÑO L

His Excellency
JOHN C. WILEY,
Ambassador Extraordinary and Plenipotentiary
of the United States of America
City.

The President of the Institute of Inter-American Affairs to the Colombian Minister of Labor, Hygiene, and Social Welfare

OFFICE OF INTER-AMERICAN AFFAIRS
THE INSTITUTE OF INTER-AMERICAN
AFFAIRS

February 19, 1946

Sr. Dr. ADÁN ARRIAGA ANDRADE
Ministro de Trabajo, Higiene y Previsión Social
E. S. D.

I have the honor to refer to the diplomatic notes exchanged between His Excellency the Ambassador of the United States of America in the

Republic of Colombia and His Excellency the Minister of Foreign Affairs of the Republic of Colombia dated October 23, 1942; to the communications exchanged between The Institute of Inter-American Affairs and the Ministry of Labor, Health and Social Welfare dated respectively October 20 and 23, 1942;[1] to the diplomatic notes exchanged between the Ambassador and the Ministry of Foreign Affairs of Colombia dated January 24, 1944, and February 12, 1944, respectively, and to the official communications exchanged between the mentioned institute and the Ministry of Labor, Health and Social Welfare dated respectively January 27 and 29, 1944; to the notes exchanged between the mentioned Ambassador and the Minister of Foreign Affairs dated February 14, and February (sic), 1946, respectively, and to the conversations which have recently taken place between them and Your Excellency and the undersigned.

57 Stat. 1310, 1313.

Post, p. 2892.

Post, pp. 2894, 2901.

Ante, p. 2880.

These communications and the conversations relate to the cooperative program of health and sanitation provided for by Resolution XXX approved at the Third Meeting of the Ministers of Foreign Affairs held at Rio de Janeiro, Brazil in January, 1942. The cooperative program of health and sanitation undertaken in Colombia in 1942 pursuant to the diplomatic notes and official communications exchanged in that year, was extended until June 30, 1946, by means of the communications exchanged in 1944, which constituted a new Basic Agreement governing the present program.

Sums contributed by U. S. and Colombia.

In the agreement of 1942 the Government of Colombia obligated itself to contribute the sum of one million pesos (Col.$1,000,000.) for the program and the Government of the United States of America, the sum of one million dollars (US$1,000,000.). In the agreement of 1944 the Governments of Colombia and of the United States obligated themselves to furnish for the continuation of the program the sums of one million fifty thousand pesos (Col.$1,050,000.) and six hundred thousand dollars ($US 600,000.) (one million fifty thousand pesos) (Col.$1,050,000.) respectively. The parties have made these contributions in full compliance with the agreements; the cooperative program is in full development at the present time but unless extended will terminate June 30, of the present year.

Extension of program.

The Republic of Colombia has expressed its desire that the program be extended for an additional period and has offered to increase the proportion of its contribution.

I have the pleasure of informing Your Excellency that the Government of the United States of America, as represented by The Institute of Inter-American Affairs, is in agreement with and accepts that suggestion and is prepared to continue furnishing the services of technicians and to make available an additional sum of money for the purpose of cooperating with the Government of Colombia in the continuation of the program of health and sanitation.

Availability of further sums.

Confirming the conversations which have taken place between us as to the sums which each Government could presently make available for the continuation of the program, I have the honor to state that my

[1] [Not printed.]

Government, through The Institute of Inter-American Affairs will make available the further sum of one hundred twenty thousand dollars (US$120,000.) and the services of a Field Party, as in the past. It is my understanding that the Government of Colombia will make available the further sum of two million pesos (Col$2,000,000.), equivalent to US$1,142,840. at the present rate of exchange. These funds would be combined and expended for the continuation of the cooperative program of public health and sanitation in Colombia until June 30, 1948.

The sums mentioned would be in addition to the one million six hundred thousand dollars (US$1,600,000.) (2,800,000. pesos Colombianos) already furnished for the program by the Government of the United States and the two million fifty thousand pesos (Col.$2,050,000.) US$1,171,410.) already contributed by the Government of Colombia. They are in addition also to the sums expended by the Institute for the Field Party and their expenses and administrative costs, which by June 30, 1946, will amount to approximately four hundred twenty thousand dollars (US$420,000.) (735,000 pesos Colombianos).

Administration of funds.

It is proposed that the cooperative program continue to be carried out, and that all the funds made available for its continuance be administered, in accordance with the provisions of the Basic Agreement of 1944 and the minor amendments necessary for its extension, all of which provisions are set out hereinafter for the mutual convenience of the parties.

Maintenance of the Servicio.

(1) The Ministry of Labor, Health and Social Welfare (hereinafter called the Ministry) and The Institute of Inter-American Affairs shall continue to maintain the special technical service known as the Servicio Cooperativo Interamericano de Salud Pública (hereinafter called the Servicio) which shall continue to function as a separate section within and subordinated to the Ministry. The Director of the Servicio shall be responsible to the Minister or his representative for the execution of the cooperative program of health and sanitation and may do all things necessary or desirable for the accomplishment of this purpose.

Director.

Maintenance of field party of technicians.

(2) The Institute of Inter-American Affairs (hereinafter referred to as the Institute), which is a corporate instrumentality of the United States Government devoted to the execution of certain of its public purposes and having juridic personality, may continue to maintain in Colombia a field party of technicians to consummate the cooperative program hereinafter described. The party of technicians shall be of such size as the Institute considers appropriate and shall be under the direction of an official who shall have the title of Chief of Field Party, Health and Sanitation Division, The Institute of Inter-American Affairs, which Chief of Party shall be acceptable to the Minister of Labor, Health and Social Welfare (hereinafter called the Minister). This official shall be the representative of the Health and Sanitation Division of the Institute in Colombia in connection with the program

Chief.

to be undertaken in accordance with this agreement. The Government of Colombia may ask for the withdrawal of the Chief of Party when in its opinion his performance does not satisfy or interpret the objectives contained in this agreement, and may ask for a replacement satisfactory to both parties.

Appointment of Director.

(3) The Government of Colombia shall appoint as Director of the Servicio the Chief of Field Party, Health and Sanitation Division, The Institute of Inter-American Affairs. With the approval of the Minister, the Director of the Servicio may delegate his authority to persons employed by the Servicio or members of the Field Party of the Institute in Colombia.

Projects.

(4) The cooperative health and sanitation program in Colombia shall continue to consist of individual projects. The kind of work and the specific projects to be undertaken in the execution of this agreement and the allocation of funds therefor shall be agreed upon in writing by the Minister and by the Chief of Field Party in his capacity as representative of the Health and Sanitation Division of the Institute in Colombia (wherever the latter official is mentioned herein, it shall be understood that he acts in said capacity) and shall be carried out by the Director of the Servicio in conformity with policies prescribed jointly by the Minister and the said Chief of Field Party for the Institute. No project will be carried out without the presentation of studies and definite plans for both the technical and administrative aspects of the work. Servicio funds shall be disbursed only upon projects previously agreed to in this manner.

Limitation of program.

It is suggested that the cooperative program of health and sanitation be limited to relatively few projects each of which would be of special interest to the Government of Colombia, in order that definite results may be obtained, and that such results would be indicative of the cooperation existing between the Government of Colombia and the Government of the United States in the important field of health and sanitation.

It is suggested that the work of the Servicio be limited to the following activities or some of them:

Completion or continuation of the projects which are being carried out at the present time in virtue of the Basic Agreements.
Organization (including the construction, if necessary) and operation of a limited number of health centers.
The execution of certain specific campaigns or programs falling within the province of the Ministry.
Public Health Education.
Studies and measures for the control of Malaria.
Sanitary works and other constructions necessary to carry out specific programs.
Organization of maritime, river and aerial sanitation (quarantine service) and the sanitation of ports.
Nutritional programs insofar as they relate to public health.
Training of personnel to serve in programs of public health and sanitation.

Deposit of funds.

(5) For the purpose of continuing the cooperative health and sanitation program in Colombia, it is proposed for consideration by Your Excellency that the Institute deposit in the Banco de la República in Bogotá (or in such other bank as may be mutually agreed upon by the Minister and the Chief of Field Party) to the account of the Servicio Cooperativo Interamericano de Salud Pública the said sum of one hundred twenty thousand dollars (US$120,000.) on the following basis:

During July, 1946	US$60,000.
During January, 1947	US$60,000.

and that the Government of Colombia deposit to the account of the Servicio Cooperativo Interamericano de Salud Pública in the same bank, the sum of two million pesos (Col.$2,000,000.) (being the equivalent of US$1,142,840. at the present official rate of exchange), on the following basis:

During July, 1946	Col.$ 500,000.
During January, 1947	Col.$ 500,000.
During July, 1947	Col.$ 500,000.
During January, 1948	Col.$ 500,000.

Exemption of funds from currency controls.

(6) Funds introduced into Colombia by the Institute for the purpose of the cooperative program shall be exempt from the taxes, service charges, investment or deposit requirements and other currency controls imposed upon the foreign exchange of private persons, and shall enjoy the most favorable government rate of exchange.

Consideration of materials, etc., as cash payment.

(7) Materials and equipment or other property furnished by the Government of Colombia or by the Institute to the Servicio at the request of its Director shall be considered as a cash payment equal to the cost thereof (including shipping, handling, insurance and other incidentals) if purchased on the current market; but if not so purchased, it shall be treated as a cash payment in an amount agreed on in writing by the Minister and Chief of Party. Interest, if any, earned on deposits of Servicio funds shall not be credited against the obligations of the parties, but shall be added to Servicio funds.

Interest on deposits.

Withdrawals.

(8) The funds deposited by either party to the credit of the Servicio for any particular period shall not be drawn against until the corresponding deposit of the other party, if required by paragraph (5), shall have been made; and if not made within sixty (60) days thereafter, the first-mentioned deposit shall be returned to the contributor upon the sole signature of its representative.

Return of deposit.

Nonreversion of funds.

(9) All funds deposited, under the original agreement and its extensions, to the credit of the Servicio in the designated bank and not spent during the period or fiscal year in which deposited, shall continue to be available for the purposes of this program during the existence of this agreement and shall not revert to the Governments of the United States of America or of Colombia. The Minister and the Chief of Field Party in Colombia shall determine by mutual agreement the disposition and administration of the funds and other property remaining to the Servicio on the termination of this agreement, June 30, 1948.

Disposition of remaining funds, etc.

Sums withheld for expenses incurred in U. S. A.

(1) In view of the fact that some purchases of materials and supplies will be made and other expenses will be incurred in the United States of America, the Minister and the Chief of Field Party may agree to withhold from the deposits to be made by the Institute an amount which is estimated to be necessary to pay for said purchases and expenses. Sums so withheld shall be considered as if deposited under the terms of this agreement, but any balance of such funds not expended or obligated shall be deposited to the account of the Servicio in the designated bank at any time when the Chief of Field Party and the Minister so agree.

Unexpended balances.

Administrative autonomy of the Servicio.

(11) The Servicio shall enjoy administrative autonomy within the limits of this agreement, and shall have the right to make its own purchases and to execute its own contracts, in the same manner as at the present time. The deposit, expenditure, audit and accounting of funds in the Servicio account as well as the purchase, inventory, use and sale of all real and personal property for the account of the Servicio, and all other administrative matters, shall be regulated, controlled and conducted by and under such rules, regulations and procedures as have been or shall be mutually agreed upon by the Minister and the Chief of Field Party. No funds shall be disbursed from Servicio bank accounts without the signature of the Director of the Servicio, or his delegate.

Accounts of expenditures, etc.

(12) The Director of the Servicio shall present to the Minister monthly or at such other intervals as the Minister may desire, a complete account of all its expenditures, financial transactions and obligations. The accounts and books of the Servicio shall be available for audit, whenever it is considered necessary, by either an appropriate agency of the Government of Colombia or by the Chief of Field Party or his delegate. Any such audit shall be conducted with reference to the standards, rules and procedures established by or pursuant to the terms of this agreement.

Information; progress reports.

(13) The Director of the Servicio shall furnish the Minister any information which is desired concerning the Servicio or its activities. Monthly and at such other intervals as the Ministry may desire, the Director shall submit a report to the Minister regarding the progress of the work of the Servicio and its specific projects.

Determination of conditions of employment.

(14) The Minister and the Director of the Servicio by mutual agreement shall determine the positions, salaries, qualifications, and conditions of employment within the Servicio, all in accordance with the general policies previously agreed upon between the Minister and the Chief of Field Party of the Institute in Colombia. The Director of the Servicio shall select and discharge its employees but his determination shall be subject to the approval of the Minister. The Ministry shall issue the appropriate resolutions. The Director of the Servicio shall also select and discharge the laborers of the Servicio.

Execution o contracts.

(15) All contracts and agreements relating to the administration of the Servicio and to the execution of projects previously agreed upon between the Minister and the Chief of Party, shall be executed in the name of the Servicio and by its Director, provided, however,

that contracts governing the operation of services or facilities established by the Servicio, or contracts providing for the expenditure of more than Col.$3,000.00 should be signed and executed jointly with the Minister.

Rights and privileges of Servicio personnel, etc.

(16) All rights and privileges which are enjoyed by government departments and official agencies of government in Colombia and by the personnel and employees of the same shall accrue to the Servicio and to all its personnel and employees in its and their official business. Such rights and privileges shall include, for example and not exclusively, free postal, telegraph and telephone service whenever possible, passes on railroads administered by the Government of Colombia and the right to rebates or preferential tariffs allowed to departments of the Government of Colombia by domestic companies of maritime and river navigation, rail, auto and air transportation, telegraph, telephone, etc. and also freedom and immunity from excise, stamp, property, income and any and all other taxes as well as from consular charges and customs duties upon imports for the use of the Servicio, whether imported in the name of the Servicio or in the name of a third person and contracted for by the Servicio. The activities and contracts of the Servicio shall enjoy the same exemptions and prerogatives as the activities and contracts of the Colombian Government.

Immunities, etc., of Institute and employees.

The Institute of Inter-American Affairs shall enjoy the immunities to which it is entitled as an agency of the Government of the United States of America and in addition the Institute and its employees shall enjoy the same rights, privileges, exemptions and immunities as the Servicio and its employees, with respect to its and their operations which are related to, and property which is to be used for, the program herein agreed upon.

Expenses of field party.

(17) All remuneration and expenses, including travelling expenses, of the Field Party shall be paid exclusively from the funds of the Institute and not by the Servicio and shall not be credited against the funds herein described.

Exemption of U. S. personnel from income taxes, etc.

(18) All employees of the Institute who are citizens of the United States of America and are engaged in carrying out the objectives of the cooperative health and sanitation program shall be exempt from all income taxes and social security taxes with respect to income on which they are obligated to pay income or social security taxes to the Government of the United States of America and from property taxes on personal property intended for their own use. Said employees who are members of the Field Party shall also be exempt from the payment of customs and import duties on their personal effects and equipment and supplies for their own use; and from investments and deposit requirements and other foreign exchange controls, on funds brought into Colombia for normal living expenses.

Ownership of Servicio property.

(19) At the termination of this agreement all real and personal property of the Servicio shall be and remain the property of the Government of Colombia, in accordance with the laws of Colombia.

Delegation of powers, etc.

(20) All rights, powers, privileges or duties conferred by this agreement upon the Minister and upon the Chief of Field Party may be

delegated to representatives. Such delegation shall be in writing and shall state either generally or specifically the powers and duties of said representative. The National Director of Health may act for the Minister by reason of his office and without any other requisite, and should advise the Minister in relation to action to be taken by him in the course of the cooperative program. Regardless of the existence of persons empowered to act for them, the Minister and the Director of the Servicio or the Chief of Field Party shall have the right to refer any matter directly to one another and to decide it.

Activities pursuant to previous agreements.

(21) Without prejudice to the power of agreeing upon later amendments or changes, the projects and activities undertaken by the Servicio pursuant to the previous basic agreements shall continue to be carried out in accordance with the terms of the agreements and understandings entered into between the Minister and the Chief of Field Party, or the Director of the Servicio (or their representatives). In the same manner, the rules, regulations and procedures which have been mutually agreed upon between them shall remain in effect insofar as they are not inconsistent with the express provisions of this Basic Agreement. Action already taken with respect to the naming or approval of personnel shall not be affected hereby. Funds retained by the Institute in the United States in accordance with Clause 10 of the previous basic agreement, shall remain available for the cooperative program.

Legislation, etc.

(22) The Government of Colombia will obtain or endeavor to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this agreement.

Replacement of previous agreements.

Since all the funds allocated by the previous basic agreements have already been deposited and since the provisions of the previous basic agreements are incorporated in this agreement with the few amendments necessary for the continuation of the program, it is proposed that this Basic Agreement, provided it is accepted and agreed to by your Excellency, shall replace previous agreements and shall govern the future operations of the entire cooperative health and sanitation program of Colombia and the disbursement of both the new funds and the balance of the old funds.

As President of The Institute of Inter-American Affairs, I am prepared to consider this letter and Your Excellency's acceptance of the provisions contained in it as constituting in form and effect a completely binding and effective agreement between The Institute of Inter-American Affairs and the Government of Colombia in accordance with the terms contained herein.

Accept, Excellency, the assurance of my highest consideration.

HAROLD B. GOTAAS
President
The Institute of Inter-American Affairs

The Colombian Minister of Labor, Hygiene, and Social Welfare to the President of the Institute of Inter-American Affairs

REPUBLIC DE COLOMBIA
MINISTERIO DE TRABAJO, HIGIENE, Y PREVISION SOCIAL

Numero: 05678

Bogotá, febrero 20 de 1946.

Señor Coronel
HAROLD B. GOTAAS
Presidente del Instituto de
Relaciones Interamericanas,
Ciudad.

Correspondo a su atenta nota de 19 de febrero, en la cual usted, en representación del Instituto de Relaciones Interamericanas, propone a este Ministerio un proyecto de convenio adicional a nuestro actual programa cooperativo de salubridad y saneamiento que se realiza en Colombia por intermedio del Servicio Cooperativo Interamericano de Salud Pública.

Debidamente autorizado por el Excelentísimo Señor Presidente de la República y por el señor Ministro de Relaciones Exteriores, tengo el honor de manifestar a usted que este Ministerio acepta en todas sus partes en contenido del convenio adicional adjunto, y aprovecha la oportunidad para significar por su digno conducto, al Instituto de Relaciones Interamericanas y al Gobierno de los Estados Unidos de América, las más expresivas gracias por la contribución que vienen prestando a nuestro país en el desarrollo de campañas sanitarias de gran significación para el pueblo colombiano.

Del señor Coronel, muy atento y seguro servidor,

ADAN ARRIAGA ANDRADE,
Ministro de Trabajo, Higiene, y Prevision Social.

Translation

REPUBLIC OF COLOMBIA
MINISTRY OF LABOR, HYGIENE, AND SOCIAL WELFARE.

Number: 05678

Bogotá, February 20, 1946.

Colonel HAROLD B. GOTAAS
President of the Institute of
Inter-American Affairs,
City.

I am replying to your kind note of February 19, in which you, as a representative of the Institute of Inter-American Affairs, propose to this Ministry a plan for an additional agreement to our present cooperative program of health and sanitation which is being carried out in Colombia through the intermediary of the Inter-American Cooperative Public Health Service. *Ante*, p. 2883.

Acceptance of agreement by Colombia.

Duly authorized by His Excellency the President of the Republic and by the Minister of Foreign Relations, I have the honor to inform you that this Ministry accepts in its entirety the contents of the addi-

tional enclosed agreement, and avails itself of the opportunity to express its most sincere thanks to the Institute of Inter-American Affairs and to the Government of the United States of America for the contribution which they are making to our country by the carrying out of health campaigns of great significance for the Colombian people.

Very sincerely yours,

ADAN ARRIAGA ANDRADE,
Minister of Labor, Hygiene, and Social Welfare

The American Ambassador to the Colombian Minister of Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Bogotá, January 24, 1944

No. 285

EXCELLENCY:

57 Stat. 1310, 1313.

I have the honor to refer to my Note no. 115 of October 23, 1942 and to Communication no. S 1110 of October 23, 1942 from the Ministry of Foreign Affairs with regard to the establishment of a cooperative program of public health and sanitation in Colombia. It will be recalled that my government agreed to send experts to Colombia to cooperate with officials of the Colombian Government, and particularly the Ministry of Trabajo, Higiene y Prevision Social, in a specific program for the improvement of health and sanitation conditions in Colombia in accordance with a detailed agreement to be worked out between the Ministry of Trabajo, Higiene y Prevision Social and the Coordinator of Inter-American Affairs. It was agreed at that time that the Government of the United States, through the agency of the Coordinator of Inter-American Affairs would provide not to exceed one million dollars for the execution of this program and it was subsequently agreed, in the exchange of communications between the Ministry of Trabajo, Higiene y Prevision Social and the representative of the Institute of Inter-American Affairs, that the Colombian Government would make available the sum of one million pesos as its financial contribution to the joint enterprise, and in addition would furnish such expert personnel and services as it might consider necessary for the efficient development of the program.

Following the exchange of communications between Your Excellency's Ministry and this Embassy details with regard to the execution of the program were worked out between the Minister of Trabajo, Higiene y Prevision Social and General George C. Dunham, representing the Coordinator of Inter-American Affairs. This led to the establishment within the Ministry of Trabajo, Higiene y Prevision Social of the Servicio Cooperativo Interamericano de Salud Publica which has been administering the details of the program.

Availability of additional funds.

I have now been informed by the Department of State at Washington that additional funds amounting to $600,000 have been made available by the Institute of Inter-American Affairs for the continuation of the joint program in Colombia, to be expended over a

period to be mutually agreed upon between the appropriate officials of the Colombian Government and the Vice President of the Institute of Inter-American Affairs, General Dunham, who is now in Bogotá. It is proposed that for the continuation of this program the Government of Colombia likewise contribute the sum of $600,000 U. S. currency, and that further additional details with regard to the continuance and scope of the program be worked out by mutual agreement between the Minister of Trabajo, Higiene y Prevision Social and General Dunham.

I am hopeful that the proposed arrangement as outlined above is agreeable to Your Excellency's government and I would appreciate receiving an expression of Your Excellency's opinion as soon as may be possible in order that the technical details of the program may be worked out during General Dunham's stay in Bogotá.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

ARTHUR BLISS LANE

His Excellency
Señor Doctor don CARLOS LOZANO Y LOZANO,
Minister of Foreign Relations of Colombia.

The Colombian Minister of Foreign Relations to the American Ambassador

MINISTERIO DE
RELACIONES EXTERIORES
Bogotá, febrero 12 de 1944

Nº. S -134-

SEÑOR EMBAJADOR:

Tengo el honor de referirme nuevamente a la nota de Vuestra Excelencia número 285, de 24 de enero pasado, relativa al asunto de la ampliación de las apropiaciones del Servicio Cooperativo Interamericano de Salud Pública.

Consultado el Ministerio de Trabajo, Higiene y Previsión Social, informa que de acuerdo con las conversaciones celebradas con el señor General George C. Dunham, se ha convenido en una ampliación del programa que desarrolla actualmente en Colombia la mencionada entidad, sobre la base de un aporte de seiscientos mil dólares (US$600.00.oo) por suma igual por parte del Gobierno colombiano.

Los detalles acerca de la manera como se aportarán tales sumas, así como algunos otros, han sido contemplados en dicho convenio.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Por el Ministro,
el Secretario General,
ALFREDO CABALLERO ESCOBAR

A Su Excelencia
el señor ARTHUR BLISS LANE,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Ciudad

Translation

MINISTRY OF
FOREIGN RELATIONS
Bogotá, February 12, 1944

No. S–134–

MR. AMBASSADOR:

I have the honor to refer again to Your Excellency's Note No. 285, of January 24 last, relating to the matter of the increase in the appropriations of the Inter-American Cooperative Public Health Service.

The Ministry of Labor, Hygiene and Social Welfare, upon being consulted, states that, according to the conversations held with General George C. Dunham, an expansion of the program which the aforesaid organization is now carrying on in Colombia has been agreed upon, on the basis of a contribution of six hundred thousand dollars ($600,000.00 U.S. currency) for an equal sum on the part of the Colombian Government.

The details concerning the manner in which these sums will be contributed, as well as certain other details, have been contemplated in the said agreement.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

For the Minister,
the Secretary General,
ALFREDO CABALLERO ESCOBAR

His Excellency
ARTHUR BLISS LANE,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City

The Executive Vice-President of the Institute of Inter-American Affairs to the Colombian Minister of Labor, Hygiene, and Social Welfare

INSTITUTE OF INTER-AMERICAN AFFAIRS
OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS
WASHINGTON, D. C.

Bogotá, January 27, 1944

Sr. Dr. JORGE ELIECER GAITÁN
Ministro de Trabajo, Higiene y Prevision Social
E. S. D.

I have the honor to refer to the communications between His Excellency, the Ambassador of the United States of America in the Republic of Colombia, and His Excellency, the Minister of Foreign Affairs of the Republic of Colombia, both dated October 23, 1942, and to further communications between the Ambassador and the Minister of Foreign Affairs in January 1944; and to the communications between the writer of this letter and His Excellency, the Minister of Labor, Health and Social Welfare, dated October 20, 1942

57 Stat. 1310, 1313.

Ante, p. 2892.

and October 23, 1942, [1] respectively, and the writer's communication to Your Excellency dated December 15, 1943.[1] These communications relate to the cooperative program of public health and sanitation provided for by Resolution XXX, approved at the Third Meeting of the Ministers of Foreign Affairs held at Rio de Janeiro, Brazil, in January 1942.[2]

Availability of additional U. S. funds.

The Government of the United States of America, as represented by the Institute of Inter-American Affairs, an agency of the Office of the Coordinator of Inter-American Affairs, is now prepared to make available an additional sum of money for the purpose of cooperating with the Ministry of Labor, Health and Social Welfare in extending the cooperative program of public health and sanitation and providing for the termination of the program within a predetermined period of time insofar as funds appropriated by the Government of the United States of America are concerned.

Amount of contributions.

It is proposed for consideration by Your Excellency that the Institute of Inter-American Affairs make available an additional sum of not to exceed $600,000 U.S. to be expended over a period of two years beginning July 1, 1944 and that the Government of the Republic of Colombia contribute a sum in pesos equivalent to $600,000 U.S. at the present rate of exchange to be combined with the funds allocated by the Government of the United States of America through the Institute of Inter-American Affairs, and expended over the same period of time for the cooperative program of public health and sanitation in the Republic of Colombia.

The sums mentioned would be in addition to the $1,000,000 U.S. already allocated by the Government of the United States and the 1,000,000 pesos allocated by the Government of Colombia.

Conditions.

It is proposed that the cooperative health and sanitation program and the expenditure of the funds in connection therewith, as hereinabove referred to, be subject to the following conditions:

Maintenance of the Servicio.

1. The Ministry of Labor, Health and Social Welfare (hereinafter called the Ministry) and the Institute of Inter-American Affairs shall continue to maintain the special technical service known as the Servicio Cooperativo Inter-Americano de Salud Pública (hereinafter called the Servicio) which shall function as a separate section within and subordinated to the Ministry. The Director of the Servicio shall be responsible to the Minister or his representative for the execution of the cooperative program of health and sanitation and for doing all that may be necessary or desirable for the accomplishment of this purpose.

Director.

Maintenance of field party of technicians.

2. The Institute of Inter-American Affairs (hereinafter referred to as the Institute) which is a corporate instrumentality of the United States Government devoted to the execution of certain of its public purposes and having juridic personality, may continue to maintain in Colombia a field party of technicians to consummate the cooperative program hereinafter described. The party of technicians shall be of such size

[1] [Not printed.]

[2] [*Department of State Bulletin*, Feb. 7, 1942, p 137.]

Chief.

as the Institute considers appropriate and shall be under the direction of an official who shall have the title of Chief of Field Party, Health and Sanitation Division, The Institute of Inter-American Affairs, which Chief of Party shall be acceptable to the Minister of Labor, Health and Social Welfare (hereinafter called the Minister). This official shall be the representative of the Health and Sanitation Division of the Institute in Colombia in connection with the program to be undertaken in accordance with this agreement. The Government of Colombia may ask for the withdrawal of the Chief of Party when in its opinion his performance does not satisfy or interpret the objectives contained in this agreement, and may ask for a replacement satisfactory to both parties.

Appointment of Director.

3. The Government of Colombia shall appoint as Director of the Servicio the Chief of Field Party, Health and Sanitation Division, The Institute of Inter-American Affairs. With the approval of the Minister, the Director of the Servicio may delegate his authority to persons employed by the Servicio or members of the Field Party of the Institute in Colombia.

Projects.

4. The cooperative health and sanitation program in Colombia shall continue to consist of individual projects. The kind of work and the specific projects to be undertaken in the execution of this agreement and the allocation of funds therefor shall be agreed upon in writing by the Minister and by the Chief of Field Party in his capacity as representative of the Health and Sanitation Division of the Institute in Colombia and shall be carried out by the Director of the Servicio in conformity with policies prescribed jointly by the Minister and the said Chief of Field Party for the Institute. No project will be carried out without the presentation of studies and definite plans for both the technical and administrative aspects of the work, and without the appropriate Resolution of the Ministry authorizing the work to begin. New and fundamental modifications in the campaigns can be made only by Resolutions passed as a result of mutual agreement between the Ministry and the Chief of Field Party as representative of the Institute. Servicio funds shall be disbursed only upon projects previously agreed to in this manner.

Limitation of program.

It is suggested that the cooperative program of health and sanitation be limited to relatively few projects each of which would be of special interest to the Government of Colombia, in order that definite results may be obtained, and that such results would be indicative of the cooperation existing between the Government of Colombia and the Government of the United States in the important field of health and sanitation.

It is suggested that the work of the Servicio with the new funds be limited to the following activities:

Organization and operation of five model Health Centers
Public Health Education
Nutrition in its economic, social and educational aspects
Studies and measures for the control of malaria
Organization of maritime, river and aerial sanitation (quarantine service) and the sanitation of ports.

Deposit of funds.

5. For the purpose of continuing the cooperative health and sanitation program in Colombia, it is proposed for consideration by Your Excellency that the Institute deposit in the Banco de la Republica in Bogotá (or in such other bank as may be mutually agreed upon by the Minister and the Chief of the Field Party in his capacity as representative of the Institute) to the account of the Servicio Cooperativo Inter-Americano de Salud Pública the said sum of $600,000 U.S. on the following basis:

During July 1944	$300, 000
During July 1945	300, 000

and that the Government of Colombia deposit in the Banco de la Republica in Bogotá to the account of the Servicio Cooperativo Inter-Americano de Salud Pública the sum of 1,050,000 pesos (being the equivalent of $600,000 U.S. at the present official rate of exchange) on the following basis:

During July 1944	350, 000
During July 1945	700, 000

Exemption of funds from currency controls.

6. Funds introduced into Colombia by the Institute for the purpose of the cooperative program shall be exempt from the taxes, service charges, investment or deposit requirements and other currency controls imposed upon the foreign exchange of private persons, and shall enjoy the most favorable government rate of exchange.

Consideration of materials, etc., as cash payment.

7. Materials and equipment or other property furnished by the Government of Colombia or by the Institute to the Servicio at the request of its Director shall be considered as a cash payment equal to the cost thereof (including shipping, handling, insurance and other incidentals) if purchased on the current market; but if not so purchased, it shall be treated as a cash payment in an amount agreed on in writing by the Minister and Chief of Party in his capacity as representative of the Health and Sanitation Division of the Institute. Interest, if any, earned on deposits of Servicio funds shall not be credited against the obligations of the parties, but shall be added to Servicio funds.

Interest on deposits.

Withdrawals.

8. The funds deposited by the Government of Colombia for any particular year or the funds deposited by the Institute for any particular year to the credit of the Servicio in the designated bank, as provided in paragraph 5 hereof, are not to be drawn against by the Director of the Servicio until the funds for that year are deposited by both parties as agreed to herein. Funds paid over by either party and not matched by the other party within sixty days may be returned by the Servicio to the contributor.

Unmatched funds.

Nonreversion of funds.

9. All funds deposited, under this and the original agreement, to the credit of the Servicio in the designated bank and not spent during the calender year or fiscal year in which deposited, shall continue to be available for the purposes of this program during the existence of this agreement and shall not revert to the Governments of the United States of America or of Colombia. The Minister and Chief of Field

Disposition of remaining funds, etc.

Party in Colombia shall determine by mutual agreement the disposition and disbursement of any unexpended funds remaining to the credit of the Servicio on the final termination of this agreement, June 30, 1946.

Sums withheld for purchases made in U. S. A.

10. In view of the fact that many purchases of materials and supplies must necessarily be made in the United States of America, the Minister and the Chief of Field Party may agree to withhold from the deposits to be made by the Institute as hereinabove provided an amount estimated to be necessary to pay for the purchases of materials and supplies in the United States of America. Sums so withheld shall be considered as if deposited under the terms of this agreement, but any of such funds not expended or obligated for materials and supplies for the Servicio at the end of any calender year shall be deposited to the Servicio account.

Unexpended funds.

Administrative autonomy of Servicio.

11. The Servicio shall enjoy administrative autonomy within the limits of this agreement, and shall have the right to make its own purchases and to execute its own contracts. The deposit, expenditure, audit and accounting of funds in the Servicio account as well as the purchase, inventory, use and sale of all real and personal property for the account of the Servicio, and all other administrative matters, shall be regulated, controlled and conducted by and under such rules, regulations and procedures as shall be mutually agreed upon by the Minister and the Chief of Field Party in his capacity as representative of the Health and Sanitation Division of the Institute. No funds shall be disbursed from Servicio bank accounts without the signature of the Director of the Servicio, or his delegate.

Accounts of expenditures, etc.

12. The Director of the Servicio shall present to the Minister monthly or at such other intervals as the Minister may desire, a complete account of all its expenditures, financial transactions and obligations. The accounts and books of the Servicio shall be available for audit, whenever it is considered necessary, by either an appropriate agency of the Government of Colombia or by the Chief of Field Party in his capacity as representative in Colombia of the Division of Health and Sanitation of the Institute, or his delegate. Any such audit shall be conducted with reference to the standards, rules and procedures established by or pursuant to the terms of this agreement.

Information; progress reports.

13. The Director of the Servicio shall furnish the Minister any information which is desired concerning the Servicio or its activities. Monthly and at such other intervals as the Ministry may desire, the Director shall submit a report to the Minister regarding the progress of the work of the Servicio and its specific projects.

Determination of conditions of employment.

14. The Minister and the Director of the Servicio by mutual agreement shall determine the salaries, positions, qualifications and conditions of employment within the Servicio, all in accordance with general policies previously agreed upon between the Minister and the Chief of Field Party of the Institute in Colombia. All of the appointees of the Servicio who are to be paid out of the funds provided under

this new agreement shall be named by the Minister of Labor, Health and Social Welfare from among persons who, in his opinion, have the necessary qualifications of integrity and competence for the position in question.

For this purpose and in order to achieve greater success in the work, the Chief of Field Party may make recommendations with respect to the hiring and discharge, when justifiable, of employees, in order that they may be studied by the Minister of Labor, Health and Social Welfare.

Execution of contracts.

15. All contracts and agreements relating to the administration of the Servicio and to the execution of projects previously agreed upon between the Minister and the Chief of Party, acting as representative in Colombia of the Health and Sanitation Division of the Institute, shall be executed in the name of the Servicio and by its Director, provided, however, that contracts governing the operation of services or facilities established by the Servicio, or contracts providing for the expenditure of more than 3,000.00 pesos should be signed and executed jointly with the Minister.

Rights and privileges of Servicio personnel, etc.

16. All rights and privileges which are enjoyed by government departments and official agencies of government in Colombia and by the personnel and employees of the same shall accrue to the Servicio and to all its personnel and employees in its and their official business. Such rights and privileges shall include, for example and not exclusively, free postal, telegraph and telephone service whenever possible, passes on railroads administered by the Government of Colombia and the right to rebates or preferential tariffs allowed to departments of the Government of Colombia by domestic companies of maritime and river navigation, rail, auto, and air transportation, telegraph, telephone, etc. and also freedom and immunity from excise, stamp, property, income and any and all other taxes as well as from consular charges and customs duties upon imports for the use of the Servicio, whether imported in the name of the Servicio or in the name of a third person and contracted for by the Servicio. The activities and contracts of the Servicio shall enjoy the same exemptions and prerogatives as the activities and contracts of the Colombia Government.

Immunities, etc., of Institute and employees.

The Institute of Inter-American Affairs and its employees shall enjoy the same rights, privileges, exemptions and immunities as the Servicio and its employees, with respect to its and their operations which are related to, and property which is to be used for, the program herein agreed upon.

Expenses of field party.

17. All remuneration and expenses, including travelling expenses, of the Field Party shall be paid exclusively from the funds of the Institute and not by the Servicio and shall not be credited against the funds herein described.

Exemption of U. S. personnel from income taxes, etc.

18. All employees of the Institute who are citizens of the United States of America and are engaged in carrying out the objectives of the cooperative health and sanitation program shall be exempt from all income taxes and social security taxes with respect to income on which

they are obliged to pay income or social security taxes to the Government of the United States of America and from property taxes on personal property intended for their own use. Said employees who are members of the Field Party shall also be exempt from the payments of customs and import duties on their personal effects and equipment and supplies for their own use; and from investment and deposit requirements and other foreign exchange controls, on funds brought into Colombia for normal living expenses.

Ownership of Servicio property.

19. At the termination of this agreement all real and personal property of the Servicio shall be and remain the property of the Governemnt of Colombia, in accordance with the laws of Colombia.

Nonavailability of war materials.

20. The Institute does not engage to make available any equipment, supplies or materials which are deemed necessary and essential by the Government of the United States of America to any phase of the war effort.

Delegation of powers, etc.

21. All rights, powers, privileges or duties conferred by this agreement upon the Minister and upon the Chief of Field Party in his capacity as representative of the Health and Sanitation Division of the Institute, may be delegated to representatives. Such delegation shall be in writing and shall specify either generally or specifically the powers and duties of the said representative. Regardless of the naming of said representatives the Minister and the Director of the Servicio shall have the right to refer any matter directly to one another for discussion and decision.

Continuance of projects, etc.

22. The cooperative program of health and sanitation in Colombia was inaugurated under the mentioned exchange of letters between the Institute and the Ministry of Labor, Health and Social Welfare dated October 20 and October 23, 1942, respectively in which the Institute as an agency of the Government of the United States agreed to make available for the program the sum of $1,000,000 U.S., and the Government of Colombia agreed to contribute the sum of 1,000,000 pesos for the same purpose. The financial commitments made in those letters shall remain in effect. Projects and activities undertaken by the Servicio pursuant to those letters shall continue to be carried out in accordance with the terms of the agreements and understandings entered into between the Minister and the Chief of Field Party in his capacity as representative in Colombia of the Health and Sanitation Division, Institute of Inter-American Affairs or the Director of the Servicio (or their representatives) except insofar as said agreements and understanding may be later modified by mutual consent of the said Minister and Chief of Party or Director.

The balance of said $1,000,000 U.S. made available by the Institute, and of said 1,000,000 pesos made available by the Government of Colombia, pursuant to the commitments made in the letters of October 20 and 23, 1942, shall continue to be transferred to the Servicio (in the proportion of one peso for each dollar) by instalments at intervals and in amounts that will be required for the work of the

Servicio and in accordance with policies agreed to between the Minister and the said Chief of Party in his capacity as representative in Colombia of the Health and Sanitation Division of the Institute.

Legislation, etc.

23. The Government of Colombia will obtain or endeavor to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this agreement.

For the sake of convenience it is proposed that the future operation of the entire cooperative program of health and sanitation in Colombia and the expenditure of the balance of funds provided under the letters of October 20 and October 23, 1942, as well as the new funds, shall be governed by the terms of this letter, to the extent that they may be acceptable and agreed to by Your Excellency, and that the said letters of October 20 and October 23, 1942 be superseded.

I am prepared as Executive Vice-President of The Institute of Inter-American Affairs to consider this letter and Your Excellency's acceptance as constituting in form and effect a completely binding and effective agreement between the Institute of Inter-American Affairs of the Office of the Coordinator of Inter-American Affairs and the Minister of Labor, Health and Social Welfare of the Republic of Colombia in accordance with the terms contained herein.

Accept, Excellency, the assurance of my highest consideration.

GEORGE C. DUNHAM
Executive Vice-President
The Institute of Inter-American Affairs

The Colombian Minister of Labor, Hygiene, and Social Welfare to the Executive Vice-President of the Institute of Inter-American Affairs

REPUBLICA DE COLOMBIA
MINISTERIO DE TRABAJO, HIGIENE, Y PREVISION SOCIAL

NUMERO: 02310

BOGOTÁ, *29 de enero de 1944.*

Señor General Dr.
GEORGE C. DUNHAM
Vice-Presidente Ejecutivo del
Instituto de Relaciones Interamericanas.
E. S. D.

Correspondo a su atenta nota de enero 27, en la cual el señor General, en representación del Instituto de Relaciones Interamericanas propone a este Ministerio un proyecto de convenio adicional a nuestro actual programa cooperativo de salubridad y saneamiento que se realiza en Colombia por intermedio del Servicio Cooperativo Interamericano de Salud Pública.

Debídamente autorizado por el Excelentísimo Señor Presidente de la República y por el señor Ministro de Relaciones Exteriores, tengo el honor de manifestar a Ud. que este Ministerio acepta en todas sus

partes el contenido del convenio adicional adjunto, y aprovecha la oprotunidad para significar por su digno conducto, al Instituto de Relaciones Interamericanas y al Gobierno de los Estados Unidos de América, las más expresivas gracias por la contribución que vienen prestando a nuestro país en el desarrollo de campañas sanitarias de gran significación para el pueblo colombiano.

Del señor General muy atentamente,

JORGE ELIECER GAITAN
Ministro

Translation

REPUBLIC OF COLOMBIA
MINISTRY OF LABOR, HYGIENE, AND SOCIAL WELFARE

NUMBER: 02310

BOGOTÁ, *January 29, 1944.*

General GEORGE C. DUNHAM,
Executive Vice President of the
Institute of Inter-American Affairs,
At His Office

I am replying to your courteous note of January 27, in which, representing the Institute of Inter-American Affairs, you proposed to this Ministry a draft agreement supplementing our present cooperative health and sanitation program which is being carried out in Colombia through the Inter-American Cooperative Public Health Service.

Colombian acceptance of supplementary agreement.

Duly authorized by His Excellency the President of the Republic and by the Minister of Foreign Relations, I have the honor to inform you that this Ministry accepts in its entirety the content of the annexed supplementary agreement, and avails itself of the opportunity to express, through your good offices, to the Institute of Inter-American Affairs and to the Government of the United States of America its most sincere thanks for the contribution which they are making to our country in the development of sanitary programs of great importance to the Colombian people.

Respectfully yours,

JORGE ELIECER GAITAN
Minister

Agreement between the United States of America and Mexico amending and extending the agreement effected by exchanges of communications dated April 17, May 22, July 22 and 27, and October 24, 1942, respecting a fisheries mission. Effected by exchange of notes signed at México, D. F., September 23 and October 22, 1946; entered into force October 22, 1946.

September 23 and October 22, 1946
[T. I. A. S. 1624]

The American Ambassador to the Mexican Secretary for Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Mexico, D.F., September 23, 1946

No. 414

EXCELLENCY:

I have the honor to refer to the Embassy's Note No. 3041 dated September 7, 1944, and to the Ministry's Note No. 560440 dated October 18, 1944, which exchange of correspondence served to extend for a period of two years or to October 23, 1946, the Memorandum Agreement of October 23, 1942, regulating the activities of the United States Fisheries Mission to Mexico. The Embassy has received from the Department of State a copy of Note No. 4791[1] addressed by the Mexican Embassy in Washington, on July 11, 1946, to the Department of State, requesting the extension of the Memorandum Agreement for an indefinite period.

58 Stat. 1562.

The Embassy has now been instructed by the Department of State to effect by an exchange of notes between the Embassy and the Ministry the extension of the agreement for another two-year period, or to October 23, 1948. The United States Fish and Wild Life Service of the Department of Interior desires to reserve the privilege of withdrawing Messrs. Lindner and Smyth for temporary duty elsewhere. Your Excellency will recall that the present agreement states, with reference to Mr. Lindner, that "his services will be rendered on a full-time basis, with the exception of possible assignments of nominal lengths only outside of Mexico". I am also instructed to advise Your Excellency that the commitment to be entered into by the United States Government, beyond the fiscal year ending June 30, 1947, in the extension of the agreement, is subject to the availability of appropriated funds. May I suggest to Your Excellency that the eventual agreement of the Mexican Government to the amendment suggested above providing for the temporary assignments of Messrs. Lindner and Smyth for duty elsewhere, and the extension of the amended agreement for a period of two years or to October 23, 1948, be effected by the completion of this exchange of communications between the Embassy and the Ministry.

Extension of agreement to Oct. 23, 1948.

[1] [Not printed.]

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency
DR. FRANCISCO CASTILLO NÁJERA,
Secretary for Foreign Relations,
Mexico, D.F.

The Mexican Undersecretary for Foreign Relations to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

MÉXICO, D.F., *22 de octubre de 1946.*

SEÑOR EMBAJADOR:

Me es grato referirme a la atenta nota de Vuestra Excelencia número 414, fechada el 23 de septiembre último, para comunicarle la anuencia del Gobierno de México a prolongar el Acuerdo (Memorandum Agreement) del 23 de octubre de 1942, que regula las actividades de la Misión de Pesca de los Estados Unidos en México, por un período de dos años más, o sea hasta el 23 de octubre de 1948.

La Secretaría de Marina ha tomado nota de la indicación de esa Embajada, en el sentido de que la Secretaría del Interior de los Estados Unidos de América se reserva el derecho de retirar a los señores Lindner y Smyth, durante el período de la prórroga, para confiarles comisiones temporales fuera de México.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta consideración.

MANUEL TELLO.

Excelentísimo Señor WALTER THURSTON,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América,
Ciudad.

Translation

MINISTRY OF FOREIGN AFFAIRS
UNITED MEXICAN STATES
MEXICO

MEXICO, D.F., *October 22, 1946.*

MR. AMBASSADOR:

I take pleasure in referring to Your Excellency's courteous note No. 414, dated September 23 last, to inform you that the Government of Mexico agrees to the extension of the Memorandum Agreement of October 23, 1942, which regulates the activities of the United States Fisheries Mission to Mexico, for an additional period of two years, or until October 23, 1948.

The Navy Department has taken due note of the Embassy's indication that the United States Department of the Interior reserves the right to withdraw Messrs. Lindner and Smyth during the period of the extension, to give them temporary assignments outside Mexico.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

MANUEL TELLO.

His Excellency
WALTER THURSTON,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

Agreement between the United States of America and Greece respecting aid to Greece. Signed at Athens June 20, 1947; entered into force June 20, 1947. And notes signed at Athens May 26, June 15 and 18, 1947.

May 26 and June 15, 18, 20, 1947
[T. I. A. S. 1625]

A G R E E M E N T

O N A I D T O G R E E C E

Σ Υ Μ Φ Ω Ν Ι Α

Π Ε Ρ Ι Β Ο Η Θ Ε Ι Α Σ Π Ρ Ο Σ Τ Η Ν Ε Λ Λ Α Δ Α

AGREEMENT ON AID TO GREECE

The Government of the Kingdom of Greece having requested the Government of the United States of America for financial, material and technical assistance to avert economic crisis, promote national recovery, and restore internal tranquillity; and

Authorization to furnish aid.

61 Stat., Pt. 1, p. 103.

The Congress of the United States, in the Act approved May 22, 1947, having authorized the President of the United States to furnish such assistance to Greece, on terms consonant with the sovereign independence and security of the two countries; and

Post, p. 2932.

The Government of Greece, in a note to the Government of the United States of June 15 1947

ΣΥΜΦΩΝΙΑ ΠΕΡΙ ΒΟΗΘΕΙΑΣ ΠΡΟΣ ΤΗΝ ΕΛΛΑΔΑ

Τῆς Ἑλληνικῆς Β. Κυβερνήσεως αἰτησαμένης παρά τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν τῆς Β. Ἀμερικῆς τήν παροχήν οἰκονομικῆς, ὑλικῆς καί τεχνικῆς βοηθείας πρός πρόληψιν οἰκονομικῆς κρίσεως, προαγωγήν τῆς ἐθνικῆς ἀνασυγκροτήσεως καί ἀποκατάστασιν τῆς ἐσωτερικῆς γαλήνης·

Τοῦ Κογκρέσσου τῶν Ἡνωμένων Πολιτειῶν ἐξουσιοδοτήσαντος, διά τοῦ ἐγκριθέντος τήν 22αν Μαΐου 1947 Νόμου, τόν Πρόεδρον τῶν Ἡνωμένων Πολιτειῶν ὅπως παράσχη τήν ὡς ἄνω βοήθειαν πρός τήν Ἑλλάδα ἐπί τῇ βάσει ὅρων εὑρισκομένων ἐν ἁρμονίᾳ πρός τήν κυρίαρχον ἀνεξαρτησίαν καί τήν ἀσφάλειαν τῶν δύο χωρῶν·

Τῆς Ἑλληνικῆς Κυβερνήσεως προτεινάσης, διά

having proposed certain measures within Greece which it deems essential to the effective use of United States assistance and of Greece's own resources in promoting reconstruction and recovery in Greece as soon as possible; and

The Government of the United States and the Government of Greece believing that the furnishing of such assistance will help to achieve the basic objectives of the Charter of the United Nations and will further strengthen the ties of friendship between the American and Greek peoples:

59 Stat. 1031.

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

τῆς ἀπό 15ης Ἰουνίου 1947 διακοινώσεως πρός τήν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν, ὁρισμένα μέτρα ἐν Ἑλλάδι κρινόμενα οὐσιώδη διά τήν τελεσφόρον χρησιμοποίησιν τῆς βοηθείας τῶν Ἡνωμένων Πολιτειῶν καί τῶν ἰδίων τῆς Ἑλλάδος πόρων διά τήν ὅσον τό δυνατόν ταχυτέραν προώθησιν τῆς ἀνασυγκροτήσεως καί ἀνορθώσεως τῆς Ἑλλάδος·

Τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν καί τῆς Ἑλληνικῆς Κυβερνήσεως πιστευουσῶν ὅτι ἡ παροχή τοιαύτης βοηθείας θέλει συντείνῃ εἰς τήν ἐπίτευξιν τῶν βασικῶν ἀντικειμενικῶν σκοπῶν τοῦ Χάρτου τῶν Ἡνωμένων Ἐθνῶν καί θέλει ἐνισχύσῃ περαιτέρω τούς δεσμούς φιλίας μεταξύ τῶν λαῶν τῆς Ἀμερικῆς καί τῆς Ἑλλάδος·

Οἱ κάτωθι ὑπογεγραμμένοι, δεόντως ἐξουσιοδοτηθέντες πρός τοῦτο παρά τῶν Κυβερνήσεών των, συνεφώνησαν τά ἑξῆς:

ARTICLE 1

U. S. assistance.

The Government of the United States will furnish the Government of Greece such assistance as the President of the United States may authorize to be provided in accordance with the Act of Congress approved May 22, 1947, and any Acts amendatory or supplementary thereto.

61 Stat., Pt. 1, p. 103.

ARTICLE 2

Use of assistance by Greece, etc.

The Government of Greece will make effective use of any assistance furnished to Greece by the United States and of Greece's own resources in order to advance reconstruction and secure recovery in Greece as soon as possible. To this end the Government of Greece has already undertaken, and hereby agrees, to effectuate the measures proposed in its note of June 15, 1947 to the Government of the United

Post, p. 2932.

ΑΡΘΡΟΝ 1

Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν θέλει παράσχη εἰς τήν Ἑλληνικήν Κυβέρνησιν πᾶσαν βοήθειαν δι' ἥν ὁ Πρόεδρος τῶν Ἡνωμένων Πολιτειῶν ἔχει τό δικαίωμα νά δώσῃ τήν ἐξουσιοδότησίν του συμφώνως πρός τόν ἐγκριθέντα τήν 22αν Μαΐου 1947 Νόμον τοῦ Κογκρέσσου ὡς καί πρός πάντα τροποποιητικόν ἤ συμπληρωματικόν τούτου Νόμον.

ΑΡΘΡΟΝ 2

Ἡ Ἑλληνική Κυβέρνησις θέλει χρησιμοποιήσει τελεσφόρως πᾶσαν βοήθειαν χορηγουμένην εἰς τήν Ἑλλάδα ὑπό τῶν Ἡνωμένων Πολιτειῶν, ὡς καί τούς ἰδίους τῆς Ἑλλάδος πόρους, ἐπί τῷ σκοπῷ τῆς ὅσον τό δυνατόν ταχυτέρας προωθήσεως τῆς ἀνασυγκροτήσεως καί ἐξασφαλίσεως τῆς ἀνορθώσεως τῆς Ἑλλάδος. Πρός τόν σκοπόν τοῦτον ἡ Ἑλληνική Κυβέρνησις ἔχει ἤδη ἀναλάβει, καί συμφωνεῖ διά τοῦ παρόντος, ὅπως θέσει εἰς ἐφαρμογήν, τά ἐν τῇ ἀπό 15 Ἰουνίου 1947 διακοινώσει της πρός

States and will take such further action as may be appropriate.

ARTICLE 3

American Mission.

The Government of the United States will send to Greece a mission to be known as the American Mission for Aid to Greece (hereinafter referred to as the American Mission).

Chief.

The Chief of the American Mission designated by the President of the United States will represent the Government of the United States on matters relating to the assistance furnished under this Agreement.

ARTICLE 4

The Chief of the American Mission will determine, in consultation with representatives of the Government of Greece, the terms and conditions upon which specified assistance shall from time to time be furnished under this

τήν Κυβέρνησιν των Ἡνωμένων Πολιτειῶν προτεινόμενα μέτρα, θέλει δέ προβῇ εἰς πᾶσαν ἐνδεδειγμένην πρόσθετον ἐνέργειαν.

ΑΡΘΡΟΝ 3

Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν θέλει ἀποστείλει εἰς Ἑλλάδα ἀποστολήν ἥτις θά εἶναι γνωστή ὡς Ἀμεριχανική Ἀποστολή Βοηθείας πρός τήν Ἑλλάδα (ἀναφερομένη ἐν τοῖς ἑπομένοις ὡς Ἀμεριχανική Ἀποστολή). Ὁ ὁρισθείς ὑπό τοῦ Προέδρου τῶν Ἡνωμένων Πολιτειῶν Ἀρχηγός τῆς Ἀμεριχανικῆς Ἀποστολῆς θά ἀντιπροσωπεύῃ τήν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν ἐπί ζητημάτων σχετικῶν πρός τήν κατά τήν παροῦσαν Συμφωνίαν χορηγουμένην βοήθειαν.

ΑΡΘΡΟΝ 4

Ὁ Ἀρχηγός τῆς Ἀμεριχανικῆς Ἀποστολῆς θά καθορίσῃ, ἐν συνεννοήσει μετ' ἀντιπροσώπων τῆς Ἑλληνικῆς Κυβερνήσεως, τούς ὅρους καί συνθήκας ὑφ' ἃς ἡ εἰδικῶς καθοριζομένη βοήθεια θά

Advisory assistance, etc.

Agreement. Under the direction of the Chief, the Mission will provide such advisory assistance and will exercise such functions as are necessary and proper to assist the Government of Greece to make the most effective use of any assistance furnished to Greece by the United States and of Greece's own resources and thereby to advance reconstruction and secure recovery in Greece as soon as possible. Certain of these functions are contained in the measures proposed by the Government of Greece in its note of June 15, 1947.

Post, p. 2932.

ARTICLE 5

Greek assistance to American Mission.

The Government of Greece will furnish all practicable assistance to the American Mission to facilitate the performance of its functions, the movement of Mission personnel to, in or

χορηγῆται ἀπό καιροῦ εἰς καιρόν κατά τήν Συμφωνίαν ταύτην. Ὑπό τάς ὁδηγίας τοῦ Ἀρχηγοῦ ἡ Ἀποστολή θά παρέχῃ πᾶσαν συμβουλευτικήν βοήθειαν καί θά ἐνασκῇ πᾶσαν λειτουργίαν αἵτινες θά ἦσαν ἀναγκαῖαι καί ἐνδεδειγμέναι διά νά βοηθήσουν τήν Ἑλληνικήν Κυβέρνησιν πρός τελεσφορωτέραν χρησιμοποίησιν πάσης βοηθείας χορηγουμένης εἰς τήν Ἑλλάδα ὑπό τῶν Ἡνωμένων Πολιτειῶν, ὡς καί τῶν ἰδίων τῆς Ἑλλάδος πόρων, καί τήν διά ταύτης ὅσον τό δυνατόν ταχυτέραν προώθησιν τῆς ἀνασυγκροτήσεως καί ἐξασφάλισιν τῆς ἀνορθώσεως ἐν Ἑλλάδι. Τινές τῶν λειτουργιῶν τούτων περιλαμβάνονται εἰς τά ὑπό τῆς Ἑλληνικῆς Κυβερνήσεως ἐν τῇ ἀπό 15 Ἰουνίου 1947 διακοινώσει της προτεινόμενα μέτρα.

ΑΡΘΡΟΝ 5

Ἡ Ἑλληνική Κυβέρνησις θά προσφέρῃ πᾶσαν ἐφικτήν βοήθειαν εἰς τήν Ἀμεριχανικήν Ἀποστολήν πρός διευκόλυνσιν τῆς διεξαγωγῆς τῶν καθηκόντων της, τῆς κινήσεως τοῦ προσωπικοῦ τῆς Ἀποστολῆς πρός τήν

from Greece, the employment of Greek nationals and residents, the acquisition of facilities and services, and the performance of other activities of the Mission. The personnel of the American Mission and the property of the Mission and of its personnel shall enjoy in Greece the same privileges and immunities as are enjoyed by the personnel of the United States Embassy in Greece and the property of the Embassy and of its personnel.

Privileges and immunities of Mission personnel.

ARTICLE 6

Observation by members of Mission.

The Government of Greece will permit the members of the American Mission to observe freely the utilization of assistance furnished to Greece by the United States. The Government of Greece will maintain such accounts and records,

Accounts and records.

Ἑλλάδα, ἐντός τῆς Ἑλλάδος καί ἐξ Ἑλλάδος, τῆς χρησιμοποιήσεως προσώπων Ἑλληνικῆς ἐθνικότητος καί κατοικίας, τῆς ἀποκτήσεως εὐκολιῶν καί ὑπηρεσιῶν, καί τῆς διεξαγωγῆς ἑτέρων ἐνεργειῶν τῆς Ἀποστολῆς. Τό προσωπικόν τῆς Ἀμερικανικῆς Ἀποστολῆς καί ἡ περιουσία τῆς Ἀποστολῆς καί τοῦ προσωπικοῦ της θά ἀπολαύωσιν ἐν Ἑλλάδι τῶν αὐτῶν προνομίων καί φορολογικῶν ἀπαλλαγῶν ὧν ἀπολαύει τό προσωπικόν τῆς Πρεσβείας τῶν Ἡνωμένων Πολιτειῶν ἐν Ἑλλάδι καί ἡ περιουσία τῆς Πρεσβείας καί τοῦ προσωπικοῦ της.

ΑΡΘΡΟΝ 6

Ἡ Ἑλληνική Κυβέρνησις θέλει ἐπιτρέψει εἰς τά μέλη τῆς Ἀμερικανικῆς Ἀποστολῆς νά παρακολουθῶσιν ἐλευθέρως τήν χρησιμοποίησιν τῆς παρεχομένης πρός τήν Ἑλλάδα παρά τῶν Ἡνωμένων Πολιτειῶν βοηθείας. Ἡ Ἑλληνική Κυβέρνησις θά τηρῇ πάντας τούς λογαριασμούς καί τά στοιχεῖα, καί θά παρέχῃ πᾶσαν ἔκθεσιν

and will furnish the American Mission such reports and information, as the Mission may request for the performance of its functions and responsibilities.

ARTICLE 7

Assurance of full information.

The Government of Greece and the Government of the United States will cooperate in assuring the peoples of the United States and Greece full information, consistent with the security of the two countries, concerning the assistance furnished to Greece by the United States. To this end--

U. S. press and radio reports.

(1) Representatives of the press and radio of the United States will be permitted to observe freely and to report fully regarding the utilization of such assistance; and

καί κληροφορίαν κρός τήν Ἀμερικανικήν Ἀποστολήν, τά ὁποῖα θέλει ζητεῖ ἡ Ἀποστολή κρός διεξαγωγήν τῶν καθηκόντων καί ἀνειλημμένων ὑποχρεώσεών της.

ΑΡΘΡΟΝ 7

Ἡ Ἑλληνική Κυβέρνησις καί ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν θέλουσι συνεργασθῇ ἵνα ἐξασφαλίσουν εἰς τούς λαούς τῶν Ἡνωμένων Πολιτειῶν καί τῆς Ἑλλάδος κλήρη ἐνημέρωσιν, συμβιβαζομένην κρός τήν ἀσφάλειαν τῶν δύο χωρῶν, καθ' ὅσον ἀφορᾷ τήν χορηγουμένην εἰς τήν Ἑλλάδα βοήθειαν καρά τῶν Ἡνωμένων Πολιτειῶν. Πρός τόν σκοκόν τοῦτον:

(1) Θά ἐκιτρέκηται εἰς ἀντικροσώκους τοῦ τύκου καί τῆς ῥαδιοφωνίας τῶν Ἡνωμένων Πολιτειῶν νά καρατηρῶσιν ἐλευθέρως καί ν' ἀναφέρωσι κλήρως σχετικῶς μέ τήν χρησιμοκοίησιν τῆς βοηθείας ταύτης, καί

Publicity within Greece.

(2) The Government of Greece will afford the American Mission opportunity for, and will cooperate with it in providing, full and continuous publicity within Greece, including periodic reports by the Mission, as to activities under this Agreement and the purpose, source, character, scope, amounts, and progress of such assistance.

ARTICLE 8

Provisions for security.

The Government of Greece will make such provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this Agreement. It will not transfer, without the consent of the President of the United States, title to or possession of

(2) Ἡ Ἑλληνική Κυβέρνησις θέλει παρέχει εἰς τήν Ἀμερικανικήν Ἀποστολήν τήν εὐκαιρίαν καί θέλει συνεργασθῇ μετ' αὐτῆς πρός παροχήν πλήρους καί συνεχοῦς δημοσιότητος ἐντός τῆς Ἑλλάδος, περιλαμβανούσης περιοδικάς ἐκθέσεις τῆς Ἀποστολῆς ὡς πρός τάς ἐνεργείας σχετικῶς μέ τήν παροῦσαν Συμφωνίαν καί τόν σκοπόν, πηγήν, χαρακτῆρα, ἔκτασιν, ποσά καί πρόοδον τῆς βαηθείας ταύτης.

ΑΡΘΡΟΝ 8

Ἡ Ἑλληνική Κυβέρνησις θέλει προβῇ εἰς πᾶσαν ἐνέργειαν τήν ὁποίαν ἤθελε ζητήσει ὁ Πρόεδρος τῶν Ἡνωμένων Πολιτειῶν διά τήν ἀσφάλειαν παντός ἀντικειμένου, ὑπηρεσίας ἤ πληροφορίας ληφθείσης ἐν συνεπείᾳ τῆς Συμφωνίας ταύτης. Δέν θέλει μεταβιβάζῃ, ἄνευ τῆς συγκαταθέσεως τοῦ Προέδρου τῶν Ἡνωμένων Πολιτειῶν, δικαίωμα ἤ κατοχήν οἱουδήποτε τοιούτου ἀντικειμένου ἤ

any such article or information nor permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the Government of Greece or for any purpose other than that for which the article or information is furnished.

ARTICLE 9

Restrictions on use of loans, etc.

The Government of Greece will not use any part of the proceeds of any loan, credit, grant, or other form of aid rendered pursuant to this Agreement for the making of any payment on account of the principal or interest on any loan made to it by any other foreign government.

The Government of Greece will not, except with the approval of the Government of the United States, allocate any funds or make available

πληροφορίας, οὐδέ θά ἐπιτρέπῃ, ἄνευ τοιαύτης συγκαταθέσεως, τήν χρησιμοποίησιν τοιούτου τινός ἀντικειμένου ἤ τήν χρησιμοποίησιν ἤ ἀποκάλυψιν τοιαύτης τινος πληροφορίας παρ'οὐδενός μή ὄντος ἐξιωματούχου, ὑπαλλήλου ἤ ἐκπροσώπου τῆς Ἑλληνικῆς Κυβερνήσεως ἤ πρός οἱονδήποτε μή κατέχοντα τήν ἰδιότητα ταύτην, ἤ πρός οἱονδήποτε ἄλλον σκοπόν πλήν ἐκείνου δι'ὅν χορηγοῦνται τό ἀντικείμενον ἤ αἱ πληροφορίαι.

ΑΡΘΡΟΝ 9

Ἡ Ἑλληνική Κυβέρνησις δέν θέλει χρησιμοποιήσει οἱονδήποτε μέρος τοῦ προϊόντος παντός δανείου, πιστώσεως, παροχῆς ἤ ἑτέρας μορφῆς τῆς κατά τήν παροῦσαν Συμφωνίαν βοηθείας διά τήν διενέργειαν οἱασδήποτε πληρωμῆς ἔναντι τοῦ κεφαλαίου ἤ τόκου οἱουδήποτε δανείου χορηγηθέντος αὐτῇ ὑπό ἑτέρας τινος ξένης Κυβερνήσεως.

Ἡ Ἑλληνική Κυβέρνησις δέν θέλει, εἰμή κατόπιν συγκαταθέσεως τῆς Κυβερνήσεως τῶν

any foreign exchange for payment of principal or interest on the foreign indebtedness now in suspense of the Government of Greece and of all public and private debtors.

ARTICLE 10

Conditions for withdrawal of assistance.

Any or all assistance authorized to be provided pursuant to this Agreement will be withdrawn--

(1) If requested by the Government of Greece representing a majority of the Greek people;

(2) If the Security Council of the United Nations finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly of the United Nations finds that action taken or assistance furnished by the United Nations

Ἡνωμένων Πολιτειῶν, χορηγήσει χρηματικά κοσά ἢ διαθέσει ξένον συνάλλαγμα διά τήν καταβολήν κεφαλαίου ἢ τόκων τοῦ ἐκκρεμοῦντος ἐξωτερικοῦ χρέους τῆς Ἑλληνικῆς Κυβερνήσεως καί οἱουδήποτε δημοσίου ἢ ἰδιώτου ὀφειλέτου.

ΑΡΘΡΟΝ 10

Οἱαδήποτε καί κᾶσα βοήθεια χορηγηθησομένη κατά τήν παροῦσαν Συμφωνίαν θέλει καύσει:

(1) Ἐάν ζητήση τοῦτο Ἑλληνική Κυβέρνησις ἀντικροσωπεύουσα πλειοψηφίαν τοῦ Ἑλληνικοῦ Λαοῦ.

(2) Ἐάν τό Συμβούλιον Ἀσφαλείας τῶν Ἡνωμένων Ἐθνῶν κρίνη (ἐν τῇ περιπτώσει δέ ταύτῃ αἱ Ἡνωμέναι Πολιτεῖαι καραιτοῦνται τῆς ἀσκήσεως παντός δικαιώματος ἀρνησικυρίας) ἢ ἐάν ἡ Γενική Συνέλευσις τῶν Ἡνωμένων Ἐθνῶν κρίνη ὅτι ἐνέργεια γενομένη ἢ βοήθεια χορηγηθεῖσα παρά τῶν Ἡνωμένων Ἐθνῶν καθιστῶσι τήν

make the continuance of assistance by the Government of the United States pursuant to this Agreement unnecessary or undesirable;

(3) Under any of the other circumstances specified in section 5 of the aforesaid Act of Congress or if the President of the United States determines that such withdrawal is in the interest of the United States; or

61 Stat., Pt. 1, p. 105.

(4) If the Government of Greece does not take reasonable steps to effectuate those measures proposed in its note of June 15, 1947 or subsequently agreed upon which are essential to reconstruction and recovery in Greece.

Post, p. 2932.

ARTICLE 11

Effective date; duration.

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

συνέχισιν τῆς κατά τήν καροῦσαν Συμφωνίαν βοηθείας καρά τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν μή ἀναγκαίαν ἤ ἀνεπιθύμητον.

(3) Εἰς οἱανδήποτε τῶν λοιπῶν περιπτώσεων τῶν καθοριζομένων εἰς τό τμῆμα 5 τοῦ ἀνωτέρω Νόμου τοῦ Κογκρέσσου, ἤ ἐάν ὁ Πρόεδρος τῶν Ἡνωμένων Πολιτειῶν ἀποφασίσῃ ὅτι ἡ τοιαύτη καῦσις εἶναι πρός τό συμφέρον τῶν Ἡνωμένων Πολιτειῶν, ἤ

(4) Ἐάν ἡ Ἑλληνική Κυβέρνησις δέν προβῇ εἰς τάς ἐνδεδειγμένας ἐνεργείας πρός πραγματοποίησιν τῶν ἐν τῇ ἀπό 15 Ἰουνίου 1947 διακοινώσει της προτεινομένων ἤ τῶν μεταγενεστέρως συμφωνηθέντων μέτρων ἅτινα εἶναι οὐσιώδη διά τήν ἀνασυγκρότησιν καί ἀνόρθωσιν τῆς Ἑλλάδος.

ΑΡΘΡΟΝ 11

Ἡ Συμφωνία αὕτη θέλει τεθῇ εἰς ἰσχύν ἀπό τῆς σήμερον. Θά ἐξακολουθήσῃ δέ ἰσχύουσα μέχρις ἡμερομηνίας συμφωνηθησομένης ὑπό τῶν δύο Κυβερνήσεων.

ARTICLE 12

Registration.

This Agreement shall be registered with the United Nations.

Done in duplicate, in the English and Greek languages, at Athens, this 20th day of June, 1947.

For the Government of the United States of America:-

Lincoln MacVeagh
Ambassador Extraordinary and Plenipotentiary

For the Government of the Kingdom of Greece:-

Constantine Tsaldaris
Deputy Prime Minister and Minister for Foreign Affairs

ΑΡΘΡΟΝ 12

Η Συμφωνία αὕτη θέλει κατατεθῇ εἰς τὰ Ἡνωμένα Ἔθνη.

Ἐγένετο εἰς διπλοῦν, εἰς τὴν Ἀγγλικὴν καὶ Ἑλληνικὴν γλῶσσαν, ἐν Ἀθήναις σήμερον τὴν εἰκοστὴν τοῦ μηνὸς Ἰουνίου 1947.

Διὰ τὴν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν τῆς Ἀμερικῆς:-

Lincoln MacVeagh [1]

Λίνκολν Μάκβέϋ
Πρεσβευτὴς Α' Τάξεως

Διὰ τὴν Ἑλληνικὴν Β. Κυβέρνησιν:-

[2]

Κωνσταντῖνος Τσαλδάρης
Ἀντιπρόεδρος τῆς Κυβερνήσεως καὶ
Ὑπουργὸς ἐπὶ τῶν Ἐξωτερικῶν

[1] [Lincoln MacVeagh.]
[2] [C Tsaldaris.]

The American Ambassador to the Greek Vice Premier and Minister for Foreign Affairs

AMERICAN EMBASSY
No. 230 *Athens, Greece, May 26, 1947*

EXCELLENCY:

I have the honor to inform Your Excellency that I have been instructed to convey to the Greek Government the following communication from the Government of the United States.

"In response to an appeal by the Greek Government in its Note of March 3, 1947 [1] to the Government of the United States, and through it to the American people, for financial, economic, and expert aid to assist the Greek people in restoring their country, the President of the United States on March 12, 1947 requested from the Congress the necessary authority to permit him to extend the help requested.

"The Government of the United States now informs the Greek Government that the President has been authorized to extend assistance to Greece under the provisions of an Act of Congress signed May 22, 1947.

61 Stat., Pt. 1, p. 103.

"The Government of the United States will welcome an indication from the Greek Government of its general recovery program and assurances that the proffered assistance will be effectively utilized. This Government will also welcome assurances from the Greek Government that it is prepared to enter into negotiations leading to a mutually acceptable agreement between the two Governments on the terms under which American aid will be extended."

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

LINCOLN MACVEAGH

His Excellency
CONSTANTINE TSALDARIS
Vice Premier and Minister for Foreign Affairs
Athens

The Greek Vice Premier and Minister for Foreign Affairs to the American Ambassador

THE MINISTER FOR FOREIGN AFFAIRS

No 29824. ATHENS, *June 15, 1947*

YOUR EXCELLENCY:

By your note No 230 of May 26, 1947 you were good enough to inform me that, in response to an appeal by the Greek Government in its note of March 3, 1947 to the Government of the United States and through it to the American people, for financial, economic and

[1] [Not printed.]

expert aid to assist the Greek people in restoring their country, the President of the United States has been authorised to extend assistance to Greece under the provisions of an act of Congress signed May 22, 1947.

61 Stat., Pt. 1, p. 103.

In reply, I have the honour to request that you be kind enough to convey to the United States Government the following communication from the Greek Government:

Expression of appreciation by Greek Government.

The hearts of the Greek people are profoundly touched by this proof of the generosity and goodwill of the American people and of the benevolent interest of a great and friendly nation in the welfare of Greece. The Greek Government on its own behalf and on behalf of the Greek people, wishes to express its deepest appreciation for this magnanimous response to the request of the Greek Government and takes this opportunity to repeat that it turned to the United States for aid only because the devastating results of the war were such as to render impossible the enormous task of reconstruction with the resources remaining to Greece after years of conflict and enemy occupation.

The Greek Government wishes to give assurances that any assistance it may receive will be used in conformance with the purposes for which it may be made available. Aid given for military purposes will be used in the restoration and maintenance of internal order. Aid furnished for the economic recovery and physical reconstruction of the country will be expended in a manner which will have a lasting beneficial effect on the country as a whole.

Greek plans for recovery.

The Greek Government also wishes to make known at this time its own plans for action which will lay a basis for American assistance in Greek recovery and reconstruction. The Greek people realize that ultimate solution of their problem requires great and continuous effort by themselves. They are aware that the extensive aid of the United States will not alone be sufficient to meet the large costs of restoring public order and reconstructing productive facilities over a period of years. The Greek Government will lead its people in their effort to achieve these ends. This responsibility entails the composing of internal differences, the collection of more revenues, the rebuilding of foreign trade, the conservation of foreign exchange, the reconstruction of public works, the improvement of Government administration, assistance and guidance to agriculture and industry, establishment of protective labor measures, encouragement of democratic organizations among economic and social groups, measures to control inflation and assure equitable distribution of supplies and services, and the restraint of excesses and extravagances on the part of any segment of the population. The Greek Government will undertake these and all other necessary measures to marshal Greece's own resources to the fullest extent in attaining the ends for which American assistance may be extended. This organization of Greek effort will require economic contributions and cooperation from all.

The Greek Government is ever mindful that primary responsibility

for the economic welfare of the country rests with the Greek Government, and it is therefore proceeding with plans for the early institution and vigorous administration of those measures which will enable full use of capital, productive facilities, manpower resources and natural wealth to be found in Greece. Certain measures proposed by the Greek Government are stated in general terms in this note, these and other measures will be developed further after consultation with American advisers.

Rehabilitation of national revenue system, etc.

In order to achieve budgetary balance and economic stability at the earliest possible time the Greek Government will undertake to rehabilitate its national and local revenue system by all necessary measures including the modernization of tax administration, elimination of tax evasion and the use of every practicable source of revenue. Full regard will be given to equitable distribution of the tax burden and to the principle of ability to pay. Measures will be taken to control and curtail expenditures of the Government. The Government audit and accounting system will be strengthened, and the budget will be published and used as an effective control of expenditures.

Increase of foreign exchange, etc.

With a view to steadily increasing the ratio of official acquisitions of foreign exchange to import requirements, a program will be undertaken to increase the amounts of foreign exchange coming into the Greek economy through normal commercial channels. Vigorous efforts to increase exports, including the resumption of the export of olive oil and the rebuilding of foreign markets, will be made. Measures will be adopted to assure the operation of Greek shipping in a manner which will provide the greatest benefit for the national economy. Existing regulations on the import and export of foreign exchange will be enforced and strengthened by all possible means. To make the most effective use of available exchange, imports will be limited to those which are essential to the Greek economy, and they will be brought in as an integral part of a national import program which includes goods purchased with American aid. The planning and supervising of the administration of the program of public and private imports and exports will be centralized in a foreign trade committee comprizing Greek and American technicians and headed by an American in the employ of the Greek Government. To guard against further inflation, a vigorous program will be undertaken to hold down prices and to establish an equitable relation between prices and wages. As further deterrents to inflation, rent control and rationing of commodities will be continued and controls on credit and banking will be instituted.

Foreign trade committee.

Price controls, etc.

Agricultural and industrial production.

The agricultural and industrial production of the country will be increased by Government guidance and financial assistance. Unduly restrictive taxes, detrimental employment practices and monopoly regulations will be reexamined and all unnecessary deterrents to production eliminated. To this end the Greek Government will encourage increased labor productivity while fostering the right of workers to organize and join free democratic labor unions and to

engage in activities to promote their mutual protection and economic status.

Improvement of governmental organizations, etc.

In order to fill its increasingly active role in guiding the recovery and reconstruction efforts during the American aid program, the Government will undertake an extensive program to improve its governmental organizations and civil service, which were so disrupted by the long years of war.

Request for assistance of American personnel.

The Greek Government wishes to take this opportunity to renew its request to the United States Government for American personnel who can assist in the Greek recovery effort, including a special American Mission to administer the extension of American aid, observe its use by the Greek Government and advise the Greek Government. In order to expedite recovery in Greece and because of the large financial contribution of the United States to Greece, the Mission should participate in the development of revenue and expenditure policies, approve Government expenditures for activities which directly or indirectly involve the use of American aid, take part in the planning of the import program, and approve the use of foreign exchange. The Greek Government would also wish the Mission to assist in the execution of reconstruction projects, improvement of public administration, technical training of civil servants and other personnel, continuation of the health program, development of exports, programming and disposition of Government purchased supplies, promotion of agricultural and industrial recovery, and regulation of wages and prices. In general, the Greek Government will wish to consult with the Mission before taking any economic steps which might affect the success of the American aid program.

In addition to the members of the Mission who will act as reprsentatives of the United States Government, the Greek Government wishes the assistance of the United States Government in employing a limited number of American experts to act in technical and supervisory capacities within the Greek Government. The Government will continue a currency committee consisting of Greeks and foreign experts with functions modified to fit in with those of the American Mission. As mentioned above, a Foreign Trade Administration headed by an American technician is also planned.

In the light of the recent legislation by the Congress of the United States and of the views expressed by the United States Government in its Note No. 230 of May 26, 1947, it is suggested that the two Governments should enter into a formal agreement on these matters.

Ante, p. 2932.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

C TSALDARIS

His Excellency
MR. LINCOLN MACVEAGH
Ambassador of the United States of America
Athens

The American Ambassador to the Greek Vice Premier and Minister for Foreign Affairs

No. 296

AMERICAN EMBASSY
ATHENS, GREECE
June 18, 1947

EXCELLENCY:

I have the honor to refer to Your Excellency's Note No. 29824 of June 15, 1947 and, acting on instructions, to convey to the Royal Hellenic Government the following message from the Government of the United States of America:

Ante, p. 2932.

"The Government of the United States acknowledges the Note of the Greek Government of June 15, 1947, setting forth in general terms the Greek Government's recovery program.

"This Government notes with satisfaction the assurances of the Greek Government that American aid will be effectively utilized in accordance with the purpose for which it is being extended. This Government also welcomes the assurances of the Greek Government that it is prepared to enter into negotiation leading to a mutually acceptable agreement on the terms under which this aid will be extended and has authorized the American Ambassador in Greece to negotiate such an agreement with the Greek Government."

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

LINCOLN MACVEAGH

His Excellency
CONSTANTINE TSALDARIS,
Vice Premier and Minister for Foreign Affairs,
Athens.

Agreement between the United States of America and Greece respecting air transport services. Signed at Athens March 27, 1946; operative from March 27, 1946; entered into force definitively May 22, 1947.

March 27, 1946
[T. I. A. S. 1626]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND GREECE

Having in mind the Resolution signed under date of December 7, 1944, at the International Civil Aviation Conference in Chicago, Illinois, [1] for the adoption of a Standard Form of Agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Greece, the two Governments parties to this Agreement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

Rights.
Post, p. 2941.

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

ARTICLE 2

Inauguration of air services.

(a) Each of the air services so described shall be placed in operation as soon as the Contracting Party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

Exercise of commercial rights.

(b) It is understood that either Contracting Party granted commercial rights under this Agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

ARTICLE 3

Charges.

In order to prevent discriminatory practices and to assure equality of treatment, both Contracting Parties agree that:

(a) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of such other Contracting Party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2941.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Post, p. 2941.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew, or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

ARTICLE 7

Registration.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Termination.

Either Contracting Party may terminate the rights for services granted by it under this Agreement by giving one year's notice to the other Contracting Party.

ARTICLE 9

Modification of annex.

Post, p. 2941.

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Disputes.

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor.

59 Stat. 1521.

ARTICLE 11

Amendment.

If a general multilateral air Convention enters into force in relation to both Contracting Parties, the present Agreement shall be amended so as to conform with the provisions of such Convention.

ARTICLE 12

Entry into force.

The provisions of this Agreement shall become operative from the day it is signed. The Greek Government shall notify the Government of the United States of America of the approval of the Agreement by the Greek Parliament, and the Government of the United States of America shall consider the Agreement as becoming definitive upon the date of such notification by the Greek Government.

Post, p. 2942.

In witness whereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Agreement and have affixed thereto their Seals:

For the Government of the United States of America:-

K. L. Rankin
Charge d'Affaires ad interim

For the Government of Greece:-

Constantine Rendis
Minister for Foreign Affairs

Done in duplicate at Athens, this twenty-seventh day of March, nineteen hundred and forty-six.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND GREECE

U. S. rights of transit and stop in Greece.

A. Airlines of the United States authorized under the present Agreement are accorded rights of transit and non-traffic stop in Greek territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Athens, on the following route or routes:

The United States, via intermediate points, to Athens and points beyond; in both directions.

Greek rights of transit and stop in U. S.

B. Airlines of Greece authorized under the present Agreement are accorded in the territory of the United States such rights of transit, non-traffic stop and commercial entry for international traffic in connection with such specific route or routes as may be determined at a later date.

C. In the establishment and operation of the air services covered by this Agreement and its Annex, the following principles shall apply:

Encouragement of air travel.

(1) It is desirable to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

(2) The air transport facilities available to the traveling public should bear a close relationship to the requirements of the public for such transport.

Equal opportunity for operation.

(3) There shall be a fair and equal opportunity for the airlines of the two nations to operate on any route or routes between their respective territories covered by this Agreement and its Annex.

(4) In the operation by the airlines of either Contracting Party of the trunk services described in the Annex to this Agreement, the interest of the airlines of the other Contracting Party shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

Provision of adequate capacity.

(5) It is the understanding of both Contracting Parties that services provided by a designated airline under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such airline is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes covered by this Agreement and its Annex shall be applied in accordance with the general

principles of orderly development to which both Contracting Parties subscribe and shall be subject to the general principle that capacity should be related:

(a) to traffic requirements between the country of origin and the countries of destination;
(b) to the requirements of through airline operation, and
(c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

(6) In so far as the airline or airlines of one Contracting Party may be temporarily prevented through difficulties arising from the War from taking immediate advantage of the opportunity referred to in sub-paragraph (3) above, the situation shall be reviewed between the Contracting Parties with the object of facilitating the necessary development, as soon as the airline or airlines of the first Contracting Party is or are in a position increasingly to make their proper contribution to the service.

The Greek Chargé d'Affaires ad interim to the Secretary of State

No. 3219/7 ROYAL GREEK EMBASSY

The Charge d'Affaires ad interim of Greece presents his compliments to His Excellency the Secretary of State and has the honor, on instructions from his Government, to inform him that the Air Transport Agreement signed at Athens, March 27th, 1946, between the United States of America and Greece was ratified by the Greek Parliament, April 19th, 1947, and has been published in the Government Gazette.

The above notification is made in accordance with Article 12, paragraph 2, of said Agreement.

WASHINGTON, D.C.
May 22, 1947

The Secretary of State to the Greek Ambassador

The Secretary of State presents his compliments to His Excellency the Ambassador of Greece and has the honor to acknowledge the receipt of the Embassy's note of May 22, 1947 in which notification is given of the approval by the Greek Parliament of the air transport agreement between the United States of America and Greece, signed at Athens on March 27, 1946.

Entry into force.

Ante, p. 2939.

By virtue of that notification, the above-mentioned agreement, pursuant to Article 12 thereof, is considered by this Government as having entered into force definitively on May 22, 1947.

DEPARTMENT OF STATE,
Washington, June 23, 1947.

Agreement between the United States of America, Brazil, and the United Kingdom of Great Britain and Northern Ireland respecting the purchase of Brazilian rice surpluses, modifying the agreement of December 21, 1943. Effected by exchange of notes signed at Rio de Janeiro December 23, 1946; entered into force December 23, 1946.

December 23, 1946
[T. I. A. S. 1627]

The American Ambassador to the Brazilian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Rio de Janeiro
December 23, 1946.

No. 245.

EXCELLENCY:

I have the honor to inform Your Excellency, with reference to the negotiations between the Brazilian authorities and the representatives of the Governments of the United States of America and of the United Kingdom, in regard to the quota of 10,000 tons of rice reserved by Brazil for sale from the 1945–46 crop to Argentina, French Guiana, Bolivia, Venezuela, Colombia, Peru, Paraguay, Uruguay and the Dutch and French West Indies, in accordance with the Agreement in force, that the Government of the United States of America agrees to the modification of the Agreement referred to, in the following terms:

Increase of salable quota.

I. The Governments of Brazil, of the United States of America and of the United Kingdom agree that the quota of 10,000 metric tons of rice reserved by Brazil in accordance with the Agreement of the 21st December, 1943, for sale to Argentina, French Guiana, Bolivia, Peru, Venezuela, Colombia, Paraguay, Uruguay and the Dutch and French West Indies be increased to 13,000 metric tons, and that this shall be withdrawn from the crop of 1945–1946 of rice produced in the States of Piauí, Maranhão and Pará.

60 Stat. 1612.

II. The shipment of rice produced in other States will not be permitted by the Brazilian Government to the countries and possessions specified in paragraph I of this Note.

III. The 3,463 metric tons of rice of the 1945–1946 crop from Southern Brazil destined to some of the countries and possessions specified in paragraph I of this Note and for which export licenses have already been issued, are considered to be additional to the above-mentioned quota.

Maximum price.

IV. The Governments of Brazil, of the United States of America and of the United Kingdom agree that the maximum price for rice referred to in paragraph I of this Note shall be the equivalent of Cr$ 150.00 per sack of 60 kilos f.o.b. São Luiz, Parnaiba and Belem in terms of U.S. currency or sterling at

Terms of sale.

the export rate of exchange in force on the 15th August last. Moreover, the sale of this rice will be effected in accordance with the terms of that part of the existing Agreement relating to the quota for the countries and possessions specified in paragraph I of this Note.

Information concerning distribution.

V. The Brazilian Government undertakes to issue instructions to its representative on the International Emergency Food Council to inform that organization about the distribution of rice made by the Brazilian authorities to the countries and possessions specified above in order that the aforesaid Council may take such distribution into consideration when arranging allocations of rice from all other sources.

Total increase o quota.

VI. The quota reserved for the countries and possessions enumerated is thus increased from 10,000 to 16,463 metric tons of rice.

Notes constituting agreement.

2. This note and the notes of Your Excellency and of the British Ambassador of similar tenor and bearing the same date constitute a formal agreement between the three Governments on this subject.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

WILLIAM D. PAWLEY

His Excellency
Dr. RAUL FERNANDES,
Minister for Foreign Affairs,
Rio de Janeiro.

The Brazilian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DAS RELAÇÕES EXTERIORES,
RIO DE JANEIRO.
Em 23 de Dezembro de 1946.

DE/444/842.16 (22) (42)

SENHOR EMBAIXADOR,

Tenho a honra de levar ao conhecimento de Vossa Excelência que, com referência às negociações havidas entre as autoridades brasileiras e os representantes dos Governos dos Estados Unidos da América e do Reino Unido da Grã-Bretanha e Irlanda do Norte, a respeito da quota de 10.000 toneladas de arroz, reservada pelo Brasil, consoante o Acôrdo em vigor, para a venda da safra de 1945–46, à Argentina, Guiana Francêsa, Bolívia, Venezuela, Colômbia, ao Peru, Paraguai, Uruguai e às Índias Ocidentais Holandêsas e Índias Ocidentais Francêsas, o Govêrno brasileiro concorda com a modificação do aludido Acôrdo nas seguintes bases:

I–Os Governos do Brasil, dos Estados Unidos da América e do Reino Unido concordam em que seja elevada de 10.000

toneladas métricas para 13.000 toneladas métricas a quota de arroz reservada pelo Brasil, conforme o Acôrdo de 21 de Dezembro de 1943, para a venda à Argentina, Guiana Francêsa, Bolívia, Venezuela, Colômbia, ao Peru, Paraguai e às Índias Ocidentais Francêsas e Índias Ocidentais Holandêsas. Tal quota deverá ser retirada da safra de 1945–46 e será constituída sòmente de arroz produzido nos Estados do Piaui, Maranhão e Pará.

II–Não será autorizado pelo Govêrno brasileiro qualquer embarque de arroz, com destino aos países e possessões especificados no item I desta nota, produzido por outros Estados.

III–Consideram-se como adicionais à mencionada quota, 3.463 toneladas métricas de arroz do Sul, da safra de 1945–46, destinadas a alguns dos países e possessões especificados no item I desta nota e para as quais já foram expedidas licenças de exportação.

IV–Os Governos do Brasil, dos Estados Unidos da América e do Reino Unido concordam em que seja fixado para o arroz a que se refere o item I desta nota o preço máximo equivalente a Cr$ 150,00 para o saco de 60 quilos, F.O.B. Sao Luiz, Parnaíba e Belém, em dólares americanos ou libras esterlinas, à taxa de câmbio de exportação vigente a 15 de Agôsto último. Outrossim, a venda dêsse arroz se processará na conformidade do que dispõe o Acôrdo existente, na parte referente à quota destinada aos países e às possessões especificados no item I desta Nota.

V–O Govêrno brasileiro se comprometerá a expedir instruções ao seu representante junto ao Conselho Internacional de Emergência de Alimentação no sentido de que seja aquêle órgão informado sôbre a distribuição de arroz feita pelas autoridades brasileiras aos países e às possessões especificados no item I desta nota, a fim de que o mencionado Conselho possa tomar em consideração tal distribuição, quando fixar quotas de arroz proveniente de tôdas as outras fontes.

VI–Fica, assim, elevada de 10 mil para 16.463 toneladas métricas de arroz a quota reservada aos aludidos países e possessões.

2. Esta nota, a de Vossa Excelência e a da Embaixada da Grã-Bretanha, de teor semelhante e da mesma data, constituem um ajuste formal entre os três Govêrnos sôbre a matéria.

Aproveito o ensêjo para reiterar a Vossa Excelência os protestos da minha mais alta consideração.

RAUL FERNANDES

A Sua Excelência o Senhor WILLIAM DOUGLAS PAWLEY,
Embaixador dos Estados Unidos da América.

Translation

MINISTRY OF FOREIGN RELATIONS,
RIO DE JANEIRO.
December 23, 1946.

DE/444/842.16 (22) (42)

MR. AMBASSADOR,

I have the honor to inform Your Excellency that, with reference to the negotiations carried on between the Brazilian authorities and the representatives of the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland, with respect to the quota of 10,000 tons of rice from the 1945–46 crop reserved by Brazil in conformity with the existing Agreement for sale to Argentina, French Guiana, Bolivia, Venezuela, Colombia, Peru, Paraguay, Uruguay, the Netherland West Indies and the French West Indies, the Brazilian Government agrees to a modification of the Agreement in question on the following bases:

I. The Governments of Brazil, the United States of America, and the United Kingdom agree to the increase from 10,000 metric tons to 13,000 metric tons in the quota of rice reserved by Brazil in conformity with the Agreement of December 21, 1943, for sale to Argentina, French Guiana, Bolivia, Venezuela, Colombia, Peru, Paraguay, the French West Indies and the Netherland West Indies. This quota shall be taken from the crop of 1945–46 and shall consist only of rice produced in the States of Piaui, Maranhão and Pará.

60 Stat. 1612

II. No shipment of rice produced by other states shall be authorized by the Brazilian Government to the countries and possessions specified in Item I of this note.

III. The following is considered as an addition to the said quota: 3,463 metric tons of rice from the South, from the crop of 1945–46, which are intended for certain of the countries and possessions specified in Item I of this note and for which export licenses had been issued.

IV. The Governments of Brazil, the United States of America and the United Kingdom agree that a maximum price be fixed for the rice referred to in item I of this note, equivalent to 150.00 cruzeiros per 60-kilo bag, F.O.B. São Luiz, Parnaíba and Belém, in American dollars or pounds sterling, at the rate of exchange for export in force on August 15 last. Moreover, the sale of this rice shall be made in conformity with the provisions of the existing Agreement, in the section relative to the quota assigned to the countries and possessions specified in item I of this Note.

V. The Brazilian Government undertakes to issue instructions to its representatives on the International Emergency Food Council to the end that this agency may be informed of the distribution of rice made by the Brazilian authorities to the countries and possessions specified in item I of this note, in order that the said Council may take such distribution into

consideration when it fixes the quotas of rice from all other sources.

VI. The quota reserved for the countries and possessions in question is thus raised from 10,000 to 16,463 metric tons of rice.

2. This note, that of Your Excellency and that of the Embassy of Great Britain, of like tenor and of the same date, constitute a formal agreement among the three Governments on this question.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

RAUL FERNANDES

His Excellency
WILLIAM DOUGLAS PAWLEY,
Ambassador of the United States of America.

The British Ambassador to the Brazilian Minister for Foreign Affairs

BRITISH EMBASSY,
RIO DE JANEIRO.
23rd December, 1946.

No. 309.

MONSIEUR LE MINISTRE,

I have the honour to inform Your Excellency, with reference to the negotiations between the Brazilian authorities and the representatives of His Majesty's Government in the United Kingdom and of the Government of the United States of America in regard to the quota of 10,000 tons of rice reserved by Brazil for sale from the 1945–1946 crop to Argentina, French Guiana, Bolivia, Peru, Venezuela, Colombia, Paraguay, Uruguay and the Dutch and French West Indies in accordance with the Agreement in force, that His Majesty's Government agree to a modification of the Agreement referred to in the following terms:—

I. The Governments of Brazil, of the United States of America and of the United Kingdom agree that the quota of 10,000 metric tons of rice reserved by Brazil, in accordance with the Agreement of the 21st December 1943, for sale to Argentina, French Guiana, Bolivia, Peru, Venezuela, Colombia, Paraguay, Uruguay and the Dutch and French West Indies be increased to 13,000 metric tons, and that this shall be withdrawn from the crop of 1945–1946 of rice produced in the States of Piauí, Maranhão and Pará. 60 Stat. 1612.

II. The shipment of rice produced in other States will not be permitted by the Brazilian Government to the countries and possessions specified in paragraph I of this Note.

III. The 3,463 metric tons of rice of the 1945–1946 crop from Southern Brazil destined to some of the countries and possessions specified in paragraph I of this Note and for

which export licences have already been issued, are considered to be additional to the above-mentioned quota.

IV. The Governments of Brazil, of the United States of America and of the United Kingdom agree that the maximum price for rice referred to in paragraph I of this Note shall be the equivalent of Cr$150.00 per sack of 60 kilos f.o.b. São Luiz, Parnaíba and Belém in terms of U. S. currency or sterling at the export rate of exchange in force on the 15th August last. Moreover, the sale of this rice will be effected in accordance with the terms of that part of the existing Agreement relating to the quota for the countries and possessions specified in paragraph I of this Note.

V. The Brazilian Government undertakes to issue instructions to its representative on the International Emergency Food Council to inform that organization about the distribution of rice made by the Brazilian authorities to the countries and possessions specified in paragraph I of this Note in order that the aforesaid Council may take such distribution into consideration when arranging allocations of rice from all other sources.

VI. The quota reserved for the countries and possessions enumerated is thus increased from 10,000 to 16,463 metric tons of rice.

2. This Note and the Notes of Your Excellency and of the United States Ambassador of similar tenor and bearing the same date constitute a formal agreement between the three Governments on this subject.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

D. ST. CLAIR GAINER.

His Excellency
Dr. RAUL FERNANDES,
Minister for Foreign Affairs,
Rio de Janeiro.

I certify this to
be a true copy.

ARTHUR KING [British Embassy Seal]
Minister (Commercial)

Agreement between the United States of America and Canada respecting patent rights in connection with RDX and other explosives. Effected by exchange of notes signed at Washington September 3 and 27, 1946; entered into force September 27, 1946.

September 3 and 27, 1946
[T. I. A. S. 1628]

The Acting Secretary of State to the Canadian Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
September 3, 1946

SIR:

I refer to recent communications and discussions, with particular reference to two letters, one dated August 3, 1945, [1] from Dr. Vannevar Bush, Director of the Office of Scientific Research and Development, United States of America, to Dr. C. J. Mackenzie, President of The Honorary Advisory Council for Scientific and Industrial Research of Canada, the other, dated August 22, 1945, [1] from Dr. Mackenzie to Dr. Bush, relating to the conclusion of an agreement between our two governments for the mutual interchange of patent rights in connection with RDX and other explosives. I now inform you that the Government of the United States is prepared to give effect to an agreement upon this subject in the following terms:

Terms of agreement.

"WHEREAS, the Government of the United States of America through the Director of the Office of Scientific Research and Development, Office for Emergency Management, Executive Office of the President, and the Government of Canada, through the President of The Honorary Advisory Council for Scientific and Industrial Research of Canada, have undertaken the joint development of Explosive Compounds useful in the Allied War Effort; and

"WHEREAS, the inventions identified in the attached Schedule A were made under the auspices of the Office of Scientific Research and Development and the Government of the United States of America has the right to grant certain licenses thereunder; and

"WHEREAS, the inventions identified in the attached schedule B were made under the auspices of The Honorary Advisory Council for Scientific and Industrial Research of Canada and the Government of Canada has the right to grant certain licenses thereunder; and

"WHEREAS, the Governments of the respective countries desire to exchange rights thereunder;

"NOW, THEREFORE, each Government grants to the other a non-exclusive, royalty-free license to have the inventions identified

[1] [Not printed.]

in the Schedules A and B attached hereto used or manufactured by or for the Governments of the respective countries, said license to extend throughout the world.

"It is further agreed that the Schedules A and B attached hereto may be supplemented from time to time as further inventions are made and agreed upon by the contracting parties to be a part of the joint development undertaken by the respective Governments."

If an agreement in accordance with the foregoing terms is acceptable to the Government of Canada, the agreement shall be considered by the Government of the United States to have been concluded and to be in effect as of the date of a corresponding note from you indicating that the Government of Canada is prepared to accept the agreement.

Accept, Sir, the renewed assurances of my high consideration.

WILLIAM L. CLAYTON
Acting Secretary of State

Attachments:
Schedules A and B.

Mr. THOMAS A. STONE,
Chargé d'Affaires ad interim of Canada.

Schedule A of License Interchange Agreement Between the United States of America and Canada

United States Ser. No.	Filing Date	Canadian Ser. No.	Filing Date	Inventors
495, 078	16 July 1943	515, 797	27 June 1944	Bachmann
495, 079	16 July 1943	515, 798	27 June 1944	Bachmann
495, 080	16 July 1943	515, 799	27 June 1944	Bachmann
495, 081	16 July 1943	516, 189	12 July 1944	Johnson, Blomquist & McCrone
495, 083	16 July 1943	515, 897	3 July 1944	Hull
495, 084	16 July 1943	515, 898	3 July 1944	Guenther & Burton
495, 085	16 July 1943	516, 344	15 July 1944	Kistiakowsky, MacDougal & Long
495, 086	16 July 1943	516, 345	15 July 1944	Kistiakowsky, MacDougal, Weltman & Eyster
571, 322	4 Jan. 1945	517, 080	4 Aug. 1944	Bachmann, Jenner & Scott
570, 804	30 Dec. 1944	525, 790	20 April 1945	Blomquist & Fiedorek
570, 807	30 Dec. 1944	525, 793	20 April 1945	Blomquist, Fiedorek & Ryan
570, 805	30 Dec. 1944	525, 791	20 April 1945	Blomquist & Fiedorek
570, 806	30 Dec. 1944	525, 792	20 April 1945	Blomquist & Fiedorek
570, 809	30 Dec. 1944	525, 797	20 April 1945	Turk
570, 810	30 Dec. 1944	525, 795	20 April 1945	Fischer
570, 808	30 Dec. 1944	525, 796	20 April 1945	Kincaid & McGill
570, 811	30 Dec. 1944	525, 794	20 April 1945	Cason

Schedule B of License Interchange Agreement Between the United States of America and Canada

Canadian Ser. No.	Filing Date	United States Ser. No.	Filing Date	Inventors
492, 689	19 May 1942	444, 254	23 May 1942	Schiessler & Ross
516, 455	19 July 1944	495, 082	16 July 1943	Wright, Richmond & Downing
521, 950	2 Jan. 1945	570, 812	30 Dec. 1944	Wright & Winkler
516, 454	19 July 1944	560, 704	27 Oct. 1944	Wright & Chute
521, 949	2 Jan. 1945	570, 813	30 Dec. 1944	Wright & Chute
521, 948	2 Jan. 1945	570, 814	30 Dec. 1944	Wright & Chute
		560, 353	25 Oct. 1944	Wright et al

The Canadian Ambassador to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D.C.,
September 27, 1946.

No. 345

SIR,

I have the honour to refer to your note of September 3, 1946, proposing an Agreement which the Government of the United States of America is prepared to make with the Government of Canada for the mutual interchange of patent rights in connection with RDX and other explosives.

Entry into force.

Under instructions from my Government I have the honour to inform you in reply that the Canadian Government undertakes to give effect to the Agreement set forth in your note and understands that the Agreement will come into force as of the date of this note, namely, September 27th, 1946.

Accept, Sir, the renewed assurance of my highest consideration.

L B PEARSON

The Honourable WILLIAM L. CLAYTON,
Acting Secretary of State
for the United States of America,
Washington, D.C.

Agreement between the United States of America and Turkey respecting aid to Turkey. Signed at Ankara July 12, 1947; entered into force July 12, 1947.

July 12, 1947
[T. I. A. S. 1629]

AGREEMENT ON AID TO TURKEY

The Government of Turkey having requested the Government of the United States for assistance which will enable Turkey to strengthen the security forces which Turkey requires for the protection of her freedom and independence and at the same time to continue to maintain the stability of her economy; and

The Congress of the United States, in the Act approved May 22, 1947, having authorized the President of the United States to furnish such assistance to Turkey, on terms consonant with the sovereign independence and security of the two countries; and

Authority to furnish assistance.
61 Stat., Pt. 1, p. 103.

The Government of the United States and the Government of Turkey believing that the furnishing of such assistance will help to achieve the basic objectives of the Charter of the United Nations and by inaugurating an auspicious chapter in their relations will further strengthen the ties of friendship between the American and Turkish peoples;

59 Stat. 1031.

The undersigned, being duly authorized by their respective governments for that purpose, have agreed as follows:

Article I

The Government of the United States will furnish the Government of Turkey such assistance as the President of the United States may authorize to be provided in accordance with the Act of Congress approved May 22, 1947, and any acts amendatory or supplementary thereto. The Government of Turkey will make effective use of any such assistance in accordance with the provisions of this agreement.

61 Stat., Pt. 1, p. 103.

Article II

The Chief of Mission to Turkey designated by the President of the United States for the purpose will represent the Government of the United States on matters relating to the assistance furnished under this agreement. The Chief of Mission will determine, in consultation with representatives of the Government of Turkey, the terms and conditions upon which specified assistance shall from time to time be furnished under this agreement, except that the financial terms upon which specified assistance shall be furnished shall be determined from time to time in advance by agreement of the two governments. The Chief of Mission will furnish the Government of Turkey such information and technical assistance as may be ap-

Chief of Mission.

propriate to help in achieving the objectives of the assistance furnished under this agreement.

The Government of Turkey will make use of the assistance furnished for the purposes for which it has been accorded. In order to permit the Chief of Mission to fulfill freely his functions in the exercise of his responsibilities, it will furnish him as well as his representatives every facility and every assistance which he may request in the way of reports, information and observation concerning the utilization and progress of assistance furnished.

Article III

Assurance of full information.

The Government of Turkey and the Government of the United States will cooperate in assuring the peoples of the United States and Turkey full information concerning the assistance furnished pursuant to this agreement. To this end, in so far as may be consistent with the security of the two countries:

(1) Representatives of the Press and Radio of the United States will be permitted to observe freely and to report fully regarding the utilization of such assistance; and

(2) The Government of Turkey will give full and continuous publicity within Turkey as to the purpose, source, character, scope, amounts, and progress of such assistance.

Article IV

Security measures.

Determined and equally interested to assure the security of any article, service, or information received by the Government of Turkey pursuant to this agreement, the Governments of the United States and Turkey will respectively take after consultation, such measures as the other government may judge necessary for this purpose. The Government of Turkey will not transfer, without the consent of the Government of the United States, title to or possession of any such article or information nor permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the Government of Turkey or for any purpose other than that for which the article or information is furnished.

Article V

Restriction on use of aid for payment of loans.

The Government of Turkey will not use any part of the proceeds of any loan, credit, grant, or other form of aid rendered pursuant to this agreement for the making of any payment on account of the principal or interest on any loan made to it by any other foreign government.

Article VI

Conditions for withdrawal of aid.

Any or all assistance authorized to be provided pursuant to this agreement will be withdrawn:

(1) If requested by the Government of Turkey;

(2) If the Security Council of the United Nations finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly of the United Nations finds that action taken or assistance furnished by the United Nations makes the continuance of assistance by the Government of the United States pursuant to this agreement unnecessary or undesirable; and

(3) Under any of the other circumstances specified in section 5 of the aforesaid Act of Congress or if the President of the United States determines that such withdrawal is in the interest of the United States.

61 Stat., Pt. 1, p. 105.

Article VII

This agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two governments.

Effective date; duration.

Article VIII

This agreement shall be registered with the United Nations.

Registration.

Done in duplicate, in the English and Turkish languages, at Ankara, this 12th day of July, 1947.

EDWIN C. WILSON
For the Government of the United States

For the Government of the Republic of Turkey
HASAN SAKA

[SEAL] [SEAL]

TÜRKİYE'YE YAPILACAK YARDIM HAKKINDA

A N L A Ş M A

Türkiye Hükûmeti, Türkiye'nin hürriyetini ve bağımsızlığını korumak için ihtiyacı olan güvenlik kuvvetlerinin takviyesini temin ve aynı zamanda ekonomisinin istikrarını muhafazaya devam maksadiyle Birleşik Devletler Hükûmetinin yardımını istediğinden; ve

Birleşik Devletler Kongresi, 22 Mayıs 1947 de tasdik edilen Kanun ile, Birleşik Devletler Başkanına, Türkiye'ye her iki memleketin egemen bağımsızlığına ve güvenliğine uygun şartlar dairesinde, böyle bir yardımda bulunmak yetkisini verdiğinden; ve

Birleşik Devletler Hükûmeti ile Türkiye Hükûmeti böyle bir yardım yapılmasının Birleşmiş Milletler Andlaşmasının esas gayelerine ulaşmayı sağlayacağı gibi münasebetlerinde hayırlı bir devre açarak Amerikan ve Türk milletleri arasındaki dostluk bağlarını daha çok takviye edeceğine kani bulunduklarından;

Bu maksadla kendi Hükûmetleri tarafından usulü dairesinde verilmiş yetkileri haiz olan ve aşağıda imzası bulunan zevat şu hususları kararlaştırmışlardır :

Madde 1 ....

Madde 1

Birleşik Devletler Hükûmeti, Birleşik Devletler Başkanının 22 Mayıs 1947 tarihinde tasdik edilen Kongre kanunu ve bunu değiştiren veya buna ek kanunlar hükümleri gereğince yapılmasına müsaade edebileceği yardımı Türkiye Hükûmetine sağlayacaktır . Türkiye Hükûmeti bu kabil herhangi bir yardımı, bu Anlaşma hükümleri gereğince fiilen kullanacaktır .

Madde 2

Birleşik Devletler Başkanı tarafından bu maksadla tayin edilen bir Türkiye Misyonu Şefi bu Anlaşma gereğince sağlanacak yardıma müteallik meselelerde Birleşik Devletler Hükûmetini temsil edecektir . Misyon Şefi bu Anlaşma gereğince peyderpey yapılacak olan muayyen yardımın kayıt ve şartlarını Türkiye Hükûmeti temsilcileriyle danışarak tesbit edecektir . Ancak, yapılacak olan bu muayyen yardımın malî şartları, peyderpey, iki Hükûmetin mutabakatı ile, evvelden tesbit edilecektir . Misyon Şefi, Türkiye Hükûmetine, bu Anlaşma gereğince sağlanan yardımın gayelerinin elde edilmesine yarayabilecek malûmatı ve teknik yardımı sağlayacaktır .

Türkiye Hükûmeti yapılan yardımı tahsis edilmiş bulunduğu gayeler uğrunda kullanacaktır . Sorumluluklarının icrası sırasında görevini serbestçe yapabilmesini mümkün kılmak için, işbu Hükûmet, Misyon Şefine ve temsilcilerine, yapılan yardımın kullanılışı ve ilerleyişi hakkında, rapor, malûmat ve müşahede şeklinde isteyebileceği her türlü kolaylık ve yardımı sağlayacaktır .

Madde 3 ....

Madde 3

Birleşik Devletler Hükûmeti ile Türkiye Hükûmeti Birleşik Devletler ve Türk milletlerine bu Anlaşma gereğince yapılan yardım hususunda tam bilgi temini için işbirliği yapacaklardır .

Bu maksadla ve iki memleketin güvenliği ile kabili telif olduğu nisbette :

1 - Birleşik Devletler basın ve radyo temsilcilerine, bu yardımın kullanılışını serbestçe müşahede etmelerine ve bu müşahedelerini tam olarak bildirmelerine müsaade edilecektir; ve

2 - Türkiye Hükûmeti bu yardımın amacı, kaynağı, mahiyeti, genişliği, mikdarı ve ilerleyişi hakkında Türkiye'de tam ve devamlı yayın yapacaktır .

Madde 4

İşbu Anlaşma gereğince Türkiye Hükûmeti tarafından elde edilen her madde, hizmet veya malûmatın emniyetini sağlamak azminde bulunan ve bunda aynı derecede menfaattar olan Birleşik Devletler ve Türkiye Hükûmetleri, badelmüşavere, bu uğurda diğer Hükûmetin lüzumlu addedebileceği tedbirleri,karşılıklı olarak, alacaklardır .

Türkiye Hükûmeti, Birleşik Devletler Hükûmetinin muvafakatı olmadan, bu neviden hiç bir madde veya malûmatın mülkiyet veya zilyetliğini devir etmeyeceği gibi, aynı muvafakat olmadan Türkiye Hükûmetinin subay, memur veya ajanı sıfatını haiz bulunmayan bir kimse tarafından bu maddelerin veya malûmatın kullanılmasına veya bu malûmatın bu sıfatı haiz

olmayan ....

olmayan bir kimseye açıklanmasına ve bu maddeler ve malûmatın verildikleri gayeden başka bir gayede kullanılmasına müsaade etmeyecektir .

Madde 5

Türkiye Hükûmeti bu Anlaşma gereğince verilen herhangi bir ikraz, kredi, hibe veya diğer şekillerdeki yardımların hasılatının hiç bir kısmını diğer herhangi yabancı bir devlet tarafından kendisine verilmiş olan herhangi bir ikrazın resülmal veya faizinin tediyesinde kullanmayacaktır .

Madde 6

Bu Anlaşma gereğince yapılmasına müsaade olunan yardım kısmen veya tamamen :

1 - Türkiye Hükûmeti talep ederse;

2 - Birleşmiş Milletler Güvenlik Konseyinin (bu hususta Birleşik Devletler herhangi bir vetonun kullanılmasını nazarı itibara almıyacaktır) veya Birleşmiş Milletler Genel Kurulunun, Birleşmiş Milletler tarafından alınan tedbir veya yapılan yardım neticesinde, bu Anlaşma mucibince Birleşik Devletler Hükûmeti tarafından yapılan yardımın devamını lüzumsuz veya gayrı matlup addetmesi halinde; ve

3 - Yukarıda anılan Kongre kanununun 5-inci bölümünde musarrah diğer herhangi bir vaziyette veya Birleşik Devletler Başkanının yardımın kesilmesini Birleşik Devletlerin menfaatlerine uygun görmesi halinde, nihayet bulacaktır .

Madde 7 ....

Madde 7

Bu Anlaşma bu günden itibaren yürürlüğe girecek ve her iki Hükûmet tarafından tesbit edilecek tarihe kadar yürürlükte kalacaktır .

Madde 8

Bu Anlaşma Birleşmiş Milletler nezdinde tescil edilecektir .

İngiliz ve türk dillerinde, iki nüsha olarak, Ankara'da On İki Temmuz Bin Dokuz Yüz Kırk Yedi tarihinde yapılmıştır .

Birleşik Devletler Hükûmeti adına

Türkiye Cumhuriyeti Hükûmeti adına

Hasan Sakay

Agreement between the United States of America and Peru respecting a cooperative health and sanitation program in Peru, supplementing and amending the agreement of May 11, 1942, as extended. Effected by exchange of notes signed at Lima April 16 and 19, 1947; entered into force April 19, 1947.

April 16 and 19, 1947
[T. I. A. S. 1630]

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

N°. (D)-6-3/35

LIMA, *16 de Abril de 1947*.

SEÑOR EMBAJADOR:

Tengo a honra poner en conocimiento de Vuestra Excelencia que por Resolución Suprema Número 32, de 16 de Marzo último, se aprobó el Proyecto de Convenio Suplementario para la Extensión del Programa Cooperativo de Salud Pública, a cargo del Ministerio de Salud Pública y Asistencia Social y del Instituto de Asuntos Interamericanos, cuyo texto es el siguiente:

"Este Convenio Suplementario acordado entre el doctor Alberto Hurtado, Ministro de Salud Pública y Asistencia Social, en representación del Gobierno del Perú (en adelante designado como el "Ministro") y el Instituto de Asuntos Interamericanos, una agencia incorporada del Gobierno de los Estados Unidos de América (en adelante designado como el "Instituto") representado por el doctor Ernest B. Howard, Representante Especial del Instituto de Asuntos Interamericanos, se celebra con el propósito de introducir ciertas modificaciones en el programa cooperativo de Salud y Salubridad establecido por virtud de un intercambio de notas entre Su Excelencia, David Dasso, Ministro de Hacienda y Comercio del Perú y Su Excelencia, Summer Welles, Sub-Secretario de Estado de los Estados Unidos de América, en Mayo de 1942, y comunicaciones posteriores cambiadas entre el Instituto y el Ministro durante Julio y Octubre de 1942 y confirmadas por Resoluciones Supremas N° 1895a de Julio 14, 1942 y N°. 2947a. de Octubre 31, 1942, (en adelante designado como el "Contrato Básico). El Contrato Básico se extendió hasta el 30 de Junio de 1947, por medio de un intercambio de Notas, confirmado por Resolución Suprema N°. 248 de Marzo 17, 1944 (en adelante designado como el "Contrato de Extensión") con fecha de Marzo de 1944, entre el MiNistro de Salud Pública y Asistencia Social del Perú y el Vice-Presidente Ejecutivo del Instituto.

CLAUSULA PRIMERA.

"Las Partes Contratantes mutuamente proponen, convienen y declaran que el Contrato Básico, en su forma extendida, sea suplementado, por lo cual, por este convenio, queda suplementado y, además, modificado, de acuerdo con las claúsulas que se detallan más abajo.

CLAUSULA SEGUNDA.

"Un grupo de oficiales y técnicos conocidos como la "Misión de la División de Salud y Salubridad del Instituto de Asuntos Interamericanos en el Perú" seguirá representando al Instituto en el Perú y este grupo de oficiales y técnicos permanecerá bajo la dirección inmediata de un oficial del Instituto conocido como el "Jefe de la Misión". El Jefe de la Misión continuará actuando como el Director del Servicio Cooperativo Interamericano de Salud Pública (en adelante designado como el "Servicio") durante el período comprendido por este Convenio Suplementario.

CLAUSULA TERCERA.

"El Párrafo 3 del Contrato de Extensión queda por éste enmendado, siendo el deseo y propósito de las Partes Contratantes que el Programa Amazónico se extienda y continúe dentro de la administración del programa cooperativo de Salud y Salubridad, bajo la dirección del Servicio, durante y después del 31 de Diciembre de 1946 y, por lo tanto, las Partes Contratantes convienen en que el Programa Amazónico queda extendido y continuará en operación bajo la dirección del Servicio desde el 1°. de Enero de 1947 hasta el 30 de Junio de 1947 inclusive.

CLAUSULA CUARTA.

"Con el fin de ser aplicados en los gastos de mantenimiento y operación del Programa Amazónico, durante el período comprendido por este Convenio, las Partes Contratantes convienen contribuir con fondos durante este período de tiempo en la forma siguiente:

"a) El Instituto contribuirá con una suma que no excederá de Veinte Mil Dólares ($.20.000) y depositará esa suma a la cuenta del Servicio el 31 de Enero de 1947 o antes de esa fecha.

"b) El Instituto puede retener de los depósitos mencionados en la Cláusula IV (a) las sumas que el Ministro y el Jefe de la Misión estimen necesarias para el pago de las compras hechas en los Estados Unidos de América, de materiales, abastecimientos y equipo y otros gastos relacionados con la operación del Programa Amazónico. Cualquiera de los fondos así retenidos por el Instituto se considerarán como depositados bajo los términos de la Claúsula IV (a), pero si no son gastados o comprometidos para tales propósitos, se depositarán en la cuenta del Servicio para el Programa Amazónico, en cualquier tiempo, bajo acuerdo mutuo del Ministro y el Jefe de la Misión.

"c) El Gobierno del Perú depositará en la cuenta del Servicio el equivalente, en moneda Peruana, de Ciento Cuarentiseis Mil Quinientos Dólares ($. 146.500) moneda de Estados Unidos, al tipo de cambio de 6.50 Soles por cada Dolar de Estados Unidos, en la forma siguiente:

En o antes del 31 de Enero de 1947	$. 73. 250.
En o antes del 30 de Abril de 1947	$. 73. 250.
Total:	$. 146. 500.

"d) Por convenio escrito entre el Ministro y el Jefe de la Misión, el plan de depósitos, según Cláusulas IV (a) y (c) puede ser enmendado de acuerdo con las necesidades del Programa Amazónico.

"e) Los fondos abonados a la cuenta del Servicio conforme a las Cláusulas IV (a) y (c) no tienen que ser depositados en una cuenta especial, pero pueden ser depositados en la cuenta general del Servicio y, si el Ministro y el Jefe de la Misión determinan, en cualquier tiempo, que los fondos que han de ser depositados conforme a dichas Cláusulas IV (a) y (c) exceden la suma necesaria para financiar los gastos calculados del Programa Amazónico, durante el período cubierto por este Convenio Suplementario, entonces la suma sobrante se puede emplear para cualquier otro propósito del programa cooperativo, bajo acuerdo mutuo entre el Ministro y el Jefe de la Misión.

"f) El Servicio puede recibir contribuciones de cualquier fuente, además de las mencionadas en las Cláusulas IV (a) y (c) y estas contribuciones las puede gastar el Servicio, en la misma forma que otros fondos, para los usos y propósitos del programa cooperativo de Salud y Salubridad, con tal que el recibo de tales contribuciones adicionales por el Servicio sea de acuerdo mutuo escrito anticipadamente entre el Ministro y el Jefe de la Misión.

"g) Cualquiera de los fondos y otra propiedad adquirida por el Servicio que queden sin gastar, sin usar y no comprometidos al terminarse el período comprendido por este Convenio Suplementario, permanecerán como propiedad del Gobierno del Perú y continuarán siendo utilizados para los propósitos del programa cooperativo en una manera acordada mutuamente por escrito entre el Ministro y el Jefe de la Misión.

CLAUSULA QUINTA.

"El Contrato Básico, en su forma extendida queda además modificado con la inclusión del párrafo que sigue:

"Los miembros que integran la Misión de Salud y Salubridad del Instituto no estarán obligados a pagar en el Perú ningún impuesto directo, seguro social ni cesantía, en el caso de que estén sujetos al pago de dichos impuestos en los Estados Unidos de América. El Gobierno del Perú permitirá la entrada libre ó en su defecto pagará los derechos correspondientes sobre material y equipo necesario para el uso profesional del personal de la Misión. Igualmente, el Gobierno del Perú permitirá la entrada libre ó abonará los derechos correspondientes sobre los efectos personales de los miembros de la Misión, de acuerdo con las condiciones limitativas a que están sujetos los miembros del Cuerpo Diplomático acreditado ante el Gobierno del Perú; para los fines de este Convenio, los miembros de la Misión estarán considerados como Primeros Secretarios del Servicio Diplomático en lo que se refiere a franquicias.

CLAUSULA SEXTA.

"El Contrato Básico y el Contrato de Extensión antes mencionados, quedarán en completa vigencia y por tanto subsiste el compromiso del Gobierno Peruano para abonar las armadas correspondientes a Enero y Abril de 1947 de Diez Mil Setecientos Veinticinco Dólares ($.10.725) cada una, al tipo de cambio de Soles 6.50 por Dolar, excepto como han sido modificados por este Convenio Suplementario ó por ser contradictorios al mismo.

CLAUSULA SEPTIMA.

"Este Convenio Suplementario tendrá el efecto de un Convenio formal comprometiendo completamente a las Partes Contratantes y quedará vigente desde el primer día de Enero de 1947, tan pronto como se hayan cambiado Notas Diplomáticas, confirmando y aprobando los términos de este Convenio Suplementario entre el Ministro de Relaciones Exteriores y Culto del Gobierno del Perú y la Embajada de los Estados Unidos de América en el Perú.

"En Fé De Lo Cual, las Partes Contratantes han hecho ejecutar este Convenio Suplementario por sus representantes debidamente autorizados, en duplicado en los idiomas inglés y castellano, en Lima, Perú, a 27 de Marzo de 1947.

MINISTERIO DE SALUD PUBLICA Y ASISTENCIA SOCIAL
Firmado: ALBERTO HURTADO.
Ministro.

EL INSTITUTO DE ASUNTOS INTERAMERICANOS
Firmado: ERNEST B. HOWARD.
Representante Especial

Si Vuestra Excelencia lo encuentra conforme, esta Nota, junto con la respuesta que merezca, podrían ser consideradas como el cumplimiento de lo preceptuado en la Cláusula Séptima de este Convenio Suplementario, quedando así confirmados y aprobados los términos del Convenio.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Su Excelencia, Señor PRENTICE COOPER,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Ciudad

Translation

MINISTRY FOR FOREIGN AFFAIRS AND WORSHIP

No. (D)-6-3/35

LIMA, *April 16, 1947*

MR. AMBASSADOR:

I have the honor to inform Your Excellency that, by Supreme Resolution No. 32 of March 16, last, there was approved the draft of the Supplementary Agreement for the Extension of the Cooperative Public Health Program under the direction of the Ministry of Public Health and Social Welfare and the Institute of Inter-American affairs, the text of which is as follows:

"This Supplementary Agreement concluded between Dr. Alberto Hurtado, Minister of Public Health and Social Welfare, in representation of the Government of Peru (designated hereinafter as the 'Minister') and the Institute of Inter-American Affairs, an incorporated agency of the Government of the United States of America (designated hereinafter as the 'Institute'), represented by Dr. Ernest B. Howard, Special Representative of the Institute of Inter-American Affairs, is concluded for the purpose of introducing certain changes in the Cooperative Health and Sanitation Program which was established by an exchange of notes between His Excellency David Dasso, Minister of Hacienda and Commerce of Peru, and His Excellency Sumner Welles, Under Secretary of State of the United States of America, in May 1942, and subsequent communications exchanged between the Institute and the Minister during July and October, 1942,[1] and confirmed by Supreme Resolutions No. 1895a of July 14, 1942, and No. 2947a of October 31, 1942 (designated hereinafter as the 'Basic Contract'). The Basic Contract was extended until June 30, 1947, by an exchange of notes, confirmed by Supreme Resolution No. 248 of March 17, 1944 (designated hereinafter as the 'Extension Contract'), dated March, 1944, between the Minister of Public Health and Social Welfare of Peru and the Executive Vice President of the Institute.

Text of supplementary agreement. 61 Stat., Pt. 4, p. 3364.

58 Stat. 1543.

Ante, p. 2488.

ARTICLE I.

"The Contracting Parties jointly propose, agree and declare that the Basic Contract, in its extended form, shall be supplemented, and therefore, by this agreement, it is supplemented and, in addition, amended, in accordance with the articles which are specified below.

ARTICLE II.

"A group of officials and technicians known as the 'Mission of the Health and Sanitation Division of the Institute of Inter-American Affairs in Peru' shall continue to represent the Institute in Peru and this group of officials and technicians shall remain under the immediate direction of an official of the Institute known as the 'Chief of the Mission'. The Chief of the Mission shall continue to act as the Director of the Cooperative Inter-American Public Health Service (designated hereinafter as the 'Service') during the period covered by in this Supplementary Agreement.

Representation Institute in Peru.

Chief of Mission.

ARTICLE III.

"Paragraph 3 of the Extension Contract shall be amended hereby, it being the desire and intention of the Contracting Parties that the Amazon Program be extended and continued within the administration of the Cooperative Health and Sanitation Program, under the direction of the Service, on and after December 31, 1946, and therefore the Contracting Parties agree that the Amazon Program is extended, and shall continue in operation under the direction of the Service from January 1, 1947 to June 30, 1947, inclusive.

Extension of Amazon Program. *Ante*, p. 2490.

[1] [Not printed.]

ARTICLE IV.

Funds for maintenance of Amazon Program.

"To the end that they may be applied to the expenses of maintenance and operation of the Amazon Program, during the period covered by this Agreement, the Contracting Parties agree to contribute funds during this period of time, in the following manner:

Contribution by Institute.

(a) The Institute shall contribute a sum which shall not exceed twenty thousand dollars ($20,000) and shall deposit that sum to the account of the Service on January 31, 1947 or before that date.

Sums withheld from deposits.

(b) The Institute may withhold from the deposits mentioned in Article IV (a) the sums which the Minister and the Chief of the Mission consider necessary for the payment of the purchases, made in the United States of America, of materials, supplies and equipment, and other expenses connected with the execution of the Amazon Program. Any of the funds thus withheld by the Institute shall be considered as deposited under the terms of Article IV (a), but if they are not spent or pledged for such purposes, they shall be deposited to the account of the Service for the Amazon Program, at any time, in accordance with the joint agreement of the Minister and the Chief of the Mission.

Peruvian deposit.

(c) The Government of Peru shall deposit to the account of the Service the equivalent, in Peruvian currency, of one hundred forty-six thousand five hundred dollars ($146,500), United States currency, at the exchange rate of 6.50 soles for each United States dollar, in the following manner:

On or before January 31, 1947	$73, 250
On or before April 30, 1947	$73, 250
Total	$146, 500

Modification of plan of deposits.

(d) By a written agreement between the Minister and the Chief of the Mission, the plan of deposits, according to Article IV (a) and (c), may be modified according to the needs of the Amazon Program.

Surplus sum

(e) The funds credited to the account of Service, in conformity with Article IV (a) and (c), do not have to be deposited in a special account, but may be deposited in the general account of the Service, and, if the Minister and the Chief of the Mission decide, at any time, that the funds which must be deposited in conformity with the said Article IV (a) and (c) exceed the sum necessary to pay the calculated expenses of the Amazon Program, during the period covered by this Supplementary Agreement, then the surplus sum may be used for any other purpose of the cooperative program, by mutual agreement between the Minister and the Chief of the Mission.

Additional contributions.

(f) The Service may receive contributions from any source, in addition to those mentioned in Article IV (a) and (c), and the Service may spend such contributions, in the same manner

as other funds, for the uses and purposes of the Cooperative Health and Sanitation Program, provided that the receipt of such additional contributions by the Service is in accordance with an advance written mutual agreement between the Minister and Chief of the Mission.

(g) Any of the funds and other property acquired by the Service which are not spent, used and pledged at the expiration of the period covered by this Supplementary Agreement shall remain the property of the Government of Peru and shall continue to be used for the purposes of the cooperative program in a manner mutually agreed upon, in writing, by the Minister and the Chief of the Mission.

Funds not spent, etc.

ARTICLE V.

"The Basic Contract, in its extended form, is also amended by the inclusion of the following paragraph:

'The members who make up the Health and Sanitation Mission of the Institute shall not be obligated to pay, in Peru, any direct tax, social security or pension, in case they are subject to the payment of the said taxes in the United States of America. The Government of Peru shall permit free entry of, or, in lieu thereof, shall pay the respective duties on material and equipment necessary for the professional use of the personnel of the Mission. Likewise, the Government of Peru shall permit the free entry of, or guarantee the respective duties on, the personal effects of the members of the Mission, in accordance with the restrictive conditions to which the members of the Diplomatic Corps accredited to the Government of Peru are subject; for the purposes of this Agreement, the members of the Mission shall be considered as First Secretaries of the Diplomatic Service as regards exemptions'.

Exemption of members of Mission from taxes, etc.

ARTICLE VI.

"The Basic Contract and the Extension Contract above-mentioned shall remain in full force and therefore continues the obligation of the Peruvian Government to pay the instalments for January and April, 1947, in the amount of ten thousand seven hundred and twenty-five dollars ($10,725) each, at the rate of exchange of 6.50 soles per dollar, except as they have been modified by this Supplementary Agreement or by reason of their being contradictory thereto.

Continued obligation of Peruvian Government.
Ante, p. 2488.

ARTICLE VII.

"This Supplementary Agreement shall have the effect of a formal Agreement completely obligating the Contracting Parties and shall come into force after January 1, 1947, as soon as Diplomatic Notes have been exchanged, confirming and approving the terms of this Supplementary Agreement between the Minister of Foreign Affairs and Worship of the Government of Peru and the Embassy of the United States of America in Peru.

Entry into force.

"In witness whereof, the Contracting Parties had this Supplementary Agreement executed by their duly authorized representatives, in duplicate, in the English and Spanish languages, at Lima, Peru, on March 27, 1947.

MINISTRY OF PUBLIC HEALTH AND SOCIAL WELFARE	THE INSTITUTE OF INTER-AMERICAN AFFAIRS
Signed: ALBERTO HURTADO, *Minister.*	Signed: ERNEST B. HOWARD, *Special Representative*

If Your Excellency finds it acceptable, this Note, together with the reply which it merits, shall be considered as the fulfilment of the specification of Article VII of this Supplementary Agreement, the terms of the Agreement thus being confirmed and approved.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

The American Ambassador to the Peruvian Minister for Foreign Affairs

No. 485 LIMA, *April 19, 1947*

EXCELLENCY:

Ante, p. 2964.

I have the honor to acknowledge receipt of Your Excellency's note No. (D) 6-3/35 of April 16, 1947, in which you were good enough to inform me of the promulgation of Supreme Resolution No. 32 of March 16, which approved the execution of a Supplementary Agreement for the extension to June 30, 1947, of the Cooperative Public Health Program under the direction of the Ministry of Public Health and Social Welfare and the Institute of Inter-American Affairs. The text of the Supplementary Agreement which was signed on March 27, 1947, by His Excellency Dr. Alberto Hurtado, Minister of Public Health and Social Welfare, and by Dr. Ernest B. Howard, Special Representative of the Institute of Inter-American Affairs, has been incorporated verbatim in Your Excellency's note under acknowledgment.

Confirmation of terms of agreement.

Consequently, this note, together with Your Excellency's note referred to, constitute an agreement between the Governments of the United States of America and of the Republic of Perú by which the terms of the Supplementary Agreement are confirmed and approved.

I avail myself of this occasion to extend to Your Excellency the

renewed assurances of my highest and most distinguished consideration.

PRENTICE COOPER

His Excellency
DR. ENRIQUE GARCÍA SAYÁN,
Minister for Foreign Affairs,
Lima.

June 25, 1947
[T. I. A. S. 1631]

Agreement between the United States of America and Austria respecting relief assistance. Signed at Vienna June 25, 1947; entered into force June 25, 1947.

AGREEMENT BETWEEN THE UNITED STATES AND AUSTRIA

WHEREAS, it is the desire of the United States to provide relief assistance to the Austrian people to prevent suffering and to permit them to continue effectively their efforts toward recovery; and

WHEREAS, the Austrian Government has requested the United States Government for relief assistance and has presented information which convinces the United States Government that the Austrian Government urgently needs assistance in obtaining the basic essentials of life for the people of Austria; and

Authority to provide assistance.
61 Stat., Pt. 1, p. 125.

WHEREAS, the United States Congress has by Public Law 84, Eightieth Congress, May 31, 1947, authorized the provision of relief assistance to the people of those countries which, in the determination of the President, need such assistance and have given satisfactory assurances covering the relief program as required by the Act of Congress; and

WHEREAS, the Austrian Government and the United States Government desire to define certain conditions and understandings concerning the handling and distribution of the United States relief supplies and to establish the general lines of their cooperation in meeting the relief needs of the Austrian people;

The Government of the United States represented by Lieutenant General Geoffrey Keyes, U.S. High Commissioner, Commanding General U.S.F.A., and the Government of Austria represented by Federal Chancellor Ing. Dr. h. c. Leopold Figl and Federal Minister for Foreign Affairs Dr. Karl Gruber, have agreed as follows:

ARTICLE I.

Furnishing of Supplies

Types, quantities, etc.

(a) The program of assistance to be furnished shall consist of such types and quantities of supplies, and procurement, storage, transportation and shipping services related thereto, as may be determined from time to time by the United States Government after consultation with the Austrian Government in accordance with the Public Law 84, Eightieth Congress, May 31, 1947, and any Acts amendatory or supplementary thereto. Such supplies shall be confined to certain basic essentials of life; namely, food, medical supplies, processed and unprocessed material for clothing, fertilizers, pesticides, fuel, and seeds.

61 Stat., Pt. 1, p. 125.

(b) Subject to the provisions of Article III, the United States Government will make no request, and will have no claim, for payment for United States relief supplies and services furnished under this Agreement.

No claim for payment.

(c) United States Government agencies will provide for the procurement, storage, transportation and shipment to Austria of United States relief supplies, except to the extent that the United States Government may authorize other means for the performance of these services in accordance with procedures stipulated by the United States Government. All United States relief supplies shall be procured in the United States except when specific approval for procurement outside the United States is given by the United States Government.

Procurement by U. S. agencies, etc.

(d) The Austrian Government will from time to time submit in advance to the High Commissioner of the United States in Austria its proposed programs for relief import requirements. These programs shall be subject to screening and approval by the United States Government and procurement shall be authorized only for items contained in the approved programs.

Approval of proposed Austrian programs.

(e) Transfers of United States relief supplies shall be made under Arrangements to be determined by the High Commissioner of the United States or other designated officials of the United States Government in consultation with the Austrian Government. The United States Government, whenever it deems it desirable, may retain possession of any United States relief supplies, or may recover possession of any United States relief supplies transferred up to the city or local community where such supplies are made available to the ultimate consumers.

Transfers.

ARTICLE II.

Distribution of Supplies in Austria

(a) All United States relief supplies shall be distributed by the Austrian Government under the direct supervision and control of the United States representatives and in accordance with the terms of this Agreement. The distribution shall be through commercial channels to the extent feasible and desirable.

(b) All United States relief supply imports shall be free of fiscal charges including customs duties up to the point where they are sold for local currency as provided by Article III of this Agreement unless when because of price practices, it is advisable to include customs charges or government taxes in prices fixed, in which case the amount thus collected in United States relief supply imports shall accrue to the special account referred to in Article III. All United States relief supply imports given free to indigents, institutions and others shall be free of fiscal charges, including customs duties.

Fiscal charges.

(c) The Austrian Government will designate a high-ranking official who shall have the responsibility of liaison between the Austrian Government and the United States representatives responsible for the relief program.

Liaison.

Distribution by Austrian Government.

(d) The Austrian Government will distribute United States relief supplies and similar supplies produced locally or imported from outside sources without discrimination as to race, creed or political party or belief. Such supplies shall not be diverted to non-essential uses or for export or removal from the country and an excessive amount of said supplies shall not be used to assist in the maintenance of Austrian armed forces, and in no event shall such supplies be used to maintain the armed forces of any occupying power.

(e) The Austrian Government will so conduct the distribution of United States relief supplies and similar supplies produced locally and imported from outside sources as to assure a fair and equitable share of the supplies to all classes of the people throughout Austria.

(f) A ration and price control system shall be maintained and the distribution shall be so conducted that all classes of the population, irrespective of purchasing power, shall receive their fair share of supplies covered in this Agreement.

ARTICLE III.

Utilization of Funds Accruing from Sales of United States Supplies.

Price agreement.

(a) The prices at which the United States relief supplies shall be sold in Austria shall be agreed upon between the Austrian Government and the United States Government.

Deposit of local currency.

(b) When United States relief supplies are sold for local currency, the amount of such local currency shall be deposited by the Austrian Government in a special account in the name of the Austrian Government.

Disposition.

(c) Until June 30, 1948, such funds shall be disposed of only upon approval of the duly authorized representatives of the United States Government for relief and work relief purposes within Austria, including local currency expenses of the United States incident to the furnishing of relief. Any unencumbered balance remaining in such account on June 30, 1948, shall be disposed of within Austria for such purposes as the United States Government, pursuant to Act or Joint Resolution of Congress, may determine.

Austrian advances.

(d) The Austrian Government will upon request advance funds to the United States representatives to meet local currency expenses incident to the furnishing of relief.

Unusual costs.

(e) While it is not intended that the funds accruing from sales of the United States relief supplies normally shall be used to defray the local expenses of the Austrian Government in handling and distributing the United States relief supplies, the United States representatives shall consider with the Austrian Government the use of the funds to cover unusual costs which would place an undue burden on the Austrian Government.

Reports on collections, etc.

(f) The Austrian Government will each month make available to the United States representatives reports on collections, balances and expenditures from the fund.

(g) The Austrian Government will assign officials to confer and plan with the United States representatives regarding the disposition

of funds accruing from sales and to assure proper use of such funds.

ARTICLE IV.

Effective Production, Food Collections and Use of Resources to Reduce Relief Needs.

(a) The Austrian Government affirms that it has taken and is taking in so far as possible the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction.

(b) The Austrian Government will undertake not to permit any measures to be taken involving delivery, sale or granting of any articles of the character covered in this agreement which would reduce the locally produced supply of such articles and thereby increase the burden of relief.

(c) The Austrian Government will furnish regularly current information to the United States representatives regarding plans and progress in increasing production and improving collection of locally produced supplies suitable for relief throughout Austria.

ARTICLE V.

United States Mission

(a) The United States Government will attach to the United States Legation in Vienna, representatives who shall constitute a relief mission and shall act under instructions of the High Commissioner of the United States in Austria in discharging the responsibilities of the United States Government under this Agreement and the Public Law 84, Eightieth Congress, May 31, 1947. The Austrian Government will permit and facilitate the movement of the United States representatives to, in and from Austria.

61 Stat., Pt. 1, p. 125.

Freedom of supervision, etc.

(b) The Austrian Government will permit and facilitate in every way the freedom of the United States representatives to supervise, inspect, report and travel throughout Austria at any and all times, and to cooperate fully with them in carrying out all of the provisions of this Agreement. The Austrian Government will furnish the necessary automobile transportation to permit the United States representatives to travel freely throughout Austria and without delay.

Privileges and immunities.

(c) The United States representatives and the property of the Mission and of its personnel shall enjoy in Austria the same privileges and immunities as are enjoyed by the personnel of the United States Legation in Austria and the property of the Legation and of its personnel.

ARTICLE VI.

Freedom of United States Press and Radio Representatives to Observe and Report

The Austrian Government agrees to permit representatives of the United States press and radio to observe freely and report fully and without censorship regarding the distribution and utilization of relief

supplies and the use of funds accruing from sale of United States relief supplies.

ARTICLE VII.

Reports, Statistics and Information

(a) The Austrian Government will maintain adequate statistical and other records on relief and will consult with the United States representatives, upon their request, with regard to the maintenance of such records.

(b) The Austrian Government will furnish promptly upon request of the United States representatives information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people.

Abuses or violations of agreement.

(c) In case United States representatives report apparent abuses or violations of this Agreement, the Austrian Government will investigate and report and promptly take such remedial action as is necessary to correct such abuses or violations as are found to exist.

ARTICLE VIII.

Publicity Regarding United States Assistance.

(a) The Austrian Government will permit and arrange full and continuous publicity regarding the purpose, source, character, scope, amounts and progress of the United States relief program in Austria, including the utilization of funds accruing from sales of United States relief supplies for the benefit of the people. In addition, at least on two occasions, on its coming into force, and once during the period relief distribution is in effect, the Austrian Government will arrange that this entire Agreement be published in the newspapers of the three largest communities of the country.

Publication of agreement in Austrian newspapers.

Marking, etc., of relief supplies.

(b) All United States relief supplies and any articles processed from such supplies, or containers of such supplies or articles, shall, to the extent practicable, be marked, stamped, branded, or labelled in a conspicuous place in such a manner as to indicate to the ultimate consumer that such supplies or articles have been furnished by the United States for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labelled, all practicable steps will be taken by the Austrian Government to inform the ultimate consumer thereof that such supplies or articles have been furnished by the United States for relief assistance.

ARTICLE IX.

Termination of Relief Assistance

The United States Government will terminate any or all of its relief assistance at any time whenever it determines (1) by reason of changed conditions the provision of relief assistance of the character authorized by the Public Law 84, Eightieth Congress, May 31, 1947, is no longer necessary; (2) any provisions of this Agreement are not being carried out; (3) an excessive amount of United States relief supplies, or of similar supplies produced locally or imported from outside sources,

61 Stat., Pt. 1, p. 125.

is being used to assist in the maintenance of Austrian armed forces, or if any such supplies are used to assist in the maintenance of armed forces of any occupying power, or (4) United States relief supplies or similar supplies produced locally or imported from outside sources are being exported or removed from Austria. The United States Government may stop or alter its program of assistance whenever in its determination other circumstances warrant such action.

ARTICLE X.

Date of Agreement

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Effective date; duration.

Done in duplicate in the English and German languages at Vienna, this twentyfifth day of June, 1947.

For the Government of the United States:
GEOFFREY KEYES

For the Government of Austria:
FIGL LEOPOLD
GRUBER

[SEAL]

Abkommen zwischen Österreich und den Vereinigten Staaten.

Nachdem es der Wunsch der Vereinigten Staaten ist, dem österreichischen Volk Hilfeleistung zu gewähren, um Leiden zu verhindern und dem österreichischen Volk zu ermöglichen, in seinen Anstrengungen zur Wiederherstellung normaler Verhältnisse wirksam fortzufahren,

nachdem die österreichische Bundesregierung die Regierung der Vereinigten Staaten um Hilfeleistung gebeten und ausreichende Informationen erteilt hat, die die Regierung der Vereinigten Staaten überzeugen, daß die österreichische Bundesregierung dringend der Hilfe bedarf, um das zum Leben Notwendigste für das österreichische Volk zu beschaffen,

nachdem der Kongreß der Vereinigten Staaten durch Gesetz 84 der 80.Kongreßperiode vom 31.Mai 1947 die Vollmacht zur Gewährung von Hilfeleistung an die Völker jener Länder erteilt hat, die nach dem Ermessen des Präsidenten solche Hilfe benötigen und Sicherheiten gewähren, daß das Hilfsprogramm so durchgeführt wird, wie dies durch Beschluß des Kongresses verlangt wird,

nachdem die österreichische Bundesregierung und die Regierung der Vereinigten Staaten bestimmte Bedingungen und Abreden, betreffend die Handhabung und Verteilung der Hilfslieferungen der Vereinigten Staaten festzusetzen wünschen und die allgemeinen Richtlinien ihrer Zusammenarbeit zur Befriedigung des Hilfsbedarfes des österreichischen Volkes niederlegen wollen, sind die österreichische Bundesregierung, vertreten durch Bundeskanzler Ing.Dr.h.c. Leopold F i g l und Bundesminister für die Auswärtigen Angelegenheiten Dr.Karl G r u b e r , und die Regierung der Vereinigten Staaten, vertreten durch Generalleutnant Geoffrey K e y e s , Hochkommissär der Vereinigten Staa-

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ten, Kommandierender General der amerikanischen Streitkräfte in Österreich, übereingekommen wie folgt:

Artikel I.

Durchführung von Lieferungen.

(A) Das durchzuführende Hilfsprogramm soll solche Arten und Mengen von Lieferungen, sowie die mit diesen Lieferungen verbundenen Beschaffungen, Einlagerungen, Land-und Seetransporte umfassen, wie sie von Zeit zu Zeit von der Regierung der Vereinigten Staaten nach Besprechung mit der österreichischen Bundesregierung in Übereinstimmung mit Gesetz 84, 80.Kongreßperiode vom 31.Mai 1947 und etwaigen Abänderungs-oder Ergänzungsbestimmungen festgelegt werden.

Diese Lieferungen sollen auf bestimmte grundlegende, lebenswichtige Waren beschränkt sein, das sind Lebensmittel, Medikamente, verarbeitetes und unverarbeitetes Material für Kleidung, Kunstdünger, landwirtschaftliche Desinfektionsmittel, Brennstoffe und Saatgut.

(B) Vorbehaltlich der Bestimmungen des Artikels III wird die Regierung der Vereinigten Staaten keinen Anspruch erheben und keine Rechte besitzen auf Bezahlung für Hilfslieferungen der Vereinigten Staaten und Dienste, die gemäß dieses Abkommens geleistet werden.

(C) Dienststellen der Regierung der Vereinigten Staaten werden für die Beschaffung, Einlagerung, den Land-und Seetransport der Hilfslieferungen der Vereinigten Staaten nach Österreich Sorge tragen. Dies schließt jedoch nicht aus, daß die Regierung der Vereinigten Staaten andere Mittel für die Durchführung dieser Dienste nach von der Regierung der Vereinigten Staaten festgelegten Richtlinien genehmigt. Alle Hilfslieferungen der Vereinigten Staaten sollen in den Vereinigten Staaten beschafft werden, soferne nicht eine besondere Genehmigung zur Beschaffung außer-

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halb der Vereinigten Staaten durch die Regierung der Vereinigten Staaten erteilt wird.

(D) Die österreichische Bundesregierung wird von Zeit zu Zeit im voraus dem Hochkommissär der Vereinigten Staaten für Österreich ihre Programmvorschläge für den Einfuhrbedarf von Hilfslieferungen vorlegen. Diese Programme sind der Prüfung und Genehmigung durch die Regierung der Vereinigten Staaten unterworfen; es wird nur die Beschaffung jener Waren zulässig sein, die in den genehmigten Programmen enthalten sind.

(E) Die Übergabe von Hilfslieferungen der Vereinigten Staaten soll so erfolgen, wie dies vom Hochkommissär der Vereinigten Staaten oder anderen hierzu bevollmächtigten Beauftragten der Regierung der Vereinigten Staaten nach Beratung mit der österreichischen Bundesregierung festgelegt wird. Die Regierung der Vereinigten Staaten kann - wenn immer sie es für wünschenswert hält - sich das Eigentum an irgendwelchen Hilfslieferungen der Vereinigten Staaten vorbehalten. Sie kann das Eigentum an Hilfslieferungen der Vereinigten Staaten auch wieder erlangen, selbst wenn diese Lieferungen bereits an Städte oder Gemeinden übertragen wurden, wo diese Lieferungen dem endgiltigen Verbraucher verfügbar gemacht werden.

Artikel II.

Verteilung der Hilfslieferungen in Österreich.

(A) Alle Hilfslieferungen der Vereinigten Staaten sollen durch die österreichische Bundesregierung unter direkter Aufsicht und Kontrolle der Vertreter der Vereinigten Staaten und in Übereinstimmung mit den Bedingungen dieses Abkommens verteilt werden. Die Verteilung soll durch den Handel erfolgen, soweit dies zweckmäßig und wünschenswert erscheint.

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(B) Alle Importe von Hilfslieferungen der Vereinigten Staaten sollen frei von staatlichen Abgaben, einschließlich Zöllen, erfolgen. Diese Abgabenfreiheit soll für ihre Behandlung bis zu dem Zeitpunkt Geltung haben, an dem sie gegen Bezahlung in österreichischer Währung verkauft werden, wie dies in Artikel III dieses Vertrages vorgesehen ist. Ausnahmen sind zulässig, wenn es aus Gründen der Preisgebarung wünschenswert erscheint, Zölle oder Steuern in die festgesetzten Preise einzubeziehen. In diesem Falle sollen die so auf Hilfslieferungen der Vereinigten Staaten erhobenen Beträge dem in Artikel III erwähnten besonderen Konto zuwachsen. Alle Hilfslieferungen der Vereinigten Staaten, die bedürftigen, juristischen oder anderen Personen umsonst übergeben werden, sollen von allen staatlichen Abgaben einschließlich Zöllen, befreit sein.

(C) Die österreichische Bundesregierung wird einen hohen Staatsbeamten bestimmen, der die Verantwortlichkeit für die Verbindung zwischen der österreichischen Bundesregierung und den für das Hilfsprogramm verantwortlichen Vertretern der Vereinigten Staaten haben wird.

(D) Die österreichische Bundesregierung wird die Hilfslieferungen der Vereinigten Staaten und ähnliche aus der Inlandsproduktion stammende oder eingeführte Lieferungen ohne Rücksicht auf Rasse, Glaubensbekenntnis, Zugehörigkeit zu politischen Parteien oder Weltanschauung verteilen. Diese Lieferungen sollen nicht für nicht lebenswichtige oder Exportzwecke verwendet und nicht aus dem Lande verbracht werden. Es soll nicht ein übermäßig großer Teil dieser Lieferungen für die Haltung österreichischer Streitkräfte verwendet werden und auf keinen Fall dürfen solche Lieferungen zum Unterhalt der Streitkräfte einer Besatzungsmacht Ver-

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wendung finden.

(E) Die österreichische Bundesregierung wird die Verteilung der Hilfslieferungen der Vereinigten Staaten und ähnlicher Lieferungen, die aus der Inlandsproduktion oder aus Importen stammen, so lenken, daß für alle Bevölkerungsklassen überall in Österreich ein gerechter und billiger Anteil an diesen Lieferungen gesichert ist.

(F) Rationierung und Preiskontrolle sollen aufrecht erhalten werden und die Verteilung soll so gelenkt werden, daß alle Klassen der Bevölkerung, unabhängig von ihrer Kaufkraft, einen gerechten Anteil an den Lieferungen erhalten, die auf Grund dieses Abkommens erfolgen.

Artikel III.

Verwendung der Geldmittel, die durch Verkauf von Hilfslieferungen der Vereinigten Staaten eingehen.

(A) Die Preise, zu denen Hilfslieferungen der Vereinigten Staaten in Österreich verkauft werden, sind durch Vereinbarung zwischen der österreichischen Bundesregierung und der Regierung der Vereinigten Staaten festzulegen.

(B) Wenn Hilfslieferungen der Vereinigten Staaten gegen Bezahlung in österreichischer Währung verkauft werden, so sind die so erlösten Beträge durch die österreichische Bundesregierung auf ein besonderes, auf den Namen der österreichischen Bundesregierung lautendes Konto einzuzahlen.

(C) Bis einschließlich 30.Juni 1948 dürfen diese Beträge nur mit Genehmigung von gehörig bevollmächtigten Vertretern der Regierung der Vereinigten Staaten und dann nur für Hilfszwecke und Zwecke der Arbeitsbeschaffung innerhalb Österreichs einschließlich Ausgaben der Vereinigten Staaten in österreichischer Währung im Zusammenhang mit den Hilfs-

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lieferungen verwendet werden. Der am 30.Juni 1948 auf diesem Konto verbleibende unbelastete Betrag soll innerhalb Österreichs für Zwecke verwendet werden, die die Regierung der Vereinigten Staaten in Durchführung eines Act oder einer Joint Resolution des Kongresses bestimmt.

(D) Die österreichische Bundesregierung wird auf Anforderung dem Vertreter der Vereinigten Staaten jene Beträge vorschießen, die notwendig sind, um die Ausgaben in österreichischer Währung zu decken, die mit den Hilfslieferungen in Zusammenhang stehen.

(E) Es ist nicht in Aussicht genommen, daß die aus den Verkäufen von Hilfslieferungen der Vereinigten Staaten eingehenden Beträge regelmäßig dazu verwendet werden, die der österreichischen Bundesregierung durch die Verteilung der Hilfslieferungen der Vereinigten Staaten in Österreich entstehenden Kosten zu decken. Der Vertreter der Vereinigten Staaten soll jedoch gemeinsam mit der österreichischen Bundesregierung die Verwendung solcher Beträge zur Abdeckung ungewöhnlicher Kosten erwägen, die der österreichischen Bundesregierung eine unbillige Last auferlegen würden.

(F) Die österreichische Bundesregierung wird monatlich den Vertretern der Vereinigten Staaten Berichte über die Eingänge, den Saldo und die Ausgaben des besonderen Kontos zugänglich machen.

(G) Die österreichische Bundesregierung wird Beamte bestimmen, die mit den Vertretern der Vereinigten Staaten bezüglich der Verfügung über die aus den Verkäufen eingenommenen Beträge zu beraten und zu planen sowie die angemessene Verwendung dieser Beträge sicher

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zu stellen haben.

Artikel IV.

Möglichst große Produktion. Lebensmittelablieferungen und Verwendung der vorhandenen Mittel zur Reduzierung des Hilfsbedarfs.

(A) Die österreichische Bundesregierung versichert, daß sie alle erforderlichen wirtschaftlichen Maßnahmen ergriffen hat und soweit dies möglich ist, weiterhin ergreifen wird, um den Hilfsbedarf zu verringern und für den künftigen eigenen Wiederaufbau Vorsorge zu treffen.

(B) Die österreichische Bundesregierung verpflichtet sich, keine Maßnahmen zu gestatten, die die Auslieferung, den Verkauf oder die unentgeltliche Abgabe von Waren der in diesem Abkommen behandelten Art beinhalten, wenn die im Inland bestehenden Liefermöglichkeiten solcher Waren verringert und die Last der Hilfsleistung hiedurch gesteigert würden.

(C) Die österreichische Bundesregierung wird regelmäßig laufende Berichte über Pläne und Fortschritte in der Produktionsvermehrung und in der besseren Erfassung der inländischen Erzeugung, soweit diese für Hilfslieferungen in irgendeinem Teil Österreichs in Frage kommt, an die Vertreter der Vereinigten Staaten geben.

Artikel V.

Reliefmission der Vereinigten Staaten.

(A) Die Regierung der Vereinigten Staaten wird der Gesandtschaft der Vereinigten Staaten in Wien Vertreter zuteilen, die eine Reliefmission bilden und bei Erfüllung der Verpflichtungen der Regierung der Vereinigten Staaten aus diesem Abkommen und dem Gesetz 84, 80.Kongreßperiode,

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31.Mai 1947, gemäß den weisungen des Hochkommissärs der Vereinigten Staaten für Österreich handeln sollen. Die österreichische Bundesregierung wird die Reise der Vertreter der Vereinigten Staaten nach, in und von Osterreich erlauben und erleichtern.

(B) Die österreichische Bundesregierung wird den Vertretern der Vereinigten Staaten die freie Überwachung, Besichtigung, Berichterstattung und Reisemöglichkeit durch ganz Österreich zu jeder Zeit gestatten und in jeder Weise erleichtern, sowie mit diesen in der Ausführung aller Bestimmungen dieses Abkommens voll zusammenarbeiten. Die österreichische Bundesregierung wird die nötigen Kraftfahrmittel beistellen, um den Vertretern der Vereinigten Staaten zu ermöglichen, frei und ohne Verzögerung durch ganz Österreich zu reisen.

(C) Die Vertreter der Vereinigten Staaten, das Eigentum der Mission und deren Personal sollen in Österreich dieselben Privilegien und Immunitäten genießen, wie sie das Personal der Gesandtschaft der Vereinigten Staaten in Österreich, das Eigentum der Gesandtschaft und deren Personal genießen.

Artikel VI.

Freiheit der Presse-und Rundfunkvertreter der Vereinigten Staaten bezüglich Beobachtung und Berichterstattung.

Die österreichische Bundesregierung übernimmt es, den Vertretern der Presse und des Rundfunks der Vereinigten Staaten zu gestatten, bezüglich der Verteilung und Verwendung der Hilfsleistungen und der Verwendung von Beträgen, die aus dem Verkauf von Hilfsleistungen herrühren, freie Beobachtungen zu machen

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und vollständig und unzensuriert zu berichten.

Artikel VII.
Berichte, Statistik und Information.

(A) Die österreichische Bundesregierung wird ausreichende statistische und andere Aufzeichnungen über die Hilfeleistung führen und wird sich auf Verlangen der Vertreter der Vereinigten Staaten mit diesen über die Führung solcher Aufzeichnungen beraten.

(B) Die österreichische Bundesregierung wird auf Verlangen der Vertreter der Vereinigten Staaten prompte Informationen liefern, betreffend die Produktion, den Gebrauch, die Verteilung, den Import und den Export aller Waren, die den Hilfsbedarf des Volkes berühren.

(C) Falls die Vertreter der Vereinigten Staaten von angeblichen Mißbräuchen oder Verletzungen dieses Abkommens berichten, wird die österreichische Bundesregierung dies untersuchen und berichten und umgehende geeignete Abhilfsmaßnahmen treffen, um solche festgestellte Mißbräuche oder Verletzungen abzustellen.

Artikel VIII.
Publizität der Hilfsleistungen der Vereinigten Staaten.

(A) Die österreichische Bundesregierung wird volle und dauernde Bekanntgabe erlauben und bewerkstelligen über das Ziel, die Quelle, den Charakter, den Zweck, die Menge und den Fortschritt des Hilfsprogramms der Vereinigten Staaten in Österreich mit Einschluß der Verwendung von Beträgen, die aus Verkäufen von Hilfslieferungen der Vereinigten Staaten zum Wohle des Volkes entstehen. Außerdem wird die österreichische Bundesregierung wenigstens bei zwei Anlässen, und zwar beim Inkrafttreten und einmal während der Zeit, in der die Verteilung der Hilfslieferungen

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durchgeführt wird, dafür sorgen, daß dieses Abkommen in vollem Wortlaut in den Zeitungen der drei größten Orte des Landes publiziert wird.

(B) Alle Waren aus den Hilfsleistungen der Vereinigten Staaten und alle Artikel, die aus solchen Waren hergestellt sind, oder Behälter solcher Waren oder Artikel sollen, soweit dies durchführbar ist, an einer auffälligen Stelle bezeichnet, bedruckt, gebrannt oder etikettiert werden in einer Art, die geeignet ist, dem endgiltigen Verbraucher zur Kenntnis zu bringen, daß diese Waren oder Artikel von den Vereinigten Staaten als Hilfsleistung geliefert wurden; oder wenn solche Waren, Artikel oder Behälter nicht geeignet sind, in dieser Weise bezeichnet, bedruckt, gebrannt oder etikettiert zu werden, werden von der österreichischen Bundesregierung alle geeigneten Maßnahmen getroffen werden, um den endgiltigen Verbraucher darüber zu unterrichten, daß diese Waren oder Artikel von den Vereinigten Staaten als Hilfsleistung geliefert worden sind.

Artikel IX.

Ende der Hilfeleistung.

Die Regierung der Vereinigten Staaten wird ihre Hilfeleistung jederzeit teilweise oder ganz einstellen, wenn sie entscheidet,

1.) daß infolge veränderter Bedingungen die Beistellung von Hilfeleistungen von der durch Gesetz 84, 80.Kongreßperiode, 31.Mai 1947, genehmigten Art nicht länger erforderlich ist,

2.) daß irgendwelche Bestimmungen dieses Abkommens nicht ausgeführt werden,

3.) daß eine übermäßig große Menge von Waren aus Hilfslieferungen der Vereinigten Staaten oder von ähnlichen Waren, die im Inland erzeugt oder von auswärtigen Quellen importiert werden, zum Unterhalt von österrei-

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chischen Streitkräften verwendet werden oder wenn irgendwelche Waren dieser Art zum Unterhalt von Streitkräften irgendeiner Besatzungsmacht verwendet werden oder

4.) daß Waren aus den Hilfslieferungen der Vereinigten Staaten oder waren ähnlicher Art, die im Inland erzeugt oder von auswärtigen Quellen importiert werden, aus Österreich exportiert oder fortgebracht werden. Die Regierung der Vereinigten Staaten kann ihr Hilfsprogramm ändern oder einstellen, wann immer nach ihrer Entscheidung andere Umstände eine solche Maßnahme rechtfertigen.

Artikel X.

Zeitpunkt des Übereinkommens.

Dieses Übereinkommen tritt mit heutigem Tage in Kraft. Es bleibt in Kraft bis zu einem von den beiden Regierungen einvernehmlich zu bestimmenden Zeitpunkte.

Gegeben in zweifacher Ausfertigung in deutscher und englischer Sprache in Wien, am 25. Juni 1947.

Für die Österreichische Bundesregierung:

Für die Regierung der Vereinigten Staaten:

Agreement and exchange of notes between the United States of America and Lebanon respecting air transport services. Signed at Beirut August 11, 1946; operative from August 11, 1946; entered into force definitively April 23, 1947.

August 11, 1946
[T. I. A. S. 1632]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND LEBANON

Having in mind the resolution signed under date of December 7, 1944,[1] at the International Civil Aviation Conference in Chicago, Illinois, for the adoption of a standard form of agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Lebanon, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

Post, p. 2991.

ARTICLE 2

Inauguration of air services.

(a) Each of the air services so described shall be placed in operation as soon as the Contracting Party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

Post, p. 2989.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

(b) It is understood that either Contracting Party granted commercial rights under this Agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

Prevention of discrimination, etc.

In order to prevent discriminatory practices and to assure equality of treatment, both Contracting Parties agree that:

(a) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of such other Contracting Party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 2991.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Post, p. 2991.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in

international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first Party.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an airline of the other Party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either Party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

ARTICLE 7

Registration.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Termination.

Either Contracting Party may terminate the rights for services granted by it under this Agreement by giving one year's notice to the other Contracting Party.

ARTICLE 9

Modification of routes, etc.
Post, p. 2991.

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex,

it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Disputes.

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex, which cannot be settled through consultation, shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article 3, Section 6 (8) of the Interim Agreement on Civil Aviation signed at Chicago on December 7, 1944) or its successors.

59 Stat. 1521.

ARTICLE 11

Entry into force.

The provisions of this Agreement shall become operative from the day it is signed. The Lebanese Government shall notify the Government of the United States of approval of the Agreement by the Lebanese Parliament, and the Government of the United States shall consider the Agreement as becoming definitive upon the date of such notification by the Lebanese Government.[1]

Authentic languages.

Done at Beirut in duplicate in the English and Arabic languages, each of which shall be of equal authenticity, this 11th day of August, 1946.

For the Government of the United States of America:

George Wadsworth
American Minister

For the Government of Lebanon:

Philipp Taola
Minister for Foreign Affairs

[1] [Entered into force definitively Apr. 23, 1947, the date of a communication from the Lebanese Ministry for Foreign Affairs to the American Legation at Beirut in which it was stated that the Lebanese Parliament had passed a law, promulgated on Feb. 25, 1947, ratifying the agreement.]

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND LEBANON

SECTION 1

U. S. rights of transit and stop in Lebanese territory.

Airlines of the United States of America authorized under the present Agreement are accorded rights of transit and non-traffic stop in Lebanese territory as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Beirut on the following route:

> The United States of America, through Europe and Turkey to Lebanon and beyond to India; via intermediate points, in both directions.

SECTION 2

Lebanese rights of transit and stop in U. S. territory.

Airlines of Lebanon authorized under the present Agreement are accorded rights of transit and non-traffic stop in United States territory as well as the right to pick up and discharge international traffic in passengers, cargo and mail in the United States on a route or routes as may be determined at a later date from Lebanon, via intermediate points to the United States in both directions.

SECTION 3

In the establishment and operation of air services covered by this Agreement and its Annex, the following principle shall apply:

Encouragement of air travel.

(1) The two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

Provision of adequate capacity.

(2) It is the understanding of both Governments that services provided by a designated air carrier under the Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in the Annex to the Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

(a) to traffic requirements between the country of origin and the countries of destination,

(b) to the requirements of through airline operation, and

(c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION 4

Consultation.

The Contracting Parties should undertake regular and frequent consultation between their respective aeronautical authorities so that there should be close collaboration in the observance of the principles and the implementation of the provisions outlined in the Agreement and its Annex, and in case of dispute the matter shall be settled in accordance with the provisions of Article 10 of the Agreement.

Ante, p. 2990.

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تمشيا مع قرار مؤتمر الطيران المدني الدولي ، الموقع في ٧ ديسمبر سنة ١٩٤٤ ، بمدينة شيكاغو بولاية ايلينوس ، بشان قبول صيغة نموذجية للاتفاقات الخاصة بالطرق الجوية الموقتة •

ورغبة في التعاون على تنشيط وترقية النقل الجوى بين الولايات المتحدة ولبنان على اساس اقتصادى سليم •

فقد اتفقت الحكومتان الفريقان في هذا الاتفاق على ان يخضع انشاء وتقدم خطوط النقل الجوى بين اقليميهما للشروط الاتية :

(المادة الاولى)

يمنح الفريقان المتعاقدان الحقوق المبينة في الملحق المرافق لهذا الاتفاق ، واللازمة لانشاء الطرق والخطوط الجوية المدنية الموضحة به ، سواء افتتحت تلك الخطوط في الحال او فيما بعد حسب اختيار الفريق المتعاقد الذى منحت له هذه الحقوق •

(المادة الثانية)

ا — يبدأ تشغيل كل من الخطوط الجوية المذكورة بمجرد ان يعين الفريق المتعاقد الممنوح له الحقوق بمقتضى المادة الاولى مؤسسة او مؤسسات النقل الجوى التي ستباشر تشغيل ذلك الخط • ومع عدم الاخلال باحكام المادة السادسة يجب على الطرف المتعاقد ، الذى منح تلك الحقوق ، ان يصدر ترخيص التشغيل اللازم الى تلك المؤسسة او المؤسسات • على انه يجوز قبل ان يرخص بتشغيل الخطوط ، موضوع هذا الاتفاق ، ان يطلب من تلك المؤسسات المعينة ان تثبت لسلطات الطيران المختصة ، التابعة للفريق الذى منح الحقوق ، انه تتوافر فيها الشروط التي تقتضيها القوانين والانظمة المعمول بها لدى تلك السلطات • كما ان افتتاح تلك الخطوط في مناطق العمليات الحربية او المناطق المحتلة عسكريا ، او المناطق التي تؤثر فيها العمليات الحربية او الاحتلال العسكرى ، يتوقف على موافقة السلطات الحربية المختصة •

ب — من المفهوم انه يجب على اى فريق متعاقد منح حقوق تجارية بمقتضى هذا الاتفاق ان يباشر هذه الحقوق في اقرب فرصة ممكنة الا في حالة العجز المؤقت عن اداء ذلك •

(المادة الثالثة)

ضمانا للتمييز ، وضمانا للمساواة في المعاملة ، قد اتفق الفريقان المتعاقدان على ما يلي :

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١ ـ لكل من الفريقين المتعاقدين ان يفرض او يسمح بفرض رسوم عادلة ومعقولة نظير استعمال المطارات العامة والانتفاع بالتسهيلات الاخرى التي يشرف عليها • ومن المتفق عليه ان لا تزيد هذه الرسوم عما تدفع الطائرات الوطنية التي تعمل في خطوط دولية مماثلة عند استعمالها مثل هذه المطارات او انتفاعها بمثل تلك التسهيلات •

ب ـ يعامل الوقود وزيوت التشحيم وقطع الغيار التي تدخل اقليم فريق متعاقد بواسطة الفريق المتعاقد الاخر او بواسطة احد رعاياه ـ والمخصصة فقط لاستعمال طائراته ـ المعاملة الوطنية ومعاملة الدولة الاكثر رعاية ، وذلك بالنسبة لما يفرضه الفريق المتعاقد الذي تدخل تلك المواد اقليمه من رسوم الجمارك والتفتيش او الرسوم الوطنية الاخرى •

ج ـ يعفى من رسوم الجمارك ورسوم التفتيش وما شابه ذلك من رسوم الوقود وزيوت التشحيم وقطع الغيار والمهمات المعتاد حملها والمخزن التي تحملها الطائرات المدنية للمؤسسات الجوية التابعة لاحد الفريقين المتعاقدين والمرخص لها بتشغيل الطرق والخطوط الجوية المبينة في الملحق عند دخولها او مغادرتها اقليم الفريق المتعاقد الاخر حتى لو استعملت تلك الطائرات هذه المواد او استهلكتها اثناء طيرانها داخل ذلك الاقليم •

(المادة الرابعة)

يعترف كل من الفريقين المتعاقدين بصحة شهادة الصلاحية للطيران وشهادات الاهلية والاجازات الصادرة او المعتمدة من الفريق المتعاقد الاخر ، بغية تشغيل الطرق والخطوط الجوية المبينة في الملحق ومع ذلك يحتفظ كل من الفريقين المتعاقدين بحقه في عدم الاعتراف بشهادات الاهلية والاجازات التي تمنحها دولة اخرى لرعاياه فيما يتعلق بالطيران فوق اقليمه •

(المادة الخامسة)

١ ـ تسري القوانين والانظمة المعمول بها لدى احد الفريقين المتعاقدين ـ والمتعلقة بدخول الطائرات التي تعمل في الملاحة البحرية الدولية في اقليمه او مغادرتها له او تشغيلها او طيرانها فوقه ـ على طائرات الفريق المتعاقد الاخر ويجب على هذه الطائرات مراعاتها عند دخول اقليم الفريق الاول او مغادرتها له او اثناء وجودها فيه •

٢ ـ يجب على ركاب وملاحي الطائرات او من ينوب عنهم كما يجب بالنسبة للبضائع اتباع قوانين وتعليمات الفريق المتعاقد بشأن دخول الركاب وملاحي الطائرات والبضائع اقليمه او مغادرتهم له مثل تعليمات الدخول والخروج والهجرة وجوازات السفر والجمارك والحجر الصحي وذلك عند دخولهم او مغادرتهم او اثناء بقائهم في اقليم ذلك الفريق المتعاقد •

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(المادة السادسة)

يحتفظ كل فريق متعاقد بحقه في ايقاف او الغاء شهادة او ترخيص صادر لمؤسسة نقل جوي تابعة للفريق الاخر في اية حالة لا يقتنع فيها بان جزءا هاما من ملكية هذه المؤسسة او اداراتها الفعلية موجود بالفعل في يد رعايا اي من فريقي هذا الاتفاق . وكذلك في حالة عدم تنفيذ هذه المؤسسة لقوانين الدولة التي تعمل فوق اقليمها طبقا لنص المادة الخامسة السابقة او عدم قيامها بالتزاماتها طبقا لهذا الاتفاق .

(المادة السابعة)

يسجل هذا الاتفاق وجميع العقود المتعلقة به لدى الهيئة الموقتة للطيران المدني الدولي .

(المادة الثامنة)

يجوز لكل من الفريقين المتعاقدين ان ينهي الحقوق التي منحها بمقتضى هذا الاتفاق وذلك باخطار سابق بمدة سنة للفريق المتعاقد الاخر .

(المادة التاسعة)

اذا رغب اي من الفريقين المتعاقدين في تعديل الطريق او الشروط الواردة في الملحق المرافق فله الحق في طلب الدخول في مباحثات بين السلطات المختصة لدى كل من الطرفين المتعاقدين ، وفي هذه الحالة تبدأ المباحثات المذكورة في خلال ستين يوما من الطلب . وعندما تتفق هذه السلطات على شروط جديدة او معدلة مما يؤثر في الملحق تصبح توصياتها سارية المفعول بعد تبادل المذكرات السياسية المؤيدة لها .

(المادة العاشرة)

يرفع الى المجلس الموقت للهيئة الموقتة للطيران المدني الدولي لعمل تقرير استشاري (طبقا لاحكام المادة ٣ من القسم السادس (٨) من الاتفاق الموقت بشان الطيران المدني الدولي الموقع بشيكاغو في ديسمبر سنة ١٩٤٤) او لمن يخلف هذا المجلس كل خلاف بين الطرفين المتعاقدين في تفسير او تطبيق هذا الاتفاق او الملحق المرافق له اذا لم تنجح المباحثات بين الفريقين في فض الخلاف .

(المادة الحادية عشرة)

تسري شروط هذا الاتفاق من تاريخ التوقيع عليه . وتبلغ الحكومة اللبنانية حكومة الولايات المتحدة ابرام المجلس النيابي اياه .

وستعتبر حكومة الولايات المتحدة الاتفاق نهائيا من تاريخ هذا التبليغ من جانب الحكومة اللبنانية .

حرر في عاليه على صورتين باللغتين العربية والانكليزية ولكل من النصين نفس القوة الرسمية في يوم

عن الحكومة اللبنانية
وزير الخارجية
فيليب تقلا

عن حكومة الولايات المتحدة الاميركية
الوزير المفوض
جورج وادسورث

ملحق الاتفاق النقل الجوى المدني بين الولايات المتحدة الاميركية ولبنان

القسم الاول

تمنح مؤسسات النقل الجوى للولايات المتحدة الامريكية المرخص لها طبقا لهذا الاتفاق حقوق المرور والهبوط لغير الاغراض التجارية في اقليم الجمهورية اللبنانية وكذلك حق اخذ وانزال ما يشمله النقل الدولي من ركاب وبضائع وبريد في بيروت على الطرق الاتية في كلا الاتجاهين :

من الولايات المتحدة عبر اوروبا وتركيا الى لبنان ومن ثم الى الهند عن طريق النقاط المتوسطة في كلا الاتجاهين :

القسم الثاني

تمنح مؤسسات النقل الجوى للحكومة اللبنانية المرخص لها طبقا لهذا الاتفاق حقوق المرور والهبوط لغير الاغراض التجارية في اقليم الولايات المتحدة وكذلك حق اخذ وانزال ما يشمله النقل الجوى من ركاب وبضائع وبريد في الولايات المتحدة وذلك عن الطرق او الطرق التي تقرر فيما بعد وذلك ما بين لبنان والولايات المتحدة عن طريق نقاط متوسطة وفي كلا الاتجاهين .

القسم الثالث

تطبق القواعد الاتية في انشاء وتشغيل الخطوط الجوية التي يشملها هذا الاتفاق وملحقه :

(١) ترغب كل من الحكومتين في ان تساعد وتشجع على التوسع الى اقصى حد ممكن في تعميم نفع الاسفار الجوية لصالح الانسانية العام باقل الاجور التي تتفق وقواعد الاقتصاد الصحيحة كما ترغب في تنشيط الاسفار الجوية الدولية كوسيلة لانماء التفاهم الودي وحسن النية بين الشعوب وكذلك في تخويل المزايا العديدة غير المباشرة التي تقدمها هذه الوسيلة الجديدة للنقل وذلك للصالح المشترك للدولتين .

٦

(٢) من المفهوم لدى كل من الحكومتين ان الغرض الاساسي من الخطوط التي تقوم بها مؤسسة النقل الجوى المعينة طبقا لشروط هذا الاتفاق والملحق المرافق له ان تقدم الحمولة التي تتناسب مع حاجات النقل بين الدولة التي تتبعها تلك المؤسسة والدولة التي ينتهي اليها النقل — كما ان حق هذه المؤسسات في اخذ او انزال تجارة دولية مرسلة الى اواتية من دول ثالثة في نقطة اونقاط من الطرق المبينة في الملحق لهذا الاتفاق سوف يستعمل طبقا للمبادئ العامة للتقدم المنظم التي يساهم فيها الطرفان كما يخضع للقواعد العامة ميزان الحمولة تنسب الى .

ا — حاجات النقل بين الدولة التي يبدأ منها الخط والدولة التي ينتهي فيها .

و ب — حاجات تشغيل الخط الجوى .

وجـ — حاجات النقل بالمناطق التي يخترقها الخط الجوى مع مراعاة الخطوط المحلية وخطوط المنطقة .

القسم الرابع

يتعهد الفريقان المتعاقدان بان تقوم سلطات الطيران لدى كل منهما بمباحثات منظمة ودورية فيما بينهما وذلك لايجاد تعاون وثيق على مراعاة القواعد وتنفيذ مقتضيات النصوص المبينة في الاتفاقية والملحق المرافق لها ويحل اى خلاف طبقا لاحكام المادة العاشرة من الاتفاق .

Note in the English and Arabic languages from the Lebanese Minister for Foreign Affairs to the American Minister

EXCELLENCY:

With reference to the bilateral Air Transport Agreement between Lebanon and United States of America signed today, I have the honor to inform your Excellency that it is the understanding of my government that the so-called Fifth Freedom traffic which may be carried by United States air services between Beirut and Baghdad is dependent upon the conclusion of an appropriate air transport agreement between the United States of America and Iraq. When this latter agreement is concluded, the government of Lebanon agrees not to interpose any objection to permitting a designated United States air carrier to pick up and discharge international traffic in passengers, cargo and mail in both directions between Beirut and Baghdad.

Please accept, Excellency, the renewed assurances of my highest consideration.

BEIRUT, *August 11, 1946.*

P TACLA

To

His Excellency GEORGE WADSWORTH,
American Minister,
Beirut.

صاحب السعادة

بالاشارة الى اتفاقية النقل الجوى الثنائية بين الولايات المتحدة ولبنان الموقع عليها اليوم ، لي الشرف بان اعلم سعادتكم انه من المفهوم لدى حكومتي ان ما يسمى الحرية الخامسة للنقل الذى يمكن ان تتولاه الخطوط الجوية للولايات المتحدة بين بيروت وبغداد هو معلق على ابرام اتفاقية خاصة بالنقل الجوى بين الولايات المتحدة الاميركية والعراق . وعندما تبرم هذه الاتفاقية تتعهد الحكومة اللبنانية بان لا تعارض في السماح لمؤسسة جوية معينة للولايات المتحدة بان تحمل وتفرغ نقليات دولية من مسافرين وبضائع وبريد بين بيروت وبغداد في كلا الاتجاهين .

واني اكرر تاكيد اعتبارى الفائق ٠/٠ .

بيروت في ١١ اب سنة ١٩٤٦

الى صاحب السعادة جورج ودسورث
وزير الولايات المتحدة
بيـــــــروت

Note in the English and Arabic languages from the American Minister to the Lebanese Minister for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA

No. 296

EXCELLENCY:

I have the honor to advise your Excellency that I have received your note of today, the text of which is the following:

"With reference to the Bilateral Air Transport Agreement between Lebanon and United States of America signed today, I have the honor to inform your Excellency that it is the understanding of my government that the so-called Fifth Freedom traffic which may be carried by United States air services between Beirut and Baghdad is dependent upon the conclusion of an appropriate air transport agreement between the United States of America and Iraq. When this latter agreement is concluded, the government of Lebanon agrees not to interpose any objection to permitting a designated United States air carrier to pick up and discharge international traffic in passengers, cargo and mail in both directions between Beirut and Baghdad."

I have the honor to inform your Excellency that my government accepts the arrangement herein included and regards the present reply as confirmation of this understanding between the two governments.

Please accept, Excellency, the renewed assurances of my highest consideration.

BEIRUT, *August 11, 1946*

G. WADSWORTH

To

His Excellency PHILIP TACLA,
Minister for Foreign Affairs
Beirut, Lebanon

صاحب المعالي

اتشرف بان اعلمكم بوصول مذكرتكم الصادرة بتاريخ اليوم والمتضمنة ما يلي :

" بالاشارة الى اتفاقية النقل الجوى الثنائية بين الولايات المتحدة ولبنان الموقع عليها اليوم ، لي الشرف بان اعلم سعادتكم انه من المفهوم لدى حكومتي ان ما يسمى الحرية الخامسة للنقل الذى يمكن ان تتولاه الخطوط الجوية للولايات المتحدة بين بيروت وبغداد هو معلق على ابرام اتفاقية خاصة بالنقل الجوى بين الولايات المتحدة الاميركية والعراق . وعندما تبرم هذه الاتفاقية تتعهد الحكومة اللبنانية بان لا تعارض في السماح لمؤسسة جوية معينة للولايات المتحدة بان تحمل وتفرغ نقليات دولية من مسافرين وبضائع وبريد بين بيروت وبغداد في كلا الاتجاهين . "

لي الشرف بان اعلم معاليكم بان حكومتي تقبل بالتدبير المذكور في هذه المذكرة وتعتبر الجواب الحالي كتصديق على ما اتفق عليه بين الحكومتين .

واغتنم هذه المناسبة لاجدد لمعاليكم تاكيد اعتبارى الفائق ./ .

بيروت في ١١ اب سنة ١٩٤٦

حضرة صاحب المعالي فيليب تقلا

وزيـــــر الخارجية

بيروت — لبنان

August 19, 1947
[T. I. A. S. 1633]

Agreement between the United States of America and El Salvador respecting a military aviation mission. Signed at Washington August 19, 1947; entered into force August 19, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF EL SALVADOR

In conformity with the request of the Government of the Republic of El Salvador to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men to constitute a Military Aviation Mission to the Republic of El Salvador under the conditions specified below:

TITLE I

Purpose and Duration

ARTICLE 1. The purpose of this Mission is to cooperate with the Minister of Defense of the Republic of El Salvador and with the personnel of the Salvadoran Air Force with a view to enhancing the efficiency of the Salvadoran Air Force.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of El Salvador, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of

CONVENIO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y EL GOBIERNO DE LA REPUBLICA DE EL SALVADOR

De conformidad con la solicitud del Gobierno de la República de El Salvador al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y subalternos para que constituyan una Misión Militar Aérea a la República de El Salvador, de acuerdo con las condiciones que se estipulan a continuación:

TITULO I

Finalidades y Duración

ARTICULO 1. El fin de esta Misión es cooperar con el Ministro de Defensa de la República de El Salvador y con el personal de las Fuerzas Aéreas Salvadoreñas con miras a mejorar la eficiencia de las Fuerzas Aéreas Salvadoreñas.

ARTICULO 2. La Misión ejercerá sus funciones por un período de cuatro años a contar de la fecha en que firmen este Convenio los representantes autorizados del Gobierno de los Estados Unidos de América y del Gobierno de la República de El Salvador, a menos que se dé por terminado con anterioridad o que se prorrogue según se dispone más adelante. Cualquier miembro de la Misión podrá ser retirado por el Gobierno de los

two years of service, in which case another member shall be furnished to replace him.

ARTICLE 3. If the Government of the Republic of El Salvador should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

Extension of services of Mission.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

Termination prior to specified time.

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of El Salvador at any time during a period when either Government is involved in domestic or foreign hostilities.

Cancellation in case of hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such personnel of the United States Army Air Forces as may be agreed upon by the Minister of Defense of the Republic of El Salvador through his authorized representative in Washington and

Estados Unidos de América después de transcurridos dos años de servicio y, en tal caso, se nombrará a otro miembro en su lugar.

ARTICULO 3. Si el Gobierno de la República de El Salvador desea que se prorroguen los servicios de la Misión más allá del período estipulado, hará una solicitud por escrito con este objeto seis meses antes de la expiración de este Convenio.

ARTICULO 4. Este Convenio podrá terminarse antes de la expiración del período de cuatro años dispuesto en el Artículo 2, o antes de expirar la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que el uno lo notifique al otro por escrito con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América todo el personal de la Misión en interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTICULO 5. Este Convenio está sujeto a cancelación por iniciativa, sea del Gobierno de los Estados Unidos de América o del Gobierno de la República de El Salvador, en cualquier momento durante un período en que uno u otro de los dos Gobiernos se vea implicado en hostilidades internas o externas.

TITULO II

Integración y Personal

ARTICULO 6. La Misión estará integrada por el personal de las Fuerzas Aéreas del Ejército de los Estados Unidos de América que se determine por acuerdo entre el Ministro de Defensa de la República de El Salvador, por conducto

by the War Department of the United States of America.

de su representante autorizado en Washington, y la Secretaría de Guerra de los Estados Unidos de América.

TITLE III

Duties, Rank, and Precedence

ARTICLE 7. The personnel of the Mission shall perform such duties as may be agreed upon between the Minister of Defense of the Republic of El Salvador and the Chief of the Mission.

ARTICLE 8. The members of the Mission shall be responsible solely to the Minister of Defense of the Republic of El Salvador, through the Chief of the Mission.

ARTICLE 9. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army Air Forces with the exception of the noncommissioned officers, who shall be commissioned Second Lieutenants in the Salvadoran Army. The members of the Mission shall wear either the uniform of the United States Army Air Forces or of the Salvadoran Army to which they shall be entitled, at the discretion of the Chief of the Mission, but shall have precedence over all Salvadoran officers of the same rank.

Benefits and privileges.

ARTICLE 10. Each member of the Mission shall be entitled to all benefits and privileges which the Regulations of the Salvadoran Air Force provide for Salvadoran officers and subordinate personnel of corresponding rank.

Disciplinary regulations.

ARTICLE 11. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army Air Forces.

TITULO III

Funciones, Grado y Precedencia

ARTICULO 7. El personal de la Misión ejercerá las funciones que determinen por acuerdo el Ministro de Defensa de la República de El Salvador y el Jefe de la Misión.

ARTICULO 8. Los miembros de la Misión serán responsables únicamente ante el Ministro de Defensa de la República de El Salvador, por conducto del Jefe de la Misión.

ARTICULO 9. Cada miembro de la Misión prestará en ella sus servicios con el grado que tenga en las Fuerzas Aéreas del Ejército de los Estados Unidos de América, a excepción de los clases, que serán nombrados Subtenientes del Ejército Salvadoreño. A discreción del Jefe de la Misión los miembros de la Misión usarán el uniforme de las Fuerzas Aéreas del Ejército de los Estados Unidos de América o del Ejército Salvadoreño a que tengan derecho, pero tendrán precedencia sobre todos los oficiales salvadoreños de igual grado.

ARTICULO 10. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que el Reglamento de las Fuerzas Aéreas Salvadoreñas disponga para oficiales y subalternos salvadoreños de grado correspondiente.

ARTICULO 11. El personal de la Misión se regirá por el reglamento disciplinario de las Fuerzas Aéreas del Ejército de los Estados Unidos de América.

TITLE IV

Compensation and Perquisites

ARTICLE 12. Members of the Mission shall receive from the Government of the Republic of El Salvador such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the Republic of El Salvador for each member. This compensation shall be paid in twelve (12) equal monthly instalments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of El Salvador or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be borne by the Minister of Defense of the Republic of El Salvador in order to comply with the provision of this Article that the compensation agreed upon shall be net.

ARTICLE 13. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTICLE 14. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of

TITULO IV

Remuneración y Obvenciones

ARTICULO 12. Los miembros de la Misión recibirán del Gobierno de la República de El Salvador la remuneración neta anual que acuerden el Gobierno de los Estados Unidos de América y el Gobierno de la República de El Salvador para cada miembro. La remuneración se pagará en doce (12) mensualidades iguales que vencerán y se pagarán el día último de cada mes. La remuneración no estará sujeta a impuesto alguno que al presente o en adelante imponga el Gobierno de la República de El Salvador o alguna de sus subdivisiones políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Convenio existieren impuestos que puedan afectar a esta remuneración, tales impuestos serán sufragados por el Ministro de Defensa de la República de El Salvador a fin de cumplir con la disposición de este Artículo al efecto de que la remuneración que se convenga sea neta.

Tax exemption.

ARTICULO 13. La remuneración que se convenga según se indica en el Artículo precedente comenzará a devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América y, salvo lo que expresamente se disponga en contrario en este Convenio, continuará devengándose después de terminadas sus funciones con la Misión mientras dure el viaje de regreso a los Estados Unidos de América y, además, el período de licencia acumulada a que tenga derecho.

ARTICULO 14. La remuneración que se adeude por la duración del viaje de regreso y por la licencia acumulada se pagará al miembro

the Mission before his departure from the Republic of El Salvador, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

Travel accommodations.

ARTICLE 15. Each member of the Mission and each dependent member of his family shall be provided with first-class accommodations for travel required and performed under this Agreement by the shortest usually traveled route between the port of embarkation in the United States of America and his official residence in the Republic of El Salvador, and from his official residence in the Republic of El Salvador to the port of debarkation in the United States of America. Each member of the Mission shall be reimbursed for the expenses of shipment of his household effects and baggage. Such reimbursement shall include all necessary expenses incident to unloading from the steamer upon arrival in the Republic of El Salvador, carting between the ship and the residence in the Republic of El Salvador, and packing and loading on board the steamer upon departure from the Republic of El Salvador. The cost of this transportation for members of the Mission, dependent members of their families, and their household effects and baggage shall be borne by the Government of the United States of America. Transportation of such household effects and baggage shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as

Shipment of household effects, etc.

retirado de la Misión antes de su partida de la República de El Salvador, y el pago se calculará a base de viaje por la ruta más corta generalmente usada hasta el puerto de entrada a los Estados Unidos de América, cualquiera que sea la ruta y el sistema de transporte que utilice el miembro de la Misión.

ARTICULO 15. Se proveerá para cada miembro de la Misión y para cada miembro dependiente de su familia pasaje de primera clase para el viaje que se requiera y se efectúe conforme a este Convenio por la ruta más corta generalmente usada entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de El Salvador, y desde su residencia oficial en la República de El Salvador al puerto de desembarco en los Estados Unidos de América. Se reembolsarán a cada miembro de la Misión los gastos de embarque de sus efectos caseros y equipaje. Tal reembolso incluirá todo gasto necesario incidental a su descarga del vapor a la llegada a la República de El Salvador, el acarreo desde el vapor hasta la residencia en la República de El Salvador y el embalaje y carga a bordo del vapor a la partida de la República de El Salvador. El costo de este transporte para los miembros de la Misión, los miembros dependientes de sus familias, y sus efectos caseros y equipaje será sufragado por los Estados Unidos de América. El transporte de dichos efectos caseros y equipaje se efectuará en un solo embarque y todo embarque subsiguiente será por cuenta de los respectivos miembros de la Misión, excepto cuando se disponga de otro modo en este Convenio, o cuando dichos em-

otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control.

barques sean necesarios por circunstancias ajenas a su voluntad.

ARTICLE 16. The Government of the Republic of El Salvador shall grant, upon request of the Chief of the Mission, exemption from customs duties on articles imported for the official use of the Mission or the personal use of the members thereof and of members of their families.

ARTICULO 16. A solicitud del Jefe de la Misión, el Gobierno de la República de El Salvador eximirá del pago de derechos de aduana los artículos que se importen para el uso oficial de la Misión o para el uso personal de los miembros de la misma y de sus familias.

Exemption from customs duties.

ARTICLE 17. Compensation for transportation and traveling expenses in the Republic of El Salvador on official business of the Government of the Republic of El Salvador shall be provided by the Government of the Republic of El Salvador in accordance with the provisions of Article 10.

ARTICULO 17. El Gobierno de la República de El Salvador reembolsará los gastos de transporte y de viaje en la República de El Salvador cuando se trate de asuntos oficiales del Gobierno de la República de El Salvador, de conformidad con las disposiciones del Artículo 10.

Compensation for transportation and traveling expenses in El Salvador.

Ante, p. 3004.

ARTICLE 18. The Government of the Republic of El Salvador shall provide the Chief of the Mission with a suitable automobile with chauffeur, for use on official business. Suitable motor transportation with chauffeur, and when necessary an airplane properly equipped, shall on call be made available by the Government of the Republic of El Salvador for use by the members of the Mission for the conduct of the official business of the Mission.

ARTICULO 18. El Gobierno de la República de El Salvador proporcionará al Jefe de la Misión un automóvil con chófer, para uso oficial. El Gobierno de la República de El Salvador, a solicitud, proporcionará automóviles con chófer, y cuando sea necesario, un aeroplano debidamente provisto para el uso de los miembros de la Misión en el desempeño de funciones oficiales de la Misión.

Provision of automobile, etc.

Airplane.

ARTICLE 19. The Government of the Republic of El Salvador shall provide suitable office space and facilities for the use of the members of the Mission.

ARTICULO 19. El Gobierno de la República de El Salvador proveerá local adecuado para oficinas y facilidades para uso de los miembros de la Misión.

Office space, etc.

ARTICLE 20. If any member of the Mission, or any of his family, should die in the Republic of El Salvador, the Government of the Republic of El Salvador shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost

ARTICULO 20. Si algún miembro de la Misión o algún miembro de su familia falleciere en la República de El Salvador, el Gobierno de la República de El Salvador hará trasladar el cadáver hasta el lugar en los Estados Unidos de América que los parientes sobrevivientes indiquen, pero el costo, para el

Transportation of remains in case of death.

to the Government of the Republic of El Salvador shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their baggage and household effects shall be provided as prescribed in Article 15. All compensation due the deceased member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Republic of El Salvador, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this Agreement; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days after the decease of the said member.

Ante, p. 3006.
Compensation due deceased member.

Gobierno de la República de El Salvador, no excederá del costo de trasladar los restos desde el lugar del fallecimiento hasta la ciudad de Nueva York. Si el extinto fuere miembro de la Misión, se considerará que sus servicios en ella terminaron quince (15) días después de su muerte. Los gastos de regreso a la ciudad de Nueva York para la familia del miembro fallecido, su equipaje y sus efectos domésticos se sufragarán como se dispone en el Artículo 15. Toda remuneración que se adeude al miembro fallecido, inclusive su sueldo por los quince (15) días siguientes a su muerte, y el reembolso de gastos y transporte en viajes realizados en asuntos oficiales de la República de El Salvador se pagarán a la viuda del miembro fallecido o a la persona que el extinto haya designado por escrito mientras prestaba sus servicios de conformidad con los términos de este Convenio; pero no se pagará a la viuda ni a la otra persona por la licencia a que tuviere derecho y no tomada por el finado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro del plazo de quince (15) días después de la muerte de dicho miembro.

TITLE V

Requisites and Conditions

Services of personnel of other foreign governments, restriction.

ARTICLE 21. So long as this Agreement, or any extension thereof, is in effect, the Government of the Republic of El Salvador shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Salvadoran Air Force, except by mutual agreement

TITULO V

Requisitos y Condiciones

ARTICULO 21. Durante la vigencia de este Convenio o de su prorrogación, el Gobierno de la República de El Salvador no contratará los servicios de personal de ningún otro gobierno extranjero para funciones de naturaleza alguna relacionadas con las Fuerzas Aéreas Salvadoreñas, excepto mediante

between the Government of the United States of America and the Government of the Republic of El Salvador.

ARTICLE 22. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 23. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

ARTICLE 24. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 25. The leave specified in the preceding Article may be spent in the Republic of El Salvador, in the United States of America, or in any other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

acuerdo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de El Salvador.

Secrecy requirement.

ARTICULO 22. Todo miembro de la Misión se compromete a no divulgar ni a revelar, por ningún medio, a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que pueda llegar a su conocimiento en su calidad de miembro de la Misión. Este requisito continuará en vigor después de terminar sus servicios en la Misión y después de la expiración o cancelación del presente Convenio o de su prorrogación.

"Family."

ARTICULO 23. En este Convenio se entenderá que el término "familia" sólo comprende a la esposa y a los hijos menores.

Annual leave.

ARTICULO 24. Todo miembro de la Misión tendrá derecho anualmente a un mes de licencia con sueldo, o a una parte proporcional de dicha licencia con sueldo por cada fracción de un año. La parte de dicha licencia que no se use podrá acumularse de año en año mientras la persona preste sus servicios como miembro de la Misión.

ARTICULO 25. La licencia que se estipula en el Artículo precedente podrá disfrutarse en la República de El Salvador, en los Estados Unidos de América, o en cualquiera otro país, pero los gastos de viaje y de transporte que no se dispongan de otro modo en este Convenio serán sufragados por el miembro de la Misión que tome la licencia. Todo el tiempo consumido en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTICLE 26. The Government of the Republic of El Salvador agrees to grant the leave specified in Article 24 upon receipt of written application, approved by the Chief of the Mission with due consideration for the convenience of the Government of the Republic of El Salvador.

ARTICULO 26. El Gobierno de la República de El Salvador conviene en conceder la licencia estipulada en el Artículo 24, al recibir una solicitud por escrito con ese objeto, aprobada por el Jefe de la Misión, con la debida consideración a la conveniencia del Gobierno de la República de El Salvador.

Termination of services of replaced members.

ARTICLE 27. Members of the Mission who may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTICULO 27. Los miembros de la Misión a quienes se reemplace terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando los dos Gobiernos acuerden de antemano lo contrario.

Medical attention.

ARTICLE 28. The Government of the Republic of El Salvador shall provide suitable medical attention to members of the Mission and their families. In case a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be placed in such hospital as the Chief of the Mission deems suitable, after consultation with the Minister of Defense of the Republic of El Salvador, and all expenses incurred as the result of such illness or injury while the patient is a member of the Mission and remains in the Republic of El Salvador shall be paid by the Government of El Salvador. If the hospitalized member is a commissioned officer he shall pay his cost of subsistence, but if he is an enlisted man the cost of subsistence shall be paid by the Government of the Republic of El Salvador. Families shall enjoy the same privileges agreed upon in this Article for members of the Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his

ARTICULO 28. El Gobierno de la República de El Salvador proporcionará atención médica adecuada a los miembros de la Misión y a sus familias. En caso de que un miembro de la Misión se enferme o sufra lesiones se le hospitalizará, a discreción del Jefe de la Misión, en el hospital que el Jefe de la Misión considere adecuado después de consultar con el Ministro de Defensa de la República de El Salvador; y todos los gastos en que se incurra a consecuencia de dicha enfermedad o lesiones mientras el paciente sea miembro de la Misión y permanezca en la República de El Salvador, serán sufragados por el Gobierno de El Salvador. Si el miembro de la Misión hospitalizado es un oficial pagará sus gastos de subsistencia, pero si pertenece al personal subalterno el costo de subsistencia será sufragado por el Gobierno de la República de El Salvador. Las familias gozarán de los mismos privilegios que dispone este Artículo para los miembros de la Misión, excepto que un miembro de la Misión pagará en todos y cada uno de los casos los gastos de

family, except as may be provided under Article 10.

subsistencia relacionados con la hospitalización de los miembros de su familia, excepto como se dispone en el Artículo 10.

Ante, p. 3004.

Replacement in case of disability.

ARTICLE 29. Any member of the Mission unable to perform his duties with the Mission by reason of long-continued physical disability shall be replaced.

ARTICULO 29. Todo miembro de la Misión que no pueda desempeñar sus funciones a causa de prolongada incapacidad física será reemplazado.

IN WITNESS WHEREOF, the undersigned, Robert A. Lovett, Acting Secretary of State of the United States of America, and Carlos A. Siri, Chargé d'Affaires ad interim of the Republic of El Salvador at Washington, duly authorized thereto, have signed this Agreement in duplicate, in the English and Spanish languages, at Washington, this nineteenth day of August, one thousand nine hundred forty-seven.

EN FE DE LO CUAL, los infrascritos, Robert A. Lovett, Secretario de Estado Interino de los Estados Unidos de América, y Carlos A. Siri, Encargado de Negocios ad Interim de la República de El Salvador en Wáshington, debidamente autorizados para ello, firman este Convenio en duplicado, en los idiomas inglés y español, en Wáshington, el día diez y nueve de agosto de mil novecientos cuarenta y siete.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA:

ROBERT A LOVETT

FOR THE GOVERNMENT OF THE REPUBLIC OF EL SALVADOR:
POR EL GOBIERNO DE LA REPUBLICA DE EL SALVADOR:

CARLOS A SIRI

February 19 and 28, 1947
[T. I. A. S. 1635]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting intergovernmental claims, interpreting the agreement of March 27, 1946. Effected by exchange of notes signed at Washington February 19 and 28, 1947; entered into force February 28, 1947.

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
Feb 19, 1947

EXCELLENCY:

I have the honor to refer to the "Agreement on Settlement of Intergovernmental Claims", which was one of the specific Agreements between the British Government and the United States Government signed on March 27, 1946, pursuant to the Joint Statement of December 6, 1945, Regarding Settlement for Lend-Lease, Reciprocal Aid, Surplus War Property, and Claims. Paragraph 6 of the Agreement provides "that all financial claims whatsoever of one Government against the other which (a) arose out of lend-lease or reciprocal aid, or (b) otherwise arose on or after September 3, 1939 and prior to September 2, 1945 out of or incidental to the conduct of World War II, and which are not otherwise dealt with in the Agreements concluded this day, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other."

60 Stat. 1525, 1564.
60 Stat. 1536.

Espoused claims.

A question has been raised as to whether the expression "all financial claims whatsoever of one Government against the other which (a) arose out of lend-lease or reciprocal aid, or (b) otherwise arose on or after September 3, 1939 and prior to September 2, 1945 out of or incidental to the conduct of World War II" is properly interpreted as applying to claims submitted in accordance with the practice whereby one government espouses a claim of one of its nationals and presents it through diplomatic channels to another government. After consideration of the general purposes of the waiver of claims provision and of the discussions leading to the adoption of that provision, the Department has concluded that the proper interpretation of the Agreement is that such espoused claims are not properly included among the financial claims covered by the Agreement.

I would appreciate being advised whether your Government concurs in this interpretation.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
DEAN ACHESON

His Excellency
The Right Honorable
THE LORD INVERCHAPEL, P.C., G.C.M.G.,
British Ambassador.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON
February 28th, 1947

No. 95
Ref. 4171/6/47

SIR:

I have the honour to refer to Mr. Acheson's note of February 19th in which he gave an interpretation of paragraph 6 of the "Agreement on Settlement of Intergovernmental Claims" which was signed by representatives of His Majesty's Government and the United States Government on March 27th, 1946. 60 Stat. 1536.

I am pleased to inform you that His Majesty's Government concur in the interpretation presented in Mr. Acheson's note.

I have the honour to be with the highest consideration Sir,

Your most obedient humble Servant

INVERCHAPEL

The Honourable
GEORGE C. MARSHALL,
Secretary of State,
Department of State,
Washington, D.C.

June 17 and 27, 1947
[T. I. A. S. 1636]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting marine transportation and litigation, modifying the agreement of December 4, 1942. Effected by exchange of notes signed at Washington June 17 and 27, 1947; entered into force June 27, 1947.

The British Ambassador to the Secretary of State

Ref: 4273/6/47
No. 345

His Majesty's Ambassador presents his compliments to the Secretary of State and has the honour to inform him that, as the result of discussions between the Treasury Solicitor of the United Kingdom and the Attorney General of the United States concerning the further modification of the Agreement signed in London on the 4th December, 1942, regarding mutual aid in matters of marine transportation and litigation, previously modified by the notes exchanged on the 25th March and the 7th May, 1946, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are prepared to enter into an agreement with the Government of the United States on the following terms:—

56 Stat. 1780.

60 Stat. 1915.

For the purpose of the said Agreement, all cargoes belonging to or at the risk of either contracting Government shipped on board vessels belonging to or at the risk of the other contracting Government which are laden on board such vessels sailing at or after midnight 30th June, 1947, shall be considered in all respects as if the cargo were privately owned; and the provisions of the said Agreement shall cease to apply to such cargoes.

2. His Majesty's Ambassador therefore desires to suggest that if the above-mentioned provision meets with the concurrence of the Government of the United States, this memorandum and the Secretary of State's reply to that effect shall be considered as constituting an Agreement between the two Governments in this matter.

BRITISH EMBASSY,
WASHINGTON, D.C.
June 17th, 1947.

F.V.C.

The Secretary of State to the British Ambassador

The Secretary of State presents his compliments to His Excellency the British Ambassador and has the honor to acknowledge the receipt of his note No. 345 of June 17, 1947 proposing a further modification of the Agreement signed in London on December 4, 1942 concerning mutual aid in matters of marine transportation and litigation and

56 Stat. 1780.

subsequently modified by an exchange of notes dated March 25 and May 7, 1946. The further modification proposed is in the following terms: 60 Stat. 1915.

"For the purpose of the said Agreement, all cargoes belonging to or at the risk of either contracting Government shipped on board vessels belonging to or at the risk of the other contracting Government which are laden on board such vessels sailing at or after midnight 30th June, 1947, shall be considered in all respects as if the cargo were privately owned; and the provisions of the said Agreement shall cease to apply to such cargoes."

The proposed modification is acceptable to the Government of the United States, and this note and the British Ambassador's note under reference shall be considered as constituting an Agreement between the two Governments on the matter.

DEPARTMENT OF STATE,
Washington, June 27, 1947.

411.41 Ships/6–1747

R T Y

Agreement between the United States of America and Greece respecting relief assistance. Signed at Athens July 8, 1947; entered into force July 8, 1947.

July 8, 1947
[T. I. A. S. 1637]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF GREECE CONCERNING THE UNITED STATES RELIEF ASSISTANCE TO THE GREEK PEOPLE

ΣΥΜΦΩΝΙΑ ΜΕΤΑΞΥ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΑΜΕΡΙΚΗΣ ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ ΑΦΟΡΩΣΑ ΕΙΣ ΤΗΝ ΒΟΗΘΕΙΑΝ ΠΡΟΣ ΠΕΡΙΘΑΛΨΙΝ ΤΟΥ ΕΛΛΗΝΙΚΟΥ ΛΑΟΥ ΥΠΟ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF GREECE CONCERNING THE UNITED STATES RELIEF ASSISTANCE TO THE GREEK PEOPLE

WHEREAS, it is the desire of the United States of America to provide relief assistance to the Greek people to prevent suffering and to permit them to continue effectively their efforts toward recovery; and

WHEREAS, the Greek Government has requested the United States Government for relief assistance and has presented information which convinces the Government of the United States that the Greek Government urgently needs assistance in obtaining the basic essentials of life for the people of Greece; and

Authority for providing assistance.

61 Stat., Pt. 1, p. 125.

WHEREAS, the United States Congress has by Public Law 84, 80th Congress, May 31, 1947, authorized the provision

ΣΥΜΦΩΝΙΑ ΜΕΤΑΞΥ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΑΜΕΡΙΚΗΣ ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ ΑΦΟΡΩΣΑ ΕΙΣ ΤΗΝ ΒΟΗΘΕΙΑΝ ΠΡΟΣ ΠΕΡΙΘΑΛΨΙΝ ΤΟΥ ΕΛΛΗΝΙΚΟΥ ΛΑΟΥ ΥΠΟ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ

ΕΠΕΙΔΗ, αἱ Ἡνωμέναι Πολιτεῖαι τῆς Ἀμερικῆς ἐπιθυμοῦσιν ὅπως παράσχωσι βοήθειαν πρός περίθαλψιν τοῦ Ἑλληνικοῦ Λαοῦ, ἵνα ἀποφευχθῇ ἡ δυστυχία καί ἵνα δυνηθῇ οὗτος νά συνεχίσῃ ἀποτελεσματικῶς τάς προσπαθείας του πρός ἀνάρρωσιν·

ΕΠΕΙΔΗ ἡ Ἑλληνική Κυβέρνησις ἠτήσατο τήν παροχήν περιθάλψεως παρά τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν, καί παρέσχε στοιχεῖα ἅτινα πείθουν τήν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν ὅτι ἡ Ἑλληνική Κυβέρνησις ἔχει ἐπείγουσαν ἀνάγκην βοηθείας πρός ἀπόκτησιν τῶν βασικῶν βιωτικῶν ἀγαθῶν διά τόν Ἑλληνικόν λαόν·

ΕΠΕΙΔΗ, τό Κογκρέσσον τῶν Ἡνωμένων Πολιτειῶν διά τοῦ ἀριθ. 84 Νόμου τοῦ 80ου Κογκρέσσου, τῆς 31ης Μαΐου 1947

vision of relief assistance to the people of those countries which, in the determination of the President, need such assistance and have given satisfactory assurances covering the relief program as required by the Act of Congress; and

WHEREAS, the United States Government and the Greek Government desire to define certain conditions and understandings concerning the handling and distribution of the United States relief supplies and to establish the general lines of their cooperation in meeting the relief needs of the Greek people;

The Government of the United States of America represented by the Honorable Lincoln MacVeagh and the Government of the Kingdom of Greece represented by His Excellency Demetrios Maximos have agreed as follows:

ARTICLE I

Furnishing of Supplies.

Types, quantities, etc.

(a) The program of assistance to be furnished shall

1947, ἐνέκρινε τήν παροχήν βοηθείας πρός περίθαλψιν εἰς τούς λαούς τῶν χωρῶν ἐκείνων, αἵτινες κατά τόν προσδιορισμόν τοῦ Προέδρου, ἔχουσιν ἀνάγκην τοιαύτης βοηθείας καί αἵτινες ἔχουσι δώσει ἱκανοποιητικάς διαβεβαιώσεις ὡς πρός τό πρόγραμμα περιθάλψεως συμφώνως τῷ Νόμῳ τοῦ Κογκρέσσου.

ΕΠΕΙΔΗ, ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν καί ἡ Ἑλληνική Κυβέρνησις ἐπιθυμοῦσιν ὅπως καθορίσωσι ὡρισμένους ὅρους καί ἀντιλήψεις ἀφορώσας εἰς τήν διαχείρισιν καί τήν διανομήν τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως καί νά καθορίσωσιν τάς γενικάς γραμμάς τῆς συνεργασίας των διά τήν ἀντιμετώπισιν τῶν ἀναγκῶν περιθάλψεως τοῦ Ἑλληνικοῦ λαοῦ.

Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν ἀντιπροσωπευομένη ὑπό τοῦ Ἐντιμοτάτου Λίνκολν Μακβέϊ καί ἡ Ἑλληνική Κυβέρνησις ἀντιπροσωπευομένη ὑπό τοῦ Ἐξοχωτάτου Δημητρίου Μαξίμου, συνεφώνησαν ὡς ἑξῆς:

ΑΡΘΡΟΝ Ι

Παροχή Ἐφοδίων.

(α) Τό πρόγραμμα τῆς βοηθείας ἥτις θέλει παρασχεθῇ

θά

shall consist of such types and quantities of supplies, and procurement, storage, transportation and shipping services related thereto, as may be determined from time to time by the United States Government after consultation with the Greek Government in accordance with Public Law 84, 80th Congress, May 31, 1947, and any acts amendatory or supplementary thereto. Such supplies shall be confined to certain basic essentials of life, namely, food, medical supplies, processed and unprocessed material for clothing, fertilizers, pesticides, fuel, and seeds.

61 Stat., Pt. 1, p. 125.

No claim for payment.
Post, p. 3032.

(b) Subject to the provisions of Article III the United States Government will make no request, and will have no claim, for payment for United States relief supplies and services furnished under this Agreement.

(c) The

θά συνίσταται ἐξ εἰδῶν καί ποσοτήτων ἐφοδίων, καθώς καί τῶν σχετικῶν ὑπηρεσιῶν προμηθείας, ἀποθηκεύσεως, καί ἀποστολῆς αἵτινες θά καθορίζωνται ἀπό καιροῦ εἰς καιρόν ὑπό τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν κατόπιν συνεννοήσεως μετά τῆς Ἑλληνικῆς Κυβερνήσεως συμφώνως τῷ Νόμῳ ἀριθ. 84, τοῦ 80ου Κογκρέσσου, τῆς 31ης Μαΐου 1947 καί τῶν συμπληρούντων ἤ τροποποιούντων αὐτόν. Τά τοιαῦτα ἐφόδια θά περιορισθῶσιν εἰς ὡρισμένα βασικά βιωτικά ἀγαθά, ἤτοι τρόφιμα, ἰατρικά ἐφόδια, ἐπεξειργασμένον καί μή ὑλικόν ἐνδύσεως, λιπάσματα, ἐντομοκτόνα, καύσιμοι ὕλαι, καί σπόροι.

(β) Ὑπό τάς ἐπιφυλάξεις τῶν διατάξεων τοῦ Ἄρθρου 3 ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν δέν θέλει ζητήσει οὐδέ θέλει ἀπαιτήσει πληρωμήν δι' ἐφόδια περιθάλψεως καί ὑπηρεσίας παρασχεθησομένας ὑπό τῶν Ἡνωμένων Πολιτειῶν κατά τήν παροῦσαν Συμφωνίαν.

(γ) Αἱ

Procurement, etc.

(c) The United States Government agencies will provide for the procurement, storage, transportation and shipment to Greece of United States relief supplies, except to the extent that the United States Government may authorize other means for the performance of these services in accordance with procedures stipulated by the United States Government. All United States relief supplies shall be procured in the United States except when specific approval for procurement outside the United States is given by the United States Government.

Submission of proposed programs.

(d) The Greek Government will from time to time submit in advance to the United States Government its proposed programs for relief import requirements. These programs shall be subject to screening and approval by the United States Government and procurement shall be authorized only for items contained in the approved programs.

(e) Transfers

(γ) Αἱ Ἀμερικανικαί Κυβερνητικαί ὑπηρεσίαι θά φροντίσωσι διά τήν προμήθειαν, ἀποθήκευσιν καί ἀποστολήν εἰς τήν Ἑλλάδα Ἀμερικανικῶν ἐφοδίων περιθάλψεως, πλήν τῆς περικτώσεως καθ'ἥν ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν ἤθελεν ἐγκρίνῃ ἄλλα μέσα διά τήν παροχήν αὐτῶν τῶν ὑπηρεσιῶν συμφώνως πρός τήν διαδικασίαν τήν καθορισθεῖσαν ὑπό τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν. Πᾶσα προμήθεια Ἀμερικανικῶν ἐφοδίων θά γίνῃ εἰς τάς Ἡνωμένας Πολιτείας ἐκτός ἐάν ἤθελε δοθῇ εἰδική ἔγκρισις ὑπό τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν διά προμήθειαν ἐκτός τῶν Ἡνωμένων Πολιτειῶν.

(δ) Ἡ Ἑλληνική Κυβέρνησις θά ὑποβάλῃ ἐκ τῶν προτέρων ἀπό καιροῦ εἰς καιρόν εἰς τήν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν τό προταθησόμενον πρόγραμμὰ της δι' ἀνάγκας εἰσαγωγῶν περιθάλψεως. Τά ὡς ἄνω προγράμματα θά ὑπόκεινται εἰς τόν ἔλεγχον καί τήν ἔγκρισιν τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν, θά δίδεται δέ ἐντολή προμηθείας μόνον δι'ἀγαθά περιεχόμενα εἰς τά ἐγκεκριμμένα σχέδια.

(ε) Μεταβιβάσεις

Transfers of supplies.

(e) Transfers of United States relief supplies shall be made under arrangements to be determined by the United States Government in consultation with the Greek Government. The United States Government, whenever it deems it desirable, may retain possession of any United States relief supplies, or may recover possession of such supplies transferred up to the city or local community where such supplies are made available to the ultimate consumers.

ARTICLE II

Distribution of Supplies in Greece.

(a) All United States relief supplies shall be distributed by the Greek Government under the direct supervision and control of the United States representatives and in accordance with the terms of this Agreement. The distribution shall be through commercial channels to the extent feasible and desirable.

(b) All

(ε) Μεταβιβάσεις Ἀμερικανικῶν ἐφοδίων περιθάλψεως θά γίνωνται κατόπιν συμφωνίας καθορισθησομένης ὑπό τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν ἐν συνεννοήσει μετά τῆς Ἑλληνικῆς Κυβερνήσεως. Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν δύναται, ὅποτε θεωρεῖ τοῦτο σκόπιμον, νά διατηρῇ τήν κατοχήν οἱωνδήποτε Ἀμερικανικῶν ἐφοδίων περιθάλψεως, ἤ δύναται νά ἀνακτήσῃ τήν κατοχήν τοιούτων ἐφοδίων μετηνεχθέντων εἰς τήν πόλιν ἤ κοινότητα ὅπου τά τοιαῦτα ἐφόδια διατίθενται εἰς τούς τελικούς καταναλωτάς.

ΑΡΘΡΟΝ 2

Διανομή τῶν Ἐφοδίων ἐν Ἑλλάδι.

(α) Ἅπαντα τά Ἀμερικανικά ἐφόδια περιθάλψεως θά διανεμηθοῦν ὑπό τῆς Ἑλληνικῆς Κυβερνήσεως ὑπό τήν ἄμεσον ἐπιτήρησιν καί τόν ἔλεγχον τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν καί συνῳδά ταῖς διατάξεσι τῆς παρούσης Συμφωνίας. Ἡ διανομή γενήσεται διά τῆς ἐμπορικῆς ὁδοῦ κατά τό δυνατόν καί ἐπιθυμητόν ὅριον.

(β) Ἅπασαι

Fiscal charges.

(b) All United States relief supply imports shall be free of fiscal charges including customs duties up to the point where they are sold for local currency as provided by Article III of this Agreement unless when because of price practices, it is advisable to include customs charges or government taxes in prices fixed, in which case the amount thus collected on United States relief supply imports shall accrue to the special account referred to in Article III. All United States relief supply imports given free to indigents, institutions and others shall be free of fiscal charges, including customs duties.

Post, p. 3032.

Liaison.

(c) The Greek Government will designate a high ranking official who shall have the responsibility of liaison between the Greek Government and the United States representatives responsible for the relief program.

(d) The

(β) Ἅπασαι αἱ Ἀμερικανικαί εἰσαγωγαί ἐφοδίων περιθάλψεως θά εἶναι ἐλεύθεραι φορολογικῆς ἐπιβαρύνσεως συμπεριλαμβανομένων τῶν τελωνειακῶν δασμῶν μέχρι τοῦ σημείου ὅπου θά πωληθῶσι ἔναντι τοῦ ἐγχωρίου νομίσματος κατά τάς διατάξεις τοῦ Ἄρθρου 3 τῆς παρούσης Συμφωνίας, ἐκτός ὅταν λόγῳ τῶν σχετικῶς ἐπικρατουσῶν τιμῶν εἶναι σκόπιμον νά συμπεριληφθοῦν τελωνειακαί ἐπιβαρύνσεις ἢ κρατικοί φόροι εἰς τιμάς καθορισθείσας, ὁπότε τό οὕτω εἰσπραχθησόμενον ποσόν ἐκ τῶν Ἀμερικανικῶν εἰσαγωγῶν ἐφοδίων περιθάλψεως θά προστίθεται εἰς τόν εἰδικόν λογαριασμόν τόν ἀναφερόμενον εἰς τό Ἄρθρον 3. Πᾶν εἰσαγόμενον Ἀμερικανικόν ἐφόδιον περιθάλψεως διανεμηθέν δωρεάν εἰς ἀπόρους, ἱερύματα καί ἄλλα σωματεῖα, θά εἶναι ἐλεύθερον φορολογικῶν βαρῶν περιλαμβανομένων καί τῶν τελωνειακῶν δασμῶν.

(γ) Ἡ Ἑλληνική Κυβέρνησις θά ὑποδείξῃ ἀνώτερον κρατικόν λειτουργόν ὅστις θά ἔχῃ τήν ἁρμοδιότητα συνδέσμου μεταξύ τῆς Ἑλληνικῆς Κυβερνήσεως καί τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν τῶν ὑπευθύνων διά τό πρόγραμμα περιθάλψεως.

(δ) Ἡ

Restrictions on distribution.

(d) The Greek Government will distribute United States relief supplies and similar supplies produced locally or imported from outside sources, without discrimination as to race, creed, or political belief, and will not permit the diversion of any of such supplies to non-essential uses or for export or removal from the country while need there for relief purposes continues. The Greek Government will not permit the diversion of an excessive amount of United States relief supplies and similar supplies produced locally or imported from outside sources to assist in the maintenance of armed forces.

(e) The Greek Government will so conduct the distribution of United States relief supplies and similar supplies produced locally and imported from outside sources as to assure a fair and equitable share of the supplies to all classes of the people throughout Greece.

(f) A

(δ) Ἡ Ἑλληνική Κυβέρνησις θά διανείμῃ τά Ἀμερικανικά ἐφόδια περιθάλψεως καθώς καί παρόμοια ἐγχώρια ἐφόδια ἤ εἰσαγόμενα ἐκ τοῦ ἐξωτερικοῦ, ἄνευ διακρίσεως φυλῆς, θρησκευτικοῦ δόγματος, ἤ πολιτικῶν πεποιθήσεων, δέν θέλει δέ ἐπιτρέψῃ τήν διοχέτευσιν τοιούτων ἐφοδίων διά μή οὐσιώδεις σκοπούς ἤ δι' ἐξαγωγήν ἤ μετακίνησιν ἐκ τῆς χώρας ἐφόσον θά ἐξακολουθῇ νά ὑφίσταται ἐν αὐτῇ ἀνάγκη περιθάλψεως. Ἡ Ἑλληνική Κυβέρνησις δέν θέλει ἐπιτρέψει τήν διοχέτευσιν ὑπερβολικῆς ποσότητος Ἀμερικανικῶν ἐφοδίων περιθάλψεως καί τοιούτων ἐφοδίων παραγομένων ἐν τῇ χώρᾳ ἤ εἰσαγομένων ἐκ τοῦ Ἐξωτερικοῦ πρός ἐνίσχυσιν τῆς διατηρήσεως ἐνόπλων δυνάμεων.

(ε) Ἡ Ἑλληνική Κυβέρνησις θά διεξαγάγῃ τήν διανομήν τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως καί τῶν παρομοίων ἐφοδίων τῶν παραγομένων ἐν τῇ χώρᾳ καθώς καί τῶν εἰσαγομένων ἐκ τοῦ ἐξωτερικοῦ ἵνα ἐξασφαλίσῃ δικαίαν καί ἴσην μερίδα εἰς ὅλας τάς τάξεις τοῦ λαοῦ εἰς ὁλόκληρον τήν Ἑλλάδα.

(στ) Θά

Ration and price controls.

(f) A ration and price control system shall be maintained and the distribution shall be so conducted that all classes of the population, irrespective of purchasing power, shall receive their fair share of supplies covered in this Agreement.

ARTICLE III

Utilization of Funds Accruing from Sales of United States Supplies.

Prices.

(a) The prices at which the United States supplies shall be sold in Greece shall be agreed upon between the United States Government and the Greek Government.

Deposit of local currency.

(b) When United States relief supplies are sold for local currency, the amount of such local currency shall be deposited by the Greek Government in a special account in the name of the Greek Government.

(c) Until

(στ) Θά διατηρηθῇ σύστημα διανομῆς διά δελτίων καί ἐλέγχου τῶν τιμῶν, καί ἡ διανομή θά διεξαχθῇ κατά τοιοῦτον τρόπον ὥστε ἅπασαι αἱ τάξεις τοῦ πληθυσμοῦ, ἀσχέτως τῆς ἀγοραστικῆς των δυνάμεως, νά λάβωσι τήν δικαίαν μερίδα των ἐκ τῶν ἐφοδίων τῶν ὑποκειμένων εἰς τήν παροῦσαν Συμφωνίαν.

ΑΡΘΡΟΝ 3

Χρησιμοποίησις τῶν Κεφαλαίων ἅτινα θά Εἰσπραχθῶσιν ἐκ τῆς Πωλήσεως τῶν Ἀμερικανικῶν Ἐφοδίων.

(α) Αἱ τιμαί εἰς ἃς θά πωληθῶσιν ἐν Ἑλλάδι τά Ἀμερικανικά ἐφόδια θέλουσι συμφωνηθῇ ὑπό τῶν Κυβερνήσεων τῶν Ἡνωμένων Πολιτειῶν καί τῆς Ἑλλάδος.

(β) Εἰς τάς περιπτώσεις καθ'ἃς τά Ἀμερικανικά ἐφόδια πωλοῦνται ἔναντι τοῦ ἐγχωρίου νομίσματος, τό ποσόν τοῦ τοιούτου ἐγχωρίου νομίσματος θέλει κατατεθῇ ὑπό τῆς Ἑλληνικῆς Κυβερνήσεως εἰς εἰδικόν λογαριασμόν ἐπ'ὀνόματι τῆς Ἑλληνικῆς Κυβερνήσεως.

(γ) Μέχρι

Disposition.

(c) Until June 30, 1948, such funds shall be disposed of only upon approval of the duly authorized representative of the United States Government for relief and work relief purposes within Greece, including local currency expenses of the United States incident to the furnishing of relief. Any unencumbered balance remaining in such account on June 30, 1948, shall be disposed of within Greece for such purposes as the United States Government, pursuant to Act or Joint Resolution of Congress, may determine.

Advances by Greek Government.

(d) The Greek Government will upon request advance funds to the United States representatives to meet local currency expenses incident to the furnishing of relief.

Unusual costs.

(e) While it is not intended that the funds accruing from sales of the United States relief supplies normally shall be used to defray the local expenses of the Greek

(γ) Μέχρι τῆς 30ης Ἰουνίου, 1948, τά τοιαῦτα κεφάλαια θέλουσι διατεθῇ μόνον κατόπιν ἐγκρίσεως τοῦ δεόντως ἐξουσιοδοτημένου ἀντιπροσώπου τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν, διά περίθαλψιν καί δι' ἐργασίας σχέσιν ἔχούσας πρός τήν περίθαλψιν ἐν Ἑλλάδι συμπεριλαμβανομένων τῶν ἐξόδων τῶν Ἡνωμένων Πολιτειῶν εἰς ἐγχώριον χρῆμα τῶν σχετικῶν μέ τήν παροχήν τῆς περιθάλψεως. Οἱονδήποτε ἀνεπιβάρυτον ὑπόλοιπον ὅπερ ἤθελεν ἀπομείνει εἰς τοιοῦτον λογαριασμόν κατά τήν 30ην Ἰουνίου, 1948, θά διατεθῇ ἐντός τῆς Ἑλλάδος διά σκοπούς οὓς ἤθελε καθορίσει ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν, συνεπείᾳ Νόμου ἢ Κοινῆς Ἀποφάσεως τοῦ Κογκρέσσου.

(δ) Εὐθύς ὡς ἤθελον ζητηθῇ, ἡ Ἑλληνική Κυβέρνησις θέλει προκαταβάλει χρήματα εἰς τούς ἀντιπροσώπους τῶν Ἡνωμένων Πολιτειῶν πρός ἀντιμετώπισιν τῶν ἐπιτοπίων ἐξόδων τῶν σχετικῶν πρός τήν παροχήν τῆς περιθάλψεως.

(ε) Παρ' ὅλον ὅτι κανονικῶς δέν σκοπεῖται ἡ διάθεσις τῶν κεφαλαίων τῶν προερχομένων ἐκ τῶν πωλήσεων τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως διά τήν ἐξόφλησιν

τῶν

the Greek Government in handling and distributing the United States relief supplies, including local currency costs of discharging cargo and other port charges, the United States representative shall consider with the Greek Government the use of the funds to cover the unusual costs which would place an undue burden on the Greek Government.

Reports.

(f) The Greek Government will each month make available to the United States representatives reports on collections, balances, and expenditures from the fund.

Disposition of funds accruing from sales.

(g) The Greek Government will assign officials to confer and plan with the United States representatives regarding the disposition of funds accruing from sales to assure a prompt and proper use of such funds.

ARTICLE IV

τῶν ἐκτοκίων δαπανῶν τῆς Ἑλληνικῆς Κυβερνήσεως διά τήν διαχείρισιν καί διανομήν τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως, περιλαμβανομένων τῶν ἐξόδων ἐκφορτώσεως ἐμπορευμάτων καί ἄλλων λιμενικῶν τελῶν εἰς ἐγχώριον νόμισμα, ὁ ἀντιπρόσωπος τῶν Ἡνωμένων Πολιτειῶν θέλει μελετήσει μετά τῆς Ἑλληνικῆς Κυβερνήσεως τήν χρησιμοποίησιν τῶν κεφαλαίων πρός κάλυψιν τῶν ἀσυνήθων δαπανῶν αἵτινες θά ἐπεβάρυνον ὑπερμέτρως τήν Ἑλληνικήν Κυβέρνησιν.

(στ) Ἡ Ἑλληνική Κυβέρνησις θά θέτῃ κατά μῆνα εἰς τήν διάθεσιν τοῦ ἀντιπροσώπου τῶν Ἡνωμένων Πολιτειῶν ἐκθέσεις ἐπί τῶν εἰσπράξεων, ὑπολοίπων, καί ἐξόδων ἐκ τοῦ κεφαλαίου.

(ζ) Ἡ Ἑλληνική Κυβέρνησις θέλει διορίσῃ ὑπαλλήλους ὁιά νά συσκέπτωνται καί σχεδιάζουν μετά τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν σχετικῶς πρός τήν διάθεσιν τῶν κεφαλαίων τῶν προερχομένων ἐκ πωλήσεων καί πρός ἐξασφάλισιν ταχείας καί ἐνδεδειγμένης χρησιμοποιήσεως τοιούτων κεφαλαίων.

ΑΡΘΡΟΝ 4

ARTICLE IV

Effective Production, Food Collections and Use of Resources to Reduce Relief Needs.

Locally produced supplies.

(a) The Greek Government will exert all possible efforts to secure the maximum production and collection of locally produced supplies needed for relief purposes.

(b) The Greek Government will undertake not to permit any measures to be taken involving delivery, sale or granting of any articles of the character covered in this Agreement which would reduce the locally produced supply of such articles and thereby increase the burden of relief.

Information regarding plans, etc.

(c) The Greek Government will furnish regularly current information to the United States representatives regarding plans and progress in achieving this objective.

(d) The

ΑΡΘΡΟΝ 4

Ἀποτελεσματική Παραγωγή, Συγκέντρωσις Τροφίμων καί Χρησιμοποίησις τῶν Ἀποθεμάτων πρός Μείωσιν τῶν Ἀναγκῶν Περιθάλψεως.

(α) Ἡ Ἑλληνική Κυβέρνησις θά καταβάλῃ πᾶσαν δυνατήν προσπάθειαν ἵνα ἐξασφαλίσῃ τήν μεγίστην παραγωγήν καί συγκέντρωσιν ἐγχωρίων ἐφοδίων ἀναγκαίων διά περίθαλψιν.

(β) Ἡ Ἑλληνική Κυβέρνησις ἀναλαμβάνει τήν ὑποχρέωσιν ὅπως μή ἐπιτρέψει τήν λῆψιν οἱωνδήποτε μέτρων συνεπαγομένων τήν παράδοσιν, πώλησιν, ἤ παραχώρησιν οἱωνδήποτε ἀγαθῶν τοῦ εἴδους τῶν περιλαμβανομένων εἰς τήν παροῦσαν Συμφωνίαν, ἅτινα ἤθελον μειώσῃ τά ἐν τῷ ἐσωτερικῷ παραγόμενα ἐφόδια τοιούτων ἀγαθῶν, καί οὕτω νά αὐξήσῃ τό βάρος τῆς περιθάλψεως.

(γ) Ἡ Ἑλληνική Κυβέρνησις θά ἐνημερώνῃ τακτικά τούς ἀντιπροσώπους τῶν Ἡνωμένων Πολιτειῶν ὡς πρός τά σχέδια καί τήν πρόοδον πρός ἐπιτυχίαν τοῦ σκοποῦ τούτου.

(δ) Ἡ

(d) The Greek Government affirms that it has taken and is taking in so far as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction.

ARTICLE V

United States Representatives.

(a) The United States Government will send to Greece the representatives required to discharge responsibilities of the United States Government under this Agreement and the Public Law 84, 80th Congress, May 31, 1947. The Greek Government will permit and facilitate the movement of the United States representatives to, in or from Greece.

61 Stat., Pt. 1, p. 125.

Freedom of supervision, etc.

(b) The Greek Government will permit and facilitate in every way the freedom of the United States representatives to supervise, inspect, report and

(δ) Ἡ Ἑλληνική Κυβέρνησις βεβαιοῖ ὅτι ἔλαβε καί λαμβάνει, ἐν τῷ μέτρῳ τοῦ δυνατοῦ, τά ἀναγκαῖα οἰκονομικά μέτρα πρός περιορισμόν τῶν ἀναγκῶν τῆς περιθάλψεως καί ἵνα προνοήσῃ ἀφ'ἑαυτῆς διά τήν μελλοντικήν ἀνοικοδόμησιν.

ΑΡΘΡΟΝ 5

Ἀντιπρόσωποι τῶν Ἡνωμένων Πολιτειῶν.

(α) Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν θά στείλῃ εἰς τήν Ἑλλάδα τούς ἀντιπροσώπους τούς ἀπαιτουμένους διά τήν διεκπεραίωσιν τῶν ὑποχρεώσεων τῆς Κυβερνήσεως τῶν Ἡνωμένων Πολιτειῶν κατά τήν παροῦσαν Συμφωνίαν καί τόν Νόμον ἀριθ.84, τοῦ 80ου Κογκρέσσου, τῆς 31ης Ἰουλίου 1947. Ἡ Ἑλληνική Κυβέρνησις θέλει ἐπιτρέψει καί διευκολύνει τήν κίνησιν τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν πρός, ἐντός, καί ἐκ τῆς Ἑλλάδος.

(β) Ἡ Ἑλληνική Κυβέρνησις θά ἐπιτρέψῃ καί θά διευκολύνῃ κατά πάντα τρόπον τούς ἀντιπροσώπους τῶν Ἡνωμένων Πολιτειῶν ἵνα ἐλευθέρως ἐπιτηρῶσιν, ἐπιθεωρῶσιν,

συντάσσωσιν

and travel throughout Greece at any and all times, and will cooperate fully with them in carrying out all of the provisions of this Agreement. The Greek Government will furnish the necessary automobile transportation to permit the United States representatives to travel freely throughout Greece and without delay.

Automobile transportation.

Privileges and immunities.

(c) The United States representatives and the property of the mission and of its personnel shall enjoy in Greece the same privileges and immunities as are enjoyed by the personnel of the United States Embassy in Greece and the property of the Embassy and of its personnel.

ARTICLE VI

Freedom of United States Press and Radio Representatives to Observe and Report.

The Greek Government will permit representatives of the United States press and radio to observe freely

συντάσσωσιν ἐκθέσεις καί ταξειδεύωσιν ἐντός τῆς Ἑλλάδος καθ'οἱονδήποτε χρόνον, καί θά συνεργάζηται πλήρως μετ'αὐτῶν διά τήν ἐκπλήρωσιν ὅλων τῶν ὅρων τῆς παρούσης Συμφωνίας. Ἡ Ἑλληνική Κυβέρνησις θά παράσχῃ τήν κατάλληλον δι'αὐτοκινήτων μεταφοράν εἰς τρόπον ὥστε νά δυνηθοῦν οἱ ἀντιπρόσωποι τῶν Ἡνωμένων Πολιτειῶν νά κινῶνται ἐλευθέρως καί ἄνευ καθυστερήσεως εἰς ὁλόκληρον τήν Ἑλλάδα.

(γ) Οἱ ἀντιπρόσωποι τῶν Ἡνωμένων Πολιτειῶν καί ἡ περιουσία τῆς ἀποστολῆς ὡς καί τοῦ προσωπικοῦ αὐτῆς θά χαίρωσιν ἐν Ἑλλάδι τῶν ἰδίων προνομίων καί ἀσυλιῶν τῶν ὁποίων χαίρουσι τό προσωπικόν τῆς Πρεσβείας τῶν Ἡνωμένων Πολιτειῶν ἐν Ἑλλάδι καθώς καί ἡ περιουσία τῆς Πρεσβείας καί τοῦ προσωπικοῦ αὐτῆς.

ΑΡΘΡΟΝ 6

Ἐλευθερία τῶν Ἀντιπροσώπων Τύπου καί Ραδιοφωνίας τῶν Ἡνωμένων Πολιτειῶν πρός Παρατήρησιν καί Ἀνταπόκρισιν.

Ἡ Ἑλληνική Κυβέρνησις θά ἐπιτρέψῃ εἰς τούς ἀντιπροσώπους τοῦ Ἀμερικανικοῦ τύπου καί τῆς ραδιοφωνίας

νά

freely and report fully and without censorship regarding the distribution and utilization of relief supplies and the use of funds accruing from sale of United States relief supplies.

ARTICLE VII

Reports, Statistics and Information.

Maintenance.

(a) The Greek Government will maintain adequate statistical and other records on relief and will consult with the United States representatives, upon their request, with regard to the maintenance of such records.

Information concerning production, etc.

(b) The Greek Government will furnish promptly upon request of the United States representatives information concerning the production, use, distribution, importation, and exportation of any supplies which effect the relief needs of the people.

(c) In

νά παρακολουθῶσιν ἐλευθέρως καί νά ἀναφέρωσι πλήρως καί ἄνευ λογοκρισίας ἐπί τῆς διανομῆς καί χρήσεως τῶν ἐφοδίων περιθάλψεως, καί τήν χρῆσιν τῶν κεφαλαίων τῶν προερχομένων ἐκ τῆς πωλήσεως τῶν Ἀμεριτανικῶν ἐφοδίων περιθάλψεως.

ΑΡΘΡΟΝ 7

Ἐκθέσεις, Στατιστικαί καί Πληροφορίαι.

(α) Ἡ Ἑλληνική Κυβέρνησις θά διατηρῇ ἐπαρκῆ στατιστικά καί ἄλλα στοιχεῖα ἐπί τῆς περιθάλψεως, καί θά συνεννοηθῇ μετά τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν, τῇ αἰτήσει των, ὅσον ἀφορᾷ εἰς τήν διατήρησιν τῶν τοιούτων στοιχείων.

(β) Ἡ Ἑλληνική Κυβέρνησις θά παρέχῃ εὐθύς ἅμα τῇ αἰτήσει τῶν ἀντιπροσώπων τῶν Ἡνωμένων Πολιτειῶν, πληροφορίας σχετικάς μέ τήν παραγωγήν, χρησιμοποίησιν, διανομήν, εἰσαγωγήν καί ἐξαγωγήν ὅλων τῶν ἐφοδίων ἅτινα σχέσιν ἔχουσι μετά τῶν ἀναγκῶν περιθάλψεως τοῦ λαοῦ.

(γ) Ἐν ᾗ

Abuses or violations.

(c) In case United States representatives report apparent abuses or violations of this Agreement, the Greek Government will investigate and report and promptly take such remedial action as is necessary to correct such abuses or violations as are found to exist.

ARTICLE VIII

Publicity Regarding United States Assistance.

(a) The Greek Government will permit and arrange full and continuous publicity regarding the purpose, source, character, scope, amounts and progress of the United States relief program in Greece, including the utilization of funds accruing from sales of United States relief supplies for the benefit of the people.

Marking, etc., of supplies.

(b) All United States relief supplies and any articles processed from such supplies, or containers

(γ) Ἐν ᾗ περιπτώσει οἱ ἀντιπρόσωποι τῶν Ἡνωμένων Πολιτειῶν ἤθελον ἀναφέρει ἐμφανεῖς ὑπερβάσεις ἢ παραβιάσεις τῆς παρούσης Συμφωνίας, ἡ Ἑλληνική Κυβέρνησις θά ἐρευνήσῃ καί θά ἀναφέρῃ, θά λάβῃ δέ ταχέως τά κατάλληλα ἐπανορθωτικά μέτρα πρός ἐπανόρθωσιν τῶν ὑπερβασιῶν ἢ παραβιάσεων αἵτινες θά ἤθελον διαπιστωθῇ.

ΑΡΘΡΟΝ 8

Δημοσιότης Σχετική πρός τήν Ἀμερικανικήν Βοήθειαν.

(α) Ἡ Ἑλληνική Κυβέρνησις θά ἐπιτρέψῃ καί θά προετοιμάσῃ πλήρη καί συνεχῆ δημοσιότητα σχετικήν πρός τόν προορισμόν, τήν πηγήν, τόν χαρακτῆρα, τόν σκοπόν, τά ποσά, καί τήν πρόοδον τοῦ Ἀμερικανικοῦ προγράμματος περιθάλψεως ἐν Ἑλλάδι, συμπεριλαμβανομένης τῆς χρήσεως τῶν κεφαλαίων τῶν προερχομένων ἐκ τῆς πωλήσεως τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως ἐπ' ὠφελείᾳ τοῦ λαοῦ.

(β) Ἅπαντα τά Ἀμερικανικά ἐφόδια περιθάλψεως καθώς καί οἱαδήποτε παράγωγα προϊόντα ἐξ αὐτῶν τῶν

ἐφοδίων

tainers of such supplies or articles, shall, to the extent practicable, be marked, stamped, branded, or labelled in a conspicuous place in such a manner as to indicate to the ultimate consumer that such supplies or articles have been furnished by the United States for relief assistance; or if such supplies, articles or containers are incapable of being so marked, stamped, branded, or labelled, all practicable steps will be taken by the Greek Government to inform the ultimate consumer thereof that such supplies or articles have been furnished by the United States for relief assistance.

ARTICLE IX

Termination of Relief Assistance.

The United States Government will terminate any or all of its relief assistance at any time whenever it determines (1) by reason of changed conditions, the

ἐφοδίων, ἢ τά δοχεῖα καί περιτυλίγματα τά περιέχοντα τοιαῦτα ἐφόδια ἢ ἀγαθά, θέλουσι, κατά τό μέτρον τοῦ δυνατοῦ, σημειωθῇ, σφραγισθῇ, ἢ θέλει ἐπικολληθῇ ἐπ'αὐτῶν κινακίς εἰς ἐμφανές μέρος καί κατά τοιοῦτον τρόπον ὥστε νά ἐμφαίνηται εἰς τόν τελικόν καταναλωτήν ὅτι τά τοιαῦτα ἐφόδια ἢ προϊόντα ἔχουσι προμηθευθῇ ὑπό τῶν Ἡνωμένων Πολιτειῶν διά βοήθειαν περιθάλψεως· ἤ, ἐάν δέν καθίσταται δυνατή ἡ σημείωσις, σφράγισις, ἢ ἐπικόλλησις διά κινακίδος, τῶν τοιούτων ἐφοδίων, προϊόντων ἢ δοχείων καί περιτυλιγμάτων, ἡ Ἑλληνική Κυβέρνησις θά λάβῃ ὅλα τά δυνατά μέτρα ὅπως πληροφορήσῃ τόν τελικόν καταναλωτήν αὐτῶν, ὅτι τά τοιαῦτα ἐφόδια ἢ προϊόντα ἔχουσι προμηθευθῇ ὑπό τῶν Ἡνωμένων Πολιτειῶν διά ἐνίσχυσιν περιθάλψεως.

ΑΡΘΡΟΝ 9

Περάτωσις τῆς Βοηθείας Περιθάλψεως.

Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν θά θέσῃ τέρμα εἰς μέρος ἢ εἰς ὁλόκληρον τήν παρεχομένην περίθαλψιν ὁποτεδήποτε ἤθελεν ἀποφασίσῃ ὅτι: (I) λόγῳ

ἀλλαγῆς

the provision of relief assistance of the character authorized by the Public Law 84, 80th Congress, May 31, 1947, is no longer necessary (2) any provisions of this Agreement are not being carried out (3) an excessive amount of United States relief supplies, or of similar supplies produced locally or imported from outside sources, is being used to assist in the maintenance of armed forces in Greece, or (4) United States relief supplies or similar supplies produced locally or imported from outside sources are being exported or removed from Greece. The United States Government may stop or alter its program of assistance whenever in its determination other circumstances warrant such action.

61 Stat., Pt. 1, p. 125.

ARTICLE X

Date of Agreement.

This Agreement shall take effect as from this

ἀλλαγῆς συνθηκῶν ἡ παροχή βοηθείας διά περίθαλψιν τῆς μορφῆς τῆς ἐγκριθείσης ὑπό τοῦ Νόμου ἀριθ. 84, τοῦ 80ου Κογκρέσσου, τῆς 31ης Μαΐου 1947 δέν εἶναι πλέον ἀναγκαία, (2) οἱοιδήποτε ἐκ τῶν ὅρων τῆς παρούσης Συμφωνίας δέν ἐκτελοῦνται, (3) σημαντικόν μέρος τῶν Ἀμερικανικῶν ἐφοδίων περιθάλψεως, ἢ παρομοίων ἐγχωρίων ἐφοδίων ἢ ἄλλων εἰσαγομένων ἐκ τοῦ ἐξωτερικοῦ χρησιμοποιεῖται διά τήν συντήρησιν ἐνόπλων δυνάμεων ἐν Ἑλλάδι, ἢ (4) Ἀμερικανικά ἐφόδια περιθάλψεως ἢ παρόμοια ἐγχώρια ἐφόδια ἢ ἄλλα εἰσαχθέντα ἐκ τοῦ ἐξωτερικοῦ ἐξάγονται ἢ μετακινοῦνται ἐξ Ἑλλάδος. Ἡ Κυβέρνησις τῶν Ἡνωμένων Πολιτειῶν δύναται νά σταματήσῃ ἢ νά μεταβάλῃ τό πρόγραμμα της ἐπί τῆς περιθάλψεως ὁποτεδήποτε, κατά τήν γνώμην της, ἄλλαι συνθῆκαι ἐπιβάλλουσι τοιαύτην ἐνέργειαν.

ΑΡΘΡΟΝ 10

Ἡμερομηνία τῆς Συμφωνίας.

Ἡ παροῦσα Συμφωνία θέλει τεθῇ εἰς ἰσχύν ἀπό

τῆς

Duration.

day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Done in duplicate in the English and Greek languages at Athens, this eighth day of July, 1947.

For the Government of the United States of America:-

Lincoln MacVeagh
Ambassador Extraordinary
and Plenipotentiary

For the Government of the Kingdom of Greece:-

Demetrios Maximos
Prime Minister

τῆς σήμερον. Θά ἐξακολουθήσῃ δέ ἰσχύουσα μέχρις ἡμερομηνίας συμφωνηθησομένης ὑπό τῶν δύο Κυβερνήσεων.

Ἐγένετο εἰς διπλοῦν εἰς τήν Ἀγγλικήν καί τήν Ἑλληνικήν γλῶσσαν, ἐν Ἀθήναις σήμερον τήν ὀγδόην τοῦ μηνός Ἰουλίου, 1947.

[illegible] τήν Κυβέρνησιν τῶν Ἡνωμένων Πολιτειῶν τῆς Ἀμερικῆς:-

Λίνκολν ΜακΒέϋ
[illegible]πρεσβευτής Α' Τάξεως

Δι[illegible] τήν Ἑλληνικήν Β. Κυβέρνησιν:-

[illegible]μήτριος Κάξιμος
[illegible]ρος τῆς Κυβερνήσεως

March 18, 1947
[T. I. A. S. 1638]

Agreement between the United States of America and Canada respecting termination of the reciprocal trade agreement signed December 13, 1940, relating to fox furs and skins. Effected by exchange of notes signed at Washington March 18, 1947; entered into force March 18, 1947. And proclamation by the President of the United States of America terminating proclamations of December 18, 1940, and August 21, 1941, relating to the reciprocal trade agreement signed December 13, 1940; issued March 18, 1947; effective May 1, 1947.

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON
March 18, 1947.

EXCELLENCY:

Fox furs and skins.

I have the honor to refer to the supplementary trade agreement between the United States of America and Canada with respect to fox furs and skins signed December 13, 1940 and effective December 20, 1940, under which a quantitative restriction was imposed on imports of certain fox furs and skins into the United States and the rate of import duty was fixed at 35 percent *ad valorem*. That agreement was negotiated in the light of the emergency existing at that time with respect to marketing of silver or black fox furs and skins. Article VI thereof contains provisions looking toward the termination of the agreement in the event that the emergency conditions which had given rise to it should disappear.

55 Stat. 1319.
19 U. S. C. § 1351 note.

55 Stat. 1324.

Proposed termination of agreement of Dec. 13, 1940.

Since in the opinion of the Government of the United States of America the emergency conditions referred to above no longer exist, it is considered desirable to terminate the agreement relating to fox-furs and skins in accordance with its terms. This note is, therefore, to record the understanding of our two Governments, reached during the recent conversations on the subject, that the agreement of December 13, 1940 relating to fox furs and skins shall be terminated in whole on May 1, 1947. Such termination will result in removing the quantitative limitations on imports into the United States of silver or black fox furs and skins and the parts thereof and articles made therefrom, and of certain silver or black foxes, and in restoring to 37½ percent *ad valorem* the import duty on silver or black fox furs or skins provided for in item 1519 (c) of Schedule II of the trade agreement between the United States and Canada signed on November 17, 1938.

55 Stat. 1319.
19 U. S. C. § 1351 note.

53 Stat. 2389.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
HUME WRONG,
Ambassador of Canada.

The Canadian Ambassador to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D.C.
No. 80 *March 18, 1947.*

SIR,

I have the honour to acknowledge the receipt of your note of today's date, and to confirm the understanding set forth therein regarding the agreement between our two Governments to terminate the supplementary Trade Agreement relating to fox furs and skins, signed December 13th, 1940. 55 Stat. 1319. 19 U. S. C. § 1351 note.

Accept, Sir, the renewed assurances of my highest consideration.

H H WRONG

The Honourable GEORGE C. MARSHALL,
Secretary of State,
Washington, D.C.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, pursuant to the authority conferred by Section 350 (a) of the Tariff Act of 1930, as amended by the Act of June 12, 1934 (48 Stat. 943; U.S.C., 1940 ed., title 19, sec. 1351 (a)), the period within which such authority may be exercised having been extended by Joint Resolution approved March 1, 1937 (50 Stat. 24), the President of the United States of America entered into a trade agreement on November 17, 1938, through his duly empowered Plenipotentiary, with His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of Canada, through his duly empowered Plenipotentiary, which trade agreement was proclaimed on November 25, 1938 and June 17, 1939 by the President, acting pursuant to the authority conferred by the said Tariff Act of 1930 as amended; 19 U. S. C. § 1352. 53 Stat. 2348. 19 U. S. C. § 1351 note.

WHEREAS, pursuant to the authority conferred by said Section 350 (a) of the Tariff Act of 1930, as amended, the period within which such authority may be exercised having been extended by Joint Resolutions approved March 1, 1937 (50 Stat. 24) and April 12, 1940 (54 Stat. 107), the President of the United States of America entered into a trade agreement on December 13, 1940, through his duly empowered Plenipotentiary, with His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of Canada, through his duly empowered Plenipotentiary, which agreement of December 13, 1940 was proclaimed by the President on December 18, 1940 and August 21, 1941; 48 Stat. 943. 19 U. S. C. § 1351 (a). 19 U. S. C. § 1352. 55 Stat. 1319. 19 U. S. C. § 1351 note. 55 Stat. 1319, 1326.

55 Stat. 1321.

WHEREAS Article I of the said trade agreement of December 13, 1940 provides as follows:

53 Stat. 2389.

"During the effectiveness of this Agreement, item 1519 (c) of Schedule II of the trade agreement entered into between the United States of America and Canada on November 17, 1938, shall be suspended . . .";

55 Stat. 1324.

WHEREAS Article VI, paragraph 4, of the said trade agreement of December 13, 1940 provides that such agreement may be terminated at any time by agreement between the Governments of the two countries;

WHEREAS Article VI, paragraph 5, of the said trade agreement of December 13, 1940 provides as follows:

53 Stat. 2389.

"5. Should the present Agreement be terminated in accordance with the provisions of paragraph 4 of this Article, the provisions of item 1519 (c) of Schedule II of the trade agreement entered into between the United States of America and Canada on November 17, 1938, which have been suspended by this Agreement, shall thereupon automatically reenter into force.";

Ante, pp. 3054, 3055.

WHEREAS the Government of the United States of America and the Government of Canada, by notes exchanged on March 18, 1947, have agreed that the said trade agreement of December 13, 1940 shall be terminated in whole on May 1, 1947;

Termination of designated proclamations, etc.

48 Stat. 943.
19 U. S. C. § 1351 (a).

55 Stat. 1319, 1326.

53 Stat. 2389.

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting pursuant to the authority conferred by Section 350 (a) of the Tariff Act of 1930, as amended, do hereby proclaim that the effectiveness of said proclamations of December 18, 1940 and August 21, 1941 shall be terminated in whole on May 1, 1947, and that the provisions of item 1519 (c) of Schedule II of the trade agreement entered into between the United States of America and Canada on November 17, 1938 shall reenter into force on May 1, 1947.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighteenth day of March in the year of our Lord one thousand nine hundred forty-seven and of the Independence of the United States of America the one hundred seventy-first.

[SEAL]

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

Agreement between the United States of America and the Union of South Africa respecting air transport services. Signed at Cape Town May 23, 1947; entered into force May 23, 1947. And agreement effected by exchange of notes signed at Cape Town May 23, 1947; entered into force May 23, 1947.

May 23, 1947
[T. I. A. S. 1639]

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE UNION OF SOUTH AFRICA
RELATING TO
AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOUTH AFRICA RELATING TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES.

The Government of the United States of America and the Government of the Union of South Africa, considering—

that the possibilities of commercial aviation as a means of transport have greatly increased, and

that it is desirable to organize the international air services in a safe and orderly manner and to further as much as possible the development of international co-operation in this field,

have appointed their representatives, who duly authorized, have agreed upon the following:

ARTICLE I.

Post, p. 3062.

The contracting parties grant to each other the rights specified in the annex hereto for the establishment of the international air services set forth in that annex, (hereinafter referred to as the "agreed services").

ARTICLE II.

Inauguration of services.

(A) The agreed services may be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted, on condition that—

(1) the contracting party to whom the rights have been granted shall have designated an air carrier or carriers for the specified route or routes;

(2) the contracting party which grants the rights shall have given the appropriate operating permission to the air carrier or carriers concerned pursuant to paragraph (B) of this article which (subject to the provisions of Article VI) it shall do with the least possible delay.

(B) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the contracting party granting the rights that it or they is or are qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

ARTICLE III.

Charges.

(A) The charges which either contracting party may impose or permit to be imposed on the designated air carrier or carriers of the other contracting party for the use of airports and other facilities

shall not be higher than would be paid for the use of such airports and facilities by its national aircraft employed in similar international air services.

(B) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in the territory of one contracting party by, or on behalf of, any designated air carrier of the other contracting party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees and other charges imposed by the former contracting party, treatment not less favourable than that granted to national air carriers engaged in international air services or such carriers of the most favoured nation.

(C) Aircraft of the designated airline of one contracting party operating on the agreed services on a flight to, from or across the territory of the other contracting party shall be admitted temporarily free from customs duties subject otherwise to the customs regulations of such other contracting party. Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of any designated air carrier of one contracting party shall be exempt in the territory of the other contracting party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

ARTICLE IV.

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one contracting party and still in force shall be recognized as valid by the other contracting party for the purpose of operation of the agreed services. Each contracting party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory, certificates of competency and licences granted to its own nationals by another state.

Certificates of airworthiness, etc.

ARTICLE V.

(A) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

Laws and regulations.

(B) The laws and regulations of each contracting party as to the admission to, sojourn in and departure from its territory of passengers, crew and cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be observed.

ARTICLE VI.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an air carrier designated by the other contracting party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of the other contracting party, or in case of failure by that carrier to comply with

Withholding or revocation of certificate or permit.

the laws and regulations referred to in Article V hereof, or otherwise to fulfil the conditions under which the rights are granted in accordance with this agreement and its annex.

ARTICLE VII.

Consultation.

(A) In a spirit of close collaboration, the aeronautical authorities of the two contracting parties will consult regularly with a view to assuring the observance of the principles and the implementation of the provisions outlined in this the present agreement and its annex.

Failure to publish information, etc.

(B) In the event of the aeronautical authorities of either contracting party failing or ceasing to publish information in relation to the agreed services on lines similar to that included in the Airline Traffic Surveys (Station to Station and Origination and Destination) now published by the Civil Aeronautics Board and failing or ceasing to supply such data of this character as may be required by the International Civil Aviation Organization, the aeronautical authorities of such contracting party shall supply, on the request of the aeronautical authorities of the other contracting party, such information of that nature as may be requested.

ARTICLE VIII.

For the purpose of the present agreement and its annex—

"Territory."

(A) the term "territory" as applied to each contracting party shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, or trusteeship of such contracting party;

"Aeronautical authorities."

(B) the term "aeronautical authorities" shall mean in the case of the Union of South Africa the Minister in Charge of Civil Aviation, and in the case of the United States the Civil Aeronautics Board, and in both cases any person or body authorized to perform the functions presently exercised by the aeronautical authorities as defined herein;

"International air services."

(C) the term "international air services" shall have the meaning specified in Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944.

61 Stat., Pt. 2, p. 1207.

ARTICLE IX.

Disputes.

Except as otherwise provided in this agreement or its annex, any dispute between the contracting parties relative to the interpretation or application of this agreement or its annex, which cannot be settled through consultation, shall be submitted for an advisory report to a tribunal of three arbitrators, one to be named by each contracting party, and the third to be agreed upon by the two arbitrators so chosen, provided that such third arbitrator shall not be a national of either contracting party. Each of the contracting parties shall designate an arbitrator within two months of the date of delivery by either party to the other party of a diplomatic note requesting arbitration of a dispute; and the third arbitrator shall be agreed upon within one month after such period of two months. If the third arbitrator is not agreed upon, within the time limitation indicated, the vacancy thereby created shall be filled by the appointment of a person, designated by the president of the council of ICAO, from a panel of arbitral

personnel maintained in accordance with the practice of ICAO. The executive authorities of the contracting parties will use their best efforts under the powers available to them to put into effect the opinion expressed in any such advisory report. A moiety of the expenses of the arbitral tribunal shall be borne by each party.

ARTICLE X.

Registration.

This agreement and all relative contracts shall be registered with the International Civil Aviation Organization.

ARTICLE XI.

Entry into force.

(A) This agreement, including the provisions of the annex thereof, will come into force on the day it is signed.

Consultation to initiate amendments.

(B) Either contracting party may at any time request consultation with the other with a view to initiating any amendments of this agreement or its annex which may be desirable in the light of experience. If a multilateral air convention enters into force in relation to both contracting parties, such consultation shall take place with a view to amending the present agreement or its annex so as to conform to the provisions of such a convention.

(C) Except as otherwise provided in this agreement or its annex, if either of the contracting parties considers it desirable to modify the terms of the annex to this agreement it may request consultation between the aeronautical authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. Any modification in the annex agreed to by said aeronautical authorities shall come into effect when it has been confirmed by an exchange of diplomatic notes.

Notice of desire to terminate agreement.

(D) When the procedure for a consultation provided for in paragraph (B) of the present article has been initiated, either contracting party may at any time give notice to the other of its desire to terminate this agreement. Such notice shall be simultaneously communicated to the International Civil Aviation Organization.

This agreement shall terminate one year after the date of receipt of the notice to terminate by the other contracting party unless the notice is withdrawn by agreement before the expiration of this period. In the absence of acknowledgment of receipt by the other contracting party, notice shall be deemed to have been received fourteen days after the receipt of the notice by the International Civil Aviation Organization.

Authentic languages.

Done at Cape Town this 23rd day of May, 1947, in duplicate in the English and Afrikaans languages, each of which shall be of equal authenticity.

T HOLCOMB

For the Government of the United States of America:

J C SMUTS

For the Government of the Union of South Africa:

[SEAL] [SEAL]

ANNEX.

SECTION I.

South African rights of transit in U. S.

The Government of the United States of America grants to the Government of the Union of South Africa the right to conduct air transport services by one or more air carriers of South African nationality designated by the latter country on the routes, specified in Schedule I attached, which transit or serve commercially the territory of the United States of America.

Post, p. 3066.

SECTION II.

U. S. rights of transit in South Africa.

The Government of the Union of South Africa grants to the Government of the United States of America the right to conduct air transport services by one or more carriers of United States nationality designated by the latter country on the routes, specified in Schedule II attached, which transit or serve commercially territory of the Union of South Africa.

Post, p. 3066.

SECTION III.

One or more air carriers designated by each of the contracting parties under the conditions provided in this agreement will enjoy, in the territory of the other contracting party, rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail at the points enumerated and on each of the routes specified in the schedules attached at all airports open to international traffic.

SECTION IV.

It is agreed between the contracting parties—

Encouragement of air travel.

(A) that the two governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and ensuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries;

Equal opportunity for operation of services.

(B) that the designated airlines of the two contracting parties operating on the routes described in this annex shall enjoy fair and equal opportunity for the operation of the agreed services. If the designated airline of one contracting party is temporarily unable, as a result of the war to take advantage of such opportunity, the contracting parties shall review the situation with the object of assisting the said airline to take full advantage of the fair and equal opportunity to participate in the agreed services;

(C) that in the operation by the air carriers of either contracting party of international services described in the present annex, the interests of the air carriers of the other country shall, however, be taken into consideration so as not to affect unduly the services which the latter provide on all or part of the same route;

(D) that the total air transport services offered by the carriers of both countries should bear a close relationship to the requirements of the public for such services;

Provision of adequate capacity.

(E) that the services provided by a designated air carrier under this agreement and its annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic;

Right to embark, etc.

(F) that the right of the air carriers of either country to embark and to disembark at points in the territory of the other country international traffic destined for or coming from third countries at a point or points on the routes specified in the schedules attached shall be applied in accordance with the general principles of orderly development to which both governments subscribe and shall be subject to the general principle that capacity shall be related—

(1) to traffic requirements between the country of origin and the countries of destination;
(2) to the requirements of through airline operation; and
(3) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION V.

Determination of rates.

(A) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other carriers, as well as the characteristics of each service.

Approval.

(B) The rates to be charged by the air carriers of either contracting party between points in the territory of the United States and points in the territory of the Union of South Africa referred to in this annex shall, consistent with the provisions of the present agreement and its annex, be subject to the approval of the aeronautical authorities of the contracting parties, who shall act in accordance with their obligations under the present annex, within the limits of their legal powers.

"IATA."

(C) The Civil Aeronautics Board of the United States having approved the traffic conference machinery of the International Air Transport Association (hereinafter called "IATA"), for a period of one year beginning in February, 1947, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

Filing of proposed rate.

(D) Any rate proposed by the air carrier or carriers of either contracting party shall be filed with the aeronautical authorities of both contracting parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both contracting parties.

(E) The contracting parties agree that the procedure described in paragraphs (F), (G) and (H) of this section shall apply—

(1) if, during the period of the Civil Aeronautics Board's approval of the IATA traffic conference machinery, either any specific rate agreement is not approved within a reasonable time by either contracting party or a conference of IATA is unable to agree on a rate; or
(2) if at any time no IATA machinery is applicable; or
(3) if either contracting party at any time withdraws or fails to renew its approval of that part of the IATA traffic conference machinery relevant to this section.

Prevention of unfair or uneconomic rates.

(F) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the contracting parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one contracting party to a point or points in the territory of the other contracting party from becoming effective, if in the judgment of the aeronautical authorities of the contracting party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic.

Notice of dissatisfaction with proposed rate.

If one of the contracting parties on receipt of the notification referred to in paragraph (D) above is dissatisfied with the rate proposed by the air carrier or carriers of the other contracting party, it shall so notify the other contracting party prior to the expiry of the first fifteen of the thirty days referred to, and the contracting parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached, each contracting party will exercise its statutory powers to give effect to such agreement.

Provisional rate pending settlement of dispute.

If agreement has not been reached at the end of the thirty day period referred to in paragraph (D) above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (H) below.

(G) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the contracting parties is dissatisfied with any rate proposed by the air carrier or carriers of either contracting party for services from the territory of one contracting party to a point or points in the territory of the other contracting party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph (D) above, and the contracting parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached each contracting party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers.

It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the contracting party raising the

objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Arbitration.

(H) When in any case under paragraphs (F) and (G) above the aeronautical authorities of the two contracting parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one contracting party concerning the proposed rate or an existing rate of the air carrier or carriers of the other contracting party, upon the request of either, both contracting parties shall submit the question to arbitration in the manner prescribed in Article IX of the Agreement.

Ante, p. 3060.

(I) The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services, and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

SECTION VI.

Determination of tariffs.

It is recognized that the determination of tariffs to be applied by an air carrier of one contracting party between the territory of the other contracting party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such tariffs is now being studied by ICAO. It is understood under these circumstances—

(A) that, pending the acceptance by both parties of any recommendations which ICAO may make after its study of this matter, such tariffs shall be subject to consideration under the provisions of Section IV (C) of the annex to the agreement.

(B) that in case ICAO fails to establish a means of determining such rates satisfactory to both contracting parties, the consultation provided for in Article XI (B) of the agreement shall be in order.

Ante, p. 3061.

SECTION VII.

Changes in routes.

Changes made by either contracting party in the routes described in the schedules attached except those which change the points served by airlines of one contracting party in the territory of the other contracting party shall not be considered as modifications of the annex. The aeronautical authorities of either contracting party may therefore proceed unilaterally to make such changes, provided, however, that notice of any change is given without delay to the aeronautical authorities of the other contracting party.

Notice.

Consultation.

If such other aeronautical authorities find that, having regard to the principles set forth in Section IV of the present annex, interests of their air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the first contracting party of traffic between the territory of the second contracting party and the new point in

Ante, p. 3062.

the territory of a third country, the authorities of the two contracting parties shall consult with a view to arriving at a satisfactory agreement.

SECTION VIII.

Exchange of information.

After the present agreement comes into force, the aeronautical authorities of both contracting parties will exchange information as promptly as possible concerning the authorizations extended to their respective designated air carriers to render service to, through and from the territory of the other contracting party. This will include copies of current certificates and authorizations for service on the routes which are the subject of this agreement and, for the future, such new authorizations as may be issued together with amendments, exemption orders and authorized service patterns.

SCHEDULE I.

South African rights of transit and stop in the U. S.

Airlines of the Union of South Africa authorized under the present agreement are accorded in the territory of the United States on a service or services between the Union of South Africa and New York rights of transit and non-traffic stop, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at such points and over such routes as may be determined at a later date.

SCHEDULE II.

U. S. rights of transit and stop in South Africa.

Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the Union of South Africa, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Johannesburg and Cape Town on the following routes in both directions. On each of the routes described below the airline or airlines designated to operate such route may operate non-stop flights between any of the points on such route omitting stops at one or more of the other points on such route.

(1) United States via the North Atlantic and Africa to Johannesburg.
(2) United States via the Caribbean, South America, the South Atlantic and Africa to Cape Town.

O O R E E N K O M S

TUSSEN

DIE REGERING VAN DIE VERENIGDE STATE VAN AMERIKA

EN

DIE REGERING VAN DIE UNIE VAN SUID-AFRIKA

BETREFFENDE

LUGDIENSTE TUSSEN HUL ONDERSKEIE GEBIEDE.

O O R E E N K O M S

TUSSEN

DIE REGERING VAN DIE VERENIGDE STATE VAN AMERIKA

EN

DIE REGERING VAN DIE UNIE VAN SUID-AFRIKA

BETREFFENDE

LUGDIENSTE TUSSEN HUL ONDERSKEIE GEBIEDE.

Aangesien die regering van die Verenigde State van Amerika en die regering van die Unie van Suid-Afrika die mening toegedaan is

dat die moontlikhede van handelslugvaart as 'n vervoermiddel aanmerklik toegeneem het, en

dat dit wenslik is om die internasionale lugdienste op 'n veilige en ordelike wyse te organiseer en die ontwikkeling van internasionale samewerking op hierdie gebied sover doenlik te bevorder,

het hulle hul gevolmagtigdes aangestel, wat, behoorlik daartoe gemagtig, oor die volgende ooreengekom het:-

ARTIKEL I.

Elke kontrakterende party verleen aan die ander party die regte uiteengesit in die aanhangsel hiervan vir die instelling van die internasionale lugdienste vermeld in die aanhangsel (hierna die "ooreengekome dienste" genoem).

ARTIKEL II/ ....

ARTIKEL II.

(A) Die ooreengekome dienste kan onmiddellik of op 'n later tydstip, na goeddunke van die kontrakterende party aan wie die regte verleen is, ingestel word, op voorwaarde dat -

(1) die kontrakterende party aan wie die regte verleen is, 'n lugeksploitant of -eksploitante vir die bepaalde roete of roetes aangewys het;

(2) die kontrakterende party wat die regte verleen, die vereiste bedryfsvergunning ingevolge paragraaf (B) van hierdie artikel aan die betrokke lugeksploitant of -eksploitante verleen het, wat (onderworpe aan die bepalings van artikel VI) met die mins moontlike vertraging moet geskied.

(B) Van die aangewese lugeksploitant of -eksploitante kan verlang word om die lugvaartoutoriteite van die kontrakterende party wat die regte verleen, te oortuig dat hy of hulle in staat is om te voldoen aan die bepalings neergelê deur of kragtens die wette en regulasies wat gewoonlik deur genoemde outoriteite op die eksploitasie van handelslugdienste toegepas word.

ARTIKEL III.

(A) Die gelde vir die gebruik van lughawens en ander geriewe, wat elk van die kontrakterende partye van die aangewese lugeksploitant of -eksploitante van die ander kontrakterende party kan vorder of kan laat vorder, mag nie hoër wees as dié wat vir die gebruik van sulke lughawens en geriewe deur sy nasionale vliegtuie wat vir soortgelyke internasionale lugdienste gebruik word, betaalbaar is nie.

(B)/ ...

(B) Brandstof, smeerolie en onderdele wat in die gebied van een kontrakterende party ingebring of aan boord van vliegtuie geneem word deur of namens enige aangewese lugeksploitant van die ander kontrakterende party, en uitsluitlik vir gebruik deur die vliegtuie van sodanige eksploitant bedoel is, geniet, wat betref doeaneregte, inspeksiegeld en ander koste gehef deur eersgenoemde kontrakterende party, behandeling wat nie ongunstiger is as dié verleen aan nasionale lugeksploitante wat internasionale lugdienste eksploiteer of aan sodanige eksploitante van die mees begunstigde nasie nie.

(C) Vliegtuie van die aangewese lugeksploitant van een kontrakterende party wat op die ooreengekome dienste gebruik word vir 'n vlug na, van of oor die gebied van die ander kontrakterende party, word tydelik vry van doeaneregte toegelaat onderworpe andersins aan die doeaneregulasies van sodanige ander kontrakterende party. Voorrade brandstof, smeerolie, onderdele, gewone uitrusting en vliegtuigbenodigdhede wat aan boord van vliegtuie van enige aangewese lugeksploitant van een kontrakterende party gehou word, is in die gebied van die ander kontrakterende party van doeaneregte, inspeksiegeld of soortgelyke regte of koste vrygestel, selfs al word sodanige voorrade deur sulke vliegtuie op vlugte in daardie gebied gebruik.

ARTIKEL IV.

Lugwaardigheidsertifikate, bevoegdheidsertifikate en lisensies wat deur een kontrakterende party uitgereik of geldig gemaak is en wat nog van krag is, word deur die ander kontrakterende party vir die eksploitasie van die ooreengekome dienste as geldig erken.

Elke/ ....

Elke kontrakterende party behou egter die reg voor om vir die doel van vlugte oor sy eie gebied te weier om bevoegdheidsertifikate en lisensies wat deur 'n ander staat aan sy eie landsburgers uitgereik is, te erken.

ARTIKEL V.

(A) Die wette en regulasies van een kontrakterende party betreffende die binnekoms in of vertrek uit sy gebied van vliegtuie wat vir internasionale lugvaart gebruik word, of betreffende die gebruik en navigasie van sulke vliegtuie terwyl hulle in sy gebied is, is op die vliegtuie van die ander kontrakterende party van toepassing en moet deur sulke vliegtuie by hul binnekoms in of vertrek uit die gebied van eersgenoemde party, of terwyl hulle daarin vertoef, nagekom word.

(B) Die wette en regulasies van elke kontrakterende party betreffende die binnekoms en verblyf in en vertrek uit sy gebied van passasiers, bemanning en vrag van vliegtuie, soos regulasies met betrekking tot binnekoms, klaring, immigrasie, paspoorte, doeane en kwarantyn, moet nagekom word.

ARTIKEL VI.

Elke kontrakterende party behou die reg voor om 'n sertifikaat of permit in die geval van 'n aangewese lugeksploitant van die ander kontrakterende party te weier of in te trek indien hy nie daarvan oortuig is dat oorwegende eiendomsreg van en doeltreffende beheer oor sodanige eksploitant by landsburgers van die ander kontrakterende party berus nie, of ingeval die eksploitant versuim om die wette en regulasies vermeld in artikel V van hierdie ooreenkoms na te kom, of om andersins die voorwaardes waarop die regte ingevolge hierdie ooreenkoms en sy aanhangsel verleen word, uit te voer.

ARTIKEL VII/ ....

ARTIKEL VII.

(A) Die lugvaartoutoriteite van die twee kontrakterende partye sal in 'n gees van noue samewerking gereeld beraadslaag ten einde te verseker dat die beginsels en bepalings uiteengesit in hierdie ooreenkoms en sy aanhangsel gehandhaaf en nagekom word.

(B) Indien die lugvaartoutoriteite van enigeen van die kontrakterende partye versuim of ophou om inligting met betrekking tot die ooreengekome dienste te publiseer, soos dié vervat in die Opgawes van Lugdiensverkeer (Landingsplek na Landingsplek en Oorsprong en Bestemming) wat tans deur die "Civil Aeronautics Board" uitgegee word, en versuim of ophou om die gegewens van hierdie aard wat deur die Internasionale Organisasie vir Burgerlike Lugvaart vereis mag word, te verstrek, moet die lugvaartoutoriteite van dié kontrakterende party, op versoek van die lugvaartoutoriteite van die ander kontrakterende party, enige inligting van hierdie aard wat gevra word, verskaf.

ARTIKEL VIII.

Vir die doel van hierdie ooreenkoms en sy aanhangsel -

(A) word die uitdrukking „gebied" soos op elke kontrakterende party toegepas, geag die grondgebiede en aangrensende territoriale waters onder die soewereiniteit, susereiniteit, beskerming, mandaat, of voogdyskap van sodanige kontrakterende party te behels;

(B)/ ....

(B) beteken die uitdrukking „lugvaartoutoriteite" in die geval van die Unie van Suid-Afrika die Minister belas met burgerlike lugvaart, en in die geval van die Verenigde State die "Civil Aeronautics Board", en in beide gevalle enige persoon of liggaam wat gemagtig is om die werksaamhede wat tans deur die hierin omskrewe lugvaartoutoriteite verrig word, uit te voer;

(C) het die uitdrukking „internasionale lugdienste" die betekenis daaraan toegeskryf in artikel 96 van die Konvensie oor Internasionale Burgerlike Lugvaart wat op 7 Desember 1944 te Chicago onderteken is.

ARTIKEL IX.

Behalwe soos andersins in hierdie ooreenkoms of sy aanhangsel bepaal, word enige geskil tussen die kontrakterende partye met betrekking tot die vertolking of toepassing van hierdie ooreenkoms of sy aanhangsel, wat nie deur beraadslaging besleg kan word nie, vir 'n adviserende verslag verwys na 'n arbitrasieliggaam bestaande uit drie arbiters, een deur elk van die kontrakterende partye benoem te word en die derde deur die twee aldus gekose arbiters in oorleg met mekaar aangewys te word, met dien verstande dat sodanige derde arbiter nie 'n landsburger van enigeen van die kontrakterende partye is nie. Elk van die kontrakterende partye moet 'n arbiter aanwys binne twee maande na die afleweringsdatum van 'n diplomatieke nota van enigeen van die partye aan die ander, waarin die beslegting van 'n geskil deur middel van arbitrasie versoek word; en oor die derde arbiter moet binne een maand na sodanige tydperk van twee maande ooreengekom word. Indien daar nie binne hierdie bepaalde tyd oor die derde arbiter

ooreengekom/ ....

ooreengekom word nie, moet die vakature wat daardeur ontstaan, aangevul word deur die aanstelling van 'n persoon, aangewys deur die president van die raad van die Internasionale Organisasie vir Burgerlike Lugvaart, uit 'n naamlys van arbitrasiepersoneel wat volgens gebruik van genoemde Organisasie in stand gehou word. Die uitvoerende outoriteite van die kontrakterende partye sal kragtens die bevoegdhede tot hulle beskikking, alles in hul vermoë doen om aan die mening wat in so 'n adviserende verslag uitgespreek word, gevolg te gee. Die helfte van die uitgawes van die arbitrasieliggaam word deur elke party gedra.

ARTIKEL X.

Hierdie ooreenkoms en alle betreklike kontrakte moet by die Internasionale Organisasie vir Burgerlike Lugvaart geregistreer word.

ARTIKEL XI.

(A) Hierdie ooreenkoms, asook die bepalings van sy aanhangsel, tree op die dag waarop dit onderteken word, in werking.

(B) Enigeen van die kontrakterende partye kan te eniger tyd versoek dat daar met die ander party beraadslaag word met die oog daarop om enige wysigings van hierdie ooreenkoms of sy aanhangsel wat uit ondervinding wenslik blyk te wees, aan te bring. As 'n veelsydige konvensie wat op beide kontrakterende partye betrekking het, in werking tree, word daar aldus beraadslaag met die oog op die wysiging van hierdie ooreenkoms of sy aanhangsel in dier voege dat dit aan die bepalings van so 'n konvensie voldoen.

(C)/ ....

(C) Behalwe soos andersins in hierdie ooreenkoms of sy aanhangsel bepaal, kan enigeen van die kontrakterende partye, indien hy dit wenslik ag dat die bepalings van die aanhangsel van hierdie ooreenkoms gewysig word, versoek dat die lugvaartoutoriteite van beide kontrakterende partye met mekaar beraadslaag; sodanige beraadslaging binne 'n tydperk van sestig dae vanaf die datum van die versoek 'n aanvang te neem. Enige wysiging van die aanhangsel waarop bedoelde lugvaartoutoriteite ooreenkom, tree in werking wanneer dit deur die wisseling van diplomatieke notas bekragtig is.

(D) Wanneer die prosedure vir beraadslaging, soos bepaal in paragraaf (B) van hierdie artikel, in werking gestel is, kan enigeen van die kontrakterende partye te eniger tyd aan die ander kontrakterende party kennis gee dat hy verlang om hierdie ooreenkoms te beëindig. Die Internasionale Organisasie vir Burgerlike Lugvaart moet tegelykertyd van hierdie kennisgewing verwittig word.

Hierdie ooreenkoms tree buite werking 'n jaar na die datum van ontvangs van die beëindigingskennisgewing deur die ander kontrakterende party, tensy daar ooreengekom word om die kennisgewing voor die verstryking van hierdie tydperk terug te trek. As die ander kontrakterende party versuim om ontvangs te erken, word die kennisgewing geag ontvang te gewees het veertien dae nadat dit deur die Internasionale Organisasie vir Burgerlike Lugvaart ontvang is.

Onderteken/ ....

Onderteken op hierdie 23ste dag van Mei 1947 te Kaapstad in duplikaat in die Engelse en Afrikaanse tale. Beide lesings is ewe outentiek.

[1]

Namens die regering van die Verenigde State van Amerika:

[2]

Namens die regering van die Unie van Suid-Afrika:

[1] T Holcomb
[2] J C Smuts

AANHANGSEL.

AFDELING I.

Die regering van die Verenigde State van Amerika verleen aan die regering van die Unie van Suid-Afrika die reg om lugvervoerdienste deur een of meer deur laasgenoemde land aangewese lugeksploitante wat Suid-Afrikaanse landsburgers is, te eksploiteer oor die roetes, vermeld in bygaande Bylae I, wat oor die gebied van die Verenigde State van Amerika gaan of dit op handelsgebied bedien.

AFDELING II.

Die regering van die Unie van Suid-Afrika verleen aan die regering van die Verenigde State van Amerika die reg om lugvervoerdienste deur een of meer deur laasgenoemde land aangewese lugeksploitante wat landsburgers van die Verenigde State is, te eksploiteer oor die roetes, vermeld in bygaande Bylae II, wat oor die gebied van die Unie van Suid-Afrika gaan of dit op handelsgebied bedien.

AFDELING III.

Aan een of meer lugeksploitante wat deur elk van die kontrakterende partye kragtens die bepalings van hierdie ooreenkoms aangewys is, word die reg verleen om oor die gebied van die ander kontrakterende party te vlieg, vir nie-verkeersdoeleindes daarin te land, en dit vir handelsdoeleindes binne te kom en daaruit te vertrek met die oog op die vervoer van internasionale verkeer bestaande uit passasiers, vrag en posstukke by die plekke aangetoon en oor elk van die roetes vermeld in die bygaande bylaes by alle lughawens wat vir internasionale verkeer oopgestel is.

AFDELING IV/ ....

AFDELING IV.

Die kontrakterende partye kom as volg ooreen:-

(A) Dat die twee regerings begeer om die groots moontlike verspreiding van die voordele verbonde aan lugvervoer in die algemene belang van die mensdom teen die goedkoopste tariewe bestaanbaar met gesonde ekonomiese beginsels te bevorder en aan te moedig; en om internasionale lugvervoer aan te wakker as 'n middel tot bevordering van 'n vriendskaplike gesindheid en welwillendheid onder die volke, en tewens tot aanwending van die talle onregstreekse voordele verbonde aan hierdie nuwe metode van vervoer vir die gemeenskaplike welsyn van beide lande.

(B) Dat aan die aangewese lugeksploitante van die twee kontrakterende partye wat die roetes vermeld in hierdie aanhangsel eksploiteer, billike en gelyke geleenthede verskaf moet word vir die eksploitasie van die ooreengekome dienste. As die aangewese lugeksploitant van een kontrakterende party, as gevolg van die oorlog tydelik nie van sodanige geleenthede gebruik kan maak nie, moet die kontrakterende partye die toestand hersien ten einde bedoelde lugeksploitant te help om volle gebruik te maak van die billike en gelyke geleenthede om aan die ooreengekome dienste mee te doen.

(C) Dat by die eksploitasie van die in hierdie aanhangsel bedoelde internasionale dienste deur die lugeksploitante van enigeen van die kontrakterende partye, die belange van die lugeksploitante van die ander land egter in aanmerking geneem moet word sodat die dienste wat laasgenoemde oor dieselfde roete of 'n gedeelte daarvan verskaf, nie buitematig nadelig getref word nie.

(D)/ ....

(D) Dat al die lugvervoerdienste wat deur die eksploitante van beide lande aangebied word, in noue verband met die behoeftes van die publiek aan sodanige dienste moet staan.

(E) Dat die dienste wat deur 'n aangewese lugeksploitant ingevolge hierdie ooreenkoms en sy aanhangsel geëksploiteer word, die verskaffing van vervoervermoë wat aan die verkeersvereistes tussen die land waarvan sodanige lugeksploitant 'n landsburger is, en die land wat die uiteindelike bestemming van die verkeer is, sal voldoen, as hoofdoel moet behou.

(F) Dat die reg van die lugeksploitante van enigeen van die lande om internasionale verkeer bestem vir of afkomstig uit derde lande by 'n plek of plekke op die roetes in die bygaande bylaes vermeld, by plekke in die gebied van die ander land op en af te laai, toegepas moet word in ooreenstemming met die algemene beginsels van ordelike ontwikkeling, wat beide regerings onderskryf, en onderworpe moet wees aan die algemene beginsel dat vervoervermoë verband moet hou met -

(1) verkeersvereistes tussen die land van oorsprong en die lande van bestemming;

(2) die vereistes van deurgaande lugeksploitasie; en

(3) die verkeersvereistes van die gebied waaroor die lugdiens geëksploiteer word nadat met plaaslike en streekdienste rekening gehou is.

AFDELING V.

(A) Die vaststelling van tariewe ooreenkomstig die volgende paragrawe moet op 'n redelike peil geskied, met behoorlike inagneming van alle ter sake dienende faktore,

soos/ ....

soos bedryfskoste, redelike wins, en die tariewe gehef deur enige ander eksploitante, asook die aard van elke diens.

(B) Die tariewe wat tussen plekke in die gebied van die Verenigde State en plekke in die gebied van die Unie van Suid-Afrika vermeld in hierdie aanhangsel, deur die lugeksploitante van enigeen van die kontrakterende partye gehef word, is, in ooreenstemming met die bepalings van hierdie ooreenkoms en sy aanhangsel, onderworpe aan die goedkeuring van die lugvaartoutoriteite van die kontrakterende partye, wat, binne die perke van hul regsbevoegdheid, ooreenkomstig hul verpligtinge kragtens hierdie aanhangsel moet handel.

(C) Aangesien die "Civil Aeronautics Board" van die Verenigde State die verkeerskonferensie-prosedure van die Vereniging vir Internasionale Lugvervoer (hierna V.I.L. genoem) vir 'n tydperk van een jaar vanaf Februarie 1947 goedgekeur het, is enige tariefooreenkomste wat gedurende dié tydperk deur middel van hierdie prosedure aangegaan is en waarby lugeksploitante van die Verenigde State betrokke is, aan die goedkeuring van die Raad onderworpe.

(D) Besonderhede van enige tarief voorgestel deur die lugeksploitant of -eksploitante van enigeen van die kontrakterende partye, moet ten minste dertig dae voor die voorgestelde datum waarop die tarief in werking tree, by die lugvaartoutoriteite van beide kontrakterende partye ingedien word; met dien verstande dat hierdie tydperk van dertig dae in besondere gevalle verkort kan word as die lugvaartoutoriteite van beide kontrakterende partye daartoe instem.

(E)/ ....

(E) Die kontrakterende partye kom ooreen dat die prosedure wat in paragrawe (F), (G) en (H) van hierdie afdeling voorgeskryf word, van toepassing is -

(1) indien, gedurende die tydperk waarvoor die verkeerskonferensie-prosedure van V.I.L. deur die "Civil Aeronautics Board" goedgekeur is, enige bepaalde tarief-ooreenkoms nie binne 'n redelike tyd deur enigeen van die kontrakterende partye goedgekeur word of 'n konferensie van V.I.L. nie in verband met 'n tarief ooreen kan kom nie; of

(2) indien daar op een of ander tydstip van geen V.I.L.-prosedure gebruik gemaak kan word nie; of

(3) indien enigeen van die kontrakterende partye op een of ander tydstip sy goedkeuring van die deel van die V.I.L.-verkeerskonferensie-prosedure wat op hierdie afdeling betrekking het, terugtrek of versuim om sodanige goedkeuring te hernu.

(F) Indien die lugvaartoutoriteite van die Verenigde State by wet gemagtig word om billike en ekonomiese tariewe vir die lugvervoer van persone en goedere op internasionale dienste vas te stel en om voorgestelde tariewe op te skort op 'n wyse vergelykbaar met dié waarop die "Civil Aeronautics Board" tans gemagtig is om op te tree in verband met sodanige tariewe vir die lugvervoer van persone en goedere in die Verenigde State, oefen elk van die kontrakterende partye daarna sy bevoegdheid uit op 'n wyse wat sal verhoed dat enige tarief of tariewe, voorgestel deur een van sy eksploitante vir dienste tussen die gebied van

een/ ....

een kontrakterende party en 'n plek of plekke in die gebied van die ander kontrakterende party, van krag word, as die tarief na die mening van die kontrakterende party wie se lugeksploitant of -eksploitante sodanige tarief voorstel, onbillik of onekonomies is. As een van die kontrakterende partye na ontvangs van die in paragraaf (D) hierbo bedoelde kennisgewing, nie met die tarief voorgestel deur die lugeksploitant of -eksploitante van die ander kontrakterende party tevrede is nie, moet hy die ander kontrakterende party voor die verstryking van die eerste vyftien van vermelde dertig dae dienooreenkomstig verwittig, en moet die kontrakterende partye trag om oor 'n gepaste tarief ooreen te kom.

Indien so 'n ooreenkoms getref word, sal elke kontrakterende party sy regsbevoegdheid uitoefen ten einde aan sodanige ooreenkoms gevolg te gee.

As 'n ooreenkoms nie by verstryking van die tydperk van dertig dae genoem in paragraaf (D) hierbo getref is nie, kan die voorgestelde tarief, tensy die lugvaartoutoriteite van die land van die betrokke lugeksploitant dit goed vind om die toepassing van die tarief op te skort, voorlopig in werking gestel word hangende die beslegting van 'n geskil ooreenkomstig die prosedure in paragraaf (H) hieronder omskryf.

(G) As een van die kontrakterende partye, voordat sodanige bevoegdheid by wet aan die lugvaartoutoriteite van die Verenigde State verleen is, nie met enige tarief voorgestel deur die lugeksploitant of -eksploitante van enigeen van die kontrakterende partye vir dienste tussen die gebied van een kontrakterende party en 'n plek of plekke in die gebied van die ander kontrakterende party tevrede is nie, moet hy die ander kontrakterende party

voor/ ....

voor die verstryking van die eerste vyftien dae van die dertigdaagse tydperk genoem in paragraaf (D) hierbo, dienooreenkomstig verwittig, en moet die kontrakterende partye trag om oor 'n gepaste tarief ooreen te kom.

Indien so 'n ooreenkoms getref word, sal elke kontrakterende party alles in sy vermoë doen met die oog op die inwerkingstelling van sodanige ooreengekome tarief deur sy lugeksploitant of -eksploitante.

Daar word erken dat as so 'n ooreenkoms nie voor die verstryking van sodanige dertig dae getref kan word nie, die kontrakterende party wat teen die tarief beswaar gemaak het, sulke stappe as wat nodig geag word kan doen om die instelling of voortsetting van die betrokke diens teen die gewraakte tarief, te verhinder.

(H) Wanneer die lugvaartoutoriteite van die twee kontrakterende partye na beraadslaging as gevolg van die klagte van een kontrakterende party betreffende die voorgestelde tarief of 'n bestaande tarief van die lugeksploitant of -eksploitante van die ander kontrakterende party, in enige geval genoem in paragrawe (F) en (G) hierbo nie binne 'n redelike tyd in verband met die gepaste tarief ooreen kan kom nie, moet beide kontrakterende partye, op versoek van enigeen van hulle, die saak deur middel van arbitrasie laat besleg op die wyse voorgeskryf in artikel IX van die ooreenkoms.

(I) Die uitvoerende gesag van die regering van die Verenigde State onderneem om alles in sy vermoë te doen om te bewerkstellig dat wetgewing aangeneem word wat die lugvaartoutoriteite van die Verenigde State magtig om billike en ekonomiese tariewe vir die lugvervoer van persone en goedere op internasionale dienste vas te stel en om voorgestelde tariewe op te skort op 'n wyse vergelykbaar met dié waarop die "Civil Aeronautics Board"

tans/ ....

tans gemagtig is om op te tree in verband met sodanige tariewe vir die lugvervoer van persone en goedere in die Verenigde State.

AFDELING VI.

Daar word erken dat die vasstelling van tariewe deur 'n lugeksploitant van een kontrakterende party gehef te word tussen die gebied van die ander kontrakterende party en 'n derde land, 'n ingewikkelde vraagstuk is, waarvan die algehele oplossing nie deur beraadslaging tussen slegs twee lande verkry kan word nie. Daar word voorts daarvan kennis geneem dat die metode van vasstelling van sodanige tariewe tans die aandag van die Internasionale Organisasie vir Burgerlike Lugvaart geniet.

Onder hierdie omstandighede word daar aangeneem -

(A) dat, tot tyd en wyl albei partye sodanige aanbevelings aanvaar het as wat die Internasionale Organisasie vir Burgerlike Lugvaart na bestudering van die saak mag doen, sulke tariewe onderworpe sal wees aan oorweging kragtens die bepalings van afdeling IV(C) van die aanhangsel van hierdie ooreenkoms;

(B) dat, ingeval die Internasionale Organisasie vir Burgerlike Lugvaart nie daarin slaag om 'n metode van vasstelling van sulke tariewe wat vir albei partye aanneemlik is, daar te stel nie, daar ooreenkomstig die bepalings van artikel XI(B) van die ooreenkoms beraadslaag sal word.

AFDELING VII.

Veranderings wat deur enigeen van die kontrakterende partye aan die roetes genoem in die bygaande

bylaes/ ....

bylaes aangebring word, uitgesonderd veranderings van die plekke wat deur lugeksploitante van een van die kontrakterende partye in die gebied van die ander kontrakterende party bedien word, word nie as wysigings van die aanhangsel beskou nie. Die lugvaartoutoriteite van enigeen van die kontrakterende partye kan dus sodanige veranderings eensydig aanbring, met dien verstande egter dat die lugvaartoutoriteite van die ander kontrakterende party onverwyld van enige veranderings verwittig word.

As sodanige ander lugvaartoutoriteite vind dat die belange van hul lugeksploitant of -eksploitante, met die oog op die beginsels vervat in afdeling IV van hierdie aanhangsel, benadeel word deur die vervoer deur die lugeksploitant of -eksploitante van eersgenoemde kontrakterende party van verkeer tussen die gebied van laasgenoemde party en die nuwe plek in die gebied van 'n derde land, beraadslaag die outoriteite van die twee kontrakterende partye ten einde 'n bevredigende ooreenkoms te tref.

AFDELING VIII.

Na die inwerkingtreding van hierdie ooreenkoms, verstrek die lugvaartoutoriteite van beide kontrakterende partye so spoedig moontlik inligting aan mekaar betreffende die magtigings verleen aan hul onderskeie aangewese lugeksploitante om diens aan, deur en van die gebied van die ander kontrakterende party te verskaf. Dit sluit in afskrifte van bestaande sertifikate en magtigings vir diens oor die roetes waaroor hierdie ooreenkoms gaan en, wat die toekoms betref, van sodanige nuwe magtigings as wat verleen mag word tesame met wysigings, vrystellingsorders en planne van gemagtigde dienste.

BYLAE I.

Aan lugeksploitante van die Unie van Suid-Afrika wat ingevolge die onderhawige ooreenkoms aangewys is, word in die gebied van die Verenigde State in verband met 'n diens of dienste tussen die Unie van Suid-Afrika en New York die reg verleen om daardie gebied oor te vlieg en vir nie-verkeersdoeleindes daarin te land, asook die reg om internasionale verkeer bestaande uit passasiers, vrag en posstukke by sodanige plekke en oor sodanige roetes as wat op 'n later datum vasgestel mag word, op en af te laai.

BYLAE II.

Aan lugeksploitante van die Verenigde State van Amerika wat ingevolge die onderhawige ooreenkoms aangewys is, word die reg verleen om die gebied van die Unie van Suid-Afrika oor te vlieg en vir nie-verkeersdoeleindes daarin te land, asook die reg om internasionale verkeer bestaande uit passasiers, vrag en posstukke by Johannesburg en Kaapstad oor die volgende roetes in beide rigtings op en af te laai; oor elk van die ondervermelde roetes kan die lugeksploitant of -eksploitante wat aangewys is om so 'n roete te eksploiteer, ononderbroke vlugte tussen enige plekke langs daardie roete onderneem en een of meer van die ander aandoenplekke langs daardie roete verbysteek :-

(1) Verenigde State oor die Noord-Atlantiese Oseaan en Afrika na Johannesburg.

(2) Verenigde State oor die Karribiese Eilande, Suid-Amerika, die Suid-Atlantiese Oseaan en Afrika na Kaapstad.

The American Minister to the Minister of External Affairs of the Union of South Africa

LEGATION OF THE
UNITED STATES OF AMERICA
Cape Town
May 23, 1947

SIR:

I have the honor to refer to the Bi-lateral Air Transport Agreement concluded today between the Governments of the United States and the Union of South Africa at Cape Town and in regard to Article IX of this Agreement to state that it is the understanding of my Government that in the event either contracting party should find itself unable to carry out the terms of an advisory report which recommends rectifying action on the part of both contracting parties, the contracting party which finds itself unable to carry out the terms of such an advisory report shall so notify the other contracting party which, upon receipt of such notification, will not necessarily be bound to carry out the terms of such an advisory report.

Ante, p. 3060.

This note and your confirmatory reply thereto will be regarded as constituting an agreement between the two Governments in the matter.

Please accept, Sir, the renewed assurance of my highest consideration.

T. HOLCOMB

Field Marshal
The Right Honorable J. C. SMUTS, O.M., P.C., C.H., K.C., D.T.D., M.P.,
Minister of External Affairs,
Cape Town.

The Minister of External Affairs of the Union of South Africa to the American Minister

UNION OF SOUTH AFRICA.
UNIE VAN SUID-AFRIKA.

DEPARTMENT OF EXTERNAL AFFAIRS.
DEPARTEMENT VAN BUITELANDSE SAKE.
Cape Town,
23 May 1947

MR. MINISTER,

I have the honour to acknowledge your note of today's date, which reads as follows:—

"Sir,

I have the honor to refer to the Bi-lateral Air Transport Agreement concluded today between the Governments of the United States and the Union of South Africa at Cape Town and in regard

Ante, p. 3060.

to Article IX of this Agreement to state that it is the understanding of my Government that in the event either contracting party should find itself unable to carry out the terms of an advisory report which recommends rectifying action on the part of both contracting parties, the contracting party which finds itself unable to carry out the terms of such an advisory report shall so notify the other contracting party which, upon receipt of such notification, will not necessarily be bound to carry out the terms of such an advisory report.

This note and your confirmatory reply thereto will be regarded as constituting an agreement between the two Governments in the matter.

Please accept, Sir, the renewed assurance of my highest consideration.

(Signed) T. HOLCOMB."

I confirm that your note and this reply will be regarded as constituting an agreement to this effect between the two Governments.

Please accept, Mr. Minister, the renewed assurance of my highest consideration.

J C SMUTS
Minister of External Affairs.

General THOMAS HOLCOMB,
Envoy Extraordinary and
Minister Plenipotentiary of
the United States of America,
Cape Town.

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting air transport services on routes to and from Fiji Island, amending the agreement of February 11, 1946. Effected by exchange of notes signed at Washington December 20, 1946, and January 27, 1947; entered into force January 27, 1947.

December 20, 1946, and January 27, 1947
[T. I. A. S. 1640]

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.,
20th December, 1946.

Ref: No. 1539/43/46
No. 692.

SIR,

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform you that, in accordance with Article 8 of the Agreement between the Government of the United Kingdom and the Government of the United States of America relating to air services between their respective territories, signed at Bermuda on 11th February, 1946, His Majesty's Government in the United Kingdom propose that the following additional routes be added to those scheduled in Section 3 of the Annex to the above mentioned Agreement.

60 Stat. 1502.

60 Stat. 1507.

(a) Annex Section III (a): add

	Point of Departure	Intermediate Points	Destination in U. S. territory	Points Beyond
8	Fiji Island (to and from designated terminals in Australia & New Zealand)	Canton Island Honolulu	San Francisco	Vancouver

(b) Annex Section III (b): add

	Point of Departure	Intermediate Points	Destination in U. K. territory	Points Beyond
14	San Francisco Los Angeles	Honolulu Canton Island	Fiji	Noumea (optional) (a) A point or points in Australia. (b) A point in New Zealand.

2. In accordance with Article 2 of the Agreement, His Majesty's Government in the United Kingdom propose to designate British Commonwealth Pacific Airways a joint operating organization, in which His Majesty's Governments in the United Kingdom, Australia, and New Zealand are partners, in accordance with Article 77 of the

60 Stat. 1500.

Convention on International Civil Aviation signed at Chicago on 7 December, 1944, to operate Route 8 above.

61 Stat., Pt. 2, p. 1202.

3. If the additions to Section III of the Annex as set forth above are agreeable to the Government of the United States, I am to suggest, on the understanding that British Commonwealth Pacific Airways will be the airline designated by His Majesty's Government in the United Kingdom for the operation of services on Route 8 above, that this note and your reply thereto should constitute the exchange of notes, for which Article 8 of the Agreement signed at Bermuda provides.

60 Stat. 1502.

I have the honour to be, with the highest respect, Sir,
Your most obedient, humble Servant,

INVERCHAPEL

The Honourable
JAMES F. BYRNES,
Secretary of State of the United States,
Washington, D.C.

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jan 27 1947

EXCELLENCY:

I have the honor to refer to Your Excellency's note dated December 20, 1946, reading as follows:

"I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform you that, in accordance with Article 8 of the Agreement between the Government of the United Kingdom and the Government of the United States of America relating to air services between their respective territories, signed at Bermuda on 11th February, 1946, His Majesty's Government in the United Kingdom propose that the following additional routes be added to those scheduled in Section 3 of the Annex to the above mentioned Agreement.

60 Stat. 1502.

60 Stat. 1507.

(a) Annex Section III (a): add

	Point of Departure	Intermediate Points	Destination in U. S. territory	Points Beyond
8	Fiji Island (to and from designated terminals in Australia & New Zealand)	Canton Island Honolulu	San Francisco	Vancouver

(b) Annex Section III (b): add

	Point of Departure	Intermediate Points	Destination in U. K. territory	Points Beyond
14	San Francisco Los Angeles	Honolulu Canton Island	Fiji	Noumea (optional) (a) A point or points in Australia. (b) A point in New Zealand.

"2. In accordance with Article 2 of the Agreement, His Majesty's Government in the United Kingdom propose to designate British Commonwealth Pacific Airways a joint operating organization, in which His Majesty's Governments in the United Kingdom, Australia, and New Zealand are partners, in accordance with Article 77 of the Convention on International Civil Aviation signed at Chicago on 7 December, 1944, to operate Route 8 above. 60 Stat. 1500. 61 Stat., Pt. 2, p. 1202.

"3. If the additions to Section III of the Annex as set forth above are agreeable to the Government of the United States, I am to suggest, on the understanding that British Commonwealth Pacific Airways will be the airline designated by His Majesty's Government in the United Kingdom for the operation of services on Route 8 above, that this note and your reply thereto should constitute the exchange of notes, for which Article 8 of the Agreement signed at Bermuda provides." 60 Stat. 1502.

I am pleased to inform you that the terms of Your Excellency's note as stated above are acceptable to my Government, which regards Section 3 of the Annex to the aforementioned bilateral agreement relating to air services signed at Bermuda on February 11, 1946 as amended accordingly. 60 Stat. 1507.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
WILLIAM L. CLAYTON

His Excellency
The Right Honorable
THE LORD INVERCHAPEL, P.C., G.C.M.G.,
British Ambassador.

May 21 and 23, 1947
[T. I. A. S. 1641]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting air transport services, Gander Airport, Newfoundland, supplementing the agreement of February 11, 1946. Effected by exchange of notes signed at London May 21 and 23, 1947; entered into force May 23, 1947.

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S.W.1.
21st May, 1947.

No. W 342/342/802.

YOUR EXCELLENCY,

I have the honour to state that His Majesty's Government in the United Kingdom, after consultation with the Government of Newfoundland and in accordance with the understandings arrived at in the course of the discussions leading up to the signing of the Bermuda Agreement on the 11th February, 1946, have pleasure in informing the Government of the United States of America that an airline or airlines designated by the United States of America in accordance with Article 2 (i) of the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America signed on the 11th February, 1946 may enjoy at Gander Airport, Newfoundland, on routes 1 to 5 of Section III (b) of the Annex to that Agreement the rights set out in Section 1 of that Annex on the following understandings:—

60 Stat. 1499.
60 Stat. 1500.
60 Stat. 1508.
60 Stat. 1504.

(a) that the grant of the rights mentioned above is subject to the observance of, and is to be governed by, the provisions of the Final Act of the Bermuda Civil Aviation Conference signed on the 11th February, 1946 and of the Agreement of the 11th February, 1946, referred to above; and

(b) that similar rights will be granted, at a point or points to be agreed in the territory of the United States of America, to any airline designated by His Majesty's Government in the United Kingdom on behalf of the Government of Newfoundland for the operation of air services on routes operating to or through the United States of America.

2. I am to add that, if and when as a result of any constitutional change affecting the status of Newfoundland, His Majesty's Government in the United Kingdom ceases to act on behalf of Newfoundland in such matters as are referred to in this note, His Majesty's Government in the United Kingdom agrees for its part that the provisions of this note should no longer apply and that a new agreement in such terms as may be appropriate should be entered into between the United

States of America and Newfoundland or such other State as may be empowered to act in that connexion on behalf of Newfoundland.

3. I have the honour to propose that if the provisions of the present note are acceptable to the Government of the United States of America, the present note and Your Excellency's reply should be regarded as constituting an agreement supplemental to the Agreement of the 11th February, 1946, and should be registered as such with the International Civil Aviation Organisation.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)

GEOFFREY KIRK.

His Excellency
Mr. LEWIS W. DOUGLAS,
etc., etc., etc.,
1, Grosvenor Square,
W. 1.

The American Ambassador to the British Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 308 *May 23, 1947*

YOUR EXCELLENCY:

I have the honor to acknowledge Your Excellency's Note No. 342/342/802 of May 21st, 1947, relating to the Amendment supplemental to the Agreement of February 11th, 1946, governing civil air services between the United States and the United Kingdom.

I am instructed to inform you that this note is satisfactory to my Government and that this letter constitutes acceptance of the proposed Amendment.

Accept, Sir, the renewed assurances of my highest consideration.

LEWIS DOUGLAS

The Rt. Hon. ERNEST BEVIN, M. P.,
Secretary of State for Foreign Affairs,
Foreign Office,
Whitehall, S.W.1.

July 30, 1947
[T. I. A. S. 1642]

Agreement between the United States of America and Chile respecting commercial relations, extending the agreement of July 30, 1946. Effected by exchange of notes signed at Santiago July 30, 1947; entered into force July 30, 1947.

The Chilean Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DE CHILE
MINISTERIO
DE RELACIONES EXTERIORES

DEPARTAMENTO DE POLITICA COMERCIAL

No. 009623 *Santiago, 30 de julio de 1947.*

SEÑOR EMBAJADOR:

El día 31 del presente mes vence el Acuerdo Adicional de Comercio concertado entre nuestros Gobiernos por cambio de notas de 23 y 30 de julio del año próximo pasado. El mantenimiento y desarrollo del intercambio comercial entre Chile y los Estados Unidos de América me mueve a expresar a Vuestra Excelencia que mi Gobierno está dispuesto a renovar por el período de un año el Acuerdo anterior y, por consiguiente, a otorgar a los productos norteamericanos que se especifican en la Lista anexa a la nota n* 4024 de este Ministerio, fechada el 30 de julio de 1945, el tratamiento que en la misma lista quedó indicado, con excepción de las Partidas 552, 553 y 554, relativas a paraguas y quitasoles.

La presente nota y la respuesta de Vuestra Excelencia que exprese la aceptación del Gobierno de los Estados Unidos constituirán un nuevo Acuerdo entre ambos Gobiernos, entendiéndose que el plazo de su validez será de un año a contar del 31 de julio en curso, a menos que sea denunciado por cualquiera de las Altas Partes mediante una notificación escrita dada con treinta días de anticipación, o que sea reemplazado por un Acuerdo Comercial más amplio.

Sin perjuicio de lo dispuesto en el presente Acuerdo Adicional, tengo el honor de expresar a Vuestra Excelencia que el Gobierno de Chile reitera su aceptación a los deseos del Gobierno de los Estados Unidos de América de iniciar negociaciones, dentro de los siguientes doce meses, para llegar a la concertación de un tratado sobre amistad, comercio y navegación que responda al interés recíproco de ambos países.

Me valgo de esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

R. JULIET

Al Excelentisimo Señor
CLAUDE G. BOWERS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de America,
Presente.–

Translation

REPUBLIC OF CHILE
MINISTRY OF FOREIGN
AFFAIRS

No. 009623 DEPARTMENT OF COMMERCIAL POLICY

Santiago, July 30, 1947.

MR. AMBASSADOR:

On the 31st day of the current month, the Additional Trade Agreement concluded between our two Governments by exchange of notes dated July 23 and 30, last, expires. The maintenance and development of commercial exchange between Chile and the United States of America prompts me to inform Your Excellency that my Government is prepared to renew the former Agreement for the period of one year and, consequently, to grant to the North American products which are specified in the list annexed to Note No. 4024 of this Ministry, dated July 30, 1945, the treatment which was indicated in the same list, with the exception of items 552, 553 and 554, relating to umbrellas and parasols.

60 Stat. 1713.

60 Stat. 1724.

The present note and Your Excellency's reply announcing the acceptance of the Government of the United States will constitute a new Agreement between the two Governments, it being understood that the term of its validity will be one year, counting from July 31, of the present year, unless it is denounced by either of the High Contracting Parties by a written notice given thirty days in advance, or is replaced by a more extensive trade agreement.

Without prejudice to the provisions of the present Additional Agreement, I have the honor to state to Your Excellency that the Government of Chile repeats its approval of the desires of the United States Government to open negotiations, within the next twelve months, in order to reach an agreement concerning a treaty of friendship, commerce and navigation which will assure the reciprocal interest of both countries.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

R. JULIET

His Excellency
CLAUDE G. BOWERS
Ambassador Extraordinary and Plenipotentiary
of the United States of America
City.

The American Ambassador to the Chilean Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 181 *Santiago, Chile, July 30, 1947*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's Note No. 9623 of July 30, 1947, containing a proposal by the Govern-

ment of the Republic of Chile to concede to the commerce of the United States of America, without compensation, reductions in the Chilean import duties on certain products as set forth in the enclosure with Your Excellency's Note No. 4024 of July 30, 1945, excepting therefrom items Nos. 552, 553, and 554 relative to umbrellas and parasols, such reductions to continue in force for a further period of one year commencing on July 31, 1947, unless the present agreement is superseded in that time by a more comprehensive commercial agreement, it being understood, however, that the present agreement may be terminated by either Government upon the giving of thirty days' notice in writing.

60 Stat. 1724.

I have the honor to assure Your Excellency that the Government of the United States of America greatly appreciates the interest of the Chilean Government in adopting measures to expand and to liberalize trade in accordance with the economic objectives of the Atlantic Charter and of the Inter-American Conference on Problems of War and Peace, and is pleased to accept the proposal of the Government of Chile.

In accepting this proposal I take this opportunity to reaffirm the desire of the Government of the United States of America to initiate concrete negotiations with Your Excellency's Government for a Treaty of Friendship, Commerce and Navigation responsive to the reciprocal interests of both countries and note with satisfaction the expressed willingness of Your Excellency's Government that such negotiations be initiated within the next twelve months.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

CLAUDE G. BOWERS

His Excellency
RAUL JULIET GOMEZ
Minister for Foreign Affairs of Chile
Santiago

Agreement between the United States of America and Haiti respecting Haitian finances. Effected by exchange of notes signed at Port-au-Prince July 4, 1947; entered into force July 4, 1947.

July 4, 1947
[T. I. A. S. 1643]

The Haitian Secretary of State for Foreign Affairs to the American Ambassador

SECRÉTAIRERIE D'ETAT
DES
RELATIONS EXTÉRIEURES

No. SG/A-3 : 903 PORT-AU-PRINCE, *le 4 juillet 1947.*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur de faire savoir à Votre Excellence qu'à partir du 1er. Août 1947 ou avant, le Gouvernement de la République d'Haiti donnera, en conformité de l'Article 5 des contrats d'emprunt des titres des séries A et C de 1922–1923, avis du rachat, le 1er. Octobre 1947 de tous les titres de ces émissions et des certificats d'intérêt des titres de la série C, et informera qu'à ce sujet et pour d'autres buts publics, le Gouvernement de la République d'Haiti désire procéder immédiatement à l'émission d'un emprunt intérieur se chiffrant à dix millions de dollars.

Dans la mesure où cela sera nécessaire, le produit de l'emprunt intérieur projeté sera d'abord employé exclusivement au rachat des dits titres et certificats d'intérêt. A cette fin, le produit de l'emprunt intérieur sera remis au représentant désigné en Haiti des porteurs des titres des séries A et C. dès réception de ce produit par le Gouvernement de la République d'Haiti et ce représentant fera convertir ledit produit en dollars des Etats-Unis d'Amérique aussi promptement que possible et le fera transférer à l'agent fiscal des emprunts. Afin d'assurer encore davantage le rachat des dits titres et certificats d'intérêt au 1er. Octobre 1947, mon Gouvernement conférera à l'agent fiscal des emprunts le pouvoir irrévocable de faire donner, au nom de mon Gouvernement, de la manière prévue, avis du rachat des dits titres, obtiendra de la Banque Nationale de la République d'Haiti et remettra à votre Gouvernement et à l'agent fiscal, avant la première publication de cet avis de rachat, l'engagement de la dite banque qu'au 1er. Octobre 1947 ou avant, l'agent fiscal aura en dépôt, en fidéicommis pour le rachat des dits titres et certificats d'intérêt à ladite date, une somme en dollars des Etats-Unis d'Amérique (en fonds immédiatement disponibles dans la ville de New-York), suffisante pour le rachat de ceux-ci.

A ce sujet, je réfère Votre Excellence au second paragraphe de l'article 7 de l'Accord Exécutif du 13 septembre 1941, qui prévoit que, jusqu'à complet amortissement de l'intégralité des titres de la dette extérieure de 1922 et 1923 du Gouvernement d'Haiti, la dette publique de la République d'Haiti ne sera pas augmentée sauf accord

préalable entre les Gouvernements des Etats-Unis d'Amérique et de la République d'Haiti.

Je saurais gré à Votre Excellence de confirmer ce que pense mon Gouvernement, à savoir que le Gouvernement des Etats-Unis ne voit aucune objection à l'émission dudit emprunt intérieur, et que, lorsque l'avis du rachat des dits titres des séries A et C et des certificats d'intérêt des titres de la série C aura été donné conformément aux contrats d'emprunts et que des fonds suffisants pour leur rachat auront été déposés ès-mains de l'agent fiscal en fidéicommis pour le rachat des dits titres et certificats d'intérêt au 1er. Octobre 1947, comme prévu plus haut, le Gouvernement des Etats-Unis considérera que les conditions prévues au second paragraphe de l'article 11 de l'accord du 13 Septembre 1941 ont été remplies.

J'ai l'honneur d'informer Votre Excellence que mon Gouvernement considérera cette note conjointement avec une note de vous en réponse, comportant l'approbation de votre Gouvernement, comme constituant un accord entre les deux Gouvernements, dans les termes ci-dessus, en ce qui a trait à l'emprunt intérieur haitien projeté et au rachat des titres extérieurs de 1922 et 1923 en circulation et des certificats d'intérêt.

Veuillez agréer, Monsieur l'Ambassadeur, l'assurance de ma haute considération.

ED TH MANIGAT

AV

Son Excellence
Monsieur HAROLD H. TITTMANN,
Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique,
Port-au-Prince.

Translation

SECRETARY OF STATE
OF FOREIGN RELATIONS

No. SG/A-3: 903 PORT-AU-PRINCE, *July 4, 1947.*

MR. AMBASSADOR:

Proposed Haitian internal loan.

I have the honor to inform Your Excellency that, on or before August 1, 1947, the Government of the Republic of Haiti will, in conformity with Article 5 of the loan contracts for bonds in Series A and C of 1922–23, issue redemption notices for October 1, 1947 of all bonds of those issues and certificates of interest on Series C bonds and will announce that in this connection and for other public purposes the Government of the Republic of Haiti desires to proceed immediately to the floating of an internal loan amounting to the sum of 10 million dollars.

Redemption of designated bonds, etc.

To the extent that this may be necessary, the proceeds of the internal loan proposed will be utilized in the first place exclusively for the redemption of said bonds and certificates of interest. To this end, the proceeds of the internal loan will be turned over to the designated representative in Haiti of the Series A and C bondholders

immediately upon receipt of such proceeds by the Government of the Republic of Haiti and this representative will have said proceeds converted into dollars of the United States of America as promptly as possible and will have the amount transferred to the fiscal agent of the loans. In order further to ensure the redemption of said bonds and certificates of interest by October 1, 1947, my Government will confer upon the fiscal agent of the loans irrevocable power to have notice of the redemption of said bonds issued, in the name of my Government, in the prescribed manner, and will obtain from the National Bank of the Republic of Haiti and remit to your Government and to the fiscal agent, before the first publication of such redemption notice, the undertaking of the said Bank that, by October 1 or before, the fiscal agent will have on deposit, in trust for the redemption of said bonds and certificates of interest on the said date a sum of United States dollars (in funds immediately available in the city of New York) sufficient for their redemption.

In this connection, I refer Your Excellency to the second paragraph of Article 7 of the Executive Agreement of September 13, 1941, which provides that, until the complete amortization of all the bonds of the foreign debt of 1922–23 of the Government of Haiti, the public debt of the Republic of Haiti shall not be increased except upon previous agreement between the Governments of the United States of America and the Republic of Haiti. 55 Stat. 1355.

I should appreciate it if Your Excellency would confirm what my Government believes, namely that the Government of the United States sees no objection to the floating of the internal loan and that, when the redemption notices for said bonds in Series A and C and certificates of interest in Series C bonds shall have been issued in conformity with the loan contracts and when sufficient funds for their redemption shall have been deposited in the hands of the fiscal agent in trust for the redemption of said bonds and certificates of interest by October 1, 1947, as provided for above, the Government of the United States will consider that the conditions stipulated in the second paragraph of Article 11 of the Agreement of September 13, 1941 will have been fulfilled. 55 Stat. 1357.

I have the honor to inform Your Excellency that my Government will consider this note together with your note in reply containing the approval of your Government as constituting an agreement between our two Governments in the above terms, in relation to the proposed Haitian internal loan and the redemption of the foreign bonds of 1922 and 1923 in circulation and of the certificates of interest.

Please accept, Mr. Ambassador, the assurance of my high consideration.

ED TH MANIGAT

AV

His Excellency
Mr. HAROLD H. TITTMANN,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Port-au-Prince.

The American Ambassador to the Haitian Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Port-au-Prince, Haiti, July 4, 1947

No. 263

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of July 4, 1947, with reference to the desire of Your Excellency's Government to float an internal loan in connection with its intention to redeem in their entirety the bonds and certificates of interest in Series C bonds of the external debt of 1922–1923 of the Government of Haiti.

In reply to the inquiry in Your Excellency's note of July 4, 1947, I take pleasure in informing you, pursuant to instructions from my Government, as follows:

The Government of the United States of America is agreeable to the proposed internal loan.

The Government of the United States of America will consider the full execution of the undertakings set forth in your note, including the calling for redemption of the outstanding bonds of Series A and C and certificates of interest in Series C bonds and the deposit of monies with the fiscal agent in trust for the redemption of such bonds and certificates of interest, all as set forth in your note, as meeting the conditions set forth in the second paragraph of Article 11 of the Executive Agreement of September 13, 1941.

55 Stat. 1357.

The Government of the United States of America will consider Your Excellency's note, together with this note in reply, as constituting an agreement between the two Governments under the terms outlined above with respect to the proposed Haitian internal loan and redemption of outstanding external bonds of 1922–1923.

Accept, Excellency, the renewed assurances of my high consideration.

HAROLD H. TITTMANN

His Excellency
EDMÉ TH. MANIGAT
Secretary of State for Foreign Affairs
Port-au-Prince

Agreement between the United States of America and Norway respecting passport visa fees. Effected by exchange of notes signed at Washington July 7 and 29, 1947; entered into force July 29, 1947; effective August 1, 1947.

July 7 and 29, 1947
[T. I. A. S. 1644]

The Norwegian Ambassador to the Secretary of State

NORWEGIAN EMBASSY
WASHINGTON 7, D. C.

July 7, 1947.

EXCELLENCY:

With reference to recent conversations between representatives of the Department of State and representatives of the Royal Norwegian Embassy, relative to mutual waiver of visa requirements for non-immigrants, I have the honor to propose that the following agreement be effected between the Government of Norway and the Government of the United States of America:

Waiver of visa requirements, etc., by Norwegian Government.

"The Norwegian Government on and after August 1, 1947, will waive visa requirements, but not passport requirements for American citizens proceeding to continental Norway, and will waive the passport visa fees for American citizens proceeding to Norwegian territory outside continental Norway. American citizens, who desire to take employment in Norway or to stay there for a long period of time, will be required to obtain a permit, except in the cases of officials of the United States Government, their families, servants and employees. Any number of entries may be made into Norway without a visa.

Permits.

Waiver by U. S. of passport visa fees for non-immigrants.

Effective on and after August 1, 1947, the Government of the United States of America will waive the passport visa fees for citizens or subjects of Norway, who are bona fide non-immigrants within the meaning of the immigration laws of the United States, and who are proceeding to the United States and possessions. A non-immigrant passport visa granted by an American Consular Officer to a Norwegian citizen or subject is valid for any number of applications for admission within a period of twenty-four months from date of issuance, provided the passport of the bearer is valid for that period."

In case Your Excellency's Government consents to the above form, your reply to that effect will be considered sufficient by my Government for the purpose of concluding the proposed agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

W. MORGENSTIERNE

His Excellency GEORGE C. MARSHALL,
Secretary of State,
Washington, D.C.

No.: 257

The Secretary of State to the Norwegian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Jul 29 1947

EXCELLENCY:

I have the honor to acknowledge the receipt of your note no. 257 dated July 7, 1947 stating that the Norwegian Government is willing, on and after August 1, 1947, to waive the visa fees for United States citizens who are nonimmigrants proceeding to Norway and to abolish the requirement for such visa, but not the passport, for United States citizens proceeding to continental Norway.

The United States Government has authorized its consular officers, effective August 1, 1947, to waive the fee for the visa and application therefor for nonimmigrants, other than officials, proceeding to the United States and its possessions who are subjects of Norway, the visa to be valid for any number of entries into the United States and its possessions within a period of twenty-four (24) months, provided that they hold valid Norwegian passports and the holder of the visa continues to maintain nonimmigrant status. The period of validity of the visa relates to the period within which it may be used for presentation at a port of entry and not to the length of stay in the United States which will continue to be a matter for determination by the immigration or other authorities.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
N. ARMOUR

His Excellency
WILHELM MUNTHE DE MORGENSTIERNE,
Ambassador of Norway.

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Agreement between the United States of America and Ecuador respecting a cooperative health and sanitation program in Ecuador, further extending and modifying the agreement of February 24, 1942. Effected by exchange of notes signed at Quito June 21, 1947; entered into force June 21, 1947.

June 21, 1947
[T. I. A. S. 1645]

The American Chargé d'Affaires ad interim to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Quito, June 21, 1947

No. 211

EXCELLENCY:

I have the honor to refer to the Embassy's note no. 503 of December 23, 1944 and the Ministry's reply, note no. 12–DDP–3 of January 15, 1945, the exchange of communications under which our governments agreed to continue until December 31, 1947 the cooperative program of public health and sanitation in Ecuador initiated in 1942.

59 Stat. 1590.

57 Stat. 1370.

Since Your Excellency's Government expressed a desire for an extension of this agreement, and since my government was agreeable to extend it in modified form to June 30, 1948, Dr. Charles H. Miller, Special Representative of the Institute of Inter-American Affairs, undertook to discuss the matter with the appropriate officials of the Ecuadoran Ministry of Social Welfare and Labor. Approval of these direct discussions between Dr. Miller and the Ministry of Social Welfare and Labor was given during my recent conversation with the Under Secretary of the Ministry of Foreign Relations.

Enclosed is a copy of the agreement which they reached as signed today by Dr. Miller for the Institute of Inter-American Affairs and by Dr. Adolfo Jurado Gonzalez for the Ministry of Social Welfare and Labor.

I would be glad if Your Excellency would be so good as to confirm to me your approval of the proposals set forth in this agreement.

It would be appreciated if I could have two signed copies of Your Excellency's reply.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEO. P. SHAW
Chargé d'Affaires ad interim

Enclosures:
Copy of Agreement.
Copy of translation of Agreement.

His Excellency
Doctor JOSÉ VICENTE TRUJILLO,
Minister for Foreign Affairs,
Quito.

EXTENSION AGREEMENT

Relative to the Extension of the Cooperative Health and Sanitation Program by the Government of Ecuador and the Institute of Inter-American Affairs

This EXTENSION AGREEMENT between Dr. Adolfo Jurado González Minister of Social Welfare and Labor (hereinafter called the "Minister"), representing the Government of Ecuador, and the Institute of Inter-American Affairs, a corporate instrumentality of the Government of the United States of America (hereinafter called the "Institute"), represented by Dr. Charles H. Miller (hereinafter referred to as the "Special Representative"), is entered into for the purpose of recording an extension and modification of the cooperative health and sanitation program which was undertaken in Ecuador pursuant to the exchange of notes between His Excellency Señor Dr. Eduardo Salazar, Minister Counselor of the Ecuadorean Embassy to the United States and the Honorable Mr. Sumner Welles, Under Secretary of State of the United States on February 24, 1942, as modified by subsequent exchange of notes between the Honorable Robert McGregor Scotten, Ambassador of the United States to Ecuador, and His Excellency Dr. Camilo Ponce Enriquez, Minister of Foreign Affairs of Ecuador, on December 23, 1944 and January 15, 1945, respectively, and in accordance with the agreement contained in the exchange of correspondence between the Representative of the Institute and the Minister of Social Welfare of Ecuador, dated January 4 and January 8, 1943,[1] respectively, as further modified by later correspondence between the Executive Vice President of the Institute and the Minister of Social Welfare of Ecuador dated December 22, 1944, January 13, 1945, and January 18, 1945,[1] (all of such notes and exchange of correspondence being hereafter collectively called the "Basic Agreement").

57 Stat. 1370.

59 Stat. 1590.

Basic agreement.

CLAUSE I

Extension.

The parties hereto mutually intend, agree and declare that the Basic Agreement, be and hereby is extended for an additional period of six months beginning the first day of January 1948 and ending the thirtieth day of June, 1948 and modified according to the clauses hereinafter set forth.

CLAUSE II

Servicio.

The cooperative health and sanitation program in Ecuador shall continue to be carried out through the Servicio Cooperativo Interamericano de Salud Pública (hereinafter called the "Servicio").

CLAUSE III

Field party.

The Institute shall continue to be represented in Ecuador by a field party of its officials and technicians known as the "Field Party

[1] [Not printed.]

of the Health and Sanitation Division of The Institute of Inter-American Affairs in Ecuador", and the Field Party shall remain under the immediate direction of an Institute official known as the "Chief of Field Party". The Chief of Field Party shall continue to serve as Director of the Servicio for the period comprehended by this Extension Agreement.

Chief.

CLAUSE IV

The balance (in the amount of approximately four hundred sixty thousand sucres – S/. 460,000.00) of the deposit of nine hundred twenty thousand sucres (S/. 920,000.00) required by the Basic Agreement to be made by the Government of Ecuador during January, 1947 in the Banco Central del Ecuador (or any other bank mutually agreed upon by the Minister and the Chief of Field Party) to the credit of the Servicio for use in carrying out the cooperative program, has not been made and the parties hereby agree to extend the time for making the deposit of such balance of approximately S/. 460,000.00 and the Government of Ecuador agrees to deposit such balance of funds in the said bank to the account of the Servicio during the month of August, 1947.

Time extension for deposit of Ecuadoran balance.

CLAUSE V

In addition to the funds required to be deposited by the parties pursuant to the Basic Agreement and the funds referred to in CLAUSE IV hereof, the cooperative health and sanitation program will be further financed as follows:

Further financing of program.

A. The Institute shall contribute the sum of not to exceed $180,000 USC, of which amount $ 100,000 USC shall be deposited to the account of the Servicio in the bank mentioned in CLAUSE IV hereof in the following manner:

Contribution by Institute.

During August 1947	$ 50, 000
During January 1948	50, 000
	$ 100, 000

B. The Institute will use the balance of funds, in the amount of $80,000 USC, required to be contributed by this Extension Agreement for payment of the salaries and expenses, including traveling expenses of the personnel of the Institute Field Party in Ecuador and other Institute employees. The sum of $80,000 USC will be retained by the Institute for these purposes and maintained separate and apart from the funds required hereby to be deposited to the account of the Servicio by the Institute and any unexpended portion of such retained funds shall remain the property of the Institute.

Salaries and expenses.

C. The Government of Ecuador shall deposit in the account of the Servicio in the bank mentioned in CLAUSE IV hereof the sum of two hundred thousand dollars USC – $200,000.00 – or its equiv-

Ecuadoran deposit.

alent in sucres, computed at a rate of exchange not smaller than 13.4 sucres to the dollar, in the following manner:

One hundred thousand dollars, or its equivalent in sucres, during August, 1947.

One hundred thousand dollars, or its equivalent in sucres during January, 1948.

Funds withheld for purchases in U. S.

D. The Institute may withhold from the deposits called for by CLAUSE V–A hereof the estimated amounts deemed necessary by the Minister and the Chief of Field Party to pay for the purchase in the United States of America of materials, supplies and equipment and other expenses relating to the execution of the program. Any funds so withheld by the Institute shall be considered as deposited under the terms of CLAUSE V–A hereof but, if they are not expended or obligated for such purposes, they shall be deposited to the account of the Servicio at any time by mutual agreement of the Minister and the Chief of Field Party.

Amendment of dates for deposit.

E. By written agreement between the Minister and the Chief of Field Party, the dates for making deposits, as fixed under CLAUSES IV, V–A and V–C hereof may be amended according to the needs of the program.

Receipt of additional contributions.

F. Contributions, in addition to those set out in CLAUSES IV, V–A and V–C may be received at any time by the Servicio from any source whatsoever and expended by it in the same manner as other funds for the uses and objectives of the cooperative health and sanitation program provided that the receipt of any such additional contributions by the Servicio shall first be agreed upon in writing in advance by the Minister, the Chief of Field Party and the Director of the Servicio.

Interest, etc.

G. Interest on funds of the Servicio, and any income, upon investments of the Servicio, and any increment of assets of the Servicio of whatever nature of source, shall be dedicated to the realization of the program and shall not be credited against the contributions of the Government of Ecuador or of the Institute.

CLAUSE VI

Use of funds for maintenance of projects, etc.

The funds provided in this Extension Agreement for deposit to the Servicio may be used for maintaining projects in operation, and for projects to be placed in operation. The cooperative health and sanitation program shall continue to consist of individual projects. Each project shall be embodied in a written project agreement which shall be mutually accepted and signed by the Minister, the Chief of Field Party and the Director of the Servicio. Each project agreement shall define the nature of the work to be done, the allocation of funds therefor, the parties responsible for the execution of the project and any other matters which the contracting parties may wish to determine. The transfer from the Servicio to the Ministry of Social Welfare and Labor, or otherwise, of the administration, operation, control and ownership of the individual projects shall be determined and pre-

Project agreements.

Transfer of administration, etc.

scribed for in written agreements signed by the Minister, the Chief of Party and the Director of the Servicio

CLAUSE VII

Determination of policies, etc.

The general policies and procedures governing the realization of the cooperative health and sanitation program, the carrying out of the projects, and the operations of the Servicio such as, but not limited to, the disbursement and accounting of funds, the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined and established by mutual agreement between the Minister, the Chief of Field Party and the Director of the Servicio. The procedures and methods established and in use for the operation of the Servicio under the Basic Agreement shall continue to apply to the operation of the Servicio during the period fixed in this Extension Agreement unless changed and ammended as herein provided.

CLAUSE VIII

Exemption from taxes, etc.

The Servicio, an integral part of the Ecuadorean Government, shall be exempt and immuned from any and all taxes, fees, charges, imposts and custom duties, whether national, provincial or municipal and from all requirements for licences.

CLAUSE IX

For the purpose of this agreement, the Government of Ecuador accepts and recognizes the Institute as a corporate instrumentality of the Government of the United States of America and therefore, among other things, the Institute shall be exempt from all import and export tariffs, taxes, contributions and other charges.

CLAUSE X

Delegation of authority, etc.

The Minister, the Chief of Field Party and the Director of the Servicio are empowered to delegate their authority, prerogatives and functions to duly appointed representatives of their own choosing provided that each such representative shall be satisfactory to the said official of the other government.

CLAUSE XI

Effectivity of Extension Agreement.

This Extension Agreement shall become effective upon the exchange of diplomatic notes concerning the health and sanitation program between the Ministry of Foreign Affairs of the Government of Ecuador and the Embassy of the United States of America to Ecuador, or upon the date of execution hereof, in the event such notes have heretofore been exchanged. The Basic Agreement shall remain in full force and effect for the purpose of extending the cooperative health and sanitation program, except as it is modified or is inconsistent with this Extension Agreement.

Continuance in force of Basic Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Extension Agreement to be executed by their duly authorized representa-

tives, in duplicate in the English and Spanish languages at Quito, Ecuador, this 21 Jun. 1947 day of June, 1947.

MINISTRY OF SOCIAL WELFARE AND LABOR
By A JURADO
Minister

THE INSTITUTE OF INTER-AMERICAN AFFAIRS
By Dr. CHARLES H. MILLER
Special Representative

CONVENIO DE PRORROGA

Relativo a la prórroga del Programa Cooperativo de Salud y Saneamiento, acordado por el Gobierno del Ecuador y el Institute of Inter-American Affairs.

Este CONVENIO DE PRORROGA, suscrito entre el Dr. Adolfo Jurado González, Ministro de Previsión Social y Trabajo (que en adelante se llamará "El Ministro"), en representación del Gobierno del Ecuador, y el Institute of Inter-American Affairs, una Corporación y una Agencia del Gobierno de los Estados Unidos de América (que en adelante se llamará "El Instituto"), representado por el Dr. Charles H. Miller (que en adelante será designado como "Representante Especial"), se lo celebra con el propósito de hacer constar una prórroga y modificación del Programa Cooperativo de Salud y Saneamiento que se llevó a cabo en el Ecuador de conformidad con el cambio de notas cruzadas entre su Excelencia el Sr. Dr. Eduardo Salazar, Ministro Consejero de la Embajada del Ecuador en los Estados Unidos de América, y el Honorable Sr. Sumner Welles, Subsecretario de Estado de los Estados Unidos de América, el 24 de Febrero de 1942, modificado por el cambio de comunicaciones dirigidas entre el Honorable Robert McGregor Scotten, Embajador de los Estados Unidos de América en el Ecuador, y su Excelencia el Dr. Camilo Ponce Enríquez, Ministro de Relaciones Exteriores del Ecuador, el 23 de Diciembre de 1944 y el 15 de Enero de 1945, respectivamente, y de acuerdo con el convenio contenido en el cambio de notas cruzadas entre el Representante del Instituto y el Ministro de Previsión Social y Trabajo del Ecuador, fechadas el 4 de Enero y el 8 de Enero de 1943, respectivamente, modificado posteriormente por medio de las comunicaciones cruzadas entre el Vicepresidente Ejecutivo del Instituto y el Ministro de Previsión Social y Trabajo del Ecuador, fechadas el 22 de Diciembre de 1944, el 13 de Enero de 1945 y el 18 de Enero de 1945, (notas y cambio de correspondencia, todas, que en adelante se las denominará, colectivamente, como el "Convenio Básico").

CLAUSULA I

Las partes suscriptoras del presente, mutuamente proponen, convienen y declaran que el Convenio Básico sea prorrogado, como en efecto lo prorrogan, por un período adicional de seis meses, que iniciará el primer día del mes de Enero de 1948 y que terminará el trigésimo día del mes de Junio de 1948; como también que sea él modificado de conformidad con lo estipulado en las cláusulas que más adelante se detallan.

CLAUSULA II

El Programa Cooperativo de Salud y Saneamiento en el Ecuador habrá de continuar siendo llevado a efecto por medio del Servicio Cooperativo Interamericano de Salud Pública (que en adelante se llamará "El Servicio").

CLAUSULA III

El Instituto continuará siendo representado en el Ecuador por un conjunto de sus Oficiales y técnicos, conocido como el "Field Party of the Health and Sanitation Division of the Institute of Inter-American Affairs in Ecuador", y ese conjunto o "Field Party" continuará bajo la dirección inmediata de un Oficial del Instituto conocido como el "Chief of Field Party". El Chief of Field Party continuará actuando como Director del Servicio durante el período cubierto por este Convenio de Prórroga.

CLAUSULA IV

El saldo (que se eleva a la cantidad de, aproximadamente, cuatrocientos sesenta mil sucres –S/.460.000,00), del depósito de novecientos veinte mil sucres (S/.920.000,00) que, según el Convenio Básico debió ser hecho por el Gobierno del Ecuador durante el mes de Enero de 1947 en el Banco Central del Ecuador, de Quito (o en cualquier otro Banco mutuamente convenido para el efecto por el Ministro y el Chief of Field Party) para el crédito del Servicio y para ser usado en el cumplimiento del Programa Cooperativo, no ha sido aún efectuado; y las partes suscriptoras del presente Convenio acuerdan por medio de éste, ampliar el plazo para la realización del depósito de dicho saldo, de aproximadamente S/. 460.000,00, y el Gobierno del Ecuador conviene en efectuar el depósito de tal saldo de fondos en dicho Banco, en la cuenta del Servicio, durante el mes de Agosto de 1947.

CLAUSULA V

Además de los fondos que debe ser depositados por las partes, de conformidad con el Convenio Básico, y de los fondos a que se refiere la CLAUSULA IV del presente, el Programa Cooperativo de Salud y Saneamiento será en lo futuro financiado como sigue:

A. El Instituto contribuirá con una suma que no excederá de $ 180.000,00 USC, de la cual $ 100.000,00 USC serán depositados en la cuenta del Servicio en el Banco que se menciona en la CLAUSULA IV de este Convenio, de la siguiente manera:

Durante Agosto de 1947	$ 50. 000, 00
Durante Enero de 1948	" 50. 000, 00
	$ 100. 000, 00

B. El Instituto usará el saldo de fondos, en la suma de $ 80.000,00 USC, de su contribución requerida por este Convenio de prórroga, en el pago de sueldos y gastos, inclusive gastos de viaje, del personal del Field Party del Instituto en el Ecuador y de otros empleados del Instituto. La suma de $ 80.000,00 USC será retenida por el Instituto para estos propósitos, y será mantenida

separadamente y aparte de los fondos que por medio de este Convenio deben ser depositados por el Instituto en la cuenta del Servicio, y cualesquiera cantidad que quedare como no gastada de tales fondos retenidos, quedará de propiedad del Instituto.

C. El Gobierno del Ecuador depositará en la cuenta del Servicio, en el Banco mencionado en la CLAUSULA IV de este Convenio, la suma de doscientos mil dólares USC –$ 200.000,00– o su equivalente en sucres, computados a un tipo de cambio no menor de 13.4 sucres por dólar, de la siguiente manera:

Cien mil dólares, o su equivalente en sucres, durante Agosto de 1947.
Cien mil dólares, o su equivalente en sucres, durante Enero de 1948.

D. El Instituto podrá retener en su poder, de los fondos a depositarse, mencionados en la CLAUSULA V–A del presente Convenio, las sumas que se calculen como necesarias por el Ministro y el Chief of Field Party, para el pago de las compras que se hagan en los Estados Unidos de América, de materiales y equipos y de otros gastos relativos a la ejecución del Programa. Cualesquiera fondos que así fueran retenidos por el Instituto se considerarán como depositados de conformidad con los términos de la CLAUSULA V–A de este Convenio; pero, si no fueren gastados u obligados para tales propósitos, serán depositados en la cuenta del Servicio, en cualquier tiempo, mediante mutuo convenio entre el Ministro y el Chief of Field Party.

E. Mediante Convenio escrito, entre el Ministro y el Chief of Field Party, podrán ser modificadas, de acuerdo con las necesidades del Programa, las fechas que para la realización de depósitos se determinan en las CLAUSULAS IV, V–A y V–C del presente Convenio.

F. El Servicio podrá recibir en cualquier tiempo y de cualesquiera fuentes, contribuciones adicionales a aquellas que se determinan en las CLAUSULAS IV, V–A y V–C, y podrá gastarlas de manera igual a la de otros fondos, en los usos y propósitos del Programa Cooperativo de Salud y Saneamiento, siempre que el recibo de tales contribuciones adicionales por parte del Servicio sea previamente convenido, por escrito, por el Ministro, el Chief of Field Party y el Director del Servicio.

G. Intereses percibidos sobre fondos del Servicio y cualquier otro ingreso sobre inversiones del Servicio, como también cualquier incremento de Activos del Servicio, de cualesquiera naturaleza o fuente, serán dedicados a la realización del Programa, y no serán acreditados como parte de las contribuciones del Gobierno del Ecuador o del Instituto.

CLAUSULA VI

Los fondos provistos por este Convenio de Prórroga para depósito en la cuenta del Servicio, podrán ser usados en el mantenimiento de Proyectos en operación y en Proyectos a ser puestos en operación. El Programa Cooperativo de Salud y Saneamiento continuará consistiendo en Proyectos individuales. Cada Proyecto será incorporado

en un Convenio de Proyecto escrito, que será mutuamente aceptado y suscrito por el Ministro, el Chief of Field Party y el Director del Servicio. Cada Convenio de Proyecto definirá la naturaleza del trabajo a realizarse, la asignación de fondos para el objeto, las partes responsables de la ejecución del Proyecto y cualesquiera otros asuntos que las partes contratantes deseen determinar. La transferencia, del Servicio al Ministerio de Previsión Social y Trabajo, o, en otros términos, el traspaso de la administración, operación, control y propiedad de los Proyectos individuales se prescribirán y determinarán en convenios escritos suscritos por el Ministro, el Chief of Field Party y el Director del Servicio.

CLAUSULA VII

La política y procedimientos generales que gobiernan la realización del Programa Cooperativo de Salud y Saneamiento; la realización de los Proyectos y las operaciones del Servicio, tales como, –pero no limitadas a– el desembolso y la contabilización de fondos, la compra, uso, inventario, control y disposición de propiedades o pertenencias, y cualesquiera otros asuntos administrativos, deberán determinarse y establecerse por convenio mutuo entre el Ministro, el Chief of Field Party y el Director del Servicio. Los procedimientos y métodos establecidos y en uso en la operación del Servicio bajo el Convenio Básico, continuarán aplicándose en la operación del Servicio durante el período fijado en este Convenio de Prórroga, a menos que fueren objeto de cambio o modificación en virtud de las provisiones del presente.

CLAUSULA VIII

El Servicio –una parte integral del Gobierno del Ecuador–, estará excento e inmune de cualquier y todo impuesto, derecho, tasa, cargo y derecho de importación, sean nacionales, provinciales o municipales, como también lo estará excento de todo requisito de solicitudes de licencia.

CLAUSULA IX

Para los propósitos de este Convenio, el Gobierno del Ecuador acepta y reconoce al Instituto como una Corporación y una Agencia del Gobierno de los Estados Unidos de América, y, por consiguiente, el Instituto se hallará excento del pago de todo derecho de importación y exportación, de tarifas, impuestos, contribuciones y otros cargos.

CLAUSULA X

El Ministro, el Chief of Field Party y el Director del Servicio están facultados para delegar su autoridad, prerrogativas y funciones a representantes debidamente designados, de su propia elección, siempre que cada uno de tales representantes satisfaga al Oficial o funcionario mencionados, del otro Gobierno.

CLAUSULA XI

Este Convenio de Prórroga entrará en vigencia con el cambio de notas diplomáticas concernientes al Programa de Salud y Saneamiento, entre el Ministerio de Relaciones Exteriores del Gobierno del Ecuador

y la Embajada de los Estados Unidos de América en el Ecuador, o en la fecha de la ejecución del mismo, en el evento de que tales notas hayan sido ya cruzadas. El Convenio Básico continuará en completa vigencia y efecto, para el propósito de la prórroga del Programa Cooperativo de Salud y Saneamiento, con las excepciones de las modificaciones o inconsistencias de que él sea objeto, en virtud de este Convenio de Prórroga.

EN FE DE LO CUAL, las partes han formulado este Convenio de Prórroga, para que sea ejecutado por sus representantes debidamente autorizados, en duplicado, en los idiomas Inglés y Español, en Quito, a 21 Jun. 1947 de Junio de 1947.

POR EL MINISTERIO DE PREVISION SOCIAL Y TRABAJO,

A JURADO
Ministro

POR EL INSTITUTE OF INTER-AMERICAN AFFAIRS,

Dr. CHARLES H. MILLER
Representante Especial

The Ecuadoran Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

DEPARTAMENTO DIPLOMATICO N° 150-DDP.

QUITO, *a 21 de Junio de 1947*

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo a honra avisar recibo de la atenta nota de Vuestra Señoría número 211, de 21 de junio del año en curso, en la cual se refiere a las comunicaciones números 503, de 23 de diciembre de 1944, y 12-DDP-3, de 15 de enero de 1945, intercambiadas entre esa Embajada y este Ministerio, respectivamente, por las cuales nuestros dos Gobiernos convinieron en continuar, hasta el 31 de diciembre de 1947, el programa cooperativo de salud pública y saneamiento del Ecuador, que se inició en el año 1942.

2. Añade Vuestra Señoría que desde que mi Gobierno propuso al de Vuestra Señoría prorrogar este Convenio, previas reformas del caso, hasta el 30 de junio de 1948, el doctor Charles H. Miller, Representante Especial del Instituto de Asuntos Interamericanos, comenzó a discutir con las Autoridades competentes del Ecuador tales reformas, las mismas que han sido aprobadas definitivamente y que constan en el Acuerdo firmado en esta fecha por el señor doctor Adolfo Jurado González, Ministro de Previsión Social y Trabajo, y el doctor Miller, en representación del Instituto de Asuntos Interamericanos.

3. Copias del mencionado Acuerdo se sirve remitirme Vuestra Señoría con la nota que contesto.

4. Sobre este asunto me es grato indicar a Vuestra Señoría que el Gobierno del Ecuador acepta y ratifica los términos convenidos en el citado Acuerdo.

5. Ruego a Vuestra Señoría se digne expresar al Gobierno de los Estados Unidos de Norte América el reconocimiento del de mi País por esta prueba de amistosa cooperación.

Válgome de la oportunidad para reiterar a Vuestra Señoría las seguridades de mi distinguida consideración.

JOSÉ. TRUJILLO

Al Honorable Señor Don GEO. P. SHAW,
Encargado de Negocios ad-interim de los Estados Unidos de Norte América.

Translation

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN RELATIONS

DIPLOMATIC DEPARTMENT

No. 150-DDP.

QUITO, *June 21, 1947*

MR. CHARGÉ D'AFFAIRES:

I have the honor to acknowledge receipt of your courteous note number 211 of June 21 of the current year, in which reference is made to communications numbered 503 of December 23, 1944, and 12-DDP-3 of January 15, 1945, exchanged between your Embassy and this Ministry, respectively, by which our two Governments agreed to continue, until December 31, 1947, the co-operative program of public health and sanitation in Ecuador, which was inaugurated in the year 1942.

Ante, p. 3103.

59 Stat. 1590.

57 Stat. 1370.

2. You add that, after my Government proposed to your Government to extend the said Agreement, subject to amendments thereto, until June 30, 1948, Dr. Charles H. Miller, Special Representative of the Institute of Inter-American Affairs, began to discuss the said amendments with the proper Authorities of Ecuador—the same amendments that have been definitively approved and that appear in the Agreement signed today by Doctor Adolfo Jurado González, Minister of Social Security and Labor, and Doctor Miller, representing the Institute of Inter-American Affairs.

3. You were good enough to transmit copies of the above-mentioned Agreement to me with the note which I am answering.

4. Concerning this matter, I am happy to inform you that the Government of Ecuador accepts and ratifies the terms agreed upon in the above-mentioned Agreement.

Ecuadoran acceptance of terms of agreement.

5. I beg Your Honor to be so good as to express to the Government of the United States of North America the thanks of the Government of my country for this proof of friendly co-operation.

I avail myself of this occasion to renew to you the assurances of my distinguished consideration.

JOSÉ TRUJILLO

The Honorable GEO. P. SHAW,
Chargé d'Affaires ad interim of the United States of North America.

May 13, 1947
[T. I. A. S. 1646]

Agreement between the United States of America and Honduras respecting a cooperative health and sanitation program in Honduras, further amending and extending the agreement of May 8, 1942. Effected by exchange of notes signed at Tegucigalpa May 13, 1947; entered into force May 13, 1947; effective from May 1, 1947.

The Honduran Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

SECRETARIA DE RELACIONES EXTERIORES
DE LA
REPUBLICA DE HONDURAS

PALACIO NACIONAL:
No. 3439. *Tegucigalpa, D.C., 13 de mayo de 1947.*

HONORABLE SEÑOR:

De acuerdo con la cláusula XIII del CONVENIO DE PRORROGA relacionado con la extensión del Programa Cooperativo de Sanidad y Saneamiento establecidos por el Gobierno de Honduras y el Instituto de Asuntos Interamericanos, firmado en esta ciudad de Tegucigalpa el día nueve de mayo en curso, en dos ejemplares, cada uno de ellos escrito en inglés y en castellano, tengo el honor de dirigir la presente nota a Su Señoría, manifestándole que el Gobierno de Honduras aprueba el dicho Convenio, cuyo texto en castellano es el siguiente:

"CONVENIO DE PRORROGA

Relacionado con la extensión del Programa Cooperativo de Sanidad y Saneamiento establecido por el Gobierno de Honduras y el Instituto de Asuntos Interamericanos.

Se celebra el presente Convenio entre el Gobierno de Honduras, representado por el Lic. Cecilio Colindres Zepeda, Sub-Secretario de Estado, encargado de los Despachos de Gobernación, Justicia, Sanidad y Beneficencia de Honduras (que en adelante se denominará "Ministro") y el Instituto de Asuntos Interamericanos, que es una agencia incorporada del Gobierno de los Estados Unidos de América (que en adelante se denominará el "Instituto") representado por el Dr. Marcus H. Flinter, Jefe en Honduras de la Sección de Sanidad y Saneamiento del Instituto (que en adelante se denominará "Jefe del Instituto") con el propósito de hacer constar la extensión y modificaciones del Programa Cooperativo de Sanidad y saneamiento, establecido de acuerdo con el convenio celebrado entre el Instituto y el Gobierno de Honduras el 8 de Julio de 1942, y modificado por medio del intercambio de notas entre el Vicepresidente Ejecutivo del Instituto y el Ministro de Gobernación, Justicia, Sanidad y Beneficencia, con fecha 19 de Abril de 1944. (Ambos convenios se denominarán en adelante el "Convenio Básico").

CLAUSULA I

Ambas partes convienen y declaran que el Convenio Básico es por este medio extendido por un período adicional de 14 meses, a partir del 1° de Mayo de 1947 hasta el 30 de Junio de 1948, y es modificado de acuerdo con las Cláusulas que a continuación se exponen.

CLAUSULA II

La obligación financiera del Instituto contraída bajo el Convenio Básico, se considera satisfecha con la contribución al programa de $ 800,000 en moneda americana, materiales, enseres y equipos de toda clase. Asimismo, la obligación financiera del Gobierno de Honduras contraída bajo el Convenio Básico se considera también cumplida con la contribución del equivalente en Lempiras de $ 300,000 moneda americana.

CLAUSULA III

El Instituto continuará siendo representado en Honduras por un grupo de empleados y técnicos conocido como el "Cuerpo de Operaciones del Area (Field Party) del Instituto de Asuntos Interamericanos en Honduras" bajo la dirección del Jefe del Instituto, quien asimismo continuará ejerciendo el cargo de Director del Servicio Cooperativo Interamericano de Salud Pública (que en adelante se denominará el "SCISP") por el período comprendido en el presente convenio de extensión.

CLAUSULA IV

Además de los fondos requeridos como contribución de las partes conforme al Convenio Básico, el Programa Cooperativo de Sanidad y Saneamiento será además financiado durante el período establecido por el presente Convenio de Extensión en la forma siguiente:

A. El Instituto depositará $ 25,000 en el Banco de Honduras a la cuenta del SCISP en el mes de Mayo de 1947.

B. El Gobierno de Honduras depositará en el Banco de Honduras a la cuenta del "SCISP" la suma de L. 250,000 Lempiras (o el equivalente en moneda americana de $ 125,000 calculados al tipo de cambio actual de L. 2.00 por cada Dólar Americano) en la forma siguiente:

En el mes de Mayo, 1947	150,000	Lempiras
En el mes de Octubre, 1947	100,000	"
Total	250,000	"

C. El Instituto podrá retener del depósito estipulado en la presente Clausula IV–A, las cantidades calculadas necesarias por el Ministro y el Jefe del Programa para pagar por la compra en los Estados Unidos de materiales, abastecimientos y equipo además de otros gastos relacionados con la ejecución del programa. Todos los fondos retenidos por el Instituto para tales fines serán considerados como en depósito bajo los términos de la presente Clausula IV–A, pero en caso de que estos no sean gastados u obligados para tales propósitos, entonces serán depositados en el Banco de Honduras a la orden del SCISP en cualquier tiempo que sea convenido mutuamente entre el Ministro y el Jefe del Instituto.

D. Las fechas para efectuar los depósitos conforme a lo estipulado en la Cláusula IV–A y IV–B pueden modificarse de acuerdo con las necesidades del programa, mediante convenio por escrito entre el Ministro y el Jefe del Instituto.

E. Contribuciones, además de aquellas mencionadas en la Cláusula IV–A y IV–B podrán recibirse por el SCISP de cualesquiera fuente y gastados por esa entidad de la misma forma que otros fondos para los usos y objetivos del programa cooperativo de salud y saneamiento.

F. Cualesquiera de los fondos o propiedad adquiridos por el SCISP no gastados, usados u obligados a la terminación del período especificado en el presente Convenio de Extensión, quedarán como propiedad del Gobierno de Honduras y continuarán usándose para los fines del Programa Cooperativo de Sanidad y Saneamiento en la forma que se convenga por escrito entre el Ministerio y el Jefe del Instituto.

CLAUSULA V

El Programa Cooperativo de Sanidad y Saneamiento continuará desarrollándose por medio de proyectos individuales. Cada proyecto será contenido en un convenio de proyecto que será aceptado mutuamente y firmado por el Ministro, el Director del SCISP y Jefe del Instituto. Cada convenio de proyecto definirá la naturaleza de la obra por hacerse, la asignación de fondos para el mismo, el personal responsable para la ejecución de la obra y cualquier otro asunto que las partes contratantes deseen especificar.

CLAUSULA VI

Los procedimientos y métodos establecidos y en uso actualmente para la operación del SCISP, conforme al Convenio Básico modificado, continuarán aplicándose en la operación del SCISP durante el período establecido por el presente Convenio de Extensión. El Director del SCISP, con la aprobación del Ministro de Sanidad, elaborará el presupuesto correspondiente, asignando para cada proyecto los fondos y gastos necesarios lo mismo que los sueldos de los empleados, salvo aquellos nombrados por el Instituto para cada año económico.

CLAUSULA VII

Los libros, registros y cuentas del SCISP estarán en todo tiempo listos para ser examinados por los representantes del Gobierno de Honduras y del Instituto. El Director del SCISP rendirá informes al Gobierno de Honduras y al Instituto con la frecuencia que designen el Ministro y el Jefe del Instituto.

CLAUSULA VIII

Todos los materiales importados para los trabajos y actividades del SCISP serán introducidos al país libres de derechos aduanales y de cualesquiera otro impuesto o gasto oficial. Hasta donde sea posible, el SCISP usará para la ejecución de las obras, solamente materiales e implementos producidos en el país.

CLAUSULA IX

Todos los empleados del SCISP, a excepción de aquellos asignados al SCISP por el Instituto, serán nombrados, contratados destituídos por el Ministro de Sanidad, por recomendación del Director del SCISP. Los sueldos y gastos, incluyendo los de viajes del personal norteamericano del Instituto de Asuntos Interamericanos empleados en Honduras, serán pagados por el Instituto y no de los fondos asignados al SCISP.

CLAUSULA X

Todos los proyectos ejecutados bajo este contrato serán propiedad exclusiva del Gobierno y pueblo de Honduras.

CLAUSULA XI

Para los fines expuestos en el presente Convenio, el Gobierno de Honduras acepta y reconoce al Instituto como agencia incorporada del Gobierno de los Estados Unidos de América y por lo consiguiente la propiedad y fondos pertenecientes al Instituto quedan, entre otras cosas, exentos de todo impuesto de importación o exportación, tarifas, contribuciones y otros cargos.

CLAUSULA XII

El Ministro, el Jefe del Instituto y director del SCISP están facultados a delegar su autoridad, prerrogativas y funciones a representantes debidamente designados y elegidos por ellos.

CLAUSULA XIII

Este Convenio de Extensión entrará en vigor al completarse el intercambio de notas diplomáticas concernientes al Programa Cooperativo de Salud y Saneamiento entre el Ministerio de Relaciones Exteriores del Gobierno de Honduras y la Embajada de los Estados Unidos de América en Honduras o en la fecha de ejecución en el caso que tales notas se hayan cruzado anteriormente. El Convenio Básico permanecerá en todo su vigor y efecto para el fin de extender el Programa Cooperativo de Salud y Saneamiento excepto como sea modificado o si está en conflicto con este Convenio de Extensión.

EN FE DE LO CUAL, las partes por la presente han causado que sea ejecutado este Convenio de Extensión por sus representantes debidamente autorizados, en duplicado en los idiomas Inglés y Castellano en Tegucigalpa, Honduras, este noveno día del mes de Mayo de 1947.

POR EL GOBIERNO DE HONDURAS	POR EL INSTITUTO DE ASUNTOS INTERAMERICANOS
(f) CECILIO COLINDRES ZEPEDA	(f) MARCUS H. FLINTER."

En espera de la contestación de Su Señoría, con la cual, si fuere de aprobación, quedará efectuado el canje de notas previsto en la Cláu-

sula XIII del Convenio de Prórroga para que éste entre en vigor, me es grato reiterarle el testimonio de mi distinguida consideración,

Silverio Laínez

Silverio Laínez

Honorable Señor JOHN B. FAUST,
Encargado de Negocios a.i. de los
Estados Unidos de América.
Embajada Americana.

Translation

DEPARTMENT
OF FOREIGN RELATIONS OF
THE REPUBLIC OF HONDURAS

No. 3439.

NATIONAL PALACE:
Tegucigalpa, D.C., May 13, 1947.

SIR:

In accordance with Clause XIII of the EXTENSION AGREEMENT relative to the extension of the Cooperative Health and Sanitation Program established by the Government of Honduras and the Institute of Inter-American Affairs, signed in this city of Tegucigalpa on May 9 last, in two copies, each written in English and in Spanish, I have the honor to send you the present note, informing you that the Government of Honduras approves the said Agreement, the text of which in Spanish is as follows:

"EXTENSION AGREEMENT

Relative to the extension of the Cooperative Health and Sanitation Program drawn up by the Government of Honduras and the Institute of Inter-American Affairs.

The present Agreement is concluded between the Government of Honduras, represented by Lic. Cecilio Colindres Zepeda, Under Secretary of State in charge of the Departments of the Interior, Justice, Health and Social Welfare of Honduras (hereinafter called "the Minister") and the Institute of Inter-American Affairs, which is an incorporated agency of the Government of the United States of America (hereinafter called the "Institute") represented by Dr. Marcus H. Flinter, Head in Honduras of the Health and Sanitation Section of the Institute (hereinafter called "Head of the Institute") for the purpose of recording the extension of and amendments to the Cooperative Health and Sanitation Program, established in accordance with the Agreement concluded between the Institute and the Government of Honduras on July 8, 1942, and amended through the

Ante, p. 2334.

exchange of notes between the Executive Vice President of the Institute and the Minister of the Interior, Justice, Health and Social Welfare, of April 19, 1944. (Both agreements hereinafter called the "Basic Agreement").

Ante, p. 2324.

CLAUSE I

Extension of Basic Agreement.

Both Parties agree and declare that the Basic Agreement shall hereby be extended for an additional period of 14 months, from May 1, 1947 until June 30, 1948, and amended by the Clauses hereinafter set forth.

CLAUSE II

Financial obligations.

The financial obligation of the Institute contracted under the Basic Agreement shall be considered to have been met by the contribution to the program of $800,000 in American currency, materials, supplies and equipment of all kinds. Furthermore, the financial obligation of the Government of Honduras contracted under the Basic Agreement shall also be considered to have been fulfilled by the contribution of the equivalent in Lempiras of $300,000 American currency.

CLAUSE III

Representation of Institute.

The Institute shall continue to be represented in Honduras by a group of employees and experts known as the "Field Party of the Institute of Inter-American Affairs in Honduras" under the direction of the Head of the Institute, who shall also continue to discharge the duties of Director of the *Servicio Cooperativo Interamericano de Salud Pública* [Inter-American Cooperative Public Health Service] (hereinafter called the "SCISP") for the period included in the present Extension Agreement.

CLAUSE IV

Additional financing of program.

In addition to the funds required as a contribution of the parties in conformity with the Basic Agreement, the Cooperative Health and Sanitation Program shall also be financed during the period established by the present Extension Agreement as follows:

A. The Institute shall deposit $25,000 in the Bank of Honduras to the account of the SCISP in May 1947.

B. The Government of Honduras shall deposit in the Bank of Honduras to the account of the "SCISP" the sum of 250,000 Lempiras (or the equivalent in American currency of $125,000 figured at the present exchange rate of 2 Lempiras per American Dollar) as follows:

In May 1947	150,000	Lempiras
In October 1947	100,000	"
Total	250,000	"

Funds withheld for purchases in U. S.

C. The Institute may withhold from the deposit stipulated in Clause IV–A the amounts considered necessary by the Minister and the Head of the Program to pay for the purchase in the United States of materials, supplies and equipment in addition to other expenses connected with the execution of the Program. All the funds withheld by the Institute for such purposes shall be considered as on deposit

under the terms of Clause IV–A, but, if the latter are not spent or pledged for such purposes, they shall then be deposited in the Bank of Honduras to the order of the SCISP at any time mutually agreed upon between the Minister and the Head of the Institute.

Changes in dates for deposit.

D. The dates for making deposits in conformity with the stipulations in Clauses IV–A and IV–B may be changed in accordance with the requirements of the Program, through a written agreement between the Minister and the Head of the Institute.

Additional contributions.

E. Contributions, in addition to those mentioned in Clauses IV–A and IV–B, may be received by the SCISP from any source and spent by that organization in the same manner as other funds for the use and purposes of the Cooperative Health and Sanitation Program.

Unused funds and property.

F. Any of the funds or property acquired by the SCISP which are not spent, used or pledged at the end of the period specified in the present Extension Agreement shall remain the property of the Government of Honduras and shall continue to be used for the purposes of the Cooperative Health and Sanitation Program in such manner as may be agreed upon in writing between the Ministry and the Head of the Institute.

CLAUSE V

Project agreements.

The Cooperative Health and Sanitation Program shall continue to be developed through individual projects. Each project shall be contained in a project agreement which shall be mutually accepted and signed by the Minister, the Director of the SCISP and the Head of the Institute. Each project agreement shall define the nature of the work to be done, the assignment of funds therefor, the personnel responsible for carrying out the work and any other matter which the Contracting Parties desire to specify.

CLAUSE VI

Operation of SCISP.

The procedures and methods established and in use at the present time for the operation of the SCISP, in conformity with the amended Basic Agreement, shall continue to be applied in the operation of the SCISP during the period established by the present Extension Agreement. The Director of the SCISP, with the approval of the Minister of Health, shall draw up the pertinent budget, assigning for each project the funds and expenses necessary as well as the pay of the employees, except those appointed by the Institute for each fiscal year.

CLAUSE VII

Records; reports.

The books, records and accounts of the SCISP shall be open at all times to inspection by the representatives of the Government of Honduras and of the Institute. The Director of the SCISP shall make reports to the Government of Honduras and to the Institute as often as the Minister and the Head of the Institute require.

CLAUSE VIII

Materials.

All materials imported for the work and activities of the SCISP shall be brought into the country free of customs duties and of any other official tax or charge. Whenever possible, the SCISP shall use

for carrying out the work only materials and tools produced in the country.

CLAUSE IX

All employees of the SCISP, with the exception of those assigned to the SCISP by the Institute, shall be appointed, engaged and discharged by the Minister of Health, upon recommendation of the Director of the SCISP. The salaries and expenses, including traveling expenses of North American personnel of the Institute of Inter-American Affairs employed in Honduras, shall be paid by the Institute and not from the funds assigned to the SCISP.

Personnel.

CLAUSE X

All projects carried out under this contract shall be the exclusive property of the Government and the people of Honduras.

Ownership of projects.

CLAUSE XI

For the purposes set forth in the present Agreement, the Government of Honduras accepts and recognizes the Institute as an incorporated agency of the Government of the United States of America and, therefore, the property and funds belonging to the Institute shall remain, among other things, exempt from all import or export taxes, tariffs, fees and other charges.

Tax exemption, etc.

CLAUSE XII

The Minister, the Head of the Institute and Director of the SCISP shall be empowered to delegate their authority, prerogatives and functions to representatives duly appointed and elected by them.

Delegation of authority.

CLAUSE XIII

This Extension Agreement shall enter into effect upon completion of the exchange of diplomatic notes concerning the Cooperative Health and Sanitation Program between the Ministry of Foreign Relations of the Government of Honduras and the Embassy of the United States of America in Honduras or on the date of conclusion [of the Extension Agreement] if such notes have been previously exchanged. The Basic Agreement shall remain in full force and effect for the purpose of extending the Cooperative Health and Sanitation Program except as it may be amended or if it is in conflict with this Extension Agreement.

Effectivity of Extension and Basic Agreements.

IN WITNESS WHEREOF, the parties here present have caused this Extension Agreement to be concluded by their duly authorized representatives, in duplicate, in the English and Spanish languages at Tegucigalpa, Honduras, this ninth day of the month of May, 1947.

FOR THE GOVERNMENT OF HONDURAS	FOR THE INSTITUTE OF INTER-AMERICAN AFFAIRS
CECILIO COLINDRES ZEPEDA	MARCUS H. FLINTER."

Pending Your Excellency's reply, which, if it is favorable, will complete the exchange of notes provided for in Clause XIII of the

Extension Agreement for the latter to enter into effect, I am happy to renew to you the assurance of my distinguished consideration.

SILVERIO LAÍNEZ

SILVERIO LAÍNEZ

The Honorable JOHN B. FAUST,
Charge d'Affaires ad interim of the
United States of America.
American Embassy.

The American Chargé d'Affaires ad interim to the Honduran Minister for Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

Note 586

TEGUCIGALPA, HONDURAS, *May 13, 1947*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's Note No. 3439 of today, concerning the Extension Agreement for the Health and Sanitation Cooperative Action Program of the Institute of Inter-American Affairs with the Government of Honduras signed in Tegucigalpa on May 9, 1947.

Ante, p. 3118.

Your Excellency's note incorporates the text of the Extension Agreement, states that it has the approval of the Government of Honduras, and indicates that it will become effective upon exchange of the diplomatic notes referred to in Clause XIII.

Ante, p. 3121.

By direction of my Government, I have the honor to inform Your Excellency that it approves the Extension Agreement as signed by Mr. Cecilio Colindres Zepeda on behalf of the Government of Honduras and by Dr. Marcus H. Flinter on behalf of the Institute of Inter-American Affairs. Consequently, it is now in full force and effect.

Please accept, Excellency, the assurances of my most distinguished consideration.

JOHN B. FAUST

JOHN B. FAUST
Chargé d'Affaires ad interim

His Excellency
DR. SILVERIO LAINEZ,
Minister for Foreign Affairs,
Tegucigalpa, D.C.

Agreement between the United States of America and Peru respecting a cooperative food production program in Peru, further extending and modifying the agreement of May 19 and 20, 1943. Effected by exchange of notes signed at Lima June 11, 1945, and November 22, 1946; entered into force November 22, 1946; effective August 31, 1945.

June 11, 1945, and November 22, 1946
[T. I. A. S. 1647]

The American Ambassador to the Peruvian Acting Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 812

Lima, June 11, 1945.

EXCELLENCY:

I have the honor to refer to my Note No. 216 of August 18, 1944, transmitting the English and Spanish texts of the Memorandum of Agreement signed on June 1, 1944, by Major General George C. Dunham, Executive Vice President of the Institute of Inter-American Affairs, and by His Excellency Godofredo A. Labarthe, Minister of Agriculture of Peru, extending to August 31, 1945, the Memorandum of Agreement dated May 19, 1943, which concerned the establishment of the Inter-American Cooperative Food Production Service in Peru.

58 Stat. 1484.

57 Stat. 1405.

On June 8, 1945, there was signed in Lima by Mr. William C. Brister, Vice President of the Institute of Inter-American Affairs, and by His Excellency Godofredo Labarthe, Minister of Agriculture of Peru, a Memorandum of Agreement which reads in English and in Spanish as follows:

"MEMORANDUM OF AGREEMENT

"The Republic of Peru and The Institute of Inter-American Affairs, a corporation of the Office of Inter-American Affairs and an agency of the Government of the United States of America, hereby agree to extend the food production program provided for in the Memorandum of Agreement dated May 19, 1943, as extended by the Memorandum of Agreement dated June 1, 1944, between the two parties hereto, as hereinafter provided.

Extension of food production program.

57 Stat. 1405.

58 Stat. 1484.

"1. The food production program shall continue to be carried out through the Servicio Cooperativo Inter-Americano de Producción de Alimentos (hereinafter called the "SCIPA"), which was created by the Government of Peru in accordance with the agreements of May 19, 1943, and June 1, 1944, referred to above.

SCIPA.

"2. The provisions of article 4 of the agreement of May 19, 1943, are considered to have been fulfilled by the contribution of US$162,976.77 (S/.1,056,904.35) by The Institute of Inter-American Affairs, and by the contribution of S/.1,056,904.35 (US$162,976.77)

Contributions.
57 Stat. 1407.

that has been made by the government of Peru. The provisions of article 3 of the extended Memorandum of Agreement signed June 1, 1944, are considered to have been fulfilled as the result of contributions amounting to US$150,000 (S/.972,750) by The Institute of Inter-American Affairs, and S/.1,945,500 (US$300,000) by the Government of Peru, prior to the date of this agreement.

58 Stat. 1485.

Additional sums.

"3. For the purpose of extending the agreements of May 19, 1943 and June 1, 1944, The Institute of Inter-American Affairs will make available an additional sum of US$75,000 (S/.486,375), and the government of Peru will likewise make available an additional sum of S/.972,750 (US$150,000) for continuing the operations of SCIPA during the period August 31, 1945 through December 31, 1946.

Transfers to SCIPA account.

"4. For the purpose of effectuating the objectives of this Extension Agreement, The Institute of Inter-American Affairs agrees to transfer to the account of SCIPA the sum of US$75,000 (S/.486,375) on the following basis, except that The Institute of Inter-American Affairs may withhold the estimated or actual amount of money required to cover orders and costs placed for SCIPA in the United States. Payments shall be in bimonthly contributions as provided herein:

	U. S. Dollars	Peruvian Soles
September 1, 1945	9,375.00	60,796.87
November 1, 1945	9,375.00	60,796.87
January 1, 1946	9,375.00	60,796.87
March 1, 1946	9,375.00	60,796.87
May 1, 1946	9,375.00	60,796.88
July 1, 1946	9,375.00	60,796.88
September 1, 1946	9,375.00	60,796.88
November 1, 1946	9,375.00	60,796.88
	75,000.00	486,375.00

"5. The Government of Peru agrees to transfer to the account of SCIPA the sum of S/972,750 (US$150,000) on the following basis:

	Peruvian Soles	American Dollars
September 1, 1945	121,593.75	18,750.00
November 1, 1945	121,593.75	18,750.00
January 1, 1946	121,593.75	18,750.00
March 1, 1946	121,593.75	18,750.00
May 1, 1946	121,593.75	18,750.00
July 1, 1946	121,593.75	18,750.00
September 1, 1946	121,593.75	18,750.00
November 1, 1946	121,593.75	18,750.00
	972,750.00	150,000.00

Amendment of transfer schedules.

"6. The parties hereto by written agreement by the Chief of the Food Supply Mission and the Minister of Agriculture may amend the schedules for making the transfers as provided in paragraphs 4 and 5 above and agree to make the transfers as required by the needs of the program.

"7. All incomes accruing to the accounts of SCIPA as the result of normal project operation, through the liquidation of projects, or from whatever sources, will continue to be available to SCIPA for the promotion of those projects from which the income has accrued or, through mutual agreement between the Minister of Agriculture, the Chief of the Food Supply Mission and the Director of SCIPA may be apportioned to other projects of SCIPA. Funds contributed by The Institute of Inter-American Affairs, which may not have been expended or obligated by contract or other legal commitment, proportionately with funds contributed by the Peruvian Government, by December 31, 1946, shall be returned to The Institute of Inter-American Affairs. The unexpended and unobligated funds contributed by the Government of Peru and all accrued income from project operations on December 31, 1946, shall remain to the credit of the Peruvian Government with SCIPA.

Incomes accruing to SCIPA.

Unexpended funds, etc.

"8. The funds contributed according to this agreement are to be employed only for maintaining or extending projects contemplated under the original agreement, and as provided for in the budget approved August 16, 1943, and as elaborated in the budget approved June 14, 1944, supported by Project Proposals approved by the Minister of Agriculture and the Chief of the Food Supply Mission of The Institute of Inter-American Affairs in Peru and Director of SCIPA, or as modified by them, except that no part of the additional funds contributed by The Institute of Inter-American Affairs shall be utilized in projects involving poultry, fisheries or warehouses.

Use of funds.

Exception.

"9. The Chief of the Food Supply Mission of The Institute of Inter-American Affairs in Peru shall continue as Director of SCIPA for the life of this agreement.

Director of SCIPA.

"10. The Agreements of May 19, 1943 and June 1, 1944, shall remain in full force and effect for the purpose of extending the cooperative food production program through December 31, 1946, except as specifically modified herein, and the provisions contained therein will apply during the life of this agreement.

Force and effect of prior agreements. 57 Stat. 1405, 58 Stat. 1484.

"11. This agreement shall terminate on December 31, 1946. It is understood that during the life of this agreement, there will be an orderly withdrawal of the activities of the Food Supply Division of The Institute of Inter-American Affairs in Peru, and the gradual assumption of its functions by the appropriate entities of the Ministry of Agriculture.

Termination.

LIMA, *June 8, 1945*

FOR THE REPUBLIC OF PERU
GODOFREDO A. LABARTHE
GODOFREDO A. LABARTHE
Minister of Agriculture

FOR
THE INSTITUTE OF INTER-AMERICAN AFFAIRS
W. C. BRISTER
W. C. BRISTER
Vice-President,
Institute of Inter-American Affairs"

"MEMORANDUM DE CONVENIO

"La República del Perú y el Instituto de Asuntos Inter-Americanos, corporación de la Oficina de Asuntos Inter-Americanos y dependencia del Gobierno de los Estados Unidos de América, acuerdan, por el presente convenio, prorrogar el programa de producción de alimentos estipulado en el Memorandum de Convenio de fecha 19 de Mayo de 1943, y a su vez extendido en el Memorandum de Convenio de fecha 1° de Junio de 1944, entre las dos partes contractantes, bajo los términos detallados a continuación.

"1. – El programa de producción de alimentos continuará llevándose a efecto por intermedio del Servicio Cooperativo Inter-Americano de Producción de Alimentos (que en adelante se denominará el SCIPA) y que fué creado por el Gobierno del Perú de acuerdo con los convenios del 19 de Mayo de 1943 y del 1° de Junio de 1944, arriba mencionados.

"2. – Las estipulaciones contenidas en el artículo Cuarto del Convenio del 19 de Mayo de 1943, se consideran cumplidas mediante la contribución de US$162,976.77 (S/.1,056,904.35), hecha por el Instituto de Asuntos Inter-Americanos; y la contribución de S/.1,056,-904.35 (US$162,976.77) hecha por el Gobierno del Perú. Las estipulaciones contenidas en el artículo Tercero de la Prórroga del Convenio firmada con fecha 1° de Junio de 1944, se consideran cumplidas mediante las contribuciones hechas por el Instituto de Asuntos Inter-Americanos y por el Gobierno del Perú, en las sumas de US$150,000 (S/.972,750) y S/.1,945,500 (US$300,000) respectivamente, con anterioridad a la fecha de este convenio.

"3. – Para los fines de la extensión del Convenio de Mayo 19 de 1943, y de la Prórroga del Convenio con fecha 1° de Junio de 1944, el Instituto de Asuntos Inter-Americanos contribuirá con una suma adicional de US$75,000 (S/.486,375) y el Gobierno del Perú hará asimismo una contribución adicional de S/.972,750 (US$150,000); con cuyo aporte conjunto se continuará el funcionamiento del SCIPA durante el período Agosto 31 de 1945 a Diciembre 31 de 1946.

"4. – Para llevar a efecto los objetivos de esta Prórroga del Convenio, el Instituto de Asuntos Inter-Americanos conviene en transferir a la cuenta del SCIPA la suma de US$75,000 (S/486,375), en la forma que se detalla a continuación, con la única excepción de que el Instituto de Asuntos Inter-Americanos queda en libertad de retener el valor calculado o real de pedidos colocados en los Estados Unidos para el SCIPA, y dicho valor, en las sumas respectivas, será considerado dentro de las contribuciones bimensuales, que serán como sigue:

	Dólares Americanos	Soles Peruanos
Setiembre 1° de 1945	9,375.00	60,796.87
Noviembre 1° de 1945	9,375.00	60,796.87
Enero 1° de 1946	9,375.00	60,796.87
Marzo 1° de 1946	9,375.00	60,796.87
Mayo 1° de 1946	9,375.00	60,796.88
Julio 1° de 1946	9,375.00	60,796.88
Setiembre 1° de 1946	9,375.00	60,796.88
Noviembre 1° de 1946	9,375.00	60,796.88
	75,000.00	486,375.00

"5.–El Gobierno del Perú conviene en transferir a la cuenta del SCIPA la suma de S/.972,750 (US$150,000) en la siguiente forma:

	Soles Peruanos	Dólares Americanos
Setiembre 1° de 1945	121,593.75	18,750.00
Noviembre 1° de 1945	121,593.75	18,750.00
Enero 1° de 1946	121,593.75	18,750.00
Marzo 1° de 1946	121,593.75	18,750.00
Mayo 1° de 1946	121,593.75	18,750.00
Julio 1° de 1946	121,593.75	18,750.00
Setiembre 1° de 1946	121,593.75	18,750.00
Noviembre 1° de 1946	121,593.75	18,750.00
	972,750.00	150,000.00

"6.–Las partes contractantes podrán, con la aprobación escrita del Ministro de Agricultura, y el Jefe de la Misión de Producción Alimenticia, modificar las fechas de las entregas fijadas en los párrafos Cuarto y Quinto anteriores, y acordar nuevas fechas de entrega según lo requiera las necesidades del programa.

"7.–Todos los ingresos que incrementen las cuentas del SCIPA, como resultado de las operaciones normales de los proyectos, o por medio de la liquidación de proyectos, o debido a cualquier otro origen, seguirán a disposición del SCIPA para el fomento de los proyectos de los cuales provienen tales ingresos, o podrán ser asignados a otros proyectos del SCIPA por mutuo acuerdo entre el Ministro de Agricultura, el Jefe de la Misión de Producción Alimenticia y el Director del SCIPA. Los fondos contribuidos por el Instituto de Asuntos Inter-Americanos que no hayan sido gastados, o asignados para cubrir obligaciones pendientes u otros compromisos legales, en proporción con los fondos contribuidos por el Gobierno Peruano, al 31 de Diciembre de 1946, serán devueltos al Instituto de Asuntos Inter-Americanos. Al 31 de Diciembre de 1946, los fondos contribuidos por el Gobierno del Perú que no hayan sido gastados ni

asignados para cubrir obligaciones pendientes, y los ingresos provenientes del desarrollo de los proyectos, quedarán en el SCIPA y abonados al Gobierno del Perú.

"8. – Los fondos contribuídos de acuerdo con este Convenio deberán emplearse unicamente para el mantenimiento o expansión de los proyectos contemplados en el convenio original, según se estipula en el presupuesto del 16 de Agosto de 1943, y en conformidad con los detalles contenidos en el presupuesto aprobado con fecha 14 de Junio de 1944, respaldado por los proyectos aprobados por el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia del Instituto de Asuntos Inter-Americanos en el Perú y Director del SCIPA, o modificados por ellos; quedando entendido que ninguna cantidad de los fondos adicionales con que debe contribuir el Instituto de Asuntos Inter-Americanos será invertida en proyectos de avicultura, pesquería o almacenes.

"9. – El Jefe de la Misión de Producción Alimenticia del Instituto de Asuntos Inter-Americanos en el Perú, continuará actuando como Director del SCIPA durante la vigencia del presente convenio.

"10. – Queda entendido que los Convenios de Mayo 19 de 1943 y Junio 1° de 1944, quedan en plena vigencia y mantienen todos sus efectos para la extensión del programa cooperativo de producción de alimentos hasta el 31 de Diciembre de 1946, con excepción de las modificaciones que se contemplan en el presente documento; debiendo las estipulaciones generales contenidas en dichos Convenios, mantener su vigencia por toda la duración de este Convenio.

"11. – Este Convenio termina el 31 de Diciembre de 1946. Queda entendido que, durante la vigencia de este Convenio, la División de Suministro de Alimentos del Instituto de Asuntos Inter-Americanos irá limitando progresiva y ordenadamente su actividad en el Perú, al mismo tiempo que las entidades correspondientes del Ministerio de Agricultura se irán haciendo cargo gradualmente de dichas funciones.

LIMA, *8 de Junio de 1945.*

"POR EL INSTITUTO DE ASUNTOS INTER-AMERICANOS

W. C. BRISTER

W. C. BRISTER

Vice-Presidente del Instituto de Asuntos Inter-Americanos.

POR LA REPUBLICA DEL PERU

GODOFREDO A. LABARTHE

GODOFREDO A. LABARTHE

Ministro de Agricultura"

It is a pleasure for me to inform Your Excellency that the provisions of the Memorandum of Agreement as hereinabove set forth, by which the Agreement of May 19, 1943, would be further extended to December 31, 1946, except as modified by the said Memorandum of Agreement, meet with the approval of the Government of the United States of America. It is my understanding that those provisions likewise meet with the approval of the Government of the Republic

57 Stat. 1405.

of Peru. This note, together with your reply indicating the approval of the Government of the Republic of Peru, will be considered as constituting an agreement between our two Governments on the subject, it being understood that this agreement shall be effective as of August 31, 1945, and that this agreement shall continue in force to December 31, 1946.

Effective date; duration.

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest consideration.

J. C. WHITE

His Excellency
Dr. MANUEL CISNEROS,
Acting Minister for Foreign Affairs,
Lima.

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

Numero: (H)-6-3/239

LIMA, *22 de noviembre de 1946.*

SEÑOR EMBAJADOR:

Tengo a honra dar respuesta a la estimable nota de Vuestra Excelencia número 199, de 30 de setiembre último, en la cual tiene a bien referirse a la del Excelentísimo Señor John Campbell White, número 812, de 11 de junio del año próximo pasado, conteniendo los textos en inglés y español del memorándum de acuerdo suscrito el 8 de junio de 1945, por el señor Ministro de Agricultura, ingeniero Godofredo A, Labarthe, en nombre del Perú, y por el señor W. C. Brister, por el Instituto de Asuntos Interamericanos—dependencia del Gobierno de los Estados Unidos de América—por el cual prorróga el programa de producción de alimentos hasta el 31 de diciembre de 1946.

En respuesta, debo manifestar a Vuestra Excelencia que por Resolución Suprema N°. 473, expedida por el Ministerio de Agricultura con fecha 8 de junio de 1945, se dispuso aprobar el citado convenio de prórroga, referente a la continuación del funcionamiento del Servicio Cooperativo de Producción de Alimentos, como dependencia del Ministerio de Agricultura.

También me es grato comunicar a Vuestra Excelencia que el Ministro de Agricultura, en nota reciente, expresa a este Despacho el deseo de renovar sin modificación alguna el contrato con el Servicio Cooperativo Interamericano de Producción de Alimentos. Tal deseo se sustenta en el hecho de que la actual misión del Scipa lleva tiempo en el país y ha comprobado la comprensión de nuestros problemas encontrándose, en el momento actual, en inmejorables condiciones para rendir su máximo fruto. Por estas razones nuestra Embajada en los Estados Unidos de América realizó gestiones para dicha renovación.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia, los sentimientos de mi más alta y distinguida consideración.

J DELGADO Y

Por el Ministro
JAVIER DELGADO YRIGOYEN

Al Excelentísimo Señor
PRENTICE COOPER, *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de America.–*
Ciudad.–

Translation

MINISTRY OF FOREIGN AFFAIRS
AND WORSHIP

Number: (H)-6-3/239

LIMA, *November 22, 1946.*

MR. AMBASSADOR:

I have the honor to reply to Your Excellency's esteemed note number 199, [1] of the 30th of last September, in which you are pleased to refer to that of His Excellency Mr. John Campbell White, number 812, of June 11th of last year, containing the texts in English and Spanish of the memorandum of agreement signed on June 8, 1945, by the Minister of Agriculture, engineer Godofredo A. Labarthe, in the name of Peru, and by Mr. W. C. Brister, for the Institute of Inter-American Affairs—an agency of the Government of the United States of America—by which the food production program is extended until December 31, 1946.

Ante, p. 3123.

In reply, I must inform Your Excellency that by Supreme Resolution No. 473, issued by the Ministry of Agriculture on June 8, 1945, it was decided to approve the said agreement for extension, with reference to the continuing of the functioning of the Cooperative Food Production Service, as a branch of the Ministry of Agriculture.

I am also pleased to inform Your Excellency that the Minister of Agriculture, in a recent note, expressed to this Office the desire to renew without any change the contract with the Inter-American Cooperative Food Production Service. Such desire is supported by the fact that the present Scipa mission has been in the country some time and has increased the understanding of our problems, being, at the present time, in the most favorable situation for obtaining the best results. For these reasons our Embassy in the United States of America took steps for the said renewal.

I avail myself of this opportunity to renew to Your Excellency, the assurances of my highest and most distinguished consideration.

J DELGADO Y

For the Minister
JAVIER DELGADO YRIGOYEN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.

[1] [Not printed.]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting standardization of distance measuring equipment for telecommunications. Signed at Washington October 13, 1947; entered into force October 13, 1947.

October 13, 1947
[T. I. A. S. 1652]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON DISTANCE MEASURING EQUIPMENT

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland;

Standardization of D.M.E.

Considering the importance of standardization of the distance measuring equipment (D.M.E.) as an aid to the safety of air navigation, and considering the immediate need, in view of the decisions of the 1947 Atlantic City Radio Administrative Conference of the International Telecommunication Union, for agreement on the radio frequencies to be used for this purpose, have agreed through their respective representatives as follows:

Article 1

Civil aviation.

On the coming into force of this agreement, standardization of D.M.E. for civil aviation shall be in the 1000 Mc/s. band and not in the 200 Mc/s. band.

Article 2

Installation by U. S. of U. K. type, etc.

Until January 1, 1952, the United States of America shall, at the request of the United Kingdom, install and operate United Kingdom type D.M.E. in the 220–231 Mc/s. band at designated international airfields in the territory of the United States of America to be agreed upon from time to time. The frequency 223 Mc/s. shall be used for the ground responder and the frequency 228 Mc/s. shall be used for the airborne interrogator.

Article 3

U. K. band beyond interference distance from U. S.

Beyond interference distance from the United States of America, the United Kingdom proposes to use the band 200–235 Mc/s. for D.M.E., and to complete the transition from this band to the 1000 Mc/s. band by January 1, 1954, as far as concerns designated international airfields.

Article 4

Free D.M.E.

Until January 1, 1954, or until such time as the requisite equipment is available from United Kingdom production, whichever is the earlier date, the United States of America shall provide 1000 Mc/s. D.M.E. free of charge for use at designated international airfields in the territory of the United Kingdom to be agreed upon from time to

time. The United Kingdom shall provide 200 Mc/s. D.M.E. free of charge for use at the airfields agreed upon in accordance with Article 2. In each case the equipment will include an appropriate quantity of spares.

Spare equipment.

Article 5

Maintenance, etc.

Each of the contracting Governments shall undertake to maintain and operate the equipment installed on its territory and provided under Article 4.

Article 6

Exchange of data, etc.

The contracting Governments agree to consult and to exchange technical data on 1000 Mc/s. D.M.E., and, as far as practicable, to render to each other such assistance as may be necessary to expedite the implementation of this agreement. They will also make such information available to the other members of the International Civil Aviation Organization.

Article 7

Limitation of designated D.M.E.

With the object of ensuring world-wide standardization on 1000 Mc/s. D.M.E. at the earliest possible date, the contracting Governments shall limit the supply and installation of 200 Mc/s. D.M.E. to the essential minimum requirements of civil air navigation during the period up to January 1, 1954.

Article 8

Consultation.

The contracting Governments agree to consult together annually for the purpose of reviewing the operation of the provisions of this agreement and associated problems with the object of expediting the general utilization of 1000 Mc/s. D.M.E.

Article 9

Review of conflicting provisions.

Such provisions of this agreement as may be found to be in conflict with the provisions of the international radio regulations currently in force will be reviewed with the object of removing the conflicts.

Article 10

Support of standardization.

The contracting Governments shall support actively the principle of standardization on 1000 Mc/s. D.M.E. in the International Civil Aviation Organization and the International Telecommunication Union.

Article 11

Exclusions.

British military ground installations situated over 100 miles from territory of the United States of America, and United Kingdom state aircraft (as defined in the Convention on International Civil Aviation opened for signature at Chicago on December 7, 1944), except when flying over or within 100 miles of territory of the United States of America, are excluded from the operation of this agreement.

61 Stat., Pt. 2, p. 1180.

Article 12

"Territory."

In the present agreement the expression "territory" of either of the contracting Governments means any territory to which the agreement

applies, and shall include, in addition to Great Britain and Northern Ireland on the one hand, and the territory of the United States of America on the other hand, any territory to which this agreement has been extended in accordance with the provisions of Article 13.

Article 13

At any time while the present agreement is in force its provisions may, by a notification in writing by either contracting Government to the other, be extended to any colony, overseas territory, protectorate, or territory under mandate or trusteeship exercised by either of the contracting Governments.

Article 14

Entry into force.

This agreement shall enter into force upon the date of its signature.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed the present agreement.

DONE in duplicate at Washington this thirteenth day of October 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

GARRISON NORTON
Assistant Secretary of State of the United States of America

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

INVERCHAPEL
Ambassador Extraordinary and Plenipotentiary of the United Kingdom of Great Britain and Northern Ireland at Washington

Agreement between the United States of America and Italy respecting a foreign relief program in Italy. Signed at Rome July 4, 1947; entered into force July 4, 1947. And exchange of notes.

July 4, 1947
[T. I. A. S. 1653]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE ITALIAN GOVERNMENT

Concerning Assistance to Italy under the United States Foreign Relief Program

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ACCORDO FRA IL GOVERNO ITALIANO ED IL GOVERNO DEGLI STATI UNITI DI AMERICA

per il programma assistenziale statunitense per l'estero

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE ITALIAN GOVERNMENT

Concerning Assistance to Italy under the United States Foreign Relief Program

Whereas, it is the desire of the United States to provide relief assistance to the Italian people to prevent suffering and to permit them to continue effectively their efforts toward recovery; and

Whereas, the Italian Government has requested the United States Government for relief assistance and has presented information which convinces the Government of the United States that the Italian Government urgently needs assistance in obtaining the basic essentials of life for the people of Italy; and

Whereas, the United States Congress has by Public Law 84, Eightieth Congress, May 31, 1947, authorized the provision of relief assistance to the people of those countries which, in the determination of the President, need such assistance and have given satisfactory assurances covering the relief program as required by the Act of Congress; and

61 Stat., Pt. 1, p. 125.

Whereas, the Italian Government and the United States Government desire to define certain conditions and understandings concerning the handling and distribution of the United States relief supplies and to establish the general lines of their cooperation in meeting the relief needs of the Italian people,

The Government of the United States of America represented by

James Clement DUNN, *Ambassador of the United States of America to Italy*

and the Italian Government represented by

Alcide DE GASPERI, *President of the Council of Ministers*

Carlo SFORZA, *Minister for Foreign Affairs*

have agreed as follows:

Article I

Furnishing of Supplies

Types, quantities, etc.

(*A*) The program of assistance to be furnished shall consist of such types and quantities of supplies and procurement, storage, transportation and shipping services related thereto, as may be determined from time to time by the United States Government after consultation with the Italian Government in accordance with the Public Law 84, Eightieth Congress, May 31, 1947, and any Acts amendatory or supplementary thereto. Such supplies shall be

61 Stat., Pt. 1, p. 125.

ACCORDO FRA IL GOVERNO ITALIANO ED IL GOVERNO DEGLI STATI UNITI DI AMERICA

per il programma assistenziale statunitense per l'estero

Considerato che è desiderio degli Stati Uniti di fornire assistenza al popolo italiano per prevenire la sofferenza e per permettergli di continuare efficacemente il suo sforzo verso la ripresa; e

Considerato che il Governo italiano ha richiesto assistenza al Governo degli Stati Uniti ed ha fornito indicazioni tali da persuadere il Governo degli Stati Uniti che il Governo italiano ha urgente necessità di assistenza per assicurare le necessità fondamentali di vita per il popolo italiano; e

Considerato che il Congresso degli Stati Uniti ha con Legge Pubblica 84, ottantesimo Congresso, del 31 maggio 1947 autorizzato la concessione di aiuti alle popolazioni di quei Paesi che, a giudizio del Presidente, necessitano tale assistenza e che abbiano date assicurazioni soddisfacenti relative al programma di assistenza richieste nell'Atto del Congresso; e

Considerato che il Governo italiano ed il Governo degli Stati Uniti desiderano definire alcune condizioni ed intese relative alla gestione ed alla distribuzione dei rifornimenti assistenziali da parte degli Stati Uniti e stabilire le direttive generali della loro cooperazione nel venire incontro alle necessità di assistenza del popolo italiano.

Il Governo italiano rappresentato da

Alcide DE GASPERI, *Presidente del Consiglio dei Ministri*

Carlo SFORZA, *Ministro degli Affari Esteri*

ed il Governo degli Stati Uniti rappresentato da

James Clement DUNN, *Ambasciatore degli Stati Uniti di America presso la Repubblica Italiana*,

hanno convenuto quanto segue:

Art. 1

Fornitura di merci

(*A*) Il programma di assistenza da svolgersi consisterà di quei tipi e quantità di merci e delle relative operazioni di procacciamento, magazzinaggio, spedizione e trasporto, che potranno essere stabiliti di volta in volta dal Governo degli Stati Uniti, previa consultazione con il Governo italiano, in conformità della Legge Pubblica 84, ottantesimo Congresso, del 31 maggio 1947, ed a qualsiasi Atto contenente emendamento o integrazione di detta Legge. Tali riforni-

confined to certain basic essentials of life, namely, food, medical supplies, processed and unprocessed material for clothing, fertilizers, pesticides, fuel and seeds.

No claim for payment.

(*B*) Subject to the provisions of Article III, the United States Government will make no request, and will have no claim, for payment for United States relief supplies and services as furnished under this agreement.

Procurement by U. S. agencies, etc.

(*C*) The United States Government agencies will provide for the procurement, storage, transportation and shipment to Italy of United States relief supplies, except to the extent that the United States Government may authorize other means for the performance of these services in accordance with procedures stipulated by the United States Government. All United States relief supplies shall be procured in the United States except when specific approval for procurement outside the United States is given by the United States Government.

Approval of proposed Italian programs.
Post, p. 3148.

(*D*) The Italian Government will from time to time submit in advance to the United States Government its proposed programs for relief import requirements to be furnished by the United States. These programs shall be subject to screening and approval by the United States Government and procurement will be authorized only for items contained in the approved programs.

Transfers.
Post, p. 3148.

(*E*) Transfers of United States relief supplies shall be made unde arrangements to be determined by the United States Government in consultation with the Italian Government. The United States Government, whenever it deems it desirable, may retain possession of any United States relief supplies or may recover possession of such supplies transferred, up to the city or local community where such supplies are made available to the ultimate consumers.

Article II

Distribution of Supplies in Italy

Post, p. 3148.

(*A*) All United States relief supplies shall be distributed by the Italian Government under the direct supervision and control of the United States representatives and in accordance with the terms of this Agreement. The distribution will be through commercial channels to the extent feasible and desirable.

Fiscal charges.
Post, p. 3148.

(*B*) All United States relief supply imports shall be free of fiscal charges including customs duties up to the point where they are sold for local currency as provided by Article III of this Agreement unless when because of price practices, it is advisable to include customs charges or government taxes in prices fixed, in which case the amount thus collected on United States relief supply imports will accrue to the special account referred to in Article III. All United States relief supply imports given free to indigents, institutions and others will be free of fiscal charges, including custom duties.

Liaison.

(*C*) The Italian Government will designate a high ranking official who

menti saranno limitati ad alcune necessità fondamentali di vita e precisamente, generi alimentari, medicinali, materie lavorate o grezze per vestiario, fertilizzanti, anticrittogamici, combustibili e sementi.

(*B*) Salvo quanto previsto dall'articolo III il Governo degli Stati Uniti non richiederà nè pretenderà il pagamento delle forniture assistenziali degli Stati Uniti e relativi servizi corrisposti ai sensi di quest'Accordo.

(*C*) Gli Enti Governativi degli Stati Uniti provvederanno al procacciamento, magazzinaggio, trasporto e spedizione in Italia dei rifornimenti assistenziali degli Stati Uniti, ad eccezione di quanto il Governo degli Stati Uniti possa altrimenti stabilire autorizzando l'uso di altri mezzi per l'esecuzione di questi servizi con modalità da stabilire dal Governo degli Stati Uniti. Tutti i rifornimenti assistenziali degli Stati Uniti saranno procacciati negli Stati Uniti eccettuato il caso in cui il Governo degli Stati Uniti ne approvi specificamente il procacciamento fuori degli Stati Uniti.

(*D*) Il Governo italiano sottoporrà preventivamente di volta in volta al Governo degli Stati Uniti le sue proposte relative ai programmi delle sue necessità di importazioni assistenziali da fornirsi dagli Stati Uniti. Questi programmi saranno sottoposti all'esame ed all'approvazione del Governo degli Stati Uniti ed il procacciamento sarà autorizzato solo per le voci contenute nei programmi approvati.

(*E*) Il passaggio di proprietà dei rifornimenti assistenziali degli Stati Uniti sarà fatto in conformità di accordi da stabilirsi dal Governo degli Stati Uniti in seguito a consultazione con il Governo italiano. Il Governo degli Stati Uniti, ogni qualvolta lo ritenga desiderabile, può riservarsi il possesso di qualsiasi rifornimento assistenziale fatto dagli Stati Uniti, oppure può ricuperare il possesso di tali rifornimenti già trasferiti raggiungendoli fino alle città o località di distribuzione dove tali rifornimenti vengono messi a disposizione dei diretti consumatori.

Art. II

Distribuzione dei rifornimenti in Italia

(*A*) Tutti i rifornimenti assistenziali degli Stati Uniti saranno distribuiti dal Governo italiano sotto la diretta sorveglianza e controllo di rappresentanti degli Stati Uniti ed in conformità ai termini di questo Accordo. La distribuzione avrà luogo, per quanto fattibile e desiderabile, valendosi di tramiti commerciali.

(*B*) Tutte le importazioni di rifornimenti assistenziali degli Stati Uniti saranno esenti da oneri fiscali compresi i diritti doganali fino al momento in cui sono venduti contro moneta locale come previsto dall'articolo III di questo Accordo, salvo il caso in cui in relazione ad una determinata politica dei prezzi, sia consigliabile includere gli oneri doganali o le tasse governative nei prezzi fissati, nel qual caso le somme così incassate sulle importazioni di rifornimenti assistenziali degli Stati Uniti verranno accreditate sul conto speciale menzionato nell'articolo III. Tutte le importazioni di rifornimenti assistenziali degli Stati Uniti dati gratuitamente ad indigenti, Enti ed altri saranno esenti da oneri fiscali, compresi i diritti doganali.

(*C*) Il Governo italiano designerà un Funzionario di grado elevato cui sarà affidato il compito del collegamento fra il Governo italiano ed i Rappre-

shall have the responsibility of liaison between the Italian Government and the United States representatives responsible for the relief program.

Distribution by Italian Government.

(*D*) The Italian Government will distribute United States relief supplies and similar supplies produced locally or imported from outside sources without discrimination as to race, creed, or political belief, and will not permit the diversion of any of such supplies to non-essential uses or for export or removal from the country while need therefor for relief purposes continues. The Italian Government will not permit the diversion of an excessive amount of United States relief supplies and similar supplies produced locally or imported from outside sources in the maintenance of armed forces.

(*E*) The Italian Government will so conduct the distribution of United States relief supplies and similar supplies produced locally or imported from outside sources as to assure a fair share of the supplies to all classes of the people and will maintain a ration and price control system to that end, wherever practicable.

(*F*) Distribution shall be so conducted that all classes of the population, irrespective of purchasing power, shall receive their fair share of supplies covered in this agreement.

Article III

Utilization of Funds Accruing from Sales of United States Supplies

Price agreement.

(*A*) The prices at which the United States relief supplies will be sold in Italy shall be agreed upon between the Italian Government and the United States Government

Deposit of local currency.

(*B*) When the United States relief supplies are sold for local currency, the amount of such local currency will be deposited by the Italian Government in a special account in the name of the Italian Government.

Disposition.

(*C*) Until June 30, 1948, such funds shall be disposed of only upon approval of the duly authorized representatives of the United States Government for relief and work relief purposes within Italy, including local currency expenses of the United States incident to the furnishing of relief. Any unencumbered balance remaining in such account on June 30, 1948, shall be disposed of within Italy for such purposes as the United States Government, pursuant to Act or Joint Resolution of Congress, may determine.

Italian advances.

(*D*) The Italian Government will, upon request, advance funds to the United States representatives to meet local currency expenses incident to the furnishing of relief.

Unusual costs.

(*E*) While it is not intended that the funds accruing from sales of the United States relief supplies normally will be used to defray the local expenses of the Italian Government in handling and distributing the United States relief supplies, including local currency costs of discharging cargo and other port charges, the United States representatives will consider with the Italian Government the use of the funds to cover the unusual costs which would place an undue burden on the Italian Government.

sentanti degli Stati Uniti competenti per l'esecuzione del programma assistenziale.

(*D*) Il Governo italiano distribuirà i rifornimenti assistenziali degli Stati Uniti e le merci similari prodotte localmente od importate dall'estero senza discriminazione di razza, religione od opinione politica e non permetterà lo storno di qualsiasi di tali merci ad usi non essenziali o la loro destinazione all'esportazione o trasferimento dal Paese fintanto che permane la necessità di tali merci per scopi assistenziali. Il Governo italiano non permetterà lo storno di un quatitativo eccessivo di rifornimenti assistenziali degli Stati Uniti o di merci analoghe prodotte localmente o importate dall'estero per il mantenimento di forze armate.

(*E*) Il Governo italiano regolerà la distribuzione dei rifornimenti assistenziali degli Stati Uniti e delle merci analoghe prodotte localmente o importate dall'estero in modo da assicurare una equa quota dei rifornimenti a tutte le classi della popolazione e manterrà a tal fine un sistema di razionamento e di controllo dei prezzi, semprechè ciò sia fattibile.

(*F*) La distribuzione sarà regolata in modo che tutte le classi della popolazione, senza riguardo al loro potere di acquisto, riceveranno la loro equa quota dei rifornimenti contemplati in questo Accordo.

Art. III

Utilizzazione dei fondi provenienti dalle vendite dei rifornimenti degli Stati Uniti

(*A*) I prezzi ai quali verranno venduti in Italia i rifornimenti assistenziali degli Stati Uniti saranno concordati fra il Governo italiano ed il Governo degli Stati Uniti.

(*B*) Allorchè i rifornimenti assistenziali degli Stati Uniti saranno venduti contro moneta locale l'ammontare di tale moneta locale verrà depositato dal Governo italiano a nome del Governo italiano stesso in un conto speciale.

(*C*) Fino al 30 giugno 1948 tali fondi saranno utilizzati, solo dietro approvazione dei rappresentanti del Governo degli Stati Uniti debitamente autorizzati, per fini di aiuto ed opere di assistenza in Italia, comprese le spese sostenute in moneta locale dagli Stati Uniti relative alla fornitura di assistenza. Gli eventuali saldi attivi risultanti in tale conto al 30 giugno 1948 saranno utilizzati in Italia per quegli scopi che il Governo degli Stati Uniti potrà stabilire, in seguito ad Atto o Risoluzione congiunta del Congresso.

(*D*) Il Governo italiano anticiperà, su richiesta, fondi ai Rappresentanti degli Stati Uniti per sostenere spese in moneta locale relative alle forniture assistenziali.

(*E*) Benchè non si intenda che i fondi derivanti dalla vendita dei rifornimenti assistenziali degli Stati Uniti vengano di regola usati per il rimborso di spese locali sostenute dal Governo italiano nella gestione e distribuzione dei rifornimenti assistenziali degli Stati Uniti, inclusi i costi in moneta locale di scarico ed altri oneri portuali, i rappresentanti degli Stati Uniti prenderanno in esame con il Governo italiano l'uso dei fondi per far fronte a costi straordinari che costituissero un gravame eccessivo per il Governo italiano.

Reports on collections, etc.

(*F*) The Italian Government will each month make available to the United States representatives reports on collections, balances and expenditures from the fund.

(*G*) The Italian Government will assign officials to confer and plan with the United States representatives regarding the disposition of funds accruing from sales and to assure a prompt and proper use of such funds.

Article IV

Effective Production. Food Collections and Use of Resources to Reduce Relief Needs

Post, p. 3149.

(*A*) The Italian Government will exert all possible efforts to secure the maximum production and collection of locally produced supplies needed for relief purposes.

(*B*) The Italian Government will undertake not to permit any measures to be taken involving delivery, sale or granting of any articles of the character covered in this Agreement which would reduce the locally produced supply of such articles and thereby increase the burden of relief.

(*C*) The Italian Government will furnish regularly current information to the United States representatives regarding plans and progress in achieving this objective.

Post, p. 3149.

(*D*) The Italian Government affirms that it has taken and is taking, insofar as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction.

Article V

United States Mission

(*A*) The United States Government will attach to the United States Embassy in Rome, representatives who will constitute a relief mission and will, in cooperation with the regular Embassy staff, discharge the responsibilities of the United States Government under this Agreement and the Public Law 84, Eightieth Congress, May 31, 1947. The Italian Government will permit and facilitate the movement of the United States representatives to, in and from Italy.

61 Stat., Pt. 1, p. 125.

Freedom of supervision, etc.

(*B*) The Italian Government will permit and facilitate in every way the freedom of the United States representatives to supervise, inspect, report and travel throughout Italy at any and all times and will cooperate fully with them in carrying out all of the provisions of this Agreement. The Italian Government will furnish the necessary automobile transportation to permit the United States representatives to travel freely throughout Italy and without delay.

Privileges and immunities.

(*C*) The United States representatives and the property of the mission and of its personnel shall enjoy in Italy the same privileges and immunities as are enjoyed by the personnel of the United States Embassy in Italy and the property of the Embassy and of its personnel.

(*F*) Il Governo italiano presenterà ogni mese ai rappresentanti degli Stati Uniti la situazione degli introiti, saldi e spese relativi al fondo.

(*G*) Il Governo italiano nominerà dei Funzionari per discutere e progettare con i Rappresentanti degli Stati Uniti circa l'uso delle somme derivanti dalle vendite e per assicurare un pronto ed appropriato uso di tali somme.

Art. IV

Produzione effettiva. Ammasso di prodotti alimentari ed uso delle risorse locali per ridurre le necessità di assistenza

(*A*) Il Governo italiano farà ogni possibile sforzo per assicurare il massimo di produzione e di ammasso delle merci prodotte localmente necessarie ai fini dell'assistenza.

(*B*) Il Governo italiano si obbligherà a non permettere che vengano prese misure di qualunque genere implicanti consegna, vendita o cessione di qualsiasi bene della natura contemplata in questo accordo e che possa ridurre il quantitativo prodotto localmente di tale bene e di conseguenza aumentare l'onere dell'assistenza.

(*C*) Il Governo italiano darà regolarmente notizie aggiornate ai rappresentanti degli Stati Uniti sui progetti e sui progressi fatti in tale direzione.

(*D*) Il Governo italiano dichiara che ha preso e sta prendendo, nei limiti del possibile le misure economiche necessarie per ridurre i suoi bisogni di assistenza o per provvedere alla sua futura ricostruzione.

Art. V

Missione americana

(*A*) Il Governo degli Stati Uniti invierà presso l'Ambasciata degli Stati Uniti in Roma dei Rappresentanti che costituiranno una missione assistenziale e che, in cooperazione con il personale regolare dell'Ambasciata, assolveranno gli obblighi del Governo degli Stati Uniti ai sensi di questo Accordo e della Legge Pubblica 84 ottantesimo Congresso, del 31 maggio 1947. Il Governo italiano consentirà e faciliterà i movimenti dei Rappresentanti degli Stati Uniti per, in, e dall'Italia.

(*B*) Il Governo italiano consentirà e faciliterà in tutti i modi ai rappresentanti degli Stati Uniti di sovraintendere, ispezionare, riferire e viaggiare liberamente in Italia in qualsiasi momento, e di cooperare pienamente con loro per realizzare tutte le disposizioni di questo Accordo. Il Governo italiano fornirà i necessari trasporti automobilistici per consentire ai Rappresentanti degli Stati Uniti di viaggiare liberamente e senza ritardi in Italia.

(*C*) I Rappresentanti degli Stati Uniti ed i beni della missione e del suo personale godranno in Italia gli stessi privilegi ed immunità goduti dal personale dell'Ambasciata degli Stati Uniti in Italia e dai beni dell'Ambasciata e del suo personale.

Article VI

Freedom of United States Press and Radio Representatives to Observe and Report

The Italian Government agrees to permit representatives of the United States press and radio to observe freely and report fully and without censorship regarding the distribution and utilization of relief supplies and the use of funds accruing from the sale of United States relief supplies.

Article VII

Reports, Statistics and Information

(*A*) The Italian Government will maintain adequate statistical and other records on relief and will consult with the United States representatives, upon their request, with regard to the maintenance of such records.

(*B*) The Italian Government will furnish promptly upon request of the United States representatives information concerning the production, use, distribution, importation and exportation of any supplies which affect the relief needs of the people.

Abuses or violations of agreement.

(*C*) In case United States representatives report apparent abuses or violations of this Agreement, the Italian Government will investigate and report and promptly take such remedial action as is necessary to correct such abuses or violations as are found to exist.

Article VIII

Publicity Regarding United States Assistance

(*A*) The Italian Government will permit and arrange full and continuous publicity regarding the purpose, source, character, scope, amounts and progress of the United States relief program in Italy, including the utilization of funds accruing from the sales of United States relief supplies for the benefit of the people.

Marking, etc. of relief supplies.

(*B*) All United States relief supplies and any articles processed from such supplies, or containers of such supplies or articles, shall, to the extent practicable, be marked, stamped, branded, or labelled in a conspicuous place in such manner as to indicate to the ultimate consumer that such supplies or articles have been furnished by the United States for relief assistance; or if such supplies, articles or containers are incapable of being so marked, stamped, branded, or labelled, all practicable steps will be taken by the Italian Government to inform the ultimate consumer thereof that such supplies or articles have been furnished by the United States for relief assistance.

Art. VI

Libertà per i rappresentanti della stampa e della radio degli Stati Uniti di osservare e riferire

Il Governo italiano concorda nel permettere ai rappresentanti della stampa e della radio degli Stati Uniti di osservare liberamente e riferire integralmente e senza censura sulla distribuzione e utilizzazione dei rifornimenti assistenziali e sull'uso delle somme derivanti dalle vendite dei rifornimenti assistenziali degli Stati Uniti.

Art. VII

Relazioni statistiche e dati informativi

A) Il Governo italiano curerà la redazione di adeguate statistiche e di altri dati relativi all'assistenza e si consulterà con i rappresentanti degli Stati Uniti, su loro richiesta, relativamente alla tenuta dei relativi registri.

(*B*) Il Governo italiano fornirà tempestivamente, su richiesta dei rappresentanti degli Stati Uniti, notizie concernenti la produzione, l'uso, la distribuzione, l'importazione e l'esportazione di qualsiasi merce che influisca sulla necessità di assistenza della popolazione.

(*C*) Nel caso che i rappresentanti degli Stati Uniti facciano presenti presunti abusi o violazioni di questo Accordo, il Governo italiano, indagherà, riferirà e prenderà subito quei provvedimenti necessari per eliminare quegli abusi o violazioni che risultassero confermati.

Art. VIII

Pubblicità relativa all'assistenza degli Stati Uniti

A) Il Governo italiano consentirà e organizzerà la pubblicità piena e continuata sui fini, provenienza, carattere, portata, ammontare e sviluppo del programma di assistenza degli Stati Uniti all'Italia, nonchè sulla utilizzazione a beneficio della popolazione delle somme derivanti dalla vendita dei rifornimenti assistenziali degli Stati Uniti.

(*B*) Tutti i rifornimenti assistenziali degli Stati Uniti e qualsiasi prodotto ottenuto dalla trasformazione di tali rifornimenti o gli involucri in cui tali rifornimenti o articoli sono contenuti, dovranno, nei limiti del possibile, essere marcati, stampigliati, segnati a fuoco od etichettati, in maniera visibile in modo da indicare al consumatore diretto che tali rifornimenti od articoli sono stati forniti dagli Stati Uniti per assistenza oppure se tali rifornimenti, articoli o involucri non possano essere così marcati, stampigliati, segnati a fuoco od etichettati, debbono essere presi dal Governo italiano tutti i possibili accorgimenti per informare il consumatore diretto che tali rifornimenti od articoli sono stati forniti dagli Stati Uniti per scopi assistenziali.

Article IX

Termination of Relief Assistance

The United States Government will terminate any or all of its relief assistance at any time whenever it determines (1) by reason of changed conditions, the provision of relief assistance of the character authorized by the Public Law 84, Eightieth Congress, May 31, 1947, is no longer necessary (2) any provisions of this Agreement are not being carried out (3) an excessive amount of United States relief supplies, or of similar supplies produced locally or imported from outside sources, is being used to assist in the maintenance of armed forces in Italy, or (4) United States relief supplies or similar supplies produced locally or imported from outside sources are being exported or removed from Italy. The United States Government may stop or alter its program of assistance whenever in its determination other circumstances warrant such action.

61 Stat., Pt. 1, p. 125.

Article X

Date of Agreement

Effective date; duration.

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two governments.

DONE in duplicate in the English and Italian languages at Rome, this Fourth day of July, 1947.

For the Government of the United States of America

James Clement Dunn [1]

For the Italian Government

[2]

[3]

[1] [James Clement Dunn.]
[2] [De Gasperi.]
[3] [Sforza.]

Art. IX

Cessazione dell'assistenza

Il Governo degli Stati Uniti porrà termine a tutta o parte della sua attività di assistenza in qualsiasi momento venga accertato che (1) a causa delle mutate condizioni, la fornitura di assistenza del tipo autorizzata dalla Legge Pubblica 84 ottantesimo Congresso del 31 maggio 1947 non sia più necessaria (2) che una qualunque delle disposizioni di questo Accordo non è stata eseguita (3) che un eccessivo quantitativo di rifornimenti assistenziali degli Stati Uniti, o di merci analoghe prodotte localmente, od importate dall'estero, è usata per mantenere forze armate in Italia oppure (4) rifornimenti assistenziali degli Stati Uniti o merci analoghe prodotte localmente o importate dall'estero vengono esportate o trasferite dall'Italia. Il Governo degi Stati Uniti può cessare o modificare il suo programma di assistenza ogni qualvolta altre circostanze a suo giudizio lo richiedano.

Art. X

Data dell'Accordo

Questo Accordo entrerà in vigore in data odierna. Esso rimarrà in vigore fino ad una data da convenirsi tra i due Governi.

FATTO in duplice esemplare in inglese ed in italiano in Roma, li quattro Luglio 1947.

Per il Governo italiano

Per il Governo degli Stati Uniti di America

The American Ambassador to the Italian Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

F. O. 318 *Rome, July 4, 1947.*

EXCELLENCY,

I have the honor to refer to the Agreement signed today by our two Governments providing for the extension of relief to Italy under the United States Foreign Relief Program, and in that connection I take pleasure in advising Your Excellency of certain interpretations which my Government places upon those clauses of the Agreement which have given rise to oral queries on the part of the Italian Government. These are identified below by reference to the pertinent Articles and sub-Articles of the Agreement.

Ante, p. 3138.

Article I (D): In response to the suggestion advanced by the Italian Government, the text of the Agreement has been changed to provide that the Government need submit to the United States Government, in advance, its proposed programs for relief import requirements only in the case of United States relief supplies. It is understood however that the United States Government will expect to receive through its Embassy in Rome pertinent information concerning supplies from other sources.

Ante, p. 3138.

Article I (E): Although my Government recognizes the delicate problems that may arise from the second sentence of Article I (E), we are specifically instructed by the Act of Congress of May 31, 1947, as follows: "When it is deemed desirable by the Field Administrator (Note: Head of the Field Mission described in Article V of the Agreement) . . . . . such missions shall be empowered to retain possession of such supplies up to the city or local community where such supplies are actually made available to the ultimate consumers".

61 Stat., Pt. 1, p. 125.

Ante, p. 3142.

This provision of Article I (E) is therefore obligatory. It is recognized, however, that it would be invoked only under highly unusual circumstances and only if other normal distribution arrangements fail to assure proper implementation of the Agreement.

Ante, p. 3138.

Article II (A): This Article does not in any way require exclusive use of commercial channels for the distribution of United States relief supplies. So long as an equitable distribution to consumers is maintained, it is agreed that the channels now used by the Italian Government for similar imports may be used whenever suitable, subject to change in the light of unforeseen circumstances.

Ante, p. 3138.

Article II (B): The validity of the point raised by the Italian Government with respect to the imposition of customs duties and other charges has been recognized. It is not the intention of the Agreement to require a dual pricing system within Italy for commodities obtained from two or more sources. The procedure for assuring collections of these taxes and fiscal charges and for determining proper accruals to the special account described in Article III (B) can be worked out as part of the pricing procedures described in Article III (A) with the understanding, however, that those relief supplies which are given

Ante, p. 3140.

free to indigents, institutions and others will not be subject to any fiscal charges payable by the recipients.

Article IV (A): With respect to the word "collection" in the English text of the Agreement, it is the intent and explicit provision of the Act of Congress and of the Agreement that during the period of time relief is received under the Act the recipient Governments shall insofar as possible take the economic measures necessary to reduce their relief needs. This would involve, in the case of food items such as cereals and olive oil, maximum efforts by the Italian Government to bring into its amassing system whatever amounts can feasibly be collected.

Ante, p. 3142.

On the other hand, it is not the intention of the United States Government to require Italian Government-administered amassing of items that do not lend themselves to this technique or have not previously been so collected. The meaning of the English word "collection" in these instances will depend upon the particular commodity in question and the determination of the most appropriate and practical methods to promote flow of the locally produced supplies to consumers in such a manner as to assure that all classes of consumers, regardless of purchasing power, receive their fair share (although not necessarily an equal share) of the supplies, and that in no event shall there be discrimination as to race, creed or political belief.

This therefore becomes a matter to be worked out in Rome between the Italian Government and the United States Embassy, for each commodity included in the relief program.

Article IV (D): The Italian Government has pointed out its desire of reserving maximum autonomy and flexibility in facing its economic difficulties. The United States Government wishes to make clear that nothing in Article IV(D) is intended to derogate Italian independence or sovereignty in taking the economic measures demanded by situations that may arise, so long as the spirit of cooperation and goodwill are observed in the implementation of this Agreement. In earlier discussions held between representatives of the United States Government and the Italian Government regarding this Article IV (D), considerable attention was directed to the problem of exporting commodities such as olive oil, rice and seed wheat. These questions, although generally pertinent to Article IV (D), are particularly pertinent to Articles II (D), IV (B), and IX (4). My Government has authorized me to furnish you the following legal opinion. I believe that this interpretation adequately covers the points raised by the Italian Government in the general discussions on Article IV (D):

Ante, p. 3142.

Ante, pp. 3140, 3142, 3146.

"If a portion of such supplies or articles (i.e., articles produced locally or imported from outside sources that are of the same character or similar to the United States relief supplies), even though substitutable for United States relief supplies could be exported in exchange for corresponding or greater quantities of other items also substitutable for United States relief items, the relief needs of the country could be more adequately met . . . . . Thus, a locally produced quantity of rice might be exchangeable for a greater quantity

of wheat which could then form an important supplement to wheat furnished by the United States. Exports of this character should probably be permitted only when the relatively greater relief need for the imported items can be clearly established".

It should be understood, however, that any arrangements for exports of the above nature will be subject to prior agreement between the Italian Government and the United States Relief Representatives in Italy.

Accept, Excellency, the assurances of my most distinguished consideration.

JAMES CLEMENT DUNN

His Excellency
COUNT CARLO SFORZA
Minister of Foreign Affairs
Rome.

The Italian Minister of Foreign Affairs to the American Ambassador

MINISTERO DEGLI AFFARI ESTERI

SIGNOR AMBASCIATORE,

Ho l'onore di accusare ricevuta della Sua Nota in data odierna n. 318, del tenore seguente:

"I have the honor to refer to the Agreement signed today by Your Excellency and myself providing for the extension of relief to Italy under the United States Foreign Relief Program, and in that connection I take pleasure in advising Your Excellency of certain interpretations which my Governement places upon those clauses of the Agreement which have given rise to oral queries on the part of the Italian Government. These are identified below by reference to the pertinent Articles and sub-Articles of the Agreement.

Article I (D): In response to the suggestion advanced by the Italian Government, the text of the Agreement has been changed to provide that the Government need submit to the United States Government, in advance, its proposed programs for relief import requirements only in the case of United States relief supplies. It is understood however that the United States Government will expect to receive through its Embassy in Rome pertinent information concerning supplies from other sources.

Article I (E): Although my Government recognizes the delicate problems that may arise from the second sentence of Article I (E), we are specifically instructed by the Act of Congress of May 31, 1947, as follows:

"When it is deemed desiderable by the Field Administrator (Note: Head of the Field Mission described in Article V of the Agreement) . . . . . such missions shall be empowered to retain possession of such supplies up to the city or local community where such supplies are actually made available to the ultimate consumers".

This provision of Article I (E) is therefore obligatory. It is recognized, however, that it would be invoked only under highly unusual circumstances and only if other normal distribution arrangements fail to assure proper implementation of the Agreement.

Article II (A): This Article does not in any way require exclusive use of commercial channels for the distribution of United States relief supplies. So long as an equitable distribution to consumers is maintained, it is agreed that the channels now used by the Italian Government for similar imports may be used whenever suitable, subject to change in the light of unforeseen circumstances.

Article II (B): The validity of the point raised by the Italian Government with respect to the imposition of customs duties and other charges has been recognized. It is not the intention of the Agreement to require a dual pricing system within Italy for commodities obtained from two or more sources. The procedure for assuring collections of these taxes and fiscal charges and for determining proper accruals to the special account described in Article III (B) can be worked out as part of the pricing procedures described in Article III (A) with the understanding, however, that those relief supplies which are given free to indigents, institutions and others will not be subject to any fiscal charges payable by the recipients.

Article IV (A): With respect to the word "collection" in the English text of the Agreement, it is the intent and explicit provision of the Act of Congress and of the Agreement that during the period of time relief is received under the Act the recipient Government shall insofar as possible take the economic measures necessary to reduce their relief needs. This would involve, in the case of food items such as cereals and olive oil, maximum efforts by the Italian Government to bring into its amassing sistem whatever amounts can feasibly be collected.

On the other hand, it is not the intention of the United States Government to require Italian Government-administered amassing of items that do not lend themselves to this technique or have not previously been so collected. The meaning of the English word "collection" in these instances will depend upon the particular commodity in question and the determination of the most appropriate and practical methods to promote flow of the locally produced supplies to consumers, in such a manner as to assure that all classes of consumers, regardless of purchasing power, receive their fair share (although not necessarily en equal share) of the supplies, and that in no event shall there be discrimination as to race, creed or political belief.

This therefore becomes a matter to be worked out in Rome between the Italian Government and the United States Embassy, for each commodity included in the relief program.

Article IV (D): The Italian Government has pointed out its desire of reserving maximum autonomy and flexibility in facing its economic difficulties. The United States Government wishes to make clear

that nothing in Article IV (D) is intended to derogate Italian independence or sovereignty in taking the economic measures demanded by situations that may arise, so long as the spirit of cooperation and goodwill are observed in the implementation of this Agreement. In earlier discussions held between representatives of the United States Government and the Italian Government regarding this Article IV (D), considerable attention was directed to the problem of exporting commodities such as olive oil, rice and seed wheat. These questions, although generally pertinent to Article IV (D), are particularly pertinent to Articles II (D), IV (B), and IX (4). My Government has authorized me to furnish you the following legal opinion. I believe that this interpretation adequately covers the points raised by the Italian Government in the general discussions on Article IV (D):

"If a portion of such supplies or articles (i.e., articles produced locally or imported from outside sources that are of the same character or similar to the United States relief supplies), even though substitutable for United States relief supplies could be exported in exchange for corresponding or greater quantities of other items also substitutable for United States relief items, the relief needs of the country could be more adequately met . . . . . Thus, a locally produced quantity of rice might be exchangeable for a greater quantity of wheat which could then form an important supplement to wheat furnished by the United States. Exports of this character should probably be permitted only when the relatively greater relief need for the imported items can be clearly established".

It should be understood, however, that any arrangements for exports of the above nature will be subject to prior agreement between the Italian Government and the United States Relief Representatives in Italy".

Ho l'onore di informarLa che il Governo Italiano ha preso buona nota di tale comunicazione.

Mi torna gradita l'occasione per rinnovarLe, Signor Ambasciatore, l'assicurazione della mia più alta considerazione.

SFORZA

ROMA, *4 Luglio 1947.*

S. E. JAMES CLEMENT DUNN
Ambasciatore degli S.U.A.
Roma

Translation

MINISTRY OF FOREIGN AFFAIRS

MR. AMBASSADOR:

I have the honor to acknowledge receipt of your note No. 318, dated today, of which the contents are as follows:

[For English text of note no. 318, see pp. 3148–3150.]

I have the honor to inform you that the Italian Government has taken careful note of this communication.

I avail myself of the occasion to renew to you, Mr. Ambassador, the assurances of my highest consideration.

SFORZA

ROME, *July 4, 1947.*

His Excellency
JAMES CLEMENT DUNN
Ambassador of the United States of America
Rome

September 5, 1947
[T. I. A. S. 1654]

Agreement between the United States of America and Siam respecting the exchange of official publications. Effected by exchange of notes signed at Bangkok September 5, 1947; entered into force September 5, 1947.

The American Ambassador to the Siamese Minister of Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY,
BANGKOK, SIAM.
September 5, 1947.

No. 352

EXCELLENCY:

I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of Siam in regard to the exchange of official publications, and to inform Your Excellency that the Government of the United States of America agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of its official publications which is indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.
2. The official exchange office for the transmission of publications of the Government of the United States of America shall be the Smithsonian Institution. The official exchange office for the transmission of publications of the Government of Siam shall be the National Library.
3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the Kingdom of Siam by the National Library.
4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.
5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country

of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Siam, the Government of the United States of America will consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

EDWIN F. STANTON

His Excellency,
LUANG ARTTHAKITTI BANOMYONG,
Minister of Foreign Affairs,
Bangkok.

The Siamese Minister of Foreign Affairs to the American Ambassador

MINISTRY OF FOREIGN AFFAIRS,
SARANROM PALACE.
5th September, 1947.

No. 9800/2490

MONSIEUR L'AMBASSADEUR,

With reference to Your Excellency's Note of today's date, and to the conversations between representatives of the Government of Siam and representatives of the Government of the United States of America in regard to the exchange of official publications, I have the honour to inform Your Excellency that the Government of Siam agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of its official publications which is indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.

2. The official exchange office for the transmission of publications of the Government of the United States of America shall be the Smithsonian Institution. The official exchange office for the trans-

mission of publications of the Government of Siam shall be the National Library.

3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the Kingdom of Siam by the National Library.

4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.

5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

The Government of Siam considers that your note and this reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of this note.

I avail myself of this opportunity, Monsieur l'Ambassadeur, to renew to Your Excellency the assurance of my highest consideration.

A. BANOMYONG
Minister of Foreign Affairs.

His Excellency
Monsieur EDWIN F. STANTON,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Bangkok.

Agreement between the United States of America and other governments respecting the distribution of German reparation, the establishment of an inter-allied reparation agency, and the restitution of monetary gold. Opened for signature at Paris January 14, 1946; signed for the United States of America January 14, 1946; entered into force January 24, 1946.

January 14, 1946
[T. I. A. S. 1655]

ACCORD CONCERNANT LES RÉPARATIONS À RECEVOIR DE L'ALLEMAGNE,

L'INSTITUTION D'UNE AGENCE INTER-ALLIÉE DES RÉPARATIONS ET LA RESTITUTION DE L'OR MONÉTAIRE.

LES GOUVERNEMENTS DE L'ALBANIE, DES ÉTATS-UNIS D'AMÉRIQUE, DE L'AUSTRALIE, DE LA BELGIQUE, DU CANADA, DU DANEMARK, DE L'ÉGYPTE, DE LA FRANCE, DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD, DE LA GRÈCE, DE L'INDE, DU LUXEMBOURG, DE LA NORVÈGE, DE LA NOUVELLE-ZÉLANDE, DES PAYS-BAS, DE LA TCHÉCOSLOVAQUIE, DE L'UNION DE L'AFRIQUE DU SUD ET DE LA YOUGOSLAVIE, en vue de répartir équitablement entre eux le total des biens qui, conformément aux dispositions du présent Accord et aux dispositions convenues à Potsdam, le 1er août 1945, entre les Gouvernements des États-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et de l'Union des Républiques So-

AGREEMENT ON REPARATION FROM GERMANY,

ON THE ESTABLISHMENT OF AN INTER-ALLIED REPARATION AGENCY AND ON THE RESTITUTION OF MONETARY GOLD.

THE GOVERNMENTS OF ALBANIA, THE UNITED STATES OF AMERICA, AUSTRALIA, BELGIUM, CANADA, DENMARK, EGYPT, FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, GREECE, INDIA, LUXEMBOURG, NORWAY, NEW-ZEALAND, THE NETHERLANDS, CZECHOSLOVAKIA, THE UNION OF SOUTH AFRICA AND YUGOSLAVIA, in order to obtain an equitable distribution among themselves of the total assets which, in accordance with the provisions of this Agreement and the provisions agreed upon at Potsdam on 1. August 1945 between the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, are or may be declared to be

cialistes Soviétiques, sont ou seront déclarés disponibles au titre des réparations à recevoir de l'Allemagne (ci-après dénommées "réparations allemandes"), en vue de créer une Agence Interalliée des Réparations et en vue d'établir une procédure équitable pour la restitution de l'or monétaire,

available as reparation from Germany (hereinafter referred to as German reparation), in order to establish an Inter-Allied Reparation Agency, and to settle an equitable procedure for the restitution of monetary gold,

SONT convenus de ce qui suit:

HAVE AGREED as follows:

PARTIE I.

Réparations allemandes.

ARTICLE PREMIER.

Quotes-parts de réparations.

A. Les réparations allemandes (à l'exception des fonds qui doivent être alloués aux termes de l'article 8 de la Partie I du présent Accord) sont divisées en catégories de la façon suivante:

Post, p. 3171.

Catégorie A, comprenant toutes les formes de réparations allemandes à l'exception de celles comprises dans la catégorie *B;*

Catégorie B, comprenant tout l'outillage industriel et autres biens d'équipement en capital enlevés d'Allemagne, ainsi que les navires marchands et les bateaux de navigation intérieure.

B. Chaque Gouvernement signataire a droit, sur la valeur totale des biens de la catégorie A, ainsi que sur la valeur totale des biens de la catégorie B, aux pourcentages indiqués pour chacune de ces catégories dans les colonnes correspondantes du tableau ci-après:

PART I.

German reparation.

ARTICLE 1.

Shares in Reparation.

A. German reparation (exclusive of the funds to be allocated under Article 8 of Part I of this Agreement), shall be divided into the following categories:

Category A, which shall include all forms of German reparation except those included in Category *B;*

Category B, which shall include industrial and other capital equipment removed from Germany, and merchant ships and inland water transport.

B. Each Signatory Government shall be entitled to the percentage share of the total value of Category A and the percentage share of the total value of Category B set out for that Government in the Table of Shares set forth below:

TABLEAU DES PARTS.

Pays.	Catégorie A.	Catégorie B.
Albanie	0,05	0,35
États-Unis d'Amérique	28,00	11,80
Australie	0,70	0,95
Belgique	2,70	4,50
Canada	3,50	1,50
Danemark	0,25	0,35
Égypte	0,05	0,20
France	16,00	22,80
Royaume-Uni	28,00	27,80
Grèce	2,70	4,35
Inde	2,00	2,90
Luxembourg	0,15	0,40
Norvège	1,30	1,90
Nouvelle-Zélande	0,40	0,60
Pays-Bas	3,90	5,60
Tchécoslovaquie	3,00	4,30
Union de l'Afrique du Sud (1)	0,70	0,10
Yougoslavie	6,60	9,60
Total	100,00	100,00

(1) Le Gouvernement de l'Afrique du Sud s'est engagé à renoncer à ses droits dans la mesure qui sera nécessaire pour ramener sa quote-part dans la catégorie B à o, 1 p. 100, mais ce Gouvernement aura le droit, lorsqu'il disposera des avoirs allemands de caractère ennemi se trouvant dans les territoires soumis à sa juridiction, d'imputer le montant de la valeur nette de ces avoirs sur sa quote-part dans la catégorie A et sur une quote-part de 1 p. 100 dans la catégorie B.

TABLE OF SHARES.

Country.	Category A.	Category B.
Albania	.05	.35
United States of America	28.00	11.80
Australia	.70	.95
Belgium	2.70	4.50
Canada	3.50	1.50
Denmark	.25	.35
Egypte	.05	.20
France	16.00	22.80
United Kingdom	28.00	27.80
Greece	2.70	4.35
India	2.00	2.90
Luxembourg	.15	.40
Norway	1.30	1.90
New Zeeland	.40	.60
Netherlands	3.90	5.60
Czechoslovakia	3.00	4.30
Union of South Africa (1)	.70	.10
Yugoslavia	6.60	9.60
Total	100.00	100.00

(1) The Government of the Union of South Africa has undertaken to waive its claims extent necessary to reduce its percentage share of category B to the figure of o, 1 per cent but is entitled, in disposing of German enemy assets within its juridiction, to charge the net value of such assets against its percentage share of category A and a percentage share under category B of 1,0 per cent.

C. Sous réserve des dispositions du paragraphe D ci-dessous, chaque Gouvernement signataire a le droit de recevoir, sur l'ensemble des navires marchands, une part déterminée conformément aux dispositions de l'article 5 de la Partie I du présent Accord, à condition que la valeur des navires marchands qui lui sont attribués n'excède pas la valeur de la quote-part à laquelle il a droit dans l'ensemble des biens de la catégorie B.

Sous réserve des dispositions du paragraphe D ci-dessous, chaque Gouvernement signataire a également le droit de recevoir une part, correspondant à ses droits dans l'ensemble des biens de la catégorie A, des avoirs allemands situés dans les pays qui sont demeurés neutres dans la guerre contre l'Allemagne.

C. Subject to the provisions of paragraph D below, each Signatory Government shall be entitled to receive its share of merchant ships determined in accordance with Article 5 of Part I of this Agreement, provided that its receipts of merchant ships do not exceed in value its share in Category B as a whole.

Merchant ships.

Post, p. 3167.

Subject to the provisions of paragraph D below, each Signatory Government shall also be entitled to its Category A percentage share in German assets in countries which remained neutral in the war against Germany.

La répartition entre les Gouvernements signataires des biens disponibles au titre des réparations allemandes, autres que les navires marchands, les bateaux de navigation intérieure et les avoirs allemands situés dans les pays qui sont demeurés neutres dans la guerre contre l'Allemagne, sera conforme aux principes énoncés à l'Article 4 de la Partie I du présent Accord.

Post, p. 3165.

D. Si un Gouvernement signataire reçoit une part supérieure à son pourcentage de certains types de biens ressortissant soit à la catégorie A, soit à la catégorie B, ses droits sur d'autres types de biens de la même catégorie seront réduits de telle sorte que ce Gouvernement ne reçoive pas au total une part supérieure à ses droits dans l'ensemble des biens de cette catégorie.

E. Aucun Gouvernement signataire ne peut recevoir une part supérieure à ses droits, soit dans l'ensemble des biens de la catégorie A, soit dans l'ensemble des biens de la catégorie B, en renonçant à une fraction quelconque de sa quote-part dans l'ensemble des biens de l'autre catégorie; toutefois, en ce qui concerne les avoirs allemands de caractère ennemi soumis à la juridiction d'un Gouvernement signataire, ce Gouvernement a le droit d'imputer, soit sur les biens à recevoir de la catégorie A, soit sur les biens à recevoir de la catégorie B, soit pour partie sur les biens de l'une et l'autre catégories, l'excès de tels avoirs sur sa quote-part de l'ensemble des avoirs allemands de caractère ennemi soumis à la juridiction des Gouvernements signataires, telle qu'elle est fixée

The distribution among the Signatory Governments of forms of German reparation other than merchant ships, inland water transport and German assets in countries which remained neutral in the war against Germany shall be guided by the principles set forth in Article 4 of Part I of this Agreement.

D. If a Signatory Government receives more than its percentage share of certain types of assets in either Category A or Category B, its receipts of other types of assets in that Category shall be reduced so as to ensure that it shall not receive more than its share in that Category as a whole.

E. No Signatory Government shall receive more than its percentage share of either Category A or Category B as a whole by surrendering any part of its percentage share of the other Category, except that with respect to German enemy assets within its own jurisdiction, any Signatory Government shall be permitted to charge any excess of such assets over its Category A percentage share of total German enemy assets within the jurisdiction of the Signatory Governments either to its receipts in Category A or to its receipts in Category B or in part to each Category.

pour l'ensemble des biens de la catégorie A.

F. L'Agence Interalliée des Réparations, qui doit être instituée conformément à la Partie II du présent Accord, débitera le compte réparations de chacun des Gouvernements signataires des avoirs allemands soumis à sa juridiction, en répartissant les débits sur une période de cinq ans. Les débits portés en compte à la date de l'entrée en vigueur du présent Accord ne doivent pas être inférieurs à 20 p. 100 de la valeur nette de ces avoirs (définie à l'artice 6 de la Partie I du présent Accord), selon l'estimation qui en sera faite à cette date; au début de la deuxième année, ils ne devront pas être inférieurs à 33⅓ p. 100 du solde, selon l'estimation qui en sera faite à cette date; au début de la quatrième année, ils ne devront pas être inférieurs à 50 p. 100 du solde, selon l'estimation qui en sera faite à cette date; au début de la cinquième année, ils ne devront pas être inférieurs à 90 p. 100 du solde, selon l'estimation qui en sera faite à cette date et, à la fin de la cinquième année, ils seront égaux au solde du montant total effectivement réalisé.

G. Les dérogations suivantes aux dispositions des paragraphes D et E ci-dessus sont applicables au cas d'un Gouvernement signataire, dont les droits dans l'ensemble des biens de la catégorie B sont inférieurs aux droits dans l'ensemble des biens de la catégorie A:

(i) L'attribution de navires marchands à un Gouvernement se trouvant dans cette situation ne

F. The Inter-Allied Reparation Agency, to be established in accordance with Part II of this Agreement, shall charge the reparation account of each Signatory Government for the German assets within that Government's jurisdiction over a period of five years. The charges at the date of the entry into force of this Agreement shall be not less than 20 per cent of the net value of such assets (as defined in Article 6 of Part I of this Agreement) as then estimated, at the beginning of the second year thereafter not less than 25 per cent of the balance as then estimated, at the beginning of the third year not less than 33, ⅓ per cent of the balance as then estimated, at the beginning of the fourth year not less than 50 per cent of the balance as then estimated, at the beginning of the fifth year not less than 90 per cent of the balance as then estimated, and at the end of the fifth year the entire remainder of the total amount actually realized.

Charges.

Post, p. 3174

Post, p. 3168.

G. The following exceptions to paragraphs D and E above shall apply in the case of a Signatory Government whose share in Category B is less than its share in Category A:

(i) Receipts of merchant ships by any such Government shall not reduce its percentage share in

doit pas réduire ses droits sur d'autres types de biens de la catégorie B, sauf dans la mesure où de telles attributions dépassent en valeur le chiffre obtenu en appliquant à la valeur totale des navires marchands le pourcentage auquel a droit ce Gouvernement dans l'ensemble des biens de la catégorie A.

(ii) Si la valeur des avoirs allemands soumis à la juridiction d'un Gouvernement se trouvant dans la même situation excède sa quote-part dans l'ensemble des avoirs allemands soumis à la juridiction des Gouvernements signataires, telle qu'elle résulte du pourcentage qui lui est attribué dans l'ensemble des biens de la catégorie A, la différence sera imputée en premier lieu sur la fraction additionnelle du pourcentage auquel ce Gouvernement aurait droit dans l'ensemble des biens de la catégorie B, si l'on appliquait le pourcentage auquel il a droit dans l'ensemble des biens de la catégorie A aux formes de réparations prévues dans la catégorie B.

Distribution of renounced shares, etc.

H. Si un Gouvernement signataire renonce à la totalité ou à une fraction de ses droits dans l'ensemble des réparations allemandes, tels qu'ils sont indiqués au Tableau des parts ci-dessus, ou si ledit Gouvernement se retire de l'Agence Interalliée des Réparations à une époque où tout ou partie de ses droits dans les réparations allemandes n'ont pas été couverts, la part ou fraction de part à laquelle il renonce, ou qui lui reste due au moment de son retrait, sera répartie entre les autres Gouvernements signataires au prorata de leurs propres pourcentages.

Ante, p. 3159.

other types of assets in Category B, except to the extent that such receipts exceed the value obtained when that Government's Category A percentage is applied to the total value of merchant ships.

(ii) Any excess of German assets within the jurisdiction of such Government over its Category A percentage share of the total of German assets within the jurisdiction of Signatory Government as a whole shall be charged first to the additional share in Category B to which that Government would be entitled if its share in Category B were determined by applying its Category A percentage to the forms of German reparation in Category B.

H. If any Signatory Government renounces its shares or part of its shares in German reparation as set out in the above Table of Shares, or if it withdraws from the Inter-Allied Reparation Agency at a time when all or part of its shares in German reparation remain unsatisfied, the shares or part thereof thus renounced or remaining shall be distributed rateably among the other Signatory Governments.

ARTICLE 2.

Règlement des créances sur l'Allemagne.

A. Les Gouvernements signataires conviennent entre eux que leurs quotes-parts respectives de réparations, telles qu'elles sont fixées par le présent Accord, doivent être considérées par chacun d'eux comme couvrant toutes ses créances et celles de ses ressortissants sur l'ancien Gouvernement allemand et les Agences gouvernementales allemandes, créances qui ne font pas expressément l'objet d'autres dispositions, créances de caractère public ou privé, issues de la guerre, y compris le coût de l'occupation allemande, les avoirs en compte de clearing acquis pendant l'occupation et les créances sur les Reichskreditkassen.

B. Les dispositions du paragraphe A ci-dessus ne préjugent pas:

(i) La détermination, en temps utile, des formes, de la durée ou du montant total des réparations à effectuer par l'Allemagne;

(ii) Le droit que chacun des Gouvernements signataires peut avoir en ce qui concerne le règlement définitif des réparations allemandes;

(iii) Toutes revendications d'ordre politique, territorial ou autre, qu'un Gouvernement signataire pourra présenter à propos du règlement de la Paix avec l'Allemagne.

C. Nonobstant les dispositions du paragraphe A ci-dessus, le présent Accord doit être considéré comme n'affectant pas:

(i) L'obligation qui incombe aux Autorités allemandes compétentes d'assurer ultérieurement le payement des dettes de l'Allemagne et de ses ressortissants, résultant de

ARTICLE 2.

Settlement of Claims against Germany.

A. The Signatory Governments agree among themselves that their respective shares of reparation, as determined by the present Agreement, shall be regarded by each of them as covering all its claims and those of its nationals against the former German Government and its Agencies, of a governmental or private nature, arising out of the war (which are not otherwise provided for), including costs of German occupation, credits acquired during occupation on clearing accounts and claims against the Reichskreditkassen.

B. The provisions of paragraph A above are without prejudice to:

(i) the determination at the proper time of the forms, duration or total amount of reparation to be made by Germany;

(ii) the right which each Signatory Government may have with respect to the final settlement of German reparation; and

(iii) any political, territorial or other demands which any Signatory Government may put forward with respect to the peace settlement with Germany.

Claims, etc., not affected.

C. Notwithstanding anything in the provisions of paragraph A above, the present Agreement shall no be considered as affecting:

(i) the obligation of the appropriate authorities in Germany to secure at a future date the discharge of claims against Germany and German nationals arising out

contrats et autres obligations qui étaient en vigueur, ainsi que de droits qui étaient acquis, avant que l'état de guerre existât entre l'Allemagne et le Gouvernement signataire intéressé ou avant l'occupation par l'Allemagne du pays intéressé, selon que l'un ou l'autre événement est survenu le plus tôt;

(ii) Les créances d'institutions d'Assurances sociales des Gouvernements signataires ou de leurs ressortissants sur les institutions d'assurances sociales de l'ancien Gouvernement allemand;

(iii) Les billets de banque de la Reichsbank et de la Rentenbank, étant entendu que leur réalisation ne peut avoir pour conséquence de diminuer indûment la masse des réparations et ne pourra s'effectuer qu'avec l'accord du Conseil de Contrôle en Allemagne.

Right of Czechoslovak Government to draw upon Giro account.

D. Nonobstant les dispositions du paragraphe A du présent article, les Gouvernements signataires conviennent, pour autant que la question les concerne, que le Gouvernement tchécoslovaque sera habilité à tirer sur le compte Giro de la Banque nationale de Tchécoslovaquie à la Reichsbank, dans le cas où telle mesure serait décidée par le Gouvernement tchécoslovaque et approuvée par le Conseil de Contrôle en Allemagne, en rapport avec le mouvement de Tchécoslovaquie vers l'Allemagne d'anciens ressortissants tchécoslovaques.

ARTICLE 3.

Renonciation aux créances sur les biens attribués au titre des réparations.

Chacun des Gouvernements signataires s'engage à ne pas faire valoir, ni porter devant des tribunaux internationaux, ni soutenir

of contracts and other obligations entered into, and rights acquired, before the existence of a state of war between Germany and the Signatory Government concerned or before the occupation of its territory by Germany, whichever was earlier;

(ii) the claims of Social Insurance Agencies of the Signatory Governments or the claims of their nationals against the Social Insurance Agencies of the former German Government; and

(iii) banknotes of the Reichsbank and the Rentenbank, it being understood that their realization shall not have the result of reducing improperly the amount of reparation and shall not be effected without the approval of the Control Council for Germany.

D. Notwithstanding the provisions of Paragraph A of this Article, the Signatory Governments agree that, so far as they are concerned, the Czechoslovak Government will be entitled to draw upon the Giro account of the National Bank of Czechoslovakia at the Reichsbank, should such action be decided upon by the Czechoslovak Government and approved by the Control Council for Germany, in connection with the movement from Czechoslovakia to Germany of former Czechoslovak nationals.

ARTICLE 3.

Waiver of Claims Regarding Property Allocated as Reparation.

Each of the Signatory Governments agrees that it will not assert, initiate actions in international tribunals in respect of, or give

par une action diplomatique des réclamations présentées en son nom ou au nom de personnes ayant droit à sa protection, contre tout autre Gouvernement signataire ou ses ressortissants, relatives à des biens reçus par ce Gouvernement au titre des réparations avec l'approbation du Conseil de Contrôle en Allemagne.

diplomatic support to claims on behalf of itself or those persons entitled to its protection against any other Signatory Government or its nationals in respect of property received by that Government as reparation with the approval of the Control Council for Germany.

ARTICLE 4.

Principes généraux pour la répartition de l'outillage industriel ou d'autres biens d'équipement en capital.

A. Aucun Gouvernement signataire ne devra demander l'attribution, dans sa part de réparations, d'outillage industriel ou d'autres biens d'équipement en capital enlevés d'Allemagne si ce n'est aux fins d'utilisation sur son propre territoire, ou, en dehors de son territoire, par ses propres nationaux.

B. En soumettant leurs demandes à l'Agence Interalliée des Réparations, les Gouvernements signataires s'efforceront de présenter des programmes d'ensemble comprenant des groupes de biens connexes plutôt que des demandes visant des biens isolés ou de petits groupes de biens. Il est reconnu que l'activité du Secrétariat de l'Agence sera d'autant plus efficace que les programmes que lui présenteront les Gouvernements signataires auront davantage le caractère de programmes d'ensemble.

C. Pour l'attribution des biens déclarés disponibles pour les réparations, autres que les navires marchands, les bateaux de navigation intérieure et les avoirs allemands dans les pays qui sont demeurés neutres au cours de la

ARTICLE 4.

General Principles for the Allocation of Industrial and other Capital Equipment.

A. No Signatory Government shall request the allocation to it as reparation of any industrial or other capital equipment removed from Germany except for use in its own territory or for use by its own nationals outside its own territory.

Submission of comprehensive programs of requests.

B. In submitting requests to the Inter-Allied Reparation Agency, the Signatory Governments should endeavour to submit comprehensive programs of requests for related groups of items, rather than requests for isolated items or small groups of items. It is recognized that the work of the Secretariat of the Agency will be more effective, the more comprehensive the programs which Signatory Governments submit to it.

General principles.

C. In the allocation by the Inter-Allied Reparation Agency of items declared available for reparation (other than merchant ships, inland water transport and German assets in countries which remained neutral in the war

guerre contre l'Allemagne, l'Agence Interalliée des Réparations s'inspirera des principes généraux suivants:

(i) Tout bien ou groupe de biens connexes, dans lesquels un pays demandeur possède des intérêts financiers substantiels antérieurs à la guerre, doit être attribué à ce pays, s'il le désire. Dans le cas où deux ou plusieurs pays possèdent des intérêts substantiels de cette nature, dans un bien ou un groupe de biens définis, l'attribution doit se faire en tenant compte des critères énoncés ci-après:

(ii) Dans le cas de demandes concurrentes, si l'attribution n'est pas déterminée par les dispositions du paragraphe (i), il sera fait état, entre autres facteurs pertinents, des considérations suivantes :

a. Le degré d'urgence du besoin qu'a chaque pays demandeur de disposer du bien ou des biens disponibles pour remettre en état, reconstruire ou d'une manière générale restaurer son économie nationale dans sa pleine activité;

b. La mesure dans laquelle le bien, ou les biens remplaceraient des biens détruits, endommagés ou ayant fait l'objet de spoliations pendant la guerre, ou des biens qui doivent être remplacés à la suite d'usure anormale due à la production du temps de guerre, et qui sont susceptibles de jouer un rôle important dans l'économie du pays demandeur;

c. Le rôle du bien ou des biens dont il s'agit dans le cadre général de l'économie d'avant-guerre du pays demandeur et dans les programmes établis en vue de l'ajustement et du développement de son économie d'après-guerre;

d. Les demandes des pays dont

against Germany), the following general principles shall serve as guides:

(i) Any item or related group of items in which a claimant country has a substantial prewar financial interest shall be allocated to that country if it so desires. Where two or more claimants have such substantial interests in a particular item or group of items, the criteria stated below shall guide the allocation:

(ii) If the allocation between competing claimants is not determined by paragraph (i), attention shall be given, among other relevant factors, to the following considerations:

a. The urgency of each claimant country's needs for the items or item to rehabilitate, reconstruct or restore to full activity the claimant country's economy;

b. The extent to which the item or items would replace property which was destroyed, damaged or looted in the war, or requires replacement because of excessive wear in war production, and which is important to the claimant country's economy;

c. The relation of the item or items to the general pattern of the claimant country's prewar economic life and to programs for its postwar economic adjustment or development;

d. The requirements of coun-

les quotes-parts de réparations sont faibles, mais qui ont besoin de certains biens ou catégories de biens nettement déterminés;

(iii) Les programmes d'attribution devront conserver un équilibre raisonnable entre les différents ayants droit en ce qui concerne la fraction déjà satisfaite de leurs quotes-parts respectives, sous réserve des exceptions temporaires qui peuvent se justifier par les considérations du paragraphe (ii) (*a*) ci-dessus.

ARTICLE 5.

Principes généraux pour la répartition des navires marchands et des bateaux de navigation intérieure.

A. (i) Les navires de commerce allemands disponibles pour répartition au titre des réparations entre les Gouvernements signataires seront répartis entre ceux-ci au prorata des pertes globales respectives de navires marchands, calculées en prenant comme base le tonnage brut, que les Gouvernements signataires et leurs ressortissants ont subies par suite de faits de guerre. Il est reconnu que la cession de navires de commerce par les Gouvernements des États-Unis d'Amérique et du Royaume-Uni à d'autres Gouvernements est effective sous réserve de telle approbation définitive par les organes législatifs de ces deux pays qui pourrait être nécessaire.

(ii) Un Comité spécial, composé de représentants des Gouvernements signataires, sera constitué par l'Assemblée de l'Agence Interalliée des Réparations pour présenter des recommandations au sujet de la détermination de ces pertes et de l'attribution des navires de commerce allemands disponibles pour répartition.

tries whose reparation shares are small but which are in need of certain specific items or categories of items.

(iii) In making allocations a reasonable balance shall be maintained among the rates at which the reparation shares of the several claimant Governments are satisfied, subject to such temporary exceptions as are justified by the considerations under paragraph (ii) (*a*) above.

ARTICLE 5.

General Principles for the Allocation of Merchant Ships and Inland Water Transport.

A. (i) German merchant ships available for distribution as reparation among the Signatory Governments shall be distributed among them in proportion to the respective over-all losses of merchant shipping, on a gross tonnage basis, of the Signatory Governments and their nationals through acts of war. It is recognized that transfers of merchant ships by the United Kingdom and United States Governments to other Governments are subject to such final approvals by the legislatures of the United Kingdom and United States of America as may be required.

(ii) A special committee, composed of representatives of the Signatory Governments, shall be appointed by the assembly of the Inter-Allied Reparation Agency to make recommendations concerning the determination of such losses and the allocation of German merchant ships available for distribution.

(iii) La valeur des navires de commerce allemands portée dans les comptes de réparations sera la valeur fixée par la Commission tripartite de la Marine marchande sur la base des prix de 1938 en Allemagne, majorée de 15 p. 100 et avec application d'un coefficient de dépréciation.

B. En raison du fait reconnu que certains pays ont particulièrement besoin de bateaux de navigation intérieure, la répartition de ces bateaux sera confiée à un Comité spécial constitué par l'Assemblée de l'Agence Interalliée des Réparations dans les cas où des bateaux de navigation intérieure deviendraient disponibles ultérieurement au titre des réparations pour les Gouvernements signataires. L'évaluation des bateaux de navigation intérieure sera faite sur la base adoptée pour la marine marchande ou sur une base équitable en rapport avec elle.

(iii) The value of German merchant ships for reparation accounting purposes shall be the value determined by the Tri-partite Merchant Marine Commission in terms of 1938 prices in Germany plus 15 per cent, with an allowance for depreciation.

B. Recognizing that some countries have special need for inland water transport, the distribution of inland water transport shall be dealt with by a special committee appointed by the Assembly of the Inter-Allied Reparation Agency in the event that inland water transport becomes available at a future time as reparation for the Signatory Governments.

The valuation of inland water transport will be made on the basis adopted for the valuation of merchant ships or on an equitable basis in relation to that adopted for merchant ships.

ARTICLE 6.

Avoirs allemands à l'étranger.

A. Chacun des Gouvernements signataires, par les méthodes de son choix, retiendra les avoirs allemands ennemis se trouvant dans les territoires soumis à sa juridiction, ou en disposera, de telle manière qu'ils ne puissent redevenir propriété allemande ou retomber sous contrôle allemand, et imputera sur sa quote-part de réparations les avoirs dont il s'agit (nets d'impôts arriérés, privilèges et frais de gestion, et libres de toutes autres charges *in rem* grevant des éléments déterminés de ces avoirs ainsi que de tous droits contractuels légitimes à l'égard des anciens propriétaires allemands de ces avoirs).

ARTICLE 6.

German External Assets.

A. Each Signatory Government shall, under such procedures as it may choose, hold or dispose of German enemy assets within its jurisdiction in manners designed to preclude their return to German ownership or control and shall charge against its reparation share such assets (net of accrued taxes, liens, expenses of administration, other *in rem* charges against specific items and legitimate contract claims against the German former owners of such assets).

B. Les Gouvernements signataires communiqueront à l'Agence Interalliée des Réparations toutes les informations que celle-ci demandera sur le montant de ces avoirs et sur les produits périodiquement réalisés par la liquidation desdits avoirs.

B. The Signatory Governments shall give to the Inter-Allied Reparation Agency all information for which it asks as to the value of such assets and the amounts realized from time to time by their liquidation.

Information as to value of assets, etc.

C. La propriété ou le contrôle des avoirs allemands se trouvant dans les pays restés neutres pendant la guerre contre l'Allemagne sera retiré à l'Allemagne. Ces avoirs seront liquidés ou il en sera disposé, conformément aux décisions que peuvent prendre les États-Unis d'Amérique, la France et le Royaume-Uni, en exécution d'accords que ces Puissances négocieront avec les pays neutres; le produit net de la liquidation ou des actes de disposition de ces avoirs sera mis à la disposition de l'Agence Interalliée des Réparations pour être réparti au titre des réparations.

C. German assets in those countries which remained neutral in the war against Germany shall be removed from German ownership or control and liquidated or disposed of in accordance with the authority of France, the United Kingdom and the United States of America, pursuant to arrangements to be negotiated with the neutrals by these countries. The net proceeds of liquidation or disposition shall be made available to the Inter-Allied Reparation Agency for distribution on reparation account.

Assets in neutral countries.

D. Dans l'application des dispositions du paragraphe A ci-dessus, les avoirs qui étaient la propriété d'un pays membre des Nations Unies ou d'une personne ressortissant de ce pays et non de l'Allemagne au moment de l'annexion ou de l'occupation de ce pays par l'Allemagne ou de son entrée en guerre, ne seront pas imputés à son compte de réparations, étant entendu que la disposition qui précède ne préjuge aucune des questions qui pourraient se poser au sujet d'avoirs qui n'étaient pas la propriété d'un ressortissant du pays en question au moment de l'annexion ou de l'occupation de ce pays par l'Allemagne ou de son entrée en guerre.

D. In applying the provisions of paragraph A above, assets which were the property of a country which is a member of the United Nations or its nationals who were not nationals of Germany at the time of the occupation or annexation of this country by Germany, or of its entry into war, shall not be charged to its reparation account. It is understood that this provision in no way prejudges any questions which may arise as regards assets which were not the property of a national of the country concerned at the time of the latter's occupation or annexation by Germany or of its entry into war.

E. Les avoirs allemands de caractère ennemi à imputer sur les quotes-parts de réparations devront inclure les avoirs qui sont

E. The German enemy assets to be charged against reparation shares shall include assets which are in reality German enemy

en réalité des avoirs allemands de caractère ennemi, même si le propriétaire apparent de tels avoirs n'est pas un Allemand de caractère ennemi.

assets, despite the fact that the nominal owner of such assets is not a German enemy.

Chaque Gouvernement signataire, si ce n'est déjà fait, devra promulguer des textes législatifs et prendre toutes autres mesures appropriées pour annuler tous les transferts effectués après l'occupation de son territoire ou son entrée en guerre, dans l'intention frauduleuse de dissimuler des intérêts allemands de caractère ennemi et de les soustraire aux effets des mesures de contrôle sur les intérêts allemands de caractère ennemi;

Each Signatory Government shall enact legislation or take other appropriate steps, if it has not already done so, to render null and void all transfers made, after the occupation of its territory or its entry into war, for the fraudulent purpose of cloaking German enemy interests, and thus saving them harmless from the effect of control measures regarding German enemy interests.

Committee of Experts.

F. L'Assemblée de l'Agence Interalliée des Réparations constituera un Comité d'Experts en matière de séquestre de biens ennemis en vue de résoudre les difficultés pratiques de droit et d'interprétation qui pourraient surgir. Le Comité devra veiller notamment à éviter tout ce qui pourrait avoir pour résultat le maintien de transactions fictives ou autres, destinées soit à favoriser des intérêts ennemis, soit à diminuer indûment la masse des biens susceptible d'être affectée aux réparations.

F. The Assembly of the Inter-Allied Reparation Agency shall set up a Committee of Experts in matters of enemy property custodianship in order to overcome practical difficulties of law and interpretation which may arise. The Committee should in particular guard against schemes which might result in effecting fictitious or other transactions designed to favour enemy interests, or to reduce improperly the amount of assets which might be allocated to reparation.

ARTICLE 7.

Approvisionnements capturés.

La valeur des approvisionnements et autres matériels susceptibles de servir à des usages civils, pris aux forces armées allemandes hors d'Allemagne et remis à des Gouvernements signataires, sera imputée sur leurs parts de réparations pour autant que ces approvisionnements et ces matériels n'auront pas été payés, ou

ARTICLE 7.

Captured Supplies.

The value of supplies and other materials susceptible of civilian use captured from the German Armed Forces in areas outside Germany and delivered to Signatory Governments shall be charged against their reparation shares in so far as such supplies and materials have not been or are not, in the future either paid for or

bien remis en vertu d'autres arrangements ne prévoyant pas de contre-partie.

Il est reconnu que les transferts de tels matériels et approvisionnements par les Gouvernements des États-Unis d'Amérique et du Royaume-Uni à d'autres Gouvernements sont soumis à telle approbation définitive par les organes législatifs de ces deux pays qui pourrait être nécessaire.

ARTICLE 8.

Attribution d'une part des réparations aux victimes non rapatriables de l'action allemande.

Étant donné qu'un grand nombre de personnes ont souffert cruellement du fait des nazis et ont actuellement un besoin impérieux d'être aidées pour leur "réhabilitation", mais ne peuvent demander l'assistance d'aucun Gouvernement recevant des réparations de l'Allemagne, les Gouvernements des États-Unis d'Amérique, de la France, du Royaume-Uni, de la Tchécoslovaquie et de la Yougoslavie, en consultation avec le Comité Intergouvernemental des Réfugiés, établiront d'urgence un plan, agréé d'un commun accord, et ce sur les bases générales suivantes:

A. Une part des réparations, constituée par l'ensemble de l'or non monétaire trouvé en Allemagne par les forces armées alliées et par une somme complémentaire n'excédant pas 25 millions de dollars, sera affectée à la "réhabilitation" et au réétablissement des victimes non rapatriables de l'action allemande.

B. Cette somme de 25 millions de dollars sera prélevée sur le produit de la liquidation des avoirs

delivered under arrangements precluding any charge.

It is recognized that transfers of such supplies and materials by the United Kingdom and United States Governments to other Governments are agreed to be subject to such final approval by the legislature of the United Kingdom or the United States of America as may be required.

ARTICLE 8.

Allocation of a Reparation Share to Nonrepatriable Victims of German Action.

In recognition of the fact that large numbers of persons have suffered heavily at the hands of the Nazis and now stand in dire need of aid to promote their rehabilitation but will be enable to claim the assistance of any Government receiving reparation from Germany, the Governments of the United States of America, France, the United Kingdom, Czechoslovakia and Yugoslavia, in consultation with the Inter-Governmental Committee on Refugees, shall as soon as possible work out in common agreement a plan on the following general lines:

A. A share of reparation consisting of all the non-monetary gold found by the Allied Armed Forces in Germany and in addition a sum not exceeding 25 million dollars shalf be allocated for the rehabilitation and resettlement of non-repatriable victims of German action.

B. The sum of 25 million dollars shall be met from a portion of the proceeds of German assets

allemands se trouvant dans les pays neutres et disponibles pour les réparations.

C. Les Gouvernements des pays neutres seront priés de rendre disponibles à cette fin (en sus de la somme de 25 millions de dollars), les avoirs dans les dits pays appartenant à des victimes d'actes des nazis qui sont mortes depuis sans laisser d'héritiers.

D. Seules seront susceptibles d'être admises à bénéficier de l'assistance prévue par le plan dont il s'agit les personnes—ainsi que leur famille et les personnes à leur charge—qui ont été réellement victimes des persécutions nazies et qui appartiennent aux catégories suivantes:

(i) Réfugiés de l'Allemagne ou de l'Autriche national-socialistes qui ont besoin d'assistance et ne peuvent pas être renvoyés dans leur pays dans un délai raisonnable par suite des conditions existantes;

(ii) Ressortissants allemands et autrichiens résidant actuellement en Allemagne ou en Autriche, dans les cas exceptionnels où il est raisonnable, pour des considérations d'humanité, de les aider à émigrer et pourvu qu'ils émigrent effectivement dans un délai raisonnable;

(iii) Ressortissants des pays antérieurement occupés par les Allemands qui ne peuvent pas être rapatriés, ou ne sont pas à même de l'être dans un délai raisonnable. Afin de réserver toute l'assistance aux réfugiés les plus malheureux et les plus méritants, et d'exclure de son bénéfice les personnes dont la loyauté à l'égard des Nations Unies est, ou a été, douteuse, l'assistance ne sera accordée aux ressortissants ou anciens ressortissants des pays

in neutral countries which are available for reparation.

C. Governments of neutral countries shall be requested to make available for this purpose (in addition to the sum of 25 million dollars) assets in such countries of victims of Nazi action who have since died and left no heirs.

D. The persons eligible for aid under the plan in question shall be restricted to true victims of Nazi persecution and to their immediate families and dependents, in the following classes:

(i) Refugees from Nazi Germany or Austria who require aid and cannot be returned to their countries within a reasonable time because of prevailing conditions;

(ii) German and Austrian nationals now resident in Germany or Austria in exceptional cases in which it is reasonable on grounds of humanity to assist such persons to emigrate and providing they emigrate to other countries within a reasonable period;

(iii) Nationals of countries formerly occupied by the Germans who cannot be repatriated or are not in a position to be repatriated within a reasonable time. In order to concentrate aid on the most needy and deserving refugees and to exclude persons whose loyalty to the United Nations is or was doubtful, aid shall be restricted to nationals or former nationals of previously occupied countries who were victims of German concentration camps or

antérieurement occupés que s'ils ont été internés dans des camps de concentration nazis ou dans des camps de concentration institués par des régimes subissant l'influence nazie, non compris les personnes qui n'ont été internées que dans des camps de prisonniers de guerre.

of concentration camps established by regimes under Nazi influence but not including persons who have been confined only in prisoners of war camps.

E. Les fonds rendus disponibles conformément aux paragraphes A et B ci-dessus seront gérés par le Comité Intergouvernemental des Réfugiés ou par un Organisme des Nations Unies auquel les fonctions que le Comité Intergouvernemental exerce dans ce domaine pourront être transférées dans l'avenir. Les fonds rendus disponibles aux termes du paragraphe C ci-dessus seront gérés pour les fins générales visées par le présent article, conformément à un programme de gestion qui sera établi par les cinq Gouvernements ci-dessus.

E. The sums made available under paragraphs A and B above shall be administered by the Inter-Governmental Committee on Refugees or by a United Nations Agency to which appropriate functions of the Inter-Governmental Committee may in the future be transferred. The sums made available under paragraph C above shall be administered for the general purposes referred to in this Article under a program of administration to be formulated by the five Governments named above.

Administration of sums.

F. L'or non monétaire trouvé en Allemagne sera mis à la disposition du Comité Intergouvernemental des Réfugiés aussitôt que le plan aura été élaboré.

F. The non-monetary gold found in Germany shall be placed at the disposal of the Inter-Governmental Committee on Refugees as soon as a plan has been worked out as provided above.

G. Le Comité Intergouvernemental des Réfugiés aura le pouvoir d'assurer la réalisation des fins pour lesquelles le fonds est créé, par l'intermédiaire d'organismes d'exécution compétents de caractère public ou privé.

G. The Inter-Governmental Committee on Refugees shall have power to carry out the purposes of the fund through appropriate public and private field organisations.

H. Les fonds seront employés, non à indemniser des victimes individuelles, mais à faciliter la "réhabilitation" ou le réétablissement des personnes appartenant aux catégories bénéficiaires de l'assistance.

H. The fund shall be used, not for the compensation of individual victims, but to further the rehabilitation or resettlement of persons in the eligible classes.

I. Aucune disposition du présent article ne sera considérée comme préjugeant les réclamations que des réfugiés pourront

I. Nothing in this Article shall be considered to prejudice the claims which individual refugees may have against a future Ger-

Claims of individual refugees against future German Government.

être fondés à présenter à titre individuel à un Gouvernement allemand futur, sauf dans la mesure où ces réfugiés ont bénéficié des ressources prévues aux paragraphes A et C ci-dessus.

man Government, except to the amount of the benefits that such refugees may have received from the sources referred to in paragraph A and C above.

PARTIE II.

Agence interalliée des réparations.

PART II.

Inter-allied reparation agency.

ARTICLE PREMIER.

Constitution de l'agence.

Les Gouvernements signataires du présent Accord établissent une Agence Interalliée des Réparations (ci-après appelée "l'Agence"). Chacun d'eux nomme un délégué à l'Agence et peut également nommer un délégué suppléant, lequel, en l'absence du délégué, a les fonctions et pouvoirs de celui-ci.

ARTICLE 1.

Establishment of the Agency.

The Governments Signatory to the present Agreement hereby establish an Inter-Allied Reparation Agency (hereinafter referred to as "The Agency"). Each Government shall appoint a Delegate to the Agency and shall also be entitled to appoint an Alternate who, in the absence of the Delegate, shall be entitled to exercice all the functions and rights of the Delegate.

ARTICLE 2.

Fonctions de l'Agence.

A. L'Agence répartit entre les Gouvernements signataires les réparations allemandes conformément aux dispositions du présent Accord et de tous autres accords qui sont ou seront en vigueur entre les Gouvernements signataires. A cette fin, l'Agence est l'organe par lequel les Gouvernements signataires reçoivent les informations relatives aux prestations disponibles à titre de réparations et expriment leurs desiderata en la matière.

B. L'Agence traite toutes questions concernant la restitution à un Gouvernement signataire d'un bien situé dans l'une des zones occidentales d'Allemagne, qui lui sont déférées par le Commandant en chef de cette zone (agissant pour le compte de son Gouvernement),

ARTICLE 2.

Functions of the Agency.

A. The Agency shall allocate German reparation among the Signatory Governments in accordance with the provisions of this Agreement and of any other agreements from time to time in force among the Signatory Governments. For this purpose, the Agency shall be the medium through which the Signatory Governments receive information concerning, and express their wishes in regard to, items available as reparation.

B. The Agency shall deal with all questions relating to the restitution to a Signatory Government of property situated in one of the Western Zones of Germany which may be referred to it by the Commander of that Zone (acting on behalf of his Government), in

en accord avec le ou les Gouvernements demandeurs, sans préjuger toutefois le règlement de ces questions entre les Gouvernements signataires intéressés, soit par voie d'accord, soit par une procédure arbitrale.

ARTICLE 3.

Organisation intérieure de l'Agence.

A. Les organes de l'Agence sont l'Assemblée et le Secrétariat.

B. L'Assemblée se compose des délégués; elle est présidée par le Président de l'Agence. Le Président de l'Agence est le délégué du Gouvernement français.

C. Le Secrétariat est sous la direction d'un Secrétaire général, assisté de deux Secrétaires généraux adjoints. Le Secrétaire général et les deux Secrétaires généraux adjoints sont nommés par les Gouvernements des Etats-Unis d'Amérique, de la France et du Roayume-Uni. Le Secrétariat a un caractère international. Il agit pour le compte de l'Agence et non pour le compte des Gouvernements signataires pris individuellement.

ARTICLE 4.

Fonctions du Secrétariat.

Les fonctions du Secrétariat sont les suivantes:

A. Etablir des programmes pour la répartition des réparations allemandes et les soumettre à l'Assemblée;

B. Tenir une comptabilité détaillée des biens disponibles au titre des réparations allemandes et des biens répartis à ce titre;

C. Etablir le budget de l'Agence et le soumettre à l'Assemblée;

agreement with the claimant Signatory Government or Governments, without prejudice, however, to the settlement of such questions by the Signatory Governments concerned either by agreement or arbitration.

ARTICLE 3.

Internal Organisation of the Agency.

A. The organs of the Agency shall be the Assembly and the Secretariat.

B. The Assembly shall consist of the Delegates and shall be presided over by the President of the Agency. The President of the Agency shall be the Delegate of the Government of France.

C. The Secretariat shall be under the direction of a Secretary General, assisted by two Deputy Secretaries General. The Secretary General and the two Deputy Secretaries General shall be appointed by the Governments of France, the United States of America and the United Kingdom. The Secretariat shall be international in character. It shall act for the Agency and not for the individual Signatory Governments.

ARTICLE 4.

Functions of the Secretariat.

The Secretariat shall have the following functions :

A. To prepare and submit to the Assembly programs for the allocation of German reparation;

B. To maintain detailed accounts of assets available for, and of assets distributed as, German reparation;

C. To prepare and submit to the Assembly the budget of the Agency;

D. Remplir telles autres fonctions administratives qui pourront être nécessaires.

ARTICLE 5.

Fonctions de l'Assemblée.

Sous réserve des dispositions des articles 4 et 7 de la Partie II du présent Accord, l'Assemblée fait les attributions au titre des réparations allemandes entre les Gouvernements signataires conformément aux dispositions du présent Accord et de tous autres accords qui sont ou seront en vigueur entre lesdits Gouvernements signataires. Elle approuve également le budget de l'Agence et remplit toutes autres fonctions compatibles avec les dispositions du présent Accord.

ARTICLE 6.

Vote à l'Assemblée.

Sauf dispositions contraires du présent Accord, chaque délégué dispose d'une voix. Les décisions de l'Assemblée sont prises à la majorité des votes exprimés.

ARTICLE 7.

Recours contre les décisions de l'Assemblée.

A. Lorsque l'Assemblée n'a pas donné satisfaction à la demande d'un délégué tendant à faire attribuer un bien à son Gouvernement, l'Assemblée porte la question à l'arbitrage, si ce délégué en fait la requête, dans le délai prescrit par l'Assemblée. L'effet de ce recours à l'arbitrage est suspensif.

B. Les délégués des Gouvernements qui demandent un bien dont l'attribution est soumise à l'arbitrage en vertu du para-

D. To perform such other administrative functions as may be required.

ARTICLE 5.

Functions of the Assembly.

Subject to the provisions of Articles 4 and 7 of Part II of this Agreement, the Assembly shall allocate German reparation among the Signatory Governments in conformity with the provisions of this Agreement and of any other agreements from time to time in force among the Signatory Governments. It shall also approve the budget of the Agency and shall perform such other functions as are consistent with the provisions of this Agreement.

ARTICLE 6.

Voting in the Assembly.

Except as otherwise provided in this Agreement, each Delegate shall have one vote. Decisions in the Assembly shall be taken by a majority of the votes cast.

ART. 7.

Appeal from Decisions of the Assembly.

A. When the Assembly has not agreed to a claim presented by a Delegate that an item should be allocated to his Government, the Assembly shall, at the request of that Delegate and within the time limit prescribed by the Assembly, refer the question to arbitration. Such reference shall suspend the effect of the decision of the Assembly on that item.

B. The Delegates of the Government claiming an item referred to arbitration under paragraph A above shall elect an Arbitrator

graphe A ci-dessus désignent un arbitre choisi parmi les autres délégués. Si l'accord ne peut se faire sur le choix de l'arbitre, le délégué des Etats-Unis d'Amérique assume les fonctions d'arbitre ou désigne un arbitre parmi les délégués dont les Gouvernements ne demandent pas le bien en question. Si le Gouvernement des Etats-Unis d'Amérique est l'un des Gouvernements qui demandent le bien dont il s'agit, le Président de l'Agence désigne comme arbitre un délégué dont le Gouvernement n'est pas dans la même situation.

from among the other Delegates. If agreement cannot be reached upon the selection of an Arbitrator, the United States Delegate shall either act as Arbitrator or appoint as Arbitrator another Delegate from among the Delegates whose Governments are not claiming the item. If the United States Government is one of the claimant Governments, the President of the Agency shall appoint as Arbitrator a Delegate whose Government is not a claimant Government.

ARTICLE 8.

Pouvoirs de l'arbitre.

Lorsque la question de l'attribution d'un bien est déférée à l'arbitrage, conformément à l'article 7 de la Partie II du présent Accord, l'arbitre a le pouvoir d'attribuer, en dernier ressort, le bien en question à l'un des Gouvernements demandeurs. L'arbitre peut, s'il le juge bon, renvoyer au Secrétariat, pour examen supplémentaire, l'attribution du bien en question. Il peut aussi, s'il le juge bon, demander au Secrétariat de soumettre à nouveau l'attribution du bien en question à l'Assemblée.

ARTICLE 8.

Powers of the Arbitrator.

When the question of the allocation of any item is referred to arbitration under Article 7 of Part II of this Agreement, the Arbitrator shall have authority to make final allocation of the item among the claimant Governments. The Arbitrator may, at his discretion, refer the item to the Secretariat for further study. He may also, at his discretion, require the Secretariat to resubmit the item to the Assembly.

ARTICLE 9.

Dépenses.

A. Chaque Gouvernement paye les traitements et indemnités de ses délégués et du personnel de sa délégation.

B. Les dépenses communes de l'Agence sont payées sur les fonds de l'Agence. Ces fonds sont fournis par chaque Gouvernement signataire pour les deux premières

ARTICLE 9.

Expenses.

A. The salaries and expenses of the Delegates and of their staffs shall be paid by their own Governments.

B. The common expenses of the Agency shall be met from the funds of the Agency. For the first two years from the date of the establishment of the Agency, these

années à partir de l'établissement de l'Agence, proportionnellement à sa quote-part dans l'ensemble des biens de la catégorie B, et, par la suite, proportionnellement à sa quote-part dans l'ensemble des biens de la catégorie A.

C. Chaque Gouvernement signataire paye sa part contributive au budget de l'Agence pour chaque période budgétaire (telle qu'elle est définie par l'Assemblée) au début de cette période, étant entendu que chaque Gouvernement, lorsqu'il signe le présent Accord, fournit sur un total de 50.000 livres sterling une contribution au moins proportionnelle à sa quote-part dans l'ensemble des biens de la catégorie B, et qu'il verse, dans les trois mois qui suivent, le solde de sa part contributive au budget de l'Agence pour la période budgétaire au cours de laquelle il signe cet Accord.

D. Toutes les sommes dues par les Gouvernements signataires sont acquittées en francs belges ou en une ou plusieurs autres monnaies fixées par l'Agence.

ARTICLE 10.

Vote du budget.

Lors de l'examen du budget de l'Agence, pour toute période budgétaire chaque délégué dispose à l'Assemblée d'un nombre de voix proportionnel à la part contributive due par son Gouvernement pour la période budgétaire considérée.

ARTICLE 11.

Langues officielles.

Les langues officielles de l'Agence sont l'anglais et le français.

funds shall be contributed in proportion to the percentage shares of the Signatory Governments in Category B and thereafter in proportion to their percentage in Category A.

C. Each Signatory Government shall contribute its share in the budget of the Agency for each budgetary period (as determined by the Assembly) at the beginning of that period; provided that each Government shall, when this Agreement is signed on its behalf, contribute a sum equivalent to not less than its Category B percentage share of £50,000 and shall, within three months there after, contribute the balance of its share in the budget of the Agency for the budgetary period in which this Agreement is signed on its behalf.

D. All contributions by the Signatory Governments shall be made in Belgian francs or such other currency or currencies as the Agency may require.

ARTICLE 10.

Voting of the Budget.

In considering the budget of the Agency for any budgetary period, the vote of each Delegate in the Assembly shall be proportional to the share of the budget for that period payable by his Government.

ARTICLE 11.

Official Languages.

The official languages of the Agency shal be English and French.

ARTICLE 12.

Bureaux de l'Agence.

Le siège de l'Agence est à Bruxelles. L'Agence établit des organes de liaison dans tout autre lieu que peut désigner l'Assemblée après s'être assurée des accords nécessaires.

ARTICLE 12.

Offices of the Agency.

The seat of the Agency shall be in Brussels. The Agency shall maintain liaison offices in such other places as the Assembly, after obtaining the necessary consents, may decide.

ARTICLE 13.

Retrait.

Tout Gouvernement signataire, autre que les Gouvernements responsables du contrôle dans une partie du territoire allemand, peut se retirer de l'Agence après avoir adressé une notification écrite au Secrétariat.

ARTICLE 13.

Withdrawal.

Any Signatory Government, other than a Government which is responsible for the control of a part of German territory, may withdraw from the Agency after written notice to the Secretariat.

ARTICLE 14.

Amendements et dissolution.

La partie II du présent Accord peut être amendée, ou l'Agence dissoute, par une décision de l'Assemblée prise à la majorité des voix exprimées, pourvu que les délégués qui forment cette majorité représentent des Gouvernements dont le total des quotes-parts constitue au moins 80 p. 100 de l'ensemble des quotes-parts de la catégorie A.

ARTICLE 14.

Amendments and Termination.

This Part II of the Agreement can be amended or the Agency terminated by a decision in the Assembly of the majority of the Delegates voting, provided that the Delegates forming the majority represent Governments whose shares constitute collectively not less than 80 per cent of the aggregate of the percentage shares in category A.

ARTICLE 15.

Capacité juridique, immunités et privilèges.

L'Agence jouit, sur le territoire de chaque Gouvernement signataire, de la capacité juridique, ainsi que des privilèges, immunités et facilités qui lui sont nécessaires pour exercer ses fonctions et atteindre ses buts. Les représentants des Gouvernements signataires et les fonctionnaires de

ARTICLE 15.

Legal capacity.—Immunities and Privileges.

The Agency shall enjoy in the territory of each Signatory Government such legal capacity and such privileges, immunities and facilities, as may be necessary for the exercice of its functions and the fulfilment of its purpose. The representatives of the Signatory Governments and the officials of

l'Agence jouissent également des privilèges et immunités qui leur sont nécessaires pour exercer en toute indépendance leurs fonctions en rapport avec l'Agence.

the Agency shall enjoy such privileges and immunities as are necessary for the independent exercice of their functions in connection with the Agency.

PARTIE III.

Restitution de l'or monétaire.

ARTICLE UNIQUE.

Distribution pool.

A. Tout l'or monétaire trouvé en Allemagne par les forces armées alliées et celui visé au paragraphe G ci-dessus (y compris les monnaies d'or, à l'exception de celles qui ont une valeur numismatique ou historique, qui seront restituées immédiatement si elles sont identifiables) sera réuni en une masse commune pour être réparti à titre de restitutions, entre les pays admis à bénéficier de cette masse, au prorata des quantités d'or qu'ils ont respectivement perdues du fait de spoliations par l'Allemagne ou de transferts illégitimes en Allemagne.

B. Sans préjudice des demandes visant l'or non restitué, présentées au titre des réparations, la quantité d'or monétaire revenant à chacun des pays admis à bénéficier de cette masse sera acceptée par ce dernier en règlement complet et définitif de toute créance sur l'Allemagne au titre des restitutions d'or monétaire.

C. Une part proportionnelle de l'or sera attribuée à chacun des pays intéressés qui accepte le présent arrangement concernant la restitution de l'or monétaire et qui peut établir qu'une quantité déterminée d'or monétaire lui appartenant a fait l'objet de spoliation par l'Allemagne ou, à une date quelconque après le 12 mars 1938, de transfert illégitime en territoire allemand.

PART III.

Restitution of monetary gold.

SINGLE ARTICLE.

A. All the monetary gold found in Germany by the Allied Forces and that referred to in paragraph G below (including gold coins, except those of numismatic or historical value, which shall be restored directly if identifiable) shall be pooled for distribution as restitution among the countries participating in the pool in proportion to their respectives losses of gold through looting or by wrongful removal to Germany.

B. Without prejudice to claims by way of reparation for unrestored gold, the portion of monetary fold thus accruing to each country participating in the pool shall be accepted by that country in full satisfaction of all claims against Germany for restitution of monetary gold.

C. A proportional share of the gold shall be allocated to each country concerned which adheres to this arrangement for the restitution of monetary gold and which can establish that a definite amount of monetary gold belonging to it was looted by Germany or, at any time after March 12th, 1938, was wrongfully removed into German territory.

D. La question de la participation éventuelle de pays non représentés à la Conférence (autres que l'Allemagne, mais y compris l'Autriche et l'Italie) à la répartition susmentionnée est réservée et l'équivalent de ce qui constituerait la totalité des quotes-parts de ces Etats, s'ils venaient à être admis à cette répartition, sera mis en réserve pour qu'il en soit disposé ultérieurement selon ce qui sera décidé par les Gouvernements alliés intéressés.

E. Les divers pays admis à bénéficier de cette masse fourniront aux Gouvernements des Etats-Unis d'Amérique, de la France et du Royaume-Uni, en tant que Puissances occupantes intéressées, des renseignements détaillés et vérifiables sur les pertes d'or qu'ils ont subies du fait que l'Allemagne les a spoliés de cet or ou que cet or a été transporté sur son territoire.

F. Les Gouvernements des Etats-Unis d'Amérique, de la France et du Royaume-Uni prendront toutes mesures utiles dans les zones qu'ils occupent respectivement en Allemagne pour l'exécution d'une répartition conforme aux dispositions qui précèdent.

G. Tout or monétaire qui pourra être récupéré d'un pays tiers dans lequel il a été transféré par l'Allemagne sera réparti conformément au présent arrangement concernant la restitution de l'or monétaire.

D. The question of the eventual participation of countries not represented at the Conference (other than Germany but including Austria and Italy) in the above mentioned distribution shall be reserved, and the equivalent of the total shares which these countries would receive, if they were eventually admitted to participate, shall be set aside to be disposed of at a later date in such manner as may be decided by the Allied Governments concerned.

Data regarding gold losses.

E. The various countries participating in the pool shall supply to the Governments of the United States of America, France and the United Kingdom, as the occupying Powers concerned, detailed and verifiable data regarding the gold losses suffered through looting by, or removal to, Germany.

F. The Governments of the United States of America, France and the United Kingdom shall take appropriate steps within the Zones of Germany occupied by them respectively to implement distribution in accordance with the foregoing provisions.

G. Any monetary gold which may be recovered from a third country to which it was transferred from Germany shall be distributed in accordance with this arrangement for the restitution of monetary gold.

PARTIE IV.

Entrée en vigueur et signature.

ARTICLE PREMIER.

Entrée en vigueur.

Le présent Accord pourra être signé par tout Gouvernement

PART IV.

Entry into force and signature.

ARTICLE 1.

Entry into force.

This Agreement shall be open for signature on behalf of any

représenté à la Conférence de Paris sur les Réparations.

Dès qu'il aura été signé par des Gouvernements ayant droit collectivement à au moins 80 p. 100 des parts prévues pour les Gouvernements signataires dans la catégorie A des réparations allemandes, il entrera en vigueur entre lesdits Gouvernements.

L'Accord sera ensuite en vigueur entre lesdits Gouvernements et tel Gouvernement qui le signerait ultérieurement.

ARTICLE 2.

Signature.

La signature par chaque Gouvernement contractant sera considérée comme impliquant que l'effet du présent Accord s'étend à ses colonies, territoires d'outre-mer et territoires sous sa protection, ou sa suzeraineté, ou sur lesquels il exerce actuellement un mandat.

En foi de quoi, les soussignés, dûment habilités par leurs Gouvernements respectifs, ont signé à Paris le présent Accord, en langues anglaise et française, les deux textes faisant également foi, en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel Gouvernement remettra copie conforme de ce texte à chacun des Gouvernements signataires.

Government represented at the Paris Conference on Reparation.

As soon as it has been signed on behalf of Governments collectively entitled to not less than 80 p. 100 of the aggregate of shares in Category A of German reparation, it shall come into force [1] among such Signatory Governments.

The Agreement shall thereafter be in force among such Governments and those Governments on whose behalf it is subsequently signed.

ARTICLE 2.

Signature.

The signature of each contracting Government shall be deemed to mean that the effect of the present Agreement extends to the colonies and overseas territories of such Government, and to territories under its protection or suzerainety or over which it at present exercises a mandate.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed in Paris the present Agreement in the English and French languages, the two texts being equally authentic, in a single original, which shall be deposited in the Archives of the Government of the French Republic, a certified copy thereof beeing furnished by that Government to each signatory Government.

14 mars 1946	Pour l'Albanie, For Albania,	Signé : KAHREMAN YLLI.
14 janvier 1946 . . .	Pour les États-Unis d'Amérique, For the United States of America,	Signé : JEFFERSON CAFFERY.

[1] [The agreement came into force on Jan. 24, 1946.]

25 février 1946	Pour l'Australie, For Australia,	Signé : W. R. HODGSON.
14 janvier 1946	Pour la Belgique, For Belgium,	Signé : GUILLAUME.
30 janvier 1946	Pour le Canada, For Canada,	Signé : GEORGE P. VANIER.
20 février 1946	Pour le Danemark, For Denmark,	Signé : J. C. W. KRUSE.
8 mars 1946	Pour l'Égypte, For Egypt,	Signé : FAHKRY-PACHA.
14 janvier 1946 . . .	Pour la France, For France,	Signé: BIDAULT.
14 janvier 1946 . . .	Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, For the United Kingdom of Great-Britain and Northern Ireland,	Signé: DUFF COOPER.
24 janvier 1946 . . .	Pour la Grèce, For Greece,	Signé: P. A. ARGYROPOULO.
25 février 1946 . . .	Pour l'Inde, For India,	Signé: P. CHAUDHURI.

Ces signatures sont données en accord avec le Représentant de Sa Majesté Britannique, qui exerce les fonctions de la Couronne dans les relations de celle-ci avec les États Indiens.

These signatures are appended in agreement with His Britannic Majesty's representative for the exercise of the functions of the Crown in its relation with the Indian States.

14 janvier 1946 . . .	Pour le Luxembourg, For Luxembourg,	Signé: A. FUNCK.
6 février 1946 . . .	Pour la Norvège, For Norway,	Signé: LUDWIG AUBERT.
20 février 1946 . . .	Pour la Nouvelle-Zélande, For New-Zealand,	Signé: W. CLINKARD.
14 janvier 1946 . . .	Pour les Pays-Bas, For the Netherlands,	Signé: E. STAR-BUSMANN.
27 février 1946 . .	Pour la Tchécoslovaquie, For Czechoslovakia,	Signé: JNDRICH NOSEK.
28 février 1946 . .	Pour l'Union de l'Afrique du Sud, For the Union of South Africa,	Signé: DUFF COOPER.

4 février 1946 . . .	Pour la Yougoslavie, For Yugoslavia,	Signé: MARKO RISTIC.

Copie certifiée conforme à l'exemplaire original unique en langues anglaise et française, déposé dans les Archives de la République française.

Le Ministre Plénipotentiaire,
Chef du Service du Protocole,

JACQUES DUMAINE.

Agreements between the United States of America and Portugal respecting air transport services, amending the agreement of December 6, 1945. Effected by exchanges of notes signed at Lisbon June 28, 1947; entered into force June 28, 1947.

June 28, 1947
[T. I. A. S. 1656]

The American Ambassador to the Portuguese Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lisbon, June 28, 1947

EXCELLENCY:

I have the honor to confirm that it is mutually agreed by the Governments of the United States of America and of Portugal that the Annex to the Air Transport Agreement, between the two Governments, concluded on December 6, 1945, shall be amended to read as follows:

59 Stat. 1849.

SECTION I

A. Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in Portuguese territory. The right to pick up and discharge international traffic in passengers, cargo and mail at the Azores, Lisbon and Macao is granted on the following routes via intermediate points in both directions:

U. S. rights of transit and stop in Portuguese territory.

1. The United States to the Azores and thence (a) to London and beyond, on a route without stops in the Iberian Peninsula, and (b) to Lisbon and thence (a,) to London and (b,) to Barcelona and points beyond.
2. The United States to Lisbon (the airline operating this route will have the right of non-traffic stop at the Azores) thence to Madrid and points beyond.
3. The United States to the Azores and points beyond to the Union of South Africa.
4. The United States via intermediate points in the Pacific to Macao thence to Hong-Kong (and/or Canton).

In addition to the routes enumerated above, airlines of the United States of America are accorded the right of non-traffic stop at the Azores on trans-Atlantic routes between the United States and the Continent of Europe, including the British Isles, on routes without stops in the Iberian Peninsula.

B. Airlines of Portugal authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of

Portuguese rights of transit and stop in U. S.

the United States as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at New York, Boston and Miami on the following routes via intermediate points in both directions:

1. Lisbon via the Azores (a) to Bermuda, New York City and Boston, or (b) to Gander, Boston and New York City.
2. Lisbon via the Azores and Bermuda to Miami and beyond.

SECTION II

The contracting parties agree on the following:

1. That the air transport facilities available to the travelling public should bear a close relationship to the requirements of the public for such transport.

Equal opportunity for operation.

2. There shall be a fair and equal opportunity for the airlines of the two nations to operate on any route between their respective territories covered by the Agreement and this Annex.

3. That, in the operation by the air carriers of either Government of the trunk services described in this Annex, the interest of the air carriers of the other Government shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

Adequate capacity.

4. It is understood by both Governments that services provided by a designated airline under the Agreement and this Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such airline is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in this Annex shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

Right to embark, etc.

(a) To traffic requirements between the country of origin and the countries of destination;
(b) To requirements of through airline operation; and
(c) To the traffic requirements of the area through which the airline passes after taking account of local and regional services.

Accept, Excellency, the assurances of my highest consideration.

JOHN C. WILEY

His Excellency
Dr. JOSE CAEIRO DA MATA,
Minister of Foreign Affairs,
Lisbon.

The Portuguese Minister of Foreign Affairs to the American Ambassador

MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS

DIRECÇÃO GERAL
DOS
NEGÓCIOS POLÍTICOS E DA ADMINISTRAÇÃO INTERNA

LISBOA, *28 de Junho de 1947*

SENHOR EMBAIXADOR,

Tenho a honra de confirmar a V. Exª. ter sido mutuamente acordado entre os Governos de Portugal e dos Estados Unidos da América que o Anexo ao Acordo de Transportes Aéreos entre os dois Governos, concluido em 6 de Dezembro de 1945, ficará emendado por forma a ler-se como segue:

"

SECÇÃO I

A. Às empresas de transporte aéreo dos Estados Unidos da América autorizadas nos termos do presente Acordo são concedidos os direitos de transito e de escala para fins não comerciais no território português. É concedido o direito de embarcar e desembarcar tráfego internacional de passageiros, carga e correio nos Açores, Lisboa e Macau, nas seguintes rotas, via pontos intermediários, em ambos os sentidos:

1 – Estados Unidos para os Açores e daí (a) para Londres e além, numa rota sem escalas na Peninsula Ibérica, e (b) para Lisboa e daí (a,) para Londres e (b,) para Barcelona e pontos subsequentes.

2 – Estados Unidos para Lisboa (a linha aérea que explorar esta rota terá direito a fazer escala, para fins não comerciais, nos Açores), daí para Madrid e pontos subsequentes.

3 – Estados Unidos para os Açores e pontos subsequentes para a União da África do Sul.

4 – Estados Unidos, via pontos intermediários no Pacífico, para Macau e daí para Hong-Kong (e ou Cantão).

Alem das rotas acima enumeradas, é concedido às empresas de transporte aéreo dos Estados Unidos da América o direito de fazerem escala, para fins não comerciais, nos Açores, em rotas transatlânticas entre os Estados Unidos e o Continente Europeu, incluindo as Ilhas Britânicas, sem escalas na Península Ibérica.

B. Às empresas de transporte aéreo de Portugal autorizadas nos termos do presente Acordo são concedidos direitos de trânsito e escala, para fins não comerciais, no território dos Estados Unidos, bem como o direito de embarcar e desembarcar tráfego internacional de passageiros, carga e correio, em Nova York, Boston e Miami, nas seguintes rotas, via pontos intermediários, em ambos os sentidos:

1 – Lisboa via Açores (a) para Bermudas, Cidade de Nova York e Boston ou (b) para Gander, Boston e Cidade de Nova York.

2 – Lisboa, via Açores e Bermudas, para Miami e pontos subsequentes.

SECÇÃO II

As Partes Contratantes acordam no seguinte:

1 – As facilidades de transporte aéreo ao serviço do público deverão ser bem adaptadas às necessidades deste.

2 – Será oferecida às empresas de transporte aéreo das duas Partes Contratantes uma justa e igual oportunidade de exploração do tráfego nas rotas entre os seus respectivos territórios reguladas pelo Acordo e por este Anexo.

3 – Na exploração, pelas empresas de transporte aéreo de qualquer dos Governos, dos grandes serviços internacionais (trunk services) descritos neste Anexo, serão tomados em consideração os interesses das empresas do outro Governo, de modo a não serem indevidamente afectados os serviços que estas exploram em toda ou em parte da extensão das rotas.

4 – Fica entendido pelos dois Governos que os serviços explorados por uma empresa designada nos termos do Acordo e deste Anexo serão organizados tendo em mente que o objectivo principal a que visam é oferecer uma capacidade adequada à procura do tráfego entre o pais de que a empresa é nacional e o pais de destino útil do mesmo tráfego. Nestes serviços, o direito de embarcar ou desembarcar, em qualquer ponto ou pontos das rotas previstas neste Anexo, tráfego internacional, destinado ou proveniente de terceiros paises, será usado em conformidade com os princípios gerais de desenvolvimento ordenado do transporte aéreo aceites pelos dois Governos e será sujeito ao princípio geral de que a capacidade deve adaptar-se:

a) À procura do tráfego entre o pais de origem e os de destino;

b) Às exigências de uma exploração económica dos serviços considerados;

c) Às exigências do tráfego da área que a linha aérea atravessa, tidos em conta os serviços aéreos locais e regionais."

Aproveito a oportunidade para apresentar a Vossa Excelência, Senhor Embaixador, os protestos da minha mais alta consideração.

JOSÉ CAEIRO DA MATA

Sua Excelência o
Senhor JOHN COOPER WILEY
Embaixador dos Estados Unidos da América
& *&* *&*

Translation

MINISTRY OF FOREIGN AFFAIRS

OFFICE OF THE DIRECTOR GENERAL
OF
POLITICAL AFFAIRS AND INTERIOR ADMINISTRATION

LISBON, *June 28, 1947*

MR. AMBASSADOR:

I have the honor to confirm to Your Excellency that it has been mutually agreed between the Governments of Portugal and the United States of America that the Annex to the Air Transport Agree-

ment between the two Governments, signed on December 6, 1945, shall be amended to read as follows: 59 Stat. 1849.

[For the English language text of Sections I and II, see pp. 3185–3186.]

I avail myself of the opportunity to present to Your Excellency the assurances of my highest consideration.

JOSÉ CAEIRO DA MATA

His Excellency
JOHN COOPER WILEY
Ambassador of the United States of America

The American Ambassador to the Portuguese Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lisbon, June 28, 1947

EXCELLENCY:

It is mutually agreed by the Governments of the United States of America and of Portugal that, in addition to the routes described in the Annex to the Air Transport Agreement between the United States of America and Portugal, dated December 6, 1945, airlines of the United States of America operating on the following route are accorded the rights of transit and non-traffic stop in Portuguese territory: Additional U. S. rights of transit and stop in Portuguese territory. 59 Stat. 1849.

A. The United States via the East Coast of South America and intermediate points to Johannesburg and Capetown.

It is equally agreed that airlines of Portugal operating on the following route are accorded the rights of transit and non-traffic stop in United States territory: Portuguese rights in U. S.

B. Lisbon, via the Azores and/or Gander to Montreal.

I avail myself of this opportunity to express to Your Excellency the assurances of my high consideration.

JOHN C. WILEY

His Excellency
Dr. JOSE CAEIRO DA MATA,
Minister of Foreign Affairs,
Lisbon.

The Portuguese Minister of Foreign Affairs to the American Ambassador

MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS

DIRECÇÃO GERAL
DOS
NEGÓCIOS POLÍTICOS E DA ADMINISTRAÇÃO INTERNA

LISBOA, *28 de Junho de 1947*

SENHOR EMBAIXADOR,

Fica mutuamente acordado entre os Governos de Portugal e dos Estados Unidos da America que, além das rotas descritas no Anexo ao

Acordo de Transportes Aéreos entre Portugal e os Estados Unidos da America, assinado em 6 de Dezembro de 1945, são concedidos direitos de trânsito e escala, para fins não comerciais, no território português, às emprêsas de transporte aéreo dos Estados Unidos que explorárem a seguinte rota:

A. Estados Unidos, via costa oriental da America do Sul e pontos intermediários, para Johanesburgo e Cidade do Cabo.

É igualmente acordado que são concedidos direitos de trânsito e escala, para fins não comerciais, no território dos Estados Unidos, às emprêsas de transporte aéreo de Portugal que explorárem a seguinte rota:

B. Lisboa, via Açores e/ou Gander, para Montreal.

Aproveito esta oportunidade para apresentar a Vossa Excelência, Senhor Embaixador, os protestos da minha mais alta consideração.

JOSÉ CAEIRO DA MATA

Sua Excelência o
Senhor JOHN COOPER WILEY
Embaixador dos Estados Unidos da America
& & &

Translation

MINISTRY OF FOREIGN AFFAIRS

OFFICE OF THE DIRECTOR GENERAL
OF
POLITICAL AFFAIRS AND INTERIOR ADMINISTRATION

LISBON, *June 28, 1947*

MR. AMBASSADOR:

It is mutually agreed between the Governments of Portugal and the United States of America that, in addition to the routes described in the Annex to the Air Transport Agreement between Portugal and the United States of America, signed on December 6, 1945, rights of transit and non-traffic stop in Portuguese territory shall be granted to airlines of the United States which operate the following route:

59 Stat. 1849.

A. United States via the east coast of South America and intermediate points, to Johannesburg and Capetown.

It is likewise agreed that rights of transit and non-traffic stop in the territory of the United States shall be granted to airlines of Portugal which operate the following route:

B. Lisbon via the Azores and/or Gander to Montreal.

I avail myself of this opportunity to present to Your Excellency the assurances of my highest consideration.

JOSÉ CAEIRO DA MATA

His Excellency
JOHN COOPER WILEY
Ambassador of the United States of America

Accord between the United States of America, France, the United Kingdom, and Sweden respecting the liquidation of German property in Sweden. Effected by exchanges of notes signed at Washington July 18, 1946; entered into force March 28, 1947.

July 18, 1946
[T. I. A. S. 1657]

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Understanding between Swedish and Allied Delegations.

Delegations representing the Governments of the United States of America, France, and the United Kingdom of Great Britain and Northern Ireland on the one hand (hereinafter referred to as the Allies) and the Government of Sweden on the other hand have met in Washington and exchanged views on questions relative to German interests in Sweden and the elimination of any possible risk of those interests being used to support renewed German aggression.

Following this exchange of views, and in reaffirmation of their mutual support of these economic security objectives, the Swedish and Allied Delegations have arrived at the following understanding:

Swedish intention to eliminate German interests in Sweden.

1. (a) The Swedish Government confirms its intention to pursue a program of economic security by the elimination of German interests in Sweden.

FCCO.

(b) The Swedish Government further affirms that the Foreign Capital Control Office (Flyktkapitalbyrån or the FCCO) will, for this purpose, continue to uncover, take into control, liquidate, sell, or transfer German property, that the procedure already informally established between the FCCO and the Allied Missions in Stockholm shall be continued, as previously, as a means of exchanging information regarding the discovery and liquidation of German property and affording mutual assistance in this program.

Availability of special account.

2. The disposition of the proceeds of the German assets in Sweden, after clearing against certain Swedish claims, will leave a balance which shall be considered to be 150 million kronor. To assist in preventing disease and unrest in Germany, this sum of 150 million kronor will be made available in a special account with the Swedish Riksbank to be used for financing such purchases—in Sweden or in any other market—of essential commodities for the German economy as may be agreed upon between the Swedish Government and the Allies. Insofar as such purchases are made in the Swedish market the deliveries will be limited by the scarcity of available supplies.

Indemnification of German owners.

3. The German owners concerned shall be indemnified in German money for the property which has been liquidated or disposed of in Sweden pursuant to this understanding. For this purpose, the competent Swedish authority will give the Allies the necessary details

with regard to the amount realized with particulars of the names and addresses of the German owners, and the Allied authorities in Germany will take the necessary steps in order that there will be recorded the title of the German owners of the property liquidated to receive the counter value thereof.

Restitution of looted gold to Allies.

4. (a) In pursuance of its policy to restitute looted property, the Swedish Government will effect restitution to the Allies of all gold acquired by Sweden and proved to have been taken by the Germans from occupied countries, including any such gold transferred by the Swedish Riksbank to third countries. Any claims by Governments of the occupied countries or their banks of issue not presented before July 1, 1947 shall be considered to be barred.

Barred claims.

(b) On the basis of present evidence, subject to further checking, it is assumed that the gold the Swedish Government has to restitute amounts to 7,155.32664 kilograms of fine gold, corresponding to the quantity of gold deriving from the Bank of Belgium which was acquired by the Swedish Riksbank and which is to be restituted in accordance with the foregoing.

(c) The Allied Governments undertake to hold the Swedish Government harmless from any claims deriving from transfers from the Swedish Riksbank to third countries of gold to be restituted according to the above declaration.

5. Divergencies on the interpretation and scope of the above clauses may, if the four Governments do not otherwise agree, be referred to arbitration.

Representation of designated governments by Allied delegations.

6. The undersigned representatives of the Governments of the United States of America, France, and the United Kingdom of Great Britain and Northern Ireland state that insofar as the preceding provisions are concerned, they are also acting on behalf of the Governments of Albania, Australia, Belgium, Canada, Denmark, Egypt, Greece, India, Luxembourg, Norway, New Zealand, the Netherlands, Czechoslovakia, the Union of South Africa and Yugoslavia, and so far as it is material, the banks of issue of those countries.

Inspection of Swedish-owned property in Germany.

7. (a) The three Allied Governments will make arrangements, through their Missions in Stockholm, for the admission of an official Swedish delegation which will be permitted to visit the zones of Germany in the charge of those Governments, and to inspect properties of corporations in which Swedish nationals have a substantial ownership interest, or which are directly owned by Swedish nationals. The inspection and other activities of the delegation will be limited only by general requirements of military security and convenience, and by such general laws and regulations as are applicable to all persons travelling in Germany.

Property in Germany of nationals of friendly foreign states.

(b) It is the intention of the three Allied Governments to give non-discriminatory protection to the property in Germany of nationals of friendly foreign states, including property of corporations in which they have a substantial ownership interest. Provision will be made for equitable compensation in Germany with respect to removals and other dispositions of such properties by the Allied authorities in the zones of Germany occupied by them.

8. The Allied Governments will, in due time, require Germany or the future German Government to confirm the provisions of this understanding insofar as they affect German property in Sweden.

Confirmation of understanding by Germany.

9. This understanding, together with the further letters exchanged today, shall, except where otherwise provided, take effect upon approval by the Swedish Riksdag. [1]

Effective date.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

Delegations representing the Governments of the United States of America, France, and the United Kingdom of Great Britain and Northern Ireland on the one hand (hereinafter referred to as the Allies) and the Government of Sweden on the other hand have met in Washington and exchanged views on questions relative to German interests in Sweden and the elimination of any possible risk of those interests being used to support renewed German aggression.

Following this exchange of views, and in reaffirmation of their mutual support of these economic security objectives, the Swedish and Allied Delegations have arrived at the following understanding:

1. (a) The Swedish Government confirms its intention to pursue a program of economic security by the elimination of German interests in Sweden.

(b) The Swedish Government further affirms that the Foreign Capital Control Office (Flyktkapitalbyrån or the FCCO) will, for this purpose, continue to uncover, take into control, liquidate, sell, or transfer German property, that the procedure already informally

[1] [Notice of approval on Mar. 28, 1947 by the Swedish Government of ". . . the agreement concluded in Washington on July 18, 1946, relative to German interests in Sweden, and the other agreements covered by the letters exchanged between the Chiefs of the Allied Delegations, on the one hand, and, on the other hand, the Chief of the Swedish Delegation," [translation] was communicated in a note of that date from the Swedish Minister for Foreign Affairs to the American Minister at Stockholm.]

established between the FCCO and the Allied Missions in Stockholm shall be continued, as previously, as a means of exchanging information regarding the discovery and liquidation of German property and affording mutual assistance in this program.

2. The disposition of the proceeds of the German assets in Sweden, after clearing against certain Swedish claims, will leave a balance which shall be considered to be 150 million kronor. To assist in preventing disease and unrest in Germany, this sum of 150 million kronor will be made available in a special account with the Swedish Riksbank to be used for financing such purchases—in Sweden or in any other market—of essential commodities for the German economy as may be agreed upon between the Swedish Government and the Allies. Insofar as such purchases are made in the Swedish market the deliveries will be limited by the scarcity of available supplies.

3. The German owners concerned shall be indemnified in German money for the property which has been liquidated or disposed of in Sweden pursuant to this understanding. For this purpose, the competent Swedish authority will give the Allies the necessary details with regard to the amount realized with particulars of the names and addresses of the German owners, and the Allied authorities in Germany will take the necessary steps in order that there will be recorded the title of the German owners of the property liquidated to receive the counter value thereof.

4. (a) In pursuance of its policy to restitute looted property, the Swedish Government will effect restitution to the Allies of all gold acquired by Sweden and proved to have been taken by the Germans from occupied countries, including any such gold transferred by the Swedish Riksbank to third countries. Any claims by Governments of the occupied countries or their banks of issue not presented before July 1, 1947 shall be considered to be barred.

(b) On the basis of present evidence, subject to further checking, it is assumed that the gold the Swedish Government has to restitute amounts to 7,155.32664 kilograms of fine gold, corresponding to the quantity of gold deriving from the Bank of Belgium which was acquired by the Swedish Riksbank and which is to be restituted in accordance with the foregoing.

(c) The Allied Governments undertake to hold the Swedish Government harmless from any claims deriving from transfers from the Swedish Riksbank to third countries of gold to be restituted according to the above declaration.

5. Divergencies on the interpretation and scope of the above clauses may, if the four Governments do not otherwise agree, be referred to arbitration.

6. The undersigned representatives of the Governments of the United States of America, France, and the United Kingdom of Great Britain and Northern Ireland state that insofar as the preceding provisions are concerned, they are also acting on behalf of the Governments of Albania, Australia, Belgium, Canada, Denmark, Egypt, Greece, India, Luxembourg, Norway, New Zealand, the Netherlands,

Czechoslovakia, the Union of South Africa and Yugoslavia, and so far as it is material, the banks of issue of those countries.

7. (a) The three Allied Governments will make arrangements, through their Missions in Stockholm, for the admission of an official Swedish delegation which will be permitted to visit the zones of Germany in the charge of those Governments, and to inspect properties of corporations in which Swedish nationals have a substantial ownership interest, or which are directly owned by Swedish nationals. The inspection and other activities of the delegation will be limited only by general requirements of military security and convenience, and by such general laws and regulations as are applicable to all persons travelling in Germany.

(b) It is the intention of the three Allied Governments to give non-discriminatory protection to the property in Germany of nationals of friendly foreign states, including property of corporations in which they have a substantial ownership interest. Provision will be made for equitable compensation in Germany with respect to removals and other dispositions of such properties by the Allied authorities in the zones of Germany occupied by them.

8. The Allied Governments will, in due time, require Germany or the future German Government to confirm the provisions of this understanding insofar as they affect German property in Sweden.

9. This understanding, together with the further letters exchanged today, shall, except where otherwise provided, take effect upon approval by the Swedish Riksdag.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.

Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Restitution of looted property in Sweden.

During the course of the discussions which have been concluded concerning German property in Sweden, you advised us of the procedures in effect in Sweden for the restitution of property located in Sweden which was looted by Germany or its nationals. You made known to us the fact that these procedures, as established by Swedish law of June 29, 1945 (No. 520), provide a simple and inexpensive method by which victims of spoliation may obtain restitution of their property in Sweden.

We wish to express our appreciation of these procedures which we have confidence the Government of Sweden will continue. In this

connection, you will recall that the problem of locating looted securities was discussed. We appreciate the fact that your Government will consider sympathetically this problem and such procedures as the Allied Governments may subsequently propose to you for the purpose of facilitating the location of such securities.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

"During the course of the discussions which have been concluded concerning German property in Sweden, you advised us of the procedures in effect in Sweden for the restitution of property located in Sweden which was looted by Germany or its nationals. You made known to us the fact that these procedures, as established by Swedish law of June 29, 1945 (No. 520), provide a simple and inexpensive method by which victims of spoliation may obtain restitution of their property in Sweden.

"We wish to express our appreciation of these procedures which we have confidence the Government of Sweden will continue. In this connection, you will recall that the problem of locating looted securities was discussed. We appreciate the fact that your Government will consider sympathetically this problem and such procedures as the Allied Governments may subsequently propose to you for the purpose of facilitating the location of such securities."

Expiration of Swedish law.

I confirm that the above law will continue to be in force for the time being but that it will expire on July 1, 1947, unless extended. I also confirm the willingness of the Swedish Government to cooperate, in particular, in locating looted securities within the framework of Swedish legislation and within the limits of practical possibilities.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Investigation of German assets held outside of Sweden.

In connection with the understanding we have reached, the Allied Delegations pointed out the importance of the Swedish Government conducting investigations of German assets which are held outside of Sweden by or through Swedish nationals or institutions. The Allied Delegations pointed out that the uncovering of such assets can only take place with the cooperation and assistance of the Government of Sweden.

It is therefore requested that the Government of Sweden take appropriate action through census and other means to identify such German assets as may be held outside Sweden by or through Swedish nationals or institutions and to make this information available to the Allied Governments.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W McCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

"In connection with the understanding we have reached, the Allied Delegations pointed out the importance of the Swedish Government conducting investigations of German assets which are

held outside of Sweden by or through Swedish nationals or institutions. The Allied Delegations pointed out that the uncovering of such assets can only take place with the cooperation and assistance of the Government of Sweden.

"It is therefore requested that the Government of Sweden take appropriate action through census and other means to identify such German assets as may be held outside Sweden by or through Swedish nationals or institutions and to make this information available to the Allied Governments."

I wish to advise you that my Government will take steps for the uncovering of such property. Information about such property will be given in the way foreseen for information about German property in Sweden.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.

Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Repatriation of certain Germans.

In connection with the understanding we have reached, the Allied Delegations requested that the Swedish Government take all appropriate steps to expedite and complete the repatriation of obnoxious Germans now in Sweden.

In this connection, the Allied Delegations have noted with satisfaction the steps already taken.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN

Chief of Delegation of United States

CHRISTIAN VALENSI

Chief of French Delegation

FRANCIS W MCCOMBE

Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

> "In connection with the understanding we have reached, the Allied Delegations requested that the Swedish Government take all appropriate steps to expedite and complete the repatriation of obnoxious Germans now in Sweden.
>
> "In this connection, the Allied Delegations have noted with satisfaction the steps already taken."

I wish to state that it is the policy of the Government of Sweden to repatriate as soon as possible such Germans as are determined by the Government of Sweden, after appropriate investigation, to be obnoxious.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

In connection with the understanding we have reached, we have discussed the property in Sweden of the German State Railways. We understand that the Swedish Government will give favorable consideration to the question of putting the rolling stock and accessories found in Sweden of the German State Railways at the disposal of the appropriate Allied authorities.

German State Railways.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

> "In connection with the understanding we have reached, we have discussed the property in Sweden of the German State Railways. We understand that the Swedish Government will give favorable consideration to the question of putting the rolling stock and accessories found in Sweden of the German State Railways at the disposal of the appropriate Allied authorities."

I confirm our understanding on this subject.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

German-owned patents in Sweden.

In connection with the understanding we have reached, it has been agreed that, pending the conclusion of multilateral arrangements, to which it is the intention of the Allies to invite the Swedish Government to adhere, and pending the decision of the Swedish Government regarding participation in such arrangements, no German owned patent in Sweden shall be sold or otherwise transferred for a period of three months from today's date or such further period as may then be agreed, except where, after notice to the Allies, it is found appropriate to sell patent rights as part of the sale of a German-controlled enterprise.

German trademarks and copyrights.

We have also discussed the problems arising out of German trademarks and copyrights. The Allied Governments contemplate that international discussions may also take place with respect to these matters, with the objective of establishing by agreement general policies with a view to eliminating certain German trademarks and to making freely available to the community such German copyrights as have special value. Pending the making of multilateral arrangements and the decision of the Swedish Government regarding participation in such arrangements, it is hoped that the Swedish Government will not take any action which would preclude their adherence to a policy consistent with such arrangements.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN

Chief of Delegation of United States

CHRISTIAN VALENSI

Chief of French Delegation

FRANCIS W MCCOMBE

Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

"In connection with the understanding we have reached, it has been agreed that, pending the conclusion of multilateral arrangements, to which it is the intention of the Allies to invite the Swedish Government to adhere, and pending the decision of the Swedish Government regarding participation in such arrangements, no German-owned patent in Sweden shall be sold or otherwise transferred for a period of three months from today's date or such further period as may then be agreed, except where, after notice to the Allies, it is found appropriate to sell patent rights as part of the sale of a German-controlled enterprise.

"We have also discussed the problems arising out of German trademarks and copyrights. The Allied Governments contemplate that international discussions may also take place with respect to these matters, with the objective of establishing by agreement general policies with a view to eliminating certain German trademarks and to making freely available to the community such German copyrights as have special value. Pending the making of multilateral arrangements and the decision of the Swedish Government regarding participation in such arrangements, it is hoped that the Swedish Government will not take any action which would preclude their adherence to a policy consistent with such arrangements."

In connection with the first paragraph of your letter, I confirm the understanding stated with reference to the disposition of German-owned patents in Sweden.

As to German trademarks and copyrights, I shall not fail to bring your suggestions to the attention of my Government.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.

Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

German official property in Sweden.

In connection with the understanding we have reached, the Allied Governments wish to state that they reserve their claims with respect to German official property in Sweden, such as the German legation building, its contents, and so forth.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN

Chief of Delegation of United States

CHRISTIAN VALENSI

Chief of French Delegation

FRANCIS W MCCOMBE

Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

> "In connection with the understanding we have reached, the Allied Governments wish to state that they reserve their claims with respect to German official property in Sweden, such as the German legation building, its contents, and so forth."

I shall not fail to bring your statement to the knowledge of my Government.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.

Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Elimination of designated "black lists."

In connection with the understanding we have reached, we have the honor to state that the Allied Governments, without awaiting the conclusion of these discussions, but in recognition of the understanding reached with respect to the liquidation of German interests, have eliminated the "black lists", *inter alia*, so far as Sweden or known Swedish nationals are concerned. It is not the intention of the Allied Governments to continue the "black lists" on an unofficial or advisory basis.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

JUSTICE EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

> "In connection with the understanding we have reached, we have the honor to state that the Allied Governments, without awaiting the conclusion of these discussions, but in recognition of the understanding reached with respect to the liquidation of German interests, have eliminated the "black lists", *inter alia*, so far as Sweden or known Swedish nationals are concerned. It is not the intention of the Allied Governments to continue the "black lists" on an unofficial or advisory basis."

I am pleased to note your statement and I shall not fail to bring it to the attention of my Government.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Swedish representation in Germany.

In connection with the understanding which we have reached, the subject of Swedish representation in Germany was discussed.

We may confirm to you that the competent authorities of the Allied Governments have this matter under consideration and that it is hoped that satisfactory arrangements, in a manner compatible with the necessities of the present situation in Germany, can in due course be worked out on an overall basis.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J. RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

> "In connection with the understanding which we have reached, the subject of Swedish representation in Germany was discussed.
>
> "We may confirm to you that the competent authorities of the Allied Governments have this matter under consideration and that it is hoped that satisfactory arrangements, in a manner compatible with the necessities of the present situation in Germany, can in due course be worked out on an overall basis."

I am pleased to note your statement and I shall not fail to bring it to the attention of my Government.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

In connection with the understanding we have reached, I have the honor to state on behalf of my Government that in the elimination of German interests in Sweden and the liquidation, sale, or transfer of German property, and in approving the transferees, the following principles and practices, *inter alia,* apply and will continue to be observed:

Principles applicable in elimination of German interests in Sweden, etc.

1. Due regard will be paid to world security interests, especially the interest of eliminating completely all forms of German control and economic influence; to the interests of the national economy; and to the obtaining of the highest possible prices.

World security interests.

2. Sales will be made to non-German nationals and, when practicable, will be public sales, except in cases where the assets are acquired by the Swedish Government.

Sales, etc.

3. In any sales or liquidation, the interests of non-German foreign nationals will be protected to the same extent and in the same manner, whether direct or indirect interests are involved, as those of Swedish nationals, on condition of reciprocal treatment in the country of those nationals.

4. The FCCO will inquire into the bona fides of liens and claims against German property, particularly those which arose immediately prior to or after the outbreak of war.

Liens, etc.

5. German property to be dealt with under the understanding shall include all property owned or controlled, directly or indirectly, by any person or legal entity of German nationality inside of Germany, or subject to repatriation to Germany, other than persons whose case merits exceptional treatment.

German property.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

We have the honor to acknowledge receipt of your letter of today in the following terms:

"In connection with the understanding we have reached, I have the honor to state on behalf of my Government that in the elimina-

tion of German interests in Sweden and the liquidation, sale, or transfer of German property, and in approving the transferees, the following principles and practices, *inter alia*, apply and will continue to be observed:

"1. Due regard will be paid to world security interests, especially the interest of eliminating completely all forms of German control and economic influence; to the interests of the national economy; and to the obtaining of the highest possible prices.

"2. Sales will be made to non-German nationals and, when practicable, will be public sales, except in cases where the assets are acquired by the Swedish Government.

"3. In any sales or liquidation, the interests of non-German foreign nationals will be protected to the same extent and in the same manner, whether direct or indirect interests are involved, as those of Swedish nationals, on condition of reciprocal treatment in the country of those nationals.

"4. The FCCO will inquire into the bona fides of liens and claims against German property, particularly those which arose immediately prior to or after the outbreak of war.

"5. German property to be dealt with under the understanding shall include all property owned or controlled, directly or indirectly, by any person or legal entity of German nationality inside of Germany, or subject to repatriation to Germany, other than persons whose case merits exceptional treatment."

We are pleased to note the principles which you have stated.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I am authorized to make, on behalf of my Government, the following statement.

Contributions of Swedish Government.

The Swedish Government in pursuing its policy to participate in the work of reconstruction and rehabilitation has in connection with the understanding we have reached found it appropriate to make the following contributions:

Funds available to Inter-Governmental Committee on Refugees.

1. The Swedish Government will make available 50 million kronor to the Inter-Governmental Committee on Refugees for use in rehabilitation and resettlement of non-repatriable victims of German action.

You may rest assured that my Government, while reserving its decision as to the manner in which the funds will be made available, will use its best efforts to make the funds available as soon as possible and in such manner as to best carry out the aims of the Committee.

Countries party to Paris Agreement on Reparations.

2. The Swedish Government will further make available 75 million kronor, which it will allocate among countries party to the Paris Agreement on Reparations. Decisions upon allocation will be made after exchanges of views with the Allies acting on behalf of those countries and with favorable consideration of their views.

There will also be consultation between the Swedish Government and each of the countries which may receive credit for any part of this sum as regards the extent to which or manner in which benefit from its share shall be applied either in the remission, reduction or extension of any existing or future credit with Sweden of each such country, or otherwise, as may be agreed between each such country and Sweden.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

We have the honor to acknowledge receipt of your letter of today in the following terms:

"I am authorized to make, on behalf of my Government, the following statement.

"The Swedish Government in pursuing its policy to participate in the work of reconstruction and rehabilitation has in connection with the understanding we have reached found it appropriate to make the following contributions:

"1. The Swedish Government will make available 50 million kronor to the Inter-Governmental Committee on Refugees for use in rehabilitation and resettlement of non-repatriable victims of German action.

"You may rest assured that my Government, while reserving its decision as to the manner in which the funds will be made available, will use its best efforts to make the funds available as soon as possible and in such manner as to best carry out the aims of the Committee.

"2. The Swedish Government will further make available 75 million kronor, which it will allocate among countries party to the Paris Agreement on Reparations. Decisions upon allocation will be made after exchanges of views with the Allies acting on behalf of those countries and with favorable consideration of their views.

"There will also be consultation between the Swedish Government and each of the countries which may receive credit for any part of this sum as regards the extent to which or manner in which benefit from its share shall be applied either in the remission, reduction or extension of any existing or future credit with Sweden of each such country, or otherwise, as may be agreed between each such country and Sweden."

We are pleased, on behalf of the Inter-Governmental Committee on Refugees and the countries signatory to the Paris Reparation Agreement, to note the contributions to be made by the Government of Sweden. We shall not fail to bring your statements on these subjects to their knowledge.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

Ante, pp. 3191, 3194.

With regard to paragraphs 2 and 3 of the understanding concerning German assets in Sweden contained in the letters exchanged today, I wish to recall that the Swedish Government has been able to make the engagement in paragraph 2 on the ground that the proceeds of the liquidation are German property and may be used as payment for deliveries of commodities for Germany in conformity with the Swedish clearing-legislation, provided compensation is given to the owner.

It is understood that the Russian Government has no claim to use the German assets in Sweden for the benefit of the Russian zone.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

We have the honor to acknowledge receipt of your letter of today in the following terms:

"With regard to paragraphs 2 and 3 of the understanding concerning German assets in Sweden contained in the letters exchanged today, I wish to recall that the Swedish Government has been able to make the engagement in paragraph 2 on the ground that the proceeds of the liquidation are German property and may be used as payment for deliveries of commodities for Germany in conformity with the Swedish clearing-legislation, provided compensation is given to the owner.

Ante, pp. 3191, 3194.

"It is understood that the Russian Government has no claim to use the German assets in Sweden for the benefit of the Russian zone."

We understand that your statement is not intended to affect the arrangements described in paragraphs 2 and 3 of our understanding dealing with the disposition of German assets in Sweden and the indemnification of the German owners.

We may confirm to you that, pursuant to the Potsdam Protocol, the U.S.S.R. has waived any claim to German assets in Sweden for itself or for the zone in Germany in its charge.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

In connection with the understanding we have reached, I have the honor to confirm to you my agreement to recommend to my Government that it should take steps with a view to putting at the disposal of the three Allied Governments, for purposes of relief, the proceeds of property found in Sweden which belong to victims of Nazi action who have died without heirs.

Property of victims deceased without heirs.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.

Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

We are glad to acknowledge receipt of your letter of today with respect to the property in Sweden of persons who have died as a result of Nazi action and left no heirs, and to hope that the proceeds of this property will be made available in the manner described in your letter.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN

Chief of Delegation of United States

CHRISTIAN VALENSI

Chief of French Delegation

FRANCIS W MCCOMBE

Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Looted gold.

In connection with the paragraph in the letters exchanged today dealing with looted gold, we wish to confirm to you our understanding that, in view of the evidence already produced and checked, no further claim will be presented to Sweden by the Governments signatory to the Paris Reparation Agreement or their banks of issue with regard to any gold acquired by Sweden from Germany and transferred to third countries prior to June 1, 1945.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

> "In connection with the paragraph in the letters exchanged today dealing with looted gold, we wish to confirm to you our understanding that, in view of the evidence already produced and checked, no further claim will be presented to Sweden by the Governments signatory to the Paris Reparation Agreement or their banks of issue with regard to any gold acquired by Sweden from Germany and transferred to third countries prior to June 1, 1945."

I shall not fail to bring your statement to the knowledge of my Government.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

In connection with the understanding reached today, we raised the problem of having access to the files of the German Chamber of Commerce in Sweden.

Files of German Chamber of Commerce in Sweden, etc.

You stated that the Government of Sweden will disclose to the representatives of the Allies any information contained in the files of the German Chamber of Commerce which may be relevant to the objectives of our understanding.

In view of the fact that approximately two-thirds of the funds which were made available to the German Chamber of Commerce were furnished by the German Government or its agents, the Government of Sweden is requested sympathetically to consider the suggestion that it should accordingly treat that proportion of the net proceeds of liquidation as a German asset.

Accept, Sir, the renewed assurances of our most distinguished consideration.

SEYMOUR J RUBIN
Chief of Delegation of United States

CHRISTIAN VALENSI
Chief of French Delegation

FRANCIS W MCCOMBE
Chief of Delegation of United Kingdom

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
July 18, 1946

GENTLEMEN:

I have the honor to acknowledge receipt of your letter of today's date in the following terms:

> "In connection with the understanding reached today, we raised the problem of having access to the files of the German Chamber of Commerce in Sweden.
>
> "You stated that the Government of Sweden will disclose to the representatives of the Allies any information contained in the files of the German Chamber of Commerce which may be relevant to the objectives of our understanding.
>
> "In view of the fact that approximately two-thirds of the funds which were made available to the German Chamber of Commerce were furnished by the German Government or its agents, the Government of Sweden is requested sympathetically to consider the suggestion that it should accordingly treat that proportion of the net proceeds of liquidation as a German asset."

I confirm the statement regarding the files of the German Chamber of Commerce. Your request regarding its assets will be given full examination.

Accept, Gentlemen, the renewed assurances of my most distinguished consideration.

EMIL SANDSTRÖM.
Chief of Swedish Delegation

To the CHIEFS OF THE
ALLIED DELEGATIONS

The Chief of the American Delegation to the Chief of the Swedish Delegation [1]

WASHINGTON, D.C.
July 18, 1946

DEAR JUSTICE SANDSTRÖM:

Swedish holdings in U. S.

In connection with the coming into effect of the understanding we have reached, I am authorized to state that the United States of America will at the earliest possible date thereafter unblock the Swedish holdings in the United States, according to a procedure to be worked out by officials of that country and Swedish officials.

Accept, Sir, the renewed assurances of my most distinguished consideration.

Very truly yours,

Seymour J. Rubin
Chief of Delegation of United States

Justice EMIL SANDSTRÖM
Chief of Swedish Delegation

The Chief of the Swedish Delegation to the Chief of the American Delegation [1]

WASHINGTON, D.C.
July 18, 1946

DEAR MR. RUBIN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

> "In connection with the coming into effect of the understanding we have reached, I am authorized to state that the United States of America will at the earliest possible date thereafter unblock the Swedish holdings in the United States, according to a procedure to be worked out by officials of that country and Swedish officials."

[1] [There is no French language text of this note.]

Accept, Sir, the renewed assurances of my most distinguished consideration.

Very truly yours,

Emil Sandström

Emil Sandström
Chief of Swedish Delegation

Mr. SEYMOUR J. RUBIN
Chief of Delegation of United States

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Des Délégations représentant d'une part les Gouvernements des Etats-Unis d'Amérique, de la République Française et du Royaume Uni de Grande Bretagne et d'Irlande du Nord (ci-dessous désignés comme les Alliés), et d'autre part le Gouvernement de la Suède, se sont réunies à Washington pour échanger leurs vues sur des questions relatives aux intérêts allemands en Suède et à l'élimination de toute possibilité de risque de voir ces intérêts utilisés au service d'une nouvelle agression allemande.

Comme suite à cet échange de vues, et pour affirmer à nouveau leur volonté de se donner un appui mutuel pour atteindre ces objectifs de sécurité économique, les Délégations suédoise et alliées sont parvenues à l'accord suivant:

1. a) Le Gouvernement suédois confirme son intention de poursuivre un programme de sécurité économique par l'élimination des intérêts allemands en Suède.

b) Le Gouvernement suédois affirme, en outre, que le Bureau des Avoirs Etrangers (Flyktkapitalbyrån) continuera, à cette fin, de rechercher, de prendre sous contrôle, de liquider, de vendre ou de transférer les biens allemands, et que la procédure, déjà officieusement établie d'accord entre le Bureau des Avoirs Etrangers et les représentations alliées à Stockholm, sera poursuivie comme précédemment, comme un moyen d'échanger des informations relativement à la découverte et la liquidation des biens allemands, et de se prêter mutuellement assistance dans la réalisation de ce programme.

2. Le produit de la liquidation des avoirs allemands en Suède laissera, après que certaines créances suédoises auront été compensées, un solde qui sera considéré comme étant de 150 millions de couronnes. Afin d'aider à prévenir le danger d'épidémies et de troubles en Allemagne, cette somme de 150 millions de couronnes sera versée à un compte spécial chez la Banque d'Etat suédoise et utilisée pour financer tels achats—en Suède ou sur tout autre marché—de produits essen-

tiels pour l'économie allemande, dont il sera convenu entre le Gouvernement suédois et les Alliés. Dans la mesure où ces achats seront faits sur le marché suédois, les livraisons tiendront compte des limites imposées par le degré de rareté des produits disponibles.

3. Les propriétaires allemands interessés seront indemnisés en monnaie allemande en contrepartie de ceux de leurs biens qui auront été liquidés ou qui auront été l'objet d'un acte de disposition en Suède en vertu du présent accord. A cette fin, l'autorité suédoise compétente donnera aux Alliés les précisions nécessaires concernant le produit obtenu, avec indication du nom et de l'adresse du titulaire allemand du droit, et les autorités alliées en Allemagne prendront les mesures nécessaires pour enregistrer le titre des interessés allemands aux biens liquidés à recevoir la contre-partie de ceux-ci.

4. a) Fidèle à sa politique de restitution des biens pillés, le Gouvernement suédois restituera aux Alliés tout l'or qui a été acquis par la Suède et dont il sera prouvé qu'il a été pris par les Allemands dans les pays occupés, y compris l'équivalent de celui qui a été transféré à d'autres pays par la Banque d'Etat suédoise. Toute revendication de la part des gouvernements des pays occupés ou de leurs banques d'émission non présentée avant le 1er juillet 1947 sera réputée irrecevable.

b) Sur la base des renseignements actuellement produits, et sous réserve de plus amples vérifications, il est présumé que le poids de l'or que le Gouvernement suédois est tenu de restituer est de 7.155,32664 Kgs. d'or fin, correspondant à la quantité d'or provenant de la Banque de Belgique qui a été acquise par la Banque d'Etat suédoise et doit être restituée en application de ce qui précède.

c) Les Gouvernements alliés s'engagent à garantir le Gouvernement suédois contre toute réclamation qui pourra résulter de transferts effectués par la Banque d'Etat suédoise à d'autres pays d'or qui doit être restitué en vertu de la déclaration ci-dessus.

5. Les divergences sur l'interprétation et la portée des clauses ci-dessus seraient, si les quatre gouvernements n'en convenaient autrement, soumises à l'arbitrage.

6. Les représentants soussignés des Gouvernements des Etats-Unis d'Amérique, de la République Française et du Royaume Uni de Grande Bretagne et d'Irlande du Nord déclarent qu'en ce qui concerne les dispositions qui précèdent ils agissent également pour le compte des gouvernements des pays suivants: Albanie, Australie, Belgique, Canada, Danemark, Egypte, Grèce, Inde, Luxembourg, Norvège, Nouvelle Zélande, Pays-Bas, Tchécoslovaquie, Union de l'Afrique du Sud, Yougoslavie, et, en tant que de besoin, pour le compte de leurs banques d'émission.

7. a) Les trois Gouvernements alliés prendront, par l'intermédiaire de leurs représentations à Stockholm, des dispositions pour qu'une délégation officielle suédoise soit admise à visiter les zones dont ils ont respectivement la charge en Allemagne, et inspecter les biens des entreprises qui sont la propriété de ressortissants suédois ou dans lesquels des ressortissants suédois ont une participation substantielle. Le droit de regard et les activités de la Délégation ne seront limités

que par les exigences générales de la sécurité et des besoins militaires, et par les lois et règlements généraux applicables à toutes personnes voyageant en Allemagne.

b) Les trois Gouvernements alliés ont l'intention d'accorder une protection sans discrimination aux biens possédés en Allemagne par des ressortissants de pays étrangers amis, y compris les biens d'entreprises dans lesquelles ces ressortissants ont une participation substantielle. Des dispositions seront prises pour qu'une compensation équitable soit accordée en Allemagne dans le cas où de tels biens auront été l'objet de mesures d'enlèvement ou d'autres actes de disposition par les autorités alliées dans leurs zones d'occupation en Allemagne.

8. Les Alliés requerront en temps opportun l'Allemagne ou le futur gouvernement allemand de confirmer les stipulations du présent accord pour autant qu'elles concernent les biens allemands en Suède.

9. Le présent accord entrera en vigueur après approbation par le parlement suédois [1], ainsi que les autres lettres échangées en date de ce jour sauf dans les cas où il aura été prévu autrement./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN
Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI
Le Chef de la Délégation du Royaume Uni.
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM,
Chef de la Délégation Suédoise.

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
le 18 juillet 1946.

MESSIEURS,

Des Délégations représentant d'une part les Gouvernements des Etats Unis d'Amérique, de la République Française et du Royaume Uni de Grande Bretagne et d'Irlande du Nord (ci-dessous désignés comme les Alliés), et d'autre part le Gouvernement de la Suède, se sont réunies à Washington pour échanger leurs vues sur des questions relatives aux intérêts allemands en Suède et à l'élimination de toute possibilité de risque de voir ces intérêts utilisés au service d'une nouvelle agression allemande.

Comme suite à cet échange de vues, et pour affirmer à nouveau leur volonté de se donner un appui mutuel pour atteindre ces objectifs

[1] [See footnote, p. 3193.]

de sécurité économique, les Délégations suédoise et alliées sont parvenues à l'accord suivant:

1. a) Le Gouvernement suédois confirme son intention de poursuivre un programme de sécurité économique par l'élimination des intérêts allemands en Suède.

b) Le Gouvernement suédois affirme, en outre, que le Bureau des Avoirs Etrangers (Flyktkapitalbyrån) continuera, à cette fin, de rechercher, de prendre sous contrôle, de liquider, de vendre ou de transférer les biens allemands, et que la procédure, déjà officieusement établie d'accord entre le Bureau des Avoirs Etrangers et les représentations alliées à Stockholm, sera poursuivie comme précédemment, comme un moyen d'échanger des informations relativement à la découverte et la liquidation des biens allemands, et de se prêter mutuellement assistance dans la réalisation de ce programme.

2. Le produit de la liquidation des avoirs allemands en Suède laissera, après que certaines créances suédoises auront été compensées, un solde qui sera considéré comme étant de 150 millions de couronnes. Afin d'aider à prévenir le danger d'épidémies et de troubles en Allemagne, cette somme de 150 millions de couronnes sera versée à un compte spécial chez la Banque d'Etat suédoise et utilisée pour financer tels achats—en Suède ou sur tout autre marché—de produits essentiels pour l'économie allemande, dont il sera convenu entre le Gouvernement suédois et les Alliés. Dans la mesure où ces achats seront faits sur le marché suédois, les livraisons tiendront compte des limites imposées par le degré de rareté des produits disponibles.

3. Les propriétaires allemands interessés seront indemnisés en monnaie allemande en contre-partie de ceux de leurs biens qui auront été liquidés ou qui auront été l'objet d'un acte de disposition en Suède en vertu du présent accord. A cette fin, l'autorité suédoise compétente donnera aux Alliés les précisions nécessaires concernant le produit obtenu, avec indication du nom et de l'adresse du titulaire allemand du droit, et les autorités alliées en Allemagne prendront les mesures nécessaires pour enregistrer le titre des interessés allemands aux biens liquidés à recevoir la contre-partie de ceux-ci.

4. a) Fidèle à sa politique de restitution des biens pillés, le Gouvernement suédois restituera aux Alliés tout l'or qui a été acquis par la Suède et dont il sera prouvé qu'il a été pris par les Allemands dans les pays occupés, y compris l'équivalent de celui qui a été transféré à d'autres pays par la Banque d'Etat suédoise. Toute revendication de la part des gouvernements des pays occupés ou de leurs banques d'émission non présentée avant le 1er juillet 1947 sera réputée irrecevable.

b) Sur la base des renseignements actuellement produits, et sous réserve de plus amples vérifications il est présumé que le poids de l'or que le Gouvernement suédois est tenu de restituer est de 7.155,32664 Kgs. d'or fin, correspondant à la quantité d'or provenant de la Banque de Belgique qui a été acquise par la Banque d'Etat suédoise et doit être restituée en application de ce qui précède.

c) Les Gouvernements alliés s'engagent à garantir le Gouvernement suédois contre toute réclamation qui pourra résulter de transferts effectués par la Banque d'Etat suédoise à d'autres pays d'or qui doit être restitué en vertu de la déclaration ci-dessus.

5. Les divergences sur l'interprétation et la portée des clauses ci-dessus seraient, si les quatre gouvernements n'en convenaient autrement, soumises à l'arbitrage.

6. Les représentants soussignés des Gouvernements des Etats-Unis d'Amérique, de la République Française et du Royaume Uni de Grande Bretagne et d'Irlande du Nord déclarent qu'en ce qui concerne les dispositions qui précèdent ils agissent également pour le compte des gouvernements des pays suivants: Albanie, Australie, Belgique, Canada, Danemark, Egypte, Grèce, Inde, Luxembourg, Norvège, Nouvelle Zélande, Pays-Bas, Tchécoslovaquie, Union de l'Afrique du Sud, Yougoslavie, et, en tant que de besoin, pour le compte de leurs banques d'émission.

7. a) Les trois Gouvernements alliés prendront, par l'intermédiaire de leurs représentations à Stockholm, des dispositions pour qu'une délégation officielle suédoise soit admise à visiter les zones dont ils ont respectivement la charge en Allemagne, et inspecter les biens des entreprises qui sont la propriété de ressortissants suédois ou dans lesquels des ressortissants suédois ont une participation substantielle. Le droit de regard et les activités de la Délégation ne seront limités que par les exigences générales de la sécurité et des besoins militaires, et par les lois et règlements généraux applicables à toutes personnes voyageant en Allemagne.

b) Les trois Gouvernements alliés ont l'intention d'accorder une protection sans discrimination aux biens possédés en Allemagne par des ressortissants de pays étrangers amis, y compris les biens d'entreprises dans lesquelles ces ressortissants ont une participation substantielle. Des dispositions seront prises pour qu'une compensation équitable soit accordée en Allemagne dans le cas où de tels biens auront été l'objet de mesures d'enlèvement ou d'autres actes de disposition par les autorités alliées dans leurs zones d'occupation en Allemagne.

8. Les Alliés requerront en temps opportun l'Allemagne ou le futur gouvernement allemand de confirmer les stipulations du présent accord pour autant qu'elles concernent les biens allemands en Suède.

9. Le présent accord entrera en vigueur après approbation par le parlement suédois, ainsi que les autres lettres échangées en date de ce jour sauf dans les cas où il aura été prévu autrement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation Suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLEGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Au cours des négociations qui viennent de se terminer au sujet des avoirs allemands en Suède, vous nous avez fait savoir quelles étaient les procédures suivies en Suède pour la restitution des biens qui s'y trouvent et qui ont été pillés par l'Allemagne ou par ses ressortissants. Vous avez porté à notre connaissance le fait que ces procédures, telles qu'établies par la loi suédoise du 29 juin 1945 (No. 520) constituent un moyen simple et peu coûteux par lequel les victimes des spoliations peuvent obtenir la restitution de leurs biens en Suède.

Nous tenons à vous dire que ces procédures nous donnent satisfaction et que nous faisons confiance au Gouvernement suédois pour qu'il les continue. Vous vous souviendrez à ce sujet que nous avons abordé dans nos discussions le problème de la recherche des valeurs mobilières pillées. Nous notons avec satisfaction que votre Gouvernement entend examiner avec sympathie ce problème ainsi que les propositions de procédures destinées à faciliter la découverte de ces valeurs que les Gouvernements alliés pourront ultérieurement présenter./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM
Chef de la Délégation Suédoise

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
Le 18 juillet 1946.

MESSIEURS,

J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"Au cours des négociations qui viennent de se terminer au sujet des avoirs allemands en Suède, vous nous avez fait savoir quelles étaient les procédures suivies en Suède pour la restitution des biens qui s'y trouvent et qui ont été pillés par l'Allemagne ou par ses ressortissants.

Vous avez porté à notre connaissance le fait que ces procédures, telles qu'établies par la loi suédoise du 29 juin 1945 (No. 520) constituent un moyen simple et peu coûteux par lequel les victimes des spoliations peuvent obtenir la restitution de leurs biens en Suède.

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Je vous confirme que la loi susmentionnée est toujours en vigueur mais qu'elle doit expirer le 1er juillet 1947 sauf prorogation. Je vous confirme également la volonté du Gouvernement suédois de coopérer notamment à la recherche des valeurs mobilières pillées dans le cadre de la législation suédoise et dans les limites des possibilités pratiques./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, les Délégations alliées ont souligné l'importance qu'elles attachent à voir le Gouvernement suédois mener des enquêtes pour rechercher les avoirs allemands détenus hors de Suède, au nom ou par l'intermédiaire d'institutions ou de ressortissants suédois. Les Délégations alliées ont souligné que la découverte de tels avoirs ne peut être effectuée qu'avec la coopération et l'assistance du Gouvernement suédois.

Il est en conséquence demandé au Gouvernement suédois de prendre des mesures appropriées, de recensement et autres, pour identifier tels avoirs allemands qui peuvent être détenus hors de Suède au nom ou par l'intermédiaire d'institutions ou de ressortissants suédois et de porter ces renseignements à la connaissance des Gouvernements alliés./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
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The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
le 18 juillet 1946.

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J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"A l'occasion de l'accord auquel nous sommes parvenus, les Délégations alliées ont souligné l'importance qu'elles attachent à voir le Gouvernement suédois mener des enquêtes pour rechercher les avoirs allemands détenus hors de Suède, au nom ou par l'intermédiaire d'institutions ou de ressortissants suédois. Les Délégations alliées ont souligné que la découverte de tels avoirs ne peut être effectuée qu'avec la coopération et l'assistance du Gouvernement suédois.

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Je tiens à vous faire savoir que mon Gouvernement prendra des mesures pour découvrir les biens dont il s'agit. Les renseignements concernant ces biens seront fournis de la manière prévue pour les renseignements sur les biens allemands en Suède./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, les Délégations Alliées ont demandé que le Gouvernement suédois prenne toutes mesures appropriées pour accélérer et achever le rapatriement des Allemands dangereux actuellement en Suède.

Les Délégations Alliées ont noté avec satisfaction les mesures déjà prises sous ce rapport./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis.
SEYMOUR J RUBIN
Le Chef de la Délégation de la République Française.
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WASHINGTON, D.C.
le 18 juillet 1946.

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J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

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Les Délégations alliées ont noté avec satisfaction les mesures déjà prises sous ce rapport./."

Je tiens à déclarer que l'intention du Gouvernement suédois est de rapatrier dès que possible ceux des Allemands qui, après enquête appropriée, seront jugés dangereux par le Gouvernement suédois./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946

MONSIEUR LE PRÉSIDENT,

Nous référant à l'accord auquel nous sommes parvenus, nous avons discuté des avoirs en Suède des Chemins de Fer de l'Etat allemand. Nous comprenons que le Gouvernement suédois examinera avec faveur la possibilité de mettre à la disposition des autorités alliées compétentes le matériel roulant et autres avoirs des Chemins de Fer de l'Etat allemand trouvés en Suède./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
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The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
Le 18 juillet 1946.

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J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:—

"Nous référant à l'accord auquel nous sommes parvenus, nous avons discuté des avoirs en Suède des Chemins de Fer de l'Etat allemand. Nous comprenons que le Gouvernement suédois examinera avec faveur la possibilité de mettre à la disposition des autorités alliées compétentes le matériel roulant et autres avoirs des Chemins de Fer de l'Etat allemand trouvés en Suède"./.

Je vous confirme notre accord à ce sujet./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, il a été entendu qu'en attendant la conclusion d'accords multipartites auxquels les Alliés ont l'intention d'inviter le Gouvernement suédois à adhérer, et la décision du Gouvernement suédois au sujet de sa participation aux dits arrangements, aucun brevet, propriété allemande en Suède, ne sera cédé pendant trois mois après la signature de la présente lettre, ou pendant telle période plus longue qui pourra être convenue, sauf dans les cas où, après avis donné aux Alliés, il serait jugé opportun de céder des droits de brevets englobés dans la vente d'une entreprise sous contrôle allemand.

Nous avons aussi discuté des problèmes posés par les marques de fabrique et droits d'auteurs allemands. Les gouvernements alliés envisagent des discussions internationales qui pourraient également avoir lieu sur ces matières afin d'établir par accord général une politique tendant à éliminer certaines marques de fabrique allemandes et à mettre à la libre disposition de la communauté les droits d'auteurs allemands qui ont une valeur particulière. En attendant de faire des accords multipartites et en attendant la décision du Gouvernement suédois au sujet de sa participation dans de tels accords, nous espérons que le Gouvernement suédois évitera d'entreprendre toute action qui rendrait impossible son adhésion à une politique compatible avec ces arrangements./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

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J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"A l'occasion de l'accord auquel nous sommes parvenus, il a été entendu qu'en attendant la conclusion d'accords multipartites auxquels les Alliés ont l'intention d'inviter le Gouvernement suédois à adhérer, et la décision du Gouvernement suédois au sujet de sa participation aux dits arrangements, aucun brevet, propriété allemande en Suède, ne sera cédé pendant trois mois après la signature de la présente lettre, ou pendant telle période plus longue qui pourra être convenue, sauf dans les où, après avis donné aux Alliés, il serait jugé opportun de céder des droits de brevets englobés dans la vente d'une entreprise sous contrôle allemand.

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Me référant au premier paragraphe de votre lettre, je vous confirme l'accord mentionné au sujet de la disposition des brevets, propriété allemande en Suède.

Quant aux marques de fabrique et droits d'auteurs allemands, je ne manquerai pas de porter vos suggestions à l'attention de mon Gouvernement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, les Gouvernements alliés tiennent à déclarer qu'ils réservent leurs droits au sujet des avoirs officiels allemands en Suède, tels que l'immeuble de la Légation d'Allemagne, son contenu, ou autres biens analogues./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique.
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Je ne manquerai pas de porter votre déclaration à la connaissance de mon Gouvernement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation Suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946

MONSIEUR LE PRÉSIDENT,

Nous référant à l'accord auquel nous sommes parvenus, nous avons l'honneur de déclarer que les Gouvernements alliés, sans attendre la conclusion des présentes négociations, mais pour tenir compte de l'accord réalisé au sujet de la liquidation des intérêts allemands, ont supprimé les listes noires pour autant qu'elles concernent, en particulier, la Suède ou des ressortissants suédois connus comme tels. Les Gouvernements alliés n'ont pas l'intention de continuer les listes noires sous une forme officieuse./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique.
SEYMOUR J RUBIN
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Je suis heureux de prendre note de votre déclaration et je ne manquerai pas de la porter à l'attention de mon Gouvernement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation Suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES,

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, a été discutée la question de la représentation suédoise en Allemagne.

Nous sommes en mesure de vous confirmer que les Autorités competentes des Gouvernements allies ont mis cette question a l'étude et

que l'on peut espérer que des arrangements d'ensemble satisfaisants, compatibles avec les exigences de la situation actuelle en Allemagne, pourront être mis sur pied en temps utile./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN
Le Chef de la Délégation de la République Française
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Le Chef de la Délégation du Royaume-Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTROM,
Chef de la Délégation suédoise.

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le 18 juillet 1946.

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Nous sommes en mesure de vous confirmer que les Autorités compétentes des Gouvernements alliés ont mis cette question a l'étude et que l'on peut espérer que des arrangements d'ensemble satisfaisants, compatibles avec les exigences de la situation actuelle en Allemagne, pourront être mis sur pied en temps utile./."

Je suis heureux de prendre note de votre déclaration et je ne manquerai pas de la porter à l'attention de mon Gouvernement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Emil Sandström
Emil Sandström
Chef de la Délégation de Suède

Messieurs les CHEFS DES DÉLÉGATIONS ALLIÉES.

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
Le 18 juillet 1946.

MESSIEURS,

A l'occasion de l'accord auquel nous sommes parvenus, j'ai l'honneur de déclarer, au nom de mon Gouvernement, que, dans l'élimination des

intérêts allemands en Suède, la liquidation, la vente ou le transfert de biens allemands, et pour l'agrément des acquéreurs de ces biens, les principes et les pratiques appliqués et qui continueront d'être observés sont, entre autres, les suivants:

1/ Compte sera dûment tenu des nécessités de la sécurité mondiale, et notamment de la nécessité d'éliminer complètement toute forme de contrôle allemand et d'influence économique allemande, ainsi que des intérêts de l'économie suédoise, et de l'intérêt d'obtenir le plus haut prix possible.

2/ Les ventes seront faites à des personnes autres que des ressortissants allemands et seront, dans la mesure du possible, publiques, sauf dans les cas où les avoirs seront acquis par le Gouvernement suédois.

3/ Lors de toute vente ou liquidation, les intérêts des ressortissants étrangers autres qu'allemands seront, qu'il s'agisse d'intérêts directs ou indirects, protégés dans la même mesure et de la même manière que ceux des ressortissants suédois, sous condition de réciprocité dans le pays de ces étrangers.

4/ Le Bureau des Avoirs Etrangers s'enquerra de la bonne foi des transactions qui sont à l'origine de sûretés et de créances portant sur des biens allemands, et notamment de celles qui sont intervenues immédiatement avant le début des hostilités ou depuis lors.

5/ L'expression "biens allemands" telle qu'elle est employée dans l'accord comprend tous biens possédés ou contrôlés, directement ou indirectement, par des personnes morales ou physiques de nationalité allemande en Allemagne, ou devant être rapatriées en Allemagne, autres que celles dont le cas mérite un traitement exceptionnel./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Nous avons l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"A l'occasion de l'accord auquel nous sommes parvenus, j'ai l'honneur de déclarer, au nom de mon Gouvernement, que, dans l'élimination des intérêts allemands en Suède, la liquidation, la vente ou le transfert de biens allemands, et pour l'agrément des acquéreurs de ces biens, les principes et les pratiques appliqués et qui continueront d'être observés sont, entre autres, les suivants:

1/ Compte sera dûment tenu des nécessités de la sécurité mondiale, et notamment de la nécessité d'éliminer complètement toute forme de contrôle allemand et d'influence économique allemande, ainsi que des intérêts de l'économie suédoise, et de l'intérêt d'obtenir le plus haut prix possible.

2/ Les ventes seront faites à des personnes autres que des ressortissants allemands et seront, dans la mesure du possible, publiques, sauf dans les cas où les avoirs seront acquis par le Gouvernement suédois.

3/ Lors de toute vente ou liquidation, les intérêts des ressortissants étrangers autres qu'allemands seront, qu'il s'agisse d'intérêts directs ou indirects, protégés dans la même mesure et de la même manière que ceux des ressortissants suédois, sous condition de réciprocité dans le pays de ces étrangers.

4/ Le Bureau des Avoirs Etrangers s'enquerra de la bonne foi des transactions qui sont à l'origine de sûretés et de créances portant sur des biens allemands, et notamment de celles qui sont intervenues immédiatement avant le début des hostilités ou depuis lors.

5/ L'expression "biens allemands" telle qu'elle est employée dans l'accord comprend tous biens possédés ou contrôlés, directement ou indirectement, par des personnes morales ou physiques de nationalité allemande en Allemagne, ou devant être rapatriées en Allemagne, autres que celles dont le cas mérite un traitement exceptionnel./."

Nous sommes heureux de prendre note des principes que vous avez énoncés./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM
Chef de la Délégation suédoise

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
Le 18 juillet 1946.

MESSIEURS,

Je suis autorisé à faire, au nom de mon Gouvernement, la déclaration suivante.

Le Gouvernement suédois, fidèle à sa politique de participation à l'oeuvre de reconstruction et de restauration, a jugé convenable, à

l'occasion de l'accord auquel nous sommes parvenus, d'apporter les contributions suivantes:

1) Le Gouvernement suédois mettra à la disposition du Comité Intergouvernemental des Réfugiés une somme de cinquante millions de couronnes qui sera employée au relèvement et au réétablissement des victimes non rapatriables de l'action allemande.

Vous pouvez être assurés que mon Gouvernement, bien qu'il réserve sa décision sur la façon dont les fonds seront rendus disponibles, fera tous ses efforts pour que les fonds soient rendus disponibles aussitôt que possible et de la manière la plus apte à atteindre les objectifs du Comité.

2) Le Gouvernement suédois affectera en outre une somme de soixante-quinze millions de couronnes pour la répartir au bénéfice de pays signataires de l'Accord de Paris sur les réparations. Les décisions relatives à la répartition seront prises après échanges de vues avec les Alliés agissant au nom de ces pays, et en examinant leurs vues avec faveur.

Des consultations auront également lieu entre le Gouvernement suédois et chacun des pays qui pourront recevoir une part quelconque de cette somme, en ce qui concerne la mesure dans laquelle, ou la manière suivant laquelle, ce pays bénéficiera de sa part, soit par la remise, la réduction ou l'augmentation d'un crédit présent, ou l'octroi d'un nouveau crédit accordé par la Suède à ce pays, soit autrement, suivant ce qui sera convenu entre ce pays et la Suède./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise.
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Nous avons l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"Je suis autorisé à faire, au nom de mon Gouvernement, la déclaration suivante.

Le Gouvernement suédois, fidèle à sa politique de participation à l'oeuvre de reconstruction et de restauration, a jugé convenable à l'occasion de l'accord a auquel nous sommes parvenus, d'apporter les contributions suivantes:

I) Le Gouvernement suédois mettra à la disposition du Comité Intergouvernemental des Réfugiés une somme de cinquante millions de couronnes qui sera employée au relèvement et au réétablissement des victimes non rapatriables de l'action allemande.

Vous pouvez être assurés que mon Gouvernement, bien qu'il réserve sa décision sur la façon dont les fonds seront rendus disponibles, fera tous ses efforts pour que les fonds soient rendus disponibles aussitôt que possible et de la manière la plus apte à atteindre les objectifs du Comité.

2) Le Gouvernement suédois affectera en outre une somme de soixante-quinze millions de couronnes pour la répartir au bénéfice de pays signataires de l'Accord de Paris sur les réparations. Les décisions relatives à la répartition seront prises après échanges de vues avec les Alliés agissant au nom de ces pays, et en examinant leurs vues avec faveur.

Des consultations auront également lieu entre le Gouvernement suédois et chacun des pays qui pourront recevoir une part quelconque de cette somme, en ce qui concerne la mesure dans laquelle, ou la manière suivant laquelle, ce pays bénéficiera de sa part, soit par la remise, la réduction ou l'augmentation d'un crédit présent, ou l'octroi d'un nouveau crédit, accordé par la Suède à ce pays, soit autrement, suivant ce qui sera convenu entre ce pays et la Suède./."

Nous sommes heureux, au nom du Comité Intergouvernemental des Réfugiés et au nom des pays signataires de l'Accord de Paris sur les réparations, de prendre note des contributions à apporter par le Gouvernement suédois. Nous ne manquerons pas de porter à leur attention vos déclarations à ce sujet./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique.
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM
Chef de la Délégation suédoise.

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
le 18 juillet 1946.

MESSIEURS,

Au sujet des paragraphes 2 et 3 de l'accord concernant les avoirs allemands en Suède contenu dans les lettres échangées ce jour, je tiens à rappeler que le Gouvernement suédois a été en mesure de prendre l'engagement contenu dans le paragraphe 2 du fait que les produits de la liquidation constituent un avoir allemand et peuvent être utilisés pour le paiement de livraisons de produits pour l'Allemagne conformément à la législation suédoise en matière de clearing, pourvu que compensation soit assurée au titulaire du droit.

Il est entendu que le Gouvernement russe n'a pas de titre à faire valoir pour l'emploi des avoirs allemands en Suède au bénéfice de la zone russe./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Nous avons l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"Au sujet des paragraphes 2 et 3 de l'accord concernant les avoirs allemands en Suède contenu dans les lettres échangées ce jour, je tiens à rappeler que le Gouvernement suédois a été en mesure de prendre l'engagement contenu dans le paragraphe 2 du fait que les produits de la liquidation constituent un avoir allemand et peuvent être utilisés pour le paiement de livraisons de produits pour l'Allemagne conformément à la législation suédoise en matière de clearing, pourvu que compensation soit assurée au titulaire du droit.

Il est entendu que le Gouvernement russe n'a pas de titre à faire valoir pour l'emploi des avoirs allemands en Suède au bénéfice de la zone russe./."

Nous comprenons que votre déclaration n'entend pas affecter les arrangements contenus dans les paragraphes 2 et 3 de notre accord relatif à la disposition des avoirs allemands en Suède et à l'indemnisation des proprietaires allemands.

Nous pouvons confirmer que par application du protocole de Potsdam l'U. R. S. S. a renonçé à tous titres sur les avoirs allemands en Suède, pour elle-même ou pour la zone allemande dont elle a la charge./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume-Uni.
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM,
Chef de la Délégation suédoise.

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D. C.
Le 18 juillet 1946

MESSIEURS,

A l'occasion de l'accord auquel nous sommes parvenus, j'ai l'honneur de vous confirmer que je suis d'accord pour recommander à mon Gouvernement de prendre des mesures en vue de mettre à la disposition des trois Gouvernements alliés, à des fins de secours, le produit de la réalisation des biens trouvés en Suède qui appartiennent aux victimes de l'action nazie décédées sans héritier./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suèdoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D. C.
Le 18 Juillet 1946

MONSIEUR LE PRÉSIDENT,

Nous sommes heureux d'accuser réception de votre lettre de ce jour concernant les biens en Suède de personnes qui sont mortes à la suite de l'action nazie sans laisser d'héritiers et de pouvoir espérer que le produit de la réalisation de ces biens sera rendu disponible ainsi qu'il est indiqué dans votre lettre./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume-Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM
Chef de la Délégation suédoise.

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
Le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

Nous référant au paragraphe des lettres échangées ce jour qui concerne l'or pillé, nous tenons à vous confirmer que, en raison des

renseignements déjà produits et vérifiés, aucune réclamation ultérieure ne sera présentée à la Suède par les Gouvernements signataires de l'Accord de Paris sur les Réparations, ou par leurs banques d'émission, au sujet d'or acheté par la Suède à l'Allemagne et transféré à des pays tiers avant le 1er juin 1945./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN

Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI

Le Chef de la Délégation du Royaume Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM
Chef de la Délégation suédoise

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D. C.
Le 18 juillet 1946.

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"Nous référant au paragraphe des lettres échangées ce jour qui concerne l'or pillé, nous tenons à vous confirmer que, en raison des renseignements déjà produits et vérifiés, aucune réclamation ultérieure ne sera présentée à la Suède par les Gouvernements signataires de l'Accord de Paris sur les Réparations, ou par leurs banques d'émission, au sujet d'or acheté par la Suède à l'Allemagne et transféré à des pays tiers avant le 1er juin 1945./."

Je ne manquerai pas de porter votre déclaration à la connaissance de mon Gouvernement./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Le Chef de la Délégation suédoise
EMIL SANDSTRÖM.

Messieurs les CHEFS
DES DÉLÉGATIONS ALLIÉES

The Chiefs of the Allied Delegations to the Chief of the Swedish Delegation

WASHINGTON, D.C.
le 18 juillet 1946.

MONSIEUR LE PRÉSIDENT,

A l'occasion de l'accord auquel nous sommes parvenus, nous avons soulevé la question de l'accès aux archives de la Chambre de Commerce allemande en Suède.

Vous avez déclaré que le Gouvernement suédois communiquera aux représentants alliés toute information contenue dans les archives de la Chambre de Commerce allemande qui serait d'importance pour les fins de notre accord.

Etant donné que les deux tiers environ des avoirs dont a disposé la Chambre de Commerce allemande ont été fournis par le Gouvernement allemand ou ses agents, le Gouvernement suédois est prié de bien vouloir traiter comme un avoir allemand la même proportion du produit net de la liquidation de ces avoirs./.

Veuillez agréer, Monsieur le Président, l'assurance de notre haute considération.

Le Chef de la Délégation des Etats-Unis d'Amérique
SEYMOUR J RUBIN
Le Chef de la Délégation de la République Française
CHRISTIAN VALENSI
Le Chef de la Délégation du Royaume-Uni
FRANCIS W MCCOMBE

Monsieur EMIL SANDSTRÖM,
Chef de la Délégation suédoise.

The Chief of the Swedish Delegation to the Chiefs of the Allied Delegations

WASHINGTON, D.C.
le 18 juillet 1946.

MESSIEURS,

J'ai l'honneur d'accuser réception de votre lettre de ce jour ainsi conçue:

"A l'occasion de l'accord auquel nous sommes parvenus, nous avons soulevé la question de l'accès aux archives de la Chambre de Commerce allemande en Suède.

Vous avez déclaré que le Gouvernement suédois communiquera aux représentants alliés toute information contenue dans les archives de la Chambre de Commerce allemande qui serait d'importance pour les fins de notre accord.

Etant donné que les deux tiers environ des avoirs dont a disposé la Chambre de Commerce allemande ont été fournis par le Gouvernement

allemand ou ses agents, le Gouvernement suédois est prié de bien vouloir traiter comme un avoir allemand la même proportion du produit net de la liquidation de ces avoirs./."

Je vous confirme la déclaration concernant les archives de la Chambre de Commerce allemande. Votre demande concernant ses avoirs recevra toute notre attention./.

Veuillez agréer, Messieurs, l'assurance de ma haute considération.

Emil Sandström

Emil Sandström
Chef de la Délégation suédoise

Messieurs les CHEFS DES DÉLÉGATION ALLIÉES.

Protocol between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Italy respecting the transfer to the Italian Government of gold captured at Fortezza. Signed at London October 10, 1947; entered into force September 15, 1947.

October 10, 1947
[T. I. A. S. 1658]

PROTOCOL

The Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland on the one hand, and the Government of Italy on the other have agreed as follows:—

(1) The gold which was captured at Fortezza by the Allied Forces in Italy from the German Forces, which was still in the custody of officials of the Bank of Italy at the time of capture, and which has since that time remained in the custody of the appropriate agency of the Allied Military Authorities, shall be turned over to the Italian Government now that the Treaty of Peace signed in Paris on 10th February, 1947, has entered into force.

61 Stat., Pt. 2, p. 1245.

(2) The Italian Government will immediately appoint representatives to discuss with the Allied Military Authorities the necessary details of transferring this gold from the custody of the Allied Military Authorities to the custody of the Italian Government.

(3) The present Protocol shall be deemed to have come into force on the day of the coming into force of the Treaty of Peace.

Entry into force. 61 Stat., Pt. 2, p. 1245.

In faith whereof the undersigned Plenipotentiaries have signed the present Protocol.

Done in London in triplicate this 10th day of October, 1947, in the English and Italian languages, both texts being equally authentic.

Authentic texts.

For the Government of the United States of America:

W. J. GALLMAN

For the Government of the United Kingdom of Great Britain and Northern Ireland:

ERNEST BEVIN

For the Government of Italy:

B. MIGONE

PROTOCOLLO

I GOVERNI degli Stati Uniti d'America, del Regno Unito di Gran Bretagna e Irlanda del Nord da una parte e il Governo Italiano dall'altra parte hanno convenuto quanto segue:

(1°) L'oro catturato a Fortezza dalle Forze Alleate in Italia alle Forze Armate tedesche, che era ancora in consegna a funzionari della Banca d'Italia all'epoca della cattura e che da quella data è rimasto in consegna ai competenti uffici delle Autorità Militari Alleate, sarà consegnato al Governo Italiano ora che è entrato in vigore il Trattato di Pace firmato a Parigi il 10 febbraio 1947.

(2°) Il Governo Italiano nominerà immediatamente i suoi rappresentanti per discutere con le Autorità Militari Alleate i dettagli necessari per il trasferimento dell'oro in questione dalle Autorità Militari Alleate al Governo Italiano.

(3°) Il presente protocollo si considererà entrato in vigore alla data dell'entrata in vigore del Trattato di Pace.

In fede di che i sottoscritti Plenipotenziari hanno firmato il presente protocollo.

Fatto a Londra in triplice esemplare addì 10 ottobre 1947 in lingua inglese e italiana, ambo i testi essendo autentici.

Per il Governo degli Stati Uniti d'America:

W. J. GALLMAN

Per il Governo del Regno Unito di Gran Bretagna e Irlanda del Nord:

ERNEST BEVIN

Per il Governo Italiano:

B. MIGONE

Interim agreement between the United States of America and Austria respecting air transport services. Signed at Vienna October 8, 1947; entered into force October 8, 1947.

October 8, 1947
[T. I. A. S. 1659]

INTERIM AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE AUSTRIAN FEDERAL GOVERNMENT.

Having in mind, on the one hand, the Moscow Declaration [1] regarding Austria issued by the Moscow Conference of 19–30 October, 1943, to which the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics were parties and, on the other hand, the authority granted to the Austrian Federal Government to conclude international agreements subject to the provisions of the "Control Agreement for Austria", [2] effective 28 June 1946;

Having in mind further the resolution recommending a standard form of agreement for provisional air routes and services, included in the Final Act of the International Civil Aviation Conference signed at Chicago on 7 December 1944, [3] and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the Republic of Austria and the United States of America;

The two Governments parties to this arrangement agree that the development of regular air transport services between their respective territories shall be governed by the following provisions:

ARTICLE I

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishment of the regular international civil air routes and services therein described, whether such services be inaugurated immediately, or at a later date due to: (a) the option of the Contracting Parties to whom the rights are granted; or (b) limitations imposed through the regulatory powers of the Allied Council as established by the "Control Agreement for Austria" which was effective on 28 June 1946 as may be amended; or (c) by any later control agreements which may be reached between the Occupying Powers.

Post, p. 3246.

ARTICLE II

Subject to the provisions of this Agreement, each of the air services so described shall be placed in operation as soon as the Contracting

Inauguration of services.

[1] [*Department of State Bulletin*, Nov. 6, 1943, p. 310.]
[2] [*Ibid.*, July 28, 1946, p. 175.]
[3] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, Department of State publication 2282.]

Party to whom the rights have been granted by Article I to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the right shall, subject to Article VI hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement. In areas of hostilities or of military occupation, or in areas affected thereby, such operations shall be subject to the approval of the competent military authorities.

ARTICLE III

In order to prevent discriminatory practices and assure equality of treatment, it is agreed that:

Right to use commercial airports.

Post, p. 3246.

(a) Each of the Contracting Parties grants to the designated airline or airlines of the other Contracting Party the right to use its commercial airports at the points designated in the Annex hereto, on an equal and non-discriminatory basis with national or foreign airlines engaged in international operations.

Charges.

(b) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(c) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of the airlines of such Contracting Party shall, with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered, be accorded the same treatment as that applying to national airlines and to airlines of the most-favored-nation.

(d) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 3246.

ARTICLE IV

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting

Post, p. 3246.

Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

ARTICLE V

Laws and regulations.

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first Party.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first Party.

ARTICLE VI

Withholding or revocation of rights.

Post, p. 3246.

Notwithstanding the provisions of Article XI of this Agreement, each Contracting Party reserves the right to withhold or revoke the exercise of the rights specified in the Annex to this Agreement by an airline designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of the other Contracting Party, or in case of failure by such airline or the government designating such airline, to comply with the laws and regulations referred to in Article V hereof, or otherwise to perform its obligations hereunder, or to fulfil the conditions under which the rights are granted in accordance with this Agreement and its Annex.

ARTICLE VII

Registration.

This Agreement and all contracts connected therewith shall be registered with the International Civil Aviation Organization.

ARTICLE VIII

Consultation.

Post, p. 3246.

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE IX

Disputes.
Post, p. 3246.

Except as otherwise provided in this Agreement or its Annex, any dispute between the Contracting Parties relative to the interpretation or application of this Agreement or its Annex, which cannot be settled through consultation, shall be submitted for an advisory report to a tribunal of three arbitrators, one to be named by each Contracting Party, and the third to be agreed upon by the two arbitrators so chosen, provided that such third arbitrator shall not be a national of either Contracting Party. Each of the Contracting Parties shall designate an arbitrator within two months of the date of delivery by either Party to the other Party of a diplomatic note requesting arbitration of a dispute; and the third arbitrator shall be agreed upon within one month after such period of two months. If the third arbitrator is not agreed upon within the time limitation indicated, the vacancy thereby created shall be filled by the appointment of a person, designated by the President of the Council of the International Civil Aviation Organization, from a panel of arbitral personnel maintained in accordance with the practice of the International Civil Aviation Organization. The executive authorities of the Contracting Parties will use their best efforts under the powers available to them to put into effect the opinion expressed in any such advisory report. A moiety of the expenses of the arbitral tribunal shall be borne by each party.

ARTICLE X

Entry into force.
Post, p. 3246.

This Agreement, including the provisions of the Annex thereto, will come into force on the day it is signed.

ARTICLE XI

Notice of intention to terminate agreement.

Either Contracting Party may at any time give notice to the other of its intention to terminate this Agreement. Such notice shall be simultaneously communicated to the International Civil Aviation Organization. If such notice is given, this Agreement shall terminate one year after the date of receipt of such notice by the Contracting Party, unless such notice is, by mutual assent of both Contracting Parties, withdrawn. In the absence of acknowledgment by the other Contracting Party specifying an earlier date of receipt, notice shall be deemed to have been received 14 days after the receipt of the notice by the International Civil Aviation Organization.

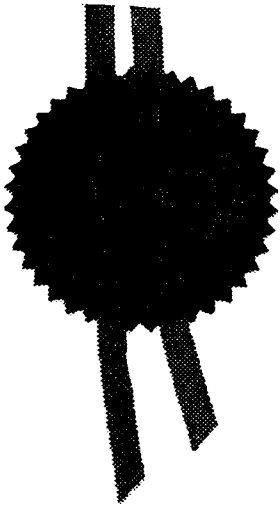
ARTICLE XII

Duration.
Post, p. 3246.

This Agreement, including the provisions of the Annex thereto, shall, subject to the provisions for termination of the Agreement contained in Article XI above, remain in force from its effective date until such time as it is replaced by a permanent air transport agreement which may be negotiated between the Contracting Parties subsequent to the entry into force of a treaty between the Allied Powers and Austria.

Authentic languages.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Agreement in duplicate, in the English and German languages, each of which shall be of equal authenticity.



For the Government of the United States of America:

JOHN G. ERHARDT,
Envoy Extraordinary and Minister Plenipotentiary.

For the Austrian Federal Government:

DR. KARL GRUBER,
Federal Minister for Foreign Affairs.

Vienna, Austria
October 8, 1947

ANNEX OF INTERIM AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE AUSTRIAN FEDERAL GOVERNMENT.

SECTION I

It is agreed between the Contracting Parties:

Equal opportunity for operation of routes.

A. That the designated airlines of the two Contracting Parties operating on the routes described in this Annex shall enjoy fair and equal opportunity for the operation of the said routes.

Capacity.

B. That the air transport capacity offered by the designated airlines of both countries shall bear a close relationship to traffic requirements.

C. That in the operation of common sections of trunk routes, described in the present Annex, the designated airlines of the Contracting Parties shall take into account their reciprocal interests so as not to affect unduly their respective services.

D. That the services provided by a designated airline under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such airline is a national and the country of ultimate destination of the traffic.

Right to embark, etc.

E. That the right to embark and to disembark at points in the territory of the other country international traffic destined for or coming from third countries at a point or points specified in this Annex, shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity shall be related:

1. To traffic requirements between the country of origin and the countries of destination;
2. To the requirements of through airline operation; and
3. To the traffic requirements of the area through which the designated airline passes after taking account of local and regional services.

Consultation.

F. That the appropriate aeronautical authorities of each of the Contracting Parties will consult from time to time, or at the request of one of the Parties, to determine the extent to which the principles set forth in paragraphs A to E inclusive of this section are being followed by the airlines designated by the Contracting Parties. When these authorities agree on further measures necessary to give these principles practical application, the executive authorities of each of the Contracting Parties will use their best efforts under the powers available to them to put such measures into effect.

SECTION II

U. S. rights of transit and stop in Austria.

A. Airlines of the United States of America authorized under the present Agreement are accorded rights of transit and non-traffic stop in Austrian territory, as well as the right to pick up and discharge

international traffic in passengers, cargo and mail at Vienna (or such additional Austrian customs airports as may be agreed upon) on the following route in both directions:

The United States, via intermediate points, to Austria and beyond.

On the above intercontinental route the airline or airlines designated to operate such route may operate non-stop flights between any of the points on such intercontinental route omitting stops at one or more of the other points on such route.

Austrian rights of transit and stop in U. S.

B. Airlines of the Republic of Austria authorized under the present Agreement are accorded rights of transit and non-traffic stop in United States territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at a point in the United States on a route to be agreed upon between the Contracting Parties at a later date.

On the above intercontinental route the airline or airlines designated to operate such route may operate non-stop flights between any of the points on such intercontinental route omitting stops at one or more of the other points on such route.

PROVISORISCHES LUFTVERKEHRSABKOMMEN
ZWISCHEN DER ÖSTERREICHISCHEN BUNDESREGIERUNG
UND DER REGIERUNG DER VEREINIGTEN STAATEN VON
AMERIKA.

Im Hinblick einerseits auf die Moskauer Erklärung über Österreich, die von der vom 19. bis 30. Oktober 1943 abgehaltenen Moskauer Konferenz, an der die Regierungen der Vereinigten Staaten von Amerika, des Vereinigten Königreiches von Großbritannien und Nordirland und der Union der Sozialistischen Sowjetrepubliken beteiligt waren, abgegeben wurde, und im Hinblick anderseits auf die der Österreichischen Bundesregierung erteilte Befugnis, internationale Abkommen einzugehen, die den Bestimmungen des am 28. Juni 1946 in Kraft getretenen "Kontrollabkommen für Österreich" unterliegt;

Im Hinblick ferner auf die Resolution, die in der am 7. Dezember 1944 in Chicago unterzeichneten Abschluß-Akte der Internationalen Zivilluftfahrtkonferenz enthalten ist, welche eine einheitliche Form für Abmachungen über provisorische Luftwege und Luftverkehrsdienste empfiehlt, sowie von dem Wunsche geleitet, die gesunde wirtschaftliche Entwicklung des Luftverkehrs zwischen den Vereinigten Staaten von Amerika und der Republik Österreich gegenseitig anzuregen und zu fördern;

Vereinbaren die beiden an dieser Abmachung beteiligten Regierungen, die Entwicklung der regelmäßigen Luftverkehrsdienste zwischen ihren Gebieten durch die folgenden Bestimmungen zu regeln :

Artikel I.

Die vertragschließenden Teile gewähren die Rechte, welche in der beiliegenden Anlage präzisiert und für die Einrichtung der darin beschriebenen regelmäßigen internationalen Zivilluftwege und Luftverkehrsdienste erforderlich sind, gleichviel, ob diese Dienste sofort aufgenommen werden, oder aber zu einem späteren Zeitpunkte, infolge von :
a) freier Wahl der vertragschließenden Teile, denen die Rechte gewährt werden; oder b) Beschränkungen, die auf Grund der Ver-

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ordnungsgewalt des Alliierten Rates auferlegt werden, die in dem am 28. Juni 1946 in Kraft getretenen "Kontrollabkommen für Österreich" nebst eventuellen Ergänzungen niedergelegt sind; oder
c) eventuellen zwischen den Okkupationsmächten später zu vereinbarenden Kontrollabkommen.

ARTIKEL II.

Vorbehaltlich der Bestimmungen dieses Abkommens, ist jeder der hier angeführten Luftverkehrsdienste in Betrieb zu setzen, sobald derjenige vertragschließende Teil, dem in Artikel I das Recht gewährt wurde, eine oder mehrere Luftfahrtunternehmen für die betreffende Strecke namhaft zu machen, einem Luftfahrtunternehmen für diese Strecke die Genehmigung erteilt hat, und derjenige vertragschließende Teil, der das Recht gewährt, ist, vorbehaltlich Artikel VI dieses Abkommens, verpflichtet, dem oder den betreffenden Luftfahrtunternehmen die erforderliche Betriebserlaubnis zu erteilen; mit der Maßgabe, daß die derart namhaft gemachten Luftfahrtunternehmen verhalten werden können, den zuständigen Luftfahrtbehörden des vertragschließenden Teiles, welcher die Rechte gewährt, auf Grund der normalerweise von diesen Behörden angewendeten Gesetze und Vorschriften ihre Befähigung nachzuweisen, bevor es ihnen gestattet ist, den in diesem Abkommen in Aussicht genommenen Betrieb aufzunehmen. In Kampfgebieten oder militärisch besetzten Gebieten oder in davon berührten Gebieten unterliegt der Betrieb der Genehmigung der zuständigen militärischen Stellen.

ARTIKEL III.

Um jeder unterschiedlichen Behandlung vorzubeugen und um gleiche Behandlung zu gewährleisten, wird vereinbart, daß :
a) jeder der vertragschließenden Teile dem oder den nahmhaft gemachten Luftfahrtunternehmen des anderen vertragschließenden Teiles das Recht einräumt, seine Handelsflughäfen an den in der beiliegenden Anlage angeführten Orten zu benützen u.zw. auf der gleichen und nicht unterschiedlichen Grundlage wie heimische oder ausländische Luftfahrtunternehmen, die internationalen Luftverkehr betreiben.
b) jeder der vertragschließenden Teile für die Benützung öffentlicher Flughäfen und anderer unter seiner Aufsicht stehender Einrichtungen angemessene und mäßige Gebühren erheben oder erheben lassen kann. Jeder der vertragschließenden Teile erklärt sich aber damit einverstanden, daß diese Gebühren diejenigen nicht übersteigen

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dürfen, die von heimischen Luftfahrzeugen, die ähnlichen internationalen Luftverkehr betreiben, für die Benützung der betreffenden Flughäfen und Einrichtungen entrichtet werden.

c) Brennstoff, Schmieröl und Ersatzteile, die in das Gebiet eines der vertragschließenden Teile von dem anderen vertragschließenden Teile oder dessen Staatsangehörigen eingebracht werden und ausschließlich für den Gebrauch von Luftfahrzeugen des betreffenden vertragschließenden Teiles bestimmt sind, hinsichtlich der zu erhebenden Zölle, Abfertigungsgebühren oder anderer inländischen Zölle oder Abgaben desjenigen vertragschließenden Teiles, in dessen Gebiet sie eingebracht sind, der gleichen Behandlung zu unterliegen haben, wie die heimischen Luftfahrtunternehmen und diejenigen des meistbegünstigten Staates.

d) Brennstoff, Schmieröl, Ersatzteile, normale Ausrüstung und an Bord von Zivilluftfahrzeugen verbleibende Bordvorräte der Luftfahrtunternehmen eines vertragschließenden Teiles, der befugt ist, die in der Anlage angeführten Luftwege und Luftverkehrsdienste zu betreiben, bei der Ankunft im Gebiete oder beim Verlassen des Gebietes des anderen vertragschließenden Teiles von Zoll, Abfertigungsgebühren oder anderen ähnlichen Gebühren oder Abgaben zu befreien sind, selbst wenn derartige Vorräte während des Fluges innerhalb des betreffenden Gebietes von dem Luftfahrzeug gebraucht oder verbraucht werden.

ARTIKEL IV.

Die von einem der vertragschließenden Teile ausgestellten oder anerkannten Lufttüchtigkeitsscheine, Befähigungszeugnisse und Zulassungsscheine sind von dem anderen vertragschließenden Teile für den Betrieb der in der Anlage angeführten Strecken und Dienste als gültig anzuerkennen. Jeder der vertragschließenden Teile behält sich aber das Recht vor, den seinen Staatsangehörigen von einem anderen Staat ausgestellten Befähigungszeugnissen und Zulassungsscheinen zum Überfliegen seines eigenen Gebietes die Anerkennung zu versagen.

ARTIKEL V.

a) Die Gesetze und Vorschriften eines vertragschließenden Teiles, betreffend die Zulassung in sein Gebiet oder den Ausflug aus seinem Gebiet für Luftfahrzeuge im internationalen Luftverkehr, oder betreffend den Betrieb und die Navigation solcher Luftfahrzeuge innerhalb seines Gebietes sind auf die Luftfahr-

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zeuge des anderen vertragschließenden Teiles anzuwenden und müssen von solchen Luftfahrzeugen beim Einflug, Ausflug und innerhalb des Gebietes des erstgenannten Teiles befolgt werden.

b) Die Gesetze und Vorschriften eines vertragschließenden Teiles, betreffend die Zulassung in oder den Ausflug aus seinem Gebiet von Fluggästen, Besatzung oder Ladung von Luftfahrzeugen, wie zum Beispiel Vorschriften über Grenzübertritt, Abfertigung, Einwanderung, Passkontrolle, Zollabfertigung und Quarantäne müssen beim Einflug, Ausflug und innerhalb des Gebietes des erstgenannten Teiles von oder hinsichtlich derartiger Fluggäste(n), Besatzung oder Ladung eingehalten werden.

ARTIKEL VI.

Ungeachtet der Bestimmungen des Artikels XI dieses Abkommens behält sich jeder der vertragschließenden Teile das Recht vor, die Ausübung der in der Beilage dieses Abkommens umschriebenen Rechte durch ein von dem anderen vertragschließenden Teile namhaft gemachtes Luftfahrtunternehmen zurückzuhalten oder zu widerrufen, falls er nicht davon überzeugt ist, daß ein beträchtlicher Teil des Eigentumsrechtes und die tatsächliche Aufsicht des betreffenden Luftfahrtunternehmens in den Händen von Staatsangehörigen des anderen vertragschließenden Teiles liegt oder, wenn das Luftfahrtunternehmen oder die Regierung, die dieses Luftfahrtunternehmen namhaft gemacht hat, die im Artikel V dieses Abkommens erwähnten Gesetze und Vorschriften nicht befolgt oder sonst seine Verpflichtungen gemäß diesem Abkommen nicht einhält oder die Bedingungen nicht erfüllt, unter denen die Rechte im Sinne dieses Abkommens und der Anlage gewährt werden.

ARTIKEL VII.

Dieses Abkommen und alle damit zusammenhängenden Verträge sind bei der Internationalen Zivilluftfahrtorganisation (ICAO) eintragen zu lassen.

ARTIKEL VIII.

Im Falle einer der beiden vertragschließenden Teile es für wünschenswert erachtet, die in der beiliegenden Anlage angeführten Flugwege- oder Bedingungen abzuändern, kann er eine Beratung der zuständigen Behörden beider vertragschließenden

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Teile verlangen, die innerhalb einer Frist von sechzig Tagen vom Datum des Verlangens zu beginnen hat. Falls diese Behörden über neue oder abgeänderte Bestimmungen hinsichtlich der Anlage zu einem beiderseitigen Einvernehmen gelangen, werden ihre diesbezüglichen Empfehlungen nach Bestätigung durch einen diplomatischen Notenwechsel in Kraft gesetzt werden.

ARTIKEL IX.

Streitigkeiten, die sich zwischen den vertragschließenden Teilen über die Auslegung oder Anwendung dieses Abkommens oder seiner Anlage ergeben, sind soweit in diesem Abkommen oder seiner Anlage nichts anderes vorgesehen ist und soweit sie nicht durch Verständigung beigelegt werden können, zur Einholung eines Konsultativbescheides einem Schiedsgerichte, bestehend aus drei Schiedsrichtern, zu unterbreiten, von denen je einer von jedem vertragschließenden Teil und der dritte durch Vereinbarung der zwei Schiedsrichter zu bestimmen ist, wobei dieser dritte Schiedsrichter kein Staatsangehöriger der beiden vertragschließenden Teile sein darf. Jeder der vertragschließenden Teile macht einen Schiedsrichter innerhalb von zwei Monaten vom Datum der Einhändigung einer von dem einen Teile dem anderen Teile gerichteten diplomatischen Note namhaft, in der ein Schiedsspruch über eine Streitigkeit verlangt wird; das Einverständnis über den dritten Schiedsrichter muß innerhalb eines Monats nach Ablauf dieser Frist von zwei Monaten erzielt werden. Wenn kein Einverständnis über den dritten Schiedsrichter innerhalb der angegebenen Frist erzielt werden kann, ist die unbesetzte Stelle durch Ernennung einer vom Ratspräsidenten der ICAO zu bestimmenden Persönlichkeit zu besetzen, die einer nach den Gepflogenheiten der ICAO geführten Schiedsrichterliste zu entnehmen ist. Die ausführenden Behörden der vertragschließenden Teile werden innerhalb ihrer Befugnisse ihr Möglichstes tun, um dem in einem solchen Konsultativbescheid abgegebenen Gutachten Wirkung zu verleihen. Die Kosten des Schiedsgerichtes werden von jeder Partei zur Hälfte getragen.

ARTIKEL X.

Dieses Abkommen, einschliesslich der in der Anlage enthaltenen Bestimmungen, tritt am Tage der Unterzeichnung in Kraft.

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ARTIKEL XI

Jeder der beiden vertragschliessenden Teile kann jederzeit dem anderen seine Absicht bekanntgeben, dieses Abkommen zu kündigen. Diese Kündigung ist gleichzeitig der ICAO mitzuteilen. Wenn eine solche Kündigung erfolgt ist, läuft dieses Abkommen nach einem Jahr von dem Datum ab, an dem der vertragschliessende Teil die Kündigung erhalten hat, sofern die Kündigung nicht mit gegenseitiger Zustimmung beider vertragschliessender Teile zurückgezogen wird. Mangels einer von dem anderen Vertragsstaat erfolgten Bestätigung, die ein früheres Empfangsdatum festsetzt, ist die Kündigung als vierzehn Tage nach Eingang bei der ICAO erfolgt anzusehen.

ARTIKEL XII.

Das vorliegende Abkommen einschliesslich der in der Anlage enthaltenen Bestimmungen bleibt, vorbehaltlich der im obigen Artikel XI enthaltenen Bestimmungen über die Aufhebung des Abkommens, von dem Tage seines Inkrafttretens solange in Kraft, bis es von einem permanenten Luftverkehrsabkommen abgelöst wird, das zwischen den vertragschliessenden Teilen nach dem Inkrafttreten eines Vertrages zwischen den Alliierten Mächten und Österreich eventuell zum Abschluss gebracht wird.

Zur Urkunde dessen haben die Unterfertigten, die von ihren Regierungen dazu ordnungsgemäss bevollmächtigt sind, dieses Abkommen in doppelter Urschrift in deutscher und englischer Sprache unterzeichnet, die beide in gleicher Weise massgebend sind.

Wien, den 8. Oktober 1947.

Für die
österreichische Bundesregierung:

Für die
Regierung der Vereinigten
Staaten von Amerika:

ANLAGE
ZU DEM PROVISORISCHEN LUFTVERKEHRSABKOMMEN ZWISCHEN DER ÖSTERREICHISCHEN BUNDESREGIERUNG UND DER REGIERUNG DER VEREINIGTEN STAATEN VON AMERIKA.

I. ABSCHNITT.

Die vertragschliessenden Teile vereinbaren :

A. Dass die auf den in dieser Anlage bezeichneten Luftwegen betriebenen namhaft gemachten Luftfahrtunternehmen der beiden vertragschliessenden Teile angemessene Behandlung und Gleichstellung für den Betrieb der genannten Luftwege zu geniessen haben.

B. Dass der Beförderungsraum, der von den namhaft gemachten Luftfahrtunternehmen beider Länder zur Verfügung gestellt wird, in engem Einklang mit den Verkehrserfordernissen zu stehen hat.

C. Dass die namhaft gemachten Luftfahrtunternehmen der vertragschliessenden Teile auf den in gemeinsamen Betrieben stehenden Abschnitten von den in der gegenwärtigen Anlage bezeichneten Hauptstrecken die beiderseitigen Interessen in einer Weise zu berücksichtigen haben, die eine nachteilige Einwirkung auf ihre beiderseitigen Dienste ausschliesst:

D. Dass die von einem nach Massgabe dieses Abkommens und seiner Anlage namhaft gemachten Luftfahrtunternehmen betriebenen Luftverkehrsdienste als ihr Hauptziel die Bereitstellung von Beförderungsraum haben muss, der den Verkehrserfordernissen zwischen dem Staate, dem dieses Luftfahrtunternehmen angehört, und dem Bestimmungslande des Luftlinienverkehrs entspricht.

E. Dass das Lade- und Entladerecht an Orten in dem Gebiete des anderen Landes für internationalen Luftverkehr auf dem Wege nach oder von dritten Ländern an einem Orte oder an Orten, die in dieser Anlage näher bezeichnet sind, gemäss den allgemeinen Grundsätzen einer von beiden Regierungen verbürgten, ordnungsgemässen Entwicklung auszuüben und der allgemeine Grundsatz anzuwenden ist, dass der Beförderungsraum im Verhältnis stehen muss :

1. Zu den Verkehrserfordernissen zwischen dem Ursprungslande einerseits und den Bestimmungsländern anderer-

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seits,

2. Zu den Betriebserfordernissen von durchgehenden Luftverkehrsdiensten und

3. Zu den Verkehrserfordernissen des von dem Luftfahrtunternehmen überflogenen Gebietes, wobei lokale oder regionale Flugdienste zu berücksichtigen sind.

F. Dass die zuständigen Luftfahrtbehörden der beiden vertragschliessenden Teile von Zeit zu Zeit oder auf Ersuchen eines Teiles miteinander Fühlung nehmen werden, um das Ausmass zu bestimmen, in welchem die von den vertragschliessenden Teilen namhaft gemachten Luftfahrtunternehmen die in den Absätzen A bis einschliesslich E dieses Abschnittes festgelegten Grundsätze einhalten. Falls diese Behörden sich auf weitere zur praktischen Durchführung dieser Grundsätze notwendigen Massnahmen einigen, werden die ausführenden Behörden jedes der vertragschliessenden Teile im Rahmen ihrer Befugnisse ihr möglichstes tun, um diese Massnahmen in die Tat umzusetzen.

II. ABSCHNITT.

A. Den im Sinne des vorliegenden Abkommens genehmigten Luftfahrtunternehmen der Vereinigten Staaten von Amerika werden Durchflugs- und nicht kommerzielle Zwischenlandungsrechte im österreichischen Gebiete, sowie das Recht der Mitnahme und Entladung von Fluggästen, Fracht und Post im internationalen Verkehr in Wien oder weiteren vereinbarten österreichischen Zollflughäfen auf dem folgenden Luftwege in beiden Richtungen gewährt :

Von den Vereinigten Staaten über dazwischenliegende Orte nach und über Österreich hinaus.

Auf der obigen interkontinentalen Strecke können das oder die für diesen Luftweg namhaft gemachten Luftfahrtunternehmen reine Durchflüge zwischen allen Orten auf diesem interkontinentalen Luftwege vornehmen, wobei Landungen an einem oder mehreren Orten auf diesem Luftwege übersprungen werden können.

B. Den im Sinne des vorliegenden Abkommens genehmigten Luftfahrtunternehmen der Republik Österreich werden Durchflugs- und nicht kommerzielle Zwischenlandungsrechte im Gebiete der Vereinigten Staaten, sowie das Recht der Mitnahme und Entladung von Fluggästen, Fracht und Post im internationalen Verkehr an einem Orte in den Vereinigten Staaten auf einem zu einem späteren Zeitpunkt zwischen den vertragschliessenden Teilen zu vereinbarenden Luftwege gewährt.

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Auf dem obigen interkontinentalen Luftwege können das oder die für diesen Luftweg namhaft gemachten Luftfahrtunternehmen reine Durchflüge zwischen allen Orten auf diesem interkontinentalen Luftwege vornehmen, wobei Landungen an einem oder mehreren Orten auf diesem Luftwege übersprungen werden können.

Agreement between the United States of America and Ecuador respecting a cooperative educational program in Ecuador. Effected by exchange of notes signed at Quito January 22, 1945; entered into force January 22, 1945.

January 22, 1945
[T. I. A. S. 1660]

The American Ambassador to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Quito, January 22, 1945

No. 18

EXCELLENCY:

I have the honor to refer to previous conversations between myself and Mr. Kenneth Holland, President of the Inter-American Educational Foundation, Inc., the Minister of Public Education and other officials of the Government of Ecuador, concerning the possibility of a cooperative program of education in Ecuador.

I have the honor to inform your Excellency that pursuant to Resolution No. 28 of the First Conference of Ministers and Directors of Education of the American Republics,[1] and pursuant to the expressed desire of the Government of the Republic of Ecuador, the Government of the United States is prepared to undertake a cooperative program of education with the Government of Ecuador, for the purpose of bringing about a better interchange of educational ideas and methods between the two countries.

Contributions.

I have the honor to state that my Government, acting through the Inter-American Educational Foundation, Inc., a corporation of the Office of the Coordinator of Inter-American Affairs, is prepared to make available for such a cooperative program of education the sum of One Hundred Thousand Dollars ($100,000.00 U. S.) at an agreed minimum rate of exchange, on the understanding that the Government of Ecuador for its part will contribute the sum of Six Hundred Seventy Thousand Sucres (S/670.000,00), being the equivalent of Fifty Thousand Dollars ($50,000.00 U.S.) at the same rate of exchange, as well as such personnel, supplies and materials as it may see fit to provide within Ecuador.

It is proposed that the program be carried on for approximately three years, in accordance with the following general plan.

Educational specialists.

At the request of Your Excellency's Government and within the limit of the funds set aside for the purpose, the Foundation will send to Ecuador such educational specialists as may be considered necessary in order to collaborate with your Excellency's Government in the cooperative program, and they shall be acceptable to the Ecuadoran Government. This group shall be under the direction of an official

[1] [Not printed].

who will be designated as the Special Representative of the Inter-American Educational Foundation, Inc., and will be the representative of the Foundation in Ecuador in connection with this program.

The specific projects and activities to be undertaken and the allocation of program funds therefor, and the methods and procedures and administrative practices to be employed in conducting the program, will be mutually agreed upon by the Minister of Education of the Government of Ecuador and the Special Representative of the Foundation. Such projects will include the sending of Ecuadoran specialists in education to the United States.

It is proposed that the program be carried out through an appropriate organization, section or procedures to be established within the Ministry of Education itself with administrative autonomy and that the said Special Representative shall also be named as the Director of such organization or section and shall administer the program.

Salaries and expenses.

Of the funds made available by the United States Government, Seventy Thousand Dollars ($70,000.00 U. S.) will be set aside and used for paying the salaries and other expenses of the educational specialists furnished by the Foundation, and the balance, together with the funds contributed by the Government of Ecuador, would be made available in Ecuador for the projects and activities mutually agreed upon for the program.

Ownership of property.

All property purchased with the funds made available in accordance with this proposal will become the property of the Government of Ecuador and shall be used for the cooperative program of education.

Exemption of specialists from taxes, etc.

Inasmuch as the specialists to be sent to Ecuador by the Foundation will be United States citizens and employees of the United States Government and also non-residents of Ecuador, it is suggested that they shall be exempt from all income taxes and social security taxes with respect to income on which they are obliged to pay income or social security taxes to the Government of the United States of America, and from payment of customs and import duties and other taxes on their personal effects and equipment and supplies for their own use, and from investment and deposit requirements and other foreign exchange controls on funds brought into Ecuador for their normal living expenses.

I should be glad if your Excellency would be so good as to confirm to me your approval of this general proposal, with the understanding that the details for the establishment and organization of the proposed cooperative program shall be further discussed and settled by written agreement between the Foundation and the Minister of Education.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

R. M. SCOTTEN

His Excellency
Señor Doctor CAMILO PONCE ENRÍQUEZ,
Minister for Foreign Affairs,
Quito.

The Ecuadoran Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

28-DDP-5

QUITO, *a 22 de Enero de 1945.*

SEÑOR EMBAJADOR:

Tengo a honra responder a la atenta nota de Vuestra Excelencia, signada con el número 18 y de fecha 22 del mes en curso, en la que, con referencia a las conversaciones que ha mantenido con el señor Ministro de Educación Pública y con el señor Kenneth Holland, Presidente de la "Inter-American Educational Foundation Inc." y otros funcionarios del Gobierno del Ecuador, sobre la posibilidad de emprender un programa cooperativo de educación, me informa que el Gobierno de los Estados Unidos está dispuesto a acceder al deseo del Gobierno ecuatoriano para realizar aquel proyecto que, indiscutiblemente, serviría para un intercambio más intenso de ideas y métodos de educación entre los dos países.

2. Me manifiesta Vuestra Excelencia que el Gobierno de los Estados Unidos, por intermedio de la "Inter-American Educational Foundation Inc." cooperaría a dicho programa educacional con la suma de $100.000, a un tipo de cambio mínimo, siempre que, por su parte, el Gobierno del Ecuador destine al efecto una cantidad equivalente a $50.000, al mismo tipo de cambio, así como el personal y más elementos que crea necesarios proveer.

3. Expresa Vuestra Excelencia que el Gobierno de Estados Unidos, por intermedio de la Fundación, enviará los especialistas que fueren necesarios para colaborar con el personal ecuatoriano. El personal de especialistas deberá estar bajo la dirección de un funcionario norteamericano que será el representante especial de la Fundación.

4. Indica que, de acuerdo con las resoluciones adoptadas con el Señor Ministro de Educación, los proyectos y actividades a llevarse a cabo, así como los demás detalles referentes al desenvolvimiento del programa de cooperación educacional, tendrán que ser aportados, oportunamente, de común acuerdo entre los funcionarios ecuatorianos y los especialistas de Estados Unidos de Norte América.

5. En nombre del Gobierno del Ecuador expreso a Vuestra Excelencia la satisfacción conque se ha visto el empeño del Gobierno Norte americano por cooperar al esfuerzo educacional del país y agradezco a Vuestra Excelencia por las oportunas y eficientes gestiones llevadas a cabo para convertir en realidad aquel anhelo ecuatoriano.

6. El Ministerio de Educación, en momento adecuado, procederá a establecer el Organismo que, con autonomía administrativa, se encargue, dentro de los lineamientos del Convenio, del desarrollo científico y eficiente del programa acordado.

7. Por mi parte, al aprobar las bases generales sobre las que deberá establecerse el Convenio de cooperación educacional, debo manifestar a Vuestra Excelencia que, dentro de las posibilidades, no omitiré esfuerzo alguno para el buen éxito del programa y para que éste

ensayo de cooperación constituya nuevo motivo para el mejor conocimiento de nuestros dos países.

8. Con respecto a la posibilidad de que se conceda a funcionarios Norteamericanos ciertos privilegios y excenciones constantes en la nota a que respondo, creo que no es posible pronunciarse de momento, pues habrá que hacer un detenido estudio de la Legislación ecuatoriana, para ver de conformar la concesión de dichos privilegios con las disposiciones legales pertinentes.

Válgome de esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración,

C. PONCE ENRÍQUEZ.

Al Excelentísimo Señor DON ROBERT MC. GREGOR SCOTTEN
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.

Translation

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN RELATIONS

28-DDP-5

QUITO, *January 22, 1945.*

Mr. AMBASSADOR:

I have the honor to reply to Your Excellency's courteous note number 18 of the 22d of the current month, in which, with reference to the conversations held with the Minister of Public Education and Mr. Kenneth Holland, President of the "Inter-American Educational Foundation Inc." and other officials of the Government of Ecuador concerning the possibility of undertaking a cooperative program of education, you inform me that the United States Government is prepared to comply with the Ecuadoran Government's desire to carry out that project which assuredly would serve to stimulate the exchange of educational ideas and methods between the two countries.

2. Your Excellency informs me that the United States Government, acting through the "Inter-American Educational Foundation Inc." will cooperate in the said educational program by making available the sum of $100,000 at a minimum rate of exchange—provided that the Government of Ecuador for its part allocates for that purpose an amount equivalent to $50,000 at the same rate of exchange—as well as such personnel and other essentials as it may consider necessary to provide.

3. Your Excellency states that the United States Government acting through the Foundation, will send such specialists as may be necessary to collaborate with the Ecuadoran personnel. The specialized personnel is to be under the direction of a North American official who will be the special representative of the Foundation.

4. You indicate that, in accordance with the decisions made in agreement with the Minister of Education, the projects and activities to be undertaken, as well as the other details related to the development of the cooperative educational program, must be duly carried out by mutual agreement between the Ecuadoran officials and the North American specialists.

5. In the name of the Ecuadoran Government, I wish to express to Your Excellency the satisfaction with which the intention of the North American Government to cooperate in this country's educational endeavors is regarded, and I thank Your Excellency for the timely and effective steps taken to bring to fruition that aspiration on the part of Ecuador.

6. The Ministry of Education will, in due time, proceed to establish the Organization with administrative autonomy which, within the framework of the Agreement, will take charge of the Scientific and effective development of the program agreed upon.

7. For my part, in giving my approval to the general basis on which the Cooperative Educational Agreement is to be effected, I must inform Your Excellency that I will not fail to make every possible effort tending toward the success of the program, and to the end that this test of cooperation may become a new factor for a better understanding between our two countries.

8. With respect to the possibility that certain privileges and exemptions specified in the note to which I am replying may be granted to North American officials, I do not believe it possible to make a definite statement at this time; for a careful study of Ecuadoran legislation will have to be made in order to determine how to reconcile the granting of such privileges with the pertinent legal provisions.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

C. PONCE ENRÍQUEZ.

His Excellency
MR. ROBERT MCGREGOR SCOTTEN
Ambassador Extraordinary and Plenipotentiary of the United States of America.

Contract Between the President of the Inter-American Educational Foundation, Inc., and the Ecuadoran Minister of Public Education

The REPUBLIC OF ECUADOR (hereinafter called the "Republic"); and the INTER-AMERICAN EDUCATIONAL FOUNDATION, INC., a corporation of the Office of the Coordinator of Inter-American Affairs and an agency of the Government of the United States of America (hereinafter called the "Foundation"), have decided to enter into the following contract to undertake a cooperative educational program to promote Inter-American understanding by bringing about a better interchange of educators, educational ideas and methods between Ecuador and the United States, pursuant to Resolution 28 adopted by the First Conference of Ministers and Directors of Education of the American Republics held in Panama in September and October 1943.

1. The said cooperative educational program shall include:

a. Furnishing by the Foundation of a small Field Staff of educational specialists for service in Ecuador in carrying out the cooperative educational program;

b. Grants to permit Ecuadoran educators to go to the United States for specialized training, to lecture, to teach and to interchange ideas and experience with United States educators;

c. Exploration and survey in Ecuador of local needs, and resources for carrying out educational projects at the primary and secondary school levels and in teacher education;

d. Development, adaptation, and exchange of suitable teaching materials for teachers at the primary, secondary and teacher education levels;

e. Local projects needed to implement the program in Ecuador.

The cooperative program of education shall be limited to relatively few projects, each of which is of special interest to the Government of Ecuador, in order that definite results may be obtained and that such results will be indicative of the cooperation existing between the Government of Ecuador and the Government of the United States in the important field of public education.

The Ministry of Education considers the solution of the following problems as being particularly important:

a. The training of school administrators (school directors, school inspectors, provincial directors of education, etc.)

b. The orientation of technical and vocational schools, both urban and rural, at the secondary level.

c. Orientation of schools of teacher education.

d. Orientation of preschool education.

Field staff.

2. The Field Staff shall be under the direction of an official who shall have the title of "Special Representative, Inter-American Educational Foundation, Inc.", and who shall be the representative of the Foundation (a corporation having juridic personality) in connection with the program to be undertaken in accordance with this agreement. The Special Representative and other members of the Field Staff shall be acceptable to the Minister of Public Education (hereinafter called the "Minister").

Servicio.

3. There shall be created in the Ministry of Public Education a special technical service which shall have the name of "Servicio Cooperativo Interamericano de Educación" (hereinafter called the "Servicio"), which shall act as an intermediary between the Government of Ecuador and the Inter-American Educational Foundation, Inc., and which shall carry out the cooperative program. The Special Representative of the Foundation shall be named as Director of the Servicio.

Director.

Projects.

4. The program shall consist of individual projects. The kind of work and the specific projects to be undertaken in the execution of this agreement and the allocation of funds therefor shall be agreed upon in writing by the Minister of Public Education and the Special

Representative of the Foundation, and shall be carried out by the Director of the Servicio in conformity with policies prescribed jointly by the Minister and the Special Representative of the Foundation. The Ecuadoran educators to be sent to the United States and the terms of their scholarships or grants shall be mutually agreed upon in writing by the Minister and the Special Representative.

Payment of salaries and expenses of Field Staff.

5. The Foundation shall determine and pay the salary and other expenses payable directly to members of the Field Staff in an amount not to exceed Seventy Thousand Dollars ($70,000) U. S. currency, which it will retain in the United States, and shall in addition deposit in the Banco Central del Ecuador in Quito (or in any other bank which may be mutually agreed upon by the Minister and the Special Representative of the Foundation) to the account of the Servicio Cooperativo Interamericano de Educación, the sum of Thirty Thousand Dollars ($30,000) U. S. currency, the total contribution of the United States Government to this program being therefore One Hundred Thousand Dollars ($100,000).

Deposits.

The Republic shall deposit in the same bank and to the account of the Servicio Cooperativo Interamericano de Educación the sum of Six Hundred Seventy Thousand Sucres (S/.670.000), being the equivalent of Fifty Thousand Dollars, at the rate of exchange of 13.4 sucres per dollar. Said contribution shall be in addition to the Government's regular budget for education.

The payments shall be made by the parties on the dates and in the amounts specified:

	United States of America	Ecuador
March 20, 1945	$10, 000. 00 U. S. C.	S/. 220, 000. 00
January 20, 1946	$10, 000. 00 U. S. C.	S/. 220, 000. 00
January 20, 1947	$10, 000. 00 U. S. C.	S/. 230, 000. 00
Total to be deposited	$30, 000. 00 U. S. C.	S/. 670, 000. 00
Salaries and travel to be paid to personnel from the United States	$70, 000. 00 U. S. C.	
Total	$100, 000. 00 U. S. C.	

The funds deposited by either party for any particular year are not to be drawn against until the funds for the same year are deposited by the other party. Funds paid over by either party and not matched by the other party within thirty (30) days, shall be returned to the contributor.

Exemption of funds from taxes, etc.

6. Inasmuch as the program funds will be used entirely for the benefit of Ecuador, the funds introduced into Ecuador by the Foundation for the purpose of the cooperative program shall be exempt from taxes, service charges, investment or deposit requirements, and other currency controls, and shall be converted into sucres at a rate of exchange of not less than 13.4 sucres per dollar. Similarly where it is necessary to convert sucres into dollars for the financing of scholarships or grants or other expenditures in the United States, the sucres shall be converted into dollars at the rate of exchange of not more than 13.5 sucres per dollar.

Conversion of currency.

Withholding of funds from account.

7. In view of the fact that many purchases of materials and supplies and other disbursements relating to the execution of the Program, must necessarily be made in the United States of America, the Minister and the Special Representative of the Foundation may agree to withhold from the payments to be made by the Foundation into the said Servicio bank account, as provided in clause 5 hereof, an amount deemed to be necessary to pay for such purchases and disbursements in the United States of America. Said amount shall be considered as if deposited under the terms of this agreement. Any funds so withheld by the Foundation for such purposes and not expended or obligated therefor, shall be deposited in the said Servicio bank account at any time upon the mutual agreement of the Minister and the Special Representative of the Foundation.

General policies and procedures.

8. All contracts necessary to carry out the terms of the projects mutually agreed to as herein provided shall be made in the name of the Servicio and shall be signed by the Minister and the Director of the Servicio. Personnel to be paid out of Program funds deposited in Ecuador shall be selected by the Director of the Servicio, subject to the approval of the Minister. The general policies and procedures for the execution of the Program and for the disbursement and accounting of funds, for the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined or established by mutual agreement between the Minister and the Special Representative of the Foundation. No disbursement from the said Servicio bank account may be made without the signed authorization of the Director of the Servicio or his delegate and of the Minister or his delegate. Checks for an amount of more than Three Thousand Sucres (S/.3,000) also should bear both signatures. The books and records of the Servicio relating to the said cooperative educational program shall be open at all times for inspection by representatives of the Republic and of the Foundation, and the Director of the Servicio shall render financial reports to the Republic and to the Foundation at such intervals as may be agreed upon between the Minister and the Special Representative of the Foundation.

Additional assistance.

9. The Foundation shall use its best efforts to obtain such assistance and cooperation of the Office of the Coordinator of Inter-American Affairs and other agencies, both public and private, in the United States, as may be appropriate for the execution of the said cooperative educational program. The Republic, in addition to its cash contribution as provided herein, shall (a) appoint specialists, in agreement with the Director of the Servicio, to collaborate with the Field Staff of the Foundation; (b) make available office space, furnishings and such other facilities, materials, equipment and supplies as it may conveniently provide for the said program; and (c) lend the general assistance thereto of the other Departments of the Republic.

Availability of funds.

10. The funds payable by the Foundation under this agreement or paid by the parties hereto into the said Servicio bank account shall continue to be available for the said cooperative educational program

during the existence of this agreement, without regard to annual periods or fiscal years.

Surplus funds.

In the event that upon the expiration of each twelve-month period of this agreement, and again six months before its final expiration, the Foundation deems that the funds which it has set aside for the payment of salaries and other expenses directly payable to members of the Field Staff, as provided in Clause 5 hereof, will be more than is needed for the purpose, the Foundation will thereupon advise the Republic of the surplus which it can accordingly make available for projects and such additional sum shall be paid into the Servicio bank account or be otherwise disposed of pursuant to this agreement.

Ante, p. 3263.

The Minister and the Special Representative of the Foundation shall determine by mutual agreement the disposition of any unobligated funds and of any personal property remaining in the control of the Servicio upon the termination of this agreement.

Rights and privileges.

11. All rights and privileges which are enjoyed by governmental and official divisions or agencies of the Republic shall accrue to the Servicio. Such rights and privileges shall include, for example, free postal, telegraph, and telephone service, special government rates on transportation companies, and also freedom and immunity from excise, stamp, property, income and all other taxes, as well as from consular charges and customs duties upon imports for the use of the Servicio in the cooperative educational program. The Foundation shall enjoy the same rights and exemptions with respect to its acts and property relating to the cooperative program.

Ownership of equipment, etc.

12. All materials, equipment, and supplies purchased with program funds shall become and remain the property of the Republic and shall be devoted to the program.

Delegation of power, etc.

13. Any right, power, or duty conferred by this agreement upon either the Minister, the Special Representative of the Foundation, or the Director of the Servicio, may be delegated by the recipient thereof to representatives in writing, provided that such representatives are satisfactory to the other parties. Regardless of the naming of said representatives, the Minister and the Special Representative of the Foundation shall have the right to refer any matter directly to one another for discussion and decision.

Amendments.

14. This agreement may be amended from time to time if deemed advisable by the parties hereto, such amendments to be in writing and signed by the representatives of the Republic and the Foundation.

Legislation, etc.

15. The Executive Power of the Republic will take the necessary steps to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this agreement.

Duration of agreement.

16. This agreement shall be in force for a period of three years from the date hereof, and may be extended by mutual agreement for additional periods.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized representatives, in English

and in Spanish, in the City of Quito, on the 22nd day of January, 1945.

REPUBLIC OF ECUADOR
By ALFREDO VERA
Ministro de Educación Publica

INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.
By KENNETH HOLLAND
President

La REPUBLICA DEL ECUADOR (de aquí en adelante llamada "República") y la Inter-American Educational Foundation, Inc. (Fundación Educacional Interamericana), corporación de la Oficina del Coordinador de Asuntos Interamericanos y dependencia del Gobierno de los Estados Unidos de América (en adelante llamada "Fundación"), han decidido celebrar el siguiente contrato para llevar a cabo un programa educacional cooperativo para promover la comprensión interamericana por medio de un mejor intercambio, entre Ecuador y Estados Unidos, de educadores y de ideas y métodos educacionales, de acuerdo con la Resolución No. 28 adoptada por la Primera Conferencia de Ministros y Directores de Educación de las Repúblicas Americanas, efectuada en Panamá en los meses de septiembre y octubre de 1943.

1. El tal programa educacional cooperativo debe incluir:

a. Suministro por la Fundación de un pequeño cuerpo de especialistas en educación para trabajar en el Ecuador en la realización del programa educacional cooperativo;

b. Subvenciones para que educadores ecuatorianos puedan viajar a los Estados Unidos para adquirir entrenamiento especializado, para dar conferencias, enseñar e intercambiar ideas y experiencias con los educadores estadounidenses;

c. La exploración y estudio de las necesidades locales en el Ecuador y de los recursos con que cuenta para llevar a cabo proyectos educacionales en el campo de enseñanza primaria y secundaria y de perfeccionamiento del profesorado;

d. Desarrollo, adaptación e intercambio de materiales de enseñanza apropiados para los maestros en la enseñanza primaria, secundaria y del profesorado;

e. Proyectos locales necesarios para la aplicación del programa en el Ecuador.

El programa cooperativo educacional deberá ser limitado a relativamente pocos proyectos, cada uno de los cuales será de interés especial para el Gobierno del Ecuador, a fin de poder lograr resultados definitivos y de que tales resultados demuestren la cooperación existente entre el Gobierno del Ecuador y el Gobierno de los Estados Unidos en el importante campo de la educación pública.

El Ministerio de Educación considera especialmente importante la solución de los siguientes problemas:

a. La preparación de administradores escolares (directores de escuelas, inspectores escolares, directores provinciales de educación, etc.);

b. Orientación de las escuelas técnico-profesionales de tipo secundario, urbanos y rurales, incluyendo las secciones de orientación vocacional;

c. Orientación de las escuelas de experimentación pedagógica;

d. Tecnificación de la educación pre-escolar.

2. El cuerpo de especialistas (Field Staff) estará bajo la dirección de un funcionario que llevará el título de "Special Representative, Inter-American Educacional Foundation, Inc." (Representante Especial), y quien será el representante de la Fundación (corporación con personería jurídica) en relación con el programa a llevarse a cabo de conformidad con este acuerdo. El Representante Especial y los demás miembros del Cuerpo de Especialistas deberán ser aceptados por el Ministro de Educación Pública (en adelante llamado "Ministro").

3. Se establecerá en el Ministerio de Educación Pública un servicio especial técnico que será denominado "Servicio Cooperativo Interamericano de Educación" (de aquí en adelante llamado "Servicio"), que actuará como intermediario entre el Gobierno del Ecuador y la Inter-American Educational Foundation, Inc. y que llevará a cabo el programa cooperativo. El Representante Especial de la Fundación será nombrado Director del Servicio.

4. El programa consistirá de proyectos individuales. Las clases de actividades, y los proyectos específicos a efectuarse en la ejecución de este acuerdo y la asignación de los fondos para los mismos serán acordados por escrito por el Ministro de Educación Pública y el Representante Especial de la Fundación, y serán ejecutados por el Director del Servicio en conformidad con las normas y procedimientos establecidos conjuntamente por el Ministro y el Representante Especial de la Fundación. Los Educadores ecuatorianos a enviarse a Estados Unidos así como las condiciones de sus becas o subvenciones de entrenamiento, serán mutuamente acordados por escrito entre el Ministro y el Representante Especial de la Fundación.

5. La Fundación determinará y pagará los sueldos y otros gastos pagaderos directamente a los miembros del Cuerpo de Especialistas, cuyo monto no excederá de Setenta Mil Dólares ($ 70.000,oo U.S.), cantidad que retendrá en los Estados Unidos y, además, depositará en el Banco Central del Ecuador en Quito (o en cualquier otro banco que sea mutuamente convenido por el Ministro y el Representante Especial de la Fundación) a la cuenta del Servicio Cooperativo Interamericano de Educación, la suma de Treinta Mil Dólares ($ 30.000,oo U.S.), siendo por lo tanto la contribución total del Gobierno de los Estados Unidos para este programa, la cantidad de Cien Mil Dólares ($100.000,oo U.S.).

La República del Ecuador depositará en el mismo banco y a la cuenta del Servicio Cooperativo Interamericano de Educación la suma de Seiscientos Setenta Mil Sucres (S/.670.000,oo) siendo ésta el

equivalente de Cincuenta Mil Dólares, al tipo de cambio de 13.4 sucres por dólar. La mencionada contribución será en adición al presupuesto normal del Gobierno para la educación.

Los pagos serán efectuados por las partes en las fechas y cuotas estipuladas a continuación:

	EE.UU. de América	Ecuador
Marzo 20 de 1945	$10.000,oo U.S.	S/.220.000,oo
Enero 20 de 1946	$10.000,oo U.S.	S/.220.000,oo
Enero 20 de 1947	$10.000,oo U.S.	S/.230.000,oo
Total a depositarse	$30.000,oo U.S.	S/.670.000,oo
Sueldo y transporte a pagarse al personal estadounidense	$70.000,oo U.S.	
Total	$100.000,oo U.S.	

Los fondos depositados por cualquiera de las partes contratantes para cualquier año estipulado no serán girados hasta que los fondos para el mismo año no sean depositados por la otra parte. En caso de que una parte deposite su aporte y la otra no haga el depósito correspondiente dentro de los 30 días siguientes, aquel aporte será devuelto al contribuyente.

6. Por cuanto los fondos destinados al programa serán usados enteramente en beneficio del Ecuador, los fondos introducidos en el Ecuador por la Fundación para fines del programa cooperativo deberán ser exentos de impuestos, recargos por servicio, requerimientos de inversión o depósito, y otros controles de cambio, y serán convertidos en sucres a un tipo de cambio de no menos de 13.4 sucres por dólar. Así mismo cuando sea necesario convertir sucres a dólares para financiar las becas y subvenciones de entrenamiento y otros gastos en los Estados Unidos, los sucres serán convertidos en dólares a un tipo de cambio de no más de 13.5 sucres por dólar.

7. En vista de que muchas compras de materiales y equipos y otros desembolsos relacionados con la ejecución del Programa necesariamente tendrán que hacerse en los Estados Unidos de América, el Ministro y el Representante Especial de la Fundación podrán acordar el retener de los depósitos que la Fundación deberá hacer en la cuenta bancaria del Servicio, tal como se estipula en el artículo 5 de este contrato, la cantidad que consideren necesaria para efectuar dichas compras y desembolsos en los Estados Unidos de América. Esta cantidad será considerada como si se hubiera depositado bajo las disposiciones de este acuerdo. Cualesquiera fondos así retenidos por la Fundación para tales fines y no gastados o comprometidos para esto, serán depositados en la mencionada cuenta bancaria del Servicio en cualquier momento cuando el Ministro y el Representante Especial de la Fundación así lo convengan.

8. Todos los contratos necesarios para llevar a cabo los proyectos mutuamente acordados, de conformidad con este acuerdo, serán celebrados a nombre del Servicio y serán firmados por el Ministro y el Director del Servicio. El personal que será remunerado con fondos del Programa depositados en el Ecuador será seleccionado por el

Director del Servicio, sujeto a la aprobación del Ministro. Las normas generales y procedimientos para la ejecución del Programa y para el desembolso y contabilidad de los fondos, para la compra, uso, inventario, control y disposición de bienes y cualesquiera otros asuntos administrativos, serán determinados o establecidos por mutuo acuerdo entre el Ministro y el Representante Especial de la Fundación. No se hará ningún desembolso de la susodicha cuenta bancaria del Servicio sin la autorización firmada del Director del Servicio o de su delegado y del Ministro o de su delegado. Los cheques que pasen de Tres Mil Sucres (S/.3,000,oo) deberán también llevar ambas firmas. Los libros y records del Servicio relacionados con el programa cooperativo de educación estarán en todo tiempo disponibles para inspección por representantes de la República y de la Fundación; y el Director del Servicio rendirá informes financieros a la República y a la Fundación en los intervalos que sean acordados entre el Ministro y el Representante Especial de la Fundación.

9. La Fundación hará lo posible para conseguir de la Oficina del Coordinador de Asuntos Interamericanos y de otras entidades, tanto públicas como privadas, en los Estados Unidos, la ayuda y cooperación que sean convenientes para la ejecución del programa cooperativo educacional. La República, además de su contribución en efectivo aquí estipulada, (a) nombrará, de acuerdo con el Director del Servicio, especialistas para colaborar con el Cuerpo de Especialistas de la Fundación; (b) suministrará locales para oficinas, así como muebles y cualesquiera otras facilidades, materiales, equipos y suministros que pueda convenientemente aportar para tal programa y (c) en general, prestará al programa la ayuda de las demás dependencias de la República.

10. Los fondos pagaderos por la Fundación según este acuerdo, o depositados por las partes contratantes en la cuenta bancaria del Servicio, seguirán disponibles para dicho programa cooperativo de educación durante la vigencia de este acuerdo, sin tomar en consideración períodos anuales o años fiscales. En el caso de que a la expiración de cada período de 12 meses de este acuerdo, y también seis meses antes de su expiración final, la Fundación crea que los fondos segregados para el pago de sueldos y otros gastos pagaderos directamente a los miembros del Cuerpo de Especialistas, de conformidad con el Artículo 5 de éste, sea más de lo necesario para ese fin, la Fundación entonces avisará a la República del sobrante que, por consiguiente, podrá transferir para invertirse en proyectos y esta cantidad adicional se depositará en la cuenta bancaria del Servicio o se dispondrá de otra manera, de conformidad con este acuerdo.

El Ministro y el Representante Especial de la Fundación determinarán por mutuo acuerdo la disposición de cualesquiera fondos no comprometidos y de cualesquiera otros bienes que queden bajo el control del Servicio, al vencimiento de este acuerdo.

11. El Servicio disfrutará de todos los derechos y privilegios de que gozan dependencias y entidades gubernamentales y oficiales de la República. Tales derechos y privilegios incluirán, por ejemplo,

franquicia postal, telegráfica y telefónica, tarifas gubernamentales especiales en compañías de transportes, y también exención e inmunidad de toda clase de impuestos, (timbres, sobre la renta, etc.) así como de derechos consulares e impuestos aduaneros sobre importaciones destinadas para el uso del Servicio en el programa cooperativo de educación. La Fundación gozará de los mismos derechos y exenciones con respecto a sus actos y bienes relacionados con el programa cooperativo.

12. Todo material, equipo y suministros comprados con fondos del programa, pasarán a ser propiedad de la República y serán dedicados al programa.

13. Cualquier derecho, facultad o deber conferido por este acuerdo al Ministro, al Representante Especial de la Fundación o al Director del Servicio, podrá ser delegado, por escrito, a representantes, siempre y cuando tales representantes sean aceptables a las otras partes. No obstante el nombramiento de tales representantes, el Ministro y el Representante Especial de la Fundación podrán tratar cualquier asunto directamente entre ellos y resolverlo.

14. Este acuerdo puede ser reformado posteriormente si las partes lo creyeren necesario, y tales reformas deberán ser efectuadas por escrito y firmadas por los representantes de la República y de la Fundación.

15. El Poder Ejecutivo de la República dará los pasos necesarios para obtener los decretos, órdenes y resoluciones que sean necesarios para cumplir las estipulaciones de este acuerdo.

16. Este acuerdo estará en vigencia por un período de tres años desde esta fecha y podrá ser prorrogado de mutuo acuerdo por nuevos períodos.

EN FE DE LO CUAL, las partes contratantes han celebrado este acuerdo, en inglés y en español, por medio de sus representantes debidamente autorizados, en la ciudad de Quito, el día 22 del mes de enero de 1945.

POR LA REPUBLICA DEL ECUADOR

ALFREDO VERA

Ministro de Educación Pública

POR LA INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

KENNETH HOLLAND

Presidente

Agreement between the United States of America and Venezuela respecting a cooperative health and sanitation program in Venezuela, extending the agreement of February 18, 1943, as amended, until June 30, 1948. Effected by exchange of notes signed at Caracas June 30, 1947; entered into force June 30, 1947; effective January 1, 1947.

June 30, 1947
[T. I. A. S. 1661]

The Venezuelan Minister of Foreign Relations to the American Chargé d'Affaires ad interim

ESTADOS UNIDOS DE VENEZUELA
MINISTERIO DE RELACIONES EXTERIORES
DIRECCION DE POLITICA INTERNACIONAL
SECCION DE RELACIONES INTERAMERICANAS

No. 2953

CARACAS, *30 de junio de 1947.*

SEÑOR ENCARGADO DE NEGOCIOS:

En relación con la atenta nota de esa Embajada, número 2591, de fecha 30 de enero del corriente año, y como resultado de las conversaciones celebradas posteriormente, tengo a honra hacer constar que entre los Gobiernos de los Estados Unidos de Venezuela y de los Estados Unidos de América se ha convenido en prorrogar por segunda vez, por un período adicional de 18 meses, a partir del 1° de enero de 1947, el Programa Cooperativo de Salud y Saneamiento que lleva a cabo la Oficina Cooperativa Interamericana de Salud Pública, de conformidad con el Modus-Vivendi celebrado por cambio de notas con fecha 18 de febrero de 1943, el cual fué prorrogado por vez primera, mediante igual procedimiento, el día 28 de junio de 1944, por un período de 30 meses que venció el 31 de diciembre de 1946. La prórroga a que se refiere la presente comunicación se efectuará con sujeción a las siguientes estipulaciones:

Primera: Se considera que las obligaciones financieras del Instituto de Asuntos Interamericanos y del Gobierno de Venezuela, derivadas del Modus-Vivendi inicial, han sido cumplidas, por parte de dicho Instituto, con la contribución de $ 950.000, (dólares americanos) suministrada en la forma prevista, y por parte del Gobierno de Venezuela, con la inversión de Bs.2,oo por cada dólar aportado por aquél. Igualmente, se reconoce que las obligaciones de la misma índole resultantes de la primera prórroga del Modus-Vivendi han quedado satisfechas, por parte del mencionado Instituto, con la contribución de $ 500.000 (moneda americana) en la forma prevista, y por parte del Gobierno de Venezuela con la inversión de una cantidad de bolívares equivalente a $ 500.000 (moneda americana). Toda suma restante de esas contribuciones que no haya sido invertida al finalizar el período de la primera prórroga (junio de 1944 a diciembre de 1946) quedará disponible para el Programa Cooperativo de Salud y Saneamiento a que se contrae esta comunicación.

Segunda: El Instituto continuará siendo representado en Venezuela por un grupo de su personal, conocido con el nombre de Misión del Instituto de Asuntos Interamericanos en Venezuela, y el Jefe de dicha Misión seguirá actuando como Director de la Oficina Cooperativa Interamericana de Salud Pública por el período de esta prórroga.

Tercera: El Programa Cooperativo de Sanidad y Saneamiento será financiado por las Partes Contratantes durante el período de prórroga indicado en este acuerdo, en la forma siguiente:

a) El Instituto contribuirá con una suma no mayor de $ 166.000 (dólares americanos), de la cual $ 25.000 serán depositados a la cuenta de la Oficina Cooperativa Interamericana de Salud Pública en la forma siguiente:

En enero de 1947	$ 12. 500. oo
En julio de 1947	"12. 500. oo
Total	$ 25. 000. oo

El remanente de los $ 166.000.oo o sean $ 141.000.oo será aportado de acuerdo con los términos del aparte c) de esta cláusula.

b) El Instituto puede retener de los depósitos indicados en el aparte a) de la presente cláusula la cantidad presupuestada que el Ministerio de Sanidad y Asistencia Social y el Jefe de la Misión crean necesaria para la compra de materiales y equipos en los Estados Unidos de América y cualquier otro desembolso relacionado con la ejecución de este Programa. Todo fondo así retenido por el Instituto deberá considerarse como depositado bajo los términos comprendidos en el aparte a). Si dichas sumas no fuesen gastadas o comprometidas para tales propósitos, serán depositadas a la orden de la Oficina en cualquier momento, de mutuo acuerdo entre el Ministerio y el Jefe de la Misión.

c) Además de la suma que será depositada a la cuenta de la Oficina según el aparte a), el Instituto hará por separado la asignación de los fondos necesarios para pagar los sueldos, gastos de manutención, viajes y gastos de viajes y otros gastos administrativos de los empleados de la Misión u otros empleados del Instituto en los Estados Unidos de Venezuela durante el período de esta prórroga. De esta suma presupuestada de $ 141.000.oo se tomará la cantidad necesaria a los fines anteriormente mencionados. Dichos fondos serán usados por el Jefe de la Misión en los Estados Unidos de Venezuela, separadamente de los fondos que se depositen por el Instituto a cuenta de la Oficina.

d) El Gobierno de los Estados Unidos de Venezuela depositará a la cuenta de la Oficina el equivalente en bolívares de $ 250.000.oo (dólares americanos) al cambio de Bs.3.33 por cada dólar, en la forma siguiente:

Durante el mes de enero de 1947	$ 68. 468. 46	(Bs. 228. 000.)
Durante el mes de julio de 1947	$181. 531. 54	(Bs. 604. 500.)
Total	$250. 000. oo	(Bs. 832. 500.)

e) Por Convenio escrito, celebrado entre el Ministerio y el Jefe de la Misión, puede ser modificada de acuerdo con las necesidades del programa la forma de hacer los depósitos previstos en los apartes a) y d).

f) Además de las contribuciones indicadas en los apartes a) y d), la Oficina puede recibir contribuciones de otro origen y gastarlas en la misma forma que los fondos anteriormente citados y para los usos y objetivos del Programa de Salud y Saneamiento.

g) Toda suma o propiedad adquirida por la Oficina, que no haya sido gastada, utilizada o asignada a la terminación del período indicado en esta prórroga, quedará como propiedad del Gobierno de los Estados Unidos de Venezuela y continuará usándose para los fines establecidos por el Programa Cooperativo. No obstante, para asegurar la realización del objetivo de dicho Programa, el Ministerio y el Jefe de la Misión determinarán de mutuo acuerdo el uso preciso y disposición que se dará al dinero y propiedades no gastadas y no asignadas a la terminación de este Convenio.

h) Por mutuo acuerdo entre el Ministerio y el Jefe de la Misión, los fondos de la Oficina pueden ser usados para reembolsar o sufragar los sueldos, manutención, viajes, gastos de viajes u otros gastos de aquellos miembros adicionales de la Misión u otros empleados del Instituto que las Partes Contratantes crean necesario emplear. Estos fondos pueden ser erogados o concedidos para tales fines por la Oficina al Instituto o a cualquier otra organización, pero en cada caso el Ministerio y el Jefe de la Misión celebrarán un convenio de proyecto en el cual especifiquen las finalidades y todas las condiciones para conceder estas erogaciones.

Cuarta: El Programa Cooperativo de Salud y Saneamiento continuará desarrollándose por medio de Proyectos individuales cuyo objeto consistirá principalmente en la construcción e instalación de acueductos en las comunidades rurales de los Estados Unidos de Venezuela y en cualquier otro propósito que afecte la salud y saneamiento del pueblo venezolano. Cada Proyecto estará estipulado en un Convenio de Proyecto que será firmado de mutuo acuerdo por el Ministro de Sanidad y Asistencia Social y el Jefe de la Misión en los Estados Unidos de Venezuela. El Convenio de Proyecto determinará la clase de trabajo que se llevará a efecto, la asignación de fondos, los responsables de la ejecución del proyecto y cualquier otro asunto que las Partes Contratantes crean necesario incluir.

Quinta: Todo lo relativo a los planes de acción concernientes a la realización del Programa Cooperativo de Salud y Saneamiemto, a los procedimientos que han de seguirse para el desarrollo de los mismos y a los asuntos de carácter administrativo que correspondan a la Oficina Cooperativa Interamericana de Salud Pública, será determinado de mutuo acuerdo entre el Ministerio de Sanidad y Asistencia Social, el Director de la Oficina y el Jefe de la Misión en Venezuela.

Sexta: Los contratos que celebre la Oficina con el objeto de ejecutar los Convenios de Proyectos, así como todas las erogaciones de fondos

de la misma, deberán ser autorizados previamente por su Director. El personal subalterno de la Oficina será seleccionado de mutuo acuerdo entre el Ministerio de Sanidad y Asistencia Social y el Director de aquélla, y los nombramientos correspondientes se harán por Resolución del mencionado Departamento Ejecutivo.

Séptima: Los libros, documentos y cuentas de la Oficina estarán en cualquier momento a la disposición de los representantes autorizados del Gobierno de Venezuela y del Instituto, para su inspección y revisión, y el Director de la Oficina rendirá Informes a dicho Gobierno y al Instituto con la frecuencia que de mutuo acuerdo determinen el Ministerio de Sanidad y Asistencia Social y el Jefe de la Misión.

Octava: La Oficina Cooperativa Interamericana de Salud Pública, como dependencia que es del Ministerio de Sanidad y Asistencia Social, gozará de los derechos y privilegios que la ley acuerde a dependencias oficiales semejantes, entre ellos franquicia postal y telegráfica y descuentos en compañías de transporte; y en la medida en que gocen de exoneraciones aduaneras las susodichas dependencias, les serán concedidas a la Oficina Cooperativa Interamericana de Salud Pública para la importación de efectos destinados al desarrollo del Programa Cooperativo, siendo entendido que el Ministerio puede revisar, como lo hace respecto de las demás dependencias, las listas de importación que se formulen.

Novena: El Gobierno de los Estados Unidos de Venezuela reconoce al Instituto de Asuntos Interamericanos como un organismo del Gobierno de los Estados Unidos de América. La representación del Instituto queda exenta del impuesto sobre la renta por las cantidades que en calidad de remuneración reciba del Gobierno de los Estados Unidos y sus importaciones destinadas al desarrollo del Programa de Salud y Saneamiento serán exoneradas de derechos aduaneros.

Décima: El Ministro de Sanidad y Asistencia Social, el Jefe de la Misión y el Director de la Oficina, en los casos en que sea posible podrán delegar las atribuciones que les asigne el presente Convenio de Prórroga en representantes debidamente autorizados por ellos.

Décima-primera: Las estipulaciones del Modus-Vivendi original y del Primer Convenio de Prórroga (junio de 1944 a diciembre de 1946) permanecerán en vigor en cuanto no hayan sido derogadas directa o indirectamente por lo establecido en el presente Convenio.

Esta nota y la contestación de Vuestra Señoría en los mismos términos, constituirán un acuerdo respecto de lo consignado en las cláusulas que anteceden.

Válgome de la oportunidad para reiterar a Vuestra Señoría las seguridades de mi distinguida consideración.

CARLOS MORALES

Al Honorable Señor
THOMAS J. MALEADY,
Encargado de Negocios ad-interim
de los Estados Unidos de América.
Presente.

Translation

UNITED STATES OF VENEZUELA
MINISTRY FOR FOREIGN AFFAIRS
OFFICE OF INTERNATIONAL POLICY
INTER-AMERICAN AFFAIRS SECTION

No. 2953

CARACAS, *June 30, 1947.*

MR. CHARGÉ D'AFFAIRES:

With reference to your Embassy's courteous note No. 2591, [1] dated January 30, 1947, and as a result of the conversations held subsequently, I have the honor to confirm that it has been agreed between the Governments of the United States of Venezuela and the United States of America to extend a second time, for an additional period of 18 months, beginning January 1, 1947, the cooperative program of health and sanitation which is being carried out by the Oficina Cooperativa Interamericana de Salud Pública in conformity with the Modus-Vivendi concluded by an exchange of notes, dated February 18, 1943, which was first extended, through the same procedure, on June 28, 1944, for a period of 30 months which expired on December 31, 1946. The extension to which the present communication refers shall be effected subject to the following provisions:

57 Stat. 1126.
58 Stat. 1446.

First: It is considered that the financial obligations of the Institute of Inter-American Affairs and the Government of Venezuela, derived from the initial Modus-Vivendi, have been fulfilled, on the part of the said Institute, by the contribution of $950,000 (American dollars) furnished in the manner specified, and on the part of the Government of Venezuela, by the investment of Bs. 2.00 for each dollar contributed by the former. Likewise, it is recognized that the obligations of the same nature resulting from the first extension of the Modus-Vivendi have been fulfilled, on the part of the said Institute, by the contribution of $500,000 (American currency), in the manner specified, and on the part of the Government of Venezuela, by the investment of a sum in bolivars equivalent to $500,000 (American currency). Any unexpended sum remaining from those contributions at the end of the first period of extension (June, 1944 to December, 1946) shall be available for the cooperative program of health and sanitation agreed upon in this communication.

Second: The Institute shall continue to be represented in Venezuela by a group of its personnel, known by the name of Mission of the Institute of Inter-American Affairs in Venezuela, and the Chief of the said Mission shall continue to act as Director of the Oficina Cooperativa Interamericana de Salud Pública for the period of this extension.

Third: The cooperative program of health and sanitation shall be financed by the Contracting Parties during the period of extension indicated in this Agreement, in the following manner:

(a) The Institute shall contribute a sum not to exceed $166,000 (American dollars) of which $25,000 shall be deposited to the account

[1] [Not printed].

of the Oficina Cooperativa Interamericana de Salud Pública in the following manner:

In January 1947	$12, 500. 00
In July 1947	12, 500. 00
Total	$25, 000. 00

The remainder of the $166,000, that is, $141,000 shall be contributed in accordance with the terms of paragraph (c) of this clause.

(b) The Institute may retain from the deposits indicated in paragraph (a) of the present clause the estimated sum which the Ministry of Health and Social Assistance and the Chief of the Mission may deem necessary for the purchase of material and equipment in the United States of America and for any other expenditure connected with the execution of this program. Any funds so retained by the Institute shall be considered as deposited under the terms contained in paragraph (a). If the said sums are not spent or allotted for such purposes, they shall be deposited to the order of the Oficina at any time, by mutual agreement between the Ministry and the Chief of the Mission.

(c) In addition to the sum which shall be deposited to the account of the Oficina in accordance with paragraph (a), the Institute shall make, separately, the allocation of the necessary funds to pay the salaries, maintenance, transportation and traveling expenses, and other administrative expenses of the employees of the Mission or other employees of the Institute in the United States of Venezuela during the period of this extension. From this estimated sum of $141,000.00 the sum necessary for the above-mentioned purposes shall be taken. The said funds shall be used by the Chief of the Mission in the United States of Venezuela separately from the funds which are deposited by the Institute to the account of the Oficina.

(d) The Government of the United States of Venezuela shall deposit to the account of the Oficina the equivalent in bolivars of $250,000 (American dollars) at the exchange rate of Bs. 3.33 for each dollar, in the following manner:

During the month of January, 1947	$68, 468. 46 (Bs. 228,000)
During the month of July, 1947	$181, 531. 54 (Bs. 604,500)
Total	$250, 000. 00 (Bs. 832,500)

(e) The manner of making the deposits which are specified in paragraphs (a) and (d) may be modified, according to the requirements of the program, by a written agreement concluded between the Ministry and the Chief of the Mission.

(f) In addition to the contributions indicated in paragraphs (a) and (d), the Oficina may receive contributions of any other origin and spend them in the same manner as the funds mentioned above and for the purposes and objectives of the Program of Health and Sanitation.

(g) Any sum or property acquired by the Oficina, which has not been spent, utilized or allotted at the expiration of the period indicated in this extension, shall remain the property of the Government

of the United States of Venezuela and shall continue to be used for the purposes established by the Cooperative Program. Nevertheless, to ensure the attainment of the objective of the said Program, the Ministry and the Chief of the Mission shall determine by mutual agreement the exact use and disposal which shall be made of the money and properties not used and not allotted at the termination of this Agreement.

(h) By mutual agreement between the Ministry and the Chief of the Mission, the funds of the Oficina may be used to reimburse for or pay the salaries, maintenance, traveling expenses or other expenses of such additional members of the Mission or other employees of the Institute as the Contracting Parties may deem it necessary to employ. These funds may be appropriated or granted for such purposes by the Oficina to the Institute or to any other organization, but in each case the Ministry and the Chief of the Mission shall conclude a project agreement specifying the purposes and all the conditions for granting such appropriations.

Fourth: The Cooperative Program of Health and Sanitation shall continue to be carried out through individual Projects which shall have as their principal objective the construction and installation of waterworks in the rural communities of the United States of Venezuela and any other enterprise which affects the health and sanitation of the Venezuelan people. Each Project shall be provided for in a Project Agreement which shall be signed by mutual accord by the Minister of Health and Social Assistance and the Chief of the Mission in the United States of Venezuela. The Project Agreement shall specify the kind of work which will be carried out, the allotment of funds, the persons responsible for the execution of the project and any other matter which the Contracting Parties may deem necessary to include.

Fifth: All matters relating to the plans of action for putting into effect the Cooperative Program of Health and Sanitation, to the procedures which are to be followed for carrying them out, and to matters of an administrative nature which concern the Oficina Cooperativa Interamericana de Salud Pública shall be decided by mutual agreement between the Ministry of Health and Social Assistance, the Director of the Oficina, and the Chief of the Mission in Venezuela.

Sixth: Such contracts as the Oficina may conclude for the purpose of carrying out the Project Agreements, as well as all distributions of its funds, shall be previously authorized by its Director. The staff of the Oficina shall be selected by mutual agreement between the Ministry of Health and Social Assistance and the Director of the former, and the appropriate appointments shall be made by a Resolution of the said Executive Department.

Seventh: The books, documents and accounts of the Oficina shall at all times be at the disposal of the authorized representatives of the Government of Venezuela and the Institute for their inspection and auditing, and the Director of the Oficina shall make Reports to the said Government and to the Institute with such frequency as the

Ministry of Health and Social Assistance and the Chief of the Mission may determine by mutual agreement.

Eighth: The Oficina Cooperativa Interamericana de Salud Pública, as an agency of the Ministry of Health and Social Assistance, shall enjoy such rights and privileges as are granted by law to similar official agencies, including exemption from postal and telegraph fees and discounts in transportation companies; and to the extent that the aforesaid agencies enjoy customs exemptions, such exemptions shall be granted to the Oficina Cooperativa Interamericana de Salud Pública for the importation of articles intended for the carrying out of the Cooperative Program, it being understood that the Ministry may examine, as it does with respect to the other agencies, such lists of imports as may be prepared.

Ninth: The Government of the United States of Venezuela recognizes the Institute of Inter-American Affairs as an agency of the Government of the United States of America. The representatives of the Institute shall be exempt from income tax on the sums which they receive as remuneration from the United States Government and their imports for use in the carrying out of the Program of Health and Sanitation shall be exempt from customs duties.

Tenth: The Minister of Health and Social Assistance, the Chief of the Mission, and the Director of the Oficina, may, whenever possible, delegate the functions assigned to them under the present Agreement of Extension to representatives duly authorized by them.

57 Stat. 1126.
58 Stat. 1446.

Eleventh: The provisions of the original Modus Vivendi and of the First Agreement of Extension (June 1944 to December 1946) shall remain in force unless invalidated directly or indirectly by the terms of the present Agreement.

This note and your reply in the same terms shall constitute an agreement respecting the provisions of the preceding clauses.

I avail myself of the opportunity to renew to you the assurances of my distinguished consideration.

CARLOS MORALES

The Honorable
THOMAS J. MALEADY,
Chargé d'Affaires ad interim
of the United States of America.
City.

The American Chargé d'Affaires ad interim to the Venezuelan Minister of Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Caracas, June 30, 1947.

No. 2727

EXCELLENCY:

Extension of program.

With reference to this Embassy's note No. 2591 of January 30, 1947 and subsequent conversations between officers of this Embassy

and of the Ministry of Foreign Relations, and with particular reference to your Excellency's note No. 2953 of June 30, 1947, I have the honor, in accordance with the instructions received from my Government, to confirm that it has been agreed by the Government of the United States of America and the Government of the United States of Venezuela, to extend for an additional period of eighteen months beginning January 1, 1947, the cooperative program of Health and Sanitation which has been carried on through the Oficina Cooperativa Interamericana de Salud Pública in accordance with the modus vivendi entered into by an exchange of notes February 18, 1943 which was extended by a similar procedure on June 28, 1944 for a period of thirty months, which expired December 31, 1946. The extension of the Agreement, which is agreed upon in the present exchange of notes, will be carried out in accordance with the following stipulations:

Ante, p. 3275.

57 Stat. 1126.
58 Stat. 1446.

Financial obligations.

First: The financial obligations of the Institute and the Government of Venezuela under the first Modus Vivendi are considered to have been fulfilled by the contribution of $950,000 (USC) by the Institute as provided for, and by the Government of Venezuela by the expenditure of Bs. 2.00 for each dollar contributed by the Institute. In the same manner, the financial obligations of the Institute and the Government of Venezuela under the First Extension Agreement are considered to have been fulfilled by the contribution of $500,000 (USC) by the Institute; and by the equivalent in bolívares of $500,000 (USC) contributed by the Government of Venezuela. Any of these funds remaining unexpended at the expiration of the First Extension Agreement (June 1944 to December 1946) shall continue to be available for the purposes of the Cooperative Program of Health and Sanitation provided for in this Agreement.

Field Party.

Second: The Institute shall continue to be represented in Venezuela by a group of its officials to be known as the "Field Party of the Institute of Inter-American Affairs in Venezuela". The Chief of the Field Party shall continue to serve as Director of the Oficina Cooperativa Interamericana de Salud Pública during the period of this extension of the agreement.

Financing of program.

Third: The Cooperative Health and Sanitation Program shall be financed by the parties hereto during the period covered by this agreement as follows:

Contribution by Institute.

a) The Institute shall contribute an amount not to exceed $166,000 (USC) out of which $25,000 (USC) shall be deposited to the account of the Oficina Cooperativa Interamericana de Salud Pública in the following manner:

In January, 1947 -	$12, 500.
In July ---- 1947 -	12, 500.
Total -	$25, 000.

The balance of the $166,000, that is, $141,000. shall be contributed in accordance with Paragraph c) of this Clause.

Funds withheld for purchases in U. S.

b) The Institute may withhold from the deposits called for in Paragraph a) the estimated amounts deemed necessary by the Minister and the Chief of Field Party in Venezuela to pay for the purchase in the United States of America of materials, supplies and

equipment, and other disbursements relating to the execution of this Program. Any funds so withheld by the Institute shall be considered as deposited in accordance with Paragraph a) but if said sums are not expended or obligated for such purposes, they shall be deposited to the order of the Oficina at any time by mutual agreement between the Minister and the Chief of Field Party.

Allocation of funds to pay salaries, etc.

c) Besides the sum to be deposited to the account of the Oficina as mentioned in Paragraph a), the Institute shall make a separate allocation of necessary funds to pay the salaries, living expenses, travel and transportation costs and other administrative expenses of the members of the Institute Field Party and other Institute employees in Venezuela during the period covered by the Extension Agreement. The funds necessary for the above mentioned purposes will be taken out of the budget of $141,000. Said funds shall be used by the Chief of Field Party in Venezuela separate and apart from the funds to be deposited to the account of the Oficina by the Institute.

Venezuelan deposit.

d) The Government of the United States of Venezuela shall deposit to the account of the Oficina the equivalent in Venezuelan currency of $250,000. at the conversion rate of 3.33 bolívares per U. S. Dollar in the following manner:

During January 1947	$ 68, 468. 46	(Bs. 228, 000. 00)
During July 1947	181, 531. 54	(Bs. 604, 500. 00)
Total –	$250, 000. 00	(Bs. 832, 500. 00)

Amendment of deposit schedule.

e) By written agreement between the Minister and the Chief of Party, the schedule for making deposits as provided under paragraphs a) and d) hereof, may be amended as required by the needs of the Program.

Receipt of contributions from other sources.

f) Besides the contributions mentioned in paragraphs a) and d), the Oficina may receive contributions from other sources and expend these funds in the same manner as previously mentioned for the uses and objectives of the Cooperative Program of Health and Sanitation.

Unexpended funds, etc.

g) All funds or property acquired by the Oficina which may be unexpended, unused or unassigned at the termination of the period covered by this Extension, shall remain the property of the Government of Venezuela and be used in furtherance of the purposes of the Cooperative Program. However, to attain the objectives of the Cooperative Program, the Minister and the Chief of Party will mutually decide what to do with the unexpended, unused and unassigned funds or property at the expiration of this Agreement.

Use of funds for salaries and other expenses.

h) By mutual agreement between the Minister and the Chief of Party, funds of the Oficina may be used to reimburse or defray the salaries, living expenses, travel and transportation costs and other expenses of such additional members of the Institute Field Party and other Institute employees in Venezuela as the parties see fit. Such funds may be contributed or granted for such purposes by the Oficina to the Institute or to any other organization, but in every case the Minister and the Chief of Party will enter into a written Project Agreement setting forth the scope and other necessary terms of such contributions or grants.

Project Agreements.

Fourth: The Cooperative Health and Sanitation Program shall continue to consist of individual Projects, the principal objectives of which shall be the construction and installation of water supply systems in rural communities in Venezuela and other purposes affecting the health and sanitation of the public of Venezuela. Each Project shall be embodied in a Project Agreement which shall be mutually agreed upon and signed by the Minister of Health and Social Assistance and the Chief of Party in Venezuela. The Project Agreement shall define the kind of work to be done, the allocation of funds therefor, the parties responsible for the execution of the Project, and such other matters as the parties deem necessary to include.

Determination of plans, etc.

Fifth: Plans to carry out the Cooperative Health and Sanitation Program and procedures to be followed for the development of said plans and administrative matters pertaining to the Oficina Cooperativa Interamericana de Salud Pública, shall be determined by mutual agreement between the Ministry of Health and Social Assistance and the Chief of Party in Venezuela.

Contracts, personnel, etc.

Sixth: Contracts executed by the Oficina for carrying out Project Agreements, as well as all disbursements of the Oficina funds, shall be previously authorized by its Director. The selection of personnel for the Oficina shall be made by mutual agreement between the Director of the Oficina and the Ministry of Health and Social Assistance and appointments shall be made by Ministerial resolution.

Inspection of books, etc.; reports.

Seventh: Authorized representatives of the Government of Venezuela and the Institute shall have access, at any time, to the books, documents and accounts of the Oficina for their inspection and auditing, and the Director of the Oficina shall render reports to the Government of Venezuela and to the Institute at such intervals as may be agreed upon between the Chief of Party and the Ministry of Health and Social Assistance.

Rights and privileges.

Eighth: The Oficina Cooperativa Interamericana de Salud Pública, as a dependency of the Ministry of Health and Social Assistance, shall enjoy the rights and privileges granted by law to similar official departments, among them, postage and telegraphic franchises, and discounts allowed by transportation companies; and exoneration of custom duties shall be granted to the Oficina Cooperativa Interamericana de Salud Pública to the extent of those enjoyed by other Departments, on any materials imported to be used in the development of the Cooperative Program, and the Ministry shall examine the importation schedules as it does in the case of other departments.

Tax, etc., exemption.

Ninth: The Government of the United States of Venezuela recognizes the Institute of Inter-American Affairs as an entity of the United States Government. The representatives of the Institute shall be exempt from Income Tax on those amounts received from the United States Government as remuneration; and its importations to be used for the development of the Health and Sanitation Program shall be exonerated from custom duties.

Delegation of powers.

Tenth: The Minister of Health and Social Assistance, the Chief of Party and the Director of the Oficina, whenever possible, may delegate the powers granted in this Extension Agreement, to duly authorized representatives.

57 Stat. 1126.
58 Stat. 1446.

Eleventh: The provisions of the Original Modus Vivendi and the first Extension Agreement (June 1944 to December 1946) will remain in force with the exception of any provisions that may have been directly or indirectly cancelled by this Agreement.

Your Excellency's note which sets forth the foregoing stipulations and this reply constitute an agreement with respect to the extension of the Cooperative Program of Health and Sanitation.

Please accept, Excellency, the renewed assurances of my highest consideration.

THOMAS J. MALEADY
Chargé d'Affaires ad interim.

His Excellency
Dr. CARLOS MORALES,
Encargado of the Ministry of Foreign Relations,
Caracas.

Agreement between the United States of America and the Republic of the Philippines respecting military assistance to the Philippines. Signed at Manila March 21, 1947; entered into force March 21, 1947; effective from July 4, 1946.

March 21, 1947
[T. I. A. S. 1662]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES ON MILITARY ASSISTANCE TO THE PHILIPPINES

Considering the desire of the Government of the Republic of the Philippines to obtain assistance in the training and development of its armed forces and the procurement of equipment and supplies therefor during the period immediately following the independence of the Philippines, considering the Agreement between the United States of America and the Republic of the Philippines concerning military bases, signed March 14, 1947, and in view of the mutual interest of the two Governments in matters of common defense, the President of the United States of America has authorized the rendering of military assistance to the Republic of the Philippines towards establishing and maintaining national security and towards forming a basis for participation by that Government in such defensive military operations as the future may require, and to attain these ends the Governments of the United States of America and the Republic of the Philippines have agreed as follows:

61 Stat., Pt. 4, p. 4019.

TITLE I

PURPOSE AND DURATION

ARTICLE 1.—Subject to mutual agreements, the Government of the United States of America will furnish military assistance to the Government of the Republic of the Philippines in the training and development of armed forces and in the performance of other services essential to the fulfillment of those obligations which may devolve upon the Republic of the Philippines under its international agreements including commitments assumed under the United Nations and to the maintenance of the peace and security of the Philippines, as provided in Title II, Article 6, hereof.

Duration.

ARTICLE 2.—This Agreement shall continue for a period of five years from July 4, 1946 unless previously terminated or extended as hereinafter provided.

ARTICLE 3.—If the Government of the Republic of the Philippines should desire that this Agreement be extended beyond the stipulated period, it shall make a written proposal to that effect at least one year before the expiration of this Agreement.

ARTICLE 4.—This Agreement may be terminated before the expiration of the period of five years prescribed in Article 2, or before the expiration of an extension authorized in Article 3, by either Government, subject to three months' written notice to the other Government.

U. S. title to designated arms, etc.

ARTICLE 5.—It is agreed on the part of the Government of the Republic of the Philippines that title to all arms, vessels, aircraft, equipment and supplies, expendable items excepted, that are furnished under this Agreement on a non-reimbursable basis shall remain in the United States of America.

TITLE II

GENERAL

"Military assistance."

ARTICLE 6.—For the purposes of this Agreement the military assistance authorized in Article 1 hereof is defined as the furnishing of arms, ammunition, equipment and supplies; certain aircraft and naval vessels, and instruction and training assistance by the Army and Navy of the United States and shall include the following:

U. S. Military Advisory Group.

(*a*) Establishing in the Philippines of a United States Military Advisory Group composed of an Army group, a Navy group and an Air group to assist and advise the Republic of the Philippines on military and naval matters;

Training equipment, etc.

(*b*) Furnishing from United States sources equipment and technical supplies for training, operations and certain maintenance of Philippine armed forces of such strength and composition as mutually agreed upon;

(*c*) Facilitating the procurement by the Government of the Republic of the Philippines of a military reserve of United States equipment and supplies, in such amounts as may be subsequently agreed upon;

(*d*) Making available selected facilities of United States Army and Navy training establishments to provide training for key personnel of the Philippine armed forces, under the conditions hereinafter described.

TITLE III

MILITARY ADVISORY GROUP

Personnel.

ARTICLE 7.—The Military Advisory Group shall consist of such number of United States military personnel as may be agreed upon by the Governments of the United States of America and the Republic of the Philippines.

Functions.

ARTICLE 8.—The functions of the Military Advisory Group shall be to provide such advice and assistance to the Republic of the Philippines as has been authorized by the Congress of the United States of America and as is necessary to accomplish the purposes set forth in Article 1 of this Agreement.

Rank, pay, etc.

ARTICLE 9.—Each member of the Military Advisory Group shall continue as a member of the branch of the armed forces of the United States to which he belongs and serve with that group in the rank, grade or rating he holds in the armed forces of the United States and

shall wear the uniform thereof, as provided in current regulations. Officers and enlisted men so detailed are authorized to accept from the Government of the Republic of the Philippines offices and such pay and emoluments thereunto appertaining as may be offered by that Government and approved by the appropriate authorities of the United States, such compensation to be accepted by the United States Government for remittance to the individual if in the opinion of the appropriate authorities of the United States such course appears desirable.

ARTICLE 10.—Members of the Military Advisory Group shall serve under the direction of the authorities of the United States of America.

Pay and allowances.

ARTICLE 11.—All members of the Group shall be on active duty and shall be paid regularly authorized pay and allowances by the Government of the United States of America, plus a special allowance to compensate for increased costs of living. This special allowance shall be based upon a scale agreed upon by the Governments of the United States of America and the Republic of the Philippines and shall be revised periodically. The Government of the Republic of the Philippines shall reimburse the Government of the United States of America for the special allowances provided for in this Article. The special allowance shall be applicable for the entire period each member of the group resides in the Philippines on duty with the Group, except as specified elsewhere in this Agreement.

Special allowance.

Exemptions and privileges.

ARTICLE 12.—The Government of the Republic of the Philippines agrees to extend to the Military Advisory Group the same exemptions and privileges granted by Articles V, XII and XVIII of the Agreement Between the United States of America and the Republic of the Philippines Concerning Military Bases, signed March 14, 1947.

61 Stat., Pt. 4, pp. 4022, 4024, 4027.

Travel expenses.

ARTICLE 13.—Except as may be otherwise subsequently agreed by the two Governments, the expense of the cost of transportation of each member of the Military Advisory Group, his dependents, household effects, and belongings to and from the Philippines shall be borne by the Government of the United States of America to the extent authorized by law. Members of the Group shall be entitled to compensation for expenses incurred in travel in the Republic of the Philippines on official business of the Group and such expenses shall be reimbursed to the Government of the United States of America by the Government of the Republic of the Philippines except for expenses of travel by the transportation facilities of the Group.

Living and office quarters.

ARTICLE 14.—The Government of the Republic of the Philippines shall provide, and defray the cost of, suitable living quarters for personnel of the Military Advisory Group and their families and suitable buildings and office space for use in the conduct of the official business of the Military Advisory Group. All living and office quarters shall conform to the standards prescribed by the United States military services for similar quarters. Official supplies and equipment of American manufacture required by the Group shall be furnished by the Government of the United States of America which shall be reimbursed for the cost thereof by the Government of the

Official supplies and equipment.

Republic of the Philippines. Official supplies and equipment of other than American manufacture shall be provided without cost by the Government of the Republic of the Philippines. The cost of all services required by the Group, including compensation of locally employed interpreters, clerks, laborers, and other personnel, except personal servants, shall be borne by the Government of the Republic of the Philippines.

Cost of services.

Communications involving matters of policy.

ARTICLE 15.—All communications between the Military Advisory Group and the Republic of the Philippines involving matters of policy shall be through the Ambassador of the United States of America to the Philippines or the Chargé d'Affaires.

61 Stat., Pt. 4, pp. 4025, 4028.

ARTICLE 16 (*a*).—The provisions of Articles XIII and XXI of the Agreement of March 14, 1947 between the United States of America and the Republic of the Philippines Concerning Military Bases are applicable to the Military Advisory Group, it being agreed that the Headquarters of the Military Advisory Group will be considered a temporary installation under the provisions of Article XXI of the Agreement aforementioned.

Diplomatic immunity.

(*b*) The Chief of the Military Advisory Group, and not to exceed six (6) other senior members of the group to be designated by him, will be accorded diplomatic immunity.

TITLE IV

LOGISTICAL ASSISTANCE

Supplies, services, etc.

ARTICLE 17.—The decision as to what supplies, services, facilities, equipment and naval vessels are necessary for military assistance shall be made by agreement between the appropriate authorities of the United States and the Republic of the Philippines.

ARTICLE 18.—Certain initial equipment, supplies and maintenance items shall be furnished gratuitously by the United States in accordance with detailed arrangements to be mutually agreed upon. Additional equipment and supplies other than those surplus to the needs of the United States required in the furtherance of military assistance shall be furnished by the United States subject to reimbursement by the Republic of the Philippines on terms to be mutually agreed upon. All items of arms, munitions, equipment and supplies originating from sources other than those surplus to the needs of the United States shall be furnished only when the requisite funds have been specifically appropriated by the Congress of the United States.

Nonrelinquishment by Philippines of arms, etc.

ARTICLE 19.—The Government of the Republic of the Philippines agrees that it will not relinquish physical possession or pass the title to any and all arms, munitions, equipment, supplies, naval vessels and aircraft furnished under this Agreement without the specific consent of the Government of the United States.

Procurement of military equipment, etc.

ARTICLE 20.—Military equipment, supplies and naval vessels necessary in connection with the carrying out of the full program of

military assistance to the Republic of the Philippines shall be provided from United States and Philippine sources in so far as practicable and the Government of the Republic of the Philippines shall procure arms, ammunition, military equipment and naval vessels from governments or agencies other than the United States of America only on the basis of mutual agreement between the Government of the United States of America and the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall procure United States military equipment, supplies and naval vessels only as mutually agreed upon.

TITLE V

TRAINING ASSISTANCE

ARTICLE 21.—As part of the program of military assistance the Government of the Republic of the Philippines shall be permitted to send selected students to designated technical and service schools of the ground, naval and air services of the United States. Such students shall be subject to the same regulations as are United States students and may be returned to the Philippines, without substitution, for violation of such regulations. Numbers of students and detailed arrangements shall be mutually agreed upon and shall be kept at a minimum for essential requirements. All Philippine requests for military training of Filipino personnel shall be made to the Government of the United States through the Military Advisory Group.

TITLE VI

SECURITY

Equipment and information.

ARTICLE 22.—Disclosures and exchanges of classified military equipment and information of any security classification to or between the Government of the United States of America and the Government of the Republic of the Philippines will be with the mutual understanding that the equipment and information will be safeguarded in accordance with the requirements of the military security classification established thereon by the originating Government and that no redisclosure by the recipient Government of such equipment and information to third governments or unauthorized personnel will be made without specific approval of the originating Government.

Personnel.

ARTICLE 23.—So long as this Agreement, or any extension thereof, is in effect the Government of the Republic of the Philippines shall not engage or accept the services of any personnel of any Government other than the United States of America for duties of any nature connected with the Philippine armed forces, except by mutual agreement between the Government of the United States of America and the Government of the Republic of the Philippines.

TITLE VII

IN WITNESS WHEREOF, the Undersigned, duly authorized thereto, have signed this Agreement in duplicate, in the City of Manila, this twenty-first day of March, 1947.

For the Government of the United States of America:

PAUL V. MCNUTT
Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines

For the Government of the Republic of the Philippines:

MANUEL ROXAS
President of the Philippines

Agreement between the United States of America and Guatemala respecting United States armed forces in Guatemala. Effected by exchange of notes signed at Guatemala August 29, 1947; entered into force August 29, 1947.

August 29, 1947
[T. I. A. S. 1663]

The American Ambassador to the Guatemalan Under Secretary for Foreign Affairs

No. 213

GUATEMALA, *August 29, 1947.*

EXCELLENCY:

I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of Guatemala regarding paragraph 7 of the Resolution on the Principles Governing the General Regulation and Reduction of Armaments,[1] adopted by the General Assembly of the United Nations on December 14, 1946.

It is the understanding of the Government of the United States of America that, in order to eliminate any question regarding conformity with paragraph 7 of the above-mentioned Resolution, the two Governments agree as follows:

(1) The members of the armed forces of the United States of America now stationed in the territory of Guatemala have been and are so stationed with the full and freely given consent of the Government of Guatemala.

(2) The Government of Guatemala consents that those armed forces continue to be so stationed until such time as the Government of Guatemala withdraws its consent thereto or until the treaties of peace with the Axis powers are signed.

(3) The number of men, members of those armed forces, who are now so stationed is less than one hundred and they are not combat troops. The presence of those men is already covered by previous arrangements between the two Governments.

I have the honor to inform Your Excellency that this note, together with your note in reply, will be considered by the Government of the United States of America as placing on record the understanding of the two Governments in regard to this matter.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

EDWIN J. KYLE

His Excellency
Licenciado ARTURO HERBRUGER ASTURIAS,
Under Secretary for Foreign Affairs,
In Charge of the Ministry for Foreign Affairs,
Guatemala.

[1] [United Nations. *Resolutions adopted by the General Assembly during the Second Part of its First Session from 23 October to 15 December 1946*, pp. 66 and 67. Lake Success, 1947.]

The Guatemalan Under Secretary for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES EXTERIORES
REPUBLICA DE GUATEMALA
SECCION DIPLOMATICA

032 GUATEMALA, *29 de agosto de 1947.*

SEÑOR EMBAJADOR:

Tengo la honra de referirme a la nota de Vuestra Excelencia, Número 213, de esta fecha, alusiva a las conversaciones celebradas entre los representantes del Gobierno de Guatemala y del Gobierno de los Estados Unidos de América, con respecto al párrafo 7 de la Resolución de Principios que rigen el Reglamento General y la Reducción de Armamentos, adoptada por la Asamblea General de las Naciones Unidas el 14 de diciembre de 1946.

En esa virtud, en nombre de mi Gobierno, tengo el honor de confirmar tal entendido del Gobierno de los Estados Unidos de América y de que, para eliminar cualquier cuestión relativa a la conformidad con el párrafo 7 de la Resolución arriba mencionada, los dos Gobiernos convienen en lo que sigue:

(1) Los miembros de las fuerzas armadas de los Estados Unidos de América que se encuentran actualmente acantonadas en territorio de Guatemala, han sido y están estacionadas con el libre y completo consentimiento del Gobierno de Guatemala.

(2) El Gobierno de Guatemala consiente en que dichas fuerzas armadas continúen acantonadas en el país hasta el momento en que el Gobierno de Guatemala suspenda su consentimiento al efecto, o bien hasta que se firmen los tratados de Paz.

(3) El número de individuos, miembros de dichas fuerzas armadas, que se encuentran actualmente estacionadas es de menos de cien y no son tropa de combate. La presencia de esos hombres está ya amparada por arreglos previos entre los dos Gobiernos.

Tengo la honra de informar a Vuestra Excelencia que esta nota, juntamente con la Vuestra que contesto, se considerarán como ratificación del entendido de los dos Gobiernos en relación con el asunto de que se trata.

Aprovecho la oportunidad para renovar al señor Embajador, las seguridades de mi más alta consideración.

ARTURO HERBRUGER.
Subsecretario
Encargado del Despacho

Excelentísimo señor EDWIN J. KYLE,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América,
Ciudad.–

Translation

MINISTRY OF FOREIGN RELATIONS
REPUBLIC OF GUATEMALA
DIPLOMATIC SECTION

032

GUATEMALA, *August 29, 1947.*

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's note, Number 213, of this date, relative to the conversations which took place between the representatives of the Government of Guatemala and the Government of the United States of America, with respect to paragraph 7 of the Resolution on Principles governing General Regulation and Reduction of Armaments, adopted by the General Assembly of the United Nations on December 14, 1946.

Ante, p. 3289.

By virtue thereof, in the name of my Government, I have the honor to confirm the understanding on the part of the Government of the United States of America and to state that, in order to eliminate any question as to conformity with paragraph 7 of the above-mentioned Resolution, the two Governments agree upon the following:

(1) The members of the armed forces of the United States of America which are quartered at the present time in Guatemalan territory, have been and are stationed with the free and complete consent of the Government of Guatemala.

(2) The Government of Guatemala consents to the said armed forces continuing to be quartered in the country until such time as the Government of Guatemala withdraws its consent with respect thereto, or until the Peace treaties are signed.

(3) The number of persons, members of the said armed forces, who are stationed at the present time is less than one hundred and they are not combat troops. The presence of those men is already provided for by previous arrangements between the two Governments.

I have the honor to inform Your Excellency that this note, together with your note to which I am replying, shall be considered as ratification of the understanding of the two Governments with respect to the matter under consideration.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest consideration.

ARTURO HERBRUGER.
Under Secretary
in charge of the Ministry

His Excellency
EDWIN J. KYLE,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

August 14, 1947
[T. I. A. S. 1664]

Memorandum of understanding between the United States of America, France, United Kingdom of Great Britain and Northern Ireland, and Italy respecting the liquidation of German property in Italy. Signed at Washington August 14, 1947; entered into force August 14, 1947.

MEMORANDUM OF UNDERSTANDING

Between the Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America on the one hand, and the Government of Italy on the other hand, regarding German assets in Italy.

61 Stat., Pt. 2, p. 1403.

Post, p. 3294.

With reference to Article 77, paragraph 5, of the Treaty of Peace with Italy, the Government of Italy on the one hand and the Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America on the other hand have entered into the following understanding, including the Annexes attached hereto and made a part of this Memorandum of Understanding, with respect to German assets of whatsoever nature in Italy:

1. The Government of Italy will take appropriate measures to ascertain what German assets in Italy are not presently under administration.

Assets to be liquidated.

2. The Government of Italy will take all necessary measures to effect the prompt sale or liquidation of all assets in Italy belonging directly or indirectly to (a) German individuals in Germany or corporations or other organizations organized under the laws of Germany; (b) the German state and German municipalities and state, federal, municipal, or other governmental authorities; (c) German Nazi organizations; and (d) German individuals already repatriated or to be repatriated to Germany. Exceptions to these categories should be made in the case of (a) assets of individuals deprived of life or substantially deprived of liberty pursuant to any law, decree, or regulation discriminating against political, racial, or religious groups; (b) assets belonging to religious bodies or private charitable institutions and used exclusively for religious or charitable purposes; (c) assets of a corporation or any other organization organized under the laws of Germany to the extent that they are not beneficially German-owned; (d) assets released under an intercustodial agreement with another government; and (e) assets coming within the jurisdiction of Italy as a result of resumption of trade with Germany. The term "Germany" shall be defined as the Germany within the boundaries of that country as of December 31, 1937. Action with respect to German-owned trademarks and patents shall be held in abeyance pending separate representations.

Exceptions.

"Germany."

3. The Government of Italy will dispose of German assets only to non-German nationals and with maximum safeguards to insure against their eventual return to German ownership or control. Disposition of assets.

4. The Government of Italy will credit the proceeds of liquidation of the assets to a special account to be held for such disposition as may subsequently be determined in accordance with Article 77, paragraph 5, of the Treaty of Peace with Italy. Special account.

61 Stat., Pt. 2, p. 1403.

5. The Government of Italy will execute the foregoing in collaboration with the Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. To insure such collaboration, there will be established a Committee composed of one representative of each of the four Governments, which will meet at or near the seat of the Government of Italy. Chairmanship of this Committee will be rotated among the members in an order determined by the Committee. This Committee will operate by majority vote, establish its own rules of procedure, and take all action necessary to carry out the following functions: Committee to insure collaboration. Functions.

A. To instruct the Agency of the Government of Italy charged with administering the program for control and liquidation of German assets in Italy as to policies and procedures to be followed in such program; such instruction to include, but not by way of limitation:

(1) Direction in the techniques and procedures for obtaining a census of all German assets in Italy;

(2) Direction that investigations be made in particular cases by the Agency with a view to uncovering hidden or cloaked German assets in Italy. In conjunction therewith the Committee shall place at the disposal of the Agency all available information and documentary evidence likely to facilitate the accomplishment of its task;

B. To review in advance of consummation all sales of German assets to insure that the proposed sales are in accord with the national interests of the four Governments, taking into account the objectives of precluding the return of German external assets to German ownership or control and of favoring freedom of trade.

6. The Committee may determine that the expenses, or any part of them, incurred by it, except the expenses of the respective representatives on the Committee, shall be a charge on the proceeds of such assets. Expenses.

7. The Agency will keep the Committee fully informed of the Agency's activities. It will furnish to the Committee all information requested concerning the census and status of German assets, and in particular it will seek the instructions of the Committee before making any decisions materially affecting the status of German assets under its administration. Information.

8. The Agency will formulate the terms and conditions of sale or other disposition of German property, subject to review by the Committee. Terms of sale, etc.

Entry into force.

9. This Memorandum of Understanding shall enter into force upon the day it is signed.

Valid languages.

Done at Washington in quadruplicate in the English, French and Italian languages, each of which shall have equal validity, this 14th day of August, 1947.

FOR THE GOVERNMENT OF FRANCE:
FRANCIS LACOSTE

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
J. H. MAGOWAN

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
ROBERT A LOVETT

FOR THE GOVERNMENT OF ITALY:
LOMBARDO

ANNEX 1

"Asset."

For the purposes of this understanding the term "asset" as used herein refers, but not by way of limitation, to any real property or interest therein, enterprise (commercial, industrial, financial, or scientific), security or interest therein, corporate and contractual licenses and arrangements, insurance policies and reinsurance contracts, bank accounts and deposits, including trusteeship accounts, safe deposit boxes, vaults, checks, drafts, credits, gold and other precious metals, options and any other types of arrangements and undertakings, written or unwritten.

ANNEX 2

Disputes.

Any dispute concerning the interpretation or execution of this understanding, which is not settled by direct diplomatic negotiations, shall be referred to a body composed of one representative each of the Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

MEMORANDUM D'ACCORD

Entre les Gouvernements de la République française, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et des Etats-Unis d'Amérique du Nord d'une part, et le Gouvernement italien d'autre part, à l'égard des avoirs allemands en Italie.

Se référant à l'article 77, paragraphe 5, du Traité de Paix avec l'Italie, le Gouvernement italien d'une part et les Gouvernements de la République française, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et des Etats-Unis d'Amérique du Nord d'autre part ont conclu l'arrangement suivant, dont les Annexes ci-jointes font partie intégrante, à l'égard des avoirs allemands de quelque nature qu'ils soient se trouvant en Italie:

1. Le Gouvernement italien prendra toutes mesures appropriés pour déterminer quels sont les avoirs allemands en Italie qui ne font actuellement l'objet d'aucune mesure administrative.

2. Le Gouvernement italien prendra toutes mesures nécessaires pour effectuer sans délai la vente ou la liquidation de tous avoirs en Italie appartenant directement ou indirectement (a) à des ressortissants allemands en Allemagne ou à des sociétés ou à d'autres organisations constituées sous le régime des lois allemandes; (b) à l'Etat allemand, et à des municipalités allemandes, ainsi qu'à des autorités nationales, fédérales, municipales ou à d'autres autorités publiques allemandes; (c) à des organisations nazies allemandes; et (d) à des ressortissants allemands qui ont déjà été ou qui seront rapatriés en Allemagne. Exception doit être faite à ces catégories en ce qui concerne (a) les avoirs de personnes ayant perdu la vie ou une grande partie de leur liberté par suite de l'application de toute loi, de tout décret ou de tout règlement établissant des discriminations contre certains groupes en raison de leurs opinions politiques, de leur race ou de leur religion; (b) les avoirs appartenent à des institutions religieuses ou à des institutions philanthropiques privées et servant exclusivement à des fins religieuses ou philanthropiques; (c) les avoirs de toutes société ou de toute autre organisation constituée sous le régime des lois allemandes dans la mesure où le bénéfice de ces avoirs ne revient pas à des personnes de nationalité allemande; (d) les avoirs cédés aux termes d'un accord entre séquestres avec un autre gouvernement; et (e) les avoirs tombant sous la juridiction de l'Italie par suite de la reprise du commerce avec l'Allemagne. Le terme "Allemagne" sera défini comme signifiant l'Allemagne telle qu'elle était délimitée par ses frontières au 31 décembre 1937. Toute action relative aux marques de fabrique et aux brevets appartenant à des Allemands restera en suspens jusqu'à ce que des propositions spéciales soient faites à leur sujet.

3. Le Gouvernement italien ne cédera des avoirs allemands qu'à des personnes de nationalité non-allemande et avec le maximum de

garanties pour empêcher que ces biens redeviennent éventuellement propriété allemande ou retombent sous contrôle allemand.

4. Le Gouvernement italien versera le produit de la liquidation des avoirs à un compte spécial où il sera conservé en vue de telle disposition qui sera ultérieurement arrêtée conformément à l'article 77, paragraphe 5, du Traité de Paix avec l'Italie.

5. Le Gouvernement italien exécutera les clauses ci-dessus en collaboration avec les Gouvernements de la République française, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et des Etats-Unis d'Amérique du Nord. Afin d'assurer cette collaboration, un Comité, composé d'un représentant de chacun des quatre Gouvernements, sera constitué. Il se réunira au siège du Gouvernement italien ou à proximité. La présidence dudit Comité sera assurée à tour de rôle par chacun des membres dans l'ordre déterminé par le Comité. Le Comité prendra ses décisions à la majorité établira son propre Règlement, et prendra toutes les mesures nécessaires à l'accomplissement des fonctions suivantes:

A. Donner à l'Agence du Gouvernement italien chargé de l'administration du programme de contrôle et de liquidation des avoirs allemands en Italie des directives relatives à l'exécution dudit programme; ces directives devant comprendre, sans que cette énumération doive être considérée comme limitative:

(1) des instructions sur les moyens techniques et la procédure à appliquer pour obtenir le recensement de tous les avoirs allemands en Italie;

(2) des instructions chargeant l'Agence d'effectuer, dans certains cas, des enquêtes tendant à découvrir des avoirs allemands cachés ou dissimulés en Italie. A cet effet le Comité fournira à l'Agence tous renseignements et documents probatoires dont il dispose et qui sont de nature à faciliter l'accomplissement de sa tâche;

B. Examiner avant leur réalisation toutes ventes d'avoirs allemands afin de vérifier que ces ventes sont conformes aux intérêts nationaux des quatre Gouvernements, en vue, d'une part, d'empêcher que les avoirs allemands à l'étranger redeviennent propriété allemande ou retombent sous contrôle allemand et, d'autre part, de favoriser la liberté du commerce.

6. Le Comité pourra décider que tout ou partie des dépenses encourues par lui, à l'exception des dépenses de chacun des représentants au Comité, seront imputées sur le produit de la vente de ces avoirs.

7. L'Agence tiendra le Comité pleinement informé de son activité. Il fournira au Comité tous le renseignements qui lui seront demandés en ce qui concerne le recensement et le statut des avoirs allemands, et en particulier il sollicitera les instructions du Comité avant de prendre quelque décision que ce soit affectant matériellement le statut des avoirs allemands relevant de son administration.

8. L'Agence arrêtera les termes et conditions de la vente ou d'autre disposition des avoirs allemands, sous réserve de revision par le Comité.

9. Ce mémorandum d'Accord entrera en vigueur le jour de sa signature.

Fait à Washington en quatre exemplaires en langue anglaise, française et italienne, dont chacune fera également foi, ce 14e jour du mois de août 1947.

POUR LE GOUVERNEMENT DE LA REPUBLIQUE FRANÇAISE:
FRANCIS LACOSTE

POUR LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
J. H. MAGOWAN

POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE DU NORD:
ROBERT A LOVETT

POUR LE GOUVERNEMENT ITALIEN:
LOMBARDO

ANNEXE 1

Il est entendu que le terme "avoirs" tel qu'il est ici employé s'applique, mais d'une manière non restrictive, à tous biens immobiliers ou participations à ces biens, entreprises (commerciales, industrielles, financières ou scientifiques), valeurs mobilières ou participation à ces valeurs, pouvoirs ou mandats et arrangements statutaires et contractuels, polices d'assurance et contrats de réassurance, comptes en banque et dépôts, y compris comptes d'administrateurs, coffres-forts, chambres fortes, chèques, traites, soldes créditeurs, or et autres métaux précieux, options et toutes autres formes d'arrangements et engagements, écrits ou non écrits.

ANNEXE 2

Tout différend relatif à l'interprétation ou à l'exécution du présent arrangement, qui n'aura pas été réglé par voie de négociations diplomatiques directes, sera soumis à un conseil composé d'un représentant de chacun des gouvernements de la République française, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et des Etats-Unis d'Amérique du Nord. Tout différend de cette nature que ces représentants n'auraient pu régler dans un délai de deux mois sera, à moins que les parties au différend ne conviennent d'un autre mode de règlement, soumis à la requête de l'une ou l'autre des parties au différend à une commission composée d'un représentant de chaque partie et d'un tiers membre choisi d'un commun accord entre les deux parties parmi les ressortissants d'un pays tiers. A défaut d'accord dans un délai d'un mois entre les deux parties sur la désignation du tiers membre, l'une ou l'autre partie pourra demander au Secrétaire Général des Nations Unies de procéder à cette désignation. La décision de la majorité des membres de la commission sera considérée comme décision de la commission et acceptée par les parties comme définitive et obligatoire.

MEMORANDUM D'INTESA

tra i Governi di Francia, del Regno Unito di Gran Bretagna e Nord Irlanda e degli Stati Uniti D'America da una parte e il Governo d'Italia dall'altra parte, in merito ai beni tedeschi in Italia.

Con riferimento all'articolo 77, paragrafo 5 del Trattato di Pace con l'Italia, il Governo d'Italia da una parte e i Governi di Francia, del Regno Unito di Gran Bretagna e Nord Irlanda e degli Stati Uniti d'America dall'altra parte, hanno concordato la seguente intesa, inclusi gli annessi allegati che sono considerati parte integrante di questo memorandum d'intesa, in merito ai beni tedeschi di qualsiasi natura in Italia:

1. Il Governo italiano prendera' le misure del caso per accertare quali beni tedeschi in Italia non si trovano al momento presente sotto alcuna amministrazione.

2. Il Governo italiano prendera' le necessarie misure per effettuare la sollecita vendita o liquidazione di tutti quei beni in Italia, che direttamente o indirettamente appartengono a:

(a) Persone tedesche in Germania o Societa' o altre organizzazioni formatesi sotto le leggi tedesche;

(b) Lo Stato e municipalita' tedesche e le autorita' tedesche statali, municipali, federali o di altra natura;

(c) Organizzazioni tedesche naziste; e

(d) Persone tedesche gia' rimpatriate o da essere rimpatriate in Germania. Eccezioni a queste categorie dovrebbero essere fatte nei casi di:

(a) beni di individui privati di vita o sostanzialmente privati di liberta' conformemente a qualunque legge, decreto o regolamento discriminante contro gruppi politici, razziali o religiosi;

(b) beni appartenenti a istituzioni religiose o istituti privati di carita' ed usati esclusivamente per scopi religiosi o di carita';

(c) beni di una Societa' oppure qualunque altra organizzazione formatasi sotto le leggi della Germania, in quanto esse non siano di beneficio a tedeschi malgrado la proprieta' tedesca;

(d) beni rilasciati in base ad un accordo di amministrazione sequestrataria con un altro Governo; e

(e) beni che siano sotto la giurisdizione dell'Italia come risultato di ripresa di affari commerciali con la Germania. Per termine "Germania" si intende la Germania quale delimitata dai confini di tale Paese al 31 dicembre 1937. Misure relative a marchi di fabbrica e patenti di proprieta' tedesca saranno dilazionate in attesa di passi separati.

3. Il Governo italiano effettuera' cessione di beni tedeschi solo a cittadini non-tedeschi e prendendo le massime precauzioni per evitare il loro eventuale ritorno in proprieta' o controllo tedesco.

4. Il Governo italiano accreditera' gli introiti derivanti dalla liquidazione dei beni ad uno speciale conto da essere istituito per i provvedimenti che possono essere successivamente determinati in conformita all'articolo #77, paragrafo 5 del Trattato di Pace con l'Italia.

5. Il Governo italiano eseguira' quanto predetto in collaborazione coi Governi di Francia, del Regno Unito della Gran Bretagna e Nord Irlanda e degli Stati Uniti d'America. Per assicurare tale collaborazione, sara' istituito un Comitato composto di un rappresentante di ognuno dei quattro Governi che si riunira' nella o vicino alla sede del Governo italiano. La presidenza di tale Comitato sara' alternata tra i membri del Comitato stesso in un ordine da esso determinato. Tale Comitato operera' in base al sistema di maggioranza dei voti, stabilira' le sue regole di procedura e prendera' tutte le misure necessarie per l'assolvimento delle seguenti funzioni:

(a) Dare direttive all'Ente del Governo italiano incaricato di amministrare il programma per il controllo e la liquidazione dei beni tedeschi in Italia secondo le direttive e le procedure da seguire in tale programma; tali istruzioni includeranno, ma non si limiteranno a:

(1) Direttive per la tecnica e le procedure da seguire per ottenere un censimento di tutte le attivita' tedesche in Italia;

(2) Direttive a che indagini vengono svolte in casi speciali, dall'Ente, con lo scopo di scoprire beni tedeschi nascosti o mascherati in Italia. In relazione a quanto precede il Comitato porra' a disposizione dell'Ente tutte le informazioni disponibili e tutte le prove documentarie allo scopo di facilitare tale compito;

(b) Esaminare anticipatamente alla loro effettuazione tutte le vendite di beni tedeschi per accertare che le vendite proposte siano in armonia con gli interessi nazionali dei quattro Governi, tenendo conto dello scopo di escludere il ritorno dei beni tedeschi all'estero a proprieta' o controllo tedeschi e di favorire la liberta' di commercio.

6. Il Comitato puo' determinare che le spese, o qualunque parte di esse, da esso incontrate, ad eccezione delle spese dei rispettivi rappresentanti del Comitato, saranno a carico degli introiti derivanti da tali beni.

7. L'Ente terra' il Comitato pienamente informato delle attivita' dell'Ente stesso. Esso fornira' al Comitato tutte le informazioni richieste concernenti il censimento e lo "status" delle attivita' tedesche ed in particolare esso cerchera' di ottenere le istruzioni del Comitato prima di prendere alcuna decisione sostanzialmente afferente allo "status" dei beni tedeschi sotto la sua amministrazione.

8. L'Ente formulera' i termini e le condizioni di vendita o altra destinazione dei beni tedeschi, subordinatamente a revisione da parte del Comitato.

9. Questo memorandum d'intesa entrera' in vigore nello stesso giorno della sua firma.

Il presente documento viene redatto in Washington in quadruplicato, in lingua inglese, francese e italiana, ciascuna delle quali avra' uguale validita' alla data del 14 agosto 1947.

PER IL GOVERNO DI FRANCIA:
FRANCIS LACOSTE

PER IL GOVERNO ITALIANO:
LOMBARDO

PER IL GOVERNO DEL REGNO UNITO
DI GRAN BRETAGNA E NORD IRLANDA:
J. H. MAGOWAN

PER IL GOVERNO DEGLI STATI UNITI D'AMERICA:
ROBERT A LOVETT

ANNESSO #1

Ai fini di questo accordo, il termine "beni" come usato, si riferisce, ma non si limita, a qualsiasi proprieta' immobiliare o interesse in essa, impresa (commerciale, industriale, finanziaria o scientifica), titoli o interessi in essa, licenze e accordi societari o contrattuali, polizze di assicurazione e contratti di riassicurazione, conti e depositi bancari, includenti conti fiduciari, cassette-depositi e camere di sicurezza, assegni bancari, tratte, crediti, oro ed altri metalli preziosi, opzioni e qualunque altro tipo di accordi ed impegni scritti o non scritti.

ANNESSO #2

Qualunque controversia relativa all'interpretazione o alla esecuzione di questo accordo, che non sia stata regolata per via di negoziati diplomatici diretti, sara' sottoposta ad un organismo composto di un rappresentante di ognuno dei Governi di Francia, del Regno Unito di Gran Bretagna e Nord Irlanda, e degli Stati Uniti d'America. Qualsiasi controversia di tale natura che essi non avessero ancora regolata entro un termine di due mesi, sara, salvo che le parti in contrasto non si accordino su un altro modo di regolamento, sottoposta, a richiesta dell'una o dell'altra delle parti in disputa, a una commissione composta di un rappresentante di ciascuna delle parti e di un terzo membro scelto di comune accordo fra le due parti, tra i sudditi di un terzo Paese. In difetto di accordo, entro un mese, fra le due parti per la designazione di tale terzo membro, l'una o l'altra parte potra' domandare al Segretario Generale delle Nazioni Unite di procedere a tale designazione. La decisione presa dalla maggioranza dei membri della commissione sara' considerata come decisione della commissione stessa ed accettata dalle parti come definitiva e obbligatoria.

Agreement approved by the Security Council of the United Nations April 2, 1947, respecting trusteeship for the former Japanese mandated islands. Approved by the President of the United States of America July 18, 1947, pursuant to authority granted by a joint resolution of the Congress of the United States of America July 18, 1947; entered into force July 18, 1947.

July 18, 1947
[T. I. A. S. 1665]

TRUSTEESHIP AGREEMENT FOR THE FORMER JAPANESE MANDATED ISLANDS APPROVED AT THE ONE HUNDRED AND TWENTY-FOURTH MEETING OF THE SECURITY COUNCIL

PREAMBLE

WHEREAS Article 75 of the Charter of the United Nations provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent agreements; and

59 Stat. 1048.

WHEREAS under Article 77 of the said Charter the trusteeship system may be applied to territories now held under mandate; and

59 Stat. 1049.

WHEREAS on 17 December 1920 the Council of the League of Nations confirmed a mandate for the former German islands north of the equator to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; [1] and

WHEREAS Japan, as a result of the Second World War, has ceased to exercise any authority in these islands;

NOW, THEREFORE, the Security Council of the United Nations, having satisfied itself that the relevant articles of the Charter have been complied with, hereby resolves to approve the following terms of trusteeship for the Pacific Islands formerly under mandate to Japan.

ARTICLE 1

Trust territory.

The Territory of the Pacific Islands, consisting of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations, is hereby designated as a strategic area and placed under the trusteeship system established in the Charter of the United Nations. The Territory of the Pacific Islands is hereinafter referred to as the trust territory.

ARTICLE 2

The United States of America is designated as the administering authority of the trust territory.

[1] [*Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States of America and Other Powers, 1910–1923*, Vol. III, p. 3342, compiled by C. F. Redmond, Washington, D. C.]

ARTICLE 3

Powers of administering authority.

The administering authority shall have full powers of administration, legislation, and jurisdiction over the territory subject to the provisions of this agreement, and may apply to the trust territory, subject to any modifications which the administering authority may consider desirable, such of the laws of the United States as it may deem appropriate to local conditions and requirements.

ARTICLE 4

The administering authority, in discharging the obligations of trusteeship in the trust territory, shall act in accordance with the Charter of the United Nations, and the provisions of this agreement, and shall, as specified in Article 83 (2) of the Charter, apply the objectives of the international trusteeship system, as set forth in Article 76 of the Charter, to the people of the trust territory.

59 Stat. 1050.

59 Stat. 1048.

ARTICLE 5

Maintenance of peace and security. 59 Stat. 1049, 1050.

In discharging its obligations under Article 76 (a) and Article 84, of the Charter, the administering authority shall ensure that the trust territory shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the administering authority shall be entitled:

1. to establish naval, military and air bases and to erect fortifications in the trust territory;

2. to station and employ armed forces in the territory; and

3. to make use of volunteer forces, facilities and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for the local defense and the maintenance of law and order within the trust territory.

ARTICLE 6

59 Stat. 1049.

In discharging its obligations under Article 76 (b) of the Charter, the administering authority shall:

Development of political institutions.

1. foster the development of such political institutions as are suited to the trust territory and shall promote the development of the inhabitants of the trust territory toward self-government or independence, as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned; and to this end shall give to the inhabitants of the trust territory a progressively increasing share in the administrative services in the territory; shall develop their participation in government; shall give due recognition to the customs of the inhabitants in providing a system of law for the territory; and shall take other appropriate measures toward these ends;

Economic advancement.

2. promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural

resources; encourage the development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication;

Social advancement.

3. promote the social advancement of the inhabitants, and to this end shall protect the rights and fundamental freedoms of all elements of the population without discrimination; protect the health of the inhabitants; control the traffic in arms and ammunition, opium and other dangerous drugs, and alcohol and other spirituous beverages; and institute such other regulations as may be necessary to protect the inhabitants against social abuses; and

Educational advancement.

4. promote the educational advancement of the inhabitants, and to this end shall take steps toward the establishment of a general system of elementary education; facilitate the vocational and cultural advancement of the population; and shall encourage qualified students to pursue higher education, including training on the professional level.

ARTICLE 7

Guarantee of designated freedoms. 59 Stat. 1049.

In discharging its obligations under Article 76 (c), of the Charter, the administering authority shall guarantee to the inhabitants of the trust territory freedom of conscience, and, subject only to the requirements of public order and security, freedom of speech, of the press, and of assembly; freedom of worship, and of religious teaching; and freedom of migration and movement.

ARTICLE 8

Treatment to be accorded designated nationals, etc. 59 Stat. 1049, 1050.

1. In discharging its obligations under Article 76 (d) of the Charter, as defined by Article 83 (2) of the Charter, the administering authority, subject to the requirements of security, and the obligation to promote the advancement of the inhabitants, shall accord to nationals of each Member of the United Nations and to companies and associations organized in conformity with the laws of such Member, treatment in the trust territory no less favourable than that accorded therein to nationals, companies and associations of any other United Nation except the administering authority.

2. The administering authority shall ensure equal treatment to the Members of the United Nations and their nationals in the administration of justice.

Traffic rights of aircraft.

3. Nothing in this Article shall be so construed as to accord traffic rights to aircraft flying into and out of the trust territory. Such rights shall be subject to agreement between the administering authority and the state whose nationality such aircraft possesses.

Negotiation of treaties, etc.

4. The administering authority may negotiate and conclude commercial and other treaties and agreements with Members of the United Nations and other states, designed to attain for the inhabitants of the trust territory treatment by the Members of the United Nations and other states no less favourable than that granted by them

to the nationals of other states. The Security Council may recommend, or invite other organs of the United Nations to consider and recommend, what rights the inhabitants of the trust territory should acquire in consideration of the rights obtained by Members of the United Nations in the trust territory.

ARTICLE 9

Federation with other U. S. territories.

The administering authority shall be entitled to constitute the trust territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the trust territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of this agreement.

ARTICLE 10

International cooperation.

The administering authority, acting under the provisions of Article 3 of this agreement, may accept membership in any regional advisory commission, regional authority, or technical organization, or other voluntary association of states, may co-operate with specialized international bodies, public or private, and may engage in other forms of international co-operation.

ARTICLE 11

Citizenship.

1. The administering authority shall take the necessary steps to provide the status of citizenship of the trust territory for the inhabitants of the trust territory.

Diplomatic protection.

2. The administering authority shall afford diplomatic and consular protection to inhabitants of the trust territory when outside the territorial limits of the trust territory or of the territory of the administering authority.

ARTICLE 12

Legislation.

The administering authority shall enact such legislation as may be necessary to place the provisions of this agreement in effect in the trust territory.

ARTICLE 13

59 Stat. 1050, 1051.

The provisions of Articles 87 and 88 of the Charter shall be applicable to the trust territory, provided that the administering authority may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons.

ARTICLE 14

Application of international conventions.

The administering authority undertakes to apply in the trust territory the provisions of any international conventions and recommendations which may be appropriate to the particular circumstances of the trust territory and which would be conducive to the achievement of the basic objectives of Article 6 of this agreement.

ARTICLE 15

The terms of the present agreement shall not be altered, amended or terminated without the consent of the administering authority.

Non-alteration of terms.

ARTICLE 16

The present agreement shall come into force when approved by the Security Council of the United Nations and by the Government of the United States after due constitutional process. [1]

Entry into force.

Certified corrected true copy
For the Security Council Affairs Department

D. Protitch
Director in charge of Security Council Affairs Department

[1] [Approved by the Security Council of the United Nations, Apr. 2, 1947; and by the Government of the United States of America, July 18, 1947.]

October 6, 1947
[T. I. A. S. 1666]

Agreement between the United States of America and Iran respecting a military mission to Iran. Signed at Tehran October 6, 1947; entered into force October 6, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF IRAN.

In conformity with the request of the Government of Iran to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men of the United States Army to constitute a military mission to Iran under the conditions specified below:

TITLE I - PURPOSE AND DURATION

Article 1. The purpose of this Mission is to cooperate with the Ministry of War of Iran and with the personnel of the Iranian Army with a view to enhancing the efficiency of the Iranian Army.

Article 2. This agreement shall be effective from the date of signing of the agreement by the accredited representatives of the Government of the United States of America and the Government of Iran and shall continue in force until March 20, 1949, unless sooner terminated or extended as hereinafter provided.

Extension of services of Mission.

Article 3. If the Government of Iran should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect prior to September 21, 1948. The Government of the United States of America agrees to act upon such proposal prior to December 21, 1948.

Termination prior to specified time.

Article 4. This agreement may be terminated prior to March 20, 1949, in the following manner:

قرارداد بین دولت کشورهای متحد امریکا و دولت شاهنشاهی ایران •

بموجب تقاضای دولت ایران ازدولت کشورهای متحد امریکا رئیس جمهور کشور های متحد امریکا اجازه داده است که یکعده افسر وسربازامریکائی بمنظور تشکیل یك هیئت نظامی در ایران طبق شرایط مصرحه زیر گماشته شوند :

عنوان اول ــ هدف و مدت قرارداد

ماده ۱ ــ هدف این هیئت اینست که بمنظورترقی وبهبود وضع ارتش ایران با وزارت جنگ و افسران ومامورین ارتش ایران همکاری کنند •

ماده ۲ ــ این قرارداد پس از امضای نمایندگان معتبر دولت کشورهای متحد امریکا ودولت ایران رسمیت یافته و تاتاریخ ۲۰ مارس ۱۹۴۹ (۲۹ اسفند ۱۳۲۸) بقوه خود باقی خواهد ماند مگر اینکه طبق مواد بعدی این قرارداد زودتر بآن خاتمه داده شده و یاتمدید گردد •

ماده ۳ ــ چنانچه دولت ایران مایل باشد مدت خدمت هیئت رابیشتر از موعد قید شده تمدید کند پیشنهاد خود راکتباً قبل از ۲۱ سپتامبر ۱۹۴۸ (۳۰ شهریور ۱۳۲۷) تسلیم خواهد نمود • دولت امریکا موافقت میکند که درباره چنین پیشنهادی تاقبل ازتاریخ ۲۱ دسامبر ۱۹۴۸ (۲۹ آذر ۱۳۲۷) اقدام نماید •

ماده ٤ ــ این قرارداد ممکن است بطریق زیرقبل از ۲۰ مارس ۱۹۴۹ (۲۹ اسفند ۱۳۲۸) ملغی شود :

A) By either government subject to three months notice in writing to the other government;

B) By either government at any time, upon written notice, if that government considers it necessary due to domestic disturbances or foreign hostilities;

C) By the Government of the United States of America at any time upon written notice that the present statutory authority under which this arrangement is concluded has terminated and that Congress has provided no other authority for the continuation of the Mission;

D) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (A) of the article.

E) The termination of this agreement, however, shall not effect or modify the several obligations of the Government of Iran to the members of the Mission or to their families as set out in Title IV hereof.

TITLE II - COMPOSITION AND PERSONNEL

Article 5. Initially the Mission shall consist of such numbers of personnel of the United States Army as may be agreed upon by the Minister of War of Iran through his authorized representative in Washington and by the War Department of the United States of America. The individuals to be assigned shall be those agreed upon by the Minister of War of Iran or his authorized representative and by the War Department of the United States of

الف ــ بااخطار قبلی سه ماهــه هریك از دولتین کتبا بدولت دیگر •

ب ــ با اخطارکتبی هریك از دولتین به دولت دیگر درهرموقع درصورتیکه آندولت این امر را بسبب بروز اغتشاشات داخلی یا مخاصمات خارجی لازم شمارد •

ـ ــ دولت کشورهای متحد امریکا حق دارد درصورتیکه مدت قانون فعلی که بموجب آن ایــن قرارداد منعقد شده است منقضی شود وکنگــره امریکا بموجب قانون دیگری اجازه ادامه خدمت هیئت راندهدبادادن اطلاعکتبی در هرموقــع این قرارداد را لغو نماید •

د ــ دولت امریکا حق دارد هرموقعیکه منافع ملی امریکا اقتضاکند کلیه کارمندان هیئت را احضار نماید بدون اینکه لازم باشد قسمت الف ایــن ماده را مراعات کند •

هـ ــ درهرصورت انقضاء یا الغای این قرارداد در مورد تعهداتی که دولت شاهنشاهی ایــران برطبق مصرحات عنوان چهارم قرارداد حاضر درقبال اعضای هیئت وخانواده آنها نموده است تاثیــری نداشته ودرآن تغییر و تعدیلی نخواهد داد •

Post, p. 3310.

عنوان دوم ــ ترکیب و اعضاء هیئت

ماده ۵ ــ از ابتداء هیئت مرکب خواهد بود از عده ای از افسران ونفرات ارتش امریکا که باموافقت وزیرجنگایران توسط نماینده مجازایشان درواشنگتن و وزارت جنگ امریکاتعیین شده باشند • اشخاصــی باین کارگماشته خواهند شدکه وزیرجنگ دولــت شاهنشاهی ویانماینده مجازایشان و وزارت جنگ امریکا یانماینده مجازآن باانتصاب آنها موافقــت داشته باشند •

America or its authorized representative

TITLE III - DUTIES, RANK, AND PRECEDENCE

Article 6. Members of the Mission shall be assigned to the Department of the Ministry of War designated the Advisory Department. The Advisory Department shall be organized under a table of organization prepared with the agreement of the Chief of Mission and approved by the Minister of War of Iran. Members of the Mission shall be assigned to position vacancies shown on this table, and their assignment shall be published in Iranian Army General Orders.

Chief of Mission.

Article 7. The senior officer of the Mission shall be appointed Chief of the Mission. Other members of the Mission shall be assigned duties by the Chief of Mission as indicated by the table of organization and approved by the Minister of War of Iran, or such other duties as may be agreed upon between the Minister of War of Iran and the Chief of the Mission.

Article 8. The duties of the Mission shall be to advise and assist the Ministry of War of Iran and its several departments as well as subordinate sections of the General Staff with respect to plans, problems concerning organization, administrative principles and training methods. These duties involve the principles of work of the General Staff and all departments of the Ministry of War in Tehran and their field agencies except tactical and strategical plans or operations against a foreign enemy, which are not related to the duties of the Mission.

Command or staff responsibility.

Article 9. Members of the Mission will assume neither command nor staff responsibility in the Iranian Army. They may, however, make such official inspections and investigations as may

عنوان سوم ـ وظایف، درجات و ارشدیت

ماده ٦ ـ اعضای این هیئت دریکی ازادارات وزارت جنگ دولت شاهنشاهی باسم اداره مستشاری منصوب خواهند شد • اداره مستشاری تحت یك جدول سازمانی که باموافقت رئیس هیئت و تصویب وزیرجنگ ایران تهیه شده تشکیل خواهد شد • اعضاء هیئت بمشاغلی که توسط این جدول سازمانی تعیین میشود گماشته خواهند شد و انتصاب آنها در فرمانهای عمومی ارتشی درج خواهد گردید •

ماده ۷ ـ افسر ارشد هیئت بسمت ریاست هیئت منصوب خواهد گشت• سایر اعضای هیئت توسط رئیس هیئت بمشاغلی که درجدول سازمانی تعیین ووزیر جنگ ایران تصویب خواهد کرد و یا بوظایفی که وزیرجنگ ایران و رئیس هیئت درباره آن موافقت کنند گماشته خواهند شد •

ماده ۸ ـ وظایف هیئت عبارت خواهد بود از راهنمائی ومساعدت بوزارت جنگ و ادارات مختلف و ارکان تابع ستاد ارتش درمورد نقشه‌ها و مسائل مربوطه بسازمان و اصول اداری واسلوب تعلیمات • این وظایف شامل اصول کار ستاد ارتش و کلیه ادارات وزارت جنگ و شعب خارج از مرکز آنها خواهد بود باستثناء نقشه های تاکتیکی و استراتژیکی یاعملیات برعلیه دشمن خارجی که با وظائف هیئت ارتباطی ندارد •

ماده ۹ ـ اعضای این هیئت در ارتش ایران هیچگونه سمت فرماندهی یا ستادی نخواهند داشت معهذا آنها میتوانند چنانچه ضرورت ایجاب نماید باتصویب مقام وزارت و دستور رئیس هیئت اقدام بهاره ای بازرسیها وتحقیقات رسمی بنمایند •

be necessary and are approved by the Minister of War of Iran and directed by the Chief of the Mission.

Article 10. Each member of the Mission shall serve in the Mission with the rank he holds in the United States Army but shall have precedence over all Iranian Army officers of the same rank. Each member of the Mission shall be entitled to all benefits and privileges which the regulations of the Iranian Army provide for officers of corresponding rank of the Iranian Army. Members of the Mission shall wear the United States Army uniform with a shoulder sleeve insignia indicating service with the Iranian Army.

Article 11. Members of the Mission in case of violation of the laws and regulations of the Iranian Government, may be separated from the service of the Iranian Army and in such case will have only the right to draw travel expenses back to America.

Article 12. In the normal execution of their duties as defined in Article 8 and 9, the Chief of the Mission, and other members when so directed by him, are authorized to visit and inspect any part of the Iranian military establishment, and officers in authority shall facilitate such inspections and make available plans, records, reports, and correspondence as required. Members of the Mission will not concern themselves with secret matters except when it is essential to their duties and then only with the approval of the Ministry of War. Each member of the Mission has the obligation not to divulge or in any way to disclose to any foreign government or any person whatsoever any secret or confidential matter of which he may have become cognizant

Rank, etc.

ماده ۱۰ ــ هریك از اعضاء هیئت با همان درجه ایکه در ارتش امریکا دارد خدمت خواهد کرد ولی برتمام افسران همدرجه خود در ارتش ایران ارشدیت خواهد داشت. هریك ازاعضای هیئت از تمام امتیازات و مزایائی که بنا بر مقررات داخلی ارتش ایران برای افسران همدرجه او تعیین شده است برخوردار میگردد • اعضای هیئت لباس متحد الشکل ارتش امریکا رابرتن خواهند کرد وعلامت مخصوص خدمت در ارتش ایران رادرمنتها الیه آستین نزدیك شانه نصب خواهند نمود •

Uniform.

Violation of laws, etc.

ماده ۱۱ ــ اعضای هیئت در صورت تخلف ازقوانین و مقررات دولت ایران ممکن است از خدمت ارتش ایران معاف گردند در اینصورت فقط استحقاق دریافت هزینه مراجعت بامریکارا خواهند داشت •

Inspection, etc.

ماده ۱۲ ــ بطوریکه در مواد ۸ و ۹ توضیح داده شده رئیس هیئت وسایر اعضاء (بدستور رئیس هیئت) مجازند دراجرای وظایف عادی خود هرقسمت ارتش ایران را بازرسی کنند و افسران متصدی این قسمتها بایستی در مورد بازرسیهای مذکور تسهیلات لازم فراهم آورند وطرح ها و نقشه ها و گزارشها و مکاتبات مورد نیازرا در دست رس آنها بگذارند • اعضای هیئت هیچگونه دخالتی درامور سری نخواهند داشت مگر اینکه امور مذکور با وظایف آنها بستگی ضروری داشته باشد ودر اینصورت منحصرا طبق دستور وزارت جنگ ایران خواهد بود • هرعضو هیئت متعهد است هیچگونه مطالب سری یا محرمانه راکه از لحاظ سمت خود درعضویت هیئت از آن آگاه میشود بهیچ دولت خارجی ویا هرکس که باشد از هیچ طریق اظهار

Secret matters.

in his capacity as a member of the Mission. This obligation shall continue in force after the termination of the services of the member or the mission and after the expiration or cancellation of this agreement.

TITLE IV - COMPENSATION AND PERQUISITIES

Article 13. Members of the Mission shall receive from the Government of Iran such fixed annual compensation and emoluments, payable in American currency or dollar draft or check, allowances as may be agreed upon between the Government of the United States of America and the Government of Iran for each member. Such compensation and emoluments shall be paid in twelve (12) equal monthly installments, each due and payable on the last day of the month. The compensation and emoluments shall not be subject to any tax, now or hereafter in effect, of the Government of Iran or of any of its political or administrative subdivisions. Should there, however, at present or while this agreement is in effect, be any taxes that might affect such compensation and emoluments, such taxes shall be borne by the Ministry of War of Iran, in order to comply with the provisions of this Article that the compensation agreed upon shall be net.

Tax exemption.

Article 14. The compensation and emoluments indicated in the preceding article shall commence for each member of the Mission upon arrival in Iran and, except as otherwise expressly provided in this agreement, shall continue, following the termination of duty with the Mission, or following the termination of the Mission under Article 4 of this agreement, likewise for the return trip to the United States of America and thereafter for the period of any accumulated leave which may be due

Ante, p. 3307.

و انشاء تنماید • این تعهد پس از خاتمه خدمت عضو یا هیئت و پس از انقضاء یا الغاء این قرارداد نیز بقوت خود باقی خواهد ماند •

عنوان چهارم - پاداش و مزایا

ماده ۱۳ - هریك از اعضاء هیئت سالیانه مبلغی مقطوع بعنوان پاداش با موافقت بین دولتین ایران و امریکا بپول رایج امریکا یا حواله دولار و یا چك دریافت خواهد نمود • این پاداش در ۱۲ قسط ماهانه متساوی هرقسط در آخرین روز هرماه پرداخت خواهد شد • مالیاتهای جاری که از طرف دولت ایران یا تشکیلات اداری و سیاسی آن اکنون وضع شده و یا اینکه بعدا وضع خواهد شد شامل پاداش اعضاء هیئت مزبور نخواهد گردید معهذا چنانچه فعلا یا تا موقعیکه این پیمان معتبر باشد مالیاتی وضع گردد که شامل این پاداش نیز بشود این قبیل مالیاتها برای اینکه با مفاد این ماده قابل مطابقت باشد از طرف وزارت جنگ پرداخت خواهد شد تا باین ترتیب پاداشهای مورد موافقت بطور خالص پرداخت شود •

ماده ۱۴ - پاداشهای مذکور در ماده قبل درمورد هریك از اعضاء هیئت از بدو ورود بایران شروع خواهد شد و بجز در مواردیکه صریحا در قرارداد حاضر بنحو دیگر ذکر شده باشد تا خاتمه انتصاب او به هیئت و یا خاتمه خدمت هیئت بموجب ماده ٤ این قرارداد برای مدت مراجعت بامریکا و بعد از آن و در مورد مرخصی متراکم بهریك از اعضاء هیئت قابل پرداخت خواهد بود •

the member.

Article 15. The additional compensation and emoluments due for the period of the return trip and accumulated leave shall be paid to each member of the Mission before his departure from Iran and such compensation and emoluments shall be computed for travel by the shortest route usually travelled to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

Article 16. During the period of the present national emergency in the United States of America, expense of transportation of each member of the Mission and his household effects, baggage and automobile from and to the United States of America shall be paid by the Government of the United States of America. If the period of this agreement extends beyond the date on which the national emergency in the United States of America is terminated, notification of the termination of the national emergency having been communicated to the Government of Iran in writing by the Government of the United States of America, expenses (except in case a member is replaced with less than two years service in the Mission for the convenience of the Government of the United States of America) for transportation of each member of the Mission and his household effects, baggage and automobile shall be paid by the Government of Iran. First-class accommodations for travel will be furnished the members of the Mission via the shortest usually traveled route between the port of embarkation in the United States of America and their official residence in Iran, both for the outward and return journey.

Transportation expenses.

Travel accommodations.

Article 17. At any time during the

ماده ۱۵ ــ پاداشهای اضافی مربوط به مدت باز گشت بامریکا و مرخصی متراکم میبایستی قبل از حرکت هریك از اعضاء هیئت درایران پرداخته شود و ماخذ احتساب این پاداش ها قطع نظر از راه و وسیله مسافرتی که عضو هیئت بکار برد کوتاه ترین راهی خواهد بود که به بندر ورودی امریکا منتهی و معمولا مسافرت از آن راه انجام میگیرد .

ماده ۱۶ ــ در طی دوره بحران ملی که فعلا در کشورهای متحد امریکا حکمفرماست هزینه سفر هریك از اعضاء و هزینه حمل اثاثیه منزل و بنه و اتومبیل او از کشورهای متحد بایران و از ایران بکشورهای متحد توسط دولت کشورهای متحد امریکا پرداخته خواهد شد . چنانکه مدت این قرارداد از تاریخی تجاوز نماید که بحران ملی کنونی درکشورهای متحده خاتمه یابد پس از اعلام خاتمه این بحران ملی کتبا از طرف دولت کشورهای متحد بدولت ایران (باستثنای مورد عضوی که کمتر از دوسال سابقه خدمت در هیئت را دارد و بنا بمصالح دولت امریکا با عضو دیگری مبادله میشود) هزینه حمل ونقل هرعضو هیئت و اثاثیه منزل و بنه و اتومبیل او از طرف دولت ایران پرداخت خواهد شد . وسائل درجه اول مسافرت برای کوتاه ترین راهی که معمولا مسافرت مابین بندرخروجی کشورهای متحد امریکا و محل اقامت رسمی عضو در ایران صورت میگیرد هر برای مسافرت بایران و هر در مراجعت بامریکا تامین خواهد شد .

ماده ۱۷ ــ در هر موقع در طی مدت

period of this agreement, as may be elected by each member, the family of each member of the Mission shall be furnished by the Government of Iran with first-class accommodations for travel, via the shortest usually traveled route between the port of embarkation in the United States of America and the official residence of the member in Iran, both for the outward and for the return journey.

"Family."

Throughout this agreement the term "Family" is limited to mean wife and dependent children.

Travel on official business.

Article 18. Compensation for transportation and travel expenses on official business of the Government of Iran shall be provided by the Government of Iran in accordance with the travel regulations of the Iranian Army.

Vehicles, aircraft, etc.

Article 19. In addition to the United States Government transportation available to the Mission, the Government of Iran shall place other means of transportation (vehicle and aircraft) at the disposal of the Mission, when deemed necessary for the performance of official duties and will provide one third of the gasoline and oils required for the United States Government vehicles at the disposal of the Mission, as determined by the Chief of the Mission. The number and type of United States Government vehicles shall be determined by the War Department of the United States of America and authority is granted for the entry and exit from Iran, in accordance with the existing law, of one United States Army aircraft with crew as considered necessary by the Chief of the Mission, in the performance of official duties, provided that the Chief of the Mission previously informs the Iranian authorities concerned of the matter according to existing rules and regulations of Iran. All the United States Government vehicles placed at the disposal of the Mission for operation within Iran will be subject to the laws of Iran.

این قرارداد هریك از اعضاء هیئت برحسب تمایل شخصی میتواند خانواده خودرا با وسائل درجه اولی که دولت شاهنشاهی ایران در دسترس انها خواهد گذاشت ازطریق کوتاه ترین راهی که معمولا مسافرت بین‌بندرخروجی کشورهای متحد امریکا و محل اقامت رسمی عضو درایران صورت می گیرد ازامریکا خواسته ویا بامریکا مراجعت دهد .

در سراسر این قرارداد منظوراز کلمه (خانواده) زوجه و اولاد تحت الکفاله میباشد .

ماده ۱۸ ـ فوق العاده هزینه سفر مربوط به ماموریتهای رسمی دولت ایران بوسیله دولت ایران طبق آئین نامه های مسافرتی ارتش ایران تامین خواهد شد .

ماده ۱۹ ـ علاوه بر وسایط و وسایل نقلیه ایکه ازطرف دولت امریکا در اختیار هیئت گذاشته شده دولت ایران نیز درمورد لزوم وسایل نقلیه دیگری (اتومبیل و هواپیما) برای انجام کارهای اداری دراختیار هیئت قرار خواهد داد و دولت ایران یك سوم (ثلث) مجموع مصرف بنزین و روغن وسایل نقلیه متعلق بدولت امریکا را که دراختیار هیئت است طبق تشخیص رئیس‌هیئت تامین خواهد کرد . تعداد و نوع وسایل نقلیه دولت امریکا که دراختیار هیئت خواهد بود از طرف وزارت جنگ امریکا تعیین خواهد گشت و نیز مقرر میگردد که در موارد لزوم طبق تشخیص رئیس هیئت و با پیروی از قوانین و مقررات جاریه یك هواپیمای ارتشی امریکا با کارکنان آن برای انجام امور اداری اجازه ورود بایران و خروج از ایران داشته باشد مشروط بر اینکه رئیس هیئت قبلا طبق قواعد و مقررات ایران باولیای امور مربوطه ایران مراتب را اعلام دهد . کلیه وسایل نقلیه دولت امریکا که در داخله ایران برای عملیات در اختیار هیئت است از قوانین و مقررات ایران متابعت خواهد کرد .

Office space, etc.

Article 20. The Government of Iran shall provide for members of the Mission suitable office space and facilities such as office equipment, stenographic and clerical help, civilian interpreters and orderlies, as indicated on the table of organisation of the Advisory Department, and shall give necessary assistance for the smooth operation and improvement of the work of the Mission.

ماده ۲۰ ـ دولت ایران محل اداره و سایر تسهیلات کار ازقبیل دفتر و اثاثیه و لوازم آن و تند نویس ومنشی و مترجمین غیر نظامی و گماشته برطبق جدول سازمان اداره مستشاری برای اعضاء هیئت تهیه خواهدکرد وکمکهای دیگر بمنظور حسن اداره و سرعت جریان امور درباره ایشان مبذول خواهد داشت ۰

Transportation of remains in case of death.

Article 21. If any member of the Mission, or any of his family, should die in Iran, the Government of Iran shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of Iran shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their baggage, household effects, and automobile shall be provided as prescribed in Article 17. All allowances due the deceased member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Government of Iran, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this agreement; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this article, shall be paid within fifteen (15) days of the decease of said member.

Compensation due deceased member.

ماده ۲۱ ـ چنانچه یکی از اعضاء هیئت و یا عضو خانواده یکی از اعضاء در ایران وفات یابد دولت ایران جسد اورا بهر نقطه ای ازخاك ممالك متحد امریکا که سایر اعضاء خانواده متوفی بخواهند انتقال خواهد داد ولی هزینه ایکه از این بابت بدولت ایران تعلق میگیرد از میزان مخارج انتقال جنازه از محل فوت تا شهر نیویورك نباید تجاوز نماید ۰ درصورتیکه متوفی یکی از اعضای میسیون باشد تاریخ انقضای خدمت نامبرده در میسیون ۱۵ روز بعد از فوت محسوب خواهد شد ۰ هزینه بازگشت خانواده عضو متوفی بامریکا بانضمام هزینه انتقال اثاثیه و لوازم خانه و اتومبیل طبق ماده ۱۷ مقرر خواهد گردید ۰ مزایا و پاداشی که بعضو متوفی تعلق میگیرد بعلاوه حقوق مدت ۱۵ روز پس از مرگ و مطالباتی راجع بهزینه سفر و خرج مسافرت آن عضو مربوط بخدمات اداری هنگام خدمت بدولت ایران بزوجه عضو متوفی و یا شخص دیگری که متوفی کتبا در موقعیکه طبق مفاد این پیمان در هیئت کار میکرده تعیین نموده باشد پرداخت خواهد شد ولی بابت مدت مرخصی متراکم که متوفی از آن استفاده ننموده باشد وجهی بزوجه متوفی و یا شخص دیگر پرداخت نخواهد شد ۰ کلیه وجوه مورد مطالبه زوجه یا سایر اشخاص که متوفی تعیین نموده باشد برحسب مقررات این ماده در ظرف مدت پانزده روز پس از مرگ عضو پرداخت خواهد شد ۰

Hospitalization.

Article 22. If a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be placed in such hospital as the Chief of the Mission deems suitable, after consultation with the Ministry of War of Iran, and all expenses incurred as the result of such illness or injury while the patient is a member of the Mission and remains in Iran shall be paid by the Government of Iran. If the hospitalized member is a commissioned officer, he shall pay his cost of subsistence. Families will enjoy the same privileges agreed upon in this article for members of the Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his family. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

ماده ۲۲ ـ چنانچه عضوی از اعضاء هیئت مریض شود و یا آسیبی ببیند نامبرده به صوابدید رئیس هیئت پس از مشاوره با وزارت جنگ ایران در بیمارستانی که رئیس هیئت مناسب بداند بستری خواهد گردید و کلیه هزینه هائی که در اثر این کسالت یا آسیب ایجاد گردیده تامدتی که بیمار عضو هیئت و درایران میباشد بوسیله دولت ایران پرداخته خواهد شد • چنانچه عضو بستری افسر باشد هزینه خوراك او بوسیلهٔ خود او پرداخته خواهد شد • خانواده های اعضای هیئت نیز از مزایای مذکور در این ماده که برای اعضاء هیئت مورد موافقت واقع شده استفاده خواهند نمود بجز اینکه عضو هیئت در هرمورد هزینه خوراك ایام بستری بودن خانواده خودرا خواهد پرداخت • هرعضو هیئت که بر اثر ناتوانی ممتد جسمانی قادر نباشد وظائف محوله را انجام دهد تعویض خواهد شد •

TITLE V - STIPULATIONS AND CONDITIONS

عنوان پنجم ـ مقررات و شرایط

Annual leave.

Article 23. Each member of the Mission shall be entitled to one months annual leave with pay, or to a proportional part thereof with pay for any fractional part of the year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission. This leave may be spent in Iran, in the United States of America, or in other countries, but the expense of travel and transportation not otherwise provided for in this agreement shall be borne by the member of the Mission taking such leave. All travel time on leave shall count as leave. The Government of Iran agrees to grant the leave herein specified according to the written application approved by the Chief of Mission with due consideration for the convenience of the Government of Iran.

ماده ۲۳ ـ هرعضو هیئت سالیانه استحقاق استفاده از یکماه مرخصی با حقوق و یا جزئی از آنرا در سال بتناسب ایامی که خدمت نموده با دریافت حقوق خواهد داشت • هرقسمت از مرخصی مذکور که استفاده نشده باشد تامدتی که عضو درهیئت مشغول خدمت است سال بسال قابل جمع میباشد • این مرخصی ممکنست درایران یا درامریکا یا کشورهای دیگر گذرانده شود ولی هزینه سفر و حمل ونقل که بوجه دیگری دراین قرارداد مذکور نشده باشد بعهده عضوی که از مرخصی استفاده میکند میباشد • کلیه مدت مسافرت در استفاده از مرخصی جزو مدت مرخصی محسوب خواهد شد • دولت ایران موافقت دارد مرخصی مصرحه در این قرارداد را طبق تقاضای کتبی که بتصویب رئیس هیئت رسیده باشد با در نظر گرفتن مقتضیات دولت ایران عطا نماید •

Services of personnel of other foreign governments, restriction.

Article 24. So long as this agreement, or any extension thereof, is in effect, the Government of Iran shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Iranian Army, except by mutual agreement between the Government of the United States of America and the Government of Iran.

ماده ۲۴ ـ تامدتی که این قرارداد یا تمدید آن معتبر است دولت ایران هیچگونه مامورین هیچ دولت خارجی دیگر را برای انجام هیچگونه وظایف مربوط بارتش ایران استخدام نخواهد نمود مگر با توافق نظر مشترك مابین دولتین کشورهای متحد امریکا و ایران ۰

Exemption from customs duties.

Article 25. The Government of Iran shall grant exemption from custom duties or other imports on articles imported into Iran by members of the Mission for their personal use or the use of their families, provided that their request for free entry has received the approval of the Ambassador of the United States of America or the Charge d'Affairs, ad interim, and from all export duties on articles purchased in Iran for their personal use or the use of their families. The Government of Iran shall grant free and unrestricted passage of mail to and from members of the Mission from and to the United States when transportation of such mail is furnished by the Government of the United States of America. The Chief of the Mission is responsible that no contraband is sent or received by members of the Mission or their families.

Passage of mail.

ماده ۲۵ ـ دولت ایران اشیاء و لوازمی راکه اعضای هیئت برای مصرف شخصی یا مصرف خانواده خود بایران وارد مینمایند از حقوق گمرکی یا عوارض دیگر معاف خواهد نمود مشروط باینکه درخواست ورود معافی با تصویب سفیر کبیر امریکا و یا کاردار موقت امریکا باشد و نیز اشیاء و لوازمی راکه درایران برای مصرف شخصی یا مصرف خانواده خود خریداری و خارج مینمایند از کلیه حقوق گمرکی معاف خواهد ساخت ۰ در صورتیکه دولت کشورهای متحد امریکا وسیله نقلیه جهت ارسال مراسلات و بسته های پستی که از طرف اعضای هیئت بامریکا و یا بعنوان آنها وارد میشود تامین نماید دولت ایران انرا ازعوارض پستی معاف خواهد نمود و بلامعارض اجازه عبور خواهد داد ۰ رئیس هیئت مسئول خواهد بود که ازطرف اعضای هیئت ویاخانواده انها هیچگونه کالا های قاچاق بخارج فرستاده نشده وازخارج دریافت نگردد ۰

IN WITNESS WHEREOF, the undersigned Mahmoud Djam, Minister of War of Iran, and George V. Allen Ambassador Extraordinary and Plenipotentiary of the United States of America, have signed this agreement in duplicate in the English and Persian languages, at Tehran, this sixth day of October one thousand nine hundred and forty seven.

برای گواهی مراتب فوق امضاء کنندگان زیر محمود جم وزیرجنگ دولت شاهنشاهی ایران و جرج و ۰ الن سفیرکبیر کشورهای متحد امریکا این قرارداد را دردونسخه بزبانهای انگلیسی وفارسی درتهران بتاریخ ۱۳ مهرماه ۱۳۲۶ امضاء مینمائیم ۰ محمود جم وزیرجنگ

Geo. V. Allen
Ambassador of the
United States of
America.

M. Djam

April 4, 1947
[T. I. A. S. 1667]

Agreement between the United States of America and France respecting the restoration of certain industrial property rights affected by World War II. Signed at Washington April 4, 1947; entered into force November 10, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND FRANCE CONCERNING THE RESTORATION OF CERTAIN INDUSTRIAL PROPERTY RIGHTS AFFECTED BY WORLD WAR II

The Government of the United States of America and the Government of the French Republic,

Being desirous of remedying the effects on industrial property rights of their nationals resulting from World War II by concluding an agreement for extending the rights of priority in patent matters and the times for taking action with respect to patents and patent applications, and related matters,

Have agreed as follows:

ARTICLE I

Periods of priority.

The periods of priority provided by Article 4 of the Convention of Union of Paris for the Protection of Industrial Property, last revised at London on June 2, 1934, and by the laws of the respective countries in accordance therewith, for the filing of applications for patents or designs and models, which had not expired on September 8, 1939, and those

53 Stat. 1772.

ACCORD ENTRE LES ETATS-UNIS D'AMERIQUE ET LA FRANCE CONCERNANT LA RESTAURATION DE CERTAINS DROITS DE PROPRIETE INDUSTRIELLE ATTEINTS PAR LA DEUXIEME GUERRE MONDIALE

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement de la République Française,

Soucieux de remédier aux atteintes subies par les droits de propriété industrielle de leurs ressortissants, du fait de la deuxième guerre mondiale, ont décidé de réaliser un accord ayant pour objet de prolonger, d'une part, les droits de priorité en matière de brevet, d'autre part, les délais nécessaires pour remplir les formalités concernant les brevets et demandes de brevets; enfin, de régler un certain nombre de questions connexes,

Ils ont en conséquence convenu ce qui suit:

ARTICLE I

Les délais de priorité prévus par l'Article 4 de la Convention d'Union de Paris pour la Protection de la Propriété industrielle, revisée en dernier lieu à Londres le 2 juin 1934, et par les lois qui s'y rapportent dans chacun des deux pays, pour le dépôt des demandes de brevets d'invention, ou de dessins et modèles, non expirés le 8 septembre 1939, ainsi que ceux

which have arisen since that date, are extended by each of the countries, in favor of the nationals of the other country, until August 7, 1947.

Documents required for support of a claim of priority may be filed before the expiration of six months from the date of filing of the application.

Patents already issued without a claim for priority shall benefit from the provisions of the first paragraph of this Article on the condition that the request for priority and the required documents be filed by August 7, 1947.

qui ont pris naissance depuis cette date, sont prolongés par chacun des deux pays, en faveur des nationaux de l'autre pays, jusqu'au 7 août, 1947.

Les documents exigés à l'appui d'une revendication de priorité pourront être déposés jusqu'à l'expiration d'un délai de six mois, à dater de la demande.

Les brevets déjà délivrés sans revendication du droit de priorité, bénéficieront des dispositions du premier paragraphe du présent Article, à la condition que la demande et les documents ne soient pas déposés après le 7 août 1947.

ARTICLE II

Applications for patents or designs and models in one of the countries by nationals of the other country, considered as abandoned or forfeited since September 8, 1939, are restored, and the time for the payment of any fee, or the taking of any action or the accomplishment of any formality prescribed by the laws of each country with respect to applications for patents or designs and models which had not expired on September 8, 1939, or which arose after that date, is extended to August 7, 1947, without additional tax.

ARTICLE II

Applications for patents, etc.

Les droits résultant des demandes de brevets ou de dessins et modèles, formulées par les ressortissants de l'un des deux pays, dans l'autre pays, et considérées comme abandonnées ou déchues depuis le 8 septembre 1939, sont restaurés. Les délais pour le paiement de toute taxe, l'accomplissement de tout acte et de toute formalité prescrits par les lois de chacun des deux pays, pour les demandes de brevets d'invention ou de dessins et modèles qui n'étaient pas expirés le 8 septembre 1939, ou qui ont pris naissance après cette date, sont, dans ce cas, prolongés jusqu'au 7 août 1947, sans aucune surtaxe.

ARTICLE III

Patents or designs and models obtained pursuant to the present Agreement shall not affect the right of third parties, or their agents or successors in business, who, before August 8, 1946, or before the date of the restoration of an application under Article II, have in good faith begun the working of an invention, design, or

ARTICLE III

Right of third parties.

Les brevets d'invention, ou les dessins et modèles obtenus en vertu du présent Accord, ne pourront en aucun cas, affecter le droit des tiers ou de leurs ayants-droit à continuer leur exploitation si ceux-ci ont de bonne foi entrepris l'exploitation d'une invention, dessin ou modèle, avant le 8 août 1946, ou avant la date de restaura-

model, to continue such working, or the right of those bona fide in possession of patents and applications for patents, designs, or models, or their agents or licensees before August 8, 1946, to use the inventions covered by such patents or applications for patents or designs and models.

tion des demandes formulées en application de l'Article II. Ces brevets d'invention, dessins ou modèles, ne pourront d'autre part affecter les droits acquis avant le 8 août 1946, par les détenteurs de bonne foi de brevets d'invention, de demandes de brevets, de dessins et modèles ou par leurs ayants-droit, d'exploiter les inventions protégées par de tels brevets, demandes de brevets ou de dessins et modèles.

ARTICLE IV

Duration of patents.

The duration of patents obtained pursuant to the present Agreement by nationals of each of the two countries shall not exceed twenty years from the day of the first application filed.

Annual taxes.

The dates on which annual taxes are due under the laws of France shall remain unchanged.

Nothing in the present Agreement shall be construed to extend the time for filing requests for extensions of the duration of patents authorized by the French law concerning exceptional extension of the duration of patents on account of the war.

ARTICLE IV

La durée de validité des brevets d'invention délivrés en application du présent Accord aux ressortissants de chacun des deux pays ne pourra excéder vingt années, à compter du jour du dépôt de la première demande. Les dates normales d'échéance des annuités prévues par les lois françaises resteront inchangées.

Pour l'application des dispositions spéciales autorisées par les lois françaises relatives à la prolongation exceptionnelle de la durée du brevet d'invention, du fait de la guerre, le présent Accord ne pourra être considéré comme prolongeant les délais impartis aux intéressés pour formuler leurs demandes.

ARTICLE V

Nationals of the United States of America may pay up to August 7, 1947:

1. those annual taxes for patents which could have been paid on September 8, 1939, accompanied by any additional delay fee due on that date, and

2. the annual taxes due since September 8, 1939, without any additional delay fees, and in such

ARTICLE V

Les ressortissants des Etats-Unis d'Amérique pourront, jusqu'au 7 août 1947, acquitter:

1o. accompagnées du montant de la taxe supplémentaire de retard due au 8 septembre 1939, les taxes d'annuité des brevets d'invention qui pouvaient encore être valablement acquittées à la date ci-dessus;

2o. sans taxe supplémentaire, les annuités échues depuis le 8 septembre 1939. Dans ces deux

cases the payments will be considered as having been made in time.

cas, les paiements seront considérés comme ayant été effectués en temps voulu.

ARTICLE VI

The period between September 8, 1939 and the date of the coming into force of the present Agreement shall not be taken into account in the term provided for the working of a patent.

ARTICLE VI

La période comprise entre le 8 septembre 1939 et la date de mise en vigueur du présent Accord n'entre pas en ligne de compte dans le délai prévu pour la mise en exploitation d'un brevet.

Period not taken into account.

ARTICLE VII

In no case shall the present Agreement invalidate a judicial decision regarding the validity of a patent rendered prior to the date of the coming into force of the present Agreement.

ARTICLE VII

En aucun cas le présent Accord ne pourra avoir pour effet d'invalider une décision judiciaire, concernant la validité d'un brevet, intervenue antérieurement à la date de sa mise en application.

Validity of decisions.

ARTICLE VIII

Trade-mark registrations in one of the countries, of the nationals of the other country, which have expired since September 8, 1939, may be renewed before June 30, 1948, and such renewals shall have retroactive effect to the date of the expiration of the normal term of the expired registrations.

ARTICLE VIII

L'enregistrement des marques de fabrique et de commerce d'un ressortissant de l'un des deux pays, dans l'autre pays, dont la validité serait venue à expiration après le 8 septembre 1939, pourra être renouvelé à condition que ce renouvellement soit effectué avant le 30 juin 1948. Un tel renouvellement aura effet rétroactif à la date d'expiration de la durée normale du précédent enregistrement.

Renewal of trade-mark registrations.

ARTICLE IX

The rights granted by the present Agreement to nationals of the United States of America shall also be granted to French nationals residing in the United States of America.

Each Government shall deliver to the other Government a notice that it has accepted the present Agreement in accordance with its law and has taken all steps necessary to enable it to carry out all its obligations under the present Agreement.

ARTICLE IX

Les droits concédés par le présent Accord aux ressortissants des Etats-Unis d'Amérique seront également acquis aux ressortissants français résidant aux Etats-Unis d'Amérique.

Chacun des Gouvernements, par une note qu'il adressera à l'autre, lui fera savoir qu'il a accepté le présent Accord conformément à sa législation et qu'il a pris les dispositions nécessaires pour l'exécution de toutes les obligations prévues à cet Accord.

Reciprocal rights.

Notice of acceptance.

Entry into force.

The present Agreement shall come into force on the day the said notices are delivered by each Government to the other. If the said notices are delivered on different days, the Agreement shall come into force on the day of the delivery of the notice later [1] in time.

Cet Accord entrera en vigueur à la date de l'échange des notifications. Si ces notifications sont faites à des dates différentes, l'Accord entrera en vigueur à la date de la dernière.

Authentic languages.

Done in duplicate, at Washington, in the English and French languages, each equally authentic, on April 4, 1947.

Fait en double exemplaire, à Washington, le 4 avril 1947, en anglais et en français, les deux textes faisant également foi.

For the United States of America:
Pour les Etats-Unis d'Amérique:
DEAN ACHESON

For the French Republic:
Pour la République Française:
H. BONNET

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[1] [By note no. 254 dated July 21, 1947, received in the Department of State July 22, 1947, the French Embassy in Washington notified the Department of State of the approval of this agreement by the French Parliament. By a memorandum dated Nov. 10, 1947, delivered on that date, the Department of State notified the French Embassy in Washington of the acceptance of this agreement by the Government of the United States of America.]

ANNEX

It is understood that the application to nationals of France of the provisions of Sections 1, 3, 4, 10, and 15 of the law of the United States of America approved August 8, 1946, Public Law 690, 79th Congress, relating to patents and designs, shall be considered as complying with the requirements of the present Agreement.

It is further understood that the application to nationals of France of the law of the United States of America approved July 17, 1946, Public Law 517, 79th Congress, relating to extension of time for applying for renewal of trademark registrations, shall be considered as complying with the requirements of Article VIII of the present Agreement.

ANNEXE

Il est entendu que l'application aux ressortissants français des dispositions des Sections 1, 3, 4, 10, et 15 de la loi des Etats-Unis d'Amérique, promulguée le 8 août 1946, dite loi publique 690, 79ème Congrès, relative aux brevets d'invention et dessins, correspond aux dispositions du présent Accord.

60 Stat. 940.
35 U. S. C. § 101 *et seq.*

Il est entendu, d'autre part, que l'application aux ressortissants français de la loi des Etats-Unis d'Amérique, promulguée le 17 juillet 1946, dite loi publique 517, 79ème Congrès, relative à la prolongation des délais pour le renouvellement de l'enregistrement des marques de fabrique et de commerce correspond aux dispositions de l'Article VIII du présent Accord.

60 Stat. 568.
15 U. S. C. § 92 note

Ante, p. 3319.

D. A.
H B.

October 21, 29, 1947
[T. I. A. S. 1668]

Agreement between the United States of America and Ecuador respecting the exchange of official publications. Effected by exchange of notes signed at Quito October 21 and 29, 1947; entered into force October 29, 1947.

The American Ambassador to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA,
Quito, October 21, 1947.

No. 370

EXCELLENCY:

I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of Ecuador in regard to the exchange of official publications, and to inform Your Excellency that the Government of the United States of America agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of its official publications which is indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.

2. The official exchange office for the transmission of publications of the Government of the United States of America shall be the Smithsonian Institution. The official exchange office for the transmission of publications of the Government of Ecuador shall be the Biblioteca Nacional.

3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the Republic of Ecuador by the Biblioteca Nacional.

4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.

5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own

publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Ecuador, the Government of the United States of America will consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN F. SIMMONS

His Excellency
Doctor JOSÉ VICENTE TRUJILLO,
Minister for Foreign Affairs,
Quito.

The Ecuadoran Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

DEPARTAMENTO DE ACTOS Y ORGANISMOS INTERNACIONALES.- No. 244-DAO.

Quito, a 29 Oct. 1947

SEÑOR EMBAJADOR:

Tengo a honra referirme a la atenta nota de Vuestra Excelencia, signada con el número 370, de fecha 21 de octubre en curso, y a las conversaciones sostenidas entre los representantes del Gobierno del Ecuador y los representantes del Gobierno de los Estados Unidos de América, con relación al intercambio de publicaciones oficiales.

2. Al respecto, me permito informar a Vuestra Excelencia que el Gobierno ecuatoriano está de acuerdo con el establecimiento de un intercambio de publicaciones oficiales, conforme a las siguientes estipulaciones:

I. Cada uno de los dos Gobiernos proporcionará regularmente al otro un ejemplar de cada una de sus publicaciones oficiales que se indicarán en una lista seleccionada y preparada por el otro Gobierno la que será remitida por conducto diplomático subsiguientemente a la conclusión del presente convenio. La lista de las publicaciones escogidas por cada Gobierno puede ser revisada de vez en cuando y puede ser ampliada sin la necesidad de negociaciones subsiguientes, con el fin de incluír cualquier otra publicación oficial del otro Gobierno que no esté especificada en la lista, o

publicaciones sobre nuevas oficinas que el otro Gobierno pueda establecer en el futuro.

II. La oficina de intercambio oficial para la remisión de publicaciones del Gobierno del Ecuador será la Biblioteca Nacional. La oficina de intercambio oficial para el Gobierno de los Estados Unidos de América será la "Smithsonian Institution".

III. Las publicaciones serán recibidas en nombre de la República del Ecuador por la Biblioteca Nacional y en nombre de los Estados Unidos de América por la Biblioteca del Congreso.

IV. El presente convenio no obliga a ninguno de los dos Gobiernos a proporcionar publicaciones confidenciales, formularios y circulares que no sean de carácter público.

V. Cada uno de los dos Gobiernos sufragará todos los gastos, inclusive porte postal, fletes ferrocarrilero y marítimo, que pueden sobrevenir por el presente convenio, en relación con el transporte dentro de su propio país de las publicaciones de ambos Gobiernos y el despacho de sus propias publicaciones a un puerto o lugar adecuado, razonablemente conveniente, a la oficina de canje del otro Gobierno.

VI. El presente convenio no será considerado como una modificación de cualquier convenio de intercambio existente entre un departamento o agencia de uno de los Gobiernos y un departamento o agencia del otro Gobierno.

3. El Gobierno del Ecuador considera que la referida comunicación de Vuestra Excelencia y esta contestación constituyen un convenio entre los dos Gobiernos sobre este asunto, el cual entrará en vigencia desde la presente fecha.

Válgome de la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración,

JOSÉ V. TRUJILLO

Al Excelentísimo Señor Don JOHN F. SIMMONS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.

Translation

REPUBLIC OF ECUADOR

MINISTRY OF FOREIGN RELATIONS

DEPARTMENT OF INTERNATIONAL ACTS AND ORGANIZATIONS.- No. 244-DAO.

QUITO, *October 29, 1947*

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's courteous note numbered 370, dated October 21, last, and to the conversations which took place between the representatives of the Government of Ecuador and the representatives of the Government of the United States of America in regard to the exchange of official publications.

Ante, p. 3322.

2. With respect thereto, I take the liberty of informing Your Excellency that the Ecuadoran Government is agreeable to the establishment of an exchange of official publications, in accordance with the following provisions:

I. Each of the two Governments shall furnish regularly to the other a copy of each of its official publications which are indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of the publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, in order to include any other official publication of the other Government not specified in the list, or publications concerning new offices which the other Government may establish in the future.

II. The official exchange office for the transmission of publications of the Government of Ecuador shall be the Biblioteca Nacional. The official exchange office for the Government of the United States of America shall be the Smithsonian Institution.

III. The publications shall be received on behalf of the Republic of Ecuador by the Biblioteca Nacional and on behalf of the United States of America by the Library of Congress.

IV. The present agreement does not obligate either of the two Governments to furnish confidential publications, blank forms, and circulars which are not of a public character.

V. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

VI. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

3. The Government of Ecuador considers that the above-mentioned communication from Your Excellency and this reply constitute an agreement between the two Governments on this subject, the agreement to enter into force from this date.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOSÉ V. TRUJILLO

His Excellency
JOHN F. SIMMONS,
Ambassador Extraordinary and Plenipotentiary
of the United States of America.

December 4, 1946, and January 29, 1947
[T. I. A. S. 1669]

Agreement between the United States of America and Peru respecting a cooperative food production program in Peru, further extending and modifying the agreement of May 19 and 20, 1943. Effected by exchange of notes signed at Lima December 4, 1946, and January 29, 1947; entered into force January 29, 1947; effective January 1, 1947.

The American Ambassador to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lima, December 4, 1946

No. 278

EXCELLENCY:

I have the honor to refer to this Embassy's note No. 812 of June 11, 1945 transmitting the English and Spanish texts of the Memorandum of Agreement signed on June 8, 1945 by William C. Brister and by His Excellency Godofredo Labarthe, Minister of Agriculture, extending to December 31, 1946 the revised Memorandum of Agreement dated May 19, 1943, which concerned the establishment of an Inter-American Cooperative Food Production Service in Peru.

Ante, p. 3123.

57 Stat. 1405.

Extension of agreement.

On December 4, 1946 there was signed in Lima by Colonel Arthur R. Harris and His Excellency Luis Rose Ugarte, Minister of Agriculture of Peru, a Memorandum of Agreement in English and Spanish, copies of which are attached. By virtue of this instrument the Agreement under reference is further extended until June 30, 1948.

If Your Excellency agrees, this note together with your reply indicating the approval of the Government of Peru will be considered as constituting an agreement between our two Governments on the subject. It is understood that this Agreement shall be effective as of January 1, 1947 and that it shall continue in force until June 30, 1948.

Effective date; duration.

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest and most distinguished consideration.

PRENTICE COOPER

His Excellency
Dr. ENRIQUE GARCÍA SAYÁN,
Minister for Foreign Affairs,
Lima.

MEMORANDUM OF AGREEMENT

WHEREAS the Cooperative Program of Food Production between the Republic of Peru, acting through the Minister of Agriculture of the Republic, and the Government of the United States of America, acting through the Institute of Inter-American Affairs (hereinafter called the Institute), covered by the Memorandum of Agreement of May 19, 1943 has contributed to the development of agriculture in Peru; WHEREAS the Government of Peru and the Government of the United States of America wish to derive the maximum benefit from the work performed to date under the basic agreement; WHEREAS the Government of Peru considers the Agreement to be indispensable to the economy and welfare of the country in the light of the acute shortage of essential commodities; WHEREAS the Republic of Peru believes that termination of the Agreement at this time might jeopardize the improvement of the basic economy of the country; WHEREAS the Government of the United States of America recognizes the benefits of the program to the people of the Republic of Peru; and WHEREAS the Government of the United States of America and that of the Republic of Peru consistent with the declaration of Mexico have expressed their adherence to the principle that economic cooperation is essential to the common prosperity of the American nations; and whereas the Government of Peru has requested that the agreement herein above mentioned be extended until June 30, 1948:

57 Stat. 1405.

Extension of food production program.

The Republic of Peru, acting through the Minister of Agriculture of the Republic of Peru, and the Government of the United States of America, acting through the Institute of Inter-American Affairs, a corporate instrumentality of that Government (hereinafter called the Institute) hereby agree to extend as hereinafter set forth the Cooperative Program of Food Production provided for in the Memorandum of Agreement dated May 19, 1943 entered into by the parties hereto as extended by the agreements of June 1, 1944 and June 8, 1945.

57 Stat. 1405.
58 Stat. 1484.
Ante, p. 3123.

SCIPA

1. The cooperative program of food production shall continue to be carried out through the Servicio Cooperativo Inter-Americano de Produccion de Alimentos (hereinafter called the "SCIPA"), which was created by the Government of Peru in accordance with the Memorandum of Agreement of May 19, 1943 and continued by the Agreements of June 1, 1944 and June 8, 1945 referred to above.

Fields of activity.

2. The fields of activity which the programs of the SCIPA may embrace, as set forth in Article 3 of the Memorandum of Agreement, dated May 19, 1943, and as amended in the later Memoranda of Agreement mentioned herein, are hereby modified and restated as follows: The SCIPA will continue to develop programs to increase the production, processing and distribution of foodstuffs of vegetable

57 Stat. 1406.

and animal origin of primary necessity, which programs may include, without being limited to, the following items:

(a) technical assistance in the fields of production, processing, storage and distribution of food products of animal and vegetable origin.

(b) the study of the economic problems of production, processing, and distribution of foodstuffs, and the preparation of reports and studies destined to provide information essential to planning adjustments in the production of crops to domestic consumption requirements.

(c) the development of new acreage, including agricultural colonization, and of plans for soil conservation; soil surveys and the rehabilitation of existing irrigation facilities; aid in new irrigation facilities and drainage.

(d) the supply of means, tools, equipment, insecticides, seeds, livestock, and other materials, and of professional and technical services to agriculturists.

(e) the development of a country wide agricultural extension service to improve production of food and to promote the agricultural industry generally.

(f) technical studies and related work in the fields of nutrition, diet, and home economics, and to promote improved nutritional and general home economics practices through an organized extension service.

(g) special assistance to inadequately financed operators of small farms, including the providing of equipment for hire at minimum prices, the making of "loans in kind" during periods of special emergency, etc.

(h) the making available to the Government of Peru and the Government of the United States of America of technical and scientific information and discoveries of interest to agriculturists in either country and the promoting of scientific studies in Peruvian agricultural economy as requested by and in cooperation with either government.

Contributions.

57 Stat. 1407.

3. The provisions of Article 4 of the Memorandum of Agreement of May 19, 1943 are considered to have been fulfilled by the contribution of US $162,976.77 (S/. 1,056,904.35) by the Institute and by the contribution of S/. 1,056,904.35 (US $162,976.77) by the Republic of Peru. The provisions of Article 3 of the extended Memorandum of Agreement, signed June 1, 1944, are considered to have been fulfilled as the result of contributions amounting to US $150,000 (S/. 972,750) by the Institute and S/. 1,945,500 (US $300,000) by the Republic of Peru. The provisions of Article 3 of the extended Memorandum of Agreement, dated June 8, 1945, are considered to have been fulfilled as the result of contributions amounting to US $75,000.00 (S/. 486,375) by the Institute paid by November 1, 1946 and of the amount of S/. 972,750.00 (US $150,000) contributed by the Republic of Peru by November 1, 1946.

58 Stat. 1485.

Ante, p. 3124.

4. The cooperative food production program shall be financed by the parties during the extended period comprehended by this Agreement, as follows:

Financing of program.

A. The Institute shall deposit to the account of the SCIPA the sum of Seventy-five Thousand ($75,000.00) Dollars (being the equivalent of S/. 486,375 (Peruvian Soles) at the conversion rate of S/. 6.485 per U. S. dollar) on the following dates and in the following amounts:

Deposits by Institute.

	Dollars
January 1, 1947	4, 200. 00
February 1, 1947	4, 200. 00
March 1, 1947	4, 200. 00
April 1, 1947	4, 200. 00
May 1, 1947	4, 200. 00
June 1, 1947	4, 200. 00
July 1, 1947	4, 200. 00
August 1, 1947	4, 200. 00
September 1, 1947	4, 200. 00
October 1, 1947	4, 200. 00
November 1, 1947	4, 200. 00
December 1, 1947	4, 200. 00
January 1, 1948	4, 200. 00
February 1, 1948	4, 200. 00
March 1, 1948	4, 200. 00
April 1, 1948	4, 200. 00
May 1, 1948	4, 200. 00
June 1, 1948	3, 600. 00
	US $75, 000. 00

B. In view of the fact that many purchases of materials, supplies and equipment and other disbursements relating to the execution of the program will be made in the United States of America, the Institute may withhold from the deposits called for by subsection A of Article 4 the estimated amounts deemed to be necessary to pay for such purchase and disbursements. Any funds so withheld by the Institute for such purposes shall be considered as if deposited under the terms of subsection A hereof but, if they are not expended or obligated for such purposes, they shall be deposited to the order of the SCIPA at any time upon the mutual agreement of the Minister of Agriculture and the Chief of the Food Supply Mission of the Institute in Peru.

Funds withheld for purchases in U. S.

C. In addition to the contribution of the Institute mentioned in subsection A hereof, the Institute will make available during the period of this extension for the cooperative program the funds necessary to pay the salaries, living expenses, travel and transportation costs and other administrative expenses of the members of the Food Supply Mission of the Institute in Peru. It is understood that this sum will not exceed Two Hundred and Twenty-five Thousand ($225,000.00) Dollars. These funds will not be deposited to the account of the SCIPA but will be administered by the Chief of the Food Supply Mission of the Institute in Peru for the purposes stated and in the interest of the general cooperative program of food production and agricultural development in Peru.

Availability of funds for administrative expenses.

Peruvian deposits.

D. The Republic of Peru shall deposit to the account of the SCIPA the equivalent in Peruvian currency of Four Hundred and Fifty Thousand ($450,000) Dollars, namely, the sum of Two Million, Nine Hundred and Eighteen Thousand, Two Hundred and Fifty (S/. 2,918,250) Soles at the conversion rate of S/. 6.485 per U. S. Dollar, on the following dates and in the following amounts:

	Soles	Dollars
January 1, 1947	162, 125. 00	25, 000. 00
February 1, 1947	162, 125. 00	25, 000. 00
March 1, 1947	162, 125. 00	25, 000. 00
April 1, 1947	162, 125. 00	25, 000. 00
May 1, 1947	162, 125. 00	25, 000. 00
June 1, 1947	162, 125. 00	25, 000. 00
July 1, 1947	162, 125. 00	25, 000. 00
August 1, 1947	162, 125. 00	25, 000. 00
September 1, 1947	162, 125. 00	25, 000. 00
October 1, 1947	162, 125. 00	25, 000. 00
November 1, 1947	162, 125. 00	25, 000. 00
December 1, 1947	162, 125. 00	25, 000. 00
January 1, 1948	162, 125. 00	25, 000. 00
February 1, 1948	162, 125. 00	25, 000. 00
March 1, 1948	162, 125. 00	25, 000. 00
April 1, 1948	162, 125. 00	25, 000. 00
May 1, 1948	162, 125. 00	25, 000. 00
June 1, 1948	162, 125. 00	25, 000. 00
	S/. 2, 918, 250. 00	US $450, 000. 00

Amendment of deposit schedules.

E. The parties hereto, by written agreement of the Minister of Agriculture and the Chief of the Food Supply Mission of the Institute, may amend the schedules for making the deposits provided for in Article 4, subsection A and D, and agree to make the deposits as required by the needs of the program.

Use of SCIPA funds to defray salaries and expenses of additional personnel.

F. By mutual agreement between the Minister of Agriculture and the Chief of the Food Supply Mission of the Institute in Peru funds of the SCIPA may be used to reimburse or defray the salaries, living expenses, travel and transportation costs, and other expenses of such additional personnel of the Food Supply Mission of the Institute in Peru as the parties mentioned may agree are necessary to be employed, in addition to the employees referred to under subsection C above. Such funds may be contributed or granted for such purposes by the SCIPA to the Institute or to any other organization, but in every case the Minister of Agriculture and the Chief of the Food Supply Mission of the Institute in Peru will enter into a written project agreement setting forth the scope and the other necessary terms of such contributions or grants.

Income accruing to SCIPA.
Ante, p. 3125.

5. Article 7 of the Memorandum of Agreement signed June 8, 1945, is hereby amended to read: Any income accruing to the account of SCIPA as the result of normal project operations, or through the liquidation of projects, or from whatever source, will continue to be available to SCIPA for the promotion of those projects from which the income has accrued or, by mutual agreement between the Minister of Agriculture, the Chief of the Food Supply Mission of the Institute and

the Director of SCIPA, may be apportioned to other projects of SCIPA. It is further agreed that any balance of the funds and property of SCIPA, unexpended or unused and unobligated at the termination of this agreement, will be disposed of by agreement between the Minister of Agriculture and the Chief of the Food Supply Mission of the Institute, having in mind the proportional contributions of each of the parties.

Unexpended funds, etc.

6. The funds contributed in accordance with this Memorandum of Agreement are to be employed only for maintaining or extending projects of the nature contemplated by the original Memorandum of Agreement, or as subsequently modified, or as further modified by Article 2 of this agreement, which projects shall be embodied in written project agreements and shall be signed by the Minister of Agriculture, the Chief of the Food Supply Mission of the Institute in Peru and the Director of SCIPA.

Employment of funds contributed.

Ante, p. 3327.

7. Article 9 of the original Memorandum of Agreement of May 19, 1943, is hereby amended to read: All rights and privileges which are enjoyed by official divisions of the Government of Peru and by the personnel and employees of the same, shall accrue to the SCIPA and to all its personnel and employees while performing their official duties. The members of the Food Supply Mission of the Institute will not be obligated to pay to Peru any direct tax or contribution for purposes of Social Security or retirement on salaries or income when they are subject to such taxes or contributions in the United States of America. The Government of Peru shall extend free entry or shall pay the corresponding charges for materiel and equipment necessary for the professional use of personnel of the Mission. In like manner the Government of Peru shall either grant free entry or pay corresponding duties on personal effects of Mission members according to the limitations covering members of the Diplomatic Corps accredited to the Government of Peru; for the purposes of this agreement Mission members shall be considered as having the same free entry privileges as First Secretaries in the Diplomatic Service. Duties exceeding these limits shall be paid by the personnel concerned. The customs duties paid by the SCIPA for imports of equipment, supplies and material destined for the use of the food supply program will be reimbursed to the SCIPA by the Minister of Finance, as shown by respective Customs House documents and receipts. In the same manner, the customs duties paid by the Institute for imports of equipment, supplies and material destined for the use of the Food Supply Mission of the Institute will be reimbursed to the Institute by the Minister of Finance as shown by respective Customs House documents and receipts.

Rights and privileges.
57 Stat. 1408.

Reimbursement of customs duties.

8. The Chief of the Food Supply Mission of the Institute in Peru shall continue as Director of SCIPA throughout the life of this agreement. In order that Peruvian personnel will be prepared to assume, at the termination of this agreement, or earlier where circumstances warrant, the responsibilities of the Food Mission personnel for the

Director of SCIPA.

Training of Peruvian personnel.

administrative and technical direction of the program, definite provision shall be made during the life of this agreement for the training of competent Peruvian personnel for all positions of administrative responsibility in the SCIPA organization.

Force and effect of prior agreements.
57 Stat. 1405; 58 Stat. 1484.
Ante, p. 3123.

9. The Memoranda of Agreement of May 19, 1943, June 1, 1944, and June 8, 1945, shall remain in full force and effect for the purpose of extending the cooperative food production program through June 30, 1948, except as they are modified by or are inconsistent with the present agreement, and the provisions contained therein will apply during the life of this agreement. This Memorandum of Agreement shall become effective upon an exchange of notes between the two Governments.

In witness whereof, the parties hereto have caused this agreement to be executed by their duly authorized representatives, in duplicate, in the English and Spanish languages, in Lima, Peru, this ____ day of _____, 1946.

Republic of Peru

By (LUIS ROSE U.)
Minister of Agriculture

The Institute of Inter-American Affairs

By (ARTHUR R. HARRIS)

MEMORANDUM DE CONVENIO

POR CUANTO: 1° – el Programa Cooperativo de Producción de Alimentos entre la República del Perú, por intermedio del Ministro de Agricultura de la República,y el Gobierno de los Estados Unidos de América, por intermedio del Instituto de Asuntos Inter-Americanos (que más adelante seguirá llamándose el Instituto), estipulado en el Memorándum de Convenio de 19 de Mayo de 1943, ha contribuído al desarrollo de la agricultura en el Perú; POR CUANTO: 2°. – el Gobierno del Perú y el Gobierno de los Estados Unidos desean obtener el máximo beneficio de la labor realizada hasta la fecha de acuerdo con el convenio básico; POR CUANTO: 3° – el Gobierno del Perú considera el contrato conveniente para la economía y bienestar del país, en vista de la escasez de algunos productos alimenticios; POR CUANTO: 4° – la República del Perú es de parecer que la interrupción del convenio resultaría inconveniente para proseguir el desarrollo de este aspecto de la economía básica del país; POR CUANTO: 5° – el Gobierno de los Estados Unidos de América reconoce los beneficios que el programa ha producido para el pueblo peruano; POR CUANTO: 6° – los Gobiernos de los Estados Unidos de América y de la República del Perú, consecuentes con la declaración de México, han expresado su adhesión al principio de que la cooperación económica es esencial para la común prosperidad de las naciones americanas; y POR CUANTO: 7° – el Gobierno del Perú ha solicitado que el convenio arriba mencionado se prorrogue hasta el 30 de Junio de 1948:

La República del Perú, por intermedio del Ministro de Agricultura de la República del Perú, y el Gobierno de los Estados Unidos, por intermedio del Instituto de Asuntos Inter-Americanos, agencia corporativa de dicho Gobierno (que más adelante seguirá llamándose el Instituto) convienen por el presente, en prorrogar conforme se establece más adelante, el programa cooperativo de producción de alimentos estipulado en el Memorándum de Convenio de fecha 19 de Mayo de 1943, celebrado entre las dos partes contratantes, que fué prorrogado según Memorándum de Convenio de fecha 1° de Junio de 1944, y nuevamente renovado por Memorándum de Convenio de fecha 8 de Junio de 1945.

1. El programa cooperativo de producción de alimentos continuará llevándose a efecto por intermedio del Servicio Cooperativo Inter-Americano de Producción de Alimentos (que más adelante seguirá llamándose el "SCIPA"), y que fué creado por el Gobierno del Perú de acuerdo con el Memorándum de Convenio de 19 de Mayo de 1943 y se continuó según Memorándums de Convenios de 1° de Junio de 1944 y 8 de Junio de 1945 arriba mencionados.

2. Los campos de actividad que pueden abarcar los programas de SCIPA, estipulados en el Artículo 3 del Memorándum de Convenio de fecha 19 de Mayo de 1943, enmendados en los posteriores Memorándums de Convenios ya indicados, por el presente se modifican y reafirman, como sigue: El SCIPA continuará desarrollando programas destinados a incrementar la producción, elaboración y distribución de artículos alimenticios de primera necesidad, de origen vegetal y animal, cuyos programas comprenderán, sin limitarse a ellas, las siguientes actividades:

   (a) ayuda de orden técnico en los campos de producción, elaboración almacenaje y distribución de productos alimenticios de origen vegetal y animal.

   (b) estudio de los problemas económicos de la producción, elaboración y distribución de artículos alimenticios, y formulación de informes y estudios destinados a proporcionar los datos esenciales a los planes de ajuste entre la producción de cultivos y las necesidades de consumo nacional.

   (c) creación de nuevas áreas de cultivo, inclusive la colonización agrícola, y de planes para la conservación de los suelos, estudios agrológicos y la rehabilitación de facilidades ya existentes en materia de irrigación; ayuda para proporcionar nuevas facilidades de irrigación y drenaje.

   (d) suministro de medios, herramientas, equipo, insecticidas, semilla, ganado y otros elementos, y de servicios profesionales y técnicos a los agricultores.

   (e) desarrollo de un servicio de extensión agrícola en todo el país, con el fin de mejorar la producción de alimentos y fomentar la industria agrícola en general.

   (f) estudios técnicos y trabajo pertinente a los campos de nutrición, dietética, y economía doméstica, y fomento del empleo de mejores prácticas en materia de nutrición y economía doméstica mediante un servicio de extensión debidamente organizado.

   (g) especial apoyo a los pequeños agricultores que no cuentan con fondos adecuados, lo cual comprenderá alquiler de equipo y maquinaria agrícola a los precios más bajos, préstamos en especie durante épocas de emergencia, etc.

   (h) facilitar al Gobierno del Perú, y al Gobierno de los Estados Unidos de América, información técnica y científica y los descubrimientos que sean de interés para los agricultores de ambos países, y fomentar los estudios científicos de la economía agropecuaria del Perú, a solicitud de cualquiera de los dos Gobiernos y en colaboración con cualquiera de ellos.

3. Las estipulaciones contenidas en el Artículo 4 del Memorándum de Convenio de 19 de Mayo de 1943, se consideran cumplidas mediante la contribución de US$ 162,976.77 (S/. 1,056,904.35) hecha por el Instituto, y por la contribución de S/. 1,056,904.35

(US$ 162,976.77) hecha por la República del Perú. Las estipulaciones contenidas en el Artículo 3 de la prórroga del Memorándum de Convenio, firmada con fecha 1° de Junio de 1944, se consideran cumplidas como resultado de las contribuciones ascendentes a US$ 150,000 (S/. 972,750) y S/. 1,945,500 (US$ 300,000), hechas por el Instituto y por la República del Perú, respectivamente. Las estipulaciones contenidas en el Artículo 3 de la prórroga del Memorándum de Convenio de fecha 8 de Junio de 1945, quedarán cumplidas como resultado de las contribuciones de US$ 75,000 (S/. 486,375), por el Instituto y pagadera a más tardar el 1° de Noviembre de 1946, y de S/. 972,750 (US$ 150,000) por la República del Perú a más tardar el 1° de Noviembre de 1946.

4. El programa cooperativo de producción de alimentos será financiado por las partes contratantes, durante el plazo de la prórroga comprendido en este Convenio, como sigue:

A. El Instituto depositará en la cuenta de SCIPA, la suma de Setenticinco Mil ($75,000) Dólares (que es el equivalente de S/. 486,375 (Soles Oro) al tipo de cambio de S/. 6.485 por U. S. dólar), en las siguientes fechas y por las cantidades anotadas:

	Dólares
Enero 1° de 1947	4, 200. 00
Febrero 1° de 1947	4, 200. 00
Marzo 1° de 1947	4, 200. 00
Abril 1° de 1947	4, 200. 00
Mayo 1° de 1947	4, 200. 00
Junio 1° de 1947	4, 200. 00
Julio 1° de 1947	4, 200. 00
Agosto 1° de 1947	4, 200. 00
Setiembre 1° de 1947	4, 200. 00
Octubre 1° de 1947	4, 200. 00
Noviembre 1° de 1947	4, 200. 00
Diciembre 1° de 1947	4, 200. 00
Enero 1° de 1948	4, 200. 00
Febrero 1° de 1948	4, 200. 00
Marzo 1° de 1948	4, 200. 00
Abril 1° de 1948	4, 200. 00
Mayo 1° de 1948	4, 200. 00
Junio 1° de 1948	3, 600. 00
US$	75, 000. 00

B. En vista de que muchas de las adquisiciones de materiales, útiles y equipo y otros desembolsos en relación con la ejecución del programa, se efectuarán en los Estados Unidos de América, el Instituto podrá retener, de los depósitos estipulados en el inciso A del Artículo 4, las sumas estimadas que se consideran necesarias para cubrir dichas compras y desembolsos. Cualesquier fondos así retenidos por el Instituto con tal objeto, se considerarán como depositados de acuerdo con los términos de este inciso A, pero si no fuesen gastados o afectados para tales fines, se depositarán a la orden de SCIPA en cualquier momento, estando de común

acuerdo el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú.

C. Además de la contribución del Instituto, mencionada en el inciso A, el Instituto proporcionará durante la vigencia de esta prórroga del programa cooperativo, los fondos necesarios para cubrir los sueldos, gastos de mantenimiento, viajes y transporte, y otros gastos administrativos de los miembros que integran la Misión de Producción Alimenticia del Instituto en el Perú. Queda entendido que esta suma no excederá de Doscientos Veinticinco Mil ($225,000) Dólares. Estos fondos no será depositados en la cuenta de SCIPA, sino administrados por el Jefe de la Misión de Producción Alimenticia en el Perú, para los fines indicados y en beneficio del programa cooperativo de producción de alimentos y del desenvolvimiento agrícola del Perú.

D. La República del Perú depositará en la cuenta de SCIPA el equivalente en moneda peruana, de Cuatrocientos Cincuenta Mil ($450,000) Dólares, o sea la suma de Dos Millones, Novecientos Dieciocho Mil, Doscientos Cincuenta (S/. 2, 918, 250) Soles, al tipo de cambio de S/. 6.485 por U.S. Dólar en las siguientes fechas y cantidades anotadas:

	Soles	Dólares
Enero 1° de 1947	162, 125. 00	25, 000. 00
Febrero 1° de 1947	162, 125. 00	25, 000. 00
Marzo 1° de 1947	162, 125. 00	25, 000. 00
Abril 1° de 1947	162, 125. 00	25, 000. 00
Mayo 1° de 1947	162, 125. 00	25, 000. 00
Junio 1° de 1947	162, 125. 00	25, 000. 00
Julio 1° de 1947	162, 125. 00	25, 000. 00
Agosto 1° de 1947	162, 125. 00	25, 000. 00
Setiembre 1° de 1947	162, 125. 00	25, 000. 00
Octubre 1° de 1947	162, 125. 00	25, 000. 00
Noviembre 1° de 1947	162, 125. 00	25, 000. 00
Diciembre 1° de 1947	162, 125. 00	25, 000. 00
Enero 1° de 1948	162, 125. 00	25, 000. 00
Febrero 1° de 1948	162, 125. 00	25, 000. 00
Marzo 1° de 1948	162, 125. 00	25, 000. 00
Abril 1° de 1948	162, 125. 00	25, 000. 00
Mayo 1° de 1948	162, 125. 00	25, 000. 00
Junio 1° de 1948	162, 125. 00	25, 000. 00
	S/. 2, 918, 250. 00	$ 450, 000. 00

E. Las partes contratantes, mediante convenio por escrito entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia, podrán modificar las fechas de depósito fijadas en el Artículo 4, incisos A y D, y acordar hacer los depósitos conforme a las necesidades del programa.

F. De común acuerdo entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú, los fondos de SCIPA podrán emplearse para reembolsar o cubrir sueldos, gastos de mantenimiento, viajes y transporte, y otros gastos del personal adicional de la Misión de Producción Alimenticia en el Perú que las partes contratantes crean necesario emplear, además de los empleados a que se refiere el inciso C. arriba mencionado. Dichos

fondos podrán ser aportador o concedidos con tal objeto por SCIPA ya sea al Instituto o a cualquiera otra institución, pero en cada caso el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú extenderán un convenio de proyecto por escrito, indicando el propósito y otras condiciones necesarias de los referidos aportes o donaciones.

5. El Artículo 7 del Memorándum de Convenio, firmado el 8 de Junio de 1945, queda modificado por el presente, como sigue: Todos los ingresos que incrementen las cuentas de SCIPA, como resultado de las operaciones normales de los proyectos, o por medio de la liquidación de proyectos, o debido a otro origen, seguirán a disposición de SCIPA para el fomento de aquellos proyectos de los cuales provienen tales ingresos, o podrán ser asignados a otros proyectos de SCIPA por mutuo acuerdo entre el Ministro de Agricultura, el Jefe de la Misión de Producción Alimenticia y el Director de SCIPA. Se conviene, además, que cualquier saldo de los fondos y bienes de SCIPA, que no hubiese sido gastado, utilizado y afectado a la expiración del presente convenio, será empleado de común acuerdo entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia del Instituto, teniendo presente las sumas proporcionales aportadas por cada parte contratante.

6. Los fondos aportados en virtud del presente Memorándum de Convenio habrán de emplearse únicamente para mantener o extender los proyectos de naturaleza tal como los contemplados en el Memorándum de Convenio original, o según modificación posterior por el Artículo 2 del presente convenio; cuyos proyectos se formularán, por escrito, en la forma de convenios de proyectos, y serán firmados por el Ministro de Agricultura, el Jefe de la Misioń de Producción Alimenticia en el Perú, y el Director de SCIPA.

7. El Artículo 9 del Memorándum de Convenio original, de 19 de Mayo de 1943, queda modificado por el presente, como sigue: Todos los derechos y prerrogativas de que gozan otras dependencias análogas del Gobierno del Perú, así como sus funcionarios y empleados públicos, se harán extensivos a SCIPA, y a todo su personal de empleados en el desempeño de sus funciones de carácter oficial. Los miembros que integran la Misión de Producción Alimenticia del Instituto no estarán obligados a pagar en el Perú ningún impuesto directo, seguro social ni cesantía, en el caso de que estén sujetos al pago de dichos impuestos en los Estados Unidos de América. El Gobierno del Perú permitirá la entrada libre o en su defecto pagará los derechos correspondientes sobre material y equipo necesario para el uso profesional del personal de la Misión. Igualmente, el Gobierno del Perú permitirá la entrada libre o abonará los derechos correspondientes sobre los efectos personales de los miembros de la Misión, de acuerdo con las condiciones limitativas a que están sujetos los miembros del Cuerpo Diplomático acreditado ante el Gobierno del Perú; para los fines de este Convenio, los miembros de la Misión estarán considerados

como Primeros Secretarios del Servicio Diplomático en lo que se refiere a franquicias. Los derechos que excedan dichos límites serán abonados por el personal respectivo. Los derechos de Aduana pagados por SCIPA sobre importaciones de equipo, útiles y materiales para ser empleados en el programa de Producción de Alimentos, serán reembolsados a SCIPA por el Ministro de Hacienda, de acuerdo con los comprobantes y recibos respectivos de la Aduana. De igual manera, los derechos pagados por el Instituto sobre importaciones de equipo, útiles y materiales para ser empleados por la Misión de Producción Alimenticia serán reembolsados al Instituto por el Ministro de Hacienda, de acuerdo con los respectivos comprobantes y recibos de la Aduana.

8. El Jefe de la Misión de Producción Alimenticia del Instituto en el Perú continuará actuando como Director de SCIPA durante la vigencia del presente convenio. A fin de que el personal peruano pueda estar capacitado para asumir, al término de este acuerdo o antes si fuera el caso, la responsabilidad del personal americano por la dirección administrativa y técnica del programa, se dispondrá en forma definida durante la vigencia del presente convenio, la capacitación específica del personal peruano competente, para cada función administrativa de responsabilidad, dentro de la organización de SCIPA.

9. Los Memorándums de Convenios de 19 de Mayo de 1943, 1° de Junio de 1944 y 8 de Junio de 1945 quedan en plena vigencia y surtirán todos sus efectos para los fines de la renovación del programa cooperativo de Producción de Alimentos, hasta el 30 de Junio de 1948, con excepción de las modificaciones contempladas en el presente convenio o que se opongan a él, y las disposiciones contenidas en dichos convenios se aplicarán durante el plazo de duración de este Convenio. Este Convenio entrará en vigencia en cuanto se produzca un cambio de notas entre los dos Gobiernos.

En fé de lo cual, las partes contratantes extienden este Convenio, en duplicado, por intermedio de sus representantes debidamente autorizados, y en los idiomas inglés y castellano, en Lima, Perú, a los del mes de 1946.

p. REPUBLICA DEL PERU

(LUIS ROSE U.)
Ministro de Agricultura

p. INSTITUTO DE ASUNTOS INTER-AMERICANOS

(ARTHUR R. HARRIS)

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES EXTERIORES Y CULTO

NUMERO: (H)-6-Y/1.

LIMA, *29 de Enero de 1947.*

SEÑOR EMBAJADOR:

Tengo a honra dar respuesta a la estimable Nota de Vuestra Excelencia, N° 278, de 4 de Diciembre último, con la que tiene a bien

comunicarme que en esa misma fecha, se firmó en Lima, por el Coronel Arthur R. Harris y el Señor Ministro de Agricultura, señor Luis Rose Ugarte, el memorandum de Convenio, cuyo texto es el siguiente:

MEMORANDUM DE CONVENIO

"POR CUANTO: 1°–el Programa Cooperativo de Producción de Alimentos entre la República del Perú por intermedio del Ministro de Agricultura de la República, y el Gobierno de los Estados Unidos de América, por intermedio del Instituto de Asuntos Inter-Americanos (que más adelante seguirá llamándose el Instituto), estipulado en el Memorandum de Convenio de 19 de Mayo de 1943, ha contribuído al desarrollo de la agricultura en el Perú; POR CUANTO: 2°–el Gobierno del Perú y el Gobierno de los Estados Unidos desean obtener el máximo beneficio de la labor realizada hasta la fecha de acuerdo con el Convenio básico; POR CUANTO: 3°–el Gobierno del Perú considera el contrato conveniente para la economía y bienestar del país, en vista de la escasez de algunos productos alimenticios; POR CUANTO: 4°–la República del Perú es de parecer que la interrupción del Convenio resultaría inconveniente para proseguir el desarrollo de este aspecto de la economía básica del país; POR CUANTO: 5°–el Gobierno de los Estados Unidos de América reconoce los beneficios que el programa ha producido para el pueblo peruano; POR CUANTO: 6°–los Gobiernos de los Estados Unidos de América y de la República del Perú, consecuentes con la declaración de México, han expresado su adhesión al principio de que la cooperación económica es esencial para la común prosperidad de las naciones americanas; y POR CUANTO: 7°–el Gobierno del Perú ha solicitado que el convenio arriba mencionado se prorrogue hasta el 30 de Junio de 1948:

"La República del Perú, por intermedio del Ministro de Agricultura de la República del Perú, y el Gobierno de los Estados Unidos por intermedio del Instituto de Asuntos Inter-Americanos, agencia corporativa de dicho Gobierno (que más adelante seguirá llamándose el Instituto) convienen por el presente, en prorrogar conforme se establece más adelante, el programa cooperativo de producción de alimentos estipulado en el Memorandum de Convenio de fecha 19 de Mayo de 1943, celebrado entre las dos partes contratantes, que fué prorrogado, según Memorandum de Convenio de fecha 1° de Junio de 1944, y nuevamente renovado por Memorandum de Convenio de fecha 8 de Junio de 1945.

"1. El programa cooperativo de producción de alimentos continuará llevándose a efecto por intermedio del Servicio Cooperativo Inter-Americano de Producción de Alimentos (que más adelante seguirá llamándose el "SCIPA"), y que fué creado por el Gobierno del Perú de acuerdo con el Memorandum de Convenio de 19 de Mayo de 1943 y se continuó según Memorandums de Convenios de 1° de Junio de 1944 y 8 de Junio de 1945 arriba mencionados.

"2. Los campos de actividad que pueden abarcar los programas de SCIPA, estipulados en el Artículo 3 del Memorandum de Convenio

de fecha 19 de Mayo de 1943, enmendados en los posteriores Memorandums de Convenios ya indicados, por el presente se modifican y reafirman, como sigue: El SCIPA continuará desarrollando programas destinados a incrementar la producción, elaboración y distribución de artículos alimenticios de primera necesidad, de origen vegetal y animal, cuyos programas comprenderán, sin limitarse a ellas, las siguientes actividades:

"(a) ayuda de orden técnico en los campos de producción, elaboración, almacenaje y distribución de productos alimenticios de origen vegetal y animal.

"(b) estudio de los problemas económicos de la producción, elaboración y distribución de artículos alimenticios, y formulación de informes y estudios destinados a proporcionar los datos esenciales a los planes de ajuste entre la producción de cultivos y las necesidades de consumo nacional.

"(c) creación de nuevas áreas de cultivo, inclusive la colonización agrícola, y de planes para la conservación de los suelos, estudios agrológicos y la rehabilitación de facilidades ya existentes en materia de irrigación; ayuda para proporcionar nuevas facilidades de irrigación y drenaje.

"(d) suministro de medios, herramientas, equipo, insecticidas, semilla, ganado y otros elementos, y de servicios profesionales y técnicos a los agricultores.

"(e) desarrollo de un servicio de extensión agrícola en todo el país, con el fin de mejorar la producción de alimentos y fomentar la industria agrícola en general.

"(f) estudios técnicos y trabajo pertinente a los campos de nutrición, dietética, y economía doméstica, y fomento del empleo de mejores prácticas en materia de nutrición y economía doméstica mediante un servicio de extensión debidamente organizado.

"(g) especial apoyo a los pequeños agricultores que no cuentan con fondos adecuados, lo cual comprenderá alquiler de equipo y maquinaria agrícola a los precios más bajos, préstamos en especie durante épocas de emergencia, etc.

"(h) facilitar al Gobierno del Perú y al Gobierno de los Estados Unidos de América, información técnica y científica y los descubrimientos que sean de interés para los agricultores de ambos países, y fomentar los estudios científicos de la economía agropecuaria del Perú, a solicitud de cualquiera de los dos Gobiernos y en colaboración con cualquiera de ellos.

"3. Las estipulaciones contenidas en el Artículo 4 del Memorandum de Convenio de 19 de Mayo de 1943, se consideran cumplidas mediante la contribución de US$ 162,976.77 (S/. 1,056,904.35) hecha por el Instituto, y por la contribución de S/. 1,056,904.35 (US$ 162,976.77) hecha por la República del Perú. Las estipulaciones contenidas en el Artículo 3 de la prórroga del Memorandum de Convenio, firmada con fecha 1° de Junio de 1944, se consideran cumplidas como resultado de las contribuciones ascendentes a

US$ 150,000 (S/ 972,750) y S/. 1,945,500 (US$ 300,000), hechas por el Instituto y por la República del Perú, respectivamente. Las estipulaciones contenidas en el Artículo 3 de la prórroga del Memorandum de Convenio de fecha 8 de Junio de 1945, quedarán cumplidas como resultado de las contribuciones de US$ 75,000 (S/. 486,375), por el Instituto y pagadera a más tardar el 1° de Noviembre de 1946, y de S/ 972,750 (US$ 150,000) por la República del Perú a más tardar el 1° de Noviembre de 1946.

"4. El programa cooperativo de producción de alimentos será financiado por las partes contratantes, durante el plazo de la prórroga comprendido en este Convenio, como sigue:

"A. El Instituto depositará en la cuenta de SCIPA la suma de Setenticinco Mil ($ 75,000) Dólares (que es el equivalente de S/. 486,375 (Soles Oro) al tipo de cambio de S/. 6.485 por U. S. dólar, en las siguientes fechas y por las cantidades anotadas:

	Dólares
Enero 1° de 1947	4, 200. oo
Febrero 1° de 1947	4, 200. oo
Marzo 1° de 1947	4, 200. oo
Abril 1° de 1947	4, 200. oo
Mayo 1° de 1947	4, 200. oo
Junio 1° de 1947	4, 200. oo
Julio 1° de 1947	4, 200. oo
Agosto 1° de 1947	4, 200. oo
Setiembre 1° de 1947	4, 200. oo
Octubre 1° de 1947	4, 200. oo
Noviembre 1° de 1947	4, 200. oo
Diciembre 1° de 1947	4, 200. oo
Enero 1° de 1948	4, 200. oo
Febrero 1° de 1948	4, 200. oo
Marzo 1° de 1948	4, 200. oo
Abril 1° de 1948	4, 200. oo
Mayo 1° de 1948	4, 200. oo
Junio 1° de 1948	3, 600. oo
	US$ 75, 000. oo

"B. En vista de que muchas de las adquisiciones de materiales, útiles y equipo y otros desembolsos en relación con la ejecución del programa, se efectuarán en los Estados Unidos de América, el Instituto podrá retener, de los depósitos estipulados en el inciso A del Artículo 4, las sumas estimadas que se consideren necesarias para cubrir dichas compras y desembolsos. Cualesquier fondos así retenidos por el Instituto con tal objeto, se considerarán como depositados de acuerdo con los términos de este inciso A, pero si no fuesen gastados o afectados para tales fines, se depositarán a la orden de SCIPA en cualquier momento, estando de común acuerdo el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú.

"C. Además de la contribución del Instituto, mencionada en el inciso A, el Instituto proporcionará durante la vigencia de esta prórroga del programa cooperativo, los fondos necesarios para cubrir los sueldos, gastos de mantenimiento, viajes y transporte, y

otros gastos administrativos de los miembros que integran la Misión de Producción Alimenticia del Instituto en el Perú. Queda entendido que esta suma no excederá de Doscientos Veinticinco Mil ($ 225,000) Dólares. Estos fondos no serán depositados en la cuenta de SCIPA sino administrados por el Jefe de la Misión de Producción Alimenticia en el Perú, para los fines indicados y en beneficio del programa cooperativo de producción de alimentos y del desenvolvimiento agrícola del Perú.

"D. La República del Perú depositará en la cuenta de SCIPA el equivalente en moneda peruana, de Cuatrocientos Cincuenta Mil ($ 450,000) Dólares, o sea la suma de Dos Millones, Novecientos Dieciocho Mil, Doscientos Cincuenta (S/. 2,918,250) Soles, al tipo de cambio de S/. 6.485 por U. S. Dólar en las siguientes fechas y cantidades anotadas:

	Soles	Dólares
Enero 1° de 1947	162, 125. oo	25, 000. oo
Febrero 1° de 1947	162, 125. oo	25, 000. oo
Marzo 1° de 1947	162, 125. oo	25, 000. oo
Abril 1° de 1947	162, 125. oo	25, 000. oo
Mayo 1° de 1947	162, 125. oo	25, 000. oo
Junio 1° de 1947	162, 125. oo	25, 000. oo
Julio 1° de 1947	162, 125. oo	25, 000. oo
Agosto 1° de 1947	162, 125. oo	25, 000. oo
Setiembre 1° de 1947	162, 125. oo	25, 000. oo
Octubre 1° de 1947	162, 125. oo	25, 000. oo
Noviembre 1° de 1947	162, 125. oo	25, 000. oo
Diciembre 1° de 1947	162, 125. oo	25, 000. oo
Enero 1° de 1948	162, 125. oo	25, 000. oo
Febrero 1° de 1948	162, 125. oo	25, 000. oo
Marzo 1° de 1948	162, 125. oo	25, 000. oo
Abril 1° de 1948	162, 125. oo	25, 000. oo
Mayo 1° de 1948	162, 125. oo	25, 000. oo
Junio 1° de 1948	162, 125. oo	25, 000. oo
	S/. 2, 918, 250. oo	$ 450, 000. oo

"E. Las partes contratantes, mediante convenio por escrito entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia, podrán modificar las fechas de depósito fijadas en el Artículo 4, incisos A y D, y acordar hacer los depósitos conforme a las necesidades del programa.

"F. De común acuerdo entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú, los fondos de SCIPA podrán emplearse para reembolsar o cubrir sueldos, gastos de mantenimiento, viajes y transporte, y otros gastos del personal adicional de la Misión de Producción Alimenticia en el Perú que las partes contratantes crean necesario emplear, además de los empleados a que se refiere el inciso C. arriba mencionado. Dichos fondos podrán ser aportados o concedidos con tal objeto por SCIPA ya sea al Instituto o a cualquiera otra institución, pero en cada caso el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia en el Perú extenderán un convenio de proyecto por escrito, indicando el propósito y otras condiciones necesarias de los referidos aportes o donaciones.

"5. El Artículo 7 del Memorandum de Convenio, firmado el 8 de Junio de 1945, queda modificado por el presente, como sigue: Todos los ingresos que incrementen las cuentas de SCIPA, como resultado de las operaciones normales de los proyectos, o por medio de la liquidación de proyectos, o debido a otro origen, seguirán a disposición de SCIPA para el fomento de aquellos proyectos de los cuales provienen tales ingresos, o podrán ser asignados a otros proyectos de SCIPA por mutuo acuerdo entre el Ministro de Agricultura, el Jefe de la Misión de Producción Alimenticia y el Director de SCIPA. Se conviene, además, que cualquier saldo de los fondos y bienes de SCIPA, que no hubiese sido gastado, utilizado y afectado a la expiración del presente convenio, será empleado de común acuerdo entre el Ministro de Agricultura y el Jefe de la Misión de Producción Alimenticia del Instituto, teniendo presente las sumas proporcionales aportadas por cada parte contratante.

"6. Los fondos aportados en virtud del presente Memorandum de Convenio habrán de emplearse únicamente para mantener o extender los proyectos de naturaleza tal como los contemplados en el Memorandum de Convenio original, o según modificación posterior por el Artículo 2 del presente Convenio; cuyos proyectos se formularán, por escrito, en la forma de convenios de proyectos, y serán firmados por el Ministro de Agricultura, el Jefe de la Misión de Producción Alimenticia en el Perú, y el Director de SCIPA.

"7. El Artículo 9 del Memorandum de Convenio original, de 19 de Mayo de 1943, queda modificado por el presente, como sigue: Todos los derechos y prerrogativas de que gozan otras dependencias análogas del Gobierno del Perú, así como sus funcionarios y empleados públicos, se harán extensivos a SCIPA, y a todo su personal de empleados en el desempeño de sus funciones de carácter oficial. Los miembros que integran la Misión de Producción Alimenticia del Instituto no estarán obligados a pagar en el Perú ningún impuesto directo, seguro social ni cesantía, en el caso de que estén sujetos al pago de dichos impuestos en los Estados Unidos de América. El Gobierno del Perú permitirá la entrada libre o en su defecto pagará los derechos correspondientes sobre material y equipo necesario para el uso profesional del personal de la Misión. Igualmente, el Gobierno del Perú permitirá la entrada libre o abonará los derechos correspondientes sobre los efectos personales de los miembros de la Misión, de acuerdo con las condiciones limitativas a que están sujetos los miembros del Cuerpo Diplomático acreditado ante el Gobierno del Perú; para los fines de este Convenio, los miembros de la Misión estarán considerados como Primeros Secretarios del Servicio Diplomático en lo que se refiere a franquicias. Los derechos que excedan dichos límites serán abonados por el personal respectivo. Los derechos de Aduana pagados por SCIPA sobre importaciones de equipo, útiles y materiales para ser empleados en el programa de Producción de Alimentos, serán reembolsados a SCIPA por el Ministro de

Hacienda, de acuerdo con los comprobantes y recibos respectivos de la Aduana. De igual manera, los derechos pagados por el Instituto sobre importaciones de equipo, útiles y materiales para ser empleados por la Misión de Producción Alimenticia serán reembolsados al Instituto por el Ministro de Hacienda, de acuerdo con los respectivos comprobantes y recibos de la Aduana.

"8. El Jefe de la Misión de Producción Alimenticia del Instituto en el Perú continuará actuando como Director de SCIPA durante la vigencia del presente convenio. A fin de que el personal peruano pueda estar capacitado para asumir, al término de este acuerdo o antes si fuera el caso, la responsabilidad del personal americano por la dirección administrativa y técnica del programa, se dispondrá en forma definida durante la vigencia del presente convenio, la capacitación específica del personal peruano competente, para cada función administrativa de responsabilidad, dentro de la organización de SCIPA.

"9. Los memorandums de Convenios de 19 de Mayo de 1943, 1° de Junio de 1944 y 8 de Junio de 1945 quedan en plena vigencia y surtirán todos sus efectos para los fines de la renovación del programa cooperativo de Producción de Alimentos hasta el 30 de Junio de 1948, con excepción de las modificaciones contempladas en el presente Convenio o que se opongan a él, y las disposiciones contenidas en dichos convenios se aplicarán durante el plazo de duración de este Convenio. Este Convenio entrará en vigencia en cuanto se produzca un cambio de notas entre los dos Gobiernos.

En fé de lo cual, las partes contratantes extienden este Convenio, en duplicado, por intermedio de sus representantes debidamente autorizados y en los idiomas inglés y castellano, en Lima, Perú, a los cuatro días del mes de Diciembre de 1946.

p. REPUBLICA DEL PERU

LUIS ROSE U.
Ministro de Agricultura

p. INSTITUTO DE ASUNTOS INTER-AMERICANOS

ARTHUR R. HARRIS
Presidente

En respuesta, debo manifestar a Vuestra Excelencia, que por Resolución Suprema N° 1219, expedida por el Ministerio de Agricultura el 30 de Diciembre ppdo., se aprobó el memorandum de Convenio trascrito en esta Nota.

En consecuencia, esta Nota, junto con la de Vuestra Excelencia, perfeccionan el acuerdo precitado entre los Gobiernos del Perú y de los Estados Unidos de Norte América, que vencerá el 30 de Junio de 1948.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia, los sentimientos de mi más alta y distinguida consideración.

E. GARCÍA SAYÁN

Al Excelentísimo señor
PRENTICE COOPER, *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de America.*
Ciudad.–

Translation

MINISTRY OF FOREIGN RELATIONS
AND WORSHIP

Number: (H)-6-Y/1. LIMA, *January 29, 1947.*

MR. AMBASSADOR:

I have the honor to reply to Your Excellency's courteous note No. 278 of December 4 last, in which you are good enough to inform me that on that date the Memorandum of Agreement, the text of which is transcribed hereinafter, was signed at Lima by Colonel Arthur R. Harris and Mr. Luis Rose Ugarte, Minister of Agriculture:

Ante, p. 3326.

[For the English language text of the Memorandum of Agreement, see pp. 3327–3332.]

In reply, I must inform Your Excellency that, by Supreme Resolution No. 1219, issued by the Ministry of Agriculture on December 30 last, the Memorandum of Agreement transcribed in this note was approved.

Accordingly, this note, together with that of Your Excellency, concludes the above-mentioned Agreement between the Governments of Peru and the United States of America, which Agreement will expire on June 30, 1948.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

E. GARCÍA SAYÁN

His Excellency
PRENTICE COOPER,
Ambassador Extraordinary and Plenipotentiary of the United States of America.
City.–

INDEX

A

Page

Agriculture, Vocational, cooperative educational program, Brazil 2305
Aid, Financial. *See also* Relief Assistance.
Greece 2907
Turkey 2953
Air Navigation Program, Philippines 2864
Air Transport Services:
Australia 2464
Austria 3241
Canada 2869
China 2799
Ecuador 2773
Great Britain—
Fiji Island, routes to and from 3089
Gander Airport, Newfoundland 3092
Greece 2937
Iceland 2874
India 2573
Ireland 2872
Lebanon 2987
New Zealand 2453
Peru 2586
Philippines 2479
Portugal 3185
Siam 2789
South Africa, Union of 3057
Turkey 2285
Albania:
German reparations 3157
World Health Organization and establishment of Interim Commission 2349
Allied Forces, armistice with Italy 2740
American-Philippine Financial Commission, creation of 2840
Arabia. *See* Saudi Arabia.
Argentina:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Armed Forces, United States, in Guatemala 3289
Armistice, Italian 2740
Australia:
Air transport services 2464
German reparations 3157

Australia—Continued.
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Austria:
Air transport services 3241
Relief assistance 2970
World Health Organization and establishment of Interim Commission 2349
Zones of occupation; administration of City of Vienna 2679
Aviation Mission, Military:
El Salvador 3002
Peru 2398

B

Belgium:
European Coal Organization, prolongation of 2847
German reparations 3157
Philippines, U. S. trade relations with 2436
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Bermuda, customs privileges at leased bases in, agreement with Great Britain 2637
Bipartite Finance Committee (United States-United Kingdom), authority 2478
Bolivia:
Philippines, U. S. trade relations with 2437
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Brazil:
Naval mission 2338
Rice surpluses, Brazilian, purchase 2943
Rural education, cooperative program of 2301
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

Page

British Guiana, customs privileges at leased bases in, agreement with Great Britain 2637
Bulgaria, World Health Organization and establishment of Interim Commission 2349
Buttons of Pearl or Shell, importation from Philippines, allotments 2615
Byelorussian Soviet Socialist Republic, World Health Organization and establishment of Interim Commission 2349

C

Canada:
Air transport services 2869
Claims, certain, involving government vessels, waiver of 2520
German reparations 3157
Patent rights, RDX and other explosives 2949
Preparatory Commission for the International Refugee Organization 2525
Reciprocal trade agreement, fox furs and skins, termination 3054
Surplus property disposal operations 2738
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Caribbean, customs privileges at leased bases in, agreement with Great Britain 2637
Chile:
Commercial relations 3094
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
China:
Air transport services 2799
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Cigars, importation from Philippines, allotments 2615
Civil Aeronautics Administration, air navigation program in the Philippines 2864
Civil Aeronautics Board:
Rate agreements, approval, provision in air transport agreements with—
Australia 2471
China 2805
India 2576
New Zealand 2460
South Africa, Union of 3063

Page

Claims:
Canada, waiver of certain claims involving government vessels 2520
Czechoslovakia, provision for compensation 2432
Great Britain—
Armed forces, members or civilian employees, acts of 2728, 2876
Intergovernmental 3012
Union of South Africa 2641
Coal Organization, European, prolongation of 2847
Coast and Geodetic Program, Philippines 2852
Coconut Oil, importation from Philippines, allotments 2615
Colombia:
Health and sanitation program 2880
Naval mission 2413
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Commerce, Department of:
Civil Aeronautics Administration, air navigation program in Philippines 2864
Civil Aeronautics Board, approval of rate agreements, provision in air transport agreements with—
Australia 2471
China 2805
India 2576
New Zealand 2460
South Africa, Union of 3063
Coast and Geodetic Survey, survey work and training program in Philippines 2852
Weather Bureau, meteorological program in the Philippines 2858
Commercial Policy:
Czechoslovakia 2431
Netherlands 2424
Commercial Relations, Chile 3094
Copyrights, Time Extension for Fulfilling Conditions and Formalities:
France 2829
New Zealand 2842
Cordage, importation from Philippines, allotments 2615
Costa Rica, World Health Organization and establishment of Interim Commission 2349
Cuba:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

Customs Duties: Page
Great Britain, certain leased naval and air bases 2637
Paraguay, reciprocal trade 2688
Philippines, trade 2612
Poland, foreign service personnel, reciprocal privileges 2297
Czechoslovakia:
Commercial policy 2431
European Coal Organization, prolongation of 2847
German reparations 3157
Reparation of nonrepatriable victims of German action 2649
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

D

Damage Claims Resulting From Acts of Members or Civilian Employees of Armed Forces, Great Britain 2728, 2876
Death, International Lists of Causes of, preparation for revision, arrangement for 2351
Denmark:
European Coal Organization, prolongation of 2847
German reparations 3157
Philippines, U. S. trade relations with 2439
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Displaced Persons. *See* International Refugee Organization, Preparatory Commission for the.
Distance Measuring Equipment for Telecommunications, Standardization of, Great Britain 3131
Dominican Republic:
Philippines, U. S. trade relations with 2441
Preparatory Commission for the International Refugee Organization 2525
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Double Taxation on Shipping Profits, Relief from, Finland 2671

E Page
Ecuador:
Air transport services 2773
Educational program, cooperative 3257
Health and sanitation program 3103
Publications, official, exchange of 3322
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Education, Cooperative Program of:
Brazil 2301
Ecuador 3257
El Salvador 2660
Educational Foundation, Inc., Inter-American. *See* Inter-American Educational Foundation, Inc.
Egypt:
German reparations 3157
Philippines, U. S. trade relations with 2443
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Eire. *See* Ireland.
El Salvador:
Cooperative educational program 2660
Military aviation mission 3002
World Health Organization and establishment of Interim Commission 2349
England. *See* Great Britain.
Ethiopia:
Philippines, U. S. trade relations with 2444
World Health Organization and establishment of Interim Commission 2349
European Coal Organization, prolongation of 2847

F

Fascist Organizations, Etc., in Italy, provision for disbandment 2747
Federal Works Agency, cooperation of Public Roads Administration in Philippine public roads program 2561
Fiji Island, air transport services on routes to and from, Great Britain 3089
Finances, Haiti 2674, 3097
Financial Commission, Philippines 2840
Finland:
Double taxation on shipping profits, relief from 2671
World Health Organization and establishment of Interim Commission 2349

Page

Fish and Wildlife Service, Department of the Interior, cooperation with the Government of the Philippines in fishery program 2834
Fisheries Mission, Mexico 2903
Fishery Program, Philippines 2834
Food Production Program, Peru 3123, 3326
Foreign Aid. *See also* Relief Assistance.
Greece 2907
Turkey 2953
Foreign Service Personnel, Reciprocal Customs Privileges for, Poland 2297
Fortezza, Gold Captured at, transfer to Italian Government 3239
Fox Furs and Skins, termination of reciprocal trade agreement with Canada 3054
France:
Austria, zones of occupation and administration of City of Vienna 2679
Copyright conditions and formalities, time extension for fulfilling 2829
European Coal Organization, protocol for prolongation of 2847
German reparations 3157
Industrial property rights, certain, restoration 3316
Italy, German property in, liquidation 3292
Passport visa fees 2795
Preparatory Commission for the International Refugee Organization 2525
Reparation of nonrepatriable victims of German action 2649, 3171
Sweden, German property in, liquidation 3191
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Friendship and Commerce, Nepal 2566

G

Gander Airport, Newfoundland, air transport services, agreement with Great Britain respecting 3092
German Action, Nonrepatriable Victims of, reparation to 2649, 3171
German Property, Liquidation:
Italy 3292
Sweden 3191
German Reparations 3157
Germany, American and British Zones of Occupation in, economic fusion of 2475
Gold, Monetary, restitution by Germany 3180
Gold Captured at Fortezza, transfer to Italian Government 3239

Page

Great Britain:
Air transport services—
Fiji Island, routes to and from 3089
Gander Airport, Newfoundland 3092
Austria, zones of occupation and administration of City of Vienna 2679
Claims—
Armed forces, members or civilian employees, acts of 2728, 2876
Intergovernmental 3012
Customs privileges at certain leased naval and air bases 2637
Distance measuring equipment for telecommunications, standardization 3131
European Coal Organization, prolongation of 2847
German reparations 3157
Germany, economic fusion of American and British zones of occupation 2475
Gold captured at Fortezza, transfer to Italian Government 3239
Italian fleet and mercantile marine, disposition 2766
Italian military armistice 2740
Italy, German property in, liquidation 3292
Marine transportation and litigation 3014
Reparation of nonrepatriable victims of German action 2649
Rice surpluses, Brazilian, purchase 2943
Surrender instrument, Italy 2742
Protocol 2761
Sweden, German property in, liquidation 3191
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Greece:
Aid to 2907
Air transport services 2937
European Coal Organization, prolongation of 2847
German reparations 3157
Relief assistance 3017
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Guatemala:
Preparatory Commission for the International Refugee Organization 2525
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
United States armed forces in 3289
World Health Organization and establishment of Interim Commission 2349

H

Page

Haiti:
Finances 2674, 3097
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Health and Sanitation Program:
Colombia 2880
Ecuador 3103
Honduras 2319, 3114
Peru 2484, 2961
Venezuela 3271
Honduras:
Health and sanitation program 2319, 3114
Preparatory Commission for the International Refugee Organization 2525
World Health Organization and establishment of Interim Commission 2349

I

Iceland:
Air transport services 2874
Termination of defense agreement of July 1, 1941, and provision for interim use of Keflavik airport 2426
Immigration, provisions in agreement with the Philippines 2618
India:
Air transport services 2573
German reparations 3157
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Industrial Property Rights, Certain, Restoration, France 3316
Institute of Inter-American Affairs:
Food production program, Peru 3123, 3326
Health and sanitation program—
Colombia 2880
Ecuador 3104
Honduras 2319, 3114
Peru 2484, 2961
Venezuela 3271
Inter-Allied Reparation Agency, establishment, functions, etc 3174
Inter-American Affairs, Institute of. *See* Institute of Inter-American Affairs.
Interamerican Cooperative Service of Public Health, provision for 2334
Inter-American Educational Foundation, Inc.:
Cooperative educational program—
Brazil 2305
Ecuador 3261
El Salvador 2660
Inter-Governmental Committee on Refugees, funds placed at disposal of; use 2650, 3207
Interim Commission of the World Health Organization 2349
Interior, Department of the, Fish and Wildlife Service, cooperation with the Government of the Philippines in fishery program 2834
Internal Revenue Code, section 2470, action under agreement with the Philippines 2617
International Civil Aviation Organization, Provisional:
Agreements, registry with 2287, 2457, 2468, 2481, 2580, 2588, 2776, 2791, 2802, 2939, 2989, 3061, 3093, 3243
Interim Council, settlement of disputes, advisory report 2457, 2468, 2580, 2588, 2776, 2791, 2802, 2939, 2990
Rates, failure of agreement on, reference for advisory report, provision in air transport agreements with—
Australia 2473, 2474
China 2806
India 2578
New Zealand 2462, 2463
International Labour Organization, Director of the, consultative relation to Preparatory Commission for the International Refugee Organization 2526
International Refugee Organization, Preparatory Commission for the 2525
Iran:
Military mission 3306
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Iraq:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Ireland:
Air transport services 2872
World Health Organization and establishment of Interim Commission 2349
Italy:
Armistice 2740
German property in, liquidation 3292
Gold captured at Fortezza, transfer to Italian Government 3239
Italian fleet and mercantile marine, disposition 2766
Relief program 3135

Italy—Continued. Page
Surrender instrument 2742
Protocol 2761
World Health Organization and establishment of Interim Commission 2349

J

Japanese Mandated Islands, Former, trusteeship agreement approved by Security Council of United Nations 3301
Jewish Victims of Nazi Action, allocation of funds for rehabilitation and resettlement 2650
Joint Export-Import Agency (United States-United Kingdom), functions, etc., under agreement respecting fusion of American and British zones of occupation in Germany 2475
Jugoslavia. *See* Yugoslavia.

K

Keflavik, Iceland, Airport, provision for interim use 2426

L

Labour Organization, International, Director of the, consultative relation to Preparatory Commission for the International Refugee Organization 2526
League of Nations Health Organization, transfer of certain duties and functions to Interim Commission of World Health Organization, arrangement for 2350
Lebanon:
Air transport services 2987
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Lend-Lease:
Claims, intergovernmental, settlement of 3012
Union of South Africa, settlement for 2641
Liberia:
Preparatory Commission for the International Refugee Organization 2525
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Luxembourg:
European Coal Organization, prolongation of 2847

Luxembourg—Continued. Page
German reparations 3157
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

M

Marine Transportation and Litigation, Great Britain 3014
Mesopotamia. *See* Iraq.
Meteorological Program, Philippines 2858
Mexico:
Fisheries mission 2903
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Military Assistance, Philippines 3283
Military Aviation Mission:
El Salvador 3002
Peru 2398
Military Mission, Iran 3306
Monetary Gold, restitution by Germany 3180
Morbidity, International Lists of Causes of, establishment, arrangement for preparatory work 2351
Multilateral Agreements, Etc.:
Austria, zones of occupation and administration of City of Vienna 2679
European Coal Organization 2847
German action, reparation to nonrepatriable victims of 2649
German reparations 3157
Italy—
Armistice, military 2740
Fleet and mercantile marine, disposition 2766
German property in, liquidation 3292
Gold captured at Fortezza, transfer to Italian Government 3239
Surrender instrument 2742
Protocol 2761
Preparatory Commission for the International Refugee Organization 2525
Sweden, liquidation of German property in 3191
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Mussolini, Benito, provision for apprehension and surrender 2747, 2761
Mutual Aid Settlement, Union of South Africa 2640

N

Page

Naval Mission:
Brazil 2338
Colombia 2413
Nepal, friendship and commerce 2566
Netherlands:
Commercial policy 2424
European Coal Organization, prolongation of 2847
German reparations 3157
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
New Zealand:
Air transport services 2453
Copyright conditions and formalities, time extension for fulfilling 2842
German reparations 3157
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Newfoundland, Gander Airport, air transport services, agreement with Great Britain 3092
Nicaragua:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Norway:
European Coal Organization, prolongation of 2847
German reparations 3157
Passport visa fees 3101
Philippines, U. S. trade relations with 2446
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

O

Occupation Zones in Germany, American and British, economic fusion of, agreement with Great Britain 2475
Office International d'Hygiène publique, transfer of duties, functions, etc., arrangement for 2350

P

Pacific Islands, Trusteeship Agreement for 3301

Page

Panama:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Paraguay:
Reciprocal trade 2688
World Health Organization and establishment of Interim Commission 2349
Paris Agreement on Reparations, funds made available by Sweden for allocation among parties to 3207
Passport Visa Fees:
France 2795
Norway 3101
Patent Rights, RDX and Other Explosives, Canada 2949
Patents, Etc., Extension of Time for Taking Action, France 3316
Persia. *See* Iran.
Peru:
Air transport services 2586
Food production program 3123
Extension 3326
Health and sanitation program 2484, 2961
Military aviation mission 2398
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Philippine Rehabilitation Act of 1946, Agreements Under:
Air navigation program 2864
Coast and geodetic program 2852
Fishery program 2834
Meteorological program 2858
Public roads program 2561
Philippine Rehabilitation Act of 1946, Title I, assistance by Philippines in carrying out 2620
Philippine Trade Act of 1946, agreement made pursuant to 2611
Philippine War Damage Commission, offenses relative to Title I of Philippine Rehabilitation Act of 1946, consideration as offenses under laws of Philippines 2620
Philippines:
Air navigation program 2864
Air transport services 2479
Coast and geodetic program 2852
Financial Commission 2840
Fishery program 2834
Meteorological program 2858
Military assistance 3283
Preparatory Commission for the International Refugee Organization 2525

Philippines—Continued. Page
Public roads program 2561
Trade 2611
Protocol 2622
Trade relations with, understandings respecting 2436
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Poland:
European Coal Organization, prolongation of 2847
Foreign service personnel, reciprocal customs privileges 2297
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Portugal:
Air transport services 3185
Philippines, U. S. trade relations with 2447
World Health Organization and establishment of Interim Commission 2349
Preparatory Commission for the International Refugee Organization 2525
Prisoners of War, Etc., provision in Italian terms of surrender 2748
Public Roads Program, Philippines 2561
Publications, Official, Exchange of:
Ecuador 3322
Siam 3154

R

Radio Frequency Bands Used for Distance Measuring Equipment, Great Britain 3131
RDX and Other Explosives, Patent Rights, Canada 2949
Reciprocal Aid:
Claims, intergovernmental, settlement of 3012
Union of South Africa, settlement for 2641
Reciprocal Trade Agreements:
Canada, fox furs and skins, termination 3054
Paraguay 2688
Refugee Organization, International, Preparatory Commission for the 2525
Refugees, Inter-Governmental Committee on:
Director of, consultative relation to Preparatory Commission for the International Refugee Organization 2526
Funds made available; use 2650, 3207
Relief Assistance: Page
Austria 2970
Greece 3017
Italy 3135
Reparation to Nonrepatriable Victims of German Action 2649
Reparations, Paris Agreement on, funds made available by Sweden for allocation among parties to 3207
Reparations From Germany 3157
Rice:
Brazilian surpluses, purchase of 2943
Philippines, importation from, allotments 2615
Roads, public roads program in Philippines 2561
Rural Education, Cooperative Program of, Brazil 2301
Russia. *See* Soviet Socialist Republics, Union of.

S

Salvador. *See* El Salvador.
Sanitation. *See* Health and Sanitation Program.
Saudi Arabia:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Shipping Profits, Relief From Double Taxation on, Finland 2671
Siam:
Air transport services 2789
Publications, official, exchange of 3154
World Health Organization and establishment of Interim Commission 2349
South Africa, Union of:
Air transport services 3057
German reparations 3157
Mutual aid settlement 2640
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Soviet Socialist Republics, Union of:
Austria, zones of occupation and administration of City of Vienna 2679
World Health Organization and establishment of Interim Commission 2349
Spain, U. S. trade relations with the Philippines 2449
Sugar, importation from Philippines, allotments 2614, 2615

Page

Surplus Property Disposal Operations, Canada 2738
Surplus War Property, Settlement for, Union of South Africa 2641
Surrender Instrument, Italy 2742
Protocol 2761
Sweden, liquidation of German property in 3191
Switzerland, World Health Organization and establishment of Interim Commission 2349
Syria:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

T

Telecommunications, Standardization of Distance Measuring Equipment, Great Britain 3131
Thailand. *See* Siam.
Tobacco, Scrap and Filler, importation from Philippines, allotments 2615
Trade Agreement With the Philippines 2611
Protocol 2622
Trade Agreements, Reciprocal:
Canada, fox furs and skins, termination 3054
Paraguay 2688
Trade Relations With Philippines, understandings respecting 2436
Transjordan, World Health Organization and establishment of Interim Commission 2349
Trusteeship Agreement for Pacific Islands 3301
Turkey:
Aid to 2953
Air transport services 2285
European Coal Organization, prolongation of 2847
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

U

Ukrainian Soviet Socialist Republic, World Health Organization and establishment of Interim Commission 2349
UNESCO. *See* United Nations Educational, Scientific and Cultural Organization.

Page

Union of South Africa. *See* South Africa, Union of.
Union of Soviet Socialist Republics. *See* Soviet Socialist Republics, Union of.
United Kingdom. *See* Great Britain.
United Nations:
Greece, aid to, registry of agreement 2930
Interim Commission of World Health Organization, transfer of certain functions, arrangement for 2350
Italian fleet and mercantile marine, disposition, memorandum of agreement 2766
Italian military armistice 2740
New Zealand, air transport agreement with, registry 2457
Surrender instrument, Italy 2742
Protocol 2761
Turkey, aid to, registry of agreement 2955
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
United Nations Relief and Rehabilitation Administration:
Director-General, consultative relation to Preparatory Commission for the International Refugee Organization 2526
Interim Commission of the World Health Organization, transfer of certain duties and functions to, arrangement for 2350
United Nations Security Council, approval of trusteeship agreement for Pacific Islands 3301
United States Armed Forces in Guatemala 3289
Uruguay:
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

V

Venezuela:
Health and sanitation program 3271
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349
Vessels, Government, Waiver of Certain Claims Involving, Canada 2520
Vienna, City of, administration of 2679

Visa Fees, Passport: Page
France 2795
Norway 3101

W

War Criminals, Apprehension, Etc., provision in Italian instrument of surrender 2747
Weather Bureau, Department of Commerce, meteorological program in the Philippines 2858
World Health Organization and Establishment of Interim Commission 2349

Y

Yugoslavia: Page
German reparations 3157
Philippines, U. S. trade relations with 2451
Reparation to nonrepatriable victims of German action 2649
United Nations Educational, Scientific and Cultural Organization, Constitution of 2495
World Health Organization and establishment of Interim Commission 2349

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

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AGREEMENTS OTHER THAN TREATIES,
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IN SIX PARTS

PART 4

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CONTENTS

	Page
LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES[1]	V
INTERNATIONAL AGREEMENTS OTHER THAN TREATIES	3349
INDEX	CXCV

[1] [International agreements other than treaties are contained also in Parts 3, 5, and 6 of this Volume.]

LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

CONTAINED IN PART 4 OF THIS VOLUME[1]

Page

Canada. Mobile radio transmitting stations 3349
Belgium. Interment, etc., of American nationals killed in World War II 3352
Peru. Cooperative health and sanitation program in Peru 3361
China. Relief assistance 3374
Czechoslovakia. Settlement of certain war accounts and claims 3410
United Nations. Headquarters of United Nations 3416
United Nations. Interim agreement on headquarters of United Nations 3439
France. Air transport services 3445
Multilateral. Postal Union of the Americas and Spain 3479
Multilateral. Parcel post service within the Postal Union of the Americas and Spain 3524
Multilateral. Exchange of money orders 3540
Multilateral. Restitution to Austria of monetary gold looted by Germany 3571
Mexico. Mexican non-agricultural workers; termination of agreement of April 29, 1943, and refund of deductions from salaries under Railroad Retirement Act 3575
China. United States Educational Foundation in China 3582
Sweden. Exchange of official publications 3605
United Kingdom of Great Britain and Northern Ireland. Economic fusion of American and British zones of occupation in Germany 3608
China. Transfer of United States naval vessels and equipment to the Chinese Government 3618
Haiti. Cooperative health and sanitation program in Haiti 3651
Italy. Rights and privileges of United States forces in Italy, and the transfer of responsibility from the Allied Military Government to the Italian Government 3661
Canada. Canol Project, evaluation of facilities 3677
Canada. Canol Project, waiver by Canada of certain rights relating to crude oil facilities 3679
Canada. Canol Project, disposal of crude oil facilities 3681
Italy. Extradition 3687
Belgium (Belgo-Luxemburg Economic Union). Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3689
Canada. Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3695
Cuba. Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3699
France. Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3715
Netherlands. Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3721
United Kingdom of Great Britain and Northern Ireland. Supplement to General Agreement on Tariffs and Trade of October 30, 1947 3725
Multilateral. Restitution to Italy of monetary gold looted by Germany 3729
Greece. Transfer of United States naval vessels and equipment to the Greek Government 3734
Mexico. Temporary migration of Mexican agricultural workers 3738
Sweden. Quantitative import restrictions 3745
Italy. Disposition and care of remains of United States military and civilian personnel 3750
China. United States armed forces in China 3755
United Kingdom of Great Britain and Northern Ireland. Military aid to Greece 3763
France. Interment, etc., of American soldiers killed in World War II 3767
France. Passport visa fees 3776
Multilateral. Continuance of coordinated control of shipping 3784
Multilateral. Shipping arrangements and recommendations of United Maritime Executive Board 3791
Multilateral. Provisional maritime consultative council 3796
Canada. Allocation of FM channels in radio broadcasting 3800
Egypt. Air transport services 3825
Netherlands. Waiving of non-immigrant passport visa fees 3834
Netherlands. Passport visas 3838
France. Allocation of proceeds from liquidation of German property in Sweden 3840
Australia. Air service facilities at Eagle Farm and Amberley 3843
Multilateral. Establishment of Four Power Naval Commission, disposal of excess units of Italian fleet, and return by Soviet Union of United States and British warships on loan 3846

[1] International agreements other than treaties are contained also in Parts 3, 5, and 6 of this Volume.

Page

Denmark. Air service facilities at Kastrup airport 3851
Siam. Air service facilities at Don Muang airport and Bangkapi 3855
Switzerland. SCS–51 equipment at Cointrin airport 3859
Norway. Air service facilities at Gardermoen airfield 3861
Bolivia. Civil aviation mission to Bolivia 3863
Peru. Cooperative educational program in Peru 3871
Sweden. Air service facilities 3893
China. Mutual aid 3895
Hungary. Interment of remains of American military and civilian personnel 3898
Ecuador. Cooperative educational program in Ecuador 3902
Netherlands, Netherlands Indies, and United Kingdom of Great Britain and Northern Ireland. Mutual aid settlement 3924
Canada. Reconversion of industry 3958
Italy. Financial and economic relations 3962
Chile. Military aviation mission to Chile 4006
United Kingdom of Great Britain and Northern Ireland. Transfer and maintenance of radio range and SCS–51 equipment 4008
Ecuador. Civil aviation mission to Ecuador 4013
Philippines. Military bases in the Philippines 4019
Netherlands. Interment of American military, etc., personnel killed in World War II 4037
Rumania. Disposition of remains of American military and civilian personnel 4042
Sweden. Passport visa fees 4050
Mexico. Weather stations in Mexico 4053
Mexico. Weather stations on Guadalupe Island 4060
United Kingdom of Great Britain and Northern Ireland. Delimitation of area adjacent to United States naval base at Argentia 4065
Canada. Naval forces on the American lakes 4069
Cuba. Weather stations in Cuba 4084
France. Air service facilities in French territory 4088
France. Air service facilities in French territory 4095
Mexico. Mexican agricultural workers 4097
Mexico. Mexican agricultural workers 4106
Haiti. Haitian finances 4111
France. Recruitment of voluntary labor for France in the United States Zone of Germany 4113
Belgium. Passport visa fees 4117
Brazil. Air transport services 4121
Philippines. Postal convention 4161
Austria. Settlement of certain war accounts and claims 4168
Austria. Occupation costs of United States forces in Austria 4171
France. Mutual aid settlement 4175
Lebanon. Exchange of postal money orders 4251
Mexico. Weather stations in Mexico 4276

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

FIRST SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, JR., Speaker of the House of Representatives.

Interim arrangement between the United States of America and Canada respecting mobile radio transmitting stations. Effected by exchange of notes signed at Washington June 25 and August 20, 1947; entered into force August 20, 1947.

June 25 and August 20, 1947
[T. I. A. S. 1670]

The Secretary of State to the Canadian Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON, D.C.
June 25, 1947

SIR:

I refer to recent informal discussions between representatives of the Government of Canada and the United States concerning the entrance into Canada of United States vehicles equipped with land mobile radio transmitting equipment.

The present laws of the United States prohibit operation of unlicensed radio transmitting equipment, and station licenses cannot be issued to aliens. It is the Department's understanding that the laws of Canada contain similar provisions.

Proposals have been made for certain modifications of United States laws which, if adopted, would permit on a reciprocal basis alien operation of certain foreign licensed mobile equipment while it is within the territory of the United States. However, this problem is still under consideration, and it is believed that an interim arrangement would be desirable, in order to permit the carriage across the border of radio transmitting equipment installed aboard vehicles.

It would, therefore, be appreciated if you could inform this Department whether the Canadian Government would be disposed to consider a reciprocal interim arrangement under which mobile radio

transmitting stations licensed by the United States or Canadian Governments could be carried from the territory in which it is licensed into the territory of the other country, without being removed from the vehicles in which such equipment is installed, on condition that this equipment be sealed in such a manner as to prevent its operation while it is in the territory of the latter country.

I am enclosing samples of the seals [1] which United States Customs officials would use in sealing Canadian equipment entering the United States. Conversely, if the arrangement is satisfactory to your Government, it is suggested that similar samples of seals, to be used by Canadian Customs officials for the same purpose, be transmitted to this Government, together with a statement of conditions concerning their use. This exchange of seals would be useful as a basis in arranging notification of the licensees of the equipments that they may expect to have their equipment sealed and that it should be so adapted as to permit sealing.

I suggest that, if an agreement in the sense of the foregoing paragraphs is acceptable to the Government of Canada, this note and your reply thereto in similar terms be regarded as constituting the terms of an understanding on the subject between the two Governments.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State:

GARRISON NORTON

Enclosure:

Samples of Seals. [1]

Mr. THOMAS A. STONE,

Chargé d'Affaires ad interim of Canada.

The Canadian Chargé d'Affaires ad interim to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

No. 317

AUGUST 20, 1947.

SIR:

I have the honour to refer to your note of June 25, 1947, in which you proposed a reciprocal interim arrangement between the Government of Canada and the Government of the United States of America, under which mobile radio transmitting stations licensed by the United States or Canadian Governments could be carried from the territory in which they are licensed into the territory of the other country, without being removed from the vehicles in which such equipment is installed, on condition that this equipment be sealed in such a manner as to prevent its operation while it is in the territory of the latter country.

I have received samples of the seals which United States Customs officials will use in sealing Canadian equipment entering the United States. I enclose samples of seals [1] which will be used by Canadian

[1] [The seals are not reproduced.]

Customs officials for the same purpose with respect to United States equipment entering Canada.

I am instructed to state that the terms of this arrangement are acceptable to my Government, and that your note and this reply thereto shall constitute the terms of an understanding on the subject between the two Governments.

Accept, Sir, the renewed assurances of my highest consideration.

THOMAS A. STONE
Chargé d'Affaires

The Honourable ROBERT A. LOVETT,
Acting Secretary of State,
Washington, D.C.

June 6 and July 23, 1947
[T. I. A. S. 1672]

Agreement between the United States of America and Belgium respecting American dead in World War II. Effected by exchange of notes signed at Brussels June 6 and July 23, 1947; entered into force July 23, 1947.

The American Chargé d'Affaires ad interim to the Belgian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Brussels, June 6, 1947.

No. 927

EXCELLENCY:

Interment, etc., of American nationals killed in World War II.

I have the honor to inquire whether Your Excellency's Government would be willing to accord to the United States Government the concessions set forth below. These concessions are desired in order to facilitate the interment in Belgium, or the removal to their own country, of the bodies of American nationals killed in the World War of 1939–1945, or whose death in the European theater of operations can be directly attributed to that war, or who died in this theater of operations while employed or otherwise engaged in activities contributing to the prosecution of that war, and to permit the establishment, construction, improvement and proper maintenance of permanent cemeteries for the final burial of, and memorials in commemoration of, American nationals who lost their lives in the above-mentioned war.

I

Temporary cemeteries within Belgium.

The Belgian Government grants to the United States of America the right to establish and maintain temporary cemeteries within Belgium subject to such control as is necessary, for the burial of persons who so lost their lives, and to make exhumations therefrom or from other locations for return to the United States or for concentration in permanent cemeteries within Belgium including movement of bodies from other countries into Belgium. In view of the limited area of Belgium and the large number of military cemeteries therein already established, the Government of the United States will limit as much as possible the number of bodies of American Nationals to be moved into Belgium from other countries. No mass movement of bodies from other countries to cemeteries within Belgium for permanent interment will be undertaken by the Government of the United States.

Restriction.

II

Exemption from Belgian laws relating to hygiene, permits, etc.

The Government of the United States shall be exempted from generally applicable laws and regulations of the Belgian Government relating to hygiene and the securing of permits in connection with

the burial, disinterment for reburial and movement of bodies. However the Government of the United States engages to conduct such work in a manner which will in no way constitute a danger to public health and to make such sanitary arrangements as are necessary for the purpose. Exhumations, burials and movements of bodies shall be exempted from all Belgian taxes, excepting stamp taxes.

III

U. S. importation of necessary equipment, etc.

The Government of the United States may import into Belgium from any country, and re-export therefrom after use thereof, free of customs duties and other taxes, excepting stamp taxes, the equipment, supplies and materials, including means of transportation by air, land or water, as are necessary for the accomplishment of any of the purposes of this agreement. None of such equipment, supplies and/or materials will be sold in Belgium, or be left in Belgium after completion of the mission in which it is used, excepting with the express permission of the Belgian Government.

Free entry and departure of U. S. personnel.

American personnel designated by the Government of the United States shall be permitted free entry into, and departure from, Belgium.

IV

Use by U. S. of railroads, services, etc.

The Government of the United States shall be permitted the use of railroads, highways, navigable waters, ports, port installations and buildings for office, warehouse and billet purposes, together with the necessary services and Belgian labor, to the extent required for the accomplishment of the purposes of this agreement, subject only to payment of the established rates of compensation therefor.

V

Acquisition of sites.

The Belgian Government will acquire such sites for permanent cemeteries (Fields of Honor) and/or memorials, as are deemed necessary by the Government of the United States, with usage thereof in perpetuity reserved to the Government of the United States, free of charge or compensation. Such sites shall be at locations mutually agreed upon and include sufficient ground in addition to burial space, for proper beautification, required approach roads and the construction of such buildings as are essential to the reception of visitors, housing of caretakers and maintenance purposes. Land so acquired, and the buildings and improvements thereon, shall be exempt from taxes excepting the registration tax. The right to the usage of such lands includes the right to plan, design, layout and improve permanent cemeteries, memorials, monuments and other buildings thereon, and to beautify the grounds and provide for the perpetual custody and maintenance of such cemeteries and memorials, upon receiving prior approval of competent Belgian authorities. No construction, including the establishment of simple inclosures, may be undertaken within 10 meters of foreign territory, or within 5 meters of any road, the center of which constitutes an international boundary line.

Right to usage.

VI

Exemption of salaries, etc., from taxation.

Salaries and other remuneration paid by the United States to personnel who are citizens of the United States while engaged in the operations contemplated by this agreement, shall be exempted from any and all forms of taxation, direct or indirect, excepting however that such citizens, if domiciled in, or having their permanent residence in Belgium, shall be liable for payment of the professional tax and the national emergency tax on their earnings and also the complimentary personal tax. It is understood that if a treaty for the avoidance of double taxation, now under negotiation between the Belgian and United States Governments, is adopted and supplemented by law, American personnel in charge of permanent cemeteries will be exempted from tax on their earnings. Pending adoption of such treaty, temporary postponement of taxation on such earnings may be arranged if expressly requested by competent United States authorities, with indication of names and addresses of the persons concerned.

VII

Applicability where next of kin reside in Belgium.

The provisions of this agreement shall apply with equal force and effect to the shipment of remains from other foreign countries into Belgium and the disposition thereof, where the next of kin reside in Belgium or one of its possessions or territories and request final interment of remains in a permanent United States Military Cemetery in Belgium.

VIII

The Belgian Government will undertake to initiate legislation in the Belgian Parliament for the exemption from stamp taxes and other taxes not expressly waived in this agreement, referred to in paragraphs II, III and V above.

IX

Time limit; exception.

The rights, privileges and prerogatives reserved to the United States herein shall be exercised prior to 1 January 1955, except as relates to use of lands acquired for permanent cemeteries and/or memorials, including improvements thereto and buildings constructed thereon, which shall run in perpetuity.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

THEODORE C. ACHILLES
Charge d'Affaires, a.i.

His Excellency
Monsieur PAUL HENRI SPAAK,
Minister for Foreign Affairs,
Brussels.

The Belgian Minister for Foreign Affairs to the American Ambassador

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
ET DU
COMMERCE EXTERIEUR

DIRECTION GENERALE C.
2e Bureau.
N° 55.828/Pr/Cim.Mil.Am.

BRUXELLES, *le 23 Juil 1947*

MONSIEUR L'AMBASSADEUR,

Me référant à la lettre de l'Ambassade, en date du 6 juin 1947, n° 927, j'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement belge marque bien volontiers son accord au Gouvernement des Etats-Unis au sujet des privilèges énumérés ci-après, tendant à permettre d'inhumer en territoire belge ou de rapatrier les restes de citoyens américains tués pendant la guerre mondiale de 1939 à 1945, ou dont le décès sur le théâtre européen des opérations peut être imputé directement à cette guerre, ou qui sont morts sur ledit théâtre d'opérations tandis qu'ils étaient employés ou participaient autrement à des activités destinées à la poursuite de la guerre, et d'établir, de construire, d'aménager et d'entretenir convenablement des cimetières permanents pour l'inhumation définitive des citoyens américains qui ont perdu la vie dans ladite guerre, ainsi que des monuments destinés à leur commémoration.

I. Le Gouvernement belge accorde aux Etats-Unis d'Amérique le droit d'établir et d'entretenir des cimetières temporaires en Belgique, sous réserve du contrôle nécessaire, pour y enterrer les citoyens américains, qui sont morts comme il est dit ci-dessus, ainsi que le droit d'exhumer des corps de ces cimetières temporaires et d'autres endroits pour les reconduire aux Etats-Unis ou pour les réunir dans des cimetières permanents en Belgique, y compris le droit de transporter des corps d'autres pays en Belgique. Vu l'exiguïté du territoire belge et le grand nombre de cimetières militaires qui s'y trouvent déjà, le Gouvernement des Etats-Unis limitera autant que possible le nombre des corps de citoyens américains qui seront transportés d'autres pays en Belgique. Le Gouvernement des Etats-Unis n'entreprendra pas de transport massif de corps d'autres pays vers des cimetières en Belgique en vue de leur inhumation définitive.

II. Le Gouvernement des Etats-Unis ne sera pas soumis aux lois et réglementations généralement applicables du Gouvernement Belge, relatives à l'hygiène et à l'obtention des permis nécessaires pour inhumer, exhumer, réinhumer et transporter les corps. Cependant le Gouvernement des Etats-Unis s'engage à exécuter ces travaux de telle sorte qu'ils ne constituent pas un danger pour l'hygiène publique et à prendre les mesures sanitaires nécessaires à cette fin. Les exhumations, les inhumations et le transport des corps seront exempts de toutes taxes belges.

III. Le Gouvernement des Etats-Unis pourra importer en Belgique, de n'importe quel pays, et en réexporter après usage, en exemption des droits de douane et autres taxes, l'équipement, les fournitures et le matériel, y compris les moyens de transport par air, par terre ou par eau, qui seront nécessaires pour l'exécution des fins du présent accord.

Aucune partie de ces équipements, fournitures et/ou matériel ne sera vendue en Belgique, ni laissée en Belgique après l'achèvement de la mission à laquelle ils sont utilisés, sauf avec l'autorisation expresse du Gouvernement Belge.

Le personnel américain, désigné par le Gouvernement des Etats-Unis, pourra entrer librement en territoire belge et en ressortir librement.

IV. Le Gouvernement des Etats-Unis pourra user des chemins de fer, des routes, des voies navigables, des ports, des installations portuaires, des locaux à usage de bureau, d'entrepôt et de logement, et avoir recours aux services et à la main-d'oeuvre belges nécessaires, dans la mesure exigée par l'exécution des fins du présent accord, à la condition unique d'en payer la rétribution aux taux établis.

V. Le Gouvernement belge acquerra pour y établir les cimetières permanents (Champs d'Honneur) et (ou) les monuments, les terrains que le Gouvernement des Etats-Unis jugera nécessaires, et dont ledit Gouvernement des Etats-Unis aura perpétuellement l'usage, sans qu'il soit astreint à des charges ou indemnités. L'emplacement de ces terrains sera choisi d'un commun accord et les terrains seront d'une superficie suffisante pour comprendre, outre les tombes, les embellissements et les routes d'accès nécessaires ainsi que la contruction de locaux indispensables à la réception des visiteurs, au logement des jardiniers et à la resserre du matériel d'entretien. Le terrain acquis dans ces conditions et les constructions et aménagements qui y seront faits seront exempts de taxes.

Le droit d'utiliser les terrains en question comprend aussi celui de projeter, dessiner, tracer, aménager les cimetières permanents, les monuments et autres constructions qui y seront édifiés, ainsi que d'embellir les terrains et prendre les dispositions nécessaires en vue de la garde et de l'entretien perpétuels des cimetières et monuments, après accord des autorités belges compétentes. Aucune construction y compris la création de simples enceintes, ne pourra être entreprise à moins de 10 mètres d'un territoire étranger, ou à moins de 5 mètres d'une route dont l'axe forme frontière.

VI. Les salaires et autres rémunérations payés par les Etats-Unis au personnel de nationalité américaine occupé aux travaux visés par le présent accord seront exempts de toute

espèce de taxe directe ou indirecte; étant entendu cependant que les membres de ce personnel qui sont domiciliés en Belgique ou bien qui ont leur résidence permanente dans ce pays seront redevables de la taxe professionnelle et de la taxe nationale de crise, sur leurs salaires, ainsi que de l'impôt complémentaire personnel. Il est entendu que, si l'accord pour éviter la double imposition qui est actuellement négocié entre le Gouvernement belge et le Gouvernement des Etats-Unis est adopté et ratifié, le personnel américain s'occupant des cimetières sera exempté de la taxe sur les salaires. En attendant l'adoption de cet accord, on pourra convenir d'ajourner provisoirement la perception de la taxe sur les salaires, si les autorités américaines compétentes en font la demande expresse en indiquant les noms et adresse des personnes dont il s'agit.

VII. Les dispositions du présent accord s'appliquent, avec mêmes force et effet, au transport par mer de dépouilles mortelles en provenance de pays étrangers et à destination de la Belgique, ainsi qu'à l'inhumation, si les plus proches parents résident en Belgique, ou dans l'un de ses territoires ou possessions et demandent qu'elles soient inhumées définitivement dans un cimetière permanent des Etats-Unis en Belgique.

VIII. Le Gouvernement belge s'engage à soumettre, le cas échéant, au Parlement belge les projets de loi qui s'avéreront nécessaires en vue de l'exonération des divers droits et taxes qui n'auraient pas fait l'objet d'une exemption formelle dans le présent accord.

IX. Les droits, privilèges et prérogatives réservés aux Etats-Unis en vertu du présent accord seront exercés avant le 1er janvier 1955, excepté s'il s'agit de l'utilisation de terrains acquis pour en faire des cimetières permanents et (ou) pour y édifier des monuments, y compris les aménagements qui s'y rapportent et les constructions qui y seront élevées, auxquels cas lesdits droits, privilèges et prérogatives seront perpétuels.

Je saisis cette occasion, Monsieur l'Ambassadeur, de renouveler à Votre Excellence l'assurance de ma très haute considération.

Pour le Ministre des Affaires Etrangères:
Le Secrétaire Général a.i.,
DE ROMRÉE

Son Excellence
l'Amiral ALAN GOODRICH KIRK,
Ambassadeur des Etats-Unis d'Amérique,
à *Bruxelles.*

Translation

MINISTRY OF
FOREIGN AFFAIRS
AND
FOREIGN COMMERCE

GENERAL ADMINISTRATION C.
2d Bureau.
No. 55.828/Pr/Cim. Mil. Am.

BRUSSELS, *July 23, 1947*

MR. AMBASSADOR:

Ante, p. 3352.

Referring to the Embassy's note No. 927 dated June 6, 1947, I have the honor to inform Your Excellency that the Belgian Government is happy to signify to the Government of the United States its agreement concerning the privileges enumerated below, which are intended to permit the burial in Belgian territory, or the repatriation, of the remains of American citizens who were killed during the World War of 1939 to 1945, or whose death in the European theater of operations may be ascribed directly to that war, or who died in the said theater of operations while they were employed or were otherwise taking part in activities for carrying on the war, and the establishment, construction, laying out, and proper maintenance of permanent cemeteries for the final burial of American citizens who lost their lives in the said war, as well as of monuments intended to commemorate them.

I. The Belgian Government grants to the United States of America the right to establish and maintain temporary cemeteries in Belgium, subject to the necessary supervision, to bury therein American citizens who died as stated above, as well as the right to exhume bodies from such temporary cemeteries and from other places in order to take them back to the United States or to bring them together in permanent cemeteries in Belgium, including the right to transport bodies from other countries to Belgium. In view of the exiguity of the Belgian territory and the great number of military cemeteries which are already there, the Government of the United States will limit as far as possible the number of bodies of American citizens which are transported from other countries to Belgium. The Government of the United States will not undertake the mass transportation of bodies from other countries to cemeteries in Belgium with a view to their final burial.

II. The Government of the United States will not be subject to the laws and regulations of the Belgian Government which are generally applicable relative to hygiene and the obtaining of the necessary permits for burying, exhuming, reburying and transporting the bodies. However, the Government of the United States will promise to carry out that work so that it will not constitute a danger to public health and to take the sanitary measures necessary for that purpose. The exhumations, burials and transportation of the bodies shall be exempt from all Belgian taxes.

III. The Government of the United States may import into Belgium, from any country whatsoever, and re-export therefrom after using them, with exemption from customs duties and other charges, the equipment, supplies and materials, including such means of transportation by air, land or water, as may be necessary for fulfilling the purposes of the present Agreement.

No part of such equipment, supplies and/or materials shall be sold in Belgium or left in Belgium after the completion of the mission for which they have been used, except by the express authorization of the Belgian Government.

The American personnel appointed by the Government of the United States may enter Belgian territory freely and depart freely therefrom.

IV. The Government of the United States may use the railroads, roads, navigable waterways, ports, harbor installations and buildings for use as offices, storage and lodging, and draw upon the necessary Belgian services and man power to the extent required for fulfilling the purposes of the present Agreement, on the sole condition of paying the remuneration therefor at the established rates.

V. The Belgian Government will acquire, in order to establish thereon the permanent cemeteries (Fields of Honor) and (or) monuments, and plots of land which the Government of the United States deems necessary, and of which the said Government of the United States shall have the perpetual use, without being compelled to pay charges or compensation. The locations of these plots of land shall be chosen by mutual agreement and the plots shall have sufficient area to include, in addition to the graves, such embellishments and roads of approach as may be necessary as well as the construction of the buildings required for the reception of visitors, the quarters of gardeners, and the storage of maintenance equipment. The land acquired under these conditions and the buildings and improvements added shall be tax-exempt.

The right to use the plots in question shall include also the right to plan, design, mark out and lay out the permanent cemeteries, monuments and other structures which will be built there, as well as to embellish the plots and to take the necessary measures for the perpetual guarding and maintaining of the cemeteries and monuments, after approval by the proper Belgian authorities. No construction, including the creation of simple enclosures, shall be undertaken less than 10 meters from a foreign territory or less than 5 meters from a road the axis of which constitutes a boundary.

VI. The wages and other remuneration paid by the United States to the personnel of American nationality engaged in the work contemplated by the present agreement shall be exempt from

every kind of direct or indirect tax; it being understood, however, that the members of such personnel who are domiciled in Belgium or who have their permanent residences in that country shall be subject to the professional tax and the national emergency tax on their salaries, as well as on the supplementary personal tax. It is understood that, if the agreement to prevent double-taxation which is being negotiated at the present time between the Belgian Government and the Government of the United States is adopted and ratified, the American personnel concerned with the cemeteries shall be exempt from the income-tax. Pending adoption of that agreement, it may be agreed to postpone provisionally the collection of the income-tax, if the proper American authorities make an express request to that effect, indicating the names and addresses of the persons concerned.

VII. The provisions of the present Agreement shall apply with the same force and effect to the transportation of mortal remains by sea to Belgium from foreign countries, as well as to their burial, if the next of kin live in Belgium or in one of its territories or possessions and request that they be buried definitively in a permanent cemetery of the United States in Belgium.

VIII. The Belgian Government pledges itself to submit to the Belgian Parlement, should the occasion arise, such proposed laws as may be found necessary for exemption from the various charges and fees which have not been the subject of a formal exemption in the present Agreement.

IX. The rights, privileges and prerogatives reserved for the United States by virtue of the present Agreement shall be exercised before January 1, 1955, except when it is a question of the use of land acquired for the purpose of making permanent cemeteries and (or) for the purpose of erecting monuments thereon, including the appurtenances thereof and the buildings which will be erected there, in which cases the said rights, privileges and prerogatives shall be perpetual.

I avail myself of this occasion, Mr. Ambassador, to renew to Your Excellency the assurances of my very high consideration.

For the Minister of Foreign Affairs:
The Secretary General ad interim,

DE ROMRÉE

His Excellency
Admiral ALAN GOODRICH KIRK,
Ambassador of the United States of America,
Brussels.

Agreement between the United States of America and Peru respecting a cooperative health and sanitation program in Peru, extending the agreement of May 11, 1942, as amended, until June 30, 1948. Effected by exchange of notes signed at Lima June 18 and 25, 1947; entered into force June 25, 1947, effective July 1, 1947.

June 18, 25, 1947
[T. I. A. S. 1673]

The American Chargé d'Affaires ad interim to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lima, June 18, 1947

No. 584

EXCELLENCY:

I have the honor to refer to Your Excellency's note No. (D)-6-3/35 of April 16, 1947 and to Ambassador Cooper's note No. 485 of April 19, 1947, by which the Cooperative Health and Sanitation Program in Perú was extended through June 30, 1947.

61 Stat., Pt. 3, pp. 2961, 2968.

Extension of Cooperative Health and Sanitation Program.

I now have been requested by my Government to advise Your Excellency that, if the Government of Perú desires, the Institute of Inter-American Affairs, representing the United States, will extend the Cooperative Health and Sanitation Program through June 30, 1948, and will make available for that purpose the additional sum of $196,582, of which $50,000 will be contributed to the Servicio Cooperativo Interamericano de Salud Pública and the balance will be used for payment of the expenses of the field party furnished by the Institute.

The Institute of Inter-American Affairs has approved the extension of the Program with the understanding that the Government of Perú will contribute to the expenses of the Servicio Cooperativo Interamericano de Salud Pública the funds necessary to complete the budget for the Program contemplated which amounts to $550,000 or its equivalent in Peruvian currency to be computed at the official rate of exchange.

I shall be grateful if Your Excellency will advise me concerning the desires of the Government of Perú regarding the acceptance of this offer of the Institute of Inter-American Affairs to extend the Cooperative Health and Sanitation Program in Perú on the basis above indicated.

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest and most distinguished consideration.

RALPH H. ACKERMAN

His Excellency
Dr. ENRIQUE GARCÍA SAYÁN,
Minister for Foreign Affairs,
Lima.

The Peruvian Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

N°: (D)- 6-3/70

LIMA, *25 de junio de 1947.*

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo a honra avisar recibo de la atenta nota de Vuestra Señoría N° 584, de 18 del mes en curso, en la que se sirve comunicarme que, si el Gobierno del Perú lo desea, el Instituto de Asuntos Interamericanos, que representa a los Estados Unidos de América, hará extensivo hasta después del 30 de junio de 1948 el Programa Cooperativo de Salud y Salubridad en las condiciones que Vuestra Señoría anota, debiendo el Gobierno del Perú contribuir a los gastos del Servicio con los fondos necesarios para completar el Presupuesto aprobado.

En respuesta, me es grato manifestarle, de acuerdo con lo expresado a mi Despacho por el Ministerio de Salud Pública, que el Gobierno peruano acepta complacido este ofrecimiento para continuar en el Perú el Programa Cooperativo de Salud y Salubridad.

Aprovecho la oportunidad para reiterarle, Señor Encargado de Negocios, las seguridades de mi más distinguida consideración.

E. GARCÍA SAYÁN

Al Honorable Señor
RALPH H. ACKERMAN, *Encargado de Negocios a.i. de los Estados Unidos de América.*
Ciudad

Translation

MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

No.: (D)-6-3/70

LIMA, *June 25, 1947.*

MR. CHARGÉ D'AFFAIRES:

I have the honor to acknowledge the receipt of your courteous note No. 584 of the 18th of the current month, in which you are good enough to inform me that, if the Government of Peru so desires, the Institute of Inter-American Affairs, which represents the United States of America, will extend until and including June 30, 1948 the Cooperative Health and Sanitation Program under the conditions which you mention, the Government of Peru having to contribute to the expenses of the Service the funds necessary to make up the approved Budget.

In reply, I am happy to inform you, in accordance with the communication made to my Department by the Ministry of Public Health, that the Peruvian Government accepts with pleasure this offer to continue the Cooperative Health and Sanitation Program in Peru.

I avail myself of the opportunity to renew to you, Mr. Chargé d'Affaires, the assurances of my most distinguished consideration.

E. GARCÍA SAYÁN

The Honorable
RALPH H. ACKERMAN
Chargé d'Affaires ad interim
of the United States of America.
City

SUPPLEMENTAL AGREEMENT

Relative to the Cooperative Program in Health and Sanitation Undertaken by the Governments of Peru and the United States of America

This Supplemental Agreement between Dr. Alberto Hurtado, Minister of Public Health and Social Welfare, representing the Government of Peru (hereinafter called the "Minister"), and the Institute of Inter-American Affairs, a corporate instrumentality of the Government of the United States of America, (hereinafter called the "Institute"), represented by Dr. Ernest B. Howard, (hereinafter referred to as the "Special Representative"), is entered into for the purpose of recording an extension and modification of the cooperative program of health and sanitation which was undertaken by virtue of an exchange of notes between His Excellency David Dasso, Minister of Finance and Commerce of Peru, and His Excellency Sumner Welles, Under Secretary of State, the United States of America, in May 1942, and in accordance with the agreement and amendments set forth in the subsequent exchange of letters between the Institute and the Minister, dated July 7, 1942 and July 11, 1942; [1] October 10, 1942, October 13, 1942, and October 31, 1942; [1] March 11, 1944, March 15, 1944, and October 14, 1944; [1] and by the Supplemental Agreement dated March 27, 1947 (all of which letters and Supplemental Agreement hereinafter being collectively called the "Basic Agreement").

58 Stat. 1543.

61 Stat., Pt. 3, pp. 2488, 2492.
61 Stat., Pt. 3, p. 2965.

CLAUSE I

Extension of Basic Agreement.

The parties hereto mutually intend, agree and declare that the Basic Agreement be and hereby is extended for an additional period of one year, from the first day of July 1947 through the thirtieth day of June 1948, and modified in accordance with the clauses hereinafter set forth.

CLAUSE II

Servicio.

The cooperative health and sanitation program in Peru shall continue to be carried out through the Servicio Cooperativo Inter-Americano de Salud Publica (hereinafter called the "Servicio").

CLAUSE III

Representation of Institute in Peru.

Chief of Field Party.

Salaries and expenses of personnel.

The Institute shall continue to be represented in Peru by a group of its officials and technicians known as the "Field Party of the Health and Sanitation Division of The Institute of Inter-American Affairs in Peru", and such group of officials and technicians shall remain under the immediate direction of an Institute official known as the "Chief of Field Party". The Chief of Field Party shall continue to serve as Director of the Servicio for the period comprehended by this Supplemental Agreement. The salaries and expenses, including travel expenses of the personnel of the Institute working in Peru, will be paid by the Institute from funds exclusive of those allotted to or deposited to the account of the Servicio.

[1] [Not printed.]

CLAUSE IV

The funds of the Servicio which are unspent and unobligated on June 30, 1947, the expiration date of the Basic Agreement, shall continue to be available for use in carrying out the cooperative health and sanitation program in accordance with the terms of this Supplemental Agreement.

Availability of unspent funds.

CLAUSE V

In addition to the funds required for the contributions of the parties in accordance with the Basic Agreement, the cooperative health and sanitation program shall be further financed during the period established by this Supplemental Agreement, as follows:

Further financing of program.

A. The Institute shall contribute the sum of not to exceed one hundred ninety-six thousand five hundred eighty-two dollars ($196,582) of which amount fifty thousand dollars ($50,000) U. S. currency shall be deposited to the account of the servicio in the following manner:

Contribution by Institute.

During July, 1947	$25, 000
During January, 1948	25, 000

B. The Institute will use the balance of the funds to be contributed to pay the salaries and expenses, including travelling expenses, of the personnel of the Institute Field Party in Peru and other Institute employees incurred after July, 1, 1947. The estimated sum of approximately one hundred forty-six thousand five hundred eighty-two dollars ($146,582) U. S. currency will be retained for these purposes separately and apart from the funds to be deposited to the account of the Servicio by the Institute and any unexpended portion thereof shall remain the property of the Institute.

Use of funds.

C. The Government of Peru shall deposit to the account of the Servicio the equivalent in Peruvian currency of Five hundred fifty thousand dollars ($550,000.00), U. S. currency at the official conversion rate in soles per U. S. dollar, in the following manner:

Peruvian deposit.

During July 1947	$137, 500. 00
During October 1947	137, 500. 00
During January 1948	275, 000. 00

D. The Institute may withhold from the deposits called for by Clause V–A hereof the estimated amounts deemed necessary by the Minister and the Chief of Party to pay for the purchase in the United States of America of materials, supplies and equipment and other expenses relating to the execution of the program. Any funds so withheld by the Institute shall be considered as deposited under the terms of Clause V–A hereof but, if they are not expended or obligated for such purposes, they shall be deposited to the account of the Servicio at any time by mutual agreement of the Minister and the Chief of Party.

Amounts withheld from deposits.

E. By written agreement between the Minister and the Chief of Party, the dates for making deposits, as fixed under Clauses V–A and V–C may be amended according to the needs of the program.

Amendment of dates for deposits.

F. Contributions, in addition to those set out in Clauses V–A and V–C may be received by the Servicio from any source whatsover

Additional contributions.

and expended by it in the same manner as other funds for the uses and objectives of the cooperative health and sanitation program provided that the receipt of any such additional contributions by the Servicio shall first be agreed upon in writing in advance by the Minister and Chief of Party, and Director of the Servicio.

Unexpended funds, etc.

G. Any funds and other property acquired by the Servicio which may be unexpended or unused and unobligated at the termination of the period comprehended by this Supplemental Agreement shall remain the property of the Government of Peru and continue to be used for the purposes of the cooperative health and sanitation program in such manner as may be mutually agreed upon in writing by the Minister, Chief of Party and the Director of the Servicio.

Interest on funds, etc.

H. Interest on funds of the Servicio, and any income, upon investments of the Servicio, and any increment of assets of the Servicio of whatever nature or source, shall be dedicated to the realization of the program and shall not be credited against the contributions of the Government of Peru or of the Institute.

CLAUSE VI

Maintenance of projects.

The funds provided in this Supplemental Agreement for deposit to the Servicio may be used for maintaining projects in operation, including projects within and outside the Amazon area, and for projects to be placed in operation. The cooperative health and sanitation program shall continue to consist of individual projects. Each project shall be embodied in a project agreement which shall be mutually accepted and signed by the Minister, the Chief of Party and the Director of the Servicio. Each project agreement shall define the nature of the work to be done, the allocation of funds therefor, the parties responsible for the execution of the project and any other matters which the contracting parties may wish to determine. The transfer from the Servicio to the Ministry of Public Health and Social Welfare or otherwise of the administration, operation, control and ownership of the individual projects shall be determined and prescribed for in written agreements signed by the Minister, the Chief of Party and the Director of the Servicio.

Project agreements.

Transfer of administration, etc.

CLAUSE VII

Administration, etc., of program.

All contracts and agreements to be made by the Servicio shall be made, signed and executed by the Minister and the Director of the Servicio. The general policies and procedures governing the realization of the cooperative health and sanitation program, the carrying out of the projects and the operations of the Servicio such as, but not limited to, the disbursement and accounting of funds, the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined and established by mutual written agreement between the Minister, the Chief of Party and the Director of the Servicio. The procedures and methods established and in use for the operation of the Servicio under the Basic Agreement shall continue to apply to the operation of the Servicio

during the period fixed in this Supplemental Agreement unless changed and amended as herein provided.

CLAUSE VIII

Employment and replacement of personnel.

The employees of the Servicio shall be employed and retained by the Minister in accordance with proposals made by the Director of the Servicio to the Minister on the persons to be employed and replaced in the Servicio and the Director will be the exclusive and final judge of their qualifications. The details of employing and replacing employees of the Servicio shall be in accordance with the general policies agreed upon by the Minister and the Director of the Servicio.

CLAUSE IX

Rights and privileges.

The same rights and privileges which are enjoyed by official divisions of the Government of Peru and by the personnel and employees of the same, shall accrue to the Servicio and to all its personnel and employees while performing their official duties. These rights and privileges shall include, for example only and not exclusively, similar rights and privileges as to telephone, telegraph, postal or transportation services, rates, etc. The customs duties paid by the Servicio for equipment, supplies and medicines destined for public health and sanitation use in Peru will be reimbursed to the Servicio by the Minister of Finance as shown by the respective customs house documents and receipts.

CLAUSE X

Exemption from tariffs, etc.

For the purpose of this agreement, the Government of Peru accepts and recognizes the Institute as a corporate instrumentality of the Government of the United States of America and therefore, smong other things, the Institute shall be exempt from all import and export tariffs, taxes, contributions and other charges. The customs duties paid by the Institute for import of supplies, equipment and materials destined for the use of the Institute will be reimbursed to the Institute by the Minister of Finance as shown by respective Customs House documents and receipts.

CLAUSE XI

The members of the Field Party will not be obligated to pay to Peru any direct tax or contribution for purposes of social security or retirement on salaries or income when they are subject to such taxes or contributions in the United States of America. The Government of Peru shall extend free entry or shall pay the corresponding charges for material and equipment necessary for the professional use of personnel of the Field Party. In like manner the Government of Peru shall either grant free entry or pay corresponding duties on personal effects of Field Party members according to the limitations covering members of the Diplomatic Corps accredited to the Government of Peru; for the purposes of this agreement Field Party members shall be considered as having the same free entry privileges as First Secretaries in the Diplomatic Service.

CLAUSE XII

Inspection of books, etc.; reports.

The books, records and accounts of the Servicio shall be open at all times for their inspection by representatives of the Government of Peru and of the Institute. The Director of the Servicio shall render reports to the Government of Peru and to the Institute at such intervals as are agreed upon between the Minister and the Chief of Party.

CLAUSE XIII

Delegation of authority.

The Minister, the Chief of Party and the Director of the Servicio are empowered to delegate their authority, prerogatives and functions to duly appointed representatives of their own choosing provided that each such respresentative shall be satisfactory to the said official of the other government.

CLAUSE XIV

Effective date.

This Supplemental Agreement shall become effective upon the exchange of diplomatic notes concerning the health and sanitation program between the Minister of Foreign Affairs of the Government of Peru and the Embassy of the United States of America to Peru, or upon the date of execution hereof, in the event such notes have heretofore been exchanged. The Basic Agreement shall remain in full force and effect for the purpose of extending the cooperative health and sanitation program, except as it is modified or is inconsistent with this Supplemental Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to be executed by their duly authorized representatives, in duplicate, in the English and Spanish languages at Lima, Peru, this 28th day of June 1947.

MINISTRY OF PUBLIC HEALTH, LABOR AND SOCIAL WELFARE

By ALBERTO HURTADO
Minister

THE INSTITUTE OF INTER-AMERICAN AFFAIRS

By ERNEST B. HOWARD
Special Representatives

CONVENIO SUPLEMENTARIO

Relativo al Programa Cooperativo de Salud y Salubridad Acordado por los Gobiernos del Perú y de los Estados Unidos de América

Este Convenio Suplementario suscrito entre el Doctor Alberto Hurtado, Ministro de Salud Pública y Asistencia Social, en representación del Gobierno del Perú (en adelante designado como el "Ministro") y el Instituto de Asuntos Inter-Americanos, una entidad incorporada del Gobierno de los Estados Unidos de América (en adelante designado como el "Instituto") representado por el Doctor Ernest B. Howard (en adelante designado como el "Representante Especial") se celebra con el propósito de introducir la extensión y modificación del programa cooperativo de Salud y Salubridad establecido por virtud de un intercambio de notas entre su Excelencia, David Dasso, Ministro de Hacienda y Comercio del Perú y su Excelencia, Sumner Welles, Sub-Secretario de Estado de los Estados Unidos de América en Mayo de 1942 y de acuerdo con el contrato y enmiendas expuestas en el intercambio de notas posteriores entre el Instituto y el Ministro, fechadas el 7 de Julio de 1942 y 11 de Julio de 1942; 10 de Octubre de 1942, 13 de Octubre de 1942 y 31 de Octubre de 1942; 11 de Marzo de 1944, 15 de Marzo de 1944 y 14 de Octubre de 1944 y por el Convenio Suplementario fechado el 27 de Marzo de 1947 (todas estas notas y Convenio Suplementario en adelante designados colectivamente como el "Contrato Básico").

CLAUSULA I

Las partes contratantes mutuamente proponen, convienen y declaran que el Contrato Básico sea extendido por un período adicional de un año desde el primer día de Julio de 1947 hasta el 30 de Junio de 1948 y modificado de acuerdo con las cláusulas que se detallan más abajo.

CLAUSULA II

El programa cooperativo de salud y salubridad en el Perú continuará bajo la dirección del Servicio Cooperativo Inter-Americano de Salud Pública (en adelante designado como el "Servicio").

CLAUSULA III

Un grupo de oficiales y técnicos conocidos como la "Misión de la División de Salud y Salubridad del Instituto de Asuntos Inter-Americanos en el Perú" seguirá representando al Instituto en el Perú y este grupo de oficiales y técnicos permanecerá bajo la dirección inmediata de un oficial del Instituto conocido como el "Jefe de la Misión". El Jefe de la Misión continuará actuando como el Director del Servicio durante el período comprendido por este Convenio Suplementario. Los sueldos y gastos, incluso los gastos de viaje, del personal del Instituto que quede trabajando en el Perú, serán pagados por el Instituto de fondos diferentes de los asignados o depositados en la cuenta del Servicio.

CLAUSULA IV

Los fondos del Servicio que queden sin gastar y no comprometidos el día 30 de Junio de 1947, fecha en que termina el Acuerdo Básico, continuarán siendo utilizados en el funcionamiento del programa cooperativo de salud y salubridad de acuerdo con los términos de este Convenio Suplementario.

CLAUSULA V

Además de los fondos aportados como contribución por las partes contratantes, de acuerdo con el Convenio Básico, el programa cooperativo de salud y salubridad será financiado también, durante el periódo establecido por el Convenio Suplementario en la forma siguiente:

A. El Instituto contribuirá con una suma que no excederá de Ciento Noventiseis Mil Quinientos Ochentidos Dolares ($196,582), de cuya suma Cincuenta Mil Dolares ($50,000) moneda de Estados Unidos, serán depositados en la cuenta del Servicio en la forma siguiente:

Durante Julio, 1947	$25, 000
Durante Enero, 1948	25, 000

B. El Instituto utilizará el saldo de los fondos que asigna para el pago de sueldos y gastos, incluyendo gastos de viaje, a efectuarse después del 1° de Julio de 1947 del personal de la Misión del Instituto en el Perú y de otro personal empleado por el Instituto. Una suma calculada aproximadamente en Ciento Cuarentiseis Mil Quinientos Ochentidos Dolares ($146,582) moneda de Estados Unidos será retenida para estos propósitos, separadamente y aparte de los fondos que serán depositados en la cuenta del Servicio por el Instituto y cualesquier cantidad de esa suma no gastada permanecerá como propiedad del Instituto.

El Gobierno del Perú depositará en la cuenta del Servicio el equivalente en moneda Peruana de Quinientos Cincuenta Mil Dolares ($550,000.00), moneda de Estados Unidos al tipo de cambio oficial en soles por cada dolar de Estados Unidos, en la forma siguiente:

Durante Julio, 1947	$137, 500. 00
Durante Octubre, 1947	137, 500. 00
Durante Enero, 1948	275, 000. 00

D. El Instituto tiene derecho a retener de los depósitos mencionados en la Cláusula V–A las sumas que el Ministro y el Jefe de la Misión estimen necesarias para el pago de las compras hechas en los Estados Unidos de América de materiales, abastecimientos, equipo y otros gastos relacionados con el funcionamiento del programa. Cualquiera de los fondos así retenidos por el Instituto se considerarán como depositados bajo los términos de la Cláusula V–A de este Convenio pero si no son gastados o comprometidos para tales propósitos, se depositarán en la cuenta del Servicio, en cualquier tiempo, bajo acuerdo mutuo del Ministro y el Jefe de la Misión.

E. Por convenio escrito entre el Ministro y el Jefe de la Misión, el plan de depósitos, según Cláusulas V–A y V–C puede ser modificado de acuerdo con las necesidades del programa.

F. El Servicio puede recibir contribuciones de cualquier fuente además de las mencionadas en las Cláusulas V–A y V–C y estas contribuciones las puede gastar en la misma forma que otros fondos, para los usos y propósitos del programa cooperativo de salud y salubridad, con tal que el recibo de tales contribuciones adicionales por el Servicio sea de acuerdo mutuo escrito anticipadamente entre el Ministro y el Jefe de la Misión y Director del Servicio.

G. Cualquiera de los fondos y otra propiedad adquirida por el Servicio que queden sin gastar, sin usar y no comprometidos, al terminarse el período comprendido por este Convenio Suplementario, permanecerán como propiedad del Gobierno del Perú y continuarán siendo utilizados para los propósitos del programa cooperativo de salud y salubridad en forma acordada mutuamente por escrito entre el Ministro y el Jefe de la Misión y Director del Servicio.

H. Los intereses sobre los fondos del Servicio y cualquier entrada sobre las inversiones y otro incremento al activo del Servicio, de la naturaleza que sean o fuente que provengan, tendrán que ser dedicados al funcionamiento del programa y no podrán ser considerados como parte de la contribución del Gobierno del Perú o del Instituto.

CLAUSULA VI

Los fondos aportados según los términos de este convenio para ser depositados a la cuenta del Servicio se emplearan para el mantenimiento de las obras que estan actuamente en operación, incluyendo aquellas obras dentro o fuera del area Amazónica, y para el funcionamiento de proyectos por iniciarse. El programa cooperativo de salud y salubridad continuará consistiendo en distintos proyectos. Cada proyecto quedará incorporado por un acuerdo de proyecto mutuamente aceptado y firmado por el Ministro, el Jefe de la Misión y Director del Servicio. Cada acuerdo de proyecto definirá el trabajo que se debe llevar a cabo, la asignación de fondos para tales labores, la repartición responsable para la ejecución del proyecto y otros asuntos determinados por las partes contratantes. El traspaso del Servicio al Ministro o cualquiera otra entidad de la administración, operación, control y propiedad de los distintos proyectos será determinado y prescrito por convenio escrito y firmado por el Ministro, el Jefe de la Misión y el Director del Servicio.

CLAUSULA VII

Todos los contratos y convenios que necesite hacer el Servicio se harán, firmarán y ejecutarán por el Ministro y el Director del Servicio. Las reglas y procedimientos generales que gobiernan el funcionamiento del programa cooperativo de salud y salubridad, la realización de los proyectos y las operaciones del Servicio tales como, pero no limitadas al, desembolso y contabilidad de fondos, la compra, uso, inventario, control y disposición de propiedad y cualquier otro asunto administrativo, serán determinados y establecidos por mutuo convenio escrito entre el Ministro, el Jefe de la Misión y el Director del Servicio. Los procedimientos y metodos establecidos y en uso para el funcionamiento

del Servicio, los cuales fueron establecidos por el Convenio Básico seguirán en vigor y regirán durante el período comprendido por este Convenio Suplementario salvo que sean cambiados o modificados según aqui se estipula.

CLAUSULA VIII

Los empleados del Servicio serán designados y ratificado su nombramiento por el Ministro de acuerdo con propuesta hecha por el Director del Servicio al Ministro sobre las personas que deben ser empleadas o reemplazadas en el Servicio y el Director del Servicio será quién exclusiva y finalmente juzgará y calificará la capacidad de los mismos. Los detalles para emplear y reemplazar empleados del Servicio serán de acuerdo con los procedimientos generales acordados entre el Ministro y el Director del Servicio.

CLAUSULA IX

El Servicio y todo su personal de empleados gozarán de los privilegios y derechos de que gozan las Direcciones y otras reparticiones públicas y sus respectivos personales, mientras desempeñan sus cargos. Estos derechos y privilegios incluirán – por ejemplo pero no exclusivamente – las mismas prerrogativas con relación a usos de teléfonos, telégrafos y servicios postales y de transporte, tarifas, etc. Los derechos de aduana del Servicio por equipo ó utiles y medicamentos destinados al servicio sanitario en el Perú serán liberados o reintegrados por el Ministerio de Hacienda en vista de las respectivas facturas ó comprobantes aduaneros.

CLAUSULA X

Para los fines de este convenio, el Gobierno del Perú acepta y reconoce al Instituto como agencia incorporada del Gobierno de los Estados Unidos de America y por lo tanto, entre otras cosas, el Instituto quedará exento del pago de tarifas de exportación e importación, impuestos, contribuciones y otros cargos. Los derechos de aduana del Instituto por equipo, útiles y materiales destinados para el uso del Instituto serán liberados o reintegrados por el Ministerio de Hacienda en vista de las respectivas facturas ó comprobantes aduaneros.

CLAUSULA XI

Los miembros que integran la Misión de Salud y Salubridad del Instituto no estarán obligados a pagar en el Perú ningún impuesto directo, seguro social ni cesantía, en el caso de que estén sujetos al pago de dichos impuestos en los Estados Unidos de America. El Gobierno del Perú permitirá a la entrada libre o en su defecto pagará los derechos correspondientes sobre material y equipo necesario para el uso profesional del personal de la Misión. Igualmente, el Gobierno del Perú permitirá la entrada libre o abonará los derechos correspondientes sobre los efectos personales de los miembros de la Misión, de acuerdo con las condiciones limitativas a que están sujetos los miembros del Cuerpo Diplomático acreditado ante el Gobierno del

Perú, para los fines de este Convenio, los miembros de la Misión estarán considerados como Primeros Secretarios del Servicio Diplomático en lo que se refiere a franquicias.

CLAUSULA XII

Los libros, registros y cuentas del Servicio estarán en todo momento expeditos para revisiones por representantes del Gobierno del Perú y del Instituto. En periodos que se convendrá entre el Ministro y el Jefe de la Misión, el Director Del Servicio presentará informes al Gobierno del Perú y al Instituto.

CLAUSULA XIII

El Ministro, el Jefe de la Misión y el Director del Servicio tienen derecho a delegar su autoridad, prerrogativas y funciones a representantes debidamente designados y por ellos mismos escogidos con tal que cada representante sea de la aprobación del funcionario del otro Gobierno.

CLAUSULA XIV

Este Convenio Suplementario entrará en vigencia tan pronto como se hayan cambiado notas diplomáticas con respecto al programa de salud y salubridad entre el Ministro de Relaciones Exteriores y Culto del Gobierno del Perú y la Embajada de los Estados Unidos de America en el Perú ó en la fecha de la ejecución de este Convenio, si ya se han cambiado tales notas diplomáticas. El Contrato Básico continuará en completa vigencia para el propósito de extender el programa cooperativo de salud y salubridad, excepto en lo que haya sido modificado o en lo que se oponga a este Convenio Suplementario.

EN FE DE LO CUAL, las partes contratantes han suscrito este Convenio Suplementario por sus representantes debidamente autorizados, en duplicado en los idiomas Ingles y Castellano en Lima, Peru el día 28 de Junio, 1947.

MINISTERIO DE SALUD PUBLICA Y ASISTENCIA SOCIAL	EL INSTITUTO DE ASUNTOS INTER-AMERICANOS
Por ALBERTO HURTADO	Por ERNEST B HOWARD
Ministro	*Representante Especial*

October 27, 1947
[T. I. A. S. 1674]

Agreement and exchange of notes between the United States of America and China respecting relief assistance. Signed at Nanking October 27, 1947; entered into force October 27, 1947.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA CONCERNING THE UNITED STATES RELIEF ASSISTANCE TO THE CHINESE PEOPLE

WHEREAS, it is the desire of the United States of America to provide relief assistance to the Chinese people to prevent suffering and to permit them to continue effectively their efforts toward recovery; and

WHEREAS, the Chinese Government has requested the United States Government for relief assistance and has presented information which convinces the Government of the United States that the Chinese Government urgently needs assistance in obtaining the basic essentials of life for the people of China; and

WHEREAS, the United States Congress has by Public Law 84, 80th Congress, May 31, 1947, authorized the provision of relief assistance to the people of those countries which, in the determination of the President, need such assistance and have given satisfactory assurance covering the relief program as required by the Act of Congress; and

61 Stat., Pt. 1, p. 125.

WHEREAS, the United States Government and the Chinese Government desire to define certain conditions and understandings concerning the handling and distribution of the United States relief supplies and to establish the general lines of their cooperation in meeting the relief needs of the Chinese people;

The Government of the United States of America represented by Ambassador J. Leighton Stuart and the Government of the Republic of China represented by Dr. Liu Shih Shun, Political Vice Minister for Foreign Affairs in charge of the Ministry, have agreed as follows:

ARTICLE I.

Furnishing of Supplies

Types, quantities, etc.

(a) The program of assistance to be furnished shall consist of such types and quantities of supplies, and procurement, storage, transportation and shipping services related thereto, as may be determined from time to time by the United States Government after consultation with the Chinese Government in accordance with Public Law 84, 80th Congress, May 31, 1947, and any acts amendatory or supplementary thereto. Such supplies shall be confined to certain basic essentials of life, namely, food, medical supplies, processed and unprocessed material for clothing, fertilizers, pesticides, fuel, and seeds.

61 Stat., Pt. 1, p. 125.

No claim for payment.

(b) Subject to the provisions of Article III the United States Government will make no request, and will have no claim, for payment for United States relief supplies and services furnished under this Agreement.

Procurement by U. S. agencies, etc.

(c) The United States Government agencies will provide for the procurement, storage, transportation and shipment to China of United States relief supplies, except to the extent that the United States Government may authorize other means for the performance of these services in accordance with the procedures stipulated by the United States Government. All United States relief supplies shall be procured in the United States except when specific approval for procurement outside the United States is given by the United States Government.

Approval of proposed Chinese programs.

(d) The Chinese Government will from time to time submit in advance to the United States Government its proposed programs for

relief import requirements. These programs shall be subject to screening and approval by the United States Government and procurement will be authorized only for items contained in the approved programs.

Transfers.

(e) Transfers of United States relief supplies shall be made under arrangements to be determined by the United States Government in consultation with the Chinese Government. The United States Government, whenever it deems it desirable, may retain possession of any United States relief supplies, or may recover possession of such supplies transferred, up to the city or local community where such supplies are made available to the ultimate consumers.

ARTICLE II.

Distribution of Supplies in China

(a) All United States relief supplies shall be distributed in accordance with the terms of this Agreement, by the Chinese Government and by established voluntary agencies in China which are agreed upon between the two Governments. Representatives of the United States of America shall have direct supervision and control of supplies made available by the United States Government under this Agreement.

Fiscal charges.

(b) All United States relief supply imports shall be free of fiscal charges including customs duties up to the point where they are sold for local currency as provided by Article III of this Agreement unless when because of price practices, it is advisable to include customs charges or government taxes in prices fixed, in which case the amount thus collected on United States relief supply imports will accrue to the special account referred to in Article III. All United States relief supply imports given freely to indigents, institutions, and others, and those turned over to voluntary agencies for distribution shall be free of fiscal charges including customs duties.

Liaison.

(c) The Chinese Government will designate a high-ranking official who shall have the responsibility of liaison between the Chinese Government and the United States representatives responsible for the relief program.

Distribution by Chinese Government.

(d) United States relief supplies and similar supplies produced locally or imported from outside sources shall be distributed by the Chinese Government and voluntary agencies without discrimination as to race, creed or political belief, and the Chinese Government shall not permit the diversion of any such supplies to non-essential uses or for export or removal from the country while need therefor for relief purposes continues. The Chinese Government shall not permit the diversion of United States relief supplies or an excessive amount of supplies similar to United States relief supplies which are produced locally or imported from outside sources in the maintenance of armed forces.

(e) The Chinese Government will take appropriate steps regarding the distribution of United States relief supplies and similar supplies produced locally and imported from outside sources designed to

assure a fair and equitable share of the supplies to all classes of the people.

(f) A distribution and price-control system shall be inaugurated in such major urban centers of China as circumstances permit, with the intent of insuring that all classes of the population, irrespective of their purchasing power, shall receive a fair share of the imported or indigenously produced relief supplies. In permitting United States relief supplies made available under this Agreement to be utilized in support of Chinese efforts to improve consumption and price controls, it is understood that the United States Government undertakes no responsibility for the success of these urban programs.

ARTICLE III.

Utilization of Funds Accruing from Sales of United States Supplies

Price agreement.

(a) The prices at which United States relief supplies will be sold in China shall be agreed upon between the Chinese Government and the United States Government.

Deposit of local currency.

(b) When United States relief supplies are sold for local currency, the amount of such local currency shall be deposited by the Chinese Government in a special account in the name of the Chinese Government.

Disposition.

(c) Until June 30, 1948, such funds shall be disposed of only with the approval of the duly authorized representative of the United States Government for relief and work relief within China, including local currency expenses of the United States of America incident to the furnishing of relief. Any unencumbered balance remaining in such account on June 30, 1948, shall be disposed of within China for such purposes as the United States Government, pursuant to Act or Joint Resolution of Congress, may determine.

Chinese advances.

(d) The Chinese Government will, upon request, advance funds against proceeds from the sale of United States relief supplies to the United States representatives, to meet local currency expenses incident to the furnishing of relief, including the operation of the United States Relief Mission in China and certain urgent relief projects being undertaken by Chinese Government organs and voluntary agencies.

Unusual costs.

(e) While it is not intended that the funds accruing from sales of the United States relief supplies normally shall be used to defray the local expenses of the Chinese Government in handling, transporting internally, and distributing the United States relief supplies, including local currency cost of discharging cargo and other port charges, the United States representatives will consider with the Chinese Government the use of the funds to cover the unusual costs which would place an undue burden on the Chinese Government.

Reports on collections, etc.

(f) The Chinese Government will each month make available to the United States representatives reports on collections, balances, and expenditures from the fund.

(g) The Chinese Government will assign officials to confer and plan with the United States representatives regarding the disposition of funds accruing from sales to assure a prompt and proper use of such funds.

ARTICLE IV.

Effective Production, Food Collections and Use of Resources to Reduce Relief Needs

(a) The Chinese Government will exert all possible efforts to secure the maximum production and collection of locally produced supplies needed for relief purposes.

(b) The Chinese Government will undertake not to permit any measures to be taken involving delivery, sale or granting of any articles of the character covered in this Agreement which would reduce the locally produced supply of such articles and thereby increase the burden of relief.

(c) The Chinese Government will furnish regularly current information to the United States representatives regarding plans and progress in achieving this objective.

(d) The Chinese Government affirms that it has taken and is taking in so far as possible the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction.

ARTICLE V

United States Representatives

(a) The United States Government will send to China the representatives required to discharge responsibilities of the United States Government under this Agreement and the Public Law 84, 80th Congress, May 31, 1947. The Chinese Government will permit and facilitate the movement of the United States representatives to, in or from China.

61 Stat., Pt. 1, p.125.

Freedom of supervision, etc.

(b) The Chinese Government will permit and facilitate in every way the freedom of the United States representatives to supervise the distribution of United States relief supplies and to travel, inspect, and report in connection with any matters relating to this Agreement and will cooperate fully with them in carrying out all of the provisions of this Agreement. The Chinese Government will furnish the necessary automobile transportation to permit the United States representatives to travel freely throughout China and without delay.

Privileges and immunities.

(c) The United States representatives and the property of the mission and of its personnel shall enjoy in China the same privileges and immunities as are enjoyed by the personnel of the United States Embassy in China and the property of the Embassy and of its personnel.

ARTICLE VI.

Freedom of the United States Press and Radio Representatives to Observe and Report

The Chinese Government will permit representatives of the United States Press and Radio to observe freely and report fully and without censorship regarding the distribution and utilization of relief supplies and the use of funds accruing from sale of United States relief supplies.

ARTICLE VII.

Reports, Statistics and Information

(a) The Chinese Government will maintain adequate statistical and other records on relief and will consult with the United States representatives, upon their request, with regard to the maintenance of such records.

(b) The Chinese Government will furnish promptly upon request of the United States representatives available information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people.

Abuses or violations of agreement.

(c) In case United States representatives report apparent abuses or violations of this Agreement, the Chinese Government will investigate and report and promptly take such remedial action as is necessary to correct such abuses or violations as are found to exist.

ARTICLE VIII.

Publicity Regarding United States Assistance

(a) The Chinese Government will permit and arrange full and continuous publicity regarding the purpose, source, character, scope, amounts and progress of the United States relief program in China, including the utilization of funds accruing from sales of United States relief supplies for the benefit of the people.

Marking, etc., of relief supplies.

(b) All United States relief supplies and any articles processed from such supplies, or containers of such supplies or articles, shall, to the extent practicable, be marked, stamped, branded, or labelled in a conspicuous place in such a manner as to indicate to the ultimate consumer that such supplies or articles have been furnished by the United States of America for relief assistance; or if such supplies, articles or containers are incapable of being so marked, stamped, branded, or labelled, all practicable steps will be taken by the Chinese Government to inform the ultimate consumer thereof that such supplies or articles have been furnished by the United States for relief assistance.

ARTICLE IX.

Termination of Relief Assistance

Termination by U. S.

The United States Government will terminate any or all of its relief assistance at any time whenever it determines (1) by reason of changed conditions, the provision of relief assistance of the character authorized by Public Law 84, 80th Congress, May 31, 1947, is no longer necessary; (2) any provisions of this Agreement are not being carried out; (3) United States relief supplies, or an excessive amount of similar supplies produced locally or imported from outside sources, are being used to assist in the maintenance of armed forces in China; or (4) United States relief supplies or similar supplies produced locally or imported from outside sources, are being exported or removed from China. The United States Government may stop or

61 Stat., Pt. 1, p. 125.

alter its program of assistance whenever in its determination other circumstances warrant such action.

Termination by Chinese Government.

The Chinese Government reserves the right to terminate this Agreement whenever it deems that such relief assistance as is provided in this Agreement is no longer necessary.

ARTICLE X.

Date of Agreement

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Done in duplicate in the English and Chinese languages at Nanking, this twenty-seventh day of October, 1947, corresponding to the twenty-seventh day of the tenth month of the thirty-sixth year of the Republic of China.

J. Leighton Stuart [1]
For the Government of the United States of America.

Liu Shih Shun [2]
For the Government of the Republic of China.

[1] [J. Leighton Stuart]
[2] [Liu Shih Shun]

The Chinese Political Vice Minister for Foreign Affairs to the American Ambassador

外交部

The Ministry of Foreign Affairs
Republic of China

OCTOBER *27, 1947.*

EXCELLENCY:

I have the honor to refer to Article II (d) and Article IX (3) of the Agreement between the Republic of China and the United States of America Concerning the United States Relief Assistance to the Chinese People signed today by the representatives of the Governments of China and the United States of America, and to state that it is understood that the right of the Chinese Government to determine the extent of its armed forces and the amount of food and other supplies which it may make available for their use is, of course, fully recognized. The approval of the above-mentioned Agreement will in no way affect this right.

Ante, pp. 3376, 3379.

On the other hand, in accordance with Public Law 84 passed by the Eightieth Congress, which authorizes the furnishing of relief assistance, the President of the United States is directed to terminate the provision of the United States relief assistance to the people of any country whenever, in his judgment, an excessive amount of supplies being made available by the United States to the people of any country or of similar supplies produced locally or imported from outside sources, is being used in the maintenance of armed forces in such country.

61 Stat., Pt. 1, p. 125.

In the light of this provision of the relief law, the Government of the United States must reserve the right to terminate its relief shipments to China if, in its determination, an excessive amount of relief supplies or similar supplies produced locally or imported from outside sources is being used for the maintenance of armed forces in China.

It would be appreciated if you would confirm that the above is the understanding of both Governments and forms a part of the aforementioned Agreement.

I avail myself of this opportunity to renew to your Excellency the assurances of my highest consideration.

Liu Shih Shun [1]

His Excellency
Dr. J. LEIGHTON STUART
American Ambassador
Nanking

The American Ambassador to the Chinese Political Vice Minister for Foreign Affairs

AMERICAN EMBASSY
No. 1230 *Nanking, October 27, 1947*

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of October 27, 1947 which reads as follows:

"I have the honor to refer to Article II (d) and Article IX (3) of the Agreement between the Republic of China and the United States of America Concerning the United States Relief Assistance to the Chinese People signed today by the representatives of the Governments of China and the United States of America, and to state that it is understood that the right of the Chinese Government to determine the extent of its armed forces and the amount of food and other supplies which it may make available for their use is, of course, fully recognized. The approval of the above-mentioned Agreement will in no way affect this right.

Ante, pp. 3376, 3379.

"On the other hand, in accordance with Public Law 84 passed by the Eightieth Congress, which authorizes the furnishing of relief assistance, the President of the United States is directed to terminate the provision of the United States relief assistance to the people of any country whenever, in his judgment, an excessive amount of supplies being made available by the United States to

61 Stat., Pt. 1, p. 125.

[1] [Liu. Shih Shun]

the people of any country or of similar supplies produced locally or imported from outside sources, is being used in the maintenance of armed forces in such country.

"In the light of this provision of the relief law, the Government of the United States must reserve the right to terminate its relief shipments to China if, in its determination, an excessive amount of relief supplies or similar supplies produced locally or imported from outside sources is being used for the maintenance of armed forces in China.

"It would be appreciated if you would confirm that the above is the understanding of both Governments and forms a part of the aforementioned Agreement.

"I avail myself of this opportunity to renew to your Excellency the assurances of my highest consideration."

U. S. acceptance of understanding.

I take pleasure in confirming that the understanding as stated in the above quoted note is accepted by the Government of the United States of America as forming a part of the Agreement signed today.

Accept, Excellency, the renewed assurances of my highest consideration.

J. LEIGHTON STUART

Dr. LIU SHIH SHUN,
Political Vice Minister in Charge,
Ministry of Foreign Affairs,
Nanking.

美利堅合衆國與
中華民國關於美利堅合衆國救濟援助中國人民之協定

茲因美利堅合眾國意欲對中國人民給予救濟援助，使其免受苦難，並得繼續切實努力，以求恢復元氣；

又因中國政府曾向美國政府請求救濟援助，並曾提供情報，使美國政府深信中國政府亟需援助，以獲得中國人民生活之基本必需品；

又因美國國會曾以一九四七年五月三十一日第八十屆國會第八十四號法案規定，對於總統認為確係需要此項援助國家之人民，而各該國家對於該項國會法案所需之救濟計劃曾作滿意保證者，供應救濟援助；

又因美國政府與中國政府均願確定關於處理及

分配美國救濟物資之若干條件及瞭解，並規定兩國政府合作之一般辦法，以使適應中國人民之救濟需要，

美利堅合眾國政府由司徒雷登大使為代表

中華民國政府由外交部政務次長代理部務劉師舜博士為代表

議定條款如左：

第一條　物資之供應

(甲)給予援助之計劃，應包括各種類別與各種數量之物資，以及有關該項物資之取得、儲藏、輸送、船運等服務，由美國政府依照一九四七年五月三十一日第八十

屆國會第八十四號法案及其修正或補充之任何法案，於諮商中國政府後，隨時決定之。此項物資應以若干生活基本必需品為限，即糧食、醫藥用品、已製成及未製成之衣料、肥料、病蟲害藥劑、燃料及種子是。

(乙)除第三條另有規定外，美國政府對於依照本協定所供給之美國救濟物資與服務，將不作償付之請求，並無要求償付之權利。

(丙)美國救濟物資之取得、儲藏、輸送及船運赴華等服務，將由美國政府機關辦理；但經美國政府規定以他種方法依照美國政府所規定之手續辦理此等服務者，

不在此限。所有美國救濟物資，除美國政府特准在美國境外取得者外，應在美國境內取得之。

(丁) 中國政府將隨時於事前向美國政府提出其為救濟之輸入需要所擬之計劃。此種計劃應經美國政府之審查及核准。救濟物資之取得，以經核准之計劃中所載項目為限。

(戊) 美國救濟物資之移轉，應依美國政府會商中國政府後所決定之辦法辦理。美國政府於無論何時認為合宜時，得保留任何美國救濟物資，或收回業已移轉之此項物資，直至其到達能備供最後消費者之城市或地

點。

第二條　在華救濟物資之分配

(甲)所有美國救濟物資，應依照本協定之條款，由中國政府及兩國政府所同意之在華業已成立之志願機構分配之。美利堅合眾國代表對於美國政府依照本協定所供給之物資，應有直接監察及管理之權。

(乙)所有美國救濟物資之輸入，直至其依照本協定第三條之規定而售得中國錢幣之地點，應免除財政課稅，包括關稅在內。但因定價關係，關稅或政府稅捐宜包括於規定之價格中；如遇此等情事，則由美國救濟物資

之輸入所課之稅款，將併存於第三條所述之特別賬戶內。所有美國救濟物資之輸入，凡屬免費給與貧民、團體及其他方面者，以及交由各志願機構分配者，均應免除財政課稅，包括關稅在內。

(丙) 中國政府將指派高級官員一人，擔任中國政府與負責救濟計劃之美國代表間之聯繫責任。

(丁) 美國救濟物資及中國當地所產或自國外輸入之同樣物資，應由中國政府及志願機構分配之，不因種族、宗教或政治信仰而有所歧視。且為救濟目的物資之需要繼續存在時，中國政府應不許將任何此項物資移

作不重要之用途，或由中國輸出或移送國外。中國政府應不許將美國救濟物資或以過多數量之中國當地所產或自國外輸入與美國救濟物資同樣之物資，移用於維持武裝部隊。

(戊)對於美國救濟物資及中國當地所產與自國外輸入同樣物資之分配，中國政府將採取適當步驟，確保各階層人民均獲得公正平等之份量。

(己)在環境所許可之中國各大都市，應創行分配及物價管制制度，以求確保各階層人民，不問其購買力如何，均應獲得自國外輸入或由當地所產救濟物資之公

平份量。雙方瞭解，依照本協定所得之美國救濟物資，得用以支持中國改良消費與物價管制之努力；但美國政府對於此項都市計劃之成功不負責任。

第三條　出售美國物資所積存資金之利用

(甲)美國救濟物資在中國出售之價格，應由中國政府與美國政府商定之。

(乙)美國救濟物資售得中國錢幣時，此項錢幣數目應由中國政府以中國政府名義存入一特別賬戶內。

(丙)直至一九四八年六月三十日止，此項資金，應經美國政府正式授權之代表核准，用於中國救濟及工賑，

包括美利堅合衆國因供給救濟而發生之中國錢幣開支在內。一九四八年六月三十日尚餘存於此項賬戶之任何未經支配之款項，將來應由美國政府依照國會法案或兩院決議案所定之目的，在中國使用之。

(丁)因救濟之供給，包括駐華美國救濟代表團之工作及中國政府機關與志願機構現正進行中之若干緊急救濟方案，而發生之中國錢幣開支，中國政府應依美國代表之請求，以美國救濟物資出售之價款作抵，預墊資金。

(戊)出售美國救濟物資所積存之資金，通常不能用

以償付中國政府因對於美國救濟物資之處理、內地輸送及分配而有之當地費用，包括卸貨及其他港口費用之中國錢幣開支在內；但美國代表願與中國政府考慮使用此項資金，以應付非常費用，俾免以過分負擔加諸中國政府。

(己) 中國政府每月將以此項資金之收入、盈虧及開支作成報告，備交美國代表。

(庚) 中國政府將指定官員與美國代表會商並計劃關於處理出售物資所積存之資金，以保證該資金之迅速與適當使用。

第四條　有效之生產、糧食之徵集及資源之利用，以減少救濟之需要。

(甲)中國政府將盡一切可能之努力，以求救濟所需之當地所產物資獲得最大之產量與徵集。

(乙)中國政府擔任不許採用任何措施，使本協定所述性質之任何物品之交付、出售或給予，致減少此種物品當地所產之供應，而增加救濟負擔。

(丙)中國政府對於達成此種目的之計劃與進度，將經常以最近情報供給美國代表。

(丁)中國政府確認在可能範圍內業已採取且正採

取必要之經濟措施，以減少其救濟之需要，並準備其將來之建設。

第五條　美國代表

(甲)美國政府將派遣代表至中國，以履行美國政府依本協定及一九四七年五月三十一日第八十屆國會第八十四號法案所應負之責任。中國政府對於美國代表之進出中國國境以及在中國境內之旅行，將予准許及便利。

(乙)中國政府准許美國代表有監察美國救濟物資之分配以及旅行、視察及報導與本協定任何有關事項

之自由，並於各方面予以便利；且對美國代表執行本協定所有之條款時，將與該代表等完全合作。中國政府將供給必要之汽車運輸，使美國代表得在中國全境自由旅行而無延滯。

(丙)美國代表及代表團與其人員之財產，在中國應享受美國駐華大使館人員及大使館與其人員之財產所享受之同樣優例與豁免。

第六條　美國新聞及廣播事業代表觀察與報導之自由

中國政府准許美國新聞及廣播事業代表對救濟

物資之分配與利用，及出售美國救濟物資所得資金之使用，自由觀察，且不受檢查而盡量報導。

第七條　報告、統計及情報

(甲)中國政府將編製關於救濟之適當統計及其他記錄，並依美國代表之請求，與其諮商關於此項記錄之編製事宜。

(乙)中國政府依美國代表之請求，將迅速供給關於足以影響人民救濟需要之任何物資之生產、使用、分配、輸入及輸出之現有情報。

(丙)倘美國代表提出顯有濫用或違反本協定情事

之報告，中國政府將予調查、報告，並立即採取必要補救方法，以矯正此項業已發現之濫用或違反協定情事。

第八條　關於美國援助之宣傳

(甲)中國政府對於美國在中國救濟計劃之目的、來源、性質、範圍、數量及進度，包括為人民福利而出售美國救濟物資所得資金之利用，將准許並安排充分與繼續之宣傳。

(乙)所有美國救濟物資及由此項物資製成之任何物品或此項物資或物品之容器，應盡量於顯著部位予以標記、戳記、烙印或貼籤，俾使最後消費者獲悉此項物

資或物品係由美利堅合眾國為救濟援助而供給者。若此項物資、物品或容器不能如此予以標記、戳記、烙印或貼籤時，則中國政府將採取一切可行之步驟，通知最後消費者，此項物資或物品係由美國為救濟援助而供給者。

第九條　救濟援助之終止

美國政府認為有下列情事時，得隨時終止其救濟援助之任何一部或全部：(一)因情勢變遷，致一九四七年五月三十一日第八十屆國會第八十四號法案所規定性質之救濟援助之供應已不復需要時；(二)本協定任何

條款未獲履行時；(三)美國救濟物資或過多數量之當地所產或自國外輸入之同樣物資，用於帮助維持在中國之武裝部隊時；或(四)美國救濟物資或當地所產或自國外輸入之同樣物資，由中國輸出或移出時。美國政府於無論何時，認為因其他情勢所必要，得停止或改變其援助之計劃。

中國政府如認為本協定所規定之救濟援助不再需要時，保留終止本協定之權。

第十條　協定之日期

本協定自本日起生效。本協定應繼續有效至兩國

政府商定之日期為止。

本協定用英文中文各繕兩份。公曆一九四七年十月二十七日即中華民國三十六年十月二十七日訂於南京。

美利堅合眾國代表 J. Leighton Stuart [1]

司徒雷登 [1]

中華民國代表 劉師舜 [2]

[1] [J. Leighton Stuart]
[2] [Dr. Liu Shih Shun]

The Chinese Political Vice Minister for Foreign Affairs to the American Ambassador

照會

逕啟者：關於中美兩國政府代表本日簽訂之中華民國與美利堅合衆國關於美利堅合衆國救濟援助中國人民之協定第二條(丁)款及第九條(三)項，雙方瞭解：中國政府有權決定其武裝部隊之數額及其供給該部隊使用之糧食及其他物資之數量，自應完全承認。上述協定之核准，並不影响此項權利。

但在另一方面，依照授權供給救濟援助之第八十

屬國會所通過之第八十四號法案，無論何時，美國總統如認為美國供給任何國家人民之救濟物資或當地所產或自國外輸入之同樣物資，有過多數量用於幫助維持該國之武裝部隊情事，得終止美國救濟援助之供應。

鑒於該救濟法案中此項規定，美國政府如認為救濟物資或當地所產或自國外輸入之同樣物資，有過多數量用於維持在華之武裝部隊時，必需保留其終止輸送救濟物資前往中國之權。

以上係

貴我兩國政府之相互瞭解并構成上述協定之一部分。

相應照達，即希

查照並予以證實為荷。

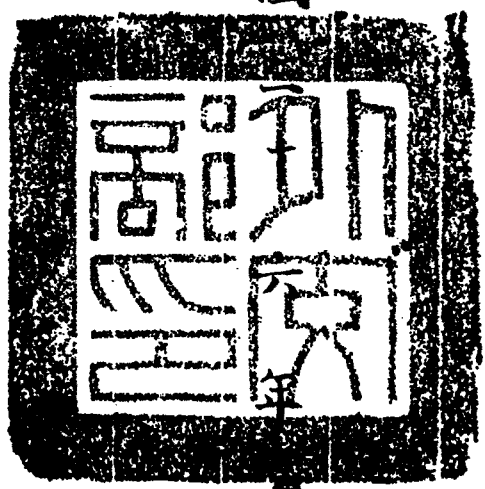
本次長代理部務順向

貴大使重表敬意

此致

美利堅合衆國駐中華民國特命全權大使司徒雷登閣下

中華民國



劉師舜

The American Ambassador to the Chinese Political Vice Minister for Foreign Affairs

關會

第一二三〇號

逕啓者：接准

貴次長閣下本年十月二十七日來照內開：

「逕啓者：關於中美兩國政府代表本日簽訂之中華民國與美利堅合衆國關於美利堅合衆國救濟援助中國人民之協定第二條(丁)款及第九條(三)項，雙方瞭解：中國政府有權決定其武裝部隊之數額及其供給該部隊使用之糧食及其他物資之數量，自應完全承認。上述協定之核准，並不影響此項權利。

但在另一方面，依照援華供給救濟援助之第八十屆國會所通過之第八十四號法案，無論何時，美國總統如認為彌國供給任何國家人民之救濟物

資，或當地所產或自國外輸入之同樣物資，有過多數量用於帮助維持該國之武裝部隊情事，得終止美國救濟援助之供應

鑒於該救濟法案中此項規定，美國政府如認爲救濟物資或當地所產或自國外輸入之同樣物資，有過多數量用於維持在華之武裝部隊時，必需保留其終止輸送救濟物資前往中國之權。

以上係

貴我兩國政府之相互瞭解並構成上述協定之一部份，相應照達，即希查照並予以證實爲荷。

本次長代理部務順向

貴大使重表敬意。」

等由；准此，本大使茲欣然證實上開來照所述之瞭解，現經美利堅合衆國政府接受成爲本日所訂協定之一部份，相應照復，即希查照爲荷

本大使順向貴次長重表敬意

此致

外交部政務次長代理部務劉 閣下

一九四七年十月二十七日

July 25, 1947
[T. I. A. S. 1675]

Agreement and accompanying notes between the United States of America and Czechoslovakia respecting the settlement of certain war accounts and claims. Signed at Praha July 25, 1947; entered into force July 25, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC REGARDING SETTLEMENT FOR CERTAIN WAR ACCOUNTS AND CLAIMS INCIDENT TO THE OPERATIONS OF THE U.S. ARMY IN EUROPE

The Government of the United States of America and the Government of the Czechoslovak Republic have reached an understanding regarding the settlement for outstanding War Accounts and claims incident to the operations of the U.S. Army in Czechoslovakia. This settlement is complete and final, and the signatory governments agree that, except as herein specifically provided, no further benefits will be sought by either of them as consideration for the foregoing. In arriving at this understanding, the signatory governments have recognized the benefits accruing to each from their contributions to the defeat of their common enemies as well as the difficulties connected on each side with the keeping of detailed accounts during a period of and following actual combat operations of field armies. Further, the rapid removal of American troops from Czechoslovakia tended to create certain economic and financial unbalances within the accounts of each government or its governmental agencies.

Article 1.

U. S. Army procurement in Czechoslovakia.

With respect to U.S. Army procurement in Czechoslovakia including procurement of coal through 31 March 1946, certain Allied Military Marks held by the Czechoslovak Republic, Czech crowns advanced by the U.S. Army to Czechoslovak troops, and certain supplies and services provided representatives of the Czechoslovak Government by the U.S. Army, there is agreed to be due from the Government of the United States to the Czechoslovak Republic, the net amount of $5,018,007.07. In addition, the United States Government will return to the Czechoslovak Republic a total of 42,500.000 crowns presently held by the U.S. Army.

Amounts due Czechoslovak Republic.

Article 2.

Unsettled claims against U. S. Armed Forces.

All claims by the Czechoslovak Republic and its nationals against the United States Armed Forces with respect to procurement of facilities, goods and services/other than coal/by official, quasi-official

and personal representatives of the United States Army in Czechoslovakia through 31 March 1946, and not heretofore finally settled by the United States Army, will be considered discharged in full in accordance with the terms of the settlement set out in paragraph one. In this connection, financial responsibility for such procurement has been calculated at a dollar-crown conversion rate of 50 Czech crowns equal 1 dollar in accordance with prior agreement between the U.S. military authorities and the Czechoslovak government.

Article 3.

Settlement for coal.

Amounts owing the Czechoslovak government in full settlement for coal provided to the U.S. Army by the Czechoslovak government during the war through 31 March 1946, and which are considered a dollar obligation of the U.S. Army, are considered paid in full by the terms of payment included in paragraph one. In this connection, financial responsibility for coal has been calculated at 50 crowns equal one U.S. dollar in accordance with prior agreement between the U.S. Military Authorities and the Czechoslovak government.

Article 4.

Redemption of Allied Military Marks.

In consideration of this settlement, and the payments by the United States Government in paragraph one, the Czechoslovak Government will consider 1,500.000 Allied Military Marks, presently held by that government and claimed to be a result of expenditures by U.S. Army personnel in Czechoslovakia, as redeemed with full dollar value at a rate of 10 marks equal 1 dollar. These Allied Military Marks will be returned to the U.S. Army by the Czechoslovak Government at the time of and in accordance with the terms of this settlement.

Article 5.

Return of Czech crowns.

Czech crowns presently held in official U.S. Army disbursing officers' accounts, representing captured enemy funds will be returned to the Czechoslovak Government without reimbursement.

Article 6.

Settlement for services provided Czechoslovak nationals.

Amounts owing by the Czechoslovak Government for certain supplies and services provided Czechoslovak Nationals by the United States Forces, European Theatre in the occupied zone of Germany from 2 March 1946 through 31 March 1947, on a cash reimbursable basis are considered as finally settled within the terms of payment in paragraph one. The records of the U. S. Army will be made available for inspection upon request relative to these supplies and services thus furnished.

Article 7.

Crowns advanced to Czechoslovak military units by U. S. Army.

To the extent that the United States Army advanced Czech crowns to Czechoslovak military units, and has not heretofore been reimbursed by the Czechoslovak Government or any other Allied Government with

whom the Czech military forces were operating during the war, such advances are considered a responsibility of the Czechoslovak Government. All such outstanding advances are considered to be reimbursed to the U.S. Army under the terms of payment in paragraph one.

Article 8.

Payments for facilities, etc., procured by U. S. Army.

Facilities, goods and services procured by the United States Army subsequent to 31 March 1946 will be paid for on the basis of the Czechoslovak authorities presentation of appropriate documents in a form acceptable to the United States Army as has been, or may be, agreed upon between the Czechoslovak authorities and the U.S. Army. Payments already made by the United States Army for facilities, goods and services provided by the Czechoslovak Government prior to 31 March 1946, are not included within the payment terms of paragraph one of this settlement and are final.

Article 9.

Payments made by the U.S. Army under the agreement of 28 June 1946, [1] and similar supplemental agreement of 25 September 1946 [1] between representatives of the two signatory governments are also to be considered final.

Article 10.

U. S. payment of claims for damages, etc.

The U.S. Army will continue to effect payment of claims against itself for damages to real or personal property, personal injuries, and death arising from acts or omissions of military personnel or civilian employees of the U.S. Army in the Czechoslovak Republic. Payment of such claims will be in accordance with the terms of agreement of 6 November 1946 [1] between representatives of the two signatory governments and will be final.

Article 11.

All claims against the U.S. Army arising out of the operations of the U.S. Army in Czechoslovakia through 31 March 1946, other than those in paragraph ten above, are considered as settled under the provisions of this agreement. This agreement shall supersede all prior agreements between the two governments or officials thereof relating to the matters referred to herein.

Article 12.

Entry into force.

The present Agreement comes into force on the day it is signed.

Done in duplicate at Praha, this 25th day of July in the year 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

LAURENCE A. STEINHARDT

[SEAL]

FOR THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC:

DR BYSTRICKÝ

[SEAL]

[1] [Not printed.]

An Official of the Czechoslovak Ministry of Foreign Affairs to the American Ambassador

PRAGUE, *July 25, 1947.*

MY DEAR MR. AMBASSADOR:

With reference to the agreement signed today between our government regarding the settlement for certain outstanding war accounts, I am glad to confirm that under the payment arrangements referred to in paragraph one of that agreement, claims detailed below and totaling $6,053,647.03 are settled by that agreement:

1. Claims in the amount of $5,200.000 covering all unpaid U.S. Army Procurement of facilities, goods and services /other than coal/ in Czechoslovakia through 31 March 1946.

2. Payment in the amount of $703,647.03 covering all coal provided the U.S. Army by the Czechoslovak Government through 31 March 1946.

3. In addition to the above, the Czechoslovak Government will turn over to the designated disbursing officer of the United States Army a total of 1,500,000 Allied Military Marks at a value of $150,000 in further consideration of the exchange made under the terms of the settlement agreement.

It is the further understanding of my government that Czech crowns remaining in the official accounts of U.S. Army disbursing officers in an amount not to exceed 69,039.355 Czech crowns, apart from the Czech crowns mentioned in the settlement under the terms of paragraph one of the agreement, will be available for expenditure in Czechoslovakia by the U.S. Army and its affiliated entities et a rate not less favorable to the U.S. than 50 crowns equal one U.S. dollar. Procurement of facilities, goods and services for use outside Czechoslovakia by the U.S. Army and its affiliated entities with such crowns will be freely permitted by my government on a basis no less favorable to the U.S. than 25 percent of the payment for such procurement to be made with these crowns and 75 percent of the payment to be with U.S. dollars.

I should appreciate your advising me whether the foregoing is in accordance with the understanding of the United States Government.

Sincerely yours,

BYSTRICKÝ

His Excellency
LAURENCE A. STEINHARDT
Ambassador of the United States,
Prague.

The American Ambassador to an Official of the Czechoslovak Ministry of Foreign Affairs

PRAGUE, *July 25, 1947.*

MY DEAR DR. BYSTRICKÝ,

With reference to your letter to me of today concerning certain specific claims and procurements settled in accordance with the principal settlement agreement between our two countries of this date, I am glad to confirm that your letter is in accordance with the understanding of my government.

Sincerely yours,

LAURENCE A. STEINHARDT

DR. RUDOLF BYSTRICKÝ,
Ministry of Foreign Affairs,
Prague.

The American Ambassador to an Official of the Czechoslovak Ministry of Foreign Affairs

PRAGUE, *July 25, 1947.*

DEAR DR. BYSTRICKÝ,

Settlements.

In connection with the agreement signed today between our two governments for the settlement of certain war accounts, I wish to inform you more specifically that a total of 5,639,174 crowns, now represented in the dollar accounts of U. S. Army finance officers, is shown by United States Army records to have been captured from the enemy. This amount of crowns will be turned over to the Czechoslovak government by the United States Army without reimbursement on the part of the Czechoslovak government.

It is my further understanding that advances by the U. S. Army to the Independent Czech Brigade of 7,322,935 Czech crowns /$146,-458.70/ for expenditure purposes by that unit is assumed as an obligation of the Czechoslovak government to the United States Army and is accordingly settled under the terms of settlement in paragraph one of today's agreement.

I also understand that certain facilities, supplies and services furnished on a cash reimbursable basis to the Czechoslovak government by the U.S. Forces, European Theater in the amount of $39,181.26 during the period 2 March 1946 through 31 March 1947 are settled in full under the terms of settlement in paragraph one of the agreement signed today.

I should appreciate your advising me whether the above is in accordance with the understanding of the Czechoslovak government.

Sincerely yours,

LAURENCE A. STEINHARDT

DR. RUDOLF BYSTRICKÝ
Ministry of Foreign Affairs,
Prague.

An Official of the Czechoslovak Ministry of Foreign Affairs to the American Ambassador

PRAGUE, *July 25, 1947*

MY DEAR MR. AMBASSADOR:

With reference to your letter to me of today concerning certain specific details of claims and procurements settled in accordance with the financial settlement agreement between our two governments this date, I am glad to confirm that your letter is in accordance with the understanding of my government.

Sincerely yours,

DR BYSTRICKÝ

His Excellency

LAURENCE A. STEINHARDT,
Ambassador of the
United States of America,
Prague.

June 26 and November 21, 1947
[T. I. A. S. 1676]

Agreement between the United States of America and the United Nations respecting the headquarters of the United Nations. Signed at Lake Success, New York, June 26, 1947. And exchange of notes bringing agreement into force November 21, 1947.

AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED NATIONS

THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to conclude an agreement for the purpose of carrying out the Resolution adopted by the General Assembly on 14 December 1946 to establish the seat of the United Nations in The City of New York and to regulate questions arising as a result thereof; [1]

Have appointed as their representatives for this purpose:

The United Nations:

Trygve Lie, Secretary-General, and

The United States of America:

George C. Marshall,
Secretary of State,

Who have agreed as follows:

ARTICLE I

Definitions

SECTION 1

In this agreement:

"Headquarters district."

(a) The expression "headquarters district" means (1) the

ACCORD ENTRE L'ORGANISATION DES NATIONS UNIES ET LES ETATS-UNIS D'AMERIQUE RELATIF AU SIEGE DE L'ORGANISATION DES NATIONS UNIES

L'ORGANISATION DES NATIONS UNIES ET LES ETATS-UNIS D'AMERIQUE:

Désireux de conclure un accord en vue d'assurer l'exécution de la résolution adoptée par l'Assemblée générale le 14 décembre 1946 établissant le siège de l'Organisation des Nations Unies dans la ville de New-York, et de règler les questions soulevées par cette décision;

Ont désigné à cet effet comme leurs représentants:

l'Organisation des Nations Unies:

Trygve Lie, Secrétaire général, et

les Etats-Unis d'Amérique:

George C. Marshall,
Secrétaire d'Etat,

qui sont convenus de ce qui suit:

ARTICLE I

Définitions

SECTION 1

Aux fins du présent accord:

a) L'expression "district administratif" désigne 1° la zone

[1] [United Nations. *Resolutions adopted by the General Assembly during the Second Part of its First Session from 23 October to 15 December 1946*, pp. 196, 197. Lake Success, 1947.]

area defined as such in Annex 1, (2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

définie comme telle à l'annexe 1; 2° tous autres terrains ou constructions qui viendraient à être incorporés au district administratif, conformément à un accord additionnel avec les autorités américaines compétentes;

Post, p. 3435.

(b) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

b) L'expression "les autorités américaines compétentes" désigne telles autorités des Etats-Unis, fédérales, d'état ou locales qui seraient appropriées selon le contexte et conformément aux lois et coutumes des Etats-Unis, y compris les lois et coutumes de l'état et de l'administration locale intéressée;

"Appropriate American authorities."

(c) the expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations 13 February 1946, as acceded to by the United States;

c) L'expression "Convention générale" désigne la convention sur les privilèges et immunités de l'Organisation des Nations Unies approuvée par l'Assemblée Générale des Nations Unies le 13 février 1946, telle qu'elle aura été adoptée par le Gouvernement des Etats-Unis dans son instrument d'adhésion;

"General Convention."

(d) the expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter";

d) L'expression "Organisation des Nations Unies" désigne l'institution internationale créée par la Charte des Nations Unies, ci-après dénommée "la Charte";

"United Nations."

(e) the expression "Secretary-General" means the Secretary-General of the United Nations.

e) L'expression "Secrétaire général" désigne le Secrétaire général de l'Organisation des Nations Unies.

"Secretary-General."

ARTICLE II

The Headquarters District

SECTION 2

The seat of the United Nations shall be the headquarters district.

ARTICLE II

District administratif

SECTION 2

Le siège de l'Organisation des Nations Unies est le district administratif.

SECTION 3

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in

SECTION 3

Les autorités américaines compétentes prendront toutes les mesures nécessaires pour assurer que l'Organisation des Nations Unies ne soit pas privée de la

Dispossession of property.

Post, p. 3432.

the headquarters district, except as provided in Section 22 in the event that the United Nations ceases to use the same; provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.

jouissance de sa propriété du district administratif, en dehors de l'hypothèse prévue à la section 22, c'est-à-dire au cas où l'Organisation des Nations Unies cesserait d'utiliser ladite propriété, étant entendu que l'Organisation des Nations Unies remboursera aux autorités américaines compétentes tous les frais, qu'elles auraient encourus après avoir consulté l'Organisation, pour liquider par une procédure d'expropriation ou par tous autres moyens, toute revendication dirigée contre l'Organisation des Nations Unies.

SECTION 4

Radio facilities.

(a) The United Nations may establish and operate in the headquarters district:

(1) its own short-wave sending and receiving radio broadcasting facilities (including emergency link equipment) which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radiotelegraph, radioteletype, radiotelephone, radiotelephoto, and similar services;

(2) one point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programs and interoffice communications;

(3) low power micro-wave, low or medium frequency facilities for communication within headquarters buildings only, or such

SECTION 4

a) L'Organisation des Nations Unies pourra établir et exploiter dans le district administratif:

1) ses propres installations de radiodiffusion par ondes courtes (stations émettrices et réceptrices)–y compris une installation de liaison à employer en cas de nécessité exceptionnelle–qui pourront être utilisées sur les mêmes fréquences (dans les limites des tolérances prévues par les règlements applicables aux Etats-Unis en matière de radio-diffusion) pour des services de radiotélégraphie, radiotélétypie, radiotéléphonie, radiotéléphotographie, et autres services de même nature;

2) un circuit de poste à poste entre le district administratif et le bureau de Genève des Nations Unies (en utilisant un équipement à une seule bande de modulation) qui sera exclusivement employé pour l'échange de programmes de radiodiffusion et de communications entre bureaux;

3) des installations à ondes ultra courtes, moyennes ou longues et à faible puissance destinées à assurer les communications

other buildings as may temporarily be used by the United Nations;

uniquement à l'intérieur des bâtiments situés dans le district administratif ou des autres bâtiments que l'Organisation pourrait utiliser temporairement;

(4) facilities for point-to-point communication to the same extent and subject to the same conditions as permitted under applicable rules and regulations for amateur operation in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with the inviolability of the headquarters district provided by Section 9 (a);

4) des installations pour les communications–de poste à poste–dans la même mesure et aux mêmes conditions que celles qui sont prévues par les lois et règlements en vigueur relativement à l'exploitation des postes d'amateur aux Etats-Unis, sous réserve cependant que ces lois et règlements ne seront pas appliqués d'une manière incompatible avec l'inviolabilité du district administratif, prévue à la section 9 a);

Post, p. 3422.

(5) such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

5) toutes autres installations de radio qui pourraient être désignées par un accord additionnel entre l'Organisation des Nations Unies et les autorités américaines compétentes.

Arrangements for operation of services.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected governments with regard to all frequencies and similar matters.

b) L'Organisation des Nations Unies prendra, avec l'Union internationale des télécommunications, les administrations compétentes du Gouvernement des Etats-Unis et de tous autres Gouvernements intéressés, les arrangements nécessaires, en ce qui concerne toutes fréquences et autres questions analogues, pour l'exploitation des services mentionnés à la présente section.

Operation of facilities outside headquarters district.

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion

c) Dans la mesure nécessaire à l'efficacité de l'exploitation, les installations prévues par la présente section pourront être établies et exploitées en dehors du district administratif. A la demande de l'Organisation des Nations Unies, les autorités américaines compétentes prendront des dispositions pour l'acquisition ou l'utilisation par les Nations Unies, aux termes et modalités à convenir dans un accord additionnel, de locaux appropriés à cet effet,

of such premises in the headquarters district.

et pour l'incorporation de ces locaux au district administratif.

SECTION 5

Aerodrome.

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

SECTION 5

Au cas où l'Organisation des Nations Unies estimerait nécessaire et souhaitable d'établir et d'exploiter un aérodrome, les conditions relatives à l'emplacement, à l'utilisation et à l'exploitation de cet aérodrome, ainsi que les conditions dans lesquelles se feront les entrées et les sorties de l'aérodrome, feront l'objet d'un accord additionnel.

SECTION 6

Postal service.

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

SECTION 6

Au cas où l'Organisation des Nations Unies se proposerait d'organiser son propre service postal, les conditions de la création de ce service feront l'objet d'un accord additionnel.

ARTICLE III

Law and Authority in the Headquarters District

ARTICLE III

Droit en vigueur et autorités compétentes dans le district administratif

SECTION 7

(a) The headquarters district shall be under the control and authority of the United Nations as provided in this agreement.

SECTION 7

a) Le district administratif sera sous le contrôle et l'autorité de l'Organisation des Nations Unies, conformément aux dispositions du présent accord.

Applicability of U. S. laws.

(b) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

b) Sauf dispositions contraires du présent accord ou de la Convention générale, les lois fédérales, d'état et locales des Etats-Unis seront applicables à l'intérieur du district administratif.

Jurisdiction of U. S. courts.

(c) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in

c) Sauf dispositions contraires du présent accord ou de la Convention générale, les tribunaux fédéraux, d'état ou locaux des Etats-Unis seront compétents pour connaître, selon les termes des lois fédérales, d'état ou locales applicables en l'espèce, des actes

applicable federal, state and local laws.

(d) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under Section 8.

SECTION 8

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not

accomplis ou des transactions effectuées à l'intérieur du district administratif.

d) Les tribunaux fédéraux, d'état ou locaux des Etats-Unis, lorsqu'ils auront à connaître d'affaires nées à l'occasion d'actes accomplis ou de transactions effectuées dans le district administratif, ou s'y rapportant, tiendront compte des règlements édictés par l'Organisation des Nations Unies conformément à la section 8.

SECTION 8

U. N. regulations.

L'Organisation des Nations Unies aura le droit d'édicter des règlements exécutoires dans le district administratif et destinés à y créer, à tous les égards, les conditions nécessaires au plein exercice de ses attributions. Les lois ou règlements fédéraux, d'état ou locaux des Etats-Unis d'Amérique ne seront pas applicables à l'intérieur du district administratif, dans la mesure où ils seraient incompatibles avec un des règlements que l'Organisation des Nations Unies a le droit d'édicter en vertu de la présente section. Tout différend entre l'Organisation des Nations Unies et les Etats-Unis sur la question de savoir si un règlement de l'Organisation des Nations Unies est compatible avec la présente section, ou si une loi ou règlementation fédérale, d'état ou locale est incompatible avec l'un quelconque des règlements édictés par l'Organisation des Nations Unies, conformément aux dispositions de la présente section, devra être rapidement réglé selon la procédure prévue à la section 21. Jusqu'à la solution du différend, le règlement de l'Organisation des Nations Unies restera applicable

Settlement of disputes.

Post, p. 3431.

Fire protection regulations.

prevent the reasonable application of fire protection regulations of the appropriate American authorities.

et la loi ou la règlementation fédérale, d'état ou locale sera inapplicable dans le district administratif dans la mesure où l'Organisation des Nations Unies la considère comme incompatible avec ledit règlement. Cette section ne fera pas obstacle à l'application raisonnable des règlements de protection contre l'incendie édictés par les autorités américaines compétentes.

SECTION 9

Inviolability of headquarters district.

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

Service of legal process.

Refuge for persons avoiding arrest, etc., restriction.

(b) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United States or are required by the Government of the United States for extradition to another country, or for persons who are endeavoring to avoid service of legal process.

Post, p. 3423.

SECTION 9

a) Le district administratif sera inviolable. Les agents ou fonctionnaires des Etats-Unis d'Amérique, relevant d'une autorité fédérale, d'état ou locale, qu'ils soient administratifs, judiciaires, militaires ou de police, ne pourront entrer dans le district administratif pour y exercer leurs fonctions officielles qu'avec le consentement du Secrétaire général et dans les conditions acceptées par celui-ci. L'exécution des actes de procédure, y compris la saisie de biens privés, ne pourra avoir lieu dans le district administratif, qu'avec le consentement et dans les conditions approuvées par le Secrétaire général.

b) Sans qu'il puisse être porté atteinte aux dispositions de la Convention générale ou de l'article IV du présent accord, l'Organisation des Nations Unies empêchera que le district administratif devienne le refuge de personnes tentant à échapper à une arrestation ordonnée en exécution d'une loi fédérale, d'état ou locale des Etats-Unis, ou réclamées par le Gouvernement des Etats-Unis pour être extradées dans un autre pays, ou cherchant à se dérober à l'exécution d'un acte de procédure.

SECTION 10

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

SECTION 10

L'Organisation des Nations Unies pourra expulser ou exclure du district administratif toute personne, et ce, soit pour violation des règlements adoptés conformément aux dispositions de la section 8, soit pour toute autre cause. Les infractions à ces règlements ne pourront donner lieu à d'autres sanctions, ou à la détention sous arrestation, que si elles sont prévues par les lois et règlements qui pourront être adoptés par les autorités américaines compétentes.

Violation of regulations.

ARTICLE IV

Communications and Transit

SECTION 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials, (2) experts performing missions for the United Nations or for such specialized agencies, (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States, (4) representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter, or (5) other persons invited to the headquarters district by the United Nations or by

ARTICLE IV

Communications et transit

SECTION 11

Les autorités fédérales, d'état ou locales des Etats-Unis ne mettront aucun obstacle au transit à destination ou en provenance du district administratif: 1) des représentants des Membres ou des fonctionnaires de l'Organisation des Nations Unies, ou des institutions spécialisées telles que définies à l'article 57, paragraphe 2 de la Charte, ou des familles de ces représentants et fonctionnaires; 2) des experts accomplissant des missions pour l'Organisation des Nations Unies ou pour lesdites institutions spécialisées; 3) des représentants de la presse, de la radio, du cinéma ou de toutes autres agences d'information que l'Organisation des Nations Unies (ou l'une des institutions spécialisées) aura décidé d'agréer après consultation avec les Etats-Unis; 4) des représentants des organisations non gouvernementales admises par l'Organisation des Nations Unies au statut d'organes consultatifs,

59 Stat. 1046.

59 Stat. 1047.

such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

Post, p. 3429.

conformément à l'article 71 de la Charte; ou 5) d'autres personnes invitées à venir dans le district administratif par l'Organisation des Nations Unies ou par l'une des institutions spécialisées, pour affaires officielles. Les autorités américaines compétentes accorderont la protection nécessaire aux personnes ci-dessus énumérées pendant leur circulation en transit à destination ou en provenance du district administratif. La présente section ne s'applique pas aux cas d'interruption générale des transports, qui seront traités comme il est prévu à la section 17, et ne fait pas obstacle à l'application des lois et règlements généralement applicables en ce qui concerne l'exploitation des moyens de transport.

SECTION 12

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

SECTION 12

Les dispositions de la section 11 s'appliqueront quelles que soient les relations existant entre les Gouvernements dont relèvent les personnes mentionnées à ladite section et le Gouvernement des Etats-Unis.

SECTION 13

Entry of aliens.

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.

Residence of aliens.

(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any

SECTION 13

a) Les dispositions législatives et règlementaires sur l'entrée des étrangers, en vigueur aux Etats-Unis, ne pourront pas être appliquées de manière à porter atteinte aux privilèges prévus à la section 11. Les visas nécessaires aux personnes mentionnées dans cette section seront accordés sans frais et aussi rapidement que possible.

b) Les dispositions législatives et règlementaires sur le séjour des étrangers, en vigueur aux Etats-Unis, ne pourront pas être appliquées de manière à porter atteinte aux privilèges prévus à la section 11. Elles ne pourront notamment pas être appliquées de ma-

such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11 shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

(1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;

(2) A representative of the Member concerned, the Secretary-General, or the principal executive officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;

(3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United

nière à contraindre ces personnes à quitter les Etats-Unis en raison de toute activité poursuivie par elles en leur qualité officielle. Il est toutefois entendu qu'au cas où l'une de ces personnes abuserait de ces privilèges en exerçant, sur le territoire des Etats-Unis, des activités sans rapport avec sa qualité officielle, les privilèges prévus à la section 11 ne seront pas interprétés de manière à la soustraire à l'application des dispositions législatives et règlementaires des Etats-Unis, concernant le séjour continu des étrangers, sous réserve que:

Abuse of residence privileges.

1) aucune action ne sera intentée en vertu de ces dispositions législatives ou règlementaires pour contraindre l'une des personnes sus-mentionnées à quitter les Etats-Unis, sans l'approbation préalable du Secrétaire d'Etat des Etats-Unis. Cette approbation ne pourra être donnée qu'après consultation avec le Membre intéressé de l'Organisation des Nations Unies, s'il s'agit d'un représentant d'un Membre (ou d'un membre de sa famille) ou avec le Secrétaire général ou le Directeur général de l'institution spécialisée intéressée s'il s'agit de toute autre personne visée à la section 11;

2) un représentant du Membre intéressé, le Secrétaire général de l'Organisation des Nations Unies ou le Directeur général de l'institution spécialisée intéressée, selon le cas, aura le droit de comparaître pour la personne contre laquelle l'action est intentée;

3) les personnes qui bénéficient des privilèges et immunités diplomatiques en vertu de la section 15 ou de la Convention générale, ne pourront être requises de quitter

States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

les Etats-Unis que conformément à la procédure d'usage applicable aux envoyés diplomatiques accrédités auprès du Gouvernement des Etats-Unis.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

c) La présente section ne dispense pas de la production, sur demande, de preuves raisonnables établissant que les personnes se réclamant des droits accordés à la section 11 rentrent bien dans les catégories prévues à ladite section. Elle n'exclut pas en outre l'application raisonnable des règlements de quarantaine et de santé publique.

U. S. control over entry of persons, etc.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

d) Sous réserve des dispositions précédentes de la présente section et de celles de la Convention générale, les Etats-Unis gardent le plein pouvoir de décision et de contrôle en ce qui concerne l'entrée de personnes ou de biens sur le territoire des Etats-Unis et les conditions auxquelles ces personnes seront admises à demeurer ou à résider sur ledit territoire.

Registration.

(e) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

e) A la demande des autorités américaines compétentes, le Secrétaire général entrera en négociations avec elles en vue de prendre les dispositions nécessaires pour l'enregistrement des arrivées et départs des personnes titulaires de visas limités au transit à destination et en provenance du district administratif, et ne les autorisant à séjourner que dans le district administratif et dans son voisinage immédiat.

Entry into headquarters district, etc.

(f) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

f) Sous réserve des dispositions précédentes de la présente section, l'Organisation des Nations Unies aura le droit exclusif d'autoriser ou d'interdire l'entrée dans le district administratif des personnes et des biens, ainsi que de prescrire les conditions auxquelles les personnes pourront y demeurer ou y résider.

SECTION 14

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

SECTION 14

Le Secrétaire général et les autorités américaines compétentes, à la demande de l'un d'entre eux, se consulteront au sujet des mesures propres à faciliter l'entrée aux Etats-Unis de personnes venant de l'étranger qui désirent se rendre dans le district administratif et qui ne bénéficient pas des droits prévus dans le présent article. Ils se consulteront également au sujet de l'utilisation par ces mêmes personnes des moyens de transport disponibles.

Facilitation of entrance.

ARTICLE V

Resident Representatives to the United Nations

SECTION 15

(1) Every person designated by a Member as the principal resident representative to the United Nations of such Member or as a resident representative with the rank of ambassador or minister plenipotentiary,

(2) such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,

(3) every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary, at the headquarters of such agency in the United States, and

ARTICLE V

Représentants permanents auprès de l'Organisation des Nations Unies

SECTION 15

1) Toute personne nommée auprès de l'Organisation des Nations Unies par un Membre, en qualité de représentant permanent principal ou de représentant permanent ayant rang d'ambassadeur ou de ministre plénipotentiaire;

2) tous membres permanents de leur personnel, qui seront désignés suivant accord entre le Secrétaire général, le Gouvernement des Etats-Unis et le Gouvernement de l'Etat intéressé;

3) toute personne nommée par un Membre d'une institution spécialisée, telle que définie aux termes du paragraphe 2 de l'Article 57 de la Charte, en qualité de représentant permanent principal, ayant rang d'ambassadeur ou de ministre plénipotentiaire, auprès de ladite institution spécialisée à son siège aux Etats-Unis, et

59 Stat. 1046.

(4) such other principal resident representatives of members to a specialized agency and such resident members of the staffs of representatives to a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned,

4) tout autre représentant permanent principal d'un Membre d'une institution spécialisée, ainsi que tous membres permanents du personnel des représentants auprès d'une institution spécialisée, qui seront désignés suivant accord entre le Directeur général de l'institution spécialisée, le Gouvernement des Etats-Unis et le Gouvernement du Membre intéressé,

Privileges and immunities.

shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residences and offices outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

Members of governments not recognized by U. S.

jouiront, sur le territoire des Etats-Unis, qu'ils demeurent à l'intérieur ou à l'extérieur du district administratif, des mêmes privilèges et immunités qui sont accordés par les Etats-Unis aux envoyés diplomatiques accrédités auprès d'eux, et ce, sous réserve des conditions et obligations correspondantes. Dans le cas où le Gouvernement d'un Membre n'est pas reconnu par les Etats-Unis, ceux-ci pourront restreindre les privilèges de ses représentants et des membres de leur personnel, aux limites du district administratif, au lieu de leur résidence et de leurs bureaux, s'ils sont situés en dehors du district, au cours de leurs voyages entre le district et leur lieu de résidence et leurs bureaux, ainsi qu'au cours des missions officielles, à destination ou en provenance de l'étranger.

ARTICLE VI

Police Protection of the Headquarters District

SECTION 16

(a) The appropriate American authorities shall exercise due diligence to ensure that the tranquility of the headquarters district

ARTICLE VI

Mesures de police destinées à assurer la protection du district administratif

SECTION 16

a) Les autorités américaines compétentes prendront les mesures appropriées afin d'éviter que la tranquillité du district adminis-

is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

(b) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

Reimbursement.

ARTICLE VII

Public Services and Protection of the Headquarters District

SECTION 17

(a) The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of public services to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal

Interruption of services.

tratif ne soit troublée par l'entrée non autorisée de groupes de personnes, ou par des désordres dans le voisinage immédiat du district. A cette fin, elles assureront, aux limites du district administratif, toute protection de police nécessaire.

b) A la demande du Secrétaire général, les autorités américaines compétentes fourniront des forces de police suffisantes pour assurer, à l'intérieur du district administratif, le respect de la loi et de l'ordre public, et pour expulser toute personne, suivant les instructions données sous l'autorité de l'Organisation des Nations Unies. L'Organisation des Nations Unies, si les autorités américaines compétentes en font la demande, s'entendra avec celles-ci en vue de leur rembourser les dépenses raisonnables occasionnées par ces services.

ARTICLE VII

Services publics et protection du district administratif

SECTION 17

a) Les autorités américaines compétentes feront usage, dans la mesure où le Secrétaire général le demandera, des pouvoirs dont elles disposent à cet égard, pour assurer la fourniture au district administratif, à des conditions équitables, des services publics nécessaires, y compris l'électricité, l'eau, le gaz, les services postaux, téléphoniques, télégraphiques, les transports, l'évacuation des eaux, l'enlèvement des ordures, les services d'incendie, l'enlèvement de la neige, etc. Dans le cas d'une interruption ou d'une menace d'interruption de l'un quelconque de ces services, les autorités américaines compétentes considéreront

importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly, to ensure that the work of the United Nations is not prejudiced.

les besoins de l'Organisation des Nations Unies comme étant d'une importance égale à ceux de même nature des administrations essentielles du Gouvernement des Etats-Unis. En conséquence, elles prendront les mesures appropriées pour éviter que les travaux de l'Organisation des Nations Unies ne soient entravés.

(b) Special provisions with reference to maintenance of utilities and underground construction are contained in Annex 2.

Post, p. 3436.

b) Des dispositions spéciales relatives à l'entretien des services d'utilité publique et des travaux de constructions souterraines sont prévues à l'annexe 2.

SECTION 18

Amenities of district.

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

SECTION 18

Les autorités américaines compétentes prendront toutes les mesures raisonnables pour empêcher que l'usage qui pourrait être fait des terrains avoisinant le district administratif ne puisse porter atteinte aux agréments du district et aux fins auxquelles il est destiné. L'Organisation des Nations Unies prendra, de son côté, toutes les mesures raisonnables pour empêcher que l'usage qui pourrait être fait par les Nations Unies des terrains situés dans le district administratif ne porte atteinte aux agréments des terrains situés dans le voisinage du district administratif.

SECTION 19

Nondiscrimination.

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

SECTION 19

Il est entendu qu'aucune sorte de discrimination de race ou de religion ne sera tolérée dans le district administratif.

ARTICLE VIII

Matters Relating to the Operation of this Agreement

ARTICLE VIII

Questions relatives à l'application du présent accord

SECTION 20

Supplemental agreements.

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will

SECTION 20

Le Secrétaire général et les autorités américaines compétentes se mettront d'accord sur les voies par lesquelles se feront les com-

communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfill the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

munications relatives à l'application des dispositions du présent accord et des autres questions intéressant le district administratif. Ils pourront conclure tout accord additionnel qui se révélerait nécessaire pour réaliser les buts du présent accord. Lors de la négociation d'accords additionnels avec le Secrétaire général, les Etats-Unis entreront en consultations avec les autorités d'état et locales compétentes. Le Secrétaire d'Etat des Etats-Unis désignera auprès du Secrétaire général, si celui-ci en fait la demande, un représentant spécial chargé d'assurer la liaison.

SECTION 21

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed by both parties. Thereafter, the arbitral tribunal shall render a final

SECTION 21

Reference of disputes for final decision.

a) Tout différend entre l'Organisation des Nations Unies et les Etats-Unis au sujet de l'interprétation ou de l'application du présent accord ou de tout accord additionnel sera, s'il n'est pas règlé par voie de négociation ou par tout autre mode de règlement agréé par les parties, soumis aux fins de décision définitive à un tribunal composé de trois arbitres, dont l'un sera désigné par le Secrétaire général, l'autre par le Secrétaire d'Etat des Etats-Unis, et le troisième choisi par les deux autres, ou, à défaut d'accord entre eux sur ce choix, par le Président de la Cour internationale de justice.

Request for advisory opinion.

b) Le Secrétaire général ou les Etats-Unis pourront prier l'Assemblée Générale de demander à la Cour internationale de justice un avis consultatif sur toute question juridique qui viendrait à être soulevée au cours de ladite procédure. En attendant l'avis de la Cour, les deux parties se conformeront à une décision intérimaire du tribunal arbitral. Par la suite, celui-ci rendra une décision

decision, having regard to the opinion of the Court.

définitive en tenant compte de l'avis de la Cour.

ARTICLE IX

Miscellaneous Provisions

SECTION 22

Disposal of land in headquarters district.

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States, be assigned and conveyed to the United States. In the absence of such request, the same shall be assigned and conveyed to the subdivision of a state in which it is located or, if such subdivision shall not desire it, then to the state in which it is located. If none of the foregoing desires the same, it may be disposed of as provided in paragraph (a) of this section.

Disposition of headquarters district by U. N.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the

ARTICLE IX

Mesures diverses

SECTION 22

a) L'Organisation des Nations Unies ne pourra disposer, en totalité ou en partie, du terrain dont elle est propriétaire dans le district administratif, sans le consentement des Etats-Unis. Si les Etats-Unis refusent ce consentement, ils devront acheter ledit terrain à l'Organisation des Nations Unies, à un prix qui sera déterminé conformément aux dispositions du paragraphe d) de la présente section.

b) Si le siège de l'Organisation des Nations Unies est transféré hors du district administratif, tous les droits réels, titres de propriété, et autres intérêts portant sur la propriété du district administratif de l'Organisation seront, en totalité ou en partie, à la demande soit de l'Organisation des Nations Unies, soit des Etats-Unis, cédés et transférés à ceux-ci. A défaut de pareille demande, ces dits droits, titres et intérêts seront transférés et cédés à la circonscription administrative d'état dans laquelle les terrains sont situés, ou encore si cette circonscription administrative ne le désire pas, à l'état dans lequel les terrains sont situés. Dans le cas où aucune de ces parties ne désirerait obtenir pareils cession et transfert, lesdits droits, titres et intérêts pourront être aliénés, conformément au paragraphe a) de la présente section.

c) Si l'Organisation des Nations Unies aliène tout ou partie du district administratif, les dispositions contenues dans les autres sections du présent accord qui

headquarters district shall immediately cease to apply to the land and buildings so disposed of.

s'appliquent au district administratif cesseront immédiatement de s'appliquer aux terrains et aux bâtiments dont elle aura disposé.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

d) A défaut d'accord, le prix à payer pour tout transfert de propriété prévu à la présente section consistera en la juste valeur du terrain, des bâtiments et installations au moment du transfert, ladite valeur devant être déterminée conformément à la procédure prévue à la section 21.

Price for conveyance.

SECTION 23

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

SECTION 23

Le siège de l'Organisation des Nations Unies ne sera pas transféré hors du district administratif, à moins que l'Organisation des Nations Unies n'en décide ainsi.

Removal of seat of U. N.

SECTION 24

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

SECTION 24

Dans le cas où le siège de l'Organisation des Nations Unies serait transféré hors du territoire des Etats-Unis, le présent accord cessera d'être en vigueur, exception faite toutefois de celles de ses dispositions qui seraient nécessaires pour la terminaison régulière des activités de l'Organisation des Nations Unies dans son siège des Etats-Unis et pour la disposition de celles de ses propriétés qui s'y trouvent.

Termination of agreement.

SECTION 25

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

SECTION 25

Le Gouvernement des Etats-Unis assumera en dernier ressort la responsabilité de l'exécution par les autorités américaines compétentes des obligations qui leur sont imposées par le présent accord.

Fulfillment of U. S. obligations.

SECTION 26

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General

SECTION 26

Les dispositions du présent accord complètent celles de la Convention générale. Dans la mesure où une disposition du présent accord et une disposition de la Convention générale ont trait à la

Complementary provisions.

Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

même question, les deux dispositions seront considérées autant que possible, comme complémentaires, et s'appliqueront toutes deux sans que l'une d'elles ne puisse limiter les effets de l'autre. Toutefois, en cas de contradiction absolue, les dispositions du présent accord prévaudront.

SECTION 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfill its purposes.

SECTION 27

Le présent accord sera interprété à la lumière de son but fondamental, qui est de permettre à l'Organisation des Nations Unies de pleinement et efficacement exercer ses fonctions et d'atteindre ses buts au siège de son activité aux Etats-Unis d'Amérique.

SECTION 28

Bringing of agreement into effect.

Post, p. 3437.

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations,[1] and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

61 Stat., Pt. 1, p. 756.

IN WITNESS WHEREOF the respective representatives have signed this Agreement and have affixed their seals hereto.

Authentic languages.

DONE in duplicate, in the English and French languages, both authentic, at Lake Success the twenty-sixth day of June 1947.

SECTION 28

Le présent accord entrera en vigueur à la suite d'un échange de notes entre le Secrétaire général, dûment autorisé en vertu d'une résolution de l'Assemblée Générale de l'Organisation des Nations Unies, et l'autorité compétente du pouvoir exécutif des Etats-Unis, dûment autorisée en vertu d'une mesure appropriée du Congrès.

EN FOI DE QUOI, les représentants respectifs ont signé le présent protocole et y ont apposé leurs cachets.

FAIT en double exemplaire, en langue anglaise et en langue française, les deux textes faisant également foi, à Lake Success, le vingt-six juin 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE:

G C MARSHALL [SEAL]
Secretary of State
Secrétaire d'Etat

FOR THE UNITED NATIONS:
POUR L'ORGANISATION DES NATIONS UNIES:

TRYGVE LIE [SEAL]
Secretary-General
Secrétaire général

[1] [U.N. doc. A/P.V. 101, Oct. 31, 1947.]

ANNEX 1

The area referred to in Section 1 (a) (1) consists of (a) the premises bounded on the East by the westerly side of Franklin D. Roosevelt Drive, on the West by the easterly side of First Avenue, on the North by the southerly side of East Forty-Eighth Street, and on the South by the northerly side of East Forty-Second Street, all as proposed to be widened, in the Borough of Manhattan, City and State of New York, and (b) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

ANNEXE 1

La zône mentionnée à la section 1 a) 1) se compose: a) des lieux sis dans la Borough de Manhattan, ville et Etat de New York, lesdits lieux étant limités, à l'est par la limite ouest de Franklin D. Roosevelt Drive, à l'ouest par la limite est de la Première Avenue, au nord par la limite sud de la quarante-huitième Rue est, et au sud par la limite nord de la quarante-deuxième Rue est, les limites desdites voies étant celles qui devront résulter de leur élargissement tel qu'actuellement proposé; b) d'une servitude sur le Franklin D. Roosevelt Drive partant d'un niveau inférieur au-dessus duquel sera construite une esplanade, ce niveau devant être déterminé en vue de la construction et de l'entretien de l'esplanade susdite. Cette servitude s'étendra à toutes superstructures de même qu'aux fondations et colonnes qui supporteront l'esplanade et qui seraient posées au-dessous du niveau inférieur à délimiter. La zône entière sera définie avec plus de précision par un accord additionnel entre l'Organisation des Nations Unies et les Etats-Unis d'Amérique.

Ante, p. 3416.

ANNEX 2

Maintenance of Utilities and Underground Construction

Section 1

The Secretary-General agrees to provide passes to duly authorized employees of The City of New York, the State of New York, or any of their agencies or subdivisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

Section 2

Underground constructions may be undertaken by The City of New York, or the State of New York, or any of their agencies or sub-divisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

ANNEXE 2

Entretien des services d'utilité publique et constructions souterraines

Section 1

Le Secrétaire général convient de fournir des laissez-passer aux employés dûment autorisés de la ville de New York, de l'Etat de New York, ou de toute agence ou circonscription de ladite ville ou dudit Etat, en vue de permettre à ces employés d'inspecter, réparer, entretenir, reconstruire les services d'utilité publique, canalisations, collecteurs et égoûts, et de les déplacer, le tout à l'intérieur du district administratif.

Section 2

La ville de New York ou l'Etat de New York ou leurs agences ou circonscriptions ne pourront entreprendre des constructions souterraines à l'intérieur du district administratif qu'après consultation avec le Secrétaire général, et de manière à ne pas troubler l'accomplissement des fonctions de l'Organisation des Nations Unies.

The United States Representative to the United Nations to the Secretary-General of the United Nations

UNITED STATES REPRESENTATIVE
TO THE UNITED NATIONS

NOVEMBER 21, 1947

EXCELLENCY:

I have the honor to refer to Section 28 of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, which provides for bringing that Agreement into effect by an exchange of notes. Reference is made also to the provisions of United States Public Law 357, 80th Congress, entitled "Joint Resolution Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other purposes", which was approved by the President of the United States of America on August 4, 1947.

Ante, p. 3434.

61 Stat., Pt. 1, p. 756.

Pursuant to instructions from my Government, I have the honor to inform you that the Government of the United States of America is prepared to apply the above-mentioned Headquarters Agreement subject to the provisions of Public Law 357.

I have been instructed by my Government to propose that the present note and your note of this date be considered as bringing the Headquarters Agreement into effect on the date hereof.

Accept, Excellency, the renewed assurances of my highest consideration.

WARREN R. AUSTIN

His Excellency
TRYGVE LIE,
Secretary-General
of the United Nations,
Lake Success, New York.

UN-1478A

The Secretary-General of the United Nations to the United States Representative to the United Nations

CABLE ADDRESS: UNATIONS NEW YORK TELEGRAMME: UNATIONS NEW-YORK
UNITED NATIONS NATIONS UNIES
LAKE SUCCESS, NEW YORK • FIELDSTONE 7-1100

REFERENCE:

21 NOVEMBER 1947

SIR,

I have the honour to refer to the Resolution adopted by the General Assembly on 31 October 1947, at its one hundred and first meeting, relative to the Agreement between the United States of America and the United Nations regarding the Headquarters of the United Nations, signed at Lake Success on 26 June 1947.

Ante, p. 3416.

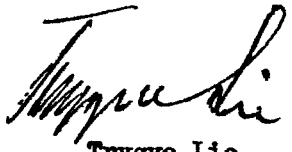
By this Resolution the General Assembly, after having studied the report of its Sixth Committee and endorsed the opinions expressed therein, has approved the above-mentioned Agreement, which states and defines the mutual obligations of the United Nations and the United States in connection with the establishment of the permanent Headquarters of the United Nations in the United States. The Resolution, consequently, has authorized me to bring that Agreement into force in the manner provided in Section 28 of the Agreement.

Ante, p. 3434.

Pursuant to the Resolution and in conformity with Section 28 of the Agreement, I have the honour to propose that the present note and your note of this day be considered as bringing the Headquarters Agreement into effect under date hereof.

I have the honour to be, Sir,

Your obedient Servant,



Trygve Lie
Secretary-General

The Honorable
WARREN R. AUSTIN,
Permanent Representative of the
United States of America at the
Seat of the United Nations,
New York.

Interim agreement between the United States of America and the United Nations respecting the headquarters of the United Nations. Signed at Lake Success, New York, December 18, 1947; entered into force December 18, 1947.

December 18, 1947
[T. I. A. S. 1677]

INTERIM HEADQUARTERS AGREEMENT

THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to extend to the temporary headquarters of the United Nations such of those provisions of the Agreement between the United Nations and the United States of America Regarding the Headquarters of the United Nations signed at Lake Success June 26, 1947, as are appropriate, having regard for the needs of the United Nations at its temporary headquarters;

Ante, p. 3416.

Have appointed as their representatives for this purpose:

The United Nations:

Trygve Lie, Secretary-General,

and

The United States of America:

Warren R. Austin, United States Representative to the United Nations,

Who, being duly authorized, have agreed as follows:

ARTICLE I

This agreement shall be called the Interim Headquarters Agreement.

As used in this agreement:

(a) The expression "temporary headquarters" means (1) the land and buildings occupied and used by the United Nations for its official activities at Lake Success, Long Island, New York, and at Flushing Meadows, New York, the precise limits of which are defined in the Annex to this agreement and (2) such other land and buildings occupied and used by the United Nations as may be defined from time to time by agreement between the United Nations and the United States of America after consultation with the appropriate state and local authorities.

"Temporary headquarters."

Post, p. 3441.

(b) The expression "Headquarters Agreement" means the Agreement between the United Nations and the United States of America Regarding the Headquarters of the United Nations signed at Lake Success on June 26, 1947, and brought into effect in accordance with its provisions by an exchange of notes dated November 21, 1947.

"Headquarters Agreement."

Ante, p. 3416.
Ante, p. 3437.

ARTICLE II

Necessary provisions of Headquarters Agreement.

The following provisions of the Headquarters Agreement, with the exception noted in Article III of this agreement and subject to the provisions of said article, having been found to be necessary and appropriate to enable the United Nations to carry on its functions at the temporary headquarters, shall have full force and effect with respect to the temporary headquarters of the United Nations and the expression "headquarters district" as used in the Sections of the Headquarters Agreement incorporated herein by reference shall be deemed to include the temporary headquarters of the United Nations until such time as the United Nations shall have ceased to use or occupy its temporary headquarters and this agreement shall be terminated:

"Headquarters district."

Ante, p. 3416 *et seq.*

Section 1 (except subsection a)
Section 4
Section 7
Section 8
Section 9
Section 10
Section 11
Section 12
Section 13
Section 14
Section 15
Section 16
Section 17
Section 19

ARTICLE III

Passes.

The United Nations agrees, in view of the fact that the premises occupied by it as the temporary headquarters are under lease from persons not parties to this agreement, that passes will be provided by the Secretary-General to such persons or their duly authorized agents for the purposes of enabling them to inspect, repair and maintain the said premises in accordance with the terms of the lease.

Taxes.

The United Nations further agrees that this Interim Agreement shall not affect any existing arrangements with respect to payment of taxes or payments in lieu of taxes on property under lease from persons not parties to this agreement or impair the power of any municipality to impose taxes on property so leased.

ARTICLE IV

Ante, p. 3430 *et seq.*

It is understood that Sections 20, 21, 25, 26 and 27 of the Headquarters Agreement shall be applicable to the operation and construction of this agreement.

ARTICLE V

Effective date; duration.

This agreement shall come into effect on the date of signature hereof. It shall continue in force until the United Nations shall have ceased to use or occupy the temporary headquarters.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this agreement.

DONE in duplicate in the English language at Lake Success the eighteenth day of December 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

WARREN R. AUSTIN
United States Representative
to the United Nations

FOR THE UNITED NATIONS:

TRYGVE LIE
Secretary-General

ANNEX [1]

A. Description of Property at Lake Success Site.

BEGINNING at the northwesterly corner of the property intended to be described herein, said point being where the easterly line of Lakeville Road intersects the southerly line of Marcus Avenue; thence running South 78°10′50″ East and along the southerly line of Marcus Avenue 449.57 feet to the P.C. of a curve; thence continuing easterly and along the southerly line of Marcus Avenue and on a curve the radius of which is 1757.85 feet a distance of 295.98 feet to the P.T. of said curve; thence running South 68°32′ East and still along the southerly line of Marcus Avenue 740.99 feet to the P.C. of another curve; thence continuing easterly and along the southerly line of Marcus Avenue and along a curve the radius of which is 1340.11 feet a distance of 421.50 feet to the P.T. of said curve; thence running South 50°30′44″ East and along the southerly line of Marcus Avenue 95.78 feet to the P.C. of another curve; thence continuing easterly and along the southerly line of Marcus Avenue and along a curve the radius of which is 755.14 feet a distance of 92.54 feet to the easterly line of the property intended to be described herein; thence running South 30°41′38″ West 68.41 feet; thence running North 59°18′22″ West 30.25 feet to the fence line; thence running South 30°41′38″ West and along said fence line 150.21 feet to a stake; thence running westerly and along said fence line a distance of 570 feet to a stake; thence running North 73°55′24″ West 194.48 feet to a stake; thence running South 16°04′36″ West 40.83 feet to a stake; thence running North 73°55′24″ West 34.07 feet to a stake; thence South 16°04′36″ West and along the fence 34.21 feet to a chisel on the face of the north wall of the building; thence North 73°55′24″ West and along the face of the north wall of the building 3.75 feet; thence South 16°04′36″ West through the masonry wall 40.79 feet; thence North 73°55′24″ West and through the masonry wall 1.95 feet; thence South 16°04′36″ West and through the masonry wall 500.33 feet; thence North 73°55′24″ West and through the masonry wall 23.83 feet; thence

[1] [Attached to the Interim Headquarters Agreement is a large-scale map of the area described in the Annex to the Agreement. This map is in the archives of the Department of State and is available for reference.]

South 16°04′36″ West and through the masonry wall 92.25 feet; thence North 73°55′24″ West and through the masonry wall 5.72 feet; thence South 16°04′36″ West and through the masonry wall 8.21 feet to the face of the south wall of the building; thence South 73°55′24″ East and along the face of the south wall of the building 0.70 feet to a fence; thence South 16°04′36″ West and along said fence 34.11 feet; thence North 73°55′24″ West and still along said fence line 226.26 feet; thence South 17°34′06″ West and still along said fence line 30.71 feet; thence North 73°55′24″ West, still along the fence line, 183.10 feet to the beginning of a curve; thence running in a southwesterly direction and along said curve the radius of which is 20 feet a distance of 31.42 feet to the P.T. of said curve; thence South 16°04′36″ West, still along said fence line, 236.50 feet; thence South 73°55′24″ East still along said fence line 455.80 feet; thence South 16°04′36″ West and still along said fence line 69.40 feet; thence in a southwesterly direction and along said fence 750 feet to the northerly line of property belonging to the Manhasset-Lakeville Water District; thence running North 41°05′56″ West and along the northerly line of land of the Manhasset-Lakeville Water District 50 feet to the northwesterly corner of said Water District property; thence running South 48°54′04″ West and along the westerly line of property of the Manhasset-Lakeville Water District 128.05 feet to the northerly line of Lakeville Road; thence running in a northwesterly direction and along the northerly and easterly line of Lakeville Road on a curve the radius of which is 920.37 feet a distance of 292.73 feet to the P.T. of said curve; thence running North 19°08′16″ West and along the northeasterly line of Lakeville Road 106.45 feet to the P.C. of another curve; thence running in a northerly direction and along the easterly line of Lakeville Road and on a curve the radius of which is 920.37 feet a distance of 352.77 feet to the P.T. of said curve; thence running North 2°49′24″ East and along the easterly line of Lakeville Road 787.19 feet; thence running North 7°36′24″ East and still along the easterly line of Lakeville Road 189.80 feet to the beginning of a curve; thence running in a northerly direction and along the easterly line of Lakeville Road and on a curve the radius of which is 681.78 feet a distance of 321.93 feet to the P.T. of said curve; thence running North 34°39′39″ East and along the easterly line of Lakeville Road 182.74 feet to the southerly line of Marcus Avenue at the point or place of beginning; CONTAINING within said bounds 56.167 acres.

Compressor room area.

INCLUDING the area comprising the compressor room and the entrance thereto which is situated on the first floor and east of the easterly line described in the proposed lease between the Reconstruction Finance Corporation and the United Nations, which compressor room area is more particularly bounded and described as follows:

BEGINNING at a point on the face of the north wall of the building, which point is distant 12.75 feet easterly from the chisel mark on the building and the fence line as shown on the section of the diagram attached hereto and which is a part of the above-mentioned proposed lease; thence running South 73°55′24″ East and along the face of the

north wall of the building 21.95 feet; thence South 16°04′36″ West and along the east wall of the compressor room 46.79 feet; thence North 73°55′24″ West 2.40 feet; thence South 16°04′36″ West 6.67 feet; thence North 73°55′24″ West 38.00 feet; thence North 16°04′36″ East 6.67 feet; thence South 73°55′24″ East 14.35 feet; thence North 16°04′36″ East 36.39 feet; thence South 73°55′24″ East 4.10 feet; thence North 16°04′36″ East 10.40 feet to the point or place of beginning.

Modification of description.

The foregoing description of the property has been taken from the proposed lease between the Reconstruction Finance Corporation and the United Nations. The said description is subject to such modification as may be contained in the lease as executed between the Reconstruction Finance Corporation and the United Nations.

B. Description of Property at Flushing Assembly Hall Site.

BEGINNING at a point located 1470 feet northerly from the intersection of the center lines of Grand Central Parkway and Horace Harding Boulevard in the Borough of Queens, City of New York, 95 feet easterly of the center line of Grand Central Parkway said point being the existing chain link fence along the westerly curb line of the Intramural Drive in Flushing Meadow Park; thence northerly along the chain link fence on the westerly side of the Intramural Drive for 1,370 feet to a point 55 feet south of the center line of the first pedestrian overpass across Grand Central Parkway south of the Long Island Railroad, northside Division; thence easterly along the chain link fence 840 feet to the northeast corner of the property; thence southerly 1,570 feet along the chain link fence on the westerly side of the pedestrian walk to the southeast corner of the property; thence westerly 805 feet along the chain link fence on the northerly side of the pedestrian walk to the point or place of beginning, it being the intention to include all the property within the chain link fence enclosing the Assembly Hall of United Nations Site, formerly the New York City Building and adjacent area.

This description was obtained by the United Nations from the Parks Department of the City of New York.

Agreement between the United States of America and France respecting air transport services. Signed at Paris March 27, 1946; entered into force March 27, 1946. And a provisional arrangement effected by exchange of notes signed at Paris December 28 and 29, 1945.

December 28, 29, 1945, and March 27, 1946
[T. I. A. S. 1679]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC RELATING TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES

ACCORD ENTRE LE GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE ET LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE RELATIF AUX SERVICES AERIENS ENTRE LEURS TERRITOIRES RESPECTIFS.

• • •

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

considering

- that the possibilities of commercial aviation as a means of transport have greatly increased,
- that it is desirable to organize the international air services in a safe and orderly manner and to further as much as possible the development of international cooperation in this field, and
- that the Agreements hitherto contracted between the two governments with respect to the operation of air services should be replaced by a more general agreement in harmony with the new conditions of air transport,

have appointed their representatives, who, duly authorized, have agreed upon the following:

ARTICLE I

Rights.

Post, p. 3456.

Post, p. 3452.

The Contracting Parties grant to each other the rights specified in the Annex hereto for the establishment of the international air services set forth in that Annex, or as amended in accordance with Article XII [1] of the present Agreement (hereinafter referred to as the "agreed services").

ARTICLE II

Inauguration of services.

(a) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, on condition that:

(1) the Contracting Party to whom the rights have been granted shall have designated an air carrier or carriers for the specified route or routes,

(2) the Contracting Party which grants the rights shall have given the appropriate operating permission to the air carrier or carriers concerned pursuant to paragraph (b) of this Article which (subject to the provisions of Article VI) it shall do with the least possible delay.

Post, p. 3450.

(b) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfill the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

[1] [By an exchange of notes dated Feb. 19 and Mar. 10, 1947, between the American Embassy at Paris and the French Ministry of Foreign Affairs it was agreed that "Article XII" should read "Article XIII".]

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement Provisoire de la République Française,

considérant

– que les possibilités de l'Aviation Commerciale, en tant que mode de transport, se sont considérablement accrues,
– qu'il convient d'organiser d'une manière sûre et ordonnée les services aériens internationaux, et de poursuivre dans la plus large mesure possible le développement de la coopération internationale dans ce domaine, et
– que les accords antérieurement conclus entre les deux Gouvernements en matière d'exploitation de services aériens doivent être remplacés par un accord plus général adapté aux conditions nouvelles des transports aériens, ont désigné des Représentants à cet effet, lesquels, dûment autorisés, sont convenus des dispositions suivantes:

ARTICLE PREMIER

Les Parties Contractantes s'accordent l'une à l'autre les droits spécifiés à l'Annexe ci-jointe en vue de l'établissement des services aériens internationaux énumérés à cette Annexe, sans préjudice d'amendements qui seraient apportés à celle-ci conformément à l'Article XIII du présent Accord.

ARTICLE II

a) Lesdits services peuvent être inaugurés immédiatement ou à une date ultérieure, au choix de la Partie Contractante à laquelle les droits sont accordés, à condition que

I°/ la Partie Contractante à laquelle les droits ont été accordés ait désigné une ou plusieurs entreprises de transport aérien pour exploiter la ou les routes spécifiées, et que
2°/ la Partie Contractante qui accorde les droits ait donné, dans les conditions prévues au paragraphe b. du présent Article, à l'entreprise ou aux entreprises intéressées l'autorisation d'exploitation requise, ce qu'elle devra faire dans le plus court délai possible, sous réserve des dispositions de l'article VI.

b) l'entreprise ou les entreprises ainsi désignées pourront être requises par les autorités aéronautiques de la Partie Contractante qui accorde les droits de satisfaire aux conditions prescrites, aux termes des lois et réglements normalement appliqués par ces mêmes autorités, en matière d'exploitation de transports aériens commerciaux.

ARTICLE III

Charges, etc.

(a) The charges which either Contracting Party may impose or permit to be imposed on the designated air carrier or carriers of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft employed in similar international air services.

(b) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, any designated air carrier of the other Contracting Party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees and other charges imposed by the former Contracting Party, treatment not less favorable than that granted to national air carriers engaged in international air services or such carriers of the most favored nation.

(c) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of any designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

ARTICLE IV

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognised as valid by the other Contracting Party for the purpose of operation of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognise for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

ARTICLE V

Laws and regulations.

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of each Contracting Party as to the admission to, sojourn in and departure from its territory of passengers, crew and cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be observed.

ARTICLE III

a) Les taxes imposées pour l'utilisation des aéroports et autres facilités à l'entreprise ou aux entreprises de transport aérien de l'une ou l'autre Partie Contractante ne seront pas plus élevées que celles qui seraient payées pour l'utilisation desdits aéroports et facilités par leurs aéronefs nationaux employés à des services internationaux similaires.

b) Les carburants, les huiles lubrifiantes et les pièces de rechange introduits ou pris à bord sur le territoire d'une Partie Contractante par tout entreprise de transport aérien désignée par l'autre Partie Contractante ou pour le compte d'une telle entreprise, et destinés uniquement à l'usage des appareils de cette entreprise, bénéficieront d'un traitement aussi favorable que le traitement appliqué aux entreprises nationales exploitant des services aériens internationaux ou à celles de la nation la plus favorisée en ce qui concerne l'imposition de droits de douane, de frais d'inspection ou autres droits et taxes nationaux.

c) Les carburants, les huiles lubrifiantes, les pièces de rechange, l'équipement normal et les provisions de bord demeurant à bord des aéronefs utilisés par tout entreprise désignée par une Partie Contractante, seront, sur le territoire de l'autre Partie Contractante, exempts de droits de douane, frais d'inspection ou autres droits et taxes similaires, même au cas où ces approvisionnements seraient employés ou consommés par ces aéronefs au cours de vols au-dessus dudit territoire.

ARTICLE IV

Les certificats de navigabilité, les brevets d'aptitude et les licences délivrés ou validés par l'une des Parties Contractantes et non périmés, seront reconnus valables par l'autre Partie Contractante, aux fins d'exploitation des routes et des services spécifiés à l'Annexe. Chaque Partie Contractante se réserve cependant le droit de ne pas reconnaître valables pour la circulation au-dessus de son propre territoire les brevets d'aptitude et licences délivrés à ses propres ressortissants par un autre Etat.

ARTICLE V

a) Les lois et réglements d'une Partie Contractante relatifs à l'entrée et à la sortie de son territoire des aéronefs employés à la navigation internationale, ou relatifs à l'exploitation et à la navigation desdits aéronefs durant leur présence dans les limites de son territoire, s'appliqueront aux aéronefs de l'autre Partie Contractante, lesquels devront s'y conformer à l'arrivée, au départ et durant leur présence dans les limites du territoire de la Partie Contractante mentionnée en premier lieu.

b) les lois et réglements d'une Partie Contractante relatifs à l'admission sur son territoire, au séjour et à la sortie de passagers, d'équipages ou de marchandises transportés par aéronefs tels que ceux régissant l'entrée, les formalités de congé, l'immigration, les passeports, les douanes et la quarantaine, seront également appliqués.

ARTICLE VI

Withholding or revocation of certificate or permit.

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an air carrier designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article V hereof, or otherwise to fulfill the conditions under which the rights are granted in accordance with this Agreement and its Annex.

Post, p. 3456.

ARTICLE VII

Additional rights.
Ante, p. 3446.

(a) In addition to the rights mentioned in Article I of the present Agreement, each Contracting Party grants to all air carriers of the other Contracting Party for international air services (and for all operational flights incidental to such services):

(1) The right to fly across its territory without landing;
(2) The right to land in such territory for non-traffic purposes.

(b) In order to carry out the purposes of paragraph (a) above, each Contracting Party may designate the airways to be followed within its territory by any air carrier of the other Contracting Party, and the airports which any such services may use.

(c) The exercise of the rights specified in paragraph (a) above is subject to the provisions of Articles III, IV, V and VI of this Agreement and the Articles which follow.

(d) The rights granted under the present Article by the Government of the United States to French air carriers may be exercised at Kindley Field (Bermuda) provided the Government of the French Republic shall have obtained the necessary authorizations from the Government of the United Kingdom of Great Britain and Northern Ireland.

ARTICLE VIII

Consultation.

In a spirit of close collaboration, the aeronautical authorities of the two Contracting Parties will consult regularly with a view to assuring the observance of the principles and the implementation of the provisions outlined in the present Agreement and its Annex.

Post, p. 3456.

ARTICLE IX

For the purpose of the present Agreement and its Annex:

"Territory."

(a) The term "territory" as applied to each Contracting Party shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, or trusteeship of such Contracting Party.

"Aeronautical authorities."

(b) The term "aeronautical authorities" shall mean in the case of France "le Secrétaire Général à l'Aviation Civile et Commerciale" and in the case of the United States the Civil Aeronautics Board, and in both cases any person or body authorized to perform the functions presently exercised by the above mentioned bodies.

ARTICLE VI

Chaque Partie Contractante se réserve le droit de refuser une autorisation d'exploitation à une entreprise désignée par l'autre Partie Contractante ou de révoquer une telle autorisation, lorsqu'elle n'a pas la preuve qu'une part importante de la propriété et le contrôle effectif de cette entreprise sont entre les mains de nationaux de l'une ou l'autre des Parties Contractantes ou lorsque cette entreprise de transport aérien ne se conforme pas aux lois et réglements visés à l'article V ou ne remplit pas les obligations que lui imposent le présent Accord et son Annexe.

ARTICLE VII

a) Outre les droits mentionnés à l'Article Premier du Présent Accord, chaque Partie Contractante accorde à toute entreprise de transport aérien ressortissant de l'autre Partie Contractante en vue de l'exploitation de services aériens internationaux ainsi que de la réalisation de vols de servitude afférents à cette exploitation:

I°/ le droit de traverser son territoire sans atterir;
2°/ le droit d'atterrir sur son territoire pour raisons non commerciales.

b) Pour l'application du paragraphe a) ci-dessus, chaque Partie Contractante pourra désigner les routes à suivre sur son territoire par les entreprises ressortissant de l'autre Partie Contractante, ainsi que les aéroports pouvant être utilisés.

c) L'exercice des droits spécifiés au paragraphe a) ci-dessus sera soumis aux dispositions des Articles III, IV, V & VI du présent Accord, ainsi qu'aux Articles suivants.

(d) Les droits accordés en vertu du présent Article par le Gouvernement des Etats-Unis aux entreprises françaises de transport aérien pourront être exercés à Kindley Field (Bermudes), dans la mesure où le Gouvernement français aura obtenu du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord les autorisations nécessaires.

ARTICLE VIII

Dans un esprit d'étroite collaboration, les autorités aéronautiques des deux Parties Contractantes se consulteront régulièrement en vue de s'assurer de l'application des principes définis au présent Accord et à son Annexe et de leur exécution satisfaisante.

ARTICLE IX

Pour l'application du présent Accord et de son Annexe,

(a) le mot "territoire" s'entendra des régions terrestres et des eaux territoriales y adjacentes sur lesquelles l'une ou l'autre des Parties Contractantes exerce sa souveraineté, sa suzeraineté, son protectorat, un mandat ou une tutelle;

(b) l'expression "autorités aéronautiques" s'entendra, en ce qui concerne les Etats-Unis, du "Civil Aeronautics Board", et, en ce qui concerne la France, du Secrétariat Général à l'Aviation Civile et Commerciale ou, dans les deux cas, de toute personne ou de tout organisme qui seraient habilités à assumer les fonctions actuellement exercées par les organismes précités.

"International air services."

(c) The term "international air services" shall have the meaning specified in Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944.

61 Stat., Pt. 2, p. 1207.

ARTICLE X

Disputes.

Except as otherwise provided in this agreement or its Annex, any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation, shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization, in accordance with the provisions of Article III, Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944, or its successor.

Post, p. 3456.

59 Stat. 1521.

ARTICLE XI

The present Agreement supersedes the Air Transport Agreement concluded between the two Contracting Parties by an exchange of notes signed July 15, 1939, as well as the Provisional Arrangement of December 28 ans 29, I945.

53 Stat. 2422.

Post, p. 3474.

The present Agreement shall in no way affect the Agreement concluded in Noumea on December 22, I938 between the Governor of New Caledonia and a United States air carrier, or any amendments thereof.

ARTICLE XII

Registration.

This Agreement and all relative contracts shall be registered with the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago December 7, I944, or its successor.

59 Stat. 1516.

ARTICLE XIII

Entry into force.

Post, p. 3456.

(a) This Agreement, including the provisions of the Annex thereof will come into force on the day it is signed.

Amendment, etc.

(b) Either Contracting Party may at any time request consultation with the other with a wiew to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience. If a multilateral air convention enters into force in relation to both Contracting Parties, such consultation shall take place with a view to amending the present Agreement or its Annex so as to conform to the provisions of such a convention.

(c) Except as otherwise provided in this Agreement or its Annex, if either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement it may request consultation to begin within a period of sixty days from the date of the request. Any modification in the Annex agreed to by said aeronautical authorities shall come into effect when it has been confirmed by an exchange of diplomatic notes.

(c) l'expression "service aérien international" s'entendra dans le sens défini par l'article 96 de la Convention sur l'Aviation Civile Internationale signée à Chicago le 7 Décembre 1944.

ARTICLE X

Sous réserve d'autres dispositions du présent Accord ou de son Annexe, tout différend entre les Parties Contractantes relatif à l'interprétation ou à l'application du présent Accord ou de son Annexe qui ne pourrait être réglé par la voie de négociations directes sera soumis pour avis consultatif au Conseil Intérimaire de l'Organisation Provisoire de l'Aviation Civile Internationale (conformément aux dispositions de l'article III, Section 6–(8) de l'Accord Intérimaire sur l'Aviation Civile Internationale signé à Chicago le 7 Décembre 1944), ou à l'organisme appelé à lui succéder.

ARTICLE XI

Le présent Accord se substitue à l'Arrangement pour le Fonctionnement des Services de Transports Aériens conclu entre les deux Gouvernements par un échange de lettres en date du 15 Juillet 1939 ainsi qu'à l'Accord provisoire des 28 et 29 Décembre 1945.

Il n'affecte en rien l'Accord conclu à Nouméa le 22 Décembre 1939 [1] entre le Gouverneur de la Nouvelle-Calédonie et une entreprise américaine de transport aérien, non plus que les amendements qui y ont été apportés.

ARTICLE XII

Le présent accord et tous les contrats y relatifs seront enregistrés à l'Organisation Provisoire de l'Aviation Civile Internationale instituée par l'Accord Intérimaire sur l'Aviation Civile Internationale, signé le 7 Décembre 1944 à Chicago, ou à l'organisme appelé à lui succéder.

ARTICLE XIII

a) Le présent Accord et son Annexe entreront en vigueur à la date de la signature dudit Accord.

b) Chacune des Parties Contractantes peut à tout moment demander à se consulter avec l'autre en vue d'apporter au présent Accord ou à son Annexe tout amendement qui, à l'expérience, paraitrait désirable. Si une convention aéronautique multilatérale entre en vigueur entre les deux Parties Contractantes, une telle consultation sera de droit, à l'effet de mettre les clauses du présent Accord ou de son Annexe en concordance avec les dispositions de ladite convention.

c) Sous réserve d'autres dispositions du présent Accord ou de son Annexe, si l'une des Parties Contractantes ne souhaite modifier les termes que de l'Annexe au présent Accord, elle peut demander que la consultation ait lieu entre les autorités aéronautiques des deux Parties Contractantes, cette consultation devant commencer dans un délai de soixante jours à compter de la date de la demande. Toute modification à l'Annexe convenue entre lesdites autorités entrera en vigueur dès qu'elle aura été confirmée par un échange de notes diplomatiques.

[1] [By an exchange of notes dated Feb. 19 and Mar. 10, 1947, between the American Embassy at Paris and the French Ministry of Foreign Affairs it was agreed that "22 Décembre 1939" should read "22 Décembre 1938."]

Notice of termination.

(d) When the procedure for a consultation provided for in paragraph (b) of the present Article has been initiated, either Contracting Party may at any time give notice to the other of its desire to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organisation, or its successor.

This Agreement shall terminate one year after the date of receipt of the notice to terminate by the other Contracting Party unless the notice is withdrawn by agreement before the expiration of this period. In the absence of acknowledgment of receipt by the other Contracting Party, notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organization or its successor.

Authentic languages.

DONE at Paris , 1946, [1] in duplicate in the English and French languages, each of which shall be of equal authenticity.

For the Government of the United States of America
JEFFERSON CAFFERY
L. WELCH POGUE
GEORGE P. BAKER

For the Provisional Government of the French Republic
JULES MOCH
G BIDAULT

[1] [By an exchange of notes dated Feb. 19 and Mar. 10, 1947, between the American Embassy at Paris and the French Ministry of Foreign Affairs it was agreed that the date of signature was omitted inadvertently and that this passage should read "DONE at Paris March 27, 1946,".]

d) Une fois engagée la procédure de consultation prévue au paragraphe b) du présent Article, chaque Partie Contractante pourra à tout moment notifier à l'autre son désir de mettre fin au présent Accord. Une telle notification devra être faite simultanément à l'Organisation Provisoire de l'Aviation Civile Internationale ou à l'organisme appelé à lui succéder.

Le présent Accord prendra fin une année après le jour de réception de la notification par l'autre Partie Contractante, à moins que ladite notification soit retirée d'un commun accord avant l'expiration de cette période. Au cas où la Partie Contractante qui recevrait une telle notification n'en accuserait pas réception, la notification sera tenue pour reçue quatorze jours après sa réception par l'Organisation Provisoire de l'Aviation Civile Internationale ou l'organisme qui lui aurait succédé.

Fait à Paris, le Mars 1946,[1] en double exemplaire, dans les langue anglaise et française, l'une et l'autre faisant également foi./.

Pour le Gouvernement des Etats-Unis d'Amérique	Pour le Gouvernement Provisoire de la République Française
JEFFERSON CAFFERY	JULES MOCH
L. WELCH POGUE	G BIDAULT
GEORGE P. BAKER	

[1] [By an exchange of notes dated Feb. 19 and Mar. 10, 1947, between the American Embassy at Paris and the French Ministry of Foreign Affairs it was agreed that the date of signature was omitted inadvertently and that this passage should read "Fait à Paris, le 27 Mars 1946,".]

ANNEX

SECTION I

Routes.

The Government of the United States of America grants to the Government of the French Republic the right to conduct air transport services by one or more air carriers of French nationality designated by the latter country on the routes, specified in Schedule I attached, which transit or serve commercially the territory of the United States of America.

Post, p. 3466.

SECTION II

The Government of the French Republic grants to the Government of the United States of America the right to conduct air transport services by one or more air carriers of United States nationality designated by the latter country on the routes, specified in Schedule II attached, which transit or serve commercially French territory.

Post, p. 3466.

SECTION III

Rights of transit and stop.

One or more air carriers designated by each of the Contracting Parties under the conditions provided in this Agreement will enjoy, in the territory of the other Contracting Party, rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail at the points enumarated and on each of the routes specified in the schedules attached at all airports open to international traffic.

SECTION IV

It is agreed between the Contraction Parties:

Encouragement of air travel.

(a) That the two governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and gool will among peoples ans insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

(b) That in the operation by the air carriers of either Contracting Party of trunk services described in the present Annex, the interests of the air carriers of the other country shall, however, be taken into consideration so as not to effect unduly the services which the latter provide on all or part of the same route.

(c) That the air transport services offered by the carriers of both countries should bear a close relationship to the requirements of the public for such services.

Capacity.

(d) That the services provided by a designated air carrier under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic; and

ANNEXE.

SECTION I

Le Gouvernement des Etats-Unis d'Amérique accorde au Gouvernement de la République Française le droit de faire assurer par une ou plusieurs entreprises françaises de transport aérien désignées par lui, des services aériens sur les lignes mentionnées au tableau I ci-annexé qui traversent ou desservent le territoire des Etats-Unis d'Amérique.

SECTION II.–

Le Gouvernement de la République Française accorde au Gouvernement des Etats-Unis d'Amérique le droit de faire assurer par une ou plusieurs entreprises de transport aérien des Etats-Unis désignées par lui, des services aériens sur les lignes mentionnées au tableau II ci-annexé qui traversent ou desservent le territoire français.

SECTION III.–

L'entreprise où les entreprises de transport aérien désignées par chacune des Parties Contractantes dans les conditions fixées à l'Accord jouiront dans le territoire de l'autre Partie Contractante, aux points énumérés et sur chaque itinéraire décrit aux tableaux ci-annexés, du droit de transit, du droit d'escales pour raisons non commerciales et du droit de débarquer et d'embarquer en trafic international des passagers, du courrier et des marchandises sur tout aéroport ouvert au trafic international.

SECTION IV.–

Il est entendu entre les Parties Contractantes:

a) que les deux Gouvernements désirent provoquer et encourager la plus large distribution possible des avantages procurés par les voyages aériens pour le bien général de l'humanité, aux plus bas tarifs compatibles avec de sains principes économiques; et stimuler les voyages aériens internationaux comme moyen de promouvoir une entente amicale et une bonne volonté commune entre les peuples, et assurer en même temps les nombreux bienfaits indirects de ce nouveau mode de transport pour le bien-être commun des deux pays;

b) que, dans l'exploitation par les entreprise de chacun des deux pays des services long-courrier mentionnés à la présente Annexe, les intérêts des entreprises de l'autre pays seront toutefois pris en considération, afin que ne soient pas indûment affectés les services que ces dernières assureraient sur tout ou partie des mêmes parcours;

c) que les services assurés par les entreprises des deux pays devront correspondre aux besoins du public en matière de transport aérien;

d) que lesdits services long-courrier auront pour objet essentiel d'offrir une capacité correspondant à la demande de trafic entre le pays dont ressortit l'entreprise et le pays desservi en dernier lieu; et

Right to embark, etc.

– that the right of the air carriers of either country to embark and to disembark at points in the territory of the other country international traffic destined for or coming from third countries at a point or points specified in the Schedules attached, shall be applied in accordance with the general principles or orderly development to which both governments subscribe and shall be subject to the general principle that capacity shall be related.

(I) to traffic requirements between the country of origin and the countries of destination,
(2) to the requirements of through airline operation, and
(3) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION V

Rates.

(a) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other carriers, as well as the characteristics of each service.

(b) The rates to be charged by the air carriers of either Contracting Party between the points in the territoty of the United States and points in French territory referred to in this Annex shall, consistent with the provisions of the present Agreement and its Annex, be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under the present Annex, within the limits of their legal powers.

IATA.

(c) The Civil Aeronautics Board of the United States having approved the traffic conference machinery of the International Air Transport Association (Hereinafter called "IATA"), for a period of one year beginning in February 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

Filing of proposed rates.

(d) Any rate proposed by the air carrier or carriers of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

(e) The Contracting Parties agree that the procedure described in paragraphs (f), (g) and (h) of this Section shall apply

(I) if during the period of the Civil Aeronautics Board's approval of the IATA traffic conference machinery, either any specific rate agreement is not approved within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or

– que le droit pour les entreprises de chacun des deux pays d'embarquer et de débarquer sur le territoire de l'autre pays, aux points et sur les itinéraires spécifiés aux tableaux ci-annexés, du trafic international à destination ou en provenance de pays tiers sera exercé conformément aux principes généraux de développement ordonné affirmés par les deux Gouvernements, et dans des conditions telles que la capacité soit adaptée:

1) A la demande de trafic entre le pays d'origine et les pays de destination;
2) Aux exigences de l'exploitation des services long-courrier; et
3) A la demande de trafic dans les régions traversées, compte tenu des services locaux et régionaux.

SECTION V

a) La fixation des tarifs, conformément à la procédure ci-dessous définie, devra être faite à des taux raisonnables, compte tenu de tous les éléments d'appréciation, et en particulier des frais de l'exploitation, de la réalisation d'un bénéfice normal, des tarifs pratiqués par les autres entreprises, ainsi que des caractéristiques présentées par chaque service.

b) Les tarifs à appliquer par les entreprises de chacune des Parties Contractantes pour les parcours prévus aux tableaux ci-annexés entre les territoires des Etats-Unis d'Amérique et les territoires français devront être soumis conformément aux dispositions du présent Accord et de son Annexe à l'approbation des autorités aéronautiques de chacune des Parties Contractantes, lesquelles agiront selon les obligations résultant de la présente Annexe, dans les limites de leurs pouvoirs légaux.

c) Le "Civil Aéronautics Board" des Etats-Unis ayant approuvé pour la période d'une année commençant en Février 1946 la procédure des conférences de trafic de l'Association Internationale des Transports Aériens (ci-après dénommée I. A. T. A.), tous accords de tarifs conclus selon cette procédure pendant ladite période et intéressant des entreprises des Etats-Unis seront soumis à l'approbation dudit "Civil Aéronautics Board".

d) Tout tarif proposé par l'entreprise ou les entreprises de chacune des Parties Contractantes devra être soumis aux autorités aéronautiques des deux Parties Contractantes trente jours au moins avant la date prévue pour sa mise en application. Cette période de trente jours pourra être réduite dans des cas particuliers si les autorités aéronautiques des deux Parties Contractantes en conviennent d'un commun accord.

e) Les Parties Contractantes conviennent que la procédure prévue aux paragraphes f, g, et h de la présente section sera applicable:

1) lorsque, pendant la période durant laquelle le "Civil Aéronautics Board" approuve la procédure des conférences de trafic de l'I.A.T.A., un accord de tarifs donné n'est pas approuvé dans un délai raisonnable par l'une ou l'autre des Parties Contractantes, ou bien lorsqu'une conférence de l'I.A.T.A. n'a pu établir un tarif, ou

(2) at any time no IATA machinery is applicable, or
(3) if either Contracting Party ay any time withdraws or fails to renew its approval of that part of the IATA traffic conference machinery relevant to this Section.

Prevention of unfair or uneconomic rates.

(f) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with recpect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such amnner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if in the judgment of the aeronautical authorites of the Contracting Party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic.

Notice of dissatisfaction with proposed rate.

If one of the Contracting Parties on receipt of the notification referred to in paragraph (d) above is dissatisfied with the rate proposed by the air carrier or carriers of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached, each Contracting Party will exercise its statutory powers to give effect to such agreement.

Rate effective provisionally.

If agreement has not been reached at the end of the thirty day period referred to in paragraph (d) above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its application, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (h) below.

(g) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied, with any rate proposed by the air carrier or carriers of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph (d) above, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers.

2) lorsque, à toute époque, aucune procédure de l'I.A.T.A. n'est applicable, ou

3) lorsque, à toute époque, l'une ou l'autre des Parties Contractantes retire ou s'abstient de renouveler son approbation à la partie de la procédure des conférences de trafic de l'I.A.T.A. concernant la présente section.

f) Si les autorités aéronautiques des Etats-Unis reçoivent le pouvoir légal de fixer des tarifs justes et économiques pour le transport aérien international des personnes et des messageries, et de suspendre des tarifs proposés, comme le "Civil Aéronautics Board" est actuellement habilité à le faire en ce qui concerne de tels tarifs à l'intérieur des Etats-Unis, chacune des deux Parties Contractantes exercera ultérieurement son autorité de manière à empêcher d'entrer en application tout tarif proposé par l'une de ses entreprises pour les services reliant le territoire de l'une des Parties Contractantes à celui de l'autre, si, de l'avis des Autorités aéronautiques de la Partie Contractante dont l'entreprise propose un tel tarif, ledit tarif n'est pas juste ou économique.

Si l'une des Parties Contractantes, après réception de la notification prévue au paragraphe d) ci-dessus, n'approuve pas le tarif proposé par une entreprise de l'autre Partie Contractante, elle en avisera cette dernière Partie Contractante avant l'expiration de la moitié du délai de trente jours prévu, et les Parties Contractantes s'efforceront d'aboutir à un accord sur un tarif convenable.

Si un tel accord est obtenu, chaque Partie Contractante exercera ses pouvoirs légaux en vue d'en assurer l'application.

Si un accord n'a pas pu être obtenu à l'expiration de la période de trente jours prévue au paragraphe d) ci-dessus, le tarif proposé peut être mis en application à titre provisoire en attendant le réglement du différend conformément à la procédure définie au paragraphe h) ci-dessous, à moins que les autorités aéronautiques du pays de l'entreprise intéressée estiment devoir suspendre cette entrée en application.

g) Aussi longtemps que les autorités aéronautiques des Etats-Unis ne disposeront pas de tels pouvoirs légaux, si l'une des Parties Contractantes n'approuve pas un tarif proposé par une entreprise de l'une ou l'autre des Parties Contractantes pour des services visés au paragraphe b) reliant le territoire de l'une des Parties Contractantes à celui de l'autre, ladite Partie Contractante en avisera l'autre avant l'expiration de la moitié du délai de trente jours prévu au paragraphe d) ci-dessus, et les Parties Contractantes s'efforceront d'aboutir à un accord sur un tarif convenable.

Si un tel accord est obtenu chaque Partie Contractante s'emploiera de son mieux à faire en sorte que le tarif convenu soit mis en application par son entreprise ou ses entreprises.

It is recognised that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

(h) When in any case under paragraph (f) and (g) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the air carrier or carriers of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organization or to its successor for an advisory report, and each Party will use its best efforts under the powers available to it to put the opinion [1] expressed in such report.

SECTION VI

"Transshipment."

(a) For the purpose of the present Section, the term "transshipment" shall mean the transportation by the same carrier of traffic beyond a certain point on a given route by different aircraft from those employed on the earlier stages of the same route.

(b) Transshipment when justified by economy of operation will be permitted at all points mentioned in the attached Schedules in territory of the two Contracting Parties.

(c) However, no transshipments will be made in the territory of either Contracting Party which would alter the long range characteristics of the operation or which would be inconsistent with the standards set forth in this Agreement and its Annex and particularly Section IV of this Annex.

Ante, p. 3456.

SECTION VII

Changes in routes.

Post, p. 3466.

Changes made by either Contracting Party in the routes described in the Schedules attached except those which change the points served by these airlines in the territory of the other Contracting Party shall not be considered as modifications of the Annex. The aeronautical authorities of either Contracting Party may therefore proceed unilaterally to make such changes, provided, however, that notice of any change is given without delay to the aeronautical authorities of the other Contracting Party.

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[1] [By an exchange of notes dated Feb. 19 and Mar. 10, 1947, between the American Embassy at Paris and the French Ministry of Foreign Affairs it was agreed that the words "into effect" were omitted inadvertently and that "put the opinion" should read "put into effect the opinion".]

Il est entendu que si un tel accord ne peut être obtenu avant l'expiration desdits trente jours, la Partie Contractante qui élève des objections au tarif pourra prendre telle mesure qu'elle estimera nécessaire en vue d'empêcher l'inauguration ou le maintien du service en question au tarif discuté.

h) Au cas où la procédure de consultation définie aux paragraphes f) et g) ci-dessus n'aboutirait pas dans un délai raisonnable à un accord entre les autorités aéronautiques des des deux Parties Contractantes sur un tarif convenable, le différend serait, sur la demande de l'une ou l'autre des Parties Contractantes, porté pour avis consultatif devant l'Organisation Provisoire de l'Aviation Civile Internationale ou devant l'Organisme appelé à lui succéder, et chacune des Parties Contractantes s'emploiera de son mieux, dans les limites des pouvoirs dont elle dispose, pour donner suite à l'opinion exprimée par l'Organisme International.

SECTION VI.–

a) Au sens de la présente Section l'expression "rupture de charge" à une escale donnée signifie qu'au-delà de ce point le trafic sur la ligne considérée est assuré par la même entreprise avec un appareil différent de celui qui a été utilisé sur la même ligne avant ladite escale.

b) Toute rupture de charge justifiée par des raisons d'économie d'exploitation sera admise en tout point du territoire des deux Parties Contractantes mentionné aux tableaux ci-annexés.

c) Toutefois aucune rupture de charge ne pourra intervenir sur le territoire de l'une ou l'autre des Parties Contractantes dans les cas où elle modifierait les caractéristiques de l'exploitation d'un service long-courrier, ou serait incompatible avec les principes énoncés dans le présent Accord et son Annexe et particulièrement la Section IV de ladite Annexe.

SECTION VII.–

Toute modification des lignes aériennes mentionnées aux tableaux ci-annexés, qui affecterait le tracé de ces lignes sur des territoires d'Etat tiers autres que ceux des Parties Contractantes, ne sera pas considérée comme une modification à l'Annexe. Les autorités aéronautiques de chaque Partie Contractante pourront en conqéquence procéder unilatéralement à une telle modification sous réserve toutefois de sa notification sans délai aux autorités aéronautiques de l'autre Partie Contractante.

Ante, p. 3456.

If such other aeronautical authorities find that, having regard to the principles set forth in Section IV of the present Annex, interests of their air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the first Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country, the authorities of the two Contracting Parties shall consult with a view to arriving at a satisfactory agreement.

SECTION VIII

Exchange of information.

After the present Agreement comes into force, the aeronautical authorities of both Contracting Parties will exchange information as promptly as possible concerning the authorizations extended to their respective designated air carriers to render service to, through and from the territory of the other Contracting Party. This will include copies of current certificates and authorizations for service on the routes which are the subject of this Agreement and, for the future, such new authorizations as may be issued together with amendments, exemption orders and authorized service patterns.

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Si ces dernières estiment, eu égard aux principes énoncés à la Section IV de la présente Annexe, que les intérêts de leurs entreprises nationales sont affectés par le fait qu'un trafic est assuré entre leur propre territoire et la nouvelle escale en pays tiers par les entreprises de l'autre pays, elles se concerteront avec les autorités aéronautiques de l'autre Partie Contractante afin de parvenir à un accord satisfaisant.

SECTION VIII.–

A partir de l'entrée en vigueur du présent Accord, les autorités aéronautiques des deux Parties Contractantes devront se communiquer aussi rapidement que possible les informations concernant les autorisations données à leur ou leurs propres entreprises désignées pour exploiter les lignes mentionnées aux tableaux ci-annexés ou des fractions desdites lignes. Ces informations comporteront notamment copie des autorisations accordées, de leurs modifications éventuelles ainsi que tous documents annexes.

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SCHEDULE I

ROUTES TO BE SERVED BY THE AIR CARRIERS OF THE FRENCH REPUBLIC

(Points on any of the routes may, at the option of the air carrier, be omitted on any or all flights.)

1. France via intermediate points over the North Atlantic to Boston, New York and Washington, and also the site of the United Nations Organization; in both directions.
2. France via intermediate points over the North Atlantic and Montreal to Chicago; in both directions.
3. France via intermediate points over the North Atlantic to New York and beyond to Mexico; in both directions.
4. Martinique via Guadeloupe and via intermediate points to Puerto Rico and beyond via the Dominican Republic to Haiti; in both directions.
5. Indo-China via points in China and Hong Kong to Manila; in both directions (provided that this route is subject to the approval of the Government of the Philippine Islands).

"North Atlantic."

Note: For the purposes of the present Schedule, the term "North Atlantic" shall mean that part of the North Atlantic Ocean north of a line from Key West, Florida, to Bermuda, the Azores and Lisbon, including these points.

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SCHEDULE II

ROUTES TO BE SERVED BY THE AIR CARRIERS OF THE UNITED STATES

(Points on any of the routes may, at the option of the air carrier, be omitted on any or all flights.)

1. The United States via intermediate points over the North Atlantic to Paris and beyond via intermediate points in Switzerland, Italy, Greece, Egypt, the Near East, India, Burma and Siam to Hanoi, and thence to China and beyond; in both directions.

2. The United States via intermediate points over the North Atlantic and Spain to Marseille and beyond via Milan, Budapest and points south of the parallel of Budapest to Turkey and thence via intermediate points to a connection with Route 8 and beyond on said route; in both directions.

TABLEAU I

ROUTES POUVANT ETRE DESSERVIES PAR LES ENTREPRISES FRANCAISES DE TRANSPORT AERIEN

(Tout point des routes énumérées ci-dessous pourra, au choix de l'entreprise, ne pas être desservi par certains des services assurés par celle-ci ou par la totalité desdits services).

I°/De France, via des points intermédiaires sur l'Atlantique-Nord, vers Boston, New-York et Washington, ainsi que vers le siège de l'Organisation des Nations-Unies; dans les deux sens.

2°/De France, via des points intermédiaires sur l'Atlantique-Nord et Montréal vers Chicago; dans les deux sens.

3°/De France, via des points intermédiaires sur l'Atlantique-Nord vers New-York et au-delà vers le Mexique; dans les deux sens.

4°/De la Martinique, via la Guadeloupe et des points intermédiaires vers Porto-Rico et au-delà vers la République Dominicaine et Haïti; dans les deux sens.

5°/D'Indochine via des points en Chine et Hong-Kong vers Manille; dans les deux sens (sous réserve de l'agrément du Gouvernement des Iles Philippines).

NOTE – Au sens du présent tableau, l'expression "Atlantique-Nord" s'entendra de la partie de l'Océan Atlantique s'étendant au nord d'une ligne reliant Key-West (Floride) à Lisbonne par les Bermudes et les Açores, ces points étant inclus.

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TABLEAU II

ROUTES POUVANT ETRE DESSERVIES PAR LES ENTREPRISES DE TRANSPORT AERIEN DES ETATS-UNIS.

(Tout point des routes énumérées ci-dessous pourra, au choix de l'entreprise, ne pas être desservi par certains des services assurés par celle-ci ou par la totalité desdits services).

I°/ Des Etats-Unis via des points intermédiaires sur l'Atlantique-Nord vers Paris et au-delà, via des points intermédiaires en Suisse, en Italie, en Grèce, en Egypte, dans le Proche-Orient, aux Indes, en Birmanie et au Siam vers Hanoï, et au-delà vers la Chine et les au-delà; dans les deux sens.

2°/ Des Etats-Unis via des points intermédiaires sur l'Atlantique-Nord et l'Espagne vers Marseille et au-delà, via Milan, Budapest et des points au sud du parallèle de Budapest, vers la Turquie, et au delà via des points intermédiaires jusqu'à un raccordement avec la route N° 8 et les au-delà sur ladite route; dans les deux sens.

3. The United States via intermediate points over the North Atalantic, and Spain to Algiers, Tunis, and beyond via intermediate points to Egypt, and beyond via Route 1; in both directions.

4. The United States via intermediate points to Dakar, Pointe Noire, Brazzaville, and beyond via intermediate points to the Union of South Africa; in both directions.

5. The United States via intermediate points to Guadeloupe, Martinique, and beyond via intermediate points to French Guiana, and beyond in South America; in both directions.

6. The United States via intermediate points in the Pacific Ocean to New Caledonia and beyond on one or more routes to Australasia (including Australia and New Zealand); in both directions.

7. The United States via intermediate points in the Pacific Ocean and Manila to Saigon, and beyond to Singapore and Batavia; in both directions.

8. The United States via intermediate points in the Pacific Ocean, Manila, Hong Kong, Macao, and China to Hanoi and beyond via Siam, Burma to India and beyond; in both directions.

"North Atlantic."

Note 1: For the purposes of the present Schedule, the term "North Atlantic" shall mean that part of the North Atlantic Ocean north of a line from Key West, Florida, to Bermuda, the Azores and Lisbon, including these points.

Rights respecting Hanoi and Saigon.

Note 2: It is understood that the rights granted in respect of Hanoi and Saigon shall be in effect from the date of the present Agreement for a period of one year and automatically renewed thereafter except in the event of denunciation with three months' advance notice at the expiration of any annual period.

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3°/ Des Etats-Unis via des points intermédiaires sur l'Atlantique Nord et l'Espagne vers Alger, Tunis et au-delà via des points intermédiaires vers l'Egypte, et les au-delà sur la route N° I; dans les deux sens.

4°/ Des Etats-Unis, via des points intermédiaires vers Dakar, Pointe-Noire, Brazzaville et au-delà via des points intermédiaires vers l'Union Sud-Africaine; dans les deux sens.

5°/ Des Etats-Unis via des points intermédiaires vers la Guadeloupe, la Martinique et au-delà via des points intermédiaires vers la Guyane française et les au-delà en Amérique du Sud; dans les deux sens.

6°/ Des Etats-Unis via des points intermédiaires dans l'Océan Pacifique vers la Nouvelle-Calédonie et au-delà sur une ou plusieurs routes vers l'Australasie (y compris l'Australie et la Nouvelle-Zélande); dans les deux sens.

7°/ Des Etats-Unis via des points intermédiaires dans l'Océan Pacifique & Manille, vers Saïgon, et au-delà vers Singapour et Batavia; dans les deux sens.

8°/ Des Etats-Unis via des points intermédiaires dans l'Océan Pacifique, Manille, Hong-Kong, Macao et la Chine vers Hanoï et au-delà via le Siam, la Birmanie, les Indes et les au-delà; dans les deux sens.

NOTE – I Au sens du présent tableau, l'expression "Atlantique Nord" s'entendra de la partie de l'Océan Atlantique s'étendant au nord d'une ligne reliant Key West (Floride) à Lisbonne par les Bermudes et les Açores, ces points étant inclus.

2 Il est entendu que les droits accordés à Hanoï et Saïgon porteront effet à compter de la date du présent Accord pour une période d'une année renouvelable par tacite reconduction sous réserve de dénonciation à l'expiration d'une période annuelle moyennant un préavis de trois mois.

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Points of agreement.

It appeared in the course of negotiations leading up to the conclusion of the Agreement on air services between French territory and the territory of the United States of America signed at Paris today that the representatives of the two Contracting Parties were in agreement on the following points:

Equal opportunity for operation of routes.
Ante, p. 3456.

1. The air carriers of the two Contracting Parties operating on the routes described in the Annex of said Agreement shall enjoy equal opportunity for the operation of the said routes.

2. To the extent that the carrier or carriers of one of the governments is temporarily unable to take advantage of such opportunities as a result of the war, the situation will be mutually examined by the two governments for the purpose of aiding as soon as possible the said air carrier or carriers to increasingly make their proper contribution to the services contemplated.

Airports constructed on French territory and financed by U. S.

3. The airports which were constructed on French territory and financed in whole or part by the Government of the United States and which will be open to international civil traffic will be open to the duly authorized air carriers of the United States who will enjoy thereon, on a non-discriminatory basis, rights of transit and non-traffic stop. They will likewise enjoy there the commercial rights which may be granted them by the present Agreement or any other agreement now in force or later concluded.

Legislation.
Ante, p. 3460.

4. In order to give effect to the provisions of Section V (f) of the Annex to the Agreement, the executive branch of the United States Government will use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for international services and to suspend proposed rates, in the same manner as the Civil Aeronautics Board is qualified to act with respect to air transportation within the United States.

Determination of tariffs.

5. It is recognized that the determination of tariffs to be applied by an air carrier of one Contracting Party between the territory of the other Contracting Party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such tariffs is now being studied by the Provisional International Civil Aviation Organization. It is understood under these circumstances:

PROTOCOLE DE SIGNATURE.

Il est apparu au cours des négociations ayant abouti à la conclusion de l'Accord relatif aux services aériens entre les territoires français et les territoires des Etats-Unis d'Amérique signé à Paris en date de ce jour que les représentants des deux Parties Contractantes étaient d'accord sur les points suivants:

1°/ Les entreprises aériennes des deux Parties Contractantes exploitant les lignes mentionnées à l'Annexe audit Accord doivent pou voir bénéficier de possibilités égales pour l'exploitation des dites lignes.

2°/ Dans la mesure où l'entreprise ou les entreprises de l'un des Gouvernements ne pourraient temporairement bénéficier de telles possibilités, en raison des conséquences de la guerre, la situation serait examinée en commun par les deux Gouvernements à l'effet d'aider aussitôt que possible les dites entreprises ou entreprises à apporter progressivement une contribution appropriée aux services envisagés; et

3°/ Les aérodromes dont la construction sur les territoires français a été financée en tout ou partie par le Gouvernement des Etats-Unis et qui seraient affectés au trafic international civil seront ouverts aux entreprises aériennes des Etats-Unis dûment autorisés, qui y jouiront sans discrimination des droits de transit et d'escales pour raisons non-commerciales. Elles y jouiront également des droits commerciaux qui leur seraient octroyés par le présent Accord ou par tout autre Accord maintenu en vigueur ou ultérieurement conclu.

4°/ En vue de donner effet aux dispositions de la Section V,f de l'Annexe à l'Accord, les organes exécutifs du Gouvernement des Etats-Unis s'efforceront d'obtenir que les Autorités aéronautiques des Etats-Unis reçoivent les pouvoirs légaux leur permettant de fixer des tarifs justes et économiques pour le transport des personnes et des messageries sur les services aériens internationaux et de suspendre la mise en application des tarifs proposés, de même que le "Civil Aeronautics Board" est habilité à le faire en ce qui concerne les transports Aériens à l'intérieur des Etats-Unis.

5°/ Il est reconnu que la fixation des tarifs à appliquer par une entreprise ressortissant d'une Partie Contractante entre le territoire de l'autre Partie Contractante et celui d'un pays tiers est une question complexe dont la solution d'ensemble ne peut être recherchée par des consultations entre deux Pays seulement. Il est pris acte, au demeurant, de ce que les conditions de fixation desdits tarifs sont actuellement étudiées par l'Organisation Provisoire de l'Aviation Civile Internationale. Il est entendu dans ces conditions:

(a) That, pending the acceptance by both parties of any recommendations which the Provisional International Civil Aviation Organization may make after its study of this matter, such tariffs shall be subject to consideration under the provisions of Section IV (b) of the Annex to the Agreement.

Ante, p. 3456.

(b) That in case the Provisional International Civil Aviation Organization fails to establish a means of determining such rates satisfactory to both Contracting Parties, the consultation provided for in Article XIII (b) of the Agreement shall be in order.

Ante, p. 3452.

Service to Martinique.

6. For fifteen months from the signing of these documents, pending the completion of necessary improvements to the airport at Martinique (expected in the first quarter of 1947), it is understood that the French Transatlantic service to Martinique will have its temporary terminus at Puerto Rico. During this period, the French air carrier shall have at Puerto Rico the right of commercial entry and departure for international traffic in passengers, cargo and mail on the above service.

Service at Dakar.

Ante, p. 3466.

7. It is understood that the United States air carrier or air carriers operating on the route listed in Schedule II as Route No. 4 will afford reasonable service at Dakar.

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a) qu'en attendant l'acceptation par les deux Parties Contractantes des recommandations que l'Organisation Provisoire de l'Aviation Civile Internationale serait amenée à faire en conclusion de ses travaus sur ce point, de tels tarifs seront appréciés en fonction des dispositions de la section IV (b) de l'Annexe à l'Accord;

b) qu'au cas où l'Organisation Provisoire de l'Aviation Civile Internationale ne parviendrait pas à établir des conditions de fixation desdits tarifs donnant satisfaction aux deux Parties Contractantes, la consultation prévue à l'article XIII-b) de l'Accord serait de droit.

6°/ Pour une durée de quinze mois à compter de la signature du présent Accord, en attendant l'achèvement des aménagements nécessaires à l'aérodrome de la Martinique (prévu pour le premier trimestre de 1947), il est entendu que le service Transatlantique français vers la Martinique aura son terminus provisoire à Porto-Rico. Pendant cette période, l'entreprise française jouira à Porto-Rico sur ledit service du droit de débarquer et d'embarquer en trafic international des passagers, du courrier et des marchandises.

7°/ Il est entendu que l'entreprise ou les entreprises de transport aérien des Etats-Unis qui assureront l'exploitation de la route figurant au tableau II sous le Numéro 4 effectueront un service raisonnable à Dakar.

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The American Ambassador to the French Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Paris, December 28, 1945

No. 1022

EXCELLENCY:

I have the honor to refer to the Air Transport Agreement concluded between the Governments of the United States and France by an exchange of notes dated July 15, 1939.

53 Stat. 2422.

Authorization to operate over designated routes.

As Your Excellency is aware, it is the desire of my Government to see the restoration of international civil air services at the earliest practicable date. I venture to inquire, therefore, if Your Excellency's Government would be disposed, in view of the existing Agreement, to grant authorization for American air carriers to operate over the following routes:

1. The United States via intermediate points over a North Atlantic route to Paris and beyond via intermediate stops in Switzerland, Italy and Greece to the Near East and India; in both directions.
2. The United States via intermediate points over a North Atlantic route to Lisbon, Barcelona and Marseille; in both directions.

In making this request, I should state that my Government desires that the American carriers concerned shall have the right to pick up and discharge international traffic in passengers, mail and cargo at the points in French territory named above.

Although it is unknown at this moment the number of schedules the American operators would be prepared to perform, it is hoped that Your Excellency's Government would be disposed to permit a greater frequency than the two flights weekly accorded in the Air Transport Agreement under reference.

My Government suggests that the addition to the existing Agreement, which would be constituted by the present letter together with a favorable response from Your Excellency, should be subject to termination at any time by either Government on one month's notice in writing to the other.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency
Monsieur GEORGES BIDAULT,
Minister of Foreign Affairs,
Paris.

The French Minister of Foreign Affairs to the American Ambassador

MINISTÈRE DES AFFAIRES ETRANGÈRES

RÉPUBLIQUE FRANÇAISE

PARIS, le *29 Décembre 1945*

MONSIEUR L'AMBASSADEUR,

Votre Excellence a bien voulu me faire tenir en date d'hier la lettre suivante:

"MONSIEUR LE MINISTRE,

"J'ai l'honneur de me référer à l'Arrangement pour le fonctionnement des Services de Transports Aériens conclu entre les Gouvernements américain et français par un échange de lettres en date du I5 Juillet I939.

"Votre Excellence n'ignore pas que mon Gouvernement souhaiterait voir restaurer le plus tôt possible les services aériens civils internationaux. Je vous serais donc reconnaissant de bien vouloir me faire savoir si le Gouvernement de Votre Excellence serait disposé, eu égard à l'Arrangement en vigueur, à autoriser des entreprises américaines de transport aérien à assurer des services sur les routes suivantes:

I – Des ETATS-UNIS, via des points intermédiaires sur une route Nord-Atlantique, vers PARIS et les audelà à destination des INDES, avec escales intermédiaires en SUISSE, en ITALIE, en GRECE et dans le PROCHE-ORIENT; dans les deux sens.

2 – Des ETATS-UNIS, via des points intermédiaires sur une route Nord-Atlantique, vers LISBONNE, BARCELONE et MARSEILLE; dans les deux sens.

"En présentant cette demande, j'ajoute que mon Gouvernement souhaiterait que les entreprises américaines aient le droit de charger et de décharger en trafic international des passagers, du frêt et du courrier aux points sus-mentionnés du territoire français.

"Bien que ne soient pas connues pour le moment les fréquences que les entreprises américaines seraient prêtes à exploiter, le Gouvernement des Etats-Unis espère que le Gouvernement de Votre Excellence serait disposé à autoriser des fréquences plus nombreuses que les deux aller et retour hebdomadaires accordés par l'Arrangement sur le Fonctionnement des Services de Transports Aériens ci-dessus mentionné.

"Mon Gouvernement estime enfin que l'avenant à l'Arrangement en vigueur que constituerait, avec la présente lettre, une réponse favorable de Votre Excellence, devrait pouvoir être dénoncé à tout moment par l'un ou l'autre des deux Gouvernements, une telle dénonciation portant effet à l'expiration d'un délai d'un mois après sa notification par écrit à l'autre Gouvernement.

"Veuillez agréer . . . ."

J'ai l'honneur de faire savoir à Votre Excellence qu'en attendant la conclusion d'un nouvel accord général en cette matière, le Gouvernement français est tout disposé, en se référant à l'Arrangement sur le fonctionnement des Services de Transports Aériens en date du I5

Juillet 1939, à accorder aux entreprises de transport aérien des Etats-Unis le droit de charger et de décharger en trafic international, à Paris et à Marseille, des passagers, du courrier et du frêt sur les itinéraires ci-dessus mentionnés, aux conditions suivantes:

A/ Le Gouvernement des Etats-Unis accordera aux entreprises françaises de transport aérien les mêmes droits sur les itinéraires suivants:

1 – De France, via des points intermédiaires sur une route Nord-Atlantique, vers New-York et Washington; dans les deux sens.

2 – De France, via des points intermédiaires sur une route Nord-Atlantique, vers Montréal et Chicago; dans les deux sens.

B/ Dans l'établissement et l'exploitation technique et commerciale des services long courrier mentiennés ci-dessus, les entreprises de chacun des deux pays prendront en considération les intérêts des entreprises de l'autre, afin de ne pas indûment affecter les services que ces dernières assureraient sur tout ou partie des mêmes parcours.

La faculté pour les entreprises de transport aérien de chacun des deux pays de charger et de décharger, dans les villes et sur les itinéraires énumérés ci-dessus, des passagers, du courrier et du frêt à destination ou en provenance de pays tiers, est accordée à l'effet de permettre une exploitation plus économique des services long-courrier assurés par lesdites entreprises, services qui devront conserver comme objet essentiel de relier le pays auquel ressortit chacune de ces entreprises aux pays desservis en dernier lieu.

J'ajoute que le Gouvernement français examinera dans un esprit favorable les demandes d'augmentation de fréquences qui lui seraient présentées par le Gouvernement des Etats-Unis par rapport aux deux aller et retour hebdomadaires prévus à l'Arrangement en vigueur, étant entendu que le Gouvernement français bénéficiera des mêmes fréquences.

Conformément à la proposition faite par le Gouvernement des Etats-Unis, le Gouvernement français accepte que l'avenant à l'Arrangement en vigueur, que constitue la présente communication, conjointement avec la lettre de Votre Excellence en date de ce jour, puisse être dénoncée à tout moment par l'un ou l'autre des deux Gouvernements, une telle dénonciation portant effet à l'expiration d'un délai d'un mois après sa notification par écrit à l'autre Gouvernement./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

Pour le Ministre des Affaires Etrangères
et par Delegation
L'Ambassadeur de France Secrétaire Général
du Ministère des Affaires Etrangères
J. CHAUVEL

S. E. Monsieur JEFFERSON CAFFERY
Ambassadeur des Etats-Unis
à Paris

Translation

Ministry of Foreign Affairs FRENCH REPUBLIC

PARIS, *December 29, 1945*

MR. AMBASSADOR:

Your Excellency has been so good as to send me, under the date of yesterday, the following letter:

[For the English text of the Ambassador's note, of which a French translation is quoted herein, see page 3474, and for an English translation of the remainder of this note from the French Ministry of Foreign Affairs, with the exception of the final paragraph, see below.]

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For the Minister of Foreign Affairs
and by Delegation
Ambassador of France General Secretary
of the Ministry of Foreign Affairs
J. CHAUVEL

His Excellency
JEFFERSON CAFFERY
Ambassador of the United States
Paris

The American Ambassador to the French Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
No. 1023 *Paris, December 29, 1945*

EXCELLENCY:

I have the honor to refer to Your Excellency's letter of today's date quoting my letter of December 28 on the subject of air transport services between the United States and France and adding the following:

Ante, p. 3474.

"I have the honor to inform Your Excellency that pending the conclusion of a new general agreement on this matter, the French Government is quite disposed, with reference to the Arrangement for the Operation of Air Transport Services dated July 15, 1939, to grant to United States air carriers the right to pick up and discharge, in international traffic, passengers, mail and cargo at Paris and Marseille on the above-mentioned routes, under the following conditions.

Grant by French Government of designated rights.

53 Stat. 2422.

"A. The Government of the United States will grant to French airlines the same rights on the following routes:

"1. France via intermediate points over a North Atlantic route to New York and Washington; in both directions.

"2. France via intermediate points over a North Atlantic route to Montreal and Chicago; in both directions.

"B. In the establishment and technical and commercial operation of the long range services mentioned above, the airlines of each of the two countries shall take into consideration the interests of the airlines of the other in order not to affect unduly the services which the latter perform on all or part of the same routes.

"The right of the airlines of each country to embark and disembark, in the cities and on the routes enumerated above, passengers, mail and goods destined to or coming from third countries, is accorded with the view to permitting more economical operation of the long range services performed by the said airlines, such services to retain as their primary objective the connection between the country of which each airline is a national and the country of ultimate destination.

"I would add that the French Government will consider favorably the requests which may be presented to it by the Government of the United States for flights in addition to the two per week provided in the existing Agreement, it being understood that the French Government will have benefit of the same frequencies.

Termination.

"Conforming to the proposal made by the Government of the United States, the French Government agrees that the addition to the existing Agreement, constituted by the present communication together with the letter from Your Excellency of today's date, may be terminated at any time by either Government, such denunciation to take effect at the expiration of one month following written notification to the other Government."

I have the honor to inform Your Excellency that the foregoing provisions are acceptable to the Government of the United States.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency
Monsieur GEORGES BIDAULT,
Minister of Foreign Affairs,
Paris.

Convention, and final protocol and regulations of execution of the convention, between the United States of America and other governments respecting a postal union of the Americas and Spain. Signed at Rio de Janeiro September 25, 1946; ratified and approved by the Postmaster General of the United States of America February 20, 1947; approved by the President of the United States of America February 27, 1947; entered into force January 1, 1947.

September 25, 1946
[T. I. A. S. 1680]

UNIÓN POSTAL DE LAS AMÉRICAS Y ESPAÑA

CONVENIO

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos de Venezuela, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana y Uruguay.

Los infrascritos, Plenipotenciarios de los Gobiernos de los países mencionados, reunidos en Congreso en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, en ejercicio del derecho que les concede el Convenio de la Unión Postal Universal, e inspirándose en el deseo de extender, facilitar y perfeccionar sus relaciones postales y de establecer una solidaridad de acción capaz de representar eficazmente en los Congresos Postales Universales sus intereses comunes, en lo que se refiere a las comunicaciones por correo, han determinado celebrar, ad referendum, el Convenio siguiente:

ARTICULO 1

Unión Postal de las Américas y España

Los países contratantes, de acuerdo con la precedente declaración, constituyen, bajo la denominación de Unión Postal de las Américas y España, un solo territorio postal.

ARTICULO 2

Uniones restringidas

1. Los países contratantes, ya sea por su situación limítrofe o por la intensidad de sus relaciones postales, podrán establecer entre sí uniones más estrechas, con el fin de reducir tarifas o introducir otras mejoras sobre cualesquiera de los servicios a que se refieren el presente Convenio o los Acuerdos especiales celebrados por este Congreso.

2. Asimismo, y en lo que concierne a asuntos no previstos en el presente Convenio o en el de la Unión Postal Universal, los países signatarios podrán adoptar entre sí las resoluciones que estimen convenientes por medio de correspondencia, o si fuere necesario,

ajustando un Acuerdo especial, de conformidad con la autorización que les confiere el presente artículo o su legislación interna.

ARTICULO 3

Tránsito libre y gratuito

1. La gratuidad del tránsito territorial, fluvial y marítimo es absoluta en el territorio de la Unión Postal de las Américas y España; en consecuencia, los países que la integran se obligan a transportar a través de sus territorios y a conducir en los buques de su matrícula o bandera, sin cargo ninguno para los países contratantes, toda la correspondencia que éstos expidan con cualquier destino.

2. En los casos de reencaminamiento, los países contratantes se comprometen a reexpedir la correspondencia por las vías y conductos que utilicen para sus propios envíos.

ARTICULO 4

Convenio y Acuerdos de la Unión

Objetos de correspondencia

1. Las disposiciones de este Convenio y su Reglamento de Ejecución regularán, en todo lo previsto, los servicios relativos a la correspondencia.

2. Los demás servicios se regirán por los Acuerdos de esta Unión, por los que sobre el particular firmaren entre sí los países o, en su defecto, por los de la Unión Postal Universal.

3. La denominación de objetos de correspondencia se aplica a las cartas, tarjetas postales sencillas y con respuesta pagada, papeles de negocios, impresos, impresiones en relieve para el uso de los ciegos, muestras de mercadería, pequeños paquetes y fonopostales.

4. El intercambio de pequeños paquetes y fonopostales quedará limitado a los países que convengan en realizarlo, ya sea en sus relaciones recíprocas o en una sola dirección.

ARTITULO 5

Tarifa

1. La tarifa del servicio interior de cada país regirá en las relaciones de los países que constituyen la Unión Postal de las Américas y España, excepto cuando dicha tarifa interna sea superior a la que se aplique a la correspondencia destinada a los países de la Unión Postal Universal, en cuyo caso regirá esta última.

2. También regirá la tarifa internacional cuando se trate de servicios que no existan en el régimen interior.

3. Para los pequeños paquetes regirá la tarifa que determina el artículo 6 de este Convenio.

4. Las partes contratantes podrán establecer un derecho de almacenaje sobre los impresos, previo acuerdo entre las Administraciones interesadas, cuando así les conviniere.

ARTICULO 6

Pequeños paquetes

1. En el servicio facultativo de pequeños paquetes de que trata el artículo 4 de este Convenio, cada envío no podrá pesar más de un kilogramo ni contener objetos cuyo valor mercantil, en la localidad en que fuere entregado al Correo, exceda del valor de 10 francos oro o su equivalencia en la moneda del país de origen.

2. Las Administraciones que presten el servicio de pequeños paquetes regulado por el Convenio Universal no estarán obligadas a observar, en sus relaciones recíprocas, cualquiera disposición en conflicto con las respectivas estipulaciones del citado Convenio.

3. Los pequeños paquetes de cualquier especie, intercambiados entre los países de la Unión Postal de las Américas y España, teniendo en cuenta que no están afectos al pago de derechos de tránsito, serán franqueados de conformidad con la tarifa adoptada en cada país para las encomiendas de su servicio interno, pudiendo las Administraciones aplicar a esos pequeños paquetes las tasas previstas por el Convenio Postal Universal.

4. Las Administraciones de destino podrán someter a la fiscalización aduanera los pequeños paquetes, de acuerdo con las disposiciones de su legislación interna.

5. Las Administraciones de los países de destino podrán percibir de los destinatarios de pequeños paquetes:

a) Una cuota de 40 céntimos de franco oro, como máximo, por las operaciones, formalidades y tramitaciones inherentes al despacho aduanero;

b) Una cuota, que no excederá de 15 céntimos de franco oro, por la entrega de cada objeto, que será elevada hasta 30 céntimos de franco oro, como máximo, en el caso de entrega a domicilio.

6. Cuando los pequeños paquetes fueren considerados por la aduana del país de destino como exentos de pago de derechos aduaneros, no serán aplicables las cuotas de entrega previstas en el inciso b), parágrafo 5 de este artículo.

ARTICULO 7

Cupones-respuesta

1. En el régimen de la Unión Postal de las Américas y España el precio de venta al público de los cupones-respuesta será determinado por las Administraciones interesadas, pero no podrá ser inferior al equivalente de 15 céntimos de franco oro en la moneda del país que efectúe la venta.

2. Cada cupón es canjeable en cualesquiera de los países que integran la Unión, por un sello o sellos que representen el franqueo de una carta ordinaria de porte sencillo, originaria de ese mismo país con destino a otro país de la Unión. El plazo de validez de los cupones es ilimitado.

3. Los cupones–respuesta se imprimirán por la Oficina Internacional de Montevideo y serán suministrados a las Administraciones de la Unión a precio de costo.

4. En los ajustes de cuentas entre las Administraciones, el valor de los cupones–respuesta será calculado a razón de 15 céntimos de franco oro por unidad.

5. Cuando, en las relaciones entre dos Administraciones, el saldo anual no sea superior a 10 francos oro, la Administración deudora quedará exenta de cualquier pago.

6. Las Administraciones tienen la facultad de no encargarse de la venta de cupones–respuesta, siendo el canje, sin embargo, obligatorio.

7. Cuando la liquidación de las cuentas a que diere lugar el intercambio de cupones–respuesta américoespañoles no se efectúe directamente entre las Administraciones interesadas, la Oficina Internacional de Montevideo actuará como intermediaria. En este caso, formulará anualmente un estado de Administraciones deudoras y acreedoras, en forma similar a lo establecido en las disposiciones respectivas de la Unión Postal Universal.

ARTICULO 8

Devolución, reexpedición o modificación de dirección

Las disposiciones del Convenio de la Unión Postal Universal y su Reglamento de Ejecución, relativas a solicitudes de devolución, modificación de dirección y reexpedición, regirán en el orden de la Unión Postal de las Américas y España. Sin embargo, se considerarán llegadas fuera de término tales solicitudes cuando la Administración de destino resuelva pasar las piezas a jurisdicción aduanera.

ARTICULO 9

Correspondencia certificada. Responsabilidad

1. Los objetos designados en el artículo 4, podrán ser expedidos con el carácter de certificados, mediante el pago de un derecho igual al establecido para el servicio interno del país de origen, salvo que fuere más elevado que el que se aplique según el Convenio Postal Universal, en cuyo caso regirá este último.

2. Las Administraciones contratantes serán responsables de la pérdida de todo objeto certificado, excepto en los casos de fuerza mayor. El remitente tendrá derecho a una indemnización de 10 francos oro o su equivalente en la moneda del país que deba hacerla efectiva, pudiendo, no obstante, reclamar una indemnización menor.

3. Quedarán las Administraciones relevadas de responsabilidad por la pérdida de objetos certificados cuyo contenido caiga bajo el régimen de las prohibiciones del Convenio Postal Universal o esté prohibido por las leyes o reglamentos del país de origen o de destino, siempre que dichos países hayan dado el debido conocimiento por la vía usual.

4. Se mantiene, con carácter facultativo, una categoría especial de certificados sin derecho a indemnización aplicable a los objetos de correspondencia a que se refiere el artículo 4, parágrafo 3, del presente

Convenio. Las Administraciones que pongan en vigencia dicho servicio están obligadas a comunicarlo por la vía más rápida a la Oficina Internacional, con el fin de que ésta lo lleve a conocimiento de las demás. Los objetos a que se apliquen los derechos de certificación reducidos se singularizarán en el anverso con la mención "S. I." (sin indemnización), haciéndose igual anotación en las listas descriptivas, en la columna de "Observaciones", así como también en las reclamaciones que se formulen para investigar su destino.

5. Las Administraciones que adopten de una manera general un derecho de certificación reducido para todos los objetos que no sean cartas ni tarjetas postales, no estarán obligadas a observar los formalidades establecidas en la parte final del parágrafo anterior.

ARTICULO 10

Reclamaciones

La reclamación o la solicitud de informe con respecto a cualquier envío, dará lugar al cobro de un derecho igual al que tengan establecido en su régimen interno los países contratantes, excepto cuando el derecho interno sea superior al establecido por el Convenio Postal Universal, en cuyo caso regirá éste.

ARTICULO 11

Envíos sujetos a intervención aduanera

1. Es obligatoria la aplicación del marbete C–1, establecido por el Convenio Postal Universal, cuando se trate de piezas de correspondencia, cuyo contenido sea pasible de pago de derechos aduaneros en el país de destino. El uso de la declaración C–2 es facultativo para los envíos precitados.

2. Sin embargo, para los envíos abiertos, excepto los pequeños paquetes, no es obligatorio el uso de una u otra de las fórmulas citadas en el parágrafo anterior, sin perjuicio de la intervención de la aduana del país de destino.

ARTICULO 12

Peso y dimensiones

1. Los límites de peso y las dimensiones de los objetos de correspondencia se ajustarán a lo preceptuado en el Convenio de la Unión Postal Universal, con excepción de los impresos, cuyo peso podrá alcanzar a 5 kilogramos, o hasta 10, cuando se trate de obras de un solo volumen. Sin embargo, se aceptarán envíos con peso mayor de 5 y hasta 10 kilogramos, aún no tratándose de obras de un solo volumen, previo acuerdo entre las Administraciones interesadas.

2. Los envíos en forma de rollo, siempre que se trate de objetos indivisibles, podrán medir, sumada su longitud con el diámetro de ambas bases, hasta 120 centímetros, sin que la dimensión mayor pueda exceder de 100 centímetros.

ARTICULO 13

Franquicia de porte

1. Las partes contratantes convienen en conceder franquicia de porte, en el servicio interno y en el servicio américoespañol:

a) A la correspondencia relativa al servicio postal, cambiada entre las Administraciones de la Unión Postal de las Américas y España; entre estas Administraciones y la Oficina Internacional de Montevideo; entre las mismas Adminisciones y la Oficina de Transbordos de Panamá; entre esta última y la referida Oficina Internacional; entre las Oficinas postales de los países américoespañoles; y entre estas Oficinas y las Administraciones postales de los aludidos países;

b) A la correspondencia de los miembros del Cuerpo Diplomático de los países signatarios;

c) A la correspondencia oficial que los Cónsules y los Vice-cónsules cuando se hallaren en funciones de cónsules, remitan a sus respectivos países; a la que cambien entre sí; a la que dirijan a las autoridades del país en que estuvieren acreditados y a la que crucen con sus respectivas Embajadas y Legaciones, siempre que exista reciprocidad;

d) Gozarán de franquicia de porte los diarios, publicaciones periódicas, libros, folletos y otros impresos, que expidan los editores o autores con destino a las Oficinas de Información establecidas por las Administraciones de Correos de la Unión Postal de las Américas y España, así como los que se remitan gratuitamente a las bibliotecas y demás centros culturales nacionales, oficialmente reconocidos por los Gobiernos de los países que integran esta Unión;

e) A la correspondencia oficial que expida y reciba la Unión Panamericana de Wáshington.

2. La correspondencia a que se refieren los incisos a), b) y c) del parágrafo anterior podrá ser expedida con carácter certificado, exenta del pago del derecho respectivo, pero sin que haya lugar a indemnización alguna.

3. La correspondencia oficial de los Gobiernos Centrales de los países de la Unión Postal de las Américas y España, que conforme a sus leyes interiores circule libre de porte en su régimen interno, se admitirá con igual franquicia en el país de destino, sin ningún gravamen en el mismo, siempre que se observe una estricta reciprocidad.

4. Gozará asimismo, de franquicia de porte, la correspondencia de las Comisiones Nacionales de Cooperación Intelectual constituídas bajo los auspicios de los Gobiernos, de acuerdo con Convenciones Panamericanas y Universales vigentes.

5. El intercambio de correspondencia del Cuerpo Diplomático, entre las Secretarías de Estado de los respectivos países y sus Embajadas o Legaciones, tendrá el carácter de reciprocidad entre los países contratantes y será efectuado al descubierto o por medio de valijas

diplomáticas de conformidad con lo determinado en el artículo 105 del Reglamento de Ejecución. Estas valijas gozarán de franquicia y de todas las garantías de los envíos oficiales.

6. La franquicia de que trata el presente artículo, no alcanza al servicio aéreo ni a los demás servicios especiales existentes en el régimen américoespañol o en el interno de los países contratantes.

ARTICULO 14

Reducción de tasas

Los envíos que contengan objetos de correspondencia, con excepción de los pequeños paquetes, que intercambien las direcciones de las Escuelas de los países de la Unión Postal de las Américas y España o los alumnos de las mismas por intermedio de sus directores, gozarán de una tarifa equivalente al 50% de la ordinaria, siempre que su peso no exceda de un kilogramo y satisfagan las demás condiciones que correspondan a su clasificación postal.

ARTICULO 15

Servicios especiales

Las Altas Partes contratantes podrán, sobre la base de acuerdos especiales o por correspondencia, hacer extensivos a los demás países de la Unión Postal de las Américas y España los servicios postales que presten o puedan, en lo futuro, establecer en el interior de sus respectivos países.

ARTICULO 16

Fórmulas de servicio enviadas por correo aéreo

1. Las fórmulas previstas en el Reglamento de Ejecución del Convenio Postal Universal para las solicitudes de devolución de correspondencia o modificación de dirección, así como las relativas a las reclamaciones de cualquier objeto de correspondencia y petición de informes podrán ser encaminadas por la vía aérea.

2. A tal efecto, las fórmulas C.11, C.12 y C.13, serán diferenciadas del siguiente modo: en color azul, las que corresponda encaminar por la vía aérea y en rosa, las que deban ser contestadas por la misma vía.

3. El encaminamiento por vía aérea dará lugar a la percepción de un derecho suplementario, que el interesado deberá abonar en el acto de formalizar la gestión, equivalente al porte aéreo de una carta de 5 gramos para el país de destino o al duplo de dicho porte si solicita que la respuesta se expida por la misma vía. Estos derechos quedarán totalmente a beneficio de la Administración que los perciba.

ARTICULO 17

Idioma oficial

Se adopta el español como idioma oficial para los asuntos relativos al servicio de Correos. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio.

ARTICULO 18

Protección e intercambio de funcionarios postales

1. Las Administraciones de los países contratantes estarán obligadas a prestarse entre sí, previa solicitud, la cooperación que necesiten sus empleados encargados del transporte de correspondencia en tránsito por tales países. Igualmente proporcionarán toda clase de facilidades a los funcionarios que una de dichas Administraciones acuerde enviar a cualquiera otra, para llevar a cabo estudios acerca del desarrollo y perfeccionamiento de los servicios postales.

2. Las Administraciones, por intermedio de la Oficina Internacional de Montevideo, se pondrán de acuerdo para efectuar entre ellas el intercambio de funcionarios.

No obstante lo establecido precedentemente, las Administraciones podrán también acordar el envío de funcionarios, con fines de aprendizaje o de instrucción, sin que para ello sea indispensable el intercambio de éstos.

3. Una vez convenido entre dos o más Administraciones el intercambio o envío unilateral de funcionarios previstos en los parágrafos anteriores, acordarán aquéllas la forma en que deban sufragarse los gastos correspondientes y, cuando lo consideren necesario, a iniciativa y por intermedio de la Oficina Internacional de Montevideo.

ARTICULO 19

Oficina Internacional de Transbordos

1. Queda subsistente en la República de Panamá una Oficina Internacional de Transbordos, a la cual corresponde recibir y reexpedir todos los despachos postales, originarios de las Administraciones de la Unión que no dispongan de servicios propios en el Istmo, y que transitando por él, den lugar a operaciones de transbordo.

2. La expresada Oficina funcionará de acuerdo con el Reglamento concertado entre la Oficina Internacional de la Unión Postal de las Américas y España y la Administración Postal Panameña.

3. Las reformas que en cualquier tiempo deban introducirse en el Reglamento aludido, se someterán por las Administraciones interesadas a la consideración de la Oficina Internacional de Montevideo, para que, por su mediación, se propongan a la Administración Postal de Panamá.

4. La organización y funcionamiento de la Oficina Internacional de Transbordos quedan sometidos a la vigilancia y fiscalización de la Dirección General de Correos y Telégrafos de Panamá y de la Oficina Internacional de la Unión Postal de las Américas y España con sede en Montevideo, a la cual incumbe, además, actuar como mediadora y asesora en cualquier divergencia que surja entre la Administración Postal de Panamá y los países que utilicen los servicios de la Oficina mencionada.

5. El personal adscrito al servicio de la Oficina será designado por la Dirección General de Correos y Telégrafos de Panamá, y tendrá carácter inamovible, conforme con las disposiciones que al respecto establece el Reglamento de la Oficina. Tendrá también los mismos

derechos y obligaciones que las leyes postales de la República de Panamá dispongan para los empleados de correos.

6. Los gastos que demande el sostenimiento de esta Oficina quedarán a cargo de los países que utilicen sus servicios, repartidos aquéllos proporcionalmente al número de valijas propias que intercambien por su mediación.

La Administración de Panamá adelantará las cantidades necesarias para mantener regularmente los servicios de la Oficina.

Dichas cantidades se reintegrarán trimestralmente por cada Administración interesada, pero los pagos que no se produzcan dentro de un plazo de seis meses, a partir de la fecha en que la Administración deudora reciba la cuenta que le formule la Oficina Internacional de Transbordos, devengarán en favor de aquella Administración un interés anual del 5%.

ARTICULO 20

Arbitrajes

Todo conflicto o desacuerdo que se suscite en las relaciones postales de los países contratantes, será resuelto por juicio arbitral que se tramitará en la forma dispuesta por el Convenio vigente de la Unión Postal Universal. La designación de árbitros deberá recaer en los países signatarios, y llegado el caso, con intervención de la Oficina Internacional de la Unión Postal de las Américas y España.

ARTICULO 21

Oficina Internacional de la Unión Postal de las Américas y España

1. Con el nombre de Oficina Internacional de la Unión Postal de las Américas y España, funciona en Montevideo, bajo la alta inspección de la Dirección General de Correos de la República Oriental del Uruguay, una Oficina Central que sirve como órgano de relación, información y consulta de los países de la Unión.

2. Esta Oficina se encargará:

a) De reunir, coordinar, publicar y distribuir los datos de toda clase que interesen especialmente al servicio postal américoespañol;

b) De emitir, a petición expresa de las partes interesadas, su opinión sobre cuestiones litigiosas;

c) De emitir, por propia iniciativa o a petición de cualesquiera de las Administraciones de los países signatarios, su opinión en todos los asuntos de orden postal que afecten o tengan relación con los intereses generales de la Unión Postal de las Américas y España;

d) De dar a conocer las solicitudes de modificaciones de las Actas del Congreso que puedan formularse y de notificar los cambios que fueren adoptados;

e) De informar los resultados que se obtengan de las disposiciones y medidas reglamentarias de importancia que las Administraciones adopten en su servicio interno y que le sean comunicadas por las mismas, a título informativo;

f) De la distribución de los Mapas y Guías postales que le remitan las respectivas Administraciones;

g) De formular el resumen de la estadística postal américo-española, de acuerdo con los datos que le comunique anualmente cada Administración, para lo cual remitirá a las Administraciones un formulario con el requerimiento completo y detallado de los datos estadísticos postales, de conformidad a un plan científico y racional;

h) De publicar un informe relativo a las vías más rápidas para la transmisión de la correspondencia de uno a otro de los países contratantes;

i) De formar un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España, que puedan ser utilizados gratuitamente para el transporte de su correspondencia, en las condiciones marcadas por el artículo 3;

j) De publicar la tarifa de porte del servicio interior de cada uno de los países interesados;

k) De confeccionar el cuadro de equivalencias en la moneda del país correspondiente, en francos oro y en dólares;

l) De redactar y distribuir anualmente entre los países de la Unión Postal de las Américas y España una Memoria de los trabajos que realice;

m) De llevar a cabo los estudios y trabajos que se le pidan, en interés de los países contratantes y con relación a la obra de vinculación social, económica y artística, para cuyo efecto la Oficina Internacional estará siempre a disposición de dichos países, a fin de facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de correos américoespañol;

n) De intervenir y colaborar en la organización y realización de los Congresos y Conferencias de la Unión Postal de las Américas y España;

o) De la distribución, entre las Administraciones de la Unión Postal de las Américas y España, de las leyes y reglamentos postales de cada una, teniendo en consecuencia dichas Administraciones, la obligación de proporcionar a la mencionada Oficina veinticinco ejemplares de las expresadas leyes y reglamentos;

p) De organizar una sección especial, encargada de la colección de los sellos que remitan las Administraciones en cumplimiento del artículo 113, parágrafo 1, inciso k) del Reglamento de Ejecución y de centralizar las informaciones filatélicas de los países de la Unión Postal de las Américas y España;

q) De intervenir a título de Administración compensadora en la liquidación de cuentas postales, a petición de las Administraciones interesadas;

r) De confeccionar la insignia postal internacional de la U.P.A.E. consistente en un distintivo para uso personal de los funcionarios de las Administraciones adheridas a la Unión;

s) De la impresión y suministro de cupones-respuesta que dispone el artículo 7, parágrafo 3.

3. La Oficina Internacional de la Unión Postal de las Américas y España publicará, además, de acuerdo con los datos proporcionados por las Administraciones, una recopilación oficial de todas las informaciones relativas a la ejecución del Convenio y de su Reglamento en cada país, que interesen especialmente al servicio postal américo-español.

La misma Oficina publicará, también, recopilaciones análogas concernientes a la ejecución de los acuerdos de encomiendas y giros postales.

4. Los gastos especiales que demande la formación de la Memoria anual y el cuadro o informaciones sobre comunicaciones postales de los países contratantes, y los que se produzcan con motivo de la reunión de Congresos o Conferencias, serán sufragados por las Administraciones de dichos países de acuerdo con los grupos establecidos en el artículo 110 del Reglamento de Ejecución.

Los gastos que se relacionen con la celebración de los expresados Congresos y Conferencias, serán fijados, en cada ocasión, por la Dirección General de Correos de la República Oriental del Uruguay, de acuerdo con la Oficina Internacional de Montevideo.

5. La Dirección General de Correos del Uruguay fiscalizará los gastos de la Oficina Internacional de la Unión Postal de las Américas y España y le hará los anticipos que ésta necesite.

6. Las cantidades adelantadas por la Administración del Uruguay en concepto de anticipos, a que se refiere el parágrafo anterior, se abonarán por las Administraciones deudoras tan pronto como sea posible y, a más tardar, antes de seis meses, a partir de la fecha en que el país interesado reciba la cuenta formulada por la Dirección General de Correos del Uruguay. Después de esa fecha, las cantidades adeudadas devengarán interés a razón de 5% al año, a contar del día de expiración de dicho plazo.

7. Los países contratantes se comprometen a incluir en sus presupuestos, una cantidad anual destinada a atender puntualmente al pago de la cuota que les corresponda sufragar.

ARTICULO 22

Congresos

1. Los Congresos se reunirán a más tardar dos años después de la celebración de cada Congreso Postal Universal. Sin embargo, si el intervalo entre estos últimos se extendiere más allá de 5 años, las Administraciones de la Unión Postal de las Américas y España podrán concertar por intermedio de la Oficina Internacional de Montevideo y por unanimidad de votos, una reunión eventual.

2. Cada Congreso fijará el lugar en que deba realizarse la reunión siguiente.

ARTICULO 23

Votos del Congreso

Los países contratantes informarán a la Oficina Internacional de Montevideo, con tres meses de anticipación a la fecha de la celebración

de cada Congreso, las gestiones realizadas con el fin de hacer efectivos en sus respectivos países los votos y recomendaciones del último Congreso.

ARTICULO 24

Proposiciones durante el intervalo de las reuniones

El presente Convenio podrá ser modificado en el intervalo de los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal. Para que tengan fuerza ejecutiva deberán obtener unanimidad de votos las modificaciones de los artículos 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 16, 19, 20, 21, 22, 24, 25, 27, 28, 29 y 30; dos terceras partes de votos para los artículos 14 y 23, y simple mayoría para los demás.

ARTICULO 25

Modificaciones y enmiendas

Las modificaciones o resoluciones adoptadas por las Altas Partes contratantes, aún aquéllas de orden interno que afecten el servicio internacional, tendrán fuerza ejecutiva tres meses después de la fecha en que se comunicaren por la Oficina Internacional de la Unión Postal de las Américas y España.

ARTICULO 26

Aplicación del Convenio Postal Universal y de la legislación interna

1. Todos los asuntos que se relacionen con el canje de correspondencia entre los países contratantes y que no estén previstos en este Convenio, se sujetarán a las disposiciones del Convenio de la Unión Postal Universal y su Reglamento. Lo que a su vez, no esté consignado en estos últimos, será materia de arreglos especiales entre las Administraciones interesadas.

2. Igualmente, la legislación interior de los dichos países se aplicará en todo aquello que no haya sido previsto por ambos Convenios.

ARTICULO 27

Proposiciones para los Congresos Universales

Todos los países que forman la Unión Postal de las Américas y España, se comunicarán, por conducto de la Oficina Internacional de Montevideo, las proposiciones que formulen para los Congresos Postales Universales, con seis meses de anticipación a la fecha en que deban celebrarse.

ARTICULO 28

Unidad de acción en los Congresos Postales Universales

Los países signatarios del Convenio Postal Américoespañol, que hubieren ratificado el mismo o lo hubieren puesto en vigencia administrativamente, se obligan a dar instrucciones a sus Delegados ante los Congresos Postales Universales, para que sostengan, unánime y firmemente, todos los principios establecidos en la Unión Postal de las

Américas y España y para que voten también de acuerdo con estos postulados, exceptuándose tan sólo los casos en que las proposiciones a debate afecten exclusivamente a los países proponentes.

ARTICULO 29

Conferencias previas

1. Para los efectos del artículo anterior, los Delegados de los países que integran la Unión Postal de las Américas y España ante los Congresos Postales Universales, deberán reunirse en la ciudad designada como sede de éstos, quince días antes de la fecha de la inauguración de los mismos, para celebrar una Conferencia previa en la que se determinen los procedimientos de acción conjunta a seguir.

2. Con la debida anticipación a la reunión de los Congresos Universales, la Oficina Internacional de Montevideo invitará a las Administraciones signatarias para celebrar la Conferencia previa a que alude el parágrafo anterior, debiendo organizarla y estar presente en ella el Director de la Oficina Internacional de Montevideo, con el personal de la misma que considere necesario.

ARTICULO 30

Nuevas adhesiones

En caso de nueva adhesión, el Gobierno de la República Oriental del Uruguay, de común acuerdo con la Oficina Internacional de Montevideo y el Gobierno del país interesado, determinará el grupo en el cual debe ser aquél incluído, a los efectos del reparto de los gastos de la Oficina Internacional.

ARTICULO 31

Vigencia y duración del Convenio y depósito de las ratificaciones

1. El presente Convenio empezará a regir el primero de enero de 1947 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Partes Contratantes el derecho de retirarse de esta Unión, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

2. El depósito de las ratificaciones se hará en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, en el más breve plazo posible, procurándose que sea antes de la vigencia del Convenio y Acuerdo a que se refieran; y de cada una de aquéllas se levantará el Acta respectiva, cuya copia remitirá el Gobierno de la República del Brasil, por la vía diplomática, a los Gobiernos de los demás países signatarios.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Convenio, las estipulaciones del Convenio Postal de las Américas y España suscrito en Panamá el 22 de Diciembre de 1936.

4. En el caso de que el Convenio no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que lo hayan ratificado.

5. Los Países Contratantes podrán ratificar el Convenio y los Acuerdos, provisionalmente, por correspondencia, dando aviso de ello

a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país, y previa aprobación de los Congresos Nacionales, sea confirmada por vía diplomática.

En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los países arriba citados, suscriben el presente Convenio en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, a los 25 días del mes de setiembre de 1946.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

JOSÉ LIÉVANA FORRASTAL
RAFAEL BARRIENTOS

Por BRASIL:

RAÚL DE ALBUQUERQUE
CARLOS LUIS TAVEIRA
JAIME SLOAN CHERMONT
AUREO MAIA
JAIME DÍAS FRANÇA
JOAQUIM VIANNA
JULIO SÁNCHEZ PÉREZ
CARLOS F. DE FIGUEIREDO

Por CANADA:

WALTER JAMES TURNBULL
Cnel. EDWARD JAMES UNDERWOOD, O.B.E.
FRANCIS EVERETT JOLLIFFE, M.B.E.

Por COLOMBIA:

LUIS GARCÍA CADENA
LUIS JORGE GARZÓN

Por COSTA RICA:

ROBERTO TINOCO GUTIÉRREZ

Por CUBA:

GABRIEL LANDA Y CHAO
JESÚS LAGO LUNAR

Por CHILE:

LUIS FELIPE LASO
MIGUEL A. PARRA
GUILLERMO JIMÉNEZ MORGAN

Por ECUADOR:

RAFAEL ALVARADO

Por EL SALVADOR:

Coronel CARLOS MEJÍA OSORIO

Por ESPAÑA:

LUIS RODRÍGUEZ DE MIGUEL
ELÍAS URDANGARAIN BERNACH

Por ESTADOS UNIDOS DE AMERICA:

JOHN J. GILLEN
EDWARD J. MAHONEY

Por ESTADOS UNIDOS DE VENEZUELA:

PABLO CASTRO BECERRA
FRANCISCO VELEZ SALAS
CARLOS HARTMANN

Por GUATEMALA:

FLAVIO HERRERA

Por HAITI:

LUIS MORAIS JUNIOR

Por HONDURAS:

MARCO ANTONIO BATRES
MANUEL SOTO DE PONTES CAMARA

Por MEXICO:

ANTONIO VILLALOBOS
DIDIER DOMÍNGUEZ VALDÉS
LAURO F. RAMÍREZ UMAÑA

Por NICARAGUA:

JOSÉ MERCEDES PALMA

Por PANAMA:

CATALINO ARROCHA GRAELL
JULIO TRELLES
ROQUE JAVIER LAURENZA

Por PARAGUAY:

ANÍBAL IBARRA G.

Por PERU:

GERMÁN LLOSA PARDO
ERNESTO CÁCERES BOLUARTE

Por República DOMINICANA:

MIGUEL ANTONIO OLAVARRIETA PÉREZ

Por URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

PROTOCOLO FINAL DEL CONVENIO

En el momento de firmar el Convenio celebrado por el V Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

I

Los Estados Unidos de América se reservan el derecho, con carácter transitorio, de mantener sus tarifas actuales para los países de la Unión Postal de las Américas y España, que puedan ser más elevadas que las de su régimen interno.

II

Con relación al artículo 28 del Convenio, el Canadá y los Estados Unidos de América se reservan completa libertad de acción en los Congresos de la Unión Postal Universal.

III

El Canadá formula una reserva en el sentido de que no puede aceptar las disposiciones de los incisos d) y e) del parágrafo 1 del artículo 13 y de los parágrafos 3 y 4 del mismo artículo.

IV

La República de Panamá hace una reserva transitoria al artículo 3 del Convenio en cuanto se refiere a buques que no transporten su propia correspondencia hasta tanto se encuentre en condiciones legales que le permitan darle efectivo cumplimiento.

V

El Canadá formula una reserva en el sentido de que las disposiciones del artículo 8 no son aplicables al Canadá.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

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Por URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

REGLAMENTO DE EJECUCION DEL CONVENIO DE LA UNION POSTAL DE LAS AMERICAS Y ESPAÑA

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos de Venezuela, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana y Uruguay.

Los infrascritos, en nombre de las Administraciones que representan, han aprobado las siguientes reglas para asegurar la ejecución del Convenio precedente:

ARTICULO 101

Intercambio de despachos

1. Las Administraciones de los países contratantes podrán expedirse recíprocamente, por mediación de una o varias de ellas, tanto despachos cerrados como correspondencia al descubierto, en las condiciones fijadas en el Convenio y Reglamento de la Unión Postal Universal.

2. En los casos de reencaminamiento, los países contratantes se comprometen a reexpedir la correspondencia por las vías y conductos más rápidos que utilicen para sus propios envíos. El transporte será gratuito cuando se trate de servicios que dependan de su Administración, pero podrán percibir de la de origen las mismas cantidades que estén obligados a pagar cuando, para el transporte ulterior de los despachos cerrados, se requieran servicios de Administraciones extrañas, a las cuales deban satisfacer aquellos gastos.

3. Cuando las Administraciones intermediarias de que trata el parágrafo anterior hayan de percibir de las de origen cantidades por haber utilizado para transporte ulterior servicios de Administraciones extrañas, deberán confeccionar las cuentas de estos gastos sin rebasar, en ningún caso, los derechos que fija el Convenio de la Unión Postal Universal y con arreglo a las normas establecidas en su Reglamento de Ejecución.

ARTICULO 102

Tarifas internas y equivalencias

Las Administraciones se comunicarán a la mayor brevedad posible por conducto de la Oficina Internacional de la Unión Postal de las Américas y España, cualquier modificación de su tarifa interna, así como la equivalencia de dicha tarifa en francos oro.

ARTICULO 103

Formación de despachos. – Sacos vacíos

1. Los despachos que contengan la correspondencia de intercambio entre dos países de la Unión Postal de las Américas y España, se confeccionarán con arreglo a lo dispuesto en el Reglamento de Ejecución del Convenio de la Unión Postal Universal.

2. Los sacos utilizados por las Administraciones contratantes para el envío de la correspondencia, se devolverán vacíos por las oficinas de cambio destinatarias a las de origen en la forma prescrita por el respectivo artículo de dicho Reglamento. Sin embargo, las Administraciones podrán ponerse de acuerdo con el fin de utilizarlos para el envío de la propia correspondencia.

ARTICULO 104

Pequeños paquetes

1. El acondicionamiento y envase de los pequeños paquetes se regirán por las mismas disposiciones establecidas para las muestras. Además, deberá figurar en su exterior el nombre y la dirección de los remitentes.

2. Será permitido incluir en estos objetos una factura abierta, reducida a sus enunciados constitutivos, o bien una simple copia del sobrescrito con indicación de la dirección del remitente.

3. Los paquetes, estén o no acompañados de declaración de aduana, deberán llevar siempre la etiqueta verde igual al modelo "C–1" del Reglamento de Ejecución de la Unión Postal Universal.

ARTICULO 105

Valijas diplomáticas

1. Las valijas diplomáticas que intercambien los Ministerios de Relaciones Exteriores de los países de la Unión Postal de las Américas y España con sus representantes diplomáticos en otros países, en virtud de lo dispuesto por el artículo 13 del Convenio, no podrán pesar más de 20 kilos, ni exceder de los siguientes límites de dimensiones: largo, ancho y alto, sumados, 140 centímetros, sin que la dimensión mayor exceda de 60 centímetros.

2. Los Ministerios de Relaciones Exteriores y los representantes diplomáticos depositarán estas valijas en la Oficina de Correos, con carácter de certificadas. Dicha oficina anotará en la columna "Observaciones" de la lista especial de certificados las palabras "Valija diplomática" y el número de éstas, si fueren varias.

3. Dichas valijas estarán provistas de cerraduras, candados u otros medios de seguridad apropiados a la importancia de estos envíos.

4. Las valijas diplomáticas serán cursadas por las mismas vías que utilice la Administración expedidora para el envío de su correspondencia a la Administración de destino, anunciándose dicho envío por medio de una nota consignada en la hoja de aviso del despacho que las contenga.

5. Salvo acuerdo en contrario entre las partes interesadas, las valijas diplomáticas no se expedirán en franquicia por la vía aérea.

ARTICULO 106

Correspondencia diplomática y consular

La correspondencia diplomática y consular deberá llevar las siguientes indicaciones: el nombre de la Embajada, Legación o Consulado remitente y la inscripción, muy ostensible, de "Correspondencia diplomática", o "Correspondencia consular", además de la declaración "Libre de porte", que constará debajo de aquella inscripción.

ARTICULO 107

Estadística de derechos de tránsito

Como consecuencia de la gratuidad del tránsito a que se refiere el artículo 3 del Convenio, las Administraciones de los países contratantes no efectuarán ninguna operación de estadística de derechos de tránsito, en relación con aquellos despachos que sólo contengan correspondencia américoespañola, siempre que esta correspondencia se curse sin la mediación de países o servicios extraños a la Unión Postal de las Américas y España.

ARTICULO 108

Constitución de la Oficina Internacional

1. El Director de la Oficina Internacional será nombrado por el Gobierno de la República Oriental del Uruguay, a propuesta de la Dirección General de Correos de dicho país, y gozará de la retribución mensual de 900 pesos moneda nacional uruguaya.

El Subdirector-Secretario General, el Oficial de Secretaría, el Oficial-Traductor y demás personal de la Oficina serán nombrados, a propuesta del Director de la Oficina Internacional, por la Dirección General de Correos del Uruguay. Se fija, en moneda nacional uruguaya, el sueldo mensual del Subdirector-Secretario General, en 700 pesos; el del Oficial de Secretaría, en 500 pesos; el del Oficial-Traductor en 350 pesos; el de dos auxiliares, en 200 pesos cada uno y, el de un Portero, en 150 pesos.

Dicho personal sólo podrá ser removido de sus cargos con la intervención de la Dirección General de Correos del Uruguay y con arreglo a los procedimientos que a tal efecto rijan para los empleados fijos de la propia Dirección.

2. El Director de la Oficina Internacional concurrirá a los Congresos y Conferencias de la Unión Postal de las Américas y España, a los efectos del cumplimiento de lo dispuesto por los artículos 21 y 29 del Convenio y asistirá a las sesiones, pudiendo tomar parte en las discusiones, sin derecho a voto.

3. El idioma oficial de la Oficina Internacional es el español. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio en sus relaciones con ella.

ARTICULO 109

Jubilaciones y pensiones

Las pensiones y jubilaciones del personal de la Oficina Internacional de Montevideo serán pagadas exclusivamente del fondo propio que, para tal objeto, tiene destinada dicha Oficina y que se forma con la contribución de todos los países de la Unión. Las condiciones y el monto de esas jubilaciones y pensiones se sujetarán a las leyes sobre la materia vigentes en el Uruguay para sus propios funcionarios y empleados.

ARTICULO 110

Cuentas y gastos de la Oficina Internacional

1. Los gastos de la Oficina Internacional no podrán exceder de la cantidad de 55.000 pesos moneda nacional uruguaya por año, incluyéndose en dicha cantidad la constitución de un fondo para jubilación del personal de la misma.

2. Para la distribución de los gastos anuales y extraordinarios de la Oficina, los países se dividen en tres grupos, correspondiendo contribuir a los del primero con ocho unidades, a los del segundo con cuatro y a los del tercero con dos unidades.

Pertenecen al primer grupo: Argentina, Brasil, Canadá, España, Estados Unidos de América y Uruguay; al segundo grupo: Colombia, Costa Rica, Cuba, Chile, Estados Unidos de Venezuela, México, Panamá y Perú; al tercer grupo: Bolivia, Ecuador, El Salvador, Guatemala, Haití, Honduras, Nicaragua, Paraguay y República Dominicana.

ARTICULO 111

Informaciones. – Peticiones de modificación de Actas

La Oficina Internacional estará siempre a disposición de las partes contratantes para facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de Correos américoespañol y dará curso a las peticiones de modificación o de interpretación de las disposiciones que rijan la Unión Postal de las Américas y España, notificando el resultado de cada gestión.

ARTICULO 112

Publicaciones

1. La Oficina Internacional de la Unión Postal de las Américas y España dirigirá una circular especial, cuando una Administración solicite la inmediata publicación de algún cambio que haya introducido en sus servicios, y asimismo distribuirá, gratuitamente, entre las Administraciones de los países contratantes y enviará a la Oficina Internacional de Berna, los documentos que publique, debiendo remitir a cada Administración el número de ejemplares que le corresponda, en proporción a las unidades con que contribuye.

Los ejemplares suplementarios de los documentos que soliciten las Administraciones serán abonados por ellas a precio de coste.

2. La Oficina Internacional repartirá entre los países contratantes

las proposiciones que reciba, conforme a lo que establece el artículo 27 del Convenio. Al efecto, todos los países de la Unión Postal de las Américas y España darán a conocer, por conducto de la misma Oficina y con la debida oportunidad, según se establece en el Convenio, las proposiciones que formulen para los Congresos Universales, con el fin de que tales iniciativas sean apoyadas por el conjunto de dichos países.

ARTICULO 113

Documentos e informes que se remitirán a la Oficina Internacional

1. La Oficina Internacional servirá de intermediaria para las notificaciones regulares y generales que interesen exclusivamente a las Administraciones de los países contratantes.

Las referidas Administraciones deberán enviar regular y oportunamente a la Oficina Internacional:

a) La Legislación postal y sus modificaciones sucesivas;
b) La Guía postal, cada vez que sea editada;
c) Los mapas y guías de las comunicaciones postales que utilicen, tanto para el servicio interno como para el internacional;
d) Un informe sobre las vías terrestres y marítimas más rápidas que puedan utilizarse para el intercambio de correspondencia;
e) Los resultados de su estadística postal anual y del movimiento con los demás países américoespañoles;
f) El texto de las proposiciones que someten a la consideración de los Congresos Postales Universales;
g) Los datos de toda clase que interesen al servicio postal américoespañol, cada vez que dicten alguna nueva disposición;
h) Todos los informes que solicite la propia Oficina Internacional para las publicaciones, memorias y demás asuntos de su competencia, en forma tal que permitan la ejecución de su cometido en el más breve plazo;
i) Un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España, que puedan ser utilizados gratuitamente por los demás para el transporte de su correspondencia;
j) Las variaciones que se operen en las equivalencias tan pronto como se produzcan;
k) Tres ejemplares de los sellos postales que emitan y de las impresiones-tipo de sus máquinas franqueadoras, con copia de la respectiva disposición de emisión.

2. Toda modificación ulterior será comunicada sin demora.

ARTICULO 114

Modificaciones en el intervalo de las reuniones de los Congresos

1. En el intervalo de los Congresos, las Administraciones tendrán derecho a formular proposiciones relativas al presente Reglamento, siguiendo el procedimiento indicado en el Convenio de la Unión Postal Universal.

2. Para que tales proposiciones tengan fuerza ejecutiva, deberán reunir los dos tercios de los votos emitidos.

ARTICULO 115

Aplicación del Convenio Postal Universal y de la Legislación interna

En todo lo no previsto en este Reglamento con relación al cambio de correspondencia entre los países contratantes se aplicarán las disposiciones del Reglamento del Convenio de la Unión Postal Universal y, en su defecto, la legislación interior de aquellos países.

ARTICULO 116

Vigencia y duración del Reglamento

El presente Reglamento empezará a regir en la misma fecha que el Convenio a que se refiere, y tendrá igual duración que éste.

En la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, a los veinticinco días del mes de setiembre de 1946.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

JOSÉ LIÉVANA FORRASTAL
RAFAEL BARRIENTOS

Por BRASIL:

RAÚL DE ALBUQUERQUE
CARLOS LUIS TAVEIRA
JAIME SLOAN CHERMONT
AUREO MAIA
JAIME DÍAS FRANÇA
JOAQUIM VIANNA
JULIO SÁNCHEZ PÉREZ
CARLOS F. DE FIGUEIREDO

Por CANADA:

WALTER JAMES TURNBULL
Cnel. EDWARD JAMES UNDERWOOD, O.B.E.
FRANCIS EVERETT JOLLIFFE, M.B.E.

Por COLOMBIA:

LUIS GARCÍA CADENA
LUIS JORGE GARZÓN

Por COSTA RICA:

ROBERTO TINOCO GUTIÉRREZ

Por CUBA:

GABRIEL LANDA Y CHAO
JESÚS LAGO LUNAR

Por CHILE:

LUIS FELIPE LASO
MIGUEL A. PARRA
GUILLERMO JIMÉNEZ MORGAN

Por ECUADOR:

RAFAEL ALVARADO

Por EL SALVADOR:

Coronel CARLOS MEJÍA OSORIO

Por ESPAÑA:

LUIS RODRÍGUEZ DE MIGUEL
ELÍAS URDANGARAIN BERNACH

Por ESTADOS UNIDOS DE AMERICA:

JOHN J. GILLEN
EDWARD J. MAHONEY

Por ESTADOS UNIDOS DE VENEZUELA:

PABLO CASTRO BECERRA
FRANCISCO VELEZ SALAS
CARLOS HARTMANN

Por GUATEMALA:

FLAVIO HERRERA

Por HAITI:

LUIS MORAIS JUNIOR

Por HONDURAS:

MARCO ANTONIO BATRES
MANUEL SOTO DE PONTES CAMARA

Por MEXICO:

ANTONIO VILLALOBOS
DIDIER DOMÍNGUEZ VALDÉS
LAURO F. RAMÍREZ UMAÑA

Por NICARAGUA:

JOSÉ MERCEDES PALMA

Por PANAMA:

CATALINO ARROCHA GRAELL
JULIO TRELLES
ROQUE JAVIER LAURENZA

Por PARAGUAY:

ANÍBAL IBARRA G.

Por PERU:

GERMÁN LLOSA PARDO
ERNESTO CÁCERES BOLUARTE

Por República DOMINICANA:

MIGUEL ANTONIO OLAVARRIETA PÉREZ

Por URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

Having examined and considered the provisions of the foregoing Convention, the Final Protocol thereto, and the Regulations of Execution of that Convention, signed in the city of Rio de Janeiro, the United States of Brazil, on the twenty-fifth day of September, 1946, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 20th day of February, 1947.

[SEAL] ROBERT E HANNEGAN
Postmaster General.

I hereby approve the foregoing Convention, the Final Protocol thereto, and the Regulations of Execution of that Convention.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States to be hereunto affixed.

[SEAL] HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

WASHINGTON, *February 27, 1947.*

Translation prepared by the Post Office Department

POSTAL UNION OF THE AMERICAS AND SPAIN

CONVENTION

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries enumerated, assembled in Congress in the city of Rio de Janeiro, Republic of the United States of Brazil, in exercise of the right granted them by the Convention of the Universal Postal Union in force, and inspired by the desire to extend, facilitate and perfect their postal relations and establish a solidarity of action capable of representing effectively in Universal Postal Congresses their common interests in regard to communications by mail, have determined to conclude, *ad referendum*, the following Convention:

54 Stat. 2049.

ARTICLE 1

Postal Union of the Americas and Spain

The contracting countries, in accordance with the foregoing declaration, constitute, under the name of *Postal Union of the Americas and Spain*, a single postal territory.

ARTICLE 2

Restricted Unions

1. The contracting countries, whether on account of their adjacent location or on account of the intensity of their postal relations, may establish closer unions among themselves, with a view to the reduction of rates or the introduction of other improvements in any of the services referred to in the present Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not provided for in the present Convention, or in that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they deem convenient, through correspondence, or, if necessary, by establishing a special Agreement, in accordance with the authorization conferred upon them by the present Article or their domestic legislation.

Special agreements.
54 Stat. 2049.

ARTICLE 3

Free and gratuitous transit

1. The gratuity of territorial, fluvial and maritime transit is absolute in the territory of the Postal Union of the Americas and Spain; consequently, the countries which form it obligate themselves to transport across their territories, and to convey by the ships of their registry or flag, without any charge whatsoever to the contracting countries, all correspondence which the latter send to any destination.

Reforwarding.

2. In case of reforwarding, the contracting countries are bound to reforward the correspondence by the ways and means which they utilize for their own dispatches.

ARTICLE 4

Convention and Agreements of the Union

Articles of correspondence

Post, p. 3518.

1. The provisions of this Convention and its Regulations of Execution will regulate all matters and services relative to correspondence.

2. The other services will be governed by the Agreements of this Union, by those which the countries may sign among themselves on the subject, or, in their absence, by those of the Universal Postal Union.

"Articles of correspondence."

3. The denomination "articles of correspondence" applies to letters, single and reply post cards, commercial papers, prints, raised print for the use of the blind, samples of merchandise, small packets, and phonopostal articles.

4. The exchange of small packets and phonopostal articles will be restricted to the countries which agree to execute it, either in their reciprocal relations or in only one direction.

ARTICLE 5

Postage rates

1. The postage rates of the domestic service of each country will govern in the relations of the countries which constitute the Postal Union of the Americas and Spain, except when said domestic rates are higher than those applicable to correspondence destined for countries of the Universal Postal Union, in which case the latter will govern.

2. The international rates will also govern when it is a question of services which do not exist in the domestic regime.

3. For small packets the rate will govern which is determined in Article 6 of this Convention.

Storage charge.

4. The contracting Powers may fix a storage charge, upon previous agreement among the interested Administrations, for printed matter, when they deem it desirable.

ARTICLE 6

Small packets

Weight, etc.

1. In the optional service of small packets mentioned in Article 4 of this Convention, no article may weigh more than one kilogram, or contain objects whose mercantile value at the place where they are mailed exceeds the value of 10 gold francs or the equivalent thereof in money of the country of origin.

2. Administrations which execute the service of small packets regulated by the Universal Convention will not be obliged to observe, in their reciprocal relations, any provision in conflict with the respective stipulations of said Convention.

Rates.

3. Small packets of any kind exchanged between countries of the Postal Union of the Americas and Spain, in view of the fact that they are not liable to payment of transit charges, will be prepaid at the rates adopted in each country for parcels in its domestic service, or the Administrations may apply to such small packets the rates prescribed by the Universal Postal Convention.

54 Stat. 2049.

Customs handling.

4. The Administrations of destination may submit small packets to customs handling in accordance with the provisions of their domestic legislation.

Collection of fees.

5. The Administrations of the countries of destination may collect from the addressees of small packets:

a) A fee of 40 centimes of a gold franc at most for the operations, formalities and handling involved in customs clearance;

b) A fee which will not exceed 15 centimes of a gold franc for the delivery of each packet; that fee will be increased to 30 centimes of a gold franc at most in case of delivery at the addressee's residence.

Nonapplicability of delivery fees.

6. When small packets are considered by the customs of the country of destination as exempt from payment of customs duties, the delivery fees provided for in paragraph (b) of Section 5 of this Article will not be applicable.

ARTICLE 7

Reply coupons

Selling price, etc.

1. Under the Postal Union of the Americas and Spain, the selling-price to the public of reply coupons shall be fixed by the interested Administration, but may not be lower than the equivalent of 15 centimes of a gold franc in the money of the country which issues them.

2. Each coupon is exchangeable, in any of the countries which form the Union, for a stamp or stamps representing the postage on an ordinary letter originating in the same country destined for another country of the Union. The period of validity of the coupon is unlimited.

3. Reply coupons will be printed by the International Office of Montevideo and will be furnished to the Administrations of the Union at cost.

4. In the settlement of accounts among the Administrations the value of the reply coupons will be calculated at the rate of 15 centimes of a gold franc per unit.

5. When the annual balance in the relations between two Administrations is not more than 10 gold francs, the debtor Administration will be exempt from any payment.

6. Administrations will be allowed to refuse to sell reply coupons, although their exchange is obligatory.

7. When the settlement of accounts arising from the exchange of Americo-Spanish reply coupons is not effected directly between the Administrations concerned, the International Office of Montevideo will act as intermediary. In this case, it will make up an annual statement of debtor and creditor Administrations, in accordance with the respective provisions of the Universal Postal Union.

ARTICLE 8

Return, reforwarding or change of address

54 Stat. 2049, 2105.

The provisions of the Convention of the Universal Postal Union and its Regulations of Execution relative to the requests for return or change of address and reforwarding will govern in the Postal Union of the Americas and Spain; such requests, however, will be deemed out of order after the Administration of destination has sent the articles to the jurisdiction of the Customs.

ARTICLE 9

Registered correspondence

Responsibility

Fee.

1. The articles designated in Article 4 may be sent under registration upon payment of a fee equal to that established in the domestic service of the country of origin, except when the domestic fee is higher than that applicable under the Universal Postal Convention, in which case the latter will govern.

54 Stat. 2049.

Loss of articles.

2. Save in cases of *force majeure*, the contracting Administrations will be responsible for the loss of every registered article. The sender will be entitled to an indemnity which may in no case exceed ten gold francs or the equivalent thereof in money of the country which must pay it, being able, however, to request a smaller indemnity.

3. Administrations will be relieved of responsibility for loss of registered articles whose contents fall under the prohibitions of the Universal Postal Convention, or which are prohibited by the laws and regulations of the country of origin or of destination, provided that said countries have given due notice by the usual means.

Registers without right to indemnity.

4. There is maintained, as optional, a special category of registers without right to indemnity, applicable to the articles of correspondence referred to in Section 3 of Article 4 of this Convention. The Administrations which put this service into effect are obliged to communicate the fact to the International Office by the most rapid means, so that it may circularize the information among the other countries. Articles to which a reduced registry is applicable will be endorsed on the reverse side with the letters "*S. I.*" (without indemnity) and a similar notation will be made in the descriptive lists, in the "Observations" column, as well as on inquiries made in order to determine the whereabouts of the matter.

5. Administrations which adopt, in a general manner, a reduced registration fee for all articles other than letters and post cards, will not be obliged to observe the formalities prescribed by the last part of the preceding Section.

ARTICLE 10

Inquiries

Complaints or requests for information regarding any article will be charged with a fee equal to that established in the domestic regimes of the contracting powers, except when such domestic fee is higher than that established by the Universal Postal Convention, in which case the latter will govern. 54 Stat. 2049.

ARTICLE 11

Articles subject to customs clearance

1. The application of the label, C–1, established by the Universal Postal Convention, to articles of correspondence whose contents are subject to customs duties in the country of destination, is obligatory. The use of the declaration, C–2, is optional for the aforementioned articles. 54 Stat. 2111.

2. Nevertheless, for unsealed matter, except small packets, the use of neither of the documents mentioned in the foregoing Section is obligatory, without prejudice to customs clearance by the country of destination.

ARTICLE 12

Weight and dimensions

1. The limits of weight and dimensions of articles of correspondence will conform to those fixed by the Universal Postal Convention, with the exception of prints whose weight can attain 5 kilograms, or even as much as 10 kilograms when it is a question of works in a single volume. However, articles with a weight greater than 5, but not exceeding 10 kilograms will be accepted even when it is not a question of works in a single volume, if previous agreement is made between the Administrations concerned. 54 Stat. 2049.

2. Articles in roll form, when it is a question of indivisible objects, may measure as much as 120 centimeters, adding their length to the diameters of both bases, but the greatest dimension may not exceed 100 centimeters. Articles in roll form.

ARTICLE 13

Franking privilege

1. The contracting parties agree to grant the franking privilege, in their domestic service and in the Americo-Spanish service:

a) To correspondence relative to the postal service exchanged between Administrations of the Postal Union of the Americas and Spain; between these Administrations and the International Office of Montevideo; between the same Administrations and the Transfer

Office of Panama; between the latter and the aforesaid International Office; between post offices of Americo-Spanish countries and between these offices and the Postal Administrations of the countries mentioned;

b) To correspondence of members of the Diplomatic Corps of the signatory countries;

c) To official correspondence which Consuls and Vice-Consuls acting as Consuls, send to their respective countries; to that which they exchange among themselves; to that which they address to the authorities of the country in which they are accredited, and to that which they exchange with their respective Embassies and Legations, whenever reciprocity exists;

d) The franking privilege will be enjoyed by newspapers, periodical publications, books, pamphlets, and other prints sent by publishers or authors to Information Offices established by Postal Administrations of the Postal Union of the Americas and Spain, as well as those sent free of charge to libraries and other national cultural centers officially recognized by the Governments of the countries forming this Union;

e) To official correspondence sent and received by the Pan American Union in Washington.

2. The correspondence referred to by paragraphs (a), (b) and (c) of the preceding Section may also be sent free of postage under registration, but without right to indemnity.

Central Governments of countries of the Postal Union.

3. Official correspondence of the Central Governments of the countries of the Postal Union of the Americas and Spain which circulates free in their domestic services under their domestic legislation is admitted to the same franking privilege in the country of destination without the collection of any charge therefor, whenever strict reciprocity is observed.

National Commissions of Intellectual Cooperation.

4. The franking privilege will also be enjoyed by correspondence of National Commissions of Intellectual Cooperation set up under the auspices of the Governments in accordance with the Pan American and Universal Conventions in force.

Correspondence between Secretariats of State and their Embassies, etc.

5. The exchange of correspondence of the Diplomatic Corps, between the Secretariats of State of the respective countries and their Embassies or Legations will have a reciprocal character among the contracting countries and will be effected in open mail or by means of diplomatic pouches, in accordance with the provisions of Article 105 of the Regulations of Execution. These pouches will enjoy the franking privilege and all safeguards of official dispatches.

Post, p. 3520.

6. The franking privilege dealt with in the present Article will not affect the air service or other special services existing in the Americo-Spanish regime or in the domestic services of the contracting countries.

ARTICLE 14

Reduction of rates

Correspondence exchanged by schools, etc.

Articles of correspondence other than small packets exchanged by administrations of schools of the countries of the Postal Union of the

Americas and Spain, or among the students of the same through their directors will enjoy a 50% reduction in the ordinary rate so long as their weight does not exceed 1 kilogram and they satisfy the other conditions for their postal classification.

ARTICLE 15

Special services

The High Contracting Parties may, on the basis of special agreements or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain such postal services as they carry on or may in the future establish within their respective countries.

ARTICLE 16

Service forms sent by air mail

1. The forms provided for in the Regulations of Execution of the Universal Postal Convention for requests for the withdrawal of correspondence or change of address, as well as those provided for inquiries regarding articles of correspondence and requests for information, may be dispatched by air mail. 54 Stat. 2105.

2. To this end the Forms C–11, C–12 and C–13 will be differentiated in the following manner: blue color for those which must be forwarded by air mail and pink for those which must be also answered by air mail. 54 Stat. 2141, 2142, 2143.

3. The forwarding by air will give rise to the collection of a supplementary fee which the sender will pay when he fills out his form. It will be the equivalent to the postage for an air mail letter of 5 grams to the country of destination or to double this rate if a prepaid reply by air is requested. These payments will accrue exclusively to the country which collects them. Supplementary fee.

ARTICLE 17

Official language

Spanish is adopted as the official language for matters relative to the postal service. Nevertheless, countries whose language is not this may use their own.

ARTICLE 18

Protection and exchange of postal functionaries

1. The Administrations of the contracting countries will be obliged to lend mutually, upon request, the cooperation required by their employees charged with the transportation of correspondence in transit through such countries. Likewise, they will furnish all manner of facilities to such functionaries as one Administration may agree to send to any other to carry on studies regarding the development and perfection of postal services. Cooperation of contracting countries.

2. The Administrations through the intermediary of the International Office of Montevideo, will come to agreements to effect an exchange of functionaries. Agreements respecting functionaries.

Notwithstanding what has been established previously, the Administrations may also make agreements to send functionaries for

apprenticeship or instruction without its being required that an interchange of functionaries take place.

Expenses.

3. Once that the exchange or unilateral assignment of functionaries provided for by the preceding Sections is agreed upon between two or more Administrations, the latter will decide upon the manner in which the relative expenses are to be shared, and, when they consider it necessary, upon the initiative and through the intermediary of the International Office of Montevideo.

ARTICLE 19

International Transfer Office

Continuation of Office in Republic of Panama.

1. There shall continue to exist in the Republic of Panama an International Transfer Office, which is charged with receiving and forwarding all mail dispatches originating in Administrations of the Union which do not have their own service in the Isthmus and which, upon passing in transit through the same, give rise to transfer operations.

Functions.

2. Said Office will function in accordance with the Regulations agreed upon between the International Office of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

Amendments in Regulations.

3. Amendments which at any time may have to be made in the aforesaid Regulations will be submitted by the Administrations concerned to the International Office at Montevideo for consideration in order that they may be proposed to the Postal Administration of Panama through its mediation.

Organization, etc.

4. The organization and operation of the International Transfer Office are subject to supervision and control by the Administration of Posts and Telegraphs of Panama and the International Office of the Postal Union of the Americas and Spain with headquarters in Montevideo, upon which latter it is incumbent to act as mediator and arbitrator in any dispute arising between the Postal Administration of Panama and countries which utilize the services of said Office.

Disputes.

Personnel.

5. The personnel attached to the service of the aforesaid Office will be designated by the Administration of Posts and Telegraphs of Panama, and will be considered permanent, in accordance with the provisions established by the Regulations of the Office concerning it. They will enjoy the same rights and obligations which the postal laws of the Republic of Panama establish for the employees of the Postal Services.

Expenses.

6. The expenses to which the maintenance of this Office gives rise will be borne by the countries which utilize its services, divided proportionally to the number of their own sacks which they exchange through its intermediary.

Advances by Panama.

The Administration of Panama will advance the necessary funds for the maintenance of prompt services by the Office.

Quarterly repayments.

Said amounts will be repaid quarterly by each Administration concerned, but payments which are not made within a period of six months from the date on which the debtor Administration received the account submitted to it by the International Transfer Office,

will bear interest at the rate of 5% per year payable to the latter Office.

ARTICLE 20

Arbitration

Every conflict or disagreement arising in the postal relations of the contracting countries will be settled by arbitration, which will be effected in the manner prescribed by the Convention of the Universal Postal Union in force. The designation of arbitrators shall be incumbent upon the signatory countries, with the intervention of the International Office of the Postal Union of the Americas and Spain, if necessary.

ARTICLE 21

International Office of the Postal Union of the Americas and Spain

1. With the name of *International Office of the Postal Union of the Americas and Spain*, there functions in Montevideo under the general supervision of the Administration of Posts of the Oriental Republic of the Uruguay, a central Office which serves as an organ of liaison, information and consultation for countries of the Union.

Responsibilities of Office.

2. This Office will be charged with:

a) Assembling, co-ordinating, publishing and distributing information of all kinds which specially concerns the Americo-Spanish postal service.

b) Giving, at the express request of the parties concerned, its opinion on disputed questions.

c) Giving, on its own initiative or at the request of any of the Administrations of the signatory countries, its opinion on all matters of a postal character which affect or relate to the general interests of the Postal Union of the Americas and Spain.

d) Making known requests for modification of Acts of the Congress which are formulated, and giving notice of changes which are adopted.

e) Making known the results obtained from the regulatory provisions and measures of importance which the Administrations adopt in their domestic service, which are communicated to it by the same Administrations as information.

f) Distributing postal maps and guides which the respective Administrations send to it.

g) Making a summary of Americo-Spanish postal statistics, on the basis of data which each Administration communicates to it annually, for which purpose a questionnaire with complete and detailed requests for postal statistical data in accordance with a scientific and rational plan, will be submitted to all Administrations.

h) Publishing a report relative to the most rapid routes for transmission of correspondence from one of the contracting countries to another.

i) Preparing a table giving in detail all maritime services dependent upon countries of the Postal Union of the Americas and

Spain, which may be utilized gratuitously for the transportation of their correspondence, under the conditions laid down by Article 3.

Ante, p. 3506.

j) Publishing the tariff of postage rates of the domestic service of each of the countries concerned.

k) Preparing a table of equivalents of the money of the countries concerned in gold francs and dollars.

l) Publishing and distributing among the countries of the Postal Union of the Americas and Spain, annually, a report of the work which it performs.

m) Carrying out studies and works requested of it in the interest of the contracting countries, relative to work of social, economic and artistic cooperation for which purpose the International Office will always be at the disposal of the said countries, to furnish them any special information which they require on matters relative to the Americo-Spanish postal service.

n) Taking part and collaborating in the organization and convening of Congresses and Conferences of the Postal Union of the Americas and Spain.

o) Distributing among the Administrations of the Postal Union of the Americas and Spain the postal laws and regulations of each; said Administrations accordingly being obligated to furnish the Office mentioned twenty-five copies of the laws and regulations in question.

p) Organizing a special section charged with collecting the stamps sent to the Administrations in compliance with Article 113, Section 1, paragraph (k), of the Regulations of Execution, and centralizing philatelic information about the countries of the Postal Union of the Americas and Spain.

Post, p. 3523.

q) Intervening as the compensating Administration in the liquidation of postal accounts, at the request of the Administrations concerned.

r) Preparing international insignia of the Postal Union of the Americas and Spain consisting of an emblem for the personal use of the functionaries of the Administrations belonging to the Union.

s) Printing and furnishing the reply coupons provided for by paragraph 7 of Article 7.

Ante, p. 3508.

3. The International Office of the Postal Union of the Americas and Spain will also publish an official compilation of all the data relative to the execution of the Convention and its Regulations in each country which is of special interest to Americo-Spanish postal services, in accordance with the information submitted to it by the Administrations.

The same Office will also publish similar compilations concerning the execution of the Agreements relative to Parcel Post and Money Orders.

Post, pp. 3524, 3540.

Special expenses.

4. The special expenses arising from the preparation of the Annual Report and the Table or Information concerning Postal Communications of the contracting countries, and those arising on account of

meetings of Congresses or Conferences, will be shared by the Administrations of said countries in accordance with the groups established in Article 110 of the Regulations of Execution.

Post, p. 3521.

The expenses in connection with the holding of such Congresses and Conferences will be fixed on each occasion by the Director General of Posts of the Oriental Republic of the Uruguay, by agreement with the International Office of Montevideo.

5. The Administration of Posts of Uruguay will supervise the expenses of the International Office of the Postal Union of the Americas and Spain, and will make the advances which it requires.

Repayment of advances.

6. The amounts advanced by the Administration of Uruguay in accordance with the foregoing Section will be repaid by the debtor Administrations as soon as possible, and at the latest before six months from the date on which the country concerned receives the account formulated by the Director General of Posts of Uruguay. After that date, the amounts due will bear interest at the rate of 5% a year, counting from the date of expiration of the said period.

Contributive quotas.

7. The contracting countries are bound to include in their budgets an annual amount destined to take care promptly of the payment of their contributive quotas.

ARTICLE 22

Congresses

Meetings.

1. The Congresses will meet not later than two years after the holding of each Universal Postal Congress. Nevertheless if the interval between the latter should exceed five years, the Administrations of the Postal Union of the Americas and Spain may come to agreement, through the intermediary of the International Office of Montevideo and by unanimity of votes, on an eventual meeting.

2. Each Congress will fix the place in which the next one shall convene.

ARTICLE 23

Resolutions of the Congress

The contracting powers will inform the International Office of Montevideo, three months in advance of the meeting of each Congress, of the measures it has taken to put into effect the resolutions and recommendations of each last Congress.

ARTICLE 24

Propositions in the interval between meetings

The present Convention may be modified in the interval between Congresses, following the procedure established in the Universal Postal Convention in force. In order to become effective, modifications must obtain unanimity of votes for the present Article and Articles 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 16, 19, 20, 21, 22, 24, 25, 27, 28, 29 and 30; two-thirds of the votes for Articles 14 and 23; and a simple majority for the rest.

ARTICLE 25

Modifications and amendments

Effective date.

Modifications or resolutions adopted by the High Contracting Parties, even those of a domestic order, which affect the international service, will become effective three months after the date of the relative notice of the International Office of the Postal Union of the Americas and Spain.

ARTICLE 26

Application of the Universal Postal Convention and domestic legislation

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in this Convention, will be subject to the stipulations of the Universal Postal Convention and its Regulations. In turn, those which are not covered by these last two will form the subject of special agreements between the Administrations concerned.

54 Stat. 2049.

2. Likewise, the domestic legislation of the said countries will apply to everything which has not been provided for in either Convention.

ARTICLE 27

Propositions for Universal Congresses

All the countries forming the Postal Union of the Americas and Spain will advise one another, through the intermediary of the International Office of Montevideo, of the propositions which they formulate for Universal Postal Congresses, six months in advance of the date on which they are to be held.

ARTICLE 28

Unity of action in Universal Postal Congresses

The countries signatory to the Americo-Spanish Postal Convention which have ratified the same or put it into force administratively obligate themselves to instruct their delegates to Universal Postal Congresses to sustain unanimously and firmly, all principles established in the Postal Union of the Americas and Spain, and also to vote in accordance with these postulates, except only in cases where the propositions to be debated affect only the countries proposing them.

ARTICLE 29

Preliminary Conferences

1. In view of the preceding Article, the Delegates of the countries composing the Postal Union of the Americas and Spain, prior to Universal Postal Congresses, shall assemble in the city designated as the seat of the Congress fifteen days before the date of inauguration thereof, in order to hold a preliminary conference, at which the procedure of joint action to be followed will be determined.

2. At the proper time before the meeting of Universal Congresses, the International Office of Montevideo will invite the signatory Administrations to hold the preliminary conferences mentioned in the preceding Section, and the Director of the International Office of Montevideo is charged with organizing those conferences and attending them with the necessary personnel.

ARTICLE 30

New adherences

In case of a new adherence, the Government of the Oriental Republic of Uruguay by common consent with the International Office of Montevideo and the Government of the country concerned, will determine the group in which said country is to be included, for purposes of sharing the expenses of the International Office.

ARTICLE 31

Effective date and duration of Convention and deposit of ratifications

1. The present Convention will become effective January 1, 1947, and will remain in force without time-limit, each of the contracting parties reserving the right to withdraw from this Union by means of notice given by its Government to that of the Oriental Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Rio de Janeiro, Republic of the United States of Brazil, as soon as possible, preferably before the effective date of the Convention and Agreements in question, and the relative certificate will be made up for each of them, a copy of which will be sent by the Government of the Republic of Brazil, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Postal Convention of the Americas and Spain signed in Panama on December 22, 1936, are abrogated, beginning with the date on which the present Convention enters into force. 50 Stat. 1657.

4. In case that the Convention is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

5. The contracting countries may ratify the Convention and Agreements provisionally by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels. Provisional ratification by correspondence.

In faith of which, the Plenipotentiaries of the Governments of the countries above named sign the present Convention in the city of Rio de Janeiro, Republic of the United States of Brazil, on the 25th day of the month of September, 1946.

[For signatories to the Convention see Spanish text.] *Ante*, p. 3492.

FINAL PROTOCOL OF THE CONVENTION

At the moment of signing the Convention concluded by the Fifth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

U. S. rates.

The United States of America reserves the right, as a transitory measure, to maintain its present rates for countries of the Postal Union of the Americas and Spain which may be higher than those of its domestic service.

II

Ante, p. 3516.

In connection with Article 28 of the Convention, Canada and the United States of America reserve complete liberty of action in Congresses of the Universal Postal Union.

III

Canada formulates reservation in the sense that it cannot accept the provision of clauses (d) and (e) of Section 1 of Article 13, and of Sections 3 and 4 of that Article.

Ante, p. 3510.

IV

The Republic of Panama formulates a transitory reservation regarding Article 3 of the Convention which refers to ships that do not transport its own correspondence, until the adoption of legal provisions which will permit the application of that provision.

Ante, p. 3506.

V

Canada formulates a reservation in the sense that the provisions of Article 8 are not applicable in Canada.

Ante, p. 3508.

Ante, p. 3494.

[For signatories to the Final Protocol see Spanish text.]

REGULATIONS OF EXECUTION OF THE CONVENTION OF THE POSTAL UNION OF THE AMERICAS AND SPAIN

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic and Uruguay.

The undersigned, in the name of the Administrations they represent, have approved the following Regulations to assure the execution of the foregoing Convention:

ARTICLE 101

Exchange of Mails

1. The Administrations of the contracting countries may send to one another reciprocally, through the intermediary of one or several

of them, both closed mails and correspondence in open mail, under the conditions fixed by the Convention and Regulations in force in the Universal Postal Union.

54 Stat. 2049.

Reforwarding.

2. In cases of reforwarding, the contracting countries are bound to reforward the correspondence by the most rapid routes and means which they utilize for their own dispatches. Transportation will be gratuitous when it is a question of services which belong to its Administration, but they may charge the Administration of origin the same amounts they are obliged to pay when the onward transmission of the closed dispatches requires the services of foreign Administrations to which those charges must be paid.

Collection of amounts from foreign countries of origin.

3. When the intermediary Administrations referred to in the above Section must collect amounts from the foreign countries of origin for the use of services of foreign Administrations for onward transmission, they must make up the accounts for these expenses without exceeding, in any case, the charges fixed in the Universal Postal Union Convention and provided for in the rules established in its Regulations of Execution.

54 Stat. 2105.

ARTICLE 102

Domestic postage rates and equivalents

The Administrations will communicate to one another, as soon as possible, through the intermediary of the International Office of the Postal Union of the Americas and Spain, all modifications of their domestic postage rates, as well as the equivalents of said rates in gold francs.

ARTICLE 103

Preparation of dispatches—Empty sacks

1. Dispatches containing correspondence exchanged between two countries of the Postal Union of the Americas and Spain will be prepared in accordance with the provisions of the Regulations of Execution of the Convention of the Universal Postal Union.

54 Stat. 2105.

2. The sacks utilized by the contracting Administrations for the dispatch of correspondence will be returned empty by the exchange offices of destination to those of origin, in the manner prescribed by the relative Article of said Regulations. However, Administrations may come to an agreement for the purpose of using them for the dispatch of their own correspondence.

ARTICLE 104

Small packets

1. The preparation and packing of small packets will be governed by the same provisions as those fixed for samples. Moreover, the names and addresses of the senders shall appear on the outside of the articles.

2. It will be permissible to inclose in such articles an open invoice, reduced to its essential features, or else a simple copy of the address with indication of the address of the sender.

3. The packets, whether accompanied by customs declarations or not, shall always bear a green label conforming to Model C 1 of the Regulations of Execution of the Universal Postal Convention.

54 Stat. 2111.

ARTICLE 105

Diplomatic pouches

Weight; dimensions.

1. Diplomatic pouches exchanged by the Ministries of Foreign Relations of the countries of the Postal Union of the Americas and Spain with their diplomatic representatives in the other countries, by virtue of the provisions of Article 13 of the Convention, may not exceed the weight of 20 kilograms or the following dimensions: length, width and height, together, 140 centimeters, and greatest dimension must not exceed 60 centimeters.

Ante, p. 3509.

Registration.

2. The Ministries of Foreign Relations and the diplomatic representatives will deposit these pouches in the post offices, as registered articles. That office will enter in the column "Observations" of the registry special list the words "Valija Diplomatica (Diplomatic Pouches)" and the number of these if they are more than one.

3. These pouches will be provided with fastenings, locks or other safety devices appropriate to the importance of such dispatches.

4. Diplomatic pouches will be forwarded by the same routes used by the dispatching Administrations for the transmission of its correspondence to the Administration of destination, their sending being announced by means of a note entered in the letter bill of the dispatch containing them.

5. In the absence of agreement to the contrary between the parties concerned, diplomatic pouches will not be dispatched under the franking privilege by air mail.

ARTICLE 106

Diplomatic and consular correspondence

Diplomatic and consular correspondence shall bear the following indications: The name of the sending Embassy, Legation or Consulate, and the conspicuous inscription *Diplomatic correspondence* or *Consular correspondence*, in addition to the declaration *Libre de porte* (Free of postage), which shall appear under the former inscription.

ARTICLE 107

Transit statistics

Ante, p. 3506.

As a result of the gratuity of transit referred to by Article 3 of the Convention, the Administrations of the contracting countries will not perform any transit statistical operations in connection with dispatches containing Americo-Spanish correspondence exclusively, whenever this correspondence is forwarded without the intervention of countries or services foreign to the Postal Union of the Americas and Spain.

ARTICLE 108

Constitution of International Office

1. The Director of the International Office will be appointed by the Government of the Oriental Republic of Uruguay, at the proposal of the Administration of Posts of the said country, and will receive monthly compensation in the amount of 900 Uruguayan pesos.

Director.

The Subdirector-Secretary General, the Secretarial Official, the Translating Official and other personnel of the Office will be appointed, at the proposal of the Director of the International Office, by the Direction General of Posts of Uruguay. The monthly salary of the Subdirector-Secretary General is fixed at 700 Uruguayan pesos; that of the Secretarial Official at 500 pesos; that of the Translating Official at 350 pesos; that of the two assistants at 200 pesos each; and that of the janitor at 150 pesos.

Other personnel.

Salaries.

The said personnel may be removed from their posts only with the intervention of the Direction General of Posts of Uruguay, in accordance with the procedure established in that connection for permanent employees of that Administration.

Removal of personnel.

2. The Director of the International Office will attend Congresses and Conferences of the Postal Union of the Americas and Spain, for the purpose of complying with the provisions of Articles 21 and 29 of the Convention, and will be present at sessions, being permitted to take part in discussions without right to vote.

Attendance of Director at Congresses, etc.

Ante, pp. 3513, 3516.

3. The official language of the International Office is Spanish. Nevertheless, countries whose language is not Spanish may use their own in relations with the Office.

Official language of Office.

ARTICLE 109

Retirement and pensions

The pensions and retirement of personnel of the International Office of Montevideo will be paid exclusively from the special fund which the said Office has set aside for that purpose out of the contributions of all the countries of the Union. The conditions for and amount of such retirement and pensions will be governed by the laws on the subject in force in Uruguay for its own officers and employees.

ARTICLE 110

Account and expenses of International Office

1. The expenses of the International Office may not exceed the annual sum of 55,000 Uruguayan gold pesos; said amount including the establishment of a retirement fund for the personnel thereof.

Annual sum.

2. For the division of the annual and extraordinary expenses of the Office the countries are divided into three groups; those of the first group having to contribute eight units; those of second, four units; and those of the third, two units.

Division of expenses.

The following belong to the first group:

Argentina, Brazil, Canada, Spain, the United States of America and Uruguay.

The following to the second group:

Colombia, Costa Rica, Cuba, Chile, the United States of Venezuela, Mexico, Panama and Peru.

The following to the third group:

Bolivia, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, and the Dominican Republic.

ARTICLE 111

Information—Requests for modification of Acts

The International Office will always be at the service of the contracting parties, to furnish them whatever special information they require concerning matters connected with the Americo-Spanish postal service; and will circulate requests for modification or interpretation of the provisions governing the Postal Union of the Americas and Spain, and make known the result of each operation.

ARTICLE 112

Publications

Special circular.

1. The International Office of the Postal Union of the Americas and Spain will send out a special circular when an Administration requests immediate publication of any change that has been introduced in its service, and will likewise furnish gratuitously, to each of the Administrations of the contracting countries and to the International Bureau of Berne, the documents which it publishes, allowing each Administration the number of copies which corresponds to the number of units which it contributes.

Additional copies of documents requested by Administrations will be paid for by them at cost.

Propositions.

Ante, p. 3516.

2. The International Office will distribute among the contracting countries the propositions which it receives in accordance with the provisions of Article 27 of the Convention. To that end, all countries of the Postal Union of the Americas and Spain will make known through the intermediary of the same Office, and in due time, as established by the Convention, the propositions which they formulate for Universal Congresses, in order that such propositions may be supported by all the said countries.

ARTICLE 113

Documents and information to be sent to International Office

1. The International Office will serve as intermediary for regular and general notifications which exclusively concern the Administrations of the contracting countries.

Said Administrations shall send to the International Office, regularly and promptly:

a) Their postal legislation and its subsequent modifications.

b) Their Postal Guide, each time that it is published.

c) Maps and guides of postal communications which they utilize for both domestic and international services.

d) Information as to the most rapid territorial and maritime routes which may be used for exchange of correspondence.

e) The results of the annual statistics of their postal traffic with other Americo-Spanish countries.

f) The text of their propositions submitted to Universal Postal Congresses for consideration.

g) Data of all kinds concerning the Americo-Spanish postal service, every time that some new provision is established.

h) All information requested by the International Office itself for publication, reports and other matters pertaining to it, in such manner as to permit the execution of its task as soon as possible.

i) A table showing in detail all maritime services belonging to countries of the Postal Union of the Americas and Spain which may be used gratuitously by the others for the transportation of their correspondence.

j) The variations in the equivalents, as soon as they occur.

k) Three copies of the postage stamps which are issued and of the impressions of the stamping machines, with a copy of the respective provisions of issuance.

2. All subsequent modifications will be communicated without delay.

ARTICLE 114

Modifications in the interval between meetings of Congresses

1. In the interval between Congresses, Administrations will have the right to formulate propositions relative to the present Regulations, following the procedure indicated in the Convention of the Universal Postal Union. 54 Stat. 2049.

2. In order to become effective, those propositions must obtain two-thirds of the votes cast.

ARTICLE 115

Application of Universal Postal Convention and domestic legislation

For all matters not provided for by these Regulations regarding the exchange of correspondence among the contracting countries, the provisions of the Regulations of the Convention of the Universal Postal Union will be applicable, and, in the absence of these, the domestic legislation of the same countries. 54 Stat. 2105.

ARTICLE 116

Effective date and duration of regulations

The present Regulations will become effective on the same date as the Convention to which they relate, and will have the same duration.

In the city of Rio de Janeiro, Republic of the United States of Brazil, on the 25th day of September, 1946.

[For signatories to the Regulations see Spanish text.] Ante, p. 3502.

September 25, 1946
[T. I. A. S. 1681]

Agreement, and final protocol, between the United States of America and other governments respecting parcel post service within the Postal Union of the Americas and Spain. Agreement signed at Rio de Janeiro September 25, 1946; final protocol approved by acclamation September 21, 1946, in plenary session of the Fifth Congress of the Postal Union of the Americas and Spain at Rio de Janeiro; ratified and approved by the Postmaster General of the United States of America February 20, 1947; approved by the President of the United States of America February 27, 1947; entered into force January 1, 1947.

ACUERDO RELATIVO A ENCOMIENDAS POSTALES

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos de Venezuela, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana y Uruguay.

Los infrascritos, Plenipotenciarios de los Gobiernos de los países mencionados, en ejercicio de la facultad concedida por el Convenio de la Unión Postal Universal, acuerdan, ad referendum, realizar el servicio de encomiendas, con arreglo a las cláusulas siguientes:

ARTICULO 1

Objeto del Acuerdo

1. Bajo la denominación de "Encomienda Postal" o de las expresiones sinónimas "Paquete Postal" y "Bulto Postal", los países enumerados podrán intercambiar esta clase de envíos.

2. Las encomiendas podrán expedirse certificadas mediante el pago, además del franqueo, del derecho de certificación vigente en el país de origen.

3. Las encomiendas postales podrán ser expedidas con declaración de valor o contra reembolso, cuando los países adheridos convengan en adoptar estas modalidades del servicio en sus relaciones recíprocas. La expedición de tales envíos se hará obligatoriamente en envases de buenas condiciones, debidamente cerrados.

ARTICULO 2

Tránsito

1. La libertad de tránsito queda garantizada en el territorio de cada uno de los países contratantes. En consecuencia, las diversas Administraciones podrán utilizar la mediación de uno o varios países para el cambio recíproco de encomiendas.

2. Las encomiendas serán cursadas en despachos cerrados, o al descubierto cuando así lo convengan las Administraciones interesadas,

por las vías terrestres y marítimas más rápidas, que utilicen para sus propios envíos los países que intervengan en el transporte.

3. Las Administraciones remitentes estarán obligadas a enviar una copia de la Hoja de Ruta C. P. 12 u otra similar a cada una de las Administraciones intermediarias cuando el tránsito se haga en despachos cerrados.

ARTICULO 3

Peso y dimensiones

El máximo de peso y las dimensiones de las encomiendas serán los fijados en el Acuerdo pertinente de la Unión Postal Universal. Sin embargo, las Administraciones contratantes podrán admitir, previa la conformidad de los países intermediarios, encomiendas con otros límites de dimensiones.

ARTICULO 4

Tarifas y bonificaciones

1. La tarifa de las encomiendas intercambiadas con arreglo a este Acuerdo, se forma únicamente con la suma de los derechos territoriales de origen, tránsito y destino. Llegado el caso, se agregarán los derechos marítimos previstos en el Acuerdo vigente de la Unión Postal Universal sobre cambio de encomiendas postales.

2. Los derechos territoriales de origen, tránsito y destino se fijan para cada país en francos oro o su equivalente como sigue:

25 céntimos por encomienda hasta de 1 kilogramo;
40 céntimos por encomienda de más de 1 y hasta 3 kilogramos;
50 céntimos por encomienda de más de 3 y hasta 5 kilogramos;
100 céntimos por encomienda de más de 5 y hasta 10 kilogramos;
150 céntimos por encomienda de más de 10 y hasta 15 kilogramos;
200 céntimos por encomienda de más de 15 y hasta 20 kilogramos.

3. Las Administraciones de origen y de destino tendrán la facultad de aumentar hasta el doble las tasas aplicables a las categorías de 1, 3, 5 y 10 kilos, así como la de aplicar a cada encomienda de esos límites de peso una sobretasa de 25 céntimos.

Las tasas de salida y llegada, relativas a las encomiendas de las categorías de 15 y 20 kilos, serán fijadas de acuerdo con el criterio de cada Administración.

4. Las Administraciones que en el régimen universal gocen de autorizaciones especiales para elevar los derechos consignados en los dos parágrafos anteriores, podrán también hacer uso de dichas autorizaciones en el régimen américoespañol.

5. La Administración de origen acreditará a cada una de las Administraciones que intervengan en el transporte, incluso a la de destino, los derechos correspondientes con arreglo a lo dispuesto en los parágrafos anteriores.

6. La Oficina Internacional editará y distribuirá el cuadro de los derechos de tránsito territorial y los de salida y llegada que correspondan a cada Administración, que se irá actualizando por medio de suplementos.

ARTICULO 5

Anulación de saldos menores de 50 francos oro

Cuando en las liquidaciones por el servicio de encomiendas entre dos países, el saldo anual no exceda de 50 francos oro, la Administración deudora quedará exenta de todo pago, siempre que medie acuerdo con la acreedora.

ARTICULO 6

Derechos por despacho de aduanas, entrega, almacenaje y otros

1. Las Administraciones de destino podrán cobrar a los destinatarios de las encomiendas:

a) Un derecho de 50 céntimos de franco oro o su equivalencia, como máximo, por las operaciones, formalidades y trámites inherentes al despacho de aduanas;
b) Un derecho igual al establecido en su servicio interno hasta un máximo de 40 céntimos de franco oro o su equivalencia, por la conducción y entrega de cada encomienda en el domicilio del destinatario.
   Cuando las encomiendas no sean entregadas en el domicilio del destinatario, éste deberá ser avisado de la llegada. Las Administraciones cuyo régimen interior lo exija, percibirán un derecho especial por la entrega de dicho aviso, que no podrá exceder del porte sencillo de una carta ordinaria del servicio interior.
c) Un derecho diario de almacenaje, no superior al señalado por la legislación interna de cada país, a partir de los plazos prescritos en ella, sin que en ningún caso el total a percibir pueda exceder de 5 francos oro o su equivalencia;
d) Los derechos arancelarios y todos los demás derechos no postales que establezca su legislación interior;
e) La cantidad que corresponda por concepto de derecho consular, cuando no se hubiere abonado de antemano por el remitente;
f) El derecho de reembalaje de 30 céntimos de franco oro como máximo, previsto en el Acuerdo correspondiente de la Unión Postal Universal. Este derecho se percibirá del destinatario o remitente, según el caso.

2. Quedarán exentas del pago del derecho de entrega las encomiendas destinadas a los miembros de los Cuerpos Diplomático y Consular a que se refiere el artículo 13 de Convenio, salvo las dirigidas a los últimos si contuvieran artículos sujetos al pago de derechos aduaneros.

ARTICULO 7

Prohibición de otros gravámenes

Las encomiendas de que trata el presente Acuerdo no podrán ser gravadas con otros derechos postales que los establecidos en los artículos precedentes.

Sin embargo, las Administraciones que convengan entre sí la admisión de encomiendas contra reembolso o con valor declarado, estarán autorizadas para percibir los derechos relativos a esta clase de envíos.

ARTICULO 8

Responsabilidad

1. Las Administraciones serán responsables por la pérdida, substracción o avería de las encomiendas ordinarias o certificadas.

El remitente tendrá derecho, por este concepto, a una indemnización equivalente al importe real de la pérdida, substracción o avería. Esta indemnización no podrá exceder de:

10 francos oro por encomienda hasta el peso de 1 kilogramo;
15 francos oro por encomienda de más de 1 y hasta 3 kilogramos;
25 francos oro por encomienda de más de 3 y hasta 5 kilogramos;
40 francos oro por encomienda de más de 5 y hasta 10 kilogramos;
55 francos oro por encomienda de más de 10 y hasta 15 kilogramos.
70 francos oro por encomienda de más de 15 y hasta 20 kilogramos.

2. La indemnización se calculará según el precio corriente de la mercancía de la misma clase en el lugar y en la época en que la encomienda fuere aceptada para su transporte.

3. Por las encomiendas aseguradas, cambiadas entre aquellas Administraciones que convengan establecer esta modalidad del servicio, la indemnización no podrá exceder de la declaración de valor.

4. Para que pueda determinarse debidamente la responsabilidad de las Administraciones, las oficinas de cambio destinatarias, siempre que adviertan irregularidades que exijan el levantamiento de acta, deberán mencionar las condiciones en que las encomiendas fueren recibidas, especialmente en lo que se refieren al estado de los cierres y envases, los cuales deberán enviarse a la Administración de origen acompañados de una copia del acta y del boletín de verificación levantados al efecto, las cubiertas y embalajes de las encomiendas en causa y todo otro elemento de prueba.

ARTICULO 9

Encomiendas pendientes de entrega

1. Se fija en treinta días el plazo durante el cual deberá la Administración de destino mantener las encomiendas a disposición de los interesados.

Este plazo, que se contará desde el día siguiente al de la expedición del aviso de llegada, podrá, a petición del destinatario, ser elevado a tres meses, si, además, el remitente hubiere hecho indicación en tal sentido de acuerdo con el inciso d) del parágrafo 2 y cuando la Administración destinataria no se opusiere a ello.

2. Los remitentes, por virtud de las disposiciones contenidas en el parágrafo anterior, estarán obligados a indicar en el boletín de expedición o en la declaración de aduana, así como en la envoltura de la encomienda, en qué forma ha de procederse con la misma en el caso

de no poder ser entregada, sujetándose a una de las siguientes modalidades:

a) que sea devuelta a origen;
b) que se entregue a otro destinatario;
c) que se considere abandonada;
d) que se mantenga a disposición del destinatario, hasta tres meses, en las condiciones del parágrafo 1.

A falta de indicaciones y caída en rezago, la encomienda será devuelta inmediatamente a origen.

ARTICULO 10

Declaraciones fraudulentas

1. En los casos en que se compruebe que los remitentes de una encomienda, por sí o de acuerdo con los destinatarios, declaren con falsedad la calidad, peso o medida del contenido o que, por otro medio cualquiera, traten de defraudar los intereses fiscales del país de destino, eludiendo el pago de los derechos de importación, ocultando objetos o declarándolos en forma tal que evidencie la intención de suprimir o reducir el importe de esos derechos, queda facultada la Administración interesada para disponer de esos envíos conforme a su legislación interna, sin que ni el remitente ni el destinatario tengan derecho a su entrega, devolución o indemnización.

2. La Administración que decomise una encomienda, de conformidad con la precedente autorización, deberá notificarlo al destinatario y a la Administración de origen.

ARTICULO 11

Encomiendas para segundos destinatarios

Los remitentes de encomiendas dirigidas al cuidado de Bancos u otras entidades, para entregar a segundos destinatarios, estarán obligados a consignar en las etiquetas, fajillas o envolturas de aquéllas, el nombre y dirección exactos de las personas a quienes estuvieren destinados estos envíos. Sin embargo, se dará aviso al segundo destinatario de la existencia de tales encomiendas pudiéndose percibir el derecho fijado en el artículo 6, sin que pueda reclamar su entrega, sino mediante una autorización escrita del primer destinatario o del remitente. Este último deberá, en tal caso, gestionar la entrega por conducto de la Administración de origen.

ARTICULO 12

Encomiendas abandonadas o devueltas

1 Las encomiendas abandonadas o que devueltas no puedan ser entregadas a sus remitentes, quedarán a disposición de las Administraciones de destino u origen, según el caso, para que procedan con esos envíos conforme a su legislación interior.

2. Las Administraciones destinatarias podrán devolver desde luego las encomiendas que hubieren sido rehusadas.

3. Las Administraciones podrán cobrar por cada encomienda que devuelvan a origen en calidad de rezagada, las siguientes cantidades:

a) La que le corresponda como derecho terminal;
b) Los derechos a que se refiere el parágrafo 1 del artículo 4;
c) Los derechos que adeuden las encomiendas en el país de destino por concepto de reexpediciones;
d) El derecho a que se refiere el parágrafo 1 inciso a) del artículo 6;
e) El derecho de almacenaje de que trata el parágrafo 1 inciso c) del artículo 6; y
f) El derecho de reembalaje.

ARTICULO 13

Proposiciones durante el intervalo de las reuniones

El presente Acuerdo podrá ser modificado en el intervalo que media entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal.

Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

a) unanimidad de sufragios, si se trata de introducir nuevas disposiciones o de modificar el presente artículo o los artículos 1, 2, 3, 4, 6, 7, 8 y 9;
b) dos tercios de sufragios para modificar las demás disposiciones.

ARTICULO 14

Asuntos no previstos

1. Todos los asuntos no previstos por este Acuerdo, serán regidos por las disposiciones del Acuerdo de Encomiendas de la Unión Postal Universal y su Reglamento de Ejecución.

2. Sin embargo, las Administraciones contratantes podrán fijar otros detalles para la práctica del servicio, previo acuerdo.

3. Se reconoce el derecho de que gozan los países contratantes para mantener vigente el procedimiento reglamentario adoptado en orden al cumplimiento de Convenios que tengan entre sí, siempre que dicho procedimiento no se oponga a las disposiciones de este Acuerdo.

ARTICULO 15

Vigencia y duración del Acuerdo

1. El presente Acuerdo comenzará a regir el 1° de enero de 1947 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las partes contratantes el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

2. El depósito de las ratificaciones se hará en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, en el más breve plazo posible. Se levantará un Acta relativa al depósito de las ratificaciones de cada país y el Gobierno del Brasil remitirá por la vía diplomática una copia de dicha Acta a los Gobiernos de los demás países signatarios.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Acuerdo, las estipulaciones del Acuerdo de Encomiendas Postales, suscripto en Panamá el 22 de diciembre de 1936.

4. En caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieran hecho.

5. Los países contratantes podrán ratificar este Acuerdo, provisionalmente, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

En fe de lo cual, los Plenipotenciarios de los países enumerados, suscriben el presente Acuerdo en la ciudad de Río de Janeiro, Estados Unidos del Brasil, a los veinticinco días del mes de setiembre de mil novecientos cuarenta y seis.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

JOSÉ LIÉVANA FORRASTAL
RAFAEL BARRIENTOS

Por BRASIL:

RAÚL DE ALBUQUERQUE
CARLOS LUIS TAVEIRA
JAIME SLOAN CHERMONT
AUREO MAIA
JAIME DÍAS FRANÇA
JOAQUIM VIANNA
JULIO SÁNCHEZ PÉREZ
CARLOS F. DE FIGUEIREDO

Por CANADA:

WALTER JAMES TURNBULL
Cnel. EDWARD JAMES UNDERWOOD, O.B.E.
FRANCIS EVERETT JOLLIFFE, M.B.E.

Por COLOMBIA:

LUIS GARCÍA CADENA
LUIS JORGE GARZÓN

Por COSTA RICA:

ROBERTO TINOCO GUTIÉRREZ

Por CUBA:

GABRIEL LANDA Y CHAO
JESÚS LAGO LUNAR

Por CHILE:

LUIS FELIPE LASO
MIGUEL A. PARRA
GUILLERMO JIMÉNEZ MORGAN

Por ECUADOR:

RAFAEL ALVARADO

Por EL SALVADOR:

Coronel CARLOS MEJÍA OSORIO

Por ESPAÑA:

LUIS RODRÍGUEZ DE MIGUEL
ELÍAS URDANGARAIN BERNACH

Por ESTADOS UNIDOS DE AMERICA:

JOHN J. GILLEN
EDWARD J. MAHONEY

Por ESTADOS UNIDOS DE VENEZUELA:

PABLO CASTRO BECERRA
FRANCISCO VELEZ SALAS
CARLOS HARTMANN

Por GUATEMALA:

FLAVIO HERRERA

Por HAITI:

LUIS MORAIS JUNIOR

Por HONDURAS:

MARCO ANTONIO BATRES
MANUEL SOTO DE PONTES CAMARA

Por MEXICO:

ANTONIO VILLALOBOS
DIDIER DOMÍNGUEZ VALDÉS
LAURO F. RAMÍREZ UMAÑA

Por NICARAGUA:

JOSÉ MERCEDES PALMA

Por PANAMA:

CATALINO ARROCHA GRAELL
JULIO TRELLES
ROQUE JAVIER LAURENZA

Por PARAGUAY:

ANÍBAL IBARRA G.

Por PERU:

GERMÁN LLOSA PARDO
ERNESTO CÁCERES BOLUARTE

Por República DOMINICANA:

MIGUEL ANTONIO OLAVARRIETA PÉREZ

Por URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

PROTOCOLO FINAL DEL ACUERDO RELATIVO A ENCOMIENDAS POSTALES

En el momento de firmar el Acuerdo Relativo a Encomiendas Postales celebrado por el V Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

Estados Unidos de América está facultado para elevar hasta el duplo los derechos territoriales de tránsito establecidos en el Artículo 4 del Acuerdo y aplicar además una sobretasa de 25 céntimos por encomienda.

Río de Janeiro, a los 25 días de setiembre de 1946.(1)

(1) Aprobado, por aclamación, en Sesión Plenaria del V Congreso de la Unión Postal de las Américas y España, de fecha 21 de setiembre de 1946. [Footnote in certified copy.]

Having examined and considered the provisions of the foregoing Agreement Relative to Parcel Post, signed in the city of Rio de Janeiro, the United States of Brazil, on the twenty-fifth day of September, 1946, and the Final Protocol to that Agreement, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 20th day of February, 1947.

[SEAL]

ROBERT E HANNEGAN
Postmaster General

I hereby approve the foregoing Agreement Relative to Parcel Post and the Final Protocol to that Agreement.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States to be hereunto affixed.

[SEAL]

HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

WASHINGTON, *February 27, 1947.*

Translation prepared by the Post Office Department

AGREEMENT RELATIVE TO PARCEL POST

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and the Dominican Republic.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, in the exercise of the option conferred by the Convention of the Universal Postal Union, agree, *ad referendum*, to execute the parcel post service in accordance with the following provisions:

54 Stat. 2049.

ARTICLE 1

Object of the Agreement

1. Under the denomination of "parcel post" (*Encomienda postal, Paquete postal* or *Bulto postal*) the countries mentioned may exchange this class of mail matter.

2. Parcels may be sent registered by paying the registration fee in effect in the country of origin, in addition to the postage.

3. Parcels may be sent insured or collect-on-delivery, when the adhering countries agree to adopt these types of service in their reciprocal relations. The dispatch of such parcels in containers in good condition, properly fastened, will be obligatory.

ARTICLE 2

Transit

1. Liberty of transit is guaranteed over the territory of every one of the contracting countries. Consequently, the various Administrations may use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels will be sent in closed mails, or in open mail when the Administrations concerned have so agreed, and shall be forwarded by the most rapid land and sea routes which are utilized for their own mails by the countries participating in the transportation.

3. The dispatching Administrations will be obliged to send a copy of the parcel bills C. P. 12 or another similar bill, to each of the intermediary Administrations when the dispatches are sent in closed mail transit.

ARTICLE 3

Weight and dimensions

54 Stat. 2049.

The maximum weight and dimensions will be those fixed by the Agreement of the Universal Postal Convention. However, the contracting Administrations may, after obtaining consent of the intermediary countries, accept parcels with other limits of dimensions.

ARTICLE 4

Postage rates and payments

1. The postage on parcels exchanged under this Agreement is composed only of the sum of the territorial rates of origin, transit and destination. If necessary, the maritime rates provided for by the Parcel Post Agreement of the Universal Postal Union in force will be added. Postage on parcels.

2. The territorial charges of origin, transit and destination are fixed for each country in gold francs or their equivalent, as follows: Territorial charges.

25 centimes for parcels up to 1 kilogram;
40 centimes for parcels from 1 to 3 kilograms;
50 centimes for parcels from 3 to 5 kilograms;
100 centimes for parcels from 5 to 10 kilograms;
150 centimes for parcels from 10 to 15 kilograms;
200 centimes for parcels from 15 to 20 kilograms.

3. The Administrations of origin and destination will have the option of increasing the rates applicable to parcels of 1, 3, 5 and 10 kilograms up to double their amount, as well as applying a surcharge of 25 centimes to each parcel of these weight limits. Option of increasing rates.

The rates of departure and arrival applying to parcels of 15 and 20 kilograms will be fixed at the discretion of each Administration. Rates of departure and arrival.

4. Administrations which, in the Universal service, are specially authorized to increase the rates set forth in the two preceding Sections, may also make use of such authorization in the Americo-Spanish service.

5. The Administration of origin will credit each of the Administrations taking part in the transportation, including that of destination, with the corresponding charges, in accordance with the provisions of the foregoing Sections. Credits.

6. The International Office will publish and distribute the table of land transit rates and those of departure and arrival payable to each Administration, keeping it up to date by means of supplements. Table of rates.

ARTICLE 5

Cancelation of balances under 50 gold francs

When in the settlement of the parcel post service between two countries the annual balance does not exceed 50 gold francs, the debtor Administration will be exempt from any payment, provided that agreement to such effect has been reached with the creditor Administration.

ARTICLE 6

Customs clearance, delivery, storage and other charges

1. The Administrations of destination may collect from the addressees of parcels: Fees.

(a) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the operations, formalities and transactions in connection with customs handling.

(b) A fee similar to that established for its domestic service up to a maximum of 40 centimes of a gold franc, or its equivalent, for the transmission and delivery of each parcel to the address of the addressee.

When parcels are not delivered at the address of the addressee, the latter shall be advised of their arrival. The Administrations whose domestic regulations require it, will collect a special fee for the delivery of such notice, which may not exceed the postage for a single weight unit of an ordinary letter in the domestic service.

Storage charge.

(c) A daily storage charge not exceeding that fixed by the domestic legislation of each country, from the time prescribed therein, provided that the total to be collected may in no case exceed five gold francs or the equivalent thereof.

(d) The customs duties and all other non-postal charges which their domestic legislation establishes.

(e) The amount corresponding to the consular fee, when it has not been prepaid by the sender.

(f) The repacking fee of 30 centimes of a gold franc at most, provided for in the corresponding Agreement of the Universal Postal Convention. This fee will be collected from the addressee or from the sender, according to the circumstances.

54 Stat. 2049.

Exemption from delivery fees.
54 Stat. 2056.

2. Parcels addressed to members of the Diplomatic and Consular Corps mentioned in Article 13 of the Convention will be exempt from the payment of delivery fees, except those addressed to the latter when they contain articles liable to payment of customs duties.

ARTICLE 7

Prohibition against other charges

The parcels of which the present Agreement treats may not be subjected to any other postal charges than those established in the foregoing Articles.

Collect-on-delivery parcels, etc.

However, Administrations which agree among themselves on the admission of collect-on-delivery or insured parcels, will be authorized to collect the charges relative to these classes of articles.

ARTICLE 8

Responsibility

Loss of parcels, etc.

1. The Administrations will be responsible for loss, rifling or damage of ordinary or registered parcels.

Indemnity.

The sender will be entitled, on that account, to an indemnity equivalent to the actual amount of loss, rifling or damage. This indemnity may not exceed:

10 gold francs for each parcel up to 1 kilogram;
15 gold francs for each parcel from 1 to 3 kilograms;
25 gold francs for each parcel from 3 to 5 kilograms;
40 gold francs for each parcel from 5 to 10 kilograms;
55 gold francs for each parcel from 10 to 15 kilograms;
70 gold francs for each parcel from 15 to 20 kilograms.

2. The indemnity will be calculated according to the current price of merchandise of the same kind at the place where and the time when the parcel was accepted for mailing.

Insured parcels.

3. For insured parcels exchanged between those Administrations which agree to establish this type of service, the indemnity may not exceed the insured value.

Reports by exchange offices.

4. In order that responsibility of the Administrations may be properly determined, the exchange offices of destination, whenever they note irregularities calling for the preparation of a report, must describe the conditions under which the parcels were received, especially as regards the condition of the fastenings and containers, which shall be sent to the Administration of origin, accompanied by a copy of the report and the bulletin of verification issued in this connection, the covers and wrappers of the parcels in question and all other elements of proof.

ARTICLE 9

Parcels pending delivery

Period for holding parcels.

1. The period for which parcels must be held at the disposal of the interested parties at the office of destination is fixed at thirty days.

This period, which is counted from the day following the mailing of the notice of arrival, may, at the request of the addressee, be increased to three months if, in addition, the sender has made a statement to such effect in accordance with paragraph (d) of Section 2, and when the Administration of destination does not object to it.

Disposal in case of non-delivery.

2. The senders, by virtue of the provisions contained in the preceding Section, will be obliged to indicate on the dispatch note or customs declaration, as well as on the cover of the parcel, what disposal is to be made of the same in case of non-delivery, limiting themselves to one of the following instructions:

(a) That the parcel be returned to origin;
(b) That the parcel be delivered to another addressee;
(c) That it be considered as abandoned;
(d) That it be held at the disposal of the addressee, up to three months, under the conditions of Section 1.

When no instructions have been given and the parcel remains undelivered, it will be returned immediately to the office of origin.

ARTICLE 10

Fraudulent declarations

Disposition of articles.

1. In cases where it is proved that the senders of the parcels, by themselves or by agreement with the addressees, falsely declare the quality, weight, or measure of the contents, or in any other manner attempt to defraud the fiscal interests of the country of destination by avoiding payment of import duties, concealing articles or declaring them in such a manner as to show evident intention of nullifying or reducing the amount of such duties, the Administration concerned is authorized to dispose of those articles in accordance with its domestic legislation, and neither the sender nor the addressee will have any right to delivery, return or indemnity.

2. The Administration confiscating a parcel in accordance with the preceding authorization shall notify the addressee and the Administration of origin.

ARTICLE 11

Parcels for second addressees

Senders of parcels addressed in care of banks or other organizations for delivery to second addressees, will be obliged to state on the tags, labels or wrappers thereof, the exact names and addresses of the persons for whom such parcels are intended. Nevertheless, the second addressee will be notified that such parcel is on hand and the fee provided for by Article 6 may be collected; but he may not claim delivery without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for its delivery through the Administration of origin.

Ante, p. 3535.

ARTICLE 12

Abandoned or returned parcels

1. Abandoned parcels, or those returned to origin which cannot be delivered to the senders, will remain at the disposal of the Administration of destination or origin, as the case may be, to be treated in accordance with their domestic legislation.

Refused parcels.

2. The Administrations of destination may immediately return parcels which have been refused.

Amounts collectible.

3. The Administrations may collect for each parcel returned to origin as undeliverable, the following amounts:

(a) The amount due to them as terminal charge;
(b) The charges referred to in Section 1 of Article 4;
(c) The charges due on parcels in the country of destination on account of forwarding;
(d) The fee mentioned in Section 1 (a) of Article 6;
(e) The storage charges indicated in Section 1 (c) of Article 6.
(f) The repacking fee.

Ante, p. 3535.

Ante, p. 3536.

ARTICLE 13

Propositions in the interval between meetings

The present Agreement may be modified in the interval which transpires between Congresses, following the procedure established by the Convention of the Universal Postal Union in force.

In order to become effective, modifications must obtain:

(a) Unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 3, 4, 6, 7, 8 and 9.

(b) Two-thirds of the votes, in order to modify the other provisions.

ARTICLE 14

Matters not provided for

1. All matters not provided for by this Agreement will be governed by the provisions of the Parcel Post Agreement of the Universal Postal Union and its Regulations of Execution.

54 Stat. 2049.

2. However, the contracting Administrations may fix other details for the execution of the service, after previous agreement.

3. The right of the contracting countries to retain in force the regulatory procedure adopted for the execution of Conventions among themselves is recognized, provided that such procedure is not contrary to the provisions of this Agreement.

ARTICLE 15

Effective date and duration of the Agreement

1. The present Agreement will become effective January 1, 1947, and will remain in force without time limit, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Oriental Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Rio de Janeiro, Republic of the United States of Brazil, as soon as possible. The relative certificate will be prepared in regard to the ratifications by each country, and the Government of Brazil will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries. Deposit of ratifications.

3. The stipulations of the Parcel Post Agreement signed in Panama on December 22, 1936, are abrogated, beginning with the date on which the present Agreement becomes effective. 50 Stat. 1696.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for the countries which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels. Provisional ratification by correspondence.

In faith of which, the Plenipotentiaries of the countries enumerated sign the present Agreement in the city of Rio de Janeiro, United States of Brazil, on the 25th day of September, 1946.

[For signatories to the Agreement see Spanish text.] *Ante*, p. 3530.

FINAL PROTOCOL TO THE PARCEL POST AGREEMENT

At the time of signing the Parcel Post Agreement concluded by the Fifth Americo-Spanish Postal Congress, the Plenipotentiaries signing agreed upon the following:

The United States of America is permitted to increase up to double their amount the territorial transit charges fixed by Article 4 of the Agreement, and to apply also a surcharge of 25 centimes per parcel. *Ante*, p. 3535.

RIO DE JANEIRO, *September 25, 1946.* (*)

(*) [Approved by acclamation in Plenary Session of the Fifth Congress of the Postal Union of the Americas and Spain, September 21, 1946.] [Footnote in certified copy.]

September 25, 1946
[T. I. A. S. 1682]

Agreement, and final protocol, between the United States of America and other governments respecting the exchange of money orders. Signed at Rio de Janeiro September 25, 1946; ratified and approved by the Postmaster General of the United States of America February 20, 1947; approved by the President of the United States of America February 27, 1947; entered into force January 1, 1947.

ACUERDO RELATIVO A GIROS POSTALES

celebrado entre:

Argentina, Bolivia, Brasil, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, España, Estados Unidos de América, Estados Unidos de Venezuela, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, República Dominicana y Uruguay.

Los infrascritos, Plenipotenciarios de los Gobiernos de los países mencionados, en ejercicio de la facultad conferida por el Convenio de la Unión Postal Universal, acuerdan, "ad referéndum", realizar el servicio de giros con arreglo a las cláusulas siguientes.

ARTICULO 1

Objeto del Acuerdo

El cambio de giros postales entre los países contratantes, cuyas Administraciones convengan en realizar este servicio, se regirá por las disposiciones del presente Acuerdo.

ARTICULO 2

Moneda

El importe de los giros se expresará en la moneda del pais de destino. Sin embargo las Administraciones quedan facultadas para adoptar de común acuerdo otra moneda, cuando así convenga a sus intereses.

ARTICULO 3

Condiciones para el cambio de los giros

1. El cambio de giros postales entre los países contratantes se llevará a cabo por medio de listas conforme al modelo A anexo, que se encaminarán a su destino por vía ordinaria o aérea, según lo acuerden las Administraciones interesadas.

2. También mediante acuerdo podrá agregarse, a petición del remitente del giro, a las mencionadas listas A una tira, o consignarse en la lista una comunicación particular dirigida al beneficiario, relacionada con el título respectivo.

3. Cada Administración designará las oficinas de su país que hayan de encargarse de formular dichas listas y enviarlas a aquellas

otras oficinas que, para los mismos fines, designen las demás Administraciones.

4. En los casos de fuerza mayor que imposibiliten el intercambio directo de giros, el país expedidor, aun sin que medie petición del remitente o del destinatario, podrá dirigirlos, previo acuerdo entre las Administraciones interesadas y sujeto a las reglas precedentes, a otro país distinto, para que éste, a su vez, los reexpida a su destino por la vía que haga factible su entrega.

ARTICULO 4

Giros telegráficos

Las disposiciones de este Acuerdo se harán extensivas al servicio de giros telegráficos entre aquellos países que convengan en prestarlo. A tal efecto, previo arreglo entre sí, fijarán las condiciones reglamentarias del propio servicio.

ARTICULO 5

Límites máximos de emisión

Las Administraciones de los países contratantes, que convengan en prestar este servicio, se pondrán de acuerdo para fijar el límite máximo de los giros que cambien entre sí, sin que éste pueda ser inferior a 300 francos oro o a la equivalencia de esta cantidad en la moneda respectiva.

Sin embargo, los giros relativos al servicio de Correos, emitidos con franquicia de porte en aplicación de las disposiciones del artículo 9, podrán exceder del máximo fijado por cada Administración.

ARTICULO 6

Tasas y derechos de comisión

1. El remitente de todo giro emitido conforme a las disposiciones del presente Acuerdo deberá abonar la tasa que fije la Administración de origen, de acuerdo con su reglamentación y con la escala adoptada y promulgada para su servicio interno.

2. Cuando los giros se cursen por vía aérea o por expreso, las Administraciones podrán percibir los derechos especiales y sobretasas aéreas establecidos, que no podrán exceder de los que rijan para las cartas.

ARTICULO 7

Endosos

Los países contratantes quedan autorizados para permitir en su territorio y de acuerdo con su legislación interior, el endoso de los giros originarios de cualquier país.

ARTICULO 8

Responsabilidad

Las Administraciones serán responsables ante los remitentes, de las cantidades que éstos depositen para ser invertidas en giros postales,

hasta el momento en que sean pagados a los destinatarios o endosatarios.

ARTICULO 9

Franquicia de derechos

Estarán exentos de todo derecho los giros relativos al servicio cambiados entre las Administraciones o entre las oficinas de correos dependientes de cada Administración, así como también los que remitan a la Oficina Internacional de Montevideo y viceversa.

ARTICULO 10

Plazo de validez de los giros

1. Salvo acuerdo en contrario, todo giro postal será pagadero en el país de destino dentro de los doce meses siguientes al de su emisión.

2. El importe de los giros que no hayan sido pagados dentro de dicho período, se acreditará a la Administración de origen, a la cual se enviará al efecto una fórmula D con el detalle de tales giros, para que proceda de acuerdo con sus reglamentos.

ARTICULO 11

Cambio de dirección y reintegro de giros

1. Cuando el remitente desee corregir un error en la dirección del destinatario o solicitar la devolución del importe del giro, hará la gestión ante la Administración del país que lo haya emitido.

2. Por lo general, un giro postal no será reintegrado sin autorización de la Administración Central del país pagador. Dicha autorización se dará por medio de una comunicación independiente, dirigida a la Administración de origen, y el monto total de los giros cuyo reintegro se autorice se acreditará en la próxima cuenta a formularse.

ARTICULO 12

Aviso de pago

1. El remitente de un giro podrá obtener un aviso de pago, mediante un derecho equivalente al percibido por la Administración de origen en concepto de aviso de recibo de la correspondencia certificada. Este derecho pertenecerá a la Administración de origen.

2. La Administración de destino extenderá el aviso de pago en un impreso, conforme al modelo F y lo remitirá al propio interesado, directamente, o a la Administración emisora para su entrega a aquél.

ARTICULO 13

Reexpedición

1. A petición del remitente o del destinatario de los giros, éstos podrán ser reexpedidos a otro país distinto, siempre que exista cambio de giros con el nuevo país de destino.

2. La Administración reexpedidora tendrá derecho a deducir del importe del giro las cuotas que le correspondan por concepto de los nuevos giros emitidos por ella, conforme a lo establecido en el artículo 6.

3. En caso de reexpedición, el giro se considerará como si hubiese sido pagado por la Administración reexpedidora, la cual lo incluirá en la cuenta por tal concepto, añadiendo la palabra "Reexpedición".

ARTICULO 14

Legislación interior

Los giros postales que se cambien entre dos países estarán sujetos, en lo que concierne a su emisión y pago, a las disposiciones vigentes en los países de origen o destino, según el caso, aplicables a los giros postales interiores.

ARTICULO 15

Formación de las listas

1. Cada Oficina de Cambio comunicará a la Oficina de Cambio corresponsal diariamente, o en las fechas que de mutuo acuerdo se señalen, las cantidades recibidas en su país para ser pagadas en el otro, haciendo uso del modelo A, anexo.

2. Todo giro postal anotado en las listas llevará un número progresivo que se denominará "número internacional", comenzando el 1º de enero o el 1º de julio de cada año, según se convenga, con el número 1. Las listas llevarán, asimismo, un número de orden, comenzando por el número 1, el 1º de enero o el 1º de julio de cada año. Cuando se produzca el cambio de numeración, la primera lista llevará también el último número de la serie anterior.

3. Las Oficinas de Cambio se acusarán recibo de cada lista por medio de la primera lista siguiente enviada en la dirección opuesta.

4. Cualquier lista que faltare será reclamada inmediatamente por la Oficina de Cambio que comprobare la falta. La Oficina de Cambio remitente, en tal caso, enviará lo antes posible, a la reclamante, un duplicado de la lista pedida, debidamente formalizado.

5. Con los giros expedidos por vía aérea se seguirá el mismo procedimiento establecido en los parágrafos precedentes pero utilizando listas del modelo A, caracterizadas con membrete o rótulo de color azul, para las que se llevará numeración independiente.

ARTICULO 16

Comprobación y rectificación de las listas

1. Las listas serán revisadas cuidadosamente por la Oficina de Cambio destinataria y corregidas cuando contengan simples errores. De estas correcciones será informada la Oficina de Cambio remitente, al acusársele recibo de la lista en que se hubieren hecho.

2. Cuando las listas contengan otras irregularidades, la Oficina de Cambio destinataria pedirá explicaciones a la remitente, la cual deberá informar en el plazo más breve posible. Entretanto se suspenderá la emisión de los giros postales interiores correspondientes a las mencionadas anotaciones irregulares.

ARTICULO 17

Pago de los giros

1. Al recibirse en una Oficina de Cambio una lista de giros con arreglo a lo dispuesto en el artículo 15, dicha Oficina procederá a efectuar u ordenar el pago a los destinatarios en la moneda del país de destino de las cantidades que, en dicha moneda o en otra convenida, figuren en la lista, de conformidad con los reglamentos vigentes en cada país para el pago de los giros internacionales.

2. La Administración de destino procurará en todos los casos realizar sin demora el pago a los beneficiarios. Si transcurrido un mes de remitido el aviso al beneficiario no se hubiere efectuado el pago, se comunicará el hecho a la Administración de origen para que lo ponga en conocimiento del remitente.

3. Los duplicados de giros postales se expedirán solamente por la Administración del país emisor, de conformidad con su legislación interna y previa comprobación de que el giro no ha sido ni pagado al destinatario ni reembolsado el expedidor.

ARTICULO 18

Rendición y liquidación de cuentas

1. Salvo acuerdo en contrario, al final de cada trimestre, la Administración acreedora formulará la cuenta respectiva para la Administración corresponsal, en que conste:

a) Los totales de las listas que contengan el detalle de los giros emitidos en ambos países durante el trimestre;
b) Los totales de los giros que hubieren sido reintegrados a los remitentes;
c) Los totales de los giros que hubieren caducado durante el trimestre.

2. El haber de cada Administración se expresará en la moneda de su país.

El importe menor será convertido a la moneda del país acreedor con arreglo al cambio medio del trimestre a que se refiera la cuenta.

3. Esta cuenta, extendida en doble ejemplar, se enviará por la Administración que la haya formulado, a la Administración correspondiente.

Si el saldo resultare a favor de esta Administración, se pagará uniendo a la cuenta una letra a la vista sobre el país acreedor.

Si el saldo resultare a favor de la Administración que haya formulado la cuenta, el pago se llevará a cabo por la Administración deudora en la forma indicada en el párrafo anterior, al devolverse aceptada la cuenta.

Para la formación de esta cuenta trimestral se utilizarán los modelos B, C, D y E, anexos al presente Acuerdo.

4. También podrán entenderse las Administraciones para no efectuar conversiones, sino para realizar la liquidación unilateralmente;

esto es, para abonar cada Administración a la otra, el importe total de los giros pagados por su cuenta. En tal caso cada Administración habrá de formular una cuenta trimestral.

ARTICULO 19

Supresión de cuentas por intercambio de giros

Las Administraciones podrán, previo mutuo acuerdo, suprimir la formación de cuentas a que se refiere el artículo anterior. En este caso, deberán comprometerse a enviar adjunto a cada lista de giros, modelo A, un cheque por el importe total de los mismos, aplicándose igual procedimiento cuando esté indicado el uso de los modelos C y D.

Los cheques, salvo arreglo en contrario, serán expedidos en la moneda del país acreedor y, en estas condiciones, se hará la conversión por el cambio libre.

ARTICULO 20

Anticipos a buena cuenta

Cuando resultare que una Administración deba a la otra, por cuenta de giros postales, un saldo que exceda de 25.000 francos oro, o la equivalencia aproximada de esta cantidad en su propia moneda, la Administración deudora deberá enviar a la acreedora, a la mayor brevedad posible y como anticipo a buena cuenta, una cantidad aproximada al saldo de la liquidación trimestral a que se refiere el artículo 18.

ARTICULO 21

Suspensión del servicio

1. Las Administraciones de los países contratantes podrán, en circunstancias extraordinarias, suspender temporalmente la emisión de giros postales y adoptar todas aquellas disposiciones que estimen convenientes, para salvaguardar sus intereses y evitar cualquier agio que pudiere intentarse cometer por medio del servicio de giros.

2. La Administración que adopte alguna de las medidas aludidas en el parágrafo anterior, deberá comunicarlo con toda urgencia a las Administraciones con quienes cambie giros postales.

ARTICULO 22

Proposiciones durante el intervalo de las reuniones

El presente Acuerdo podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio de la Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

a) unanimidad de sufragios si se trata de introducir nuevas disposiciones o de modificar los artículos 1, 2, 5, 8, 9, 14, 18, 19, 20, 21, 22 y 23;
b) dos tercios de sufragios para modificar los demás artículos.

ARTICULO 23

Vigencia y duración del Acuerdo

1. El presente Acuerdo empezará a regir el 1º de enero de 1947 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Altas Partes contratantes el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

2. El depósito de las ratificaciones se hará en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, en el más breve plazo posible. Se levantará un acta relativa al depósito de las ratificaciones de cada país, y el Gobierno del Brasil remitirá por la vía diplomática una copia de dicha acta a los Gobiernos de los demás países signatarios.

3. Quedan derogadas a partir de la fecha en que entre en vigor el presente Acuerdo las estipulaciones del Acuerdo de Giros Postales, suscrito en Panamá el 22 de Diciembre de 1936.

4. En el caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieren hecho.

5. Los países contratantes podrán ratificar provisionalmente este Acuerdo por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

En fe de lo cual, los Plenipotenciarios de los países enumerados suscriben el presente Acuerdo en la ciudad de Río de Janeiro, República de los Estados Unidos del Brasil, a los 25 días del mes de setiembre de mil novecientos cuarenta y seis.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

JOSÉ LIÉVANA FORRASTAL
RAFAEL BARRIENTOS

Por BRASIL:

RAÚL DE ALBUQUERQUE
CARLOS LUIS TAVEIRA
JAIME SLOAN CHERMONT
AUREO MAIA
JAIME DÍAS FRANÇA
JOAQUIM VIANNA
JULIO SÁNCHEZ PÉREZ
CARLOS F. DE FIGUEIREDO

POR COLOMBIA:

LUIS GARCÍA CADENA
LUIS JORGE GARZÓN

POR COSTA RICA:

ROBERTO TINOCO GUTIÉRREZ

POR CUBA:

GABRIEL LANDA Y CHAO
JESÚS LAGO LUNAR

POR CHILE:

LUIS FELIPE LASO
MIGUEL A. PARRA
GUILLERMO JIMÉNEZ MORGAN

POR ECUADOR:

RAFAEL ALVARADO

POR EL SALVADOR:

Coronel CARLOS MEJÍA OSORIO

POR ESPAÑA:

LUIS RODRÍGUEZ DE MIGUEL
ELÍAS URDANGARAIN BERNACH

POR ESTADOS UNIDOS DE AMERICA:

JOHN J. GILLEN
EDWARD J. MAHONEY

POR ESTADOS UNIDOS DE VENEZUELA:

PABLO CASTRO BECERRA
FRANCISCO VELEZ SALAS
CARLOS HARTMANN

POR GUATEMALA:

FLAVIO HERRERA

POR HAITI:

LUIS MORAIS JUNIOR

POR HONDURAS:

MARCO ANTONIO BATRES
MANUEL SOTO DE PONTES CAMARA

POR MEXICO:

ANTONIO VILLALOBOS
DIDIER DOMÍNGUEZ VALDÉS
LAURO F. RAMÍREZ UMAÑA

POR NICARAGUA:

JOSÉ MERCEDES PALMA

POR PANAMA:

CATALINO ARROCHA GRAELL
JULIO TRELLES
ROQUE JAVIER LAURENZA

POR PARAGUAY:

ANÍBAL IBARRA G.

POR PERU:

GERMÁN LLOSA PARDO
ERNESTO CÁCERES BOLUARTE

POR República DOMINICANA:

MIGUEL ANTONIO OLAVARRIETA PÉREZ

POR URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

PROTOCOLO FINAL DEL ACUERDO RELATIVO A GIROS POSTALES

En el momento de firmar el Acuerdo Relativo a Giros Postales celebrado por el V Congreso Postal Américoespañol, los Plenipotenciarios que suscriben, han convenido lo siguiente:

I

Los Estados Unidos de América hacen constar que no pueden aceptar las disposiciones de los artículos 9 y 12.

Río de Janeiro, a los 25 días de setiembre de 1946.

Por ARGENTINA:

OSCAR L. M. NICOLINI
CARLOS M. LASCANO
MANUEL PRECEDO
DOMINGO B. CANALLE

Por BOLIVIA:

JOSÉ LIÉVANA FORRASTAL
RAFAEL BARRIENTOS

Por BRASIL:

RAÚL DE ALBUQUERQUE
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GUILLERMO JIMÉNEZ MORGAN

Por ECUADOR:

RAFAEL ALVARADO

Por EL SALVADOR:

Coronel CARLOS MEJÍA OSORIO

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LUIS MORAIS JUNIOR

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Por República DOMINICANA:

MIGUEL ANTONIO OLAVARRIETA PÉREZ

Por URUGUAY:

ENRIQUE E. BUERO
MIGUEL AGUERRE ARISTEGUI
CÉSAR I. ROSSI

Having examined and considered the provisions of the foregoing Agreement Relative to Money Orders and the Final Protocol thereto, signed in the city of Rio de Janeiro, the United States of Brazil, on the twenty-fifth day of September, 1946, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 20th day of February, 1947.

[SEAL] ROBERT E HANNEGAN
Postmaster General.

I hereby approve the foregoing Agreement Relative to Money Orders and the Final Protocol thereto.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States to be hereunto affixed.

[SEAL] HARRY S TRUMAN

By the President:
G C MARSHALL
Secretary of State.

WASHINGTON, *February 27, 1947.*

ACUERDO RELATIVO A GIROS POSTALES

A N E X O S[1]

[1] [The forms comprising the annexes have not been translated, for the Post Office Department uses the forms in the Spanish language text only in accordance with Article 17 of the convention signed at Rio de Janeiro Sept. 25, 1946 (Treaties and Other International Acts Series 1680), which provides, with respect to the postal territory constituting the Postal Union of the Americas and Spain, that "Spanish is adopted as the official language for matters relative to the postal service" (translation).]

Ante, p. 3511.

A

Lista núm.....

Administración de Correos de.....

Acuso a V. recibo de las listas señaladas a continuación, las cuales han sido halladas conforme, salvo las modificaciones que se indican.

Número de las listas	Fecha de las listas	Números internacionales de los giros que comprenden las listas	IMPORTE DE LAS LISTAS	

.....

.....

.....

Ruego a V. que, a su vez, se sirva acusarme recibo de la presente lista

de de 19

El

Señor Jefe de la Oficina de Cambio de Giros Postales.

.....

A

Lista núm.....

LISTA DE LOS GIROS EMITIDOS EN.....

Hoja núm.....

FECHA DE EMISION	Número internacional de orden	Número de Orden	OFICINA DE REMISION	NOMBRE DEL REMITENTE	NOMBRE COMPLETO DEL DESTINATARIO	

Y PAGADEROS EN.....de.....de 19.....

DIRECCION COMPLETA DEL DESTINATARIO	Importe en moneda		TIPO DE CAMBIO	Importe en		Para uso de la Oficina en.....		
						Número del giro interior	Oficina Pagadora	Observaciones

de de 19

Examinadas, las listas cuyo recibo se avisa,

se han hallado las siguientes irregularidades:

A la

--- ---

B

Mes de..... de 19.....

Cuenta detallada de los giros emitidos en.....y

pagaderos.....en.....durante el citado mes.

Fecha de las listas	NÚMEROS INTERNACIONALES DE ORDEN QUE COMPRENDEN LA LISTA O LISTAS DE CADA DIA		TOTALES DE LAS LISTAS		Fecha de las listas	NÚMEROS INTERNACIONALES DE ORDEN QUE COMPRENDEN LA LISTA O LISTAS DE CADA DIA		TOTALES DE LAS LISTAS	
	Desde el N.°	Hasta el N.°	Importe en moneda			Desde el N.°	Hasta el N.°	Importe en moneda	
						Suma anterior			
1					22				
2					23				
3					24				
4					25				
5					26				
6					27				
7					28				
8					29				
9					30				
10					31				
11									
12									
13									
14						*TOTAL*			
15									
16									
17									
18									
19									
20									
21									
	Suma y Sigue								

.....de.....de 19.....

C

Lista de los giros emitidos en.....sobre.....
.....cuyo país de emisión ha sido autorizado para su reembolso a los remitentes.

Número internacional de orden	Número de orden	Fecha de emisión	OFICINA DE EMISION	IMPORTE		OBSERVACIONES
			TOTAL.....			

.... de.....de 19....

D

Lista de los giros emitidos en_____sobre_____ durante el mes de_____de 19_____, que no han sido pagados en doce meses a contar del de la emisión y por lo tanto han sido anulados.

Núm de la lista	Fecha de la lista	Núm internacional de orden	Núm de origen	Fecha de emision	OFICINA DE EMISION	Oficina sobre la cual se libró el giro	IMPORTE EN MONEDA			IMPORTE EN MONEDA			OBSERVACIONES

E

ADMINISTRACION DE CORREOS

CUENTA GENERAL del movimiento de giros postales

.....trimestre del año 19.....

HABER DE

Importe de los giros destinados al otro pais que han sido emitidos en ..... durante el trimestre					
A deducir:					
Importe de los giros emitidos en ..... que han sido devueltos por el otro pais durante el trimestre					
Importe de los giros emitidos en ..... que han sido anulados por el otro pais durante el trimestre					
Haber de					
Saldo anterior					
A deducir:					
Saldo a favor de					

HECHO EN

.....de.....de 19.....

DE_____

cambiados entre_____durante el_____

HABER DE					
Importe de los giros destinados a _____ que han sido emitidos en el otro país durante el trimestre _____					
A deducir: Importe de los giros emitidos en el otro país que han sido devueltos por _____ durante el trimestre_____					
Importe de los giros emitidos en el otro país que han sido anulados por _____ durante el trimestre_____					
Haber de_____					
Saldo anterior_____					
A deducir:					
Saldo a favor de_____					

VISTO Y ACEPTADO EN

____de_____de 19____

F

(ANVERSO)

ADMINISTRACION DE CORREOS

DE.....(1)

GIRO POSTAL de.....

.....

registrado en la Oficina de Correos de .....

el.....con el número.....

expedido por el Sr.....

.....

y dirigido al Sr.....

.....

a.....

.....

(1) El anverso lo llenará la Administración de origen.

ACUSE DE RECIBO

AVISO DE PAGO

(1) A.....

Sello de la Oficina remitente del aviso

.....

.....

.....

.....
(Lugar de destino)

SERVICIO DE CORREOS

.....
(País de destino)

.....

(1) Lo llenará el remitente

(REVERSO)

EL INFRASCRITO DECLARA QUE EL GIRO MENCIONADO EN OTRO LUGAR HA SIDO DEBIDAMENTE PAGADO EL ..... 19.....

Sello de la oficina destinataria

del destinatario,

FIRMA (1)
del agente de la Oficina destinataria

.....

(1) Este aviso debe ser firmado por el destinatario o, si los reglamentos del país de destino lo consienten, por el agente de la Oficina destinataria, y devuelto por el primer correo, directamente al remitente

Translation Prepared by the Post Office Department

AGREEMENT RELATIVE TO MONEY ORDERS

concluded between

Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, the United States of America, the United States of Venezuela, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic and Uruguay.

The undersigned, Plenipotentiaries of the Governments of the countries mentioned, in exercise of the authority conferred by the Convention of the Universal Postal Union, agree *ad referendum* to execute the money order service, in accordance with the following clauses:

54 Stat. 2049.

ARTICLE 1

Object of the agreement

The exchange of money orders among the contracting countries whose Administrations agree to perform this service will be governed by the provisions of the present Agreement.

ARTICLE 2

Currency

The amount of the money orders will be expressed in the currency of the country of destination. Nevertheless the Administrations are authorized to adopt another currency by common consent if they deem it convenient.

ARTICLE 3

Conditions for the exchange of money orders

Ante, p. 3554.

1. The exchange of money orders between the contracting nations will be effected by means of lists conforming to model A attached, which shall be forwarded to their destination by ordinary or air mail as the interested Administrations may agree.

Addition to forms "A".

2. Furthermore, upon previous agreement, an addition may be made to the aforementioned forms "A" at the request of the remitter of the money order, or a private message addressed to the beneficiary, relative to the respective remittance may be attached to the list.

Offices responsible for issuing lists.

3. Each Administration will designate the Offices of its country which will be responsible for issuing the lists and for forwarding them to the other Offices which will be designated by the other Administrations for the same purpose.

4. In case of *force majeure* which renders impossible the direct exchange of money orders, the issuing country, even without a request of the remitter or of the payee may redirect them, upon previous agree-

ment among the Administrations involved and subject to the aforementioned rules, to a different country that the latter, in its turn, may reforward them to their destination by the route which seems most practical for their delivery.

ARTICLE 4

Telegraphic money orders

The provisions of this Agreement will be extended to telegraphic money order service between the countries which agree to provide it. To this end they will adopt, by agreement among themselves, regulations to govern the service.

ARTICLE 5

Maximum amount of money orders

The Administrations of the countries which agree to provide this service will come to an agreement to fix the maximum amount of the money orders exchanged among them, but this amount may not be less than 300 gold francs or its equivalent in the respective currencies.

Nevertheless, money orders relating to the postal services and which are issued free of charge as provided in Article 9, may exceed the limits fixed by any Administration.

ARTICLE 6

Rates and commission fees

1. The remitter of every money order issued in accordance with the provisions of the present Agreement must pay the fee fixed by the Administration of origin, in accordance with its regulations and the scales adopted and promulgated for its domestic service.

Special rates, etc.

2. When money orders are sent by air mail or special delivery, the Administrations may collect the special rates and the established air mail surtaxes, which must not exceed those in effect for letters.

ARTICLE 7

Endorsements

The contracting powers are authorized to permit, in their territories and in accordance with their domestic legislation, the endorsement of money orders originating in any country.

ARTICLE 8

Responsibility

The Administrations will be responsible to the remitters for the amounts which these deposit for conversion into money orders, until they have been paid to the payees or endorsees.

ARTICLE 9

Exemption from charges

Orders relating to the service exchanged between Administrations or between the post offices of any Administration, as well as those

sent to the International Office of Montevideo, and vice-versa, will be exempt from all charges.

ARTICLE 10

Period of validity of orders

1. In the absence of agreement to the contrary, every money order will be payable in the country of destination for a period of twelve months after issue.

Money orders not paid within period.

2. The amount of the money orders which have not been paid within the period stipulated above will be credited to the Administration of origin, to which country there shall be sent for the purpose a form D with the detailed listing of such orders so that it can proceed in accordance with its regulations.

Ante, p. 3560.

ARTICLE 11

Change of address and repayment of order

Request.

1. When the remitter desires to correct an error in the address of the beneficiary or seeks repayment of a money order, he must make his request to the Administration of the country which issued the money order.

Authorization.

2. In general, no money order will be repaid without authorization of the Central Administration of the paying country. This authorization will be granted in a separate communication addressed to the Administration of origin and the total amount of the money orders whose reimbursement is allowed will be added to the next account to be made up.

ARTICLE 12

Advice of payment

1. The remitter of a money order may obtain a notice of payment for a fee equal to that collected by the Administration of origin for a return receipt for a registered letter. The fee will be retained by the Administration of origin.

2. The Administration of destination will issue the receipt on a printed form like model F and will send it directly to the interested party or to the Administration of origin for delivery to him.

Ante, p. 3563.

ARTICLE 13

Reissuance

1. At the request of the remitter or payee of an order, it may be reforwarded to another country, whenever an exchange of money orders exists with the new country of destination.

Deductions.

2. The reissuing Administration will have the right to deduct from the amount of the order the fees due for the issuance of a new money order in accordance with Article 6.

3. In case of reissuance, the order will be considered as having been paid by the reissuing Administrations, which will include it in the account for that purpose, adding the word "Reissued".

ARTICLE 14

Domestic legislation

Money orders exchanged between two countries will be governed by the provisions of the domestic legislation of the countries of origin and destination, applicable to domestic money orders, according to the case, in all matters relative to issuance and payment.

ARTICLE 15

Preparation of lists

1. Each Exchange Office will communicate to the corresponding Exchange Office, daily, or at times mutually agreed on, the amounts received in its country to be paid in the other, making use of model A, attached.

Communication of amounts.

Ante, p. 3554.

2. Each money order noted in the lists will bear a consecutive number to be known as the "international number" which numbering will begin on January 1 or July 1 of each year as may be agreed upon, with the number 1. The lists will also have a serial number beginning with number 1 on the first of January or first of July, of each year. When a change in numbering occurs, the first list of the new series will bear also the last number of the preceding series.

International number.

Serial number.

3. The Exchange Offices will acknowledge the receipt of each list on the first subsequent list sent in the opposite direction.

Acknowledgment of receipt of list.

4. When a list is not received, the Exchange Office which notices the fact will claim it immediately. In such a case the sending Office will send to the claiming Office a duly authenticated duplicate of the missing list at the earliest possible moment.

Missing list.

5. With respect to money orders sent by air the same procedure will be followed as that established in the above Sections, except that the lists of form A will be used, marked by a heading or label of blue color, and will carry a separate numbering.

Money orders sent by air.

Ante, p. 3554.

ARTICLE 16

Verification and correction of the lists

1. The lists will be carefully examined by the receiving Exchange Office and corrected when they contain simple errors. The dispatching Exchange Office will be informed of such corrections when the receipt of the list is acknowledged.

2. When the lists are found to contain other irregularities the Exchange Office of destination will request explanations from the dispatching office, which must forward them at the earliest possible time. In the meantime the issuance of domestic money orders corresponding to the mentioned irregular notations will be suspended.

ARTICLE 17

Payment of orders

1. When the Exchange Office receives a list as provided in Article 15 it will proceed to effect or order the payment to the payees, in the

currency of the country of destination, of the amounts which appear in the list in that currency or any other agreed upon according to the regulations in effect in each country for the payments of international money orders.

Payments not effected.

2. The Administration of destination will endeavor to effect payment in all cases to payees without delay. If, one month after the mailing of the notice to the payee, the payment has not been effected, the fact will be communicated to the Administration of origin in order that the remitter may be notified.

Duplicates of money orders.

3. Duplicates of money orders will be issued only by the Administration of the reissuing country in accordance with its domestic legislation and upon the previous proof that the money order has not been paid to the payee or repaid to the remitter.

ARTICLE 18

Rendering and settlement of accounts

Quarterly accounts.

1. In the absence of agreement to the contrary, the creditor Administration at the end of every quarter will prepare the relative account for the corresponding Administration which will contain in detail the following:

(a) The totals of the lists which give in detail the money orders issued in both countries during the quarter.
(b) The totals of the money orders which have been repaid to the remitters.
(c) The totals of the money orders which have become invalid during the quarter.

Credit balances.

2. The credit balance of each Administration will be expressed in its own currency.

The smaller amount will be converted into the currency of the creditor country on the basis of the average rate of exchange which has prevailed during the quarter covered by the account.

3. This account, will be sent by the Administration which has made it up, in duplicate to the corresponding Administration.

Sight drafts.

If the balance is in favor of the latter Administration, it will be paid by transmitting with the account of a sight draft on the creditor country.

If the balance is in favor of the country which has rendered the account, the payment will be made by the debtor Administration in the manner indicated in the preceding paragraph when the account is returned accepted.

Ante, pp. 3558–3561.

These quarterly accounts will be prepared in accordance with Forms B, C, D and E, attached to the present Agreement.

Unilateral settlements.

4. Administrations may also agree not to make conversions, but to make unilateral settlements; that is for each Administration to credit the other with the total money orders it has paid on its account. In this case each Administration will render a quarterly account.

ARTICLE 19

Discontinuance of money orders accounts

By mutual agreement the Administrations may discontinue the accounting referred to in the preceding Article. In this event they undertake to attach a check for the total amount of the money orders when they forward Form A and adopt the same process when the use of Forms C and D are required.

Attachment of check to required Form.

Ante, p. 3554.

Ante, pp. 3559, 3560.

In the absence of agreement to the contrary, the checks will be drawn in currency of the creditor country and the conversion will be made on the basis of the open exchange.

Conversion.

ARTICLE 20

Advance payments on account

When an Administration owes another, on account of the money orders, a balance which is over 25,000 gold francs, or its approximate equivalent in its own money, the debtor Administration will send to the creditor Administration, as soon as possible, as an advance payment, a sum approximating its balance in the quarterly settlement referred to in Article 18.

ARTICLE 21

Suspension of service

1. The contracting Administrations under extraordinary circumstances may suspend the issuance of money orders temporarily and adopt such provisions as they deem necessary to safeguard their interests and to avoid any speculation through the money order service.

2. The Administration which adopts any of the measures referred to in the preceding paragraph should immediately notify all Administrations with which it exchanges money orders of the fact.

Notification.

ARTICLE 22

Propositions during the interval between meetings

The present Agreement may be modified in the interval between the Congresses in accordance with the procedure established by the Convention of the Universal Postal Union. In order to become effective, the modifications must obtain:

54 Stat. 2049.

a) a unanimity of votes for the modifications of Articles 1, 2, 5, 8, 9, 14, 18, 19, 20, 21, 22, and 23;
b) two thirds of the votes to modify the other Articles.

ARTICLE 23

Effective date and duration of this Agreement

1. The present Agreement will become effective on January 1, 1947, and will remain in effect without any time limit; each of the contracting powers reserving the right to denounce it by means of a

notification from its Government to the Government of the Oriental Republic of Uruguay, sent one year in advance.

Deposit of ratification.

2. The deposit of ratification will be made in Rio de Janeiro, Brazil, at the earliest possible date. A certificate of the deposit of the ratification of each country will be issued and the Brazilian Government will send via diplomatic channels, a copy of the same to the Governments of all the signatory powers.

50 Stat. 1708.

3. The stipulations of the Money Order Agreement signed at Panama, December 22, 1936, are abrogated on the date when the present Agreement becomes effective.

4. In the event that this Agreement is not ratified by one or more countries it will still be valid for others who have ratified it.

Provisional ratification by correspondence.

5. The contracting powers may make provisional ratification of this Agreement by correspondence, advising the respective Administrations through the intermediary of the International Office without prejudicing the subsequent approval of the same by the National Congresses according to domestic legislations and the confirmation thereof by diplomatic channels.

In faith of which the Plenipotentiaries of the above countries, sign the present Agreement in Rio de Janeiro on September 25, 1946.

Ante, p. 3546.

[For signatories to the Agreement see Spanish text.]

FINAL PROTOCOL OF THE MONEY ORDER AGREEMENT

At the time of signing the Money Order Agreement concluded by the Fifth Americo-Spanish Postal Congress, the signing Plenipotentiaries have agreed upon the following:

I

The United States of America advises that it cannot accept the provisions of Articles 9 and 12.

Ante, pp. 3565, 3566.

RIO DE JANEIRO, *September 25, 1946.*

Ante, p. 3549.

[For signatories to the Final Protocol see Spanish text.]

Protocol between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and France and Austria respecting the restitution of monetary gold. Signed at London November 4, 1947; entered into force November 4, 1947.

November 4, 1947
[T. I. A. S. 1683]

PROTOCOL

THE Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic, hereinafter referred to as "the Allied Governments concerned," on the one hand, and the Government of Austria, on the other, have through the undersigned duly empowered representatives, agreed as follows:—

Austrian share.

1. The Allied Governments concerned agree that Austria should receive a proportional share of the gold distributed pursuant to Part III of the Agreement on Reparations from Germany, on the establishment of an Inter-Allied Reparations Agency and on the Restitution of Monetary Gold signed at Paris on 14th January, 1946, on the same basis as the countries signatory to the said agreement to the extent that Austria can establish that a definite amount of monetary gold belonging to it was looted by Germany, or, at any time after 12th March, 1938, was wrongfully removed into German territory.

61 Stat., Pt. 3, p. 3180.

2. Austria adheres to the arrangement for the restitution of monetary gold set forth in Part III of the aforementioned Agreement and declares that the portion of the monetary gold accruing to it under the Agreement is accepted in full satisfaction of all Austrian claims against Germany for restitution of monetary gold.

3. Austria accepts the arrangements which have been or will be made by the Allied Governments concerned for the implementation of the aforesaid.

Authentic texts.

Done in London this 4th day of November, 1947, in the English and French languages, of which both texts are authentic, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland by whom certified copies shall be transmitted to the other contracting Governments.

For the Government of the United States of America:

L. W. DOUGLAS.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

ERNEST BEVIN.

For the Government of the French Republic:

R. MASSIGLI.

For the Government of Austria:

H. SCHMID.

PROTOCOLE

LES Gouvernements des États-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et de la République française, ci-après dénommés "Gouvernements alliés intéressés," d'une part, et le Gouvernement autrichien, d'autre part, sont, par l'entremise de leurs représentants soussignés dûment munis des pouvoirs nécessaires, convenus de ce qui suit:

1. Les Gouvernements alliés intéressés sont d'accord pour que l'Autriche reçoive une part proportionnelle de l'or à répartir en application de la Partie III de l'Accord concernant les Réparations à recevoir de l'Allemagne, l'institution d'une Agence interalliée des Réparations et la Restitution de l'Or monétaire, signé à Paris le 14 janvier 1946, sur la même base que les pays signataires dudit accord dans la mesure où l'Autriche pourra établir qu'une quantité déterminée d'or monétaire lui appartenant a fait l'objet de spoliations par l'Allemagne, ou, à une date quelconque après le 12 mars 1938, de transferts illégitimes en territoire allemand.

2. L'Autriche donne son adhésion à l'arrangement concernant la restitution de l'or monétaire figurant à la Partie III de l'accord mentionné ci-dessus et déclare que la quantité d'or monétaire lui revenant en vertu de l'accord est acceptée par elle en règlement complet de toutes les revendications autrichiennes contre l'Allemagne au titre des restitutions d'or monétaire.

3. L'Autriche accepte les arrangements qui ont été ou seront faits par les Gouvernements alliés intéressés pour l'application dudit arrangement.

Fait à Londres en un seul exemplaire le 4 novembre 1947, en langues anglaise et française, les deux textes faisant foi. Cet exemplaire sera conservé dans les archives du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en remettra des copies certifiées aux autres parties contractantes.

Pour le Gouvernement des États-Unis d'Amérique:

L. W. DOUGLAS.

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

ERNEST BEVIN.

Pour le Gouvernement de la République française:

R. MASSIGLI.

Pour le Gouvernement autrichien:

H. SCHMID.

Certified a true copy.

[SEAL] D. A. BIGBY

LONDON

–7 Nov 1947

Acting Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

Agreement between the United States of America and Mexico respecting Mexican non-agricultural workers; termination of the agreement of April 29, 1943, and refund of deductions from salaries under the Railroad Retirement Act. Effected by exchange of notes signed at Washington November 15, 1946; entered into force November 15, 1946.

November 15, 1946
[T. I. A. S. 1684]

The Acting Secretary of State to the Mexican Ambassador

WASHINGTON, D.C.
November 15, 1946

EXCELLENCY:

I have the honor to refer to the agreement of April 29, 1943, between the Government of the United States of America and the Government of the United Mexican States for the recruiting of Mexican non-agricultural workers to assist in the war effort of the United States, and to Your Excellency's note No. 9942 of January 2, 1946, [1] and memorandum No. 3148 of June 18, 1946, [1] regarding deductions from the workers' salaries under the Railroad Retirement Act.

57 Stat. 1353.

49 Stat. 967.
45 U. S. C. §§ 215-228 note.

The emergency situation which demanded the exertion of every possible effort to consummate the military defeat of the axis powers having come to an end, the services of this group of war workers which constituted such an important contribution to the success of the war effort are no longer necessary. Therefore, if it is agreeable to the Government of the United Mexican States, it is proposed that the agreement be terminated ninety days from December 1, 1946. In order to bring this about in accordance with the terms of the General Provisions of the agreement under reference, the United States Government hereby gives notification to the Government of the United Mexican States of its desire to terminate the agreement as of March 1, 1947.

Termination of agreement.

The Government of the United States wishes again to express to the Government of Mexico and to these workers its sincere appreciation of the wholehearted and effective cooperation of your Government and of the very great services rendered by the workers.

It is the understanding of the Government of the United States that any outstanding accounts, other than those in the Railroad Retirement Fund, due individual workers will continue to be settled through channels already agreed upon and now in operation.

Settlement of outstanding accounts.

With regard to the funds deducted from the salaries of these Mexican workers in accordance with the provisions of the Railroad Retirement Act of the United States, the Government of the United States is aware that when the agreement of April 29, 1943, was in the

Funds deducted from salaries of workers.

57 Stat. 1353.

[1] [Not printed.]

process of negotiation, the position of the Mexican representatives was that the workers' salaries should be exempt from such deductions because they considered that the accompanying benefits could not be administered effectively once the workers had departed from the United States. It was found, however, that because of the terms of the Railroad Retirement Act it was impossible to provide in the agreement for such an exemption without delaying indefinitely the entire program.

The Government of the United States recognizes that the return of these workers to their native country has made difficult the administration of the rights and benefits which the Railroad Retirement Act established in their favor. The Department is, therefore, disposed to agree with Your Excellency that the funds deducted from the salaries of these Mexican workers should be returned to them.

Your Excellency will readily understand, however, that because of limitations of its constitutional procedure the Department of State cannot make, in the absence of enabling legislation, a definite commitment that this refund will be made. Nevertheless, the Department does recognize the desirability of making the refund and of settling this question as soon as possible, and will endeavor to obtain from the next Congress the authorization and appropriation necessary to pay to the Government of the United Mexican States a lump sum equal to the total of all Railroad Retirement Board deductions from the wages of these workers, less the deductions from any workers whose benefits have been previously and duly liquidated. If the necessary legislation is obtained steps will be taken to effect the refund.

Responsibility for individual payments.

It is understood that if the appropriate administrative authorities of the United States be authorized to make the refund in the manner set forth above, the Mexican Government, upon receipt of the lump sum, will undertake to make the individual payments to each of the Mexican workers concerned and will assume the responsibility for the distribution. In order to make it possible for the Mexican Government to effect the distribution, the Government of the United States would furnish Your Excellency's Government a list of the individual workers concerned and of the amounts contributed by each one of them to the Railroad Retirement Fund.

Conditions.

It is further understood that the payment of the lump sum to the Mexican Government would be on the condition: (1) that the individuals involved would be barred forever from all rights and benefits which they acquired as a result of the deductions made under the Railroad Retirement Act; (2) that the Mexican Government would be precluded from presenting any claim on its own behalf or on behalf of such individuals, either for recovery of their contributions to the Retirement Fund or on the basis of the rights or benefits under the retirement law; (3) that the Mexican Government will indemnify the Government of the United States on account of any claims or judgments which may be made or obtained by the individual workers for a refund of their contributions to the Railroad Retirement Fund, and (4) in the event any individual Mexican workman should return to the United States and be re-employed by an American railroad the

Mexican Government will reimburse the Railroad Retirement Fund in the amount of the workman's prior contributions to the fund, plus necessary interest, provided, of course, that the individual worker in question has not cancelled his claim by accepting a refund of the contributions which he made under his previous employment in accordance with the agreement of April 29, 1943. 57 Stat. 1353.

If the foregoing suggestions are acceptable to the Mexican Government, it would be appreciated if Your Excellency would so inform the Department.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:
SPRUILLE BRADEN

His Excellency
Señor Dr. Don ANTONIO ESPINOSA DE LOS MONTEROS,
Ambassador of Mexico.

The Mexican Ambassador to the Secretary of State

EMBAJADA DE MEXICO

WASHINGTON, D. C.,
15 de noviembre de 1946.

SEÑOR SECRETARIO:

Tengo la honra de acusar recibo de la atenta nota de Vuestra Excelencia, fechada hoy 15 de noviembre de 1946, relativa al arreglo consignado en el cambio de notas de 29 de abril de 1943.

El Gobierno de México está de acuerdo con la sugestión de que se dé por terminado el citado arreglo el primero de marzo de 1947.

Cumplidamente agradezco a Vuestra Excelencia sus expresiones de agradecimiento por la magnífica cooperación que prestaron al esfuerzo bélico de nuestras dos Repúblicas los trabajadores mexicanos que se trasladaron a los Estados Unidos de acuerdo con los términos del arreglo de 29 de abril de 1943.

En cuanto a las cantidades que aún se deben a los trabajadores individuales, excepción hecha de las relativas al fondo del *Railroad Retirement*, también el Gobierno de México tiene entendido que seguirán siendo liquidadas por los medios que al efecto han sido establecidos.

Con respecto de los descuentos que se hicieron de los salarios de los trabajadores en cumplimiento de la Ley del *Railroad Retirement*, la nota de Vuestra Excelencia que por la presente contesto dice textualmente lo siguiente:

"Con relación a los fondos descontados de los salarios de estos trabajadores mexicanos, de acuerdo con lo estipulado en el *Railroad Retirement Act* de los Estados Unidos, el Gobierno de los Estados Unidos está en antecedentes de que, cuando el arreglo de 29 de abril de 1943 estaba siendo negociado, el punto de vista de los

representantes mexicanos fué el de que los salarios de los trabajadores deberían quedar exentos de semejantes descuentos porque consideraron que los beneficios resultantes no podrían ser administrados, en forma efectiva, cuando los trabajadores abandonaran los Estados Unidos. Se llegó a la conclusión, sin embargo, de que, por razón del *Railroad Retirement Act*, era imposible conceder tal exención en el arreglo sin demorar indefinidamente todo el programa.

"El Gobierno de los Estados Unidos reconoce que el regreso de estos trabajadores a su país de origen dificulta la administración de los derechos y beneficios que el *Railroad Retirement Act* estableció en su favor. El Departamento, por lo tanto, está dispuesto a convenir con Vuestra Excelencia en que los fondos descontados de los salarios de estos trabajadores mexicanos deben serles devueltos.

"No obstante lo anterior, Vuestra Excelencia fácilmente comprenderá que el Departamento de Estado, por razón de las limitaciones que fijan los procedimientos de su Constitución, no puede contraer, sin la legislación que lo permita, un compromiso definitivo de que esta devolución se llevará a cabo. Sin embargo, el Departamento sí reconoce que es deseable hacer la devolución y arreglar este asunto tan pronto como sea posible, y se esforzará por obtener de la siguiente Legislatura la autorización y la partida presupuestal necesarias para pagar al Gobierno de los Estados Unidos Mexicanos una cantidad global igual al total de todos los descuentos hechos por el *Railroad Retirement Board* a los salarios de estos trabajadores, menos el monto de los descuentos a aquellos trabajadores cuyos beneficios hayan sido previa y debidamente cubiertos. Si llegare a obtenerse la legislación requerida se darán pasos para efectuar la devolución.

"Se tiene entendido que si las autoridades administrativas competentes fueren autorizadas a hacer la devolución de la manera arriba mencionada, el Gobierno mexicano, al recibir la cantidad global, se encargará de hacer los pagos individuales a cada uno de los trabajadores mexicanos interesados y asumirá la responsabilidad de la distribución. Con el fin de que el Gobierno mexicano pueda efectuar la distribución, el Gobierno de los Estados Unidos facilitaría al Gobierno de Vuestra Excelencia una lista de los trabajadores individuales interesados y de las cantidades contribuídas por cada uno de ellos al fondo del *Railroad Retirement*.

"Se tiene entendido, además, que el pago de la cantidad global al Gobierno de México se haría con la condición de que: (1) los interesados para siempre quedarían imposibilitados para gozar de los derechos y beneficios que adquirieron como resultado de los descuentos hechos según el *Railroad Retirement Act;* (2) el Gobierno de México quedaría imposibilitado para presentar cualquiera reclamación en su propio favor o en el de tales interesados, ya fuera por pago de sus contribuciones al fondo de *Railroad Retirement Act* o basada en los derechos o beneficios otorgados por la Ley de *Railroad Retirement;* (3) el Gobierno de México indemnizará al Gobierno de los Estados Unidos por cualesquiera reclamaciones o sentencias que pudiesen ser presentadas u obtenidas en favor de

los trabajadores individuales para la devolución de sus contribuciones al fondo de *Railroad Retirement;* y (4) en el caso de que cualquier trabajador mexicano regresara a los Estados Unidos y volviera a ser empleado por un ferrocarril norteamericano, el Gobierno de México reembolsaría al fondo de *Railroad Retirement* una cantidad equivalente a las contribuciones anteriores de ese trabajador al fondo más los intereses necesarios, quedando entendido, por supuesto, que en tal caso el trabajador individual no hubiera cancelado su reclamación mediante la aceptación del reintegro de las contribuciones que haya hecho durante su anterior empleo y de acuerdo con el arreglo de 29 de abril de 1943".

En cumplimiento de instrucciones de mi Gobierno, acepto las sugestiones contenidas en los párrafos de la nota de Vuestra Excelencia que acabo de transcribir.

Aprovecho la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

A E DE LOS MONTEROS
Embajador.

Excelentísimo Señor JAMES F. BYRNES,
Secretario de Estado,
Washington, D. C.

Translation

EMBASSY OF MEXICO

WASHINGTON, D. C.
November 15, 1946.

MR. SECRETARY:

I have the honor to acknowledge receipt of Your Excellency's courteous note of this date, November 15, 1946, relative to the agreement set forth in the exchange of notes of April 29, 1943.

Ante, p. 3575.
57 Stat. 1353.

The Government of Mexico is in accord with the suggestion that the aforementioned agreement be considered terminated on March 1, 1947.

I thank Your Excellency most sincerely for your expressions of gratitude for the magnificent cooperation given to the war effort of our two Republics by those Mexican workers who went to the United States in accordance with the terms of the agreement of April 29, 1943.

With regard to the amounts which are still owed to the individual workers, with the exception of those coming under the *Railroad Retirement Act*, it is also the understanding of the Government of Mexico that they shall continue to be settled through the channels which have been established for that purpose.

With reference to the deductions from the workers' salaries under the *Railroad Retirement Act*, Your Excellency's note, to which I am replying by means of the present communication, states literally the following:

"With regard to the funds deducted from the salaries of these Mexican workers in accordance with the provisions of the *Railroad Retirement Act* of the United States, the Government of the United

57 Stat. 1353.

States is aware that when the agreement of April 29, 1943, was in the process of negotiation, the position of the Mexican representatives was that the workers' salaries should be exempt from such deductions because they considered that the accompanying benefits could not be administered effectively once the workers had departed from the United States. It was found, however, that because of the terms of the *Railroad Retirement Act* it was impossible to provide in the agreement for such an exemption without delaying indefinitely the entire program.

"The Government of the United States recognizes that the return of these workers to their native country has made difficult the administration of the rights and benefits which the *Railroad Retirement Act* established in their favor. The Department, is, therefore, disposed to agree with Your Excellency that the funds deducted from the salaries of these Mexican workers should be returned to them.

"Your Excellency will readily understand, however, that because of limitations of its constitutional procedure the Department of State cannot make, in the absence of enabling legislation, a definite commitment that this refund will be made. Nevertheless, the Department does recognize the desirability of making the refund and of settling this question as soon as possible, and will endeavor to obtain from the next Congress the authorization and appropriation necessary to pay to the Government of the United Mexican States a lump sum equal to the total of all *Railroad Retirement Board* deductions from the wages of these workers, less the deductions from any workers whose benefits have been previously and duly liquidated. If the necessary legislation is obtained steps will be taken to effect the refund.

"It is understood that if the appropriate administrative authorities be authorized to make the refund in the manner set forth above, the Mexican Government, upon receipt of the lump sum, will undertake to make the individual payments to each of the Mexican workers concerned and will assume the responsibility for the distribution. In order to make it possible for the Mexican Government to effect the distribution, the Government of the United States would furnish Your Excellency's Government a list of the individual workers concerned and of the amounts contributed by each one of them to the *Railroad Retirement Fund.*

"It is further understood that the payment of the lump sum to the Mexican Government would be on the condition: (1) that the individuals involved would be barred forever from all rights and benefits which they acquired as a result of the deductions made under the *Railroad Retirement Act;* (2) that the Mexican Government would be precluded from presenting any claim on its own behalf or on behalf of such individuals, either for recovery of their contributions to the *Railroad Retirement Fund* or on the basis of the rights or benefits under the *Railroad Retirement Law;* (3) that the Mexican Government will indemnify the Government of the United States on account of any claims or judgments which may be made or obtained by the individual workers for a refund of their contributions to the *Railroad*

Retirement Fund; and (4) in the event any individual Mexican workman should return to the United States and be re-employed by a North American railroad the Mexican Government will reimburse the *Railroad Retirement Fund* in the amount of the workman's prior contributions to the fund, plus necessary interest, provided, of course, that the individual worker in question has not cancelled his claim by accepting a refund of the contributions which he made under his previous employment in accordance with the agreement of April 29, 1943."

57 Stat. 1353.

In compliance with instructions from my Government, I accept the suggestions contained in those paragraphs of Your Excellency's note which I have just transcribed.

I avail myself of this opportunity to renew to Your Excellency the expression of my highest and most distinguished consideration.

A E DE LOS MONTEROS
Ambassador.

His Excellency
JAMES F. BYRNES,
Secretary of State,
Washington, D. C.

November 10, 1947
[T. I. A. S. 1687]

Agreement between the United States of America and China respecting a United States Educational Foundation in China. Signed at Nanking November 10, 1947; entered into force November 10, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHINA FOR THE USE OF FUNDS MADE AVAILABLE IN ACCORDANCE WITH ARTICLE 6 b. (1) OF THE SURPLUS WAR PROPERTY SALES AGREEMENT OF AUGUST 30, 1946.

The Government of the United States of America and the Government of the Republic of China,

Desiring to promote further mutual understanding between the peoples of the United States of America and the Republic of China by a wider exchange of knowledge and professional talents through educational contacts,

Considering that Section 32 (b) of the United States Surplus Property Act of 1944, as amended (Public Law No. 584, 79th Congress; 60 Stat. 754), provides that the Secretary of State of the United States of America may enter into an agreement with any foreign government for the use of currencies or credits for currencies of such foreign government acquired as a result of surplus property disposals for certain educational activities, and

50 U. S. C. app. § 1641 (b).

Considering that under the provisions of the agreement between the Government of the United States of America and the Government of the Republic of China for the sale of certain surplus war property, signed at Shanghai on August 30, 1946, [1] it is provided that the Government of the Republic of China shall make available to the Government of the United States of America the equivalent of $20,000,000 (United States currency) for research, instruction, and other educational activities under the terms of Section 32 (b) of the Surplus Property Act of 1944, as amended,

Have agreed as follows:

Article 1

United States Educational Foundation in China.

There shall be established in the capital city of China a foundation to be known as the United States Educational Foundation in China (hereinafter designated "the Foundation"), which shall be recognized by the Government of the United States of America and the Government of the Republic of China as an organization created and established to facilitate the administration of the educational program to be financed by funds made available by the Government of the Republic of China in accordance with Article 6 b. (1) of the agreement for the sale of certain surplus war property signed at Shanghai on August 30, 1946. [1] Except as provided in Article 3 hereof the Foundation shall be exempt from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present agreement.

Use of funds.

The funds made available by the Government of the Republic of China shall be used by the Foundation for the purpose, as set forth in Section 32 (b) of the United States Surplus Property Act of 1944, as amended, of

60 Stat. 754.
50 U. S. C. app. § 1641 (b).

(1) financing studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in China, or of the citizens of China in United States schools and institutions of higher learning located outside the continental United

[1] [Not printed.]

States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, including payment for transportation, tuition, maintenance, and other expenses incident to scholastic activities; or

(2) furnishing transportation for citizens of China who desire to attend United States schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands and whose attendance will not deprive citizens of the United States of America of an opportunity to attend such schools and institutions.

Article 2

Powers of Foundation.
Post, p. 3586.

In furtherance of the aforementioned purposes, the Foundation may, subject to the provisions of Article 10 of the present agreement, exercise all powers necessary to the carrying out of the purposes of this agreement including the following:

(1) Receive funds.

(2) Open and operate bank accounts in the name of the Foundation in a depository or depositories to be designated by the Secretary of State of the United States of America.

(3) Disburse funds and make grants and advances of funds for the authorized purposes of the Foundation.

(4) Acquire, hold, and dispose of property in the name of the Foundation as the Board of Directors of the Foundation may consider necessary or desirable, provided however that the acquisition of any real property shall be subject to the prior approval of the Secretary of State of the United States of America and also to such conditions and requirements as are or may be prescribed by laws and regulations enforced in the territory where the property is situated.

(5) Plan, adopt, and carry out programs, in accordance with the purposes of Section 32 (b) of the United States Surplus Property Act of 1944, as amended, and the purposes of this agreement.

60 Stat. 754.
50 U. S. C. app. § 1641 (b).

(6) Recommend to the Board of Foreign Scholarships provided for in the United States Surplus Property Act of 1944, as amended, students, professors, research scholars, resident in China, and institutions of China qualified to participate in the program in accordance with the aforesaid Act.

(7) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the programs as it may deem necessary for achieving the purpose and objectives of the Foundation.

(8) Provide for periodic audits of the accounts of the Foundation as directed by auditors selected by the Secretary of State of the United States of America.

(9) Engage administrative and clerical staff and fix and pay the salaries and wages thereof.

Article 3

All expenditures by the Foundation shall be made pursuant to an annual budget to be approved by the Secretary of State of the United States of America pursuant to such regulations as he may prescribe.

Annual budget.

Article 4

The Foundation shall plan its annual programs in such a way that full use shall as far as possible be made of the funds made available to the Foundation for each year. The Foundation shall not enter into any commitments or create any obligation which shall bind the Foundation in excess of the funds to be received during any given calendar year.

Annual programs.

Article 5

The management and direction of the affairs of the Foundation shall be vested in a Board of Directors (hereinafter designated the "Board") consisting of five Directors.

Board of Directors.

The Principal Officer in Charge of the Diplomatic Mission of the United States of America to the Republic of China (hereinafter designated "Chief of Mission") shall be Chairman of the Board. He shall have the power of appointment and removal of members of the Board at his discretion. The four other members of the Board shall be as follows:

Chairman.

(a) two members of the Embassy Staff, one of whom shall serve as treasurer; and (b) two citizens of the United States of America, one representative of American business interests in China and one representative of American educational interests in China.

The two members specified in (b) of the last preceding paragraph shall be resident in China and shall serve from the time of their appointment until the succeeding December 31 next following such appointment. They shall be eligible for reappointment. All the four members shall be designated by the Chief of Mission. Vacancies by reason of resignations, transfers of residence outside of China, expiration of term of service, or otherwise shall be filled in accordance with this procedure.

The Chinese Government shall appoint a number of Advisers to the Board not to exceed five, who may attend all the meetings of the Board and participate in its discussions. The Advisers shall have no vote but their opinion shall be given due consideration by the Board at all its deliberations.

Advisers.

The Directors and Advisers shall serve without compensation, but the Foundation is authorized to pay the necessary expenses of the Directors and Advisers in attending meetings of the Board.

Article 6

The Board shall adopt such by-laws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Foundation.

By-laws, etc.

Article 7

Reports.

Reports as directed by the Secretary of State of the United States of America shall be made annually on the activities of the Foundation to the Secretary of State of the United States of America and the Government of the Republic of China.

Article 8

Principal office, etc.

The principal office of the Foundation shall be in the capital city of China, but meetings of the Board and any of its committees may be held in such other places as the Board may from time to time determine, and the activities of any of the Foundation's officers or staff may be carried on at such places as may be approved by the Board.

Article 9

Executive Officer.

The Board may appoint an Executive Officer and determine his salary and term of service, provided, however, that in the event it is found to be impracticable for the Board to secure an appointee acceptable to the Chairman, the Government of the United States of America may provide an Executive Officer and such assistants as may be deemed necessary to ensure the effective operation of the program. The Executive Officer shall be responsible for the direction and supervision of the Board's programs and activities in accordance with the Board's resolutions and directives. In his absence or disability, the Board may appoint a substitute for such time as it deems necessary or desirable.

Article 10

Decisions of the Board.

The decisions of the Board in all matters may, in the discretion of the Secretary of State of the United States of America, be subject to his review.

Article 11

Deposits.

The Government of the Republic of China shall, within 30 days of the date of the signature of the present agreement, deposit with the Treasurer of the United States of America an amount of Chinese national currency equivalent to $250,000 (United States currency). Thereafter commencing with January 1, 1948, the Government of the Republic of China shall during each calendar year, deposit with the Treasurer of the United States of America, upon demand of the United States Government, amounts of Chinese national currency not to exceed the equivalent of one million dollars (United States currency) and in aggregate totalling the equivalent of $20,000,000 (United States currency). The first deposit of Chinese national currency equivalent to $250,000 (United States currency) shall be considered as part of the deposit for the calendar year 1948. The rate of exchange between currency of the Government of the Republic of China and United States currency to be used in determining the amount of currency of the Government of the Republic of China to be deposited from time to time hereafter, shall be at the par value between Chinese

dollars and United States dollars established in conformity with procedures of the International Monetary Fund or in the absence of such a par value the rate shall be the open market rate as established by the Central Bank of China. Should this latter rate for any reason appear to be inequitable or be abolished, the rate can be the subject of discussion between the Governments of the United States of America and of the Republic of China.

The Secretary of State of the United States of America will make available to the Foundation Chinese national currency in such amounts as may be required by the Foundation, but in no event in excess of the budgetary limitation established pursuant to Article 3 of the present agreement.

Ante, p. 3585.

Article 12

Wherever, in the present agreement, the term "Secretary of State of the United States of America" is used, it shall be understood to mean the Secretary of State of the United States of America or any officer or employee of the Government of the United States of America designated by him to act in his behalf.

"Secretary of State of the United States of America."

Article 13

The present agreement may be amended by the exchange of diplomatic notes between the Government of the United States of America and the Government of the Republic of China.

Amendment of agreement.

Article 14

The present agreement shall come into force upon the date of signature.

Entry into force.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present agreement.

DONE at Nanking, in duplicate, in the English and Chinese languages, this tenth day of November, 1947, corresponding to the tenth day of the eleventh month of the thirty-sixth year of the Republic of China.

J. Leighton Stuart [1]

For the Government of the United States of America

王世杰 Wang Shih-chieh [2]

For the Government of the Republic of China

[1] [J. Leighton Stuart]

[2] [Wang Shih-chieh]

美利堅合衆國政府代表 [1]

司徒雷登

中華民國政府代表 [2]

王世杰

[1] [J. Leighton Stuart]
[2] [Wang Shih-chieh]

府之任何官員或職員。

第十三條

本協定得由美利堅合衆國政府與中華民國政府交換外交文件修改之。

第十四條

本協定自簽字之日起生效。

為此，下列簽字人，各本其政府之合法授權，簽字於本協定。

本協定以英文、中文各繕兩份。一九四七年十一月十日即中華民國三十六年十一月十日，訂於南京。

平價，則其兌換率應照中國中央銀行所定之外滙牌價。倘因任何理由，後項兌換率發現有不公平或被廢止時，則此項兌換率得成為美利堅合眾國政府與中華民國政府間商討之問題。

美利堅合眾國國務卿將供給基金以其所需數量之中國貨幣，但無論如何，不得超過根據本協定第三條所設之預算限制。

第十二條

本協定內所稱「美利堅合眾國國務卿」，應指美利堅合眾國國務卿或其指派代行職權之美利堅合眾國政

於二十五萬元(美國貨幣)之中國貨幣交與美利堅合眾國財政部部長收存。嗣後自一九四八年一月一日起，中華民國政府應於每一年度，依美國政府之要求，以不超過等於一百萬元(美國貨幣)之中國貨幣交與美利堅合眾國財政部部長收存，其總數等於二千萬元(美國貨幣)。第一次交存之等於二十五萬元(美國貨幣)之中國貨幣，應作為一九四八年度內交存款項之一部。中華民國政府貨幣與美國貨幣間之兌換率，用以決定今後隨時應予交存之中華民國政府貨幣之數目者，應依照國際貨幣基金之程序而成立之華幣與美幣之平價。倘無此種

眾國政府為保證此項計劃之有效施行，得派一總幹事及必需之助理。總幹事應遵照董事會之決議及指示，負責指導監督董事會所定之計劃與工作。總幹事離職或不能視事時，董事會得於其認為必要或適宜時期派人代理。

第十條

董事會對一切事項之決議，得依美利堅合眾國國務卿之酌裁受其審查。

第十一條

中華民國政府應於本協定簽字後三十日內，以等

年製具報告，送交美利堅合眾國國務卿及中華民國政府。

第八條

基金之總辦公處應設於中國首都，但董事會及其任何委員會之會議得在董事會隨時決定之其他地方舉行；基金任何職員或雇員之工作得在董事會核准之地方辦理。

第九條

董事會得任命一總幹事並決定其薪俸及任期，但若董事會不能羅致一人為主席所能接受者，美利堅合

此項顧問得出席董事會之一切會議並參加討論。顧問無表決權，但其意見應被董事會於一切商討時予以適當之考慮。

董事與顧問均係無給職，但董事與顧問出席董事會會議之必需用費，基金有權給付之。

第六條

董事會得因辦理基金事務之必要，制訂規章並指派委員會。

第七條

基金之工作，應照美利堅合眾國國務卿之指示，每

「館長」應為董事會主席。彼應有權隨意任免董事會董事。董事會之其他董事四人如下：(甲)大使館職員二人，其中一人應充會計；(乙)美利堅合眾國公民二人，一人為美國在華之商界代表，一人為美國在華之教育界代表。

上款(乙)項所述之董事二人，應為在中國居住之美僑，自其任命之日起服務至同年十二月三十一日為止。彼等得有資格連任。所有董事四人均應由館長指派。其因辭職、遷居中國境外、任期屆滿、或其他理由而遺之缺額，應依照此項手續補充之。

中國政府應任命不超過五人名額之董事會顧問，

其所制訂規則而核准之常年預算案支用。

第四條

基金應釐訂其常年計劃，俾其每一年度所得之資金盡量充分利用。基金不應接受任何約束或設定任何負擔，致使基金所受之拘束超過任何一年度所收之資金。

第五條

基金事務之管理與指導，應由董事五人組成之董事會辦理之（以下稱「董事會」）。

美利堅合眾國派駐中華民國使館之主官（以下稱

及中國學術機構。

(七)向上述外國獎學金委員會建議對於參加此項計劃者之選擇為達到基金宗旨與目的而認為必要之資格。

(八)依照美利堅合眾國國務卿所選派稽核員之指示，對基金之賬目作定期之稽核。

(九)僱用行政及書記人員，核定並支付其薪金及工資。

第三條

基金一切開支，應遵循美利堅合眾國國務卿依照

(四)於基金董事會認為必要或適宜時，以基金名義取得、保有、並處分財產但任何不動產之取得，應先經美利堅合眾國國務卿之許可，並受財產所在地所施行之法律規章現在或將來所規定之條件及手續之限制。

(五)依照一九四四年美國剩餘財產修正法案第三十二節(L)款及本協定之目的，設計、採用、並實施各種計劃。

(六)向依照一九四四年美國剩餘財產修正法案之規定而設立之外國獎學金委員會推薦依照上述法案有資格參加此項計劃之居住中國之學生、教授、研究員、

之機會。

第二條

為促進上述目的計基金除受本協定第十條規定之限制外，得行使為實現本協定目的所必需之一切權力，包括下列各項：

(一) 收受資金。

(二) 在美利堅合眾國國務卿所指定之一存款處所或數存款處所，以基金名義開立銀行賬戶並運用之。

(三) 為基金所准許之目的而動用資金並發給經費及墊款。

民在中國境內之學校及高級學術機構內學習、研究、教授、及他種教育活動，或中國公民在美國本土、夏威夷、阿拉斯加（包括阿留申羣島）、布托里可、及卵金羣島以外之美國學校及高級學術機構內學習、研究、教授、及他種教育活動，包括旅費、學費、生活費、及因學業而引起之其他用費之支付；或

（四）供給欲赴美國本土、夏威夷、阿拉斯加（包括阿留申羣島）、布托里可、及卵金羣島之美國學校及高級學術機構入學之中國公民之旅費，此等中國公民之入學，將不剝奪美利堅合衆國公民進入此等學校及學術機構

承認為便利教育計劃之施行而創設之組織，由中華民國政府依照一九四六年八月三十日在上海簽訂之若干剩餘戰時財產出售協定第六條(乙)款第(一)項出資供應之。除本協定第三條另有規定外，基金為本協定所規定之目的而使用及開支貨幣或貨幣信用，應不受美利堅合眾國國內法及地方法之限制。

中華民國政府所付之資金，應由基金依照一九四四年美國剩餘財產修正法案第三十二節(乙)款所規定之目的而用於

(一)資助美利堅合眾國公民或為美利堅合眾國公

又鑒於依照美利堅合衆國政府與中華民國政府於一九四六年八月三十日在上海簽訂之若干剩餘戰時財產出售協定之條款，曾規定中華民國政府應以等於二千萬元（美國貨幣）之款項交付美利堅合衆國政府，俾依一九四四年剩餘財產修正法案第三十二節(L)款之條件，以作研究、教授、及他種教育活動之用，

爰經議定條款如后：

第一條

在中國首都應設立一基金，名「美國在華教育基金」（以下稱「基金」），應由美利堅合衆國政府與中華民國政府

美利堅合衆國政府與中華民國政府，

因欲藉教育方面之接觸，作智識與技能之更大交換，以促進美利堅合衆國與中華民國人民間更深之相互了解，

鑒於一九四四年美國剩餘財產修正法案第三十二節(乙)款(美國第七十九屆國會第五八四號法案；美國法令彙編第六十冊，第七五四頁)規定，美利堅合衆國國務卿得與任何外國政府締結協定，以處理剩餘財產之結果所得該外國政府之貨幣或貨幣信用，使用於某種教育活動，

美利堅合衆國政府與
中華民國政府為使用依照一九四六年八月三十日「剩餘戰時財產管理協定」第六條(乙)節第(一)項所規定資金之協定

Agreement between the United States of America and Sweden respecting the exchange of official publications. Effected by exchange of notes signed at Stockholm December 16, 1947; entered into force December 16, 1947.

December 16, 1947
[T. I. A. S. 1688]

The American Ambassador to the Swedish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Stockholm, December 16, 1947

No. 15

EXCELLENCY:

I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of Sweden in regard to the exchange of official publications, and to inform Your Excellency that the Government of the United States of America agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of its official publications which are indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.

2. The official exchange office for the transmission of publications of the Government of the United States of America shall be the Smithsonian Institution. The official exchange office for the transmission of publications of the Government of Sweden shall be the Royal Swedish Library.

3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the Kingdom of Sweden by the Royal Swedish Library.

4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.

5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Sweden, the Government of the United States of America will consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurance of my highest consideration.

H. FREEMAN MATTHEWS

His Excellency
ÖSTEN UNDÉN,
Minister for Foreign Affairs,
Stockholm.

The Swedish Minister for Foreign Affairs to the American Ambassador

ROYAL SWEDISH
MINISTRY FOR FOREIGN AFFAIRS

STOCKHOLM, *December 16, 1947.*

SIR,

With reference to your note of December 16, 1947, and to the conversations between representatives of the Government of the United States of America in regard to the exchange of official publications, I have the honor to inform you that the Government of Sweden agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish regularly a copy of each of its official publications which are indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.

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5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

The Government of Sweden considers that your note and this reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of this note.

Accept, Sir, the renewed assurance of my highest consideration.

ÖSTEN UNDÉN

M. H. FREEMAN MATTHEWS,
Ambassador Extraordinary and Minister Plenipotentiary
of the United States of America
etc. etc. etc.

December 17, 1947
[T. I. A. S. 1689]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the economic fusion of American and British zones of occupation in Germany, amending the agreement of December 2, 1946. Signed at Washington December 17, 1947; entered into force December 17, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AMENDING CERTAIN TERMS OF THE BIZONAL FUSION AGREEMENT SIGNED AT NEW YORK ON DECEMBER 2, 1946.

61 Stat., Pt. 3, p. 2478.

WHEREAS paragraph 12 of the Bizonal Fusion Agreement signed at New York on December 2, 1946, provides for its amendment by mutual agreement,

AND WHEREAS the Government of the United Kingdom have requested the Government of the United States to take part in discussions with a view to revising, in the light of current international financial developments, the provisions of the Bizonal Fusion Agreement which relate to the division of responsibility for the payment for imports,

AND WHEREAS the Government of the United Kingdom have represented that they are unable to continue to make payments in dollars in respect of such imports,

AND WHEREAS it is the intention of the two Governments to develop, in that part of Germany which is subject to their jurisdiction, an economy which can be maintained without financial assistance from either Government,

AND WHEREAS the representatives of the two Governments have entered into and completed discussions regarding the revision of the terms of the Bizonal Fusion Agreement as requested by the Government of the United Kingdom,

IT HAS BEEN AGREED by the Government of the United States and the Government of the United Kingdom as follows:–

Financial Responsibility for the period ending December 31, 1948.

Category A goods and services; U. K. liability.

1 (a) The Government of the United Kingdom shall have no further liability to pay dollars for Category A goods and services imported into the United States and United Kingdom Zones of Occupation in Germany (hereinafter called the "Bizonal Area"). The liability of the Government of the United Kingdom to supply Category A goods and services shall, subject to the provision of the necessary appropriations, be discharged by the provision of:–

(i) all deliveries which may be made in the period November 1, 1947, to December 31, 1947 (to the estimated value of £3,500,000, approximately the equivalent of $14,000,000), against commitments already undertaken by the Government of the United Kingdom for procurement from sterling area sources, together with such other sterling area purchases as the Government of the United Kingdom may be able to make for delivery within the period (to an estimated value of £1,000,000, approximately the equivalent of $4,000,000); and

(ii) goods, services or sterling against commitments already undertaken by the Government of the United Kingdom for procurement of Category A supplies for the Bizonal Area from countries outside the sterling area to a total value of £4,000,000 (approximately the equivalent of $16,000,000). (The Government of the United Kingdom shall pay for any such goods which can be delivered against sterling payment in the period November 1, 1947, to December 31, 1947, and any charges which may be involved in the cancellation of outstanding contracts and shall pay the balance of the sum mentioned above to the Joint Export-Import Agency in sterling); and

(iii) a sum of £4,250,000 (approximately the equivalent of $17,000,000) in discharge of the obligations undertaken by the Government of the United Kingdom in accordance with the provisions of the Bizonal Fusion Agreement for the procurement for delivery after December 31, 1947, of Category A supplies for the Bizonal Area from countries outside the sterling area. (This sum shall be held by the Government of the United Kingdom and shall be used for the purchase of Category A supplies and services from the sterling area and shall be spent, with the agreement of the Joint Export-Import Agency, as and when it may be possible to purchase such supplies or services without involving a direct or indirect dollar drain upon the United Kingdom.); and

(iv) Category A goods from the sterling area during the calendar year 1948 and services to be rendered during the same period (as set forth in the Annex to the present Agreement) to the total value of £17,500,000 (approximately the equivalent of $70,000,000).

Services to be provided by U. K.

(b) The services to be provided by the Government of the United Kingdom under the terms of the preceding sub-paragraph of this paragraph shall include the furnishing, so far as is practicable, of such ships as may be necessary to lift thirty-three complete cargoes allocated for shipment to the Bizonal Area from United States ports in the period November 1, 1947, to December 31, 1947, and the furnishing during the calendar year 1948 of a sufficient number of freight ships to lift twelve complete cargoes for the Bizonal Area each month from United States Atlantic and Gulf Coast ports; subject to market possibilities, such freight ships shall be chartered

for three consecutive voyages on Bizonal account or approximately for a period of six months.

Category A requirements to be provided by U. S.

(c) Subject to the provision of the necessary appropriations, the balance of the Category A requirements for the Bizonal Area in the period November 1, 1947, to December 31, 1948, shall be provided by the Government of the United States.

Account of contributions.

(d) It shall be the responsibility of the Joint Export-Import Agency to keep an account of the contributions made by the two Governments in accordance with the provisions of the preceding subparagraphs of this paragraph and to establish that the valuations placed on the goods and services so furnished are fair and reasonable.

Expenditure incurred for maintenance of forces, etc.

2. The financial liability of the two Governments under the present Agreement is exclusive of whatever expenditure may be incurred by either Government for the maintenance of forces of occupation and control staff for Germany.

Trade between the Bizonal Area and the Sterling Area.

3 (a) The Joint Export-Import Agency shall enter into immediate negotiations with representatives of the Government of the United Kingdom with a view to drawing up a plan to maximize trade in both directions between the Bizonal Area and the sterling area. The United States and British Military Governors in Germany shall co-operate with representatives of the Government of the United Kingdom for the purpose of meeting the needs of the United Kingdom for heavy steel scrap and timber to the greatest extent consistent with the requirements of the bizonal economy and conflicting demands for these products.

Payments.

(b) All trade between the Bizonal Area and the sterling area shall be conducted in sterling in both directions. From January 1, 1948, payments in respect of such trade shall be made in the following manner:-

(i) The Joint Foreign Exchange Agency shall open an account with the Bank of England to be known as "The Joint Foreign Exchange Agency No. 1 Account".

(ii) All payments to residents of the sterling area in respect of goods imported into the Bizonal Area, or services rendered on behalf of the Bizonal economy (other than goods or services provided by the Government of the United Kingdom from appropriated funds in accordance with the provisions of paragraph 1 (a) of the present Agreement) shall be made from the No. 1 Account.

(iii) Payment for all exports sold to residents of the sterling area, or services rendered to such residents, shall be paid into the No. 1 Account.

Transfers to No. 1 Account.

(iv) The Joint Foreign Exchange Agency shall, as and when it may be necessary, arrange that transfers be made from its

other accounts to the No. 1 Account to an amount sufficient to ensure that there is always a credit balance in its favor in the No. 1 Account. Any amounts so transferred may be withdrawn from the No. 1 Account when they are no longer required in order to maintain a credit balance in the Account.

Statements of No. 1 Account.

(v) A statement showing the state of the No. 1 Account at the close of business on the last day of each of the months of March, June, September and December shall be rendered on the first day of business of the following calendar month by the Bank of England to the Joint Foreign Exchange Agency.

Credit balance.

(vi) If any such statement shows that, after deduction of the net amount of any transfers made in accordance with the provisions of clause (iv) above, there is a credit balance in the No. 1 Account in excess of £1,500,000, the Bank of England for account of the Government of the United Kingdom shall, against reimbursement from the No. 1 Account in sterling, make a payment of an amount equivalent to the excess, in United States dollars, to the account of the Joint Foreign Exchange Agency at the Federal Reserve Bank of New York.

Debit balance.

(vii) If any such statement of account shows that, after deduction of the net amount of any transfers made in accordance with the provisions of clause (iv) above, there is a debit balance in the No. 1 Account in excess of £1,500,000, the Joint Foreign Exchange Agency shall sell United States dollars to an amount equivalent to the excess to the Bank of England, for account of the Government of the United Kingdom, and the sterling proceeds of such sale shall be credited to the No. 1 Account.

Transfers from No. 1 Account.

(viii) Provided that a credit balance is maintained in the No. 1 Account, transfers may be made from that Account to the other sterling accounts of the Joint Foreign Exchange Agency if necessary in order to maintain the minimum sterling balances required under the provisions of sub-paragraph (b) of paragraph 4 of the present Agreement.

Convertibility of sterling held by the Joint Foreign Exchange Agency.

Post, p. 3616.

4 (a) Notwithstanding the provisions of paragraph 11 of the present Agreement, the Government of the United Kingdom recognize a continuing liability to convert into dollars in accordance with the provisions of sub-paragraph (b) of this paragraph, any sterling held by the Joint Foreign Exchange Agency at the date of signature of the present Agreement and any sterling acquired by the Joint Foreign Exchange Agency during the period of the present Agreement.

Sums to be kept in dollar and sterling accounts.

(b) The sum to be kept in the dollar accounts of the Joint Foreign Exchange Agency shall not be less than $20,000,000 and the sum to be kept in the sterling accounts (other than the No. 1 Account) of

the Joint Foreign Exchange Agency shall not be less than the sterling equivalent of $20,000,000 unless the total of the sums held in these accounts, as shown in the books of the Agency, falls below the equivalent of $40,000,000 in which case the amounts held in the dollar and in the sterling accounts shall (within a maximum variation of the equivalent of $1,000,000) be kept equal. Transfers from the sterling accounts to the dollar accounts and transfers from the dollar accounts to the sterling accounts shall be made when the holdings of dollars or sterling as the case may be fall below the minima indicated above. Such transfers shall be in sums of $1,000,000 or the sterling equivalent thereof.

Transfers.

Conversion of sterling into dollars, etc.

(c) Any conversion of sterling into dollars in accordance with the provisions of sub-paragraphs (a) and (b) of this paragraph shall be effected by the purchase of dollars from the Bank of England by the Joint Foreign Exchange Agency. Any such purchases shall be made at the rate of £1 equals $4.03. If, at any time, the Joint Foreign Exchange Agency purchases sterling in exchange for any other currency, such purchases shall be effected through the Bank of England.

(d) In recognition of the serious dollar difficulties of the United Kingdom, it is the intent and purpose of the Government of the United States that, in so far as practicable, the operations of the Joint Export-Import Agency shall be so conducted that not more than the sterling equivalent of $40,000,000 shall be required to be converted in accordance with the preceding sub-paragraphs of this paragraph, prior to January 1, 1949. Moreover, if for any reason at any time during the period of the present Agreement, the rate of drawing of dollars through the conversion of sterling should be such as to result in an undue drain on the dollar resources of the Government of the United Kingdom, the matter may be raised with the Bipartite Board and thereafter, if necessary, between the two Governments for the purpose of seeking some method acceptable to the Government of the United States whereby the rate of drawing of dollars through the conversion of sterling can be decreased. Pending a settlement of the matter, the provisions of sub-paragraphs (a), (b) and (c) of this paragraph shall, unless otherwise agreed between the two Governments, continue to apply.

Agency for Foreign Trade.

Authority of U. S.

5. The Government of the United Kingdom recognize that so long as the Government of the United States is called upon to make the major contribution towards the cost of the essential imports of the Bizonal Area, that Government shall be entitled to a larger measure of authority with respect to the operations of the Joint Export-Import Agency and the Joint Foreign Exchange Agency.

61 Stat., Pt. 3, p. 2475.

Paragraph 4 of the Bizonal Fusion Agreement is accordingly amended as follows:–

"4 (a) Responsibility for foreign trade shall rest initially with the Joint Export-Import Agency (United States/United Kingdom). This responsibility shall be transferred to German administrative agencies under the supervision of the Joint Export-Import Agency to the maximum extent permitted by the restrictions existing in foreign countries at any given period.

Responsibility for foreign trade.

"(b) Except in so far as the use to which they shall be put has been determined in advance by agreement between the two Governments, and subject to the authority of each Government over the expenditure of its own appropriated funds, and any legislative limitations which may be placed thereon, the appropriated funds available for carrying out the terms of this Agreement shall be expended in accordance with schedules established by the Joint Export-Import Agency. These schedules shall be drawn up in accordance with the general policies of the two Military Governors (constituting the Bipartite Board) and shall be used as a basis for procurement in accordance with the provisions of paragraph 8 of this Agreement, subject to any amendment effected by agreement between the two Governments.

Schedules for expenditure of funds.

Post, p. 3615.

"(c) The Joint Export-Import Agency shall be responsible for the approval of all imports and exports and for procurement in accordance with its responsibilities under the provisions of paragraph 8 of this Agreement, subject to any amendment effected by agreement between the two Governments. It shall be the responsibility of the Joint Export-Import Agency to develop a maximum export program consistent with the accomplishment of over-all objectives in Germany and in conformity with the policy of the two Governments gradually to transfer responsibility to German administrative agencies. The Bipartite Board shall facilitate the work of the Joint Export-Import Agency in developing such a program.

Approval of imports and exports, etc.

"(d) The Joint Export-Import Agency and the Joint Foreign Exchange Agency shall operate in accordance with the general policies of the Bipartite Board to conduct or to supervise the import and export trade of the Bizonal Area. Each of these agencies shall be governed by a board of directors, to which the respective Military Governors shall each appoint an equal number of members. The decisions of the board of directors shall be determined by the majority vote of its members. The members appointed by each Military Governor shall vote as a group. Each group shall have a voting strength in relation to the other group equal to the proportion which the appropriated funds made available by their respective Governments under the provisions of this Agreement, or any subsequent amending agreement, plus the funds contributed by each Government to the capital of the Joint Export-Import Agency, bear to the total funds made available by the two Governments for these purposes.

Operation of agencies according to policies of Bipartite Board.

Review of proposed actions.

"(e) Either Military Governor may, should he consider that any action which it is proposed that the Joint Export-Import Agency or the Joint Foreign Exchange Agency should take is likely to prejudice the interests or conflict with the policies of his Government, request that the matter be referred to the Bipartite Board for review. In that event the proposed action shall be suspended pending Bipartite Board review. Such suspension shall continue only until adequate opportunity has been afforded in the Bipartite Board to ensure that the issue has been reviewed in all its aspects, unless the Bipartite Board unanimously agree to disapprove or modify the proposed action.

Delegation of power, etc.

"(f) Subject to the provisions of the preceding sub-paragraphs of this paragraph, the Bipartite Board shall delegate to the Joint Export-Import Agency and the Joint Foreign Exchange Agency full power and authority necessary for the conduct of the export-import trade, including the authority to contract for imports and exports through such agencies as it may designate, to borrow and lend money, to pay and collect accounts, and to utilize and distribute foreign currency, and such other necessary authority as is essential to the rehabilitation and promotion of peaceful trade and commerce."

Basis of Economic Planning.

61 Stat., Pt. 3, p. 2475.

6. Paragraph 5 of the Bizonal Fusion Agreement shall be amended as follows:–

"5. The United States and United Kingdom Military Governors in Germany shall, in accordance with the policy of the two Governments, use their best endeavors to develop at the earliest possible date, in that part of Germany which is under their jurisdiction, an economy which can be maintained without further financial assistance from either Government, and which will at the same time contribute to the peaceful rehabilitation of Europe."

Procurement.

61 Stat., Pt. 3, p. 2477.

7. Paragraph 8 of the Bizonal Fusion Agreement shall be amended as follows:–

"8. The determination of import requirements shall be the responsibility of the Joint Export-Import Agency. The procurement of these requirements shall be dealt with as follows:–

"(i) Procurement of imports financed from funds appropriated by either Government shall be the responsibility of that Government except to the extent that such responsibility is delegated by the Government concerned to the Joint Export-Import Agency.

Procurement from economical sources of supply.

"(ii) Procurement of all other imports shall be the responsibility of the Joint Export-Import Agency with such assistance from the two Governments as may be required. Unless otherwise agreed, procurement shall be from the most economical sources

of supply. Provided that the procurement of essential imports shall not be prejudiced thereby, the sources shall be selected, to the fullest extent practicable, so as to minimize the drain on the dollar resources of the Government of the United Kingdom (accordingly, where required imports are known to be available from dollar and sterling area sources of supply and conditions regarding price, quality and terms of delivery are equal, the imports shall normally be procured from the sterling area source).

"(iii) With respect to any procurement where the financial responsibility rests with one Government and the agreed source of supply is within territory under the authority of the other Government, the latter, if so requested, shall accept responsibility for procuring those supplies as agent for the former."

Abolishment of Committee.

8. The Bizonal Supplies Committee, established under the provisions of paragraph 8 of the Bizonal Fusion Agreement, shall be abolished.

Consultation of representatives.

9. Representatives of the two Governments shall consult together in Washington in regard to the following matters:–

(a) The programing of the procurement of Category A goods against programs of import requirements submitted by the Joint Export-Import Agency.

(b) The methods to be employed by agencies of either Government, whether directly or through the Joint Export-Import Agency, in the purchase of such products as cereals, livestock products, oils, fats, pulses and fertilizers, in certain markets of primary importance to the United Kingdom, such as Canada, Argentina and Europe, in view of the fact that uncoordinated purchases in these markets might adversely affect United States or United Kingdom supply interests.

Definitions.

"The sterling area."

10 (a) For the purposes of the present Agreement, the expression "the sterling area" shall be deemed to mean "the scheduled territories", which expression has the meaning assigned to it under the provisions of the Exchange Control Act, 1947, of the United Kingdom. "The scheduled territories" at present include:–

"The scheduled territories."

(i) Great Britain and Northern Ireland.

(ii) Australia, New Zealand, Union of South Africa, Eire, India, Pakistan, Southern Rhodesia and Ceylon.

(iii) Any British Colony and any territory under the protection of His Britannic Majesty.

(iv) Any territory in respect of which a mandate on behalf of the League of Nations was accepted by His Britannic Majesty and any territory placed under the trusteeship system of the United Nations, which territories are being administered by His Majesty's Government in the United Kingdom or in any Dominion.

(v) Burma.

(vi) Iraq and Transjordan.

(vii) Iceland and the Faroe Islands.

Notice of change in definition.

If and when any alteration is made to the definition of the expression "the scheduled territories" for the purposes of the Exchange Control Act, 1947, of the United Kingdom, the Government of the United Kingdom shall forthwith notify that change to the Joint Foreign Exchange Agency and the expression "the sterling area" shall be deemed to have been correspondingly amended for the purposes of this Agreement.

Joint Foreign Exchange Agency.

(b) For the purposes of the present Agreement, the Bipartite Finance Committee (United States-United Kingdom), provided for in the Bizonal Fusion Agreement, shall be deemed to have been superseded by the Joint Foreign Exchange Agency.

Successor organizations.

(c) Any reference in the present Agreement to the Joint Export-Import Agency or the Joint Foreign Exchange Agency shall be construed to refer likewise to any successor organization or organizations.

Provisions for Entry into Force, Amendment and Renewal.

11 (a) The present Agreement shall come into force on signature. The present Agreement and the Bizonal Fusion Agreement shall constitute a single agreement between the two Governments, which shall remain in force until agreement has been reached for the treatment of Germany as an economic unit or until December 31, 1948, whichever is the sooner. In either event, the Joint Export-Import Agency and the Joint Foreign Exchange Agency shall continue to function until such time as further agreement is reached concerning them.

(b) The two Governments shall consult together before June 30, 1948, at the request of either of them, for the purpose of reviewing the operation of the Agreement and of considering whether any amendment should be made in its terms. The two Governments shall also consult together before December 1, 1948 to consider the terms and conditions of a new Agreement for a further period.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed the present Agreement.

DONE at Washington, in duplicate, this seventeenth day of December, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

ROBERT A. LOVETT.

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

WILLIAM STRANG

ANNEX TO THE AGREEMENT OF DECEMBER 17, 1947, BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AMENDING CERTAIN TERMS OF THE BIZONAL FUSION AGREEMENT SIGNED AT NEW YORK ON DECEMBER 2, 1946.

Provision by the Government of the United Kingdom of Category A goods and services in the calendar year 1948.

The goods and services to be provided by the Government of the United Kingdom during the calendar year 1948 in accordance with the provisions of paragraph 1 (a) (iv) of the Agreement, are as follows:–

	£ million
Fish	5.55
Pulses	.45
Seeds	1.65
Oils, Vegetables and miscellaneous food	2.00
Insecticides	.50
Fertilizers	1.10
Freight	5.00
Miscellaneous goods	1.25
	17.50 (approximately the equivalent of $70,000,000)

The Government of the United Kingdom may, in consultation with the Joint Export-Import Agency, make reasonable adjustments in the composition of this list. Adjustment of list.

December 8, 1947
[T. I. A. S. 1691

Agreement and accompanying notes between the United States of America and China respecting the transfer of United States naval vessels and equipment to the Chinese Government. Signed at Nanking December 8, 1947; entered into force December 8, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHINA CONCERNING THE TRANSFER OF NAVAL VESSELS AND EQUIPMENT PURSUANT TO UNITED STATES PUBLIC LAW 512 79TH CONGRESS OF THE UNITED STATES OF AMERICA

WHEREAS, the Act of July 16, 1946, United States Public Law 512, 79th Congress, 2nd Session, authorizes, at the request of the Government of the Republic of China, the transfer thereto of Naval vessels and craft not to exceed 271 in number, which are in excess of the Naval needs of the Government of the United States, including floating drydocks of capacity sufficient to accommodate any vessel or craft disposed of under authority of the Act, material necessary for the operation and maintenance of such vessels and craft and for the training of the crews of such vessels and craft and the furnishing of other naval assistance, by sale, exchange, lease, gift or transfer for cash, credit or other property, with or without warranty or upon such other terms and conditions as the President may deem proper; and,

60 Stat. 539.
50 U. S. C. app. §§ 1871, 1872.

WHEREAS, the Government of the Republic of China has requested the Government of the United States of America to transfer to it certain specified Naval vessels, craft and floating drydocks and to furnish it certain technical advice and assistance in connection with the organization and maintenance by it of a Naval establishment; Now Then,

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

ARTICLE 1. The Government of the United States of America will cause to be transferred to the Government of the Republic of China those certain Naval vessels, craft and floating drydocks described on Schedule "A" annexed hereto and made a part hereof.

Post, p. 3623.

Title to vessels, etc.

ARTICLE 2. Title to all vessels and floating drydocks transferred pursuant to the provisions of Article 1 hereof shall vest in the Government of the Republic of China at the time of delivery thereof; such delivery to be made "as is, where is", without reimbursement or transfer of funds, and at a time to be mutually agreed upon, but not later than the dates set forth in Schedule "A" annexed hereto and made a part hereof, and to be evidenced by a delivery certificate in the form prescribed by the Government of the United States of America. From and after the delivery of said vessels, the Government of the Republic of China shall hold harmless and indemnify the Government of the United States of America, its officers, agents, servants and employees, against any and all claims, demands, losses, damages, expenses, and costs, regardless of the nature thereof, of every kind and character, whether arising out of contract or in tort, arising out of or connected with the transfer of such property or the use and operation thereof by the Government of the Republic of China. Without limiting the generality of the foregoing, the Government of the Republic of China shall hold harmless and indemnify the Government of the United States of America, its officers, agents, servants, and employees against any and all claims, demands, expenses, damages and costs arising or growing out of the transfer to the Government of the Republic of China of Bofors 40mm guns or guns of similar type made or produced under or pursuant to an agreement dated June 21, 1941, [1] between the United States of America and Aktiebolaget Bofors.

Post, p. 3623.

Indemnification of U. S. against claims, etc.

Post, p. 3625.

Bofors 40 mm guns, etc.

Post, p. 3625.

[1] [Not printed.]

Repair of vessels, etc.

ARTICLE 3. (a) At the request of the Government of the Republic of China, the Government of the United States of America will, as to any of the vessels transferred "as is, where is" at locations other than those under the control of the Government of the Republic of China, provide the necessary work, services, and materials to repair, recondition, outfit and equip said vessels within the capacity of the facilities available therefor at or near the location of such vessels, upon payment for all of the costs and expenses incurred in connection therewith. The Government of the Republic of China will promptly reimburse the Government of the United States of America for the cost thereof, as is hereinafter provided.

(b) The Government of the United States of America, at the request of the Government of the Republic of China, to the extent that such materials are available, will furnish such materials from time to time, as are deemed proper by the Government of the United States of America, for the operation and maintenance of any or all of the vessels, craft and floating drydocks transferred hereunder, on the basis of prompt reimbursement by the Government of the Republic of China to the Government of the United States of America for the cost thereof, as is hereinafter provided.

(c) In connection with (i) the transfer of vessels, craft and floating drydocks (ii) the repairing, reconditioning, outfitting, equipping and furnishing of operational and maintenance supplies therefor, and (iii) the organization and maintenance of a Naval establishment by the Government of the Republic of China, the Government of the United States of America, to the extent deemed proper by it and consistent with security classifications, when requested by the Government of the Republic of China, will, (1) furnish plans, blueprints and documents without reimbursement, (2) furnish technical information and advice without reimbursement and (3) participate in and sign a conducted joint inventory of each vessel at the time of delivery without reimbursement.

Funds required to meet obligations of China.

ARTICLE 4. For the purpose of providing the funds required to meet the obligations of the Government of the Republic of China under the provisions of Article 3 hereof, it is agreed that all funds now on deposit with the Government of the United States of America for the payment of the costs and expenses of operation of lend-lease vessels under the Extension Agreement dated June 28, 1946, [1] entered into by and between the Government of the United States of America and the Government of the Republic of China, and not required nor obligated for services and materials furnished by the Government of the United States of America to the Government of the Republic of China under the terms of said Agreement, shall be retained by the Government of the United States of America and held for the credit of the Government of the Republic of China against duly certified invoices issued by the Government of the United States of America from time to time for work, services, materials, and supplies furnished

[1] [Not printed.]

in accordance with Article 3 hereof, and the Government of the Republic of China agrees to make such further deposits with the Government of the United States of America to be held by said Government for payment of such invoices, as may be requested by the Government of the United States of America from time to time. Failure on the part of the Government of the Republic of China to make deposits requested by the Government of the United States of America from time to time, shall relieve the Government of the United States of America from the obligation to furnish any further work, services, materials or supplies until the deposit or deposits requested are made.

Failure to make deposits.

ARTICLE 5. Notwithstanding any of the provisions of this Agreement, and subject only to such extensions of time as may be granted by the Government of the United States of America, acting by and through the Secretary of the Navy, by reason of the necessity of repair, reconditioning, outfitting, equipping, supplying and training Chinese personnel in the operation thereof, the Government of the Republic of China shall remove each vessel and floating drydock transferred or furnished pursuant to this Agreement, from locations other than those under the control of the Government of the Republic of China, within 120 days from the date of transfer thereof. In the event of failure to remove a vessel or floating drydock from delivery location within the time so limited or within such extension thereof as may be granted by the Government of the United States of America, the Government of the Republic of China shall lose all right, title and interest in and to such vessel or floating drydock and the Government of the United States of America shall make such other disposition thereof as in its sole discretion may be deemed advisable.

Removal of vessels from delivery location.

ARTICLE 6. The Government of the Republic of China will not relinquish physical possession of or transfer title to any of the vessels or floating drydocks or equipment and supplies furnished under this Agreement without the written consent of the Government of the United States of America. Naval information and Naval equipment furnished under this Agreement or otherwise, of any security classification whatsoever, will be safeguarded in accordance with the requirements of the security classification imposed thereon by the Government of the United States of America and no disclosure by the Government of the Republic of China thereof to other governments or unauthorized persons will be made without the prior written consent of the Government of the United States of America.

Non-relinquishment by China.

Safeguarding of naval information, etc.

ARTICLE 7. So long as this Agreement or any extension thereof shall remain in effect, the Government of the Republic of China shall not engage or accept the services of any personnel of any government other than the Government of the United States of America for duties of any nature connected with the use and operation of the vessels and other craft to be transferred pursuant to this Agreement, except by mutual agreement between the Government of the United States of America and the Government of the Republic of China.

Personnel.

ARTICLE 8. This Agreement shall terminate with the expiration of United States Public Law 512, 79th Congress, 2nd Session. However, if at any time the Government of the United States of America shall

Termination of agreement.
60 Stat. 539.
50 U. S. C. app. §§ 1871, 1872.

determine that the transfer of further vessels and craft or the furnishing of materials and assistance no longer continues to be in the public interest, such transfers shall be discontinued.

ARTICLE 9. Upon the coming into effect of this Agreement, that part of the "Agreement between the Government of the United States of America and the Government of the Republic of China under Section 3(c) of the Lend-Lease Act", dated June 28, 1946, providing for Naval assistance to China, shall be superseded by the applicable provisions of this Agreement.

Post, p. 3895.

Effective date.

ARTICLE 10. This Agreement shall come into effect on the date of its signature.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this Agreement in the English and Chinese languages, both in duplicate, at Nanking, China, this 8th day of December, 1947, corresponding to the 8th day of the 12th month of the 36th year of the Republic of China.

For the Government of the
United States of America

J. Leighton Stuart [1]

Ambassador Extraordinary
and Plenipotentiary of
the United States of
America at Nanking, China

For the Government of the
Republic of China

Wang Shih-chieh [2]

Minister of Foreign Affairs

[1] [J. Leighton Stuart]
[2] [Wang Shih-chieh]

SCHEDULE "A"

PROPOSED LIST OF VESSELS TO BE TRANSFERRED TO CHINA

1. List of vessels transferred to China under Credit Lend-Lease to be recaptured under Lend-Lease Act and recommended for transfer to China under Public Law 512, 79th Congress, 2nd Session, and provisions of Executive Order No. 9843 of April 25, 1947:

55 Stat. 31.
22 U. S. C. §§ 411-419.
60 Stat. 539.
50 U. S. C. app. §§ 1871, 1872.
3 CFR, 1947 Supp., p. 139.

PR 4	LSM 433
DE 6	LSM 442
DE 47	LSM 456
PCE 867	LCI(L) 233
PCE 869	LCI(L) 631
AM 257	LCI(L) 417
AM 258	LCI(L) 418
AM 259	LCI(L) 630
AM 260	LCI(L) 632
LST 537	LCI(L) 514
LST 557	LCI(L) 517
LST 755	AG 124 (MAUMEE)
LST 1030	LCT 512
LST 993	LCT 515
LST 716	LCT 849
LST 717	LCT 892
LST 1017	LCT 1143
LST 1050	LCT 1145
LST 1075	LCT 1171
LSM 155	LCT 1213
LSM 157	AOG 42
LSM 285	AFDL 34
LSM 457	25 LCM
LSM 431	25 LCVP

2. List of vessels now earmarked and recommended for transfer to China under Public Law 512, 79th Congress, 2nd Session, and provisions of Executive Order No. 9843 of April 25, 1947:

DE 102	Green Cove Springs	PC 490	Philippines
DE 103	Green Cove Springs	PC 492	Philippines
DE 104	Green Cove Springs	PC 593	Philippines
DE 112	Green Cove Springs	PC 595	Philippines
AM 266	Philippines	PC 1247	Philippines
AM 273	Philippines	PC 1549	Philippines
AM 276	Philippines	PGM 20	Philippines
AM 246	Philippines	PGM 26	Philippines
AM 274	Philippines	PGM 12	Philippines
AM 286	Philippines	PGM 13	Philippines
AM 287	Philippines	PGM 14	Philippines
AM 216	Philippines	PGM 15	Philippines
YMS 339	Philippines	SC 518	Philippines
YMS 346	Philippines	SC 637	Philippines
YMS 367	Philippines	SC 648	Philippines
YMS 2017	Philippines	SC 698	Philippines

SCHEDULE "A"—Continued

SC 703	Philippines	AGS 9	(Armistead Rust) Philippines
SC 704	Philippines		
SC 708	Philippines	AOG 22	(Wautauga) Philippines
SC 722	Philippines		
SC 723	Philippines	AFDL (c)	36 Guam
SC 735	Philippines	ARL 41	New Orleans

3. Limiting date for transfer: (a) vessels at Green Cove Springs, 31 December 1948; (b) other vessels, 1 July 1948.

4. Schedule of transfer of above vessels to be made by mutual agreement between the Government of the United States of America and the Government of the Republic of China. All vessels to be transferred prior to limiting dates stated in 3 above.

J. Leighton Stuart [1]

王世杰 Wang Shih-chieh [2]

[1] [J. Leighton Stuart]
[2] [Wang Shih-chieh]

The American Ambassador to the Chinese Minister for Foreign Affairs

AMERICAN EMBASSY
Nanking, December 8, 1947

No. 1302

EXCELLENCY:

I have the honor to refer to the "Agreement between the Government of the United States of America and the Government of the Republic of China concerning the Transfer of Naval Vessels and Equipment pursuant to United States Public Law 512—79th Congress of the United States of America" signed today and, in particular, to that sentence in Article 2 of the Agreement which reads "From and after the delivery of said vessels, the Government of the Republic of China shall hold harmless and indemnify the Government of the United States of America, its officers, agents, servants and employees, against any and all claims, demands, losses, damages, expenses, and costs, regardless of the nature thereof, of every kind and character, whether arising out of contract or in tort, arising out of or connected with the transfer of such property or the use and operation thereof by the Government of the Republic of China." It is understood that the claims, demands, losses, damages, expenses, and costs, regardless of the nature thereof, of every kind and character, whether arising out of contract or in tort for which the Chinese Government assumes full responsibility, are limited to those which arise from and after the delivery of the vessels and out of or connected with the transfer of the property or the use and operation of it by the Republic of China.

60 Stat. 539.
50 U. S. C. app. §§ 1871, 1872.
Ante, p. 3619.

With reference to the concluding sentence of Article 2 of the Agreement, I am authorized to inform Your Excellency that the possible claim of the Aktiebolaget Bofors which may arise out of the transfer to the Government of the Republic of China of Bofors guns is the only claim of this nature of which the United States Navy Department is aware.

Ante, p. 3619.

Please accept, Excellency, the renewed assurances of my highest consideration.

J. LEIGHTON STUART

His Excellency
Dr. WANG SHIH-CHIEH,
Minister for Foreign Affairs,
Ministry of Foreign Affairs,
Nanking.

The Chinese Minister for Foreign Affairs to the American Ambassador

外 交 部

The Ministry of Foreign Affairs
Republic of China

December 8, 1947

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date, which reads as follows:

"I have the honor to refer to the 'Agreement Between the Government of the United States of America and the Government of the Republic of China Concerning the Transfer of Naval Vessels and Equipment Pursuant to United States Public Law 512—79th Congress of the United States of America' signed today and, in particular, to that sentence in Article 2 of the Agreement which reads 'From and after the delivery of said vessels, the Government of the Republic of China shall hold harmless and indemnify the Government of the United States of America, its officers, agents, servants and employees, against any and all claims, demands, losses, damages, expenses, and costs, regardless of the nature thereof, of every kind and character, whether arising out of contract or in tort, arising out of or connected with the transfer of such property or the use and operation thereof by the Government of the Republic of China.' It is understood that the claims, demands, losses, damages, expenses, and costs, regardless of the nature thereof, of every kind and character, whether arising out of contract or in tort for which the Chinese Government assumes full responsibility, are limited to those which arise from and after the delivery of the vessels and out of or connected with the transfer of the property or the use and operation of it by the Republic of China.

60 Stat. 539.
50 U. S. C. app. §§ 1871, 1872.

Ante, p. 3619.

"With reference to the concluding sentence of Article 2 of the Agreement, I am authorized to inform Your Excellency that the possible claim of the Aktiebolaget Bofors which may arise out of the transfer to the Government of the Republic of China of Bofors guns is the only claim of this nature of which the United States Navy Department is aware.

Ante, p. 3619.

"Please accept, Excellency, the renewed assurances of my highest consideration."

Confirmation of understanding.

I take pleasure in confirming that the understanding expressed in the above quoted note is agreeable to the Chinese Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

王

Wang Shih-chieh [1]

His Excellency,
Dr. J. LEIGHTON STUART,
American Ambassador,
Nanking.

[1] [Wang Shih-chieh]

三、轉讓限期：(甲)在美國綠灣泉之船艦——一九四八年十二月三十一日；(乙)其他船艦——一九四八年七月一日。

四、上述船艦之轉讓程序，由美利堅合眾國政府與中華民國政府協議定之。一切船艦應在上述第三項限期以前轉讓。

司徒雷登[1]

王世杰[2]

[1] [J. Leighton Stuart]
[2] [Wang Shih-chieh]

二、左表所列船艦，依美國第七十九屆國會第二期會議第五一二號法案及一九四七年四月二十五日第九八四三號行政命令之規定，現經指撥並建議轉讓中國：

DE 102	美國海軍
DE 103	美國海軍
DE 104	美國海軍
DE 112	美國海軍
AM 266	美國海軍
AM 273	美國海軍
AM 276	美國海軍
AM 246	美國海軍
AM 274	美國海軍
AM 286	美國海軍
AM 287	美國海軍
AM 216	美國海軍
YMS 339	美國海軍
YMS 346	美國海軍
YMS 367	美國海軍
YMS 2017	美國海軍
PC 490	美國海軍
PC 492	美國海軍
PC 593	美國海軍
PC 595	美國海軍
PC 1247	美國海軍
PC 1549	美國海軍
PGM 20	美國海軍
PGM 26	美國海軍
PGM 12	美國海軍
PGM 13	美國海軍
PGM 14	美國海軍
PGM 15	美國海軍
SC 518	美國海軍
SC 637	美國海軍
SC 648	美國海軍
SC 698	美國海軍
SC 703	美國海軍
SC 704	美國海軍
SC 708	美國海軍
SC 722	美國海軍
SC 723	美國海軍
SC 735	美國海軍
AGS 9 (Armistead Rust)	美國海軍
AOG 22 (Wautauga)	美國海軍
AFDL (c) 36	美國海軍
ARL 41	美國海軍

附表（甲）

擬議轉讓中國之船艦表

一、左表所列依信用租借辦法轉讓中國而依租借法案應予收回之船艦，茲依美國第七十九屆國會第二期會議第五一二號法案及一九四七年四月二十五日第九八四三號行政命令之規定，建議轉讓中國：

PR 4
DE 6
DE 47
PCE 867
PCE 869
AM 257
AM 258
AM 259
AM 260
LST 537
LST 557
LST 755
LST 1030
LST 993
LST 716
LST 717
LST 1017
LST 1050
LST 1075
LSM 155
LSM 157
LSM 285
LSM 457
LSM 431
LSM 433
LSM 442
LSM 456
LCI(L) 233
LCI(L) 631
LCI(L) 417
LCI(L) 418
LCI(L) 630
LCI(L) 632
LCI(L) 514
LCI(L) 517
AG 124 (MAUMEE)
LCT 512
LCT 515
LCT 849
LCT 892
LCT 1143
LCT 1145
LCT 1171
LCT 1213
AOG 42
APDL 34
25 LCM
25 LCVP

第十條

本協定自簽訂之日起生效。

為此，下列簽字人，爰經正式授權，於一九四七年十二月八日，即中華民國三十六年十二月八日，在中國南京簽訂本協定英文、中文各兩份，以昭信守。

美利堅合眾國政府代表駐華全權大使 司徒雷登 [1]

中華民國政府代表外交部部長 王世杰 [2]

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[1] [J. Leighton Stuart]
[2] [Wang Shih-chieh]

第八條

本協定應於美國第七十九屆國會第二期會議第五一二號法案滿期時終止。但無論何時，如美利堅合眾國政府決定繼續轉讓艦、艇或供給器材與協助不復符合公共利益時，該項轉讓即應停止。

第九條

本協定生效時，一九四六年六月二十八日，美利堅合眾國政府與中華民國政府間根據租借法案第三條(丙)款之協定中規定對中國海軍協助之部分，應以本協定之適用條款代替之。

屬於任何保密類別，將依照美利堅合眾國政府所加之保密類別必要條件，妥予防護，事前未經美利堅合眾國政府之書面同意，中華民國政府將不對他國政府或未經授權之人士透露之。

第七條

在本協定或其延長之有效期間，除經美利堅合眾國政府與中華民國政府相互同意外，中華民國政府不得延用或接受美利堅合眾國政府以外任何他國政府之任何人員之服務，從事於有關利用與使用依照本協定所轉讓之船艦及其他小艇任何性質之職務。

此項限期或美利堅合眾國政府所允予之展延期限內，未能自移交地區將船艦或浮塢移去，中華民國政府應喪失其對於該項船艦或浮塢之一切權利、所有權及利益。美利堅合眾國政府應將該項船艦或浮塢予以彼所獨自認為合宜之其他處置。

第六條

中華民國政府未經美利堅合眾國政府之書面同意，將不放棄依照本協定所供給之任何船艦或浮塢或裝備及供應品之實際持有權或轉讓其所有權。依照本協定或其他辦法所供給之海軍情報及海軍裝備，無論

交存款，則在所請求之存款未提交以前，美利堅合眾國政府應解除其再行供給工作、服務、器材或供應品之義務。

第五條

不論本協定載有任何規定，除因該項海軍船艦、浮塢之修理、改裝、配置、裝備、供應及訓練使用該項船艦、浮塢中國人員之必要，由美利堅合眾國政府經海軍部長允予展延期限外，中華民國政府應於轉讓之日起一百二十日以內，將依照本協定而轉讓或供給之每一船艦及浮塢自不在中華民國政府控制下之地區移去。如在

十八日美利堅合衆國政府與中華民國政府延長協定之租借船艦之使用費用及開支而不需且不必應付美利堅合衆國政府依照該協定之條件對中華民國政府所供給之服務及器材者，應由美利堅合衆國政府保留，並作為中華民國政府之信用，以抵付美利堅合衆國政府因依照本協定第三條所供給之工作、服務、器材與供應品而隨時開出之妥適證明賬單。中華民國政府同意，依美利堅合衆國政府隨時之請求，再提款項存於美利堅合衆國政府，由該政府保持，以備支付該項賬單。若中華民國政府未能應美利堅合衆國政府隨時之請求提

備及供給使用與維持所需之供應品，及(三)中華民國政府海軍機構之組織與維持，美利堅合眾國政府在其認為適當之範圍內，並不背保密類別時，經中華民國政府之請求，將(一)無償供給計劃、藍圖及文件，(二)無償供給技術上之情報與意見，並(三)在移交時，無償參加並簽訂每一船艦之共同點驗財產目錄。

第四條

為供給款項以應付中華民國政府依照本協定第三條之規定所負之義務起見，雙方同意，一切現存於美利堅合眾國政府之款項，原備支付一九四六年六月二

修理、改裝、配置、裝備該項船艦所必需之工作、服務及器材。中華民國政府對於此項費用，將照本協定後開規定，迅予償付美利堅合眾國政府。

(乙)美利堅合眾國政府，依中華民國政府之請求，對於依本協定所轉讓之任何或一切艦、艇與浮塢之使用及維持，以中華民國政府依照本協定後開規定迅將有關費用償付美利堅合眾國政府為基點，於美利堅合眾國政府認為適當時，將就現有器材之範圍，隨時供給該項器材。

(丙)關於(一)艦、艇及浮塢之轉讓，(二)修理、改裝、配置、裝

一九四一年六月二十一日美利堅合衆國與勃福斯公司協定所製造或出產之勃式四十公厘炮或同樣之炮於中華民國政府而引起之任何及一切索償、要求、開支、傷害及費用，中華民國政府應使美利堅合衆國政府及其官員、代理人、僕役與雇員不受損傷，並應予以賠償。

第三條

(甲) 美利堅合衆國政府，依中華民國政府之請求，對於不在中華民國政府所控制之地區內照「現狀就地」轉讓之任何船艦，將在該項船艦所在地或附近地區，就現有使利之範圍內，於交付一切有關費用及開支時，供給

移交將在相互同意之時間，而不遲於構成本協定一部分之附表（甲）中所訂之日期，照「現狀就地」為之，無須償付或轉撥款項，並以依照美利堅合眾國政府所訂格式之移交證書證明之。自上述船艦移交後，凡因關於該項財產之轉讓或因關於中華民國政府利用並使用該項財產所引起各種類別及性質之任何及一切索償、要求、損失、傷害、開支及費用，不論其性質如何，亦不論其是否由於契約或侵權行為，中華民國政府應使美利堅合眾國政府及其官員、代理人、僕役與雇員不受損傷，並應予以賠償。除上述規定之一般性不受限制外，凡因轉讓依照

轉讓某種特定海軍艦、艇及浮塢並對其組織與維持一海軍機構供給某種技術上之意見與協助；

爰經相互議定如下：

第一條

美利堅合眾國政府將使構成本協定一部分之附表(甲)中所列之某種海軍艦、艇與浮塢轉讓於中華民國政府。

第二條

依據本協定第一條規定而轉讓之一切船艦及浮塢之所有權，應自移交之時起，屬諸中華民國政府。此項

茲因一九四六年七月十六日美國第七十九屆國會第二期會議第五一二號法案授權，依中華民國政府之請求，將溢出美國政府海軍需要而為數不超過二七一艘之海軍艦、艇轉讓中國，其中包括足供容納依該法案授權而處置之任何艦、艇之浮塢，該項艦、艇之使用與維持暨該項艦、艇官兵訓練所必需之器材，以及其他海軍協助之供應。轉讓方式為售賣、交換、租借、贈送或以現金、記賬或其他資產相易，至應否具有保證或其他條件，則由美國總統決定之；

復因中華民國政府經向美利堅合眾國政府請求

美利堅合衆國政府與中華民國政府關於依照美利堅合衆國第七十九屆國會第五一二號法案轉讓海軍船艦及裝備之協定

茲將者：關於本日簽訂之「美利堅合衆國政府與中華民國政府關於依照美利堅合衆國第七十九屆國會第五一二號法案轉讓海軍船艦及裝備之協定」，及該協定第二條下述一句：「自上述船艦移交後，凡因關於該項財產之轉讓或因關於中華民國政府利用並使用該項財產所引起各種類別及性質之任何及一切索債、要求、損失、傷害、開支及費用，不論其性質如何，亦不論其是否由於疏忽或侵犯行爲，中華民國政府應使美利堅合衆國政府及其官員、代理人、僕役與傳員不受損傷，並應予以賠償」。雙方了解，各種類別及性質之索債、要求、損失、傷害、開支及費用，不論其性質如何，亦不論其是否由於疏忽或侵犯行爲，其應由中國政府負完全責任者，僅以自上述船艦移交

後及因關於該項財產之轉讓或中華民國利用或使用該項財產所引起者為限。

關於前段定第二條之文句，本大使並擬提請參閱

閣下，因彼德斯堡之轉讓於中華民國政府，彼德斯公司可能有所索償，此為

美國海軍部所知此種性質之惟一索償。相應照會，即希

查照為荷。

本大使順向

貴部長重表敬意。

此致

中華民國外交部部長王　　閣下

一千九百四十七年十二月八日

中華民國三十六年十二月八日

此致

美利堅合衆國駐中華民國特命全權大使司徒雷登 閣下

蔣介石

中華民國三十六年二月八日

查照為荷。

本大使順向

貴部長重表敬意。

等由，准此，本部長茲欣然證實上開來照所述之了解，中國政府可予同意。相應照復，即希

查照為荷。

本部長順向

貴大使重表敬意。

權行為，其應由中國政府負完全責任者，僅以自上述船艦移交後及因關於該項財產之轉讓或中華民國利用並使用該項財產所引起者為限。

關於該協定第二條之末句，本大使茲經授權奉達

閣下，因勃福斯炮之轉讓於中華民國政府，勃福斯公司可能有所索償，此為美國海軍部所知此種性質之惟一索償。相應照達，即希

因關於中華民國政府利用並使用該項財產所引起各種類別及性質之任何及一切索償、要求、損失、傷害、開支及費用，不論其性質如何，亦不論其是否由於契約或侵權行為，中華民國政府應使美利堅合衆國政府及其官員、代理人、僕役與僱員不受損傷，並應予以賠償。」雙方了解，各種類別及性質之索償、要求、損失、傷害、開支及費用，不論其性質如何，亦不論其是否由於契約或侵

照會

逕啟者：接准

貴大使本年十二月八日來照內開：

「逕啟者：關於本日簽訂之「中華民國政府與美利堅合衆國政府關於依照美利堅合衆國第七十九屆國會第五一二號法案轉讓海軍船艦及裝備之協定」及該協定第二條下述一句：「自上述船艦移交後，凡因關於該項財產之轉讓或

Agreement between the United States of America and Haiti respecting a cooperative health and sanitation program in Haiti, extending the agreement of April 7, 1942, as amended, until June 30, 1948. Signed September 30, 1947; effected by exchange of notes signed at Port-au-Prince September 25 and 27, 1947; entered into force September 27, 1947.

September 25, 27, 30, 1947
[T. I. A. S. 1693]

The American Chargé d'Affaires ad interim to the Haitian Secretary of State for Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY,
Port-au-Prince, September 25, 1947.

EXCELLENCY:

I have the honor to refer to the letters exchanged between the President of the Republic of Haiti and the Acting Secretary of State of the United States of America, dated April 7, 1942, relating to the establishment of a cooperative health and sanitation program in Haiti as modified by the notes exchanged between the American Ambassador to the Republic of Haiti and the Secretary of State for Foreign Affairs of Haiti on June 29 and July 12, 1944, concerning the same program.

58 Stat. 1439.

59 Stat. 1298.

In accordance with the exchange of such letters and correspondence, an agreement was entered into between the Republic of Haiti and the Institute of Inter-American Affairs, pursuant to which the cooperative health and sanitation program was inaugurated in Haiti and a small staff of experts and technicians was sent to Haiti to cooperate with officials of the Haitian Government in realizing the objectives of such program.

Availability of additional U. S. funds.

I have now been informed by the Department of State in Washington that additional funds amounting to $25,000 have been made available by the Institute of Inter-American Affairs for the continuation of the cooperative health and sanitation program in Haiti up to and including June 30, 1948. It is understood that the additional $25,000 to be contributed by the Institute of Inter-American Affairs will be made available on condition that the Republic of Haiti contribute $80,000 for the same program. The contribution by the Institute of Inter-American Affairs will be in addition to payments made by the Institute of Inter-American Affairs directly to or on account of the experts and technicians sent to Haiti by the Institute of Inter-American Affairs in connection with carrying out the cooperative health and sanitation program.

Contribution by Haiti.

If Your Excellency agrees that the proposed arrangement, as outlined above, is acceptable to your Government, I would appreciate

receiving an expression of Your Excellency's opinion and agreement thereto as soon as may be possible in order that final arrangements for signing the Extension Agreement may be made by officials of the Republic of Haiti and the Institute of Inter-American Affairs.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

ROBERT H. MCBRIDE
ROBERT H. MCBRIDE
Chargé d'Affaires ad interim

His Excellency
EDMÉ MANIGAT,
Secretary of State for
Foreign Affairs,
Port-au-Prince.

The Haitian Secretary of State for Foreign Affairs to the American Chargé d'Affaires ad interim

SECRÉTAIRERIE D'ETAT
des
RELATIONS EXTÉRIEURES

RÉPUBLIQUE D'HAÏTI
No. SG/I-3 : 1242 *Port-au-Prince, le 27 Septembre 1947.*

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai le plaisir d'accuser réception de la Note en date du 25 Septembre courant par laquelle vous m'informez que l'Institut des Affaires Interaméricaines a décidé d'apporter une contribution complémentaire de $ 25.000 au programme de sanitation du Gouvernement Haitien, à la condition que ce dernier accepte à y participer de son côté pour une valeur de $ 80.000.

En réponse, je suis heureux de vous faire savoir que le Gouvernement Haitien consent à renouveler l'accord qui devait expirer le 30 Septembre en cours, sur la base proposée par l'Institut.

Les dispositions nécessaires peuvent donc être prises pour la signature de cet accord supplémentaire par les officiels de l'Institut et les représentants du Gouvernement Haitien.

Agréez, Monsieur le Chargé d'Affaires, l'assurance de ma considération la plus distinguée.

EDMÉ TH. MANIGAT

Monsieur ROBERT H. MCBRIDE
Chargé d'Affaires ad interim
des Etats-Unis d'Amérique.
Port-au-Prince.

Translation

DEPARTMENT OF STATE
FOR FOREIGN AFFAIRS

REPUBLIC OF HAITI
No. SG/I-3 : 1242 *Port-au-Prince, September 27, 1947.*

MR. CHARGÉ D'AFFAIRES,

I have the pleasure of acknowledging the receipt of the note of September 25 of this year in which you inform me that the Institute

Ante, p. 3651.

of Inter-American Affairs has decided to make a complementary contribution of $25,000 to the sanitation program of the Haitian Government, on condition that the latter agrees to participate on its part to the amount of $80,000.

In reply, I am happy to inform you that the Haitian Government agrees to renew the agreement which was to expire on September 30 of the present year, on the basis proposed by the Institute.

The necessary steps may therefore be taken for the signing of this supplementary agreement by the officials of the Institute and the representatives of the Haitian Government.

Accept, Mr. Chargé d'Affaires, the assurance of my most distinguished consideration.

EDMÉ TH. MANIGAT

Mr. ROBERT H. MCBRIDE
Chargé d'Affaires ad interim
of the United States of America.
Port-au-Prince.

EXTENSION AGREEMENT

This Extension Agreement between the Republic of Haiti (hereinafter called the "Republic"), represented by the Secretary of State for Foreign Affairs of the Republic, and The Institute of Inter-American Affairs, a corporate instrumentality of the Government of the United States of America (hereinafter called the "Institute"), represented by Edwin L. Dudley, Chief of Field Party, Health and Sanitation Division of the Institute (hereinafter alled the "Chief of Field Party"), is entered into for the purpose of extending and modifying the cooperative health and sanitation program which was jointly undertaken by the Republic and the Institute pursuant to the agreement entered into between the Republic and the United States, as provided in the notes exchanged between the President of the Republic and the Under Secretary of State of the United States on April 7, 1942, as supplemented and modified by the notes exchanged between the United States Ambassador to Haiti and the Secretary of State for Foreign Affairs of Haiti on June 29 and July 12, 1944, respectively, and as further modified and supplemented by the agreement concerning such program contained in the exchange of correspondence between the Executive Vice President of the Institute and the President of the Republic on July 11 and July 12, 1944, (all of such notes and correspondence being hereinafter collectively referred to as the "Basic Agreement").

Basic agreement.

58 Stat. 1439.

59 Stat. 1298.

CLAUSE I

The parties hereto mutually intend, agree and declare that the term of the Basic Agreement be and hereby is extended for an additional period of nine months beginning the first day of October 1947 and terminating the thirtieth day of June 1948.

Extension of Basic Agreement.

CLAUSE II

Field party of technicians.

The Institute shall continue to maintain in the Republic of Haiti during the term of this Extension Agreement a field party of technicians and other specialists which shall continue to be under the direction of the Chief of Field Party who shall be acceptable to the Republic and who shall be the representative of the Institute in Haiti in connection with the program to be carried out in accordance with this Extension Agreement. The Institute field party will continue to operate as the American Sanitary Mission and function in agreement and close cooperation with the Republic as the intermediary between the Republic and the Institute for the execution of the cooperative program of health and sanitation. An appropriate official of the Republic designated by the President of the Republic and hereinafter referred to as the "Representative of the Government of Haiti" shall continue to represent the Republic in the execution of the cooperative program of health and sanitation. The Republic recognizes the Institute as a corporate instrumentality of the Government of the United States of America and that the American Sanitary Mission is a division or office of the Institute.

CLAUSE III

Financing of program.

The parties hereto acknowledge that the obligation of the Republic under the Basic Agreement for the cooperative health and sanitation program is $150,000 U. S. and that the obligation of the Institute under the Basic Agreement for the same program is $800,000 U. S. In addition to the mentioned funds required by the Basic Agreement to be contributed by the Republic and the Institute, the cooperative health and sanitation program shall be further financed during the period established by this Extension Agreement as follows:

Deposit by Institute.

(a) The Institute agrees to deposit during 1947, in the Banque Nationale de la Republique d'Haiti to the account of the American Sanitary Mission, The Institute of Inter-American Affairs, the sum of $25,000 U. S.

Deposit by Haiti, etc.

(b) The Republic agrees to deposit in the Banque Nationale de la Republique to the account of the American Sanitary Mission, The Institute of Inter-American Affairs, the sum of not less than $80,000 on the following basis:

During	1947	$40,000
Not later than March 31,	1948	$40,000

In addition to the funds described above, it is understood that the Republic, when it is deemed desirable, may make available to the American Sanitary Mission real and personal property, personal services and funds for use in carrying out the cooperative health and sanitation program.

Unexpended funds.

(c) All of the unexpended portion of the funds required to be made available by the Basic Agreement by the parties thereto for the cooperative health and sanitation program shall continue to remain available for such program during the period established by this Extension Agreement. The Funds deposited by the Republic for any

particular period or the funds deposited by the Institute for any particular period to the credit of the American Sanitary Mission, the Institute of Inter-American Affairs, as provided in this Extension Agreement, are not to be withdrawn until the corresponding funds, if any, required to be deposited hereby, for that particular period are deposited by both parties. The Representative of the Government of Haiti and the Chief of Field Party shall determine by mutual agreement the disposition of any unobligated funds remaining to the credit of the American Sanitary Mission, The Institute of Inter-American Affairs, on June 30, 1948.

CLAUSE IV

Amounts withheld for purchase of materials in U. S.

The Institute may withhold from the deposit called for by Clause III(a) hereof the estimated amount deemed necessary by the Representative of the Government of Haiti and the Chief of Field Party to pay for the purchase in the United States of materials, supplies and equipment and other disbursements relating to the execution of the cooperative health and sanitation program. Any funds so withheld by the Institute shall be considered as if deposited under the terms of Clause III(a) hereof but if not expended or obligated for such purposes, they shall be deposited to the account of the American Sanitary Mission in the bank referred to in Clause III(a) hereof at any time upon mutual agreement of the Representative of the Government of Haiti and the Chief of Field Party.

CLAUSE V

Salaries of members of field party, etc.

The salaries, living allowances, travel expenses and any other amounts directly payable to, or on account of, the members of the field party of the Institute, Health and Sanitation Division, in Haiti, shall be paid exclusively from funds of the Institute other than those required by the Basic Agreement and this Extension Agreement to be deposited to the account of the American Sanitary Mission, The Institute of Inter-American Affairs.

CLAUSE VI

Rights of Institute, etc.

For the purpose of this Extension Agreement, the Republic grants unto the Institute all of those rights and privileges which are enjoyed by the several official divisions of the Republic. These rights and privileges shall include, for example, postal, telegraph and telephone services, which shall be free whenever possible, and the right to special rates granted to the Departments of the Republic by the domestic companies of maritime, air transportation, telephone and telegraph and similar services. The Institute shall be exempt from payment of custom duties and other imposts on materials imported into Haiti for its official use in carrying out the cooperative health and sanitation program. The employees of the Institute who are citizens of the United States engaged in carrying out the aforesaid cooperative program of health and sanitation shall be exempt form all taxes, sales or Social Security taxes with respect to income on which they are obligated to pay income or Social Security taxes to the Government of

the United States of America. Such employees and the immediate members of their families with them in Haiti shall also be exempt from the payment of custom and import duties on their personal effects, equipment and articles imported into Haiti for their personal use.

CLAUSE VII

Property acquired with funds deposited.

All real and personal property acquired with funds required to be deposited to the account of the American Sanitary Mission, The Institute of Inter-American Affairs, pursuant to the Basic Agreement and this Extension Agreement shall become the property of the Republic whenever agreed upon by the Representative of the Government of Haiti and the Chief of Field Party during the term of this Extension Agreement, but no later than the termination thereof.

CLAUSE VIII

Delegation of rights, etc.

Any right, power or duty conferred by the Basic Agreement and this Extension Agreement upon either the Representative of the Government of Haiti or the Chief of Field Party may be delegated by the recipient thereof to representatives, provided such representatives are considered satisfactory by the other party hereto.

CLAUSE IX

Legislation.

The Republic will take the necessary steps to obtain legislation, decrees, orders or resolutions necessary to carry out the terms of this Extension Agreement.

CLAUSE X

Force and effect of Basic Agreement.

This Extension Agreement shall supplement the provision of the Basic Agreement, the terms and provisions of which, in so far as they are not contrary to or inconsistent with the terms and provisions of this Extension Agreement shall continue in full force and effect during the term covered by this Extension Agreement.

CLAUSE XI

Effective date.

This Extension Agreement shall become effective as soon as diplomatic notes confirming and accepting this Extension Agreement have been exchanged by the Secretary of State for Foreign Affairs of the Republic and the Ambassador of the United States of America to Haiti or upon the date of execution hereof in the event that diplomatic notes approving the extension of the cooperative health and sanitation program, as herein provided, have been exchanged prior to the date of execution of this Extension Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Extension Agreement to be executed by their duly authorized representatives, in duplicate, in the English and French languages, at Port-au-Prince, Haiti, this 30th day of September, 1947.

FOR THE GOVERNMENT OF HAITI
EDMÉ TH. MANIGAT

FOR THE INSTITUTE OF INTER-AMERICAN AFFAIRS
EDWIN L. DUDLEY

ACCORD DE PROROGATION ENTRE LA REPUBLIQUE D'HAITI ET L'INSTITUT DES AFFAIRES INTERAMERICAINES, RELATIF AU PROGRAMME SANITAIRE DU GOUVERNEMENT HAITIEN.

Le présent accord de prorogation entre la République d'Haiti (ci-après dénommée l'Etat) représentée par le Secrétaire d'Etat des Relations Extérieures, Son Excellence Monsieur Edmé Th. MANIGAT, et l'Institut des Affaires Interaméricaines, agence légale du Gouvernement des Etats-Unis d'Amérique, ci-après dénommé "l'Institut", représenté par M. Edwin L. DUDLEY, Chef de Mission, Division de la Santé et de l'Hygiène de l'Institut (ci-après dénommé "Chef de la Mission"), est conclu en vue d'étendre et de modifier le programme coopératif de santé et d'assainissement entrepris conjointement par l'Etat et l'Institut suivant le précédent accord intervenu entre la République d'Haiti et le Gouvernement des Etats-Unis d'Amérique par notes échangées entre le Président de la République d'Haiti et le Sous-Secrétaire d'Etat des Etats-Unis d'Amérique le 7 Avril 1942, accord complété et modifié par de nouvelles notes échangées entre l'Ambassadeur des Etats-Unis en Haiti et le Secrétaire d'Etat des Relations Extérieures d'Haiti les 29 Juin et 12 Juillet 1944 respectivement, complété et modifié également par l'accord relatif au dit programme contenu dans l'échange de correspondance effectué entre le Vice-Président de l'Institut et le Président de la République les 11 et 12 Juillet 1944 (toutes ces notes et correspondance étant ci-après désignées collectivement par les termes "Accord Principal").

Les parties s'entendent, conviennent et déclarent que le délai d'expiration de l'Accord Principal sera et par la présente est prorogé pour une nouvelle période de neuf mois à partir du premier Octobre 1947 et jusqu'au 30 Juin 1948.

CLAUSE II

L'Institut s'engage à maintenir dans la République d'Haiti pendant la période de prorogation de l'Accord Principal le corps de techniciens et autres spécialistes qui continueront à travailler sous la direction du Chef de Mission agréé par le Gouvernement Haitien et représentant l'Institut en Haiti en tout ce qui a trait à l'exécution du programme faisant l'objet de cet accord de prorogation.

La section de l'Institut en Haiti continuera à travailler sous la dénomination de Mission Sanitaire Américaine et fonctionnera en accord et en collaboration étroite avec l'Etat comme intermédiaire entre l'Etat et l'Institut pour l'exécution du programme coopératif de santé et d'assainissement. Un officiel qualifié de l'Etat, désigné par le Président de la République et ci-après mentionné comme le "Représentant du Gouvernement d'Haiti" continuera à représenter l'Etat dans l'exécution du programme coopératif de santé et d'assainissement. L'Etat reconnaît l'Institut comme une Organisation légale du Gouvernement des Etats-Unis d'Amérique et la Mission Sanitaire Américaine comme une division ou un Bureau de l'Institut.

CLAUSE III

Les parties reconnaissent que l'obligation financière de l'Etat d'après l'Accord Principal sur le programme coopératif de santé et d'assainissement est de $ 150.000.–(Monnaie légale des Etats-Unis) et que celle de l'Institut d'après l'Accord Principal est de $ 800.000.–En plus des fonds mentionnés requis par l'Accord Principal pour les contributions de l'Etat et de l'Institut, le programme coopératif de santé et d'assainissement sera en outre financé comme suit pendant la période fixée par la présente prorogation:

a) L'institut consent à faire dépôt en 1947, à la Banque Nationale de la République d'Haiti au crédit de la Mission Sanitaire Américaine, Institut des Affaires Interaméricaines, de la somme de $ 25.000.– (monnaie légale des Etats-Unis.)

b) L'Etat consent à déposer à la Banque Nationale de la République d'Haiti, au compte Mission Sanitaire Américaine, Institut des Affaires Interaméricaines, la somme d'au moins $ 80.000.– sur la base suivante:

pendant le dernier trimestre 1947	$ 40. 000. –
au plus tard le 30 Mars 1948	40. 000. –

En plus des fonds ci-dessus énumérés, il est entendu que l'Etat, lorsque cela est jugé utile, pourra mettre à la disposition de la Mission Sanitaire Américaine des biens meubles ou immeubles, les services d'un personnel et des fonds pour être employés dans l'exécution du programme coopératif de santé et d'assainissement.

c) Toute portion de fonds non utilisée par les parties en cause et dont la disposition était prévue par l'Accord Principal sur le programme coopératif de santé, demeurera disponible pour l'exécution du dit programme pendant la période fixée par cet Accord de Prorogation. La Mission ne pourra opérer aucun tirage de fonds si préalablement l'Etat et l'Institut n'aient conjointement déposé les fonds respectivement prévus pour la période déterminée par le présent Accord de Prorogation. Le Représentant du Gouvernement Haitien et le Chef de la Mission se mettront d'accord pour décider de la disposition de tous fonds non engagés et restant au crédit de la Mission Sanitaire Américaine, l'Institut des Affaires Interaméricaines, le 30 Juin 1948.

CLAUSE IV

L'Institut peut retenir du dépôt requis par la clause III (a) le montant dûment estimé par le Représentant du Gouvernement Haitien et le Chef d'Administration, nécessaire au paiement des achats aux Etats-Unis des matériaux, fournitures, équipement et autres débours nécessités par l'exécution du programme coopératif de santé et d'assainissement. Tous fonds ainsi retenus par l'Institut seront considérés comme déposés aux termes de la clause III (a) mais s'ils ne sont pas dépensés ni requis pour les dites fins, ils seront déposés au compte de la Mission Sanitaire Américaine à la Banque mentionnée par la clause III (a) à n'importe quel moment sur consentement mutuel du Représentant du Gouvernement Haitien et du Chef de la Mission.

CLAUSE V

Les salaires, allocations, frais de voyage et d'entretien et toutes autres valeurs payables directement aux membres de la branche de l'Institut, Division de la Santé et de l'Hygiène, en Haiti, ou pour leur compte, devront être payés exclusivement des fonds de l'Institut autres que ceux requis par l'Accord Principal et cet Accord de Prorogation qui doivent être déposés au crédit de la Mission Sanitaire Américaine, Institut des Affaires Interaméricaines.

CLAUSE VI

En vue d'atteindre les fins du présent Accord de prorogation, l'Etat accorde à l'Institut tous droits et privilèges dont jouissent les différents du Gouvernement Haitien. Ces droits et privilèges comprendront entre autres les services des postes, télégraphes et téléphones, qui seront autant que possible libres de tous frais et le droit de tarif spécial accordé aux Services du Gouvernement par les compagnies de transport aérien et maritime établies dans le pays, de téléphone et télégraphe et autres services similaires. L'Institut sera exonéré du paiement des droits de douane et des autres taxes sur le matériel importé en Haiti destiné à être officiellement employé dans l'exécution du programme coopératif de santé et d'assainissement. Tous les employés de l'Institut des Affaires Interaméricaines qui sont citoyens des Etats-Unis d'Amérique, engagés dans la poursuite des objectifs du programme coopératif d'Hygiène et d'assainissement seront exonérés de tous impôts sur le revenu ou autres taxes d'assurance sociale eu égard aux revenus sur lesquels ils sont contraints de payer des impôts sur le revenu ou des taxes d'assurance sociale au Gouvernement des Etats-Unis d'Amérique. Ces employés et les membres immédiats de leurs familles résidant avec eux en Haiti seront aussi exonérés du paiement des droits de douane et autres droits à l'import sur leurs effets personnels, équipement et fournitures importés pour leur propre usage.

CLAUSE VII

Tout bien meuble ou immeuble acquis avec les fonds déposés au compte de la Mission Sanitaire Américaine, Institut des Affaires Interaméricaines, conformément à l'Accord Principal et au présent Accord de prorogation, deviendra la propriété de l'Etat à n'importe quel moment où il en sera ainsi convenu entre le Représentant du Gouvernement d'Haiti et le Chef de la Mission pendant la période d'exécution du présent Accord de Prorogation, ou au plus tard à la fin de cette prorogation.

CLAUSE VIII

Tout droit, pouvoir ou devoir conféré par l'Accord Principal et cet Accord de Prorogation soit au Représentant du Gouvernement Haitien soit au Chef de la Mission peut être délégué par la partie intéressée à des agents agréés par l'autre partie.

CLAUSE IX

L'Etat prendra les lois, décrets, ordres ou résolutions nécessaires à l'exécution des clauses du présent Accord de Prorogation.

CLAUSE X

Cet Accord de Prorogation suppléera aux clauses de l'Accord Principal, dont les termes et conditions, pour autant qu'ils ne sont contraires aux termes et dispositions de cet Accord de Prorogation ou annulés par eux, continueront d'avoir force et effet pour la période fixée par le présent Accord de Prorogation.

CLAUSE XI

Cet Accord de Prorogation entrera en vigueur aussitôt que les notes diplomatiques le confirmant et l'acceptant auront été échangées entre le Secrétaire d'Etat des Relations Extérieures de la République d'Haiti et l'Ambassadeur des Etats-Unis d'Amérique en Haiti, ou bien à la date d'entrée en vigueur dans l'éventualité que les notes diplomatiques approuvant la prorogation du programme de santé et d'assainissement, comme prévu ci-dessus, auront été échangées antérieurement à la date d'exécution du présent Accord.

En foi de quoi, les parties intéressés ont arrêté le présent Accord de Prorogation et l'on fait signer en double original par leurs Représentants, en anglais et en français, à Port-au-Prince, Haiti ce trente Septembre mil neuf cent quarante sept.

Pour le Gouvernement de la République d'Haiti:
S): EDMÉ TH. MANIGAT

Pour l'Institut des Affaires Interaméricaines:
S): EDWIN L. DUDLEY

[SEAL]

Agreement between the United States of America and Italy respecting the rights and privileges of United States forces in Italy, and the transfer of responsibility from the Allied Military Government to the Italian Government. Effected by exchange of notes signed at Rome September 3, 1947; entered into force September 3, 1947.

September 3, 1947
[T. I. A. S. 1694]

The American Ambassador to the Italian Minister of Foreign Affairs

F. O. No. 441

ROME, *September 3, 1947.*

YOUR EXCELLENCY,

Article 73 of the Treaty of Peace between the Allied and Associated Powers and Italy, provides that all Armed Forces of the Allied and Associated Powers shall be withdrawn from Italy as soon as possible and in any case not later than ninety days from the coming into force of the Peace Treaty. The numbers of the Armed Forces of the United States in Italy have, as the Italian Government is aware, been progressively reduced and it is the desire of the United States Government that those few that still remain shall be withdrawn with the least possible delay. Further, as from the date of entry into force of the Treaty of Peace, it will be necessary for Allied Military Government, which has long been restricted to the part of Venezia Giulia west of the so-called Morgan Line and to the Province of Udine, to be finally brought to an end.

Withdrawal of Allied Armed Forces from Italy.
61 Stat., Pt. 2, p. 1396.

In order (1) that the position of the aforesaid United States Forces during the period while they remain in Italy may be defined, particularly as regards matters of jurisdiction, and that certain ambiguities which otherwise might arise in regard to the facilities to be afforded them may be removed, and in order (2) to provide for the smooth transfer of responsibility from the hands of Allied Military Government to the hands of the Italian Government, discussions have taken place between representatives of the United States Government and the Italian Government who have agreed upon the provisions set out in the annex of which part I relates to the position of the United States Forces and part II to the transfer of responsibility of the Allied Military Government.

Provisions agreed upon.

Post, p. 3662.

Post, p. 3666.

I have the honor to inform your Excellency that the United States Government has confirmed its approval of these provisions and to suggest that if the Italian Government is prepared to do likewise, the present Note together with your Excellency's reply shall be regarded as constituting an agreement between our two Governments on the matter which will enter into force (1) simultaneously with the Peace Treaty between the Allied and Associated Powers and Italy as regards the provisions in part I of the annex, and (2) as from today's date as regards the provisions of part II.

Entry into force.

61 Stat., Pt. 2, p. 1245.

Post, p. 3666.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES CLEMENT DUNN

Enclosure:
Military and Civil Affairs
Agreement (Annex).

His Excellency
Count CARLO SFORZA,
Minister of Foreign Affairs,
Rome.

ANNEX

PART I.

1.

Immunities of U. S. Forces, etc.

A. The United States Forces, including their equipment and stores, shall continue to enjoy, generally, those immunities and facilities which have been afforded them hitherto, when present in or passing through, Italy. In availing themselves of these immunities and facilities, the United States Forces will take due account of the interests of the Italian population.

B. Supplementary agreements on points of detail have been or will be made between the United States High Command and the appropriate Italian authorities.

2.

Facilities accorded U. S. Forces.

A. The United States Forces shall, in agreement with the competent Italian authorities, continue to enjoy such facilities for movement in and through Italy, including Italian waters and the air space over Italian territory, as are necessary for their complete and early withdrawal.

B. The Italian Government agrees to accord the United States Forces all facilities afforded by Italian ports (including dockyards, dry docks and ship repairing facilities), public services, utilities, railroads, land waterways, telecommunications, and airfields which the Commanding General may request to effect prompt withdrawal of United States Forces for which purpose the Italian Government will afford the necessary priorities. In particular the Italian Government agrees that for mutual convenience special areas in Italian ports may continue to be designated by the Commanding General for the exclusive use of the United States Forces. The Commanding General may continue to police such areas and control the operation of port facilities therein. The Italian Government further agrees that the Commanding General shall have all rights necessary to the creation or maintenance for such time as shall appear necessary of such ports, camps, stations, hospitals, shops, depots, staging areas and such other military facilities and installations as he may determine to be necessary for the purpose of this agreement.

C. The United States High Command shall be entitled to participate, on basis of agreements to be made with competent Italian authorities, in any organization that the Italian authorities may set up for the control and safety of air traffic and of aircraft flying over Italian territory.

Control and safety of air traffic.

3.

Pending the completion of their withdrawal, the United States Forces may continue to use such of the premises which they at present occupy, for so long as the United States High Command consider necessary. All premises will be vacated as soon as possible and in any case not later than ninety days after the coming into force of the Peace Treaty except for some warehouses which may be required for a short period thereafter for the storage of equipment which is required for use up to the date of final withdrawal and which cannot be shipped on that date.

Use of premises.

61 Stat., Pt. 2, p. 1245.

4.

In order to meet the signals and postal requirements of the United States Forces.

Signals and postal requirements of U. S. Forces.

A. The Italian Government and the United States High Command will cooperate with a view to the use, by the latter, with the same right of priority as hitherto of such Italian telecommunications, radar and other communication services, including radio aids, as may be required for the purposes of the United States Forces.

B. The United States High Command shall be entitled to continue to maintain and operate such radio and radar stations and landline communications networks as are necessary for the purposes of the United States Forces and to use United States codes, cyphers and security equipment.

C. The competent Italian authorities and the United States High Command will continue to cooperate as hitherto with a view to the coordination, regulations, and allocation of all frequencies required for radio communications networks and radar installations.

D. The United States Forces may continue to conduct their own postal system and to retain existing postal arrangements and franking privileges.

5.

The United States Forces may continue to engage local civilian labor as required, either directly or through the intermediary of the competent local Italian authorities at current wage rates.

Local civilian labor.

6.

The United States Forces shall, within the limits of their necessities in Italy continue to have the right to purchase local produce, supplies and manufactured goods in Italy, either directly or through the intermediary of the competent local Italian authorities. In order that such purchases may not have an adverse effect upon Italian economy the United States High Command will come to an understanding

Purchase of local produce, etc.

with appropriate Italian authorities upon the particular articles which, from time to time, shall be excluded from local purchases by the United States Forces.

7.

Jurisdiction of U. S. military courts, etc.

The Italian Government agrees that the United States Forces, military and naval courts and commissions shall continue to have exclusive jurisdiction, civil and criminal, over all members of the United States Forces in conformity with arrangements already in force.

8.

Tax exemption.

The United States Forces and organizations or persons employed by or accompanying these Forces and property belonging to them or to their Government shall continue to be exempt from all Italian taxation (including customs). The United States High Command will continue to take the necessary steps to ensure that such property is not sold to the public in Italy, except in agreement with the Italian Government.

9.

Policing of U. S. premises.

A. The United States Forces shall have the right to police premises and areas set aside for their special use and to employ military police patrols in other areas as may be necessary for the maintenance of good order and discipline of the United States Forces. Persons who are subject to the jurisdiction of the Italian authorities may be arrested by the United States service police within such premises or areas but shall be handed over without delay to competent Italian authorities.

Offenses outside the installations, etc.

B. The Italian police shall continue to arrest personnel subject to the exclusive jurisdiction of the United States Forces for offenses against Italian law outside the installations, camps, areas and buildings referred to in the preceding sub-paragraph, and detain them until they can be handed over for disposal to the appropriate United States Military authorities. A certificate signed by a United States officer of field grade or equivalent rank that the person to whom it refers belongs to one of the classes of persons mentioned in paragraph 13 below will continue to be conclusive. The procedure for handing over such persons shall continue to be a matter for local arrangements. Immediate notification of any such arrest will be given to the nearest United States military installation.

Persons deemed to be a danger to U. S. forces.

C. The Italian Government will, at the request of the United States High Command, arrest, detain, and where sufficient evidence is produced, put on trial any persons deemed to be a danger to the security of the United States forces in Italy. In making such a request for arrest, the United States High Command will state its reason for doing so.

10.

Mutual assistance.

The Commanding General or his representatives and the appropriate Italian authorities will continue to render such mutual assistance

as may be required for making investigations, collecting evidence, securing the attendance of witnesses, in relation to cases triable under Allied, United States or Italian jurisdiction and to provide procedure for punishment in appropriate courts of witnesses who refuse or fail to comply with a summons, improperly refuse to testify, or who commit perjury or contempt of court.

11.

Displaced persons, etc.

The Italian Government agrees that the United States Forces shall have the right to hold, support and transfer any displaced persons, refugees or other internees who have not previously been transferred to the care of some other government or organization and for whose care the United States or Allied authorities may be responsible upon the coming into force of the treaty of peace, and to afford the United States Forces such facilities and assistance as may be required for the above mentioned purposes.

12.

Compensation for services furnished by Italian Government, etc.

The Italian Government will continue to make available all services and facilities required by the United States Armed Forces during this period on the same basis as in the past, in consideration for which the United States Government shall pay to the Italian Government the amount of $250,000, which amount shall be considered as full compensation for all such services and facilities furnished by the Italian Government under the terms of this Agreement. All other financial arrangements in effect between the Armed Forces of the United States and the Italian Government on February 1, 1947, shall continue in effect for the period of this Agreement.

13.

"United States Forces."

The term "United States Forces" when used in this agreement shall be defined as United States Armed Forces including persons of non-Italian nationality not belonging to such forces but who are employed by or who accompany or serve with those forces and the dependents of such persons, and Governmental organizations and accredited agencies operating under or in conjunction with such forces whenever applicable. Included in the foregoing are:

CLASS I. United States citizens who are:

1. War Department civilian employees
2. Personnel of the American Red Cross
3. Personnel employed by the Army Exchange Service
4. Other personnel possessing United States Armed Forces orders, for the period covered by the order.

CLASS II. United States citizens and aliens who are:

1. Dependents of United States Armed Forces personnel, regardless of nationality.
2. Dependents of Class I personnel indicated above.

PART II

14.

Transfer of responsibility.

61 Stat., Pt. 2, p. 1245.

The responsibility for the areas at present under Allied Military Government will pass to the Italian Government on the date of the entry into force of the Peace Treaty. In order that the transfer of responsibility may be effected as smoothly and efficiently as possible, the United States High Command will make necessary arrangements with competent Italian authorities with the object of ensuring that necessary Italian personnel may in good time be put in a position to replace United States personnel exercising military government functions.

15.

Trials by Military Government Courts.

61 Stat., Pt. 2, p. 1245.

The United States High Command may, up to the end of the ninety day period for the withdrawal of the United States Forces from Italy, continue to conduct and complete the trial by Military Government Courts of any person charged with an offense before the date of the entry into force of the Peace Treaty and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Government, or cognizable under Italian law if committed against persons, property or security of the Allied Forces.

The Italian Minister of Foreign Affairs to the American Ambassador

IL MINISTRO DEGLÍ AFFARI ESTERI ROMA, *3 settembre 1947*

SIGNOR AMBASCIATORE,

con la nota direttami in data odierna Vostra Eccellenza ha voluto comunicarmi quanto segue:

"Your Excellency,

"Article 73 of the Treaty of Peace between the Allied and Associated "Powers and ITALY, provides that all Armed Forces of the Allied "and Associated Powers shall be withdrawn from ITALY as soon as "possible and in any case NOT later than ninety days from the "coming into force of the Peace Treaty. The numbers of the Armed "Forces of the UNITED STATES in ITALY have, as the Italian "Government is aware, been progressively reduced and it is the desire "of the United States Government that those few that still remain "shall be withdrawn with the least possible delay. Further, as from "the date of entry into force of the Treaty of Peace, it will be "necessary for Allied Military Government, which has long been "restricted to the part of Venezia Giulia WEST of the so-called "MORGAN Line and to the Province of UDINE, to be finally "brought to an end.

"In order (1) that the position of the aforesaid United States "Forces during the period while they remain in ITALY may be "defined, particularly as regards matters of jurisdiction, and that "certain ambiguities which otherwise might arise in regard to the "facilities to be afforded them may be removed, and in order (2) to "provide for the smooth transfer of responsibility from the hands of "Allied Military Government to the hands of the Italian Govern-"ment, discussions have taken place between representatives of the "United States Government and the Italian Government who have "agreed upon the provisions set out in the annex of which part I "relates to the position of the United States Forces and part II to "the transfer of responsibility of the Allied Military Government.

"I have the honor to inform your Excellency that the United "States Government has confirmed its approval of these provisions "and to suggest that if the Italian Government is prepared to do "likewise, the present Note together with your Excellency's reply "shall be regarded as constituting an agreement between our two "Governments on the matter which will enter into force (1) simul-"taneously with the Peace Treaty between the Allied and Associated "Powers and ITALY as regards the provisions in part I of the annex, "and (2) as from today's date as regards the provisions of part II.

"Accept, Excellency, the renewed assurances of my highest con-"sideration".

Ho l'onore di portare a conoscenza dell'Eccellenza Vostra che il Governo Italiano concorda con quanto Ella ha proposto con la nota predetta ed approva da parte sua le disposizioni contenute nell'-Annesso unito alla nota stessa, il cui testo in lingua italiana è allegato alla presente lettera.

Voglia gradire, Signor Ambasciatore, gli atti della mia più alta considerazione

SFORZA

Sua Eccellenza
il Signor JAMES CLEMENT DUNN
Ambasciatore degli Stati Uniti d'America
Roma

ANNESSO

PARTE PRIMA

1.a) Le Forze degli Stati Uniti, ivi compresi il loro equipaggiamento e depositi, allorchè sosteranno o transiteranno in territorio italiano, continueranno in linea generale a beneficiare di quelle immunità e facilitazioni che sono state loro concesse finora. Nell'avvalersi di tali immunità e facilitazioni, le Forze degli Stati Uniti terranno dovuto conto degli interessi della popolazione italiana.

b) Accordi supplementari su questioni di dettaglio sono stati e saranno conchiusi tra l'Alto Comando degli Stati Uniti e le competenti Autorità Italiane.

2.a) Le Forze degli Stati Uniti, d'accordo con le competenti Autorità Italiane, continueranno a godere, per i loro movimenti entro il territorio italiano, ivi comprese le acque italiane e lo spazio aereo sovrastante il territorio italiano, di quelle facilitazioni che siano necessarie per il loro completo e rapido ritiro.

b) Il Governo Italiano acconsente a concedere alle Forze degli Stati Uniti tutte le facilitazioni offerte dai porti italiani (ivi compresi cantieri, bacini di carenaggio, ed attrezzature per riparazioni di navi), servizi pubblici, impianti, ferrovie, vie di navigazione fluviale, telecomunicazioni, ed aeroporti che il Generale Comandante possa richiedere per effettuare il sollecito ritiro delle Forze degli Stati Uniti, per il quale scopo il Governo Italiano accorderà le precedenze necessarie.

In particolare, il Governo Italiano acconsente a che, per mutua convenienza, speciali zone nei porti italiani possano continuare a venir designate dal Generale Comandante per uso esclusivo delle Forze degli Stati Uniti. Il Generale Comandante potrà continuare ad esercitare poteri di polizia in tali zone e controllarvi il funzionamento delle attrezzature portuali. Il Governo Italiano inoltre acconsente a che il Generale abbia tutti i diritti occorrenti per la istituzione e il mantenimento, per il tempo che apparirà necessario, di quei porti, accampamenti, stazioni, ospedali, magazzini, depositi, zone di smistamento ed ogni altra attrezzatura o istallazione militare che egli ritenga necessari ai fini del presente accordo.

c) L'Alto Comando degli Stati Uniti avrà facoltà di partecipare, sulla base di accordi da prendere con le Autorità Italiane competenti, a qualsiasi organizzazione che le Autorità Italiane potranno costituire per il controllo e la sicurezza del traffico aereo e degli apparecchi che sorvolino il territorio italiano.

3.) Durante l'effettuazione del loro completo ritiro, le Forze degli Stati Uniti potranno continuare ad usare quegli edifici che esse occupano attualmente e per tutto il tempo che l'Alto Comando degli Stati Uniti riterrà necessario.

Tutti gli edifici saranno evacuati appena possibile ed in ogni caso non oltre il novantesimo giorno dopo l'entrata in vigore del Trattato di Pace fatta eccezione per alcuni magazzini che possono essere richiesti per un breve periodo oltre tale data allo scopo di depositarvi materiali che debbono essere usati fino alla data del ritiro definitivo e che non possono essere spediti alla data stessa.

4.) Per far fronte alle necessità postali e di telecomunicazioni delle Forze degli Stati Uniti:

a) – il Governo Italiano e l'Alto Comando degli Stati Uniti coopereranno affinchè quest'ultimo possa avvalersi, con lo stesso diritto di precedenza goduto finora, dei servizi di telecomunicazione, servizi RADAR e altri mezzi di comunicazione compresa l'assistenza radiotelegrafica, che possono essere richiesti dai bisogni delle Forze degli Stati Uniti.

b) – L'Alto Comando degli Stati Uniti avrà la facoltà de continuare a mantenere e far funzionare quelle stazioni radio e RADAR e reti di comunicazione terrestri che siano necessarie per i bisogni delle Forze degli Stati Uniti e ad usare codici degli Stati Uniti, cifrari e mezzi di sicurezza.

c) – Le competenti Autorità Italiane e l'Alto Comando degli Stati Uniti continueranno a cooperare come prima alla coordinazione, regolamentazione e assegnazione di tutte le frequenze di onda richieste per la rete di radio comunicazioni e le istallazioni RADAR.

d) – Le Forze degli Stati Uniti potranno continuare a gestire il loro proprio sistema postale e ad usufruire degli accordi postali esistenti e dei privilegi di franchigia.

5.) Le Forze degli Stati Uniti potranno continuare ad assumere localmente personale civile secondo i loro bisogni, sia direttamente che tramite le competenti Autorità Italiane locali, alle condizioni salariali correnti.

6.) Le Forze degli Stati Uniti continueranno, entro i limiti delle loro necessità in Italia ad avere il diritto di acquistare prodotti locali derrate e manufatti, sia direttamente che per il tramite delle competenti Autorità Italiane locali. Ad evitare che tali acquisti possano avere effetti dannosi all'economia italiana, l'Alto Comando degli Stati Uniti prenderà accordi con le competenti Autorità Italiane per escludere di volta in volta determinati articoli dagli acquisti locali delle Forze degli Stati Uniti.

7.) Il Governo Italiano acconsente a che le Forze degli Stati Uniti, i Tribunali e le Commissioni Militari e Navali continuino ad avere esclusiva giurisdizione civile e penale su tutti i membri delle Forze degli Stati Uniti in conformità alle intese già in vigore.

8.) Le Forze degli Stati Uniti e gli enti o le persone impiegate da tali Forze o che ne fanno parte e i beni appartenenti ad esse ed al

loro Governo continueranno ad essere esenti da ogni imposta italiana, compresi i dazi doganali.

L'Alto Comando degli Stati Uniti continuerà a prendere i provvedimenti necessari ad evitare che i detti beni siano venduti al pubblico italiano se non d'accordo con il Governo Italiano.

9. a) Le Forze degli Stati Uniti avranno il diritto di esercitare poteri di polizia negli edifici e nelle zone destinate al loro uso particolare e di impiegare pattuglie di polizia militare in altre zone quando ciò sia necessario allo scopo di mantenere l'ordine e la disciplina delle truppe degli Stati Uniti. Persone sottoposte alla giurisdizione delle Autorità Italiane possono essere arrestate dalla polizia militare degli Stati Uniti entro tali edifici e zone ma saranno senza indugio consegnate alle competenti Autorità Italiane.

b) La polizia italiana continuerà ad arrestare persone sottoposte all'esclusiva giurisdizione delle Forze degli Stati Uniti per offese alla legge italiana al di fuori delle istallazioni, accampamenti, aree ed edifici di cui è menzione nel precedente comma, trattenendo tali persone finchè potranno essere messe a disposizione delle competenti Autorità militari degli Stati Uniti. A tale scopo continuerà ad essere sufficiente una dichiarazione firmata da un ufficiale superiore degli Stati Uniti o di grado equivalente, attestante che le persone di cui si tratta appartengono ad una delle categorie di cui all'art. 13. La procedura per il trasferimento di tali persone sarà fissata localmente. Notifica immediata di ogni arresto del genere verrà data al più vicino posto militare degli Stati Uniti.

c) Il Governo Italiano, a richiesta dell'Alto Comando degli Stati Uniti, procederà al fermo, alla detenzione e, quando vi siano prove sufficienti, al rinvio a giudizio delle persone ritenute pericolose alla sicurezza delle Forze degli Stati Uniti in Italia. Nell'avanzare tali richieste d'arresto l'Alto Comando degli Stati Uniti ne comunicherà i motivi.

10.) Il Generale Comandante o i suoi rappresentanti e le competenti Autorità Italiane continueranno a prestarsi quella reciproca assistenza che sarà necessaria per le indagini, la raccolta di prove e la comparsa di testimoni, in relazione a procedimenti sottoposti alla giurisdizione alleata, degli Stati Uniti o italiana nonchè a provvedere per la condanna dinanzi alla magistratura competente di testimoni che rifiutino o manchino di ottemperare alle citazioni, rifiutino indebitamente di testimoniare o giurino il falso o commettano oltraggio all'autorità giudiziaria.

11.) Il Governo Italiano acconsente a che le Forze degli Stati Uniti abbiano il diritto di custodire, mantenere e trasferire i "D. P.", i rifugiati e gli altri internati che non siano stati previamente trasferiti a cura di altro governo od organizzazione e per i quali gli Stati Uniti o le Autorità Alleate siano responsabili all'atto dell'entrata in vigore del trattato di pace, nonchè ad accordare alle Forze degli Stati Uniti le facilitazioni e l'assistenza che siano necessari agli scopi anzidetti.

12.) Durante questo periodo il Governo Italiano continuerà a mantenere a disposizione tutti i servizi e le agevolazioni necessarie alle

Forze Armate degli Stati Uniti, sulla stessa base che in passato; in considerazione di ciò il Governo degli Stati Uniti pagherà al Governo Italiano la somma di dollari 250 mila, ammontare che verrà considerato come totale rimborso per tutti i servizi e le agevolazioni forniti dal Governo Italiano ai termini del presente accordo.

Ogni altro accordo di carattere finanziario avente vigore fra le FF. AA. degli Stati Uniti e il Governo Italiano al 1° febbraio 1947, continuerà ad aver vigore per la durata del presente accordo.

13.) L'espressione "Forze degli Stati Uniti", usata nel presente accordo va intesa come "Forze Armate degli Stati Uniti" ivi comprese le persone di nazionalità non italiana che, pur non appartenendo a tali Forze, siano impiegate o accompagnino o prestino servizio con esse ed i loro dipendenti, nonchè gli enti governativi e gli agenti accreditati che svolgono la loro attività alle dipendenze o in collegamento con le forze stesse. Sono inclusi nelle categorie precedenti:

Gruppo I – Cittadini degli Stati Uniti che sono:

a) Impiegati civili del Dipartimento della Guerra

b) Personale della Croce Rossa Americana

c) Personale impiegato dall'"Army Exchange Service"

d) Altro Personale che sia fornito di documenti di viaggio rilasciati dalle Forze Armate degli Stati Uniti per il periodo cui si riferiscono i documenti stessi.

Gruppo II – Cittadini degli Stati Uniti e stranieri che sono:

a) Familiari a carico di personale delle Forze Armate degli Stati Uniti, indipendentemente dalla nazionalità.

b) Familiari a carico del personale del Gruppo I suindicato.

PARTE SECONDA

14.) La responsabilità per le zone attualmente sotto il Governo Militare Alleato passerà al Governo Italiano alla data dell'entrata in vigore del Trattato di Pace. Allo scopo di assicurare che il trasferimento di tale responsabilità venga effettuato nel modo più normale ed efficace possibile, l'Alto Comando degli Stati Uniti prenderà gli accordi necessari con le competenti Autorità Italiane al fine di assicurare che il personale italiano necessario sia tempestivamente posto in grado di sostituire il personale degli Stati Uniti esercitante funzioni di governo militare.

15.) L'Alto Comando degli Stati Uniti ha facoltà, entro il periodo di novanta giorni stabiliti per il ritiro delle Forze degli Stati Uniti dall'-Italia, di continuare sino ad esaurimento da parte dei tribunali militari lo svolgimento dei processi in corso contro chiunque sia accusato di reato commesso anteriormente alla data dell'entrata in vigore del Trattato di Pace, reate contemplato da un qualsiasi proclama od ordinanza già emanata dal governo militare alleato o per suo conto, o previsto dalla legge italiana, se sia stato commesso contro persone, la proprietà o la sicurezza delle forze alleate.

Translation

THE MINISTER OF FOREIGN AFFAIRS ROME, *September 3, 1947*

MR. AMBASSADOR:

By the note of today's date addressed to me, Your Excellency was good enough to inform me as follows:

[For the text of the American Ambassador's note see p. 3661.]

Italian agreement with proposal.

I have the honor to inform Your Excellency that the Italian Government is in agreement with the proposal made by you in the preceding note and approves for its part the provisions contained in the Annex attached to the said note, the text of which in the Italian language is enclosed with the present letter.

Ante, p. 3662.

Please accept, Mr. Ambassador, the assurances of my highest consideration.

SFORZA

His Excellency
JAMES CLEMENT DUNN
Ambassador of the United States of America
Rome

ANNEX

FIRST PART

1. (a) The United States Forces, including their equipment and stores, shall continue to enjoy, generally, those immunities and facilities which have been afforded them hitherto, when present in or passing through Italian territory. In availing themselves of such immunities and facilities, the United States Forces will take due account of the interests of the Italian people.

(b) Supplementary agreements on points of detail have been and will be made between the United States High Command and the appropriate Italian authorities.

2. (a) The United States Forces shall, in agreement with the competent Italian authorities, continue to enjoy such facilities for movement within Italian territory, including Italian waters and the air space above Italian territory, as are necessary for their complete and rapid withdrawal.

(b) The Italian Government agrees to accord to the United States Forces all facilities afforded by Italian ports (including dockyards, dry docks, and ship repairing facilities), public services, plants, railroads, land waterways, telecommunications and airports which the Commanding General may request to effect prompt withdrawal of the United States Forces, for which purpose the Italian Government will afford the necessary priorities.

In particular, the Italian Government agrees that, for mutual convenience, special areas in Italian ports may continue to be designated by the Commanding General for the exclusive use of the United States Forces. The Commanding General may continue to police such areas and to have control of the operation of port facilities therein. The Italian Government also agrees that the Commanding General shall have all rights necessary for the creation and maintenance, for such time as shall appear necessary, of such ports, camps, stations, hospitals, warehouses, depots, staging areas and such other military facilities or installations which he may consider necessary for the purposes of this agreement.

(c) The United States High Command shall be entitled to participate, on the basis of agreements to be made with the competent Italian authorities, in any organization that the Italian authorities may set up for the control and safety of air traffic and of aircraft flying over Italian territory.

3.) Pending the completion of their withdrawal, the United States Forces may continue to make use of such buildings which they at present occupy, for so long as the United States High Command may consider necessary.

All buildings will be evacuated as soon as possible and in any case no later than the ninetieth day after the coming into force of the Peace Treaty except for some warehouses which may be required for a short period thereafter for the storage of equipment which is to be used up to the date of final withdrawal and which cannot be shipped on that date.

4.) In order to meet the postal and telecommunications requirements of the United States Forces:

(a) The Italian Government and the United States High Command will cooperate in order that the latter may avail itself, with the same right of priority as hitherto, of telecommunications and radar services and other means of communication, including radio-telegraph aids, as may be required by the needs of the United States Armed Forces.

(b) The United States High Command shall be entitled to continue to maintain and operate such radio and radar stations and landline communications networks as are necessary for the needs of the United States Forces and to use United States codes, ciphers and security equipment.

(c) The competent Italian authorities and the United States High Command will continue to cooperate as hitherto in the coordination, regulation, and allocation of all frequencies required for radio communications networks and radar installations.

(d) The United States Forces may continue to conduct their own postal system and to make use of existing postal agreements and franking privileges.

5.) The United States Forces may continue to engage locally civilian personnel as required, either directly or through the intermediary of the competent local Italian authorities, at current wage rates.

6.) The United States Forces shall, within the limits of their necessities in Italy, continue to have the right to purchase local produce, commodities and manufactured goods, either directly or through the intermediary of the competent local Italian authorities. In order that such purchases may not have an adverse effect upon Italian economy, the United States High Command will come to an understanding with the appropriate Italian authorities to exclude from time to time particular articles from local purchases by the United States Forces.

7.) The Italian Government agrees that the United States Forces, military and naval courts and commissions shall continue to have exclusive jurisdiction, civil and criminal, over all members of the United States Forces in conformity with the arrangements already in force.

8.) The United States Forces and the organizations or persons employed by such Forces or which are part of them and property belonging to them and to their Government shall continue to be exempt from all Italian taxation, including customs.

The United States High Command will continue to take the necessary steps to ensure that such property is not sold to the Italian public except in agreement with the Italian Government.

9. (a) The United States Forces shall have the right to exercise police powers in the buildings and areas set aside for their special use and to employ military police patrols in other areas when that may be necessary to maintain the order and discipline of the United States troops. Persons who are subject to the jurisdiction of the Italian authorities may be arrested by the United States military

police within such buildings and areas but shall be turned over without delay to the competent Italian authorities.

(b) The Italian police shall continue to arrest persons subject to the exclusive jurisdiction of the United States Forces for offenses against Italian law outside the installations, camps, areas and buildings referred to in the preceding sub-paragraph, and detain such persons until they can be placed at the disposal of the appropriate United States military authorities. For that purpose, a certificate signed by a United States officer of field grade or equivalent rank attesting that the persons in question belong to one of the classes mentioned in Article 13 will continue to be sufficient. The procedure for the transfer of such persons shall be determined locally. Immediate notification of such arrest will be given to the nearest United States military post.

(c) The Italian Government will, at the request of the United States High Command, arrest, detain and, when there is sufficient proof, put on trial persons dangerous to the security of the United States Forces in Italy. In making such requests for arrest, the United States High Command shall indicate the reasons for doing so.

10. The Commanding General or his representatives and the appropriate Italian Authorities will continue to render such mutual assistance as may be required for the investigations, collection of evidence and the appearance of witnesses, in relation to proceedings subject to Allied, United States or Italian jurisdiction and to provide for the sentencing in the appropriate courts of witnesses who refuse or fail to comply with the summons, improperly refuse to testify, or who commit perjury or who are in contempt of court.

11.) The Italian Government agrees that the United States Forces shall have the right to hold, support and transfer any "D.P's", refugees and other internees who have not previously been transferred to the care of some other government or organization and for whom the United States or Allied authorities may be responsible upon the coming into force of the treaty of peace, and agrees to afford the United States Forces such facilities and assistance as may be required for the above-mentioned purposes.

12.) The Italian Government will continue to make available all the services and facilities required by the United States Armed Forces during this period on the same basis as in the past in consideration for which the United States Government shall pay to the Italian Government the amount of 250 thousand dollars, which amount shall be considered as full compensation for all the services and facilities furnished by the Italian Government under the terms of the present agreement.

All other financial arrangements in effect between the Armed Forces of the United States and the Italian Government on February 1, 1947 shall continue in effect for the period of this Agreement.

13.) The term "United States Forces", used in this agreement shall be understood as United States Armed Forces, including persons of non-Italian nationality who, although not belonging to such Forces,

are employed by or accompany or serve with them and their dependents, and government organizations and accredited agents operating under or in conjunction with such forces. Included in the preceding category are:

Class I – United States citizens who are:

(a) War Department civilian employees.
(b) Personnel of the American Red Cross.
(c) Personnel employed by the Army Exchange Service.
(d) Other Personnel possessing (travel orders issued by the United States Armed Forces, for the period referred to in) such orders.

Class II – United States citizens and aliens who are:

(a) Dependents of United States Armed Forces personnel regardless of nationality.
(b) Dependents of the Class I personnel indicated above.

SECOND PART

14.) The responsibility for the areas at present under the Allied Military Government will pass to the Italian Government on the date of the entering into effect of the Peace Treaty. In order to make certain that the transfer of such responsibility may be effected as smoothly and efficiently as possible, the United States High Command will make the necessary arrangements with the competent Italian authorities with the object of ensuring that the necessary Italian personnel may in good time be put in a position to replace United States personnel exercising military government functions.

15.) The United States High Command may, within the period of ninety days set for the withdrawal of the United States Forces from Italy, continue to conduct and complete the trial by the Military Courts of anyone charged with an offense committed before the date of the entry into force of the Peace Treaty, an offense covered by any proclamation or order heretofore issued by or on behalf of the Allied Military Government, or covered by Italian law, if committed against persons, property or the security of the Allied Forces.

Agreement between the United States of America and Canada respecting an arrangement for evaluation of all facilities of the Canol Project. Effected by exchange of notes signed at Ottawa February 26, 1945; entered into force February 26, 1945.

February 26, 1945
[T. I. A. S. 1695]

The American Ambassador to the Canadian Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, Canada, February 26, 1945.

No. 290

SIR:

I have the honor to refer to previous correspondence and specifically to the exchanges of notes of June 27 and 29, 1942, August 14 and 15, 1942, and June 7, 1944, as well as to recent discussions which have taken place with officials of your Government, all with regard to the Canol Project.

57 Stat. 1413.
57 Stat. 1416; 58 Stat. 1384.

In the note of June 27, 1942, my Government proposed that the pipeline from Norman Wells to Whitehorse and the refinery at Whitehorse should be operated under contracts with it or by its agents or representatives during the war. I am instructed now to propose that this shall not be construed as requiring that the United States shall continue to operate the pipeline and the refinery until the termination of hostilities, and further to seek the agreement of your Government that the United States may terminate or modify operation of any or all of the facilities of the Canol Project including the products pipeline system when, in its opinion, military considerations make such a course desirable. It is understood that the United States authorities will remain responsible for such care or maintenance of the facilities as they regard as necessary or desirable.

57 Stat. 1413.

In the exchange of notes of August 14 and 15, 1942, it was provided that at the termination of hostilities discussions should be undertaken at the request of either Government with a view to reaching an agreement in regard to the disposition of the pipeline from Skagway to Whitehorse. Subsequently, by exchange of notes dated June 7, 1944, the two Governments agreed that the foregoing arrangements should apply also to the gasoline distribution lines from Carcross to Watson Lake and from Whitehorse to Fairbanks. My Government now desires to propose that the products pipeline system be evaluated by the appraisers appointed for the valuation of the crude oil system, but as an independent problem.

57 Stat. 1416.
58 Stat. 1384.

The exchange of notes of June 27 and 29, 1942, provides for valuation of the crude oil pipeline and refinery at the termination of hostilities at the then commercial value of these facilities. My Government now desires to propose that all the facilities of the Canol Project,

57 Stat. 1413.

including the products pipeline system, shall be valued at their commercial values as of the time or times of the completion of the appraisal, and in this connection it proposes that appraisal of the Canol Project should be initiated within a reasonable time following notice of the termination of operation of the project, or a major part thereof, and completed as soon as practicable.

It therefore further proposes that the two Governments appoint representatives at an early date in order jointly to inspect the physical property, collect information and submit preliminary reports relating to evaluation as early as practicable and, if possible, prior to the termination of operations.

If your Government agrees to the proposals made herein it is suggested that this note and your reply indicating such agreement shall be regarded as placing on record the understanding of the two Governments on this matter.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 17

OTTAWA, *February 26, 1945.*

EXCELLENCY:

I have the honour to acknowledge your note No. 290 of February 26 in which you make certain proposals with regard to the Canol Project.

The proposals set forth in your note are acceptable to the Canadian Government, and it is agreed that your note and this reply shall be regarded as placing on record the understanding arrived at between the two Governments on this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

W. L. MACKENZIE KING.
Secretary of State for
External Affairs.

His Excellency
The United States Ambassador to Canada,
Embassy of the United States of America,
Ottawa, Canada.

Agreement between the United States of America and Canada respecting waiver by Canada of certain rights relating to crude oil facilities of the Canol Project. Effected by exchange of notes signed at Ottawa August 31, and September 6, 1945; entered into force September 6, 1945.

August 31 and September 6, 1945
[T. I. A. S. 1696]

The Canadian Secretary of State for External Affairs to the American Chargé d'Affaires ad interim

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 83

OTTAWA, *August 31, 1945.*

SIR:

Under the exchange of notes of June 27–29, 1942, the Canadian Government acquired an option to purchase the facilities of the crude oil pipeline from Norman Wells to Whitehorse and the refinery at Whitehorse at a valuation based upon the commercial value of the pipeline and refinery as agreed by valuers named by Canada and the United States. Under the exchange of notes of February 26, 1945, it was agreed that this valuation should take place within a reasonable time following notice of the termination of operation of the project or a major part thereof.

57 Stat. 1413.

Ante, p. 3677.

The Canadian Government has decided not to exercise the option referred to in the preceding paragraph and desires to inform the Government of the United States that it is now willing to waive that option. Under these circumstances it believes that the interest of neither country would be served by proceeding with former plans for joint valuation and that these should therefore be abandoned.

The exchange of notes of June 27–29, 1942, provided that if the Canadian Government did not exercise its option, now waived, to purchase the crude oil facilities within three months, they might be offered for sale by public tender with the amount of the valuation as the reserve price. In view of the desire of the Canadian Government not to proceed with joint valuation of the project, the Canadian Government likewise waives the provision above referred to whereby the facilities must be offered at the reserve price.

57 Stat. 1413.

It is understood that the United States Government will at a later date submit to the Canadian Government plans for the disposition of the Canol facilities.

The Canadian Government hopes that the waivers of its rights as set forth above will be acceptable to the Government of the United States and will facilitate disposition of the Canol facilities.

Accept, Sir, the renewed assurances of my highest consideration.

N A ROBERTSON
For Secretary of State for External Affairs.

The Charge d'Affaires a.i.,
United States Embassy,
Ottawa, Canada.

The American Ambassador to the Canadian Secretary of State for External Affairs

No. 366. OTTAWA, CANADA, *September 6, 1945.*

SIR:

I have the honor to acknowledge the receipt of your note No. 83 of August 31, 1945, regarding the crude oil facilities of the Canol Project, and to confirm the understanding that the Government of the United States will at a later date submit to the Canadian Government plans for the disposition of the Canol facilities.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

Arrangement between the United States of America and Canada respecting disposal of crude oil facilities of the Canol Project. Effected by exchange of notes signed at Ottawa November 7 and December 30, 1946; entered into force December 30, 1946. And exchange of notes signed March 5 and 6, 1947.

November 7, December 30, 1946, March 5, 6, 1947
[T. I. A. S. 1697]

The American Ambassador to the Canadian Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, Canada November 7, 1946

No. 593

SIR:

I have the honor to refer to your note No. 83, dated August 31, 1945, and to my note No. 366, dated September 6, 1945, in regard to the crude oil pipeline from Norman Wells, Northwest Territories, to Whitehorse, Yukon Territory, and the refinery at Whitehorse, which, together with equipment pertaining thereto, have been referred to as the crude oil facilities of the Canol Project. My reply of September 6 confirmed the understanding that the United States would at a later date submit to the Canadian Government *plans* for the disposition of these facilities.

Ante, pp. 3679, 3680.

In accordance with the understanding referred to, there are set forth in this note proposed plans for disposal which, it is hoped, will prove acceptable to your Government. These proposals have been drawn up to give effect to the underlying principle, that, as military considerations are no longer paramount, disposal should be accomplished in a manner designed to recover the fair monetary value of facilities.

It will be recalled that in the exchange of notes of June 27–29, 1942, the two Governments agreed that if neither the Canadian Government nor any private company desired to purchase the crude oil pipeline and refinery, the disposition of both facilities should be referred to the Permanent Joint Board on Defense for consideration and recommendation. It was further agreed in the same exchange of notes that the two Governments would not themselves order or allow the dismantling of either the pipeline or the refinery unless and until approval for dismantlement should be recommended by the Permanent Joint Board on Defense.

57 Stat. 1413.

In the foregoing connection I understand that it is the view of the competent military authorities of our two countries that the crude oil facilities of the Canol Project no longer have defense value. Accordingly, it seems apparent that the above referred to provisions relating to the Permanent Joint Board are now unnecessary and should be annulled in order that the disposal authorities may have maximum freedom of action. My Government hopes that the Canadian Government will concur in this view and will agree to the

annulment of those provisions, thereby permitting dismantlement of the facilities if that course should be desired by the United States authorities or its successors in interest. In the event that the Canadian Government concurs in the foregoing, my Government further desires to propose the following plans to cover the disposition of the crude oil facilities of the Canol Project:

Sale.

1. It is proposed to advertise the sale of the crude oil facilities in the press of both Canada and the United States. The following general principles will be observed in selling and disposing of the facilities.

Transfer to private ownership.

A. (i) The United States Government may, if it so desires, transfer the crude oil facilities of the Canol Project, or any part thereof, to private ownership, subject to the laws of Canada and the territory or territories in which such facilities are situate. Such transfer shall be exempt from import duties and excise taxes.

(ii) The land, rights of way, riparian rights and other easements, supplied by and owned by the Canadian Government and required for the satisfactory utilization of the facilities, may be leased or acquired by the purchaser or purchasers on equitable terms from the Canadian Government under the laws of Canada and the territory or territories concerned.

(iii) The land, rights of way, riparian rights and other easements, supplied by but not owned by the Canadian Government and required for the satisfactory utilization of the facilities, will be acquired by the Canadian Government and transferred to the purchaser or purchasers at his or their expense if such purchaser or purchasers are unable to lease or acquire such land, rights of way, riparian rights and easements on equitable terms from the owners.

(iv) Subject to the foregoing clauses (ii) and (iii) of this paragraph, the purchaser or purchasers shall enjoy the rights set forth in paragraph 3 (b) of my note of June 7, 1944, as interpreted by section 4 of the same note.

58 Stat. 1384.

(v) The facilities, together with the land, rights of way, riparian rights and other easements leased or acquired by the new owner or owners shall be held and, if operated, shall be operated under the laws of Canada and the territory or territories in which they are situate. No owner, however, would be obligated to operate the facilities.

Removal from Canada.

B. If the United States Government does not dispose of any or all of the facilities under the terms of paragraph A above, the Government, its agents, or its successors in interest may remove from Canada such of the facilities as they may elect to remove for use in the United States or elsewhere. It is understood that if the United States, its agents, or its successors in interest do elect to remove any or all of the facilities, the Canadian Government will facilitate such operations by providing for continuance of the rights referred to under paragraph 4 (b) and 4 (d) of the American note of June 27, 1942. It is not intended to give either A or B above precedence

57 Stat. 1414.

or priority over the other since the governing factor will be the amount bid.

C. The Government of Canada may purchase from the United States through the appropriate governmental agencies such of the facilities not disposed of under A or B as that Government may desire to obtain for its own use or disposition.

Purchase by Canada.

D. Any of the facilities not disposed of under paragraphs A, B, and C above, after a period of two years from the date of this agreement, shall, at the option of the United States, either be removed from Canada by the United States authorities or shall be left *in situ* and regarded as of no value unless put to beneficial use. The principle is recognized that if any such property should thereafter be put to beneficial use the United States Government should receive fair compensation.

2. In view of certain provisions of the Surplus Property Act of 1944, it is proposed that the provisions of this note and your reply agreeing thereto constitute an arrangement between our two Governments effective at a date mutually to be agreed upon, such date to be not less than thirty days from the date of your reply. It is further proposed that the arrangement shall be effective only if neither Government has, before the date referred to in the preceding sentence, expressed a desire for any change in the lettered paragraphs A through D above.

58 Stat. 765. 50 U. S. C. app. §§ 1611–1646.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 168

OTTAWA, *December 30th, 1946.*

EXCELLENCY,

I have the honour to acknowledge the receipt of your note No. 593 of November 7 in which you make certain proposals with regard to the disposal of the Canol Project.

Ante, p. 3681.

2. The proposals made in your note under reference have been examined by the appropriate authorities of the Canadian Government and it gives me pleasure to inform you that those proposals are accepted. It is therefore agreed that the provisions of your note and this reply constitute an agreement between our two Governments which shall be effective at a date mutually to be agreed upon, such date to be not before January 29th, 1947, thirty days from the date of this note. It

is further agreed that the arrangement shall be effective only if neither Government has, before the effective date of this arrangement, expressed a desire for any change in the lettered paragraphs A through D of your note No. 593.

Ante, pp. 3682-3683.

Accept, Excellency, the renewed assurances of my highest consideration.

R. M. MACDONNELL
for the Secretary of State for
External Affairs.

His Excellency,
the United States Ambassador,
United States Embassy,
Ottawa.

The Canadian Acting Under-Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

OTTAWA, *December 30th, 1946.*

DEAR MR. ATHERTON,

May I refer to the exchange of notes dated November 7th and December 30th, 1946 which provides for the disposal of the Canol crude oil facilities, and particularly to section 1D of your note No. 593.

Ante, p. 3683.

It is the understanding of the Canadian Government that neither section 1D nor any other provision of your note under reference imposes on Canada any responsibility for the custody of any of the Canol facilities at any time in the future. Further, it is our understanding that the Canadian Government does not accept responsibility for the payment of fair compensation to the United States Government should, at any time after the two-year period, it be brought to our attention that any of the Canol facilities are being put to beneficial use by private interests.

I should be grateful if you would confirm that this is the interpretation which has been placed on this agreement by your Government.

Yours sincerely,

R. M. MACDONNELL
Acting Under-Secretary of State
for External Affairs.

His Excellency
the Hon. RAY ATHERTON,
United States Ambassador to Canada,
United States Embassy,
Ottawa.

The American Ambassador to the Canadian Acting Under-Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, Canada, December 30, 1946.

DEAR MR. MACDONNELL:

I have received your letter of December 30, 1946 referring to the exchange of notes dated November 7 and December 30, 1946 which provides for the disposal of the Canol crude oil facilities and particularly to section 1D of my note, and setting forth the interpretation which has been placed on this agreement by your Government. *Ante*, p. 3683.

I am pleased to inform you that my Government is in agreement with the interpretation of this agreement as set forth in your letter under reference.

Sincerely yours,

RAY ATHERTON

R. M. MACDONNELL, *Esquire,*
Acting Under Secretary of State
for External Affairs,
Department of External Affairs,
Ottawa.

The American Ambassador to the Canadian Secretary of State for External Affairs

AMERICAN EMBASSY
Ottawa, March 5, 1947

No. 656

SIR:

I have the honor to refer to your Note No. 168 of December 30, 1946, in which you informed me that the Canadian Government was agreeable to certain proposals which had been made by the United States Government with regard to the disposition of the crude oil facilities of the Canol project, which had been transmitted to you by my Note No. 593 of November 7, 1946. In the exchange of notes in question it was provided that the agreement thus arrived at should become effective at a date mutually to be agreed upon. *Ante*, p. 3683. *Ante*, p. 3681.

Effective date.

I have now been instructed to inform you that the United States Government suggests March 1, 1947 as the effective date of the agreement. If this date is agreeable to the Canadian Government, it is proposed that this note and your reply thereto in that sense shall fix March 1, 1947 as the effective date of the agreement between the Canadian and American Governments relative to the disposal of the Canol crude oil facilities.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Secretary of State
for External Affairs,
Ottawa.

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 30

OTTAWA, *March 6, 1947*

EXCELLENCY:

I have the honour to refer to your Note No. 656 of March 5 and to inform you that the Canadian Government concurs in the suggestion of the United States Government that March 1, 1947, be designated as the effective date of the agreement between Canada and the United States set forth in the supplementary Exchange of Notes regarding the disposal of the crude oil facilities of the Canol project signed at Ottawa, November 7 and December 30, 1946.

Ante, pp. 3681-3685.

It is agreed that your Note and this reply shall fix March 1, 1947, as the effective date of the agreement between the two Governments relative to the disposal of the Canol crude oil facilities.

Accept, Excellency, the renewed assurances of my highest consideration.

L B PEARSON
for Secretary of State
for External Affairs.

His Excellency the Honourable RAY ATHERTON,
Ambassador of the United States of America,
100 Wellington Street,
Ottawa.

Agreement between the United States of America and Italy respecting the reciprocal application of Article I of the Extradition Convention of March 23, 1868. Effected by exchange of notes signed at Rome April 16 and 17, 1946; entered into force April 17, 1946.

April 16, 17, 1946
[T. I. A. S. 1699]

The American Chargé d'Affaires ad interim to the Italian Minister of Foreign Affairs

ROME, *April 16, 1946.*

EXCELLENCY:

As you know, the Extradition Convention between the United States of America and Italy, which was signed in Washington, D. C., on March 23, 1868, provides in the first article thereof for the extradition of persons who may be convicted of, or charged with, having committed the crimes enumerated in the second article thereof. The Convention under reference, however, does not expressly indicate whether the nationals of each of the two contracting parties are included among such persons.

15 Stat. 629.

The Government of the United States of America, in conformity with American laws, has never experienced difficulty in surrendering American citizens under the terms of the aforementioned Convention. On the other hand, you will recall that the Italian Government in the past has not surrendered its nationals upon their being requisitioned by the Government of the United States since Italian Law has not permitted the extradition of Italian nationals unless such action were expressly provided in an international convention.

So that this Extradition Convention between the United States of America and Italy in the future may be rendered operative in the fullest sense of reciprocity, the Government of the United States would appreciate being informed whether the Italian Government would agree that the provisions of the first article of the Convention will be applied reciprocally henceforth also to persons having Italian nationality.

Accept, Excellency, the assurances of my most distinguished consideration.

DAVID MCK. KEY
American Chargé d'Affaires ad Interim

His Excellency
ALCIDES DE GASPERI,
Royal Ministry of Foreign Affairs,
Rome.

The Italian Minister of Foreign Affairs to the American Chargé d'Affaires ad interim

IL MINISTRO DEGLI AFFARI ESTERI 12948/66

ROMA, *li 17 aprile 1946*

SIGNOR INCARICATO D'AFFARI,

in risposta alla Sua nota del 16 aprile concernente l'articolo 1° della Convenzione di estradizione fra gli Stati Uniti d'America e l'Italia firmata a Washington il 23 marzo 1868, ho l'onore di comunicarLe che il Governo italiano, avuto riguardo allo stato attuale della Legislazione italiana, è d'accordo che la disposizione dell'articolo 1° della detta Convenzione sia applicata, in condizioni di reciprocità, anche agli individui aventi la citta dinanza italiana.

La presente dichiarazione avrà effetto a decorrere dal 1° maggio 1946.

Voglia gradire, Signor Incaricato d'Affari, i sensi della mia alta considerazione

DE GASPERI

Signor DAVID McK. KEY
Incaricato d'Affari a.i. degli Stati Uniti d'America
Roma

Translation

THE MINISTRY OF FOREIGN AFFAIRS 12948/66

ROME, *April 17, 1946*

MR. CHARGÉ D'AFFAIRES:

In reply to your note of April 16, concerning Article 1 of the Extradition Convention between the United States of America and Italy, signed at Washington on March 23, 1868, I have the honor to communicate to you that the Italian Government, having regard for the present state of Italian legislation, agrees to the provision of Article 1 of the said Convention also being applied, under conditions of reciprocity, to individuals having Italian citizenship.

15 Stat. 629.

The present declaration shall have effect counting from May 1, 1946.

Effective date.

Please accept, Mr. Chargé d'Affaires, the expression of my highest consideration.

DE GASPERI

Mr. DAVID McK. KEY
Chargé d'Affaires ad interim of the United States of America,
Rome

Agreement and accompanying letters between the United States of America and, on behalf of the Belgo-Luxemburg Economic Union, the Government of the Kingdom of Belgium, rendering inoperative the Trade Agreement of February 27, 1935, and supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948.

October 30, 1947
[T. I. A. S. 1701]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND BELGIUM SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

ACCORD ENTRE LES ETATS-UNIS D'AMERIQUE ET LA BELGIQUE COMPLETANT L'ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND BELGIUM SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Government of the United States of America and, on behalf of the Belgo–Luxemburg Economic Union, the Government of the Kingdom of Belgium,

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

61 Stat., Pts. 5 and 6.

Hereby agree that the Trade Agreement between the United States of America and the Belgo–Luxemburg Economic Union, signed February 27, 1935, shall be inoperative for such time as the United States of America and Belgium are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof; *Provided*, that in the event that either the United States of America or Belgium should withdraw its application of the General Agreement, and the said Trade Agreement should thereupon again become operative, the customs treatment accorded by the Belgo–Luxemburg Economic Union to products of the United States of

49 Stat. 3680.

61 Stat., Pt. 5, p. A75.

ACCORD ENTRE LES ETATS-UNIS D'AMERIQUE ET LA BELGIQUE COMPLETANT L'ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement du Royaume de Belgique, agissant au nom de l'Union Economique Belgo–Luxembourgeoise,

Ayant participé à l'élaboration d'un Accord général sur les tarifs douaniers et le commerce, et d'un Protocole d'application provisoire, textes dont l'authenticité a été établie par l'Acte Final adopté à la fin de la Deuxième Session de la Commission préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi, signé ce jour,

Conviennent par les présentes que l'Accord Commercial entre les Etats-Unis d'Amérique et l'Union Economique Belgo–Luxembourgeoise, signé le 27 février 1935, restera sans effet aussi longtemps que les Etats-Unis d'Amérique et la Belgique seront tous deux parties contractantes à l'Accord général sur les tarifs douaniers et le commerce, au sens de l'article XXXII de cet Accord. Il est entendu toutefois que, dans le cas où les Etats-Unis d'Amérique ou la Belgique cesseraient d'appliquer l'Accord général et que dès lors le dit Accord Commercial serait remis en vigueur, le régime douanier accordé par l'Union Economique Belgo–Luxembourgeoise aux produits du

America described in Schedule I of the said Trade Agreement shall be no less favorable than that provided for such products in the Customs Tariff annexed to the Belgo–Luxemburg–Netherlands Customs Convention concluded September 5, 1944,[1] as amended by the Protocol signed March 14, 1947.[1]

sol ou de l'industrie des Etats-Unis d'Amérique repris à l'Annexe I du dit Accord Commercial ne sera pas moins favorable que le régime prévu pour ces produits au tarif douanier annexé à la Convention Douaniére Belgo–Néerlando–Luxembourgeoise conclue le 5 septembre 1944 et modifiée par le Protocole signé le 14 mars 1947.

49 Stat. 3684.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the Kingdom of Belgium, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

EN FOI DE QUOI les représentants des Gouvernements des Etats-Unis d'Amérique et du Royaume de Belgique, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont signé le présent Accord additionnel.

DONE in duplicate, in the English and French languages, both texts authentic, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

FAIT en double exemplaire, en langue anglaise et en langue française, les deux textes étant authentiques, à Genève, le trente octobre mil neuf cent quarante sept.

Authentic texts.

For the Government of the United States of America:

WINTHROP G. BROWN

Pour le Gouvernement des Etats-Unis d'Amérique:

WINTHROP G. BROWN

For the Government of the Kingdom of Belgium:

P. A. FORTHOMME

Pour le Gouvernement du Royaume de Belgique:

P. A. FORTHOMME

[1] [*Staatsblad van het Koninkrijk Der Nederlanden*, 1947. (No. H 282).]

The Acting Chairman of the United States Delegation to the Acting Chairman of the Belgo–Luxembourg Delegation

OCTOBER 30, 1947

DEAR MR. FORTHOMME:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1935 between the United States and the Belgo–Luxemburg Economic Union inoperative so long as both the United States and the Belgo–Luxemburg Economic Union are parties to the General Agreement on Tariffs and Trade.

49 Stat. 3680.

Right of termination.

As you know, the Agreement entered into between the United States and the Belgo–Luxemburg Economic Union in 1935 provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1935 Agreement to exercise this right of termination.

48 Stat. 943.
19 U. S. C. §§ 1351–1354.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting the termination provision of the 1935 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1935 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1935 Agreement in six months.

61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours

WINTHROP G. BROWN
WINTHROP G. BROWN
Acting Chairman

Mr. P. A. FORTHOMME
The Delegation of Belgium–Luxemburg
Palais des Nations

The Acting Chairman of the Belgo-Luxembourg Delegation to the Acting Chairman of the United States Delegation

DÉLÉGATION BELGO-LUXEMBOURGEOISE A LA COMMISSION PRÉPARATOIRE DE LA CONFÉRENCE INTERNATIONALE DU COMMERCE ET DE L'EMPLOI

dS/EM

GENEVA, *October 30th, 1947.*

DEAR MR. BROWN,

I have the honour to acknowledge the receipt of your letter dated Octobre 30, 1947, in which you wrote:

"A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1935 between the United States and the Belgo-Luxembourg Economic Union inoperative so long as both the United States and the Belgo-Luxembourg Economic Union are parties to the General Agreement on Tariffs and Trade. 49 Stat. 3680.

"As you know, the Agreement entered into between the United States and the Belgo-Luxembourg Economic Union in 1935 provides that it may be terminated by either party after three years on six month's notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1935 Agreement to exercise this right of termination. 48 Stat. 943. 19 U. S. C. §§ 1351-1354.

"It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting the termination provision of the 1935 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1935 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1935 Agreement in six months." 61 Stat., Pts. 5 and 6.

I can give you the assurance that my Government has the same understanding about this matter.

Sincerely yours,

P. A. Forthomme

P.A. FORTHOMME
Acting Chairman.

MR. WINTHROP G. BROWN,
The Delegation of United States
Palais des Nations,
Geneva.

Agreement and accompanying letters between the United States of America and Canada rendering inoperative the Trade Agreement of November 17, 1938, and supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948.

October 30, 1947
[T. I. A. S. 1702]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND CANADA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND CANADA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the United States of America and Canada,

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

61 Stat., Pts. 5 and 6.

Hereby agree that the Trade Agreement between the United States of America and Canada, signed November 17, 1938, with accompanying exchange of notes, shall be inoperative for such time as the United States of America and Canada are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof.

53 Stat. 2348.
19 U. S. C. § 1351 note.

61 Stat., Pt. 5, p. A75-

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and Canada, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

DONE in duplicate, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the United States of America:

WINTHROP G. BROWN

For the Government of Canada:

L D WILGRESS

The Acting Chairman of the United States Delegation to the Chairman of the Canadian Delegation

OCTOBER 30, 1947

DEAR MR. WILGRESS:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1939 [1] between the United States and Canada inoperative so long as both the United States and Canada are parties to the General Agreement on Tariffs and Trade.

53 Stat. 2348.
19 U. S. C. § 1351 note.
61 Stat., Pts. 5 and 6.

As you know, Article XVIII of the 1939 Agreement provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1939 Agreement to exercise this right of termination.

Right of termination.
53 Stat. 2356.
48 Stat. 943.
19 U. S. C. §§ 1351–1354.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting Article XVIII of the 1939 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1939 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1939 Agreement in six months.

53 Stat. 2356.
61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours

WINTHROP G. BROWN

WINTHROP G. BROWN
Acting Chairman

Hon. L. D. WILGRESS
The Delegation of Canada
Palais des Nations

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[1] [This agreement was signed Nov. 17, 1938, and entered into force provisionally Nov. 26, 1938, for article IX and after Jan. 1, 1939, for articles I, VI, and VII, and definitively June 17, 1939.]

The Chairman of the Canadian Delegation to the Acting Chairman of the United States Delegation

CANADIAN DELEGATION
TO THE
SECOND SESSION OF THE
PREPARATORY COMMITTEE OF THE
UNITED NATIONS CONFERENCE
ON
TRADE AND EMPLOYMENT

DÉLÉGATION DU CANADA
À LA
DEUXIÈME SESSION DE LA
COMMISSION PRÉPARATOIRE DE LA
CONFÉRENCE DES NATIONS UNIES
DU
COMMERCE ET DE L'EMPLOI

GENEVA, *October 30, 1947.*

DEAR MR. BROWN,

I have received your letter of October 30th with regard to the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments.

I note that your purpose in writing to me is to make it clear that you would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1938 Trade Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1938 Agreement in six months.

53 Stat. 2348.
19 U. S. C. § 1351 note.
61 Stat., Pts. 5 and 6.

I wish to give you the assurance that my Government has the same understanding of the position as that set forth in your letter.

Yours sincerely,

L.D.Wilgress,
Chairman, Canadian Delegation.

WINTHROP G. BROWN, Esq.,
Acting Chairman,
United States Delegation.

Exclusive agreement between the United States of America and Cuba respecting reciprocal trade, supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948. And supplementary arrangements.

October 30, 1947
[T. I. A. S. 1703]

EXCLUSIVE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA

AND

THE REPUBLIC OF CUBA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

CONVENIO EXCLUSIVO ENTRE LOS ESTADOS UNIDOS DE AMERICA

Y

LA REPUBLICA DE CUBA SUPLEMENTARIO AL ACUERDO GENERAL SOBRE ARANCELES Y COMERCIO

EXCLUSIVE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CUBA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the United States of America and the Republic of Cuba,

Having participated in the framing of a General Agreement on Tariffs and Trade, hereinafter referred to as the General Agreement, and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

61 Stat., Pts. 5 and 6.

Hereby agree as follows:

1. The Convention of Commercial Reciprocity between the United States of America and the Republic of Cuba signed December 11, 1902, and the Reciprocal Trade Agreement between the United States of America and the Republic of Cuba signed August 24, 1934, with its accompanying exchange of notes, as amended by the supplementary trade agreement signed December 18, 1939, with its accompanying protocol and exchange of notes, and by the supplementary trade agreement signed December 23, 1941, with its accompanying exchange of notes, shall be inoperative for such time as the United States of America and the Republic of Cuba are both contracting parties to the General Agreement as defined in Article XXXII thereof.

33 Stat. 2136.
49 Stat. 3559.
54 Stat. 1997.
55 Stat. 1449.
61 Stat., Pt. 5, p. A75.

2. For such time as the United States of America and the Republic of Cuba are both contracting parties to the General Agreement, the products of either country imported into the other shall be accorded customs treatment as follows:

(a) The provisions of Part II of Schedule IX of the General Agreement shall apply exclusively to products of the United States of America, and the provisions of Part II of Schedule XX of the General Agreement shall apply exclusively to products of the Republic of Cuba.

61 Stat., Pt. 5, p. A580.
61 Stat., Pt. 5, p. A1350.

(b) Products of the United States of America described in Part I, but not in Part II, of Schedule IX of the General Agreement, imported into the Republic of Cuba, and products of the Republic of Cuba described in Part I, but not in Part II, of Schedule XX of the General Agreement, imported into the United States of America, shall be subject to the customs treatment provided for in Part I of the applicable Schedule.

61 Stat., Pt. 5, p. A545.
61 Stat., Pt. 5, p. A1157.

CONVENIO EXCLUSIVO ENTRE LOS ESTADOS UNIDOS DE AMERICA Y LA REPUBLICA DE CUBA SUPLEMENTARIO AL ACUERDO GENERAL SOBRE ARANCELES Y COMERCIO

Los Gobiernos de los Estados Unidos de América y de la República de Cuba,

Habiendo participado en la confección de un Acuerdo General sobre Aranceles y Comercio, al que en lo adelante se hará referencia aquí como el Acuerdo General, y el Protocolo de Aplicación Provisional, cuyos textos han sido autenticados por el Acta Final adoptada a la terminación de la Segunda Sesión del Comité Preparatorio de la Conferencia de las Naciones Unidas sobre Comercio y Empleo, firmado en este día,

Por la presente convienen lo que sigue:

1. El Tratado de Reciprocidad Comercial entre los Estados Unidos de América y la República de Cuba firmado el 11 de diciembre de 1902, y el Convenio Comercial de Reciprocidad entre los Estados Unidos de América y la República de Cuba firmado el 24 de agosto de 1934, con su cambio de notas acompañante, según fué modificado por el convenio comercial suplementario firmado el 18 de diciembre de 1939, con el protocolo y cambio de notas que lo acompañan, y por el convenio comercial suplementario firmado el 23 de diciembre de 1941, con el cambio de notas que lo acompaña, dejarán de surtir efectos mientras los Estados Unidos de América y la República de Cuba sean ambos partes contratantes del Acuerdo General según se define en el Artículo XXXII del mismo.

2. Mientras los Estados Unidos de América y la República de Cuba sean ambos partes contratantes del Acuerdo General, a los productos de cada país que se importen en el otro se les dará el tratamiento aduanal siguiente:

(a) Las disposiciones de la Parte II de la Lista IX del Acuerdo General se aplicarán exclusivamente a los productos de los Estados Unidos de América, y las disposiciones de la Parte II de la Lista XX del Acuerdo General se aplicarán exclusivamente a los productos de la República de Cuba.

(b) Los productos de los Estados Unidos de América descritos en la Parte I, pero no en la Parte II, de la Lista IX del Acuerdo General, que se importen en la República de Cuba, y los productos de la República de Cuba descritos en la Parte I, pero no en la Parte II, de la Lista XX del Acuerdo General, que se importen en los Estados Unidos de América, estarán sujetos al tratamiento aduanal previsto en la Parte I de la Lista aplicable.

(c) Subject to the principles set forth in Article 17 of the Draft Charter for an International Trade Organization [1] recommended by the Preparatory Committee of the United Nations Conference on Trade and Employment—

Products of U. S. entitled to margin of preference.

(i) any product of the United States of America not described in either Part of Schedule IX of the General Agreement which would have been subject to ordinary customs duty if imported into the Republic of Cuba on April 10, 1947, any temporary or conditional exemption from duty to be disregarded, and which is of a kind which the Government of Cuba shall determine to have been imported into its territory as a product of the United States of America in any quantity during any of the calendar years 1937, 1939, 1944, and 1945, shall be entitled upon importation into the Republic of Cuba to a margin of preference in the applicable rate of duty equal to the absolute difference between the most-favored-nation rate for the like product existing on April 10, 1947, including any such rate temporarily suspended, and the preferential rate likewise existing on that date in respect of such product of the United States of America; and

Products of Cuba entitled to margin of preference.
61 Stat., Pt. 5, p. A1157.

(ii) any product of the Republic of Cuba not described in either Part of Schedule XX of the General Agreement, which would have been subject to ordinary customs duty if imported into the United States of America on April 10, 1947, any temporary or conditional exemption from duty to be disregarded, and which is of a kind which the Government of the United States of America shall determine to have been imported into its territory as a product of Cuba in any quantity during any of the calendar years 1937, 1939, 1944, and 1945, shall be entitled upon importation into the United States of America to a margin of preference in the applicable rate of duty equal to the absolute difference between the most-favored-nation rate for the like product existing on April 10, 1947, including any such rate temporarily suspended, and the preferential rate likewise existing on that date in respect of such product of the Republic of Cuba.

(d) Any product of the United States of America or of the Republic of Cuba for which customs treatment is not prescribed above shall be dutiable, when imported into the other country, at the most-favored-nation rate of duty of the importing country for the like product.

(e) Nothing in this Agreement shall require the application to any product of the Republic of Cuba imported into the United States of America of a rate of ordinary customs duty higher than one and one-half times the rate existing in respect of such product on January 1, 1945, any temporary or conditional exemption from duty to be disregarded.

"Most-favored-nation rate."

3. The term "most-favored-nation rate" in this Exclusive Supplementary Agreement means the maximum rate which may be, or could have been, applied consistently with the principles set forth in Article I of the General Agreement to a product of a country which is a contracting party to that Agreement.

61 Stat., Pt. 5, p. A12.

[1] [Department of State publication 2927, p. 17.]

(c) Con sujeción a los principios contenidos en el Artículo 17 del Proyecto de Carta para una Organización Internacional de Comercio recomendado por el Comité Preparatorio de la Conferencia de las Naciones Unidas sobre Comercio y Empleo—

(i) cualquier producto de los Estados Unidos de América que no se halle descrito en una u otra Parte de la Lista IX del Acuerdo General, que hubiese estado sujeto a derecho aduanal ordinario si se hubiese importado en la República de Cuba el 10 de abril de 1947, sin tener en cuenta cualquier exención de derechos temporal o condicional, y que sea de una clase que el Gobierno de Cuba determine que se haya importado en su territorio como producto de los Estados Unidos en cualquier cantidad durante cualquiera de los años naturales de 1937, 1939, 1944 y 1945, tendrá derecho, a su importación en la República de Cuba, a un márgen de preferencia en el tipo de derecho aplicable igual a la diferencia absoluta entre el tipo de la nación más favorecida existente el 10 de abril de 1947 para el producto análogo, incluyendo cualquiera de dichos tipos suspendidos temporalmente, y el tipo preferencial asimismo existente en esa fecha respecto de dicho producto de los Estados Unidos de América; y

(ii) cualquier producto de la República de Cuba que no se halle descrito en una u otra Parte de la Lista XX del Acuerdo General, que hubiese estado sujeto a derecho aduanal ordinario si se hubiese importado en los Estados Unidos de América el 10 de abril de 1947, sin tener en cuenta cualquier exención de derechos temporal o condicional, y que sea de una clase que el Gobierno de los Estados Unidos de América determine que se haya importado en su territorio como producto de Cuba en cualquier cantidad durante cualquiera de los años naturales de 1937, 1939, 1944 y 1945, tendrá derecho, a su importación en los Estados Unidos de América, a un márgen de preferencia en el tipo de derecho aplicable igual a la diferencia absoluta entre el tipo de la nación más favorecida existente el 10 de abril de 1947 para el producto análogo, incluyendo cualquiera de dichos tipos suspendidos temporalmente, y el tipo preferencial asimismo existente en esa fecha respecto de dicho producto de la República de Cuba.

(d) Cualquier producto de los Estados Unidos de América o de la República de Cuba para el cual no se haya prescrito en lo que antecede un tratamiento aduanal, adeudará, a su importación en el otro país, al tipo de derechos de la nación más favorecida del país importador para el producto análogo.

(e) Nada de lo que en este Convenio se establece requerirá el que se aplique a cualquier producto de la República de Cuba que se importe en los Estados Unidos de América un tipo de derecho aduanal ordinario mayor que una y media vez el tipo existente el primero de enero de 1945 con respecto a tal producto, sin tener en cuenta cualquier exención de derechos temporal o condicional.

3. La expresión "tipo de derecho de la nación más favorecida" usada en este Convenio Exclusivo Suplementario significa el tipo máximo de derecho que puede ser o pueda haber sido aplicado en forma concordante con el Artículo I del Acuerdo General a un producto de un país que sea parte contratante de dicho Acuerdo.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the Republic of Cuba, after having exchanged their full powers, found to be in good and due form, have signed this Exclusive Supplementary Agreement.

Authentic texts.

DONE in duplicate, in the English and Spanish languages, both texts authentic, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the United States of America:

WINTHROP G. BROWN

For the Government of the Republic of Cuba:

S. I. CLARK

EN FE DE LO CUAL los representantes de los Gobiernos de los Estados Unidos de América y de la República de Cuba, después de haber intercambiado sus plenos poderes, hallados en buena y debida forma, han firmado este Convenio Exclusivo Suplementario.

HECHO en duplicado, en los idiomas inglés y español, siendo ambos textos auténticos, en Ginebra, a los trienta días del mes de octubre de mil novecientos cuarenta y siete.

Por el Gobierno de los Estados Unidos de América:

WINTHROP G. BROWN

Por el Gobierno de la República de Cuba:

S. I. CLARK

The Acting Chairman of the United States Delegation to the Chairman of the Cuban Delegation

GENEVA,
October 30, 1947

DEAR MR. CLARK:

A point of legal detail has been brought to my attention in connection with the Exclusive Agreement Supplementary to the General Agreement on Tariffs and Trade which we are signing today on behalf of our two Governments making inoperative, so long as both the United States and Cuba are parties to the General Agreement on Tariffs and Trade, the Convention of Commercial Reciprocity between the Republic of Cuba and the United States of America signed December 11, 1902, and the Reciprocal Trade Agreement between the Republic of Cuba and the United States of America signed August 24, 1934, with its accompanying exchange of notes, as amended by the supplementary trade agreement signed December 18, 1939, with its accompanying protocol and exchange of notes, and by the supplementary trade agreement signed December 23, 1941, with its accompanying exchange of notes.

33 Stat. 2136.
49 Stat. 3559.
54 Stat. 1997.
55 Stat. 1449.

As you know, Article XI of the Convention of Commercial Reciprocity of 1902 provides that it may be terminated by either party on one year's notice, and Article XVII of the 1934 Trade Agreement, as amended, provides that it may be terminated by either party on six months' notice. With respect to the latter, the inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the Exclusive Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1902 Convention and to the 1934 Trade Agreement to exercise this right of termination.

Right of termination.
33 Stat. 2142.
49 Stat. 3568.
48 Stat. 943.
19 U. S. C. §§ 1351-1354.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest, at this late date, a formal amendment to the Exclusive Supplementary Agreement expressly excepting the respective termination provisions would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we are signing the Exclusive Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1902 Convention and of the 1934 Trade Agreement, given by either party while we were both parties to the General Agreement on Tariffs and Trade, from effecting termination of the 1902 Convention and of the 1934 Trade Agreement in one year and six months, respectively.

33 Stat. 2136.
49 Stat. 3559.
61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours,

WINTHROP G. BROWN
WINTHROP G. BROWN
Acting Chairman
Delegation of the United States of America

His Excellency
Sr. SERGIO I. CLARK,
Chairman, Delegation of the Republic of Cuba
Second Session of the Preparatory Committee
for the United Nations Conference on
Trade and Employment

The Chairman of the Cuban Delegation to the Acting Chairman of the United States Delegation

DELEGACION DE CUBA

GINEBRA, *30 de Octubre de 1947.*

ESTIMADO SR. BROWN:

Tengo el honor de referirme a su atenta carta de esta misma fecha, por la cual me comunica que se ha llamado la atención de usted respecto a un detalle de orden legal a propósito del Convenio Exclusivo Suplementario del Acuerdo General sobre Aranceles y Comercio que firmamos en el día de hoy en representación de nuestros respectivos Gobiernos.

He tomado buena nota del contenido de su carta de referencia y en contestación me complace significarle que estoy enteramente de acuerdo con sus manifestaciones, o sea, que firmamos el Convenio Exclusivo Suplementario en el entendido de que los términos generales en que se halla redactado no impedirían a cualquiera de las partes, mientras sean partes del Acuerdo General sobre Aranceles y Comercio, notificar al otro su intención de terminar el Tratado de 1902 y el Convenio Comercial de 1934, observando los plazos de preaviso para el caso de denuncia de un año y seis meses previstos, respectivamente, en los mismos.

De usted muy atentamente,

S I. CLARK
SERGIO I. CLARK
Presidente,
Delegacion de Cuba.

Sr. WINTHROP G. BROWN,
Presidente interino, Delegacion de los Estados Unidos de America
Palais-des-Nations.

Translation

DELEGATION OF CUBA

GENEVA, *October 30, 1947.*

MY DEAR MR. BROWN:

I have the honor to refer to your courteous letter of today's date, informing me that your attention has been called to a legal detail in connection with the Exclusive Agreement Supplementary to the General Agreement on Tariffs and Trade which we are signing today as representatives of our respective governments.

I have noted carefully the contents of your letter and, in reply, I am pleased to inform you that I am entirely in agreement with your statements, that is, that we are signing the Exclusive Supplementary Agreement on the understanding that the general language in which it is worded would not prevent either of the parties, while they are parties to the General Agreement on Tariffs and Trade, from notifying the other of its intention to terminate the Treaty of 1902 and the Trade Agreement of 1934, by observing the one-year and six-months notice, respectively, prescribed therein in the case of denunciation.

61 Stat., Pts. 5 and 6.

33 Stat. 2136.
49 Stat. 3559.

Very truly yours,

S I. CLARK
SERGIO I. CLARK
Chairman,
Delegation of Cuba.

MR. WINTHROP G. BROWN,
Acting Chairman,
Delegation of the United States of America
Palais-des-Nations.

The Acting Chairman of the United States Delegation to the Chairman of the Cuban Delegation

GENEVA,
October 30, 1947

MR. CHAIRMAN:

Reference is made to the conversations which have taken place between our Delegations during the Second Session of the Preparatory Committee for the United Nations Conference on Trade and Employment, regarding the exportation of pineapple slips from the Republic of Cuba to the United States of America.

Exportation of pineapple slips from Cuba.

In accordance with instructions received from my Government, I desire to confirm the understanding reached between our Delegations during the course of the tariff negotiations, to the effect that the Government of the Republic of Cuba will continue to permit the exportation of pineapple slips to the United States of America, and in particular to the Territory of Puerto Rico, subject to such regulations as the Cuban Ministry of Agriculture may establish; and will facilitate the acquisition and exportation of pineapple slips of good quality.

Please accept, Mr. Chairman, the assurances of my high consideration.

W. G. BROWN
WINTHROP G. BROWN
Acting Chairman
Delegation of the United States of America

His Excellency
Sr. SERGIO I. CLARK,
Chairman, Delegation of the Republic of Cuba
Second Session of the Preparatory Committee
for the United Nations Conference on
Trade and Employment

The Chairman of the Cuban Delegation to the Acting Chairman of the United States Delegation

DELEGACION DE CUBA

SEGUNDA SESION DEL COMITE PREPARATORIO DE LA CONFERENCIA DE LAS NACIONES UNIDAS SOBRE COMERCIO Y EMPLEO

GINEBRA, *30 de Octubre de 1947.*

SENOR PRESIDENTE:

Tengo el honor de referirme a las conversaciones que han tenido lugar entre nuestras Delegaciones durante la Segunda Sesion del Comite Preparatorio de la Conferencia de las Naciones Unidas sobre Comercio y Empleo, a proposito de la exportacion de hijos de pina de la Republica de Cuba a los Estados Unidos de America.

De acuerdo con instrucciones recibidas de mi Gobierno, deseo confirmarle el entendimiento alcanzado entre nuestras Delegaciones en el curso de las negociaciones arancelarias, al efecto de que el Gobierno de la Republica de Cuba continuara permitiendo la exportacion de hijos de pina para los Estados Unidos de America, y en particular al territorio de Puerto Rico, sujeta a los reglamentos que el Ministerio de Agricultura pueda dictar, y facilitara la adquisicion y exportacion de hijos de pina de buena calidad.

Aprovecho la oportunidad para reiterarle, senor Presidente, las seguridades de mi alta consideracion.

S I. CLARK
SERGIO I. CLARK,
Presidente,
Delegacion de Cuba.

A su Excelencia
el senor WINTHROP G. BROWN,
Presidente interino, Delegacion de los Estados Unidos
de America a la Segunda Sesion del Comite Preparatorio
de la Conferencia de las Naciones Unidas
sobre Comercio y Empleo.

Translation

DELEGATION OF CUBA

SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT

GENEVA, *October 30, 1947.*

Mr. CHAIRMAN:

I have the honor to refer to the conversations which took place between our Delegations during the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment with regard to the exportation of pineapple slips from the Republic of Cuba to the United States of America.

In accordance with instructions received from my Government, I wish to confirm the understanding reached between our Delegations during the tariff negotiations, to the effect that the Government of the Republic of Cuba will continue to permit the exportation of pineapple slips to the United States of America, and particularly to the territory of Puerto Rico, subject to such regulations as the Ministry of Agriculture may issue, and will facilitate the acquisition and exportation of pineapple slips of good quality.

I avail myself of this opportunity to renew to you, Mr. Chairman, the assurances of my high consideration.

S I. CLARK
SERGIO I. CLARK,
Chairman,
Delegation of Cuba.

His Excellency
WINTHROP G. BROWN,
Acting Chairman, Delegation of the United States of America to the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment.

DELEGACION DE CUBA

SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT.

MEMORANDUM

Re: Palm Beach Cloth

The Cuban Delegation to the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment takes pleasure in addressing the Delegation of the United States of America to the said Conference, in connection with the exclusion of Sub-item 147–E of the Cuban Customs Tariff, comprising "fabrics of the hair or fleece of the angora goat (mohair) mixed with cotton, rayon or both, in the piece or not made up", from the products which are to appear in Schedule IX of the General Agreement on Tariffs and Trade.

As expressed on several occasions during the course of the negotiations by the Cuban Negotiating Team and as is well known to the 61 Stat., Pt. 5, p. A545.

United States Negotiating Team, the Cuban Government had noticed the grave practical problems arising from the difficulty or impossibility of duly distinguishing these fabrics from other wool fabrics, especially when mixed with other substances, vegetable or synthetic fibers. For this reason, the Cuban Government intends to make a careful and thorough analysis of this situation, with a view toward its final solution.

In order to facilitate and speed these negotiations and bring them to a happy conclusion, the Cuban Delegation is pleased to state that the Cuban Government does not contemplate increasing the present rate of duty on palm beach cloth, exclusively, and undertakes to exempt such product from the twenty percent surcharge established by Law No. 28, of September 8, 1941.

S I C

GENEVA, *October 28, 1947.*

DELEGACION DE CUBA

MEMORANDUM

La Delegacion de Cuba a la Segunda Sesion del Comite Preparatorio de la Conferencia de las Naciones Unidas sobre Comercio y Empleo se complace en dirigirse a la Delegacion de los Estados Unidos de America a proposito de la exportacion de aguacates de Cuba a los Estados Unidos de America y le participa que, de acuerdo con lo convenido en el curso de las negociaciones arancelarias llevadas a cabo por los teams negociadores de ambos paises, el Gobierno de Cuba continuara aplicando el regimen de exportacion establecido en el parrafo 10 de la Disposicion Quinta del Arancel de Aduanas de la Republica de Cuba.

GINEBRA, *30 de Octubre de 1947.*

S. I. C.

Translation

DELEGATION OF CUBA

MEMORANDUM

Exportation of avocados from Cuba.

The Delegation of Cuba to the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment is pleased to address the Delegation of the United States of America with reference to the exportation of avocados from Cuba to the United States of America, and to inform the Delegation that in accordance with the agreement reached during the tariff negotiations carried on by the negotiating teams of both countries, the Government of Cuba will continue to apply the export system set forth in paragraph 10 of Provision 5 of the Customs Tariff of the Republic of Cuba.

GENEVA, *October 30, 1947.*

S. I. C.

DELEGACION DE CUBA

MEMORANDUM

A proposito del cambio introducido en el aforo de los productos comprendidos en las Partidas 113–A y 129–F y H del Arancel de Aduanas de Cuba, con respecto al regimen de la tara, en virtud de las negociaciones conducidas en esta ciudad entre los grupos negociadores de Cuba y los Estados Unidos de America, la Delegacion de Cuba se complace en consignar que ha llegado al entendimiento de que si en virtud de dicho cambio sobreviene una dificultad extraordinaria y se llega a comprobar en la practica que el descuento de un 15% acordado, por concepto de tara, resulta inadecuado, el Gobierno de la Republica de Cuba vera con simpatia cualquier representacion que en este sentido le haga el Gobierno de los Estados Unidos de America a fin de realizar un ajuste en el tipo de tara senalado, para cubrir cualquier diferencia que resulte en la practica.

Debe quedar bien entendido, sin embargo, que en ningun caso el ajuste que eventualmente pudiera hacerse en las circunstancias antes indicadas, podra exceder en un 5% adicional al 15% aqui ahora convenido, o sea, que la deduccion por concepto de tara para las Partidas 113–A y 129, en sus letras F, y H. no excedera de un 20%.

GINEBRA, *30 de Octubre de 1947.*

S. I. C.

Translation

DELEGATION OF CUBA

MEMORANDUM

Adjustment in rate of tare.

With reference to the change introduced in the appraisal of products covered by Parts 113–A and 129–F and H of the Customs Tariff of Cuba, as regards the tare system, the Delegation of Cuba, in consequence of the negotiations conducted in this city between the negotiating groups of Cuba and the United States of America, is pleased to state that it has reached an agreement that if unusual difficulty should occur as a result of this change and it is found that in practice the 15% deduction allowed for tare is inadequate, the Government of the Republic of Cuba will view sympathetically any representation made to it in this sense by the Government of the United States of America for the purpose of effecting an adjustment in the rate of tare fixed, to cover any difference which may result in practice.

Nevertheless, it must be thoroughly understood that in no case shall any adjustment which may be made under the circumstances indicated above exceed 5% in addition to the 15% hereby agreed to, that is, that the deduction for tare in Parts 113–A and 129–F and H shall not exceed 20%.

GENEVA, *October 30, 1947.*

S. I. C.

The Acting Secretary of State to the Cuban Ambassador

DEPARTMENT OF STATE
WASHINGTON
December 19, 1947

EXCELLENCY:

I have the honor to refer to the declaration made by the Member of the Permanent Delegation of Cuba to the United Nations when signing the Protocol of Provisional Application of the General Agreement on Tariffs and Trade on December 17, 1947, which declaration reads as follows:

61 Stat., Pt. 6, p. A2051.

> "In signing this Protocol the Republic of Cuba declares its intention to make effective the provisional application of the General Agreement as from January 1, 1948 with regard to any signatory Government which will make effective such provisional application with regard to Cuba as from that date."

I am pleased to inform you that the Government of the United States, on behalf of which the Protocol of Provisional Application was signed on October 30, 1947 and which will make effective the provisional application of the General Agreement as from January 1, 1948 with respect to certain other Governments which have already signed the Protocol, is prepared as from that date to make provisionally effective the tariff concessions of principal interest to the Republic of Cuba, and generally to apply the provisions of the Exclusive Agreement Supplementary to the General Agreement on Tariffs and Trade, which was signed with the Republic of Cuba on October 30, 1947.

Ante, p. 3699.

I should appreciate your confirmation that the Government of the Republic of Cuba will give similar effect to Schedule IX as from January 1, 1948.

Accept, Excellency, the renewed assurances of my highest consideration.

ROBERT A. LOVETT
Acting Secretary of State

His Excellency
Señor GUILLERMO BELT,
Ambassador of Cuba.

The Cuban Ambassador to the Acting Secretary of State

EMBAJADA DE CUBA
WASHINGTON, D. C.

22 DE DICIEMBRE DE 1947.

SEÑOR SECRETARIO:

Tengo el honor de referirme a la nota que Vuestra Excelencia me dirigió el día 19 de diciembre en curso, en la que me expresa que, con vista de las declaraciones que hizo el Gobierno de mi país al firmar el Protocolo de Aplicación Provisional del Acuerdo General sobre Aranceles y Comercio, el Gobierno de los Estados Unidos de América se

encuentra dispuesto a poner en vigor, desde el día 1° de enero de 1948, las concesiones arancelarias que hizo en dicho Acuerdo General, que sean de primordial interés para Cuba, y a aplicar, en general, las cláusulas del Convenio Exclusivo entre la República de Cuba y los Estados Unidos de América suplementario al Acuerdo General sobre Aranceles y Comercio, firmado en Ginebra el día 30 de octubre de 1947. Asímismo, me pide Vuestra Excelencia le confirme si, en tales circunstancias, mi Gobierno estaría dispuesto a poner en vigor, a partir del día 1° de enero de 1948, las concesiones arancelarias negociadas con los Estados Unidos de América, que aparecen en el citado Acuerdo General.

Teniendo en cuenta los términos de la nota de Vuestra Excelencia, puedo asegurarle que el Gobierno de mi país pondrá en vigor, desde el día 1° de enero de 1948, las concesiones arancelarias que hizo en el Acuerdo General, que sean de primordial interés para los Estados Unidos de América, y que aplicará, en general, las cláusulas del Convenio Exclusivo a que se refiere la nota de Vuestra Excelencia, todo con carácter provisional, sujeto a la aprobación por el Senado de la República del Acuerdo General, del Convenio Exclusivo y de toda otra negociación relativa a los mismos.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración,

GMO BELT

Al Excelentísimo Señor ROBERT A. LOVETT,
Secretario Interino de Estado,
Wáshington, D.C.

Translation

EMBASSY OF CUBA
WASHINGTON, D. C.

DECEMBER 22, 1947.

MR. SECRETARY:

I have the honor to refer to the note which Your Excellency addressed to me on December 19, stating that, in view of the declarations made by my country's Government on signing the Protocol of Provisional Application of the General Agreement on Tariffs and Trade, the Government of the United States of America is disposed to put into effect, on and after January 1, 1948, such tariff concessions made by it in the General Agreement as are of paramount interest to Cuba, and generally to apply the clauses of the Exclusive Agreement between the Republic of Cuba and the United States of America supplementing the General Agreement on Tariffs and Trade signed at Geneva on October 30, 1947. Your Excellency also requests me to confirm whether, in such circumstances, my Government would be disposed to put into effect, on and after January 1, 1948, the tariff concessions negotiated with the United States of America, which appear in the aforesaid General Agreement.

61 Stat., Pt. 6, p. A2051.

Ante, p. 3699.

Bearing in mind the terms of Your Excellency's note, I can assure you that my country's Government will put into effect, from January 1, 1948, the tariff concessions made by it in the General Agreement,

which are of paramount interest to the United States of America, and that it will generally apply the clauses of the Exclusive Agreement referred to in Your Excellency's note, on an entirely provisional basis, subject to approval of the General Agreement, the Exclusive Agreement, and any other negotiation relating thereto, by the Senate of the Republic.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest and most distinguished consideration,

GMO BELT

His Excellency
Robert A. LOVETT,
Acting Secretary of State,
Washington, D.C.

Agreement and accompanying letters between the United States of America and France rendering inoperative the Trade Agreement of May 6, 1936, and supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948.

October 30, 1947
[T. I. A. S. 1704]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

ACCORD ENTRE LES ETATS-UNIS D'AMERIQUE ET LA REPUBLIQUE FRANCAISE COMPLETANT L'ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the United States of America and the French Republic,

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

61 Stat., Pts. 5 and 6.

Hereby agree that the Trade Agreement and Protocol of Signature between the United States of America and the French Republic, signed May 6, 1936, and related notes, shall be inoperative for such time as the United States of America and the French Republic are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof.

53 Stat. 2236.

61 Stat., Pt. 5, p. A75.

ACCORD ENTRE LES ETATS-UNIS D'AMERIQUE ET LA REPUBLIQUE FRANCAISE COMPLETANT L'ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

Les Gouvernements des Etats-Unis d'Amérique et de la République française,

ayant pris part à l'élaboration de l'Accord Général sur les Tarifs douaniers et le Commerce et du Protocole d'application provisoire, textes dont l'authenticité a été établie par l'Acte final adopté à la fin de la Deuxième Session de la Commission Préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi, signé ce jour,

conviennent par les présentes que l'application de l'Accord commercial et du Protocole de signature entre les Etats-Unis d' Amérique et la République française, signés le 6 mai 1936, ainsi que des notes y relatives, sera suspendue pour la période où les Etats-Unis d'Amérique et la République française seront tous deux parties contractantes à l'Accord Général sur les Tarifs douaniers et le Commerce au sens de l'Article XXXII dudit Accord.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the French Republic, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

EN FOI DE QUOI les représentants des Gouvernements des Etats-Unis d'Amérique et de la République française, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont signé le présent Accord complémentaire.

DONE in duplicate, in the English and French languages, both texts authentic, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

FAIT à Genève, en double exemplaire, en langues anglaise et française, les deux textes faisant également foi, le trente octobre mil neuf cent quarante sept.

Authentic texts.

For the Government of the United States of America:

WINTHROP G. BROWN

Pour le Gouvernement des Etats-Unis d'Amérique:

WINTHROP G. BROWN

For the Government of the French Republic:

PIERRE BARADUC

Pour le Gouvernement de la République française:

PIERRE BARADUC.

The Acting Chairman of the United States Delegation to a Member of the French Delegation

OCTOBER 30, 1947

DEAR MR. BARADUC:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1936 between the United States and France inoperative so long as both the United States and France are parties to the General Agreement on Tariffs and Trade.

53 Stat. 2236.

61 Stat., Pts. 5 and 6.

Right of termination.

53 Stat. 2256.

As you know, Article XVII of the 1936 Agreement provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1936 Agreement to exercise this right of termination.

48 Stat. 943.
19 U. S. C. §§ 1351–1354.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting Article XVII of the 1936 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1936 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1936 Agreement in six months.

53 Stat. 2256.

61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours

WINTHROP G. BROWN

WINTHROP G. BROWN
Acting Chairman

Mr. PIERRE BARADUC
The Delegation of France
Palais des Nations

A Member of the French Delegation to the Acting Chairman of the United States Delegation

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES

LIBERTÉ-ÉGALITÉ-FRATERNITÉ

RÉPUBLIQUE FRANÇAISE

DÉLÉGATION FRANÇAISE
A LA COMMISSION PRÉPARATOIRE DE LA
CONFÉRENCE DU COMMERCE ET DE L'EMPLOI

PARIS, LE *30 octobre 1947.*

CHER MONSIEUR BROWN,

Je m'empresse de vous accuser réception de votre lettre du 30 octobre et de vous confirmer que je suis entièrement d'accord avec vous pour estimer que le texte de l'Accord Complémentaire ne mettrait pas obstacle à la notification de la dénonciation de l'Accord de 1936 au cours de la période pendant laquelle nos deux Gouvernements seront parties à l'Accord Général sur les Tarifs et le Commerce.

Sincèrement vôtre,

P. BARADUC

Monsieur WINTHROP G. BROWN,
Président de la Délégation
des Etats-Unis d'Amérique
à la Commission Préparatoire
de la Conférence du Commerce
et de l'Emploi,
Geneve.

Translation

MINISTRY OF FOREIGN AFFAIRS
FRENCH DELEGATION
TO THE PREPARATORY COMMITTEE OF THE
CONFERENCE ON TRADE AND EMPLOYMENT

LIBERTY-EQUALITY-FRATERNITY
FRENCH REPUBLIC

PARIS, *October 30, 1947.*

DEAR MR. BROWN:

I hasten to acknowledge the receipt of your letter of October 30 and to confirm to you that I am in complete agreement with you in considering that the text of the Supplementary Agreement would not prevent notification of the denunciation of the Agreement of 1936 during the period in which our two Governments will be parties to the General Agreement on Tariffs and Trade.

53 Stat. 2236.

61 Stat., Pts. 5 and 6.

Sincerely yours,

PIERRE BARADUC
P. BARADUC

Mr. WINTHROP G. BROWN,
President of the United States
Delegation to the Preparatory
Committee of the Conference on
Trade and Employment,
Geneva.

Agreement and accompanying letters between the United States of America and the Netherlands rendering inoperative the Trade Agreement of December 20, 1935, and supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948.

October 30, 1947
[T. I. A. S. 1705]

AGREEMENT BETWEEN THE NETHERLANDS AND THE UNITED STATES OF AMERICA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

AGREEMENT BETWEEN THE NETHERLANDS AND THE UNITED STATES OF AMERICA SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the Kingdom of the Netherlands and the United States of America,

61 Stat., Pts. 5 and 6.

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

50 Stat. 1504.

61 Stat., Pt. 5, p. A75.

50 Stat. 1526, 1552, 1554.

Hereby agree that the Trade Agreement between the Netherlands and the United States of America, signed December 20, 1935, with accompanying exchange of notes and protocol, shall be inoperative for such time as the Netherlands and the United States of America are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof; *Provided*, that in the event that either the Netherlands or the United States of America should withdraw its application of the General Agreement, and the said Trade Agreement should thereupon again become operative, the customs treatment accorded by the Netherlands to products of the United States of America described in Schedule I (Section A), Schedule III, and Schedule IV (Section A) of the said Trade Agreement shall be no less favorable than that provided for such products in the Customs Tariff annexed to the Belgo-Luxemburg-Netherlands Customs Convention concluded September 5, 1944,[1] as amended by the protocol signed March 14, 1947.[1]

IN WITNESS WHEREOF the representatives of the Governments of the Kingdom of the Netherlands and the United States of America, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

DONE in duplicate, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the Kingdom of the Netherlands:

A B SPEEKENBRINK

For the Government of the United States of America:

WINTHROP G. BROWN

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[1] [*Staatsblad van het Koninkrijk Der Nederlanden*, 1947. (No. H 282.)]

The Acting Chairman of the United States Delegation to the Acting Chairman of the Netherlands Delegation

OCTOBER 30, 1947

DEAR DR. SPEEKINBRINK:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1935 between the United States and the Netherlands inoperative so long as both the United States and the Netherlands are parties to the General Agreement on Tariffs and Trade.

50 Stat. 1504.

61 Stat., Pts. 5 and 6.

As you know, Article XVII of the 1935 Agreement provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1935 Agreement to exercise this right of termination.

Right of termination.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting Article XVII of the 1935 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1935 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1935 Agreement in six months.

50 Stat. 1524.

61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours,

WINTHROP G. BROWN

WINTHROP G. BROWN
Acting Chairman

Dr. A. B. SPEEKENBRINK,
Netherlands Delegation,
Palais des Nations.

The Acting Chairman of the Netherlands Delegation to the Acting Chairman of the United States Delegation

NETHERLANDS DELEGATION

GENEVA, *October 30th, 1947*

DEAR MR. BROWN,

Referring to your letter of October 30, 1947, I have the honour to affirm that the contents thereof are agreeable to the Netherlands Government. On behalf of my Government I can therefore assure you

that they are in perfect accord with the understanding, that the general language of the Supplementary Agreement, which we sign today, would not prevent notice of termination of the 1935 Agreement given by either party, while both parties were parties to the General Agreement on Tariffs and Trade, from affecting termination of the 1935 Agreement in six months.

50 Stat. 1504.

61 Stat., Pts. 5 and 6.

Yours sincerely,

Dr. A. B. Speekenbrink
Act. Chairman Netherlands Delegation

Mr. WINTHROP G. BROWN
Acting Chairman United States Delegation
Palais des Nations
Geneva.

Agreement and accompanying letters between the United States of America and the United Kingdom of Great Britain and Northern Ireland rendering inoperative the Trade Agreement of November 17, 1938, and supplementing the General Agreement on Tariffs and Trade of October 30, 1947. Signed at Geneva October 30, 1947; effective January 1, 1948.

October 30, 1947
[T. I. A. S. 1706]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland,

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application, the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

61 Stat., Pts. 5 and 6.

Hereby agree that the Trade Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland, signed November 17, 1938, with accompanying exchanges of notes, shall be inoperative for such time as the United States of America and the United Kingdom of Great Britain and Northern Ireland are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof.

54 Stat. 1897.
19 U. S. C. § 1351 note.

61 Stat., Pt. 5, p. A75.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

DONE in duplicate, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the United States of America:

WINTHROP G. BROWN

For the Government of the United Kingdom of Great Britain and Northern Ireland:

T. M. SNOW

The Acting Chairman of the United States Delegation to the Acting Head of the British Delegation

OCTOBER 30, 1947

DEAR MR. HELMORE:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1939[1] between the United States and the United Kingdom inoperative so long as both the United States and the United Kingdom are parties to the General Agreement on Tariffs and Trade.

54 Stat. 1897.
19 U. S. C. § 1351 note.

As you know, Article XXV of the 1939 Agreement provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1939 Agreement to exercise this right of termination.

Right of termination.
54 Stat. 1906.
48 Stat. 943.
19 U. S. C. §§ 1351-1354.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting Article XXV of the 1939 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1939 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1939 Agreement in six months.

54 Stat. 1906.
61 Stat., Pts. 5 and 6.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours,

WINTHROP G. BROWN
WINTHROP G. BROWN
Acting Chairman

Mr. J. R. C. HELMORE, C.M.G.,
United Kingdom Delegation,
Palais des Nations.

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[1] [The agreement was signed Nov. 17, 1938; entered into force provisionally, with exception of article XI and Schedule III, Jan. 1, 1939, and definitively Dec. 24, 1939.]

The Acting Head of the British Delegation to the Acting Chairman of the United States Delegation

UNITED KINGDOM DELEGATION
TO
PREPARATORY COMMITTEE

PALAIS DES NATIONS,
GENEVA.
30. October. 1947.

DEAR MR. BROWN,

I have received your letter of today's date regarding the Supplementary Agreement to the General Agreement on Tariffs and Trade and its effect on Article XVIII of the 1939 Agreement between the United States and the United Kingdom. I confirm that my Government has the same understanding on this matter as that set out in your letter.

54 Stat. 1904.

Yours sincerely,

J. R. C. Helmore

(J.R.C. Helmore)

Mr. WINTHROP BROWN,
Acting Chairman,
United States Delegation,
Palais des Nations,
Geneva.

Protocol between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and France and Italy respecting the restitution of monetary gold. Signed at London December 16, 1947; entered into force December 16, 1947.

December 16, 1947
[T. I. A. S. 1707]

PROTOCOL

THE Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic, hereinafter referred to as "the Allied Governments concerned," on the one hand, and the Government of Italy, on the other, have, through the undersigned duly empowered representatives, agreed as follows:—

Italian share.

1. The Allied Governments concerned agree that Italy should receive a proportional share of the gold distributed pursuant to Part III of the Agreement on Reparations from Germany, on the establishment of an Inter-Allied Reparations Agency and on the Restitution of Monetary Gold signed at Paris on 14th January, 1946, on the same basis as the countries signatory to the said Agreement to the extent that Italy can establish that a definite amount of monetary gold belonging to it was looted by Germany, or, at any time after 3rd September, 1943, was wrongfully removed into German territory.

61 Stat., Pt. 3, p. 3180.

2. Italy adheres to the arrangement for the restitution of monetary gold set forth in Part III of the afore-mentioned Agreement and declares that the portion of the monetary gold accruing to it under the Agreement is accepted in full satisfaction of all Italian claims against Germany for restitution of monetary gold.

3. Italy accepts the arrangements which have been or will be made by the Allied Governments concerned for the implementation of the aforesaid arrangement.

Claims deposit.

4. (*a*) Pending the definitive settlement of such claims as may be made pursuant to Article 75, paragraph 8, of the Peace Treaty with Italy within six months of the coming into force of the Treaty, the Italian Government agrees to set aside out of its share as stipulated above, as a guarantee for the execution of the said provisions of the Treaty, and to leave on deposit with the Allied Governments concerned, an amount of gold approximately equal to the claims which it is now known will be made against Italy under the said provisions, viz., 14,422 kilograms of fine gold in respect of the claim of France and 8,857 kilograms of fine gold in respect of the claim of Yugoslavia.

61 Stat., Pt. 2, p. 1401.

(*b*) The amount provided for in sub-paragraph (*a*) shall be set aside in full out of any distribution made to Italy before any gold is withdrawn by Italy for its own use.

PROTOCOLE

LES Gouvernements des États-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et de la République française, ci-après dénommés "Gouvernements alliés intéressés," d'une part, et le Gouvernement italien, d'autre part, sont, par l'entremise de leurs représentants soussignés dûment munis des pouvoirs nécessaires, convenus de ce qui suit:

1. Les Gouvernements alliés intéressés sont d'accord pour que l'Italie reçoive une part proportionnelle de l'or à répartir en application de la Partie III de l'Accord concernant les Réparations à recevoir de l'Allemagne, l'institution d'une Agence interalliée des Réparations et la Restitution de l'Or monétaire, signé à Paris le 14 janvier 1946, sur la même base que les pays signataires dudit accord, dans la mesure où l'Italie pourra établir qu'une quantité déterminée d'or monétaire lui appartenant a fait l'objet de spoliations par l'Allemagne, ou, à une date quelconque après le 3 septembre 1943, de transferts illégitimes en territoire allemand.

2. L'Italie donne son adhésion à l'arrangement concernant la restitution de l'or monétaire figurant à la Partie III de l'accord mentionné ci-dessus et déclare que la quantité d'or monétaire lui revenant en vertu de l'accord est acceptée par elle en règlement complet de toutes les revendications italiennes contre l'Allemagne au titre des restitutions d'or monétaire.

3. L'Italie accepte les arrangements qui ont été ou seront faits par les Gouvernements alliés intéressés pour l'application dudit arrangement.

4. (*a*) En attendant le règlement définitif des réclamations qui pourront être présentées en application de l'article 75, paragraphe 8, du Traité de Paix avec l'Italie dans le délai de six mois à partir de l'entrée en vigueur de ce traité, le Gouvernement italien est d'accord pour mettre de côté, sur sa part telle que stipulée ci-dessus, à titre de garantie pour l'application desdites dispositions du traité, et laisser en dépôt chez les Gouvernements alliés intéressés, une quantité d'or approximativement égale aux réclamations dont on sait actuellement qu'elles seront présentées contre l'Italie en vertu desdites dispositions, à savoir: 14,422 kilogrammes d'or fin, en ce qui concerne la réclamation de la France, et 8,857 kilogrammes d'or fin en ce qui concerne la réclamation de la Yougoslavie.

(*b*) La quantité stipulée à l'alinéa (*a*) sera mise intégralement de côté par prélèvement sur toute attribution qui sera faite à l'Italie avant qu'aucune quantité d'or ne soit retirée par l'Italie pour son propre usage.

(c) The Allied Governments concerned will notify the Italian Government of the arrangements to be made for depositing the aforesaid amount of gold.

Entry into force.

61 Stat., Pt. 2, p. 1245.

5. The present Protocol shall be deemed to have come into force on the day of the coming into force of the Treaty of Peace.

Authentic texts.

Done in London this 16th day of December, 1947, in the English and French languages, of which both texts are equally authentic, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies shall be transmitted to the other contracting Governments.

For the Government of the United States of America:

L. W. DOUGLAS.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

ERNEST BEVIN.

For the Government of the French Republic:

R. MASSIGLI.

For the Government of Italy:

T. GALLARATI SCOTTI.

(*c*) Les Gouvernements alliés intéressés notifieront au Gouvernement italien les arrangements qui seront faits pour la constitution des dépôts de la quantité d'or indiquée ci-dessus.

5. Le présent protocole sera considéré comme étant entré en vigueur le jour de l'entrée en vigueur du Traité de Paix.

Fait à Londres en un seul exemplaire le 16 décembre 1947, en langues anglaise et française, les deux textes faisant également foi. Cet exemplaire sera conservé dans les archives du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en remettra des copies certifiées aux autres parties contractantes.

Pour le Gouvernement des États-Unis d'Amérique:

L. W. DOUGLAS.

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

ERNEST BEVIN.

Pour le Gouvernement de la République française:

R. MASSIGLI.

Pour le Gouvernement italien:

T. GALLARATI SCOTTI.

Certified a true copy.

[SEAL]
LONDON
19 Dec 1947

H K GREY.
Acting Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

December 1, 3, 1947
[T. I. A. S. 1709]

Agreement between the United States of America and Greece respecting the transfer of United States naval vessels and equipment to the Greek Government. Effected by exchange of notes signed at Washington December 1 and 3, 1947; entered into force December 3, 1947.

The Acting Secretary of State to the Greek Ambassador

DEPARTMENT OF STATE
WASHINGTON
December 1, 1947

EXCELLENCY:

I have the honor to refer to the Agreement between our two Governments on aid to Greece signed at Athens on June 20, 1947, and to the proposed transfer thereunder to the Government of the Kingdom of Greece of certain United States naval vessels as listed in subparagraph 5 below. The Government of the United States of America, in accordance with determinations made under Article 4 of the Agreement of June 20, 1947, proposes that the following terms and conditions shall govern the transfer of such naval vessels.

61 Stat., Pt. 3, p. 2907.

61 Stat., Pt. 3, p. 2914.

Vessels, supplies, etc.

1. The Government of the United States will transfer to the Government of Greece the vessels listed in subparagraph 5 below, will provide materials and supplies for operation and maintenance of such vessels together with six months' supply of essential spare parts, will furnish the technical advice and training of crews for the operation of such vessels and will deliver such vessels at times and places to be agreed. Such transfer of vessels and furnishing of materials, supplies, technical advice, and the training of crews shall be without cost or charge to the Government of Greece.

Ownership of vessels.

2. Ownership of the vessels transferred hereunder shall be acquired by the Government of Greece at the time of delivery of each vessel, which shall be evidenced by a delivery certificate executed by the Government of Greece in the form prescribed by the Government of the United States.

Indemnification of U. S. against claims, etc.

3. The Government of Greece shall indemnify and hold harmless the Government of the United States, its officers, agents, servants, and employees against any and all claims, obligations, demands, losses, damages, expenses, and costs of every kind and nature in connection with the transfer of the vessels hereunder or the use and operation thereof by the Government of Greece. Without limiting the generality of the foregoing, the Government of Greece shall indemnify and hold harmless the Government of the United States, its officers, agents, servants, and employees against any and all claims, obligations, demands, losses, damages, expenses, and costs arising or growing out of the transfer to the Government of Greece, or the use by such Government subsequent to such transfer, of Bofors

Bofors 40 mm guns.

40mm guns or guns of similar type made or produced under or pursuant to an agreement dated June 21, 1941,[1] between the United States of America and Aktiebolaget Bofors, a Swedish firm, which guns may be or are part or parts of armament, equipment, or fittings of the vessels to be transferred under this agreement.

Non-relinquishment.

4. The Government of Greece shall not relinquish physical possession of, or transfer ownership of, any of the vessels or their armament, equipment, or fittings obtained under this agreement without the prior written consent of the Government of the United States.

Safeguarding of equipment, etc.

Naval equipment or information furnished under this agreement or otherwise, of any security classification whatsoever, shall be safeguarded in accordance with the requirements of the appropriate security classifications of the United States Navy and no disclosure of such equipment or information shall be made by the Government of Greece to other governments or unauthorized persons without the prior written consent of the Government of the United States.

Vessels to be transferred.
61 Stat., Pt. 3, p. 2907.
61 Stat., Pt. 1, p. 103.

5. The following vessels are proposed to be transferred to the Government of Greece under the Agreement of June 20, 1947 in accordance with the provisions of Public Law No. 75 of the 80th Congress.

PGM 16
PGM 21
PGM 22
PGM 25
PGM 28
PGM 29

The foregoing terms and conditions with respect to the transfer of naval vessels will be considered in effect upon their acceptance by the Government of Greece.

Accept, Excellency, the renewed assurances of my highest consideration.

ROBERT A. LOVETT
Acting Secretary of State

His Excellency
VASSILI C. DENDRAMIS,
Ambassador of Greece.

The Greek Ambassador to the Acting Secretary of State

ROYAL GREEK EMBASSY
WASHINGTON
December 3, 1947.

No. 9123/6

EXCELLENCY:

I have the honor to acknowledge receipt of your letter dated December 1, 1947, which is as follows:

Ante, p. 3734.

"I have the honor to refer to the Agreement between our two Governments on aid to Greece signed at Athens on June 20, 1947, and

61 Stat., Pt. 3, p. 2907.

[1] [Not printed.]

to the proposed transfer thereunder to the Government of the Kingdom of Greece of certain United States naval vessels as listed in subparagraph 5 below. The Government of the United States of America, in accordance with determinations made under Article 4 of the Agreement of June 20, 1947, proposes that the following terms and conditions shall govern the transfer of such naval vessels.

61 Stat., Pt. 3, p. 2914.

1. The Government of the United States will transfer to the Government of Greece the vessels listed in subparagraph 5 below, will provide materials and supplies for operation and maintenance of such vessels together with six months' supply of essential spare parts, will furnish the technical advice and training of crews for the operation of such vessels and will deliver such vessels at times and places to be agreed. Such transfer of vessels and furnishing of materials, supplies, technical advice, and the training of crews shall be without cost or charge to the Government of Greece.

2. Ownership of the vessels transferred hereunder shall be acquired by the Government of Greece at the time of delivery of each vessel, which shall be evidenced by a delivery certificate executed by the Government of Greece in the form prescribed by the Government of the United States.

3. The Government of Greece shall indemnify and hold harmless the Government of the United States, its officers, agents, servants, and employees against any and all claims, obligations, demands, losses, damages, expenses, and costs of every kind and nature in connection with the transfer of the vessels hereunder or the use and operation thereof by the Government of Greece. Without limiting the generality of the foregoing, the Government of Greece shall indemnify and hold harmless the Government of the United States, its officers, agents, servants, and employees against any and all claims, obligations, demands, losses, damages, expenses, and costs arising or growing out of the transfer to the Government of Greece, or the use by such Government subsequent to such transfer, of Bofors 40mm guns or guns of similar type made or produced under or pursuant to an agreement dated June 21, 1941, between the United States of America and Aktiebolaget Bofors, a Swedish firm, which guns may be or are part or parts of armament, equipment, or fittings of the vessels to be transferred under this agreement.

4. The Government of Greece shall not relinquish physical possession of, or transfer ownership of, any of the vessels or their armament, equipment, or fittings obtained under this agreement without the prior written consent of the Government of the United States. Naval equipment or information furnished under this agreement or otherwise, of any security classification whatsoever, shall be safeguarded in accordance with the requirements of the appropriate security classifications of the United States Navy and no disclosure of such equipment or information shall be made by the Government of Greece to other governments or unauthorized persons without the prior written consent of the Government of the United States.

5. The following vessels are proposed to be transferred to the

Government of Greece under the Agreement of June 20, 1947 in accordance with the provisions of Public Law No. 75 of the 80th Congress.

61 Stat., Pt. 3, p. 2907.

61 Stat., Pt. 1, p. 103.

PGM 16
PGM 21
PGM 22
PGM 25
PGM 28
PGM 29

The foregoing terms and conditions with respect to the transfer of naval vessels will be considered in effect upon their acceptance by the Government of Greece."

I am authorized by my Government to inform you in reply that it agrees with the contents of the letter and accepts the terms and conditions with respect to the transfer of the foregoing naval vessels.

Acceptance of terms by Greek Government.

Accept, Excellency, the renewed assurances of my highest consideration.

VASSILI DENDRAMIS
Ambassador of Greece

His Excellency
ROBERT A. LOVETT
Acting Secretary of State

March 25 and April 2, 1947
[T. I. A. S. 1710]

Agreement between the United States of America and Mexico respecting the temporary migration of Mexican agricultural workers, supplementing the agreement of August 4, 1942, as revised April 26, 1943. Effected by exchange of notes signed at Mexico City March 25 and April 2, 1947; entered into force April 2, 1947.

The American Ambassador to the Mexican Secretary of Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Mexico, D.F., March 25, 1947.

No. 697

EXCELLENCY:

I have the honor to refer to the recent negotiations which have taken place between the Intersecretarial Committee of Your Excellency's Government and Messrs. Wilson R. Buie and Durrell L. Lord, representing the United States Department of Agriculture, regarding the continued employment of Mexican agricultural workers in the United States, and to request that Your Excellency be good enough to inform the Intersecretarial Committee that my Government agrees to the following supplementary provisions in relation to the program being carried out under the terms of the agreement between the United States of America and Mexico, which was signed on August 4, 1942, and revised April 26, 1943:

Supplementary provisions.

56 Stat. 1759.

57 Stat. 1152.

1. It is agreed that no change in the present wording of the Work Agreement form now in use need be made, but specific understandings hereinafter suggested are to be given effect by appropriate administrative action.
2. It is understood that workers who are to be employed any part of the time in work on the sugar beet crops will be informed of that fact and that much of such work is arduous.
3. It is agreed that when implementing Paragraph 2 of the Work Agreements, the location meant by the words "area" and "region" will be considered to be the County in which the Mexican worker is employed.
4. It is understood that in each worker's contract there will be inserted, by rubber stamp and upon the dotted line, the name of the place where the worker was first interviewed in connection with his contract, and that place can be considered his "point of origin" for all purposes under his contract.
5. It is agreed that in the event it becomes necessary to repatriate Mexican workers before the expiration of their contracts as a result of a determination that their services are no longer necessary, the United States Department of Agriculture will use every means available to avoid terminating the contracts of

Mexican workers who have recently arrived in the United States, repatriating instead, if necessary, those Mexican workers who have been employed in the United States over longer periods of time.

6. It is understood that, except for days in which the worker works more than four hours, and except for Sundays occurring before the worker's contract has been terminated, there shall be paid to any worker who is physically able to perform his work, the cost of feeding during the period of time in which he has not been utilized for reasons beyond his control.

7. It is agreed that the food provided on the farms or by the commissaries controlled by the farmers must be provided to the workers at cost, and must not exceed $1.50 U. S. Currency per day.

8. It is understood that farmers will be notified that the Consuls of Mexico or the delegates which the Intersecretarial Committee assigns will have power to review the workers' contracts, study the sanitary system and the cost and class of food in those cases where they may consider it necessary.

9. It is agreed that it is to be recommended to the farmers that the balance amounts which remain due the workers from salaries and savings-fund deductions be paid by one check payable to the Banco Nacional de Credito Agricola, to which is attached a list of the workers involved and their respective interests therein.

10. It is agreed that, particularly in view of the increased minimum wage rates to be paid for work in connection with the 1947 sugar beet crop by producers who apply for payments under the Sugar Act of 1937, as amended, the provision of 37 cents per hour minimum wage in provision 2 of the Work Agreements remain unchanged, but that the United States Department of Agriculture undertakes, exactly as the Work Agreements provide, that the treatment in respect to salaries which is given Mexican workers, shall in no way be inferior to that accorded United States domestic labor.

50 Stat. 903.
7 U. S. C. § 1100 *et seq.*

11. It is agreed that if, at the termination of the contract, the worker is not returned to Mexico for reasons beyond his control, commencing on the 15th day following the date of the termination of the contract, the worker will be paid by the United States Department of Agriculture, 50 cents U. S. Currency for each day up to the date of embarkation of the worker for Mexico, this sum being in addition to the subsistence and other benefits heretofore provided.

It is understood that this note, together with Your Excellency's reply in the same terms, shall constitute an agreement between the Government of the United States of America and the Government of the United Mexican States on the supplementary provisions cited above.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency
Señor Don JAIME TORRES BODET,
Secretary of Foreign Relations,
Mexico, D. F.

The Mexican Secretary of Foreign Relations to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

MÉXICO, D.F. *2 de abril de 1947.*

EXCELENCIA:

Me es grato dar respuesta a la muy atenta nota de Vuestra Excelencia, número 697, fechada el 25 de marzo próximo pasado, que a continuación transcribo:

"Tengo el honor de referirme a las recientes negociaciones que se llevaron a cabo entre la Comisión Intersecretarial nombrada por el Gobierno de Vuestra Excelencia y los señores Wilson R. Buie y Durrell L. Lord, representantes del Departamento de Agricultura de los Estados Unidos, relacionadas con el deseo de seguir utilizando los servicios de trabajadores agrícolas mexicanos en los Estados Unidos, para solicitar a Vuestra Excelencia que tenga a bien informar a la Comisión Intersecretarial aludida, que mi Gobierno está de acuerdo con las siguientes cláusulas suplementarias, relativas al programa que se está llevando a cabo dentro de los términos del Convenio vigente entre los Estados Unidos de América y México, que fué firmado el 4 de agosto de 1942 y rectificado el 26 de abril de 1943.

1. – Estamos de acuerdo en que no hay necesidad de hacer cambio alguno en la redacción del nuevo Contrato de trabajo, pero que en lo sucesivo los acuerdos expresos que tengan lugar sean formalizados mediante intercambio de notas.

2. – Estamos entendidos en que los trabajadores que serán empleados en la cosecha del betabel serán motivo de selección con objeto de utilizar solamente a los experimentados, por tratarse de un trabajo pesado.

3. – Damos nuestra conformidad para que las palabras "area" y "región" que se mencionan en el párrafo 2o. del Contrato de Trabajo, cuando se refieren al lugar de empleo, se consideren como el lugar del Condado en donde el trabajador preste sus servicios.

4. – Se toma nota de que en el Contrato de cada trabajador se anotará por medio de un sello y sobre una línea, el nombre del lugar donde el trabajador fué contratado originalmente, y que ese lugar

será considerado como su "punto de orígen" para todos los fines del citado Contrato.

5. – Estamos de acuerdo en que, en el caso de que sea necesario repatriar a trabajadores mexicanos antes de la terminación de sus Contratos, como resultado del hecho de que sus servicios no sean ya necesarios, el Departamento de Agricultura de los Estados Unidos hará todo lo que esté de su parte para evitar que tal desocupación afecte a los trabajadores mexicanos de reciente arribo a los Estados Unidos, repatriándose en su lugar, cuando sea necesario, a aquellos que hayan prestado sus servicios por períodos más largos.

6. – Se entiende que con excepción de los días en los cuales el trabajador no sea utilizado por más de cuatro horas, (excluyéndose los domingos), que transcurran antes de que termine su contrato, se le proporcionarán los gastos de alimentación por el tiempo en que no presta sus servicios, por causas ajenas a su voluntad, siempre que esté físicamente capacitado para desempeñar sus funciones.

7. – Se acepta que los alimentos proporcionados en los ranchos o por las "comisarías" controladas por los patrones serán al precio de costo, no debiendo exceder de la cantidad de Dls. 1.50 por día.

8. – Se acepta que se dé aviso a los patrones en el sentido de que los Cónsules de México y los Delegados designados por la Comisión Intersecretarial tendrán el derecho de revisar el cumplimiento de los contratos de los trabajadores, estudiar el sistema sanitario, así como la clase y costo de los alimentos, cuando ellos lo consideren necesario.

9. – Se manifiesta conformidad en recomendar a los patrones que el saldo que se quede a deber a los trabajadores, por concepto de sueldos o descuentos, sea pagado en un cheque expedido a favor del "Banco Nacional de Crédito Agrícola", al cual se le agregará la lista de los trabajadores beneficiados, así como la de las cantidades individuales que se les adeudan.

10. – Se manifiesta, particularmente, que en vista del aumento de las cuotas por concepto de salario mínimo, que serán pagadas por trabajos relacionados con la cosecha del betabel por el año de 1947, por patrones que soliciten pagos amparados por la "Ley del Azúcar" de 1937, modificada, la cuota de salario mínimo de 37 centavos por hora, prevista en la Cláusula 2a. del Contrato de Trabajo, quedará intacta, pero que el Departamento de Agricultura de los Estados Unidos se comprometerá, de acuerdo con las condiciones del Contrato de Trabajo, a que el tratamiento que se dé a los trabajadores mexicanos en cuestión de salarios, de ninguna manera sea inferior al que disfruten los trabajadores agrícolas norteamericanos.

11. – Estamos de acuerdo en que, si al terminarse el Contrato de Trabajo el trabajador no es regresado a México, por causas ajenas a su voluntad, se le pague por parte del Departamento de Agricultura de los Estados Unidos la cantidad de 50 centavos diarios, moneda americana, a partir del 15° día hasta la fecha de su embarque a México, suma que deberá considerarse suplementaria de la que

recibirá por concepto de subsistencia y otros beneficios establecidos en los Contratos."

Queda entendido que la presente nota, unida a la contestación aprobatoria que Vuestra Excelencia se sirva darle, constituirá un Convenio entre el Gobierno de los Estados Unidos de América y el de los Estados Unidos Mexicanos sobre las Cláusulas Suplementarias arriba citadas".

En debida respuesta me es grato participar a Vuestra Excelencia, que reconociendo la buena voluntad de los Representantes del Departamento de Agricultura de los Estados Unidos para coordinar sus puntos de vista con los de la Comisión Intersecretarial Mexicana, mi Gobierno manifiesta su conformidad con los términos de la nota preinserta, considerándolos como complementarios del acuerdo del 26 de abril de 1943, en la inteligencia de que, si en la práctica, se encontrasen divergencias de interpretación respecto a si debe aplicarse el convenio antes aludido de 1943, o las cláusulas adicionales arriba citadas, mi Gobierno espera que se aplicará el texto que resulte más favorable al trabajador.

Me es grato reiterar a Vuestra Excelencia el testimonio de mi más alta consideración.

Jaime Torres Bodet.

A su Excelencia
Señor WALTER THURSTON
Embajador de los Estados Unidos de América
México, D. F.

Translation

MINISTRY OF FOREIGN AFFAIRS
UNITED MEXICAN STATES
MEXICO

MEXICO, D. F., *April 2, 1947.*

EXCELLENCY:

I take pleasure in replying to Your Excellency's very courteous note No. 697, dated March 25 last, which I transcribe as follows:

Ante, p. 3738.

"I have the honor to refer to the recent negotiations which have taken place between the Interdepartmental Committee appointed by Your Excellency's Government and Messrs. Wilson R. Buie and Durrell L. Lord, representing the United States Department of Agriculture, regarding the desire to continue to employ Mexican agricultural workers in the United States, and to request that Your Excellency be good enough to inform the above-mentioned Interdepartmental Committee that my Government agrees to the following supplemen-

tary clauses relative to the program being carried out under the terms of the Agreement in force between the United States of America and Mexico, which was signed on August 4, 1942, and revised April 26, 1943: 56 Stat. 1759; 57 Stat. 1152.

1. It is agreed that there is no change in the wording of the new Work Contract need be made, but that, in the future, the understandings mentioned which are made shall be formalized by means of an exchange of notes.

2. It is understood that the workers who are to be employed in the harvesting of sugar beets shall be subjected to a process of selection for the purpose of employing experienced workers only, since the work involved is arduous.

3. It is agreed that the words "area" and "region" which are mentioned in Paragraph 2 of the Work Contract shall, when they refer to the place of employment, be considered as meaning the place in the County where the worker is employed.

4. It is noted that in each worker's contract there will be inserted, by means of a stamp and on a line, the name of the place where the worker signed the contract originally, and that that place shall be considered as his "point of origin" for all the purposes of the abovementioned Contract.

5. It is agreed that, in the event it becomes necessary to repatriate Mexican workers before the expiration of their contracts as a result of the fact that their services are no longer necessary, the United States Department of Agriculture will use every means available to prevent such unemployment from affecting the Mexican workers who have recently arrived in the United States, repatriating instead, when necessary, those who have been employed over longer periods of time.

6. It is understood that, except for those days (excluding Sundays) when the worker is not used for more than four hours, which occur before his contract terminates, he shall be given the cost of his food for the time in which he does not work, for reasons beyond his control, provided he is physically able to perform his work.

7. It is agreed that the food provided on the farms or by the commissaries controlled by the farmers shall be provided at cost, and must not exceed 1.50 dollars per day.

8. It is understood that the farmers will be notified that the Consuls of Mexico and the Delegates assigned by the Interdepartmental Committee will have the right to examine the fulfillment of the workers' contracts, to study the sanitary system, as well as the class and cost of the food, when they may consider it necessary.

9. It is agreed that it be recommended to the farmers that the balance which remains due to the workers from wages or deductions be paid by one check payable to the "Banco Nacional de Crédito Agrícola", to which shall be attached a list of the workers to receive payment, as well as one of the individual amounts owed to them.

10. It is agreed, particularly, that in view of the increase in minimum wage rates to be paid for work in connection with the 1947 beet

sugar crop by farmers who apply for payments under the Sugar Act of 1937, as amended, the minimum wage rate of 37 cents per hour provided for in the second clause of the Work Contract will remain unchanged, but that the United States Department of Agriculture will undertake, in accordance with the condition of the Work Contract, to provide that the treatment given to the Mexican workers with respect to wages shall in no way be inferior to that enjoyed by United States farm labor.

50 Stat. 903.
7 U. S. C. § 1100 *et seq.*

11. It is agreed that if, at the termination of the Work Contract, the worker is not returned to Mexico for reasons beyond his control, commencing on the 15th day he will be paid by the United States Department of Agriculture the sum of 50 cents U. S. currency for each day up to the date of his embarkation for Mexico, and that this sum must be considered as being in addition to that which he will receive in the form of subsistence and other benefits provided for in the contracts.

"It is understood that this note, together with the reply in acceptance which Your Excellency may be so good as to make thereto, shall constitute an Agreement between the Government of the United States of America and the Government of the United Mexican States on the supplementary clauses cited above."

In due reply, I am pleased to inform Your Excellency that, recognizing the friendly desire on the part of representatives of the United States Department of Agriculture to co-ordinate their points of view with those of the Mexican Interdepartmental Committee, my Government expresses its agreement with the terms of the above-inserted note, considering those terms as supplementary to the Agreement of April 26, 1943, with the understanding that if, in practice, differences of interpretation should be encountered as to whether the above-mentioned Agreement of 1943 or the above-cited additional clauses should be applied, my Government hopes that the text which is more favorable to the worker will be applied.

57 Stat. 1152.

I take pleasure in renewing to Your Excellency the assurance of my highest consideration.

J T BODET.
JAIME TORRES BODET.

His Excellency
WALTER THURSTON
Ambassador of the United States of America
Mexico, D. F.

Agreement between the United States of America and Sweden respecting quantitative import restrictions, modifying temporarily the agreement of May 25, 1935. Effected by an exchange of aide-mémoire dated at Washington June 24, 1947; entered into force June 24, 1947. And an exchange of letters.

June 24, 1947
[T. I. A. S. 1711]

The Swedish Legation to the Department of State

LEGATION OF SWEDEN
WASHINGTON 8, D. C.

AIDE-MEMOIRE

The Government of Sweden wishes to refer to the discussions which have recently taken place between its representatives and representatives of the Government of the United States of America, concerning the problems, in relation to the Commercial Agreement between the United States of America and Sweden of May 25, 1935, which have arisen as a result of the imposition of quantitative import restrictions by the Swedish Government on March 15, 1947.

49 Stat. 3755.

1. During the course of these discussions the Swedish representatives have presented extensive information setting forth the serious reduction in Sweden's reserves of gold and foreign exchange, and the resulting necessity of imposing measures of control for the purpose of correcting this situation.
2. With respect to goods en route or on order at the time of the imposition of quantitative import restrictions on March 15, 1947, the Government of Sweden, after consultation with the United States Government, has announced that licenses will be granted for the import of all commodities which were placed under import restrictions on that date, provided that the Swedish importer when applying for an import license establishes the following facts:
   a. that a bona fide contract contemplating delivery prior to October 1, 1947 had been entered into, on or before March 15, 1947, and
   b. that the delivery in Sweden of the goods mentioned in the contract will be effected before October 1, 1947.
3. The Government of Sweden brings to the notice of the United States Government the statement of its support of the principle of unrestricted, multilateral trade on the basis of free competition and of those policies which have for their purpose the encouragement of this principle, recently made in the official communique of May 12, 1947, regarding discussions between the Ministers of Foreign Affairs and other representatives of the Governments of Denmark, Norway and Sweden. The Swedish Government has

officially announced its desire that the quantitative restrictions upon imports, imposed by it on March 15, 1947, shall be of as short duration as possible. The Swedish Government also brings to the notice of the United States Government the Government Bill of May 30, 1947, in which it indicated its desire, due consideration being given to existing trade agreements, to see an expansion of the volume and a development of the direction of Swedish exports serving to redress Sweden's international balance of payments at the earliest possible date. The Swedish Government has not at present any undertaking, and does not propose to enter into undertakings, that specific commodities will be delivered to specific countries unless such a policy should form part of a fair allocation among all importing countries of essential commodities in short supply.

4. During the period while the quantitative import restrictions remain in force, the Government of Sweden, which has taken note of the fact that the Government of the United States of America does not in relation to Sweden restrict the free disposition of dollar earnings or assets, except as provided for in the exchange of letters of March 18 and 25, 1947 [1] establishing the procedure for unblocking of Swedish assets in the United States, will continue to authorize all current payments, including payments for imports and the transfer of earnings and remittances, and will limit such control of foreign exchange as it may become necessary to maintain to the control of international capital movements.

5. During the period while the quantitative restrictions upon imports remain in force the Government of Sweden when administering the controls will observe the following principles:

   a. Commodities will be licensed without regard to the country of origin, except as stated below.

   b. In those instances where, during the period covered by the present arrangements, the above licensing principle would exert a restrictive influence on the overall volume of international trade by reducing imports from areas experiencing a serious shortage of gold and/or convertible currencies in a way which would not improve Sweden's multilateral payments possibilities, Sweden in granting import licenses may take into consideration the special payments possibilities which may exist between Sweden and the country of origin.

   c. Licenses will, unless otherwise agreed, be granted permitting the importation of commodities from the United States listed in Schedule I of the Commercial Agreement between the United States of America and Sweden of 1935, and not on the unrestricted list, to an amount, for the period from January 1, 1947 to June 30, 1948, equivalent to not less than 150% of the volume of like imports from the United States during 1946.

49 Stat. 3768.

[1] [Not printed.]

d. No commodity or class of commodities imported from the United States during the operation of the Commercial Agreement between the United States of America and Sweden of 1935 shall be entirely excluded.

e. No commodity now on the unrestricted list and imported from the United States during the operation of the Commercial Agreement between the United States of America and Sweden of 1935 shall be removed from that list without equitable transitional arrangements having been provided.

6. The Government of Sweden will place in operation as of July 1, 1947 the system of administering the import controls envisaged in this aide-memoire.

7. The Government of Sweden recognizes that the Commercial Agreement between the United States of America and Sweden of 1935 remains in full force and effect, save for those temporary modifications in its operation provided for in this exchange of memoranda.

8. If unforeseen developments require a temporary modification in the terms of the understanding embodied in this exchange of memoranda, and in any event before the expiration of this understanding on June 30, 1948, the Government of Sweden agrees to review the situation with the Government of the United States of America for the purpose of considering such action as the circumstances may demand.

WASHINGTON, D.C., *June 24, 1947.*

H. E.

The Department of State to the Swedish Legation

AIDE-MEMOIRE

The Government of the United States of America refers to the aide-memoire of the Government of Sweden, dated June 24, 1947, concerning the problems, in relation to the Commercial Agreement between the United States of America and Sweden of May 25, 1935, which have arisen as a result of the imposition of quantitative import restrictions by the Swedish Government on March 15, 1947. The Government of the United States of America: 49 Stat. 3785.

1. Takes note of the entensive information presented by the representatives of the Swedish Government with respect to the serious reduction in Sweden's reserves of gold and convertible exchange indicating the necessity of imposing measures to correct this situation;

2. Acknowledges the declaration made by the Government of Sweden of its adherence to the principle of unrestricted, multilateral trade on the basis of free competition, and takes note of the desire of the Swedish Government that the quantitative restrictions upon imports imposed by it on March 15, 1947 shall be of as short duration as possible;

3. Takes note of the statements of the Government of Sweden with respect to the administration of the quantitative import restrictions;
4. Agrees for the duration of the present arrangement not to invoke the provisions of Articles II and VII of the Commercial Agreement between the United States of America and Sweden of 1935, in respect of the measures taken or to be taken by the Government of Sweden as set forth in its aide-memoire;

49 Stat. 3757, 3760.

5. Recognizes that the Commercial Agreement between the United States of America and Sweden of 1935 remains in full force and effect, save for those temporary modifications in its operation provided for in this exchange of memoranda;
6. Agrees to review the situation with the Government of Sweden prior to July 1, 1948 for the purpose of considering such action as the circumstances may demand.

DEPARTMENT OF STATE,
Washington, June 24, 1947.

The Swedish Minister to the Assistant Secretary for Economic Affairs

LEGATION OF SWEDEN
WASHINGTON 8, D. C.

JUNE 24, 1947.

MY DEAR MR. SECRETARY:

In connection with the discussions which have recently taken place between representatives of the Government of Sweden and of the Government of the United States concerning the problems arising as a result of the imposition of quantitative import restrictions by the Swedish Government on March 15, 1947, the Government of Sweden transmitted a memorandum to the Government of the United States on June 24, 1947, which stated in part:

> "The Government of Sweden . . . will continue to authorize all current payments, including payments for imports and the transfer of earnings and remittances and will limit such control of foreign exchange as it may become necessary to maintain to the control of international capital movements."

Conditions respecting foreign exchange, etc.

In applying the principles set forth in this memorandum the Swedish Government agrees to make the registration and control of foreign exchange and the restriction of capital movements subject to the following conditions:

a. The Swedish Government will not impose restrictions on current transactions additional to those now in use and thus will continue to authorize current payments of a customary nature from Sweden to the United States (payment of profits, dividends, interest, royalties, payments for commercial purposes and other payments relating to current business provided that the underlying transactions, wherever necessary, have been duly authorized (including balances accrued from the same sources in the

past)). With regard to balances accumulated from the same sources in the past, transfer will be authorized unless the funds in question have been voluntarily invested in Sweden. The appropriate agencies of the Swedish Government, moreover, will examine carefully with due regard to the Swedish exchange position requests for transfers of capital from Sweden to the United States when transfers of that type might serve a useful commercial and economic purpose, and where transfers of small amounts are of substantial importance to the interested parties. They will examine in the same spirit requests for transfers of funds to the United States filed by American nationals residing in Sweden.

b. The Swedish Government or the appropriate agencies thereof will likewise continue to authorize persons residing in Sweden who without having violated Swedish law owe bona fide dollar obligations to any governmental agency, individual or firm in the United States, to discharge such obligations when they are due, and if necessary, it will authorize such persons to purchase dollars for that purpose.

If unforeseen circumstances require temporary modification of the principles set forth above, the Government of Sweden, in accordance with the provisions of its memorandum of June 24, 1947, will review the situation with the Government of the United States.

Sincerely,

HERMAN ERIKSSON

Mr. WILLARD L. THORP,
Assistant Secretary for Economic Affairs,
Department of State,
Washington, D.C.

The Assistant Secretary for Economic Affairs to the Swedish Minister

DEPARTMENT OF STATE
WASHINGTON
June 24, 1947

MY DEAR MR. MINISTER:

I am pleased to have received your letter of June 24, 1947, setting forth the policies which the Swedish Government will follow in accomplishing the registration and control of foreign exchange and the restriction of capital movements.

I take pleasure in stating that the provisions of this letter are acceptable to the Government of the United States.

Sincerely yours,

WILLARD L THORP

The Honorable
HERMAN ERIKSSON,
Minister of Sweden.

September 13, 24, 1946
[T. I. A. S. 1713]

Agreement between the United States of America and Italy respecting American dead in World War II. Effected by exchange of notes verbales dated at Rome September 13 and 24, 1946; entered into force September 24, 1946.

The American Embassy to the Italian Ministry of Foreign Affairs

F. O. No. 654

EMBASSY OF THE
UNITED STATES OF AMERICA

NOTE VERBALE

Deceased members of U. S. Armed Forces buried in Italy.

The Embassy of the United States of America presents its compliments to the Italian Ministry of Foreign Affairs and has the honor to refer to the Embassy's Note Verbale no. 561 of July 3, 1946, [1] and the Ministry's Note Verbale no. 19/27869/160 of August 20, 1946, [1] as well as to the subsequent informal conversations between Minister Zoppi representing the Ministry and Mr. Henderson representing the Embassy, all in connection with the desire of the Government of the United States to conclude a bilateral agreement with the Government of the Italian Republic with respect to the disposition and care of the remains of deceased members of the United States Armed Forces who are now buried in Italy.

The Embassy takes pleasure in advising the Ministry that the Department of State is agreeable to amending the original draft of the proposed agreement as follows, in accordance with the informal requests made by Minister Zoppi on September 3:

Post, p. 3751.

Introductory paragraph, Article I: "The United States, through its duly designated representatives, shall have the following facilities:"

Subparagraph E, Article I: "The Government of the United States shall have the unrestricted right, in cooperation with Italian authorities, to examine and open all records, military or civilian, which may be of assistance in locating the graves or identifying the remains of its deceased military or civilian personnel."

Post, p. 3752.

The final sentence of Article III is also amended to read: "The provisions of Article I, Subparagraphs A, B and C will apply in the construction and maintenance of such permanent cemeteries and memorials as may be desired."

In order to formalize the proposed bilateral agreement, the full amended text is incorporated in this note as an attachment to it. If, pursuant to the oral agreement already reached over the amended text, the Ministry of Foreign Affairs will likewise incorporate the said text into its reply to the present note, the Government of the United

[1] [Not printed.]

States will consider the bilateral agreement concluded and will take appropriate steps for its application by delegates designated by the United States in agreement with the proper Italian authorities.

ROME, *September 13, 1946.*

DK

Attachment:
Amended text of
bilateral agreement.

To the
Ministry of Foreign Affairs,
Rome.

Attachment

The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the United States and/or who served or who accompanied the Armed Forces of the United States and are now buried in Italy or any possession or territory now or hereafter subject to the control of the Italian Government.

Article I

U. S. facilities.

The United States, through its duly designated representatives, shall have the following facilities:

Temporary cemeteries.

A. The Government of the United States shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into their cemeteries abroad, and may move bodies from other countries into and/or through Italy and its territories and possessions for interment and/or trans-shipment.

Exemption from certain laws and/or regulations.

B. The Government of the United States shall be exempted from all national, local or other laws and/or regulations relating to the permits for disinterments, sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health, and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

Free entrance and exit, etc.

C. The Government of the United States shall have the right of free entrance and exit for all personnel, supplies, transportation (air, rail, animal and/or water) serving or belonging to the United States, and the use of airfields, port facilities, warehousing, living quarters, office space, rail and water transportation and the right to employ labor in Italy, its territories and possessions essential to the accomplishment of its mission, upon payment of just compensation thereof.

Right to search.

D. The Government of the United States shall have the unrestricted right to search for the remains of members of its armed forces and/or its citizens.

E. The Government of the United States shall have the unrestricted right, in cooperation with Italian authorities, to examine and open all records, military or civilian, which may be of assistance in locating the

graves or identifying the remains of its deceased military or civilian personnel.

F. The Government of the United States shall have the right to question and examine citizens of Italy and to take affidavits in furtherance of its search for and identification of remains of members of its armed forces and/or its citizens.

Article II

Assistance from Italian Government.

The Government of Italy will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the United States and upon demand and the furnishing of a proper receipt, will turn over to representatives of the United States all effects so located and secured.

Article III

If in the future the Government of the United States wishes to establish permanent cemeteries or erect memorials in Italy, the Italian Government will exercise its power of Eminent Domain to acquire title to such sites and grant to the United States the right of use therein in perpetuity upon payment by the United States of cost compensation therefor. Any sites acquired, including improvements thereto and buildings constructed thereon, shall be exempt from any and all form of taxation, direct or indirect. The provisions of Article I, Subparagraphs A, B and C will apply in the construction and maintenance of such permanent cemeteries and memorials as may be desired.

The Italian Ministry of Foreign Affairs to the American Embassy

MINISTERO DEGLI AFFARI ESTERI
D. G. A. POL. VIII°

NOTA VERBALE

Il Ministero degli Affari Esteri ha l'onore di accusare ricevuta all'Ambasciata degli Stati Uniti d'America della Nota Verbale n. 654 del 13 settembre 1946, alla quale é allegato il progetto d'accordo bilaterale italo-americano, relativo alla sistemazione dei Cimiteri di guerra americani in Italia, il cui testo é il seguente:

The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the United States and/or who served or who accompanied the Armed Forces of the United States and are now buried in Italy or any possession or territory now or hereafter subject to the control of the Italian Government.

Article I

The United States, through its duly designated representatives shall have the following facilities:

A. The Government of the United States shall have the right to establish and maintain such temporary cemeteries as are necessary for

the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into their cemeteries abroad, and may move bodies from other countries into and/or through Italy and its territories and possessions for interment and/or trans-shipment.

B. The Government of the United States shall be exempted from all national, local or other laws and/or regulations relating to the permits for disinterments, sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health, and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

C. The Governement of the United States shall have the right of free entrance and exit for all personnel, supplies, transportation (air, rail, animal and/or water) serving or belonging to the United States, and the use of airfields, port facilities, warehousing, living quarters, office space, rail and water transportation and the right to employ labor in Italy, its territoires and possessions essential to the accomplishment of its mission, upon payment of just compensation thereof.

D. The Government of the United States shall have the unrestricted right to search for the remains of members of its armed forces and/or its citizens.

E. The Government of the United Stated shall have the unrestricted right, in cooperation with Italian authorities, to examine and open all records, military or civilian, which may be of assistance in locating the graves or identifying the remains of its deceased military or civilian personnel.

F. The Government of the United States shall have the right to question and examine citizens of Italy and to take affidavits in furtherance of its search for and identification of remains of members of its armed forces and/or its citizens.

Article II

The Government of Italy will render all possible assistance il locating and securing the effects of deceased military and civilian personnel of the United States and upon demand and the furnishing of a proper receipt, will turn over to representatives of the United States all effects so located and secured.

Article III

If in the future the Government of the United States wishes to establish permanent cemeteries or erect memorials in Italy, the Italian Government will exercise its power of Eminent Domain to acquire title to such sites and grant to the United States the right of use therein in perpetuity upon payment by the United States of cost compensation therefor. Any sites acquired, including improvements thereto and buildings constructed thereon, shall be exempt from any and all form of taxation, direct or indirect. The provisions of Article I, Subparagraphs A, B and C will apply in the construction and maintenance of such permanent cemeteries and memorials as may be desired.

Il Ministero degli Affari Esteri, nel comunicare che il Governo Italiano approva il testo sopra riportato, dichiara pertanto di considerare concluso l'Accordo italo-americano per i Cimiteri di guerra americani in Italia e coglie l'occasione per rinnovare all'Ambasciata degli Stati Uniti d'America i sensi della sua alta considerazione.

ZOPPI.

ROMA, *lì 24 Set. 1946*

A S.E. *L'Ambasciatore*
degli Stati Uniti d'America
Roma

Translation

MINISTRY OF FOREIGN AFFAIRS
D. G. A. POL. VIII

NOTE VERBALE

The Ministry of Foreign Affairs has the honor to acknowledge to the Embassy of the United States of America receipt of Note Verbale No. 654 of September 13, 1946, to which is attached the proposed Italo-American bilateral Agreement relating to arrangement of American war cemeteries in Italy, the text of which is the following:

Ante, p. 3750.

[For the English language text of the agreement, see pp. 3752, 3753.]

Approval by Italian Government.

The Ministry of Foreign Affairs, in announcing that the Italian Government approves the text cited above, states consequently that it considers as concluded the Italo-American Agreement for American war cemeteries in Italy, and avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

ZOPPI.

Rome, *September 24, 1946*

His Excellency the
Ambassador of the United States of America,
Rome

Agreement between the United States of America and China respecting United States armed forces in China. Effected by exchange of notes signed at Nanking August 29 and September 3, 1947; entered into force September 3, 1947.

August 29, September 3, 1947
[T. I. A. S. 1715]

The American Ambassador to the Chinese Minister for Foreign Affairs

AMERICAN EMBASSY
No. 1109 *Nanking, August 29, 1947*

EXCELLENCY:

I have the honor to refer to paragraph 7 of a resolution [1] adopted by the United Nations General Assembly on December 14, 1946 which reads in part as follows:

> "It (General Assembly) recommends the members to undertake . . . the withdrawal without delay of armed forces stationed in the territories of members without their consent freely and publicly expressed in treaties or agreements consistent with the charter and not contradicting international agreements."

My Government, desiring to fulfill the requirements of this resolution, would appreciate receiving from the Chinese Government a formal statement to the effect that all armed forces of the United States of America stationed on Chinese territory are so stationed with the consent of the Chinese Government.

It is contemplated that this note and Your Excellency's reply thereto will constitute an agreement within the meaning of the resolution quoted above and that this agreement will be registered in due course with the United Nations.

Please accept, Excellency, the renewed assurances of my highest consideration.

For the Ambassador:
WILLIAM T. TURNER
First Secretary of Embassy

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[1] [United Nations. *Resolutions adopted by the General Assembly during the Second Part of its First Session from 23 October to 15 December 1946*, p. 66. Lake Success, 1947.]

Translation[1]

照會 此係譯件英文為準

第一一〇九號

逕啟者查聯合國大會曾於一九四六年十二月十四日通過決議案一項，其第七段節開如左：

「大會建議各會員會應從事……將其所駐在其他會員國領土內之武裝部隊，而未經各該國在符合憲章及不抵觸國際協定之條約或協定內自由及公開表示其同意者，立予撤退。」

貴國政府惠予正式聲明所有美國駐在貴國領土內之武裝部隊俱經貴國政府同意，本國政府當深感荷。茲計劃本文及貴部長閣下復文將在上述決議案意義內構成一項協定並擬將

[1] [This translation was made in the American Embassy and delivered to the Chinese Minister for Foreign Affairs.]

此項協定屆時向聯合國備案。相應照達即希
查照為荷。

本大使順向
貴部長重表敬意

此致

中華民國外交部長王 閣下

司徒雷登

一九四七年八月二十九日

The Chinese Minister for Foreign Affairs to the American Ambassador

照會

逕啟者：接准八月二十九日

貴大使館一等秘書滕諾代表

閣下簽署之照會一件，原文如下：

「逕啟者查聯合國大會曾於一九四六年十二

月十四日通過決議案一項，其第七段節開如左：

「（大會）建議各會員國應從事……將其

所駐在其他會員國領土內之武裝部隊，而

未經各該國在符合憲章及不抵觸國際協

定之條約或協定內自由及公開表示其同意

條
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18287

者，立予撤退。」

等由。本國政府擬欲履行此項決議案之規定，倘荷貴國政府惠予正式聲明所有美國駐在貴國領土內之武裝部隊俱經貴國政府同意，本國政府當深感荷。茲計劃本文及貴部長閣下復文將在上述決議案意義內構成一項協定並擬將此項協定屆時向聯合國備案，相應照達，即希查照為荷。」

本部長茲代表本國政府為下列之聲明：現在駐紮中國領土之美國武裝部隊係由中國政府之同意而駐紮；

雙方了解倘中國政府或美國政府認為此項美國部隊應撤退時，此項部隊即須撤退，相應照達，即希查照為荷

本部長順向

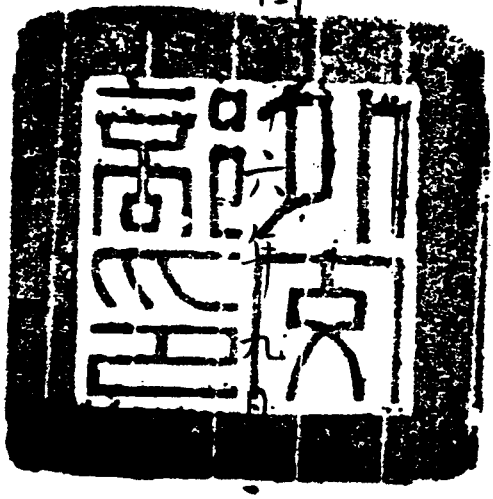
貴大使重表敬意

此致

美利堅合衆國駐華特命全權大使司徒雷登閣下

勵吟[illegible]

中華民國



三日

於南京

Translation[1]

MINISTRY OF FOREIGN AFFAIRS,
Nanking, September 3, 1947.

No. Tiao-36/18287

EXCELLENCY:

I have the honor to acknowledge the receipt of the note dated August 29, #1109, and signed on Your Excellency's behalf, by Mr. Turner, First Secretary of the Embassy, the original text of which reads as follows:

Ante, p. 3755.

"I have the honor to refer to paragraph 7 of a resolution adopted by the United Nations General Assembly, on December 14, 1946 which reads in part as follows:

'It (the General Assembly) recommends that the members undertake . . . the withdrawal without delay of armed forces stationed in the territories of members without their consent freely and publicly expressed in treaties or agreements consistent with the charter and not contradicting international agreements.'

"My Government, desiring to fulfill the requirements of this resolution, would appreciate receiving from the Chinese Government a formal statement to the effect that all armed forces of the United States of America stationed on Chinese territory are so stationed with the consent of the Chinese Government.

"It is contemplated that this note and Your Excellency's reply thereto will constitute an agreement within the meaning of the resolution quoted above and that this agreement will be registered in due course with the United Nations."

In reply I have the honor to make the following statement on behalf of my Government: The armed forces of the United States of America now stationed on Chinese territory are so stationed through the consent of the Chinese Government; it is mutually understood that when either the Chinese Government or the Government of the United States considers that these armed forces of the United States of America should be withdrawn, the armed forces must be withdrawn forthwith.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Minister:
LIU SHIH-SHUN

His Excellency
Dr. J. LEIGHTON STUART,
Ambassador of the United States of America,
Nanking.

[1] [This translation was made in the Department of State.]

Arrangement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the procurement of military equipment and supplies for aid to Greece. Effected by exchange of notes signed at Washington July 25 and October 9, 1947; entered into force October 9, 1947.

July 25, October 9, 1947
[T. I. A. S. 1718]

The Secretary of State to the British Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
July 25, 1947

SIR:

Due to the lapse of time between the approval of the Act to Provide for Assistance to Greece and Turkey, effective May 22, 1947, and the actual arrival of American military equipment and supplies in Greece, the Government of the United States wishes to establish an arrangement with the Government of the United Kingdom which would:

61 Stat., Pt. 1, p. 103.

(1) provide for the continuation of the furnishing of such supplies and equipment by the United Kingdom as are necessary for the Greek military program until United States supplies arrive in Greece;

(2) provide for the continued procurement by the Government of the United Kingdom of certain supplies required by the Greek Armed Forces which the Government of the United States is not now in a position to provide from its own resources.

Pending further arrangements, the Government of the United States hereby undertakes to the extent provided in this note to pay the Government of the United Kingdom for supplies and equipment issued, and for services incident to the procurement and delivery of such supplies and equipment provided by the Government of the United Kingdom to the Government of Greece for the Greek Armed Forces after May 22, 1947. Such issues shall be deemed to include all arrivals in Greece of such supplies and equipment after May 22, 1947. Such supplies, equipment, and services shall be deemed to exclude items which the Government of the United Kingdom has agreed to provide free of charge, including

Free items.

(a) certain initial equipment and supplies for the Greek Army provided against demands submitted before May 22, 1947 (estimated to be approximately £2,000,000 in value);

(b) any supplies for the Greek Air Force which were included subject to availabilities in the Order of Battle agreed with the British Air Ministry in 1946 and certain special items added thereto in 1947;

(c) any other items which the Government of the United Kingdom has agreed to provide free of charge in accordance with arrangements previously made by the Government of the United Kingdom with the Greek Government or against payment by the Greek Government from funds made available by the Government of the United Kingdom for that purpose.

Pending the establishment of military and naval supply programs in accordance with the fourth paragraph hereof, it is the understanding of the Government of the United States that the British authorities concerned will issue within reasonable limits necessary supplies and equipment based on their past experience and upon the essential needs of the Greek Government for the maintenance of its military forces. The Government of the United States, however, does not undertake financial responsibility for any issues beyond such reasonable limits. In order to assure that continuing requirements of the Greek Armed Forces are met with respect to certain limited and vital equipment and supplies which the Government of the United States is not now in a position to provide from its own resources, it is specifically requested that the Government of the United Kingdom continue procurement of (1) food requirements of the Greek Armed Forces through August 31, 1947 for 176,000 men, or such other number as may be agreed, on the same scale as now used, and (2) necessary ammunition and maintenance supplies, in quantities agreed between representatives of the two Governments, for equipment of British origin now held by the Greek Armed Forces.

American Mission for Aid to Greece.

Personnel of the military and naval sections of the American Mission for Aid to Greece will have arrived in Greece shortly after the effective date of the Act. These representatives will cooperate with the British military, naval, and air missions in Greece in the estimation of military supply requirements which might be met from British sources and will ordinarily request the Government of the United Kingdom through appropriate channels to supply such categories of supplies and equipment as the War or Navy Department may deem appropriate. The Government of the United States will be financially responsible for, but only for, all issues made by the Government of the United Kingdom against such requests. Representatives of the Government of the United States will review with representatives of the Government of the United Kingdom questions relating to the establishment of the basis for prices. This note, of course, in no way affects the status of lend-lease articles which are subject to the United States–United Kingdom Military Holdings Agreement of March 27, 1946, any transfers of which will be made without charge to the Government of the United States. In the event that the Government of the United States requests changes in procurement which require the cancellation by the Government of the United Kingdom of any items previously requested by the Government of the United States for which procurement action has been initiated, the Government of the United States will be responsible for any financial loss to the Government of the United Kingdom in connection therewith.

60 Stat. 1525, 1539.

Cancellation of requested items.

The Government of the United States will wish to conclude more detailed understandings with respect to the pricing, methods of accounting, and of payment for the equipment and supplies provided by the Government of the United Kingdom to the Greek Government in accordance with the paragraphs above. Pending such detailed arrangements, it is requested that the Government of the United Kingdom keep detailed accounts and records to facilitate the settlement of accounts between the Government of the United States and the Government of the United Kingdom. U. K. accounts and records.

Accept, Sir, the renewed assurances of my high consideration.

G. C. MARSHALL

The Honorable
J. BALFOUR, K.C.M.G.,
Minister Plenipotentiary,
British Charge d'Affaires ad interim.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.
9th October, 1947.

No. 548
(80/212/47)

SIR:

With reference to your note of the 25th July, addressed to Mr. Balfour, concerning the provision of supplies to Greece, I have the honour to inform you that the arrangements therein set out are acceptable to His Majesty's Government in the United Kingdom, subject to the following considerations which are presented by His Majesty's Government for the sake of clarification only.

With regard to sub-paragraph (a) of the second paragraph of your note, His Majesty's Government confirm that they have undertaken to provide to the Greek Government after the 31st March, 1947, free military equipment and supplies to the approximate value of £2 million. A considerable proportion of the equipment and supplies forming part of this gift was delivered to the Greek Government before the 22nd May, 1947, but it is confirmed that, insofar as deliveries of initial equipment and supplies forming the balance of the gift are made after the 22nd May, 1947, against demands submitted before that date, they will be provided free by His Majesty's Government. *Ante*, p. 3763.

His Majesty's Government confirm further that they have undertaken to provide the equipment and supplies covered in the second paragraph of your note and that the aforementioned equipment and supplies constitute the total amount of assistance which His Majesty's Government have agreed to supply free of charge.

His Majesty's Government assume that the third paragraph of your note will apply to all issues made within reasonable limits against any demands submitted by the Greek authorities before the arrival of the United States Mission, excluding those covered by sub-paragraphs (a), (b) and (c) of the second paragraph of your note, and, therefore, that

the United States Government accept liability to pay for items issued within such limits from British sources to the Greek armed forces outside the agreed programmes in respect of Greek demands submitted after the 22nd May but before the arrival of the United States Mission and before the agreed programmes were drawn up.

With reference to the fourth paragraph of your note, His Majesty's Government confirm that your note in no way affects the status of Lend-Lease articles which are subject to the United States–United Kingdom Military Holdings Agreement of the 27th March, 1946, which sets out the procedure to be followed when either the re-transfer or the re-capture of such articles is to be carried out.

60 Stat. 1525, 1539.

It is assumed that any supplies sent by His Majesty's Government to the Greek Government for the use of the Greek civil police will be dealt with in the same way as supplies to the Greek Army and Gendarmerie.

I avail myself of this opportunity to renew to you the assurance of my highest consideration.

INVERCHAPEL

The Honourable
GEORGE C. MARSHALL,
Secretary of State of the United States,
Washington, D.C.

Agreement between the United States of America and France respecting American dead in World War II. Signed at Paris October 1, 1947; entered into force October 1, 1947.

October 1, 1947
[T. I. A. S. 1720]

AGREEMENT

CONCERNING THE INTERMENT IN FRANCE AND IN TERRITORIES OF THE FRENCH UNION OR THE REMOVAL TO THE UNITED STATES OF THE BODIES OF AMERICAN SOLDIERS KILLED IN THE WAR OF 1939–1945

The Government of the United States of America and the Government of the French Republic, having resolved to facilitate the burial in French territory or the removal to their own country of the bodies of American soldiers killed in the war of 1939–1945, the undersigned, duly authorized for this purpose, have agreed on the following provisions:

SECTION I

Creation of permanent cemeteries and commemorative momuments called "Fields of Honor".

Article 1. – The French Government grants to the Government of the United States of America, gratis, and for unlimited duration, the free disposition of the terrains situated in France and in territories of the French Union, chosen and utilized either as permanent cemeteries for the burial of American victims of the war of 1939–1945, or for the construction of monuments commemorative of the exploits of the Armed Forces of the United States in the course of this same war. However, by the terms of the decree of October 14, 1946,[1] these terrains shall remain the property of the French State.

Article 2. – The location of the cemeteries and monuments shall be subject to the prior approval of the French Government.

Article 3. – The free disposition specified in Article 1 allows to the Government of the United States the right to proceed with all arrangements deemed necessary for the permanent cemeteries, as well as with the construction of the monuments, and of all necessary buildings and approach roads. However, the Government of the United States shall see that the appropriated installations maintain good sanitary conditions. These arrangements and constructions shall be free of all taxation.

Article 4. The Government of the United States takes responsibility for the supervision and maintenance of the cemeteries and monuments as well as for the payment of salaries and other expenses resulting therefrom.

Cemeteries of World War I.

Article 5. – The provisions of the present Agreement relative to the supervision, maintenance, and administration of the permanent cemeteries and monuments are applicable to those of the war of 1914–1918 as well as to those of the war of 1939–1945.

SECTION II

Procedure relative to the interment and exhumation of the remains, their reinterment in France or removal to the United States.

Provisional cemeteries.

Article 6. – The Government of the United States may establish and maintain, in France and in the territories of the French Union, provisional cemeteries and may possess the equipment necessary for the assembling, the identification, and the provisional burial of the remains. It may likewise proceed with the exhumation of the remains

[1] [*Journal Officiel de la République Française*, no. 241, Oct. 14 and 15, 1946, p. 8687.]

and with their removal to permanent cemeteries for the purpose of burial or to ports for the purpose of repatriation to the United States. These provisions may also be applicable in the case of remains brought from other countries. They will be exempt from all taxation as well as from all customs formalities or dues.

Permits for burial, etc.

Article 7. – The Government of the United States shall not be subject to the existing laws and regulations regarding permits for burial, exhumation and removal of the remains, but it agrees to execute these operations in such a manner that they will not constitute a danger to the public health and to make all necessary sanitary arrangements toward this end.

Transportation, labor, etc.

Article 8. – The French Government shall grant all facilities for transportation, lodging of personnel, installation of offices and warehouses, as well as for labor to be employed in the execution of the proposed works, provided that the previous agreement of the competent French authorities be obtained and that all expenses incurred be settled in conformity with the rates in force.

SECTION III

General Provisions

U. S. importation of supplies.

Article 9. The Government of the United States may import into France or territories of the French Union, from any country, the material and supplies which are necessary for the execution of all operations mentioned in the present agreement.

These materials and supplies will be admitted temporarily free of duty under the following conditions:

Customs certificates, etc.

a) "Materials and vehicles for transport by air, road or water imported will be placed, upon their entry into France, under Customs certificates without deposits, of two years' duration and renewable. These certificates will be returned to the Customs Service and turned in at the time of re-exportation of the material and vehicles.

b) "All consumable materials destined for the construction, the decoration or the maintenance of tombs, cemeteries or monuments will be subjected, at the time of their importation, to a Customs receipt without deposit, which will be returned to the issuing officer after having received endorsement either from the responsible director of the American Depot for storing and sorting such material (the name of this person shall previously have been communicated to the French customs administration) or from the municipal authority of the locality of destination or by the responsible director of the cemetery concerned indicating that the material or other consumable products in question have been put to the use for which intended.

The products included in this second category, which would no longer be used in France, shall be re-exported or become subject to tax.

Freedom of entry or departure.

Article 10. – The French Government is prepared, within the framework of existing regulations, to grant complete freedom of

movement to American personnel designated by the Government of the United States for entrance into or departure from the territories of France and the French Union.

Certificate of employment.

Motor vehicles belonging to American personnel shall have the privilege, upon their entry into France, of being admitted temporarily free of duty, under customs receipts without deposit issued by the French customs administration upon presentation of a certificate of employment signed by a duly authorized official of the American Graves Registration Command, whose name shall previously have been communicated to the French customs administration.

Recruitment of French laborers.

The Government of the United States may recruit and employ locally French laborers, provided they are paid in conformance with the tariffs and regulations in force.

Foreign laborers.

Foreign laborers coming from the American Zone of Occupation in Germany shall be employed only in the territory of metropolitan France. They must have military status; they must wear a uniform and shall be subject to American military discipline as well as to American legislation, according to conditions specified by the agreements regulating the sojourn of the American Armed Forces in France. The Government of the United States will assume entire responsibility for these foreign workers and will take in this respect such measures as the French Government will deem indispensable, before their entry into French territory as well as during the course of the period in which they are stationed on said territory.

The Government of the United States agrees to assure the payment of salaries, indemnities and costs of social security for the labor it will employ.

SECTION IV

Final Provisions

Effective date; termination.

Article 11. – The present agreement, which replaces that of August 29, 1927, [1] shall become effective upon signature. It shall remain in force until the two Contracting Parties terminate it by common consent, but it can be terminated at any time, upon the desire of one of the parties, provided that notice be given to the other party a year in advance. Such termination shall not apply to the use of the terrains utilized for permanent cemeteries and memorials, including buildings constructed on said terrains.

Done at Paris, in duplicate, in the English and French languages, this first of October 1947.

For the Government of the French Republic
P.-H. TEITGEN

For the Government of the United States of America
JEFFERSON CAFFERY

[1] [Treaty Series 757.]

ACCORD

CONCERNANT L'INHUMATION EN FRANCE ET DANS LES TERRITOIRES DE L'UNION FRANCAISE OU LE TRANSFERT AUX ETATS-UNIS DES CORPS DES RESSORTISSANTS AMERICAINS VICTIMES DE LA GUERRE DE 1939–1945

Le Gouvernement de la République Française et le Gouvernement des Etats-Unis d'Amérique, ayant résolu de faciliter l'inhumation en territoire français ou le transfert dans leur pays des corps des ressortissants américains victimes de la guerre de 1939–1945, les soussignés, dûment autorisés à cet effet, sont convenus des dispositions suivantes:

TITRE 1er.

Création de cimetières permanents ou de monuments commémoratifs dits "Champs d'Honneur".

Article 1er. – Le Gouvernement Français accorde au Gouvernement des Etats-Unis d'Amérique, gratuitement et sans limitation de durée, la libre disposition des terrains situés en France et dans les territoires de l'Union Française, choisis et utilisés, soit comme cimetières permanents pour la sépulture des ressortissants américains victimes de la guerre de 1939–1945, soit pour la construction de monuments commémoratifs des hauts faits des Forces Armées des Etats-Unis au cours de cette même guerre. Toutefois, conformément aux dispositions de la Loi du 14 octobre 1946, ces terrains demeureront la propriété de l'Etat Français.

Article 2. – L'emplacement des cimetières et monuments commémoratifs devra être soumis à l'agrément préalable du Gouvernement français.

Article 3. – La libre disposition visée à l'article 1er comporte, pour le Gouvernement des Etats-Unis, la faculté de procéder à tous aménagements jugés nécessaires des cimetières permanents ainsi qu'à la construction des monuments commémoratifs et de tous bâtiments et voies d'accès utiles. Toutefois, le Gouvernement des Etats-Unis veillera à ce que des installations appropriées maintiennent de bonnes conditions sanitaires.

Ces aménagements ou constructions seront exonérées de tous impôts ou taxes.

Article 4. – Le Gouvernement des Etats-Unis prend à sa charge le gardiennage et l'entretien des cimetières et monuments ainsi que le paiement des salaires et autres dépenses en résultant.

Article 5. – Les dispositions du présent accord relatives à l'aménagement, à l'entretien et à l'administration des cimetières permanents et des monuments commémoratifs sont applicables à ceux de la guerre de 1914–1918 comme à ceux de la guerre de 1939–1945.

TITRE II.

Opérations relatives à l'inhumation
et à l'exhumation des dépouilles, à leur
réinhumation en France ou à leur transfert
aux Etats-Unis.

Article 6. – Le Gouvernement des Etats-Unis pourra créer et entretenir, en France et dans les territoires de l'Union Française, des cimetières provisoires et posséder l'équipement nécessaire au rassemblement, à l'identification et à l'inhumation provisoire des dépouilles et à leur transfert dans des cimetières permanents aux fins d'inhumation ou dans des ports aux fins de rapatriement aux Etats-Unis. Ces opérations pourront s'appliquer à des dépouilles en provenance d'autres pays. Elles seront exonérées de tous impôts ou taxes ainsi que de toutes formalités ou perceptions douanières.

Article 7. – Le Gouvernement des Etats-Unis ne sera pas soumis aux lois et règlements applicables en matière de permis d'inhumation, d'exhumation et de transfert des dépouilles, mais il s'engage à exécuter ces opérations de telle manière qu'elles ne puissent constituer un danger pour la santé publique et à prendre toutes dispositions d'ordre sanitaire nécessaires à cette fin.

Article 8. – Le Gouvernement français accordera toutes facilités de transport, de logement du personnel, d'installations de bureaux, d'entrepôts du matériel et de main d'oeuvre pour l'exécution des travaux envisagés, sous réserve que l'accord préalable des autorités françaises compétentes soit obtenu et que tous les frais encourus soient réglés conformément aux tarifs en vigueur.

TITRE III.–

Dispositions Générales.

Article 9. – Le Gouvernement des Etats-Unis pourra importer en France ou dans les territoires de l'Union Française, en provenance d'un pays quelconque, le matériel et les fournitures qui sont nécessaires pour l'exécution de toutes opérations mentionnées dans le présent accord.

Ces matériels et fournitures seront admis en franchise temporaire aux conditions ci-après:

a)– Le matériel et les moyens de transports aériens, routiers ou fluviaux importés seront placés, à leur entrée en France, sous le lien d'acquits de douane dispensés de caution, valables deux ans et renouvelables. Ces acquits seront remis au Service des Douanes et déchargés lors de la réexportation des matériels et véhicules.

b)– Toutes les matières consomptibles destinées à la construction, à la décoration ou à l'entretien des tombes, monuments ou cimetières feront l'objet, lors de leur importation, d'un acquit de douane dispensé de caution qui sera renvoyé au bureau d'émission après avoir été revêtu, soit par le Directeur responsable du Centre américain de stockage et de répartition du matériel (le nom de cette personnalité devra avoir été préalablement communiqué à l'Administration des Douanes Françaises), soit par l'autorité municipale de la localité de destination ou par l'autorité responsable du cimetière, d'une mention indiquant que les objets et produits en question ont bien reçu leur affectation.

Les produits rentrant dans cette deuxième catégorie, qui ne seraient plus utilisés en France, devront être réexportés ou soumis aux droits.

Article 10. – Le Gouvernement français est disposé, dans le cadre de la règlementation en vigueur, à accorder toutes facilités de circulation au personnel américain désigné par le Gouvernement des Etats-Unis pour l'entrée en France et dans les territoires de l'Union Française et la sortie desdits territoires.

Les voitures automobiles appartenant en propre au personnel américain bénéficieront, à leur entrée en France, du régime de l'importation temporaire, sous la garantie d'un acquit-à-caution délivré par l'Administration des Douanes Françaises sur simple production d'un certificat d'emploi, établi par une autorité compétente du Service des Sépultures américaines, dont le nom devra avoir été préalablement communiqué à l'Administration des Douanes Françaises.

Le Gouvernement des Etats-Unis pourra recruter et employer sur place de la main d'oeuvre française sous réserve de la rétribuer conformément aux tarifs et règlements en vigueur.

La main d'oeuvre étrangère en provenance de la zone américaine d'occupation en Allemagne ne pourra être employée que sur le territoire de la France Métropolitaine. Elle devra avoir le statut militaire, être assujettie au port de l'uniforme et être soumise à la discipline militaire américaine, ainsi qu'à la législation américaine dans les conditions prévues par les accords réglant le séjour des Forces Armées américaines en France. Le Gouvernement des Etats-Unis assumera l'entière responsabilité de ces travailleurs étrangers et prendra à leur égard toutes les mesures que le Gouvernement français jugera indispensables tant avant leur entrée en territoire français qu'au cours de la période où ils seront stationnés sur ledit territoire.

Le Gouvernement des Etats-Unis s'engage à assurer le paiement des salaires, indemnités et charges de sécurité sociale concernant la main d'oeuvre qu'il emploiera.

TITRE IV.–

Dispositions finales.

Article 11. – Le présent accord, qui remplace celui du 29 août 1927, entrera en vigueur dès sa signature. Il restera en vigueur, jusqu'à ce que les deux Hautes Parties Contractantes y mettent fin d'un commun accord, mais il pourra être dénoncé en tout temps sur le désir de l'une d'elles, moyennant avis donné à l'autre un an à l'avance. Cette dénonciation ne portera pas sur l'usage des terrains utilisés pour les cimetières permanents et monuments commémoratifs, y compris les bâtiments construits sur lesdits terrains.

Fait en double exemplaire, l'un en français l'autre en anglais./.

à Paris, le 1er octobre 1947

Pour le Gouvernement des États-Unis d'Amérique.

Pour le Gouvernement de la République Française.

Copie certifiée conforme à l'original conservé aux Archives du Ministère des Affaires Etrangères.

Paris, le 14 Février 1948.

LE MINISTRE PLÉNIPOTENTIAIRE
CHEF DU SERVICE DES ARCHIVES

Amédée Outrey

AMÉDÉE OUTREY[1]

[1] [*Translation:* Copy certified in conformity with the original kept in the Archives of the Ministry of Foreign Affairs.

PARIS, *February 14, 1948.*

Minister Plenipotentiary
Chief of Archives Service
Amédée Outrey
AMÉDÉE OUTREY]

August 19, September 4, 5, 16, 1947
[T. I. A. S. 1721]

Agreement between the United States of America and France respecting passport visa fees, replacing the agreement of December 10, 1946. Effected by exchanges of notes dated at Washington August 19 and September 4, 5, and 16, 1947; entered into force September 16, 1947.

The French Embassy to the Department of State

JS/DH

AMBASSADE DE FRANCE
AUX ETATS-UNIS

No. 340 SCA 4-1

WASHINGTON, *le*

L'Ambassade de France présente ses compliments au Département d'Etat et a l'honneur de lui exposer ce qui suit:

Le Gouvernement Français ayant revisé son tarif général des actes de chancellerie souhaite conclure avec le Gouvernement des Etats-Unis un nouvel accord de réciprocité, remplaçant l'accord du 10 Décembre 1946 et dont les stipulations seraient en harmonie avec les nouvelles dispositions édictées en France.

Le nouveau tarif prévoit trois catégories de visas:

- d'un jour à trois mois
- d'un an, valable pour plusieurs séjours n'excédant pas trois mois chacun
- de plus de trois mois, permettant en fait un séjour permanent, les étrangers séjournant plus de trois mois en France devant se faire délivrer une carte d'identité valable trois ans et renouvelable.

Dans ces conditions le Gouvernement Français propose un accord sur les bases suivantes:

Visa de court séjour valable d'un jour à trois mois 325 francs ($2.75)

Visa valable un an, pour plusieurs voyages, chaque séjour n'excédant pas trois mois 500 francs ($4.20)

Visa d'établissement de plus de trois mois 1200 francs ($10.08)

L'Ambassade serait reconnaissante au Département d'Etat de bien vouloir lui faire savoir s'il est d'accord avec ces propositions. Si celles-ci sont acceptées, elles pourront faire l'objet d'un échange de notes à une date très prochaine de manière à ce que le nouvel accord puisse entrer en vigueur à la date du 1er Octobre 1947./.

L'Ambassade saisit l'occasion de la présente pour renouveler au Département d'Etat les assurances de sa très hautes considération.

J. S.

Washington, le 19 aout 1947.

DÉPARTEMENT D'ETAT
Washington, D.C.

Translation

JS/DH

EMBASSY OF FRANCE
IN THE UNITED STATES

No. 340 SCA 4-1

WASHINGTON

The Embassy of France presents its compliments to the Department of State and has the honor to inform it of the following:

The French Government, having revised its schedule of rates for chancelry services, is desirous of concluding with the Government of the United States a new reciprocal agreement replacing the Agreement of December 10, 1946, the stipulations of the new agreement to be in harmony with the new provisions decreed in France.

61 Stat., Pt. 3, p. 2795.

The new schedule of rates provides for three categories of visas:

For from one day to three months

For one year, valid for any number of stays, each stay not to exceed three months

For more than three months, allowing, in fact, a permanent stay, it being required that foreigners staying in France more than three months present an identification card which is valid for three years and which is renewable.

Subject to those conditions, the French Government proposes an agreement on the following bases:

Visa for a short stay valid for from one day to three months 325 francs ($2.75)

Visa valid for one year, for several trips, each stay not to exceed three months 500 francs ($4.20)

Visa for establishing residence for more than three months 1,200 francs ($10.08)

The Embassy would be very grateful if the Department of State would be good enough to inform the Embassy whether it is in agreement with these proposals. If the latter are accepted, they may constitute the subject of an exchange of notes at a date in the very near future, with the result that the new agreement may come into effect on October 1, 1947.

The Embassy avails itself of the occasion of the present note to renew to the Department of State the assurances of its very high consideration.

J. S.

Washington, August 19, 1947.

DEPARTMENT OF STATE,
Washington, D.C.

The Acting Secretary of State to the French Ambassador

The Acting Secretary of State presents his compliments to His Excellency the Ambassador of France and has the honor to refer to the Embassy's note no. 340 SCA 4–1 dated August 19, 1947 suggesting a revision of the agreement dated December 10, 1946 relating to visa fees for nonimmigrants.

61 Stat., Pt. 3, p. 2795.

Fees for visa of American passport.

The note referred to suggests that on and after October 1, 1947 the following visa fees be prescribed for the visa of a valid American passport covering the persons included therein proceeding to France or any of its possessions:

A visa valid for one entry during a period of one year permitting a stay of from one day to three months, 325 francs (equivalent to $2.75);

A visa valid for any number of entries during a period of one year permitting a stay, on each entry, not to exceed three months, 500 francs (equivalent to $4.20);

A visa valid for any number of entries during a period of one year permitting a stay, on each entry, of over three months, 1200 francs (equivalent to $10.08).

The proposal referred to is agreeable to the United States Government.

Fees for French nationals.

It is contemplated that on and after October 1, 1947 the following visa fees will be prescribed for collection in the case of French nationals holding valid passports proceeding to the United States or any of its possessions:

A transit visa valid for one entry during a period of one year from the date of issuance, $2.75;

A nonimmigrant passport visa valid for one or more entries during the period of one year permitting a stay in the United States upon each entry for such period as may be indicated by the immigration authorities, $4.25;

An immigration visa, $10.00.

It will be appreciated if the Department may be informed whether the proposal referred to is agreeable to the French Government in order that appropriate notification may be sent to American missions and consular offices regarding the fees to be collected on and after October 1, 1947 in the cases of French nationals proceeding to the United States and its possessions.

GJH

DEPARTMENT OF STATE,
Washington, September 4, 1947.

The French Embassy to the Department of State

MC/DH

AMBASSADE DE FRANCE
AUX ETATS-UNIS

No. 366 SCA 4-1

WASHINGTON, *le*

L'Ambassade de France présente ses compliments au Département d'Etat et a l'honneur, comme suite à sa note No. 340 du 19 Août dernier, de faire savoir au Département d'Etat qu'à la demande de l'Ambassade des Etats-Unis à Paris le Gouvernement français est prêt à prévoir une catégorie supplémentaire de visa, valable deux ans pour plusieurs voyages, chacun n'excédant pas trois mois. Ce visa comporterait un droit double et serait par conséquent de 1000 francs ($8.40). Dans ces conditions l'accord que le Gouvernement français proposait par la note précitée serait sur les bases suivantes:

Visa de court séjour valable d'un jour à trois mois	325 francs ($2.75)
Visa valable un an, pour plusieurs voyages, chaque séjour n'excédant pas trois mois	500 francs ($4.20)
Visa pour deux ans pour plusieurs voyages, chaque séjour n'excédant pas trois mois	1000 francs ($8.40)
Visa d'établissement de plus de trois mois	1200 francs ($10.08)

L'Ambassade serait reconnaissante au Département d'Etat de bien vouloir lui faire savoir s'il est d'accord avec ces propositions./.

MC

L'Ambassade saisit l'occasion de la présente note pour renouveler au Département d'Etat les assurances de sa très haute considération.

Washington, le 5 septembre 1947.

DÉPARTEMENT D'ETAT
Washington, D.C.

Translation

MC/DH

EMBASSY OF FRANCE
IN THE UNITED STATES

No. 366 SCA 4-1

WASHINGTON

The Embassy of France presents its compliments to the Department of State and, in reference to its note No. 340 of August 19 last, has the honor to inform the Department of State that at the request of the Embassy of the United States at Paris the French Government is prepared to provide a supplementary category for a visa valid for two years for any number of entries, each stay not to exceed three months. Such visa would call for a double fee and, consequently,

Ante, p. 3776.

would cost 1,000 francs ($8.40). Under such conditions, the agreement which the French Government proposed by the above-mentioned note would be on the following bases:

Visa for a short stay valid for from one day to three months 325 francs ($2.75)

Visa valid for one year, for any number of entries, each stay not to exceed three months 500 francs ($4.20)

Visa for two years for any number of entries, each stay not to exceed three months 1,000 francs ($8.40)

Visa for a stay of more than three months 1,200 francs ($10.08)

The Embassy would be grateful if the Department of State would be good enough to inform the Embassy whether it is in agreement with these proposals.

MC

The Embassy avails itself of the occasion of the present note to renew to the Department of State the assurances of its very high consideration.

Washington, September 5, 1947.

DEPARTMENT OF STATE,
Washington, D.C.

The Secretary of State to the French Ambassador

The Secretary of State presents his compliments to His Excellency the Ambassador of France and has the honor to refer to the Department's note of September 4, 1947, and to the Embassy's note no. 366 SCA 4-1 dated September 5, 1947, relating to visa fees for nonimmigrants.

Ante, p. 3778.

Ante, p. 3779.

U. S. acceptance of proposal.

The Government of the United States of America accepts the proposal referred to in the Embassy's note of September 5, 1947 upon a reciprocal basis and, accordingly, American consular officers have been informed that effective October 1, 1947 the following visa fees have been prescribed for the visa of a valid American or French passport:

Visa fees; effective date.

Holders of American passports.

For holders of American passports entering France or any of its possessions –

1. Visa valid for one entry during a period of one year permitting a stay of from one day to three months, 325 francs;
2. Visa valid for any number of entries during a period of one year permitting a stay, on each entry, not to exceed three months, 500 francs;
3. Visa valid for any number of entries during a period of two years permitting a stay, on each entry, not to exceed three months, 1,000 francs;
4. Visa valid for any number of entries during a period of two years permitting a stay, on each entry, of over three months, 1,200 francs;

For holders of French passports entering the United States or any of its possessions – Holders of French passports.

1. Transit visa valid for one application for entry during a period of one year from the date of issuance, $2.75;
2. Nonimmigrant passport visa valid for one or more applications for entry during a period of one year; the stay in the United States upon each entry will be for such period as may be fixed by the immigration authorities, $4.25;
3. Nonimmigrant passport visa valid for one or more applications for entry during a period of two years; the stay in the United States upon each entry will be for such period as may be fixed by the immigration authorities, $8.50.

The immigration visa fee remains unchanged.

GJH

DEPARTMENT OF STATE,
Washington, September 16, 1947.

The French Embassy to the Department of State

AMBASSADE DE FRANCE
AUX ETATS-UNIS

MC/DH

No. 387 SCA 4-1 WASHINGTON, *le*

L'Ambassade de France présente ses compliments au Département d'Etat et a l'honneur de se référer à la note du Département d'Etat du 16 Septembre 1947 concernant un nouvel accord de réciprocité pour le tarif des visas de passeport remplaçant celui du 10 Décembre 1946.

L'Ambassade de France a l'honneur de faire savoir au Département d'Etat que le Gouvernement français accepte les propositions contenues dans la note précitée et que le tarif suivant sera appliqué, aussitôt que les autorités consulaires françaises auront pu recevoir les instructions nécessaires, pour les visas de passeport valables de citoyens américains entrant en France ou dans les possessions française –

1. Visa valable pour une entrée pendant une période d'un an permettant un séjour d'un jour à trois mois 325 francs
2. Visa valable pour un nombre non limité d'entrées pendant une période d'un an permettant un séjour, à chaque entrée, n'excédant pas trois mois 500 francs
3. Visa valable pour un nombre non limité d'entrées pendant une période de deux ans permettant un séjour, à chaque entrée, n'excédant pas trois mois 1000 francs
4. Visa valable pour plusieurs entrées pendant une période de deux ans permettant un séjour, à chaque entrée, de plus de trois mois 1,200 francs

Les porteurs de passeports français entrant aux Etats-Unis ou dans les possessions américaines, acquitteront les droits suivants:

1. Visa de transit valable pour une entrée pendant une période d'un an à partir de la date de délivrance $2.75
2. Visa de passeport pour non-immigrant valable une ou plusieurs fois pour l'entrée pendant une période d'un an; le séjour aux Etats-Unis à chaque entrée sera pour telle période que fixerait les autorités d'immigration, $4.25
3. Visa de passeport pour non-immigrant valable une ou plusieurs fois pour l'entrée pendant une période de deux ans; le séjour aux Etats-Unis à chaque entrée sera pour telle période que fixerait les autorités d'immigration, $8.50

Le visa d'immigrant reste inchangé./.

L'Ambassade de France saisit l'occasion de la présente note pour renouveler au Département d'Etat les assurances de sa très haute considération.

Washington, le 16 Septembre 1947.

FL

DÉPARTEMENT D'ETAT
Washington, D.C.

Translation

EMBASSY OF FRANCE
IN THE UNITED STATES

MC/DH

No. 387 SCA 4-1 WASHINGTON

The Embassy of France presents its compliments to the Department of State and has the honor to refer to the note of the Department of State dated September 16, 1947 concerning a new reciprocal agreement relating to passport visa fees, replacing that of December 10, 1946.

Ante, p. 3780.

61 Stat., Pt. 3, p. 2795.

The Embassy of France has the honor to inform the Department of State that the French Government accepts the proposals contained in the above-mentioned note and that the following fees will be prescribed as soon as the French consular authorities can receive the necessary instructions for valid passport visas of American citizens entering France or the French possessions.

1. Visa valid for one entry during a period of one year permitting a stay of from one day to three months 325 francs
2. Visa valid for any number of entries during a period of one year permitting a stay, on each entry, not to exceed three months 500 francs
3. Visa valid for any number of entries during a period of two years permitting a stay, on each entry, not to exceed three months 1,000 francs
4. Visa valid for any number of entries during a period of two years permitting a stay, on each entry, of over three months 1,200 francs

For holders of French passports entering the United States or any of its possessions:

1. Transit visa valid for one application for entry during a period of one year from the date of issuance $2.75
2. Nonimmigrant passport visa valid for one or more applications for entry during a period of one year; the stay in the United States upon each entry will be for such period as may be fixed by the immigration authorities $4.75
3. Nonimmigrant passport visa valid for one or more applications for entry during a period of two years; the stay in the United States upon such entry will be for such period as may be fixed by the immigration authorities $8.50

The immigration visa fee remains unchanged.

The Embassy of France avails itself of the occasion of the present note to renew to the Department of State the assurances of its very high consideration.

Washington, September 16, 1947.

FL

DEPARTMENT OF STATE,
Washington, D.C.

August 5, 1944
[T. I. A. S. 1722]

Agreement between the United States of America and other governments respecting principles having reference to the continuance of co-ordinated control of shipping. Signed at London August 5, 1944; entered into force May 24, 1945.

AGREEMENT ON PRINCIPLES HAVING REFERENCE TO THE CONTINUANCE OF CO-ORDINATED CONTROL OF MERCHANT SHIPPING.

THE undersigned representatives, duly authorised by their respective Governments or Authorities, hereinafter referred to as contracting Governments, have agreed as follows:—

Common responsibility.

1. The contracting Governments declare that they accept as a common responsibility the provision of shipping for all military and other tasks necessary for, and arising out of, the completion of the war in Europe and the Far East and for the supplying of all the liberated areas as well as of the United Nations generally and territories under their authority.

Maintenance of powers of control.

2. The contracting Governments undertake to continue to maintain such powers of control over all ships which are registered in their territories or are otherwise under their authority as will enable them effectively to direct each ship's employment in accordance with the foregoing declaration. Subject to the provisions of paragraphs 3 and 9, this control shall continue to be exercised by each contracting Government through the mechanism of requisitioning for use or title.

3. The contracting Governments agree not to release from control any ships under their authority or permit them to be employed in any non-essential services or for any non-essential cargo unless the total overall tonnage is in excess of the total overall requirements, and then only in accordance with a mutually acceptable formula which shall not discriminate against the commercial shipping interests of any nation and shall extend to all contracting Governments an equitable opportunity for their respective tonnages to engage in commercial trades.

4. Neutral Governments having ships under their control in excess of the tonnage required to carry on their essential import requirements shall be invited to subscribe to obligations in respect of all their ships which shall ensure that their employment is in conformity with the general purposes of the United Nations.

5. The contracting Governments undertake to exercise control over the facilities for shipping available in their territories, by suitable measures on the lines of the United States and British Ship Warrant Schemes, and to take such other measures as may be necessary to secure that ships under all flags are used in conformity with the purposes of

the United Nations. Other Governments acceding hereto shall give a similar undertaking.

6. Without prejudice to questions of disposition or title, the employment of such ships as may at any time be permitted to operate under enemy flag or authority shall be determined to serve the requirements of the United Nations.

Central authority.

7.—(*a*) In order that the allocation of all ships under United Nations control may continue to be effectively determined to meet the requirements of the United Nations, a central authority shall be established, to come into operation upon the general suspension of hostilities with Germany. The central authority shall be organised in accordance with the plan agreed in the Annex.

(*b*) The central authority shall determine the employment of ships for the purpose of giving effect to the responsibilities assumed by each contracting Government in paragraph 1 to provide the tonnage required from time to time to meet current requirements for ships for the military and other purposes of the United Nations, and ships shall be allocated for those purposes by those Governments in accordance with the decisions of the central authority. So far as is consistent with the efficient overall use of shipping as determined by the central authority for those purposes, and with the provisions of paragraph 7 (*c*), each contracting Government may allocate ships under its own authority, wholly or partly to cover the essential import requirements of territories for which it has special shipping responsibilities.

Ships under flag of contracting Government.

(*c*) In general, ships under the flag of one of the contracting Governments shall be under the control of the Government of that flag, or the Government to which they have been chartered.

Ships assigned to military requirements.

In order to meet the special case of military requirements those ships which have been taken up, under agreements made by the United States Government and/or United Kingdom Government with the other Governments having authority for those ships, for use as troopships, hospital ships, and for other purposes in the service of the armed forces, shall remain on charter as at present to the War Shipping Administration and/or the Ministry of War Transport as the case may be, under arrangements to be agreed between the Governments severally concerned. (Any further ships required for such purposes shall be dealt with in a like manner.)

The fact that these ships are assigned to military requirements shall not prejudice the right of the Governments concerned to discuss with the central authority the measures to be taken to provide shipping for their essential requirements within the scope of paragraph 1.

Information.

(*d*) The contracting Governments shall supply to one another, through the central authority, all information necessary to the effective working of the arrangements, *e.g.*, regarding programmes, employment of tonnage, and projected programmes, subject to the requirement of military secrecy.

(*e*) The central authority shall also initiate the action to be taken to give effect to paragraph 5 and shall direct action under paragraph 6.

Terms of remuneration.

(*f*) The terms of remuneration to be paid by the users (Government or private) of ships shall be determined by the central authority on a fair and reasonable basis in such manner as to give effect to the following two basic principles:—

(i) Ships of all flags performing the same or similar services should charge the same freights.

(ii) Ships must be employed as required without regard to financial considerations.

Applicability of principles.

8. The principles herein agreed shall apply to all types of merchant ships, irrespective of size, including passenger ships, tankers and whale factories when not used for whaling (but paragraph 7 (*b*) will not be applicable to ships engaged in coastal trades and short trades between nearby countries, the arrangements for control of which shall be appropriate to meet the requirements prevailing in each particular area).

The principles shall also be applied to the extent necessary, through suitable machinery, to fishing vessels, whale catchers, and other similar craft in those areas where special measures in respect of such craft are agreed to be necessary. A special authority shall be set up capable of apportioning between naval and commercial services such craft as are available in those areas.

Entry into force.

9. The foregoing principles shall take effect on the coming into operation of the central authority, and shall remain in effect for a period not extending beyond six months after the general suspension of hostilities in Europe or the Far East, whichever may be the later, unless it is unanimously agreed among the Governments represented on the duly authorised body of the central authority that any or all of the agreed principles may be terminated or modified earlier.[1]

Done in London on the 5th day of August, 1944.

For the Government of Belgium:

A. BALTHAZAR

For the Government of Canada:

VINCENT MASSEY
A. L MACCALLUM

[1] [Entered into force May 24, 1945; terminated Mar. 2, 1946.]

For the Royal Hellenic Government:

G VASSILIADIS

For the Government of the Netherlands:

J M DE BOOY

For the Government of Norway:

ARNE SUNDE.

For the Government of the Republic of Poland:

J. KWAPINSKI.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

LEATHERS

For the Government of the United States of America:

PHILIP D. REED
HUNTINGTON T. MORSE
WALTER A RADIUS
JOHN M. ALLISON

For the French Committee of National Liberation:

ANNEX.

Organisation of the Central Authority.

1. The central authority shall consist of—
(*a*) A Council (United Maritime Council).
(*b*) An Executive Board (United Maritime Executive Board).

(a) *The United Maritime Council.*

2. Each contracting Government shall be represented on the Council. Membership of the Council shall also be open to all other Governments, whether of the United Nations or of neutral countries, which desire to accede and are prepared to accept the obligations of contracting Governments.[1]

3. The Council shall meet when deemed necessary and at least twice a year at such places as may be convenient. Meetings shall be arranged by the Executive Board. The Council shall elect its own Chairman and determine its own procedure. The meetings of the Council are intended to provide the opportunity for informing the contracting Governments as to the overall shipping situation and to make possible the interchange of views between the contracting Governments on

[1] [The Governments of Australia, Brazil, Chile, Denmark, France, India, New Zealand, Sweden, Union of South Africa, and Yugoslavia acceded to the agreement.]

general questions of policy arising out of the working of the Executive Board.

(b) *The United Maritime Executive Board.*

4. The Executive Board shall be established with Branches in Washington and London under War Shipping Administration and Ministry of War Transport chairmanship respectively.

5. The Executive Board shall exercise through its Branches the executive functions of the central authority. Appropriate machinery under the two Branches shall be established for the purpose of enabling them to discharge the functions described in paragraph 7 of the Agreement on Principles. Machinery to carry out the arrangements under paragraph 8 of that Agreement as regards ships engaged in coasting and short sea trades, and as regards small craft shall be set up under the Executive Board.

6. The division of day-to-day responsibility between the two Branches of the Executive Board shall be established as convenient from time to time. So that the two Branches of the Executive Board may work in unison, meetings of the Executive Board as a whole shall be arranged at the instance of the two chairmen, as often as may be necessary, and at such place as may be convenient from time to time.

7. The membership of the Executive Board shall be restricted in numbers. By reason of their large experience in shipping normally engaged in international trade, and their large contribution of ships for the common purpose, the following Governments shall be represented on the Executive Board:—

Government of the United Kingdom of Great Britain and Northern Ireland;
Government of the United States of America;
Government of the Netherlands;
Government of Norway.

It shall be open to the members of the Executive Board to recommend to contracting Governments additions to the membership of the Executive Board as circumstances may require in order to promote the effective working of the central authority.

8. Each contracting Government not represented on the Executive Board shall be represented by an associate member who shall be consulted by, and entitled to attend meetings of, the Executive Board or its Branches on matters affecting ships under the authority of that Government, or on matters affecting the supply of ships for the territories under the authority of that Government.

9. The Executive Board and its Branches shall proceed by agreement among the members. There shall be no voting.

10. The decisions of the Executive Board affecting the ships under the authority of any contracting Government shall be reached with the consent of that Government, acting through its representative on the Executive Board or through its associate member, as the case may be.

11. The Executive Board shall be the duly authorised body for the purpose of paragraph 9 of the Agreement on Principles, but it is understood that no decision reached under that paragraph by the Governments represented on the Executive Board shall impose any new or greater obligation on any other contracting Government without its express consent.

Ante, p. 3786.

12. A Planning Committee shall be set up to begin work in London as soon as possible after the signature of the Agreement on Principles for the purpose of working out on a basis satisfactory to the contracting Governments the details of the machinery required to enable the Executive Board to discharge its functions, including the functions under paragraph 7 (*f*). Any contracting Government may be represented on the Planning Committee.

Planning Committee.

Ante, p. 3786.

13. The Executive Board shall have the full use of the machinery and procedure of the War Shipping Administration and Ministry of War Transport in order to avoid duplication.

14. The contracting Governments shall nominate their representatives on the Planning Committee to the Governments of the United States and the United Kingdom, as soon as practicable. They shall also so nominate their representatives as members or as associate members of the Executive Board as the case may be. The Governments of the United States and the United Kingdom shall be responsible, in consultation with the other contracting Governments concerned, for determining the date of coming into operation of the central authority in accordance with paragraph 7 (*a*) of the Agreement on Principles.

Ante, p. 3785.

Agreement between the United States of America and other governments respecting shipping arrangements and recommendations of the United Maritime Executive Board. Dated at London February 11, 1946; entered into force March 3, 1946.

February 11, 1946
[T. I. A. S. 1723]

U.M.E.B. 4/16.

UNITED MARITIME EXECUTIVE BOARD

Fourth Session

RECOMMENDATIONS TO CONTRACTING GOVERNMENTS

Note by the Secretariat

1. Appended is a copy of the Recommendations as approved by the Board at its final meeting on 11th February.

2. Delegates are asked to draw the attention of their Governments to the desirability of notifying their acceptance at the earliest possible date.

11th February, 1946.

RECOMMENDATIONS

The United Maritime Executive Board during its Fourth and final Session being unanimously of the opinion that the return to normal processes of international shipping should not be retarded nevertheless recognizes that certain difficulties and problems might arise in the shipping situation after the termination on March 2nd next of the Agreement on Principles of August, 1944, and believes that it would be desirable for Governments to take measures during a limited transitional period to the end that such problems might be resolved and difficulties minimised. Accordingly they have agreed upon the following Recommendations for the consideration of contracting Governments:–

Ante, p. 3784.

PART "A"

1. That all nations who have regularly contributed tonnage to the common tasks shall continue to provide shipping for the common tasks of relief and rehabilitation.

Arrangements for dry cargo from U.S. and Canadian Loading Areas.

Contributory Nations Committee.

2. That a Contributory Nations Committee consisting of representatives of nations contributing tonnage to provide shipping space for relief and rehabilitation programmes from the United States and Canada shall be established in Washington.

3. That UNRRA [1] and liberated nations requiring assistance from the Contributory Pool referred to in (4) below, shall programme their shipping requirements and submit them to the Washington Committee established in (2) above. The procedure to be followed is set out in the Appendix.

Post, p. 3793.

Contributory Pool.

4. That at the outset of the agreement each contributory nation shall declare to the Washington Committee the maximum and minimum monthly sailings or tonnage it will contribute for the period of the agreement. The tonnage thus contributed is referred to herein as the Contributory Pool.

Arrangements for dry cargo from other Loading Areas.

Co-ordinating and Review Committee.

5. That a Co-ordinating and Review Committee representative of Nations accepting Part "A" of this agreement shall be set up in London.

[1] [United Nations Relief and Rehabilitation Administration.]

This Committee:

(a) shall consider U.N.R.R.A.'s requirements for loading in areas other than the United States and Canada. The nations accepting Part "A" of this agreement recognise the necessity for meeting such requirements to the best of their ability and through their representatives on the Committee shall co-ordinate the provision of tonnage they are able to make available for these programmes.

(b) shall keep the tonnage situation in loading areas other than the United States and Canada constantly under review. Recognising the necessity for an adequate supply of tonnage for loading in these areas the nations represented shall authorise the Committee to consider and recommend the measures that should be taken to assist the fulfilment of the programmes affected in the event that normal commercial channels are failing to ensure an adequate supply of tonnage.

General

Procurement of tonnage.

6. That nations needing shipping assistance other than that secured from the Contributory Pool, shall make suitable arrangements for the procurement of tonnage through commercial channels or may request it from other nations. The nations from whom tonnage is requested shall make all reasonable efforts to make available the requested shipping space at fair, reasonable and compensatory rates, subject to the reservation that they need not supply such tonnage if it is to be used in a manner contrary to the interests of the nation upon whom the request has been made.

APPENDIX TO PART 'A'

1. To maintain without interruption the maximum flow of relief and rehabilitation cargoes from the United States and Canada, a Contributory Nations' Committee shall be established in Washington as provided in (2) of Part "A".

Collaboration with Canadian Sub-Committee.

2. With respect to loadings from Canadian ports, the Washington Committee shall collaborate with a Canadian Sub-Committee to be established in Montreal.

Program of cargo loadings.

3. U.N.R.R.A. and each liberated Nation requiring shipping assistance for the carriage of such cargoes, shall submit to this Committee by the 1st of each month, its total programme of cargo loadings in the United States and Canada showing the number of coal, grain or other full, bulk cargoes, and the number of general cargoes programmed for loading during the following month, and estimates in the same form for the next two months. The programme for the specific month should also show the number, nationality, and total cargo capacity of vessels already available to the programming claimant for loading during that month.

Notice of available tonnage.

4. By the 10th of each month each contributing Nation shall notify the Committee as to the amount of tonnage that it expects to have available, such tonnage to be within the maxima and minima as agreed in accordance with (4) of Part "A", and by the 15th of each month shall confirm the actual tonnage to be supplied against the following month's requirements, such tonnage to be stated separately in liner sailings and in tramps.

Ante, p. 3792.

5. In arranging and determining the amount of tonnage to be provided under 4 of this Appendix, individual members of the Committee shall at all times communicate direct with their respective Nations, who shall, in considering requests for tonnage to load in the United States and Canada, make every effort to avoid causing a deficiency in the supply of tonnage required for other loading areas.

6. To meet each month's berthing requirements in the United States, the Committee shall allocate all of the agreed available tonnage through the established machinery of the War Shipping Administration, so that appropriate co-ordination with respect to loading facilities, inland transportation and availability of cargoes may be secured and the maximum flow of cargo for the month achieved, together with the most efficient use of the shipping available.

PART "B"

7. That:–

United Maritime Consultative Council.

(A) accepting Governments should meet periodically for discussions in a United Maritime Consultative Council for the purpose of exchanging information to the end that individual governments may be enabled to frame their own policies in the post-UMA period in the light of the knowledge of the policies of other governments.

(B) the Council may undertake the consideration and study, for the purpose of making appropriate recommendations to member governments, of any problems in the international shipping field, which may be referred to it and which do not come within the terms of reference of other established governmental conferences or associations active in the field.

(C) it is the intention that the shipping industry should collaborate and assist in devising ways and means to implement the common objectives stated in (A) and (B).

Meetings.

(D) meetings of the Council should be held at such times and places as the Council may determine. A chairman for each meeting should be designated by the Government of the nation where such meeting is to be held. The Council should determine its own procedure.

(E) the United Maritime Consultative Council should have no executive powers.

Ante, p. 3792.

(F) this part of the agreement should be open for acceptance by governments whether or not they accept Part "A".

PART "C"

8. That the arrangements in Parts "A" and "B" shall remain in effect from 3rd March until 31st October, 1946, unless by unanimous consent of the Governments accepting the respective Parts it is decided to terminate them at an earlier date.

9. That Governments accepting the recommendations in Part "A" and/or Part "B" shall notify their acceptance to the U. S. and U. K. Governments at the earliest possible date and that, as between the Governments notifying their acceptance, the relevant recommendations shall be regarded as an agreement for the period stated in recommendation 8.[1]

Notification of acceptance.

10. That other Governments requesting information should be informed of these recommendations to the end that they may participate, if they so desire, by notifying their acceptance of Part "A" and/or part "B", in accordance with recommendation 9.

The Secretary of State to the British Ambassador

The Secretary of State presents his compliments to His Excellency the Ambassador of Great Britain and has the honor to inform the Government of the United Kingdom that the United States of America has accepted Parts "A" and "B" of the recommendations to contracting Governments appended to a document entitled "U.M.E.B. 4/16 United Maritime Executive Board, Fourth Session, Recommendations to Contracting Governments, Note by the Secretariat", which recommendations were adopted by the United Maritime Executive Board on February 11, 1946 at its Fourth Session in London.

U. S. acceptance.

Ante, pp. 3792, 3794.

Ante, p. 3791.

The Secretary of State understands that in accordance with paragraph 9 of Part "C" of the recommendations referred to above, the relevant recommendations shall be regarded as agreed to from March 3, 1946 until October 31, 1946, unless by unanimous consent of the Governments accepting the respective Parts it is decided to terminate them at an earlier date.

DEPARTMENT OF STATE,
Washington, March 5, 1946.

JES

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[1] [The Governments of the following countries accepted the recommendations: Australia, Belgium (with reservation), Brazil, Canada, Chile, Denmark, France, Greece, India, Netherlands, New Zealand, Norway, Poland, Sweden (with reservation), Union of South Africa, United Kingdom, and the United States.]

October 30, 1946
[T. I. A. S. 1724]

Agreement and accompanying notes between the United States of America and other governments respecting a provisional maritime consultative council. Dated at Washington October 30, 1946; open for acceptance at London, acceptance deposited in behalf of the United States of America November 20, 1946; entered into force April 23, 1947.

Revision of UMCC 2/35

Final Document
October 30, 1946

UNITED MARITIME CONSULTATIVE COUNCIL • WASHINGTON, D.C.

AGREEMENT FOR PROVISIONAL MARITIME CONSULTATIVE COUNCIL

ARTICLE I – *Scope and Purposes*

The Provisional Maritime Consultative Council shall be established as a temporary organization pending the establishment of a permanent inter-governmental agency in the maritime field.

i. to provide machinery for cooperation among Governments in the field of Governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade, and to encourage the general adoption of the highest practicable standards in matters concerning maritime safety and efficiency of navigation;

ii. to encourage the removal of all forms of discriminatory action and unnecessary restrictions by Governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discrimination;

iii. to provide for the consideration by the Council of any shipping problems of an international character involving matters of general principle that may be referred to the Council by the United Nations. Matters which are suitable for settlement through the normal processes of international shipping business are not within the scope of the Council.

iv. to provide for the exchange of information among Governments on matters under consideration by the Council.

ARTICLE II–*Functions*

The functions of the Provisional Maritime Consultative Council, which shall be consultative and advisory, shall be

(a) To consider and make recommendations on any matter within its scope as set forth in Sections (i) and (ii) of ARTICLE I.

(b) To consider and make recommendations on matters within its scope upon the request of any organ of the United Nations or other inter-governmental specialized agency.

(c) To advise on matters relating to the draft constitution for a permanent inter-governmental maritime organization.

ARTICLE III–*Membership*

Membership in the Council shall consist of those governments which notify the Government of the United Kingdom of their acceptance of this Agreement, being either governments members of the UMCC [1] or governments members of the United Nations.

Ante, p. 3794.

ARTICLE IV–*Organization*

(1) The Council shall consist of all Member Governments.

(2) The Council may elect an Executive Committee consisting of twelve member governments which shall exercise such functions as may be delegated to it by the Council. The Executive Committee shall not be established by the Council until at least twenty governments have accepted this agreement.

(3) The Council shall at each session determine the host Government and the time for its next meeting. Upon the request of not less than four of the members the Chairman shall summon the Council for an earlier date. The Government of ———— shall convene the first meeting of the Council at any time after March 1, 1947.

(4) The host Government arranged for each session shall designate a Chairman who shall hold office until the host Government for the next following session has been decided, and shall provide the necessary secretariat for meetings held within its territory.

(5) Decisions of the Council shall be taken by a majority of those present and voting. Ten Members shall constitute a quorum. The Council shall otherwise determine its own rules of procedure.

ARTICLE V–*Entry into Force*

(1) This agreement shall remain open for acceptance in the archives of the Government of the United Kingdom and shall enter into force when twelve Governments, of which five shall each have a total tonnage of not less than 1,000,000 g. t. of shipping have accepted it.[2]

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[1] [United Maritime Consultative Council.]

[2] [Entered into force Apr. 23, 1947, acceptances having been deposited in behalf of: the United States, Nov. 20, 1946; Australia, Apr. 23, 1947; Belgium, Dec. 3, 1946; Canada, Dec. 5, 1946; Chile, Dec. 12, 1946; Denmark, Feb. 4, 1947; France, Dec. 18, 1946; Greece, Jan. 29, 1947; Netherlands, Jan. 1, 1947; Norway, Jan. 14, 1947; Poland, Feb. 27, 1947; and the United Kingdom, Dec. 1, 1946. The agreement was subsequently accepted by Brazil, India (subject to a reservation whereby India retained full liberty "(i) to take whatever measures may be necessary in pursuit of their declared policy of assisting the rapid development of the Mercantile Marine, and (ii) to promote suitable amendments to the Agreement"), and New Zealand.]

(2) As soon as this agreement has come into force, a copy of the agreement together with the names of the Governments who have accepted it shall be sent by the Government of the United Kingdom to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

59 Stat. 1052.

ARTICLE VI–*Termination*

This agreement shall cease to have effect upon the entry into force of a constitution for a permanent inter-government maritime organization or if the membership falls below twelve. A member government may withdraw at any time upon six months notice to the Government of the United Kingdom.

The American Chargé d'Affaires ad interim to the British Prime Minister

AMERICAN EMBASSY
1 Grosvenor Square
London, W.1.
November 19, 1946

DEAR MR. ATTLEE:

The United Maritime Consultative Council, at its Second Session held in Washington from October 24 to October 30, recommended that there be established a provisional council as an interim measure pending the setting up of the permanent Intergovernmental Maritime Organization.

U. S. acceptance.

Inasmuch as membership of the provisional council consists of governments, members of the United Maritime Consultative Council or of the United Nations, which notify the Government of the United Kingdom of their acceptance, I desire hereby to notify you that the United States accepts the agreement for the Provisional Maritime Consultative Council as incorporated in the final document (UMCC 2/35) of October 30, 1946.

Ante, p. 3796.

Sincerely,

W. J. GALLMAN
Chargé d'Affaires ad interim

The Right Honorable
C. R. ATTLEE, *C.H., M.P.*,
The Foreign Office,
S.W.1.

The British Prime Minister to the American Chargé d'Affaires ad interim

FOREIGN OFFICE,
S.W.1.
12th December, 1946.

No. W11209/39/58

SIR,

I have the honour to acknowledge the receipt of your letter of November 19th in which, with reference to the recommendations of the United Maritime Consultative Council at its Second Session in Washington from October 24th to October 30th, 1946, you are good enough to notify me that the United States accepts the agreement for the Provisional Maritime Consultative Council in the text of which was annexed to that of these Recommendations.

2. His Majesty's Government are taking steps to inform other Governments, formerly members of the United Maritime Consultative Council, of the acceptance of this Agreement by the Government of the United States.

I have the honour to be, with high consideration, Sir,
Your obedient Servant,

(For Mr. Attlee)
H. W. A. FREESE-PENNEFATHER

Mr. WALDEMAR J. GALLMAN,
etc., etc., etc.,
1 Grosvenor Square,
W. 1.

January 8, October 15, 1947
[T. I. A. S. 1726]

Agreement between the United States of America and Canada respecting the allocation of FM channels in radio broadcasting. Effected by exchange of notes signed at Washington January 8 and October 15, 1947; entered into force October 15, 1947.

The Canadian Ambassador to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

No. 7

JANUARY 8, 1947.

SIR,

With reference to recent discussions between representatives of the Government of Canada and the Government of the United States concerning the use of the 88 to 108 megacycle frequency band for frequency modulation broadcasting, I have the honour to propose an exchange of notes concerning the allocation of channels with particular reference to assignments in those areas adjacent to the border of Canada and the United States in order to prevent undue interference between stations in the respective countries.

Allocation plans for United States Frequency Modulation Broadcasting Stations and for Canadian Frequency Modulation Broadcasting Stations are described in Appendices I and II. The channel number system used in these appendices is in accordance with Appendix III.

Post, pp. 3802, 3819.

Post, p. 3822.

Assignments will normally be made on the basis of omni-directional antennae but it is recognized that directional antennae may advantageously be used in certain instances to reduce interference between stations.

Assignments made at points which are more than 250 miles from the nearest point on the border of Canada and the United States will normally have no international significance and need not be notified except in cases of unusual powers and unusual antenna heights.

Where distances less than 250 miles are involved, all assignments shall be notified in the following manner:

(1) Notification shall be made by an exchange of documents between the Federal Communications Commission and the Department of Transport.

(2) Notifications shall include full information on transmitting antenna locations by geographical coordinates, antenna height above average terrain, antenna height above mean sea level, and effective radiated power. In the event an antenna, directional in the horizontal plane, is proposed, the directional pattern and other pertinent information shall be submitted.

(3) Each country shall have 15 days from the date of notification in which to protest the proposed assignment.

(4) If, within the 15 day period prescribed in (3) above, no objection is raised, a notified assignment shall be considered final.

Wherever possible assignments made within 250 miles of the border should be in accordance with Appendices I and II.

Post, pp. 3802, 3819.

No allocation plans have been adopted as yet for assignment of stations in the 88 to 92 megacycle portion of the band, which has been designated for use by non-commercial, educational broadcasting in both countries. When such a plan has been formulated, the procedure specified above shall apply.

I have the honour to suggest that, if an agreement in the sense of the foregoing paragraphs is acceptable to the Government of the United States, this note and your reply thereto in similar terms shall be regarded as placing on record the understanding arrived at between the two Governments, it being agreed that the present allocation plan shall not prejudice any subsequent agreement regarding Frequency Modulation channels which may be accepted by both Governments at future international telecommunications conferences.

Accept, Sir, the renewed assurances of my highest consideration.

H H WRONG

The Honourable JAMES F. BYRNES,
Secretary of State,
Washington, D. C.

APPENDIX I

ALABAMA

GENERAL AREA	CHANNEL NO.
Anniston	263
Bessemer	See Birmingham
Birmingham	229, 250, 258,
(includes Bessemer)	273, 284, 295
Decatur	223
Dothan	225, 290
Gadsden	279
Huntsville	236
Lanett	275
Mobile	225, 235, 248
	260, 271, 300
Montgomery	233, 277, 298
Muscle Shoals	275, 287
Opelika	243
(see also Columbus, Ga.)	
Selma	239, 293
Sylacauga	270
(see also Talladega)	
Talladega	246
(see also Sylacauga)	
Tuscaloosa	255, 267

ARIZONA

Globe	226, 262
Lowell	241, 279
Phoenix	238, 245, 253, 275, 295
Prescott	229, 284
Safford	247, 299
Tucson	234, 258, 270, 289
Yuma	236, 267

ARKANSAS

Blytheville	241, 286
(see also Jonesboro)	
El Dorado	236, 287
Fort Smith	223, 235, 271, 281, 299
Helena	229, 262
Hot Springs &	227, 238, 258
Hot Springs N. P.	
Jonesboro	270, 300
(see also Blytheville)	
Little Rock	231, 245, 266, 278, 297
Pine Bluff	222
Siloam Springs	243, 289

CALIFORNIA

GENERAL AREA	CHANNEL NO.
Bakersfield	223, 231, 243
Chico	266, 278
El Centro	227, 275
Eureka	234, 242
Fresno	229, 238, 250, 258, 270, 274, 284
Los Angeles (Metropolitan District)	222, 226, 230, 234, 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 294, 298
Marysville	254, 260, 268, 284
Merced	236, 248
Modesto	277, 281, 289,
Monterey	See Salinas
Palm Springs	264
Redding	230, 248
Riverside	248, 256
Sacramento	233, 241, 245, 293, 300
Salinas (including Monterey, Santa Cruz & Watsonville)	233, 241, 245, 293, 299
San Bernardino	236, 260
San Diego	223, 231, 243, 268, 284, 300
San Francisco-Oakland (Metropolitan District)	227, 231, 235, 239, 243, 247, 251, 255, 259, 263, 267, 271, 275, 279, 283, 287, 291, 295
San Jose	222, 253
San Luis Obispo	227, 260, 279
Santa Barbara	268, 284, 300
Santa Maria	236, 256
Santa Rosa	229, 273
Stockton	225, 297
Visalia	254, 295
Tulare	264, 286
Watsonville	See Salinas

COLORADO

Alamosa	255, 260
Colorado Springs	222, 227, 243, 274
Denver	231, 239, 247, 253, 258, 262, 270, 279, 286, 294
Durango	235, 278
Grand Junction	226, 298
Greeley	235, 290
La Junta	282, 300
Pueblo	236, 251, 266, 291
Sterling	245, 282

CONNECTICUT

GENERAL AREA	CHANNEL NO.
Bridgeport (includes Danbury)	248, 260, 268
Danbury	See Bridgeport
Hartford (also see Meriden)	229, 243, 275, 291, 295
Meriden (also see Hartford)	239
New Britain	279
New Haven	236, 256, 264, 300
New London	258, 266, 293
Waterbury	223, 273, 287

DELAWARE

Wilmington	229, 241, 258, 297

DISTRICT OF COLUMBIA

Washington	230, 242, 246, 254, 258, 262, 266, 278, 286, 290, 297

FLORIDA

Daytona Beach	233, 248
Fort Myers	245, 256
Fort Lauderdale	278, 293
Gainesville	281, 297
Jacksonville	229, 236, 241, 245, 259, 264, 270
Key West	238, 263
Lakeland	239, 295
Miami	226, 230, 235, 242, 247, 260, 268, 275, 286
Ocala	256, 267
Orlando	222, 243, 262, 287
Palm Beach	250, 298
Panama City	283, 299
Pensacola	223, 255, 266
St. Augustine	225, 291
St. Petersburg	250, 273, 284
Sarasota	258, 279
Tallahassee	246, 274
Tampa	227, 264, 289, 300
West Palm Beach	254, 271

GEORGIA

GENERAL AREA	CHANNEL NO.
Albany	258, 266, 271
Athens	258, 273
Atlanta	225, 231, 238, 248, 253, 260, 277, 283
Augusta	279, 289, 298
Brunswick	275, 289
Cedartown (includes Dalton)	241, 289
Columbus (see also Opelika, Ala.)	227, 236, 300
Cordele	230, 241
Dalton	See Cedartown & Rome
Dublin	234, 251
Gainesville	300
Griffin	268
La Grange	281
Macon	245, 256, 264, 291
Moultrie	278, 286
Newnan	222
Rome	293, 297
Savannah	238, 243, 247, 262
Thomasville	250, 294
Toccoa	275
Valdosta	223, 239
Waycross	283, 299
West Point	287

IDAHO

Boise	222, 251, 291
Idaho Falls	229, 277
Lewiston	247, 283
Nampa	235, 270
Pocatello	243, 266
Twin Falls	226, 259, 294
Wallace	238, 263

ILLINOIS

Alton	260
Aurora (includes Joliet)	236, 256
Bloomington	268, 297
Cairo (see also Cape Girardeau, Mo.)	239
Carbondale	225
Carthage	253, 295
Champaign	See Urbana
Chicago	226, 230, 234, 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 300,
Decatur	254, 271
East St. Louis	See St. Louis, Mo.
Elgin	See Chicago
Evanston	See Chicago

ILLINOIS—Continued

GENERAL AREA	CHANNEL NO.
Freeport	273
Galesburg	247, 281
Harrisburg	260, 264
Herrin	243, 253
Jacksonville	263, 291
Joliet	See Aurora
Kankakee	264
Mt. Vernon	231, 277
Peoria	223, 227, 231, 239, 243, 299
Quincy	258, 286
Rockford	248
Rock Island (see also Davenport, Iowa)	255
Springfield	275, 279, 283
Tuscola	245, 287
Urbana (includes Champaign)	248, 277, 284
Waukegan	294

INDIANA

Anderson	See Indianapolis
Columbus	229
Connersville	262
Crawfordsville	275
Elkhart	236, 264
Evansville (includes Henderson & Owensboro, Ky.)	223, 233, 241, 258, 273, 281, 297
Fort Wayne	241, 279, 287, 291
Hammond	222
Indianapolis (includes Anderson)	222, 226, 234, 238, 242, 246, 250, 254, 283
Kokomo	260, 299
Lafayette	236, 268
Marion	295
Muncie	273, 281
Richmond	258
Shelbyville	267
South Bend	267, 284
Terre Haute	260, 266
Vincennes	289, 293
West Lafayette	256

IOWA

Ames	238
Atlantic	293
Boone	251, 295
Burlington	225
Cedar Rapids	245, 293
Clinton	241
Davenport (See also Rock Island, Ill.)	233, 279

IOWA—Continued

GENERAL AREA	CHANNEL NO.
Decorah	223, 230
Des Moines	222, 231, 247, 253, 262, 283
Dubuque	236, 263, 277
Fort Dodge	274, 287
Iowa City	229, 259
Keokuk	274
Marshalltown	270, 291
Mason City	266, 281
Ottumwa	242, 264
Shenandoah	277, 289, 297
Sioux City	235, 256, 271
Spencer	223, 259
Waterloo	254, 298

KANSAS

Atchison	239, 255
Coffeyville	236, 266
Dodge City	234, 293
Emporia	223, 245
Garden City	247, 270
Great Bend	242, 287
Hutchinson	226, 289
Kansas City	See Kansas City, Mo.
Lawrence	243, 286
Manhattan	247, 267
McPherson	277
Pittsburg	256, 273
Salina	233, 238
Topeka	231, 258, 273
Wichita	250, 262, 271, 284, 297

KENTUCKY

Ashland	See Huntington, W. Va.
Bowling Green	251, 266
Harlan	238
Henderson	See Evansville, Ind.
Hopkinsville	230, 254
Lexington	225, 233
Louisville	236, 248, 259, 264, 268, 284, 300
Owensboro	See Evansville, Ind.
Paducah	227, 245, 262
Winchester	241, 251

LOUISIANA

Alexandria	245, 259, 273
Baton Rouge	251, 266, 282
Lafayette	241, 268
Lake Charles	248, 289
Monroe	277, 281, 295
New Orleans	222, 229, 239, 246, 262, 274, 287, 298
Shreveport	233, 243, 266, 275, 298

MAINE

GENERAL AREA	CHANNEL NO.
Augusta	222, 267, 287
Bangor	226, 246, 281, 295
Lewiston	230, 275
Portland (see also Mt. Washington, N. H.)	250, 270, 300
Presque Isle	242, 290

MARYLAND

Baltimore (includes Annapolis)	222, 226, 234, 238, 250, 256, 270, 274, 282, 294, 300
Cumberland	275, 295
Frederick	268
Hagerstown	284
Salisbury	248, 268

MASSACHUSETTS

Boston (includes Waltham)	225, 233, 241, 245, 253, 273, 277, 281, 289, 294
Fall River (includes New Bedford)	247, 251, 279
Fitchburg	284
Haverhill	223
Holyoke (includes Springfield)	226, 234, 246, 250, 254, 262, 270, 282
Lawrence	229
Lowell	258
New Bedford	See Falls River
North Adams	248
Pittsfield	260, 268
Springfield	See Holyoke
Waltham	See Boston
Worcester	236, 256, 264

MICHIGAN

Ann Arbor	254, 274
Battle Creek (includes Kalamazoo)	271, 289
Bay City	See Saginaw
Benton Harbor	260
Cadillac	253
Calumet	226, 268
Detroit (includes Pontiac, Royal Oak, & Wyandotte)	226, 234, 238, 242, 246, 250, 258, 262, 266, 270, 278, 282, 290, 298
East Lansing	See Lansing
Escanaba	234, 281
Flint (includes Lapeer)	236, 260, 264, 300
Grand Rapids	223, 229, 245, 273, 278, 286
Ironwood	270, 290
Jackson	222

MICHIGAN—Continued

GENERAL AREA	CHANNEL NO.
Kalamazoo	See Battle Creek
Lansing (includes E. Lansing)	248, 256, 284
Lapeer	See Flint
Ludington	226, 238
Marquette	230, 256
Muskegon	293, 297
Pontiac	See Detroit
Port Huron	256, 284
Royal Oak	See Detroit
Saginaw (Includes Bay City)	233, 241, 251
Sault Sainte Marie	226, 295
Traverse City	243, 268
Wyandotte	See Detroit

MINNESOTA

Albert Lea	241
Duluth (includes Superior, Wisc.)	222, 250, 264
Fergus Falls	242, 297
Hibbing	279, 286
Mankato	243, 278
Minneapolis (includes St. Paul)	229, 239, 246, 253, 258, 262, 267, 271, 275, 281, 290, 294
Moorhead (see also Fargo, N. D.)	230, 236
Northfield	251, 300
Rochester	234, 286, 297
St. Cloud	233, 284
St. Paul	See Minneapolis
Virginia	230, 259
Willmar	225, 255
Winona	248, 273

MISSISSIPPI

Clarksdale	248, 256
Columbus	226, 245
Corinth	268, 278
Greenville	270, 283
Greenwood	235, 293
Gulfport	243, 268
Hattiesburg	250, 290
Jackson	233, 247, 258, 275, 286
Laurel	279, 295
McComb	226, 255
Macon	271, 281
Meridian	241, 253
Natchez	231, 264
Tupelo	233, 242
Vicksburg	238, 297

MISSOURI

GENERAL AREA	CHANNEL NO.
Cape Girardeau	267, 291
(see also Cairo, Ill.)	
Clayton	See St. Louis
Columbia	233, 268
Hannibal	245, 300
Jefferson City	253, 277
Joplin	241, 287
Kansas City	227, 235, 251, 263, 271,
(includes Kansas City, Kans.)	282, 290, 294, 299
Poplar Bluff	233, 279
St. Joseph	222, 284
St. Louis	229, 236, 241, 247, 251, 256, 266, 273,
(includes Clayton)	281, 294, 298
Sedalia	259, 279
Springfield	225, 234, 238, 284, 297

MONTANA

Billings	230, 274
Bozeman	227, 270
Butte	235, 256
Great Falls	250, 260
Helena	241, 281
Kalispell	223, 278
Miles City	238, 254
Missoula	245, 286
Sidney	233, 267

NEBRASKA

Fremont	245
(see also Omaha)	
Grand Island	243, 291
Hastings	271, 279
Kearney	256, 294
Lincoln	229, 250, 275, 287
Norfolk	258, 273
North Platte	238, 274
Omaha	225, 241, 254, 260, 266,
(See also Fremont)	281, 300
Scottsbluff	241, 277

NEVADA

Boulder City	229, 270
Las Vegas	250, 262, 289
Reno	226, 238, 262

NEW HAMPSHIRE

Claremont	291
Keene	300
Laconia	247
Manchester	239, 266
Mount Washington	235, 255, 263, 283
Portsmouth	297

NEW JERSEY

GENERAL AREA	CHANNEL NO.
Atlantic City	253, 264
Bridgeton	255
Camden	See Philadelphia
Ewing Township	See Trenton
Greenbrook Twp.	256
Trenton (includes Ewing Twp.)	248, 268, 284

NEW MEXICO

Albuquerque	225, 242, 264, 287
Carlsbad	226, 262
Clovis	255, 291
Gallup	222, 279
Hobbs	235, 266
Las Vegas	230, 275
Roswell	246, 277
Santa Fe	253, 295
Tucumcari	239, 270

NEW YORK

Albany (includes Schenectady & Troy)	222, 230, 238, 242, 258, 266, 274, 278, 286, 290, 294, 298
Auburn	See Syracuse
Batavia	235, 259
Binghamton	251, 263, 299
Buffalo (Includes Niagara Falls)	225, 229, 241, 245, 253, 273, 277, 281, 293, 297
Coram	See New York or possibly Connecticut Channels
Corning (see also Elmira)	291
Dunkirk	233
Elmira (see also Corning)	295
Gloversville	234
Hornell	287
Ithaca	230, 247
Jamestown	227, 284
Kingston	235
Massena	287, 295
New York (includes numerous adjacent cities)	222, 226, 230, 234, 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 294, 298
Niagara Falls	See Buffalo
Ogdensburg	279, 291
Olean	238, 264
Oneonta	256, 282
Oswego	284
Plattsburg	275, 281
Poughkeepsie	284
Rochester	223, 243, 250, 255, 267, 279
Rome	239
Saranac Lake	225, 247
Syracuse (includes Auburn)	226, 233, 241, 253, 273, 281, 297

NEW YORK—Continued

GENERAL AREA	CHANNEL NO.
Troy	See Albany
Utica	229, 245, 277, 289
Watertown	251, 263

NORTH CAROLINA

Ahoskie	270
Asheville	268, 273, 282, 291
Burlington	266
Charlotte	260, 278, 284, 299
(see also Gastonia)	
Concord	243
(see also Salisbury)	
Durham	286
Elizabeth City	231, 266
Fayetteville	251
Gastonia	270
(see also Charlotte)	
Goldsboro	227
Greensboro	222, 247, 254, 262
(see also High Point & Winston-Salem)	
Greenville	250, 256
Henderson	297
Hickory	275, 295
High Point	238, 258
(See also Greensboro & Winston-Salem)	
Kinston	236, 245
(See also New Bern)	
New Bern	279
(See also Kinston)	
Jacksonville	225, 260
Raleigh	233, 241, 268, 273, 277
Roanoke Rapids	223, 253
(See also Rocky Mount)	
Rocky Mount	264, 282
(See also Roanoke Rapids)	
Reidsville	291
Salisbury	293
Statesville	289
Washington	275
Wilmington	230, 242
Wilson	290, 294, 300
Winston-Salem	226, 281
(See also Greensboro & High Point)	

NORTH DAKOTA

Bismarck	229, 250, 273, 294
(includes Mandan)	
Devil's Lake	226, 266
Fargo	222, 260
(see also Moorhead, Minn.)	
Grand Forks	234, 254, 278, 299
Jamestown	239, 284
Mandan	See Bismarck
Minot	243, 290
Valley City	246, 270

OHIO

GENERAL AREA	CHANNEL NO.
Akron (includes Tallmadge)	239, 243, 248
Alliance (includes Canton)	223, 231, 235
Ashland	267, 273
Ashtabula	See Erie, Pa.
Athens	297
Bellaire	See Wheeling, W. Va.
Canton	See Alliance
Cincinnati (includes Hamilton)	266, 270, 274, 278, 282, 286, 290, 294, 298
Cleveland (includes Lorain)	253, 258, 264, 271, 277, 281, 289, 293, 297
Columbus	222, 226, 234, 238, 242, 246, 250, 254
Dayton (includes Springfield)	236, 248, 256, 260, 264, 268, 284
Findlay	263
Fostoria	275
Freemont	See Toledo
Hamilton	See Cincinnati
Lima	271, 277, 293
Lorain	See Cleveland
Mansfield	279, 287, 291
Marion	295
Newark (includes Zanesville)	262, 299
Portsmouth	See Huntington, W. Va.
Springfield	See Dayton
Steubenville	See Wheeling, W. Va.
Tallmadge	See Akron
Toledo (includes Freemont)	260, 268, 284, 300
Warren (see also Sharon, Pa.	227, 300
Wooster	260, 283
Youngstown	See Sharon, Pa.
Zanesville	See Newark

OKLAHOMA

Ada	226, 284
Ardmore	229
Bartlesville	291
Clinton	298
Durant	297
Elk City	239, 277
Enid	243, 274
Lawton	251, 267
Muskogee	253, 268
Norman	See Oklahoma City
Oklahoma City (includes Norman)	222, 234, 255, 263, 270, 282, 290
Okmulgee	260, 275
Ponca City	293
Shawnee	241, 248
Stillwater	300
Tulsa	238, 246, 251, 258, 278, 286, 295

OREGON

GENERAL AREA	CHANNEL NO.
Albany	241, 260
Astoria	242, 268
Baker	250, 274
Bend	236, 275
Corvallis	250
Eugene	256, 284
Grants Pass	245, 260
Klamath Falls	233, 251, 268
La Grande	243, 260
Marshfield	239, 266
Medford	229, 286
Pendleton	226, 278
Portland (See also Vancouver, Wash.)	222, 226, 238, 246, 254, 262, 266, 278, 282, 290, 294, 298
Roseburg	234, 274
Salem	230, 286
The Dalles	251, 287

PENNSYLVANIA

Allentown (includes Bethlehem & Easton)	236, 260, 264, 300
Altoona	243, 279
Beaver Falls	See Pittsburgh
Bethlehem	See Allentown
Bradford (see also Jamestown & Olean, N. Y.)	248
Butler	See Pittsburgh
Clearfield	See DuBois
Du Bois (includes Clearfield)	256, 271
Easton	See Allentown
Erie (includes Ashtabula, Ohio)	246, 250, 260, 279
Glenside	See Philadelphia
Greensburg	297
Harrisburg	235, 247, 255, 259, 293, 298
Hazleton	227
Johnstown	238, 287
Lancaster	245, 267
Lebanon	281
Lewistown	226, 250
Meadville	See Sharon
New Castle	See Sharon
New Kensington	See Pittsburgh
Oil City	290, 299
Philadelphia (includes Glenside, Pa. & Camden, N. J.)	223, 227, 231, 239, 243, 251, 271, 275, 279, 287, 291, 295
Pittsburgh (includes New Kensington, Beaver Falls & Butler)	225, 229, 233, 241, 245, 251, 259, 268
Pottsville	258, 270
Reading	225, 233, 273
Scranton (includes Wilkes-Barre)	222, 229, 241, 253, 267, 277, 289, 297
Shamokin	284
Sharon (includes Warren & Youngstown, Ohio, Meadville & New Castle, Pa.)	255, 262, 266, 275, 286, 295

PENNSYLVANIA—Continued

GENERAL AREA	CHANNEL NO.
State College	282
Sunbury	231, 275
Uniontown	289, 293
Washington	273, 282
Wilkes-Barre	See Scranton
Williamsport	262, 286
York	253, 263, 277, 289

RHODE ISLAND

Pawtucket	See Providence
Providence	222, 231, 238, 260, 268, 286, 299

SOUTH CAROLINA

Anderson	266, 287
Charleston	236, 245, 271
Columbia (see also Sumter)	226, 233, 250, 258
Conway	222
Florence	231, 291
Greenville (see also Spartanburg)	223, 229, 236
Greenwood	239, 253
Lancaster	297
Rock Hill	248
Spartanburg (see also Greenville)	255, 263
Sumter (see also Columbia)	267, 274

SOUTH DAKOTA

Aberdeen	264, 282
Pierre	241, 258
Rapid City	234, 254, 278, 290
Sioux Falls	227, 247, 275, 286
Vermillion	264, 284
Watertown	231, 268
Yankton	262, 295

TENNESSEE

Bristol (includes Johnson City & Kingsport)	223, 245
Chattanooga (includes Cleveland)	234, 243, 251, 256, 266, 271
Clarksville	270, 294
Cleveland	See Chattanooga
Cookeville	283
Jackson	264, 284
Johnson City (see also Bristol)	264
Kingsport (see also Bristol)	253
Knoxville	227, 247, 258, 262, 279, 286
Memphis	238, 246, 250, 259, 274, 282, 290, 295
Nashville	225, 238, 248, 277, 290, 298

TEXAS

GENERAL AREA	CHANNEL NO.
Abilene	245, 278
Amarillo	226, 262, 282
Austin	222, 267, 284
Beaumont	227, 258, 300
Belton	See Temple
Big Spring	239, 270
Brady	236, 256
Brownsville (includes Harlingen & McAllen & Weslaco)	222, 229, 234, 247, 258, 277
Brownwood	282, 290
College Station	231, 259
Corpus Christi	238, 255, 283, 293, 300
Corsicana	271, 279
Dallas	223, 250, 266, 283, 295, 300
Denton	291
El Paso	234, 275
Fort Worth	227, 242, 258, 263, 287
Galveston	254, 279
Harlingen	See Brownsville
Houston	239, 243, 250, 266, 275, 286, 291, 295
Huntsville	234, 262
Kilgore (includes Longview & Tyler)	229, 247, 290
Laredo	243, 267
Longview	See Kilgore
Lubbock	242, 258, 300
Lufkin	238, 281
Midland	222, 281
McAllen	See Brownsville
Odessa	248
Palestine	225, 274
Pampa	253, 289
Paris	255, 273
Pecos	230, 294
Plainview	246, 297
Port Arthur	270, 293
San Angelo	233, 274
San Antonio	225, 234, 242, 247, 251, 258, 263, 273, 281, 289, 297
Sherman	236
Sweetwater	226, 264
Temple (includes Belton)	246, 298
Texarkana	251, 264, 293
Tyler (see also Kilgore)	268
Vernon	254, 271
Victoria	230, 270
Waco	254, 277
Waxahachie	See Dallas & Fort Worth
Weslaco	See Brownsville
Wichita Falls	231, 247, 260, 293

UTAH

Cedar City	233, 297
Logan	250, 290

UTAH—Continued

GENERAL AREA	CHANNEL NO.
Ogden	234, 274
Price	242, 262
Provo	226, 299
Salt Lake City	230, 238, 246, 254, 258, 262, 270, 278, 286, 295

VERMONT

Burlington	231, 289
Rutland	271
St. Albans	243, 267
Waterbury	227, 251

VIRGINIA

Alexandria	See Washington, D. C.
Charlottesville (includes Staunton)	273, 293
Covington	238, 286
Danville	230, 250
Fredericksburg	See Washington, D. C.
Front Royal	236
Harrisonburg	227, 264
Lynchburg	248, 300
Martinsville	242, 271
Newport News	See Norfolk
Norfolk (includes Newport News, Portsmouth & Suffolk)	243, 247, 255, 259, 273, 277, 287, 291, 299
Petersburg	229, 239
Portsmouth	See Norfolk
Richmond	225, 233, 251, 271, 275, 281, 295
Roanoke	235, 256, 279
Staunton	See Charlottesville
Suffolk	See Norfolk
Winchester	223

WASHINGTON

Aberdeen	262, 293
Bellingham	225, 281
Centralia	229, 284
Everett	241, 245
Longview	234, 274
Olympia	271, 279
Port Angeles	233, 297
Pullman	229, 270
Pasco	253, 298
Seattle	231, 235, 251, 255, 260, 264, 268, 275, 287, 291, 295, 300
Spokane	225, 236, 243, 251, 275, 287
Tacoma	223, 227, 239, 243, 247
Vancouver (see also Portland, Ore.)	258
Walla Walla	234, 268
Wenatchee	281, 293
Yakima	241, 248, 277

WEST VIRGINIA

GENERAL AREA	CHANNEL NO.
Beckley	258, 267
Bluefield (includes Welch)	227, 283, 298
Charleston	225, 241, 248, 253, 289
Clarksburg (includes Fairmont & Morgantown)	222, 236, 270, 287, 300
Fairmont	See Clarksburg
Huntington (includes Ashland, Ky. & Portsmouth, Ohio)	229, 233, 263, 273, 281, 291
Logan	277, 294
Morgantown	See Clarksburg
Parkersburg	293
Welch	See Bluefield
Wheeling (includes Bellaire & Steubenville, Ohio)	247, 254, 263, 278
Williamson	222, 236

WISCONSIN

Appleton (Includes Neenah)	222, 253
Ashland	245, 254
Beloit	297
Eau Claire	231, 279
Fond du Lac	247, 258
Green Bay	266, 273, 289
Greenfield Twp.	See Madison
Janesville	260
La Crosse	226, 233
Madison (includes Greenfield Twp.)	255, 268, 290
Manitowoc	233, 241
Marinette	286, 298
Medford	260, 300
Milwaukee	223, 227, 231, 239, 243, 251, 271, 275, 279, 287, 291, 299
Neenah	See Appleton
Oshkosh	225, 229
Poynette	235
Racine	264, 284
Rice Lake	236, 242
Sheboygan	262, 282
Stevens Point	245, 293
Superior	See Duluth, Minn.
Wausau	238, 250, 264, 284
Wisconsin Rapids	277

WYOMING

Casper	229, 264
Cheyenne	226, 266, 298
Powell	234, 258
Rock Springs	236, 248
Sheridan	262, 283

APPENDIX II

GENERAL AREAS	CHANNEL NUMBER See Appendix III	GENERAL AREAS	CHANNEL NUMBER See Appendix III
NOVA SCOTIA			
Sydney	235	Antigonish	223
	293	Stellarton	227
Halifax	222	New Glasgow	237
	260	Pictou	245
	291	Springhill	255
	295	Amherst	235
Dartmouth	251	Sydney Mines	221
Yarmouth	221	North Sydney	225
Bridgewater	226	New Waterford	230
Liverpool	231	Glace Bay	239
Windsor	243	Dominion	247
Kentville	266	Westville	233
Truro	283		
PRINCE EDWARD ISLAND			
Charlottetown	288	Summerside	271
	297		
NEW BRUNSWICK			
St. John	257	Sussex	285
	263	Campbellton	232
	269	Woodstock	237
	273	St. Stephen	298
Fredericton	249	Newcastle	221
	253	Bathurst	247
Edmunston	223	Moncton	240
	227		280
Dalhousie	300	Sackville	229
Chatham	225		
QUEBEC			
Montreal	223	Granby	300
	228	St. Hyacinthe	296
	232	St. Jean	285
	236	Megantic	221
	240	Thetford	226
	245	Drummondville	234
	249	Sorel	238
	253		242
	257	Three Rivers	282
	264		290
	293	Baie St. Paul	260
Sherbrooke	259	Matane	262
	269	Rimouski	268
	274	New Carlisle	276
	278	Shawinigan Falls	272
Quebec City	231		276
	247	Joliette	261
	251	St. Jerome	270
	256	Lachute	280
	266	St. Agathe des Monts	251

QUEBEC—Continued

GENERAL AREAS	CHANNEL NUMBER See Appendix III	GENERAL AREAS	CHANNEL NUMBER See Appendix III
Donnaconna	279	Kenogami	234
Val d'Or	251	Jonquiere	239
La Tuque	284	Bagotville	244
Montmagny	286	St. Joseph d'Alma	248
St. Anne de la Pocatiere	292	Roberval	252
Riviere du Loup	296	Port Alfred	258
Chicoutimi	221	Mont Joli	272
	225	Rouyn	243
Arvida	229	Amos	247

ONTARIO

Toronto	221	Oshawa	228
	251		298
	256	Peterborough	268
	260		294
	264	Belleville	237
	271		246
	283	Brockville	266
	287		271
Ottawa-Hull	221	Cornwall	283
	226		299
	230	Pembroke	224
	269		297
	273	Kirkland Lake	229
	277		268
Kitchener	244	St. Catharines	249
	291		285
Sudbury	223		289
	249	Hamilton	231
	288		266
Chatham	236		275
	264		300
Sarnia	248	Galt	247
	268	Guelph	278
Stratford	252	Woodstock	295
	272	Wingham	238
Brantford	226	Owen Sound	222
	234		227
Welland	269	Barrie	236
Kingston	242	Kapuskasing	245
	258	Fort William-Port Arthur	232
Niagara Falls	237		274
	262		278
London-St. Thomas	224		282
	228	Timmins	233
	232		272
	240	Sault Ste. Marie	263
Windsor	221		283
	230	Fort Frances	224
	286	Kenora	228
	294		269
North Bay	235	New Liskeard	225
	292	Sturgeon Falls	239
Orillia	240		

MANITOBA

GENERAL AREAS	CHANNEL NUMBER See Appendix III	GENERAL AREAS	CHANNEL NUMBER See Appendix III
Winnipeg	221	Portage la Prairie	268
	232	Dauphin	225
	248	Brandon	241
	252		280
	272	Selkirk	285
	276	The Pas	289
St. Boniface	256	Flin Flon	222
Transcona	262		

SASKATCHEWAN

Regina	231	Swift Current	253
	235	Yorkton	292
	245	North Battleford	268
	259	Moose Jaw	239
Saskatoon	221		249
	226	Weyburn	300
	256	Melville	296
Prince Albert	264		
	282		

ALBERTA

Medicine Hat	228	Edmonton	224
Lethbridge	232		251
	265		258
Calgary	234		262
	240		290
	271	Red Deer	244
	276	Grand Prairie	255
	280		

BRITISH COLUMBIA

Vancouver	221	Prince Rupert	260
	249	Port Alberni	244
	257	Prince George	264
	278	Dawson Creek	269
	289	Chilliwack	270
	293	Princeton	283
Victoria	253	Vernon	222
	273	Trail	289
	285	Rossland	294
New Westminster	266	Nelson	285
North Vancouver	228	Kamloops	252
Nanaimo	237	Kelowna	246
Powel River	240	Penticton	298

YUKON

Dawson City	221	Whitehorse	223

NORTH WEST TERRITORIES

Yellowknife	221

APPENDIX III

Frequency (mc.)	Channel No.	Frequency (mc.)	Channel No.	Frequency (mc.)	Channel No.
88. 1	201	94. 9	235	101. 5	268
88. 3	202	95. 1	236	101. 7	269
88. 5	203	95. 3	237	101. 9	270
88. 7	204	95. 5	238	102. 1	271
88. 9	205	95. 7	239	102. 3	272
89. 1	206	95. 9	240	102. 5	273
89. 3	207	96. 1	241	102. 7	274
89. 5	208	96. 3	242	102. 9	275
89. 7	209	96. 5	243	103. 1	276
89. 9	210	96. 7	244	103. 3	277
90. 1	211	96. 9	245	103. 5	278
90. 3	212	97. 1	246	103. 7	279
90. 5	213	97. 3	247	103. 9	280
90. 7	214	97. 5	248	104. 1	281
90. 9	215	97. 7	249	104. 3	282
91. 1	216	97. 9	250	104. 5	283
91. 3	217	98. 1	251	104. 7	284
91. 5	218	98. 3	252	104. 9	285
91. 7	219	98. 5	253	105. 1	286
91. 9	220	98. 7	254	105. 3	287
92. 1	221	98. 9	255	105. 5	288
92. 3	222	99. 1	256	105. 7	289
92. 5	223	99. 3	257	105. 9	290
92. 7	224	99. 5	258	106. 1	291
92. 9	225	99. 7	259	106. 3	292
93. 1	226	99. 9	260	106. 5	293
93. 3	227	100. 1	261	106. 7	294
93. 5	228	100. 3	262	106. 9	295
93. 7	229	100. 5	263	107. 1	296
93. 9	230	100. 7	264	107. 3	297
94. 1	231	100. 9	265	107. 5	298
94. 3	232	101. 1	266	107. 7	299
94. 5	233	101. 3	267	107. 9	300
94. 7	234				

The Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON
Oct. 15, 1947

EXCELLENCY:

I have the honor to refer to your note No. 7 of January 8, 1947, in which you proposed an exchange of notes on the subject of the allocation of channels in the radio frequency band 88 to 108 megacycles, for frequency modulation broadcasting. In this connection, particular importance is attributed in your note to channel assignments for operation in areas adjacent to the border of Canada and the United States, and to the need to prevent undue interference between stations in the respective countries.

Ante, p. 3800.

Allocation plans.

Your note under reference states that allocation plans for United States frequency modulation broadcasting stations and for Canadian frequency modulation broadcasting stations are described in Appendices I and II to an Agreement between the two countries on the subject, and that the channel number system used in these Appendices is in accordance with Appendix III to the same Agreement. This note further states that assignments will normally be made on the basis of omnidirectional antennae but that it is recognized that directional antennae may advantageously be used in certain instances to reduce interference between stations.

Ante, pp. 3802, 3819.

Ante, p. 3822.

Moreover, assignments made at points which are more than 250 miles from the nearest point on the border of Canada and the United States are normally to have no international significance and need not be notified except in cases of unusual powers and unusual antenna heights.

Notifications of assignments.

Where distances less than 250 miles are involved, all assignments shall be notified in the following manner:

(1) Notification shall be made by an exchange of documents between the Federal Communications Commission and the Department of Transport.

(2) Notifications shall include full information on transmitting antenna locations by geographical coordinates, antenna height above average terrain, antenna height above mean sea level, and effective radiated power. In the event an antenna, directional in the horizontal plane, is proposed, the directional pattern and other pertinent information shall be submitted.

(3) Each country shall have 15 days from the date of notification in which to protest the proposed assignment.

(4) If, within the 15 day period prescribed in (3) above, no objection is raised, a notified assignment shall be considered final. Wherever possible assignments made within 250 miles of the border should be in accordance with Appendices I and II.

Ante, pp. 3802, 3819.

Band for non-commercial educational broadcasting.

Finally, the same note states that no allocation plans have been adopted as yet for assignment of stations in the band from 88 to 92 megacycles, which has been designated for use by non-commercial

educational broadcasting in both countries, and that when such a plan has been formulated, the procedure specified above shall apply.

U. S. acceptance of agreement.

I have the honor to inform you that an agreement in the sense of the foregoing paragraphs is acceptable to the Government of the United States, and that this Government agrees to consider the Embassy's note No. 7 of January 8, 1947, together with the present reply thereto as placing on record the understanding arrived at by the two Governments on the above mentioned subject, it being agreed that the present allocation plan should not prejudice any subsequent agreement regarding frequency modulation channels which may be accepted by both Governments at future International Telecommunications Conferences.

Ante, p. 3800.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
GARRISON NORTON

His Excellency
HUME WRONG,
Ambassador of Canada.

Agreement between the United States of America and Egypt respecting air transport services. Signed at Cairo June 15, 1946; operative from June 15, 1946; entered into force definitively August 8, 1947.

June 15, 1946
[T. I. A. S. 1727]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND EGYPT

Having in mind the resolution signed under date of December 7, 1944, at the International Civil Aviation Conference [1] in Chicago, Illinois, for the adoption of a standard form of agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Egypt, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

Post, p. 3828.

ARTICLE 2

Inauguration of services.

(a) Each of the air services so described shall be placed in operation as soon as the Contracting Party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either Contracting Party granted commercial rights under this Agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

[1] [*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents.* Department of State publication 2282.]

ARTICLE 3

Prevention of discrimination, etc.

In order to prevent discriminatory practices and to assure equality of treatment, both Contracting Parties agree that:

(a) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of such other Contracting Party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 3828.

ARTICLE 4

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Post, p. 3828.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first Party.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an airline of the other Party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either Party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

Withholding or revocation of certificate or permit.

ARTICLE 7

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

Registration.

ARTICLE 8

Either Contracting Party may terminate the rights for services granted by it under this Agreement by giving one year's notice to the other Contracting Party.

Termination of rights for services.

ARTICLE 9

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

Modification of routes or conditions.
Post, p. 3828.

ARTICLE 10

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex, which cannot be settled through consultation, shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organization (in accordance with the provisions of Article 3, Section 6 (8) of the Interim Agreement on Civil Aviation signed at Chicago on December 7, 1944) or its successors.

Disputes.
Post, p. 3828.

59 Stat. 1521.

ARTICLE 11

The provisions of this Agreement shall become operative from the day it is signed. The Egyptian Government shall notify the Government of the United States of approval of the Agreement by the Egyptian Parliament, and the Government of the United States shall consider the Agreement as becoming definitive upon the date of such notification by the Egyptian Government. [1]

Effective date.

[1] [The agreement entered into force definitively Aug. 8, 1947, the date of official notification of approval by the Egyptian Parliament.]

Authentic languages.

Done at Cairo in duplicate in the English and Arabic languages, each of which shall be of equal authenticity, this 15th (15th) day of June (ragab), 1946 (1365).

For the Government of the United States of America:

S. PINKNEY TUCK

For the Royal Egyptian Government:

A. LOUTFY EL-SAYED

[SEAL]

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND EGYPT

SECTION 1

U. S. rights of transit and stop in Egyptian territory.

Airlines of the United States of America authorized under the present Agreement are accorded rights of transit and non-traffic stop in Egyptian territory as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Cairo on the following routes in both directions:

United States to Egypt (Cairo) and thence to Palestine (Lydda), Iraq (Basra), Saudi Arabia (Dhahran), and beyond, via:

(a) Ireland, France, Switzerland, Italy, and Greece,
(b) Portugal, Spain, Italy, and Greece, and
(c) Portugal, Spain, and North African points.

SECTION 2

Egyptian rights of transit and stop in U. S. territory.

Airlines of Egypt authorized under the present Agreement are accorded rights of transit and non-traffic stop in United States territory as well as the right to pick up and discharge international traffic in passengers, cargo and mail in the United States on a route or routes as may be determined at a later date from Egypt, via intermediate points to the United States in both directions.

SECTION 3

General principles.

In the establishment and operation of air services covered by this Agreement and its Annex, the following principle shall apply:

Encouragement of air travel.

(1) The two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and insuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

Capacity.

(2) It is the understanding of both Governments that services provided by a designated air carrier under the Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which

such air carrier is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in the Annex to the Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

(a) to traffic requirements between the country of origin and the countries of destination,

(b) to the requirements of through airline operation, and

(c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION 4

Consultation.

The Contracting Parties should undertake regular and frequent consultation between their respective aeronautical authorities so that there should be close collaboration in the observance of the principles and the implementation of the provisions outlined in the Agreement and its Annex, and in case of dispute the matter shall be settled in accordance with the provisions of Article 10 of the Agreement.

Ante, p. 3827.

وزارة الخارجيـــة

ادارة الشئون السياسية

اتفـــاق
بشأن النقـل الجوى المدنى
بين الولايات المتحدة الامريكية ومصـر

تمشيا مع قرار مؤتمر الطيران المدنى الدولى الموقع فى ٧ ديسمبر سنة ١٩٤٤ بمدينة شيكاغو بولاية ايلينوى بشأن قبول صيغة نموذجية للاتفاقات الخاصة بالطرق والخطوط الجوية المؤقتة

ورغبة فى التعاون على تنشيط وترقية النقل الجوى بين الولايات المتحدة ومصر على اساس اقتصادى سليم ٠

فقد اتفقت الحكومتان طرفا هذا الاتفاق على ان يخضع انشاء وتقدم خطوط النقل الجـــوى بين اقليميهما للشروط الآتية :

(المادة الاولى)

يمنح الطرفان المتعاقدان الحقوق المبينة فى الملحق المرافق لهذا الاتفاق واللازمة لانشاء الطرق والخطوط الجوية المدنية الموضحة به سواء افتتحت تلك الخطوط فى الحال أو فيمـــا بعد حسب اختيار الطرف المتعاقد الذى منحت له هذه الحقوق ٠

(المادة الثانية)

أ ــ يبدأ تشغيل كل من الخطوط الجوية المذكورة بمجرد أن يعين الطرف المتعاقد الممنوح له الحقوق بمقتضى المادة الاولى مؤسسة او مؤسسات النقل الجوى التى ستباشر تشغيـــل ذلك الخط ومع عدم الاخلال بأحكام المادة السادسة يجب على الطرف المتعاقد الذى منح تلك الحقوق ان يصدر ترخيص التشغيل اللازم الى تلك المؤسسة او المؤسسات ٠ على انه يجـــوز قبل ان يرخص بتشغيل الخطوط موضوع هذا الاتفاق ان يطلب من تلك المؤسسات المعينة أن تثبت لسلطات الطيران المختصة التابعة للطرف الذى منح الحقوق انه تتوافر فيها الشروط التى تقتضيها القوانين واللوائح المعمول بها لدى تلك السلطات كما ان افتتاح تلك الخـــطوط فى مناطق العمليات الحربية او المناطق المحتلة عسكريا او المناطق التى تؤثر فيها العمليـــات الحربية او الاحتلال العسكرى يتوقف على موافقة السلطات الحربية المختصة ٠

ب ــ من المفهوم انه يجب على اى طرف متعاقد منح حقوقا تجارية بمقتضى هذا الاتفـــاق ان يباشر هذه الحقوق فى اقرب فرصة ممكنة الا فى حالة العجز المؤقت عن أداء ذلك ٠

(المادة الثالثة)

منعا للتمييز وضمانا للمساواة فى المعاملة قد اتفق الطرفان المتعاقدان على ما يلى :

أ ــ لكل من الطرفين المتعاقدين ان يفرض او يسمح بفرض رسوم عادلة ومعقولة نظـــير استعمال المطارات العامة والانتفاع بالتسهيلات الاخرى التى يشرف عليها ٠ ومن المتفق عليه ان لا تزيد هذه الرسوم عما تدفع الطائرات الوطنية التى تعمل فى خطوط دولية مماثلة عنـــد استعمالها مثل هذه المطارات او انتفاعها بمثل تلك التسهيلات ٠

(٢)

ب — بمعامل الوقود وزيوت التشحيم وقطع الغيار التى تدخل اقليم طرف متعاقد بواسطة الطرف المتعاقد الآخر او بواسطة احد رعاياه — والمخصصة فقط لاستعمال طائراته — المعاملة الوطنية ومعاملة الدولة الاكثر رعاية وذلك بالنسبة لما يفرضه الطرف المتعاقد الذى تدخل تلك المواد اقليمه من رسوم الجمارك والتفتيش او الرسوم الوطنية الاخرى ·

جـ — يعفى من رسوم الجمارك ورسوم التفتيش وما شابه ذلك من رسوم الوقود وزيوت التشحيم وقطع الغيار والمهمات المعتاد حملها والمخزون التى تحملها الطائرات المدنية للمؤسسات الجوية التابعة لأحد الطرفين المتعاقدين والمرخص لها بتشغيل الطرق والخطوط الجوية المبينة فى الملحق عند دخولها او مغادرتها اقليم الطرف المتعاقد الآخر حتى او استعملت او استهلكت تلك الطائرات هذه المواد اثناء طيرانها داخل ذلك الاقليم ·

(المادة الرابعة)

يعترف كل من الطرفين المتعاقدين بصحة شهادة الصلاحية للطيران وشهادات الاهلية والاجازات الصادرة او المعتمدة من الطرف المتعاقد الآخر لغرض تشغيل الطرق والخطوط الجوية المبينة فى الملحق ومع ذلك يحتفظ كل من الطرفين المتعاقدين بحقه فى عدم الاعتراف بشهادات الاهلية والاجازات التى تمنحها دولة اخرى لرعاياه فيما يتعلق بالطيران فوق اقليمه ·

(المادة الخامسة)

١ — تسرى القوانين والتعليمات المعمول بها لدى احد الطرفين المتعاقدين — والمتعلقة بدخول الطائرات التى تعمل فى الملاحة الجوية الدولية فى اقليمه أو مغادرتها له أو تشغيلها او طيرانها فوقه — على طائرات الطرف المتعاقد الآخر ويجب على هذه الطائرات مراعاتها عند دخول اقليم الطرف الاول او مغادرتها له او اثناء وجودها فيه ·

٢ — يجب على ركاب وملاحى الطائرات او من ينوب عنهم كما يجب بالنسبة للبضائع اتباع قوانين وتعليمات الطرف المتعاقد بشأن دخول الركاب وملاحى الطائرات والبضائع اقليمه أو مغادرتهم له مثل تعليمات الدخول والخروج والهجرة وجوازات السفر والجمارك والحجر الصحى وذلك عند دخولهم او مغادرتهم او اثناء بقائهم فى اقليم ذلك الطرف المتعاقد ·

(المادة السادسة)

يحتفظ كل طرف متعاقد بحقه فى ايقاف او الغاء شهادة أو ترخيص صادر لمؤسسة نقل جوى تابعة للطرف الآخر فى اية حالة لا يقتنع فيها بأن جزءا هاما من ملكية هذه المؤسسة أو ادارتها الفعلية موجود بالفعل فى يد رعايا اى من طرفى هذا الاتفاق وكذلك فى حالة عدم تنفيذ هذه المؤسسة لقوانين الدولة التى تعمل فوق اقليمها طبقا لنص المادة الخامسة السابقة او عدم قيامها بالتزاماتها طبقا لهذا الاتفاق ·

(المادة السابعة)

يسجل هذا الاتفاق وجميع العقود المتعلقة به لدى الهيئة المؤقتة للطيران المدنى الدولى ·

(٣)

(المادة الثامنة)

يجوز لكل من الطرفين المتعاقدين ان ينهى الحقوق التى منحها بمقتضى هذا الاتفاق وذلك بأخطار سابق بمدة سنة للطرف المتعاقد الآخر ٠

(المادة التاسعة)

اذا رغب اى من الطرفين المتعاقدين فى تعديل الطرق او الشروط الواردة فى الملحق المرافق فله الحق فى طلب الدخول فى مباحثات بين السلطات المختصة لدى كل من الطرفين المتعاقدين وفى هذه الحالة تبدأ المباحثات المذكورة فى خلال ستين يوما من الطلب ٠ وعندما تتفق هذه السلطات على شروط جديدة او معدلة مما يؤثر فى الملحق تصبح توصياتهما سارية المفعول بعد تبادل المذكرات السياسية المؤيدة لها ٠

(المادة العاشرة)

يرفع الى المجلس الموقت للهيئة الموقتة للطيران المدنى الدولى لعمل تقرير استشارى (طبقا لأحكام المادة ٣ من القسم السادس (٨) من الاتفاق الموقت بشأن الطيران المدنى الدولى الموقع بشيكاغو فى ديسمبر سنة ١٩٤٤) او لمن يخلف هذا المجلس كل خلاف بين الطرفين المتعاقدين فى تفسير او تطبيق هذا الاتفاق او الملحق المرافق له اذا لم تنجح المباحثات بين الطرفين فى فض الخلاف ٠

(المادة الحادية عشرة)

تسرى شروط هذا الاتفاق من تاريخ توقيعه وتبلغ الحكومة المصرية حكومة الولايات المتحدة اعتماده من البرلمان المصرى ٠

وستعتبر حكومة الولايات المتحدة الاتفاق نهائيا من تاريخ هذا التبليغ من جانب الحكومة المصرية ٠

حرر بالقاهرة من اصلين كل منهما باللغتين الانكليزية والعربية ولكل من النصين نفس القوة الرسمية فى يوم ١٥ رجب سنة ١٣٦٥ هـ (١٥ يونية سنة ١٩٤٦ م) ٠

عن حكومة الولايات المتحدة الامريكية

[1]

عن الحكومة الملكية المصرية

[2]

---

[1] [S. Pinkney Tuck]

[2] [A. Loutfy El-Sayed]

(٤)

ملحق لاتفاق النقل الجوى المدنى بين الولايات المتحدة الامريكية ومصر

القسم الأول

تمنح مؤسسات النقل الجوى للولايات المتحدة الامريكية المرخص لها طبقا لهذا الاتفاق حقوق المرور والهبوط لغير الاغراض التجارية فى اقليم المملكة المصرية وكذلك حق أخذ وأنزال مايشمله النقل الدولى من ركاب وبضائع وبريد من القاهرة وفيها على الطرق الآتية فى كلا الاتجاهين :

من الولايات المتحدة الى مصر (القاهرة) ثم الى فلسطين (اللد) والعراق (البصرة) والمملكة العربية السعودية (ظهران) وما يليها عن طريق :

أ ــ ايرلندا وفرنسا وسويسرا وايطاليا واليونان .

ب ــ البرتغال واسبانيا وايطاليا واليونان .

جـ ــ البرتغال واسبانيا ومناطق شمال افريقيا .

القسم الثانى

تمنح مؤسسات النقل الجوى للمملكة المصرية المرخص لها طبقا لهذا الاتفاق حقوق المرور والهبوط لغير الاغراض التجارية فى اقليم الولايات المتحدة وكذلك حق اخذ وانزال ما يشمله النقل الجوى من ركاب وبضائع وبريد فى الولايات المتحدة وذلك عن الطريق او الطرق التى تقرر فيما بعد وذلك ما بين مصر والولايات المتحدة عن طريق نقط متوسطة وفى كلا الاتجاهين .

القسم الثالث

تطبق القواعد الآتية فى انشاء وتشغيل الخطوط الجوية التى يشملها هذا الاتفاق وملحقه :

(١) ترغب كل من الحكومتين فى ان تساعد وتشجع على التوسع الى اقصى حد ممكن فى تعميم نفع الاسفار الجوية لصالح الانسانية العام بأقل الاجور التى تتفق وقواعد الاقتصاد الصحيحة كما ترغب فى تنشيط الاسفار الجوية الدولية كوسيلة لانماء التفاهم الودى وحسن النية بين الشعوب وكذلك فى تحقيق المزايا العديدة غير المباشرة التى تقدمها هذه الوسيلة الجديدة للنقل وذلك للصالح المشترك للدولتين .

(٢) من المفهوم لدى كل من الحكومتين ان الغرض الاساسى من الخطوط التى تقوم بها مؤسسة النقل الجوى المعينة طبقا لشروط هذا الاتفاق والملحق المرافق له هو أن تقدم الحمولة التى تتناسب مع حاجات النقل بين الدولة التى تتبعها تلك المؤسسة والدولة التى ينتهى اليها النقل ــ كما أن حق هذه المؤسسات فى اخذ او انزال تجارة دولية مرسلة الى او آتية من دول ثالثة فى نقطة او نقط من الطرق المبينة فى الملحق لهذا الاتفاق سوف يستعمل طبقا للمبادئ العامة للتقدم المنظم التى يساهم فيها الطرفان كما يخضع للقواعد العامة من ان الحمولة تنسب الى

أ ــ حاجات النقل بين الدولة التى يبدأ منها الخط والدولة التى ينتهى فيها .

وب ــ حاجات تشغيل الخط الجوى الطوالى .

وجـ ــ حاجات النقل بالمناطق التى يخترقها الخط الجوى مع مراعاة الخطوط المحلية وخطوط المنطقة .

القسم الرابع

يتعهد الطرفان المتعاقدان بأن تقوم سلطات الطيران لدى كل منهما بمباحثات منظمة ودورية فيما بينهما وذلك لايجاد تعاون وثيق على مراعاة القواعد وتنفيذ مقتضيات النصوص المبينة فى الاتفاقية والملحق المرافق لها ويحل اى خلاف طبقا لاحكام المادة العاشرة من الاتفاق ..

January 21, February 11, March 5, 13, 1946
[T. I. A. S. 1728]

Agreement between the United States of America and the Netherlands respecting passport visa fees. Effected by exchanges of notes dated at The Hague January 21, February 11, and March 5 and 13, 1946; entered into force March 13, 1946.

The American Embassy to the Royal Netherlands Ministry for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 238

The Embassy of the United States of America presents its compliments to the Royal Netherlands Ministry for Foreign Affairs and, with reference to the Ministry's note No. 8149 of October 20, 1945, [1] has the honor to state that the non-immigrant passport visa fees would be waived by the United States Government on a reciprocal basis for all Netherlands nationals wherever they may be resident.

It is hoped that in the light of the foregoing assurance the Ministry will be in a position to advise the Embassy at an early date regarding the willingness of the Netherlands Government to revive the reciprocal agreement between the Government of the United States and the Netherlands Government for the waiving of fees for passport visas to non-immigrants.

THE HAGUE, *January 21, 1946.*

JWB

[1] [Not printed.]

The Royal Netherlands Ministry for Foreign Affairs to the American Embassy

NOTE.

Division for Administrative Affairs.
No. 6325.

The Royal Netherlands Ministry for Foreign Affairs presents its compliments to the Embassy of the United States of America and, in reply to the Embassy's note No. 238 of January 21, 1946, has the honor to state that the Netherlands Government is quite willing to accept the proposal to waive fees for passports visas to nonimmigrants on a reciprocal basis for American citizens and Netherlands nationals wherever they may be resident.

The Ministry for Foreign Affairs would be glad to learn at as early a date as possible if the Government of the United States of America agrees to put this new understanding into force on the 15th of March next.

The Hague, February 11th 1946.

MINISTRY FOR FOREIGN AFFAIRS

To the Embassy of the
United States of America.

The American Embassy to the Royal Netherlands Ministry for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 273

The Embassy of the United States of America presents its compliments to the Royal Netherlands Ministry for Foreign Affairs, and has the honor to refer to the Ministry's note No. 6325, of February 11, 1946, in regard to the reciprocal waiving of passport visa fees for American citizens and Netherlands nationals who are non-immigrants.

Effective date.

Under instructions, the Embassy proposes that April 15, 1946, be adopted as the date upon which there shall become effective the waiving of passport visa fees for American citizens who are proceeding as non-immigrants to the Netherlands and overseas territories of the Netherlands and for Netherlands subjects who are proceeding as non-immigrants to the territorial and insular possessions of the United States.

In order that there may be sufficient time for the notification of the appropriate authorities, it would be appreciated if the Ministry would be good enough to inform the Embassy at an early date of the Netherlands Government's acceptance of the foregoing.

THE HAGUE, *March 5, 1946.*

SKH

The Royal Netherlands Ministry for Foreign Affairs to the American Embassy

Administrative and Legal Department

No.19487

The Ministry for Foreign Affairs begs to acknowledge receipt of the note of March 5th 1946 No.273 of the Embassy of the United States of America and in reply has the honor to state that the Netherlands Government fully agree with the proposal that April 15th 1946 shall be adopted as the date upon which shall become effective the waiving of fees for passportvisas for American citizens who are proceeding as non-immigrants to the Netherlands and overseas territories of the Netherlands and for Netherlands subjects who are proceeding as non-immigrants to the territorial and insular possessions of the United States.

Instructions in conformity with the foregoing have been forwarded to the Netherlands representatives abroad.

The Hague, March 13th 1946

To the Embassy of the United States of America.

July 30, August 20, 1947
[T. I. A. S. 1729]

Agreement between the United States of America and the Netherlands respecting passport visas. Effected by exchange of notes dated at The Hague July 30 and August 20, 1947; entered into force August 20, 1947.

The Netherlands Ministry of Foreign Affairs to the American Embassy

MIN. VAN BUITENLANDSCHE ZAKEN

Administrative and Legal Department.

No. 63638.

Referring to the American Embassy's Memorandum of June 12th, 1947,[1] the Ministry of Foreign Affairs has the honour to inform the Embassy that the Netherlands Government have decided to waive from the 15th of August next all visa requirements for American citizens who are the rightful bearers of valid American passports and who wish to proceed to the Netherlands either for a short stay or for transit.

The foregoing does not apply to the Netherlands overseas territories.

It should be well understood that otherwise the Netherlands legislation concerning sojourn, establishment and employment of foreigners in this country remains applicable to American citizens as before.

The Ministry of Foreign Affairs has noted with pleasure that the American Government contemplate granting to Netherlands subjects who intend to pay a temporary visit to the United States non-immigrant visas which would be valid for presentation at a port of entry at any time, or any number of times during a period of two years, provided that the passport of the applicant is valid for such period. Should the passport not be valid for the full period of two years at the time the visa is granted but later on be extended by the proper authorities for the full period of two years or more, the visa would be considered as valid for the full period of two years.

The Ministry of Foreign Affairs would appreciate very much if the necessary instructions to that effect could be issued as soon as possible to all American representatives concerned abroad and to learn when those instructions will come into force.

The Hague, 30th July, 1947.

To the American Embassy,

[1] [Not printed.]

The American Embassy to the Netherlands Ministry of Foreign Affairs

No. 101

The Embassy of the United States of America presents its compliments to the Royal Netherlands Ministry for Foreign Affairs, and has the honor to acknowledge with pleasure the Ministry's Note No. 63638 of July 30, 1947, regarding the decision of the Netherlands Government to waive from the 15th of August, 1947, all visa requirements for American citizens who are the rightful bearers of valid American passports and who wish to proceed to the Netherlands either for a short stay or for transit.

It is understood that the waiver does not apply to the Netherlands overseas territories and that Netherlands legislation concerning sojourn, establishment and employment of foreigners remains applicable to American citizens as before.

Pursuant to instructions from the Department of State, the Embassy may now inform the Ministry that American Consular Officers are being instructed, effective September 1, 1947, to grant non-immigrant visas valid for twenty-four months to Netherlands subjects as long as visa requirements are waived for American citizens proceeding to the Netherlands for a visit or in transit. Visas issued to government officials and members of international organizations under Sections 3(1) and 3(7) of the United States immigration laws will continue to be issued valid for twelve months. The waiver of passport visa fees for non-immigrant temporary visitors is continued.

In considering the period of validity for two years it should be understood that the visas granted would be valid for presentation at a port of entry at any time, or any number of times, during the two year period. It would have no relation to the period of stay in the country which may be granted to the bearer of such a visa if he is admitted into the country after inspection at the port of entry. In accordance with existing procedure, the immigration officials at the port of entry would continue to specify the authorized length of stay of an alien for each visit. In general the passport of an alien must be valid for a period of at least 60 days beyond the period of the alien's contemplated stay in the United States.

No visa granted for a period of two years would be valid for such period unless the passport or other acceptable travel document of the bearer is valid for such period. However, if the passport or travel document is not valid for the full period of two years at the time the visa is granted the passport or travel document may be extended by the issuing authority for the full period of two years or more, in which event the visa would be considered as valid for the full period of two years.

W. D. F.

THE HAGUE,
August 20, 1947.

July 18, 1946
[T. I. A. S. 1731

Understanding between the United States of America and France respecting the allocation of proceeds from the liquidation of German property in Sweden. Effected by exchange of notes dated at Washington July 18, 1946; entered into force July 18, 1946.

The Chief of the United States Delegation to the Chief of the French Delegation

WASHINGTON, D. C.
July 18, 1946

DEAR MR. VALENSI:

On behalf of my Government, I may confirm to you the following understanding with respect to the allocation of the proceeds of the German assets to be received from Sweden as a result of the recent Swedish-Allied negotiations in Washington:

61 Stat., Pt. 3, p. 3191.

1. The sums to be divided are 75 million kronor referred to in paragraph 2 of the letter of today dealing with the Swedish "contributions" and 150 million kronor referred to in paragraph 2 of the principal letter of today on German assets. The Swedish Government has indicated its preferences with regard to the use of these sums. Accordingly, applying the proportions agreed in the Paris Reparation Agreement and having regard to the preferences of the Swedish Government, it is estimated that a sum of 12 million kronor will remain after the countries other than the U.S., U.K. and France have been allotted their full shares out of this sum of 75 million kronor which alone is available to cover their shares.

61 Stat., Pt. 3, p. 3207.
61 Stat., Pt. 3, p. 3191.
61 Stat., Pt. 3, p. 3159.

2. It is agreed that this entire sum of 12 million kronor will be allocated to France. In return, the amount which the U.K. and the U.S. would be entitled to receive from this sum will be included in the shares which these two countries will receive from the 150 million kronor referred to in the principal letter. It is estimated that on the basis of the proportions agreed in the Paris Reparation Agreement this will have the effect that, of those 150 million kronor, France will receive 24 million kronor and the U.K. and the U.S. will each receive 63 million kronor.

61 Stat., Pt. 3, p. 3191.
61 Stat., Pt. 3, p. 3159.

3. It is understood that the U.K. Representative is addressing a similar note to you, and that this understanding is to be notified to the Inter-Allied Reparation Agency.

Very truly yours,

Seymour J. Rubin
Chief of Delegation of United States

M. CHRISTIAN VALENSI
Chief of French Delegation

The Chief of the French Delegation to the Chief of the United States Delegation

WASHINGTON, D.C., *18 Juillet 1946.*

CHER MONSIEUR RUBIN,

J'ai l'honneur d'accuser reception de votre lettre de ce jour ainsi concue:

"Au nom de mon Gouvernement, je suis en mesure de vous confirmer l'accord suivant en ce qui concerne la repartition du produit des avoirs allemands a recevoir de la Suede comme suite aux negociations qui ont eu lieu recemment entre la Suede et les Allies:

1) Les sommes a repartir comprennent 75 millions de couronnes vises au paragraphe 2 de la lettre de ce jour relative a la 'contribution' suedoise et 150 millions de couronnes vises au paragraphe 2 de la lettre principale de ce jour sur les avoirs allemands. Le Gouvernement suedois a indique ses preferences en ce qui concerne l'emploi de ces sommes. En consequence, en appliquant les pourcentages convenus dans l'Accord de Paris sur les Reparations et en tenant compte des preferences du Gouvernement suedois, il est estime qu'il restera une somme de 12 millions de couronnes, apres qu'il ait ete attribue aux pays autres que les Etats-Unis, le Royaume-Uni et la France la totalite de leurs quote-parts sur cette somme de 75 millions de couronnes, laquelle peut seule etre affectee a ces quote-parts.

2) Il est convenu que la totalite de cette somme de 12 millions de couronnes sera allouee a la France. En contrepartie, la fraction de cette somme a laquelle les Etats-Unis et le Royaume-Uni auraient eu droit sera comprise dans les parts que ces deux pays recevront respectivement sur les 150 millions de couronnes vises dans la lettre principale. Il est estime que, sur la base des pourcentages convenus dans l'Accord de Paris sur les Reparations, cela aura pour effet que, de ces 150 millions de couronnes, la France recevra 24 millions, et le Royaume-Uni et les Etats-Unis recevront chacun 63 millions de couronnes.

3) Il est entendu que le representant du Royaume-Uni vous adresse une lettre semblable a celle-ci, et que cet accord doit etre notifie a l'Agence Interalliee des Reparations."

Et de vous confirmer l'accord exprime dans cette lettre./.

Veuillez agreer, cher Monsieur Rubin, l'assurance de ma haute consideration.

Christian Valensi

CHRISTIAN VALENSI
REPRESENTANT DU GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE

MONSIEUR SEYMOUR J. RUBIN,
Departement d'Etat,
Washington, D.C.

WASHINGTON, D.C.
July 18, 1946.

DEAR MR. RUBIN:

I have the honor to acknowledge receipt of your letter of today in the following terms:

"On behalf of my Government, I may confirm to you the following understanding with respect to the allocation of the proceeds of the German assets to be received from Sweden as a result of the recent Swedish-Allied negotiations in Washington:

61 Stat., Pt. 3, p. 3191.

1) The sums to be divided are 75 million kronor referred to in paragraph 2 of the letter of today dealing with the Swedish "contribution" and 150 million kronor referred to in paragraph 2 of the principal letter of today on German assets. The Swedish Government has indicated its preferences with regard to the use of the sums. Accordingly, applying the proportions agreed in the Paris Reparation Agreement and having regard to the preferences of the Swedish Government, it is estimated that a sum of 12 million kronor will remain after the countries other than the United States, the United Kingdom and France have been allotted their full shares out of this sum of 75 million kronor which alone is available to cover their shares.

61 Stat., Pt. 3, p. 3207.
61 Stat., Pt. 3, p. 3191.
61 Stat., Pt. 3, p. 3159.

2) It is agreed that this entire sum of 12 million kronor will be allocated to France. In return, the amount which the United Kingdom and the United States would be entitled to receive from this sum will be included in the shares which these two countries will receive from the 150 million kronor referred to in the principal letter. It is estimated that on the basis of the proportions agreed in the Paris Reparation Agreement this will have the effect that, of those 150 million kronor, France will receive 24 million kronor and the United Kingdom and the United States will each receive 63 million kronor.

61 Stat., Pt. 3, p. 3191.
61 Stat., Pt. 3, p. 3159.

3) It is understood that the United Kingdom Representative is addressing a similar note to you, and that this understanding is to be notified to the Inter-Allied Reparation Agency."

and to confirm to you the understanding expressed therein.

VERY TRULY YOURS,

CHRISTIAN VALENSI
CHIEF OF THE FRENCH DELEGATION

MR. SEYMOUR J. RUBIN,
Department of State,
Washington, D. C.

Agreement between the United States of America and Australia respecting air service facilities at Eagle Farm and Amberley in Australia. Signed at Canberra March 10, 1947; entered into force March 10, 1947.

March 10, 1947
[T. I. A. S. 1732]

AGREEMENT

BETWEEN

THE GOVERNMENT OF AUSTRALIA

AND

THE GOVERNMENT OF

THE UNITED STATES OF AMERICA

AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA.

Transfer of air facilities, etc.

The Government of Australia, in consideration of the transfer to the Government of Australia by the Government of the United States of America of certain air navigation, air communication and weather facilities situated at Eagle Farm and Amberley in the State of Queensland in Australia (in this Agreement referred to as "the facilities") agrees with the Government of the United States of America as follows.

Operation and maintenance.

I. To operate and maintain the facilities continuously in a manner adequate for the air traffic operating to and away from the Eagle Farm aerodrome and along the recognised international air routes converging on that aerodrome, and, to ensure this standard of service, to abide by approved Provisional International Civil Aviation Organisation standards of operation unless and until those standards are changed by any other international agreement to which the Government of Australia and the Government of the United States are both parties.

II. To provide the full service of all facilities to all aircraft on a non-discriminatory basis with charges, if any, only for non-operational messages until an international agreement on charges has been promulgated by the Provisional International Civil Aviation Organisation.

III. To transmit weather reports as prescribed by the Weather Service of the United States to designated stations of the United States and to such other stations as are necessary to ensure an integrated meteorological network for international air-routes unless and until other provision is made by international agreement to which the Government of the United States is a party concerning civil and military meteorological requirements.

IV. To continue the operation of all types of facilities at their original locations or on new locations mutually agreed by the Government of Australia and the Government of the United States until new facilities are installed in accordance with the standards promulgated by the Provisional International Civil Aviation Organisation or until it is mutually agreed by the Government of Australia and the Government of the United States that there is no longer a need for the original facilities, it being understood that such of the original facilities as are devoted to the aeronautical communication service will be devoted exclusively to that service and will not be diverted to the general communication service.

V. To provide English speaking operators at air-to-ground and control tower communication positions until regulations covering such

voice transmissions are promulgated by the Provisional International Civil Aviation Organisation and further, until such regulations are promulgated, to grant permission to a representative of the United States air carriers authorised to serve an aerodrome to enter its control tower and, when in the opinion of the representative a case of necessity exists, to talk to the pilot of any United States aircraft flying in the vicinity of the aerodrome.

VI. To select radio frequencies for air-to-ground and control tower operations at an aerodrome only after co-ordination with the United States air carriers using the aerodrome and with adjacent stations in the recognised international air routes converging on the aerodrome in order to minimise –

(a) radio interference; and
(b) the number of frequencies required to be operated by aircraft.

VII. To authorise and facilitate day-to-day adjustment in aeronautical communication service matters by direct communication between the operating agency of the Government of Australia and the service agency of the Government of the United States, United States air carriers or a communication company representing one or more of them.

Technical officer.

VIII. To authorise United States air carriers of the Civil Aeronautics Administration of the United States to designate a technical officer to advise and assist the agency designated by the Government of Australia to operate the facilities insofar as they relate to the safety and efficiency of the United States airline operations. This designation is to continue as long as it is useful to United States air carriers.

IN FAITH WHEREOF the Plenipotentiaries of the Government of Australia and the Government of the United States of America have hereunto signed their names.

DONE in duplicate at Canberra this tenth day of March, in the year of Our Lord, One thousand nine hundred and forty-seven.

For the Government of Australia.

H EVATT

For the Government of the United States of America.

ROBERT BUTLER

February 10, 1947
[T. I. A. S. 1733]

Protocol between the United States of America, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and France respecting the establishment of a Four Power Naval Commission, the disposal of excess units of the Italian fleet, and the return by the Soviet Union of United States and British warships on loan. Signed at Paris February 10, 1947; entered into force February 10, 1947.

PROTOCOL

on the Establishment of a Four Power Naval Commission, the Disposal of Excess Units of the Italian Fleet, and the Return by the Soviet Union of warships on loan.

PART I.

61 Stat., Pt. 2, p. 1461.

WHEREAS the Treaty of Peace with Italy provides that all the excess units of the Italian Fleet, as listed in Annex XII B of the said Treaty, shall be placed at the disposal of the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and of France;

AND WHEREAS it is necessary to make provision for the final disposal among certain Allied and Associated Powers of the said excess units;

The Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and of France have therefore agreed as follows:

Allocation of excess units of Italian fleet.
61 Stat., Pt. 2, p. 1461.

Post, p. 3849.

1.– The excess units of the Italian Fleet as listed in Annex XII B of the Treaty of Peace with Italy, and as finally verified on 1st January 1947, shall be allocated as set out in the Annex of this Protocol. No modification of the list of ships in Annex XII B will be accepted, irrespective of the date of any damage to or loss of such ships, the Italian Government being held responsible for the security and maintenance of such excess units up to the time at which each transfer is completed.

Ownership.

2.– Upon transfer by the Italian Government, the vessels concerned shall respectively vest in full ownership in the States hereby becoming entitled thereto, subject to the following exceptions:

(a) The Governments of the Soviet Union and of France take note: that the Governments of the United Kingdom and of the United States of America have undertaken to meet, at least in part, and out of the tonnage at their disposal, the claims of certain other Powers for Italian naval vessels; furthermore, that in regard to any such Italian naval vessels as the Government of the United States

of America may elect to transfer to other Powers, the Government of the United States of America will accept temporary custody only, and, upon transfer of custody by the United States Government to any such Power, full ownership will pass from the Italian Government to that Power.

(b) None of the Governments concerned shall be obliged to accept any ship assigned to it under this Protocol if such Government deems the ship unsuitable for its purpose, but in that case the Four Powers shall ensure that such ship, unless it is an auxiliary naval vessel, be scrapped or sunk by the Italian Government within nine months from the coming into force of the Treaty.

61 Stat., Pt. 2, p. 1245.

Four Power Naval Commission.

3.– A Commission, to be known as the Four Power Naval Commission, shall be set up, to meet for the first time immediately after the signature both of the Treaty of Peace with Italy and of this Protocol. This Commission shall make all detailed arrangements necessary to effect the transfer of the excess units of the Italian Fleet, together with their spare parts and armament stores, to the beneficiary Powers, in conformity with the naval clauses of the said Treaty.

4.– By invitation of the French Government, the Commission will meet in Paris, where it will operate under the authority of the Council of Foreign Ministers, and carry out all preliminary work practicable prior to the coming into force of the Treaty.

5.– Upon the coming into force of the Treaty, the Commission will move to Rome, where it will operate under the authority of the Ambassadors of the Soviet Union, the United Kingdom, the United States of America and of France.

6.– All orders and instructions by the Commission shall be issued in the name of the Four Ambassadors, and shall be communicated by them to the Italian Government for execution.

7.– The Commission shall have the right to co-opt the services of representatives of Greece, Yugoslavia and Albania, when matters affecting these States are under discussion, and to call for such Italian representation as may be found necessary to the execution of the work of the Commission.

8.– The Annex to this Protocol will be published at a later date.

Post, p. 3849.

PART II.

AND WHEREAS, by agreement between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, certain warships of the Royal Navy and of the United States Navy were, in 1944, transferred on loan to the Government of the Soviet Union;

AND WHEREAS it is necessary to make provision for the return to the Governments of the United Kingdom and of the United States of America of the aforementioned warships now on loan;

The Governments of the Union of Soviet Socialist Republics, the

United Kingdom of Great Britain and Northern Ireland, and the United States of America have further agreed as follows :

Return of vessels on loan to Soviet Union.

9.– The representatives of the abovementioned three Governments on the Commission shall coordinate the arrangements for the return to the Governments of the United States of America and of the United Kingdom of the vessels on loan to the Government of the Soviet Union, as listed in paragraph 10 below. The return of such vessels to United Kingdom and United States ports shall, as far as possible, be effected simultaneously with the transfer to the Soviet Union of the excess units of the Italian Fleet allocated to her.

10.– List of Vessels on Loan from the United Kingdom

	British Name	*Temporary Russian Name*
Battleship	ROYAL SOVEREIGN	ARCHANGELSK
Destroyers	ST ALBANS	DOSTOINY
	BRIGHTON	ZHARKY
	RICHMOND	ZHYVUCHY
	CHELSEA	DERZKY
	LEAMINGTON	ZHGUCHY
	ROXBURGH	DOBLESTNY
	GEORGETOWN	ZHOSTKY
Submarines	UNBROKEN	B.2
	UNISON	B.3
	URSULA	B.4

Vessel on Loan from the United States

	United States Name	*Temporary Russian Name*
Cruiser	MILWAUKEE	MURMANSK

Effective date; authentic texts.

In faith whereof the Undersigned Plenipotentiaries have signed the present Protocol, which will take effect immediately, the English, French and Russian texts [1] being equally authentic.

Done in Paris this 10th day of February 1947

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

A BOGOMOLOV. [SEAL]

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND :

DUFF COOPER [SEAL]

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA :

JEFFERSON CAFFERY [SEAL]

FOR THE GOVERNMENT OF FRANCE :

G BIDAULT [SEAL]

[1] [French and Russian language texts are deposited with the Protocol in the archives of the Department of State.]

ANNEX

ALLOCATION OF UNITS OF THE ITALIAN FLEET SPECIFIED IN ANNEX XII B OF THE TREATY OF PEACE WITH ITALY.

Type	Union of Soviet Socialist Republics	United Kingdom of Great Britain and Northern Ireland	United States of America	France	Greece	Yugoslavia	Albania
Battleships	GIULIO CESARE	VITTORIO VENETO	ITALIA				
Cruisers	EMANUELE FILIBERTO DUCA D'AOSTA			ATTILIO REGOLO POMPEIO MAGNO SCIPIONE AFRICANO	EUGENIO di SAVOIA		
Sloop				ERITREA			
Destroyers	ARTIGLIERE FUCILIERE AUGUSTO RIBOTY			LEGIONARIO MITRAGLIERE ALFREDO ORIANI VELITE			
Torpedo boats	ANIMOSO ARDIMENTOSO FORTUNALE					ALISEO ARIETE INDOMITO	
Submarines	MAREA NICHELIO	ALAGI ATROPO	DANDOLO PLATINO	GIADA VORTICE			
Motor torpedo boats	MS. Nos. 52, 53, 61 65, 75 MAS. Nos. 516, 519, 520, 521 ME. No. 40	MS. Nos. 72, 73, 74 MAS. Nos. 433, 434, 510, 514 ME. No. 41	MS. Nos. 11, 24 31 MAS. Nos. 523, 538, 547, 562. ME. No. 38	MS. Nos. 35, 54, 55 MAS. Nos. 540, 543, 545			
Gunboat							ILLYRIA
Minesweepers						RD. Nos. 6, 16 21, 25, 27, 28, 29	
Vedettes	VAS. Nos. 245, 246, 248			VAS. Nos. 237, 240, 241			
Landing Craft	MZ. Nos. 778, 780, 781.	MZ. Nos. 784, 800, 831.	MZ. Nos. 744, 758, 776.	MZ. Nos. 722, 726 728, 729, 737		MZ. Nos. 713, 717	
Tankers	STIGE		PROMETEO	TARVISIO URANO			

ALLOCATION OF UNITS OF THE ITALIAN FLEET SPECIFIED IN ANNEX XII B OF THE TREATY OF PEACE WITH ITALY.—Continued

Type	Union of Soviet Socialist Republics	United Kingdom of Great Britain and Northern Ireland	United States of America	France	Greece	Yugoslavia	Albania
Water Carriers	BASENTO ISTRIA LIRI POLCEVERA	METAURO TIMAVO	DALMAZIA IDRIA	ANAPO BISAGNO SPRUGOLA TIRSO	ATERNO	ISARCO	
Depot Ship		ANTEO					
Training Ship	CRISTOFORO COLOMBO						
Auxiliary Mine-layer		FASANA					
Transports	MONTECUCCO	GIUSEPPE MESSINA		PANIGAGLIA			
Tugs (Large)	CAPO d'ISTRIA LAMPEDUSA PORTO ADRIANO RAPALLO SAN ANGELO TALAMONE TIFEO VIGOROSO	CARBONARA LISCANERA MESCO PROCIDA SALVORE SAN ANTIOCO	ARSACHENA CEFALU GAETA MARECHIARO PORTO TORRES TEULADA	ERCOLE LIPARI NEREO PORTO QUIETO PORTO TRICASE PROMONTORE TAORMINA VADO		BASILUZZO MOLARA PORTO CONTE SAN REMO	
Tugs (Small)	N. Nos. 35, 37, 80, 94	N. Nos. 2, 3, 24	GENERALE VALFRE NOLI VOLOSCA	LICATA N. Nos. 23, 28, 36			

Arrangement between the United States of America and Denmark respecting air service facilities at Kastrup airport in Denmark. Effected by exchange of notes signed at Copenhagen September 26 and October 1, 1946; entered into force October 1, 1946.

September 26, October 1, 1946
[T. I. A. S. 1734]

The American Minister to the Danish Minister for Foreign Affairs

AMERICAN LEGATION
Copenhagen, Denmark
September 26, 1946

No. 304

EXCELLENCY:

I have the honor to refer to the Legation's Aide Memoire of April 30, 1946, [1] with regard to the United States Army air navigation, air communication and weather facilities located at Kastrup airport and to the communication of July 9, 1946, [1] from Direktøren for Luftfartsvaesenet on the same subject.

U. S. facilities at Kastrup airport.

I am instructed by my Government to inform Your Excellency that my Government is prepared to turn over to the Royal Danish Government the facilities mentioned above, under the following arrangement:

"The Danish Government agree:

Operation and maintenance by Danish Government.

1. To operate and maintain the facilities in a manner adequate for the air traffic in the airport at which the facilities are located and along the recognized international air routes converging on that airport and in pursuance of the rules for the time being in force within PICAO, of which Denmark is a member.

2. To provide on a non-discriminatory basis the service of the facilities to all aircraft under the rules of PICAO. All messages permitted under PICAO shall be conveyed, and computation of charges, if any, shall also be made in pursuance of the rules of PICAO.

3. To instruct the Danish Meteorological Aeronautical Service to take care that the messages necessary for the air traffic and the meteorological institutions are transmitted according to the rules laid down by PICAO and OMI, and to transmit to aircraft over Danish territory the messages necessary for the air traffic.

Airport of Copenhagen.

4. To keep and operate the facilities in the airport of Copenhagen until new facilities are supplied in pursuance of the rules fixed by PICAO, or until it may be agreed upon between the Danish and United States Governments that there is no longer a need for the original facllities for complying with PICAO's rules. The Danish Government agree that the facilities will be devoted exclusively to the aeronautical service and will not be diverted to other communication service.

[1] [Not printed.]

5. To provide staff at the air, ground, and tower services in pursuance of the PICAO's rules. The Danish authorities will, if and when in their opinion it is of importance for the service, call in a representative of the owner of the aircraft concerned.

6. To use to the necessary extent the frequencies for air, ground, and control tower operations laid down by PICAO.

7. To permit direct contact between the Sections of the Civil Air Department in the airport of Copenhagen and the local representatives of USA airlines.

The United States Government agrees:

1. To include in the transfer of the facilities one year's consumption of maintenance parts and expendable supplies, wherever their stocks permit.

2. To do everything possible to assist the Government of Denmark or its representatives in purchasing through regular commercial channels maintenance parts and expendable supplies for the operation of the facilities."

I should appreciate being advised by Your Excellency whether the Royal Danish Government is likewise agreeable to this arrangement so that necessary documents of transfer may be completed by the competent authorities of our two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSIAH MARVEL, Jr.

His Excellency
GUSTAV RASMUSSEN
Royal Minister for Foreign Affairs,
Copenhagen

The Danish Minister for Foreign Affairs to the American Minister

UDENRIGSMINISTERIET. Ø. P. III. Journal Nr. 93 Dan. 1/3.

COPENHAGEN, *October 1, 1946.*

MONSIEUR LE MINISTRE,

Ante, p. 3851.

I have the honour to acknowledge with thanks the receipt of your note No. 304 of September 26, 1946, in which you have been good enough to inform me of the terms of an arrangement between Denmark and the United States of America, under which the American Government is prepared to transfer to the Danish Government the United States Army air navigation, air communication and weather facilities located at Kastrup airport.

In reply, I have the honour to inform you, that the Danish Government accept this arrangement, which reads as follows:

"The Danish Government agree:

1. To operate and maintain the facilities in a manner adequate for the air traffic in the airport at which the facilities are located and along the recognized international air routes converging on that airport and in pursuance of the rules for the time being in force within PICAO, of which Denmark is a member.

2. To provide on a non-discriminatory basis the service of the facilities to all aircraft under the rules of PICAO. All messages permitted under PICAO shall be conveyed, and computation of charges, if any, shall also be made in pursuance of the rules of PICAO.

3. To instruct the Danish Meteorological Aeronautical Service to take care that the messages necessary for the air traffic and the meteorological institutions are transmitted according to the rules laid down by PICAO and OMI, and to transmit to aircraft over Danish territory the messages necessary for the air traffic.

4. To keep and operate the facilities in the airport of Copenhagen until new facilities are supplied in pursuance of the rules fixed by PICAO, or until it may be agreed upon between the Danish and United States Governments that there is no longer a need for the original facilities for complying with PICAO's rules. The Danish Government agree that the facilities will be devoted exclusively to the aeronautical service and will not be diverted to other communication service.

5. To provide staff at the air, ground, and tower services in pursuance of the PICAO's rules. The Danish authorities will, if and when in their opinion it is of importance for the service, call in a representative of the owner of the aircraft concerned.

6. To use to the necessary extent the frequencies for air, ground, and control tower operations laid down by PICAO.

7. To permit direct contact between the Sections of the Civil Air Department in the airport of Copenhagen and the local representatives of USA airlines.

The United States Government agrees:

1. To include in the transfer of the facilities one year's consumption of maintenance parts and expendable supplies, wherever their stocks permit.

2. To do everything possible to assist the Government of Denmark or its representatives in purchasing through regular commercial channels maintenance parts and expendable supplies for the operation of the facilities."

I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurances of my highest consideration.

GUSTAV RASMUSSEN.

Monsieur JOSIAH MARVEL, jr.,
Minister of the United States of America,
Copenhagen.

Agreement between the United States of America and Siam respecting air service facilities at Don Muang airport and Bangkapi in Siam. Signed at Bangkok May 8, 1947; entered into force May 8, 1947.

May 8, 1947
[T. I. A. S. 1735]

AGREEMENT
BETWEEN
THE GOVERNMENT OF SIAM
AND
THE GOVERNMENT OF
THE UNITED STATES OF AMERICA

AGREEMENT
BETWEEN
THE GOVERNMENT OF SIAM
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Services by Government of Siam.

The Government of Siam, in consideration of the transfer to the Government of Siam by the Government of the United States of America of certain air navigation, air communication and weather facilities situated at Don Muang Airport in the District of Bangkhen and also at Bangkapi in Siam (in this Agreement referred to as "the facilities") agrees with the Government of the United States of America as follows.

Operation and maintenance.

I. To operate and maintain the facilities continuously in a manner adequate for the air traffic operating to and away from the Don Muang aerodrome and along the recognised international air routes converging on that aerodrome, and, to ensure this standard of service, to abide by approved Provisional International Civil Aviation Organisation standards of operation unless and until those standards are changed by any other international agreement to which the Government of Siam and the Government of the United States are both parties.

II. To provide the full service of all facilities to all aircraft on a non-discriminatory basis with charges, if any, only for non-operational messages until an international agreement on charges has been promulgated by the Provisional International Civil Aviation Organisation.

III. To transmit weather reports as prescribed by the Weather Service of the United States to designated stations of the United States and to such other stations as are necessary to ensure an integrated meteorological network for international air-routes unless and until other provision is made by international agreement to which the Government of the United States is a party concerning civil and military meteorological requirements.

IV. To continue the operation of all types of facilities at their original locations or on new locations mutually agreed by the Government of Siam and the Government of the United States until new facilities are installed in accordance with the standards promulgated by the Provisional International Civil Aviation Organisation or until it is mutually agreed by the Government of Siam and the Government of the United States that there is no longer a need for the original facilities, it being understood that such of the original facilities as are

devoted to the aeronautical communication service will be devoted exclusively to that service and will not be diverted to the general communication service.

V. To provide English speaking operators at air-to-ground and control tower communication positions until regulations covering such voice transmissions are promulgated by the Provisional International Civil Aviation Organisation and further, until such regulations are promulgated, to grant permission to a representative of the United States air carriers authorised to serve an aerodrome to enter its control tower and, when in the opinion of the representative a case of necessity exists, to talk to the pilot of any United States aircraft flying in the vicinity of the aerodrome.

VI. To select radio frequencies for air-to-ground and control tower operations at an aerodrome only after coordination with the United States air carriers using the aerodrome and with adjacent stations in the recognised international air routes converging on the aerodrome in order to minimise –

(a) radio interference; and
(b) the number of frequencies required to be operated by aircraft.

VII. To authorise and facilitate day-to-day adjustment in aeronautical communication service matters by direct communication between the operating agency of the Government of Siam and the service agency of the Government of the United States, United States air carriers or a communication company representing one or more of them.

Technical officer.

VIII. To authorise United States air carriers of the Civil Aeronautics Administration of the United States to designate a technical officer to advise and assist the agency designated by the Government of Siam to operate the facilities insofar as they relate to the safety and efficiency of the United States airline operations. This designation is to continue as long as it is useful to United States air carriers.

IX. (a) To furnish in sufficient number suitable personnel to be trained to operate and maintain all facilities transferred under this sale.

(b) To negotiate a supplemental agreement to be entered into by the agency of the Siamese Government which will eventually take over the operation of the facilities and the agency of the United States Government, or its representative, which undertakes the training and interim operation and maintenance of the facilities free of any charges or emolument, pending transfer of full operating responsibility to the agency of the Siamese Government. The supplemental agreement will define the responsibility, authority, and relations between the above mentioned agencies and their representatives during the period the United States agency remains in charge of the operation, maintenance, and training.

Services of U. S. Government.

X. The United States Government, through either the Army, Navy, CAA or private agency agrees:

(a) To include in the sale of the basic installations, wherever Theater surplus stocks permit, one year's supply of maintenance parts and expendable supplies.

(b) To do everything possible to assist the Government of Siam or its representative in purchasing, through regular commercial channels, maintenance parts and expendable supplies for the operation of the facilities.

(c) To operate and maintain the facilities until such time when the Air Attache to the United States Embassy, Bangkok, is assured the Government of Siam is prepared to assume full responsibility for the operation and maintenance of the facilities as hereinabove provided.

(d) To train the personnel selected by the Government of Siam pursuant to paragraph IX above, as long as an agency of the United States operates and maintains the facilities in accordance with paragraph (c) above.

IN FAITH WHEREOF the Representatives of the Government of Siam and the Government of the United States of America have hereunto signed their names.

SIGNED in Bangkok, Siam, this eighth day of May nineteen hundred and forty-seven.

For the Government of the United States of America.

Department of State
Office of the Foreign Liquidation Commissioner
Central Field Commission
China Pacific Area.

J. A. Warner
Director, Fixed Installation Division.

For the Government of Siam.

Ministry of Communications.

Phra Suvabhand Bidyakar.
Director-General of the Department of Transport.

Witnesses:

Agreement between the United States of America and Switzerland respecting SCS-51 equipment at Cointrin airport in Switzerland. Signed at Bern April 30, 1947; entered into force April 30, 1947.

April 30, 1947
[T. I. A. S. 1736]

AGREEMENT BETWEEN THE SWISS GOVERNMENT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING SCS-51 EQUIPMENT AT COINTRIN AIRPORT, GENEVA, SWITZERLAND

THE SWISS GOVERNMENT AGREES:

1. To operate and maintain the SCS-51 equipment continuously in a manner adequate for the air traffic operating into and away from Cointrin Airport, Geneva, where this equipment is now located, and along the recognized international air routes converging on that airdrome; and, in order to insure the standard of service, the Swiss Government agrees to abide by approved International Civil Aviation Organization (ICAO) standards of operation unless changed by other international agreement to which the Governments of the United States and Switzerland are parties. Allowance is to be made, of course, for possible unavoidable interruption of the continuous operation which may result from breakdown in the equipment; but every effort will be made to repair any electrical or mechanical defects of the equipment as soon as may be possible.

2. To install and place into operation parts of the SCS-51 equipment not yet installed as soon as the necessary special parts already ordered will have been delivered and assembled. It is understood that in the interest of safety of air traffic every possible step will be taken to hasten the putting into operation of the whole equipment.

3. To provide the full service of the SCS-51 to all aircraft on a nondiscriminatory basis.

4. To continue the operation of SCS-51 equipment in its original location at Cointrin Airport, Geneva, or at a new location mutually agreed upon between the Governments of the United States and Switzerland until this equipment may be replaced in accordance with standards promulgated by the International Civil Aviation Organization or until it is determined by the Governments of Switzerland and the United States that there is no longer need for the original equipment.

5. To authorize the United States air carrier or the Civil Aeronautics Administration of the United States to designate a technical advisor to assist and advise the agency designated by the Swiss Government to operate the SCS-51 so far as it relates to the safety and efficiency of the operation of United States aircraft, and in conformity with approved International Civil Aviation Organization standards of operation. This designation is to continue as long as it is useful to the United States air carrier. The Swiss agency will not, however,

be bound to act on the advice given should it be found contrary to Swiss interests.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA THROUGH EITHER THE UNITED STATES ARMY OR THE CIVIL AERONAUTICS ADMINISTRATION OR A DESIGNATED PRIVATE AGENCY AGREES:

1. To include in the sale of the basic installation one year's supply of maintenance parts and expendable supplies to the extent that the Theater's surplus stocks permit.

2. To do everything possible to assist the Swiss Government or its representative in purchasing through regular commercial channels maintenance parts and expendable supplies for the operation of the SCS-51.

Done at Bern in duplicate this 30th day of April, 1947.

FOR THE GOVERNMENT OF SWITZERLAND

Clerc

Louis Clerc, Chief
Federal Air Office

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Leland Harrison
American Minister

Agreement between the United States of America and Norway respecting air service facilities at Gardermoen airfield in Norway. Signed at Oslo November 12, 1946; entered into force November 12, 1946.

November 12, 1946
[T. I. A. S. 1737]

AGREEMENT BETWEEN THE ROYAL NORWEGIAN GOVERNMENT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING AIR COMMUNICATIONS FACILITIES AT GARDERMOEN AIRFIELD, NORWAY.

Services of Government of Norway.

The Government of Norway agrees:

1. To operate and maintain all facilities continuously in a manner adequate for the air traffic operating into and away from the airdrome at which the facilities are located and along the recognized international air routes converging on that airdrome, and, in order to insure this standard of service, the Norwegian Government agrees to abide by approved Provisional International Civil Aviation Organization (PICAO) standards of operations unless changed by other international agreement to which the Government of the United States and the Norwegian Government are parties. (Allowance is to be made, of course, for possible unavoidable interruptions of the continuous operation which may result from break-downs in the equipment; in the case of any facilities which have not yet been placed in operation because they have not been properly calibrated, or of other facilities temporarily out of commission because of electrical or mechanical defects, every effort will be made to bring them into operation as soon as may be possible.)

2. To provide the full service of all facilities to all aircraft on a non-discriminatory basis with charges, if any, only for non-operational messages until an international agreement on charges has been promulgated by the Provisional International Civil Aviation Organization.

3. To continue the operation of all types of facilities in their original location or at new locations mutually agreed upon by the Government of the United States and the Norwegian Government until new facilities are installed in accordance with standards promulgated by the Provisional International Civil Aviation Organization, or until it is determined by the Government of Norway and the United States Government that there is no longer a need for the original facilities: it being understood that the aeronautical communication service facilities will be devoted exclusively to that service and will not be diverted to the general communication service.

4. To provide English-speaking operators at air-to-ground and control tower communication positions until regulations covering such voice transmissions are promulgated by the Provisional International Civil Aviation Organization and further, until such regulations are promulgated, to grant permission to a representative of

the United States air carriers authorized to serve an airdrome to enter its control tower and, when in the opinion of the representative a case of necessity exists, to talk to the pilot of any United States aircraft flying in the vicinity of the airdrome, it being understood that the representative will in each instance obtain permission to enter the tower from the officer in charge.

5. To select radio frequencies for air-to-ground and control tower operations only after coordination with the using United States carriers and with adjacent stations on the recognized international air routes converging on the airdrome in order to minimize:

(a) radio interference, and

(b) the number of frequencies required to be operated by aircraft.

6. To authorize and facilitate day-to-day adjustments in air communication service matters relating to the equipment covered under this agreement, by direct communication between the operating agency of Norway and the service agency of the United States Government, United States carriers, or a communication company representing one or more of them.

Technical adviser.

7. To authorize United States air carriers or the Civil Aeronautics Administration of the United States to designate a technical adviser to advise and assist the agency designated by the Norwegian Government to operate the facilities so far as they relate to the safety and efficiency of United States airline operations. This designation is to continue as long as it is useful to United States air carriers. The Norwegian agency will not, however, be bound to act on the advice given should it be found contrary to Norwegian interests.

Services of U. S. Government.

The Government of the United States of America, through either the United States Army, United States Navy, Civil Aeronautics Administration, or private agency agrees:

(a) To include in the sale of the basic installations one year's supply of maintenance parts and expendable supplies to the extent that theater surplus stocks permit.

(b) To do everything possible to assist the Government of Norway, or its representative, in purchasing through regular commercial channels maintenance parts and expendable supplies for the operation of the facilities.

Signed in duplicate at Oslo, Norway, *November 12, 1946.*

FOR THE GOVERNMENT OF NORWAY

Nils Langhelle

Statsraad for Samferdselsdept.
(Minister of Communications)

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Cloyce K. Huston

Charge d'Affaires ad interim
of the United States of America

Agreement between the United States of America and Bolivia respecting a civil aviation mission to Bolivia. Effected by exchange of notes signed at La Paz August 26 and November 3, 1947; entered into force November 3, 1947.

August 26, November 3, 1947
[T. I. A. S. 1739]

The American Ambassador to the Bolivian Acting Minister for Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

LA PAZ, BOLIVIA,
August 26, 1947.

No. 396

EXCELLENCY:

I have the honor to refer to the negotiations being carried on between our two Governments for the sending to Bolivia of a technical mission from the United States Civil Aeronautics Administration for the purpose of assisting in the development of Bolivian civil aviation.

I now present herein, under instructions of my Government, for the consideration of your Excellency's Government, the text of a Statement of Conditions which my Government proposes as a basis for the operations of such mission in Bolivia, and I would be very appreciative if your Excellency would inform me if the text of Conditions meets with the approval of the Bolivian Government. In the event of approval, I would likewise appreciate Your Excellency's kindness in communicating to the Embassy the note of acceptance of your Government, including, as herein, the text of the Statement of Conditions which appears below, in order that I may forward it to my Government:

"Statement of Conditions

Technical Assistance Mission to Bolivia

1. Subject to the availability of suitable technicians and appropriated funds for the purpose, the Government of the United States of America shall make available to the Government of Bolivia the services of technicians in the field of civil aviation as requested by the Government of Bolivia.

Reimbursement.

2. The Government of Bolivia shall reimburse the Government of the United States of America at the rate of $2,000 per year for the Chief of Mission and $1,500 per year for each additional member toward the expenses incurred in connection with the assignment of these experts. Such reimbursement shall be effected at the completion of each six-month period of each assignment. However, for accounting

and procedural reasons, it will not be necessary for the Government of Bolivia to make any payments to the Government of the United States of America until such time as the Government of Bolivia shall have received a statement of its obligation in this connection.

3. The Government of Bolivia shall provide for entry free of customs duties of supplies, materials and effects for the professional and personal use of the technicians.

4. The Government of Bolivia shall provide the technicians with means of transportation within Bolivia.

5. The Government of Bolivia shall provide the technicians with suitably-equipped office space and necessary clerical assistance and bear the cost thereof, as well as reimburse the Government of the United States up to a limit of $2,400 per year for the cost of bilingual stenographic assistance.

6. The Government of Bolivia shall permit the transportation of the body of any technician detailed under these conditions who may die in Bolivia, to a place of burial in the United States of America selected by the surviving members of the family or their legal representatives.

Periods of assignments.

7. Unless otherwise agreed to, the assignments of the technicians shall be for periods of not to exceed one year each, including travel time.

8. If, after the expiration of the periods of assignments, it appears that all of the objectives have not been attained, the Government of the United States of America agrees to give the fullest consideration to any request of the Government of Bolivia for the extension of the assignments for additional periods of not to exceed six months each.

Salaries, expenses, etc.

9. The Government of the United States of America shall pay the salary, allowances, travel expenses to and from Bolivia, and any additional compensation of the technicians, subject to partial reimbursement by the Government of Bolivia at the rate indicated hereinabove.

10. The Government of the United States of America proposes to detail under these conditions an expert in air traffic control and related airway facilities and an expert in communications engineering. Prior to effecting their assignments, the names, together with a description of their qualifications will be submitted to the Government of Bolivia for approval.

11. The Government of the United States of America agrees to give the fullest consideration to any requests of the Government of Bolivia for an increase in the number of members of the Mission or for the assignment of experts in fields of civil aviation other than those specified in paragraph ten.

Chief of Mission, etc.

12. The Government of the United States of America will designate a Chief of Mission who will represent the Mission before the Government of Bolivia. Members of the Mission will be responsible to the Chief of Mission. All members of the Mission will serve as advisors

to the Government of Bolivia within their respective fields, but may volunteer opinions on related civil aviation matters when deemed advisable.

Damages, etc.

13. The Government of Bolivia shall assume civil liability on account of damages to or loss of property or on account of personal injury or death caused by any member of the Mission while acting within the scope of his duties.

Nontaxability of compensation.

14. Compensation of Mission members shall not be subject to any tax now or hereafter in effect of the Government of Bolivia or any of its political or administrative subdivisions. Should there, however, at present or while this agreement is in effect, be any taxes that might affect this compensation, such taxes shall be paid by the Government of Bolivia in order to comply with the provisions of this paragraph.

Confidential or secret matters.

15. Mission personnel, during the time it is in operation and thereafter, undertake not to divulge or reveal in any form to any foreign Government, or any person, confidential or secret matters of which they may become cognizant in the exercise of their duties.

16. The above conditions may be modified in whole or in part by an exchange of notes between the Government of the United States of America and the Government of Bolivia."

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOSEPH FLACK.

HIS EXCELLENCY,
Doctor GERMÁN COSTAS,
Acting Minister for Foreign Affairs and Worship,
La Paz.

The Bolivian Minister for Foreign Affairs to the American Ambassador

REPUBLICA DE BOLIVIA

MINISTERIO DE RELACIONES EXTERIORES
Y CULTO

No. TC. y ONU. 935 – LA PAZ, *3 de noviembre de 1947.*

SEÑOR EMBAJADOR:

Con respecto a las negociaciones llevadas a efecto entre el Gobierno de Bolivia y el de Vuestra Excelencia para la contratación de una misión técnica de la Administración de Aeronáutica de los Estados Unidos, destinada a colaborar en el desarrollo de la Aviación Civil Boliviana, tengo a honra referirme a la atenta nota de esa H. Embajada No. 396, de 26 de agosto último, en la cual se dignó insertar un Pliego de Condiciones al que deberá sujetarse el personal de dicha misión en el desenvolvimiento de sus funciones.

Sobre el particular, me es grato expresar a Vuestra Excelencia que el citado Pliego de Condiciones ha merecido la aprobación de mi Gobierno y, en consecuencia, me es honroso trascribir a continuación el texto pertinente en su versión castellana:

"Pliego de Condiciones

Misión Técnica en Bolivia.

1. – De acuerdo a la disponibilidad de técnicos adecuados y de fondos para este fín, el Gobierno de los Estados Unidos, pondrá a disposición del Gobierno de Bolivia los servicios de técnicos en el campo de la aviación civil, en la forma como este Gobierno los solicite.

2. – El Gobierno de Bolivia reembolsará al Gobierno de los Estados Unidos a razón de $us. 2.000.— per año, por el Jefe de la Misión, y $us. 1.500.— per año por cada miembro adicional, para cubrir los gastos realizados en conexión con la designación de estos expertos. Tal reembolso se efectuará seis meses después de cada designación. Sin embargo, por motivos de contabilidad y razones de procedimiento, no será necesario que el Gobierno de Bolivia efectúe ningún pago al Gobierno de los Estados Unidos, hasta que el Gobierno de Bolivia reciba las condiciones concernientes a esta obligación.

3. – El Gobierno de Bolivia concederá liberación de derechos de aduana a los materiales, provisiones y efectos de uso profesional y personal de los técnicos.

4. – El Gobierno de Bolivia proveerá a los técnicos, de medios de transporte en Bolivia.

5. – El Gobierno de Bolivia facilitará a los técnicos, de oficinas espaciosas provistas de lo necesario, de suficientes auxiliares y ayudantes, manteniendo el costo de éstos, así como también reembolsará al Gobierno de los Estados Unidos, una suma limitada de no más de $us. 2.400.— per año para sostener los servicios de una estenógrafa bilingüe.

6. – El Gobierno de Bolivia permitirá el traslado de los restos de cualquier técnico mencionado en este contrato que falleciere en Bolivia, al lugar de entierro en los Estados Unidos, indicado por sus familiares o sus representantes legales.

7. – A menos que resuelva de otro modo, la designación de los técnicos será por períodos que no excedan de un año en cada caso, incluyendo el término del viaje.

8. – Si después de la expiración de los anteriores términos, resultara que todos los objetivos no han sido llenados, el Gobierno de los Estados Unidos acepta prestar la más completa y amplia consideración a cualquier solicitud del Gobierno de Bolivia para extender el período de las designaciones, pero por un término que no exceda de seis meses en cada caso.

9. – El Gobierno de los Estados Unidos, pagará salarios, asignaciones, gastos de viaje de ida y vuelta (entre Bolivia y los Estados Unidos) y cualquier compensación adicional a los técnicos, bajo lo condición de un reembolso parcial del Gobierno de Bolivia en la proporción establecida anteriormente.

10. – El Gobierno de los Estados Unidos, bajo estas condiciones se propone destacar un experto en control de tráfico aéreo y las correspondientes facilidades aéreas, y un experto en ingeniería de comunicaciones. Antes de designarlos, se someterá a la consideración del Gobierno de Bolivia para su aprobación, los nombres y los antecedentes de estos técnicos.

11. – El Gobierno de los Estados Unidos, acepta prestar la más completa consideración a cualquier solicitud del Gobierno de Bolivia para aumentar el número de los miembros de la Misión o para designar en el campo de la aviación civil otros técnicos de los mencionados en el párrafo 10.

12. – El Gobierno de los Estados Unidos, designará un Jefe de Misión quien representará a la Misión ante el Gobierno de Bolivia. Los miembros de la Misión serán responsables ante el Jefe de la Misión. Todos los miembros de la Misión servirán como consejeros del Gobierno de Bolivia dentro de sus especialidades, pero pueden emitir opiniones por su propia cuenta en asuntos de la aviación civil cuando estimen conveniente.

13. – En caso de que cualquiera de los miembros de la Misión ocasionara, en el desempeño de sus funciones, daños y perjuicios materiales o personales o muertes, el Gobierno de Bolivia asumirá la responsabilidad legal respectiva.

14. – Las compensaciones de los miembros de la Misión estarán exentas de todo impuesto en Bolivia; empero, si al presente o mientras dure este convenio hubiera impuestos que afecten las mencionadas compensaciones, esos impuestos serán cubiertos por el Gobierno de Bolivia, a fin de dar cumplimiento a lo establecido en este párrafo.

15. – El personal de la Misión, durante este contrato y después de él, se compromete a no divulgar o revelar en ninguna forma a ningún Gobierno extranjero o persona, los asuntos confidenciales o secretos de los que tenga conocimiento por motivo de sus funciones.

16. – Las anteriores esti pulaciones pueden ser modificadas en todo o en parte, mediante cambio de notas entre el Gobierno de Bolivia y el de los Estados Unidos de América."

Rogando a Vuestra Excelencia llevar lo que antecede a conocimiento del Excelentísimo Gobierno de los Estados Unidos, tengo a honra expresarle, de acuerdo a su pedido, que el citado Pliego de Condiciones entrará en vigencia a partir de la fecha de suscripción de la presente nota.

Me valgo de esta oportunidad para renovar a Vuestra Excelencia los sentimientos de mi más alta y distinguida consideración.

TOMÁS M. ELIO.

Su Excelencia JOSEPH FLACK,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América,
Presente.–

Translation

REPUBLIC OF BOLIVIA
MINISTRY OF FOREIGN RELATIONS
AND WORSHIP

No. TC and ONU. 935 – LA PAZ, *November 3, 1947.*

MR. AMBASSADOR:

With reference to the negotiations carried on between the Government of Bolivia and that of Your Excellency for the purpose of agreeing on a technical mission from the United States Civil Aeronautics Administration to collaborate in the development of Bolivian civil aviation, I have the honor to refer to your Embassy's courteous note No. 396 of August 26 last, with which there was enclosed a Statement of Conditions with which the personnel of this mission must comply in the performance of their duties.

Ante, p. 3863.

With respect to this, I am pleased to inform Your Excellency that the aforementioned Statement of Conditions has been approved by my Government, and accordingly I have the honor to transcribe below the Spanish version of the pertinent text:

"Statement of Conditions

Technical Mission to Bolivia

"1. Subject to the availability of suitable technicians and funds for the purpose, the Government of the United States shall make available to the Government of Bolivia the services of technicians in the field of civil aviation as requested by the Government of Bolivia.

"2. The Government of Bolivia shall reimburse the Government of the United States at the rate of $2,000 (U. S. Cy.) per year for the Chief of Mission and $1,500 (U. S. Cy.) per year for each additional member, to cover the expenses incurred in connection with the assignment of these experts. Such reimbursement shall be made six months after each assignment. However, for accounting and procedural reasons, it will not be necessary for the Government of Bolivia to make any payment to the Government of the United States until such time as the Government of Bolivia receives a statement of its obligation in this connection.

"3. The Government of Bolivia shall permit the entry free of customs duties of materials, supplies, and effects for the professional and personal use of the technicians.

"4. The Government of Bolivia shall provide the technicians with means of transportation within Bolivia.

"5. The Government of Bolivia shall provide the technicians with suitably equipped ample office space and adequate clerical assistance, and bear the cost thereof, as well as reimburse the Government of the United States up to a limit of $2,400 (U. S. Cy.) per year for the services of a bilingual stenographer.

"6. The Government of Bolivia shall permit the transportation of the body of any technician mentioned in this contract who may die in Bolivia, to a place of burial in the United States selected by his family or their legal representatives.

"7. Unless otherwise agreed to, the assignments of the technicians shall be for periods not exceeding one year each, including travel time.

"8. If, after the expiration of the foregoing periods of assignment, it appears that all the objectives have not been attained, the Government of the United States agrees to give the fullest consideration to any request of the Government of Bolivia for the extension of the assignments for additional periods not exceeding six months each.

"9. The Government of the United States shall pay the salary, allowances, travel expenses in both directions (between Bolivia and the United States) and any additional compensation of the technicians, subject to partial reimbursement by the Government of Bolivia at the rate indicated hereinabove.

"10. The Government of the United States proposes to detail, under these conditions, an expert in air traffic control and related air facilities and an expert in communications engineering. Before these technicians are assigned, their names, together with a description of their qualifications, will be submitted to the Government of Bolivia for its approval.

"11. The Government of the United States agrees to give the fullest consideration to any request of the Government of Bolivia for an increase in the numbers of members of the Mission or for the assignment of experts in the field of civil aviation other than those specified in paragraph 10.

"12. The Government of the United States shall designate a Chief of Mission who will represent the Mission before the Government of Bolivia. Members of the Mission will be responsible to the Chief of Mission. All members of the Mission will serve as advisers to the Government of Bolivia within their respective fields, but may volunteer opinions on civil aviation matters when they deem it advisable.

"13. The Government of Bolivia shall assume civil liability in the event that any member of the Mission, while acting within the scope of his duties, causes damage to or loss of property, or personal injury or death.

"14. Compensation of Mission members shall not be subject to any tax in Bolivia. Should there, however, at present or while this agreement

is in effect, be any taxes that might affect the aforementioned compensation, such taxes shall be paid by the Government of Bolivia in order to comply with the provisions of this paragraph.

"15. Mission personnel, during the time this contract is in operation and thereafter, undertake not to divulge or reveal in any form to any foreign government, or any person, confidential or secret matters of which they may become cognizant in the exercise of their duties.

"16. The above conditions may be modified in whole or in part by an exchange of notes between the Government of Bolivia and the Government of the United States of America."

Requesting Your Excellency to communicate the foregoing to the Government of the United States, I have the honor to inform you, in compliance with your request, that the above-quoted Statement of Conditions will enter into force on the day on which the present note is signed.

I avail myself of this opportunity to renew to Your Excellency the expression of my highest and most distinguished consideration.

TOMÁS M. ELIO.

His Excellency
JOSEPH FLACK,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

Arrangement between the United States of America and Peru respecting a cooperative educational program in Peru. Effected by exchange of notes signed at Lima April 1 and 15, 1944, entered into force April 15, 1944; memorandum of agreement signed at Lima April 4, 1944, effective April 4, 1944; supplementary agreement no. 1 signed at Lima January 30, 1945, entered into force January 30, 1945; and a supplement to the memorandum of agreement, signed April 30, 1945, entered into force April 30, 1945.

April 1, 4, 15, 1944, January 30, April 30, 1945

[T. I. A. S. 1740]

The American Chargé d'Affaires ad interim to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lima, April 1, 1944.

No. 1758

EXCELLENCY:

I have the honor to refer to the note, dated December 17, 1943, [1] from Dr. Enrique Laroza, Minister of Education of Peru, to Mr. Kenneth Holland, Vice President of the Inter-American Educational Foundation, concerning the undertaking of cooperative educational activities. The note expresses the desire of the Government of Peru for the cooperation of the Government of the United States in undertaking certain projects in the field of education.

As it appears desirable that the Government of Peru and the Government of the United States should cooperate in the undertaking, I take pleasure in informing Your Excellency that my Government is prepared to collaborate with the Government of Peru in activities looking to the development of an educational program to be conducted over a period of approximately three years. The Inter-American Educational Foundation, Inc., an agency of the Office of the Coordinator of Inter-American Affairs of the United States, is prepared to provide a sum not to exceed $172,000 (One Hundred Seventy-Two Thousand Dollars U. S. currency) to be made available for the local projects to be approved mutually by representatives of the two governments and for paying the salaries and other expenses of the educational specialists furnished by the Inter-American Foundation, Inc., to work on the program in Peru. The personnel to be furnished by the Inter-American Educational Foundation, Inc., is to be satisfactory to the Republic of Peru and is to be under the direction of a person to be designated as the Chief of Field Staff, Inter-American Educational Foundation, Inc., who will be the representative of the Foundation in connection with the cooperative program.

Sum to be provided by U. S.

Personnel.

It is further understood that the Government of Peru will provide, in addition to its regular national budget for education, the total sum

Additional sum to be provided by Peru.

[1] [Not printed.]

of approximately $86,000 (Eighty-Six Thousand Dollars U. S. currency) for the cooperative educational program, together with personnel, supplies and materials as may be required and available.

It is further understood that a special cooperative educational service will be set up in the Ministry of Education for the purpose of carrying out the cooperative activities to be undertaken.

It is also understood that detailed arrangements for the establishment of the special cooperative service and the development of the program will be made between representatives of the two governments. In this connection, I am enclosing a copy of a Memorandum of Agreement which sets forth the details regarding the cooperative educational program as proposed by the Inter-American Educational Foundation. If this agreement is satisfactory, it is suggested that it be signed by the proper official of the Republic of Peru and thereafter it will be signed by a representative of the Foundation.

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest consideration.

JEFFERSON PATTERSON

Enclosure:
Memorandum of Agreement

His Excellency
Doctor ALFREDO SOLF Y MURO,
Minister for Foreign Affairs,
Lima.

Post, p. 3877.

MEMORANDUM OF AGREEMENT

The Government of the Republic of Perú and the Inter-American Educational Foundation, Inc. (hereinafter referred to as the Foundation"), a division of the Office of the Coordinator of Inter-American Affairs and an agency of the Government of the United States of America, have agreed to undertake a cooperative educational program available to all interested public and private groups in accordance with the following terms and conditions:

1. The cooperative educational program may include:

   a. A staff of educational specialists requested by the Ministry of Public Education for service in Perú in carrying out the cooperative educational program;

   b. Grants to permit Peruvian educators to travel to the United States of America for training, to deliver lectures and to realize an interchange of ideas and experience with United States educators:

   c. Exploration and survey in Perú of local educational needs and of the resources which are indispensable for the carrying out of training projects;

   d. Development, adaptation and exchange of suitable teaching materials, particularly visual materials;

   e. Local projects needed to implement the program in Perú.

2. For the purpose of providing an instrumentality through which the cooperative educational program can be conducted by the representatives of the two parties to this agreement, the Government of Perú shall create a special service to be known as the Servicio de Cooperación Peruano-Norteamericano en Educación (hereinafter referred to as S.C.P.N.E.), which shall operate as an entity within and subordinate to the Ministry of Public Education. The S.C.P.N.E. shall have the power to execute the cooperative educational program agreed upon herein.

3. The Foundation will provide a group of educational specialists to collaborate in the consummation of the cooperative educational program. The group of specialists shall be under the direction of the Representative in Peru of the Inter-American Educational Foundation, Inc., who shall be appointed by the same and who shall be acceptable to the Government of Perú. This official shall be the representative of the Foundation in connection with the program to be undertaken in accordance with this agreement.

4. The Government of Peru shall appoint as Director of the S.C.P.N.E. the Representative in Peru of the Inter-American Educational Foundation, Inc. The Director of the S.C.P.N.E. shall be responsible for the execution of, and shall have authority to carry out, the cooperative educational program of the S.C.P.N.E. The Director of the S.C.P.N.E. shall delegate certain of his functions to personnel of the S.C.P.N.E. including personnel of the Foundation assigned to the S.C.P.N.E.

5. The cooperative educational program in Peru shall consist of individual projects. Such projects shall consist of specific kinds of work and activities to be undertaken by the representatives of both Governments in the execution of this agreement. The projects and the allocation of the funds of the S.C.P.N.E. shall be agreed upon by the Minister of Public Education for the Republic of Peru and by the Representative in Peru of the Inter-American Educational Foundation, Inc. for the Foundation.

6. The Foundation shall pay the salaries and expenses of the members of the group as well as the other administrative expenses of the Foundation in a total amount which shall not exceed One Hundred and Thirty Thousand Three Hundred ($130,300.00) Dollars and shall, in addition, grant to the S.C.P.N.E. the total sum of Forty-one Thousand Seven Hundred ($41,700.00) Dollars, as follows:

No later than June 4, 1944, the sum of $13,900.00
No later than April 3, 1945, the sum of $13,900.00
No later than April 3, 1946, the sum of $13,900.00

7. The Government of Peru shall contribute to the S.C.P.N.E. the sum of Eighty-six Thousand ($86,000.00) Dollars or the equivalent in Peruvian Soles calculated on the basis of a rate of exchange of 6.485 Soles per U. S. Dollars, namely, the sum of Five Hundred and

Fifty-seven Thousand Seven Hundred and Ten (S/.557,710.00) Peruvian Soles, as follows:

No later than June 4, 1944, the sum of $28,666.68 or S/.185,903.34
No later than April 3, 1945, the sum of $28,666.66 or S/.185,903.33
No later than April 3, 1946, the sum of $28,666.66 or S/.185,903.33

It is understood that the salary which is received by the professor who is in charge of organizing and supervising the teaching of English in Peru may be deducted from the contribution which the Government of Peru shall make available in conformity with this agreement.

The funds of the S.C.P.N.E. shall be deposited in a special account in the name of the S.C.P.N.E. and shall be disbursed by the Director of the S.C.P.N.E. only upon projects having the mutual approval of the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc.

The Government of Perú will also furnish such office space, office equipment and furnishings, and supplies and materials as may be necessary, and, within the facilities available to it, will construct such buildings as the execution of the cooperative educational program may require.

8. In view of the fact that many purchases of materials and supplies must necessarily be made in the United States of America and paid for in Dollars, the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc. may agree to withhold from the deposits to be made by the Foundation, as hereinabove provided, an amount established to be necessary to pay for the same. Any funds so withheld by the Foundation for such purposes and not expended on or obligated for materials or supplies for the S.C.P.N.E. shall be deposited to the account of the S.C.P.N.E.

9. Interest, if any, earned on the deposits of the S.C.P.N.E. shall be credited to the said Servicio. The parties hereto shall determine by mutual agreement the disposition of any unobligated funds remaining to the credit of the S.C.P.N.E. upon the termination of this agreement.

10. The Director of the S.C.P.N.E. shall have the power to select, appoint or discharge the employees of the S.C.P.N.E. and shall determine the salaries, transfers and conditions of employment within the S.C.P.N.E. with the approval of the Ministry of Public Education which will issue in each case the corresponding Supreme Resolution.

11. Contracts and agreements relating to the execution of projects previously agreed upon by the Minister of Public Education and the Representative in Peru of the Inter-American Educational Foundation, Inc. shall be executed in the name of the S.C.P.N.E. by the Director of the same.

12. The S.C.P.N.E. shall be considered as an integral part of the public administration of Perú. As a consequence, its Director and its personnel shall enjoy the same privileges and rights which are held

by Direcciones and other public divisions of the Government of Perú and by the personnel thereof.

The Foundation shall enjoy the same rights, privileges and immunities which correspond to public agencies of Perú with respect to such of its operations as are related to property destined for the realization of the cooperative educational program.

Since the personnel of Foundation are obliged, as citizens of the United States, to pay income taxes in the United States, to pay income taxes in the United States upon their salaries, they shall not be required to pay Peruvian Income Taxes upon the same.

13. The expenditure, audit, and accounting of funds in the S.C.P.N.E. account, as well as the purchases and sales of personal property for the account of the S.C.P.N.E., shall be regulated and controlled under such rules, regulations and procedures as shall be mutually agreed upon by the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc. The accounts of the S.C.P.N.E. shall be available for audit whenever it is considered necessary by the appropriate agency of the Government of Perú and by the Foundation or its delegate.

14. At the termination of this agreement, all property of the S.C.P.N.E. shall remain the property of the Government of Perú.

15. All rights, powers, privileges or duties conferred by this agreement upon either the Minister of Public Education or the Representative in Perú of the Inter-American Educational Foundation, Inc. may be delegated by the recipient thereof to representatives, provided that such representatives be satisfactory to the other.

16. This memorandum of agreement may be amended from time to time if deemed advisable by the parties hereto, and the amendments are to be in writing and signed by the representatives of the Government of Perú and the Foundation.

17. The Government of Perú shall take the necessary legal steps to effectuate the terms of this agreement.

This agreement shall become effective as of the date hereof and shall remain in force for three calendar years from said date, unless amended by mutual agreement.

IN WITNESS WHEREOF, the undersigned, duly authorized, sign the present contract, in duplicate, in English and in Spanish, at Lima, Perú, this fourth day of April 1944.

FOR THE GOVERNMENT OF THE REPUBLIC OF PERU

_____

Minister of Public Education

FOR THE INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

_____

Vice-President, Inter-American Educational Foundation, Inc.

The Peruvian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

Nº: (D) - 6-3/75 LIMA, *15 de abril de 1944.*

SEÑOR EMBAJADOR:

Me es honroso acusar recibo de la estimable nota Nº 1758, de 1º del presente mes, por la que esa Embajada ha tenido a bien poner en conocimiento del Despacho a mi cargo, el texto del proyecto de Convenio –posteriormente formalizado, con fecha 4 del mismo mes, por las autoridades peruanas y norteamericanas competentes– para desarrollar un programa cooperativo de educación, tal como ha sido propuesto por la Fundación Interamericana de Educación.

Aprovecho de esta oportunidad para reiterarle, Señor Embajador, las seguridades de mi más alta y distinguida consideración.

ALFREDO SOLF Y MURO

Al Excelentísimo señor
JOHN CAMPBELL WHITE, *Embajador*
Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Ciudad.

Translation

MINISTRY OF FOREIGN AFFAIRS AND WORSHIP

No. (D) - 6-3/75 LIMA, *April 15, 1944.*

MR. AMBASSADOR:

Ante, p. 3871.

I have the honor to acknowledge receipt of the courteous note No. 1758, of the first instant, by which your Embassy has seen fit to communicate to this Office the text of the Memorandum of Agreement—subsequently concluded under date of the 4th of the same month by the competent Peruvian and American authorities—to develop a cooperative educational program such as has been proposed by the Inter-American Educational Foundation.

I avail myself of this opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

ALFREDO SOLF Y MURO

His Excellency
JOHN CAMPBELL WHITE,
Ambassador Extraordinary and Plenipotentiary of the United States of America,
City.

MEMORANDUM OF AGREEMENT

The Government of the Republic of Perú and the Inter-American Educational Foundation, Inc. (hereinafter referred to as the "Foundation"), a division of the Office of the Coordinator of Inter-American Affairs and an agency of the Government of the United States of America, have agreed to undertake a cooperative educational program available to all interested public and private groups in accordance with the following terms and conditions:

Terms and conditions.

1. The cooperative educational program may include:

a. A staff of educational specialists requested by the Ministry of Public Education for service in Perú in carrying out the cooperative educational program;

b. Grants to permit Peruvian educators to travel to the United States of America for training, to deliver lectures and to realize an interchange of ideas and experience with United States educators;

c. Exploration and survey in Perú of local educational needs and of the resources which are indispensable for the carrying out of training projects;

d. Development, adaptation and exchange of suitable teaching materials, particularly visual materials;

e. Local projects needed to implement the program in Perú.

S. C. P. N. E.

2. For the purpose of providing an instrumentality through which the cooperative educational program can be conducted by the representatives of the two parties to this agreement, the Government of Perú shall create a special service to be known as the Servicio de Cooperación Peruano Norteamericano en Educación (hereinafter referred to as S. C. P. N. E.), which shall operate as an entity within and subordinate to the Ministry of Public Education. The S. C. P. N. E. shall have the power to execute the cooperative educational program agreed upon herein.

Educational specialists.

3. The Foundation will provide a group of educational specialists to collaborate in the consummation of the cooperative educational program. The group of specialists shall be under the direction of the Representative in Peru of the Inter-American Educational Foundation, Inc., who shall be appointed by the same and who shall be acceptable to the Government of Perú. This official shall be the representative of the Foundation in connection with the program to be undertaken in accordance with this agreement.

Director of S. C. P. N. E.

4. The Government of Perú shall appoint as Director of the S.C.P.N.E. the Representative in Perú of the Inter-American Educational Foundation, Inc. The Director of the S.C.P.N.E. shall be responsible for the execution of, and shall have authority to carry out, the cooperative educational program of the S.C.P.N.E. The Director of the S.C.P.N.E. shall delegate certain of his functions to personnel of the S.C.P.N.E. including personnel of the Foundation assigned to the S.C.P.N.E.

Projects.

5. The cooperative educational program in Perú shall consist of individual projects. Such projects shall consist of specific kinds of

work and activities to be undertaken by the representatives of both Governments in the execution of this agreement. The projects and the allocation of the funds of the S.C.P.N.E. shall be agreed upon by the Minister of Public Education for the Republic of Perú and by the Representative in Perú of the Inter-American Educational Foundation, Inc. for the Foundation.

Payments by Foundation.

6. The Foundation shall pay the salaries and expenses of the members of the group as well as the other administrative expenses of the Foundation in a total amount which shall not exceed One Hundred and Thirty Thousand Three Hundred ($130,300.00) Dollars and shall, in addition, grant to the S.C.P.N.E. the total sum of Forty-one Thousand Seven Hundred ($41,700.00) Dollars, as follows:

No later than June 4, 1944, the sum of $13,900.00
No later than April 3, 1945, the sum of $13,900.00
No later than April 3, 1946, the sum of $13,900.00

Peruvian contribution.

7. The Government of Peru shall contribute to the S.C.P.N.E. the sum of Eighty-six Thousand ($86,000.00) Dollars or the equivalent in Peruvian Soles calculated on the basis of a rate of exchange of 6.485 Soles per U. S. Dollar, namely, the sum of Five Hundred and Fifty-seven Thousand Seven Hundred and Ten (S/.557,710.00) Peruvian Soles, as follows:

No later than June 4, 1944, the sum of $28,666.68 or S/.185,903.34
No later than April 3, 1945, the sum of $28,666.66 or S/.185,903.33
No later than April 3, 1946, the sum of $28,666.66 or S/.185,903.33

It is understood that the salary which is received by the professor who is in charge of organizing and supervising the teaching of English in Perú may be deducted from the contribution which the Government of Perú shall make available in conformity with this agreement.

Funds in special account.

The funds of the S.C.P.N.E. shall be deposited in a special account in the name of the S.C.P.N.E. and shall be disbursed by the Director of the S.C.P.N.E. only upon projects having the mutual approval of the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc.

Office space, etc.

The Government of Perú will also furnish such office space, office equipment and furnishings, and supplies and materials as may be necessary and, within the facilities available to it, will construct such buildings as the execution of the cooperative educational program may require.

Withholding of amounts for purchases in U. S.

8. In view of the fact that many purchases of materials and supplies must necessarily be made in the United States of America and paid for in Dollars, the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc. may agree to withhold from the deposits to be made by the Foundation, as hereinabove provided, an amount established to be necessary to pay for the same. Any funds so withheld by the Foundation for such purposes and not expended on or obligated for materials or supplies for the S.C.P.N.E. shall be deposited to the account of the S.C.P.N.E.

Interest; unobligated funds.

9. Interest, if any, earned on the deposits of the S.C.P.N.E. shall be credited to the said Servicio. The parties hereto shall determine

by mutual agreement the disposition of any unobligated funds remaining to the credit of the S.C.P.N.E. upon the termination of this agreement.

Powers of Director.

10. The Director of the S.C.P.N.E. shall have the power to select, appoint or discharge the employees of the S.C.P.N.E. and shall determine the salaries, transfers and conditions of employment within the S.C.P.N.E. with the approval of the Ministry of Public Education which will issue in each case the corresponding Supreme Resolution.

11. Contracts and agreements relating to the execution of projects previously agreed upon by the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc. shall be executed in the name of the S.C.P.N.E. by the Director of the same.

Privileges and rights.

12. The S.C.P.N.E. shall be considered as an integral part of the public administration of Perú. As a consequence, its Director and its personnel shall enjoy the same privileges and rights which are held by Direcciones and other public divisions of the Government of Perú and by the personnel thereof.

The Foundation shall enjoy the same rights, privileges and immunities which correspond to public agencies of Perú with respect to such of its operations as are related to property destined for the realization of the cooperative educational program.

Since the personnel of Foundation are obliged, as citizens of the United States, to pay income taxes in the United States upon their salaries, they shall not be required to pay Peruvian Income Taxes upon the same.

Expenditure, audit, and accounting of funds.

13. The expenditure, audit, and accounting of funds in the S.C.P.N.E. account, as well as the purchases and sales of personal property for the account of the S.C.P.N.E., shall be regulated and controlled under such rules, regulations and procedures as shall be mutually agreed upon by the Minister of Public Education and the Representative in Perú of the Inter-American Educational Foundation, Inc. The accounts of the S.C.P.N.E. shall be available for audit whenever it is considered necessary by the appropriate agency of the Government of Perú and by the Foundation or its delegate.

Property.

14. At the termination of this agreement, all property of the S.C.P.N.E. shall remain the property of the Government of Perú.

Delegation of rights, powers, etc.

15. All rights, powers, privileges or duties conferred by this agreement upon either the Minister of Public Education or the Representative in Perú of the Inter-American Educational Foundation, Inc. may be delegated by the recipient thereof to representatives, provided that such representatives be satisfactory to the other.

16. This memorandum of agreement may be amended from time to time if deemed advisable by the parties hereto, and the amendments are to be in writing and signed by the representatives of the Government of Perú and the Foundation.

17. The Government of Perú shall take the necessary legal steps to effectuate the terms of this agreement.

Effective date; duration.

This agreement shall become effective as of the date hereof and shall remain in force for three calendar years from said date, unless amended by mutual agreement.

IN WITNESS WHEREOF, the undersigned, duly authorized, sign the present contract, in duplicate, in English and in Spanish, at Lima, Perú, this fourth day of April 1944.

FOR THE GOVERNMENT OF THE REPUBLIC OF PERU
E LAROZA
Minister of Public Education

FOR THE INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.
KENNETH HOLLAND
Vice-President, Inter-American Educational Foundation, Inc.

MEMORANDUM OF AGREEMENT

El Gobierno de la República del Perú y la Fundación Educacional Interamericana, Inc. (que en adelante se denominará la "Fundación"), una división de la Oficina del Coordinador de Asuntos Interamericanos y una agencia del Gobierno de los Estados Unidos de América, han convenido en llevar a cabo un programa educacional cooperativo aprovechable para todos los grupos públicos o privados, interesados, de acuerdo con los siguientes términos y condiciones:

1. El programa cooperativo educacional puede incluir:

a. Un personal de profesionales especializados, solicitados por el Ministerio de Educación Pública para el servicio en el Perú y para llevar a cabo el programa cooperativo educacional;

b. Subvenciones para permitir que educadores peruanos viajen a los Estados Unidos de América con el fin de obtener entrenamiento, dar conferencias y suscitar un intercambio de ideas y experiencias con los educadores estadounidenses;

c. Amplio estudio en el Perú de las necesidades educacionales locales y de los recursos indispensables para llevar a cabo los proyectos de entrenamiento;

d. Desarrollo, adaptación e intercambio de materiales adecuados de educación, particularmente de los de valor visual;

e. Los proyectos locales que fuesen necesarios para incrementar el programa en el Perú.

2. Con el propósito de proveer un instrumento por el cual el programa cooperativo educacional pueda ser llevado a cabo por los representantes de las dos partes de este acuerdo, el Gobierno del Perú creará un servicio especial que será conocido con el nombre de Servicio de Cooperación Peruano-Norteamericano en Educación (que en adelante se designará como S.C.P.N.E.), el cual operará como una entidad dentro del Ministerio de Educación Pública y subordinada a dicha autoridad. El S.C.P.N.E. tendrá poder para

ejecutar el programa educacional cooperativo acordado en este convenio.

3. La Fundación proveerá un grupo de empleados especializados en educación para colaborar en la ejecución del programa cooperativo educacional. El grupo de empleados estará bajo la dirección del Representante en el Perú de la Fundación Educacional Interamericana, Inc., que será designado por ésta, con aprobación del Gobierno del Perú. Este funcionario será el representante de la Fundación, con respecto al programa que se llevará a cabo de acuerdo con este convenio.

4. El Gobierno del Perú nombrará como Director del S.C.P.N.E. al Representante en el Perú de la Fundación Educacional Interamericana Inc., El Director del S.C.P.N.E. será responsable de la ejecución del programa cooperativo educacional del mismo y tendrá autoridad para llevarlo a cabo. El Director del S.C.P.N.E. podrá delegar algunas de sus funciones en el personal del S.C.P.N.E. incluyendo el de la Fundación asignado al S.C.P.N.E.

5. El programa cooperativo educacional en el Perú consistirá de proyectos específicos. Tales proyectos estarán constituídos por trabajos y actividades, concretos y taxativos, susceptibles de llevarse a cabo por los representantes de ambos Gobiernos en la ejecución de este acuerdo,. Los proyectos y la asignación de los fondos del S.C.P.N.E. serán aprobados por el Ministro de Educación Pública por parte del Gobierno del Perú y por el Representante del Perú de la Fundación Educacional Interamericana, Inc., por parte de la Fundación.

6. La Fundación pagará los sueldos y gastos del personal del grupo y así como otros egresos administrativos de la Fundación en una suma total que no exceda de Ciento Treinta Mil Trescientos Dólares ($130,300.00). Además, aportará al S.C.P.N.E. la suma total de Cuarentiun mil setecientos dólares ($41.700.00), como sigue:

$13,900.00 U/S a más tardar el 4 de junio de 1944;
$13,900.00 U/S a más tardar el 3 de abril de 1945; y
$13,900.00 U/S a más tardar el 3 de abril de 1946.

7. El Gobierno del Perú contribuirá al S.C.P.N.E. con la suma de Ochentiseis mil dólares ($86,000.00) o su equivalencia en soles peruanos calculados sobre las bases de tipo de cambio de 6.485 soles por dólar americano, es decir, la suma de Quinientos cincuenta y siete mil setecientos diez soles peruanos (S/.557.710.00 como sigue:

$28,666.68 o S/.185.903.34 a más tardar el 4 de junio de 1944
$28,666.66 o S/.185.903.33 a más tardar el 3 de abril de 1945; y
$28,666.66 o S/.185.903.33 a más tardar el 3 de abril de 1946.

Es entendido que el sueldo que recibe el profesor encargado de organizar y supervigilar la enseñanza del idioma inglés en el Perú, podrá ser deducido de la contribución que debe aportar el Gobierno Peruano conforme a este convenio.

Los fondos del S.C.P.N.E. serán depositados en una cuenta especial a nombre del mismo. Sólo podrá el Director efectuar desembolsos a base de proyectos que hayan sido aprobados por el Ministro de Educación Pública y por el Representante del Perú de la Fundación Educacional Interamericana, Inc.

El Gobierno del Perú proporcionará además las oficinas, los equipos de las mismas, los útiles y materiales a medida que sean necesarios y dentro de sus posibilidades, construirá los edificios que requiera la ejecución del programa cooperativo educacional.

8. Para atender a la compra de materiales y útiles efectuada necesariamente en los Estados Unidos de América y pagada en dólares, el Ministro de Educación Pública y el Representante en el Perú de la Fundación Educacional Interamericana, Inc. podrán convenir en retener de los aportes con que contribuye la Fundación la suma que para ella sea necesaria. Cualquier cantidad retenida con este objeto por la Fundación y no utilizada ni comprometida para materiales o útiles será depositada en la cuenta bancaria del S.C.P.N.E.

9. Cualquier suma que por concepto de intereses, fuera devengada por los depósitos del S.C.P.N.E. quedará en provecho del Servicio mismo. Las partes contratantes decidirán de común acuerdo la aplicación que deba darse, a cualquier cantidad no comprometida a la terminación de este acuerdo.

10. El Director del S.C.P.N.E. tendrá autoridad para seleccionar, designar o despedir empleados del S.C.P.N.E., y fijará los haberes, transferencias y condiciones de empleo dentro del S.C.P.N.E. con la aprobación del Ministerio de Educación Pública el que expedirá en cada caso la respectiva Resolución Suprema.

11. Los contratos y acuerdos relacionados con la ejecución de los proyectos convenidos previamente por el Ministro de Educación Pública y el Representante en el Perú de la Fundación Educacional Interamericana Inc. serán ejecutados en nombre del S.C.P.N.E. por el Director del mismo.

12. El S.C.P.N.E. se considera parte integrante de la administración pública del Perú. En consecuencia, su Director y personal de empleados gozarán de los mismos privilegios y derechos que tienen las Direcciones y demás reparticiones públicas del Gobierno del Perú y sus respectivo personal.

La Fundación gozará de los mismos derechos, privilegios e inmunidades, que corresponden a las entidades públicas del Perú, en lo que respecta a las operaciones que se relacionan con los bienes destinados a la ejecución del programa cooperativo educacional.

Debido a que el personal de la Fundación estará obligado, como ciudadanos norteamericanos, a pagar impuestos sobre sus haberes en los Estados Unidos, quedarán exonerados de los impuestos peruanos sobre los mismos.

13. Los gastos, la intervención de las cuentas, la contabilidad y el control de los fondos del S.C.P.N.E, así como las compras y ventas de materiales para el S.C.P.N.E, se efectuarán conforme a las normas y procedimientos convenidos entre el Ministro de Educación Pública y el Representante en el Perú de la Fundación Educacional Interamericana Inc. Las cuentas del S.C.P.N.E. para el efecto de su revisión y comprobación, cuando se considere necesario, estarán a disposición de la entidad respectiva del Gobierno del Perú y de la Fundación o de su delegado.

14. Al concluirse este convenio, cualquier propiedad del S.C.P.N.E. quedará a beneficio del Gobierno del Perú.

15. Todos los derechos, poderes, privilegios, o deberes conferidos por este acuerdo al Ministro de Educación Pública o al Representante en el Perú de la Fundación Educacional Interamericana Inc., pueden ser delegados por cualquiera de ellos, siempre que las personas delegadas sean aceptadas por la otra parte.

16. Este convenio puede ser reformado en cualquier tiempo por acuerdo de ambas partes, suscrito por los representantes del Gobierno del Perú y de la Fundación.

17. El Gobierno del Perú dictará las disposiciones necesarias para llevar a cabo los puntos de este acuerdo.

Este convenio regirá desde la fecha y durará tres años, salvo que sea reformado por mutuo acuerdo.

Suscriben, debidamente autorizados, el presente convenio, en doble ejemplar en inglés y en español, en la ciudad de Lima, Perú, el cuatro de Abril de 1944.

Por el Gobierno de la República del Perú

E LAROZA

Ministro de Educación Pública

Por la Fundación Educacional Interamericana Inc.

KENNETH HOLLAND

Vice-Presidente de la Fundación Educacional Interamericana Inc.,

Ministerio de Educación Pública

ACUERDO COMPLEMENTARIO N°. 1. – REFERENTE AL SERVICIO DE COOPERACION PERUANO NORTEAMERICANO EN EDUCACION

Los suscritos, el Ministro de Educación del Perú y el Director del Servicio de Cooperación Peruano Norteamericano en Educación, para los efectos del funcionamiento de dicho Servicio, aprueban este acuerdo complementario, que consta de los siguientes puntos:

1°. – Depositar los fondos del Servicio, provenientes de las Contribuciones peruana y norteamericana en el National City Bank de New York, Sucursal en Lima, en una cuenta especial denominada "Servicio de Cooperación Peruano-Norteamericano en Educación". Con cargo a esta cuenta, girará en cheques bancarios el Director del Servicio, a fin de cubrir los gastos previamente aprobados por el Ministro de Educación Pública.

2°. – Para evitar las pérdidas resultantes del cambio y para sufragar los gastos de los becarios peruanos en los Estados Unidos de Norteamérica, por el período 1944–1945, dejar en poder de la Inter-American Educational Foundation Inc., las once doceavas partes de la contribución de ésta por el período 1944–1945, o sea dólares 25,483.33, debiendo depositarse el doceavo restante, ascendente a dólares 2,316.67, conjuntamente con la que corresponde al Perú, en la cuenta del Servicio en Lima.

3°. – Autorizar al Director del mencionado Servicio para que disponga hasta de trescientos soles mensuales en efectivo para atender a los gastos más urgentes, de la oficina, como franqueo de correspondencia, útiles de escritorio, etc.

4°. – Contratar una mecanógrafa-taquígrafa bilingue con el sueldo mensual inicial de doscientos cincuenta soles.

5°. – Contratar los servicios de un empleado para llevar los Libros de Contabilidad del Servicio, con un sueldo inicial de trescientos soles mensuales. – Contratar, asimismo, los servicios de un portapliegos por treinta soles mensuales.

6°. – Gestionar la exoneración de los impuestos sobre la renta y del carnet de extranjería, al Dr. J. Graham Sullivan, al Dr. Reginald Reindorp y al personal norteamericano que integra el Servicio.

7°. – Otorgar al personal norteamericano del referido Servicio, los descuentos que en los trasportes se concede al personal nacional que viaja oficialmente.

LIMA, *30 de enero de 1945.*

E LAROZA

Ministro de Educación Pública

REGINALD C. REINDORP

Director del S.C.P.N.E.

Translation

Ministry of Public Education

SUPPLEMENTARY AGREEMENT NO. 1. RELATING TO THE PERUVIAN-AMERICAN COOPERATIVE EDUCATION SERVICE

The undersigned, the Minister of Education of Peru and the Director of the Peruvian-American Cooperative Education Program Service, for the purpose of the functioning of the said Service, approve this supplementary agreement, which consists of the following points:

1. – To deposit the funds of the Service, having as their source Peruvian and United States contributions, in the National City Bank of New York, Lima Branch, in a special account called "Peruvian-American Cooperative Education Service". The Program Director of the Service shall draw checks against this account to cover the expenses previously approved by the Minister of Public Education. *Post*, p. 3887.

2. – In order to avoid the losses resulting from exchange operations and to defray the expenses of Peruvian scholarship holders in the United States of America, for the 1944–1945 period, to leave in the custody of the Inter-American Educational Foundation Inc. eleven twelfths of the contribution of the latter for the 1944–1945 period, or $25,483.33, the remaining twelfth, amounting to $2,316.67, having to be deposited, together with that belonging to Peru, in the account of the Service in Lima.

3. – To authorize the Director of the aforementioned Service to dispose of up to three hundred sols a month in cash to provide for the most urgent expenses of the office, such as postage for mail, office equipment, etc.

4. – To engage a bilingual stenographer-typist at the beginning monthly salary of two hundred and fifty sols.

5. – To engage the services of an employee to keep the books of the Service, with a beginning salary of three hundred sols a month. – To engage, also, the services of a messenger at thirty sols a month.

6. – To obtain exemption from income tax and from the requirement of the foreign identification booklet for Dr. J. Graham Sullivan, Dr. Reginald Reindorp and the American personnel which belongs to the Service.

7. – To grant to the American personnel of the Service referred to, the travel discounts which are granted to Peruvian personnel which is traveling officially.

LIMA, *January 30, 1945.*

E LAROZA
Minister of Public Education

REGINALD C. REINDORP
Director of the S.C.P.N.E.

MINISTERIO DE EDUCACION PUBLICA

SUPPLEMENT TO BASIC AGREEMENT

This agreement is made this 30 day of April 4,5 1945 between the Government of Perú, represented by Ingº Enrique Laroza, Minister of Public Education (hereinafter called the Ministry) and the Inter-American Educational Foundation, Inc., a corporation of the Office of the Coordinator of Inter-American Affairs (now known as the Office of Inter-American Affairs) and an Agency of the Government of the United States of America (hereinafter called the Foundation), represented by J. Graham Sullivan, its Special Representative.

Clause I

Ante, p. 3877.

Ante, p. 3878.

The Basic Contract of April 4, 1944, made between the Government of Perú, represented by the Minister, and the Inter-American Educational Foundation, Inc., represented by its Vice-President, provides in paragraphs 6 and 7 that the Foundation would grant to the Servicio de Cooperación Peruano Norte-Americano en Educación (hereinafter called the S.C.P.N.E.) the total sum of $41,700.00, U.S. Dollars, as follows:

No later than June 4, 1944, the sum of $13,900.00
No later than April 3, 1945, the sum of $13,900.00
No later than April 3, 1946, the sum of $13,900.00;

and that the Government of Perú would contribute to the S.C.P.N.E. the sum of $86,000.00, U.S. Dollars, or the equivalent in Peruvian Soles, calculated on the basis of a rate of exchange of 6.485 Soles per U.S. Dollar, namely, the sum of S/.557,710.00, Peruvian Soles, as follows:

No later than June 4, 1944, the sum of $28,666.68 or S/.185,903.34
No later than April 3, 1945, the sum of $28,666.66 or S/.185,903.33
No later than April 3, 1946, the sum of $28,666.66 or S/.185,903.33

Clause II

Because of the fact that circumstances rendered it impossible for the Foundation to secure the services of qualified individuals to make up its group of educational specialists, it became necessary to postpone activities under the Basic Contract and to delay the deposit of the contributions to the S.C.P.N.E. mentioned above.

Clause III

Acting Special Representative.

In December of 1944 Dr. Reginald C. Reindorp was appointed by the Foundation as its Acting Special Representative in Perú and pursuant to conversations with the Minister was also appointed as Acting Director of the S.C.P.N.E. by Supreme Resolution No. 3987 of the Government of Perú on December 6, 1945.

Clause IV

Modification of payments.

As a result of conversations between the Minister and the Acting Representative of the Foundation, it was agreed that the payments of both the Peruvian Government and the Foundation to the

S.C.P.N.E., as called for in the Basic Contract, should be modified and accellerated in the following manner:

A. The Peruvian Government agrees to contribute to the S.C.P.N.E., during the calendar year beginning January 1, 1945 and ending December 31, 1945, the equivalent in Soles of $57,333.34, U.S. Dollars, calculated at the rate of 6.485 Soles per U.S. Dollar, being the sum of Soles 371,806.67. This was the total amount which the Peruvian Government had agreed on the Basic Contract to contribute to the S.C.P.N.E. on June 4, 1944 and April 3, 1945. It was further agreed that this sum should be paid in monthly installments of Soles 30,-983.88 during each month of the said calendar year.

B. At the same time the Foundation agreed to modify and accellerate its payments under the Basic Contract by granting to the S.C.P.N.E. during the calendar year beginning January 1, 1945 and ending December 31, 1945, the sum of $27,800.00, U.S. Dollars. This was the total of the amounts which the Foundation had agreed to grant to the S.C.P.N.E. in accordance with the Basic Contract on June 4, 1944 and April 3, 1945.

C. However, it was stipulated that of the $27,800.00, U.S. Dollars, which the Foundation agreed to make available under this new arrangement, the Foundation should withhold in Washington the sum of $25,483.33, U.S. Dollars, for the purpose of paying expenses of the Servicio which might be contracted in Dollars; and that the Foundation should deposit to the account of the S.C.P.N.E. in Perú the sum of $2,316.67, U.S. Dollars.

D. It was further agreed that the official depositary of the funds of the S.C.P.N.E. in Lima, Perú should be in the Lima Branch of The National City Bank of New York. Official depositary in Lima.

Clause V

The Agreement referred to in Clause IV hereof was embodied in part in paragraphs 1 and 2 of Supplementary Agreement No. 1, dated January 30, 1945, entered into in Lima, Perú between Ingº Enrique Laroza, as Minister of Public Education, and Dr. Reginald C. Reindorp as Director of the S.C.P.N.E. *Ante*, p. 3885.

Clause VI

For the purpose of clarifying Supplementary Agreement No. 1 and setting out in writing the full scope of the new arrangement referred to in Clause IV hereof, the undersigned herewith agree that:

A. Paragraphs 1 and 2 of Supplementary Agreement No. 1 shall be replaced and superseded by this Agreement. *Ante*, p. 3885.

B. The Government of Perú shall deposit to the account of the S.C.P.N.E. during the calendar year 1945, in the Lima Branch of The National City Bank of New York the equivalent in Soles of $57,333.34, U.S. Dollars, calculated at the rate of exchange of 6.485 Soles per U.S. Dollar, namely, the sum of Soles 371,806.67, as follows: Peruvian deposits.

During the month of January, 1945 the sum of S/.30,983.88
During the month of February, 1945 the sum of S/.30,983.88
During the month of March, 1945 the sum of S/.30,983.88
During the month of April, 1945 the sum of S/.30,983.88
During the month of May, 1945 the sum of S/.30,983.88
During the month of June, 1945 the sum of S/.30,983.88
During the month of July, 1945 the sum of S/.30,983.88
During the month of August, 1945 the sum of S/.30,983.88
During the month of September, 1945 the sum of S/.30,983.88
During the month of October, 1945 the sum of S/.30,983.88
During the month of November, 1945 the sum of S/.30,983.88
During the month of December, 1945 the sum of S/.30,983.88

Foundation grant.

C. The Foundation shall grant to the S.C.P.N.E., during the calendar year 1945, the sum of $27,800.00, U.S. Dollars. Of that amount the Foundation will deposit to the account of the S.C.P.N.E. in the Lima Branch of The National City Bank of New York, during the calendar year 1945, the sum of $2,316.67, U.S. Dollars, and shall withhold in Washington the sum of $25,483.33, U.S. Dollars, The sum withheld shall be used to finance the cost of visits of Peruvian educators to the United States and the purchase of materials, supplies and equipment which necessarily must be made in the United States, all in accordance with, and for the purposes set out in, paragraph 8 of the Basic Contract of April 4, 1944. The actual use to which such withheld funds shall be put shall be the subject of mutual written agreements between the Minister and the Special Representative of the Foundation.

Ante, p. 3878.

S. C. P. N. E. account in Lima.

D. The Foundation herewith acknowledges that the Government of Perú has deposited the sum of Soles 123,935.52 in the account of the S.C.P.N.E. in the Lima Branch of The National City Bank of New York, in equal installments of Soles 30,983.88, which installments were deposited on January 30, 1945, February 28, 1945, April 2, 1945 and April 12, 1945. The Government of Perú herewith acknowledges that the Foundation has deposited in the account of the S.C.P.N.E. in the Lima Branch of The National City Bank of New York the sum of $2,316.67, U.S. Dollars, on January 26, 1945.

E. The funds of the S.C.P.N.E. shall be deposited in its name in the Lima Branch of The National City Bank of New York. The Director of the S.C.P.N.E. shall draw checks against this account and shall make disbursement of these funds to cover expenditures of the S.C.P.N.E. which have been previously approved by the Minister.

Clause VII

The parties hereto agree that all the provisions of the Basic Contract and such other contracts as they have already made shall remain unchanged and in full force and effect, except insofar as they have been specifically amended herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the day and year first above written.

For the GOVERNMENT OF PERU

By E LAROZA
Minister of Public Education

For the INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.

By J GRAHAM SULLIVAN
Special Representative

MINISTERIO DE EDUCACION PUBLICA

CONTRATO BASICO SUPLEMENTARIO

En este día____de_____de 1945, se firma el siguiente convenio, entre el Gobierno del Perú, representado por el Ingº Enrique Laroza, Ministro de Educación Pública (que en adelante se llamará el Ministerio) y la Fundación Inter-Americana de Educación, Inc., Corporación de la Oficina del Coordinador de Asuntos Inter-Americanos (conocida ahora bajo el nombre de Oficina de Asuntos Inter-Americanos), y Dependencia del Gobierno de los Estados Unidos de América (que en adelante se llamará la Fundación) representada por su Representante Especial, el Sr. J. Graham Sullivan.

Cláusula I

El Contrato Básico, consumado con fecha 4 de abril de 1944 entre el Gobierno del Perú, representado por el Ministro, y la Fundación, representada por su Vice-Presidente, estipula en sus párrafos 6 y 7 que la Fundación contribuiría al funcionamiento del Servicio de Cooperación Peruano Norteamericano en Educación (que en adelante se llamará el S.C.P.N.E.), con la suma total de $41,700.00, que sería abonada en la forma siguiente:

La suma de 13,900 Dólares, a más tardar el 4 de junio de 1944;
La suma de 13,900 " " " " " 3 de abril de 1945;
La suma de 13,900 " " " " " 3 de abril de 1946.

y que el Gobierno del Perú contribuiría al funcionamiento del S.C.P.N.E. con la suma de $86,000.00, o su equivalente en Soles Peruanos, calculado sobre la base del tipo vigente de cambio de 6.485 Soles Oro por cada Dólar Americano, o sea, un total de S/.557,-710.00, que serían abonados en la forma siguiente:

La suma de $28,666.68 (S/.185,903.34) a más tardar el 4 de junio de 1944;
La suma de $28,666.66 (S/.185,903.33) " " " " 3 de abril de 1945;
La suma de $28,666.66 (S/.185,903.33) " " " " 3 de abril de 1946.

Cláusula II

Debido al hecho de que, por diversas circunstancias, no le fué posible a la Fundación obtener los servicios del personal capacitado para

constituir su grupo de especialistas en educación, se hizo necesario postergar la iniciación de las actividades delineadas en el Contrato Básico, y retardar el depósito de las contribuciones al S.C.P.N.E. que se mencionan en el párrafo anterior.

Cláusula III

En Diciembre de 1944, la Fundación designó al Dr. Reginald C. Reindorp como su Representante Especial Interino en el Perú, y en conformidad con las conversaciones sostenidas con el Ministro, se le nombró Director Interino del S.C.P.N.E. por Resolución Suprema del Gobierno Peruano, N° 3987, de fecha Diciembre 6 de 1944.

Cláusula IV

Como resultado de las conversaciones entre el Ministro y el Representante Interino de la Fundación, se convino en que el pago de las contribuciones al funcionamiento del S.C.P.N.E., tanto del Gobierno Peruano como de la Fundación, según se estipula en el Contrato Básico, fuera modificado y acelerado en la siguiente forma:

A. El Gobierno Peruano convino en entregar al S.C.P.N.E. durante el año calendario que empieza el 1° de enero de 1945 y termina el 31 de diciembre de 1945, el equivalente en Soles de US$57,-333.34, al vigente tipo de cambio de 6.485 Soles Oro por cada Dólar Americano, o sea, un total de S/.371,806.67. Esta suma representa el monto total de las contribuciones al S.C.P.N.E. que, bajo los términos del Contrato Básico, le correspondía abonar al Gobierno Peruano en las fechas 4 de junio de 1944 y 3 de abril de 1945. Se acordó, además, que esta suma sería pagada en mensualidades de Soles 30,983.88, durante cada uno de los meses de dicho año calendario.

B. La Fundación, a su vez, convino en modificar y acelerar sus pagos, según se detallan en el Contrato Básico, entregando al S.C.P.N.E., durante el año calendario que empieza el 1° de enero de 1945 y termina el 31 de Diciembre de 1945, la suma de US$27,800.00. Esta suma representa el monto total de las contribuciones al S.C.P.N.E. que, bajo los términos del Contrato Básico, le correspondía abonar a la Fundación en las fechas 4 de junio de 1944 y 3 de abril de 1945.

C. Quedó estípulado, sin embargo, que de los US$27,800.00 que la Fundación convenía en poner a la disposición del S.C.P.N.E. bajo este nuevo acuerdo, la Fundación retendría en Washington la suma de $25,483.33, que sería destinada a cubrir los gastos en Dólares en que el Servicio incurriera; y que la Fundación depositaría en la cuenta del S.C.P.N.E. en el Perú la suma de US$2,316.67.

D. Se convino, además, en que el depositario oficial de los fondos del S.C.P.N.E. en Lima, Perú, sería la Oficina de Lima del National City Bank of New York.

Cláusula V

El acuerdo a que se hace referencia en la Cláusula IV de este documento, quedó involucrada en parte en los párrafos 1 y 2 del Acuerdo Suplementario N° 1, de fecha 30 de enero de 1945, firmado en Lima, Perú, por el Ing° Enrique Laroza, en su calidad de Ministro de Educación Pública, y por el Dr. Reginald C. Reindorp, como Director Interino del S.C.P.N.E.

Cláusula VI

Con el objeto de aclarar el contenido del Acuerdo Suplementario N° 1 y establecer por escrito la amplitud del nuevo arreglo al que se refiere la Cláusula IV del presente documento, los suscritos acuerdan que:

A. Este Convenio anula y reemplaza los párrafos 1 y 2 del Acuerdo Suplementario N° 1.

B. El Gobierno del Perú depositará en la cuenta del S.C.P.N.E. en la Oficina de Lima del National City Bank of New York, durante el año calendario 1945, el equivalente en Soles de US$57,333.34, debiendo hacerse la conversión al tipo de cambio de 6.485 Soles Oro por cada Dólar Americano, o sea, un total de Soles 371,806.67, cuya suma se abonará en la forma siguiente:

Durante el mes de enero de 1945, la suma de S/.30,983.88
Durante el mes de febrero de 1945, la suma de S/.30,983.88
Durante el mes de marzo de 1945, la suma de S/.30,983.88
Durante el mes de abril de 1945, la suma de S/.30,983.88
Durante el mes de mayo de 1945, la suma de S/.30,983.88
Durante el mes de junio de 1945, la suma de S/.30,983.88
Durante el mes de julio de 1945, la suma de S/.30,983.88
Durante el mes de agosto de 1945, la suma de S/.30,983.88
Durante el mes de setiembre de 1945, la suma de S/.30,983.88
Durante el mes de octubre de 1945, la suma de S/.30,983.88
Durante el mes de noviembre de 1945, la suma de S/.30,983.88
Durante el mes de diciembre de 1945, la suma de S/.30,983.88

C. La Fundación pondrá a disposición del S.C.P.N.E., durante el año calendario 1945, la suma de US$27800.00. De esta suma, la Fundación depositará en la cuenta del S.C.P.N.E. en la oficina de Lima del National City Bank of New York, durante el año calendario 1945, la suma de US$2,316.67 y retendrá en Washington la suma de US$25,483.33. La suma retenida servirá para financiar la visita de educadores Peruanos a los Estados Unidos, para financiar la compra de materiales, útiles y equipo que necesariamente deban adquirise en los Estados Unidos, todo ello de acuerdo con, y para los fines delineados en el párrafo 8 del Contrato Básico del 4 de abril de 1944. La aplicación específica que ha de darse a los fondos retenidos por la Fundación, en Washington, será materia de acuerdos escritos, aprobados conjuntamente por el Ministro y el Representante Especial de la Fundación.

D. La Fundación declara, por el presente documento, que el Gobierno del Perú ha depositado en la cuenta del S.C.P.N.E. en la Oficina de Lima del National City Bank of New York, la suma total de S/.123,935.52, en cuatro partidas iguales de S/.30,983.88, en las siguientes fechas respectivamente: 30 de enero de 1945, 28 de febrero de 1945, 2 de abril de 1945, y 12 de abril de 1945. El Gobierno del Perú declara que la Fundación ha depositado con fecha 26 de enero de 1945, en la cuenta del S.C.P.N.E. en la Oficina de Lima del National City Bank of New York, la suma de US$2,316.67.

E. Los fondos del S.C.P.N.E. serán depositados a su nombre en la Oficina de Lima del National City Bank of New York. El Director del S.C.P.N.E. está autorizado para girar cheques contra esta cuenta y para usar esos fondos para el pago de los gastos del S.C.P.N.E. que hayan sido aprobados previamente por el Ministro.

Cláusula VII

Ambas partes convienen en que todas las estipulaciones del Contrato Básico y de todos los otros contratos que se hayan suscrito al respecto, conservarán su fuerza y vigencia, en todas sus partes, con excepción de aquellas cláusulas o párrafos que han sido específicamente modificados por el presente documento.

EN FE DE LO CUAL, ambas partes firman el presente Acuerdo, por intermedio de sus representantes autorizados, en el día, mes y año que se citan en primer término del presente documento.

Por el GOBIERNO DEL PERU

E LAROZA
Ministro de Educación Pública

Por la FUNDACION INTER-AMERICANA DE EDUCACION, INC.

J GRAHAM SULLIVAN
Representante Especial

Agreement between the United States of America and Sweden respecting air service facilities in Sweden. Signed at Stockholm September 30, 1946; entered into force September 30, 1946.

September 30, 1946
[T. I. A. S. 1742]

MINISTERE
DES
AFFAIRES ETRANGERES

SERVICE AGREEMENT

The Swedish Government agrees:

1) to operate and maintain all facilities continuously in a manner adequate for the air traffic operating into and away from the airdrome at which the facilities are located and along the recognized international air routes converging on that airdrome and in order to insure this standard of service, the Swedish Government agrees to abide by approved Provisional International Civil Aviation Organization (PICAO) standards of operation unless and until changed by other international agreement to which the United States and Sweden are parties;

2) to provide the full service of all facilities to all aircraft on a non-discriminatory basis with charges, if any, only for non-operational messages until an international agreement on charges has been promulgated by the PICAO;

3) to transmit weather reports according to PICAO standards to such stations as are required to insure an integrated meteorological network for the international air routes unless and until changed by international agreement to which the United States and Sweden are a party covering all meteorological requirements;

4) to continue the operation of all types of facilities in their original location until new facilties are installed in accordance with standards promulgated by the PICAO, or until it is determined by the Swedish Government and the United States Government that there is no longer a need for the original facilities, it being understood that the aeronautical communication service facilities will be devoted exclusively to that service and will not be diverted to the general communication service;

5) to provide English-speaking operators at air to ground and control tower communication positions until regulations covering such voice transmissions are promulgated by the PICAO;

6) to select radio frequencies for air to ground and control tower operations only in accordance with PICAO standards and recommendations after coordination with the using United States carriers and with adjacent stations on the recognized international air routes converging on the airdrome in order to minimize (a) radio interference and (b) the number frequencies to be operated by aircraft;

7) to authorize and facilitate day-to-day adjustments in air communication service matters by direct communication between the operating agency of Sweden and the service agency of the United States Government, United States air carriers, or a communication company representing one or more of them;

Technical adviser.

8) the agency prescribed by the Swedish Government will operate these communication facilities according to PICAO regulations and recommendations and in an manner which will assure the safety and efficiency of United States airline operations. If it is deemed necessary, the agency designated by the Swedish Government will, furthermore, request the United States air carriers, or the Civil Aeronautics Administration to designate a technical adviser to advise and assist it in the operation of these facilities.

Done at Stockholm, in duplicate, in the English language, this 30th day of September, 1946.

SVEN GRAFSTRÖM

Sven Grafström, *Chief of the Political Department of the Royal Swedish Ministry for Foreign Affairs, on behalf of the Royal Swedish Government.*

L. RANDOLPH HIGGS

L. Randolph Higgs, *Chargé d'Affaires ad interim of the American Legation, on behalf of the Government of the United States of America.*

Agreement between the United States of America and China respecting mutual aid, implementing further a preliminary agreement of June 2, 1942. Signed at Washington June 28, 1946; entered into force June 28, 1946.

June 28, 1946
[T. I. A. S. 1746]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHINA UNDER SECTION 3 (c) OF THE LEND-LEASE ACT

As parties signatory to the United Nations Declaration of January 1, 1942, the Governments of the United States of America and the Republic of China have pledged themselves to employ their full resources, military and economic, against those nations with which they are at war.

55 Stat. 1600.

The Government of the United States of America and the Government of the Republic of China in further implementation of their Mutual Aid Agreement of June 2, 1942, desire to insure the continuing provision of defense articles, services and information for the Chinese armed forces, including equipment and training, during the period of reoccupation by the Republic of China of its areas occupied by the forces of Japan and of the disarmament and repatriation of Japanese forces remaining on Chinese territory, and during the period of occupation of Japan by the forces of the Republic of China, the United States of America and their allies.

56 Stat. 1494.

Wherefore, the Government of the United States of America and the Government of the Republic of China agree as follows:

ARTICLE I

All aid undertaken to be provided by the Government of the United States of America under this Agreement shall be made available under the authority and subject to the terms and conditions of the Act of March 11, 1941, as amended, and any appropriation acts thereunder.

Authority for aid.

55 Stat. 31.
22 U. S. C. §§ 411-419.

ARTICLE II

The Government of the United States of America will continue after June 30, 1946 to supply the Government of the Republic of China with such defense articles, defense services and defense information as the President of the United States of America shall authorize to be supplied

Supply of defense articles, etc., to China.

(a) for the purpose of the reoccupation of China and the disarmament and repatriation of Japanese troops during a period of time ending on or before October 31, 1946, and in an amount not exceeding $25,000,000 in terms of cost incurred by the Government of the United States of America,

(b) for the purposes of the occupation of Japan for the period of such occupation, but in no event after June 30, 1949, and in an amount determined by the Senior United States Commander in Japan to be necessary to supplement the articles, services and information available to the Chinese forces from the resources of the Republic of China, and

(c) for the purposes of training, in the United States and elsewhere, of members of the Chinese armed forces, including the so-called air, naval, ground and medical training programs, during the period of time required for the completion of such training but in no event after December 31, 1947, and in an amount not exceeding $15,000,000 in terms of cost incurred by the Government of the United States of America,

subject to the provisions of Article III hereof.

ARTICLE III

Price.

The appropriate price to be charged the Government of the Republic of China, as determined by the Government of the United States of America, for articles, services and information furnished to the Government of the Republic of China under Article II hereof shall be paid by the Government of the Republic of China to the Government of the United States of America upon presentation of bills therefor.

ARTICLE IV

Transfers.

Transfers made under the authority of this Agreement shall in all respects be subject to the terms of Articles III and IV of the Agreement of June 2, 1942 between the Government of the United States and the Government of the Republic of China.

ARTICLE V

55 Stat. 31.
22 U. S. C. §§ 411-419.
56 Stat. 1494.

Nothing in this Agreement shall modify or otherwise affect the final determination, under the Act of March 11, 1941, as amended, and the Mutual Aid Agreement between the two Governments of June 2, 1942, of the terms and conditions upon which the Republic of China has received aid except for the articles and services made available under the provisions of this Agreement.

ARTICLE VI

Effective date.

This Agreement shall take effect on the date of signature.

IN WITNESS WHEREOF, the undersigned, duly authorized by their re-

spective Governments, have signed the present Agreement in duplicate at Washington on the 28th day of June 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

CHESTER T. LANE
DEPUTY FOREIGN LIQUIDATION COMMISSIONER
DEPARTMENT OF STATE

FOR THE GOVERNMENT OF THE REPUBLIC OF CHINA

SHOU CHIN WANG
CHAIRMAN OF THE CHINESE SUPPLY COMMISSION

June 18, July 15, August 9, 1946
[T. I. A. S. 1748]

Agreement between the United States of America and Hungary respecting American dead in World War II. Effected by exchanges of notes dated at Budapest June 18, July 15, and August 9, 1946; entered into force August 9, 1946.

The American Legation to the Hungarian Ministry for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA

No. 221

Interment of American military personnel.

The American Legation presents its compliments to the Ministry for Foreign Affairs and has the honor to submit for the consideration of the Hungarian Government the text of a bi-lateral agreement which the United States Government desires to conclude with the Hungarian Government concerning the interment of American military personnel in Hungary.

"The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the United States and/or who served or who accompanied the armed forces of the United States and are now buried in Hungary or any possession or territory now or hereafter subject to the control of the Hungarian Government.

U. S. rights, etc.

"1. The United States, through its duly designated representatives, shall have the following rights, privileges and prerogatives:

Temporary cemeteries.

"A. The Government of the United States shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into other cemeteries abroad, and may move bodies from other countries into and/or through Hungary and its territories and possessions for interment and/or transhipment.

Exemption from national laws relating to permits for disinterment, etc.

"B. The Government of the United States shall be exempt from all national, local, or other laws and/or regulations relating to the permits for disinterments; sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health; and from the payment of any duties, taxes, or fees of any kind required for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

Free entrance and exit, etc.
Post, p. 3900.

"C. The Government of the United States shall have the right of free entrance and exit for all personnel, supplies, transportation (air, mail, animal, motor, and water) serving or belonging to the United States and the use of air fields, port facilities, warehousing, living quarters, office space, rail and water transportation and the right to

Employment of labor.

employ labor in Hungary, its territories and possessions, essential to the accomplishment of its mission upon payment of just compensation therefor.

"D. The Government of the United States shall have the unrestricted right of search for the remains of members of its armed forces, and/or its citizens.

Search for remains.

"E. The Government of the United States shall have the unrestricted right to examine and copy all records, military or civilian, which may be of assistance in locating the graves, or identifying the remains of its deceased military or civilian personnel.

Post, p. 3900.

"F. The Government of the United States shall have the right to question and examine citizens of Hungary and to take affidavits in furtherance of its search for, and identification of remains of members of its armed forces, and/or its citizens.

Post, p. 3900.

"2. The Government of Hungary will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the United States, and upon demand and the furnishing of a proper receipt will turn over to representatives of the United States all effects so located and secured.

Assistance from Hungarian Government.

"3. If in the future the Government of the United States wishes to establish permanent cemeteries or erect memorials in Hungary, the Hungarian Government will exercise its power of eminent domain to acquire title to such sites and grant to the United States the right to use therein in perpetuity upon payment by the United States of just compensation therefor. Any sites acquired including improvements thereto and buildings constructed thereon shall be exempt from any and all form of taxation, direct or indirect. The provisions of paragraphs 1–A, B, and C will apply in the construction and maintenance of such permanent cemeteries and memorials as may be desired."

The above proposed agreement in effect confirms an understanding between the United States Military Mission and the former Mayor of Budapest, Mr. Vas Zoltan. The Legation understands that in accordance with this agreement, the city of Budapest on September 14, 1945, issued Decree No. 179,880/1945 X establishing a temporary cemetery for American military personnel and that two letters signed by Mr. Vas dated September 7, 1945 (reference no. 179,249) and September 14, 1945 (reference no. 179,880) implemented this decree by assigning property and by directing the carrying out of arrangements for improvements and buildings.

Budapest decree of Sept. 14, 1945.

The United States Government desires to emphasize that in proposing this bi-lateral agreement it is not its intention to make a permanent arrangement for the establishment of a military cemetery but only to assure the right of temporary burial.

The Legation would appreciate the courtesy of the Ministry for Foreign Affairs in advising it whether the agreement set out above is acceptable to the Hungarian Government and, if so, will be glad to receive as urgently as may be possible the confirmation of the Ministry

to that effect so that the agreement represented by the present exchange of notes may be considered as being in force.

BUDAPEST,
June 18, 1946.

The Hungarian Ministry for Foreign Affairs to the American Legation

Hungarian Ministry for Foreign Affairs.
103.606/10a–1946.

VERBAL NOTE.

The Hungarian Ministry for Foreign Affairs presents its compliments to the Legation of the United States of America and, with reference to the Legation's Note N° 221 of June 18th, 1946, concerning the conclusion of a bi-lateral agreement between the Hungarian Government and the United States Government on the interment of American military personnel in Hungary, has the honor to inform the hon. Legation that the Hungarian Government is ready to conclude a bi-lateral agreement with the United States Government by way of an exchange of Notes.

Ante, p. 3898.

As to Art. 1 points A and B of the projected agreement /mentioned in the Legation's Note/ they are acceptable for the Hungarian Government without any objection. As to Point C of Art. 1 the Hungarian Government has the honor to remark that actually the right of free entrance to and exit from Hungary depends on the permission of the Allied Control Commission in Hungary even for citizens of the United Nations. This restriction also concerns the entrance and exit of supplies and transportations of any kind /air, mail, animal, motor and water/. It must be mentioned here that Hungarian air-ports are not all under the control of the Hungarian Government. The use of Hungarian air-ports shall be in any case subjected to the respect of the agreement with the Hungarian Russian Civilian Air-Transport Company.

Ante, p. 3898.

Point D is acceptable for the Hungarian Government.

Ante, p. 3899.

As to point E, the Hungarian Governement has the honor to object that this point cannot be interpreted in the sense that the authorities of the United States shall have the *unrestricted* right to examine the Hungarian Archives. This point should be changed to the effect that the Hungarian authorities shall be obliged to submit to the American authorities for official use and copying all records which may be of assistance in locating graves, or identifying the remains of deceased American military or civilian personnel.

Ante, p. 3899.

Point F of the projected agreement /right to question and examine citizens of Hungary and to take affidavits in furtherance of its search for and identification of remains of members of its armed forces, and for its citizens/ could be accepted with the restriction that declarations to be made under oath by Hungarian citizens can be carried out only by way of the competent Hungarian Tribunals of 1st instance/Justices

of Peace/ and therefore American authorities shall be obliged to address themselves to the competent Hungarian Tribunal /forum loci/.

In case the Government of the United States of America would be inclined to accept the above-mentioned restrictions the projected bi-lateral agreement could come into force on the day when the Hungarian Government will be informed of the acceptance of the said restrictions.

BUDAPEST, *July 15th, 1946.*

The American Legation to the Hungarian Ministry for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA

No. 294

The Legation of the United States presents its compliments to the Hungarian Ministry for Foreign Affairs and has the honor to refer to the Ministry's note no. 103.606/ -10a-1946 concerning the conclusion of the bi-lateral agreement between the Hungarian Government and the United States Government on the interment of American military personnel in Hungary.

Ante, p. 3899.

The United States Government accepts the modifications of Article I, Sections E and F as proposed in the Ministry's note under reference. Accordingly the agreement as proposed in the Legation's note no. 221 of June 18, 1946 and as modified in the Ministry's note under reference is considered to be in effect from this date.

U. S. acceptance of modifications.

Effective date.

BUDAPEST

August 9, 1946.

October 2, November 14, 1947
[T. I. A. S. 1749]

Agreement between the United States of America and Ecuador respecting a cooperative educational program in Ecuador, extending and modifying an agreement of January 22, 1945. Effected by exchange of notes signed at Quito October 2 and November 14, 1947; effective from January 22, 1948.

The American Chargé d'Affaires ad interim to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 325

Quito, October 2, 1947

EXCELLENCY:

I have the honor to refer to the exchange of notes between His Excellency Sr. Dr. Camilo Ponce Enriquez, Minister for Foreign Affairs of the Government of Ecuador, and The Honorable Robert McGregor Scotten, Ambassador of the United States to the Government of Ecuador, on January 22, 1945, concerning the establishment of a cooperative education program in Ecuador. It will be recalled that my Government agreed to send a small staff of experts and technicians to Ecuador to cooperate with officials of the Ecuadoran Government and, particularly, with the Minister of Public Education, in a specific program for the improvement of public education in Ecuador in accordance with a detailed agreement to be worked out between the Ministry of Public Education and the Inter-American Educational Foundation, Inc.

61 Stat., Pt. 3, p. 3257.

Following the exchange of the above communications, details with regard to the execution of the program were agreed to by the Minister of Public Education and the President of the Inter-American Educational Foundation, Inc. In accordance with this agreement there was established within the Ministry of Public Education the Servicio Cooperativo Interamericano de Educacion through which the cooperative program has been administered.

In accordance with recent legislation passed by the Congress of the United States of America, all of the property, assets, functions, personnel, liabilities and restrictions of the Inter-American Educational Foundation, Inc., have been transferred to and assumed by The Institute of Inter-American Affairs, the now corporate instrumentality of the United States Government created by such legislative action.

Additional funds.

I have now been informed by the Department of State in Washington that additional funds amounting to $7,168 U.S. currency have been made available by The Institute of Inter-American Affairs for the continuation of the joint education program in Ecuador to be expended over a period to be mutually agreed upon by the appropriate officials of the Ecuadoran Government and a representative of The

Institute of Inter-American Affairs. It has been suggested that the extension of the program cover the period from the expiration date of the present agreement, which is January 22, 1948, through June 30, 1948. It is proposed that the entire additional contribution of $7,168 U. S. currency, to be made available by the Institute in connection with the continuation of the program, shall be retained by the Institute for payment directly or on account of salaries and other expenses of members of the Institute field staff who are maintained by the Institute in Ecuador. It is also understood that your Government would contribute to the Servicio for expenditure by that entity not less than the equivalent in sucres of $7,000 U.S. currency, computed at the rate of exchange of 13.4 sucres to the dollar in addition to amounts already required under the present agreement to be contributed to the program by your Government.

If Your Excellency agrees that the proposed arrangement as outlined above is acceptable to your Government, I would appreciate receiving an expression of Your Excellency's opinion and agreement thereto as soon as may be possible in order that the technical details of the program may be worked out by the Ministry of Public Education and The Institute of Inter-American Affairs.

Should Your Excellency advise me that the proposed arrangement is acceptable it would be possible to proceed with the signing of the extension agreement in the name of the Institute immediately, inasmuch as Dr. Pedro Osuna, Special Representative Education Division, The Institute of Inter-American Affairs, in Ecuador, has been authorized to sign on behalf of the Institute.

A copy of a suggested extension agreement is attached hereto for reference to the appropriate interested authorities.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEO. P. SHAW
Chargé d'Affaires, a.i.

His Excellency
Dr. JOSÉ VICENTE TRUJILLO,
Minister for Foreign Affairs,
Quito.

Post, p. 3912.

EXTENSION AGREEMENT

The Republic of Ecuador (hereinafter referred to as the "Republic"), represented by the Minister of Public Education (hereinafter referred to as the "Minister"), and The Institute of Inter-American Affairs (hereinafter referred to as the "Institute"), a corporate instrumentality of the Government of the United States of America and successor to the Inter-American Educational Foundation, Inc., (hereinafter referred to as the "Foundation"), represented by its Special Representative, Education Division, Dr. Pedro Osuna (hereinafter referred to as the "Special Representative"), have agreed to extend and modify, in the manner hereinafter set forth, the Agreement executed by the Republic and the Foundation on January 22, 1945, (hereinafter referred to as the "Agreement"), providing for a cooperative education program in Ecuador.

61 Stat., Pt. 3, p. 3257.

CLAUSE I

The said cooperative education program is hereby extended for an additional period of approximately six months from the twenty-second day of January 1948 through the thirtieth day of June 1948.

CLAUSE II

The said cooperative education program shall continue to include:

a. Furnishing by the Institute of a small field staff of education specialists for service in Ecuador in carrying out the cooperative education program.

b. Grants to permit Ecuadoran educators to go to the United States for specialized training, to lecture, to teach and to interchange ideas and experiences with United States educators.

c. Exploration and survey in Ecuador of local needs and resources for carrying out educational projects at the primary and secondary school levels and in teacher education.

d. Development, adaptation, and exchange of suitable teaching materials for teachers at the primary, secondary and teacher education levels.

e. Local projects needed to implement the program in Ecuador.

The cooperative program of education shall continue to be limited to relatively few projects, each of which is of special interest to the Government of Ecuador, in order that definite results may be obtained and that such results will be indicative of the cooperation existing between the Government of Ecuador and the Government of the United States in the important field of public education.

The Ministry of Education considers the solution of the following problems as being particularly important:

a. The training of school administrators (school directors, school inspectors, provincial directors of education, etc.)

b. The orientation of technical and vocational schools, both urban and rural, at the elementary and secondary level.

c. Orientation of schools of teacher education.
d. Orientation of pre-school education.

CLAUSE III

The field staff of the Institute shall be under the direction of the Special Representative who shall be the representative of the Institute in connection with the program to be carried on in accordance with this Extension Agreement. The Special Representative and other members of the Institute field staff shall be acceptable to the Minister of Public Education.

CLAUSE IV

The special technical service created in the Ministry of Public Education in Ecuador, pursuant to the Agreement, under the name of "Servicio Cooperativo Interamericano de Educación", (hereinafter called the "Servicio"), shall act as an intermediary between the Government of Ecuador and the Institute, and shall continue to carry out the cooperative education program. The Special Representative of the Institute shall be the Director of the Servicio.

CLAUSE V

The cooperative education program shall continue to consist of individual projects. The kind of work and the specific projects to be undertaken in the execution of this Extension Agreement and the allocation of funds therefor shall be agreed upon in writing by the Minister and the Special Representative, and shall be carried out by the Director of the Servicio in conformity with policies prescribed jointly by the Minister and the Special Representative. The Ecuadoran educators to be sent to the United States and the terms of their scholarships or grants shall be mutually agreed upon in writing by the Minister and the Special Representative.

CLAUSE VI

The Institute shall determine and pay the salaries and other expenses payable directly to, or on account of, members of the Institute field staff in an amount not to exceed Seven Thousand One Hundred Sixty-eight Dollars ($7,168) U.S. currency, which shall be in addition to the Seventy Thousand Dollars ($70,000) allocated for such purpose in Paragraph Five (5) of the Agreement and which Seven Thousand One Hundred Sixty-eight Dollars ($7,168) shall be retained in the United States by the Institute, making a total of Seventy-seven Thousand One Hundred Sixty-eight Dollars ($77,168) which has been allocated by the Foundation and the Institute for such purposes and shall also be in addition to the Thirty Thousand Dollars ($30,000) which the Foundation agreed to deposit to the account of the Servicio pursuant to the said Paragraph Five (5) of the Agreement, making a total aggregate amount of One Hundred Seven Thousand One Hundred Sixty-eight Dollars ($107,168) allocated by the Foundation and the Institute for the cooperative education program.

The Republic shall deposit in the Banco Central del Ecuador in Quito (or in any other bank which shall be mutually agreed upon by the Minister and the Special Representative) to the account of the Servicio the sum of_____ Sucres (S/.), being the equivalent of not less than Seven Thousand Dollars ($7,000) U.S. currency, at the rate of exchange of 13.4 sucres per dollar. The deposit required to be made by the Republic hereby shall be made during the month of February 1948, and the said deposit shall be in addition to the Republic's regular budget for education and in addition to the total amount specified in the Agreement to be deposited by the Republic to the account of the Servicio.

CLAUSE VII

Any of the funds introduced into Ecuador by the Institute for the purpose of the cooperative education program shall be exempt from taxes, service charges, investment or deposit requirements, and other currency controls, and shall be converted into sucres at a rate of exchange not less than 13.4 per dollar. Similarly, where it is necessary to convert sucres into dollars for the financing of scholarships or grants or other expenditures in the United States, the sucres shall be converted into dollars at a rate of exchange of not more than 13.5 sucres per dollar.

CLAUSE VIII

Any funds heretofore withheld by the Foundation pursuant to agreement between the Minister and the Special Representative of the Foundation for the purchase of materials and supplies and other disbursements in the United States of America relating to the execution of the cooperative education program and not expended or obligated therefor shall be deposited in the Servicio bank account at any time upon the mutual agreement of the Minister and the Special Representative.

CLAUSE IX

All contracts necessary to carry out the terms of the projects mutually agreed to as herein provided shall be made in the name of the Servicio and shall be signed by the Director of the Servicio. Personnel to be paid out of program funds deposited in Ecuador shall be selected by the Director of the Servicio, subject to the approval of the Minister. The general policies and procedures for the execution of the program and for the disbursement and accounting of funds, for the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined or established by mutual agreement between the Minister and the Special Representative. No disbursement from the said Servicio bank account may be made without the signed authorization of the Director of the Servicio or his delegate and of the Minister or his delegate. Checks for an amount of more than Three Thousand Sucres (S/. 3,000) also shall bear both signatures. The books and records of the Servicio relating to the said cooperative education program shall be open at all times for inspection by representatives of the Republic and of the Institute,

and the Director of the Servicio shall render financial reports to the Republic and to the Institute at such intervals as may be agreed upon between the Minister and the Special Representative.

CLAUSE X

The Institute shall use its best efforts to obtain such assistance and cooperation of other agencies, both public and private, in the United States, as may be appropriate for the execution of the said cooperative education program. The Republic, in addition to its cash contribution as provided herein, shall (a) appoint specialists, in agreement with the Director of the Servicio, to collaborate with the field staff of the Institute; (b) make available office space, furnishings and such other facilities, materials, equipment and supplies as it may conveniently provide for the said program; and (c) lend the general assistance thereto of the other departments of the Republic.

CLAUSE XI

The funds payable by the Institute under the Agreement of this Extension Agreement, or paid by the parties hereto into the said Servicio bank account, shall continue to be available for the said cooperative education program during the existence of this Extension Agreement, without regard to annual periods or fiscal years.

In the event that the Institute deems that the funds or any portion thereof which it has set aside for the payment of salaries and other expenses directly payable to, or on account of, members of the field staff, as provided in Clause VI hereof, will be more than is needed for that purpose, or for any other purpose of the Institute, the Institute will thereupon advise the Republic of the surplus which it can accordingly make available for projects and such additional sum shall be paid into the Servicio bank account or be otherwise disposed of pursuant to this Agreement.

The Minister and the Special Representative of the Institute shall determine by mutual agreement the disposition of any unobligated funds and of any other personal property remaining in the control of the Servicio upon the termination of this Extension Agreement.

CLAUSE XII

All employees of the Institute who are citizens of the United States of America and are engaged in carrying out the objectives of the cooperative education program shall be exempt from all income taxes and social security taxes with respect to income on which they are obligated to pay income or social security taxes to the Government of the United States of America and from property taxes on personal property intended for their own use. The employees who are members of the field staff of the Institute and members of their families who reside with them in Ecuador shall also be exempt from payment of customs and import duties on their personal effects and equipment and supplies for their own use and from investment and deposit requirements and from costs of foreign exchange conversions on funds brought into Ecuador for their normal living expenses.

CLAUSE XIII

All rights and privileges which are enjoyed by governmental and official divisions or agencies of the Republic shall accrue to the Servicio. Such rights and privileges shall include, for example, free postal, telegraph, and telephone service, special government rates from transportation companies and also freedom and immunity from excise, stamp, property, income and all other taxes, as well as from consular charges and customs duties upon imports for the use of the Servicio in the cooperative education program. The Institute shall enjoy the same rights and exemptions with respect to its acts and property relating to the cooperative education program.

CLAUSE XIV

All materials, equipment, and supplies purchased with funds of the Servicio shall become and remain the property of the Republic and shall be devoted to the program.

CLAUSE XV

Any rights, powers, or duties conferred by this Extension Agreement upon either the Minister, the Special Representative, or the Director of the Servicio, may be delegated by the recipient thereof to representatives in writing, provided that such representatives are satisfactory to the other parties. Regardless of the naming of said representatives, the Minister and the Special Representative shall have the right to refer any matter directly to one another for discussion and decision.

CLAUSE XVI

The Executive Power of the Republic will take the necessary steps to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this Extension Agreement.

CLAUSE XVII

This Extension Agreement supersedes the Agreement in all respects whatsoever and shall become effective as soon as diplomatic notes confirming and accepting this Extension Agreement have been exchanged between the Ministry of Foreign Affairs of the Government of Ecuador and the Embassy of the United States of America to Ecuador, or upon the date of execution hereof in the event that diplomatic notes approving the extension of the cooperative education program as herein provided have heretofore been exchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Extension Agreement to be executed by their duly authorized representatives, in duplicate, in the English and Spanish languages, at Quito, Ecuador, this day of , 194 .

FOR THE GOVERNMENT OF ECUADOR

FOR THE INSTITUTE OF INTER-AMERICAN AFFAIRS

PEDRO OSUNA
Special Representative
Education Division

The Ecuadoran Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

DEPARTAMENTO DIPLOMATICO

Nº 265 - DDP

QUITO, *a 14 Nov. 1947*

SEÑOR EMBAJADOR:

Tengo a honra referirme, una vez más, a la atenta comunicación de Vuestra Excelencia número 325, de 2 de octubre último, y a la mía de respuesta número 231-DDP, de 18 del mismo mes, sobre la extensión del Convenio para el funcionamiento del Servicio Cooperativo Interamericano de Educación en el Ecuador, por el período comprendido entre el 22 de enero y el 30 de junio de 1948.

2. De acuerdo con lo que me permití expresar en el párrafo 5 de mi nota que menciono, y en vista de la contestación dada por el Ministerio de Educación Pública a mi consulta al respecto, me honro en manifestar hoy a Vuestra Excelencia que mi Gobierno aprecia la importancia y utilidad de las labores a cargo del Servicio Cooperativo de Educación y considera indispensable que lleguen a terminarse; por lo que conviene y acepta complacido la propuesta formulada por Vuestra Excelencia en la estimable comunicación que cito, o sea en la extensión del programa que desarrolla en el país el Servicio Cooperativo Interamericano de Educación, desde el 22 de enero hasta el 30 de junio de 1948, con sujeción a cuanto se estipula en el proyecto del respectivo convenio, anexo a la nota de Vuestra Excelencia número 325, de 2 de octubre de 1947, el mismo que ha sido discutido y convenido previamente entre el Ministerio de Educación Pública y el Señor Doctor Pedro Osuna, Representante Especial en el Ecuador de la División Educativa del Instituto de Asuntos Interamericanos.

3. Con el objeto de hacer efectiva esta extensión de dicho programa hasta la fecha mencionada en el párrafo anterior, el Ministerio de Educación Pública hará constar en su presupuesto para el año de 1948 la partida necesaria a tal objeto; esto es, el equivalente en sucres de siete mil dólares norteamericanos (US$ 7.000,oo), computados a un tipo de cambio de trece sucres, cuarenta centavos de sucre por dólar (S/. 13.40), cantidad que, sumada a los siete mil ciento sesenta y ocho dólares norteamericanos (US$ 7.168,oo) de que dispone el Instituto, cubrirá la función económica del Servicio Cooperativo de Educación en el Ecuador, hasta el 30 de junio de 1948.

4. Por lo tanto, me es grato comunicar a Vuestra Excelencia que el Ministerio de Educación Pública está dispuesto a suscribir el correspondiente Convenio de extensión del Servicio Cooperativo de Educación Pública en el Ecuador, con el Señor Representante de la División Educativa del Instituto de Asuntos Interamericanos de conformidad con el texto sugerido por Vuestra Excelencia y cuanto ha sido acordado en las conversaciones a que aludo, sostenidas entre los competentes funcionarios.

Válgome de esta grata oportunidad, para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Por el Ministro, el Subsecretario ad-interim

Dr. Luis Coloma Silva.

Al Excelentísimo Señor
JOHN F. SIMMONS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.

Translation

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN RELATIONS

DIPLOMATIC DEPARTMENT No. 265–DDP.

QUITO, *November 14, 1947*

MR. AMBASSADOR:

I have the honor to refer once more to Your Excellency's courteous communication No. 325 of October 2 last and to my communication No. 231–DDP [1] in reply, dated the 18th of the same month, regarding the extension of the Agreement for the functioning of the Servicio Cooperativo Interamericano de Educación in Ecuador for the period between January 22 and June 30, 1948.

2. In accordance with what I took the liberty of stating in paragraph 5 of my aforesaid note, and in view of the reply of the Ministry of Public Education to my inquiry in the matter, I have the honor to inform Your Excellency today that my Government appreciates the importance and usefulness of the work being done by the Servicio Cooperativo de Educación and considers it essential that it be carried through to its conclusion. Therefore, it agrees to and accepts with pleasure the proposal formulated by Your Excellency in the valued communication to which I refer, namely, to extension from January 22 to June 30, 1948, of the program which the Servicio Cooperativo Interamericano de Educación is carrying out in this country; subject to the provisions of the draft agreement thereunto appertaining, enclosed with Your Excellency's note No. 325 of October 2, 1947, the same that was previously discussed and agreed to by the Ministry of Public Education and Dr. Pedro Osuna, Special Representative in Ecuador of the Education Division of the Institute of Inter-American Affairs.

3. For the purpose of making this extension of the said program effective until the date mentioned in the preceding paragraph, the Ministry of Public Education will include in its budget for the year 1948 the item necessary for that purpose; that is to say, the equivalent

[1] [Not printed.]

in sucres of Seven Thousand Dollars ($7,000.00 U.S. currency), computed at the rate of exchange of thirteen sucres, forty centavos (S/.13.40) per dollar, which amount, added to the Seven Thousand One Hundred and Sixty-eight Dollars ($7,168.00 U.S. currency) that the Institute has at its disposal, will cover the financial requirements of the Servicio Cooperativo de Educación in Ecuador until June 30, 1948.

4. I therefore take pleasure in informing Your Excellency that the Ministry of Public Education is prepared to sign the Agreement in question for extension of the Servicio Cooperativo de Educación Pública in Ecuador with the Representative of the Education Division of the Institute of Inter-American Affairs, in conformity with the text proposed by Your Excellency and with what was agreed upon in the aforesaid conversations that took place between the competent officials.

I avail myself of this welcome opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

For the Minister:
LUIS COLOMA SILVA
DR. LUIS COLOMA SILVA.
Under Secretary ad interim.

His Excellency
JOHN F. SIMMONS,
Ambassador Extraordinary and Plenipotentiary of the United States of America.

EXTENSION AGREEMENT

The Republic of Ecuador (hereinafter referred to as the "Republic"), represented by the Minister of Public Education (hereinafter referred to as the "Minister"), and The Institute of Inter-American Affairs (hereinafter referred to as the "Institute"), a corporate instrumentality of the Government of the United States of America and successor to the Inter-American Educational Foundation, Inc., (hereinafter referred to as the "Foundation"), represented by its Special Representative, Education Division, Dr. Pedro Osuna (hereinafter referred to as the "Special Representative"), have agreed to extend and modify, in the manner hereinafter set forth, the Agreement executed by the Republic and the Foundation on January 22, 1945, (hereinafter referred to as the "Agreement"), providing for a cooperative education program in Ecuador.

61 Stat., Pt. 3, p. 3257.

CLAUSE I

Period of extension.

The said cooperative education program is hereby extended for an additional period of approximately six months from the twenty-second day of January 1948 through the thirtieth day of June 1948.

CLAUSE II

The said cooperative education program shall continue to include:

a. Furnishing by the Institute of a small field staff of education specialists for service in Ecuador in carrying out the cooperative education program.

b. Grants to permit Ecuadoran educators to go to the United States for specialized training, to lecture, to teach and to interchange ideas and experiences with United States educators.

c. Exploration and survey in Ecuador of local needs and resources for carrying out educational projects at the primary and secondary school levels and in teacher education.

d. Development, adaptation, and exchange of suitable teaching materials for teachers at the primary, secondary and teacher education levels.

e. Local projects needed to implement the program in Ecuador.

The cooperative program of education shall continue to be limited to relatively few projects, each of which is of special interest to the Government of Ecuador, in order that definite results may be obtained and that such results will be indicative of the cooperation existing between the Government of Ecuador and the Government of the United States in the important field of public education.

The Ministry of Education considers the solution of the following problems as being particularly important:

a. The training of school administrators (school directors, school inspectors, provincial directors of education, etc.)

b. The orientation of technical and vocational schools, both urban and rural, at the elementary and secondary level.

c. Orientation of schools of teacher education.
d. Orientation of preschool education.

CLAUSE III

The field staff of the Institute shall be under the direction of the Special Representative who shall be the representative of the Institute in connection with the program to be carried on in accordance with this Extension Agreement. The Special Representative and other members of the Institute field staff shall be acceptable to the Minister of Public Education.

Field staff.

CLAUSE IV

The special technical service created in the Ministry of Public Education in Ecuador, pursuant to the Agreement, under the name of "Servicio Cooperativo Interamericano de Educación", (hereinafter called the "Servicio"), shall act as an intermediary between the Government of Ecuador and the Institute, and shall continue to carry out the cooperative education program. The Special Representative of the Institute shall be the Director of the Servicio.

Servicio.

Director.

CLAUSE V

The cooperative education program shall continue to consist of individual projects. The kind of work and the specific projects to be undertaken in the execution of this Extension Agreement and the allocation of funds therefor shall be agreed upon in writing by the Minister and the Special Representative, and shall be carried out by the Director of the Servicio in conformity with policies prescribed jointly by the Minister and the Special Representative. The Ecuadoran educators to be sent to the United States and the terms of their scholarships or grants shall be mutually agreed upon in writing by the Minister and the Special Representative.

Projects.

CLAUSE VI

The Institute shall determine and pay the salaries and other expenses payable directly to, or on account of, members of the Institute field staff in an amount not to exceed Seven Thousand One Hundred Sixty-eight Dollars ($7,168) U. S. currency, which shall be in addition to the Seventy Thousand Dollars ($70,000) allocated for such purpose in Paragraph Five (5) of the Agreement and which Seven Thousand One Hundred Sixty-eight Dollars ($7,168) shall be retained in the United States by the Institute, making a total of Seventy-seven Thousand One Hundred Sixty-eight Dollars ($77,168) which has been allocated by the Foundation and the Institute for such purposes and shall also be in addition to the Thirty Thousand Dollars ($30,000) which the Foundation agreed to deposit to the account of the Servicio pursuant to the said Paragraph Five (5) of the Agreement, making a total aggregate amount of One Hundred Seven Thousand One Hundred Sixty-eight Dollars ($107,168) allocated by the Foundation and the Institute for the cooperative education program.

Payment of salaries and expenses of field staff.

Deposits.

The Republic shall deposit in the Banco Central del Ecuador in Quito (or in any other bank which shall be mutually agreed upon by the Minister and the Special Representative) to the account of the Servicio the sum of Ninety-six Thousand Fifty-one Sucres (S/.96,051), being the equivalent of not less than Seven Thousand Dollars ($7,000) U. S. currency, at the rate of exchange of 13.4 sucres per dollar. The deposit required to be made by the Republic hereby shall be made during the month of February 1948, and the said deposit shall be in addition to the Republic's regular budget for education and in addition to the total amount specified in the Agreement to be deposited by the Republic to the account of the Servicio.

CLAUSE VII

Exemption of funds from taxes, etc.

Conversion of currency.

Any of the funds introduced into Ecuador by the Institute for the purpose of the cooperative education program shall be exempt from taxes, service charges, investment or deposit requirements, and other currency controls, and shall be converted into sucres at a rate of exchange not less than 13.4 per dollar. Similarly, where it is necessary to convert sucres into dollars for the financing of scholarships or grants or other expenditures in the United States, the sucres shall be converted into dollars at a rate of exchange of not more than 13.5 sucres per dollar.

CLAUSE VIII

Deposit of withheld funds.

Any funds heretofore withheld by the Foundation pursuant to agreement between the Minister and the Special Representative of the Foundation for the purchase of materials and supplies and other disbursements in the United States of America relating to the execution of the cooperative education program and not expended or obligated therefor shall be deposited in the Servicio bank account at any time upon the mutual agreement of the Minister and the Special Representative.

CLAUSE IX

General policies and procedures.

All contracts necessary to carry out the terms of the projects mutually agreed to as herein provided shall be made in the name of the Servicio and shall be signed by the Director of the Servicio. Personnel to be paid out of program funds deposited in Ecuador shall be selected by the Director of the Servicio, subject to the approval of the Minister. The general policies and procedures for the execution of the program and for the disbursement and accounting of funds, for the purchase, use, inventory, control and disposition of property, and any other administrative matters, shall be determined or established by mutual agreement between the Minister and the Special Representative. No disbursement from the said Servicio bank account may be made without the signed authorization of the Director of the Servicio or his delegate and of the Minister or his delegate. Checks for an amount of more than Three Thousand Sucres (S/.3,000) also shall bear both signatures. The books and

records of the Servicio relating to the said cooperative education program shall be open at all times for inspection by representatives of the Republic and of the Institute, and the Director of the Servicio shall render financial reports to the Republic and to the Institute at such intervals as may be agreed upon between the Minister and the Special Representative.

CLAUSE X

Additional assistance.

The Institute shall use its best efforts to obtain such assistance and cooperation of other agencies, both public and private, in the United States, as may be appropriate for the execution of the said cooperative education program. The Republic, in addition to its cash contribution as provided herein, shall (a) appoint specialists, in agreement with the Director of the Servicio, to collaborate with the field staff of the Institute; (b) make available office space, furnishings and such other facilities, materials, equipment and supplies as it may conveniently provide for the said program; and (c) lend the general assistance thereto of the other departments of the Republic.

CLAUSE XI

Availability of funds.

The funds payable by the Institute under the Agreement or this Extension Agreement, or paid by the parties hereto into the said Servicio bank account, shall continue to be available for the said cooperative education program during the existence of this Extension Agreement, without regard to annual periods or fiscal years.

Surplus funds.

In the event that the Institute deems that the funds or any portion thereof which it has set aside for the payment of salaries and other expenses directly payable to, or on account of, members of the field staff, as provided in Clause VI hereof, will be more than is needed for that purpose, or for any other purpose of the Institute, the Institute will thereupon advise the Republic of the surplus which it can accordingly make available for projects and such additional sum shall be paid into the Servicio bank account or be otherwise disposed of pursuant to this Agreement.

Ante, p. 3913.

The Minister and the Special Representative of the Institute shall determine by mutual agreement the disposition of any unobligated funds and of any other personal property remaining in the control of the Servicio upon the termination of this Extension Agreement.

CLAUSE XII

Exemption of employees from taxation.

All employees of the Institute who are citizens of the United States of America and are engaged in carrying out the objectives of the cooperative education program shall be exempt from all income taxes and social security taxes with respect to income on which they are obligated to pay income or social security taxes to the Government of the United States of America and from property taxes on personal property intended for their own use. The employees who are members of the field staff of the Institute and members of their families

who reside with them in Ecuador shall also be exempt from payment of customs and import duties on their personal effects and equipment and supplies for their own use and from investment and deposit requirements and from costs of foreign exchange conversions on funds brought into Ecuador for their normal living expenses.

CLAUSE XIII

Rights and privileges.

All rights and privileges which are enjoyed by governmental and official divisions or agencies of the Republic shall accrue to the Servicio. Such rights and privileges shall include, for example, free postal, telegraph, and telephone service, special government rates from transportation companies and also freedom and immunity from excise, stamp, property, income and all other taxes, as well as from consular charges and customs duties upon imports for the use of the Servicio in the cooperative education program. The Institute shall enjoy the same rights and exemptions with respect to its acts and property relating to the cooperative education program.

CLAUSE XIV

Ownership of equipment.

All materials, equipment, and supplies purchased with funds of the Servicio shall become and remain the property of the Republic and shall be devoted to the program.

CLAUSE XV

Delegation of power, etc.

Any rights, powers, or duties conferred by this Extension Agreement upon either the Minister, the Special Representative, or the Director of the Servicio, may be delegated by the recipient thereof to representatives in writing, provided that such representatives are satisfactory to the other parties. Regardless of the naming of said representatives, the Minister and the Special Representative shall have the right to refer any matter directly to one another for discussion and decision.

CLAUSE XVI

Legislation.

The Executive Power of the Republic will take the necessary steps to obtain the legislation, decrees, orders or resolutions necessary to carry out the terms of this Extension Agreement.

CLAUSE XVII

Effective date.

This Extension Agreement supersedes the Agreement in all respects whatsoever and shall become effective as soon as diplomatic notes confirming and accepting this Extension Agreement have been exchanged between the Ministry of Foreign Affairs of the Government of Ecuador and the Embassy of the United States of America to Ecuador, or upon the date of execution hereof in the event that diplomatic notes approving the extension of the cooperative education program as herein provided have heretofore been exchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Extension Agreement to be executed by their duly authorized representatives,

in duplicate, in the English and Spanish languages, at Quito, Ecuador, this 11 Nov. 1947 day of 1947.

FOR THE GOVERNMENT OF ECUADOR

Dr. José Miguel García Moreno
Minister of Public Education

FOR THE INSTITUTE OF INTER-AMERICAN AFFAIRS

Pedro Osuna
Special Representative
Education Division

CONVENIO DE PRORROGA

La República del Ecuador (que en adelante se llamará la "República"), representada por el Ministro de Educación Pública (que en adelante se llamará el "Ministro"), y The Institute of Inter-American Affairs (que en adelante se llamará el "Instituto"), una Corporación y una Agencia del Gobierno de los Estados Unidos de América, sucesor de la Inter-American Educational Foundation, Inc., (que en adelante se llamará la "Fundación"), por intermedio de su Representante Especial de la División de Educación, Dr. Pedro Osuna (que en adelante se llamará el "Representante Especial"), han acordado prorrogar y modificar, en la manera expuesta a continuación, el Convenio celebrado por la República y la Fundación el día 22 de Enero de 1945 (que en adelante se llamará el "Convenio"), estableciendo un programa cooperativo de educación en el Ecuador.

CLAUSULA I

Por medio del presente convenio el aludido programa cooperativo de educación queda prorrogado, por un período adicional de aproximadamente seis meses, que se iniciará el vigésimo segundo día del mes de Enero de 1948 y que terminará el trigésimo día del mes de Junio de 1948.

CLAUSULA II

El mencionado programa cooperativo de educación habrá de continuar incluyendo:

a. Suministro, por parte del Instituto, de un pequeño cuerpo de especialistas en educación que trabajen en el Ecuador en la realización del programa educacional cooperativo;

b. Subvenciones, para que educadores ecuatorianos puedan viajar a los Estados Unidos de América, con el objeto de que adquieran entrenamiento especializado, para dictar conferencias, enseñar e intercambiar ideas y experiencias con los educadores estadounidenses;

c. La investigación y estudio de las necesidades locales en el Ecuador y de los recursos con que cuenta para llevar a cabo proyectos educacionales en el campo de la enseñanza primaria y secundaria, y en el del perfeccionamiento del profesorado;

d. Desarrollo, adaptación e intercambio de materiales de enseñanza apropiados para los maestros en la enseñanza primaria, y secundaria y en la preparación del profesorado;

e. Proyectos locales necesarios para la realización del programa en el Ecuador.

El programa cooperativo educacional habrá de continuar siendo limitado a pocos proyectos, cada uno de los cuales será de interés especial para el Gobierno del Ecuador, a fin de poder lograr resultados definitivos y de que tales resultados demuestren la cooperación existente entre el Gobierno del Ecuador y el Gobierno de los Estados Unidos, en el importante campo de la Educación Pública.

El Ministerio de Educación considera especialmente importante la solución de los siguientes problemas:

a. La capacitación de administradores escolares (directores de escuelas, inspectores escolares, directores provinciales de educación, etc.);

b. La orientación de las escuelas técnicas y profesionales de tipo secundario y primario, urbanas y rurales;

c. La orientación de los Institutos Normales;

d. La orientación de la educación pre-escolar.

CLAUSULA III

El cuerpo de especialistas del "Instituto" (Field Staff) estará bajo la dirección del Representante Especial, quién será el Representante del "Instituto" en relación con el programa a llevarse a cabo de conformidad con este Convenio de Prórroga. El Representante Especial y los demás miembros del Cuerpo de especialistas del "Instituto" deberán ser aprobados por el Ministro de Educación Pública, para el ejercicio de sus funciones.

CLAUSULA IV

El servicio técnico especial, establecido en el Ministerio de Educación Pública del Ecuador, de conformidad con el "Convenio", bajo el nombre de "Servicio Cooperativo Interamericano de Educación", (que en adelante se llamará el "Servicio"), actuará como intermediario entre el Gobierno del Ecuador y el Instituto, y continuará llevando a cabo el programa cooperativo de educación. El Representante Especial del Instituto actuará como Director del "Servicio".

CLAUSULA V

El programa cooperativo educacional seguirá comprendiendo proyectos individuales. La clase de actividades, los proyectos específicos a efectuarse en la ejecución de este Convenio de Prórroga, y la asignación de fondos para los mismos, serán acordados, por escrito, entre el Ministro y el Representante Especial, y serán ejecutados por el Director del Servicio de conformidad con las normas establecidas conjuntamente por el Ministro y el Representante Especial. Los educadores ecuatorianos a enviarse a los Estados Unidos, y las condiciones de sus becas o subvenciones, serán mutuamente acordados, por escrito, entre el Ministro y el Representante Especial.

CLAUSULA VI

El "Instituto" determinará y pagará, ya sea directamente o acreditándolos a las cuentas personales de los miembros del Cuerpo de especialistas del Instituto, los sueldos y otros gastos que les correspondiera, en una suma que no excederá de siete mil ciento sesenta y ocho dólares U. S. ($7,168), además de los setenta mil dólares ($70,000), asignados para tal propósito, en el párrafo (5°) quinto del "Convenio". Estos siete mil ciento sesenta y ocho dólares ($7.168) serán retenidos en los Estados Unidos, por el "Instituto", con los que se elevarán a setenta y siete mil ciento sesenta y ocho dólares

($77.168), los fondos asignados por la "Fundación" y el "Instituto" para estos propósitos, aparte, también, de los treinta mil dólares ($30.000) que la "Fundación" acordó depositar en la cuenta del "Servicio", de conformidad con el mencionado párrafo quinto (5°) del "Convenio", subiendo de esta manera a la cantidad de ciento siete mil ciento sesenta y ocho dólares ($107.168), la contribución total de la "Fundación" y del "Instituto", para el programa cooperativo educacional.

La República del Ecuador depositará en el Banco Central del Ecuador en Quito (o en cualquier otro banco que sea mutuamente acordado entre el Ministro y el Representante Especial), en la cuenta del Servicio, la suma de noventa y seis mil cincuenta y un sucres (S/.96.051), o sea el equivalente de no menos de siete mil dólares ($7.000) U.S., al tipo de cambio de 13.4 sucres por dólar. El deposito requerido de parte de la República se hará durante el mes de Febrero de 1948, y constituirá una adición al presupuesto regular de la República para fines de educación y aparte de la cantidad total, especificada en el Convenio y a ser depositada por la República, en la cuenta del Servicio.

CLAUSULA VII

Todos los fondos que sean introducidos al Ecuador por el Instituto para fines del programa educacional cooperativo, deberán estar excentos de impuestos, recargos por servicio, requerimientos de inversión o depósito y otros controles de cambio, y serán convertidos en sucres a un tipo de cambio de no menos de 13.4 sucres por dólar. Asimismo, y cuando sea necesario convertir sucres a dólares para el financiamiento de becas y subvenciones, y otros gastos en los Estados Unidos, los sucres serán convertidos a dólares a un tipo de cambio de no más de 13.5 sucres por dólar.

CLAUSULA VIII

Los fondos hasta aquí retenidos por la Fundación, de conformidad con lo convenido entre el Ministro y el Representante Especial de la Fundación, para la compra de materiales y equipos, y otros desembolsos en los Estados Unidos de América, relacionados con la ejecución del programa cooperativo educacional, y que no hubieren sido gastados u obligados en estos objetos, se depositarán en la cuenta bancaria del Servicio en cualquier momento, cuando el Ministro y el Representante Especial así lo convengan.

CLAUSULA IX

Todos los contratos necesarios para llevar a cabo los términos de los proyectos mutuamente acordados de conformidad con este acuerdo, serán celebrados a nombre del Servicio y serán firmados por el Director del Servicio. El personal que fuere remunerado con fondos del programa depositados en el Ecuador, será seleccionado por el Director del Servicio, y estará sujeto a la aprobación del Ministro. Las normas generales y procedimientos para la ejecución del programa y para el desembolso y contabilidad de los fondos, para la compra, uso, inven-

tario, control y disposición de bienes y cualesquier otros asuntos administrativos, serán determinados o establecidos por mutuo acuerdo entre el Ministro y el Representante Especial. No se hará ningún desembolso de la mencionada cuenta bancaria del Servicio, sin la autorización firmada por el Director del Servicio o de su delegado, y del Ministro o de su delegado. Los cheques que pasen de tres mil sucres (S/.3.000) también deberán llevar ambas firmas. Los libros y datos del Servicio relacionados con el programa cooperativo de educación estarán en todo tiempo disponibles para su inspección por parte de representantes de la República y del Instituto, y el Director del Servicio rendirá informes financieros a la República y al Instituto, con los intervalos que sean acordados entre el Ministro y el Representante Especial.

CLAUSULA X

El Instituto hará lo posible para conseguir, en los Estados Unidos, la ayuda y cooperación de otras entidades, tanto públicas como privadas, que sean apropiadas para la ejecución del aludido programa cooperativo de educación. La República, además de su contribución en efectivo aquí estipulada, (a) nombrará de acuerdo con el Director del Servicio, especialistas para que colaboren con el Cuerpo de especialistas del Instituto; (b) suministrará locales para oficinas, así como muebles o cualesquiera otras facilidades semejantes, materiales, equipos y suministros que pueda convenientemente aportar para el mencionado programa; (c) conseguirá la ayuda general de las demás entidades oficiales de la República.

CLAUSULA XI

Los fondos a pagarse por el Instituto según el Convenio o según este Convenio de Prórroga, o los pagados ya por las partes suscriptoras del presente, y depositados en la cuenta bancaria del Servicio, seguirán siendo disponibles para dicho programa cooperativo de educación, durante la vigencia de este Convenio de Prórroga, sin tomar en cuenta para este propósito, períodos anuales o años fiscales.

En el caso de que el Instituto estime que los fondos, segregados para sueldos y otros gastos a pagarse directamente a los miembros del Cuerpo de especialistas, o a depositarse en sus respectivas cuentas, de conformidad con la claúsula VI del presente convenio, se hallan en exceso de los necesarios para este fin o para cualquier otro propósito del Instituto, informará éste a la República del sobrante que, por consiguiente, podrá invertirse en la ejecución de los proyectos. Tal cantidad adicional se depositará en la cuenta bancaria del Servicio, o se dispondrá de ella de otra manera, de conformidad con este Convenio.

El Ministro y el Representante Especial del Instituto determinarán, por mutuo acuerdo, la disposición de cualesquiera fondos no comprometidos y de cualesquiera otros bienes que queden bajo el control del Servicio, al vencimiento de este Convenio de Prórroga.

CLAUSULA XII

Todos los empleados del Instituto que sean ciudadanos de los Estados Unidos de América y contratados para llevar a cabo los fines del

programa cooperativo de educación, estarán excentos del pago de impuestos a la renta e impuestos de seguro social, referentes a rentas sobre las cuales se hallan en el caso de pagar impuestos a la renta o de seguro social al Gobierno de los Estados Unidos de América, como también se hallarán excentos del pago de impuestos sobre propiedades o bienes personales destinados a su propio uso. Los empleados que sean miembros del Cuerpo de especialistas del Instituto, asi como los miembros de sus familias que con éllos residan en el Ecuador, estarán excentos del pago de impuestos aduaneros y derechos consulares en la importación de sus efectos personales y de equipos y suministros para su propio uso, y se hallarán asímismo exceptuados de requisitos de inversión y requerimientos de depósito, y de pagos de impuestos, tasas, recargos, etc. etc., y en el canje o cambio de moneda extranjera traída por ellos al Ecuador para los gastos normales de vida.

CLAUSULA XIII

El Servicio gozará de todos los derechos y excenciones conferidos a departamentos o entidades gubernamentales y oficiales de la República. Tales derechos y excenciones incluirán, por ejemplo, los de franquicia postal, telegráfica y telefónica; tarifas gubernamentales especiales para compañías de transportes, y comprenderán también excenciones e inmunidades de impuestos sobre consumos, timbres, bienes, renta y otros, así como de derechos consulares e impuestos aduaneros sobre importaciones destinadas para el uso del Servicio en el programa cooperativo de educación. El Instituto gozará de los mismos derechos y excensiones que el Servicio, con respecto a sus actos y propiedades relacionados con el programa cooperativo de educación.

CLAUSULA XIV

Todo material, equipo y suministros comprados con fondos del Servicio, pasarán a ser de propiedad de la República, y serán dedicados al programa.

CLAUSULA XV

Cualquier derecho, facultad o deber, conferidos por este convenio de Prórroga al Ministro, al Representante Especial o al Director del Servicio, podrán ser delegados por escrito, por cada uno de estos funcionarios, en favor de distintas personas o representantes, siempre y cuando dichos representantes sean aceptables a las otras partes. No obstante la existencia de tales delegaciones, el Ministro y el Representante Especial podrán tratar cualquier asunto directamente, entre éllos, y resolverlo.

CLAUSULA XVI

El Poder Ejecutivo de la República dará los pasos necesarios para que se expidan la legislación, los decretos, órdenes y resoluciones que sean necesarios para el cumplimiento de las estipulaciones de este Convenio de Prórroga.

CLAUSULA XVII

Este Convenio de Prórroga reemplaza al Convenio en todos sus aspectos, y entrará en vigencia con el cambio de notas diplomáticas entre el Ministerio de Relaciones Exteriores del Gobierno del Ecuador, y la Embajada de los Estados Unidos de América en el Ecuador, que confirmen y acepten el presente Convenio de Prórroga, o en la fecha de la ejecución del mismo, en el caso de que las referidas notas diplomáticas aprobando la prórroga del programa cooperativo de educación, de acuerdo con las estipulaciones contenidas en el presente convenio, hayan sido ya cruzadas.

EN FE DE LO CUAL, las partes suscriptoras del presente han formulado este Convenio de Prórroga para que sea ejecutado por sus representantes debidamente autorizados, en duplicado, en los idiomas Inglés y Español, en Quito, Ecuador, a 11 Nov. 1947

POR EL GOBIERNO DEL ECUADOR

Dr. José Miguel García Moreno
Ministro de Educación Pública

POR THE INSTITUTE OF INTER-AMERICAN AFFAIRS

Pedro Cuna
Representante Especial
División de Educación

May 28, 1947
[T. I. A. S. 1750]

Agreement and exchanges of notes between the United States of America and the Netherlands respecting a mutual aid settlement; signed at Washington May 28, 1947, entered into force May 28, 1947. Agreement between the United States of America and the Netherlands Indies; signed at Washington May 28, 1947, entered into force May 28, 1947. And memorandum of arrangement between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Netherlands; signed at Washington May 28, 1947, entered into force May 28, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS PROPERTY, MILITARY RELIEF, AND CLAIMS

The Government of the United States of America (hereinafter referred to as the United States Government) and the Government of the Kingdom of the Netherlands (hereinafter referred to as the Netherlands Government), comprising the Kingdom in Europe, the Netherlands Indies and the Territories of Surinam and Curaçao, have reached an understanding regarding a settlement for lend-lease and reciprocal aid, for certain surplus property, for the Netherlands Government's obligation to the United States Government for civilian supplies furnished as military relief in the Netherlands and in the Netherlands Indies, and for other financial claims of each Government against the other arising out of the conduct of the war. This settlement is complete and final, and both Governments agree that, except as herein specifically provided, no further benefits will be sought by either Government as consideration for the foregoing. In arriving at this understanding, both Governments have recognized the benefits accruing to each from their contributions to the defeat of their common enemies, and have adhered to and hereby reaffirm their adherence to the principles expressed in Article VII of the Preliminary Agreement on Principles Applying to Mutual Aid in the Prosecution of the War Against Aggression, signed on July 8, 1942.

56 Stat. 1558.

1. Amount Due

As used in this Agreement the "total principal amount" due from the Netherlands Government to the United States Government is the sum of:

A. $67,500,000, which is agreed by the two Governments to be the net amount due from the Netherlands Government to the United States Government with respect to lend-lease, reciprocal aid, civilian supplies furnished as military relief in the Netherlands (Plan A) and in the Netherlands Indies, certain aircraft heretofore sold by

the United States Government to the Netherlands Government, certain claims between the two Governments settled by this Agreement, and guilders in the accounts of finance officers of the United States armed forces, and

B. The amount due to the United States Government from the Netherlands Government under the $30,000,000 line of credit (referred to in paragraph 5 of this Agreement) for the purchase of surplus property.

Post, p. 3929.

The terms of payment of the total principal amount are set forth in paragraph 6 of this Agreement.

2. Military Relief and Related Operations

In view of the benefits accruing to the two Governments from their contributions to the common war effort and in view of the payment specified in sub-paragraph 1A of this Agreement and of the other provisions of this Agreement:

A. The obligation of the Netherlands Government for the United States Government's share of the combined bills for civilian supplies furnished as military relief in the Netherlands (Plan A) is considered settled. The Netherlands Government recognizes that the settlement hereby made with the United States Government in no way impairs the obligation of the Netherlands Government to the United Kingdom and Canadian Governments for their shares of the combined claim for Plan A.

B. The United States Government's share of guilder proceeds from the sale of Allied publications distributed in the Netherlands in connection with military operations reverts to the Netherlands Government.

3. Intergovernmental Claims

A. The following financial claims between the two Governments will be settled and paid in dollars in accordance with procedures already established:

(1) Claims of the United States Government for the cost of lend-lease supplies and services transferred to the Netherlands Government by the United States Government on cash reimbursement terms not subsequently converted to other terms, and claims of the Netherlands Government for the excess of the amounts deposited by it with the United States Government under cash reimbursement lend-lease requisitions (including requisitions subsequently converted wholly or partly to other terms) over the cost of supplies and services transferred thereunder to the Netherlands Government on cash reimbursement terms not subsequently converted to other terms.

(2) Balance owing to the Netherlands Government under the portion of the agreement described in the Memorandum signed on May 30, 1942 by representatives of the United States Department of State and Office of Lend-Lease Administration

whereby the United States Government took over the war material in the United States procured by, or at that time under contracts in the United States let by, the Netherlands Government.

(3) Claims covered by the "Memorandum Concerning Disposition of and Payment for Cargoes Carried on Twelve Dutch Ships Diverted to Australia", dated December 20, 1944, and claims covered by the "Memorandum Concerning Disposition of and Payment for Certain Aircraft and Gun Parts Shipped to Australia by Netherlands Purchasing Commission", dated December 20, 1944.

(4) Claims of either Government against the other arising under the terms of the Netherlands-American Charter Plan dated March 6, 1942.

(5) Claims of either Government against the other arising under the "bareboat out-time charter back" chartering arrangements, including claims of the Netherlands Government against the United States Government as war or marine risk insurer or assumer by reason of (a) any loss or damage to the chartered vessel or (b) any claims against the chartered vessel other than (i) those waived or assumed under this Agreement, (ii) those waived or assumed by a third government or UNRRA under any present or future agreement with the United States Government, and (iii) those subject to the practice of the United States Government regarding interdepartmental waiver of claims.

(6) The claim of the Netherlands Government for repayment of the net balance of guilders advanced by it to the United States War Shipping Administration.

(7) The claim of the Netherlands Government for the repayment of the payment previously made to the United States Government under the "Agreement between the United States of America and the Kingdom of the Netherlands under Section 3 (c) of the Lend-Lease Act", signed on April 30, 1945.

59 Stat. 1627.

Cost of supplies and services transferred to Netherlands Government.

B. To avoid the necessity of making adjustments hereafter in certain accounts and to facilitate the determination of certain amounts payable under sub-paragraph 3A of this Agreement, the two Governments agree upon $17,820,000 as the cost of supplies and services transferred to the Netherlands Government through the agency of the United States War and Navy Departments, on cash reimbursement terms not subsequently converted to straight lend-lease terms, under lend-lease requisitions which, when filed by the Netherlands Government, called for direct cash reimbursement, but not including lend-lease requisitions filed directly with the United States Navy Department. This sum of $17,820,000, heretofore paid by the Netherlands Government, includes an allowance for charges not yet reported and is not subject to adjustment. Such allowance will be disregarded in determining claims under subparagraph 3A (3) of this Agreement.

C. The two Governments have agreed upon arrangements and procedures with respect to payment for articles and services procured in the Kingdom of the Netherlands for the United States armed forces and certain aircraft procured by the United States armed forces in the United States from the Netherlands Government and with respect to the return to the Netherlands Government of guilders held by the United States armed forces.

D. The claims between the two Governments listed in Appendix 1 hereto are among those settled by this Agreement and appropriate allowances have been made therefor in computing the net amount due from the Netherlands Government to the United States Government under sub-paragraph 1A of this Agreement.

Post, p. 3934.

Ships.

E. The following arrangements are agreed on with respect to the time during which the large U. S. 7 (c) ships and the small U. S. 7 (c) ships (as defined in Appendix 1 hereto), as the case may be, were severally operated by the Netherlands Government for the United States Government during the 7 (c) period (as defined in Appendix 1 hereto):

(1) The United States Government will bear the cost of all services and supplies, not hitherto paid for by the Netherlands Government, furnished by the United States Government to the Netherlands Government for the large U. S. 7 (c) ships and the small U. S. 7 (c) ships during such time.

(2) The Netherlands Government will retain all earnings, if any, arising from the commercial carriage of passengers and cargo on the large U. S. 7 (c) ships and the small U. S. 7 (c) ships during such time.

(3) The Netherlands Government will process all claims against the United States Government, or respecting which the ultimate liability is that of the United States Government, arising from the commercial carriage of passengers and cargo on the large U. S. 7 (c) ships and the small U. S. 7 (c) ships during such time, and will discharge the liability of the United States Government with respect thereto, except to the extent that third Governments have already undertaken to do so without being reimbursed in cash.

Waiver of claims.
Post, p. 3937.

F. As further specified in Appendix 2 hereto, each Government waives all its claims against the other which arose out of requisitioning for use in the war program of property of the claimant Government and, except as provided in sub-paragraph 3A (5) of this Agreement, all its claims against the other, and all its claims respecting which the ultimate liability is that of the other, which arose out of maritime incidents occurring on or after May 10, 1940 and prior to July 1, 1946.

G. Each Government waives all other financial claims against the other Government not otherwise dealt with in this Agreement which

(a) have arisen or may hereafter arise out of lend-lease or reciprocal aid, or

(b) otherwise arose out of incidents occurring on or after May 10, 1940 and prior to July 1, 1946 connected with or incidental to the conduct of the war,

except

(1) claims arising out of established arrangements where liability has heretofore been acknowledged and the method of computation agreed;

(2) claims arising out of retransfers, consented to by the United States Government after December 31, 1946, of lend-lease articles by a third government to the Netherlands Government; and

(3) claims presented in accordance with the practice whereby one government espouses a claim of one of its nationals and submits it through diplomatic channels to another government.

4. Private Claims

A. The Netherlands Government will process the claims described in the following sub-paragraphs (1) to (4) and will discharge the liability with respect thereto of the United States Government and of the individuals, firms and corporations against whom such claims are asserted as there described, except to the extent that third governments have already undertaken to do so without being reimbursed in cash, namely:

(1) Claims against the United States Government, or respecting which the ultimate liability is that of the United States Government, arising from maritime incidents (including those specified in Appendix 2 hereto) occurring on or after May 10, 1940 and prior to July 1, 1946, asserted or about to be asserted in courts of the Kingdom of the Netherlands, or asserted anywhere by individuals, firms and corporations, subjects of the Kingdom of the Netherlands at the time of the event giving rise to the claim, but not including claims of Netherlands subjects based upon service as seamen. In addition, as part of the general settlement, the Netherlands Government, without giving rise to any financial obligation on the part of the United States Government, will, at the request of the United States Government, take such steps as may be necessary, including the assumption of financial responsibility, to release vessels and cargoes belonging to the United States Government from legal actions brought to enforce any such claims.

(2) Claims of individuals, firms and corporations, domiciled in territory of the Kingdom of the Netherlands at any time between May 10, 1940, and September 2, 1945 (except individuals who are exclusively United States nationals) against the United States Government, its contractors or subcontractors, for royalties under contracts for the use of inventions, patented or unpatented, or for infringement of patent

rights, in connection with war production carried on or contracted for prior to September 2, 1945 by the United States Government, its contractors or sub-contractors.

(3) Claims, whether contractual or non-contractual, against the United States Government and against members of its armed forces and civilian personnel attached thereto arising out of acts or omissions in territory of the Kingdom of the Netherlands of members of such armed forces or such civilian personnel, both line-of-duty and non-line-of-duty, occurring on or after May 10, 1940 and prior to September 2, 1945 in the case of contracts, and occurring on or after May 10, 1940 and prior to July 1, 1946 in the case of other acts or omissions.

(4) Claims of individuals, firms and corporations, subjects of the Kingdom of the Netherlands at the time of the event giving rise to the claim, against the United States Government arising out of the requisitioning (as specified in Appendix 2 hereto) for use in the war program of property located in the United States in which the claimant asserts an interest.

Post, p. 3937.

B. An appropriate allowance for the undertaking of the Netherlands Government in sub-paragraph 4A of this Agreement has been made in computing the net amount of $67,500,000 due from the Netherlands Government to the United States Government under sub-paragraph 1A of this Agreement.

Ante, p. 3924.

5. Surplus Property

A. The two Governments agree that their rights and obligations in connection with the line of credit for the purchase of surplus property heretofore granted by the United States Government in the amount of $30,000,000 (originally $20,000,000) shall be as stated in this Agreement; and the letters dated May 14, 1946 and December 9, 1946, from the United States Central Field Commissioner for Europe, Office of the Foreign Liquidation Commissioner, to the Netherlands Treasurer General, accepted by the Netherlands Government, establishing the line of credit, and subsequent communications relating thereto, are superseded by this Agreement. Like provision regarding the rights and obligations under the line of credit for the purchase of surplus property heretofore granted by the United States Government to the Netherlands Indies Government in the amount of $100,000,000 is made in a separate agreement signed concurrently herewith by the United States Government and the Netherlands Indies Government.

B. The terms of payment of the amount due under the $30,000,000 line of credit shall be as stated in paragraph 6 of this Agreement. This change from the original terms of payment, and the like change regarding the $100,000,000 line of credit made in the separate agreement signed concurrently herewith by the United States Government and the Netherlands Indies Government, have been consented to by the United States Government as part of the general settlement herein made.

C. The $30,000,000 line of credit is for use in purchasing prior to January 1, 1948 United States surplus property, wherever situated, made available by the Office of the Foreign Liquidation Commissioner.

D. Charges heretofore made against the $30,000,000 line of credit shall continue to be charges against it as from the respective dates of the charges, but, with respect to the accrual of interest, shall be subject to the provisions of sub-paragraph 6C of this Agreement. The bulk sales of surplus property in the Territories of Curaçao and Surinam shall be charges against the $30,000,000 line of credit.

E. Procedural arrangements heretofore made in connection with the $30,000,000 line of credit shall continue in force until changed.

6. Terms of Payment

A. The Netherlands Government undertakes that, as and when the amounts payable by the United States Government under sub-paragraph 3A of this Agreement are paid, it will pay equivalent amounts in dollars to the United States Government up to a total of $19,500,000, in partial payment of the total principal amount due from it to the United States Government.

Ante, p. 3925.

B. The remainder of the total principal amount due from the Netherlands Government to the United States Government will be paid by the Netherlands Government to the United States Government in dollars in thirty annual instalments, which shall become payable on July 1 of each year beginning July 1, 1951. The first instalment shall be equal to one-thirtieth of the unpaid portion as of July 1, 1951 of the total principal amount. Each subsequent instalment shall be equal to so much of the unpaid portion (as of the date of the instalment) of the total principal amount as has not previously become payable, divided by the number of instalments that have not previously become payable.

C. Interest will be paid to the United States Government by the Netherlands Government in dollars at the fixed rate of two percent per annum on $50,000,000 (which is agreed to be the net sum of such of the charges constituting the total principal amount as are attributable to the period before July 1, 1946) for the period from July 1, 1946 through June 30, 1947, and, accruing from July 1, 1947, on the unpaid remainder of the total principal amount. With respect, however, to charges made under the $30,000,000 line of credit, interest shall accrue from the first day of July next following the date on which each charge is made. With respect to the amount of any reduction in the total principal amount under the terms of sub-paragraph 6D and paragraph 7 of this Agreement interest for the period from the preceding July 1 shall be charged only to the date of such reduction. Interest shall be payable annually on July 1 of each year beginning July 1, 1947.

D. The Netherlands Government may at any time or times make payments to the United States Government under this Agreement of amounts not then payable or larger than are then payable. Any such payments will be credited first to past due interest, if any, and then to past due instalments, if any, and then to the unpaid remainder of the total principal amount.

Postponement of payment.

E. If by agreement of both Governments it is determined that because of extraordinary and adverse economic conditions arising during the course of payment, any of the periodic payments of interest, of principal, of interest and principal, or of any part thereof would not be to the common advantage of both Governments, payment may be postponed on such terms and conditions as may be agreed.

7. Provision of Netherlands Currency and of Property

A. The Netherlands Government, when requested by the United States Government, will make available at any time or times, by payment to the United States Government or to such persons or organizations as the United States Government may designate, Netherlands currency in any amount (computed as provided in sub-paragraph 7E of this Agreement) not in excess of the then unpaid portion of the total principal amount plus past due interest, for:

(1) The payment of any or all of the ordinary governmental expenditures in the Kingdom of the Netherlands (other than the Netherlands Indies) of the United States Government or any department or agency thereof;

(2) The acquisition of real property, improvements thereon or furnishings therefor, agreed upon by the two Governments; and

(3) The payment of the cost of educational programs agreed upon by the two Governments.

B. In case the United States Government wishes to acquire any property (located in the Kingdom of the Netherlands, other than the Netherlands Indies), real or personal, tangible or intangible (other than for export except by mutual agreement), or to improve or furnish any property so located in which it has an interest, the Netherlands Government will at any time or times, as requested by the United States Government, enter into negotiations, and use its best efforts consistent with its public policy, to reach an agreement with the United States Government whereby there will be delivered to the United States Government the properties, improvements or furnishings which the United States Government desires or which the representatives of the United States Government have selected. Representatives of the United States Government may at their discretion conduct discussions directly with owners of property or with contractors for improvements or furnishings as to fair terms and prices prior to the delivery of

such property or improvements or furnishings to the United States Government.

C. The United States Government declares that it is now its intention to request that Netherlands currency be made available for agreed educational programs under sub-paragraph 7A of this Agreement to the value of $5,000,000 and that it is now its intention to request that Netherlands currency be made available for, or that there be delivered, real property, improvements and furnishings, or both, under sub-paragraphs 7A and 7B of this Agreement to the value of $8,700,000. This statement of intention does not prevent the United States Government from later proposing different amounts from these in these connections. The foregoing amounts are inclusive of amounts heretofore requested under corresponding arrangements hitherto existing under the $30,000,000 line of credit.

D. The dollar equivalent (computed in accordance with sub-paragraph 7E of this Agreement) of any Netherlands currency made available and of the Netherlands currency value of any properties, improvements and furnishings delivered under this paragraph 7 or under corresponding arrangements hitherto existing under the $30,000,000 line of credit shall be credited first to interest, if any, and then to instalments, if any, past due to the United States Government under this Agreement and then to the unpaid remainder of the total principal amount due under this Agreement.

E. Any Netherlands currency made available and the Netherlands currency value of any properties, improvements and furnishings delivered under this paragraph 7 or under corresponding arrangements hitherto existing under the $30,000,000 line of credit will be valued at the par value between such currency and dollars established in conformity with procedures of the International Monetary Fund, or, if no such par value exists, at the rate most favorable to the United States Government used by the Netherlands Government in any official transaction at the time of the request by the United States Government that such currency be made available or that such properties, improvements or furnishings be delivered.

8. Silver

Nothing in this Agreement affects the obligation of the Netherlands Government in connection with silver transferred to it by the United States Government under lend-lease.

9. Transfer of Title

A. Except as provided in sub-paragraphs 9B and 9C of this Agreement, the United States Government and the Netherlands Government receive full title, without qualification as to disposition or use, to all articles now held by them respectively which were supplied under lend-lease or reciprocal aid, but including retransferred lend-lease articles only to the extent that consent to the

retransfer was given by the United States Government before January 1, 1947.

B. Each Government reserves the right of recapture of any arms, ammunition and implements of war (as defined in Appendix 2 hereto) which were supplied under lend-lease or reciprocal aid and are held by the other Government on the date on which notice requesting return is communicated to the other Government (excepting, however, those supplied under lend-lease on cash reimbursement terms not subsequently converted to straight lend-lease terms); but each Government has indicated that it does not intend to exercise generally its right of recapture of such articles. Disposals of such articles in or for use in third countries will be made only with the consent of the supplying Government and with payment to the supplying Government of any proceeds of such disposals. Each Government agrees that all such articles held by it will be used only for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations.

Post, p. 3937.

59 Stat. 1031.

C. To the extent required by United States law, naval and merchant vessels which were made available to the Netherlands Government under lend-lease will be returned to the United States Government.

10. Miscellaneous Provisions

A. References in this Agreement to articles supplied under lend-lease, and to lend-lease transfers, include lend-lease articles transferred by the United States Government to a third government and retransferred by the third government to the Netherlands Government.

B. To the extent that the provisions of this Agreement are inconsistent with those contained in any previous agreement, the provisions of this Agreement shall prevail.

C. Nothing in this Agreement affects the obligation of the Netherlands Government under Article IV of the Preliminary Agreement of July 8, 1942, relating to patents.

56 Stat. 1555.

D. The two Governments agree to conclude such specific agreements as may be necessary to implement this general understanding.

E. This Agreement will be effective upon signature.

Effective date.

DONE at Washington, in duplicate, this twenty-eighth day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

G C MARSHALL

Secretary of State of the
United States of America

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:

A. LOUDON

Ambassador Extraordinary and Plenipotentiary
of the Kingdom of the Netherlands

95347°—50—PT. IV——38

APPENDIX 1

CERTAIN CLAIMS BETWEEN THE TWO GOVERNMENTS SETTLED BY THIS AGREEMENT

Ante, p. 3927.

As stated in sub-paragraph 3D of this Agreement, the claims between the two Governments listed in this Appendix are among those settled by this Agreement and appropriate allowances have been made therefor in computing the net amount due from the Netherlands Government to the United States Government under sub-paragraph 1A of this Agreement.

Ante, p. 3924.

I. CLAIMS OF THE NETHERLANDS GOVERNMENT

U. S. 7 (c) ships.

Post, p. 3937.

As used in this Agreement the term "large U. S. 7 (c) ships" means the ships listed in Schedule 1 hereto attached, and the term "small U. S. 7 (c) ships" means the ships listed in Schedule 2 hereto attached. All these ships were originally among those chartered by the British Minister of War Transport from the Netherlands Government pursuant to the "Memorandum of Arrangement Regarding Netherland East Indies Shipping. 5th June 1942." and allocated to the United States Government. They were the ships later removed from that arrangement, with the concurrence of the United Kingdom Government, by an exchange of notes between the Netherlands Embassy at Washington and the United States Department of State dated June 6, 1945 and July 31, 1945, and they were severally operated by the Netherlands Government for the United States Government in conformity with that exchange of notes for the whole of the 7 (c) period (as defined below) or from the beginning of the 7 (c) period until they were allocated during the 7 (c) period to the United Kingdom Government. The designation "7 (c)" derives from the application to these ships of paragraph 7 (c) (second sentence) of the Agreement on Principles Having Reference to the Co-ordinated Control of Merchant Shipping, signed in London on August 5, 1944.

"7 (c) period."

The term "7 (c) period" means, as used in this Agreement in respect of the large U. S. 7 (c) ships and the small U. S. 7 (c) ships, the period from midnight May 23, 1945 until the date of redelivery in each case to the Netherlands Government, or until March 2, 1946, whichever was the earlier.

"June 5 Memorandum."

As used in this Agreement the term "June 5 Memorandum" means the above mentioned Memorandum of June 5, 1942.

A. The following claims of the Netherlands Government against the United States Government in connection with the large U. S. 7 (c) ships are among those settled by this Agreement:

1. Services and supplies for the large U. S. 7 (c) ships during the 7 (c) period.

2. (a) Reconditioning and reconversion of the ships listed in Part A of Schedule 1 hereto attached, and (b) reconversion, as distinguished from reconditioning, of the ships listed in Part B of Schedule 1 hereto attached.

(i) The contribution of the United States Government toward vessel expenses during the respective periods of reconditioning/reconversion, forming part of the allowance for the claims set forth in clauses 2 (a) and 2 (b) immediately above, has been computed on the basic bareboat rate under the June 5 Memorandum and respective time estimates for reconditioning/reconversion provided by the Netherlands Government.

(ii) The allowance made by the United States Government for the replacement of furniture has been computed on the basis of the articles named in the respective off-survey reports, and on the basis of the cost of procurement and installation of the furniture at the respective ports of reconversion.

(iii) The allowance made by the United States Government in respect of reconversion has been made, inter alia, on the basis of removing and making good in the way thereof fittings added during the conversion of the ships, and takes account of an allowance made by the Netherlands Government to the United States Government for equipment of the United States Government left aboard. Such equipment becomes the property of the Netherlands Government.

(iv) The allowance made by the United States Government with respect to reconditioning includes war risk insurance damage to the ships listed in Part A of Schedule 1 hereto attached, in so far as such damage was incurred during the 7 (c) period.

3. Costs of medical departments maintained by the Netherlands Government in the United States with respect to the large U. S. 7 (c) ships during the 7 (c) period.

4. Services as Accounting Line (agency services) for the large U. S. 7 (c) ships with respect to the 7 (c) period.

B. The following claims of the Netherlands Government against the United States Government in connection with the small U. S. 7 (c) ships are among those settled by this Agreement:

1. Services and supplies for the small U. S. 7 (c) ships while they were severally operated by the Netherlands Government for the United States Government during the 7 (c) period.

2. Reconversion and reconditioning of the small U. S. 7 (c) ships. The claim put forward by the Netherlands Government and the allowance therefor made by the United States Government have been restricted to expenses of reconversion and reconditioning attributable to the use of the ships by the United States Government during the 7 (c) period and have been computed on a pro-rata basis on figures submitted by the Netherlands Government

covering the over-all reconversion/reconditioning expenses arising from the date of delivery of the vessels under their basic charterparties in 1942. This claim is without prejudice to claims for additional reconversion/reconditioning expenses under the basic charterparties.

3. Services as Accounting Line (agency services) for the small U. S. 7 (c) ships with respect to the period while they were severally operated by the Netherlands Government for the United States Government during the 7 (c) period.

Shipping claims.

C. The following further shipping claims of the Netherlands Government against the United States Government are among those settled by this Agreement:

1. A portion of the costs (not paid by the United States Navy) of arming certain Netherlands ships chartered pursuant to the June 5 Memorandum and allocated to the United States Government.

2. 80%, payable in dollars, of the hire increase on ships chartered pursuant to the June 5 Memorandum (the hire increase being one shilling per deadweight ton per month from July 1, 1944 until redelivery and (due to the waiver of off-hire insurance) sixpence per deadweight ton per month from July 1, 1944 to December 31, 1944). The allowance made by the United States Government in respect of this claim is accepted by the Netherlands Government in satisfaction of its claim under the June 5 Memorandum for 80%, payable in dollars, of such hire increase.

3. Dollar expenditures for free Netherlands ships in United States ports between August 21, 1941 and September 30, 1945 of a type eligible for lend-lease.

4. Charter hire in the amount of $180,000 under "bareboat out-time charter back" chartering arrangements (claim withdrawn in consideration of the withdrawal by the United States Government of its claim for reduction of charter hire under such arrangements).

II. CLAIMS OF THE UNITED STATES GOVERNMENT

A. The following claims of the United States Government against the Netherlands Government are among those settled by this Agreement:

1. Equipment of the United States Government left aboard the large U. S. 7(c) ships, as stated in sub-paragraph IA2(iii) of this Appendix.

2. Dollar amounts due for retroactive reverse lend-lease under the exchange of letters between E. C. Zimmerman, Chairman of the Netherlands Purchasing Commission, and Charles Denby, Special Assistant for Reciprocal Aid, Foreign Economic Administration, dated September 20 and 26, 1944.

SCHEDULE 1 OF APPENDIX 1

The Large U. S. 7 (c) Ships

PART A:

BOSCHFONTEIN
BRASTAGI
JAPARA
KLIPFONTEIN
KOTA AGOENG
KOTA BAROE
POELAU LAUT
SLOTERDIJK
SOMMELSDIJK
TABINTA
TJISADANE

PART B:

BLOEMFONTEIN
KOTA INTEN
NOORDAM
WELTEVREDEN

SCHEDULE 2 OF APPENDIX 1

The Small U. S. 7 (c) Ships

BONTEKOE
BOTH
MAETSUYCKER
SWARTENHONDT
TASMAN
THEDENS
VAN DER LIJN
VAN HEUTSZ

APPENDIX 2

MEANING OF CERTAIN TERMS

1. Maritime incidents. The term "maritime incidents" as used in sub-paragraphs 3F and 4A (1) of this Agreement includes damages to shore structures, aids to navigation, and port installations, fixed or moveable, arising out of marine operations. *Ante*, pp. 3927, 3928.

2. Requisitioning. As applied to action by the United States Government the term "requisitioning", as used in sub-paragraphs 3F and 4A (4) of this Agreement, means requisitioning and taking over under the Act of Congress of October 10, 1940, 54 Statutes at Large 1090, and amendments thereto, or under the Act of Congress of October 16, 1941, 55 Statutes at Large 742, and amendments thereto, as the case may be.

3. Corporations. The term "corporations", as used in the first sentence of paragraph 4 of this Agreement, includes public bodies of United States nationality of whatever character, and, as used in sub-paragraphs 4A (1), (2) and (4) of this Agreement, includes public bodies of Netherlands nationality of whatever character.

4. Arms, Ammunition and Implements of War. As used in paragraph 9 of this Agreement the term "arms, ammunition and implements of war" means supplies of the types listed in Proclamation number 2717 of the President of the United States, dated February 14, 1947, 12 Federal Register 1127. *Ante*, p. 3932. 61 Stat., Pt. 2, p. 1051.

An Officer of the Department of State to the Netherlands Minister

DEPARTMENT OF STATE
WASHINGTON
May 28 1947

MY DEAR MR. DAUBANTON:

In connection with the overall settlement of lend-lease and other war accounts between our two Governments certain cash reimbursement lend-lease requisitions heretofore filed by your Government with this Government have been converted in specified amounts, aggregating $7,510,785.09, to credit terms.

In accordance with our understanding, the amount so converted has been included in the computation of the net amount of $67,500,000 due from your Government to this Government under sub-paragraph 1A of the settlement agreement signed today, and payment of the amount converted will therefore be upon the terms set forth in that agreement.

Ante, p. 3924.

As a result of these actions the amount of $7,510,785.09 is now refundable to your Government from the amount deposited by your Government under these requisitions. Refund will be made promptly under sub-paragraph 3A (1) of today's agreement.

Ante, p. 3925.

Sincerely yours,

NORMAN T. NESS

NORMAN T. NESS
Director, Office of Financial and Development Policy

MR. CH. J. H. DAUBANTON
Minister Plenipotentiary
Netherlands Embassy
Washington 9, D. C.

The Netherlands Minister to an Officer of the Department of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5334

MAY 28 1947

MY DEAR MR. NESS:

I have your letter of today in which you advise me that certain cash reimbursement lend-lease requisitions heretofore filed by my Government with your Government have, to the extent of $7,510,785.09, been converted to credit terms.

I am glad to confirm that your letter is in accordance with the understanding of my Government.

Sincerely yours,

CH. J. H. DAUBANTON
Minister Plenipotentiary

MR. NORMAN T. NESS, *Director*
Office of Financial and Development Policy
Department of State
Washington, D. C.

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5335

MAY 28, 1947

SIR:

I have the honor to advise you on instructions from my Government that in view of the general terms of the Agreement for the settlement of lend-lease and other war accounts signed today by our two Governments my Government has withdrawn its claims against your Government arising out of the requisitioning by your Government of certain military supplies of the Netherlands Government in 1917 and 1918.

Ante, p. 3924.

Accept, Sir, the renewed assurances of my highest consideration.

A. LOUDON
Ambassador of the Netherlands

The Honorable
GEORGE C. MARSHALL,
Secretary of State.

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 28, 1947

EXCELLENCY:

I have the honor to refer to your note of today in which you advise me that, in view of the general terms of the agreement for the settlement of lend-lease and other war accounts signed today by our two Governments, your Government has withdrawn its claims against my Government arising out of the requisitioning by my Government of certain military supplies of the Netherlands Government in 1917 and 1918.

Ante, p. 3924.

My Government is much gratified at this action on the part of your Government and I desire to express to you and your Government the appreciation of my Government thereof.

Accept, Excellency, the renewed assurances of my highest consideration.

G. C. MARSHALL

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5336 MAY 28, 1947

SIR:

I have the honor to refer to the Agreement for the settlement of lend-lease and other war accounts signed concurrently herewith by the Government of the Kingdom of the Netherlands, which comprises the Kingdom in Europe, the Netherlands Indies and the Territories of Surinam and Curaçao, and by the United States Government, and have the honor to confirm that the terms of that Agreement have received the concurrence of the Government of the Netherlands Indies, and of the Territorial Governments of Curaçao and Surinam, in so far as these terms relate to these Governments by implication or by direct reference in the text.

Ante, p. 3924.

With particular reference to paragraph 3, sub-paragraphs F and G, of the Agreement, I am authorized to confirm that the intergovernmental waiver of claims (with the exceptions thereto) is understood to apply as well to obligations and claims between your Government and the Government of the Netherlands Indies, and the Territorial Governments of Surinam and Curaçao, respectively.

Ante, p. 3927.

Accept, Sir, the renewed assurances of my highest consideration.

A. LOUDON
Ambassador of the Netherlands

The Honorable
GEORGE C. MARSHALL,
Secretary of State.

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 28, 1947

EXCELLENCY:

I have the honor to refer to your note to me of today in which you refer to the Agreement signed concurrently herewith by the Government of the Kingdom of the Netherlands and by the United States Government for the settlement of lend-lease and other war accounts.

Ante, p. 3924.

I note your confirmation that the terms of the Agreement have received the concurrence of the Government of the Netherlands Indies, and of the Territorial Governments of Surinam and Curacao, in so far as these terms relate to these Governments by implication or by direct reference in the text.

With particular reference to paragraph 3, sub-paragraphs F and G, of the Agreement, I am glad to confirm that my Government shares

Ante, p. 3927.

the understanding that the intergovernmental waiver of claims (with the exceptions thereto) applies as well to obligations and claims between my Government and the Government of the Netherlands Indies, and the Territorial Governments of Surinam and Curacao, respectively.

Accept, Excellency, the renewed assurances of my highest consideration.

G C MARSHALL

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands.

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5337

MAY 28, 1947

MY DEAR MR. SECRETARY:

In accordance with arrangements made in 1945, the Netherlands Government advanced to the United States War Shipping Administration a total amount of 5,250,000 Netherlands guilders. These guilders were used by the War Shipping Administration to cover ship disbursements and other expenses in the Netherlands both before and after VJ-Day up to November, 1946.

The Netherlands Government has agreed that the principle of reciprocal aid shall be applied to the period up to November 1, 1945 (VJ-Day + 60) and in the course of the negotiations between representatives of our Governments on the over-all settlement of lend-lease, the United States Maritime Commission, as successor to the War Shipping Administration, has stated a figure of 1,393,438 Netherlands guilders as having been spent during that period, for the type of expenditure eligible for reverse lend-lease under a broad interpretation of the general principle of reciprocal aid.

It has been agreeable to the Netherlands Government to accept that statement without further proof or investigation. Accordingly the remaining United States obligation is now agreed to be 3,856,562 Netherlands guilders (5,250,000 minus 1,393,438), which will be paid by the United States Maritime Commission to the Netherlands Ministry of Finance before July 1, 1947.

For this repayment the Maritime Commission may first use the Netherlands guilders remaining in the two War Shipping Administration accounts with the Nederlandsche Bank; the then remaining obligation will be paid in United States dollars computed at the rate of $0.376,953 to the guilder.

If the foregoing is in accordance with your understanding this letter and your reply to that effect will constitute an agreed interpretation of sub-paragraph 3A (6) of today's Agreement between our *Ante*, p. 3936.

two Governments regarding settlement for lend-lease and other war accounts.

Sincerely yours,

A. LOUDON
Ambassador of the Netherlands

The Honorable
GEORGE C. MARSHALL,
Secretary of State.

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 28, 1947

MY DEAR MR. AMBASSADOR:

I have your letter of today with regard to the obligations of my Government arising from the advance of a total amount of 5,250,000 Netherlands guilders by your Government to the United States War Shipping Administration.

I am glad to confirm that your letter is in accordance with the understanding of my Government. Your letter and this reply will therefore constitute an agreed interpretation of sub-paragraph 3A (6) of today's Agreement between our two Governments regarding settlement for lend-lease and other war accounts.

Ante, p. 3926.

Sincerely yours,

G. C. MARSHALL

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5340

MAY 28, 1947

MY DEAR MR. SECRETARY:

With reference to the Agreement for the settlement of lend-lease and other war accounts signed today between our Governments I am glad to confirm that, under the arrangements and procedures referred to in sub-paragraph 3 C of that Agreement, the following claims of the Government of the Kingdom of the Netherlands against the United States War and Navy Departments are settled by the mutual undertakings in that Agreement:

Ante, p. 3927.

A. Claims totalling $3,682,274.60:

1. Claims in the amount of $564,612.84 for certain articles and services supplied to the United States Armed Forces in the Netherlands from September 2, 1945 to March 31, 1946.

2. Claims in the amount of $882,661.76 for all articles and services supplied to the United States Armed Forces in the Territories of Surinam and Curaçao from September 2, 1945 to August 31, 1946 ($862,128.59 claimed from the United States Army and $20,533.17 from the United States Navy).

3. Claims in the amount of $1,500,000 for those articles (such as coal, wood and cement) which were supplied to the United States Armed Forces in the Netherlands under reciprocal aid procedures before September 2, 1945 and subsequently determined to be ineligible for reciprocal aid on the grounds that they were in very scarce supply and essential to the Netherlands economy and had to be replaced from abroad.

4. Claims in the amount of $735,000 for airplanes (Beechcraft) originally bought and paid for by the Netherlands Government and turned over to the United States Army on the termination of the Netherlands Flying School at Jackson, Mississippi.

B. All other claims for articles and services supplied to the United States Armed Forces in the Netherlands from September 2, 1945 to March 31, 1946.

I should appreciate your advising me whether the foregoing is in accordance with your understanding.

Sincerely yours,

A. LOUDON
Ambassador of the Netherlands

The Honorable
GEORGE C. MARSHALL,
Secretary of State.

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 28, 1947

MY DEAR MR. AMBASSADOR:

I have your letter of today listing certain claims of the Government of the Kingdom of the Netherlands against the United States War and Navy Departments and stating that those claims are settled by the mutual undertakings in the Agreement for the settlement of lend-lease and other war accounts signed today between our two Governments. I am glad to confirm that your letter is in accordance with the understanding of my Government.

Sincerely yours,

G. C. MARSHALL

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands

The Secretary of State to the Netherlands Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 28, 1947

MY DEAR MR. AMBASSADOR:

Ante, p. 3924.

In connection with the Agreement signed today between our Governments for the settlement of lend-lease and other war accounts, and your letter to me of today acknowledging settlement, among others, of certain claims of your Government against the United States War and Navy Departments amounting to $3,682,274.60, I wish to advise you that the total number of Netherlands guilders in accounts of finance officers of the United States armed forces to be turned over to the Netherlands Government pursuant to the arrangements and procedures referred to in sub-paragraph 3C of the above mentioned Agreement is 61,390,703. This amount will be turned over to the Netherlands Government as soon as the Netherlands Government has made the payment of $19,500,000 referred to in sub-paragraph 6A of the Agreement and executes appropriate documents in form acceptable to the War Department.

Ante, p. 3927.

Ante, p. 3930.

An additional amount of 31,552 guilders now in accounts of finance officers of the United States Army is shown by United States Army records to have been captured from the enemy. This amount will be turned over to the Netherlands Government unconditionally. If further examination of United States Army records should hereafter reveal that any portion of the above mentioned amount of 61,390,703 guilders was captured from the enemy, the War Department will promptly pay to the Netherlands Government its dollar equivalent, computed at the rate of $0.377415 per guilder. If other captured guilders are found among other guilder holdings of the United States Army, such captured guilders will be turned over to the Netherlands Government unconditionally. The United States Army, by arrangement with representatives of the Netherlands Government, will render any assistance agreed to be necessary to discover such items.

It is my understanding that the Netherlands Government agrees, upon request, to convert into dollars, at the rate specified above, guilders tendered by the United States Army up to an aggregate dollar value of $100,000 over and above the 61,390,703 guilders above referred to and in addition to guilders acquired by the United States Army through official government channels. No request for conversion of guilders in excess of such $100,000 will be made by or on behalf of the United States Army other than in respect to guilders acquired by the United States Army through official Netherlands Government channels.

It is further my understanding that this Agreement settles any claims that the Netherlands Government may have for guilder advances made to the United States armed forces in the Territories of Surinam and Curacao prior to September 1, 1946 and in the Netherlands in Europe prior to the date of this Agreement.

I should appreciate your advising me whether the foregoing is in accordance with your understanding.

Sincerely yours,

G. C. MARSHALL

His Excellency
Dr. A. LOUDON,
Ambassador of the Netherlands

The Netherlands Ambassador to the Secretary of State

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5341

MAY 28, 1947

MY DEAR MR. SECRETARY:

With reference to your letter to me of today concerning guilders held by the United States Armed Forces, I am glad to confirm that your letter is in accordance with the understanding of my Government.

Sincerely yours,

A. LOUDON
Ambassador of the Netherlands

The Honorable
GEORGE C. MARSHALL,
Secretary of State.

An Officer of the War Department to the Netherlands Minister

WAR DEPARTMENT
OFFICE OF THE BUDGET OFFICER
WASHINGTON 25, D. C.

28 MAY 1947

Mr. CH. J. H. DAUBANTON
Minister Plenipotentiary
Netherlands Embassy
1470 Euclid Street, N. W.
Washington 25, D. C.

DEAR MR. DAUBANTON:

In connection with the Agreement signed today between our Governments for the settlement of lend-lease and other war accounts and recent conversations between representatives of our Governments in that connection, I am glad to confirm that, upon presentation of appropriate documents in form acceptable to the United States Army, articles and services procured by the United States Army in the Netherlands and received after March 31, 1946 will be paid for in dollars by the United States Army in the European Theater and articles and services procured by the United States Army in the Territories of Surinam and Curacao and received after August 31,

Ante, p. 3924.

1946 will be paid for by the United States Army in local currency presently held or to be acquired with United States dollars.

It is understood that the liability of the United States Army to the Netherlands Government, including liability to the Governments of Surinam and Curacao, for procurement by the United States Army of articles and services received before the above mentioned dates is settled by that Agreement, which settles also other claims against the War Department as stated in that Agreement.

I shall appreciate your confirming that the foregoing is in accordance with your understanding.

Sincerely yours,

George J. Richards

GEORGE J. RICHARDS
Major General, GSC
Budget Officer for the War Department

The Netherlands Minister to an Officer of the War Department

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5342

MAY 28 1947

DEAR GENERAL RICHARDS:

I have your letter of today concerning payment and other settlement for articles and services procured by the United States Army in the Kingdom of the Netherlands. I am glad to confirm that your letter is in accordance with the understanding of my Government.

Sincerely yours,

CH. J. H. DAUBANTON.
Minister Plenipotentiary

Major General GEORGE J. RICHARDS
Budget Officer for the War Department
The Pentagon
Washington 25, D.C.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE NETHERLANDS INDIES REGARDING A LINE OF CREDIT FOR THE PURCHASE OF UNITED STATES SURPLUS PROPERTY

1. General Terms

A. The United States Government and the Netherlands Indies Government agree that their rights and obligations in connection with the line of credit for the purchase of surplus property heretofore granted by the United States Government to the Netherlands Indies Government in the amount of $100,000,000 shall be as stated in this Agreement. The agreement of July 11, 1946 between the two Governments, establishing such line of credit, is superseded by this Agreement.

B. The amount of the line of credit is $100,000,000.

C. The terms of payment of the amount due under the line of credit shall be as stated in paragraph 2 of this Agreement. This change from the original terms of payment has been consented to by the United States Government as part of the general settlement of lend-lease and other war accounts signed concurrently herewith by the United States Government and the Government of the Kingdom of the Netherlands.

D. The line of credit is for use in purchasing prior to January 1, 1948 United States surplus property, wherever situated, made available by the Office of the Foreign Liquidation Commissioner.

E. Charges heretofore made against the line of credit shall continue to be charges against it as from the respective dates of the charges, but no interest will be payable for the period before July 1, 1946 and interest will accrue thereafter as provided in sub-paragraph 2B of this Agreement.

F. Procedural arrangements heretofore made in connection with the line of credit shall continue in force until changed.

2. Terms of Payment

A. The amount due under the line of credit will be paid by the Netherlands Indies Government to the United States Government in dollars in thirty annual instalments, which shall become payable on July 1 of each year beginning July 1, 1951. The first instalment shall be equal to one-thirtieth of the amount due as of July 1, 1951. Each subsequent instalment shall be equal to so much of the amount due (as of the date of the instalment) as has not previously become payable, divided by the number of instalments that have not previously become payable.

B. Interest on the amount due will be paid to the United States Government by the Netherlands Indies Government in dollars at the fixed rate of two percent per annum on July 1 of each year beginning July 1, 1947, accruing from the previous July 1 on the amount due on such previous July 1. With respect to the amount of any reduction in the amount due under the authority of sub-paragraph 2C and paragraph 3 of this Agreement interest for the period from the preceding July 1 shall be charged only to the date of such reduction.

C. The Netherlands Indies Government may at any time or times make payments to the United States Government under this Agreement of amounts not then payable or larger than are then payable. Any such payment will be credited first to past due interest, if any, and then to past due instalments, if any, and then to the amount due at the time of such payment.

D. If by agreement of both Governments it is determined that because of extraordinary and adverse economic conditions arising during the course of payment, any of the periodic payments of interest, of principal, of interest and principal, or of any part thereof would not be to the common advantage of both Governments, payment may be postponed on such terms and conditions as may be agreed.

3. Provision of Netherlands Indies Currency and of Property

A. The Netherlands Indies Government, when requested by the United States Government, will make available at any time or times, by payment to the United States Government or to such persons or organizations as the United States Government may designate, Netherlands Indies currency in any amount (computed as provided in sub-paragraph 3E of this Agreement) not in excess of the amount due as of such time plus past due interest, for:

(1) The payment of any or all of the ordinary governmental expenditures in the Netherlands Indies of the United States Government or any department or agency thereof;

(2) The acquisition of real property, improvements thereon or furnishings therefor, agreed upon by the two Governments; and

(3) The payment of the cost of educational programs agreed upon by the two Governments.

B. In case the United States Government wishes to acquire any property located in the Netherlands Indies, real or personal, tangible or intangible (other than for export except by mutual agreement), or to improve or furnish any property so located in which it has an interest, the Netherlands Indies Government will at any time or times, as requested by the United States Government, enter into negotiations, and use its best efforts consistent with its public policy, to reach an agreement with the United States Government whereby there will be delivered to the United States Government the properties, improvements or furnishings which the United States Government desires or which the representatives of the United States Govern-

ment have selected. Representatives of the United States Government may at their discretion conduct discussions directly with owners of property or with contractors for improvements or furnishings as to fair terms and prices prior to the delivery of such property, improvements or furnishings to the United States Government.

C. The United States Government declares that it is now its intention to request that Netherlands Indies currency be made available for agreed educational programs under sub-paragraph 3A of this Agreement to the value of $7,000,000 and that it is now its intention to request that Netherlands Indies currency be made available for, or that there be delivered, real property, improvements and furnishings, or both, under sub-paragraphs 3A and 3B of this Agreement to the value of $1,300,000. This statement of intention does not prevent the United States Government from later proposing different amounts from these in these connections. The foregoing amounts are inclusive of amounts heretofore requested under corresponding arrangements hitherto existing under the line of credit.

D. The dollar equivalent (computed in accordance with sub-paragraph 3E of this Agreement) of any Netherlands Indies currency made available and of the Netherlands Indies currency value of any properties, improvements and furnishings delivered under this paragraph 3 or under corresponding arrangements hitherto existing under the line of credit shall be credited first to interest, if any, and then to instalments, if any, past due under this Agreement and then to the amount then due under this Agreement.

E. Any Netherlands Indies currency made available and the Netherlands Indies currency value of any properties, improvements and furnishings delivered under this paragraph 3 or under corresponding arrangements hitherto existing under the line of credit will be valued at the par value between such currency and dollars established in conformity with procedures of the International Monetary Fund, or, if no such par value exists, at the rate most favorable to the United States Government used by the Netherlands Indies Government in any official transaction at the time of the request by the United States Government that such currency be made available or that such properties, improvements or furnishings be delivered.

DONE at Washington, in triplicate, this twenty-eighth day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

G C MARSHALL

Secretary of State of the
United States of America

FOR THE GOVERNMENT OF THE NETHERLANDS INDIES:

A. LOUDON

Ambassador Extraordinary and Plenipotentiary
of the Kingdom of the Netherlands at Washington

95347°—50—PT. IV——39

The Government of the Kingdom of the Netherlands hereby guarantees to the United States Government the performance by the Government of the Netherlands Indies of all the obligations of the Government of the Netherlands Indies under the foregoing Agreement.

DONE at Washington, in triplicate, this twenty-eighth day of May, 1947.

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:
A. LOUDON
Ambassador Extraordinary and Plenipotentiary of the Kingdom of the Netherlands at Washington

MEMORANDUM OF ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF THE NETHERLANDS

Memorandum of Arrangement between the Government of the United States of America (hereinafter referred to as the United States Government), of the one part, the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the United Kingdom Government), represented by the Minister of Transport, of the second part, and the Government of the Kingdom of the Netherlands (hereinafter referred to as the Netherlands Government), of the third part.

1. As used in this Memorandum:

A. The term "June 5 Memorandum" means the "Memorandum of Arrangement Regarding Netherland East Indies Shipping. 5th June, 1942.", and the amendments thereto, between the United Kingdom Government and the Netherlands Government. "June 5 Memorandum."

B. The term "Dollar Agreement" means the "Memorandum of Agreement for Payment of Hire on Netherlands Vessels Chartered to the British Minister of War Transport under the Memorandum of June 5th, 1942, as amended", dated as of June 5, 1942, between the United States Government and the United Kingdom Government. "Dollar Agreement."

C. The term "7 (c) ships" means the ships listed in Annex A hereto. "7 (c) ships."

D. The term "7 (c) period" means, in the case of each 7 (c) ship, the period commencing the date, on or about May 23, 1945, on which the ship became subject either to the exchange of notes between the Netherlands Embassy at Washington and the United States Department of State, dated June 6, 1945 and July 31, 1945, or to the exchange of notes between the Netherlands Embassy at London and the British Foreign Office, dated June 9, 1945 and August 11, 1945, and ending on the date of redelivery to the Netherlands Government or March 2, 1946, whichever was the earlier. "7 (c) period."

2. The three Governments have discussed certain claims regarding dollar overpayments of charter hire by the United Kingdom Government to the Netherlands Government under the June 5 Memorandum, corresponding overpayments by the United States Government to the United Kingdom Government under the Dollar Agreement, and adjustments of charter hire under the June 5 Memorandum. Annexes A, B, C, D, and E hereto are copies of letters exchanged between the

three Governments in these connections. This Memorandum is executed to carry out the intentions expressed by the three Governments in those letters.

Waiver of claims.

3. The United States Government hereby waives all its claims against the United Kingdom Government respecting overpayments by the United States Government to the United Kingdom Government under the Dollar Agreement arising from the removal of the 7 (c) ships during the 7 (c) period from the operation of the June 5 Memorandum.

4. The United Kingdom Government hereby waives all its claims against the Netherlands Government respecting dollar overpayments of charter hire by the United Kingdom Government to the Netherlands Government under the June 5 Memorandum arising from the removal of the 7 (c) ships during the 7 (c) period from the operation of the June 5 Memorandum.

5. The Netherlands Government hereby waives all its claims against the United Kingdom Government for the dollar portion of any outstanding or further adjustments in charter hire with respect to the ships named in the June 5 Memorandum.

DONE at Washington, in triplicate, this twenty-eighth day of May, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

WILLARD L THORP
Assistant Secretary of State
for Economic Affairs

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Represented by the Minister of Transport:
By

F. V. CROSS.
Shipping Attaché,
British Embassy at Washington

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:

CH. J. H. DAUBANTON.
Envoy Extraordinary and Minister Plenipotentiary of the Kingdom of the Netherlands at Washington

ANNEX A

DEPARTMENT OF STATE
WASHINGTON

MAY 23, 1947

MY DEAR MR. CROSS:

Overpayment of charter hire.

This is to confirm the conversations between representatives of the British Embassy and the State Department with regard to overpayment of charter hire on the ships named in the ensuing list. These ships, hereinafter referred to as the 7 (c) ships, became known by that designation in 1945 from the application to them of Article 7 (c) (second sentence) of the Agreement on Principles Having Reference to the Continuation of Coordinated Control of Merchant Shipping, dated August 5, 1944. They are the following:

BLINJOE	KOTA BAROE	TASMAN
BLOEMFONTEIN	KOTA INTEN	TEGELBERG
BOISSEVAIN	MAETSUYCKER	THEDENS
BONTEKOE	MELCHIOR TREUB	TJISADANE
BOSCHFONTEIN	NOORDAM	TJITJALENGKA
BOTH	OPHIR	TOBA
BRASTAGI	PAHUD	VALENTIJN
GENERAAL MICHIELS	POELAU LAUT	VAN DEN BOSCH
GENERAAL VERSPYCK	RUYS	VAN DER LIJN
JAPARA	SLOTERDIJK	VAN HEUTSZ
KHOEN HOEA	SOMMELSDIJK	VAN OUTHOORN
KLIPFONTEIN	SWARTENHONDT	VAN SPILBERGEN
KOTA AGOENG	TABINTA	WELTEVREDEN

The circumstances of the overpayment of charter hire on these ships were as follows:

Pursuant to the "Memorandum of Arrangement Regarding Netherland East Indies Shipping. 5th June 1942." (known as the June 5 Memorandum), signed on behalf of the Netherlands Government and the British Minister of War Transport, the Netherlands Government chartered certain ships to the United Kingdom Government, with the provision that 80 percent of the stipulated charter hire should be paid by the United Kingdom Government to the Netherlands Government in dollars. The 7 (c) ships were a part of the ships so chartered. By a collateral agreement (known as the Dollar Agreement), dated as of June 5, 1942, between the United Kingdom Government and this Government, this Government undertook to pay to the United Kingdom Government the amount of dollars required for the payment of the dollar charter hire due from the United Kingdom Government to the Netherlands Government under the June 5 Memorandum. Pursuant to these agreements dollar charter hire was paid by the United Kingdom Government to the Netherlands Government, and the United States Government reimbursed the United Kingdom Government in dollars for the dollar charter hire so paid. These arrangements applied not only to those of the chartered ships that were allocated to the United States Government but also to those which continued in service with the British Ministry of War Transport within the framework of the United Maritime Authority.

In 1945, more than three years after the effective date of these arrangements, the 7 (c) ships were retroactively removed from them. The change was made by an exchange of notes between the Netherlands Embassy at London and the Foreign Office, dated June 9, 1945 and August 11, 1945, and by an exchange of notes between the

Netherlands Embassy at Washington and the State Department, dated June 6, 1945 and July 31, 1945.

Under the new arrangement the 7 (c) ships were made available by the Netherlands Government at a nominal charter hire to either the United Kingdom Government or the United States Government. This arrangement was retroactive to specific dates on or about May 23, 1945, and from those dates, therefore, the United Kingdom Government had no obligation, with respect to these ships, to pay the charter hire stipulated in the June 5 Memorandum.

Nevertheless, between the specific dates on or about May 23, 1945 and the establishment of the new arrangement, and for a short time thereafter while negotiations were being conducted, the administrative machinery for the payment of charter hire under the June 5 Memorandum continued to function as before, with the result that, in addition to payments owing with respect to ships remaining under the June 5 Memorandum, overpayments of dollar charter hire for the period ending August 31, 1945 in the amount of $1,487,056.95 (as shown by the statement certified by the Ministry of Transport dated October 25, 1946) were made by the United Kingdom Government to the Netherlands Government with respect to the 7 (c) ships and this same amount of dollars was paid under the Dollar Agreement by the United States Government to the United Kingdom Government with respect to the 7 (c) ships.

These overpayments became in due course the subject of discussion among the three Governments concerned, and it has been understood that the United Kingdom Government would ask for repayment by the Netherlands Government of the amount overpaid by the United Kingdom Government to the Netherlands Government, and the United Kingdom Government would in turn repay to the United States Government the amount overpaid by the United States Government to the United Kingdom Government. We understand that the United Kingdom Government has in fact asked the Netherlands Government for the repayment expected from the Netherlands Government.

As you know from discussions which we have had with you of matters of common concern to the three Governments, the United States Government and the Netherlands Government are now negotiating an overall settlement of lend-lease and other war accounts. Because of undertakings which the Netherlands Government is prepared to give to the United States Government as part of this settlement, the United States Government desires to submit to your Government the following proposals with respect to the overpayment of charter hire arising by reason of the removal of the 7 (c) ships from the operation of the June 5 Memorandum during the 7 (c) period (which in each case commenced on a specific date on or about May 23, 1945 and ended on the date of redelivery to the Netherlands Government or March 2, 1946, whichever was the earlier):

(1) The United States Government will waive all its claims against the United Kingdom Government for overpayments so arising under the Dollar Agreement.
(2) The United Kingdom Government will waive all its claims against the Netherlands Government for dollar overpayments of charter hire so arising under the June 5 Memorandum.

If this course is acceptable to your Government, we shall be glad to arrange with you for the necessary waivers, to be delivered concurrently with the signing of the overall lend-lease settlement with the Netherlands Government.

Sincerely yours,

NORMAN T. NESS
NORMAN T. NESS
Director, Office of Financial and Development Policy

Mr. F. V. CROSS
Shipping Attache
British Embassy
Washington 8, D. C.

ANNEX B

BRITISH EMBASSY,
WASHINGTON 8, D. C.
May 23rd, 1947.

MY DEAR MR. NESS:

This is in reply to your letter of May 23rd, 1947, about overpayment of charter hire arising by reason of the removal of the 7 (c) ships from the operation of the June 5th Memorandum during the 7 (c) period. I am instructed to confirm that the course proposed in your letter is acceptable.

Sincerely yours,

F. V. CROSS
F. V. CROSS
Shipping Attache.

Mr. NORMAN T. NESS,
Department of State,
Room 1235, 1818 "H" Street,
Washington, D. C.

ANNEX C

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

HA-5432

MAY 23, 1947

Mr. F. V. CROSS
Shipping Attache
British Embassy
Washington 8, D. C.

Mr. NORMAN T. NESS, *Director*
Office of Financial and Development Policy
Department of State,
Washington 25, D. C.

DEAR SIRS:

Waiver of claim.

In view of the terms of the proposed agreement between the Netherlands Government and the United States Government for the settlement of lend-lease and other war accounts, and in view of the proposed waiver by the United Kingdom Government of its claim against the Netherlands Government for dollar overpayments of charter hire on the so-called 7 (c) ships under the "Memorandum of Arrangement Regarding Netherland East Indies Shipping. 5th June 1942.", the Netherlands Government, upon the signing of the proposed settlement agreement with the United States Government, and upon receipt of the proposed waiver by the United Kingdom Government of its claim for such dollar overpayments of charter hire, will deliver a waiver to the United Kingdom Government of the claim of the Netherlands Government for the dollar portion of any outstanding or further adjustments in charter hire with respect to the ships named in the June 5 Memorandum. The dollar portion of such adjustments in charter hire is now estimated at $120,000 to $140,000.

Sincerely yours,

CH. J. H. DAUBANTON
CH. J. H. DAUBANTON
Minister Plenipotentiary

ANNEX D

DEPARTMENT OF STATE
WASHINGTON

MAY 23, 1947

MY DEAR MR. DAUBANTON:

This is in reply to your letter of May 23, 1947 addressed to Mr. F. V. Cross, British Shipping Attache, and to me with regard to a proposed waiver by the Netherlands Government of its claim for the dollar portion of any outstanding or further adjustments in charter hire with respect to the ships named in the memorandum of June 5, 1942 to which you refer. As you know, the necessary arrangements

in this connection are now being made by representatives of your Embassy, the British Embassy, and the State Department.

Sincerely yours,

NORMAN T. NESS
NORMAN T. NESS
Director, Office of Financial and Development Policy

Mr. CH. J. H. DAUBANTON,
Minister Plenipotentiary,
Netherlands Embassy,
Washington 9, D. C.

ANNEX E

BRITISH EMBASSY
WASHINGTON 8, D. C.
May 23rd, 1947.

MY DEAR MR. DAUBANTON:

This is in reply to your letter of May 23rd, 1947, addressed to Mr. Ness and to me with regard to a proposed waiver by the Netherlands Government of its claim for the dollar portion of any outstanding or further adjustments in charter hire with respect to the ships named in the memorandum of June 5th, 1942, to which you refer. As you know, the necessary arrangements in this connection are now being made by representatives of your Embassy, the State Department and the British Embassy.

Sincerely yours,

F. V. CROSS
F. V. CROSS
Shipping Attaché.

Mr. CH. J. H. DAUBANTON,
Minister Plenipotentiary,
Netherlands Embassy,
Washington 9, D. C.

May 7, 15, 1945
[T. I. A. S. 1752]

Agreement between the United States of America and Canada respecting cooperation in the reconversion of industry in the transition from war to peace, continuing the principles of the Hyde Park Declaration of April 20, 1941. Effected by exchange of notes signed at Ottawa May 7 and 15, 1945; entered into force May 15, 1945.

The American Ambassador to the Acting Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, May 7, 1945.

No. 320

SIR:

Hyde Park Declaration.
Continuation of general principles.

Under the Hyde Park Declaration of April 20, 1941, [1] measures were taken to make the most prompt and effective utilization of the productive facilities of the United States and Canada for wartime purposes. As the period of reconversion approaches, the Government of the United States has given consideration to the continuance of cooperative measures. It believes that these measures apply as a matter of course to the Pacific War and it has noted that the Declaration itself contains no termination date, specific or implied. Accordingly, under the instructions of my Government, I have the honor to propose that the general principles of the Hyde Park Declaration be continued on a fully reciprocal basis for the remainder of the war and that the same spirit of cooperation between the two countries should characterize their treatment of reconversion and other problems of mutual concern as the transition to peacetime economy progresses.

Reconversion of industry.

Consequent upon the degree of integration resulting from our wartime measures of cooperation in the economic field, numerous specific problems will arise from time to time. One such problem to which urgent attention is being given is the reconversion of industry to the maximum extent compatible with vigorous prosecution of the war against Japan. The problem is particularly urgent from the viewpoint of the United States because the Hyde Park Declaration was implemented in large part by the equal application to Canada of domestic procedures in respect of priorities and allocations.

Priorities.

It is evident that during this initial phase of reconversion, priorities administered by the respective control agencies of the two governments are of the utmost importance to industries seeking to prepare for normal trading conditions. In response to informal inquiries received from Canadian officials in Washington and on condition of reciprocity, particularly where Canada is a principal supplier of materials needed for reconversion and civilian production, the Government of the United States would be prepared to implement the follow-

[1] [*Department of State Bulletin*, Apr. 26, 1941, p. 494.]

ing principles as regards requirements which Canadian industry may desire to fulfil in this country for reconversion purposes:

1. The application of the priorities powers towards Canadian requirements should be as closely parallel to the application of the same powers toward domestic requirements as is practicable.
2. Canada should, in general, be given priorities assistance only of a character and to an extent parallel to priorities assistance given similar requirements in the United States, including any machinery needed for immediate reconversion. To the extent, however, that components could be obtained by Canada without benefit of priorities assistance, no objection could be made to more rapid reconversion activities in Canada.
3. Assistance should be given to Canadian companies through their priorities officer to grant automatic AA–4 priorities and firm CMP allotments to manufacturing concerns producing less than $50,000 of product per quarter, similar to such assistance granted domestic small firms. Similarly, the rating privileges of Pri. Reg. 24 and L–41, as they may be amended, should be available to Canadian applicants.
4. It is recognized that complete parallelism of revocation and relaxation of orders between the United States and Canada is not possible because of the differences in the situations in the two nations. However, an effort should be made, in conjunction with the Canadian authorities, to reach the greatest parallelism possible. If it should become necessary for Canada to relax their orders more rapidly than the United States, in no case should priorities assistance be given to a Canadian manufacturer to make civilian goods which are prohibited in this country by War Production Board order.

While the problem of reconversion of industry is the first of the problems which my Government believes it mutually desirable to consider under the principles of the Hyde Park Declaration, other problems will shortly arise. The Canadian Ambassador's note, no. 156,[1] of April 30 to the Secretary of State regarding the disposal of surplus war-like stores arising from orders placed by either government in the other country may, when the dimensions of the subject become more clearly defined, provide an instance in which my Government will seek the favorable consideration of your Government under the Hyde Park principles. Other questions will inevitably arise in connection with the relaxation of wartime controls affecting trade, such as the War Exchange Tax and procedures applicable to exports to the other American republics.

In his statement on the initial period of reconstruction presented to Parliament by the Minister of Reconstruction last month, the Minister referred to the great wartime increase in the output and exchange of goods which was dependent on close collaboration among the Governments of the British Commonwealth and of the United States. He

[1] [Not printed.]

stated that postwar collaboration along equally bold and imaginative lines was essential in the interest of expanded world trade. At Washington on March 13, 1945, a similar statement was made by Prime Minister King and by the late President Roosevelt in regard to the problems of international economic and trading policy.

In view of the high degree of economic interdependence of the Canadian and American economies, the Government of the United States desires to assure the Government of Canada that it will consider and deal with the problems of the transition from war to peace in the spirit of the Hyde Park Declaration which gave rise to such successful cooperation for war purposes. My Government would greatly appreciate a similar assurance on the part of the Canadian Government, together with an expression of its views on the principles which the United States Government would be willing to apply in the initial problem of the reconversion of industry.

Accept, Sir, the renewed assurances of my highest consideration.

RAY ATHERTON

The Right Honorable
The Acting Secretary of State
for External Affairs,
Ottawa.

The Acting Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 48

OTTAWA, *May 15, 1945.*

EXCELLENCY:

The Government of Canada welcomes the assurance of the Government of the United States, contained in your note No. 320 of May 7th, that it will consider and deal with the problems of the transition from war to peace in the spirit of the Hyde Park Declaration which gave rise to such successful co-operation for war purposes.

The Canadian Government agrees that post-war collaboration along bold and imaginative lines is essential in the interests of expanded world trade.

The Government of Canada on its part desires to assure the Government of the United States that the same spirit of co-operation, which was manifested in the Hyde Park Declaration, will characterize the Canadian Government's consideration and treatment of the problems of the period of transition which are of mutual concern.

The principles which the Government of the United States would be willing to apply on condition of reciprocity in the initial problem of the reconversion of industry are acceptable to the Canadian Government. The Canadian Government believes indeed that the principles proposed will minimize for both Governments the difficulties of reconversion.

The Canadian Government assumes that "the condition of reciprocity" implies a continued adherence to the principle of reciprocity followed throughout the war when both Governments have made allowance for the difference in the conditions existing and in the methods of control adopted in the two countries.

Accept, Excellency, the renewed assurances of my highest consideration.

BROOKE CLAXTON
Acting Secretary of State
for External Affairs.

His Excellency
The Honourable RAY ATHERTON,
Ambassador of the United States of America,
United States Embassy,
Ottawa.

August 14, 1947
[T. I. A. S. 1757]

Agreements and supplementary exchanges of notes between the United States of America and Italy respecting financial and economic relations. Signed at Washington August 14, 1947; entered into force August 14, 1947.

MEMORANDUM OF UNDERSTANDING

Between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters.

Mutual renunciation of claims.

As an integral part of the measures which are now being taken to restore normal financial and economic relations between our countries, and as a step toward the economic stability of Italy, the Government of the United States of America and the Government of Italy have reached an understanding providing for mutual renunciation of claims and for related agreements, as follows:

ARTICLE I

RENUNCIATION OF CLAIMS BY ITALY OR ITALIAN NATIONALS

61 Stat., Pt. 2, p. 1401.

1. (a) In reaffirmation of and connection with Article 76 of the Treaty of Peace with Italy, dated at Paris February 10, 1947, the Government of Italy waives all claims of Italy of any description, arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, against United States nationals or the Government of the United States of America, any of its agencies, or contractors or sub-contractors of, or licensees from the Government of the United States of America or its agencies.

(b) The Government of Italy further discharges and agrees to save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any such claims of Italian nationals.

2. (a) The Government of Italy waives any claims of Italy against the Government of the United States of America, its agencies or United States nationals arising out of actions with respect to ships under Italian registry and flag, including ships in which there is an Italian interest, between September 1, 1939 and the coming into force of the present Memorandum of Understanding, including claims with respect to the use of Italian ships for civilian or other passenger carriage.

(b) The Government of Italy further discharges and agrees to save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any such claims of Italian nationals.

3. The Government of Italy waives any claims of Italy against the Government of the United States of America, its officers or agencies arising out of the maintenance of camps in Italy for displaced persons and for all costs incurred in caring for displaced persons in Italy, including but not limited to claims for reimbursement of the United States share of lira funds advanced to the Allied Financial Agency for the purposes specified in this paragraph.

Displaced persons.

4. (a) The Government of Italy discharges and agrees to save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any claims:

(i) of Italian nationals, whether or not asserted in the courts of any country, respecting which the ultimate liability is that of the Government of the United States of America, and arising out of maritime incidents, occurring between September 1, 1939 and the coming into force of the present Memorandum of Understanding, excluding incidents involving ships engaged in purely commercial activities; or

Maritime incidents.

(ii) of Italian nationals or persons domiciled or resident in Italy against the Government of the United States of America, its contractors and sub-contractors, or licensees therefrom, for royalties ultimately paid or payable by the United States of America, or for use of inventions, patented or unpatented, or for infringement of patent rights, arising out of any use of patents or inventions by the Government of the United States of America or such contractors, sub-contractors or licensees, in connection with the wartime activities of the United States of America or programs connected therewith.

Royalties for use of inventions, etc.

(b) The Government of Italy further waives any such claims of Italy.

5. (a) The Government of Italy discharges and agrees to save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any claims of Italian nationals, or non-Italian nationals, residing in or transiting Italy, whether or not asserted in the courts of any country, respecting which the ultimate liability is that of the Government of the United States of America and arising out of acts or ommission, both line of duty and non-line of duty, of military and civilian employees of the armed forces of the United States of America, occurring between September 1, 1939 and the coming into force of the present Memorandum of Understanding.

Liability arising out of acts or omission of employees of U. S. armed forces.

(b) The Government of Italy further waives any such claims of Italy.

(c) The Government of Italy further agrees to process and to assume full responsibility for the settlement and discharge of any such claims.

Seizure and disclosure of technology.

6. (a) The Government of Italy discharges and agrees to save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any claims of Italian nationals against the Government of the United States of America, its agencies, or persons acting under its direction, arising out of the seizure and disclosure of technology, whether patented or not, under programs of the Government of the United States of America for the acquisition and disclosure of such technology in connection with wartime operations and any claim against any person based upon use of information so disclosed.

(b) The Government of Italy further waives any such claims of Italy.

61 Stat., Pt. 2, p. 1396.

7. (a) The obligation to return Italian goods under Article 73(2) of the Treaty of Peace is understood to be an obligation only to return such goods in the condition in which they exist at the time of return.

(b) (i) Except as specified in Article 73(2) of the Treaty of Peace, no claim shall be asserted by Italy against the Government of the United States of America or its agencies, or against duly authorized United States nationals, arising out of or in connection with procurement or requisition of supplies, services or facilities in Italy by the military forces or civil agencies of the United States of America prior to the effective date of the said Treaty.

(ii) The Government of Italy further agrees to process and to assume full responsibility for the settlement and discharge of any such claims of Italian nationals.

8. With respect to any of the waivers included in the present Article, the Government of Italy reaffirms its obligations to make equitable compensation in lira to the extent set out by the terms of Article 76(2) of the Treaty of Peace.

61 Stat., Pt. 2, p. 1402.

ARTICLE II

RENUNCIATION OF CLAIMS BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA

9. The Government of the United States of America, recognizing the contribution of Italy towards the winning of the war by Italian action since October 13, 1943, and recognizing the conditions and terms of the Treaty of Peace with Italy and of various clauses of this financial agreement, agrees to renounce and waive claims of the Government of the United States of America or its agencies arising out of the following connections:

61 Stat., Pt. 2, p. 1245.

(a) Civilian supplies furnished, prior to the effective date of this Memorandum of Understanding, under the military relief program;

(b) Dollars transferred or to be transferred to Italy, equivalent to the net lira expenditures of the United States armed forces in Italy; and

(c) Supplies procured with funds appropriated for the purposes of the Lend-Lease Act and transferred to Italy through the agency of the United States Department of War.

55 Stat. 31.
22 U. S. C. §§ 411-419.

10. The Government of the United States of America waives such claims as it may have for the payment of salary to Italian officer prisoners of war, made consistent with the convention relating to the treatment of prisoners of war, signed at Geneva on July 27, 1929.

Italian prisoners of war.

47 Stat. 2021.

11. (a) The Government of the United States of America agrees to continue to honor in lira, at the prevailing rate of exchange applicable to the Government of the United States of America expenditures in Italy at the time of payment, and in accordance with procedures established by the United States military authorities, all valid evidences of obligations made out by the Government of the United States of America or its agencies and in its name or the name of any of its agencies to former Italian prisoners of war and surrendered Italian personnel, both officer and enlisted, it being understood that the two Governments may enter into a subsequent understanding with reference to the procedures which may be utilized by the Government of the United States of America to meet these obligations.

(b) The Government of Italy further agrees to undertake that all payments which have been made by it to former Italian prisoners of war and surrendered personnel prior to the effective date of this agreement in lira at less than the prevailing rate of exchange applicable to the Government of the United States of America expenditures in Italy at the time of payment, shall be adjusted to such then prevailing rate of exchange.

12. The Government of the United States of America waives all costs, including maintenance costs, incurred in the repatriation of Italian prisoners of war to the assembly point on Italian territory. For the purposes of this Memorandum of Understanding the assembly point on Italian territory shall be considered the first point of arrival of Italian prisoners of war on Italian territory.

13. The Government of the United States of America waives any claims it or its agencies or officers may have with respect to advances made by it toward the financing of Italian Partisans. The Government of the United States of America, in further recognition of the renunciation of claims by the Government of Italy, and with particular reference to paragraph 2(a) above, waives all claims it may have against the Government of Italy resulting from advances made by it toward the maintenance of Italian diplomatic missions, and also Italian shipping and crews in neutral ports.

Italian Partisans, etc.

Ante, p. 3962.

14. (a) The Government of the United States of America waives any claims it or its agencies or officers may have with respect to any transfer made directly by the armed forces of the United States of America, their agencies, or officers of supplies and materials from military stocks to the Government of Italy, to the Italian armed forces or their agencies or officers.

(b) The Government of the United States of America, with reference to 14 (a) above, reserves the right of recapture of any arms,

U. S. right of recapture of arms, etc.

ammunition and implements of war (of the types listed in Proclamation No. 2717 of the President of the United States of America, dated February 14, 1947), which may have been transferred by the armed forces of the United States of America, its agencies or officers, and are held by the Government of Italy, its agencies or officers, on the date on which notice requesting return is communicated to the Government of Italy, but the Government of the United States of America has indicated that it does not intend to exercise generally its right of recapture of such articles. Disposal of such articles by the Government of Italy in or for use in other countries will be made only with the consent of the Government of the United States of America and with payment to the Government of the United States of America of any proceeds of such disposals. The Government of Italy agrees that all such articles held by it will be used only for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations.

61 Stat., Pt. 2, p. 1051.

Surplus property.

15. Nothing contained herein shall be construed to affect in any manner obligations assumed by Italy or the United States of America pursuant to settlements between Italy and the United States of America involving disposal of surplus property.

ARTICLE III

PROPERTY OF NATIONALS OF THE UNITED STATES OF AMERICA

16. (a) The Government of Italy will expedite in any manner necessary arrangements now being undertaken, or those necessary to be undertaken, for the desequestration of and release of any unusual controls over the property or interests in property in Italy of nationals of the United States of America, including the cancellations of any controls, contracts, including contracts for the sale of capital assets or a part thereof, agreements or arrangements undertaken during the period of control in accordance with the request, or at the direction of the Government of Italy, its agencies or officials, which are not deemed to have been in the best interest of such property or interests. The Government of Italy further agrees that with respect to the application of Paragraph 4 (a) and 4 (d) of Article 78 of the Treaty of Peace to cases which fall within the terms of this provision, as well as to all cases to which Paragraph 4 (a) and 4 (d) of Article 78 apply, the requirement "for the restoration to complete good order" shall be followed in all cases where there has been (1) deterioration of the physical property while under Italian control, and (2) where the physical property has suffered non-substantial damage as a result of acts of war. In all other cases the requirement to compensate in lira to the extent of "two-thirds of the sum necessary" shall apply, provided that the Government of Italy may, with respect to any case, apply the requirement "for the restoration to complete good order."

61 Stat., Pt. 2, pp. 1404, 1405.

(b) The Government of Italy agrees that with respect to the property or interests in property of United States nationals which property or interests are not covered by section (a) above, it will ac-

cord such property or interests treatment identical with that provided in section (a) above.

(c) The Government of Italy shall, with reference to paragraphs (a) and (b) above, apply Paragraph 4 (b) of Article 78 of the Treaty of Peace.

61 Stat., Pt. 2, p. 1404.

(d) Compensation paid in accordance with terms of this section shall be free of levies, taxes, or other charges and shall be freely usable in Italy but shall be subject to the foreign exchange control regulations which may be in force in Italy from time to time.

ARTICLE IV

PREWAR CLAIMS OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA OR OF UNITED STATES NATIONALS

17. (a) The Government of Italy, recognizing the existence of legitimate claims of the Government of the United States of America or of United States nationals against the Government of Italy or Italian nationals arising out of contracts or other obligations incurred prior to December 8, 1941, agrees that it will make every effort to settle at an early a date as possible, and to facilitate to the extent possible the payment of the debts or other claims referred to hereinabove.

(b) With respect to lira payments made under Italian law to Italian government agencies in purported discharge of debts in non-lira currencies owed by Italian nationals to nationals of the United States of America, the Government of Italy fully recognizes the existence of legitimate claims of the Government of the United States of America or United States nationals in these cases. The Government of Italy further agrees that within six months from the date of the signing of this Memorandum of Understanding it will either assume the obligation to make payment of such debts in foreign exchange to the extent that lira payments were made to the Government of Italy in the manner referred to above, or it will provide that the Italian debtor shall be held directly responsible for the payment of such debts. In either event, the Government of Italy agrees that it will make available the foreign exchange necessary for the discharge of such debts at the earliest date permitted by the Italian foreign exchange position. It is understood that the provisions of this section do not prejudice any settlement between the Government of Italy and the Italian debtors with respect to such lira payments.

ARTICLE V

DEFINITIONS

"Nationals."

18. For the purposes of this Memorandum of Understanding, the term "nationals" means individuals who are nationals of the United States of America, or of Italy, or corporations or associations organized under the laws of the United States of America or Italy, at the time of the coming into force of this Memorandum of Understanding, provided, that under Article III above, nationals of the United States of

America shall, for purposes of receiving compensation, also have held this status either at the time at which their property was damaged or on September 3, 1943, the date of the Armistice with Italy.

ARTICLE VI

CLAUSES OF THE TREATY OF PEACE

61 Stat., Pt. 2, p. 1245.

19. It is agreed that any of the clauses of the Treaty of Peace, dated at Paris February 10, 1947, to which this Memorandum of Understanding may refer, shall be considered as constituting an integral part of this Memorandum of Understanding, as between the Governments of the United States of America and Italy.

ARTICLE VII

EFFECTIVE DATE

20. This Memorandum of Understanding shall enter into force upon the day it is signed.

Valid languages.

Done at Washington in duplicate, in the English and Italian languages, both of which shall have equal validity, this 14th day of August, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
ROBERT A LOVETT

FOR THE GOVERNMENT OF ITALY:
LOMBARDO

MEMORANDUM D'INTESA

tra il Governo degli Stati Uniti d'America e il Governo Italiano, concernente il regolamento di determinati "claims" del tempo di guerra e di questioni connesse.

Come parte integrale dei provvedimenti che si vengono ora adottando per ristabilire normali rapporti finanziari ed economici fra i nostri Paesi, e come un passo verso la stabilita' economica dell'Italia, il Governo italiano e il Governo degli Stati Uniti d'America hanno concordato il seguente memorandum d'intesa, in cui si dispone per una rinuncia reciproca ai "claims" e per gli accordi relativi.

ARTICOLO I

Rinuncia ai "claims" da parte dell'Italia o di cittadini italiani.

1. (a) A conferma ed in relazione con l'articolo #76 del Trattato di Pace con l'Italia, in data 10 febbraio 1947, il Governo italiano rinuncia ad ogni "claim" di qualsiasi natura dell'Italia, che possa sorgere direttamente dal fatto della guerra o dai provvedimenti adottati a seguito di uno stato di guerra esistente in Europa, dopo il I settembre 1939, nei confronti del Governo degli Stati Uniti d'America, di qualsiasi dei suoi organi, o di qualsiasi dei suoi cittadini, o di appaltatori o sub-appaltatori, o di licenziatari del Governo degli Stati Uniti d'America o dei suoi organi.

(b) Il Governo italiano inoltre esonera ed accetta di ritenere indenne il Governo degli Stati Uniti d'America da qualsiasi responsabilita' in ordine all'accertamento, al regolamento ed al soddisfacimento di qualsiasi dei predetti "claims" di cittadini Italiani.

2. (a) Il Governo italiano rinuncia a qualsiasi "claim" dell'Italia nei confronti degli Stati Uniti d'America, dei suoi organi e cittadini, che sorga da azioni concernenti navi sotto registro e bandiera italiani, comprese le navi nelle quali vi sia un interesse italiano, fra il I settembre 1939 e l'entrata in vigore del presente memorandum d'intesa, inclusi i "claims" relativi all'uso di navi italiane per il trasporto di passeggeri civili e altri passeggeri.

(b) Il Governo italiano inoltre esonera ed accetta di ritenere indenne il Governo degli Stati Uniti d'America da qualsiasi responsabilita' per l'accertamento, il regolamento e il soddisfacimento di qualsiasi dei predetti "claims" di cittadini italiani.

3. Il Governo italiano rinuncia a tutti i "claims" dell'Italia, nei confronti del Governo degli Stati Uniti d'America, di suoi funzionari o organi, sorgenti dal mantenimento dei campi per i profughi in Italia, e per tutte le spese sostenute per l'assistenza dei profughi in Italia, comprendenti ma non limitantisi ai "claims" relativi al rimborso della quota afferente agli Stati Uniti d'America dei fondi in lire anticipati all'AFA ("Allied Financial Agency") per gli scopi specificati in questo paragrafo.

4. (a) Il Governo italiano esonera ed accetta di ritenere indenne il Governo degli Stati Uniti d'America da qualsiasi responsabilita' per l'accertamento, il regolamento e il soddisfacimento di tutti i "claims":

(i) di cittadini italiani anche se riconosciuti in giudizio in qualsiasi Paese, per i quali la responsabilita' definitiva e' del Governo degli Stati Uniti d'America, e derivanti da incidenti marittimi verificatisi tra il I settembre 1939 e l'entrata in vigore del presente memorandum d'intesa, esclusi gli incidenti concernenti navi impegnate in attivita' puramente commerciali; oppure

(ii) di cittadini italiani o persone domiciliate o residenti in Italia, nei confronti del Governo degli Stati Uniti d'America, di suoi appaltatori e sub-appaltatori, o di licenziatari per canoni pagati o pagabili in definitiva dagli Stati Uniti d'America o per l'uso d'invenzioni, brevettate o no, o per violazione dei diritti di brevetto, sorgenti da qualsiasi uso di brevetti o di invenzioni da parte del Governo degli Stati Uniti d'America o dei predetti appaltatori, sub-appaltatori o licenziatari, in connessione alle attivita' degli Stati Uniti del tempo di guerra o ai programmi ad esse collegate.

(b) Il Governo italiano rinuncia altresi' a qualsiasi di tali "claims" da parte dell' Italia.

5. (a) Il Governo italiano esonera ed accetta di ritenere indenne il Governo degli Stati Uniti d'America da qualsiasi responsabilita' per l'accertamento, il regolamento e il soddisfacimento di tutti i "claims" di cittadini italiani e di cittadini non-italiani, residenti o in transito in Italia, riconosciuti o meno da tribunali di qualsiasi Paese, rispetto ai quali la responsabilita' definitiva e' del Governo degli Stati Uniti d'America, e derivanti da atti o omissioni, sia in servizio che fuori servizio, di dipendenti militari e civili delle forze armate statunitensi verificatisi fra il I settembre 1939 e l'entrata in vigore del presente memorandum d'intesa.

(b) Il Governo italiano rinuncia altresi' a qualsiasi di tali "claims" da parte dell' Italia.

(c) Il Governo italiano concorda inoltre di accertare e di assumere piena responsabilita' per il regolamento e la sistemazione di tutti i predetti "claims".

6. (a) Il Governo italiano esonera ed accetta di ritenere indenne il Governo degli Stati Uniti d'America da qualsiasi responsabilita' per l'accertamento, il regolamento e il soddisfacimento di qualsiasi "claim" di cittadini italiani nei confronti del Governo degli Stati Uniti d'America, di suoi organi o di persone operanti ai suoi ordini derivante dal sequestro e dalla divulgazione di ritrovati tecnici, brevettati o no, conformemente ai programmi del Governo degli Stati Uniti d'America per l'acquisto e la divulgazione di tali ritrovati tecnici in relazione alle operazioni del tempo di guerra e di qualsiasi "claim" nei confronti di qualsiasi persona, formato sull'uso di informazioni cosi' divulgate.

(b) Il Governo italiano rinuncia altresi' a qualsiasi di tali "claims" da parte dell' Italia.

7. (a) L'obbligo di restituire i beni italiani a norma dell'articolo 73 (2) del Trattato di Pace, viene inteso come obbligazione di restituire soltanto tali beni nelle condizioni in cui si trovano al momento della restituzione.

(b) (i) eccetto quanto specificato nell'articolo 73 (2) del Trattato di Pace, nessun "claim" verra' presentato dall'Italia nei confronti del Governo degli Stati Uniti d'America, di suoi organi e di suoi cittadini debitamente autorizzati, che derivi o sia connesso al reperimento o alla requisizione di rifornimenti, servizi e agevolazioni in Italia da parte delle forze armate o degli organi civili degli Stati Uniti d'America, anteriormente alla data di entrata in vigore del predetto Trattato.

(ii) Il Governo italiano concorda altresi' di accertare e di assumere piena responsabilita' per il regolamento e la sistemazione di qualsiasi di tali "claims" di cittadini italiani.

8. Riguardo a qualsiasi delle rinuncie comprese in questo articolo, il Governo italiano riafferma il suo obbligo di corrispondere equa indennita' in lire nei termini stabiliti dall'art. #76 (2) del Trattato di Pace.

ARTICOLO II

Rinuncia ai "claims" da parte del Governo degli Stati Uniti d'America.

9. Il Governo degli Stati Uniti d'America riconoscendo il contributo dell'Italia alla vittoria nella guerra, rappresentato dall'azione italiana a partire dal 13 ottobre 1943, e riconoscendo le condizioni ed i termini del Trattato di Pace con l'Italia e di varie clausole di questo accordo finanziario, concorda di rinunciare ai "claims" del Governo degli Stati Uniti d'America e dei suoi organi sorgenti dai seguenti rapporti:

(a) "Civilian supplies" forniti anteriormente alla data di entrata in vigore di questo memorandum d'intesa, a norma del programma militare di soccorso;

(b) Dollari trasferiti o da trasferire all'Italia, equivalenti alla spesa netta in lire delle forze armate statunitensi in Italia; e

(c) Rifornimenti disposti con i fondi stanziati per gli scopi previsti dal "lend-lease act" e trasferiti in Italia per il tramite di organi del Ministero della Guerra degli Stati Uniti d'America.

10. Il Governo degli Stati Uniti d'America rinuncia a quei "claims" che gli possano derivare dal pagamento di stipendi a ufficiali italiani, prigionieri di guerra, effettuato a norma della convenzione di Ginevra del 29 luglio 1929 relativa al trattamento dei prigionieri di guerra.

11. Il Governo degli Stati Uniti d'America concorda di continuare a far fronte in lire al tasso di cambio applicabile alle spese in Italia del Governo degli Stati Uniti d'America, in vigore al momento del pagamento e secondo le procedure stabilite delle Autorita' militari degli Stati Uniti d'America, a tutte le valide documentazioni di impegni emesse dal Governo degli Stati Uniti di America o dai suoi organi o in suo nome o in nome dei suoi organi nei riguardi dei prigionieri di

guerra italiani e di personale arresosi italiano, sia ufficiali che truppa, restando convenuto che i due Governi potranno concludere una successiva intesa con riferimento alle procedure che potranno essere seguite dal Governo degli Stati Uniti d'America per far fronte a tali impegni.

(b) Il Governo italiano ulteriormente conviene di impegnarsi a che tutti i pagamenti in lire che sono stati da esso effettuati a ex-prigionieri di guerra italiani e a personale arresosi italiano prima della data effettiva del presente accordo, per un controvalore inferiore al tasso di cambio applicabile alle spese in Italia del Governo degli Stati Uniti d'America in vigore al momento del pagamento, vengano adeguati a tale tasso di cambio in vigore al predetto momento.

12. Il Governo degli Stati Uniti d'America rinuncia a tutte le spese, comprese quelle di mantenimento, sostenute per il rimpatrio dei prigionieri di guerra italiani fino ai punti di concentramento nel territorio italiano. Ai fini di questo accordo, per punto di concentramento sara' considerato il primo punto di arrivo dei prigionieri di guerra nel territorio italiano.

13. Il Governo degli Stati Uniti d'America rinuncia a qualsiasi "claim" che esso o i suoi organi o i suoi funzionari possano avere in dipendenza di anticipazioni da esso effettuate per il finanziamento dei partigiani italiani. Il Governo degli Stati Uniti d'America, in ulteriore riconoscimento della rinuncia ai "claims" da parte del Governo italiano, o con particolare riferimento al paragrafo 2 (a) di cui sopra, rinuncia a tutti i "claims" che esso possa avere nei confronti del Governo italiano in dipendenza di anticipazioni fatte da esso medesimo per il mantenimento di missioni diplomatiche italiane, nonche' di navi ed equipaggi italiani in porti neutrali.

14. (a) Il Governo degli Stati Uniti d'America rinuncia a qualsiasi "claim" che esso o i suoi organi o i suoi funzionari possano avere in dipendenza di qualsiasi cessione effettuata direttamente dalle forze armate degli Stati Uniti d'America, da loro organi o funzionari, di rifornimenti e materiali prelevati dalle scorte militari, a favore del Governo italiano, delle forze armate italiane o di loro organi o funzionari.

(b) Il Governo degli Stati Uniti d'America, con riferimento al paragrafo 14 (a) di cui sopra, si riserva il diritto di recuperare armi, munizioni e strumenti di guerra (dei tipi elencati nella Proclamazione No. 2717 del Presidente degli Stati Uniti d'America in data 14 febbraio 1947), che possano essere stati ceduti dalle forze armate o da organi degli Stati Uniti d'America, e che siano detenuti dal Governo italiano, da organi o funzionari di questi, alla data in cui venga comunicata al Governo italiano la richiesta di restituzione; il Governo degli Stati Uniti d'America, ha fatto peraltro presente che in linea di massima non intende esercitare il suo diritto di recupero dei materiali predetti. La cessione dei materiali stessi da parte del Governo italiano ad altri Paesi o la concessione in uso in altri Paesi potra' essere fatta solamente

con il consenso del Governo degli Stati Uniti d'America e dietro versamento al Governo degli Stati Uniti d'America di qualsiasi ricavo di tali cessioni. Il Governo italiano concorda che tutti i detti materiali detenuti da esso verranno impiegati soltanto per finalita' compatibili con i principi della sicurezza e del benessere internazionali espressi nella Carta delle Nazioni Unite.

15. Nulla di quanto e' qui contenuto dovra' essere interpretato in modo da modificare in qualsiasi maniera gli obblighi assunti dall'Italia o dagli Stati Uniti d'America, in conformita' al regolamento fra l'Italia e gli Stati Uniti d'America della cessione dei beni "surplus".

ARTICOLO III

Beni di cittadini degli Stati Uniti di America.

16. (a) Il Governo italiano sollecitera' in tutti i modi i provvedimenti ora in corso di adozione, o quelli che occorra adottare, per il dissequestro e per la revoca di ogni controllo straordinario sui beni o sugli interessi di cittadini degli Stati Uniti d'America in beni in Italia, compresa la cancellazione di qualsiasi controllo, contratto, inclusi contratti per la vendita di attivita' o di una parte di esse, accordo o intesa, disposti durante il periodo del controllo, dietro richiesta o per disposizione del Governo italiano, dei suoi organi o funzionari, i quali (provvedimenti) si ritenga non siano stati nel migliore interesse di tali beni o interessi. Il Governo italiano concorda inoltre che riguardo all'applicazione del paragrafo 4 (a) e 4 (d) dell'articolo #78 del Trattato di Pace ai casi che ricadono sotto questa disposizione, nonche' a tutti i casi a cui si applicano le disposizioni dei paragrafi 4 (a) e 4 (d) dell'articolo #78, la prescrizione "per la rimessa in ottimo stato" dovra' essere applicata in tutti i casi in cui vi e' stata (1) deteriorazione dei beni fisici durante il controllo italiano, e (2) nei casi in cui i beni fisici hanno sofferto danni non sostanziali come conseguenza di atti di guerra. In tutti gli altri casi dovra' essere applicata la prescrizione di compensare in lire alla concorrenza dei "due terzi della somma necessaria", salva la facolta' per il Governo italiano, rispetto ad ogni caso, di applicare la prescrizione "per la rimessa in ottimo stato".

(b) Il Governo italiano concorda che rispetto ai beni o agli interessi in beni di cittadini degli Stati Uniti i cui beni o interessi non siano compresi nella precedente sezione (a), accordera' a tali beni o interessi l'identico trattamento previsto nella precedente sezione (a).

(c) In riferimento ai precedenti paragrafi (a)–(b), il Governo italiano applichera' il paragrafo 4 (b) dell'articolo #78 del Trattato di Pace.

(d) Il compenso pagato a norma del disposto di questa sezione sara' esente da imposta, tasse, od altri oneri e sara' liberamente utilizzabile in Italia, ma sara' soggetto alle norme di controllo valutario che al momento saranno in vigore in Italia.

ARTICOLO IV

"claims" prebellici del Governo degli Stati Uniti d'America o di cittadini degli Stati Uniti d'America.

17. (a) Il Governo italiano, riconoscendo l'esistenza di legittimi "claims" del Governo degli Stati Uniti d'America o dei suoi cittadini nei confronti del Governo italiano o dei suoi cittadini, derivanti da contratti o altre obbligazioni anteriori all'8 dicembre 1941, concorda che fara' ogni sforzo per regolare al piu' presto possibile e per facilitare nella misura possibile il pagamento dei debiti o degli altri "claims" a cui sopra ci si riferisce.

(b) Rispetto ai pagamenti in lire fatti a norma della legge italiana, a organi del Governo italiano, con l'intendimento di scaricare i debiti in valute diversi dalla lira dovuti da cittadini italiani a cittadini degli Stati Uniti d'America, il Governo italiano riconosce pienamente l'esistenza di legittimi "claims" del Governo degli Stati Uniti d'America o dei suoi cittadini in questi casi. Il Governo italiano concorda inoltre che entro sei mesi dalla data della firma di questo memorandum d'intesa esso: o assumera' l'obbligo di effettuare il pagamento di tali debiti in valuta estera fino alla concorrenza dei pagamenti in lire effettuati al Governo italiano nel modo anzidetto, oppure prendera' disposizioni perche' il debitore italiano sia tenuto direttamente responsabile per il pagamento di tali debiti. Nell'uno e nell'altro caso il Governo italiano concorda che rendera' disponibile la valuta estera necessaria per lo scarico di tali debiti al piu' presto possibile compatibilmente con la posizione valutaria dell'Italia. Resta inteso che le disposizioni di questa sezione non pregiudicano alcun regolamento fra il Governo italiano e i debitori italiani rispetto a tali pagamenti in lire.

ARTICOLO V

DEFINIZIONI

18. Ai fini del presente memorandum d'intesa, l'espressione "cittadini" (nationals) si applica alle persone fisiche che siano cittadini degli Stati Uniti d'America o dell'Italia, e alle Societa' o Associazioni costituite secondo le leggi degli Stati Uniti d'America o dell'Italia, alla data dell'entrata in vigore del memorandum d'intesa, fermo restando che rispetto al precedente articolo III, i cittadini degli Stati Uniti d'America dovranno, al fine di ricevere il compenso, aver posseduto questo status o all'epoca in cui i loro beni furono danneggiati, oppure al 3 settembre 1943, data dell'armistizio con l'Italia.

ARTICOLO VI

Clausole del Trattato di Pace.

19. E' inteso che qualsiasi delle clausole del Trattato di Pace con l'Italia in data 10 febbraio 1947, alle quali questo memorandum d'intesa si riferisca, sara' considerata come parte integrante di questo memorandum, per cio' che concerne i rapporti fra i Governi degli Stati Uniti d'America e d'Italia.

ARTICOLO VII

Data effettiva.

20. Le disposizioni di questo memorandum d'intesa entreranno in vigore immediatamente all'atto della firma.

Il presente documento viene redatto in Washington in due testi rispettivamente in lingua inglese ed in lingua italiana, aventi ambedue eguale valore, alla data del 14 agosto 1947.

PER IL GOVERNO DEGLI STATI UNITI D'AMERICA:
ROBERT A LOVETT

PER IL GOVERNO ITALIANO:
LOMBARDO

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

U. S. military cemeteries in Italy.
Ante, p. 3962.

With respect to the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters", I am authorized, on behalf of the Government of Italy, to make known to you the intentions of the Government of Italy with respect to United States military cemeteries in Italy.

The Government of Italy is deeply aware of the fact that the existence of these cemeteries is the result of the valiant and heroic sacrifices made by nationals of the United States of America in the cause of peace and justice for my country, as well as for their country. My Government is also deeply aware of the fact that for years to come the members of the families and relatives of those United States nationals who are buried in United States military cemeteries in Italy will wish to visit their graves. The Government of Italy, therefore, in recognition of the circumstances which led to the establishment of these cemeteries and in full appreciation of their symbolic significance, offers to undertake to maintain in good order and in perpetuum all United States military cemeteries in Italy.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

The Government of the United States of America not only values the offer of the Government of Italy to maintain in good order and in perpetuum all United States military cemeteries in Italy, but also the motives which prompted that offer.

It is, therefore, with a deep sense of appreciation that I accept, on behalf of my Government, the offer of the Government of Italy to undertake to maintain in good order and in perpetuum all United States military cemeteries in Italy.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

With reference to the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters", I have the honor to inform you of my Government's undertakings as set forth below with respect to the assistance to be given to nationals of the United States of America with respect to their properties in Italy. This assistance is directed particularly to the implementation of Article 78 of the Treaty of Peace with Italy and to Article III, paragraph 16, of the above Memorandum of Understanding.

Ante, p. 3962.

61 Stat., Pt. 2, p. 1403.
Ante, p. 3966.

The Government of Italy shall, as soon as possible, designate an Italian governmental agency having authority to receive and determine claims of nationals of the United States of America with respect to their properties in Italy, and to effect the restoration of such properties, or pay compensation, or both, as provided in Article 78 of the Treaty of Peace with Italy, and in accordance with the terms of Article III, paragraph 16, of the Memorandum of Understanding.

61 Stat., Pt. 2, p. 1403.
Ante, p. 3966.

With a view to rendering appropriate assistance to nationals of the United States of America having claims falling within the scope of this agreement, and also to any representative who may be designated by the Government of the United States of America to assist such nationals in the preparation and establishment of their claims, the Government of Italy further will, upon request and without charge, furnish copies of pertinent evidence and records in Italy, and will also, upon request and without charge make available to the designated representative of the United States of America funds in lira to the extent necessary to defray the local expenses in Italy, including subsistence, of such representative and his assistants, and also to pay compensation to Italian personnel designated in Italy

by such representative, it being understood that such expenses will be kept to a minimum.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

I am pleased to inform you that the undertakings and procedures set forth in your note are satisfactory to my Government. These procedures can be expected to limit the expenses to be incurred under section 5 of Article 78 of the Treaty of Peace, which is a desirable result for both Governments.

61 Stat., Pt. 2, p. 1405.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.
Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

Ante, p. 3966.

Reference is made to Article III, paragraph 16, of the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters", signed this date.

One of the more troublesome problems which has arisen in connection with Article 78 of the Treaty of Peace has been concerned with the property in Italy of American oil companies. The principal difficulty which has been encountered in returning such properties to the rightful owners has been the question of the employment rights which accrued during the period of control of the American oil companies by the Government of Italy.

Property in Italy of American oil companies.
61 Stat., Pt. 2, p. 1403.

I am authorized by my Government to advise you of the following agreement on the question of employment rights which has been reached between the Government of Italy and representatives of the oil companies:

1. The Anglo-American companies (which had originally requested the Government of Italy to consider as broken the continuity of employment for the employees on their pay rolls at the moment of liquidation of the companies) have now in principle agreed to re-engage 95% of the personnel. The Azienda Generale Italiana Petroli on its side shall, in full agreement with the Italian Treasury, pay the indemnities for the period running from the date of the liquidation to the date of re-employment. The implementation of this formula can be expected to take place in the very near future.

2. An agreement has been reached on the partitioning of the market between the foreign companies on the one side and Azienda Generale Italiana Petroli on the other side. This agreement has involved considerable sacrifice on the part of Azienda Generale Italiana Petroli.

3. Insofar as the war damages suffered by the American companies are concerned, the duty of the Government of Italy derives from Article 78 of the Treaty of Peace, and the policy applied will be in accordance with Article III, paragraph 16, of the above referred to Memorandum of Understanding.

61 Stat., Pt. 2, p. 1403.
Ante, p. 3966.

It is also understood that the properties and all assets will be returned, including, of course, the employee compensation funds which were on hand at the date of liquidation and which represent the funds available for persons still employed by the companies.

This agreement was made known to the representatives of the American oil companies in the United States of America concerned with this problem, as well as to officials of your Department, all of whom signified their approval.

I can, therefore, confirm to you that the Government of Italy accepts all the above engagements and will implement them at the earliest possible date.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

My Government is very pleased to know that the question of the return of the properties in Italy of American oil companies has been resolved in the manner set forth in your note. The solution is consistent with the terms of Article III, paragraph 16, of the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters", signed this date.

Ante, p. 3966.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

Italian dollar bonds.
Ante, p. 3962.

With reference to Article 4 of the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters", signed this date, I am pleased to be able to advise you on behalf of the Government of Italy that a plan has been prepared for adjusting the unrepatriated bonds of the Italian dollar issue, service on which has been suspended since 1940.

The proposed plan, which has been approved in principle by the Foreign Bond Holders Protective Council, Inc., will embrace all publicly held dollar bonds comprising three groups: first, bonds of the Kingdom of Italy; second, bonds of the Cities of Rome and Milan, bonds of the Italian Credit Consortium for Public Works, and bonds of the Mortgage Bank of the Venetian Provinces; and third, bonds of

the Italian Credit Institute for Public Utility Enterprises and of eleven public utility corporations.

New bonds will be issued in an amount equal to the principal of the old bonds plus all arrears thereof at the former rates to January 1, 1947. The new bonds to be issued in exchange for the Kingdom of Italy bonds will be issued by the Republic, while those issued in exchange of the old bonds in the second and third groups will be bonds of the Consortium and the Institute respectively, in each case guaranteed as to principal and interest by the Republic.

The new bonds in all three groups are expected to bear interest at 1% for 1947, 1948 and 1949; 2% for 1950 and 1951; and 3% beginning 1952. The first installment of interest on the new bonds will be paid in cash at the time of exchange. Commencing in January 1952 the three issues of bonds will be entitled to a cumulative sinking fund of 1% per annum for 1952 to 1956 inclusive and 2% per annum beginning in 1957.

It is expected that the full details of the plan will be made public and the offer to the old bond holders will be made in the near future, as soon as the necessary registration under the Security Act of 1933 and other arrangements are completed. There is enclosed herewith for your information additional details concerning the proposed plan.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

Enclosure:
Italian Dollar Bond Tabulation.

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

ITALIAN DOLLAR BONDS

There are presently outstanding approximately $108,000,000 of nonrepatriated Italian dollar bonds on which service was suspended on June 10, 1940, and it is the desire of the Government of Italy to make an adjustment with respect thereto.

These obligations fall into three categories: first, bonds issued by the Government of Italy; second, bonds issued by the Cities of Rome and Milan and by the Italian Credit Consortium for Public Works, and the Mortgage Bank of the Venetian Provinces; and third, various corporate obligations. In connection with formulating an adjustment of Italian dollar bonds, it has been considered advisable to issue three types of obligations – one a direct obligation of the Government of Italy, to be issued in exchange for bonds falling within the first category and the other two being obligations of semi-governmental agencies, guaranteed as to principal and interest by the Government of Italy, to be issued in exchange for bonds falling within the second and third categories.

I. Bonds of the Kingdom of Italy:

The issue of the above obligor to be considered in the following:

Issue	Maturity	Interest Dates
Kingdom of Italy	7s, 1951	J & D 1

II. Bonds of the Cities of Rome and Milan, the Italian Credit Consortium for Public Works and the Mortgage Bank of the Venetian Provinces:

Issue	Maturity	Interest Dates
City of Milan	6½s, 1952	A & O 1
City of Rome	6½s, 1952	A & O 1
Consortium for Public Works	7s, 1947	M & S 1
Mortgage Bank of the Venetian Provinces	7s, 1952	A & O 1

III. Corporate Obligations:

The Corporate obligations outstanding are twelve issues of dollar bonds, 8 of which represent, directly or indirectly, obligations of utility companies and 4 of industrial companies. These obligations are the following:

Issue	Maturity	Interest Dates
Italian Public Utility Credit Institute	7s, 1952	J & J 1
Adriatic Electrict Co.	7s, 1952	A & O 1
Piedmont Hydro-Electric Co.	6½s, 1960	A & O 1
Lombard Electrict Co.	7s, 1952	J & D 1
Isarco Hydro-Electric Co.	7s, 1952	M & N 1
Meridionale Electric Co.	7s, 1957	A & O 1
United Electric Service Co.	7s, 1956	J & D 1
Terni Industrial and Electric Co.	6½s, 1953	F & A 1
Isotta Fraschini Automobile Factory	7s, 1942	J & D 1
Ercole Marelli Electric Manufacturing Co.	6½s, 1953	M & N 1
Ernesto Breda Co.	7s, 1954	F & A 1
*Crespi Cotton Works	7s, 1952	M & N 1

*The lira bonds of Crespi Cotton Works, Ltd. (now Italian Textile Establishment (Milan) were originally sold in the U. S. with provision for payment in dollars at a rate of not less than 3.64 cents to the lira.

Adjustment plan.

In order to effect an adjustment with the holders of such obligations, the following plan is proposed:

1. (a) The Government of Italy will offer a like principal amount of its 3% 30 year External Sinking Fund Bonds in exchange for the outstanding principal amount of the obligations of the Kingdom of Italy.

(b) The Italian Credit Consortium for Public Works, one of the present obligors and a semi-governmental agency, will offer (pursuant to authority granted by the Government of Italy) its bonds in exchange for the outstanding principal amount of the obligations of the Cities of Rome and Milan, the Italian Credit Consortium for Public Works and the Mortgage Bank of the Venetian Provinces. The entire debt service on such bonds will be guaranteed by the Government of Italy.

(c) The Italian Public Utility Credit Institute, one of the present obligors and a semi-governmental agency, will offer (pursuant to authority granted by the Government of Italy) its bonds in exchange for the outstanding principal amount of the twelve corporate issues.

The entire debt service on such bonds will be guaranteed by the Government of Italy.

2. Semi-annual interest payments on the three issues of bonds will accrue from January 1, 1947. Interest will be paid in 1947, 1948 and 1949 at the rate of 1% per annum; in 1950 and 1951 at the rate of 2% per annum; and in 1952 and subsequent years at the rate of 3% per annum. Upon exchange of old bonds for new bonds, a cash payment will be made for interest accrued from January 1, 1947 to July 1, 1947, at the rate of 1% per annum.

3. Interest in arrears on the various bond issues will be computed at the rates stated in the bonds from the date of the last coupon payment to January 1, 1947 and additional (a) Government of Italy Bonds, or (b) Italian Credit Consortium for Public Works Bonds, or (c) Italian Public Utility Credit Institute Bonds, as the case may be, will be issued in settlement thereof, except that no bonds will be issued in principal amounts of less than $100. Any balance which may be due on account of accrued interest over and above a multiple of $100 will be discharged by an equal face amount of non-interest bearing scrip exchangeable for Government of Italy bonds or Italian Credit Consortium for Public Works bonds or Italian Public Utility Credit Institute bonds, as the case may be, in aggregate amounts of $100 or any multiple thereof.

4. Commencing January 1, 1952, the three issues of bonds will be entitled to a cumulative sinking fund, calculated on the nominal amount of bonds to be outstanding initially, at the following rates:

1952 to 1956 inclusive	1% per annum
1957 and subsequent years	2% per annum

such sinking fund to be applied semi-annually to the purchase of bonds at or below par or to the extent not so obtainable in redemption at par of bonds to be selected by drawings.

5. The Government of Italy is prepared to agree to set aside monthly in a segregated account with the Bank of Italy foreign exchange equivalent to ⅙ of the semi-annual service requirement for the three issues of bonds.

☆ ☆ ☆

The respective approximate principal amount of the three proposed 3% thirty year bonds to be outstanding (including bonds issued in settlement of all arrears of interest to January 1, 1947) are shown in the attached tabulation, which also sets forth a schedule of the relative interest and amortization payments.

☆ ☆ ☆

Bonds of General Italian Edison Electric Company.

No provision is being made at this time for the outstanding bonds of the General Italian Edison Electric Company, all of which bonds are owned by the International Power Securities Corporation, because of negotiations presently being conducted by General Italian Edison Electric Company with the International Power Securities Corporation looking toward the exchange of such bonds for stocks of the General Italian Edison Electric Company.

PROPOSED ITALIAN ISSUES TO BE DATED AS OF JANUARY 1, 1947, DUE 1977

	Government Issue	Credit Consortium	Pub. Util. Credit Institute	Total	
Original Principal Amount to be Outstanding	$40, 257, 310	$38, 055, 462	$58, 065, 712	$136, 378, 485	
		☆ ☆ ☆			
Semi-Annual Service Requirements:				Total Service Semi-Annual	Annual
1947 to 1949 Interest 1%	$ 201, 286	$ 190, 277	$ 290, 328	$ 681, 891	1, 363, 782
1950 to 1951 Interest 2%	402, 573	380, 544	580, 657	1, 363, 784	2, 727, 568
1952 to 1956 Interest 3%) Sinking fund 1%)	805, 145	761, 108	1, 161, 313	2, 727, 566	5, 455, 132
1957 to 1977 Interest 3%) Sinking fund 2%)	1, 006, 432	951, 385	1, 451, 642	3, 409, 439	6, 818, 918
		☆ ☆ ☆			
Amount Bonds retired at par 6th to 10th years	2, 154, 308	2, 036, 481	3, 107, 299	7, 298, 088	
% of original issue					5. 35%
Amount of Bonds retired at par 11th to 30th years	21, 846, 788	20, 651, 864	31, 511, 032	74, 009, 684	
% of original issue					
Amount Bonds retired at par 6th to 30th years	24, 001, 096	22, 688, 343	34, 618, 331	81, 307, 772	
% of original issue					59. 62%

UNREPATRIATED BONDS OUTSTANDING

Interest Dates	Principal Amount Outstanding	Interest Arrears to Dec. 31, 1946 %	Interest Arrears to Dec. 31, 1946 Amount	Total	Approximate Amount of New Bonds
Kingdom of Italy – 7s, 1951					
J & D 1	27, 558, 400	46. 08	12, 698, 910. 72		40, 257, 310. 72
City of Milan – 6½s, 1952					
A & O 1	13, 002, 800	43. 87	5, 743, 811. 36	18, 836, 611. 36	
City of Rome – 6½s, 1952					
A & O 1	9, 911, 800	43. 87	4, 348, 306. 66	14, 260, 106. 68	
Credit Consortium – 7s, 1947					
M & S 1	2, 704, 000	47. 83	1, 293, 323. 20	3, 997, 323. 20	
Mortgage Bank of Venetian Provinces – 7s, 1952					
A & O 1	666, 500	47. 25	314, 921. 25	961, 421. 25	
	26, 375, 100		11, 700, 362. 47		38, 055, 462. 47
Ital. Pub. U. Cr. Inst. – 7s, 1952					
J & J 1	7, 878, 500	49.	3, 860, 465. 00	11, 738, 965. 00	
Adriatic Elec. Co. – 7s, 1952					
A & O 1	2, 091, 000	47. 25	987, 997. 50	3, 078, 997. 50	
Piedmont H-E Co. – 6½s, 1960					
A & O 1	5, 473, 000	43. 87	2, 401, 005. 10	7, 874, 005. 10	
Lombard Elec. Co. – 7s, 1952					
J & D 1	2, 879, 000	46. 08	1, 326, 643. 20	4, 205, 643. 20	
Isarco H-E Co. – 7s, 1952					
M & N 1	2, 091, 500	46. 67	976, 103. 05	3, 087, 603. 05	
Meridionale Elec. Co. – 7s, 1957					
A & O 1	8, 765, 500	47. 25	4, 145, 698. 75	12, 907, 198. 75	
United Elec. Service Co. – 7s, 1956					
J & D 1	2, 748, 000	46. 08	1, 266, 278. 40	4, 014, 278. 40	

UNREPATRIATED BONDS OUTSTANDING—Continued

Interest Dates	Principal Amount Outstanding	Interest Arrears to Dec. 31, 1946 %	Interest Arrears to Dec. 31, 1946 Amount	Total	Approximate Amount of New Bonds
Terni Ind. & Elec. Co. – 6½s, 1953					
F & A 1	5, 032, 000	44. 96	2, 262, 387. 20	7, 294, 387. 20	
Isotta Frasch. Auto Factory – 7s, 1942					
J & D 1	253, 000	46. 08	116, 582. 40	369, 582. 40	
Ercole Marelli Elec. Co. – 6½s, 1953					
M & M 1	1, 022, 000	43. 33	442, 852. 60	1, 464, 832. 60	
Ernesto Breda Co. – 7s, 1954					
F & A 1	983, 000	48. 42	475, 968. 60	1, 458, 968. 60	
Ital. Textile Estab. Milan – 7s, 1952					
M & N 1	*389, 480	46. 67	181, 770. 32	571, 250. 32	
	39, 605, 980		18, 439, 732. 12		58, 065, 712. 12
	27, 558, 400		12, 698, 910. 72		40, 257, 310. 72
	26, 375, 100		11, 700, 362. 47		38, 055, 462. 47
	39, 605, 980		18, 439, 732. 12		58, 065, 712. 12
	93, 539, 480		42, 839, 005. 31		136, 378, 485. 31

* The principal amount of bonds outstanding is Lira 10,700,000.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

Ante, p. 3980.

[Text same as in preceding note.]

The plan proposed by you with respect to the unrepatriated bonds of the Italian dollar issues, service on which has been suspended since 1940, satisfactorily complies with the obligations undertaken by the Government of Italy in paragraph 17 of Article IV of the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters".

Ante, p. 3967.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

MEMORANDUM OF UNDERSTANDING

Between the Government of the United States of America and the Government of Italy regarding Italian assets in the United States of America and certain claims of United States nationals.

Italian property in U. S.

Discussions have taken place with representatives of the Government of Italy on the question of disposition of Italian property in the United States of America. These discussions have grown out of the terms of the Treaty of Peace with Italy dated at Paris February 10, 1947, particularly Article 79 thereof; and out of the financial and other relations between the United States of America and Italy during the period since the Italian Armistice. As a further step toward the bettering of relations between Italy and the United States of America, the Government of the United States of America has felt it desirable, subject to appropriate governmental action, to renounce certain of the rights granted to it under the terms of the Treaty of Peace, and to return and unblock property in the United States of America which has been vested or blocked by the Government of the United States of America by reason of an interest of Italy or Italian nationals. The Government of Italy, on the other hand, has recognized that in justice it should provide funds to be utilized by the Government of the United States of America in application to claims of United States nationals arising out of the war with Italy.

61 Stat., Pt. 2, p. 1406.

The Government of the United States of America and the Government of Italy have, therefore, reached an understanding, as follows:

ARTICLE I

1. The Government of the United States of America, referring to Article 79 of the Treaty of Peace with Italy, dated at Paris February 10, 1947, nevertheless agrees, within the limits provided by law:

61 Stat., Pt. 2, p. 1406.

(a) to take the necessary steps to effect the return of property and interests vested in or transferred to any officer or agency of the Government of the United States of America under the Trading with the Enemy Act, as amended, which were owned by the Government of Italy or Italian nationals immediately prior to such vesting or transfer, or the net proceeds of such property or interest; provided, however, that such return shall be subject to the conditions and exceptions set forth in Annex I, which constitutes an integral part of this Memorandum of Understanding;

40 Stat. 411. 50 U. S. C. app. §§ 1-38.

Post, p. 3991.

Release of blocked property.

(b) to take the necessary steps to effect the release by the United States authorities of blocked property and interests in the United States of America of Italy or Italian nationals. Such release shall be effected in accordance with conditions stated in a letter of assurances, dated today, and addressed by the Italian authorities to

the Secretary of the Treasury of the United States of America, it being understood that the unblocking procedure will actually be put into effect not later than one month from the date of this Memorandum of Understanding;

Return of vessels, etc.

(c) to take the necessary steps to return, in their condition at the time of return, to the Government of Italy all vessels which were under Italian registry and flag on September 1, 1939, which were thereafter acquired by the Government of the United States of America either by purchase or by forfeiture and which are now owned by the Government of the United States of America; provided, that in the event forfeiture proceedings against any of the vessels are dismissed, the Government of Italy agrees to discharge and save harmless the Government of the United States of America from any responsibility and liability for the processing, settlement and satisfaction of any claims against such vessels; and

(d) to take the necessary steps, subject to all terms and conditions of authorizing legislation, to transfer to the Government of Italy surplus liberty ships of the Government of the United States of America, to be operated by Italy for commercial uses, of a total tonnage approximately equal to the total tonnage of vessels which were under Italian registry and flag on September 1, 1939, and were subsequently seized in United States ports and thereafter lost while being employed in the United States war effort, provided that the selection of such surplus ships shall be by the Government of the United States of America, after consultation with the Government of Italy, and provided further that the ships shall be transferred on an as is where is basis.

2. The release or return of property and interests under the present Article shall not prevent the assertion of rights or claims to, against or with respect to such property and interests or the proceeds thereof; nor (in accordance with Article 76 of the Treaty of Peace signed at Paris) shall this Memorandum of Understanding or its execution in any way give rise to any cause of action or claim against the Government of the United States of America, or any officer or agency thereof.

61 Stat., Pt. 2, p. 1401.

Royalties for use of inventions, etc.

3. (a) The provisions of this Article shall in no manner impose any obligation upon the Government of the United States of America to return any royalty or other compensation or right to receive a royalty or other compensation to the Government of Italy or any Italian national arising out of the use prior to December 31, 1945 of any invention, patent or patent right in the United States held by the Government of Italy or Italian nationals, or subject to return to the Government of Italy or Italian nationals pursuant to this Memorandum of Understanding.

(b) The Government of Italy recognizes that the Government of the United States of America, its agencies or United States nationals, have no responsibility for the processing, settlement or satisfaction of any claims of Italian nationals falling under the terms of this paragraph and agrees, consistent with Paragraph 3 of Article 79 of the Treaty of Peace, to compensate Italian nationals for any duly established claims falling under the terms of this Article.

61 Stat., Pt. 2, p. 1407.

(c) Except as set forth in this Memorandum of Understanding or in Annex I hereto, industrial property released or returned by the Government of the United States of America pursuant to paragraph 1 of the present Article shall be subject only to such restrictions as may otherwise be generally applicable to industrial property in the United States of America held by foreign countries or nationals of such countries.

ARTICLE II

Italian payment.

4. The Government of Italy agrees to pay and deposit with the Government of the United States of America on or before December 31, 1947 the sum of $5,000,000 (five million dollars) in currency of the United States of America, this sum to be utilized, in such manner as the Government of the United States of America may deem appropriate, in application to the claims of United States nationals arising out of the war with Italy and not otherwise provided for.

ARTICLE III

DEFINITIONS

"Italian nationals."

5. For the purposes of this Memorandum of Understanding, the term "Italian nationals" means individuals who are nationals of Italy or corporations or associations organized under the laws of Italy, at the time of the coming into force of this Memorandum of Understanding.

ARTICLE IV

CLAUSES OF THE TREATY OF PEACE

61 Stat., Pt. 2, p. 1245.

6. It is agreed that any of the clauses of the Treaty of Peace, dated at Paris February 10, 1947, to which this Memorandum of Understanding and the Annex hereto may refer, shall be considered as constituting an integral part of this Memorandum of Understanding and the Annex hereto, as between the Governments of the United States of America and Italy.

ARTICLE V

EFFECTIVE DATE

7. This Memorandum of Understanding shall enter into force upon the day it is signed.

Valid languages.

Done at Washington in duplicate, in the English and Italian languages, both of which shall have equal validity, this 14th day of August, 1947.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

ROBERT A LOVETT

FOR THE GOVERNMENT OF ITALY:

LOMBARDO

ANNEX I

The Government of the United States of America intends to effect returns, pursuant to Article I, paragraph 1 (a) of this Memorandum of Understanding, by appropriate legislation permitting returns of vested property to the Government of Italy and subjects or citizens of Italy and corporations or associations organized under the laws of Italy upon the terms and conditions generally applicable to return of such property to others eligible for return pursuant to Section 32 of the Trading with the Enemy Act, as amended.

Ante, p. 3988.

60 Stat. 50. 50 U. S. C. app. §§ 32, 619.

It is understood that while the Government of the United States of America will seek to eliminate Italian nationality as a disqualification from eligibility for return pursuant to Section 32 (a) of the Trading with the Enemy Act, as amended,

Nonassumption by U. S. of obligation to make returns in certain cases.

(a) The Government of the United States of America does not intend to assume any obligation to make returns to any of the following:

(1) The Italian Fascist Party, any organization closely affiliated therewith (other than the Government of Italy) or any person who was a member of such party or organization at any time after September 8, 1943; or

(2) Any person, firm or organization convicted of violation of any of the statutes set forth in Section 34 (a) of the Trading with the Enemy Act, as amended; or

60 Stat. 925. 50 U.S.C.app. §§34, 620.

(3) Any person, firm or organization convicted of war crimes or of having collaborated with an enemy country after September 8, 1943; or

(4) Any person, firm or organization indicted or officially charged with war crimes or with having collaborated with an enemy country after September 8, 1943, until such person, firm or organization has been officially acquitted or cleared of such indictment or charge; or

(5) A corporation or association organized under the laws of any country other than Italy or Trieste; or

(6) Any individual who was at any time after December 7, 1941, a citizen or subject of a nation other than Italy with which the United States of America has at any time since December 7, 1941, been at war; or

(7) Any individual voluntarily resident at any time since December 7, 1941, within the territory of any nation other than Italy with which the United States of America has at any time since December 7, 1941, been at war;

Ultimate disposition of certain property.

(b) Ultimate disposition of property falling under the terms of section (a), paragraphs (1)–(7) above is reserved for future decision by the Government of the United States of America, after consultation between the Governments of Italy and the United States of America;

(c) The Government of the United States of America does not intend to make returns in any case in which it deems that return would be contrary to its interests in respect of national security or antitrust or fiscal policy; and

(d) The Government of the United States of America does not intend to assume any obligation to make returns of any property which was used pursuant to an arrangement to cloak or to conceal any property or interest within the United States of America of any person ineligible to receive a return under Section 32 (a) (2) of the Trading with the Enemy Act, as amended.

60 Stat. 51.
50 U.S.C. app. §§32, 619.

Literary, artistic or industrial property.

It is further understood that in the case of any literary, artistic or industrial property to be returned, the property shall remain subject to all licenses and agreements for licenses which were granted or entered into by the United States of America with respect to it and which were in effect immediately prior to return; and any rights of the Government of the United States of America to revoke any such license or agreement for license shall not be included within the return.

MEMORANDUM D'INTESA

tra il Governo degli Stati Uniti d'America ed il Governo italiano relativamente ai beni italiani negli Stati Uniti d'America ed a taluni "claims" dei cittadini degli Stati Uniti d'America.

Hanno avuto luogo con i rappresentanti del Governo italiano discussioni sulla questione della destinazione dei beni italiani negli Stati Uniti d'America. Queste discussioni hanno avuto origine dalle disposizioni del Trattato di Pace con l'Italia, in data 10 febbraio 1947 ed in particolare dall'articolo #79 di tale documento, e dall'esame delle relazioni finanziarie e generali tra gli Stati Uniti d'America e l'Italia durante il periodo posteriore all'Armistizio con la Italia. Come un ulteriore passo verso il miglioramento delle relazioni tra la Italia e gli Stati Uniti d'America, il Governo degli Stati Uniti d'America ha ritenuto desiderabile, sotto riserva dei provvedimenti governativi appropriati, di rinunziare a taluni dei diritti assicurati ad esso dalle clausole del Trattato di Pace, e di restituire e sbloccare i beni negli Stati Uniti d'America che siano stati sottoposti a sequestro ("vested") o siano stati bloccati dal Governo degli Stati Uniti d'America in ragione di un interesse dell'Italia o di cittadini italiani. Il Governo italiano, d'altra parte, ha riconosciuto rispondente a giustizia di dover fornire i fondi che devono essere utilizzati da parte del Governo degli Stati Uniti d'America in soddisfacimento di "claims" dei cittadini degli Stati Uniti d'America sorti dalla guerra con l'Italia.

Pertanto e' stato concordato tra il Governo degli Stati Uniti d'America ed il Governo italiano il seguente memorandum d'intesa.

ARTICOLO I

1. Il Governo degli Stati Uniti d'America, in relazione e nonostante l'articolo #79 del Trattato di Pace con l'Italia, in data 10 febbraio 1947, conviene, nei limiti fissati dalla legge:

(a) di adottare le misure necessarie per effettuare la restituzione dei beni e degli interessi posti sotto sequestro ("vested") o trasferiti a qualsiasi funzionario o organo del Governo degli Stati Uniti d'America in base al "Trading with the Enemy Act" cosi' come emendato, appartenenti all'Italia o a cittadini italiani nel periodo immediatamente precedente tale sequestro o trasferimento, ovvero di restituire il ricavo netto di tali beni o interessi; purche', tuttavia, tale restituzione sia subordinata alle condizioni e alle eccezioni enunciate nell'Annesso I, che costituisce una parte integrante di questo memorandum d'intesa;

(b) di adottare le misure necessarie per procedere al rilascio, da parte delle Autorita' degli Stati Uniti d'America dei beni e degli interessi, bloccati negli Stati Uniti d'America, dell'Italia o dei cittadini italiani. Tale rilascio dovra' essere effettuato in conformita' alle condizioni stabilite in una lettera di assicurazione in data odierna indirizzata dalle Autorita' italiane al Segretario del Tesoro degli Stati Uniti d'America, essendo inteso che la procedura di sblocco sara' effettivamente messa in atto non piu' tardi di un mese dalla data del presente memorandum d'intesa;

(c) di adottare le misure necessarie per restituire al Governo italiano, nello stato in cui si trovano al momento della restituzione tutte le navi sotto registro e bandiera italiani al I settembre 1939 che furono successivamente acquisite dal Governo degli Stati Uniti d'America sia mediante compera, sia mediante confisca e che siano attualmente in possesso del Governo degli Stati Uniti d'America purche' nel caso in cui le cause di confisca contro una qualsiasi delle navi venissero abbandonate, il Governo italiano convenga di esonerare e ritenere indenne il Governo degli Stati Uniti d'America, da qualsiasi responsabilita' in ordine all'accertamento, al regolamento e al soddisfacimento di qualsiasi "claim" contro tali navi;

(d) di adottare le misure necessarie, subordinatamente a ogni termine e condizione contenuta nelle disposizioni di legge relative, per trasferire al Governo italiano navi Liberty "surplus" del Governo degli Stati Uniti d'America, da usarsi dall'Italia per usi commerciali, per un tonnellaggio complessivo approssimativamente uguale al tonnellaggio complessivo delle navi sotto registro e bandiera italiani al I settembre 1939, e che furono successivamente sequestrate nei porti degli Stati Uniti d'America e poi perdute mentre erano impiegate nello sforzo bellico degli Stati Uniti d'America, purche' la scelta di tali navi "surplus" venga effettuata da parte del Governo degli Stati Uniti d'America, dopo consultazione con il Governo italiano e purche' inoltre tali navi vengano trasferite sulla base "dove si trovano e nello stato in cui si trovano".

2. Il rilascio o la restituzione dei beni e degli interessi disposti dal presente articolo non potranno impedire di far valere in giudizio i diritti o i "claims" circa, contro, o relativamente, tali beni e interessi o i loro ricavati, ne' il presente memorandum d'intesa o la sua esecuzione potranno in qualsiasi modo (in conformita' dell'articolo #76 del Trattato di Pace firmato a Parigi) dare origine a qualsiasi giudizio o "claim" contro gli Stati Uniti d'America o loro funzionari o organi.

3. (a) Le disposizioni di questo articolo non potranno in alcun modo imporre al Governo degli Stati Uniti d'America l'obbligo di restituire i canoni o altri compensi o diritti a ricevere canoni o altri compensi dovuti al Governo italiano o a cittadini italiani per uso anteriore al 31 dicembre 1945, di invenzioni, brevetti o diritti di brevetto posseduti negli Stati Uniti d'America dal Governo italiano o da cittadini italiani o soggetti a restituzione al Governo italiano o a cittadini italiani in base al presente memorandum d'intesa;

(b) Il Governo italiano riconosce che il Governo degli Stati Uniti di America ed i loro organi o cittadini, non hanno responsabilita' ai fini dell'accertamento, della sistemazione o del regolamento dei "claims" di cittadini italiani che cadono sotto le disposizioni del presente paragrafo e conviene, in conformita' al paragrafo 3 dell'articolo 79 del Trattato di Pace, d'indennizzare i cittadini italiani per i "claims" dovutamente fondati che cadono sotto le disposizioni del presente articolo.

(c) Salvo quanto disposto nel presente memorandum d'intesa o nell'Annesso I ad esso, i diritti di proprieta' industriale rilasciati o restituiti dal Governo degli Stati Uniti d'America in conformita' al

paragrafo 1 del presente articolo, saranno sottoposti soltanto a quelle restrizioni che siano altrimenti applicabili in via generale negli Stati Uniti d'America ai diritti di proprieta' industriale appartenenti a Paesi esteri o a cittadini di tali Paesi.

ARTICOLO II

4. Il Governo Italiano si impegna a pagare e a depositare presso il Governo degli Stati Uniti d'America il o prima del 31 dicembre 1947, la somma di $5.000.000 (cinque milioni di dollari) in valuta degli Stati Uniti d'America, dovendo questa somma essere utilizzata, nel modo che il Governo degli Stati Uniti d'America ritenga conveniente, per il regolamento dei "claims" dei cittadini degli Stati Uniti d'America sorti a causa della guerra con l'Italia e per i quali non sia stato altrimenti disposto.

ARTICOLO III

DEFINIZIONI

5. Ai fini di questo memorandum d'intesa, l'espressione "cittadini italiani" indica le persone aventi nazionalita' italiana o le Societa' ed Associazioni costituite secondo le leggi italiane, al momento della entrata in vigore del presente memorandum d'intesa.

ARTICOLO IV

Clausole del Trattato di Pace

6. E' inteso che qualsiasi delle clausole del Trattato di Pace con l'Italia, firmato a Parigi il 10 febbraio 1947, alle quali questo memorandum d'intesa e l'annesso ad esso si riferiscono, sara' considerata come parte integrante di questo memorandum d'intesa e dell'annesso ad esso, per cio' che concerne i rapporti fra i Governi degli Stati Uniti d'America e d'Italia.

ARTICOLO V

Data effettiva.

7. Le disposizioni di questo memorandum d'intesa entreranno in vigore immediatamente all'atto della firma.

Il presente documento viene redatto in Washington in due testi, rispettivamente in lingua inglese ed in lingua italiana, aventi ambedue eguale valore alla data del 14 Agosto 1947.

PER IL GOVERNO DEGLI STATI UNITI D'AMERICA:
ROBERT A LOVETT.

PER IL GOVERNO ITALIANO:
LOMBARDO

ANNESSO I

Il Governo degli Stati Uniti d'America intende procedere alla restituzione al Governo italiano ed ai sudditi o cittadini italiani e alle Societa' o Associazioni costituite secondo le leggi italiane, in esecuzione dell'articolo I paragrafo 1 (a) di questo memorandum d'intesa, mediante opportuni provvedimenti di legge atti a consentire la restituzione dei beni posti sotto sequestro ("vested"), in base alle disposizioni ed alle condizioni generalmente applicabili alla restituzione di detti beni alle altre persone ammesse alla restituzione in virtu' della sezione 32 del "Trading with the Enemy Act", cosi' come emendato.

E' inteso che mentre il Governo degli Stati Uniti d'America dovra' cercare di eliminare la nazionalita' italiana come causa di esclusione dall'ammissione alla restituzione dei beni prevista dalla sezione 32 (a) del "Trading with the Enemy Act", cosi' come emendato:

(a) Il Governo degli Stati Uniti d'America non intende assumere alcun obbligo di effettuare la restituzione alle seguenti persone o enti:

1) Partito Fascista Italiano ed organizzazioni strettamente affiliate allo stesso (diverse dal Governo italiano) o a persone che siano state membri di tale partito o organizzazione, in qualsiasi periodo successivo all'8 settembre 1943; o
2) Qualsiasi persona, ditta o organizzazione condannata per violazione di una delle disposizioni di cui alla sezione 34 (a) del "Trading with the Enemy Act", cosi' come emendato; o
3) Qualsiasi persona, ditta o organizzazione condannata per crimini di guerra o per avere collaborato con un Paese nemico dopo l'8 settembre 1943; o
4) Qualsiasi persona, ditta o organizzazione accusata o ufficialmente imputata di crimini di guerra o di collaborazione con un Paese nemico dopo l'8 settembre 1943, fino a quando tale persona, ditta o organizzazione non sia stata ufficialmente assolta o discolpata da tale accusa o imputazione; o
5) Le Societa' o Associazioni costituite secondo le leggi di qualsiasi Paese diverso dall'Italia o da Trieste; o
6) Qualsiasi persona che sia stata in qualsiasi momento dopo il 7 dicembre 1941, cittadino o suddito di uno stato diverso dall'Italia con il quale gli Stati Uniti d'America siano stati in guerra in qualsiasi momento dopo il 7 dicembre 1941; o
7) Qualsiasi persona che abbia avuto volontariamente la propria residenza in qualsiasi periodo dopo il 7 dicembre 1941 nel territorio di qualsiasi Stato diverso dall'Italia con il quale gli Stati Uniti d'America siano stati in guerra in qualsiasi momento dopo il 7 dicembre 1941;

(b) La destinazione definitiva dei beni che cadono sotto i termini della precedente sezione (a), paragrafi (1)–(7), e' riservata alle decisioni che potranno essere prese in avvenire dal Governo degli

Stati Uniti d'America, dopo consultazione tra i Governi dell'Italia e degli Stati Uniti d'America;

(c) Il Governo degli Stati Uniti d'America non intende di procedere a restituzioni in qualsiasi caso in cui essi ritengano che la restituzione sarebbe contraria ai propri interessi per cio' che riguarda la sicurezza nazionale o la politica anti-trust o la politica fiscale; e

(d) Il Governo degli Stati Uniti d'America non intende assumere alcun obbligo di procedere a restituzioni di beni che siano stati usati in base ad un accordo tendente a mascherare o nascondere beni o interessi negli Stati Uniti d'America di persone non ammesse a ricevere la restituzione dei beni a norma della sezione 32a (2) del "Trading with the Enemy Act", cosi' come emendato.

E' inteso inoltre che i diritti di proprieta' letteraria, artistica o industriale, che debbono essere restituiti, resteranno soggetti a tutte le licenze e convenzioni sulle licenze che siano state concesse o registrate negli Stati Uniti d'America relativamente a questi diritti e che fossero in vigore immediatamente prima della restituzione; non sara' compresa in questa restituzione la facolta'degli Stati Uniti d'America di revocare tali licenze o convenzioni sulle licenze.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

Reference is made to the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding certain assets in the United States of America and certain claims of United States nationals", signed this date.

Ante, p. 3988.

In connection with the return to Italy and Italian nationals of property vested in the Office of Alien Property of the Department of Justice of the United States of America, I take this opportunity to inform you that the Government of Italy has designated the Italian Ministry of Treasury as its agency to certify claims for the return of such property.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

I will immediately bring your note to the attention of the Office of Alien Property, Department of Justice, which will communicate directly with the Italian Ministry of Treasury concerning the implementation of the certification agreement.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

In connection with the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding Italian assets in the United States of America and certain claims of United States nationals", signed this date, I wish to bring to your attention the question of the exclusion of Italy from the benefits of the Boykin Act, Public Law 690, 1946, 79th Congress.

Ante, p. 3988.

60 Stat. 940.
35 U. S. C. §§ 101-114.
60 Stat. 944.
35 U. S. C. § 113.

Section XIV of this Act specifically excludes from its benefits the citizens of any country with which the United States of America has been at war. In this connection, I wish to refer to the terms of Annex XV of the Italian Treaty of Peace relating to Industrial, Literary and Artistic Property. My Government believes that it would be consistent with the spirit of Annex XV for the Government of the United States of America to amend the Boykin Act so as to authorize the granting of reciprocal rights by the United States of America to Italy and Italian nationals.

61 Stat., Pt. 2, p. 1472.

I am pleased to be in a position to advise you that at the present time Italy grants to the United States of America and its nationals the rights and privileges referred to in Annex XV. In this connection reference is made to Article I of the Italian Law of September 5, 1946, No. 123, which grants to United States nationals rights with respect to their patents in Italy which are denied to Italian nationals with respect to their patents in the United States of America.

In view of the above circumstances, I should appreciate it if you would advise me of the policy and intentions of the Government of the United States of America in this matter.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

61 Stat., Pt. 1, p. 794.

I am pleased to be able to inform you that Public Law 380, a copy of which is attached hereto, which was recently enacted by the Congress, amends the Boykin Act by removing present restrictions against the enjoyment by Italy and Italian nationals of the rights granted by the Act, on a finding by the Commission on Patents that Italy grants such rights to the United States of America and its nationals.

It is noted that in your note you state that the Government of Italy grants substantially such rights to the United States of America and its nationals.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

Enclosure:

Public Law 380

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.

Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

I have the honor to refer to the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding Italian assets in the United States of America and certain claims of United States nationals", signed this date.

Ante, p. 3988.

In consideration of the undertakings by the Government of the United States of America, provided therein, dealing with the question of vessels which were under Italian registry and flag on September 1, 1939, I am authorized, on behalf of my Government, to enter into the following undertakings:

Notwithstanding the fact that the return of the passenger vessels *Conte Grande* and *Conte Biancamano* supersedes the operating agreement relating to these vessels concluded between the Government of Italy and the United States Maritime Commission, dated May 2, 1947,[1] in implementation of an understanding set forth in an aide memoire of January 8, 1947[1] from the Department of State to the Embassy of Italy in Washington, relating to these vessels and also to the operation of the Italian passenger vessels *Saturnia* and *Vulcania*, the Government of Italy agrees that, for the period up to and including

[1] [Not printed.]

December 31, 1949, or for such time during that period that the vessels *Saturnia* and *Vulcania* are under Italian ownership and control, their operation will be continued subject to the rights and privileges of the Government of the United States of America as set forth in the aforesaid aide memoire of January 8, 1947, and under arrangements substantially similar to those currently applying to the *M. V. Saturnia*, subject to such modifications to these arrangements as may be agreed to in the light of existing conditions.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date, in the following terms:

[Text same as in preceding note.]

On behalf of my Government, I am pleased to accept the undertakings of the Government of Italy, as set forth in your note, with reference to the operation of the Italian passenger vessels *Saturnia* and *Vulcania*. At such time as your Government may wish to discuss modifications to the existing arrangements, appropriate officials of this Government will be prepared to enter into the necessary discussions.

Operation of *Saturnia* and *Vulcania*.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

SIR:

I have the honor to refer to the "Memorandum of Understanding between the Government of the United States of America and the

Government of Italy regarding Italian assets in the United States of America and certain claims of United States nationals", signed this date.

Ante, p. 3988.

Questions have been raised by you concerning:

(1) the scope of paragraph (a) (ii) of Annex I to the memorandum referred to above;

Ante, p. 3991.

(2) the meaning of the final (unnumbered) paragraph of Annex I; and

Ante, p. 3992.

(3) whether, with respect to the revocable, royalty-free, non-exclusive licenses granted by the United States of America, the Government of the United States of America will object if, after the return of such properties, the owners may negotiate with the licensees with a view to altering the terms of the licenses granted to them by the Government of the United States of America.

I am in receipt of the following letter from Mr. David L. Bazelon, Assistant Attorney General, Director of Alien Property, dated August 12, 1947:

"My advisors have informed me that during the July 2, 1947 conference on the documents implementing and/or supplementing the Treaty of Peace with Italy, members of the Italian delegation raised several questions regarding the meaning and scope of certain sections of Annex I of the Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding Italian assets in the United States and certain claims of United States nationals. Since the questions raised relate to vested property, representatives of the Department of State have asked for my comments and observations.

Ante, p. 3991.

"The members of the Italian delegation have inquired as to the scope of paragraph (a) (2) of Annex I mentioned above. The paragraph under reference provides that the United States does not intend to assume any obligation to make returns to any person, firm, or organization convicted of violation of any of the statutes set forth in Section 34 (a) of the Trading with the Enemy Act, as amended. The statutes (Title II and III of the Act of June 15, 1917, 40 Stat. 217, 220, 221, as amended) prohibiting commission of injury to vessels on the high seas or within the jurisdiction of the United States are not among the statutes enumerated in Section 34 (a) of the Trading with the Enemy Act, as amended. Hence, acts of sabotage committed on Italian vessels which were subsequently vested by the United States Alien Property Custodian will not in themselves be grounds for refusal to return the interest acquired in such vessels by vesting action.

60 Stat. 925.
50 U. S. C. app. §§ 34, 620.

50 U. S. C. §§ 191-194; 18 U. S. C. § 502.

"The members of the Italian delegation have also raised questions with respect to the meaning of the final (unnumbered) paragraph of Annex I. The paragraph under reference provides that the United States intends to return, pursuant to the provisions of Article I, paragraph 1 (a) of the Memorandum of Understanding mentioned above, literary, artistic or industrial property vested

Ante, p. 3992.

Ante, p. 3988.

by the United States Alien Property Custodian from the Italian Government or from Italian nationals. Literary, artistic or industrial property so returned will remain subject to all licenses and agreements for licenses granted or entered into by the United States and which are in effect prior to the return of such properties.

Proceeds from licenses.

"It is the intention to return the proceeds from licenses and agreements for licenses granted or entered into by the United States with respect to literary and artistic property. Such proceeds will be subject to return pursuant to Article I, paragraph 1 (a), of the Memorandum of Understanding. With respect to industrial property where the United States has granted revocable, royalty-free, non-exclusive licenses it is the intention of the United States not to issue additional similar licenses or to reissue any such licenses which have been cancelled or revoked.

Ante, p. 3988.

"With respect to the revocable, royalty-free, non-exclusive licenses granted by the United States, members of the Italian delegation have inquired whether the United States Government will object if, after the return of such properties, the owners negotiate with the licensees with a view to altering the terms of the licenses granted to them by the United States. It is not the intention of the United States to interpose any objection to such negotiations, provided that such negotiations and any changes in the terms of the licenses are in conformity with all laws of the United States, including the anti-trust laws. Also, it must be clearly understood that the United States assumes no obligations with respect to these negotiations and the licensees are in no way obligated to negotiate any changes in the terms of the licenses granted to them by the United States."

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.
Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

I have the honor to acknowledge receipt of your note of this date, in the following terms:

[Text same as in preceding note.]

I appreciate very much the information set forth in your note.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Chief of the Italian Economic and Financial Delegation to the Acting Secretary of State

ITALIAN EMBASSY
WASHINGTON, D. C.
Italian Economic and Financial Delegation

AUGUST 14, 1947

SIR:

I wish to express my satisfaction at the successful conclusion of discussions with the Government of the United States of America concerning commercial policy and related matters of mutual interest in furthering the economic relations between the Governments of the United States of America and Italy.

I am authorized to inform you that my Government agrees to the following understandings which have resulted from these discussions:

1. The two Governments affirm their continued support of the principles set forth in the notes exchanged between them December 6, 1945, and reiterate their desire to achieve the elimination of all forms of discriminatory treatment in international commerce and the reduction of tariffs and other trade barriers.

59 Stat. 1731.

2. The two Governments having already entered into preliminary discussions concerning a comprehensive treaty of friendship, commerce and navigation which will regulate to their mutual satisfaction economic relations between the two countries, express their intention to enter into negotiations looking toward the conclusion of such a treaty this year. Meanwhile, the two Governments will continue to accord to articles the growth, produce or manufacture of the other, unconditional most-favored-nation treatment with respect to customs duties, the rules and formalities of customs, and the taxation, sale, distribution, and use within its territory of such articles.

I am also authorized, on behalf of my Government, to advise you that the Government of Italy has been following with deep interest the steps being taken to form an international trade organization of the United Nations and is in full agreement on the fundamental principles of the proposed charter for such an organization.

Accept, Sir, the renewed assurances of my highest consideration.

LOMBARDO
Chief of the Italian Economic and Financial Delegation

The Honorable
ROBERT A. LOVETT,
Acting Secretary of State.

The Acting Secretary of State to the Chief of the Italian Economic and Financial Delegation

DEPARTMENT OF STATE
WASHINGTON
August 14, 1947

Sir:

I have the honor to acknowledge receipt of your note of this date in the following terms:

[Text same as in preceding note.]

On behalf of my Government, I wish to confirm to you the agreements set forth in your note. I also wish to express my Government's appreciation for the views you have stated, on behalf of your Government, with respect to the International Trade Organization.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT A LOVETT
Acting Secretary of State

The Honorable
IVAN MATTEO LOMBARDO,
Chief of the Italian Economic and Financial Delegation.

April 26, May 15, 1946
[T. I. A. S. 1760]

Agreement between the United States of America and Chile respecting a military aviation mission to Chile, renewing and modifying an agreement of April 23, 1940, as renewed and modified. Effected by exchange of notes signed at Washington April 26 and May 15, 1946; entered into force May 15, 1946.

The Chilean Ambassador to the Acting Secretary of State

EMBAJADA DE CHILE
WASHINGTON
26 April 1946

N° 802/129

EXCELLENCY:

57 Stat. 927.

I have the honor to refer to my note of April 14, 1943 and Your Excellency's reply thereto of June 14, 1943 (825.248) [1] concerning the renewal of the Agreement entered into on April 23, 1940 between the Government of the United States and the Republic of Chile, providing for a United States Military Aviation Mission to Chile.

54 Stat. 2282.

I beg leave to request of Your Excellency that this Agreement be renewed again for a period of three years, effective from April 23, 1946, on the same conditions and terms, including the modifications in my note of November 27, 1942 and the stipulations contained in Your Excellency's note of December 23, 1942; with the additional modification that the Mission be composed of four members instead of three as provided in Title II, Article 6 of the Agreement.

57 Stat. 926.

54 Stat. 2283.

In view of the excellent service rendered, my Government would find it most agreeable if four of the present members of the Mission might be reassigned under the renewed Agreement. They are the following:

Chief of the Mission: Lieutenant Colonel Wilson T. Jones, who by virtue of long residence in Chile is thoroughly acquainted with the problems of the Chilean Air Force.

Second Member: Captain Royce W. Priest, who presently is Pilot and Engineer of the Mission's planes, specializing in maintenance and supplies and who enjoys the benefits of an extensive training as well as valuable war experience.

Third Member: Captain James H. Richards, specializing in Armaments, who has very successfully carried out his work in this field.

Fourth Member: Chief Warrant Officer Robert N. Rader, specializing in radio communications, who is performing efficient work of instruction and technical advice.

[1] [Not printed.]

I should appreciate it most highly if Your Excellency would be good enough to inform me, as soon as convenient, if it would be agreeable to the Government of the United States to renew the referred to Agreement as above indicated. 54 Stat. 2282.

Accept, Excellency, the renewed assurances of my highest consideration.

MARCIAL MORA M

His Excellency DEAN ACHESON
The Acting Secretary of State
Washington 25, D. C.

The Acting Secretary of State to the Chilean Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 15, 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note no. 802/129 of April 26, 1946 in which you request the renewal of the Agreement entered into April 23, 1940, between the Government of the United States of America and the Republic of Chile and renewed by an exchange of notes dated November 27 and December 23, 1942 and April 14, 1943 respectively. 54 Stat. 2282. 57 Stat. 925.

I note that Your Excellency's Government desires to renew the Agreement for a period of three years, the renewal to be effective as of April 23, 1946.

Therefore, it is the understanding of this Government that the Agreement is renewed for a period of three years, effective from April 23, 1946, on the same terms and conditions as the Agreement under reference, including the modifications proposed in the Embassy's note of November 27, 1942 and the stipulation contained in the Department's note of December 23, 1942, also the additional modifications contained in Your Excellency's note under reference that the Mission be composed of four members, notwithstanding the provision of Title II, Article 6 of the basic Agreement. Effective date. 54 Stat. 2282. 57 Stat. 925, 926. 54 Stat. 2283.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:
SPRUILLE BRADEN

His Excellency
Senor Don MARCIAL MORA,
Ambassador of Chile.

May 8, July 31, 1946
[T. I. A. S. 1766]

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the transfer and maintenance of radio range and SCS 51 equipment. Effected by exchange of notes signed at London May 8 and July 31, 1946; entered into force July 31, 1946.

The American Ambassador to the British Minister of Civil Aviation

1, GROSVENOR SQUARE,
LONDON, W. 1.,
May 8, 1946

DEAR LORD WINSTER:

Pursuant to recent discussions, it is my understanding that representatives of the Ministry of Civil Aviation and representatives of the United States have reached agreement with regard to the transfer to the United Kingdom Government of certain air navigational and operational facilities and continued operation and maintenance of these facilities by the United Kingdom Government. The United States trans-Atlantic airlines will be materially assisted by the continued operation of these facilities. The air navigational and operational aids involved are among those which were installed or provided for use in the United Kingdom by the United States Armed Forces during the war, and have become or are about to become surplus to the needs of the United States Armed Forces. The understanding which has been reached and which I desire to confirm by this letter is as follows:

1. The transfer would apply to the following installations:

(a) The radio ranges and all facilities now owned by the United States which are necessary to their operation located at Prestwick, Valley, St. Mawgan, Northolt, and Stornaway, and a range and necessary facilities to be moved by the United States to Heathrow. It is the intention of the United States, prior to transfer, to convert the radio range operated at Stornaway to a beacon, and to move the radio range now located at Bovingdon, or such other range as the United States may determine, to Heathrow.

(b) Four complete SCS 51 installations now owned by the United States and located at Prestwick, Valley, St. Mawgan, and one additional such installation which it is the intention of the United States to move to Heathrow.

2. The United States will declare the above described installations surplus to the needs of the United States Armed Forces and will transfer them to the possession of the United Kingdom Government on or before May 31, 1946, or as soon thereafter as they may be placed

by the United States in operable condition. Transfer of the installations will take place under the terms of the "Agreement Relating to United States Army and Navy Surplus Installations in the United Kingdom", accepted by the governments of the United States and of the United Kingdom in Washington on March 26,[1] 1946, and pursuant to the procedures agreed to by the respective governments for the execution of that Agreement.

60 Stat. 1561.

3. The United States will supply, at time of transfer of possession of installations or at such other times as may be convenient, maintenance parts and expendable supplies scheduled on United States Army provisioning scales sufficient for operation of the above described installations for a period of one year from May 31, 1946, together with standard operation and maintenance manuals or instructions for such installations. Such maintenance parts, supplies and manuals will be transferred under the terms of the agreement relating to United States Army and Navy surplus property referred to in paragraph 2 above, and in accordance with procedures established therunder.

Maintenance supplies and manuals.

The United States will, prior to May 31, 1946, within limits of personnel available to the United States Armed Forces, render such assistance, instructions and advice as the Ministry of Civil Aviation may require for familiarization of its personnel in the operation and maintenance of the installations.

4. The United Kingdom Government, through the Ministry of Civil Aviation, will make every effort to take over operation and maintenance of the above described ranges at Northolt and Prestwick as of May 31, 1946, and of the other above described installations as soon as is possible, provided that the United Kingdom Government shall not be under any obligation to operate and maintain any of the said installations unless the United States Government shall have placed them in a serviceable condition, and provided further that the United Kingdom Government shall not be under any obligation to operate simultaneously the range at Northolt and the range to be moved to Heathrow.

Operation and maintenance by U. K. Government.

5. The United Kingdom Government will continue operation of the above described installations, at present standards of operation and without interruption and, in the case of the radio ranges, at no less than 150 watts power until such time as the aeronautical authorities of the United Kingdom Government after consultation with the United States and other governments concerned determine that the installations may be modified or discontinued. The United Kingdom Government will make periodic flight checks of operation of the installations in accordance with standard practice.

Post, p. 4010.

Periodic flight checks of operation, etc.

The United Kingdom Government, in consultation with the United States and other countries involved, will give consideration to the operation of a range at Heathrow in lieu of a range at Northolt if experience shows this to be desirable. It is understood that only one range in the London area will be operated.

Post, p. 4011.

[1] [The correct date is "Mar. 27".]

6. This understanding is entered into without prejudice to transfer, operation, maintenance or installation of any additional aids to civilian aviation which the United States may deem to be desirable in the United Kingdom.

If you will indicate your acceptance of this understanding, I think that we may consider it to be effective as of the date of your acceptance.

Sincerely,

W. A. HARRIMAN

The Rt. Honorable LORD WINSTER, J. P.,
Minister of Civil Aviation,
Ariel House, The Strand.

The British Minister of Civil Aviation to the American Ambassador

MINISTRY OF CIVIL AVIATION,
ARIEL HOUSE,
STRAND,
LONDON, W.C.2.
31st July, 1946.

MY DEAR AMBASSADOR,

I am sorry that my reply has been so long delayed to your letter of 8th May, in regard to the transfer to the United Kingdom Government of certain air navigational and operational facilities which were installed in the United Kingdom by the United States Armed Forces during the war. The subject of the provision or maintenance of such types of navigational aids has recently been under discussion in P.I.C.A.O., particularly at the Regional Conferences which have been held at Dublin and Paris, and I have been anxious that our arrangements should conform to the general agreements that have been reached.

2. For convenience of reference I am attaching copies of the relevant recommendations from the P.I.C.A.O. documents.

3. In general, the position is that the United Kingdom, in common with other countries, have undertaken to retain or install the "P.I.C.A.O. Standard Instrument Landing System" at international airports; and so far as existing radio ranges are concerned, to retain on low power the ranges used for approach purposes at such airports until the latter are equipped with the P.I.C.A.O. Instrument Landing System and the aircraft concerned are equipped to use it. Accordingly I suggest that the first paragraph in Section 5 of your letter should be re-worded on the following lines:—

Ante, p. 4009.

"The U.K. Government will continue operation of the above described installations in accordance with the requirements of international civil aviation until such time as the aerodromes concerned can be equipped with alternative P.I.C.A.O. Instrument Landing Systems as agreed at the P.I.C.A.O. North Atlantic and European and Mediterranean Regional Conferences in Dublin and Paris. The

U.K. Government will make periodic flight checks of operation of the installations in accordance with standard practice."

4. As regards the second paragraph in Section 5, the question of the operation of a range at the London Airport is now under examination in connection with the determination of the system of air traffic control to be operated in the region. If a range at that Airport is found to be desirable, it will be operated in lieu of the range at Northolt. In that event the range at Northolt could be moved and I would suggest that, pending a decision on this matter, the range at Bovingdon should be left in situ. I am asking my technical officers to keep in touch with your Civil Air Attache on this matter.

Ante, p. 4009.

5. The references in para. 1 (a) and (b) of your letter to the transfer of equipment "to Heathrow" should, of course, be qualified accordingly.

Ante, p. 4008.

6. Subject to the above, I am very glad to confirm the understanding as set out in your letter.

Yours sincerely,

WINSTER.

The Honourable W. A. HARRIMAN,
Embassy of the United States of America,
Grosvenor Square,
London, S.W.1.

DOC.D.363
ATC/D. 60
24/3/46.

Extract of North Atlantic Route Service Conference, Dublin, 1946.

5.2.8. Requirements at Aerodromes designated as terminals or alternates for the North Atlantic:

The Committee has recommended the following:—

5.2.8.1. That Approach and Aerodrome Controls be maintained or provided at such aerodromes.

5.2.8.2. That an instrument landing system as suggested by the COM Committee be a requirement at such aerodromes. This system consists of a runway localizer and glide path transmitter, together with either 2 or 3 fan markers, or one fan marker and either one or two M/F non-directional radio beacons. The ATC Committee consider, however, that the provision and location of the fan markers or non-directional beacons for air traffic control purposes should be the subject of continuing study with the object of obtaining a standard system.

5.2.8.3. That existing M/F radio ranges now available or which may be made available for Approach Control at these Aerodromes should be retained in use until some such system as that

described in the preceding paragraph is available, subject to reduction in power and adjustment of frequency where necessary in the European region.

DOC.9.232
GEN. P. 38
(corrected)
24/5/46.

Extract from Report of the P.I.C.A.O. European-Mediterranean Air Navigation Meeting held in Paris between 24th April and 15th May.

3. Radio aids to approach and landing and standardisation of methods of approach and landing.

The Conference endorses the recommendations made at the DUBLIN Conference concerning the adoption as the future international standard of a system equivalent to Scs 51, comprising VHF runway localizer, UHF Glide Path and boundary marker and other marker beacons, with the addition as an optional installation, of one or more low powered L. F../M.F. marker beacons.

In addition the Conference recommends that:

(a) The PICAO standards I.L.S. should be installed as rapidly as possible at all international airports and that the military version of the standard I.L.S. should be retained where it already exists.

(b) S.B.A. (Lorenz) equipment should be installed or retained at airports used by aircraft not fitted with the airborne equipment of the PICAO Standard system.

(c) Ground D/F or radio range equipment used for approach and landing purposes, should be installed or retained at airports used by aircraft not fitted with airborne equipment of either SBA or the PICAO standard system.

(d) V.H.F.D.F. equipment should be installed as soon as possible on the approach lines of international airports.

Agreement between the United States of America and Ecuador respecting a civil aviation mission to Ecuador. Effected by exchange of notes signed at Quito October 24 and 27, 1947; entered into force October 27, 1947.

October 24, 27, 1947
[T. I. A. S. 1774]

The American Ambassador to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 372

Quito, October 24, 1947

EXCELLENCY:

I have the honor to refer to my conversation with Your Excellency yesterday, at which time I presented to you certain members of the Mission sent from the United States as part of the program of the Interdepartmental Committee of Scientific and Cultural Cooperation, which is at present in Quito, primarily for the purpose of arranging for the exchange of civil aviation technicians between our respective countries. Your Excellency was so kind as to authorize me and the Mission above referred to, to enter into preliminary conversations directly with the Minister of National Defense in order to arrive at a prompt understanding as to what is needed by Ecuador for the development of civil aviation in this country and the extent to which Ecuador would be able to participate in financing such a program.

Your Excellency will remember that the Ecuadoran Ambassador in Washington transmitted a note dated April 8, 1947 [1] to the Department of State, indicating that Ecuador desires the services of one or more civil aviation technical experts. It was desired that these technicians should come to Ecuador for cretain specific purposes to be defined by the Ecuadoran Direction of Civil Aviation.

I informed the Minister of National Defense this morning that the United States is now prepared to send such technical experts to Ecuador as may be requested by this country, and that the terms and conditions under which this service may be provided have been set out in a memorandum containing fourteen points, which is attached to this note. The Minister has been informed of these general principles and has indicated that they are acceptable. He also has indicated that it will be possible for Ecuador to participate to the extent of partially reimbursing the United States at the rate of $2,000 per year per expert, for its expenses in connection with this Mission, funds which will be provided and paid in accordance with the principles already mentioned. (See point no. 7 in the attached memorandum).

Your Excellency is informed further that for budgetary reasons it is necessary to have a general commitment of the Republic of Ecuador to this program, in order to obligate funds which are now available

[1] [Not printed.]

in the United States for the purpose of sending the individuals desired by the Republic of Ecuador. Unless the obligation of these funds is made at an early date, they may revert to the Treasury and become unavailable for this purpose. In view of the situation just described, it would be greatly appreciated if Your Excellency should provide me with a note accepting the general terms set out, it being understood that the details as to the number of technicians desired, their qualifications, the time of their arrival, etc., are to be decided upon later. It is hoped that Your Excellency may find it possible to let me have the reply of your Government by Monday, so that a copy of the note may be taken directly to Washington by the Mission, which is departing from Quito on Tuesday, October 28.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

JOHN F. SIMMONS

His Excellency
Doctor JOSÉ VICENTE TRUJILLO,
Minister for Foreign Affairs,
Quito.

Enclosure No. 1 of 3 pages:
Statement of Conditions

STATEMENT OF CONDITIONS
TECHNICAL ASSISTANCE MISSION TO ECUADOR

Subject to the availability of suitable technicians and appropriated funds for the purpose and in accordance with the following conditions, the Government of the United States of America agrees to make available to the Government of Ecuador the services of technicians in the field of civil aviation as requested by the Government of Ecuador:

1. The assignment of each technician shall be of indefinite duration, subject to joint periodic review.

2. The Government of the United States of America agrees to give the fullest consideration to any requests of the Government of Ecuador for an increase or decrease in the number of technicians originally furnished, or for the assignment of technicians in different fields of civil aviation.

Chief of Mission.

3. The Government of the United States of America shall designate a Chief of Mission authorized to deal with the Government of Ecuador. Mission members shall be responsible to the Chief of Mission. All members shall serve as advisers to the Government of Ecuador in their respective fields but may volunteer opinions on related civil aviation matters when deemed advisable.

Secrecy requirement.

4. Mission members, during the period the Mission is in operation and thereafter, undertake not to divulge or reveal in any form to any

third Government or person confidential or secret matters of which they may become cognizant in the exercise of their duties.

5. Compensation of Mission members shall not be subject to any tax now or hereafter in effect of the Government of Ecuador or any of its political or administrative subdivisions. Should there, however, at present or while this agreement is in effect, be any taxes that might affect this compensation, such taxes shall be paid by the Government of Ecuador, in order to comply with the provisions of this paragraph.

6. The Government of the United States of America shall pay the salary, allowances, travel expenses to and from Ecuador, and any additional compensation of the technicians, subject to partial reimbursement by the Government of Ecuador.

7. The Government of Ecuador shall reimburse the Government of the United States of America toward the expenses incurred in connection with the assignment of each technician at the completion of each six-month period of each assignment. However, for accounting and procedural reasons, it will not be necessary for the Government of Ecuador to make any payments to the Government of the United States of America until such time as the Government of Ecuador shall have received a statement of its obligations in this connection.

8. The Government of Ecuador shall provide for entry free of customs duties for supplies, materials and effects for the professional and personal use of the technicians.

9. The Government of Ecuador shall provide the technicians with means of transportation within Ecuador, outside of the headquarters location, incurred in the conduct of their duties and pay the cost thereof, as well as the cost of acquisition of material, equipment and facilities necessary to the conduct of the Mission.

10. The Government of Ecuador shall provide technicians with suitably-equipped offices and adequate bilingual stenographic personnel and other employees, and bear the cost thereof.

11. The Government of Ecuador shall grant to authorized members of the Mission, approval to make flights in Ecuador in aircraft of United States or Ecuadoran registry as deemed necessary in the performance of the Mission.

12. The Government of Ecuador shall permit the transportation of the body of any technician detailed under these conditions who may die in Ecuador, to a place of burial in the United States of America selected by the surviving members of the family or their legal representatives.

13. The Government of Ecuador shall assume civil liability on account of damages to or loss of property or on account of personal injury or death caused by any member of the Mission while acting within the scope of his duties.

14. The above conditions may be modified in whole or in part by an exchange of notes between the Government of the United States of America and the Government of Ecuador.

The Ecuadoran Minister of Foreign Affairs to the American Ambassador

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

URGENTE

DEPARTAMENTO DIPLOMATICO

N° 241-DDP

QUITO, *a 27 Oct. 1947*

SEÑOR EMBAJADOR:

Tengo a honra contestar la atenta nota de Vuestra Excelencia número 372, de 24 de octubre en curso, en la que se sirve informarme acerca de las conversaciones con el señor Ministro de Defensa Nacional, sostenidas por Vuestra Excelencia y los Miembros de la Misión enviada por los Estados Unidos como parte del programa del Comité Interdepartamental de Cooperación Científica y Cultural, con el propósito primordial de entrar en arreglos para el intercambio de técnicos en aviación civil entre nuestros respectivos países, para el desarrollo de la aviación civil en el Ecuador y la extensión con que mi Gobierno estaría dispuesto a participar en la financiación de tal programa. Con referencia a tales conversaciones y a los deseos expresados al Departamento de Estado por la Embajada ecuatoriana en Washington, el 8 de abril último, sobre el envío de uno o más expertos técnicos en aviación civil al país, Vuestra Excelencia tiene a bien remitirme un Memorándum que contiene 14 puntos, los cuales ha encontrado aceptables el Ministerio de Defensa Nacional, con el objeto de que el Gobierno del Ecuador exprese su opinión sobre los mismos, a la brevedad posible. Vuestra Excelencia tiene a bien destacar, además, la especial urgencia con que es preciso llegar a un acuerdo general para este programa, pues de lo contrario sería posible que se llegara a no poder contar con los fondos actualmente disponibles en los Estados Unidos para el efecto.

2. En respuesta, me es grato manifestar a Vuestra Excelencia, luego de las correspondientes consultas con las competentes autoridades, que mi Gobierno acepta los términos generales puntualizados en el Memorándum anexo a la atenta comunicación de 24 del mes en curso que tengo a honra contestar y aprueba y confirma los términos en que quedan registradas en aquélla las conversaciones sostenidas por Vuestra Excelencia y los Miembros de la Misión, con el señor Ministro de Defensa Nacional, y entiende, en consecuencia, que dicho Memorándum, en virtud de la presente respuesta, constituye la base común aceptada y convenida con el Gobierno de los Estados Unidos de América sobre la cual se habrán de determinar luego, de mutuo acuerdo, los detalles relativos al número de técnicos, sus especialidades, el tiempo de la llegada de aquéllos al país y más particulares que se estimare necesarios, conforme Vuestra Excelencia indica en la misma comunicación.

Válgome de la oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Por el Ministro, el Subsecretario:

Eduardo Samaniego y Alvarez.

Al Excelentísimo Señor Don
JOHN F. SIMMONS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América.

Translation

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN AFFAIRS

URGENT

DIPLOMATIC DEPARTMENT

No. 241-DDP

QUITO, October 27, 1947

MR. AMBASSADOR:

I have the honor to reply to Your Excellency's courteous note No. 372 of October 24 instant, in which you are good enough to inform me concerning the conversations with the Minister of National Defense, in which Your Excellency and the Members of the Mission sent by the United States as part of the program of the Interdepartmental Committee on Scientific and Cultural Cooperation took part, for the prime purpose of entering into arrangements for the interchange of civil aviation technicians between our respective countries for the development of civil aviation in Ecuador, and the extent to which my Government would be disposed to participate in financing such a program. With reference to these conversations and the desires expressed to the Department of State by the Ecuadoran Embassy in Washington on April 8 last, regarding the sending of one or more expert technicians in civil aviation to this country, Your Excellency sends me a Memorandum containing 14 points, which the Ministry of National Defense has found to be acceptable, and on which the Government of Ecuador is asked to express its opinion as soon as possible. Furthermore, Your Excellency points out the special urgency with which it is necessary to reach a general agreement on

Ante, p. 4013.

this program, since otherwise it might not be possible to count on the funds at present available in the United States for this purpose.

2. In reply I am pleased to inform Your Excellency, after consultation with the competent authorities, that my Government accepts the general terms contained in the Memorandum enclosed with the communication of the 24th of this month, to which I have the honor to reply; and my Government approves and confirms the terms of the note with reference to the conversations between Your Excellency and the Members of the Mission and the Minister of National Defense. My Government understands, consequently, that by virtue of this reply, the aforesaid Memorandum constitutes the common basis, accepted and agreed upon with the Government of the United States of America, according to which there will be determined later, by mutual agreement, the details relative to the number of technicians, their specialties, the time of their arrival in the country, and other particulars which may be considered necessary, as indicated by Your Excellency in the same communication.

Ante, p. 4013.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

For the Minister, the Under Secretary:

E. S. Y A.

EDUARDO SAMANIEGO Y ALVAREZ.

His Excellency

JOHN F. SIMMONS,

Ambassador Extraordinary and Plenipotentiary of the United States of America.

Agreement and accompanying notes between the United States of America and the Republic of the Philippines respecting military bases in the Philippines. Signed at Manila March 14, 1947; entered into force March 26, 1947.

March 14, 1947
[T. I. A. S. 1775]

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES CONCERNING MILITARY BASES

WHEREAS, the war in the Pacific has confirmed the mutuality of interest of the United States of America and of the Republic of the Philippines in matters relating to the defense of their respective territories and that mutuality of interest demands that the Governments of the two countries take the necessary measures to promote their mutual security and to defend their territories and areas;

WHEREAS, the Governments of the United States of America and of the Republic of the Philippines are desirous of cooperating in the common defense of their two countries through arrangements consonant with the procedures and objectives of the United Nations, and particularly through a grant to the United States of America by the Republic of the Philippines in the exercise of its title and sovereignty, of the use, free of rent, in furtherance of the mutual interest of both countries, of certain lands of the public domain;

WHEREAS, the Government of the Republic of the Philippines has requested United States assistance in providing for the defense of the Philippines and in developing for such defense effective Philippine armed forces;

WHEREAS, pursuant to this request the Government of the United States of America has, in view of its interest in the welfare of the Philippines, indicated its intention of dispatching a military mission to the Philippines and of extending to her appropriate assistance in the development of the Philippine defense forces;

WHEREAS, a Joint Resolution of the Congress of the United States of America of June 29, 1944, authorized the President of the United States of America to acquire bases for the mutual protection of the United States of America and of the Philippines; and

58 Stat. 625.
48 U. S. C. §§ 1235a, 1240 note.

WHEREAS, Joint Resolution No. 4 of the Congress of the Philippines, approved July 28, 1945, [1] authorized the President of the United States of America to negotiate with the President of the Philippines for the establishment of bases provided for in the Joint Resolution of the Congress of the United States of America of June 29, 1944, with a view to insuring the territorial integrity of the Philippines, the mutual protection of the United States of America and the Philippines, and the maintenance of peace in the Pacific;

[1] [*Philippine Official Gazette*, Vol. 41, No. 5, August 1945, p. 349.]

THEREFORE, the Governments of the Republic of the Philippines and of the United States of America agree upon the following terms for the delimitation, establishment, maintenance and operation of military bases in the Philippines:

ARTICLE I

GRANT OF BASES

1. The Government of the Republic of the Philippines (hereinafter referred to as the Philippines) grants to the Government of the United States of America (hereinafter referred to as the United States) the right to retain the use of the bases in the Philippines listed in Annex A attached hereto.

Post, p. 4032.

2. The Philippines agrees to permit the United States, upon notice to the Philippines, to use such of those bases listed in Annex B as the United States determines to be required by military necessity.

Post, p. 4032.

3. The Philippines agrees to enter into negotiations with the United States at the latter's request, to permit the United States to expand such bases, to exchange such bases for other bases, to acquire additional bases, or relinquish rights to bases, as any of such exigencies may be required by military necessity.

4. A narrative description of the boundaries of the bases to which this Agreement relates is given in Annex A and Annex B. An exact description of the bases listed in Annex A, with metes and bounds, in conformity with the narrative descriptions, will be agreed upon between the appropriate authorities of the two Governments as soon as possible. With respect to any of the bases listed in Annex B, an exact description with metes and bounds, in conformity with the narrative description of such bases, will be agreed upon if and when such bases are acquired by the United States.

ARTICLE II

MUTUAL COOPERATION

1. It is mutually agreed that the armed forces of the Philippines may serve on United States bases and that the armed forces of the United States may serve on Philippine military establishments whenever such conditions appear beneficial as mutually determined by the armed forces of both countries.

2. Joint outlined plans for the development of military bases in the Philippines may be prepared by military authorities of the two Governments.

3. In the interest of international security any bases listed in Annexes A and B may be made available to the Security Council of the United Nations on its call by prior mutual agreement between the United States and the Philippines.

ARTICLE III

DESCRIPTION OF RIGHTS

1. It is mutually agreed that the United States shall have the rights, power and authority within the bases which are necessary for the establishment, use, operation and defense thereof or appropriate for the control thereof and all the rights, power and authority within the limits of territorial waters and air space adjacent to, or in the vicinity of, the bases which are necessary to provide access to them, or appropriate for their control.

2. Such rights, power and authority shall include, *inter alia*, the right, power and authority:

(*a*) to construct (including dredging and filling), operate, maintain, utilize, occupy, garrison and control the bases;

(*b*) to improve and deepen the harbors, channels, entrances and anchorages, and to construct or maintain necessary roads and bridges affording access to the bases;

(*c*) to control (including the right to prohibit) in so far as may be required for the efficient operation and safety of the bases, and within the limits of military necessity, anchorages, moorings, landings, takeoffs, movements and operation of ships and waterborne craft, aircraft and other vehicles on water, in the air or on land comprising or in the vicinity of the bases;

(*d*) the right to acquire, as may be agreed between the two Governments, such rights of way, and to construct thereon, as may be required for military purposes, wire and radio communications facilities, including submarine and subterranean cables, pipe lines and spur tracks from railroads to bases, and the right, as may be agreed upon between the two Governments to construct the necessary facilities;

(*e*) to construct, install, maintain, and employ on any base any type of facilities, weapons, substance, device, vessel or vehicle on or under the ground, in the air or on or under the water that may be requisite or appropriate, including meteorological systems, aerial and water navigation lights, radio and radar apparatus and electronic devices, of any desired power, type of emission and frequency.

3. In the exercise of the above-mentioned rights, power and authority, the United States agrees that the powers granted to it will not be used unreasonably or, unless required by military necessity determined by the two Governments, so as to interfere with the necessary rights of navigation, aviation, communication, or land travel within the territories of the Philippines. In the practical application outside the bases of the rights, power and authority granted in this Article there shall be, as the occasion requires, consultation between the two Governments.

ARTICLE IV

SHIPPING AND NAVIGATION

1. It is mutually agreed that United States public vessels operated by or for the War or Navy Departments, the Coast Guard or the Coast and Geodetic Survey, and the military forces of the United States, military and naval aircraft and Government-owned vehicles, including armor, shall be accorded free access to and movement between ports and United States bases throughout the Philippines, including territorial waters, by land, air and sea. This right shall include freedom from compulsory pilotage and all toll charges. If, however, a pilot is taken, pilotage shall be paid for at appropriate rates. In connection with entrance into Philippine ports by United States public vessels appropriate notification under normal conditions shall be made to the Philippine authorities.

2. Lights and other aids to navigation of vessels and aircraft placed or established in the bases and territorial waters adjacent thereto or in the vicinity of such bases shall conform to the system in use in the Philippines. The position, characteristics and any alterations in the lights or other aids shall be communicated in advance to the appropriate authorities of the Philippines.

3. Philippine commercial vessels may use the bases on the same terms and conditions as United States commercial vessels.

4. It is understood that a base is not a part of the territory of the United States for the purpose of coastwise shipping laws so as to exclude Philippine vessels from trade between the United States and the bases.

ARTICLE V

EXEMPTION FROM CUSTOMS AND OTHER DUTIES

No import, excise, consumption or other tax, duty or impost shall be charged on material, equipment, supplies or goods, including food stores and clothing, for exclusive use in the construction, maintenance, operation or defense of the bases, consigned to, or destined for, the United States authorities and certified by them to be for such purposes.

ARTICLE VI

MANEUVER AND OTHER AREAS

The United States shall, subject to previous agreement with the Philippines, have the right to use land and coastal sea areas of appropriate size and location for periodic maneuvers, for additional staging areas, bombing and gunnery ranges, and for such intermediate airfields as may be required for safe and efficient air operations. Operations in such areas shall be carried on with due regard and safeguards for the public safety.

ARTICLE VII

USE OF PUBLIC SERVICES

It is mutually agreed that the United States may employ and use for United States military forces any and all public utilities, other

services and facilities, airfields, ports, harbors, roads, highways, railroads, bridges, viaducts, canals, lakes, rivers and streams in the Philippines under conditions no less favorable than those that may be applicable from time to time to the military forces of the Philippines.

ARTICLE VIII

HEALTH MEASURES OUTSIDE BASES

It is mutually agreed that the United States may construct, subject to agreement by the appropriate Philippine authorities, wells, water catchment areas or dams to insure an ample supply of water for all base operations and personnel. The United States shall likewise have the right, in cooperation with the appropriate authorities of the Philippines, to take such steps as may be mutually agreed upon to be necessary to improve health and sanitation in areas contiguous to the bases, including the right, under such conditions as may be mutually agreed upon, to enter and inspect any privately owned property. The United States shall pay just compensation for any injury to persons or damage to property that may result from action taken in connection with this Article.

ARTICLE IX

SURVEYS

It is mutually agreed that the United States shall have the right, after appropriate notification has been given to the Philippines, to make topographic, hydrographic, and coast and geodetic surveys and aerial photographs in any part of the Philippines and waters adjacent thereto. Copies with title and triangulation data of any surveys or photomaps made of the Philippines shall be furnished to the Philippines.

ARTICLE X

CEMETERIES AND HISTORICAL SITES

1. The United States shall have the right to retain and maintain such United States military cemeteries and such sites of historical significance to the United States as may be agreed upon by the two Governments. All rights, power and authority in relation to bases granted under this Agreement shall be applicable, in so far as appropriate, to the cemeteries and sites mentioned in this Article.

2. Furthermore, it is recognized that there are certain cemeteries and historical sites in the Philippines revered in the memory of the People of the United States and of the Philippines, and it is therefore fitting that the maintenance and improvement of such memorials be the common concern of the two countries.

ARTICLE XI

IMMIGRATION

1. It is mutually agreed that the United States shall have the right to bring into the Philippines members of the United States military forces and the United States nationals employed by or under a contract

with the United States together with their families, and technical personnel of other nationalities (not being persons excluded by the laws of the Philippines) in connection with the construction, maintenance, or operation of the bases. The United States shall make suitable arrangements so that such persons may be readily identified and their status established when necessary by the Philippine authorities. Such persons, other than members of the United States armed forces in uniform, shall present their travel documents to the appropriate Philippine authorities for visas, it being understood that no objection will be made to their travel to the Philippines as non-immigrants.

2. If the status of any person within the Philippines and admitted thereto under the foregoing paragraph shall be altered so that he would no longer be entitled to such admission, the United States shall notify the Philippines and shall, if such person be required to leave the Philippines by the latter Government, be responsible for providing him with a passage from the Philippines within a reasonable time, and shall in the meantime prevent his becoming a public responsibility of the Philippines.

ARTICLE XII

INTERNAL REVENUE TAX EXEMPTION

1. No member of the United States armed forces, except Filipino citizens, serving in the Philippines in connection with the bases and residing in the Philippines by reason only of such service, or his dependents, shall be liable to pay income tax in the Philippines except in respect of income derived from Philippine sources.

2. No national of the United States serving in or employed in the Philippines in connection with the construction, maintenance, operation or defense of the bases and residing in the Philippines by reason only of such employment, or his spouse and minor children and dependent parents of either spouse, shall be liable to pay income tax in the Philippines except in respect of income derived from Philippine sources or sources other than the United States sources.

3. No person referred to in paragraphs 1 and 2 of this Article shall be liable to pay to the Government or local authorities of the Philippines any poll or residence tax, or any import or export duty, or any other tax on personal property imported for his own use; provided that privately owned vehicles shall be subject to payment of the following only: when certified as being used for military purposes by appropriate United States authorities, the normal license plate fee; otherwise, the normal license plate and registration fees.

4. No national of the United States, or corporation organized under the laws of the United States, resident in the United States, shall be liable to pay income tax in the Philippines in respect of any profits derived under a contract made in the United States with the Government of the United States in connection with the construction, maintenance, operation and defense of the bases, or any tax in the nature of a license in respect of any service or work for the United States in connection with the construction, maintenance, operation and defense of the bases.

ARTICLE XIII

JURISDICTION

1. The Philippines consents that the United States shall have the right to exercise jurisdiction over the following offenses:

(*a*) Any offense committed by any person within any base except where the offender and offended parties are both Philippine citizens (not members of the armed forces of the United States on active duty) or the offense is against the security of the Philippines;

(*b*) Any offense committed outside the bases by any member of the armed forces of the United States in which the offended party is also a member of the armed forces of the United States; and

(*c*) Any offense committed outside the bases by any member of the armed forces of the United States against the security of the United States.

2. The Philippines shall have the right to exercise jurisdiction over all other offenses committed outside the bases by any member of the armed forces of the United States.

3. Whenever for special reasons the United States may desire not to exercise the jurisdiction reserved to it in paragraphs 1 and 6 of this Article, the officer holding the offender in custody shall so notify the fiscal (prosecuting attorney) of the city or province in which the offense has been committed within ten days after his arrest, and in such a case the Philippines shall exercise jurisdiction.

4. Whenever for special reasons the Philippines may desire not to exercise the jurisdiction reserved to it in paragraph 2 of this Article, the fiscal (prosecuting attorney) of the city or province where the offense has been committed shall so notify the officer holding the offender in custody within ten days after his arrest, and in such a case the United States shall be free to exercise jurisdiction. If any offense falling under paragraph 2 of this Article is committed by any member of the armed forces of the United States

(*a*) while engaged in the actual performance of a specific military duty, or

(*b*) during a period of national emergency declared by either Government and the fiscal (prosecuting attorney) so finds from the evidence, he shall immediately notify the officer holding the offender in custody that the United States is free to exercise jurisdiction. In the event the fiscal (prosecuting attorney) finds that the offense was not committed in the actual performance of a specific military duty, the offender's commanding officer shall have the right to appeal from such finding to the Secretary of Justice within ten days from the receipt of the decision of the fiscal and the decision of the Secretary of Justice shall be final.

5. In all cases over which the Philippines exercises jurisdiction the custody of the accused, pending trial and final judgment, shall be entrusted without delay to the commanding officer of the nearest

base, who shall acknowledge in writing that such accused has been delivered to him for custody pending trial in a competent court of the Philippines and that he will be held ready to appear and will be produced before said court when required by it. The commanding officer shall be furnished by the fiscal (prosecuting attorney) with a copy of the information against the accused upon the filing of the original in the competent court.

Exclusive jurisdiction in time of war.

6. Notwithstanding the foregoing provisions, it is mutually agreed that in time of war the United States shall have the right to exercise exclusive jurisdiction over any offenses which may be committed by members of the armed forces of the United States in the Philippines.

7. The United States agrees that it will not grant asylum in any of the bases to any person fleeing from the lawful jurisdiction of the Philippines. Should any such person be found in any base, he will be surrendered on demand to the competent authorities of the Philippines.

8. In every case in which jurisdiction over an offense is exercised by the United States, the offended party may institute a separate civil action against the offender in the proper court of the Philippines to enforce the civil liability which under the laws of the Philippines may arise from the offense.

ARTICLE XIV

ARREST AND SERVICE OF PROCESS

1. No arrest shall be made and no process, civil or criminal, shall be served within any base except with the permission of the commanding officer of such base; but should the commanding officer refuse to grant such permission he shall (except in cases of arrest where the United States has jurisdiction under Article XIII) forthwith take the necessary steps to arrest the person charged and surrender him to the appropriate authorities of the Philippines or to serve such process, as the case may be, and to provide the attendance of the server of such process before the appropriate court in the Philippines or procure such server to make the necessary affidavit or declaration to prove such service as the case may require.

2. In cases where the service courts of the United States have jurisdiction under Article XIII, the appropriate authorities of the Philippines will, on request, give reciprocal facilities as regards the service of process and the arrest and surrender of alleged offenders.

ARTICLE XV

SECURITY LEGISLATION

The Philippines agrees to take such steps as may from time to time be agreed to be necessary with a view to the enactment of legislation to insure the adequate security and protection of the United States bases, equipment and other property and the operations of the United States under this Agreement, and the punishment of persons who may contravene such legislation. It is mutually agreed that appropriate authorities of the two Governments will also consult from time to

time in order to insure that laws and regulations of the United States and of the Philippines in relation to such matters shall, so far as may be possible, be uniform in character.

ARTICLE XVI

POSTAL FACILITIES

It is mutually agreed that the United States shall have the right to establish and maintain United States post offices in the bases for the exclusive use of the United States armed forces, and civilian personnel who are nationals of the United States and employed in connection with the construction, maintenance, and operation of the bases, and the families of such persons, for domestic use between United States post offices in the bases and between such post offices and other United States post offices. The United States shall have the right to regulate and control within the bases all communications within, to and from such bases.

ARTICLE XVII

REMOVAL OF IMPROVEMENTS

1. It is mutually agreed that the United States shall have the right to remove or dispose of any or all removable improvements, equipment or facilities located at or on any base and paid for with funds of the United States. No export tax shall be charged on any material or equipment so removed from the Philippines.

2. All buildings and structures which are erected by the United States in the bases shall be the property of the United States and may be removed by it before the expiration of this Agreement or the earlier relinquishment of the base on which the structures are situated. There shall be no obligation on the part of the United States or of the Philippines to rebuild or repair any destruction or damage inflicted from any cause whatsoever on any of the said buildings or structures owned or used by the United States in the bases. The United States is not obligated to turn over the bases to the Philippines at the expiration of this Agreement or the earlier relinquishment of any bases in the condition in which they were at the time of their occupation, nor is the Philippines obliged to make any compensation to the United States for the improvements made in the bases or for the buildings or structures left thereon, all of which shall become the property of the Philippines upon the termination of the Agreement or the earlier relinquishment by the United States of the bases where the structures have been built.

ARTICLE XVIII

SALES AND SERVICES WITHIN THE BASES

1. It is mutually agreed that the United States shall have the right to establish on bases, free of all licenses; fees; sales, excise or other taxes, or imposts; Government agencies, including concessions, such as sales commissaries and post exchanges, messes and social clubs, for the exclusive use of the United States military forces and authorized

civilian personnel and their families. The merchandise or services sold or dispensed by such agencies shall be free of all taxes, duties and inspection by the Philippine authorities. Administrative measures shall be taken by the appropriate authorities of the United States to prevent the resale of goods which are sold under the provisions of this Article to persons not entitled to buy goods at such agencies and, generally, to prevent abuse of the privileges granted under this Article. There shall be cooperation between such authorities and the Philippines to this end.

2. Except as may be provided in any other agreements, no person shall habitually render any professional services in a base except to or for the United States or to or for the persons mentioned in the preceding paragraph. No business shall be established in a base, it being understood that the Government agencies mentioned in the preceding paragraph shall not be regarded as businesses for the purposes of this Article.

ARTICLE XIX

COMMERCIAL CONCERNS

It is mutually agreed that the United States shall have the right, with the consent of the Philippines, to grant to commercial concerns owned or controlled by the citizens of the United States or of the Philippines such rights to the use of any base or facility retained or acquired by the United States as may be deemed appropriate by both Governments to insure the development and maintenance for defense purposes of such bases and facilities.

ARTICLE XX

MILITARY OR NAVAL POLICE

It is mutually agreed that there shall be close cooperation on a reciprocal basis between the military and naval police forces of the United States and the police forces of the Philippines for the purpose of preserving order and discipline among United States military and naval personnel.

ARTICLE XXI

TEMPORARY INSTALLATIONS

1. It is mutually agreed that the United States shall retain the right to occupy temporary quarters and installations now existing outside the bases mentioned in Annex A and Annex B, for such reasonable time, not exceeding two years, as may be necessary to develop adequate facilities within the bases for the United States armed forces. If circumstances require an extension of time, such a period will be fixed by mutual agreement of the two Governments; but such extension shall not apply to the existing temporary quarters and installations within the limits of the City of Manila and shall in no case exceed a period of three years.

Post, p. 4032.

2. Notwithstanding the provisions of the preceding paragraph, the Port of Manila reservation with boundaries as of 1941 will be avail-

able for use to the United States armed forces until such time as other arrangements can be made for supply of the bases by mutual agreement of the two Governments.

3. The terms of this Agreement pertaining to bases shall be applicable to temporary quarters and installations referred to in paragraph 1 of this Article while they are so occupied by the armed forces of the United States; provided, that offenses committed within the temporary quarters and installations located within the present limits of the City of Manila shall not be considered as offenses within the bases but shall be governed by the Provisions of Article XIII, paragraphs 2 and 4, except that the election not to exercise the jurisdiction reserved to the Philippines shall be made by the Secretary of Justice. It is agreed that the United States shall have full use and full control of all these quarters and installations while they are occupied by the armed forces of the United States, including the exercise of such measures as may be necessary to police said quarters for the security of the personnel and property therein.

Ante, p. 4025.

ARTICLE XXII

CONDEMNATION OR EXPROPRIATION

1. Whenever it is necessary to acquire by condemnation or expropriation proceedings real property belonging to any private persons, associations or corporations located in bases named in Annex A and Annex B in order to carry out the purposes of this Agreement, the Philippines will institute and prosecute such condemnation or expropriation proceedings in accordance with the laws of the Philippines. The United States agrees to reimburse the Philippines for all the reasonable expenses, damages and costs thereby incurred, including the value of the property as determined by the Court. In addition, subject to the mutual agreement of the two Governments, the United States will reimburse the Philippines for the reasonable costs of transportation and removal of any occupants displaced or ejected by reason of the condemnation or expropriation.

Post, p. 4032.

2. Prior to the completion of such condemnation or expropriation proceedings, in cases of military necessity the United States shall have the right to take possession of such property required for military purposes as soon as the legal requisites for obtaining possession have been fulfilled.

3. The properties acquired under this Article shall be turned over to the Philippines upon the expiration of this Agreement, or the earlier relinquishment of such properties, under such terms and conditions as may be agreed upon by the two Governments.

ARTICLE XXIII

CIVIL LIABILITY

For the purpose of promoting and maintaining friendly relations by the prompt settlement of meritorious claims, the United States shall pay just and reasonable compensation, when accepted by claimants in full satisfaction and in final settlement, for claims, including

claims of insured but excluding claims of subrogees, on account of damage to or loss or destruction of private property, both real and personal, or personal injury or death of inhabitants of the Philippines, when such damage, loss, destruction or injury is caused by the armed forces of the United States, or individual members thereof, including military or civilian employees thereof, or otherwise incident to non-combat activities of such forces; provided that no claim shall be considered unless presented within one year after the occurrence of the accident or incident out of which such claim arises.

ARTICLE XXIV

MINERAL RESOURCES

All minerals (including oil), and antiquities and all rights relating thereto and to treasure trove, under, upon, or connected with the land and water comprised in the bases or otherwise used or occupied by the United States by virtue of this Agreement, are reserved to the Government and inhabitants of the Philippines; but no rights so reserved shall be transferred to third parties, or exercised within the bases, without the consent of the United States. The United States shall negotiate with the proper Philippine authorities for the quarrying of rock and gravel necessary for construction work on the bases.

ARTICLE XXV

GRANT OF BASES TO A THIRD POWER

1. The Philippines agrees that it shall not grant, without prior consent of the United States, any bases or any rights, power, or authority whatsoever, in or relating to bases, to any third power.

2. It is further agreed that the United States shall not, without the consent of the Philippines, assign, or underlet, or part with the possession of the whole or any part of any base, or of any right, power or authority granted by this Agreement, to any third power.

ARTICLE XXVI

DEFINITION OF BASES

For the purposes of this Agreement, bases are those areas named in Annex A and Annex B and such additional areas as may be acquired for military purposes pursuant to the terms of this Agreement.

ARTICLE XXVII

VOLUNTARY ENLISTMENT OF PHILIPPINE CITIZENS

It is mutually agreed that the United States shall have the right to recruit citizens of the Philippines for voluntary enlistment into the United States armed forces for a fixed term of years, and to train them and to exercise the same degree of control and discipline over them as is exercised in the case of other members of the United States armed forces. The number of such enlistments to be accepted by the armed forces of the United States may from time to time be limited by agreement between the two Governments.

ARTICLE XXVIII

UNITED STATES RESERVE ORGANIZATIONS

It is mutually agreed that the United States shall have the right to enroll and train all eligible United States citizens residing in the Philippines in the Reserve organizations of the armed forces of the United States, which include the Officers Reserve Corps and the Enlisted Reserve Corps, except that prior consent of the Philippines shall be obtained in the case of such persons who are employed by the Philippines or any Municipal or Provincial Government thereof.

ARTICLE XXIX

TERM OF AGREEMENT

The present Agreement shall enter into force upon its acceptance [1] by the two Governments and shall remain in force for a period of ninety-nine years subject to extension thereafter as agreed by the two Governments.

Signed in Manila, Philippines, in duplicate this fourteenth day of March, nineteen hundred and forty-seven.

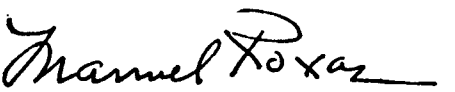
On behalf of the Government of the United States of America:

[SEAL]

PAUL V. MCNUTT
Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines.

On behalf of the Government of the Republic of the Philippines:

[SEAL]



MANUEL ROXAS
President of the Philippines

[1] [Entered into force March 26, 1947. In a note of June 16, 1947, the American Chargé d'Affaires ad interim at Manila informed the Acting Secretary of Foreign Affairs of the Republic of the Philippines that "the Government of the United States of America considers that the signature affixed to the Agreement in its behalf constitutes the acceptance of the Agreement by the Government of the United States of America." In a note of January 24, 1948, the Secretary of Foreign Affairs of the Republic of the Philippines informed the American Ambassador at Manila that "the Government of the Republic of the Philippines accepts the Agreement as of March 26, 1947, pursuant to a formal instrument of acceptance and ratification of said Agreement signed by the President of the Philippines on January 21, 1948 . . ."]

ANNEX A

Clark Field Air Base, Pampanga.
Fort Stotsenberg, Pampanga.
Mariveles Military Reservation, POL Terminal and Training Area, Bataan.
Camp John Hay Leave and Recreation Center, Baguio.
Army Communications System with the deletion of all stations in the Port of Manila Area.
United States Armed Forces Cemetery No. 2, San Francisco del Monte, Rizal.
Angeles General Depot, Pampanga.
Leyte-Samar Naval Base including shore installations and air bases.
Subic Bay, Northwest Shore Naval Base, Zambales Province, and the existing Naval reservation at Olongapo and the existing Baguio Naval Reservation.
Tawi Tawi Naval Anchorage and small adjacent land areas.
Canacao-Sangley Point Navy Base, Cavite Province.
Bagobantay Transmitter Area, Quezon City, and associated radio receiving and control sites, Manila Area.
Tarumpitao Point (Loran Master Transmitter Station), Palawan.
Talampulan Island, Coast Guard # 354 (Loran), Palawan.
Naule Point (Loran Station), Zambales.
Castillejos, Coast Guard # 356, Zambales.

ANNEX B

Mactan Island Army and Navy Air Base.
Florida Blanca Air Base, Pampanga.
Aircraft Service Warning Net.
Camp Wallace, San Fernando, La Union.
Puerto Princesa Army and Navy Air Base, including Navy Section Base and Air Warning Sites, Palawan.
Tawi Tawi Naval Base, Sulu Archipelago.
Aparri Naval Air Base.

The American Ambassador to the Philippine Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA,
March 14, 1947

EXCELLENCY:

I have the honor to state, in signing the Agreement of March 14, 1947, Between the United States of America and the Republic of the Philippines Concerning Military Bases, the understanding of my Government that the question of the adjustment of any rights and titles held by the United States pursuant to the provisions of the Act of Congress of March 24, 1934 (48 Stat. 456) as amended, specifically Section 10(b) thereof, the Joint Resolution of the Congress of June 29, 1944, and the Act of Congress of July 3, 1946, and Treaties and Agreements heretofore entered into between the United States and the Philippines, to real property in any of the bases covered by the aforementioned Agreement or any naval reservations or fueling stations not so covered is reserved and will be settled subsequently in accordance with the terms of the Acts and Joint Resolution of the Congress mentioned above.

Adjustment of rights and titles held by U. S.

48 U. S. C. § 1231 *et seq.*
48 Stat. 463.
48 U. S. C. § 1240(b).
58 Stat. 625; 60 Stat. 418.
48 U. S. C. §§ 1235a, 1240 note; 22 U. S. C. §§ 1381–1386.

I should be appreciative if I might be informed of the concurrence of Your Excellency's Government with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary of Foreign Affairs for the Republic of the Philippines.

The Philippine Secretary of Foreign Affairs to the American Ambassador

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

MANILA, *March 14, 1947*

EXCELLENCY:

With reference to Your Excellency's note of March 14, 1947, the substantive paragraph of which reads:

> I have the honor to state, in signing the Agreement of March 14, 1947, between the United States of America and the Republic of the Philippines concerning military bases, the understanding of my Government that the question of the adjustment of any rights and titles held by the United States pursuant to the provisions of the Act of Congress of March 24, 1934 (48 Stat. 456) as amended, specifically Section 10 B thereof, the Joint Resolution of the Congress of June 29, 1944, and the Act of Congress of July 3, 1946,

and Treaties and Agreements heretofore entered into between the United States and the Philippines, to real property in any of the bases covered by the aforementioned Agreement or any naval reservations or fueling stations not so covered is reserved and will be settled subsequently in accordance with the terms of the Acts and Joint Resolution of the Congress mentioned above;

I have the honor to state that, without conceding the existence of any rights or titles to the real property therein referred to, my Government concurs with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO
Vice-President and concurrently
Secretary of Foreign Affairs

His Excellency
PAUL V. MCNUTT
United States Ambassador
Manila

The American Ambassador to the Philippine Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA,
March 14, 1947.

EXCELLENCY:

Garrisoning and development of bases.

I have the honor to state in signing the Agreement of March 14, 1947 Between the United States of America and the Republic of the Philippines Concerning Military Bases, the understanding of my Government that the garrisoning and development of the said bases shall be the concern of the Government of the United States of America.

I shall be appreciative if I may be informed of the concurrence of Your Excellency's Government with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary of Foreign Affairs for the Republic of the Philippines.

The Philippine Secretary of Foreign Affairs to the American Ambassador

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

MANILA, *March 14, 1947*

EXCELLENCY:

In reply to your note of even date regarding the garrisoning and development of the bases covered by the Agreement of March 14, 1947, between the Republic of the Philippines and the United States of America concerning military bases, I have the honor to state that it is the understanding of my Government that the question of garrisoning and development of said bases shall be the concern of the Government of the United States.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO
Vice-President and concurrently
Secretary of Foreign Affairs

His Excellency
PAUL V. MCNUTT
American Ambassador to the Philippines
Manila

The Philippine Secretary of Foreign Affairs to the American Ambassador

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

MANILA, *March 12*,[1] *1947*

EXCELLENCY:

In the signing of the Agreement on March 14, 1947, between the Republic of the Philippines and the United States of America concerning military bases, I have the honor to state that it is the understanding of my Government that the existing national and provincial and other rights of way of the Republic of the Philippines running through the bases covered in Annex A and Annex B of the Agreement, more particularly the national road running through Camp John Hay and the naval reservation at Baguio, shall continue to be used as such by the public and that this understanding shall be administratively brought about in the enforcement of said Agreement.

Ante, p. 4032.

I will highly appreciate it, therefore, if I can be informed of the concurrence of Your Excellency's Government with the understanding set forth above.

[1] [This date should be "March 14."]

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO
Vice-President and concurrently
Secretary of Foreign Affairs

His Excellency
PAUL V. MCNUTT
United States Ambassador
Manila

The American Ambassador to the Philippine Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA,
March 14, 1947.

EXCELLENCY:

With reference to Your Excellency's note of March 14, 1947, the substantive paragraph of which reads:

Rights of way through bases.

> In the signing of the Agreement on March 14, 1947, Between the Republic of the Philippines and the United States of America Concerning Military Bases, I have the honor to state that it is the understanding of my Government that the existing national and provincial and other rights of way of the Republic of the Philippines running through the bases covered in Annex A and Annex B of the Agreement, more particularly the national road running through Camp John Hay and the naval reservation at Baguio, shall continue to be used as such by the public and that this understanding shall be administratively brought about in the enforcement of said Agreement;

Ante, p. 4032.

I have the honor to state that without conceding the existence of any national or provincial or other rights of way of the Republic of the Philippines running through any of the bases covered in Annex A and Annex B of the Agreement and subject to such adjustments in rights of way as may be required by military necessity in accordance with paragraph 3 of Article III, my Government concurs with the understanding above set forth.

Ante, p. 4021.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. MCNUTT

His Excellency
ELPIDIO QUIRINO,
Secretary of Foreign Affairs for the
Republic of the Philippines.

Agreement between the United States of America and the Netherlands respecting American dead in World War II. Effected by exchange of notes signed at The Hague April 11, 1947; entered into force April 11, 1947.

April 11, 1947
[T. I. A. S. 1777]

The American Chargé d'Affaires ad interim to the Netherlands Minister for Foreign Affairs

No. 705

THE HAGUE, *April 11, 1947.*

EXCELLENCY:

I have the honor to refer to my note No. 688, of March 26, 1947, [1] in which I informed Your Excellency that the Department of State had authorized the Embassy to effect an exchange of notes with Your Excellency concerning American War Graves in the Netherlands and in its Overseas Territories.

The plan presented by the American Graves Registration Command, including the "major concessions" desired, in connection with American War Graves in the Netherlands and the Netherlands Overseas Territories, is as follows:

"1. The Plan Presented:

1. It is the declared policy of the Government of the United States of America, upon application by the next of kin, to return to the Homeland for interment at places designated by the next of kin, or in national cemeteries, the remains of persons who died on or after September 3, 1939, and are buried outside the continental limits of the United States, and who were:

a. Members of the armed forces of the United States who died in the service.

b. Civilian officers and employees of the United States.

c. Citizens of the United States who served in the armed forces of any Government at war with Germany, Italy, Japan, or any other belligerent power, and who died while in such service and who were citizens of the United States at the time of such service.

d. Citizens of the United States whose homes are in fact in the United States and whose death, outside the continental limits thereof can be directly attributed to the war or who died while employed or otherwise engaged in activities contributing to the prosecution of the war.

e. Such other citizens of the United States, the return of the remains of whom would, in discretion of the Secretary of War, serve the public interest.

[1] [Not printed.]

2. Future policy of the Government of the United States and the desires of the next of kin of deceased persons may also necessitate the concentration of remains into "Fields of Honors" in each of the United Nations or in other Nations, their possessions or territories, for perpetual care by the United States Government.

3. It may be fitting and proper, at a future date, to commemorate the accomplishment, heroism and sacrifices of the Armed Forces of the United States by monuments or other suitable means.

4. There are presently interred in temporary United States Military Cemeteries in many of the various United Nations and other Nations, or the possessions or territories subject to their jurisdiction, the remains of members of Allied Armed Forces, Italian, German, Japanese and other former belligerent powers which require transfer of the custody of the remains to another country in order to secure perpetual care and maintenance of the graves of such deceased.

5. In furtherance of the objectives hereinbefore set forth, major concessions as enumerated below are desired from each of the Nations in order that the United States of America, through its duly designated representatives, may conduct these sacred operations without undue restrictions upon the Government of the United States.

Major Concessions Requested:

Temporary cemeteries.

a. The right to establish and maintain temporary cemeteries within the Nation, its possessions or territories subject to the control of the respective Government as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom or from other locations for repatriation or for concentration into permanent cemeteries abroad including movement of bodies from other countries into said Nation, its possessions or territories, provided however that no remains may be removed from the Netherlands to any colony or possession of the Netherlands, nor be removed from the Netherlands to any Netherlands territory over sea out of Europe, nor be removed from those territories to the Netherlands.

Permits for disinterments.

b. The right to be exempt from all national, local or other laws and/or regulations relating to the securing of permits for disinterments; sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health, any question as to detriment, in case same shall be raised by the respective Government, to be determined by mutual accord; and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of permanent graves.

c. Free entrance and exit for all personnel, supplies, transportation (air, motor, and water), including the use of highways and inland and coastal waterways necessary or incident to repatriation and concentration activities. Free entrance and exit.

d. Use of such ports, port facilities, including but not limited to, warehousing, docks, pilotage, supplies and services as are essential to repatriation and concentration activities subject only to payment of the established rates of compensation therefor. Use of ports, etc.

e. Use of rail and water transportation, including but not limited to that belonging or subject to the regulations of the respective Government to the extent required for the work involved and subject to payment for the use thereof at prevailing rates.

f. The right to the use of buildings, services and to employ labor within the respective Nation, the possessions or territories subject to the jurisdiction thereof, as are required for all activities involved by payment for use thereof at prevailing rates.

g. The respective Government shall procure possession of such sites for permanent cemeteries (Field of Honor) and/or memorials as are deemed necessary by the Government of the United States and will be pleased to grant to the United States of America the use thereof in perpetuity without payment by the United States of compensation therefor. Such sites shall be at location judged appropriate for the purpose by designated representatives of the Netherlands, and shall include sufficient ground in addition to burial space, for proper beautification, approach roads where required, and the construction of such buildings as are essential to the housing of caretakers, reception of visitors and general maintenance work and memorials at or separate and apart from cemeteries. Sites for permanent cemeteries, etc.

h. The right without regard to any national or local laws, customs, or regulations, to plan, layout, improve, construct buildings thereon, and beautify and provide for the perpetual custody and maintenance of such cemeteries and memorials as are directed by the United States Government, but subject however to the following provisions: Right to plan, etc.

a. The determination of the boundaries of any such cemetery, and particularly those portions lying outside of the burial plots and serving for beautification and/or as a site for the erection of a memorial, must be discussed with and approved by appropriate agencies of the respective government or political component thereof. Determination of boundaries.

Access roads.

b. Like discussion and agreement is required with respect to the course of access roads leading into any such cemetery, the landscaping of portions of any such cemetery, lying outside of the burial plots, the fencing or hedging of the cemetery, and the height, exterior plans and site of any memorial or the permanent structure to be erected thereon.

Exemption of salaries, etc., from taxation.

i. All salaries and other renumeration paid to personnel, who are citizens of the United States, by the United States while engaged in, and all facilities, material and supplies whether purchased locally or otherwise, utilized in these operations, including land for permanent cemeteries and memorials, and improvements thereto and buildings constructed thereon shall be exempt from any and all forms of taxation, direct or indirect.

Custody of remains, etc., of designated personnel.

j. The respective Government, at such time and place as the United States Government so requests, will assume custody of the remains and provide for the permanent maintenance of the graves of personnel formally serving with other Allied Armed Forces, Italy, Germany, Japan, or any other belligerent power which are now buried in temporary United States Military Cemeteries or other places now within custody of the United States Government located in the respective country, its possessions or territories, provided, however, that the United States reserves similar rights, as hereinbefore set forth to be exercised, if so desired, to disinter and transport the remains of members of other Allied Nations to cemeteries designated by such Nation within said respective country, the possessions or territories subject to the jurisdiction thereof.

k. The provisions of this section shall apply with equal force and effect to the shipment of remains from other foreign countries into the respective Nation, the possessions or territories subject to the jurisdiction of said nation, where the next of kin reside in said country, or one of its possessions or territories, and request final interment of remains therein, provided however that no remains may be removed from the Netherlands to any Netherlands territory over sea out of Europe, nor be removed from those territories to the Netherlands.

Exercise of rights reserved to U. S.

l. The rights, privileges and prerogatives reserved to the United States herein shall be exercised prior to January 1, 1955, except as relates to use of land acquired for cemeteries, memorials and improvements thereto, including buildings constructed thereon, which shall run in perpetuity."

As Your Excellency is aware, the question of the above mentioned "major concessions" have been the subject of various informal conversations between officers of this Embassy and representatives of the Ministry for Foreign Affairs; and it is my understanding that Your Excellency's Government is prepared to grant these concessions. If such is indeed the case, I shall appreciate receiving Your Excellency's confirmation thereof.

Accept, Excellency, the assurances of my highest consideration.

J. WEBB BENTON
J. WEBB BENTON
Charge d'Affaires, a.i.

His Excellency
Baron C. G. W. H. VAN BOETZELAER VAN OOSTERHOUT,
Royal Netherlands Minister for Foreign Affairs,
The Hague.

The Netherlands Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

MIN. VAN BUITENLANDSCHE ZAKEN
ADMINISTRATIVE AND LEGAL DEPARTMENT.

No. 37378. THE HAGUE, *April 11, 1947.*

SIR,

I have the honour to acknowledge receipt of your note of to-day's date, no. 705, in the following terms: *Ante*, p. 4037.

[Text same as in preceding note]

I have the honour to confirm that the Netherlands Government is prepared to grant the concessions as laid down in the abovementioned note. Please accept, Sir, the assurance of my high consideration.

FOR THE MINISTER OF FOREIGN AFFAIRS,
SNOUCK HURGRONJE

To J. WEBB BENTON Esq.,
Chargé d'Affaires a.i.
of the United States of America.

June 19, 28, 1946
[T. I. A. S. 1796]

Agreement between the United States of America and Rumania respecting American dead in World War II. Effected by exchange of notes signed at Bucharest June 19 and 28, 1946; entered into force June 28, 1946.

The American Representative in Rumania to the Rumanian Minister for Foreign Affairs

THE UNITED STATES MISSION
BUCHAREST, RUMANIA.

JUNE 19, 1946

SIR:

War graves registration, etc.

My Government desires to conclude with your Government a bilateral agreement upon war graves registration and associated matters. I am attaching a suggested text of such an agreement upon which I shall appreciate your comments. If you find this text acceptable, I suggest that the agreement can be concluded by an exchange of notes.

I desire to emphasize that it is now the intention of my Government to arrange only for the right of temporary burial, and that permanent arrangements now in existence or contemplated with regard to the establishment of cemeteries will be cancelled under instructions sent to the United States Military Representative by the United States War Department.

I shall be grateful if this matter is given your prompt consideration.

Very truly yours,

BURTON Y. BERRY
Representative of the United States
In Rumania

His Excellency
GHEORGHE TATARESCU,
The Royal Minister
For Foreign Affairs.

"The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the United States and/or who served or who accompanied the Armed Forces of the United States

and are now buried in Rumania or any possession or territory now or hereafter subject to the control of the Rumanian Government.

"1. The United States, through its duly designated representatives shall have the following rights, privileges and prerogatives:

U. S. rights, etc.

"A. The Government of the United States shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into other cemeteries abroad; and may move bodies from other countries into and/or through Rumania and its territories and possessions for internment and/or trans-shipment.

Temporary cemeteries.

"B. The Government of the United States shall be exempt from all national, local or other laws and/or regulations relating to the permits for disinterments; sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health; and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

Permits for disinterments, etc.

"C. The Government of the United States shall have the right of free entrance and exit for all personnel, supplies, transportation (air, mail, animal, motor, and water) serving or belonging to the United States and the use of air fields or port facilities, warehousing, living quarters, office space, rail and water transportation and the right to employ labor in Rumania, its territory and possessions, essential to the accomplishment of its mission upon payment of just compensation therefor.

Free entrance and exit, etc.

"D. The Government of the United States shall have the unrestricted rights of search for the remains of members of its Armed Forces and/or its citizens.

Rights of search.

"E. The Government of the United States shall have the unrestricted right to examine and copy all records, military or civilian, which may be of assistance in locating the graves, or identifying the remains of its deceased military or civilian personnel.

"F. The Government of the United States shall have the right to question and examine citizens of Rumania and to take affidavits in furtherance of its search for, and identification of remains of members of its Armed Forces and/or its citizens.

"2. The Government of Rumania will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the United States, and upon demand and the furnishing of a proper receipt will turn over to representatives of the United States all effects so located and secured.

Assistance from Rumanian Government.

"3. If in the future the Government of the United States wishes to establish permanent cemeteries or erect memorials in Rumania, the Rumanian Government will exercise its power of eminent domain to

acquire title to such sites and grant to the United States the right to use therein in perpetuity upon payment by the United States of just compensation therefor. Any sites acquired including improvements thereto and buildings constructed thereon shall be exempt for any and all form of taxation, direct or indirect. The provisions of paragraphs 1A, B and C will apply for the period of the agreement, the construction and maintenance of such permanent cemetreries and memorials as may be desired."

The Secretary General of the Rumanian Ministry of Foreign Affairs to the American Representative in Rumania

BUCAREST, LE 28 Iunie 1946

MINISTERE ROYAL DES AFFAIRES ETRANGERES

No. 24.152

D o m n u l e ,

Am onoarea a confirma primirea scrisoarei Domniei Voastre din 19 crt. şi a următorului text propus de Domnia Voastră pentru o convenţiune bilaterală cu privire la mormintele de război şi la chestiunile privitoare la aceste morminte :

"Cele ce urmează vor reglementa soarta rămăşiţelor persoanelor decedate , cari au fost cetăţeni ai Statelor Unite şi (sau) cari au fost în serviciul forţelor armate ale Statelor Unite sau le-au însoţit şi cari acum se găsesc îmormântate în România sau în orice posesiune sau teritoriu supus în prezent sau în viitor jurisdicţiei Guvernului român.

"1. Statele Unite , prin reprezentanţii lor desemnaţi în modul cuvenit , vor avea următoarele drepturi , privilegii şi prerogative :

"A. Guvernul Statelor Unite va avea dreptul de a înfiinţa şi de a întreţine cimitire provizorii necesare pentru înmormântarea persoanelor decedate şi supuse controlului său şi de a face exhumări din

aceste cimitire , în vederea repatrierii sau a concentrării în alte cimitire din străinătate ; şi va putea transporta corpuri din alte ţări în şi (sau) prin România şi teritoriile şi posesiunile sale , pentru înmormântare şi (sau) transbordare.

"B. Guvernul Statelor Unite va fi scutit de orice legi şi (sau) regulamente naţionale , locale sau de altă natură , relative la autorizaţiile de exhumare ; va fi scutit de dispoziţiile sanitare , cu asigurarea că asemenea operaţiuni vor fi efectuate într'un mod care să nu prejudicieze sănătatea publică ; şi de plata oricăror drepturi , impozite sau taxe de orice fel , pentru înmormântarea , exhumarea în vederea reînmormântării sau pentru transportarea corpurilor sau pentru întreţinerea mormintelor.

"C. Guvernul Statelor Unite va avea dreptul de liberă intrare şi eşire pentru tot personalul , aprovizionările , mijloacele de transport (aerian , poştal , animal , motorizat şi pe apă) , cari servesc sau aparţin Statelor Unite , precum şi folosinţa aerodromurilor şi a porturilor , magaziilor , locuinţelor , localurilor pentru biurouri , a mijloacelor de transport feroviar sau pe apă şi dreptul de a întrebuinţa mâna de lucru în România , în teritoriul şi posesiunile ei , necesară pentru îndeplinirea misiunei sale , după plata unei juste remunerări.

"D. Guvernul Statelor Unite va avea drepturi nelimitate pentru căutarea rămăşiţelor membrilor forţelor

sale armate şi (sau) ale cetăţenilor săi.

"E. Guvernul Statelor Unite va avea dreptul nelimitat de a cerceta şi de a copia toate registrele, militare sau civile, cari ar fi de folos la găsirea mormintelor sau la identificarea rămăşiţelor personalului său decedat, militar sau civil.

"F. Guvernul Statelor Unite va avea dreptul de a interoga şi de asculta pe cetăţenii României şi de a le lua declaraţii autentice în interesul cercetărilor sale pentru aflarea şi identificarea rămăşiţelor membrilor forţelor sale armate şi (sau) ale cetăţenilor săi.

"2. Guvernul Român va da tot ajutorul cu putinţă pentru găsirea şi luarea în primire a efectelor personalului decedat, militar şi civil, al Statelor Unite, iar la cerere şi după eliberarea cuvenitei adeverinţe va preda reprezentanţilor Statelor Unite toate efectele astfel găsite şi luate în primire.

"3. Dacă pe viitor Guvernul Statelor Unite va dori să infiinţeze cimitire permanente sau să ridice monumente în România, Guvernul Român îşi va exercita dreptul de "dominium eminens" pentru a dobândi dreptul asupra unor astfel de terenuri şi va acorda Statelor Unite dreptul de folosinţă perpetuă, în urma achitării de către Statele Unite a unei juste remunerări. Orice terenuri dobândite inclusiv îmbunătăţirile lor şi clădirile construite pe ele, vor fi scutite de orice fel

de impunere , directă sau indirectă. Prevederile paragrafelor 1A, B şi C se vor aplica , pe durata convenţiei , la construirea şi întreţinerea cimitirelor permanente şi a monumentelor dorite".

Drept răspuns la această scrisoare am onoarea a Vă informa că Guvernul Român acceptă propunerea Domniei Voastre , consideră prin prezenta convenţiunea bilaterală propusă în termenii aci menţionaţi ca definitiv încheiată şi va lua imediat măsuri pentru aplicarea ei de către autorităţile sale în înţelegere cu delegatul sau delegaţii desemnaţi de Domnia Voastră.

Al Domniei Voastre foarte sincer

B. Stoica [1]

Ambasador

Secretar General al Ministerului
Afacerilor Străine

Excelenţei-Sale
Domnului Burton Y. BERRY
Reprezentantul Statelor Unite în România.-

[1] [B. Stoica.]

Translation

ROYAL MINISTRY OF FOREIGN AFFAIRS

No. 24.152 BUCHAREST, June 28, 1946

SIR:

I have the honor to acknowledge the receipt of your letter of June 19 and of the following text proposed by you for a bilateral agreement with regard to war graves and matters relating to these graves:

Ante, p. 4042.

[For the English language text of the agreement, see p. 4043.]

Acceptance by Rumanian Government.

In answer to this letter I have the honor to inform you that the Rumanian Government accepts your proposal, that it hereby considers the bilateral agreement proposed in the foregoing terms, as definitively concluded and that it will take immediate steps for its application by its authorities in agreement with the delegate or delegates designated by you.

Very sincerely yours

B. STOICA
Ambassador
Secretary General of the
Ministry of Foreign Affairs

His Excellency
BURTON Y. BERRY
Representative of the United States in Rumania.

April 10, 30, 1947
[T. I. A. S. 1798]

Arrangement between the United States of America and Sweden respecting passport visa fees. Effected by exchange of notes dated at Washington April 10 and 30, 1947; entered into force April 30, 1947.

The Swedish Minister to the Acting Secretary of State

LEGATION OF SWEDEN
WASHINGTON 8, D. C.

No. 140

The Minister of Sweden presents his compliments to the Honourable the Acting Secretary of State and, with reference to informal discussions between officials of the Visa Division of the Department of State and the Swedish Legation, has the honour to bring to the Acting Secretary's knowledge that the Swedish Government is prepared to abolish visa requirements, but not passport requirements, for American citizens traveling in Sweden. However, existing Swedish regulations which require special permission to stay in Sweden longer than three months or to take employment in Sweden will remain in force unchanged. At present the fee for such permits varies from 4 to 12 Swedish crowns, depending upon the period of validity of the permit.

The necessary steps for abolishing the visa requirements for American citizens visiting Sweden will be taken forthwith by the Swedish Government provided the United States Government is willing to waive, in respect of Swedish citizens, the fees for non-immigrant visas and applications therefor, and to extend to twenty-four months the validity of visas granted to Swedish citizens who may be considered habitual visitors to the United States for bona-fide business purposes.

The Minister would appreciate to be informed of the attitude of the American Government in this matter.

WASHINGTON, D. C., *April 10, 1947.*

The Acting Secretary of State to the Swedish Minister

Abolishment by Sweden of visa requirements for American citizens.

The Acting Secretary of State presents his compliments to the Honorable the Minister of Sweden and has the honor to refer to the Legation's Note No. 140 of April 10, 1947, in which it is stated that the Swedish Government is prepared to abolish visa requirements, but not passport requirements, for American citizens traveling to Sweden, although the Swedish regulations requiring the payment of fees for residence permits will remain in effect.

A reciprocal arrangement, effective July 4, 1925,[1] was concluded between the Government of the United States and the Government of Sweden whereby the fees for nonimmigrant passport visas and applications therefor were waived for American citizens proceeding to

[1] [Not printed. The correct date is July 5, 1925.]

Sweden, and for Swedish citizens or subjects proceeding to the United States. At the request of the Government of Sweden this arrangement was amended, effective September 5, 1939, whereby there was established a fee of Kroner 4 for visaing the passport of an American citizen and a fee of $1.25 for granting a nonimmigrant passport visa to a Swedish citizen or subject.

54 Stat. 2489.

The Government of the United States understands from the Swedish Legation's Note No. 140 that visa requirements, but not passport requirements, will be waived for American citizens proceeding to Sweden or Swedish territory and that such citizens who desire to remain in Sweden or Swedish territory for a period of time longer than three months, or to take employment therein, except in the cases of officials of the United States Government, their families, servants, and employees, will be required to obtain a permit, the fee for which will be 4 crowns for a stay of one month, 6 crowns for three months, and 12 crowns for more than three months; these periods of time being in addition to the original period of three months for which no visa or residence fee will be required. It is further understood that any number of entries may be made into Sweden or Swedish territory without a visa provided the total time spent in Sweden or Swedish territory does not exceed three months in any nine months period, but that this time limit does not apply to crew members of commercial aircraft who enter Sweden or Swedish territory and whose names appear on the aircraft's manifest on which they arrive provided they leave Sweden or Swedish territory within a reasonable time.

Permit for stay in Sweden longer than three months.

Nonapplicability to crew of commercial aircraft.

In view of the understanding outlined herein the Government of the United States will waive the passport visa fees, effective on and after June 1, 1947, for citizens or subjects of Sweden who are *bona fide* nonimmigrants within the meaning of the immigration laws of the United States. A nonimmigrant passport visa granted by an American diplomatic or consular officer is valid for any number of applications for admission into the United States or United States territory during a period of twelve months from date of issuance, provided the passport of the bearer is valid for that period. The Government of the United States proposes that passport visas may be granted to nonimmigrants for an initial period of two years on and after June 1, 1947. The period of validity of the visa relates only to the period within which it may be used in connection with an application for admission at a port of entry and not to the length of stay in the United States which may be permitted the bearer if he is admitted. The period of stay is a matter within the discretion of the immigration authorities.

Waiver of designated passport visa fees by U. S.

The fee for an immigration visa to permit an alien to apply for admission into the United States with the privilege of residing permanently in this country is $10.00. The amount of this fee is prescribed by the Immigration Act of 1924, and it may not be changed on the basis of a reciprocal arrangement.

Fee for immigration visa.

43 Stat. 153.
8 U. S. C. § 201 note.

G J H

DEPARTMENT OF STATE,
Washington, April 30 1947

The Swedish Chargé d'Affaires ad interim to the Secretary of State

LEGATION OF SWEDEN
WASHINGTON 8, D. C.
No. 167

The Charge d'Affaires a. i. of Sweden presents his compliments to the Honourable the Secretary of State and, with reference to the Department of State's note, dated today, has the honour to inform the Secretary that the Swedish Government, as of May 1, 1947, will abolish visa requirements, but not passport requirements, for American citizens traveling to Sweden. Existing Swedish regulations which require special permission to stay in Sweden longer than three months or to take employment there remain in force unchanged.

The Charge d'Affaires has taken notice of the contents of the abovementioned note of the Department of State i.a. stating that the Government of the United States will waive the passport visa fees, effective on and after June 1, 1947, for citizens or subjects of Sweden who are bona-fide non-immigrants within the meaning of the Immigration Laws of the United States, and that the Government of the United States proposes that passport visas may be granted to non-immigrants for an initial period of two years on and after June 1, 1947, which measures will be much appreciated by the Swedish Government.

WASHINGTON, D. C., *April 30, 1947.*

Agreement between the United States of America and Mexico respecting a cooperative program for weather stations in Mexico. Effected by exchange of notes signed at Mexico May 18 and June 14, 1943; entered into force June 14, 1943.

May 18 and June 14, 1943
[T. I. A. S. 1806]

The American Ambassador to the Mexican Minister of Foreign Affairs

No. 1271

MEXICO, *May 18, 1943.*

EXCELLENCY:

Pursuant to instructions from my Government, I have the honor to inform Your Excellency that, in furtherance of the war effort, and particularly in order to safeguard military and air transport operations, it appears to be desirable to provide a network of urgently needed meteorological reports from points in northern Mexico bordering important airways of the United States. In the event that the establishment of such a network should be agreeable to Your Excellency's Government, the United States Weather Bureau, of the Department of Commerce, is prepared to provide the necessary equipment for nine such stations and is likewise prepared to defray the salaries of, and to train, sufficient Mexican personnel to take eight complete weather observations at three-hourly intervals daily, including Sundays and holidays.

Proposed network of nine stations.

While this matter has not been previously discussed with Mexican authorities, it is believed that the proposal will receive favorable consideration by the Mexican Meteorological Survey, since the weather reports from the net work would be beneficial in forecasting weather which at times moves southward across Mexico.

For Your Excellency's information I may add that if, as I venture to hope, the above suggestion should prove agreeable to Your Excellency's Government, the Weather Bureau would send an official to this Capital to assist in the making of the necessary arrangements and agreements so that the establishment of the stations may be expedited.

Official to assist in arrangements.

I should appreciate it if Your Excellency would be so kind as to endeavor to expedite a decision in regard to the above.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEORGE S. MESSERSMITH

The Mexican Minister of Foreign Affairs to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

54229 MÉXICO, *junio 14 de 1943.*

SEÑOR EMBAJADOR:

En respuesta a la atenta nota de Vuestra Excelencia número 1271 de 18 de mayo próximo pasado, y con relación a la mía número 53859 de 2 de junio en curso, me es grato manifestarle que el Gobierno de México está de acuerdo en que se establezcan nueve estaciones meteorológicas con el fin de proporcionar, diariamente, informes útiles para mejor salvaguardar las operaciones de transportes militares y aéreos.

Por lo tanto, el Gobierno de los Estados Unidos podrá enviar a México cuando a bien lo tenga, el funcionario de la Oficina Meteorológica a que se refiere la nota de Vuestra Excelencia, a fin de hacer los arreglos necesarios con las autoridades correspondientes del Gobierno de México – en este caso la Secretaría de Agricultura – en todo lo relativo a la localización de dichas estaciones, a la cooperación que prestará la Oficina Meteorológica Norteamericana en el sentido de proporcionar los equipos destinados al funcionamiento de aquellas, y al envío, si se creyera conveniente, de uno o más técnicos que instruyan al personal mexicano que atenderá las estaciones de que se trata. El sueldo de este personal será cubierto por el Gobierno de México.

Con esta nota remito a Vuestra Excelencia, adjunto, un memorándum que contiene diversos informes que en relación con este asunto, ha proporcionado la Secretaría de Agricultura y Fomento a la Secretaría de Relaciones Exteriores.

Aprovecho la oportunidad para renovar a Vuestra Excelencia, las seguridades de mi más alta y distinguida consideración.

E. PADILLA

ANEXO.

Excmo. Señor

GEORGE S. MESSERSMITH, *Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América,*

Presente.

MEMORANDUM.

En la actualidad existen en la región norte de la República las 11 estaciones meteorológicas que a continuación se indican:

ESTACIONES:	POSICION APROX. Lat.	Long.
Ensenada, B. C.	31°47′	116°37′
Altar, Son	30 43	111 44
Ures, Son.	29 26	110 24
Villa Ahumada, Chih.	30 38	106 31
Temósachic, Chih.	28°58′	107°50′
Hidalgo del Parral, Chih.	26 56	105 49
Ojinaga, Chih.	29 24	104 25
Sierra Mojada, Coah.	27 17	103 42
Monclova, Coah.	26 55	101 26
Linares, N. L.	24 52	99 34
Soto la Marina, Tamps.	23 46	98 12

Estas estaciones son de categoría termo-pluviométrica y envían, diariamente, a la Oficina Central de Tacubaya, para los estudios de previsión del tiempo a corto plazo, un telegrama con los datos de la observación que efectúan a las 6.30 horas, del meridiano 90° de Greenwich y que comprenden: los de temperatura máxima y temperatura mínima dentro de las 24 horas anteriores; lluvia caída dentro de las 24 horas anteriores; dirección y velocidad estimativa del viento y nubosidad, a la hora de la observación, y aspecto dominante del cielo durante las 24 horas anteriores. (Estos datos no están comprendidos dentro de los que se envían diariamente a los Estados Unidos, actualmente).

Es de suponerse que las nuevas estaciones que el Gobierno de los Estados Unidos propone crear, aparte de las observaciones de temperatura y lluvia harían observaciones de la presión atmosférica, del viento y de la nubosidad; mas quizá sería conveniente tomar en cuenta la localización de las termopluviométricas ya existentes, en vista de la necesidad de que los puntos que se elijan estén comunicados telegráficamente con el centro y de la ventaja de contar con estadística anterior de temperatura y de lluvia.

A los puntos anteriores pueden agregarse dos, comunicados telegráficamente con la capital y en los que también existen estaciones termo-pluviométricas, pero que no envían actualmente sus datos diarios por telégrafo. Son:

Presa de la Angostura, Son.	Lat.: 30°17′;	Long: 109°16′
y Lampazos, N. L.	" 27° 2;	" 100°31′

El Gobierno de México ha estado siempre dispuesto a cooperar con el de los Estados Unidos en los estudios meteorológicos. Desde hace tres años, el Gobierno Federal ha venido mejorando activamente la red de observatorios y próximamente será inaugurado uno especial, de Climatología Agrícola, en la Escuela Nacional de Agricultura, habiéndose invitado para su inauguración al Dr. C. W. Thornthwaite, del Departamento de Agricultura de los Estados Unidos, quien se ha distinguido por su buen deseo de cooperar con nosotros en esa rama.

La red Mexicana de estaciones meteorológicas se ha ido mejorando, a partir de 1941, en la forma manifiesta que aparece a continuación:

En 1940 había en total sólo 346 estaciones.

En 1941, funcionaron 614 estaciones, como sigue:

Pluviométricas	146
Termopluviométricas	302
De Evaporación	110
Meteorológicas	56

En 1942 funcionaron 804 estaciones, como sigue:

Pluviométricas	193
Termopluviométricas	425
De Evaporación	132
Meteorológicas	54

En 1943, están funcionando 868 estaciones, como sigue:

Pluviométricas	202
Termopluviométricas	468
De Evaporación	140
Meteorológicas	55

y 3 más, de Radio-sondeo, instaladas a solicitud y con la ayuda de la Oficina Meteorológica Norteamericana.

Sin embargo, nuestro programa de aumento y mejora en la red de Observatorios ha sufrido en los últimos dos años gran dilación y limitación debido a las dificultades encontradas para la adquisición de aparatos en los Estados Unidos. En fecha reciente fué cancelado, por la fábrica Taylor Instruments Co. un pedido de barómetros que le hicimos desde noviembre de 1941, a los termómetros y barógrafos solicitados con la misma fecha nos han estado siendo entregados por pequeñas partidas que aun no cubren el total contratado.

En el presente caso, la Secretaría de Agricultura espera que el aumento de los datos meteorológicos redunde en gran beneficio para los estudios del tiempo, en ambos países, y pondrá todo su empeño en cumplir con la cooperación que de ella se solicita.

MÉXICO, D. F., *junio 14 de 1943.*

Translation

MINISTRY OF FOREIGN AFFAIRS
UNITED MEXICAN STATES
MEXICO

54229

MEXICO CITY, *June 14, 1943.*

MR. AMBASSADOR:

In reply to Your Excellency's courteous note No. 1271 of May 18 last and with reference to my note No. 53859 [1] of the 2nd of the present month of June, I am happy to inform you that the Government of Mexico is agreeable to nine weather stations being established for the purpose of furnishing, daily, reports useful for better safeguarding military and air transportation operations.

Ante, p. 4053.

Therefore, the Government of the United States may, whenever it sees fit, send to Mexico City the Weather Bureau official to whom Your Excellency's note refers, for the purpose of making the necessary arrangements with the proper authorities of the Government of Mexico – in this case the Ministry of Agriculture – in connection with everything relative to the location of the said stations, the cooperation which the United States Weather Bureau will extend in the way of furnishing the equipment for the functioning thereof, and the sending, if considered advisable, of one or more experts to instruct the Mexican personnel who will be in charge of the stations in question. The salary of this personnel will be covered by the Government of Mexico.

As an enclosure with this note I transmit to Your Excellency a memorandum containing various information which the Ministry of Agriculture and Development has supplied to the Ministry of Foreign Relations relative to this matter.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

E. PADILLA

Enclosure.

His Excellency
GEORGE S. MESSERSMITH,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

[1] [Not printed.]

MEMORANDUM

Northern region weather stations.

At the present time there are in the northern region of the Republic the eleven weather stations listed below:

STATIONS:	APPROX. POSITION Lat.	Long.
Ensenada, B. C.	31°47′	116°37′
Altar, Son.	30 43	111 44
Ures, Son.	29 26	110 24
Villa Ahumada, Chih.	30 38	106 31
Temósachic, Chih.	28°58′	107°50′
Hidalgo del Parral, Chih.	26 56	105 49
Ojinaga, Chih.	29 24	104 25
Sierra Mojada, Coah.	27 17	103 42
Monclova, Coah.	26 55	101 26
Linares, N. L.	24 52	99 34
Soto la Marina, Tamps.	23 46	98 12

These stations are of the thermopluviometric category and despatch, daily, to the Central Bureau in Tacubaya, for short-term weather forecast studies, a telegram with the observation data gathered at 6:30 a. m. on the 90° meridian west of Greenwich, which include: maximum temperature and minimum temperature in the previous 24 hours; rainfall in the previous 24 hours; direction and estimated velocity of the wind and cloudiness, at the time of the observation, and prevailing aspect of the sky during the previous 24 hours. (These data are not included among those which are despatched daily to the United States, at present.)

It is to be supposed that the new stations which the Government of the United States is proposing to establish would, in addition to their observations of temperature and rainfall make observations of the atmospheric pressure, wind and cloudiness; but it would perhaps be advisable to take into account the location of already existing pluviometric stations, in view of the necessity of the places selected being connected by telegraph with the Center and of the advantage of taking previous statistics as to temperature and rainfall into account.

To the foregoing places may be added two which are connected by telegraph with the Capital and at which there also are thermopluviometric stations, but which do not at present transmit their daily data by telegraph. They are:

Presa de la Angosture, Son. . . . Lat.: 30°17′; Long.: 109°16′ and Lampazos, N. L. . . . Lat.: 27°2′; Long.: 100°31′.

Observatory for Agricultural Climatology.

The Government of Mexico has always been disposed to cooperate with that of the United States in meteorological studies. For three years the Federal Government has been actively improving the network of observatories, and a special one for Agricultural Climatology will be opened in the very near future at the National School of Agriculture, Dr. C. W. Thornthwaite, of the United States Department of Agriculture, who has distinguished himself by his desire to cooperate with us in that field, having been invited to the opening thereof.

Improvement in Mexican network.

The Mexican network of weather stations has been improved, since 1941, in the manifest way which is apparent from the following:

In 1940 there were only 346 stations in all.

In 1941, 614 stations were in operation, as follows:

Pluviometric	146
Thermopluviometric	302
Evaporation	110
Meteorological	56

In 1942, 804 stations were in operation, as follows:

Pluviometric	193
Thermopluviometric	425
Evaporation	132
Meteorological	54

In 1943, 868 stations are in operation as follows:

Pluviometric	202
Thermopluviometric	468
Evaporation	140
Meteorological	55

and three more, radiometeorographic stations, established at the request and with the help of the United States Weather Bureau.

Our program of increasing and improving the network of Observatories has nevertheless, in the last two years, suffered great delay and limitation, due to the difficulties encountered in the acquisition of apparatus from the United States. Recently an order for barometers which we placed with it as far back as November 1941 was canceled by the Taylor Instruments Company factory, and the thermometers and barographs requested at the same time have been delivered to us in small lots which still do not cover the total number ordered.

In the present case, the Department of Agriculture hopes that the increase in meteorological data will result in great benefit to weather studies, in both countries, and will devote its every endeavor to carrying out the cooperation which is requested of it.

MEXICO, D. F., *June 14, 1943.*

November 6, 1945, and April 12, 1946
[T. I. A. S. 1807]

Agreement between the United States of America and Mexico respecting a cooperative program for weather stations on Guadalupe Island. Effected by exchange of notes signed at Mexico November 6, 1945, and April 12, 1946; entered into force April 12, 1946.

The American Chargé d'Affaires ad interim to the Mexican Minister for Foreign Affairs

No. 4488 MEXICO, D. F., *November 6, 1945*

EXCELLENCY:

I have the honor to refer to correspondence between the Embassy and the Ministry in 1943 on the subject of an establishment of several synoptic weather stations in northern Mexico on the basis of a cooperative arrangement between the United States Weather Bureau and the Mexican Meteorological Service. Reference is made particularly to the following communications. The Embassy's note no. 1271 dated May 18, 1943, proposing the establishment of a network of nine synoptic stations and informing the Ministry that the United States Government is prepared to provide the necessary equipment for these stations: to the Ministry's note no. 54229 dated June 14, 1943, informing the Embassy that the Mexican Government is agreeable to the establishment of nine synoptic stations on the suggested cooperative basis and transmitting a memorandum containing certain information related to the project, as provided by the Ministry of Agriculture to the Ministry for Foreign Affairs; and to the Embassy's note no. 1421 dated June 29, 1943, [1] informing the Ministry that an official of the United States Weather Bureau has been designated as a technical advisor to consult with officials of the Mexican Government and to complete the necessary arrangements and agreements in connection with the establishment of the nine stations in question.

Ante, p. 4053.

Ante, p. 4057.

Proposed station on Guadalupe Island.

The Embassy was informed several weeks ago by the present representative of Mexico of the United States Weather Bureau to the effect that the Bureau, the Mexican Meteorological Service, and the Mexican Army have for some time been interested in the establishment of a meteorological station on Guadalupe Island off the coast of Lower California and that these agencies of the United States and Mexican Governments consider this location to be a very important one from a meteorological standpoint with reference to the civilian and military interests of the two countries. In view of the joint interests of the United States Weather Bureau, the Mexican Meteorological Service, and the Mexican Army in the establishment of such a station on a cooperative basis, the United States Weather Bureau has approached

[1] [Not printed.]

the Department of State with a draft of a cooperative arrangement that has been discussed informally and apparently approved by these agencies of the United States and Mexican Governments and the Embassy has been instructed by the Department to formally convey to the Ministry the desire and willingness of the United States Government to effect the establishment of such a program by an exchange of notes between the Embassy and the Ministry. The Embassy has been instructed to suggest for the consideration of the appropriate authorities of the Mexican Government that the agreement include the following obligations on the part of the United States Weather Bureau, the Mexican Meteorological Service, and the Mexican Army.

The United States Weather Bureau to provide:

1. Complete set of meteorological equipment and instruments for the purpose of taking synoptic observations.
2. Radio transmitter and receiver for communication of weather data.
3. Gasoline driven motor-generator power supply.
4. Building for living and working quarters of temporary nature. This probably will be a prefabricated structure to permit easy transportation.
5. Provide for instruction of personnel in observational procedures by competent instructor.
6. Provide for technical assistance in connection with installing buildings and meteorological equipment.

The Mexican Army, through the Segunda Zona Militar, to provide:

1. Labor crew on the island for the purpose of completing a trail or road to the proposed site, and to accomplish the necessary construction work.
2. Provide means for transportating (sic) building materials and equipment from the boat landing to the proposed site.
3. Provide gasoline and oil and such other supplies as may be needed by Mexican Army personnel assigned to the station.
4. Assign at least two non-commissioned officers to the station for the purpose of taking meteorological observations at specified hours and communicating the messages to the mainland.
5. Permit a United States Navy or Coast Guard boat to transport the equipment and materials required from San Diego, California or if so desired arrange for transportation of said equipment through Mexican facilities.

The Mexican Meteorological Service to provide the following:

1. The assignment of a Mexican Meteorological Service Official to accompany the Weather Bureau technician to the island to cooperate in the training of personnel and establishment of the station.

2. Provide for the reception of transmitted radio reports at Hermosillo, Sonora or other point to be designated and arrange for their transmission to Ciudad Juárez, Chih. in time for inclusion with reports from other cooperative international stations.
3. Make the necessary arrangements with the Mexican Army for the assignment of suitable personnel to the station.

I have the honor to suggest to Your Excellency that the above-suggested cooperative agreement if approved by the Government of Mexico be concluded by an exchange of notes between the Embassy and the Ministry consisting of the present communication and the Ministry's reply thereto.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

RAYMOND H. GEIST

His Excellency
Señor don FRANCISCO CASTILLO NÁJERA,
Minister for Foreign Affairs,
Mexico, D. F.

The Mexican Ministry of Foreign Relations to the American Embassy

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

54287

La Secretaría de Relaciones Exteriores saluda muy atentamente a la Embajada de los Estados Unidos de América, y con nueva referencia a su nota número 4488, del 6 de noviembre de 1945, relativa al proyecto para establecer una estación meteorológica en la isla de Guadalupe, frente a las costas de la Baja California, sobre bases de cooperación, tiene el agrado de manifestarle que la Secretaría de la Defensa Nacional y la de Agricultura y Fomento, a las que se consultó su parecer al respecto, han manifestado que convienen en la realización del proyecto de que se trata, pero por lo que se refiere a la segunda de las citadas Dependencias del Ejecutivo, su cooperación quedará regulada de acuerdo con la relación que se anexa a la presente.

La Secretaría de Relaciones Exteriores aprovecha esta oportunidad para reiterar a la Embajada de los Estados Unidos de América las seguridades de su más alta y distinguida consideración.[1]

MÉXICO D. F., *a 12 de abril de 1946.*

ANEXO.

BASES PARA LA COOPERACION DE LA SECRETARIA DE AGRICULTURA Y FOMENTO AL ESTABLECIMIENTO DE UNA ESTACION METEOROLOGICA EN LA ISLA DE GUADALUPE.

I. – Proporcionará un inspector técnico para que, en compañía de un oficial técnico de enlace del Servicio Norteamericano, se dirija a la

[1] [This note is signed by a rubric rather than by a name or initials.]

isla de Guadalupe para efectuar la instalación del equipo meteorológico, tan pronto como éste se encuentre en camino a dicho lugar o haya desembarcado y arribado al edificio destinado para el Observatorio.

2.– El mismo inspector adiestrará e instruirá debidamente al personal técnico encargado de las operaciones técnicas del Observatorio.

3.– Convendrá en los arreglos necesarios para la expedición de boletines y concentración y retransmisión de los mismos en Ciudad Juárez, Chihuahua, para su envío a las Oficinas del Servicio Norteamericano.

4.– Por razones presupuestales proporcionará solamente las cantidades necesarias para cubrir el cincuenta por ciento de los honorarios que corresponda al mismo personal técnico, esperando que el otro cincuenta por ciento sea cubierto por el Servicio Norteamericano, que había ofrecido pagar íntegramente a todo el personal de los Observatorios de Cooperación Internacional.

5.– Por intermedio del Servicio Meteorológico Mexicano controlará todas las operaciones técnicas, expedición y transmisión de boletines, incorporando el Observatorio de la isla de Guadalupe a la red del Servicio Nacional Mexicano, pero adaptándolo a las necesidades del Ejército Nacional y del Servicio Norteamericano, en lo que respecta a horarios de observación y expedición de boletines, en la misma forma en que ha venido atendiendo las solicitudes respectivas en relación con las operaciones de los demás Observatorios de Cooperación Internacional.

6.– Los arreglos para la concurrencia de la Segunda Zona Militar y del Servicio Norteamericano quedarán a cargo de la Secretaría de Relaciones Exteriores.

Translation

MINISTRY OF FOREIGN RELATIONS
UNITED MEXICAN STATES
MEXICO

54287

The Ministry of Foreign Relations presents its compliments to the Embassy of the United States of America and, again referring to its note No. 4488 of November 6, 1945 relative to the plan for establishing a weather station on the Island of Guadalupe off the coast of Baja California on a cooperative basis, is happy to inform it that the Ministry of National Defense and of Agriculture and Development, whose opinion is sought in regard thereto, have stated that they are agreeable to the carrying out of the plan in question, but, with reference to the second of the Executive Branches mentioned, its cooperation will be governed in accordance with the report herewith enclosed.

Ante, p. 4060.

The Ministry of Foreign Relations avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest and most distinguished consideration.[1]

MEXICO, D. F., *April 12, 1946.*

Enclosure

[1] [This note is signed by a rubric rather than by a name or initials.]

BASES FOR COOPERATION OF THE MINISTRY OF AGRICULTURE AND DEVELOPMENT IN THE ESTABLISHMENT OF A WEATHER STATION ON THE ISLAND OF GUADALUPE.

1. It will supply a technical inspector to accompany a technical liaison officer of the United States Service to the Island of Guadalupe and carry out the installation of the meteorological equipment, as soon as this is on its way to the Island or has been unloaded and has arrived at the building intended for the Observatory.

2. The same inspector will duly train and instruct the technical personnel responsible for the technical operations of the Observatory.

3. It will agree to the necessary arrangements for the issuance of bulletins and concentration and retransmission thereof at Ciudad Juarez, Chihuahua, for their despatch to the Offices of the United States Service.

4. For budgetary reasons it will furnish only those amounts necessary for covering fifty percent of the honoraria for the said technical personnel, expecting the other fifty percent to be covered by the United States Service, which had offered to pay in full all the personnel of the International Cooperation Observatories.

5. It will, through the intervention of the Mexican Weather Service, control all technical operations, issuance and transmission of bulletins, incorporating the Observatory on Guadalupe Island into the network of the Mexican National Service, but adapting it to the requirements of the National Army and of the United States Service, as regards observation schedules and issuance of bulletins, in the same way that it has been complying with their respective requests in connection with the operations of the other International Cooperation Observatories.

6. Arrangements for concurrence of the Second Military Area and the United States Service shall remain the responsibility of the Ministry of Foreign Relations.

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting the delimiting of the area within Newfoundland territorial waters adjacent to the United States Naval Base at Argentia. Effected by exchange of notes signed at London August 13 and October 23, 1947; entered into force October 23, 1947.

August 13, October 23, 1947
[T. I. A. S. 1809]

The British Secretary of State for Foreign Affairs to the American Ambassador

FOREIGN OFFICE, S. W. 1.
13th August, 1947.

No. AN2793/107/45.

YOUR EXCELLENCY,

I have the honour to inform you that discussions have taken place between the competent authorities of the United States and Newfoundland with the view of delimiting the area within Newfoundland territorial waters adjacent to the United States Naval Base at Argentia over which the United States may exercise rights in accordance with the paragraph (1) of Article 1 of the Agreement signed in London on the 27th March, 1941, relating to the Bases Leased to the United States of America. 55 Stat. 1560.

2. As the result of these discussions a draft agreement has been drawn up and, subject to certain modifications of form and wording, has received the approval of His Majesty's Governments in the United Kingdom, Canada and Newfoundland. The revised terms of the agreement are given in the Annex to the present note.

3. I have now the honour to inform Your Excellency that His Majesty's Government in the United Kingdom desire that the agreement should be confirmed by means of an exchange of notes. If therefore the Government of the United States likewise approve of the revised terms of agreement as annexed hereto, I would propose that the present note and Your Excellency's reply to that effect should be regarded as placing on record the formal confirmation of the provisions of the agreement by the Governments of the United Kingdom and the United States of America.

I have the honour to be with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)
P STEPHENS

His Excellency,
The Honourable,
LEWIS W. DOUGLAS,
etc., etc., etc.,
1 Grosvenor Square, W.1.

(AN 2793/107/45)

ANNEX.

Whereas, in paragraph 1 of Article 1 of the Agreement signed in London on the 27th March, 1941, relating to the Bases leased to the United States of America, it is provided, among other things, that the United States shall have all the rights, power and authority within the limits of territorial waters and air spaces adjacent to, or in the vicinity of the Leased Areas, which are necessary to provide access to and defence of the Leased Areas, or appropriate for the control thereof; and

55 Stat. 1560.

Whereas, in paragraph 4 of Article 1 of the said Agreement it is provided that in the practical application outside the Leased Areas of the preceding paragraphs there shall be, as occasion requires, consultation between the Government of the United States and the Government of the United Kingdom; and

55 Stat. 1561.

Whereas in paragraph 4 of the Protocol to the said Agreement it is agreed that in all consultations concerning Newfoundland arising out of Article I (4), II and XI (5) of the Agreement or of any other Articles involving considerations of defence, the Canadian Government as well as the Government of Newfoundland will have the right to participate; and

55 Stat. 1599.

55 Stat. 1561, 1565.

Whereas the waters in the vicinity of Argentia, including anchorages, channels and approaches, are demonstrated to be, in general, the maximum area of territorial water necessary to the United States Forces at Argentia to exercise the rights, power and authority conferred by Article 1 of the said Agreement;

55 Stat. 1560.

Now therefore it is agreed between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America after consultations in which the Governments of Canada and Newfoundland have participated that the limits of the territorial waters at Argentia within which the United States shall exercise the said rights, power and authority shall be the water areas included in the boundaries defined by a line joining the following points.

Beginning at Moll Point northwest of Placentia (at approximately mean tide level) a hundred and eighty and a half degrees three point nought nought miles (180½° 3.00 miles) from Latine point flashing light which is in position Latitude forty-seven (47) degrees eighteen (18) minutes fifty five (55) seconds North, longitude fifty four (54) degrees nought (0) minutes thirty five (35) seconds West approximately. Thence due west (true) for a distance of three (3) nautical miles.

Thence due north (true) for a distance of six point five four (6.54) nautical miles.

Thence due east (true) for a distance of four point nought nought (4.00) nautical miles.

Thence one hundred and one degrees (true) for a distance of two point seven three miles (101° 2.73 miles) to the shore line in Big Seal Cove (at approximately mean tide level).

The American Chargé d'Affaires ad interim to the British Secretary of State for Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY
London, October 23, 1947

YOUR EXCELLENCY,

I have the honor to acknowledge the receipt of Your Excellency's Note of August 13, 1947 (NO. AN 2793/107/45) to which there were annexed the revised terms of the agreement delimiting the waters adjacent to the United States Naval Base in Newfoundland. Your Excellency stated that His Majesty's Government in the United Kingdom desired that the agreement should be confirmed by an exchange of Notes.

The Government of the United States of America has approved of the revised terms of the agreement, as annexed hereto, and I now have the honor to state that the present Note and Your Excellency's Note of August 13, 1947, are to be regarded as placing on record the formal confirmation of the provisions of the agreement by the Governments of the United States of America and of the United Kingdom.

Accept, Sir, the assurances of my highest consideration.

W. J. GALLMAN
Chargé d'Affaires ad interim

The Right Honorable ERNEST BEVIN, M.P.,
Secretary of State for Foreign Affairs,
The Foreign Office,
London, S.W.1.

ANNEX

Whereas, in paragraph 1 of Article 1 of the Agreement signed in London on the 27th March, 1941, relating to the Bases leased to the United States of America, it is provided, among other things, that the United States shall have all the rights, power and authority within the limits of territorial waters and air spaces adjacent to, or in the vicinity of the Leased Areas, which are necessary to provide access to and defence of the Leased Areas, or appropriate for the control thereof; and 55 Stat. 1560.

Whereas, in paragraph 4 of Article 1 of the said Agreement is is provided that in the practical application outside the Leased Areas of the preceding paragraphs there shall be, as occasion requires, consultation between the Government of the United States and the Government of the United Kingdom; and 55 Stat. 1561.

Whereas in paragraph 4 of the Protocol to the said Agreement it is agreed that in all consultations concerning Newfoundland arising out of Article I (4), II and XI (5) of the Agreement or of any other 55 Stat. 1599. 55 Stat. 1561, 1565.

Articles involving considerations of defence, the Canadian Government as well as the Government of Newfoundland will have the right to participate; and

Whereas the waters in the vicinity of Argentia, including anchorages, channels and approaches, are demonstrated to be, in general, the maximum area of territorial water necessary to the United States Forces at Argentia to exercise the rights, power and authority conferred by Article 1 of the said Agreement;

55 Stat. 1560.

Limits of territorial waters at Argentia for exercise of U. S. rights, etc.

Now therefore it is agreed between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America after consultations in which the Governments of Canada and Newfoundland have participated that the limits of the territorial waters at Argentia within which the United States shall exercise the said rights, power and authority shall be the water areas included in the boundaries defined by a line joining the following points.

Beginning at Moll Point northwest of Placentia (at approximately mean tide level) a hundred and eighty and a half degrees three point nought nought miles (180-1/2° 3.00 miles) from Latine point flashing light which is in position Latitude forty-seven (47) degrees eighteen (18) minutes fifty five (55) seconds North, longitude fifty four (54) degrees nought (0) minutes thirty five (35) seconds West approximately. Thence due west (true) for a distance of three (3) nautical miles.

Thence due north (true) for a distance of six point five four (6.54) nautical miles

Thence due east (true) for a distance of four point nought nought (4.00) nautical miles.

Thence one hundred and one degrees (true) for a distance of two point seven three miles (101° 2.73 miles) to the shore line in Big Seal Cove (at approximately mean tide level).

Understandings between the United States of America and Canada regarding the Rush-Bagot Agreement of April 28 and 29, 1817, respecting naval forces on the American Lakes. Effected by exchanges of notes signed at Ottawa June 9 and 10, 1939, entered into force June 10, 1939; signed at Ottawa October 30 and November 2, 1940, entered into force November 2, 1940; signed at Ottawa February 26 and March 9, 1942, entered into force March 9, 1942; signed at Washington November 18 and December 6, 1946, entered into force December 6, 1946.

June 9, 10, 1939, Oct. 30, Nov. 2, 1940, Feb. 26, Mar. 9, 1942, Nov. 18, Dec. 6, 1946

[T. I. A. S. 1836]

CONSTRUCTION OF NAVAL VESSELS ON THE GREAT LAKES

Exchange of notes signed at Ottawa June 9 and 10, 1939—Entered into force June 10, 1939

The American Minister to the Canadian Under-Secretary of State for External Affairs

AMERICAN LEGATION
OTTAWA, CANADA.
June 9, 1939.

MY DEAR DR. SKELTON:

In a confidential letter addressed to the Secretary of State on January 31, 1939,[1] Admiral Leahy, the Acting Secretary of the Navy, raised certain questions regarding the Rush-Bagot Agreement of 1817. Among other things, Admiral Leahy requested the views of Mr. Hull concerning the mounting of two 4-inch guns on each of the American naval vessels on the Great Lakes, to be used in firing target practice in connection with the training of naval reserves. He inquired, if this was considered improper, concerning the possibility of modifying the Rush-Bagot Agreement to permit this practice. The question was subsequently the subject of informal conversations between officers of our State and Navy Departments.

8 Stat. 231.

After careful consideration of the problem, Mr. Hull is inclined to the opinion that a modification of the Rush-Bagot Agreement would be undesirable at this time. It is clear from a study of the documents relating to the negotiation of the Agreement and its early history that the objective of the negotiators was to provide a solution of an immediate and urgent problem arising out of the war of 1812 and the terms of the Agreement themselves support the view that its indefinite continuation in force was not anticipated. Consequently, from a naval standpoint, its provisions have long been out of date, but in spite of numerous vicissitudes the Agreement itself has survived unchanged for more than one hundred and twenty years and, with the passage of time, has assumed a symbolic importance in the eyes of

[1] [Not printed.]

our own and Canadian citizens. It is true that shortly after the World War modification of the Agreement was studied in this country and in Canada, with a view to making its provisions conform more closely to modern conditions, and a stage was even reached where the Governments exchanged drafts of suggested changes. The proposed changes were never actually agreed upon, however, and Mr. Hull is inclined to think that the two Governments were wise to allow the matter to fall into abeyance, since it is highly debatable whether the realization of their limited objectives would have compensated for the disappearance of the 1817 Agreement as a symbol of the friendly relations between the two countries for over a century.

It was perhaps inevitable that an agreement, the technical provisions of which became obsolete more than half a century ago, should from time to time have been subjected to what may have been considered technical violations by both parties, and of such instances there is a clear record. We believe it can be successfully maintained, however, that without a degree of tolerance the Agreement could scarcely have survived to the present day in its original form. But it is a fact of equal significance that even when the two Governments felt compelled to depart from a strict observance of its terms they were concerned that the spirit underlying it should be preserved.

I understand from information furnished by our Navy Department that the following five vessels of the United States Navy are now serving on the Great Lakes:

Ship	*Launched*	*Present Location*	*Displacement*	*Battery*
DUBUQUE	1905	Detroit	1085	None
HAWK	1891	Michigan City	375	None
PADUCAH	1905	Duluth	1085	None
WILMINGTON	1897	Toledo	1392	None
WILMETTE	1903	Chicago	2600	4–4″/50 2–3″/50A.A. 2–1 pdr.

In a number of respects the presence there of these vessels may not be considered entirely in keeping with a literal interpretation of the Rush-Bagot Agreement. On the other hand, it seems proper to take into account the fact that the vessels of our Navy now on the Great Lakes are there with the knowledge of the Canadian Government, written permission having been obtained for the passage of four of them through the Canadian canals en route to their stations. The case of the *Wilmette* is somewhat different, this vessel having been constructed on the lakes as a commercial vessel and subsequently taken over by our Navy during the World War.

In considering the number and size, disposition, functions and armaments of naval vessels in relation to the provisions of the Rush-Bagot Agreement, it is Mr. Hull's view, with which I feel sure you will agree, that the primary concern of both Governments is to maintain at all costs the spirit which underlies that Agreement and which is representative of the feelings of the Canadian and American people

toward each other. With that clear objective in mind, Mr. Hull wishes me to make the following observations.

(1) Number and size of vessels. As indicated above, the United States Navy now has five vessels, all "unclassified", on the Great Lakes. In the discussion of this problem between officials of the State and Navy Departments, the fact was brought out that approximately one third of the national naval reserve personnel in the United States is concentrated in the region of which Chicago is the center, The need for adequate training of this personnel is clear and I am given to understand that even with our present five vessels on the Great Lakes our facilities are strained. A possible alternative would be to transport these reserves to the Atlantic Coat every summer for the customary two weeks' training period, but I am told that the cost of so transporting even a small fraction of these reserves would in all probability be prohibitive. In the circumstances and in view of the fact that these five vessels have been maintained on the Great Lakes since the war without objection on the part of the Canadian Government, Mr. Hull is inclined to think that the withdrawal of one of them would not be necessary.

Mr. Hull would be reluctant, however, to see American vessels on the Great Lakes increased beyond the present number, omitting from this calculation vessels which are "retained immobile" and used solely as floating barracks for naval reserves. The Canadian Government has in the past given permission for vessels of the latter category to be maintained on the Great Lakes and, it is hoped, would give sympathetic consideration to any similar requests which might be made in the future.

It is my understanding that the *Sacramento*, a vessel of 1,140 tons launched in 1914 and similar in size and type to vessels already on the Great Lakes, is now returning from China, her usefulness as an active naval vessel in regular commission having passed. I am informed that the Navy Department will probably wish this vessel to take the place of the *Hawk*, but that this will not involve an increase in the number of our naval vessels on the lakes. A formal request of your Government for permission for this vessel to proceed to the Great Lakes through Canadian waters will be made in due course.

With regard to the size of these vessels, it has been noted that all are of more than one hundred tons burden, the limit imposed by the Agreement. The change from wood to steel around the middle of the last century, along with other factors, contributed toward rendering this part of the Agreement obsolete. To our knowledge no objection has been taken by the Canadian Government to the presence on the Great Lakes of naval vessels of more than one hundred tons burden and there would be no inclination to question the maintenance by Canada of vessels similar to ours now operating there. It appears to have been the practice of our Navy Department for many years to station on the Great Lakes only "unclassified" vessels that have long since outlived their usefulness in terms of modern warfare

and that have a draft of not more than fourteen feet. I understand that these vessels have and could have no use except to provide elementary training for naval reserves. Mr. Hull believes that it would be desirable to continue this policy, which goes beyond the objectives of the 1817 Agreement, but which is so clearly in keeping with the present temper of public opinion. He is so informing the Navy Department.

(2) Disposition of Vessels. At the time the Rush-Bagot Agreement was negotiated the Great Lakes were independent inland waters with no navigable connection between them and the ocean or, in most cases, between the lakes themselves. This geographical fact was no doubt largely responsible for the provision of the Agreement which allotted one vessel to Lake Champlain, one to Lake Ontario and two to the so-called "Upper Lakes". That situation, of course, no longer exists, and Mr. Hull would not regard it as unreasonable or contrary to the spirit of the Rush-Bagot Agreement to have the naval vessels of each party move freely in the Great Lakes basin or to "maintain" them at any port or ports in the lakes. Were the Canadian Government to act in accordance with such an interpretation, it is certain that no objection would be taken.

(3) Functions of the Vessels. In his letter of January 31, last, Admiral Leahy inquired whether the firing of target practice on the Great Lakes was consistent with the provisions of the Rush-Bagot Agreement. Since the Agreement is silent with respect to the functions of the naval vessels maintained by the two parties on the Great Lakes, other than to state that the naval force of each party is to be restricted to such services as will in no respect interfere with the proper duties of the armed vessels of the other party, it is clearly within the letter as well as the spirit of the Agreement for the naval vessels of both parties to be employed in the training of naval reserves or in any other normal activity, including the firing of target practice, within their respective territorial waters. Mr. Hull is so informing the Navy Department.

(4) Armaments. In Admiral Leahy's letter, the hope was expressed that the Rush-Bagot Agreement might be modified so as to permit each of our naval vessels to carry not over two 4-inch guns.

The Agreement itself provides that each of the naval vessels maintained by each Government may carry one 18-pound cannon. It is my understanding that the shell for a 3-inch gun weighs approximately fourteen pounds and the shell for a 4-inch gun approximately thirty pounds. It would therefore be within the scope of the Agreement for each of the naval vessels in question to carry one 3-inch gun. In the discussions between officers of the State and Navy Departments, however, it was brought out that since the 4-inch gun is now what is considered "standard equipment", whereas the 3-inch gun is not, the use of the former is much more desirable from the point of view of giving adequate training to our naval reserves.

After careful consideration of this problem, Mr. Hull is of the opinion that the following proposal would be in harmony with the spirit of the Rush-Bagot Agreement; namely, the placing of two 4-inch guns on each of three naval vessels on the Great Lakes, and the removal of all other armaments, subject to certain conditions. These are that the firing of target practice be confined to the territorial waters of the United States, and that the 4-inch guns be dismantled except in the summer season during the period of the training of naval reserves.

There remains a question which is of definite interest to both Governments, namely, the construction of naval vessels in shipyards situated on the Great Lakes. The State Department has recently received renewed inquiries on this question.

The Rush-Bagot Agreement, after providing for the maintenance of four naval vessels of each party on the Great Lakes, stipulated that

> "All other armed vessels on those lakes shall be forthwith dismantled and no other vessels of war shall be there built or armed."

The provision just quoted should, Mr. Hull believes, be read in the light of the geographical factor to which reference has already been made. At a time when there was no navigable connection between the Great Lakes and the Atlantic Ocean, it was obvious that naval vessels constructed on the lakes could only be intended for use in those waters. Mr. Hull is satisfied that it was this contingency alone which the contracting parties wished to guard against, for no evidence whatever exists to suggest that either party at any time considered that the Agreement should affect the naval forces of the two countries outside the Great Lakes area.

Construction of naval vessels in shipyards on Great Lakes.

In the circumstances, Mr. Hull believes that it would be entirely in harmony with the intent of the negotiators and the spirit of the Agreement for either country to permit naval vessels, unquestionably intended for tidewater service only, to be constructed in shipyards situated on the Great Lakes. In order carefully to preserve the intent of the Agreement, however, it is believed that prior to the commencement of construction each Government should provide the other with full information concerning any naval vessels to be constructed at Great Lake ports; that such vessels should immediately be removed from the lakes upon their completion; and that no armaments whatever should be installed until the vessels reach the seaboard.

I shall be happy to receive for Mr. Hull's informal and confidential information any observations which you may wish to make with regard to the questions touched on in this letter.

Sincerely yours,

DANIEL C. ROPER.

Dr. O. D. SKELTON,
Under-Secretary of State
for External Affairs,
Ottawa.

The Canadian Under-Secretary of State for External Affairs to the American Minister

OFFICE OF
THE UNDER-SECRETARY OF STATE
FOR EXTERNAL AFFAIRS
CANADA

OTTAWA, *10th June, 1939*

MY DEAR MR. ROPER,

I have consulted the Acting Prime Minister and Secretary of State for External Affairs and the Department of National Defence concerning your informal letter of June 9th, 1939, which conveys the observations of the Secretary of State of the United States upon certain questions raised by the United States Navy Department regarding the Rush-Bagot Agreement of 1817.

8 Stat. 231.

The Canadian Government concur fully in the desirability of preserving this long-standing Agreement which has been of such inestimable value in furthering the ideals of good neighbourhood in this region of the world. It is also recognised that the great changes in technical, industrial, water transport and population conditions which have occurred in the meantime, while in no sense altering the desire of both peoples to maintain the underlying spirit and objective of the Agreement, have rendered its technical scheme and definitions somewhat out of date. It might be urged that the logical method of dealing with the changed situation would be the conclusion of some formal revision of the Agreement, but it is further recognised that the drafting of a new document which would cover present and future considerations of interest to both countries might present difficulties at the present time, and it is noted that Mr. Hull is inclined to the opinion that this would be undesirable.

If formal revision is, as we agree, impracticable, it is nevertheless recognised that there are certain measures which are mutually considered to be practically necessary or desirable and, at the same time, to be consistent with the underlying objective of the Agreement though not strictly consistent with its technical scheme or definitions. In the case of various instances of this character which have occurred in the past, the two Governments have consulted and made appropriate dispositions by means of correspondence. It is felt that such procedure, which appears to be essentially inherent in the underlying spirit and objective, should be pursued as regards any new practical measures concerning naval vessels on the Great Lakes which may be contemplated at the present moment or in the future.

In the light of these general considerations it will be convenient to give you the views of the Canadian Government regarding the particular measures which your Government now consider desirable and which have been described in your letter under separate headings.

(1) Number and size of vessels. I note that there is no proposal to increase the present number of United States naval vessels on the Great Lakes. As regards the proposed substitution of the HAWK, which is now on the Lakes, by another vessel, the SACRAMENTO, it is noted also that a formal request of the Canadian Government for

permission for the latter vessel to proceed into the Great Lakes through Canadian waters will be made in due course. The Canadian authorities will be agreeable to this substitution, and I assume that at the time particular information will be given as to the disposition of the HAWK as well as a description of the SACRAMENTO and the purpose of the substitution.

(2) Disposition of Vessels. It is recognised, for the reasons indicated in your letter, that it would be consistent with the underlying purpose of the Agreement to have the naval vessels of each party move freely in the Great Lakes or to maintain them at any of its ports in the Lakes.

(3) Functions of the Vessels. The Rush-Bagot Agreement, as your letter points out, is silent with respect to the functions of the naval vessels maintained by the two parties on the Great Lakes other than to state that the naval force of each party is to be restricted to such services as will in no respect interfere with the proper duties of the armed vessels of the other party. The Canadian Government accordingly recognise that it is within the letter as well as the spirit of the Agreement for such naval vessels of both parties to be employed in the training of naval reserves, or in any other normal activity, including the firing of target practice, within their respective territorial waters.

(4) Armaments. It appears that in view of present-day technical conditions, the United States naval authorities regard 3-inch guns as no longer adequate for the purpose of training naval reserves, whereas 4-inch guns, though not strictly within the technical definition of the Agreement, would be suitable for that purpose. Accordingly Mr. Hull suggests the following proposal as being in harmony with the spirit of the Agreement, namely, the placing of two 4-inch guns on each of three of the United States naval vessels on the Great Lakes and the removal of all other armaments, subject to certain conditions. These conditions are that the firing of target practice be confined to the territorial waters of the United States and that the 4-inch guns be dismantled except in the summer season during the period of the training of naval reserves. The Canadian naval authorities concur in the view of the United States naval authorities above indicated, and the Canadian Government agree that Mr. Hull's proposal is consistent with the underlying purpose and spirit of the Agreement. It is assumed that in due course the Canadian Government will be informed of the names of the vessels upon which the 4-inch guns have been placed. It is also assumed that, should any alteration as regards armament take place in any of the five vessels in the future, particulars will be furnished.

A further particular question is raised by your letter, namely, the construction of naval vessels in shipyards situated on the Great Lakes. Careful consideration has been given to Mr. Hull's observations regarding the changes in actual conditions that have occurred in this regard during the past century, and to the suggestion he has made in order to preserve the intent of the Agreement. The suggestion is

that prior to the commencement of construction, each Government should provide the other with full information concerning any naval vessels to be constructed at Great Lakes ports; that such vessels should immediately be removed from the Lakes upon their completion; and that no armaments whatever should be installed until the vessels reach the seaboard. The Canadian Government appreciate the force of Mr. Hull's observations, and they agree that his particular suggestion would be consistent with the underlying objective of the Agreement. They would understand that in the case of each vessel so constructed, when the time came for her removal to the seaboard, the Government concerned would make the usual request through diplomatic channels for permission to pass through the other party's waters.

As regards all these matters and particular measures, the Canadian Government assume it would be understood that the foregoing observations and understandings, so far as they have been expressed only with relation to United States naval vessels maintained on the Great Lakes or to naval vessels to be constructed in United States shipyards there, will apply equally to the case of any Canadian naval vessels that may be maintained on the Great Lakes or of naval vessels to be constructed in Canadian shipyards there.

Yours sincerely,

O. D. SKELTON

The Honourable DANIEL C. ROPER,
Minister of the United States of America,
United States Legation,
Ottawa.

ARMAMENT OF NAVAL VESSELS TO BE INCAPABLE OF IMMEDIATE USE

Exchange of notes signed at Ottawa October 30 and November 2, 1940—Entered into force November 2, 1940

The Canadian Under-Secretary of State for External Affairs to the American Minister

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

OTTAWA, *October 30, 1940.*

MY DEAR MR. MOFFAT:

May I refer to your predecessor's letter of June 9, 1939, and to my letter to Mr. Roper of the 10th June of the same year concerning certain questions raised by the United States Navy Department regarding the Rush-Bagot Agreement of 1817.

Ante, pp. 4069, 4074.

8 Stat. 231.

2. At that time it was recognized that there were certain measures which were mutually considered to be practically necessary or desirable and, at the same time, to be consistent with the underlying objective of the Rush-Bagot Agreement, though not strictly consistent with its technical scheme or definitions. In various instances of this character which had occurred in the past, the two Governments had concurred and made appropriate dispositions by means of correspondence. It was also agreed that such a procedure, which appeared to be essentially inherent in the underlying spirit and objective of the Agreement, should be pursued as regards any new practical measures, concerning naval vessels on the Great Lakes, which might be contemplated.

3. Certain special questions including "number and size of the vessels", "disposition of the vessels", "functions of the vessels", and "armaments" were discussed and dealt with in the correspondence. A further particular questions was also raised, namely, the construction of naval vessels in shipyards situated on the Great Lakes. The practice and procedure that should be followed in the case of such construction was formulated along lines that met with the approval of the two Governments.

4. The practice that was then approved included the following elements:

(a) That each Government should provide the other with full information concerning any naval vessels to be constructed in Great Lakes ports prior to the commencement of construction.

(b) That such vessels should be removed from the Lakes upon their completion.

(c) That no armaments whatever should be installed until the vessels reached the seaboard.

5. A new aspect of this question has arisen owing to the congestion at the Atlantic seaboard ship-yards and it is the desire of the Canadian Government to have the vessels in the most complete form practicable while still on the Great Lakes. This might involve equipment with gun mounts and with guns which would be so dismantled as to be incapable of immediate use so long as the vessels remained in the Great Lakes.

6. It is therefore suggested that a further interpretation of the Rush-Bagot Agreement might be made in conformity with the basic intent of the Agreement that important naval vessels should not be built for service on the Great Lakes. This would involve recognition that armament might be installed on naval vessels constructed on the Great Lakes provided that:

(a) The vessels are not intended for service on the Great Lakes;

(b) Prior to commencement of construction, each Government furnish the other with full information concerning any vessel to be constructed at Great Lakes ports;

(c) The armaments of the vessels are placed in such condition as to be incapable of immediate use while the vessels remain in the Great Lakes; and

(d) The vessels are promptly removed from the Great Lakes upon completion.

I should be grateful if you would let me know, in due course, whether the above suggestion commends itself to your Government,

Yours sincerely,

O. D. SKELTON

The Honourable PIERREPONT MOFFAT,
United States Minister to Canada,
United States Legation,
Ottawa.

The American Minister to the Canadian Under-Secretary of State for External Affairs

AMERICAN LEGATION
Ottawa, Canada, November 2, 1940.

MY DEAR DR. SKELTON:

I have received your letter of October 30, 1940, in which, after referring to Mr. Roper's letter to you of June 9, 1939, and to your reply to him of June 10, 1939, concerning certain questions regarding the interpretation of the Rush-Bagot Agreement of 1817, you comment on the previous practice in this regard, in the light of modern conditions of naval construction, and make the suggestion that a further interpretation of the Rush-Bagot Agreement might be made in conformity with the intent of the Agreement that important naval vessels should

Ante, pp. 4069, 4074.

8 Stat. 231.

not be built for service on the Great Lakes. This would involve recognition that armament might be installed on naval vessels constructed on the Great Lakes provided that:

(a) The vessels are not intended for service on the Great Lakes;

(b) Prior to commencement of construction, each Government furnish the other with full information concerning any vessel to be constructed at Great Lakes ports;

(c) The armaments of the vessels are placed in such condition as to be incapable of immediate use while the vessels remain in the Great Lakes; and

(d) The vessels are promptly removed from the Great Lakes upon completion.

In reply, I am authorized to inform you that the United States Government agrees to this further interpretation of the Rush-Bagot Agreement.

Sincerely yours,

PIERREPONT MOFFAT.

Dr. O. D. SKELTON,
Under-Secretary of State
for External Affairs,
Ottawa.

NAVAL VESSELS IN READINESS FOR COMBAT UPON ARRIVAL ON OPEN SEA

Exchange of notes signed at Ottawa February 26 and March 9, 1942—Entered into force March 9, 1942

The American Minister to the Canadian Secretary of State for External Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
Ottawa, Canada, February 26, 1942.

No. 611

SIR:

Ante, p. 4077.

8 Stat. 231.

May I refer to Dr. Skelton's note of October 30, 1940, and my reply of November 2, 1940, interpreting the Rush-Bagot Agreement in the light of existing conditions and in conformity with the intent of the Agreement. I am now in receipt of instructions from my Government to suggest that in order to permit naval vessels being constructed on the Great Lakes to combat enemy action upon their arrival in the open sea, they be permitted to have their armament placed in complete readiness for action and that all essential tests and trial of machinery and armament, including the submerged operations of submarines and test firing of torpedoes and guns be effected in Great Lakes waters. My Government is in hopes that the Canadian Government will approve the suggestion, it being understood that the proposed procedure is to be effective only for the duration of the present hostilities.

Accept, Sir, the renewed assurances of my highest consideration.

PIERREPONT MOFFAT.

The Right Honorable
THE SECRETARY OF STATE
for External Affairs,
Ottawa.

The Canadian Secretary of State for External Affairs to the American Minister

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 21

OTTAWA, *March 9, 1942.*

SIR:

I have the honour to refer to your Note No. 611 dated 26th February, 1942, with regard to the further interpretation of the Rush-Bagot Agreement in the light of existing conditions and in conformity with the intent of the Agreement.

Consideration has been given to your suggestion, and I am now authorized to inform you that the Canadian Government agrees to a further interpretation of the Rush-Bagot Agreement based upon it. Accordingly, in order to permit naval vessels being constructed on the Great Lakes to combat enemy action upon their arrival in the open sea, they will be permitted to have their armament placed in complete readiness for action and all essential tests and trials of machinery and armament including the submerged operations of submarines and test firing of torpedoes and guns may be effected in Great Lakes waters.

The Canadian Government also concurs in your suggestion that this procedure should be effective only for the duration of the present hostilities.

Accept, Sir, the renewed assurances of my highest consideration.

N. A ROBERTSON
for the Secretary of State for
External Affairs

The Honourable J. PIERREPONT MOFFAT,
United States Minister to Canada,
United States Legation,
Ottawa.

NAVAL VESSELS FOR TRAINING NAVAL RESERVE PERSONNEL

Exchange of notes signed at Washington November 18 and December 6, 1946—Entered into force December 6, 1946

The Canadian Ambassador to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

No. 421 NOVEMBER 18, 1946.

SIR,

8 Stat. 231.

You will recall that the Rush-Bagot Agreement of 1817 has been the subject of discussion between our Governments on several occasions in recent years and that notes were exchanged in 1939, 1940 and 1942 relating to the application and interpretation of this Agreement. It has been recognized by both our Governments that the detailed provisions of the Rush-Bagot Agreement are not applicable to present-day conditions, but that as a symbol of friendly relations extending over a period of nearly one hundred and thirty years the Agreement possesses great historic importance. It is thus the spirit of the Agreement rather than its detailed provisions which serves to guide our Governments in matters relating to naval forces on the Great Lakes.

Ante, p. 4069 *et seq.*

Discussions have taken place in the Permanent Joint Board on Defence with regard to the stationing on the Great Lakes of naval vessels for the purpose of training naval reserve personnel. The naval authorities of both our Governments regard such a course as valuable from the point of view of naval training and the Board has recorded its opinion that such action would be consistent with the spirit of existing agreements. The Canadian Government concurs in this opinion.

In order that the views of our two Governments may be placed on record, I have the honour to propose that the stationing of naval vessels on the Great Lakes for training purposes by either the Canadian Government or the United States Government shall be regarded as consistent with the spirit of the Rush-Bagot Agreement provided that full information about the number, disposition, functions and armament of such vessels shall be communicated by each Government to the other in advance of the assignment of vessels to service on the Great Lakes. If your Government concurs in this view, this note and your reply thereto shall be regarded as constituting a further inter-

pretation of the Rush-Bagot Agreement accepted by our two Governments.

Accept, Sir, the renewed assurances of my highest consideration.

H. H. WRONG

The Honourable DEAN ACHESON,
Acting Secretary of State,
Washington, D. C.

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON, D. C.
December 6, 1946

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 421 of November 18, 1946, in which you advised me that your Government has proposed a further interpretation of the detailed provisions of the Rush-Bagot Agreement. My Government is in complete accord with yours as to the historic importance of this Agreement as a symbol of the friendship between our two countries and agrees that it is the spirit of this Agreement which guides our Governments in matters relating to naval forces on the Great Lakes.

I am now pleased to inform you that my Government concurs with your proposal, namely, that the stationing of naval vessels on the Great Lakes for training purposes by either the Canadian Government or the United States Government shall be regarded as consistent with the spirit of the Rush-Bagot Agreement provided that full information about the number, disposition, functions and armament of such vessels shall be communicated by each Government to the other in advance of the assignment of vessels to service on the Great Lakes.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON
Acting Secretary of State

His Excellency
H. H. WRONG,
Canadian Ambassador.

July 17, August 2, 1944
[T. I. A. S. 1842]

Agreement between the United States of America and Cuba respecting a cooperative program for weather stations in Cuba. Effected by exchange of notes signed at Habana July 17 and August 2, 1944; entered into force August 2, 1944.

The American Ambassador to the Cuban Minister of State

EMBASSY OF THE
UNITED STATES OF AMERICA
Habana, July 17, 1944

No. 632

EXCELLENCY:

I have the honor to inform Your Excellency that preliminary discussions have taken place between representatives of the United States Weather Bureau, Department of Commerce, and the Cuban Meteorological Service regarding the cooperative establishment and operation of a radiosonde station in Cuba to be located in the vicinity of Habana.

Since that time Dr. F. W. Reichelderfer, Chief of the Weather Bureau, has corresponded with Dr. José Carlos Millás, Director of the Cuban Meteorological Service, on the subject, and my Government is informed that as a result the Weather Bureau and the Cuban Meteorological Service have agreed in principle that it would be desirable for their respective governments to cooperate in the establishment and operation of this station.

Funds have now been appropriated by the Congress of the United States of America to enable the Weather Bureau to proceed with the project under the program of the Interdepartmental Committee on Cooperation with the American Republics. To that end I have the honor to enclose, at the instance of my Government, a Memorandum Agreement setting forth in detail the conditions under which the Weather Bureau proposes to cooperate with the Cuban Meteorological Service in the establishment and operation of the station.

My Government has already established a network of radiosonde observation stations in the United States, the West Indies, Mexico, and the Canal Zone, and feels that establishment of a station in Cuba would fill a gap in the network. Radiosonde observations are needed for the protection of military and commercial aircraft operating in this area, and also to provide advance information on destructive hurricanes that threaten civilian and military installations located in the region of the Caribbean Sea and Gulf of Mexico.

Therefore, as in the opinion of my Government this information is of vital importance to both countries, it trusts that the Cuban Government may give the enclosed Memorandum Agreement its urgent consideration and inform it at the earliest possible date whether it finds its contents acceptable.

For your Excellency's information, a representative of the Cuban Meteorological Service, Lt. Louis Larragoiti Alonzo, is now in the United States to receive training in the observational techniques of radiosonde and that Service is prepared to inaugurate the program as soon as the necessary cooperative agreement can be effected.

I have the honor to avail myself of this opportunity to extend to Your Excellency the renewed assurances of my highest consideration.

SPRUILLE BRADEN

His Excellency
Dr. JORGE MAÑACH,
Minister of State,
Habana.

MEMORANDUM AGREEMENT

Exchange of meteorological data.

In accordance with recent correspondence between Dr. F. W. Reichelderfer, Chief of the United States Weather Bureau, and Dr. José Carlos Millás, Director of the Cuban Meteorological Service, and previous conversations between representatives of the two organizations, the Government of the United States, through the Weather Bureau, now proposes to cooperate with the Government of Cuba, through the Cuban Meteorological Service, in organizing the regular exchange of meteorological data, subject to the following understanding:

1. To cooperate in the establishment and operation of a radiosonde observation station in Cuba, to be located at Habana; and
2. To provide for the daily exchange of upper-air weather observations between the United States Weather Bureau and the Cuban Meteorological Service for the use of each country, especially in serving the needs of aviation, and to render it possible for the Government of the United States and the Government of Cuba to assist in the development of an exchange of weather information, forecasts, and warnings.

Action by U. S. Weather Bureau.

To attain the foregoing objectives, the United States Weather Bureau agrees to:

(a) Provide and install the ground equipment necessary for making radiosonde observations at the station and pay the cost of necessary repairs.

(b) Authorize one of its technicians to visit the observation station to repair the ground equipment, whenever such equipment becomes inoperative and repairs cannot be made locally;

(c) Provide the necessary radiosondes, balloons, parachutes, helium gas, meteorological forms and other accessories required for the observations; and

(d) Provide balloon inflation shelter, if necessary.

Action by Cuban Meteorological Service.

The Government of Cuba, through the Cuban Meteorological Service, agrees to:

(a) Assign a minimum of one observer and one assistant at the station for the purpose of making daily observations in accordance with standard practice and procedure;

(b) Supply the necessary office quarters and office equipment, including heat, light, and electric power;

(c) Provide adequate ground space for the balloon inflation shelter, as may be necessary;

(d) Arrange for the prompt transmission of the radiosonde observation reports made pursuant to this agreement to a point in the United States to be designated by the United States Weather Bureau; and

(e) Make available the recorder records to the United States Weather Bureau for reference purposes, and to supply that Bureau with copies of the Weather Bureau forms which will be used for all radiosonde observations made at the station.

Expenditures.

I. The total amount to be expended by the United States shall not exceed eighteen thousand, two hundred forty dollars ($18,240) during the fiscal year ending June 30, 1945. All expenditures incurred by the Weather Bureau shall be paid direct by that organization and all expenditures incident to the obligations assumed by the Government of Cuba shall be paid direct by that Government.

Title to property.

II. Title to all property supplied by the Cuban Government shall remain vested in that Government, and likewise the title to all property supplied by the Government of the United States shall remain vested therein.

Effective date, duration.

This agreement shall come into effect on the day on which it is accepted by the Government of Cuba, and shall continue in effect until June 30, 1947, or for an additional period if mutually agreed upon in writing, unless the Congress of either country shall fail to make available the funds necessary for its execution in which case it may be terminated on sixty days' advance written notice by the Government of either country.

WAC

The Cuban Minister of State to the American Chargé d'Affaires

REPUBLICA DE CUBA
MINISTERIO DE ESTADO
No. 1927

LA HABANA, *2 de agosto de 1944.*

SEÑOR ENCARGADO DE NEGOCIOS:

Con referencia a la atenta nota de esa Embajada, número 632, de 17 de julio último, y al Memorandum-convenio que se remitió con la misma, relativos al establecimiento y funcionamiento, en cooperación entre el Servicio Meteorológico de Cuba y el Weather Bureau de los Estados Unidos de América, de una Estación Radiosonda en Cuba, que habrá de ser situada en las inmediaciones de La Habana, tengo el honor de participar a Vuestra Señoría que estudiado el asunto por el Centro competente se considera aceptable en todas sus partes el Memorandum-convenio aludido sobre la materia.

Y esperando que lo relacionado con el Memorandum-convenio de referencia quede terminado a la mayor brevedad, a fin de que los instrumentos necesarios sean enviados urgentemente, para inaugurar lo antes posible el servicio que ha de prestar la mencionada estación radiosonda, aprovecho esta oportunidad para reiterar a Vuestra Señoría el testimonio de mi distinguida consideración.

J. MAÑACH

Translation

REPUBLIC OF CUBA
MINISTRY OF STATE
No. 1927

Habana, August 2, 1944.

MR. CHARGÉ D' AFFAIRES:

With reference to your Embassy's courteous note, number 632, of July 17 last, and to the Memorandum-Agreement transmitted therewith, relative to the establishment and operation by the Meteorological Service of Cuba and the Weather Bureau of the United States of America, in cooperation of a radiosonde station in Cuba, to be located in the immediate vicinity of Habana, I have the honor to inform Your Excellency that, the matter having been studied by the competent office, the above-mentioned Memorandum-Agreement thereon is considered acceptable in all respects. *Ante*, p. 4084.

Hoping that all matters connected with the aforesaid Memorandum-Agreement may be concluded as soon as possible, to the end that the necessary instruments may be sent soon, in order to begin as soon as possible the service to be provided by the above-mentioned radiosonde station, I avail myself of this opportunity to renew to Your Excellency the assurances of my distinguished consideration.

J. MAÑACH

June 18, 1946
[T. I. A. S. 1852]

Agreement between the United States of America and France respecting air service facilities in French territory. Effected by exchange of notes signed at Paris June 18, 1946; entered into force June 18, 1946.

The American Ambassador to the French Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Paris, June 18, 1946

No. 1516

EXCELLENCY:

I have the honor to invite Your Excellency's attention to the air navigation, communication, and weather facilities installed at the following places in French territory by the United States military services:

Post, p. 4095.

A. METROPOLITAN FRANCE: Cape Camerat, Corbigny, Dieppe, Domfront, Istres-le-Tube (Marseille), Le Havre, Lyon, Marignane (Marseille), Nantes, Orly, Querqueville (Cherbourg), St. Renan (Brest), Toulouse, Trappes, Paretta (Corsica):

B. ALGERIA: Bone, Maison Blanche (Algiers), Oran;

C. TUNISIA: Gabes, Tunis;

D. FRENCH MOROCCO: Agadir, Cazes Air Base (Casablanca), Meknes, Port Lyautey;

E. FRENCH GUIANA: Rochambeau (Cayenne);

F. INDO-CHINA: Saigon;

G. FRENCH OCEANIA: Bora Bora (Society Islands), Tontouta (New Caledonia); and

H. SENEGAL: Dakar.

Transfer to Provisional Government of French Republic.

A list of the installations at these points is now being prepared and will be forwarded to Your Excellency for inclusion as an Annex to this letter.[1] As those installations may later become surplus to United States military requirements, it is the intention of my Government that they, together with one year's supply of maintenance parts and expendable supplies wherever theater surplus stocks permit, should be transferred to the Provisional Government of the French Republic. In addition, the Government of the United States of America, through either the U.S. Army, U.S. Navy, CAA, or private agency, will do everything possible to assist the Government of France or its representatives in purchasing, through regular commercial channels, maintenance parts and expendable supplies for the operation of the facilities.

[1] [By airgram, 1461, dated Dec. 13, 1948, to the Secretary of State from the American Ambassador at Paris the Department was informed that: ". . . no list of the installations was subsequently prepared."]

In consideration of this transfer, the Provisional Government of the French Republic, recognizing on the one hand the immediate necessity of insuring the safety of international air traffic in an adequate manner until regulations are established by the Provisional International Civil Aviation Organization (PICAO) and applied by the said Government in execution of its international undertakings, and, on the other hand, the special interests of United States aviation during the period in which American Armed Forces will participate in the occupation of ex-enemy countries, will undertake:

Undertakings by Provisional Government of French Republic.

1. To operate and maintain without interruption all the installations in a manner satisfactory for air traffic into and away from airdromes at which the facilities are located and along the international air routes converging on those airdromes.

2. To provide the full service of all facilities to all aircraft on a non-discriminatory basis with charges, if any, only for non-operational messages, until an international agreement on charges has been promulgated by PICAO.

3. To transmit weather reports, as prescribed by the U.S. Army Air Forces to designated stations thereof and to such other stations as are required to insure an integrated meteorological network for the international air routes, unless changed by international agreement to which the Governments of the United States and France are parties.

4. Subject to the possibility of obtaining necessary spare parts, to continue the operation of all types of facilities in their present locations or at new locations deemed preferable by the representatives of both Governments until (a) new facilities are installed in accordance with standards promulgated by PICAO or (b) it is determined by the Governments of France and the United States that there is no longer a need for the original facilities. It is understood that the aeronautical facilities will be devoted exclusively to aeronautical service and will not be diverted to the communication service.

5. To provide English speaking operators at air-to-ground and control tower communication positions until regulations covering such voice transmissions are promulgated by PICAO; and further, until such regulations are promulgated, to grant permission to a representative of the U. S. air carriers authorized to serve an airdrome to enter its control tower and, when in the opinion of the representative a case of necessity exists, subject to the authority of the Commander of the airdrome, to talk to the pilot of any United States aircraft flying in the vicinity of the airdrome.

6. Until such time as the allocations determined by PICAO come into effect, to select radio frequencies for air-to-ground and control tower operations only after coordination with the using United States carriers and with adjacent stations on the international air routes converging on the airdrome in order to minimize (a) radio interference and (b) the number of frequencies required to be operated by aircraft.

7. To authorize and facilitate day-to-day adjustments in air communication service matters by direct communication between the operating agency of France and the service agency of the United

States Government, United States air carriers, or a communication organization representing one or more of them.

8. To furnish in sufficient number suitable personnel to be trained to operate and maintain all facilities transferred under this Agreement.

Proposed supplemental agreement.

A supplemental agreement shall be entered into by the agency of the French Government which will eventually take over the operation of the facilities and the agency of the United States Government, or its representative, which undertakes the training and interim operation and maintenance of the facilities, pending transfer of full operating responsibility to the agency of the French Government. This supplemental agreement will define the responsibility, authority, and relations between the above-mentioned agencies and their representatives during the period the United States agency remains in charge of the operation, maintenance and training.

Conditions prior to training of personnel.

Until such time as this training program shall have produced an adequate number of trained French personnel, (a) the French Government will not be held responsible under Articles 1, 2, 3 and 4 of the present Agreement for the operation of that part of the facilities enumerated in the Annex from which the U. S. Army Air Force might withdraw, and (b) United States air carriers, or the Civil Aeronautics Administration of the United States, will be authorized to designate technicians to assist the agency designated by the French Government to operate the facilities in accordance with standards established by PICAO.

If the foregoing is satisfactory to the French Government, Your Excellency's reply to that effect, together with this letter, will be considered as constituting an agreement between our two governments with respect to the matters outlined herein.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency
GEORGES BIDAULT,
Minister of Foreign Affairs,
Paris.

The French Minister of Foreign Affairs to the American Ambassador

OL/RO.
MINISTÈRE
DES
AFFAIRES ETRANGÈRES

RÉPUBLIQUE FRANÇAISE

DIRECTION DES ACCORDS TECHNIQUES

Paris, le 18 Juin 1946

MONSIEUR L'AMBASSADEUR,

Votre Excellence a bien voulu m'adresser en date de ce jour la lettre dont la teneur suit:

"Monsieur le Ministre,

"J'ai l'honneur d'attirer l'attention de Votre Excellence sur les installations d'aide à la navigation aérienne, de transmissions et de

météorologie, établies sur le territoire français par les services militaires des Etats-Unis, aux emplacements suivants :

A – FRANCE METROPOLITAINE ;

– Cap CAMARAT, CORBIGNY, DIEPPE, DOMFRONT, ISTRES le TUBE (MARSEILLE), LE HAVRE, LYON, MARIGNANE (MARSEILLE), NANTES, ORLY, QUERQUEVILLE (CHERBOURG), ST-ROMAN (BREST TOULOUSE, TRAPPES, PORETTA (CORSE).

B – ALGERIE :

– BONE, MAISON BLANCHE (ALGER), ORAN.

C – TUNISIE :

– GABES, TUNIS.

D – MAROC FRANCAIS :

– AGADIR, Base Aérienne de CAZES (CASABLANCA), MEKNES, PORT-LYAUTEY.

E – GUYANE FRANCAISE : ROCHAMBEAU (CAYENNE)

F – INDOCHINE : SAIGON

G – POSSESSIONS FRANCAISES EN OCEANIE : BORA-BORA (Iles de la Société), TONTOUTA (Nouvelle Calédonie).

H – SENEGAL : DAKAR

Une liste des installations existant auxdits emplacements est en préparation et sera adressée à Votre Excellence en vue d'être jointe à cette lettre en annexe. Ces installations étant susceptibles dans l'avenir d'être déclarées "de surplus" par rapport aux besoins militaires des Etats-Unis, mon Gouvernement à l'intention de les transférer au Gouvernement Provisoire de la République Française avec des rechanges pour un an (articles d'entretien et fournitures consommables) dans la mesure où les stocks en surplus des théatres d'opérations le permettent.

En outre, le Gouvernement des Etats-Unis d'Amérique, par l'entremise de l'Armée, de la Marine, de l'Administration de l'Aéronautique Civile ou d'une entreprise privée, fera tout ce qui est en son pouvoir pour aider le Gouvernement français ou ses représentants à acheter par les voies commerciales normales les articles d'entretien et fournitures consommables nécessaires à l'exploitation des installations.

En contre partie de ce transfert, le Gouvernement Provisoire de la République Française, reconnaissant d'une part la nécessité d'assurer dès maintenant la sécurité du trafic aérien international d'une manière satisfaisante en attendant qu'une réglementation soit établie par l'Organisation Provisoire de l'Aviation Civile Internationale (OPACI) et appliquée par ledit Gouvernement conformément à ses engagements internationaux, et, d'autre part, les intérêts spéciaux de l'aviation des Etats-Unis pendant la période où les forces armées américaines participent à l'occupation des pays ex-ennemis, s'engagerait:

I°/ à faire fonctionner et à entretenir sans interruption toutes les installations d'une manière satisfaisante pour le trafic aérien sur, vers et à partir des aérodromes sur lesquels lesdites installations sont

situées, et le long des routes aériennes internationales qui convergent vers ces aérodromes.

2°/ à faire pleinement bénéficier tout avion sans distinction du service de toutes les installations, des taxes n'étant éventuellement perçues que pour les messages autres que les messages d'exploitation jusqu'à ce qu'un accord international sur les taxes élaboré par l'OPACI soit entré en vigueur.

3°/ à transmettre les renseignements météorologiques dans les conditions requises par les forces aériennes des Etats-Unis aux postes désignés par celles-ci, ainsi qu'à tout autre poste dans la mesure jugée nécessaire en vue d'assurer aux routes aériennes internationales un réseau météorologique cohérent, sauf modifications apportées par un accord international auquel seraient parties le Gouvernement des Etats-Unis et le Gouvernement Français.

4°/ sous réserve de la possibilité d'obtenir des rechanges nécessaires, à continuer l'exploitation des installations de tous types sur leurs emplacements actuels ou sur de nouveaux emplacements jugés préférables par les représentants des deux Gouvernements jusqu'à ce que :

a) de nouvelles installations soient établies conformément aux normes dont la mise en vigueur aurait été décidée par l'OPACI, ou

b) le Gouvernement Français et le Gouvernement des Etats Unis estiment que les installations d'origine ne sont plus nécessaires.

Il est entendu que ces installations aéronautiques seront consacrées exclusivement aux services aéronautiques et ne seront pas utilisées à d'autres services de télécommunications.

5°/ à fournir des agents parlant anglais dans les postes de communication air-sol et à la tour de contrôle jusqu'à ce que la mise en vigueur des réglements concernant les communications radiophoniques de cette nature ait été décidée par l'OPACI; et en outre, en attendant la mise en vigueur de tels réglements, à permettre à un représentant des transporteurs américains autorisés à desservir un aérodrome à pénétrer dans la tour de contrôle et, au cas où ce représentant l'estimerait nécessaire, et sous l'autorité du Commandant d'aérodrome ou de son délégué, à parler au pilote de tout appareil américain en vol dans le voisinage de l'aérodrome.

6°/ jusqu'à ce que prennent effet les allocations déterminées par l'OPACI, à ne choisir des fréquences radio pour les communications air-sol et pour l'exploitation de la tour de contrôle qu'après entente avec les transporteurs américains intéressés et avec les stations voisines situées sur les routes aériennes internationales convergent vers l'aérodrome, afin de réduire au minimum:

a) les interférences radio,

b) le nombre des fréquences dont l'utilisation est nécessaire à un aéronef.

7°/ à autoriser et à faciliter les réajustements au jour le jour intéressant les transmissions aéronautiques par la voie de contacts directs entre

le service français exploitant et l'administration américaine compétente, les transporteurs américains ou tout organisme représentant l'un ou plusieurs de ceux-ci en matière de transmissions.

8°/ à recruter en nombre suffisant le personnel approprié en vue d'être entrainé à l'exploitation et à l'entretien de toutes les installations transférées dans le cadre du présent accord.

Un accord complémentaire sera conclu par le service officiel français qui reprendra en définitive l'exploitation avec le Service officiel américain (ou son représentant) qui assurera l'entrainement ainsi que, provisoirement, l'exploitation et l'entretien des installations jusqu'au transfert de la pleine responsabilité de l'exploitation au Service officiel français. Cet accord complémentaire définira la responsabilité et l'autorité respectives des services sus-mentionnés et de leurs représentants pendant la période où le service américain demeurera chargé de l'exploitation, de l'entretien et de l'entrainement, ainsi que les relations entre ceux-ci.

Jusqu'à ce que ce programme d'entrainement ait permis la formation d'un nombre suffisant de personnel français qualifié :

a) le Gouvernement français ne sera pas tenu pour responsable, aux termes des articles I, 2, 3 & 4 du présent "accord", de l'exploitation de celles des installations énumérées en annexe qui seraient abandonnées par l'Armée de l'Air américaine.

b) les transporteurs américains ou l'Administration de l'Aéronautique Civile des Etats-Unis seront autorisés à désigner des techniciens pour aider le service français exploitant les installations conformément aux normes établies par l'OPACI.

Si les dispositions énoncées ci-dessus ne soulèvent pas d'objection de la part du Gouvernement français, une réponse de Votre Excellence à cet effet constituera, avec la présente communication, un accord entre nos deux Gouvernements quant aux questions ayant fait l'objet de la présente lettre.

Veuillez . . . . . ."

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement français n'élève pas d'objection à cet égard.

La présente lettre, jointe à la communication précitée de Votre Excellence, constitue donc un accord entre nos deux Gouvernements./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

G BIDAULT

Son Excellence
Monsieur JEFFERSON CAFFERY
Ambassadeur des Etats-Unis
à Paris

Translation

CL/RO
MINISTRY
OF
FOREIGN AFFAIRS

OFFICE OF TECHNICAL AGREEMENTS

FRENCH REPUBLIC

Paris, June 18, 1946

MR. AMBASSADOR:

Your Excellency has been good enough to address to me on this date a letter the tenor of which is as follows:

[For the English language version, see pp. 4088–4090.]

I have the honor to inform Your Excellency that the French Government does not raise any objection in this respect.

The present letter, together with the above-mentioned communication of Your Excellency, constitutes, therefore, an agreement between our two Governments.

Accept, Mr. Ambassador, the assurances of my very high consideration.

G BIDAULT

His Excellency
JEFFERSON CAFFERY,
Ambassador of the United States,
Paris

Agreement between the United States of America and France amending the agreement of June 18, 1946, respecting air service facilities in French territory. Effected by exchange of notes signed at Paris May 8 and 17, 1947; entered into force May 17, 1947.

May 8, 17, 1947
[T. I. A. S. 1853]

The American Ambassador to the French Minister of Foreign Affairs

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

No. 2516

PARIS, *May 8, 1947*

EXCELLENCY:

I have the honor to refer to my note No. 1516 of June 18, 1946, and Your Excellency's reply thereto which constitute the Air Service Agreement between our two governments.

Ante, p. 4088.

I am now directed to substitute Dijon, Chateau Thierry, and Le Bourget in lieu of Cape Camerat, Le Havre, and Querqueville (Cherbourg) due to relocation of the facilities under reference.

If the Government of France is agreeable to this substitution, a favorable reply from Your Excellency, together with this letter, will be considered as constituting an amendment to the above-mentioned Air Service Agreement.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency
GEORGES BIDAULT,
Minister of Foreign Affairs,
Paris.

The French Minister of Foreign Affairs to the American Ambassador

CL/JP

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES

LIBERTÉ · ÉGALITÉ · FRATERNITÉ

RÉPUBLIQUE FRANÇAISE

DIRECTION DES ACCORDS TECHNIQUES

PARIS, *Le*

MONSIEUR L'AMBASSADEUR,

Par une lettre N° 2.516 en date du 8 de ce mois, Votre Excellence a bien voulu attirer mon attention sur l'intérêt qui s'attachait à substituer les localités de Dijon, Chateau-Thierry et Le Bourget à celles de Cap Camerat, Le Havre et Querqueville-(Cherbourg) figurant dans notre échange de lettres en date du 18 juin 1946, les installations d'aide à la navigation aérienne primitivement situées dans ces dernières ayant été par la suite transférées dans les premières.

J'ai l'honneur de faire savoir à Votre Excellence que le gouvernement français ne peut que donner son accord à cette substitution.

Conformément à la proposition contenue dans la lettre précitée de Votre Excellence, ladite lettre constitue avec la présente réponse un amendement à l'échange de lettres du 18 Juin 1946./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

POUR LE MINISTRE DES AFFAIRES ETRANGERES
ET PAR DELEGATION
LE DIRECTEUR GENERAL

Hervé ALPHAND

S. E. M. JEFFERSON CAFFERY
Ambassadeur des Etats-Unis
Paris

17 MAI 1947

Translation

CL/JP
MINISTRY OF FOREIGN AFFAIRS
OFFICE OF TECHNICAL AGREEMENTS

LIBERTY-EQUALITY-FRATERNITY
FRENCH REPUBLIC,

PARIS,

MR. AMBASSADOR:

Your Excellency was good enough to bring to my attention, by means of note No. 2,516 dated the 8th of this month, the importance attached to the substitution of Dijon, Chateau-Thierry and Le Bourget for Cap Camerat, Le Havre and Querqueville–(Cherbourg) which were mentioned in our exchange of letters of June 18, 1946, in view of the fact that the locations of the installations to aid air navigation originally located at the latter points have been subsequently transferred to the first named places.

Ante, p. 4088.

I have the honor to inform Your Excellency that the French Government cannot but agree to the substitution.

In accordance with the proposal contained in Your Excellency's letter mentioned above, the said letter and the present answer thereto constitute an amendment to the exchange of notes of June 18, 1946.

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For The Minister of Foreign Affairs
and by delegation
The Director General
Hervé ALPHAND.

May 17, 1947

His Excellency
JEFFERSON CAFFERY,
Ambassador of the United States,
Paris.

Agreement between the United States of America and Mexico replacing the agreements of June 2, 1944, and January 9, 1945, respecting Mexican agricultural workers. Effected by exchange of notes signed at Mexico City March 10, 1947; entered into force March 10, 1947.

March 10, 1947
[T. I. A. S. 1857]

The American Ambassador to the Mexican Secretary of Foreign Relations

No. 673

MEXICO, D. F., *March 10, 1947.*

EXCELLENCY:

I have the honor to refer to the agreement reached by representatives of the United States and Mexican Governments as a result of the conferences held in Mexico City between January 27 and February 4, 1947, on the subject of the return to Mexico of illegal Mexican entrants into the United States, and their possible engagement by American employers as agricultural workers in the United States. The document setting forth this agreement has been duly signed in duplicate originals and is now in possession of the competent authorities of both governments.

Infra; post, p. 4106.

I am directed to inform Your Excellency that my government approves the above mentioned document which, for the sake of clarity, is quoted below:

In conference in the City of Mexico, Federal District, in the Conference Room of the Ministry of Foreign Relations, Messrs. William G. MacLean, representative of the Department of State; Ugo Carusi, Commissioner of the Immigration and Naturalization Service of the Department of Justice; Albert del Guercio, District Director of the Immigration and Naturalization Service in the District of Southern California; Maurice L. Stafford, Consul General of the United States of America, in representation of the American Embassy, and Harry F. Brown, observer for the Labor Office of the Department of Agriculture, who form the Delegation of the United States of America; and the members of the "Interdepartamental Commission in Charge of Affairs Related to the Emigration of Mexican Workers", created by decree dated January 17, 1947, published in Official Register, no. 20, January 24, 1947, Messrs. Licenciado Benito Coquet, *Oficial Mayor of Gobernación;* Doctor Alfonso Guerra, *Oficial Mayor* of Foreign Relations, and Licenciado J. Jesús Castorena, *Oficial Mayor* of Labor and Social Welfare, technically advised for this occasion by Messrs. Arcadio Ojeda García, Head of the Department of Migration; Manuel Aguilar, Director General of the Consular Service, and Engineer Jorge Medellín, Head of the Department of General Security and Social Welfare of the Ministry of Labor, who form the Mexican Delegation,

U. S. delegation.

Mexican delegation.

Resolve:

Recommendations for solution of migratory problems.

That having carried on cordial discussions in a friendly atmosphere of mutual understanding, with the object of trying to solve, in the best form for the Governments of Mexico and of the United States, the migratory problems resulting from the illegal movement of Mexican workers, whose number according to estimated statistics presented by the Delegation of the United States has reached a total of 119,000, of which 100,000 are direct emigrants from Mexican territory and 19,000 are workers who not having completed their labor contracts have remained illegally in territory of the United States, being now found, like the direct entrants, giving their services for the most part in agricultural work, the Delegations reached agreement to submit the following conclusions to their respective Governments as recommendations:

Protective contracts.

FIRST: At the request of the Mexican Delegation the United States Delegation agrees to submit to its Government the proposition that the entire contingent of Mexicans who have migrated illegally be returned preferably through the border ports of Mexicali, Ciudad Juárez and Reynosa with a view to making a selection which may permit them to return to employment in the United States under the protection of contracts which should be drawn up on bases acceptable to the two Governments.

SECOND: The abovementioned contracting should be carried out through contracts signed by the representative of the employer in the United States (farmer) and by a representative of the Interdepartmental Commission referred to at the beginning, which is intervening in these conversations; said document to be endorsed in Mexican territory by an official of the Immigration and Naturalization Service of the United States of America, indicating that the employer (farmer) has complied with the requirements of the immigration laws of said country and has received due authorization to contract Mexican workers and to bring them into the United States.

Reinforcement of border patrols, etc.

THIRD: Both Delegations will recommend to their respective Governments the reinforcement of their border patrols and of all methods of vigilance to attain the greatest possible success for the control dispositions established to impede the illegal migration of Mexican workers.

Nonuse of illegally migrated workers.

FOURTH: With a view to cooperation in the realization of this objective, the immigration authorities of the United States will deny authorization for the contracting of Mexican workers to those American employers (farmers) who in contravention of these recommendations use the services of agricultural workers who have entered illegally.

The Mexican Delegation would appreciate the United States Delegation submitting to its Government the desire of the Mexican Government that the authorities of the United States study the possibility of adopting, in addition, legal measures under which United States employers who contract or use illegally migrated Mexican workers may suffer an adequate sanction.

In formulating this suggestion, the Mexican Delegation has in mind that the adoption of such measures would constitute the most effective procedure for putting an end to this illegal migration.

Restricted sale of railroad or bus tickets.

FIFTH: The Mexican Delegation agrees immediately to propose to its Government that, through not only the Ministries of Communications and Public Works but also through that of Gobernación and other state authorities, measures be suggested which may be considered pertinent to restrict as much as possible the sale of railroad or bus tickets to groups of workers proceeding to the border of Mexico with the United States, especially through the Punta Peñasco station, or the adoption as well of governmental measures which may prevent accumulations of workers at said border.

Documentation of persons.

SIXTH: With a view to impeding the migration to the United States of workers who have their permanent residence in border towns, it is suggested to the Delegation of the United States that those who are in this category be documented by the Mexican migration authorities only with Card Form 5–C, which only gives them the right to cross to the adjacent towns and not to be contracted for work in the interior of the United States. Therefore, all such who are clearly shown to be legal residents of border points should be excluded from contracts.

SEVENTH: The Delegation of the United States will recommend to its Government the issuance of instructions to its diplomatic and consular representatives in Mexico with a view to having them abstain, as they have done to date, from documenting, as permanent residents of the United States, persons whose passports do not categorically so specify, with exception of those who have family ties in that country.

Travel expenses of returned workers.

EIGHTH: It is understood that it is a function of the United States Immigration Service to return workers found to be illegally in the United States from the place of detention to a border point between Mexico and the United States. Both delegations are of the opinion that the travel expenses of the workers from the United States border port adjacent to the place of contract to the place of employment and return should be for the account of the employers in accordance with the requirements of Article 29 of the Mexican Labor Law.

Publicity.

NINTH: Both Delegations will recommend to their respective Governments the greatest publicity for these measures and their underlying reasons, in order that the authorities charged with their application, can count upon the fullest support of public opinion in both countries, this publicity to be made simultaneously and on a date to be agreed upon by both Chanceries.

Effective date.

TENTH: The agreements set forth shall become effective thirty days after they are approved by both Governments and notice thereof is given through their respective Chanceries, replacing the agreements concerning these questions signed by the United States and Mexican delegates in the City of Mexico, Federal District, on June 2, 1944, [1] and in the City of Washington on January 9, 1945.[1]

[1] [Not printed.]

In witness whereof, the present document has been prepared in sextuplicate in both Spanish and English and has been signed by the members of both Delegations on this thirty-first day of January, Nineteen hundred and forty-seven."

DELEGATION OF THE UNITED STATES

William G. MacLean
Maurice L. Stafford

MEXICAN DELEGATION

Benito Coquet
J. Jesús Castorena
Manuel Aguilar
Alfonso Guerra
Arcadio Ojeda G.
Jorge Medellin"

Nonparticipation of U. S. Government in Mexican contracts.

I am requested to state also that, while my government is ready to comment informally as to the practicability of any contract proposed by the Mexican Government covering the terms of employment between United States employers and Mexican agricultural workers, my government cannot be a party to any contracts made or provide policing for the fulfillment of such contracts, as made clear in the discussions between the representatives of the two governments. The workers will have, however, the usual remedies or recourses available to residents in the United States in the same field of employment.

I also wish to point out to Your Excellency that my government considers the present agreement as distinct and independent of that entered into between our two governments in connection with the recruitment of agricultural workers by representatives of the United States Department of Agriculture in the sense that the first has to do with contractual relations between Mexican laborers and United States employers, whereas the second has to do with contractual relations between Mexican laborers and the United States Government.

If Your Excellency's Government approves the above quoted agreement and is in accord with the other paragraphs of the note, I propose to Your Excellency that this note and the reply to it constitute the exchange of notes contemplated in Article 10 of the agreement above quoted.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency
Señor Don JAIME TORRES BODET
Secretary of Foreign Relations,
Mexico, D.F.

The Mexican Secretary of Foreign Relations to the American Ambassador

[SEAL]

3204 MÉXICO, D. F., *a 10 de marzo de 1947*

SEÑOR EMBAJADOR:

Tengo el honor de referirme a la atenta nota de Vuestra Excelencia número 673 fechada el 10 de marzo de 1947, que a la letra dice:

"Tengo el honor de hacer referencia al convenio a que se llegó por los representantes de los Gobiernos de los Estados Unidos de Norteamérica y de México como resultado de las conferencias verificadas en la Ciudad de México del 27 de enero al 4 de febrero de 1947, en relación con el regreso a México de los mexicanos que han entrado ilegalmente a los Estados Unidos y su posible contratación por empleadores norteamericanos, como trabajadores agrícolas en los Estados Unidos. – El documento conteniendo este convenio ha sido debidamente firmado en originales duplicados y se encuentra en posesión de las autoridades competentes de ambos Gobiernos.

He recibido instrucciones de informar a Vuestra Excelencia que mi Gobierno aprueba el documento arriba mencionado, el que, para mayor claridad se transcribe a continuación: – "En la Ciudad de México, Distrito Federal, reunidos en el Salón de Conferencias de la Secretaría de Relaciones Exteriores los miembros de la "Comisión Intersecretarial encargada de los asuntos referentes a la Emigración de Trabajadores Mexicanos", creada por Decreto de fecha 17 de los corrientes y publicado en el Diario Oficial núm. 20 del día 24 de enero en curso, señores Lic. Benito Coquet, Oficial Mayor de Gobernación; Alfonso Guerra, Oficial Mayor de Relaciones Exteriores; y Lic. J. Jesús Castorena, Oficial Mayor de Trabajo y Previsión Social, asesorados en esta ocasión por los Sres. Arcadio Ojeda García, Jefe del Departamento de Migración; Manuel Aguilar, Director General del Servicio Consular; y Arq. Jorge L. Medellín, Jefe del Depto. de Protección General de Trabajo y Previsión Social, que forman la Delegación Mexicana; con los Sres. William G. McLean, Rpte. del Departamento de Estado; Ugo Carusi, Director General del Servicio de Inmigración y Naturalización en representación del Depto. de Justicia; Albert del Guercio, Director de Migración del Distrito Sur de California; Maurice L. Stafford, Cónsul General de los Estados Unidos de América, en representación de la Embajada Norteamericana en esta Capital; y Harry F. Brown, Oservador de la Ofna. del Trabajo del Depto. de Agricultura, que forman la Delegación de los Estados Unidos de América.

DECLARAN:

Que habiendo efectuado cordiales pláticas bajo un ambiente amistoso de mutua comprensión, con objecto de tratar de resolver en la mejor forma para los Gobernos de México y de los Estados Unidos los problemas migratorios resultantes del éxodo ilegal de trabajadores mexicanos, cuyo monto según datos aproximados, proporcionados por la Delegación Norteamericana, se eleva a la suma de ciento diez y nueve mil, de los cuales cien mil corresponden

a emigrantes directos de territorio mexicano y diez y nueve mil a braceros que habiendo terrumpido el cumplimiento de sus contratos han permanecido ilegalmente en territorio de los Estados Unidos, encontrándose como los anteriores, prestando sus servicios en su gran mayoría en trabajos agrícolas, ambas Delegaciones resolvieron estar de acuerdo en someter a sus respectivos Gobiernos las siguientes conclusiones a título de recomendación:

PRIMERO: A petición de la Delegación Mexicana, la Delegación Norteamericana está conforme en someter a la consideración de su Gobierno la proposición de que el contingente total de mexicanos que inmigraron ilegalmente, sea conducido en forma preferencial, por los puertos fronterizos de Mexicali, Ciudad Juárez y Reynosa, con objeto de hacer una selección que les permita regresar a trabajar en los Estados Unidos, al amparo de contratos que deberán formularse sobre bases aceptables para los dos Gobiernos.

SEGUNDO: La mencionada contratación deberá hacerse mediante contratos suscritos por el Representante del patrono (farmer) y por un Delegado de la Comisión Intersecretarial al principio citada, que interviene en estas pláticas, debiendo ser endosado dicho documento, en territorio mexicano, por un funcionario del Servicio de Inmigración Norteamericana indicando que el patrono (farmer) ha cumplido con los requisitos de las Leyes de Inmigración de los Estados Unidos y ha recibido la autorización para contratar y llevar a territorio de dicho país a trabajadores mexicanos.

TERCERO: Ambas Delegaciones recomendarán a sus respectivos Gobiernos el refuerzo de sus patrullas fronterizas y de todos sus sistemas de vigilancia para lograr el mayor éxito a la disposiciones de control que se establezcan, tendientes a impedir el éxodo ilegal de trabajadores mexicanos.

CUARTO: Con objeto de cooperar a la realización de tal propósito, las Autoridades Migratorias de los Estados Unidos negarán autorización para contratar trabajadores mexicanos a aquellos agricultures norteamericanos (farmers) que en contravención de estas disposiciones utilicen los servicios de trabajadores agrícolas inmigrados ilegalmente.

La Delegación Mexicana agradecería a la Norteamericana que señale a su Gobierno el deseo del de México de que las autoridades norteamericanas estudien la posibilidad de adoptar, además, medidas legales en virtud de las cuales los patronos norteamericanos que contraten o utilicen a trabajadores mexicanos inmigrados ilegalmente reciban la adecuada sanción.

Al formular esta sugestión, la Delegación Mexicana lo hace considerando que la adopción de tales medidas constituiría el procedimiento más eficaz para poner término a este tránsito ilegal.

QUINTO: La Delegación Mexicana acepta desde luego proponer a su Gobierno que por conducto, tanto de las Secretarías de Comunicaciones y Obras Públicas, como de la de Gobernación y demás Autoridades Estatales, se sugieran las medidas que se consideren pertimentes para restringir en lo posible la venta de boletos de transporte ferroviario o autotransportes, a contingentes de braceros que

se dirijan con rumbo a la frontera de México con los Estados Unidos, especialmente por la Estación de Punta Peñasco, o bien la adopción de disposiciones gubernamentales que eviten acumulaciones de trabajadores en dicha frontera.

SEXTO: Con objeto de impedir la inmigración a los Estados Unidos, de trabajadores que tienen su domicilio permanente en poblaciones de la frontera, se sugiere a la Delegación Norteamericana que los que se encuentran en esas circunstancias, sean documentados por las Autoridades Migratorias Mexicanas únicamente con la Tarjeta Forma 5–C, que les da el derecho sólo a pasar a las poblaciones aledañas y de ninguna manera a ser contratados para trabajar en el interior de los Estados Unidos.

Por consecuencia, deben quedar excluídos de contratación todos aquellos a quienes evidentemente se compruebe residencia legal en los puntos fronterizos.

SEPTIMO: La Delegación Norteamericana recomendará a su Gobierno que instruya a sus Representantes Diplomáticos y Consulares en México, con objeto de que se abstengan, como lo han hecho hasta ahora, de documentar, con carácter de residentes permanentes en los Estados Unidos, a personas cuyo correspondiente pasaporte no lo especifique categóricamente, con la excepción de aquellas que tengan ligas familiares en aquel país.

OCTAVO: Se entiende que es función del Servicio de Inmigración de los Estados Unidos de América, conducir a los trabajadores que se encuentren ilegalmente en dicho país, desde el punto de su detención a un puerto fronterizo entre México y los Estados Unidos de América. Ambas Delegaciones son de opinión que los gastos de viaje de los trabajadores, desde el puerto fronterizo norteamericano, adyacente al lugar de contratación, a los lugares de trabajo y viceversa, deberán ser por cuenta de los patronos (farmers), de acuerdo con lo especificado por el artículo 29 de la Ley de Trabajo de México.

NOVENO: Ambas Delegaciones recomendarán a sus respectivos Gobiernos dar la mayor publicidad a estas medidas y a las razones que las fundamentan, con el objeto de que las autoridades encargadas de su aplicación, puedan contar con el mayor apoyo de la opinion pública de ambos paises, debiendo hacerse dicha publicación simultaneamente y en la fecha que previamente se convenga por ambas Cancillerías.

DECIMO: Los acuerdos estipulados, entrarán en vigor treinta días después de ser aprobadas sus conclusiones por ambos Gobiernos y comunicadas las resoluciones por conducto de sus respectivas Cancillerías, debiendo reemplazar los acuerdos que sobre este mismo asunto fueron firmados entre las Delegaciones Norteamericana y Mexicana, en la Ciudad de MEXICO, Distrito Federal, el 2 de junio de 1944 y en la ciudad de WASHINGTON, D. C., el 9 de enero de 1945.

Y para constancia se levanta la presente acta por sextuplicado, en los idiomas español e inglés, que firman los Miembros de ambas Delegaciones, a los trienta y un días del mes de enero de mil novecientos cuarenta y siete.

DELEGACIÒN MEXICANA:

Benito Coquet. – Alfonso Guerra. – J. Jesús Castorena. – Arcadio Ojeda G. – Manuel Aguilar. – Jorge L. Medellín. –

DELEGACIÒN NORTEAMERICANA:

William G. MacLean. – Ugo Carusi. – Alberto del Guercio. – Maurice L. Stafford. – Harry F. Brown

Se me ha pedido indicar tambien que, mientras mi Gobierno está dispuesto a comentar informalmente acerca de la practicabilidad de cualquier contrato propuesto por el Gobierno Mexicano cubriendo las clausulas de trabajo entre los empleadores norteamericanos y los trabajadores agrícolas mexicanos, mi Gobierno no puede ser parte de ningunos contratos que se hagan o proveer vigilancia para el cumplimiento de tales contratos, como se explicó claramente en las discusiones entre los representantes de los dos Gobiernos. Los trabajadores tendrán sin embargo, los remedios o recursos usuales con que cuentan los residentes de los Estados Unidos en la misma clase de trabajo.

También deseo expresar a Vuestra Excelencia que mi Gobierno considera el presente convenio, como distinto e independiente de aquel concertado entre nuestros dos Gobiernos en conexión con el reclutamiento de trabajadores agrícolas por representantes del Departamento de Agricultura de los Estados Unidos de Norteamérica, en el sentido de que el primero tiene que ver con las relaciones contractuales entre trabajadores mexicanos y empleadores norteamericanos, mientras que el segundo tiene que ver con las relaciones contractuales entre trabajadores mexicanos y el Gobierno de los Estados Unidos de Norteamérica.

Si el Gobierno de Vuestra Excelencia aprueba el convenio preinserto y está de acuerdo con los otros párrafos de esta nota, me permito proponer a Vuestra Excelencia que esta nota y la respuesta de ella, constituyan el intercambio de notas mencionado en el artículo 10 de convenio preinserto."

Sobre el particular, me es grato comunicar a Vuestra Excelencia la aceptación del Gobierno de México a la recomendación preinserta, así como su conformidad por lo que respecta a los comentarios también preinsertos, sobre la participación de las autoridades norteamericanas en la redacción y ejecución de los contratos individuales de trabajo, y sobre el hecho de que los agricultores contratados lo serán por empleadores norteamericanos, sin que se trate de relaciones contractuales entre aquellos y el Gobierno de los Estados Unidos de Norteamérica.

Me es grato renovar a Vuestra Excelencia, el testimonio de mi más alta y distinguida consideración.

JAIME TORRES BODET

Excelentísimo Señor WALTER THURSTON,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Presente.

Translation

[SEAL]

3204 MEXICO, D.F., *March 10, 1947*

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's kind note No. 673 of March 10, 1947, which reads word for word as follows:

Ante, p. 4097.

[For the English language text of this note, as signed, see pp. 4097–4100.]

In this connection I am happy to inform Your Excellency that the Government of Mexico accepts the above-quoted proposal and is in accord with the remarks, also quoted above, on the participation of United States authorities in the drafting and execution of individual work contracts, and on the fact that it is United States employers who will hire the agricultural workers, with no question of contractual relations between the latter and the Government of the United States.

I take pleasure in renewing to Your Excellency the assurances of my highest and most distinguished consideration.

JAIME TORRES BODET

His Excellency
WALTER THURSTON,
Ambassador Extraordinary and Plenipotentiary
of the United States of America.
City.

March 10, 1947
[T. I. A. S. 1858]

Supplementary agreement between the United States of America and Mexico respecting Mexican agricultural workers. Effected by exchange of notes signed at Mexico City March 10, 1947; entered into force March 10, 1947.

The American Ambassador to the Mexican Secretary of Foreign Relations

No. 675

MEXICO, D. F., *March 10, 1947.*

EXCELLENCY:

Agreement respecting return to Mexico of illegal entrants into U. S.

I have the honor to refer to the supplementary agreement reached by representatives of the United States and Mexican Governments as a result of the conferences held in Mexico City between January 27 and February 4, 1947, on the subject of the return to Mexico of illegal Mexican entrants into the United States, and their possible engagement by American employers as agricultural workers in the United States. The document setting forth this supplementary agreement has been duly signed in duplicate originals and is now in possession of the competent authorities of both governments.

I am directed to inform Your Excellency that my government approves the above mentioned document which, for the sake of clarity, is quoted below:

U. S. delegation.

"In conference in the City of Mexico, Federal District, in the Conference Room of the Ministry of Foreign Relations, Messrs. William G. MacLean, representative of the Department of State; Ugo Carusi, Commissioner of the Immigration and Naturalization Service of the Department of Justice; Albert del Guercio, District Director of the Immigration and Naturalization Service in the District of Southern California; Maurice L. Stafford, Consul General of the United States of America, in representation of the American Embassy, and Harry F. Brown, observer for the Labor Office of the Department of Agriculture, who form the Delegation of the United States of America; and the members of the "Interdepartmental Commission in Charge of Affairs Related to the Emigration of Mexican Workers", created by decree dated January 17, 1947, published in Official Register no. 20, January 24, 1947, Messrs. Licenciado Benito Coquet, *Oficial Mayor* of *Gobernación;* Doctor Alfonso Guerra, *Oficial Mayor* of Foreign Relations, and Licenciado J. Jesus Castorena, *Oficial Mayor* of Labor and Social Welfare, technically advised for this occasion by Messrs. Arcadio Ojeda García, Head of the Department of Migration; Manuel Aguilar, Director General of the Consular Service, and Engineer Jorge Medellín, Head of the Department of General Security and Social Welfare of the Ministry of Labor, who form the Mexican Delegation:

Mexican delegation.

Mexican workers employed in State of Texas.

FIRST: As an annex to the memorandum of this date, the United States Delegation has advised that a considerable number of the

Mexican workers found illegally in the United States presently are employed in the State of Texas.

SECOND: The Mexican Delegation, in view of the statement to which the preceding point refers, considers that it is confronted with a factual situation which was not created by the Government of Mexico, but which it is desirable to solve in benefit to the Mexican workers. Consequently it is disposed to recommend to its Government that, as an exceptional measure, it authorize the contracting of these workers in order that they may continue to lend their services in the State of Texas, on the understanding that this attitude will not constitute a precedent nor can it be invoked in the future, since the Government of Mexico remains firm in its determination not to permit, under the protection of existing conventions, that persons of Mexican nationality be contracted to work in States of the United States in which there may exist discrimination against Mexicans, a problem which, on the other hand, in so far as Texas is concerned, seems to be on the road to a favorable solution, in view of the repeated proofs of friendship and of good will which the Honorable Beaufort Jester, Governor of said State, has shown towards Mexico.

THIRD: The resolutions which fall under this additional memorandum are subject to the same treatment mentioned in the tenth recommendation of the document of which this is an annex." *Ante*, p. 4099.

DELEGATION OF THE UNITED STATES

William G. MacLean
Maurice L. Stafford

MEXICAN DELEGATION

Benito Coquet
J. Jesús Castorena
Manuel Aguilar
Alfonso Guerra
Arcadio Ojeda G.
Jorge Medellín"

Nonparticipation of U. S. Government in Mexican contracts.

I am requested to state also that, while my government is ready to comment informally as to the practicability of any contract proposed by the Mexican Government covering the terms of employment between United States employers and Mexican agricultural workers, my government cannot be a party to any contracts made or provide policing for the fulfillment of such contracts, as made clear in the discussions between the representatives of the two governments. The workers will have, however, the usual remedies or recourses available to residents in the United States in the same field of employment.

I also wish to point out to Your Excellency that my government considers the present supplementary agreement as distinct and independent of that entered into between our two governments in connection with the recruitment of agricultural workers by representatives of the United States Department of Agriculture in the sense that the first has to do with contractual relations between Mexican laborers and United States employers, whereas the second has to do with contractual relations between Mexican laborers and the United States Government.

If, for its part, Your Excellency's Government likewise approves the above quoted supplementary agreement, I propose to Your Excellency that this note and the reply to it constitute the exchange of notes contemplated in the agreement of January 31, 1947.

Ante, p. 4097.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency
Señor Don JAIME TORRES BODET,
Secretary of Foreign Relations,
Mexico, D.F.

The Mexican Secretary of Foreign Relations to the American Ambassador

3205 MÉXICO, D. F., *a 10 de marzo de 1947*

EXCELENCIA:

Me es grato hacer referencia a la atenta nota de Vuestra Excelencia número 675 del 10 de marzo de 1947 que a la letra dice:

"Tengo el honor de hacer referencia al Protocolo adicional firmado por los Representantes del Gobierno de los Estados Unidos de América y del de México, como resultado de las conferencias efectuadas en la ciudad de México del 27 de enero al 4 de febrero de 1947 sobre el regreso a México de los mexicanos que ha entrado ilegalmente a los Estados Unidos y con su posible contratación por patronos americanos como trabajadores agrícolas en los Estados Unidos. El documento en que aparece este Protocolo ha sido debidamente firmado en originales duplicados y ya está en posesión de las Autoridades competentes de ambos Gobiernos. Tengo instrucciones de informar a su Excelencia que mi Gobierno aprueba el documento arriba mencionado que, para mayor claridad se transcribe a continuación: " "En la ciudad de México, Distrito Federal, reunidos en el Salón de Conferencias de la Secretaría de Relaciones Exteriores los miembros de la "Comisión Intersecretarial Encargada de los Asuntos referentes a la Emigración de Trabajadores Mexicanos", creada por Decreto de fecha 17 de los corrientes publicado en el Diario Oficial número 20 del día 24 de enero en curso, señores Licenciado Benito Coquet, Oficial Mayor de Gobernación, Alfonso Guerra, Oficial Mayor de Relaciones Exteriores y Licenciado J. Jesús Castorena, Oficial Mayor de Trabajo y Previsión Social, asesorados en esta ocasión por los señores Arcadio Ojeda García, Jefe del Departamento de Migración, Manuel Aguilar, Director del Servicio Consular, Arquitecto Jorge L. Medellín, Jefe del Departamento de Protección General de la Secretaría de Trabajo y Previsión Social, que forman la Delegación Mexicana; con los señores William G. McLean, Representantes del Departamento de Estado, Ugo Carusi, Director General del Servicio de Inmigración y Naturalización en Representación del Departamento de Justicia; Albert del Guercio, Director de Migración del Distrito

Sur de California; Maurice L. Stafford, Cónsul General de los Estados Unidos de América, en representación de la Embajada Norteamericana en esta ciudad; y Harry F. Brown, observador de la Oficina del Trabajo del Departamento de Agricultura, que forman la Delegación de los Estados Unidos de América, acordaron también a título de recomendación para sus respectivos Gobiernos, la formulación de los siguientes considerandos complementarios: PRIMERO: Como complemento al Protocolo de esta fecha, la Delegación Norteamericana ha informado que un número considerable de los trabajadores que se encuentran ilegalmente en los Estados Unidos prestan en la actualidad sus servicios en el Estado de Texas. SEGUNDO: La Delegación Mexicana, en vista de la Declaración a que se refiere el punto anterior, estima que se halla en presencia de una situación de hecho que no fué creada por el Gobierno de Mexico, pero que conviene resolver en beneficio de los trabajadores mexicanos. En consecuencia, está dispuesta a recomendar a su Gobierno que, como medida de excepción, autorice la contratación de estos trabajadores para que sigan prestando sus servicios en el Estado de Texas, en la inteligencia de que esta actitud no constituirá ningún precedente ni podrá ser invocada en el futuro, ya que el Gobierno de México, se mantiene invariable en su determinación de no permitir que, al amparo de los convenios vigentes, se contrate a personas de nacionalidad mexicana para trabajar en los Estados de la Unión Norteamericana en los que exista discriminación en contra de los mexicanos, problema que, por otra parte, por lo que respecta a Texas, parece encontrarse en vías de solución favorable, en vista de las reiteradas pruebas de amistad y de buena voluntad que hacia México ha dado el señor Buford Jester, Gobernador de dicha Entidad. TERCERO: Las resoluciones que recaigan sobre el presente Protocolo adicional quedan sujetas al mismo tratamiento que se menciona en la recomendación Décima del documento al que se anexa el presente. DELEGACION MEXICANA: Benito Coquet, Alfonso Guerra, J. Jesús Castorena, Arcadio Ojeda G., Manuel Aguilar, Jorge Medellín. (firmado) DELEGACION NORTEAMERICANA: William G. McLean, Ugo Carusi, Albert del Guercio, Maurice L. Stafford, Harry F. Brown. (firmado)." " Se me ha pedido indicar también que, mientras mi Gobierno está dispuesto a comentar informalmente acerca de la practibilidad de cualquier contrato propuesto por el Gobierno Mexicano, cubriendo las cláusulas de trabajo entre los empleadores norteamericanos y los trabajadores agrícolas mexicanas, mi Gobierno no puede ser parte de ningunos contratos que se hagan o proveer vigilancia para el cumplimiento de tales contratos, como se explicó claramente en las discusiones entre los representantes de los dos Gobiernos. Los trabajadores tendrán, sin embargo, los remedios o recursos usuales con que cuentan los residentes de los Estados Unidos en la misma clase de trabajo. También deseo expresar a Vuestra Excelencia que mi Gobierno considera el presente Protocolo adicional, como distinto e independiente del convenio concertado entre nuestros dos Gobiernos en conexión con el reclutamiento de trabajadores

agrícolas por representantes del Departamento de Agricultura de los Estados Unidos de Norteamerica, en el sentido de que el primero tiene que ver con las relaciones contractuales entre trabajadores mexicanos y empleadores norteamericanos, mientras que el segundo tiene que ver con las relaciones contractuales entre trabajadores mexicanos y el Gobierno de los Estados Unidos de Norteamérica. Si, por su parte, el Gobierno de Vuestra Excelencia aprueba el protocolo adicional preinserto, me permito proponer a Vuestra Excelencia que esta nota y la respuesta a ella, constituyan el intercambio de notas mencionado en el convenio del 31 de enero de 1947."

Sobre el particular, me es grato comunicar a Vuestra Excelencia la aceptación del Gobierno de México a la recomendación preinserta, así como su conformidad por lo que respecta a los comentarios también preinsertos, sobre la participación de las autoridades norteamericanas en la redacción y ejecución de los contratos individuales de trabajo, y sobre todo el hecho de que los agricultores contratados lo serán por empleadores norteamericanos, sin que se trate de relaciones contractuales entre aquellos y el Gobierno de los Estados Unidos de Norteamérica.

Me es grato renovar a Vuestra Excelencia, el testimonio de mi más alta y distinguida consideración.

JAIME TORRES BODET

A su Excelencia
Señor WALTER THURSTON
Embajador de los Estados de América
México, D. F.

Translation

3205 MEXICO, D. F., *March 10, 1947*

EXCELLENCY:

I have the pleasure of referring to Your Excellency's kind note No. 675 of March 10, 1947, which reads word for word as follows:

Ante, p. 4106.

[For the English language text of this note, as signed, see pp. 4106–4108.]

In this connection I am happy to inform Your Excellency that the Government of Mexico accepts the above-quoted proposal and is in accord with the remarks, also quoted above, on the participation of United States authorities in the drafting and execution of individual work contracts, and in particular the fact that it is United States employers who will hire the agricultural workers, with no question of contractual relations between the latter and the Government of the United States.

I take pleasure in renewing to Your Excellency the assurances of my highest and most distinguished consideration.

JAIME TORRES BODET

His Excellency
WALTER THURSTON
Ambassador of the United States of America
México, D. F.

Understanding between the United States of America and Haiti respecting Haitian finances. Effected by exchange of notes signed at Port-au-Prince October 1, 1947; entered into force October 1 1947.

October 1, 1947
[T. I. A. S. 1862]

The American Chargé d'Affaires ad interim to the Haitian Secretary of State for Foreign Affairs

AMERICAN EMBASSY
Port-au-Prince, October 1, 1947.

EXCELLENCY:

I have the honor to inform Your Excellency that my Government considers the conditions set forth in Article 11 of the Agreement between the United States of America and Haiti signed September 13, 1941, at Port-au-Prince as having been met and, accordingly, my Government is happy to acknowledge that the provisions of that Agreement automatically cease to have effect on October 1, 1947.

55 Stat. 1357.

It is the understanding of my Government that no claims shall be advanced by either Government against the other Government on account of any act of the citizens of the United States who have served as members of the Board of Directors of the National Bank of Haiti or as employees of the bank pursuant to the Agreement of September 13, 1941. I should appreciate it if Your Excellency would inform me whether your Government concurs in this understanding.

Accept, Excellency, the renewed assurance of my high consideration.

Robert H. McBride
Chargé d'Affaires ad interim

His Excellency
EDMÉ MANIGAT,
Secretary of State for Foreign Affairs,
Port-au-Prince.

The Haitian Secretary of State for Foreign Affairs to the American Chargé d'Affaires ad interim

SECRÉTAIRERIE D'ETAT
DES
RELATIONS EXTÉRIEURES
No. SG/A-3 : 10

RÉPUBLIQUE D'HAÏTI
Port-au-Prince, le 1er. Octobre 1947.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai le plaisir d'accuser réception de la note datée de ce jour par laquelle vous m'informez que le Gouvernement des Etats-Unis

d'Amérique considère comme accomplis les termes de l'article 11 de la Convention signée le 13 Septembre 1941 entre Haiti et les Etats-Unis d'Amérique et que ladite Convention cesse d'avoir effet aujourd'hui le 1er. Octobre 1947.

Cette Chancellerie a bien noté les deux points qui font l'objet de la communication susmentionnée et, est d'accord avec le Gouvernement Américain en ce qui concerne le deuxième paragraphe de votre note.

Veuillez agréer, Monsieur le Chargé d'Affaires, l'assurance de ma considération très distinguée.

EDMÉ TH MANIGAT

Monsieur ROBERT H. MCBRIDE,
Chargé d'Affaires ad interim
des Etats-Unis d'Amérique,
Port-au-Prince.

Translation

DEPARTMENT OF STATE
FOR
FOREIGN AFFAIRS
No. SG/A-3 : 10

REPUBLIC OF HAITI
Port-au-Prince, October 1, 1947.

MR. CHARGÉ D'AFFAIRES,

I have the pleasure of acknowledging receipt of the note dated today in which you inform me that the Government of the United States of America considers the conditions of Article 11 of the Agreement between Haiti and the United States of America signed on September 13, 1941 as having been met, and that the said Agreement ceases to have effect today, October 1, 1947.

55 Stat. 1357.

This Chancelry has taken due note of the two points which are the subject of the aforementioned communication and concurs with the United States Government with respect to the second paragraph of your note.

Please accept, Mr. Chargé d'Affaires, the assurance of my very distinguished consideration.

EDMÉ TH MANIGAT

Mr. ROBERT H. MCBRIDE,
Chargé d'Affaires ad interim
of the United States of America,
Port-au-Prince.

Agreement between the United States of America and France respecting the recruitment of voluntary labor for France in the United States Zone of Germany. Effected by exchange of notes signed at Paris October 25, 1947; entered into force October 25, 1947.

October 25, 1947
[T. I. A. S. 1878]

The Secretary General of the French Ministry of Foreign Affairs to the American Ambassador

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES

DIRECTION DES CONVENTIONS
ADMINISTRATIVES ET SOCIALES

LIBERTÉ—ÉGALITÉ—FRATERNITÉ

RÉPUBLIQUE FRANÇAISE

PARIS, LE *25 octobre 1947.*

MONSIEUR L'AMBASSADEUR,

I°/ A la suite des échanges de vues qui ont eu lieu entre les représentants de votre Ambassade et ceux de mon Département relativement au recrutement pour le travail en France de main d'oeuvre libre allemands dans la zone américaine d'Allemagne, vous m'avez fait connaître que le Gouvernement français pourra procéder au recrutement de cette main d'oeuvre sous le contrôle du Commandant de cette zone aux conditions suivantes:

a) le recrutement de travailleurs allemands libres n'affectera en aucune façon l'application des engagements français actuellement existants concernant le recrutement de personnes déplacées en Allemagne;

b) le recrutement des travailleurs allemands libres aux termes des dispositions du présent accord sera réalisé par l'intermédiaire des Offices allemands du Travail dans les locaux desquels la Mission française de recrutement interrogera et renseignera les volontaires pour le travail en France.

La Mission française de recrutement fera part aux Autorités compétentes du Gouvernement militaire américain de toute difficulté survenue entre elle-même et les offices allemands du travail, de manière à permettre à celles-ci de prendre les dispositions nécessaires.

Les dispositions de l'accord technique indiqué au paragraphe 3° ci-après seront réexaminées à la demande du Chef de la Mission française de recrutement si celui-ci considère que le recrutement des travailleurs allemands pour la France n'est pas satisfaisant et si, après enquête des autorités militaires américaines, il apparaît que cette insuffisance résulte de l'obstruction des offices allemands du travail de la zone américaine d''Allemagne.

c) Les familles des travailleurs allemands volontaires pour le travail en France se rendront en France via la zone française d'Allemagne. Le départ de la famille sera effectué simultanément avec celui du travailleur et en tout cas dans le délai maximum d'un mois après le départ du travailleur.

d) Aucun recrutement ne sera effectué parmi les travailleurs employés dans les houillères.

e) A titre exceptionne, sera temporairement suspendu, à la reqêête des autorités qualifiées du Gouvernement militaire américain, le recrutement des travailleurs qui seront considérés par ces autorités comme appartenant à des professions ou employés dans des régions où existe une insuffisance critique de main d'oeuvre.

Mon Gouvernement accepte ces conditions.

2°/ Par dérogations aux dispositions du paragraphe I c) ci-dessus concernant le départ de la zone américaine d'Allemagne des familles des travailleurs allemands volontaires pour la France, le Gouvernement américain est disposé à examiner la possibilité d'admettre exceptionnellement le maintien dans la zone américaine d'Allemagne d'un certain nombre de familles de ces travailleurs qui pourront refuser ou n'être pas en mesure de quitter la zone. Le nombre des travailleurs volontaires allemands qui seront autorisés à laisser leur famille ne pourra dépasser 10% du total des travailleurs recrutés pour la France dans la zone américaine d'Allemagne.

La disposition qui précède ne s'appliquera pas aussi longtemps que le problème du transfert des économies des travailleurs libres allemands n'aura pas été règlé entre les Gouvernements.américain, britannique et français.

3°/ Un accord technique d'application des principes qui font l'objet de la présente lettre sera négocié à Berlin avec des représentants américains, britanniques et français.

4°/ Tous les frais engagés pour le fonctionnement de la mission française de recrutement des travailleurs allemands volontaires en zone américaine d'Allemagne seront intégralement mis à la charge de la France. L'activité de cette mission sera placée sous le contrôle du Commandant de la zone américaine.

5°/ Des conversations auront lieu entre les représentants des Gouvernements intéressés en vue de mettre fin au présent accord ou d'en modifier les dispositions, lorsque le recrutement des travailleurs volonaires allemands en zone américaine d'Allemagne atteindra un chiffre susceptible d'être considéré par le Commandant de la zone comme représentant le maximum de main d'oeuvre allemande, ou le maximum de cette main d'oeuvre appartenant à une profession déterminée que cette zone peut fournir à la France au moment considéré./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma haute considération.

J. CHAUVEL

à Son Excellence
Monsieur JEFFERSON CAFFERY
Ambassadeur des Etats-Unis
à *Paris*

The American Ambassador to the Secretary General of the French Ministry of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Paris, October 25, 1947.

MY DEAR MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's note of October 25, 1947, which states:

Recruitment of free German workers in U. S. Zone of Germany.

"1. As a consequence of the exchanges of views which have taken place between the representatives of your Embassy and those of my Department relative to the recruitment for labor in France of free German workers in the United States Zone of Germany, you have informed me that the French Government will be able to proceed with the recruitment of such workers, under the authority of the Commander of the Zone, on the following conditions:

(a) Recruitment of free German workers will in no way affect the implementation of existing French commitments regarding the recruitment of displaced persons in Germany.

(b) Recruitment of free German workers under the provisions of this Agreement will be effected through the intermediary of the German labor offices on whose premises the French Recruitment Mission will question and furnish information to volunteers for labor in France.

The French Recruitment Mission will inform the appropriate United States Military Government authorities of any difficulties arising between it and the German Labor Office in order that those authorities may take necessary action.

The provisions of the technical agreement referred to in paragraph 3 below will be reexamined at the request of the chief of the French Recruitment Mission if he considers that the recruitment of German workers for France is unsatisfactory and if, after investigation by the United States Military Government authorities, it appears that the inadequate recruitment results from obstructive practices by the German Labor Offices in the United States Zone of Germany.

(c) The families of voluntary German workers recruited for labor in France will leave for France, via the French Zone of Germany. The departure of the family will take place simultaneously with the departure of the worker, or in any case not later than one month thereafter.

(d) No recruitment will take place among workers employed in the mines.

(e) In exceptional circumstances, recruitment will be temporarily suspended at the request of the appropriate United States Military Government authorities among workers whom they consider as belonging to an occupation or being employed in areas where there exists a critical shortage of manpower.

My Government accepts these conditions.

Families of voluntary German workers.

2. Notwithstanding the provisions of paragraph 1 (c) above concerning the departure from the United States Zone of Germany of the families of voluntary German workers for France, the United States Government is disposed to examine the possibility of permitting exceptionally, a certain number of families of those workers which may refuse or not be able to leave the United States Zone of Germany to remain in that Zone. The number of voluntary German workers who will be authorized to leave their families in the United States Zone of Germany will not exceed 10% of the total number of voluntary German workers recruited for France from the United States Zone of Germany.

This will not be done, however, until the problem of remittances from voluntary German workers is settled by the American, British and French Governments.

3. A technical agreement to implement the principles contained in this letter will be negotiated at Berlin by representatives of the American, British and French Governments.

Recruitment expenses.

4. All expenses incurred in the operation of the French Mission recruiting voluntary German workers in the United States Zone of Germany will be paid entirely by France. The activities of the French Recruiting Mission will be subject to the control of the United States Zone Commander.

Termination or modification of agreement.

5. Conversations will take place between representatives of the interested Governments with a view to terminating the present Agreement or modifying its provisions at the moment when the recruitment of voluntary German workers in the United States Zone of Germany reaches a figure which may be considered by the Zone Commander as representing the maximum number of German workers, or the maximum in any given occupation, which the United States Zone in Germany can furnish to France at that time.

Please accept, Mr. Ambassador, the assurance of my high consideration."

I have the honor to inform Your Excellency that the Government of the United States concurs in the terms of Your Excellency's note and agrees that that note together with this acknowledgment should constitute an agreement between our two Governments on the principles governing French recruitment of German labor in the United States Zone of Germany.

Please accept, Mr. Ambassador, the renewed assurances of my highest consideration.

JEFFERSON CAFFERY

His Excellency
M. JEAN CHAUVEL,
Secretary General of the
Ministry of Foreign Affairs,
Paris

Arrangement between the United States of America and Belgium respecting passport visa fees. Effected by exchanges of notes dated at Brussels March 27 and November 23, 1946, and January 17 and February 3, 1947; entered into force February 17, 1947.

March 27, November 23, 1946, and January 17, February 3, 1947
[T. I. A. S. 1879]

The American Embassy to the Belgian Ministry of Foreign Affairs and Foreign Commerce

EMBASSY OF THE
UNITED STATES OF AMERICA
BRUSSELS, BELGIUM

631
No. ~~449~~

Consular Section
Shell Building
Brussels

The American Embassy at Brussels presents its compliments to the Ministry of Foreign Affairs and, with reference to the Ministry's letter of January 31, 1946 (No. 2202/pr/ETATS-UNIS), concerning a proposed reciprocal visa fee waiver agreement for non-immigrant travelers, has the honor to quote below a communication dated March 11, 1946, which has been received from the Department of State on the subject:

"The Government of the United States is willing to grant gratis passport visas to qualified Belgian nationals who are bearers of valid Belgian passports and who are classifiable as bona fide nonimmigrants under the immigration laws of the United States, if the Belgian Government will waive passport visa fees for qualified nonimmigrants proceeding to Belgian territory and bearing valid passports issued by the Government of the United States. Such an arrangement must be concluded on a fully reciprocal basis in accordance with the provisions of the Act of Congress approved February 25, 1925, and the Executive Order of May 15, 1925, which stipulate that arrangements for the waiving or the reduction of passport visa fees shall be accomplished by an exchange of notes and that the concessions granted shall be similar. No arrangement may be concluded affecting the issuance of immigration visas or the fees therefor.

43 Stat. 976.
8 U. S. C. § 202 (i).

"It is noted that the Belgian Government is prepared to waive passport visa fees in cases of applicants for visitor's visas but desires to limit the period of validity of such visas to a maximum of two months and good for several trips.

"The normal period of validity of a temporary visitor's visa issued by the Government of the United States is twelve months, provided the applicant's passport is valid for that period. Such period of validity could not be modified generally and limited to a period of two months without excessive administrative difficulties.

It would appear, therefore, that the arrangement suggested by the Belgian Government could not be feasibly effected upon a reciprocal basis. It is the period of validity of the visa granted by a foreign country which must be equal to the period of validity of the visa issued by the Government of the United States, and not the period or the duration of the stay of the individuals in each country.

"The Government of the United States hopes that further discussions will lead to the conclusion of a reciprocal arrangement whereby bearers of passports issued by the Government of the United States, in possession of nonimmigrant visas issued by the Belgian Government, may enter and reenter Belgium one or more times within a normal period equivalent to that of the validity of a passport visa issued by the Government of the United States, that is, one year."

BRUSSELS, *March 27, 1946.*

The Belgian Ministry of Foreign Affairs and Foreign Commerce to the American Embassy

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES
ET DU
COMMERCE EXTÉRIEUR

Direction Générale C.
6e Bureau P.
N° 2202/Pr/Etats-Unis.

BRUXELLES, *le 23 Nov 1946*

Le Ministère des Affaires Etrangères et du Commerce Extérieur a l'honneur de faire savoir à l'Ambassade des Etats-Unis d'Amérique à Bruxelles, en se référant à sa note du 27 mars 1946, n° 149, [1] que les Administrations compétentes, après examen de la question, ont marqué leur accord pour porter de 2 mois à 1 an au maximum, à titre de réciprocité, la durée de validité des visas de voyage qui pourraient être délivrés, directement et gratuitement, aux sujets américains, par les agents diplomatiques et consulaires de carrière de Belgique, en vertu du nouvel arrangement à intervenir entre les deux pays.

Nonobstant la durée de validité de leur visa de voyage, les ressortissants américains qui ne désirent pas s'établir en Belgique seront dispensés de l'obligation de la carte professionnelle.

A ce point de vue, ils seront donc, en fait, placés sur le même pied que les étrangers dispensés de la formalité du visa.

Le Ministre saurait gré à l'Ambassade de lui faire connaître la date à laquelle le Gouvernement des Etats-Unis serait disposé à faire entrer en vigueur les dispositions du susdit arrangement.

AMBASSADE DES ETATS-UNIS D'AMÉRIQUE,
à Bruxelles.

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[1] [This number has been corrected to 631; see p. 4117.]

Translation

MINISTRY OF FOREIGN AFFAIRS
AND
FOREIGN COMMERCE

General Office C.
6th Bureau P.
No. 2202 /Pr/ United States.

BRUSSELS, *November 23, 1946*

The Ministry of Foreign Affairs and Foreign Commerce has the honor to inform the Embassy of the United States of America in Brussels, with reference to its note No. 149[1] of March 27, 1946, that the competent Administrations, after examining the question, have agreed to extend from two months to a maximum of one year, on a basis of reciprocity, the period of validity of travel visas which could be issued directly and free of charge to United States nationals by Belgian career diplomatic and consular agents, by virtue of the new arrangement to be concluded between the two countries.

Notwithstanding the period of validity of their travel visa, United States nationals who do not wish to establish themselves in Belgium will not be required to have professional cards.

Therefore, from that point of view, they will, in fact, be placed in the same status as foreigners exempted from the formality of the visa.

The Minister would be grateful if the Embassy would notify it of the date on which the United States Government would be prepared to have the provisions of the aforesaid arrangement enter into force.

MINISTRY OF FOREIGN AFFAIRS AND FOREIGN COMMERCE

EMBASSY OF THE UNITED STATES OF AMERICA,
Brussels.

The American Embassy to the Belgian Ministry of Foreign Affairs and Foreign Commerce

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY
Shell Building
60, rue Ravenstein
Brussels

No. 600

The American Embassy at Brussels presents its compliments to the Ministry of Foreign Affairs and Foreign Commerce, and has the honor to refer to the Ministry's note of November 23, 1946, in which it was stated that the Ministry is agreeable to entering into an agreement with the United States Government to permit the reciprocal issuance of visitors' visas to nationals of both countries, valid for one year, without fees.

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[1] [This number has been corrected to 631; see p. 4117.]

The Embassy is in receipt of instructions from the Department of State authorizing it to conclude arrangements for the reciprocal agreement and, if it is agreeable to the Ministry of Foreign Affairs and Foreign Commerce, the Embassy would suggest that the effective date for the reciprocal waiver of fees for visitors' visas be set as February 17, 1947.

Effective date.

The Embassy will appreciate it if the Ministry of Foreign Affairs and Foreign Commerce will indicate whether this date is acceptable to the Belgian Government and takes this occasion to renew the assurances of its highest consideration.

BRUSSELS, *January 17, 1947.*

The Belgian Ministry of Foreign Affairs and Foreign Commerce to the American Embassy

MINISTERE DES AFFAIRES ETRANGERES,
Direction Générale C
2ème section – 6ème bureau P
n° 2202/Pr/Etats-Unis.

BRUXELLES, *le 3 février 1947.*

Le Ministère des Affaires Etrangères et du Commerce Extérieur a l'honneur de faire savoir à l'AMBASSADE DES ETATS UNIS D'AMERIQUE à Bruxelles, comme suite à sa note du 17 janvier 1947, n° 600, que le Gouvernement belge est d'accord pour fixer au 17 février 1947 la date d'entrée en vigueur de l'arrangement intervenu entre les deux pays en matière de visas de passeports.

Les instructions nécessaires vont être adressées aux agents diplomatiques et consulaires de Belgique à l'étranger.

Translation

MINISTRY OF FOREIGN AFFAIRS,
General Office C
2nd Section – 6th Bureau P
No. 2202/Pr/United States.

BRUSSELS, *February 3, 1947.*

The Ministry of Foreign Affairs and Foreign Commerce has the honor to inform the Embassy of the United States in Brussels, in further reference to its note No. 600 of January 17, 1947, that the Belgian Government agrees that February 17, 1947, shall be fixed as the date of the entry into force of the arrangement concluded between the two countries in the matter of passport visas.

The necessary instructions will be transmitted to Belgian diplomatic and consular agents abroad.

Agreement between the United States of America and Brazil respecting air transport services. Signed at Rio de Janeiro September 6, 1946; entered into force October 6, 1946.[1]

September 6, 1946
[T. I. A. S. 1900]

[1] [Pages 4122–4159 contain a photographic reproduction of the signed original, with the exception of the signatures and seals on pp. 4136 and 4137.]

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL.

The Government of the United States of America and the Government of the United States of Brazil, considering:

- that the ever-growing possibilities of commercial aviation are of increasing importance;

- that this means of transportation because of its essential characteristics, permitting rapid connections, provides the best means for bringing nations together;

- that it is desirable to organize in a safe and orderly form regular international air services, without prejudice to national and regional interests, having in mind the development of international cooperation in the field of air transport;

- that it is necessary to conclude an agreement to secure regular air communications between the two countries

have appointed for this purpose their Plenipotentiaries as follows:

The President of the United States of America, His Excellency William Douglas Pawley, Ambassador Extraordinary and Plenipotentiary in Brazil, and His Excellency James McCauley Landis, Chairman of the Civil Aeronautics Board;

The President of the United States of Brazil, His Excellency Samuel de Sousa-Leão Gracie, Acting Minister for Foreign Affairs and His Excellency Major-Brigadier Armando Figueira Trompowsky de Almeida, Minister of State for Aeronautics;

ACÔRDO SÔBRE TRANSPORTES AÉREOS ENTRE OS

ESTADOS UNIDOS DA AMERICA E OS ESTADOS UNIDOS DO BRASIL.

O Govêrno dos Estados Unidos da América e o Govêrno dos Estados Unidos do Brasil, considerando:

- que as possibilidades sempre crescentes da aviação comercial são de importância cada vez mais relevante;

- uqe êsse meio de transporte,pelas suas carecterísticas essenciais, permitindo ligações rápidas,proporciona melhor aproximação entre as nações;

- que é conveniente organizar, por forma segura e ordenada, os serviços aéreos internacionais regulares, sem prejuízo dos interesses nacionais e regionais, tendo em vista o desenvolvimento da cooperação internacional no campo dos transportes aéreos;

- que se torna necessário a conclusão de um acôrdo destinado a assegurar comunicações aéreas regulares entre os dois países;

nomearam,para êsse fim os seguintes Plenipotenciários:

O Presidente dos Estados Unidos da América, Sua Excelência o Senhor William Douglas Pawley, Embaixador Extraordinário e Plenipotenciário no Brasil, e Sua Excelência o Senhor James McCauley Landis, Presidente do "Civil Aeronautics Board";

O Presidente dos Estados Unidos do Brasil, Sua Excelência o Senhor Samuel de Sousa-Leão Gracie, Ministro de Estado interino, das Relações Exteriores e Sua Excelência o Major-Brigadeiro Armando Figueira Trompowsky de Almeida, Ministro de Estado dos Negócios da Aeronáutica;

who, after having exchanged their fullpowers, found to be in good and due form, agreed upon the following articles:

ARTICLE I

Rights.

Post, p. 4138.

The Contracting Parties grant each other the rights specified in the Annex hereto, in order that there may be established the regular air services described therein (hereinafter referred to as "agreed services").

ARTICLE II

Inauguration of services.

1 - Each of the agreed services may be inaugurated immediately or at a later date, at the option of the Contracting Party to whom the rights have been granted, but not before:

(a) the Contracting Party to whom the rights have been granted shall have designated an airline or airlines for the route or routes specified;

(b) the Contracting Party granting the rights shall have given the necessary operating permission to the airline or airlines concerned (which it shall do without delay, in accordance with the provisions of paragraph 2 of this article and of Article VI).

Post, p. 4128.

2 - The airlines so designated may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights, that they are in a position to fulfill the requirements prescribed by the laws and regulations normally applied by these authorities to the operation of commercial airlines.

os quais, depois de haverem trocado seus Plenos Poderes, achados em boa e devida forma, convieram nos artigos seguintes:

ARTIGO I

As Partes Contratantes concedem-se recìprocamente os direitos especificados no Anexo do presente Acôrdo, a fim de que se estabeleçam os serviços aéreos regulares no mesmo descritos (doravante referidos como "serviços convencionados").

ARTIGO II

1 - Qualquer dos serviços convencionados poderá ser iniciado imediatamente ou em data posterior, a critério da Parte Contratante à qual os direitos foram concedidos, mas não antes que:

(a) a Parte Contratante à qual os mesmos tenham sido concedidos haja designado uma emprêsa ou empresas aéreas para a rota ou rotas especificadas;

(b) a Parte Contratante que concede os direitos tenha dado a necessária licença para funcionamento à emprêsa ou empresas aéreas em questão (o que fará sem demora, obedecidas as disposições do número 2ª dêste artigo e as do artigo VI).

2 - As empresas aéreas designadas poderão ser chamadas a provar, perante as autoridades aeronáuticas da Parte Contratante que concede os direitos, que se encontram em condições de satisfazer os requisitos prescritos pelas leis e regulamentos normalmente aplicados por essas autoridades ao funcionamento de empresas aéreas comerciais.

ARTICLE III

Charges, etc.

1 - The charges which either of the Contracting Parties impose or permits to be imposed on the eirline or airlines designated by the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

2 - Fuel, lubricating oils, and spare parts introduced into the territory of one Contracting Party or placed on board airplanes in its territory by the other Contracting Party, either for its own account or for the airlines designated by it, solely for use by the aircraft of the other Contracting Party, shall enjoy, with respect to customs duties, inspection fees and other charges imposed by the first Contracting Party, treatment not less favorable than that granted to the national airlines engaged in international air transport services or to the airlines of the most favored nation.

3 - Aircraft of one of the Contracting Parties used in the operation of the agreed services and the supplies of fuel, lubricating oils, spare parts, normal equipment and aircraft stores retained on board such aircraft shall enjoy exemption from customs duties, inspection fees, and similar duties or charges in the territory of the other Contracting Party, even though these supplies be used by such aircraft on flights within that territory.

ARTICLE IV

Certificates of airworthiness, etc.

Certificates of airworthiness, certificates of com

ARTIGO III

1 - As taxas que uma das partes Contratantes imponha ou permita que sejam impostas à emprêsa ou empresas aéreas designadas pela outra Parte Contratante para o uso de aeroportos e outras facilidades não serão superiores àquelas que seriam pagas pelo uso de tais aeroportos e facilidades por aeronaves de sua bandeira empregadas em serviços internacionais semelhantes.

2 - Os combustíveis, óleos, lubrificantes e sobressalentes introduzidos no território de uma Parte Contratante ou postos a bordo de aeronaves nesse território pela outra Parte Contratante, ou por sua conta, ou pelas empresas aéreas pela mesma designadas, ùnicamente para serem usados pelas aeronaves da outra Parte Contratante, gozarão, com relação aos direitos aduaneiros, taxas de inspeção e outras taxas impostas pela primeira Parte Contratante de tratamento não menos favorável do que o concedido às empresas aéreas nacionais que realizam transporte aéreo internacional, ou à empresas aéreas da nação mais favorecida.

3 - As aeronaves de uma das Partes Contratantes utilizadas na exploração dos serviços convencionados e os suprimentos de combustível, óleos lubrificantes, sobressalentes, equipamento normal e provisões guardados a bordo de tais aeronaves, gozarão de isenção de direitos aduaneiros, taxas de inspeção e direitos ou taxas semelhantes no território da outra Parte Contratante, ainda que êsses suprimentos venham a ser utilizados pelas aeronaves em vôo naquele território.

ARTIGO IV

Os certificados de navegabilidade, cartas de habi-

petency and licenses issued or validated by one of the Contracting Parties and still in force, shall be recognized as valid by the other Contracting Party for the purpose of the operation of the agreed services. Each Contracting Party reserves the right however to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to their own nationals by another State.

ARTICLE V

Laws and regulations.

1 - The laws and regulations of one Contracting Party, relative to the entry into its own territory, or departure therefrom of aircraft employed in international air navigation or to the operation of such aircraft within its own territory, shall be applied to aircraft of the airline or airlines of the other Contracting Party.

2 - The laws and regulations of one Contracting Party as to the admission into its own territory or the departure therefrom of passengers, crew or cargo of aircraft (i.e., regulations relative to entry, clearance, immigration, passports, customs and quarantine) shall be applied to passengers, crew and cargo of aircraft of the airline or airlines designated by the other Contracting Party, within the territory of the first Contracting Party.

ARTICLE VI

Withholding or revocation of exercise of rights.

Each of the Contracting Parties reserves the right to withold or revoke the exercise of rights specified in the Annex of the present Agreement by an airline designated by the other Contracting Party when it is not satisfied that substantial ownership and effective control of the airline under reference is in the hands of nationals of the other Contracting Party, or in case of failure by that airline to

litação e licenças emitidos ou válidos por uma das Partes Contratantes e ainda em vigor, serão reconhecidos como válidos pela outra Parte Contratante para o fim da Exploração dos serviços convencionados. As Partes Contratantes se reservam, entretanto, o direito de não reconhecer, relativamente ao sobrevôo de seu território, certificados de habilitação e licenças concedidos aos seus nacionais por um outro Estado.

ARTIGO V

1 - As leis e regulamentos de uma Parte Contratante, relativas à entrada no seu próprio território, ou à saída do mesmo, de aeronaves empregadas em navegação aérea internacional ou à exploração de tais aeronaves dentro do seu território, serão aplicadas às aeronaves da emprêsa ou empresas aéreas designadas pela outra Parte Contratante.

2 - As leis e regulamentos de uma Parte Contratante, relativas à entrada no seu território, ou à sáida do mesmo, de passageiros, tripulações ou carga de aeronaves (como sejam regulamentos concernentes à entrada, despacho, imigração, passaportes, alfândega e quarentena) aplicar-se-ão aos passageiros, tripulações e carga das aeronaves da emprêsa ou empresas aéreas designadas pela outra Parte Contratante, dentro do território da primeira Parte Contratante.

ARTIGO VI

Cada uma das Partes Contratantes reserva-se o direito de negar ou revogar o exercício dos direitos especificados no Anexo do presente Acôrdo por uma emprêsa aérea indicada pela outra Parte Contratante quando não julgar suficientemente provado que uma parte substancial da propriedade e o contrôle efetivo da referida emprêsa estão em mãos de nacionais da outra Parte Contratante ou em caso

comply with the laws or regulations referred to in Article V above, or to fulfill the conditions under which the rights are granted in accordance with this Agreement and its Annex, or when planes put in operation are not manned by nationals of the other Contracting Party, except in cases where air crews are being trained.

Post, p. 4138.

ARTICLE VII

Registration of Agreement.

The present Agreement shall be registered with the Provisional International Civil Aviation Organization established by the Interim Agreement on International Civil Aviation signed in Chicago on December 7, 1944, or its successor.

59 Stat. 1516.

ARTICLE VIII

Modifications of terms of Annex, etc.

If either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement, as well as to exercise the rights specified in Article VI, it may request consultation between the aeronautical authorities of the two Contracting Parties, such consultation to be initiated within a period of 60 days from the date of the request. When these authorities agree that the Annex should be modified, or choose to exercise the rights set forth in Article VI, such decisions shall enter into force after having been confirmed by an exchange of notes through diplomatic channels.

Post, p. 4138.

ARTICLE IX

Disputes.

Except as otherwise provided in this Agreement, or its Annex, any dispute between the Contracting Parties relative to the interpretation or application of this Agreement, or its Annex, which cannot be settled through consultation shall be submitted for an advisory report to the Interim Council of the Provisional International Ci

Post, p. 4138.

de inobservância, por essa emprêsa aérea, das leis e regulamentos referidos no Artigo V supra ou das condições sob as quais os direitos foram concedidos na conformidade dêste acôrdo e do seu Anexo, ou ainda quando os aviões postos em tráfego não sejam tripulados por naturais da outra Parte Contratante, excetuados os casos de treinamento de pessoal navegante.

ARTIGO VII

O presente Acôrdo será registrado na Organização Provisória Internacional de Aviação Civil, estabelecida pelo Acôrdo Provisório sôbre Aviação Civil Internacional, assinado em Chicago, em 7 de dezembro de 1944 ou do órgão que a suceder.

ARTIGO VIII

Se qualquer das Partes Contratantes considerar desejável modificar os termos do Anexo ao presente Acôrdo, bem como usar da faculdade prevista no Artigo VI, poderá solicitar consultas entre as autoridades aeronáuticas das duas Partes Contratantes, tais consultas devendo ser iniciadas dentro do prazo de 60 dias a correr da data da solicitação. Quando essas autoridades concordarem em modificar o Anexo, ou em efetivar o exercício do direito previsto no Artigo VI, essas resoluções entrarão em vigor depois de confirmação por troca de notas através dos canais diplomáticos.

ARTIGO IX

Salvo quando regulado de outro modo no presente Acôrdo ou no seu Anexo, qualquer divergência entre as Partes Contratantes, relativamente à interpretação ou à aplicação do presente acôrdo ou de seu Anexo, que não puder ser resolvida por meio de consultas, deverá ser submetida ao parecer consultivo do Conselho Provisório da Organi-

vil Aviation Organization (in accordance with the provisions of Article III, Section 6 (8) of the Provisional Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or to its successor, unless the Contracting Parties agree to submit the dispute to an Arbitration Tribunal designated by agreement between the same Contracting Parties, or to some other person or body. The Contracting Parties will use their best efforts under the powers available to them to put into effect the opinion expressed in any such report.

59 Stat. 1521.

ARTICLE X

Multilateral convention.

If a general multilateral aviation convention, accepted by both Contracting Parties, enters into effect, this Agreement shall be modified in such a way so that its provisions will conform to those of the convention under reference.

ARTICLE XI

For the purposes of the present Agreement, and its Annex, except where the text provides otherwise:

"Aeronautical authorities."

(a) the term "aeronautical authorities" shall mean in the case of the United States of America the Civil Aeronautics Board and any person or agency authorized to perform the functions exercised at the present time by the Civil Aeronautics Board and, in the case of the United States of Brasil, the Air Minister and any person or agency authorized to perform the function exercised at present by the said Minister.

"Designated airlines."

(b) the term "designated airlines" shall mean those airlines that the aeronautical authorities of one of the Contracting Parties have communicated in writing to the aeronautical authorities of the other Contracting Party that they are the airlines that it has designated in conformity with Article II of the present Agreement for the routes specified in such designation.

Ante, p. 4124.

zação Internacional Provisória de Aviação Civil, na conformidade das disposições do Artigo III, seção 6 (8) do Acôrdo Provisório sôbre Aviação Civil Internacional, assinado em Chicago aos 7 de dezembro de 1944 ou do órgão que suceder, a menos que as Partes Contratantes concordem em resolver a divergência perante um Tribunal Arbitral, nomeado em virtude de acôrdo entre as mesmas Partes Contratantes, ou perante outra pessoa ou órgão. As Partes Contratantes comprometem-se a envidar os seus melhores esforços, dentro dos limites de seus poderes, para pôr em execução a opinião que aquele órgão internacional expressar.

ARTIGO X

Se uma convenção geral aérea multilateral, aceita por ambas as Partes Contratantes, entrar em vigor, o presente Acôrdo deverá ser modificado de modo que as suas disposições se conciliem com as da referida convenção.

ARTIGO XI

Para os fins do presente Acôrdo e do seu Anexo, a não ser que o texto disponha de outro modo:

(a) a expressão "autoridade aeronáutica" significará, no caso dos Estados Unidos da América, o "Civil Aeronautics Board" e qualquer pessoa ou órgão autorizado a exercer as funções atualmente exercidas pelo Civil Aeronautics Board ou funções similares, e, no caso dos Estados Unidos do Brasil, o Ministro da Aeronáutica e qualquer pessoa ou órgão autorizado a exercer as funções atualmente exercidas pelo referido Ministro ou funções similares;

(b) a expressão "empresas aéreas designadas" significará as empresas de transportes aéreos a respeito das quais as autoridades aeronáuticas de uma das Partes Contratantes tenham feito comunicação por escrito às autoridades aeronáuticas da outra Parte Contratante de que as mesmas são empresas aéreas por elas designadas, na conformidade do Artigo II do presente Acôrdo, para as rotas especificadas em tal modificação;

"Territory."

(c) the term "territory" shall have the meaning given to it by Article 2 of the Convention on International Civil Aviation, signed at Chicago on December 7, 1944.

61 Stat., Pt. 2, p. 1181.

(d) the definitions contained in paragraphs a, b and d of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944, shall be applied to the present Agreement.

61 Stat., Pt. 2, p. 1207.

ARTICLE XII

Notice of termination.

Either of the Contracting Parties may at any time notify the other of its intention to terminate the present Agreement. Such a notice shall be sent simultaneously to the Provisional International Civil Aviation Organization or its successor. In the event such communication is made, this Agreement shall terminate six (6) months after the date of receipt of the notice to terminate, unless by Agreement between the Contracting Parties the communication under reference is withdrawn before the expiration of that time. If the other Contracting Party fails to acknowledge receipt, notice shall be deemed as having been received 14 days after its receipt by the Provisional International Civil Aviation Organization or its successor.

ARTICLE XIII

The present Agreement supersedes any acts, permissions, privileges or concessions already in existence at the time of the signing, granted for any reason by any of the Contracting Parties in favour of airlines of the nationality of the other Contracting Party.

(c) a expressão "território" terá o sentido que lhe dá o Artigo 2 da Convenção sôbre Aviação Civil Internacional, assinada em Chicago aos 7 de dezembro de 1944.

(d) as definições contidas nos parágrafos a, b e d do Artigo 96 da Convenção sôbre Aviação Civil Internacional, assinada em Chicago aos 6 de dezembro de 1944, aplicar-se-ão ao presente Acôrdo.

ARTIGO XII

Qualquer das Partes Contratantes poderá, em qualquer ocasião, notificar à outra o seu propósito de fazer cessar o presente Acôrdo, comunicação esta que deverá ser feita simultaneamente à Organização Provisória Internacional de Aviação Civil ou ao órgão que a suceder. Na eventualidade dessa comunicação, o presente Acôrdo terminará seis (6) meses após a data do recebimento da notificação pela outra Parte Contratante, a menos que, mediante entendimento entre as Partes Contratantes, a referida comunicação venha a ser retirada antes da expiração daquele prazo. Se a outra Parte Contratante deixar de acusar o recebimento, a notificação será considerada como tendo sido recebida quatorze dias depois do recebimento, pela Organização Provisória Internacional de Aviação Civil ou pelo órgão que a suceder, da notificação que lhe foi dirigida.

ARTIGO XIII

O presente Acôrdo substitui quaisquer atos, licenças, privilégios ou concessões porventura existentes ao tempo da assinatura, outrogados a qualquer título por qualquer das Partes Contratantes em favor de empresas aéreas de nacionalidade da outra Parte Contratante.

ARTICLE XIV

Entry into force.

The present Agreement will come into form thirty (30) days after the date of its signature.

In witness whereof the undersigned Plenipotentiaries have signed the present Agreement and affixed thereto their respective seals.

Authentic texts.

Done in the city of Rio de Janeiro on the sixth day of September, 1946, in two copies, in the Portuguese and English languages, both texts being equally authentic.

[SEAL] WILLIAM D. PAWLEY.
JAMES M. LANDIS

[SEAL] AMANDO TROMPOWSKY
S. DE SOUSA-LEAO GRACIE.

ARTIGO XIV

O presente Acôrdo entrará em vigro 30 (trinta) dias após a sua assinatura.

Em testemunha do que os Plenipotenciários, abaixo assinados, firmaram o presente Acôrdo e lhe apuzeram os respectivos selos.

Feito na cidade do Rio de Janeiro aos seis dias de setembro de 1946, em dois exemplares, em idioma inglês e português, sendo ambos os textos igualmente autênticos.

WILLIAM D. PAWLEY. [SEAL]
JAMES M. LANDIS

AMANDO TROMPOWSKY [SEAL]
S. DE SOUSA-LEAO GRACIE.

ANNEX

SECTION I.

Right granted to U. S. Government.

The Government of the United States of Brazil grants to the Government of the United States of America the right to conduct air transport services by one or more air carriers of American nationality designated by the latter country on the routes, specified in Schedule I attached, which transit or serve commercially the territory of the United States of Brazil.

Post, p. 4156.

SECTION II.

Right granted to Brazilian Government.

The Government of the United States of America grants to the Government of the United States of Brazil the right to conduct air transport services by one or more air carriers of Brazilian nationality designated by the latter country on the routes, specified in Schedule II attached, which transit or serve commercially the territory of the United States of America.

Post, p. 4158.

SECTION III.

Rights of transit and stop.

One or more air carriers designated by each of the Contracting Parties under the conditions provided in this Agreement will enjoy, in the territory of the other Contracting Party, rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail at the points enumerated and on each of the routes specified in the schedules attached at all airports open to international traffic.

SECTION IV.

Consultation.

The appropriate aeronautical authorities of each of the Contracting Parties will consult from time to time, or at the request of

one of the Parties, to determine the extent to which the principles set forth in Section V below are being followed by the airlines designated by the Contracting Parties, so as to prevent an unfair proportion of traffic being diverted from any designated airline through violation of those principle or principles enunciated elsewhere in this Agreement, the Annex, or the Protocol of Signature.

Ante, p. 4121.
Post, p. 4152.

SECTION V.

It is agreed between the Contracting Parties:

a) that the air transport capacity offered by the carriers of both countries should bear a close relationship to traffic requirements.

Capacity.

b) that in the operation of common sections of trunk routes the air carriers of the Contracting Parties should take into account their reciprocal interests so as not to affect unduly their respective Services.

c) that the services provided by a designated air carrier under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic;

d) that the right to embark and to disembark at points in the territory of the other country international traffic destined for or coming from third countries at a point or points specified in the Schedules attached, shall be applied in accordance with the general principles of orderly development to which both government subscribe and shall be subject to the general principle that capacity shall be related:

Right to embark, etc.

1 - to traffic requirements between the country of origin and the countries of destination;

2 - to the requirements of through airline operation, and

3 - to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

SECTION VI.

Change of gauge.

It is agreed between the Contracting Parties that, where the onward carriage of traffic by an aircraft of different size from that employed on the earlier stage of the same route (hereinafter referred to as "change of gauge") is justified by reason of economy of operation, and where such change of gauge is to be made at a point in the territory of the United States of America or the United States of Brazil, the smaller aircraft will operate only in connection with the larger aircraft arriving at the point of change, so as to provide a connection service which will thus normally wait on the arrival of the larger aircraft, for the primary purpose of carrying onward those passengers who have travelled to the United States of America or the United States of Brazil in the larger aircraft to their ultimate destination in the smaller aircraft. It is likewise understood that the capacity of the smaller aircraft shall be determined with primary reference to the traffic travelling in the larger aircraft normally requiring to be carried onward. Where there are vacancies in the smaller aircraft such vacancies may be filled with passengers from the United States of America or the United States of Brazil respectively without prejudice to the local traffic, exclusive of cabotage.

SECTION VII.

Rates.

a) The determination of rates in accordance with the following paragraphs shall be made at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit, and the rates charged by any other carriers, as well as the characteris-

tics of each service.

b) The rates to be charged by the air carriers of either Contracting Party between points in the territory of the United States and points in Brazilian territory referred to in the attached Schedules shall, consistent with the provisions of the present Agreement and its Annex, be subject to the approval of the aeronautical authorities of the Contracting Parties, who shall act in accordance with their obligations under the present Annex, within the limits of their legal powers.

Filing of proposed rates.

c) Any rate proposed by the air carrier of carriers of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

IATA.

d) The Civil Aeronautics Board of the United States having approved the traffic conference machinery of the International Air Transport Association (hereinafter called IATA), for a period of one year beginning in February 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval of the Board. Rate agreements concluded through this machinery may also be required to be subject to the approval of the aeronautical authorities of the United States of Brazil pursuant to the principles enunciated in paragraph (b) above.

e) The Contracting Parties agree that the procedure described in paragraphs (f), (g) and (h) of this Section shall apply

1 - If during the period of the Civil Aeronautics Board's approval of the IATA traffic conference machinery, either any specific rate agreement is not approved, within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or

2 - at any time no IATA machinery is applicable, or

3 - if either Contracting Party at any time withdraws or fails

to renew its approval of that of the IATA traffic conference machinery relevant to this Section.

Prevention of unfair or uneconomic rates.

f) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers of services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if in the judgement of the aeronautical authorities of the Contracting Party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic.

Notice of dissatisfaction with proposed rate.

If one of the Contracting Parties on receipt of the notification referred to in paragraph (c) above is disatisfied with the rate proposed by the air carrier or carriers of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred, to, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached, each Contracting Party will exercise its best efforts to put such rate into effect as regards its air carrier or air carriers.

Rate effective provisionally.

If agreement has not been reached at the end of the thirty day period referred to in paragraph (c) above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its application, go into effect

provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (h) below.

g) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied with any rate proposed by the air carrier or carriers of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred to in paragraph (c) above, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate.

In the event that such agreement is reached each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers.

It is recognized that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

Advisory report.

h) When in any case under paragraph (f) and (g) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the air carrier or carriers of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organization or its successor for an advisory report, and each Party will use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

SECTION VIII.

Changes in routes.

Post, pp. 4156, 4158.

Changes made by either Contracting Party in the routes described in the Schedules attached except those which change the points served by these airlines in the territory of the other Contracting Party shall not be considered as modifications of the Annex. The aeronautical authorities of either Contracting Party may therefore proceed unilaterally to make such changes, provided, however, that notice of any change is given without delay to the aeronautical authorities of the other Contracting Party.

Ante, p. 4139.

If such other aeronautical authorities find that, having regard to the principles set forth in Section V of the present Annex, interests of their air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the First Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country, the authorities of the two Contracting Parties shall consult with a view to arriving at a satisfactory agreement.

SECTION IX.

Exchange of information.

After the present Agreement comes into force, the aeronautical authorities of both Contracting Parties will exchange information as promptly as possible concerning the authorizations extended to their respective air carriers ~~to~~ designated to render service on the route mentioned in the annexed schedules or any part thereof. This will specially include copies of authorizations granted together with such modifications as may occur and any annexes.

A N E X O

SECÇÃO I.

O Govêrno dos Estados Unidos do Brasil concede ao Govêrno dos Estados Unidos da América o direito de assegurar, por intermédio de uma ou várias empresas americanas de transporte aéreo indicadas por êste último Govêrno, serviços aéreos nas rotas (mencionadas no quadro I anexo) que atravessam ou servem o território brasileiro.

SECÇÃO II.

O Govêrno dos Estados Unidos da América concede ao Govêrno dos Estados Unidos do Brasil o direito de assegurar, por intermédio de uma ou várias empresas brasileiras de transporte aéreo indicadas por êste último Govêrno, serviços aéreos nas rotas (mencionadas no quadro II anexo) que atravessam ou servem território americano.

SECÇÃO III.

A emprêsa ou empresas de transportes aéreos indicadas por uma das Partes Contratantes segundo as disposições do Acôrdo gozarão no território da outra Parte Contratante, nos pontos enumerados e em cada uma das rotas descritas nos quadros anexos, do direito de trânsito, de escalas para fins não comerciais e do direito de desembarcar e embarcar tráfico internacional de passageiros, cargas e malas postais em todos os aeroportos abertos ao tráfego internacional.

SECÇÃO IV.

As autoridades aeronáuticas competentes das Partes Contratantes consultar-se-ão de quando em quando, ou a pedido de uma delas,

a fim de determinar até que ponto os princípios enunciados na Secção V, infra, estão sendo observados pelas empresas aéreas indicadas pelas Partes Contratantes, de modo a evitar que uma proporção injusta de tráfico seja desviada de qualquer das empresas indicadas, em virtude de violação de um princípio ou princípios enunciados em qualquer parte dêste Acôrdo, de seu Anexo ou do Protocolo de Assinatura.

SECÇÃO V.

Fica entendido entre as Partes Contratantes:

a) que as capacidades de transporte oferecidas pelas empresas dos dois países deverão ser adaptadas à procura do tráfico;

b) que as empresas dos dois países deverão tomar em consideração, nos percursos comuns, os seus interêsses mútuos, a fim de não afetarem indevidamente os seus respectivos serviços;

c) que os serviços explorados por uma emprêsa aérea indicada segundo os termos dêste Acôrdo e seu Anexo terão por objetivo principal oferecer uma capacidade correspondente à procura de tráfico entre o país a que pertence a emprêsa e o país a que se destina o tráfico;

d) que o direito de embarcar e desembarcar, nos pontos e rotas especificados, tráfico internacional com destino a ou proveniente de terceiros países será exercido em conformidade com os princípios gerais do desenvolvimento ordenado do transporte aéreo aceitos pelos dois Governos, de modo que a capacidade seja adaptada:

1 - à procura de tráfico entre o país de origem e os países de destino;

2 - às exigências de uma exploração econômica dos serviços considerados; e

3 - à procura de tráfico existente nas regiões atravessadas, respeitados os interêsses dos serviços locais e regionais.

SECÇÃO VI.

Fica entendido entre as Partes Contratantes que, onde se justificar, em razão de economia de exploração dos serviços, a realização de tráfego, além de determinado ponto da rota, por aeronave de capacidade diferente da empregada no trecho anterior da mesma rota (doravante denominada "mudança de bitola") e onde essa mudança de bitola fôr feita num ponto do território dos Estados Unidos da América ou dos Estados Unidos do Brasil, a aeronave menor funcionará somente em conexão com a aeronave maior que chegar ao ponto de mudança, de forma a estabelecer um serviço conjugado que aguardará assim, normalmente, a chegada da aeronave maior para o fim principal de levar além, na aeronave menor, até seu último destino, os passageiros que viajarem até o território dos Estados Unidos da América ou dos Estados Unidos do Brasil na aeronave maior.

Fica igualmente entendido que a capacidade da aeronave menor será determinada principalmente em função do tráfego em trânsito na aeronave maior que exigir normalmente ser transportado para além. Quando existirem vagas na aeronave menor, tais vagas poderão ser preenchidas com passageiros dos Estados Unidos da América e dos Estados Unidos do Brasil, respectivamente, sem prejuizo do tráfego local e excluida a cabotagem.

SECÇÃO VII.

a) A fixação de tarifas, de conformidade com o disposto nos parágrafos seguintes, deverá ser feita em niveis razoáveis, devendo ser levados em devida consideração todos os fatores relevantes, tais como o custo de exploração, lucros razoáveis, as tarifas cobradas pelas outras empresas, assim como as características apresentadas em cada serviço;

b) As tarifas a serem cobradas pelas empresas aéreas de ca

da uma das Partes Contratantes entre pontos no território dos Estados Unidos da América e pontos no território dos Estados Unidos do Brasil, mencionados nos quadros anexos, deverão ser submetidos, de conformidade com as disposições do presente Acôrdo e de seu Anexo, à aprovação das autoridades aeronáuticas de cada uma das Partes Contratantes, as quais agirão segundo as obrigações que resultarem do presente Anexo, dentro dos limites de seus poderes legais;

c) Qualquer tarifa proposta pela emprêsa ou empresas de cada uma das Partes Contratantes deverá ser submetida às autoridades aeronáuticas das duas Partes Contratantes no mínimo trinta dias antes da data prevista para sua vigência; ficando entendido que êsse período de trinta dias poderá ser reduzido em casos especiais se assim fôr acordado pelas autoridades aeronáuticas de ambas as Partes Contratantes;

d) O "Civil Aeronautics Board" dos Estados Unidos da América, tendo aprovado pelo prazo de um ano, a começar em fevereiro de 1946, o mecanismo da conferência de tráfego da "Associação Internacional de Transportes Aéreos" (doravante denominada I.A.T.A.), os acordos sôbre tarifas concluídos segundo aquêle mecanismo durante o aludido prazo e que interessem às empresas aéreas dos Estados Unidos da América, serão submetidos à aprovação do aludido "Civil Aeronautics Board". Os acordos sôbre tarifas concluídos por intermédio do referido mecanismo poderão igualmente ser submetido à exigência de aprovação pelas autoridades aeronáuticas dos Estados Unidos do Brasil, por força dos princípios enunciados no parágrafo b, supra;

e) As Partes Contratantes acordam que o processo previsto nos parágrafos f, g e h da presente secção será aplicável:

1 - quando, durante o prazo da aprovação do "Civil Aeronautics Board" ao mecanismo das conferências de tráfego da I.A.T.A., um dado acôrdo sôbre tarifas não fôr aprovado dentro de um período razoável de tempo,

por qualquer das Partes Contratantes, ou, ainda, quando uma conferência da I.A.T.A. não puder estabelecer uma tarifa, ou

2 - quando, em qualquer tempo, nenhum mecanismo da I.A.T.A. fôr aplicável, ou

3 - quando, em qualquer tempo, uma ou outra das Partes Contratantes retirar ou abstiver-se de renovar sua aprovação àquela parte do mecanismo das conferências de tráfego da I.A.T.A. concernentes à presente secção.

f) Se as autoridades aeronáuticas dos Estados Unidos da América forem investidas de poder legal para fixar as tarifas justas e econômicas para o transporte aéreo internacional de pessoas e coisas, assim como de suspender as tarifas propostas, como o "Civil Aeronautics Board" está atualmente habilitado a fazer no que concerne tais tarifas no interior dos Estados Unidos da América, cada uma das Partes Contratantes exercerá posteriormente sua autoridade de modo a impedir que se aplique qualquer tarifa proposta por uma de suas empresas para os serviços entre o território de uma das Partes Contratantes e o da outra, se, na opinião das autoridades aeronáuticas da Parte Contratante cuja emprêsa propõe uma tal tarifa, a referida tarifa não é justa ou econômica.

Se uma das Partes Contratantes, depois de recebida a notificação prevista no parágrafo c, supra, não aprovar a tarifa proposta por uma emprêsa da outra Parte Contratante antes da expiração da metade do prazo de trinta dias previsto, dará ciência dêsse fato à outra Parte Contratante antes de terminados os primeiros quinze dias do período de trinta dias acima aludido, e as Partes Contratantes envidarão esforços para chegar a um acôrdo sôbre a tarifa conveniente.

Se fôr alcançado tal acôrdo, cada Parte Contratante empregará seus melhores esforços para que seja posta em vigor a referida tarifa por sua emprêsa ou empresas.

Se não fôr alcançado acôrdo ao fim do período dos trin-

ta dias previstos no parágrafo c, supra, a tarifa proposta poderá ser posta em vigor, a título provisório, até a solução da disputa segundo o processo definido no parágrafo h infra, a menos que as autoridades aeronáuticas do país a que pertencer a emprêsa interessada não julguem dever suspender a aplicação da dita tarifa.

g) Enquanto as autoridades aeronáuticas dos Estados Unidos da América não dispuzerem de tais poderes legais, se uma das Partes Contratantes não aprovar uma tarifa proposta por uma emprêsa ou empresas de uma ou de outra Parte Contratante para serviços entre o território de uma das Partes Contratantes e o da outra, a referida Parte Contratante dará ciência à outra, antes do fim da metade do prazo de trinta dias previsto no parágrafo c, supra, e as Partes Contratantes envidarão esforços para chegar a um acôrdo sôbre a tarifa conveniente.

Se fôr alcançado tal acôrdo, cada uma das Partes Contratantes empregará seus melhores esforços para que seja posta em vigor a referida tarifa por sua emprêsa ou empresas.

Fica entendido que, se um tal acôrdo não puder ser alcançado antes da expiração dos referidos trinta dias, a Parte Contratante que levantar objeções à tarifa poderá tomar a medida que julgar necessário para o fim de impedir a inauguração ou manutenção do serviço em questão à tarifa discutida.

h) Caso o processo de consultas definido nos parágrafos f e g supra não vier a resultar, dentro de um prazo razoável, num acôrdo entre as autoridades aeronáuticas das duas Partes Contratantes relativamente a uma tarifa conveniente, a disputa será submetida, por solicitação de uma ou de outra das Partes Contratantes, ao parecer consultivo da Organização Provisória de Aviação Civil Internacional, ou do órgão que a suceder, e as Partes Contratantes envidarão os seus melhores esforços, nos limites dos pode-

res ao seu alcance, para por em execução a opinião que emitir aquêle órgão internacional.

SECÇÃO VIII.

Quaisquer modificações feitas por uma das Partes Contratantes nas rotas mencionadas nos quadros anexos, excetuadas as que alterarem os pontos servidos no território da outra Parte Contratante, não serão consideradas como alterações do Anexo. As autoridades aeronáuticas de cada uma das Partes Contratantes poderão, por conseguinte, proceder unilateralmente a uma tal modificação, desde que, porém, sejam disto notificadas, sem demora, as autoridades aeronáuticas da outra Parte Contratante.

Se estas últimas julgarem, tidos em consideração os princípios enunciados na Secção V do presente Anexo, que os interêsses de suas empresas nacionais são prejudicados pelas empresas do outro país, por já estar assegurado o tráfego entre o seu próprio território e a nova escala em terceiro país, as autoridades de ambas as Partes Contratantes consultar-se-ão a fim de chegar a um acôrdo satisfatório.

SECÇÃO IX.

Depois de entrar em vigor o presente Acôrdo, as autoridades aeronáuticas das duas Partes Contratantes deverão comunicar uma à outra, tão cedo quanto possível, as informações concernentes às autorizações dadas à sua ou às suas empresas indicadas para explorar as linhas mencionadas nos quadros anexos ou em trechos das referidas linhas. Estas informações incluirão especialmente cópia das autorizações concedidas, acompanhadas de eventuais modificações e documentos anexos.

PROTOCOL OF SIGNATURE

Points of agreement.

Ante, p. 4121.

It appeared in the course of negotiations leading up to the conclusion of the Agreement on air services between the United States of America and the United States of Brazil signed at Rio de Janeiro today that the representatives of the two Contracting Parties were in agreement on the following points:

Equal opportunity for operation of routes.

Ante, p. 4138.

1 - The air carriers of the two Contracting Parties operating on the routes described in the Annex of said Agreement shall enjoy fair and equal opportunity for the operation of the said routes.

2 - When it is verified to be temporarily impossible for the carrier or carriers of one of the Contracting Parties, on a route, to take equal advantage of the opportunities referred to in 1, above, the situation thus arising will be mutually examined by both Governments for the purpose of assisting the said carrier or carriers to increasingly participate in the services contemplated on a fair and equitable basis.

Determination of tariffs.

3 - It is recognized that the determination of tariffs to be applied by an air carrier of one Contracting Party between the territory of the other Contracting Party and a third country is a complex question, the overall solution of which cannot be sought through consultation between only two countries. It is noted, furthermore, that the method of determining such tariffs is now being studied by the Provisional International Civil Aviation Organization. It is understood under these circumstances:

a) - That, pending the acceptance by both parties of any recommendations which the Provisional International Civil Aviation Organization may make after its study of this matter, such tariffs shall be subject to consideration under the provisions of Section V (b) of the Annex to the

Ante, p. 4139.

Agreement.

b) - That in case the Provisional International Civil Aviation Organization fails to establish a means of determining such rates satisfactory to both Contracting Parties, the consultation provided for in Article VIII of the Agreement shall be in order.

Ante, p. 4130.

PROTOCOLO DE ASSINATURA

No curso das negociações que terminaram com a assinatura do Acôrdo relativo aos serviços aéreos entre o território dos Estados Unidos da América e o dos Estados Unidos do Brasil, firmado na cidade do Rio de Janeiro em data de hoje, os representantes das duas Partes Contratantes mostraram-se de acôrdo sôbre os seguintes pontos:

1 - As emprêsas aéreas das duas Partes Contratantes que forem indicadas para as linhas mencionadas no Anexo do referido Acôrdo devem estar em condições de gozar de oportunidade igual e equitativa para a exploração das referidas linhas.

2 - Quando se verificar temporàriamente numa rota a impossibilidade por parte da emprêsa ou emprêsas aéreas de uma das Partes Contratantes de gozar da igualdade de oportunidade referida em 1, supra, a situação assim surgida será examinada por ambos os Governos para que auxiliem a referida emprêsa ou emprêsas permitindo-lhes progressivamente uma participação justa e equitativa nos serviços considerados.

3 - Foi reconhecido que a fixação de tarifas a serem aplicadas pela emprêsa ou emprêsas de uma das Partes Contratantes entre o território da outra Parte Contratante e um terceiro país é um assunto complexo, cuja solução de conjunto não poderá ser encontrada por consulta unicamente entre dois países. Foi observado, além disto, que as condições para fixação das referidas tarifas está sendo objeto de estudo pela Organização Internacional Provisória de Aviação Civil. Nessas condições, ficou entendido:

a) - Que, pendendo a aceitação por ambas as Partes Contratantes das recomendações que a Organização Internacional Provisória de Aviação Civil possa fazer em conclusão de seus trabalhos sôbre o assunto, tais ta-

tarifas serão apreciadas em função das disposições da Secção V, b do Anexo ao Acôrdo;

b) - Que, não conseguindo a Organização Internacional Provisória de Aviação Civil estabelecer as condições para fixação das referidas tarifas, a contento das duas Partes Contratantes, poderá ter lugar a consulta prevista no Artigo VIII do Acôrdo.

SCHEDULE I

AMERICAN ROUTES TO BRAZIL AND ACROSS BRAZILIAN TERRITORY

Part 1. TO BRAZIL:

a) From the United States of America, via intermediate points in the Caribbean, South America, to Manaus-Goiania and Rio de Janeiro or São Paulo; in both directions.

Remark:- While the route Manaus-Goiania-Rio de Janeiro is not ready for international operation, it will be replaced by the following route: "From the United States of America, via intermediate points in the West Coast of South America, to Campo Grande, São Paulo and Rio de Janeiro; in both directions."

Part 2. ACROSS BRAZIL:

a) From the United States of America, via intermediate points in the Caribbean and South America, to Belém, Natal and beyond to Africa; in both directions. (In the event meteorological conditions in the North Atlantic so require, this route may be used also to Europe).

b) From the United States of America via intermediate points in the Caribbean and South America, to Belém-Barreiras-Rio de Janeiro-São Paulo, Pôrto Alegre and beyond; in both directions.

c) From the United States of America via intermediate points in the Caribbean, South America, to Manaus, Goiânia, Guaira and beyond, in both directions.

Remark:- This route shall be put into operation only when the Manaus-Goiania- Rio de Janeiro route is ready.

QUADRO I

RÓTAS AMERICANAS PARA O BRASIL E ATRAVÉS DO TERRITÓRIO BRASILEIRO

1a Parte - PARA O BRASIL:

Dos Estados Unidos da América via pontos intermediários nas Caraibas, América do Sul, para Manáus, Goiânia e Rio de Janeiro ou São Paulo, em ambas as direções.

Observação:- Enquanto não ficar aparelhada a róta Manáus-Goiânia-Rio de Janeiro, a linha acima fica substituida por: "Dos Estados Unidos da América via pontos intermediários na costa oeste da América do Sul, para Campo Grande, São Paulo e Rio de Janeiro, em ambas as direções".

2a Parte - ATRAVÉS DO BRASIL:

a) Dos Estados Unidos da América via pontos intermediários nas Caraibas e América do Sul, para Belém, Natal e além para a África, em ambas as direções. (Eventualmente para a Europa quando as condições meteorológicas do Atlântico Norte o exigirem).

b) Dos Estados Unidos da América, via pontos intermediários nas Caraibas e América do Sul, para Belém, Barreiras, Rio de Janeiro, São Paulo, Pôrto Alegre, e além, em ambas as direções.

c) Dos Estados Unidos da América, via pontos intermediários nas Caraibas e América do Sul, para Manáus-Goiânia-Guaira e além, em ambas as direções.

Observação:- Esta róta só entrará em funcionamento quando aparelhada a róta Manáus-Goiânia-Rio.

SCHEDULE II

BRAZILIAN ROUTES TO THE UNITED STATES OF AMERICA AND ACROSS AMERICAN TERRITORY

1st. Part - TO THE UNITED STATES OF AMERICA:

1. From the United States of Brazil, via intermediate points in South America and in the Caribbean, inclusive of Puerto Rico, to New York or Washington, (alternative), in both directions.

2. From the United States of Brazil, via intermediate points in South America and in the Caribbean, inclusive of Puerto Rico, to Miami and Chicago, in both directions.

3. From the United States of Brazil, via intermediate points in South America and in the Caribbean, inclusive of Puerto Rico, to Miami and New Orleans, in both directions.

2nd. Part - ACROSS THE UNITED STATES OF AMERICA:

1. From the terminal points named in the routes mentioned above by any reasonably direct route to points in third countries, in both directions.

QUADRO II

ROTAS BRASILEIRAS PARA OS ESTADOS UNIDOS DA AMÉRICA E ATRAVÉS DO TERRITÓRIO AMERICANO

1a. Parte - PARA OS ESTADOS UNIDOS DA AMÉRICA:

1. Dos Estados Unidos do Brasil, via pontos intermediários na América do Sul e nas Caraibas, inclusive Porto Rico, Nova York ou Washington (alternativa) em ambas as direções.

2. Dos Estados Unidos do Brasil, via pontos intermediários na América do Sul e nas Caraibas, inclusive Porto Rico, para Miami e Chicago, em ambas as direções.

3. Dos Estados Unidos do Brasil, via pontos intermediários na América do Sul e nas Caraibas, inclusive Porto Rico, para Miami e New Orleans, em ambas as direções.

2a. Parte - ATRAVÉS DOS ESTADOS UNIDOS DA AMÉRICA:

1. Dos pontos terminais estabelecidos nas rotas acima para quaisquer pontos além, em rotas razoavelmente diretas para terceiros países, em ambas as direções.

Postal convention between the United States of America and the Republic of the Philippines. Signed at Manila September 17, 1947, and at Washington September 30, 1947; entered into force October 1, 1947.

September 17, 30, 1947
[T. I. A. S. 1913]

POSTAL CONVENTION
BETWEEN
THE UNITED STATES OF AMERICA
AND
THE REPUBLIC OF THE PHILIPPINES

POSTAL CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES

For the purpose of making postal arrangements between the United States of America and the Republic of the Philippines, the undersigned, Robert E. Hannegan, Postmaster General of the United States of America and R. Nepomuceno, Secretary of Public Works and Communications of the Republic of the Philippines, by virtue of authority vested in them by law, have agreed upon the following articles:

Article 1

Articles subject to provisions of Convention.

(a) The provisions of this Convention will apply to letters, single and reply-paid post cards, prints of all kinds including printed matter for the blind and second-class matter, commercial papers, samples without value, and small packets, ordinary and registered, and to parcel-post packages, ordinary only. These articles will be subject to such regulations in the country of destination as that country may deem necessary to protect its customs revenue.

(b) The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not on that account assume any responsibility towards the customs or police authorities or the sender.

If parcels wrongly admitted to the mails are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded the parcel.

(c) The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted.

Except in the case of returned or redirected parcels, pre-payment of the postage and such of the fees mentioned in the preceding paragraph as are applicable, is compulsory.

(d) The weight limit for parcel-post packages shall be 44 pounds for parcels addressed for delivery in the United States and the whole of its possessions; the cities of Manila, Baguio, Iloilo, Cebu, Zamboanga and Davao, and the municipality of Tacloban in the province of Leyte, Philippines, and 11 pounds for parcels addressed for delivery in other points of the Philippines. Parcel post packages containing legal, educational, medical and scientific books up to 22 pounds (10 kilograms) in weight for provincial capitals and other cities in the Philippines may also be accepted for mailing in the United States. The dimensions shall be: Greatest combined length and girth, 6 feet.

Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

The weight limits and dimensions for the other articles mentioned above under (a) as well as the postage rates and registration fees for such articles will be the same as are generally applicable from the United States of America to the countries of the Americo-Spanish Postal Union. In no case may the rates, fees, weight limits and dimensions or other provisions be less favorable, for the public, than those provided for by the Universal Postal Convention then in force.

(e) Except as required by the regulations of the country of destination for the collection of its customs duties, all admissible matter mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, and shall be forwarded by the most speedy means to its destination and be promptly delivered to the respective persons to whom it is addressed, being subject in its transmission to the laws and regulations of such country respectively.

Article 2

Fees collected on postal articles.

(a) Each Administration shall retain to its own use the whole of the postage and registration, or special delivery fees it collects on postal articles exchanged with the other, including deficient postage, but it is agreed that on packages sent at parcel post rates, the country of origin shall allow to the country of destination on the total excess number of parcel post packages dispatched over the number of such packages received, 30 cents for each parcel not over 11 pounds in weight and 60 cents for each parcel over 11 pounds in weight, settlement to be made quarterly in a general postal account between the two countries on the basis of the parcel bills.

The charges specified above may be reduced or increased on three months previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

(b) The charges to be paid for the transit of parcel post and air mail of one country by the services of the other country shall be fixed by the country whose services are utilized.

(c) The charges to be paid for the transit to a third country of articles in the regular mails of one country by the services of the other country shall be the transit charges, based on transit statistics, provided by the Universal Postal Convention then in force.

(d) In case of the total loss of a registered article originating in either country and addressed to the other, the maximum indemnity shall be the amount provided by the Universal Postal Union Convention in force from time to time.

(e) The special delivery fee to be levied and collected upon first class mail matter originating in either country and addressed to the other shall be twenty cents.

(f) Articles of every kind not prepaid or insufficiently prepaid, originating in either country and addressed to the other, shall be dealt with in accordance with the regulations prescribed by the Universal Postal Union Convention in force for unprepaid and insufficiently prepaid articles.

Article 3

Redirected parcel post packages.

In case a parcel post package is redirected from one address to another in the country of destination, it shall be subject to an additional charge for postage. The country of destination may, at its option, levy and collect from the addressee of a parcel post package for interior service and delivery, a charge, the amount of which is to be fixed according to its own regulations, but which shall in no case exceed five cents for each parcel regardless of weight. A customs clearance charge may also be collected on each parcel post package which may in no case exceed ten cents for each parcel.

Article 4

Exchange post offices.

(a) Exchanges of mails under this Convention shall be effected through the post offices of both countries designated as exchange post offices under such regulations relative to the details of the exchanges as may be mutually determined to be essential to the security and expedition of the mails and the protection of the customs revenues.

(b) Each country shall provide for and bear the expense of the conveyance of its mails to the other.

Article 5

Registration of correspondence.

(a) Any packet of mailable correspondence, with the exception of parcels prepaid at parcel post rates, may be registered upon payment of the rate of postage and the registration fee applicable thereto in the country of origin.

(b) An acknowledgment of the delivery of a registered article shall be returned to the sender when requested; but either country may require of the sender prepayment of a fee therefor not exceeding ten cents.

Article 6

Ordinary and registered exchanges shall be effected in properly closed sacks, under such regulations relative to the details of the exchanges as may be mutually determined to be essential.

If a registered article advised shall not be found in the mails by the receiving office, its absence shall be immediately reported by the receiving to the sending office.

Article 7

Prepayment on parcel post packages.

(a) All parcel post packages must be fully prepaid before dispatch. Parcels which are not delivered for any cause, shall be reciprocally returned without charge, through the appropriate exchange offices of the two countries, after the expiration of the period for their detention prescribed by the laws or regulations of the country of destination. Such parcels shall be liable on return to senders to a charge equal to

the amount required to fully prepay the postage thereon when originally mailed. Insufficiently prepaid articles in the regular mails shall be liable on return to senders to the charge for deficient postage that would have been collected from the addressees if said articles had been delivered.

Article 8

Dispatch of parcels.

(a) Parcel-post packages shall be dispatched in separate sacks from other articles.

(b) Parcel bills shall be prepared in duplicate for such parcels dispatched.

The duplicate is sent in the regular mails, while the original is inserted in one of the sacks. The sack containing the parcel bill is to be designated by the letter "F" on the label.

(c) The parcels included in each dispatch are to be entered on the bills to show the total number of parcels according to the following divisions of weight:

(1) not over 11 pounds
(2) over 11 pounds

(d) Parcels sent "a decouvert" must be entered separately on the bills.

Returned or redirected parcels must be entered individually on the bills and be followed by the word "Returned" or "Redirected".

(e) The total number of sacks comprising each dispatch must also be shown on the bills.

(f) Each dispatching exchange office numbers the bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

(g) The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other, together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Convention, shall be settled by mutual consent through correspondence between the two Administrations.

Article 9

Receipt of parcel post dispatch.

(a) On receipt of a dispatch of parcel post packages, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If any error or irregularity which could give rise to liability for compensation is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

(b) The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

(c) If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the office sending such telegram.

(d) In case of shortage of a parcel bill, a duplicate is prepared, a copy of which it sent to the exchange office of origin of the dispatch.

(e) The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at . . . .", and the signature of the agents who have effected such repacking.

Article 10

All matters connected with the exchange of mails between the two countries, which are not herein provided for, shall be governed by the provisions of the Universal Postal Convention and Regulations then in force, so far as the provisions of such Universal Postal Convention and Regulations shall be obligatory upon both of the contracting parties, except as hereafter modified or changed.

Article 11

Changes and modifications.

The Postmaster General of the United States of America and the Secretary of Public Works and Communications of the Republic of the Philippines shall have authority to jointly make such further regulations of order and detail and to provide for such changes and modifications as may be found necessary to carry out the present Convention from time to time.

Article 12

Ratification.

This Convention shall be ratified [1] by the contracting countries in accordance with their respective laws, and its ratifications shall be

[1] [By the President of the United States of America February 10, 1948; and by the President of the Republic of the Philippines December 31, 1948.]

exchanged as early as possible. It shall take effect on a date [2] to be mutually decided on and shall continue in force until terminated by mutual agreement, or annulled at the instance of the Post Office Department of either country, upon six months previous notice given to the other.

Effective date; duration.

Done in duplicate and signed at Manila, Philippines, the 17th day of September, 1947, and at Washington the 30th day of September, 1947.

R. NEPOMUCENO
Secretary of Public Works and Communications
of the Republic of the Philippines

[SEAL]

ROBERT E. HANNEGAN
Postmaster General of the United States of America

The foregoing Postal Convention between the United States of America and the Republic of the Philippines has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

Ratification by U. S.

In testimony whereof I have caused the great seal of the United States to be hereunto affixed.

[SEAL] HARRY S TRUMAN

By the President.

G C MARSHALL
Secretary of State.

Washington, February 10, 1948.

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[2] [Entered into force Oct. 1, 1947. In a communication, dated Mar. 16, 1949, from the United States Postmaster General to the Secretary of State the following information was furnished: "The procedure whereby the Convention became effective on October 1, 1947, was the publication in the Postal Bulletin of September 30, 1947, of Order of the Postmaster General No. 35519, dated September 26, 1947, setting forth the changes to be made in the mail service with the Republic of the Philippines effective October 1, 1947, as provided in the Convention."]

June 21, 1947
[T.I.A.S. 1920]

Agreement between the United States of America and Austria respecting the settlement of certain war accounts and claims. Signed at Vienna June 21, 1947; entered into force June 21, 1947.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE FEDERAL GOVERNMENT OF AUSTRIA REGARDING SETTLEMENT FOR WAR ACCOUNTS AND CLAIMS INCIDENT TO THE OPERATIONS OF THE U. S. FORCES IN AUSTRIA DURING THE PERIOD 9 APRIL 1945 TO 30 JUNE 1947, INCLUSIVE

PREAMBLE

1. The Government of the United States of America and the Government of Austria have reached an understanding regarding the settlement for outstanding war accounts and claims incident to the operations of the United States Forces in Austria from the liberation of Austria on 9 April 1945 to 30 June 1947, inclusive. This agreement is in full, complete and final settlement, and the signatory governments agree that, except as herein specifically provided, no further benefits will be sought by either of them as consideration for the foregoing. In arriving at this understanding, the signatory governments have recognized the benefits accruing to each from the liberation of Austria on 9 April 1945, the early establishment of that economic security necessary for a lasting peace as well as the difficulties connected on each side with the keeping of detailed accounts and records during the period of and following actual combat operations of field armies.

Effective date for payment with U. S. dollar funds.

2. Effective 1 July 1947, rentals, facilities, goods, services, and schillings procured by the U. S. Occupational Forces stationed in Austria will be paid for with U. S. dollar funds.

ARTICLE I

Payment of prior obligations incurred by U.S. Forces in Austria.

3. The Government of the United States agrees to pay the sum of Three Hundred Eight Million Three Hundred Eighty Two Thousand Five Hundred Ninety Schillings (Sch 308,382,590) to the Austrian Government in full and final settlement of all obligations incurred by United States Forces, agencies (Public or Quasi-Public) together with forces of other nations operating under command of the U. S. Forces in Austria, during the period 9 April 1945 to 30 June 1947, inclusive.

4. The Austrian Government agrees to accept Three Hundred Eight Million Three Hundred Eighty Two Thousand Five Hundred Ninety Schillings in full, final and complete settlement and payment of all

claims which have arisen or may arise as a result of acts which occurred prior to 1 July 1947.

5. The word claims as used covers all claims and includes specifically but is not restricted to the following: Claims.

a. Claims for the loss, damage, destruction and use of property, whether real, personal, or mixed and for supplies, communication, transportation and other services, requisitioned, ordered and used, arising out of the exercise or purported exercise of belligerent, occupational or other rights and all other claims of any type whatever against the United States by the Austrian Government, nationals of Austria, or persons owning property in or residing in Austria.

b. Claims for rentals for real estate occupied during the period 9 April 1945 to 30 June 1947, inclusive.

c. Claims for cost of supplies and services of any type whatever, furnished during the aforesaid period to the Government of the United States and to individuals accredited to United States Forces in Austria.

d. Settlement in full for the completed and delivered portion of all contracts entered into by representatives of the Government of the United States with Austrian nationals or others owning property, rendering service or residing in Austria, entered into prior to 1 July 1947.

6. The Austrian Government guarantees the Government of the United States to adjudicate individual claims, pay to individuals and settle with individuals, both Austrian nationals and others owning property, rendering service or residing in Austria, and to guarantee full protection to the United States against any claims for services, supplies, and other obligations of whatever nature which occurred during the period 9 April 1945 to 1 July 1947.

7. The Austrian Government recognizes the validity and propriety of the payments made during the aforementioned period in schillings by the United States for obligations of whatsoever nature.

ARTICLE II

8. The Austrian Government agrees that nothing in this agreement is to be construed as settlement of, or in any manner or form as abrogating the terms of any loans made by any agency of the Government of the United States to the Austrian Government. The Austrian Government further agrees that nothing in this agreement is to be construed as modifying or abrogating the terms of any private agreements entered into by citizens or corporations of the United States with citizens or corporations of or residing in Austria, and will not be construed as changing in any manner whatever or abrogating any securities issued by the Austrian Government or corporations whose home office is in Austria. Loans made by agency of U. S. Government, etc.

ARTICLE III

9. The United States Forces in Austria will deliver to the Austrian Government all records, vouchers, etc. pertaining to the obligation Records pertaining to obligations, etc.

and claims of Austrian Governmental agencies, Austrian nationals, corporations, individuals residing in or owning property in Austria, and foreign and local corporations, remaining unpaid as of 1 July 1947.

10. The United States Forces in Austria will hold available for inspection by the Austrian Government, for a period of two years from the date of signing this agreement, all records pertaining to bills paid or claims settled by the United States Forces in Austria, with Austrian Governmental agencies, Austrian nationals, individuals residing in or owning property in Austria, including claims by or bills owing to foreign and local corporations and remaining unsettled as of 1 July 1947.

11. The Austrian Government will hold available for inspection by representatives of the Government of the United States, for a period of two years from the date of signing this agreement, all records pertaining to financial transactions, supplies, services, and personal services, furnished to the Government of the United States, during the period 9 April 1945 to 1 July 1947.

ARTICLE IV

Derequisitioned property, etc.

12. The Austrian Government further agrees that no amount will be charged to the United States Forces in Austria for any real properties, chattels appurtenant thereto or personal services in connection therewith which shall be derequisitioned and vacated by the United States Forces in Austria prior to 31 July 1947 or for any claims arising out of the termination of employment.

Official language of Agreement.

13. This English text in 4 pages including this one is agreed upon as the official language of this agreement, but a translation into German will be made.

In witness whereof the parties hereto by their duly authorized representatives have hereunto set their hands at Vienna, Austria, this 21st day of June 1947.

FOR THE UNITED STATES OF AMERICA

Geoffrey Keyes

GEOFFREY KEYES
Lieutenant General, USA
High Commissioner

FOR THE FEDERAL GOVERNMENT OF AUSTRIA

Figl Leopold

Bundeskanzler f. Österreich. [1]

[1] [*Translation:* Chancellor for the Federal Government of Austria.]

Agreement between the United States of America and Austria respecting occupation costs of United States Forces in Austria. Signed at Vienna June 21, 1947; entered into force July 1, 1947.

June 21, 1947
[T.I.A.S. 1921]

AGREEMENT BETWEEN UNITED STATES FORCES IN AUSTRIA AND THE FEDERAL GOVERNMENT OF AUSTRIA

In order to assist the Government of Austria in the restoration of its economic life and the return of its democratic processes, the United States Forces in Austria hereby declares its policy in regard to the payment of Occupation Costs in Austria:

Payment in U. S. dollars.

Hereafter, the United States Forces in Austria will pay, in United States dollars, for all real estate and chattels appurtenant thereto, utility service, services, and supplies furnished for the maintenance of United States Forces in Austria.

To assist the United States Forces in Austria in the accomplishment of this objective, the Austrian Government hereby subscribes to the following procedures and agrees to furnish technical assistance necessary to implement the provisions stated below:

PAYMENT PROCEDURE:

1. Payment for real estate and chattels appurtenant thereto, utility service, services and supplies furnished will be made quarterly, or at such shorter intervals as may be deemed desirable by the United States Forces in Austria in American dollars by the United States Forces in Austria to the Austrian Government. The United States Forces in Austria will present vouchers quarterly or at such shorter intervals as may be deemed desirable by the United States Forces in Austria on all items furnished together with sufficient dollars at the agreed rate of exchange to cover the amount included in the vouchers, for which the Austrian Government will acknowledge receipt and make proper payment against the vouchers submitted and all claims arising under future agreements.

BASES FOR DETERMINATION OF RENTALS AND VALUES:

2. The rental value of real estate and chattels appurtenant thereto will be determined by adding (a) the annual furnished rental value in schillings of the real estate as determined by the Federal Ministry of Finance of the Austrian Government as of 1 June 1947, (b) estimated annual schilling cost of electricity, gas and water, (c) estimated annual schilling cost of such inspections and services as may be re-

quired by Austrian law and dividing the total in schillings by twelve to determine the monthly rate. This monthly schilling rate will be then computed in dollars at the agreed rate of exchange. In any case where the rental value of the real estate including (a), (b) and (c) above and chattels appurtenant thereto may not have been estimated as of 1 June 1947, the Federal Ministry of Finance agrees to establish not later than 31 July 1947 a value in accordance with practices and similar valuations in effect as of 1 June 1947.

3. The cost of public utility services, such as electricity, gas, and water, other than that which is included in rental agreements, will be in accordance with the rates in schillings prescribed by the Occupation Forces as of 1 June 1947.

4. The cost of personal services, other than that covered in rental agreements, will be in accordance with the wage rates in schillings prevailing at the time in the general locality where the services are performed and as may be negotiated with the appropriate officials.

5. The cost of supplies in Austria will be at prevailing prices which have been approved by the Office of Price Control of the Austrian Government.

6. The Austrian Government agrees to maintain properties required for use by the United States Forces in Austria in a condition acceptable to the Commanding General, United States Forces in Austria. If, however, lack of materials or of articles necessary for proper maintenance of such properties prevent the Austrian Government from fulfilling its obligation in this respect, the United States Forces in Austria may make the necessary repairs and deduct the cost of same from the accrued and accruing rentals.

ACCRUED OR PENDING CLAIMS

7. For various valuable considerations, receipt of which is acknowledged by the Austrian Government, the said Austrian Government hereby acknowledges and assumes full and complete responsibility for the adjudication and for the appropriate payment of all such claims against the United States arising out of the use by the United States Forces in Austria, of real estate in Austria, loss, damage to or destruction of fixtures and chattels appurtenant thereto; and loss, damage to or destruction of real, personal, and mixed property, as may have accrued during the period 9 April 1945 and 30 June 1947 inclusive as to both dates, without regard to the nationality of the person asserting the claim, thereby relieving the United States of all liability to receive, adjudicate and settle claims of that nature.

RESERVATIONS

8. The United States Forces in Austria reserves all right, title, and interest in fixtures which are the property of the United States Government and which have been installed in real estate heretofore

requisitioned, and in all fixtures hereafter installed and paid for by the United States Forces in Austria, except when the value of the same shall be charged against the rental of the property in which installed or included in a single payment settlement to the Austrian Government of outstanding obligations.

9. None of the terms or provisions of this instrument shall be interpreted or construed in such a manner as to limit or abrogate the rights and powers vested in the Commanding General, United States Forces in Austria, and the High Commissioner, whether or not the functions of those offices be combined in one and the same individual, under the Allied Control Agreement.

10. The Austrian Government agrees that, without the express consent of the Commanding General, United States Forces in Austria, or of the United States High Commissioner, no law it has heretofore enacted or may hereafter enact to ration and limit the use of electricity, gas, and water shall apply to the use thereof by the United States Forces in Austria, but that those utilities will be furnished, without restriction other than those imposed by an act of God, in accordance with paragraph 3 hereof.

11. The Austrian Government further agrees that during the presence in Austria of representatives of the United States in connection with the Occupation of Austria it will enter into agreements with any other United States Government agency now or hereafter requiring real estate and chattels appurtenant thereto, identical to this agreement unless more favorable terms are offered by the Government of Austria.

12. The Austrian Government hereby agrees that it will not cause nor permit the destruction, removal or exchange of any chattels, furniture, fixtures or accessories in real property the subject of this agreement or of agreements entered into between the agents of the Austrian Government and the United States Forces in Austria in conformity with this agreement.

Effective date.

13. This agreement shall be binding upon the parties hereto as of 1 July 1947 and until revised in whole or in part or abrogated by mutual agreement.

Repurchase of Austrian schillings.

14. The Austrian Government recognizes that after 1 July 1947 there will be need by the United States Government for Austrian schillings and to protect the United States, the Austrian Government agrees to repurchase from the United States Government upon presentation such schillings at a price not less favorable than the price the United States was required to pay for same. Such purchases by the United States will be made from the National Bank of Austria.

Official language of Agreement.

15. This English text in 4 pages, including this one, is agreed upon as the official language of this agreement, but a translation into German will be made.

In witness whereof the parties hereto by their duly authorized representatives hereunto subscribe their names at Vienna, Austria, this 21st day of June, anno domini one thousand nine hundred and forty-seven.

FOR THE FEDERAL GOVERNMENT OF AUSTRIA

FIGL LEOPOLD.

Bundeskanzler für Oesterreich.[1]

FOR THE UNITED STATES FORCES IN AUSTRIA

GEOFFREY KEYES

Geoffrey Keyes
Lieutenant General, USA
Commanding U. S. Forces in Austria

[1] [*Translation:* Chancellor for the Federal Government of Austria.]

Agreements between the United States of America and France respecting a mutual aid settlement. Signed at Washington May 28, 1946; entered into force May 28, 1946. And a declaration made in Paris by the President of the Provisional Government of the French Republic and in Washington by the President of the United States on May 28, 1946.

May 28, 1946
[T. I. A. S. 1928]

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC REGARDING SETTLEMENT FOR LEND-LEASE, RECIPROCAL AID, SURPLUS WAR PROPERTY, AND CLAIMS

1. The Government of the United States of America and the Provisional Government of the French Republic have reached an understanding for the final settlement of lend-lease and reciprocal aid, and of the French obligation to the United States Government under the military supply program (Plan A); the acquisition by the French Government of certain United States Army and Navy surplus property, including installations, located in France and certain French overseas territories, and for the final settlement of other financial claims of each Government against the other arising out of the conduct of the war. In arriving at this understanding both Governments have recognized the considerations expressed in Article VII of their Preliminary Agreement of February 28, 1945, on the principles applying to mutual aid, as well as the benefits accruing to each from the contributions of both to the defeat of their common enemies. In the light of the foregoing, both Governments agree that no further benefits will be sought as consideration for lend-lease and reciprocal aid.

59 Stat. 1306.

2. The net amount due from the French Government to the United States Government for the foregoing, including all indebtedness arising from provisions of the lend-lease and reciprocal aid agreements of February 28, 1945, is $720,000,000, made up in part of amounts now agreed upon and in part of estimated amounts subject to revision. The latter, for which the best available figures have been used pending their final determination by agreed accounting procedures, represent in the main transfers after September 1, 1945.

Net amount due from French Government.
Post, p. 4184.

3. The French Government will pay interest on the net amount due to the United States Government from July 1, 1946, at the rate of two percent per annum. Such interest payments will be made annually on the first day of July of each of the years 1947 to 1950, inclusive. Beginning on July 1, 1951, interest and principal will be paid in thirty (30) equal annual installments. Each installment shall consist of the full amount of the interest due for the year preceding the July 1 on which the payment is made, and the remainder of the installment

Payments.

shall be the principal due in that year. Nothing herein shall be construed to prevent the French Government from anticipating the payment of any of such installments, or of any part thereof. If, by agreement of both Governments, it is determined that because of extraordinary and adverse economic conditions arising during the course of payment, the payment of any installment would not be in the joint interest of both Governments, payment may be postponed for an agreed upon period.

To the extent that the terms of payment provided in this paragraph 3 are inconsistent with those contained in previous agreements, the provisions of this paragraph shall prevail.

U. S. troop pay and procurement.

4. The two Governments have agreed upon arrangements and procedures for the settlement of past and future troop pay and procurement of United States Armed Forces in France and French overseas territories.

Transfer of property and francs to U. S. Government.

5. As and when requested by the United States Government from time to time prior to January 1, 1950, the French Government will transfer to the United States Government real property to be mutually agreed upon and not to exceed a total dollar value of $15,000,000. In addition, the French Government will provide, at the request of the United States Government, francs representing an aggregate dollar value not in excess of $10,000,000. Any francs so transferred will be furnished at the exchange rate established in conformity with procedures of the International Monetary Fund, or if no such rate exists, at the rate used in official French Government transactions at the time of such transfer. The United States Government will use francs so transferred exclusively to acquire or improve real property for United States Government use or to carry out educational programs agreed between the two Governments.

Transfers made in accordance with this paragraph 5 will be credited first to interest then due and then to installments of principal in direct order of maturity.

Settlement of claims.

6. The two Governments have also agreed upon the following:

a) All claims and financial obligations between the two Governments arising out of the acquisition, operation, disposition or loss of French vessels and cargoes of such vessels while under United States control will be settled by the United States for $17,500,000 in accordance with the provisions of an agreement relating to the purchase by France of up to 75 Liberty ships.

b) Both Governments express their intention of entering into a maritime claims agreement, providing for the mutual waiver of intergovernmental claims arising from maritime accidents, and for the handling by each Government of claims asserted in its courts by its nationals against the other Government and based on maritime accidents occurring prior to November 1, 1945.

c) As part of the general settlement, the French Government has agreed to process and pay all unpaid claims of French residents

against the United States Government arising out of the use or infringement in war production of patent rights held by them, out of the requisitioning by the United States Government for use in the war program of any property interest owned by French residents, and out of acts or omissions prior to July 1, 1946, in France or French overseas territories of members of the United States Armed Forces or civilian personnel attached to such Forces.

d) During the course of the negotiations both Governments have reached agreement on the disposition of certain specific claims of one Government against the other. All other financial claims of either Government against the other, except where liability has heretofore been acknowledged and the method of computation agreed, which (1) arose out of lend-lease or reciprocal aid, or (2) otherwise arose on or after September 3, 1939, and prior to September 2, 1945, out of or incidental to the conduct of the war, not otherwise dealt with in this Memorandum of Understanding, are hereby waived.

e) Appropriate non-discriminatory treatment will be extended by the French Government to United States nationals in the use and disposition of installations in the building of which there has been a United States Government contribution and which are transferred under this settlement.

f) The United States Government reserves its right of recapture of any lend-lease articles held by the French Armed Forces, except petroleum products and an agreed list of non-combat aircraft. The United States Government has indicated that it does not intend to exercise generally this right of recapture, except that vessels of the United States Navy and lend-lease merchant vessels are to be returned to the United States Government unless otherwise agreed.

Post, p. 4195.

g) Disposals for military use to forces other than the French Armed Forces of lend-lease articles held on September 2, 1945, or received thereafter by the French Armed Forces, and disposals for civilian use other than in France and French overseas territories of such lend-lease articles, will be made only with the consent of the United States Government and any net proceeds will be paid to the United States Government. The French Government will not, except to a very limited extent, release for civilian use in, or export from, France and French overseas territories lend-lease articles held by the French Armed Forces.

Title to lend-lease and reciprocal aid articles.

h) Except as otherwise provided in this Memorandum of Understanding, the French Government and the United States Government receive full title to lend-lease and reciprocal aid articles respectively held as of September 2, 1945, or transferred thereafter. If any United States surplus installation not transferred under this Memorandum of Understanding contains a lend-lease interest, such lend-lease interest is retained by the United States.

Post, p. 4215.

i) The United States Government will undertake to make available to the French Government part of the United States Government's share of captured German and Japanese surface naval vessels when such vessels become excess to United States needs and are no longer needed for any task connected with the implementation of the German and Japanese surrenders.

7. The two Governments agree to conclude such specific agreements as may be necessary to implement this general understanding.

Effective date.

8. This Memorandum of Understanding will be effective upon signature, and instruments of ratification will be exchanged [1] as soon as possible.

Authentic texts.

DONE AT WASHINGTON, in duplicate, in the English and French languages, both texts being equally authentic, this 28th day of May, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

JAMES F BYRNES

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

LÉON BLUM

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[1] [Oct. 30, 1947.]

AGREEMENT RELATING TO THE TRANSFER OF SURPLUS UNITED STATES ARMY AND NAVY PROPERTY AND INSTALLATIONS IN FRANCE AND CERTAIN FRENCH OVERSEAS TERRITORIES

In accordance with the Memorandum of Understanding regarding settlement for lend-lease, reciprocal aid, surplus war property and claims, dated May 28, 1946, and in partial consideration of the payment to be made thereunder by the Provisional Government of the French Republic to the Government of the United States, the two Governments have reached agreement for the transfer to the French Government of certain property which is surplus to the needs of the United States Armed Forces. This agreement has been made on the basis of the mutual advantages to be derived therefrom and in the expectation that the property transferable hereunder will provide substantial benefits to the French civilian economy.

Ante, p. 4175.

Acquisition by French Government of title to designated property.

1. The two Governments have agreed that the French Government shall acquire possession of and title to the following property on the terms and conditions set forth below:

a) All moveable articles of whatever description, except as set forth in paragraphs 2, 3 and 4 below, located in France and French North and West Africa which had been on May 25, 1946, or are thereafter declared to the Office of the Foreign Liquidation Commissioner, United States Department of State, as surplus to the needs and responsibilities of the United States War and Navy Departments.

b) All interests of the United States War and Navy Departments in installations (which term includes structures or capital assemblies affixed to land or buildings in a permanent manner) located in France and French North and West Africa where such interests have been or are hereafter declared to the Office of the Foreign Liquidation Commissioner as surplus to the needs and responsibilities of the War and Navy Departments.

c) All interests of the United States War and Navy Departments in certain items and installations, located at Noumea, New Caledonia, as listed by the representatives of the French Government in their Aide Memoire on the subject of the French Pacific Institute.

Exceptions.

2. Specifically excepted from the property to be transferred under this agreement are the following:

a) Non-demilitarized combat material, including ammunition.

b) Property located in France and French North and West Africa and under contract or commitment for sale from the Government of the United States to purchasers other than the French Government. Property shall be considered under contract or commitment for the purposes of this agreement if, prior to 12:00

Limitation of time for contract or commitment.

noon, Paris time, May 25, 1946, the Central Field Commissioners, Office of the Foreign Liquidation Commissioner, in Paris and in Cairo, had accepted a bid therefor or had arrived at a written or oral understanding which they regard as firm.

Transfer of air navigation facilities, etc.

3. Air navigation, Communication and Weather facilities installed in France and French Overseas territories will be transferred to the French Government under this agreement, subject to certain conditions to be covered by a separate agreement.

U. S. owned locomotives, etc.

4. In view of the current transportation situation in Europe, the greater part of United States owned locomotives and rolling stock in Europe have not yet been declared surplus, and it is not possible at this time to anticipate the date of such declaration. However, when such material is declared surplus, it is the intention of the Government of the U.S. to make available to the French Government, at prices to be mutually agreed, such quantities as may be allocated to France by the European Central Inland Transport Organization.

Property purchased from Office of Foreign Liquidation Commissioner.

5. All property heretofore purchased by the French Government from the Office of the Foreign Liquidation Commissioner, which had not been paid for as of May 25, 1946, is covered by this agreement and payment therefor is included in the amount to be paid by the French Government under the Memorandum of Understanding.

Custodial responsibility for designated property.

6. Title to and custodial responsibility for the property described in Paragraph 1 hereof shall pass to the French Government as soon as possible, in accordance with transfer procedures to be agreed between representatives of the Government of the United States and the French Government. The French Government is prepared to accept custodial responsibility promptly, and will arrange to relieve United States personnel of this responsibility at the earliest possible date.

Use of property by U. S. Army or Navy.

7. The French Government agrees that the procedure for the acquisition of the property described in paragraph 1 hereof will not operate to prevent the United States Army or Navy from consuming or continuing to use such property, prior to its turnover under this agreement, in connection with their respective needs and responsibilities. The two Governments agree, however, that if, for any reason, the consumption or use of such property by the United States Army or Navy is materially greater than that reasonably contemplated at the time of the execution of this agreement, so as unduly to reduce the quantity of the property transferred to the French Government hereunder, the two Governments will consult together to fix an appropriate adjustment in the price to be paid therefor.

Post, p. 4182.

Nonimportation of property into U. S.

8. The French Government will use its best endeavors to insure that property transferred pursuant to this agreement shall not be imported into the United States in the same or substantially the same form, if such property was originally produced in the United States and is readily identifiable as such, unless such property is to be imported into the United States on consignment to a person or firm in the United States for the purpose of reconditioning for re-export, or by a member of the United States Armed Forces for his personal use.

9. The French Government, when it disposes of or distributes property pursuant to this agreement, will use its best endeavors to avoid discrimination against the legitimate interests of the United States manufacturers of such property, or their agents or distributors. Members and veterans of the United States Armed Forces, United States Government Agencies, United States citizens and non-profit institutions, and UNRRA and the International Red Cross will be accorded an opportunity to buy the property transferred under this agreement on the same basis and at the same priority as accorded to other buyers of like character.

Nondiscrimination in distribution of property.

10. To the extent that the property transferred to the French Government under this agreement does not include the items listed in the "French Purchasing Program of United States Army Surplus" submitted to the Office of the Foreign Liquidation Commissioner by the French Council of Allied Surplus on May 7, 1946, and subsequently amended, it is understood that the Foreign Liquidation Commissioner will use his best efforts to make such items available to the French Government from surplus property located outside France and French North and West Africa at prices to be mutually agreed. The Foreign Liquidation Commissioner will also use his best efforts to arrange for the transportation of such property to France, the cost thereof to be borne by the French Government. If the property is transported in United States Government owned carriers, the charge for such transportation will be mutually agreed in advance.

Availability of items not included under agreement.

11. Floating equipment acquired under this agreement, with the exception of that listed in the Program referred to in Paragraph 10 above shall be distributed by the French Government in accordance with ECITO recommendations at prices not to exceed 50 per cent of original cost to the United States.

Distribution of floating equipment.

12. U. S. Army or Navy surplus property located in foreign areas hereafter sold by the United States to the French Government under the provisions of paragraphs 4 or 10 hereof or otherwise will be sold on the same credit terms and conditions as those set forth in the Memorandum of Understanding.

Ante, p. 4175.

DONE AT WASHINGTON, in duplicate, in the French and English languages, both texts being authentic, this 28th day of May, 1946.

Authentic texts.

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

H BONNET

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

THOMAS B. MCCABE

The American Foreign Liquidation Commissioner to the French Ambassador [1]

OFFICE OF FOREIGN LIQUIDATION COMMISSIONER.

Room 520
1818 H Street N.W.

MAY 29, 1946

DEAR MONSIEUR BLUM:

Ante, p. 4179.

Referring to the Agreement dated 28 May 1946, relating to the sale to your Government of United States Army and Navy surplus, this will confirm to you that the latest estimates which we have received from the Army with respect to the surplus property to be transferred under the agreement are as follows (at original cost):

	"SURPLUS DECLARED"		"SURPLUS TO BE DECLARED
	(in millions of dollars)		
	FRANCE	FRENCH NORTH & WEST AFRICA	FRANCE
Army Service Forces			
Moveable Goods	749	25	469
Army Air Forces			
Moveable Goods	17	24	–
Fixed Installations	98	21	95
Total	864	70	564
TOTAL			1498
Estimated commitments			100
GRAND TOTAL			1398

For your further information, attached hereto as Schedule "A" through "C" [2] is a further breakdown of the above schedule.

As was pointed out to you during the negotiations, it is estimated that property representing an original cost of approximately $100,000,000 is already committed for sale to various purchasers, including France.

Of the following items, to which you have indicated that you attach unusual importance, the current Army estimates are:

Class 34–Machine tools and sets	30 millions
Class 67–Clothing	66 millions
Class 68–Footwear	9 millions
Class 69–Blankets//	0.5 millions

Ante, p. 4180.

In paragraph 7 of the Agreement, provision has been made for the continued use by the United States Army and Navy of property in France prior to its turnover under this Agreement. This provision is not intended to cover unusual or abnormal use or consumption. If for any reason, the use or consumption is materially greater than that now contemplated, it is envisaged that an appropriate adjustment

[1] [No French language text.]
[2] [Not printed.]

will be made in the amount to be paid by the French Government under the Agreement. It is not intended, however, that this provision will necessitate adjustment in the case of a minor excess or deficiency, which is to be expected in dealing with estimates of this magnitude.

We have taken note of the items listed in the "French Purchasing Program of United States Army Surplus" submitted to the Foreign Liquidation Commissioner by the French Council of Allied Surplus on May 7, 1946, and subsequently amended, (Schedule "D"). To the extent that these items are not transferred under the Agreement, the Foreign Liquidation Commissioner will use his best efforts to make such items available from surplus stocks in other parts of the world. These items will be made available at 20% of original cost. The Foreign Liquidation Commissioner will also use his best efforts to arrange for the transportation of such property to France, the cost thereof to be borne by the French Government.

It is also the intention of the Foreign Liquidation Commissioner to make available to the French Government such of its requirements for locomotives and rolling stoc, as may be available from surplus property and as may be allocated to France by the ECITO. These sales are not, however, covered by the understanding set forth in the preceding paragraph for the sale of certain items at 20% of original cost.

The Memorandum of Agreement provides for the termination of sales as of noon, Paris time, May 25, 1946. For your convenience, we will be glad to request Mr. Virden to communicate to the Conseil des Surplus information as to the property covered by contracts or commitments prior to that time.

Ante, p. 4179.

Sincerely yours,

THOMAS B. MCCABE
Commissioner

Enclosures: Schedules
"A" through "D" [1]

The Honorable
LEON BLUM
Ambassador Extraordinary and Plenipotentiary
of the Provisional Government of the French Republic
French Embassy.

[1] [Not printed.]

Ante, p. 4175.

SUMMARY STATEMENT SHOWING DETERMINATION OF THE NET AMOUNT STATED AS DUE FROM THE FRENCH GOVERNMENT TO THE UNITED STATES GOVERNMENT UNDER PARAGRAPH 2 OF THE MEMORANDUM OF UNDERSTANDING DATED MAY 28, 1946.

(In millions of dollars)

I. Items accruing under previous cash reimbursable arrangements			
Crowley-Monnet	23, 00		
Modus-Vivendi	125. 00		
Colonies	5. 00		
Civilian retransfers from U.K.	1. 00		
		154. 00	
II. VJ day inventories – Metropolitan France	50. 00		
– Military POL and transport aircraft	11. 48		
		61. 48	
III. Transfers under 3(c) Agreement			
Post VJ day transfers Schedules I and II (including ocean freight) –			
Billings to April 30, 1946	173. 79		
Estimated balance	226. 00*		
Pre VJ day transfers Schedule II	5. 24		
		405. 03	
IV. Other post-VJ day transfers			
Navy pipeline, FEA field transfers, and Army-Navy transfers not specified by the U.S. as straight lend-lease		80. 00*	
			700. 51
Less – Credit on account of payments by France to date –	232. 21		
Allowance on account of shipping claims –	17. 50		
Net balance of other claims after appropriate offsetting	30. 80		
			280. 51
Balance payable by France			420. 00

*Note 1: All figures on this sheet are agreed as final excepting only the starred figures of $226.00 million and $80.00 million, which represent the best present estimates to be revised as additional reports are received.
Note 2: As part of the settlement, the U.S. will transfer, in accordance with an agreement on shipping claims, $17.50 million to the U.S. Maritime Commission on account of the purchase price of up to 75 Liberty ships by the French.
Note 3: The above figures do not reflect any amount owing by the French on account of the purchase of surplus property and installations.

HENRY R. LABOUISSE JR
Initialed on behalf of
the United States Government

CHRISTIAN VALENSI
Initialed on behalf of
the French Government

WASHINGTON, D. C.
May 28, 1946.

will be made in the amount to be paid by the French Government under the Agreement. It is not intended, however, that this provision will necessitate adjustment in the case of a minor excess or deficiency, which is to be expected in dealing with estimates of this magnitude.

We have taken note of the items listed in the "French Purchasing Program of United States Army Surplus" submitted to the Foreign Liquidation Commissioner by the French Council of Allied Surplus on May 7, 1946, and subsequently amended, (Schedule "D"). To the extent that these items are not transferred under the Agreement, the Foreign Liquidation Commissioner will use his best efforts to make such items available from surplus stocks in other parts of the world. These items will be made available at 20% of original cost. The Foreign Liquidation Commissioner will also use his best efforts to arrange for the transportation of such property to France, the cost thereof to be borne by the French Government.

It is also the intention of the Foreign Liquidation Commissioner to make available to the French Government such of its requirements for locomotives and rolling stoc, as may be available from surplus property and as may be allocated to France by the ECITO. These sales are not, however, covered by the understanding set forth in the preceding paragraph for the sale of certain items at 20% of original cost.

The Memorandum of Agreement provides for the termination of sales as of noon, Paris time, May 25, 1946. For your convenience, we will be glad to request Mr. Virden to communicate to the Conseil des Surplus information as to the property covered by contracts or commitments prior to that time.

Ante, p. 4179.

Sincerely yours,

THOMAS B. MCCABE
Commissioner

Enclosures: Schedules
"A" through "D" [1]

The Honorable
LEON BLUM
Ambassador Extraordinary and Plenipotentiary
of the Provisional Government of the French Republic
French Embassy.

[1] [Not printed.]

charged to straight lend-lease instead of to the Crowley-Monnet account. This claim is allowed in the sum of $0.4 million.

4. Freight on Off-shore Goods. During the period of straight lend-lease to Metropolitan France, the French purchased for cash outside the United States goods which were transported to France on U.S. owned or controlled vessels, and are asked to pay the ocean freight in cash. The French request that these ocean freight charges be changed to a straight lend-lease basis. The U.S. side points out that ocean freight charges on goods not acquired under lend-lease have, as an operating matter, been furnished on a lend-lease basis infrequently and only under special circumstances. However, in view of the fact that the goods in question would have been eligible to lend-lease if acquired in the United States, and in view of the fact that French vessels being under the control of the U.S. or U.K. were not available to carry these goods, it is considered appropriate, as an incident of a general settlement, to allow this claim at $4 million to be reflected in net claims balance.

5. Miscellaneous Freights. The French have been billed cash for ocean freight in certain cases where they believe that the freight should have been furnished as straight lend-lease or on 3(c) terms. WSA reports that the items eligible for straight lend-lease have been refunded to the French out of lend-lease funds and that the items chargeable on a 3(c) basis will be so treated as an accounting matter so that they need not be considered as claims. The French have accordingly withdrawn this claim.

6. Coal. By agreement dated 25 August 1944, it was established that coal procured by the U. S. Military in Metropolitan France would not be furnished by the French as reciprocal aid, but would be replaced in kind or paid for by the United States. A study has been made of the transactions, and it is agreed that U.S. withdrawals up to VJ Day exceed by 150,000 tons replacement up to 31 December 1945. France requests settlement at $20 per ton, the approximate landed cost of coal actually purchased for cash by France in the United States to meet French coal deficiencies. The claim is allowed, to be settled by payment on the same basis as other pre-VJ Day procurement ineligible as reciprocal aid.

7. Other Short Supply Goods. The French have withdrawn this claim.

8. Price of Cotton. For cotton furnished on a cash reimbursable basis and on 3(c) credit, France has been billed the domestic price. France requests that the lower export price be used, and the U.S. side agrees to the principle. The claim is allowed. The Crowley-Monnet account should be reduced by $1.4 million and the 3(c) account by $11.2 million, to reflect the appropriate adjustment for cotton furnished on that basis. It is understood that this principle has been borne in mind in pricing cotton in inventory.

9. Price of Sugar. Similarly, France requests certain allowances for processing taxes and for drawback of customs duties on sugar exported to France and to French North Africa. These are cus-

tomarily arranged for on peacetime commercial exports, but the administrative requirements could not be complied with in the case of these shipments, and the allowances are therefore not reflected in the present billings. The claim is allowed; the Modus Vivendi account should be reduced by $7.4 million and the 3(c) account by $0.1 million.

10. Price of Locomotives. Seven hundred locomotives were transferred to France under Schedule II of the 3(c) Agreement, and are billed at a price of approximately $120,700 each, f.a.s. New York. The French contended that this charge was excessive, as they had purchased substantially similar locomotives privately for $110,500 each, f.o.b. plant. The U.S. side explained the computation of the charge, as follows (in approximate figures):

Cost of locomotives under War Department Contract –	$110,000
Army Transportation Corps charge for services, inspection, etc. (5%) –	5,500
War Department charge for handling, inland freight, etc. (10%) –	11,550
	127,050
Less 5% discount under 3(c) Agreement –	6,350
Price billed to French –	$120,700

The U.S. side further stated that the War Department charges of 5 and 10 percent were specifically imposed by War Department regulation. Upon this explanation, the French withdrew this claim.

11. Excise Taxes. There have been transferred to France, on cash reimbursement and on credit terms, goods subject to U.S. excise tax on domestic sales. These excise taxes are not payable on sales for export, but it was administratively impossible to follow the procedure prescribed by Treasury Department regulations for establishing the exemptions. However, as the fact of export is undisputed, France has requested that the excise tax be eliminated where it appears on the face of the invoice. The claim appears just in principle and the U.S. and French figures are in substantial agreement. The claim is approved for deduction of $0.13 million from Modus Vivendi account and $0.37 million from 3(c) account.

12. Petroleum Billing Procedure in North Africa. Petroleum delivered to the French in North Africa up to the middle of 1943 was billed on the basis of proceeds of sale. It was contemplated that after June 30, 1943, billings would be based on landed cost, and this was in fact done for products other than petroleum. However, petroleum has been billed on a proceeds-of-sale basis until September 30, 1943. The French contend that the three-month extension of this procedure for petroleum alone is without present justification, and claim $1.2 million as the difference in cost to them under the two methods. The claim is allowed at $1.2 million, to be deducted from Modus Vivendi and charged to straight lend-lease.

13. Price of Petroleum in North Africa. The French claim that the prices billed them for petroleum in North Africa from October 1, 1943, were well above current world prices. Explanation of the prices

charged has been given to the French by the Army-Navy Petroleum Board, showing that these were actual landed cost prices. The French have accordingly withdrawn this claim.

14. French Petroleum Deliveries to the North African Pool. 93,000 tons of French-owned petroleum were contributed to the North African pool through the British. The French claim derives from that of a private French company against which France will agree to indemnify the United States. The French felt that petroleum is a product in such short supply in French territory as not to be a subject of reciprocal aid, and they therefore claim for the full value of these petroleum deliveries. The U.S. side maintained that in view of the large volume of petroleum products furnished by the United States to France on a straight lend-lease basis, the United States should not be required to pay for the comparatively small amount of petroleum furnished to the pool by France, and that France's contributions to the pool must be treated in the same way as those of other members. The U.S. side therefore believed the French contribution should be considered as applied first against French military withdrawals, which considerably exceeded the tonnage of petroleum put into the pool by France. The claim was withdrawn.

15. Price of Rubber. It is agreed that the price charged to the French should be the same as that paid by the United States, subject to adjustment for accrued charges, etc. The U.S. side states that necessary revisions will be made as a routine accounting matter.

16. Missing or Damaged Goods. France has abandoned this claim.

17. Cost of Procurement. France has waived its claim for reduction of the 15% accessorial charge (to cover inland transportation, handling, etc.) on cash reimbursable and 3(c) goods.

Coal procured under "Q" requisitions.

However, with respect to coal procured under "Q" requisitions, the U.S. procuring agency requests reimbursement for actual expenses instead of adding 15% to the purchase price. The French point out that the 15% charge is an average designed to cover the overall procuring expenses on a group of commodities. If therefore actual cost of services is to be the rule for coal, the same rule should apply for all other commodities procured under "Q" requisition.

The U. S. side replies that 15% is clearly inadequate to cover accessorial charges in the case of coal and that coal constitutes $23 million of $62 million of "Q" requisitions. Application of the 15% rule could therefore result in a loss to the United States which no appropriations are available to cover. On the other hand a complete departure from such rule would create a precedent which would have to be extended to other countries and would greatly disturb the accounting procedure followed by the U. S. procuring agency.

While it seems that technically the accessorial charge should be consistent throughout, the French side recognizes the problem facing the American administration. Upon the request of the U. S. side, France has consented to withdraw this claim.

18. Petroleum delivered to Metropolitan France for Civilian Use from February 28 to September 2, 1945. The French request that

such of the petroleum delivered by the combined military supply agencies as was derived from U. S. sources be considered as delivered under the lend-lease agreement of February 28, 1945, rather than under Plan A. The French state that there was no Plan A target program for petroleum and that there was a substantial petroleum program under Schedule I of the lend-lease agreement, which would not be met unless this claim is allowed. The U. S. side replies that in fact these deliveries were made and have been recorded as Plan A deliveries under tripartite supply arrangements under which Great Britain and Canada also have rights. In the light of a satisfactory general settlement of Plan A, France withdraws the claim.

59 Stat. 1304.

59 Stat. 1309.

19. North African Petroleum Stockpile – November 1942. This French claim for compensation for petroleum taken over by the U. S. military at the time of the landings in 1942 is based on the same contention noted under 14 above, that petroleum is not a subject of reciprocal aid by France. The U. S. position is also the same, that the U. S. cannot pay the French for this stockpile when the U. S. has since that date furnished very much larger amounts of petroleum to the French on a straight lend-lease basis. France has withdrawn the claim.

U. S. CLAIMS

1. Maritime Claims (Knock-for-Knock). The United States has requested the French to enter into an agreement providing for mutual waiver of intergovernmental claims arising from maritime accidents, and for the handling by each country on a lend-lease and reverse lend-lease basis of claims asserted in its courts by its nationals against the other country. France consents to this principle. The draft of the agreement is still under consideration of both Governments. It is recommended that the agreement be completed and signed as soon as possible, and that, if this cannot be done before a general settlement, the general settlement contain a statement of intention to enter into an agreement covering the lend-lease period.

2. (a) Tort Claims. The United States has requested France to assume processing and payment of all presently unpaid claims against the United States, arising out of acts or omissions in France or French overseas territories of members of the United States Armed Forces or civilian personnel attached to such forces, including not only line-of-duty claims, but also off-duty claims of types previously handled by the United States. No claim is made with respect to such claims already paid by the United States. France agrees to assume this obligation as regards items arising from incidents prior to July 1, 1946.

(b) Patents. The United States War and Navy Departments have incurred obligations for patent royalties and possible infringement liabilities to French residents on United States patents used in war production, and France has been requested to assume this liability as a matter of reciprocal aid. France agrees to assume this obligation.

(c) Requisitioned Property. The United States requisitioned, for use in the war program, property located in the United States and

in which French residents had interests, thus incurring liability for payment of the fair value of the property interests requisitioned. France agrees to assume this liability.

(d) Information necessary to the processing of claims assumed by the French Government under this paragraph 2 will be furnished by the United States Government to the French Government on its request.

(e) France also agrees to waive all claims against the United States that the French Government may have with respect to matters described in this paragraph 2.

(f) In the net claims adjustment, an allowance will be made to France in the amount of $15 million in consideration of such of the obligations assumed by France under this paragraph 2 as are not the subject of reciprocal aid.

3. Charter Hire. Recommendations on this subject have been made by a separate combined Shipping Group.

4. Sugar Barter Agreement. The so-called "Sugar Agreement No. 2", dated August 1, 1944, between FEA, the French Supply Council, and Commodity Credit Corporation, provided that during the period August 1–December 31, 1944, CCC would furnish approved quantities of refined sugar to the French, would charge FEA's account for refined sugar furnished, and would report to FEA the quantities furnished, for settlement between FEA and the French under cash reimbursement lend-lease. On their side, the French undertook to furnish to CCC 107 pounds of raw sugar from Martinique and Guadaloupe for every 100 pounds of refined sugar furnished to the French, the value of this to be credited against shipments of refined sugar. In fact, the French failed to meet their commitment to the extent of 62,000 tons of raw sugar, and have advised the United States that they will not make such deliveries. CCC has purchased this amount of raw sugar in Cuba, at the higher Cuban price, resulting in an additional cost to CCC of $669,884.07. CCC has charged this sum to FEA account.

The United States claims that France is liable for this amount as consequential damages resulting from the failure of France to deliver raw sugar in accordance with the agreement. It is recommended that the claim be approved.

5. Diversions. The United States has requested France to include in the general settlement an allowance to cover claims arising out of retransfers or diversions of lend-lease articles by France, occurring in France and French overseas territories during the period from March 11, 1941, to September 1, 1945, inclusive, or out of exports during that period, for which the United States would be entitled to reimbursement. The claim is allowed at $1 million.

6. Price Clause Revision. Under the 3(c) Agreement France is entitled to a 5% reduction from the contract price of articles transferred. The original purpose of this provision was to give France the benefit of contract renegotiation recoveries by the United States procuring agencies. It is now believed that recoveries on contract

renegotiation average well under 5%. The United States has considered requesting a revision of the 3(c) Agreement to reflect this fact, but has withdrawn the claim in view of the French abandonment of their request to reduce the item of accessorial charges.

7. Ballast from North Africa. U. S. vessels carrying goods to North Africa returned in ballast furnished from French sources. Upon arrival in the United States the ballast was sometimes dumped and sometimes sold. The United States submits that this ballast should be regarded as reciprocal aid. The claim is allowed by France.

FOR THE UNITED STATES SIDE

HENRY R. LABOUISSE JR

FOR THE FRENCH SIDE

CHRISTIAN VALENSI

MAY 28, 1946

SUMMARY — U. S. - FRENCH CLAIMS

		Millions of Dollars	
1. Claims Approved – to be charged to Military Lend-Lease			
FRANCE:	Military Aid in North Africa		37. 9
	POW Packages		25. 0
2. Claims Approved – to be paid as Military Procurement			
FRANCE:	Coal	3. 0	
3. Claims Approved – to be reflected in net claims balance			
FRANCE:	Crowley-Monnet Adjustment	0. 4	
	Freight on Off-Shore Goods	4. 0	
	Price of Cotton	12. 6	
	Price of Sugar	0. 1	
	Excise Taxes	0. 37	
	Allowance on account of U.S. Tort, Patent and Requisitioned Property Claims not eligible for reciprocal aid	15. 0	
			32. 47
U.S.:	Sugar Barter Agreement	. 67	
	Diversions	1. 0	
			1. 67
	Net claims adjustment in favor of France –		30. 80
4. Claims Agreed to in Principle			
U.S.:	Maritime Claims (Knock-for-Knock)		
	Tort Claims		
	Patents, Requisitioned Property		
	Ballast from North Africa		
5. Claims Withdrawn			
FRANCE:	Miscellaneous freights		
	Short supply goods – other than coal		
	Price of Locomotives		
	Price of Petroleum – North Africa		
	French Petroleum deliveries to North African Pool		
	Missing or Damaged Goods		
	Cost of Procurement		
	Civilian Petroleum to Metropolitan France – February–September, 1945		
	North African Petroleum Stockpile – November, 1942		
U.S.:	Price Clause Revision		

CHR V.
H L

Aide-Mémoire on the subject of Plan A [1]

AIDE-MÉMOIRE

Waiver of U. S. share of combined bills.

In the course of the discussions between the representatives of your government and of the United States Government with regard to the settlement of war accounts between the two governments, consideration has been given to the possible methods of settlement for the United States share of the combined bills for civilian supplies furnished by the combined armies of the Allies for the civilian population of France. The Secretary of State informs His Excellency the Ambassador of the French Republic that, as a result of these discussions, the United States Government has decided that the most satisfactory method of accomplishing settlement for the United States share of the total combined bills being presented to the French Government would be to waive the United States share of the combined bills in connection with the overall settlement of war accounts between the United States and French Governments.

Conditions.

Since the Government of the United States has been committed by written agreements to participate on a combined basis with the United Kingdom and Canadian Governments in the collection of the total bill for these supplies and in the determination of the relative shares of each in the proceeds, it is necessary for this Government to stipulate the following prior conditions to effecting a waiver of the United States share of the combined bills:

That the French Government recognize that the settlement to be made with the United States Government in no way impairs the validity of the obligation of the French Government to the United Kingdom and Canadian Governments for their shares of the combined bills.

That the French Government currently establish a reserve of 10 percent of the combined bills at the time such bills are submitted, such reserve to be deducted from the United States share, and to be held in the name of the French Government in the Bank of France in funds convertible into sterling or Canadian dollars, or both, at rates to be agreed upon by the Government of France with the United Kingdom and Canadian Governments. This reserve will be payable to the United Kingdom and Canadian Governments to the extent and in such proportions of sterling and Canadian dollars as the United States, United Kingdom, and Canadian Governments may determine by combined agreement to be necessary in order to comply with the existing financial arrangements among the three supplying governments. Such remaining amounts of the reserve not so paid will revert to the free disposition of the French Government upon combined notification by the United States, United Kingdom, and Canadian Governments.

Upon notification by the French Government of their acceptance of the above-stated conditions, the United States Government will effect

[1] [No French language text.]

a waiver of its share of the combined bills in connection with the overall settlement of war accounts between the United States and French Governments.

In identic notes to your government dated April 10, 1946, the Governments of the United States, the United Kingdom, and Canada specified the proportions of the currencies in which payments were to be made for the bills presented to the French Government through December 31, 1945. The notes of April 10, 1946 will be superseded by a notification to the French Government by the three supplying governments of the amount of your government's obligation to the Governments of the United States, the United Kingdom, and Canada.

W L T

DEPARTMENT OF STATE,
Washington, May 24, 1946

Memorandum on the subject of Plan A [1]

MAY 28, 1946

MEMORANDUM

In connection with the waiver by the United States Government of its claim against the French Government for supplies furnished under Plan A, as contemplated in the Memorandum of Understanding between the French Government and the Government of the United States to be signed this date, it is necessary for the Government of the United States to stipulate that this waiver is conditional upon the fulfillment of the provisions of the Aide Mémoire on the subject of Plan A transmitted by the Government of the United States to the French Government under date of May 24, 1946.

Ante, p. 4175.

W. L. C.

DEPARTMENT OF STATE,
Washington,

[1] [No French language text.]

FRENCH - U. S. ECONOMIC NEGOTIATIONS

Agreed List of Non-Combat Aircraft Referred to in Paragraph 6 (f) of Memorandum of Understanding, dated May 28, 1946 [1]

Item	*Quantity*	*FLC Sales Price*	
PBY5A	19	$26, 000 ea.	$494, 000
C-47B	50	20, 000 ea.	1, 000, 000
C-60A	2	25, 000 ea.	50, 000
C-45F	25	25, 000 ea.	625, 000
UC-78	67	2, 000 ea.	134, 000
BT-13B	25	450 ea.	11, 250
L-4	123	500 ea.	61, 500
R-1830-90C	17	1, 300 ea.	22, 100
R-1820-87	2	3, 000 ea.	6, 000
R-985-AN1 & 3	26	500 ea.	13, 000
R-755	98	400 ea.	39, 200

SPARES

Item	*Procurement Cost Each*	*Inventory*	*Total*	3 Mo. Supply (3/12 x 20%)		
C-47B	$98, 000 x	50 –	$4, 900, 000 x	5% –	$245, 000 Less 40% –	$147, 000
C-60A	125, 000 x	2 –	250, 000 x	5% –	12, 500 Less 40% –	7, 500
C-45F	65, 000 x	25 –	1, 625, 000 x	5% –	81, 250 Less 40% –	48, 750
UC-78	35, 000 x	67 –	2, 345, 000 x	5% –	117, 250 Less 40% –	70, 350
L-4	2, 450 x	123 –	301, 350 x	5% –	15, 067 Less 40% –	9, 040
BT-13	23, 400 x	25 –	585, 000 x	5% –	29, 250 Less 40% –	17, 550
PBY5A	220, 000 x	19 –	(83 days supply spares behind each aircraft figured on basis of above formula equals $6,013 per aircraft); value for settlement			114, 000

Total of above – $2, 870, 240

Value for settlement – $2, 850, 000

FOR FRANCE:

CHRISTIAN VALENSI

FOR THE UNITED STATES OF AMERICA:

HENRY R. LABOUISSE Jr

WASHINGTON, *May 28, 1946*

[1] [*Ante*, p. 4177.]

MEMORANDUM RELATING TO SHIPPING CLAIMS

The Government of the United States of America and the Provisional Government of the French Republic during the course of their negotiations on a lend-lease settlement have discussed all mutual shipping problems and shipping claims arising out of the acquisition, operation and disposition of French vessels under the control of the United States of America during the period from December 7, 1941 to May 1, 1946, and have agreed as follows:

Purchase of Liberty ships from U. S. Maritime Commission.

1. In full and complete satisfaction of any and all claims and financial obligations of one government against the other arising out of the requisition, use, repair, damage, loss, operation and redelivery of French vessels, the Government of the United States of America will deposit a sum of 17.5 million dollars with the United States Maritime Commission on behalf of the Provisional Government of the French Republic, which sum shall be applied against the purchase by the Provisional Government of the French Republic of up to 75 Liberty ships from the United States Maritime Commission under the terms of the Ship Sales Act, 1946.

60 Stat. 41.
50 U. S. C., app. §§ 1735-1746.

a. This sum will be applied by the United States Maritime Commission first to the down payment of the statutory sales price of the vessels at the time of their delivery as required by the Maritime Commission under its regulations; and secondly, any excess of funds remaining after the said down payment will be applied as payments on interest and annual installments as they become payable towards the amortization of the unpaid balance to the extent that such excess of funds are available.

b. The price and other terms of sale shall be mutually determined by the United States Maritime Commission and the Provisional Government of the French Republic in accordance with the Ship Sales Act of 1946.

c. The Provisional Government of the French Republic may make application for the purchase of additional ships from the United States Maritime Commission.

Waiver of designated financial claims.

2. All financial claims of one government against the other arising out of the loss of French vessels or their cargoes while said vessels were under the control of the Government of the United States of America are hereby waived.

Responsibility of Provisional Government for payment of designated claims.

The Provisional Government of the French Republic hereby assumes responsibility for the processing and payment of any claims now or hereafter made by any person, body or corporation who is or was or claims that he is or was at any time the owner of or who has or had or claims to have or to have had any rights in the rem against, or any beneficial interest in any of the French vessels under the control of the Government of the United States of America during the period referred to above or of any of the cargo on said vessels.

The Provisional Government of the French Republic agrees to indemnify and hold harmless the Government of the United States of America, its agents, servants or employees in respect of any such claim.

3. The arrangements set forth herein will be contingent upon mutually satisfactory settlement of all lend-lease and other war accounts; upon the availability, within the terms of such settlement, of 17.5 million dollars for deposit by the Government of the United States of America with the United States Maritime Commission; and upon the conclusion of an agreement for the purchase and sale of up to 75 Liberty ships referred to above between the United States Maritime Commission and the Provisional Government of the French Republic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
W. L. CLAYTON

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC:
H BONNET

WASHINGTON, *May 28, 1946*

The Assistant Secretary of State to the French Commissioner-General of the Plan for Modernization and Re-equipment

DEPARTMENT OF STATE
WASHINGTON

MAY 28, 1946

DEAR M. MONNET:

This will confirm my understanding with you as to the method by which, subject to the provisions of the special agreement relating to shipping claims dated May 28, 1946, the United States will establish with the United States Maritime Commission the credit of $17,500,000 in favor of the French Government. A sum of $17,500,000 will be drawn for this purpose from funds heretofore paid by the French Government to the Foreign Economic Administration but not taken into account in arriving at the net amount due the United States set forth in paragraph 2 of the Memorandum of Understanding signed today by our two Governments.

U. S. establishment of credit in favor of French Government.

Ante, p. 4175.

Sincerely yours,

W. L. CLAYTON
W. L. Clayton
Assistant Secretary

The Honorable
JEAN MONNET,
Care of French Supply Council,
1800 Massachusetts Avenue,
Washington, D. C.

TROOP PAY AND MILITARY PROCUREMENT

The representatives of the Government of the United States of America and the representatives of the Provisional Government of the French Republic have accepted the recommendations contained in the joint United States–French Report of the Troop Pay and United States Armed Forces Procurement Subcommittee.

The aforementioned report, and the Memorandum of Agreement between the Government of the United States and the Provisional Government of the French Republic Regarding Expenditures of the United States Armed Forces in French Territory, contain the arrangements and procedures for the settlement of past and future troop pay and procurement of the United States Armed Forces referred to in paragraph 4 of the Memorandum of Understanding of this date between the Government of the United States and the Provisional Government of the French Republic Regarding Settlement for Lend-Lease, Reciprocal Aid, Surplus War Property and Claims.

Ante, p. 4176.

WASHINGTON, D. C.
May 28, 1946.

FOR THE UNITED STATES SIDE	FOR THE FRENCH SIDE
HAROLD GLASSER CARL PFORZHEIMER	GUILLAUME GUINDEY

REPORT OF TROOP PAY AND ARMED FORCES PROCUREMENT SUBCOMMITTEE [1]

1. The War Department has submitted the attached report (Memorandum I) showing the U.S. dollar liability to France for net troop pay as approximately $29 million and for open market procurement not eligible for reciprocal aid as approximately $2 million, both for the period from D-Day to December 26, 1945.

Post, p. 4200.

Net troop pay.

2. The net troop pay was small in amount because of the large volume of local currency returned to the Army by Army personnel and by others enjoying the privileges of the PX and other Army service organizations.

The detailed reasons explaining the modest amount of troop pay were discussed by the Subcommittee and are embodied in the attached memoranda by the War Department and the French representatives (Memoranda II and III).

Post, pp. 4201, 4203.

3. The French and U.S. representatives on the Subcommittee agree that the extremely small amount of U.S. dollar liability on troop pay account was a result far different from that which had been anticipated at the time when the financial agreements concerning lend-lease and civilian supplies were made with the French in 1943 and 1944.

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[1] [No French language text.]

It was agreed by both sides of the Subcommittee that the small amount of U.S. dollar liability on troop pay account is a factor to be considered in making the over-all settlement of the war accounts.

Basis for settlement of troop pay account.

4. In view of the above, the French representatives on the Subcommittee have agreed to recommend that the War Department report (Memorandum I) be accepted as the basis for the settlement of the troop pay account as a part of the over-all war settlement.

Post, p. 4200.

U. S. Army procurement through AFA.

5. The French Government has estimated that U.S. Army procurement through the official French office of Aid to the Allied Forces (AFA) amounted, for the period from September 2, 1945, to December 26, 1945, to five billion francs, or approximately $100 million at the old rate of exchange. (See attached Memorandum IV.)

Post, p. 4204.

The U.S. liability to the French for procurement since December 26 has been estimated at $20 million to April 1, 1946.

Both the U.S. and French representatives on the Subcommittee concur in these estimates of U.S. Army procurement with the understanding that the actual dollar liability of the U.S. for such procurement will be determined on the basis of the French Government's presentation of appropriate documents in a form acceptable to the U.S. Army, as has been, or may be, agreed upon between the U.S. Army and the French authorities.

Conversion of francs.

6. The U.S. has a liability of $96 million for the francs in the possession of the U.S. Army after the date of conversion. The French have an obligation to convert into dollars any part of the francs not used, in accordance with the provisions of Paragraph 8(C) below.

7. Against the U.S. obligations the U.S. has advanced to the French on troop pay account $120 million. The net result, therefore, is as shown in the following table:

U.S. Liabilities to French

	(Millions of dollars)
1. Net troop pay for period up to Dec. 26, 1945 (at old rate of exchange).	29
2. Direct open market procurement prior to Dec. 26, 1945, not eligible for reciprocal aid	2
3. Procurement through French (AFA) from from Sept. 2 to Dec. 26, 1945	100
4. Estimated procurement from Dec. 26, 1945, to April 1, 1946	20
5. Francs acquired on Dec. 26, 1945 (at new rate of exchange)	96
TOTAL	247

French Liabilities to U.S.

1. Advances to French on troop pay	120
2. Obligation to convert into dollars excess francs held by Army	76–96 ✓
TOTAL	196–216
Net estimated U.S. liability to French	31–51

✓ This estimate is based on the assumption that net troop pay between Dec. 26, 1945, and April 1, 1946, will not exceed $20 million.

8. Suggested procedure for settlement. In order to avoid difficulties with the over-certification of troop pay, it is recommended that the following procedure be adopted for the settlement of the cash accounts by the U.S. and French Governments:

(A) The U.S. Army will apply the over-certification of net troop pay dollars (approximately $91 million) and a small sum of additional dollars (approximately $7 million) to pay for the francs which the Army held on December 26 after the change of the rate of exchange (approximately $96 million) and non-reciprocal aid open-market procurement (approximately $2 million). For additional currency needs of the U.S. Armed Forces the U.S. will pay in dollars.

(B) The U.S. Army will pay the French Government for military procurement after September 2, 1945, either in dollars or by tendering the francs which it holds, to the extent that such holdings are in excess of its current needs for troop pay.

(C) The French Government will repurchase against dollars, at the rate at which they were sold to the Armed Forces, the francs presented by the U.S. Armed Forces, but in order to avoid net troop pay negative in amount, this obligation will be subject to the qualifications to be contained in a revised currency agreement.

(D) In order to minimize the transfer into dollars of francs now being held by the Army in excess of its current needs, practical steps will be taken for using these francs for the repayment of the U.S. Army liability for military procurement as estimated in paragraph 5 above.

9. The French have submitted a statement on the Mendes-France Agreement and a proposal for its liquidation (Memorandum V).

Post, p. 4204

MEMORANDUM I

Statement by the War Department on Troop Pay and Procurement

FRANCE

Troop Pay and Procurement

(Use of French Franc Currency by the U. S. Army – D–Day to C–Day)

ITEM	. . . . millions . . . . FRANCS	DOLLARS
1. Total Franc Advances	20, 984	423
a. Through SHAEF/ETO	(18, 399)	(371)
b. Through ETO/SOLOC	(2, 370)	(48)
c. Through Captured Enemy Funds	(215)	(4)
2. Francs Returned to French (SHAEF/Direct)	7, 478	151
3. Net Advances	13, 506	272
4. Total C-Day Balance	11, 432	230
5. Total Net Francs Spent Locally	2, 074	42

ITEM	. . . . millions . . . . FRANCS	DOLLARS
6. Francs Spent by U.S. Army for Direct Local Procurement to 2 September 1945 Chargeable to French as Reciprocal Aid	541	11
7. Total Due French	1, 533	31
8. Direct Local Procurement	81	2
a. To VJ-Day Not Eligible as Reciprocal Aid	(29)	
b. VJ to C-Day	(52)	
9. Net Troop Pay	1, 452	29

MEMORANDUM II

War Department Statement on the Major Reasons for the Modest Level of Net Troop Pay

1. The mechanical limitations of the official accounts, maintained strictly pursuant to US/UK/French currency agreement of 15 August 1944. Thus, U.S. Army monthly French franc Currency Reports reflect: Currency Reports.

   a. On the disbursements side, *only* French francs used for pay and allowances to U.S. military personnel and such civilians actually paid by the military establishment.

   b. On the receipts side, *all* cash collections taking in French francs for services rendered through all Army facilities (such as PX's, messes, clubs, canteens, salestores, commissaries, etc.) and administrative services rendered (such as personnel transfers, money orders, War/Savings bond purchases, currency conversions, etc.) not only for U.S. military personnel but also for the following groups, aggregating several hundred thousand individuals:

      (1) U.S. civilians, employed by other U.S. departments and agencies, obtaining francs from sources other than WD dollars and from other than U.S. Army disbursing officers;

      (2) Members of the military forces of the Allies, obtaining francs from the French Government itself and/or from non-dollar sources such as sterling, Belgian francs and other foreign currencies;

      (3) French civilians employed by or affiliated with the U.S. and Allied military establishments, obtaining francs directly from the French Government itself.

2. The U.S. Armed Forces' observance of the overall policies of the French Government designed to preserve to the maximum extent, and revive as rapidly as possible, their domestic economy after five years of Axis occupation. Domestic economy policies of French Government, observance by U. S. Armed Forces.

   a. Implementation by the U.S. Armed Forces of this basic French policy was predicated upon MEMORANDUM No. 11 "Relating to Currency" of 15 August 1944, and the "Memorandum of Agreement between Supreme Commander, Allied Expetitionary Forces,

and the Military Delegate under the Ordinance of 14th March 1944, of the French Committee of National Liberation;" Section IV, paragraph two thereof reading in part, ". . . . troops will be encouraged to make the maximum use of military canteens;" and paragraph three which reads, "Troops will be encouraged to reduce to a minimum their drawings on pay. Every effort will be made to induce them to invest." Accordingly, Allied troops were officially encouraged to spend a minimum in France.

b. Maintenance by the French Government of a 50 to 1 franc/dollar rate of exchange resulted in souvenir, gift and luxury item prices extremely unfavorable to military personnel; and U.S. troops, accordingly, could not spend freely. In addition, these luxury items were occasionally acquired in exchange for cigarettes, candy, soap, etc.

c. During Phase One (D–Day to VE–Day) general French hospitality minimized the need for military personnel to expend their own funds. Many comforts, local additions to unit messes and entertainment were provided by the French, either gratuitously or in exchange for eagerly sought items such as cigarettes, chocolate, soap, etc. General desire of French communities to show appreciation upon their liberation, provided units immediately behind the combat lines with many gratuitous goods and services.

d. Various French Ministries cooperated, from the liberation of Paris forward, with the Army Post Exchange system in order to increase production of French souvenir and gift items for sale to military personnel. The Post Exchange system imported into France to aid in this objective, millions of dollars worth of supplies and raw materials not available in France. Purchases by the Post Exchange system, from the proceeds of sales to the military, flowed freely into the French economy. This resulted, however, in additional U.S. drawn French francs remaining within, and non-dollar source French francs flowing into, the U.S. Army Post Exchanges.

e. During Phase Two (the redeployment period) the French Government actively negotiated with U.S. representatives in order to offset the difficult rate of exchange. Adjustment francs totalling 850 francs per man were issued monthly to those permanently stationed in France and to all U.S. military personnel arriving in France on leave, temporary duty, or upon redeployment. As pointed out to the French Government in June 1945, not being distinguishable from the pay and allowances drawn in francs, some of these adjustment francs flowed back into dollars in the form of cash collection as set forth in paragraph 1 b above. Tax exemption was given to the Post Exchange system on all of its ever increasing volume of French merchandise; and tax exemption was offered the individual American soldier under certain export conditions. Finally, there was inaugurated an extensive program of free tours, educational opportunities and special group entertainments.

All of the foregoing conditions described in a through e above reduced the need for American military personnel expenditures in the French local economy.

3. Extra-legal activities of military and civilian personnel in their relations with French citizens. The U.S. Armed Forces inaugurated currency control shortly after VE–Day and is continuously strengthening the control system. It should be noted:

Extra-legal activities; currency control.

a. The sale of U.S. Government property of material in short supply in France was eliminated by speedy joint action of military and civilian police. However, the seriousness of having French civilians participate in black market operations may not have been brought home as effectively as possible.

b. The very understandable desire of French citizens for a few of life's material comforts provided a great temptation to all Allied personnel having access to Post Exchanges and Quartermaster stores.

c. Although a premium over the official rate was consistently quoted for U.S. currency in the open market, owing to the very restricted availability of dollar notes in the lowest denominations sought by civilian operators, dealings of this nature were extremely limited.

In any event, all of the foregoing types of transactions have resulted in a substantial "value received" on the part of the French population, and represent enhancement of the French economy for which a certain amount of dollars would have had to be spent.

MEMORANDUM III

MEMORANDUM

By the French Representatives on the amount of net troop pay

It is difficult to discover all the reasons why the amount of net troop pay was so low, because the accounting procedure agreed upon in London on August 25, 1944, does not appear to have been exactly followed.

Memorandum II by the War Department contains an accurate analysis of most of those reasons, and as a whole gives a fair story of what happened.

Ante, p. 4201

It should be emphasized however that one of the main reasons for the low amount of the net troop pay is to be found in the fact that a very important quantity of U.S. Army supplies was sold for francs to the French population through various channels, and specially through sales by individual members of the American forces at black-market prices. Therefore the needs of the U.S. Armed Forces for French currency were covered to a large extent by francs obtained under conditions other than those foreseen at the time of the conclusion of the Agreement of August 25, 1944.

France has thereby lost an important source of dollars, amounting possibly to several hundred million dollars, which both American and French authorities had expected her to receive. This loss has been but slightly balanced by the advantages which resulted from the sale to the French population of various products, as those products were seldom essentials and were as a rule sold at abnormally high prices and distributed under conditions which have further upset the French economy.

MEMORANDUM IV

Statement of French Government on Estimate of Goods and Services Furnished to the U.S. Armed Forces between September 2 and December 26, 1945

According to French Government estimates, expenditures for the procurement of supplies, facilities and services for the U.S. Army in France between September 2, 1945 and December 26, 1945 amounted to 5,000,000,000 francs, that is approximately $100,000,000. This amount was calculated on the basis of the rate of expenditures by the French Government for reciprocal aid during the months that preceeded September 2, 1945, and corrected to take into account the reduction of American Army personnel during that period, as well as the decrease of their needs following the termination of military operations.

MEMORANDUM V

Statement by the French Representative on the application of the exchange of letters of May 29, 1944

Adjustment of dollars and francs for pay of troops.

1–According to the letter sent by Mr. Mendes-France to Mr. Morgenthau on May 29, 1944, the amount of dollars to be paid by the U.S. Government for the francs used for the pay of the troops should be equitably adjusted, giving particular consideration to the present rate of exchange.

The rate of 50 francs for 1 dollar which has been used as a basis for a provisional settlement should not be kept for a definite settlement, since it would be of too great disadvantage to the U.S. Government. On the other hand, the rate of about 120 francs for 1 dollar is still less to be considered as it would impose an undue burden on the French Government. It must be remembered that this latter rate has been set by the French Government with a view to leaving a margin for an eventual additional rise in French prices. Besides, it must be recalled that, at the time of the landing, French prices were much lower than they are now and that since then they have been steadily increasing. Taking into consideration these various considerations, it seems that an equitable adjustment for the net amount due for the pay of the troops could be made on the basis of 75 francs for 1 dollar.

2–As to the effect of Mr. Mendes-France's letter on the payment of supplies and services furnished by the French Government to the U.S. Army from Sept. 2 to Dec. 26, 1945, it might be discussed whether the wording and the spirit of the said letter cover such items. Without raising such a disucssion it should be observed that the billings made out for that period by the French Government to the American Government are computed on the basis of French official prices and tariffs, especially for wages and transportation. When said prices and tariffs are compared with the American prices and tariffs, it appears that the 50 franc rate would be more adequate for the supplies and services than for the pay of the troops. An adjustment, if desired, should be arrived at on the basis of a rate intermediary between 50 and 75 francs.

Payment of supplies and services furnished by French Government.

3–As a whole, the American Government owes to the French Government, for the period preceding the change in the French rate of exchange, the equivalent in dollars of about 5 billion francs for supplies and services and, according to American figures, the equivalent in dollars of about 1.5 billion francs for the pay of the troops and other expenses non eligible as "reciprocal aid." These figures, at the rate of 50 francs for 1 dollar, correspond respectively to about $100 million and $30 million, i. e., a total amount of $130 million.

Amount owed by American Government.

Moreover, the French Government has disbursed for the U.S. Army a further amount of about 2.8 billion francs for bonus and various facilities; therefore, the U.S. Army has received from the French Government, in cash or otherwise a total of 9.3 billion francs. If the American Government should pay 130 million dollars as a counterpart, it would correspond to an average rate of about 70 francs for 1 dollar for all the expenses of the American army.

Such a result would seem to realize the equitable adjustment contemplated in Mr. Mendes-France's letter.

MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC REGARDING EXPENDITURES OF THE UNITED STATES ARMED FORCES IN FRANCE AND FRENCH OVERSEAS TERRITORIES

Use of French francs by Allied Forces.

By agreements entitled "Memorandum No. I, Relating to Administrative and Jurisdictional Questions" and annexes thereto, and "Memorandum No. II, Relating to Currency" initialed by representatives of the United States, British and French Governments on August 15, 1944, and signed in London by General Eisenhower and General Koenig on August 25, 1944, arrangements were made for the supply of French francs by the French Government to the Allied Forces and for the use of French francs by the Allied Forces.

By an agreement entitled "Memorandum Relating to Lend-Lease and Reciprocal Aid", dated August 15/25, 1944, and maintained in force by an exchange of letters between the two Governments on February 28, 1945, financial arrangements were made between United States and French authorities under which francs advanced by the French Government to the United States military forces and used by the latter for net pay of troops and procurement of goods and services and other expenditures not eligible for reciprocal aid were to be paid for by the United States Government in dollars.

59 Stat. 1304.

End of lend-lease and reciprocal aid.

By agreement reached in letters from Monnet to Clayton dated September 24, 1945 and from Clayton to Monnet dated October 31, 1945, reciprocal aid from France was considered as ending simultaneously with lend-lease aid from the United States to France, i.e., on September 2, 1945 at 00.01, with certain exceptions.

Settlement of French franc advances.

On December 26, 1945 the French Government changed the rate of exchange between the French franc and the United States dollar. On December 26, 1945, the United States Armed Forces returned to the Bank of France through book entry the total amount of official franc funds held by finance officers, and franc funds held by United States Armed Forces organizations and members of the United States Armed Forces. This return was effected in order to terminate and settle the French franc advances made by the French Government since D-Day. However, at the time of the repayment, the United States Armed Forces by book entries effected the withdrawal of the same amount of francs from the Bank of France.

Identification of agreements.

The agreements in the following list, which does not purport to be exclusive, are referred to for identification purposes only:

Memorandum of Agreement between the Supreme Commander, Allied Expeditionary Force and the military delegate under the Ordinance of 14 March 1944 of the French Committee of National Liberation for the procurement of supplies, services and facilities in Continental France, drawn pursuant to Article 17 (iv) of "Memorandum No. 1 Relating to Administrative and Jurisdictional

Questions in Continental France" signed in London on August 25, 1944.

Memorandum of Agreement between the Supreme Commander of the Allied Expeditionary Force and the military delegate appointed under the Ordinance of 14 March 1944 of the French Committee of National Liberation, drawn under Article 18 of Memorandum No. 1 concerning the observation by the Allied Forces of the French regulations concerning the exchange of currency and the export of capital and other matters, signed in London on August 25, 1944.

Memorandum of Agreement between the French Financial Attache in London and Supreme Headquarters, Allied Expeditionary Force, relating to mutilated currency.

Letter of August 20, 1945, from Headquarters USFET to M. Brunet, Director of the Treasury in the French Ministry of Finance, regarding the vesting directly in the United States Armed Forces of the benefits of certain financial arrangements formerly held by SHAEF.

Reference is made to current conversations between the United States Treasury Representative in France and representatives of the French Government regarding the conversion and redemption of franc currency found among the personal effects of deceased personnel of the United States Armed Forces.

Amendatory provisions.

It is now deemed desirable to amend, in certain respects, some of the terms of the aforementioned agreements. The following amendatory provisions, which shall take effect as indicated below, are hereby agreed upon:

Purchase of French francs.

1. (a) All French francs held by the United States Armed Forces on December 26, 1945, and accounted for to the Bank of France, will be purchased at the rate of 118.959107 francs to the dollar.

(b) All French francs required by the United States Armed Forces for use in Continental France including Corsica and in French Overseas Territories, in addition to those purchased on December 26, 1945, will be purchased from the French authorities against payment of their countervalue in United States dollars.

(c) The United States Armed Forces may accept francs from, and shall accept francs from none other than, members of the United States Armed Forces, quasi-official organizations, agencies and personnel in and under the military establishment. The United States Armed Forces shall take all practical measures to avoid the acquisition of francs derived from non-official channels.

Use of francs acquired by U. S. Armed Forces.

2. The francs acquired by the United States Armed Forces may be used only for: (a) the pay, exchange of funds, and encashment of dollar instruments authorized by the United States Armed Forces, of troops and personnel in and under the military establishments, and (b) procurement of goods and services. Such francs will be tendered and accepted at the same rate at which acquired, for each dollar of local

procurement not eligible for reciprocal aid, the dollar value being computed at the rate in force when the goods and services were actually furnished.

Procurement of goods and services.

3. Appropriate United States and French authorities will determine the cases in which United States Armed Forces will, in conformity with the requirements of the French Government, procure, in Continental France including Corsica and in French Overseas Territories, goods and services through appropriate French agencies designated by the French authorities, and the cases in which they will procure such goods and services through direct purchases.

Goods and services procured by United States Armed Forces before the termination of reciprocal aid when ineligible, and after the termination of reciprocal aid, will be paid for on the basis of the French authorities' presentation of appropriate documents in a form acceptable to the United States Armed Forces as has been, or may be, agreed upon between the United States Armed Forces and the French authorities.

Return of unused francs, etc.

4. In Continental France including Corsica and in French Overseas Territories unused francs may be returned to the French Government by the United States Armed Forces at any time, and will be repurchased by the French Government against dollars at the rate at which they were acquired by the United States Armed Forces; it being stipulated that the obligation of the French Government to repurchase said francs shall not exceed the amount of francs acquired against dollars on and after December 26, 1945 by the United States Armed Forces, after deducting therefrom the amount of francs used by the United States Armed Forces for procurement of goods and services.

Sale of scrap and salvage.

5. In conformity with the requirements of the French Government, the United States Armed Forces will, in Continental France including Corsica, and in French Overseas Territories, sell all scrap and salvage only through appropriate French agencies designated by the French authorities with such exceptions as may be agreed upon. Scrap and salvage thus sold to the appropriate French agencies will be paid for by the French authorities in United States dollars.

Monthly records of use of francs.

6. The United States Armed Forces will continue to maintain their accounts so that there will be made available to the appropriate French authorities, through the United States Treasury Representative in France, monthly records of the purposes for which francs have been used by the United States Armed Forces. Official statements will be rendered quarterly by the United States authorities.

Quarterly statements.

7. To the extent that agreements referred to herein are not inconsistent with the terms of the within memorandum of agreement they shall remain in full force and effect.

Effective date.

8. This Memorandum of Agreement shall be effective upon signature.

Done at Washington, in duplicate, in the English and French languages, this 28th day of May, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

FRED M. VINSON
GEORGE J RICHARDS.
W. L. CLAYTON.

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

H BONNET

DECLARATION BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON COMMERCIAL POLICY AND RELATED MATTERS

The Government of the United States of America and the Provisional Government of the French Republic, having concluded comprehensive discussions on commercial policy and related matters, find themselves in full agreement on the general principles which they desire to see established to achieve the liberation and expansion of international trade, which they deem to be essential to the realization of world-wide prosperity and lasting peace.

The French Government has made known to the United States Government the measures which it has taken and intends to take to make possible the attainment of this common objective. The French Government has also made known to the United States Government its plan for the reconstruction and modernization of the French economy. In accordance with the letters exchanged on November 8, 1945, the two Governments have examined this plan and have agreed that the attainment of its objectives should make possible full participation by France in the cooperative achievement of an expanding world economy.

The two Governments have studied the problems involved in the construction of a general framework for world trade and have also examined a number of specific questions relating to commercial policy and other matters which are of interest to themselves and to other countries. The following joint statement by the two Governments summarizes the understandings reached in these discussions.

I

International trade.

The two Governments are in complete agreement, at all important points, on the principles expressed in the "Proposals for Consideration by an International Conference on Trade and Employment" submitted to the French Government by the Government of the United States. They have therefore resolved to continue discussions between themselves and with other like-minded countries in order to give effect to these principles in the Charter of the proposed International Trade Organization. The two Governments are of the opinion that the prior conclusion of agreements among the major trading nations of the world for the substantial reduction of tariffs and other barriers to trade and for the removal of discriminatory arrangements would contribute greatly to the success of the World Conference.

II

Policies of French Government.

The French Government has advised the United States Government of the following policies:

(a) A new French tariff is being prepared which will contain *ad valorem* duties only and which will not increase the degree of protection over the level which existed prior to the war. This new

tariff will serve as the level from which reciprocal reductions will be negotiated in the forthcoming multilateral conference.

(b) France has definitely abandoned its pre-war policy of protecting French producers with import quotas.

(c) The French Government has reiterated that it has abandoned the price equalization (perequation) procedure which it was compelled to use provisionally during the period prior to the revaluation of the franc in order to facilitate exports.

III

Maintenance of import controls by French Government.

The French Government has made clear that it must maintain import controls within the framework of an import program but that it will maintain such controls only so long as they are necessary to safeguard the equilibrium of its balance of payments and to achieve in an orderly way its plan of reconstruction and modernization. The French Government will administer the issuance of import licenses under the French import program without discrimination as among foreign sources of supply as soon as France possesses, or is able to earn, sufficient free foreign exchange so that it is no longer necessary for her to make her purchases within the limits of bilateral trade and financial arrangements.

IV

Return of trade to private channels.

The two Governments have reached a mutually satisfactory understanding on the return to private channels of trade between France and the United States. The French Government has already restored to private channels a large part of the import trade of France and its colonies, and will continue to curtail the foreign procurement activities of the Government.

French Government procurement in the United States will be limited to equipment for public corporations and agencies. For the time being, Government procurement will also be continued for a restricted list of items, such as short supply foodstuffs, steel, lumber, tires and certain medical supplies.

Temporarily, a part of French imports will be handled by associations of private traders, (groupements) until the difficulties of loading, shipment, and transport of essential supplies and their distribution in France are overcome.

The French Supply Council in the United States will continue to operate on a reduced scale, engaging principally in the liquidation of outstanding contracts and governmental procurement as indicated above. It will limit its purchases to the satisfaction of essential civilian requirements; it will make the maximum practicable use of normal trade channels; it will pursue methods consistent with commercial practices and it will cease operations as soon as possible.

V

French exports to U. S.

The two Governments have agreed that important benefits would accrue to both countries from a substantial expansion of French exports to the United States. They have discussed certain United States

laws and regulations, which, in the opinion of the French Government, tend to hamper unduly the importation of French products into the United States. Special attention has been given to trade mark and copyright legislation, the use of geographic names related to particular products, price control of imported goods, and valuation of imported goods for the assessment of customs duties. The various agencies of the United States Government which are concerned with these matters have agreed to give careful and sympathetic consideration to the views of the French Government, and to study the possibility of altering their administrative procedures or recommending to the Congress the revision of existing legislation.

VI

Licensing of German patents.

The two Governments have agreed, subject to participation in the program by other important industrial nations, each to license freely and without royalty to the nationals of the other, on conditions of reciprocity, all former German-owned patents which have come into the full possession of either Government, reserving only those rights which have already been granted with respect to such patents. The two Governments believe that the general adoption of this policy will eliminate an important barrier to international trade and will contribute substantially to the achievement of expanding world economy. In accordance with these objectives, they have agreed, at some future time, jointly to consider other questions relating to German patents.

VII

War damages to property.

The French Government will accord to American nationals who have suffered damage to their properties in France, through causes originating in the war, compensation equal to that payable to French nationals having the same types and extent of losses. The United States Government has informed the French Government that equality of treatment is accorded to French and American nationals with reference to war damages to property in the United States.

VIII

Negotiations for treaty.

In order to provide a sound framework for the expansion of mutually beneficial economic relations between their two countries, the Governments of France and the United States have agreed to begin negotiations as soon as possible looking toward the conclusion of a modern and comprehensive Treaty of Establishment, Commerce and Navigation.

DONE at Washington, in duplicate, in the English and French languages, this 28th day of May, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JAMES F BYRNES

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC:

LÉON BLUM

UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC WITH RESPECT TO THE EXHIBITION OF AMERICAN MOTION PICTURES IN FRANCE

Measures applicable in French customs territory.

The Government of the United States of America and the Provisional Government of the French Republic, in the light of their broad agreement of this date on commercial policy objectives, and with special regard to changes brought about by the war, have reexamined certain problems relating to the exhibition in France of dubbed American motion picture films. As a result of these conversations, the French Government has informed the American Government that it will take the following measures which will be applied in the customs territory of France:

Screen quota system.

Effective July 1, 1946, all previous provisions concerning the number of dubbed films permitted to be shown in France will be abandoned. On the same date, a "screen quota" system will be instituted, as a temporary protective measure, to assist the French motion picture industry to recover from the disorganization caused by enemy occupation of France. Under this system, motion picture exhibitors in France will be required to exhibit French films for a certain number of weeks per quarter. During the remaining weeks, French exhibitors will be allowed free choice of films, foreign or domestic.

Beginning July 1, 1946, the screen quota reserved for French films will be not more than four (4) weeks per quarter.

The screen quota shall continue at the level of four (4) weeks per quarter unless reduced to three (3) weeks per quarter by the operation of the following automatic formula:

If, in any two-year period ending on June 30, 1948, or on June 30 of any subsequent year, feature films produced in France should obtain total playing time in French theatres equal to or greater than an average of five (5) weeks per quarter, the screen quota shall automatically be reduced to three (3) weeks per quarter effective October 1 following the expiration of such two-year period.

If, through the operation of the above formula, the screen quota should be reduced to three (3) weeks per quarter, it shall continue at that level unless terminated entirely by the operation of the following automatic formula:

If, in any two-year period ending on September 30, during the whole of which period a screen quota of three (3) weeks per quarter is in effect, feature films produced in France should obtain total playing time in French theatres equal to or greater than an average of five (5) weeks per quarter, the screen quota shall be entirely abolished effective January 1 following the expiration of such two-year period.

The French Government has agreed that, in the period during which the screen quota remains in force, it will impose no restrictions whatever on the importation of American films into France, and no restrictions other than the screen quota on the exhibition of American films

in France, except such restrictions as are also applied to French films. If, through the operation of this plan, the screen quota should be entirely abolished, there will be, on and after the effective date of such abolition, no restrictions on the importation of American films into France, and no restrictions on the exhibition of American films in France, except such restrictions as are also applied to French films.

The United States Government has noted with satisfaction that the new measures to be taken by the French Government contemplate the complete elimination of protection when the French producing industry has regained its competitive strength.

Negotiation.

If, in the opinion of either Government, this plan should, at some future time, be inappropriate to the conditions then prevailing in the French motion picture producing industry or in the French motion picture market, each Government has reserved the right to request the other to undertake negotiations looking toward its modification or termination. If, upon the expiration of six months from the date of such a request, these negotiations shall not have reached a conclusion satisfactory to both Governments, the terms of the Reciprocal Trade Agreement which is then in effect between them shall apply.

DONE at Washington, in duplicate, in the English and French languages, this 28th day of May, 1946.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JAMES F BYRNES

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC:

LÉON BLUM

Interpretation of paragraph 6(i) of the "Memorandum of Understanding between the United States and France"

MAY 28, 1946.

Paragraph 6(i) of the "Memorandum of Understanding Between the United States and France" reads as follows: *Ante*, p. 4178.

> "The United States Government will undertake to make available to the French Government part of the United States Government's share of captured German and Japanese surface naval vessels when such vessels become excess to United States needs and are no longer needed for any task connected with the implementation of the German and Japanese surrenders."

The United States authorities are presently engaged in examining the conditions under which such vessels may be legally made available to another power. In the circumstances, it is understood by both parties to this "Memorandum" that the phrase "will make available to the French Government" in the above quoted paragraph is not to be construed as an undertaking that the vessels in question will be transferred without compensation.

FOR THE GOVERNMENT OF THE UNITED STATES

W. L. CLAYTON.

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

H BONNET

WASHINGTON, *May 28, 1946*

DECLARATION MADE IN PARIS BY THE PRESIDENT OF THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC AND IN WASHINGTON BY THE PRESIDENT OF THE UNITED STATES ON MAY 28, 1946 [1]

Economic and financial problems.

Representatives of the Provisional Government of the French Republic and the Government of the United States have met together in Washington and have discussed important economic and financial problems of common interest. These problems have included the need for foreign credits for reconstructing and modernizing the French economy, the settlement of lend-lease reciprocal aid and other war accounts, the purchase of United States surplus property situated in France and certain French overseas territories, the purchase of ships owned by the United States, and international commercial policy.

The discussions have brought out clearly the full agreement of the two Governments on cooperation in the fulfillment of the economic objectives which both Governments recognize as essential to world peace and prosperity. The well-being of the people of all nations can be advanced through a full flow of trade which enables each country to maintain higher levels of production and better standards of living. These benefits of world trade can be realized only as the markets of the world are opened to all countries on fair and equal terms. The two Governments are determined to work together in securing general international acceptance of the world trade proposals of the United States to be considered by a conference of the United Nations.

Reconstruction of French economy.

The reconstruction and modernization of the French economy will facilitate the integration of Europe in the world economy and enable France to resume her place as a great producing and trading nation. The French Delegation has presented a program for reconstructing and modernizing the economy of France. The immediate objective is to restore French production to the prewar level; the ultimate objective is to expand French production to higher levels commensurate with the technical progress of the past two decades. One requisite for the fulfillment of this program is an adequate and assured supply of coal, not only from increased French production, but also from imports of German coal. The United States Government will continue to assist France in securing an adequate supply of coal from Germany.

Extension of additional credits to France.

In the opinion of the American representatives, attainment of the objectives of increased production and trade presented by the French Delegation is necessary to the full and effective participation of France in the world economy. In furtherance of the efforts of the French people to this end, the United States has agreed to the extension of additional credits to France.

At the end of 1945 the Export-Import Bank made a loan of $550 million to France. The Board of Directors of the Export-Import

[1] [No French language text.]

Bank have now approved a new line of credit of $650 million. This action has been taken pending the time when the International Bank for Reconstruction and Development will be in full operation.

Settlement of lend-lease and reciprocal aid.

The two Governments have reached complete agreement for the final settlement of all lend-lease and reciprocal aid, including military and civilian supplies furnished by each Government to the other. They have also agreed on the acquisition of United States army and navy surplus property located in France and certain French overseas territories. Under this Agreement, credits of $720 million have been provided for the purchase of surplus property and for goods supplied to France since the end of the war.

Credit for French acquisition of merchant shipping.
60 Stat. 41.
50 U. S. C., app. §§ 1735–1746.

Discussions are taking place for an additional credit, subject to the provisions of the Merchant Ship Sales Act of 1946, whereby France will acquire approximately 750,000 tons of merchant shipping owned by the Government of the United States.

The two Governments believe that the results of the discussions which have now been concluded will help France in reconstructing and modernizing the French economy and are a substantial step towards the achievement of the international economic cooperation which is the prerequisite of a peaceful and prosperous world. They welcome the support of all of the United Nations in establishing a world trading and monetary system which will assure a full flow of commerce to the benefit of the peoples of all countries.

Approved 5/28/46

HARRY S TRUMAN

LÉON BLUM

MEMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE ET LE GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE COMPORTANT REGLEMENT EN MATIERE DE PRET-BAIL, D'AIDE RECIPROQUE, DE SURPLUS MILITAIRES ET DE CREANCES DE GUERRE

I. – Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement Provisoire de la République française ont abouti à un accord relatif à un règlement définitif en ce qui concerne le prêt-bail, l'aide réciproque et la dette française envers le Gouvernement des Etats-Unis résultant du programme militaire de ravitaillement dit Plan "A", à l'acquisition par le Gouvernement français de certains biens en surplus appartenant à l'Armée et à la Marine des Etats-Unis, y compris des installations fixes, situés en France et dans certains territoires français d'outre-mer, et à un règlement définitif des autres créances de chacun des deux Gouvernements à l'égard de l'autre nées de la conduite de la guerre. En arrivant à cet accord les deux Gouvernements ont eu égard aux considérations touchant les principes de l'aide mutuelle qui figurent à l'article 7 de leur accord préliminaire du 28 février 1945, ainsi qu'aux avantages dont chacun d'eux a bénéficié du fait de la contribution fournie par l'un et l'autre à la défaite de leurs ennemis communs. A la lumière de ce qui précède les deux Gouvernements conviennent de ne pas se réclamer d'avantages supplémentaires au titre du prêt-bail et de l'aide réciproque.

II. – La dette du Gouvernement français envers le Gouvernement des Etats-Unis à raison du règlement mentionné ci-dessus, qui inclut toutes les dettes résultant des dispositions de l'accord du 28 février 1945 relatif au prêt-bail et à l'aide réciproque, est d'un montant net de $720.000.000, qui comprend pour partie des sommes déjà déterminées d'un commun accord et pour le reste des évaluations sujettes à révision. Ces dernières, pour lesquelles les meilleures données existantes ont été utilisées en attendant qu'une procédure comptable, fixée d'un commun accord, ait permis d'établir les chiffres définitifs, représentent principalement des livraisons postérieures au 1er septembre 1945.

III. – Le Gouvernement français paiera un intérêt de 2% l'an à partir du 1er juillet 1946 sur le montant net dû au Gouvernement des Etats-Unis. Les paiements d'intérêts seront effectués le 1er juillet de chaque année, de 1947 à 1950 inclusivement. A partir du 1er juillet 1951 l'intérêt et le principal seront payés en 30 annuités égales. Chaque annuité comprendra la totalité de l'intérêt dû pour l'année écoulée, le reste de l'annuité représentant le capital remboursable à cette échéance. Aucune des dispositions du présent accord ne sera comprise comme s'opposant à ce que le Gouvernement français s'acquitte par anticipation de tout ou partie des annuités restant dues. Si les deux Gouvernements estiment d'un commun accord, qu'en raison de conditions économiques adverses et exceptionnelles survenant au cours de la période de remboursement, le paiement d'une ou plusieurs annuités serait contraire à l'intérêt commun des deux Gouvernements, ce paiement pourra être retardé pour une période fixée d'un commun accord.

Dans la mesure où les conditions de paiement prévues au présent paragraphe III diffèrent de celles qui ont été fixées par des accords antérieurs, ce sont les présentes dispositions qui prévaudront.

IV.–Les deux Gouvernements sont convenus des dispositions et de la procédure à suivre pour le règlement de la solde des troupes et des autres dépenses des forces armées américaines en France et dans les territoires français d'outre-mer, pour le passé et pour l'avenir.

V.–Le Gouvernement français sera tenu, jusqu'au 1er janvier 1950, de céder au Gouvernement des Etats-Unis, dans la mesure où celui-ci le lui demandera, tels biens immobiliers qui seront désignés d'un commun accord à concurrence d'une valeur totale de $15.000.000 au plus. En outre, le Gouvernement français cédera des francs au Gouvernement des Etats-Unis sur sa demande dans la limite d'un maximum de $10.000.000. Les francs ainsi versés seront fournis au taux de change fixé conformément aux règles suivies par le Fonds Monétaire International, ou, à défaut d'un tel cours, à celui qui sera utilisé à l'époque de chaque versement pour les opérations officielles du Gouvernement français. Le Gouvernement des Etats-Unis utilisera les francs ainsi versés uniquement pour acquérir ou améliorer des biens immobiliers destinés à ses besoins ou pour réaliser telles mesures dont les deux Gouvernements conviendront dans le domaine de l'enseignement.

Les cessions effectuées conformément au présent paragraphe V seront imputées d'abord sur les intérêts courus et ensuite sur le capital, dans l'ordre d'échéance des annuités.

VI.–Les deux Gouvernements sont également convenus des dispositions suivantes:

a) Toutes les créances et obligations financières nées entre les deux Gouvernement de l'acquisition, de l'usage, de la cession ou de la perte de navires français et de cargaisons de ces navires pendant la période où ces navires ont été placés sous le contrôle des Etats-Unis, seront réglées par le Gouvernement des Etats-Unis pour une somme de $17.500.000, conformément aux dispositions d'un accord relatif à l'achat par la France d'un nombre maximum de 75 navires dits "Liberty Ships".

b) Les deux Gouvernements expriment leur intention de conclure un accord sur les dommages maritimes, comportant l'annulation réciproque des créances intergouvernementales résultant d'accidents de mer et le règlement par chacun des deux Gouvernements des revendications formulées devant ses tribunaux par ses nationaux contre l'autre Gouvernement et fondées sur des accidents de mer antérieurs au 1er novembre 1945.

c) Dans le cadre du règlement d'ensemble, le Gouvernement français a accepté d'instruire et de payer toutes les créances encore non réglées que des personnes résidant en France ou dans les territoires français d'outre-mer possèdent sur le Gouvernement des Etats-Unis du fait de l'utilisation ou de l'exploitation irrégulière de droits de brevets pour la production de guerre, de la réquisition par le Gouvernement des Etats-Unis pour les besoins de la guerre de droits réels

appartenant à ces personnes, et d'actes ou de manquements commis antérieurement au 1er juillet 1946 en France ou dans les territoires français d'outre-mer par des membres des forces armées des Etats-Unis ou du personnel civil attaché aux dites forces.

d) Au cours des négociations, les deux Gouvernements se sont mis d'accord sur le sort de certaines de leurs créances réciproques. A l'exception des cas où une obligation de paiement a été antérieurement reconnue et un mode de règlement convenu, les créances de chacun des deux Gouvernements à l'égard de l'autre qui sont nées du prêt-bail ou de l'aide réciproque, ou qui sont nées à tout autre titre entre le 3 septembre 1939 et le 2 septembre 1945, directement ou indirectement, de la conduite de la guerre, sont, en l'absence de dispositions contraires dans le présent accord, annulées.

e) Le Gouvernement français accordera aux nationaux des Etats-Unis tel traitement non-discriminatoire qui conviendra en matière d'usage et d'aliénation d'installations à la construction desquelles le Gouvernement des Etats-Unis a contribué et qui sont cédées en vertu du présent règlement.

f) Le Gouvernement des Etats-Unis réserve son droit de reprise des articles fournis en prêt-bail détenus par les forces armées françaises, à l'exception des produits pétroliers et d'une liste d'avions autres que des avions de combat établie d'un commun accord. Le Gouvernement des Etats-Unis a indiqué qu'il n'a pas l'intention d'exercer d'une façon générale ce droit de reprise, étant entendu toutefois que les navires de la Marine de guerre américaine et les navires marchands fournis en prêt-bail devront être rendus au Gouvernement des Etats-Unis à moins qu'il n'en soit convenu autrement.

g) La disposition pour des fins militaires en faveur de forces autres que les forces armées françaises d'articles fournis en prêt-bail, détenus par les forces armées françaises au 2 septembre 1945 ou reçus postérieurement, ainsi que la disposition de tels articles pour emploi à des usages civils ailleurs qu'en France et dans les territoires français d'outre-mer, n'auront lieu qu'avec le consentement du Gouvernement des Etats-Unis, et le produit net en sera versé au Gouvernement des Etats-Unis. Sauf dans une mesure très limitée, le Gouvernement français ne libérera d'articles fournis en prêt-bail et détenus par les forces armées françaises, ni pour emploi à des usages civils en France ou dans les territoires français d'outre-mer, ni pour exportation hors de France ou de ces territoires

h) Sous réserve des dispositions du présent Mémorandum d'accord, le Gouvernement des Etats-Unis et le Gouvernement français reçoivent la pleine propriété des articles qu'ils se sont mutuellement fournis en prêt-bail et en aide réciproque et qu'ils détenaient le 2 septembre 1945 ou ont reçus à une date ultérieure. Si un intérêt au titre du prêt-bail se trouve inclus dans des installations déclarées surplus des Etats-Unis et non cédées en application du présent Memorandum d'accord, le Gouvernement des Etats-Unis conservera cet intérêt.

i) Le Gouvernement des Etats-Unis s'engage à mettre à la disposition du Gouvernement français une fraction de sa part dans les navires

de surface pris à l'Allemagne et au Japon, lorsque ces navires viendront à être en excédent des besoins des Etats-Unis et ne seront plus nécessaires pour aucune opération liée à l'application des capitulations allemande et japonaise.

VII.–Les deux Gouvernements conviennent de conclure tels accords spéciaux qui seront nécessaires à l'application du présent accord général.

VIII.–Le present Memorandum d'accord entrera en vigueur des sa signature et les instruments de ratification seront échangés aussitôt que possible.

Fait en double exemplaire a Washington, le 28 mai 1946 en francais et en anglais, les deux exemplaires faisant également foi.

Pour le Gouvernement Provisoire de la République Francaise

LÉON BLUM

Pour le Gouvernement des Etats-Unis d'Amérique

JAMES F BYRNES

ACCORD RELATIF A LA CESSION DES BIENS ET INSTALLATIONS EN SURPLUS DE L'ARMEE ET DE LA MARINE DES ETATS-UNIS SE TROUVANT EN FRANCE ET DANS CERTAINS TERRITOIRES FRANCAIS D'OUTRE-MER

En application du memorandum d'accord du 28 mai 1946, comportant règlement en matière de prêt-bail, d'aide réciproque, de surplus militaires et de créances de guerre, dénommé ci-dessous memorandum d'accord, et en conséquence d'une partie du paiement à effectuer par le Gouvernement provisoire de la République française au Gouvernement des Etats-Unis en vertu du dit memorandum, les deux Gouvernements ont conclu un accord pour la cession au Gouvernement français de certains biens en surplus aux besoins des forces armées des Etats-Unis. Cet accord est établi compte tenu des avantages qui doivent en découler pour les deux parties et avec la conviction que les biens ainsi cédés seront d'un avantage substantiel pour l'économie civile française.

I. Les deux Gouvernements conviennent que le Gouvernement français acquiert, dans les conditions fixées ci-après, la pleine et entière propriété des biens suivants:

a) Sous réserve des paragraphes II, III et IV ci-dessous, tous articles mobiliers, de quelque nature qu'ils soient, situés en France, en Afrique du Nord et en Afrique Occidentale françaises qui, au 25 mai 1946, étaient déjà déclarés au Commissariat à la liquidation des biens à l'étranger du Département d'Etat des Etats-Unis, dénommé ci-dessous Commissariat à la liquidation, comme étant en surplus des besoins des Ministères de la Guerre et de la Marine des Etats-Unis et mis hors de leur responsabilité ou qui lui ont été après cette date ou lui seront déclarés comme tels.

b) Tous les intérêts possédés par les Ministères de la Guerre et de la Marine des Etats-Unis dans les installations, y compris tous immeubles par destination, situées en France, en Afrique du Nord et en Afrique Occidentale françaises, qui ont été ou seront ultérieurement déclarés au Commissariat à la liquidation comme étant en surplus des besoins des Ministères de la Guerre et de la Marine des Etats-Unis.

c) Tous les intérêts possédés par les Ministères de la Guerre et de la Marine des Etats-Unis dans certains articles et installations situés à Nouméa (Nouvelle-Calédonie) tels qu'ils sont énumérés dans un aide-mémoire relatif à l'Institut français du Pacifique remis par les représentants du Gouvernement français.

II. Sont expressément exceptés des biens cédés en application du présent accord:

a) le matériel de combat non démilitarisé, y compris les munitions;

b) les biens, situés en France, en Afrique du Nord et en Afrique Occidentale françaises, qui ont fait l'objet d'un contrat ou d'un en-

gagement de vente de la part du Gouvernement des Etats-Unis en faveur d'acheteurs autres que le Gouvernement français. Ces biens sont considérés comme ayant fait l'objet d'un contrat ou d'un engagement si, avant le 25 mai 1946, à midi, heure de Paris, les délégués en chef à Paris et au Caire du Commissariat à la liquidation ont, à leur égard, accepté une offre ou conclu, verbalement ou par écrit, un accord qu'ils considèrent comme ferme.

III. Les équipements de navigation aérienne, de transmission et de météorologie situés en France et sur les territoires français d'outre-mer seront cédés au Gouvernement français en application du présent accord, sous réserve de certaines conditions à fixer par un accord distinct.

IV. En raison de la situation actuelle des transports en Europe, la plus grande partie des locomotives et du matériel roulant appartenant aux Etats-Unis et se trouvant en Europe n'ont pas encore été déclarés surplus et il est impossible à présent de prévoir à quelle date ils le seront. Cependant, le Gouvernement des Etats-Unis a l'intention, quand ce matériel sera déclaré surplus, de le mettre à la disposition du Gouvernement français à des prix à convenir, à concurrence de la franction qui lui en sera allouée par l'Organisation centrale européenne pour les transports intérieurs (ECITO).

V. Tous les biens achetés jusqu'ici par le Gouvernement français au Commissaire à la liquidation, qui n'avaient pas encore été payés à la date du 25 mai 1946 sont couverts par le présent accord et le prix en est inclus dans la somme à payer par le Gouvernement français en application du memorandum d'accord.

VI. La propriété effective et la responsabilité de la garde des biens décrits au paragraphe I du présent accord seront transmis aussitôt que possible au Gouvernement français, suivant la procédure dont les représentants du Gouvernement français et du Gouvernement des Etats-Unis conviendront. Le Gouvernement français est prêt à accepter rapidement la responsabilité de la garde des biens et il prendra les mesures nécessaires pour permettre au Gouvernement des Etats-Unis de dégager son personnel de cette responsabilité dans le plus bref délai possible.

VII. Le Gouvernement français accepte que la procédure d'acquisition des biens énumérés au paragraphe I ci-dessus, ne fasse pas obstacle à ce que l'armée ou la marine des Etats-Unis puissent, en raison de leurs besoins et obligations, les consommer ou continuer à les utiliser, jusqu'à ce qu'ils soient effectivement livrés conformément au présent accord.

Les deux Gouvernements sont toutefois d'accord pour que si, pour une raison quelconque, la consommation ou l'usage de ces biens par l'armée ou la marine des Etats-Unis dépasse notablement ce qui avait été envisagé comme raisonnable au moment de la mise en vigueur du présent accord, et s'il en résulte une réduction injustifiée de quantités des biens transférés au Gouvernement français en application du

présent accord, les deux Gouvernements se concertent pour déterminer les modifications qu'il conviendra, en conséquence, d'apporter au prix.

VIII. Le Gouvernement français s'efforcera d'éviter que les biens cédés conformément au présent accord, s'ils sont originaires des Etats-Unis et peuvent aisément être reconnus comme tels, ne soient importés aux Etats-Unis sous leur forme présente ou sous une forme sensiblement identique. Toutefois, ces biens peuvent être importés aux Etats-Unis pour être consignés, aux fins de remise en état pour réexportation, à des personnes ou firmes établies aux Etats-Unis. Ils peuvent également être importés aux Etats-Unis par un membre des forces armées des Etats-Unis pour son usage personnel.

IX. Quand il cédera ou répartira des biens visés au présent accord, le Gouvernement français s'efforcera d'éviter toute discrimination contraire aux intérêts légitimes des producteurs américains qui ont fabriqué ces biens ainsi que de leurs agents ou distributeurs. Les membres et les anciens combattants des forces armées des Etats-Unis, les administrations des Etats-Unis, les citoyens des Etats-Unis et les institutions américaines à caractère non lucratif, l'UNRRA et la Croix-Rouge internationale seront admis, dans les mêmes conditions et avec la même priorité que les autres acheteurs prioritaires de caractère analogue, à se porter acquéreurs des biens cédés conformément au présent accord.

X. Dans la mesure où les biens cédés au Gouvernement français conformément au présent accord ne comprennent pas les articles énumérés au "programme français d'achat de surplus de l'armée des Etats-Unis", tel qu'il a été soumis le 7 mai 1946 par le Conseil français des surplus alliés au Commissariat à la liquidation et tel qu'il a été ultérieurement amendé, le Commissaire à la liquidation fera tout ce qui est en son pouvoir pour mettre les dits articles à la disposition du Gouvernement français, à des prix à convenir, en les prélevant sur les biens en surplus situés hors de France, d'Afrique du Nord et d'Afrique Occidentale françaises. Le Commissaire à la liquidation fera tout ce qui est en son pouvoir pour organiser le transport de ces biens jusqu'en France aux frais du Gouvernement français. Chaque fois que les biens seront acheminés à l'aide de moyens de transport appartenant au Gouvernement des Etats-Unis, le coût de ce transport fera l'objet d'un accord préalable.

XI. Le matériel flottant acquis conformément au présent accord, à l'exception de celui qui figure au programme visé au paragraphe X ci-dessus, sera rétrocédé par le Gouvernement français dans le cadre des recommandations de l'ECITO, les prix de rétrocession ne devant pas dépasser 50% du coût primitif aux Etats-Unis.

XII. Les biens en surplus de l'armée et de la marine des Etats-Unis qui se trouvent en territoire étranger et que les Etats-Unis vendront ultérieurement au Gouvernement français, soit en application des paragraphes IV ou X ci-dessus, soit autrement, seront cédés aux conditions générales et de crédit fixées dans le memorandum d'accord.

Fait à Washington, ce 28 mai 1946, en français et en anglais, les deux textes faisant également foi.

Pour le Gouvernement Provisoire de la République Française
H BONNET

Pour le Gouvernement des Etats-Unis d'Amérique
THOMAS B. MCCABE

ETAT RECAPITULATIF FAISANT APPARAITRE LE CALCUL DU MONTANT NET DU AU GOUVERNEMENT DES ETATS-UNIS PAR LE GOUVERNEMENT FRANCAIS, MENTIONNE AU PARAGRAPHE 2 DU "MEMORANDUM D'ACCORD" EN DATE DU MAI 1946

		(en millions de dollars)	
I. Articles payables au comptant d'apres de precedents accords			
– Crowley-Monnet	23, 00		
– Modus Vivendi	125, 00		
– Colonies	5, 00		
– Fournitures Civiles Retrocedees par le Royaume Uni	1, 00	154, 00	
II. Inventaires au jour "VJ"			
France Metropolitaine	50, 00		
Produits Petroliers Militaires et Avions de Transport	11, 48	61, 48	
III. Cessions effectuees d'apres l'accord 3 (c)			
Cessions effectuees apres le "VJ"			
Schedules I et II (y compris le fret maritime)			
Factures au 30 avril 1946	173, 79		
Estimation du Solde	226, 00*		
Transferts anterieurs au jour "VJ" Schedule II	5, 24	405, 03	
IV. Autres cessions posterieures au jour "VJ"			
Transactions en cours de la Marine, cessions locales de la FEA, cessions de l'Armee et de la Marine que le Gouvernement des Etats-Unis n'a pas portees au compte du pret-bail direct		80, 00*	700, 51
A deduire:			
– Paiements faits par la France jusqu'a ce jour	232, 21		
– Valeur en compte sur les creances maritimes	17, 50		
– Solde net des autres creances apres due compensation	30, 80		280, 51
SOLDE DU PAR LA FRANCE			420, 00

*Note 1. Tous les chiffres de cet etat sont arretes comme definitifs, a l'exception des chiffres, marques d'un asterisque, de 226 et 80 millions de dollars, qui representent les chiffres les plus approches auxquels on soit arrive a l'heure actuelle, et qui seront revises au fur et a mesure que l'on recevra des rapports complementaires.

Note 2. Dans le cadre du reglement, les Etats-Unis cederont a la Commission Maritime des Etats-Unis, conformement a l'Accord sur les creances Maritimes, la somme de 17.500.000 dollars a valoir sur l'achat par la France d'un nombre maximum de 75 navires Liberty.

Note 3. Les chiffres ci-dessus ne comprennent aucune somme due par la France sur les achats de biens et d'installations en surplus.

HENRY R. LABOUISSE Jr.

Paraphe au nom du Gouvernement des Etats-Unis

CHRISTIAN VALENSI

Paraphe au nom du Gouvernement Provisoire de la Republique Francaise.

COMITE FRANCO-AMERICAIN POUR LA LIQUIDATION DES COMPTES DE GUERRE

DECLARATION CONJOINTE AU SUJET DES CREANCES LITIGIEUSES

Les créances litigieuses présentées par les deux gouvernements ont été examinées par un "Sous-Comité" mixte des créances litigieuses, dont le rapport a été revu par le Comité mixte du règlement des comptes de guerre. Les créances exposées ci-dessous sont en dernier ressort réglées dans le sens indiqué plus loin. Il est également convenu que :

1. – La formule adoptée pour le règlement de certains litiges représente des concessions faites de part et d'autre par rapport aux principes habituellement appliqués, concessions qui sont faites seulement dans le cadre d'un règlement général satisfaisant des comptes de guerre.

2. – Certaines réclamations relatives au compte du "Modus Vivendi" ne se trouvent pas reportées sur l'état récapitulatif des créances litigieuses ci-annexé, ce compte devant par hypothèse faire l'objet d'un règlement d'ensemble.

3. – Le memorandum d'accord contiendra certaines dispositions concernant l'abandon de réclamations non réglées dans le présent texte.

RECLAMATIONS FRANCAISES

I – Aide Militaire en Afrique du Nord. Le Modus Vivendi du 25 septembre 1943 stipulait que l'aide militaire pour l'Afrique du Nord et l'Afrique Occidentale Française serait donnée en pur prêt-bail, que le Gouvernement français paierait les marchandises destinées à la population civile, et que la distinction entre ces deux catégories de fournitures serait faite d'un commun accord.

Les Français estiment que, sur un montant approximatif de 373,8 millions de dollars, déjà facturé ou restant à facturer comme fournitures à la population civile, 40,8 millions de dollars ont, en fait été affectés directement ou indirectement à des usages militaires et devraient être considérés, aux termes du Modus Vivendi, comme relevant du pur prêt-bail. Les représentants américains ont dans l'ensemble accepté les chiffres présentés par les représentants français, estimant toutefois que le chiffre de 2,8 millions de dollars pour les fournitures en Afrique Occidentale et celui de 5,5 millions de dollars environ pour les fournitures expédiées postérieurement au 1er mars 1945, représentant des évaluations d'aide militaire trop élevées. Le montant de la créance française est réduit de 1,4 million de dollars, représentant l'équipement automobile destiné à l'Afrique Occidentale, et de 1,5 million de dollars, représentant des marchandises expédiées après le 1er juillet 1945.

La demande française est admise pour un montant de 37,9 millions de dollars, qui sera déduit du compte du Modus Vivendi et ajouté au compte du prêt-bail militaire.

II – Colis pour prisonniers de guerre. Des fournitures consistant principalement en produits alimentaires ont été réquisitionnées par le

Gouvernement français dans le cadre du Modus Vivendi pour être livrées par l'intermédiaire de la Croix-Rouge Internationale aux prisonniers de guerre français. Les représentants français estiment que ces livraisons doivent être regardées comme une aide militaire relevant du pur prêt-bail, et ajoutent qu'en fait 11 millions de dollars de ces fournitures n'ont jamais été reçus par eux. La demande française est admise pour 25 millions de dollars, somme qui sera déduite du compte du Modus Vivendi pour être ajoutée à celui du prêt-bail militaire.

III – Ajustement du compte Monnet-Crowley. Certaines marchandises réquisitionnées pour l'Afrique du Nord dans le cadre du Modus Vivendi ont été en réalité expédiées en France Métropolitaine en juin 1945, pendant la période où ce territoire bénéficiait du pur prêt-bail. Les représentants français demandent que ces marchandises soient admises en pur prêt-bail au lieu de figurer au compte de l'accord Crowley-Monnet. Cette demande est admise pour une somme de 0,4 million de dollars.

IV – Frêt sur marchandises achetées hors des Etats-Unis. Pendant la période où la France a bénéficié du pur prêt-bail, le Gouvernement français a acheté comptant, hors des Etats-Unis, des marchandises qui ont été expédiées en France sur des navires appartenant au Gouvernement américain ou contrôlés par lui, et s'est vu réclamer le paiement au comptant du frêt relatif à ces expéditions. Les représentants français demandent que ce frêt soit imputé au pur prêt-bail. Les Américains font observer que le coût du frêt sur marchandises non acquises en prêt-bail n'a été fourni sous ce régime que dans des circonstances spéciales, et assez rarement. Cependant, en raison du fait que les marchandises en question auraient relevé du prêt-bail si elles avaient été acquises aux Etats-Unis, et étant donné que les navires français, se trouvant sous contrôle des Etats-Unis ou du Royaume-Uni n'étaient pas disponibles pour transporter ces marchandises, il est jugé opportun, dans le cadre du règlement d'ensemble, d'admettre cette demande pour un montant de 4 millions de dollars, dont il sera tenu compte dans le solde net des créances litigieuses.

V – Frêts divers. Le Gouvernement français a reçu des factures relatives à des frêts payables au comptant, dans des cas où il estime que ces frêts auraient dû être fournis en pur prêt-bail ou en crédit 3(c). La War Shipping Administration précise que les sommes afférentes aux frêts susceptibles de bénéficier du pur prêt-bail ont été remboursées au Gouvernement Français sur les fonds du prêt-bail et que les frêts susceptibles de bénéficier des crédits 3(c) seront facturés sur cette base par voie de règlement comptable, de telle sorte qu'il n'y a pas lieu de les considérer comme une créance litigieuse. En conséquence, le Gouvernement français a retiré sa demande.

VI – Charbon. Par accord en date du 25 août 1944, il a été admis que le charbon livré aux forces armées des Etats-Unis en France Métropolitaine ne serait pas fourni par le Gouvernement français au titre de l'aide réciproque, mais serait remplacé en nature ou payé

par les Etats-Unis. Après examen des quantités de charbon échangées il a été convenu que les prélèvements américains jusqu'au jour VJ ont excédé de 150.000 tonnes les remplacements en nature effectués jusqu'au 31 décembre 1945. Le Gouvernement français demande le règlement, au prix de 20 dollars la tonne, (coût "rendu à terre" approximatif) du charbon réellement acheté au comptant aux Etats-Unis pour parer à l'insuffisance de la production française. Cette demande est admise et sera réglée par un paiement fait sur la même base que pour les autres fournitures antérieures au jour VJ, qui ne sont pas de nature à être admises en aide réciproque.

VII – Autres produits rares. Les représentants français ont retiré leur demande.

VIII – Prix du Coton. Le coton fourni au comptant ou en crédit 3(c) a été facturé au Gouvernement français sur la base du prix intérieur américain. Les représentants français demandent l'application du prix pratiqué à l'exportation, lequel est inférieur au prix intérieur. Les représentants américains sont d'accord sur le principe et la demande est admise. Une réduction de 1,4 million de dollars devrait être effectuée sur les comptes de l'accord Crowley-Monnet, et une réduction de 11,2 millions de dollars sur les comptes du "crédit 3(c)", pour traduire l'ajustement correspondant. Il est entendu que ce principe a été pris en considération dans l'évaluation du coton en inventaire au Jour VJ.

IX – Prix du sucre. Le Gouvernement français demande également l'exemption de certaines taxes de transformation et la ristourne de droits de douane sur le sucre exporté vers la France et l'Afrique du Nord française. Ces réductions sont d'usage en matière d'exportations commerciales en temps de paix, mais il n'a pu être satisfait aux formalités administratives dans le cas des expéditions en question, de sorte que les factures actuelles n'en font pas état. Cette demande est admise. Les comptes du Modus Vivendi devraient être réduits de 7,4 millions de dollars et ceux du crédit 3(c), de 0,1 million de dollars.

X – Prix des locomotives. 700 locomotives ont été livrées au Gouvernement français dans le cadre de la "Schedule II" de l'accord 3(c) et ont été facturées à un prix unitaire d'environ 120,700 dollars, f. a. s. New York. Les représentants français estimaient que ce prix était excessif car la mission française a acheté dans le commerce privé des locomotives sensiblement identiques pour 110.500 dollars chacune, f. o. b. usine. Les représentants américains ont expliqué comme suit la décomposition de leur prix (en chiffres approximatifs):

Coût des locomotives sous contrat du War Department	$110,000
Frais facturés par l'Army Transportation Corps, pour services divers, inspection, etc. 5%	$5,500
Frais facturés par le War Department pour manutention transports terrestres, etc. (10%)	$11,550
	127,050
A déduire, escompte de 5% en application de l'accord 3(c)	$6,350
Prix facturé au Gouvernement français	$120,700

Les représentants américains ont de plus déclaré que les frais de 5 et 10% ajoutés par le War Department sont proprement imposés par les règlements intérieurs de cette administration. A la suite de cette explication, les représentants français ont retiré leur réclamation.

XI – Taxes d'accise. La France a acheté, au comptant ou à crédit, des marchandises qui sont soumises aux Etats-Unis à des taxes indirectes sur les ventes intérieures. Ces taxes d'accise ne sont pas applicables aux ventes à l'exportation mais il a été administrativement impossible de suivre la procédure prescrite par les règlements de la Trésorerie afin d'en obtenir l'exonération. Cependant, le fait de l'exportation étant indiscutable, le Gouvernement français a demandé que cette taxe indirecte soit supprimée quand elle apparaît sur les factures. La réclamation paraît fondée dans son principe, et les chiffres français et américains sont sensiblement les mêmes. La demande est acceptée; le compte "Modus Vivendi" sera réduit de 0,13 million de dollars, et le compte "crédit 3(c)" de 0,37 million de dollars.

XII – Mode de facturation du pétrole en Afrique du Nord. Le pétrole fourni à la France, en Afrique du Nord, jusqu'au milieu de 1943, a été facturé sur la base du produit de sa revente. Il était envisagé qu'à partir du 30 juin 1943 les factures seraient établies sur la base du "coût rendu à terre"; cette procédure fut, en fait, appliquée aux produits autres que le pétrole, tandis que ce dernier fut facturé sur la base du produit des ventes jusqu'au 30 septembre 1943. Les représentants français estiment que l'extension de cette procédure pendant 3 mois pour les produits pétroliers, n'est pas justifiée, et demandent que soit accordée la somme de 1,2 millions de dollars, qui constitue la différence d'application des deux procédures. La demande est admise pour cette somme qui sera déduite du compte "Modus Vivendi", et imputée au prêt-bail direct.

XIII – Prix du pétrole en Afrique du Nord. Le Gouvernement français considère que les prix auxquels ont été facturés les produits pétroliers livrés à l'Afrique du Nord, à partir du 1er octobre 1943 étaient beaucoup plus élevés que les cours mondiaux. Les représentants de l'Army and Navy Petroleum Board ont donné le détail des prix facturés à la France et montré que c'étaient en fait les prix de revient réels "rendus à terre", des dits produits pétroliers. En conséquence, les représentants français ont retiré cette demande.

XIV – Livraisons françaises de pétrole au "pool" nord-africain. 93.000 tonnes de pétrole appartenant aux français ont été versées au "pool" nord-africain, par l'intermédiaire d'organismes britanniques. La réclamation française procède de celle d'une compagnie française privée, contre les revendications de laquelle la France s'engage à garantir les Etats-Unis. Les Français considérant que le pétrole est en quantité tellement limitée sur les territoires français que l'aide réciproque ne saurait s'appliquer à ce produit, ont réclamé le paiement intégral de ces livraisons. Les Américains considéraient en revanche qu'ils ne sauraient être tenus de payer les quantités relativement peu importantes de produits pétroliers livrées au "pool" par la France, étant donné que les Etats-Unis avaient fourni eux-mêmes en pur

prêt-bail de très grandes quantités de ces produits; la contribution de la France doit, selon eux, être traitée de la même façon que celle des autres membres du "pool". En conséquence, les représentants américains estimaient que la contribution française devait venir d'abord en compensation des prélèvements militaires français, lesquels dépassaient dans une très large mesure les fournitures faites au "pool" par la France. La réclamation française fut retirée.

XV – Prix du caoutchouc. Il est convenu que le prix facturé aux Français doit être le même que celui payé par les Etats-Unis, sous réserve de rectifications pour frais supplémentaires, etc. . . Les représentants américains déclarent qu'il sera procédé aux corrections nécessaires au cours des opérations comptables.

XVI – Marchandises endommagées ou perdues. La France a abandonné cette réclamation.

XVII – Frais d'achat. La France a retiré sa demande tendant à la réduction des 15% de frais accessoires (transport terrestre et manutention, etc..) ajoutés au coût des marchandises achetées sur une base "cash reimbursable" ou en crédit 3(c).

En ce qui concerne le charbon acheté sous Réquisition "Q," les organismes pourvoyeurs américains demandent le remboursement des frais effectivement encourus, au lieu d'ajouter 15% au prix d'achat. Les représentants français font valoir que les 15% constituent une couverture moyenne des dépenses supplémentaires effectuées sur un groupe de marchandises; dès lors, si le coût réel des services doit être la règle pour le charbon, cette règle doit s'appliquer à toutes les autres marchandises obtenues en Réquisition "Q".

Les représentants américains répondent que les 15% sont manifestement insuffisants pour couvrir les dépenses accessoires dans le cas du charbon et que ce produit représente 23 millions de dollars sur un total de 62 millions de dollars pour les Réquisitions "Q". L'application de la règle des 15% se traduirait dès lors pour les Etats-Unis par une perte qu'aucun crédit budgétaire ne peut couvrir. D'autre part, l'abandon complet de cette règle créerait un précédent dont il faudrait étendre le bénéfice aux autres pays et qui créerait de sérieuses perturbations dans la procédure comptable suivie par les organismes fournisseurs américains.

Il semble que, techniquement, les frais accessoires devraient être les mêmes pour toutes les marchandises; cependant les représentants français ne méconnaissent pas le problème auquel l'administration américaine doit faire face. A la demande des représentants américains, ils ont consenti à retirer leur réclamation.

XVIII – Pétrole livré à la France Métropolitaine pour les usages civils, du 28 février au 2 septembre 1945. Les Français demandent que telles quantités de pétrole livrées par les organismes militaires mixtes d'approvisionnement qui provenaient de sources américaines soient considérées comme fournies en application de l'accord de prêt-bail du 28 février 1945, et non en vertu du plan "A". Ils soulignent qu'il n'y avait pas de programme-cible ("target-program") dans le plan "A" en ce qui concerne le pétrole, tandis que la "Schedule I" de

l'accord de prêt-bail contenait un programme important de livraisons de pétrole qui ne serait pas réalisé s'il n'était pas fait droit à leur demande. Les Américains répondent, qu'en fait, ces livraisons ont été faites, et ont été comptabilisées comme fournitures sous plan "A", en vertu d'accords tripartites d'approvisionnement auxquels la Grande-Bretagne et le Canada sont également intéressés. En considération du règlement général satisfaisant prévu pour le plan "A", la France retire sa demande.

XIX – Stocks de pétrole en Afrique du Nord – Novembre 1942. La France demande une compensation pour le pétrole saisi par l'armée américaine à l'époque du débarquement en 1942. Cette réclamation est basée sur la même argumentation que la réclamation XIV ci-dessus, c'est-à-dire que le pétrole ne peut pas être fourni en aide réciproque par la France. La position américaine est également la même : les Etats-Unis ne peuvent payer ces stocks à la France étant donné que depuis Novembre 1942, ils ont fourni au Gouvernement français de bien plus grandes quantités de pétrole, sur la base du pur prêt-bail. La France a retiré sa demande.

RECLAMATIONS AMERICAINES

1.–Réclamations maritimes (Abordages). Les Etats-Unis ont demandé à la France de conclure un accord prévoyant l'abandon réciproque des réclamations intergouvernementales découlant d'accidents maritimes et disposant que chaque pays règlerait sur une base de pur prêt-bail et d'aide réciproque les réclamations portées devant ses tribunaux par ses nationaux, contre l'autre pays. La France admet ce principe. Le projet d'accord fait encore l'objet d'un examen par les deux gouvernements. Il est recommandé que l'accord soit réalisé et signé aussitôt que possible, et que, si cela ne peut être fait avant un règlement général, celui-ci contienne une déclaration par laquelle les pays exprimeront leur intention de conclure un accord couvrant la période de prêt-bail.

2.–A/ Réclamations pour dommages. Les Etats-Unis ont demandé à la France d'assurer l'instruction et le paiement de toutes les créances sur les Etats-Unis non encore payées, résultant d'actes ou de manquements commis en France ou dans les territoires français d'Outre-mer par des membres des forces armées des Etats-Unis ou du personnel civil attaché auxdites forces, et se rapportant non seulement aux réclamations pour dommages causés "en service", mais aussi à celles pour dommages causés en dehors du service, qui ont été jusqu'à présent instruites par les Etats-Unis. Aucune demande n'est présentée pour celles de ces réclamations qui ont déjà été indemnisées par les Etats-Unis. La France accepte d'assumer cette obligation en ce qui concerne les dommages découlant d'incidents survenus avant le 1er juillet 1946.

B/ Brevets. Les Départements de la Guerre et de la Marine des Etats-Unis, sont tenus de diverses obligations vis-à-vis de personnes résidant en France ou dans les territoires français d'Outre-mer, pour redevances et éventuellement exploitation irrégulière de brevets améri-

cains utilisés dans la production de guerre. Il a été demandé à la France d'en assumer la charge au titre de l'aide réciproque. Les représentants français acceptent d'assumer cette obligation.

C/ Biens réquisitionnés. Le Gouvernement américain a réquisitionné, pour être utilisés dans le programme de guerre, des biens situés aux Etats-Unis dans lesquels des résidents français avaient des intérêts; les Etats-Unis se trouvent ainsi responsables du paiement du juste prix des droits réels réquisitionnés. La France accepte d'assumer cette charge.

D/ Le Gouvernement des Etats-Unis fournira au Gouvernement français, à la demande de ce dernier, tous les renseignements nécessaires à l'instruction des réclamations dont se charge le Gouvernement français, en vertu du présent paragraphe 2.

E/La France accepte d'abandonner toutes les réclamations contre les Etats-Unis que le Gouvernement français pourrait avoir à faire relativement aux questions mentionnées dans le présent paragraphe 2.

F/Dans le règlement définitif des créances litigieuses une somme de 15 millions de dollars sera accordée à la France en considération de celles des obligations qu'elle aura assumées en vertu du présent paragraphe 2, et qui ne sont pas matière à aide réciproque.

3. – Affrètements de navires.

Des recommandations ont été faites à ce sujet par un autre comité mixte chargé des questions maritimes.

4. – Accord de troc sur le sucre.

L'accord dit "accord de troc No. 2", en date du 1er août 1944, signé entre la Foreign Economic Administration, le Conseil Français des Approvisionnements en Amérique du Nord, et la Commodity Credit Corporation, disposait que pendant la période 1er Août–31 Décembre 1944, C. C. C. livrerait aux Français certaines quantités de sucre raffiné, débiterait le compte de la F. E. A. de la valeur du sucre raffiné fourni, et rendrait compte à la F. E. A. des quantités livrées en vue d'un règlement entre la France et F. E. A., dans le cadre du prêt-bail remboursable. De leur côté les Français s'engageaient à fournir à C. C. C. 107 livres de sucre brut en provenance de la Martinique et de la Guadeloupe pour chaque 100 livres de sucre raffiné livré aux Français, la valeur de ce sucre brut devant être créditée en regard des livraisons de sucre raffiné.

En fait, le Gouvernement français n'a pu tenir cet engagement en ce qui concerne 62.000 tonnes de sucre brut qui n'ont pu être livrées, et a informé le Gouvernement des Etats-Unis que les dites livraisons n'auraient pas lieu. C. C. C. a acheté les quantités susdites de sucre à Cuba, au prix local, lequel était plus élevé que le prix du contrat, ce qui a entrainé pour le Gouvernement des Etats-Unis une dépense supplémentaire de $669,884.07. C. C. C. a imputé cette somme au compte F. E. A.

Les Etats-Unis demandent que la France supporte la charge de cette différence de prix, comme dommages résultant du fait qu'elle n'a pas livré les quantités de sucre prévues au contrat. Il est recommandé de faire droit à cette réclamation.

5. – Affectations erronées.

Les Etats-Unis ont demandé à la France d'inclure dans le règlement général une somme destinée à faire face aux réclamations résultant du fait que des marchandises acquises en prêt-bail ont reçu une affectation erronée ou ont été retransférées par la France, dans les territoires métropolitains et d'Outremer, au cours de la période allant du 11 mars 1941 au 1er septembre 1945 inclusivement, ou ont été exportées pendant la dite période, opérations qui ouvrent aux Etats-Unis un droit à remboursement. Cette demande est admise pour un montant d'un million de dollars.

6. – Revision de la Clause des Prix.

En vertu de l'accord 3(c), la France a droit à une réduction de 5% sur le prix du contrat pour les marchandises livrées. Le but initial de cette disposition était d'accorder à la France le bénéfice des réductions obtenues sur renégociations des contrats par les organismes compétents américains. Il est maintenant admis que les ristournes sur renégociations sont bien inférieures en moyenne aux 5%. Les Etats-Unis se sont proposé de demander une révision de l'accord 3(c) pour tenir compte de ce fait; mais étant donné que la France a abandonné sa demande sur la réduction des frais accessoires sur achats, les Etats-Unis ont retiré leur demande.

7. – Lest en provenance d'Afrique du Nord.

Des navires américains ayant transporté des marchandises en Afrique du Nord, ont effectué leur voyage de retour avec du lest fourni par la France. A l'arrivée aux Etats-Unis, ce lest a parfois été jeté, parfois vendu. Les Etats-Unis demandent que la fourniture de ce lest soit considérée comme aide réciproque. La demande est acceptée par la France.

Pour le Gouvernement des Etats-Unis

HENRY R. LABOUISSE JR.

Pour le Gouvernement Provisoire
de la Republique Francaise.

CHRISTIAN VALENSI

ANNEXE

CREANCES LITIGIEUSES FRANCO-AMERICAINES ETAT RECAPITULATIF

	Millions de dollars	
1. Demandes admises, à imputer au prêt-bail militaire.		
France: –Aide militaire en Afrique du Nord	37. 9	
–Colis pour les prisonniers de guerre	25. 0	
2. Demandes admises, à régler au titre des fournitures militaires.		
France: –Charbon	3. 0	
3. Demandes admises, à traduire dans le solde net des réclamations,		
France: –Ajustement du compte Monnet-Crowley	0. 4	
–Frêt sur marchandises obtenues en dehors des Etats-Unis	4. 0	
–Prix du coton	12. 6	
–Prix du sucre	0. 1	
–Taxes d'accise	0. 37	
–Somme accordée au titre des réclamations américaines sur les dommages, les biens réquisitionnés et les brevets, qui ne sont pas susceptibles de figurer au compte de l'aide réciproque	15. 0	
		32. 47
Etats-Unis: –Accord de troc sur le sucre	.67	
–Affectations erronées	1. 0	
		1. 67
–Solde net des réclamations à créditer à la France		30. 80
4. Demandes admises en principe.		
Etats-Unis: –Réclamations maritimes (Abordages)		
–Réclamations pour dommages		
–Brevets, biens réquisitionnés		
–Lest en provenance d'Afrique du Nord		
5. Demandes retirées		
France: –Frêts divers		
–Marchandises rares, autres que le charbon		
–Prix des locomotives		
–Prix du pétrole-Afrique du Nord		
–Livraisons de pétrole au "pool" nord-africain		
–Marchandises manquantes ou endommagées		
–Frais d'achat		
–Pétrole pour les besoins civils en France Métropolitaine-Février Septembre 1945		
–Stock de pétrole en Afrique du Nord-Novembre 1942		
Etats-Unis: –Revision de la clause des prix		

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NEGOCIATIONS ECONOMIQUES ENTRE LES ETATS-UNIS ET LA FRANCE

Liste d'avions autres que de combat etablie d'un commun accord et mentionnee dans le paragraphe 6 (F) du Memorandum d'accord en date du 28 Mai 1946.

Type	Quantite	Prix de vente FLC	
PBY5A	19	$26, 000 ch.	$494, 000
C-47B	50	20, 000 ch.	1, 000, 000
C-50A	2	25, 000 ch.	50, 000
C-45F	25	25, 000 ch.	625, 000
UC-78	67	2, 000 ch.	134, 000
BT-13B	25	450 ch.	11, 250
L-4	123	500 ch.	61, 500
R-1830-90C	17	1, 300 ch.	22, 100
R-1820-87	2	3, 000 ch.	6, 000
R-985-AN1 & 3	26	500 ch.	13, 000
R-755	98	400 ch.	39, 200

PIECES DE RECHANGE

Type	Prix d'achat par unite		Nombre		Total		Approvisionnement pour 3 mois (3/12x20%)					
C-47B	$98, 000	x	50	–	$4, 900, 000	x	5%	–	$245, 000	Moins 40%	–	$147, 000
C-60A	125, 000	x	2	–	250, 000	x	5%	–	12, 500	Moins 40%	–	7, 500
C-45F	65, 000	x	25	–	1, 625, 000	x	5%	–	81, 250	Moins 40%	–	48, 750
UC-78	35, 000	x	67	–	2, 345, 000	x	5%	–	117, 250	Moins 40%	–	70, 350
L-4	2, 450	x	123	–	301, 350	x	5%	–	15, 067	Moins 40%	–	9, 040
BT-13	23, 400	x	25	–	585, 000	x	5%	–	29, 250	Moins 40%	–	17, 550
PBY5A	220, 000	x	19	–	(83 jours d'approvisionnement en pieces de rechange par avion calcule sur la base de la formule ci-dessus, soit $6,013 par avion); valeur de reglement							114, 000
									Total			$2, 870, 240
									Valeur de reglement			$2, 850, 000

WASHINGTON, *le 28 Mai 1946*

POUR LES ETATS-UNIS

HENRY R. LABOUISSE Jr

POUR LA FRANCE

CHRISTIAN VALENSI

MEMORANDUM

SUR LES CREANCES MARITIMES

Le Gouvernement des Etats-Unis et le Gouvernement provisoire de la République française ont, au cours des négociations relatives au règlement du Prêt-Bail, discuté de tous les problèmes communs de transports maritimes et de toutes les créances maritimes nés du fait de l'acquisition, de l'usage et de la cession de navires français placés sous le contrôle des Etats-Unis d'Amérique pendant la période du 7 décembre 1941 au 1er mai 1946, et sont convenus des dispositions suivantes:

1. A titre de règlement complet et définitif de toutes créances et dettes financières quelles qu'elles soient, d'un gouvernement envers l'autre, nées de la réquisition, l'emploi, la réparation, l'avarie, la perte, l'usage et la restitution de navires français, le Gouvernement des Etats-Unis d'Amérique déposera une somme de 17.500.000 dollars auprès de la Commission Maritime des Etats-Unis, au nom du Gouvernement Provisoire de la République française, cette somme devant être imputée sur le prix de l'achat par le Gouvernement provisoire de la République française à la Commission Maritime des Etats-Unis d'un nombre maximum de 75 navires dits "Liberty Ships" dans le cadre de la Loi de 1946 sur les ventes de navires.

a) Sur cette somme la Commission Maritime des Etats-Unis imputera en premier lieu l'acompte du prix de vente statutaire des navires payable à la date de leur livraison comme requis par les règlements de la Commission Maritime. Le solde de cette somme après ledit paiement d'acompte sera affecté aux paiements d'intérêts et aux annuités sur le solde du prix de vente, au fur et à mesure de leur échéance, et jusqu'à extinction de ce solde.

b) Le Gouvernement provisoire de la République française et la Commission Maritime des Etats-Unis conviendront du prix et des autres conditions de vente dans le cadre de la Loi de 1946 sur les ventes de navires.

c) Le Gouvernement provisoire de la République française pourra se porter acquéreur d'autres navires auprès de la Commission Maritime des Etats-Unis.

2. Toutes créances d'un gouvernement sur l'autre nées de la perte de navires français ou de cargaisons de ces navires pendant la période où ces navires ont été placés sous le contrôle du Gouvernement des Etats-Unis d'Amérique sont annulées.

Le Gouvernement provisoire de la République française assume par le présent accord la responsabilité d'instruire et de payer toute demande qui a été ou sera présentée par toute personne physique ou morale, qui est, ou qui était, ou qui prétend être ou avoir été, à un moment quelconque, propriétaire de, ou titulaire de droits réels sur, tout navire français placé sous le contrôle du Gouvernement des Etats-Unis d'Amérique pendant la période sus-mentionnée ou toute cargaison d'un tel navire.

Le Gouvernement provisoire de la République française convient d'indemniser et de garantir le Gouvernement des Etats-Unis d'Amérique, ses agents, fonctionnaires ou employés, pour toute demande de ce genre.

3. Les dispositions du présent accord seront subordonnées à un règlement satisfaisant pour les deux parties de tous comptes du Prêt-Bail et autres comptes de guerre, à la possibilité de disposer, conformément aux conditions dudit règlement, de la somme de 17.500.000 dollars que le Gouvernement des Etats-Unis doit déposer auprès de la Commission Maritime des Etats-Unis et à la conclusion de l'accord susmentionné entre le Gouvernement provisoire de la République française et la Commission Maritime des Etats-Unis, pour l'achat et la vente d'un nombre maximum de 75 navires dits "Liberty Ships".

WASHINGTON *le 28 mai 1946.*

Pour le Gouvernement des Etats-Unis d'Amérique.

W. L. CLAYTON

Pour le Gouvernement provisoire de la République française.

H BONNET

SOLDE DES TROUPES ET ACHATS DE L'ARMEE

Les représentants du Gouvernement des Etats-Unis d'Amérique et les représentants du Gouvernement Provisoire de la République Française ont acquiescé aux recommandations contenues dans le rapport conjoint présenté par le Sous-Comité de la solde des troupes et des achats des forces armées américaines en France.

Ce rapport, ainsi que le memorandum d'accord entre le Gouvernement des Etats-Unis et le Gouvernement Provisoire de la République Française concernant les dépenses des forces armées des Etats-Unis en France et dans les territoires français d'outre-mer, constituent les conventions sur les dispositions à suivre pour le réglement de la solde des troupes et des autres dépenses des forces armées des Etats-Unis mentionnées au paragraphe 4 du memorandum d'accord de ce jour entre le Gouvernement des Etats-Unis et le Gouvernement Provisoire de la République Française comportant réglement en matière de prêt-bail, d'aide réciproque, de surplus militaires et de créances de guerre.

WASHINGTON, D. C.
le 28 mai 1946

POUR LES ETATS-UNIS

HAROLD GLASSER
CARL PFORZHEIMER

POUR LA FRANCE

GUILLAUME GUINDEY

MEMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE ET LE GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE CONCERNANT LES DEPENSES DES FORCES ARMEES DES ETATS UNIS EN FRANCE CONTINENTALE ET DANS LES TERRITOIRES FRANCAIS D'OUTRE-MER

Des accords intitulés "Memorandum No I, relatif aux questions administratives et juridictionnelles" (avec annexes) et "Memorandum No 2, relatif à la monnaie", paraphés par les représentants des Gouvernements français, américain et britannique le 15 Août 1944, et signés à Londres par le Général EISENHOWER et le Général KOENIG le 25 Août 1944, ont réglé les conditions d'approvisionnement des forces alliées en francs francais par le Gouvernement français et d'utilisation de francs français par les forces alliées.

Par un accord du 15/25 Août 1944, intitulé "Memorandum relatif au prêt-bail et à l'aide réciproque", maintenu en vigueur par un échange de lettres entre les deux Gouvernements en date du 28 Février 1945, les autorités françaises et américaines ont adopté des dispositions en vertu desquelles les francs avancés par le Gouvernement français aux forces armées des Etats-Unis et utilisés par ces dernières pour la solde nette des troupes et pour les autres dépenses non susceptibles de bénéficier de l'aide réciproque, devaient être payés en dollars par le Gouvernement des Etats-Unis.

Par un accord résultant d'une lettre de M.MONNET à M. CLAYTON en date du 24 Septembre 1945 et d'une lettre de M. CLAYTON à M. MONNET en date du 31 Octobre 1945, l'aide réciproque donnée par la France a été considérée comme se terminant en même temps que le prêt-bail accordé par les Etats-Unis à la France, soit le 2 Septembre 1945, à 0 heure, ceci sous réserve de certaines exceptions.

Le 26 Décembre 1945, le Gouvernement français a modifié le taux du change entre le franc français et le dollar des Etats-Unis. A cette date, les forces armées des Etats-Unis ont reversé, en écritures, à la Banque de France, le montant total des francs détenus officiellement par les officiers de finance, et des francs détenus par les membres des forces armées des Etats-Unis et par les organismes en dépendant. Ce reversement a été effectué à l'effet de terminer et de régler les avances en francs faites par le Gouvernement français depuis le jour du débarquement. Toutefois, les forces armées des Etats-Unis ont en même temps retiré de la Banque de France, en écritures, un montant en francs égal.

Pour définir la question, il y a lieu également de se référer aux accords suivants dont la liste ne doit pas être considérée comme limitative.

Memorandum d'accord entre le Commandant en Chef des forces expéditionnaires alliées et le Délégué militaire désigné conformément à l'ordonnance du 14 Mars 1944 du Comité français de la Libération Nationale, relatif à la fourniture des prestations en France continentale, conclu en application de l'article 17 (IV) du memorandum No I relatif aux questions administratives et juridictionnelles en France continentale, signé à Londres le 25 Août 1946.

Memorandum d'accord entre le Commandant en Chef des Forces expéditionnaires alliées et le Délégué militaire désigné conformément à l'ordonnance du 14 mars 1944 du Comité français de la Libération Nationale, établi en application de l'article 18 du memorandum No I et relatif à l'observation par les forces alliées de la règlementation française sur le change et les exportations de capitaux et à certaines autres questions, signé à Londres le 25 Août 1944.

Memorandum d'Accord entre l'Attaché Financier à Londres et l'Etat-Major des Forces Expéditionnaires Alliées, relatif aux billets détériorés.

Lettre du 20 Août 1945 de l'Etat-Major des forces des Etats-Unis en Europe à M. BRUNET, Directeur du Trésor au Ministère des Finances français, relative à l'attribution aux forces armées des Etats-Unis en France du bénéfice de certains arrangements financiers précédemment conclus avec SHAEF.

Il convient enfin de se référer aux conversations en cours entre le représentant de la Trésorerie américaine en France et les représentants du Gouvernement français au sujet de la conversion et du rachat de billets français trouvés parmi les effets des membres décédés des forces armées des Etats-Unis.

Il apparait maintenant souhaitable de modifier à divers égards certaines des dispositions des accords ci-dessus mentionnés. Il est convenu à cet effet des dispositions suivantes, qui constituent avenant aux dits accords, et qui prennent effet à compter des dates. respectives mentionnées ci-dessous:

1 – a) Le montant total des francs détenus par les forces armées des Etats-Unis au 26 Decembre 1945, et retirés de la Banque de France, sera acheté au taux de 118,959107 pour un dollar.

b) Tous les francs dont les forces armées des Etats-Unis auront besoin en plus de ceux achetés le 26 Décembre 1945, pour utilisation en France continentale (Corse incluse) et dans les territoires français d'outre-mer, seront achetés aux autorités françaises moyennant paiement de leur contrevaleur en dollars des Etats-Unis.

c) Les forces armées des Etats-Unis peuvent accepter de recevoir des francs présentés par leurs membres, leurs organismes officiels ou assimilés et généralement leur personnel ayant le statut militaire, mais ne peuvent accepter de recevoir des francs que de ces personnes ou de ces organismes. les forces armées des Etats-Unis prendront toutes mesures pratiques nécessaires pour éviter d'acheter des francs qui auraient été acquis par des voies non officielles.

2 – Les francs acquis par les forces armées des Etats-Unis ne peuvent être utilisés que pour:

a) la solde des troupes et du personnel sous statut militaire, l'échange de monnaies étrangères présentées par ces troupes ou ce personnel, le règlement d'effets en dollars présentés par ces troupes ou ce personnel conformément aux errements en vigueur dans les forces armées des Etats-Unis.

b) l'achat de produits et services. Dans ce dernier cas, ces francs seront offerts et acceptés pour le paiement de produits et services non couverts par l'aide réciproque au cours auquel ils auront été achetés et la valeur en dollars des produits et services sera établie en tenant compte du taux de change en vigueur au moment où ils auront effectivement été fournis.

3 – Les autorités compétentes américaines et françaises s'entendront pour déterminer les cas dans lesquels les forces armées des Etats-Unis devront, pour se conformer aux désirs du Gouvernement français, passer, pour se procurer des produits ou services en France continentale (Corse incluse) et dans les territoires français d'outre-mer, par l'intermédiaire d'organismes appropriés désignés par le Gouvernement français, et les cas dans lesquels les forces armées des Etats-Unis pourront recourir à des achats directs.

Les produits et services que les forces armées des Etats-Unis se sont procurés avant la cessation de l'aide réciproque, et qui n'étaient pas susceptibles de bénéficier de cette aide réciproque, ainsi que les produits ou services qu'elles se sont procurés depuis la fin de l'aide réciproque et se procureront à l'avenir, seront payés sur présentation, par les autorités françaises, de documents appropriés, établis dans une forme susceptible de satisfaire les forces armées des Etats-Unis et déterminée conformément aux arrangements intervenus ou à intervenir à cet effet entre elles et les autorités françaises.

4 – En France continentale (Corse incluse) et dans les territoires français d'outre-Mer les francs qui n'ont pas été utilisés peuvent être, à tout moment, reversés au Gouvernement français par les forces armées des Etats-Unis et seront rachetés par le Gouvernement français contre dollars au taux auquel ils auront été acquis par ces dernières, étant entendu que l'obligation de rachat du Gouvernement français sera limitée au montant des francs qui auront été acquis contre dollars le 26 Décembre 1945 ou depuis lors par les forces armées des Etats-Unis, déduction faite du montant des francs utilisés par les forces armées des Etats-Unis pour l'achat de produits et services.

5 – Pour se conformer au désir exprimé par le Gouvernement français, les forces armées des Etats-Unis ne vendront de produits de rebut, en France continentale (Corse incluse) ou dans les territoires français d'outre-mer, que par l'intermédiaire d'organismes français désignés par les autorités françaises, sous réserve des exceptions dont il pourra être convenu. Les produits de rebut ainsi vendus aux organismes français compétents seront réglés en dollars des Etats-Unis par les autorités françaises.

6 – Les forces armées des Etats-Unis continueront à tenir leurs comptes de telle sorte que les autorités françaises compétentes reçoivent chaque mois, par l'intermédiaire du représentant de

la Trésorerie américaine en France, une analyse de l'emploi des francs mis à la disposition des forces armées des Etats-Unis. Des comptes rendus officiels seront fournis trimestriellement à cet égard, par les Autorités américaines.

7 – Pour autant qu'elles ne sont pas en contradiction avec le présent memorandum, les dispositions des autres accords ou arrangements visés ci-dessus restent pleinement en vigueur./.

Fait en double exemplaire à Washington, le en français et en anglais, les deux exemplaires faisant également foi.

Pour le Gouvernement des Etats-Unis d'Amérique.

FRED M. VINSON
GEORGE J RICHARDS,
W. L. CLAYTON

Pour le Gouvernement provisoire de la République française.

H BONNET

DECLARATION DU GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE ET DU GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE SUR LA POLITIQUE COMMERCIALE ET DIVERSES QUESTIONS ANNEXES.

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement provisoire de la République française, après une étude approfondie des problèmes de politique commerciale et de diverses questions annexes, ont constaté leur complet accord sur les principes généraux qu'ils souhaitent mettre en oeuvre en vue de la suppression des entraves au commerce international et de l'expansion des échanges internationaux qu'ils jugent indispensables à la prospérité du monde et à l'établissement d'une paix durable.

Le Gouvernement français a porté à la connaissance du Gouvernement des Etats-Unis les mesures qu'il a prises et celles qu'il a l'intention d'adopter afin de créer les conditions nécessaires pour atteindre cet objectif commun. Le Gouvernement français a fait également connaître au Gouvernement des Etats-Unis le Plan de Reconstruction et de Modernisation de l'économie française. Conformément aux lettres échangées le 8 novembre 1945, les deux gouvernements ont procédé à l'examen de ce plan et ont reconnu d'un commun accord que la réalisation des objectifs qui y sont fixés mettrait la France en mesure de s'associer pleinement aux efforts poursuivis en vue d'assurer le développement de l'économie mondiale.

Les deux gouvernements ont étudié les problèmes que pose l'organisation future des échanges internationaux et examiné un certain nombre de questions particulières ayant trait à la politique commerciale et à divers sujets qui les intéressent ainsi que d'autres pays. La déclaration suivante des deux gouvernements expose les arrangements auxquels ils sont parvenus.

I

Les deux gouvernements sont en complet accord, pour tous les points importants, sur les principes inscrits dans les "Propositions à soumettre à une Conférence Internationale sur le Commerce et l'Emploi" qui ont été communiquées par le Gouvernement des Etats-Unis au Gouvernement français. Ils ont, en conséquence, décidé de poursuivre leurs conversations et de se concerter avec les pays animés des mêmes intentions, afin d'établir sur ces principes la Charte de l'Organisation du Commerce International. Les deux gouvernements estiment que la conclusion préalable d'accords entre les principales nations commerçantes du monde en vue de la réduction substantielle des droits de douanes et autres entraves au commerce et de l'élimination des arrangements discriminatoires contribuerait largement au succès de la Conférence mondiale.

II

Le Gouvernement français a fait savoir au Gouvernement des Etats-Unis qu'il avait pris les décisions suivantes:

(a) Un nouveau tarif douanier français est actuellement en préparation qui ne comportera que des droits ad valorem et qui n'accroitra

pas le degré de protection d'avant guerre. Ce nouveau tarif constituera la base sur laquelle les réductions réciproques seront négociées au cours de la prochaine conférence multilatérale.

(b) Le Gouvernement français a renoncé définitivement à la politique d'avant guerre qui consistait à protéger la production française à l'aide de contingents d'importation.

(c) Le Gouvernement français a rappelé que les procédés de péréquation des prix, qu'il avait dû employer provisoirement pour faciliter les exportations pendant la période qui a précédé l'alignement du franc, avaient été abandonnés.

III

Le Gouvernement français a précisé qu'il est dans l'obligation d'exercer un contrôle des importations sous forme d'un programme d'importations; mais ce contrôle ne sera appliqué qu'aussi longtemps qu'il sera nécessaire pour sauvegarder l'équilibre de la balance des comptes et assurer l'exécution méthodique du Plan de Reconstruction et de Modernisation. La délivrance par le Gouvernement français des licences d'importation, dans les limites du programme, sera faite sans discrimination entre les différentes sources étrangères d'approvisionnement dès que la France possédera, ou sera en mesure d'acquérir, un montant de devises libres tel qu'elle ne soit plus contrainte de procéder à ses achats dans les limites d'accords bilatéraux, commerciaux et financiers.

IV

Les deux gouvernements sont parvenus à un accord qui leur donne mutuellement satisfaction sur le retour au commerce privé pour les échanges entre la France et les Etats-Unis. Le Gouvernement français a déjà rendu au commerce privé une grande partie des importations de la France et des colonies françaises et continuera à réduire l'intervention gouvernementale dans ses achats extérieurs.

Les achats effectués par le Gouvernement français aux Etats-Unis se limiteront au matériel d'équipement destiné aux services publics. Les services d'achats officiels continueront temporairement à acheter un nombre restreint d'articles parmi lesquels les produits alimentaires déficitaires, l'acier, le bois, les pneumatiques et certains produits médicaux.

A titre provisoire, une partie des importations françaises sera effectuée par des associations d'acheteurs privés (groupements) jusqu'à ce que soient résolues les difficultés de chargement, d'expédition et de transport des fournitures essentielles et de leur distribution en France.

Le Conseil français des Approvisionnements aux Etats-Unis poursuivra son activité sur une base réduite et se consacrera principalement à la liquidation des commandes en cours et aux achats gouvernementaux indiqués ci-dessus. Il limitera ses achats aux fournitures correspondant aux besoins civils essentiels et utilisera au maximum les voies normales du commerce. Il appliquera des méthodes conformes aux usages commerciaux et cessera ses opérations dès que ce sera possible.

V

Les deux Gouvernements sont d'accord pour reconnaître qu'une augmentation substantielle des exportations françaises aux Etats-Unis présenterait d'importants avantages pour chacun des deux pays. Ils ont examiné certaines lois et règlements en vigueur aux Etats-Unis qui, de l'avis du Gouvernement français, tendent à entraver indûment l'importation des produits français aux Etats-Unis. Ils ont porté une attention spéciale à la législation en matière de marques de fabrique et de droits d'auteur, à la question de l'emploi des appellations d'origine, au contrôle des prix sur les produits importés et aux méthodes d'évaluation de ceux-ci pour la perception des droits de douane. Les services compétents du Gouvernement des Etats-Unis ont accepté d'examiner avec attention et sympathie les vues du Gouvernement français et d'étudier la possibilité d'apporter des modifications aux règles administratives ou de recommander au Congrès la revision de la législation existante.

VI

Dans le cas où les mêmes mesures seraient adoptées par d'autres importantes nations industrielles, chacun des deux gouvernements s'est engagé à accorder, sur la base de la réciprocité, aux ressortissants de l'autre le droit d'utiliser librement et sans redevances tous les brevets appartenant précédemment à des allemands qui sont tombés en sa pleine possession, sous la seule réserve des droits qui ont déjà été concédés sur ces brevets. Les deux gouvernements estiment que l'adoption généralisée de cette politique aura pour effet de faire disparaître une importante entrave au commerce international et apportera une contribution substantielle au développement du commerce mondial. Conformément à ces objectifs, ils ont décidé d'examiner ultérieurement en commun d'autres questions relatives aux brevets allemands.

VII

Le Gouvernement français accordera aux ressortissants américains dont les biens en France ont subi des dommages par suite de la guerre, une réparation égale à celle assurée aux ressortissants français pour des pertes de même nature et d'une même étendue. Le Gouvernement des Etats-Unis a informé le Gouvernement français que l'égalité de traitement est accordée aux ressortissants français et américains en ce qui concerne la réparation des dommages causés par la guerre à leurs biens aux Etats-Unis.

VIII

Afin de donner une base solide au développement entre les deux pays de relations économiques mutuellement avantageuses, le Gouvernement des Etats-Unis et le Gouvernement français ont décidé d'entreprendre, dès que possible, des négociations en vue de la conclusion, sur des bases générales et modernes, d'un Traité d'établissement, de commerce et de navigation./.

Fait à Washington, en double exemplaire, ce 28 Mai 1946, en français et en anglais, les deux textes faisant également foi.

Pour le Gouvernement des Etats-Unis d'Amérique
JAMES F BYRNES

Pour le Gouvernement provisoire de la République française.
LÉON BLUM

ARRANGEMENT ENTRE LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE ET LE GOUVERNEMENT PROVISOIRE DE LA REPUBLIQUE FRANCAISE AU SUJET DE LA PROJECTION DES FILMS AMERICAINS EN FRANCE

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement provisoire de la République française, s'inspirant de leur accord général en date de ce jour sur la politique commerciale et tenant spécialement compte des changements provoqués par la guerre, ont réexaminé certains problèmes relatifs à la projection en France de films doublés américains. Comme suite à ces conversations, le Gouvernement français a informé le Gouvernement des Etats-Unis qu'il allait prendre les mesures suivantes applicables à l'ensemble du territoire douanier français:

A partir du Ier juillet 1946, toutes dispositions antérieures concernant le nombre de films doublés susceptibles d'être projetés en France seront abandonnées. A la même date, sera appliqué un régime dit de "contingentement à l'écran" destiné à faciliter, par une protection temporaire, la reconstruction de l'industrie française du film éprouvée par la désorganisation due à l'occupation de la France par l'ennemi. Sous ce régime, les propriétaires de salles de cinéma seront tenus de projeter, chaque trimestre, pendant un certain nombre de semaines, des films de production française. Au cours des autres semaines, ils pourront librement projeter soit des films étrangers, soit des films français.

A partir du Ier juillet 1946, le contingent à l'écran réservé aux films français sera au maximum de quatre semaines par trimestre.

Ce contingent sera maintenu sur la base de quatre semaines par trimestre à moins qu'il ne soit réduit automatiquement à trois semaines par trimestre conformément à la règle suivante:

Si, pendant une période de deux ans prenant fin soit le 30 juin 1948, soit le 30 juin d'une des années suivantes, la production française a occupé, parmi les films projetés dans les salles de spectacle en France, une place égale ou supérieure à une moyenne de cinq semaines par trimestre, le contingent sera, à partir du Ier octobre suivant l'expiration de ladite période de deux ans, automatiquement réduit à trois semaines par trimestre.

Si, conformément à la formule ci-dessus, le contingent à l'écran est réduit à trois semaines par trimestre, ce régime sera maintenu sur cette base à moins qu'il ne vienne à prendre automatiquement fin conformément à la règle suivante:

Si, au cours d'une période quelconque de deux ans prenant fin un 30 septembre et pendant le cours total de laquelle a été appliqué un contingent de trois semaines par trimestre, la production française a occupé, parmi les films projetés dans les salles de spectacle en France, une place égale ou supérieure à une moyenne de cinq semaines par trimestre, le régime du contingentement sera complètement abandonné à partir du Ier janvier suivant l'expiration de la période de deux ans envisagée.

Le Gouvernement français s'est déclaré d'accord pour que, pendant la période d'application du contingentement à l'écran, aucune restriction, de quelque nature que ce soit, ne soit apportée à l'importation en France de films américains et pour que la projection en France de ces films ne subisse d'autres limitations que celle du contingentement à l'écran ou celles qui viseraient également les films français. Si, conformément aux dispositions ci-dessus, le contingentement à l'écran est supprimé, il n'y aura dès lors aucune restriction à l'importation en France de films amèricains et aucune autre limitation à la projection en France de ces films que celles qui viseraient également les films français.

Le Gouvernement des Etats-Unis constate avec satisfaction qu'en prenant ces nouvelles mesures, le Gouvernement français envisage l'élimination complète de toute protection pour le moment où l'industrie française du film aura recouvré son pouvoir de concurrence.

Si, de l'avis de l'un des deux gouvernements, ces nouvelles dispositions cessent, à un moment quelconque, de répondre aux conditions prévalant alors dans l'industrie française du film ou sur le marché français du film, chaque gouvernement se réserve le droit de demander à l'autre d'entreprendre des négociations en vue de leur modification ou de leur annulation. Si, à l'expiration d'un délai de six mois à compter de la date d'une telle demande, ces négociations n'ont pas abouti à une conclusion satisfaisante pour les deux gouvernements, les dispositions de l'accord commercial réciproque alors en vigueur seront applicables.

Fait à Washington, en double exemplaire, ce 28 mai 1946; en français et en anglais, les deux textes faisant également foi.

Pour le Gouvernement des Etats-Unis d'Amérique

JAMES F BYRNES

Pour le Gouvernement Provisoire de la République Française.

LÉON BLUM

Interpretation of paragraph 6(i) of the "Memorandum of Understanding between the United States and France"

MAY 28, 1946

Le paragraphe VI i) du "Memorandum" d'accord entre le Gouvernement des Etats-Unis et le Gouvernement Francais est ainsi concu:

> "Le Gouvernement des Etats-Unis s'engage a mettre a la disposition du Gouvernement Francais une fraction de sa part dans les navires de surface pris a l'Allemagne et au Japon, lorsque ces navires viendront a etre en excedent des besoins des Etats-Unis et ne seront plus necessaires pour aucune operation liee a l'application des capitulations allemande et japonaise."

Les autorites competentes des Etats-Unis examinent actuellement les conditions dans lesquelles ces navires peuvent etre legalement cedes a une autre puissance. Dans ces conditions, il est entendu par les deux parties signataires du "Memorandum" susvise que la phrase "s'engage a mettre a la disposition du Gouvernement francais "dans le paragraphe cite plus haut ne doit pas etre comprise comme un engagement que les navires en question seront cedes sans compensation.

FOR THE GOVERNMENT OF THE UNITED STATES
W. L. CLAYTON.

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC
H BONNET

Convention between the United States of America and Lebanon respecting the exchange of postal money orders. Signed at Washington January 21, 1946, and at Beyrouth March 15, 1947; and amendments signed at Washington October 8, 1946, and at Beyrouth March 15, 1947; entered into force July 1, 1947.

January 21, October 8, 1946, and March 15, 1947
[T. I. A. S. 1984]

CONVENTION
FOR
THE EXCHANGE OF POSTAL MONEY ORDERS
BETWEEN
THE UNITED STATES OF AMERICA
AND
REPUBLIQUE LIBANAISE

THE CONVENTION FOR EXCHANGE OF POSTAL MONEY ORDERS BETWEEN THE POSTAL ADMINISTRATION OF THE UNITED STATES OF AMERICA ON THE ONE HAND AND THE POSTAL ADMINISTRATION OF THE REPUBLIC OF LEBANON ON THE OTHER HAND.

The Government of the United States of America and the Government of the Republic of Lebanon desiring to facilitate the transmission of funds between the United States of America and the Republic of Lebanon by means of money orders, have decided to conclude an agreement to this effect.

The undersigned, duly authorized by their respective Governments, are in agreement on the following articles:

ARTICLE I.

"The United States of America".

In this convention the expression "The United States of America" includes the Continental United States, Alaska, the Islands of Guam, Hawaii, Puerto Rico, Virgin Islands and Tutuila (Samoa). The expression "Republic of Lebanon" includes the territories under the jurisdiction of Lebanon.

Republic of Lebanon".

"The Central Administration".

The expression "The Central Administration" or "The Central Administrations" indicate, in regard to the United States of America, the Post Office Department, Division of Money Orders, Washington, D. C., and in regard

POUR L'ECHANGE DES MANDATS-POSTE ENTRE L'OFFICE POSTAL DES ETATS-UNIS D'AMERIQUE D'UNE PART, ET L'OFFICE POSTAL DE LA REPUBLIQUE LIBANAISE D'AUTRE PART.

Le Gourvernement Fédéral des Etats-Unis d'Amérique et le Gourvernement de la République Libanaise étant désireux de faciliter la transmission des fonds entre les Etats-Unis d'Amérique et la République Libanaise par le moyen de mandats de poste, et de conclure un arrangement à ces fins.

Les Soussignés dûment autorisés par leur gourvernement respectif se sont mis d'accord sue les articles suivantes:

ARTICLE I.

Dans cette convention l'expression "Etats-Unis d'Amérique" comprend les territoires de la Fédération des Etats-Unis d'Amérique, de l'Alaska, des Iles Guam, Hawaii, Porto Rico, Vierges et Tutuila (Samoa). L'expression "République Libanaise" comprend tous les territoires ressortissant à ce pays.

Les expressions "l'Administration Centrale" ou "les Administrations Centrales" désignent en ce qui touche les Etats-Unis d'Amérique: The Post Office Department, Division of Money Orders, Washington, D. C., en

to the Republic of Lebanon, the General Administration of Posts and Telegraphs at Beyrouth, Lebanon.

ce qui regarde la République Libanaise, la Direction Générale des Postes et des Télégraphes à Beyrouth, Liban.

ARTICLE II.

A regular exchange of postal money orders is established between the United States of America on the one hand and the Republic of Lebanon on the other hand.

ARTICLE II.

Un échange régulier de mandats-poste est créé entre les Etats-Unis d'Amérique d'une part, et la République Libanaise d'autre part.

Establishment of exchange of postal money orders.

ARTICLE III.

The service of postal money orders between said countries will be carried out exclusively through the intermediary of Exchange Offices. The Exchange Office for the United States of America is New York; that for the Republic of Lebanon is Beyrouth.

ARTICLE III.

Le service des mandats-poste entre les pays dénommés sera exclusivement exécuté par l'intérmediaire de bureaux d'échange. Le bureau d'échange des Etats-Unis d'Amérique est New York; celui de la République Libanaise est Beyrouth.

Exchange Offices.

ARTICLE IV.

The amount of each remittance will be expressed for the money orders issued in the United States of America, in Lebanon pounds and piastres; for those issued in Lebanon, in American dollars and cents.

The conversion into the money of the country of destination will be done by the office (exchange office or issuing office, as the case may be) under the jurisdiction of the Central Administration of the country of origin. The latter will fix the rate of exchange used by its own offices.

In conversion, fractions of cents or of Lebanon piastres will be disregarded.

ARTICLE IV.

Le montant de chaque titre sera exprimé pour les mandats émis aux Etats-Unis d'Amérique, en livres et piastres Libanaise; pour ceux émis en Libanaiseen dollars et cents américains.

La conversion en monnaie du pays de destination sera opérée par les bureaux (bureaux d'échange ou bureaux émetteurs suivant le cas) ressortissant à l'Administration centrale du pays d'origine; celle-ci fixera le taux de conversion pratiqué par ses propres bureaux.

Dans la conversion, les fractions de cent ou de piastres Libanaise, seront negligées.

Conversion into money of country of destination.
Post, p. 4270.

ARTICLE V.

Each Central Administration has the right to establish, in agreement with the other, the maximum amount of issue for each order. This amount must not exceed two hundred (200) dollars

ARTICLE V.

Chacune des Administrations Centrales aura la faculté de fixer, d'accord avec sa correspondante, le chiffre maximum d'émission de chaque mandat. Ce chiffre ne pourra dépasser deux cents (200)

Maximum amount of issue for each order.

for orders issued in the Republic of Lebanon or $100 for orders issued in the United States of America.

dollars pour les mandats émis dans la République Libanaise ou quatre cent quarante (440 livres Libanaise pour ceux émis aux Etats-Unis d'Amerique.

ARTICLE VI.

Fees, etc.

Each Central Administration has the right to change according to circumstances, the fees paid by remitters of postal money orders issued by the offices under its jurisdiction, on condition that it will inform the other Central Administration of its changes. The fees collected shall belong to the Administration of origin. The latter will allow to the paying Administration a commission of one half of one per cent (½%) on the total amount of orders paid. No allowance will be made for money orders issued without charge.

ARTICLE VI.

Chacune des administrations centrales aura le droit de modifier selon les circonstances le droit proportionnel de commission payable par les expéditeurs des mandats-poste émis par les bureaux de son ressort a condition qu'elle fasse connaître son tarif à l'administration centrale correspondante. Le droit de commission appartiendra à l'office d'origine.

Ce dernier bonifiera à l'office qui acquittera ces mandats une commission d'un demi pour cent (½%) du montant total des mandats payés; aucune bonification ne sera allouée pour les mandats émis en franchise de droits.

Exemptions.

The amounts of orders drawn in favor of prisoners of war, or sent by them, are exempt from all charges.

Les titres émis au profit des prisonniers de guerre ou envoyés par eux seront exempts de toutes taxes.

ARTICLE VII.

Remitter and payee names, etc.

The remitter of a postal money order shall be required to furnish, if possible, the surname and the first name or names, or at least the initials of the first name of the remitter and payee, or the name and address of the dispatching or receiving business firm or company. But if the aforesaid names or initials cannot be given, the money order may nevertheless be issued at the risk of the remitter.

ARTICLE VII.

L'expediteur d'un mandat-posts sera tenu de fournir, si possible, le nom et le ou les prénoms ou au moins l'initiale d'un prénom de l'expéditeur et du destinataire ou le nom et l'adresse de la maison de commerce ou de la compagnie expéditrice ou destinataire. Cependant, si le ou les prénoms ou l'initiale susmentionnée ne peuvent être fournis, le titre est néanmoins émis aux risques de l'expediteur.

ARTICLE VIII.

Lost money order.

If a money order is lost a duplicate will be issued on written request of the remitter or payee, containing all the necessary information, and addressed to the Cen-

ARTICLE VIII.

Si un titre est perdu ou non parvenu, un duplicata sera délivré sur demande écrite du destinataire, contenant tous les renseignements nécessaires, adressée à

tral Administration of the country on which drawn. Unless there is reason to believe that the order was lost in transit through the mails, the Administration issuing the duplicate has the right to collect the same fee as that provided by its domestic regulations.

l'administration centrale du pays dans lequel le titre primitif est payable. Sauf au cas ou ce titre serait supposé avoir été perdu en cours de transmission dans le service postal, l'administration centrale qui délivrera le duplicata sera autorisée de ce fait à percevoir les mêmes droits que ceux prévus par sa législation intérieure.

ARTICLE IX.

A request for correction of name, or change of address of the payee, or for stoppage of payment of an order, or for refund of the money to the remitter, must be addressed by the remitter to the Central Administration of the country of issue of the money order.

ARTICLE IX.

Toute demande tendant soit à rectifier le nom, soit à modifier l'adresse du destinataire, soit à suspendre le payement d'un titre, soit enfin à en obtenir le remboursement au profit de l'expéditeur, devra être adressée par ce dernier à l'administration centrale du pays d'origine du mandat.

Request for correction, etc.

ARTICLE X.

In no event shall repayment of a money order be effected without a statement from the Central Administration of the country of destination to the effect that the money order has not been paid and that repayment is authorized.

ARTICLE X.

En tout cas, le remboursement d'un mandat ne pourra avoir lieu que sur la déclaration de l'administration centrale du pays où le titre était payable, que le mandat n'a pas été payé et que le remboursement est autorisé.

Authorization required for repayment.

ARTICLE XI.

The period of validity of a money order is fixed at twelve months, not including the month of issue. After the expiration of said period the amount of orders not paid is returned to the Central Administration of origin, which will dispose of them according to its own regulations.

ARTICLE XI.

La durée de validité d'un mandat est fixée à douze mois non compris celui de l'émission; à l'expiration de cette période le montant des titres non payés est reversé à l'administration centrale d'origine qui en dispose suivant sa propre législation.

Period of validity.

ARTICLE XII.

The orders issued in one country on the other are subject to the regulations of the country of origin as concerns their issue and to the laws of the country of destination as concerns their payment.

ARTICLE XII.

Les titres émis d'un pays sur l'autre seront soumis, en ce qui concerne l'émission aux réglements en vigueur dans le pays d'origine, et en ce qui touche le payement à la législation du pays de destination.

Regulations.

ARTICLE XIII.

Certification.

The exchange office at Beyrouth will certify to the exchange office at New York the particulars of the money orders drawn for payment in the United States of America, and the New York Office will certify to the exchange office at Beyrouth the orders drawn for payment in the Republic of Lebanon.

Money order advice lists.

The money order advice lists used for that purpose shall be similar to Forms A and B, attached hereto.

Post, pp. 4264, 4265.

In order to prevent the inconvenience resulting from the loss of one of these lists, each office will send with each list a duplicate of the preceding list.

ARTICLE XIV.

Order of entry on lists.

The orders will be entered in consecutive order in the lists by each exchange office, beginning with No. 1 on July 1st of each year.

"International numbers."

The numbers assigned to orders in the lists are considered "international numbers."

The lists will likewise be numbered serially each year beginning with No. 1 on July 1st.

ARTICLE XV.

Missing list of money orders.

Each missing list of money orders must be immediately claimed by the exchange office of destination. The exchange office of origin will transmit without delay to the other exchange office a duly certified copy of each list.

ARTICLE XVI.

Verification of advice list, etc.

Each advice list shall be carefully verified by the exchange office of destination and corrected

ARTICLE XIII.

Le bureau d'échange de Beyrouth communiquera au bureau d'échange de New-York le détail des sommes encaissées en vue de leur payement aux Etats-Unis d'Amérique; celui, de New-York transmettra au bureau d'échange de Beyrouth le détail des sommes encaissées en vue de leur payement dans la République Libanaise.

Les listes d'avis employées à cet effet seront conformes au modéle "A" and "B" annexé.

En vue de prévenir les inconvénients résultant de la perte d'une de ces listes, chaque bureau transmettra, en même temps que chaque liste, un duplicata de la liste précédente.

ARTICLE XIV.

Les mandats seront enregistrés sur les listes suivant une série annuelle spéciale pour chaque bureau d'échange commençant le 1er Juillet, par le No. 1.

Le numéro affecté à un mandat sur la liste sera considéré comme "numéro international."

Les listes seront ellesmêmes numérotées suivant une série annuelle commençant, le 1er Juillet, par le numéro 1.

ARTICLE XV.

Toute liste d'avis manquante devra être immédiatement réclamée par le bureau d'échange destinataire. Le bureau d'échange expéditeur devra alors transmettre sans délai au bureau d'échange correspondant une copie dûment certifiée de cette liste.

ARTICLE XVI.

Chaque liste d'avis devra être soigneusement vérifiée par le bureau d'échange destinataire et cor-

in cases of simple errors. The details of correction will be communicated to the exchange office of origin.

If a list contains other irregularities, the exchange office of destination shall ask for information from the exchange office of origin, which shall furnish this information in the shortest possible time. In such cases the issue of inland orders drawn on the items subject to such inquiries will be suspended until correction

rigée en cas d'erreurs manifestes. Le détail des corrections sera communiqué au bureau d'échange expéditeur.

Si une liste comporte d'autres irrégularités, le bureau d'échange destinataire demandera des renseignements au bureau d'échange expéditeur qui devra les fournir dans le plus bref délai possible. Dans ce cas, l'émission du titre intérieur faisant l'objet de la demande sera suspendue jusqu'à régularisation.

ARTICLE XVII.

On receipt of a list at the exchange office of destination, after verification, said office shall reissue new orders in favor of the payees for amounts specified in the lists, or their equivalents in the money of the country of destination, and shall transmit them to the payees or to the paying offices in accordance with the regulations in force in the country of destination.

ARTICLE XVII.

Dés l'arrivée d'une lists d'avis au bureau d'échange destinataire, celui-ci après vérification, établira au profit des bénéficiaires les titres dont le montant est égal aux sommes spécifiées dans la liste; il les transmettra, soit aux destinataires, soit aux bureaux payeurs, selon la réglementation en vigueur dans l'office destinataire.

Reissuance of new orders, etc.

ARTICLE XVIII.

The Republic of Lebanon may exchange, through the intermediary of the Postal Administration of the United States, postal money orders with the countries which have money order service with the United States of America. This service will be subject to special arrangements as follows:

(a) The exchange office at Beyrouth will certify the amount of each "through" order to the exchange office at New York, which will in turn certify it to the country of payment.

(b) The maximum amount of each order must not exceed the maximum fixed in the agreement between the United States of America and the country of destination.

ARTICLE XVIII.

L'office postal Libanaise pourra échanger par l'intermédiaire de l'office Américain, des mandats poste avec les pays participant au service des mandats poste avec les Etats-Unis d'Amérique. Ce service sera soumis aux dispositions particuliéres ci-aprés:

(a) Le bureau d'échange de Beyrouth notifiera le montant de chaque titre en transit au bureau d'échange de New York qui le notifiera à son tour à l'office intéressé.

(b) Le montant maximum de chaque titre ne devra pas être supérieur à celui fixé dans les relations entre les Etats-Unis d'Amérique et le pays de destination.

Arrangements for exchange of money orders.

(c) The particulars of such orders shall be entered in red ink at the end of each advice list certified to New York, or on special lists, and the total amounts of such orders will be included in the total of the ordinary lists.

(c) Les indications relatives à cette catégorie de titre devront figurer à l'encre rouge à la fin de chacune des listes d'avis ordinaires notifiées à New York ou sur des listes spéciales et le total du montant de ces titres sera compris dans le total des listes ordinaires.

(d) The name and address of the payee of a "through" order, as well as the name of the city and country of destination must be as complete as possible.

(d) Le nom et l'adresse du bénéficiaire de mandat-poste en transit ainsi que le nom de la ville et du pays destinataire devront être aussi complets que possible.

(e) The Lebanon Postal Administration will allow to the Postal Administration of the United States on the "through" money orders, a commission equal to that allowed on orders payable in the United States of America. (See Article VI). The American Central Administration will credit the country of payment with a commission equal to that provided in agreements between that country and the United States of America, and will deduct from the amount of the order a fee fixed by the American Central Administration.

Ante, p. 4254.

(e) L'office postal Libanaise allouera á l'office Américain, pour les mandats poste en transit, une bonification égale à celle dont sont passibles les mandats payables aux Etats-Unis d'Amérique (voir Article VI). Le Bureau d'échange Américain créditera l'office du lieu du payement d'une commission égale à celle prévue dans les relations entre cet office et les Etats-Unis d'Amérique et déduira du montant un titre un droit de commission fixé par l'administration centrale Américaine.

(f) In case of repayment to the remitter of the amount of a "through" money order, the intermediary country shall retain the fee collected.

(f) Au cas de remboursement à l'expéditeur du montant d'un mandat en transit, le droit de commission prélevé par l'office intermédiaire restera acquis à celui-ci.

The Postal Administration of the United States shall communicate to the General Administration of Posts and Telegraphs at Beyrouth, the names of the countries with which it exchanges postal money orders, the maximum amount of the orders in each case, and the fees to be deducted from the amount of each remittance.

L'Office Américain communiquera à la Direction Générale des Postes et Télégraphes à Beyrouth les noms des pays avec lesquels il échange des mandats-poste, le montant maximum des titres dans chaque relation et les droits de commission à déduire du montant de chaque titre.

ARTICLE XIX.

At the end of each quarter each Central Administration will prepare and transmit to the other a statement of money orders issued in the other country and which are not paid at the expiration of twelve months following the month of issue, and therefore became void during the preceding quarter (see appendix C); should there be no such orders, a statement marked "no void orders" shall be transmitted.

ARTICLE XIX.

A la fin de chaque trimestre, chacune des administrations centrales établira et transmettra à l'autre un relevé des mandats-poste émis par les bureaux ressortissant a sa correspondante qui, non payés à l'expiration du délai de douze mois faisant suite au mois de l'émission, seront périmés au cours du trimestre écoulé (voir appendice C). Le cas échéant, un relevé "Néant" sera transmis.

Quarterly statements by Central Administrations.

ARTICLE XX.

The General Administration of Posts and Telegraphs at Beyrouth, will mail to the Third Assistant Postmaster General, Division of Money Orders, Washington, D. C., as soon as possible after the end of each quarter an account, in duplicate, containing the following items:

a. To the credit of the United States:

1. The total amount of advice lists sent by the Beyrouth exchange office during the current quarter, less the amount of invalid orders and the orders which the Lebanon Republic has been authorized to repay during the same period.

2. The commission of ½% on the amount of money orders paid in the United States.

b. To the credit of the Lebanon Republic:

1. The total of advice lists sent by the New York Exchange Office in the course of the quarter, less the amount of invalid orders, and the orders which the United

ARTICLE XX.

La Direction Générale des Postes et Télégraphes à Beyrouth adressera à The Third Assistant Postmaster General, Division of Money Orders, Washington, D. C., aussitôt que possible aprés la fin de chaque trimestre, et en double exemplaire un compte comprenant les articles auivants:

a. au crédit des Etats-Unis:

1. Le total des listes d'avis envoyées par le bureau d'échange de Beyrouth dans le courant du trimestre, diminué du montant des mandats périmés, ou annulés, ou dont le remboursement a été autorisé dans la République Libanaise pendant la meme période.

2. La bonification de ½ pour cent sur le montant des mandats payés aux Etats-Unis.

b. au crédit de la République Libanaise:

1. Le total des listes envoyées par le bureau d'échange de New York dans le courant du trimestre, diminué du montant des mandats périmés, ou annulés, ou dont le

Quarterly accounts to U. S. from General Administration at Beyrouth.

States has been authorized, during the same quarter, to repay.

2. The commission of ½% on the amount of money orders paid in the Lebanon Republic.

Post, p. 4270.

c. The balance of the accounts:

For the establishment of the said balance, the lesser claim will be converted into the money of the larger claim, by using for the base of conversion the average official rate of exchange in the debtor country during the period to which the account relates. The difference finally established will be included in the first account of the following quarter.

Post, p. 4268.

This account prepared on a form similar to the one in Appendix E shall be accompanied by statements:

Post, p. 4267.

a. Of advice lists transmitted during the quarter in both directions (Appendix D)

b. Of invalid and repaid money orders (Appendix C).

Acceptance copy of account.

A copy of the account, duly accepted, will be returned to the General Administration of Posts and Telegraphes at Beyrouth.

ARTICLE XXI.

Payment of provisional balance.

If during the quarter the total amount of the money orders issued by either Administration exceeds 12,000 gold francs (or the equivalent thereof), the orders issued by the other Central Administration, the creditor country shall have the right to ask the debtor Central Administration for payment of a provisional balance amounting to three-quarters of the sum due. This payment shall be effected within eight days follow-

remboursement a été autorisé aux Etats-Unis durant la même période.

2. La bonification de ½ pour cent sur le montant des mandats payés dans la République Libanaise.

c. La Balance de ces comptes:

Pour l'Établissement de cette balance la créance la plus faible sera convertie en la monnaie de la créance la plus forte en prenant pour base de conversion le cours moyen officiel du change dans le pays débiteur pendant la période à laquelle le compte se rapportera. Les différences ultérieurement constatées seront reprises dans le premier compte trimestriel à intervenir.

Ce compte, établi sur une formule analogue à l'appendice E devra être accompagné des relevés:

a. Des listes d'avis transmises pendant le trimestre dans les deux sens (Appendix D).

b. Des mandats périmés, annulés ou remboursés (Appendix C).

Une copie du compte, dûment approuvée, sera retournée à la Direction Générale des Postes et Télégraphes à Beyrouth.

ARTICLE XXI.

Lorsqu'au courant du trimestre, le montant total des mandats émis par l'une des Administrations correspondantes dépassera de douze mille (12,000) francs-or celui des titres émis par l'autre, l'administration centrale créditrice aura le droit de demander à l'administration centrale débitrice le versement d'un solde de provision jusqu'à concurrence des trois-quarts de la crèance. Ce paiement devra être effectué dans

ing the receipt of the request from the creditor country, and verification of the amount due.

In case of nonpayment in the stipulated time, interest at the rate of 6% per annum shall be paid from the date the payment is due until the date of payment.

les huit jours qui suivront le réception de la demande du créditeur, et verification de la montant du.

En cas de non versement dans le délai sus-indiqué, les sommes dues porteront intéréts à raison de 6% l'an du jour de l'expiration de ce délai au jour du paiement.

ARTICLE XXII.

The balance of the general account must be paid by the debtor country not later than 15 days after the date on which the general account is accepted as correct.

ARTICLE XXII.

La balance d'un compte général devra être versée par l'office débiteur quinze jours au plus aprés la date de réception du compte général reconnu exact.

Balance of general account.

The payment mentioned in this article and article XXI, will be effected by remittance on New York or Beyrouth, as the case may be, in the money of the creditor country, without any loss to the latter.

Les versements visés tant au présent article qu'à l'article XXI, seront effectués au moyen de traites tirées suivant le cas soit sur New York, soit sur Beyrouth, et dans la monnaie du pays créditeur, sans perte pour ce dernier.

Post, p. 4270.

Any amount not paid by one of the Central Administrations to the other, after the expiration of six months following the period for which the bill was rendered, will bear interest at the rate of 6% per annum.

Toute somme restant due par l'une des Administrations Centrales à l'autre à l'expiration du délai de six mois qui suivra la période pour laquelle le compte a été établi portera intérets à raison de 6%.

Interest on unpaid amounts.

ARTICLE XXIII.

Each of the Central Administrations is authorized to adopt any supplementary measures, not contrary to the provisions of this Convention, which it may deem advisable to guard more securely against fraud or to improve the working of the service provided due notice thereof be given to the other.

ARTICLE XXIII.

Chacune des Administrations Centrales sera autorisée à adopter, pour autant qu'elles ne sont pas contraires aux dispositions de la présente convention toutes mesures complémentaires qu'elle jugera convenables en vue d'assurer une plus grande sécurité contre les fraudes, ou une meilleure exécution du service, pourvu qu'elle fasse connaître à sa correspondante les dispositions adoptées.

Supplementary measures, etc.

ARTICLE XXIV.

The General Administration of Posts and Telegraphs of the Lebanon Republic shall have the right to fix the maximum amount

ARTICLE XXIV.

La Direction Générale des Postes et des Télégraphes de la République Libanaise aura la faculté de fixer le montant maximum

Right to fix maximum amount.

of money which can be sent in any one day by one remitter to the same payee in the United States of America.

des sommes pouvant être envoyées journellement par un expediteur au même destinaire aux Etats-Unis d'Amérique.

ARTICLE XXV.

Right to increase fees, suspend service, etc.

Each Central Administration reserves the right to increase the fees or to suspend temporarily money order service in case it finds that this service is used by firms or by any one else for remitting large amounts, or for speculation purposes.

The temporary suspension of money order service may be decided unilaterally by each Administration in case of extraordinary circumstances, of which each Administration is the sole judge.

In all cases notice of such suspension must be given immediately by telegraph to the correspondent Central Administration.

ARTICLE XXV.

Chacune des Administrations Centrales se réserve la faculté d'augmenter le droit de commission ou même de suspendre temporairement le service des mandats-poste, au cas où elle constaterait que le service est utilisé par des commerçant ou par tout autre personne pour l'envoi des sommes exagérées ou pour des manoeuvres spéculatives sur les devises.

La suspension temporaire due service des mandats-poste pourra également être décidée de façon unilatérale par chacune des parties en cause au case de circonstances extraordinaires dont celle-ci demeurera seule juge. Dans tous les cas, avis de cette suspension devra etre donné immediatement, au besoin par télégraphe à l'administration centrale correspondante.

ARTICLE XXVI.

Effective date.

The present Convention shall take effect on a date fixed by common agreement between the Postal Administration of the United States and Lebanon and promulgated according to the laws of the respective countries.[1]

Duration.

It shall remain in force from year to year, unless one of the contracting parties gives notice to the other one year in advance of its intention to terminate it.

The provisions of the present Convention will continue during

ARTICLE XXVI.

La présente Convention entrera en vigueur à une date fixée d'un commun accord entre l'office Libanaise et l'office Américain et promulguée conformément aux lois respectives des deux pays.

Elle courra d'année en année, jusqu'à ce que l'une des parties contractantes ait donne avis à l'autre, un an à l'avance, de son intention de la dénoncer.

Les dispositions de la présente Convention continueront, pendant

[1] [Entered into force July 1, 1947, the date agreed upon by exchange of letters of Apr. 16 and June 9, 1947, between the Lebanese Director of Posts and Telecommunications and the United States Third Assistant Postmaster General, respectively.]

the last year to be executed faithfully and entirely without prejudice to liquidation and payment of accounts after the expiration of this time.

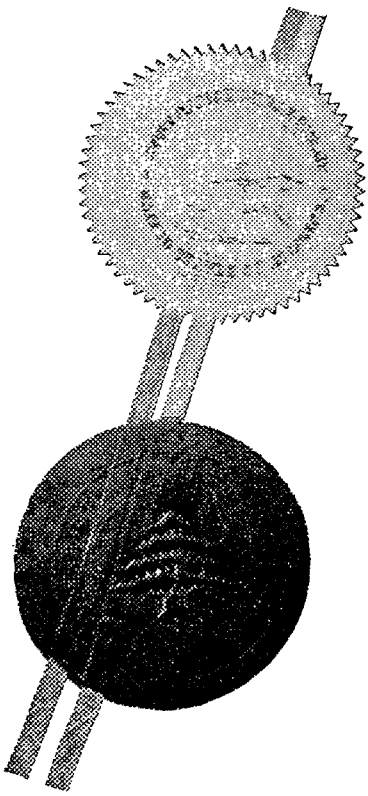
In witness thereof the undersigned have signed this Convention and have affixed their seals.

Done in duplicate and signed at Washington on January 21, 1946 and Beyrouth on . . . . . .

la derniére année, à être fidélement et entiérement exécutées sans préjudice de la liquidation et du payement des comptes aprés l'expiration de ce terme.

En foi de quoi les soussignés ont signé la Convention et y ont apposé leurs sceaux.

Fait en double et signé à Washington le . . . . . et à Beyrouth le 15 Mars 1947.



[1]

Postmaster General of the United States.

[2]

Postmaster General of the Republic of Lebanon.

[1] [Robert E. Hannegan]

[2] [J. Nammour]

APPENDICE A

Bordereau No. . . . . .

Bureau d'echange de . . .

Feuille No. . . . . .

Bordereau des mandats emis aux (1) . . .
dans (2) . . .

a la date du . . . . . et payables
aux (2) . . .
dans (2) . . .

TAUX DE CONVERSION . . .

Date d'emission	No. International du mandat	No. Original du mandat	Bureau d'origine	nom de l'expediteur	Nom du destinataire	Adresse du destinataire	Montant du titre en		a employer par le bureau d'echange de . . .		
							Monnaie du pays d'origine	Monnaie du pays de destination	No du mandat definitif	Bureau d'paiement	Observation

Etabli par . . .

Controle par (1) (2)

(1) Office d'origine
(2) Office de destination.

APPENDICE B

aux (1) . . .
dans (1) . . .

BORDEREAU DES MANDATS emis

payables par les (2) . . . . . pendant le Trimestre 19 . . . qui n'ont pas ete payes dans les douze mois suivant celui de leur emission et sont, par consequent, perimes dans le pays d'origine.

Numaro du bordereau	Date du bordereau	No. International du titre	Numero d'origine	Date d'emission	Bureau d'origine	Bureau de destination	Montant	

(1) Office d'origine.
(2) Office de destination.

Bordereau des mandats-poste emis en . . . . . annules
ou dont le remboursement a ete autorise par l' . . . . . .
et dont le montant total a ete deduit du credit des . . . . . .
. . . . . dans le compte du . . . . . Trimestre 19 . . . .

Numero de la Liste	Date de la Liste	Numero International du Titre	Numero d'origine du titre	Bureau d'emission	Montant $ c.	Observation

APPENDICE D

Trimestre 19 . . .

Bordereau desmmandats-poste tires de . . . . .
sur 1 . . . . . pendant le trimestre ci-dessus mentionne.

Numeros des Listes	Numeros internationaux des mandats suivant les listes		Total des Listes		Observations
	de	a			
		Total des listes			

APPENDICE E.

Compte general des mandats-poste echanges entre les ETATS-UNIS D'AMERIQUE et la REPUBLIQUE LIBANAISE pendant le———— Trimestre 19———

CREDIT DES ETATS-UNIS D'AMERIQUE			CREDIT DE LA REPUBLIQUE LIBANAISE		
Montant total des titres emis dans la Republique Libanaise (voir Append. D)			Montant total des titres emis aux Etats-Unis d'Amerique (voir Append. D)		
a deduire :			a deduire :		
Titres annules ou perimes ou rembourses dans la Republique Libanaise (voir Appendices B & C)			Titres annules ou perimes ou rembourses aux Etats-Unis d'Amerique. (voir Appendices B & C)		
Commission de ½% sur le montant total des mandats payes aux Etats-Unis d'Amerique.			Commission de ½% sur le montant total des mandats payes dans la Republique Libanaise.		
Montant Total du credit des Etats-Unis d'Amerique			Montant total due credit de la Republique Libanaise		
Conversion au taux de					
Balance		6666			

Acomptes
(. . . . .
(. . . . .
(. . . . .
(. . . . .

Solde au credit/debit de l'Office de . . . . . .

Dresse a . . . . . le . . . . . .
(Signature)

Vu et accepte
A . . . . . le . . . . . .
(Signature)

AMENDMENTS TO MONEY ORDER CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF LEBANON

95847°—50—PT. IV——59

Amendments.

Pursuant to authority vested in them, the Postmaster General of the United States of America and the Director of Posts and Telecommunications of the Republic of Lebanon have agreed upon the following amendments to the Convention for the exchange of international money orders between the two countries.

These amendments will become effective when signed and will supersede ARTICLE IV, ARTICLE XX, (Par. c) and ARTICLE XXII, (Par. 2).

Ante, pp. 4253, 4260, 4261.

ARTICLE IV.

Conversion into currency.
Ante, p. 4253.

The amount of money orders exchanged in both directions will be expressed in American currency. The exchange office at Beyrouth will convert the amount of the money orders issued in Lebanon into United States dollars and the amount of the money orders issued in the United States of America, into Lebanon currency.

The rate of conversion shall approximate as closely as possible the buying and selling rate of the United States dollar fixed by the Official Bank at Beyrouth.

The Postal Administration of Lebanon will duly notify the Postal Administration of the United States of the conversion rates used for orders going in both directions.

ARTICLE XX.

Balances.
Ante, p. 4260.

Par. (c). For the establishment of this balance the credit of the Lebanese Republic, expressed in Lebanese pounds, will be converted into United States dollars by using for the basis of conversion the average official rate of exchange in the United States of America, during the period to which the account relates. The differences established will be carried over to the next quarterly account to follow.

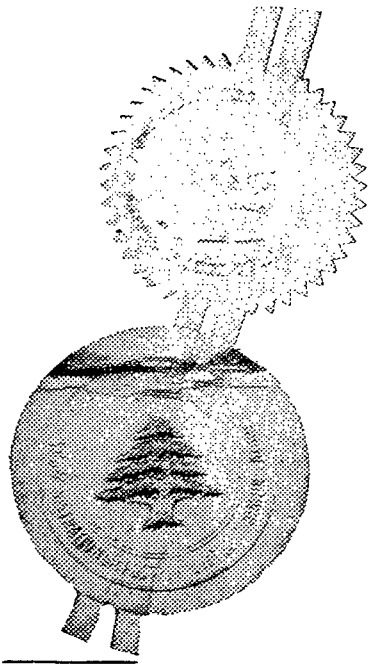
ARTICLE XXII.

Payments.
Ante, pp. 4261, 4260.

Par. (2). The payments provided in this Article and in Article XXI, will be effected by means of drafts drawn on New York in United States dollars.

In witness whereof the Undersigned have signed these Amendments to the Convention and have affixed their seals.

Done in duplicate and signed at Washington on October 8, 1946 and Beyrouth on 15 Mars 1947.



[1]

Postmaster General.

[2]

Director of Posts and Telecommunications.

[1] [Robert E. Hannegan]
[2] [J. Nammour]

AMENDEMENTS A L'ARRANGEMENT ENTRE LES ETATS-UNIS D'AMERIQUE ET LA REPUBLIQUE LIBANAISE CONCERNANT LES MANDATS DE POSTE

En vertu des pouvoirs qui leur sont conférés, le Postmaster General des Etats-Unis d'Amérique et le Directeur des Postes et Télécommunications de la République Libanaise ont arrêté les amendements suivants à l'Arrangement concernant les Mandats de Poste entre les deux pays.

Ces amendements entreront en vigueur des qu'ils seront signés, et remplaceront les Articles IV, XX (Alinéa c), et XXII (Paragraphe 2).

ARTICLE IV

Le montant des mandats de poste échangés dans les deux sens sera exprimé en monnaie américaine. Le bureau d'échange de Beyrouth convertira le montant des mandats emis au Liban en dollars des Etats-Unis, et celui des mandats émis aux Etats-Unis en monnaie libanaise.

Le taux de conversion se conformera autant que possible au prix d'achat et de vente du dollar fixé par la Banque Officielle de Beyrouth.

L'Administration des Postes du Liban notifiera celle des Etats-Unis au moment voulu sur les taux de conversion employés pour les mandats expédiés dans les deux sens.

ARTICLE XX

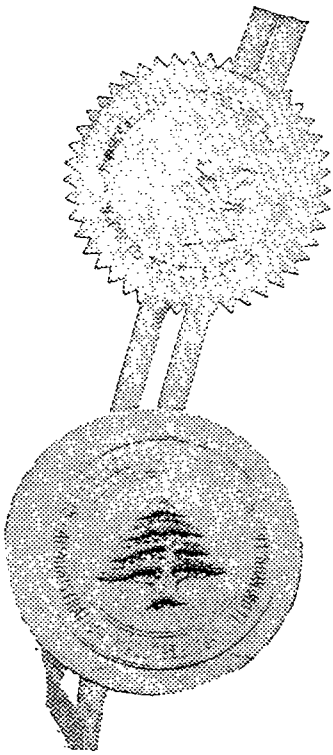
Alinéa (c). Pour l'établissement de ce solde, l'avoir de la République Libanaise, exprimé en livres libanaises, sera converti en dollars des Etats-Unis en prenant comme base de conversion le cours moyen officiel du change aux Etats-Unis pendant la période à laquelle le compte correspond. La différence établie sera portée au compte trimestriel prochain.

ARTICLE XXII

Paragraphe (2). Les paiements prévus à l'Article présent et à l'Article XXI seront effectués au moyen de traites tirées sur New York en dollars des Etats-Unis.

En foi de quoi, les soussignés ont souscrit ces Amendements à l'Arrangement et y ont apposé leurs sceaux officials.

Fait en duplicata et signé à Washington le October 8, 1946 et à Beyrouth le 15 Mars 1947.



[1]

Postmaster General.

[2]

Directeur des Postes et Télécommunications.

[1] [Robert E. Hannegan]
[2] [J. Nammour]

October 13, 20, November 10, 1942, and May 12, June 16, 21, 28, 1945
[T. I. A. S. 1989]

Agreement between the United States of America and Mexico respecting a cooperative program for weather stations in Mexico, amending and extending the agreement of October 13 and 20 and November 10, 1942. Effected by exchanges of notes signed at Mexico, D. F., May 12, June 16, 21, and 28, 1945; entered into force July 1, 1945. And agreement effected by exchanges of notes signed at Mexico, D. F., October 13 and 20 and November 10, 1942; entered into force November 10, 1942.

The American Chargé d'Affaires ad interim to the Mexican Minister for Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Mexico, D.F., May 12, 1945

No. 3,884

EXCELLENCY:

I have the honor to refer to the Embassy's note 697 of October 13, 1942, and to the Memorandum Agreement between Mexico and the United States pertaining to the cooperative project of the Mexican Weather Bureau and the United States Weather Bureau under the program of the Inter-departmental Committee on Cooperation with the American Republics. The Ministry in its note to the Embassy No. 59195 of November 10, 1942, informed the Embassy that the Ministry of Agriculture agreed to the terms of the Memorandum and understood that the agreement was to be effective until June 30, 1945.

Post, p. 4281.

Post, p. 4285.

Proposed extension of agreement.

As the Agreement now in force will expire June 30, 1945, the Embassy is instructed to approach Your Excellency's Government with the view to effecting an extension of the Memorandum Agreement for another three year period, i.e. from July 1, 1945, to June 30, 1948. The continued performance of the Agreement on the part of the United States Government is, of course, dependent on the appropriation of the necessary funds by the Congress of the United States.

I should be happy to transmit Your Excellency's reply to this communication to my Government.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

HERBERT S. BURSLEY
Chargé d'Affaires a.i.

His Excellency
Señor Licenciado EZEQUIEL PADILLA
Minister for Foreign Relations
Mexico, D. F.

The Mexican Acting Minister for Foreign Relations to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

56730

MÉXICO, D.F., *a 16 de Junio de 1945.*

SEÑOR EMBAJADOR:

Con referencia a la nota de esa Embajada a su digno cargo, número 3884, fechada el 12 del actual, relativa a los deseos del Gobierno de Vuestra Excelencia para que el Memorándum Convenio relativo al Servicio de Observación Meteorológico por radiosondeo, existente entre México y los Estados Unidos de América, se prorrogue por 3 años, y sin estar aún en condiciones de comunicar a Vuestra Excelencia la respectiva contestación de las autoridades competentes mexicanas, tengo el agrado de manifestarle que la Secretaría de Agricultura y Fomento, con el deseo de fomentar el establecimiento de estaciones para tal servicio, comunica a esta Dependencia del Ejecutivo que la Dirección General de Geografía, Meteorología e Hidrología, sugirió al Servicio Meteorológico Norteamericano la conveniencia de establecer dos estaciones de la misma naturaleza, en Ciudad Victoria, Tamps. y Chihuahua, Chih. que funcionarían bajo las mismas condiciones establecidas en el Convenio Memorándum citado.

Se refiere aquella Secretaría a que el Servicio Meteorológico Norteamericano, en nota enviada por su Delegado, señor Arnold P. Eliot, de fecha 8 de mayo último, está anuente a establecer la estación de que se trata, en la capital de Estado de Tamaulipas.

De acuerdo con lo anterior tengo el agrado de poner lo correspondiente en conocimiento de Vuestra Excelencia, con el fin de que, en su caso, pueda adicionarse el convenio existente incluyendo la estación de referencia.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

P CAMPOS

Excelentísimo
Señor GEORGE S. MESSERSMITH
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Presente.

Translation

MINISTRY OF FOREIGN RELATIONS
UNITED MEXICAN STATES
MEXICO

56730

MEXICO, D.F., *June 16, 1945.*

MR. AMBASSADOR:

With reference to note number 3884, dated the 12th instant, from the Embassy under your worthy charge, relative to the desires of Your Excellency's Government that the Memorandum of Agreement relative to the Meteorological Observation Service by radiosonde, which is in

effect between Mexico and the United States of America, be extended for three years, although I am not yet in a position to communicate to Your Excellency the answer of the competent Mexican authorities, I have the honor to inform you that the Department of Agriculture and Development, with the desire to promote the establishment of stations for that service, informs this branch of the Executive that the Office of the Director General of Geography, Meteorology and Hydrology has suggested to the United States Meteorological Service the advantage in establishing two stations of the same nature at Ciudad Victoria, Tamaulipas and Chihuahua, Chihuahua, which would be operated under the same terms stated in the Memorandum of Agreement mentioned.

The said Department refers to the fact that the United States Meteorological Service, in a note sent by its representative, Mr. Arnold P. Eliot, dated May 8 last, [1] agrees to establish the station referred to in the capital of the State of Tamaulipas.

In accord with the aforegoing, I have the honor to bring this information to Your Excellency's attention to the end that, if desirable, the existing Agreement may be extended to include the station referred to.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

P CAMPOS

His Excellency
GEORGE S. MESSERSMITH
Ambassador Extraordinary and Plenipotentiary
of the United States of America
City.

The American Ambassador to the Acting Minister for Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Mexico, D.F., June 21, 1945

No. 4025

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's courteous note No. 56730 dated June 16, 1945 with reference to this Embassy's communication No. 3884 of June 12, [2] 1945 concerning the eventual renewal for a period of three years of the Memorandum Agreement existing between the Governments of Mexico and the United States and pertaining to the cooperative project of the Mexican Weather Bureau and the United States Weather Bureau under the program of the Interdepartmental Committee on Cultural and Scientific Cooperation with the American Republics. Your Excellency informs me that the Dirección General de Geografía, Meteorología e Hidrología of the Ministry of Agriculture suggests for the considera-

[1] [Not printed.]
[2] [This date should read "May 12"; see *ante*, p. 4276.]

tion of the United States Weather Bureau that two additional radiosonde stations be established, one in Ciudad Victoria, Tamps., and one in Chihuahua, Chih., to operate under the conditions set forth in the Memorandum Agreement, and Your Excellency also states that a reply has not been received from the appropriate Mexican authorities with regard to the renewal of the agreement for a period of three years or to June 30, 1948.

Establishment of additional station at Ciudad Victoria.

As I am instructed by my Government that the United States Weather Bureau concurs in the desirability of establishing the additional station at Ciudad Victoria, may I propose to Your Excellency, in accordance with the suggestion contained in the next to last paragraph of Your Excellency's note No. 56730, that the language of paragraph one of the Memorandum Agreement which now reads:

Post, p. 4282.

"1. To cooperate in the establishment and operation of three radiosonde observation stations in Mexico, to be located at Mexico City (Tacubaya), Mazatlan and Tapachula; and"

be changed to read:

"1. To cooperate in the establishment and operation of four radiosonde observation stations in Mexico, to be located at Mexico City (Tacubaya), Mazatlan, Merida and Ciudad Victoria, Tamps.; and".

Transfer of station in Tapachula.

The above amendment would provide not only for the establishment of a new station at Ciudad Victoria but also for the transfer of the station in Tapachula to Merida which was actually effected in 1944. I have referred to my Government the suggestion with regard to the establishment of a station at Chihuahua, Chih., but in the meantime venture to suggest to Your Excellency that the extension of the amended Memorandum Agreement for a period of three years be effected by an exchange of notes comprising this communication and Your Excellency's reply thereto. As I am informed that the United States Weather Bureau has made provision in its budget for the 1946 fiscal year in connection with its obligations under the Memorandum Agreement for the establishment of the Ciudad Victoria station and as it desires to proceed in cooperation with the Mexican Meteorological Service promptly after June 30, 1945, in the establishment of this station, I would appreciate receiving Your Excellency's reply to this communication as soon as a decision is reached by the appropriate authorities of the Mexican Government concerning the eventual renewal of the amended Memorandum Agreement to June 30, 1948.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEORGE S. MESSERSMITH
Ambassador

His Excellency
Señor Licenciado PABLO CAMPOS ORTIZ
Acting Minister for Foreign Relations
Mexico, D. F.

The Mexican Acting Minister for Foreign Relations to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

57176

MÉXICO, D. F., *a 28 de Junio de 1945.*

SEÑOR EMBAJADOR:

Con nueva referencia a la nota de Vuestra Excelencia, número 3884, fechada el 12 de mayo último, en la que se sirve comunicarme haber recibido instrucciones del Gobierno de los Estados Unidos de América a efecto de que se prorrogue, por tres años, el Memorándum Convenio relativo al servicio de observación meteorológico por radiosondas, existente entre mi Gobierno y el de Vuestra Excelencia, tengo el agrado de comunicarle que la Secretaría de Agricultura y Fomento me participa estar enteramente de acuerdo en que se prorrogue, por el período señalado, es decir, del 1o. de julio de 1945 al 30 de junio de 1948, la vigencia del Memorándum Convenio de que se trata.

Aprovecho esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

P CAMPOS

Excelentísimo
Señor GEORGE S. MESSERSMITH.
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Presente.

Translation

MINISTRY OF FOREIGN RELATIONS
UNITED MEXICAN STATES
MEXICO

57176

MEXICO, D.F., *June 28, 1945.*

MR. AMBASSADOR:

Referring again to Your Excellency's note number 3884, dated May 12 last, in which you are good enough to inform me that you have received instructions from the Government of the United States of America to the end that the Memorandum of Agreement relative to the Meteorological Observation Service by radiosonde, which is in effect between my Government and that of Your Excellency, be extended for three years, I have the honor to inform you that the Department of Agriculture and Development informs me that it is completely in accord with the extension for the period indicated, that is to say, from July 1, 1945 to June 30, 1948, of the term of the Memorandum of Agreement in reference.

Ante, p. 4276.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

P CAMPOS

His Excellency
GEORGE S. MESSERSMITH,
Ambassador Extraordinary and Plenipotentiary
of the United States of America.
City.

The American Ambassador to the Mexican Minister for Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 697

Mexico, D.F., October 13, 1942.

EXCELLENCY:

Establishment of radiosonde observation stations.

I have the honor to refer to the Undersecretary's courteous note no. 5682 of January 31, 1941, [1] and related correspondence in connection with the visit to Mexico of Mr. Stephen Lichtblau of the United States Weather Bureau to confer with Dr. José C. Gomez and other officials of the Mexican Meteorological Service with a view to the establishment on a cooperative basis of radiosonde observation stations.

Since Mr. Lichtblau's visit to Mexico, Dr. F. W. Reichelderfer, Chief of the Weather Bureau, has corresponded with Dr. Gomez on the subject and it is understood that as a result of these preliminary discussions the United States Weather Bureau and the Mexican Meteorological Service have agreed in principle that it would be desirable to cooperate in the establishment and operation of three radiosonde observation stations to be located in Mexico City (Tacubaya), Mazatlan and Tapachula.

Memorandum Agreement. *Post*, p. 4282.

In this connection I have the honor to transmit herewith a Memorandum Agreement setting forth in detail the conditions under which the United States Weather Bureau proposes to cooperate with the Mexican Meteorological Service in the establishment and operation of the proposed stations in question. If this Memorandum Agreement meets with the approval of Your Excellency's Government I should appreciate it if Your Excellency would be so kind as to inform me as soon as may be possible in order that I may so inform my Government.

It is the view of my Government that a note from Your Excellency accepting the proposals set forth in the Memorandum will constitute an agreement to that effect and it is not necessary that the Memorandum be signed.

Desired result of project.

For Your Excellency's further information I may state that my Government has already established a network of radiosonde observation stations in the United States, the West Indies, and the Canal Zone, and if additional stations can be established at Mexico City,

[1] [Not printed.]

Mazatlan, and Tapachula the project will result in filling an existing gap in the network. The stations will make it possible for the Mexican Meteorological Service and the Weather Bureau to obtain data on the temperature, pressure and humidity of the atmosphere from the earth's surface to great heights. This information is of vital importance to aviation both in Mexico and the United States and it is therefore hoped that Your Excellency will be so kind as to expedite a reply in the premises.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEORGE S. MESSERSMITH

Enclosure:
Memorandum Agreement, as stated.

His Excellency
Señor Licenciado EZEQUIEL PADILLA,
Minister for Foreign Relations,
Mexico, D. F.

MEMORANDUM AGREEMENT

Regular exchange of meteorological data.

In accordance with recent correspondence between Dr. F. W. Reichelderfer, Chief of the United States Weather Bureau, and Dr. José C. Gomez, Chief of the Mexican Meteorological Service, and previous conversations between representatives of the two organizations, the Government of the United States, through the Weather Bureau, now proposes to cooperate with the Government of Mexico, through the Mexican Meteorological Service, in organizing the regular exchange of meteorological data, subject to the following understanding:

General objectives.

It shall be the general objective of the said meteorological services of the two countries –

Ante, p. 4279.

1. To cooperate in the establishment and operation of three radiosonde observation stations in Mexico, to be located at Mexico City (Tacubaya), Mazatlan and Tapachula; and

2. To provide for the daily exchange of upper-air weather observations between the United States Weather Bureau and the Mexican Meteorological Service for the use of each country, especially in serving the needs of aviation, and to render it possible for the Government of the United States and the Government of Mexico to assist in the development of a continental exchange of weather information, forecasts, and warnings.

Action by U. S. Weather Bureau.

To attain the foregoing objectives, the United States Weather Bureau agrees to –

(a) Provide and install the ground equipment necessary for making radiosonde observations at each of the three stations and pay the cost of necessary repairs;

(b) Authorize one of its technicians to visit the observation stations to repair the ground equipment, whenever such equipment becomes inoperative and repairs cannot be made locally;

(c) Detail three experienced radiosonde observers to Mexico (one to each observation station) for a period of about two months to instruct observers employed by the Mexican Meteorological Service in the technique of making radiosonde observations and in the maintenance of equipment;

(d) Provide the necessary radiosondes, balloons, parachutes, helium gas, meteorological forms and other accessories required for the observations; and

(e) Provide balloon inflation shelters, if necessary.

Action by Government of Mexico.

The Government of Mexico, through the Mexican Meteorological Service, agrees to –

(a) Assign a minimum of one observer and one assistant to each station for the purpose of making daily observations in accordance with standard practice and procedure;

(b) Supply the necessary office quarters and office equipment, including heat, light and electric power;

(c) Provide adequate ground space for balloon inflation shelters, as may be necessary;

(d) Arrange for the prompt transmission of the radiosonde observation reports made pursuant to this agreement to a point in the United States to be designated by the United States Weather Bureau; and

(e) Make available the recorder records to the United States Weather Bureau for reference purpose, and supply that Bureau with copies of the Weather Bureau forms which will be used for all radiosonde observations made at the stations.

Expenditures.

I. The total amount to be expended by the United States Weather Bureau shall not exceed Fifty Thousand Dollars ($50,000) during the fiscal year ending June 30, 1943. All expenditures incurred by the Weather Bureau shall be paid directly by that organization and all expenditures incident to the obligations assumed by the Government of Mexico shall be paid directly by that Government.

Title to property.

II. Title to all property supplied by the Mexican Government shall remain vested in that Government, and likewise the title to all property supplied by the Government of the United States shall remain vested therein.

Effective date; termination.

This agreement shall come into effect on the day on which it is accepted by the Government of Mexico, and shall continue in effect until June 30, 1943, [1] or for an additional period if mutually agreed upon in writing, unless the Congress of either country shall fail to make available the funds necessary for its execution in which case it may be terminated on sixty days' advance written notice by the Government of either country.

[1] [The year should read "1945"; see *post*, p. 4284.]

The American Ambassador to the Mexican Minister for Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA
Mexico, D.F., October 20, 1942

No. 708

EXCELLENCY:

Ante, p. 4281.

I venture to refer to my note no. 697 of October 13, 1942, transmitting, for Your Excellency's consideration, a Memorandum Agreement respecting the desire of the United States Weather Bureau to cooperate with the Mexican Meteorological Service in the establishment and operation of three radiosonde observation stations to be located in Mexico City (Tacubaya), Mazatlan, and Tapachula.

Ante, p. 4283.

I now have the honor to inform Your Excellency that the date mentioned in the last paragraph of the Memorandum Agreement should be changed to read "June 30, 1945" and the paragraph in question would therefore read as follows:

> "This agreement shall come into effect on the day on which it is accepted by the Government of Mexico, and shall continue in effect until June 30, 1945, or for an additional period if mutually agreed upon in writing, unless the Congress of either country shall fail to make available the funds necessary for its execution in which case it may be terminated on sixty days' advance written notice by the Government of either country."

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

GEORGE S. MESSERSMITH

His Excellency
Señor Licenciado EZEQUIEL PADILLA,
Minister for Foreign Relations,
Mexico, D.F.

The Mexican Minister for Foreign Relations to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

59195

MÉXICO, D.F., *10 de noviembre de 1942.*

SEÑOR EMBAJADOR:

Tengo el honor de referirme nuevamente a la atenta nota de Vuestra Excelencia, número 697, de fecha 13 de octubre de 1942, relativa al establecimiento de un servicio de observación meteorológica por radiosondas, en México, Mazatlán y Tapachula.

La Secretaría de Agricultura y Fomento me participa que acepta cumplir la parte que le corresponde al Convenio propuesto y en los términos del memorándum que Vuestra Excelencia se sirvió acompañar a su nota a que hago referencia, quedando entendido que la duración de dicho Convenio será hasta el 30 de junio del año de 1945.

Sírvase aceptar Vuestra Excelencia, las seguridades de mi consideración más alta y distinguida.

E. PADILLA

Excmo. Señor GEORGE S. MESSERSMITH,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de Norteamérica,
Presente.

Translation

MINISTRY OF FOREIGN RELATIONS
UNITED MEXICAN STATES
MEXICO

59195 MEXICO, D.F., *November 10, 1942.*

MR. AMBASSADOR:

I have the honor to refer again to Your Excellency's courteous note number 697, dated October 13, 1942, relative to the establishment of a meteorological observation service by radiosonde in Mexico City, Mazatlán and Tapachula. *Ante*, p. 4281.

The Department of Agriculture and Development (Fomento) notified me that it agrees to fulfill the part it is assigned in the proposed Agreement and in the terms of the memorandum which Your Excellency was good enough to enclose with the note to which I have referred, it being understood that the duration of the said Agreement shall be until June 30 of the year 1945.

Please accept, Excellency, the assurances of my highest and most distinguished consideration.

E. PADILLA

His Excellency
GEORGE S. MESSERSMITH,
Ambassador Extraordinary and Plenipotentiary
of the United States of America,
City.

INDEX

A

Page

Agricultural Workers, Mexican:
Illegal entrants into U. S. 4097, 4106
Temporary migration 3738
Texas, service in 4107
Wage rates in connection with Sugar Act, 1947 3739, 3743
Aid, Foreign:
China, relief assistance to 3374
Greece, military equipment and supplies to, agreement with Great Britain 3763
Aid, Mutual:
China 3895
France, settlement 4175
Netherlands, settlement 3924
Air Service Facilities:
Australia 3843
Denmark 3851
France 4088, 4095
Great Britain 4008
Norway 3861
Siam 3855
Sweden 3893
Switzerland 3859
Air Transport Services:
Brazil 4121
Egypt 3825
France 3445
Algeria, air service facilities 4088
Alien Property Custodian, Department of Justice, disposition of Italian property 3998, 4002
Allied Military Government, transfer of responsibility, Italy 3661
Amberley and Eagle Farm, Australia, air service facilities at 3843
American Dead in World War II, Interment or Removal:
Belgium 3352
France 3767
Hungary 3898
Italy 3750
Netherlands 4037
Rumania 4042
Argentia, Newfoundland, U. S. Naval Base, delimitation of territorial waters, agreement with United Kingdom 4065
Argentina:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Armed Forces, U. S.:
Austria, occupation costs 4171
China 3755
France and French overseas territories, expenditures 4206
Italy, rights and privileges 3661
Australia:
Air service facilities, Eagle Farm and Amberley 3843
Maritime Consultative Council, Provisional 3796
Shipping arrangements and recommendations of United Maritime Executive Board 3791
Austria:
Claims and war accounts, certain, settlement of 4168
Gold, monetary, restitution to 3571
Occupation costs of U. S. Forces 4171
Aviation. *See* Air Service Facilities; Air Transport Services.
Aviation Mission, Civil:
Bolivia 3863
Ecuador 4013
Aviation Mission, Military, Chile 4006

B

Bangkapi and Don Muang, air service facilities at, agreement with Siam 3855
Base, Naval, Argentia, Newfoundland, delimitation of territorial waters, agreement with United Kingdom 4065
Bases, Military, Philippines 4019
Belgium:
American dead in World War II, interment or removal 3352
Belgo-Luxemburg Economic Union—
General Agreement on Tariffs and Trade, 1947, supplementation of 3689
Trade agreement of Feb. 27, 1935, rendered inoperative 3689
Passport visa fees 4117

Belgium—Continued Page
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Belgo-Luxemburg Economic Union. *See under* Belgium.
Bolivia:
Civil aviation mission 3863
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Boykin Act, benefits with respect to Italy 3999
Brazil:
Air transport services 4121
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Shipping—
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Broadcasting, Radio. *See* Radio Broadcasting.

C

CAA. *See* Civil Aeronautics Administration.
Canada:
Canol Project facilities—
Crude oil—
Disposal 3681
Rights, waiver of certain 3679
Evaluation of 3677
General Agreement on Tariffs and Trade, 1947, supplementation of 3695
Hyde Park Declaration, continuation of principles 3958
Naval forces on American lakes 4069
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Radio broadcasting, allocation of FM channels 3800
Radio transmitting stations, mobile 3349
Reconversion of industry 3958
Rush-Bagot Agreement, observation of 4069
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Canada—Continued Page
Trade agreement of Nov. 17, 1938, rendered inoperative 3695
Canol Project Facilities. *See under* Canada.
Cemeteries for American War Dead:
Belgium 3352
France 3767
Hungary 3898
Italy 3750
Netherlands 4037
Rumania 4042
Chile:
Military aviation mission 4006
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Shipping—
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
China:
Mutual aid 3895
Relief assistance 3374
U. S. armed forces 3755
U. S. Educational Foundation, establishment 3582
Vessels and equipment, U. S. Naval, transfer of 3618
Civil Aeronautics Administration, assistance in operation of air service facilities in French territory, agreement with France 4088, 4090
Civil Aeronautics Board:
Rate agreements, approval, provision in air transport agreements with—
Brazil 4141
France 3458
Civil Aviation Mission:
Bolivia 3863
Ecuador 4013
Claims:
Austria—
Occupation costs of U. S. Forces 4172
Settlement of certain 4168
Czechoslovakia, settlement of certain war accounts 3410
France—
Intergovernmental 4175
Shipping 4196
Troop pay and military procurement 4198
Great Britain, overpayment of charter hire for ships 3951
Italy—
Prewar 3967
Property—
Literary, artistic or industrial 4002
Treaty of Peace, application of 3966

Page

Claims—Continued
Italy—Continued
U. S. nationals 3988
Vessels 4000, 4002
Wartime 3962
Netherlands—
Intergovernmental 3924
Private 3924
Ships, charter hire overpayment 3951
Cointrin Airport, Switzerland, SCS-51 equipment 3859
Colombia:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Commercial Agreement of 1935, Sweden, temporary modification 3745
Commercial Policy, Declaration on, France 4210
Costa Rica:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Crowley-Monnet Account. *See* Monnet-Crowley Adjustment.
Cuba:
General Agreement on Tariffs and Trade, 1947, supplementation of 3699
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Trade agreements of Aug. 24, 1934, Dec. 18, 1939, and Dec. 23, 1941, rendered inoperative 3699
Weather stations, cooperative program 4084
Czechoslovakia, settlement of certain claims and war accounts 3410

D

Declaration by U. S. and French Presidents 4216
Denmark:
Air service facilities, Kastrup airport 3851
Maritime Consultative Council, Provisional 3796
Shipping arrangements and recommendations of United Maritime Executive Board 3791
Dollar Bonds, Italian, agreement with Italy 3981
Dominican Republic:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Don Muang and Bangkapi, air service facilities at, agreement with Siam 3855

E

Eagle Farm and Amberley, Australia, air service facilities at 3843

Page

Economic and Financial Relations, Italy 3962
Ecuador:
Civil aviation mission 4013
Educational program, cooperative 3902
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Education, Cooperative Program of:
Ecuador 3902
Peru 3871
Educational Foundation, Inc., Inter-American. *See* Inter-American Educational Foundation, Inc.
Educational Foundation in China, U. S., establishment 3582
Egypt, air transport services 3825
El Salvador:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Export-Import Agency, Joint (United States-United Kingdom), functions, etc., under agreement respecting fusion of American and British zones of occupation in Germany 3609
Extradition Convention of 1868, reciprocal application of Article I, Italy 3687

F

Fields of Honor. *See* Cemeteries for American War Dead.
Finances, Haiti 4111
Financial and Economic Relations, Italy 3962
FM Channels in Radio Broadcasting, Allocation of, Canada 3800
Foreign Aid. *See also* Aid, Mutual.
China, relief assistance to 3374
Greece, military equipment and supplies to, agreement with Great Britain 3763
Foreign Exchange Agency, Joint (United States-United Kingdom), functions, etc., under agreement respecting fusion of American and British zones of occupation in Germany 3610
Four Power Naval Commission, establishment of 3847
France:
Aid, mutual, settlement for 4175
Commercial policy, declaration on 4210
Declaration by U. S. and French Presidents 4216
Expenditures, U. S. armed forces in France and French overseas territories 4206
Motion pictures, American, exhibition in France 4213
Shipping claims 4196

France—Continued Page
Air service facilities, French territory 4088, 4095
Air transport services 3445
American dead in World War II, interment or removal 3767
General Agreement on Tariffs and Trade, 1947, supplementation of 3715
German property in Sweden, liquidation 3840
Gold, monetary, restitution to—
Austria 3571
Italy 3729
Italian fleet, excess units; Four Power Naval Commission; return by Soviet Union of warships on loan 3846
Passport visa fees 3776
Shipping—
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Trade agreement of May 6, 1936, rendered inoperative 3715
Troop pay and military procurement 4198
Voluntary labor, recruitment of, U. S. Zone of Germany 4113
French Republic, Provisional Government of. *See* France.
Frequency Modulation Broadcasting Stations, Canada 3800

G

Gardermoen Airfield, Norway, air service facilities at 3861
General Agreement on Tariffs and Trade, 1947, Supplementation:
Belgium 3689
Canada 3695
Cuba 3699
France 3715
Great Britain 3725
Netherlands 3721
German Property in Sweden, Liquidation of, understanding with France 3840
Germany:
American and British zones of occupation, economic fusion of 3608
U. S. Zone, recruitment of voluntary labor for France 4113
Gold, Monetary, Restitution:
Austria, multilateral agreement 3571
Italy, multilateral agreement 3729
Great Britain:
Aid to Greece, procurement of military equipment and supplies 3763
Argentia, Newfoundland, U. S. Naval Base at, delimitation of territorial waters adjacent to 4065

Great Britain—Continued Page
Claims, charter hire of ships, overpayment 3951
General Agreement on Tariffs and Trade, 1947, supplementation of 3725
Germany, economic fusion of American and British zones of occupation 3608
Gold, monetary, restitution to—
Austria 3571
Italy 3729
Italian fleet, excess units; Four Power Naval Commission; return by Soviet Union of warships on loan 3846
Radio range, SCS-51 equipment, transfer of 4008
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Trade agreement of Nov. 17, 1938, rendered inoperative 3725
Great Lakes, Naval Forces on, Canada 4069
Greece:
Aid, military equipment and supplies, Great Britain 3763
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Vessels and equipment, U. S. Naval, transfer of 3734
Guatemala:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Guiana, French, air service facilities 4088

H

Haiti:
Finances 4111
Health and sanitation program, cooperative 3651
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Headquarters, United Nations:
Agreement 3416
Interim agreement 3439
Health and Sanitation Program:
Haiti 3651
Peru 3361

Honduras: Page
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Hungary, interment of remains of American military and civilian personnel 3898
Hyde Park Declaration, continuation of principles, Canada 3958

I

Import Restrictions, Quantitative, Sweden 3745
India:
Maritime Consultative Council, Provisional 3796
Shipping arrangements and recommendations of United Maritime Executive Board 3791
Indo-China, air service facilities 4088
Industry, Reconversion of, Canada 3958
Institute of Inter-American Affairs:
Educational program, cooperative, Ecuador 3902
Health and sanitation program, cooperative—
Haiti 3651
Peru 3361
Inter-American Educational Foundation, Inc.:
Cooperative educational program—
Ecuador 3902
Peru 3871
Interim Headquarters Agreement, United Nations 3439
International Civil Aviation Organization, Provisional:
Agreements—
Notice of termination 3454, 4134
Registry 3452, 3827, 4130
Air service facilities, French territory, establishment of regulations 4089
Instrument landing systems, Great Britain 4010
Interim Council, settlement of disputes, advisory report 3452, 3827, 4130
Rates, failure of agreement on, reference for advisory report, provision in air transport agreements with—
Brazil 4143
France 3462
Italian Fleet, Disposal of Excess Units, multilateral agreement 3846, 3849
Italy:
Allied Military Government, transfer of responsibility; rights and privileges of U. S. forces in Italy 3661
American dead in World War II, disposition and care of remains 3750
Extradition Convention of 1868, reciprocal application of Article I 3687

Italy—Continued Page
Financial and economic relations 3962
Gold, monetary, restitution to Italy 3729

J

Joint Export-Import Agency (United States-United Kingdom), functions, etc., under agreement respecting fusion of American and British zones of occupation in Germany 3609
Joint Foreign Exchange Agency (United States-United Kingdom), functions, etc., under agreement respecting fusion of American and British zones of occupation in Germany 3610
Justice, Department of, Office of Alien Property Custodian, Italian property 3998, 4002

K

Kastrup Airport, Facilities at, agreement with Denmark 3851

L

Labor, Recruitment in U. S. Zone of Germany, agreement with France 4113
Lake Success Site. *See under* United Nations.
Lebanon, exchange of postal money orders 4251
Lend-Lease Act:
Aid, mutual—
China 3895
France, settlement 4175
Netherlands 3924
Claims, Italy 3962
Luxemburg. *See* Belgo-Luxemburg Economic Union *under* Belgium.

M

Maritime Consultative Council:
Provisional, establishment, multilateral 3796
United Maritime Consultative Council, recommendations for 3794
Maritime Council, United, organization 3787
Maritime Executive Board, United:
Arrangements and recommendations of 3791
Establishment 3787, 3788
Meteorological Service, Cooperative, Mexico 4276
Mexico:
Migration of workers to U. S.—
Agricultural workers 3738, 4097, 4106
Non-agricultural 3575
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479

Mexico—Continued Page
Radiosonde observation stations, establishment of 4276
Termination of agreement of Apr. 29, 1943, on recruiting of workers 3575
Weather stations—
Cooperative program 4053, 4276
Guadalupe Island 4060
Military Aid:
France, settlement of claims 4185
Greece, equipment and supplies, agreement with Great Britain 3763
Military Aviation Mission, Chile 4006
Military Bases in Philippines 4019
Monetary Gold, Restitution to:
Austria 3571
Italy 3729
Money Orders, Exchange of:
Lebanon 4251
Multilateral 3540
Monnet-Crowley Adjustment, France 4185, 4192
Morocco, French, air service facilities 4088
Motion Pictures, American, Exhibition of, understanding with France 4213
Multilateral Agreements, Etc.:
Claims, charter hire of ships, overpayment 3951
Gold, monetary, restitution—
Austria 3571
Italy 3729
Italian fleet, excess units; Four Power Naval Commission, return by Soviet Union of warships on loan 3846
Money orders, exchange of 3540
Final protocol 3570
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Mutual Aid. *See* Aid, Mutual.

N

Naval Base, U. S., Argentia, Newfoundland, delimitation of territorial waters, agreement with United Kingdom 4065
Naval Commission, Four Power, establishment of 3847
Naval Forces on American Lakes, Canada 4069
Naval Reserve Personnel, vessels for training of, Canada 4082
Naval Vessels and Equipment, U. S., Transfer:
China 3618
Greece 3734

Netherlands: Page
Aid, mutual, settlement for 3924
American dead in World War II, interment or removal 4037
Claims, charter hire of ships, overpayment 3951
General Agreement on Tariffs and Trade, 1947, supplementation of 3721
Passport visas 3838
Nonimmigrant passport visa fees, waiving of 3834
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791
Trade agreement of December 20, 1935, rendered inoperative 3721
Netherlands Indies, credit for purchase of surplus property 3947
Newfoundland, delimitation of territorial waters adjacent to U. S. Naval Base at Argentia, agreement with United Kingdom 4065
New Zealand:
Maritime Consultative Council, Provisional 3796
Shipping arrangements and recommendations of United Maritime Executive Board 3791
Nicaragua:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Norway:
Air service facilities, Gardermoen airfield 3861
Shipping—
Co-ordinated control of 3784
Maritime Consultative Council, Provisional 3796
United Maritime Executive Board, arrangements and recommendations 3791

O

Occupation Costs, U. S. Forces, Austria 4171
Occupation Zones in Germany, American and British, economic fusion of, Great Britain 3608
Oceania, French, air service facilities 4088
Oil Facilities, Crude. *See* Canol Project facilities *under* Canada.

P

Panama:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479

Paraguay: Page
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Parcel Post Service, multilateral agreement respecting 3524
Passport Visa Fees:
Belgium 4117
France 3776
Netherlands 3834
Sweden 4050
Passport Visas, Netherlands 3838
Peru:
Educational program, cooperative 3871
Health and sanitation program, cooperative 3361
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479
Philippines:
Military bases 4019
Postal Convention 4161
PICAO. *See* International Civil Aviation Organization, Provisional.
Poland:
Maritime Consultative Council, Provisional 3796
Shipping, co-ordinated control of 3784
United Maritime Executive Board, shipping arrangements and recommendations 3791
Postal Convention, Philippines 4161
Postal Money Orders, Exchange of, Lebanon 4251
Postal Union of the Americas and Spain:
Multilateral agreement 3479
Adherences, new 3517
Arbitration 3513
Congresses 3515
Customs clearance 3509
Diplomatic and consular correspondence 3520
Diplomatic pouches 3520
Duration 3517
Effective date 3517
Franking privilege 3509
International Office 3513, 3521
Language, official 3511
Legislation, domestic, application 3516, 3523
Modifications and amendments 3516
Postage rates 3506, 3519
Protocol, final 3518
Registered correspondence 3508
Regulations of execution 3518
Reservations—
Canada 3518
Panama 3518
United States 3518
Postal Union of the Americas and Spain—Continued Page
Multilateral agreement—Continued
Transfer Office, International 3512
Unions, restricted 3505
Universal Postal Convention, application 3516, 3523
Parcel post service 3524
Abandoned or returned parcels 3538
Balances under 50 gold francs, cancellation 3535
Customs clearance, delivery, storage and other charges 3535
Duration 3539
Effective date 3539
Final protocol 3539
Fraudulent declarations 3537
Postage rates and payments 3535
Responsibility for loss, etc 3536
Second addressees, parcels for 3538
Universal Postal Union, Parcel Post Agreement and Regulations, applicability 3538
Weight and dimensions 3534
Provisional International Civil Aviation Organization. *See* International Civil Aviation Organization, Provisional.
Provisional Maritime Consultative Council, establishment, multilateral 3796
Publications, Official, Exchange of, Sweden 3605

R

Radio Broadcasting, Allocation of FM Channels, Canada 3800
Canadian stations 3819
Number system 3822
U. S. stations 3803
Radio Range and SCS-51 Equipment, Transfer of, Great Britain 4008
Radio Transmitting Stations, Mobile, interim arrangement with Canada 3349
Radiosonde Stations:
Cuba 4084
Mexico 4276
Railroad Retirement Act, funds deducted from salaries of Mexican non-agricultural workers 3575
Reciprocal Aid. *See* Aid, Mutual.
Reconversion of Industry, Canada 3958
Relief Assistance, China 3374
Reserve, Naval, vessels for training of personnel, stationing on Great Lakes, agreement with Canada 4082
Rumania, disposition of remains of American military and civilian personnel 4042
Rush-Bagot Agreement, Observation of, Canada 4069
Russia. *See* Soviet Socialist Republics, Union of.

S

Page

Salvador. *See* El Salvador.
Sanitation. *See* Health and Sanitation Program.
SCS-51 Equipment:
Great Britain 4008
Switzerland 3859
Security Council, United Nations, availability of military bases in Philippines. 4020
Senegal, air service facilities 4088
Shipping:
Claims, France 4196
Co-ordinated control of, multilateral 3784
Provisional Maritime Consultative Council, establishment, multilateral 3796
United Maritime Consultative Council, recommendations for 3794
United Maritime Council, organization. 3787
United Maritime Executive Board—
Arrangements and recommendations, multilateral 3791
Establishment 3787, 3788
Siam, air service facilities at Don Muang and Bangkapi 3855
South Africa, Union of, shipping arrangements and recommendations of United Maritime Executive Board 3791
Soviet Socialist Republics, Union of, excess units of Italian fleet; Four Power Naval Commission; return by Soviet Union of warships on loan 3846
Spain:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain. 3479
Sugar Barter Agreement, France, claims respecting 4190
Surplus Property:
France 4175
Netherlands 3924
Netherlands Indies 3947
Radio, transfer of maintenance parts, Great Britain 4009
Surplus War Property Sales Agreement, establishment of U. S. Educational Foundation in China, agreement with China 3582
Sweden:
Air service facilities 3893
Import restrictions, quantitative 3745
Liquidation of German property in 3840
Passport visa fees 4050
Publications, official, exchange of 3605
Shipping arrangements and recommendations of United Maritime Executive Board 3791
Switzerland, SCS-51 equipment at Cointrin airport 3859

T

Page

Tariffs and Trade, General Agreement on, 1947, Supplementation:
Belgium 3689
Canada 3695
Cuba 3699
France 3715
Great Britain 3725
Netherlands 3721
Texas, service of Mexican agricultural workers in 4107
Thailand. *See* Siam.
Trade Agreements Rendered Inoperative:
Belgo-Luxemburg Economic Union, of Feb. 27, 1935 3689
Canada, of Nov. 17, 1938 3695
Cuba, of Aug. 24, 1934, Dec. 18, 1939, and Dec. 23, 1941 3699
France, of May 6, 1936 3715
Great Britain, of Nov. 17, 1938 3725
Netherlands, of Dec. 20, 1935 3721
Tunisia, air service facilities 4088

U

Union of South Africa. *See* South Africa, Union of.
Union of Soviet Socialist Republics. *See* Soviet Socialist Republics, Union of.
United Kingdom. *See* Great Britain.
United Maritime Consultative Council, recommendations for 3794
United Maritime Council, organization 3787
United Maritime Executive Board:
Arrangements and recommendations, multilateral 3791
Establishment 3787, 3788
United Nations:
Headquarters 3416
Interim agreement 3439
Flushing Assembly Hall Site, description 3443
Lake Success Site, description 3441
Security Council, military bases in Philippines, availability to 4020
United States Educational Foundation in China, establishment 3582
United States Zone, Germany. *See under* Germany.
Uruguay:
Money orders, exchange of 3540
Parcel post service 3524
Postal Union of the Americas and Spain 3479

V

Venezuela:
Money orders, exchange of 3540
Parcel post service 3524

Page

Venezuela—Continued
Postal Union of the Americas and Spain 3479
Vessels, U. S. Naval, on Great Lakes, agreement with Canada 4069
Vessels and Equipment, U. S. Naval, Transfer:
China 3618
Greece 3734
Visa Fees, Passport. *See* Passport Visa Fees.

W

War Accounts, Settlement of Certain:
Austria 4168
Czechoslovakia 3410
Warships on Loan, U. S. and British, return by Soviet Union 3846

Page

Weather Stations, Cooperative Program:
Cuba 4084
Mexico 4053, 4276
Mexico, Guadalupe Island 4060
Workers, Non-Agricultural, Mexican:
Agreement, April 29, 1943, termination of 3575
Salaries, deductions under Railroad Retirement Act, refund of 3575
World War II, Interment or Removal of American Dead:
Belgium 3352
France 3767
Hungary 3898
Italy 3750
Netherlands 4037
Rumania 4042

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UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
REORGANIZATION PLANS, AND PROPOSED
AMENDMENT TO THE CONSTITUTION

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

VOLUME 61

IN SIX PARTS

PART 5

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES
(GENERAL AGREEMENT ON TARIFFS AND TRADE)

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1948

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CONTENTS

	Page
Final Act (English and French Language Texts)	A7
English Language Text:	
General Agreement on Tariffs and Trade	A11
Index to List of Schedules	A91
Index	A–I

GENERAL AGREEMENT ON TARIFFS AND TRADE

(in two parts, with the documents arranged in the order of the original compilation deposited with the United Nations)

Part 5, 61 Stat., contains the Final Act (in both English and French), the English authentic texts, and the revised translations by the Department of State of the parts of this agreement in which only the French texts are authentic.

Part 6, 61 Stat., contains the French authentic texts and the Protocol of Provisional Application (in both English and French).

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

FIRST SESSION OF THE EIGHTIETH CONGRESS
OF THE
UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

Protocol of Provisional Application of the General Agreement on Tariffs and Trade, signed at Geneva October 30, 1947, for the United States of America, Australia, Belgium, Canada, France, Luxemburg, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland; open for signature at the Headquarters of the United Nations until June 30, 1948; effective January 1, 1948, with respect to the United States of America, Australia, Belgium, Canada, France, Luxemburg, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland. The General Agreement on Tariffs and Trade, dated at Geneva October 30, 1947; open for deposit of instruments of acceptance with the Secretary-General of the United Nations. And a Final Act, signed at Geneva October 30, 1947, at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment. [1]

October 30, 1947
[T.I.A.S. 1700, VOL. I]

[1] [For agreements in this volume supplementary to the General Agreement on Tariffs and Trade, see 61 Stat., Pt. 4, p. 3689 (Belgium), p. 3695 (Canada), p. 3699 (Cuba), p. 3715 (France), p. 3721 (Netherlands), and p. 3725 (United Kingdom).]

FINAL ACT

adopted at the conclusion of the

SECOND SESSION OF THE PREPARATORY COMMITTEE

of the

UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT

ACTE FINAL

de la

DEUXIÈME SESSION DE LA COMMISSION PRÉPARATOIRE

de la

CONFÉRENCE DES NATIONS UNIES SUR LE COMMERCE ET L'EMPLOI

FINAL ACT

In accordance with the Resolution adopted at the First Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, established by the Economic and Social Council of the United Nations on February 18, 1946,

The Governments of the COMMONWEALTH OF AUSTRALIA, the KINGDOM OF BELGIUM, the UNITED STATES OF BRAZIL, BURMA, CANADA, CEYLON, the REPUBLIC OF CHILE, the REPUBLIC OF CHINA, the REPUBLIC OF CUBA, the CZECHOSLOVAK REPUBLIC, the FRENCH REPUBLIC, INDIA, LEBANON, the GRAND-DUCHY OF LUXEMBURG, the KINGDOM OF THE NETHERLANDS, NEW ZEALAND, the KINGDOM OF NORWAY, PAKISTAN, SOUTHERN RHODESIA, SYRIA, the UNION OF SOUTH AFRICA, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and the UNITED STATES OF AMERICA,

Initiated negotiations between their representatives, at Geneva on April 10, 1947, directed to the substantial reduction of tariffs and other trade barriers and to the elimination of preferences, on a reciprocal and mutually advantageous basis. These negotiations have terminated today and have resulted in the framing of a General Agreement on Tariffs and Trade and of a Protocol of Provisional Application, the texts of which are annexed hereto. These texts are hereby authenticated.

The signature of this Final Act, or of the Protocol of Provisional Application, by any of the above-mentioned Governments does not in any way prejudice their freedom of action at the United Nations Conference on Trade and Employment.

This Final Act, including the texts of the General Agreement on Tariffs and Trade and of the Protocol of Provisional Application, will be released by the Secretary-General of the United Nations for publication on November 18, 1947, provided that the Protocol of Provisional Application shall have been signed by November 15, 1947, on behalf of all the countries named therein.

ACTE FINAL

Conformément à la résolution adoptée lors de la première session de la Commission préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi, constituée le 18 février 1946 par le Conseil économique et social des Nations Unies,

Les Gouvernements du COMMONWEALTH D'AUSTRALIE, du ROYAUME DE BELGIQUE, des ETATS-UNIS DU BRÉSIL, de la BIRMANIE, du CANADA, de CEYLAN, de la RÉPUBLIQUE DU CHILI, de la RÉPUBLIQUE DE CHINE, de la RÉPUBLIQUE DE CUBA, des ETATS-UNIS D'AMÉRIQUE, de la RÉPUBLIQUE FRANÇAISE, de l'INDE, du LIBAN, du GRAND-DUCHÉ DE LUXEMBOURG, du ROYAUME DE NORVÈGE, de la NOUVELLE-ZÉLANDE, du PAKISTAN, du ROYAUME DES PAYS-BAS, de la RHODÉSIE DU SUD, du ROYAUME-UNI DE GRANDE-BRETAGNE ET d'IRLANDE DU NORD, de la SYRIE, de la RÉPUBLIQUE TCHÉCOSLOVAQUE et de l'UNION SUD-AFRICAINE,

Ont engagé à Genève, le 10 avril 1947, par l'entremise de leurs représentants, des négociations en vue de réduire, d'une façon substantielle, les tarifs douaniers et les autres entraves au commerce et d'éliminer les préférences, sur une base de réciprocité et d'avantages mutuels. Ces négociations ont pris fin aujourd'hui et ont abouti à l'élaboration d'un Accord général sur les tarifs douaniers et le commerce et d'un Protocole d'application provisoire, dont les textes sont joints au présent acte. L'authenticité de ces textes est établie par le présent Acte.

La signature, par les gouvernements susmentionnés, du présent Acte final ou du Protocole d'application provisoire ne porte atteinte en aucune manière à leur liberté d'action à la Conférence des Nations Unies sur le Commerce et l'Emploi.

Le présent Acte final, ainsi que le texte de l'Accord général sur les tarifs douaniers et le commerce et celui du Protocole d'application provisoire seront publiés le 18 novembre 1947 par les soins du Secrétaire général des Nations Unies, à la condition que le Protocole d'application provisoire ait été signé le 15 novembre 1947 au nom de tous les pays énumérés dans ce Protocole.

IN WITNESS WHEREOF the respective Representatives have signed the present Act.

DONE at Geneva, in a single copy, in the English and French languages, both texts authentic, this thirtieth day of October, one thousand nine hundred and forty-seven.

EN FOI DE QUOI les représentants des gouvernements susmentionnés ont signé le présent Acte.

FAIT à Genève, en un seul exemplaire, en langues française et anglaise, les deux textes faisant également foi, le trente octobre mil neuf cent quarante-sept.

For the Commonwealth of Australia:

C. E. Morton

Pour le Commonwealth d'Australie:

For the Kingdom of Belgium:

P. A. Forthomme

Pour le Royaume de Belgique:

For the United States of Brazil:

A. de Ferreira Braga

Pour les Etats-Unis du Brésil:

For Burma:

Maung Nyun

Pour la Birmanie:

For Canada:

L. D. Wilgress

Pour le Canada:

For Ceylon:

J. Corea

Pour Ceylan:

For the Republic of Chile:

A. Faivovich

Pour la République du Chili:

For the Republic of China:

Wunsz King

Pour la République de Chine:

For the Republic of Cuba:

Sergio I. Clark

Pour la République de Cuba:

For the Czechoslovak Republic:

Z. Augenthaler

Pour la République tchécoslovaque:

For the French Republic:

Pierre Baraduc

Pour la République française:

For India:

S. Ranganathan

Pour l'Inde:

For Lebanon:

J. Mikaoui

Pour le Liban:

For the Grand-Duchy of Luxemburg:

J. Sturm

Pour le Grand-Duché de Luxembourg:

For the Kingdom of the Netherlands:

A. B. Speekenbrink

Pour le Royaume des Pays-Bas:

For New Zealand:

J. P. D. Jonnsen

Pour la Nouvelle-Zélande:

For the Kingdom of Norway:

Erik Colban

Pour le Royaume de Norvège:

For Pakistan:

H. I. Rahimtoola

Pour le Pakistan:

For Southern Rhodesia:

K. M. Goodenough

Pour la Rhodésie du Sud:

For Syria:

H. Jabbara

Pour la Syrie:

For the Union of South Africa:

W. G. W. Parminter

Pour l'Union Sud-Africaine:

For the United Kingdom of Great Britain and Northern Ireland:

T. M. Snow

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

For the United States of America:

Winthrop Brown

Pour les Etats-Unis d'Amérique:

GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments of the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand Duchy of Luxemburg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, the United Kingdom of Great Britain and Northern Ireland, and the United States of America:

Recognizing that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, developing the full use of the resources of the world and expanding the production and exchange of goods;

Being desirous of contributing to these objectives by entering into reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international commerce;

Have through their Representatives agreed as follows:

PART I

Article I

General Most-Favoured-Nation Treatment

1. With respect to customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports, and with respect to the method of levying such duties and charges, and with respect to all rules and formalities in connection with importation and exportation, and with respect to all matters referred to in paragraphs 1 and 2 of Article III, [1] any advantage, favour, privilege or immunity granted by any contracting party to any product originating in or destined for any other country shall be accorded immediately and unconditionally to the like product originating in or destined for the territories of all other contracting parties.

2. The provisions of paragraph 1 of this Article shall not require the elimination of any preferences in respect of import duties or charges which do not exceed the levels provided for in paragraph 3 of this Article and which fall within the following descriptions:

(a) preferences in force exclusively between two or more of the territories listed in Annex A, [2] subject to the conditions set forth therein;

(b) preferences in force exclusively between two or more territories which on July 1, 1939, were connected by common sovereignty or relations of protection or suzerainty and which are listed in Annexes B, C and D, [3] subject to the conditions set forth therein;

[1] [*Post*, p. A85.]
[2] [*Post*, p. A76.]
[3] [*Post*, pp. A78, A79, A80.]

(c) preferences in force exclusively between the United States of America and the Republic of Cuba;

(d) preferences in force exclusively between neighbouring countries listed in Annexes E and F. [1]

3. The margin of preference [2] on any product in respect of which a preference is permitted under paragraph 2 of this Article but is not specifically set forth as a maximum margin of preference in the appropriate Schedule annexed to this Agreement shall not exceed

(a) in respect of duties or charges on any product described in such Schedule, the difference between the most-favoured-nation and preferential rates provided for therein; if no preferential rate is provided for, the preferential rate shall for the purposes of this paragraph be taken to be that in force on April 10, 1947, and, if no most-favoured-nation rate is provided for, the margin shall not exceed the difference between the most-favoured-nation and preferential rates existing on April 10, 1947;

(b) in respect of duties or charges on any product not described in the appropriate Schedule, the difference between the most-favoured-nation and preferential rates existing on April 10, 1947.

In the case of the contracting parties named in Annex G, [3] the date of April 10, 1947, referred to in sub-paragraphs (a) and (b) of this paragraph shall be replaced by the respective dates set forth in that Annex.

[1] [*Post*, pp. A81, A82.]
[2] [*Post*, p. A85.]
[3] [*Post*, p. A83.]

Article II

Schedules of Concessions

1.(a) Each contracting party shall accord to the commerce of the other contracting parties treatment no less favourable than that provided for in the appropriate Part of the appropriate Schedule annexed to this Agreement.

(b) The products described in Part I of the Schedule relating to any contracting party, which are the products of territories of other contracting parties, shall, on their importation into the territory to which the Schedule relates, and subject to the terms, conditions or qualifications set forth in that Schedule, be exempt from ordinary customs duties in excess of those set forth and provided for therein. Such products shall also be exempt from all other duties or charges of any kind imposed on or in connection with importation in excess of those imposed on the date of this Agreement or those directly and mandatorily required to be imposed thereafter by legislation in force in the importing territory on that date.

(c) The products described in Part II of the Schedule relating to any contracting party, which are the products of territories entitled under Article I to receive preferential treatment upon importation into the territory to which the Schedule relates, shall, on their importation into such territory, and subject to the terms, conditions or qualifications set forth in that Schedule, be exempt from ordinary customs duties in excess of those set forth and provided for in Part II of that Schedule. Such products shall also be exempt from all other duties or charges of any kind imposed

on or in connection with importation in excess of those imposed on the date of this Agreement or those directly and mandatorily required to be imposed thereafter by legislation in force in the importing territory on that date. Nothing in this Article shall prevent any contracting party from maintaining its requirements existing on the date of this Agreement as to the eligibility of goods for entry at preferential rates of duty.

2. Nothing in this Article shall prevent any contracting party from imposing at any time on the importation of any product

(a) a charge equivalent to an internal tax imposed consistently with the provisions of paragraph 1 of Article III in respect of the like domestic product or in respect of an article from which the imported product has been manufactured or produced in whole or in part;

(b) any anti-dumping or countervailing duty applied consistently with the provisions of Article VI; [1]

(c) fees or other charges commensurate with the cost of services rendered.

3. No contracting party shall alter its method of determining dutiable value or of converting currencies so as to impair the value of any of the concessions provided for in the appropriate Schedule annexed to this Agreement.

4. If any contracting party establishes, maintains or authorizes, formally or in effect, a monopoly of the importation of any product described in the appropriate Schedule annexed to this Agreement, such monopoly shall not, except as provided for in that Schedule or as otherwise

[1] [*Post*, p. A86.]

agreed between the parties which initially negotiated the concession, operate so as to afford protection on the average in excess of the amount of protection provided for in that Schedule. The provisions of this paragraph shall not limit the use by contracting parties of any form of assistance to domestic producers permitted by other provisions of this Agreement. [1]

5. If any contracting party considers that a product is not receiving from another contracting party the treatment which the first contracting party believes to have been contemplated by a concession provided for in the appropriate Schedule annexed to this Agreement, it shall bring the matter directly to the attention of the other contracting party. If the latter agrees that the treatment contemplated was that claimed by the first contracting party, but declares that such treatment cannot be accorded because a court or other proper authority has ruled to the effect that the product involved cannot be classified under the tariff laws of such contracting party so as to permit the treatment contemplated in this Agreement, the two contracting parties, together with any other contracting parties substantially interested, shall enter promptly into further negotiations with a view to a compensatory adjustment of the matter.

6.(a) The specific duties and charges included in the Schedules relating to contracting parties members of the International Monetary Fund, and margins of preference in specific duties and charges maintained by such contracting parties, are expressed in the appropriate currency at the par value accepted or provisionally recognized by the Fund

[1] [*Post*, p. A86.]

at the date of this Agreement. Accordingly, in case this par value is reduced consistently with the Articles of Agreement of the International Monetary Fund [1] by more than twenty per centum, such specific duties and charges and margins of preference may be adjusted to take account of such reduction;

Provided that the CONTRACTING PARTIES (i.e. the contracting parties acting jointly as provided for in Article XXV) concur that such adjustments will not impair the value of the concessions provided for in the appropriate Schedule or elsewhere in this Agreement, due account being taken of all factors which may influence the need for, or urgency of, such adjustments.

(b) Similar provisions shall apply to any contracting party not a member of the Fund, as from the date on which such contracting party becomes a member of the Fund or enters into a special exchange agreement in pursuance of Article XV.

7. The Schedules annexed to this Agreement are hereby made an integral part of Part I of this Agreement.

[1] [60 Stat. 1401.]

PART II

Article III

National Treatment on Internal Taxation and Regulation

1. The products of the territory of any contracting party imported into the territory of any other contracting party shall be exempt from internal taxes and other internal charges of any kind in excess of those applied directly or indirectly to like products of national origin. Moreover, in cases in which there is no substantial domestic production of like products of national origin, no contracting party shall apply new or increased internal taxes on the products of the territories of other contracting parties for the purpose of affording protection to the production of directly competitive or substitutable products which are not similarly taxed; and existing internal taxes of this kind shall be subject to negotiation for their reduction or elimination.

2. The products of the territory of any contracting party imported into the territory of any other contracting party shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution, or use. The provisions of this paragraph shall not prevent the application of differential transportation charges which are based exclusively on the economic operation of the means of transport and not on the nationality of the product.

3. In applying the principles of paragraph 2 of this Article to internal quantitative regulations relating to the mixture, processing or use of products in specified amounts or proportions, the contracting parties shall observe the following provisions:

(a) no regulations shall be made which, formally or in effect, require that any specified amount or proportion of the product in respect of which such regulations are applied must be supplied from domestic sources;

(b) no contracting party shall, formally or in effect, restrict the mixing, processing or use of a product of which there is no substantial domestic production with a view to affording protection to the domestic production of a directly competitive or substitutable product.

4. The provisions of paragraph 3 of this Article shall not apply to:

(a) any measure of internal quantitative control in force in the territory of any contracting party on July 1, 1939 or April 10, 1947, at the option of that contracting party; Provided that any such measure which would be in conflict with the provisions of paragraph 3 of this Article shall not be modified to the detriment of imports and shall be subject to negotiation for its limitation, liberalization or elimination;

(b) any internal quantitative regulation relating to exposed cinematograph films and meeting the requirements of Article IV.

5. The provisions of this Article shall not apply to the procurement by governmental agencies of products purchased for governmental purposes and not for resale or use in the production of goods for sale, nor shall they prevent the payment to domestic producers only of subsidies provided for under Article XVI, including payments to domestic producers derived from the proceeds of internal taxes or charges and subsidies effected through governmental purchases of domestic products.

Article IV

Special Provisions relating to Cinematograph Films

If any contracting party establishes or maintains internal quantitative regulations relating to exposed cinematograph films, such regulations shall take the form of screen quotas which shall conform to the following requirements:

(a) screen quotas may require the exhibition of cinematograph films of national origin during a specified minimum proportion of the total screen time actually utilized, over a specified period of not less than one year, in the commercial exhibition of all films of whatever origin, and shall be computed on the basis of screen time per theatre per year or the equivalent thereof;

(b) with the exception of screen time reserved for films of national origin under a screen quota, screen time including that released by administrative action from screen time reserved for films of national origin, shall not be allocated formally or in effect among sources of supply;

(c) notwithstanding the provisions of sub-paragraph (b) of this Article, any contracting party may maintain screen quotas conforming to the requirements of sub-paragraph (a) of this Article which reserve a minimum proportion of screen time for films of a specified origin other than that of the contracting party imposing such screen quotas; Provided that no such minimum proportion of screen time shall be increased above the level in effect on April 10, 1947;

(d) screen quotas shall be subject to negotiation for their limitation, liberalization or elimination.

Article V

Freedom of Transit

1. Goods (including baggage), and also vessels and other means of transport, shall be deemed to be in transit across the territory of a contracting party when the passage across such territory, with or without trans-shipment, warehousing, breaking bulk, or change in the mode of transport, is only a portion of a complete journey beginning and terminating beyond the frontier of the contracting party across whose territory the traffic passes. Traffic of this nature is termed in this Article "traffic in transit".

2. There shall be freedom of transit through the territory of each contracting party, via the routes most convenient for international transit, for traffic in transit to or from the territory of other contracting parties. No distinction shall be made which is based on the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods, of vessels or of other means of transport.

3. Any contracting party may require that traffic in transit through its territory be entered at the proper custom house, but, except in cases of failure to comply with applicable customs laws and regulations, such traffic coming from or going to the territory of other contracting parties shall not be subject to any unnecessary delays or restrictions and shall be exempt from customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services rendered.

4. All charges and regulations imposed by contracting parties on traffic in transit to or from the territories of other contracting parties shall be reasonable, having regard to the conditions of the traffic.

5. With respect to all charges, regulations and formalities in connection with transit, each contracting party shall accord to traffic in transit to or from the territory of any other contracting party treatment no less favourable than the treatment accorded to traffic in transit to or from any third country. [1]

6. Each contracting party shall accord to products which have been in transit through the territory of any other contracting party treatment no less favourable than that which would have been accorded to such products had they been transported from their place of origin to their destination without going through the territory of such other contracting party. Any contracting party shall, however, be free to maintain its requirements of direct consignment existing on the date of this Agreement, in respect of any goods in regard to which such direct consignment is a requisite condition of eligibility for entry of the goods at preferential rates of duty or has relation to the contracting party's prescribed method of valuation for duty purposes.

7. The provisions of this Article shall not apply to the operation of aircraft in transit, but shall apply to air transit of goods (including baggage).

[1] [*Post*, p. A86.]

Article VI

Anti-Dumping and Countervailing Duties

1. No anti-dumping duty shall be levied on any product of the territory of any contracting party imported into the territory of any other contracting party in excess of an amount equal to the margin of dumping under which such product is being imported. For the purposes of this Article, the margin of dumping shall be understood to mean the amount by which the price of the product exported from one country to another

(a) is less than the comparable price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country; or,

(b) in the absence of such domestic price, is less than either

(i) the highest comparable price for the like product for export to any third country in the ordinary course of trade, or

(ii) the cost of production of the product in the country of origin plus a reasonable addition for selling cost and profit.

Due allowance shall be made in each case for differences in conditions and terms of sale, for differences in taxation, and for other differences affecting price comparability. [1]

2. No countervailing duty shall be levied on any product of the territory of any contracting party imported into the territory of another contracting party in excess of an amount equal to the estimated bounty or subsidy determined to have been granted, directly or indirectly, on the manufacture, production or export of such product in the country of origin or exportation, including any special subsidy to the transportation of

[1] [*Post*, p. A86.]

a particular product. The term "countervailing duty" shall be understood to mean a special duty levied for the purpose of offsetting any bounty or subsidy bestowed, directly or indirectly, upon the manufacture, production or exportation of any merchandise. [1]

3. No product of the territory of any contracting party imported into the territory of any other contracting party shall be subject to anti-dumping or countervailing duty by reason of the exemption of such product from duties or taxes borne by the like product when destined for consumption in the country of origin or exportation, or by reason of the refund of such duties or taxes.

4. No product of the territory of any contracting party imported into the territory of any other contracting party shall be subject to both anti-dumping and countervailing duties to compensate for the same situation of dumping or export subsidization.

5. No contracting party shall levy any anti-dumping or countervailing duty on the importation of any product of the territory of another contracting party unless it determines that the effect of the dumping or subsidization, as the case may be, is such as to cause or threaten material injury to an established domestic industry, or is such as to prevent or materially retard the establishment of a domestic industry. The CONTRACTING PARTIES may waive the requirements of this paragraph so as to permit a contracting party to levy an anti-dumping or countervailing duty on the importation of any product for the purpose of offsetting dumping or subsidization which causes or threatens material injury to an industry in the territory of another contracting party exporting the product concerned to the territory of the importing contracting party.

[1] [*Post*, p. A86.]

6. A system for the stabilization of the domestic price or of the return to domestic producers of a primary commodity, independently of the movements of export prices, which results at times in the sale of the product for export at a price lower than the comparable price charged for the like product to buyers in the domestic market, shall be considered not to result in material injury within the meaning of paragraph 5 of this Article, if it is determined by consultation among the contracting parties substantially interested in the product concerned:

(a) that the system has also resulted in the sale of the product for export at a price higher than the comparable price charged for the like product to buyers in the domestic market, and

(b) that the system is so operated, either because of the effective regulation of production or otherwise, as not to stimulate exports unduly or otherwise seriously prejudice the interests of other contracting parties.

7. No measures other than anti-dumping or countervailing duties shall be applied by any contracting party in respect of any product of the territory of any other contracting party for the purpose of offsetting dumping or subsidization. [1]

Article VII

Valuation for Customs Purposes

1. The contracting parties recognize the validity of the general principles of valuation set forth in the following paragraphs of this Article, and they undertake to give effect to such principles, in respect of all products subject to duties or other charges or restrictions on importation and exportation based upon or

[1] [*Post*, p. A86.]

regulated in any manner by value, at the earliest practicable date. [1] Moreover, they shall, upon a request by another contracting party, review the operation of any of their laws or regulations relating to value for customs purposes in the light of these principles. The CONTRACTING PARTIES may request from contracting parties reports on steps taken by them in pursuance of the provisions of this Article.

2. (a) The value for customs purposes of imported merchandise should be based on the actual value of the imported merchandise on which duty is assessed, or of like merchandise, and should not be based on the value of merchandise of national origin or on arbitrary or fictitious values.

(b) "Actual value" should be the price at which, at a time and place determined by the legislation of the country of importation, and in the ordinary course of trade, such or like merchandise is sold or offered for sale under fully competitive conditions. To the extent to which the price of such or like merchandise is governed by the quantity in a particular transaction, the price to be considered should uniformly be related to either (i) comparable quantities, or (ii) quantities not less favourable to importers than those in which the greater volume of the merchandise is sold in the trade between the countries of exportation and importation. [2]

(c) When the actual value is not ascertainable in accordance with sub-paragraph (b) of this paragraph, the value for customs purposes should be based on the nearest ascertainable equivalent of such value.

3. The value for customs purposes of any imported product should not include the amount of any internal tax, applicable within the

[1] [*Post*, p. A86.]
[2] [*Post*, p. A87.]

country of origin or export, from which the imported product has been exempted or has been or will be relieved by means of refund.

4. (a) Except as otherwise provided for in this paragraph, where it is necessary for the purposes of paragraph 2 of this Article for a contracting party to convert into its own currency a price expressed in the currency of another country, the conversion rate of exchange to be used shall be based on the par values of the currencies involved as established pursuant to the Articles of Agreement of the International Monetary Fund [1] or by special exchange agreements entered into pursuant to Article XV of this Agreement.

(b) Where no such par value has been established, the conversion rate shall reflect effectively the current value of such currency in commercial transactions.

(c) The CONTRACTING PARTIES, in agreement with the International Monetary Fund, shall formulate rules governing the conversion by contracting parties of any foreign currency in respect of which multiple rates of exchange are maintained consistently with the Articles of Agreement of the International Monetary Fund. Any contracting party may apply such rules in respect of such foreign currencies for the purposes of paragraph 2 of this Article as an alternative to the use of par values. Until such rules are adopted by the CONTRACTING PARTIES, any contracting party may employ, in respect of any such foreign currency, rules of conversion for the purposes of paragraph 2 of this Article which are designed to reflect effectively the value of such foreign currency in commercial transactions.

[1] [60 Stat. 1401.]

(d) Nothing in this paragraph shall be construed to require any contracting party to alter the method of converting currencies for customs purposes which is applicable in its territory on the date of this Agreement, if such alteration would have the effect of increasing generally the amounts of duty payable.

5. The bases and methods for determining the value of products subject to duties or other charges or restrictions based upon or regulated in any manner by value should be stable and should be given sufficient publicity to enable traders to estimate, with a reasonable degree of certainty, the value for customs purposes.

Article VIII

Formalities connected with Importation and Exportation

1. The contracting parties recognise that fees and charges, other than duties, imposed by governmental authorities on or in connection with importation or exportation, should be limited in amount to the approximate cost of services rendered and should not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes. The contracting parties also recognize the need for reducing the number and diversity of such fees and charges, for minimizing the incidence and complexity of import and export formalities, and for decreasing and simplifying import and export documentation requirements.

2. The contracting parties shall take action in accordance with the principles and objectives of paragraph 1 of this Article at the earliest practicable date. Moreover, they shall, upon request by another contracting party,

review the operation of any of their laws and regulations in the light of these principles.

3. No contracting party shall impose substantial penalties for minor breaches of customs regulations or procedural requirements. In particular, no penalty in respect of any omission or mistake in customs documentation which is easily rectifiable and obviously made without fraudulent intent or gross negligence shall be greater than necessary to serve merely as a warning.

4. The provisions of this Article shall extend to fees, charges, formalities and requirements imposed by governmental authorities in connection with importation and exportation, including those relating to:

(a) consular transactions, such as consular invoices and certificates;

(b) quantitative restrictions;

(c) licensing;

(d) exchange control;

(e) statistical services;

(f) documents, documentation and certification;

(g) analysis and inspection; and

(h) quarantine, sanitation and fumigation. [1]

Article IX

Marks of Origin

1. Each contracting party shall accord to the products of the territories of other contracting parties treatment with regard to marking requirements no less favourable than the treatment accorded to like products of any third country.

2. Whenever it is administratively practicable to do so, contracting parties should permit required marks of origin to be affixed at the time of importation.

[1] [*Post*, p. A87.]

3. The laws and regulations of contracting parties relating to the marking of imported products shall be such as to permit compliance without seriously damaging the products, or materially reducing their value, or unreasonably increasing their cost.

4. As a general rule no special duty or penalty should be imposed by any contracting party for failure to comply with marking requirements prior to importation unless corrective marking is unreasonably delayed or deceptive marks have been affixed or the required marking has been intentionally omitted.

5. The contracting parties shall co-operate with each other with a view to preventing the use of trade names in such manner as to misrepresent the true origin of a product, to the detriment of such distinctive regional or geographical names of products of the territory of a contracting party as are protected by its legislation. Each contracting party shall accord full and sympathetic consideration to such requests or representations as may be made by any other contracting party regarding the application of the undertaking set forth in the preceding sentence to names of products which have been communicated to it by the other contracting party.

Article X

Publication and Administration of Trade Regulations

1. Laws, regulations, judicial decisions and administrative rulings of general application, made effective by any contracting party, pertaining to the classification or the valuation of products for customs purposes, or to rates of duty, taxes or other charges, or to requirements, restrictions or prohibitions on imports or exports or on the transfer of payments therefor, or affecting their sale, distribution, transportation,

insurance, warehousing, inspection, exhibition, processing, mixing or other use, shall be published promptly in such a manner as to enable governments and traders to become acquainted with them. Agreements affecting international trade policy which are in force between the government or a governmental agency of any contracting party and the government or governmental agency of any other contracting party shall also be published. The provisions of this paragraph shall not require any contracting party to disclose confidential information which would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular enterprises, public or private.

2. No measure of general application taken by any contracting party effecting an advance in a rate of duty or other charge on imports under an established and uniform practice, or imposing a new or more burdensome requirement, restriction or prohibition on imports, or on the transfer of payments therefor, shall be enforced before such measure has been officially published.

3. (a) Each contracting party shall administer in a uniform, impartial and reasonable manner all its laws, regulations, decisions and rulings of the kind described in paragraph 1 of this Article.

(b) Each contracting party shall maintain, or institute as soon as practicable, judicial, arbitral or administrative tribunals or procedures for the purpose, inter alia, of the prompt review and correction of administrative action relating to customs matters. Such tribunals

or procedures shall be independent of the agencies entrusted with administrative enforcement and their decisions shall be implemented by, and shall govern the practice of, such agencies unless an appeal is lodged with a court or tribunal of superior jurisdiction within the time prescribed for appeals to be lodged by importers; Provided that the central administration of such agency may take steps to obtain a review of the matter in another proceeding if there is good cause to believe that the decision is inconsistent with established principles of law or the actual facts.

(c) The provisions of sub-paragraph (b) of this paragraph shall not require the elimination or substitution of procedures in force in the territory of a contracting party on the date of this Agreement which in fact provide for an objective and impartial review of administrative action even though such procedures are not fully or formally independent of the agencies entrusted with administrative enforcement. Any contracting party employing such procedures shall, upon request, furnish the CONTRACTING PARTIES with full information thereon in order that they may determine whether such procedures conform to the requirements of this sub-paragraph.

Article XI

General Elimination of Quantitative Restrictions

1. No prohibitions or restrictions other than duties, taxes or other charges, whether made effective through quotas, import or export licenses or other measures, shall be instituted or maintained by any contracting party on the importation of any product of the territory of any other contracting party or on

the exportation or sale for export of any product destined for the territory of any other contracting party.

2. The provisions of paragraph 1 of this Article shall not extend to the following:

(a) export prohibitions or restrictions temporarily applied to prevent or relieve critical shortages of foodstuffs or other products essential to the exporting contracting party;

(b) import and export prohibitions or restrictions necessary to the application of standards or regulations for the classification, grading or marketing of commodities in international trade;

(c) import restrictions on any agricultural or fisheries product, imported in any form, [1] necessary to the enforcement of governmental measures which operate:

(i) to restrict the quantities of the like domestic product permitted to be marketed or produced, or, if there is no substantial domestic production of the like product, of a domestic product for which the imported product can be directly substituted; or

(ii) to remove a temporary surplus of the like domestic product, or, if there is no substantial domestic production of the like product, of a domestic product for which the imported product can be directly substituted, by making the surplus available to certain groups of domestic consumers free of charge or at prices below the current market level; or

(iii) to restrict the quantities permitted to be produced of any animal product the production of which is directly dependent, wholly or mainly, on the imported commodity, if the domestic production of that commodity is relatively negligible.

[1] [*Post*, p. A87.]

Any contracting party applying restrictions on the importation of any product pursuant to sub-paragraph (c) of this paragraph shall give public notice of the total quantity or value of the product permitted to be imported during a specified future period and of any change in such quantity or value. Moreover, any restrictions applied under (i) above shall not be such as will reduce the total of imports relative to the total of domestic production, as compared with the proportion which might reasonably be expected to rule between the two in the absence of restrictions. In determining this proportion, the contracting party shall pay due regard to the proportion prevailing during a previous representative period and to any special factors [1] which may have affected or may be affecting the trade in the product concerned.

3. Throughout Articles XI, XII, XIII and XIV the terms "import restrictions" or "export restrictions" include restrictions made effective through state-trading operations.

Article XII

Restrictions to Safeguard the Balance of Payments

1. Notwithstanding the provisions of paragraph 1 of Article XI, any contracting party, in order to safeguard its external financial position and balance of payments, may restrict the quantity or value of merchandise permitted to be imported, subject to the provisions of the following paragraphs of this Article.

2. (a) No contracting party shall institute, maintain or intensify import restrictions under this Article except to the extent necessary

(i) to forestall the imminent threat of, or to stop, a serious decline in its monetary reserves, or

[1] [*Post*, p. A87.]

(ii) in the case of a contracting party with very low monetary reserves, to achieve a reasonable rate of increase in its reserves.

Due regard shall be paid in either case to any special factors which may be affecting the contracting party's reserves or need for reserves, including, where special external credits or other resources are available to it, the need to provide for the appropriate use of such credits or resources.

(b) Contracting parties applying restrictions under sub-paragraph (a) of this paragraph shall progressively relax them as such conditions improve, maintaining them only to the extent that the conditions specified in that sub-paragraph still justify their application. They shall eliminate the restrictions when conditions would no longer justify their institution or maintenance under that sub-paragraph.

3. (a) The contracting parties recognize that during the next few years all of them will be confronted in varying degrees with problems of economic adjustment resulting from the war. During this period the CONTRACTING PARTIES shall, when required to take decisions under this Article or under Article XIV, take full account of the difficulties of post-war adjustment and of the need which a contracting party may have to use import restrictions as a step towards the restoration of equilibrium in its balance of payments on a sound and lasting basis.

(b) The contracting parties recognize that, as a result of domestic policies directed toward the achievement and maintenance of full and productive employment and large and steadily growing demand or toward the reconstruction or

development of industrial and other economic resources and the raising of standards of productivity, such a contracting party may experience a high level of demand for imports. Accordingly,

(i) notwithstanding the provisions of paragraph 2 of this Article, no contracting party shall be required to withdraw or modify restrictions on the ground that a change in the policies referred to above would render unnecessary the restrictions which it is applying under this Article; [1]

(ii) any contracting party applying import restrictions under this Article may determine the incidence of the restrictions on imports of different products or classes of products in such a way as to give priority to the importation of those products which are more essential in the light of such policies.

(c) Contracting parties undertake, in carrying out their domestic policies:

(i) to pay due regard to the need for restoring equilibrium in their balance of payments on a sound and lasting basis and to the desirability of assuring an economic employment of productive resources;

(ii) not to apply restrictions so as to prevent unreasonably the importation of any description of goods in minimum commercial quantities, the exclusion of which would impair regular

[1] [*Post*, p. A87.]

channels of trade, or restrictions which would prevent the importation of commercial samples, or prevent compliance with patent, trademark, copyright, or similar procedures; and

(iii) to apply restrictions under this Article in such a way as to avoid unnecessary damage to the commercial or economic interests of any other contracting party.

4. (a) Any contracting party which is not applying restrictions under this Article, but is considering the need to do so, shall, before instituting such restrictions (or, in circumstances in which prior consultation is impracticable, immediately after doing so), consult with the CONTRACTING PARTIES as to the nature of its balance-of-payments difficulties, alternative corrective measures which may be available, and the possible effect of such measures on the economies of other contracting parties. No contracting party shall be required in the course of consultations under this sub-paragraph to indicate in advance the choice or timing of any particular measures which it may ultimately determine to adopt.

(b) The CONTRACTING PARTIES may at any time invite any contracting party which is applying import restrictions under this Article to enter into such consultations with them, and shall invite any contracting party substantially intensifying such restrictions to consult within thirty days. A contracting party thus invited shall participate in such discussions. The CONTRACTING PARTIES may invite any other contracting party to take part in these discussions. Not later than January 1, 1951,

The CONTRACTING PARTIES shall review all restrictions existing on that day and still applied under this Article at the time of the review.

(c) Any contracting party may consult with the CONTRACTING PARTIES with a view to obtaining their prior approval for restrictions which the contracting party proposes, under this Article, to maintain, intensify or institute, or for the maintenance, intensification or institution of restrictions under specified future conditions. As a result of such consultations, the CONTRACTING PARTIES may approve in advance the maintenance, intensification or institution of restrictions by the contracting party in question insofar as the general extent, degree of intensity and duration of the restrictions are concerned. To the extent to which such approval has been given, the requirements of sub-paragraph (a) of this paragraph shall be deemed to have been fulfilled, and the action of the contracting party applying the restrictions shall not be open to challenge under sub-paragraph (d) of this paragraph on the ground that such action is inconsistent with the provisions of paragraph 2 of this Article.

(d) Any contracting party which considers that another contracting party is applying restrictions under this Article inconsistently with the provisions of paragraphs 2 or 3 of this Article or with those of Article XIII (subject to the provisions of Article XIV) may bring the matter for discussion to the CONTRACTING PARTIES; and the contracting party applying the restrictions shall participate in the discussion. The CONTRACTING PARTIES, if they are satisfied that there is a *prima facie* case

that the trade of the contracting party initiating the procedure is adversely affected, shall submit their views to the parties with the aim of achieving a settlement of the matter in question which is satisfactory to the parties and to the CONTRACTING PARTIES. If no such settlement is reached and if the CONTRACTING PARTIES determine that the restrictions are being applied inconsistently with the provisions of paragraphs 2 or 3 of this Article or with those of Article XIII (subject to the provisions of Article XIV), they shall recommend the withdrawal or modification of the restrictions. If the restrictions are not withdrawn or modified in accordance with the recommendation of the CONTRACTING PARTIES within sixty days, they may release any contracting party from specified obligations under this Agreement towards the contracting party applying the restrictions.

(e) It is recognized that premature disclosure of the prospective application, withdrawal or modification of any restriction under this Article might stimulate speculative trade and financial movements which would tend to defeat the purposes of this Article. Accordingly, the CONTRACTING PARTIES shall make provision for the observance of the utmost secrecy in the conduct of any consultation.

5. If there is a persistent and widespread application of import restrictions under this Article, indicating the existence of a general disequilibrium which is restricting international trade, the CONTRACTING PARTIES shall initiate discussions to consider whether other measures might be taken, either by those contracting parties whose balances of payments are under pressure

or by those whose balances of payments are tending to be exceptionally favourable, or by any appropriate inter-governmental organization, to remove the underlying causes of the disequilibrium. On the invitation of the CONTRACTING PARTIES, contracting parties shall participate in such discussions.

Article XIII

Non-discriminatory Administration of Quantitative Restrictions

1. No prohibition or restriction shall be applied by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation of any product destined for the territory of any other contracting party, unless the importation of the like product of all third countries or the exportation of the like product to all third countries is similarly prohibited or restricted.

2. In applying import restrictions to any product, contracting parties shall aim at a distribution of trade in such product approaching as closely as possible to the shares which the various contracting parties might be expected to obtain in the absence of such restrictions, and to this end shall observe the following provisions:

(a) wherever practicable, quotas representing the total amount of permitted imports (whether allocated among supplying countries or not) shall be fixed, and notice given of their amount in accordance with paragraph 3(b) of this Article;

(b) in cases in which quotas are not practicable, the restrictions may be applied by means of import licences or permits without a quota;

(c) contracting parties shall not, except for purposes of operating quotas allocated in accordance with sub-paragraph (d) of this paragraph, require that import licences or permits be utilized for the importation of the product concerned from a particular country or source;

(d) in cases in which a quota is allocated among supplying countries, the contracting party applying the restrictions may seek agreement with respect to the allocation of shares in the quota with all other contracting parties having a substantial interest in supplying the product concerned. In cases in which this method is not reasonably practicable, the contracting party concerned shall allot to contracting parties having a substantial interest in supplying the product shares based upon the proportions, supplied by such contracting parties during a previous representative period, of the total quantity or value of imports of the product, due account being taken of any special factors which may have affected or may be affecting the trade in the product. No conditions or formalities shall be imposed which would prevent any contracting party from utilizing fully the share of any such total quantity or value which has been allotted to it, subject to importation being made within any prescribed period to which the quota may relate. [1]

3. (a) In cases in which import licences are issued in connection with import restrictions, the contracting party applying the restrictions shall provide, upon the request of any contracting party having an interest in the trade in the product concerned, all relevant information concerning the administration of the restrictions, the import licences

[1] [*Post*, p. A88.]

granted over a recent period and the distribution of such licences among supplying countries; Provided that there shall be no obligation to supply information as to the names of importing or supplying enterprises.

(b) In the case of import restrictions involving the fixing of quotas, the contracting party applying the restrictions shall give public notice of the total quantity or value of the product or products which will be permitted to be imported during a specified future period and of any change in such quantity or value. Any supplies of the product in question which were en route at the time at which public notice was given shall not be excluded from entry; Provided that they may be counted so far as practicable, against the quantity permitted to be imported in the period in question, and also, where necessary, against the quantities permitted to be imported in the next following period or periods; and Provided further that if any contracting party customarily exempts from such restrictions products entered for consumption or withdrawn from warehouse for consumption during a period of thirty days after the day of such public notice, such practice shall be considered full compliance with this sub-paragraph.

(c) In the case of quotas allocated among supplying countries, the contracting party applying the restrictions shall promptly inform all other contracting parties having an interest in supplying the product concerned of the shares in the quota currently allocated, by quantity or value, to the various supplying countries and shall give public notice thereof.

4. With regard to restrictions applied in accordance with paragraph 2(d) of this Article or under paragraph 2 (c) of Article XI, the selection of a representative period for any product and the appraisal of any special factors affecting the trade in the product shall be made initially by the contracting party applying the restriction; Provided that such contracting party shall upon the request of any other contracting party having a substantial interest in supplying that product or upon the request of the CONTRACTING PARTIES, consult promptly with the other contracting party or the CONTRACTING PARTIES regarding the need for an adjustment of the proportion determined or of the base period selected, or for the reappraisal of the special factors involved, or for the elimination of conditions, formalities or any other provisions established unilaterally relating to the allocation of an adequate quota or its unrestricted utilization. [1]

5. The provisions of this Article shall apply to any tariff quota instituted or maintained by any contracting party, and, insofar as applicable, the principles of this Article shall also extend to export restrictions and to any internal regulation or requirement under paragraphs 3 and 4 of Article III.

Article XIV

Exceptions to the Rule of Non-discrimination

1. (a) The contracting parties recognize that when a substantial and widespread disequilibrium prevails in international trade and payments a contracting party applying restrictions under Article XII may be able to increase its imports from certain sources without unduly depleting its monetary reserves, if permitted to depart from the provisions of Article XIII. The contracting parties also recognise the need for close limitation of such departures so as not to handicap achievement of multilateral international trade.

[1] [*Post*, p. A88.]

(b) Accordingly, when a substantial and widespread disequilibrium prevails in international trade and payments, a contracting party applying import restrictions under Article XII may relax such restrictions in a manner which departs from the provisions of Article XIII to the extent necessary to obtain additional imports above the maximum total of imports which it could afford in the light of the requirements of paragraph 2 of Article XII if its restrictions were fully consistent with the provisions of Article XIII, provided that

(i) levels of delivered prices for products so imported are not established substantially higher than those ruling for comparable goods regularly available from other contracting parties, and that any excess of such price levels for products so imported is progressively reduced over a reasonable period;

(ii) the contracting party taking such action does not do so as part of any arrangement by which the gold or convertible currency which the contracting party currently receives directly or indirectly from its exports to other contracting parties not party to the arrangement is appreciably reduced below the level it could otherwise have been reasonably expected to attain;

(iii) such action does not cause unnecessary damage to the commercial or economic interests of any other contracting party.

(c) Any contracting party taking action under this paragraph shall observe the principles of sub-paragraph (b) of this paragraph. A contracting party shall desist from transactions

which prove to be inconsistent with that sub-paragraph, but the contracting party shall not be required to satisfy itself, when it is not practicable to do so, that the requirements of that sub-paragraph are fulfilled in respect of individual transactions.

(d) Contracting parties undertake, in framing and carrying out any programme for additional imports under this paragraph, to have due regard to the need to facilitate the termination of any exchange arrangements which deviate from the obligations of Sections 2, 3 and 4 of Article VIII of the Articles of Agreement of the International Monetary Fund [1] and to the need to restore equilibrium in their balances of payments on a sound and lasting basis.

2. Any contracting party taking action under paragraph 1 of this Article shall keep the CONTRACTING PARTIES regularly informed regarding such action and shall provide such available relevant information as they may request.

3. (a) Not later than March 1, 1952 (five years after the date on which the International Monetary Fund began operations) and in each year thereafter, any contracting party maintaining or proposing to institute action under paragraph 1 of this Article shall seek the approval of the CONTRACTING PARTIES which shall thereupon determine whether the circumstances of the contracting party justify the maintenance or institution of action by it under paragraph 1 of this Article. After March 1, 1952, no contracting party shall maintain or institute such action without determination by the CONTRACTING PARTIES that the contracting party's circumstances justify the maintenance or

[1] [60 Stat. 1411.]

institution of such action, as the case may be, and the subsequent maintenance or institution of such action by the contracting party shall be subject to any limitations which the CONTRACTING PARTIES may prescribe for the purpose of ensuring compliance with the provisions of paragraph 1 of this Article; Provided that the CONTRACTING PARTIES shall not require that prior approval be obtained for individual transactions.

(b) If at any time the CONTRACTING PARTIES find that import restrictions are being applied by a contracting party in a discriminatory manner inconsistent with the exceptions provided for under paragraph 1 of this Article, the contracting party shall, within sixty days, remove the discrimination or modify it as specified by the CONTRACTING PARTIES; Provided that any action under paragraph 1 of this Article, to the extent that it has been approved by the CONTRACTING PARTIES under sub-paragraph (a) of this paragraph or to the extent that it has been approved by them at the request of a contracting party under a procedure analogous to that of paragraph 4(c) of Article XII, shall not be open to challenge under this sub-paragraph or under paragraph 4(d) of Article XII on the ground that it is inconsistent with the provisions of Article XIII.

(c) Not later than March 1, 1950, and in each year thereafter so long as any contracting parties are taking action under paragraph 1 of this Article, the CONTRACTING PARTIES shall report on the action still taken by contracting parties under that paragraph. On or about March 1, 1952, and in each year thereafter so long as any contracting parties are taking action under paragraph 1 of this Article, and at such times thereafter as they may decide, the CONTRACTING PARTIES shall review the question whether there then exists such a substantial and widespread

disequilibrium in international trade and payments as to justify resort to paragraph 1 of this Article by contracting parties. If it appears at any date prior to March 1, 1952, that there has been a substantial and general improvement in international trade and payments, the CONTRACTING PARTIES may review the situation at that date. If, as a result of any such review, the CONTRACTING PARTIES determine that no such disequilibrium exists, the provisions of paragraph 1 of this Article shall be suspended, and all actions authorized thereunder shall cease six months after such determination. [1]

4. The provisions of Article XIII shall not preclude restrictions in accordance with Article XII which either

(a) are applied against imports from other countries, but not as among themselves, by a group of territories having a common quota in the International Monetary Fund, on condition that such restrictions are in all other respects consistent with the provisions of Article XIII, or

(b) assist, in the period up to December 31, 1951, by measures not involving substantial departure from the provisions of Article XIII, another country whose economy has been disrupted by war.

5. The provisions of this Agreement shall not preclude:

(a) restrictions with equivalent effect to exchange restrictions authorized under Section 3 (b) of Article VII of the Articles of Agreement of the International Monetary Fund; [2] or

(b) restrictions under the preferential arrangements provided for in Annex A [3] of this Agreement, subject to the conditions set forth therein.

[1] [*Post*, p. A88.]
[2] [60 Stat. 1410.]
[3] [*Post*, p. A76.]

6. (a) The provisions of Article XIII shall not enter into force in respect of import restrictions applied by any contracting party pursuant to Article XII in order to safeguard its external financial position and balance of payments, and the provisions of paragraph 1 of Article XI and Article XIII shall not enter into force in respect of export restrictions applied by any contracting party for the same reason, until January 1, 1949; Provided that this period may with the concurrence of the CONTRACTING PARTIES, be extended for such further periods as they may specify in respect of any contracting party whose supply of convertible currencies is inadequate to enable it to apply the above-mentioned provisions.

(b) If a measure taken by a contracting party in the circumstances referred to in sub-paragraph (a) of this paragraph affects the commerce of another contracting party to such an extent as to cause the latter to consider the need of having recourse to the provisions of Article XII, the contracting party having taken that measure shall, if the affected contracting party so requests, enter into immediate consultation with a view to arrangements enabling the affected contracting party to avoid having such recourse, and, if special circumstances are put forward to justify such action, shall temporarily suspend application of the measure for a period of fifteen days. [1]

[1] [*Post*, p. A88.]

Article XV

Exchange Arrangements

1. The CONTRACTING PARTIES shall seek co-operation with the International Monetary Fund to the end that the CONTRACTING PARTIES and the Fund may pursue a co-ordinated policy with regard to exchange questions within the jurisdiction of the Fund and questions of quantitative restrictions and other trade measures within the jurisdiction of the CONTRACTING PARTIES.

2. In all cases in which the CONTRACTING PARTIES are called upon to consider or deal with problems concerning monetary reserves, balances of payments or foreign exchange arrangements, they shall consult fully with the International Monetary Fund. In such consultation, the CONTRACTING PARTIES shall accept all findings of statistical and other facts presented by the Fund relating to foreign exchange, monetary reserves and balances of payments, and shall accept the determination of the Fund as to whether action by a contracting party in exchange matters is in accordance with the Articles of Agreement of the International Monetary Fund, [1] or with the terms of a special exchange agreement between that contracting party and the CONTRACTING PARTIES. The CONTRACTING PARTIES, in reaching their final decision in cases involving the criteria set forth in paragraph 2 (a) of Article XII, shall accept the determination of the Fund as to what constitutes a serious decline in the contracting party's monetary reserves, a very low level of its monetary reserves or a reasonable rate of increase in its monetary reserves, and as to the financial aspects of other matters covered in consultation in such cases.

[1] [60 Stat. 1401.]

3. The CONTRACTING PARTIES shall seek agreement with the Fund regarding procedures for consultation under paragraph 2 of this Article.

4. Contracting parties shall not, by exchange action, frustrate [1] the intent of the provisions of this Agreement, nor, by trade action, the intent of the provisions of the Articles of Agreement of the International Monetary Fund. [2]

5. If the CONTRACTING PARTIES consider, at any time, that exchange restrictions on payments and transfers in connection with imports are being applied by a contracting party in a manner inconsistent with the exceptions provided for in this Agreement for quantitative restrictions, they shall report thereon to the Fund.

6. Any contracting party which is not a member of the Fund shall, within a time to be determined by the CONTRACTING PARTIES after consultation with the Fund, become a member of the Fund, or, failing that, enter into a special exchange agreement with the CONTRACTING PARTIES. A contracting party which ceases to be a member of the Fund shall forthwith enter into a special exchange agreement with the CONTRACTING PARTIES. Any special exchange agreement entered into by a contracting party under this paragraph shall thereupon become part of its obligations under this Agreement.

7. (a) A special exchange agreement between a contracting party and the CONTRACTING PARTIES under paragraph 6 of this Article shall provide to the satisfaction of the CONTRACTING PARTIES that the objectives of this Agreement will not be frustrated as a result of action in exchange matters by the contracting party in question.

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[1] [*Post*, p. A88.]
[2] [60 Stat. 1401.]

(b) The terms of any such agreement shall not impose obligations on the contracting party in exchange matters generally more restrictive than those imposed by the Articles of Agreement of the International Monetary Fund on members of the Fund.

8. A contracting party which is not a member of the Fund shall furnish such information within the general scope of Section 5 of Article VIII of the Articles of Agreement of the International Monetary Fund [1] as the CONTRACTING PARTIES may require in order to carry out their functions under this Agreement.

9. Subject to the provisions of paragraph 4 of this Article, nothing in this Agreement shall preclude:

(a) the use by a contracting party of exchange controls or exchange restrictions in accordance with the Articles of Agreement of the International Monetary Fund or with that contracting party's special exchange agreement with the CONTRACTING PARTIES, or

(b) the use by a contracting party of restrictions or controls on imports or exports, the sole effect of which, additional to the effects permitted under Articles XI, XII, XIII and XIV, is to make effective such exchange controls or exchange restrictions.

Article XVI

Subsidies

If any contracting party grants or maintains any subsidy, including any form of income or price support, which operates directly or indirectly to increase exports of any product from, or to reduce imports of any product into, its territory, it shall notify the CONTRACTING PARTIES in writing of the extent

[1] [60 Stat. 1412.]

and nature of the subsidization, of the estimated effect of the subsidization on the quantity of the affected product or products imported into or exported from its territory and of the circumstances making the subsidization necessary. In any case in which it is determined that serious prejudice to the interests of any other contracting party is caused or threatened by any such subsidization, the contracting party granting the subsidy shall, upon request, discuss with the other contracting party or parties concerned, or with the CONTRACTING PARTIES, the possibility of limiting the subsidization.

Article XVII

Non-discriminatory Treatment on the part of State-Trading Enterprises

1. (a) Each contracting party undertakes that if it establishes or maintains a state enterprise, wherever located, or grants to any enterprise, formally or in effect, exclusive or special privileges, [1] such enterprise shall, in its purchases or sales involving either imports or exports, act in a manner consistent with the general principles of non-discriminatory treatment prescribed in this Agreement for governmental measures affecting imports or exports by private traders.

(b) The provisions of sub-paragraph (a) of this paragraph shall be understood to require that such enterprises shall, having due regard to the other provisions of this Agreement, make any such purchases or sales solely in accordance with commercial considerations, [1] including price, quality, availability, marketability, transportation and other conditions of purchase or sale, and shall afford the enterprises of the other contracting

[1] [*Post*, p. A89.]

parties adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases or sales.

(c) No contracting party shall prevent any enterprise (whether or not an enterprise described in sub-paragraph (a) of this paragraph) under its jurisdiction from acting in accordance with the principles of sub-paragraphs (a) and (b) of this paragraph. [1]

2. The provisions of paragraph 1 of this Article shall not apply to imports of products for immediate or ultimate consumption in governmental use and not otherwise for re-sale or for use in the production of goods for sale. With respect to such imports, each contracting party shall accord to the trade of the other contracting parties fair and equitable treatment. [1]

Article XVIII

Adjustments in Connection with Economic Development

1. The contracting parties recognize that special governmental assistance may be required to promote the establishment, development or reconstruction of particular industries or particular branches of agriculture, and that in appropriate circumstances the grant of such assistance in the form of protective measures is justified. At the same time they recognize that an unwise use of such measures would impose undue burdens on their own economies and unwarranted restrictions on international trade, and might increase unnecessarily the difficulties of adjustment for the economies of other countries.

2. (a) If a contracting party, in the interest of its programme of economic development or reconstruction, considers it desirable

[1] [*Post*, p. A89.]

to adopt any non-discriminatory measure which would conflict with any obligation which it has assumed under Article II, or with any other provision of this Agreement, such applicant contracting party shall so notify the CONTRACTING PARTIES and shall transmit to them a written statement of the considerations in support of the adoption of the proposed measure.

(b) The CONTRACTING PARTIES shall promptly transmit such statement to all other contracting parties, and any contracting party which considers that its trade would be substantially affected by the proposed measure shall transmit its views to the CONTRACTING PARTIES within such period as shall be prescribed by them.

(c) The CONTRACTING PARTIES shall then promptly examine the proposed measure to determine whether they concur in it, with or without modification, and shall in their examination have regard to the provisions of this Agreement, to the considerations presented by the applicant contracting party and its stage of economic development or reconstruction, to the views presented by contracting parties which may be substantially affected, and to the effect which the proposed measure, with or without modification, is likely to have on international trade.

3. (a) If, as a result of their examination pursuant to paragraph 2(c) of this Article, the CONTRACTING PARTIES concur in principle in any proposed measure, with or without modification, which would be inconsistent with any obligation that the applicant contracting party has assumed under Article II, or which would tend to nullify or impair the benefit to any other contracting party

or parties of any such obligation, the CONTRACTING PARTIES shall sponsor and assist in negotiations between the applicant contracting party and the other contracting party or parties which would be substantially affected with a view to obtaining substantial agreement. The CONTRACTING PARTIES shall establish and communicate to the contracting parties concerned a time schedule for such negotiations.

(b) Contracting parties shall commence the negotiations provided for in sub-paragraph (a) of this paragraph within such period as the CONTRACTING PARTIES may prescribe and shall thereafter, unless the CONTRACTING PARTIES decide otherwise, proceed continuously with such negotiations with a view to reaching substantial agreement in accordance with the time schedule laid down by the CONTRACTING PARTIES.

(c) Upon substantial agreement being reached, the CONTRACTING PARTIES may release the applicant contracting party from the obligation referred to in sub-paragraph (a) of this paragraph or from any other relevant obligation under this Agreement, subject to such limitations as may have been agreed upon in the negotiations between the contracting parties concerned.

4. (a) If, as a result of their examination pursuant to paragraph 2(c) of this Article, the CONTRACTING PARTIES concur in any proposed measure, with or without modification, other than a measure referred to in paragraph 3(a) of this Article, which would be inconsistent with any provision of this Agreement, the CONTRACTING PARTIES may release the applicant contracting party from any obligation under such provision, subject to such limitations as they may impose.

(b) If, having regard to the provisions of paragraph 2(c) of this Article, it is established in the course of such examination that such measure is unlikely to be more restrictive of international trade than any other practicable and reasonable measure permitted under this Agreement which could be imposed without undue difficulty and that it is the one most suitable for the purpose having regard to the economics of the industry or the branch of agriculture concerned and to the current economic condition of the applicant contracting party, the CONTRACTING PARTIES shall concur in such measure and grant such release as may be required to enable such measure to be made effective.

(c) If in anticipation of the concurrence of the CONTRACTING PARTIES in the adoption of a measure concerning which notice has been given under paragraph 2 of this Article, other than a measure referred to in paragraph 3(a) of this Article, there should be an increase or threatened increase in the importations of the product or products concerned, including products which can be directly substituted therefor, so substantial as to jeopardize the plans of the applicant contracting party for the establishment, development or reconstruction of the industry or industries or branches of agriculture concerned, and if no preventive measures consistent with this Agreement can be found which seem likely to prove effective, the applicant contracting party may, after informing, and when practicable consulting with, the CONTRACTING PARTIES, adopt such other measures as the situation may require pending a determination by the CONTRACTING PARTIES, provided that such measures do not reduce imports below the level obtaining in the most

recent representative period preceding the date on which the contracting party's original notification was made under paragraph 2 of this Article.

5. (a) In the case of measures referred to in paragraph 3 of this Article, the CONTRACTING PARTIES shall, at the earliest opportunity but ordinarily within fifteen days after receipt of the statement referred to in paragraph 2(a) of this Article, advise the applicant contracting party of the date by which they will notify it whether or not they concur in principle in the proposed measure, with or without modification.

(b) In the case of measures referred to in paragraph 4 of this Article, the CONTRACTING PARTIES shall, as in sub-paragraph (a) of this paragraph, advise the applicant contracting party of the date by which they will notify it whether or not it is released from such obligation or obligations as may be relevant; Provided that, if the applicant contracting party does not receive a final reply by the date fixed by the CONTRACTING PARTIES, it may, after communicating with the CONTRACTING PARTIES, institute the proposed measure upon the expiration of a further thirty days from such date.

6. Any contracting party may maintain any non-discriminatory measure, in force on September 1, 1947, which has been imposed for the establishment, development or reconstruction of particular industries or particular branches of agriculture and which is not otherwise permitted by this Agreement; Provided that any such contracting party shall have notified the other contracting parties, not later than October 10, 1947, of each product on which any such existing measure is to be maintained and of the nature and purpose of such measure. Any contracting party maintaining any such

measure shall, within sixty days of becoming a contracting party, notify the CONTRACTING PARTIES of the measure concerned, the considerations in support of its maintenance and the period for which it wishes to maintain the measure. The CONTRACTING PARTIES shall, as soon as possible but in any case within twelve months from the day on which such contracting party becomes a contracting party, examine and give a decision concerning the measure as if it had been submitted to the CONTRACTING PARTIES for their concurrence under the provisions of the preceding paragraphs of this Article. The CONTRACTING PARTIES, in making a decision under this paragraph specifying a date by which any modification in or withdrawal of the measure is to be made, shall have regard to the possible need of a contracting party for a suitable period of time in which to make such modification or withdrawal.

7. The provisions of paragraph 6 of this Article shall not apply, in respect of any contracting party, to any product described in the appropriate Schedule annexed to this Agreement.

Article XIX

Emergency Action on Imports of Particular Products

1. (a) If, as a result of unforeseen developments and of the effect of the obligations incurred by a contracting party under this Agreement, including tariff concessions, any product is being imported into the territory of that contracting party in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers in that territory of like or directly competitive products, the contracting party shall be free, in respect of such product, and to the extent and

for such time as may be necessary to prevent or remedy such injury, to suspend the obligation in whole or in part or to withdraw or modify the concession.

(b) If any product, which is the subject of a concession with respect to a preference, is being imported into the territory of a contracting party in the circumstances set forth in sub-paragraph (a) of this paragraph, so as to cause or threaten serious injury to domestic producers of like or directly competitive products in the territory of a contracting party which receives or received such preference, the importing contracting party shall be free, if that other contracting party so requests, to suspend the relevant obligation in whole or in part or to withdraw or modify the concession in respect of the product, to the extent and for such time as may be necessary to prevent or remedy such injury.

2. Before any contracting party shall take action pursuant to the provisions of paragraph 1 of this Article, it shall give notice in writing to the CONTRACTING PARTIES as far in advance as may be practicable and shall afford the CONTRACTING PARTIES and those contracting parties having a substantial interest as exporters of the product concerned an opportunity to consult with it in respect of the proposed action. When such notice is given in relation to a concession with respect to a preference, the notice shall name the contracting party which has requested the action. In critical circumstances, where delay would cause damage which it would be difficult to repair, action under paragraph 1 of this Article may be taken provisionally without prior consultation, on the condition that consultation shall be effected immediately after taking such action.

3. (a) If agreement among the interested contracting parties with respect to the action is not reached, the contracting party which proposes to take or continue the action shall, nevertheless, be free to do so, and if such action is taken or continued, the affected contracting parties shall then be free, not later than ninety days after such action is taken, to suspend, upon the expiration of thirty days from the day on which written notice of such suspension is received by the CONTRACTING PARTIES, the application to the trade of the contracting party taking such action, or, in the case envisaged in paragraph 1(b) of this Article, to the trade of the contracting party requesting such action, of such substantially equivalent obligations or concessions under this Agreement the suspension of which the CONTRACTING PARTIES do not disapprove.

(b) Notwithstanding the provisions of sub-paragraph (a) of this paragraph, where action is taken under paragraph 2 of this Article without prior consultation and causes or threatens serious injury in the territory of a contracting party to the domestic producers of products affected by the action, that contracting party shall, where delay would cause damage difficult to repair, be free to suspend, upon the taking of the action and throughout the period of consultation, such obligations or concessions as may be necessary to prevent or remedy the injury.

Article XX

General Exceptions

Subject to the requirement that such measures are not applied in a manner which would consitute a means of arbitrary or unjustifiable discrimination between countries where the same

conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent the adoption or enforcement by any contracting party of measures:

I. (a) necessary to protect public morals;

(b) necessary to protect human, animal or plant life or health;

(c) relating to the importation or exportation of gold or silver;

(d) necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, including those relating to customs enforcement, the enforcement of monopolies operated under paragraph 4 of Article II and Article XVII, the protection of patents, trade marks and copyrights, and the prevention of deceptive practices;

(e) relating to the products of prison labour;

(f) imposed for the protection of national treasures of artistic, historic or archaeological value;

(g) relating to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption;

(h) undertaken in pursuance of obligations under intergovernmental commodity agreements, conforming to the principles approved by the Economic and Social Council of the United Nations in its Resolution of March 28, 1947, establishing an Interim Co-ordinating Committee for International Commodity Arrangements; [1] or

[1] [United Nations. *Resolutions adopted by the Economic and Social Council during its Fourth Session from 28 February to 29 March 1947*, p. 3. Lake Success.]

(i) involving restrictions on exports of domestic materials necessary to assure essential quantities of such materials to a domestic processing industry during periods when the domestic price of such materials is held below the world price as part of a governmental stabilization plan; Provided that such restrictions shall not operate to increase the exports of or the protection afforded to such domestic industry, and shall not depart from the provisions of this Agreement relating to non-discrimination;

II. (a) essential to the acquisition or distribution of products in general or local short supply; Provided that any such measures shall be consistent with any multilateral arrangements directed to an equitable international distribution of such products or, in the absence of such arrangements, with the principle that all contracting parties are entitled to an equitable share of the international supply of such products;

(b) essential to the control of prices by a contracting party undergoing shortages subsequent to the war; or

(c) essential to the orderly liquidation of temporary surpluses of stocks owned or controlled by the government of any contracting party or of industries developed in the territory of any contracting party owing to the exigencies of the war which it would be uneconomic to maintain in normal conditons; Provided that such measures shall not be instituted by any contracting party except after consultation with other interested contracting parties with a view to appropriate international action.

Measures instituted or maintained under part II of this Article which are inconsistent with the other provisions of this Agreement shall be removed as soon as the conditions giving rise to them have ceased, and in any event not later than January 1, 1951; Provided that this period may, with the concurrence of the CONTRACTING PARTIES, be extended in respect of the application of any particular measure to any particular product by any particular contracting party for such further periods as the CONTRACTING PARTIES may specify.

Article XXI

Security Exceptions

Nothing in this Agreement shall be construed

(a) to require any contracting party to furnish any information the disclosure of which it considers contrary to its essential security interests; or

(b) to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests

(i) relating to fissionable materials or the materials from which they are derived;

(ii) relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment;

(iii) taken in time of war or other emergency in international relations; or

(c) to prevent any contracting party from taking any action in pursuance of its obligations under the United Nations Charter [1] for the maintenance of international peace and security.

[1] [59 Stat. 1031.]

Article XXII

Consultation

Each contracting party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as may be made by any other contracting party with respect to the operation of customs regulations and formalities, anti-dumping and countervailing duties, quantitative and exchange regulations, subsidies, state-trading operations, sanitary laws and regulations for the protection of human, animal or plant life or health, and generally all matters affecting the operation of this Agreement.

Article XXIII

Nullification or Impairment

1. If any contracting party should consider that any benefit accruing to it directly or indirectly under this Agreement is being nullified or impaired or that the attainment of any objective of the Agreement is being impeded as the result of (a) the failure of another contracting party to carry out its obligations under this Agreement, or (b) the application by another contracting party of any measure, whether or not it conflicts with the provisions of this Agreement, or (c) the existence of any other situation, the contracting party may, with a view to the satisfactory adjustment of the matter, make written representations or proposals to the other contracting party or parties which it considers to be concerned. Any contracting party thus approached shall give sympathetic consideration to the representations or proposals made to it.

2. If no satisfactory adjustment is effected between the contracting parties concerned within a reasonable time, or if the difficulty is of the type described in paragraph 1 (c) of this Article, the matter may be referred to the CONTRACTING PARTIES. The CONTRACTING

PARTIES shall promptly investigate any matter so referred to them and shall make appropriate recommendations to the contracting parties which they consider to be concerned, or give a ruling on the matter, as appropriate. The CONTRACTING PARTIES may consult with contracting parties, with the Economic and Social Council of the United Nations and with any appropriate inter-governmental organization in cases where they consider such consultation necessary. If the CONTRACTING PARTIES consider that the circumstances are serious enough to justify such action, they may authorize a contracting party or parties to suspend the application to any other contracting party or parties of such obligations or concessions under this Agreement as they determine to be appropriate in the circumstances. If the application to any contracting party of any obligation or concession is in fact suspended, that contracting party shall then be free, not later than sixty days after such action is taken, to advise the Secretary-General of the United Nations in writing of its intention to withdraw from this Agreement and such withdrawal shall take effect upon the expiration of sixty days from the day on which written notice of such withdrawal is received by him.

PART III

Article XXIV

Territorial Application - Frontier Traffic - Customs Unions

1. The rights and obligations arising under this Agreement shall be deemed to be in force between each and every territory which is a separate customs territory and in respect of which this Agreement has been accepted under Article XXVI or is being applied under the Protocol of Provisional Application. [1]

2. The provisions of this Agreement shall not be construed to prevent:

(a) advantages accorded by any contracting party to adjacent countries in order to facilitate frontier traffic;

(b) the formation of a customs union or the adoption of an interim agreement necessary for the attainment of a customs union; Provided that the duties and other regulations of commerce imposed by, or any margin of preference maintained by, any such union or agreement in respect of trade with other contracting parties shall not on the whole be higher or more stringent than the average level of the duties and regulations of commerce or margins of preference applicable in the constituent territories prior to the formation of such union or the adoption of such agreement; and Provided further that any such interim agreement shall include a definite plan and schedule for the attainment of such a customs union within a reasonable length of time.

3. (a) Any contracting party proposing to enter into a customs union shall consult with the CONTRACTING PARTIES and shall make available to them such information regarding the proposed union as will enable them to make such reports and recommendations to contracting parties as may be deemed appropriate.

[1] [61 Stat., Pt. 6, p. A2051.]

(b) No contracting party shall institute or maintain any interim agreement under the provisions of paragraph 2 (b) of this Article if, after a study of the plan and schedule proposed in such agreement, the CONTRACTING PARTIES find that such agreement is not likely to result in such a customs union within a reasonable length of time.

(c) The plan or schedule shall not be substantially altered without consultation with the CONTRACTING PARTIES.

4. For the purposes of this Article a customs territory shall be understood to mean any territory with respect to which separate tariffs or other regulations of commerce are maintained for a substantial part of the trade of such territory with other territories. A customs union shall be understood to mean the substitution of a single customs territory for two or more customs territories, so that all tariffs and other restrictive regulations of commerce as between the territories of members of the union are substantially eliminated and substantially the same tariffs and other regulations of commerce are applied by each of the members of the union to the trade of territories not included in the union.

5. Taking into account the exceptional circumstances arising out of the establishment of India and Pakistan as independent states and recognizing the fact that they have long constituted an economic unit, the contracting parties agree that the provisions of this Agreement shall not prevent the two countries from entering into special arrangements with respect to the trade between them, pending the establishment of their mutual trade relations on a definitive basis. [1]

6. Each contracting party shall take such reasonable measures

[1] [*Post*, p. A89.]

as may be available to it to assure observance of the provisions of this Agreement by the regional and local governments and authorities within its territory.

Article XXV

Joint Action by the Contracting Parties

1. Representatives of the contracting parties shall meet from time to time for the purpose of giving effect to those provisions of this Agreement which involve joint action and, generally, with a view to facilitating the operation and furthering the objectives of this Agreement. Wherever reference is made in this Agreement to the contracting parties acting jointly they are designated as the CONTRACTING PARTIES.

2. The Secretary-General of the United Nations is requested to convene the first meeting of the CONTRACTING PARTIES which shall take place not later than March 1, 1948.

3. Each contracting party shall be entitled to have one vote at all meetings of the CONTRACTING PARTIES.

4. Except as otherwise provided for in this Agreement, decisions of the CONTRACTING PARTIES shall be taken by a majority of the votes cast.

5. In exceptional circumstances not elsewhere provided for in this Agreement, the CONTRACTING PARTIES may waive an obligation imposed upon a contracting party by this Agreement; Provided that any such decision shall be approved by a two-thirds majority of the votes cast and that such majority shall comprise more than half of the contracting parties. The CONTRACTING PARTIES may also by such a vote

(a) define certain categories of exceptional circumstances to which other voting requirements shall apply for the waiver of obligations, and

(b) prescribe such criteria as may be necessary for the application of this paragraph.

Article XXVI

Acceptance, Entry into Force and Registration

1. The present Agreement shall bear the date of the signature of the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment [1] and shall be open to acceptance by any government signatory to the Final Act.

2. This Agreement, done in a single English original and in a single French original, both texts authentic, shall be deposited with the Secretary-General of the United Nations, who shall furnish certified copies thereof to all interested governments.

3. Each government accepting this Agreement shall deposit an instrument of acceptance with the Secretary-General of the United Nations, who will inform all interested governments of the date of deposit of each instrument of acceptance and of the day on which this Agreement enters into force under paragraph 5 of this Article.

4. Each government accepting this Agreement does so in respect of its metropolitan territory and of the other territories for which it has international responsibility; Provided that it may at the time of acceptance declare that any separate customs territory for which it has international responsibility possesses full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement, and that its acceptance does not relate to such territory; and Provided further that if any of the customs territories on behalf of which a contracting party has accepted this Agreement possesses or acquires full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement,

[1] [*Ante*, p. A7.]

such territory shall, upon sponsorship through a declaration by the responsible contracting party establishing the above-mentioned fact, be deemed to be a contracting party. [1]

5. (a) This Agreement shall enter into force, as among the governments which have accepted it, on the thirtieth day following the day on which instruments of acceptance have been deposited with the Secretary-General of the United Nations on behalf of governments signatory to the Final Act the territories of which account for eighty-five per centum of the total external trade of the territories of the signatories to the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment. Such percentage shall be determined in accordance with the table set forth in Annex H. [2] The instrument of acceptance of each other government signatory to the Final Act shall take effect on the thirtieth day following the day on which such instrument is deposited.

(b) Notwithstanding the provisions of sub-paragraph (a) of this paragraph, this Agreement shall not enter into force under this paragraph until any agreement necessary under the provisions of paragraph 2 (a) of Article XXIX has been reached.

6. The United Nations is authorized to effect registration of this Agreement as soon as it enters into force.

Article XXVII

Withholding or Withdrawal of Concessions

Any contracting party shall at any time be free to withhold or to withdraw in whole or in part any concession, provided for in the appropriate Schedule annexed to this Agreement, in respect of which such contracting party determines that it was initially

[1] [*Post*, p. A90.]
[2] [*Post*, p. A84.]

negotiated with a government which has not become, or has ceased to be, a contracting party. The contracting party taking such action shall give notice to all other contracting parties and, upon request, consult with the contracting parties which have a substantial interest in the product concerned.

Article XXVIII

Modification of Schedules

1. On or after January 1, 1951, any contracting party may, by negotiation and agreement with any other contracting party with which such treatment was initially negotiated, and subject to consultation with such other contracting parties as the CONTRACTING PARTIES determine to have a substantial interest in such treatment, modify, or cease to apply, the treatment which it has agreed to accord under Article II to any product described in the appropriate Schedule annexed to this Agreement. In such negotiations and agreement, which may include provision for compensatory adjustment with respect to other products, the contracting parties concerned shall endeavour to maintain a general level of reciprocal and mutually advantageous concessions not less favourable to trade than that provided for in the present Agreement.

2. (a) If agreement between the contracting parties primarily concerned cannot be reached, the contracting party which proposes to modify or cease to apply such treatment shall, nevertheless, be free to do so, and if such action is taken the contracting party with which such treatment was initially negotiated, and the other contracting parties determined under paragraph 1 of this Article to have a substantial interest, shall then be free, not later than six months after such action is taken, to withdraw, upon the expiration of thirty days from the day on which written notice of such withdrawal is received by the CONTRACTING PARTIES,

substantially equivalent concessions initially negotiated with the contracting party taking such action.

(b) If agreement between the contracting parties primarily concerned is reached but any other contracting party determined under paragraph 1 of this Article to have a substantial interest is not satisfied, such other contracting party shall be free, not later than six months after action under such agreement is taken, to withdraw, upon the expiration of thirty days from the day on which written notice of such withdrawal is received by the CONTRACTING PARTIES, substantially equivalent concessions initially negotiated with a contracting party taking action under such agreement.

Article XXIX

Relation of this Agreement to the Charter for an International Trade Organization

1. The contracting parties, recognizing that the objectives set forth in the preamble of this Agreement can best be attained through the adoption, by the United Nations Conference on Trade and Employment, of a Charter leading to the creation of an International Trade Organization, undertake, pending their acceptance of such a Charter in accordance with their constitutional procedures, to observe to the fullest extent of their executive authority the general principles of the Draft Charter submitted to the Conference by the Preparatory Committee.

2. (a) On the day on which the Charter of the International Trade Organization enters into force, Article I and Part II of this Agreement shall be suspended and superseded by the corresponding provisions of the Charter; Provided that within sixty days of the closing of the United Nations Conference on Trade and Employment any contracting party may lodge with the other contracting parties an objection to any provision or

provisions of this Agreement being so suspended and superseded; in such case the contracting parties shall, within sixty days after the final date for the lodging of objections, confer to consider the objection in order to agree whether the provisions of the Charter to which objection has been lodged, or the corresponding provisions of this Agreement in its existing form or any amended form, shall apply.

(b) The contracting parties will also agree concerning the transfer to the International Trade Organization of their functions under Article XXV.

3. If any contracting party has not accepted the Charter when it has entered into force, the contracting parties shall confer to agree whether, and if so in what way, this Agreement, insofar as it affects relations between the contracting party which has not accepted the Charter and other contracting parties, shall be supplemented or amended.

4. During the month of January 1949, should the Charter not have entered into force, or at such earlier time as may be agreed if it is known that the Charter will not enter into force, or at such later time as may be agreed if the Charter ceases to be in force, the contracting parties shall meet to agree whether this Agreement shall be amended, supplemented or maintained.

5. The signatories of the Final Act which are not at the time contracting parties shall be informed of any objection lodged by a contracting party under the provisions of paragraph 2 of this Article and also of any agreement which may be reached between the contracting parties under paragraphs 2, 3 or 4 of this Article.

Article XXX

Amendments

1. Except where provision for modification is made elsewhere in this Agreement, amendments to the provisions of Part I of this Agreement or to the provisions of Article XXIX or of this Article shall become effective upon acceptance by all the contracting parties, and other amendments to this Agreement shall become effective, in respect of those contracting parties which accept them, upon acceptance by two-thirds of the contracting parties and thereafter for each other contracting party upon acceptance by it.

2. Any contracting party accepting an amendment to this Agreement shall deposit an instrument of acceptance with the Secretary-General of the United Nations within such period as the CONTRACTING PARTIES may specify. The CONTRACTING PARTIES may decide that any amendment made effective under this Article is of such a nature that any contracting party which has not accepted it within a period specified by the CONTRACTING PARTIES shall be free to withdraw from this Agreement, or to remain a contracting party with the consent of the CONTRACTING PARTIES.

Article XXXI

Withdrawal

Without prejudice to the provisions of Article XXIII or of paragraph 2 of Article XXX, any contracting party may, on or after January 1, 1951, withdraw from this Agreement, or may separately withdraw on behalf of any of the separate customs territories for which it has international responsibility and which at the time possesses full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement,

The withdrawal shall take effect on or after January 1, 1951, upon the expiration of six months from the day on which written notice of withdrawal is received by the Secretary-General of the United Nations.

Article XXXII

Contracting Parties

1. The contracting parties to this Agreement shall be understood to mean those governments which are applying the provisions of this Agreement under Article XXVI or pursuant to the Protocol of Provisional Application. [1]

2. At any time after the entry into force of this Agreement pursuant to paragraph 5 of Article XXVI, those contracting parties which have accepted this Agreement pursuant to paragraph 3 of Article XXVI may decide that any contracting party which has not so accepted it shall cease to be a contracting party.

Article XXXIII

Accession

A government not party to this Agreement, or a government acting on behalf of a separate customs territory possessing full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement, may accede to this Agreement, on its own behalf or on behalf of that territory, on terms to be agreed between such government and the contracting parties.

Article XXXIV

Annexes

The annexes to this Agreement are hereby made an integral part of this Agreement.

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[1] [61 Stat., Pt. 6, p. A2051.]

ANNEX A

LIST OF TERRITORIES REFERRED TO IN PARAGRAPH 2 (a) OF ARTICLE I

United Kingdom of Great Britain and Northern Ireland

Dependent territories of the United Kingdom of Great Britain and Northern Ireland

Canada

Commonwealth of Australia

Dependent territories of the Commonwealth of Australia

New Zealand

Dependent territories of New Zealand

Union of South Africa including South West Africa

Ireland

India (as on April 10, 1947)

Newfoundland

Southern Rhodesia

Burma

Ceylon

Certain of the territories listed above have two or more preferential rates in force for certain products. Any such territory may, by agreement with the other contracting parties which are principal suppliers of such products at the most-favoured-nation rate, substitute for such preferential rates a single preferential rate which shall not on the whole be less favourable to suppliers at the most-favoured-nation rate than the preferences in force prior to such substitution.

The imposition of an equivalent margin of tariff preference to replace a margin of preference in an internal tax existing on April 10, 1947, exclusively between two or more of the territories listed in this Annex or to replace the preferential quantitative arrangements described in the following paragraph, shall not be deemed to constitute an increase in a margin of tariff preference.

The preferential arrangements referred to in paragraph 5 (b) of Article XIV are those existing in the United Kingdom on April 10, 1947, under contractual agreements with the Governments of Canada, Australia and New Zealand, in respect of chilled and frozen beef and veal, frozen mutton and lamb, chilled and frozen pork, and bacon. It is the intention, without prejudice to any action taken under part I (h) of Article XX, that these arrangements shall be eliminated or replaced by tariff preferences, and that negotiations to this end shall take place as soon as practicable among the countries substantially concerned or involved.

The film hire tax in force in New Zealand on April 10, 1947, shall, for the purposes of this Agreement, be treated as a customs duty under Article I. The renters' film quota in force in New Zealand on April 10, 1947, shall, for the purposes of this Agreement, be treated as a screen quota under Article IV.

ANNEX B

LIST OF TERRITORIES OF THE FRENCH UNION REFERRED TO IN PARAGRAPH 2 (b) OF ARTICLE I

France

French Equatorial Africa (Treaty Basin of the Congo* and other territories)

French West Africa

Cameroons under French Mandate*

French Somali Coast and Dependencies

French Establishments in India*

French Establishments in Oceania

French Establishments in the Condominium of the New Hebrides*

Guadeloupe and Dependencies

French Guiana

Indo-China

Madagascar and Dependencies

Morocco (French zone)*

Martinique

New Caledonia and Dependencies

Réunion

Saint-Pierre and Miquelon

Togo under French Mandate*

Tunisia

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* For imports into Metropolitan France

ANNEX C

LIST OF TERRITORIES OF THE CUSTOMS UNION OF BELGIUM, LUXEMBOURG AND THE NETHERLANDS REFERRED TO IN PARAGRAPH 2 (b) OF ARTICLE I

The Economic Union of Belgium and Luxembourg

Belgian Congo

Ruanda Urundi

Netherlands

Netherlands Indies

Surinam

Curacao

For imports into the metropolitan territories constituting the Customs Union.

ANNEX D

LIST OF TERRITORIES REFERRED TO IN PARAGRAPH 2 (b) OF ARTICLE I AS RESPECTS THE UNITED STATES OF AMERICA

United States of America (customs territory)

Dependent territories of the United States of America

Republic of the Philippines

The imposition of an equivalent margin of tariff preference to replace a margin of preference in an internal tax existing on April 10, 1947, exclusively between two or more of the territories listed in this Annex shall not be deemed to constitute an increase in a margin of tariff preference.

ANNEX E

LIST OF TERRITORIES COVERED BY PREFERENTIAL ARRANGEMENTS BETWEEN CHILE AND NEIGHBOURING COUNTRIES REFERRED TO IN PARAGRAPH 2 (d) OF ARTICLE I

Preferences in force exclusively between Chile, on the one hand, and

1. Argentina
2. Bolivia
3. Peru

on the other hand.

ANNEX F

LIST OF TERRITORIES COVERED BY PREFERENTIAL ARRANGEMENTS BETWEEN LEBANON AND SYRIA AND NEIGHBOURING COUNTRIES REFERRED TO IN PARAGRAPH 2 (d) OF ARTICLE I

Preferences in force exclusively between the Lebano-Syrian Customs Union, on the one hand, and

1. Palestine
2. Transjordan

on the other hand.

ANNEX G

DATES ESTABLISHING MAXIMUM MARGINS
OF PREFERENCE REFERRED TO IN
PARAGRAPH 3 OF ARTICLE I

Australia	October 15, 1946
Canada	July 1, 1939
France	January 1, 1939
Lebano-Syrian Customs Union	November 30, 1939
Union of South Africa	July 1, 1938
Southern Rhodesia	May 1, 1941

ANNEX H

PERCENTAGE SHARES OF TOTAL EXTERNAL TRADE TO BE USED FOR THE PURPOSE OF MAKING THE DETERMINATION REFERRED TO IN ARTICLE XXVI

(based on the average of 1938 and the latest twelve months for which figures are available)

	Percentage
Australia	3.2
Belgium-Luxemburg-Netherlands	10.9
Brazil	2.8
Burma	0.7
Canada	7.2
Ceylon	0.6
Chile	0.6
China	2.7
Cuba	0.9
Czechoslovakia	1.4
French Union	9.4
India) Pakistan)	3.3 *
New Zealand	1.2
Norway	1.5
Southern Rhodesia	0.3
Lebano-Syrian Customs Union	0.1
Union of South Africa	2.3
United Kingdom of Great Britain and Northern Ireland	25.7
United States of America	25.2
	100.0

Note: These percentages have been determined taking into account the trade of all territories for which countries mentioned above have international responsibility and which are not self-governing in matters dealt with in the General Agreement on Tariffs and Trade.

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* The allocation of this percentage will be made by agreement between the governments of India and Pakistan and will be communicated as soon as possible to the Secretary-General of the United Nations.

ANNEX I

INTERPRETATIVE NOTES

ad Article I

Paragraph 1

The obligations incorporated in paragraph 1 of Article I by reference to paragraphs 1 and 2 of Article III and those incorporated in paragraph 2 (b) of Article II by reference to Article VI shall be considered as falling within Part II for the purposes of the Protocol of Provisional Application. [1]

Paragraph 3

The term "margin of preference" means the absolute difference between the most-favoured-nation rate of duty and the preferential rate of duty for the like product, and not the proportionate relation between those rates. As examples:

1.) If the most-favoured-nation rate were 36 per cent ad valorem and the preferential rate were 24 per cent ad valorem, the margin of preference would be 12 per cent ad valorem, and not one-third of the most-favoured-nation rate;

2.) If the most-favoured-nation rate were 36 per cent ad valorem and the preferential rate were expressed as two-thirds of the most-favoured-nation rate, the margin of preference would be 12 per cent ad valorem;

3.) If the most-favoured-nation rate were 2 francs per kilogram and the preferential rate were 1.50 francs per kilogram, the margin of preference would be 0.50 francs per kilogram.

The following kinds of customs action, taken in accordance with established uniform procedures, would not be contrary to a general binding of margins of preference:

(i) the re-application to an imported product of a tariff classification or rate of duty, properly applicable to such product, in cases in which the application of such classification or rate to such product was temporarily suspended or inoperative on April 10, 1947; and

(ii) the classification of a particular product under a tariff item other than that under which importations of that product were classified on April 10, 1947, in cases in which the tariff law clearly contemplates that such product may be classified under more than one tariff item.

[1] [61 Stat., Pt. 6, p. A2051.]

ad Article II

Paragraph 2 (b)

See the note relating to paragraph 1 of Article I.

Paragraph 4

Except where otherwise specifically agreed between the contracting parties which initially negotiated the concession, the provisions of this paragraph will be applied in the light of the provisions of Article 31 of the Draft Charter referred to in Article XXIX of this Agreement.

ad Article V

Paragraph 5

With regard to transportation charges, the principle laid down in paragraph 5 refers to like products being transported on the same route under like conditions.

ad Article VI

Paragraph 1

Hidden dumping by associated houses (that is, a sale by an importer at a price below that corresponding to the price invoiced by an exporter with whom the importer is associated, and also below the price in the exporting country) constitutes a form of price dumping.

Paragraph 2

Multiple currency practices can in certain circumstances constitute a subsidy to exports which may be met by countervailing duties under paragraph 2 or can constitute a form of dumping by means of a partial depreciation of a country's currency which may be met by action under paragraph 1 of this Article. By "multiple currency practices" is meant practices by governments or sanctioned by governments.

Paragraph 7

The obligations set forth in paragraph 7, as in the case of other obligations under this Agreement, are subject to the provisions of Article XIX.

ad Article VII

Paragraph 1

Consideration was given to the desirability of replacing the words "at the earliest practicable date" by a definite date or, alternatively, by a provision for a specified limited period to be fixed later. It was appreciated that it would not be possible for all contracting parties to give effect to these principles by a fixed time, but it was nevertheless understood that a majority of the contracting parties would give effect to them at the time the Agreement enters into force.

Paragraph 2

It would be in conformity with Article VII to presume that "actual value" may be represented by the invoice price, plus any non-included charges for legitimate costs which are proper elements of "actual value" and plus any abnormal discount or other reduction from the ordinary competitive price.

It would be in conformity with Article VII, paragraph 2 (b), for a contracting party to construe the phrase "in the ordinary course of trade", read in conjunction with "under fully competitive conditions", as excluding any transaction wherein the buyer and seller are not independent of each other and price is not the sole consideration.

The prescribed standard of "fully competitive conditions" permits contracting parties to exclude from consideration distributors' prices which involve special discounts limited to exclusive agents.

The wording of sub-paragraphs (a) and (b) permits a contracting party to assess duty uniformly either (1) on the basis of a particular exporter's prices of the imported merchandise, or (2) on the basis of the general price level of like merchandise.

ad Article VIII

While Article VIII does not cover the use of multiple rates of exchange as such, paragraphs 1 and 4 condemn the use of exchange taxes or fees as a device for implementing multiple currency practices; if, however, a contracting party is using multiple currency exchange fees for balance-of-payments reasons with the approval of the International Monetary Fund, the provisions of paragraph 2 fully safeguard its position since that paragraph merely requires that the fees be eliminated at the earliest practicable date.

ad Article XI

Paragraph 2 (c)

The term "in any form" in this paragraph covers the same products when in an early stage of processing and still perishable, which compete directly with the fresh product and if freely imported would tend to make the restriction on the fresh product ineffective.

Paragraph 2, last sub-paragraph

The term "special factors" includes changes in relative productive efficiency as between domestic and foreign producers, or as between different foreign producers, but not changes artificially brought about by means not permitted under the Agreement.

ad Article XII

Paragraph 3 (b) (i)

The phrase "notwithstanding the provisions of paragraph 2 of

this Article" has been included in the text to make it quite clear that a contracting party's import restrictions otherwise "necessary" within the meaning of paragraph 2 (a) shall not be considered unnecessary on the ground that a change in domestic policies as referred to in the text could improve a contracting party's monetary reserve position. The phrase is not intended to suggest that the provisions of paragraph 2 are affected in any other way.

Consideration was given to the special problems that might be created for contracting parties which, as a result of their programmes of full employment, maintenance of high and rising levels of demand and economic development, find themselves faced with a high level of demand for imports, and in consequence maintain quantitative regulation of their foreign trade. It was considered that the present text of Article XII together with the provision for export controls in certain parts of the Agreement, e.g. in Article XX, fully meet the position of these economies.

ad Article XIII

Paragraph 2 (d)

No mention was made of "commercial considerations" as a rule for the allocation of quotas because it was considered that its application by governmental authorities might not always be practicable. Moreover, in cases where it is practicable, a contracting party could apply these considerations in the process of seeking agreement, consistently with the general rule laid down in the opening sentence of paragraph 2.

Paragraph 4

See note relating to "special factors" in connection with the last sub-paragraph of paragraph 2 of Article XI.

ad Article XIV

Paragraph 3

It was not considered necessary to make express reference in paragraph 3 to the need for the CONTRACTING PARTIES to consult with the International Monetary Fund, since such consultation in all appropriate cases was already required by virtue of the provisions of paragraph 2 of Article XV.

Paragraph 6 (b)

Suspension of any measure for a period of fifteen days would be for the purpose of making the consultation effective, and among the special circumstances which would justify such suspension would be the immediate damage caused to producers of perishable commodities ready for shipment or to consumers of essential goods of which the importing country had no stocks.

ad Article XV

Paragraph 4

The word "frustrate" is intended to indicate, for example, that infringements of the letter of any Article of this Agreement

by exchange action shall not be regarded as a violation of that Article if, in practice, there is no appreciable departure from the intent of the Article. Thus, a contracting party which, as part of its exchange control operated in accordance with the Articles of Agreement of the International Monetary Fund, [1] requires payment to be received for its exports in its own currency or in the currency of one or more members of the International Monetary Fund will not thereby be deemed to contravene Article XI or Article XIII. Another example would be that of a contracting party which specifies on an import licence the country from which the goods may be imported, for the purpose not of introducing any additional element of discrimination in its import licensing system but of enforcing permissible exchange controls.

ad ARTICLE XVII

Paragraph 1

The operations of Marketing Boards, which are established by contracting parties and are engaged in purchasing or selling, are subject to the provisions of sub-paragraphs (a) and (b).

The activities of Marketing Boards which are established by contracting parties and which do not purchase or sell but lay down regulations covering private trade are governed by the relevant Articles of this Agreement.

The charging by a state enterprise of different prices for its sales of a product in different markets is not precluded by the provisions of this Article, provided that such different prices are charged for commercial reasons, to meet conditions of supply and demand in export markets.

Paragraph 1 (a)

Governmental measures imposed to ensure standards of quality and efficiency in the operation of external trade, or privileges granted for the exploitation of national natural resources but which do not empower the government to exercise control over the trading activities of the enterprise in question, do not constitute "exclusive or special privileges".

Paragraph 1 (b)

A country receiving a "tied loan" is free to take this loan into account as a "commercial consideration" when purchasing requirements abroad.

Paragraph 2

The term "goods" is limited to products as understood in commercial practice, and is not intended to include the purchase or sale of services.

ad ARTICLE XXIV

Paragraph 5

Measures adopted by India and Pakistan in order to carry out definitive trade arrangements between them, once they have been

[1] [60 Stat. 1401.]

agreed upon, might depart from particular provisions of this Agreement, but these measures would in general be consistent with the objectives of the Agreement.

ad ARTICLE XXVI

Territories for which the contracting parties have international responsibility do not include areas under military occupation.

FINAL NOTE

The applicability of the General Agreement on Tariffs and Trade to the trade of contracting parties with the areas under military occupation has not been dealt with and is reserved for further study at an early date. Meanwhile, nothing in this Agreement shall be taken to prejudge the issues involved. This, of course, does not affect the applicability of the provisions of Articles XXII and XXIII to matters arising from such trade.

INDEX TO LIST OF SCHEDULES

		Pages
SCHEDULE	I—COMMONWEALTH OF AUSTRALIA	A93
SCHEDULE	II—BELGIUM-LUXEMBURG-NETHERLANDS	A201
SCHEDULE	III—UNITED STATES OF BRAZIL	A297
SCHEDULE	IV—BURMA	A383
SCHEDULE	V—CANADA	A389
SCHEDULE	VI—CEYLON	A493
SCHEDULE	VII—REPUBLIC OF CHILE	A507
SCHEDULE	VIII—REPUBLIC OF CHINA	A525
SCHEDULE	IX—REPUBLIC OF CUBA	A545
SCHEDULE	X—CZECHOSLOVAK REPUBLIC	A643
SCHEDULE	XI—FRENCH UNION	A699

	Pages
Section A.—Metropolitan Territory	A699
Section B.—French Equatorial Africa	A912
Section C.—French West Africa	A915
Section D.—French Somali Coast and Dependencies	A918
Section E.—French Establishments in Oceania	A919
Section F.—Guadeloupe and Dependencies	A921
Section G.—French Guiana	A922
Section H.—Indo-China	A923
Section I.—Madagascar and Dependencies	A925
Section J.—Martinique	A928
Section K.—New Caledonia and Dependencies	A929
Section L.—Reunion	A934
Section M.—St. Pierre et Miquelon	A935
Section N.—Tunisia	A937

SCHEDULE	XII—INDIA	A941
SCHEDULE	XIII—NEW ZEALAND	A953
SCHEDULE	XIV—KINGDOM OF NORWAY	A989
SCHEDULE	XV—PAKISTAN	A1003
SCHEDULE	XVI—SOUTHERN RHODESIA	A1015
SCHEDULE	XVII—SYRO-LEBANESE CUSTOMS UNION	A1017
SCHEDULE	XVIII—UNION OF SOUTH AFRICA	A1039
SCHEDULE	XIX—UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	A1071

	Pages
Section A.—Metropolitan Territory	A1071
Section B.—Newfoundland	A1144
Section C.—Dependent Territories of the United Kingdom of Great Britain and Northern Ireland	A1152
Section D.—Malayan Union	A1153
Section E.—Palestine	A1154

SCHEDULE	XX—UNITED STATES OF AMERICA	A1157

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Schedule I is authentic only in the English language.

Part I - Most-Favoured-Nation Tariff

Australian Tariff Item Number	Description of Products	Rate of Duty
3 (A)	Spirits, and spirituous liquors, n.e.i.:- Brandy - (1) When not exceeding the strength of proof per gallon	58s.6d.
	(2) When exceeding the strength of proof per proof gallon	58s.6d.
(C)	Gin, distilled wholly from barley malt, grain, grape wine or fruit, and certified in the prescribed form by the competent Government official in the country of production to be gin distilled wholly from barley malt, grain, grape wine or fruit - (1) When not exceeding the strength of proof per gallon	65s.6d.
	(2) When exceeding the strength of proof per proof gallon	65s.6d.
(D)	Rum, pure, distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, by a pot-still or similar process at a strength not exceeding 45 per cent. over proof and certified in the prescribed form by the competent Government official in the country of production to be pure rum distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, under the conditions specified - (1) When not exceeding the strength of proof per gallon	65s.6d.
	(2) When exceeding the strength of proof per proof gallon	65s.6d.
(E)	Blended Rum, distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, containing not less than 25 per cent. of pure spirit which has been separately distilled from sugar, sugar syrup, molasses, or the refuse of sugar cane, by a pot-still or similar process at a strength not exceeding 45 per cent. over proof and certified in the prescribed form by the competent Government official in the country of production to be rum distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, under the conditions specified and so blended - (1) When not exceeding the strength of proof per gallon	66s.6d.
	(2) When exceeding the strength of proof per proof gallon	66s.6d.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
3(continued)	Spirits, and spirituous liquors, n.e.i.:- (continued)	
(G)	Bitters -	
	(1) When not exceeding the strength of proof per gallon	70s.6d. A/.
	(2) When exceeding the strength of proof per proof gallon	70s.6d. A/.
(H)	Liqueurs -	
	(1) When not exceeding the strength of proof per gallon	56s.6d.
	(2) When exceeding the strength of proof per proof gallon	56s.6d.
8	Perfumed Spirits per gallon and ad val.	45s. 30 per cent.A/.
10(A)(2)	Chloroform containing not more than 5 per cent. of proof spirit	..... B/.
12	Wine, sparkling, viz.:-	
	(A) Champagne per gallon	22s.
	(B) Other per gallon	30s. A/.
13 (A)	Wine, Still (including Medicated and Vermouth):- Containing up to and including 35 per cent. of proof spirit:-	
	(1) In bulk	..... B/.
	(2) In bottle per gallon	12s.
17(A)	Aerated or mineral waters, viz.:- Contrexeville, Evian, Perrier, St. Galmier, Vals and Vittel ad val.	15 per cent.
18	Tobacco, unmanufactured, n.e.i. per lb.	12s.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
19(A)	Tobacco, unmanufactured, entered to be locally manufactured into tobacco other than fine cut tobacco suitable for the manufacture of cigarettes - to be paid at the time of removal to the factory -	
	(1) Unstemmed per lb.	6s.6d.
	(2) Stemmed, or partly stemmed, or in strips per lb.	7s.
	(3) For the manufacture of tobacco containing not less than such proportion by weight of stemmed Australian-grown tobacco leaf (or its equivalent in terms of unstemmed tobacco leaf) to the total stemmed tobacco leaf (or its equivalent in terms of unstemmed tobacco leaf) used, as the Minister may from time to time determine having regard to the available supply of suitable Australian-grown tobacco leaf, as prescribed by Departmental By-laws -	
	(a) Unstemmed per lb.	5s.
	(b) Stemmed, or partly stemmed, or in strips per lb.	5s.6d.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 19(A)(3).	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
19(B)	Tobacco, unmanufactured, entered to be locally manufactured into cigarettes or into fine cut tobacco suitable for the manufacture of cigarettes - to be paid at the time of removal to the factory -	
	(1) Unstemmed per lb.	8s.7d.
	(2) Stemmed, or partly stemmed, or in strips per lb.	9s.1d.
	(3) For the manufacture of cigarettes containing not less than such proportion by weight of stemmed Australian-grown tobacco leaf (or its equivalent in terms of unstemmed tobacco leaf) to the total stemmed tobacco leaf (or its equivalent in terms of unstemmed tobacco leaf) used, as the Minister may from time to time determine having regard to the available supply of suitable Australian-grown tobacco leaf, as prescribed by Departmental By-laws -	
	(a) Unstemmed per lb.	7s.2d.
	(b) Stemmed, or partly stemmed, or in strips per lb.	7s.8d.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 19(B)(3).	
Ex 22	Cigarettes, including weight of cards and mouth-pieces contained in inside packages -	
	(B) Other per lb.	31s.
23	Tobacco, unmanufactured, entered to be locally manufactured into cigars - to be paid at the time of removal to the factory:-	
	(A) Unstemmed per lb.	2s.6d.
	(B) Stemmed, or partly stemmed, or in strips per lb.	3s.
24	Cigars, including the weight of bands and ribbons per lb.	29s.4d.
Ex 43(A)	Coffee, raw and kiln dried per lb.	3d.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
44	Confectionery, Cocoa and Chocolate, viz.:-	
	(A) Cocoa Beans, whole or broken, raw; Cocoa shells, raw per lb.	½d. A/.
	(B)(1) Cocoa beans shells and nibs, roasted per lb.	½d.
	(2) Cocoa mass paste or slab, sweetened per lb.	2½d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty	
	(3) Cocoa mass paste or slab, unsweetened per lb.	1d. A/.
	(C)(1) Cocoa butter for the manufacture of chocolate, as prescribed by Departmental By-laws per lb.	2d. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 44(C)(1).	
	(2) Cocoa butter n.e.i. and cocoa butter substitutes per lb.	3¼d. A/.
	(D) Cocoa and chocolate, in powdered or granulated form, for potable use per lb.	4d. A/.
46	Egg albumen, dry per lb.	3s.6d.
49	Egg yolk, dry per lb.	9d.
50	Eggs, in shell per dozen	6d.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
51	Fish, viz.:-	
	(B) Fresh, smoked or dried (but not salted), or preserved by cold process per lb.	1d.
	(C) Preserved in tins or other air-tight vessels including the weight of liquid contents -	
	(1) Salmon per lb.	2½d. A/.
	(3)(a) Sardines (Sardina pilchardus), cooked in oil and preserved in oil (accompanied by a certificate issued by a Chamber of Commerce or other official authorized body, certifying that the sardines, preserved in oil, have been prepared after being cooked in oil) in sealed tin containers per lb.	2d. A/.
	(b) Sardines n.e.i., sild, brisling, and similar small immature fish per lb.	2d. A/.
	(4) Other	..... B/.
	(F) N.E.I. per cwt.	5s.
52	Fruits, Fresh, viz.:-	
	(A) Bananas per central	8s.4d.
Ex 53(A)	Fruits, Dried, viz.:- Desiccated Banana; Banana Flour	Free
54(A)	Fruits and Vegetables, n.e.i., including Ginger, n.e.i. (preserved in liquid, or partly preserved, or pulped) -	
	(1) Quarter-pints and smaller sizes per dozen	1s.9d.
	(2) Half-pints and over quarter-pints per dozen	3s.6d.
	(3) Pints and over half-pints per dozen	7s.
	(4) Quarts and over pints per dozen	14s.
	(5) Exceeding a quart per gallon	4s.3d.
	(6) When preserved in spirituous liquid, additional duty to be paid on the liquid per gallon	31s. A/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products		Rate of Duty
54(B)	Asparagus tips preserved in airtight containers -		
	(1) Half-pints and smaller sizes	per dozen	3s.6d. A/.
54(C)	Petits Pois and mushrooms, preserved in liquid, or partly preserved, or pulped -		
	(1) Quarter-pints and smaller sizes	per dozen	1s.9d.
	(2) Half-pints and over quarter-pints	per dozen	3s.6d.
	(3) Pints and over half-pints	per dozen	7s.
	(4) Quarts and over pints	per dozen	14s.
55	Infants' and Invalids' Foods, as prescribed by Departmental By-laws		Free
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 55.		
56	Ginger, viz.:-		
	(E) Dry, unground		..... B/.
Ex 57(D)	Lentils not prepared or manufactured	per cental	1s.
Ex 58(D)	Lentils, prepared or manufactured, when not packed for retail sale	per lb.	¼d.
74	Meats, Poultry, Game and Soup, viz.:-		
Ex	(B) Goose and duck Foie Gras in a natural form; Pate de Foie Gras; creme, mousse, puree of Foie Gras; lark pates	ad val.	30 per cent.
76	Mustard, including French Mustard	per lb.	4d.
78	Nuts, Edible, viz.:-		
	(B) Coconuts, whole	per cwt.	1s.
	(C) Coconuts, prepared	per lb.	2d.
Ex	(E) Brazil Nuts in the form of Kernels, Pastes and Meals	per lb.	3d.
	(I) Walnuts, viz.:-		
	(1) Unshelled	per lb.	2d.
	(2) Kernels	per lb.	4d.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
82	Pickles, Sauces, Chutney, Olives, and Capers -	
	(H) Curry, manufactured, whether paste or powder per lb.	3d.
86	Rice Root	Free
87	Sago and Tapioca -	
	(B) N.E.I. ad val.	10 per cent. A/.
Ex 90	Sausage casings, hog, natural	Free
91(A)	Seeds and Nuts, for the manufacture of Oils, Oil cake and other by-products, as prescribed by Departmental By-laws	Free
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 91(A).	
94	Soap -	
	(A) Toilet, Fancy, or Medicated per lb.	6d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	
	(B) N.E.I.; soap substitutes and compounded detergents for washing and cleansing purposes, not including saponaceous disinfectants ad val.	30 per cent.
96	Spices -	
Ex	(A)(1) Unground, viz.:- Cardamom, Chillies, Cloves and Pepper ad val.	10 per cent. A/.
Ex	(A)(1) Unground, viz.:- Cinnamon ad val.	15 per cent.
	(A)(2) Unground, n.e.i., including Aniseed	Free
98(C)	Potato flour or farina per cwt.	16s. A/.
104	Waxes -	
Ex	(C) Carnauba; Ouricury or Licury	Free

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105 (A)(1)(a)	Piece Goods, viz.:- Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates (excepting piece goods enumerated in sub-items (AA), (D)(1) and (F)), n.e.i.-	
	(1) Unbleached, not being printed dyed or coloured	.....
	NOTE: The products provided for under Item 105(A)(1)(a)(1) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than ·375d. per square yard.	
	(2) Bleached, not being printed dyed or coloured	.....
	NOTE: The products provided for under Item 105(A)(1)(a)(2) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than ·5d. per square yard.	
(A)(1)(b)	Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates, weighing more than 4 ounces per square yard but less than 18 ounces per square yard, of types which either as imported or when further processed are principally used for manufacture into men's or boys' overcoats (other than dustcoats) coats vests trousers knickers (not being underwear) aprons or overalls, (excepting piece goods enumerated in sub-items (AA) and (F) and piece goods ordinarily used as linings or interlinings) -	per lb. 10d. and ad val. 50 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105(continued) (A)(1)(d)	Piece Goods (continued) Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates, of a type which would otherwise be classified under sub-item (A)(1)(b), as prescribed by Departmental By-laws, viz.:- for use in the manufacture of shirts; for use as pocketings in the manufacture of outer clothing; undyed, whether bleached or unbleached, for use in the manufacture of leathercloth rubbercloth and other waterproofed cloth; undyed sheetings, whether bleached or unbleached, for use in the undyed state; for use in the manufacture of other goods not specified in sub-item (A)(1)(b) -	
	(1) Unbleached, not being printed dyed or coloured per square yard	½d.
	(2) Bleached, not being printed dyed or coloured per square yard	1d.
	(3) Printed, dyed or coloured per square yard	2d.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 105(A)(1)(d).	
(A)(1)(e)	Tickings, bed, wholly of cotton or of cotton in admixture with linen, woven wholly or partly from coloured yarns	.....
	NOTE: The products provided for under Item 105(A)(1)(e) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than .75d. per square yard.	
105(AA)	Piece Goods, Knitted or Lock-stitched, in tubular form or otherwise (except piece goods enumerated in Item 208(D)(2)) of any material except when wholly of wool - (2) Other -	
	(a) Wholly of artificial silk per lb.	3s.
	or ad val.	35 per cent.
	whichever rate returns the higher duty.	
	(b) Not being wholly of artificial silk per lb.	3s.
	or ad val.	35 per cent.
	whichever rate returns the higher duty.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105(continued)	Piece Goods (continued)	
105(C)	Piece goods, n.e.i., including cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates but not including piece goods wholly of silk or in which silk predominates or piece goods enumerated in sub-items (AA), (D)(1) and (F), suitable for human apparel, or to be worn in connexion with the human body, having on one or both sides a teased, treated, combed, fluffed, or raised nap or surface in imitation of or resembling flannel in feel or appearance -	
	(1) Unbleached, not being printed dyed or coloured	.....
	NOTE: The products provided for under Item 105(C)(1) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than •375d. per square yard.	
	(2) Bleached, not being printed dyed or coloured	.....
	NOTE: The products provided for under Item 105(C)(2) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than •5d. per square yard.	
	(3) Printed, dyed or coloured	.....
	NOTE: The products provided for under Item 105(C)(3) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than •75d. per square yard.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105(continued)	Piece Goods (continued)	
105(D)	(2) Silk, or containing silk or having silk worked thereon, except piece goods enumerated in sub-items (A)(1), (A)(3), (A)(4), (AA), (B), (C), (D)(1), and (F), and in Item 130(B)(1) -	
	(a) The value for duty of which does not exceed 2s.6d. per square yard	..... B/.
	(b) The value for duty of which exceeds 2s.6d. per square yard	..... B/.
105(E)	(1) Velvets, velveteens, plushes, astrachans, scalette and cloths imitating furs, except piece goods enumerated in paragraph (4) of this sub-item ad val.	17½ per cent.
	(2) Lace for attire; lace flouncings; millinery nets; dress nets; veilings; embroideries in the piece; tucked linens or cottons ad val.	20 per cent.
	(4) Moquettes of the type used for upholstery -	
	(a) Containing at least 20 per cent. by weight of wool	..... B/.
	(b) Other	..... B/.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105(continued)	Piece Goods (continued)	
105(F)	(1) Piece Goods, woollen, or containing wool, ordinarily used in the manufacture of outer clothing for human wear and weighing more than three ounces per square yard per square yard	1s.6d.
	and ad val.	40 per cent.
	(2) Piece Goods, woollen, or containing wool, n.e.i. ad val.	45 per cent.
	(4) Piece Goods, felt, of wool or containing wool -	
	(a) Slipper upper felt per square yard	1s.1½d.
	and ad val.	30 per cent.A/.
	(b) N.E.I. per square yard	1s.3d.
	and ad val.	30 per cent.A/.
105(M)	Linen piece goods, viz.:-	
	(2) N.E.I. ad val.	25 per cent.
106(A)	Cotton Featherstitch Braids; Piping; Tinsel Cloth; Tinsel Belting, having warp or weft composed wholly of tinsel or of continuous threads of tinsel and an alternate thread of textile; Tinsel Thread	.....
	NOTE: The products provided for under Item 106(A) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 10 per cent. ad valorem.	
106(B)	Trimmings and ornaments, n.e.i. for hats shoes and other attire, not being partly or wholly of gold or silver; braids n.e.i.; fringes n.e.i.; frillings; rufflings; pleatings; ruchings; galoons n.e.i.; ribbons n.e.i.; tinselled belting n.e.i.; webbings n.e.i.; belting for apparel not elsewhere specified and not being cut to lengths for belts; jabots and textile bows (not including bow ties), being articles of women's apparel ad val.	15 per cent.A/.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
106(E)	Buckles Clasps and Slides for Hats Shoes and other attire -	
	(2) Wholly of metal (not being partly or wholly of gold or silver) including metal enamelled ad val.	40 per cent.
	(3) Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices ad val.	50 per cent.
106(F)	Buttons, n.e.i., including blanks and those partly finished -	
	(2) Wholly of metal (not being partly or wholly of gold or silver) excepting trouser buttons ad val.	40 per cent.
	(4) Trochus, Pearl, or other Animal Shell, and imitations of trochus or pearl shell ad val.	25 per cent.
107(A)	Woven and embroidered materials in the piece or otherwise:- Badges, hat and cap fronts (badged), medal ribbons (not being water-waved), looping for boots and shoes; labels and hangers for all purposes including plain hanger material; tubular tie material in the piece; galoons bands or bandings tapes and the like having printed woven or embroidered lettering badge trade name or mark or design thereon; ribbons (not being water-waved) and galoons having not more than 48 ribs to the lineal inch and being not more than 3½ inches in width; slipper, shoe, and blazer bindings ad val.	45 per cent. A/.
107(B)	Regalia Ribbons for use in the manufacture of Lodge Regalia, as prescribed by Departmental By-laws ad val.	10 per cent. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 107(B).	

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
108(B)	Feathers, dressed, including feathers made up into trimmings; also natural birds and wings ad val.	30 per cent.
109	Artificial flowers fruits plants leaves and grains, of all kinds and materials ad val.	50 per cent. A/.
110(A)	Apparel, other than knitted, viz.:-	
(5)	Costumes, Dresses or Robes, but not including Dresses or Robes for infants in arms, or such articles when not exceeding 22 inches in length, viz.:-	
	(b) Wool or containing wool each	12s.6d.
	and ad val.	30 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	50 per cent.
110(B)	Apparel, knitted, and Apparel made from knitted or look-stitched piece goods, viz.:-	
(2)	Coats, Jumpers, Cardigans, Sweaters, and similar garments -	
	(a) Girls' or Boys', i.e., with chest measurement under 34 inches each	3s.
	and ad val.	30 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	50 per cent.
	(b) Women's or Men's, i.e., with chest measurement 34 inches and over each	5s.6d.
	and ad val.	30 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	50 per cent.
(3)	Costumes, Dresses or Robes -	
	(b) Wool or containing wool, but not containing silk or artificial silk each	10s.
	and ad val.	30 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	50 per cent.
	(c) Silk or artificial silk or containing silk or artificial silk each	12s.
	and ad val.	30 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	50 per cent.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
111	Articles of natural or imitation hair:-	
Ex (C)	Hair Nets ad val.	25 per cent.
112	Furs and other Skins and articles made thereof:-	
(B)(2)	Rabbit Skins dressed or prepared for making up per doz. skins	8s. A/.
113	Gloves (except of rubber), viz.:-	
(B)	N.E.I. including Mittens	.....
	NOTE: The products provided for under Item 113(B) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.	
114	Hats, Caps, and Bonnets -	
(C)	Fur felt hats in any stage of manufacture for men and boys, including fur felt hoods therefor per dozen	54s.
	or ad val.	45 per cent.
	whichever rate returns the higher duty.	
114(E)	Hoods for girls' and women's hats, viz.:-	
	(1) Wool Felt Hoods per dozen	15s.
	or ad val.	45 per cent.
	whichever rate returns the higher duty.	
	(2) Fur Felt Hoods and Velour Hoods per dozen	30s.
	or ad val.	45 per cent.
	whichever rate returns the higher duty.	
	For the purposes of paragraph (1) of this sub-item the term "Hoods" includes hoods in any stage of manufacture up to but not including the defining of the brim.	

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
114(F)(1)	Felt Capelines for girls' and women's hats -	
	(a) Wool Felt Capelines per dozen	20s.
	or ad val.	45 per cent.
	whichever rate returns the higher duty.	
	(b) Fur Felt Capelines and Velour Capelines per dozen	35s.
	or ad val.	40 per cent.
	whichever rate returns the higher duty.	
(2)	Felt hats for girls and women; Berets; Girls' and Women's Caps (other than bathing) of any material; Hats n.e.i.; Bonnets per dozen	45s.
	or ad val.	45 per cent.
	whichever rate returns the higher duty.	
114(G)	(1) Hoods other than of felt ad val.	40 per cent.
	For the purposes of this paragraph a hood means any unblocked form of any material (other than felt) woven or plaited throughout from the tip of the crown to the edge of the brim, also any unblocked form made of braid or similar material joined together by hand with a concealed thread.	
	(2) Hat Forms of braid or similar material sewn with a visible stitch, but not blocked or further processed per dozen	27s.
	or ad val.	40 per cent.
	whichever rate returns the higher duty.	
117(A)	Blankets and blanketing, woven from yarn wholly of cotton, viz.:-	
	(1) Blankets manufactured by the Jacquard process ad val.	25 per cent. A/.
	(2) Other ad val.	25 per cent. A/.
118(A)(1)	Floor coverings wholly of cotton, except carpet felt undercarpet felt and those covered by sub-item (B) ad val.	15 per cent.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
Ex 118(A)(2)	Carpets, carpeting and carpet rugs, hand woven; carpets, loop pile or cut pile, bearing designs which have been printed on to the warp threads before weaving; floor and carriage mats and matting of grass, ramie or palm fibres (other than coir) or combinations thereof ad val.	15 per cent.
Ex 118(A)(2)	Carpets, n.e.i., carpeting, n.e.i. and floor cloths, n.e.i.; floor and carriage mats, n.e.i., of textile material, except coir; floor rugs and floor coverings, n.e.i., not being of rubber and not being furs or other skins or carpet felt undercarpet felt or carpet felt paper	..... B/.
Ex 118(C)	Felt base floor coverings, having a similar surface to linoleum ad val.	30 per cent.
119	Articles of Coir, viz.:-	
(B)	Mats and Matting, including Cricket Matting ad val.	35 per cent.
	or per square yard	6d. A/.
	whichever rate returns the higher duty.	
120(D)	Tablecloths handkerchiefs and serviettes imported in an unhemmed, unpressed and unboxed condition, as prescribed by Departmental By-laws -	
(1)	Cotton; made from piece goods containing a mixture of fibres in which cotton predominates (excepting piece goods enumerated in Items 105(AA), (D)(1) and (F)) -	
	(a) Unbleached, not being printed dyed or coloured per square yard	1½d.
	(b) Bleached, not being printed dyed or coloured per square yard	1½d.
	(c) Printed, dyed or coloured per square yard	2d.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 120(D)(1).	

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
Ex 120(F)	Quilts, viz.:- Marcella, honeycomb, alhambra, grecian and dimity ad val.	25 per cent.
Ex 120(F)	Printed cotton bedspreads, as prescribed by Departmental By-laws NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to printed cotton bedspreads admissible under Item Ex 120(F).	..... B/.
135	Accoutrements, Buttons, Braid, and Lace, for Naval and Military Uniforms, as prescribed by Departmental By-laws NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 135.	
136 (0)(1)	Iron and Steel - Angle, Rod other than Wire Rod in Coils, Tee, Bar exceeding one eighth of an inch in thickness and not being of fancy pattern; Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls per ton	100s.
136(F)(1)	Hoop, including galvanized, 12-gauge (Birmingham Sheet Gauge) and thicker ad val. and per ton	10 per cent. 70s. A/.
(2)	Hoop n.e.i. ad val. and per ton	10 per cent. 70s. A/.
Ex 137(A)(1)	Aluminium Ingots	..... B/.
138(A)	Antimony (known as star antimony) per ton and ad val.	£8.10s. 15 per cent.A/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
140	Copper, viz.:-	
(C)	Angles, bars, pipes, plates, rods, sheets, strips, tees and tubes, not further manufactured than plated polished or decorated; wire including stranded or twisted wire per lb.	6d.
	and ad val.	50 per cent.
	subject to a reduction by an amount per ton calculated by multiplying the determined price of copper at the date of exportation of the goods by 0.55 (British Preferential Tariff and Intermediate Tariff), 0.6875 (General Tariff).	
	For the purposes of this sub-item the determined price of copper shall be the weekly average, as determined by the Minister, of the London Metal Exchange quotations for one ton of Electrolytic Copper Wire Bars.	
143A	Ferro-manganese	..... B/.
144	Zinc and Spelter, viz.:-	
(B)(1)	Sheet, not further manufactured than plated polished or decorated -	
	(a) For lithographic purposes	
	Of a thickness .005 inch and greater ad val.	15 per cent.
	Of a thickness less than .005 inch	Free
	(b) Other	..... B/.
153(A)	Cast iron pipes, excepting cast iron soil and rainwater pipes from 2 inches to 6 inches internal diameter both sizes inclusive per ton	67s.6d. A/.
154	Railway and Tramway Material, viz.:-	
(A)	Rails weighing 50 lb. per yard and over per ton	80s.
(B)	Rails weighing less than 50 lb. per yard per ton	90s.
155	Iron or Steel Beams, Channels, Joists, Girders, Columns, Trough and Bridge Iron and Steel -	
(A)	Not drilled or further manufactured per ton	90s.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
157	Barbed Wire per ton	100s.
Ex 159(A)	Woven wire measuring over 120 holes to the lineal inch	Free
Ex 159(A)	Wire, n.e.i. ad val.	15 per cent. A/.
169(A)(1)	Monoline type-composing machines	Free
Ex 169(A)(2)	Linotype, Monotype, and other Type-composing Machines n.e.i. ad val.	15 per cent. A/.
Ex 169(A)(2)	Typewriters (including covers) ad val. NOTE: Typewriters (including covers) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products, the produce of Canada, by more than 10 per cent. ad valorem.	20 per cent.
169(A)(3)	Adding and Computing Machines and all attachments ad val.	10 per cent. A/.
169(B)	Cash Registers ad val.	10 per cent. A/.
Ex 169(C)(1)	Newspaper printing machines known as "Duplex Tubular" printing from cylindrical stereo plates as distinct from semi-cylindrical stereo plates; Roll Fed Combined Wrapper Printing and Addressing Machines; Combined Printing and Carton Cutting Machines; Printing Machines and Presses, n.e.i., except Flat-bed Cylinder Printing Presses, Combined Tagmaking and Printing Machines and Proof Presses using rolled paper ad val.	20 per cent. A/.
169(D)	Rotary Web Printing Machines (other than those specified in sub-item (C)), weighing 25 tons or less, printing from curved stereos or curved electros, and designed to be fed from one or two paper rolls each not more than 65 inches wide; Web Printing Machines n.e.i., weighing 25 tons or less, printing from flat type formes, and designed to be fed from one paper roll not more than 65 inches wide ad val.	30 per cent. A/.
170(F)	Rotary and Percussive Rock Drills	..... B/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
174	Machines, Machine Tools, and Appliances for use in connexion therewith, viz.:-	
(M)	Metal-working machines and appliances (not including extra die-heads), viz.:-	
	(14) Exhausters, gas, motor driven, for iron and steel production ad val.	15 per cent.
	(22) Grinders, drill, pneumatic, of the pedestal type	..... C/.
	(25) Lathes -	
	(a) Capstan or Turret	..... C/.
	(b) Chip flow, with automatic feeds ad val.	15 per cent.
	(c) Cock or plug forming ad val.	15 per cent.
	(d) Duomatic, with hydraulic feed ad val.	15 per cent.
	(e) Facing and Boring, over 2 tons weight, combined or separate, without tail stocks or screw cutting equipment	..... C/.
	(f) For diamond tools, with hydraulic feeds ad val.	15 per cent.
	(g) Full Automatic	..... C/.
	(h) High speed, low swing, for axle work, fitted with Multiple Tooling Systems ad val.	15 per cent.
	(j) Profile turning and copying, for bottle moulds and the like ad val.	15 per cent.
	(k) Railway Wheel ad val.	15 per cent.
	(l) Roll turning ad val.	15 per cent.
	(m) Solely designed for cam shaft turning ad val.	15 per cent.
	(n) Solely designed for railway axles ad val.	15 per cent.
	(o) Solely designed for oilgrooving ad val.	15 per cent.
	(p) Solely designed for crank pin turning ad val.	15 per cent.

C/. NOTE: The products provided for under the paragraphs of Item 174, against which the symbol C/. appears, shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
174(M)(continued)	Metal-working machines and appliances, etc. (continued)	
	(25) Lathes (continued)	
	(q) Spinning, Turning and Planishing, combined or separate, over 18-inch centres ad val.	15 per cent.
	(r) Tapmakers', with automatic relief movements ad val.	15 per cent.
	(s) Universal Relieving ad val.	15 per cent.
	(u) Lathes (excepting the types with cone headstocks) known as sliding surfacing and screw-cutting or chasing, with or without moveable tailstocks, and modifications of this type in which one or more of the functions usually performed by such lathes have been eliminated or varied:-	
	(1) With variable speed headstocks which are arranged with a belt that drives by its bevelled edges against a V-sided pulley that converges and diverges and so alters the spindle speeds	..... C/.
	(2) With all geared headstocks, the current domestic value of which, either in sterling or when converted to sterling, in the country of origin exceeds the Australian manufacturer's list price in Australian currency of the nearest comparable Australian-made lathe ad val.	15 per cent.
	(v) Other, excepting - Lathes of the type known as Sliding, Surfacing and Screw cutting or chasing, with or without moveable tailstocks, and modifications of this type in which one or more of the functions usually performed by such lathes have been eliminated or varied; Metal spinning Lathes and Brake Drum Truing Lathes	..... C/.

C/. NOTE: The products provided for under the paragraphs of Item 174, against which the symbol C/. appears, shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
174(M)(continued)	Metal-working machines and appliances, etc. (continued)	
	(29) Milling machines	.....C/.
	(34) Planing machines	.....C/.
	(88) Drilling, Boring and Reaming Machines, combined or separate, with mechanical feeds, with drilling capacity over 2¼ inches from the solid ad val.	15 per cent.
	(89) Drilling Machines, horizontal	.....C/.
	(90) Drilling Machines, portable, radial	.....C/.
	(91) Drilling Machines, Radial, except those of girder type	.....C/.
	(92) Drilling Machines, rail or bogey type ad val.	15 per cent.
	(93) Drilling Machines, vertical, equipped with feeds operated by mechanical as distinct from hand power, exceeding nine-sixteenths inch drilling capacity in mild steel or with maximum speed in excess of 5,000 r.p.m.	.....C/.
	(94) Drilling Machines, vertical, with infinitely variable speeds, having a maximum speed of 6,000 r.p.m. or over	.....C/.
	(95) Drilling and Slotting Machines, for piston rings ad val.	15 per cent.
	(105) Grinding and Fluting Machines, combined, for use on flour mill rolls ad val.	15 per cent.
	(106) Grinding Machines, other than the following types, viz.:- Bearing Belt Grinders or finishing machines Bench Centre Cutter Cutter Head	

C/. NOTE: The products provided for under the paragraphs of Item 174, against which the symbol C/. appears, shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
174(M)(continued)	Metal-working machines and appliances, etc. (continued)	
	(106) Grinding Machines, etc. (continued)	
	Cutting off	
	Cylinder Reborers or Grinders of the portable type	
	Combination Cutting and Grinding Machines, electrically driven or driven by electric motors, for the reconditioning and renewing of automobile engine pistons and valves	
	Disc	
	Emery Wheel Stands	
	Facing and Refacing, combined or separate, valve	
	Floor	
	Flexible	
	Gulleting Machines	
	Hob, with hand feeds	
	Knife	
	Knife Jointers	
	Mortice Chain	
	Oilstone	
	Portable electric	
	Saw	
	Swing Frame	
	Tool Post	
	Twist Drill	
	Turning and Grinding, for semi-finished pistons	
	Valve, and	
	Plain, Cylindrical, Universal, Tool and Cutter, Piston and Automobile Parts Grinders, with capacities of less than 30 inches between centres, with or without automatic feeds to the table of the mechanical type, but excluding such machines with hydraulic feeds	..... C/.
	(154) Shaping Machines, Gear	..... C/.
	(155) Shaping Machines, power driven	..... C/.

C/. NOTE: The products provided for under the paragraphs of Item 174, against which the symbol C/. appears, shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
174(X)	Other machines and appliances, viz.:-	
	(36) Hand tools (excepting spray guns and grease guns or lubricators), pneumatic, portable, but not including snaps	..... C/.
Ex 176(F)(1)	Air or Gas Compressors, n.e.i., and Air or Gas Exhausters, n.e.i. ad val.	42½ per cent.
Ex 176(F)(1)	Metal-working machines, viz.:- Drilling Machines, n.e.i.; Grinding Machines, n.e.i.; Lathes, n.e.i.; Planing and Shaping Machines (combined), n.e.i. ad val.	50 per cent.
Ex 176(F)(1)	Wool Scouring and Washing Machines ad val.	40 per cent.
176(F)(2)(a)	Refrigerators, mechanical, of the types used for food storage, up to and including 10 cubic feet gross internal capacity, and parts thereof, viz.:-	
	(1) Refrigerators including mechanical driving units and apparatus for transmitting power from such driving units to the driven units ad val.	55 per cent.
	(2) Parts (when not incorporated in complete refrigerators) imported in an assembled or partly assembled condition, viz.:-	
	(b) Compressors (not forming part of sealed or semi-sealed refrigerating units)-	
	(1) Single cylinder ad val.	55 per cent.
	(2) Double cylinder ad val.	55 per cent.
	(c) Evaporators (not forming part of sealed or semi-sealed refrigerating units) ad val.	55 per cent.
	(d) Sealed or semi-sealed refrigerating units, including mechanical driving units and apparatus for transmitting power from such driving units to the driven units ad val.	55 per cent.
	(e) Other ad val.	55 per cent.

C/. NOTE: The products provided for under the paragraphs of Item 174, against which the symbol C/. appears, shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(F)(2)(b)	Refrigerating appliances and parts thereof imported in an assembled or partly assembled condition (other than refrigerators and parts thereof enumerated in sub-paragraph (a)); metal pressings for cabinets for refrigerating appliances ad val.	55 per cent.
176(F)(2)(c)	Parts n.e.i. of refrigerating appliances ad val.	55 per cent.
176(K)(2)	Meters n.e.i., mechanically or electrically operated, for measuring gas air steam oil water or other fluids, including panels imported with such meters and including parts of such meters imported separately or otherwise (but not including (i) meters or parts of meters suitable for use in the retailing of petrol (ii) positive type water meters up to and including 3 inches in size and parts thereof excepting meters constructed for measuring hot water in a boiler house or engine house (iii) inferential water meters of the turbine and disc types and parts thereof and (iv) inferential water meters of the compound or combination type and parts thereof); Gauges and controllers for water filtration plant and mechanisms for transmitting loss of head or rate of flow to such gauges; Gauges (other than those of the type used on motor vehicles for indicating the amount of petrol in the tank of the motor vehicle) for indicating or recording liquid level in reservoirs canals rivers or tanks; CO and CO_2 Indicators and Recorders including aspirators and filters for use therewith; Regulating and controlling devices, automatic (other than those used in refrigerating) for regulating temperature humidity pressure vacuum or rate of flow; Temperature measuring instruments whether indicating or recording or combinations of both, apparatus for remote indication or recording of temperature measurements, and parts thereof imported separately or otherwise, using any of the following basic principles, viz.:- mercury in steel bulb type, gas filled bulb type, vapour bulb type, potentiometer thermocouple type, thermo-electric pyrometer type, electrical resistance thermometer type, and bi-metallic strip type -	
	(a) As prescribed by Departmental By-laws ad val.	20 per cent.
	(b) Other than those prescribed by Departmental By-laws under sub-paragraph (a) ad val.	20 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(N)	Air Compressors (including Air Blowers) of the reciprocating and rotary types, viz.:-	
(1)	Of a capacity not exceeding 1,750 cubic feet of free air delivered per minute -	
	(a) Portable, in which the prime mover is an internal combustion engine direct-coupled to the compressor, including the engine when imported therewith ad val.	40 per cent.
	(b) Other ad val.	42½ per cent.
(2)	Of a capacity exceeding 1,750 cubic feet of free air delivered per minute	..... B/.
177(B)	Tractors and tractor parts (but not including winches or pneumatic rubber tyres and tubes, whether imported with the complete tractor or otherwise)	
(1)	Tractors but not including the following when imported therewith, viz.:- tractor wheels and tractor wheel centres, for use with pneumatic tyres -	
	(a) As prescribed by Departmental By-laws ad val.	10 per cent.
	(b) Other than those prescribed by Departmental By-laws under sub-paragraph (a), as prescribed by Departmental By-laws	.....
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Items 177(B)(1)(a) and 177(B)(1)(b).	
	NOTE: The products provided for under Item 177(B)(1)(b) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 12½ per cent. ad valorem.	

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
177(B)(3)	Tractor Parts n.e.i.-	
(a)	Engine Units (not including storage batteries and sparking plugs) and parts thereof:-	
	(1) As prescribed by Departmental By-laws	.....
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 177(B)(3)(a)(1).	
(c)	Other, but not including engine units and parts thereof	.....
	NOTE: The products provided for under Items 177(B)(3)(a)(1) and 177(B)(3)(c) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 12½ per cent. ad valorem.	
Ex 178(E)	Internal Combustion Engines of the type ordinarily used in Motor Vehicles (other than Motor Cycles) and parts, n.e.i., therefor ad val.	50 per cent.
179(A)	Electric Heating and Cooking Appliances -	
	(1) Stoves, ranges, ovens, cookers, grillers, boiling plates, boiling rings, and the like, including elements therefor whether imported separately or forming part of a complete appliance ad val.	45 per cent.
	(2) Radiators and toasters each	4s.
	or ad val.	50 per cent.
	whichever rate returns the higher duty.	
	(3) Kettles each	4s.
	or ad val.	50 per cent.
	whichever rate returns the higher duty.	
	(4) Elements for radiators, toasters and kettles each	1s.3d.
	or ad val.	50 per cent.
	whichever rate returns the higher duty.	
	(5) N.E.I. ad val.	50 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
179(D)(1)	Dynamo Electric Machines, viz.:-	
Ex (a)(1)(a)	Electric Motors under 1 horse-power when not integral parts of machines ad val.	40 per cent.
Ex (c)(4)(a)	Electric Motors under 1 horse-power when not integral parts of machines ad val.	40 per cent.
Ex (d)	Electric Motors under 1 horse-power when not integral parts of machines ad val.	40 per cent.
180	Electrical and Gas Appliances, viz.:-	
(D)	Filament Lamps for lighting and heating per lb.	2s.6d.
(E)	Wireless Receivers, parts thereof, and accessories therefor, viz.:-	
(2)	Condensers, fixed mica each or ad val. whichever rate returns the higher duty.	4d. 50 per cent.
(3)	Articles for tuning devices, viz.:-	
	(a) Dials, complete per unit or ad val. whichever rate returns the higher duty.	2s.6d. 50 per cent.
	(b) Dial or Scale Assembly per unit or ad val. whichever rate returns the higher duty.	9d. 50 per cent.
	(c) Drives, ratio reducing per unit or ad val. whichever rate returns the higher duty.	1s.9d. 50 per cent.
(4)	Resistors, fixed each or ad val. whichever rate returns the higher duty.	1d. 50 per cent.
(5)	Rheostats, potentiometers, variable resistances, volume controls and tone controls of types incorporated in wireless receivers each or ad val. whichever rate returns the higher duty.	6¾d. 50 per cent.
(6)	Sockets, valve each or ad val. whichever rate returns the higher duty.	3½d. 50 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180(E)(continued)	Wireless Receivers, etc. (continued)	
(7)	Transformers, audio and radio each or ad val. whichever rate returns the higher duty.	2s.6d. 50 per cent.
(10)	Condensers, variable, of capacities exceeding .0001 microfarad, but not exceeding .001 microfarad -	
	With gang or drum control - per each condenser contained therein or ad val. whichever rate returns the higher duty.	2s.7½d. 50 per cent.
	Without gang or drum control each or ad val. whichever rate returns the higher duty.	2s.7½d. 50 per cent.
(11)	Condensers, variable, midget, of .0001 microfarad capacity or less each or ad val. whichever rate returns the higher duty.	1s.3d. 50 per cent.
(12)	Loudspeakers and Parts thereof:-	
	(a) Loudspeakers including transformers each or ad val. whichever rate returns the higher duty.	10s. 50 per cent.
	(b) Parts of loudspeakers imported other than in complete loudspeakers, viz.:	
	(1) Field Coils each or ad val. whichever rate returns the higher duty.	2s.6d. 50 per cent.
	(2) Field Coil Cores each or ad val. whichever rate returns the higher duty.	1s. 50 per cent.
	(3) Field Coil Housings each or ad val. whichever rate returns the higher duty.	1s.3d. 50 per cent.
	(4) Cones with or without voice coils each or ad val. whichever rate returns the higher duty.	1s.5d. 50 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180(E)(continued)	Wireless Receivers, etc. (continued)	
(12)	Loudspeakers, etc. (continued)	
	(b) Parts of Loudspeakers, etc. (continued)	
	(5) Cone Housings each or ad val. whichever rate returns the higher duty.	1s.9d. 50 per cent.
	(6) N.E.I., other than transformers ad val.	50 per cent.
	Provided however that in the case of combinations of any of the parts provided for under Item 180(E)(12)(b), duty shall be payable on such combinations as though the parts were imported separately.	
(13)	Transformers, power each or ad val. whichever rate returns the higher duty.	12s.6d. 50 per cent.
(14)	Headphones; Parts n.e.i. of wireless receivers, other than cabinets ad val.	50 per cent.
Ex 180(F)	Piezo-electric quartz plates, bars and rods ad val.	30 per cent.
181	Electrical Articles and Materials, viz.:-	
(A)(1)	(a) Covered cable and covered wire, n.e.i.	..... B/.
Ex (A)(1)	(b) Measuring and recording instruments not elsewhere specified	.....
	NOTE: The products provided for under Item Ex 181(A)(1)(b) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 10 per cent. ad valorem.	
181(A)(2)	Valves for wireless telegraphy and telephony including rectifying valves each or ad val. whichever rate returns the higher duty.	5s.6d. 40 per cent.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA.

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
181(continued)	Electrical Articles and Materials (continued)	
181(AA)	Alternating Current Watt-hour Meters -	
Ex (1)	Two rate, two rate and three element combined ad val.	10 per cent.
(2)	Other each	11s.8d. A/.
181(B)(1)	(d) Weatherproof braided aerial cable, as prescribed by Departmental By-laws ad val.	30 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 181(B)(1)(d).	
189	Arms, viz.:-	
(A)	Double-barrelled Guns and Rifles bearing the British or other approved test mark ad val.	10 per cent.
(B)	Single-barrelled Guns and Rifles bearing the British or other approved test mark	.....
	NOTE: The products provided for under Item 189(B) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 10 per cent. ad valorem.	
(C)	Revolvers; Pistols ad val.	10 per cent.
(D)	Barrels or actions, other -	
	(1) For double-barrelled Guns bearing the British or other approved test mark ad val.	10 per cent. A/.
	(2) For single-barrelled Guns bearing the British or other approved test mark ad val.	10 per cent. A/.
197(B)(1)	Butchers' knives; cooks' knives	..... B/.
215	Saws, viz.:-	
(B)(1)	Band saws ad val.	40 per cent.
217	Sprinklers (not being partly or wholly of gold or silver) for perfume bottles ad val.	15 per cent. A/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
219	Tools of Trade for the use of artisans and mechanics and Tools in general use -	
(A)	Screwing tools, viz.:- Dies taps and chasers for use in machines or by hand; screwplates; stocks; tap wrenches ad val.	45 per cent.
(B)	Hand tools, wholly or principally of metal, n.e.i. ad val.	40 per cent.
(C)	Hand tools, as prescribed by Departmental By-laws	.....
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 219(C). Subject to this provision, the products provided for under this item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.	
224	Graphite or plumbago ad val.	15 per cent.
228	Oils in bulk or otherwise, viz.:-	
Ex (A)(1)	Turpentine	Free
229	Oils in vessels exceeding one gallon -	
(D)	Turpentine Substitutes -	
(1)	As prescribed by Departmental By-laws per gallon	1d. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 229(D)(1).	
229(E)	Lubricating (Mineral) per gallon	6½d.
Ex 229(F)(1)	Oiticica Oil	Free
Ex 229(F)(1)	Tung Oil	Free
229(F)(2)	Castor per gallon	1s.
(3)	Linseed, inedible per gallon	9d. A/.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
229(continued)	Oils in vessels, etc. (continued)	
Ex 229(G)	Babassu Oil, edible, denatured as prescribed by Departmental By-laws per gallon	5d.
229(H)(2)	Olive Oil n.e.i. per gallon	2s.
(3)	Olive Oil for use in the production of dried fruits or for other purposes, as prescribed by Departmental By-laws	..... B/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 229(H)(3).	
Ex 229(I)	Coconut Oil, unrefined	.....
	NOTE: Coconut Oil, unrefined, provided for under Item 229(I), shall be exempt from duties in excess of 6d. per gallon (or its equivalent) above the rate of duty applicable to copra provided for under Item 45, on the date on which such coconut oil is entered for home consumption.	
Ex 229(I)	Palm Oil and Palm Kernel Oil per gallon	6d.
Ex 229(I)	Petroleum Oils, n.e.i., not compounded -	
	Medicinal	Free
	Other colourless or pale straw bloomless or nearly debloomed per gallon	6d.
229(J)	Refined Cod Liver Oil, not compounded per gallon	6d.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
231	Paints and Colours, viz.:-	
(A)(1)	London Purple, Paris Green, Ceramic Colours, Vandykes, Manganese, Vermilions, and Prepared Glazes for pottery, in dry colour form; Artists' Colours (except Liquid Drawing Inks)	..... B/.
(B)(1)	Barytes, crude per cwt.	1s.6d.
(2)	Barytes, ground per cwt.	2s.
Ex 231(E)	Gas Carbon Black	Free
231(G)(2)	White Lead, dry or ground in oil per cwt. or ad val. whichever rate returns the higher duty.	7s. 25 per cent.
231(I)	Ultramarine blue in powder form or in aqueous paste form	Free
240(A)	Tiles, viz.:- flooring and wall, including glazed, ceramic, mosaic, and enamelled per square yard or ad val. whichever rate returns the higher duty.	4s.6d. 40 per cent. A/.
Ex 241(B)	Chinaware parianware and porcelainware, n.e.i., composed of a vitrified non-absorbent body which is more or less translucent ad val.	35 per cent.
Ex 241(B)	Other chinaware parianware and porcelainware, n.e.i. and earthenware brownware and stoneware, n.e.i., including glazed or enamelled fireclay manufactures n.e.i., and all kinds of porous insulating blocks ad val.	45 per cent. A/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
242	Glass, viz.:-	
(B)	Sheet, viz.:- Plain Clear	.....
	NOTE: The products provided for under Item 242(B) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 1s.6d. per 100 square feet.	
(C)	Sheet, viz.:- figured rolled, cathedral, milled rolled, rough cast and wired cast per square foot	2d.
	or ad val.	35 per cent.
	whichever rate returns the higher duty.	
(D)	Plate, polished and patent, in sheets not exceeding 25 square feet; opaque, manufactured by either the casting process or the twin roller process, having a polished finish on one or both sides, of types not elsewhere specified, in sheets not exceeding 25 square feet per 100 square feet	7s.6d.
(E)	Plate, polished and patent, in sheets exceeding 25 square feet; opaque, manufactured by either the casting process or the twin roller process, having a polished finish on one or both sides, of types not elsewhere specified, in sheets exceeding 25 square feet per 100 square feet	15s.
(F)	Bent, Bevelled, Heraldic, Sand-blasted, Enamelled, Embossed, Etched, Silvered, Brilliant Cut; Corners Cut, Bevelled, or Engraved; Prisms; and all Glass framed with metal, n.e.i. ad val.	30 per cent.
243(A)	Glass n.e.i.	..... B/.
Ex 244(A)	Locket, Brooch and Watch Glasses ad val.	10 per cent. A/.
244(C)	Lenses, edged, for spectacles, except bifocal lenses ad val.	30 per cent.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
249(A)	Mica, crude, in slab ad val.	20 per cent. A/.
(B)	Mica and manufactures thereof, n.e.i. ad val.	30 per cent.
250(A)	Bottles flasks jars vials and tubes, n.e.i., of glass earthenware stoneware or china, empty or containing goods not subject to an ad valorem duty and not classifiable under Item 408 ad val.	15 per cent.
(B)	Articles of cut glass, including bottles decanters flasks and jars of cut glass empty or containing goods not subject to an ad valorem duty and lamps and lampware of cut glass, but not including articles of etched or engraved glass, viz.:-	
	(1) Butter knives; cruet sets; cruet trays; jam spoons; mustards; oil bottles the capacity of which does not exceed 4 fluid ounces; pepper shakers; salt shakers; serviette rings; sugar shakers; vinegar decanters the capacity of which does not exceed 4 fluid ounces ad val.	20 per cent.
	(2) Other ad val.	50 per cent.
	For the purposes of Item 250(B) the term "cut glass" is defined as covering glassware in which any of the cut patterns or designs have been subjected to any process designed to produce a polished finish.	
Ex 250(C)(1)	Blown glass blanks, uncut and unpolished - For use in the manufacture of articles of cut glassware as enumerated in Item 250(B)(1), as prescribed by Departmental By-laws ad val.	15 per cent.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
Ex 250(C)(1)	Blown glass blanks, uncut and unpolished - For use in the manufacture of other articles of cut glassware, as prescribed by Departmental By-laws ad val.	20 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 250(C)(1).	
250(C)(2)	Glassware n.e.i. ad val.	40 per cent.
250(F)	Articles of glass including articles of etched or engraved glass (but not including articles covered by sub-items (B) and (E)), viz.:- Dishes, tumblers, salads, bowls other than lightingware, nappies, jugs, candlesticks, butters, battery jars or cells, vases, trays, comports, flowerblocks, mugs, sundaes, goblets, measures including medicine measures ad val. or per dozen pieces whichever rate returns the higher duty.	35 per cent. 10d.
254(B)	Dextrine	.....
	NOTE: The product provided for under Item 254(B) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such product by more than 15 per cent. ad valorem.	
254(C)	Gum copal, gum damar, sticklac and seedlac; balata, gutta percha and jelutong, n.e.i.	Free
255(A)	Glue in dry form per lb. or ad val. whichever rate returns the higher duty.	3d. 35 per cent.
Ex 262(B)(2)	Granite unwrought, including rough or scabbled from the pick ad val.	10 per cent.
270	Fly Papers, chemical and sticky ad val.	25 per cent. A/.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products		Rate of Duty
281 (B)(1)	Drugs and Chemicals, viz.:- Sulphate of Magnesia (Epsom Salts) -		
	(a) In packages not exceeding seven pounds net weight	per lb.	1d.
	(b) N.E.I.	ad val.	35 per cent.
281(B)(2)	(a) Sulphate of soda	ad val.	35 per cent.
	(b) Hyposulphite of soda, hypochlorite of soda, carbonate of magnesia n.e.i.	ad val.	35 per cent.
Ex 281(J)	Drugs, crude, not cut crushed or powdered and not packed for retail sale, viz.:-		
	Buchu Leaves, Aloes (dried vegetable juice)		Free
281 Ex (L)(1)	Drugs and Chemicals, viz.:- When not packed for retail sale, viz.:-		
	Balsam of Copahyba; Emetine; Iodine, crude; Timbo Powder.		Free
	Morphia and Morphia Salts; Strychnine and Strychnine Salts	ad val.	10 per cent.
	Nitrate of Soda of a purity greater than 99 per cent. calculated on a moisture free basis	ad val.	15 per cent.
	Caffeine and Theobromine; Chlorate of Sodium		..... B/.
Ex (L)(2)	When packed for retail sale, viz.:-		
	Morphia and Morphia Salts; Strychnine and Strychnine Salts	ad val.	20 per cent.
	Caffeine		.....
	NOTE: Caffeine, provided for under Item Ex 281(L)(2), shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such Caffeine by more than 15 per cent. ad valorem.		
281(O)	Acetyl-Salicylic Acid	ad val.	25 per cent.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
Ex 287	Essential Oils, non-spirituous, viz.:- Bergamot, Bitter Orange, Geranium, Jasmine, Lavender, Lemongrass, Neroli, Patchouli, Rose, Rosewood, Vetiver and Ylang-ylang	.....
	NOTE: The products provided for under Item Ex 287 shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 5 per cent. ad valorem.	
Ex 287	Essential Oils, non-spirituous, viz.:- Citronella ad val.	15 per cent.
Ex 287	Essential Oils, non-spirituous, n.e.i., but not including Bergamot, Bitter Orange, Citronella, Geranium, Jasmine, Lavender, Lemongrass, Neroli, Patchouli, Rose, Rosewood, Vetiver and Ylang-ylang	..... B/.
290(C)	(1) Perfumery n.e.i.; Petroleum jelly n.e.i. ad val.	50 per cent.
	(2) Toilet preparations (perfumed or not) n.e.i. ad val.	50 per cent.
	with an additional duty if spirituous as follows:-	
	If containing not more than 20 per cent. of proof spirit per gallon	6s.
	And for every additional 20 per cent. or fraction thereof of proof spirit per gallon	6s.
291(H)	Timber, undressed, n.e.i., viz.:- Other -	
	(1) In sizes of 12 inches x 6 inches (or its equivalent) and over per 100 super. feet	7s.
	(2) In sizes of 7 inches x 2½ inches (or its equivalent) and upwards, and less than 12 inches x 6 inches (or its equivalent) per 100 super. feet	10s.
	(3) In sizes less than 7 inches x 2½ inches (or its equivalent) per 100 super. feet	13s.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
291(I)(1)	Timber, undressed, n.e.i., in sizes not less than 4 inches in width and not less than 3 inches in thickness for the manufacture of boxes, as prescribed by Departmental By-laws per 100 super. feet	1s. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 291(I)(1).	
291(J)	Timber, for making boxes, being cut to size, and dressed or partly dressed per 100 super. feet	15s.
291(N)	Veneers -	
	(1) The value for duty of which does not exceed 25s. per 100 square feet ad val.	35 per cent.
	(2) The value for duty of which exceeds 25s. per 100 square feet	..... B/.
293(A)	Timber, undressed, in sizes less than 7 feet 6 inches x 10½ inches x 2½ inches for use in the manufacture of Doors, as prescribed by Departmental By-laws per 100 super. feet	5s. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 293(A).	
294(A)	Staves, undressed, n.e.i. per 100	9s.
(B)	Staves, dressed or partly dressed, but not shaped per 100	12s.
(C)	Staves, undressed, as prescribed by Departmental By-laws	Free

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
309 (B)	Fancy Goods, viz.:- Card Cases, Hatpins, Matchboxes, Serviette Rings and Clips, Sovereign Purses, n.e.i.; Button Hooks, Glove Stretchers, Shoe Horns and Lifts, Thimbles, Ivory and other ornamental figures, Feather Dusters; Beads strung or unstrung and Necklets n.e.i., except those made of pearls cultured pearls precious stones precious metals or imitation precious metals ad val.	50 per cent.
(C)	Articles for personal wear, not including articles partly or wholly of gold silver or other precious metal or imitations thereof or partly or wholly of pearls or precious stones or imitations thereof, viz.:- Brooches, Bangles, Studs, Sleeve Links and Tie Clips ad val.	50 per cent.
(D)	N.E.I. ad val.	50 per cent.
Ex 310(A)	Cricket bats; cricket bat blades; cricket balls ad val.	50 per cent.
310(B)	Toys ad val.	50 per cent.
Ex 311	Precious stones, unset, viz.:- Agate, Amazonite, Amethyst, Aquamarine, Citrine, Emerald, Kunzite, Onyx, Topaz and Tourmaline	Free
Ex 311	Precious stones, unset, viz.:- Uncut Jewellery Diamonds	Free
312(A)	Jewellery, viz.:- Beads; Catches and Joints for Pins; Clasps n.e.i.; Points and Brooch Pins n.e.i. ad val.	35 per cent. A/.
314	Jewellery, commonly known as rolled gold; Jewellery under 9-carat; Imitation Jewellery ad val.	50 per cent.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
315	Jewellery, n.e.i., including Bolt and Split Rings; Swivels; Ear Wires; Bars and Stampings used in manufacture of jewellery; Medals and Medallions of gold or silver; Ornaments of gold or silver for attire other than Buckles, Badges, Clasps, Slides and Buttons; Combined Bracelets and Watches; Gold or Silver Safety Pins; Gold or Silver Bags and Purses; Lace, Braid, and Cord, and all articles n.e.i., partly or wholly made of gold or silver ad val.	50 per cent.
316(B)	Imitation reconstructed and synthetic precious stones and pearls, unset (not being beads)	Free
Ex 318(A)(3)	Opera Field and Marine Glasses ad val.	10 per cent. A/.
324 (A)	Leather, viz.:- Chamois Leather ad val.	25 per cent.
328	Goloshes, rubber sand boots and shoes and plimsolls per pair or ad val. whichever rate returns the higher duty.	2s.2d. 35 per cent.
Ex 329	Boots and Shoes n.e.i. - Women's and Children's ad val.	45 per cent.
Ex 329	Boots and Shoes (other than Women's and Children's Boots and Shoes), n.e.i.; Slippers, Clogs, Pattens, and other footwear (of any material), n.e.i.; cork, leather, or other socks or soles n.e.i. ad val.	50 per cent.
333(A) (1)	Pneumatic rubber tyres and tubes therefor, valved or unvalved, viz.:- Covers weighing each 2½ lb. or less and tubes weighing each 1 lb. or less per lb. or ad val. whichever rate returns the higher duty.	1s. 32½ per cent.

A/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
334	Paper, viz.:-	
(C)(1)	News-printing, not glazed mill-glazed or coated -	
	(a) In rolls not less than 10 inches in width	..... B/.
	(b) In sheets not less than 20 inches by 25 inches or its equivalent	..... B/.
(D)(2)	Tissue, and tissue cap paper, and paper for paper patterns, in sheets or rolls, weight not to exceed 9 lb. for 480 sheets 20 inches by 30 inches	..... B/.
334(F)	Irrespective of size or shape but not ruled or printed in any way, viz.:- Coated printing paper; glazed imitation parchment; printing paper n.e.i.; writing and typewriting paper not including duplicating paper -	
(1)	In rolls less than 13 inches in width; in sheets less than 21 inches in length or less than 16½ inches in width	..... B/.
(2)	In rolls not less than 13 inches in width; in sheets not less than 21 inches in length and not less than 16½ inches in width -	
	(a) As prescribed by Departmental By-laws	..... B/.
	(b) Other than paper prescribed by Departmental By-laws under sub-paragraph (a)	..... B/.
334(G)(1)	(a) Wrapping, other than wrapping paper enumerated in sub-paragraphs (G)(1)(b) and (G)(1)(c), of all colours (glazed, unglazed, or mill-glazed), browns, caps not elsewhere specified, casings, sealings, nature or ochre browns, sulphites, sugars, and all other bag papers, candle carton paper; cartridge paper (other than offset and drawing); paper felt and carpet felt paper irrespective of weight	..... B/.
	(b) Greaseproof wrapping and imitation greaseproof wrapping	..... B/.

B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
334(continued)	Paper (continued)	
334(G)(2)	Fruit Wrapping, as prescribed by Departmental By-laws	..... B/.
334(Q)	Strawpaper, Strawboard other than corrugated, and Boards n.e.i., of which the free on board price per ton is, or is the equivalent of, in sterling:-	
	(1) Not more than £7 per ton	£3.5s. A/.
	(2) More than £7 but not more than £17 per ton	£3.5s. A/.
	and for each £1 or part thereof by which the free on board price exceeds £7 sterling or the equivalent of £7 sterling per ton	9s.6d.
334(R)	Millboards	Free
334(X)	Cigarette tubes, paper and papers - For each 60 cigarette tubes	..... B/.
	For each 60 cigarette papers or the equivalent of 60 cigarette papers	..... B/.
Ex 334(X)	Paper, tissue (not gummed) for use in the manufacture of cigarette papers	.....
	NOTE: Paper, tissue (not gummed) for use in the manufacture of cigarette papers, provided for under Item Ex 334(X), shall, when admissible under Departmental By-law, be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 7½ per cent. ad valorem. The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to paper, tissue (not gummed) for use in the manufacture of cigarette papers.	
350	Balls for Cycle Bearings	..... B/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
351(A)	Cycle Motor Cycle and Side Car parts n.e.i. (except of leather or rubber), including Steel Bars for the manufacture of Rims, Ball Heads not permanently joined and parts thereof plated or unplated, Bottom Brackets including Bracket Shells and plated or unplated Axles Cups Cranks Cotter and Locking Pins Lubricators and Chain Wheels, Hubs including Sprocket Wheels Lock Rings and Free Wheel Clutches, Lugs, Fork Ends, Bridges, Nipples, Spokes, Spoke Washers, Chains, Pedals and metal parts thereof, as prescribed by Departmental By-laws	..... B/.
Ex 351(B)(2)	Cyclometers; valves for pneumatic tyres other than valves of the rubber sleeve type ad val.	10 per cent. A/.
Ex 351(B)(2)	Speedometers; valves of the rubber sleeve type for pneumatic tyres NOTE: Speedometers and Valves of the rubber sleeve type (for pneumatic tyres), provided for under Item Ex 351(B)(2), shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.	.....
Ex 354(B)	Motor Cycles having piston displacement of not less than 250 cubic centimetres and frames therefor, whether partly or wholly finished, but not including Rubber Tyres or Tubes	Free
358(A)	Aeroplanes, and other Aircraft including Balloons and Parachutes ad val.	10 per cent.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
358(B)	Parts and Materials, used in the manufacture or repair of Aeroplanes and other Aircraft, as prescribed by Departmental By-laws	.....
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 358(B). Subject to this provision, the products provided for under this item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.	
359 (D)	Vehicle Parts, viz.:-	
	Parts of vehicles with self-contained power propelled by petrol, steam, electricity, oil, gas, or alcohol, n.e.i., whether incorporated in the complete vehicle or separate, viz.:-	
	(1) Single-seated Bodies each	£40
	(2) Double-seated Bodies each	£60
	(3) Bodies with fixed or movable canopy tops, e.g., Landaulette, Limousine, Taxi-cab, and similar types, and n.e.i. each	£95
	or ad val.	60 per cent.
	whichever rate returns the higher duty.	
	(4) Chassis, including lamps but not including Rubber Tyres and Tubes, Storage Batteries, Shock Absorbers (excepting Steering Dampers), Bumper Bars, Radiator Assemblies, Sparking Plugs and Springs -	
	(a) Unassembled, viz.:- Car, and Car type capable of use for commercial vehicles	.....
	NOTE: The products provided for under Item 359(D)(4)(a) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products, the produce of Canada, by more than 2d. per lb. and shall be exempt from the additional duty of .7d. per lb.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359(D)(continued)	Parts of vehicles, etc. (continued) (4) Chassis, etc. (continued) (b) Unassembled, viz.:- Truck Omnibus or other commercial vehicle	.....
	NOTE: The products provided for under Item 359(D)(4)(b) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products, the produce of Canada, by more than 1½d. per lb. and shall be exempt from the additional duty of .7d. per lb.	
	(c) Assembled	.....
	NOTE: The products provided for under Item 359(D)(4)(c) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products, the produce of Canada, by more than 2d. per lb. and shall be exempt from the additional duty of .7d. per lb.	
	Provided that for the purposes of sub-paragraphs (a) and (b) the classification shall be as determined by the Minister and the Minister's decision shall be final.	
	The word "Bodies" in paragraphs (1), (2), and (3) of this sub-item includes Dashboards, Footboards, and Mudguards, when imported with bodies of which they form a part.	
359(E)	Parts of Bodies enumerated in paragraphs (1), (2) and (3) of sub-item (D), viz.:-	
(1)	Pressed metal panels, not fabricated beyond trimming of edges -	
	(a) For single-seated bodies per lb.	1s.
	(b) For double-seated bodies per lb.	1s.
	(c) For bodies with fixed or movable canopy tops and bodies n.e.i. per lb.	1s.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359(F)(1)	Vehicle Parts n.e.i., including Axles n.e.i., Springs n.e.i., Hoods, Wheels n.e.i., and Bodies n.e.i. ad val.	50 per cent.
359(F)(3)	Gears (whether imported separately or incorporated in or forming part of any goods classifiable under Tariff Item 359(D)(4) except when imported with motor vehicles or motor vehicle chassis as original equipment) for vehicles with self-contained power excepting motor cycles and vehicles for railways and tramways, viz.:- Crown wheels and pinions, transmission gears, differential gears, worms and worm wheels, internal tooth gears, jack shaft pinions and flywheel starter bands ad val.	37½ per cent.
	and per lb.	2s.
359(F)(4)	Motor Vehicle Parts, viz.:- Shackle Bolts Pins and Assemblies; Spring Hangers; King Pins; Tie Rod Pins; Tie Rod Ball Pins; Tie Rod Ball Studs per lb.	1s.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
359(F)(5)	Handles of all types for motor car doors and for motor car window regulators each	6d.
	or ad val.	40 per cent.
	whichever rate returns the higher duty.	
359(F)(6)	Devices for catching or fastening doors of motor vehicles, excluding handles ad val.	40 per cent.
359(F)(7)	Window Regulators for Motor Cars, excluding handles each	1s.6d.
	or ad val.	40 per cent.
	whichever rate returns the higher duty.	
359(F)(8)	Wind Screen Wipers each	5s.
	or ad val.	35 per cent.
	whichever rate returns the higher duty.	
359(F)(9)	Axle Shafts and Propeller Shafts for motor vehicles per lb.	7d.
	or ad val.	40 per cent.
	whichever rate returns the higher duty.	
359(F)(10)	U-Bolts for motor vehicles ad val.	35 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359(G)	Vehicle Parts, whether imported separately or incorporated in or forming part of any goods covered by sub-item (D) of Item 359, viz.:-	
(1)	Springs for suspension purposes for motor vehicle chassis, viz.:-	
	(a) Coil springs per lb.	8d.
	or ad val.	50 per cent.
	whichever rate returns the higher duty.	
	(b) Other per lb.	4d.
	or ad val.	50 per cent.
	whichever rate returns the higher duty.	
359(G)(2)	Bumper Bars for motor vehicles ad val.	40 per cent.
364	Organs, Pipe ad val.	30 per cent.
366(B)	Carillons and Bells, including fittings therefor but not including structural iron or steel, as prescribed by Departmental By-laws ad val.	10 per cent. A/.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 366(B).	
380(B)	Vacuum Cleaners, viz.:-	
	(2) Other	..... B/.
381	Brushware and materials therefor:-	
(A)	Bristles n.e.i.; Animal hair n.e.i.	Free
Ex 381(B)	Black China bristles (when boiled, baked or straightened) ad val.	30 per cent.
381(C)	Brushes of the type ordinarily used for brush-work in schools; artists' brushes (including writers and liners) except of hog hair; hand-pieces for artists' air brushes	..... B/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
381(continued)	Brushware, etc. (continued)	
381(D)(1)	Hair and cloth brushes per dozen or ad val. whichever rate returns the higher duty.	6s.6d. 40 per cent.
(2)	Tooth, scrubbing, paint and varnish brushes per dozen or ad val. whichever rate returns the higher duty.	3s.6d. 40 per cent.
(3)	Nail Brushes per dozen or ad val. whichever rate returns the higher duty.	1s.9d. 40 per cent.
Ex 382	Cameras, not including tripods	Free
384(A)(1)	Photographic and X-ray dry plates and flat films, sensitized, not including photographic plates enumerated in sub-item (B) per square foot or ad val. whichever rate returns the higher duty.	6d. 30 per cent.
(2)	Photographic sensitized films n.e.i. per square foot or ad val. whichever rate returns the higher duty.	7½d. 30 per cent.
(3)	Photographic sensitized papers and cards also linen and other sensitized materials, n.e.i.; postcards (sensitized with or without letterpress) per square foot or ad val. whichever rate returns the higher duty.	1d. 30 per cent.
389(B)	Fish-hooks ad val.	15 per cent.
392	Yarns:-	
(C)	Woollen or containing wool per lb. and ad val.	10d. 20 per cent. A/.
(G)	Artificial Silk	..... B/.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
393(A)	Crochet, Knitting, Mercerised, and Embroidery Cottons, put up for household purposes NOTE: The products provided for under Item 393(A) shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15 per cent. ad valorem.	.....
397	Explosives, viz.:-	
(A)	Cartridges n.e.i. -	
	(1) Metallic rimfire ad val.	30 per cent. A/.
	(2) Other ad val.	30 per cent. A/.
(B)	Fireworks, viz.:-	
Ex (1)	Fireworks of the type known as Chinese crackers ad val.	35 per cent. A/.
Ex 403(C)	Manures:- Nitrate of Soda of a purity not greater than 99 per cent. calculated on a moisture free basis Bicalcic Phosphates Potassium and Sodium Nitrate in combination Rock Phosphate	Free
Ex 410(A)	Tapestries principally of wool, made entirely by hand, numbered and signed by the maker	Free
413(B)	Pipes, smoking, n.e.i.	..... B/.
Ex 419(2)	Elastic Gum Woven Catheters ad val.	20 per cent.
428	Wattle Bark NOTE: The Government of the Commonwealth of Australia reserves the right to review, 3 years from the date of entry into force of this Agreement, the rate of duty provided for under Item 428.	Free
429	Wattle Bark Tanning Extract ad val. NOTE: The Government of the Commonwealth of Australia reserves the right to review, 3 years from the date of entry into force of this Agreement, the rate of duty provided for under Item 429.	10 per cent.

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
432	Raw Cotton -	
(B)	Other per lb.	1½d.
(C)	As prescribed by Departmental By-laws	Free
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 432(C).	
439	Felspar -	
(A)	As prescribed by Departmental By-laws	Free
(B)	N.E.I. per ton	20s. A/.
443	Synthetic fibres in short lengths (sometimes known as "staple fibre") produced from substances having a cellulose or casein base, suitable for spinning purposes, including such fibres in the form of sliver or tops	..... B/.
	Asbestos, crude	Free
	Coir Fibre	Free
	Ferrous Alloys not provided for in the Schedule to the Australian Customs Tariff 1933-1939	..... B/.
	Herva (Yerba) Mate when not put up for retail sale	Free
	Raw Silk	Free
	Uncut Industrial Diamonds	Free

A/. See note at end of Part I. B/. See note at end of Part I.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part I (concluded)

NOTE: A/. Wherever the symbol A/, appears opposite an Item in Part I of Schedule I in the column headed "Rate of Duty", the preferential rate of ordinary customs duty shall, for purposes of sub-paragraph (a) of paragraph 3 of Article I of this Agreement, be taken to be the preferential rate in force on 15th October, 1946.

NOTE: B/. In the case of products provided for under Items in Part I of this Schedule against which the symbol B/. appears in the column headed "Rate of Duty" and no rate of duty is shown in that column, the contractual obligation of the Commonwealth of Australia shall, subject to the general provisions of this Agreement, be deemed in each such case to be only the exemption of such products from primage duty.

GENERAL NOTE: The products described in Part I of Schedule I of this Agreement shall on their importation into the Commonwealth of Australia be exempt from primage duty.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II - Preferential Tariff

NOTE. Rates of duty appearing in Part II, against which an asterisk in parenthesis - (*) - appears, are scheduled for the purpose of establishing the maximum margin of preference permissible in accordance with sub-paragraph (a) of paragraph 3 of Article 1 of this Agreement, and the inclusion of any such rate in Part II is not to be regarded as binding the preferential rate in respect of any product so scheduled.

Australian Tariff Item Number	Description of Products	Rate of Duty
3	Spirits, and spirituous liquors, n.e.i.:-	
(A)	Brandy -	
	(1) When not exceeding the strength of proof per gallon	57s.6d.(*)
	(2) When exceeding the strength of proof per proof gallon	57s.6d.(*)
(C)	Gin, distilled wholly from barley malt, grain, grape wine or fruit, and certified in the prescribed form by the competent Government official in the country of production to be gin distilled wholly from barley malt, grain, grape wine or fruit -	
	(1) When not exceeding the strength of proof per gallon	64s.6d.(*)
	(2) When exceeding the strength of proof per proof gallon	64s.6d.(*)
(D)	Rum, pure, distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, by a pot-still or similar process at a strength not exceeding 45 per cent. over proof and certified in the prescribed form by the competent Government official in the country of production to be pure rum distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, under the conditions specified -	
	(1) When not exceeding the strength of proof per gallon	62s.6d.(*)
	(2) When exceeding the strength of proof per proof gallon	62s.6d.(*)
(E)	Blended Rum, distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, containing not less than 25 per cent. of pure spirit which has been separately distilled from sugar, sugar syrup, molasses, or the refuse of sugar cane, by a pot-still or similar process at a strength not exceeding 45 per cent. over proof and certified in the prescribed form by the competent Government official in the country of production to be rum distilled wholly from sugar, sugar syrup, molasses, or the refuse of sugar cane, under the conditions specified and so blended -	
	(1) When not exceeding the strength of proof per gallon	63s.6d.(*)
	(2) When exceeding the strength of proof per proof gallon	63s.6d.(*)

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
17(A)	Aerated or mineral waters, viz.:- Contrexeville, Evian, Perrier, St. Galmier, Vals and Vittel ad val.	5 per cent. (*)
Ex 43(B)	Coffee, roasted, or ground; in liquid form; or mixed with milk or any substance other than chicory per lb.	6d.
Ex 43(B)	Chicory, other than raw and kiln dried; preparations containing chicory per lb.	7d.
	NOTE: Coffee, roasted, or ground; in liquid form; or mixed with milk or other substance, provided for under Item 43(B), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 6d. per lb.	
44	Confectionery, Cocoa and Chocolate, viz.:- (B)(2) Cocoa mass paste or slab, sweetened per lb. or ad val. whichever rate returns the higher duty.	2d. 15 per cent.(*)
46	Egg albumen, dry per lb.	1s.9d. (*)
50	Eggs, in shell per dozen	3d. (*)
52	Fruits, Fresh, viz.:- (A) Bananas per cental	2s.1d. (*)
54(A)	Fruits and Vegetables, n.e.i., including Ginger, n.e.i. (preserved in liquid, or partly preserved, or pulped) -	
	(1) Quarter-pints and smaller sizes per dozen	11d. (*)
	(2) Half-pints and over quarter-pints per dozen	1.10½d. (*)
	(3) Pints and over half-pints per dozen	3s.9d. (*)
	(4) Quarts and over pints per dozen	7s.6d. (*)
	(5) Exceeding a quart per gallon	2s.3d. (*)
	NOTE: The products provided for under Items 54(A)(1) to 54(A)(5), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 35 per cent. ad valorem.	

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
54(C)	Petits Pois and mushrooms, preserved in liquid, or partly preserved, or pulped -	
	(1) Quarter-pints and smaller sizes per dozen	11d. (*)
	(2) Half-pints and over quarter-pints per dozen	1s.10½d.(*)
	(3) Pints and over half-pints per dozen	3s.9d. (*)
	(4) Quarts and over pints per dozen	7s.6d. (*)
	NOTE: The products provided for under Item 54(C), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 35 per cent. ad valorem.	
74	Meats, Poultry, Game and Soup, viz.:-	
Ex	(B) Goose and duck Foie Gras in a natural form; Pate de Foie Gras; creme, mousse, puree of Foie Gras; lark pates ad val.	20 per cent.(*)
76	Mustard, including French Mustard per lb.	2d.(*)
78	Nuts, Edible, viz.:-	
	(I) Walnuts, viz.:-	
	(1) Unshelled per lb.	1½d. (*)
	(2) Kernels per lb.	3d. (*)
	NOTE: The products provided for under Item 78(I), the produce of the Territory of Papua-New Guinea, shall be exempt from duty.	
82	Pickles, Sauces, Chutney, Olives, and Capers -	
	(H) Curry, manufactured, whether paste or powder per lb.	2¼d. (*)
94	Soap -	
	(A) Toilet, Fancy, or Medicated per lb. or ad val. whichever rate returns the higher duty.	4d. 10 per cent.(*)
	(B) N.E.I.; soap substitutes and compounded detergents for washing and cleansing purposes, not including saponaceous disinfectants ad val.	10 per cent.
	NOTE: The products provided for under Item 94, the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
96 Ex (A)(1)	Spices - Unground, viz.:- Cinnamon	Free

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

PART II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105 (A)(1)(b)	Piece Goods, viz.:- Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates, weighing more than 4 ounces per square yard but less than 18 ounces per square yard, of types which either as imported or when further processed are principally used for manufacture into men's or boys' overcoats (other than dustcoats) coats vests trousers knickers (not being underwear) aprons or overalls, (excepting piece goods enumerated in sub-items (AA) and (F) and piece goods ordinarily used as linings or interlinings)- per lb.	4d.
	and ad val.	30 per cent.
105(A)(1)(d)	Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates, of a type which would otherwise be classified under sub-item (A)(1)(b), as prescribed by Departmental By-laws, viz.:- for use in the manufacture of shirts; for use as pocketings in the manufacture of outer clothing; undyed, whether bleached or unbleached, for use in the manufacture of leatherclothe rubbercloth and other waterproofed cloth; undyed sheetings, whether bleached or unbleached, for use in the undyed state; for use in the manufacture of other goods not specified in sub-item (A)(1)(b) -	
	(1) Unbleached, not being printed dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	(2) Bleached, not being printed dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	(3) Printed, dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 105(A)(1)(d).	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105 (continued)	Piece Goods (continued).	
105(AA)	Piece Goods, Knitted or Lock-stitched, in tubular form or otherwise (except piece goods enumerated in Item 208(D)(2)) of any material except when wholly of wool -	
	(1) For the manufacture of goods other than apparel, as prescribed by Departmental By-laws	..... B/.
	(2) Other -	
	(a) Wholly of artificial silk per lb.	1s.3d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 105(AA)(2)(a), the produce of New Zealand, shall be exempt from duty.	
	(b) Not being wholly of artificial silk per lb.	1s.3d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 105(AA)(2)(b), the produce of New Zealand, shall, except when containing wool, be exempt from duty.	
105(B)	Cotton piece goods and piece goods containing a mixture of fibres in which cotton predominates (excepting piece goods enumerated in sub-items (AA), (D)(1) and (F)), defined for cutting up for the manufacture of hemmed or hemstitched cosies doyleys handkerchiefs pillow-shams serviettes table-centres table-cloths table-covers table-runners tray-cloths or window-blinds, as prescribed by Departmental By-laws -	
	(1) Unbleached, not being printed dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	(2) Bleached, not being printed dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	(3) Printed, dyed or coloured per square yard	½d.
	or ad val.	5 per cent.
	whichever rate returns the lower duty.	
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 105(B).	

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105 (continued)	Piece Goods (continued).	
105(E)	(1) Velvets, velveteens, plushes, astrachans, sealette and cloths imitating furs, except piece goods enumerated in paragraph (4) of this sub-item ad val.	5 per cent.(*)
	(2) Lace for attire; lace flounoings; millinery nets; dress nets; veilings; embroideries in the piece; tucked linens or cottons ad val.	5 per cent.(*)
105(F)	(1) Piece Goods, woollen, or containing wool, ordinarily used in the manufacture of outer clothing for human wear and weighing more than three ounces per square yard per square yard	6d.
	and ad val.	20 per cent.
	NOTE: The products provided for under Item 105(F)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
	(2) Piece Goods, woollen, or containing wool, n.e.i. ad val.	25 per cent.
105(G)	Hair Cloth and Cloth of Hair in combination with other fibres for interlining apparel	..... B/.
105(J)	(1) Leather Cloth and Leather Cloth Binding prepared with rubber, oil, celluloid or nitro-cellulose; Bookbinders' Cloth prepared with nitro-cellulose	..... B/.
	(2) Oil baize and fabrics similar to oil baize prepared with rubber, oil, celluloid or nitro-cellulose -	
	(a) As prescribed by Departmental By-laws ad val.	5 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 105(J)(2)(a).	
	(b) N.E.I.	..... B/.

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
105 (continued)	Piece Goods (continued).	
105(M)	Linen piece goods, viz.:-	
	(1) Defined for cutting up for the manufacture of hemmed or hemstitched cosies doyleys handkerchiefs pillow-shams serviettes table-centres table-cloths table-covers table-runners tray-cloths or window-blinds, as prescribed by Departmental By-laws ad val.	5 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 105(M)(1).	
	(2) N.E.I. ad val.	5 per cent.
106(E)	Buckles Clasps and Slides for Hats Shoes and other attire -	
	(2) Wholly of metal (not being partly or wholly of gold or silver) including metal enamelled ad val.	20 per cent.
	(3) Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices ad val.	25 per cent.
106(F)	Buttons, n.e.i., including blanks and those partly finished -	
	(2) Wholly of metal (not being partly or wholly of gold or silver) excepting trouser buttons ad val.	20 per cent.(*)
	(4) Trochus, Pearl, or other Animal Shell, and imitations of trochus or pearl shell ad val.	10 per cent.(*)
108(B)	Feathers, dressed, including feathers made up into trimmings; also natural birds and wings ad val.	17½ per cent.(*)
110(A) (1)	Apparel, other than knitted, viz.:-	
	Overcoats and Suits -	
	(a) Man's i.e., with chest measurement of 34 inches and over each	10s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
110(A)(continued)	Apparel, other than knitted (continued).	
(2)	(a) Trousers or Knickers with waist measurement of 31 inches and over, imported separately each	3s.6d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.
	(b) Trousers or Knickers with waist measurement less than 31 inches, imported separately each	3s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.
	(c) Coats and Vests, Men's, i.e., with chest measurement of 34 inches and over, imported separately -	
	(1) each Coat	6s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.
	(2) each Vest	2s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.
110(A)(4)	Coats -	
	(a) Girls', n.e.i., i.e., measuring 42 inches or less from collar seam to foot of coat, viz.:-	
	(2) Wool or containing wool each	4s.6d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.
	(b) Women's, n.e.i., viz.:-	
	(2) Wool or containing wool each	6s.6d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
110(A)(continued)	Apparel, other than knitted (continued).	
(5)	Costumes, Dresses or Robes, but not including Dresses or Robes for infants in arms, or such articles when not exceeding 22 inches in length, viz.:-	
	(b) Wool or containing wool each	7s.6d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
	(c) Silk or artificial silk or containing silk or artificial silk, but not containing wool each	6s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
	NOTE: The products provided for under Item 110(A), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
110(B)	Apparel, knitted, and Apparel made from knitted or look-stitched piece goods, viz.:-	
(1)	Blouses, Skirts, Underwear, and Bathing Costumes-	
	(a) Cotton or other material n.e.i. each	9d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
	(b) Wool silk or artificial silk or containing wool silk or artificial silk each	1s.6d.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
(2)	Coats, Jumpers, Cardigans, Sweaters, and similar garments -	
	(a) Girls' or Boys', i.e., with chest measurement under 34 inches each	2s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty ad val.	30 per cent.
	(b) Women's or Men's, i.e., with chest measurement 34 inches and over each	3s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
110(B)(continued)	Apparel, knitted, etc. (continued).	
(3)	Costumes, Dresses or Robes -	
	(b) Wool or containing wool, but not containing silk or artificial silk each	5s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
	(c) Silk or artificial silk or containing silk or artificial silk each	6s.
	and ad val.	15 per cent.
	or, the following rate if it returns a higher duty, viz.:- ad val.	30 per cent.
	NOTE: The products provided for under Item 110(B), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
110(C)	Corsets ad val.	20 per cent.
110(D)	Apparel n.e.i., for the human body, partly or wholly made up, including materials cut into shape therefor; material bearing any pattern design or marking indicating that it is to be used in the making up of apparel; apparel not otherwise subject to a lower rate of duty and not imported for sale or trade and not exceeding a total value for duty of £5 ad val.	25 per cent.
110(E)	Neck Ties for human wear per dozen	2s.3d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 110(E), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
110(H)	Shirts (including sports shirts) for men and boys; men's and boys' sports combinations, being sports shirts and underpants combined ad val.	25 per cent.
110(J)	Pyjamas ad val.	25 per cent.
111 Ex (C)	Articles of natural or imitation hair:- Hair Nets ad val.	10 per cent.(*)

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
114 (B)	Hats, Caps, and Bonnets - Wool Felt Hats in any stage of manufacture for men and boys, including wool felt hoods therefor per dozen or ad val. whichever rate returns the higher duty. NOTE: The products provided for under Item 114(B), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	16s. 25 per cent.
114(C)	Fur felt hats in any stage of manufacture for men and boys, including fur felt hoods therefor per dozen or ad val. whichever rate returns the higher duty. NOTE: The products provided for under Item 114(C), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	30s. 25 per cent.
114(D)	Caps n.e.i. per dozen and ad val. NOTE: The products provided for under Item 114(D), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	10s. 15 per cent.
114(E)	Hoods for girls' and women's hats, viz.:- (1) Wool Felt Hoods per dozen or ad val. whichever rate returns the higher duty. (2) Fur Felt Hoods and Velour Hoods per dozen or ad val. whichever rate returns the higher duty. For the purposes of paragraph (1) of this sub-item the term "Hoods" includes hoods in any stage of manufacture up to but not including the defining of the brim. NOTE: The products provided for under Item 114(E), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	5s. 25 per cent. 18s. 25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
114(F)(1)	Felt Capelines for girls' and women's hats - (a) Wool Felt Capelines per dozen or ad val. whichever rate returns the higher duty.	8s. 25 per cent.
	(b) Fur Felt Capelines and Velour Capelines per dozen or ad val. whichever rate returns the higher duty.	20s. 25 per cent.
(2)	Felt hats for girls and women; Berets; Girls' and Women's Caps (other than bathing) of any material; Hats n.e.i.; Bonnets per dozen or ad val. whichever rate returns the higher duty. NOTE: The products provided for under Item 114(F), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	25s. 25 per cent.
114(G)	(1) Hoods other than of felt ad val. For the purposes of this paragraph a hood means any unblocked form of any material (other than felt) woven or plaited throughout from the tip of the crown to the edge of the brim, also any unblocked form made of braid or similar material joined together by hand with a concealed thread.	25 per cent.
	(2) Hat Forms of braid or similar material sewn with a visible stitch, but not blocked or further processed per dozen or ad val. whichever rate returns the higher duty. NOTE: The products provided for under Item 114(G)(2), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	12s. 25 per cent.
114(H)	Bathing Hats and Bathing Caps of rubber or other material per dozen or ad val. whichever rate returns the higher duty.	9s. 20 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
115 (A)	Socks and stockings for human attire, viz.:- Children's socks -	
	(1) Woollen or containing wool per dozen pairs	2s.6d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	(2) Other per dozen pairs	2s.
	or ad val.	15 per cent.
	whichever rate returns the higher duty.	
115(B)	Children's three-quarter hose, including children's three-quarter golf hose; women's and girls' sports socks -	
	(1) Woollen or containing wool per dozen pairs	4s.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
115(C)	Men's half-hose -	
	(1) Woollen or containing wool per dozen pairs	5s.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
115(E)	Women's and girls' stockings, including stockings worn below the knee -	
(2)	Other than circular -	
	(a) Woollen or containing wool	
	per dozen pairs	10s.6d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	(b) Other per dozen pairs	8s.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
118(A)(1)	Floor coverings wholly of cotton, except carpet felt undercarpet felt and those covered by sub-item (B)	Free
Ex 118(A)(2)	Carpets, carpeting and carpet rugs, hand woven; Carpets, loop pile or cut pile, bearing designs which have been printed on to the warp threads before weaving; Floor and carriage mats and matting of grass, ramie or palm fibres (other than coir) or combinations thereof	Free (*)
118(A)(3)	Saddlebag in the piece or otherwise ad val.	15 per cent.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
118(B)	Roof coverings in the piece, floor coverings, and similar materials, surfaced or unsurfaced, consisting of felt, textile, or paper base, impregnated or laminated with bituminous, asphaltic, tar or pitch emulsions or similar preparations; damp-course and similar materials in sheets or rolls ad val.	15 per cent.
118(C)	Linoleums and Floor Coverings having a similar surface to linoleums ad val.	20 per cent.
Ex 120(A)(1)	Piece Goods of artificial silk and piece goods being a mixture of fibres of artificial silk and cotton and/or linen, manufactured on Jacquard looms, defined for cutting up for the manufacture of hemmed or hemstitched tablecloths or serviettes, as prescribed by Departmental By-laws NOTE: The products provided for under Item Ex 120(A)(1) shall be subject to the same rates of duty as apply to products classifiable under Item 105(D)(1) on the date on which the products are entered for home consumption. NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item Ex 120(A)(1).	.....
120(B)(1)	Handkerchiefs, cotton or linen or cotton and linen, viz.:- (a) Wholly or in part of machine-made lace or embroidered on the multiple needle embroidery machines finished off with machine-made scalloped edge, machine-made hems or other machine-made fancy finishing edges, containing no hand-made lace and not embroidered or tamboured in any part by hand - (1) the value for duty of which does not exceed 1s.4d. per dozen (2) the value for duty of which exceeds 1s.4d. per dozen (b) Other	 ..... B/. ..... B/. ..... B/.
120(B)(2)	Cotton or linen serviettes	..... B/.

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
120(C)(1)	(a) Towels, viz.:- Crash, Dowlas, Porfar, Glass Cloth, Huckaback, Kitchen and Tea	..... B/.
	(b) Towels n.e.i., cut or uncut; towelling n.e.i., including Terry cloth and Terry robing, in the piece whether defined or not for cutting up -	
	(1) White (other than Jacquard); white towelling in defined lengths and white towels (other than Jacquard towels and towelling), with coloured or partly coloured headings or ends, excepting towelling or towels the coloured portions of which at each or either end of the defined towel length or towel exceed a total of four inches per lb.	2½d.
	and ad val.	20 per cent.
	(2) Other per lb.	2¼d.
	and ad val.	20 per cent.
120(C)(2)	Towelling in the piece defined for cutting up, of a class or kind not manufactured in Australia, as prescribed by Departmental By-laws ad val.	10 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 120(C)(2).	
120(C)(3)	Towelling in the piece not defined for cutting up, of a class or kind not manufactured in Australia, as prescribed by Departmental By-laws ad val.	5 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 120(C)(3).	
120(C)(4)	Towelling, cotton or linen, in the piece not defined for cutting up, of a class or kind not manufactured in Australia, for use in the manufacture of art needlework, as prescribed by Departmental By-laws	Free
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 120(C)(4).	

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
120(D)	Tablecloths handkerchiefs and serviettes imported in an unhemmed, unpressed and unboxed condition, as prescribed by Departmental By-laws -	
(1)	Cotton; made from piece goods containing a mixture of fibres in which cotton predominates (excepting piece goods enumerated in Items 105(AA), (D)(1) and (F)) -	
	(a) Unbleached, not being printed dyed or coloured per square yard or ad val. whichever rate returns the lower duty.	½d. 5 per cent.
	(b) Bleached, not being printed dyed or coloured per square yard or ad val. whichever rate returns the lower duty.	½d. 5 per cent.
	(c) Printed, dyed or coloured per square yard or ad val. whichever rate returns the lower duty.	½d. 5 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 120(D)(1).	
(2)	Linen ad val.	5 per cent.
Ex 120(F)	Quilts, viz.:- Marcella, honeycomb, alhambra, grecian and dimity ad val.	5 per cent.
123(B)	Waste, engine cleaning	..... B/.
Ex 129(B)	Bookbinders' Cloth n.e.i.	Free
Ex 129(B)	Bunting	..... B/.
130 (B) (1)	Canvas and Duck - Not waterproofed by treatment with any substance - Cotton or containing a mixture of fibres in which cotton predominates -	
	(B) Otherwise per lb. and ad val.	4d. 25 per cent.

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
136 (C)(1)	Iron and Steel - Angle, Rod other than Wire Rod in Coils, Tee, Bar, exceeding one eighth of an inch in thickness and not being of fancy pattern; Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls per ton	50s. (*)
137(A)(2)	Aluminium angles, bars, pipes, plates, rods, sheets, strips, tees and tubes, not further manufactured than plated polished or decorated	..... B/.
137(B).	Aluminium Wire	..... B/.
147	Iron and steel, viz.:- Plates and sheets, plain tinned	..... B/.
154	Railway and Tramway Material, viz.:-	
(A)	Rails weighing 50 lb. per yard and over per ton	30s. (*)
(B)	Rails weighing less than 50 lb. per yard per ton	30s. (*)
155	Iron or Steel Beams, Channels, Joists, Girders, Columns, Trough and Bridge Iron and Steel -	
(A)	Not drilled or further manufactured per ton	50s. (*)
163(C)	Discs for agricultural implements ad val.	10 per cent.
176(D)(1)	Cement-making machines; road-making machines n.e.i.; stone-crushing machines n.e.i.; travelling and portable cranes, hand operated; coal conveyors and ash-handling plant exclusive of motive power equipment; aerial cableways exclusive of cable; aerial ropeways, exclusive of cable, cars and mechanical parts ad val.	20 per cent.

B/. See note at end of Part II.
(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(E)	Laundry machines and appliances, not being of the type ordinarily used in the household, viz.:-	
(2)	Ironing machines -	
	(a) the value for duty of which does not exceed £1,300 each ad val.	25 per cent.
(3)	Washing machines -	
	(a) the value for duty of which does not exceed £600 each ad val.	25 per cent.
	NOTE: The products provided for under Item 176(E)(3)(a), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
(4)	Drying tumblers; shaking-out tumblers; drying cabinets; collar brushing machines; manual pressing machines; sleeve formers; spotting tables; steam boards; collar turners (hot tube type); collar starching machines ad val.	25 per cent.
Ex 176(F)(1)	Air or Gas Compressors, n.e.i. and Air or Gas Exhausters, n.e.i. ad val.	22½ per cent.
Ex 176(F)(1)	Metal-working machines, viz.:- Drilling Machines, n.e.i.; Grinding Machines, n.e.i.; Lathes, n.e.i.; Planing and Shaping Machines (combined), n.e.i. ad val.	30 per cent.
Ex 176(F)(1)	Wool Scouring and Washing Machines ad val.	30 per cent.
	NOTE: Wool-scouring Machines provided for under Item Ex 176(F)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(F)(2)(a)	Refrigerators, mechanical, of the types used for food storage, up to and including 10 cubic feet gross internal capacity, and parts thereof, viz.:-	
	(1) Refrigerators including mechanical driving units and apparatus for transmitting power from such driving units to the driven units ad val.	35 per cent.
	(2) Parts (when not incorporated in complete refrigerators) imported in an assembled or partly assembled condition, viz.:-	
	(a) Cabinets ad val.	35 per cent.
	(b) Compressors (not forming part of sealed or semi-sealed refrigerating units) -	
	(1) Single cylinder ad val.	35 per cent.
	(2) Double cylinder ad val.	35 per cent.
	(c) Evaporators (not forming part of sealed or semi-sealed refrigerating units) ad val.	35 per cent.
	(d) Sealed or semi-sealed refrigerating units, including mechanical driving units and apparatus for transmitting power from such driving units to the driven units ad val.	35 per cent.
	(e) Other ad val.	35 per cent.
176(F)(2)(b)	Refrigerating appliances and parts thereof imported in an assembled or partly assembled condition (other than refrigerators and parts thereof enumerated in sub-paragraph (a)); metal pressings for cabinets for refrigerating appliances ad val.	35 per cent.
176(F)(2)(c)	Parts n.e.i. of refrigerating appliances ad val.	35 per cent.
176(K)(1)	Differential Meters not having a guaranteed accuracy providing for a maximum error of 2 per cent. over a range of capacity from full flow to one-quarter of full flow ad val.	20 per cent.
	(A "differential" meter is comprised of a primary and secondary element and depends for its operation on the difference of pressure between two points (such as upstream and downstream of an orifice plate) set up by the flow of fluid through the orifice or other primary element, such difference of pressure being an indication of the flow. The primary element is the device that produces the differential head such as the Orifice or Venturi Tube and the secondary element is the device that measures the differential).	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(K)(2)	Meters n.e.i., mechanically or electrically operated, for measuring gas air steam oil water or other fluids, including panels imported with such meters and including parts of such meters imported separately or otherwise (but not including (i) meters or parts of meters suitable for use in the retailing of petrol (ii) positive type water meters up to and including 3 inches in size and parts thereof excepting meters constructed for measuring hot water in a boiler house or engine house (iii) inferential water meters of the turbine and disc types and parts thereof and (iv) inferential water meters of the compound or combination type and parts thereof); Gauges and controllers for water filtration plant and mechanisms for transmitting loss of head or rate of flow to such gauges; Gauges (other than those of the type used on motor vehicles for indicating the amount of petrol in the tank of the motor vehicle) for indicating or recording liquid level in reservoirs canals rivers or tanks; CO and CO_2 Indicators and Recorders including aspirators and filters for use therewith; Regulating and controlling devices, automatic (other than those used in refrigerating) for regulating temperature humidity pressure vacuum or rate of flow; Temperature measuring instruments whether indicating or recording or combinations of both, apparatus for remote indication or recording of temperature measurements, and parts thereof imported separately or otherwise, using any of the following basic principles, viz.:- mercury in steel bulb type, gas filled bulb type, vapour bulb type, potentiometer thermocouple type, thermo-electric pyrometer type, electrical resistance thermometer type, and bi-metallic strip type -	
	(a) As prescribed by Departmental By-laws	Free
	(b) Other than those prescribed by Departmental By-laws under sub-paragraph (a)	Free

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
176(M)	Woodworking Machines and Appliances, not including extra knives, viz.:-	
(1)	Planing, surfacing and thicknessing machines, n.e.i.; moulding machines and shaping machines, n.e.i., including routers and trenching and reccessing machines; combined planing and matching machines; combined planing and moulding machines; combined planing moulding and matching machines:-	
	(a) the value for duty of which does not exceed £400 each ad val.	20 per cent.
(2)	Morticing Machines and combined boring and morticing machines, n.e.i.; Glue jointers, continuous feed:-	
	(a) the value for duty of which does not exceed £120 each ad val.	20 per cent.
(3)	Roller feed, radial arm and dimension saw benches; double edgers; straight line edgers; cross cut sawing machines n.e.i., double, multiple, straight line or automatic; variety circular saw benches; sawing machines n.e.i. -	
	(a) the value for duty of which does not exceed £120 each ad val.	20 per cent.
(4)	Woodworking Machines n.e.i. and appliances n.e.i. for use in connexion therewith ad val.	20 per cent.
176(N)	Air Compressors (including Air Blowers) of the reciprocating and rotary types, viz.:-	
(1)	Of a capacity not exceeding 1,750 cubic feet of free air delivered per minute -	
	(a) Portable, in which the prime mover is an internal combustion engine direct-coupled to the compressor, including the engine when imported therewith ad val.	20 per cent.
	(b) Other ad val.	22½ per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
178	Motive Power Machinery and Appliances (except Electric), viz.:-	
(D)	Internal Combustion Engines (other than marine engines and engines for motor vehicles) -	
(1)	(a) Up to and including 50 horse-power ad val.	30 per cent.
	NOTE: Oil engines provided for under Item 178(D)(1)(a), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 15 per cent. ad valorem.	
	(b) Over 50 horse-power	..... B/.
Ex 178(E)	Boilers and Steam Turbines, n.e.i. ad val.	25 per cent.
	NOTE: Boilers, land, and marine, provided for under Item Ex 178(E), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
Ex 178(E)	Internal Combustion Engines of the type ordinarily used in Motor Vehicles (other than Motor Cycles) and parts, n.e.i., therefor ad val.	30 per cent.
178(F)	Turbines, Steam or Water, and parts thereof, imported with or for use with Turbo-generators or Turbo-alternators:-	
(2)	Parts of Steam Turbines exceeding 2,000 horse-power imported separately or with complete or incomplete assembled or unassembled turbines, viz.:-	
	(b) Other	..... B/.
(3)	Parts of Water Turbines exceeding 2,000 horse-power imported separately or with complete or incomplete assembled or unassembled turbines, viz.:-	
	(a) As prescribed by Departmental By-laws	Free
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 178(F)(3)(a).	
	(b) Other	..... B/.

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
179 (A)	Electrical Machines and Appliances:- Electric Heating and Cooking Appliances -	
	(1) Stoves, ranges, ovens, cookers, grillers, boiling plates, boiling rings, and the like, including elements therefor whether imported separately or forming part of a complete appliance ad val.	25 per cent.
	(2) Radiators and toasters ad val.	30 per cent.
	(3) Kettles ad val.	30 per cent.
	(4) Elements for radiators, toasters and kettles ad val.	30 per cent.
	(5) N.E.I. ad val.	30 per cent.
179(B)	(7) Switches n.e.i.; Fuses n.e.i.; Lightning Arresters n.e.i.; Cut-outs n.e.i.; Choke Coils n.e.i.; Relays n.e.i. ad val.	25 per cent.
179(C)	Regulating starting and controlling apparatus for electric trolley buses, when incorporated in or forming part of any goods covered by sub-item (H) of Item 359; regulating starting and controlling apparatus for all electrical purposes, including distributing boards and switchboards, n.e.i. ad val.	25 per cent.
	NOTE: Accessories for kinematographs, viz.:- Switchboards, provided for under Item 179(C), whether imported with kinematographs or separately, shall, when the produce of New Zealand, be exempt from duty.	
179(D)(1) (a)	Dynamo Electric Machines, viz.:- Alternating current machines -	
	(1) Induction type - (a) Up to and including 150 horse-power ad val.	25 per cent.
(b)	Converters, motor or synchronous rotary - (1) Up to and including 10 k.w. ad val.	25 per cent.
(c)	Direct current and universal machines - (1) Traction motors (including traction motors for electric trolley buses when incorporated in or forming part of any goods covered by sub-item (H) of Item 359) ad val.	25 per cent.
	(2) Motors or machines (including bedplate, shaft, driving sheaf and brake drum) suitable for use with gearless lifts - (a) Up to and including 50 horse-power ad val.	25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
179(D)(1)(continued)	Dynamo Electric Machines (continued).	
(c)	Direct current and universal machines (continued).	
	Ex (4) (a) Other direct current and universal machines, up to and including 20 k.w., excluding electric starting motors and generators for motor vehicles ad val.	25 per cent.
Ex (d)	Electric Motors under 1 horse-power when not integral parts of machines ad val.	25 per cent.
179(D)(2)	Static Transformers n.e.i. -	
(a)	At voltages below 66,000 -	
	(1) Up to and including 13,500 k.v.a. -	
	(a) Constant current, of the type used in the series system of street lighting ad val.	10 per cent.
	(b) Other ad val.	25 per cent.
(b)	At a voltage of 66,000 -	
	(1) Up to and including 1,000 k.v.a. ad val.	25 per cent.
(c)	At voltages above 66,000 -	
	(1) Up to but not including 50 k.v.a. ad val.	25 per cent.
(d)	Induction Coils for all purposes unless otherwise expressly provided for ad val.	25 per cent.
	For the purposes of paragraph (2) of Item 179(D), k.v.a. shall mean the k.v.a. rating determined in accordance with the Australian Standard Specification for the Electrical performance of Transformers for Power and Lighting (1931).	
179(D)(4)(b)	Electric current rectifier assemblies including transformers and control equipment imported with and for use therewith:-	
	(1) Up to and including 100 k.w. ad val.	25 per cent.
179(D)(6)	Electric Fans of the propeller types, other than those of the type ordinarily used in offices and the household ad val.	25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180 (A)	Electrical and Gas Appliances, viz.:- Telephone and Telegraph, viz.:-	
(2)	Keys (including radio); Magneto Bells and parts therefor, whether imported separately or mounted with a key or switch; Indicators or Drops with or without Shutters; Relays; Bell Coils; Impedance and Resistance Coils and Spools; Lamp Sockets for Switchboards; Protective Apparatus; Cable Boxes, unprotected; Devices for junctioning telephone and telegraph wires and cables; Ear Caps and Mouth Pieces; Switchboards ad val.	25 per cent.
180(C)(2)	Gas cooking and heating appliances, including gas ranges, viz.:-	
	(a) Water heaters ad val.	20 per cent.
	(b) Other ad val.	20 per cent.
	NOTE: The products provided for under Item 180(C)(2), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
180(D)	Filament Lamps for lighting and heating per lb.	1s. (*)
180(E)	Wireless Receivers, parts thereof, and accessories therefor, viz.:-	
(2)	Condensers, fixed mica each	3d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(3)	Articles for tuning devices, viz.:-	
	(a) Dials, complete per unit	2s.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(b) Dial or Scale Assembly per unit	6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(c) Drives, ratio reducing per unit	1s.6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180(E)(continued)	Wireless Receivers, etc. (continued).	
(4)	Resistors, fixed each	¾d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(5)	Rheostats, potentiometers, variable resistances, volume controls and tone controls of types incorporated in wireless receivers each	4d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	NOTE: Accessories for kinematographs, viz.:- Volume Controls, provided for under Item 180(E)(5), whether imported with kinematographs or separately, shall, when the produce of New Zealand, be exempt from duty.	
(6)	Sockets, valve each	2d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(7)	Transformers, audio and radio each	1s.6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(10)	Condensers, variable, of capacities exceeding .0001 microfarad, but not exceeding .001 microfarad -	
	With gang or drum control - per each condenser contained therein	1s.1½d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	Without gang or drum control each	1s.1½d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(11)	Condensers, variable, midget, of .0001 microfarad capacity or less each	9d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(12)	Loudspeakers and Parts thereof:-	
	(a) Loudspeakers including transformers each	7s.6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	NOTE: Accessories for kinematographs, viz.:- Loudspeakers, provided for under Item 180(E)(12)(a), whether imported with kinematographs or separately, shall, when the produce of New Zealand, be exempt from duty.	
	(b) Parts of loudspeakers imported other than in complete Loudspeakers, viz.:-	
	(1) Field Coils each	1s.6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(2) Field Coil Cores each	6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part IX (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180(E)(continued) (12)(cont.)	Wireless Receivers, etc. (continued).	
	(b) Parts of loudspeakers, etc. (continued).	
	(3) Field Coil Housings each	9d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(4) Cones with or without voice coils each	11d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(5) Cone Housings each	1s.3d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(6) N.E.I., other than transformers ad val.	30 per cent.
	Provided however that in the case of combinations of any of the parts provided for under Item 180(E)(12)(b), duty shall be payable on such combinations as though the parts were imported separately.	
(13)	Transformers, power each	7s.6d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
(14)	Headphones; Parts n.e.i. of wireless receivers, other than cabinets ad val.	30 per cent.
(15)	Wireless Receiving Sets wholly assembled, partly assembled, or unassembled, excluding cabinets, valves, loudspeakers, headphones, batteries or any device for eliminating batteries -	
	Per valve socket excluding sockets for valves forming part of any battery eliminating device	9s.3d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	Provided - (1) In the absence of valve sockets the sets shall be charged duty at the above rates on the basis of the number of valves for which they are constructed or designed. (2) In the instance of sets constructed or adapted for use with multiple purpose valves, the sets shall be charged duty equal to that payable on sets having an equal number of unit stages using unit function valves.	
	NOTE: The products provided for under Item 180(E)(15), the produce of New Zealand, shall, when not mounted in cabinets, be exempt from duty, and when mounted in cabinets be exempt from ordinary customs duties in excess of 10 per cent. ad valorem.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
180(E)(continued) (16)	Wireless Receivers, etc. (continued).	
	Wireless Receiving Sets and Gramophones combined, excluding cabinets, valves, loudspeakers, headphones, batteries or any device for eliminating batteries each	15s.
	and in addition per valve socket excluding sockets for valves forming part of any battery eliminating device	9s.3d.
	or as an alternative to the cumulative fixed rates provided above ad val.	30 per cent.
	whichever rate returns the higher duty.	
	Provided - (1) In the absence of valve sockets the combined sets shall be charged duty at the above rates on the basis of the number of valves for which they are constructed or designed.	
	(2) In the instance of combined sets constructed or adapted for use with multiple purpose valves, the combined sets shall be charged duty equal to that payable on combined sets having an equal number of unit stages using unit function valves.	
180 Ex (F)	Electrical and Gas Appliances, viz.:-	
	Piezo-electric quartz plates, bars and rods ad val.	15 per cent. (*)
Ex (F)	N.E.I. not included under Item 192 and excluding piezo-electric quartz plates, bars and rods ad val.	20 per cent.
	NOTE: Accessories for kinematographs, viz.:- Amplifiers, provided for under Item Ex 180(F), whether imported with kinematographs or separately, shall, when the produce of New Zealand, be exempt from duty.	
180(G)	Storage Batteries and parts thereof, viz.:-	
	(2) Storage batteries suitable for use (otherwise than for propulsion purposes) in motor vehicles (other than motor cycles) or electric trolley buses, whether imported separately or incorporated in or forming part of any goods covered by Items 359(D) and 359(H) ad val.	25 per cent.
180(H)	Sparking plugs whether imported separately or incorporated in or forming part of any goods covered by Items 177(B)(3)(a) and 359(D) each	9d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
183 (continued)	Electrical and Gas Appliances (continued).	
180(I)	Dry Batteries and Dry Cells of all descriptions whether imported separately or incorporated in any article or appliance per lb.	2d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 180(I), the produce of New Zealand, shall be exempt from duty.	
180(K)	Electrical fittings and accessories, viz.:- Flush Plates, Connectors, Ceiling Roses, Moulded Lamp-holders (with or without switches), Adapters, Wall Sockets, Wall Plugs and Wall Plug Tops ad val.	25 per cent.
	NOTE: Flush Plates and Wall Plugs, provided for under Item 180(K), the produce of New Zealand, shall be exempt from duty.	
180(L)	Condensers, viz.:-	
(1)	Electrolytic -	
	(a) Suitable for operation at voltages exceeding 100 volts ad val.	25 per cent.
	(b) Other ad val.	25 per cent.
	For the purposes of paragraph (1) of Item 180(L), each electrolytic condenser, when forming portion of a set of electrolytic condensers or contained, with other electrolytic condensers, in the one housing, shall be charged with duty as a separate unit.	
(2)	N.E.I. ad val.	25 per cent.
180(M)	Registers or Meters, of the type which totals electrical impulses, such as those used in telephone exchanges for recording subscribers' calls and in totalisators ad val.	25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
181 (A)(2)	Electrical Articles and Materials, viz.:- Valves for wireless telegraphy and telephony including rectifying valves each or ad val. whichever rate returns the higher duty.	4s.3d. 20 per cent.
(B)(1)	(a) Copper wire (in round, square or other shapes) including stranded or twisted copper wire, whether plain or tinned (but not including weatherproof braided aerial cable prescribed by Departmental By-laws under sub-paragraph (d) of this sub-item), viz.:- When covered with cotton only, the covering being impregnated; when covered with paper only or with paper and cotton only, the covering being either impregnated or not ad val.	20 per cent.
	(b) Copper strip, whether plain or tinned, when covered with paper only or with cotton only or with paper and cotton only, the covering being either impregnated or not ad val.	20 per cent.
	(c) Cable and wire when covered with cotton only, but not further treated	..... B/.
	(d) Weatherproof braided aerial cable, as prescribed by Departmental By-laws ad val.	15 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 181(B)(1)(d)	
(2)	Cables, telegraph and telephone, paper-insulated lead-covered ad val.	20 per cent.
(3)	Cables, telegraph and telephone, paper-insulated lead-covered, when further processed by an additional covering (outside the lead covering) of any protective material ad val.	20 per cent.
185(A)	Brake and Plough Screws; Music Stool, Table, Roofing, and Spiral Screws ad val.	15 per cent.
(C)	Screws n.e.i., including Sash Screws and attachments	..... B/.

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
187 (C)	Nails, viz.:- Brads (including moulders' and glaziers'); Picture Nails; Staples; Tacks n.e.i.; Wire and other Nails n.e.i.; Gimp Pins; Spouting Screws per cwt.	4s.
	or ad val.	15 per cent.
	whichever rate returns the higher duty.	
	NOTE: Wire and other Nails n.e.i., provided for under Item 187(C), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of £2 per ton. Lead-headed Nails, and Galvanized Cup-headed Roofing-nails, provided for under Item 187(C), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 15 per cent. ad valorem.	
(D)	Horse-shoe Nails per cwt.	7s.
189 (C)	Arms, viz.:- Revolvers; Pistols	Free (*)
190(B) (1)	Smoothing Irons - Electric ad val.	25 per cent.
197(A)	Spoons, Forks, Butter Fish and Fruit Knives, plated or of mixed-metal; Cutlery, Spoons and Forks, partly or wholly of gold or silver, except when gold ferruled or silver ferruled only	..... B/.
197(C)	Platedware n.e.i.	..... B/.
204(B)(2)	Enamelledware n.e.i., but not including stoves and baths ad val.	25 per cent.
Ex 208(A)(2)	Welding rods ad val.	25 per cent.

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
208(C)	Mortice Locks, Mortice Lock Sets, Rim Locks ad val.	25 per cent.
208(D)(1)	Kitchenware (other than electrical heating and cooking appliances) manufactured of wire, tinned plate, plated metal, or a combination of such materials, with handles of any material or without handles; Metal Stove Toasters; Dish, Pot, Pan or Plate Washers n.e.i.; Plate Scrapers and the like; Metal Soap Racks; Can Openers; Metal Soup Ladles; Cooks' Forks; Corers and Peelers; Egg Whisks or Beaters; Asbestos Mats; Ice Picks per doz.	9d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	
	NOTE: Tinware and tin manufactures, provided for under Item 208(D)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	
208(E)	Barrel and Socket Bolts ad val.	25 per cent.
215	Saws, viz.:-	
(B)(1)	Band saws ad val.	25 per cent.
(2)	N.E.I. ad val.	25 per cent.
219	Tools of Trade for the use of artisans and mechanics and Tools in general use -	
(A)	Screwing tools, viz.:- Dies taps and chasers for use in machines or by hand; screwplates; stocks; tap wrenches ad val.	35 per cent.
(B)	Hand tools, wholly or principally of metal, n.e.i. ad val.	30 per cent.
(D)	Shovels n.e.i. ad val.	20 per cent.
(E)	Picks, Mattocks, Hooks and Slashers ad val.	20 per cent.
224	Graphite or plumbago	Free
229	Oils in vessels exceeding one gallon -	
(F)(2)	Castor per gallon	6¾d. (*)
(H)(2)	Olive Oil n.e.i. per gallon	1s.6d. (*)
(J)	Refined Cod Liver Oil, not compounded	Free

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
231	Paints and Colours, viz.:-	
(B)(1)	Barytes, crude per cwt.	1s.(*)
(2)	Barytes, ground per cwt.	1s.6d.(*)
(G)(2)	White Lead, dry or ground in oil per cwt. or ad val. whichever rate returns the higher duty.	5s. 10 per cent.(*)
240(B)(1)	Electrical insulating sheets, being sheets composed of asbestos and cement or similar materials ad val.	20 per cent.
(2)	Tiles, n.e.i.; sheets n.e.i. and roofing slates composed of cement and asbestos or of similar materials; articles n.e.i., composed wholly or in chief value of cement or of cement and asbestos, including articles of reinforced cement ad val.	15 per cent.
Ex 241(B)	Chinaware parianware and porcelainware, n.e.i., composed of a vitrified non-absorbent body which is more or less translucent ad val.	10 per cent.
241(D)	Pudding basins of brownware, chinaware, earthenware including semi-vitrified earthenware, parianware, porcelainware and stoneware ad val.	15 per cent.
241(E)	Lipped bowls of brownware, chinaware, earthenware including semi-vitrified earthenware, parianware, porcelainware and stoneware ad val.	15 per cent.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
242	Glass, viz.:-	
(C)	Sheet, viz.:- figured rolled, cathedral, milled rolled, rough cast and wired cast per square foot or ad val. whichever rate returns the higher duty.	1d. 20 per cent.
(D)	Plate, polished and patent, in sheets not exceeding 25 square feet; opaque, manufactured by either the casting process or the twin roller process, having a polished finish on one or both sides, of types not elsewhere specified, in sheets not exceeding 25 square feet	Free
(E)	Plate, polished and patent, in sheets exceeding 25 square feet; opaque, manufactured by either the casting process or the twin roller process, having a polished finish on one or both sides, of types not elsewhere specified, in sheets exceeding 25 square feet per 100 square feet	10s.
(F)	Bent, Bevelled, Heraldic, Sand-blasted, Enamelled, Embossed, Etched, Silvered, Brilliant Cut; Corners Cut, Bevelled, or Engraved; Prisms; and all Glass framed with metal, n.e.i. ad val.	15 per cent.
244	Glass, viz.:-	
(B)	Blanks, fused, for bifocal lenses; and bifocal lenses partly or wholly finished, including such lenses imported in frames	..... B/.
(C)	Lenses, edged, for spectacles, except bifocal lenses ad val.	15 per cent. (*)
249(B)	Mica and manufactures thereof, n.e.i. ad val.	15 per cent. (*)
250(A)	Bottles flasks jars vials and tubes, n.e.i., of glass earthenware stoneware or china, empty or containing goods not subject to an ad valorem duty and not classifiable under Item 408	Free

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
250(B)	Articles of cut glass, including bottles decanters flasks and jars of cut glass empty or containing goods not subject to an ad valorem duty and lamps and lampware of cut glass, but not including articles of etched or engraved glass, viz.:-	
	(1) Butter knives; cruet sets; cruet trays; jam spoons; mustards; oil bottles the capacity of which does not exceed 4 fluid ounces; pepper shakers; salt shakers; serviette rings; sugar shakers; vinegar decanters the capacity of which does not exceed 4 fluid ounces	Free
	(2) Other ad val.	15 per cent.
	For the purposes of Item 250(B) the term "cut glass" is defined as covering glassware in which any of the cut patterns or designs have been subjected to any process designed to produce a polished finish.	
Ex 250(C)(1)	Blown glass blanks, uncut and unpolished - For use in the manufacture of articles of cut glassware as enumerated in Item 250(B)(1), as prescribed by Departmental By-laws	Free
Ex 250(C)(1)	Blown glass blanks, uncut and unpolished - For use in the manufacture of other articles of cut glassware, as prescribed by Departmental By-laws ad val.	5 per cent.
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 250(C)(1).	
250(C)(2)	Glassware n.e.i. ad val.	5 per cent.
250(E)	Heat resisting glassware for cooking purposes ad val.	15 per cent.
250(F)	Articles of glass including articles of etched or engraved glass (but not including articles covered by sub-items (B) and (E)), viz.:- Dishes, tumblers, salads, bowls other than lightingware, nappies, jugs, candlesticks, butters, battery jars or cells, vases, trays, comports, flowerblocks, mugs, sundaes, goblets, measures including medicine measures ad val.	5 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
250(G)	Vacuum Flasks Jugs Cans and similar vacuum containers and parts thereof	..... B/.
251 (A)	Bottle Stoppers - Crown Corks and all other Bottle Stoppers, including Stoppers for re-sealing, but not including Glass Bottle Marbles and goods classifiable under Item 395 ad val.	25 per cent.
(C)	Stoppers imported separately for Hot Water Bags ad val.	25 per cent.
255(A)	Glue in dry form per lb. or ad val. whichever rate returns the higher duty.	1d. 20 per cent.(*)
(B)	(1) Cements and prepared adhesives n.e.i., including acetylated starch, mucilage, liquid glue; belting compounds ad val.	20 per cent.
(C)	Gelatine, viz.:- (1) Coloured gelatine sheets of the type used for window displays and for lighting effects; gelatine dust of the type used in the manufacture of ladies' evening shoes	Free
	NOTE: The products provided for under Item 255(C)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 15 per cent. advalorem.	
	(2) All other kinds per lb. or ad val. whichever rate returns the higher duty.	1d. 20 per cent.
Ex 262(B)(2)	Granite unwrought, including rough or scabbled from the pick	Free (*)
278(A)(1)	Bicarbonate of soda; soda silicate per ton or ad val. whichever rate returns the higher duty.	30s. 15 per cent.
278(B)	(1) Caustic Soda	..... B/.
	(2) Bleaching Powder, and Chlorine	..... B/.

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
280 (B)	Drugs and Chemicals, viz.:- Salicylic acid and other food preservatives n.e.i.; salicylate of soda; sulphites and bisulphites of potassium; bisulphite of sodium, calcium, and magnesium; foaming powders and liquids and other foaming agents including malto-peptone yeast food, yeast food preservatives, yeast nourishment, quillaya bark n.e.i., saponarias, glycyrrhizin and its compounds	..... B/.
280(C)	Boric Acid	Free
280(D)(1)	Saccharin, n.e.i., and other similar substitutes for Sugar, and substances capable of conversion into such substitutes for Sugar	..... B/.
281 (B)(1)	Drugs and Chemicals, viz.:- Sulphate of Magnesia (Epsom Salts) - (a) In packages not exceeding seven pounds net weight per lb.	½d. (*)
	(b) N.E.I. ad val.	15 per cent. (*)
281(B)(2)	(b) Hyposulphite of soda, hypochlorite of soda, carbonate of magnesia n.e.i. ad val.	15 per cent. (*)
281(C)	Alum, Alum Cake, and Sulphate of Alumina including Alumina Ferric ad val.	30 per cent.
281 Ex (L)(2)	Drugs and Chemicals, viz.:- When packed for retail sale, viz.:- Morphia and Morphia Salts; Strychnine and Strychnine Salts ad val.	10 per cent. (*)
281(O)	Acetyl-Salicylic Acid ad val.	10 per cent. (*)

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
285 (A)	Medicines:- Pharmaceutical Preparations; Patent and Proprietary Medicines and Drugs, and other Medicinal Preparations, excepting Insulin; Medicinal Extracts other than Liver Extracts; Essences; Juices; Infusions; Tinctures; Solutions; Emulsions; Confections; Syrups; Pills, Tablets, and the like; Capsules; Cachets; Suppositories; Pessaries n.e.i.; Poultices; Salves; Cerates; Ointments; Liniments; Lotions; Pastes and the like; Medicinal Waters not elsewhere specified; Compounded Medicinal Oils; Medicines for Animals ad val.	20 per cent.
	With an additional duty if spirituous as follows:-	
	If containing not more than 20 per cent. of proof spirit per gallon	5s.
	And for every additional 20 per cent. or fraction thereof of proof spirit per gallon	5s.
Ex 287	Citronella Oil, non-spirituous	Free
290(C)	(1) Perfumery n.e.i.; Petroleum jelly n.e.i. ad val.	30 per cent.
	(2) Toilet preparations (perfumed or not) n.e.i. ad val.	30 per cent.
	With an additional duty if spirituous as follows:-	
	If containing not more than 20 per cent. of proof spirit per gallon	5s.
	And for every additional 20 per cent. or fraction thereof of proof spirit per gallon	5s.
291(H)	Timber, undressed, n.e.i., viz.:- Other -	
	(1) In sizes of 12 inches x 6 inches (or its equivalent) and over per 100 super. feet	6s. (*)
	(2) In sizes of 7 inches x 2½ inches (or its equivalent) and upwards, and less than 12 inches x 6 inches (or its equivalent) per 100 super. feet	9s. (*)
	(3) In sizes less than 7 inches x 2½ inches (or its equivalent) per 100 super. feet	12s. (*)
	NOTE: The products provided for under Item 291(H), the produce of New Zealand, shall be exempt from duty.	

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
291(J)	Timber, for making boxes, being cut to size, and dressed or partly dressed per 100 super. feet	14s.(*)
291(N)	Veneers - (1) The value for duty of which does not exceed 25s. per 100 square feet ad val. NOTE: The products provided for under Item 291(N) (1), the produce of Canada, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	15 per cent. (*)
294(A)	Staves, undressed, n.e.i. per 100	8s. (*)
(B)	Staves, dressed or partly dressed, but not shaped per 100	11s. (*)
305(A)	Furniture n.e.i., including any article of wood or partly of wood, wholly or partly made up or finished and used in any building or premises including hospitals; also show figures of all kinds ad val.	20 per cent.
309 (B)	Fancy Goods, viz.:- Card Cases, Hatpins, Matchboxes, Serviette Rings and Clips, Sovereign Purses, n.e.i.; Button Hooks, Glove Stretchers, Shoe Horns and Lifts, Thimbles, Ivory and other ornamental figures, Feather Dusters; Beads strung or unstrung and Necklets n.e.i., except those made of pearls cultured pearls precious stones precious metals or imitation precious metals ad val.	30 per cent.
309(C)	Articles for personal wear, not including articles partly or wholly of gold silver or other precious metal or imitations thereof or partly or wholly of pearls or precious stones or imitations thereof, viz.:- Brooches, Bangles, Studs, Sleeve Links and Tie Clips ad val.	30 per cent.
309(D)	N.E.I. ad val.	30 per cent.
Ex 310(A)	Cricket bats; Cricket bat blades; Cricket balls ad val.	25 per cent.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
Ex 310(A)	Articles n.e.i. used for outdoor and indoor games; golf ball centres or cores; golf club heads, finished or unfinished; forgings for golf club heads; wooden parts of tennis racquets; fishing appliances n.e.i. ad val.	20 per cent.
310(B)	Toys ad val.	20 per cent.
314	Jewellery, commonly known as rolled gold; Jewellery under 9-carat; Imitation Jewellery ad val. NOTE: The products provided for under Item 314, the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	30 per cent.
315	Jewellery, n.e.i., including Bolt and Split Rings; Swivels; Ear Wires; Bars and Stampings used in manufacture of Jewellery; Medals and Medallions of gold or silver; Ornaments of gold or silver for attire other than Buckles, Badges, Clasps, Slides and Buttons; Combined Bracelets and Watches; Gold or Silver Safety Pins; Gold or Silver Bags and Purses; Lace, Braid, and Cord, and all articles n.e.i., partly or wholly made of gold or silver ad val. NOTE: Jewellery, n.e.i., and Plate, gold or silver, provided for under Item 315, the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 25 per cent. ad valorem.	30 per cent.
319(B)(1)	Gramophones, Phonographs, and other Talking Machines, n.e.i., including cases imported with machines ad val.	30 per cent.
319(C)	Needles for Gramophones, Phonographs and other Talking Machines ad val.	15 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
324	Leather, viz.:-	
(A)	Chamois Leather ad val.	10 per cent.
(C)	(1) Patent and Enamelled ad val.	5 per cent.
	(3) Calf, other than Patent and Enamelled ad val.	5 per cent.
	NOTE: The products provided for under Item 324(C)(3), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 10 per cent. ad valorem.	
	(4) N.E.I. ad val.	10 per cent.
	NOTE: The products provided for under Item 324(C)(4), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of the duties in force on the date of entry into force of this Agreement, viz.:- 15 per cent. ad valorem or 3d. per lb. whichever rate returns the higher duty.	
325(A)	Leather Manufactures n.e.i.; Leather cut into shape; Harness n.e.i.; Razor Strops; Whips, including handles, keepers, thongs and lashes ad val.	20 per cent.
	NOTE: Belt butts provided for under Item 325(A), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of the duties in force on the date of entry into force of this Agreement, viz.:- 15 per cent. ad valorem or 3d. per lb. whichever rate returns the higher duty.	
326	Leather, rubber, canvas, and composition belting, including such belting whether imported separately or incorporated in or forming part of ore conveyers or ore belt distributors; green hide for belting and other purposes ad val.	20 per cent.
	NOTE: Leather Belting, provided for under Item 326, the produce of New Zealand, shall be exempt from ordinary customs duties in excess of the duties in force on the date of entry into force of this Agreement, viz.:- 15 per cent. ad valorem or 3d. per lb. whichever rate returns the higher duty.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
329	Boots, Shoes, Slippers, Clogs, Pattens, and other footwear (of any material), n.e.i.; boot and shoe uppers and tops (except of felt); cork, leather, or other socks or soles n.e.i. ad val.	25 per cent.
	NOTE: The products provided for under Item 329, the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 35 per cent. ad valorem.	
332(B)	Rubber Manufactures and Articles wholly or partly of rubber, viz.:-	
	(1) Football Bladders, Bandages, Elastic Stockings Leggings Thigh-pieces Anklets Kneecaps Wristlets and Athletic Straps	..... B/.
	(2) Hat-makers' Press Bags and Rings, Gas Bags, Soles, Pads, Heels, Cash Mats, Rubbered Tyre Fabric, Tyre Rubber, Photographic Accessories of Rubber not being integral parts of cameras; Cycle Tube and Motor Car Tube Repair Outfits ad val.	15 per cent.
	(3) Infants' Soothers and Teats; Valves and Nipples for bottles ad val.	15 per cent.
	(5) Flexible Coupling Discs, imported separately ad val.	15 per cent.
333(A)	Pneumatic rubber tyres and tubes therefor, valved or unvalved, viz.:-	
	(1) Covers weighing each 2½ lb. or less and tubes weighing each 1 lb. or less per lb.	6d.
	or ad val.	17½ per cent.
	whichever rate returns the higher duty.	
	(2) Covers weighing each over 2½ lb. and tubes weighing each over 1 lb., whether imported separately or incorporated in or forming part of any goods covered by Items 177(B), 354(B), 359(D) and 359(H) per lb.	6d.

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
334	Paper, viz.:-	
(I)	Roofing and sheathing paper; electric insulating paper and boards	..... B/.
(M)	Abrasive paper, irrespective of size or shape -	
	(1) Glass paper and flint paper ad val.	20 per cent.
338	Paper, viz.:-	
(A)	(1) Manufactures of, or articles partly manufactured of, framed (including the weight of the frame), or unframed, having advertisements thereon; price lists; prospectuses; showcards; catalogues, circulars, pictures n.e.i., and printed photographed or lithographed matter, used or intended to be used for advertising purposes; pictures used or intended to be used in the manufacture of box tops, pad covers, calendars, almanacs and the like; all printed or embossed bags or containers; calendars, almanacs, and diaries; Australian directories, guides, and timetables; paper patterns; labels of all kinds; tickets printed, viz., railway, tramway, and other, including paper and board printed or prepared in any way therefor; billheads, memorandum forms, and all other printed ruled or engraved forms of paper n.e.i.; paper, printed or embossed with words lettering or numerical figures, of a type which when printed or embossed is suitable for use in connexion with the wrapping of goods or in the covering of containers for goods; paper patty pans and like paper containers of all sizes, also paper chocolate cups, including the weight of the immediate containing cartons per lb.	9d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	
	(2) Posters not elsewhere specified, used or intended to be used for advertising purposes per lb.	9d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
340(A)	(2) Stationery manufactured n.e.i.; Christmas, New Year, Easter and Birthday Cards; other greeting cards having pictorial designs thereon; Postcards n.e.i.	..... B/.
341	Writing Ink and Ink Powders; Liquid Drawing Ink ad val.	15 per cent.
346(D)	The articles enumerated in sub-items (A), (B), and (C), when in fancy boxes ad val.	15 per cent.
(F)	Fancy Pencils; Pencil Cases partly or wholly of gold, silver, aluminium, or nickel; Pen and Pencil Sets and Penholders, n.e.i. ad val.	25 per cent.
352(A)(1)	(a) Sprocket wheels chain wheels and chain rings, for motor cycles, not further manufactured than plated or enamelled ad val.	15 per cent.
	(b) Cycle and side-car parts plated brazed enamelled or permanently joined, n.e.i. (not including parts of leather or rubber) ad val.	15 per cent.
352(A)(3)	Wheel Rims for Cycles, Motor Cycles, and Side Cars ad val.	15 per cent.
352(A)(4)	Hand-worked inflators of all kinds:- (b) Other ad val.	25 per cent.
358(A)	Aeroplanes, and other Aircraft including Balloons and Parachutes	Free

B/. See note at end of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359 (D)	Vehicle Parts, viz.:- Parts of vehicles with self-contained power propelled by petrol, steam, electricity, oil, gas, or alcohol, n.e.i., whether incorporated in the complete vehicle or separate, viz.:-	
	(1) Single-seated Bodies each	£20
	(2) Double-seated Bodies each	£30
	(3) Bodies with fixed or movable canopy tops, e.g., Landaulette, Limousine, Taxi-cab, and similar types, and n.e.i. each	£55
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	The word "Bodies" in paragraphs (1), (2), and (3) of this sub-item includes Dashboards, Footboards, and Mudguards, when imported with bodies of which they form a part.	
359(E)	Parts of Bodies enumerated in paragraphs (1), (2) and (3) of sub-item (D), viz.:-	
(1)	Pressed metal panels, not fabricated beyond trimming of edges -	
	(a) For single-seated bodies per lb.	4d.
	(b) For double-seated bodies per lb.	4d.
	(c) For bodies with fixed or movable canopy tops and bodies n.e.i. per lb.	4d.
(2)	Pressed metal panels, other -	
	(a) For single-seated bodies per lb.	7d.
	(b) For double-seated bodies per lb.	7d.
	(c) For bodies with fixed or movable canopy tops and bodies n.e.i. per lb.	7d.
359(F)(1)	Vehicle Parts n.e.i., including Axles n.e.i., Springs n.e.i., Hoods, Wheels n.e.i., and Bodies n.e.i. ad val.	30 per cent.
	NOTE: Wheels, provided for under Item 359(F)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359(F)(2)	Wind Screens whether imported separately or with motor vehicles or parts thereof except when parts of the types of bodies enumerated in paragraph (3) of sub-item (D) of this item each or ad val. whichever rate returns the higher duty.	7s.6d. 30 per cent.
359(F)(3)	Gears (whether imported separately or incorporated in or forming part of any goods classifiable under Tariff Item 359(D)(4) except when imported with motor vehicles or motor vehicle chassis as original equipment) for vehicles with self-contained power excepting motor cycles and vehicles for railways and tramways, viz.:- Crown wheels and pinions, transmission gears, differential gears, worms and worm wheels, internal tooth gears, jack shaft pinions and flywheel starter bands ad val.	30 per cent.
359(F)(4)	Motor Vehicle Parts, viz.:- Shackle Bolts Pins and Assemblies; Spring Hangers; King Pins; Tie Rod Pins; Tie Rod Ball Pins; Tie Rod Ball Studs per lb. or ad val. whichever rate returns the higher duty.	6d. 20 per cent.
359(F)(5)	Handles of all types for motor car doors and for motor car window regulators each or ad val. whichever rate returns the higher duty.	3d. 30 per cent.
359(F)(6)	Devices for catching or fastening doors of motor vehicles, excluding handles ad val.	20 per cent.
359(F)(7)	Window Regulators for Motor Cars, excluding handles each or ad val. whichever rate returns the higher duty.	11d. 30 per cent.
359(F)(8)	Wind Screen Wipers each or ad val. whichever rate returns the higher duty.	2s.3d. 20 per cent.
359(F)(9)	Axle Shafts and Propeller Shafts for Motor vehicles per lb. or ad val. whichever rate returns the higher duty.	4d. 25 per cent.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
359(F)(10)	U-Bolts for motor vehicles ad val.	20 per cent.
359(G)	Vehicle Parts, whether imported separately or incorporated in or forming part of any goods covered by sub-item (D) of Item 359, viz.:-	
(1)	Springs for suspension purposes for motor vehicle chassis, viz.:-	
	(a) Coil springs per lb.	3d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
	(b) Other per lb.	3d.
	or ad val.	30 per cent.
	whichever rate returns the higher duty.	
359(G)(2)	Bumper Bars for motor vehicles ad val.	30 per cent.
364	Organs, Pipe ad val.	15 per cent. (*)
365	Pianos and parts thereof -	
	(A) Grand, with or without player mechanism each	£9
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	(C) Upright, n.e.i. each	£5
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	(D) Keyboards, complete or incomplete ad val.	20 per cent.
366(A)	Musical Instruments, n.e.i.; Musical Boxes; Metronomes and the like	..... R/.
369	Articles, not included under any other heading in the Tariff, of Celluloid, Xylonite, Synthetic Resin, Caseine or similar materials, Bone, Ivory Pulp, Papier-mache, Indurated Fibre, or Asbestos	..... R/.

R/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
376	Bags, Baskets, Boxes, Cases, Trunks, Purses, Wallets, with or without fittings, viz.:-	
(A)	Bags, hand and purse, except of metal; Purses, except of metal; Wallets -	
	(1) The value for duty of which does not exceed 10d. per article ad val.	20 per cent.
	(2) The value for duty of which exceeds 10d. per article but does not exceed 15d. per article ad val.	20 per cent.
	(3) The value for duty of which exceeds 15d. per article but does not exceed 24d. per article ad val.	20 per cent.
	(4) The value for duty of which exceeds 24d. per article ad val.	20 per cent.
376(B)	Bags, hand and purse, n.e.i.; Bags, sporting, travelling; Baskets and cases, picnic; Cases and companions, toilet, dressing, writing, travelling; Trunks, travelling; Satchels; Boxes and Cases, jewel, trinket, musical instrument; Purses n.e.i. ad val.	20 per cent.
380(A)(2)	Carpet sweepers ad val.	20 per cent.
Ex 381(B)	Black China bristles (when boiled, baked or straightened) ad val.	15 per cent. (*)
381 (D)	Brushware and materials therefor:-	
	(1) Hair and cloth brushes per dozen or ad val.	3s. 20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 381(D)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
	(2) Tooth, scrubbing, paint and varnish brushes per dozen or ad val.	1s.6d. 20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 381(D)(2), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
381(D)(continued)	Brushware and materials therefor (continued).	
	(3) Nail brushes per dozen	1s.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The products provided for under Item 381(D)(3), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
	(4) Brushes n.e.i. ad val.	20 per cent.
384(A)(1)	Photographic and X-ray dry plates and flat films, sensitised, not including photographic plates enumerated in sub-item (B) per square foot	3d.
	or ad val.	15 per cent. (*)
	whichever rate returns the higher duty.	
(2)	Photographic sensitised films n.e.i. per square foot	4d.
	or ad val.	15 per cent. (*)
	whichever rate returns the higher duty.	
(3)	Photographic sensitised papers and cards also linen and other sensitised materials, n.e.i.; postcards (sensitised with or without letter-press) per square foot	½d.
	or ad val.	15 per cent. (*)
	whichever rate returns the higher duty.	
388	Cordage, Metal, including Cordage of Metal with core of other material, viz.:-	
	(B) N.E.I. ad val.	20 per cent.
390(A)(1)(a)	Rope and Cordage (not including Twine) manufactured from Manila, Sisal, Phormium Tenax or Coir ad val.	20 per cent.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
390(A)(1)(b)	Cordage Rope and Twines n.e.i., including Sliver; Cordage with metal core; Macreme Twines; Fleece Thread; Brushmakers' and Mattress Twine; Roping, Seaming, and Shop Twines; Halters and other Articles n.e.i. manufactured from cord or twine; Textile Boot Shoe and Corset Laces and Textile material for use in the manufacture of boot shoe and corset laces -	
	(1) Cotton, or in chief part by weight cotton per lb.	2½d.
	and ad val.	20 per cent.
	NOTE: Cordage, Rope, and Twine, n.e.i., provided for under Item 390(A)(1)(b)(1), the produce of New Zealand, shall be exempt from ordinary customs duties in excess of 20 per cent. ad valorem.	
	(2) Other ad val.	20 per cent.
392 (A)	Yarns:-	
	Cotton, or in chief part by weight cotton but not containing wool -	
	(2)(a) Yarns for the manufacture of sewing threads, as prescribed by Departmental By-laws	Free
	(b) Condenser yarns and Cocoanada yarns, for the manufacture of towels, as prescribed by Departmental By-laws per lb.	2d.
	or ad val.	15 per cent.
	whichever rate returns the higher duty.	
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 392(A)(2).	
392(A)	(4) Yarns for the manufacture of cordage and twines, as prescribed by Departmental By-laws per lb.	2½d.
	or ad val.	20 per cent.
	whichever rate returns the higher duty.	
	NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 392(A)(4).	

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Continued)

Australian Tariff Item Number	Description of Products	Rate of Duty
392 (continued) (A)(cont'd.)	Yarns (continued). Cotton, etc. (continued).	
	(5) N.E.I. -	
	(a) Counts less than No. 16 count per lb.	2½d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty.	
	(b) No. 16 count and counts exceeding No. 16 count but less than No. 50 count per lb.	2½d.
	and for each additional count exceeding No. 16 count but less than No. 50 count per lb.	0.1d.
	or ad val.	25 per cent.
	whichever rate returns the higher duty. Provided that in the case of folded yarns being combinations containing any of the counts covered by Item 392(A)(5), duty shall be payable at the rate applicable to the resultant count.	
393(C)	Sewing cottons n.e.i.:-	
	(1) In lengths not exceeding 400 yards	..... B/.
	(2) Other	..... B/.
393(D)	Linen Flax Hemp or Ramie Sewing Threads -	
	(1) Having a running length not exceeding 2,400 yards per lb. or made from yarns up to and including 24 lea but not including threads made up in spools or cops containing 2 ounces or less; Blake, Welt and Lockstitch threads	..... B/.
413(A)	Cigar and cigarette tubes holders and cases, tobacco and snuff boxes, n.e.i., and accessories; smoking requisites, including cases, tobacco pouches, smokers' sets, match stands, ash trays, smokers' lamps, cigar stands, and lighters	..... B/.
Ex 419(D)	Elastic Gum Woven Catheters ad val.	10 per cent. (*)

B/. See note at end of Part II.

(*) See note at head of Part II.

SCHEDULE I - COMMONWEALTH OF AUSTRALIA

Part II (Concluded)

Australian Tariff Item Number	Description of Products	Rate of Duty
435	Celluloid Sheets	..... B/.
441	Sheets rods and tubes, wholly or in part of casein, viz.:-	
(A)	As prescribed by Departmental By-laws NOTE: The Government of the Commonwealth of Australia shall be free to make, amend or revoke By-laws relating to products admissible under Item 441(A).	Free
(B)	Other	..... B/.

NOTE: B/. In the case of products provided for under Items in Part II of this Schedule against which the symbol B/. appears in the column headed "Rate of Duty" and no rate of duty is shown in that column, the contractual obligation of the Commonwealth of Australia shall, subject to the general provisions of this Agreement, be deemed in each such case to be only the exemption of such products from primage duty.

GENERAL NOTE: The products described in Part II of Schedule I of this Agreement which are the products of territories entitled under Article I of this Agreement to receive preferential treatment upon importation into the Commonwealth of Australia shall, on their importation into the Commonwealth of Australia and subject to the provisions of Article I of this Agreement, be exempt from primage duty.

Revised Translation by Department of State

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

Sections A and B of this Schedule are authentic only in the French language.
Sections C, D and E of this Schedule are authentic only in the English language.

SECTION A - METROPOLITAN TERRITORIES

PART I

Most-Favoured-Nation Tariff

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
15	Dead game:	
	a. Ground game:	
	ex: wild rabbits and wild hares preserved fresh by any frigorific process (x).....	12 p.c.
19	Fish, fresh (dead or alive) or preserved fresh by a frigorific or other process:	
	a. fresh water fish.....	free
	b. sea fish.....	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge to an amount of 150 p.c. of the average of the total quarterly imports (not including imports coming from the Netherlands into the Belgian-Luxemburg Economic Union and imports coming from the Belgian-Luxemburg Economic Union into the Netherlands) during the years 1936/37/38. On the quantities in excess of these quarterly quotas the Netherlands monopoly duty and the Belgian-Luxemburg charge are not bound.	
20	Fish, simply salted, dried or smoked:	
	a. Herrings (x).....	free
	b. other (x).....	free
21	Crustaceans and molluscs, fresh, whether or not simply cooked or salted:	
	a. Lobsters, spiny lobsters, crabs, cray-fish, shrimps and other crustaceans:	
	1. Lobsters, spiny lobsters, crayfish:	
	A. Lobsters and spiny lobsters intended to be parked (x).....	15 p.c.
	ex B. Lobsters and crayfish (x).....	15 p.c.
	2. not specified (x).....	free
	b. Oysters, mussels, snails and other molluscs:	
	1. Oysters:	
	A. Seed oysters (x).....	free
	B. Flat European, weighing not more than 30 grammes each (x).....	5 p.c.
	C. other (x).....	20 p.c.
	2. not specified (x).....	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
26	Cheese of all kinds:	
	b. soft cheese (x)	15 p.c.
	c. hard or medium hard cheese (x)	15 p.c.
27	Eggs of poultry or of game:	
	b. Eggs shelled; yolks of eggs:	
	1. suitable for alimentary purposes	5 p.c.
	2. intended for industrial purposes	free
	NOTE: The Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound	
31	Guts, bladders and stomachs of animals, fresh, salted or dried; calves' rennet bags, whether or not cut up and dried (x)	free
ex 32	Blood of slaughtered animals, liquid or dried (x)	free
33	Bed feathers and down, whether cleaned or not	free
34	Bird skins and parts of bird skins and birds' feathers, other than bed feathers and down:	
	ex b 1. Ostrich feathers	6 p.c.
35	Bones, horns, horn-cores, antlers, hoofs, claws, birds' beaks, raw, also simply cut up, split or stretched, but not worked; parings and waste of these materials	free
43	Cut flowers and buds for bouquets or for ornaments:	
	a. fresh (x)	20 p.c.
	b. dried, dyed, bleached, impregnated or otherwise prepared (x)	20 p.c.
44	Foliage, leaves, branches, grasses and mosses for bouquets or for ornaments:	
	a. fresh (x)	20 p.c.
	b. dried, dyed, bleached, impregnated or otherwise prepared (x)	20 p.c.
45	Edible mushrooms, including truffles:	
	a. Truffles (x)	10 p.c.
	b. other (x)	20 p.c.
50	Other vegetables and pot-herbs, fresh:	
	ex a. Asparagus, from 1 July to 20 April inclusive (x)	15 p.c.
	ex b. 1. Cauliflowers, from 1 January to 15 April inclusive (x)	10 p.c.
	g. Cucumbers, gherkins, pumpkins, gourds and similar products (x)	20 p.c.
	ex h. 1. Artichokes (x)	12 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

Benelux Tariff Item Number	Description of Products	Rate of Duty
51	Leguminous vegetables, dry, in grains, whether or not shelled or split up:	
	ex b. Lentils	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge if imported for human consumption under control of the Netherlands Monopoly or the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
54	Tropical fruits:	
	ex a. 1. Dates, in packings, weighing 1 kg or less.. (x)	15 p.c.
	NOTE: Aggregate weight of containers and contents.	
	b. Bananas (x)	15 p.c.
	ex c. Dessicated coconuts, Brazil nuts and similar fruits (x)	10 p.c.
	ex d. Pineapples (x).....	25 p.c.
55	Oranges, lemons and similar fruits:	
	a. Oranges and mandarins:	
	2. other:	
	March 1 to October 31, inclusive (x) ...	15 p.c.
	November 1 to the last day of February, inclusive (x).....	20 p.c.
	NOTE: During the period from October 15 to April 15, inclusive, the products described in the Item 55 a 2, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall be subject to a customs duty not less than 50 p.c. of the customs duty, provided for under the Item 55 a 2. During the period from April 16 to October 14, inclusive, the products described in the Item 55 a 2, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
	b. Lemons (x)	15 p.c.
	c. Grapefruit:	
	October 15 to April 15, inclusive (x)	12 p.c.
	April 16 to October 14, inclusive (x)	15 p.c.
	NOTE: During the period from October 15 to April 15, inclusive, the products described in the Item 55 c, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall be subject to a customs duty not less than 50 p.c. of the customs duty, provided for under the Item 55 c.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
	During the period from April 16 to October 14, inclusive, the products described in the Item 55 c, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
56	Figs:	
	b. dried (x)	10 p.c.
57	Grapes:	
	a. fresh (x)	—
	ex b. Raisins (except currants) (x)	15 p.c.
58	Almonds, nuts, chestnuts and similar fruits:	
	b. Hazelnuts (x)	10 p.c.
	c. Walnuts (x)	10 p.c.
	ex e. Pecans (x)	10 p.c.
	ex g. Cashew nuts and pistachio nuts (x)	5 p.c.
59	Apples, pears and quinces, fresh:	
	a. Apples:	
	February 1 to May 31, inclusive (x)	6 p.c.
	NOTE: Customs duty and Netherlands monopoly duty or corresponding Belgian-Luxemburg charge together shall not exceed 20 p.c. during the period from June 1 to January 31, inclusive.	
	ex b. Pears:	
	February 1 to May 31, inclusive (x)	6 p.c.
	NOTE: Customs duty and Netherlands monopoly duty or corresponding Belgian-Luxemburg charge together shall not exceed 20 p.c., during the period from June 1 to January 31, inclusive.	
60	Stone fruits, fresh:	
	ex a. Apricots (x)	15 p.c.
	b. Cherries:	
	1. in brine sulfurwater or other solution for the purpose of preserving them during transport, (x)	15 p.c.
	2. other (x)	20 p.c.
	d. other (x)	20 p.c.
61	Other edible fruit, fresh:	
	a. Strawberries, whortleberries, currants, gooseberries, raspberries and other berries (x)	20 p.c.
	b. Melons (x)	15 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
62	Fruit specified under Items 59 to 61, dried, whether or not cut in pieces or sliced;	
	a. Apples and pears (x)	12 p.c.
	b. Prunes (x)	12 p.c.
	c. other (x)	12 p.c.
63	Coffee:	
	a. not roasted (x)	fr. 300 or f. 18.16 per 100 Kg net (*)
	(*) This concession shall only be applicable until December 31, 1940, inclusive.	
65	Pepper and allspice (pimento), whether ground or not:	
	a. Pepper (x)	15 p.c.
	c. other piments (x)	15 p.c.
66	Vanilla (x)	15 p.c.
67	Other spices:	
	ex a. Cinnamon (x)	15 p.c.
	NOTE: The products provided for under this Item, originating in the Belgian Congo, the territories in Africa, administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
	b. Cloves and clove stems (x)	15 p.c.
	c. Nutmeg and mace:	
	1. Nutmeg (x)	15 p.c.
	2. Mace (x)	15 p.c.
ex 68	Wheat	free
	NOTE 1. Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge f. 4.- or fr. 66.08 respectively per 100 kg net weight plus the average landed cost per 100 kg of wheat of comparable grade and quality, imported during the previous six-week period, minus the actual landed cost per 100 kg of wheat of comparable grade and quality imported during the current six-week period, provided that the selling price per 100 kg of imported wheat shall not be required to be reduced in any six-week period by more than f. 1.- or fr. 16.52 respectively or 10 p.c., whichever is the less, with the understanding that the selling price shall not be greater than the average landed cost of wheat of comparable grade and quality imported in the previous six-week period plus f. 4.- or fr. 66.08 respectively.	
	NOTE 2. Not more than an average of 35 p.c. per annum of domestic wheat or similar domestic products (including potato flour) shall be required to be mixed with imported wheat.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
70	Rice:	
	a. in the straw or unmilled	free
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge f.2.- or fr. 33.04 respectively per 100 kg net.	
	b. milled, including polished	free
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge f. 1.50 or fr. 24.78 respectively per 100 kg net.	
ex 74	Buckwheat	free
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge f. 2.- or fr. 33.04 respectively per 100 kg net.	
75	Flour of cereals:	
	ex a. Wheat flour	3 p.c.
	NOTE 1. A quantity not in excess of 50.000 metric tons per year of wheat flour imported under control of the Netherlands Monopoly into the Netherlands for consumption exclusively in the Netherlands: free of customs duty.	
	NOTE 2. Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge will be the Netherlands monopoly duty or corresponding Belgian-Luxemburg charge for wheat multiplied by the reciprocal of the current extraction ratio.	
	NOTE 3. Not more than an average of 35 p.c. per annum of flour of domestic wheat or similar domestic products (including potato flour) shall be required to be mixed with imported wheat flour.	
83	Oil seeds and oleaginous fruits, whether or not crushed or ground:	
	a. Peanuts (x)	free
	b. Copra (x)	free
	c. Palm nuts (x)	free
	d. Soya beans (x)	free
	ex k. Sesamum seeds and hemp seeds (x)	free
84	Seeds and fruits for sowing:	
	b. Seeds of cloves, lucern, grasses and the like for meadows (x)	free
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge for seeds of grasses: f. 15.- or fr. 247.80 per 100 kg net respectively. The other products provided for under this Item will be free from Netherlands monopoly duty and corresponding Belgian-Luxemburg charge.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
88	Plants, parts of plants, seeds and fruits used for perfumery or in medicine, not elsewhere specified or included:	
	ex b. used in medicine: timbo; pyrethrus powder, pure, not put up for retail sale; stick liquorice; boldo leaves (x)	free
89	Plants, parts of plants, seeds and fruits used for human consumption or for fodder, not elsewhere specified or included:	
	ex a. Seeds of anise, badian, fennel, coriander and cumin (x)	free
	d. Mate (x)	fr.826 or f.50.- per 100 kg net
	e. Apricot and peach stones:	
	1. Apricot stones, entire(x)	5 p.c.
	2. others (x)	10 p.c.
	ex f. Peels and other utilizable waste of apples; seaweed meal (x)	free
92	Plants and parts of plants, fruits, pods, berries, nuts and seeds for dyeing or tanning whether ground or not:	
	ex b. Wattle bark	free
93	Gums, gum resins, resins and natural balsams	free
94	Vegetable saps and extracts not elsewhere specified:	
	a. Licorice juice, including glycyrrhiza (x)	6 p.c.
	c. Camphor, including synthetic camphor (x)	free
	d. 2. Pectin (x)	10 p.c.
97	Vegetable materials for stuffing and padding (kapok, vegetable hair, sea-wrack (crin marin) and the like, whether twisted together or not	free
98	Vegetable material for brooms and brushes, whether twisted or bound together or not, raw, bleached or stained (sorgho, piassava, couchgrass and the like:	
	ex: Piassava, crude	free
99	Other raw products of vegetable origin, not elsewhere specified or included:	
	ex: Raphia (x)	free
100	Lard	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
ex 101	Crude tallows, including melted tallows	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
102	Oleomargarine, oleo stearin:	
	a. Oleomargarine	free
	b. Oleo stearin	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
103	Fats and oils, refined or unrefined, from fish and marine animals:	
	ex: Fishliver oil and whale oil, raw	free
	NOTE: The products provided for under this Item will be free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes, or if imported in the form of pure medicinal oil, under control of the Netherlands Monopoly or the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
104	Wool grease; fat from bones, offal and the like; oils of animal origin, not elsewhere specified or included:	
	ex: Neatsfoot oil (x)	free
105	Fixed oils, liquid or solid, of vegetable origin, crude, purified or refined:	
	b. China wood ("tung oil"):	
	1. crude	5 p.c.
	2. other	10 p.c.
	d. Cottonseed:	
	1. crude	5 p.c.
	2. other	10 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of duty
105 (continued)	e. peanut:	
	1. crude	5 p.c.
	2. other	10 p.c.
	g. Olive:	
	1. crude	5 p.c.
	2. other	10 p.c.
	h. Castor:	
	1. crude	5 p.c.
	2. other	10 p.c.
	i. Palm:	
	1. crude	free
	2. other	10 p.c.
	k. Palmkernel and coconut (copra):	
	1. crude	5 p.c.
	2. other	10 p.c.
	ex 1. Illipe, karite, makore, tulucina, babassu and oiticica:	
	1. crude	5 p.c.
	2. not specified	10 p.c.
	NOTE: The products provided for under Item number 105 are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
109	Fatty acids:	
	a. fluid at 20° centigrades such as oleic acid (olein) etc.	5 p.c.
	b. other, such as stearic acid (stearin) etc.	5 p.c.
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
111	Hydrogenated fats and oils	10 p.c.
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	

SCHEDULE II - BELGIAN - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
114	Waxes of animal and vegetable origin; artificial waxes:	
	ex a. Beeswax:	
	1. bleached or coloured	5 p.c.
	2. other	free
	ex b. carnaubawax and ouricouriwax:	
	1. bleached or coloured	5 p.c.
	2. other	free
115	Solid residues from the preparation of fatty substances:	
	ex: Grease stearin	free
	NOTE: The products provided for under this Item are free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge, if imported for processing purposes under control of the Netherlands Monopoly or of the corresponding Belgian-Luxemburg Organisation. If otherwise imported the Netherlands monopoly duty and the corresponding Belgian-Luxemburg charge are not bound.	
117	Other preparations and preserves of meat:	
	ex a. Liverpâtés of goose or/and duck, whether or not mixed together (x)	25 p.c.
118	Meat extracts, solid or liquid, whether or not flavoured with vegetable substances:	
	a. packaged or in form of tablets (x)	25 p.c.
120	Fish, prepared or preserved, not included under Item 20:	
	a. in tins, jars or hermetically-sealed containers:	
	1. Sardines (x)	20 p.c.
	2. Pilchards (x)	20 p.c.
	3. other (x)	20 p.c.
121	Crustaceans and molluscs, prepared or preserved, not included under Item 21 (x)	25 p.c.
123	Other sugars (glucose, maltose, lactose and the like):	
	ex b. Lactose (x)	fr. 250 or f. 15.13 per 100 kg net

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
125	Confectionery:	
	a. Liquorice juice and pastilles, sweetened with sugar, whether flavoured or not (x)	18 p.c.
	b. Marzipan, nougat and the like (x)	18 p.c.
	c. Sugar bonbons, dragees, pastilles, caramels and other (x)	18 p.c.
	NOTE: The complementary duty for added sugars is not bound.	
127	Cocoa in beans, whole or broken:	
	a. raw (x)	10 p.c.
128	Cocoa shells, husks and skins:	
	a. not ground (x)	free
129	Cocoa paste (x)	10 p.c.
	NOTE: The complementary duty for added sugars is not bound.	
130	Cocoa butter (x)	10 p.c.
132	Chocolate and articles made of chocolate:	
	a. in rods, pastilles, pralines, bonbons and the like, weighing less than 50 grams a piece (x) ...	18 p.c.
	b. others (x)	18 p.c.
	NOTE: The complementary duty for added sugars is not bound.	
134	Alimentary pastes	15 p.c.
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge will be the Netherlands monopoly duty or corresponding Belgian-Luxemburg charge for wheat or other cereals, multiplied by the reciprocal of the extracting ratio of the flour content of the products, provided for under this Item.	
136	Bakers' fancy wares, pastry and biscuits, whether or not containing cocoa or chocolate	18 p.c.
	NOTE 1. Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge will be the Netherlands monopoly duty or corresponding Belgian-Luxemburg charge for wheat or other cereals multiplied by the reciprocal of the extraction ratio of the flour content of the products provided for under this Item.	
	NOTE 2. The complementary duty for added sugars is not bound.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
ex 137	Preserved truffles (x)	20 p.c.
139	Other preserved vegetables, pot-herbs and parts of plants:	
	a. in hermetically-sealed containers:	
	ex 1. Asparagus and green peas (x)	25 p.c.
	2. not specified (x)	20 p.c.
	b. other (x)	20 p.c.
	NOTE: The complementary duty for added sugars is not bound.	
140	Preserved fruit, whole, in quarters or in pieces, with or without added sugar:	
	b. preserved by some other means:	
	1. packaged (x)	30 p.c.
	2. not specified (x)	15 p.c.
	NOTE: Products provided for under this Item are, if containing 10 p.c. or more added sugars, subject to an additional duty, which shall not exceed the following rates:	
	if added sugar content is 10 p.c. or more, but not more than 30 p.c.: 30 p.c. of the rate of duty, applicable at the time of their importation, to refined sugar;	
	if added sugar content is more than 30 p.c. but not more than 50 p.c.: 50 p.c. of the rate of duty, applicable at the time of their importation, to refined sugar;	
	if added sugar content is more than 50 p.c.: 100 p.c. of the rate of duty, applicable at the time of their importation to refined sugar.	
141	Fruits, fruit-peel, plants or parts of plants, preserved in sugar (candied) (x)	20 p.c.
	NOTE: The complementary duty for added sugars is not bound.	
142	Jams, fruit jellies, marmalades, fruit pulps and pastes:	
	a. without added sugar, including fruit pulps simply cooked, unsweetened:	
	ex: Fruit pulps and pastes (x)	10 p.c.
	b. other (x)	20 p.c.
	NOTE: The complementary duty for added sugar is not bound.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
143	Liquid or concentrated fruit juices, without added sugar: a. without alcohol (x) ..... NOTE: The products provided for under this Item, if packaged (in containers of 1200 grammes or less, net contents) shall be free from wine excise tax in the Netherlands.	 18 p.c.

144	Liquid fruit juices, with added sugar, and syrups for beverages, without alcohol (x) .....
	NOTE: Products provided for under this Item are, if containing 10 p.c. or more added sugars, subject to an additional duty, which shall not exceed the following rates:
	if added sugar content is 10 p.c. or more, but not more than 30 p.c.:
	30 p.c. of the rate of duty, applicable at the time of their importation, to refined sugar;
	if added sugar content is more than 30 p.c., but not more than 50 p.c.:
	50 p.c. of the rate of duty, applicable at the time of their importation, to refined sugar;
	if added sugar content is more than 50 p.c.:
	100 p.c. of the rate of duty, applicable at the time of their importation, to refined sugar.
		18 p.c.

146	Extracts, essences and preparations with a base of coffee: b. without added ethylalcohol (x) ..... NOTE: The complementary duty for added sugars is not bound.	 20 p.c.
ex 147	Prepared mustard (x)	10 p.c.
148	Preparations for soups and broths with a basis of vegetable substances; sauces and similar condiments: b. Sauces and similar condiments: 1. packaged ..... 2. others ..... NOTE 1. Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge will be the Netherlands monopoly duty or corresponding Belgian-Luxemburg charge for wheat or other cereals multiplied by the reciprocal of the extraction ratio of the flour content of the products provided for under this Item. NOTE 2. The complementary duty for added sugars is not bound.	 25 p.c. 8 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
150	Alimentary preparations, not elsewhere specified or included:	
	ex b. blended flavoring concentrates (in liquid or dry form) for the preparation of non-alcoholic beverages (x)	10 p.c.
151	Waters and ice:	
	ex a. mineral waters, natural or artificial	12 p.c.
153	Wine and grape must:	
	a. in containers, containing more than 2 liters (x).	fr. 600 or f. 36.32 per hl. 1)
	NOTE 1). Type wines, registering more than 12° on the Gay-Lussac alcoholometer at a temperature of 15° centigrades are subject to a supplementary duty of fr. 11.60 or f. 0.70 the hectoliter for each tenth of a degree of alcohol in excess of 12°	
	b. other(x).....	fr. 1652 or f. 100.- per hl
	NOTE: 1. "Wine" is understood to be the product of the alcoholic fermentation of the juice or the must of fresh grapes. Wines, which by absence of colour resemble rectified alcohol are classified as liqueurs of Item 159.	
	NOTE 2. Wines registering more than 21° on the Gay-Lussac alcoholometer at a temperature of 15° centigrades are classified as liqueurs of Item 159.	
154	Sparkling wine (x)	fr. 4200 or f. 254.24 per hl.
155	Wine prepared with aromatic plants (Vermouth and the like):	
	a. in containers containing more than 2 liters(x) ..	fr. 2000 or f. 121.07 per hl
	b. other (x)	fr. 2500 or f. 151.33 per hl.
162	Meat-meal and fish-meal (x)	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
165	Oil cake and other residues from the extraction of vegetable oils	free
	NOTE: Maximum rate of Netherlands monopoly duty or corresponding Belgian-Luxemburg charge respectively f. 2.- or fr. 33.04 per 100 kg net.	
171	Tobacco, raw or unmanufactured, and waste thereof:	
	a. Leaf tobacco, unstemmed	
	NOTE 1. The products provided for under this Item, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
	NOTE 2. There shall be the same import duty on all types of imported leaf tobacco (unstemmed)	
172	Manufactured tobacco (smoking tobacco, chewing tobacco and snuff; cigars and cigarettes; tobacco extract or sauce; tobacco dust mixed with other substances and intended for use in agriculture or horticulture):	
	a. smoking tobacco	35 p.c.
	b. chewing tobacco	35 p.c.
	c. Cigarettes	45 p.c.
173	Rock salt, common salt, sea salt (sodium chloride), including mother-lye; sea water:	
	b. others	free
	NOTE: This Item includes salt which, although suitable for human consumption, is first to be refined in a saltern or refinery.	
174	Sulphur:	
	a. crude	free
178	Chalk and colouring earths, unworked	free
179	Graphite, unworked, washed or ground, including artificial graphite:	
	a. packed or in tablet form	15 p.c.
	b. other	free
184	Granite, porphyry, syenite and similar hard stones, whether or not sawn in blocks or slabs, unworked or simply rough hewn:	
	a. Granite	free
	b. Porphyry	free
	c. others	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
185	Other carving or building stones, whether or not sawn in blocks or slabs, unworked or simply rough hewn:	
	a. Petit granite	free
	b. Limestone	free
	d. Sandstone	free
	e. Lithographic stones	free
	f. others	free
194	Mineral substances not elsewhere specified or included:	
	b. Asbestos, crude, washed or ground	free
	c. Mica, crude, in sheets, plates or rough discs;	
	ground mica	free
	d. Talc, steatite, whether ground or not	free
	e. Infusorial earth, whether ground or not	free
195	Ores:	
	e. of lead	free
	f. of zinc	free
	ex h. of molybdenum and manganese	free
204	Tars distilled from coal, lignite, peat, schist, etc.:	
	a. non-paraffinic tars (coal-tars obtained at high temperature)	free
206	Petroleum oils, oils obtained from the distillation of paraffinic tars, lignite, peat, schist, etc.:	
	b. 1. light petroleum oils	
	NOTE: The products provided for under the Item 206 b 1, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
	b. 2. medium petroleum oils	
	NOTE: The products provided for under the Item 206 b 2, originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
	ex b. 3. other petroleum oils, except lubricating oils	
	NOTE: The products provided for under the Item 206 b 3 (ex), originating in the Belgian Congo, the territories in Africa administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
206 (continued)	ex b. 3. Lubricating oils	free (*)
	(*) Subject to the right to assess a duty, which shall not exceed fr. 30.- or f. 1.82 per hl.	
	NOTE: The products, provided for under the Item 206 b 3 (ex), originating in the Belgian Congo, the territories in Africa, administered by Belgium and the Netherlands Overseas Territories shall receive no tariff preference.	
207	Petrolatum	free
208	Paraffin	free
ex 213	Iodine	free
ex 222	Acetic anhydride	free
224	Sodium hydroxide (caustic soda)	8 p.c.
229	Aluminium oxide and hydroxide:	
	a. fused alumina (artificial corundum)	free
234	Salts of carbonic acid:	
	a. Sodium carbonate:	
	1. Crystallised	2 p.c.
	2. Dehydrated	2 p.c.
	b. Potassium carbonate:	
	1. Purified or refined	3 p.c.
	2. other	free
	c. Sodium bicarbonate	2 p.c.
	d. Potassium bicarbonate	3 p.c.
	e. Ammonium carbonate and bicarbonate:	
	1. Ammonium carbonate	free
	2. Ammonium bicarbonate	free
	f. Magnesium carbonate	free
	g. Calcium carbonate	free
	h. Barium carbonate	free
	i. Bismuth carbonate	free
	k. others	free
236	Salts of nitrous and nitric acids:	
	e. others:	
	3. Sodium nitrate with a nitrogen content of at least 16 p.c.	free
251	Salts of manganic acids (manganites, manganates and permanganates):	
	ex: Potassium manganate and potassium permanganate .	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
261	Salts and other compounds of precious metals, including colloidal preparations of these metals:	
	ex a. Silver nitrate	free
265	Carbides:	
	b. Silicon carbide	free
	ex c. Boron carbide	free
271	Aliphatic ketones:	
	a. Acetone	6 p.c.
277	Derivatives of cellulose and artificial plastic materials made from cellulose derivatives, not elsewhere specified or included ("Celluloid", cellulose acetate, viscose, etc.):	
	c. Waste	free
284	Spirits (oil) of turpentine	free
285	Gum and wood rosins and coumarone resin	free
288	Alkaloids and their derivatives, together with their salts; glucosides:	
	ex c. Emetine and its salts	free
289	Opotherapic products:	
	a. Rennet (x)	10 p.c.
	b. Pepsin, pancreatin (x)	10 p.c.
	c. others (x)	10 p.c.
291	Sera, vaccines and bacterial preparations	10 p.c.
292	Prepared medicaments, preparations in doses and other pharmaceutical preparations:	
	a. with alcohol	12 p.c. (1)(2)
	b. without alcohol	12 p.c. (1)
	NOTE 1. For imported articles put up for retail sale, duty is calculated on the retail price.	
	NOTE 2. This duty must not be less than that, which would be payable were the articles classified under the Item 159 bis.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
294	Motion picture films:	
	a. sensitized but not exposed.....	12 p.c.
	b. exposed, but not developed:	
	1. negatives.....	fr.33.04 or f.2.- per 100 lineal meters
	2. positives.....	fr.1.65 or f.0.10 per lineal meter
	c. developed, silent:	
	1. negatives including "lavande" positives.....	fr.33.04 or f.2.- per 100 lineal meters
	2. positives.....	fr.1.65 or f.0.10 per lineal meter
	d. developed, with sound:	
	1. negatives including "lavande" positives.....	fr.33.04 or f.2.- per 100 lineal meters
	2. positives.....	fr.1.65 or f.0.10 per lineal meter
295	Films and plates for photography, sensitized:	
	a. of "Celluloid" and similar materials.....	24 p.c.
296	Papers and cards for photography:	
	b. sensitized with silver or platinum salts.....	24 p.c.
	c. sensitized with iron and other salts.....	24 p.c.
298	Tanning extracts of vegetable origin:	
	ex: derived from acacia and eucalyptus	free
303	Lamp blacks and other mineral and vegetable blacks, not prepared:	
	a. Lamp blacks.....	free
	b. other mineral and vegetable blacks.....	free
305	Earth colours (ochres and the like), ground, washed or calcined:	
	a. pure, whether or not mixed with one another.....	free
308	Prepared colours of all kinds:	
	a. Printing ink and similar inks:	
	ex 1. black, without alcohol.....	12 p.c.
	ex 2. coloured without alcohol.....	12 p.c.
	b. Inking ribbons, impregnated with ink or a colouring matter for typewriting, calculating and similar machines.....	15 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
ex 309	Colours of all kinds, made up for retail sale (in cakes, pastilles, tubes, pans, small bottles, sachets, etc.), without alcohol.....	15 p.c.
310	Solid or liquid driers (borates, oleates, resinates, naphtenates or of manganese, lead, cobalt, etc.).....	12 p.c.
311	Varnishes, with or without added pigments or dyes of all kinds, concentrated or not:	
	a. Oil varnishes.....	12 p.c.
	b. Spirit varnishes.....	12 p.c.
	c. Cellulose varnishes.....	12 p.c.
312	Mastics; sealing wax and bottling wax:	
	a. Mastics.....	4 p.c.
ex 313	Writing ink, whether liquid or in powder, without alcohol.....	15 p.c.
314	Pencils, leads, pastel crayons and chalks for writing and drawing:	
	a. Pencils.....	12 p.c.
	b. Leads, pastel crayons and sticks of charcoal:	
	2. other.....	15 p.c.
315	Essential or volatile vegetable oils (other than turpentine), also terpeneless oils, and their terpenes.....	8 p.c.
	NOTE: Citronella oil and cinnamon oil, originating from the Belgian Congo, the territories in Africa administered by Belgium or the Netherlands overseas territories shall be subject to a customs duty not less than 50 p.c. of the customs duty, provided for under this Item.	
316	Artificial odoriferous substances (synthetic perfumes) and definite constituents separated from the natural essential oils:	
	a. Menthol.....	8 p.c.
	b. others.....	12 p.c.
317	Mixtures of essential oils, of their separate constituents, of artificial odoriferous substances, for perfumery, confectionery, the manufacture of beverages etc.:	
	b. Without ethyl alcohol.....	12 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
319	Perfumery and cosmetic articles:	
	a. with alcohol	24 p.c. (*)
	NOTE (*) Provided this duty is not less than in the case of application of tariff Item number 159bis	
	b. without alcohol	24 p.c.
320	Soaps:	
	a. soft soaps (black soaps, green soaps and the like) and resin soaps:	
	2. other	12 p.c.
	b. ordinary soaps in blocks, slabs or bars	15 p.c.
	c. Soaps in powder, flakes, granules, etc. and in liquid form, perfumed or not	24 p.c.
	d. other (toilet, medicinal and similar soaps):	
	1. Toilet soaps	20 p.c.
	2. other	24 p.c.
321	Preparations for washing clothes, even if not containing soap:	
	ex: soapless detergents	15 p.c.
324	Waxes, encaustics, creams, pastes and similar preparations, whether liquid or not, for cleansing, polishing and preserving leather, footwear, metal wares, furniture, floors, etc.	15 p.c.
326	Casein (x)	free
329	Glues of animal origin:	
	a. Fish glues	10 p.c.
	b. Glues from bones, hides, sinews and similar substances	10 p.c.
	ex c. others, except urea glue	10 p.c.
330	Pastes for graphic reproduction and similar gelatine base preparations	10 p.c.
342	Fertilizers of animal or vegetable origin, not chemically prepared	free
343	Nitrogenous mineral or chemical fertilizers:	
	a. Sodium nitrate, calciumnitrate, ammoniumnitrate:	
	1. Sodium nitrate with nitrogen content of less than 16 per cent (x)	free
344	Phosphated mineral or chemical fertilizers:	
	a. Natural phosphates, ground or not	free
	b. Dephosphorization slag	free
	c. Superphosphates	free
	d. Precipitated phosphate (dicalcic phosphate) and other	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
345	Potash fertilizers:	
	a. crude potash salts (carnallite, kainite, sylvinite, Hartsalz etc.)	free
	b. Potassium chloride	free
	c. Potassium sulphate	free
	d. other	free
346	Mineral or chemical fertilizers consisting of at least two of the fertilizing elements: nitrogen, phosphoric acid and potash; mixtures of mineral or chemical fertilizers with fertilizers of animal or vegetable origin:	
	a. Potassium nitrate not refined (x)	free
	b. Ammonium phosphate (x)	free
	c. Potassium phosphate (x)	free
	d. Compounds with a base of ammonium nitrate or ammonium chloride (x)	free
	e. other (x)	free
347	Fertilizers not elsewhere specified or included	free
348	Raw hides or skins (fresh, salted, dried, limed pickled, etc.)	free
349	Hide leather for soles and transmission belts:	
	a. whole and half hides or skins:	
	1. vegetable- tanned	6 p.c. (*)
	2. mineral-tanned	6 p.c. (*)
	b. Butts and bends:	
	1. vegetable-tanned	6 p.c. (*)
	2. mineral-tanned	6 p.c. (*)
	c. other (shoulders, bellies, necks, etc.):	
	1. vegetable-tanned	6 p.c. (*)
	2. mineral-tanned	5 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 12 p.c.	
350	Hides of large animals, such as ox, cow and horse hides, and other similar leathers, except those, included in item 349:	
	a. simply tanned, uncurried	6 p.c. (*)
	b. other:	
	1. vegetable-tanned	6 p.c. (*)
	2. mineral-tanned	6 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 12 per cent	
351	Calf skins:	
	a. simply tanned, uncurried	6 p.c. (*)
	b. other:	
	1. vegetable-tanned	6 p.c. (*)
	2. mineral-tanned	6 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 12 p.c.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
352	Sheep and goat skins:	
	a. simply tanned, uncurried	3 p.c. (*)
	b. other:	
	1. Sheepkins:	
	A. vegetable-tanned	6 p.c. (*)
	B. mineral-tanned	6 p.c. (*)
	2. Goatskins:	
	A. vegetable-tanned	6 p.c. (*)
	B. mineral-tanned	6 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 12 per cent	
353	Varnished (patent), gilt, silvered, bronzed leather (hides or skins)	10 p.c.
354	Tawed or chamois-dressed hides or skins:	
	b. chamois-dressed (oil-dressed):	
	1. neither rolled nor cut	10 p.c.
	2. others	15 p.c.
355	Skins not particularly specified:	
	a. Parchment-dressed skins	6 p.c.
	b. Pigskins	6 p.c.
	c. Snake-skins, lizard-skins and fish-skins	6 p.c.
	d. other	6 p.c.
360	Morocco wares, case-makers' wares and travelling requisites, of leather:	
	a. Morocco wares, case-makers' wares	20 p.c.
	b. Travelling requisites	20 p.c.
361	Leather clothing	20 p.c.
362	Leather gloves:	
	a. all leather	18 p.c.
	b. other	18 p.c.
363	Technical articles of leather or skin:	
	b. Accessories and parts of machines and other technical articles	6 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 12 per cent	
364	Manufactures of leather, hides or skins, not elsewhere specified or included:	
	a. simply cut or stamped out	12 p.c.
	ex b. Leather for hats	15 p.c.
366	Fur skins, raw	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
367	Fur skins, dressed	6 p.c.
368	Fur skins, made up	24 p.c.
369	Rubber, gutta-percha, balata and substitutes therefor, raw:	
	a. natural and synthetic rubber, gutta-percha and balata, whether purified or not	free
371	Pastes, plates and sheets of non-vulcanised rubber; rubber-solution:	
	a. Pastes, plates and sheets	6 p.c.
373	Pipes and tubes, of non-hardened rubber:	
	a. combined with textile materials or metals	12 p.c.
	b. others	12 p.c.
374	Articles of non-hardened rubber for technical use:	
	a. drive and conveyor belts	10 p.c.
	ex b. Blocks and washers for shock absorption, brake blocks and the like	8 p.c.
376	Manufactures of non-hardened rubber produced by immersion or by cementing sheets together:	
	a. produced by immersion	20 p.c.
	b. others	20 p.c.
377	Other manufactures of non-hardened rubber:	
	c. Articles of sponge rubber	20 p.c.
378	Hardened rubber in lumps, slabs, plates, sheets, rods or tubes:	
	a. raw, not worked	6 p.c.
	b. polished or otherwise surface-worked	10 p.c.
379	Articles made of hardened rubber:	
	ex: Screw stoppers and other stoppers	12 p.c.
381	Charcoal, including charcoal powdered or in briquettes	5 p.c.
382	Wood in the round, rough, whether or not stripped of the bark, or rough hewn:	
	a. Conifers:	
	2. for the manufacture of paper pulp	free
	3. not specified	free
	b. other:	
	2. for the manufacture of paper pulp	free
	3. not specified	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
383	Wood, squared with the axe or by sawing, not elsewhere specified or included:	
	ex a. Douglas fir, pitchpine(including Southern pine), ponderosa pine, white pine, and redwood.....	free
	ex b. Ash, cypress, gum, hickory, oak, poplar, jarrah, teak, pyinkado, ingyin and eng.....	free
384	Wood, merely sawn longitudinally, not elsewhere specified or included:	
	ex a. of Douglas fir, pitchpine(including Southern pine), ponderosa pine, white pine and redwood:	
	1. having at any point a thickness exceeding 76.2 mm. or a width exceeding 279.4 mm., or a length exceeding 7.01 meters.....	10 p.c.
	2. not specified.....	3 p.c.
	ex b. of ash, cypress, gum, hickory, oak, poplar, jarrah, teak, pyinkado, ingyin and eng.....	3 p.c.
385	Railway and tramway sleepers.....	3 p.c.
389	Wood split small; pegs, whether in strips or not, for boots and shoes; wood wool (straw); wood flour:	
	ex b. Wood split small and wood wool.....	6 p.c.
ex 390	Wood, planed, grooved or tongued.....	10 p.c.
391	Blocks and panels for parquet flooring:	
	ex a. Blocks and sheets not put together of teak, pyinkado, ingyin, eng and Parana pine (Araucaria Brasiliensis)	10 p.c.
	ex b. Blocks and sheets put together, whether or not veneered with marquetry work etc., of teak, pyinkado, ingyin, eng and Parana pine (Araucaria Brasiliensis)	18 p.c.
392	Veneering sheets	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
393	Plywood and blockboard:	
	ex a. Sheets having both faces of coniferous wood.....	6 p.c.
	ex b. other, if having one face of teak, cedar, gum, mahogany, oak, walnut, or substances other than wood.....	10 p.c.
394	Beadings for furniture, frames, interior decoration and the like:	
	b. covered with plaster or paste, moulded or not in relief or intaglio, but not finished.....	18 p.c.
	c. veneered, polished, painted, varnished, bronzed, silvered, gilt, etc.....	18 p.c.
396	Wooden packing-cases or crates, whether in shooks or not:	
	a. Shooks cut to specified dimensions.....	8 p.c.
	b. assembled parts of cases or crates and cases or crates put together, with or without metal accessories or lining.....	12 p.c.
397	Casks, tubs, buckets and other coopers' wares and finished parts thereof, with or without metal hoops, accessories or linings:	
	a. of soft wood:	
	1. Staves and heads or bottoms.....	6 p.c.
	b. others:	
	1. Staves and heads or bottoms.....	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
400	Household articles and tools of wood:	
	a. Household articles	18 p.c.
	b. Tools, tool handles and boot or shoe lasts	18 p.c.
402	Furniture and parts of furniture of bent wood :	
	b. other	18 p.c.
404	Small articles of cabinet-work (boxes, caskets, cases, jewel-boxes, etc.), articles of domestic ornament and fancy or decoration articles of wood, not elsewhere specified or included	24 p.c.
412	Other wares of vegetable plaiting material, not elsewhere specified or included, whether or not combined with other materials:	
	b. China mats and similar mats, carpets and other fabrics	18 p.c.
416	Paper pulp:	
	b. Pulp from wood, straw, alfa or similar fibres:	
	1. mechanical, including brown pulp and similar pulps	free
	2. chemical (cellulose)	free
420	Paper in rolls or sheets, not made up or worked, weighing up to 30 grammes per square meter:	
	a. Cigarette paper	10 p.c.
425	Special card-board and paper, in rolls, sheets or plates:	
	a. vulcanized	6 p.c.
	NOTE: Item 425 a also includes card-board and paper, vulcanized, in rods or tubes.	
	b. covered or impregnated with synthetic resins or similar materials	6 p.c.
428	Envelopes of all sizes; notepaper, correspondence cards with their envelopes, in boxes, packets, etc., of card-board or paper	20 p.c.
430	Travel articles and cases, boxes of paper or card-board, whether vulcanized or not, not elsewhere specified or included:	
	a. Travel articles (trunks, suit-cases, bags, attache-cases, etc.)	20 p.c.
	b. Cases (for jewellery, spectacles, etc.)	20 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
436	Booksellers' wares not elsewhere specified or included:	
	a. Printed books, illustrated or not	free
	b. Newspapers and periodicals, illustrated or not...	free
	c. Geographical, nautical and astronomical charts and cartographic works	free
	d. Music, printed or engraved	free
437	Illustrated postcards	18 p.c.
441	Silkworm cocoons	free
442	Floss silk, floss silk waste, noils and silk waste...	free
443	Silk thread:	
	a. raw silk in skeins (not thrown)	free
	b. thrown silk, not prepared for retail sale:	
	1. unbleached (not scoured)	4 p.c.
	2. scoured, bleached, dyed, printed or clouded...	4 p.c.
446	Threads of silk, floss silk or of floss silk waste, pure or mixed, put up for retail sale:	
	a. of silk	15 p.c.
	b. of floss silk or of floss silk waste	15 p.c.
447	Ribbons (A.I.):	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
448	Velvets and plushes (A.I)	18 p.c.
449	Crepes (A.I.)	15 p.c.
450	Other fabrics not elsewhere specified (A.I.)	15 p.c.
451	Ribbons (A.II) :	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
452	Velvets and plushes (A.II)	18 p.c.
453	Crêpes (A.II)	18 p.c.
454	Other fabrics not elsewhere specified (A.II)	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
455	Tulles and net fabrics (A.III)	15 p.c.
456	Lace (A.III)	18 p.c.
457	Trimmings (A.III)	18 p.c.
458	Embroidery (A.III):	
	a. chemical (aérienne) embroidery and embroidery without visible ground	18 p.c.
	b. other	18 p.c.
460	Bolting cloth (A.III)	6 p.c.
461	Fabrics of floss silk waste (A.III)	18 p.c.
469	Ribbons (B.I):	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
470	Velvets and plushes (B.I)	18 p.c.
471	Crêpes (B.I)	18 p.c.
472	Other fabrics not elsewhere specified (B.I)	18 p.c.
473	Ribbons (B.II):	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
474	Velvets and plushes (B.II)	18 p.c.
475	Crêpes (B.II)	18 p.c.
476	Other fabrics not elsewhere specified (B.II)	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
477	Ribbons (B.III):	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
478	Velvet and plush (B.III)	18 p.c.
479	Crêpes (B.III)	18 p.c.
480	Other fabrics not elsewhere specified (B.III)	18 p.c.
481	Ribbons (B.IV):	
	a. of velvet or plush	18 p.c.
	b. other	18 p.c.
482	Velvet and plushes (B.IV)	18 p.c.
483	Crêpes (B.IV)	18 p.c.
484	Other fabrics not elsewhere specified (B.IV)	18 p.c.
485	Tulles and net fabrics (B.V)	15 p.c.
486	Lace (B.V)	18 p.c.
487	Trimmings (B.V)	18 p.c.
488	Embroideries (B.V):	
	a. chemical (aérienne) embroidery and embroidery without visible ground	18 p.c.
	b. other	18 p.c.
490	Bolting cloth (B.V)	6 p.c.
492	Fabrics, ribbons, trimmings and other articles of metal thread or yarn, for garments, furnishings and similar uses:	
	a. Ribbons and trimmings	18 p.c.
	b. Fabrics and other articles	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
493	Wool in the mass:	
	ex a. in the yolk	free
	ex b. scoured, undyed	free
495	Animal hair not elsewhere specified, unworked, washed bleached or dyed, but not curled:	
	b. Hair of hare, rabbit (other than the Angora rabbit), beaver and other like	free
	c. Coarse hair of bovine and equine animals (excluding "horsehair" or "crin"), also those of the common goat, and other similar coarse hair	free
ex 500	Wool, carded or combed	2 p.c.
501	Woollen thread and yarn, carded:	
	a. single:	
	1. unbleached	4 p.c.
	2. bleached, dyed or printed	4 p.c.
	b. twisted:	
	1. unbleached	4 p.c.
	2. bleached, dyed or printed	4 p.c.
502	Woollen thread and yarn, combed:	
	a. single:	
	1. unbleached	4 p.c.
	2. bleached, dyed or printed	4 p.c.
	b. twisted:	
	1. unbleached	4 p.c.
	2. bleached, dyed or printed	4 p.c.
504	Thread and yarn of wool or fine hair, mixed	4 p.c.
ex 506	Thread and yarn of wool, put up for retail sale	10 p.c.
507	Woollen fabrics, not elsewhere specified:	
	a. of pure wool	18 p.c.
	b. of mixed wool	18 p.c.
509	Blankets (or coverings):	
	a. of pure wool	24 p.c.
	b. of mixed wool	24 p.c.
	c. of coarse hair	20 p.c.
510	Wool velvet and plushes	18 p.c.
ex 511	Carpets and table cloths :	
	a. of wool	24 p.c.
	b. of coarse hair	24 p.c.
512	Woollen ribbons	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
513	Woollen trimmings	18 p.c.
514	Woollen lace, tulles and net fabrics	18 p.c.
515	Woollen embroideries:	
	a. chemical (aérienne) embroidery and embroidery without visible ground	18 p.c.
	b. other	18 p.c.
516	Fabrics and other articles of horsehair pure or mixed, not elsewhere specified:	
	a. Fabrics	18 p.c.
	b. other articles	18 p.c.
517	Fabrics and other articles of coarse hair, not elsewhere specified	18 p.c.
518	Raw cotton:	
	a. Linters	free
	b. other	free
ex 519	Waste of cotton, raw	free
ex 520	Cotton waste, bleached or dyed	free
521	Cotton, carded or combed	free
526	Cotton thread or yarn put up for retail sale:	
	a. unglazed, put up in skeins or balls without a support or with a support other than bobbins, tubes, spools and the like	10 p.c.
	b. other	15 p.c.
527	Cotton fabrics, not figured	
	a. unbleached	14 p.c. (*)
	(*): Subject to the right to increase the duty to a maximum of 18 p.c.	
	b. bleached	18 p.c.
	c. dyed	18 p.c.
	d. printed	18 p.c.
	e. woven, with threads of different colours	18 p.c.
	f. mercerised	18 p.c.
	g. glazed, moiré or goffered	18 p.c.
528	Cotton fabrics, figured:	
	a. broche	18 p.c.
	b. otherwise figured:	
	1. unbleached	14 p.c. (*)
	(*): Subject to the right to increase the duty to a maximum of 18 p.c.	
	2. not specified	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
532	Cotton blankets	24 p.c.
533	Cotton velvets and plushes, looped pile "terry" cloths, of cotton:	
	a. Velvets and plushes:	
	2. other	18 p.c.
	b. looped pile "terry" cloths	18 p.c.
534	Cotton carpets, table cloths and tapestries:	
	a. Carpets and table cloths	24 p.c.
	b. Tapestries	30 p.c.
535	Cotton ribbons:	
	a. of velvet or plush	18 p.c.
	b. other:	
	1. sized thread	18 p.c.
	2. woven plain	18 p.c.
	3. woven figured	18 p.c.
536	Cotton trimmings	18 p.c.
537	Cotton tulles and net fabrics, plain:	
	a. unbleached, not dressed	14 p.c.
	b. dressed, bleached, dyed or other	18 p.c.
538	Cotton tulles and net fabrics, figured:	
	a. Bobbinet-tulle:	
	1. unbleached, not dressed	18 p.c.
	2. dressed, bleached, dyed and other	18 p.c.
539	Cotton lace	18 p.c.
540	Cotton embroideries:	
	a. chemical (aérienne) embroidery and embroidery without visible ground	18 p.c.
	b. on a ground of tulle or lace	18 p.c.
	c. on a ground not specified	18 p.c.
541	Flax:	
	a. raw, in stalks, retted or unretted	free
	b. scutched	free
	c. combed	free
	d. Tow	free
542	Hemp:	
	a. raw, in stalks, retted or unretted (x)	free

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
544	Vegetable textile materials not elsewhere specified, raw or combed, including tow:	
	ex b. Coconut fibre and phormium tenax	free
548	Yarns of other vegetable textile materials not elsewhere specified:	
	a. Yarns of coconut fibre	4 p.c.
	ex b. Yarns of phormium tenax	4 p.c.
ex 549	Yarns of flax put up for retail sale	15 p.c.
551	Fabrics of flax, hemp or ramie:	
	a. not figured:	
	1. unbleached	18 p.c.
	2. boiled or bleached	18 p.c.
	3. dyed	18 p.c.
	4. printed or woven with threads of different colours	18 p.c.
	b. figured, damask or broché	18 p.c.
552	Fabrics of flax, hemp or ramie, mixed with other textile materials:	
	a. not figured:	
	1. unbleached	18 p.c.
	2. boiled or bleached	18 p.c.
	3. dyed	18 p.c.
	4. printed or woven with threads of different colours	18 p.c.
	b. figured, damask or broché	18 p.c.
554	Fabrics of textile materials, ex Chapter 49, not elsewhere specified or included:	
	a. Matting (fabrics of raffia)	12 p.c.
	b. other	18 p.c.
555	Velvet and plushes of flax, hemp, ramie, jute or other textile materials ex Chapter 49	18 p.c.
556	Carpets of textile materials ex Chapter 49:	
	a. of jute	24 p.c.
	b. of coconut fibre	24 p.c.
557	Ribbons of textile materials ex Chapter 49:	
	a. of velvet or plush	18 p.c.
	b. of sized thread	18 p.c.
	c. other	18 p.c.

SCHEDULE II - BELGIUM-LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
558	Trimmings:	
	a. of flax, hemp or ramie	18 p.c.
	b. of other textile materials ex Chapter 49	18 p.c.
559	Lace, tulles and net fabrics, plain or figured, of flax, hemp, ramie or other textile materials ex Chapter 49:	
	a. Lace	18 p.c.
	b. other	18 p.c.
560	Embroidery of flax, hemp, ramie or other textile materials ex Chapter 49:	
	a. chemical (aérienne) embroidery and embroidery without visible ground	18 p.c.
	b. other	18 p.c.
571	Fabrics specially prepared for bookbinding, drawing and painting:	
	a. Percaline, glazed or sized etc., for bookbinding, card-board-box making, sheath-making and similar uses	18 p.c.
	b. Tracing or transparent cloths	18 p.c.
	c. Canvas prepared for painting	18 p.c.
572	Fabrics and felts covered with a coating having a base of cellulose derivatives or similar substances:	
	a. artificial leathers (pegamoid and similar products)	15 p.c.
	b. others	18 p.c.
573	Waxed cloths and other fabrics or felts, oiled or covered with a coating having an oil basis:	
	c. other:	
	ex 2. waxed cloths for tables and shelves	18 p.c.
574	Linoleum, lincrusta and similar articles:	
	b. without a layer of linoleum mixture	20 p.c.
576	Elastic fabrics, ribbons and trimmings:	
	a. of silk, pure or mixed	18 p.c.
	b. of artificial silk or artificial textile fibres, pure or mixed	18 p.c.
	c. of wool, pure or mixed	18 p.c.
	d. of other textile materials	18 p.c.
577	Rubbered fabrics and felts, not elsewhere specified or included:	
	a. of silk, artificial silk, or artificial textile fibre, pure or mixed	18 p.c.
	b. of wool, pure or mixed	18 p.c.
	c. other	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
578	Incandescent mantles, of textile materials	15 p.c.
580	Hosiery of silk, pure or mixed:	
	a. of silk, pure:	
	1. in the piece	18 p.c.
	2. Gloves	24 p.c.
	3. Stockings and socks	24 p.c.
	4. Underwear	24 p.c.
	b. of silk, mixed:	
	1. in the piece	18 p.c.
	2. Gloves	24 p.c.
	3. Stockings and socks	24 p.c.
	4. Underwear	24 p.c.
581	Hosiery of artificial silk or artificial textile fibres, pure or mixed:	
	a. of artificial silk or artificial textile fibres, pure:	
	1. in the piece	18 p.c.
	3. Stockings and socks:	
	A. of nylon	24 p.c. (*)
	(*) Subject to the right to increase the rate of duty in the event that reasonably adequate supplies of nylon yarns are not available to the Belgian, Luxemburg and Netherlands stocking and sock manufacturing industry.	
	B. other	24 p.c.
	4. Underwear	24 p.c.
	ex 5. Sweaters, jumpers, pullovers	24 p.c.
	b. of artificial silk or artificial textile fibres, mixed:	
	1. in the piece	18 p.c.
	3. Stockings and socks:	
	A. of nylon	24 p.c. (*)
	(*) Subject to the right to increase the rate of duty in the event that reasonably adequate supplies of nylon yarns are not available to the Belgian, Luxemburg and Netherlands stocking and sock manufacturing industry.	
	B. other	24 p.c.
	4. Underwear	24 p.c.
	ex 5. Sweaters, jumpers, pullovers	24 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
582	Hosiery of wool, pure or mixed:	
	a. of pure wool:	
	1. in the piece	18 p.c.
	2. Gloves	24 p.c.
	3. Stockings and socks	24 p.c.
	4. Underwear	24 p.c.
	ex 5. Sweaters, jumpers, pullovers	24 p.c.
	b. of mixed wool:	
	1. in the piece	18 p.c.
	2. Gloves	24 p.c.
	3. Stockings and socks	24 p.c.
	4. Underwear	24 p.c.
	ex 5. Sweaters, jumpers, pullovers	24 p.c.
583	Hosiery of cotton or other vegetable textile materials:	
	a. in the piece	18 p.c.
	b. Gloves	24 p.c.
	c. Stockings and socks	24 p.c.
	d. Underwear	24 p.c.
	ex e. Sweaters, jumpers, pullovers	24 p.c.
584	Clothing (outer) for men, not elsewhere specified or included:	
	a. of fabrics of silk, artificial silk or artificial textile fibres	24 p.c.
	b. of fabrics of wool	24 p.c.
	c. of fabrics of cotton, flax or other textile materials	24 p.c.
585	Clothing (outer) for women, not elsewhere specified or included:	
	a. of fabrics of silk	24 p.c.
	b. of fabrics of rayon or of artificial textile materials	24 p.c.
	c. of fabrics of wool	24 p.c.
	d. of fabrics of cotton, flax or other textile materials	24 p.c.
	e. of fabrics of metal thread or yarn	24 p.c.
586	Clothing (outer) and underwear of rubbered or oiled fabrics or felts and of other special fabrics, ex Chapter 50:	
	a. rubbered or oiled	24 p.c.
	b. other	24 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
587	Underwear for men, not elsewhere specified or included:	
	a. of silk	24 p.c.
	b. of artificial silk or artificial textile fibres	24 p.c.
	c. of wool	24 p.c.
	d. of cotton, flax or other textile materials	24 p.c.
588	Underwear for women, not elsewhere specified or included:	
	a. of silk	24 p.c.
	b. of artificial silk or artificial textile fibres	24 p.c.
	c. of wool	24 p.c.
	d. of cotton, flax or other textile materials	24 p.c.
589	Table-linen, bed-linen and toilet-linen:	
	a. of silk, artificial silk or artificial textile fibres	24 p.c.
	b. of cotton	24 p.c.
	c. of flax or hemp	24 p.c.
	d. of other textile materials	24 p.c.
590	Handkerchiefs :	
	a. of silk	24 p.c.
	b. of artificial silk or artificial textile fibres	24 p.c.
	c. of flax, hemp or ramie	20 p.c.
	d. of cotton or other materials	20 p.c.
591	Shawls, scarves, kerchiefs and neckerchiefs:	
	a. of silk	24 p.c.
	b. of artificial silk or artificial textile fibres	24 p.c.
	c. of wool	24 p.c.
	d. of cotton or other materials	24 p.c.
592	Neckties:	
	a. of silk	24 p.c.
	b. of artificial silk or artificial textile fibre	20 p.c.
	c. of other textile materials	20 p.c.
593	Corsets, corset-belts, bust-bodices, braces, suspenders and similar articles:	
	a. Corsets, corset-belts, bust-bodices and similar articles	24 p.c.
	b. Braces, suspenders and similar articles	24 p.c.
594	Packing sacks:	
	b. of cotton fabrics	18 p.c.
596	Travelling bags, market bags, handbags, cases and other sheath makers' wares of fabric, felt or hosiery	20 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
597	Sewn or made-up articles of fabric, felt or stuff, not elsewhere specified or included	24 p.c.
600	Common half boots, unlined, and common boots of ox, cow, or horse leather, of natural colour or waxed ...	15 p.c.
601	Slippers and house footwear:	
	a. of leather	24 p.c.
	b. of textile materials	24 p.c.
	c. of other materials	24 p.c.
602	Other leather footwear with soles of leather or rubber:	
	a. Footwear with soles less than 23 cms in length ..	24 p.c.
	b. Footwear with soles of 23 cms or more in length..	24 p.c.
603	Footwear of textile materials or of vegetable materials, not elsewhere specified or included, with soles of leather or rubber:	
	a. of fabric of silk or artificial silk, pure or mixed, of fabric woven of metal threads, or of embroidered fabric	24 p.c.
	b. other	24 p.c.
604	Footwear of rubber	24 p.c.
607	Felt shapes for hats:	
	a. of hair-felt or wool- and hair-felt	10 p.c.
	b. of wool-felt	10 p.c.
608	Hat-shapes of straw, palm fibre, bark, wood-chip, esparto or other similar materials:	
	a. plaited in a single piece	12 p.c.
	b. other	12 p.c.
610	Felt hats for men:	
	a. of hair-felt or wool- and hair-felt	24 p.c.
	b. of wool-felt	24 p.c.
611	Hats for men, of straw, palm fibre, bark, wood-chip, esparto or other similar materials	20 p.c.
612	Other hats for men:	
	a. of silk or artificial silk fabric, pure or mixed	20 p.c.
	b. of leather	20 p.c.
	c. of other materials	20 p.c.
613	Felt hats for women:	
	a. of hair-felt or wool- and hair-felt	20 p.c.
	b. of wool-felt	20 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
614	Hats for women, of straw, palm-fibre, bark, wood-chip, esparto or other similar materials	20 p.c.
615	Hats for women, of textile materials (except felt), and other hats for women not elsewhere specified.....	20 p.c.
616	Caps, bonnets and "berets":	
	a. of fabric, felt or fulled hosiery	20 p.c.
	b. of leather or skin	20 p.c.
	c. of rubber	20 p.c.
	d. of other materials	20 p.c.
619	Handles and knobs for walking-sticks, umbrellas and parasols	15 p.c.
ex 620	Mountings and parts thereof, not elsewhere specified or included, for umbrellas, parasols and walking-sticks.....	15 p.c.
622	Ornamental feathers, dressed or mounted, including throats, heads, wings and skins of birds	18 p.c.
623	Made-up feather articles, not elsewhere specified or included	24 p.c.
625	Artificial flowers, foliage and fruits	24 p.c
629	Wares of stone, not elsewhere specified or included:	
	c. polished, decorated or otherwise worked, but not carved :	
	1. of marble, alabaster and serpentine	18 p.c.
	2. of granite, porphyry, syenite and similar hard stones	18 p.c.
	3. of other stone	18 p.c.
	d. carved	18 p.c.
630	Slate, worked:	
	a. in slabs or sheets	10 p.c.
	b. Roofing slates	10 p.c.
	c. Slates, whether framed or not, for writing or drawing	10 p.c.
	d. other slate wares	10 p.c.
632	Grindstones, wood grindstones for paper making and similar stones, whether mounted or not:	
	a. of natural stone	10 p.c.
	b. of artificial stone	10 p.c.
633	Grindstones, whetstones and polishing stones of natural stone	10 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tarifi Item Number	Description of Products	Rate of Duty
634	Grindstones, whetstones and polishing stones of natural or artificial abrasives	10 p.c.
635	Paper and board coated with natural or artificial abrasives	10 p.c.
636	Fabrics coated with natural or artificial abrasives..	10 p.c.
638	Bricks, tiles, tubes and other manufactures, not elsewhere specified or included, of asphalt, pure or mixed, or of similar products	8 p.c.
642	Manufactures of asbestos:	
	b. Thread, yarn and cord of asbestos, whether or not plaited	6 p.c.
	c. Fabrics of asbestos	10 p.c.
	d. other asbestos manufactures, including clothing and footwear	10 p.c.
643	Manufactures of mica:	
	a. Sheets or plates of mica, simply cut in a regular shape or for a particular purpose	5 p.c.
	b. Sheets formed of plates of mica stuck together, whether or not on paper or tissue	5 p.c.
	c. other mica manufactures	10 p.c.
650	Fireproof bricks, and structural parts (of chamotte, dinas, magnesite, etc.)	10 p.c.
651	Other fireproof products (pipes, retorts, crucibles, etc.):	
	ex: Plumbago crucibles	10 p.c.
652	Bricks and slabs for paving, of stoneware, more than 30 mm thick	15 p.c.
655	Paving and facing tiles of stoneware, faience or fine earthenware	15 p.c.
656	Stoves and parts of stoves of ceramic materials	15 p.c.
657	Fixed appliances, for sanitary or hygienic purposes, of ceramic materials	15 p.c.
659	Articles of stoneware, not elsewhere specified or included:	
	ex: Fine stoneware; gin jars; pottery kitchen stoneware	15 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
661	Wares of faience or fine earthenware, not elsewhere specified or included:	
	a. Crockery and household and toilet articles:	
	2. in more than one colour or decorated in colours, whether or not gilt, silvered, etc....	24 p.c. or fr. 10, f.0.61 per Kg gross weight, at the choice of the importer
	b. others:	
	1. white or in one colour:	
	A. for chemical and other technical use	10 p.c.
	B. not specified	24 p.c.
	2. in more than one colour or decorated in colours, whether or not gilt, silvered, etc..	24 p.c. or fr. 10, f.0.61 per Kg gross weight, at the choice of the importer
662	Wares of porcelain not elsewhere specified or included:	
	a. Crockery and household and toilet articles:	
	1. white or in one colour.....	24 p.c.
	2. in more than one colour, or decorated in colours, whether or not gilt, silvered, etc..	24 p.c. or fr.20, f.1.21 per KG gross weight at the choice of the importer
	b. others:	
	1. white or in one colour:	
	A. for chemical and other technical use.....	10 p.c.
	B. not specified.....	24 p.c.
	2. in more than one colour, or decorated in colours, whether or not gilt, silvered, etc..	24 p.c. or fr.20, f.1.21 per Kg gross weight at the choice of the importer
666	Sheet-glass, drawn or blown, unworked(window glass):	
	a. uncoloured.....	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
667	Sheet or plate-glass, worked:	
	c. ground or polished on one or both surfaces	15 p.c.
670	Roofing tiles, paving slabs and blocks, and facing tiles, in cast or moulded glass, whether wired or not	10 p.c.
671	Carboys, bottles and flasks of unworked glass:	
	a. holding more than 2½ litres	18 p.c.
	b. holding more than 25 centilitres and up to 2½ litres	18 p.c.
	c. holding 25 centilitres or less	18 p.c.
673	Illuminating glassware and parts or accessories thereof not elsewhere specified or included	18 p.c.
675	Blown or pressed glassware not elsewhere specified or included:	
	a. of blown glass, unworked:	
	1. in natural, greenish, brownish or blackish colours	24 p.c.
	2. uncoloured, white or half white	24 p.c.
	3. coloured throughout, or flashed	24 p.c.
	b. of pressed glass, unworked:	
	1. in natural, greenish, brownish or blackish colours	24 p.c.
	2. uncoloured, white or half white	24 p.c.
	3. coloured throughout, or flashed	24 p.c.
	c. of blown or pressed glass, worked:	
	1. ground	24 p.c.
	2. polished, cut, engraved, painted, gilt, silvered or otherwise decorated	24 p.c.
	d. combined with other materials	24 p.c.
ex 676	Insulating bottles	18 p.c.
677	Optical and spectacle glass, unworked	free
678	Glass for watches and clocks:	
	a. unworked, in balls or segments	free
	b. simply cut	10 p.c.
	c. worked	10 p.c.
679	Small glassware (glass beads, artificial precious stones, lustre drops and the like); spun glass and glass wool:	
	a. small glassware:	
	1. Glass beads	10 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION ' - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
680	Articles made of small glassware, whether or not combined with other materials, not elsewhere specified or included.....	18 p.c.
682	Real pearls, including cultured pearls:	
	a. unworked.....	free
	b. worked.....	free
683	Precious and semi-precious stones, natural or synthetic:	
	a. unworked.....	free
	b. cut or otherwise worked, but not mounted.....	free
	c. Articles not elsewhere specified or included....	free
685	Gold, unworked: in lumps, ingots, cast bars, powder, scrap, waste and ash.....	free
690	Wares of silver and silver gilt:	
	a. Jewellery (joaillerie) and jewelled ornaments (bijouterie).....	15 p.c.
	b. Silversmiths' wares.....	15 p.c.
	c. other wares not elsewhere specified or included.....	15 p.c.
691	Wares of gold:	
	a. Jewellery (joaillerie) and jewelled ornaments (bijouterie).....	15 p.c.
	b. Goldsmiths' wares.....	15 p.c.
	c. other wares not elsewhere specified or included.	15 p.c.
692	Wares of platinum:	
	a. Jewellery (joaillerie), jewelled ornaments (bijouterie), goldsmiths' wares.....	15 p.c.
697	Ferro-alloys, in an unworked state.....	free
703	Sheet and plate of iron or steel, flat, unprocessed:	
	a. merely forged or hot-rolled, not pickled:	
	1. not over 1.1 millimeters thick.....	4 p.c.
	2. others.....	3 p.c.
704	Sheet and plate of iron or steel, flat, processed on the surface:	
	c. Tin plate:	
	1. over 0.35 millimeters thick.....	4 p.c.
	2. with a thickness of 0.35 millimeters or less.	free (*)
	(*) Subject to the right to assess a duty which shall not exceed 4 p.c.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
705	Sheet and plate of iron or steel, other:	
	a. corrugated, channelled, ribbed, nippled, with bosses or with rolled or pressed patterns	4 p.c.
720	Tanks, tuns, vats and other large receptacles, without mechanical device, of sheet iron or steel	10 p.c.
723	Cables, cordage and plaited bands of iron or steel wire	12 p.c.
726	Chains, small chains, and components thereof, of iron, steel or malleable cast iron:	
	a. articulated:	
	1. Roller-chains:	
	ex B. for automotive vehicles	8 p.c.
	ex 2. for automotive vehicles	8 p.c.
732	Springs of iron or steel:	
	a. Leaf springs, single or multiple leaf:	
	1. for automotive vehicles, weighing 20 kg or more each	15 p.c.
	2. not specified	8 p.c.
	b. Wire for chair-seats and bedding	8 p.c.
	c. others, not elsewhere specified	8 p.c.
733	Locks, padlocks and parts thereof, of cast iron, iron, steel or malleable cast iron:	
	a. Locks and padlocks, whether or not with their keys:	
	1. Locks, of steel, for automobile bodies, including keys	10 p.c.
	2. others	15 p.c.
	b. Parts of locks and padlocks; keys:	
	1. Parts of locks and padlocks of malleable cast iron	3 p.c.
	2. Parts of locks and padlocks, other	6 p.c.
	3. Keys, unfinished	6 p.c.
	4. Keys, finished	15 p.c.
734	Fittings and mountings, not elsewhere specified or included, of cast iron, iron, steel or malleable cast iron, for furniture, doors, windows, Venetian blinds, carriages, saddlery, trunks, boxes and similar articles:	
	a. simply worked	15 p.c.
	b. polished, painted, varnished, lacquered, enamelled, coated or plated with other base metals	15 p.c.
	c. with parts made of other base metals or of non-metallic materials	15 p.c.
	d. silvered, gilt, chased or otherwise ornamented	15 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
ex 738	Strong-boxes of all kinds.....	15 p.c.
ex 739	Furniture and parts of furniture of steel.....	18 p.c.
745	Vices, cramps, chucks and other tool-holders, bit braces, drill-holders and the like.....	10 p.c.
746	Pliers and pincers, whether cutting or not, wrenches, hand chisels.....	10 p.c.
747	Files and rasps, including worked blanks:	
	a. blanks.....	8 p.c.
	b. Files and rasps, cut or punched.....	8 p.c.
748	Saws and saw-blades:	
	a. Circular saws.....	5 p.c.
	b. Band saws.....	5 p.c.
	c. Saw-blades, straight, unmounted.....	10 p.c.
	d. Hand-saws and mounted saws.....	10 p.c.
749	Knives and blades for machines.....	6 p.c.
750	Other cutting tools for working metal, wood and other hard materials by hand and by machinery (such as chisels, milling-cutters, drills, boring augers, plane irons, screw-taps, etc.).....	6 p.c.
752	Tools of cast iron, iron, steel or malleable cast iron, not elsewhere specified or included.....	10 p.c.
754	Articles of sheet-iron or sheet-steel not elsewhere specified or included:	
	b. polished, tinned, zinc-coated, lead-coated, painted, varnished or lacquered:	
	ex. Milk cans.....	15 p.c.
755	Articles of iron, steel, cast steel or malleable cast iron, not elsewhere specified or included:	
	ex b. simply worked, except pellets and balls for crushing mills.....	12 p.c.
756	Copper, unworked:	
	ex a. cast in pigs, pellets, ingots and plates.....	free
757	Copper bars and wire:	
	a. merely beaten, rolled, hot drawn or cold drawn of any profile:	
	1. Bars.....	2 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 8 p.c.	
	2. Wire.....	4 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
762	Unworked pieces of copper:	
	a. cast, stamped or forged.....	6 p.c.
	b. in sheets cut otherwise than at right-angles, without other processing.....	6 p.c.
	c. in sheets simply pressed.....	6 p.c.
764	Cable, cordage and plaited bands, of copper wire, not insulated.....	10 p.c.
770	Nickel, unworked:	
	ex a. Cast in ingots, plates, cakes, pellets.....	free
	b. Shavings, filings and other waste; old nickel scrap.....	free
774	Aluminium, unworked:	
	a. smelted in lumps, ingots, plates, wire bars, etc.	free
	b. Shavings, filings and other waste; old aluminium scrap.....	free
782	Kitchen and other utensils for domestic use, of aluminium, not elsewhere specified or included.....	15 p.c.
784	Aluminium manufactures, not elsewhere specified or included:	
	ex d. Furniture and parts of furniture.....	15 p.c.
790	Zinc, unworked:	
	a. cast in lumps, pigs, plates, pellets and dust...	free
	b. Shavings, filings and other waste; old zinc scrap.	free
800	Metals and alloys, not elsewhere specified or included, in an unworked state:	
	b. Antimony.....	free
	ex e. Tungsten.....	free
802	Table knives, non-folding:	
	a. in one piece, wholly of metal, whether or not finished.....	18 p.c.
	b. others.....	18 p.c.
803	Knives, non-folding, kitchen, professional and others.....	12 p.c.
804	Folding knives, pocket pruning-knives and pocket-knives.....	12 p.c.
805	Blades for knives:	
	a. unfinished.....	6 p.c.
806	Razors and blades thereof:	
	a. Safety razors and detached parts thereof.....	15 p.c.
	b. Blades for safety razors, whether finished or not.....	15 p.c.
	c. other razors and blades thereof, whether finished or not.....	12 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
809	Spoons and forks of all kinds:	
	a. wholly of metal, in one piece, whether or not finished:	
	1. of iron or steel	18 p.c.
	2. of aluminium	18 p.c.
	3. of tin	18 p.c.
	4. of other base metals	18 p.c.
	5. of base metals, gilt, silvered or plated with precious metals	18 p.c.
	b. others	18 p.c.
810	Articles for table use, not elsewhere specified or included, of base metals, with or without fittings or parts of other materials:	
	a. of copper	18 p.c.
	b. of nickel	18 p.c.
	c. of aluminium	18 p.c.
	d. of other base metals	18 p.c.
	e. of base metals, gilt, silvered or plated with precious metals	18 p.c.
811	Ornamental and fancy articles for the home or office, not elsewhere specified or included, of base metals, with or without accessories or parts of other materials:	
	a. of iron, cast iron or steel	18 p.c.
	b. of copper	18 p.c.
	c. of nickel	18 p.c.
	d. of aluminium	18 p.c.
	e. of other base metals	18 p.c.
	f. of base metals, gilt, silvered or plated with precious metals	18 p.c.
812	Lighting apparatus, lamps of any kind, chandeliers and parts thereof, not elsewhere specified or included, of base metal, with or without accessories or parts of other materials:	
	ex c. Electric pocket lamps and their containers ...	18 p.c.
813	Flexible tube and pipe, of base metals, even combined with other materials	8 p.c.
818	Clasps, buckles, buckle-clasps, fasteners, press-buttons, hooks, eyelets and rivets - other than for ornament - for garments, gloves, footwear, tents, awnings, saddlery articles and travelling requisites, ladies' bags, pocket-books etc., and for outfits or equipment of any kind, of base metals:	
	a. of iron, cast iron or steel	6 p.c.
	b. of other base metals	6 p.c.
	c. of base metals covered wholly or partially with skin, celluloid, vulcanite, bakelite, or other materials	10 p.c.
	d. of base metals, gilt, silvered or plated with precious metals	10 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
819	Articles intended for adornment or personal use, and all articles known as "fancy jewellery", not elsewhere specified or included, of base metals, even with accessories or parts of other materials:	
	a. of base metals	18 p.c.
	b. of base metals, gilt, silvered or plated with precious metals	18 p.c.
820	Steamboilers (steam generators); economisers (heaters), superheaters, steam accumulators:	
	a. Multitubular boilers	6 p.c.
822	Steam engines without their boilers:	
	a. Piston engines	6 p.c.
823	Explosion motors and internal combustion motors:	
	a. Motors for automobiles and cycles, and for aircraft and watercraft, as well as components and separate parts thereof, even in the rough:	
	2. for automobiles:	
	A. Components and separate parts, including cylinder blocks equipped with crank shaft and cam shaft	6 p.c.
	B. Motors for agricultural tractors(1)(2)	6 p.c.
	C. Motors without their carburetion or fuel feed organs also without electric starting apparatus and other electric equipment, except spark plugs, and also without air filter (1)	8 p.c.
	D. others (1)	15 p.c.
	ex 3. for aircraft, as well as components and separate parts thereof	6 p.c.
	b. others:	
	1. internal combustion turbines	6 p.c.
	ex 2. not specified, except stationary diesel-motors with a rating of 5000 HP or more	6 p.c.
	(1) Including motors with an automatic or semi-automatic (hydraulic or similar) change-speed device.	
	(2) This position only includes motors in respect of which it can be demonstrated, to the satisfaction of the customs officials, that they are really intended for the construction of agricultural tractors.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION 1 - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
825	Prime movers driven by compressed air or by compressed gas, by wind, and the like.....	6 p.c.
827	Pumps for liquids:	
	a. Pumps for distributing gasoline and other liquids.....	6 p.c.
	b. Centrifugal and other rotary pumps.....	6 p.c.
	c. Piston and other pumps.....	6 p.c.
ex 828	Air pumps and compressors.....	6 p.c.
829	Compressed air apparatus for pulverising or dispersing liquid or powdered substances; spraying apparatus:	
	ex b. automatic coal stoking devices other than conveyor type and oil burners and parts thereof.....	6 p.c.
830	Calenders of all kinds.....	6 p.c.
832	Hydraulic and other presses, not elsewhere specified or included.....	6 p.c.
ex 833	Machines and apparatus for handling, hoisting, loading, unloading, extraction and excavation, except cranes and other hoisting apparatus of a capacity of 5 tons or more, pulley blocks; mechanical power shovels with a capacity of 2 cubic meters or less.....	8 p.c.
834	Agricultural machinery and appliances for working, preparing and cultivating the soil:	
	a. Fertilizerdistributors, sowing drills and planting machines.....	6 p.c.
	b. other (ploughs, cultivators, extirpators, harrows, rollers, etc.).....	6 p.c.
835	Machinery and appliances for the harvesting of agricultural produce; agricultural threshing, shelling and sorting machines:	
	a. Harvesting machinery (mechanical mowing and haymaking machines, mechanical rakes, reaping-machines, reaping and threshing machines, etc.).	6 p.c.
	b. Threshing and shelling machines.....	6 p.c.
	c. Agricultural machines and apparatus for sorting seeds and fruits.....	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
836	Agricultural machines and appliances not elsewhere specified or included: ex b: Machines for chopping hay, straw, fodder, whether or not combined with fanning machinery; Root cutters, small mills used exclusively for agricultural purposes for crushing seeds, fruits, potatoes, etc,; Oil-cake crushers; Machinery for washing potatoes and beetroot; Stump removers; Lawn mowers; Poultry incubators; Horse-mills generally used in agriculture.....	6 p.c.
837	Machines and devices for flour milling.....	6 p.c.
839	Machines for the production of cold: a. Refrigerators: 1. if volume, outside measurement, is 2 cubic meters or less..... 2. not specified..... b. others.....	 12 p.c. 6 p.c. 6 p.c.
840	Machines and apparatus intended to process (assort, wash, mix, crush, mill, mould, etc.) earth, stone, ores, mineral fuels, bones and other similar hard materials.....	6 p.c.
842	Machines for the manufacture of paper pulp, of paper, and of paperboard; machines for processing paper and paperboard:	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
842 (continued)	a. Machines for the manufacturing of paper pulp, paper and paperboard.....	6 p.c.
	b. Machines for working of paper and paperboard, including bookbinding machines.....	6 p.c.
843	Machines and apparatus for printing and the graphic arts:	
	a. type setting machines; machines and apparatus for making cliches and stereotypes and other auxiliary machines and apparatus.....	6 p.c.
	b. Presses and machines for printing.....	6 p.c.
844	Machines and apparatus for the preparation of textile materials, for spinning and twisting; winding machines:	
	a. Machines and apparatus for the preparation of textile materials:	
	ex: Cards and sets of cards without clothing; combing machines.....	6 p.c.
	b. Machines for spinning and twisting.....	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
845	Looms for weaving and making tulle, lace, hosiery, embroidery, passementerie; accessory apparatus and machines for weaving:	
	d. Accessory apparatus and machines for weaving (dobbies, Jacquard machines, warpers, etc.).....	6 p.c.
846	Machines and apparatus for the dressing and finishing of thread, tissues and wares of such materials, not elsewhere specified or included:	
	ex a. Washing machines for linen and clothes, machines and apparatus for dry cleaning	6 p.c.
848[1]	Machine tools:	
	ex b. Vertical boring and turning mills including vertical turret lathes	
	Jig boring machines	
	Broaching machines	
	Centering machines	
	Multiple spindle drilling machines, way and special types	
	Deep hole drilling machines, horizontal and vertical	
	Gear hobbing machines	
	Gear shapers, cutters (including planer type), and generators	
	Gear finishing machines (including honing, lapping and gear tooth grinding machines)	
	External cylindrical grinding machines:	
	Plain	
	Universal	
	Roll grinders	
	Crank shaft grinders	
	All other external cylindrical grinder machines	
	Internal cylindrical grinding machines:	
	Plain and chucking type	
	All other	
	Surface grinding machines (including light industrial types):	
	Rotary table type, horizontal and vertical	
	Reciprocating table type, horizontal and vertical spindle (including face grinders)	
	All other surface grinding machines (including planer type)	
	Thread grinding machines	
	Honing and lapping machines (except gear honing and gear lapping machines)	

[1] [See explanatory letter from the Acting Heads of the Netherlands and Belgian Delegations to the Acting Chairman of the United States Delegation, 61 Stat., Pt. 6, p. A2054.]

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
848 (continued)	Polishing and buffing machines (including light industrial types) Turret lathes (except vertical turret lathes): Bench type Ram type Saddle type Automatic chucking lathes: Single spindle Multi-spindle Automatic between-center lathes: Single spindle Multi-spindle Automatic screw (bar) machines Bed type milling machines: Single spindle Double spindle and special purpose machines Planer type milling machines Profiling machines, duplicators and diesinking machines Rotary cold saws Contour sawing and filing machines (including band saws) Tapping machines Pipe threading machines	6 p.c.
ex 849	Machines for packaging merchandise and for labelling bottles and other containers	6 p.c.
851	Typewriters and separate parts thereof	8 p.c.
852	Calculating and bookkeeping machines, cash registers, and separate parts thereof	8 p.c.
853	Office machines and apparatus, not elsewhere specified or included	10 p.c.
854	Machines, mechanical apparatus and devices, not elsewhere specified or included: a. Machines and mechanical apparatus for household use, weighing 10 kg or less ..... ex b. Conveyor type coal stokers, machines and apparatus for rolling mills	 12 p.c. 6 p.c.
857	Shafts, cogged wheels and bars, flywheels, pulleys and other organs and parts of machinery: ex e. Blocks and brasses (bearings and bearing liners) for automotive vehicles ..... ex g. Card clothing	 6 p.c. 6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
859	Electric dynamos, motors and converters, transformers; reactance coils:	
	a. Dynamos, motors and rotary converters:	
	1. weighing 10 kg or less each	12 p.c.
	2. weighing over 10 kg each	8 p.c.
	b. Transformers and static converters:	
	1. Transformers:	
	A. weighing 10 kg or less each	12 p.c.
	B. weighing over 10 kg each	8 p.c.
	2. Staticconverters:	
	A. weighing 10 kg or less each	12 p.c.
	B. weighing over 10 kg each	8 p.c.
861	Electric accumulators and their plates:	
	ex a. Alkaline storage batteries and parts thereof, not elsewhere specified or included	10 p.c.
	ex b. Plates for alkaline storage batteries	10 p.c.
863	Electric starting, lighting, signalling and warning apparatus for motor vehicles and for cycles:	
	a. Starting apparatus	12 p.c.
	b. Lighting apparatus :	
	1. Generators for automotive vehicles	12 p.c.
	2. other	20 p.c.
	c. Signalling, warning and driving apparatus	12 p.c.
864	Electric ignition apparatus for explosion motors, including spark plugs	12 p.c.
868	Radio-electric apparatus for telegraphy, telephony and television, amplifiers of all sorts:	
	a. Valves, tubes or lamps	12 p.c. (*)
	(*) Subject to the right to increase the duty to a maximum of 15 p.c.	
	b. Receiving apparatus	20 p.c.
	c. Amplifiers	12 p.c.
	d. other	12 p.c.
869	Electric apparatus for telegraphy and telephony:	
	c. Loud speakers, microphones and similar apparatus.	12 p.c.
872	Apparatus for measuring and registering electric energy; electricity meters:	
	a. Apparatus for measuring and registering electric energy	10 p.c.
874	Parts, made of carbon or of graphite, even if combined with metal, for electrical or electro-technical use:	
	a. weighing 50 kilogrammes or more	2 p.c.
	b. others	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
875	Insulators, whether or not reinforced with base metals:	
	a. of ceramic materials	10 p.c.
	b. of glass	10 p.c.
	c. of other materials	10 p.c.
878	Apparatus for regulating, interrupting, protecting and distributing electric current, as well as all electro-technical articles, components and separate parts of electric machines and apparatus not elsewhere specified or included	10 p.c.
889	Tractors with explosion, internal combustion or gas motor:	
	a. Agricultural tractors	6 p.c.
	b. others	24 p.c.
890	Automobiles, with body or complete:	
	a. Passenger cars, other than those for common carrier purposes	24 p.c.
	b. Intended for common carrier purposes (coaches and buses)	24 p.c.
	c. Motortrucks and delivery cars	24 p.c.
	d. Electric industrial trucks ("chariots electriques")	20 p.c.
	e. others	24 p.c.
891	Automobile chassis	24 p.c.
892	Coachwork for automobiles :	
	a. for passenger transport	24 p.c.
	b. other	24 p.c.
893	Components and separate parts of automobiles and of tractors including those in the unworked state, not elsewhere specified or included:	
	a. Components of bodywork:	
	1. of base metals, unworked or simply worked within the meaning of no. 3 of the general notes pertaining to Section XV	6 p.c.
	2. not specified	15 p.c.
	b. Drive and steering components and parts:	
	1. Clutches	6 p.c.
	2. Change-speed transmissions	6 p.c.
	3. Rear axles and other driving axles	6 p.c.
	4. Steering gear with or without speedchange lever	6 p.c.
	5. Brakes	6 p.c.
	6. Clutch-, distributor-, transmission-, and drive-shafts and half-shafts; splined(grooved) shafts, control shafts, gearing	6 p.c.
	7. not specified	6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
893 (continued)	c. others:	
	1. Chassis frames, bumpers, protective bars, wheels of pressed sheet iron or steel, rims of iron or of steel, weighing over 30 kilogrammes, and fuel tanks	15 p.c.
	2. not specified:	
	A. Bearing (non drive) axles	6 p.c.
	B. Shock absorbers	6 p.c.
	ex C. others (except radiators)	6 p.c.
ex 894	Cycles with engines	24 p.c.
896	Components and separate parts of motor-cycles and cycles:	
	a. of motor-cycles:	
	ex: Saddles	13 p.c.
	b. of cycles:	
	1. Deraillers, change-speed gear hubs, backpedal brake gear	10 p.c.
	ex 2. Saddles	12 p.c.
901	Airplanes and other heavier than air apparatus:	
	a. without mechanical propulsion (gliders and kites); parachutes	10 p.c.
	b. with mechanical propulsion (land planes, sea-planes, helicopters, etc.):	
	1. intended to be used principally for public transportation in international traffic	free
	2. others	10 p.c.
902	Components and separate parts of balloons and of airplanes, except motors	6 p.c.
906	Optical glasses, worked, unmounted:	
	a. Spectacle glasses and other corrective glasses	10 p.c.
	b. Lenses and prisms for instruments	10 p.c.
	c. Optical mirrors	10 p.c.
909	Mountings for spectacles, eyeglasses and similar articles	15 p.c.
910	Spectacles, eyeglasses and similar articles with mountings	15 p.c.
913	Photographic apparatus, with or without objective, and parts thereof	15 p.c.
914	Motion picture, projection and enlarging apparatus, projectors and their finished parts:	
	a. Motion picture apparatus	15 p.c.
	b. Projection apparatus, other than motion picture; enlarging apparatus	15 p.c.
	c. Projectors (flood and similar lights)	15 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
919	Apparatus to count revolutions, to measure speed, distance and the like, and their components and separate parts	12 p.c.
920	Manometers and other measuring apparatus for machines, boilers, furnaces, etc.	10 p.c.
922	Instruments and apparatus for geodesy, geophysics, meteorology, hydrography, navigation (1) and astronomy, not elsewhere specified or included (1) Including radar apparatus.	10 p.c.
923	Medical and surgical instruments and apparatus, not elsewhere specified or included	10 p.c.
ex 924	Hearing aids	10 p.c.
926	Physical, chemical and precision instruments and apparatus, not elsewhere specified or included:	
	a. Apparatus for testing materials	10 p.c.
	b. Recording apparatus	10 p.c.
	c. other	10 p.c.
934	Other clocks, whether or not electrical, including alarm clocks:	
	a. Alarm clocks	12 p.c.
	b. Control clocks	12 p.c.
	c. other clocks for standing or suspending	12 p.c.
ex 943	Dictating and transcribing machines of phonograph type	12 p.c.
	Gramophones and separate parts thereof	12 p.c.
	Phonograph pickups	18 p.c.
944	Gramophone records; plates, cylinders, bands and rolls for mechanically-played instruments and apparatus:	
	a. Gramophone records	12 p.c.
945	Musical instruments, wind:	
	a. of metal	18 p.c.
	b. of wood	18 p.c.
	c. of other materials	18 p.c.
964	Articles of animal or vegetable wax or of similar materials:	
	ex b. Dictating machine cylinders	12 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty
967	Artificial plastic materials made from phenol, urea, phthalic acid, etc. (artificial resins), whether or not with paper or tissue incorporated, and other plastic materials, not elsewhere specified or included:	
	ex c. Artificial teeth	15 p.c.
974	Carriages and vehicles for children	20 p.c.
975	Dolls of all kinds and parts thereof:	
	ex b. Dolls	20 p.c.
ex 976	Metal toys, mechanical or electric	20 p.c.
977	Parlour games	20 p.c.
979	Articles and appliances for gymnastics and sports, not elsewhere specified or included:	
	ex: Articles for cricket, tennis, golf and hockey sport; skates and roller skates	20 p.c.
981	Ordinary buttons for wearing apparel and clothing, and ornamental buttons:	
	a. of coral, tortoiseshell, ivory, amber or jet	15 p.c.
	b. of mother-of-pearl	15 p.c.
	c. of bone, horn, leather and other animal materials	15 p.c.
	d. of corozo	15 p.c.
	e. of wood, papier mâché or hardened paper, and other vegetable materials	15 p.c.
	f. of glass, ceramic materials or stone	15 p.c.
	g. of celluloid and other artificial plastic materials	15 p.c.
	h. of base metal	15 p.c.
	i. covered with textile materials	15 p.c.
982	Fountain pens and stylographic pens, propelling pencils and their separate parts	18 p.c.
984	Pipes and pipe bowls:	
	c. of wood or briar:	
	3. other	20 p.c.
985	Cigar and cigarette-holders; mouth-pieces, stems and other detached parts for pipes, or for cigar and cigarette-holders:	
	b. of horn, hardened rubber and artificial plastic materials:	
	2. other	20 p.c.
	c. of wood	20 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION A - METROPOLITAN TERRITORIES

PART I (continued)

BeNeLux Tariff Item Number	Description of Products	Rate of Duty

Note referring to a number of Items.

(x) Free from Netherlands monopoly duty or corresponding Belgian-Luxemburg charge.

END OF SECTION A

Revised Translation by Department of State

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION B. BELGIAN CONGO AND RUANDA - URUNDI

This Section is authentic only in the French language.

PART I

Most-Favoured-Nation Tariff.

Belgian Congo Tariff Item Number	Description of Products	Rate of Duty
2	Butter, margarine and edible fats of all kinds.....	free
6	Cereals: ex C. Wheat flour, oatmeal and rolled oats.....	free
8	Cheese of all kinds.....	free
11	Milk of all kinds, fresh or preserved.....	free
12bis	Malt.....	free
15	Fish, shellfish and crustaceans, of all kinds: II. imported otherwise: B. Fish: smoked, dried or salted, not otherwise prepared.....	free
20	Foodstuffs of all kinds not specially mentioned: ex. other manufactured sweets, infants food, vermicelli, macaroni, golden syrup.....	free
36	Rough mineral products: ex B. Plaster.....	5 p.c.
ex 55	Candles.....	5 p.c.
56	Manufactured rubber, viz., rubber articles not coming under any other Tariff number: A. rubber footwear, including footwear with canvas upper and rubber soles..... ex B. rubber toys.....	5 p.c. 8 p.c.
59	Colours, dyes and varnishes of all kinds: B. others.....	5 p.c.
60	Usual packings of all kinds: 1. imported empty: ex B. green glass bottles..... ex C. Jars and bottles.....	free 6 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION B. BELGIAN CONGO AND RUANDA - URUNDI

This Section is authentic only in the French language.

PART I (continued)

Belgian Congo Tariff Item Number	Description of Products	Rate of Duty
65	Musical instruments of all kinds, including phonographs and other talking machines, accordions and mouth organs, also parts, components and accessories thereof:	
	ex B. Accordions and mouth organs.....	12 p.c.
67	Machines, implements and tools specially mentioned, also spare parts and components thereof:	
	C. Refrigerators for preserving foods, with cold-generating apparatus of any description; motor appliances for conditioning the air in premises, more particularly in regard to its temperature and hygrometric condition.....	6 p.c.
68	Machines, implements and tools, other, also spare parts and components thereof:	
	A. for industrial or agricultural purposes:	
	ex. Lamps and lanterns.....	free
70	Small wares and hardware:	
	ex B. Lamps and lanterns; aluminium holloware; beads.....	10 p.c.
71	Metals and special manufactures:	
	ex F 2. imitation jewellery.....	12 p.c.
72	Furniture of all kinds and spare parts thereof, including clock- and watch-maker's wares, except watches and watch fittings:	
	ex. Lamps and lanterns.....	15 p.c.
90	Tissues of all kinds, viz.: tissues of cotton, wool, silk, hemp, jute, flax, ramie, cellulose, etc.:	
	B. Tissues containing natural or artificial silk in any proportion except blankets containing silk.....	20 p.c.
	NOTE: The lower duty applicable of fr.500 per 100 kg. net is not consolidated.	
	E. Tissues of cotton of all kinds, dyed in the piece, or wholly or partly manufactured of dyed yarns, partly manufactured of bleached yarns, mercerised in the piece or wholly or partly manufactured of mercerised yarns.....	20 p.c.
	NOTE: The lower duty applicable of fr.500 per 100 kg. net provided for tissues dyed in the piece or wholly or partly manufactured of dyed yarns, is not consolidated.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION B. BELGIAN CONGO AND RUANDA - URUNDI

PART I (continued)

Belgian Congo Tariff Item Number	Description of Products	Rate of Duty
90 (continued)	H. all other tissues.....	20 p.c.
94	All other manufactured products not mentioned: ex. Asbestos manufactures.....	5 p.c.

END OF SECTION B.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

This Section is authentic in the English language only.

PART I

Most-Favoured-Nation Tariff.

NOTE: In the hereunder mentioned "rate of duty" 50 p.c. surtax is included.

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
8	Butcher's and horse meat (together with slaughtered animals, imported whole even disembowelled) as well as edible parts of these animals:	
	II. slaughtered animals, other than bovine, imported whole or in halves, fresh; bacon in flitches, fresh; meat and bacon in casks, only salted, even dried.....	18 p.c.
	ex III. Hams and smoked bacon.....	30 p.c.
ex 9	Game and edible poultry.....	30 p.c.
ex 10 IL	Fish, n.s.m., salted, dried or smoked, but not otherwise preserved, not including eggs, fish-bones, fish stomachs and shark fins.....	30 p.c.
12	Milk, cream, skimmed milk, curdled milk, whey, butter milk, fresh or preserved, milk and cream in blocks, or in powder form or condensed, even added to sugar; yoghourt:	
	ex I. Cream.....	30 p.c.
	II. all other products.....	18 p.c.
13	Butter:	
	I. refrigerated (butter which has been preserved from deterioration during transport by means of refrigeration).....	30 p.c.
	II. other.....	18 p.c.
14	All kinds of cheese, even artificial:	
	I. Dessert cheese including - without excluding other cheese - all kinds of cheese in containers of glass, earthenware and porcelain, and cheese which, being provided with an envelope of metal foil, cellophane, gelatine, paper or other similar substances, weighs 600 grammes or less per piece including immediate packing.....	30 p.c.
	II. Cheese not included in No. I.....	18 p.c.
16	Honey:	
	I. packaged.....	30 p.c.
	II. imported otherwise.....	16 p.c.
32	Hops, hop-cones and lupulin:	
	I. packaged.....	18 p.c.
	II. imported otherwise.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
34	Edible fruits, fresh:	
	II. Grapes, apples, pears, apricots, peaches, plums, cherries, strawberries, oranges, lemons, dates, figs and others, n.s.m.....	30 p.c.
ex 36	Dried fruits, n.s.m., except dates.....	30 p.c.
39	Cardomom and other kinds of amomums; cinnamon; cinnamon flowers or buds; cassia (cassia lignea); cassia fruit; ginger; cloves; clove stems; mace; nutmeg (even shelled); curcuma; kemiri nuts; orange peel; pimento (Jamaica-pepper); black and white pepper; paprika, Spanish pepper (lombok), Cayenne pepper; saffron; vanilla; parsley; laurel leaves; thyme; and other spices, n.s.m., fresh or dried, even ground or pulverised:	
	II. imported otherwise than in metal, earthenware, porcelain or glass packing:	
	a. Cloves and clove stems.....	9 p.c.
	b. other articles.....	18 p.c.
ex 42	Flour, wheat; groats (grits) and semolina.....	18 p.c.
ex 44	Bran and pollard.....	9 p.c.
45	Flour, meal and semolina other than that of cereals, even of malt, as well as of oleaginous seeds, n.s.m.:	
	I. for consumption, such as pea, bean and lentil flour, flour and meal of bananas, of chestnuts, etc.....	18 p.c.
	II. other:	
	a. packaged.....	18 p.c.
	b. imported otherwise.....	9 p.c.
ex 47 II	"Maizena" (cornstarch).....	18 p.c.
ex 48	Tapioca flour, arrowroot and other similar products of feculent roots, including sago flour; all these if packed for retail sale.....	18 p.c.
ex 58	Wattle bark.....	free
59 I	Pine rosin (gum and wood rosin) except the rosin mentioned in Item 898 II.....	free
60	Raw and refined camphor; artificial camphor and mixtures of naphtaline and camphor:	
	I. packaged or in tablet form.....	18 p.c.
	II. imported otherwise:	
	a. raw camphor.....	free
	b. other articles classified under this Item...	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 62 II	Raw raffia fibres, not packaged.....	free
ex 63	Plant barks, not packaged, to be used as bindings and for the manufacture of cordage, such as raffia barks.....	free
ex 67	Lard and edible beef and mutton fats.....	18 p.c.
ex 68	Inedible beef and mutton fats, unpackaged.....	9 p.c.
ex 70	Chinese wood oil.....	9 p.c.
ex 72	Oleic acid and stearic acid, unpackaged.....	9 p.c.
ex 78	Canned fish.....	30 p.c.
ex 90	Chocolate.....	30 p.c.
ex 93	Oatmeal (rolled oats), oat flakes, corn flakes, wheat flakes, rice flakes.....	18 p.c.
ex 96	Biscuits and puddings.....	30 p.c.
ex 97 II	Fruits, in water, syrup or wine, canned or otherwise packaged.....	30 p.c.
ex 101	Asparagus and artichokes.....	30 p.c.
ex 103 I	Vegetables, preserved (otherwise than by drying), n.s.m., in bottles and glass jars or other airtight containers, weighing per first or immediate packaging, 10 kilograms gross or less.....	30 p.c.
ex 107	Pudding powders.....	30 p.c.
ex 110	Gourmet powder (ajinomoto and other monosodium glutamate preparations).....	30 p.c.
ex 118	Ingredients in liquid or dry form, n.s.m. (such as liquid concentrates, powders, crystals and tablets) for industrial manufacture of mineral waters (not for medicinal use), ginger beer, lemonades and similar beverages, not packaged.....	18 p.c.
121 I	Leaf tobacco.....	18 p.c.
ex 133	Coal.....	free
ex 135	Asphalt, derived from petroleum.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 140	Mineral lubricating oils, even mixed with oils of animal or vegetable origin, with grease or with soap:	
	I. in containers of 25 litres or less.....	18 p.c.
	II. in larger containers.....	9 p.c.
142	Carbolic acid, creosote oil, carbolineum, and other similar products derived from coal tar and used as disinfectants or for impregnating wood, n.s.m.; creoline, lysol and similar products classified under this number:	
	ex II. not packaged nor in tabletform (except creosote oil, carbolineum and other similar products derived from coal tar, for spreading over or impregnating wood and similar purposes, in first or immediate packing weighing gross 30 kilograms or less).....	9 p.c.
ex 143 I	Hard grease, packaged or in tablet form.....	18 p.c.
ex 143 II	Petrolatum and hard grease, not packaged nor in tablet form.....	9 p.c.
ex 146	Sulphur, not packaged.....	9 p.c.
148	Calcium carbide:	
	I. for lighting purposes.....	18 p.c.
	II. other.....	free
153	Acids, salts, also compounds of metalloids together, or with metals, n.s.m.:	
	ex I. packaged or in tablet form: Ammonium chloride, sodium cyanide and waterglass.....	18 p.c.
	ex II. imported otherwise: Ammonium chloride, sodium cyanide, waterglass, soda ash, calcined soda and caustic soda, silicon carbide, boron carbide, silica-gel and tetra-aethyl lead.....	9 p.c.
164	Casein, loose, in sacks, casks or cases, per package weighing 25 kilogs net or more.....	free
ex 165	Bakelite, galalith and the like, in blocks, raw sheets or lumps.....	9 p.c.
ex 167 IIa	Bacteriological cultures.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 167 IIb	Fish-liver oil capsules, penicillin, menthol, curative serums and vaccines.....	18 p.c.
ex 168	Vitamin oil in capsules.....	18 p.c.
ex 169 I	Special preparations, n.s.m., packaged or in tablet form, for disinfection or for protection against or extermination of insects.....	18 p.c.
ex 169 II	Special preparations, n.s.m., not packaged nor in tablet form, for disinfection or for protection against or extermination of insects, except insecticides for household use; n.s.m. latex (rubber) coagulants, cleaning compounds for piping and organic solvents.....	9 p.c.
ex 170	Synthetic resins, in pieces, scales, clots or powder.....	9 p.c.
172	Sensitized papers and glass plates (dry plates) as well as other sensitized articles, n.s.m., used for taking photographs and for the printing of photographs.....	30 p.c.
ex 173 II	Exposed motion picture sound films: a. over 30 millimeter in width..... b. other.....	 f.30.- per 100 lineal meters 30 p.c.
ex 175	Wattle extract.....	free
ex 180	Writing and drawing chalk, coloured chalk, pencils, of all kinds, except slate-pencils; leads for propelling pencils; charcoal.....	18 p.c.
ex 181 II-1	Wet coloring products (except minium and zinc white): a. weighing 30 kilograms gross or less per first or immediate packaging..... b. imported otherwise.....	 18 p.c. 9 p.c.
ex 181 II, 2,b	Zinc white, and carbon black, dry, not packaged nor in tablet form.....	9 p.c.
184	Volatile oils, n.s.m.: II. all other articles classified under this number, in so far as they are not regarded as "medicines" by reason of their being put up in capsule form: b. not packaged nor in tablet form.....	 18 p.c.

SCHEDULE VI - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 187	Pommades, eyebrow pencils, lipsticks, skin and massage creams, rice powder, depilatories and nail lacquers; similar toilet preparations; also bath salts.....	30 p.c.
ex 188	Toilet soap and scented soap:	
	I. Shaving soap; soap cream, soap in paste, powder, scales, flakes and the like, soap in sheets or in liquid form:	
	a. Shaving soap in cylindrical pieces, each piece not, directly or otherwise, wholly or partly, wrapped in cellophane, gelatine or a similar substance, in a sheet of metal, in paper covered with metal, in pleated paper or in paper bearing relief ornaments, nor packed in a soap-box, -tube or similar article, intended for use by the purchaser.....	18 p.c.
	liquid soap, not packed for retail sale.....	18 p.c.
	c. other.....	30 p.c.
	II. other toilet and scented soap:	
	a. in luxury packing:	
	1. in a coloured paper or in a paper bearing printed designs, but not pleated, nor bearing relief ornaments or covered with metal.....	18 p.c.
	2. other.....	30 p.c.
	b. in other packing, with the exception of soap, packed in earthenware, porcelain, glass, celluloid or other plastic material or in a soapbox, -tube or similar article, intended for use by the purchaser..	18 p.c.
189	Other soaps, as well as products used for washing, n.s.m., such as Lux, Persil, etc. and soap substitutes:	
	I. weighing 5 kilogs. or less gross per immediate packing, or in bars, blocks, tablets or in any other more or less regular form.....	18 p.c.
195	Polishing wax, scouring ointment, leather cream, boot polish, polishing paste, cleaning paste and other substances composed of wax, ceresin, vaseline, grease, oil, stearin, palmitin, soap and the like, used to preserve, impregnate, scour, smooth, polish, rub and clean furniture, metals, parquet flooring, marble, leatherwork, linoleum, etc.:	
	I. packaged or in tablet form.....	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
201	Glues and gums, prepared, n.s.m., and other n.s.m. prepared adhesives:	
	I. packaged or in tablet form.....	18 p.c.
	II. imported otherwise.....	9 p.c.
ex 203	Dynamite, explosive gelatine and detonators.....	9 p.c.
206	Matches..... NOTE: no excise.	...
ex 208	Fuses, other than safety fuses.....	18 p.c.
ex 209 II	Ammonium sulphate and raw natural phosphated lime, not packaged.....	free
210	Unprepared hides or skins for making leather (green, salted, limed or dried hides or skins for making leather) even freed from the hair and split, but not subsequently prepared, as well as parts of these hides or skins, such as heads, claws, flanks and bellies:	
	I. Reptile- and fish skins.....	9 p.c.
	II. other.....	free
211	Leather (leather hides or skins simply tanned in any way, even subsequently worked, greased, dyed, etc.):	
	I. Patent leather of all kinds; leather finished in gold, silver, aluminium or like effects; leather printed, embossed, ornamented or decorated in any manner or to any extent and leather by any other process (in addition to tanning) made into fancy leather; calf skins, cow hides and the like, tanned in the hair, intended for use as shoe vamps or for the manufacture of trunkmakers' articles and the like; chamois leather; wash leather; leather for gloves; morocco leather; suède; reptile leather; fish leather; Russian leather and imitations thereof; parchment; transparant leather and drumvellums; leather chagreened, crisped or finished in a similar manner, such as chagreen leather, imitation reptile and imitation fish leather, etc.....	18 p.c.
	II. other.....	9 p.c.
215	Leather apparel, combined with cloth or not; leggings, leg and trouser protectors, gaiters and the like are included in this number, as well as gloves which are entirely or principally made of leather.....	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART 1 (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 217	Trunks, suit-cases, attaché-cases, school-bags and hatboxes, entirely or chiefly made of leather.....	30 p.c.
223	Raw or unfinished furskins: ex: Rabbit and opossum.....	9 p.c.
226	Rubber solutions (rubber cement, etc.):	
	I. packaged.....	18 p.c.
	II. imported otherwise.....	9 p.c.
233	Pipe, tube, hose of rubber; of rubber with inlay or base of fabrics or other products of textile substances; of fabrics with an outer layer of rubber; also all these when overplaited or wound with spun vegetable fiber and whether or not combined with base metals (for example, provided with armoring), n.s.m.:	
	I. with an internal diameter of 70 millimeters or less.....	18 p.c.
	II. other.....	9 p.c.
ex 234	Rubber transmission and conveyor belts; rubber in sheets in combination with fabrics or provided with an inlay of metal (packing material); also packings and packing cord of rubber (including hard rubber), whether or not combined with other materials.....	9 p.c.
ex 235 I	Automobile tires: casings and inner tubes; outer tubes for cycles.....	18 p.c.
241	Rubber heels, heel-pieces, soles and similar articles for footwear:	
	I. heel-pieces.....	18 p.c.
	II. other articles classified under this Item.....	9 p.c.
296	Floor mats of vegetable plaiting material.....	30 p.c.
298	Fancy articles, such as ladies' handbags, cigar and cigarette cases, work baskets, flower baskets, key-baskets, wine-pouring and table baskets, lamp shades, etc. furniture covers and small mats, egg- and tea-cosies and similar articles of vegetable plaiting material; lamps made from these plaiting materials, picnic baskets, with or without sets, and drinking straws.....	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
299	Plaited articles of vegetable plaiting materials, n.s.m.:	
	I. ordinary, i.e. not combined with other materials, or simply combined with wood or iron; neither painted, mordanted, varnished nor lacquered, without paintings, neither poker-worked, gilded, silvered, bronzed nor plaited in several colours.....	18 p.c.
	II. other.....	30 p.c.
ex 302	Wood cardboard, brown cardboard, straw, peat, felt and other rough cardboard, including glossing cardboard, cloth-pressing glossboard and similar cardboard, compact, elastic and glossed:	
	1. weighing more than 200 grammes per square meter.....	9 p.c.
	2. other.....	18 p.c.
ex 303	Asphalt roofing paperboard.....	9 p.c.
304	Celotex, Wenjacit and similar paper pulp products, used for covering the walls of dwelling-houses and for other building purposes, not decorated.....	18 p.c.
ex 305	Paper and paperboard, n.s.m., prepared for use as packing.....	9 p.c.
307	Wrapping paper, n.s.m., whether or not impregnated or coated with paraffin, wax, varnish, pitch, tar, and the like and whether or not reinforced with vegetable fabrics, yarn or cord, metal wire or metal cloth; old newspapers and periodicals, maculated paper and the like, suitable for use as wrapping paper, as well as paper wool and corrugated board suitable for packing.....	18 p.c.
308	Newsprint paper, common.....	9 p.c.
ex 315	Writing, copying, carbon and stencil paper, n.s.m....	18 p.c.
ex 331	Packing washers of paper, paperboard or paper pulp.....	9 p.c.
ex 346	Tissues and other goods wholly or partly composed of silk or of artificial silk, n.s.m.:	
	I. fabrics for curtains, hangings, carpets, passage-carpets and for clothing, as well as all other fabrics.....	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
352	Tissues and other wares of wool, as well as other products mentioned in Item 349, even combined together or with other fibres, except silk and artificial silk, n.s.m.: II. all other fabrics: a. curtain, furnishing, carpet and passage-carpet fabrics, including billiard cloths, as well as covering and decorating stuffs, including fabrics which are figured, decorated in a special manner, woven in several colours and other fabrics of two or more coulours, n.s.m.	30 p.c.
356	Tissues and other articles, of cotton, n.s.m.: I. fabrics classified under one or more of the following letters: b. velvet and plush, as well as velvety and plushy fabrics, with the exception of Turkish towelling, plain, bleached or not	30 p.c.
ex 360 II	Close woven tissues not classified in I, of linen, or half-linen, unribbed, not figured or decorated in a special manner: a. hopsack, twill or satin weave fabrics, bleached	30 p.c.
	b. other, bleached or not, woven in several colours, dyed or printed	18 p.c.
ex 360 VI	Floor mats and carpets of coconut fibre	30 p.c.
ex 379	Fabrics and other wares of textile fibres, not manufactured to measure, prepared for use as packing	9 p.c.
383	All kinds of sail cloth ("zeildoek", "karldoek", "scheerdoek"), cloth for tarpaulin and other thick cloths made from natural vegetable textile fibres; unbleached, bleached or of one single colour; without pile, neither figured nor otherwise decorated and not being cloths for carpets, passage-carpets or other floor coverings; neither combined, impregnated, covered, coated nor glued with foreign substances, unless their technical possibilities are thus increased and provided that they do not thereby fall under any other Item of the tariff; weighing 600 grams or more per square meter	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
385 I a	Fire hose	9 p.c.
ex 391	Packing washers and disks of textile material	9 p.c.
393	Socks and stockings:	
	I. exclusively of cotton, in one single colour, neither decorated nor ornamented	18 p.c.
	II. other	30 p.c.
ex 396 II	Outerwear, n.s.m., other, for women, girls and infants	30 p.c.
ex 401 I) ex 401 IIa)	Pocket handkerchiefs, colour woven of cotton, linen or half linen with a surface of 400 square inches or less	30 p.c.
418	Footwear of cloth, felt, list, imitation leather (oilcloth), pegamoid and the like or of other textile materials:	
	I. Sail cloth footwear or footwear made of similar rough tissues of natural vegetable fibres, unbleached, bleached or dyed, not having rubber or chromed leather soles, nor heels higher than 2½ centimeters, not including the thickness of the sole	18 p.c.
	II. other:	
	a. Footwear made of tissues referred to in subsection I, with rubber soles, not having heels or having low heels (gymnastic shoes)	18 p.c.
	b. all other	30 p.c.
419	Leather or fur footwear, without taking into consideration the composition of the soles, n.s.m.	30 p.c.
420	Rubber footwear, even lined with tissues, n.s.m.	30 p.c.
ex 425 II	Fezs	30 p.c.
426 I	Umbrellas and parasols, sunshades other than garden sunshades, also en-tout-cas; all these articles in so far as they have a simple bamboo stick and are covered with paper which is not ornamented with paintings, figures, ornaments, borders, etc.	18 p.c.
ex 455 I	Asbestos paper and other manufactures of asbestos used as packing material, including those combined with other fibres or with graphite, rubber, copper or lead	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C - NETHERLANDS INDIES

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
477	Porcelain, even combined with other wares, n.s.m.	
	I - White not combined with wares subject to a duty of 20 % ad valorem, nor ornamented, e.g. not having decorations in relief or ornaments of the same kind (except racks and pegs for rocks (for clothes etc.) and articles such as soap dishes, intended to be fixed by plastering into or against walls of bathrooms, lavatories etc.)	18 p.c.
	II- other	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 461 II	Multi-coloured pottery tiles and slabs for pavements and paving.....	30 p.c.
462	Wall-facing tiles and slabs, as well as furniture tiles, of pottery or porcelain:	
	I. single-coloured, not having decorations in relief nor ornaments of the same kind.....	18 p.c.
	II. other.....	30 p.c.
469	Toilet basins (fixed lavatories), lavatory basins for running water and bases, pedestals, brackets and the like for same; hanging wash basins; baths, hip-baths, bidets, bidet basins, commode, W.C. pans, urinals, sinks; water cisterns for W.C., urinals or sink installations; slop pails and similar sanitary articles, as well as toilet tables, mirror frames, washstand sets and bed-side table sets, also parts of such sets and similar articles - all these articles made of pottery or of porcelain:	
	I. Baths, hip-baths, bidets, bidet basins, slop pails, toilet tables, mirror frames, fixed lavatories on pedestal and wall-basins on pedestal.....	30 p.c.
	II. other articles classified under this Item:	
	a. white.....	18 p.c.
	b. other.....	30 p.c.
481	Sheet glass (plate glass, window glass, as well as other glass in sheets or plates), regardless of the manufacturing process or shape, n.s.m.:	
	I. uncoloured or coloured, as well as dulled, polished, bent, streaked(channelled) and reinforced (cast on wire or on plaited wirework) or not, but neither gilded, silvered, painted nor having an ornamental grinding nor having designs thereon.....	18 p.c.
ex 525	Iron and steel in plates or sheets, forged, rolled, beaten, pressed or drawn, including band iron, n.s.m.:	
	ex I. unworked or simply galvanized, leaded or tinned (not including band iron for purposes of packing, gangways and gutter iron).....	free
	II. other.....	18 p.c.
ex 526	Iron wire, n.s.m., unfinished.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
536	Plates which are perforated, hollowed, or worked in another way, even cast, clearly intended for technical use in industrial enterprise, even destined to be used as parts of working implements, such as pulping, sorting, straining, draining and sifting plates.....	9 p.c.
537	Conveying and discharging ducts, even irrigation pipes, n.s.m.....	9 p.c.
538	Pipes and tubes, n.s.m., which by reason of their characteristics are ordinarily used for technical purposes (the conduction of vapors, gases or liquids, the heating or cooling of substances and the like), whether or not cut to measure, and whether or not threaded or provided with sleeve couplings, flanges, supports, and the like, also if imported in spiral or other bent form or in the form of half pipe.....	9 p.c.
539 I	Tubular fittings for the mutual connection of the pipes specified in Item No. 538, such as caps, bends, elbows, reducer sockets and reducers, threaded reducers, double threaded and reducer nipples, tees, crosses and the like.....	9 p.c.
541	Drill pipe (drill rods) and tubular fittings; also pipe for "Norton" pumps; all these whether or not with screw-thread.....	9 p.c.
552	Nails and tacks, n.s.m.: II. other, including washers and fixing plates therefor, in so far as they are not dutiable under Item 534.....	9 p.c.
565	Instruments wholly or principally made of iron: I. Implements included in the following list, with the exception of those dutiable under another number: a. Spades, tjangkols, patjols, patjol picks and forks, rakes, weeding hooks, scythes, sickles, arits, dung -,hay -,and alang-alang forks, borers, incision chisels for rubber, pruning saws and similar implements used for agricultural purposes..... II. Utensils of iron or steel, or principally of iron or steel, other, n.s.m.....	 9 p.c. 18 p.c.
568	Ordinary pins and safety pins; ordinary hairpins....	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
590 I	Iron or steel furniture, n.s.m.:	
	a. Document cabinets; card index cabinets and boxes; document and book shelves; cabinets, supports and the like, for the systematic storing of stocks of goods, or of professional articles, or for displaying goods.....	18 p.c.
	b. working, sorting or finishing tables, in so far as they may be considered as auxiliaries for industrial operations.....	9 p.c.
ex 593	Gasoline and kerosine cooking apparatus and parts thereof.....	18 p.c.
ex 594	Kitchen utensils, enamelled.....	18 p.c.
595	Canteens and boiling pots; n.s.m. dishes, service plates, cups and saucers, drinking mugs, coffee pots, teapots and finger bowls; water, milk and petroleum cans; tea caddies, sugar boxes and similar boxes; household pails and basins - all these articles, even with wooden knobs, handles or the like:	
	ex I. finished solely by enamelling.....	18 p.c.
627	Aluminium, raw, in blocks, bars, ingots or cast plates, or granulated; turnings, parings and similar waste from aluminium working; scrap aluminium (aluminium wares which, owing to wear, breakage or the like, are unfit for further use except as raw material).....	free
628	Aluminium powder.....	Dutiable as colouring and dyeing materials, n.s.m. (Item 181)
629	Thermit and other mixtures of aluminium powder or granulated aluminium with oxides of other metals, used for the same purposes as Thermit.....	9 p.c.
630	Aluminium in bars(even profiled), plates or sheets, forged, rolled, flattened, pressed or drawn, as well as aluminium in strips, n.s.m.:	
	ex I. unworked(except aluminium in strips weighing 300 grammes or less per square meter).....	free
	II. worked.....	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
631	Aluminium in sheets (sheets or leaves of aluminium weighing 300 grammes or less per square meter), even cut into pieces, n.s.m.	18 p.c.
632	Aluminium wire, as well as aluminium wire cables, cordage and similar products in cord form, as well as aluminium pipes and tubes and corresponding accessories in tubular form	Dutiable as similar articles of copper
633	Tacks, nails, bolts, nuts and other fasteners, n.s.m. of aluminium	Dutiable as similar articles of iron
634	Pieces for the equipment of factories and other industrial establishments, accessories for industrial working implements, industrial working implements which are not operated mechanically, as well as tools - all these articles having characteristics corresponding to those of similar articles of iron, for which Chapter 63 provides a duty of 6%, n.s.m.	9 p.c.
635	Transporting cans: I. not covered with metal or otherwise, provided with a lid, a handle or ears, having a capacity of 10 litres or more II. other	 9 p.c. 18 p.c.
636	Receptacles of aluminium for transporting or coagulating latex (rubber), n.s.m. as well as rubber cups - all these articles in so far as their characteristics satisfy the authorities that there is no reason for considering them as being destined for other uses	9 p.c.
637	Capsules, tubes, cases and similar articles for stopping bottles, packing paint, soap and the like	18 p.c.
638	Kitchen utensils, such as saucepans, frying pans and dishes, kettles, milk boilers, pudding moulds and baking moulds, egg-slicers, lemon squeezers, etc. even combined with wood or other common materials; kitchen heaters	18 p.c.
639	Chests	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
640	Aluminium objects and articles, even combined with other wares, n.s.m.:	
	I. Articles for personal, household or office use:	
	a. unfinished or solely polished and with the exception of articles combined with wares subject to a duty of 30 p.c. ad valorem.....	18 p.c.
	b. other.....	30 p.c.
	II. Articles for other uses:	
	a. decorated or ornamented, or else covered or coated with precious metals, or combined with wares subject to a duty of 30 p.c. ad valorem.....	30 p.c.
	b. other.....	18 p.c.
ex 641	Lead, raw, in blocks, lumps or the like.....	free
643	Lead in sheets (sheets or leaves of lead, even tinned, weighing 500 grammes or less per square meter), even cut into pieces, n.s.m.:	
	I. unworked, weighing more than 450 grammes per square meter.....	free
	II. other.....	18 p.c.
ex 652	Zinc, raw, in blocks or lumps.....	free
672	Cutlery:	
	V. Shaving instruments and safety razors:	
	a. neither covered nor plated with precious metals.....	18 p.c.
	b. other.....	30 p.c.
	VI. Safety razor blades.....	18 p.c.
ex 687 II	Lamps and lanterns, n.s.m., which are not for lighting by gas or electricity.....	18 p.c.
694	Metal wool packing and other n.s.m. metallic packing.....	9 p.c.
ex 698	Pen-nibs, n.s.m.....	18 p.c.
711	Steam boilers (steam generators) and gas generators for motive power, n.s.m.....	9 p.c.
ex 713	Steam engines and steam turbines.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
714	Propelling motors (including auxiliary motors) for conveyances, as well as components and replacement parts thereof and accessories therefor (except electric motors and other electrical articles, such as ignition magnetos and spark plugs):	
	ex I. automobile motors:	
	a. Diesel motors	18 p.c.
	b. other	30 p.c.
	II. other motors classified under this Item:	
	ex a. for railway and tramway locomotives	free
	b. other:	
	1. for airplanes	free
	2. for tractors and similar tractive mechanisms, not running on rails	9 p.c.
	3. other motors	18 p.c.
	III. components and replacement parts for the motors specified in this Item, as well as carburetors, vacuum tanks, oil filters, gasoline tanks, gas generators and other similar articles belonging to the equipment of the specified motors and separate parts tehreof:	
	ex a. suitable for use with automobile motors:	
	1. clearly belonging to diesel motors	18 p.c.
	2. other	30 p.c.
	ex b. other, clearly belonging to motors for railway and tramway locomotives	free
	c. all other articles:	
	1. for airplane motors	free
	2. for motors for tractors and similar tractive mechanisms, not running on rails	9 p.c.
	3. other	18 p.c.
ex 716	Steam tractors	9 p.c.
ex 717	Road rollers and machines for road construction, operated by steam, kerosine, gasoline, oil, alcohol, etc.	9 p.c.
ex 718	Pumps and other implements and appliances for raising liquids, mechanically operated, n.s.m.	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 723 II	Hoisting and lifting apparatus and machines, implements and appliances for the displacement of loads, not designed to be operated solely by human or animal power, except appliances which are manifestly parts of, or belong to ships.....	9 p.c.
724	Weighing implements, except analytic scales:	
	II. automatic person-weighing scales and other appliances for weighing persons, including infant scales,.....	30 p.c.
	III. Letter scales, composed of or covered with precious metals, nickel or metals assessed as such (new silver, alpaca, etc.),or combined with substances other than metals, such as glass, or not registering more than 100 grams.....	30 p.c.
	IV. other, such as weigh bridges, decimal, centesimal, counter, table and spring scales, steel yards, parcel weighers, etc,:	
	a. with a weighing capacity of 1000 kg or less.....	18 p.c.
	b. other.....	9 p.c.
	V. weights for the above specified weighing implements, even if in blocks.....	18 p.c.
ex 728	Apparatus and instruments, n.s.m., for tea factories and rubber factories.....	9 p.c.
ex 736	Machines, apparatus and appliances, n.s.m., to be used for the production of petroleum and for the working of mines.....	9 p.c.
739	Evaporating and refrigerating apparatus ("Koellichamen"), cooking and melting vats, boilers for raw materials ("ruwketels") and brewers' boilers, distilling, extracting, diffusing and rectifying apparatus, as well as other similar devices and apparatus, n.s.m., for subjecting materials to a physical or chemical process or working:	
	ex I. clearly destined to be directly for production purposes in sugar- works, also refrigerating apparatus ("Koellichamen") for alcohol and other distilleries, scent and pharmaceutical products factories and other industrial enterprises.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 744	Machines, apparatus and appliances for industrial manufacture of ice in blocks or bars or for cooling the air in freezing and refrigerating chambers:	
	I. portable aggregates:	
	a. for industrial manufacture of ice.....	9 p.c.
	b. for cooling the air in freezing and refrigerating chambers.....	18 p.c.
	II. other, for industrial manufacture of ice.....	9 p.c.
745	Refrigerators, drinking water and room coolers, adapted for the generation of cold; also similar chests for making ice; refrigerating machines and refrigerating units and similar articles suitable for use with the above-mentioned refrigerators, coolers and ice-makers; also machines, apparatus and appliances adapted for the preparation of cooling foods; so-called ice cream freezers, whether or not provided with mechanism, hereunder included:	
	I. Refrigerators having a capacity of more than 2 cubic meters, outside measurement, and refrigerating machines, refrigerating units and similar articles, clearly intended to be used with such refrigerators.....	18 p.c.
	II. all other articles classified under this Item.....	30 p.c.
753	Vacuum cleaners, used in households for cleaning floor coverings, curtains, furniture and the like; also floor waxing and floor polishing machines and appliances.....	30 p.c.
755	Machines and apparatus for sewing, basting, knitting, stopping, embroidering, stitching and scalloping, as well as similar machines and apparatus:	
	II. sewing machines, including sole-sewing machines, as well as similar sewing machines and embroidering, stitching and scalloping machines:	
	a. in furniture form, for example placed inside, attached to or put on a drawing room cabinet, for household use, provided with an electric motor placed inside the machine or fitted thereto.....	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
755 (continued)	b. other:	
	1. on a table, legs or a similar stand, provided or not with a treadle, weighing 55 kilogrammes or less.....	18 p.c.
	2. other than those on tables, legs or a similar stand, weighing 20 kilogrammes or less.....	18 p.c.
	3. all other.....	9 p.c.
757	Addressing machines and other implements and appliances for printing, stamping, numbering or paging, including numberers and other stamps operating by mechanism, "multigraphs" and similar articles thereunder included: all these providing they weigh 100 kilograms or less; also label pasting and similar pasting machines, n.s.m., paper, board and similar fastening machines, as well as paper perforating and paper punching machines, all these providing they weigh 10 kilograms or less; also paper cutting machines; weighing 5 kilograms or less.....	18 p.c.
758	Autographs, autographic presses, copy presses, hectographs, polygraphs, multicopiers and other machines and appliances for manifolding script or type script, providing they weigh 100 kilograms or less; also separately imported rolls and dimensioned refills for such machines and appliances, of all kinds, also for those of greater weight.....	18 p.c.
ex 761	Typewriters, n.s.m.; bookkeeping machines; statistical machines; calculating and adding machines; cash registers and other automatic cash-checking appliances; as well as mechanisms, chassis, scales, keys, type bars, so-called carriages, rollers, paper guides and similar articles generally used with the machines and apparatus specified in this Item.....	18 p.c.
765	Fire engines, whether or not power-actuated; fire extinguishing apparatus (annihilators, extinguishers, rapid extinguishers, foam extinguishers, etc.) and refills therefor (whether or not in glass containers); fire extinguishing boxes, tubes, grenades and similar articles for extinguishing fires; also fire hose supports and reels, fire ladders (tower and hook ladders, etc.), fire rescue appliances, n.s.m., smoke masks and similar fire extinguishing and brigade equipment.....	9 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERL'NDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
771 I	'utomatic appliances which are used for the sale of retail goods (foods and beverages of all sorts hereunder included).....	18 p.c.
778	Machines, apparatus and appliances, n.s.m.:	
	I. by reason of their characteristics intended solely or principally to serve as operational auxiliaries in industrial or technical enterprises.....	9 p.c.
	II. other.....	18 p.c.
ex 779 II	Iron and steel globe valves, slide valves and regulating cocks, n.s.m., weighing more than 8 kilograms.....	9 p.c.
ex 781 I	Iron and steel plug cocks, n.s.m., weighing more than 8 kilograms.....	9 p.c.
ex 785 I	Parts, n.s.m., clearly belonging to the machines, apparatus and appliances specified above in Item numbers ex 713, ex 716, ex 717, ex 718, ex 723 II, 724 IV b, ex 736, ex 744 II, 765, 778 I, ex 779 II and ex 781 I.....	Dutiable as the machines, apparatus or appliances
787	Electric cells and batteries, n.s.m.:	
	I. primary:	
	a. dry cells and batteries used for electric flash-lights or torches; as well as for toys.....	18 p.c.
	II. secondary (accumulators):	
	a. unicellular, weighing 10 kilograms or less, as well as storage batteries composed of two or more cells which cannot be separated, weighing 20 kilograms or less - all these articles weighed without the electrolyte.....	18 p.c.
	b. other.....	9 p.c.
ex 790 IIa	Electric incandescent lamps based on a tension of six volts or less (for flash-lights, bicycle-lamps, etc.).....	30 p.c.
793	Telewriters, transcribers, remote-control typewriters and similar appliances to transmit electrically any communication in characters, in a manner similar to that in which conversations are carried on by this means; as well as dictaphones and similar office machines.....	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 803	Electric generator sets furnishing dwellings, hotels, and the like with their own supply of electricity for illumination, heating or power (house power plants, etc.):	
	a. stationary, weighing more than 100 kilograms.....	9 p.c.
	b. other.....	18 p.c.
804	Electric fans:	
	I. Table, wall, ceiling and other fans which are used to effect the circulation of air in dwelling or office premises, theaters and the like: wall or ring fans for cooling air, providing they do not come under II below; as well as stands, blades, protectors and like articles used with such fans and motors clearly belonging thereto.....	30 p.c.
	II. Wall or ring fans with galvanized or tinned iron (or steel) ring and blades, the diameter of blade exceeding 500 mm, as well as centrifugal and other fans used as operational auxiliaries in industrial or technical enterprises.....	9 p.c.
ex 810	Electric washing machines for dishes and linen and other n.s.m. electric machines, apparatus and appliances for household pruposes.....	30 p.c.
812	Electric machines, apparatus and appliances, n.s.m.:	
	I. intended by reason of their characteristics to be used exclusively or principally for industrial or technical purposes.....	9 p.c.
	II. other.....	18 p.c.
ex 816	Insulators.....	9 p.c.
ex 829	Armatures field magnet systems, stators and rotors for dynamos, electric motors and similar electric machines, n.s.m.:	
	I. providing they clearly belong to specified machines, apparatus and appliances.....	Dutiable as the machines, apparatus and appliances
ex 830	Articles which by reason of their construction constitute parts or replacement parts of electric machines, apparatus or appliances, n.s.m.:	
	I. providing they clearly belong to specified machines, apparatus and appliances.....	Dutiable as the machines, apparatus and appliances

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
ex 831	Railway locomotives and parts thereof, te be used for public traffic.....	free
833	Tractors, walking tractors and similar tractive mechanisms, not running on rails.....	9 p.c.
ex 834	Automobiles:	
	I. Limousines, coupes, touring and racing cars, chars-a-bancs and other cars for the transportation of passengers, with the exception of motor buses and ambulances.....	30 p.c.
	ex II. Motor buses and motor trucks, except tank trucks.....	18 p.c.
ex 835 I	Upper assemblies for the vehicles mentioned in Item 833, as well as parts thereof.....	9 p.c.
836	Chassis and other lower assemblies, chassis frames, axles, wheels, wheel rims, rim bolts, rim clamps, valves, springs, fenders, brake drums, clutches, change speed gear, steering gear, brakes, radiators, motor hoods and other similar parts of the vehicles mentioned in Items 833 and 834, and subparts thereof such as steering wheels and the like:	
	I. articles clearly intended to be used with vehicles which are not subject to a duty higher than 18 percent ad valorem:	
	a. for the tractive mechanisms mentioned in Item 833.....	9 p.c.
	b. other.....	18 p.c.
	II. other.....	30 p.c.
837	Accessories and equipment for automobiles, such as lights, spot lights; head lights; light regulators; warning and signalling appliances and devices(horns, turn indicators, stop signals, etc.); instrument boards; rear vision mirrors; wind-shield wipers; air pumps, jacks, tire irons and other utensils; spare tire and luggage carriers; luggage racks; shock absorbers; bumpers; running board mats; tire, wheel, spring and radiator covers; trunks; tool cases; non-skid chains and the like; mascots and other decorations for automobile radiators.....	30 p.c.
838	All kinds of cycles, with the exception of rail and water cycles and of children's toy cycles:	
	I. Cycles not having their own motive power, even not quite complete and fitted or not for the conveyance of goods, invalids or the wounded.....	18 p.c.
	II. Motorcycles, even not quite complete.....	30 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
839	Parts of cycles, such as frames, axles(pedal gear-, hub- and pedal axles), cranks, pedals, front and rear forks, driving wheels, rims, spokes, driving chains, chain wheels, free wheels, steering devices, brakes, saddle frame tubes, saddles, mudguards and mudguard rods, foot rests, lamp brackets, handle-bar grips, brake and pedal blocks, dust and oil caps, valves and the like, including ball joints, crown pieces and other similar joints for assembling frames and fitting front and rear forks, pedal axle cones, spoke nipples and spoke nipple-plates and similar accessories- all these articles in so far as they are neither mentioned nor included elsewhere and being or not in an entirely finished state:	
	I. clearly destined, owing to their characteristics or structure, to be used with motorcycles.....	30 p.c.
	II. other.....	18 p.c.
Gen.Prov. to Chap. 76 Part A	Airplane parts.....	free
844	Airplanes and other "heavier than air" apparatus....	free
877 II	Other projection appliances (magic lanterns, motion picture appliances and the like, providing not toys), including appliances for the reproduction of photographed or synthetic music or other sounds, whether or not in fixed combination with projection appliances:	
	I. Appliances for projecting motion picture and sound films, over 30 mm in width.....	18 p.c.
	II. other.....	30 p.c.
885	Instruments and apparatus, n.s.m., for observing, measuring, checking, registering or examining or for purposes of demonstration:	
	ex II a. operational auxiliaries for industrial or technical enterprises.....	9 p.c.
914	Toilet brushes (clothes-, hat-, hair-, tooth- and nail-brushes, shaving brushes and the like), n.s.m.:	
	I. Tooth brushes:	
	a. with brush holder and unremovable or removable handles, fixed thereto, manufactured of white bone or of celluloid, galalite or similar artificial plastic material, in one single colour, and with a non-replacable brush, the hairs of which are fixed in the holder without metallic fasteners.....	18 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
924 (continued)	III. all other toilet brushes classified under this number (except shaving brushes):	
	a. solely mounted on common wood, even stained, oiled, polished, waxed, painted or varnished, but neither laquered nor in any manner decorated, ornamented, veneered, covered or coated, nor provided with a mirror, and with the exception of pocket and bath brushes.....	18 p.c.
924	Sports requisites and apparatus.....	30 p.c.
932 I	Buttons:	
	ex a. wholly or partly of mother-of-pearl.....	30 p.c.
	b. of base metal:	
	1. neither ornamented nor decorated, and neither covered nor plated with precious metals.....	18 p.c.
	2. other.....	30 p.c.
	c. of other materials, such as bone, horn, leather, ivory nut, wood, paperpulp, celluloid, glass, ceramic materials, stone or similar products:	
	1. neither ornamented nor decorated.....	18 p.c.
	2. other.....	30 p.c.
	d. covered with textile materials or products:	
	1. linen-faced, or so-called linen-faced buttons for underclothing.....	18 p.c.
	2. other.....	30 p.c.
933	Trimmings and other articles, n.s.m., of base metal, wood or other carving or plastic material, artificial plastic material, ceramic material, stone or glass, used for decorating or finishing or required for the manufacture of the folbwing articles: - Clothes, hats and other millinery articles, handmade work, decorative, fancy and similar articles, such as buckles, hooks and eyes, fasteners, clasps, slides, glass beads and tinsel, cuttings, purl, etc.; - Footwear, such as fastening and ornamental buckles, hooks and eyes for footwear, etc.; - Rosaries, necklaces and other ornaments, such as small chains, fasteners, beads, etc.; - Albums, diaries, book covers, purses, small money bags, pipes, cigar cases and similar articles:	

SCHEDULE II - BENELUX - LUXEMBURG - NETHERLANDS

SECTION C. NETHERLANDS INDIES.

PART I (Continued)

Netherlands Indies Tariff Item Number	Description of Products	Rate of Duty
933 (continued)	I. commonly manufactured articles used solely for practical purposes, such as hooks, eyes and lightning fasteners for shutting clothes, trouser buckles, hooks and eyes for footwear, fastening buckles for footwear, fittings for braces, hose suspenders and sock suspenders and whalebones for collars, clothing and corsets, clasps for purses, etc.....	18 p.c.
	II. other, such as beads of base metal, wood, celluloid, bone, mother-of-pearl, ivory, amber; spangles; tinsel; purl; borders, fringes and tassels composed of beads or of pierced fruits or seeds; hat-, belt- and decorative buckles; facings, motifs and trimmings for ladies' dresses, belts and hats of beads, shells, jet and the like; tassels, plaits and similar passementerie wares of imitation gold or silver yarn; ladies' hand-bag fasteners of metal, tortoise shell or imitations of the latter; metal trimmings for purses; cap badges, etc.....	30 p.c.
	END OF SECTION C.	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION D - CURACAO

This Section is authentic only in the English language.

PART I (continued)

Most-Favoured-Nation Tariff

NOTE: In the hereunder mentioned "rate of duty" 10 p.c. surtax is included.

Curaçao Tariff Item Number	Description of Products	Rate of Duty
Article 126 ex f	Fresh fruit, except plantains, bananas, sugar cane and tangerines	free
Article 127 ex 17 a	Gas oil and crude gasoline, to be processed	free
ex Article 128	Automobiles, including motor buses, motor trucks, chassis, inner tubes, tires, and automobile parts not mentioned specifically	11 p.c.
	Whisky	f. 27.50 per hectoliter of 50 p.c. strength + excise duty
	Cornmeal	f. 0.275 per 90 Kg net
	Flour of wheat or rye	f. 0.55 per 90 Kg net
	Furniture, wooden or of metal:	
	a. with glass	16.5 p.c.
	b. other	11 p.c.
	Cigarettes	f. 1.10 per 100 pieces
	Confectionery and chocolate	16.5 p.c.
	Meat, preserved, but not frozen:	
	ex: Hams	f. 3.30 per 100 Kg net
	Writing, calculating and adding machines; writing, office, painting and drafting requisites; cash registers; bookkeeping machines; scales and measuring implements; refrigerators:	
	a. enamelled	11 p.c.
	b. with glass	16.50 p.c.
	All other good, not specified in the tariff as dutiable nor included under duty-free articles:	

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION D - CURAÇAO

PART I (continued)

Curaçao Tariff Item Number	Description of Products	Rate of Duty
ex Article 128 (continued)	Beef and veal, fresh ..... Fresh vegetables, other than potatoes ..... Canned vegetables ..... Soy-bean oil ..... Beverages (non-alcoholic) and vegetable food products, n.s.m. ..... Leather boots and shoes ..... Cotton garments, except knit ..... Fabrics and manufactured articles of flax, hemp and ramie ..... Men's and boy's wool overcoats, suits and pants. Rayon dresses, skirts and blouses ..... Hats, caps and berets ..... Boards, planks and scantlings of Southern pine . Wooden manufactures, n.s.m. ..... Naphtha, solvents and other finished light petroleum products, except gasoline ..... Lubricating oil ..... Asbestos and manufactures ..... Sulphur, crude ..... Iron and steel bars and rods ..... Structural iron and steel ..... Tubular products and fittings, of iron and steel Iron and steel wire and manufactures of such wire ..... Iron and steel nails and bolts (except for railroad use) ..... Articles of iron and steel, n.s.m. ..... Copper and manufactures ..... Brass and bronze and manufactures ..... Electrical machinery and apparatus ..... Construction machinery ..... Conveying machinery (hoisting and lifting apparatus and machines, implements and appliances for the displacement of loads) ..... Pumps ..... Valves, principally of iron or steel, and parts, for steam, water, oil and gas ..... Industrial machinery and parts, n.s.m. ..... Medicinal, pharmaceutical and toilet preparations, n.s.m. ..... Ready-mixed paints, stains and enamels ..... Trunks ..... Office supplies, n.s.m. ..... Rubber hose ..... Milk, condensed, evaporated or powdered ..... Patent medicines ..... Socks and stockings of silk or artificial silk . Fish, dried or salted	3.3. p.c.

END OF SECTION D

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION E - SURINAM

This Section is authentic only in the English language

PART I (continued)

Most-Favoured-Nation-Tariff

NOTE: In the hereunder mentioned "rate of duty" 25 p.c. surtax is included.

Surinam Tariff Item Number	Description of Products	Rate of Duty
Article 1 Section 2		
2 a	Fruit of the soil and vegetables, fresh, not specially mentioned	2.5 cents per Kg net
ex 8 a	Grain flour, other than in packages weighing one kilogram or less	3.125 cents per Kg net
ex 31 D and E	Lubricating oils, including machine oil and motor oil	20 p.c. with a minimum of 7.5 cents per liter for oils in receptacles of 10 liters or less
ex 31 E	Edible oils in receptacles of 10 liters or less	20 p.c. with a minimum of 3.75 cents per liter
ex 34	Odorifirous essential oils, not specially mentioned..	37.5 p.c.
49	Fish:	
	Salmon, salted or in brine, in receptacles containing more than 10 kilogrammes net weight	5 cents per Kg net
	All other fish, salted or in brine, as well as stockfish in receptacles containing more than 10 kilogrammes net weight	2.5 cents per Kg net
	Fish, not specially mentioned, regardless of receptacle	20 p.c.

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

SECTION E - SURINAM

PART I (concluded)

Surinam Tariff Item Number	Description of Products	Rate of Duty
ex 55	Fresh fruit .....)	
	Fruits, preserved .....)	
	Soap, crude .....)	
	Soap, perfumed (toilet) .....)	
	Soap powder .....)	
	Tooth paste, dental soap and powder .....)	
	Clothes for women .....)	
	Clothes for men .....)	
	Automobile tires, including casings and inner tubes.)	
	Paper bags, not printed on .....)	
	Typewriters and adding machines .....)	
	Automobiles, including motor trucks .....)	
	Spare parts for automobiles, including motor trucks .....)	
	Scientific apparatus, not specially mentioned .....)	20 p.c.
	Socks and stockings of silk or artificial silk .....)	
	Pepper .....)	
	Cloves .....)	
	Nutmeg .....)	
	Ginger .....)	
	Vanilla .....)	
	Cinnamon .....)	
	Raffia .....)	
	Mats of raffia (rabanes) .....)	
	Gum Arabic .....)	
	Floor mats of vegetable plaiting material .....)	
	Strings and twine, braids, floor mats and carpets of coconut fibre .....)	
Article 1, section 3 (free list)		
4	Dynamite and other explosive substances, including detonants but excluding gun powder and ammunition ...	free
ex 7	Leather, other than sole, chamois and parchment	free
ex 9	Machinery for mining	free
14 a	Coal	free

END OF SECTION E

SCHEDULE II - BELGIUM - LUXEMBURG - NETHERLANDS

PART II

Preferential Tariff

N I L

SCHEDULE III - BRAZIL

This Schedule is authentic only in the English and French languages.

PART I

Most-Favoured-Nation Tariff

Brazilian Tariff item number	Description of Products		Rate of duty
	CLASS I		
	LIVE ANIMALS		
5	Livestock:		
/1	neat cattle.....	head	79.50
/3	horses:		
	breeding and draught horses.....	head	152.88
	NOTE: Breeding animals, imported by stock breeders, who are registered as such with the Ministry of Agriculture, and prove that they possess stock farms by producing a certificate from the said Ministry, are exempt from Customs duties.		
	CLASS II		
	HAIR, FUR OR BRISTLES AND FEATHERS		
	Raw or prepared:		
9	Bristles, goat, wild boar, pig and other swine.....	L.K.	2.70
11	Fur:		
/1	Beaver, hare, otter and camel hair cloth.....	L.K.	7.00
/1	Rabbit.....		Free
	Manufactured wares:		
23	Feather trimmings:		
/1	Egrets.....	R.Gr.	0.70
/3	Flowers, loose.....	R.Gr.	0.70

SCHEDULE III- BRAZIL

PART I (Continued)

Brasilian Tariff item number	Description of Products	Rate of duty
	CLASS III	
	HIDES, SKINS AND LEATHER	
	Raw, prepared or tanned and varnished:	
36	Raw, with or without the hair:	
/2	Dried, salted or dry-salted (exclusively of silver, blue, platinum and red foxes, marten, squirrel and seal)..... G.K.	2.24
/2	Rabbit dried, salted or dry-salted.....	Free
37	Prepared or tanned:	
	With the hair:	
/1	Ermine, beaver, otter, fox and the like, whole, without other preparation or finish..... L.K.	29.12
/2	Ermine, beaver, otter and fox, patched without preparation or finish..... L.K.	22.40
/4	Rabbit, cat and hare, without other preparation or finish..... L.K.	22.40
	Without the hair:	
/6	Chamois..... L.K.	16.52
	n.e.m:	
/11	Known as Russian, or Bulgarian leather, whether varnished, grained or not..... L.K.	26.32
	Manufactured wares:	
50	Footwear:	
	Shoes and pumps:	
	Linen fabric:	
/7	up to 22 cm. long in foot..... pair	5.46
/8	over 22 cm. long in foot..... pair	10.92

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
66	Gloves, with or without stitching on backs:	
	Kid, suede, chamois, dog-skin and the like:	
/1	up to 30 cm. long.....pair	7.00
/2	over 30 and up to 45 cm. long.....pair	11.20
/3	over 45 cm. long.....pair	16.80
/5	Boxing, fencing and other sports.....pair	29.12
79	Bands of leather stitched or not for hat sweats.....L.K.	18.34
	CLASS IV	
	MEAT, FISH, OLEAGINOUS MATERIALS AND OTHER ANIMAL PRODUCTS	
86	Meat:	
	In other preserves:	
	Prepared in any way:	
/8	Foie gras..... L.K.	7.00
ex/	Canned soups, with and without meat.....	33% ad valorem
87	Casein, powder..... L.K.	1.89
89	Glue:	
/1	Fish..... L.K.	4.20
/2	Other kinds..... L.K.	2.80
96	Gelatine in sheets, granulated or powdered L.K.	5.60
98	Milk:	
/2	Condensed or concentrated, with sugar.... L.K.	2.10
/3	In powder, tablets or other state, with or without sugar..... L.K.	1.82
/3	Condensed or preserved unsweetened..... L.K.	1.82

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
103	Fixed liquid oils:	
/1	Cod Liver.....L.K.	0.70
/1	Fish liver, in bulk.....L.K.	5.88
106	Fish:	
	Cod and "Saithe":	
/2	dried and salted, with bones.....R.T.	Cr$ 200.00 plus surtaxes minus consumption tax.
/3	dried and salted, boned.....L.K.	0.49
	Preserved by any other process:	
/6	Herrings:	
	smoked exclusively.....L.K.	1.00
	preserved in other way.....L.K.	4.37
107	Cheese:	
	Ewes, Roquefort.....L.K.	5.60
	CLASS V	
	MOTHER-OF-PEARL, IVORY, TORTOISE-SHELL AND OTHER ANIMAL DERIVATIVES	
	Raw or prepared:	
116	Sponges:	
/1	Common, in bulk, for washing houses and similar uses..... L.K.	35.00
	Manufactured Wares:	
122	Ornamental and other similar articles for personal adornment:	
/1	Horn and bone..... L.K.	61.18

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS VI	
	WOOL	
	Raw or dressed:	
133	Raw wool:	
/2	Fine, of counts finer than 50's.....G.K.	1.40
134	Washed or scoured, crude or carbonised and floss or waste from carding or combing:	
/1	Bleached or natural colour exclusively wool of counts finer than 50's..... G.K.	4.00
136	Carded, combed or prepared in any way, including tops and laps:	
/1	Crude wool tops and noils, of counts finer than 50's..... G.K.	7.50
	Manufactured Wares:	
167	Tapestries for walls and tables and furniture upholstery:	
	Ex - Beauvais, Gobelin, Aubusson tapestries, with signature worked into the fabric, and entirely hand-made.....	50% of the duties on embroidered or decorated wall panels.
172	Ready-made clothing:	
	Shirts and vests:	
	Stockinet or knitted:	
/2	Fine shirts (chemisettes).....each	9.10
	Pants and drawers:	
/3	Stockinet or knitted.....each	9.10
	n.s.m:	
	Plain:	
/8	Hosiery of machine knitted fabrics.....each	70.00
/9	Lace.....each	218.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
175	Piece goods:	
	Palm-beach fabrics:	
/14	up to 250 gr. per square metre..... R.K.	81.90
/15	over 250 gr. per square metre..... R.K.	65.52
	CLASS VII	
	SILK, RAYON, AND OTHER SIMILAR ARTIFICIAL OR SYNTHETIC PRODUCTS	
	Manufactured Wares:	
197	Belts, garters and braces..... L.K.	140.00
210	Gloves, with or without stitching on backs:	
/1	up to 30 cm. long..... pair	4.90
/2	over 30 and up to 45 cm. long..... pair	6.02
/3	over 45 cm. long..... pair	7.28
216	Lace (of silk):	
/1	In the piece..... R.K.	285.46
/2	Applique, cut out..... R.K.	342.16
217	Ready-made clothing:	
/3	Lace or tulle..... R.K.	488.88
	CLASS VIII	
	FRUITS, CEREALS, HERBS, VEGETABLES AND THEIR DERIVATIVES	
	Fruit:	
225	Plums, cherries, damsons, quinces, figs, apples, melons, peaches, pears, strawberries, grapes, fresh or green.....	Free

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
227	Almonds and hazelnuts:	
/1	Unshelled.....G.K.	0.70
/2	Shelled or husked.....L.K.	1.40
	Walnuts:	
/1	In the shell.....G.K.	0.35
229	Dried or raisined:	
/2	n.s.m.	Free
230	Preserves:	
	Olives:	
/2	in oil.....L.K.	1.40
	Any other fruit:	
	Peaches, pears, apricots, apples, cherries, plums, prunes, berries, except strawberries, and mixed fruits for salad made up of the foregoing:	
/5	In alcohol, in syrup or jams and in jelly, cake or pulp, with sugar or honey, including jams made up of melon and lemon, melon and ginger... L.K.	6.20
	Peaches, apricots, apples, cherries, plums and pears:	
/6	Without syrup, crystallised or prepared and confectioned in any other way..... L.K.	10.92
	ex Marron-glace..... L.K.	10.92
	Cereals, herbs and vegetables:	
234	Oats:	
/1	In grain with the husk..... G.T.	175.00

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
236	Chick-peas, whole or split.....G.K.	0.42
239	Wheat:	
/1	In grain, husked or threshed.....G.T.	66.94
240	Cereals, herbs and vegetables:	
	n.s.m:	
/1	ex Dried peas and lentils.....G.K.	0.77
	Of any kind:	
	In preserves of any kind with or without mixture of fruit, in pulp, except tomatoes, or prepared in any other way:	
/3	Asparagus..... L.K.	2.80
/4	Others..... L.K.	4.20
	Derivatives and sub-products:	
245	Flours:	
/1	Potato..... L.K.	3.04
/2	Oat..... L.K.	1.09
/5	Wheat..... L.T.	217.00
247	Malt:	
/1	Barley or roasted barley..... G.T.	350.00
	CLASS IX	
	PLANTS, LEAVES, FLOWERS, AGRICULTURAL PRODUCE, SEEDS, ROOTS, PEELS, FODDER AND SPICES	
251	Capers prepared in any way..... L.K.	3.64
252	Garlic, loose, in bundles or ropes..... L.K.	1.12

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
253	Shrubs, trees and plants, living, of all kinds:	
/1	Garden..... G.K.	1.40
/2	Vegetable garden, meadow, orchard and agricultural generally.....	Free
254	Berries, grains, beans, fruits, thistles, seeds, nuts, and other species suitable for condiments, medicine, industrial and other purposes:	
/5	Vanilla (pods)..... L.K.	62.16
/7	Cardomum minor (seeds)..... L.K.	26.80
/9	Cumin (seeds)..... L.K.	1.68
/14	Kola (nuts)..... L.K.	1.68
/20	Nutmeg (nuts)..... L.K.	7.08
/25	Elderberries..... L.K.	1.34
/28	Orchard, meadow, market garden and agricultural seeds in general..... L.K.	0.78
/29	n.a.m:	
	Grass seeds.....	Free
	Clover seeds.....	Free
	Certified seed potatoes.....	Free
258	Barks and wood:	
/1	Cinnamon (including cassia lignea)... G.K.	0.20
/2	Logwood..... G.K.	0.42
/3	For use in medicine, industry and for other purposes:	
	Quinine bark..... L.K.	2.66
261	Mushrooms, dried, fresh or preserved.... L.K.	4.20
	ex Truffles..... L.K.	4.20

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
262	Condiments and spiced sauces such as: curry, preserved mustard, and others not specified, in liquid, lump, paste or powder.....	L.K.	7.2[illegible]
263	Cloves.....	G.K.	1.32
266	Leaves, flowers, herbs, stems, rushes, mosses, lichens, algae, stalks, and other similar species suitable for condiments, medicinal, industrial and other purposes:		
/4	Rosemary (flowers).....	L.K.	2.52
/6	Lavender (flowers).....	L.K.	3.[illegible]
/9	Henna (leaves).....	L.K.	14.[illegible]
/10	Hops or lupulus (flowers or cones)....	L.K.	2.26
/11	Mace or nutmeg (flowers).....	L.K.	12.32
	Mallows:		
/12	Flowers.....	L.K.	5.18
/13	Leaves.....	L.K.	2.94
/14	Poppy, white, black or red, (fruits).....	L.K.	4.06
267	Tobacco:		
/3	Leaf.....	G.K.	17.50
270	Pepper:		
/1	Asiatic, white or black, in pepper corns.....	L.K.	1.12
/2	Asiatic, white or black, powdered...	L.K.	2.24
271	Pimentos and allspice:		
/1	Fresh, dried or salted, whole or in lumps.....	L.K.	2.24
/2	Powdered or preserved, with or without addition of fruit or vegetables, or prepared in any other manner.....	L.K.	7.28

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
272	Roots, bulbs and tubers suitable for condiments, medicinal, industrial and other purposes:		
/2	Marshmallow, with or without the bark or grated.....	L.K.	2.24
/3	Turmeric or ginger, white or yellow (roots).....	L.K.	2.52
/4	Quitch grass.....	L.K.	2.24
/7	Orris.....	L.K.	2.38
/8	Rhubarb.....	L.K.	18.62
/10	Sarsaparilla.....	L.K.	7.42
/11	Valerian	L.K.	3.76
273	Any unclassified spices, fresh, dried or in preserves.....	L.K.	8.12
	CLASS X		
	VEGETABLE SAPS AND JUICES, ALCOHOLIC AND FERMENTED BEVERAGES, AND OTHER LIQUIDS		
276	Alcoholic beverages:		
	Whisky of the types known as Scottish, Bourbon, and Rye, and blends of the two latter:		
	Up to 45 degrees of alcoholic strength:		
/6	In bottles.....	L.K.	9.52
	Over 45 degrees of alcoholic strength:		
/8	In bottles.....	L.K.	13.16
	Gins:		
/10	In bottles.....	L.K.	7.14

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
282	Gums, resin-gums, resins and natural balsams:		
	Arabic, acacia, Senegal and Jamba:		
/6	Solid or in tears.....	L.K.	1.68
/18	Shellac in paste, blocks, straws or scales.....	L.K.	1.75
	Pine:		
/21	Burgundy.....	L.K.	0.74
/22	Colophony (common resin or rosin).	G.T.	185.82
/23	Black (pitch) and any other kind..	G.T.	185.82
	ex - Kauri-gum.....	L.K.	2.24
	Turpentine:		
/26	Bordeaux or ordinary.....	G.K.	0.70
/30	n.s.m. (including Button lac).....	L.K.	3.25
283	Liqueurs of any kind:		
/2	In bottles.....	L.K.	9.24
286	Fixed liquid oils:		
	Olive or sweet oil:		
/12	Pure or refined.....	L.K.	2.94
290	Vinegar:		
/2	Composition or for pickling such as: aromatic "Tarragon" and the like....	L.K.	2.80
291	Wines:		
	Sparkling or frothy:		
/7	Champagne, original.....	L.K.	8.68

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS XI	
	WOOD AND TIMBER	
	Manufactured wares:	
322	Bobbins, spools or tubes of any wood:	
/1	Small, plain, for winding thread, string or silk thread..... L.K.	1.40
/2	Large or small, wholly wood or wood and cardboard, with or without common metal fittings, for spinning, knitting and weaving..... L.K.	2.24
	CLASS XII	
	INDIAN AND OTHER CANE, BAMBOO, RUSHES, RATTAN AND OSIERS	
	Raw or prepared:	
370	Rushes or rattan:	
/1	Raw..... G.K.	2.80
/2	Split cane, drawn through, drawn-plate or prepared in any other way..... G.K.	9.80
	CLASS XIII	
	STRAW, CORK, ESPARTO, MANILLA, PAINA, PLASSAVA, PITA, SISAL, OR AGAVE, AND OTHER FIBROUS VEGETABLE MATERIALS	
	Raw, prepared or heckled, combed or dressed in any way, and dyed or not:	
396	Esparto and manilla hemp.....G.T.	238.00
	Manufactured Wares:	
406	Baskets, bags and cases:	
	For sewing, travelling, and other purposes:	
/1	Plain..... L.K.	10.92
/2	Embroidered, trimmed and lined..... L.K.	22.54
/3	Large, for clothes, transport of bottles, porters baskets and the like..... G.K.	3.64

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
/4	Paper, shopping, cutlery and the like.....	L.K.	10.92
/5	Common for earthworks and the like.	G.K.	0.35
	CLASS XIV		
	COTTON		
	Manufactured Wares:		
432	Carpets and rugs.....	L.K.	21.84
473	Lace:		
/1	Tulle, embroidered with any material..	R.K.	218.40
/2	Any other kind, embroidered with any material.....	R.K.	136.50
474	Ready-made clothing:		
	Plain:		
/6	Collars for shirts.	each	1.40
	n.s.m:		
/12	Any other fabric		Double the duty of the fabric itself plus 10%.
/13	Embroidered or trimmed		The duties of the plain ready made clothing plus 10%.
	CLASS XV		
	FLAX, JUTE, HEMP AND RAMIE		
	Manufactured Wares:		
511	Sheets, coverlets and counterpanes for beds, pillow-cases, towels, table-napkins and the like, only made of flax, cut out or in pieces for cutting out:		
/1	Plain, the same rates as cloth plus 10%.		Reduction of 10% on custom duties

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/2	Embroidered or trimmed (including drawnthread and cross-stitches made by hand) - the same duties as the embroidered cloth used plus 10%	Reduction of 10% on custom duties
522	Lace (linen):	
/1	In the piece.....R.K.	145.60
/2	Applique, cut out.....R.K.	175.00
523	Ready-made clothing (linen):	
	Plain:	
	Shirts for both sexes:	
/1	Any tissue, plain or pleated.....each	19.11
/2	Any tissue, with silk or rayon fronts.....each	27.30
/3	Pants and drawers.....each	10.92
/4	Shirt collars.....each	1.05
/5	Shirt fronts, plain or pleated....R.K.	43.68
/6	Shirt cuffs.....pair	2.20
	n.s.m:	
/7	Lace.....R.K.	327.60
	CLASS XVI	
	PAPER AND ITS APPLICATIONS	
545	Books:	
	For reading, including almanacs and calendars, newspapers, periodicals and reviews:	
/3	Loose, brochured, boarded or bound in paper-covered binding with cloth or leather backs.....	Free
/4	In leather or cotton, woollen or linen-covered bindings..... L.K.	1.54

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
556	Paper:	
	Sheets, spools or rolls:	
/3	Standard newsprint.....	Free
	Crepon, gauffre, crystal or glacine, stearined; oiled, paraffined, tissues, tracing and vegetable, grease-proof, stencils for duplicating and the like:	
/13	White..... L.K.	2.80
/14	Coloured by any process..... L.K.	2.94
/15	Printed..... L.K.	4.20
/20	Toilet, only in perforated strips or in rectangles..... G.K.	1.60
	Sensitised:	
/29	with silver, platinum or other salts, for photography..... L.K.	7.28
	Wall, in the piece:	
/31	Printed, coloured, or tinted, plain, grained or imitation morocco..... L.K.	13.30
/32	Printed, coloured or tinted, with velvet..... L.K.	20.44
564	All other articles n.e.m:	
	Cigarette paper:	
/10	With ambered tip or not..... L.K.	5.18
	CLASS XVII	
	STONES, EARTHS, MINERALS AND OTHER MINERAL PRODUCTS	
566	Mineral waters, natural and artificial:	
/2	For table use..... L.K.	1.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
567	Alabaster, marble, porphyry and similar stones, natural or artificial:		
	In the rough:		
/2	Marble, in blocks or lumps, rough-hewn or sawn.....	cu.m.	252.00
569	Amianth or asbestos:		
/1	Raw.....		Free
/2	In fiber.....		Free
	Manufactured articles:		
/7	Twisted yarn or rope.....	L.K.	4.60
/8	Millboard, leaves sheets, cardboard, even if cut in any form or shape and tubes in sections or not, with or without internal wire.....	L.K.	3.20
/9	Fabrics and manufactured articles such as: washers, tapes, packings and the like, with or without internal wire.....	L.K.	6.47
/10	Wearing apparel and other manufactured articles n.s.m.....	L.K.	10.68
574	Asphalt or bitumen, natural or artificial:		
/1	Raw or impure, containing up to 50% of bituminous substances solvable in carbon sulphides or chloroform.....	R.T.	218.40
/2	Raw or impure, containing over 50% up to 98, of bituminous substances solvable in carbon sulphides or chloroform.....	R.T.	436.80
/3	Refined or containing over 98% of bituminous substances solvable in carbon sulphides or chloroform.....	R.T.	546.00

SCHEDULE III - BRAZIL

PART I (Continued)

Brasilian Tariff item number	Description of Products	Rate of duty
579	Mineral coal or fossils and solid, semi-solid and liquid products derived from its distillation:	
	Anthracite:	
/1	In bulk.....	Free
	Soft coal:	
/1	In bulk.....R.T.	20.00
	Dressed for electrical work, with or without copper fittings, wires or terminals for connections:	
/9	Carbon rods for electric lamps..... L.K.	2.45
	Electrode blocks or pieces, weighing:	
/10	Up to 30 kg..... R.K.	0.70
/11	Same, over 30 kg..... R.K.	0.35
/12	Brushes and sheets..... L.K.	1.96
582	Cements:	
/2	Magnesium or white..... R.T.	145.60
584	Chromite (chromite, iron or smelting chrome-natural):	
/1	Ore.....	Free
/3	Bricks or parts for constructing hearths and furnaces..... R.T.	319.20
587	Emery and common corundum, natural or artificial, and the like, such as alundum, carborundum, silfax, silite, silindum and others:	
/1	Stones or bricks, wheels and other articles of any form or shape for whetting, grinding and other purposes..... L.K.	2.24
/2	Granulated, adhering to fabric..... L.K.	3.64

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
599	Petroleum (natural mineral oil or rock-oil) and solid, semi-solid or liquid products derived from its distillation:	
	Mineral greases:	
/4	Simple, dark (cylinder stock and others) showing coloration higher than N.7 N.P.A. of the above-mentioned colorimeter, with fused material..... R.T.	291.20
	Others:	
	Vaseline oil, also known as paraffin oil, liquid vaseline and white oil, including oils for transformers, switches, busbars and other electrical apparatus:	
/12	Showing coloration equal to or higher than N. plus 22 of the Saybolt (A.S.T.M.) chromatometer... L.K.	1.12
/13	Showing coloration equal to N. plus 15 and higher up to N. plus 22 exclusive of the Saybolt (A.S.T.M.) chromatometer..... L.K.	0.70
/14	For transformers, busbars, switches and other electrical apparatus, the coloration of which is lower than N. plus 15 of the Saybolt (A.S.T.M.) chromatometer..... L.T.	329.00
/15	n.s.m..... L.K.	1.82
	Paraffin:	
/16	For scientific or medicinal use ... L.K.	2.52
/17	For industrial and other purposes.. L.K.	1.96

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS XVIII	
	EARTHENWARE (LOUÇA) AND GLASS	
	Earthenware (Louça):	
620	Insulators for telephone, telegraph or electric transmission poles, with or without base metal accessories..... L.K.	3.64
622	Fancy or ornamental objects for setting on the table, in gardens, affixing to walls or ceilings, such as sconces, busts, flower-pot holders, candelabra, ash trays, columns, statues, figures, flower holders, statuettes, bouquet holders or flower vases, chandeliers, medallions, pedestals, rice-powder boxes toilet sprayers and flasks and similar articles:	
/2	of earthenware Nos. 3 and 4..... L.K.	21.84
624	Roofing tiles:	
/1	earthenware Nos. 1 and 2..... L.K.	3.64
/2	idem Nos. 3 and 4..... L.K.	7.28
626	All manufactures n.s.m:	
	For household uses:	
/5	N. 1..... R.K.	3.22
/6	N. 2..... R.K.	4.20
/7	N. 3..... R.K.	5.60
/8	N. 4..... R.K.	7.00
	For sanitary uses:	
/9	N. 1..... R.K.	2.52
/10	N. 2..... R.K.	2.80
/11	N. 3..... R.K.	5.04
/12	N. 4..... R.K.	5.60
	Note: N. 1 pottery is that made from white stoneware or granite;	
	N. 2 is made from stoneware or granite of one or more colours, with or without gilding;	
	N. 3 is white porcelain;	

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	N. 4 is porcelain of one or more colours, with or without gilding and biscuitware or imitations of this, white or coloured, with or without gilding.	
	Glass:	
	Manufactured Wares:	
631	Ornaments and other similar objects for personal adornment.....L.K.	43.68
635	Glass beads and spangles, white, coloured, gilt or silvered:	
	Solid:	
/1	Plain..... L.K.	7.28
/2	Cut..... L.K.	14.56
/3	Hollow or bugles..... L.K.	24.78
/4	Spangles..... L.K.	35.84
638	Bottles, flasks and jars:	
	Of common glass, dark, bluish, greenish and so-called black:	
/1	Without emery-ground stopper or neck. L.K.	1.12
/2	With emery-ground stopper or neck.... L.K.	1.40
	Of common glass, white, milky or coloured:	
/3	Without emery-ground stopper or neck..... L.K.	2.24
/4	With emery-ground stopper or neck..... L.K.	2.94
	Of glass of other quality, white, milky or coloured (flasks and jars):	
/5	With moulded ornaments, also those emery-ground or dulled..... L.K.	4.34
/6	Engraved by any process, also those cut..... L.K.	6.58

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
640	Insulators of common glass, white, dark, greenish or bluish, for telephone or telegraph poles, with or without base metal accessories .....L.K.	3.64
641	Floor tiles:	
/1	Rough, white or greenish .....L.K.	0.98
/2	All other n.s.m., including those juxtaposed and joined by means of insulating material .....L.K.	2.06
644	Fancy articles or ornaments for table or wall decoration, such as: busts, pot holders, ashtrays, columns, statuettes, figures, flower-holders, flowers-vases, plaques, pedestals, powder pots, scent-sprays, toilet-jars and similar articles:	
/1	n. 1 glass .....L.K.	8.82
/2	n. 2 glass .....L.K.	13.16
646	Roofing tiles of any shape, of white or greenish glass .....L.K.	0.70
	CLASS XIX	
	ALUMINIUM, LEAD, TIN, ZINC AND THEIR ALLOYS	
	Lead:	
	Raw or prepared:	
677	Bars, ingots and pigs .....L.T.	322.00
	Tin:	
	Raw or prepared:	
696	Ingots and pigs .....L.K.	1.82
	Manufactures:	
704	Pipes and tubes, straight, curved or spiral.....L.K.	1.96

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	Zinc:	
	Raw or prepared:	
716	Ingots and pigs .....L.T.	182.00
718	Pure or purified, in cylinders, shot or rods .....L.K.	12.60
	CLASS XX	
	COPPER, NICKEL AND THEIR ALLOYS	
	Copper:	
	Raw or prepared:	
735	Smelted or cast, in blocks, plates, cubes, ingots, pigs or cakes .....G.T.	196.00
	Manufactured Wares	
739	Fancy goods and trinkets for personal adornment .....L.K.	43.68
756	Purl and spangles .....L.K.	40.88
791	Unclassified manufactured wares:	
/1	For the table, wall or ceiling, ornamental or fancy .....L.K.	32.76
/2	For office use, table service and other purposes .....L.K.	26.32
	n.s.m.	
/4	Plain, varnished or painted .....L.K.	13,16
	CLASS XXI	
	IRON AND STEEL AND THEIR ALLOYS	
	Raw or prepared:	
802	Straw or coarse filaments (mineral wool):	
/1	Coarse, for scraping floors and similar purposes .....L.K.	1.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number		Description of Products	Rate of duty
	/2	Coarse, in scouring pads and fine of any kind .....L.K.	3.64
804		Solder in powder or sheet, wire or bar, with or without outside coating ...L.K.	0.56
810		Fish hooks, plain or galvanized:	
	/1	Up to 500 gr per thousand .....L.K.	16.24
	/2	Over 500 gr per thousand up to 1 kg ditto .....L.K.	14.42
	/3	Over 1 up to 10 kg ditto .....L.K.	11.48
	/4	Over 10 kg ditto .....L.K.	8.12
		Manufactured Wares:	
818		Strong-boxes or safes:	
	/2	Over 50 up to 75 cm on the greatest dimension .....each	560.00
	/3	Over 75 up to 100 cm ditto .....each	709.80
	/4	Over 100 up to 125 cm ditto .....each	1,037.40
	/5	Over 125 up to 150 cm ditto .....each	1,365.00
	/6	Over 150 up to 175 cm ditto .....each	1,692.60
	/7	Over 175 cm ditto .....each	2,047.50
821		Chairs:	
	/1	Ordinary or in suites .....each	29.12
	/2	Rocking .....each	87.36
	/3	Pedestal office chairs .....each	58.24
824		Bedsteads .....each	72.80

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
843	Wire:	
/1	Barbed and galvanized .....G.T.	183.40
	Bare, plain or galvanized:	
/2	Up to 1mm. diameter .....L.K.	0.98
/3	Over 1 up to 3 mm. diameter .....L.K.	0.84
/4	Over 3 up to 6 mm. diameter .....L.K.	0.70
	Ex Galvanized staples for fencing .....G.T.	183.40
849	Tables .....each	29.12
851	Unclassified furniture and furnishings and their spare parts .....L.K.	3.64
861	Unclassified manufactured wares:	
/6	Buckets, plain, varnished, galvanized or painted .....L.K.	2.80
/7	Large flasks, cylinders or tubes (except those made of tinplate) for the transport of goods, plain, varnished, printed, galvanized or painted .....L.K.	1.40
	CLASS XXII	
	GOLD, PLATINUM, SILVER & THEIR ALLOYS	
	Silver:	
	Manufactured wares:	
886	Sacramental vessels:	
/1	With pearls, diamonds, emeralds, opals, rubies or sapphires .....R.Gr.	46.62
/2	Plain or filigreed .....,R.K.	145.60

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
887	Purl, lace and festoons:	
/1	White or plain silver .....L.K.	140.00
/2	Gilded .....L.K.	182.00
	CLASS XXIII	
	METALLOIDS AND SUNDRY METALS	
894	Antimony or regulus of antimony in discs, ingots or lumps:	
/1	For industrial and other purposes	Free
/2	For analysis or scientific use	Free
902	Cadmium:	
/1	Bars, sticks, cylinders or ingots ..L.K.	1.89
/2	Granulated .....L.K.	5.60
/3	For analysis and scientific use ....R.K.	11.13
907	Cobalt:	
/1	Cubes, leaves, ingots or granulated.L.K.	9.31
/2	Powder .....L.K.	29.75
/3	Purified, refined or pure .....L.K.	44.59
908	Chromium .....L.K.	56.00
909	Sulphur:	
/1	Bars, rolls, cylinders, pieces or fragments .....G.T.	21.63
/2	Ground or triturated .....L.T.	42.00
/3	Sublimated, or flowers of sulphur ..L.K.	0.21
/5	For analysis or scientific use .....R.K.	1.89

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
913	Iodine:	
/1	Raw or impure, up to 85%	Free
/2	Refined, pure and sublimated, bi and re-sublimated	Free
923	Radium and radium-bearing products ...ad.val.	1%
	CLASS XXIV	
	RAW MATERIALS AND SUNDRY PREPARATIONS FOR INDUSTRIAL USE IN PERFUMERIES, PAINTING, DYEWORKS, TANNING AND OTHER PURPOSES.	
936	Mineral or organic chemical fertilisers, natural or artificial, such as calcium-cyanamide, Thomas' slag, artificial guanos, impure potassium and sodium nitrates or Chilean saltpeter, sulphonitrate of ammonium, superphosphate of mineral calcium or of bone, and other fertilisers - all the above plain or compound, known as suitable for agricultural purposes	Free
942	Active carbons such as Antichromos, Carboraffine, Esbit, Hydraffine, Norit, Purit, Suchar and the like .....L.K.	0.56
945	Cellulose:	
/1	Sheets, plates, pulp or paste, mechanical or chemical .....G T	119.70
946	Rennet	
/1	Liquid .....L.K.	0.21
/2	In powder or tablet .....L.K.	0.70

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
950	Colours or colouring matters:	
	Minerals or pigments, natural or artificial:	
	Whites:	
/15	Titanium; containing:	
	up to 50% of titanium oxide .....L.K.	0.70
	over 50 and up to 75% of titanium oxide .....L.K.	0.70
	over 75 and up to 90% of titanium oxide .....L.K.	0.84
	over 90% of titanium oxide .....L.K.	1.05
/15	Lithopone .....L.K.	0.60
	Blacks or niggers:	
/16	Lamp-black or carbon black .....L.K.	0.70
/23	Artificial organic colours or those derived from coal tar, such as: alzarine, aniline, anthracene, naphthaline and the like, in crystal, pieces, powder, paste, and concentrated or unconcentrated solutions .....R.K.	7.42
951	Scale removers for boilers, solid or liquid, with base of tannic extracts, carbonates, chlorides and others n.s.n.....L.K.	1.12
952	Solvents and thinners:	
	Turpentine:	
	Natural or terebinthine essence:	
/2	Common.....L.K.	0.35

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	artificial or of mineral origin:	
/3	Petroleum ether, patent oil, petroraz, sangajol and the like, and those distilled from petroleum, hydrogenated or not, not specified and used as solvents and thinners..... L.K.	0.70
/5	Diethylphthalate..... L.K.	2.94
/6	Amyl, butyl, ethyl, methyl or propyl acetates..... L.K.	3.78
954	Essences (Ethereal, volatile, and essencial oils)	
	For perfumeries:	
/3	Acacia, ambergris, cinnamon, gelsemine, geranium, heliotrope, iris, hyacinth, lilac, mimosa, narcissus, opoponax, reseda, rose, tigio, trefoil, violet, ylan-ylang and others not specified.....R.K.	30.80
	Natural, de-resined or not:	
/4	Rosemary.....R.K.	15.40
/11	Cinnamon.....R.K.	40.88
/14	Citronella .....R.K.	20.44
/16	Clove.....R.K.	20.44
/18	Orange blossons .....R.K.	509.60
/20	Geranium.....R.K.	101.92
/32	Nutmeg.....R.K.	25.48
/39	n.s.m.....R.K.	40.88
955	Compound others of cellulose:	
/1	Acetyl-cellulose or acetate of cellulose, in powder or grits....L.K.	4.20
956	Extracts:	
/1	Aromatic compound or bouquets containing 60 to 92% of alcohol.....R.K.	36.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
970	Synthetic perfumes or aromatic chemical products:		
	Solid or liquid:		
/2	Terpinol.....	R.K.	5.46
/3	Thymol.....	R.K.	7.28
/4	Vanillin.....	R.K.	21.84
/5	Anetol, citral, citronellal, citronellol, carnacrol, carvona, eucalyptol, eugenol, phenone, fragarol, geraniol, heliotropine, ionone, jasmone, linalol, nerol, neroline, rhodinol, saffrol, santalol, thuyone, iara and other n.s.m., excepted menthone, menthol and cumarine.....	R.K.	10.92
971	Perfumery:		
/1	Cologne, Florida and similar waters; hair lotions and tonics, aromatic salts and vinegars.....	L.K.	34.94
/2	Handkerchief extracts.....	L.K.	46.59
/3	Scent sprays.....	L.K.	34.94
/4	For the beard, mouth, hair, teeth and hands, such as: bandolines, brilliantines, cosmetics, dentifrices, freckle removers (lentilhas), oils, pastes, pomades, in any shape or form, vaselines and other n.s.m.....	L.K.	29.12
/5	For beautifying the eyelashes, lips, eyes, skin, face, nails, for attenuating perspiration and smell of the armpits and for hair dyeing, such as waxes, creams, depilatories, enamels, pencils, rice powder, solutions, tinctures and the like.....	L.K.	40.77

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
/6	For the bath, for burning, for volatilizing, pulverizing or for private hygiene, such as comprimés, crystals, pastilles, solutions, troches or powder, alum in sticks or pieces and talcs.....	L.K.	23.30
973	Moisteners (plastificantes):		
/1	Tricresyl-phosphate and triphenyl-phosphate.....	L.K.	3.78
974	Preparations:		
	Anticryptogamic, tick-destroying, disinfectant, anticide, insecticide and the like, liquid, paste or powder:		
/1	For the destruction of insects in agriculture, for curing mange and other parasitic diseases, exterminating cattle ticks and similar purposes.....	L.K.	0.14
/13	Chemical n.s.m. for the textile industry	L.K.	6.02
977	Soaps, sapolios, soapy substances and the like:		
/1	Common, ordinary or hard, for domestic purposes, in bars, blocks, flakes or sheets, marbled or coloured.....	L.K.	2.91
/1	White or Marseilles soap.....	L.K.	2.24
/3	Special for industries: Igepon.	L.K.	5.16
979	Tanning materials, synthetic.....	L.K.	1.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
982	Paints and inks:	
	Prepared with oil:	
/6	Liquid, ready for use without needing the addition of a solvent or thinner , producing on the surface painted an ordinary, opaque or not very brilliant finish, allowed to contain up to 2% natural or artificial resin..... L.K.	1.63
	Prepared with cellulose esters:	
/7	In paste, dull or matt, for under-coatings, known as primers, surfacers, putty and the like.... L.K.	3.27
	CLASS XXV	
	INORGANIC AND ORGANIC CHEMICAL PRODUCTS	
990	Acetates and sub-acetates:	
/6	Calcium..... R.K.	1.12
/8	Cobalt..... R.K.	6.30
994	Acids:	
	Mineral or inorganic:	
	Boric:	
/2	For analyses or scientific and medicinal use..... R.K.	3.22
/3	For industrial and other uses..... R.K.	2.10
	Phosphoric:	
/10	Glacial..... L.K.	5.18
	Common	
/12	Liquid or syrupy..... L.K.	1.12

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
	Organic:		
	Benzoic:		
/35	For analyses or scientific and medicinal use.....	R.K.	24.22
/36	For industrial and other uses	R.K.	4.48
	Salicylic:		
/79	For analyses or scientific and medicinal use.....	R.K.	5.04
/82	Sulphanilic.....	R.K.	3.78
996	Sugars and sweetening substances, natural and artificial:		
/3	Lactose (sugar of milk).....	R.K.	1.54
/7	Saccharine (cool sugar).....	R.K.	12.72
1005	Ammoniac:		
/2	Compressed or liquified.....	R.K.	2.24
1006	Anhydrides:		
	Arsenious or white arsenic:		
/3	For industrial uses.....	R.K.	1.40
/8	Phthalic.....	R.K.	4.20
1007	Aniline or oil of aniline.....	R.K.	1.89
1010	Anthracene:		
/1	For analyses or scientific use	R.K.	86.66
/2	For industrial and other uses	R.K.	7.42
1014	Arsenates:		
/2	Lead.....	R.K.	0.24

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
1015	Arsenites:		
/15	Sodium.....	R.K.	1.47
1020	Benzoates:		
/11	Sodium.....	R.K.	3.78
1033	Carbonates:		
	Acids or bicarbonates:		
/4	Sodium (Bicarbonate of soda)	R.K.	0.70
	Neutral:		
/13	Ammonium.....	R.K.	2.24
/17	Copper.....	R.K.	3.24
1042	Chlorides:		
	Ammonium:		
/4	For analyses or scientific and medicinal use.....	R.K.	3.08
/5	For industrial and other uses.....	R.K.	1.40
/14	Calcium.....	R.K.	0.70
/28	Ethyl.....	R.K.	11.20
	Potassium:		
/48	For analyses or scientific and medicinal use.....	R.K.	1.40
	Sodium:		
/54	For analyses or scientific and medicinal use.....	R.K.	1.40
	Zinc:		
/58	For analyses or scientific and medicinal use.....	R.K.	1.26
/59	For industrial and other uses.	R.K.	0.72

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
1052	Diethyleneglycol or diethylenic glycol.....	R.K.	1.12
1066	Diorthotoluene guanidine.....	R.K.	1.54
1076	Ethyleneglycol or ethylenic glycol:		
/2	For industrial and other uses.....	R.K.	2.24
1080	Phenylenediamines:		
	Para:		
/4	For analyses or scientific use..	R.K.	14.00
/5	For industrial and other uses...	R.K.	5.60
1085	Ferricyanides:		
/3	Potassium (red prussiate).....	R.K.	2.80
/4	Sodium.....	R.K.	2.80
1086	Ferrocyanides:		
/4	Potassium (yellow prussiate)....	R.K.	1.54
/5	Sodium.....	R.K.	1.54
1093	Phosphates:		
	Calcium:		
/4	Acid or monobasic.....	R.K.	2.10
	Neutral or bibasic		
/5	For analyses or scientific and medicinal use.....	R.K.	3.92
/6	For industrial and other uses	R.K.	2.10
/7	Basic or tribasic.....	R.K.	2.94

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1119	Mercaptobenzothiazol.....L.K.	2.52
1137	Nitrates of azotates:	
/2	Ammonium.....R.K.	1.54
	Lead:	
/12	For analyses or scientific use.....R.K.	0.98
/13	For industrial and other uses..... R.K.	0.42
	Potassium:	
/28	For analyses or scientific and medicinal use..... R.K.	1.12
	Sodium:	
/31	For industrial and other purposes..... R.T.	182.00
1159	Oxi-chlorides:	
/3	Copper..... R.K.	7.42
1160	Oxides (mono, proto or sesqui):	
	Antimony:	
/1	For analyses or scientific and medicinal use..... R.K.	4.48
/2	For industrial use and other purposes..... R.K.	0.77
	Cobalt:	
/13	For analyses or scientific and medicinal use..... R.K.	21.84
	For industrial and other uses:	
/14	Blue ..... R.K.	20.72
/15	Black..... R.K.	8.40

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
	Zinc or zinc white:		
/42	For industrial and other uses	R.T.	770.00
1171	Perborate of sodium.....	R.K.	1.54
1181	Pyrophosphates:		
/2	Sodium.....	R.K.	0.91
1197	Sulphates:		
/6	Antimony.....	R.K.	0.77
/15	Cobalt.....	R.K.	11.90
/34	Potassium.....	R.K.	0.84
	Sodium:		
	Neutral (Glauber salt):		
/36	For industrial and other purposes	R.T.	59.50
/38	Zinc.....	R.K.	0.96
1207	Sulphides:		
	Antimony:		
/2	Trisulphide.....	R.K.	2.24
	Pentasulphide or golden sulphur of antimony:		
/3	For analyses or scientific and medicinal use.....	R.K.	7.00
/4	For industrial and other uses.....	R.K.	2.94
/6	Barium.....		Free
	Sodium:		
/20	For analyses and scientific and medicinal uses.....	R.K.	0.70
/21	For industrial use and other purposes.....	R.K.	0.35

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
1209	Tartrates:		
	Acids or bitartrates:		
	Potassium (cream of tartar)		
/1	For analyses or scientific and medicinal use.....	R.K.	4.62
1221	Triphenylguanidine.....	R.K.	1.96
1225	Trinitrotoluene or trinitrotoluol..	R.K.	0.70
1231	Xanthates or xanthogenates:		
	Sodium:		
/2	For industrial and other uses.....	R.K.	1.54
	Potassium:		
/4	For industrial and other uses	R.K.	1.54
	n.s.n:		
/6	Ethyl.....	R.K.	1.54

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
	CLASS XXVI		
	DRUGS, CHEMICAL REMEDIES, PHARMACEUTICAL AND DIETETIC AND OTHERS FOR MEDICINAL PURPOSES		
1250	Alkaloids, their derivatives and salts:		
/2	Apomorphine	R.Gr.	1.54
/3	Arecoline	R.Gr.	0.42
/5	Atropine	R.Gr.	0.70
/9	Cinchonine and cinchonidine	R.K.	37.24
/11	Codeine (methylmorphine) ...	R.Gr.	0.70
/12	Colchicine	R.Gr.	17.08
/17	Duboisine or hyoscyamine ...	R.Gr.	0.70
/19	Ephedrine	R.Gr.	0.14
/21	Ergotinine	R.Gr.	6.30
/23	Eserine or physostigmine ...	R.Gr.	2.24
/24	Sparteine	R.Gr.	0.14
/25	Strychnine	R.Gr.	0.14
/28	Euquinine (ethylcarbonate of quinine)	R.K.	59.50
/32	Hydrastinine	R.Gr.	2.94
/34	Ibogaine	R.Gr.	2.94
/35	Lobeline	R.Gr.	0.98
/37	Narceine	R.Gr.	1.12
/39	Narcotine	R.Gr.	1.54
/40	Nicotine	R.Gr.	0.70

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products		Rate of duty
/41	Papaverine	R.Gr.	0.70
/45	Quinine		Free
/52	Thiocine or theophylline	R.Gr.	0.28
/55	Yohimbine	R.Gr.	0.14
	Note: The foregoing concessions apply only to salts and not to pharmaceutical products.		
1274	Mepacrine Hydrochloride, Mepacrine Methanesulphonate, Pamaquim, Praequine, Paludrine, Quinoplasmine	R.K.	11.13
1293	Amylaceous or gelatinous medicinal capsules:		
/2	Cod liver oil	R.K.	44.52
/3	n.s.m.	R.K.	112.00
1369	Granulated medicines:		
/1	Dosimetric	R.K.	182.00
/2	Humphrey's	R.K.	327.60
/3	n.s.m.	R.K.	291.20
1382	Hexal (acid sulphosalicylate of hexamethylenetetramine) and Neohexal (neutral sulphosalicylate of hexamethylenetetramine)	R.K.	74.34
1393	Medicinal injections or injectable solutions:		
/1	Defined inorganic and organic chemical product bases	R.K.	109.20
/2	Hormotherapic and opotherapic substances bases	R.K.	182.00

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
1460	Preparations:	
	Disinfectant or antiseptic:	
/6	Creoline and the like ..... L.K.	1.54
1464	Quinine	Free
1507	Trioxymethylene (paraform or paraformaldehyde) ..... R.K.	2.94
1530	Any drugs, chemical medicines and preparations for internal or external use, n.s.m. ex Penicillin, pure	Free

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS XXVII	
	ARMAMENTS AND OTHER GUNSMITHS' WARES, AMMUNITION AND WAR MATERIAL	
1534	Barrels:	
	Smooth:	
/1	For guns.....each	10.22
/2	For pistols.....each	5.18
	Rifled:	
/3	For rifles.....each	20.44
/4	For revolvers, automatic pistols and the like.....each	10.22
1535	Cartridges and cartridge cases:	
	Loaded:	
/1	Shot or bullet.....L.K.	5.20
/2	With powder or explosive compound .....L.K.	7.80
	Empty (cases), with or without primers:	
/3	Of base metal.....L.K.	20.80
/4	Of paste-board.....L.K.	10.40
1536	Stocks:	
/1	Small, for pistols revolvers and the like.....each	5.04
/2	Large, for arms generally.....each	7.70

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1540	Guns, rifles, carbines and the like:	
	Sporting:	
	Muzzle loading:	
/1	Single-barrelled.....each	20.80
/2	Double-barrelled.....each	41.60
	Breech loading:	
/3	Single-barrelled.....each	43.68
/4	Double-barrelled.....each	87.36
/5	Treble-barrelled.....each	182.00
/8	For target-shooting, of any quality.....each	36.40
1541	Caps or primers (espoletas):	
	For muzzle-loading guns and pistols:	
/1	Striated, ribbed or grooved.....L.K.	23.40
/2	Plain or smooth, called "BB"....L.K.	104.00
/3	For cartridges, so-called primers .....L.K.	23.40
/4	n.s.m.....L.K.	15.60
1542	Fuses, Bickford's Fuses and the like.....L.K.	6.20
1553	Pistols:	
/5	Automatic and revolvers .....per shot	8.68

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS XXVIII	
	CUTLERY AND ACCESSORIES	
1566	Scissors, shears and clippers:	
/1	Clippers for the beard or hair, with spring.....each	6.08
/2	Shears for blacksmith or tinsmith, with or without spring.....each	3.04
	Scissors for cutting hair, leather, tissues, nails and the like:	
/3	Up to 10 cm. in length.....L.K.	61.15
/4	More than 10 but under 25 cm. in length.....L.K.	30.58
/5	25 cm. or more in length.....L.K.	15.29
	For gardens and other purposes:	
/6	Small, with spring, for cutting flowers or pruning and the like..each	2.55
	Large:	
/7	With handles of wood, base metal and the like, for cutting grass.each	5.09
/8	For lopping trees.....each	2.55
/9	For shearing animals, cutting bristles or animal hair, with or without spring.....each	0.98
/10	n.s.m.....L.K.	30.58

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	CLASS XXIX	
	WATCH AND CLOCKMAKERS' WARES	
	Manufactured wares:	
1575	Alarm clocks:	
/1	With case of wood or base metal.each	8.19
/2	With case of alabaster, jasper, marble, porphyry and similar stones, whalebone, horn, bone, plastic materials, earthenware (louça), glass and the like, or covered with leather.....each	16.38
/3	With case of mother-of-pearl, ivory, tortoise-shell, gilt or silvered metal.....each	32.76
1576	Watches and clocks:	
	Watches or wrist-watches:	
	Without complicated works	
/1	Gold or platinum .....each	30.52
/2	Silver, plain, gilt or oxidized..each	12.18
/3	Base metal.....each	6.16
/4	Base metal, whether gilt, silvered or gold plated.....each	9.24
	With complicated works, such as chronographs, chronometers, repeater, with independent seconds, striking the hours, and the like:	
/5	Gold or platinum.....each	91.70
/6	Silver, plain, gilt or oxidized..each	24.50
/7	Base metal.....each	12.18

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/8	Base metal, whether gilt, silvered or gold plated.....each	18.34
/9	Of any kind, with pearls, diamonds, emeralds, opals, rubies or sapphires.each	305.76
	Standing clocks:	
	With case of wood or base metal:	
/10	Up to 40 cm. on the largest dimension.....each	43.68
/11	Over 40 cm. on the largest dimension.....each	58.24
	With case of alabaster, jasper, marble, porphyry and similar stones, whale-bone, horn, bone, plastic materials, earthenware (louça), glass and the like, or covered with leather:	
/12	Up to 40 cm. largest dimension.....each	109.20
/13	Over 40 cm. largest dimension.....each	182.00
	With case of mother-of-pearl, ivory, tortoise-shell, gilt or silvered metal:	
/14	Up to 40 cm. on largest dimension..each	145.60
/15	More than 40 cm. on largest dimension.....each	218.40
	Wall or hanging clocks, with or without pendulum:	
	With case of wood or base metal:	
/16	Up to 65 cm. on largest dimension.each	50.96
/17	Over 65 and up to 100 cm. ditto..each	58.24
/18	Over 100 cm. ditto.....each	72.80

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	With case of whalebone, horn, bone plastic materials, earthenware, glass and the like or covered with leather:	
/19	Up to 65 cm. on largest dimension..each	58.24
/20	Over 65 and up to 100 cm. ditto ...each	72.80
/21	Over 100 cm. ditto.....each	94.64
	With case of mother-of-pearl, ivory, tortoise-shell, gilt or silvered metal:	
/22	Up to 65 cm. on largest dimension..each	87.36
/23	More than 65 and up to 100 cm.ditto.each	101.92
/24	Over 100 cm. ditto.....each	131.00
	Clocks for standing on the floor, or in cupboard form:	
/25	With case of wood, plain or smooth...each	291.20
/26	With case of wood, gilt or silvered, with carvings, inlaid or marquetry work, or ornaments of any material other than gold, platinum or silver..each	436.80
/27	Precision or pendulum clocks (chronometers).....each	218.40
/28	Watchmen's clocks, excluding the leather strap .....each	21.84
	Clocks registering by pressure, with seal:	
/29	Standing .....each	145.60
/30	Portable .....each	58.24
/31	Automobile watches .....each	21.84
/32	Service recorders and the like.....each	72.80

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	Clocks for public walks, buildings and towers:	
/33	Up to 2 dials ..... each	364.00
/34	More than 2 dials ..... each	728.00
	Time recorders for offices, factories or workshops staffs:	
/35	Printing on paper bobbins..... each	364.00
/36	Printing on cards ..... each	509.60
/37	Printing on pay sheets ..... each	873.40
/38	n.s.m.	25% ad valorem
	CLASS XXX	
	PHYSICAL, CHEMICAL, MATHEMATICAL AND OPTICAL INSTRUMENTS, APPARATUS, ENGINES AND APPLIANCES	
1579	Alidades and similar instruments:	
/1	With pinules ..... each	7.84
/2	With telescope ..... each	25.90
1580	Ampere-meters, electro-meters, galvano-meters, ohm-meters, volt-meters, watt-meters, and the like, for electrical measurements..... each	15.96
1581	Hourglasses ..... each	0.98
1582	Anemometers and the like for measuring the velocity of the wind:	
/1	Portable, plain or ordinary ..... each	15.54
/2	n.s.m. including recorders such as anemographs, anemoscopes and the like ..... each	103.74

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1583	Apparatus:	
/1	Electric sound amplifiers for musical instruments, radios, gramophones and the like ..... L.K.	10.36
	Photographic or cameras, including verascopes:	
	For negatives less than 13 x 18 cms. with or without lenses:	
/6	Weighing up to 200 gr..... L.K.	37.80
/7	Weighing over 200 up to 600 gr. L.K.	35.00
/8	Weighing over 600 gr. up to 1 Kilo. ..... L.K.	30.80
/9	Weighing over 1 Kilo. ..... L.K.	28.00
/10	Box type, also known as Brownie, with ordinary Meniscus lens with fixed aperture ..... L.K.	18.20
/11	For negatives from 13 x 18 cms.with or without lenses ..... L.K.	35.00
	For negatives of cinematograph films, with or without lenses:	
/12	For films up to 16 mm. width..... L.K.	42.00
/13	Ditto over 16 mm width ..... L.K.	35.00
/14	For reproduction or enlarging..... L.K.	14.00
	Gasogens:	
/15	Briet's and the like ..... L.K.	5.18
/16	n.s.m. ..... L.K.	2.66

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Telephone, telegraph, wireless telephone, telegraph and television receivers and transmitters, including wireless-gramophones, any of their unclassified accessories and parts:	
/17	Weighing up to 10 kg. ..... L.K.	17.78
/18	Weighing over 10 up to 50 kg..... L.K.	14.28
/19	Weighing over 50 up to 100 kg..... L.K.	10.71
/20	Weighing over 100 up to 250 kg.... L.K.	9.52
/21	Weighing over 250 up to 500 kg.... L.K.	7.56
/22	Weighing over 500 kg..... L.K.	5.74
1584	Scales:	
/1	Precision or analytic, with or without case ..... L.K.	14.20
/2	Hydrostatic ..... L.K.	9.46
1585	Barometers:	
/1	Gay-Lussac's, Buten's and the like, dial of any system and Vidi's .... each	5.18
/2	(aneroids) Quadrant of any kind and Vidi ..... each	15.55
/3	Fortin's, Richard's registering, barographs, thermographs and the like. each	25.93
1586	Ship's logs of metal, with or without odometer ..... L.K.	10.37
1587	Magnetic bars for mariner's compasses each	1.00
1588	Mariners' compasses:	
/1	Small, watch-shape, pocket, plain or with meridian ..... each	3.09

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/2	With pinnules and tubular compasses for alidade tables ..... each	5.18
/3	Geological, with metal case, prismatic and the like..... each	10.37
	Large, surveyors':	
/4	Plain ..... each	10.37
/5	With telescope and spirit levels. each	15.55
/6	With telescope spirit levels and semi-circle ..... each	20.75
/7	For ships' binnacles and others n.s.m. ..... each	103.70
1589	Surveyors' chains, of base metal	Duties as on manufactures n.s.m.according to kind reduced by 35%.
1590	Camerae lucidae with prisms, lenses and mirror ..... each	15.55
1591	Cinematograph machines, their accessories and parts n.s.m..... L.K.	15.96
1592	Drawing compasses with dry-point or note:	
/1	Quarter circle, rod, elliptic and reduction compasses ..... L.K.	25.93
/2	n.s.m. ..... L.K.	20.75
1593	Thread counters ..... L.K.	15.55
1594	Pocket spedometers, odometers, "passimetros" or pedometers, second-counters and the like, for pocket use ..... each	4.18

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1595	Curvimeters ..... each	5.18
1596	Densimeters or areometers, such as alcoholometers, acetimeters, liqueur-meters, syrupmeters and the like ... each	1.00
1597	Dynamometers ..... L.K.	4.55
1598	Graduated scales, measures and rules:	
/1	Iron or steel ..... L.K.	4.18
/2	Other base metal ..... L.K.	13.00
/3	Whalebone, horn, cone, wood or plastic and similar materials.... L.K.	20.75
/4	Ivory ..... L.K.	77.80
/5	Of any material, for calculations; pocket calculators and the like.. L.K.	51.80
/6	n.s.m. ..... L.K.	41.50
1599	Crosshead staves and set squares: -	
	Surveyor: (crosshead staves)	
/1	With compass ..... each	10 37
/2	Without compass ..... each	5.18
/3	Drawings: (set squares)	
	Graduated	Duties as on scales (item 1548)
	Non-graduated	Duties as on manu-factured n.s.m. according to kind.

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1600	Stereoscopes:	
/1	Small, of common wood or cardboard ..... each	2.63
/2	Small, of fine wood, of base metal or covered with leather or velvet ..... each	15.55
/3	Large, with column, of any kind, also those n.s.m. ..... each	51.87
1601	Cinematograph films:	
	Developed and fixed:	
/1	Up to 16 mm. in width ..... R.K.	39.90
/2	Over 16 mm. in width ..... R.K.	79.78
/3	Unexposed ..... R.K.	7.98
1602	Graphimeters .....each	25.93
	Graphometers:	
/1	With pinules and compass .....each	10.37
/2	With pinules compass and telescope .....each	25.93
/3	n.s.m. .....each	41.50
1604	Hydrometers or water consumption meters, and parts and accessories thereof n.s.m. weighing:	
/1	Up to 5 kg.....L.K.	4.20
/2	Over 5 up to 10 kg. .....L.K.	3.57
/3	Over 10 up to 25 kg.....L.K.	3.04
/4	Over 25 up to 50 kg. .....L.K.	2.73

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/5	Over 50 up to 100 kg..... L.K.	2.41
/6	Over 100 kg ..... L.K.	2.10
1605	Hygrometers and hygroscopes:	
/1	Common, with figure, with hair or gut, mounted on cardboard or wood ..... each	1.54
/2	Of metal, with hair or gut, Saussure's and the like..... each	5.18
/3	Alluard's, Grova's, Daniell's, Regnault's and the like .....each	10.37
/4	n.s.m. ..... each	31.12
1606	Hypsometers ..... each	25.93
1607	Artificial horizons:	
/1	Glass, with spirit level ..... each	7.83
/2	Metal, with mercury ..... each	15.55
1608	Magnets of any shape, armatures and electro-magnets ..... L.K.	5.18
1609	Water-gauges, gas-gauges and the like, with or without registering apparatus, and accessories of same ..... L.K.	4.18
1610	Integrators, intrographa, eido-graphs and the like, with or without reducing scales ..... each	25.93
1611	Kaleidoscopes or magic glasses... each	2.37
1613	Magic lanterns, epidiascopes and the like ..... L.K.	9.46

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1614	Fitted lenses for reading, sight-testing, engraving, watch or clock making and the like ..... L.K.	46.68
1615	Linimeters, linigraphs, tide gauges, Mareographs, tide-meters or mareo-meters ..... each	51.87
1616	Manometers and the like ..... each	15.55
1617	Fraction, induction and other machines such as Ramsden's, Carré's, Holtz', Voss', for electricity study or experiment ..... L.K.	5.18
1618	Microphones and loudspeakers ..... L.K.	9.10
1619	Micrometers, calibrating apparatus and the like ..... L.K.	7.83
1620	Microscopes, monocular or binocular:	
/1	Simple ..... each	7.83
	Compound:	
/2	With fixed stage, including three objectives and three eyepieces, each	25.93
/3	With movable stage, including four objectives and four eyepieces, and others n.s.m. ..... each	77.80
1621	Microtomes ..... L.K.	5.18
1622	Current-meters for measuring hydraulic discharges ..... each	25.93
1623	Levels:	
/1	Air, with copper tubes, precision each	2.63
/2	Clinometers, clisimeters or eclimeters ..... each	15.55
/3	American type, Egault's, Zeiss' and others n.s.m. ..... each	51.87

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1624	Objectives, eyepieces, condensers and lenses, with or without shutters, for photographic apparatus or for all optical apparatus ..... L.K.	46.68
1625	Eyeglasses:	
	binocular:	
/1	Marine binoculars, travelling and the like, magnifying up to sixfold, with or without internal reflection prisms, with base metal tubes, whether or not covered with leather ..... each	15.55
/2	The same, magnifying over sixfold ..... each	25.93
	Opera glasses, with or without handle:	
/3	Of base metal, plain, varnished, painted chromium-plated, nickelled or covered with whalebone, horn, bone, earthenware, glass or plastic and similar materials ..... each	14.20
/4	Of base metal, gilt, silvered or covered with mother-of-pearl, ivory or tortoiseshell ..... each	37.86
	Monocular:	
	Spy-glasses, marine and field telescopes and the like, with or without sliding tubes of base metal, covered or not with leather.	
	Weighing:	
/5	Up to 1.500 gr. ..... each	15.55

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/6	Over 1.500 gr., with or without standing device, except tripodes ..... L.K.	10.37
	Monocles and spectacles:	
	Fixed and similar such as spectacles, monocles (lorgnons) quizzing glass (faces à main) with case or handle, pince-nez and goggles for aviators, motorcar drivers, for the squint-eyed and others, with mounting:	
/7	Of base metal, plain, varnished, painted, chromium-plated or nickelled, of whalebone, horn, bone or plastic and similar material ..... dozen	11.37
/8	Of gilt or silvered base metal dozen	22.75
/9	Of tortoiseshell ..... each	3.82
/10	Of plain or gilt silver ..... each	2.63
/11	Of gold ..... each	15.55
1626	Ophthalmometers ..... each	103.70
1627	Octants and sextants ..... each	31.20
1629	Optometers or astigmometers, perimeters and the like ..... each	25.93
1630	Pantographs and cymographs:	
/1	Common, with rulers of common wood ..... each	3.09
/2	Of fine wood ..... each	10.37
/3	Of base metal, and precision..... each	25.93

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1631	Pantometers and the like:	
/1	With compass and graduated circle..... each	41.50
/2	With telescope ..... each	77.80
1632	Electric dry cells, separate or in batteries:	
/1	Weighing up to 50 gr..... L.K.	2.10
/2	Weighing over 50 up to 100 gr..... L.K.	1.82
/3	Weighing over 100 up to 500 gr.... L.K.	1.68
/4	Weighing over 500 grams up to 1 kg..... L.K.	1.54
/5	Weighing over 1 kg..... L.K.	1.40
1633	Pitometers ..... each	15.54
1634	Plates and roll-films for photography:	
/1	On glass ..... L.K.	0.84
/2	On any other material ..... L.K.	1.54
1635	Planimeters ..... each	25.93
1636	Pluviometers or udometers, pluviographs and the like ..... each	10.37
1637	Polarimeters, colorimeters, spectroscopes, photometers, refractometers, saccharimeters and the like ..... L.K.	6.19
1638	Potentiometers ..... L.K.	18.20
1639	Plumb-lines, precision and patent, for nautical use ..... each	15.55

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1640	Psychrometers, maximum and minimum:	
/1	On wood .....each	6.19
/2	On metal .....each	15.55
/3	Registering .....each	25.93
1641	Levelling staffs:	
/1	Of wood and sliding, with sight...each	7.83
/2	The same, self-reading.....each	15.55
/3	n.s.m. .....each	31.12
1642	Seismographs and sexagesimal or Foucault's pendulums	1.3% ad.valorem
1643	Tachometers, cinemographs, cinemometers, dromometers, velocimeters and the like .....each	10.37
1645	Technographs, complete:	
/1	For drawing boards 60 x 80 cm... each	25.93
/2	Ditto 100 x 150 cm..... each	41.50
/3	Ditto 125 x 200 cm..... each	62.24
1646	Telemeters:	
/1	Up to 1.000 m. ..... each	10.37
/2	Over 1.000 m..... each	20.75
1647	Astronomical telescopes, meridian instruments and the like ..... L.K.	5.18
1648	Theodolites, American transits, tachymeters, phototachymeters and the like ..... each	103.70

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1649	Thermometers:	
	Maximum or minimum:	
/1	For clinical examination..... each	1.36
	For other purposes:	
/2	Mounted on mother-of-pearl or ivory scale ..... each	6.19
/3	Mounted on scales of other materials; gold, platinum and silver excepted..... each	2.09
	Maximum and minimum:	
/4	Mounted on mother-of-pearl or ivory scale ..... each	10.37
/5	Mounted on scales of other materials; gold, platinum and silver excepted ..... each	4.18
	n.s.m.:	
/6	For water temperature, protected or not by wood or metal..... each	1.54
/7	For scientific purposes, with high precision sub-divisions.. each	7.83
/8	For chemical purposes, protected or not by wood or metal..... each	2.09
/9	n.s.m. ..... each	10.37

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1650	Drawing pens, map-meters or opsiometers and the like..... L.K.	25.93
1651	Protractors:	
	Semi-circle:	
/1	Of whalebone, horn, bone, wood or plastic and similar materials ..... each	0.82
/2	Of base metal ..... each	1.54
/3	Rectangular, with or without plummet and those n.s.m..... each	4.18
1652	Transformers, static, electric current, sound frequency, and the like, water, air or oilcooled:	
/1	Weighing up to 10 kg..... L.K.	3.15
/2	Weighing over 10 up to 100 kg.... L.K.	2.94
/3	Weighing over 100 up to 200 kg... L.K.	2.10
/4	Weighing over 200 up to 500 kg... L.K.	1.68
/5	Weighing over 500 up to 2,000 kg. L.K.	1.68
/6	Weighing over 2,000 kg..... L.K.	0.84
1653	Air-bubble tubes, for levels ..... each	0.56
1654	Valves or tubes for wireless transmitting and receiving apparatus:	
/1	Weighing up to 100 gr. ..... L.K.	29.40
/2	Weighing over 100 gr..... L.K.	37.80
1655	Glasses for fixed optical instruments:	
/1	Unfinished, not polished ..... L.K.	23.94
/2	Finished ..... L.K.	47.88

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1656	Views:	
/1	On metal or glass, photographed for storeoscope, and the like .....each	1.00
/2	On glass, positive, for magic lanterns .....each	0.55
/3	On glass, positives, with frames of wood, base metal, cardboard, plastic and similar materials.....each	3.09
1657	Any apparatus, instruments, machines, objects and components, n.s.m.:	
/1	Steel or iron .....L.K.	5.18
/2	Other base metal .....L.K.	10.37
/3	Clay, earthenware (louça) or glass .....L.K.	6.19
/4	Whalebone, rubber, horn, ebonite, bone, wood or plastic and similar materials .....L.K.	15.55
	Mother-of-pearl, ivory, tortoise-shell, gold, platinum or silver	same duties as on n.s.m. manufactures of these materials
	CLASS XXXI	
	SURGICAL, MEDICAL, ODONTOLOGICAL AND VETERINARY APPARATUS, INSTRUMENTS AND APPLIANCES	
1658	Abdominal retractors and the like:	
/1	Plain .....L.K.	33.52
/2	Autostatic .....L.K.	44.69

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item Number	Description of Products	Rate of duty
1659	Needles:	
/1	Cataract and the like ..... each	2.84
	For hypodermic injections, with base metal extension:	
/2	Of steel or iron ..... L.K.	67.03
/3	Of nickel or other base metal.. L.K.	83.79
/4	Of platinum, iridized or not... R.Gr.	0.88
	For suture, Cooper's and similar, of base metal:	
	With handles:	
/5	With spring ..... each	2.25
/6	Without spring ..... each	1.37
/7	Without handle ..... L.K.	83.79
1660	Levers, forceps, tweezers and like, for extracting teeth or roots..... each	3.33
1661	Probes, bougies, cannulas, catheters and sounds:	
/1	Of rubber and the like ..... L.K.	22.34
/2	Of base metal ..... L.K.	33.52
/3	Of silver ..... R.K.	139.65
1662	Amygdalotomes, adenotomes and the like ..... L.K.	55.86
1663	Apparatus:	
/1	Amplifying, electric or not, for deafness ..... each	28.00

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/2	For anaesthesia or narcosis, including accompanying masks ..... L.K.	16.80
/3	Aspirators: Debove's, Dieulafoy's, Potain's, and the like ..... each	19.60
/4	Esmarch's compressing and the like ..... each	11.20
	Electro-surgical, electro-dental, electro-therapeutical, electro-diagnostic for radio-therapy and radio-diagnosis, X-violet and other rays, high frequency, cataphoresis, cauterization, diathermy, medicinal electrolysis, faradization, heat-generating and the like, with all their electrical accessories such as: motors, pantostats, rheostats, transformers, exclusive only of ampoules, lamps, tubes, burners or valves for X-, violet or other rays:	
/5	Up to 5 kg..... L.K.	15.96
/6	Over 5 up to 10 kg. ..... L.K.	10.64
/7	Over 10 up to 50 kg. ..... L.K.	7.98
/8	Over 50 up to 100 kg..... L.K.	6.44
/9	Over 100 up to 500 kg. ..... L.K.	4.76
/10	Over 500 kg ..... L.K.	3.22
/12	Precision oxygenators, Bayeux and the like ..... L.K.	22.34
/13	For artificial pneumothorax ..... L.K.	16.76
/14	For measuring arterial pressure, sphygmographs and the like, with or without oscillometers ..... L.K.	44.69

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/15	Pulverizers, etherizers and the like ..... each	8.43
/16	For blood transfusion ..... L.K.	14.01
1664	Basiotribes, cephalotribes or craniocLasts, craniotomes or cephalotomes, embryotomes, forceps, skull-perforators and the like ..... L.K.	27.93
1665	Bistouries, scalpels and lancets:	
/1	With handles of whalebone, horn, bone, wood, base metal, rubber or plastic or similar material ..... each	1.57
/2	With handles of mother-of-pearl, ivory, tortoise-shell or gilt or silvered metal ..... each	3.04
1666	Blepharostatus ..... L.K.	89.38
1668	Abdominal, hypogastric and umbilical bandages:	
/1	Of silk or rayon throughout or with any other material ..... L.K.	122.30
/2	n.s.m. ..... L.K.	30.58
1669	Cystotomes, cystoscopes, urethrotomes and urethroscopes ..... L.K.	83.79
1670	Fasteners, clips or hooks for suture:	
/1	Of base metal ..... L.K.	33.52
/2	Of platinum ..... R.Gr.	0.88
/3	Of silver ..... R.K.	139.65
1671	Ear trumpets ..... each	2.25
1672	Costotomes ..... L.K.	33.52

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1673	Surgical dressings:	
/2	Catgut, horsehair, thread of aluminium, copper, linen, silk or rayon and the like, for sutures, also drainage tubes of rubber or base metal, in glass ampoules or tubes containing an antiseptic liquid or any antiseptic substance ..... L.K.	2.24
/3	Silver thread, for suture, as for catgut ..... L.K.	28.00
/5	Gauze, plain or impregnated with antiseptic or medicinal substance, in strips, pieces or bandages of any fabric ..... L.K.	9.43
/6	Laminarias tents in glass tubes containing an antiseptic liquid or any antiseptic substance ..... L.K.	3.36
1674	Curettes ..... L.K.	44.80
1675	Artificial teeth:	
/1	On wax or any other material..... L.K.	239.40
/2	Loose or in sets and other similar pieces ..... L.K.	478.80
/3	In rows or show sizes, on metallic plates ..... L.K.	15.96
1676	Dilators:	
	rectal, urethral, uterine and the like ..... L.K.	44.69
1677	Discs for dental surgery:	
/1	Of rubber, shamoy felt and the like L.K.	15.29
/2	Of carborundum or emery ..... L.K.	7.64
1678	Ampoules, lamps, tubes or burners, and valves of common glass or of quartz with mercury, for X-ray and other apparatus, with or without frame of base metal each	111.72

SCHEDULE XII - BRAZIL

PART I - (Continued)

Brazilian Tariff Item Number		Description of Products		Rate of Duty
1679		Enterotomes	L.K.	44.69
1680		Scarificators with springs for cupping glasses	L.K.	33.52
1681		Scissors, gouges, raspatories and the like	L.K.	33.52
1682		Specula:		
	/1	Of earthenware, (louça) wood, plastic materials, glass and the like	L.K.	22.34
		Of base metal:		
	/2	For the mouth, nose and ears, with or without handles	L.K.	44.88
	/3	Vaginal, intra-uterine, rectal and the like	L.K.	33.52
1683		Surgical or dental mirrors:		
	/1	With handles or with any device for adaptation to the forehead	L.K.	33.52
	/2	Without handles	L.K.	55.86
1684		Esthesiometers	L.K.	55.86
1685		Stethoscopes and plessimeters:		
	/1	Of plastic materials or base metals and the like	each	5.59
	/2	Of wood	each	3.33
1686		Stylets, tent-probes, tenacula, sounds and the like:		
	/1	Of base metal	R.K.	33.52
	/2	Of silver	R.K.	139.65
1687		Knives for amputations, resections and the like	each	3.33
1688		Separate instruments: for dental surgery:		
		For cauterizing, lancing gums, cleaning (bores and pins), obturating the teeth and the like:		
	/1	With handles	L.K.	33.52
	/2	Without handles	L.K.	44.69
		For removing nerves, and dental-canal sounds:		
	/3	With handles	L.K.	44.69
	/4	Without handles	L.K.	83.79
1689		Fleams	each	1.37

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item Number	Description of Products		Rate of Duty
1690	Hernia trusses, with or without spring, covered with any material:		
	Ordinary:		
/1	Single	each	1.67
/2	Double	each	2.84
	Screw:		
/3	Single	each	3.92
/4	Double	each	7.84
	Electro-magnetic:		
/5	Single	each	10.09
/6	Double	each	19.60
1691	Laryngoscopes, pharyngoscopes, ophthalmoscopes, otoscopes, rhinoscopes and the like	L.K.	44.69
1692	Lithotomes and lithotriptors	L.K.	33.52
1694	Hammers:		
/1	For autopsy, surgery and percussion	L.K.	27.93
/2	Automatic, for dentists	L.K.	55.86
1695	Masks, for anaesthesia	L.K.	16.76
1696	Elastic hosiery:		
/1	Of cotton, wool or linen fabric	L.K.	35.67
/2	Of silk or rayon fabric, pure or mixed with another material	L.K.	71.34
1697	Operating tables, wholly of steel or iron or with parts of other materials	L.K.	2.55
1698	Artificial eyes	each	1.67
1699	Hand devices for surgical, dental, electrosurgical or electrodiagnostic apparatus, instruments and machines such as angles, counter-angles, handles, cautery handles, mandrils, sticks and the like	L.K.	33.52
1702	Surgical pincers, articulated or not	L.K.	33.52
1703	Plates and screws for osteosynthesis:		
/1	Of base metal	L.K.	22.34
/2	Of platinum	R.Gr.	0.88
/3	Of silver	R.K.	139.65
1704	Points for galvano-cautery, thermo-cautery and the like:		
/1	Of base metal	L.K.	100.55
/2	Of platinum	R.Gr.	0.88

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1705	Needle-holders, caustic holders, stone-holders and the like:	
/1	Of base metal ..... L.K.	33.52
/2	Of silver ..... R.K.	139.65
1706	Preparations for obturating the teeth, in paste, liquid or in powder ..... R.K.	55.86
1708	Saws and pad-saws for surgery or necropsy ..... L.K.	33.60
1710	Surgical scissors ..... L.K.	33.60
1713	Trepans ..... L.K.	44.69
1714	Trocars for exploration, paracentesis, tapping and the like.. L.K.	27.94
1715	Abdominal vaginal and the similar retractors ..... L.K.	33.52
	CLASS XXXII	
	MUSICAL INSTRUMENTS AND THEIR ACCESSORIES.	
1735	Clarinets:	
	Of any wood:	
/1	Having up to 13 keys .... each	65.52
/2	Having from 14 to 16 keys.each	81.90
/3	Boehm system and those having over 16 keys .....each	136.50
1736	Clarions .....each	136.50

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products		Rate of duty
1745	Flutes:		
	Boehm system:		
/5	Wooden or silvered or non-silvered metal	each	127.40
/6	Silver	each	291.20
1752	Harps:		
/1	Single-action	each	546.00
/2	Double-action	each	910.00
1753	Metal instruments n.s.m.:		
	Wind:		
/1	With keys, plain or smooth	L.K.	54.60
/2	With rotary or piston valves	L.K.	43.68
/3	Percussion and other n.s.m.	L.K.	36.40
1754	Piano mechanism:		
/1	Complete, assembled or not assembled	each	728.00
1777	Any musical instruments and accessories or component parts thereof n.s.m.		25% ad valorem
	CLASS XXXIII		
	VEHICLES, THEIR ACCESSORIES AND PARTS		
1778	Aeroplanes, hydroplanes, autogiros, balloons, dirigible and others, assembled or not; their accessories and parts, and also engines, articles and instruments of their equipment imported with them or separately..	L.K.	0.98

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
1779	Cars, assembled or unassembled, complete:	
	Motor cars, using petrol, naphtha, benzine or other essences, alcohol, fuel-oil or electricity	
	Passenger, such as landaulets, limousines, phaetons, double-phaetons, sedans, sports models and others:	
/1	Up to 1,000 kg. ..... L.K.	2.39
/2	Over 1,000 up to 1,500 kg. ..... L.K.	2.77
/3	Over 1,500 up to 2,000 kg. ..... L.K.	4.31
/4	Over 2,000 up to 2,500 kg. ..... L.K.	6.59
/5	Over 2,500 kg. ..... L.K.	8.87
	Passenger or freight, delivery of parcels, ambulances, funerals and similar uses, such as ambulances, lorries, omnibuses and others:	
/6	Up to 2,000 kg. ..... L.K.	2.03
/7	Over 2,000 up to 4,000 kg. .... L.K.	2.38
/8	Over 4,000 kg. ..... L.K.	3.05
/9	For distributing alcohol, petrol, oil and other liquids, fitted with tanks, fire extinguishers, irrigation, public or private cleaning, break-down or similar services, with or without pumps, crane, ladders, machinery, brushes or other apparatus .....L.K.	2.24

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
	Steam or electric traction for railway lines:	
	Urban or long distances:	
	Passenger:	
/11	Wooden and iron ..... L.K.	1.82
/12	Steel or iron ..... L.K.	0.70
	For goods and like purposes:	
/13	Of wood and iron ..... L.K.	1.40
/14	Of steel or iron ..... L.K.	0.56
	For first aid or for conveying liquids, with crane, tank, mechanism or other contrivances:	
/15	Of wood and iron ..... L.K.	0.70
/16	Of steel or iron ..... L.K.	0.42
	For the internal use of agricultural, industrial and mining establishments:	
/19	Small, for goods, earthworks and similar purposes, entirely of iron, Decauville's and other systems ..... L.K.	1.40
1781	Velocipedes, such as bicycles and tricycles, assembled or unassembled, complete:	
	Motor driven:	
/1	Bicycles with one or more seats, with or without fittings for carrying parcels, with pneumatic tyres ..... L.K.	4.32

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/2	Tricycles with one or more seats, with or without basket or box for carrying passengers or goods, including tricars and side-cars ..... L.K.	3.58
	Pedal driven:	
/4	Bicycles with one or more seats and with or without attachment for carrying parcels, fitted with pneumatic tyres ..... L.K.	5.88
1782	Parts, accessories, fittings:	
	Automobiles:	
	Chassis or trucks without bodies (carrosserie), assembled or unassembled, complete with motor and fittings, front and back axles and wheels, fitted with pneumatic tyres, foot-boards, mudguards, bumpers and all other parts needed for working, including horn, lamps and signals:	
/6	For ambulances, lorries, omnibuses and others of any kind .. L.K.	1.77
	Spare parts:	
/9	Chassis framework (long and cross girders, brackets and similar joining pieces), hoods, skid chains, axles and brakes for wheels and transmission, bumpers and appurtenances, mudguards, radiators, with their tanks, wheels, grids or luggage carriers, petrol tanks and fittings, exhaust pipes and silencers ..... L.K.	1.54

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff item number	Description of Products	Rate of duty
/10	Gear change and brake levers, shock absorbers, steering column and wheel, tank and grease caps, gear cases, brake controls and tighteners, differential, parts for clutches, footboards and steps, universal joints, radiator frames, lubricating pins, instrument board, supports, ventilating fan with belt and other unspecified parts of the chassis, even if in connection with the motor .....L.K.	2.38
/11	Complete hoods with frame, curtains and holders; wind-screens with frame or glasses only, doors, seats, padded or not, glasses for windows, doors or lights, bevelled or not, showing their application by the shape, mirrors for front and rear sight and other attachments for car bodies n.s.m. .....L.K.	11.92
	For bicycles pedal:	
/18	Plain, galvanised or painted iron .....L.K.	5.04
/19	Chromed or nickelled iron .....L.K.	6.58
/20	Rubber, leather, wood, plastic materials and the like, with iron attachments or of those materials and iron .....L.K.	11.76
	Motor cars or motor boats:	
/21	Current distributors, magnetos, electric starters, and other unclassified fittings for the motor .....L.K.	10.06
/22	Amperemeters, manometers, thermo-stats, speed indicators, and other physical instruments .....L.K.	8.40
	For any vehicle except aircraft:	
	Horns and sirens:	
/24	Common metal, plain, painted or nickelled .....L.K.	9.80
/25	Ditto, gilt or silver-plated ... L.K.	20.86

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Class XXXIV	
	MACHINERY, APPARATUS, TOOLS AND VARIOUS UTENSILS	
1786	Hones and strops: For knives:	
/1	with handles of whalebone, horn, bone, wooden, common metal, plastic materials and the like ..... each	2.24
/2	with handles of mother-of-pearl, ivory, tortoise-shell and white metal, gilt or silver-plated or not..... each	10.92
	For ordinary razors:	
/3	with two surfaces..... each	2.24
/4	with four surfaces..... each	4.34
1787	Retorts, digesters, ovens, pasteurizers and the like:	
/2	large, or of capacity greater than 50 cubic decimetres - duties as for unclassified operative machinery, as mentioned below:	
	weighing up to 10 kg..... L.K.	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24
	Ditto, over 50 up to 100 kg..... L.K.	1.82
	Ditto, over 100 up to 250 kg..... L.K.	1.68
	Ditto, over 250 up to 500 kg..... L.K.	1.40
	Ditto, over 500 up to 1,000 kg..... L.K.	1.12
	Ditto, over 1,000 up to 5,000 kg... L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg.. L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1792	Weighing-machines: Platform type with iron bed, wooden or wood and iron: For weighing:	
/4	Up to 100 kg..... each	182.00
/5	over 100 up to 200 kg..... each	291.20
/6	over 200 up to 500 kg..... each	436.80
/7	over 500 up to 1,000 kg..... each	640.64
/8	over 1,000 up to 2,000 kg..... each	1062.88
/9	over 2,000 up to 5,000 kg..... each	1164.80
/10	over 5,000 kg..... each	2329.60

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
1794	Pumps: Hand:	
/7	For petrol, or motor-alcohol, plain or with indicator, for any kind of power, assembled or not, and any of their unclassified parts.....L.K.	4.36
/8	Steam, alcohol, compressed air, hot air, electric, petrol, naphtha, fuel oil or hydraulic and fire-extinguishing pumps - duties as for unclassified power engines, as mentioned below:	
	Weighing up to 10 kg..... L.K.	2.66
	Ditto 10 up to 50 kg..... L.K.	2.24
	Ditto 50 up to 100 kg..... L.K.	1.82
	Ditto over 100 up to 250 kg..... L.K.	1.68
	Ditto, over 250 up to 500 kg..... L.K.	1.40
	Ditto, over 500 up to 1,000 kg..... L.K.	1.12
	Ditto, over 1,000 up to 5,000 kg.... L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg... L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1798	Boilers: Steam generators with their heaters:	
/6	Weighing over 5,000 up to 20,000 kg..L.K.	1.12
/7	Ditto, over 20,000 up to 100,000 kg..L.K.	0.84
/8	Ditto, over 100,000 kg.....L.K.	0.56
1799	Card clothing:	
/1	Hand..... pair	2.46
	For machines:	
/2	In pieces or strips, without fittings L.K	12.21
/3	In pieces or strips, with common metal or wooden fittings..... L.K.	1.79
1802	Air compressors: Duties as for unclassified operative machinery, as mentioned below	
	Weighing up to 10 kg..... L.K.	2.66
	Ditto, over 10 up to 50 kg..... L.K.	2.24
	Ditto, over 50 up to 100 kg..... L.K.	1.82
	Ditto, over 100 up to 250 kg..... L.K.	1.68

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Ditto, over 250 up to 500 kg..... L.K.	1.40
	Ditto, over 500 up to 1,000 kg.... L.K.	1.12
	Ditto, over 1,000 up to 5,000 kg.. L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg. L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1809	Scoop excavators, land dredgers and the like, for steam, electricity or other motive power:	
	Weighing:	
/1	Up to 20,000 kg..... L.K.	0.42
/2	Over 20,000 kg..... L.K.	0.28
1814	Tools:	
/1	Heavy manual, such as levers with or without claws, scythes, mattocks, rakes, railbenders, hoes, coarse ground or unground knives for cutting sugar cane and the like, pit irons, bill-hooks, hand-hooks, pitch-forks, garden forks, reaping-hooks, axes, shovels, hatchets, sledge-hammers and hammers weighing 2 kg or more, spades, picks of all kinds, large and small weeding-hooks, hand cultivators, large and small sickles, large pincers and the like..... L.K.	0.84
	Pneumatic and electric:	
/2	Weighing up to 10 kg..... L.K.	2.66
/3	Ditto over 10 up to 50 kg..... L.K.	2.24
/4	Ditto over 50 up to 100 kg..... L.K	1.68
/5	Ditto over 100 kg..... L.K	1.26
1818	Forges:	
/2	Fixed or semi-fixed, for steam, electric or other motive power:- duties as for unclassified operative machinery, as mentioned below:	
	Weighing up to 10 kg..... L.K	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Ditto, over 50 up to 100 kg..... L.K.	1.82
	Ditto, over 100 up to 250 kg..... L.K.	1.68
	Ditto, over 250 up to 500 kg..... L.K.	1.40
	Ditto, over 500 up to 1,000 kg... L.K.	1.12
	Ditto, over 1,000 up to 5,000 kg. L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1822	Ice-boxes, refrigerators and the like, of common metals:	
	With refrigeration plant (it is understood that number 1822 covers refrigeration apparatus such as mechanical and thermo-dynamic plants):	
/2	Weighing up to 10 kg..... L.K.	2.60
/3	Ditto, over 10 up to 50 kg..... L.K	2.17
/4	Ditto, over 50 up to 100 kg..... L.K.	1.73
/5	Ditto, over 100 up to 250 kg..... L.K.	1.56
/6	Ditto, over 250 up to 500 kg..... L.K.	1.38
/7	Ditto, over 500 up to 1,000 kg... L.K.	1.05
/8	Ditto, over 1,000 up to 5,000 kg L.K.	0.86
/9	Ditto, over 5,000 up to 10,000 kg L.K.	0.70
/10	Ditto, over 10,000 kg..... L.K.	0.51
1824	Cranes and hoists:	
	Hand winches, Weston's differential pulley blocks and the like..... L.K.	0.84
	Fixed or portable, for steam, electricity or other power, including travelling cranes for warehouses - duties as for unclassified operative machinery, as mentioned below:	
	Weighing up to 10 kg..... L.K.	2.66
	Ditto, over 10 up to 50 kg..... L.K.	2.24
	Ditto, over 50 up to 100 kg..... L.K.	1.82
	Ditto, over 100 up to 250 kg.... L.K.	1.68
	Ditto, over 250 up to 500 kg.... L.K.	1.40
	Ditto, over 500 up to 1,000 kg.. L.K	1.12
	Ditto, over 1,000 up to 5,000 kg L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
1825	Agricultural tools and machinery, such as: earthing-up ploughs, stump-or-root extractors, harrows, reapers, ploughs, cultivators, scarifiers, tooth-harrows with fixed or flexible teeth, planters, Croskill, Cambridge and similar rollers, seed-drills, ridging ploughs, transplanting machines, and the like.	Free
1828	Files:	
	Unspecified:	
/2	Weighing up to 300 gr per dozen.... L.K	5.46
/3	Ditto, over 300 gr up to 1½ kg ditto L.K	3.82
/4	Ditto, over 1½ kg ditto..... L.K	2.73
1829	Sand and emery papers:	
/2	On paper..... L.K	2.9[illegible]
1831	Machines (or engines):	
	Motive:	
	A. Steam:	
	Stationary and for navigation, with respective boilers, weighing:	
/1	Up to 1,000 kg..... L.K	1.54
/2	Over 1,000, up to 5,000 kg..... L.K	1.26
/3	Over 5,000, up to 20,000 kg..... L.K	0.84
/4	Over 20,000, up to 100,000 kg... L.K	0.70
/5	Over 100,000 kg..... L.K	0.56
	Semi-stationary, with respective boilers, also vertical or horizontal with boiler, forming a motive unit, weighing:	
/6	Up to 3,000 kg..... L.K	1.26
/7	Over 3,000, up to 12,000 kg..... L.K	0.84
/8	Over 12,000 kg..... L.K	0.70

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Portable engines, with respective boilers, weighing:	
/9	Up to 5,000 kg..... L.K	0.70
/10	Over 5,000 kg..... L.K	0.56
	B - Gas, and town gas, with their producer plant, petroleum oil, alcohol, naphtha, hot air, compressed air or any other explosive mixture:	
/11	Weighing up to 500 kg..... L.K	2.24
/12	Ditto, over 500 up to 1,000 kg..... L.K	1.54
/13	Ditto, over 1,000 kg..... L.K	1.12
	C - Electric dynamos: Alternators, boosters, generators and the like with their several starters:	
/17	Weighing over 100 up to 1,000 kg... L.K	1.54
/18	Weighing over 1,000 kg..... L.K	1.12
	Ditto, ditto, coupled to steam or hydraulic machinery:	
/19	Weighing up to 2,000 kg..... L.K	1.54
/20	Ditto, over 2,000 up to 10,000 kg.. L.K	1.26
/21	Ditto, over 10,000 kg..... L.K	0.84
	Ditto, ditto, coupled to gas, town gas, alcohol, naphtha, hot air, compressed air or any other explosive mixture engines:	
/22	Weighing up to 2,000 kg..... L.K	1.12
/23	Ditto, over 2,000 kg..... L.K	0.70
	E. Locomotives; steam, petroleum, alcohol, petrol or electricity with respective tenders, weighing:	
/27	Up to 20,000 kg..... L.T.	518.00
/28	Over 20,000 kg..... L.T.	350.00
/30	G - Unclassified tractors and mechanical rollers, and compressors, steam, fuel oil, alcohol, petrol or electric..... L.K	0.56

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
/38	Operative Machinery: Knife and tool grinders, pencil sharpeners, embroidery and sewing machines, meat, bread, paper, cork and cloth cutters, maize huskers and crushers, milk separators up to 10 litres capacity, bottling, ironing, ice-making and ice-cream machines, glass, bottle and dish-washers, clothes-washers and mangles, knife-cleaners, mincing-machines, tobacco and vegetable cutters, graters and the like, small sizes for domestic, office, shop and similar purposes..... G.K	1.30
	Calculating, accounting and statistical, on Hollerith and other systems:	
/39	Weighing up to 10 kg..... L.K	8.66
/40	Ditto, over 10 up to 50 kg..... L.K	6.93
/41	Ditto, over 50 up to 100 kg..... L.K	5.19
/42	Ditto, over 100 up to 250 kg..... L.K	3.45
/43	Ditto, over 250 up to 500 kg..... L.K	2.60
/44	Ditto, over 500 kg..... L.K	1.73
	Air-conditioning - the same duties as for unclassified operative machinery, as mentioned below:	
	Weighing up to 10 kg..... L.K	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24
	Ditto, over 50 up to 100 kg..... L.K	1.82
	Ditto, over 100 up to 250 kg..... L.K	1.68
	Ditto, over 250 up to 500 kg..... L.K	1.40
	Ditto, over 500 up to 1,000 kg..... L.K	1.12
	Ditto, over 1,000 up to 5,000 kg... L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg.. L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
	Typewriters:	
/46	With keyboard..... L.K.	11.14
/52	Cash registers, ticket punching and the like..... L.K.	7.98
/53	Printing, linotypes, monotypes, autoplates and semi-autoplates..... L.K.	1.05

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Bullgrader and suchlike:	
/54	Weighing up to 1,000 kg..... L.K	2.10
/55	Over 1,000 up to 2,000 kg..... L.K	1.54
/56	Over 2,000 up to 5,000 kg..... L.K	1.26
/57	Over 5,000 kg..... L.K	0.84
/58	n.s.m:	
	Concrete mixers	
	Road graders	
	Other road making equipment	
	Mining and quarrying machinery	
	Well-drilling apparatus	
	Thread cutting and automatic screw machines	
	Drilling machines	
	Planing and shaping machines	
	Grinding machines	
	Sheet and plate metal working machines	
	Power-driven metal working machinery	
	Hand or foot operated metal working machines	
	Circular hosiery knitting machines	
	Other textile machinery	
	Commercial sewing machines	
	Shoe machinery	
	Sugar mill machinery	
	Wood working machinery	
	Bottling, bottle washing and bottle labelling machinery	
	Brewing machinery	
	Ice making machinery	
	Printing presses	
	Welding machinery	
	Petroleum well and refining machinery	
	Milling machines	
	Winders and parts	
	Paint spraying equipment:	
	Weighing up to 10 kg..... L.K	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24
	Ditto, over 50 up to 100 kg..... L.K	1.82
	Ditto, over 100 up to 250 kg..... L.K	1.68
	Ditto, over 250 up to 500 kg..... L.K	1.40
	Ditto, over 500 up to 1,000 kg..... L.K	1.12
	Ditto, over 1,000 up to 5,000 kg.... L.T	868.00
	Ditto, over 5,000 up to 10,000 kg... L.T	700.00
	Ditto, over 10,000 kg..... L.T	518.00

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazil Tariff Item number	Description of Products	Rate of duty
	Spinning and weaving machinery looms Rayon and knitting machinery Cigarette making machinery Weighing:	
	Up to 10 kg..... L.K.	1.33
	Over 10 up to 50 kg..... L.K	1.12
	Over 50 up to 100 kg..... L.K	0.91
	Over 100 up to 250 kg..... L.K	0.84
	Over 250 up to 500 kg..... L.K	0.70
	Over 500 up to 1,000 kg..... L.K	0.56
	Over 1,000 up to 5,000 kg..... L.T.	434.00
	Over 5,000 up to 10,000 kg..... L.T.	350.00
	Over 10,000 kg..... L.T.	259.00
	Textile machinery parts.	
	Weighing up to 10 kg..... L.K.	2.66
	Over 10 up to 50 kg..... L.K.	2.24
	Over 50 up to 100 kg..... L.K	1.82
	Over 100 up to 250..... L.K.	1.68
	Over 250 up to 500 kg..... L.K	1.40
	Over 500 up to 1,000 kg..... L.K	1.12
	Over 1,000 up to 5,000 kg..... L.T.	868.00
	Over 5,000 up to 10,000 kg..... L.T.	700.00
	Over 10,000 kg..... L.T.	518.00
1835 /3	Grinding mills: Fixed or semi-fixed for factory use, steam, electric or other power-duties as for unclassified operative machinery, as mentioned below:	
	Weighing up to 10 kg..... L.K.	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24
	Ditto, over 50 up to 100 kg..... L.K	1.82
	Ditto, over 100 up to 250 kg..... L.K	1.68
	Ditto, over 250 up to 500 kg..... L.K	1.40
	Ditto, over 500 up to 1,000 kg..... L.K	1.12
	Ditto, over 1,000 up to 5,000 kg... L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg...L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1841	Printing presses, weighing:	
/1	Up to 10 kg..... L.K.	2.66

SCHEDULE III - BRAZIL

PART I - (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
/2	Over 10, up to 50 kg..... L.K	2.24
/3	Over 50, up to 100 kg..... L.K	1.82
/4	Over 100, up to 250 kg..... L.K	1.68
/5	Over 250, up to 500 kg..... L.K	1.40
/6	Over 500, up to 1,000 kg..... L.K	1.12
/7	Over 1,000, up to 5,000 kg..... L.T	868.00
/8	Over 5,000, up to 10,000 kg..... L.T.	700.00
/9	Over 10,000 kg..... L.T.	518.00
1842	Presses: Baling and packing, trimming, glazing and cutting paper, lithographing, biscuit and macaroni-making, soap-making and the like. Steam, electric or other power presses - duties as for unclassified operative machinery, as mentioned below:	
	Weighing over 5,000 up to 10,000 kg. L.T.	700.00
	Weighing over 10,000 kg..... L.T.	518.00
1843	Spraying: Sprayer:	
/1	Mounted or not on wheels, for destruction of agricultural insect pest..... L.K.	0.84
1848	Saws:	
/2	Band, endless, vertical or circular, for machine saws..... L.K	2.94
/3	Machine, for steam, electrical or other power - duties as for unclassified operative machinery, as mentioned below:	
	Weighing up to 10 kg..... L.K	2.66
	Ditto, over 10 up to 50 kg..... L.K	2.24
	Ditto, over 50 up to 100 kg..... L.K	1.82
	Ditto, over 100 up to 250 kg..... L.K	1.68
	Ditto, over 250 up to 500 kg..... L.K	1.40
	Ditto, over 500 up to 1,000 kg..... L.K	1.12
	Ditto, over 1,000 up to 5,000 kg... L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg.. L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1852	Vices and lathes:	
/4	Steam, electric or other power lathes - duties as for unclassified operative machinery, as mentioned below:	

SCHEDULE III - BRAZIL

PART I (Continued)

Brazilian Tariff Item number	Description of Products	Rate of duty
	Weighing over 1,000 up to 5,000 kg..L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg...L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1856	Spark plugs for motors..... L.K	11.06
1857	Ventilating fans, dust extractors, vibrators, driers and the like	
/2	Centrifugal or heli coidal - duties as for unclassified operative machinery, as mentioned below:	
	Weighing over 1,000 up to 5,000 kg. L.T.	868.00
	Ditto, over 5,000 up to 10,000 kg.. L.T.	700.00
	Ditto, over 10,000 kg..... L.T.	518.00
1859	All tools and utensils n.s.m:	
	For arts and crafts:	
/1	Machine:	
	Parts and attachments for earth moving equipment..... L.K	0.84
	Class XXXV	
	SUNDRY ARTICLES	
1867	Toys and dolls:	
	Dressed dolls	Removal of surtax
1868	Pipes:	
/1	Of amber or meerschaum..... L.K	50.96
/2	Of horn, bone, whalebone, base metal either gilt or silvered, plastic and similar materials..... L.K	22.93
/3	Of clay, earthenware, louça wood or glass..... L.K	9.11
/4	Of mother-of-pearl, ivory or tortoise-shell..... L.K	101.92
/5	With ornaments or trimmings of gold, platinum or silver..... L.K	183.46
1871	Confectioners' sweets:	
/2	Chewing gum..... L.K	7.00

SCHEDULE III - BRAZIL

FIRST PART (END)

- GENERAL SCHEDULE -

I - The abbreviations gr., kg., ton, G.K., L.K., R.K., G.T. and L.T., used in this Schedule, have the following respective significance: - gramme, kilogramme, ton, (of 1.000 kilogrammes), gross kilogramme, legal kilogramme, real kilogramme (actual), gross ton and legal ton. The abbreviation "n.s.m." stands for "not specially mentioned".

II - Except as otherwise specified, the products described in this Schedule shall be subject, in addition to the ordinary customs duties specified herein, to any separate or additional ordinary customs duties not in excess of those provided for in respect of such products by laws in force on the date of this Agreement.

III - The "notes" of the Brazilian Tariff Laws relating to the articles mentioned in this Schedule are an integral part of this Schedule.

SCHEDULE IV - BURMA

This Schedule is authentic only in the English language.

Part I

Most-Favoured-Nation Tariff

Burma Tariff Item Number	Description of Products	Rate of Duty
Ex 5	Cheese	30 per cent
6	Milk condensed or preserved, including milk cream ..	35 per cent
	Note: The products provided for under item 6 shall be exempt from ordinary most-favoured-nation customs duties which exceed (1) the preferential duties on such products of UK origin by more than 7½ per cent ad valorem; and (2) the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	
7	Milk foods for infants and invalids (wholly or mainly milk)	25 per cent
Ex 11	Beans, dry	Free
18	Fruits and vegetables, canned or bottled	.....
	Note: The products provided for under item 18 shall be exempt from ordinary most-favoured-nation customs duties which exceed (1) the preferential duties on such products of UK origin by more than 5 per cent ad valorem; (2) the preferential duties on such products of British colonial origin by more than 5 per cent ad valorem; and (3) the preferential duties on such products of Indian origin by more than 25 per cent ad valorem.	
43	Oil cakes	20 per cent
49	Fish oil, all sorts, not otherwise specified	.....
	Note: The products provided for under item 49 shall be exempt from ordinary most-favoured-nation customs duties which exceed (1) the preferential duties on such products of UK origin by more than 7½ per cent ad valorem; and (2) the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	

SCHEDULE IV - BURMA

Part I (Continued)

Burma Tariff Item Number	Description of Products	Rate of Duty
52	The following vegetable non-essential oils, namely:- (a) Coconut and groundnut	32½ per cent
53	Tallow	Free
Ex 54	Mineral grease including petroleum jelly; stearine...	25 per cent
56	Chemicals, Drugs and Medicines, all sorts, not otherwise specified	30 per cent
Ex 64	Quinine sulphate and bisulphate	Free
73	Cutch and gambier, all sorts	30 per cent
107	Silk, raw, waste and noils and silk cocoons	45 per cent
116	Artificial silk yarn and thread	25 per cent
Ex 139	Buttons	30 per cent
158	All sorts of mineral oils, not otherwise specified (other than fuel oils; kerosene; lubricating oils; petroleum dangerous, flashing below 76° Fahrenheit and white oil)	25 per cent
160	Lubricating oil, that is, oil such as is not ordinarily used for any other purpose than lubrication, excluding any mineral oil which has its flashing point below two hundred degrees of Fahrenheit's thermometer by Abel's close test	.....
	Note: The products provided for under item 160 shall be exempt from ordinary most-favoured-nation customs duties in excess of the duties on such products of UK origin.	
178	Glass bangles, glass beads and false pearls.....	50 per cent
192	Iron alloys viz., ferro-manganese, ferro-silicon, ferro-chrome, spiegeleisen and the like as commonly used for steel making	.....
	Note: The products provided for under item 192 shall be exempt from ordinary most-favoured-nation customs duties which exceed (1) the preferential duties on such products of UK origin by more than 5 per cent ad valorem; and (2) the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	

SCHEDULE IV - BURMA

Part I (Continued)

Burma Tariff Item Number	Description of Products	Rate of Duty
207	Iron or Steel nails and washers, all sorts not otherwise specified	.....
	Note: The products provided for under item 207 shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	
215	Iron or Steel barbed or stranded wire and wire rope.	20 per cent
Ex 219	Fish hooks	.....
	Note: Fish hooks shall be exempt from ordinary most-favoured-nation customs duties which exceed (1) the preferential duties on fish hooks of UK origin by more than 5 per cent ad valorem; and (2) the preferential duties on fish hooks of Indian origin by more than 15 per cent ad valorem.	
229	Zinc, unwrought, including cakes, ingots, tiles (other than boiler tiles), hard or soft slabs and plates, dust, dross and ashes; and broken zinc....	Free
Ex 231	Non-ferrous base metals unenumerated (other than alluminium; anti-friction metal; bronze, brass and similar alloys; copper; German silver; lead, quicksilver,; solder; tin and zinc or spelter)....	25 per cent
Ex 236	Hand pumps	20 per cent
238	Enamelled ironware	30 per cent
Ex 239	(1) Mining machinery other than coal mining machinery ..... (2) Oil crushing and refining machinery ..... (3) Pumping machinery	10 per cent 10 per cent 10 per cent
241	The following Agricultural Implements, namely, winnowers, threshers, mowing and reaping machines, binding machines, elevators, seed and corn crushers, chaff-cutters, root-cutters, ensilage-cutters, horse and bullock gear, ploughs, cultivators, scarifiers, harrows, clod-crushers, seed-drills, hay tedders, hay presses, potato-diggers, latex spouts, spraying machines, powder-blowers,	

SCHEDULE IV - BURMA

Part I (Continued)

Burma Tariff Item Number	Description of Products	Rate of Duty
	white-ant exterminating machines, beet pullers, broadcast seeders, corn pickers, corn shellers, multi-packers, drag scrapers, stalk cutters, huskers and shredders, potato planters, line sowers, manure spreaders, listers, soil graders, and rakes; flame throwers for attachment to spraying machines designed for the extermination of locusts, and latexcoups; also agricultural tractors, also component parts of these implements, machines or tractors, provided that they can be readily fitted into their proper places in the implements, machines or tractors for which they are imported, and that they cannot ordinarily be used for purposes unconnected with agriculture	Free
Ex 242	Refrigerating machinery other than Domestic Refrigerators.....	25 per cent
Ex 243	Typewriters	.....
	Note: Typewriters shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duty on typewriters of Indian origin by more than 10 per cent ad valorem.	
Ex 251	Electro-medical apparatus (exclusively for medical use).....	30 per cent
257	Wireless Reception Instruments and apparatus and component parts thereof, including all electric valves, amplifiers and loud speakers which are not specially designed for purposes other than wireless reception or are not original parts of and imported along with instruments or apparatus so designed	.....
	Note: The products provided for under item 257 shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	
272	Gums, Arabic, Benjamin (ras and cowrie) and Damar (including unrefined batu) and rosin	30 per cent
287	Brushes, all sorts	.....
	Note: The products provided for under item 287 shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	

SCHEDULE IV - BURMA

Part I (Concluded)

Burma Tariff Item Number	Description of Products	Rate of Duty
300	Bangles and beads, not otherwise specified	50 per cent
303	Oil cloth and floor cloth	.....
	Note: The products provided for under item 303 shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products of Indian origin by more than 15 per cent ad valorem.	

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General Notes

The Tariff Items shown in the present Schedule refer to the numbers appearing in the Sixth Edition of the Customs Tariff of Burma, 1947.

SCHEDULE IV - BURMA

Part II

Preferential Tariff

N I L

SCHEDULE V - CANADA

This Schedule is authentic only in the English and French languages.

PART I

Most-Favoured Nation Tariff

Canadian Tariff Item Number	Description of Products	Rate of Duty
1	Horses, cattle, sheep, goats, asses, swine and dogs, for the improvement of stock, under regulations prescribed by the Governor in Council	Free
5	Animals, living, n.o.p.:-	
	(a) Cattle .....per pound	1½ cts.
	ex (c) N.o.p., other than silver or black foxes	7½ p.c.
6	Live hogs .....per pound	1 ct.
7	Meats, fresh, n.o.p.:-	
	(a) Beef and veal .....per pound	3 cts.
	ex (a) Edible offal of beef and veal .....per pound but not less than	1½ cts. 7½ p.c.
	ex (c) Pork .....per pound	1¼ cts.
ex 8	Canned meats other than beef and pork, n.o.p.; canned poultry or game, n.o.p.	20 p.c.
ex 8	Canned hams	22½ p.c.
ex 8	Pâtés de foie gras, foies gras, preserved, in tins or otherwise; lark pâtés	10 p.c.
8a	Extracts of meat and fluid beef, not medicated	30 p.c.
9	Poultry and game, n.o.p.	15 p.c.
9d	Baby chicks, n.o.p. .....each	2 cts.
10	Meats, prepared or preserved, other than canned:-	
	(a) Bacon, hams, shoulders and other pork .....per pound	1¾ cts.
	(b) N.o.p. .....per pound	2 cts.
12	Sausage skins or casings, not cleaned	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
12a	Sausage skins or casings, cleaned	15 p.c.
14	Tallow	17½ p.c.
15	(i) Beeswax, unrefined	Free
	(ii) Beeswax, n.o.p.	15 p.c.
ex 15 ex 711	Honey-comb foundations, of wax	15 p.c.
16	Eggs in the shell .....per dozen	3½ cts.
16b	Eggs, egg yolk or egg albumen, dried, evaporated, desiccated, or powdered, whether or not sugar or other material be added	25 p.c.
17	Cheese .....per pound	3½ cts.
18	Butter .....per pound	12 cts.
19	Cocoa shells and nibs	10 p.c.
20	Cocoa paste or "liquor" and chocolate paste or "liquor", not sweetened, in blocks or cakes .....per pound	3 cts.
20a	Butter produced from the cocoa bean .....per pound	2¼ cts.
21	Cocoa paste or "liquor" and chocolate paste or "liquor", sweetened, in blocks or cakes, not less than two pounds in weight .....per pound	4 cts.
22	Preparations of cocoa or chocolate in powder form	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty	20 p.c.
	and, per pound	2½ cts.
24	Chicory, raw or green .....per pound	2¼ cts.
25	Chicory, kiln dried, roasted or ground .....per pound	3 cts.
28 29	Coffee, green .....per pound	2 cts.
28a 29a	Tea .....per pound When in packages weighing five pounds, each, or less, the weight of such packages to be included in the weight for duty.	6 cts.
30	Pepper, unground	5 p.c.
	Cloves, unground	10 p.c.
	Cinnamon, unground	12½ p.c.
	Ginger, unground	12½ p.c.
	Spices, unground, n.o.p.	12½ p.c.
32	Nutmegs and mace, whole or unground	15 p.c.
34	Mustard, ground	20 p.c.
35	Hops .....per pound	10 cts.
39	(i) Potato starch and potato flour .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	1½ cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
39	(ii) Starch, and all preparations having the quality of starch, n.o.p. .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	1 ct.
39a	(i) Starch or flour of sago, cassava, or rice ...per pound	1½ cts.
	(ii) Rice meal, rice feed, rice polish, rice bran, rice shorts .....per pound	1 ct.
39c	Dextrine, and combinations or preparations of starch and dextrine without admixture of foreign material, n.o.p. .....per pound	1 ct.
41	Salt, n.o.p., in bags, barrels and other coverings ....per one hundred pounds	5½ cts.
42	Salt, in bulk, n.o.p. .....per one hundred pounds	3 cts.
43	Condensed milk, the weight of the package to be included in the weight for duty .....per pound	3¾ cts.
43a	Powdered milk, the weight of the package to be included in the weight for duty .....per pound	5 cts.
45	(i) Milk foods, n.o.p.	20 p.c.
	(ii) Prepared cereal foods, in packages not exceeding twenty-five pounds weight each	20 p.c.
46	Prepared cereal foods, n.o.p.	15 p.c.
47	Beans, n.o.p., viz.:-	
	(a) Castor beans, n.o.p.	Free
	(b) Soya beans, n.o.p.	Free
	(c) Lima and Madagascar beans, dried .....per pound	½ ct.
	(d) Red kidney beans, dried .....per pound	1 ct.
	(e) N.o.p. .....per pound	1½ cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
48	Peas, n.o.p. .....per pound	¾ ct.
52	Barley, n.o.p. .....per bushel	7½ cts.
53	Cornmeal .....per barrel	50 cts.
55	Indian corn (maize) .....per bushel	8 cts.
56	Oats .....per bushel	4 cts.
58	Rye .....per bushel	6 cts.
61	Wheat flour and semolina .....per barrel	50 cts.
62	Rice, uncleaned, unhulled or paddy	Free
63	Rice, cleaned .....per one hundred pounds When in packages weighing two pounds, each, or less, the weight of such packages to be included in the weight for duty.	70 cts.
64	Sago and tapioca	17½ p.c.
65	Biscuits, not sweetened	17½ p.c.
65a	Diabetic breads and biscuits, under regulations prescribed by the Department of National Health and Welfare	7½ p.c.
66	Biscuits, sweetened	25 p.c.
66a	Biscuits, sweetened or unsweetened, valued at not less than 20 cents per pound, said value to be based on the net weight and to include the value of the usual retail package	20 p.c.
69	Straw .....per ton	50 cts.
69b	Hay .....per ton	$1.25

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
71a	Timothy seed .....per pound	½ ct.
71b	Clover seed, including alfalfa seed .....per pound	2 cts.
72	Field and garden seeds not specified as free, valued at not less than five dollars per pound, n.o.p., in packages weighing not less than one ounce each	7½ p.c.
72d	Millet and rape seed	7½ p.c.
72e	Bent grass seed, not to include red-top grass seed	22½ p.c.
73	Field seeds, n.o.p., when in packages weighing more than one pound each	7½ p.c.
ex 73	Broom corn seed, when in packages weighing more than one pound each	Free
ex 73 ex 76b ex 276b	Cotton seed	Free
74	Seeds, as hereunder, when in packages weighing more than one pound each:-	
	(i) Parsley and parsnip .....per pound	2 cts.
	(ii) Beet, not including sugar beet .....per pound	2 cts.
	(iii) Mangel and turnip .....per pound	2 cts.
75	Seeds, as hereunder, when in packages weighing more than one pound each:-	
	(i) Radish, leek, lettuce, carrot, borecole or kale .....per pound	2 cts.
	(ii) Cabbage and cucumber .....per pound	4 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
76	Seeds, as hereunder, when in packages weighing more than one pound each:-	
	(i) Tomato and pepper .....per pound	7½ cts.
	(ii) Cauliflower .....per pound	12½ cts.
	(iii) Onion .....per pound	15 cts.
76a	Root, garden and other seeds, n.o.p., when in packages weighing more than one pound each .....per pound	2½ cts.
76b	Seeds, viz.:- Field, root, garden and other seeds, when in packages weighing one pound each, or less	20 p.c.
76d	Seeds, viz.:- Canary, mustard, celery and sunflower, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations	7½ p.c.
77b	Vanilla beans, crude only	5 p.c.
78	Florist stock, viz.:- Palms, ferns, rubber plants (Ficus), gladiolus, cannas, dahlias and paeonias	17½ p.c.
79	Florist stock, viz.:- Azaleas, rhododendrons, pot-grown lilacs; hydrangeas and other pot-grown plants, n.o.p.; rose stock and other stock for grafting or budding, n.o.p.; seedling carnation stock, araucarias, bulbs, corms, tubers, rhizomes and dormant roots, n.o.p.; Dwarf Polyantha rose bushes imported or purchased in bond in Canada by florists for bona fide forcing purposes in their own greenhouses prior to disposal; laurel and holly foliage, natural or preserved, whether in designs or bouquets or not	12½ p.c.
ex 79b	Flowers (other than orchids) and foliage, natural, cut, whether in designs or bouquets or not, n.o.p.	12½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
81	Trees, n.o.p., viz.:-	
	(a) Apple .....each	6 cts.
	Provided that when imported between September 15th and October 5th, inclusive, the duty shall not be more than 3 cents each.	
	(b) Pear, plum, cherry, apricot, quince .....each	8 cts.
	Provided that when imported between September 15th and October 5th, inclusive, the duty on cherry trees and on plum trees shall not be more than 3 cents each.	
	(c) Peach, including June buds .....each	5 cts.
82	(a) Grape vines, gooseberry and currant bushes or roots .....each	2 cts.
	(b) Raspberry, loganberry and blackberry bushes or roots; rhubarb roots .....each	1 ct.
	(d) Rosebushes, n.o.p. .....each	3 cts.
	(e) Trees, shrubs, vines, plants, roots and cuttings, commonly known as florist or nursery stock, n.o.p.	12½ p.c.
	ex (e) Nut trees, including grafted stock, and buds and scions for grafting nut trees	Free
83	Potatoes, as hereunder defined:-	
	(a) In their natural state:-	
	August 1 to June 14, inclusive	Free
	June 15 to July 31, inclusive	
	.....per one hundred pounds	37½ cts.
	(c) Sweet potatoes and yams, in their natural state	Free
84	Onions, in their natural state, the weight of the packages to be included in the weight for duty:-	
	(a) Onion sets and shallots	15 p.c.
	*(b) Onions, n.o.p.:-	
	40 weeks .....per pound	1 ct.
	Otherwise	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
85	*(a) Mushrooms, fresh, the weight of the packages to be included in the weight for duty:-	
	52 weeks .....per pound	3½ cts.
	Otherwise	10 p.c.
	(b) Mushrooms, dried or otherwise preserved	15 p.c.
	(c) Truffles, fresh, dried or otherwise preserved	10 p.c.
87	Vegetables, fresh, in their natural state, the weight of the packages to be included in the weight for duty:-	
	*(a) Asparagus:-	
	8 weeks .....per pound	3½ cts.
	Otherwise	10 p.c.
	*(b) Beans, green:-	
	14 weeks .....per pound	1½ cts.
	Otherwise	10 p.c.
	(c) Brussels sprouts	10 p.c.
	*(d) Cabbage:-	
	26 weeks .....per pound	9/10 ct.
	Otherwise	10 p.c.
	*(e) Carrots and beets, n.o.p.:-	
	26 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
	*(f) Cauliflower:-	
	20 weeks .....per pound	¾ ct.
	Otherwise	10 p.c.
	Eggplant	Free
	*(g) Celery:-	
	24 weeks .....per pound	1 ct.
	Otherwise	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
87 (cont'd)	*(h) Cucumbers:-	
	12 weeks .....per pound	2½ cts.
	Otherwise	10 p.c.
	*(i) Lettuce:-	
	18 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
	(j) Parsley	10 p.c.
	*(k) Peas, green:-	
	12 weeks .....per pound	2 cts.
	Otherwise	10 p.c.
	*(l) Rhubarb:-	
	10 weeks .....per pound	½ ct.
	Otherwise	10 p.c.
	(m) Spinach	10 p.c.
	*(n) Tomatoes:-	
	32 weeks .....per pound	1½ cts.
	Otherwise	10 p.c.
	(o) Watercress	10 p.c.
	Whitloof or endive	Free
	(p) Artichokes, horseradish and okra	Free
	N.o.p.	10 p.c.
89	Vegetables, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:-	
	(a) Beans, baked or otherwise prepared .....per pound	1½ cts.
	ex (b) Corn .....per pound	1½ cts.
	(c) Peas .....per pound	1½ cts.
	(d) N.o.p.	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
90a	Vegetables, dried, desiccated, or dehydrated, including vegetable flour, n.o.p.	20 p.c.
90b	Vegetables, pickled or preserved in salt, brine, oil or in any other manner, n.o.p.	22½ p.c.
90c	Vegetable juices, liquid mustards, soy and vegetable sauces of all kinds	20 p.c.
90e	Vegetables, frozen	20 p.c.
92	Fruits, fresh, in their natural state, the weight of the packages to be included in the weight for duty:-	
	*(a) Apricots:-	
	10 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
	*(b) Cherries:-	
	7 weeks .....per pound	2 cts.
	Otherwise	10 p.c.
	*(c) Cranberries:-	
	12 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
	*(d) Peaches:-	
	9 weeks .....per pound	1½ cts.
	Otherwise	10 p.c.
	*(e) Pears:-	
	15 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
	*(f) Plums and prunes:-	
	10 weeks .....per pound	1 ct.
	Otherwise	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
92 (cont'd)	*(g) Strawberries:-	
	6 weeks .....per pound	1-3/5 cts.
	Otherwise	10 p.c.
	*Raspberries and loganberries:-	
	6 weeks .....per pound	2 cts.
	Otherwise	10 p.c.
	(h) Berries, edible, n.o.p.	10 p.c.
	(i) Quinces and nectarines	10 p.c.
93	Apples, fresh, in their natural state, the weight of the packages to be included in the weight for duty:-	
	May 20 to July 12, inclusive	Free
	July 13 to May 19, inclusive .....per pound	¾ ct.
94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for duty:-	
	(a) Vitis Vinifera species	Free
	*(b) Vitis Labrusca species:-	
	15 weeks .....per pound	1 ct.
	Otherwise	10 p.c.
95	*Cantaloupes and muskmelons, the weight of the packages to be included in the weight for duty:-	
	8 weeks .....per pound	1¼ cts.
	Otherwise	10 p.c.
95a	Melons, n.o.p. .....each	2 cts.
96	Fruits, fresh, in their natural state, n.o.p.	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
*	Provided, that, as regards such of those fresh fruits and vegetables dutiable under tariff items 84, 85, 87, 92, 94 and 95, as are marked with an asterisk in this Schedule, the specific duty set opposite thereto shall not be maintained in force in any twelve months ending March 31 for a period in excess of the number of weeks set forth thereunder; and Provided, that, as regards fresh fruits and vegetables dutiable under sub-items (b), (d), (e), (f), (g) and (i), of tariff item 87, the number of weeks during which the specific duty may be maintained in force may be divided into two separate periods, the combined duration of which shall not exceed the number of weeks set forth thereunder; and Provided further, as regards such of those fresh fruits and vegetables dutiable under the aforesaid tariff items as are marked with an asterisk, that whenever the specific duty is not levied, the ad valorem duty of 10 per centum shall apply.	
97	Plantains, pineapples, pomegranates, guavas and mangoes ..	Free
98	Bananas .....per stem or bunch	50 cts.
99a	Plums and prunes, dried, unpitted	Free
99b	Fruits, dried, desiccated, evaporated or dehydrated, n.o.p.	10 p.c.
99c	(i) Raisins .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	3 cts.
	(ii) Dried currants .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	4 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
99d	Dates, dried, unpitted, in bulk .....per pound	½ ct.
99e	Dates, n.o.p. .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	1½ cts.
99f	Figs, dried .....per pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	½ ct.
99g	Apricots, nectarines, pears and peaches, dried, desiccated, evaporated or dehydrated	15 p.c.
100 100a	Grape fruit	Free
101	Oranges, n.o.p.	Free
101a	Lemons	Free
103	Fruits preserved in brandy, or preserved in other spirits, and containing not more than forty per cent. of proof spirit in the liquid contents thereof .....per gallon and	$2.50 30 p.c.
104	Fruits preserved in brandy, or preserved in other spirits, and containing more than forty per cent. of proof spirit in the liquid contents thereof .....per gallon and	$5.00 30 p.c.
104a	Fruit pulp, other than grape pulp, not sweetened, in air-tight cans or other air-tight packages .....per pound	1½ cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
105	(i) Fruit pulp, with sugar or not, n.o.p., and fruits, crushed .....per pound	2 cts.
	(ii) Fruits, frozen .....per pound	2 cts.
ex 105b ex 105c	Olives, ripe, in brine	10 p.c.
105c	Fruits and nuts, pickled or preserved in salt, brine, oil or any other manner, n.o.p.	25 p.c.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mincemeats .....per pound	3¼ cts.
105e	Fruits and peels, crystallized, glacé, candied or drained; cherries and other fruits of crème de menthe, marasohino or other flavour	27½ p.c.
106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:-	
	(a) Peaches .....per pound	2½ cts.
	Apricots and pears .....per pound	2 cts.
	(b) Pineapples .....per pound	2 cts.
	(c) N.o.p. .....per pound	1 ct.
108	Honey in the comb or otherwise, and imitations thereof ... .per pound	1½ cts.
109 114	Nuts of all kinds, n.o.p., shelled or not .....per pound	1 ct.
109a	Peanuts, green, in the shell or not further processed than shelled	Free
110 111	Cocoanuts .....per one hundred	50 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
113	Cocoanut, desiccated, sweetened or not .....per pound	3 cts.
113a	Copra or broken cocoanut meat, not shredded, desiccated or prepared in any manner	Free
ex 114	Palm kernels	Free
115	Mackerel, herring, salmon and all other fish, n.o.p., fresh, salted, pickled, smoked, dried or boneless ....per pound	1/2 ct.
116	Halibut, fresh, pickled or salted .....per pound	½ ct.
117	Fish livers, fresh, salted or in preservative medium	Free
120	Anchovies, sardines, sprats or pilchards, packed in oil or otherwise, in sealed tin containers, the weight of the tin container to be included in the weight for duty:-	
	(a) When weighing over twenty ounces and not over thirty-six ounces each .....per box	3½ cts.
	(b) When weighing over twelve ounces and not over twenty ounces each .....per box	3 cts.
	(c) When weighing over eight ounces and not over twelve ounces each .....per box	2 cts.
	(d) When weighing eight ounces each or less .....per box	1½ cts.
122	Herring (not including kippered herring in sealed containers) packed in oil or otherwise, in sealed containers	25 p.c.
123	Fish, prepared or preserved, n.o.p.:-	
	(i) Kippered herring in sealed containers	17½ p.c.
	(ii) Lobsters	22½ p.c.
	(iii) Shell fish, n.o.p., including oysters, n.o.p.	22½ p.c.
	(iv) Salmon	27½ p.c.
	(v) All other fish, n.o.p.	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 123a	Shrimps in sealed containers	15 p.c.
124	Oysters, shelled, in bulk .....per gallon	5 cts.
128	Oysters in the shell	15 p.c.
ex 133	Lobsters, fresh	Free
ex 134 ex 135 ex 135b	Sugar, produced from sugar cane or beets ..... * The Government of Canada undertakes, with respect to sugar dutiable under tariff items 134, 135 and 135b, not to impose rates of duty higher than those in effect on July 1, 1939, but reserve the right to revise the wording of the said tariff items, provided that under any such revised wording the over-all incidence of import duties and taxes shall not be greater than that in effect on July 1, 1939.	*
139	Glucose or grape sugar, glucose syrup and corn syrup, or any syrups containing an admixture thereof, n.o.p. .....per pound	1½ cts.
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied popcorn, candied nuts, flavouring powders, custard powders, jelly powders, sweetmeats, sweetened breads, cakes, pies, puddings and all other confections containing sugar	25 p.c.
142	Tobacco, unmanufactured, for excise purposes under conditions of the Excise Act, subject to such regulations as may be prescribed by the Minister:- (a) Of the type commonly known as Turkish:- (i) Unstemmed .....per pound (ii) Stemmed .....per pound (b) N.o.p.:- (i) Unstemmed .....per pound (ii) Stemmed .....per pound Provided that the duty under this item shall be levied on the basis of "Standard leaf tobacco" consisting of ten per centum of water and ninety per centum of solid matter.	 50 cts. 40 cts. 20 cts. 30 cts.
143	Cigars, the weight of the bands and ribbons to be included in the weight for duty .....per pound and	$1.75 15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty .....per pound and	$2.00 15 p.c.
	And in addition thereto, when weighing not more than three pounds per thousand, under all tariffs, $2.00 per thousand.	
144	Cut tobacco .....per pound	80 cts.
	And in addition thereto, under all tariffs, 15 cents per pound.	
145	Manufactured tobacco, n.o.p., and snuff .....per pound	90 cts.
	And in addition thereto (except on snuff), under all tariffs, 15 cents per pound.	
146	Ale, beer, porter and stout, when imported in casks or otherwise than in bottle .....per gallon	35 cts.
	And in addition thereto, under all tariffs, 30 cents per gallon.	
147	Ale, beer, porter and stout, when imported in bottles .....per gallon	50 cts.
	And in addition thereto, under all tariffs, 30 cents per gallon.	
	Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.	
152	(i) Fruit juices, n.o.p., viz.:-	
	Lime	10 p.c.
	Orange	10 p.c.
	Lemon	10 p.c.
	Passion fruit	10 p.c.
	Pineapple	10 p.c.
	Grapefruit	15 p.c.
	N.o.p.	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
152	(ii) Fruit syrups, n.o.p.	10 p.c.
152a	Papaine	5 p.c.
ex 156	Spirituous or alcoholic liquors (subject to the provisions attaching to tariff item 156), viz. --	
	(i) Whisky .....per gallon of the strength of proof	$5.00
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(ii) Gin, n.o.p. ....per gallon of the strength of proof	$5.00
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(iii) Rum, n.o.p. ....per gallon of the strength of proof	$6.00
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(iv) Brandy .....per gallon of the strength of proof	$4.00
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(v) Liqueurs .....per gallon of the strength of proof	$4.30
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
ex 156 156b	Angostura bitters .....per gallon of the strength of proof	$5.00
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p. .....per gallon and	$5.00 30 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
160	(i) Alcoholic perfumes:-	
	(a) When in bottles or flasks containing not more than four ounces each	30 p.c.
	(b) When in bottles, flasks or other packages, containing more than four ounces each .....per gallon	$5.00
	and	30 p.c.
	(ii) Perfumed spirits, bay rum, cologne and lavender waters, lotions, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind:-	
	(a) When in bottles or flasks containing not more than four ounces each	45 p.c.
	(b) When in bottles, flasks or other packages, containing more than four ounces each ....per gallon	$5.00
	and	30 p.c.
ex 162	Vermouth, aperitif and cordial wines, containing twenty-eight per cent. or less of proof spirit, whether imported in wood or in bottles .....per gallon	20 cts.
	And in addition thereto, under all tariffs, 42½ cents per gallon.	
	Provided, that six quart bottles or twelve pint bottles shall be held to contain a gallon for duty purposes under this tariff item.	
ex 163	Wines of all kinds, n.o.p., including orange, lemon, strawberry, raspberry, elder and currant wines, containing twenty-four per cent. or less of proof spirit, whether imported in wood or in bottles .....per gallon	20 cts.
	And in addition thereto, under all tariffs, 42½ cents per gallon.	
	Provided, that six quart bottles or twelve pint bottles shall be held to contain a gallon for duty purposes under this tariff item.	

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
165	Champagne and all other sparkling wines:-	
	(a) In bottles containing each not more than a quart but more than a pint (old wine measure)..per dozen bottles	$5.00
	And in addition thereto, $1.75 per gallon.	
	(b) In bottles containing not more than a pint each, but more than one-half pint (old wine measure) ....per dozen bottles	$2.50
	And in addition thereto, $1.75 per gallon.	
	(c) In bottles containing one-half pint each or less ....per dozen bottles	$1.25
	And in addition thereto, $1.75 per gallon.	
	(d) In bottles containing over one quart each (old wine measure) .....per gallon	$3.50
	And in addition thereto, under all tariffs, $1.75 per gallon.	
ex 167	Malt, whole, crushed or ground, n.o.p., upon entry for warehouse subject to excise regulations .....per pound	1/3 ct.
168	Malt flour containing less than fifty per centum in weight of malt; malt syrup or malt syrup powder, n.o.p.; extracts of malt, fluid or not; grain molasses -- all articles in this item upon valuation without British or foreign excise duties, under regulations prescribed by the Minister	25 p.c.
	and, per pound	5 cts.
168a	Malt syrup, malt syrup powder, or other starch conversion products produced by the action of enzymes on starch, not including any such products used in the brewing of beer	25 p.c.
169	Books, viz.:- Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, but not to include Christmas annuals, or publications commonly known as juvenile and toy books	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 169 ex 184a ex 184b ex 184c ex 184d	Periodical publications, unbound or paper bound, printed and issued at regular intervals, not less frequently than four times a year, and bearing dates of issue	Free
170	Books, periodicals and pamphlets, or parts thereof, printed, bound, unbound, or in sheets (not to include blank account books, copy books, or books to be written or drawn upon) in any other than the English language ...	Free
171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., not to include blank account books, copy books, or books to be written or drawn upon	10 p.c.
ex 172	Tourist literature issued by national or state governments or departments thereof, boards of trade, chambers of commerce, municipal and automobile associations, and similar organizations	Free
ex 172	Prayer books, missals, psalters, religious pictures and mottoes	Free
178	Advertising and printed matter, viz.:- Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets; advertising chromos, chromotypes, oleographs or like work produced by any process other than hand painting or drawing, and having any advertisement or advertising matter printed, lithographed or stamped thereon, or attached thereto, including advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes, n.o.p.:-	
	(ii) N.o.p. .....per pound	10 cts.
	but not less than	25 p.c.
	ex (ii) Advertising and printed matter, whether imported by mail or otherwise, when in individual packages valued at not more than $1.00 each and when not imported for sale or in a manner designed to evade payment of customs duties	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
179	Labels for cigar boxes, fruits, vegetables, meats, fish, confectionery or other goods or wares; shipping, price or other tags, tickets or labels, and railroad or other tickets, whether lithographed or printed, or partly printed, n.o.p.	22½ p.c.
180	(i) Photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, engravings or prints or proofs therefrom, and similar works of art, n.o.p.	20 p.c.
	(ii) Decalcomania transfers of all kinds, n.o.p.	20 p.c.
	(iii) Blue prints, building plans, maps, and charts, n.o.p.	20 p.c.
180c	Decalcomania transfers, when imported exclusively for use in the manufacture of vitreous enamelled products or of table ware of china, porcelain or semi-porcelain	9 p.c.
181	Bank notes, bonds, bills of exchange, cheques, promissory notes, drafts and all similar work, unsigned, and cards or other commercial blank forms printed or lithographed, or printed from steel or copper or other plates, and other printed matter, n.o.p.	22½ p.c.
181a	Pictorial post-cards, greeting cards and similar artistic cards or folders	25 p.c.
184	Newspapers, unbound, n.o.p.; tailors', milliners' and mantle-makers' fashion plates when imported in single copies in sheet form with periodical trade journals	Free
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.	30 p.c.
187a	Hypersensitive or supersensitive panchromatic films and infra-red films, unexposed, for aerial photography	10 p.c.
187b	Sensitized negative film, one and one-half inches in width or over, for exposure in motion picture cameras	10 p.c.
188	Plain basic photographic paper, baryta coated, for use exclusively in manufacturing albumenized or sensitized photographic paper	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
189	Tubes and cones of all sizes, made of paper, adapted for winding yarns thereon	Free
192	Tarred paper and prepared roofings (including shingles), fibreboard, strawboard, sheathing and insulation, manufactured wholly or in part of vegetable fibres, n.o.p.; blotting paper, not printed nor illustrated	22½ p.c.
192b	Sandpaper, glass or flint paper, and emery paper or emery cloth	20 p.c.
192c	Roofing and shingles of saturated felt	22½ p.c.
192d	Electrical insulating pressboard, not less than .040 inch in thickness	12½ p.c.
192f	Paperboard or fibreboard, single ply, not coated nor impregnated, in rolls containing not less than five hundred square feet, when imported by manufacturers of impregnated socklining base, innersoling, welting, or similar materials, for use only in the manufacture of such materials in their own factories	7½ p.c.
193	Paper sacks or bags of all kinds, printed or not	22½ p.c.
194	Playing cards, in packs or in sheet form, n.o.p.; cards and sheets partly lithographed or printed, for use in the manufacture of such playing cards..per pack or equivalent	7 cts.
195	Paper hanging or wall paper, including borders or bordering	22½ p.c.
197	Paper of all kinds, n.o.p.	22½ p.c.
197b	Wrapping paper of all kinds, not pasted, coated or embossed	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
197c	(i) Cigarette paper, ungummed, in rolls	15 p.c.
	(ii) Cigarette paper, ungummed, in sheets containing not less than thirty-two square inches	15 p.c.
197e	Electric cable insulating paper, .0045 inch or less in thickness, and condenser tissue paper	10 p.c.
198	Ruled and border and coated papers, boxed papers, pads not printed, papier-mâché ware, n.o.p.	25 p.c.
198b	Cigarette paper, gummed, in rolls	15 p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.	25 p.c.
199b	Containers wholly or partially manufactured from fibreboard or paperboard .....per pound	4/5 ct.
	Provided, that in no case shall the rate of duty be less than	20 p.c.
199c	Waxed stencil paper for use on duplicating machines	25 p.c.
199d	Cigarette papers, gummed or not, in tubes, booklets or packets	20 p.c.
199f	Hand made papers, not to include mould-made deckle-edge papers, valued at not less than 40 cents per pound wholesale	22½ p.c.
199g	Duplex backing papers or wrappers including those printed and/or skived for use in the packaging of photographic roll films; inter-leaving and wrapping paper, black, green, or red, for packaging flat photographic films and photographic papers; when imported by manufacturers of photographic films and photographic papers for use in their own factories in the packaging of such films and papers	12½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
200	Pulp of wood, of straw or of any other vegetable fibre ...	Free
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning	10 p.c.
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound weight	10 p.c.
204	Drugs, such as barks, flowers, roots, beans, berries, balsams, bulbs, fruits, insects, grains, gums and gum resins, herbs, leaves, nuts, fruit and stem seeds - which are not edible and which are in a crude state and not advanced in value by refining or grinding, or any other process of manufacture, n.o.p.	Free
205	Roots, medicinal, viz.:- Alkanet, crude, crushed or ground; aconite, calumba, folia digitalis, gentian, ginseng, jalap, ipecacuanha, iris, orris-root, liquorice, sarsaparilla, squills, taraxacum, rhubarb and valerian, unground	Free
206b	Dextrose (glucose) solutions, prepared for parenteral administration in therapeutic treatments; component materials and articles to be used in making such preparations	Free
ex 208	Sulphur and brimstone, crude or in roll or flour	Free
ex 208	Cyanide of sodium	Free
ex 208	Sulphate of ammonia	Free
ex 208	Iodine, crude	Free
208a	Chloride of lime and hypochlorite of lime:- 1. When in packages of not less than twenty-five pounds weight each .....per one hundred pounds	15 cts.
208c	Dehydrated sulphate of copper for agricultural or spraying purposes	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals, n.o.p.	15 p.c.
208h	Ethylene glycol, when imported by manufacturers for use exclusively in the manufacture of anti-freezing compounds or of explosives, in their own factories	Free
208j	(i) Nitrate of ammonia, when imported for use in the manufacture of nitrous oxide	10 p.c.
	(ii) Nitrate of ammonia, n.o.p.	25 p.c.
	(iii) Sal ammoniac	25 p.c.
208l	Bichloride of tin and tin crystals	10 p.c.
208m	Sulphate of copper (blue vitriol)	10 p.c.
208n	Sulphate of iron (copperas)	10 p.c.
208o	Cream of tartar in crystals and tartaric acid crystals ...	10 p.c.
208q	Oxalic acid	10 p.c.
208r	Oxide of tin or of copper	15 p.c.
208s	Sulphate of zinc and chloride of zinc	20 p.c.
208t	All chemicals and drugs, n.o.p., of a kind not produced in Canada	15 p.c.
ex 208t	Bicarbonate of soda	12½ p.c.
ex 208t	Butyl alcohol, n.o.p.	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
208u	Xanthates and sulpho-thio-phosphoric (dithio-phosphoric) compounds, for use in the process of concentrating ores, metals or minerals	Free
208v	Methyl ethyl ketone, n.o.p., and isopropyl acetate	25 p.c.
208w	Theobromine, crude, and dimethyl sulphate	Free
209c	Bichromate of potash, crude; red and yellow prussiate of potash	15 p.c.
210	(i) Peroxide of soda; silicate of soda, dry or in water solution; sulphide of sodium; nitrite of soda; arseniate, binarseniate, bisulphite and stannate of soda; prussiate of soda	12½ p.c.
	(ii) Bichromate, sulphite and chlorate of soda	12½ p.c.
210d	Sodium, sulphate of, crude, or salt cake .....per pound	1/4 ct.
210e	Nitrate of soda or cubic nitre	Free
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined	10 p.c.
215	Stearic acid, n.o.p.	12½ p.c.
216	Acids, n.o.p., of a kind not produced in Canada	15 p.c.
216d	Phthalic anhydride, adipic, abietic, maleic and succinic acids, hexamethylene diammonium adipate, hexamethylene diammonium sebacate, caprolactam, and ethylene glycol, when imported by manufacturers of synthetic resins, for use exclusively in the manufacture of synthetic resins, in their own factories	Free
218	Acid phosphate, not medicinal	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
219	(i) Solutions of peroxide of hydrogen, n.o.p.	22½ p.c.
	(ii) Solutions of hydrogen peroxide containing twenty-five per centum or more by weight of hydrogen peroxide	22½ p.c.
219a	Non-alcoholic preparations or chemicals for disinfecting, or for preventing, destroying, repelling, or mitigating fungi, weeds, insects, rodents, or other plant or animal pests, n.o.p.:-	
	(i) When in packages not exceeding three pounds each, gross weight	12½ p.c.
	(ii) Otherwise	7½ p.c.
219b	Formaldehyde, containing not more than fifteen per centum of alcohol	Free
219d	Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes	20 p.c.
220	All medicinal and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, filled capsules, tablets, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p.:-	
	(i) When dry	20 p.c.
	(ii) Liquid, when containing not more than two and one-half per centum of proof spirit	22½ p.c.
	Provided, also, that drugs, pill-mass and preparations, not including pills or medicinal plasters, recognized by the British or United States pharmacopoeia, the Canadian Formulary or the French Codex as officinal, shall not be held to be covered by this item.	

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
220a	Chemical preparations, compounded of more than one substance, n.o.p.:-	
	(i) When dry	20 p.c.
	Liquid containing not more than two and one-half per centum of proof spirit	20 p.c.
	(ii) All others	25 p.c.
	Provided that any article in this item containing more than forty per cent. of proof spirit shall be rated for duty at .....per gallon	$3.00
	and	30 p.c.
ex 225	Carnauba wax	Free
228	(i) Toilet soap, n.o.p.	22½ p.c.
	(ii) Soap powders, powdered soap, mineral soap, and soap, n.o.p.	20 p.c.
229	Soap, common or laundry .....per one hundred pounds	$1.50
230	Castile soap, the weight of the cartons and wrappings to be included in the weight for duty .....per pound	1 ct.
231b	Gelatine, edible, when imported for use exclusively in the manufacture of capsules for the manufacture or compounding of medicinal and pharmaceutical preparations	Free
232	(i) Glue, n.o.p.	22½ p.c.
	and, per pound	5 cts.
	(ii) Gelatine, n.o.p.	22½ p.c.
232b	Vegetable glue	27½ p.c.
232c	Gelatine, edible	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
232f	Mucilage and adhesive paste ..... and, per pound	20 p.c. 2½ cts.
234	Perfumery, including toilet preparations, non-alcoholic, viz.:- Hair oils, tooth and other powders and washes, pomatums, pastes and all other perfumed preparations, n.o.p., used for the hair, mouth or skin	25 p.c.
236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, and abdominal supports	20 p.c.
238a	Manufactures of pyroxylin plastics, or of which pyroxylin plastic is the component of chief value, n.o.p.	25 p.c.
ex 238a	Cinematograph or moving picture films, negatives, n.o.p. ..	10 p.c.
238e	Regenerated cellulose, and cellulose acetate, transparent, in sheets, not printed, and manufactures of regenerated cellulose or of cellulose acetate, n.o.p.	25 p.c.
239	Lamp black, carbon black, ivory black and bone black	Free
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixe; satin white.	10 p.c.
241a	Litharge, n.o.p.	15 p.c.
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent. by weight of titanium dioxide	12½ p.c.
243	Dry white lead	20 p.c.
244	White lead ground in oil	25 p.c.
245	Ochres, ochrey earths, siennas and umbers	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
246	Oxides, fireproofs, rough stuff, fillers, laundry blueing, and colours, dry, n.o.p.	17½ p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; finely divided metals or compounds of metals, whether dry, or suspended or dissolved in a liquid, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain	20 p.c.
247	Liquid fillers, anti-corrosive and anti-fouling paints, and ground and liquid paints, n.o.p.	20 p.c.
247a	(i) Artists' and school children's colours; fitted boxes containing the same	15 p.c.
	(ii) Artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting	22½ p.c.
248	Paints and colours, ground in spirits, and all spirit varnishes and lacquers .....per gallon	85 cts.
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p. .....per gallon and	15 cts. 15 p.c.
250	Paris green, dry	7½ p.c.
252	Shoe blacking; shoemakers' ink; shoe, harness and leather dressing, and knife or other polish or composition, n.o.p.	17½ p.c.
253	Putty of all kinds	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
254	Gums, viz.:-	
	(i) Copal, damar, benzoin, Pontianac, nattakuching	Free
	(ii) Barberry, elemi, gedda, Senegal, tragacanth, mastic and sandarac	Free
	(iii) Australian and kauri; lac, crude, seed, button, stick and shell; ambergris; gums and blends consisting wholly or in chief part of gums, n.o.p.	10 p.c.
256	Printing ink	15 p.c.
259a	Sesame seed oil, crude	22½ p.c.
261	Turpentine, spirits of	Free
262	Olive oil, n.o.p.	10 p.c.
263	Compounds of tetraethyl lead, in which tetraethyl lead is the preponderant constituent by weight	5 p.c.
264	(i) Essential oils, natural, viz.:- Geranium, rose, ylang-ylang, lemon, bergamot, orange, mandarin, citronella, clove and lemon grass	Free
	(ii) Essential oils, natural and synthetic, n.o.p.; essential oils, natural and synthetic, containing other non-alcoholic material, n.o.p., for use in the manufacture of products or preparations for medicinal, flavouring, toilet, or other purposes, under such regulations as the Minister may prescribe	7½ p.c.
264a	Menthol, natural or synthetic	Free
265	Oil, whale, including spermaceti	15 p.c.
265a	Fish oils, n.o.p.	20 p.c.
265b	Cod liver oil, crude or refined	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
265c	Halibut liver oil, crude or refined	20 p.c.
ex 266	China wood oil	Free
267b	Petroleum tops; blends of petroleum tops or petroleum products with crude petroleum; all the foregoing .7249 specific gravity (63.7 A.P.I.) or heavier, at 60 degrees Fahrenheit, when imported by oil refiners to be refined in their own factories .....per gallon	1 ct.
272	Refined petroleum jellies and oils, for toilet, medicinal, edible, or similar purposes	20 p.c.
ex 273	Asphalt or asphaltum, solid	10 p.c.
274	Petroleum coke	Free
ex 276b ex 277 ex 278b ex 278c	Vegetable oils, crude, when imported to be refined for edible purposes, viz.:- Cotton seed, palm and palm kernel, peanut and cocoanut	10 p.c.
ex 277	Shea butter	10 p.c.
278e ex 208t ex 711	Castor oil	Free
ex 881	Fire brick containing not less than ninety per cent. of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, but not including fire brick made substantially of silicon carbide and/or fused alumina for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	Free
281b	Fire brick, n.o.p.	15 p.c.
282	Building brick and paving brick	15 p.c.
282a	Manufactures of clay or cement, n.o.p.	17½ p.c.
284	(i) Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.	22½ p.c.
	(ii) Earthenware tiles, n.o.p.	25 p.c.
284a	Earthenware tiles, for roofing purposes	20 p.c.
285	Tiles or blocks of earthenware or of stone prepared for mosaic flooring	20 p.c.
286	Earthenware and stoneware, viz.:- Demijohns, churns or crocks, n.o.p.	20 p.c.
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware	25 p.c.
288	Stoneware and Rockingham ware and earthenware, n.o.p.	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
288a	Chemical stoneware composed of a non-absorbent vitrified body specially compounded to resist acids or other corrosive reagents	20 p.c.
288b	Hand forms of porcelain, when imported by manufacturers for use exclusively in the manufacture of rubber gloves in their own factories	20 p.c.
289	Baths, bathtubs, basins, closets, closet seats and covers, closet tanks, lavatories, urinals, sinks and laundry tubs of earthenware, stone, cement, clay or other material, n.o.p.	25 p.c.
ex 296	Cliff, chalk, china or Cornwall stone, ground or unground.	Free
ex 296	Mica schist	Free
ex 296b	Magnesite, dead-burned or sintered	15 p.c.
ex 296b	Magnesium carbonate, basic or otherwise, excepting crude rock	20 p.c.
296c	Magnesium carbonate, imported for use in the compounding or manufacture of rubber products	20 p.c.
296d	Feldspar, ground but not further manufactured	15 p.c.
296e	Magnesite, calcined, not further manufactured than ground, when imported by manufacturers of insulating materials for use exclusively in the manufacture of such insulating materials, in their own factories	Free
297	Silex or crystallized quartz, ground or unground	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
300	Crucibles, n.o.p., and covers therefor	15 p.c.
ex 305	Marble, rough, not hammered or chiselled	10 p.c.
306	(i) Marble, sawn or sand rubbed, not polished	10 p.c.
	(ii) Granite, sawn; paving blocks of stone; flagstone and building stone, other than marble or granite, sawn on not more than two sides	15 p.c.
306a	Marble, not further manufactured than sawn, when imported by manufacturers of tombstones to be used exclusively in the manufacture of such articles, in their own factories.	10 p.c.
ex 308	Manufactures of alabaster, n.o.p.	22½ p.c.
312	Asbestos in any form other than crude, and all manufactures thereof, n.o.p.	12½ p.c.
312a	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of British Commonwealth origin, n.o.p.	12½ p.c.
313	Plumbago, not ground or otherwise manufactured	7½ p.c.
314	Plumbago, ground, and manufactures of, n.o.p., and foundry facings of all kinds	22½ p.c.
315	Carbons or carbon electrodes over three inches in circumference or outside measurement and not exceeding thirty-five inches in circumference or outside measurement; carbons of a class or kind not produced in Canada, when imported for use in the manufacture of dry batteries and dry cells	Free
316	Electric light and arc carbons, pointed or not, and contact carbons, n.o.p.	25 p.c.
	and, per pound	10 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
316a	Incandescent lamp bulbs for use in the manufacture of incandescent lamps; glass tubing for use in the manufacture of incandescent lamps, vials and ampoules; glass tubing, n.o.p., in straight lengths of not less than three feet; mantle stocking for gas light	5 p.c.
317	Glass cut to size, adapted for use in the manufacture of dry plates for photographic purposes, when imported by the manufacturers of such dry plates for use exclusively in the manufacture thereof in their own factories	Free
318	Common and colourless window glass	10 p.c.
319	Glass, in sheets, and bent plate glass, n.o.p.	20 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.	10 p.c.
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty-five square feet each, n.o.p.	20 p.c.
322	Plate glass, n.o.p.	25 p.c.
323	Mirrors of glass, and silvered glass, bevelled or not and framed or not, n.o.p.	22½ p.c.
325	Stained or ornamental glass windows	15 p.c.
326	(i) Demijohns or carboys, bottles, flasks, phials, jars and balls, of glass, not cut, n.o.p.; lamp chimneys of glass, n.o.p.; decanters and machine-made tumblers of glass, not cut nor decorated, n.o.p.	22½ p.c.
	(ii) Glass tableware, n.o.p., and illuminating glassware, n.o.p.	22½ p.c.
	(iii) Opal glassware, cut glass tableware and cut glassware, n.o.p.	22½ p.c.
326a	Manufactures of glass, n.o.p.	17½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
326e	Articles of glass, not plate or sheet, designed to be cut or mounted; articles of glassware, when imported by manufacturers of silverware to be used in receptacles made of or electro-plated with precious metals or to be equipped with tops made of or electro-plated with precious metals, in their own factories	Free
326g	High thermal shock resisting glassware	15 p.c.
327	Spectacles; eyeglasses, and ground or finished spectacle or eyeglass lenses, n.o.p.	22½ p.c.
330	Antimony, or regulus of, not ground, pulverized or otherwise manufactured	Free
339a	Lead capsules for bottles	25 p.c.
339b	Collapsible tubes of lead or tin or lead coated with tin	27½ p.c.
340	Type for printing, including chases, quoins and slugs, of all kinds	17½ p.c.
341	Babbit metal and type metal, in blocks, bars, plates and sheets	20 p.c.
345	Zinc dust, strip and sheets; zinc plates for marine boilers; sal ammoniac skimmings and seamless drawn tubing of zinc	Free
346	Zinc, manufactures of, n.o.p.	17½ p.c.
346a	Zinc slugs or discs, when imported by manufacturers of electric dry batteries for use in the manufacture of seamless cups or shells for such batteries, in their own factories	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
348c	Brass scrap and brass in blocks, ingots or pigs; copper in bars or rods, not less than six feet in length, unmanufactured, n.o.p.; copper in strips, sheets or plates, not polished, planished or coated; brass or copper tubing, in lengths not less than six feet, and not polished, bent or otherwise manufactured	10 p.c.
350	Wire of all metals and kinds, n.o.p.	20 p.c.
351	Wire, single or several, covered with any material, including cable so covered, n.o.p.	20 p.c.
351b	Wire cloth, or woven wire of brass or copper	20 p.c.
352	Brass and copper nails, tacks, rivets and burrs or washers; bells and gongs, n.o.p.; and manufactures of brass or copper, n.o.p.	20 p.c.
ex 352 ex 362a ex 432d ex 446a ex 506	Metal parts in any degree of manufacture, coated or not, and wooden parts in the rough, when imported by manufacturers of spools, quills, pirns, bobbins and shuttles, for use in the manufacture of such articles, in their own factories	10 p.c.
363	Aluminum and alloys thereof, crude or semi-fabricated:-	
	(i) Pigs, ingots, blocks, notch bars, slabs, billets, blooms, and wire bars .....per pound	2 cts.
	(ii) Bars, rods, plates, sheets, strips, circles, squares, discs and rectangles .....per pound	3 cts.
	(iii) Angles, channels, beams, tees and other rolled, drawn or extruded sections and shapes	22½ p.c.
	(iv) Wire and cable, twisted or stranded or not, and whether reinforced with steel or not	22½ p.c.
	(v) Pipes and tubes	22½ p.c.
	(vi) Leaf, n.o.p., or foil, less than .005 inch in thickness, plain or embossed, with or without backing; aluminum powder	30 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
353a	(i) Aluminum leaf, less than .005 millimetre in thickness.	Free
	(ii) Aluminum scrap	Free
	Provided, that nothing shall be deemed to be aluminum scrap except waste or refuse aluminum, fit only to be remelted.	
354	Manufactures of aluminum, n.o.p.	22½ p.c.
354a	Kitchen or household hollow-ware of aluminum, n.o.p.	22½ p.c.
357	Britannia metal, nickel silver, Nevada and German silver, manufactures of, not plated, n.o.p.	25 p.c.
361	Gold and silver leaf; Dutch or schlag metal leaf; brocade and bronze powders	30 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p.	27½ p.c.
362a	Metal parts, electro-plated, for loose-leaf binders	17½ p.c.
362b	Toilet articles of all kinds, including atomizers, brushes, buffers, button hooks, combs, cuticle knives, hair receivers, hand-mirrors, jewel boxes, manicure scissors, nail files, perfume bottles, puff jars, shoe horns, trays and tweezers, of which the manufactured component material of chief value is sterling silver	30 p.c.
362c	Nickel-plated ware, gilt or electro-plated ware, n.o.p. ..	22½ p.c.
364	Diamond dust or bort and black diamonds, for borers	Free
365a	Findings of metal, not plated or coated, including stampings, trimmings, spring-rings, bolt-rings, clasps, snaps, swivels, vest chain bars, joints, catches, pin tongues, buckle tongues, coil pins, clip actions, settings and eyepins, when imported by manufacturers of jewellery or ornaments for the adornment of the person, for use exclusively in the manufacture of such articles, in their own factories	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
365b	Wire or strip, viz.:- Gold, gold-filled, silver, silver-filled, brass or nickel silver, knurled, twisted, figured or with ornamental design rolled or drawn thereon, and wire of nickel silver, plain, in coil or otherwise, when imported by manufacturers of jewellery or ornaments for the adornment of the person, for use exclusively in the manufacture of such articles, in their own factories..	15 p.c.
366	Watches of all kinds	30 p.c.
	but not less than .....each	40 cts.
366a	Watch actions and movements, finished or unfinished	15 p.c.
	but not less than .....each	40 cts.
366b	Parts of watch movements, finished or unfinished	15 p.c.
	Provided the duty on plates designed to hold in place four or more wheels or other moving parts shall be not less than .....per plate	5 cts.
367	Watch cases, and parts thereof, finished or unfinished	25 p.c.
368	Clocks, time recorders, clock movements, clockwork mechanisms, and clock cases	30 p.c.
	but not less than .....each	40 cts.
369	Parts of clock movements or of clockwork mechanisms, finished or unfinished, not including plates	25 p.c.
370	Copper rollers, and stones, used in the printing of textile fabrics or wallpaper	10 p.c.
375	Ferro-alloys:-	
	(e) Ferro-silicon, being an alloy of iron and silicon containing 8 per centum or more by weight, of silicon and less than 60 per centum .....per pound, or fraction thereof, on the silicon contained therein	1 ct.
	(f) All alloys used in the manufacture of steel or iron, n.o.p.	5 p.c.
377a	Blooms, cogged ingots, slabs, billets, n.o.p., sheet bars, of iron or steel, by whatever process made, n.o.p. ....per ton	$4.00

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
377e	Ingots, cogged ingots, blooms, slabs, billets, n.o.p., of iron or steel, of a class or kind not made in Canada, when imported by manufacturers of forgings for use exclusively in the manufacture of forgings, in their own factories, under regulations prescribed by the Minister .....per ton	$5.00
377f	Bars or rods, of iron or steel, hot rolled, viz.:- Rounds over 4-7/8 inches in diameter and squares over 4 inches .. ..per ton	$6.00
378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than sixty pounds per lineal yard:-	
	(a) Not further processed than hot rolled, n.e.p..per ton	$7.00
	(b) Not further processed than hammered or pressed, n.o.p.	25 p.c.
	(c) Cold rolled, drawn, reeled, turned or ground, n.o.p.	20 p.c.
	(d) Hot rolled, valued at not less than 4 cents per pound, n.o.p.	12½ p.c.
378	Bars or rods, of iron or steel, including billets weighing less than 60 pounds per lineal yard, hot rolled, as hereunder defined, under regulations prescribed by the Minister:-	
	(e) Bars of iron or steel, hot rolled, 5 inches in diameter and larger, when imported by manufacturers of polished shafting for use in their own factories .. ..per ton	$7.00
	(f) Sash or casement sections of iron or steel, hot or cold rolled, not punched, drilled nor further manufactured, when imported by manufacturers of metal window frames, for use in their own factories ....per ton	$7.00

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
380	Plates, of iron or steel, hot or cold rolled:-	
	(a) Not more than 66 inches in width, n.o.p. .....per ton	$8.00
	(b) More than 66 inches in width, n.o.p. .....per ton	$6.00
	(c) Flanged, dished or curved, n.o.p.	25 p.c.
	(d) With chequer, diamond or other raised pattern on contact surface .....per ton	$8.00
381	Sheets, of iron or steel, hot or cold rolled:-	
	(a) .080 inch or less in thickness, n.o.p.	20 p.c.
	(b) More than .080 inch in thickness, n.o.p. .....per ton	$6.00
382	Hoop, band or strip, of iron or steel:-	
	(a) Hot rolled, .080 inch or less in thickness, n.o.p. ..	12½ p.c.
	(b) Hot rolled, more than .080 inch in thickness, n.o.p. .....per ton	$7.00
	(c) Cold rolled or cold drawn, .080 inch or less in thickness, n.o.p.	20 p.c.
	(d) Cold rolled or cold drawn, more than .080 inch in thickness, n.o.p.	27½ p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:-	
	(a) Coated with tin, of a class or kind not made in Canada, n.o.p.	10 p.c.
	(b) Coated with tin, n.o.p.	15 p.c.
	(c) Coated with zinc, n.o.p.	17½ p.c.
	(d) Coated with metal or metals, n.o.p.	10 p.c.
	(e) Coated with paint, tar, asphaltum or otherwise coated, n.o.p.	12½ p.c.
	(f) Coated with vitreous enamel, n.o.p.	20 p.c.
	(g) Corrugated, coated or not	20 p.c.
384	Skelp of iron or steel, hot rolled when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes, in their own factories, under regulations prescribed by the Minister	5 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
385	Sheets, plates, hoop, band or strip, of iron or steel, hot rolled, valued at not less than five cents per pound, n.o.p.	12½ p.c.
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot or cold rolled, polished or not, valued at not less than five cents per pound	12½ p.c.
386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:-	
	(a) Plates, when imported by manufacturers for use exclusively in the manufacture or repair of the pressure parts of boilers, pulp digesters, steam accumulators and vessels for the refining of oil, in their own factories .....per ton	$5.00
	(c) Sheets, plates, hoop, band or strip, hot rolled, being mould boards, shares, cultivator or shoe shapes, plough plates, land sides or disc circles, when such rectangles, circles or sketches are cut to shape but not moulded, punched, polished or otherwise manufactured, when imported by manufacturers of agricultural implements for use exclusively in the manufacture of agricultural implements, in their own factories	Free
	(h) Sheets, plates, hoop, band or strip, hardened, tempered or ground, not further manufactured than cut to shape, without indented edges, when imported by manufacturers of saws for use exclusively in the manufacture of saws, in their own factories	10 p.c.
	(k) Sheets, hot or cold rolled, when imported by manufacturers of hollow-ware coated with vitreous enamel or of apparatus designed for cooking or for heating buildings, for use exclusively in the manufacture of hollow-ware coated with vitreous enamel or of vitreous-enamelled sheets for apparatus designed for cooking or for heating buildings	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
386 (cont'd)	(m) (i) Sheets of iron or steel, cold rolled, when imported by manufacturers for use exclusively in the manufacture of sheets coated with tin	15 p.c.
	(ii) Sheets, hoop, band or strip, of iron or steel, hot rolled, when imported by manufacturers for use exclusively in the manufacture of sheets, hoop, band or strip, coated with zinc or other metal or metals, not including tin, in their own factories	17½ p.c.
	(p) Sheets of iron or steel, hot or cold rolled, with silicon content of .075 p.c. or more, when imported by manufacturers of electrical apparatus, for use in the manufacture of electrical apparatus in their own factories	12½ p.c.
	(q) Hoop steel, hot or cold rolled, plain or coated, .064 inch or less in thickness, not more than three inches in width, when imported by manufacturers of barrels or kegs or by manufacturers of flat hoops for barrels and kegs, for use exclusively in their own factories	12½ p.c.
387c	Steel grooved (or girder) rails for electric tramway use, weighing not less than 75 pounds per lineal yard, punched, drilled, or not, of shapes and lengths not made in Canada .....per ton	$7.00
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p. ..per ton	$3.00
388b	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.; piling of iron or steel, not punched or drilled, including interlocking sections, if any, used therewith, n.o.p. .....per ton	$7.00

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
388d	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees, and other shapes or sections, punched, drilled or further manufactured than hot rolled or cast, n.o.p.	30 p.c.
388e	Iron or steel side or centre sill sections, of all sizes not manufactured in Canada, weighing not less than 35 pounds per lineal yard, not punched, drilled or further manufactured, when imported by manufacturers of railway cars, for use in their own factories .....per ton	$3.00
390	Castings, of iron, malleable, n.o.p.	20 p.c.
390a	Castings, of iron, non-malleable, n.o.p.	20 p.c.
390b	Castings, of steel, n.o.p.	20 p.c.
390c	Piston ring castings of iron or steel, in the rough as from the moulds	Free
392	Forgings, of iron or steel, in any degree of manufacture, n.o.p.	25 p.c.
ex 392	Forged golf club heads of iron or steel, with or without face or similar marking, but not ground, polished, plated or otherwise finished	10 p.c.
392a	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over	15 p.c.
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders	7½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:-	
	(a) For railway vehicles, including locomotives and tenders	22½ p.c.
	(b) For other vehicles, n.o.p.	22½ p.c.
	(c) N.o.p.	22½ p.c.
396	Pipe, cast, of iron or steel, valued at not more than five cents per pound ....per ton	$10.00
396a	Pipe, cast, of iron or steel, n.o.p.	7½ p.c.
397	Pipes and tubes, of wrought iron or steel, plain or coated:-	
	(a) Welded or seamless, with plain or processed ends, not more than 10½ inches in diameter, n.o.p.	22½ p.c.
	(b) Welded or seamless, with plain or processed ends, more than 10½ inches in diameter, n.o.p.	15 p.c.
	(c) Not joined, with plain ends, not more than 2½ inches in diameter, n.o.p.	10 p.c.
	(d) N.o.p.	15 p.c.
398	Pipes and tubes, of steel, seamless, cold drawn, plain ends, valued at not less than five cents per pound, n.o.p.	5 p.c.
398a	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for paper-making machinery	15 p.c.
400	Fittings and couplings of iron or steel, of every description, for iron or steel pipes and tubes; complete parts thereof	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
401	Wire, of iron or steel:-	
	(a) Barbed fencing, coated or not	10 p.c.
	(b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p.	25 p.c.
	(c) Drawn flat or cold rolled flat after drawing, coated or not, n.o.p., not more than .25 inch in width and less than .1875 inch in thickness	20 p.c.
	(d) Coated with zinc or spelter, curved or not, in coils, .144, .104, or .092 inch in diameter, with tolerance not to exceed .004 inch, and not for use in telegraph or telephone lines, n.o.p.	10 p.c.
	(e) Coated with zinc or spelter, n.o.p.	20 p.c.
	(f) Single or several, coated, n.o.p., or covered with any material, including cable so covered	30 p.c.
	(g) N.o.p.	15 p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not	25 p.c.
402b	Woven netting, of iron or steel, coated, made from wire of 17 gauge or heavier, with meshes not smaller than one inch and not larger than two inches, with specially strengthened joints, when for use exclusively on fur farms, under regulations prescribed by the Minister:-	
	(i) Of a class or kind not made in Canada	17½ p.c.
	(ii) N.o.p.	20 p.c.
403	Wire, of steel:-	
	(c) Valued at not less than 2¾ cents per pound, when imported by manufacturers of wire rope for use exclusively in the manufacture of wire rope, in their own factories, under regulations prescribed by the Minister	5 p.c.
404	Springs, of iron or steel:-	
	(b) For the running gear of other vehicles, n.o.p.	27½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
406	Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel:-	
	(a) One and one-eighth inches in diameter and over	5 p.c.
	(b) Less than one and one-eighth inches in diameter	25 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine cut teeth ..	15 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	25 p.c.
408	Malleable sprocket chain and link belting chain of iron or steel, including roller chain of all kinds for operating on steel sprockets or gears, when imported by manufacturers of agricultural implements for use exclusively in the manufacture of agricultural implements, in their own factories, under regulations prescribed by the Minister	Free
409	Cream separators and complete parts therefor, including steel bowls	Free
409b	Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing	Free
409c	Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing	Free
409d	Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
409e	(i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing	Free
	(ii) Fruit and vegetable grading, grating, washing and wiping machines and combination bagging and weighing machines, and complete parts thereof; machines for topping vegetables, and machines for bunching and/or tying cut flowers, vegetables and nursery stock, and complete parts thereof; machines and complete parts thereof for making or lidding boxes for fruit or vegetables; egg-graders and egg-cleaners, and complete parts thereof, not including aluminum parts	Free
409f	Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders for farm purposes only, post hole diggers, snaths, stumping machines, grain loaders or elevators with a capacity not exceeding 40 bushels per minute and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing	Free
409g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing	Free
409h	Hay presses and complete parts thereof	Free
409i	Snythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.	Free
409j	Fanning mills; peaviners; corn husking machines; threshing machine separators, including weighers, wind stackers, baggers and self-feeders therefor; complete parts of all the foregoing	Free
409k	Windmills and complete parts thereof, not including shafting	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
409l	Traction ditching machines (not being ploughs) and complete parts thereof	Free
409m	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing	Free
409p	Pasteurizers for dairying purposes and complete parts thereof	15 p.c.
410a	Face loading machines, shaker trough or belt trough conveyors, air engines, flame proof enclosed driving motors, of a class or kind not made in Canada, and integral parts of all motive power or machinery mentioned in this item, for use exclusively at the face in mining operations	10 p.c.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter	10 p.c.
410d	Well-drilling machinery and apparatus, and complete parts thereof, for use exclusively in drilling for water, natural gas or oil, or in prospecting for minerals, not to include motive power; machinery and apparatus of a class or kind not made in Canada for maintenance and testing purposes in connection with gas or oil wells; well-packers and complete parts thereof, for oil or gas wells; seamless iron or steel tubing of a class or kind not made in Canada, for use in casing water, natural gas or oil wells	Free
410j	Miners' acetylene lamps and complete parts thereof; miners' safety lamps and complete parts thereof; accessories for cleaning, filling, charging, opening and testing miners' lamps; battery renewal preparations for miners' electric safety lamps; all for use exclusively in mines	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
410l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations	15 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations	10 p.c.
410u	Blowers, of iron or steel, n.o.p., for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal, n.o.p., for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots, n.o.p.; and integral parts of all the foregoing	17½ p.c.
410z	Machinery and apparatus, n.o.p., and complete parts thereof, for the recovery of solid or liquid particles from flue or other waste gases at metallurgical or industrial plants, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter	10 p.c.
411a	Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier	12½ p.c.
412a	Machinery and apparatus, n.o.p., viz.:- Gun and mould apparatus for making press rollers; machines and apparatus for making electrotypes and stereotypes; engraving machines and apparatus, including photo-engraving apparatus, and other plate-making apparatus, used in the manufacture of printing plates of all kinds; machines and apparatus for graining metal plates; machines and apparatus for sensitizing, grinding or polishing metal plates; machines and apparatus including cameras and camera equipment, lens, prisms, camera and	

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
412a (cont'd)	printing lamps, screens, and vacuum frames for transferring by photographic processes, or direct, to plates or rolls for use in lithography, rotogravure and printing; shading apparatus; machines and apparatus for addressing and/or wrapping newspapers, magazines, periodicals, pamphlets and catalogues; machines and apparatus for embossing or stamping or producing embossed or engraved effects, book-binding, looping, stitching, sewing, gathering, inserting, bronzing, dusting, creasing, scoring, cutting, perforating, drilling, punching, slitting, rewinding, glueing, pasting, gumming, waxing, varnishing, carbon coating, patching, numbering, ruling, jogging, sheet piling, tying, bundling, tube-making, metal mounting, eye-letting, staying or stripping, reinforcing and box-covering; complete parts, not to include saws, knives and motive power; all the foregoing when for use exclusively by, and in their capacities as printers, lithographers, book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls, paper converters, or by manufacturers of articles made from paper or cardboard	Free
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof	10 p.c.
412c	Typecasting and typesetting machines and parts thereof for use in printing offices	Free
412d	Offset presses; lithographic presses; printing presses and typemaking accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power	10 p.c.
413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manufacturers and scholastic or charitable institutions in such processes only	5 p.c.
414	(i) Typewriters	20 p.c.
	(ii) Complete parts of typewriters	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
414a	Dictating, transcribing and cylinder shaving machines and complete parts thereof, including cylinders and unfinished wax blanks	12½ p.c.
414c	(i) Bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.	10 p.c.
	(ii) Adding machines	17½ p.c.
	Complete parts of adding machines	15 p.c.
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.	20 p.c.
415a	Refrigerators, domestic or store, completely equipped or not:-	
	(i) Electric	22½ p.c.
	(ii) Other than electric	22½ p.c.
415b	Washing machines, domestic, with or without motive power incorporated therein; complete parts of washing machines	22½ p.c.
415c	Clothes wringers, domestic, and complete parts of metal thereof	22½ p.c.
415d	Sewing machines, with or without motive power incorporated therein; complete parts of sewing machines	15 p.c.
422	Street or road rollers and complete parts thereof	25 p.c.
422a	Concrete road-paving machines, self-propelling, end loading type, with a capacity of 21 cubic feet of wet concrete or more; concrete and asphalt road finishing machines; form graders; sub-graders; combination excavating and transporting scraper units; concrete mixers, transit type; dump wagons or trailers, having a capacity of 10 cubic yards or over, not self-propelled; back-filling machines and equipment, mounted on self-propelling wheels or crawling traction, semi- or full-revolving boom and scraper type; steam or air driven pile hammers or extractors; well-points; truck turn-tables; all the foregoing of a class or kind not made in Canada, and complete parts thereof	10 p.c.
423	Electric dental engines	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts other than chassis parts	25 p.c.
424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection	20 p.c.
425	Lawn mowers	25 p.c.
ex 425	Lawn mowers designed for use with motive power, whether or not containing the power unit	15 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts thereof	25 p.c.
ex 427	Machinery and apparatus enumerated in Tariff Item 418a, when for use by manufacturers of articles made from regenerated cellulose or cellulose acetate; complete parts of such machinery and apparatus, not to include saws, knives, and motive power	5 p.c.
ex 427	Veneer-drying machines, and complete parts thereof	5 p.c.
ex 427	Wire stitchers and staplers, either hand or power type, but not including motive power; complete parts of the foregoing	5 p.c.
427a	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the foregoing	10 p.c.
ex 427b	Ball and roller bearings	17½ p.c.
427c	Machinery for dairying purposes, viz.:- Power churns, power milk coolers, power fillers and cappers, power ice cream mixers, power butter printers, power cream savers, power bottle sterilizers, power brine tanks, power milk bottle washers, power milk can washers; ice-breaking machines, valveless or centrifugal milk pumps, sanitary milk and cream vats; none of the foregoing machinery to include motive power	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
427d	Machines designed for making rigid composite box-ends of wood--consisting of a centre with separate nailing edges attached--from scrap or waste mill stock, and complete parts thereof, not to include motive power	25 p.c.
427e	Automatic machines for making and packaging cigars and cigarettes, not to include tobacco-preparing machines	10 p.c.
427h	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors with or without sound equipment; electric rectifiers or generators designed for use with motion picture projectors; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps	15 p.c.
428c	Engines or boilers and complete parts thereof, n.o.p.	20 p.c.
428d	Magnetos and complete parts thereof, when imported by manufacturers of internal combustion engines, for use exclusively in the manufacture of such internal combustion engines, in their own factories	10 p.c.
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	20 p.c.
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof	20 p.c.
429	Cutlery of iron or steel, plated or not:-	
	(b) Table knives and table forks	25 p.c.
	(c) Penknives, jack-knives and pocket knives of all kinds.	20 p.c.
	(d) Knives, n.o.p.	20 p.c.
	(e) Spoons	25 p.c.
	(f) Scissors and shears n.o.p.	20 p.c.
	(g) Razors and complete parts thereof; razor blades, n.o.p.	27½ p.c.
	Safety razor blades	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel .....per one hundred pounds and	50 cts. 17½ p.c.
430a	Hinges and butts, of iron or steel, coated or not, n.o.p.; hinge and butt blanks, of iron or steel .....per one hundred pounds and	75 cts. 20 p.c.
430b	Screws, of iron or steel, coated or not:- (I) Wood screws ..... (II) Machine and other screws, n.o.p. .....per one hundred pounds and	 20 p.c. 50 cts. 17½ p.c.
431b	Adzes, anvils, vises, cleavers, hatchets, saws, augers, bits, drills, screw-drivers, planes, spokeshaves, chisels, mallets, metal wedges, wrenches, sledges, hammers, crowbars, cantdogs, and track tools, picks, mattocks, and eyes or polls for the same	25 p.c.
431c	Machinists' or metal workers' precision tools and measuring instruments, viz.:- Calipers, micrometers, metal protractors and squares, bevels, verniers, gauges, gauge blocks, parallels, buttons, mercury plumb bobs, dividers, trammels, scribers, automatic center punches, hand speed indicators, straight edges, key seat clamps and other clamps and vises used by toolmakers for precision work, precision tools and measuring instruments, n.o.p.; parts of all the foregoing, finished or not	10 p.c.
431d	Engineers', surveyors' and draftsmen's precision instruments and apparatus, viz.:- Alidades; altazimuth surveying instruments; aneroid barometers, engineering, military and surveying; angle prisms; boards, military sketching; box sextants, clinometers; compasses; cross staff heads; curves, adjustable, irregular, railroad and ship; curvimeters; drafting instruments of all kinds, including fitted cases containing the same; dipping needles; drafting machines; heliographs; integrators; levels, tripod and hand or pocket types; levelling rods; liners, section; meters, portable for hydraulic engineering; pantographs; planimeters; protractors; parallel	

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
431d (cont'd)	rulers; parallel ruling attachments; poles, ranging; pedometers and pacesometers; plane tables, military and topographic; scales, flat and triangular; slide rules; splines; straight edges, steel and wooden; tacheometers; tallying machines, pocket; tee squares, steel and wooden; telemeters; theodolites; transits, tripod and hand or pocket types; triangles of all types; tripods for use with any of the foregoing instruments; parts of all the foregoing, finished or not	10 p.c.
431e	Measuring rules and tapes of all kinds	22½ p.c.
431f	Files and rasps	25 p.c.
431g	Fixed or stationary meters, of a size or capacity not made in Canada, for hydraulic engineering; gauges, indicators and recorders for water or other liquid levels, volume or flow, of a class or kind not made in Canada	20 p.c.
432	Hollow-ware, of iron or steel, coated or not, n.o.p.	20 p.c.
432a	Kitchen and dairy hollow-ware of iron or steel, coated with tin, including cans for shipping milk or cream, not painted, japanned or decorated	20 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel	22½ p.c.
432c	Containers manufactured from tinplate, when imported by manufacturers of food products for use exclusively in the hermetical sealing of food products, in their own factories, under regulations prescribed by the Minister ..	20 p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.	20 p.c.
433	Baths, bathtubs, basins, closets, lavatories, urinals, sinks, and laundry tubs of iron or steel, coated or not ..	20 p.c.
434	Locomotives for use on railways, and chassis, tops, wheels and bodies for the same, n.o.p.	25 p.c.
ex 434	Locomotives and motor cars for railways, for use exclusively in mining, metallurgical or sawmill operations, n.o.p., and chassis, tops, wheels and bodies for the same, n.o.p.	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
434a	Motor rail cars or units for use on railways, and chassis for same; complete parts of the foregoing	20 p.c.
434b	Steel wheels for use on railway rolling stock, viz.:-	
	(i) Pressed steel	27½ p.c.
	(ii) N.o.p.	27½ p.c.
435	(a) Locomotives and motor cars for railways, of a class or kind not made in Canada, and complete parts thereof, for use exclusively in mining, metallurgical or sawmill operations	Free
	(b) Diesel switching locomotives of a class or kind not made in Canada	10 p.c.
438	Railway cars and parts thereof, n.o.p.	22½ p.c.
438a	Automobiles and motor vehicles of all kinds, n.o.p.; electric trackless trolley buses; chassis for all the foregoing	17½ p.c.
	Provided, that machines or other articles mounted on the foregoing or attached thereto for purposes other than loading or unloading the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto.	
438b	Parts, n.o.p., for automobiles, motor vehicles, electric trackless trolley buses or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:-	
	(1) Brake linings, and clutch facings whether or not including metallic wires or threads:-	
	(a) When made from crude asbestos of British Commonwealth origin	25 p.c.
	(b) When made from crude asbestos, n.o.p.	25 p.c.
	(2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, n.o.p.	25 p.c.
	(3) Parts, n.o.p., not electro-plated, whether finished or not	30 p.c.
	Provided, that parts in chief value of iron or steel which were classified for duty purposes under tariff items 427 or 446a, as of January 1, 1936, shall be dutiable at	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
438g	Motor cycles or side cars therefor, and complete parts of the foregoing	17½ p.c.
438j	Piston castings of any material, in the rough or semi-finished	25 p.c.
439	Bicycles and tricycles, n.o.p.	25 p.c.
439a	Articles, of iron or steel, wholly or in part of nickel or electro-plated, when imported by manufacturers of bicycles or tricycles for use exclusively in the manufacture of bicycles or tricycles, in their own factories, under regulations prescribed by the Minister	22½ p.c.
439b	Cars, n.o.p., wheelbarrows, trucks, road or railway scrapers and hand carts	22½ p.c.
439c	Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof	15 p.c.
439f	Children's carriages, sleds and other vehicles; complete parts of all the foregoing	22½ p.c.
ex 440g	Diesel and semi-diesel engines, of a class or kind not made in Canada, and complete parts thereof, for use exclusively in the construction or equipment of ships or vessels	Free
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.	20 p.c.
440l	(i) Aircraft, not including engines, under regulations prescribed by the Minister	15 p.c.
	(ii) Complete parts of aircraft, not including parts of aircraft engines	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
440m	(i) Unfinished parts of aircraft, n.o.p., not including parts of aircraft engines	15 p.c.
440n	Engines, when imported for use only in the equipment of aircraft	15 p.c.
440o	(i) Carburettors, magnetos, distributors, coils and spark plugs and complete parts thereof; all the foregoing when of a class or kind not made in Canada when imported for use in aircraft engines	Free
	(ii) Parts, finished or not, n.o.p., for aircraft engines.	5 p.c.
440p	Direct or inertia starters with or without related operating gear and parts thereof; generators; voltage control boxes; batteries; de-icing and anti-icing equipment and parts thereof, not including parts of rubber; vacuum pumps with related operating gear and parts thereof; landing and navigation lights; propellers; hydraulic jacks and pumps and parts thereof; aircraft wheels; aircraft brakes with related operating gear and parts thereof; aircraft tires and tubes; oil coolers; fuel pressure warning devices; exhaust gas analysers; pressure fire extinguishers; primer pumps; instruments excepting fuel contents gauges; bolts, nuts, cocks, turnbuckles, clevis and pins, swaged wires and tie rods; bars, tubes, extrusions and forgings of aluminum, aluminum alloys and magnesium alloys; steel tubing; all the foregoing when of types and sizes not made in Canada and imported for use exclusively in the manufacture or for spares, overhaul or repair of the goods enumerated in Tariff Item 4401 under such regulations as the Minister may prescribe	Free
441	Guns, rifles, including air guns and air rifles not being toys; muskets, cannons, pistols, revolvers, or other firearms, n.o.p.; cartridge cases, cartridges, primers, percussion caps, wads or other ammunition, n.o.p.; bayonets, swords, fencing foils and masks; gun or pistol covers or cases, game bags, loading tools and cartridge belts of any material	22½ p.c.
441e	Guns and rifles of a class or kind not made in Canada	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
442	Articles and materials which enter into the cost of manufacture of the goods enumerated in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409l, 409m, 409n, 409o and 439c, when imported for use in the manufacture of the goods enumerated in the aforesaid tariff items, or in the manufacture of parts therefor, under regulations prescribed by the Minister	Free
443	Apparatus designed for cooking or for heating buildings:-	
	(1) For coal or wood	22½ p.c.
	(2) For gas	22½ p.c.
	(3) For electricity	22½ p.c.
	(4) For oil	22½ p.c.
	(5) N.o.p.	22½ p.c.
444a	Gas, coal oil or other lighting fixtures and appliances, n.o.p., including tips, burners, collars and galleries; gas mantles and incandescent gas burners; complete parts of all the foregoing	22½ p.c.
444b	Lamp shades, n.o.p., and shade holders	22½ p.c.
445	Electric light fixtures and appliances, n.o.p., and complete parts thereof	22½ p.c.
445a	Electric head, side and tail lights, n.o.p.; electric torches or flashlights and complete parts therefor	22½ p.c.
445b	Electric arc lamps and incandescent electric light lamps, n.o.p.	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
445c	(i) Electric telegraph apparatus and complete parts thereof	20 p.c.
	(ii) Electric telephone apparatus and complete parts thereof	22½ p.c.
445d	Electric wireless or radio apparatus and complete parts thereof, n.o.p.	20 p.c.
445e	Electric and galvanic batteries, n.o.p., and complete parts thereof, including separator walls of wood, cut to size or not	22½ p.c.
445f	Electric dynamos or generators and transformers, and complete parts thereof, n.o.p.	22½ p.c.
445g	Electric motors, and complete parts thereof, n.o.p.	22½ p.c.
445h	Electric insulators of all kinds, n.o.p., and complete parts thereof	22½ p.c.
445i	Electric sad irons and complete parts thereof	22½ p.c.
445j	Electric dry shaving machines for use in removing human hair, and parts thereof	Free
445k	Electric apparatus and complete parts thereof, n.o.p.	22½ p.c.
445l	Electric storage batteries, composed of plates measuring not less than eleven inches by fourteen inches and not less than three-quarters inch in thickness; complete parts thereof	20 p.c.
445m	Flame proof electric switch gear, for use underground in coal mines, and complete parts thereof	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
445n	Electrical instruments and apparatus of precision of a class or kind not made in Canada, viz.:- Meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof	15 p.c.
445o	Acid-free capacitor tissue and paper, plain and gummed; metal cans, extruded, plated or unplated; automatic record changers; parts for pickups; bias cells and holders; frames, yokes, brackets, pole-pieces, gaskets and field covers, separate or assembled for use in speakers with mounting diameter not exceeding 6-3/8 inches; cones, spiders, spider suspensions, voice coils and voice coil dust covers, separate or assembled; magnetic structures and parts thereof for permanent magnet speakers; glass dial crystals and scales and metal dials or scales made by the silk-screen process; metal cabinet escutcheons without crystals, plain or finished; high frequency circuit switches and essential components thereof; high frequency iron cores with or without inserts moulded therein; motors and gears for automatic tuning; radio frequency ceramics; raw low loss mica; sheets and punchings of low loss mica; tube shields and parts thereof; vibrators; vulcanized fibre in sheets, rods, strips or tubing; high frequency coil forms and tubing having an outside diameter not exceeding one inch; for use in the manufacture or the repair of the goods enumerated in tariff items 445d, 597a, and other apparatus using radio tubes, or for use in the manufacture of parts therefor ...	Free
445p	Ceramic parts; copper alloys for welding; getters and getter assemblies; glass parts; metal bulbs and shells and metal headers; mica parts; mica assemblies; wire snubbers, clips and straps; wire of molybdenum and molybdenum alloy; nickel and nickel alloy tubing, wire, ribbon, screen and strip, coated or not, carbonized or not; metal cathodes; nickel, nickel alloy and nickel plated parts, coated or not, carbonized or not; tungsten and tungsten alloy and zinc wire; leads, spuds and welds; iron parts designed for sealing to glass; hooks and supports; base pins; wire and strip of silver copper, chrome copper, chrome iron or plated iron; top cap assemblies; graphite anodes; heaters and filaments; all the foregoing when imported by manufacturers of radio tubes and parts therefor, for use exclusively in the manufacture of such articles, in their own factories	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
446	Electric steam turbo generator sets, 700 h.p. and greater, of a class or kind not made in Canada, and complete parts thereof	20 p.c.
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p.	25 p.c.
ex 446a	Locomotive beds or frames of steel, cast in one piece; tender frames of steel, cast in one piece; cast steel cradles for the rear ends of locomotive frames; cast steel truck frames and bolsters for engines, tenders and passenger coaches; platform castings for passenger coaches; all the foregoing, whether in the rough or semi-manufactured, for use on railway rolling stock	5 p.c.
ex 446a	Tools of iron or steel, for use in machines, n.o.p., of a class or kind not made in Canada	10 p.c.
ex 446a	Welding rods or welding wires of rust, acid or heat resisting steel, whether or not flux-coated	15 p.c.
ex 446a	Metal shells and hinges, for use in manufacturing jewellery boxes and spectacle cases, not further finished than shaped	12½ p.c.
446b	Steel bicycle rims, not enamelled nor plated	27½ p.c.
446c	Golf shafts of seamless steel, coated or not, but not chromium plated	15 p.c.
446d	Bottles or cylinders of steel for use as high-pressure containers for gas	20 p.c.
446f	Cellulose acetate film reinforced with wire mesh	22½ p.c.
ex 446g	Electric welding apparatus, not including motors	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
446i	Stampings of metal, or assemblies thereof, for use in the manufacture of bathtubs	10 p.c.
447	Water pumps, hand or power, for domestic purposes only	22½ p.c.
447a	Sand cast rolls and chilled cast iron rolls, for use exclusively in rolling iron or steel, or in manufacturing paper	Free
ex 450	Roller skates and parts thereof	15 p.c.
451	Buckles, clasps, eyelets, hooks and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewellery)	25 p.c.
451a	(i) Spring-beard needles and latch needles	25 p.c.
	and, per thousand	$1.50
	(ii) Needles, of any material or kind, n.o.p.	25 p.c.
451b	Pins manufactured from wire of any metal:-	
	(i) Specially designed for marking systems	5 p.c.
	(ii) N.o.p.	25 p.c.
	and, per pound	10 cts.
451e	Slide, hookless, or zipper fasteners	30 p.c.
454	Frames not more than ten inches in width, clasps and fasteners (not to include slide or hookless fasteners), when imported by manufacturers of purses, chatelaine bags or reticules for use exclusively in the manufacture of purses, chatelaine bags or reticules, in their own factories, under regulations prescribed by the Minister; parts of the foregoing	12½ p.c.
461	Safes, including doors; doors and door frames for vaults; scales, balances, weighing beams and strength-testing machines of all kinds, n.o.p.	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
461a	Automatic scales or weighing machines, of a class or kind not made in Canada, and complete parts of the foregoing, for use in Canadian manufactures	Free
462	(i) Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedometers, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing ..	15 p.c.
	(ii) Cameras and complete parts thereof, n.o.p.:-	
	(a) Of a class or kind not made in Canada	17½ p.c.
	(b) N.o.p.	20 p.c.
462b	Cinematograph and motion picture cameras, 35 mm., for use by professional motion picture producers having studios in Canada equipped for motion picture production; parts of the foregoing	9 p.c.
465	Signs of any material other than paper, framed or not; letters and numerals of any material other than paper	20 p.c.
469	Machine card clothing	20 p.c.
471a	Pressed steel belt pulleys for power transmission, and finished or unfinished parts thereof, including interchangeable bushings	20 p.c.
475b	Matrices for stereotypes, electrotypes and celluloids described in tariff item 475a .....per square inch	½ ct.
476	Surgical and dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than 50 dollars each, retail; complete parts of all the foregoing	Free
488	Nitrate and acetate of lead, not ground; platinum and black oxide of copper, for use in the manufacture of chlorates and colours	10 p.c.
494	Manufactures of corkwood or cork bark, n.o.p., including strips, shives, shells and washers of cork	15 p.c.
495	Corks, manufactured from corkwood, over three-fourths of an inch in diameter measured at the larger end ....per pound	4½ cts.
498	Cane, reed or rattan, not further manufactured than split, n.o.p.	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
500	Logs and round unmanufactured timber, handle, heading, stave and shingle bolts, n.o.p.; firewood, hop poles, fence posts and railway ties	Free
502	Mexican saddle trees and stirrups of wood, treenails; hub, last, wagon, oar and gun blocks, and all like blocks or sticks, rough hewn, or sawn only; felloes of hickory or oak, not further manufactured than rough sawn or bent to shape; staves of oak, sawn, split or cut, not further manufactured than listed or jointed; shingles of wood; spokes of hickory or oak, not further manufactured than rough turned, and not tenoned, mitred or sized, and scale board for cheese	Free
503	Planks, boards, clapboards, laths, plain pickets and other timber or lumber of wood, not further manufactured than sawn or split, whether creosoted, vulcanized, or treated by any other preserving process, or not	Free
504	Planks, boards and other lumber of wood, sawn, split or cut, and dressed on one side only, but not further manufactured	Free
505	Planks, boards, deals and other lumber of wood, not further manufactured than planed, dressed, jointed, tongued or grooved, n.o.p.	10 p.c.
505a	Hardwood flooring, tongued and/or grooved, or jointed, viz.:- beech, birch, maple and oak	12½ p.c.
506	Manufactures of wood, n.o.p.	20 p.c.
ex 506	Shingles of cedar, creosoted, vulcanized or otherwise processed or treated	Free
506b	Wooden doors of a height and width not less than 6 feet and 2 feet, respectively	22½ p.c.
507	Single-ply, sliced or rotary-cut veneers of rosewood, mahogany or Spanish cedar, not over five-sixteenths of an inch in thickness, not taped nor jointed	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
507a	Single-ply, sliced or rotary-cut veneers of wood, n.o.p., not over five-sixteenths of an inch in thickness, not taped nor jointed	15 p.c.
507c	Plywood made of two or more layers of veneer or lumber of wood, glued or cemented together, but not further manufactured	20 p.c.
507e	Plywood made of two or more layers of wood glued or cemented together and faced with metal on one or both sides	20 p.c.
509	Vulcanized fibre, martavert, indurated fibre, and like material, and manufactures of, n.o.p.	17½ p.c.
ex 511 ex 362c et al	Skis and fittings therefor; ski poles	22½ p.c.
511a	Cricket bats, balls, gloves and leg guards	30 p.c.
511b	Fishing rods	20 p.c.
512	Picture frames and photograph frames, of any material	20 p.c.
518	(i) Bagatelle and other game tables or boards	22½ p.c.
	(ii) Billiard tables, with or without pockets; cues, balls, cue-racks and cue-tips	30 p.c.
519	House, office, cabinet or store furniture of wood, iron or other material, and parts thereof, not to include forgings, castings, and stampings of metal, in the rough:-	
	(i) Substantially of wood	27½ p.c.
	(ii) Other than of wood	25 p.c.
ex 520	Raw cotton and cotton linters not further manufactured than ginned; waste wholly of cotton unfit for use without further manufacture	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
522	Rovings, yarns and warps wholly of cotton, not more advanced than singles, n.o.p.	15 p.c.
	and, per pound	3 cts.
522b	Yarns, wholly of cotton, coarser than number forty but exceeding number twenty, not more advanced than singles, when imported by manufacturers for use exclusively in their own factories in the manufacturing of cotton sewing thread and crochet, knitting, darning and embroidery cottons	15 p.c.
522c	(i) Rovings, yarns and warps wholly of cotton, including threads, cords and twines generally used for sewing, stitching, packaging and other purposes, n.o.p.; cotton yarns, wholly or partially covered with metallic strip, generally known as tinsel thread	17½ p.c.
	and, per pound	3 cts.
	(ii) Cotton yarns, wholly covered with a double layer of metallic strip in single strand only, when imported by manufacturers for use exclusively in the manufacture of electrical conductors, in their own factories	10 p.c.
	(iii) Sewing thread, wholly of cotton, on spools, not to exceed 250 yards on one spool	20 p.c.
522d	Yarns and warps wholly of cotton, mercerized, number forty and finer, imported under regulations prescribed by the Minister, for sale to manufacturers, to be further manufactured in their own factories	20 p.c.
522e	Cotton sewing thread yarn and crochet, knitting, darning and embroidery yarn, in hanks, when imported by manufacturers for use exclusively in their own factories in the manufacturing or spooling of cotton sewing thread and crochet, knitting, darning and embroidery cottons ..	10 p.c.
522f	Yarns and warps wholly of cotton, number forty and finer, when imported by manufacturers of mercerized cotton yarns, for use exclusively in the manufacture of mercerized cotton yarns, in their own factories	15 p.c.
523	Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, n.o.p.	15 p.c.
	and, per pound	3 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 523	Seamless cotton bags	22½ p.c.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p.	17½ p.c.
	and, per pound	3 cts.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.:-	
	(i) Valued at more than 80 cents per pound	17½ p.c.
	and, per pound	3 cts.
	(ii) Valued at 50 cents or more but not more than 80 cents per pound	22½ p.c.
	and, per pound	3 cts.
	(iii) Valued at less than 50 cents per pound	25 p.c.
	and, per pound	3½ cts.
	(iv) Woven fabrics, wholly of cotton, commonly known as denims, when imported by manufacturers for use in their own factories in the manufacture of garments ..	17½ p.c.
	and, per pound	3 cts.
523c	Woven fabrics wholly of cotton, composed of yarns of counts of 100 or more, including all such fabrics in which the average of the count of warp and weft yarns is 100 or more	27½ p.c.
523e	Woven fabrics wholly of cotton with cut pile, n.o.p.	25 p.c.
	and, per pound	3½ cts.
523f	Woven fabrics of cotton, not coloured, when imported by manufacturers of typewriter ribbon, for use exclusively in the manufacture of such ribbon in their own factories.	12½ p.c.
523j	Shadow cretonnes, wholly of cotton, with printed warp and plain weft	25 p.c.
	and, per pound	3½ cts.
523k	Gabardines, wholly of cotton, with not less than 280 ends and picks of ply yarn per square inch	25 p.c.
	and, per pound	3½ cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
5231	Woven fabrics, wholly of cotton, composed of yarns of counts of not less than 80 and not more than 99, including all such fabrics in which the average count of the warp and weft yarns is not less than 80 and not more than 99	20 p.c.
	and, per pound	3 cts.
524a	Fabrics with cut weft pile, wholly of cotton or of cotton and synthetic textile fibres or filaments	25 p.c.
	and, per pound	3½ cts.
525	Woven fabric, wholly of cotton, specially treated and glazed, when imported by rubber manufacturers for use, in their own factories, exclusively as a detachable protective covering for uncured rubber sheeting	27½ p.c.
528	White cotton bobbinet, plain, in the web	12½ p.c.
529	Embroideries, lace, nets, nettings, bobbinet, n.o.p., fringes and tassels, wholly of cotton	20 p.c.
	and, per pound	3 cts.
529a	Lace and embroideries, wholly of cotton, not coloured, when imported for use exclusively by manufacturers in the manufacture of clothing, in their own factories	10 p.c.
530	Lace and embroideries, wholly of cotton, coloured, when imported for use exclusively by manufacturers in the manufacture of clothing, in their own factories	15 p.c.
532	(i) Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly of cotton, n.o.p. ..	25 p.c.
	(ii) Curtains, wholly or partially manufactured, composed wholly of cotton, n.o.p.	27½ p.c.
	(iii) Fabrics wholly of cotton, coated or impregnated, n.o.p.	27½ p.c.
	(iv) Cotton bags, not seamless	22½ p.c.
532a	Handkerchiefs, wholly of cotton	27½ p.c.
532b	Woven fabric, wholly of cotton, for covering books	27½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
535	Grasses, seaweed, mosses and vegetable fibres other than cotton, not coloured, nor further manufactured than dried, cleaned, cut to size, ground and sifted; oakum of flax, hemp, or jute; coir and coir yarn	Free
535a	Grasses, seaweed, mosses and vegetable fibres other than cotton, n.o.p.; bagasse of sugar cane, whether or not dried, cleaned, cut to size, ground or sifted	10 p.c.
537	Rovings, yarns and warps wholly or in part of vegetable fibres, not more advanced than singles, n.o.p., not to contain silk, synthetic textile fibres or filaments, nor wool	17½ p.c.
ex 537 ex 537a	Twine for baling farm produce	Free
537a	Rovings, yarns and warps wholly or in part of vegetable fibres, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p., not to contain silk, synthetic textile fibres or filaments, nor wool	20 p.c.
537b	Linen thread, for hand or machine sewing	17½ p.c.
537d	Rovings, yarns and warps wholly of jute, not more advanced than singles, n.o.p., not to contain silk, synthetic textile fibres or filaments, nor wool	17½ p.c.
537e	Rovings, yarns and warps wholly of jute, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p.	25 p.c.
538	Binder twine or twine for harvest binders	Free
539	Cordage, exceeding one inch in circumference, wholly of vegetable fibres, n.o.p.	22½ p.c.
540	(a) Woven fabrics, in the web, wholly of flax or hemp, not to include towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders, and, per pound	22½ p.c. 3 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
540 (cont'd)	(b) Articles wholly of flax or hemp, such as sheets, pillow cases, table cloths and napkins, towels and handkerchiefs, but not to include towels or glass cloths of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders ..... and, per pound	20 p.c. 3 cts.
	(c) Towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, in the web, wholly of flax or hemp; woven fabrics, in the web, composed in part of flax or hemp, not containing silk, synthetic textile fibres or filaments, nor wool ..... and, per pound	20 p.c. 3½ cts.
	(d) Towels and glass cloths of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, wholly or in part of flax or hemp, not containing silk, synthetic textile fibres or filaments, nor wool ..... and, per pound	20 p.c. 3½ cts.
541a	Woven fabrics, wholly of jute, n.o.p.	22½ p.c.
541d	Canvas in the web, wholly of flax or hemp, or both, plain woven, not coloured, not further manufactured than impregnated with weather-proofing or preservative materials, suitable for manufacturing into tents, awnings, tarpaulins, hatch covers and similar articles, weighing not less than 18 ounces and not more than 26 ounces per square yard ..... and, per pound	25 p.c. 3½ cts.
542	Woven fabrics, wholly or in part of vegetable fibres, and all such fabrics with cut pile, n.o.p., not containing silk, synthetic textile fibres or filaments, nor wool ...	20 p.c.
542a	Woven or braided fabrics not exceeding twelve inches in width, wholly or in part of vegetable fibres, n.o.p., not to contain silk, synthetic textile fibres or filaments, nor wool	27½ p.c.
542b	Linen fire-hose, lined or unlined	30 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
545	Lace and embroideries, wholly of flax, or of hemp, or of flax, hemp and cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories	12½ p.c.
546	Articles made from fabrics, finished or unfinished, and all textile manufactures wholly of jute, n.o.p.; fabrics wholly of jute, coated or impregnated, and jute fabric backed with paper	22½ p.c.
547	Bags or sacks of hemp, linen or jute	17½ p.c.
548	Clothing, wearing apparel and articles, made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of vegetable fibres but not containing wool, n.o.p.; fabrics coated or impregnated, composed wholly or in part of vegetable fibres but not containing silk, synthetic textile fibres or filaments, nor wool, n.o.p.	25 p.c.
548a	Woven dress linens containing not more than 15 per cent. by weight of cotton yarns for decorative effect	25 p.c.
	and, per pound	3½ cts.
549	(i) Wool not further prepared than combed, n.o.p. ....per pound	10 cts.
	(ii) Wool, in the grease, not including wool of the sheep of the type commonly known as karakul, when imported by carpet manufacturers for use exclusively in the manufacture of carpets, in their own factories	Free
	(iii) Hair of the camel, alpaca, goat or other like animal.	Free
549b	Hair, curled or dyed, n.o.p.	15 p.c.
549c	Haircloth, composed of horse hair in combination with any vegetable fibre	27½ p.c.
ex 549d	Nets made from human hair	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
550c	Garnetted wool waste in the white when imported by manufacturers of woollen goods for use exclusively in their own factories	Free
551	Yarns, composed wholly or in part of wool or hair but not containing silk, or synthetic textile fibres or filaments, n.o.p.	17½ p.c. and, per pound 20 cts.
551a	Yarns and warps composed wholly of wool or in part of wool or hair, imported by manufacturers for use exclusively in their own factories, n.o.p.	15 p.c. and, per pound 15 cts.
551c	Yarns and warps composed wholly of hair or of hair and any vegetable fibre, imported by manufacturers for use in their own factories	17½ p.c. and, per pound 15 cts.
551d	Yarns and warps, spun on the worsted system, composed wholly of wool or in part of wool or hair, imported by manufacturers for use in their own factories in the manufacture of woven fabrics in chief part by weight of wool or hair and not exceeding six ounces to the square yard, when in the gray or unfinished condition, under such regulations as may be prescribed by the Minister	15 p.c. and, per pound 15 cts.
552	Felt, pressed, of all kinds, in the web, not consisting of or in combination with any woven, knitted or other fabric or material	20 p.c. and, per pound 17½ cts.
ex 552	Felt, splint, for use in making molded splints for medicinal purposes	10 p.c.
ex 553	Household blankets, wholly of cotton, not to include horse blankets, automobile or steamer rugs, or similar articles	17½ p.c. and, per pound 5 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 553	Blankets, wholly or in part of wool or hair, not to include horse blankets, automobile or steamer rugs, or similar articles	25 p.c.
	and, per pound	20 cts.
553a	Stereotypers' and typecasters' blankets or blanketing and press blankets or blanketing used for printing presses, of a class or kind not made in Canada	5 p.c.
554	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight six ounces to the square yard, n.o.p., when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	20 p.c.
	and, per pound	17½ cts.
554a	Woven fabrics, consisting of cotton warps with wefts of lustre wool, mohair or alpaca, generally known as lustres or Italian linings, n.o.p.	20 p.c.
554b	Woven fabrics composed wholly or in part of yarns of wool or hair, n.o.p.	27½ p.c.
	and, per pound	30 cts.
ex 554b	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight eight ounces to the square yard, n.o.p.	27½ p.c.
	and, per pound	30 cts.
	Provided, however, that the sum of the specific and ad valorem duties shall not be in excess of .....per pound	$1.00
554c	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight four ounces to the square yard, when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	20 p.c.
	and, per pound	15 cts.
ex 554e ex 549d	Filter press cloth of wool or hair (except human hair).	15 p.c.
	and, per pound	30 cts.
554f	Woven fabrics, composed wholly or in part of yarns of wool or hair, commonly known as billiard cloth.....	20 p.c.
	and, per pound	25 cts.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
555	Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of wool or similar animal fibres, but of which the component of chief value is not silk nor synthetic textile fibres or filaments, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of yarns of wool or hair, but not containing silk nor synthetic textile fibres or filaments, n.o.p.	27½ p.c.
556a	Melton cloth, imported by manufacturers of tennis balls for use in the manufacture of tennis balls, in their own factories	27½ p.c.
	and, per pound	20 cts.
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or synthetic textile fibres or filaments, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories	27½ p.c.
556b	Rovings, yarns and warps wholly of synthetic textile fibres or filaments, not more advanced than singles, not coloured, with not more than seven turns to the inch, under such regulations as the Minister may prescribe:-	
	(a) Produced from cellulose acetate	25 p.c.
	but not less than .....per pound	24 cts.
	(b) N.o.p.	25 p.c.
	but not less than .....per pound	24 cts.
556c	(i) Rovings, yarns and warps, wholly or in part of silk, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes	22½ p.c.
	(ii) Silk yarns wholly or partially covered with metallic strip, one pound of which shall contain not less than 10,000 yards	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
558d	Rovings, yarns and warps wholly or in part of synthetic textile fibres or filaments, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes, not to contain silk; yarns of synthetic textile fibres or filaments wholly or partially covered with metallic strip, one pound of which shall contain not less than 10,000 yards; under such regulations as the Minister may prescribe:-	
	(a) Produced wholly from cellulose acetate	25 p.c.
	Provided that, in no case, shall the duty be less than .....per pound	24 cts.
	(b) N.o.p.	25 p.c.
	Provided that, in no case, shall the duty be less than .....per pound	24 cts.
558e	Yarns and warps, wholly of thrown silk in the gum, rovings, yarns and warps, wholly of spun silk, not coloured, imported by manufacturers for use exclusively in their own factories for knitting underwear, for weaving, or for the manufacture of silk thread	7½ p.c.
558f	Rovings, yarns and warps wholly of spun synthetic textile fibres or filaments, not coloured, imported by manufacturers for use exclusively in the manufacture of cut-pile fabrics, in their own factories	25 p.c.
	but not less than .....per pound	24 cts.
560	Woven fabrics wholly or in chief part by weight of silk in the gum, not degummed nor bleached, not less than twenty inches in width, weighing not more than seven pounds for each hundred yards thereof, imported for the purpose of being degummed, dyed and finished in Canada ..	25 p.c.
560a	Woven fabrics wholly or in part of silk, not to contain wool, not including fabrics in chief part by weight of synthetic textile fibres or filaments, n.o.p.	30 p.c.
	and, per lineal yard	7½ cts.
560b	Woven fabrics, wholly of silk, twenty-six inches in width, or less, n.o.p.	25 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
560c	Woven fabrics with cut pile, whether or not coated or impregnated, wholly or in part of silk or synthetic textile fibres or filaments, but not containing wool, n.o.p.	25 p.c.
561	Woven fabrics wholly or in part of synthetic textile fibres or filaments, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p. ..... and, per pound	27½ p.c. 40 cts.
562	Woven fabrics not exceeding twelve inches in width generally known as "ribbons", whether with cut pile or not, wholly or in part of silk but not containing wool ..	25 p.c.
562a	Woven fabrics not exceeding twelve inches in width, generally known as "ribbons", whether with cut pile or not, wholly or in part of synthetic textile fibres or filaments, but not containing silk nor wool	25 p.c.
564	Woven fabrics, of a kind not made in Canada, wholly, or in chief part, by weight, of silk or of synthetic textile fibres or filaments, or both, imported in the web in lengths of not less than five yards each by manufacturers of neckties, scarves, or mufflers, for use exclusively in the manufacture of such articles in their own factories	15 p.c.
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing tinsel or not, nets, nettings and bobbinet, n.o.p.	22½ p.c.
566	Plaited or braided lines and cords, non-elastic, whether of tubular or of solid construction, not exceeding one inch in circumference, wholly or in chief part by weight of vegetable fibres	30 p.c.
567	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which silk is the component of chief value	30 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
567a	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which the component of chief value is synthetic textile fibres or filaments	27½ p.c.
567b	Church vestments of any material	10 p.c.
568	Knitted garments, knitted underwear and knitted goods, n.o.p.	35 p.c.
568a	Socks and stockings:-	
	(i) Of wool	27½ p.c.
	and, per dozen pairs	$1.20
	(ii) N.o.p.	20 p.c.
	and, per dozen pairs	75 cts.
568b	Gloves and mitts of all kinds, n.o.p.	25 p.c.
ex 568b	Gloves of kid, n.o.p.	22½ p.c.
568c	Women's dress gloves of kid, elbow length	10 p.c.
569 (i)	Hats, hoods and shapes of fur felt or of wool-and-fur felt, under such regulations as the Minister may prescribe	22½ p.c.
569 (v)	Hats, n.o.p.	27½ p.c.
	and, per dozen	$1.00
569a (i)	Berets of wool, knitted and fulled	22½ p.c.
	and, per dozen	50 cts.
569a (ii)	Caps, bonnets and berets, n.o.p., under such regulations as the Minister may prescribe	27½ p.c.
569e	Firemen's helmets; safety helmets for industrial purposes; parts of such helmets	Free
ex 571	Carpeting, rugs, stair pads, mats and matting of straw, hemp, flax tow or jute	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
571a	(i) Mats with cut pile, of cocoa fibre...per square foot	3 cts.
	(ii) Mats, n.o.p., rugs, carpeting and matting of cocoa fibre.....per square yard	7½ cts.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.	25 p.c.
	and, per square foot	5 cts.
573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets.....	27½ p.c.
574a	Webbing, with strands of rubber interwoven or braided therein, not exceeding twelve inches in width, n.o.p.; round elastic braid.....	25 p.c.
578	Regalia, badges and belts of all kinds, n.o.p.	27½ p.c.
584	Resin or rosin; bone pitch, crude only.....	Free
585	Coal and pine pitch, burgundy pitch; and coal and pine tar, crude, in packages of not less than fifteen gallons	Free
586	Coal, anthracite, n.o.p.	Free
587	Coke, n.o.p. ..... per ton	$1.00
588	Coal, n.o.p., including screenings and coal dust of all kinds ..... per ton	50 cts.
588a	Gas for heating, cooking or illuminating, imported by pipe line..... per one thousand cubic feet	3 cts.
589	Charcoal made from wood ..... per ton	$4.00
597	(i) Pianofortes and organs, n.o.p.	22½ p.c.
	(ii) Pipe organs	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
597a	(i) Musical instruments of all kinds, n.o.p.	17½ p.c.
	(ii) Phonographs, graphophones, gramophones and finished parts thereof, n.o.p., including cylinders and records therefor	20 p.c.
	(iii) Mechanical piano and organ players	20 p.c.
ex 597a	Cylinders or records specially made for use in the study of languages, under such regulations as may be prescribed by the Minister	Free
597b	Harps	15 p.c.
597c	Strings for musical instruments	15 p.c.
598	(i) Brass band instruments, n.o.p.	20 p.c.
	(ii) Pipe organ player actions and parts thereof; parts of pipe organs, n.o.p.	15 p.c.
	(iii) Parts of pianofortes and parts of organs, n.o.p.	20 p.c.
598a	(i) Brass band instruments, of a class or kind not made in Canada	17½ p.c.
	(ii) Bagpipes and complete parts thereof	25 p.c.
599	Hides and skins, raw, whether dry, salted, or pickled; and raw pelts	Free
601	Fur skins of all kinds, not dressed in any manner	Free
602	Astrakhan or Russian hare skins, China goat plates or rugs, and China goat skins, wholly or partially dressed, but not dyed	Free
603	Fur skins wholly or partially dressed, n.o.p.	12½ p.c
ex 603	Karakul skins, wholly or partially dressed, but not dyed ..	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
604	(i) Belting leather in butts or bends; and all leather further finished than tanned, n.o.p.	17½ p.c.
	(ii) Sheepskin or lambskin leather, further finished than tanned, n.o.p.	22½ p.c.
604a	Crust oil leather, for use in manufacturing chamois leather	10 p.c.
604b	Sole leather	22½ p.c.
605	(i) Leather produced from East India tanned kip, uncoloured or coloured other than black, when imported for use exclusively in lining boots and shoes	15 p.c.
	(ii) Genuine reptile leathers	7½ p.c.
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers	20 p.c.
606	Leather produced from East India tanned kip, n.o.p. ..... and, per square foot	25 p.c. 2 cts.
607	Leather, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing, in their own factories	7½ p.c.
607 Pt.2	Leather, consisting of beef-cattle hides, horse-hides or sheep-skins, but not including suedes, Cabrettas, Spanish capes or African capes, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing in their own factories	15 p.c.
607a	Leather, not further finished than tanned, in whole hides, in grains, or splits, when imported by manufacturers of upholstering leathers, for use exclusively in the manufacture of upholstering leathers, in their own factories.	15 p.c.
608	Leather not further finished than tanned, and skins, n.o.p.	15 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
609	Belting, of leather	22½ p.c.
610	Belting, n.o.p.	20 p.c.
611a	(i) Boots, shoes, slippers and insoles of any material, n.o.p.	27½ p.c.
	(ii) Canvas shoes with rubber soles	27½ p.c.
611b	Leather garments, lined or unlined	27½ p.c.
612	Harness and saddlery, including horse boots, n.o.p.	20 p.c.
612a	English type saddles	27½ p.c.
613	Manufactures of leather, including manufactures of raw-hide, n.o.p.	22½ p.c.
616	ex (ii) Recovered rubber and rubber substitute	Free
	ex (iii) Latex, being crude natural rubber in liquid form, not compounded beyond the addition of preservatives ..	Free
616a	Balata, crude, unmanufactured	10 p.c.
616b	Gutta percha, unmanufactured	10 p.c.
617	Rubber boots and shoes	22½ p.c.
618	Rubber cement and all manufactures of rubber and gutta percha, n.o.p.	20 p.c.
618b	Tires of rubber for vehicles of all kinds, fitted or not..	25 p.c.
619	Rubber or gutta percha hose, and cotton hose lined with rubber; rubber mats or matting and rubber packing	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
619a	Rubber clothing and clothing made from water-proofed cotton fabrics	27½ p.c.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	22½ p.c.
623	Musical instrument cases and fancy cases or boxes of all kinds, portfolios and fancy writing desks, satchels, reticules, card cases, purses, pocket-books, fly books and parts thereof	22½ p.c.
624	Bead ornaments, and ornaments of alabaster, spar, amber, terra cotta or composition; fans of all kinds; statues and statuettes of any material, n.o.p.	17½ p.c.
624a	(i) Dolls	25 p.c.
	Toys of all kinds, n.o.p.	30 p.c.
	(ii) Mechanical toys of metal	30 p.c.
	(iii) Juvenile construction sets of metal or rubber, consisting of various stampings, punched or moulded, and connections therefor; parts of the foregoing:-	
	(a) Of metal	25 p.c.
	(b) Of rubber	20 p.c.
624b	Statues and statuettes of porcelain or earthenware	17½ p.c.
625	Caps, hats, muffs, tippets, capes, coats and cloaks of fur, and other manufactures of fur, n.o.p.	25 p.c.
628	Braces or suspenders, and finished parts thereof	22½ p.c.
629	Umbrellas, parasols and sunshades of all kinds and materials	25 p.c.
634	Feathers and manufactures of feathers, n.o.p.; artificial feathers, fruits, grains, leaves and flowers suitable for ornamenting hats	22½ p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
642	Hatters' furs, not on the skin	Free
647	Jewellery of any material, for the adornment of the person, n.o.p.	32½ p.c.
ex 648a	Diamonds, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken	Free
649	Shoe buttons, n.o.p.	20 p.c.
650a	Button blanks of animal shell, in the rough	Free
651	Buttons of all kinds, covered or not, and button blanks other than in the rough, n.o.p.; recognition buttons and cuff or collar buttons	25 p.c.
	and, per gross	5 cts.
651a	Buttons, and button blanks other than in the rough, of vegetable ivory	25 p.c.
	and, per gross	10 cts.
652	Toilet or dressing combs, n.o.p.; fancy combs, not being jewellery	20 p.c.
	but not less than .....per gross	$1.44
653	Brushes of all kinds, n.o.p.	25 p.c.
654	(i) Bristles, natural	Free
	(ii) Broom corn	Free
655	(i) Pens, n.o.p., penholders and rulers, of all kinds	22½ p.c.
	(ii) Pen nibs of steel	12½ p.c.
655a	Lead pencils and crayons, n.o.p.	30 p.c.
655b	Crayons of chalk or chalk-like material, coloured or not..	20 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
656	(a) Tobacco pipes of all kinds	22½ p.c.
	(b) Cigar and cigarette holders	25 p.c.
	(c) Cases for cigar and cigarette holders, cigar and cigarette cases, smokers' sets and cases therefor, and tobacco pipe mounts	25 p.c.
	(d) Tobacco pouches	25 p.c.
657a	Cinematograph or moving picture films, positives, one and one-eighth of an inch in width and over, n.o.p. ....per linear foot	1½ cts.
657b	Parts, unfinished, when imported by manufacturers of cameras, for use in the manufacture of cameras, in their own factories	5 p.c.
658	Film of standard width (one and one-eighth of an inch and over) when imported for the sole purpose of having 16 millimetre reproductions made therefrom and provided that the original is re-exported within three months from date of importation	Free
659	Photographic dry plates	25 p.c.
662	Fertilizers, unmanufactured, including phosphate rock, kainite or German potash salts and German mineral potash; bone-dust, charred bone and bone ash; fish offal or refuse and animal or vegetable manures	Free
663	Fertilizers, compounded or manufactured, n.o.p.	5 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
663b	Articles which enter into the cost of the manufacture of fertilizers, when imported for use exclusively in the manufacture of fertilizers	Free
663c	Soya beans, soya bean oil cake and soya bean oil meal, when imported for use as animal or poultry feeds, or as fertilizer, or when imported for use in the manufacture of animal or poultry feeds or fertilizers	Free
663e	Sea-weeds or sea-plants, charred, whether powdered or not, for use exclusively in the feeding of animals	15 p.c.
663f	Iodised mineral salts, for use exclusively in the feeding of animals	15 p.c.
669	Emery (including corundum and garnet), in bulk, crushed or ground	Free
670	Grinding wheels, stones or blocks, manufactured by the bonding together of either natural or artificial abrasives; manufactures of emery or of artificial abrasives, n.o.p.	20 p.c.
674	Ivory and ivory nuts, piano key ivories and veneers of ivory unmanufactured	Free
680	Fossils, shells, tortoise and mother-of-pearl, and other shells unmanufactured	Free
680a	Sponges of marine production	15 p.c.
683	Barytes	25 p.c.
684	Rubber thread, not covered	10 p.c.
685	Pantographs and parts thereof, including diamond points, and engraving mills, for engraving copper rollers used in printing textiles and wallpapers; blankets, blanketing and lapping imported for use exclusively by textile manufacturers and wallpaper printers	Free

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
688	Artificial teeth, not mounted, and materials for use only in the manufacture thereof	Free
689	Charcoal, animal, for use in the refining of sugar	25 p c.
710	(b) Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain	7½ p.c.
	(bb) Usual coverings containing machinery subject to any ad valorem duty, when not included in the invoice value of the goods they contain	7½ p.c.
711	All goods not enumerated in this schedule as subject to any other rate of duty, and not otherwise declared free of duty, and not being goods the importation whereof is by law prohibited	20 p.c.
	Provided that duty shall not be deemed to be provided for by this item upon dutiable goods mentioned as "n.o.p." in any preceding tariff item.	
	Provided further that when the component material of chief value in any non-enumerated article consists of dutiable material enumerated in this schedule as bearing a higher rate of duty than is specified in this tariff item, such non-enumerated article shall be subject to the highest duty which would be chargeable thereon if it were composed wholly of the component material thereof of chief value, such "component material of chief value" being that component material which shall exceed in value any other single component material in its condition as found in the article.	
ex 711	Roofing granules, whether or not coloured or coated	15 p.c.
ex 711	Hominy grits, corn grits, hominy feeds, and brewers' corn grits	10 p.c.
ex 711	Vegetable colourings	10 p.c.
ex 711	Vegetable flavourings	10 p.c.
ex 711	Activated clay, when imported for use in the refining of oils	10 p.c.
ex 711	Oyster shells, not further manufactured than crushed or screened, or both, for use as poultry feeds or in the manufacture of poultry feeds	10 p.c.

SCHEDULE V - CANADA

Part I - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 711	Mica, phlogopite and muscovite, unmanufactured, in blocks, sheets, splittings, films, waste and scrap	12½ p.c.
ex 711	Coal-tar benzol, when imported by refiners of crude petroleum, for use exclusively in blending with gasoline wholly produced in Canada	10 p.c.
ex 711	Vermiculite, crude, or not further processed than ground and screened	10 p.c.
ex 711	Asbestos, crude	Free
ex 711 154	Mineral and medicinal waters, natural, under regulations prescribed by the Minister	Free
ex 711	Potassic nitrate of soda, n.o.p.	Free
ex 711 ex 445c ex 445d et al	Quartz, piezoelectric:- (i) Not further processed than cut into slabs or blanks and ground to shape	Free
	(ii) Fully manufactured ready for use in electric telephone, telegraph, wireless or radio apparatus	10 p.c.
756	Artificial abrasive grains, crushed or ground, when imported for use in Canadian manufactures	Free
792	Cotton pulp imported by manufacturers for use exclusively in their own factories in the manufacture of yarns of synthetic textile fibres or filaments, under regulations to be prescribed by the Minister	Free
797	Yarns, wholly of cotton, number forty and finer, not more advanced than singles, when imported by manufacturers for use exclusively in their own factories in the manufacturing of cotton sewing thread	10 p.c.

SCHEDULE V - CANADA

Part I - (Concluded)

Canadian Tariff Item Number	Description of Products	Rate of Duty
802	Materials and parts as hereunder specified, when imported by manufacturers of umbrellas, parasols, sunshades, walking sticks or canes, under such regulations as the Minister may prescribe, for use in the manufacture of such articles in their own factories:-	
	(a) Mounts, sticks, rods, ribs, runners, rings, caps, notches, tips, ferrules and assembled frames	Free
	(b) Umbrella-covering fabrics of a kind not made in Canada, whether or not specially treated but not further manufactured than with hemmed selvedges, when imported in lengths of not less than ten yards each, with or without natural selvedges	Free
825	Woven cord tire fabric, wholly or in chief part by weight of synthetic textile fibres or filaments, not to contain silk nor wool, coated with a rubber composition, when imported by manufacturers of rubber, to be incorporated by them in pneumatic tires, in their own factories	15 p.c.
826	Wire drawing dies in the rough, not being complete parts of machinery, and materials or articles entering into their manufacture	5 p.c.
833	Methyl ethyl ketone imported by Canadian manufacturers under such regulations as the Minister may prescribe, for use exclusively as a solvent for polyvinyl chloride..	Free
838 ex 711	Oiticica oil	Free

SCHEDULE V - CANADA

Part II

Preferential Tariff

Canadian Tariff Item Number	Description of Products	Rate of Duty
22	Preparations of cocoa or chocolate in powder form	22½ p.c.
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty	10 p.c.
	and, per pound	2½ cts.
28 29	Coffee, green	Free
28a 29a	Tea .....per pound When in packages weighing five pounds, each, or less, the weight of such packages to be included in the weight for duty.	4 cts.
34	Mustard, ground	12½ p.c.
64	Sago and tapioca	12½ p.c.
90c	Vegetable juices, liquid mustards, soy and vegetable sauces of all kinds	12½ p.c.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats .....per pound	1½ cts.
110 111	Cocoanuts	Free
113	Cocoanut, desiccated, sweetened or not .....per pound	2 cts.
122	Herring (not including kippered herring in sealed containers) packed in oil or otherwise, in sealed containers	15 p.c.
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied popcorn, candied nuts, flavouring powders, custard powders, jelly powders, sweetmeats, sweetened breads, cakes, pies, puddings and all other confections containing sugar	15 p.c.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty .....per pound and	$2.00 15 p.c.
	And in addition thereto, when weighing not more than three pounds per thousand, under all tariffs, $2.00 per thousand.	
152a	Papaine	Free
ex 156	Spirituous or alcoholic liquors (subject to the provisions attaching to tariff item 156), viz.:-	
	(i) Whisky .....per gallon of the strength of proof	$4.50
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(ii) Gin, n.o.p. ....per gallon of the strength of proof	$4.50
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(iii) Rum, n.o.p. ....per gallon of the strength of proof	$4.50
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(iv) Brandy .....per gallon of the strength of proof	$4.00
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	
	(v) Liqueurs .....per gallon of the strength of proof	$4.50
	And in addition thereto, under all tariffs, $7.00 per gallon of the strength of proof.	

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 156 156b	Angostura bitters .....per gallon of the strength of proof	$2.00
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p. .....per gallon and	$3.00 30 p.c.
168	Malt flour containing less than fifty per centum in weight of malt; malt syrup or malt syrup powder, n.o.p.; extracts of malt, fluid or not; grain molasses--all articles in this item upon valuation without British or foreign excise duties, under regulations prescribed by the Minister	20 p.c.
179	Labels for cigar boxes, fruits, vegetables, meats, fish, confectionery or other goods or wares; shipping, price or other tags, tickets or labels, and railroad or other tickets, whether lithographed or printed, or partly printed, n.o.p.	17½ p.c.
181	Bank notes, bonds, bills of exchange, cheques, promissory notes, drafts and all similar work, unsigned, and cards or other commercial blank forms printed or lithographed, or printed from steel or copper or other plates, and other printed matter, n.o.p.	17½ p.c.
181a	Pictorial post-cards, greeting cards and similar artistic cards or folders	15 p.c.
198	Ruled and border and coated papers, boxed papers, pads not printed, papier-mâché ware, n.o.p.	17½ p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.	17½ p.c.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
220	All medicinal and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, filled capsules, tablets, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p.:-	
	(ii) Liquid, when containing not more than two and one-half per centum of proof spirit	17½ p.c.
	Provided, also, that drugs, pill-mass and preparations, not including pills or medicinal plasters, recognized by the British or United States pharmacopoeia, the Canadian Formulary or the French Codex as officinal, shall not be held to be covered by this item.	
228	(i) Toilet soap, n.o.p.	15 p.c.
	(ii) Soap powders, powdered soap, mineral soap, and soap, n.o.p.	15 p.c.
232	(i) Glue, n.o.p.	15 p.c.
	and, per pound	2 cts.
	(ii) Gelatine, n.o.p.	15 p.c.
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p. .....per gallon	15 cts.
	and	5 p.c.
284	(i) Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.	15 p.c.
	(ii) Earthenware tiles, n.o.p.	15 p.c.
288	Stoneware and Rockingham ware and earthenware, n.o.p.	17½ p.c.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p.	17½ p.c.
362c	Nickel-plated ware, gilt or electro-plated ware, n.o.p. ..	15 p.c.
367	Watch cases, and parts thereof, finished or unfinished ...	15 p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:- (b) Coated with tin, n.o.p.	15 p.c.
	The rate of duty set opposite tariff item 383(b) shall be effective as soon as the necessary legislation can be enacted.	
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not	17½ p.c.
402b	Woven netting, of iron or steel, coated, made from wire of 17 gauge or heavier, with meshes not smaller than one inch and not larger than two inches, with specially strengthened joints, when for use exclusively on fur farms, under regulations prescribed by the Minister:- (i) Of a class or kind not made in Canada	5 p.c.
	(ii) N.o.p.	12½ p.c.
439a	Articles, of iron or steel, wholly or in part of nickel or electro-plated, when imported by manufacturers of bicycles or tricycles for use exclusively in the manufacture of bicycles or tricycles, in their own factories, under regulations prescribed by the Minister.	10 p.c.
439b	Cars, n.o.p., wheelbarrows, trucks, road or railway scrapers and hand carts	10 p.c.
441e	Guns and rifles of a class or kind not made in Canada	Free
445i	Electric sadirons and complete parts thereof	12½ p.c.
ex 446a	Locomotive beds or frames of steel, cast in one piece; tender frames of steel, cast in one piece; cast steel cradles for the rear ends of locomotive frames; cast steel truck frames and bolsters for engines, tenders and passenger coaches; platform castings for passenger coaches; all the foregoing, whether in the rough or semi-manufactured, for use on railway rolling stock	Free

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
ex 446a	Tools of iron or steel, for use in machines, n.o.p., of a class or kind not made in Canada	Free
ex 446a	Metal shells and hinges, for use in manufacturing jewellery boxes and spectacle cases, not further finished than shaped	Free
451b	Pins manufactured from wire of any metal:- (ii) N.o.p.	15 p.c.
451e	Slide, hookless, or zipper fasteners	25 p.c.
462	(i) Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedometers, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing..	8½ p.c.
	(ii) Cameras and complete parts thereof, n.o.p.:- (a) Of a class or kind not made in Canada	5 p.c.
	(b) N.o.p.	7½ p.c.
522e	Cotton sewing thread yarn and crochet, knitting, darning and embroidery yarn, in hanks, when imported by manufacturers for use exclusively in their own factories in the manufacturing or spooling of cotton sewing thread and crochet, knitting, darning and embroidery cottons ...	5 p.c.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p.	17½ p.c.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.:- (i) Valued at more than 80 cents per pound	17½ p.c.
	(ii) Valued at 50 cents or more but not more than 80 cents per pound	17½ p.c.
	(iii) Valued at less than 50 cents per pound	17½ p.c.
	(iv) Woven fabrics, wholly of cotton, commonly known as denims, when imported by manufacturers for use in their own factories in the manufacture of garments..	17½ p.c.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
523j	Shadow cretonnes, wholly of cotton, with printed warp and plain weft	10 p.c.
523k	Gabardines, wholly of cotton, with not less than 280 ends and picks of ply yarn per square inch	10 p.c.
529	Embroideries, lace, nets, nettings, bobbinet, n.o.p., fringes and tassels, wholly of cotton	15 p.c.
532	(i) Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly of cotton, n.o.p.	25 p.c.
	(ii) Curtains, wholly or partially manufactured, composed wholly of cotton, n.o.p.	22½ p.c.
	(iii) Fabrics wholly of cotton, coated or impregnated, n.o.p.	22½ p.c.
	(iv) Cotton bags, not seamless	20 p.c.
532a	Handkerchiefs wholly of cotton	12½ p.c.
537a	Rovings, yarns and warps wholly or in part of vegetable fibres, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p., not to contain silk, synthetic textile fibres or filaments, nor wool	15 p.c.
537e	Rovings, yarns and warps wholly of jute, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p.	20 p.c.
540	(c) Towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, in the web, wholly of flax or hemp; woven fabrics, in the web, composed in part of flax or hemp, not containing silk, synthetic textile fibres or filaments, nor wool	15 p.c.
	and, per pound	3 cts.
	(d) Towels and glass cloths of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, wholly or in part of flax or hemp, not containing silk, synthetic textile fibres or filaments, nor wool	15 p.c.
	and, per pound	3 cts.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
542	Woven fabrics, wholly or in part of vegetable fibres, and all such fabrics with cut pile, n.o.p., not containing silk, synthetic textile fibres or filaments, nor wool	17½ p.c.
551	Yarns, composed wholly or in part of wool or hair but not containing silk, or synthetic textile fibres or filaments, n.o.p.	15 p.c.
	and, per pound	5 cts.
ex 552	Felt, splint, for use in making moulded splints for medicinal purposes	Free
554	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight six ounces to the square yard, n.o.p., when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	15 p.c.
	and, per pound	7½ cts.
554b	Woven fabrics composed wholly or in part of yarns of wool or hair, n.o.p.	20 p.c.
	and, per pound	12 cts.
	Provided, however, that the sum of the specific and ad valorem duties shall not be in excess of ....per pound	50 cts.
ex 554e ex 549d	Filter press cloth of wool or hair (except human hair) ..	Free
555	Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of wool or similar animal fibres, but of which the component of chief value is not silk nor synthetic textile fibres or filaments, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of yarns of wool or hair, but not containing silk nor synthetic textile fibres or filaments, n.o.p.	25 p.c.

SCHEDULE V - CANADA

Part II - (Cont'd)

Canadian Tariff Item Number	Description of Products	Rate of Duty
561	Woven fabrics wholly or in part of synthetic textile fibres or filaments, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p.	22½ p.c.
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing tinsel or not, nets, nettings and bobbinet, n.o.p.	17½ p.c.
566	Plaited or braided lines and cords, non-elastic, whether of tubular or of solid construction, not exceeding one inch in circumference, wholly or in chief part by weight of vegetable fibres	15 p.c.
567a	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which the component of chief value is synthetic textile fibres or filaments	20 p.c.
569 (i)	Hats, hoods and shapes of fur felt or of wool-and-fur felt, under such regulations as the Minister may prescribe	17½ p.c.
571a	(i) Mats with cut pile, of cocoa fibre ....per square foot	2¼ cts.
	(ii) Mats, n.o.p., rugs, carpeting and matting of cocoa fibre .....per square yard	6¾ cts.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.	25 p.c.
606	Leather produced from East India tanned kip, n.o.p.	20 p.c.
	and, per square foot	2 cts.
611a	(i) Boots, shoes, slippers and insoles of any material, n.o.p.	20 p.c.
	(ii) Canvas shoes with rubber soles	20 p.c.
611b	Leather garments, lined or unlined	17½ p.c.
612	Harness and saddlery, including horse boots, n.o.p.	15 p.c.

SCHEDULE V - CANADA

Part II - (Concluded)

Canadian Tariff Item Number	Description of Products	Rate of Duty
613	Manufactures of leather, including manufactures of rawhide, n.o.p.	17½ p.c.
619a	Rubber clothing and clothing made from water-proofed cotton fabrics	22½ p.c.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	12½ p.c.
623	Musical instrument cases and fancy cases or boxes of all kinds, portfolios and fancy writing desks, satchels, reticules, card cases, purses, pocket-books, fly books and parts thereof	12½ p.c.
647	Jewellery of any material, for the adornment of the person, n.o.p.	22½ p.c.
655	(ii) Pen nibs of steel	Free
710	(b) Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain	Free
	(bb) Usual coverings containing machinery subject to any ad valorem duty, when not included in the invoice value of the goods they contain	Free

GENERAL NOTE

Provided, that no tariff item, description of products or rate of duty in Schedule V shall apply or be deemed to apply to goods the importation of which into Canada was, prior to the coming into force of this Agreement, prohibited under the provisions of Section 13 (and listed in Schedule "C") of the Customs Tariff of Canada.

GENERAL AGREEMENT ON TARIFFS AND TRADE

SCHEDULE VI - CEYLON

The offers contained in this schedule represent the concessions which Ceylon is prepared to grant as part of a mutually advantageous agreement. The Government of Ceylon reserves the right to modify or withdraw any or all the concessions offered, in the light of the results of future negotiations, or of any circumstances affecting its attitude to the General Agreement on Tariffs and Trade.

SCHEDULE VI - CEYLON

This Schedule is authentic only in the English language.

PART I

Most-Favoured-Nation Tariff

Ceylon Tariff item number	Description of Products	Rate of duty
I A 2 (i)	Flour, wheaten ..... per cwt.	Rs. 1.50
I A 3 (ii)	Beans ..... per cwt.	Rs. 0.75
I A 4	Sago	20%
I A 5	Tapioca	20%
I B 2	Bran and pollard	Free
I C 1,4	Bacon and ham	25%
I C 2	Beef, frozen or refrigerated, tinned, potted or preserved	25%
I C 3,9	Poultry and game, frozen or refrigerated	25%
I C 7	Mutton, frozen or refrigerated, tinned, potted or preserved	25%
I C 8	Pig products, frozen or refrigerated (other than bacon and ham)	25%
I E 1	Aerated and mineral waters	20%
I E 3	Apples, fresh (from 1st September to 31st March)	15%
I E 3	Apples, fresh (from 1st April to 31st August) .	20%
I E 7	Butter, frozen or tinned	25%
I E 10	Cereal foods, prepared n.e.s.	20%
I E 19	Confectionery	30%
I E 26	Dripping	17½%
I E 33	Fish, tinned, potted or preserved n.e.s.	15%
I E 36	Fruit, dried or otherwise preserved, without sugar (other than canned fruits, currants, dates and raisins)	25%
I E 37	Fresh fruits (other than apples and grapes) (from 1st November to 30th June)	20%

SCHEDULE VI - CEYLON

PART I (continued)

Ceylon Tarif item number	Description of Products	Rate of duty
I E 37	Fresh fruits (other than apples and grapes) (from 1st July to 31st October)	25%
I E 38	Fruit, canned or bottled	30%
I E 45	Grapes, fresh (from 1st June to 31st January)	15%
I E 45	Grapes, fresh (from 1st February to 31st May)	20%
I E 49, 50, 55	Jams, jellies and marmalades	25%
I E 51	Lard	17½%
I E 57	Milk foods (to include malted milks)	Free
I E 58	Milk, fresh or refrigerated, preserved, condensed or sterilised, sweetened or unsweetened (incl. milk powder)	Free
I E 62	Oil, edible, fish (other than codliver oil and preparations thereof) ..... per cwt.	Rs. 20/-
I E 65	Olive oil	10%
I F 8	Tobacco, unmanufactured, other Note : The product specified in Item I F 8 shall be exempt from ordinary most-favoured-nation customs duty which exceeds the preferential duty on such product by more than Rs. 2.25.	
II B 1	Asphalt .....per cwt.	Rs. 1/- + surcharge of 10% of duty
II D 4	Timber scantlings	2% + surcharge of 10% of duty
II D 5	Timber sleepers	2% + surcharge of 10% of duty
II D 6	Plywood and veneers	2% + surcharge of 10% of duty
II F 7	Raw wool	Free

SCHEDULE VI - CEYLON

PART I (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
II G 10 A	Essential oils, natural (other than perfumes). the following oils only : Ylang-Ylang oil, vetyver oil and geranium oil ..... (the duty on other essential oils to remain at existing rate of 30%)	15% + surcharge of 10% of duty
II G 12 A	Sesamum seed (incl. sesamum pulp) ..... Note : Sesamum is known in Ceylon as gingelly.	12½% + surcharge of 10% of duty
II G 12 B	Groundnuts	12½% + surcharge of 10% of duty
II J 19	Seeds for agricultural and horticultural purposes	Free
III B 5	Chinaware and porcelainware n.e.s.	25% + surcharge of 10% of duty
III E 1	Agricultural implements (incl. forks, harrows, picks and ploughs)	10% + surcharge of 10% of duty
III E 5	Implements and tools (except machine tools and parts thereof) n.e.s.	20% + surcharge of 10% of duty
III E 7 (ii)	Photographic instruments and apparatus (incl. paper, plates and films, except cinema films)	35% + surcharge of 10% of duty
III F 8	Wireless goods and apparatus and parts thereof	27½%
III G 1	Agricultural machinery and component parts thereof	20% + surcharge of 10% of duty
III G 3	Cranes, hoists and lifting machinery and component parts thereof	20%

SCHEDULE VI - CEYLON

PART I (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
III G 4	Electric machinery and component parts thereof, viz. :	
(ii)	transformers and convertors	15%
(vi)	motors	15%
III G 10 (iv)	Windmills	20% + surcharge of 10% of duty
III G 12	Pumping machinery and component parts thereof	20% + surcharge of 10% of duty
III G 13	Refrigerators	27½%
III G 20	Typewriters and component parts thereof	17½%
III J 2	Woollen blankets	25% + surcharge of 10% of duty
III J 6	Woollen and worsted manufactures n.e.s.	25% + surcharge of 10% of duty
III L	Natural silk (incl. any admixture thereof other than admixtures containing over 50% by weight of cotton) and manufactures thereof	35% + surcharge of 10% of duty
III M	Artificial silk (incl. any admixture thereof other than admixtures containing over 50% by weight of cotton) and manufactures thereof	40% + surcharge of 10% of duty
	Note : In the existing Ceylon Customs Tariff, Silk and artificial Silk and manufactures thereof are classified under one item (vide : Customs notification No 44/2 of 2.10.44)	

SCHEDULE VI - CEYLON

PART I (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
III M 1 (v)	Artificial silk yarn	15% + surcharge of 10% of duty
III M 10	Linen manufactures n.e.s.	25% + surcharge of 10% of duty
III N 4 (iv)	Outer and inner garments of wool	25% + surcharge of 10% of duty
III N 6 (vi)	Hats, woollen	20% + surcharge of 10% of duty
III O 1 (iii)	Sulphuric acid	20% + surcharge of 10% of duty
III O 8	Chemicals n.e.s.	20% + surcharge of 10% of duty
III O 15	Paints, colours and enamels	20%
III O 16	Patent medicines (except quinine medicines) .	15% + surcharge of 10% of duty
III P 12	Turpentine	20% + surcharge of 10% of duty
III Q 1,2,3	Leather and leather goods n.e.s.	20% + surcharge of 10% of duty
III R 16 (ii)	Packing and wrapping paper (other than for lining tea chests, tea packets and dessicated cocoanut chests)	35% + surcharge of 10% of duty

SCHEDULE VI - CEYLON

PART I (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
III R 21	Tissue paper	15% + surcharge of 10% of duty
III U 20	Glass beads and bangles (incl. imitation pearls)	15% + surcharge of 10% of duty
III U 23	Haberdashery and millinery (excl. manufactures of silk and artificial silk) ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44	25% + surcharge of 10% of duty
III U 24	Jewellery of precious metals and gold and silver ware (other than haberdashery)	35% + surcharge of 10% of duty
III U 35	Musical instruments (other than gramophones, phonographs, records and component parts, but incl. pianolas, component parts and accessories) ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44	30% + surcharge of 10% of duty
III U 37	Floorcloth	20% + surcharge of 10% of duty
III U 38	Painters materials n.e.s.	20% + surcharge of 10% of duty

SCHEDULE VI - CEYLON

PART I (concluded)

Ceylon Tariff item number	Description of Products	Rate of duty
III U 39	Perfumed spirits ..... per gall. (if packed in bottles of weight less than four ounces)	Rs. 50/- or 50% ad val. whichever is higher + surcharge of 75% of duty
	per gall. (if packed in larger containers or bottles)	Rs. 60/- or 60% ad val. whichever is higher + surcharge of 75% of duty
III U 46	Reconstructed or imitation, precious and semi-precious stones (artificial or synthetic)	25% + surcharge of 10% of duty
III U 50	Sport and athletic materials ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44	35% + surcharge of 10% of duty
III U 56	Toys and parlour games	35% + surcharge of 10% of duty
IV 10	Sheep, live	Free
Unclassified	Wall board of wood fibre ..... Note : This item is not specially classified in the present Customs Tariff. It comes under the general heading of item II D 6 "Wood and Timber, prepared or unprepared n.e.s"	25% + surcharge of 10% of duty
	Penicillin, penicillin by-products ..... Note : This item will be separately classified. At present it is included under tariff item No III O 13 : "Drugs, medicines and medicinal preparations n.e.s."	Free
	Fish liver oil capsules	10%

SCHEDULE VI - CEYLON

PART II

Preferential Tariff

Ceylon Tariff item number	Description of Products	Rate of duty
I A 3 (ii)	Beans ..... per cwt.	Rs. 0.50
I C 1,4	Bacon and ham	15%
I C 2	Beef, frozen or refrigerated, tinned, potted or preserved	15%
I C 3,9	Poultry and game, frozen or refrigerated	15%
I C 7	Mutton, frozen or refrigerated, tinned, potted or preserved	15%
I C 8	Pig products, frozen or refrigerated (other than bacon and ham)	15%
I E 3	Apples, fresh	10%
I E 7	Butter, frozen or tinned	15%
I E 10	Cereal foods, prepared n.e.s.	15%
I E 19	Confectionery	20%
I E 33	Fish, tinned, potted or preserved n.e.s.	10%
I E 37	Fresh fruits (other than apples and grapes) ..	15%
I E 38	Fruit, canned or bottled	20%
I E 45	Grapes, fresh	10%
I E 49 50, 55	Jams, jellies and marmalades	15%

SCHEDULE VI - CEYLON

PART II (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
II D 4	Timber scantlings	15% + surcharge of 10% of duty
II D 5	Timber sleepers	15% + surcharge of 10% of duty
II D 6	Plywood and veneers	15% + surcharge of 10% of duty
III B 5	Chinaware and porcelainware n.e.s.	20% + surcharge of 10% of duty
III E 1	Agricultural implements (incl. forks, harrows, picks and ploughs)	5% + surcharge of 10% of duty
III E 5	Implements and tools (except machine tools) and parts thereof n.e.s.	10% + surcharge of 10% of duty
III E 7 (ii)	Photographic instruments and apparatus (incl. paper, plates and films, except cinema films)	30% + surcharge of 10% of duty
III F 8	Wireless goods and apparatus and parts thereof	25%
III G 1	Agricultural machinery and component parts thereof	10% + surcharge of 10% of duty

SCHEDULE VI - CEYLON

PART II (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
III G 3	Cranes, hoists and lifting machinery and component parts thereof	15%
III G 4	Electric machinery and component parts thereof viz. :	
(ii)	transformers and convertors	10%
(vi)	motors	10%
III G 10 (iv)	Windmills	10% + surcharge of 10% of duty
III G 12	Pumping machinery and component parts thereof	10% + surcharge of 10% of duty
III G 13	Refrigerators	25%
III G 20	Typewriters and component parts thereof	15%
III J 2	Woollen blankets	15% + surcharge of 10% of duty
III J 6	Woollen and worsted manufactures n.e.s.	15% + surcharge of 10% of duty
III L	Natural silk (incl. any admixture thereof other than admixtures containing over 50% by weight of cotton) and manufactures thereof	30% + surcharge of 10% of duty
III M	Artificial silk (incl. any admixture thereof other than admixtures containing over 50% by weight of cotton) and manufactures thereof Note : In the existing Ceylon Customs Tariff, Silk and artificial Silk and manufactures thereof are classified under one item (vide : Customs notification No 44/2 of 2.10.44)	30% + surcharge of 10% of duty

SCHEDULE VI - CEYLON

PART II (continued)

Ceylon Tariff item number	Description of Products	Rate of duty
III M 1 (v)	Artificial silk yarn	10% + surcharge of 10% of duty
III N 4 (iv)	Outer and inner garments of wool	15% + surcharge of 10% of duty
III N 6 (vi)	Hats, woollen	10% + surcharge of 10% of duty
III O 1 (iii)	Sulphuric acid	10% + surcharge of 10% of duty
III O 8	Chemicals n.e.s.	15% + surcharge of 10% of duty
III O 15	Paints, colours and enamels	15%
III P 12	Turpentine	15% + surcharge of 10% of duty
III Q 1,2,3	Leather and leather goods n.e.s.	15% + surcharge of 10% of duty
III R 16 (ii)	Packing and wrapping paper (other than for lining tea chests, tea packets and dessicated coocoanut chests)	30% + surcharge of 10% of duty
III R 21	Tissue paper	10% + surcharge of 10% of duty

SCHEDULE VI - CEYLON

PART II (concluded)

Ceylon Tariff item number	Description of Products	Rate of duty
III U 23	Haberdashery and millinery (excl. manufactures of silk and artificial silk) ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44.	20% + surcharge of 10% of duty
III U 35	Musical instruments (other than gramophones, phonographs, records and component parts, but incl. pianolas, component parts and accessories) ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44.	25% + surcharge of 10% of duty
III U 38	Painters materials n.e.s.	15% + surcharge of 10% of duty
III U 50	Sport and athletic materials ..... Note : The wording of the above tariff description is the amended form contained in Customs notification No 44/2 of 2.10.44.	25% + surcharge of 10% of duty
III U 56	Toys and parlour games	30% + surcharge of 10% of duty
Unclassified	Wall board of wood fibre ..... Note : This item is not specially classified in the present Customs Tariff. It comes under the general heading of item II D 6 "Wood and Timber, prepared or unprepared n.e.s."	15% + surcharge of 10% of duty

Revised Translation by Department of State

SCHEDULE VII - CHILE

This Schedule is authentic only in the French language.

PART I

Most-Favoured-Nation Tariff.

Chilean Tariff Item No.[1]	Description of Products		Rate of duty
Ex-1	Cadmium	K.G.	0.20
2	Ores, crude, not elsewhere specified	100 K.G.	0.50
4	Aluminium in ingots	K.G.	0.05
12	Nickel in ingots	K.G.	0.05
Ex-26	Impure calcined magnesite	100 K.G.	3.00
29	Graphite or black lead	100 K.G.	5.00
Ex-33	Marble, natural, in blocks, not squared or polished, other than white or grey	K.G.	0.10
Ex-34	Marble, natural, white, sawn into slabs or blocks, not polished	K.G.	0.10
Ex-35	Marble, natural, sawn into slabs or blocks, not polished, other than white or grey	K.G.	0.20
39	Stones, unworked ornamental, such as agate, onyx, lapis-lazuli and other similar stones	K.G.	1.00
43 G	Coke : metallurgical	metric ton G.	5.60
43 I	Petroleum : crude, for furnaces or boilers, ...	metric ton G.	6.56
Ex-45	Wood in the rough, or merely sawn : cedar, mahogany or rosewood	cubic metre	100.00
47	Pinewood, in the rough, or merely sawn :	cubic metre	70.00
51	Vegetable wax, including synthetic vegetable wax	K.G.	0.20
Ex-51	Carnauba wax	K.G.	0.20
55	Medicinal flowers in bulk, or in containers weighing more than 1 kg.net	K.G.	1.00

[1] [This heading should read "Chilean Tariff Item No. 1946-47" throughout this schedule.]

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
57	Gum (rubber, gutta-percha, balata and other like resins), raw, whether or not rolled, up to 1 mm. in thickness or weighing up to 1 kg. net per square metre, also striated or smoked gum of any thickness	K.G.	0.15
Ex-70	Tortoise shell	K.L.	8.00
76	Shells of mother-of-pearl, shell-fish and molluscs, in the rough	K.G.	0.05
76A	Nacre, cut into pieces, but not otherwise wrought, for the manufacture of buttons	K.L.	1.00
78	Sponges	K.N.	5.60
Ex-81	Codfish, dried or smoked, in containers of any kind, also in brine in wooden containers	K.G.	1.00
Ex-83	Pedigree cattle of the bovine species, for breeding	each	45.00
Ex-84	Pedigree horses for breeding	each	33.75
Ex-86	Pedigree sheep for breeding	each	10.00
98	Blood, dried for industrial use	K.G.	0.30
106	Live plants and fresh flowers	100 K.G.	0.75
108	Seeds : Lucern	K.G.	0.10
113	Seeds, cebolletas, bulbs, tubers, etc., of exotic plants or for agriculture, not elsewhere specified	K.G.	0.05
133	Coconuts and palm-nuts (coquitos)	K.G.	0.75
138	Fruits n.e.s : fresh		Free
Ex-138	Apples, fresh		Free

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
Ex-139	Bananas, dried or dehydrated	K.G.	0.75
144	Cocoa, crude or in the bean, husked or not	K.G.	0.20
145	Coffee in the bean	K.G.	0.25
146	Cocoa husks	K.G.	0.075
150	Tea: in bulk or packed in quantities exceeding 5 kilogrammes net	K.G.	1.50
153	Yerba-mate	K.G.	0.20
158	Saffron, natural or artificial	K.L.	32.50
159	Cinnamon and bastard cinnamon: whole	K.G.	0.25
161	Cloves, whole	K.G.	0.50
163	Cumins	K.G.	1.00
165	Pepper, whole	K.G.	0.80
167	Vanilla	K.L.	10.00
172	Cotton, raw, ginned or unginned	K.G.	0.02
174	Kapok (vegetable wool)	K.G.	0.15
Ex-175	Jute fibre	K.G.	0.05
179	Copra or *pufa* (meat of the coconut)	100 K.G.	0.50
181	Peanuts	K.G.	0.15
Ex-207	Flour: of bananas	K.G.	0.375
227	Canned soups, n.e.s.	K.G.	4.50
Ex-252	Whiskey, Cognac, Armagnac and rum ..	Litre	6.00
Ex-253	Angostura bitters	Litre	12.50
256	Vichy Water	K.G.	0.25

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
300	Sack-cloth, rough, hemp or jute (coarse cloth), whether tarred or not, containing in a square of 5 millimetres side: 8 threads or less	K.G.	0.162
302	Baize, woollen	K.N.	4.00
306	Oilcloth and linoleum for floors	K.G.	0.35
323	Sailcloth and duck: of hemp or jute ..	K.N.	0.75
324	Sailcloth and duck: of cotton or flax weighing less than 300 grammes per square metre	K.N.	1.90
325	Sailcloth and duck: of cotton or flax, weighing 300 grammes or more per square metre	K.N.	1.10
326	Osnaburg, of cotton (grey cloth [Tocuyo] rough and coarse, manufactured from waste), containing not more than 15 threads in a square of 5 millimetres side	K.N.	0.75
343	Tissues of wool or cotton, with ordinary dog-hair, horse hair, etc., called "Optima", for interlining wearing apparel	K.N.	9.00
358	Tissue of cotton and/or rayon, called "Cuerda" (cord), for the manufacture and repair of tyres and inner tubes ...	K.G.	0.10
389	Linen cloths, not elsewhere specified, bleached, printed, dyed, with coloured threads or coloured by means of the sizing, plain, having in a square of 5 millimetres side up to 30 threads ...	K.N.	9.00
564	Made-up clothing of cotton fabric, waxed or tarred, including accompanying hats to match	K.N.	2.00
714	Benzoic acid	K.L.	1.00

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
715	Boric acid	K.G.	0.65
716	Butyric and sulphuric acid, in containers of any capacity, not liable to corrosion by acid, such as those of glass, those covered with protective metal coating, etc.	K.L.	1.00
729	Tannic acid or tannin	K.G.	1.00
732	Alkaloids and their compounds: aconitin, atropin, berberin, brucin, cinchonamin, cinchonidin, cinchonin, cocaine, codeine, conin, cotarnin, curanin, emetine, ergotinin, ergotoxin, escramin, spartein, strychnin, gelsemin, hydrastin, hyoscyamin, hyoscin, homatropin, morphine, narcein, narcotin, nicotin, papaverin, pelletierin, pilocarpin, piperin, quinidin, quinine, solanidin, veratrin, yohimbin and others n.e.s.	Gr.N.	0.037
Ex-756	Nitrate of ammonium	K.G.	0.15
772	Anhydride: Xantogenic	K.G.	0.075
824	Diastases and vitamins: ingluvin, maltin, papain, or papayotin, pancreatin, pepsin, takadiastase and others, n.e.s.	K.N.	7.50
838	Phenols: liquid, crude (carbolic or phenic acid) and cresol (cresylic acid)	K.G.	0.075
914	Xanthate of potassium	K.G.	0.075
929	Cyanide of sodium	100 K.G.	2.00
Ex-956	Cod-liver oil	K.G.	0.35
Ex-958	Shark liver oil	K.G.	1.00
977	Catgut and other similar products for suture	K.L.	2.50

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1028	Kola nuts and nux vomica, whole or in powder	K.L.	0.50
1032	Pastilles, comprimés, tablets, tabloids, pills, drops, capsules, globules, dragées, granules, sachets (papelillos) and wafers, containing medicines, n.e.s.	K.L.	6.80
Ex-1055A	Mixtures of chemicals intended for the manufacture of pharmaceutical products, including compound medicinal solutions imported in containers holding each more than 5 kg. net	K.G.	1.50
1056	Fertilizers, phosphated, treated by alkalis or acids (superphosphates) ...		Free
Ex-1056	Bicalcic phosphate		Free
1065	Fuses, wicks and igniters, for use in mines	K.G.	0.15
Ex-1072	Mineral oil for machines, even with an admixture of other oils or substances, in containers of more than 1 kg. net .	K.G.	0.15
1085	Colophony (pine rosin) and Burgundy pitch	100 K.G.	1.50
1087	Gums: Arabic, copal, dammar, sandarac, lac, Senegal, tragacanth, mastic and others n.e.s; synthetic resins and mucilages of fruits, such as fruit pectine and others, for industrial purposes	K.G.	0.175
Ex-1087	Shellac	K.G.	0.175
1089	Lubricating grease containing more than 50% of mineral oil	K.G.	0.40
1093	Paraffin wax, melting at under 60 °C.	K.G.	0.10

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1094	Paste prepared for the manufacture of cylinders or discs for gramophones or other similar apparatus	K.L.	0.15
1106	Prussian and ultramarine blue	K.G.	0.30
1126	Paints in tubes, small bottles or small cakes, for oil or water painting, also in the form of crayons for pastel drawing, whether or not put up in boxes, with or without the corresponding requisites for painting or sketching	K.L.	1.90
Ex-1130	Inks for printing	K.G.	0.20
1144	Cresylic acid, mixed with sulphide of phosphorus for concentration of ores..	100 K.G.	0.50
Ex-1189	Iron and steel, rolled, in bars more than 3 metres in length, including hoops, not worked subsequently to the rolling	K.G.	0.10
	Note: While a rate of duty lower than 0.10 per K.G. is in force for this item, this lower rate shall be applied.		
Ex-1189	Bars of iron, rounded or squared, weighing less than 30 kg. per linear metre.	K.G.	0.10
Ex-1189	Angle-irons and T-sections, weighing less than 10 kg. per linear metre...	K.G.	0.10
Ex-1189	Small bars of iron (steel billets) more than 3 metres in length	K.G.	0.10
	Note While a rate of duty lower than 0.10 per K.G. is in force for this item, this lower rate shall be applied.		
119	Iron and steel, rolled, in plain sheets, rectangular, more than 1 sq.m. in area and more than 50 cm. side, neither galvanized nor coated with other metals	K.G.	0.075

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1194	Iron and steel, rolled, in sheets, painted, galvanized, or metal coated, also sheets pressed on to boards of wood or other material	K.G.	0.30
1194 A	Iron and steel, rolled, in sheets and bars, cut into any shape, whether minium-coated or not, also steel pieces for axles, of any length and not lathe-turned, obtained by elongating foundry ingots	K.G.	0.10
1194 B	Iron and steel, rolled, in sheets and bars, perforated or polished by the emery-wheel, the plane or the lathe, whether minium-coated or not	K.G.	0.15
1194 C	Iron and steel, rolled, in compound sections for buildings, such as girders, crossirons (tijerales), columns, pillars and the like	K.G.	0.20
1197	Tin-plate, ordinary	K.G.	0.075
1200	Aluminium, pure or not, in bars or sheets, n.e.s.	K.G.	0.15
1275	Safety razor blades, whether or not nickled, chromium-plated, silvered or gilt	for ten	0.15
1279 A	Meters, for water, illuminating gas, oil and other gases or liquids, except drinking water meters, mounted or not, also their parts n.o.s., weighing up to 500 K.W. (of iron or steel)	K.G.	1.10
1290	Bearings, pillow-blocks, bushes, boxes or brackets for bushes, also spare balls, rollers or bars	K.G.	0.75

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1293	Screws, bolts and devices on which they are fixed, washers and nuts, threaded or not, even if belonging to unassembled machines or apparatus, provided they are not imported in the same package as the latter; hooks, plugs (nudillos) and rods for insulators imported separately from the latter	K.G.	0.90
1330	Taps, stop-cocks and valves for any purpose or use, and their spare parts of bronze; water jets, also sockets and connections for hoses .	K.G.	3.00
1335 A	Meters: For water, illuminating gas, oil, and other gases or liquids, except drinking water meters, mounted or not, also their parts not elsewhere specified, weighing up to 500 kilogrammes (not made of iron or steel)	K.G.	1.10
1343	Machines n.e.s. (mining)	K.G.	0.18
1344	Apparatus n.e.s. (mining)	K.G.	0.25
1345	Components and spares, n.e.s. of machines and apparatus (mining).	K.G.	0.25
1346	Ploughs	K.G.	0.25
1347	Machinery not elsewhere specified (agricultural)	K.G.	0.125
1349	Vintage machines; pumps with bronze lining; grape stoners, centrifugal system; cylinder crushers; hydraulic presses, with or without bronze wine-presses and trays; wine screw presses; traction sulphuring apparatus, and similar vitivinicultural apparatus	K.G.	0.10

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1351	Components and spares, not elsewhere specified, of machines and apparatus (agricultural)	K.G.	0.30
1354	Pumps (for industries and trades) ..	K.G.	0.18
1355A	Machines for conveying materials or products, n.e.s.	K.G.	0.125
1356B	Made-up packing, discs and rings for clutches, pistons or valves, also brake bands, made up or not, for industrial purposes or not:- of metal, even containing up to 30% of rubber or other material in any proportion	K.G.	1.50
1356C	Made-up packing, discs and rings for clutches, pistons or valves, also brake bands, made up or not, for industrial purposes or not:- n.e.s.	K.G.	1.50
1357	Cranes, derricks, winches and other lifting machines	K.G.	0.125
1357A	Tackle, pulleys, muffles, jacks and other lifting apparatus	K.G.	0.25
1358	Machinery, n.e.s. (for industries and trades)	K.G.	0.125
Ex-1358	Machinery for the manufacture of cigarettes	K.G.	0.126
Ex-1358	Machinery for sugar refinery	K.G.	0.126
1359	Apparatus not elsewhere specified (for industries and trades)	K.G.	0.26
1360	Protective clothing for artisans and craftsmen, n.e.s., such as helmets, aprons, masks, gloves, wrappers of rubber for working on high-tension lines, etc.	K.G.	1.75

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
Ex-1361	Components and spares n.o.s., of machinery and apparatus for the construction and maintenance of roads	K.G.	0.30
1362	Whetstones and emery or carborundum stones, mounted or not, also oil-stones, n.o.s.	K.G.	0.35
1367	Spare appliances for industrial or other purposes which are added to machines, apparatus or tools for performing certain work, such as polishing discs, drills, spindles for weaving looms, etc., also accessories used to obtain a variety in the production thereof, such as Jacquard cards, lino-type matrices, stamping moulds, etc.: of metal or wood	K.G.	0.35
Ex-1367	Matrices for gramophone records ...		Free
Ex-1367	Blades for hand saws	K.G.	0.025
Ex-1367	Saws of all kinds for machines	K.G.	0.125
1369	Hoes, toothed hoes (azapicos), picks, pick-axes and rakes, without handles	K.G.	0.25
1376	Implements and hand tools, and parts thereof	K.G.	0.15
Ex-1376	Sickles	K.G.	0.15
1379	Spades without handles	K.G.	0.25
Ex-1383	Steam generating boilers or heaters of water under pressure, including super-heaters and economisers: weighing more than 3,000 kg.gross	K.G.	0.25
Ex-1383	Radiators and other similar apparatus, n.o.s. for central heating and refrigeration, weighing more than 75 kg.net	K.G.	0.15

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1386	Belts or bands, whether or not imported with their corresponding machines, and belt thongs, for transmissions, of leather	K.G.	1.50
1387	Belts or bands, whether or not imported with their corresponding machines, and belt thongs, for transmissions; n.e.s..	K.G.	1.10
1388	Belts or bands, whether or not imported with their corresponding machines, and belt thongs, of leather, rubber or textile materials, for conveyor machines	K.G.	0.20
1390	Engines (motors), including vehicle engines, explosion or combustion	K.G.	0.18
Ex-1390	Motors (engines) for fishing craft	K.G.	0.05
Ex-1393	Engines (motors), including vehicle engines, electric, of more than 5 h.p..	K.G.	0.18
1396	Components and spare parts of boilers, engines (motors) and turbines	K.G.	0.45
1398	Wire for all purposes, covered with insulating materials or with materials other than silk	K.G.	0.15
1401	Radio valves and rectifiers, for all purposes	K.G.	3.80
1402	Apparatus for telephone and telegraph plants, with wire or not, not elsewhere specified	K.G.	0.25
1406	Carbons and electrodes	K.G.	0.15
1408	Dynamos, alternators, converters and other machines n.e.s.	K.G.	0.18
Ex-1410	Transformers of more than 200 k.w.a. ..	K.G.	0.25

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1411	Components and spare parts, n.e.s., for machinery and apparatus of Group No. 63 (electric)	K.G.	0.45
1414	Electricity meters and other electricity measuring apparatus, also their spares	K.G.	1.10
Ex-1415	Accumulators, weighing more than 100 kg. net	K.G.	0.25
1425	Freight cars for temporary or portable railways (Decauville's and other systems), also for aerial railways (andariveles), including hoppers imported separately; hand-cars (volandas) and light trucks for repairs of the roadbed (camionetas), also cars with or without motor, for the erection of aerial railway lines	K.G.	0.15
1429	Semaphores and signalling materials, n.e.s.	K.G.	0.30
1430	Locomotives and their tenders, steam or electric	K.G.	0.15
1432	Rails for railways, cable railways, cranes, etc., including rack rails, whether perforated or not	K.G.	0.0375
1433	Wheels, axles and tyres, each weighing more than 50 kg. net.	K.G.	0.075
1439	Components and spare parts, n.e.s., of machinery and apparatus (railways and tramways)	K.G.	0.45
1449	Dredgers, floating	K.G.	0.075
1462	Aircraft and parts thereof n.e.s.	K.G.	0.075
	Automobiles, n.e.s., new or used, for conveying passengers and goods, assembled or not:		
Ex-1463	Weighing from 501 to 1000 kg. each	K.N.	0.80

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
Ex-1463	Weighing from 1001 to 1500 kg. each ...	K.N.	1.10
Ex-1464/69	Weighing more than 1500 kg. each	K.N.	2.10
Ex-1463/69	Trucks, vans and buses	K.N.	0.10
Ex-1463/69	Jeeps and agri-jeeps	K.N.	0.025
Ex-1463/69	Ambulances		Free
	Note:- The tax of 15% on passenger vehicles will be imposed only on vehicles with a c.i.f. value greater than 1500 American dollars.		
1471	Horns and other alarm apparatus	K.G.	0.50
Ex-1475	Motor-driven vehicles for the conveyance and stowage of goods	K.G.	0.20
1476	Freight vehicles, without motors (engines), to be drawn by trucks or tractors	K.G.	0.20
Ex-1476	Special appliances for attachment to trucks to increase their carrying capacity	K.G.	0.20
1480	Chassis of automobiles, assembled or not; the chassis is deemed to comprise the engine (motor), with its ignition circuit, and lubrication and cooling systems, etc; the framework, the control, lighting, transmission and running gear; the adjuncts thereof, such as wind shields, bumpers, running boards, sócalos, mudguards, dashboards, spare-wheels, dumping mechanisms, etc: driven by gasoline or petroleum motors	K.G.	0.075
Ex-1480	Tractors	K.N.	0.05
1482	Axles with or without bushings or nuts ..	K.G.	0.20

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1483	Lights for vehicles, including movable searchlights	K.L.	2.50
Ex-1487	Pneumatic tyres, for agricultural machines, machines for the construction and maintenance of roads and for tractors, with an external diameter of more than 1 metre and with a normal maximum inflation pressure of 40 lbs. per square inch	K.G.	0.50
1490	Springs, except those called shock absorbers for automobiles	K.G.	0.225
1492	Vehicle components and spares n.e.s.	K.G.	0.40
1494	Vitreous compositions for fire enamelling or for colouring glass ..	K.G.	0.075
1497	Asbestos or amianthus, prepared in fibrous, pasty or powdery condition, whether or not mixed with other substances	K.G.	0.075
1498	Asbestos or amianthus, prepared, wrought, into any unspecified shape, with or without parts of base metal, rubber or textile materials, for the manufacture of packing	K.G.	1.10
1562	Bricks, blocks, prisms of any shape; tiles, viz. slabs less than 1 square metre in area, and other similar articles: fireproof	100 K.G.	3.80
1574	Glass paper and emery paper or emery cloth	K.G.	0.15
Ex-1583	Cut pieces or bands of leather, prepared for hats and caps (hat-leathers)	K.L.	15.00
1786	Precious stones and pearls, unset or strung, with or without clasp: brilliants, diamonds, rubies, emeralds, sapphires and pearls	Gr.N.	20.00

SCHEDULE VII - CHILE

PART I (continued)

Chilean Tariff Item No.	Description of Products		Rate of duty
1804	Prismatic binocular glasses	each	35.00
1808A	X-ray and ultra-violet-ray apparatus, and apparatus for the application of galvanic, Faradic, thermic currents, etc., n.e.s.	K.G.	0.75
1809	Scales, steelyards, weighing machines and dynamo-meters (including the corresponding weights), automatic, n.e.s., strength exceeding 2 but not exceeding 50 kg., including those of a higher strength for weighing persons	K.G.	2.00
1815	Biographs, cinematographs and other similar apparatus, and unspecified parts thereof	K.G.	3.80
1822	Artificial teeth, eyes and eardrums	K.L.	30.00
1828	Machines and apparatus for pure or applied sciences, not elsewhere specified, weighing up to 20 kg. net	K.L.	2.20
1855	Photographic cameras, including those for taking cinematograph films, also parts thereof	K.L.	3.80
1856	Calculating machines and apparatus: arithmometers, etc., also parts thereof	K.G.	3.00
1857	Typewriters and writing apparatus, and parts thereof, n.e.s.	K.G.	1.50
1867	Thermometers for all purposes and other measuring apparatus, n.e.s., such as barometers, hygrometers, pluviometers, pyrometers, etc., and also spare parts thereof	K.L.	2.20
Ex-1934	Balls for playing lawn bowls		Free

SCHEDULE VII - CHILE

PART I (concluded)

Chilean Tariff Item No.	Description of Products		Rate of duty
Ex-1936	Refrigerators for domestic use, for the preservation of foodstuffs, up to 10 cubic feet in capacity	K.G.	0.50
1943	Fishing tackle, such as hooks, harpoons, rods, floats, leads, nets and other articles		Free

General Observations

The duties included in the present Schedule VII are expressed in Chilean gold pesos of 0.183057 grammes fine gold.

SCHEDULE VIII - REPUBLIC OF CHINA

This Schedule is authentic only in the English language.

PART I

Most Favoured Nation Tariff

China's Tariff and Code Number.	Description of Products	Rate of Duty
Ex 71/00	Cotton, Raw, having a staple of $\frac{7}{8}$ inch or more in length	10%
100/11-42	Yarn and Thread, of Flax, Ramie, Hemp, and/or Jute, mixed or not mixed with Cotton	15%
104/10-20 40-50	Flax Piece Goods, White, Plain, mixed or not mixed with Cotton, weighing not more than 170 grammes per square metre, and having more than 50 threads but not more than 80 threads in a square centimetre in warp and weft	7½%
104/30	Embroidery Linen, White, Plain, of the above descriptions (including Pure Linen Piece Goods and Flax and Cotton Mixture Piece Goods, the flax content of which is not less than 40 per cent of their total weight, ordinarily classifiable under Tariff heading No. 105 imported under bond for embroidering or similar hand manufacture)	5%
106/00	Hessian Cloth	12½%
107/00	Hemp Bags and Hessian Bags, New	15%
	Wool, Sheep's, Goats' and Camels' (including Carded or Combed):-	
112/11	Sheep's, Greasy	7½%
112/12	Sheep's, Scoured	7½%
Ex 112/20	Goats' (Greasy or Scoured)	7½%
Ex 112/40	Sheep's, Carded or Combed (including Wool Tops and Noils of counts of, and not finer than, 56's)	10%
Ex 112/40	Sheep's, Tops and Noils, of counts finer than 56's	8%
113/10 Ex 113/20	Waste Wool, Sheep's and Goats' (including Waste Wool mixed with any other fibres except Silk)	5%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
136/00	Imitation Gold or Silver Thread, on Silk, pure or mixed	50%
137/10-30	Lace, Trimmings, Embroidered Goods, and all other materials used for decorative or ornamental purposes; and all products made wholly thereof, on Silk, pure or mixed	70%
	Silk Velvets, Plushes, and all other Pile Cloths, pure or mixed:-	
140/10	of Pure Natural Silk	70%
140/20	of Pure Artificial Silk	70%
140/50	of Natural Silk and Artificial Silk	70%
147/10	Aluminium Foil, Plain, Not Interleaved with Paper	20%
149/00	Aluminium Grains, Ingots, and Slabs	5%
150/00	Aluminium Sheets and Plates	15%
151/20	Aluminium, Others (Wire excepted)	12½%
161/00	Brass and Yellow Metal: Tubes	12½%
163/00	Brass and Yellow Metal: Others	17½%
164/00	Copper Bars and Rods	10%
166/00	Copper Ingots and Slabs	10%
169/00	Copper Sheets and Plates	10%
171/00	Copper Tubes	12½%
173/00	Copper Wire Rope	15%

SCHEDULE VIII - REPUBLIC OF CHINA

PART 1 (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
	Iron and Steel, Ungalvanized (not including Bamboo, Spring, Tool, and Alloy Steel):-	
175/10	Anvils, Swage-blocks, Anchors and parts of, and Forgings, each weighing in every case 11.5 kg. or over	20%
176/00	Billets, Blooms, Ingots, Slabs and Sheet-bars	15%
179/00	Chains, New, and parts of	12½%
181/00	Crossings and Turn-tables for Railways	7½%
182/00	Hoops	12½%
186/10-30	Pipes, Tubes, and Pipe and Tube Fittings	17½%
187/00	Plate Cuttings, of non-uniform size (including scrap lots of mixed dimensions, irrespective of size, and Croppings of Channels, Tees and Angles)	10%
188/00	Rails (including Steel Sleepers, Fish-plates, Spikes, Bolts, and Nuts for use with the Rails)	7½%
191/10-20	Sheets and Plates, 3.2 mm. thick or more	12½%
192/00	Sheets and Plates, under 3.2 mm. thick	12½%
195/00	Tinned Plates, Decorated	20%
196/00	Tinned Plates, Plain	15%
199/00	Wire	12½%
200/10-20	Others	15%
	Iron and Steel, Galvanized:-	
203/10-20	Pipes, Tubes, and Pipe and Tube Fittings	17½%
204/10-20	Sheets, Corrugated or Plain	15%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
205/00	Wire	12½%
207/30	Iron and Steel, Galvanized or Ungalvanized, Used Hoops and Hoop Ends or Cuttings (including scrap lots of mixed dimensions, irrespective of size)	12½%
207/51	Iron and Steel, Galvanized, Wire Shorts	12½%
209/10-20	Iron and Steel, Galvanized or Ungalvanized, Wire Rope, New (with or without fibre core)	15%
211/00	Bamboo Steel	15%
212/00	Spring Steel	12½%
213/10-30	Tool Steel (including High-speed Steel) and Alloy or Special Steel	12½%
214/00	Iron or Steel Plates or Sheets, Angles, Channels, Tees, Joists, Girders, and other Structural Sections or Building Forms of Iron or Steel, if drilled, punched, assembled, fitted, or fabricated for use, or otherwise advanced beyond hammering, rolling or casting	15%
218/00	Lead Pigs or Bars	22½%
225/00	Nickel	10%
236/10-20	Zinc Powder and Spelter	15%
237/00	Zinc Sheets (including Perforated), Plates, and Boiler Plates	20%
Ex 240/20	Cobalt, Tantale, Cadmium, Ferrosilicon, and Ferrochrome	15%
244/00	Agricultural Machinery, and parts thereof	7½%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
	Electrical Machinery for Power Generating and Transmission, such as Dynamos, Motors, Transformers, Converters, etc., and parts thereof:-	
245/41-55	(a) Dynamos and Motors not over 20-kilowatt capacity, and Transformers not over 200-kilo-volt-ampere capacity and parts or accessories thereof	12½%
245/61-80	(b) Others	10%
246/06-60	Machine Tools, such as Lathes, Planers, Drill Presses, etc., and parts thereof	7½%
247/10-40	Machine Shop Tools, such as Cutters, Drills, Reamers, etc. (including Pneumatic and Electrically Operated Tools), and Hand Tools made wholly or chiefly of metal	7½%
248/11-29	Prime Movers, i.e., Gas Engines, Oil Engines, Steam Engines, Hydraulic Turbines, Steam Turbines, Turbo-generator Sets, and other Prime Movers, combined with Generators or not, and parts thereof	7½%
249/00	Steam Boilers, Economisers, Superheaters, Mechanical Stokers, and other Boiler-room Accessories, and parts thereof	7½%
250/11-15	Sewing Machines, and parts or accessories thereof	10%
251/11-45	Typewriters, Automatic Sales Machines, Calculating Machines, Cash Registers, Copy Presses, Cheque Perforators, Dating Machines, Duplicating Machines, Numbering Machines, and similar Office Machines for Clerical or Accounting Purposes, and parts thereof	17½%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
	Machinery, n.o.p.f., and parts thereof:-	
252/10	Pumping and Pumps, and parts	10%
Ex 252/20	Printing Machinery	10%
252/31-32	Textile Machinery, and parts	10%
252/85	Refrigerators and Refrigerating Equipment, Industrial, including parts and accessories thereof, n.o.p.f.	10%
252/90	Others, including Dairy Machinery	10%
253/10-50	Aeroplanes, Hydroplanes, and all other Flying Machines and parts thereof	5%
254/00	Fire Engines, Hydrants, and other Fire-extinguishing Appliances, irrespective of propelling power (including Hand Chemical Fire Extinguishers), and parts thereof	5%
	Vehicles, Motor:-	
256/10 256/15 256/20 256/25 256/40 256/45	(a) Motor Tractors, Motor Trailers, Motor Passenger Vehicles with seats for not less than 12 passengers, Motor Trucks over 1 metric ton carrying capacity, and Chassis for any of the above	15%
	(b) Others (including Motor-cars, Motor-cycles, etc.), assembled or in parts; Chassis, and Bodies with metal parts assembled for any of the above:-	
256/30	Trucks not over 1 metric ton carrying capacity	25%
256/35	Chassis for Trucks not over 1 metric ton carrying capacity	25%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
256/50	Motor-cars, n.o.p.f.	30%
256/55	Chassis for Motor-cars, n.o.p.f.	30%
256/60	Motor Cycles	30%
256/65	Motor Vehicles, n.o.p.f.	30%
	(c) Parts and Accessories (except Tyres):-	
256/70	(1) For Motor Cycles	25%
256/75	(2) Others (vide Note below)	15%
	Note: Front Wheels, Rear Wheels, Front Springs, Rear Springs, Front Axles, Rear Axles, Frames, Radiators, Propelling Shafts, Motive Power, and Unassembled Parts of Bodies are dutiable at the above rate when packed separately; otherwise they shall be subject to a duty of 30 per cent.	
	Railway and Tramway Supplies:-	
257/10	(a) Locomotives and Tenders	5%
257/21-22	(b) Railway or Tramway Carriages or Wagons	5%
Ex 260/10	Office Filing Cabinets, and Systems as Kardex, etc., made wholly or chiefly of metal	30%
Ex 262/00	Radiators, Steam Heaters, Oil-burning and Spirit-burning Heating Stoves, and similar appliances and parts thereof	25%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
	Electric Cookers, Fans, Flash-lights, Irons, Lampware, Radiators, Toasters, and other similar Electric Appliances, and parts thereof:-	
264/35	Refrigerators, Electric, Household, complete	25%
264/36	Parts or Accessories of Electric Household Refrigerators, n.o.p.f.	25%
Ex 264/40	Others (Electric Bells, Hot-plates, and Smoothing Irons and parts or accessories thereof excepted)	25%
265/10	Electric Accumulators or Batteries and parts thereof	25%
265/20	Dry Cells and Parts thereof	25%
268/10	Electric Meters	10%
270/20	Strong-room and Vault Doors	25%
	Telephonic and Telegraphic Instruments, and parts thereof: (a) Radio Sets and parts:	
271/11	(1) Hard Rubber or Composition Dials, Litzendraft Wire, Grid Leak, Microphones, Headphones, Loud Speakers and Loud Speaker Units, Crystals, Transmitting Vacuum Tubes, Intervalve Audio Frequency Transformers, and Receiving and Transmitting Condensers of all kinds	15%
271/12	(2) Buzzers, Receiving Vacuum Tubes, A.B.C. Battery Eliminators, Sockets, Jacks, Plugs, Lugs and Tips, Binding Posts, Name-plates, and Brackets	15%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
271/14-15	(3) Switches, Lightning Arresters, Keys, Coils, and Complete Radio Sets and Units	25%
286/10-20	Fish Maws	25%
299/00	Asparagus (in cans or bottles)	30%
305/00	Butter	30%
307/00	Cheese	30%
309/10	Cocoa Beans	30%
311/11-23	Coffee	30%
313/10-20	Currants and Raisins	20%
323/00	Milk and Cream, Evaporated or Sterilized	20%
324/00	Milk, Condensed	20%
325/00	Milk Food (including Dried Milk, Lactogen, Glaxo, etc.)	20%
326/00	Oil, Cod-Liver (including Oil, Fish Liver, Liquid, Medicinal)	10%
327/10	Oil, Olive, in bulk	25%
330/00	Sausages, Dried	30%
334/42	Foodstuffs, n.o.p.f., Others: Canned or in any other packing	35%
357/00	Flour, Wheat	15%
Ex 358/20	Oatmeal	25%
Ex 358/30	Rolled Oats and Groats	25%
Ex 360/10	Prunes, Dried	20%
362/10-20	Ginseng (including Beard, Roots and Cuttings)	30%
372/00	Malt	12½%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
Ex 373/00	Quinine Bark	7½%
Ex 391/00	Seeds, Grass and Clover	17½%
392/10	Spices and Condiments, n.o.p.f., not prepared, in bulk	20%
Ex 394/20	Vegetables, Fresh, Dried, Prepared, and Salted: in cans or bottles	25%
395/00	Wheat	15%
396/00	Molasses	7½%
402/10	Lactose (Milk Sugar)	40%
Ex 403/00	Champagne	70%
404/00	Other Sparkling Wines	70%
405/10-20	Still Wines, Red or White, exclusively the produce of the natural fermentation of Grapes (not including Vins de Liqueur)	80%
408/10-20	Vins de Liqueur other than Port and Marsala (viz., Madeira, Malaga, Sherry, etc.)	80%
409/00	Vermouth, Byrrh and Quinquina	80%
410/00	Vermouth, in bulk	80%
413/10-20	Brandy and Cognac	70%
414/10-20	Whisky	80%
415/10-20	Gin	80%
416/10-20	Rum (not including Rum in bulk for industrial uses)	80%
417/00	Liqueurs	70%
Ex 419/10	Angostura Bitters	80%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
423/10-20	Tobacco, Leaf	10%
425/10	Tobacco, Stalk	15%
429/00	Acid, Carbolic	15%
Ex 434/20	Alcohol, Denatured	35%
436/00	Alumina, Sulphate of	10%
439/00	Ammonia, Chloride of (i.e., Sal Ammoniac)	10%
442/00	Barium, Carbonate of	10%
445/00	Borax, Crude or Refined	10%
451/10	Glycerine, in packages of not less than 13 kg. each	12½%
Ex 452/00	Insecticides and Disinfectants (excluding Mosquito Smudges)	22½%
459/00	Potash, Chlorate of	5%
462/00	Rum for industrial uses	15%
467/00	Soda, Bichromate of	10%
472/00	Soda, Hydrosulphite of	12½%
473/00	Soda, Nitrate of (Chile Saltpetre)	7½%
475/00	Soda, Silicate of	20%
Ex 480/40	Radium	15%
	Medicines, Drugs and Medicinal Substances, Compounds and Preparations, n.o.p.f.:-	
Ex 481/10	Acetylsalicylic Acid (in powder form)	25%
481/50	Proprietary Medicines	25%
Ex 481/70	Capsulated Fish Liver Oils	20%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
Ex 481/70	Anti-biotics, such as Penicillin, Penicillin Products, Streptomycin, etc.	20%
Ex 481/70	Others (excluding Capsulated Fish Liver Oils, and Anti-biotics, such as Penicillin, Penicillin Products, Streptomycin, etc.)	25%
482/00	Aniline Dyes, and other Coal Tar Dyes, n.o.p.f.	35%
483/00	Bark, Mangrove	10%
487/00	Bronze Powder	15%
488/00	Carbon Black (i.e. Lampblack)	15%
491/00	Cobalt, Oxide of	15%
498/11-25	Indigo, Artificial	35%
499/00	Indigo, Dried, Natural	35%
500/00	Indigo, Liquid, Natural	35%
501/10-20	Inks of all kinds	20%
511/13	Wattle Extract	12½%
Ex 511/20	Tanning Extract from Eucalyptus Wood	15%
513/00	Ultramarine	15%
517/21	Lithophone	15%
517/32	Wattle Bark	12½%
518/20	Enamels	20%
518/30	Paints	20%
518/40	Polishes	20%
518/50	Varnishes	20%
Ex 518/60	Nitrocellulose (Pyroxylin) Lacquers	20%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
521/00	Grease, Lubricating, wholly or partly mineral	10%
522/00	Gum Arabic	10%
526/00	Resin	15%
527/10-20	Shellac and Button Lac	15%
534/10	Oil, Lubricating, wholly or partly of mineral origin	12½%
538/00	Wax, Bees, Yellow	10%
539/00	Wax, Paraffin	12½%
Ex 541/11	Essential Oils, Natural, of Citronella; Niaouli (Gomenol); Ylang-Ylang; Lemon-grass; Vetiver; Rose Geranium; Gardenia; Clove; Rosewood; Orange; Lemon; and Lavender	15%
Ex 541/11-13	Essences, Concentrates, Extracts or Mixtures of Flavouring Materials, both Natural and/or Synthetic, in Liquid or Dry Form, for the preparation of Non-alcoholic beverages - no sweetening agent having been added	15%
Ex 541/32	Hardened Fat of Whale Oil	15%
Ex 541/32	Tallow, Animal	15%
542/00	Books, Printed or Manuscript, Bound or Unbound (not including Note-books, Ledgers, and other office, school and private stationery)	Free
	Newspapers and Periodicals:-	
544/10	(a) Old (fit only for packing or remanufacture)	7½%
544/20	(b) Others	Free

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
549/20	Paper, Document and Document Bond	25%
Ex 555/10	Paper, Tissue, free of Mechanical Wood Pulp (excluding Copying and Manifold Paper)	25%
556/11-19	Paper, Writing and/or Printing, Glazed or Unglazed, White or Coloured, Plain or Laid (including Antique Wove, Uncoated Art Printing Paper, and the like), n.o.p.f., Free of Mechanical Wood Pulp	25%
559/00	Wood Pulp, Chemical	5%
Ex 561/15	Adding Machine and Cash Register Papers; Files, Folders, Index Cards, and similar Paper Office Forms and Supplies classifiable as Paperware; Filter Paper cut to size; Litmus Paper in Booklets; Stencils; Toilet Paper in small rolls; Paper Napkins, Towels, Plates, Cups, Handkerchiefs and Sippers; Gummed Stickers and Tapes; and Labels other than those for Match-manufacturing	30%
562/11-22	Hides	7½%
563/00	Leather, Belting	12½%
Ex 565/11-21	Leather, n.o.p.f.: Upper Leather of Cattle, Calf, Kip, Goat and Kid; and Patent Leather	20%
	Skins (Furs):-	
567/31-56	(a) Undressed	10%
567/71-96	(b) Dressed and/or Dyed	20%
Ex 582/00	Timber, Ordinary, Rough Hewn: Softwood	12½%
Ex 583/00	Timber, Ordinary, Sawn: Hardwood; Brush Box, Ironbark and Tallow Wood	20%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
584/00	Timber, Ordinary, Sawn: Softwood	20%
Ex 586/10-20	Timber, Ordinary, Manufactured (including any process further than simple sawing, but not including Masts and Spars): Softwood, planed	20%
588/00	Railway Sleepers	10%
Ex 590/10	Jarrah Paving Blocks	20%
Ex 593/10	Coir, Fibre and Yarn	10%
593/40	Coir Matting	20%
599/10-18	Straw, Panama Straw, etc.	12½%
600/32	Wood, Sandal, other than Indian	20%
Ex 600/55	Sugar Wood (Myoporum Platycarpum)	20%
	Woodware of all kinds and other Manufactures of Wood, n.o.p.f.:-	
601/30	Sandal, Dust	20%
601/40	Shavings (for Match-manufacturing)	15%
601/45	Shooks (for making Casks and Cases)	15%
601/50	Splints (for Match-manufacturing)	15%
601/62	Plywood	20%
605/20	Asphalt	10%
Ex 609/20	Enamelled Sanitary Ironware (such as Bath Tubs, Lavatory Ware, etc.) with or without fittings, and other Enamelled Household Ironware	20%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
	Glassware (not including Chemical and other Scientific Glassware):-	
615/11	Crystal or Semi-Crystal Ware; Cut and/or Polished (including those combined with Precious Metal or Metals or coated with Precious Metals)	22½%
615/21	Bottles, Empty	25%
620/10-20	Emery and Glass Powder	5%
621/10	Fire-bricks	10%
Ex 626/20	Earthenware and Potteryware for industrial and sanitary purposes	20%
	Note: The term "Potteryware" includes Chinaware and Porcelainware for industrial and sanitary purposes	
Ex 626/60	Plumbago	12½%
628/10-80	Animals, Living	7½%
	Asbestos and Manufactures thereof:-	
629/30	Sheets or Packings, Woven	15%
629/40	Sheets or Packings, Compressed	15%
629/60-70	Boiler Composition and other Products	15%
630/10	Medicinal, Surgical and Dental Instruments and parts	10%
631/00	Building Materials, n.o.p.f.	20%
632/11-12	Buttons, Metal (not including those made of, or plated with, precious Metals)	25%
641/11	Complete Radio-Gramophone Combinations	30%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Continued)

China's Tariff and Code Number	Description of Products	Rate of Duty
Ex 641/20	Parts and Accessories of above	30%
	India-rubber and Gutta-percha, and Manufactures thereof: Others:-	
644/42	Pneumatic Tyres for Motor Vehicles, containing natural and/or synthetic Rubber	20%
644/43	Inner Tubes for Motor Vehicles, containing natural and/or synthetic Rubber	20%
644/51	Other Manufactures, n.o.p.f., containing natural and/or synthetic Rubber	25%
647/10-20	Leather, Imitation, and Oilcloth (not including Oilcloth for Flooring), and Manufactures thereof:-	
	(a) Leather, Imitation, and Oilcloth	25%
	(b) Manufactures of Imitation Leather and Oilcloth	30%
648/10-20	Linoleum and other Floor Coverings, n.o.p.f.	30%
649/10	Machine Belting, other than those made of Rubber	15%
Ex 655/20	Perfumery, Alcoholic	35%
656/11-13 656/31-39 Ex 656/40	Photographic and Cinematographic Products, Apparatus and Materials of all kinds (except Chemicals and Developed Cinematographic Films)	25%
Ex 658/20	Precious and Semi-precious Stones, Imitation: Others (including Manufactures thereof)	30%

SCHEDULE VIII - REPUBLIC OF CHINA

PART I (Concluded)

China's Tariff and Code Number	Description of Products	Rate of Duty
664/21-22	Synthetic Resins and other Plastics: Other than Manufactures thereof, n.o.p.f. (including Lumps, Bands, Bars, Rods, Plates, Sheets, Tubes, Powder, etc., i.e., not as finished articles)	20%
Ex 672/75	Crown Corks, metal, complete with cork insert	20%
	NOTE The Code Numbers given herein refer to those appearing in the Guide to the Import Tariff and Classification of Returns, Revised Edition, July, 1940.	

SCHEDULE VIII - REPUBLIC OF CHINA

PART II

Preferential Tariff

China's Tariff and Code Number	Description of Products	Rate of Duty

N I L

SCHEDULE IX - CUBA

(This schedule is authentic only in the English language)

PART I

Most-Favored-Nation Tariff

Cuban Tariff Item Number	Description of Products	Rate of duty
		(Specific duty in Cuban pesos)
	GROUP 1. STONES AND EARTHS EMPLOYED IN BUILDING, ARTS AND MANUFACTURES.	
3	Earths employed in the arts and in manufacturing, and manufactures of gypsum:	
3-F	Infusorial earths (diatomeas) known as "Kieselguhr", "Filtercel", etc., used in refining sugar.	Free
	GROUP 2. COAL, SHALES, BITUMENS AND THEIR DERIVATIVES.	
4	Coal and coke:	
4-A	Coal.	Free
4-B	Coke, including petroleum coke.	Free
7	Derivatives of petroleum:	
7-D	Special naphthas and volatile solvents for the manufacture of paints and varnishes.	not negotiated
	GROUP 4. CRYSTAL AND GLASS.	
10	Common or ordinary glass:	
10-D	Articles of adornment or fancy articles adaptable to lamps manufactured in Cuba which are of the technical-scientific-industrial nature of ordinary glass.	4.71 per 100 Kgs.
11	Ordinary colorless or artificially colored glass:	
11-C	In ornaments or fancy articles.	13.00 per 100 Kgs.
11-D	Glass utensils and apparatus for laboratories and scientific uses in general, flat or curved, plain or engraved, solid or hollow, except ampules.	not negotiated
11-F	Ampules.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
12	Crystal:	
12-B	In ornaments and fancy articles of all kinds not specifically classified.	0.25 per Kg.
12-D	Imitations of pearls, fine or precious stones and enamels.	..11 per Kg.
15	Incandescent electric lamps:	
15-F	Sealed beam headlight units for automobiles, trucks, motorcycles, etc.	30% ad valorem
15-G	Fluorescent electric lamps.	30% ad valorem
	GROUP 5. ARTICLES OF CLAY, CEMENT, STONE-WARE, PORCELAIN AND ANALOGOUS MATERIALS.	
21	All classes of porcelain articles not elsewhere specified:	
21-B	Painted, gilded, or with ornaments in relief.	9.00 per 100 Kgs.
	GROUP 3. WROUGHT IRON AND STEEL.	
47	Tools and implements not constituting apparatus:	
47-B	Plows, hoes, sickles, scythes, "machetes" and knives for agricultural labors exclusively.	Free
	NOTE: The Government of the Republic of Cuba reserves the right to impose an import duty on animal-drawn plows, hillers, cultivators and similar implements.	
47-E	Fish-hooks.	2.40 per 100 Kgs.
47-F	Other tools and implements.	not negotiated
48	In screws, nuts, bolts, washers and rivets, nails, meat-hooks, tacks, brads and other articles not specified in other Items:	
48-A	Nails and brads made of wire.	not negotiated
48-B	Nails of wrought iron or steel.	2.00 per 100 Kgs.

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
48-C	Rivets.	3.125 per 100 Kgs.
48-D	Those not covered by the preceding letters.	not negotiated
56	Manufactures of tinplate:	
56-A	Crown caps for containers of all kinds not painted, japanned, printed or lithographed.	not negotiated
56-B	Crown caps for containers of all kinds when painted, japanned, printed or lithographed.	not negotiated
56-C	Other articles of all kinds not painted, japanned, printed or lithographed.	not negotiated
56-D	Other articles of all kinds when painted, japanned, printed or lithographed.	not negotiated
58	Beds and other articles of fine manufacture:	
58-C	Enamelled kitchenware made of iron.	4.25 per 100 Kgs.
58-D	In articles of all kinds not specifically classified, including ice boxes, metal office furniture, filing cabinets, safes and cash boxes.	not negotiated
	GROUP 4. COPPER AND ITS ALLOYS OF ORDINARY METALS (BRASS, BRONZE, ETC.).	
62	Rolled in plates and in powder:	
62-D	In powder, when imported by manufacturers themselves for the production of paints.	2.10 per 100 Kgs.
66	Pipe, fire plates, pieces used in boiler-making, partly worked, and bearings:	
66-A	Pipe and fire plates (plates for "hogares").	not negotiated
66-B	Pieces used in boiler-making, partly worked.	not negotiated
66-C	Bearings.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 5. OTHER ORDINARY METALS AND THEIR ALLOYS.	
72	Nickel, aluminum and their alloys:	
72-B	In bars, plates and wire.	4.00 per 100 Kgs.
72-C	In powder.	2.00 per 100 Kgs.
72-D	In pipe.	not negotiated
72-E	Aluminum hammered into fine leaves.	7.00 per 100 Kgs.
72-F	Aluminum hammered into fine leaves, with lithographic impressions.	not negotiated
72-G	In other articles.	not negotiated
73	Tin and its alloys (Britannia metal):	
73-C	In pipe, and in containers for pastes, soaps and for other industrial uses, not printed, engraved or lithographed.	8.56 per 100 Kgs.
73-D	The same articles included in the previous letter when printed, engraved or lithographed.	10.06 per 100 Kgs.
73-E	Hammered into fine leaves (tinfoil).	not negotiate
73-F	Hammered into fine leaves (tinfoil), bronzed, with printing or lithographed, with any number of impressions.	not negotiated
73-G	Caps for bottles and other containers for industries, plain or embossed.	not negotiated
73-H	Caps for bottles and other containers for industries, bronzed, with printing or lithographed, with any number of impressions.	not negotiated
73-I	In other articles.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 1. SIMPLE DRUGS.	
78	Resins and gums:	
78-C	Rubber (coagulated latex, whether or not it is smoked, washed or purified), synthetic rubber and gutta percha, crude, in lumps or sheets not vulcanized.	not negotiated
78-E	Vulcanized rubber, synthetic rubber and gutta percha, smooth, corrugated or grooved, in rolls or sheets, imported as raw material for the manufacture of articles.	not negotiated
82	Products of the vegetable kingdom:	
82-A	Hops.	1.00 per 100 Kgs.
82-B	Malt.	0.25 per 100 Kgs.
83	Products of the animal kingdom, employed in pharmacy and in chemical industries, not specifically classified, and boneblack:	
83-A	Animal carbon or boneblack.	Free
89	Varnishes:	
89-A	Varnishes prepared without pigments and not specifically classified.	not negotiated
89-B	Varnishes of pyroxylin.	not negotiated
	GROUP 3. CHEMICAL AND PHARMACEUTICAL PRODUCTS.	
94	Oxides and oxhydrates:	
94-A	Of ammonia, soda, potash and other caustic and barilla alkalis, including anhydrous ammonia, with the exception of caustic soda and soda ash.	not negotiated
94-B	Caustic soda and soda ash.	0.57 per 100 Kgs.

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
95	Inorganic salts:	
95-D	Sulphate of ammonia; sulphate of aluminum; phosphates and superphosphates of lime, nitrates of potash and of soda; sulphate of potash, muriate or chloride of potassium, not above 97 pure, and monoammonium phosphate.	Free
97	Alkaloids and their salts; and chlorides of gold, silver and platinum:	
97-A	Quinine, sulphate and bisulphate and all alkaloids or salts derived from cinchona bark, except quinine pills.	Free
98	Chemical products not specifically classified; acetone and wood alcohol and scale-removers:	
98-H	Asphalt cements and putties, whether or not containing asbestos, for roof construction or repairs, and for waterproofing work in general.	not negotiated
99	Pills, including those of quinine, capsules, medicinal lozenges and similar articles.	0.28 per Kg.
100	Pharmaceutical products and insecticides not specifically classified:	
100-A	Constituting pharmaceutical specialties or those known as patent medicines.	0.20 per Kg.
100-B	Biological and opotherapeutical products, in any form.	0.25 per Kg.
100-C	Anti-toxins, vaccines, virus, serums, bacterines, and antibacterines, for therapeutical purposes.	Free
100-E	Simple or compound insecticides, suitable for agriculture.	Free

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 4. OILS, FATS, WAX AND THEIR DERIVATIVES.	
102	Animal oils and fats and their derivatives:	
102-A	Cod-liver oil and others of medicinal use, when in containers of more than 5 kgs., and not constituting a pharmaceutical specialty.	1.60 per 100 Kgs.
102-C	Other crude animal oils and fats, including neats-foot oil and crude tallow.	0.20 per 100 Kgs.
102-E	Oleo stearine, that is, the solid part obtained by pressure from animal fat except hog fat, with a minimum fusion point of 47° Centigrade, and not containing more than 2% of free fatty acids.	2.40 per 100 Kgs.
106	Perfumery and essences:	
106-E	Natural essential oils and ethers.	not negotiated
106-F	Eucalyptus oil.	0.05 per Kg.
106-G	Synthetic or artificial.	not negotiated
106-H	Essences, extracts, and similar concentrated flavoring materials, both natural and synthetic, including mixtures thereof, in any form except those containing sugar, when imported for preparing soft drinks and non-alcoholic beverages.	not negotiated
	GROUP 5. FERTILIZER, STARCH, EXPLOSIVES AND OTHERS.	
108	Starches, dextrins and glucoses:	
108-A	Starch of yucca.	not negotiated
108-B	Other starches and other industrial feculas not specifically classified.	not negotiated
108-C	Dextrin for industrial uses.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
108-D	Glucose for industrial uses.	not negotiated
	GROUP 1. RAW AND SPUN COTTON.	
112	Raw cotton and wastes:	
112-A	Raw cotton.	not negotiated
112-B	Wastes and rags or cuttings of fabrics, the size of which is not over 30 square centimeters, used only for stuffing.	Free
113	Thread or yarn:	
113-B	In spools, skeins, balls or in other form, for hand weaving, embroidery or sewing, including thread or cord for manufacture of fish-nets and hammocks, and the cord or cordage of cotton for the manufacture of pneumatic tires.	not negotiated
	GROUP 2. FABRICS.	
114	Plain and smooth fabrics, napped or not, unbleached or white, weighing 10 kilograms or more per 100 square meters:	
114-A	Up to 9 threads.	0.184 per Kg.
114-B	From 10 to 15 threads.	0.241 per Kg.
114-C	From 16 to 19 threads.	0.322 per Kg.
114-D	From 20 to 23 threads.	0.506 per Kg.
114-E	From 24 to 27 threads.	0.594 per Kg.
114-F	From 28 to 31 threads.	0.660 per Kg.
114-G	32 threads or more.	0.850 per Kg.
	NOTES: Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 30%.	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 6% in letters A, B, C, D and E and with a surtax of 15 in letters F and G.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	
115	Plain and smooth fabrics, napped or not, unbleached or white, weighing less than 10 kilograms per 100 square meters:	
115-A	Up to 6 threads.	0.207 per Kg.
115-B	From 7 to 11 threads.	0.276 per Kg.
115-C	From 12 to 15 threads.	0.402 per Kg.
115-D	From 16 to 19 threads.	0.529 per Kg.
115-E	From 20 to 23 threads.	0.60 per Kg.
115-F	From 24 to 27 threads.	0.74 per Kg.
115-G	From 28 to 31 threads.	0.90 per Kg.
115-H	32 threads or more.	1.00 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric, with a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 2% in letters A, B, C and D and with a surtax of 20% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
116	Fabrics, twilled or figured on the loom, napped or not, unbleached or white, weighing 10 or more kilograms per 100 square meters:	
116-A	Up to 6 threads.	0.207 per Kg.
116-B	From 7 to 11 threads.	0.253 per Kg.
116-C	From 12 to 15 threads.	0.287 per Kg.
116-D	From 16 to 19 threads.	0.455 per Kg.
116-E	From 20 to 23 threads.	0.52 per Kg.
116-F	From 24 to 27 threads.	0.66 per Kg.
116-G	From 28 to 31 threads.	0.84 per Kg.
116-H	32 threads or more.	0.96 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 30%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 6% in letters A, B, C and D and with a surtax of 15% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	
117	Fabrics, twilled or figured on the loom, napped or not, unbleached or white, weighing less than 10 kilograms per 100 square meters:	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
117-A	Up to 6 threads.	0.264 per Kg.
117-B	From 7 to 11 threads.	0.333 per Kg.
117-C	From 12 to 15 threads.	0.46 per Kg.
117-D	From 16 to 19 threads.	0.609 per Kg.
117-E	From 20 to 23 threads.	0.68 per Kg.
117-F	From 24 to 27 threads.	0.84 per Kg.
117-G	From 28 to 31 threads.	1.05 per Kg.
117-H	32 threads or more.	1.20 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 40 .	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 1 in letters A, B, C and D and with a surtax of 20% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	
120	Napped fabrics in blankets:	
120-B	White, dyed a single color, or printed on white or unbleached material, including napped cotton fabrics which contain not more than 5% of other fibers.	0.2875 per Kg.
121	Velvety fabrics, corduroy, plush and velveteen:	
121-B	Curled fabrics and plush, cut or uncut, except carpets, unbleached or white.	0.825 per Kg.

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
121-C	The same, dyed a single color or figured.	0.955 per Kg.
122	Knit fabrics:	
122-E	Stockings, socks, gloves and other small articles of double sewing or fine work.	2.80 per Kg.
123	Tulles:	
123-A	Plain, white or colored.	0.56 per Kg.
123-B	With figures, embroidery or open-work, done in process of weaving.	0.77 per Kg.
127	Trimmings and ribbons:	
127-A	Ribbons, braids and galloons not for ornamental purposes, but for finishing clothing and other made-up articles, or for manufacturing reins, bridles, cinches and footwear, including "alpargatas", (twine-soled sandals).	0.32 per Kg.
128	Fabrics for sacks to be used as containers, wicks and other articles not specifically classified:	
128-A	Fabrics of cotton, plain or smooth or twilled, regardless of the number of threads and the weight of 100 square meters, for the fabrication of sacks, provided that they are imported bearing in indelible lettering the name of the national industry to which they are destined, the lettering being so spaced as to appear on the material for each sack, in such manner as to occupy the greater part of the surface of both sides of the sacks.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	CLASS V. OTHER VEGETABLE FIBERS, RAYON, NYLON AND OTHER SIMILAR SYNTHETIC FIBERS, AND MANUFACTURES THEREOF.	
	GROUP 1. RAW AND SPUN.	
129	Raw, thread or yarn:	
129-B	Hemp, flax, ramie, jute and other varieties of the so-called "soft" fibers, raw, in the form of tow or combed.	Free
129-F	Rayon or other similar synthetic fibers manufactured on a base of cellulose or a cellulose compound, in continuous filaments, or cut filaments or fibers, threads or yarns. T. 15%.	not negotiated
129-G	Nylon or other fibers obtained by artificial synthesis, manufactured on a base of organic chemical compounds, protein substances, glass, or metallic substances, in continuous filaments, or cut filaments or fibers, threads or yarns.	not negotiated
129-H	Threads and yarns wholly or principally made of synthetic fibers, when imported to be used exclusively in the manufacture of braided cordage fabrics for pneumatic tires. T. 15%.	not negotiated
129-I	Fabrics of braided cordage for pneumatic tires, wholly or principally made of synthetic fibers, when imported to be used in manufacturing. N.W.	not negotiated
129-J	Fabrics of braided cordage for pneumatic tires, wholly or principally made of synthetic fibers, not containing silk or wool, covered by a rubber composition, when imported by the manufacturers themselves for the manufacture of tires. N.W.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2. FABRICS.	
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing 35 or more kilograms per 100 square meters:	
132-J	Up to 5 threads.	0.092 per Kg.
132-K	From 5 to 8 threads.	0.138 per Kg.
132-L	From 9 to 12 threads.	0.1955 per Kg.
132-M	From 13 to 16 threads.	0.299 per Kg.
132-N	From 17 to 20 threads.	0.345 per Kg.
132-O	From 21 to 24 threads.	0.46 per Kg.
132-P	From 25 to 28 threads.	0.60 per Kg.
132-Q	From 29 to 32 threads.	0.70 per Kg.
132-R	33 threads or more.	0.80 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 15%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric with a reduction of 4% in letters J, K, L, M, N and O, and with a surtax of 20% in letters P, Q and R.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30%. (Law of August 9, 1932).	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing from and including 20 kilograms to but not including 35 kilograms per 100 square meters:	
133-J	Up to 5 threads.	0.138 per Kg.
133-K	From 6 to 8 threads.	0.1725 per Kg.
133-L	From 9 to 12 threads.	0.23 per Kg.
133-M	From 13 to 16 threads.	0.345 per Kg.
133-N	From 17 to 20 threads.	0.46 per Kg.
133-O	From 21 to 24 threads.	0.69 per Kg.
133-P	From 25 to 28 threads.	0.70 per Kg.
133-Q	From 29 to 32 threads.	0.80 per Kg.
133-R	33 threads or more.	1.00 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric, plus a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the duties on the fabric, with a reduction of 4% in letters J, K, L, M, N and O and with a surtax of 20% in letters P, Q and R.	
	All Sub-Items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing from and including 10 kilograms to but not including 20 kilograms per 100 square meters:	
134-J	Up to 8 threads.	0.22 per Kg.
134-K	From 9 to 12 threads.	0.297 per Kg.
134-L	From 13 to 16 threads.	0.418 per Kg.
134-M	From 17 to 20 threads.	0.66 per Kg.
134-N	From 21 to 24 threads.	0.88 per Kg.
134-O	From 25 to 28 threads.	1.10 per Kg.
134-P	From 29 to 32 threads.	1.20 per Kg.
134-Q	From 33 to 36 threads.	1.40 per Kg.
134-R	37 threads or more.	1.60 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the duties on the fabric, with a reduction of 4% in letters J, K, L, M, N and O, and with a surtax of 20% in letters P, Q and R.	
	All Sub-Items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing less than 10 kilograms per 100 square meters:	
135-J	Up to 8 threads.	0.264 per Kg.
135-K	From 9 to 12 threads.	0.341 per Kg.
135-L	From 13 to 16 threads.	0.44 per Kg.
135-M	From 17 to 20 threads.	0.704 per Kg.
135-N	From 21 to 24 threads.	1.012 per Kg.
135-O	From 25 to 28 threads.	1.21 per Kg.
135-P	From 29 to 32 threads.	1.30 per Kg.
135-Q	From 33 to 36 threads.	1.50 per Kg.
135-R	37 threads or more.	1.70 per Kg.
	NOTES: Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric with a surtax of 30%. Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 50%. Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the same duties as on unbleached fabrics in letters J, K, L, M, N and O, and with a surtax of 25% in letters P, Q and R. All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	
136	Velvet and plush:	
136-A	Of hemp, flax, ramie, jute or other vegetable fibers not specifically classified.	not negotiated
136-B	Of rayon, nylon and other similar synthetic yarns.	not negotiated
139	Lace, blondes and edging:	
139-A	Woven on the loom or by hand. Plus an ad valorem duty of	1.50 per Kg. 25%

SCHEDULE IX - CUBA

PART I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
139	Lace, blondes and edging of rayon, nylon or other similar synthetic yarns:	
139-C	Woven on the loom or by hand.	not negotiated
139-D	Fabrics known as open-work or made with darning stitch, made by hand or machine.	not negotiated
142	Trimmings, galloons, ribbons and other articles of hemp, jute, flax, ramie or other vegetable fibers:	
142-A	Ribbons, braids and gallons, not for ornamental purposes, for finishing clothing and other made-up articles and for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals).	not negotiated
142-B	Trimmings for ornamental purposes, such as tassels, fringes and figured or open-work braids, or with spangles or beading, and fancy ribbons and galloons.	not negotiated
142-C	Reins, bridles, cinches and other braided manufactures and cords.	not negotiated
142-D	Soles for "alpargatas" (twine-soled sandals).	not negotiated
	Trimmings, galloons, ribbons and other articles made of rayon, nylon and other similar synthetic or artificial yarns:	
142-E	Ribbons, braids and galloons, not for ornamental purposes, for finishing clothing and other made-up articles and for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals).	0.42 per Kg.
142-F	Trimmings for ornamental purposes, such as tassels, fringes and figured or open-work braids, or with spangles or beading, and fancy ribbons and galloons.	1.47 per Kg.
	GROUP 1. RAW OR SPUN.	
143	Bristles, hair and horsehair:	
143-D	Insulating materials for construction purposes, composed principally of mineral or rock wool, or hair felt, including those used for heat, cold, or sound insulation.	not negotiated
143-E	Woolen felt.	36% ad valorem
144	Raw wool.	Free

SCHEDULE IX - CUBA

PART I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2. FABRICS.	
147	Fabrics of pure or mixed wool:	
147-B	In wearing apparel and knit articles in general, not specifically classified.	not negotiated
147-F	Swimming and bathing suits, sweaters, and other sportswear, when knitted.	not negotiated
	GROUP 1. RAW MATERIAL.	
151	Pulp and waste:	
151-C	Waste of paper, cardboard, cordage, new fabrics not over one meter long and up to four centimeters wide, rags, pieces of jute sack and old paper.	Free
	GROUP 2. PAPER NOT MADE-UP.	
152	Paper in continuous rolls, folios, or sheets, white or colored, glazed or calendered or not, with or without water-marks or pressure-marks, not cut to size or painted:	
152-C	Manufactured on a base of bisulphite pulp, weighing not less than 10 grams per square meter, commonly known as manila paper, fiber paper and cellulose paper.	not negotiated
152-D	Manufactured on a base of bisulphite pulp, weighing not less than 10 grams per square meter, used for wrapping fruits; and glassine paper.	not negotiated
152-E	Manufactured on a base of ground wood pulp, in a proportion of not less than 70% thereof and 30% of bisulphite, weighing not less than 50 nor more than 60 grams per square meter, not glazed, commonly known as newsprint.	not negotiated
	NOTE: When paper of Sub-item 152-E is imported by the newspaper companies expressly for the printing of their newspapers, and provided they comply with Decree 952, of April 2, 1941.	Free
152-F	Manufactured on a base of bisulphite of soda pulp, without ground wood pulp, or with a proportion of the latter not in excess of 30%; weighing not less than 60 nor more than 130 grams per square meter, such as sulphite bond and paper commonly known as paper for books and illustrated papers.	5.00 per 100 Kgs.

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
152-G	Manufactured on a base of pulp or fibers of flax, hemp, cotton and wheat or rye straw or others except that known as rice paper, weighing not less than 15 nor more than 30 grams per square meter, commonly known as cigarette paper.	not negotiated
152-H	Manufactured from flax pulp or fiber, surface-sized only or surface-sized and pulp-sized as well, not cut or ruled, such as that known by the name of bank paper, and others of high quality.	not negotiated
152-I	The paper specified in Sub-item H of this Item, not containing flax, pulp-sized only, commonly known as writing paper.	not negotiated
152-J	Manufactured entirely on a base of cotton fiber, or on a base of wood pulp or cotton fiber, commonly known as blotting paper.	not negotiated
152-K	Other continuous papers not made-up, not specifically classified.	not negotiated
152-L	The paper of Item 152-G, known as rice paper.	not negotiated
	GROUP 3. MANIPULATED PAPER.	
155	Manufactures of paper:	
155-J	Abrasive paper, manufactured with glass, sand or pumice stone and other papers for smoothing or polishing.	2.10 per 100 Kgs.
156	Chemical papers:	
156-G	Capsules and bands for bottles, and tubes, including synthetic sausage casings of all kinds, made of cellulose or of any cellulose derivative, plain or colored, printed or not.	not negotiated
156-H	Other chemical papers, not specifically classified.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 4. PAPER PRINTED, ENGRAVED, LITHOGRAPHED OR PHOTOGRAPHED.	
157	Printed:	
157-D	Informative, technical, scientific or literary periodicals, published on fixed dates and not constituting printed matter of the kind specifically classified in Item 157.	Free
157-F	Books, pamphlets, periodicals, publications, maps, and other objects of exchange, without commercial value, for public libraries. Those books, pamphlets, periodicals and other publications destined for tourist propaganda, without commercial notices thereon, subject to the requirements set forth under this Item in the Cuban Tariff.	Free
157-G	Catalogs of manufacturers, pamphlets, almanacs, signs, posters and lithographs, advertising merchandise only, without commercial value and intended to be distributed gratis, subject to the requirements set forth under this Item in the Cuban Tariff. Those almanacs, signs, posters, and lithographs, whatever the number of printings, destined for tourist propaganda, without commercial notices thereon, subject to the requirements set forth under this Item in the Cuban Tariff.	Free
	GROUP 6. CARDBOARD AND BRISTOL-BOARD AND MANUFACTURES THEREOF.	
161	Cardboard, pasteboard and bristol-board, in sheets or rolls:	

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
161-B	Ordinary paperboard or pasteboard manufactured on a base or wholly of waste paper or newspaper, in natural color as manufactured, including those known as "chipboard" and "newsboard".	not negotiated
	NOTE: Paperboard or pasteboard manufactured on a base of mechanical wood pulp in combination with bisulphite pulp, containing not less than 70% of mechanical wood pulp, shall be classified under Sub-Item 161-B as paperboard or pasteboard made from waste paper or newspaper.	
	GROUP 1. WOOD.	
165	Ordinary wood, in logs, or rough sawn or unplaned:	
165-A	Ordinary pine (Pinus sp.) and Douglas fir wood (Pseudotsuga taxifolia) and redwood (Sequoia Sempervirens), regardless of size or form, in logs, or rough sawn or unplaned, and railroad ties of pine, Douglas fir, cypress (Taxodium Distichum) and redwood (Sequoia Sempervirens).	Free
166	Ordinary woods, further manufactured:	
166-B	Plywood, except when in the form of box shooks.	not negotiated
166-C	Box shooks.	not negotiated
166-D	Crate shooks.	0.06 per 100 Kgs.
166-E	Cases or boxes of ordinary wood, with wooden divisions for packing bottles.	not negotiated
166-F	Crates for packing fruits and vegetable products.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
166-G	Broom handles.	0.16 per 100 Kgs.
166-H	Packing cases in which articles are imported.	not negotiated
	GROUP 1. LIVE ANIMALS.	
188	Animals not previously specified and those exempt from duty.	
188-C	Cattle, uncastrated males and females less than six years of age, imported for breeding and improvement of the cattle existing in Cuba, pertaining to the breeds named Shorthorn (Durham), Hereford, Aberdeen-Angus, Red-Polled, Galloway, Devon, Brown-Swiss, Holstein-Friesian, Jersey, Guernsey, Ayreshire, Zebu, Mysore, and Brahmin; that imported for the same purpose and not over said six years of age, proceeding directly from Porto Rico or the Argentine Republic; and buffaloes not over said age, imported for the same purpose.	Free
	GROUP 2. HIDES AND SKINS AND MANUFACTURES THEREOF.	
189	Hides and skins, unmanufactured, green or dried, salted, pickled or limed, with or without hair, entire, in pieces, or strips, for tanning.	Free
193	Tanned hides without hair, splits and similar hides:	
193-G	Patent leather, in whole hides or sheets.	0.45 per Kg.
	GROUP 1. MUSICAL INSTRUMENTS AND PARTS THEREOF:	
209	Harps, violins, violincellos; guitars, bandores and mandolins with inlay, flutes and flageolets with the Boehm fingering system; metal instruments of 6 pistons or more, and loose parts for wind instruments, of wood or copper.	28% ad valorem

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2. CLOCKS, WATCHES, APPARATUS, MACHINERY AND MISCELLANEOUS INSTRUMENTS:	
216	Agricultural and industrial machinery and instruments:	
216-A	Machinery, apparatus and instruments employed in working and improving the ground, planting, disinfecting plantations, cultivating, harvesting, classifying, conditioning, sterilizing or manipulating in any manner the fruits of agricultural labor, including loose parts and accessories for the same, not specifically classified.	6% ad valorem
216-B	Machinery, portable or fixed, apparatus or instruments for industry in general and for the transformation of products used in manufactures, including those used in aqueducts, not specifically provided for, and including loose parts and accessories for the same, not specifically classified.	10% ad valorem
217	Motors of all kinds, fixed or not, including windmills, and the loose parts and accessories for the same not specifically classified.	10% ad valorem
219	Boilers of all kinds for generating steam and parts and accessories for the same:	
219-B	Parts and accessories of iron and steel, for boilers for generating steam, including "fluses" and tubes, whether or not cut to measure and with or without threads.	not negotiated
219-C	"Fluses" and completely finished loose parts and accessories for boilers, of copper or its alloys, not specifically classified.	not negotiated
221	Turntables, cranes and cane loaders, including loose parts and accessories for the same, not specifically classified:	
221-B	Cane loaders, with or without scales.	not negotiated
221-C	Loose parts and accessories not specifically classified for cane loaders.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
222	Office appliances and loose parts and accessories for the same, not specifically classified:	
222-B	Loose parts and accessories not specifically classified for office appliances in general, including ribbons for machines.	not negotiated
223	Telephones, electric apparatus and machinery of all kinds, including loose parts and accessories for the same, not specifically classified, including batteries and storage batteries.	15% ad valorem
224	Machines for sewing, embroidering and similar machines, including needles:	
224-A	Machines for sewing, embroidering, spinning and weaving and similar machines, and loose parts and accessories for the same, not specifically classified.	not negotiated
224-B	Needles for machines included in Sub-item A of this Item.	4% ad valorem
	GROUP 3. CARRIAGES, AUTOMOBILES, TRACTORS, WAGONS, CARS AND OTHER VEHICLES.	
227	Carriages, automobiles, velocipedes and bicycles:	
227-B	Finished automobiles, with bodies mounted, of any material, whose list price in the factory does not exceed seven hundred and fifty dollars ($750.00).	not negotiated
227-C	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than seven hundred and fifty dollars ($750.00), but not more than one thousand five hundred dollars ($1,500.00).	not negotiated
227-D	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than one thousand five hundred dollars ($1,500.00), but not more than two thousand three hundred dollars ($2,300.00).	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
227-E	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than two thousand three hundred dollars ($2,300.00).	not negotiated
227-F	Finished trucks, with mounted bodies, of wood and metal, in which wood predominates.	not negotiated
227-G	The same with bodies of steel or other metal.	not negotiated
227-H	Automobile chassis without bodies.	not negotiated
227-I	Truck chassis with or without cabs for chauffeur, in which metal predominates, but without bodies, and bus chassis without bodies.	not negotiated
227-J	Bodies for automobiles, made of steel or other metal, combined or not with wood.	not negotiated
227-K	Bodies for trucks or buses, made of steel or other metal, assembled.	not negotiated
227-L	Bodies for trucks or buses, made of steel or other metal, when imported, completely unassembled.	not negotiated
227-M	Bodies for trucks or buses, made of wood, combined or not with steel or other metal.	not negotiated
227-N	Parts and accessories not specifically classified, for automobiles and trucks.	not negotiated
227-O	Tractors.	not negotiated
227-P	Loose parts and accessories for tractors, not specifically classified.	not negotiated
227-Q	Motorcycles and the like, and loose parts and accessories for the same, not specifically classified.	not negotiated
227-R	Velocipedes and bicycles.	not negotiated
227-S	Loose parts and accessories for velocipedes and bicycles, not specifically classified.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
229	Box cars, railway cars and mine cars:	
229-B	Parts and accessories for box cars and railway cars, not specifically classified.	not negotiated
229-C	Mine cars.	not negotiated
	GROUP 1. MEAT AND FISH, BUTTER AND FATS.	
238	Meat in brine or salted:	
238-C	Pork, except the products included in letters A and B of Item 241,	not negotiated
246	Milk:	
246-E	Milk called modified or "humanized", by any process, in powder, to be employed exclusively for ill and convalescent persons and for the artificial lactation of children, provided it comes in glass or tin containers, holding not more than 16 ounces net and with the use indicated on said containers.	not negotiated
246-F	Malted.	10.00 per 100 Kgs.
247	Codfish and similar articles:	
247-A	Codfish and stockfish.	4.125 per 100 Kgs.
247-B	Salted skate, haddock and sardines, dried and compressed.	3.50 per 100 Kgs.
247-C	Hake and other similar fish, dried and salted, not specifically classified.	3.00 per 100 Kgs.
248	Herring in brine, smoked, salted or pickled.	0.975 per 100 Kgs.

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2. CEREALS.	
254	Wheat.	0.16 per 100 Kgs.
256	Flour, meal and semolina:	
256-A	Wheat flour.	0.83 per 100 Kgs.
256-C	Of corn.	not negotiated
256-D	Of oats, including oats prepared for food (rolled oats).	1.625 per 100 Kgs.
256-E	Of other cereals.	not negotiated
256-F	Wheat semolina.	not negotiated
256-G	Corn flakes.	not negotiated
256-H	Other ready-to-eat cereals.	not negotiated
	GROUP 3. VEGETABLES AND FRUITS.	
259	Onions and garlic:	
259-A	Onions imported from November 15th to May 31st, inclusive, of each year.	not negotiated
259-B	Onions imported from June 1st to November 14th, inclusive, of each year.	not negotiated
260	Potatoes and other fresh vegetables and garden truck:	
260-A	Potatoes certified to be for seed, cut in pieces, with the eyes plainly visible, preserved in ashes or other substances, and potatoes, whole or not cut in pieces, also certified, imported from September 1st to January 31st, inclusive, of each year, of the varieties specified or that in the future may be specified by the Department of Agriculture, imported to be used exclusively for seed, at the time and with the formalities and guarantees to be established by the Treasury Department.	Free

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
260-B	Potatoes not specifically classified, imported from November 1st to June 30th, inclusive, of each year.	5.00 per 100 Kgs.
260-C	Potatoes not specifically classified, imported in the months of July and October of each year.	4.00 per 100 Kgs.
260-D	Potatoes not specifically classified, imported in the months of August and September of each year.	3.00 per 100 Kgs.
260-E	Cauliflower, celery, cucumbers, and other fresh garden truck, with the exception of tomatoes and cabbages, imported from November 1st to May 31st, inclusive, of each year.	not negotiated
260-F	Cauliflower, celery, cucumbers, and other fresh garden truck, with the exception of tomatoes and cabbages, imported from June 1st to October 31st, inclusive, of each year.	not negotiated
260-G	Tomatoes and cabbages, fresh.	not negotiated
260-H	Other fresh garden truck not specifically classified.	not negotiated
262	Fresh fruits:	
262-B	Apples, pears, peaches, plums, cherries, grapes, nectarines and apricots.	not negotiated
262-C	Apples and pears imported from April 1st to July 31st, inclusive, of each year.	0.80 per 100 Kgs.
262-D	Strawberries imported during the period from March 1st to November 30th, inclusive, of each year.	not negotiated
262-E	Strawberries imported during the period from December 1st in any year to the last day of the following February, inclusive.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
262-F	Melons imported from February 1st to July 14th, inclusive, of each year.	not negotiated
262-G	Melons imported from July 15th to January 31st, inclusive, of each year.	not negotiated
262-H	Others.	not negotiated
	GROUP 4. SEEDS AND FEED FOR ANIMALS.	
268	Other seeds:	
268-D	Of garden truck, flowers, trees and shrubs.	Free
269	Feed for animals:	
269-E	Grape (olive) bagasse, cakes, pastes, powders, and meal of alfalfa and of oleaginous seeds, except the meal and cakes of peanuts; pulps, dregs, and residues from industries suitable for the feeding of livestock and other uses.	not negotiated
269-F	Meal and cakes of peanuts.	not negotiated
269-G	Birdseed, panic seed and hemp seed.	not negotiated
269-H	Feed for fowls; mixtures of three or more grains, crushed, such as corn, wheat, oats, sunflower, etc.; mixtures or compositions of animal substances, with or without other substances, finely ground; and oyster shells crushed for the same purpose.	not negotiated
269-I	Other feeds not specifically classified.	not negotiated
	GROUP 5. CANNED GOODS.	
270	Fish or shellfish canned in oil or in any other form, in tin or other containers:	
270-H	Mackerel.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
270-I	Other fish and shellfish, not specifically classified.	not negotiated
271	Vegetables canned and packed in any form:	
271-F	Canned peas, sweet corn and asparagus.	not negotiated
	NOTE: Articles included in Sub-item 271-F shall be classified under this Sub-item even when strained, but not including vegetable juices.	
271-G	Paprika and other vegetables not specifically classified.	not negotiated
	NOTE: Articles included in Sub-item 271-G shall be classified under this Sub-item even when strained, but not including vegetable juices.	
271-H	Canned beans of all kinds, whether or not prepared or flavored with meat, condiments or similar substances.	not negotiated
272	Preserved fruits, in brandy, syrup, or in any other form:	
272-B	Apples, pears, peaches, plums, apricots, cherries and berries, including their mixtures.	not negotiated
273	Other preserved foods:	
273-B	Beef, mutton or pork, ground, pressed or in paste, for lunch.	not negotiated
273-C	Sausage, mortadella and other similar stuffed products.	not negotiated
273-D	Sauces, mustards and seasoning extracts, and similar seasonings of all kinds, not specifically provided for, including mayonnaise and salad dressings, excluding ketchup and other tomato sauces.	not negotiated
273-E	Fowl, foie-gras, truffles and other similar articles.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
273-F	Canned soups of all kinds, except tomato soup, whether or not prepared with meat products, condiments or similar substances.	not negotiated
273-G	Canned tomato soups, whether or not prepared with meat products or similar substances.	not negotiated
273-H	Dehydrated soups of all kinds, whether or not prepared with meat products, condiments or similar substances.	not negotiated
273-I	Other preserved foods not specifically classified.	not negotiated
	GROUP 6. OILS AND BEVERAGES.	
274	Olive oil and other vegetable oils, pure, refined, semi-refined, or hydrogenated:	
274-C	Refined cottonseed, corn and soybean oil.	not negotiated
	NOTE: Vegetable oils included in Sub-item 274-C, when hydrogenated, shall be classified under Item 240, which specifically includes hydrogenated animal and vegetable oils and fats.	
274-D	Other refined vegetable oils not specifically classified.	not negotiated
	NOTE: Vegetable oils included in Sub-item 274-D when hydrogenated, shall be classified under Item 240, which specifically includes hydrogenated animal and vegetable oils and fats.	
276	Brandy, rum, gin, liquors, cognacs, cordials and all spiritous compounds not specifically classified, and whiskey:	
276-D	Whiskey in bottles, flasks, demijohns and other similar containers.	0.29 per liter
280	Cider, ginger-ale and root beer; unfermented grape juice and other non-alcoholic beverages and soft-drinks, not specifically classified:	
280-A	Articles of this Item, not specifically classified, when imported in barrels, half-barrels or other similar containers.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
280-B	Natural or artificial cider and unfermented grape juice, in bottles, flasks, demijohns or other similar containers.	not negotiated
280-G	Root beer and other non-alcoholic beverages and soft-drinks not specifically classified, when imported in bottles, flasks, demijohns or other similar containers.	not negotiated
280-H	Juices of apples, pears, plums, cherries and berries, when imported in bottles, flasks, demijohns or other similar containers.	not negotiated
	GROUP 7. MISCELLANEOUS.	
289	Sweetened pastes, jellies and gelatine, marmalade, quince paste, caramels; sweetmeats and candies of all kinds and chewing gum:	
289-A	Sweetened pastes, jellies and gelatine, marmalade, quince paste, caramels; sweetmeats and candies of all kinds not specifically classified.	not negotiated
289-B	Jams, jellies and marmalades made of apples, peaches, apricots, plums, grapes, cherries, quinces, currants and berries.	not negotiated
289-C	Chewing gum.	not negotiated
290	Pastes and feculas for soup and other food purposes:	
290-C	Edible starch and fecula of corn.	not negotiated
290-D	Yeast	not negotiated
291	Crackers:	
291-B	Fine crackers of all classes, including those in the manufacture of which there enter butter, eggs, sugar, essences or sweets of any kind, and those made with chocolate, cocoa butter, almonds, nuts or sweetmeats of any kind, provided that they do not contain more than 20% of chocolate or sweetmeats, including the immediate container.	not negotiated

SCHEDULE IX - CUBA

Part I (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
291-O	Fine crackers provided for under 291-B when they contain more than 20% and less than 30% chocolate or sweetmeats, including the immediate container.	not negotiated
299	Ornaments and knick-knacks of all kinds of materials, not specifically classified. Plus 25% of the duty specified.	1.05 per Kg. 0.2625
301	Amber, jet, tortoise-shell, coral, ivory, mother-of-pearl and meerschaum:	
301-A	Mother-of-pearl and other similar conches, in shells or sheets.	Free
307	India rubber or gutta-percha and synthetic rubber in manufactured articles and packing:	not negotiated on any of the Sub-items of this Item.
308	Belting for power transmission:	
308-B	Natural or synthetic rubber.	not negotiated
313	Games, toys and other articles of amusement or diversion, not specifically classified.	18.75% ad valorem
314	Tires of rubber or synthetic rubber, or of these materials combined with fabrics, for all kinds of vehicles, and inner tubes:	
314-B	Hollow tires.	not negotiated
314-C	Inner tubes.	not negotiated
318	Films and plates for photography and cinematography:	
318-B	Cinematograph films exposed or prepared for exhibition.	not negotiated

SCHEDULE IX - CUBA

Part I (concluded)

Cuban Tariff Item Number	Description of Products	Rate of duty
	NOTE: Cinematograph films classified under Sub-item 318-B may be imported temporarily under bond for preliminary showing to distributors and for purposes of censorship, and no duties shall be collected on such films which are not released for distribution or which are refused by the censorship board, provided they have not been exhibited publicly and are reexported within a maximum period of 30 days from the date on which they are withdrawn from customs.	
318-C	Cinematograph films, 16 millimeters or less in width, exposed or prepared for exhibition and to be used for non-commercial purposes; and all films imported expressly for educational purposes, previously authorized by the Ministry of Education.	not negotiated
318-D	Films for photograph cameras.	not negotiated
318-E	Glass photograph plates.	not negotiated
321	Hats, bonnets and caps of all kinds:	
321-E	Crowns, for hats.	20% ad valorem
324	All other raw materials:	
324-A	All other raw materials, subject to the conditions specified in Item 323 for unclassified manufactures, except calcium carbide.	not negotiated
324-B	Calcium carbide.	8% ad valorem

(See GENERAL NOTES at the end of Part II)

SCHEDULE IX - CUBA

(This schedule is authentic only in the English language)

PART II

Preferential Tariff

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 1.- STONES AND EARTHS EMPLOYED IN BUILDING, ARTS AND MANUFACTURES.	(Specific duty in Cuban pesos)
1	Marble, jasper and alabaster:	
1-B	Marble, in sheets, regardless of size, unpolished, merely sawed.	1.44 per 100 Kgs.
3	Earths employed in the arts and in manufacturing, and manufactures of gypsum:	
3-C	Cement, white, either natural or artificial.	0.25 per 100 Kgs.
3-G	Other earths.	0.32 per 100 Kgs.
	GROUP 2.- COAL, SHALES, BITUMENS AND THEIR DERIVATIVES.	
6	Crude natural petroleum:	
6-A	For distillation or for other uses.	0.31 per 100 Kgs.
7	Derivatives of petroleum:	
7-A	Gasoline.	0.96 per 100 Kgs.
7-C	Tractorine and analogous substances.	4.20 per 100 Kgs.
7-D	Special naphthas and volatile solvents for the manufacture of paints and varnishes.	1.00 per 100 Kgs.
7-E	Kerosene, coal oil, and analogous substances.	3.80 per 100 Kgr
7-F	Lubricating oils.	4.00 per 100 Kgs.
7-J	Vaseline.	2.50 per 100 Kgs.
	GROUP 4.- CRYSTAL AND GLASS.	
10	Common or ordinary glass:	
10-A	In containers of all kinds for industries, not constituting ornaments.	1.20 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
10-D	Articles of adornment or fancy articles adaptable to lamps manufactured in Cuba which are of the technical-scientific-industrial nature of ordinary glass.	4.125 per 100 Kgs.
11	Ordinary colorless or artificially colored glass:	
11-A	In tableware, and other articles which do not constitute ornaments, plain, pressed or moulded, not chased, engraved, gilded or painted.	3.50 per 100 Kgs.
11-B	In tableware and other objects which do not constitute ornaments, chased, engraved, gilded or painted.	6.408 per 100 Kgs.
11-C	In ornaments or fancy articles.	12.00 per 100 Kgs.
11-D	Glass utensils and apparatus for laboratories and scientific uses in general, flat or - curved, plain or engraved, solid or hollow, except ampules.	0.75 per 100 Kgs.
11-F	Ampules.	not negotiated
13	Glass and crystal, plain or curved:	
13-B	For windows.	2.70 per 100 Kgs.
13-C	Ordinary or reinforced, not polished on the edges or ground, beveled, engraved or annealed.	2.70 per 100 Kgs.
15	Incandescent electric lamps:	
15-A	Miniature and special bulbs up to 25 watts, including automobile bulbs.	1.00 per hundred
15-B	All incandescent bulbs up to 50 watts capacity.	1.65 per hundred

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
15-C	All incandescent bulbs of more than 50 watts and up to 100 watts.	2.10 per hundred
15-D	All incandescent bulbs of more than 100 watts and up to 300 watts.	3.93 per hundred
15-E	All incandescent bulbs of more than 300 watts.	7.86 per hundred
15-F	Sealed beam headlight units for autos, trucks, motorcycles, etc.	15% ad-valorem
15-G	Fluorescent electric lamps.	15% ad-valorem
	GROUP 5.- ARTICLES OF CLAY, CEMENT, STONEWARE, PORCELAIN AND ANALOGOUS MATERIALS.	
16	Brick, flagging, fireclay and other articles of refractory earth:	
16-B	Brick, fireclay and other articles of refractory earth.	0.40 per 100 Kgs.
19	Manufactures of cement, with or without mixture of other materials, hollow or not:	
19-A	In roofing tile, plates and sheets.	0.64 per 100 Kgs.
20	All classes of earthenware articles not elsewhere specified:	
20-A	Not painted, gilded or in relief.	2.95 per 100 Kgs.
21	All classes of porcelain articles not elsewhere specified:	
21-B	Painted, gilded, or with ornaments in relief.	7.254 per 100 Kgs.
	GROUP 1.- GOLD, SILVER AND PLATINUM AND THE ALLOYS THEREOF, AND GOLD-PLATED AND SILVER PLATED ARTICLES.	
29	Silver worked in any other form or article.	6.00 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
30	Gold-plated or silver-plated articles of all kinds, and gold-plated or silver-plated metal jewelry with or without precious stones or their imitations:	
30-B	Other articles. Plus 25% of the duty specified.	19.5% ad-valorem 4.875%
	GROUP 2.- CAST IRON.	
32	In articles not coated or ornamented with any other metal or with porcelain, and not polished or turned:	
32-B	In reinforced pipes and fittings for the same, with a diameter of 6 inches or less, for the conduction of water under pressure.	0.54 per 100 Kgs.
32-C	In pipes of all kinds and fittings for the same, with a diameter of more than 6 inches.	0.36 per 100 Kgs.
34	In furniture and other objects:	
34-B	In show-cases and other articles, enameled, tinned or coated or ornamented with other metals or porcelain.	2.60 per 100 Kgs.
	GROUP 3.- WROUGHT IRON AND STEEL.	
36	Wrought iron or steel, rolled:	
36-A	In railway rails and rail bars.	0.25 per 100 Kgs.
36-B	In bars of all shapes, including rods, rims and hoops.	0.30 per 100 Kgs.
37	Rolled sheets:	
37-A	Not polished or tinned, having a thickness of 3 or more millimeters.	0.42 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
37-B	Not polished or tinned, of less than 3 millimeters thickness, and strap-iron.	0.45 per 100 Kgs.
37-C	Tinned and in tinplate, unmarked, not lithographed.	0.075 per 100 Kgs.
37-E	Polished, corrugated, perforated, cold-rolled, whether galvanized or not, and polished strap-iron.	1.20 per 100 Kgs.
39	Wrought iron or steel, in finished shapes:	
39-A	Wheels of more than 100 Kgs.	0.60 per 100 Kgs.
39-C	Fishplates, bearings, sleepers, mill-roll axles or straight axles, springs for railways and tramcars and journal-boxes.	0.60 per 100 Kgs.
39-D	Springs other than for railways or tramcars; crank-shafts and axles other than straight ones.	1.20 per 100 Kgs.
40	Piping, cylindrical, triangular, octagonal, or of any other form, and whether or not coated or galvanized, except special tubes for boilers.	0.30 per 100 Kgs.
41	Wire, whether galvanized or not:	
41-A	More than 2 millimeters, up to 8 millimeters diameter.	0.25 per 100 Kgs.
41-B	More than 1/2 millimeter, up to 2 millimeters diameter.	0.45 per 100 Kgs.
41-D	In cables.	0.90 per 100 Kgs.
41-G	In fences and grille-work, not ornamental, for farms and pastures.	0.60 per 100 Kgs.
42	Large structural shapes:	
42-A	In beams, bars and shapes of all kinds, not cut to measure, without screws or rivets and not perforated.	0.32 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
43	Anchors, chain for vessels and for machinery, moorings, switches and signal disks.	0.975 per 100 Kgs.
45	Wire gauze:	
45-A	Up to 19 threads in an area 23 millimeters square.	2.50 per 100 Kgs.
47	Tools and implements not constituting apparatus:	
47-A	Fine, for arts, crafts and professions, made of fine crucible steel or fine steel cast by other methods.	3.00 per 100 Kgs.
47-B	Fish-hooks.	not negotiated
47-F	Other tools and implements.	1.80 per 100 Kgs.
48	In screws, nuts, bolts, washers and rivets, nails, meat-hooks, tacks, brads and other articles not specified in other items:	
48-A	Nails and brads made of wire.	1.625 per 100 Kgs.
48-B	Nails of wrought iron or steel.	1.45 per 100 Kgs.
48-C	Rivets.	2.25 per 100 Kgs.
48-D	Those not covered by the preceding letters.	1.90 per 100 Kgs.
49	Bits, stirrups, spurs, trimmings, rings, hames, pins and other accessories of saddlery work.	2.10 per 100 Kgs.
50	Buckles of all kinds.	0.14 per Kg.
51	Needles for sewing and embroidery, crochet needles and pens, including cardboard containers.	0.225 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
52	Pins, hooks and eyes, hairpins and snaps, including the cardboard containers.	0.30 per Kg.
53	Cutlery:	
53-A	With handles of wood, iron, horn, bone or composition, for use of cooks, butchers, saddlers, shoemakers and those of other crafts or arts, including grinders; and table knives and forks with such handles, or with handles of the same materials as the blade, whether or not they are tinned or nickeled in whole or in part.	0.15 per Kg.
53-F	Steel blades for safety razors, in finished or unfinished state.	0.25 per 100 blades
56	Manufactures of tinplate:	
56-A	Crown caps for containers of all kinds not painted, japanned, printed or lithographed.	4.50 per 100 Kgs.
56-B	Crown caps for containers of all kinds when painted, japanned, printed or lithographed.	9.00 per 100 Kgs.
56-C	Other articles of all kinds not painted, japanned, printed or lithographed.	3.75 per 100 Kgs.
56-D	Other articles of all kinds when painted, japanned, printed or lithographed.	7.50 per 100 Kgs.
57	Beds and other articles of ordinary manufacture:	
57-B	Articles of all kinds not specifically classified, of ordinary manufacture, even though coated with lead, tin or zinc, or painted or varnished.	1.80 per 100 Kgs.
58	Beds and other articles of fine manufacture:	
58-B	In furniture of all kinds, of iron or steel,	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
58-B	in any form in which imported, assembled or knocked down, finished or unfinished. Plus an ad-valorem duty of	3.60 per 100 Kgs. 12%
58-C	Enamelled kitchenware made of iron.	3.30 per 100 Kgs.
58-D	In articles of all kinds not specifically classified, including ice boxes, metal office furniture, filing cabinets, safes and cash boxes.	3.30 per 100 Kgs.
	GROUP 4.- COPPER AND ITS ALLOYS OF ORDINARY METALS (BRASS, BRONZE, ETC.)	
61	In bars of all kinds.	2.45 per 100 Kgs.
62	Rolled in plates and in powder:	
62-A	Rolled in plates.	2.40 per 100 Kgs.
62-D	In powder, when imported by manufacturers themselves for the production of paints.	1.50 per 100 Kgs.
63	Wire:	
63-A	Of one millimeter or more in diameter.	3.00 per 100 Kgs.
63-B	Of less than one millimeter in diameter.	4.20 per 100 Kgs.
64	Wire covered with fabric or insulating material, and cables for carrying electric current:	
64-A	Sheathed with lead pipe and various insulating or protective materials.	1.80 per 100 Kgs.
64-B	Submarine cables of all kinds, not elsewhere specified.	1.50 per 100 Kgs.
64-C	All others.	6.50 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
65	Wire gauze:	
65-A	Up to 99 threads in an area 23 millimeters square.	0.1625 per Kg.
65-B	Of 100 threads or more in an area 23 millimeters square.	0.35 per Kg.
66	Pipe, fire plates, pieces used in boiler-making, partly worked, and bearings:	
66-A	Pipe and fire plates (plates for "hogares").	4.48 per 100 Kgs.
66-B	Pieces used in boiler-making, partly worked.	not negotiated.
66-C	Bearings.	10.50 per 100 Kgs.
69	Articles not specifically classified:	
69-A	Polished, varnished or nickeled.	0.30 per Kg.
69-B	Without polishing, varnishing or nickeling.	0.12 per Kg.
69-C	Articles destined exclusively to hygienic and sanitary uses.	0.20 per Kg.
	GROUP 5.- OTHER ORDINARY METALS AND THEIR ALLOYS.	
72	Nickel, aluminium and their alloys:	
72-A	In lumps or ingots.	not negotiated
72-B	In bars, plates and wire.	3.25 per 100 Kgs.
72-C	In Powder.	1.625 per 100 Kgs.
72-D	In pipe.	not negotiated
72-E	Aluminium hammered into fine leaves	6.00 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
72-F	Aluminum hammered into fine leaves, with lithographic impressions.	not negotiated
72-G	In other articles.	0.375 per Kg.
73	Tin and its alloys (Britannia metal):	
73-A	In lumps or ingots.	0.80 per 100 Kgs.
73-B	In bars, plates and wire.	3.50 per 100 Kgs.
73-C	In pipe, and in containers for pastes, soaps and for other industrial uses, not printed, engraved or lithographed.	5.50 per 100 Kgs.
73-D	The same articles included in the previous letter when printed, engraved or lithographed.	7.50 per 100 Kgs.
73-E	Hammered into fine leaves (tinfoil).	not negotiated
73-F	Hammered into fine leaves (tinfoil), bronzed, with printing or lithographed, with any number of impressions.	not negotiated
73-G	Caps for bottles and other containers for industries, plain or embossed.	not negotiated
73-H	Caps for bottles and other containers for industries, bronzed, with printing or lithographed, with any number of impressions.	not negotiated
73-I	In other articles.	not negotiated
74	Zinc, lead and other metals not specifically classified, and the alloys thereof:	
74-B	In bars, plates and wire.	0.70 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 1.- SIMPLE DRUGS.	
78	Resins and gums:	
78-A	Resin, copal, gum-lac in flakes or in powder, sandarac, vegetable pitch and creosote and analogous products.	0.35 per 100 Kgs.
78-B	Oil of turpentine.	0.35 per 100 Kgs.
78-C	Rubber (coagulated latex, whether or not it is smoked, washed or purified), synthetic rubber and gutta-percha, crude, in lumps or sheets not vulcanized.	0.35 per 100 Kgs.
78-E	Vulcanized rubber, synthetic rubber and gutta-percha, smooth, corrugated or grooved, in rolls or sheets, imported as raw material for the manufacture of articles.	0.0715 per Kg.
82	Products of the vegetable kingdom:	
82-A	Hops.	0.70 per 100 Kgs.
82-B	Malt.	0.18 per 100 Kgs.
82-C	Other simple products of the vegetable kingdom, including seeds used in pharmacy, not specifically classified.	2.10 per 100 Kgs.
	GROUP 2.- COLORS, DYES AND VARNISHES.	
84	Natural colors:	
84-B	Prepared in any form, including prepared asphalt.	0.70 per 100 Kgs.
85	Artificial colors:	
85-A	In powder or lumps.	0.40 per 100 Kgs.
85-B	Coal-tar colors.	0.14 per Kg.
85-C	Pigments or paints in paste or semi-paste con-	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
85-C	taining artificial colors or a combination of artificial and natural colors, ground or mixed with oil or varnish, and not for immediate application.	.7.00 per 100 Kgs.
85-D	Lead or colored pencils.	3.00 per 100 Kgs.
86	Other artificial colors:	
86-A	Water paints and calcimines prepared with any of the colors provided for in Items 84 and 85, or a combination thereof, whether or not prepared for immediate use.	4.80 per 100 Kgs.
86-B	Enamel paints and enamels, including cellulose lacquers and enamels and asphalt varnishes, ready for immediate application.	7.00 per 100 Kgs.
86-C	Other prepared paints ready for immediate application, not specially classified.	7.00 per 100 Kgs.
88	Inks:	
88-A	Writing and drawing inks.	3.15 per 100 Kgs.
88-B	For printing ink.	1.95 per 100 Kgs.
88-C	For lithographing.	3.25 per 100 Kgs.
89	Varnishes:	
89-A	Varnishes prepared without pigments and not specifically classified.	10.00 per 100 Kgs.
89-B	Varnishes of pyroxylin.	8.00 per 100 Kgs.
90	Blacking.	4.00 per 100 Kgs.
	GROUP [illegible]—CHEMICAL AND PHARMACEUTICAL PRODUCTS.	
93	Organic acids:	
93-D	Oleic, stearic and palmitic.	0.98 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
94	Oxides and Oxyhydrates:	
94-A	Of ammonia, soda, potash and other caustic and barilla alkalis, including anhydrous ammonia, with the exception of caustic soda and soda ash.	0.175 per 100 Kgs.
94-B	Caustic soda and soda ash.	0.50 per 100 Kgs.
94-C	Oxide of lead for the manufacture of glass.	not negotiated
95	Inorganic salts:	
95-A	Sodium chloride or common salt, in grains.	1.1375 per 100 Kgs.
95-B	Salt ground or manufactured in any other form.	1.4625 per 100 Kgs.
95-C	Salts of ammonia (except sulphate); chlorides of potassium and calcium; sulphates of potash, soda, iron, magnesium and barium (barytes); salts of copper; alum; oxide and carbonate of magnesia; hyposulphites and borax.	0.30 per 100 Kgs.
95-E	Carbonate and bicarbonate of soda and sodium sulphide.	0.14 per 100 Kgs.
98	Chemical products not specifically classified; acetone and wood alcohol and scale-removers:	
98-A	Chemical products not specifically classified, when in large containers or in bulk.	0.035 per Kg.
98-B	Chemical products not specifically classified, when in small containers, including baking powder or artificial leavening.	0.042 per Kg.
98-C	Acetone and methyl or wood alcohol.	0.70 per 100 Kgs.
98-G	Sulphonated oils and fats.	0.80 per 100 Kgs.
98-H	Asphalt cements and putties, whether or not containing asbestos, for roof construction or repairs, and for waterproofing work in general.	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
99	Pills, including those of quinine, capsules, medicinal lozenges and similar articles.	0.14 per Kg.
100	Pharmaceutical products and insecticides not specifically classified:	
100-A	Constituting pharmaceutical specialties or those known as patent medicines.	0.14 per Kg.
100-B	Biological and opotherapeutical products, in any form.	0.175 per Kg.
100-D	Disinfectants such as creolin, lysol, bleaching powders, including hypochlorite of calcium and similar substances.	1.05 per 100 Kg.
100-F	Threads of silk, cotton, gauze, bandages, court plaster, taffeta, and other aseptic and antiseptic articles, in any form.	0.07 per Kg.
100-G	Other pharmaceutical products.	0.091 per Kg.
	NOTE II: The importation of pharmaceutical specialties and patent medicines remains subject to the provisions of Note I of the Cuban Tariff, or of any others that the Cuban Health Department may establish. It is understood, however, that the Cuban Department of Health will not impose any certification requirement or any formality for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines, which will be impossible of fulfillment in the United States of America because of the lack of a duly authorised Federal agency. It is further agreed that no fee in connection with the registration or licensing of pharmaceutical specialties or patent medicines shall be greater than that existing on the day of signature of this Agreement.	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 4.- OILS, FATS, WAX AND THEIR DERIVATIVES.	
101	Crude or impure vegetable oils and fats:	
101-A	Cottonseed, corn and soybean oils.	1.95 per 100 Kgs.
	NOTE: Soybean oil, crude or impure, shall be classified in accordance with the specifications set forth in the Note to the item 101-A of the Customs Tariff of the Republic of Cuba, except in respect of the free fatty acid content which is reduced from 1% to 0.5%.	
101-B	Castor oil; and others of vegetable origin, employed medicinally, not specifically classfied.	4.00 per 100 Kgs.
101-G	Other vegetable oils not specifically classified.	3.01 per 100 Kgs.
103	Wax and paraffin:	
103-C	Paraffin in lumps.	0.40 per 100 Kgs.
105	Soaps:	
105-A	Common or ordinary for scouring or washing, in bars, paste or liquid.	3.50 per 100 Kgs.
105-B	In blocks, cakes, flakes or shavings, or in powder, of ordinary class for scouring or washing, or the white soap called Castille or Marseilles soaps, and also those called bluing soaps.	3.90 per 100 Kgs.
105-D	In powder and liquid, perfumed and in cakes, unwrapped, perfumed or not.	0.14 per Kg.
	Plus an ad-valorem duty of	5%

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
105-E	Wrapped, for toilet, or fine toilet soaps, even though not wrapped. Plus an ad-valorem duty of	0.275 per Kg. 1%
106	Perfumery and essences:	
106-A	Toilet water obtained by mixture, lotions, oils, pomades, cosmetics, hair restorers and hair tonics; liquid dentifrices, and those in paste or powder; and any other articles of similar nature for toilet purposes, not elsewhere classified, the value of which is less than $1.25 per kilogram. Plus an ad valorem duty of	0.50 per Kg. 10%
106-B	The articles covered by the preceding lettered Sub-Item, when their value is $1.25 or more per kilogram. Plus an ad valorem duty of	0.75 per Kg. 10%
106-C	Toilet powder, including those of talc, and those in compressed or paste form, rouge, face-paint of any color, including cosmetic pencils or crayons; solid and liquid products for manicuring, and skin creams, not specifically classified. Plus an ad valorem duty of	0.50 per Kg. 10%
106-E	Natural essential oils and ethers.	0.28 per Kg.
106-F	Eucalyptus Oil.	not negotiated
106-G	Synthetic or artificial. Plus an ad valorem duty of	0.21 per Kg. 7%
106-H	Essences, extracts, and similar concentrated flavoring materials, both natural and synthetic, including mixtures thereof, in any form except those containing sugar, when imported for preparing soft drinks and non-alcoholic beverages.	0.15 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 5.- FERTILIZER, STARCH, EXPLOSIVES AND OTHERS.	
108	Starches, dextrins and glucoses:	
108-A	Starch of yucca.	3.64 per 100 Kgs.
108-B	Other starches and other industrial feculas not specifically classified.	2.60 per 100 Kgs.
108-C	Dextrin for industrial uses.	1.20 per 100 Kgs.
108-D	Glucose for industrial uses.	1.20 per 100 Kgs.
109	Prepared sizing and adhesives:	
109-A	Albumin, fibrin, gelatine, glues and other albuminoids in whatever form.	3.60 per 100 Kgs.
109-B	Mucilage, adhesives and sizing in powder, paste or liquid, manufactured on a base of dextrin, starches, gum arabic and other similar products of vegetable origin.	7.50 per 100 Kgs.
110	Carbons prepared for electrical uses.	3.12 per 100 Kgs.
111	Gunpowder and explosives:	
111-A	Gunpowder, explosive mixtures and fuses.	3.50 per 100 Kgs.
	GROUP 1.- RAW AND SPUN COTTON.	
112	Raw cotton and wastes:	
112-A	Raw cotton.	Free
113	Thread or yarn:	
113-A	In skeins, spindles or in other forms for mechanical manufacture of fabrics of all kinds, cord or braid, T. 15%.	2.10 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
113-B	In spools, skeins, balls or in other form, for hand weaving, embroidery or sewing, including thread or cord for manufacture of fish-nets and hammocks, and the cord or cordage of cotton for the manufacture of pneumatic tires.	2.10 per 100 Kgs.
113-C	In cordage, rope and twine, not braided, and made-up fish-nets and hammocks of net.	7.00 per 100 Kgs.
	GROUP 2.- FABRICS.	
114	Plain and smooth fabrics, napped or not, unbleached or white, weighing 10 kilograms or more per 100 square meters:	
114-A	Up to 9 threads.	0.136 per Kg.
114-B	From 10 to 15 threads.	0.178 per Kg.
114-C	From 16 to 19 threads.	0.238 per Kg.
114-D	From 20 to 23 threads.	0.330 per Kg.
114-E	From 24 to 27 threads.	0.386 per Kg.
114-F	From 28 to 31 threads.	0.396 per Kg.
114-G	32 threads or more.	0.510 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 30%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 6% in letters A, B, C, D, and E and with a surtax of 15% in letters F and G.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
115	Plain and smooth fabrics, napped or not, unbleached or white, weighing less than 10 Kilograms per 100 square meters:	
115-A	Up to 6 threads.	0.153 per Kg.
115-B	From 7 to 11 threads.	0.204 per Kg.
115-C	From 12 to 15 threads.	0.297 per Kg.
115-D	From 16 to 19 threads.	0.345 per Kg.
115-E	From 20 to 23 threads.	0.360 per Kg.
115-F	From 24 to 27 threads.	0.444 per Kg.
115-G	From 28 to 31 threads.	0.540 per Kg.
115-H	32 threads or more.	0.636 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 2% in letters A, B, C and D, and with a surtax of 20% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
116	Fabrics, twilled or figured on the loom, napped or not, unbleached or white, weighing 10 or more kilograms per 100 square meters:	
116-A	Up to 6 threads.	0.152 per Kg.
116-B	From 7 to 11 threads.	0.187 per Kg.
116-C	From 12 to 15 threads.	0.212 per Kg.
116-D	From 16 to 19 threads.	0.325 per Kg.
116-E	From 20 to 23 threads.	0.338 per Kg.
116-F	From 24 to 27 threads.	0.429 per Kg.
116-G	From 28 to 31 threads.	0.546 per Kg.
116-H	32 threads or more.	0.624 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 30%.	
	Fabrics of this item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 6% in letters A, B, C and D, and with a surtax of 15% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
117	Fabrics, twilled or figured on the loom, napped or not, unbleached or white, weighing less than 10 kilograms per 100 square meters:	
117-A	Up to 6 threads.	0.195 per Kg.
117-B	From 7 to 11 threads.	0.246 per Kg.
117-C	From 12 to 15 threads.	0.340 per Kg.
117-D	From 16 to 19 threads.	0.450 per Kg.
117-E	From 20 to 23 threads.	0.476 per Kg.
117-F	From 24 to 27 threads.	0.588 per Kg.
117-G	From 28 to 31 threads.	0.735 per Kg.
117-H	32 threads or more.	0.840 per Kg.
	NOTES:	
	Canvas shall be dutiable under the corresponding letters of this Item in accordance with its threads, with a reduction of 25% from the duty indicated.	
	Fabrics of this Item, dyed a single color, shall be subject to the duty on the fabric with a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric, with a reduction of 1% in letters A, B, C and D and with a surtax of 20% in letters E, F, G and H.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
119	Piqués and imitations thereof; and fabrics called crepes and similar ones:	
119-A	Piqué, unbleached or white.	0.27 per Kg.
119-B	Piqué, dyed a single color, or with stripes, squares or other designs.	0.33 per Kg.
119-C	Crepe.	0.144 per Kg.
120	Napped fabrics in blankets:	
120-B	White, dyed a single color, or printed on white or unbleached material, including napped cotton fabrics which contain not more than 5% of other fibers.	0.20 per Kg.
121	Velvety fabrics, corduroy, plush and velveteen:	
121-A	Corduroy, velveteen, and similar fabrics, of any color.	0.21 per Kg.
121-B	Curled fabrics and plush, cut or uncut, except carpets, unbleached or white.	0.45 per Kg.
121-C	The same, dyed a single color or figured.	0.52 per Kg.
122	Knit fabrics:	
122-A	In the piece.	0.27 per Kg.
122-B	Stockings, socks, gloves and other small articles of double sewing or fine work.	1.50 per Kg.
127	Trimmings and ribbons:	
127-A	Ribbons, braids and galloons not for ornamental purposes, but for finishing clothing and other made-up articles, or for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals).	0.24 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
128	Fabrics for sacks to be used as containers, wicks and other articles not specifically classified:	
128-A	Fabrics of cotton, plain or smooth or twilled, regardless of the number of threads and the weight of 100 square meters, for the fabrication of sacks, provided that they are imported bearing in indelible lettering the name of the national industry to which they are destined, the lettering being so spaced as to appear on the material for each sack, in such manner as to occupy the greater part of the surface of both sides of the sacks.	0.07 per Kg.
128-B	Wicks for lamps, candles, tinder-boxes, and similar articles.	0.126 per Kg.
128-C	Twisted cords of all kinds for wax matches, candles and other similar uses.	0.021 per Kg.
	CLASS V. OTHER VEGETABLE FIBERS, RAYON, NYLON AND OTHER SIMILAR SYNTHETIC FIBERS, AND MANUFACTURES THEREOF.	
	GROUP 1. RAW AND SPUN.	
129	Raw, thread or yarn:	
129-F	Rayon or other similar synthetic fibers manufactured on a base of cellulose or a cellulose compound, in continuous filaments, or cut filaments or fibers, threads or yarns, T. 15%.	0.25 per Kg.
129-G	Nylon or other fibers obtained by artificial synthesis, manufactured on a base of organic chemical compounds, protein substances, glass or metallic substances, in continuous filaments, or cut filaments or fibers, threads or yarns.	10% ad valorem
129-H	Threads and yarns wholly or principally made of synthetic fibers, when imported to be used exclusively in the manufacture of braided cordage fabrics for pneumatic tires, T. 15%.	0.11 per Kg.
129-I	Fabrics of braided cordage for pneumatic tires, wholly or principally made of synthetic fibers, when imported to be used in manufacturing, N.W.	0.08 per Kg.
129-J	Fabrics of braided cordage for pneumatic tires, wholly or principally made of synthetic fibers, not containing silk or wool, covered by a rubber or synthetic rubber composition, when imported by the manufacturers themselves for the manufacture of tires, N.W.	0.16 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2.- FABRICS.	
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing 35 or more kilograms per 100 square meters:	
132-J	Up to 5 threads.	0.06 per Kg.
132-K	From 6 to 8 threads.	0.09 per Kg.
132-L	From 9 to 12 threads.	0.1275 per Kg.
132-M	From 13 to 16 threads.	0.195 per Kg.
132-N	From 17 to 20 threads.	0.225 per Kg.
132-O	From 21 to 24 threads.	0.30 per Kg.
132-P	From 25 to 28 threads.	0.36 per Kg.
132-Q	From 29 to 32 threads.	0.42 per Kg.
132-R	33 threads or more.	0.48 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 15%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, printed or dyed with stripes, squares, or other designs, shall be subject to the duty on the fabric with a reduction of 4% in letters J, K, L, M, N and O, and with a surtax of 20% in letters P, Q and R.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing from and including 20 kilograms to but not including 35 kilograms per 100 square meters:	
133-J	Up to 5 threads.	.0.09 per Kg.
133-K	From 6 to 8 threads.	0.1125 per Kg.
133-L	From 9 to 12 threads.	0.15 per Kg.
133-M	From 13 to 16 threads.	0.225 per Kg.
133-N	From 17 to 20 threads.	0.30 per Kg.
133-O	From 21 to 24 threads.	0.45 per Kg.
133-P	From 25 to 28 threads.	0.42 per Kg.
133-Q	From 29 to 32 threads.	0.48 per Kg.
133-R	33 threads or more.	0.60 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the duties on the fabric, with a reduction of 4% in letters J, K, L, M, N and O and with a surtax of 20% in letters P, Q and R.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing from and including 10 kilograms to but not including 20 kilograms per 100 square meters:	
134-J	Up to 8 threads.	0.10 per Kg.
134-K	From 9 to 12 threads.	0.135 per Kg.
134-L	From 13 to 16 threads.	0.19 per Kg.
134-M	From 17 to 20 threads.	0.30 per Kg.
134-N	From 21 to 24 threads.	0.40 per Kg.
134-O	From 25 to 28 threads.	0.50 per Kg.
134-P	From 29 to 32 threads.	0.48 per Kg.
134-Q	From 33 to 36 threads.	0.56 per Kg.
134-R	37 threads or more.	0.64 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric plus a surtax of 25%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric, plus a surtax of 40%.	
	Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the duties on the fabric, with a reduction of 4% in letters J, K, L, M, N and O and with a surtax of 20% in letters P, Q and R.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	Fabrics of rayon, nylon or other similar synthetic yarn, plain, smooth, twilled or damasked, unbleached, weighing less than 10 kilograms per 100 square meters:	
135-J	Up to 8 threads.	0.12 per Kg.
135-K	From 9 to 12 threads.	0.155 per Kg.
135-L	From 13 to 16 threads.	0.20 per Kg.
135-M	From 17 to 20 threads.	0.32 per Kg.
135-N	From 21 to 24 threads.	0.46 per Kg.
135-O	From 25 to 28 threads.	0.55 per Kg.
135-P	From 29 to 32 threads.	0.52 per Kg.
135-Q	From 33 to 36 threads.	0.60 per Kg.
135-R	37 threads or more.	0.68 per Kg.
	NOTES:	
	Fabrics of this Item, white or partly bleached, shall be subject to the duties on the fabric with a surtax of 30%.	
	Fabrics of this Item, dyed a single color, shall be subject to the duties on the fabric plus a surtax of 50%.	
	Fabrics of this Item, printed or dyed with stripes, squares or other designs, shall be subject to the same duties as on unbleached fabrics in letters J, K, L, M, N and O, and with a surtax of 25% in letters P, Q and R.	
	All Sub-items of this Item have a customs surtax in addition to the assessed duties, in each case, amounting to 30% (Law of August 9, 1932).	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
136	Velvet and plush:	
136-A	Of hemp, flax, ramie, jute or other vegetable fibers not specifically classified.	not negotiated
136-B	Of rayon, nylon and other similar synthetic yarns.	0.30 per Kg.
	Knit fabrics of rayon, nylon and other similar synthetic yarns:	
137-D	In the piece.	0.60 per Kg.
137-E	Worsted jackets, drawers and undershirts.	1.05 per Kg.
137-F	Stockings, socks, gloves and other small articles.	3.30 per Kg.
	Tulles of rayon, nylon or other similar synthetic yarns:	
138-D	Plain.	0.78 per Kg.
138-E	Figured.	0.90 per Kg.
138-F	Embroidered after weaving.	1.20 per Kg.
	Lace, blondes and edging of rayon, nylon or other similar synthetic yarns:	
139-C	Woven on the loom or by hand. Plus an ad valorem duty of	0.90 per Kg. 15%
139-D	Fabrics known as open-work or made with darning stitch, made by hand or machine.	1.35 per Kg.
140	Carpets:	
140-B	Of rayon, nylon and other similar synthetic fibers.	0.06 per Kg.
141	Fabrics known as upholstery; and those of the same class in curtains, table-covers and similar articles, with or without fringe:	
141-C	Of rayon, nylon or other similar synthetic fibers, white or unbleached.	0.36 per Kg.
141-D	Of rayon, nylon or other similar synthetic fibers: printed or dyed a single color, with stripes, squares or other designs.	0.60 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
142	Trimmings, galloons, ribbons and other articles of hemp, jute, flax, ramie or other vegetable fibers:	
142-A	Ribbons, braids and galloons, not for ornamental purposes, for finishing clothing and other made-up articles and for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals).	not negotiated
142-B	Trimmings for ornamental purposes, such as tassels, fringes and figured or open-work braids, or with spangles or beading, and fancy ribbons and gallons.	not negotiated
142-C	Reins, bridles, cinches and other braided manufactures and cords.	not negotiated
142-D	Soles for "alpergatas" (twine-soled sandals).	not negotiated
	Trimmings, galloons, ribbons and other articles made of rayon, nylon and other similar synthetic or artificial yarns:	
142-E	Ribbons, braids and galloons, not for ornamental purposes, for finishing clothing and other made-up articles and for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals).	0.34 per Kg.
142-F	Trimmings for ornamental purposes, such as tassels, fringes and figured or open-work braids, or with spangles or beading, and fancy ribbons and gallons.	1.19 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 1.- RAW OR SPUN.	
143	Bristles, hair and horsehair:	
143-A	Raw, in thread or yarn, washed or dyed, and waste or cuttings for the manufacture of "brochas" (paint brushes).	Free
143-B	In manufactured articles, including brooms and brushes ("cepillos"), with the exception of toothbrushes, "brochas" (paint brushes) and artists' brushes.	20% ad valorem
143-C	"Brochas" (paint brushes) and artists' brushes.	27% ad valorem
143-D	Insulating materials for construction purposes, composed principally of mineral or rock wool, or hair felt, including those used for heat, cold or sound insulation.	14% ad valorem
143-E	Woolen felt.	27% ad valorem
143-F	Toothbrushes.	0.50 per Kg.
	GROUP 2.- FABRICS.	
147	Fabrics of pure or mixed wool:	
147-B	In wearing apparel and knit articles in general, not specifically classified.	not negotiated
147-F	Swimming and bathing suits, sweaters and other sportswear, when knitted.	24% ad valorem
	GROUP 1.- YARN.	
148	Silk or floss silk, twisted in thread or yarn, in reels, skeins or other forms for sewing, embroidering or the manufacture of fabrics:	
148-A	In reels, skeins or in any other form for the mechanical manufacture of all kinds of fabrics, cords or braids.	7.5% ad valorem
	GROUP 2.- FABRICS.	
149	In the piece, wearing apparel and other made-up articles:	
149-A	Pure or mixed silk in the piece.	25% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
149-B	Men's and women's underclothing, including stockings and knit articles in general.	50% ad valorem
149-E	Lace, ribbons, blondes, edging, galloons, trimmings of all kinds and other similar made-up articles.	30% ad valorem
	GROUP 2.- PAPER NOT MADE-UP.	
152	Paper in continuous rolls, folios or sheets, white or colored, glazed or calendered or not, with or without water-marks or pressure marks, not cut to size or painted:	
152-A	Manufactured on a base of screenings or other ordinary pulp, and of straw, weighing not less than 30 grams per square meter, known as brown paper, wrapping paper or "screenings" paper.	2.80 per 100 Kgs.
152-B	Manufactured on a base of soda pulp (Kraft), weighing not less than 10 grams per square meter, commonly known as Kraft paper for packing.	2.975 per 100 Kgs.
152-C	Manufactured on a base of bisulphite pulp, weighing not less than 10 grams per square meter, commonly known as manila paper, fiber paper and cellulose paper.	3.50 per 100 Kgs.
152-D	Manufactured on a base of bisulphite pulp, weighing not less than 10 grams per square meter, used for wrapping fruit; and glassine paper.	2.50 per 100 Kgs.
152-E	Manufactured on a base of ground wood-pulp, in a proportion of not less than 70% thereof and 30% of bisulphite, weighing not less than 50 nor more than 60 grams per square meter, not glazed, commonly known as newsprint.	2.40 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
152-F	Manufactured on a base of bisulphite or soda pulp, without ground wood pulp, or with a proportion of the latter not in excess of 30%; weighing not less than 60 nor more than 130 grams per square meter, such as sulphite bond and paper commonly known as paper for books and illustrated papers.	3.50 per 100 Kgs.
152-G	Manufactured on a base of pulp or fibers of flax, hemp, cotton and wheat or rye straw or others except that known as rice paper, weighing not less than 15 nor more than 30 grams per square meter, commonly known as cigarette paper.	not negotiated
152-H	Manufactured from flax pulp or fiber, surface-sized only or surface-sized and pulp-sized as well, not cut or ruled, such as that known by the name of bank paper, and others of high quality.	not negotiated
152-I	The paper specified in Sub-Item H of this Item, not containing flax, pulp-sized only, commonly known as writing paper.	4.80 per 100 Kgs.
152-J	Manufactured entirely on a base of cotton fiber, or on a base of wood pulp or cotton fiber, commonly known as blotting paper.	2.80 per 100 Kgs.
152-K	Other continuous papers not made-up, not specifically classified.	3.60 per 100 Kgs.
152-L	The paper of Item 152-G, known as rice paper	not negotiated
	GROUP 3.- MANIPULATED PAPER.	
154	Paper cut to size:	
154-A	That included in Items 152-H and 152-K, 153-A and 153-C, cut to size.	not negotiated

SCHEDULE IX - CUBA

PART II (continued)

Cuba Tariff Item Number	Description of Products	Rate of duty
154-B	That included in Sub-item 152-1, cut to size.	not negotiated
154-C	That included in Sub-item 152-G for cigarettes, cut to size not exceeding 60 centimeters length by 35 centimeters width.	not negotiated
155	Manufactures of paper:	
155-A	In sacks, bags, pouches or other similar articles made-up of paper of the kinds covered by Sub-Items A, B, C and D of Item 152, not printed, ornamented or stamped other than with the size number or manufacturers' trademark.	4.20 per 100 Kgs.
155-D	Envelopes.	0.105 per Kg.
155-E	Capsules and receptables, small paper cups for candies, bottle caps and waxed straws.	5.25 per 100 Kgs.
155-F	Paper on reels, of any of the classes dutiable under Sub-Items A, B, C and D of Item 152, for wrapping, covering or packing, gummed on one side, regardless of its width, commonly used for fastening boxes or packages, not printed, ornamented or stamped other than with size number or manufacturers' trademark.	4.30 per 100 Kgs.
155-H	Filter paper, in folios or cut in any form.	3.60 per 100 Kgs.
155-J	Abrasive paper, manufactured with glass, sand or pumice stone and other papers for smoothing or polishing.	1.50 per 100 Kgs.
155-M	Toilet tissue, paper towels, handkerchiefs and napkins.	4.80 per 100 Kgs.
155-N	Manufactures of paper not specifically classified and those in which paper constitutes the element of greatest value.	0.078 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item number	Description of Products	Rate of duty
156	Chemical papers:	
156-A	Having one or both sides covered with a coat of white lead or barium sulphate, kaolin, talc, etc., called artists' paper, "Couché" or chrome paper, commonly used for printing or lithography.	2.40 per 100 Kgs.
156-B	Impregnated, or coated with grease, oil, wax, paraffin, stearine, rubber, glue, etc., whether or not printed, typographed or lithographed, commonly known as waterproof paper; and tarred paper, reinforced or not with open-weave fabric of textile fibers, commonly used for baling.	3.60 per 100 Kgs.
156-C	Carbon paper.	3.60 per 100 Kgs.
156-D	Sensitized paper for photographic use or for reproductions.	4.50 per 100 Kgs.
156-E	Gilded, silvered, nickeled, coated with quicksilver, etc., in sheets or strips, including paper or cardboard coated with aluminium, whether plain, fancy, colored or embossed.	0.07 per Kg.
156-F	Transparent sheeting of cellulose or of any cellulose derivative, plain or colored, printed or not, cut to size or in rolls.	0.07 per Kg.
156-G	Capsules and bands for bottles and tubes, including synthetic sausage casings of all kinds, made of cellulose or of any cellulose derivative, plain or colored, printed or not.	0.091 per Kg.
156-H	Other chemical papers, not specifically classified.	0.07 per Kg.
	GROUP 4. - PAPER PRINTED, ENGRAVED, LITHOGRAPHED OR PHOTOGRAPHED.	
157	Printed:	
157-A	Books, except text-books, bound or not, includ-	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
157-A	ing the backs when of cardboard or of cardboard and cloth; and printed music.	0.70 per 100 Kgs.
158	Printed letterheads, forms for invoices, labels, checks, bills of exchange, accounts, receipts, bills of lading and similar forms.	0.16 per Kg.
159	Engravings, photographs, lithographs, chromolithographs, oleographs, and any other class of reproduction not specifically classified:	
159-A	From one to three printings, including articles printed with bronze powder (counting the printing in bronze as three printings and uncolored embossing or relief work as one printing), excluding printing in whole or in part in metal leaf.	0.21 per Kg.
159-C	From four to seven printings (counting the printing in bronze as three printings and uncolored embossing or relief work as one printing) excluding printing in whole or in part in metal leaf.	0.35 per Kg.
159-E	From eight to ten printings (counting the printing in bronze as three printings and uncolored embossing or relief work as one printing) excluding printing in whole or in part in metal leaf.	0.50 per Kg.
159-G	Of more than ten printings (counting the printing in bronze as three printings and uncolored embossing or relief work as one printing) including all articles printed in whole or in part in metal leaf, or on cigar-bands, regardless of the number of printings.	1.05 per Kg.
	GROUP 6.- CARDBOARD AND BRISTOL-BOARD AND MANUFACTURES THEREOF.	
161	Cardboard, pasteboard and bristol-board, in sheets or rolls:	
161-A	Ordinary paperboard or pasteboard for cor-	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
161-A	rugating, with a thickness not exceeding .01 of an inch, manufactured on a base of rye straw or other similar straws or sulphate pulp, provided that it is not glazed, colored, nor covered with paper or mineral substance.	0.70 per 100 Kgs.
161-B	Ordinary paperboard or pasteboard manufactured on a base or wholly of waste paper or newspaper, in natural color as manufactured, including those known as "chipboard" and "newsboard".	1.625 per 100 Kgs.
	NOTE: Paperboard or pasteboard manufactured on a base of mechanical wood pulp in combination with bisulphite pulp, containing not less than 70% of mechanical wood pulp, shall be classified under item 161-B as paperboard or pasteboard made from waste paper or newspaper.	
161-C	Ordinary paperboard or pasteboard manufactured on a base of or entirely of wastepaper or newspaper, but colored on one or both faces, or covered with white or colored paper not of a fancy nature, including those known as "chipboard" and "newsboard", also colored or covered with paper.	1.80 per 100 Kgs.
161-D	Fine and heavy Kraftboard, not specifically classified, manufactured principally from sulphate pulp; and manila board or imitations of manila board manufactured on a base of a combination of sulphite wood pulp and mechanical wood pulp or old waste rope or bagging and coated or lined with white or colored paper.	1.80 per 100 Kgs.
161-E	Paperboard coated with white lead, kaolin or other similar substances and all other ordinary cardboards not specifically classified, whether or not covered with white, colored, lustrous or fancy paper.	1.95 per 100 Kgs.

SCHEDULE IX - CUBA

PART II(continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
161-F	Bristol-board and fine cardboard manufactured wholly of sulphite pulp or fiber of flax (lino) or rags, colored or not, coated or uncoated, or covered or not with white, colored, painted, lustrous or fancy paper; whether or not embossed (stamped) or with any other kind of work.	3.30 per 100 Kgs.
162	Manufactures of cardboard and of bristol-board:	
162-J	Exterior cases in which goods are imported, made of any kind of cardboard or any combination of cardboard and fabric, whether or not waterproofed, with or without printing.	1.25 per 100 Kgs.
162-M	Playing cards of all kinds.	0.24 per Kg.
162-N	Cardboard hoods and discs for milk bottles, whether plain or printed.	3.50 per 100 Kgs.
162-P	Tabulating index cards.	7.50 per 100 Kgs.
162-Q	Other manufactures of bristol-board, fine cardboard, or cardboard, not specifically classified.	8.50 per 100 Kgs.
	GROUP 1.- WOOD.	
165	Ordinary wood, in logs, or rough sawn or unplaned:	
165-B	Gumwoods, including tupelo, regardless of size or form, in logs, or rough sawn or unplaned, and unplaned veneers of the same woods.	0.08 per 100 Kgs.
165-C	Other ordinary woods, including spruce (Picea sp.), regardless of size or form, in logs, or rough sawn or unplaned, but excluding strips.	0.20 per 100 Kgs.
166	Ordinary woods, further manufactured:	
166-A	Planed or dovetailed or in strips.	0.60 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
166-B	Plywood, except when in the form of box shooks.	0.30 per 100 Kgs.
166-C	Box shooks.	0.96 per 100 Kgs.
166-D	Crate shooks.	See Part I.
166-E	Cases or boxes of ordinary wood, with wooden divisions for packing bottles.	not negotiated
166-F	Crates for packing fruits and vegetable products.	0.08 per 100 Kgs.
166-G	Broom handles.	not negotiated
166-H	Packing cases in which articles are imported.	0.335 per 100 Kgs.
169	Cooperage, knocked down:	
169-B	In unfinished staves.	0.12 per 100 Kgs.
	GROUP 2. - FURNITURE AND MANUFACTURES OF WOOD.	
176	Other manufactures of wood:	
176-F	Toothpicks.	0.024 per Kg.
176-G	Utensils and articles in general, produced by carpenters, not specifically classified, when of ordinary wood, worked, not turned or carved.	3.60 per 100 Kgs.
176-H	The utensils and articles of the preceding Sub-Item G, when turned or carved, whether painted or varnished or not.	5.20 per 100 Kgs.
	GROUP 3. - MISCELLANEOUS.	
179	Rushes, cane, cane fiber, vegetable hair, osiers, palm fronds, wicker, fine straw, esparto, palm and genista, roots, shavings of wood and other similar materials:	
179-B	The materials specified, cut, bleached or dyed.	1.92 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 2.- HIDES AND SKINS AND MANUFACTURES THEREOF.	
192	Tanned hides, without hair, in sole-leather suitable for footwear or saddlery, ironed or not, including bellies and necks.	0.112 per Kg.
193	Tanned hides without hair, "splits" and similar hides:	
193-C	In "splits" chromed or chrome-tanned.	0.14 per Kg.
193-D	In thin sole-leather, grained, for belts, leggings and other uses; and leathers of like application, made of ungrained "splits".	0.175 per Kg.
193-F	Entire hides or sheets, tanned by any process, whether or not plain, glazed or grained, in calf, kangaroo, horsehide and similar classes, black or other colors.	0.175 per Kg.
193-G	Patent leather, in whole hides or sheets.	0.30 per Kg.
194	Entire skins and those suitable for upholstering furniture:	
194-A	Entire sheep skins, in natural finish and colors, glazed or not.	0.21 per Kg.
194-B	In goat skin and kid, calf and morocco, white, black or in other colors, varnished or glazed or not.	0.448 per Kg.
197	Men's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber or any other material, 24-1/2 centimeters insole measurement, or No. 4 English measure for men, or 36-1/2 Spanish or French measure, and over. Plus an ad valorem duty of	0.49 per pair 7%

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of Duty
198	Women's and children's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber, or any other material, 18-1/2 centimeters insole measurement, or No. 10 English measure for children, or 27-1/2 Spanish or French measure, and over. Plus an ad valorem duty of	0.35 per pair 7%
199	Children's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber, or any other material, in the sizes below those specified in Item 198 Plus an ad valorem duty of	0.21 per pair 7%
	NOTE: The additional duty on rubber heels shall not apply to the footwear included in Items 197, 198 and 199 of the Customs Tariff of the Republic of Cuba.	
202	Leggings, belts and other manufactures of leather, or lined, covered, reinforced or combined with leather or skins, not specifically classified:	
202-D	Other manufactures of leather or skin, or covered, lined, reinforced or combined with leather, the manufacture of which pertains to the saddlery, harnessmaking or shoemaking trades, and not specifically classified. Plus an ad valorem duty of	0.56 per Kg. 14%
	GROUP 3.- MISCELLANEOUS.	
205	Intestines, dried or in brine:	
205-B	Intestines in brine.	2.00 per 100 Kgs.
	GROUP 1. MUSICAL INSTRUMENTS AND PARTS THEREOF.	
207	Pianos, player-pianos, phonographs and similar articles, and accessories thereof:	
207-C	Phonographs.	20% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
207-D	Phonograph records.	0.07 per unit
207-E	Accesories and spare parts for phonographs.	15% ad valorem
207-H	Radio and television receiving and transmitting sets, whether complete or chassis alone.	20% ad valorem
207-I	Parts and accessories, including tubes, for radio and television receiving and transmitting sets, and tubes for film reproducing apparatus.	10% ad valorem
207-J	Cinematographic projection apparatus for both pictures and sound, and parts and accessories therefor, including projection arc lamps, motion picture sound discs and apparatus of any kind for the reproduction of sound adaptable to cinematographic projection, except tubes.	16% ad valorem
	GROUP 2. CLOCKS, WATCHES, APPARATUS, MACHINERY AND MISCELLANEOUS INSTRUMENTS.	
211	Watches, clocks and chronometers:	
211-C	Alarm clocks of ordinary metal.	10% ad valorem
211-D	Clocks worked by weights, wall clocks, table clocks and any others not specifically classified.	15% ad valorem
213	Scientific apparatus and parts therefor:	
213-A	Scientific apparatus used in physics laboratories and those for geodetic, surveying and nautical use.	10.5% ad valorem
214	Platform scales, steelyards, balances and other apparatus for weighing, including loose parts and accesories for the same.	12% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
215	Machinery or apparatus for manufacturing or refining sugar or alcohol, including loose parts and accessories for the same, not specifically classified.	7.98% ad valorem
216	Agricultural and industrial machinery and instruments:	
216-B	Machinery, portable or fixed, apparatus or instruments for industry in general and for the transformation of products used in manufactures, including those used in aqueducts, not specifically provided for, and including loose parts and accessories for the same, not specifically classified.	7.98% ad valorem
216-C	Instruments and apparatus for measuring to be used in connection with agricultural and industrial machinery and apparatus, such as thermometers, manometers, pyrometers, pressure gauges, carbon dioxide gauges and vacuum gauges, etc.	10.5% ad valorem
217	Motors of all kinds, fixed or not, including windmills, and the loose parts and accessories for the same, not specifically classified.	7.98% ad valorem
218	Pumps of all kinds, including loose parts and accessories for the same not specifically classified:	
218-A	Pumps of all kinds.	7.98% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
218-B	Loose parts and accessories for pumps of all kinds, not specifically classified.	5% ad valorem
219	Boilers of all kinds for generating steam and parts and accessories for the same:	
219-A	Boilers of all kinds for generating steam.	14% ad valorem
219-B	Parts and accessories of iron and steel, for boilers for generating steam, including "fluses" and tubes, whether or not cut to measure and with or without threads.	10% ad valorem
219-C	"Fluses" and completely finished loose parts and accessories for boilers, of copper or its alloys, not specifically classified.	15% ad valorem
220	Locomotives and other tractive equipment on rails, and loose parts and accessories for the same, not specifically classified.	10% ad valorem
221	Turntables, cranes and cane loaders, including loose parts and accessories for the same, not specifically classified:	
221-A	Turntables and cranes, including loose parts and accessories for the same, not specifically classified.	12% ad valorem
221-B	Cane loaders, with or without scales.	24% ad valorem
221-C	Loose parts and accessories not specifically classified for cane loaders.	15% ad valorem
222	Office appliances and loose parts and accessories for the same, not specifically classified:	
222-A	Office appliances, including typewriting machines, check protectors; sales registering machines and cash registers; machines for recording and reproducing dictation and conversation, including cylinders and machines for cleaning and shaving the same; calculating, bookkeeping, addressing machines; and all other machines for use in offices, banks, etc.	14% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
222-B	Loose parts and accessories not specifically classified for office appliances in general, including ribbons for machines.	12% ad valorem
223	Telephones, electric apparatus and machinery of all kinds, including loose parts and accessories for the same, not specifically classified, including batteries and storage batteries.	11.9% ad valorem
224	Machines for sewing, embroidering and similar machines, including needles:	
224-A	Machines for sewing, embroidering, spinning and weaving, and similar machines, and loose parts and accessories for the same, not specifically classified.	4% ad valorem
224-B	Needles for machines included in Sub-Item A of this Item	See Part 1
225	Mechanical combination refrigerators and other machines and apparatus not for industrial use and not specifically classified:	
225-A	Mechanical combination refrigerators of all kinds.	11.9% ad valorem
225-B	Other machinery and apparatus not for industrial use and not specifically classified, including loose parts and accessories for the same.	15.96% ad valorem
	GROUP 3.- CARRIAGES, AUTOMOBILES, TRACTORS, WAGONS, CARS AND OTHER VEHICLES.	
227	Carriages, automobiles, velocipedes and bicycles:	
227-B	Finished automobiles, with bodies mounted, of any material, whose list price in the factory does not exceed seven hundred and fifty dollars ($750.00).	10% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
227-C	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than seven hundred and fifty dollars ($750.00) but not more than one thousand five hundred dollars ($1,500.00).	12% ad valorem
227-D	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than one thousand five hundred dollars ($1,500.00) but not more than two thousand three hundred dollars ($2,300).	15% ad valorem
227-E	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than two thousand three hundred dollars ($2,300.00).	21% ad valorem
227-F	Finished trucks, with mounted bodies, of wood and metal, in which wood predominates.	not negotiated
227-G	The same with bodies of steel or other metal.	14% ad valorem
227-H	Automobile chassis without bodies.	not negotiated
227-I	Truck chassis with or without cabs for chauffeur, in which metal predominates, but without bodies, and bus chassis without bodies.	5% ad valorem
227-J	Bodies for automobiles, made of steel or other metal, combined or not with wood.	9% ad valorem
227-K	Bodies for trucks or busses, made of steel or other metal, unassembled.	15% ad valorem
227-L	Bodies for trucks or busses, made of steel or other metal, when imported completely unassembled	7.5% ad valorem
227-M	Bodies for trucks or busses, made of wood, combined or not with steel or other metal.	not negotiated
227-N	Parts and accessories not specifically classified, for automobiles and trucks.	5% ad valorem

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
227-O	Tractors.	4% ad valorem
227-P	Loose parts and accessories for tractors, not specifically classified.	4% ad valorem
227-Q	Motorcycles and the like, and loose parts and accessories for the same not specifically classified.	15% ad valorem
227-R	Velocipedes and bicycles.	10.5% ad valorem
227-S	Loose parts and accessories for the same, not specifically classified.	8% ad valorem
228	Railway passenger coaches, of all classes.	12% ad valorem
229	Box cars, railway cars and mine cars:	
229-A	Box cars and all kinds of cars for railways.	24% ad valorem
229-B	Parts and accessories for box cars and railway cars, not specifically classified.	15% ad valorem
229-C	Mine cars.	not negotiated
231	Wagons, carts and push-carts, for hand or animal traction.	16% ad valorem
	GROUP 4.- MARITIME SHIPPING AND AIRSHIPS.	
234	Airplanes, hydroplanes, dirigible balloons, and in general all equipment for aerial navigation, and loose parts and accessories for the same.	8% ad valorem
	GROUP 1.- MEAT AND FISH, BUTTER AND FATS.	
238	Meat in brine or salted:	
238-C	Pork, except the products included in letters A and B of Item 241.	9.00 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
239	Pure hog lard, neutral hog lard, lard oil, lard stearine and any other edible derivative of hog lard except hydrogenated hog lard.	3.20 per 100 Kgs.
240	Compound lard, that is, a mixture of animal and/or vegetable oils and fats in any proportion, and hydrogenated animal and vegetable oils and fats.	12.00 per 100 Kgs.
241	Bacon and "tocinetas", salted or smoked:	
241-A	Bacon or salted and smoked pork.	13.125 per 100 Kgs.
241-B	"Tocinete" or fat pork, merely salted.	7.50 per 100 Kgs.
242	Hams or shoulders:	
242-A	Cured or smoked.	14.42 per 100 Kgs.
242-B	Sugar-cured or otherwise prepared.	21.00 per 100 Kgs.
246	Milk:	
246-C	Condensed, evaporated or concentrated, with or without sugar and cream.	5.70 per 100 Kgs.
246-E	Milk called modified or "humanized", by any process, in powder, to be employed exclusively for ill and convalescent persons and for the artificial lactation of children, provided it comes in glass or tin containers, holding not more than 16 ounces net and with the use indicated on said containers.	6.40 per 100 Kgs.
246-F	Malted.	8.00 per 100 Kgs.
246-G	In other forms, including any kind of "skimmed milk", provided it is not of the kinds comprised under letter "g".	10.00 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
251	Oysters, shellfish and fish not specifically classified:	
251-A	Oysters of all kinds and dried or fresh shellfish.	4.00 per 100 Kgs.
	GROUP 2. CEREALS.	
253	Rice:	
253-B	Hulled, suitable for consumption, and semi-hulled.	1.85 per 100 Kgs.
	Note: Rice, hulled, suitable for consumption, and semi-hulled, imported in excess of a total quantity of 3,250,000 quintales from all countries in any calendar year, shall be subject to duty at a rate not in excess of 3.70 pesos per 100 kilograms when imported from the United States of America, Provided: that the tariff quota of 3,250,000 quintales shall be increased for any calendar year by the amount which the Government of the Republic of Cuba may determine to be necessary to supply the difference between the estimated Cuban production of rice and the total estimated Cuban consumption of rice in such calendar year, and so much of such increased amount as may be imported from the United States of America shall be subject to duty at a rate not in excess of 1.85 pesos per 100 kilograms. Whenever it is determined by the Government of the Republic of Cuba that the quantity of rice permitted to be imported within the tariff quota provided for in this Note should be allocated among supplying countries, the shares allocated shall be in proportion to the imports from such countries during the 10 calendar years immediately preceding the first year in which such allocation is made.	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
256	Flour, meal and semolina:	
256-A	Wheat flour.	0.63 per 100 Kgs.
256-C	Of corn.	3.64 per 100 Kgs.
256-D	Of oats, including oats prepared for food (rolled oats).	1.30 per 100 Kgs.
256-E	Of other cereals.	not negotiated
256-F	Wheat semolina.	2.10 per 100 Kgs.
256-G	Corn flakes.	3.64 per 100 Kgs.
256-H	Other ready-to-eat cereals.	1.30 per 100 Kgs.
	GROUP 3. - VEGETABLES AND FRUITS.	
257	Beans and lentils:	
257-B	Red and pink beans.	3.75 per 100 Kgs.
257-C	White, and those commonly known as white navy beans.	2.00 per 100 Kgs.
257-E	Other beans and lentils.	3.00 per 100 Kgs.
258	Peas and chick-peas (garbanzos):	
258-A	Peas.	1.00 per 100 Kgs.
259	Onions and garlic:	
259-A	Onions imported from November 15th to May 31st, inclusive, of each year.	4.00 per 100 Kgs.
259-B	Onions imported from June 1st to November 14th, inclusive, of each year.	1.50 per 100 Kgs.
260	Potatoes and other fresh vegetables and garden truck:	
260-B	Potatoes not specifically classified, imported from Nov. 1st to June 30th, incl., of each year.	4.00 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
260-C	Potatoes not specifically classified, imported in the months of July and October of each year.	2.00 per 100 Kgs.
260-D	Potatoes not specifically classified, imported in the months of August and September of each year.	1.00 per 100 Kgs.
260-E	Cauliflower, celery, cucumbers, and other fresh garden truck, with the exception of tomatoes and cabbages, imported from November 1st to May 31st inclusive, of each year.	1.60 per 100 Kgs.
260-F	Cauliflower, celery, cucumbers, and other fresh garden truck, with the exception of tomatoes and cabbages, imported from June 1st to October 31st, inclusive, of each year.	1.20 per 100 Kgs.
260-G	Tomatoes and cabbages, fresh.	1.60 per 100 Kgs.
260-H	Other fresh garden truck not specifically classified.	not negotiated
262	Fresh fruits:	
262-B	Apples, pears, peaches, plums, cherries, grapes, nectarines and apricots.	0.80 per 100 Kgs.
262-C	Apples and pears imported from April 1st to July 31st, inclusive, of each year.	not negotiated
262-D	Strawberries imported during the period from March 1st to November 30, inclusive, of each year.	0.80 per 100 Kgs.
262-E	Strawberries imported during the period from December 1st in any year to the last day of the following February, inclusive.	not negotiated
262-F	Melons imported from February 1st to July 14th, inclusive, of each year.	not negotiated

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
262-G	Melons imported from July 15th to January 31st, inclusive, of each year.	not negotiated
262-H	Others.	not negotiated
264	Dried or evaporated fruits:	
264-A	Figs and raisins.	1.365 per 100 Kgs.
264-B	Other dried or evaporated fruits.	1.365 per 100 Kgs.
265	Chestnuts, walnuts, filberts and similar nuts:	
265-B	Walnuts, filberts and similar nuts.	1.20 per 100 Kgs.
	GROUP 4.- SEEDS AND FEED FOR ANIMALS.	
269	Feed for animals:	
269-E	Grape (olive) bagasse, cakes, pastes, powders and meal of alfalfa and of oleaginous seeds, except the meal and cakes of peanuts; pulps, dregs and residues from industries, suitable for the feeding of livestock and other uses.	0.60 per 100 Kgs.
269-F	Meal and cakes of peanuts.	1.20 per 100 Kgs.
269-G	Birdseed, panic seed and hemp seed.	not negotiated
269-H	Feed for fowls; mixtures of three or more grains, crushed, such as corn, wheat, oats, sunflower, etc.; mixtures or compositions of animal substances, with or without other substances, finely ground; and oyster shells crushed for the same purpose.	1.20 per 100 Kgs.
269-I	Other feeds not specifically classified.	2.60 per 100 Kgs.
	GROUP 5.- CANNED GOODS.	
270	Fish or shellfish canned in oil or in any other form, in tin or other containers:	
270-E	Sardines, not boned, in tomato sauce or oil, of	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
270-E	common or ordinary class.	0.024 per Kg.
270-G	Salmon.	0.039 per Kg.
270-H	Mackerel.	0.028 per Kg.
270-I	Other fish and shellfish, not specifically classified. Plus an ad valorem duty of	0.05 per Kg. 7%
271	Vegetables canned and packed in any form:	
271-A	Tomatoes and tomato paste	0.126 per Kg.
271-F	Canned peas, sweet corn and asparagus.	0.02 per Kg.
	NOTE: Articles included in Sub-item 271-F shall be classified under this Sub-item even when strained, but not including vegetable juices.	
271-G	Paprika and other vegetables not specifically classified.	0.042 per Kg.
	NOTE: Articles included in Sub-item 271-G shall be classified under this Sub-item even when strained, but not including vegetable juices.	
271-H	Canned beans of all kinds, whether or not prepared or flavored with meat, condiments or similar substances.	0.042 per Kg.
272	Preserved fruits, in brandy, syrup, or in any other form:	
272-B	Apples, pears, peaches, plums, apricots, cherries and berries, including their mixtures.	0.03 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
273	Other preserved foods:	
273-A	Beef, mutton or pork, in tin cans.	0.30 per Kg.
273-B	Beef, mutton or pork, ground, pressed or in paste, for lunch.	0.21 per Kg.
273-C	Sausage, mortadella and other similar stuffed products.	not negotiated
273-D	Sauces, mustards and seasoning extracts, and similar seasonings of all kinds, not specifically provided for, including mayonnaise and salad dressings, excluding ketchup and other tomato sauces.	0.042 per Kg.
273-E	Fowl, foie-gras, truffles and other similar articles.	not negotiated
273-F	Canned soups of all kinds, except tomato soup, whether or not prepared with meat products, condiments or similar substances.	0.055 per Kg.
273-G	Canned tomato soups, whether or not prepared with meat products or similar substances.	0.10 per Kg.
273-H	Dehydrated soups of all kinds, whether or not prepared with meat products, condiments or similar substances.	0.072 per Kg.
273-I	Other preserved foods not specifically classified.	0.11 per Kg.
	GROUP 6.- OILS AND BEVERAGES.	
274	Olive oil and other vegetable oils, pure, refined, semi-refined, or hydrogenated:	
274-C	Refined cottonseed, corn and soybean oil.	3.01 per 100 Kgs.
	NOTE: Vegetable oils included in Subitem 274-C, when hydrogenated, shall be classified under Item 240, which specifically includes hydrogenated animal and vegetable oils and fats.	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
274-D	Other refined vegetable oils not specifically classified.	4.025 per 100 Kgs.
	NOTE: Vegetable oils included in Sub-item 274-D, when hydrogenated, shall be classified under Item 240, which specifically includes hydrogenated animal and vegetable oils and fats.	
276	Brandy, rum, gin, liquors, cognacs, cordials and all spirituous compounds not specifically classified, and whiskey:	
276-D	Whiskey in bottles, flasks, demijohns and other similar containers.	0.20 per Liter
280	Cider, ginger-ale and root beer; unfermented grape juice and other non-alcoholic beverages and soft-drinks, not specifically classified:	
280-A	Articles of this Item, not specifically classified, when imported in barrels, half-barrels or other similar containers.	not negotiated
280-B	Natural or artificial cider and unfermented grape juice, in bottles, flasks, demijohns or other similar containers.	0.0273 per Liter
280-G	Root beer and other non-alcoholic beverages and soft-drinks not specifically classified, when imported in bottles, flasks, demijohns or other similar containers.	0.063 per Liter
280-H	Juices of apples, pears, plums, cherries and berries, when imported in bottles, flasks, demijohns or other similar containers.	0.035 per Liter

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
	GROUP 7.- MISCELLANEOUS.	
286	Coffee, chicory root and chicory:	
286-A	Coffee, in the bean, green.	25.60 per 100 Kgs.
	NOTE: At such time as the production of coffee in the Republic of Cuba is inadequate to meet the requirements for local consumption, the Minister of Agriculture of Cuba shall so declare and for the duration of the period covered by such a declaration, coffee produced in Puerto Rico, if dutiable upon importation, shall be admitted into the Republic of Cuba at a rate of duty not in excess of 50 per centum of the lowest rate applicable to coffee of any other origin, but such rate applicable to coffee produced in Puerto Rico shall in no case exceed - $16.00 per one hundred kilograms.	
288	Manufactured cocoa:	
288-A	Cocoa ground or in paste form, cocoa without mixture; chocolate, bonbons, tablets, candies and sweetmeats of which cocoa or chocolate forms a part.	0.48 per Kg.
289	Sweetened pastes, jellies and gelatine; marmalade, quince paste, caramels; sweetmeats and candies of all kinds and chewing gum:	
289-A	Sweetened pastes, jellies and gelatine, marmalade, quince paste, caramels; sweetmeats and candies of all kinds, not specifically classified.	0.18 per Kg.
289-B	Jams, jellies and marmalades made of apples, peaches, apricots, plums, grapes, cherries, quinces, currants and berries.	0.15 per Kg.
289-C	Chewing gum.	0.12 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
290	Pastes and feculas for soup and other food purposes:	
290-A	Spaghetti, vermicelli, noodles, maccaroni, stars, letters and other forms of flour paste and any other paste for soups.	4.80 per 100 Kgs.
290-B	Tapioca, starch of potato, of peas, of rice and others for food purposes.	6.00 per 100 Kgs.
290-C	Edible starch and fecula of corn.	2.75 per 100 Kgs.
290-D	Yeast.	not negotiated
291	Crackers:	
291-A	Ordinary, that is, those composed of flour, salt, and water, with or without shortening.	3.20 per 100 Kgs.
291-B	Fine crackers of all classes, including those in the manufacture of which there enter butter, eggs, sugar, essences or sweets of any kind, and those made with chocolate, cocoa butter, almonds, nuts or sweetmeats of any kind, provided that they do not contain more than 20% of chocolate or sweetmeats, including the immediate container.	6.40 per 100 Kgs.
291-C	Fine crackers provided for under 291-B when they contain more than 20% and less than 30% of chocolate or sweetmeats, including the immediate container.	not negotiated
297	Manufactured tobacco:	
297-C	Smoking tobacco manufactured in any form.	8.80 per Kg.
297-E	Cigarettes. Plus an ad valorem duty of	4.00 per Kg. 20%

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
302	Horn, whalebone, bone and ivory nut; and galalith, synthetic resins, celluloid, cellulose acetate and other cellulose plastics, including all the materials and articles which imitate those included in this Item and Item 301, in a solid state, with or without fillers:	
302-A	Unmanufactured, or in plates or strips as raw material, and strips and plates laminated or not.	0.10 per Kg.
302-B	In buttons having a diameter of 2 centimeters or less.	1.68 per Kg.
302-C	In buttons having a diameter of more than 2 centimeters.	1.20 per Kg.
302-D	Manufactures of horn, whalebone, bone, ivory nut and celluloid, not specifically classified.	1.05 per Kg.
302-E	Personal adornments and knick-knacks manufactured of galalith, synthetic resins, cellulose acetate and other cellulose plastics, in a solid state, with or without fillers.	0.90 per Kg.
302-F	Other manufactures which imitate the material included in Letter D and in Item 301, including articles made of galalith, synthetic resins, cellulose acetate and other cellulose plastics, in a solid state, with or without fillers, when not constituting articles of personal adornment and knick-knacks.	0.48 per Kg.
306	Cartridges, shells and percussion caps:	
306-A	Empty cartridges for hunting arms and percussion caps therefor.	13.00 per 100 Kgs.
306-B	Loaded cartridges for hunting arms.	24.00 per 100 Kgs.
306-C	Shells or cartridges for firearms, not for hunting and not prohibited.	36.00 per 100 Kgs.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
307	India rubber or gutta percha and synthetic rubber in manufactured articles and packing:	
307-A	Rubber pipe and accessories for machinery and apparatus.	0.04 per Kg.
307-B	Heels for shoes.	0.20 per Kg.
307-D	Canvas footwear with a one-piece rubber sole, without heel, 24-1/2 centimeters insole measurement and over.	0.31 per pair
307-E	Canvas footwear with a one-piece rubber sole, without heel, from 18-1/2 to 24-1/2 centimeters insole measurement.	0.26 per pair
307-F	Canvas footwear with a one-piece rubber sole, without heel, of less than 18-1/2 centimeters insole measurement.	0.22 per pair
307-J	Packing of all kinds.	0.04 per Kg.
307-K	All other articles not specifically classified, including rubber bathing caps and rubber thread, whether or not wound with cotton, silk or rayon, for sewing or for manufacturing rubber textiles.	0.1625 per Kg.
308	Belting for power transmission:	
308-A	Leather.	14% ad valorem
308-B	Natural or synthetic rubber.	16% ad valorem
308-C	Cotton canvas.	14% ad valorem
309	Tarpaulins and tarred or pitchy felt and waste:	
309-A	Sanded or tarred tarpaulins of canvas or other fabrics.	0.064 per Kg.

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
310	Artificial plants and flowers:	
310-A	Of cloth, wax, wood or other substances.	2.40 per Kg.
312	Oilcloth and linoleum:	
312-B	Linoleum.	0.20 per Kg.
312-C	Desk-pads, portfolios and other manufactures of oilcloth.	0.375 per Kg.
312-D	Other classes of oilcloth.	0.06 per Kg.
313	Games, toys and other articles of amusement or diversion, not specifically classified.	15% ad valorem
314	Tires of rubber or synthetic rubber, or of these materials combined with fabrics, for all kinds of vehicles, and inner tubes:	
314-B	Hollow tires.	0.25 per Kg.
314-C	Inner tubes.	0.265 per Kg.
315	Hose of rubber or synthetic rubber, or with mixtures of other material, or of other material only, simple or reinforced with wire.	0.04 per Kg.
318	Films and plates for photography and cinematography:	
318-A	Sensitized film for cinematography.	0.60 per Kg.
318-B	Cinematograph films exposed or prepared for exhibition.	4.80 per Kg.
	NOTE: Cinematograph films classified under Sub-Item 318-B, may be imported temporarily under bond for preliminary showing to distributors and for purposes of censorship, and no duties shall be collected on such films which are not released for distribution or which are refused by the censorship board, provided they have not been exhibited publicly and	

SCHEDULE IX - CUBA

PART II (continued)

Cuban Tariff Item Number	Description of Products	Rate of duty
318-B	NOTE (continued) are reexported within a maximum period of 30 days from the date on which they are withdrawn from customs.	
318-C	Cinematograph films, 16 millimeters or less in width, exposed or prepared for exhibition and to be used for non-commercial purposes; and all films imported expressly for educational purposes, previously authorized by the Ministry of Education.	2.40 per Kg.
318-D	Film for photograph cameras.	0.375 per Kg.
318-E	Glass photograph plates.	not negotiated
321	Hats, bonnets and caps of all kinds:	
321-B	Of felt, rabbit hair and other similar material, for men and boys.	18.2% ad valorem
321-E	Crowns, for hats.	16% ad valorem
322	Waterproof fabrics, that is, those covered on one or both sides with a coating of rubber or synthetic rubber and also those having an interior coating of rubber or synthetic rubber:	
322-A	Of cotton in the piece, for automobile tops or upholstering.	0.096 per Kg.
322-B	Other materials of cotton in the piece, including rubber friction tape.	0.21 per Kg.
322-C	Of cotton, in manufactured articles.	0.60 per Kg.
323	All other manufactured articles not included, generically or specifically, in any of the preceding Items, and the assimilation whereof to those bearing greatest resemblance has not been directed by the Treasury Department, for inclusion in the classification to be opportunely added to this Tariff.	22% ad valorem

SCHEDULE IX - CUBA

PART II (concluded) and General Notes

Cuban Tariff Item Number	Description of Products	Rate of duty
324	All other raw materials:	
324-A	All other raw materials, subject to the conditions specified in Item 323 for unclassified manufactures, except calcium carbide.	not negotiated
324-B	Calcium carbide.	not negotiated
	Articles which would have been entitled to preferential exemption from duty or import tax if imported into the Republic of Cuba on April 10, 1947, as products of the United States of America.	Free, subject to the provisions of paragraph 3 of Article I of this Agreement, in the event that the most-favored-nation rate on any such product is modified.

GENERAL NOTES

1 - Products described in Part II of this Schedule shall upon importation into the Republic of Cuba be exempt from payment of the 20 percent surtax of duty established by Fiscal Emergency Law No. 28, of September 8, 1941, with the exception of products classified under Sub-items 10-D, 11-C, 82-A, 260-B and 321-B. There shall also be exempt from payment of this surtax the products classified under Sub-items 102-C and 216-A, and under Items 254 and 299, which are not included in Part II of this Schedule.

SCHEDULE IX - CUBA

General Notes (concluded)

II - The rate of the Public Works surtax established by Decree 2296, of August 30, 1934, shall not exceed 3% in respect of products described in Part II of this Schedule, which are classified under Tariff Items Nos. 34-B, 143-B, 143-C, 207-H, 207-I, 211-D, 302-B, 302-C and 323.

III - The customs tariff tare system established under Provision Third of the Arancel de Aduanas de la Republica de Cuba, in its Rules First to Fourteenth, applicable to the Items included in this Schedule, shall remain in force as set forth in said Provision, except as expressly modified in Part I and Part II of this Schedule.

IV - Except as otherwise provided in Part II of this Schedule, the "notes" relating to the products therein described (except for the "not negotiated" items) which now appear in the Arancel de Aduanas de la Republica de Cuba, shall be considered an integral part of Part II of this Schedule.

V - Whenever the term "not negotiated" appears in the "rate of duty" column of Part I or of Part II of this Schedule, it is to be understood that the Item or Sub-item in question has been inserted only because of the necessity of making certain changes in its structure or nomenclature, as a result of tariff negotiations. Therefore, in regard to such Items or Sub-items, the Government of the Republic of Cuba reserves its right to change the text, as well as to maintain or modify the present rates of duty set forth in the Cuban Customs Tariff for the products comprised in such "not negotiated" Items and Sub-items.

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SCHEDULE X - CZECHOSLOVAKIA

This Schedule is authentic only in the English and French languages.

PART I

Most-Favoured-Nation Tariff

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	I. COLONIAL ARTICLES.	
ex 1	Cocoa beans and husks:	
a)	raw	100.-
ex 2	Coffee:	
a)	raw	1650.-
3	Tea	5000.-
	II. SPICES.	
ex 4	Pepper (black, white and red /Spanish, also paprika/, long pepper; pepper dust); pimento; ginger:	
ex a)	unground:	
ex 2.	other:	
	pepper (black, white or long)	500.-
	pimento	600.-
ex 5	Cinnamon:	
ex a)	unground:	
2.	other	1500.-
ex 6	Badian (aniseed star); cloves (also mother cloves); mace (flower of nutmeg); nutmegs unshelled:	
ex a)	unground:	
2.	other	2200.-
ex 7	Nutmegs shelled:	
ex a)	unground:	
2.	other	3000.-
ex 8	Cardamoms, saffron, vanilla:	
ex a)	unground:	
2.	other	3000.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	III. SOUTHERN FRUITS.	
ex 9	Figs:	
ex b)	dried:	
1.	in little boxes, cases or pottles	300.-
Note to 9 b)	Figs dried, strung or otherwise packed, imported under licence for the manufacture of coffee-substitutes, under supervision and on conditions fixed by regulation	50.-
ex 10	Wine berries and grapes, dried; currants:	
	wine berries and grapes, dried (1) (6)	180.-
Note to 10	Wares of T.No.10 imported under licence for the manufacture of vinegar, under supervision and on conditions fixed by regulation	40.-
ex 11	Citrons, Lemons, cedrats:	
	citrons	140.-
	grapefruit	30.-
	mangoes	80.-
ex 12	Oranges (also mandarins):	
	oranges from June 1 to August 31	100.- on gross weight
	mandarins	150.- on gross weight
Note to 12	Oranges, except mandarins, in crates	100.-
13	Citrons, limes, cedrats and oranges, in brine; small unripe oranges; orange, cedrat and citron rinds, also ground or in brine	70.-
14	Dates, pistachios, bananas (pisang):	
	dates	270.-
	pistachios	540.-
	bananas (pisang)	200.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
15	Pineapples	500.-
16	Almonds:	
a)	dried, unshelled or shelled	300.-
b)	unripe, in the shell	150.-
ex 17	Pine (cembra) kernels, unshelled; carob-beans, azaroles, edible chestnuts; coconuts and similar exotic edible nuts; olives, fresh, salted or dried:	
	coconuts and similar exotic edible nuts	100.-
	olives, fresh, dried or salted	45.-
	VI. CEREALS; MALT; PULSE; FLOUR AND MILLED PRODUCTS; RICE.	
34	Rice unhusked and husked, also broken:	
a)	unhusked	10.-
b)	other	40.-
	VII. FRUIT, VEGETABLES, PLANTS AND PARTS OF PLANTS.	
	F r u i t :	
ex 35	Grapes, fresh; vintage must:	
	grapes, fresh:	
	from December 1 to July 31	400.-
	from August 1 to November 30	500.-
ex 36	Walnuts and hazelnuts, ripe:	
	hazelnuts, ripe:	
	not peeled	150.-
	peeled	200.-
ex 37	Fruit not specially provided for, fresh (2):	
ex a)	fine table fruit:	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 1.	peaches and nectarines, pears, apples and strawberries:	
	peaches and nectarines, from March 1 to May 31	170.-
	pears from October 1 to May 31	75.-
	apples:	
	from November 1 to May 31	75.-
	from June 1 to June 30 picked from the tree within three months prior to importation (3)	75.-
ex 2.	other:	
	apricots from March 1 to May 31	170.- on gross weight
ex 38	Plums, dried (6):	
ex a)	in barrels, cases, bags, or in similar packing of a gross weight of over 30 kilograms, or unpacked:	
	in barrels, cases, bags, or similar packing of a gross weight of over 30 to 50 kilograms	60.-
b)	in other packing (4)	60.-
ex 39	Fruit not specially provided for, prepared (dried, compressed, cut up, powdered or otherwise ground; preserved in brine or in vinegar, in barrels; plum jam with no sugar added):	
	apples and pears, both dried and unpeeld, whether whole or cut up (5) (6)	50.-
	all other fruit not specially provided for, dried (5) (6)	100.-
	V e g e t a b l e s :	
ex 42	Cabbage, fresh:	
ex b)	from December 1 to July 15:	
	from March 1 to May 31	50.-
ex 43	Vegetables not specially provided for and other culinary plants, fresh:	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex a)	fine table vegetables:	
1.	truffles	250.- on gross weight
ex 2.	asparagus, carrots in bundles, cucumbers, cabbage lettuce and spinach:	
	asparagus and cabbage lettuce, from November 1 to April 30	260.-
	carrots in bundles and spinach, from November 1 to March 31	260.-
ex 3.	other:	
	green beans and green peas, in pods, from November 1 to May 31	120.- on gross weight
	Plants and parts of plants:	
	Seeds:	
ex 47	Linseed and hemp seed, oil seeds, not elsewhere included:	
b)	oil seeds, not elsewhere included	free
ex 49	Clover seed:	
ex b)	other:	
	lucerne (alfalfa)	85.-
50	Grass seeds	440.- on gross weight
	Ornamental flowers and leaves, also living plants:	
ex 56	Living plants (also in ordinary flower pots, tubs and the like):	
b)	trees and shrubs:	
	Azalea mollis; Azalea pontica	free
	magnolias; Japanese maple (Acer japonicum)	260.-
	other	800.-
c)	flower bulbs, tubers and rootstocks (rhizomas, bulbs)	80.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex e)	other, including slips, cuttings, grafts and shoots:	
	Azalea indica	free
	Other plants and their parts:	
61	Sea-grass, esparto grass (stipa tenacissima or alfa), piassava and similar vegetable materials for stuffing, plaiting, for brushes and brooms; bast, raffia; reed; straw; hay; litter; all these goods also dyed	free
ex 62	Plants not specially mentioned and their parts:	
ex b)	dried or prepared (powdered or otherwise reduced or dyed):	
2.	other	80.-
	IX. OTHER ANIMALS.	
ex 75	Fish, freshwater crayfish, land snails, scampi; fresh:	
a)	sea fish	10.-
ex b)	other:	
	freshwater fish	230.-
76	Sea shellfish or crustaceans (e.g. oysters, lobsters, sea spiders, crabs, turtles), fresh, also boiled, but not shelled:	
	lobsters	600.-
	other	750.-
	X. ANIMAL PRODUCTS.	
ex 79	Eggs of poultry, also yolk and white of egg, liquid:	
b)	yolk and white of egg, liquid	220.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
Note to 79 b)	Yolk and white of egg, liquid, imported under licence by factories for the manufacture of leather, edible artificial fats, preserves of fish or of paste, under supervision and on conditions imposed by regulation	free
ex 81	Animal wax:	
a)	in a natural state	20.-
ex 82	Horny sponges:	
ex a)	sponges fine or common (bath and horse sponges) in a natural state, not worked, not washed; horse sponges washed, further worked, but not bleached:	
	sponges fine or common (bath and horse sponges) in a natural state, not worked, not washed	50.-
83	Skins and hides, raw (green or dry, also salted or limed, but not further worked)	free
ex 84	Hair of all kinds, crude or worked (i.e. combed, boiled, dyed or stained, also curled); bristles:	
	hair of all kinds, except human hair, crude or worked (i.e. combed, boiled, dyed or stained, also curled); bristles	free
ex 86	Bladders and guts, fresh (green), salted (pickled), or dried; gold beater's skins; gut strings:	
	bladders and guts, fresh (green), salted (pickled), or dried; gut strings	24.- on net weight
	XI. FATS AND GREASE.	
	Edible fats:	
89	Pork and goose fat, raw or rendered (7)	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kcs per 100 kilograms:
	Fats for technical purposes and fatty acids:	
ex 91	Fish, whale and seal oil:	
	fish and whale oil	free
92	Animal tallow, raw or rendered; pressed tallow ...	15.-
93	Tallow vegetable, palm oil, palm kernel and coconut oil, solid:	
a)	tallow vegetable and palm oil	free
b)	palm kernel and coconut oil, solid	6.-
ex 94	Wax, vegetable:	
ex b)	carnauba wax and other vegetable wax not specially provided for:	
1.	raw	40.-
96	Paraffin:	
a)	not refined, also paraffin scales	180.-
b)	other	220.-
98	Ceresine	420.-
ex 99	Petroleum jelly and lanoline (refined grease from wool):	
ex a)	in casks:	
	petroleum jelly	320.-
101	Fats and fatty mixtures, not specially provided for	20.-
	XII. FATTY OILS.	
ex 103	Linseed oil, soya bean oil, Chinese wood oil and other fatty oils, not specially provided for, in casks, leather bags and bladders, except oil varnishes:	
a)	Chinese wood oil, without additions	20.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex b)	other:	
	castor oil	160.-
ex 104	Olive, maize, poppy seed, sesame, groundnut, beechnut and sunflower oil, in casks, leather bags and bladders:	
	olive oil, if accompanied with a certificate of purity, issued by a competent authority of the country of origin	50.-
	groundnut oil, if accompanied with a certificate issued by a competent laboratory of the country of origin, testifying to the fact that the oil has been actually manufactured from kernels and shells of groundnuts	90.-
ex Note to 103 and 104	Castor oil of the T.No.103, olive oil (also turnant oil and olive-seed oil) and groundnut oil of the T.No.104, for technical purposes, on condition that they shall be denaturized at one of the customs offices expressly entrusted therewith:	
	castor oil of the T.No.103 for technical purposes, on condition that it will be denaturized at one of the customs offices expressly entrusted therewith	6.-
ex 106	Fatty oils in bottles, jars and similar receptacles weighing less than 25 kilograms:	
ex b)	oils of the T.No.104:	
	olive oil in bottles, if accompanied with a certificate of purity, issued by a competent authority of the country of origin	90.-
	groundnut oil, if accompanied with a certificate issued by a competent laboratory of the country of origin, testifying to the fact that the oil has been actually manufactured from kernels and shells of groundnuts	150.-
	XIII. BEVERAGES.	
ex 108	Distilled spirituous liquors:	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex a)	wine distillates:	
	wine distillates, arriving from the country of origin, where they enjoy an officially controlled appellation of origin, and accompanied by a certificate of appellation of origin issued by an authority recognized by the competent authorities of the country of importation	3000.-
ex b)	liqueurs, punch essences and other distilled spirituous liquors with the addition of sugar or other substances; francovka:	
	liqueurs and other distilled spirituous liquors with the addition of sugar or other substances	5000.-
c)	arack, rum:	
	arack	3200.-
	rum	2000.-
ex d)	other distilled spirituous liquors:	
	gin, whisky	3000.-
ex 109	Wine, fruit wine, wine and fruit must, fruit and berry juices, unthickened; mead:	
a)	citrus fruit juices, unthickened (8)	200.-
ex b)	other:	
ex 1.	in casks:	
	wines arriving from the country of origin:	
	enjoying in their country of origin an officially controlled appellation of origin, and accompanied by a certificate of appellation of origin issued by an authority recognized by the competent authorities of the country of importation (9)	360.-
	other, accompanied by a certificate of origin issued by a competent authority of the country of origin (9)	360.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 2.	in bottles:	
	wines arriving from the country of origin:	
	enjoying in their country of origin an officially controlled appellation of origin, and accompanied by a certificate of appellation of origin issued by an authority recognized by the competent authorities of the country of importation (9)	800.-
	other, accompanied by a certificate of origin issued by a competent authority of the country of origin (9)	800.-
	fruit and berry juices (except apple, raspberry and grape juices), unthickened (8) ...	400.-
ex 110	Sparkling wines:	
	sparkling wines, arriving from the country of origin, enjoying in their country of origin an officially controlled appellation of origin, and accompanied by a certificate of appellation of origine issued by an authority recognized by the competent authorities of the country of importation	2000.-
	XIV. COMESTIBLES.	
ex 114	Baked articles (biscuits, cakes, wafers, etc.):	
	baked flakes and similar preparations of ground cereals and of rice	700.-
115	Sago and sago substitutes, tapioca and arrowroot	200.-
ex 119	Cheese and curd:	
ex a)	cheese:	
	Roquefort	500.-
120	Herrings, salted or smoked:	
a)	salted	14.-
b)	smoked	70.- on gross weight

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 121	Fish not specially provided for, salted, smoked, dried:	
a)	salted	10.-
ex b)	other:	
	smoked	300.-
122	Fish, prepared (marinated or in oil etc.), in casks:	
a)	in oil	400.-
b)	other	800.-
125	Cocoa butter	180.-
126	Cocoa powder	2000.-
ex 127	Cocoa paste; chocolate, substitutes for and manufactures of chocolate:	
	cocoa paste	2000.-
ex 128	Preserves of fish, meat and shellfish:	
ex b)	other:	
	preserves of lobster	1000.-
ex 130	Preserves of fruit, thickened must, fruit and berry juices, thickened; tamarinds:	
a)	citrus fruit juices, thickened	500.-
ex b)	other:	
	fruit and berry juices (except apple, raspberry and grape juices), thickened	700.-
ex 131	Edibles in tins, bottles, and similar containers hermetically sealed (except edibles enumerated under Tariff Numbers 114, 123, 126 and 127):	
a)	citrus fruit juices, thickened	500.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex b)	other:	
	preserved vegetables (including preserved mashrooms and vegetable juices) and other plant preparations for kitchen use; soups:	
	preserved asparagus	500.-
	vegetable juices:	
	tomato juice	500.-
	other	340.-
	other, except preserved tomatoes (10)	700.-
	preserved fruit:	
	pineapple	500.-
	other	700.-
	fruit and berry juices (except apple, raspberry and grape juices), thickened	700.-
	preserved fish:	
	sardines, kippered herrings, salmon	600.-
	pilchards:	
	in oil	600.-
	in tomato sauce	400.-
	lobster	1000.-
	roasted puffed grains of cereals and of rice	900.-
ex 132	Edibles not specially provided for:	
a)	yolk and white of egg, dry	800.-
ex b)	other:	
	soups	700.-
	roasted puffed grains of cereals and of rice	900.-
	chewing gum	960.-
	XV. WOOD, COAL AND TURF.	
ex 134	Building and industrial wood (11); cork:	
b)	building and industrial wood, not European in the log or in rough blocks hewn by axe, also sawn or otherwise cut, split, except veneers, not further worked	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	XVI. MATERIALS FOR TURNING AND CARVING.	
136	Chair cane, raw, not split; sticks and canes, finer, raw	free
138	Horns, horn in slabs, horn points, claws, feet, hoofs, bones, all natural or only split, stretched or cut	free
ex 139	Amber (also amber pulp), jet, ivory and other animal teeth, tortoise shell, meerschaum, mother-of-pearl and other shells, all these materials natural or only split, stretched or cut:	
	ivory and other animal teeth, tortoise shell, mother-of-pearl and other shells	free
ex 140	Whalebone, natural; coral, raw (also perforated, but not cleaned nor smoothed):	
	coral, raw (also perforated, but not cleaned nor smoothed)	free
ex 141	Celluloid in sheets, sticks or tubes, also polished or backed, but not further worked; artificial materials for turning and carving, not specially provided for, not further worked:	
ex b)	artificial materials for turning and carving, not specially provided for, not further worked:	
	artificial materials for turning and carving of casein	100.- on gross weight
	XVII. MINERALS NOT INCLUDED ELSEWHERE.	
142	Stones, rough or merely roughly hewn or mostly not more than on three sides sawn by saw or by cable; slabs neither split nor sawn by saw or by cable	free
144	Ores not specially provided for, also partly treated	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 146	White chalk, heavy spar:	
ex b)	ground, washed:	
1.	white chalk	7.-
ex 148	Coloured clays:	
ex b)	burnt, ground, washed, compressed:	
2.	other	50.-
ex 150	Earths and mineral substances not specially provided for, crude, burnt, ground or washed:	
ex b)	other:	
	asbestos (amianth), graphite, mica, phosphate rock	free
	XVIII. MEDICINAL WARES AND PERFUMERY.	
151	Liquorice juice, thickened, in cases or lumps ...	250.-
ex 154	Fragrant waters (without alcool), such as: orangeblossom, rose, lavender, fennel, peppermint, millefleurs and other like waters:	
b)	in receptacles weighing gross less than 10 kilograms	160.-
ex 155	Essences (essential oils):	
b)	other (12)	320.-
	XIX. DYEING AND TANNING MATERIALS.	
159	Other barks, roots, leaves, blossoms, fruits (e.g. myrobalans), valonias, gallnuts and similar, also cut, ground up or otherwise reduced, for dyeing and tanning	free
ex 162	Archil, persio; indigo; cochineal; extract of chestnut wood; extract of quebracho wood; tanning extracts, not specially provided for:	
	wattle extract	8.-
	indigo; extract of chestnut wood, extract of oak wood, extract of eucalyptus wood	13.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
163	Dyeing extracts, not specially provided for:	
a)	liquid	100.-
b)	solid	170.-
	XX. GUMS AND RESINS.	
ex 165	Rosin; colophony; pitch not specially provided for:	
	rosin, colophony	free
170	Asphalt cement; asphalt mastic; rosin cements (wood cement)	23.-
ex 173	Turpentine, turpentine oil, pitch oil (rosin oil); crude oil of amber, hartshorn and caoutchouc, also coal tar oils of the benzol series; birdlime:	
ex b)	other:	
	turpentine, turpentine oil	free
174	Copal and damar resin, shellac, gum arabic, gedda gum, senegal gum, gambodge gum, gum tragacanth; gums, resins and gum resins, crude vegetable balsams and juices, not specially provided for ...	free
	XXI. MINERAL OILS; LIGNITE AND SCHIST TAR AND OILS THEREOF.	
ex 177	Mineral oils, as well as lignite tar and schist tar oils, semi-refined (semi-purified), or refined (purified), of a density of 0.880 or less, also mixed with animal or vegetable oils or fats:	
ex b)	of a density of more than 0.790 and up to 0.880:	
	mineral oils, semi-refined (semi-purified), or refined (purified):	
	of a density of more than 0.790 up to 0.870..	170.- on own weight
	of a density of more than 0.870 up to 0.880..	180.- on own weight

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
178	Mineral oils, as well as lignite and schist tar oils, semi-refined (semi-purified), or refined (purified), of a density of more than 0.880, also mixed with animal or vegetable oils or fats:	
	of a density of more than 0.880 up to 0.890	180.- on own weight
	of a density of more than 0.890	200.- on own weight
	XXII. COTTON, YARNS AND WARES THEREOF, also mixed with vegetable spinning materials, but not with wool or silk.	
180	Cotton, crude, carded, bleached, dyed, ground; cotton waste	free
ex 181	Cotton wadding, except cotton wool for medical purposes; threads prepared for cleaning machinery etc. (13):	
	N o t e . Linters, shaped, imported under licence for the manufacture of rayon, under supervision and on conditions imposed by regulation	100.-
	C o t t o n y a r n :	
183	single, unbleached:	
a)	up to No.12 English	180.-
b)	over No.12 and up to No.29 English	230.-
c)	over No.29 and up to No.50 English	400.-
d)	over No.50 and up to No.70 English	400.-
e)	over No.70 and up to No.90 English	450.-
f)	over No.90 English	370.-
Note 2 to 183	Cotton yarn unbleached, single, imported under licence for the manufacture of tulle, curtains, embroideries and lace, under supervision and on conditions imposed by regulation:	
	ex c) over No.29 and up to No.50 English	290.-
	ex d) over No.50 and up to No.60 English	350.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	ex d) and e) over No.60 and up to No.80 English ...	400.-
	ex e) over No.80 and up to No.90 English	280.-
	ex f) over No.90 and up to No.120 English	free
	ex f) over No.120 English	free
184	of two threads, unbleached:	
a)	up to No.12 English	230.-
b)	over No.12 and up to No.29 English	300.-
c)	over No.29 and up to No.50 English	450.-
d)	over No.50 and up to No.70 English	450.-
e)	over No.70 and up to No.90 English	520.-
f)	over No.90 English	520.-
Note to 184	Cotton yarn unbleached, of two threads, imported under licence for weaving-factories for the manufacture of half silk tissues, as of tulle, curtains, embroideries and lace , under supervision and on conditions imposed by regulation:	
	ex c) over No.29 and up to No.50 English	350.-
	ex d) over No.50 and up to No.60 English	420.-
	ex d) and e) over No.60 and up to No.80 English ..	350.-
	ex e) over No.80 and up to No.90 English	350.-
	ex f) over No.90 and up to No.120 English	free
	ex f) over No.120 English	free
185	of three or more threads, single twist, unbleached:	
a)	up to No.12 English	300.-
b)	over No.12 and up to No.29 English	350.-
c)	over No.29 and up to No.50 English	500.-
d)	over No.50 English	600.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak. Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
Note to 185	Cotton yarn unbleached, of three or more threads, over No.60 English, imported under licence for embroidering (embroidery yarn), under supervision and on conditions imposed by regulation:	
	1. over No.60 and up to No.80 English	440.-
	2. over No.80 and up to No.90 English	360.-
	3. over No.90 English	free
186	of three or more threads, multiple twist, unbleached:	
a)	up to No.12 English	370.-
b)	over No.12 and up to No.29 English	420.-
c)	over No.29 and up to No.50 English	650.-
d)	over No.50 English	750.-
187	Cotton yarn bleached, mercerized, dyed (also printed) is subject to a surcharge to the rate of duty stipulated for the respective kind of cotton yarn unbleached, namely:	
a)	bleached	140.-
b)	mercerized	150.-
c)	dyed (also printed)	240.-
d)	bleached and mercerized	240.-
e)	dyed (also printed) and mercerized	270.-
	Note to T.No.187. The surcharges enumerated above are to be added to conventional rates stipulated for yarn unbleached.	
	XXIII. FLAX, HEMP, JUTE AND OTHER VEGETABLE SPINNING MATERIALS NOT SPECIALLY MENTIONNED, YARNS AND WARES THEREOF,	
	without admixture of cotton, wool or silk.	
ex 202	Flax, hemp, jute and other vegetable spinning materials not specially provided for, all raw, steeped (retted), broken, hackled, bleached, dyed and their waste:	
	flax, raw; hemp (14), jute and sisal; coir fibre, raw ..	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	Yarn:	
ex 204	Yarn of linen (of flax fibre or flax tow); yarn of ramie (China-grass):	
ex a)	single, unbleached:	
	over No.60 English	70.-
ex 205	Yarn of hemp (of hemp fibre or hemp tow, also mixed with other spinning materials classified in this Class); yarns not specially provided for:	
ex a)	single, unbleached:	
	yarn of hemp (of hemp fibre or hemp tow, also mixed with other spinning materials classified in this Class)	300.-
Note after 205 c)	Yarn of Manila and sisal hemp or similar spinning materials, unbleached, for the manufacture of plaits for hats, 2500 m of this yarn weighing 1 kilogram or less, imported through the customs offices in Krnov and Vejprty	90.-
ex Note to 204, 205 and 206	Yarn for sheaves binding, in hanks or on reels:	
	yarn of sisal for sheaves binding, in hanks or on reels	150.-
	Goods of flax, hemp, jute, etc.:	
218	Carpets of flax, hemp, jute and of other vegetable spinning materials, not specially provided for, also bleached, dyed, printed, figured:	
a)	not woven with pile	1200.-
b)	woven with pile	4000.-
Note to 219 a)	Coir and similar fibres, twisted as cords (coir yarn etc.), imported under licence for the manufacture of rugs and the like, under supervision and on conditions imposed by regulation ...	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	XXIV. WOOL, WOOLLEN YARN AND WARES THEREOF, also mixed with other spinning materials, except silk.	
220	Wool, raw, washed, combed, dyed, bleached, milled and waste	free
	Yarn:	
ex 226	Carded yarn and yarn not specially provided for, spun in the shape of carded yarn:	
a)	unbleached, single	330.-
	Woollen goods:	
229	Woollen tissues not specially provided for, also printed:	
a)	weighing more than 700 grams per square metre:	
	endless tissued felts for technical purposes	3500.-
	other	2000.-
b)	weighing more than 200 and up to 700 grams per square metre:	
	endless tissued felts for technical purposes	6000.-
	other	3000.-
c)	weighing 200 grams or less per square metre:	
	endless tissued felts for technical purposes	7700.-
	other	4500.-
	Note to 229. When assessing duty under the most favoured nation treatment on woollen tissues of the Tariff Number 229 no account is taken of the components of silk or artificial silk used to obtain effects, provided that the weight of such components does not exceed 5% of the total weight of such tissues.	
230	Velvets and tissues ressembling velvet (with cut or uncut pile), also printed	7000.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
234	Shawls and tissues similar to shawls; lace and lace kerchiefs; tulle and netted materials resembling tulle	14.300.-
ex 237	Carpets:	
b)	knotted carpets	7000.-
ex 239	Technical articles:	
d)	driving belts	1700.-
	XXV. SILK AND SILK WARES, also mixed with other spinning materials.	
240	Silk cocoons; silk waste, not spun	free
ex 242	Silk (reeled or spun), also twisted:	
a)	raw	free
b)	bleached	600.-
ex 243	Floss silk (silk waste spun), also twisted:	
a)	raw or bleached	free
ex 245	Yarn of silk, floss silk or artificial silk, with admixture of other spinning materials, also twisted:	
b)	other	1500.-
ex 246	Sewing thread of silk, floss silk or artificial silk, also combined with other spinning materials, bleached or dyed, prepared for retail sale:	
	sewing thread of artificial silk, also combined with other spinning materials, bleached or dyed, prepared for retail sale	4800.-
	Wares wholly of silk (of silk, floss silk or artificial silk):	
249	Silk bolting cloth	10.000.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	Wares of half silk (of silk, floss silk or artificial silk mixed with other spinning materials) :	
ex 259	Ribbon maker's wares:	
a)	other:	
1.	ribbed ribbons, half of silk, 6 cm or less in width, dyed, black, grey or brown (hat bands)	9000.-
2.	not figured, other	12.000.-
3.	figured	13.000.-
	XXVI. READY MADE ARTICLES OF TEXTILES.	
ex 265	Wigmakers and other wares of human hair:	
	hair nets	4000.-
274	Clothing, linen, articles of fashion and other articles sewed up of tissues, not specially provided for, are dutiable according to the chief component with a surcharge of 40 percent; as such component in ready made ladies clothing and in articles of fashion is considered the component subject to the highest rate of duty.	
	XXVIII. WARES OF STRAW, CANE, BAST, WOOD SHAVINGS AND SIMILAR MATERIALS, NOT MENTIONED IN OTHER CLASSES OF THE TARIFF.	
279	Chair cane, prepared	free
280	Coarse coverings for floors and mats (carriage mats and the like), undyed or dyed	120.-
ex 281	Plated wares, not specially mentioned:	
a)	common, i.e. coarse wares for domestic and industrial use, also combined with wood	120.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
b)	fine, as far as they do not classify under c), also combined with common materials:	
	plaits for hats of all kind	180.-
	other	360.-
282	Basket makers' wares (also of plaited osier):	
a)	common (coarse hampers for packing, dossers, carriage and linen baskets, fish pots and the like) of unpeeled or peeled reeds etc., neither stained, dyed, varnished nor lacquered, also combined with wood, iron or base metals	150.-
b)	fine, i.e. all other wares so far as they do not classify under c), also combined with common or fine materials	1200.-
c)	very fine, i.e. wares combined with very fine materials	3000.-
	XXIX. PAPER AND PAPER WARES.	
ex 285	Pasteboard, also floor coverings of pasteboard:	
a)	ordinary, weighing 300 g and more per square metre	100.- on gross weight
ex b)	pressboards, slate pasteboard, glase pasteboards:	
1.	vulcanized fibre	360.- on gross weight
Note 1 to 285	Baryte pasteboard, imported for the manufacture of photographic paper, under special licence, on conditions imposed by regulation	3.-
	Paper:	
ex 291	Parchment:	
	parchment, not genuine	660.-
ex 292	Paper prepared for photographic purposes:	
b)	sensitised	1700.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 296	Paper not specially provided for:	
ex a)	plain:	
1.	rotary press paper, in rolls	140.-
3.	other:	
α.	white, without lignine	300.-
β)	other	200.-
	Wares of paper:	
ex 300	Wares of paper, pasteboard and paper pulp not specially provided for:	
ex a)	of paper pulp, pasteboard, paper, except paper falling under Tariff Numbers 290 b), 294 and 296 c):	
ex 4.	other:	
	spools and tubes for winding yarn upon	900.-
	XXX. INDIA RUBBER, GUTTA-PERCHA AND ARTICLES THEREOF.	
ex 304	India rubber natural and artificial, gutta-percha (also balata), factis and other rubber substitutes produced by a chemical process, all crude, also refined; waste thereof, old used pieces of articles manufactured therefrom, reclaimed (regenerated) rubber from rubber waste (Mitchel's gum):	
	India rubber natural and artificial, gutta-percha (also balata), all crude, also refined, and waste thereof	free
ex 312	Articles of soft India rubber, not specially provided for, also combined with common or fine materials:	
	rubber syringes	650.-
	erasers, rubber bands up to 2mm in width	1100.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
ex 320	Technical articles:	Kčs per 100 kilograms:
b)	hose of or with rubber, also covered with textiles, or with inlaid wire	910.-
d)	driving belts	1000.-
e)	pneumatic tires (inner tubes and outer covers) and solid tires for wheels of vehicles:	
1.	for bicycles	1500.-
2.	other:	
	pneumatic tires (inner tubes with outer covers) and inner tubes	1700.-
	outer covers	1500.-
	solid tires for wheels of vehicles	850.-
	XXXI. OILCLOTH AND ARTICLES THEREOF.	
323	Floor-cloth of oilcloth, linoleum, camptulicon and similar compositions:	
a)	up to 2mm in thickness	2000.-
b)	over 2mm in thickness	800.-
	XXXII. LEATHER AND LEATHER ARTICLES.	
	Leather:	
ex 328	Cattle and horse leather, worked for soles (also for machinery beltings):	
a)	backs:	
1.	vegetable tanned	800.-
2.	mineral tanned	1000.-
329	Cattle and horse leather worked up in a different way than for sole leather, also completely curried, but not patented:	
a)	of natural colour or dyed black	900.-
b)	other	1290.-
Note 1 to 329	Leather imported under licence for the manufacture of card clothing (including card backs and bands), under supervision and on conditions imposed by regulation	300.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
330	Calf leather, except patent leather:	Kčs per 100 kilograms:
	vegetable tanned	1100.-
	mineral tanned	1350.-
331	Buck, goat and kid leather, tanned, also split, not dyed, not further prepared	100.-
332	Sheep and lamb leather, tanned, not dyed, not further curried:	
a)	split on the flesh side	280.-
b)	other	600.-
	N o t e . Sheep and lamb leather, partly tanned, not otherwise curried, imported under special licence for the manufacture of leather destined for making up into trunk-makers', ornamental and bookbinders' wares, etc., except such intended for the manufacture of footwear and gloves, on conditions imposed by regulation	170.-
333	Buck, goat and kid leather, curried, except glove and patent leather	1350.-
ex 334	Sheep and lamb leather, curried, except glove leather and patent leather:	
b)	other	1200.-
335	Glove leather of all kinds	620.-
336	Patent leather of all kinds	800.-
ex 337	Leather not specially provided for; parchment:	
b)	skins of birds, reptiles, amphibians, and fish	450.-
Note 1 after 337	Cuttings and other waste of leather classified under Tariff Numbers 329, 330, 333-337 (15)	215.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
	XXXIV. WOODEN WARES; WARES OF MATERIALS FOR TURNING AND CARVING.	Kčs per 100 kilograms:
ex 351	Veneers and planks made of veneers glued together:	
ex a)	not inlaid:	
1.	rough	230.- on gross weight
ex 356	Wares not specially provided for, of common wood, also planed (flat or in profile), roughly turned or roughly carved, also glued, rabbetted or otherwise put together:	
ex c)	stained, dyed, varnished, lacquered, polished, and all articles combined with leather or common materials, except those classed under b):	
ex 1.	of soft wood:	
	skis	500.-
Note	Boards of dyed or stained wood, imported under licence by factories for the manufacture of pencils, under supervision and on conditions imposed by regulation	10.-
ex 2.	of hard wood or veneered (with common wood):	
	skis	500.-
ex 357	Wares not specially provided for, of fine wood or veneered therewith, also planed (flat or in profile), roughly turned or roughly carved, also glued, rabbetted or otherwise put together:	
ex b)	stained, dyed, varnished, lacquered, polished, and all articles combined with leather or common materials, except those classed under a):	
	skis and ski sticks	500.-
Note	Boards of dyed or stained wood, imported under licence by factories for the manufacture of pencils, under supervision and on conditions imposed by regulation	10.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 358	Woodwares not specially provided for, finely turned, and all wares with burnt-in, moulded or cut ornamentation, also combined with leather or common materials; upholstered wares without coverings:	
	skis	1000.-
	ski sticks	700.-
ex 361	Articles of other materials than wood for turning and carving, not specially provided for:	
ex c)	articles of meerschaum, lava, celluloid and similar artificial carving materials [except articles made of imitation of materials enumerated under d) and e)] also combined with common or with other fine materials:	
	unexposed films other than motion picture films	2500.-
	exposed motion picture films	2000.-
Note 1 to 361 c)	Unexposed motion picture films	600.-
	XXXV. GLASS AND GLASSWARE.	
380	Photographic dry plates, sensitized	1500.- on gross weight
381	Optical glass, crude, not ground for lenses, in lumps, sheets or lens-shaped, cast, moulded or cut, also ground in part for testing the quality, white or coloured:	
a)	in lumps	25.-
b)	other	90.- on gross weight

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	XXXVI. WARES OF STONE, of stones, earths not burnt, cement and mixture of stones.	
ex 391	Stones sawn by saw or by cable on more than three sides, but otherwise rough or merely rough hewn; stone slabs over 16 cm thick, merely sawn by saw or by cable, or split:	
	of alabaster, marble and serpentine	5.-
392	Fireproof stones of quartzite in the shape of bricks, hewn or sawn by saw or by cable:	
a)	pieces up to 5 kilograms	36.-
b)	pieces over 5 kilograms	9.-
ex 393	Slate:	
b)	roofing slate and other slate in sheets	9.-
ex 394	Stone slabs 16 cm or less thick (except slabs of slate and lithographic stones):	
b)	further worked, also smoothed or polished:	
1.	of stones not mentioned under 2. and 3.	20.-
2.	of alabaster, marble or serpentine	50.-
3.	of granite, porphyry, syenite and similar hard stones	70.-
399	Cement	45.-
401	Articles of asbestos:	
a)	paper and cardboard of asbestos, not shaped ...	200.-
b)	paper and cardboard of asbestos, shaped, also perforated; not shaped or shaped with wire insertion	800.-
c)	asbestos yarn, also combined with other textile materials or wire	800.-
d)	asbestos tissues, also combined with other textile materials or wire	1500.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
e)	other articles of asbestos, so far as they do not classify under 409 c), also combined with other materials (except caoutchouc)	1600.-
ex 402	Millstones, also with iron hoops or metal casing; lithographic stones:	
	millstones, also with iron hoops or metal casing	10.-
ex 403	Natural grindstones and whetstones:	
a)	not combined with other materials	14.-
ex 404	Artificial grindstones and whetstones, also combined with wood, iron or other base metals:	
a)	of emery, silicon carbide or other similar hard materials	370.-
406	Abrasive paper	400.-
407	Abrasive cloth, abrasive ribbons, and similar abrasive materials	500.-
ex 409	Wares of stone combined with other materials so far as such a combination is not accounted for under other numbers of this Class:	
ex a)	with common materials:	
	wares of mica or micanite	900.-
	XXXVIII. IRON AND IRON WARES.	
	Iron and semimanufactured products of iron:	
ex 428	Pig iron; iron and steel, old broken, and waste, for melting and refining:	
a)	pig iron	16.-
c)	ferro manganese, ferro-silicon (50 to 90% Si), ferro-chrome, ferro-nickel, ferro-tungsten, ferro-molybdenum, ferro-vanadium, ferro-aluminium (16)	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
429	Bloom iron; ingots	36.-
430	Billets of cast iron and billets of puddled iron, blooms, puddled bars	50.-
ex 431	Iron and steel in bars, hammered, rolled or drawn:	
ex a)	not shaped:	
	not shaped, except band iron and band steel, rolled in cold state, of a thickness of more than 1.5 mm till 4 mm	65.-
b)	shaped	80.-
c)	ornamental iron	100.-
d)	finished, if not falling under e)	130.-
e)	coated with nickel, plated with copper, copper alloys or aluminium, or polished	165.-
ex 432	Sheets and plates:	
a)	not worked (rough) [black plates], of a thickness of:	
1.	2mm or more	110.-
2.	less than 2mm down to 1mm	110.-
3.	less than 1 mm down to 0.6mm	120.-
4.	less than 0.6mm down to 0.4mm	130.-
5.	less than 0.4mm down to 0.25mm	150.-
6.	less than 0.25mm	160.-
b)	dressed or pickled, of a thickness of:	
1.	1mm or more	130.-
2.	less than 1 mm down to 0.6mm	150.-
3.	less than 0.6mm down to 0.4mm	160.-
4.	less than 0.4mm	170.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex c)	coated with tin, zinc, lead, copper or brass, varnished, smoothed, of a thickness of:	
ex 1.	1mm or more:	
ex α)	coated with tin, zinc, lead:	
	coated with tin, lead	200.-
β)	other	230.-
ex 2.	less than 1mm down to 0.6mm:	
ex α)	coated with tin, zinc, lead:	
	coated with tin, lead	210.-
β)	other	240.-
ex 3.	less than 0.6mm down to 0.4mm :	
ex α)	coated with tin, zinc, lead:	
	coated with tin, lead	220.-
β)	other	250.-
ex 4.	less than 0.4mm:	
ex α)	coated with tin, zinc, lead:	
	coated with tin, lead	285.-
β)	other	300.-
d)	nickelled, plated with copper, copper alloys or aluminium, or polished	300.-
e)	with designs (coloured or impressed), watered, lacquered	310.-
433	Sheets and plates, pierced, perforated, punched or cut out:	
a)	black	400.-
b)	polished or pickled	420.-
c)	other	700.-
434	Wire:	
aA)	rolled	110.-
aB)	other of a thickness of:	
1.	1.5mm or more	140.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
2.	less than 1.5mm down to 0.5mm	180.-
3.	less than 0.5mm	220.-
b)	coated with tin, zinc, lead, copper, brass, varnished, of a thickness of:	
1.	1.5mm or more :	
α)	3mm or more	210.-
β)	less than 3mm down to 1.5mm	210.-
2.	less than 1.5mm down to 0.5mm	260.-
3.	less than 0.5mm:	
α)	less than 0.5mm down to 0.3mm	300.-
β)	less than 0.3mm	300.-
c)	coated with nickel, plated with copper, copper alloys or aluminium, or polished	340.-
435	Hardened wire:	
a)	not worked (rough)	230.-
b)	polished or otherwise further worked	540.-
	Wares of iron:	
438	Pipes and their joints of non-malleable cast iron:	
a)	not worked (rough), also scoured, also covered with asphalt or tar; with walls of a thickness of:	
1.	7mm or more	85.-
2.	less than 7mm	160.-
b)	otherwise ordinarily worked; with walls of a thickness of:	
1.	7mm or more	185.-
2.	less than 7mm	300.-
c)	finely worked; with walls of a thickness of:	
1.	7mm or more	330.-
2.	less than 7mm	380.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
439	Pipes, except their joints, of malleable iron, rolled or drawn, or of malleable cast iron, also with bent over, soldered or welded flanges; corrugated pipes:	Kčs per 100 kilograms:
a)	not worked (rough), also scoured, with screws or with bored or turned flanges	300.-
b)	otherwise ordinarily worked	380.-
c)	finely worked	550.-
ex 445	Sheet iron articles, not specially provided for:	
ex d)	oxydized, painted, printed, bronzed, lacquered, enameled or of sheet iron with designs; also combined with common materials:	
ex 2.	other:	
	addressing machine frames	800.-
	N o t e to 445. Water meters dutiable under T.No.445 are subject, according to their kind, to 3/5 of the respective general rate of duty.	
	T o o l s a n d i n s t r u m e n t s :	
455	Forks for hay and manure and other large forks, rakes and rakers, also combined with wood:	
a)	not worked (rough), also with point prepared ..	350.-
b)	otherwise ordinarily or finely worked, also polished or coated with nickel	500.-
ex 456	Hammers, sledge-hammers, axes of all kinds, tongs, except heavy forge tongs, anvils, anvils stakes, forge swages (shapers):	
ex a)	weighing per piece 500 grams or more:	
ex 1.	black or ordinarily worked:	
	hammers, sledge-hammers; axes of all kinds	700.-
ex 2.	finely worked:	
	hammers, sledge-hammers; axes of all kinds	1200.-
ex b)	weighing per piece less than 500 grams, further without regard to weight, all such tools wholly or partly polished or coated with nickel:	
	hammers, sledge-hammers; axes of all kind ...	1500.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 458	Saws and non-toothed saw blades, also wholly or partly polished or coated with nickel:	
a)	fret saws	2500.-
ex 459	Cutting files (cutters), reamers (except angular reamers), screw and spiral borers, screw dies; awls; all these tools also wholly or partly polished or coated with nickel; weighing each:	
ex e)	less than 50 grams:	
	awls	2700.-
465	Sprocket-chains, except bicycle chains classified under T.No.552	700.-
ex 467	Card clothing of all kinds, weavers reeds and teeth for same, also in squares or rings; weavers' healds of wire; loops of wire or sheet iron for healds (mails):	
a)	card clothing:	
1.	not combined with felt	900.-
2.	other	3000.-
ex 468	Pins, so far as they are not classified under T.No. 469; pens and pen-tubes; steel beads, also gilt or silvered; fish hooks, hooks and clasps, buckles, buttons, thimbles and similar small articles:	
	fish hooks	2500.-
ex 469	Needles (including sticking, embroidering and darning needles), also with gilt eye; needles for sewing, knitting, embroidering and hosiery machines:	
a)	needles for machines	1200.-
ex 473	Locks, keys and other parts of locks:	
a)	locks common, except safety locks and locksmiths' artistic work, weighing each:	
1.	more than 300 grams	850.-
2.	300 grams or less	1400.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 476	Iron furniture except furniture with artistic locksmiths' work; gymnastic apparatus:	
b)	with other common or with fine finish, also combined with other materials:	
	record keeping equipment (17)	1300.-
	refrigerator cabinets, also with very fine finish, for storing foodstuffs (18)	1700.-
	other	2200.-
ex 478	Arms and parts thereof:	
ex b)	fire arms:	
ex 3.	other finished portable fire arms, also very finely worked:	
	automatic guns, automatic pistols, revolvers, guns with or without cocks	6300.-
ex 479	Cutlery and parts of cutlery:	
ex e)	all other cutlers' wares, also very finely worked:	
ex 2.	other:	
	not honed blades for safety-razors, in bands	2100.-
ex 483	Wares of malleable iron, not specially provided for, also combined with non-malleable cast iron or with wood:	
ex c)	finely worked, weighing per piece:	
ex 1.	more than 25 kilograms:	
	wheels for motor vehicles and airplanes	200.-
ex 2.	more than 3 kilograms and up to 25 kilograms:	
	wheels for motor vehicles and airplanes	215.-
ex 484	Iron wares combined with common materials:	
	wheels for motor vehicles and airplanes	300.-
	armatures	1000.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	XXXIX. BASE METALS AND WARES THEREOF.	
	Base metals, crude and semi-products:	
ex 488	Base metals, crude, old broken or scrap:	
a)	lead, also alloys of lead with antimony, arsenic, tin or zinc	24.-
b)	tin, also alloys of tin with antimony, lead or zinc; Britannia metal	free
d)	copper (also refined), electrolytic copper, rosette copper, cement (precipitated) copper	free
e)	nickel	free
ex f)	aluminium, magnesium and alloys of aluminium with magnesium:	
	aluminium and alloys of aluminium with magnesium	free
g)	base metals not specially provided for	free
ex h)	alloys of base metals, not specially provided for:	
	brass	free
ex 491	Sheets and plates (rolled, hammered), not further worked:	
c)	of zinc	240.-
ex d)	of copper, nickel, aluminium and other base metals or metal alloys not specially provided for:	
ex 1.	of a thickness of over 0.5 mm:	
	of copper or brass	300.-
	of aluminium, aluminium alloys or alloys similar to aluminium	480.-
ex 2.	of a thickness of 0.5 mm or less:	
	of copper or brass	380.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
494	Sheets and plates, gilt or silvered, also plated with gold or silver	1500.-
ex 496	Bars, rods and wire (rolled, forged or drawn):	
ex d)	of copper, nickel, aluminium and of other base metals or metal alloys:	
ex 1.	of a thickness of over 0.5 mm:	
	of brass	440.-
	of nickel, aluminium, aluminium alloys or alloys similar to aluminium	580.-
498	Copper wire, cemented; wire of base metals or metal alloys, silvered or plated with silver; all these wires also flattened, but not further worked	720.-
	Wares of metal:	
ex 500	Pipes and cylinders, not further worked:	
ex d)	of other base metals or metal alloys, weighing per linear metre:	
ex 1.	1 kilogram or more:	
	of copper	840.-
ex 502	Boilers and boilermakers' wares, coarse, not further worked (except articles falling under Class XL.):	
b)	boilers of other base metals or metal alloys (except aluminium and nickel); moulds merely hollowed out; forged or rolled boiler bottoms and fire boxes; all these weighing per piece more than 10 kilograms	450.-
ex 517	Wares not specially provided for, of copper and other base metals and metal alloys, not specially provided for, also combined with common materials:	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex a)	ordinarily worked:	
	frotcurs of bronze, without setting	550.-
	nails and tucks for upholstery; rings for awnings; fittings for railway cars, furniture, windows and doors; furniture; kitchen utensils of copper and brass (excepted table utensils)	1300.-
ex b)	finely worked:	
	nails and tucks for upholstery; rings for awnings; fittings for railway cars, furniture, windows and doors; furniture; kitchen utensils of copper and brass (excepted table utensils)	2800.-
ex 522	Wares of base metals or metal alloys, wholly or partly gilt or silvered, plated with gold or silver or combined with very fine materials:	
	searchlights and electrical lamps for motorcycles and automobiles	7000.-
ex 523	Bullion, tinsel (also tinsel foil) and spun thread of base metals or alloys thereof:	
b)	silvered or plated with silver	4000.-
c)	gilt or plated with gold	8000.-
	XL. MACHINERY, APPARATUS AND THEIR PARTS OF WOOD, IRON OR BASE METALS, EXCEPT THOSE INCLUDED UNDER TARIFF CLASSES XLI. AND XLII.	
ex 526	Steam boilers, distilling, cooling and cooking apparatus; cisterns and tanks; all these articles finished, also with fittings belonging to them and fitted on to them:	
ex b)	of iron, with component parts of base metals:	
	steel cylinders for gas	850.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 528	Steam engines and other engines not specially provided for (except engines falling under the Class XLI. and XLII.); machine tools, permanantly combined with steam engines (steam dredging machines, steam-cranes, steam hammers, steam pumps, steam fire engines, and similar machines)	
	N o t e to 528. Carburetors falling under this Tariff Number are dutiable at the same rate to which are subject carburetors classified under T.No.537.	
ex 530	Agricultural machinery and implements, not specially provided for:	
ex c)	other:	
ex 2.	of iron:	
	complete plows for attachment to motor plows	500.-
ex 538	Machines and instruments not specially provided for, other:	
ex c)	weighing each over 10 metric quintals:	
	lathes, planing, shaping and milling machines, for metal work	1000.-
ex Notes to Class XL.		
2.	When classifying machines, instruments, or parts thereof, their combination with other materials is disregarded.	
3.	Such articles, not specially provided for, which cannot be used otherwise than for assembling machines or instruments, shall be dutiable as parts of machines or instruments.	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms;
	XLI. ELECTRICAL MACHINES, APPARATUS AND ELECTROTECHNICAL ACCESORIES.	
ex 539	Dynamos and electric motors (except those for automobiles), also permanently combined with mechanical contrivances or apparatus; transformers (rotary or static converters); weighing each:	
a)	25 kilograms or less:	
	electric cooling units (19)	1700.-
	other	3000.-
b)	more than 25 kilograms and up to 5 metric quintals	2000.-
ex 540	Electric telegraph, ringing, signalling and railway safety apparatus; telephones and microphones; lightning arresters (except lightning conductors); electricity measuring and calculating apparatus; weighing each:	
ex b)	less than 5 kilograms:	
	microphones	9000.-
ex Note to 540	Radiotelephone, radiotelegraph and similar apparatus; electric loud-speakers:	
	receiving apparatus (except those for television), amplifiers, and electric loud-speakers; all except electronic tubes imported separately	9000.-
542	Electric lamps (arc lamps, incandescent electric-light lamps and the like), mounted holders for electric lamps; mounted glasses for electric luminous effects other electro-medical apparatus (including Roentgen apparatus)	4250.-
ex 543	Electric apparatus and electro-technical appliances (regulators, resistances, starters and the like), not specially provided for:	
	spark plugs and electric starting devices for combustion and explosion motors (also for automobile and airplane engines)	2000.-
	rectifiers of electric current	3000.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 543 (Cont'd)	carbon brushes, mounted	5000.-
Note after 543, par.4	Electric apparatus and electro-technical appliances, not specially provided for, mounted with electricity measuring and calculating apparatus and weighing less than 5 kilograms each will be dutiable under the T.No.540 b).	
ex 544	Cable and insulated wire for electric conduction:	
a)	with metal casing	1300.-
545	Accumulators with lead electrodes, as well as lead electrodes for accumulators	1200.-
546	Electric carbons:	
a)	electric light carbons weighing 1 kilogram or less per linear metre	800.-
b)	other:	
1.	weighing each 3 kilograms or over	32.-
2.	other	120.-
	XLII. VEHICLES.	
	Road vehicles:	
ex 552	Bicycle parts (tube joints, forks, handle bars, saddle pillars, chain wheels, pedals, valves, brake parts, hubs [also not assembled], chains for bicycles, pedal cranks, threated spokes, spoke nipples, perforated rims, etc.), worked:	
b)	other	3200.-
ex 553	Motorcycles, also with sidecar, sidecars imported separately, automobiles (also motor tricycles), chassis with or without motor and bodies imported separately:	
ex a)	motorcycles, also with sidecar, and sidecars imported separately:	
	motorcycles, weighing each over 190 kilograms (without sidecar)	2200.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex b)	passenger automobiles (also motor tricycles, both passenger and freight-carrying), chassis with or without motor and bodies imported separately, weighing each:	
ex 1.	not over 1000 kilograms:	
	complete passenger automobiles, single replacement parts of chassis (20)	3400.-
ex 2.	over 1000 kilograms:	
	complete passenger automobiles, complete chassis, single replacement parts of chassis (20)	2900.-
ex c)	trucks, autobuses , automobiles inseparably connected with a working mechanism, chassis with or without motor and bodies imported separately, weighing each:	
ex 1.	not over 1500 kilograms:	
	complete trucks, complete chassis, single replacement parts of chassis (20)	2900.-
ex d)	tractors and motor ploughs:	
	tractors, weighing each not over 3000 kilograms	1300.-
ex e)	airplanes:	
	complete airplanes, weighing each not over 10.000 kilograms	ad valorem: 40%
	complete airplanes, weighing each over 10.000 kilograms	25%
ex 554	Automobile and airplane engines:	
b)	airplane engines	per 100 kilograms: 20.000.-
	N o t e to 554. Carburetors falling under this Tariff Number are dutiable at the same rate to which are subject carburetors classified under T.No.537.	

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
Note to 554 (1st sentence)	Single parts of engines under this Tariff number imported separately, which are completely finished and which can be recognized without doubt as parts of such engines, are subject to the rate of duty applicable to the various types of engines, provided that the importer submits a certificate establishing without doubt that such parts belong to engines of that particular type and weight.	
	XLIII. PRECIOUS METALS, PRECIOUS AND SEMI-PRECIOUS STONES AND ARTICLES THEREOF; COINS.	
ex 571	Gems, real (precious and semi-precious stones), corals (real or imitation), worked (polished, cut), unset; real pearls, unset:	
	gems, real (precious and semi-precious stones), worked (polished, cut), unset (also piezo-electric quartz, cut, unset)	3000.-
	XLIV. INSTRUMENTS, CLOCKS AND WATCHES.	
	Instruments (except those classified under Class XLI. and except musical instruments):	
ex 573	Surgical apparatus and instruments and other medical apparatus and instruments:	per kilogram:
b)	of other materials	200.-
ex 574	Mathematical and physical instruments:	
ex b)	other:	
	water meters	20.-
ex 576	Apparatus and instruments, not specially provided for:	
a)	typewriters, calculating machines (also cash registers), bookkeeping, duplicating, accounting, statistical, addressing and franking machines:	
	typewriters (21), calculating machines (also cash registers)	40.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per kilogram
a) (Cont'd)	bookkeeping, duplicating, accounting, statistical, addressing and franking machines	25.-
ex b)	other:	
	sound recording and reproducing devices, excluding records therefor (22)	15.-
	blank dictating machine cylinders	15.-
	bank proofing machines, test-scoring machines	15.-
	controlling date-recording devices	25.-
ex 578	Balances and parts of balances, except balances of precision falling under T.No.574:	
b)	other:	
1.	incline balances, weighing each 50 kilograms or less	per 100 kilograms: 3000.-
2.	other	1500.-
	Watches:	
ex 589	Watches and watch movements, not specially provided for; clock frames; pinions with pins set in and wheels riveted:	
	time controlling watches and similar time controlling and recording devices	2500.-
	XLVI. CHEMICAL AUXILIARY SUBSTANCES AND CHEMICAL PRODUCTS.	
ex 596	Elements specially provided for:	
ex a)	sulphur (in pieces and bars), also ground, and flowers of sulphur; selenium; bromine; iodine; phosphorus; antimony, metallic; quicksilver:	
	sulphur (in pieces and bars), also ground; iodine	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 597	Oxides and bases, specially provided for:	
f)	arsenic trioxide	20.-
	Salts and other compounds specially provided for:	
ex 599	Salts of potassium, sodium and ammonium, specially provided for:	
ex a)	manuring salts (salts of potassium in their natural combination, so-called abraum and waste salts, as well as artificial manures from mixtures of salts); chloride of potassium; nitrate of sodium (natural sodium saltpeter /Chili saltpeter/ and artificial /synthetic/ sodium saltpeter), not refined; crude borax; tartar, crude; wine lees, dry; beet potash:	
ex 1.	nitrate of sodium (natural sodium saltpeter /Chili saltpeter/ and artificial /synthetic/ saltpeter), not refined:	
	nitrate of sodium (natural sodium saltpeter /Chili saltpeter/ and artificial /synthetic/ saltpeter), not refined, on special permit of the Ministry of Foreign Trade (23)	free for an annual quota, equivalent to the average annual imports from the territories of the contracting parties, in the years 1934-1938 inclusive
ex 2.	other:	
	crude borax; beet potash	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 1) 2.	bicarbonate of potassium and of sodium; sulphite of sodium, solid; bisulphite of sodium, solid; hyposulphite (thiosulphate) of sodium, solid:	
	bicarbonate of potassium and of sodium	240.-
ex 600	Compounds of calcium, strontium, barium and magnesium, specially provided for:	
d)	bone-black (bone charcoal)	100.-
ex 601	Compounds of aluminium, iron, chromium, nickel and cobalt, specially provided for:	
ex a)	iron mordants of all kinds; green vitriol; mineral zaffer, cobalt blue (smalts), strewing smalt:	
	mineral zaffer, cobalt blue (smalts), strewing smalt	20.-
ex 604	Organic compounds, specially provided for:	
g)	salicylic acid and derivatives thereof:	
	salicylic acid, technical, imported through the customs offices in Cheb, Plzeň, Praha and Ústí nad Labem	1500.-
	other	3000.-
	Other chemical auxiliary materials and products:	
ex 605	Lamp black (soot), charcoal powder and ground blacks (except granulated bone charcoal classified under 600 d):	
a)	lamp black	40.-

SCHEDULE V - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
ex 610	Gelatine (purified, dried of animal or vegetable origin), also pulverised and articles thereof:	
a)	gelatine	550.-
ex 611	Glue of all kinds, also isinglass:	
	fish glue, liquid, in casks	200.-
Note 1 to 612 b)	Casein imported under licence for the manufacture of artificial horn, under supervision and on conditions imposed by regulation	free
ex 613	Starch (also starch meal.):	
	rice starch (also rice starch meal)	170.-
ex 614	Gluten; starch gums (also dextrine, and dextrine gums) and other gum substitutes not specially provided for; paste, size and similar amylaceous sticking and dressing products:	
a)	gluten	750.-
ex 618	Substitutes for soap, not perfumed; polish; cleaning pastes, not containing soap; starch glate:	
	cleaning pastes, not containing soap	800.-
ex 621	Gases condensed, liquefied or solidified, not specially provided for:	ad valorem:
	argon	15%
ex 622	Chemical auxiliary materials and products not specially provided for:	
ex d)	other:	
	cellulose acetate; rennet, solid	8%
Note 3 to 622 d)	Silicium carbide and artificial corundum imported for purposes of manufacturing grinding articles, under special licence, on conditions imposed by regulation	per 100 kilograms: 10.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
	XLVII. VARNISHES, COLOURS, PHARMACEUTICAL WARES AND PERFUMERY.	
	Colours:	
ex 626	Colours not specially provided for:	
ex b)	other:	
	ultramarine blue	850.-
627	All colours in the form of tablets etc., in small bags, pastes, tubes, bladders, cups, glasses, shells and boxes	2000.-
628	Inks, ink powder, sealing wax	800.-
	Pharmaceutical wares and perfumery:	
ex 630	Pharmaceutical wares, prepared, as well as all substances represented by the inscriptions thereon, by their labels, wrappers and the like as being medicines, also medicines for animals; wadding and bandages prepared for medicinal purposes:	
ex a)	pharmaceutical wares, prepared, as well as substances represented by the inscriptions thereon, by their labels, wrappers and the like as being medicines, also medicines for animals:	
ex 3.	other:	
ex β)	other:	
ex 1.	prepared for retail sale:	
	fish oil	2000.-
ex 2.	other:	
	fish oil	2000.-
631	Vinegar, fats and oils, perfumed:	
a)	in receptacles weighing 5 kilogrames or more	600.-
b)	in receptacles under 5 kilograms	2250.-

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

Czechoslovak Tariff Item Number	Description of products	Rate of duty
		Kčs per 100 kilograms:
633	Articles of perfumery (and all scented substances and mixtures represented by their wrappers, labels, directions for use and the like as being articles of perfumery); cosmetics:	
a)	not containing alcohol (paints, perfumed powder, hair oils, pomades, tooth pastes, fumigating pastilles)	6000.-
b)	containing alcohol	10.000.-
	XLVIII. CANDLES, SOAP AND ARTICLES OF WAX.	
ex 637	Soap:	
b)	fine, namely perfumed or in tablets, balls, boxes, jars:	
	cleaning pastes, containing soap	800.-
	other	1100.-
	LI. WASTE.	
ex 652	Animal and other manures, also artificial manures not elsewhere included; wood and coal ashes; bones; bone ashes; worn out bone charcoal only to manuring purposes; bone meals; Thomas slag and other slags, also ground; shavings of horns and hoofs; blood, liquid or dried; animal sinews; waste meat for manuring purposes; residues from the manufacture of ferrocyanide of potassium; ammoniacal water (gas water), not concentrated:	
a)	bone meals	10.-
ex b)	other:	
	fish meal, dried blood, animal sinews, meat waste for manuring purposes	free

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

NOTES TO SPECIFIC ITEMS

(1) Wine berries and grapes, dried, when packaged for retail sale, shall also be subject to the agreed rate of Kčs 180.- per 100 kilograms.

(2) The fees for phytopathological inspection of pears and apples, the products of the contracting parties, packed in cases, crates, and barrels, shall not be higher than Kčs 10.- per 100 kilograms.

(3) The period of three months prior to importation within which apples have to be picked in order to be eligible for the application of the conventional rate of 75.- Kčs per 100 kilograms dates back from the day of customs clearance in Czechoslovakia. The consignments of apples are to be accompanied by a certificate indicating the time of picking. The Government of the exporting country will agree with the Czechoslovak Government upon a list of names of authorities of the exporting country which will be charged with issuing the certificates.

(4) Plums, dried, when packaged for retail sale, shall also be subject to the agreed rate of Kčs 60.- per 100 kilograms.

(5) Apples and pears, both dried and unpeeled, whether whole or cut up, when packaged for retail sale, shall also be subject to the agreed rate of Kčs 50.- per 100 kilograms.

Fruit not specially provided for, dried, when packaged for retail sale, shall also be subject to the agreed rate of Kčs 100.- per 100 kilograms.

(6) Dried fruit, the products of the contracting parties, containing up to 2000 miligrams of sulphur dioxide in 1 kilogram of dried fruit, shall not be withheld from trade as harmful to health, provided it complies with other principles and regulations of the Czechoslovak Codex alimentarius, especially with regard to marking.

(7) At such time as the Food and Agriculture Organization of the United Nations finds that the situation in respect to supplies of edible fats and oils in Europe, in relation to the demand thereof, has been restored to a condition approximating that in the years immediately prior to 1938, the Government of Czechoslovakia will, upon the request of any contracting party having a substantial interest in the exportation of lard to Czechoslovakia, enter into negotiations with such contracting party with a view to reaching a mutually satisfactory agreement with respect to the treatment accorded by Czechoslovakia to imported lard.

Meanwhile, the ratio between the tariff rates on raw lard and rendered lard shall not exceed 3 to 4.

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

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(8) Unthickened citrus fruit juices dutiable under Tariff Item 109 a) and other unthickened fruit and berry juices (except apple, raspberry and grape juices) dutiable under Tariff Item 109 b) 2. shall also be subject to the agreed rates of Kčs 200.- or Kčs 400.- respectively per 100 kilograms even when packed in hermetically sealed containers.

(9) In addition to the certificate of officially controlled appellation of origin or, as the case may be, of the certificate of origin, all wine imported into Czechoslovakia shall also be accompanied by a certificate of analysis issued by official laboratories, the list of which will be fixed of common accord between the competent authorities of both the exporting country and of Czechoslovakia.

The certificates of analysis will contain:

specific weight,
alcohol content in degrees,
content of all acids,
content of volatile acids,
content of extract,
sugar content,
content of extract without sugar,
content of ashes (mineral matters),
a declaration showing that it is a natural wine without any ingredients.

In respect of wine, subject to control of origin, it will be possible to replace the certificate of officially controlled appellation of origin by a special certificate showing the origin and quality of the product and conforming to the form mutually agreed upon by the competent authorities of the exporting country and of Czechoslovakia. This document will equally replace the certificate of analysis mentioned above.

(10) Vegetable sauces, except tomato sauce, are dutiable at the same rate as "preserved vegetables,other,except preserved tomatoes", i.e. Kčs 700.- per 100 kilograms.

(11) Boards for the manufacture of skis shall be dutiable under this Tariff Number even when sealed at both ends with paraffin etc.

(12) Under "other" essential oils are also dutiable cinnamon oil and citronella oil.

(13) Linters, freed from grease, bleached, but not shaped, shall be dutiable under T.No.180.

(14) It is agreed that the term "hemp" also covers New Zealand flax (Phormium tenax).

SCHEDULE X - CZECHOSLOVAKIA

PART I (Continued)

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(15) Cuttings and other waste of leather classified under Tariff Numbers 329, 330, 333-337, shall not be considered as sorted even when they are of the same kind or of the same colour.

(16) Ferro-silicon with Si content form 40% up to 50% shall also be classified under Tar.Item 428 c) and exempt from duty.

(17) Record keeping equipment, whether insulated or not, and with or without locks, shall be subject to the agreed rate of Kčs 1300.- per 100 kilograms.

(18) Completely assembled mechanical refrigerators, even with very fine finish, on importation into Czechoslovakia, shall be classified under Tariff Number 476, at the rate of Kčs 1700.- per 100 kilograms.

(19) Electric refrigerating units are composed of an electric motor joined with a compressor fitted with a condenser. The complete unit may be equipped with an automatic electric cut-in and cut-out and with a fan and is regularly mounted on a base.

(20) The concession in respect of replacement parts of passenger automobile chassis or truck chassis is limited to single replacement parts only for the repair of passenger automobile chassis or truck chassis already imported into Czechoslovakia.

(21) Should the maintenance of the rate of duty of Kčs 40.- per kilogram on typewriters seriously affect the Czechoslovak typewriter manufacturing industry, the Government of the Czechoslovak Republic may find it necessary to invoke Article XIX of this Agreement with a view to seeking an appropriate adjustment of the rate of duty of Kčs 40.- per kilogram as provided for in that Article.

(22) Under "sound recording and reproducing devices" are understood phonographs, gramophones, dictating machines, transcribing machines and the like.

(23) It is understood that the "special permit of the Ministry of Foreign Trade" has the sole object to certify to the Czechoslovak customs authorities that the imported saltpeter, subject to the specific quota, shall be admitted duty free, and further to guarantee the necessary control and distribution by the said Ministry.

SCHEDULE X - CZECHOSLOVAKIA

PART I (Concluded)

GENERAL NOTES

The specific rates of duty of 50.- Kčs or less per 100 kilograms are understood on gross weight, unless otherwise indicated in this Schedule.

The specific rates of duty of over 50.- Kčs per 100 kilograms are understood on net weight, unless otherwise indicated in this Schedule.

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PART II

Preferential Tariff

Nil.

Revised Translation by Department of State

SCHEDULE XI - FRANCE

This schedule is authentic only in the French language

Section A. Metropolitan territory

PART I

Most-Favoured-Nation Tariff

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 1.	
	LIVE ANIMALS (except fish, crustaceans and molluscs)	
1A	Horses, draught or saddle (foals, stallions, geldings and mares):	
	pure-bred animals for breeding purposes ...	Free
	Other:	
	draught horses, admitted in the limits of an annual quota of 800 heads, under the conditions laid down by a decree of the French Minister of Agriculture ..	35%
	other	45%
Ex 2	Bovine cattle (calves, yearling bulls, steers, heifers, bulls, cows, oxen), including animals of the buffalo genus:	
	pure-bred animals for breeding purposes ...	Free
Ex 4	Sheep (lambs, rams, ewes, wethers):	
	pure-bred animals for breeding purposes ...	Free
Ex 6	Swine (young pigs and pigs):	
	pure-bred animals for breeding purposes ...	Free
6B	Poultry, living, other:	
	chicks, so-called "one-day chicks", admitted in the limits of a quota fixed each year by decree of the French Minister of Agriculture and under the conditions laid down by said text	35%
	other	45%
10	Dogs	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 2	
	MEAT AND OFFALS	
	Fresh or frozen meat of the bovine, sheep, pig, horse, ass and mule kind:	
13A	beef and veal	40%
13B	mutton and lamb	35%
13C	pork, excluding bacon	40%
Ex 14	Offals, edible, fresh or frozen, entered separately:	
	livers	20%
Ex 15	Poultry, dead (including fresh livers, other than goose or duck), not truffled	25%
Ex 17	Game, dead, not truffled	5%
Ex 22A	Meat, salted, dried, smoked, cooked or only otherwise prepared, of pork: raw, smoked hams of Praga and the like, with a certificate of origin and quality, delivered by the competent authorities of the consignor country, recognised by the French Minister of Agriculture	30%
	Chapter 3	
	FISH, CRUSTACEANS AND MOLLUSCS	
	Fresh-water fish, fresh (live or dead) or preserved in a fresh condition:	
Ex 23A	salmonidae: smelt and other (except trout)	10%
23B	other species:	
	carp and tench	15%
	eels, pike and other	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
24	Sea-fish, fresh (live or dead) or preserved in a fresh condition:	
	whole, beheaded or cut into pieces:	
	bass, brill, sole and turbot	25% but not less than frs.17.50 per kg. gross weight.
	coalfish, sturgeon, lote (frog-fish), mullet or murgil, red gurnet, surmullet and other	33% but not less than frs.12.50 per kg. gross weight
	fillets of fish	35% but not less than frs.25 per kg. gross weight
	Fish, simply salted, dried or smoked:	
25A	herring (salted, dried, smoked, kippers, in fillets)	30%
25D	haddock	30%
25E	other	30%
	Crustaceans, fresh (live or dead) or simply cooked, salted or dried :	
26A	sea crustaceans:	
	shrimps	20%
	tails of spiny lobsters and of lobsters .	35%
	other (whole spiny lobsters and lobsters, crabs, Norway lobsters, prawns, etc.) ...	10%
26B	other (crayfish, etc.).....	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 27A	Sea molluscs and shell-fish, fresh (live or dead) or simply cooked, salted or dried :	
	oysters, other	15%
	mussels	15%
	other (clams, cephalopods, etc.)	10%
	Chapter 4.	
	MILK AND DAIRY PRODUCTS, EGGS AND HONEY:	
30	Condensed milk, including buttermilk, lacto-serum and cream, condensed:	
	without sugar	10%
	with addition of sugar	15%
31	Butter, fresh, melted or salted	25%
32	Cheese of all kinds	15%
	Eggs of birds:	
33A	eggs in the shell, fresh or preserved by cold or by any permitted process:	
	eggs for brooding purposes, admitted in the limits of a quota fixed each year by decree of the French Minister of Agriculture and under the conditions laid down by said text	15%
	other	20%
Ex 33B	eggs, whole (white and yolk), shelled:	
	unsweetened:	
	in lumps or in powder	20%
	other	30%
	sweetened, in lumps or in powder	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 33C	egg yolk, unsweetened:	
	intended for manufacturing purposes and denaturated	Free
	other	20%
	Chapter 5.	
	RAW MATERIALS AND OTHER RAW PRODUCTS OF ANIMAL ORIGIN.	
36	Horsehair:	
	raw or in bundles	Free
	curled, without backing or sheeted on backing	5%
37	Pigs' and boars' bristles, badger hair and other hair for the manufacture of brushes, raw or prepared	Free
	guts, bladders and stomachs of animals:	
38A	calves' rennet bags, fresh or dried, whether or not cut	Free
38B	other, fresh, salted or dried	Free
39	Waste of green hides and of untanned hides and skins, sinews, nerves, tails and other untanned similar waste	Free
	Feathers:	
42A	bed feathers and down, raw or prepared ..	Free
42D	feathers for other uses, raw or simply cleaned	Free
43	Bones (bones, raw, degreased or ground, waste of worked bones, horn-cores, acidulated bones, bone powder from degelatinised or undegelatinised bones)	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
44	Horns and antlers of animals, raw, with or without horn-cores and frontal bone, in waste, flattened or cut up	Free
45	Hoofs of animals, claws and birds' beaks, raw, in waste, flattened or cut up	Free
48	Shells, empty:	
	mother of pearl, in rough shells or simply sawn or separated from its crust..	Free
	other	Free
55	Roe, of cod, of mackerel and the like	Free
58	Raw animal products and animal offals, not elsewhere specified or included; dead animals not intended for human consumption..	Free
	Chapter 6.	
	LIVE PLANTS AND PRODUCTS OF FLORICULTURE.	
	Bulbous plants, tubers, onions, claw-shaped roots and rhizomes:	
61A	bulbs, tubers, onions, claw-shaped roots and rhizomes of flowering and foliage plants not in process of growth; asparagus roots:	
	admitted in the limits of an annual quota of 20,000 quintals gross weight.	10
	other	35
61B	plants in full growth, in blossom or not:	
	admitted in the limits of an annual quota of 4,000 quintals gross weight..	10
	other	35

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
62	Bushy plants known as "half-hardy", used for decorating gardens and requiring shelter in the winter, in blossom or not	30%
63	Hothouse or greenhouse plants, in blossom or not:	
	admitted in the limits of an annual quota of 10,000 quintals, gross weight.	10%
	other	40%
64	Nursery plants, perennial open air plants and other live plants, not elsewhere specified or included, in blossom or not:	
	laurus nobilis (noble laurel)	25%
	other	30%
65A	Cut flowers and buds for bouquets or for ornaments, fresh:	
	orchids	20%
	roses, lilac and other	30%
	Foliage, leaves, branches, grasses and mosses, for bouquets or for ornaments:	
66A	fresh	25%
66B	dried, dyed, bleached, impregnated or otherwise prepared, mounted or not	15%
	Chapter V.	
	VEGETABLES, EDIBLE PLANTS, ROOTS AND TUBERS.	
	Vegetables and pot-herbs, fresh or in a like condition	
67B	olives and capers	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
67C	tomatoes:	
	from July 1st to September 30th inclusive	30%
	outside the above period	15%
67D	onions, shallots and garlic:	
	onions and shallots	20%
	garlic	18%
Ex 67E	potatoes:	
	seed-potatoes, admitted in the limits of a quota fixed each year by decree of the French Minister of Agriculture and under the conditions laid down by said text	15%
	other:	
	from July 1st to the last day of February	30%
	outside the above period: previous year's potatoes	25%
67F	asparagus	20%
67G	cabbages of any kind, including cauliflowers and Brussel sprouts	18%
67H	spinach and various salads:	
	Witloof chicory known as "endive"...	18%
	other	18%
67I	carrots, turnips, salad beets, salsify and other similar edible roots	18%
67J	leguminous vegetables (French beans, haricots in grains, fresh in the pod, peas in the pod, etc.)	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 67K	cucumbers and gherkins	20%
67M	other	18%
	Vegetables and pot-herbs, desiccated, dehydrated or drained:	
68B	potatoes, whether or not cut in pieces or slices	15%
68C	other, whether or not cut in pieces or slices or mixed (juliennes)	5%
	Pulse:	
69A	haricots, in grains, decorticated, broken or split	20%
69B	beans and horse-beans, in grains, decorticated, broken or split	12%
69C	chick-peas	18%
69D	other peas, in grains, decorticated, broken or split	15%
69E	lentils, in grains, decorticated, broken or split	18%
	Chapter 8	
	EDIBLE FRUITS.	
	Tropical fruits, fresh or dried:	
Ex 71B	bananas, fresh	20%
71C	coconuts, Brazil nuts, cashew nuts, anacard nuts and similar fruits	2%
71D	pineapples	5%
71E	other	5%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Citrus fruits, fresh or dry:	
72A	oranges (sweet and bitter):	
	from June 1st to August 31st	25%
	outside said period	35%
72C	lemons	10%
72D	grapefruit	25%
Ex 73	Figs, dried	10%
	Grapes:	
Ex 74A	fresh:	
	unforced, table, outside the period from July 15 to October 31 inclusive	15%
	forced	25%
74B	dried (raisins)	15%
	Shell fruits, fresh or dry:	
75A	almonds:	
	fresh	15%
	dry, in the shell or shelled	Free
75C	common walnuts:	
	in the shell	5%
	shelled	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Apples, pears and quinces, fresh:	
76A	apples:	
	table apples:	
	from February 15th to March 31st inclusive	8 %
	from April 1st to May 31st inclusive	6 %
	from June 1st to July 31st inclusive	8 %
	outside the above periods	12 %
	cider apples	10 %
76B	pears:	
	table pears:	
	from December 1st to June 30th inclusive	8 %
	outside the above period	12 %
	perry pears	15 %
76C	quinces	12 %
	Stone fruits, fresh:	
Ex 77B	peaches, including "brugnons" and nectarines, forced	35 %
77C	cherries	20 %
77D	plums:	
	from June 1st to October 31st inclusive	20 %
	outside the above period	15 %
77E	other	20 %

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Edible berries, fresh:	
78A	strawberries:	
	unforced	
	from May 1st to October 31st	20%
	outside the above period	15%
	forced:	30%
78B	raspberries	5%
78C	red, white and black currants, and gooseberries	5%
78D	whortleberries and other berries	5%
	Other fruits, fresh:	
79A	melons and the like	10%
79B	unspecified	5%
	Apples, pears, quinces, stone fruits, berries and other fruits, dried or drained, whether or not cut in pieces or sliced :	
80A	dried fruit macedoines, with or without raisins or other dried fruits of the above kinds:	
	not containing prunes	10%
	containing prunes	Dutiable as prunes
80B	apples and pears:	
	table apples and pears	10%
	cider apples or perry pears	10%
80C	apricots, including dried paste, neither cooked nor sweetened	10%
80D	peaches, including "brugnons" and nectarines	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
80E	prunes	25%
80F	other	5%
	Chapter 9	
	COFFEE, TEA AND SPICES	
Ex 81A	Coffee, unroasted, in the bean, also husks ..	20%
82	Tea:	
	green	30%
	black	45%
83	Vanilla	Free
	Pepper ("piper" kind)	
84A	common pepper (piper nigrum)	30%
84B	other (Cubeb pepper, etc.)	30%
85B	Allspice (pimento) (of the capsicum kind, except capsicum grossum, and pimenta kind), other	20%
86	Cinnamon and cinnamon-tree flowers	30%
87	Cloves and clove stems	30%
88	Nutmegs, with or without shell	35%
89	Mace	20%
	Chapter 10	
	CEREALS	
93	Wheat, spelt and meslin	30%
Ex 97	Rice, in whole grains, husked, including glazed	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
98	Maize	30%
100	Millet, dari, canary seed and other cereals ...	20%
	Chapter 11	
	MILLING PRODUCTS; MALT; STARCH AND FECULAE	
	Groats, semolina, husked or pearled cereal grains, crushed grains and grist, flakes:	
102A	of wheat, spelt and meslin	30%
102B	of barley	30%
102C	of oats	30%
102D	of rice (except husked rice and broken rice)	30%
102E	of maize	30%
102F	other	30%
103C	Pulse and fruit flours not elsewhere specified or included: of soya and other oil seeds and oleaginous fruits	12%
104	Brans, sharps and other residues of screening, milling and husking of cereal grains and pulse, excluding spouts	Free
Ex 107	Malt, whole	30%
Ex 108	Rice starch	30%
109	Feculae:	
	Manioc	20%
	potato, sago, tavolo, arrowroot and other .	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 12	
	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUITS; INDUSTRIAL AND MEDICINAL PLANTS; STRAW AND FODDER.	
	Oil seeds and oleaginous fruits, whether or not crushed:	
112A	peanuts, in the shell or shelled	8%
112B	copra	8%
112C	palm nuts and palm kernels	8%
112D	soya beans	8%
112E	castor oil seeds and pulghera seeds	8%
112F	linseed:	
	for sowing, admitted in the limits of an annual quota	Free
	other	8%
112G	seeds of colza, rape, mustard, charlock, camelina and other cruciferous plants	8%
112H	sunflower seeds	8%
112J	hemp seeds	8%
112K	cotton seeds	8%
112M	sesame seeds	8%
112N	mowra and fetid hellebore seeds	8%
112O	illipe seeds	8%
112P	karite seeds	8%
112Q	other	8%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Seeds and fruits for sowing not elsewhere specified or included:	
113A	beetroot seeds:	
	sugar-beet	40%
	other	30%
113B	vetch and lupine	Free
113C	clover, lucern, hop clover, ray-grass, sainfoin, graminaceous and other fodder seeds	Free
113D	flower seeds	Free
113E	other	Free
116	Chicory roots:	
	green	8%
	dry, whether cut up or not, not roasted .	10%
Ex 117	Hops; cones and waste	15%
	Plants, parts of plants, seeds and fruits, used for perfumery or in medicine:	
118D	roots (of marshmallow or althea, of gentian, valerian, liquorice, rotenone plants and other, fresh or dried, raw, cut, crushed or ground)	Free
Ex 118F	plants in bouquets, flower tops and cleaned leaves, other	5%
118G	flowers:	
	apetalous in bags	Free
	of mullein, borage, camomile, marsh-mallow, mallow, pansies, "roses de Prorins", elder, lime-tree, violets and other	10%
118H	fruits and seeds (elderberries and other)	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Plants, parts of plants, seeds and fruits used for human food or for fodder, not elsewhere specified or included:	
119A	seeds of anise, badian, fennel, coriander, juniper, cumin and caraway	5%
119C	carob beans, fresh or desicated:	
	whole	15%
	crushed, in flakes or flour	25%
119D	maté	Free
119E	fruit stones (peach, apricot, plum, cherry, etc.)	Free
120	Cereal straw and bales of cereals:	
	Straw, raw or chopped up	5%
	bales	Free
121	Fodder	5%
	Chapter 13	
	RAW MATERIALS FOR DYEING AND TANNING: GUMS, RESINS AND OTHER VEGETABLE SAPS, JUICES AND EXTRACTS	
123	Vegetable raw materials for dyeing.....	Free
	Vegetable raw materials for tanning :	
124B	barks (wattle-bark, mangrove bark and other)	Free
124C	fruits	Free
124D	leaves	Free
124E	roots	Free
124F	gall-nuts	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Gums and gum-resins, raw or prepared:	
126A	gums used in aqueous medium (gum arabic, gum tragacanth and other)	Free
126B	gums for varnishes (acroid gum, manila, copal, dammar, kauri, sandarac gums and other)	Free
Ex 126C	other gums :	
	shellac, unbleached	Free
	gamboge, olibanum (frankincense), myrrh, opopanax, labdanum, galbanum and other	Free
127	Natural balsams	Free
130F	Vegetable saps, juices and extracts, not elsewhere specified or included:	
	aloes	5%
	Vegetable materials used in basket-making and sparterie, not elsewhere specified or included	
131A	osier	5%
131B	bamboos, reeds and the like:	
	raw or simply split	Free
	polished, stained, painted, varnished or decorated	5%
131C	canes, rattans and the like:	
	raw or simply split:	
	raw rattans and Malacca canes in original bundles	5%
	other	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	stripped (rattan pith), whether or not split; in splints (éclisses) known as spun rattans (filés).....	7%
131D	alfa, esparto and arundo (diss)	Free
131E	cereal straw, cleaned, bleached or dyed, with or without ears	5%
131F	raffia, lime-bark and other materials ..	Free
132A	Vegetable materials for stuffing and padding, whether twisted together or not: kapok ...	Free
133A	Vegetable materials for brooms and brushes, not elsewhere specified or included: couch-grass, piassaba, ixtle and the like, including imitations in splints (lames) of wood or other materials:	
	raw, in bundles or torsades	Free
	combed, cut, bleached or dyed	5%
	Chapter 15	
	FATTY SUBSTANCES, GREASES, OILS AND THEIR CLEAVAGE PRODUCTS; PREPARED EDIBLE FATS; WAXES OF ANIMAL OR VEGETABLE ORIGIN.	
Ex 136	Lard, refined	35%
139	Tallows, melted, including tallows called "premiers jus"	15%
140	Fat from bones, offal and the like	15%
142	Oleostearine (pressed tallow)	20%
143C	Fats and oils from fish and marine animals, crude or refined, other	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Wool grease and its derivatives:	
144A	Suintine	15%
144B	oleine and stearine produced from wool grease	20%
144C	lanoline, industrial and pure Codex	20%
145	Other fats and oils of animal origin, not elsewhere specified or included	12%
	Fixed oils, liquid or solid, of vegetable origin, crude or refined:	
146A	linseed oil, crude	12%
146B	china wood oil, crude; abrasin or elococca oils, crude	6%
146C	Soya, sunflower, maize oils, crude:	
	intended for soap works	6%
	other	12%
146D	cotton-seed oil, crude:	
	intended for soap works	6%
	other	12%
146E	ground nut oil, crude:	
	intended for soap works	6%
	other	12%
146F	sesame oil, crude:	
	intended for soap works	6%
	other	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
146G	colza, rapeseed, mustard, camelina oils and oils of other cruciferous plants, crude:	
	intended for soap works	6%
	other	12%
146H	olive oil, crude:	
	intended for soap works	6%
	other	12%
146I	castor and pulghera oils, crude	10%
146J	palm oil, crude:	
	intended for soap works or for stearine works	6%
	other	12%
146K	palm-kernel and coconut (copra) oils, crude:	
	intended for soap works or for stearine works	6%
	other	12%
146N	other vegetable oils, crude	12%
146O	vegetable oils, refined	12%
150	Degras	
	Fatty acids, industrial:	
151A	oleic acid	15%
151B	stearic acid	15%
151C	other	15%
153	Stearin pitch and wool yolk pitch	5%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 158A	Beeswax, crude, including waste	Free
	Vegetable waxes:	
159A	carnauba wax	Free
159B	candelilla wax	Free
159C	gum-lac wax	Free
159D	fiber wax (alfa, esparto, cotton, flax, etc.)	Free
159E	Japan wax	
159F	other (palm tree wax, myrica, pisang, curicuri etc. wax)	Free
	Chapter 16	
	PREPARATIONS AND PRESERVES OF MEAT, FISH, CRUSTACEANS AND MOLLUSCS.	
	Other preparations and preserves of meat, in tins, terrines, pastry or other forms, whether mixed or not with vegetables or other vegetable products:	
162A	of game, poultry, rabbit, truffled or not	12%
Ex 162B	of pork, not truffled	50%
162C	of mutton	35%
Ex 162D	not specified, not truffled	50%
Ex 163	Extracts of meat, pure, put up in packages of 25 kg. gross weight and over	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 164	Fish, prepared or preserved, put up:	
	in tins, glasses, jars and hermetically sealed containers:	
	salmonidae	25%
	other (except sardines)	25%
	otherwise	25%
165	Crustaceans and molluscs, prepared or preserved, put up:	
	in tins, glasses, jars and hermetically sealed containers	10%
	otherwise	10%
	Chapter 17	
	SUGARS AND CONFECTIONERY.	
168A	Maple sugar and maple syrup	30%
169	Glucose	70%
170	Lactose	10%
Ex 172	Molasses:	
	intended for the preparation of molasses products for feeding cattle	2%
	other (excluding molasses intended for distillation)	40%
173	Confectionery (bonbons, pastilles, dragees, caramels, nougats, etc.) without cocoa or chocolate:	
	containing an alcoholic liquor	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	not containing an alcoholic liquor:	
	chewing gums and the like	10 %
	other	30 %
	Chapter 18	
	COCOA AND PREPARATIONS THEREOF.	
176	Cocoa in beans and broken beans, roasted or not	25 %
177	Cocoa shells, husks, shoots and skins	25 %
178	Cocoa in the mass (cocoa paste) or in tablets	25 %
179	Cocoa butter, including cocoa fat and oil.	25 %
180	Cocoa powder	25 %
181	Chocolate in lumps (plates, slabs, tablets, pastilles, croquettes, various articles, etc.) in powder, or granulated	30 %
182	Confectionery with cocoa, cocoa butter or chocolate (tablets, filled bars (batons fourrés), bouchées, truffles, pralines, bonbons, etc.), various preparations, not elsewhere specified or included, containing cocoa, cocoa butter or chocolate, with or without sugar or other alimentary substances:	
	containing an alcoholic liquor	30 %
	other	30 %

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 19.	
	PREPARATIONS WITH A BASIS OF FLOUR OR FECULA.	
Ex 183	Flour, fecula and malt extracts, prepared for infants' food or for dietetic or culinary use, without cocoa, other: simple flour, compound flour	35%
185A	Bakers' products: ship's biscuits	22%
186	Gingerbread	35%
Ex 187B	Dry biscuits, without cocoa or containing less than 20% of cocoa:	
	without sugar or honey	18%
	sweetened	28%
	Chapter 20	
	PREPARATIONS OF VEGETABLES, POT-HERBS, FRUIT AND OTHER PLANTS OR PARTS OF PLANTS.	
189	Vegetables, pot-herbs, fruit and other plants and parts of plants preserved in vinegar, with or without salt, spices or mustard, including pickles, piccalillies and the like, put up:	
	in tins, glasses, jars and hermetically sealed containers	25%
	otherwise (in casks, vats, etc.)	20%
	Vegetables, pot-herbs and other plants or parts of plants, preserved without vinegar, whether or not seasoned or cooked, without meat or fish, put up:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 190A	in tins, glasses, jars and hermetically sealed containers:	
	mushrooms	15%
	tomatoes and tomato sauces, containing in dry extract:	
	less than 7% (tomato juice)	dutiable as fruit juices (No.195)
	from 7% inclusive to 15% exclusive	25%
	asparagus	20%
	sauerkraut	25%
	gherkins, cucumbers, olives, picholines and capers	20%
	green peas, french beans, carrots and vegetable macedoines	25%
	other	25%
190B	otherwise (in casks, vats, etc.) weighing (gross weight):	
	more than 10 kg.:	
	mushrooms	10%
	tomatoes	20%
	sauerkraut	25%
	gherkins, cucumbers, picholines and capers	15%
	other	15%
	10 kg. and less	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Preserved fruit, whole, in quarters or in pieces, without alcohol:	
191B	without sugar or syrup	25%
191C	in sweet liquid (fruits in syrup)	35%
192	Fruit, fruit peel, plants or parts of plants preserved in sugar (candied)	25%
194	Jams, fruit jellies, marmalades, "compotes", stews, "purées" and pulps, sweetened	30%
	Fruit, berry or vegetable juices, whether or not concentrated:	
195A	without sugar, put up:	
	in tins, bottles, flasks, jars and similar containers, of 1 liter and less	18%
	otherwise:	
	not concentrated:	
	lemon and barberry juices	10%
	grapes, tomato and orange juices	18%
	apple and pear juices	10%
	other fruit, berry or vegetable juices, whether or not salted ..	15%
	concentrated:	
	grapes, tomato and orange juices	20%
	apple and pear juices	10%
	other	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
195B	sweetened, containing per liter:	
	150 g. and less of sugar, put up:	
	in tins, bottles, flasks, jars and similar containers, of 1 liter and less	25%
	otherwise	20%
	more than 150 g. of sugar (syrups), put-up:	
	in tins, bottles, flasks, jars and similar containers, of 1 liter and less	30%
	otherwise	25%
	Chapter 21	
	MISCELLANEOUS EDIBLE PREPARATIONS.	
197	Roasted chicory and other roasted substitutes of coffee, not containing coffee, in pieces, in grains or ground	10%
200	Prepared mustard, put up:	
	in flasks, pots, glasses, tins and other similar containers	12%
	otherwise (in casks, vats, etc.)	10%
201	Preparations for soups and broths with a basis of vegetable substances, without meat extracts	8%
Ex 204	Yeasts, not put up for medical uses: biological yeasts (from distillery, brewery, etc.)	50%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
206	Unsweetened powders for making creams, puddings, side-dish (entremets), desserts, etc., without cocoa, whether or not flavoured, coloured or perfumed ...	15%
208	Edible preparations not elsewhere specified or included:	
	compound extracts, not for medical uses, unsweetened, without alcohol, for making beverages, appetisers, liqueurs, etc.	20%
	other	20%
	Chapter 22	
	BEVERAGES, ALCOHOLIC LIQUIDS AND VINEGARS	
210	Natural mineral waters, artificial mineral waters, aerated waters, not flavoured or sweetened	10%
212	Beer	35%
	Spirits:	
220C	Whisky	30%
	Liquors:	
221A	Gin	40%
221B	Other	50%
224	Lemonades, flavoured aerated waters and other non-alcoholic beverages, not elsewhere specified or included, sweetened or not ..	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 23	
	RESIDUES AND WASTE FROM THE FOOD INDUSTRIES; PREPARED ANIMAL FODDER.	
227	Beet pulp containing less than 10% of sugar and waste of sugar manufacture	5%
228	Brewing dregs, waste from distilling, residues from starch manufacturing and the like:	
	maize oil cake, residues of starch manufacturing	10%
	other	Free
	Oil-cake and other residues from the extraction of vegetable oils, containing less than 8% of oil:	
229A	dregs (grignons) and "amurcas" of olives	Free
229B	maize germ cake	8%
229C	ground-nut oil-cake	10%
229D	linseed oil-cake	8%
229E	copra and palm-kernel oil-cake	8%
229F	soya oil-cake	8%
229G	castor, pulghera, colza, mustard, camelina, rape, charlock, fetid hellebore, mowra, hemp seed - oil-cake	8%
229H	other	8%
Ex 230	Residues of pressed apples, grapes and other fruits, other	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 24	
	TOBACCO.	
Ex 235A	Raw tobacco, in leaves or stalks, entered for monopoly account	Free
Ex 236	Manufactured tobacco, entered for monopoly account:	
	cigarettes	Free
	Chapter 25	
	SALT, SULPHUR, EARTHS AND MINERALS; PLASTERS; LIMES AND CEMENTS.	
	Sulphur:	
Ex 240A	ores:	
	iron pyrites, not roasted	Free
	other, in rocks	Free
240B	unpurified sulphur, so called "raw".	Free
244	Natural nitrates other than for agricultural uses	See No.573D
245	Natural calcium phosphates (tricalcic phosphates), in rocks, crushed or pulverised	Free
246	Natural arsenic sulphides (orpiment, realgar), in lumps or pulverised	2%
249	Natural barium carbonate, in rocks, crushed or pulverised	Free
251	Natural sodium borate (crude borax)	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Natural salts of magnesium, in rocks, crushed or pulverised:	
255A	"giobertite" (natural magnesium carbonate)	Free
255B	other	Free
256	Calcined magnesia, pure or pharmaceutical magnesia excluded	Free
261	Fossil siliceous flour (farines siliceuses fossiles), kieselguhr, moler's earths or silica, "diatomites", "cellites", tripoli and various light earths of apparent density lower or equal to 1, crude, crushed or sieved	10%
262	Talc and natural steatite:	
	crude	Free
	crushed or pulverised	4%
263	Asbestos, in rocks, fibres, or pulverised ..	Free
264	Mica:	
	in blocks or irregular lumps, chipped in irregular flakes (splittings), waste	Free
	pulverised	5%
	Clay:	
268A	kaolin:	
	in lumps	Free
	pulverised or atomised	5%
268B	kaolin-bearing earths and sands	Free
268C	refractory and sand stone earths (terres à grès) including chamotte earths, crude, washed or pulverised	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
268D	natural "bentonites"	Free
268E	natural bleaching earths, "foulon's" earth, fuller's earth	Free
268F	other	Free
270	Mortar, cement, pisé (pudded clay), refractory grout (coulis) and mastic, in blocks, granulated, powder, paste or coating	Free
272	Marl	Free
275	Chalk, crude, washed, crushed or pulverised.	Free
Ex 276	Dolomite:	
	crude, in rocks, crushed or pulverised...	Free
	fritted, in rocks, crushed or bolted	10%
	Carving or building stones, in blocks or sawn slabs, rough or squared with a pointed chisel or wire (à la pointe ou au fil):	
Ex 278A	limestone and alabaster:	
	marble, travertine and limestone of an apparent density higher or equal to 2,4:	
	"ôcaussines":	
	in blocks, rough or squared	Free
	sawn, having a thickness of:	
	more than 16 cm.	Free
	4 cm. exclusive to 16 cm. inclusive	8%
	4 cm. and less	10%
	other (marble, travertine, etc.), in blocks, rough or squared	15% but not more than 75 frcs. per kg., gross weight.

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	alabaster	Free
	other limestone, in blocks, rough or squared or sawn	15 %
278B	granite, porphyry, syenite, lava, basalt, sandstone and similar hard stones:	
	in blocks, rough or squared	Free
	sawn, having a thickness of:	
	more than 20 cm.	10 %
	20 cm. and less	12 %
	Crushed or broken stones, pebbles and cobble stones:	
279A	used as road-metal and for ballast, concrete and the like, including tar-macadam	3 %
279B	"castine" and limestone for making lime .	6 %
	Natural and artificial sand not elsewhere specified or included:	
281A	ground silica, calcined or not	Free
281B	other sands	Free
	Colouring earths, crude or simply washed or pulverised:	
282A	crude	Free
282B	washed or pulverised:	
	ochres and natural iron oxides, containing in oxide (Fe^2O^3):	
	less than 70%, including Italy, Sienne and Umber-earths	Free
	70% and more:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	micaceous iron oxides	Free
	other	Dutiable as artificial iron oxides (No.404)
	Cassel, Cologne earths, serpentine and other	Free
285	Plaster	Free
	Lime, pure lime excluded, crude, crushed or pulverised:	
287A	fat lime and assimilated	6%
287B	hydraulic lime	6%
288	Binder and hydraulic cement, not pulverised (clinker) or pulverised	10%
	Chapter 26	
	ORES, SLAG AND ASH.	
293	Ores of aluminium (bauxite)	Free
294	Ores of copper, including chalcopyrites	Free
Ex 295	Ores of lead, other, argentiferous or not ..	Free
299	Ores of nickel	Free
300	Ores of cobalt	Free
302	Ores of molybdenum, tungsten, vanadium, tantalum, titanium, zirconium and glucinium.	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 27	
	MINERAL FUEL; BITUMINOUS SUBSTANCES AND MINERAL OILS; PRODUCTS OF THEIR DISTILLATION; MINERAL WAXES; ELECTRIC POWER	
311	Coal, crude (coal and anthracite)	Free
312	Coal coke and semi coal coke (metallurgic or obtained in gas-works)	Free
313	Agglomerates of coal (in briquettes, balls, etc.)	Free
	Mineral tar:	
318A	Coal tar	Free
318B	Other (lignite tar, peat tar, etc.)	Free
	Oil distilled from coal:	
319A	light oils, crude, of which 90% and more of the volume distilled before 200°C	Free
319B	other	Free
320	Basic products derived from coal tar	15 %
321	Benzol, toluol, xylol, solvent naphtha and the like, benzine of the "Regie" type, sulphuretted tops (têtes sulfurées), tailings, distilling under 200°C. with a residue lower than 10%.....	15 %
	Benzenic carbides:	
322A	benzene	20%
322B	toluene	20%
322C	xylene (isomer mixtures)	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Phenol products:	
323A	phenol, cresol, xylenol, crude, containing 40% and less of one of cresol or xylenol isomers:	
	containing from 20% inclusive to 40% inclusive of pure phenol, the remainder in cresol and xylenol	Free
	containing less than 20% or more then 40% of pure phenol the remainder in cresol and xylenol	10%
323B	cresol and xylenol, crude and pure, containing more than 40 %of one of cresol or xylenol isomers	15%
324	Naphthalene	10%
325	Anthracene	10%
326	Coal tar pitch	Free
328	Disinfectants with a base of phenolic products (cresyl, etc.)	15%
329	Carbolineum	15%
	Natural petroleum, crude, and assimilated products:	
332A	natural petroleum, crude:	
	on entry into controlled factories	Free
	other	15%
332B	schist oils and other	Duty of natural petroleum crude (No. 332A)
333	Petroleum gas (commercial propane and butane):	
	on importation	3%
	on removal from controlled factories	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Gasoline:	
	on importation	18%
	on removal from controlled factories	Free
335A	Gas-oils:	
	on importation	10%
	on removal from controlled factories	Free
	Petroleum heavy oils and assimilated products, lubricants with a base of petroleum products:	
336B	spindle and lubricating fuel oil:	
	on importation	18%
	on removal from controlled factories ..	Free
336C	other (lubricating oils and lubricants) containing petroleum products, or assimilated in any proportions:	
	on importation	18%
	on removal from controlled factories ..	Free
338	Paraffin:	
	on importation	10%
	on removal from controlled factories	Free
340A	Petroleum bituminous products (road-oils, petroleum bitumen, hard-pitch, soft pitch, emulsions, cut-backs)and the like:	
	on importation	3%
	on removal from controlled refineries	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
341	Petroleum coke and assimilated products:	
	on importation	3%
	on removal from controlled factories	Free
342	Ozokerite, crude or refined	10%
	Chapter 28	
	INORGANIC CHEMICAL PRODUCTS	
	Halogenous:	
346B	chlorine	15%
Ex 346D	iodine, crude	30%
Ex 348	Sulphur, refined (crushed, sublimated and other)	10%
349	Selenium and tellurium:	
	crude selenium at 99.75 p. 100 and less ..	10%
	other	25%
353	Antimony	2%
	Carbon:	
354B	lamp black:	
	carbon black and acetylene black	Free
	other	10%
354C	animal black	13%
354E	activated carbons	25%
360	Radio-active metals (radium, mesothorium, radiothorium, actinium, polonium, etc.)	5%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
367A	Hydrochloric acid:	
	commercial	18%
	pure or chemically pure	12%
369D	Sulphide of carbon	12%
372	Sulphuric acid	12%
374	Nitric acid:	
	commercial	15%
	chemically pure	30%
	Arsenic acids:	
378A	arsenious anhydride (arsenic trioxide, arsenious oxide)	10%
378B	arsenic anhydride and arsenic acid	10%
379	Oxide of antimony	5%
387A	Ammonia gas (anhydrous)	12%
	Soda:	
390A	sodium hydroxide	20%
390B	soda lyes, residues from the manufacture of cellulose pulp	15%
392	Potash (potassium hydroxide)	20%
399	Zinc oxide (zinc white, zinc grey)	20%
401C	Alumina, fused (artificial corundum, alundum), other than synthetic stones, crude, crushed or in grains	10%
Ex 404	Artificial iron oxides (containing 70 p. 100 and more in Fe^2O^3)	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
405	Nickel oxides	5%
406	Cobalt oxides and hydroxides	30%
409	Vanadium pentoxide (vanadic anhydride)	15%
411	Uranium oxide	5%
413	Copper oxides	10%
	Lead oxides:	
415A	litharge	12%
415B	minium and orange minium	12%
415C	lead dioxide	12%
418	Fluosilicates (of sodium, barium and other).	20%
Ex 419	Chlorides:	
	of ammonium, other than for agricultural purposes	12%
	of calcium	5%
	of barium	10%
Ex 420	Oxychloride of copper	10%
Ex 429	Sulphide of sodium	18%
Ex 432	Lignosulphites (bisulphitic lyes, residues from the manufacture of cellulose pulp)	15%
Ex 433	Sulphates:	
	of ammonium, other than for agricultural purposes	12%
	of sodium	15%
	of iron: ferrous sulphate	12%
	of nickel, double sulphate of nickel and ammonium	10%
	of copper	8%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
435	Persulphates (of ammonium, sodium, potassium and other)	20%
436	Simple or compound salts of the acids of selenium or tellurium	25%
Ex 438	Nitrates:	
	of ammonium, sodium, potassium, calcium, other than for agricultural purposes	12%
	of nickel	15%
	of cobalt	20%
Ex 440	Phosphates:	
	of ammonium other than for agricultural purposes	12%
	of calcium: commercial dicalcic	15%
Ex 442	Arsenates:	
	of calcium	15%
	of lead	20%
Ex 444	Carbonates:	
	of ammonium	12%
	of magnesium, precipitated	10%
	of nickel	25%
	of cobalt	25%
	of copper (blue ashes)	10%
	of lead: hydrocarbonate (white lead) ...	15%
	of bismuth	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Cyanides, simple or compound:	
Ex 446A	cyanide of potassium and of sodium	17%
Ex 446B	sulphocyanide of copper	25%
Ex 446C	ferrocyanide of potassium (yellow prussiate)	25%
Ex 446D	ferricyanide of potassium (red prussiate) .	25%
Ex 448	Silicates of sodium	22%
Ex 449	Borate of sodium, pure:	
	anhydrous	Free
	hydrated	7%
	Salts of the acids of metallic oxides:	
Ex 451C	chromate of lead (yellow and orange of chromium)	20%
Ex 451D	bichromates:	
	of sodium	20%
	of potassium	16%
Ex 451I	vanadates (ammonium and other)	15%
455A	Salts and compounds of radium	Free
Ex 461	Carbide of silicon (carborundum) crude, crushed or in grains	10%
	Chapter 29	
	ORGANIC CHEMICAL PRODUCTS	
	Aromatic hydrocarbons:	
Ex 470A	mononuclear:	
	benzene.....	See No.322A
	toluene	See No.322B
	xylenes: isomer mixtures	See No.322C

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Aromatic hydrocarbons: (contd.)	
Ex 470B	polynuclear: anthracene	See No. 325
	Halogenated derivatives of saturated acyclic carbides:	
Ex 471A	monohalogenated derivatives:	
	chlorides	20%
	bromides:	
	bromomethane (bromide of methyl), bromoethane (bromide of ethyl)	25%
	other	20%
Ex 471B	polyhalogenated derivatives:	
	polychlorides	20%
	polybromides:	
	tribromomethane (bromoform).....	20%
	dibromoethane (dibromide of ethylene)	25%
Ex 472B	Polyhalogenated derivatives of non saturated acyclic carbides, other	20%
Ex 475B	Halogenated derivatives of polynuclear aromatic carbides: dichlorodiphenyltrichloroethane (D.D.T.).....	20%
Ex 482A	Saturated acyclic monoalcohols, and their halogenated, sulphonated, nitrated derivatives:	
	propylic and isopropylic alcohols	30%
	butylic and isobutylic alcohols	23%
Ex 483A	Acyclic polyalcohols and their halogenated, sulphonated, nitrated derivatives: diols and their derivatives	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 484	Cyclanic, cyclenic and cycloterpenic alcohols, and their halogenated, sulphonated, nitrated-derivatives: menthol	20%
Ex 485	Aromatic alcohols and their halogenated, sulphonated, nitrated-derivatives: benzylic alcohol, cinnamic alcohol	20%
	Acyclic ether-oxides and their halogenated, sulphonated, nitrated-derivatives:	
Ex 493A	ether-oxides and their derivatives, other (methyl, isopropyl, butyl, etc., oxides)	25%
493B	ether-oxides - acyclic alcohols and derivatives	30%
Ex 497A	Acyclic aldehydes, saturated: methanal (formic aldehyde, formaldehyde, formol), trioxymethylene (paraformaldehyde)	25%
	Acyclic ketones and their halogenated, sulphonated, nitrated-derivatives, their salts and esters:	
Ex 504A	monoketones: methylethylketone	15%
504B	polyketones	15%
504C	alcohol-ketones and aldehyde-ketones (alcohol diaketone, etc.)	20%
Ex 505	Cyclanic, cyclenic and cycloterpenic ketones:	
	cyclohexanone and methycyclohexanone ..	20%
	camphor:	
	natural, crude	18%
	other (natural, refined, and synthetical)	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Acyclic monoacids, saturated, their anhydrides and their chlorides, their halogenated, sulphonated, nitrated-derivatives, their salts and esters:	
Ex 508B	esters of acetic acid:	
	methyl acetate	20%
	ethyl acetate	25%
	propyl, isopropyl acetates	25%
	butyl, isobutyl acetates	22%
508K	Stearic acid, its salts and esters	20%
Ex 509C	Oleic acid	20%
Ex 511D	Citric acid, its salts and esters:	
	citric acid	20%
	citrate of calcium, crude (lime citrate)	Free
Ex 520	Phosphoric esters and their salts (tributylphosphate, triphenylphosphate, tricresylphosphate and trixylenylphosphate, pure or mixed together	15%
Ex 541	Imides and imines:	
	sulphobenzoic imide (saccharine)	12%
	guanidines	25%
Ex 550	Other heterocyclic compounds, their halogenated, sulphonated, nitrated-derivatives, their salts and esters: mercaptobenzothiazole and derivates of mercaptobenzothiazole	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 551	Organo-mineral compounds, containing sulphur, other than heterocyclic compounds:	
	xanthates (ethylxanthates, amyxanthates, etc.) not elsewhere specified or included	15 %
	thiocarbamates	25 %
	alkyl, arylalkyl derivatives and other derivatives substituted from sulphurated thiourames	25 %
	Vitamins, their salts and esters:	
556A	"liposoluble" vitamins, their salts and esters	15 %
556B	hydrosoluble vitamins, their salts and esters	15 %
556C	other	15 %
Ex 558	Diastases: pepsin and rennets	20 %
Ex 561	Other alkaloids, their others and their esters, and their salts:	
	caffeine and its salts	13 %
	emetine and its salts	13 %
	strychnine and its salts	15 %
	theobromine and its salts	15 %
Ex 566	Other organic compounds, not elsewhere specified or included: penicillin and similar substances, and their salts	15 %

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 30	
	PHARMACEUTICAL PRODUCTS.	
	Medicinal preparations used in human or veterinary medicine, not put-up for retail sale:	
569A	medicinal plant mixtures, entered with the previous authorization of the "Service Central de la Pharmacie"	18%
569B	oils, flours, wines and other preparations to which their preparation or composition gives therapeutic properties, entered with the previous authorization of the "Service Central de la Pharmacie"	18%
569C	salts of natural or artificial mineral waters, entered with the previous authorization of the "Service Central de la Pharmacie"	18%
Ex 569D	other:	
	medicaments mentioned in the French Codex	18%
	medicaments not mentioned in the French Codex, entered with the previous authorization of the "Service Central de la Pharmacie"	18%
	Medicaments used for human or veterinary medicine, put-up for retail sale:	
570A	medicaments mentioned in the French Codex; prescription-made medicaments	10% of selling price to the public

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 570B	other:	
	medicaments "sous cachets" in accordance with French internal legislation	10% of selling price to the public
	patent medicines in accordance with French internal legislation	10% of selling price to the public
	Chapter 31	
	FERTILIZERS.	
	Natural fertilizers of animal or vegetable origin, in bulk or in packages weighing each more than 25 kg. gross:	
572B	dissolved organic fertilizers	Free
572C	other	Free
	Nitrogenous chemical fertilizers, in bulk or put in packages weighing each more than 25 kg. gross:	
573A	ammonium chloride	Free
573B	ammonium sulphate	Free
573C	sulphonitrate of ammonium and ammonitrates	Free
573D	sodium nitrate, natural or synthetic	Free
573E	calcium nitrate	Free
573F	calcium and magnesium nitrate	Free
573G	ammonium nitrate	Free
573H	calcium cyanamide	Free
573I	urea	Free
573J	other	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Phosphated chemical fertilizers, in bulk or put in packages weighing each more than 25 kg. gross:	
574A	phosphated chalks	Free
574C	dephosphorisation slags	Free
574D	basiphosphates (thermophosphates)	Free
574E	dicalcic phosphates	Free
Ex 574G	superphosphates, other	7%
574H	ammonium phosphates	7%
576	Compound fertilizers made of a mixing, with or without combination, of at least two of the above chemical fertilizers, added or not with products of animal or vegetable origin, in bulk or put in packages weighing each more than 25 kg. gross	7%
577	Fertilizers not elsewhere specified or included, in bulk or put in packages weighing each more than 25 kg. gross	7%
	Chapter 32	
	PRODUCTS OF THE DISTILLATION OF WOOD, TURPENTINE AND RESINS.	
579D	Methylenes	20%
	Chapter 33	
	TANNING AND COLOURING EXTRACTS; COLOURING MATERIALS.	
584B	Mimosa extracts	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Mineral colouring materials:	
590A	mineral blacks, not elsewhere specified or included, in lumps, crushed or pulverised	10%
590D	lithopone	15%
590F	ultramarines	16%
590G	ferrocyanic colours (Prussian blue)	25%
590H	schweinfurt green (aceto-arsenite of copper)	10%
	Organic colouring materials (derived from coal-tar and other), containing 50% and less of water:	
Ex 591C	azoic colouring matters:	
	monoazoic, derived from safranine and insoluble pigmentary monoazoic colourings for lakes	25%
	polyazoic, black	25%
Ex 593	Artificial lakes:	
	with a basis of animal or vegetable colourings, not containing carmine	15%
	with a basis of organic colouring matters, containing less than 3 p. 100 of organic colourings or less than 8 p. 100 of organic pigments	15%
Ex 594	Ground pigments (with oil, varnishes, benzine, etc.), other	Duty of paints otherwise put-up (No.599 B).

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 34	
	DYES, VARNISHES, PAINTS, COLOURS; MASTICS; INKS; PENCILS; PRODUCTS OF CERAMIC CHEMISTRY	
Ex 595A	Dyes, prepared; household dyes for fabrics, leather, etc., liquid in containers with a capacity of 0l.25 and less:	
	without alcohol	10%
	with alcohol	15%
	Varnishes, put-up:	
596A	in containers with a capacity of 1 liter and less, with or without alcohol	24%
Ex 596B	otherwise, without organic colouring or containing less than 3 p.100 of organic colouring, with or without alcohol	24%
597	Extracts in paste or dry, coloured or not, including extracts of cellulose acetate, for the preparation of varnishes and unfit for direct use	24%
	Paints, put-up:	
599A	in containers, with a capacity of 5 liters and less:	24%
Ex 599B	otherwise, without colouring or organic pigment, or containing less than 3 p.100 of organic colourings, or 8 p.100 of organic pigments	24%
600	Artists' colours and colours for decoration, teaching or recreation, in tablets, pastilles, saucers, tubes, small bottles, cups, etc., sorted or not in boxes, with or without brushes, prints, saucers or other accessories, also boxes entered not fitted	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
EX 604	Printing inks:	
	black, for newspaper printing, without drying oils	25 %
	other, without organic colouring or pigment, or containing less than 3 p.100 of organic colourings or less than 8 p.100 of organic pigments	15 %
608	Ribbons, inked or impregnated, for typewriting and similar machines; inking pads ..	15 %
609D	Leads for pencils; leads for writing or drawing on any kind of material; lithographic leads; leads containing greasy matters, so-called "chalk" and sanguines; pastels and other similar articles	20 %
610	Composite pencils (in casing), with a diameter (or inscribed in a circle with a diameter) of:	
	more than 6.5 mm:	
	with a filling of graphite or slate:	
	with a deal casing, not tinted or internally treated, varnished or not	30%
	other	25%
	with coloured filling or filling with a base of lamp black	25%
	with copying filling or filling with a base of grease, wax, cocoa butter or similar products	30%
	less than 6.5 mm:	
	without tip or fitting	25%
	with tip or fitting of any substances, including varnished tips	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
Ex 611	Colours, pigments and opaque agents for ceramic, enamelling, glass-making, containing salts and (or) cobalt oxide.....	17%
Ex 612	Vitrifiable compounds (enamels), containing salts and (or) cobalt oxide	17%
	Chapter 35	
	ESSENTIAL OILS AND ESSENCES; PERFUMERY ARTICLES	
Ex 616	Essential oils, not "deterpened", solid or liquid:	
	essences of: mint, jasmine, rose, patchouli, vetyer, pine, pine needles, cajeput, niaouli, eucalyptus, Chinese anise tree, anise, fennel, lemon, citron, "limette", china orange, bitter orange (seville orange), bergamot, mandarin, grape fruit, citronella, lemon-grass, vervain, aspic, lavender, "lavandin", origanum, thyme, rosemary, wild thyme, marjoram, rue, sage, tulip wood, shiu, linaloe, mace, nutmegs, caraway, coriander, juniper, cumin, gaiacum, mustard, myrtle, "petit grain", neroli, orange flowers, cloves, cinnamon, bay	Free
	other essences (except essences of cananga, ylang-ylang, camphor, sassafras, "Bourbon" geranium, rose geranium, palmarosa)	5%
618	Terpenless essences:	
	of lemon, citron, "limette", china orange, bitter orange (seville orange), bergamot, mandarin, grape fruit	15%
	other	12%
622	Compounds with a base of natural or artificial perfumes, intended for perfumery or alimentation (mixtures of chemical produces, and (or) natural products, not utilizable in their present condition)	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
623	Perfumes (extracts, lotions, toilet waters, etc.):	
	liquid:	
	non-alcoholic	10%
	alcoholic, put-up in containers, with a capacity of:	
	more than $\frac{1}{2}$ l.	10%
	$\frac{1}{2}$ l. and less	15%
	solid	10%
624	Dental products (waters, elixirs, powders, pastes, soaps):	
	non-alcoholic	10%
	alcoholic	15%
625	Hair products (dyes, cosmetics, fixers, brilliantines, liquids for permanent wave, shampoos, etc.):	
	non-alcoholic	10%
	alcoholic	15%
626	Products for the care of the skin and for making up (creams, beauty milks, shaving creams not foaming, superfluous hair removers, deodorising products, perfumed pomades and vaselines, lips rouge, make-up, toilet powders, perfumed talc powders, nail varnishes, etc.):	
	non-alcoholic	10%
	alcoholic	15%
627	Other perfumery products (perfumes for burning, sachets of perfumes, Armenia papers, etc.)	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 36	
	DERIVATIVES OF NATURAL OR SYNTHETIC FATTY SUBSTANCES; SOAPS; ARTIFICIAL WAXES; CANDLES; PREPARATIONS FOR WASHING CLOTHES.	
628C	Derivatives of fatty substances insoluble in water: fatty alcohols in C^6 and above	20%
629A	Derivatives of fatty substances soluble in water, except soaps: active anion products:	
	sulphonated derivatives	20%
	other	20%
Ex 638	Preparations for washing clothes, put-up, without organic substances	15%
	Chapter 37	
	ALBUMINOID MATERIALS AND SUNDRY GLUES.	
639	Casein and caseinates not elsewhere specified or included	10%
640	Albumins (of egg, blood, etc.):	
	unfit for edible purposes and denaturated	Free
	other	20%
642	Gelatins in powder, granules, fragments or flakes, in leaves not cut or cut square or rectangular, unworked, coloured, goffered, stained, iridescent, ivory-like, metallised, waterod, varnished, glazed	20%
645	Dextrins, including roasted starch and fecula	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Glues of animal origin in packages with a net content of more than 1 kg.:	
646A	fish glues	15 %
646C	other (glues made of bones, skins, sinews, tendons, etc.)	20 %
647B	Glues of vegetable origin in packages with a net content of more than 1 kg.: glues with a base of amylaceous substances and derivatives and other glues of vegetable origin (of lichin, of fucus, etc., excluding glues with a base of vegetable gums)	25 %
Ex 648	Glues with a base of materials only soluble in organic solvents, in packages with a net content of more than 1 kg.: urea glues, cellulose glues, vinyl glues	Duty of varnishes otherwise put-up (No.596 B)
Ex 650	Glues, put-up for sale, in packages containing each 1 kg. net or less:	
	fish glues	15 %
	glues of other animal substances	20 %
	urea glues, vinyl glues, cellulose glues ...	Duty of varnishes put-up in containers of 1 l. capacity or less (No.596A)
	glues with silicate basis	10 %
	Chapter 38	
	GUNPOWDER: EXPLOSIVES: FIREWORKS: MATCHES: FERRO-CERIUM: INFLAMMABLE MATERIALS: FIRE-EXTINGUISHERS.	
Ex 655A	Primers and fulminating caps, for arms:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	of war, entered on account of the Monopoly	Free
	for sporting and for target-shooting ...	10%
Ex 660	Matches, entered on account of the Monopoly	5%
	Chapter 39	
	SENSITIZED SURFACES; FILMS; PRODUCTS FOR PHOTOGRAPHY AND CINEMATOGRAPHY.	
664A	Glass plates, sensitized, not exposed	15%
665	Films, unperforated, sensitized, not exposed:	
	sensitized on one side only	15%
	sensitized on both sides	15%
666	Films, perforated, sensitized, not exposed:	
	negative	20%
	positive, reversing, duplicating	20%
667	Sensitized papers and cards (in sheets, rollers, discs, etc.):	
	for monochrome pictures:	
	with silver or platinum salts, with iron salts	25%
	asico, pigmentary (with carbon, etc.)	15%
	other	25%
	for polychrome pictures	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 668	Sensitised surfaces, exposed, not developed:	
	perforated films.....	2000 fr. per kg. gross weight
670	Cinematograph films, silent (reels including pictures only) exposed and developed:	
	negative films:	
	news films:	
	monochrome.....	3 fr. the metre
	polychrome.....	5 fr. the metre
	other, with a width of:	
	less than 10 mm.:	
	monochrome.....	6 fr. the metre
	polychrome.....	9 fr. the metre
	10 mm. inclusive to 35 mm. exclusive:	
	monochrome.....	15 fr. the metre
	polychrome.....	20 fr. the metre
	35 mm. (standard) and more:	
	monochrome.....	20 fr. the metre
	polychrome.....	25 fr. the metre
	positive films:	
	news films:	
	monochrome.....	1 fr. the metre
	polychrome.....	2 fr. the metre
	other, with a width of:	
	less than 10 mm.:	
	monochrome.....	1.20 fr. the metre
	polychrome.....	3 fr. the metre

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
	10 mm. inclusive to 35 mm. exclusive: ..	
	monochrome.....	3 fr. the metre
	polychrome.....	5 fr. the metre
	35 mm. (standard) and more:	
	monochrome.....	4 fr. the metre
	polychrome.....	5 fr. the metre
	Cinematograph films, sound-track, exposed and developed:	
671A	reels including only sound recording, negative or positive:	
	news films.....	1 fr. the metre
	other with a width of:	
	less than 10mm.....	2 fr. the metre
	10 mm. inclusive to 35 mm. exclusive	3 fr. the metre
	35 mm. (standard) and more.....	4 fr. the metre
671B	reels including at the same time pictures and sound:	
	negative films:	
	news films:	
	monochrome.....	3 fr. the metre
	polychrome.....	5 fr. the metre
	other, with a width of:	
	less than 10 mm.:	
	monochrome.....	6 fr. the metre
	polychrome.....	9 fr. the metre
	10 mm. inclusive to 35 mm. exclusive:	
	monochrome.....	15 fr. the metre
	polychrome.....	20 fr. the metre

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	35 mm. (standard) and more:	
	monochrome.....	20 fr. the metre
	polychrome.....	25 fr. the metre
	positive films:	
	news films:	
	monochrome.....	1 fr. the metre
	polychrome.....	2 fr. the metre
	other, with a width of:	
	less than 10 mm:	
	monochrome.....	1.20 fr. the metre
	polychrome.....	3 fr. the metre
	10 mm. inclusive to 35 mm. exclusive:	
	monochrome.....	3 fr. the metre
	polychrome.....	5 fr. the metre
	35 mm. (standard) and more:	
	monochrome.....	4 fr. the metre
	polychrome.....	5 fr. the metre
672	Chemical products put up for photographic use (developers, fixers, toners, intensifiers, etc)	20%
	Chapter 40	
	ABRASIVE WARES PARTS AND ARTICLES OF ARTIFICIAL CARBON; SOLDERING STICKS AND COMPOUNDS	
673	Abrasives, natural or artificial, applied on fabrics. paper, cardboard, fibre, wood and other materials, cut up or not	10%
674	Whetstones:	
	natural stones, roughed-out or finished; earthenware stones.....	8%
	abrasive stones, compressed.....	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	grindstones and similar articles, with or without hoops or other parts of other materials:	
675A	millstones:	
	of stone or other natural mineral roughed-out or finished.....	5%
	of compressed materials, with or without parts of stone.....	12%
675B	fiber-grinding wheels.....	12%
ex 675C	grindstones, edge-setting wheels, polishing wheels, adjusting wheels, sawing wheels, etc. of compressed abrasives, without or without parts of natural stone or earthenware:	
	of natural abrasives, weighing each:	
	more than 20 g.....	12%
	20 g and less.....	15%
	of artificial abrasives, weighing each:	
	more than 20 g.....	15%
	20 g. and less.....	18%
	Parts and articles of compressed or baked carbon, so called "artificial carbon", or of artificial graphite:	
677A	carbons for electric arcs.....	15%
677B	electrodes for electric furnaces and electrolysis; carbons for electric batteries.	15%
677C	carbons in slabs or bars for brushes, of metallographitic and other compositions.....	5%
677D	brushes for electric machines and apparatus, of metallographic and other compositions, with or without connections.....	10%
677E	carbons for telephones and microphones (in discs, pastilles, cups, etc); carbons for filters, carbons for lightning protectors, fittings, joints and other parts.....	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
	Chapter 41	
	MISCELLANEOUS PRODUCTS OF CHEMICAL INDUSTRIES, NOT ELSEWHERE SPECIFIED OR INCLUDED	
682	Activated products not elsewhere specified or included (activated fossil silica, activated clay, artificial beutonite, etc.).....	20%
	Disinfecting, insecticidal, anti-cryptogamic, fungicidal, grass destroying, anti-parasitic and like preparations, not elsewhere specified or included, put up:	
683A	in containers of one 1 kg net capacity and less	15%
ex 683B	otherwise:	
	arsenical products, including cupro-arsenical specialities.....	15%
	cupric products.....	10%
	sulphuretted products, products with a base of vegetable or mineral oils and their derivatives, vegetable insecticides.....	15%
	other poisoned baits.....	15%
685A	Preserving products (preparations for preserving leather, wood, painted surfaces, metal articles, glass, etc., liquid, in paste, or solid):	
	solutions or emulsions, the dry extract of which contains 50 per cent and more of wax (animal, vegetable, mineral or artificial), of osokerite, of paraffin, pure or mixed together (waxes, encaustics, creams, etc.).....	15%
687	Vulcanisation accelerators, not elsewhere specified or included.....	30%

Chapter 42

DERIVATIVES OF CELLULOSE; PLASTIC MATERIALS AND ARTIFICIAL RESINS; ARTICLES, NOT ELSEWHERE SPECIFIED OR INCLUDED, OF THESE MATERIALS

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
691	Cellulose reclaimed from viscose (xanthate of cellulose), neither fashioned nor printed, put up:	
	in sheets not cut or cut square or rectangular, or in rolls, with a surface worked or treated or not with a width of:	
	more than 1 cm	25%
	1 cm. and less	Duty on strips ("lames") of artificial fibers (No. 932)
	waste and remains of worn out articles or otherwise	25%
	Plastic materials made from cellulose esters:	
Ex 694A	with a base of cellulose acetates (diacetate and triacetate): in slabs and sheets with a worked or treated surface (polished, matted, coloured, etc.); tubes, sticks and rods rectified or otherwise worked	20%
694B	with a base of nitrocellulose (celluloid), in blocks, masses, granules, slabs and sheets with a worked or unworked surface; tubes and rods, worked or not; waste and fragments of manufactures	20%
Ex 694C	with a base of other cellulose esters (proprionate etc.) or composite esters (acetobutyrate, etc.) slabs and sheets with a worked or treated surface (polished, matted, coloured, etc.); tubes, sticks and rods, rectified or otherwise worked	20%
697	Plastic materials made from albuminoid materials (hardened casein, etc.), in blocks, masses; slabs and sheets with a surface worked or treated or not; tubes, sticks and rods, worked or not; waste and fragments of manufactures	15%
	Products obtained from the condensation of phenols, amines or amides with aldehydes:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
ex 699A	phenoplasts obtained from the condensation of phenols or their homologues with aldehydes (phenol -, cresol -, xylenol - formaldehyde, phenol-furfurol, etc.):	
	unaltered, not polymerised.....	15%
	altered.....	15%
ex 699B	aminoplasts obtained from the condensation of amines or amides with aldehydes (aniline -, urea-, thiourea -, melamine - formaldehyde, etc.), not polymerised.....	15%
	Thermoplastic products of polymerisation derived from ethylene and its homologues (vinylic, acrylic, methacrylic products), in solid mass, lumps, powders, granules, mixed or not with loadings or with colouring materials, in liquid form, including emulsions and solutions; waste and fragments of manufactures, slabs and sheets with a surface worked or treated or not - surface, tubes, sticks and rods, rectified or otherwise worked:	
700A	polyvinyl acetate.....	35%
700B	polyvinyle chloride.....	35%
700C	polyvinylidene chloride.....	35%
700D	other polyvinyl esters (chloracetate, etc); vinylic copolymers (acetate-chloride, maleate-acetate etc.).....	35%
700E	copolymers of vinylic esters and of acrylic or methacrylic acid.....	35%
700F	polyvinylic ethers and ketones.....	35%
700G	Chemical derivatives of polyvinyl acetate, polyvinyl alcohols and acetals (formal, acetal, butyral, combined acetals, etc.)....	35%
700H	acrylic and methacrylic derivatives	35%
700I	polyvinyl carbides (polystyrol, etc.)	35%
700J	polyethylenes.....	35%
700K	other (polyvinyl amines and imines, polyvinyl - carbazol, etc.).....	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
703	Natural resins, modified by fusion (melted gums) or combined with polyalcohols (ester gums).....	25%
705	Moulded objects of thermoplastic materials...	30%
706	Moulded objects that can be sintered by heat.	30%
707	Cellulose reclaimed from viscose (cellulose xanthate) fashioned (bags, tubes, etc.) cut otherwise than in square or rectangular form or (and) printed:	
	with an unworked or untreated surface.....	25%
	with a worked or treated surface (matted, coloured, silky, varnished, goffered, waterproofed, etc.).....	28%
708	Articles of plastic materials derived from albuminoids (hardened casein, etc).....	20%
ex 709	Non-moulded articles of other plastic materials (with a base of cellulose esters and ethers, products of condensation and polymerisation, etc.):	
	not stratified:	
	packings (bags, capsules, stoppers, cases, boxes, etc.), printed or not.....	25%
	other articles (excluding so-called "American linen" with or without fabric)	25%
	stratified.....	25%
	Chapter 43	
	RUBBER AND ARTICLES MADE OF RUBBER	
	Natural rubber and similar gums:	
710A	rubber, raw.....	Free
710B	balata.....	Free
710C	gutta-percha.....	Free
710D	other.....	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
711A	Artificial rubber	Free
712	Reclaimed gums.....	Free
713	Recovered products (raw waste and remains of worn out articles) powder ("poudrettes").....	Free
714	Sheets and strips of non vulcanised rubber.....	8%
	Other articles of non vulcanised rubber:	
715B	rubber solutions and dispersions.....	15%
715D	industrial adhesives with a base of rubber or assimilated products, on any backing (fabric, paper, felt, plastic materials, etc.) in sheets, bands, plaits, or cut out..	15%
	Thread of rubber:	
716A	rubber thread, uncovered.....	5%
716B	Rubber thread and ropes covered with textile thread.....	18%
ex 717	Plates, sheets and strips of vulcanised rubber, uncut or cut in a square or rectangular form, combined with fabrics (comprising more than two pleats or weighing more than 1500 g. per square meter), with textile materials yarns or nets, with metal or with other materials.....	18%
718	Pipes and tubes of rubber, combined or not with other materials.....	14%
719	Rubber belts (conveyor or transmission belts)..	14%
720	Coverings and carpets of non spongy or cellulose rubber	14%
	Hygienic, pharmaceutical and surgical rubber articles:	
721A	injection bulbs, bulbs for dropping tubes, vaporizers and other purposes.....	20%
721B	Teats, nipple shields, baby comforters, sterilizer caps and similar articles.....	20%
721C	gloves.....	20%
721D	protectors.....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
721E	bathing caps.....	20%
721F	other (icebags, hot water bags, cushions, oxygen bags, sounds, cannules, urinals, pessaries, collectors for operated patients, etc.).....	20%
	Rubber clothing and clothing accessories:	
722C	braces, gaiters, sock-suspenders and their parts.....	30%
722D	mufflers (mittens) and gauntlets for industrial purposes.....	30%
722E	other (excluding capes, waterproofs, aprons, pilches and dress preservers)	30%
723	Articles of spongy or cellulose rubber, not elsewhere specified or included.....	20%
	Rubber tyres for vehicle wheels:	
724A	solid or hollow tyres (on frame or without frame (en boudins).....	18%
724B	inner tubes, weighing each:	
	more than 2 kg. (known as for extra heavy or heavy cars).....	18%
	2 kg and less (known as for light cars, motor-cycles, bicycles and motorised bicycles).....	22%
724C	outer covers:	
	pneumatic tyres for aircraft.....	22%
	other including tubular tyres, weighing each:	
	more than 15 kg (known as for extra heavy and heavy cars).....	18%
	15 kg and less (known as for light cars, motor-cycles, bicycles and motorised bicycles).....	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
	Other articles of rubber, not elsewhere specified or included:	
725A	moulded articles, not made up.....	14%
725B	shaped articles or articles drawn by machine, not made-up	14%
725C	articles of cut out sheets or casings, not made-up.....	14%
725D	articles made-up by glueing or otherwise, with or without parts of other materials....	14%
	Hardened rubber (ebonite):	
726A	slabs, plates and sheets, not cut or cut in a square or rectangular form.....	18%
	sticks and rods.....	18%
726C	tubes.....	18%
	Chapter 44	
	LEATHER, HIDES OR SKINS	
	Hides or skins, raw:	
728A	hides of large bovine animals (ox, cow and bull), including buffalo.....	Free
728B	kipskins.....	Free
728C	calf skins.....	Free
728D	equidae hides.....	Free
728E	skeep skins, except dry cuirots: sheep skins (wooled-skins, "rasons" and crossbred), lamb skins, baby-lamb skins ("regords")	Free
728F	goat skins, except dry cuirots.....	Free
728G	pigskins.....	Free
728H	skins of reptiles, batrachia, fish and other sea animals.....	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
728I	other, not elsewhere specified or included.....	Free
729E	Limed or pickled sheep skins, including dry cuirots:	
	sheep skins.....	Free
	lamb and baby-lamb skins (regords).....	10%
ex 730	Hides of large bovine animals (ox, cow and bull), including buffalo, simply tanned:	
	hides of full thickness, parts of hides: shoulders, flanks and other parts (excluding bands, backs and butts).....	10%
	split hides:	
	hair side:	
	whole hides.....	12%
	parts of hides: flanks and other parts (excluding bands, backs, butts and shoulders).....	12%
	splits: whole hides.....	10%
733	Sheep skins, simply tanned:	
	skins tanned or treated with formol.....	10%
	other:	
	Indian crossbred sheep skins.....	2%
	other:	
	sheep skins.....	6%
	lamb and baby lamb skins (regords)....	10%
734	Goat skins simply tanned:	
	skins tanned or treated with formol.....	6%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorum
	other:	
	Indian goat skins.....	2%
	other.....	10%
735A	Pigskins, simply tanned.....	15%
	Hides of large bovine animals (ox, cow, bull), including buffalo, curried or further processed than tanned:	
736A	vegetable-tanned or synthetically tanned.....	15%
736B	mineral tanned or with mixed tanning (including semi-chrome).....	15%
736C	chamois-dressed hides.....	10%
736D	hides dressed by the Hungarian method or parchment dressed hides.....	15%
736E	patent or metallized leather (hides).....	17%
	calf skins, further processed than tanned:	
737A	vegetable tanned or synthetically tanned:	
	skins, not fat-liquored.....	12%
	fat-liquored skins.....	12%
737B	mineral tanned or with mixed tanning.....	12%
737D	patent or metallised leather (skins).....	17%
	Equidae hides, further processed than tanned:	
ex 738A	vegetable-tanned or synthetically tanned, not fat-liquored and fat-liquored hides, parts of hides: butts and upper parts of the hind legs, front parts and other parts (except bands and back butts).....	10%
ex 738B	mineral tanned or with mixed tanning, parts of hides: butts and upper parts of the hind legs, front parts and other parts (except bands and back-butts).....	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
738D	patent or metallised leather (hides).....	17%
	Sheep skins, further processed than tanned:	
739A	chamois - dressed skins.....	12%
739B	patent, metallised and velvet-finish leather skin.....	20%
739C	other, including parchment - dressed skins.	13%
	Goat skins, further processed than tanned:	
740A	patent, metallised or velvet-finish leather (skins).....	20%
740B	other, including parchment - dressed skins..	15%
	Other skins, further processed than tanned:	
741A	pigskins.....	15%
741B	stagskins and antelope skins.....	12%
741C	dog skins.....	12%
741D	rabbit skins.....	12%
741E	seal skins and skins of other sea mammals.....	12%
741F	skins of reptiles, batrachia and fish.....	12%
741G	Other.....	12%
744	Imitation leather with a basis of vegetable, mineral or animal fibres (leather excepted), pure or mixed, agglomerated or impregnated with the assistance of natural or synthetic rubber, viscose, natural or synthetic resins and other similar products, in sheets, slabs or rolls, coated or not, but not fashioned or worked.....	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
	Chapter 45	
	MANUFACTURES OF LEATHER, HIDES OR SKINS AND ARTICLES OF INDUSTRIES RELATED TO LEATHER, HIDES OR SKINS	
	Saddlery goods:	
746D	game-bags, haversacks, tool bags, wallets.....	25%
746E	arms cases, binocular cases, cases for cameras or other cases; cartridge pouches	25%
747	Portfolios, satchels, music-cases and the like.....	25%
748	Mailbags and shoppingbags	25%
	Travelling requisites:	
750A	trunks	25%
750B	travelling bags	25%
750C	attaché cases or suit cases	25%
750D	hat cases, shoe cases, collar, cuffs, necktie, etc., boxes, bottle cases and other similar articles	25%
	Morocco wares, not elsewhere specified or included:	
751A	women's and girls' handbags of all shapes	25%
751B	cases (for instruments, etc.) flexible.....	25%
751C	other articles (pocket-books, purses, card cases, flexible cases, tobacco pouches, book holders, etc)	25%
	Sheath and case-makers wares, not elsewhere specified or included:	
752A	jewel and like cases covered with leather	25%
752B	other articles covered with leather	25%
	Gloves of leather or skin:	
755A	outdoor gloves for men, boys and children	22% but not less than 60fr per pair

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
755B	outdoor gloves for women and girls.....	22% but not less than 60fr.per pair
755C	protecting gloves for the industry.....	25%
	Industrial articles of leather:	
756A	belts.....	10%
756C	articles for the textile industry.....	20%
756E	other articles, not elsewhere specified or included.....	20%
757	Other wares of leather, hides or skins, or of artificial leather, not elsewhere specified or included.....	20%
	Chapter 46	
	FURSKINS AND FURS	
	Raw furskins, not elsewhere specified or included:	
759A	rabbit and hare.....	Free
759B	other.....	Free
	Furskins, dressed, whole skins or sewn pieces (squares, sheets, bags or "touloupes"); waste not sewn:	
760A	rabbit and hare, whole skins or sewn pieces:	
	white not dyed.....	Free
	other	10%
760B	sea otters, nutria and beavers, whole skins or sewn pieces.....	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorum
760C	other furskins, dressed, including Asian goat and Mouflon and China dog, whole skins or sewn pieces	10%
	Furskins, worked or made-up (furs) not elsewhere specified or included:	
761A	shaped tails	30%
761B	clothing and accessories of clothing lined with fur or (and) trimmed with fur, in which the value of the furskin exceeds 50 p.100 of the total value of the article	30%
	Chapter 47	
	WOOD AND MANUFACTURES OF WOOD	
	Wood for fuel:	
763A	logs with a length of 1m.20 and less, split in quarters or in round pieces with a circumference of less than 60 cm. at the thicker end; twigs, faggots and firewood	8%
763B	waste of wood, other than sawdust	8%
763C	wood prepared for gazogenes	8%
764	Charcoal	4%
	Wood, round, rough, whether or not stripped of its bark or rough-hewn with the axe or adze:	
Ex 765A	common wood	
	of conifers:	
	in logs, less than 2m.50 in length and of all diameters, intended for paper making	10%
	poles stripped of the bark, with a length of 6m.50 exclusive to 15m.50 inclusive and having a circumference at the thicker end of 45cm. exclusive to 90cm. inclusive	10%
	other	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
765B	fine wood	Free
	Wood, squared or planed with the axe, the saw, the planisher tool or the adze:	
766A	common wood:	
	conifers, whether or not impregnated, permeated or coated	10%
	other, other (except okoume and oak), whether or not impregnated, permeated or coated	15%
766B	fine wood	Free
	Sawn wood, not elsewhere specified or included:	
Ex 767A	common wood:	
	conifers, whether or not impregnated, permeated or coated, with a thickness of more than 75 mm.	14%
	other, other (except okoume and oak), impregnated, permeated or coated, with a thickness of 5 mm. exclusive to 75 mm. inclusive:	18%
767B	fine wood:	
	cedar	Free
	other, including mahogany and walnut	5%
770A	Cooper's wood: stavewood	5%
771	Hoop wood, "lisses", laths, split vine props ..	15%
Ex 773	Veneers, in sheets:	
	neither connected nor jointed, of common wood	15%
	connected or jointed	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
779	Wood (timber), planed, grooved and (or) tongued and grooved; planks, friezes or strips for flooring, planed, grooved and (or) tongued and grooved	18%
Ex 780	Wood beadings and mouldings (except beadings for electric tubing)	18%
784	Veneer or plywood panels	25%
Ex 791	Packing cases and light packings of wood being neither veneer wood nor plywood, of sliced or unrolled wood, or with parts of sliced or unrolled wood ("billots", cheese-cases, etc.)	8%
792A	Cooper's wares, hooped with wood or metal:	
	casks, drums or tuns:	
	not fitted together, in bunches or in bulk, and any finished parts thereof (staves, jointed or cut down, planed or jig-sawn, etc.)	20%
	fitted together, entered:	
	empty	20%
	full	10%
Ex 794C	Wooden articles for industrial purposes, not elsewhere specified or included, other, of common wood, with or without fittings or accessories	8%
796	Handles for tools, whether or not with iron fittings or metallic accessories, of common wood or of fine wood	6%
798B	Small wares and cabinet-makers' wares (articles of ornament, of shelves and fancy or decorative articles, made of wood, not elsewhere specified or included, other articles	15%
Ex 799B	Other manufactures of wood, not elsewhere specified or included, other articles of common wood	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 48	
	FURNITURE AND BEDDING	
	Wooden chairs, not stuffed, fitted or not, and parts thereof:	
800A	of osier, reed, rattan, bamboo and the like .	20%
800B	other:	
	non-folding chairs:	
	of bent wood	18%
	other than of bent wood	20%
	folding chairs	20%
	Chairs, stuffed, fitted or not, and parts thereof:	
802A	chairs, called "comfortables"	20%
Ex 802B	other:	
	of wood	20%
	of other materials, not elsewhere specified or included, other (except plastic materials)	20%
	Wooden furniture, other than chairs, not upholstered or covered, fitted or not, and parts thereof:	
804A	of osier, reed, rattan, bamboo, and the like .	20%
804B	other:	
	of bent wood	15%
	other than of bent wood:	
	solid:	
	of common wood	15%
	of fine wood	20%
	veneered	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Furniture other than chairs, upholstered or covered, fitted or not, and parts thereof:	
806A	stuffed or padded	Duties on chairs, stuffed, other, according to kind (No.802B)
806B	entirely covered	20%
Ex 806C	other:	
	of wood	20%
	of other materials, not elsewhere specified or included, other (except plastic materials)	20%
807	Frames of wood	15%
808	Lighting apparatus of wood:	
	of common wood, plain or moulded, carved or otherwise wrought:	
	without ornaments of other materials ..	15%
	ornamented with other materials (metal, glass, ceramic, plastic materials, etc.)	20%
	of fine wood or veneered with fine wood ...	20%
	Box-mattresses:	
810A	metallic	20%
810B	other	20%
811	Overlay mattresses and similar articles, with metallic frame and other	20%
812	Pillows and bolsters, filled	20%
813	Coverlets, eiderdowns, cushions, feather-beds, sleeping bags and similar articles, fitted	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 49	
	CORK AND CORK WARES.	
	Cork, compressed, worked:	
818B	discs for crown corks and similar uses ...	25%
818C	other wares not elsewhere specified or included	25%
	Chapter 50	
	SPARTERIE AND BASKETWARE	
Ex 821B	Wares of wickerwork, not elsewhere specified or included, of vegetable materials, not covered or decorated with other materials:	
	of raw vegetable materials	18%
	of wood strips	18%
	of stripped osier or reed	20%
	other	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 51	
	MATERIALS USED IN THE MANUFACTURE OF PAPER	
Ex 822A	Paper pulp, dry (containing 40% and less of water), of wood, of conifers, chemical pulps:	
	soda process:	
	unbleached	22%
	bleached	24%
	bisulphite process:	
	unbleached	22%
	bleached	24%
	other:	
	unbleached	22%
	bleached	24%
	Chapter 52	
	PAPER AND CARDBOARD	
	Paper and cardboard, specified:	
825B	crystal paper	20%
825C	grease-proof paper and tracing paper	20%
825E	wadding of cellulose	20%
	Paper and cardboard not specified, in a continuous form:	
826A	neither marked nor watermarked, nor surfaced nor rubbed:	
	formed of a single layer of pulp ("en un seul jet")	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	straw paper and cardboard	18 %
	containing mechanical pulp:	
	containing more than 60 per cent of mechanical pulp (brown paper and cardboard, paper and cardboard semi-chemical of wood or other), weighing per square meter more than 320 g.....	25 %
	containing 60 per cent and less of mechanical pulp:	
	brown paper and cardboard and paper and cardboard semi-chemical, of wood, weighing per square metre more than 320 g.....	25%
	other (except Kraft paper and cardboard) weighing per square metre more than 320 g.....	25%
	without mechanical pulp, other (except Kraft paper and cardboard):	
	without rag pulp or containing less than 75 per cent of rag pulp	25%
	containing 75 per cent and more of rag pulp	20%
	formed of two or several layers (en deux ou plusieurs jets):	
	with the interior of straw paper	18%
	with the interior containing mechanical pulp:	
	of brown paper and of semi-chemical wood paper	25%
	other (except with the interior of Kraft paper)	25%
	with the interior not containing mechanical pulp, other (except with the interior of Kraft paper)	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
826B	marked, watermarked, surfaced or rubbed	25%
ex 827	Paper and cardboard, not specified, made on the winding machine:	
	straw paper and cardboard	18%
	containing mechanical pulp:	
	containing more than 60 per cent of mechanical pulp	25%
	containing 60 per cent and less of mechanical pulp, obviously of a density of less than 1.30	25%
	without mechanical pulp	25%
829	Paper and cardboard simply goffered or stamped..	25%
ex 830	Paper and cardboard simply creped or crinkled, other (except Kraft paper and cardboard)	25%
	Paper and cardboard coated or impregnated:	
ex 833A	gummed paper and cardboard, other (except Kraft paper and cardboard)	25%
ex 833B	coloured paper and cardboard, other: marbled, mottled, with mosaic designs	20%
833C	paper and cardboard known as "gelatinised" (albuminized, casein-coated and the like)....	25%
833D	paper and cardboard known as "starched" (with fecula, with dextrine, etc.)	25%
833E	paper and cardboard tarred, bituminised, or asphalted	20%
833F	paper and cardboard paraffined, stearined or waxed	20%
833H	paper and cardboard coated or impregnated with artificial resins or plastic materials (bakelited paper and the like); paper and cardboard coated or impregnated with nitro-cellulose	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
833I	paper and cardboard oiled or varnished	20%
833J	paper and cardboard, surface-coated, white or coloured:	
	paper and cardboard, coated or impregnated with baryta	15%
	paper and cardboard, metallised	20%
	other	25%
833K	paper and cardboard, velvety and the like....	25%
833L	stencil paper	22%
833M	carbon paper, chemical, transfer and like papers.....	22%
833N	other	30%
834	Paper and cardboard, sulphurated	20%
835	Vulcanised fibre, painted, varnished, decorated or not	18%
	Chapter 53	
	WARES OF PAPER AND CARDBOARD	
	Paper and cardboard, cut out, not elsewhere specified or included:	
836C	strips for shelves, goffered or not, with or without printing, other than of lace-paper ..	20%
836D	lace-paper, with or without printing	25%
836F	other	25%
837	Wallpaper, including cut borders	25%
838	Diaphanous papers (stained glass paper of any kind)	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
839	Floor coverings with a backing of cardboard....	25%
	Paper for duplication and transfer, made-up for retail sale:	
842A	carbon and like paper	22%
842B	complete stencils, with or without carbon paper	22%
842C	other	22%
843A	Writing paper and cards and envelopes, plain or ruled, including or not print of non-personal nature, put-up otherwise than in boxes or compendiums:	
	folded paper in the form of unstitched folders, not exceeding 18 x 22 cm. in size..	25%
	paper blocks of sheets gummed together on one edge	Duty on similar articles for office wares (No.844C)
	post-cards, not picture, letter-cards, envelopes	22%
ex 844C	Registers, office wares, articles for school-children and the like, plain or ruled, with or without print of non-personal nature: paper blocks of sheets gummed together on one edge...	25%
	Cardboard wares, with or without print:	
846C	packing material:	
	of ordinary manufacture, made-up or flat, with or without metal parts, covered or not with paper:	
	not waterproofed	20%
	waterproofed	25%
	de luxe and fancy	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
846D	other	20%
852C	Bands and strips, folded, coated or not, for wickerwork and other purposes (flat threads of paper)	20%
	Chapter 84	
	BOOK INDUSTRY AND PRODUCTS OF THE GRAPHIC ARTS	
	Newspapers and periodicals, illustrated or not, of which not more than 2/3 of their surface is devoted to advertising:	
853A	daily newspapers	Free
853B	publications (not daily), issued at least once every quarter	Free
853C	other	Free
	Books:	
855A	stitched, bound in boards or in cloth	Free
855B	bound in natural or artificial leather	20%
	Calendars and tear-off calendars:	
859A	tear-off calendar blocks	18%
859B	calendars, directly printed on paper or cardboard, with or without tear-off blocks, not further worked	18%
859C	pocket calendars	22%
859D	other	22%
862	Picture postcards, in booklets or in sheets ...	18%
863	Religious pictures not exceeding 9 x 14 cm. in size	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Advertising matter:	
ex 867C	Brochures and catalogues of an official nature of general interest (touring, propaganda, etc.) except any private advertising	18%
867D	other printed matter for advertising purposes (commercial cards, circular-letters, prospectuses, tracts, bills, folders, directions for use, posology notes, insets, price-lists, etc.):	
	of an official nature of general interest (touring, propaganda, etc.) except private advertising	18%
	other, illustrated or not, obtained by:	
	typography and similar processes	18%
	lithography, offset, heliography, copper-plate, stamping and other processes	20%
868	Other printed matter and reproductions, not elsewhere specified or included, illustrated or not, obtained by:	
	typography and similar processes	18%
	lithography, offset, heliography, copper-plate, stamping and other processes	20%
	Chapter 55	
	RAW TEXTILE MATERIALS, NOT SPUN, AND WASTE THEREOF.	
869	Silkworm cocoons suitable for reeling	Free
ex 870	Floss silk, floss silk waste, noils and other silk waste, pure or mixed:	

SCHEDULE II - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	in the mass (cocoons unsuitable for reeling, cocoon outer down (blazes) flocks, "bassines", husks, floss silk, floss silk waste, noils, waste yarn, etc.)	Free
	combed, carded, ravelled:	
	in sheets or in rolls, pure or assimilated	2 %
	in ribbons or slubs, pure or assimilated	5 %
872	Wool in the mass:	
	on the skin	See wooled skins (No. 728E).
	in the yolk or washed before shearing	Free
	secured, whether or not bleached or dyed:	
	not carbonised	Free
	carbonised	1 %
	Fine hair in the mass:	
873A	hair of rabbit, hare, beaver and the like...	Free
873B	hair of the alpaca, llama, vicuna, yak, camel, angora goat, Tibetan or cashmere goat, and the like	Free
875	Devilled material of wool or fine hair, pure or mixed	Free
876	Wool and fine hair, carded or combed	2 %
ex 877	Coarse hair of animals of the bovine and equine species (except horsehair,)also common goats' hair, and the like, uncurled	Free
ex 878	Flax, raw, in straw, or simply rotted, scutched flax	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
ex 879	Ramie (China grass), in thin strips, crushed, scutched or in tow, in pure or mixed waste, in devilled materials pure or mixed (except combed ramie)	Free
ex 880	Cotton:	
	unginned	Free
	ginned, unbleached	Free
881	Cotton waste:	
	linters:	
	raw	Free
	washed, scoured, cleaned (in the mass, slabs or sheets)	14%
	other, pure or mixed	Free
883	Cotton, carded or combed	8%
884	Cellulose-wool and other discontinuous artificial fibres, in the mass or in skeins...	18%
885	Waste of artificial fibres (including waste of yarn), pure or mixed	18%
886	Devilled material of artificial fibres pure or mixed	18%
887	Artificial fibres carded, combed or drawn	20%
888	Hemp	Free
891	Sisal, agave, aloe and maguey	Free
ex 892	Jute and assimilated fibres (dah, paka, gouana, punga, rosella, etc.) in stalks, harl or tow	Free
894	Coconut fibre	Free
897	Other fibrous plants (phormium tenax, etc.) not elsewhere specified or included	Free

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 56	
	YARN, TWINE AND ROPE	
899	Raw silk, entered:	
	in hanks or skeins	Free
	otherwise	5%
	Yarn of pure carded wool, or assimilated yarn, not put-up for retail sale:	
915A	single:	
	unbleached	4%
	bleached, dyed or printed	6%
915B	twisted or cabled:	
	unbleached	4%
	bleached, dyed or printed	6%
	Yarn of pure combed wool, or assimilated yarn, not put-up for retail sale:	
916A	single	
	unbleached	3%
	bleached, dyed or printed	4%
916B	twisted or cabled:	
	unbleached	4%
	bleached, dyed or printed	5%
	Yarn of pure fine hair, or assimilated yarn, or mixed with wool, not put-up for retail sale:	
917A	carded	8%
917B	combed	8%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Yarn of wool or fine hair, pure or mixed, put-up for retail sale:	
919A	carded	10%
919B	combed	10%
	Flax or ramie yarn, pure or assimilated yarn, not put-up for retail sale:	
921A	single:	
	unbleached	10%
	bleached, dyed or printed	12%
921B	twisted or cabled, unbleached, bleached, dyed or printed	12%
923	Flax or ramie yarn, pure or mixed, put-up for retail sale	15%
	Yarn of pure cotton, or assimilated yarn, neither glazed nor mercerised, not put-up for retail sale:	
924A	single, unbleached, scoured, creamed, bleached, dyed or printed, measuring to the kg:	
	less than 99,500 m.	15%
	99,500 m. and more	20%
924B	single, double-spun and with special twist for voiles and crepes, unbleached, scoured, creamed, bleached, dyed or printed, measuring to the kg:	
	less than 99,500 m.	15%
	99,500 m. and more	20%
924C	twisted, unbleached, scoured, creamed, bleached, dyed or printed, measuring to the kg. in single yarn:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	less than 99,500 m.	15%
	99,500 m. and more.....	20%
924D	cabled, unbleached, scoured, creamed, bleached, dyed or printed.....	20%
924E	Special or fancy, unbleached, scoured, creamed, bleached, dyed or printed.....	20%
	Yarn of pure cotton, or assimilated yarn, glazed or mercerised, not put-up for retail sale:	
925C	twisted, unbleached, scoured, creamed, bleached, dyed or printed, measuring to the kg. in single yarn:	
	less than 99,500 m.	15%
	99,500 m. and more.....	20%
925D	cabled, unbleached, scoured, creamed, bleached, dyed or printed.....	20%
925E	special or fancy, unbleached, scoured, creamed, bleached, dyed or printed.....	20%
926	Mixed cotton yarn, not put-up for retail sale	Same duties as yarn according to kind, of the most highly taxed textile in the form of yarn, existing in the mixture in a proportion above 15%
	Yarn of pure or mixed cotton, put-up for retail sale:	
927A	neither glazed nor mercerised, put-up:	
	on wooden bobbins.....	15%
	otherwise.....	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
927B	glazed or mercerised, put-up:	
	on wooden bobbins	15%
	otherwise	10%
	Yarn of acetate rayon, pure or mixed, not prepared for retail sale:	
928A	single, not thrown or thrown at less than 400 turns	25%
928B	single, thrown at 400 turns and more, twisted or cabled	25%
	Thread of viscose rayon and other continuous artificial fibres, pure or mixed, not put-up for retail sale:	
929A	single, not thrown or thrown at less than 400 turns	25%
929B	single, thrown at 400 turns and more, twisted or cabled	25%
932	Flat threads (artificial straw), of artificial fibres	25%
	Yarn of cellulose-wool and of other discontinuous artificial fibres, pure or mixed, not put-up for retail sale:	
933A	single	20%
933B	twisted or cabled	20%
	Hemp yarn or genista yarn, pure or mixed, single or twisted, not glazed:	
935A	single	20%
935B	twisted	20%
937	Cabled yarn (double twist, cords, ropes) of hemp or genista, pure or mixed	20%
	Yarn of manila, abaca, banana-tree, sisal, agave, aloe, maguey, pure or mixed, single or twisted, not glazed:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
938A	single	18%
938B	twisted	18%
	Yarn of manila, abaca, banana-tree, sisa, agave, aloe, maguey, pure or mixed, single or twisted, glazed:	
939A	single	18%
939B	twisted	18%
940	Cabled yarn (double-twist, cords, ropes) of manila, abaca, banana-tree, sisal, agave, aloe, maguey, pure or mixed	18%
	Yarn of jute or assimilated materials or of typha, pure or mixed, single or twisted, not glazed:	
941A	single	18%
941B	twisted	20%
	Yarn, twine and ropes of coconut-fibre, pure or mixed:	
944A	single yarn	20%
944B	twisted yarn	20%
944C	cabled yarn (double-twist, cords, ropes) ..	20%
	Paper yarn, single or twisted, not glazed:	
947A	single	20%
947B	twisted	20%
	Paper yarn, single or twisted, glazed:	
948A	single	20%
948B	twisted	20%
949	Cabled yarn (double-twist, cords, ropes), of paper	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Yarn, twine and rope of any textile materials, wired:	
950A	twisted yarn	20%
950B	cabled yarn (double-twist, cords, ropes) ..	20%
	Chapter 57	
	WARP AND WEFT FABRICS, EXCEPT RIBBONS AND VELVETS, NOT PRINTED	
	Fabrics of silk or schappe, pure or mixed together, originating in countries of the Far East:	
953A	pongees, corah, tussah or tussor, of pure silk, plain, unbleached or scoured but neither bleached nor dyed	13%
953B	other	20%
	Crèpes of silk or schappe, pure or mixed together, and assimilated fabrics:	
Ex 954B	hard-twist crèpes, plain, unbleached	15%
Ex 954C	other, plain, unbleached	15%
Ex 957A	Close-woven fabrics, foulards and other fabrics, not elsewhere specified or included, of silk or of schappe, pure or mixed together, and assimilated fabrics: plain fabrics, scoured, bleached, dyed or manufactured with yarns of different colours	15%
958	Fabrics of silk or schappe, mixed with other textile materials	Same duties as fabrics, according to kind, of the most highly taxed textile in the form of fabric, existing in the mixture in a proportion above 15%.

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
965	Fabrics of wool or of fine hair, pure or mixed together, and assimilated fabrics	15%
966	Fabrics of wool or of fine hair, mixed with other textile materials	Same duties as fabrics, according to kind, of the most highly taxed textile in the form of fabric, existing in the mixture in a proportion above 15%.
967A	Fabrics of pure coarse hair or assimilated fabrics	10%
	Blankets of wool or hair, in pieces or made-up:	
969A	blankets of wool or fine hair, pure or mixed together, and assimilated blankets...	15%
969B	blankets of mixed wool or mixed fine hair..	15%
969C	blankets of coarse hair, pure or mixed.....	15%
	Fabrics of flax or ramie, pure or mixed together and assimilated fabrics, plain:	
970A	unbleached	25%
970B	bleached, creamed, washed, lye-washed or dressed	25%
970C	dyed	25%
970D	manufactured with yarns of different colours	25%
	Fabrics of flax or ramie, pure or mixed together, and assimilated fabrics, figured (damask and other):	
971A	unbleached	25%
971B	bleached, creamed, washed, lye-washed or dressed	25%
971C	dyed	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
971D	manufactured with yarns of different colours.....	25%
	Pure cotton fabrics, and assimilated fabrics, plain, not mercerised:	
973A	unbleached.....	20%
973B	scoured, creamed or bleached.....	20%
973C	dyed.....	20%
973D	manufactured with yarns of different colours.....	20%
	Pure cotton fabrics, and assimilated fabrics, plain, mercerised:	
Ex 974A	unbleached, weighing per square metre more than 130 g., containing in warp and weft, in single thread, per square of 1 cm. side, 60 threads and less.....	20%
Ex 974B	scoured, creamed or bleached, weighing per square metre more than 130 g., containing in warp and weft, in single thread, per square of 1 cm. side, 60 threads and less.....	20%
974D	manufactured with yarns of different colours	20%
975	Pure cotton fabrics and assimilated fabrics, with honey-comb, huckabak and similar weaves...	20%
981D	Pure cotton fabrics, and assimilated fabrics, figured, not elsewhere specified or included, mercerised, manufactured with yarns of different colours.....	20%
	Cotton blankets, in pieces or made up:	
983A	pure cotton blankets, and assimilated blankets.....	15%
983B	mixed cotton blankets.....	15%
	Crepes of rayon and other continuous artificial fibres, pure or mixed:	
984A	special goffered mourning crèpes.....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
984B	hard-twisted crèpes.....	20%
984C	other.....	20%
	Close-woven fabrics, foulards and other fabrics, not elsewhere specified or included, of rayon or other continuous artificial fibres, pure or mixed:	
986A	plain fabrics.....	20%
986B	figured fabrics.....	20%
987	Fulled fabrics of cellulose-wool or other discontinuous artificial fibres, pure or mixed	25%
	Fabrics of cellulose-wool or other discontinuous artificial fibres, not fulled, pure or mixed, plain:	
988A	unbleached, scoured or bleached.....	20%
988B	dyed or manufactured with yarns of different colours.....	20%
	Fabrics of jute, of assimilated fibres (dah, paka, gouana, punga, rosella, etc.) or of typha, pure or mixed:	
993A	plain fabrics.....	25%
993B	figured fabrics.....	25%
	Fabrics of coconut fibres, pure or mixed:	
994A	plain fabrics.....	25%
994B	figured fabrics.....	25%
	Chapter 58	
	RIBBONS, VELVETS, CARPETS, TULLES, LACES, GUIPURE, FABRICS WITH KNOTTED MESHES, TRIMMINGS, NOT PRINTED	
	Ribbons (other than velvet ribbons) of pure cotton, and assimilated ribbons:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorum
1011A	plain ribbons.....	20%
1011B	figured ribbons.....	20%
	Ribbons and webbings of rayon or other continuous artificial fibres, pure or mixed:	
1013A	velvet ribbons and assimilated ribbons	25%
1013B	other.....	25%
1018B	Ribbons and webbings of jute or other vegetable fibres, not elsewhere specified or included, pure or mixed, other than of velvet.....	25%
1020	"Boldue" (sized ribbon) of all textile materials.....	25%
	cotton velvets and plushes:	
1027A	velvets and plushes, wefted, weighing more than 350 g. per square metre.....	20%
1027B	velvets and plushes, wefted, weighing 350 g. and less per square metre, and velvets and plushes, warped.....	20%
ex 1028	Cotton looped fabrics, woven or not on Jacquard loom, creamed or bleached or manufactured with yarns of different colours.....	20%
1029	Cotton chenille fabrics.....	20%
ex 1030	Velvets and assimilated fabrics of rayon, cellulose-wool or other artificial fibres:	
	smooth or ribbed, unworked, dyed or manufactured with yarns of different colours, weighing per square metre more than 175 g.....	25%
	worked (cut, goffered, etc) weighing per square metre more than 175 g.....	25%
1032B	Carpets with knotted or twisted bindings, of other textile materials.....	30%
	Woven carpets:	
1033A	with metal or of metal yarns, of silk, schappe, synthetic fibres, of wool or of fine hair.....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorum
1033B	of floss silk waste, of coarse hair or horse hair.....	20%
1033C	of cotton.....	25%
1033D	of rayon, cellulose-wool or other artificial fibres.....	25%
Ex 1033E	of manila, abaca, banana-tree, agave, sisal, aloe or of maguey, hand-made (door-mats, rugs, Mourzouck type and the like)	25%
1033F	of jute and assimilated fibres or of typha.....	25%
1033G	of cocoanut fibre, hand or mechanically made.....	25%
1035	Tapestries made of all textile substances (high warp tapestries, low-warp tapestries, or small stitch):	
	entirely hand-made without the intervention of any mechanical process, Jacquared or other.....	15%
	mechanically made.....	25%
1036B	Tulles, plain, of cotton.....	20%
ex 1037	Lace, hand-made, with semi-fine metal or imitation or of metal yarn made with semi-fine metal or imitation, of silk, floss silk (schappe), synthetic fibres or of other textile fibres (except lace with fine metal or of metal yarn made with fine metal).....	20%
1038	Lace, machine-made, point-lace and bobbinet tulle, in strips of 30 cm. and less width, fitted or not, of flax, ramie, hemp, cotton, rayon, cellulose-wool ("fibranne") or other artificial fibres.....	20%
ex 1039	Lace, machine-made, point-lace and bobbinet tulle, other (laces or lace-tissues, and trimmings), of flax, ramie, hemp, cotton, rayon, cellulose-wool ("fibranne") or other artificial fibres	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
104.2	Chenilles, the pile of which is:	
	of metal, of metal yarn, of silk, floss silk (schappe) or of synthetic fibres	15%
	of wool or fine hair	15%
	of cotton	20%
	of rayon, cellulose-wool ("fibranne") or other artificial fibres	25%
	of other textile materials	20%
Ex 104.3	Textile yarns, lapped, the sheath of which is:	
	of imitation metal or of imitation metal yarn, of silk, floss silk (schappe) or of synthetic fibres	15%
	of cotton	20%
	of rayon, cellulose-wool ("fibranne") or other artificial fibres	25%
Ex 104.4	Braids (with or without core):	
	with semi-fine metal or imitation or of semi-fine or imitation metal yarn, of silk, floss silk (schappe) or of synthetic fibres	15%
	of horsehair	10%
	of flax or ramie	15%
	of cotton	20%
	of rayon, cellulose-wool ("fibranne") or of other artificial fibres	25%
	Other trimmings:	
104.5A	articles hand-sewn or stitched:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	containing fine metal	15%
	containing (without fine metal) semi-fine metal or imitation metal, silk, floss silk (schappe) or synthetic fibres	20%
	other	20%
1045B	other, made on the tenterhook frame, the spindle or otherwise:	
	containing fine metal	15%
	other	20%
	Chapter 59	
	WADDING AND FELTS; SPECIAL FABRICS; FABRICS, PRINTED, IMPREGNATED OR COATED; ARTICLES USED FOR TECHNICAL PURPOSES.	
1046B	Wadding and articles made of wadding, not elsewhere specified or included: of cotton:	10%
	Felts in pieces, not impregnated, coated or covered:	
Ex 1047A	felts of wool and (or) fine hair, other:	
	pure or mixed in any proportion of coarse hair, of horse hair, of silk or synthetic or artificial fibres, or mixed, with or without the above materials, with other materials (cotton and other vegetable fibres, metal yarn, etc.); the latter representing 25% and less of the total weight, weighing per square meter more than 400 g.	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	mixed, with or without coarse hair, horse hair, silk or synthetic or artificial fibres, with other materials (cotton and other vegetable fibres, metal yarn, etc.) the latter representing more than 25% of the total weight	20%
1047B	felts of coarse hair	20%
1053	Transmission or conveyor belts, reinforced or not:	
	of camel hair or other animal textile materials, or of synthetic fibres, pure or mixed in any proportion with other materials	15%
	of vegetable textile materials or of artificial fibres, pure or mixed together or with materials other than animal or synthetic fibres	18%
1054	Elastic fabrics (fabrics, ribbons, tulles, laces, trimmings)	25%
1055	Printed fabrics (fabrics of chapters 57 and 58)	Duties of fabrics, according to the kind, manufactured with yarn of different colours, as the case may be.
	Fabrics specially prepared for book-binding, drawing, painting, hat-making:	
1056A	percaline, coated with glue, starch, etc., for bookbinding, cardboard boxes, case-making and similar uses	20
1056B	tracing or transparent cloth	20

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1057	Linoleums:	
	not inlaid:	
	of uniform colour	30%
	printed	35%
	inlaid	35%
1058	Oilcloth, American cloth and other fabrics covered on a single face with a coating having a drying oil base	25%
1059	Oiled fabrics (impregnated or coated on both sides):	
	of silk, floss silk (schappe) or of synthetic fibres, pure or mixed in any proportion	15%
	of other textile materials	20%
1060	Fabrics, covered with a coating having a base of cellulose derivatives	20%
1061	Rubberized fabrics:	
	non-adhesive	22%
	adhesive	See No.715D
1062	Fabrics, impregnated or coated with synthetic resins	20%
	Technical articles of fabrics, not elsewhere specified or included:	
1067A	fabrics, felt and felt lined fabrics, glued on rubber or on fabrics not set with steel teasles for the manufacture of card slabs or fillets, and similar articles	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1067D	endless fabrics or circular woven fabrics, whether or not impregnated or coated; felted fabrics for paper manufacturing and other technical uses;	
	of wool, pure or mixed	20%
	of cotton and other	15%
	Chapter 60	
	EMBROIDERY.	
1070	Woven labels, made of any textiles for the marking of clothing, linen, shoes, hats, etc., with or without metal, with or without broche or embroidered parts, in pieces, ribbons or cut out	25%
	Chapter 61	
	CLOTHING AND ACCESSORIES OF CLOTHING, MADE OF FABRICS.	
	Outer clothing for men and boys:	
1071A	protective clothing	22%
1071B	special clothing	22%
1071C	official service clothing, uniforms and liveries	22%
1071D	working clothes	22%
1071E	indoor garments	22%
1071F	shorts and singlets for sports	22%
1071G	other	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Outer clothing for women and girls:	
1072A	waterproof clothing of coated or impregnated fabrics	22%
1072B	special clothing	22%
1072C	uniforms	22%
1072D	working clothes	22%
1072E	indoor garments	22%
1072F	shorts and singlets for sports	22%
1072G	other:	
	of linen (shirt blouses, fine blouses and other):	
	entirely machine-made	22%
	entirely or partly hand-made	30%
	not specified	22%
	Outer clothing for children:	
1073A	waterproof clothing made of coated or impregnated fabrics	22%
1073B	indoor garments	22%
1073C	other	22%
1074	Underwear for men and boys	22%
1075	Underwear for women and girls:	
	entirely machine-made	25%
	entirely or partly hand-made	30%
1076	Underwear for children:	
	entirely machine-made	25%
	entirely or partly hand-made	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Corsets, belts, sheath corsets, stiffened or not, set or not, with or without suspenders; bust bodices, braces, suspenders and the like:	
1078A	corsets and belts	30%
1078B	sheath corsets	25%
1078C	bust-bodices and correctors	30%
1078D	busks and springs for corsets, clothing and accessories of clothing and the like	30%
1078E	braces, suspenders, garters, sock-suspenders ..	30%
1079	Handkerchiefs and fancy handkerchiefs:	
	simply hemmed (simple hem or hem-stitched) or edge rolled, without ornamenting:	
	entirely machine-made	22%
	entirely or partly hand-made	30%
	other (including embroidery, stitch embroidery border, applique work, inserts, bordering work, etc.):	
	entirely machine-made	22%
	entirely or partly hand-made	30%
1080	Shawls, scarves, neckerchiefs, mufflers, kerchiefs, squares and the like	
	decorated with hand-made paintings	20%
	other	Duty of the fabric
	Collars, detachable collars, shirt-fronts, cuffs for men and boys:	
1081A	collars and detachable collars	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1081B	shirt-fronts	25%
1081C	cuffs	25%
	Trimmings for women's clothing and underwear (collars, collarettes, tuckers, fallals, bodice-fronts, jabots, wrist-pieces, cuffs, yokes, flounces, ruches, shaped pleats and puffs, etc.); lappets, facings, brundenburgs, arm-bands, crests, badges and similar articles:	
Ex 1082A	of linen (lingerie), entirely hand-made	25%
1082B	other	30%
	Accessories of clothing, not elsewhere specified or included:	
1084A	dress-preservers	25%
1084B	parts of clothing (sleeves, pockets, etc.)	22%
1084C	gloves, mittens, mufflers, stockings and socks made of fabrics	22%
1084D	muffs of fabrics	22%
1084E	pads and shoulder straps for tailors .	20%
1084F	veils and hat-veils	20%
1084G	belts and girdles	30%
1084H	other	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 62	
	MADE-UP ARTICLES OF FABRICS, NOT ELSEWHERE SPECIFIED OR INCLUDED.	
	Household linen:	
1086A	bed linen:	
	entirely machine-made	Duty of fabric
	entirely or partly hand-made	30%
1086B	table linen:	
	entirely machine-made	Duty of fabric
	entirely or partly hand-made	30%
1086C	toilet and hygienic linen:	
	sanitary towels and wads	20%
	other	Duty of fabric
1086D	pantry and kitchen linen	Duty of fabric
1086E	furnishing linen (curtains, window-nets, blinds and other articles):	
	entirely machine-made.....	Duty of fabric
	entirely or partly hand-made	30%
1087	Furnishing articles of fabrics other than household linen (curtains, hangings, table-covers, d .lies, etc.)	25%
	Awnings, tents and tilts, blinds and similar articles, whether or not coated or impregnated:	
1088A	light tents and with double roof of any fabrics, weighing per square meter 250 g. and less; earth carpets	Duty of fabric
1088B	other	Duty of fabric

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1089	Camping articles not elsewhere specified or included (pneumatic mattresses and pillows, pails, containers, etc.) of fabrics, whether or not coated or impregnated	Duty of fabric
1090	Sails for ships, rigged or not	Duty of fabric
1091	Sailor bags and similar articles	Duty of fabric
	Packing bags or sacks:	
Ex 1092A	empty, new, of fabrics of jute and of materials assimilated to jute, or of typha, pure or mixed	30%
Ex 1092B	full, of fabrics of jute and of materials assimilated to jute, or of typha, pure or mixed	40% of the duty of new sacks
1093	Other made-up articles of fabrics, not elsewhere specified or included	Duty of fabric
	Chapter 63	
	HOSIERY (net stitch articles)	
1097	Knitted fabrics of synthetic fibres, pure or mixed, with simple or complex mesh	30%
1098	Knitted fabrics of wool or fine hair, pure or mixed, with simple or complex mesh	13%
1100	Knitted fabrics of cotton, pure or mixed, with simple or complex mesh	25%
	Stockings, socks, ankle socks and the like, knitted, of silk or floss silk (schappe) pure or mixed:	
1104A	stockings and under-stockings:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	on circular loom (tubular), seamless or with fictitious seam, with or without fancywork	22%
	other, with or without fancywork	30%
1104B	socks and half-hose, with or without fancywork	22%
1104C	ankle socks, soles and toe-pieces	22%
	Stockings, socks, ankle socks and the like, knitted, of synthetic fibres, pure or mixed:	
1105A	stockings and under-stockings, with or without fancywork	35%
1105B	socks and half hose, with or without fancywork	35%
1105C	ankle socks, soles and toe pieces, with or without fancywork	35%
	Stockings, socks, ankle socks and the like, knitted, of wool or fine hair, pure or mixed:	
1106A	stockings, under-stockings, socks and half-hose, with or without fancywork	22%
1106B	ankle socks, soles and toe pieces	22%
	Stockings, socks, ankle socks and the like, knitted, of cotton, pure or mixed:	
1108A	stockings, under-stockings, socks, half-hose, with or without fancywork	25%
1108B	ankle socks, soles and toe pieces	25%
	Stockings, socks, ankle socks and the like, knitted, of rayon and other continuous artificial fibres, pure or mixed:	
1109A	stockings, under-stockings, socks and half-hose, with or without fancywork	35%
1109B	ankle socks, soles and toe pieces	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Stockings, socks, ankle socks and the like, knitted, of cellulose-wool ("fibranne") or other short artificial fibres, pure or mixed:	
1110A	stockings, under-stockings, socks and half-hose, with or without fancywork	25%
1110B	ankle socks, soles and toe pieces	25%
1114	Knitted underwear of wool or fine hair, pure or mixed	20%
1115	Knitted underwear of flax, ramie, cotton, hemp or genista, pure or mixed	22%
	Knitted clothing of wool or fine hair, pure or mixed:	
1120A	knitted clothing, cut or sewn	32%
1120B	knitted clothing, full-fashioned	32%
1126	Knitted layette articles of wool or fine hair, pure or mixed:	
	loom-made	30%
	hand-made	35%
1132	Knitted gloves of wool or fine hair, pure or mixed:	
	machine-made	30%
	hand-made	35%
1133	Knitted gloves of flax, ramie, cotton, hemp or genista, pure or mixed, machine-made or hand-made	30%
1134	Knitted gloves of rayon or other continuous artificial fibres, pure or mixed:	
	machine-made	30%
	hand-made	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1137	Clothing accessories, knitted (shawls, scarves, neckties, neckerchiefs, knee-pieces, leggings, cuffs, etc.)	30%
1139	Knitted elastic fabrics, in the piece	25%
	Knitted elastic articles, not elsewhere specified or included:	
1140A	corsets, belts, sheath corsets, bust bodices and the like	Duty of corresponding articles made of fabrics (No.1078A, B and C)
1140B	stockings, socks, knee-pieces and the like	25%
1140C	other articles	25%
	Chapter 64	
	OLD CLOTHES, RAGS AND SCRAPS.	
1142	Rags and scraps of textile materials	Free
	Chapter 65	
	FOOTWEAR AND SIMILAR ARTICLES.	
	Footwear with natural or artificial leather or rubber soles, with uppers of leather or assimilated materials, not elsewhere specified or included:	
1143A	footwear not extending above the ankle	20%
1143B	footwear extending above the ankle:	
	laced-boots and ankle-boots	20%
	half-boots and boots	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Footwear with natural or artificial leather or rubber soles, with the uppers of natural or artificial rubber, not elsewhere specified or included:	
1144A	footwear not extending above the ankle	25%
1144B	footwear extending above the ankle	25%
1144C	overshoes	25%
1145A	Footwear with natural or artificial leather or rubber soles, with the uppers of fabrics made of silk or floss silk (schappe), pure or mixed, or of any fabrics or felts brochè, worked with metal or embroidered: footwear not extending above the ankle	20%
	Footwear with natural or artificial leather or rubber soles, with the uppers of other materials, not elsewhere specified or included:	
1146A	footwear not extending above the ankle:	
	slippers	20%
	other:	
	with leather soles	20%
	with rubber soles	22%
1146B	footwear extending above the ankle	20%
1148B	Footwear with soles of other materials (rope, cardboard, fabric, felt, wickerwork, etc.): with uppers of fabrics made of silk or floss silk (schappe), pure or mixed, or of any fabrics or felts, brochè, worked with metal or embroidered	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1150B	Parts of footwear:	
	soles (outsoles, slip-soles, insoles), half-soles, heels, heel-pieces, toe-caps, counters and similar pieces:	
	of natural or artificial rubber (soles, half-soles, heels, "bonbouts" and other)	14%
	of wood: heels	20%
1150C	uppers and goloshes, legs and quarters, linings and parts of linings, leg-stiffenings or lining-stiffenings, and other parts of made-up footwear	20%
	Chapter 66	
	HATS.	
1152A	Plaits for the hat-making industry, of straw, bark, reed, esparto, raffia, ribbons or shavings of wood and similar vegetable materials, natural horse hair and textile materials, not spun	Free
1156	Bands for hat trimming, of leather or other materials	10%
	Felt shapes for hats:	
1158A	of hair or wool and hair felts	18%
1158B	of felt wool	16%
	Hat shapes, plaited or obtained by the collating of strips plaited, woven or otherwise prepared:	
1159A	of shavings, straw, bark, esparto, flax, hemp, aloe, abaca, sisal and other vegetable fibres, not spun, pure or mixed together:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	plaited in a single piece	8%
	re-meshed, meshed or tied	20%
1159B	of paper flat thread ("lames"), coated or not, pure or mixed in any proportion with shavings, straw, etc.	15%
1159C	of wool, silk, cotton, ramie and other vegetable fibres, spun, of natural horse hair, in strips of fabrics or felt or other products not specified, pure or mixed in any proportion, together or with other materials, except flat thread ("lames") of rayon or assimilated products	25%
1159D	of rayon flat thread ("lames") (artificial straw), artificial horse hair, plastic materials, including thread covered with rayon or plastic materials, pure or mixed in any proportion, together or with other materials	25%
	Felt hats:	
1160A	untrimmed	14%
1160B	trimmed:	
	for men	14%
	for women and children:	
	with hatters' trimmings	14%
	with milliners' trimmings	25%
	Hats, plaited or obtained by the collecting of strips, plaited, woven or otherwise prepared:	Duties of corresponding shapes (No. 1159 A, B, C, D)
1161A	untrimmed	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1161B	trimmed:	
	for men	25%
	for women and children:	
	with hatters' trimmings	25%
	with milliners' trimmings	28%
	Hats and other head-dresses, knitted, or made up of fabrics, lace-tissues ("laizer") or felt in pieces, including waxed, oiled, rubberized or otherwise coated fabrics:	
1162D	caps, kepis, and the like, trimmed or not:	
	kepis and uniform caps	15%
	other	25%
1162E	berets, bonnets, skull-caps and similar head-dresses, untrimmed or with inside trimming only:	
	of the basque berets or alpine berets type, and the like, of knitted fabric, strongly fulled or felted, or of wool or horse-hair felt	25%
	fezzes, chechias and the like	25%
	of hosiery or knitted fabric, neither fulled nor felted	30%
	other	30%
1166B	Hats and other head-dresses of any other materials, not elsewhere specified or included, trimmed:	
	for men	25%
	for women and children:	
	with hatters' trimmings	25%
	with milliners' trimmings	28%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 68	
	PREPARED ORNAMENTAL FEATHERS AND ARTICLES MADE OF FEATHERS; ARTIFICIAL FLOWERS; ARTICLES MADE OF HUMAN HAIR; FANS	
1175	Artificial flowers, foliage and fruits	18%
	Chapter 69	
	WARES OF STONE AND OTHER MINERAL MATERIALS	
1180	Paving blocks, kerbstone and paving slabs of natural stone	3%
	Slate, worked:	
1181A	slabs and sheets	5%
1181B	roofing slates	10%
	Wares of carving or building stone, not elsewhere specified or included:	
1183A	simply cut or sawn, with smooth or plain surface:	
	of limestone and alabaster	12%
	of granite, porphyry, syenite, lava, sandstone and similar hard stones	15%
	of other stones	10%
ex 1183B	shaped or turned, but not polished or carved or otherwise worked:	
	of limestone and alabaster: of "ecaussines"	13%
	of granite, porphyry, syenite, lava, sandstone and similar hard stones	15%
	of other stones	10%

SCHEDULE XI - FRANCE

PART . (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
ex 1183C	polished, decorated, or otherwise worked but not carved: of granite, porphyry, syenite, lava, sandstone and similar hard stones	15%
ex 1183D	carved: of granite, porphyry, syenite, lava, sandstone and similar hard stones	15%
	Manufactures of plaster or compounds of plaster, not elsewhere specified or included:	
1184A	tiles, boards, slabs, panels and the like, not ornamented or decorated	Free
1184B	other (staff, mouldings, etc.)	Free
	Manufactures of concrete or of artificial stone, reinforced or not, not elsewhere specified or included:	
1185A	tiles of 20 cm. side	10%
1185B	other	10%
	Manufactures of asbestos-cement, cellulose-cement and the like:	
1187A	roofing materials, tiles, slabs, sheets, panels, plates	15%
1187B	pipes, sheaths and accessories of pipe and tube works	15%
	Manufactures of asbestos, not elsewhere specified or included:	
1188A	filterable masses of asbestos, pure or mixed in any proportion with cellulose, in fibres or plates	25%
1188B	cardboard, felt, and paper of asbestos	25%
1188C	yarns and cords, single or twisted	25%
1188D	plaits, whether or not impregnated or graphited, with or without a core of other materials	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1188E	gaskets	25%
1188F	Asbestos fabrics, mixed or not with textile materials or glass wool	25%
1188G	articles of asbestos or of asbestos fabrics	25%
1189	Friction linings for brakes, couplings and all friction gear with a base of asbestos, cellulose, textiles or other materials, with or without an admixture of base metals, in the form of rings, discs, washers, bands, boards, plates and rollers	30%
ex 1190	Manufactures for insulating purposes, not elsewhere specified or included, with a base of kieselguhr and other fossil silica or light earths	15%
	Manufactures of mica, not elsewhere specified or included:	
1191A	sheets or thin plates of mica cut in any forms or machine finished	5%
1191B	fabrics or paper treated with mica	10%
1191C	sheets made of compressed mica chips (micanite in sheets, micafolium, etc.) not cut or cut in a square or rectangular form.	10%
1191D	other articles, moulded or machine finished of micanite, micafolium and the like	10%
	Chapter 70	
	CERAMIC PRODUCTS	
1194	Building bricks of common clay, whether or not glazed, or enamelled, or coloured	16%
1196	Roofing tiles of common clay, whether or not glazed, or enamelled, or coloured	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1197	Building pottery and accessories of roofing, of common clay, whether or not glazed, or enamelled or coloured	12%
1198	Drainpipes and the like	10%
1199	Paving and facing tiles of common clay, whether or not glazed, or enamelled, or coloured	17%
1201	Other wares of common clay, not elsewhere specified or included, whether or not glazed, enamelled or coloured	17%
	Fireproof bricks and fireproof parts for building:	
1202A	aluminous and silico-aluminous:	
	of argillaceous earth containing less than 32% of alumina (AL^2O^3)	10%
	other	20%
1202B	siliceous, containing more than 85 p.100 of silica (SiO^2)	20%
1202C	magnesian, containing magnesia (MgO) or dolomite	20%
1202D	other	20%
	Other fireproof products (retorts, saggers, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, sheaths, rods, etc.):	
1203A	aluminous and silico-aluminous:	
	of argillaceous earth containing less than 32% 100 of alumina (AL^2O^3)	15%
	other	20%
1203B	siliceous, containing more than 85 p.100 of silica (SiO^2)	20%
1203C	magnesian, containing magnesia (MgO) or dolomite	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1203D	other	20%
1204	Tiles, bricks, roofing tiles, paving blocks and paving slates of stoneware...	20%
1205	Pipes and joints of stoneware	20%
1206	Utensils and apparatus for chemical or technical uses of stoneware	12%
1207	Crockery, household utensils, receptacles for preserves and articles for rural economy of stoneware	15%
1208	Sanitary stoneware appliances (sinks, wash-basins, bidets, baths, etc.)	18%
1209	Other manufactures of stoneware, not elsewhere specified or included	15%
1210	Facing tiles and the like of earthenware or fine pottery	20%
1211	Crockery, household or toilet articles and utensils, of faience or fine pottery	18%
1212	Sanitary earthenware	25%
1213	Faience or fine pottery articles for furnishing or decorating purposes	20%
1214	Other articles of faience or fine pottery not elsewhere specified or included	20%
1215	Articles imitating porcelain (porelite, porcelite, porcelainite, etc.)	18%
	Crockery, household or toilet articles and utensils of porcelain:	
1216A	tea or coffee services	25%
1216B	other articles	25%
1217	Porcelain articles for furnishing or decorating purposes	20%
1218	Laboratory utensils of porcelain	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 71	
	GLASS AND GLASSWARE.	
1223A	Tubes of ordinary glass, not elsewhere specified or included	20%
1224	Plate glass and slabs, unworked	20%
1225	Plate glass and slabs smoothed or polished on one or both surfaces	20%
1226	Window-glass	20%
	Cast glass (hammered, impressed, corrugated):	
1227A	hammered glass (cathedral and the like) and impressed (rhombic ("diamantes"), fluted, channelled and the like)	20%
1227B	corrugated glass, coloured or not	20%
1228	Glass and plate glass, chilled, in sheets or slabs, not cut or cut in a square or rectangular form, without any other working	20%
	Glass and plate glass, foliated, in sheets or slabs, not cut or cut in a square or rectangular form, without any other working:	
1229A	athermanous glass, with inset foils of glass fibres	20%
1229B	other	20%
1230	Glass and plate glass mirrors	20%
1231	Other mirror articles of glass or plate glass	20%
1233	Carboys, bottles and flasks of all shapes and for all uses (except isothermic receptacles), with or without stoppers or other stopping devices:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	not cut, dulled, engraved, or decorated:	
	not sheathed, or covered, with a capacity of:	
	more than $2^{1}.60$	25%
	$2^{1}.60$ and less	20%
	sheathed or covered, entirely or partly	20%
	cut, dulled, engraved or decorated otherwise than by simple moulding	20%
1234	Jars, pots and other containers for packing, of glass, with edges or bolsters, with or without covers or other stopping devices:	
	not cut, dulled, engraved, or decorated	20%
	cut, dulled, engraved or decorated, otherwise than by simple moulding	22%
	Table or kitchen glassware:	
1236A	goblets, drinking glasses, cups, carafes and pitchers:	
	not cut, dulled, engraved or decorated	17%
	cut, dulled, engraved or decorated otherwise than by simple moulding	20%
1236B	other articles (plates, salad-bowls, radish-dishes, knife-rests, etc.):	
	not cut, dulled, engraved, or decorated	17%
	cut, dulled, engraved or decorated otherwise than by simple moulding	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1237	Glassware for flat furnishing and decorating purposes (vases, cups, statuettes, ash-trays, office articles, aquariums, stands, protecting globes, etc.) whether or not cut, dulled, engraved, or decorated	20%
	Glassware for lighting, signalling and common optical purposes:	
1238A	lamp glasses, glass-screens ("verrines"), chimneys for lighting purposes	20%
1238B	reflectors, diffusers, cups, cupels, lamp-shades, globes, tulips and the like	20%
1238C	facetted glass, plaquettes, balls, almonds and similar fittings for luster and other purposes	20%
1238D	glass for signalling and common optical purposes (fitted or not)	20%
1239	Convex glass for watches or common spectacles	25%
	Articles of glass, not elsewhere specified or included, for building, industry and agriculture:	
1240A	articles for building (paving blocks, bricks, roofing tiles, etc.)	20%
1240B	articles for industry	20%
1240C	articles for agriculture (bells, etc.)	20%
1241	Glassware for the laboratory, hygiene and pharmacy, blow-lamp or otherwise produced:	
	neither graduated nor gauged	20%
	graduated or gauged	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Bulbs and tubular receptacles:	
1242A	bulbs	20%
1242B	tubular receptacles	20%
1243	Glass articles not elsewhere specified or included	25%
	Articles of crystal:	
1245A	bottles, flasks, jars, pots and other packing containers, stoppers and covers ..	24%
1245B	table and kitchen glassware	24%
1245C	glassware for flat furnishing and decorating purposes (vases, cups, statuettes, ash-trays, office articles, stands, etc.)	24%
1245D	glassware for lighting purposes (reflectors, diffusers, cups, lamp-shades, globes, tulips, facetted glass, plaquettes, balls, almonds, etc.)	24%
1245E	other articles, excluding optical glasses, bulbs and tubes for electric uses	24%
1246	Glass for medical spectacles, unworked, simply cut or moulded	20%
	Small glassware:	
1249A	beads, drops and the like	20%
1249B	imitations of precious pearls, including imitative	15%
1249E	other	20%
	Articles of small glassware; not elsewhere specified or included:	
1251A	purls, torsades, stringings	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1251B	flowers, leaves, ornaments and wreaths of beads	22%
1251C	other	22%
	Chapter 72	
	REAL PEARLS; GEMS; PRECIOUS METALS.	
Ex 1257B	Fine stones, cut or otherwise worked for industrial purposes: articles of piezo-electric quarts	15%
	Chapter 73	
	WARES OF PRECIOUS METALS (JEWELLED ORNAMENTS, JEWELRY, GOLDSMITHS' AND SILVERSMITHS' WARES; FANCY JEWELLED ORNAMENTS).	
1270C	Wares of silver and silver gilt: silversmiths' wares	15%
1271B	Silver-cased, silver-plated or silver inlaid wares: silversmiths' wares	15%
1275	Fancy jewelled ornaments, of base metals, whether or not gilded or silvered, with or without parts of other materials or without metallic parts	30%
	Chapter 75	
	CAST-IRON, IRON, STEEL.	
	Cast-iron, unworked, in ingots or pigs:	
1278B	phosphorus or semi-phosphorus cast-iron	5%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1278C	hematite and semi-hematite cast-iron	5%
1278D	spiegel cast-iron	6%
	Ferro-alloys:	
1279A	ferro-manganese	12%
1279B	ferro-aluminium, ferro-silico-aluminium, ferro-silico-mangano-aluminium	12%
1279C	ferro-silicon	12%
1279D	silico-spiegel and ferro-silico-manganese	12%
1279E	ferro-chromium and ferro-silico-chromium	12%
1279F	ferro-titanium and ferro-silico-titanium; ferro-tungsten and ferro-silico-tungsten.....	12%
1279G	ferro-boron, ferro-molybdenum, ferro-tantalum, ferro-uranium, ferro-vanadium and other ferro alloys and ferro-silico-alloys, not elsewhere specified or included	12%
Ex 1281D	Special alloy steel, in ingots, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10p.100	7%
Ex 1283D	Special alloy steel, in blooms, slabs, billets, flat bars and rough forgings, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10%	8%
	Machine wire:	
1284A	of iron and non-alloy steel, standard.	12%
1284B	of special non-alloy steel	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1284C	of alloy steel, standard	12%
1284D	of special alloy steel	12%
	Bars (round, square, flat, hexagonal, etc.), hot-rolled or forged:	
1285A	of iron and non-alloy steel, standard ..	10%
1285B	of special non-alloy steel	10%
1285C	of alloy steel, standard	10%
1285D	of special alloy steel	10%
1286	Pilings, hot-rolled or forged	11%
	Profiles, not elsewhere specified or included, hot-rolled or forged:	
1287A	of iron and non-alloy steel, standard ..	11%
1287B	of special non-alloy steel	11%
1287C	of alloy steel, standard	11%
1287D	of special alloy steel	11%
Ex 1288D	Flat billets of special-alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10%	11%
1289D	Hot-rolled hoops of special-alloy steel ...	13%
	Sheets unfigured (smooth or corrugated, flat or in rolls):	
Ex 1295A	of iron or non-alloy steel, standard, having a resistance per square meter of:	
	less than 56 kg. (soft iron and steel):	
	uncovered sheets; glazed sheets for automobiles	16%
	covered sheets, metallised: tinned	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	56 kg. and more (hard steel):	
	uncovered sheets: pickled, burnished or glazed	16%
	covered sheets: metallised	18%
Ex 1295B	of special non-alloy steel, with a content of carbon of less than 0.45 p.100 or of 0.45 p.100 and more:	
	uncovered sheets: pickled, burnished or glazed	16%
	covered sheets: metallised	18%
1295C	of special-alloy steel	18%
	Extruded wire:	
1297A	- of iron and non-alloy steel, standard	19%
1297B	- of special non-alloy steel	19%
Ex 1297D	- of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of:	
	- - less than 10 p.100	18%
	- - 15 p.100 and more	18%
Ex 1298D	Drawn bars:	
	drawn bars of special alloy steel of round, square, rectangular, hexagonal or octagonal section, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10 p.100	19%
	Gauged bars:	
Ex 1299A	bars, crusted, turned, compressed, or hammered out, of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus of less than 10%	19%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1299B	rectified bars of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10 p.100	19%
	Cold-rolled profiles (sections):	
Ex 1300A	solid profiles:	
	of iron and non-alloy steel, standard, of special non-alloy steel, of standard alloy steel	19%
	of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10%	19%
Ex 1300B	bent profiles:	
	of iron and non-alloy steel, standard, of special non-alloy steel, of standard alloy steel	19%
	of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of less than 10 p.100	19%
Ex 1301D	Cold-rolled hoops, standard, of special alloy steel, with a total content of all elements, other than iron, carbon, sulphur and phosphorus, of:	
	less than 10 p.100	19%
	15 p.100 and more	18%
	Tubes and pipes of iron or steel, straight and of uniform thickness, unworked:	
1304A	tubes and pipes of iron and non-alloy steel	19%
1304B	tubes and pipes of alloy steel	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1305	Tubes and pipes of iron or steel, straight and of uniform thickness, polished or covered	Duties of pipes and tubes, unworked (Nos. 1304A and B)
1306B	Tubes and pipes, of iron or steel, worked or shaped, other (coils, curved, tubes, threaded, hammered out, conical, expanded, extruded, etc.)	Duties of tubes and pipes, straight and of uniform thickness, according to the kind (No.1304A and B, 1305)
	Chapter 76	
	COPPER AND COPPER ALLOYS.	
1308	Products of the first smelting of copper (matte)	Free
	Copper, unworked:	
1310A	copper for refining, with a copper content of 99% and less (blisters, black copper, cement copper)	Free
1310B	copper, refined, thermic, containing more than 99% and less than 99.9% (rough lumps, ingots, plates, anodes, pellets)	Free
1310C	electrolytic or thermic refined copper containing 99.9% copper and more, including silver (cathodes, wire-bars, ingots, blocks, plates, pellets, powders, etc.)	Free
1310D	waste and scraps of manufacture	Free
Ex 1311	Copper wire, solid bars and profiles (sections) of copper, simply rolled, hot-forged (spun), drawn or extruded, whether sealed or not	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1312	Copper sheets, slabs, leaves and bands	14%
1313	Copper plates for furnaces	12%
1314	Thin copper leaves and bands, plain or goffered, cut or not, perforated or not, with or without inset	15%
1315	Impalpable copper powder	20%
	Copper tubes, pipes, hollow bars, rolled, hot-forged, drawn, welded, butt-joined, riveted or fastened, or otherwise obtained:	
1316A	cross-bars	12%
Ex 1316B	other, straight and of uniform thickness, with a rough surface	13%
	Copper alloy with 10% and more of zinc, unworked:	
1317A	ingots and rough lumps	Free
1317B	waste and scraps of manufacture	Free
Ex 1318	Wire, solid bars and profiles (sections) of copper alloy with 10% and more of zinc:	
	simply rolled, hot-forged (spun), drawn or extruded, whether scaled or not	15%
	gilt or silvered	15%
Ex 1319	Sheets, slabs, leaves and bands of copper alloy with 10% and more of zinc:	
	with an unworked surface	15%
	gilt or silvered	15%
1320	Plates for furnaces, of copper alloy with 10% and more of zinc	Duty of copper plates for furnaces (No.1313)

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1321	Thin leaves and bands of copper alloy with 10% and more of zinc, plain, or goffered, whether or not cut or perforated, with or without inset:	
	not stuck on paper, cardboard, plastic materials and similar supports: simply rolled or hammered	16%
	stuck on paper, cardboard, plastic materials and similar supports	16%
	Tubes, pipes and hollow bars of copper alloy with 10% and more of zinc, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted or fastened, or otherwise obtained:	
1323A	cross bars	14%
Ex 1323B	other, straight and of uniform thickness, with an unworked surface	16%
Ex 1325	Wire, solid bars and profiles (sections) of other copper alloys, simply rolled, hot-forged (spun), drawn or extruded, whether or not scaled	12%
Ex 1326	Sheets, slabs, leaves and bands of other copper alloys, with an unworked surface	14%
1327	Furnace plates of other copper alloys	12%
1328	Thin leaves and bands of other copper alloys, plain or goffered, whether or not cut or perforated, with or without inset	16%
	Tubes, pipes and hollow bars of other copper alloys, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted or fastened, or otherwise obtained:	
1330A	cross-bars	12%
Ex 1330B	other, straight and of uniform thickness, with an unworked surface	16%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 77	
	NICKEL AND NICKEL ALLOYS.	
1331	Nickel, cast, matte and speiss	Free
	Nickel pure or alloyed with manganese, unworked:	
1332A	ingots, cathodes, discs, cubes, balls, pellets	8%
1332B	cast anodes	8%
1332C	waste and scraps of manufacture	8%
1333	Wire, solid bars and profiles (sections) of nickel pure or alloyed with manganese:	
	neither gilt nor silvered:	
	hot-forged (spun), or rolled	10%
	drawn	13%
	extruded	22%
	gilt or silvered	22%
Ex 1334	Sheets, slabs and bands of nickel pure or alloyed with manganese:	
	with an unworked surface:	
	not cut or cut in a square or rectangular form, not channelled, grooved or corrugated, curved, or perforated, with a thickness of:	
	more than 0.15 m.m.	18%
	0.05 m.m. exclusive to 0.15 m.m. inclusive	8%
	other	18%
	gilt or silvered	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Nickel alloys containing more than 5% and less than 50% of nickel, unworked:	
1337A	ingots, discs, cubes, balls, pellets	8%
1337B	waste and scraps of manufacture	8%
1338	Wire, solid bars and profiles (sections) of nickel alloys containing more than 5% and less than 50% of nickel:	
	not gilt or silvered:	
	hot-forged (spun), rolled, drawn	15%
	extruded	18%
	gilt or silvered	18%
Ex 1339	Sheets, slabs, leaves and bands of nickel alloys containing more than 5% and less than 50% of nickel:	
	with an unworked surface	18%
	gilt or silvered	18%
	Nickel alloys containing 50% and more of nickel, unworked:	
1342A	ingots, discs, tubes, balls, pellets	8%
1342B	waste and scraps of manufacture	8%
1343	Wire, solid bars and profiles (sections) of nickel alloys containing 50% and more of nickel:	
	of nickel chrome without iron, or containing less than 10% of iron:	
	hot-forged (spun), rolled, drawn	10%
	extruded	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	other:	
	not gilt or silvered:	
	hot-forged (spun), rolled, drawn ..	10%
	extruded	20%
	gilt or silvered	22%
Ex 1344	Sheets, slabs, leaves and bands of nickel alloys, containing 50% and more of nickel:	
	of nickel chrome without iron or containing less than 10% of iron	18%
	other, with an unworked surface	8%
	Chapter 78	
	LIGHT METALS AND ALLOYS OF LIGHT METALS.	
	Aluminium, unworked:	
1347A	ingots, unworked lumps, plates or billets	21%
1347B	grains, pellets or granules	21%
1347C	waste and scraps of manufacture	21%
Ex 1348	Aluminium wire, solid bars and profiles (sections), simply rolled, hot-forged (spun), drawn or extruded, whether or not scaled ...	20%
Ex 1349	Aluminium sheets, slabs, leaves and bands with an unworked surface	20%
Ex 1350	Aluminium thin leaves and bands, plain or goffered, whether or not cut or perforated, with or without inset:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	not stuck on paper, cardboard, plastic materials and similar supports: other (lacked, gummed, coloured, printed, gilt or silvered, etc., except those simply rolled or hammered or oxided)	20%
	stuck on paper, cardboard, plastic materials and similar supports	20%
1352	Aluminium tubes, pipes and hollow bars, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted or fastened, or otherwise obtained, straight and of uniform thickness, with an unworked surface or other, or shaped	20%
Ex 1354	Wire, solid bars and profiles (sections) of aluminium alloys, simply rolled, hot-forged (spun), drawn or extruded, scaled or not	20%
Ex 1355	Sheets, slabs, leaves and bands of aluminium alloys, with an unworked surface	20%
Ex 1356	Thin leaves and bands of aluminium alloys, plain or goffered, whether or not cut or perforated, with or without inset:	
	not stuck on paper, cardboard, plastic materials and similar supports: other (lacked, gummed, coloured, printed, gilt or silvered, etc., except those simply rolled or hammered or oxided	20%
	stuck on paper, cardboard, plastic materials and similar supports	20%
1358	Tubes, pipes and hollow bars of aluminium alloys, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted, fastened, or otherwise obtained, straight and of uniform thickness, with an unworked surface or other, or shaped	20%
1359A	Magnesium or magnesium alloys unworked: ingots, cakes, billets	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 79	
	ZINC AND ZINC ALLOYS.	
	Zinc, unworked:	
1366A	rough lumps (ingots, blocks, cathodes, etc., pellets, powder).....	15%
1366B	dust of zinc	15%
1366C	waste and scraps of manufacture	Free
Ex 1367	Wire, solid bars and profiles (sections) of zinc, simply rolled, hot-forged (spun) or drawn	16%
Ex 1368	Zinc leaves, slabs, sheets and bands, with an unworked surface	16%
1369	Zinc thin leaves and bands, plain or goffered, whether or not cut or perforated, with or without inset	16%
1370	Tubes, pipes, hollow bars of zinc, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted or fastened, or otherwise obtained, straight and of uniform thickness, or shaped	16%
1371B	Alloys of zinc, unworked: waste and scraps of manufacture	Free
	Chapter 80	
	LEAD AND LEAD ALLOYS.	
	Lead or lead alloys, unworked:	
1376A	ingots, rough lumps, blocks, pigs, plates and rods:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	of non-alloy lead:	
	argentiferous	Free
	not argentiferous	10%
	of alloy lead	10%
1376B	waste and scraps of manufacture	Free
Ex 1377	Wire, solid bars and profiles (sections) of non-alloy lead	20%
Ex 1378	Slabs, sheets and bands of lead or lead alloys, not cut or cut in a square or rectangular form, not channelled or grooved, or curved or perforated	18%
1380	Leadshot	18%
	Chapter 81	
	TIN AND TIN ALLOYS.	
	Tin or tin alloys, unworked:	
1382A	ingots, rough lumps, blocks, pigs, plates, rods	Free
1382B	waste and scraps of manufacture	Free
1383	Wire, solid bars and profiles (sections) of tin or tin alloys:	
	of non-alloy tin	10%
	of alloy tin	12%
1384	Plates, slabs, sheets and bands of tin or tin alloys:	
	of non-alloy tin	10%
	of alloy tin	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1385	Thin leaves and bands of tin or tin alloys, plain or goffered, whether or not cut or perforated, with or without inset	12%
1387	Tubes, pipes and hollow bars of tin or tin alloys, rolled, hot-forged (spun), drawn, welded, butt-joined, riveted or fastened, or otherwise obtained, straight and of uniform thickness or shaped	10%
	Chapter 82	
	OTHER BASE METALS AND THEIR ALLOYS.	
	Tungsten or tungsten alloys:	
1388A	unworked:	
	powder	35%
	rough lumps, waste and scraps of manufacture	20%
1388B	bars, rods, wire and filaments	24%
1388C	small plates	24%
1388D	leaves and bands	24%
1388E	capsules and contacts	24%
	Molybdenum and molybdenum alloys:	
1389B	bars, rods, wire, filaments	19%
1389D	leaves and bands	19%
	Tantalum and tantalum alloys:	
1390A	unworked:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	powder	35%
	rough lumps, waste and scraps of manufacture	15%
1390B	bars and wire	35%
1390C	small plates, leaves and bands	35%
Ex 1391A	Cadmium, unworked: ingots, rods and cathodes	Free
	Cobalt and cobalt alloys:	
1393A	products of the first smelting (cast, matte, speiss)	Free
1393B	refined in rough lumps, waste and scraps of manufacture	Free
1393C	worked (rolled, hot-forged (spun), Drawn, etc.)	15%
1394B	Chromium and chromium alloys, worked (rolled, hot-forged (spun), drawn, etc.)	15%
1396A	Bismuth and bismuth alloys, crude, waste and scraps of manufacture	Free
	Chapter 83	
	METALLIC STRUCTURES; VATS AND TANKS; METALLIC WRAPPINGS; CABLES, WIRE NETTING, LATTICE-WORK AND TRELLIS; CHAINS; SPRINGS; TACK AND NAILMAKERS' WARES, BOLT AND SCREW-MAKERS' WARES.	
	Metallic structures of iron or steel (bridges, girders, blinds, standards, stays, roofs, balconies, railways, bearings, bars, tomb fencings, flower-bed or lawn fencings, barriers, latticed panels, hot-houses, frames, kiosks, marquees, verandahs, hen-houses, rabbit-warrens, bird cages, etc.) and their processed parts:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1399A	weighing more than 5 kg. per linear meter or more than 25 kg. per square meter	18%
1399B	other	18%
Ex 1401	Pipe accessories (couplings, elbows, joints, sockets, flanges, etc.) of light metals or their alloys	20%
Ex 1403	Tanks, cisterns, tuns, vats and other similar receptacles, without any insulating or heating device, with a capacity of more than 50 litres, of iron or of steel other than stainless, without internal linings or with inner linings other than of ebonite	18%
	Casks, drums ("tongues"), kegs, cans and tins, of sheet iron, for packing goods, with or without stopper or cover:	
Ex 1405A	milk cans with a capacity of more than 18 litres, of iron or steel other than stainless	20%
Ex 1405B	other, of iron or steel, with a thickness of:	
	more than 1,5 m.m.	20%
	0,5 m.m. and less	20%
Ex 1406	Rigid cases "spun" (for pharmacy, perfumery, etc.) with or without cover, of light metals or their alloys	20%
Ex 1408	Flexible tubes for packing purposes, without stopper or with metallic stopper, of light metals or their alloys	20%
1409	Metallic stoppers, with or without neck, with or without parts of other materials:	
	of iron or steel:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	mechanical stoppers	18%
	screw stoppers or other	18%
	of light metals or their alloys:	
	tearable capsules	20%
	screw stoppers and other	20%
	of other base metals	20%
1411	Overcap capsules (of any base metals)	20%
1413	Cables, plaits, slings, strops and loading nets (with or without core of other materials):	
	of iron or steel wire	22%
	of copper or copper alloy wire:	
	entirely of copper or copper alloy wire	19%
	of copper or copper alloy wire and of steel wire	22%
	of light metals or light metal alloy wire or of other base metal wire	22%
1415	Wire netting and wire fabrics (plain, twilled, chain-stitched ("chainettes")), in rolls or panels, cut or not:	
	of iron or steel wire	22%
	of copper or copper alloy wire	20%
	of nickel or nickel alloy wire	22%
	of light metals or light metal alloy wire.	20%
	of other base metal wire	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Transmission chains:	
Ex 1419A	link chains of a single piece (forged, welded or moulded, of sheet or wire), with or without adjunction of bolts or other pieces, entirely of cast-iron, iron or steel other than stainless, unworked, polished, oxided, varnished, or coated with zinc, tin, lead or copper	15%
Ex 1419B	link-chains with joint axles, tubes or rivets (roller link-chains, tubular, noiseless, Gall system and the like), entirely of cast-iron, iron or steel other than stainless, unworked, polished, oxided, varnished, covered with zinc, tin, lead, copper	15%
1419C	parts and components thereof	15%
	Chains and small chains other than transmission:	
Ex 1420A	chains not assembled, of cast iron, of iron or steel other than stainless	20%
1420B	chains, assembled	Duty of chains not assembled according to the kind (No. 1420A)
Ex 1423A	Leaf springs (including detached leaves), of steel: suspension springs for vehicles	20%
1425	Tacks and nailmakers' wares (of any base metal)	20%
Ex 1428	Protectors and plates for boots, of cast iron, iron or steel	22%
Ex 1432	Bolt and screwmakers' wares not threaded (rivets, axles, washers, pins, keys, etc.), of iron or steel other than stainless	17%
Ex 1434	Bolt and screwmakers' wares with metal threading (metal screws, rods, bolts, nuts, hooks, etc.), or iron or steel other than stainless.	17%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 84	
	TOOLS AND HAND-TOOLS; KNIVES; ARTICLES FOR DOMESTIC USES; IRONMONGERY AND LOCK-SMITHING.	
	Agricultural and horticultural tools:	
1435A	forks and prongs, with handles or not	18%
1435B	shovels, with or without handles	18%
1435C	mattocks and picks with or without handles ...	18%
1435D	cutting edge tools (axes and hatchets, machetes, pruning-hooks, bill-hooks, wedges, etc.) with or without handles	18%
1435E	scythes and sickles, with or without handles..	18%
1435F	hedge-clippers, tree-pruners, fruit-pickers and the like, with or without handles	18%
1435G	curry combs	18%
1435H	gardening tools and other agricultural tools not elsewhere specified or included	18%
	Craft tools:	
1436B	hand-saws:	
	wood saws, saws for metal or other materials, fitted and metallic fittings without blades	15%
	saw blades	see No.1654C
1436C	anvils of all kinds	18%
1436D	smiths' wares	18%
1436E	pliers, pincers and the like	18%
1436F	wrenches, including accessories and components	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1436G	files and rasps, with or without handles, including rough shapes	18%
1436H	woodborers, augers and gimlets	18%
1436I	cutting tools not elsewhere specified or included	18%
Ex 1436J	other tools, not elsewhere specified or included (trowels, shovels, glazier's diamonds, screw-drivers, clamps, centre-punches, points, awls, soldering irons, butcher's steels, etc.), with or without handles, of cast iron, iron or steel other than stainless	18%
Ex 1437	Domestic tools (flat-irons, curling-tongs, waffle-irons, stove-hooks, fire-tongs, tin-openers, corkscrews, crown-cork openers, nut-crackers, etc.), entirely of metal or with handles (or handholds), of common wood, earthenware or glass: of cast iron, of iron or steel other than stainless	18%
	Hand mechanical tools for crafts:	
1438A	vises and cramps and parts thereof	15%
1438D	breast-drills, bit-holders, drill-braces, hand-drills, sawsets, accessories and parts thereof, except tool holders	15%
1438G	other articles (trimmers, stand-knives, etc.)	18%
1439C	Hand mechanical tools for domestic use: meat juice presses, fruit presses, vegetable presses, chip-cutters and parts thereof ..	18%
Ex 1443B	Safety razor blades, other (finished, excluding rough shapes and thin plates for blades)	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1450	Spoons, forks and similar articles (ladles, leg of mutton holders, tart slicers, fish slices, asparagus-tongs, sugar-tongs, table steels, etc.) with handle of base metal, gilt or silvered	22%
Ex 1452	Spoons, forks and similar articles (ladles, leg of mutton holders, tart slicers, fish slices, asparagus tongs, sugar tongs, etc.) of a single piece, gilt or silvered	25%
	Household articles, articles of hygiene and for domestic and professional use, and parts thereof, of cast iron:	
Ex 1453A	sanitary articles (baths and other) enamelled	22%
1453B	other articles (stew pans, saucepans, cauldrons, troughs, etc.), enamelled or not	18%
	Household articles, articles of hygiene and for domestic and professional use, and parts thereof, of iron or steel:	
1454A	articles made of sheet iron or steel	20%
1454B	articles made of wire, lattice-work, wire netting or trellis	18%
1454C	articles made of iron or steel bands or hoops	18%
1454D	other articles	18%
Ex 1455	Household articles, articles of hygiene and for domestic and professional use, and parts thereof, of copper or copper alloys, gilt or silvered	20%
	Household articles, articles of hygiene and for domestic and professional use, and parts thereof, of light metals or alloys of light metals:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1456A	cast articles	23%
1456B	other	23%
1458	Household articles, articles of hygiene and for domestic and professional use, and parts thereof, of other base metals and their alloys	20%
	Locks, with or without keys:	
1473A	locks without tumbler or with one or two tumblers	22%
1473B	safety locks and bolts	20%
	Padlocks, with or without keys:	
1474A	padlocks without tumbler or with one or two tumblers	22%
1474B	safety padlocks	20%
	Chapter 85	
	METALLIC FURNITURE; LIGHTING AND HEATING ARTICLES; METAL ARTICLES FOR ORNAMENT; BUCKLES; METAL ARTICLES OF HABERDASHERY; FASTENERS; MISCELLANEOUS ARTICLES OF METAL	
	Strong boxes and other security furniture, whether or not with parts of concrete:	
1476A	safes, strong-chests of sheet iron or steel, of more than 3 mm thickness	20%
1476B	reinforced doors and compartments for strong rooms; safety shutters; fire-proof doors	20%
1476C	safety boxes, chests and collecting boxes, drawers with automatic closing, entered separately	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Office equipment, metal:	
1477A	index files, card-indexes, filing and sorting boxes	20%
1477B	other (baskets, planning, sheet-holders, etc.)	20%
1478	Shelves with fixed or mobile slides; removable partitions	20%
1479	Metal ladders and step-ladders	20%
	Metal furniture:	
Ex 1480B	seats, not padded	20%
1480C	kitchen and pantry dressers	20%
1480D	other (cupboards, writing tables, counters, tables, vestiaries, stands, etc.)	20%
1481B	Safety lamps for miners	18%
1482	Lamps, chandeliers, bracket lamps, standard lamps and other lighting apparatus, not electrically fitted, parts of lighting apparatus other than burners (bases, reservoirs, lantern frames, reflectors, shades, holders, etc.) of any base metal whether or not gilt or silvered, with or without parts of other materials	20%
Ex 1484	Burners for gas, acetylene and the like, simple burners	22%
	Kitchen ranges, stoves, heaters, cookers and other domestic and kitchen heating apparatus, not electric, parts and components:	
1485A	solid fuel apparatus	20%
1485B	liquid fuel apparatus	20%
1485C	gas fuel apparatus	20%
1485D	parts and components thereof	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
Ex 1486C	Ornamental articles of cast iron, iron or steel, not gilt or silvered, other, of iron or steel other than stainless	22%
1489	Ornamental articles of any base metals, gilt or silvered	22%
1491	Small bucklesmith's articles (for clothing, equipment, Morocco leather trade, travelling requisites)	18%
1492	Eyelets and hooks, tubular or divided rivets, tags	20%
1493	Clasps and holders	20%
Ex 1494	Hand sewing needles, hand embroidering crochet hooks, hand knitting needles and pins, bodkins, netting needles, pins for badges and the like, rough-cut or finished, of base metals or plastic materials reinforced with metal, having a length of more than 5 cm.	12%
1506	Magnets	20%
Ex 1511	Spectacle cases and the like, not covered, without interior lining, of iron or steel other than stainless, unworked, polished, varnished, painted, coated with zinc (galvanised), tin or copper	22%
	Articles of iron or steel not elsewhere specified or included:	
Ex 1515A	articles of sheet metal, bands and hoops, of iron and steel other than stainless	25%
1515B	articles of wire, lattice work, wire netting or trellis	25%
1515C	other articles	25%
1517A	Articles of aluminium and alloys of aluminium, not elsewhere specified or included	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 86	
	BOILERS; MOTORS; THERMIC, HYDRAULIC AND PNEUMATIC MACHINES.	
1520	Auxiliary apparatus and accessories of boilers not elsewhere specified or included	18%
	Reciprocating steam engines, with or without speed reducing gear:	
1524A	combined engines with their generators	20%
1524B	engines without generators	20%
	Explosion or injection motors with pistons, for cars and motor cycles:	
1527A	explosion motors with spark ignition	30%
1527B	other motors	30%
1528	Aircraft motors with pistons, with a nominative power on the ground of:	
	less than 200 HP	35%
	200 HP and over but under 2,200 HP	10%
	2,200 HP and more	5%
	Other explosion and injection motors with pistons (stationary motors and marine engines):	
1529A	explosion motors with spark ignition	15%
Ex 1529B	other motors, with a unit weight of 100,000 kg. and less	18%
1530	Reaction propulsion units (turbo-reactors, turbo-propellers, stato-reactors, generators with free pistons, rockets with chemical reaction, etc.)	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1532C	Other power engines not elsewhere specified or included, other	20%
	Hand pumps:	
1534A	pumps for liquids	15%
1534B	air pumps and vacuum pumps	15%
	Pumps for liquids, without motor, with mechanical control:	
1535A	centrifugal pumps	15%
1535B	piston and diaphragm pumps	15%
1535C	volumetrical rotary pumps (with pistons, vanes, gears, screws, etc.)	15%
	Motor pumps for liquids:	
1536A	electro-pumps	15%
1536B	piston pumps, not electrical, with direct action	15%
1536C	other	Duties relating to each element
	Air and gas compressors (including compressors for refrigerating apparatus, entered separately), vacuum pumps, without motor, with mechanical control:	
1537A	reciprocating compressors and vacuum pumps, with pistons or diaphragm, weighing per unit:	
	more than 25,000 kg.	8%
	1,000 kg. exclusive to 25,000 kg. inclusive	10%
	250 kg. exclusive to 1,000 kg. inclusive	12%
	250 kg. and less	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1537B	volumetrical rotary compressors and vacuum pumps (with paired pistons, vanes, liquid rings, revolving pistons, etc.) weighing per unit:	
	more than 1,000 kg.	10%
	250 kg. exclusive to 1,000 kg. inclusive	12%
	250 kg. and less	15%
1537C	vacuum compressors and pumps, centrifugal and other	Duties of volumetrical, rotary compressors, according to the category, (No.1537B)
	Motor-compressor and motor vacuum pump sets:	
1538A	reciprocating compressors and vacuum pumps:	
	stationary (on stand or tray), with or without accessories (tanks, etc.), with electric motor or other, weighing per unit:	
	more than 25,000 kg.	8%
	2,000 kg. exclusive to 25,000 kg. inclusive	10%
	500 kg. exclusive to 2,000 kg. inclusive	12%
	500 kg. and less	15%
	movable (on carriage), with or without accessories (tanks, etc.), with electric motor or other, weighing per unit:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	more than 2,000 kg.	10%
	2,000 kg. and less	15%
1538B	volumetrical rotary compressors and vacuum pumps:	
	stationary (on stand or tray), with or without accessories (tanks, etc.), with electric motor or other, weighing per unit:	
	more than 2,000 kg.	12%
	2,000 kg. and less	15%
	movable (on carriage), with or without accessories (tanks, etc.), with electric motor or other, weighing per unit:	
	more than 2,000 kg.	12%
	2,000 kg. and less	15%
1538C	compressors and vacuum pumps, centrifugal and other	Duties of volumetrical rotary compressors, according to the kind and category (No.1538B)
	Parts of steam engines, turbines, motors, propulsion units, pumps and compressors:	
1539A	blades, bladings and rotors	15%
1539B	spindles and buckets of hydraulic turbines	15%
1539C	cylinders	15%
Ex 1539D	cylinder-blocks, crank cases, cylinder-heads, pump and compressor barrels:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	for car and motor cycle engines	30%
	other:	
	of cast iron	15%
	of steel other than stainless	10%
	of stainless steel	15%
	of copper or copper alloys	15%
	of light metal or light metal alloys	15%
1539E	pistons:	
	for car and motor cycle engines	30%
	other	15%
1539F	cylinder sleeves:	
	for car and motor cycle engines	30%
	other	15%
1539G	rods:	
	for car and motor cycle engines	30%
	other:	
	of steel	10%
	of light metals or their alloys and other	15%
1539H	crank-shafts, pump axles, camshafts:	
	for car and motor cycle engines	30%
	other	10%
1539I	piston rings	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1539J	valves, clacks, and similar articles of metal	10%
1539K	carburettors and similar organs, their parts and components	20%
1539L	oil pumps, water pumps and turbines, feeding pumps, suction pipes, petrol elevators, economizers, oil-purifiers, oil-filters, and parts:	
	for car and motor cycle engines ...	25%
	other	15%
1539M	injectors, injector-holders, injection pumps, and their parts	15%
1539N	pressure regulators	15%
1539O	non-electrical starters (hand starters, hydraulic starters, compressed-air starters, etc.)	15%
1539P	sets of various joints put up in pouches or similar packing	20%
1539Q	special accessories and detached parts for reaction propulsion units	Dutiable as reaction propulsion units (No.1530)
1539R	other parts, not elsewhere specified or included	Dutiable as parts of general mechanics, according to the kind (Chapter 91)
	Ventilators without motor, with or without block motion:	
1540A	centrifugal volute ventilators	20%
1540B	helicoidal ventilators	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Ventilators with motor (electrical or other):	
1541A	centrifugal volute ventilators	20%
1541B	industrial helicoidal ventilators	20%
Ex 1544	Air or gas filters and parts, weighing per unit 5 kg. and less	30%
	Industrial ovens, bricked or not:	
1547A	furnace ovens, automatic or not	18%
1547B	burner ovens	18%
1547C	electric ovens, with resistance, arc, plunging electrodes and other	20%
1547D	parts of ovens	20%
Ex 1549	Apparatus and appliances not elsewhere specified or included, for heating, cooking, torrefying, distilling, rectifying, refining, sterilising, evaporating, vaporising, condensing, cooling and other similar operations necessitating a change of temperature, and their detached parts, containing less than 50% of copper or light metals, or their alloys, or stainless steel	7%
1550	Refrigerating furniture, ready for use (chests, preserving boxes, refrigerated counters, refrigerating shop-windows, refrigerated fountains, etc.)	15%
	Refrigerating equipment with its constituent parts fixed on a common base:	
1552A	compression equipment	5%
1552B	other (absorbing machines, reabsorbing machines, evaporating machines, etc.) ..	5%
1554B	Other thermic, hydraulic and pneumatic machines and apparatus, not elsewhere specified or included, other	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 87	
	MACHINES AND APPARATUS FOR HOISTING AND HANDLING; MACHINES AND APPARATUS FOR EXTRACTING AND DIGGING; MACHINES AND APPARATUS FOR BRUISING, SCREENING AND AGGLOMERATING MINERAL MATERIALS; MACHINES AND APPARATUS FOR THE CERAMIC INDUSTRY, GLASS-MAKING, IRON SMELTING AND CASTING.	
	Hoists, lifts, lowering apparatus, skips and their components:	
1555A	hydraulic apparatus	9%
1555B	electrical apparatus, weighing per unit:	
	more than 10,000 kg.	15%
	5,000 kg. exclusive to 10,000 kg. inclusive	16%
	2,000 kg. exclusive to 5,000 kg. inclusive	18%
	2,000 kg. and less	20%
1555C	other apparatus	9%
1555D	parts and components (safety stops, "ruelles", etc.)	18%
	Winches and capstans, and their parts:	
1556A	hand-winches	9%
1556B	electric winches	18%
1556C	other	9%
1556D	parts and components	18%
1557	Travelling cranes, swing-bridges for locomotives, transporter-bridges for trucks, coke fillers, coke pushers, strippers, monorails and bi-rails for servicing	9%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Cranes:	
1558A	stationary cranes	9%
1558B	mobile cranes	9%
1559	Gantry cranes and barrows	9%
1560	Grab-buckets, grabs, grab-hooks, and similar gear, entered separately or with their hoisting apparatus:	
	with electric engines	18%
	other	9%
	Lifting jacks and screw jacks:	
1562A	mechanical apparatus	9%
1562B	hydraulic apparatus	9%
1562C	other apparatus (pneumatic, electric, etc.)	18%
1563	Pulley-blocks and tackle-blocks, entered separately or with their hoisting apparatus:	
	electric	15%
	other	9%
	Mechanical conveyors with incessant action, other than by cables:	
1564A	conveyors with endless device (apron-feed, with flexible bands, scrapers, buckets, mechanical staircases, etc.) or with a jigging device, or vibrators	9%
1564B	mobile shovellers	9%
1564C	other apparatus	9%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1565	Overhead conveyors on cables; telefers	9%
	Hoisting and handling apparatus not elsewhere specified or included:	
1567A	balanced fire-escapes	9%
1567B	other (wagon-pushers, tipping apparatus for wagons, etc.)	9%
	Extracting, excavating apparatus and appliances for preparing the soil:	
1568A	mechanical shovels, excavators, chargers	16%
1568B	hewing machines, "railleteuses"	16%
1568C	scourers ("decapeurs"), pioneers, rollers ("rouleaux pieds de mouton"), tempers, levellers, flattening machines	16%
1568D	drilling and boring apparatus	16%
1568E	walking bells ("sonnettes de battage")...	16%
1568H	other machines and apparatus	16%
	Simple machinery and apparatus for crushing, bruising, pulverising, not elsewhere specified or included, components and parts:	
1569A	machines and apparatus with jaws, balls or hammers	16%
1569B	other machines and apparatus; parts and components	16%
	Machinery and apparatus for sieving, sorting, classifying, washing, freeing from dust, not elsewhere specified or included, their parts and components:	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1570A	mechanical and hydraulic apparatus	16%
1570B	pneumatic apparatus	16%
1570C	electrostatic apparatus	16%
1570D	magnetic sorters	16%
1570E	other apparatus; parts and components .	16%
1571	Mixers and malaxators, not elsewhere specified or included, parts and components	18%
1572	Centrifugal machinery and apparatus (separators, purifiers, etc.), not elsewhere specified or included, their parts and components:	
	complete apparatus, weighing per unit:	
	more than 250 kg.	18%
	250 kg. and less	Duty of cream separators (No.1596B)
	parts and components	Duty of parts and components of cream separators (No.1596B)
1573	Filter-presses, with or without pumps, not elsewhere specified or included	18%
	Presses, not elsewhere specified or included:	
1574A	hydraulic presses	16%
1574B	other	16%
1575	Machinery and apparatus for shaping, moulding, agglomerating, casting, for moulding solid fuels, ceramic pastes, plaster, concrete, for making foundry sand moulds	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Rolling-mills and calenders:	
1576A	hot or cold rolling-mills and trains of hot or cold rolling-mills other than tube rolling-mills, including manipulation and handling implements (manipulators, sliders, rolling tables, cooling tables, etc.) entered with the rolling-mills	15%
1576B	calenders for any purposes (for fabrics, paper, rubber, artificial leather, plastic materials, etc.)	15%
1576C	accessories and components	15%
	Machinery and apparatus for the preparation of concrete, their parts and components:	
1578A	concrete mixers	18%
1578B	concrete-vibrators	18%
1578C	other machines and apparatus; parts and components	18%
	Machinery and apparatus for the preparation of asphalt, bitumen, tarmacadams, tars and auxiliary apparatus, their parts and components:	
1579A	boilers, melting apparatus, "joints a temps"	18%
1579B	coating apparatus	18%
1579C	other machines and apparatus; parts and components	18%
1580	Machinery and apparatus for coking plants and gas-works, their parts and components...	18%
1581	Machinery and apparatus not elsewhere specified or included, for the ceramic industry	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Machinery not elsewhere specified or included for glass-making:	
1582A	machines for the manufacture of flat glass (window glass, plate glass, etc.)..	16%
1582B	machines for the finishing of plate glass	16%
1582C	machines for the manufacture of glass fibres	18%
1582D	machines for the manufacture of hollow glass from pasty or liquid glass:	
	machines for the manufacture of bulbs for electric lamps	18%
	other	16%
1582E	machines for the shaping by heat of hollow glass or glass tubes, and other glass-making apparatus	16%
	Machinery and apparatus not elsewhere specified or included for iron smelting, foundries, steel-works, metallurgy, their parts and components:	
1584A	smelting cupola, ladles for cast-iron, stationary or tip mixers	15%
1584B	pressure casting apparatus	15%
1584C	traction winding benches	15%
1584D	machines for the manufacture of tubes ...	15%
1584E	blast-pipes and tymps	15%
1584F	other machines and apparatus (machines for stopping-up tapping holes, apparatus for iron pigs or other vat-trucks for slags, casting ladles rolling over mechanically, devices for breaking pigs, tumbling-drums with or without exhausting appliances, etc.)	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 88	
	MACHINES AND APPARATUS FOR AGRICULTURE AND FOR THE FOOD INDUSTRIES.	
	Machinery and appliances for preparing and draining the soil:	
1588A	grubbers, planters and similar apparatus, and their components	15%
1588B	disc apparatus and their components	15%
1588C	ploughs other than disc-ploughs and similar apparatus, and their components..	15%
1588D	cultivators and similar apparatus, including "Canadian-harrows", and their components	15%
1588E	harrows (except "Canadian-harrows") and similar apparatus, and their components..	15%
1588F	rollers and similar apparatus, and their components	15%
1589	Seed-drills and fertilizer distributors	15%
	Harvesting and hay-making machinery:	
1590A	mowing and swath-laying machines	15%
1590B	reaping and binding machines	15%
1590C	reaping and threshing machines	12%
1590D	hay-making apparatus and similar apparatus	15%
1590E	trussing machines	15%
1590F	other machines (swath apparatus, auxiliary reaping apparatus, swath-turners, sheaf-bearer wheels) and detached parts of the above apparatus, except parts of threshing machines	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Material for threshing and pressing:	
1591A	grain threshers (cereals and seeds)	15%
1591B	straw and fodder presses	15%
1591C	accessories for threshers, entered separately (elevators, sheaf-hoisters, mill-hoppers, husk blowers, straw collectors, etc.)	15%
	Apparatus and implements for vegetable treatment and protection, and similar apparatus (sprayers, powder-sprinklers, etc.), their parts and components:	
1592A	hand apparatus and implements: (blowers, syringes, water-hose nozzles, etc.)	15%
1592B	apparatus carried on the back, pack-saddle or hand-cart (sulphurators, powder-sprinklers, sprayers, etc.)	15%
1592C	other apparatus with engines (self-propellers, etc.)	15%
1592D	parts and components	15%
	Apparatus for aviculture and agriculture, not elsewhere specified or included, their parts and components:	
1593A	poultry incubators of any system, including electric apparatus, and their components...	15%
1593B	other	15%
	Farming implements, not elsewhere specified or included, their parts and components:	
1594A	apparatus for preparing animal foodstuffs and similar apparatus (grain-crushers, machines for chopping straw, root-cutters, mixers, etc.) and parts	15%
1594B	fodder-unloaders, of any system, ensilaging apparatus, manure carriers and components.	15%

SCHEDULE XI - FRANCE

PART I (CONTINUED)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1594C	other (automatic watering-troughs, seed-beds, etc).....	15%
	Other appliances for agriculture, not elsewhere specified or included:	
1595A	egg, - fruit, - tuber - sorting apparatus...	15%
1595B	other (winnowing machines, etc).....	15%
	Machines and apparatus for dairy-farming and dairy produce:	
1596A	milking machines (milking pots) and components.....	15%
1596B	cream separators and components.....	15%
1596C	pasteurisers (continuous operation) and components.....	15%
1596D	churns, churn-mixers, with or without carriage, and parts.....	15%
	Apparatus for wine and cider-making:	
1597A	grape, cider, fruit juice presses, accessories, parts and components.....	10%
1597C	apparatus for wine and cider-making (wine-presses, wine-presses with pump-stalk removing machines, drainers, crumbling apparatus, grape drying apparatus) parts and components.....	10%
1597E	other apparatus, parts and components.....	10%
1600	Machines and apparatus for bakers, and pastry-cooks, biscuit-making, the manufacture of alimentary pastes, tapioca - (and the like), parts and components	18%
1601	Machines and apparatus for making confectionery, chocolate, and for the preparation of cocoa, and their components.....	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1602	Machines and apparatus for butchers, pork-butchers, drysalting, meat working, the preparation of preserves, and their components.....	16%
1603	Machines and apparatus for the preparation of edible oils and fats, including margarine, and components	18%
1604	Machines and apparatus for sugar-making, refining, distilling, and components.....	7%
1605	Machines and apparatus for malting, brewing, and components.....	15%
1606	Other machines and apparatus for food industries, and components.....	18%
	Chapter 89	
	MACHINES AND APPARATUS FOR CHEMICAL INDUSTRIES, PAPER-MAKING AND PRINTING, TEXTILE INDUSTRY, FOR LEATHER, HIDES AND SKINS; MACHINES AND APPARATUS FOR MAKING-UP	
Ex 1610	Other machines and apparatus for chemical industries, and components, containing less than 50 p.100 of copper or light metals, or their alloys, or stainless steel.....	7%
	Machines for the working of paper and cardboard:	
1614A	machines and apparatus for stitching and book-binding (including wire-stitching machines) and components.....	16%
Ex 1614B	other (machines for shaping, trimming, cutting, setting eyelet-holes, clipping, etc) not elsewhere specified or included, other (except "platinc presses") and components.....	16%
	Printing machines:	
1615B	typographic machines for printing in blank, called "two revolutions"(double revolving cylinder), with or without feeders, gummers	

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	cutters, folders, stitchers.....	10%
Ex 1615C	other presses and printing machines of any system and for any kind of printing, with or without feeders, gummers, cutters, folders, stitchers: for printing on paper, card, cardboard, wood, metal, plastic material, glass.....	18%
1615D	components of printing machines.....	18%
	Accessory machines and apparatus for the printing trade:	
1616A	feeders, folders, ream-transporters and lifters, and their components.....	18%
1616B	other (stickers, cutters, stitchers, etc.) and components	18%
	Material and apparatus for making cliches for stereotyping, galvanoplastic works and for any photomechanical process (except photographic apparatus):	
1617A	type casting and setting machines (lino-type, monotype, intertype, etc), parts and components	
	complete apparatus.....	5%
	parts and components:	
	type moulds and discs	15%
	other.....	5%
Ex 1617C	printing types and other movable types for printing, of metal.....	20%
	Machines and apparatus for the preparation of textile materials, parts and components:	
1619A	cards, undressed and auxiliary apparatus for cards, except sheets and fillets of cards.....	18%
1619B	hackling machines and gill machines:	
	wool hackling machines.....	18%
	other	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1619C	other machines and apparatus (for cleaning, opening, drying, etc.)	18%
1619D	accessories and components (card dressings, combs, bars, etc.)	18%
	Spinning and twisting looms:	
1620A	die spinning looms for artificial or synthetic fibres	18%
1620B	mule machines	18%
1620C	throstles and other	18%
	Machines and apparatus for supplementary operations of spinning and to prepare for weaving, parts and components:	
1621A	machines for assembling, throwing, unwinding, winding, reeling yarn or thread, including cop winders	18%
1621B	machines and apparatus for weaving (warp-beams, gummers, etc.)	20%
1621C	accessories and components (beams, "tavelles", etc.)	20%
	Weaving looms, including ribbon-making looms, even tubular:	
1622A	non-automatic looms.....	18%
1622B	automatic looms	18%
Ex 1624B	Circular looms for plaits and trimmings	15%
1625A	Jacquard machines, dobbies and other machines for weaves (appareils d'armures)...	18%
	Accessories and components of weaving looms, hosiery looms, tulle, lace, etc., looms and accessory apparatus:	
1626B	paddles, ways, harness	18%
Ex 1626E	other, for hosiery, tulle, lace, embroidery looms, plait, trimming, net looms	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1628A	Machinery and apparatus for the dressing and finishing of textile materials and wares made of textile materials, not elsewhere specified or included: machinery and apparatus for washing, bleaching, dyeing and cleaning, parts and components:	
	complete machines and apparatus	18%
	accessories and components:	
	dyeing bobbins of light metals or alloys of light metals	22%
	other	18%
1629	Material for laundering, dyeing, scouring, dry-cleaning appliances, including cloth presses	13%
	Heads of sewing machines:	
1630A	domestic sewing machines, with or without electric motor	16%
1630B	industrial machines	12%
1631C	Needles for sewing machines	12%
	Machines and apparatus for making footwear, parts and components:	
Ex 1633A	awls and needles for sewing footwear or leather	12%
1633B	other machines and apparatus, parts and components	15%
1640	Machines and apparatus, not elsewhere specified or included, for packing and making-up goods, parts and components	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 90.	
	MACHINE TOOLS AND THEIR FITTINGS; WEIGHING APPARATUS AND INSTRUMENTS; OFFICE MACHINES AND APPARATUS; MACHINES AND APPARATUS NOT ELSEWHERE SPECIFIED OR INCLUDED.	
	Machine tools working by the removal of metal:	
1641A	sliding lathes, weighing per unit:	
	more than 5,000 kg.	14%
	5,000 kg. and less	18%
1641B	semi-automatic turret lathes	12.5%
1641C	automatic lathes	12.5%
1641D	vertical lathes	6%
1641E	other lathes	6%
1641F	screw-cutting and tapping machines	6%
1641G	boring machines, weighing per unit:	
	more than 10,000 kg.	6%
	10,000 kg. and less	14%
1641H	planing machines, weighing per unit:	
	more than 10,000 kg.	6%
	10,000 kg. and less	14%
1641I	shaping machines, weighing per unit,	
	more than 3,000 kg.	6%
	3,000 kg. and less	14%
1641J	slotting machines	6%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1641K	milling-cutting machines:	
	not specialised (horizontal, vertical, with swivelling head), weighing per unit:	
	more than 5,000 kg.	14%
	5,000 kg. and less	18%
	specialised (reproducing machines, machines for milling dies, grooves, etc.)	14%
1641L	drilling machines:	
	radial	18%
	other	6%
1641M	machines for rectifying, edge-setting (sharpening), grinding, polishing, lapping, dressing and surface planing, working by means of grindstones, abrasions and polishing products:	
	without micrometrical setting system	10%
	with micrometrical setting system ..	13.5%
1641N	embossing machines	12.5%
1641O	jig-boring machines	6%
1641P	gear-cutting machines	10%
1641Q	sawing and slicing machines	6%
1641R	other (filing machines, machines for making trunnions, for engraving, dividing, etc.)	6%
	Machine tools, non-hydraulic, for shaping, or reshaping metal:	
1642A	draw-benches, rolling-curving-bending; planing machines and other machines not elsewhere specified or included for shaping or reshaping	12%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1642B	shearing, punching, notching, nibbling, chamfering machines	12%
1642C	mechanical presses	12%
1642D	forging and stamping machines	12%
1642E	wire-drawing, dressing, folding, cambering machines, machines for making springs, weaving lattice-work and wire-netting, machines for making wire-rope and other machines for working wire	6%
1642F	other machines for working metals (hammering-out, fastening, riveting, crimping, multiple machines for making metallic wrappings, etc.)	6%
1643	Hydraulic machine-tools for shaping or re-shaping metal	6%
	Machine tools for working wood, plastic matorials, ebonite and other hard materials:	
1645A	sawing machines,(with ribbon-saw, alternating-saw, circular-saw, etc.)	12%
1645B	planing and surfacing machines	12%
1645C	profiling, moulding, grooving, slotting machines; spindle-moulding machines	10%
1645D	mortising and boring machines	12%
1645F	sand papering, polishing, grinding machines	12%
1645G	veneer-peeling and cutting machines	10%
	Accessories, parts and components of machine-tools:	
1646A	accessory part-holders and tool-holders (for any machines and hand-tools).	14%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1646B	special fittings for mounting on machines (apparatus for boring, milling-cutting, mortising, rectifying, tapping, turning, etc.) ..	14%
1646C	other	14%
	Portable electric machine-tools (boring, grinding, rectifying, scraping, sand-papering, glazing, screwing, bolting, tapping machines, shears, lapping machines, hammers, tube-expanding machines, borers for mines and quarries, etc.), parts and components:	
1647A	machines in which the motor and tool constitute an inseparable whole, weighing a maximum of 70 kg.	10%
1647B	machines in which the motor and tool are connected by a flexible transmission, the whole weighing a maximum of 100 kg.	10%
1647C	parts and components, not electric, except part-holders and tool-holders .	10%
	Portable pneumatic-tools and machine-tools, parts and components:	
1648A	rotary pneumatic machines and tools worked by hand or driven by piston, turbine or geared engines, weighing a maximum of 50 kg. (boring, drilling, milling, cutting, brushing machines, spray-guns other than hot-metallising spray-guns)	15%
1648B	pneumatic-tools worked by pressure or percussion, whether or not rotary, weighing a maximum of 100 kg. (hammer, riveting tools, chipping-tools, prickers, perforators, concrete-breakers, rammers, vibrators, etc.) ...	15%
1648C	parts and components, excluding tool-holders	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1649	Centering twist drills and other boring tools, the working part of which is:	
	of steel	15%
	of metallic carbides or cast or compressed rare metal alloys without iron	20%
1650	screw-taps, borers, dies, other than drawing-out dies, including die bearings, comb screwing tools, and other tapping, boring and threading tools, with or without rectified profile, the working part of which is:	
	of steel	15%
	of metallic carbides or cast or compressed rare metal alloys, without iron	20%
1651	Milling-cutters made in one piece or with detachable parts, broaches for embossing, gear-cutting knives and other milling, broaching, and cutting tools, including the main parts or units entered separately, with or without rectified profile, the working part of which is:	
	of steel	15%
	of metallic carbides or cast or compressed rare metal alloys without iron	20%
1652	Turning tools and the like, made in one piece or with detachable working part (including treated rectified bars with a length of less than 50 cm.), the working part of which is:	
	of steel	15%
	of metallic carbides or cast or compressed rare metal alloys without iron	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1653	Drawing plates:	
	entirely of steel	15%
	with core of metallic carbides or cast or compressed rare metal alloys without iron ..	20%
	Saw blades (including rough shapes):	
Ex 1654A	circular saws with inserted teeth or rings	15%
Ex 1654B	ribbon-saws for wood working	15%
1654C	straight saws (including blades for hand-saws)	15%
	Knives and blades for machines and hand-tools:	
1655A	circular knives	10%
1655B	other	18%
1656	Other tools for machines and hand-tools, not elsewhere specified or included, the working part of which is:	
	of steel	18%
	of metallic carbides or cast or compressed rare metal alloys without iron	20%
	Weighing apparatus and instruments, not automatic, with weights or with slides:	
1658A	weigh bridges and stationary weighing machines	20%
1658B	mobile weighing machines	20%
1658C	balances (other than precision balances) ..	20%
	Automatic and semi-automatic weighing apparatus and instruments:	
1659A	weigh bridges and stationary weighing machines	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1659B	mobile weighing machines and balances	20%
1659C	other (balances ("pesons"), letter balances, etc.)	20%
1660A	Weighing machines and apparatus recording the number of articles	20%
Ex 1661	Accessories (other than weights) and components of weighing apparatus and instruments, of cast-iron, iron or steel other than stainless	10%
	Typewriters and the like:	
1662A	typewriters, proper	15%
1662B	other machines (for cryptography, for writing music, writing machines for the blind, for stenography or stenotyping, for authenticating checks, for writing with interchangeable shuttles (navettes), etc.)	15%
	Adding and calculating machines:	
1663A	adding and subtracting machines	9%
1663B	calculating machines	9%
	Cash registers and similar apparatus with a totalisation system:	
1664A	cash registers, proper	10%
1664B	other machines (letter stamping machines, machines for cancelling and registering public transport tickets, for stamping railway tickets, machines for "pari mutuel", machines for voting, etc.)	10%
	Statistical machines with punched cards, of any system:	
1665A	punching and checking machines	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1665B	sorting machines	22%
1665C	interclassifying machines	22%
1665D	tabulating machines	22%
1665E	other machines (reproducing machines, translating machines, multiplying machines, calculating machines, etc.)	22%
1666	Duplicators and similar apparatus: with stencils, cliches, carbon, types and other	20%
	Parts and components for office machines and apparatus:	
1670A	frames and stands	15%
1670B	small boxes	15%
1670C	carriages for typewriters, calculating or accounting machines	15%
1670D	keys and keyboards	15%
1670E	types	15%
1670F	spools for inked or impregnated ribbons ..	15%
1670G	totalization devices	15%
1670I	other components	15%
1671	Automatic selling apparatus (automatic machines for stamps, tickets, chocolate, confectionery, food and the like), parts and components	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	Chapter 91	
	BRASS-SMITH'S ARTICLES; BEARINGS; TRANSMISSION GEAR; SPARE PARTS FOR GENERAL MECHANICS	
1673	Automatic regulating apparatus, and parts thereof ..	20%
Ex 1674	Other brass-smith's apparatus, and parts, of metal:	
	of cast-iron, iron or steel other than stainless, unworked, painted or varnished but without coating of metal or other materials, with or without rings, seatings, washers or nuts of other base metals	18%
	other (than of stainless steel), other (except those covered with ebonite)	20%
1675	Mounted or complete bearings (ball bearings and other)	28%
	Parts and components of bearings:	
1676A	balls, needles, rollers, cylinders, and drums, calibrated	32%
1676B	other (ball-races, rings, thrusts, etc.)	28%
1677	Transmission shafts:	
	straight:	
	unworked	Dutiable as bars, hot-rolled or forged, according to the kind (No.1285)
	machine-finished:	
	solid	Dutiable as calibrated bars according to the kind (No. 1299)

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
	bored	18%
	crankshafts or beatshafts	18%
1678	Gear parts (cylindrical, conical, endless screws and wheels of endless screws), cogged or threaded of metal or of other materials	15%
Ex 1690	Components of machines not elsewhere specified or included, not worked or simply shaped; of cast-iron, of iron, or steel other than stainless	18%
1692	Components of machines not elsewhere specified or included of iron or steel other than stainless, worked, with or without accessory parts of non-metallic materials	18%
1694	Components of machines not elsewhere specified or included of copper or copper alloys, worked, with or without accessory parts of non-metallic materials	20%
Ex 1696	Components of machines not elsewhere specified or included of aluminium or aluminium alloys, worked with or without accessory parts of non-metallic materials	20%
1698	Components of machines not elsewhere specified or included of two or more metals, with or without accessory parts of non-metallic materials	18%
	Chapter 92	
	GENERATORS, MOTORS, ELECTRIC TRANSFORMERS AND CONVERTERS; BATTERIES; ACCUMULATORS; ELECTRIC APPLIANCES	
	Generators, motors and rotary convertors:	
1700A	special motors for electric locomotives and rail-cars	20%
1700B	other	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1701	Parts and components of generators, motors and rotary converters.....	19%
	Transformers:	
1702A	measure transformers.....	20%
1702B	transformers for electric medical apparatus.....	18%
1702C	soldering transformers	20%
1702D	other transformers and reaction coils, weighing per unit:	
	more than 500 g.....	20%
	500 g. and less.....	Duty of coils (No. 1720A)
	Static converters:	
1703A	converters with metal tanks, with or without their vacuum pumps.....	20%
1703B	rectifiers.....	20%
1704	Parts and components of transformers and static converters.....	19%
	Electro-magnetic apparatus not elsewhere specified or included:	
1705A	magnetic plates and mandrels.....	18%
1705C	electro-magnetic brakes	18%
1705D	other (magnetic clutches) etc.....	18%
Ex 1709	Apparatus for cutting-off or disconnecting non automatic (contact-breakers, disconnecting switches, switchers, etc), for cutting in air or in gaseous medium, weighing per unit 1 kg. and less	20%
1710	Automatic cutting-off and disconnecting apparatus.	20%
1713	Fixed resistances other than heating resistances..	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1715	Relays (other than measure relays)	
	for weak currents:	
	for statistical machines with punched cards..	19%
	for automatic telephony and other.....	15%
	other.....	15%
1718	Boards for controlling, distributing, regulating, measuring and the like, with electrical work:	
	without instruments or apparatus:	
	of plastic materials or having 10 p.100 and more of the total weight in plastic materials.	Duties of articles of plastic materials, according to the kind (Nos.705 - 706 - 708 - 709).
	other.....	20%
	including one or more instruments or apparatus..	Duty on the whole, of the component instrument or apparatus bearing the highest rate of duty.
1719	Stationary electric condensers (other than variable or adjustable).....	18%
	Electric detached parts not elsewhere specified or included:	
1720A	coils of insulated wire (coils).....	19%
1720D	other.....	19%
Ex 1721	Insulators:	
	of ceramic materials: of porcelain, earthenware stoneware, pottery, with or without metal parts.	18%
	of rubber, hardened or not, with or without metal parts.....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1722	Insulating tubes and connections of base metals, insulated on the inside.....	22%
Ex 1723	Unassembled parts of insulating materials, for electric machinery, apparatus and installations:	
	of ceramic materials: porcelain, earthenware, stoneware, pottery.....	20%
	of rubber, hardened or not, other (except boxes, covers and accessories for accumulators and electric batteries).....	20%
	Insulated wire and cables for electric purposes with metallic coverings or reinforced with metal:	
1724A	wire and cables, insulated by means of plastic materials, even with other added materials.....	22%
1724B	wire and cables, insulated by means of natural or artificial rubber, balata or gutta percha, even with other added materials, other than plastic materials.....	Duty of cables and wire, insulated with plastic materials(No.1724A)
1724C	wire and cables, insulated by means of cellulose pulp, paper or textile materials other than silk, floss silk (schappe) and synthetic fibres.....	22%
1724D	other (wire and cables insulated by means of magnesia, asbestos, silk, floss silk (schappe), synthetic fibres, glass fibre, etc. pure or mixed in any proportion with other materials)	22%
	Insulated wire and cables for electric purposes, without metal coverings and not reinforced with metals	
1725A	wire and cables, insulated by means of plastic materials, even with other added materials...	22%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1725B	Wire and cables insulated by means of natural or artificial rubber, balata or gutta percha, even with other added materials other than plastic materials	Duty of wire and cables insulated with plastic materials. (No. 1725A)
1725C	wire and cables insulated by means of varnish, lac, enamel or metallic salts or oxides (enamelled wires, wire anodically oxided, etc)	22%
1725D	wire and cables insulated by means of cellulose pulp, paper or textile materials other than silk, floss silk (schappe) and synthetic fibres.....	22%
1725E	wire and cables insulated by means of magnesia, asbestos, silk, floss silk, (schappe) synthetic fibres, glass fibre, pure or mixed in any proportion with other materials.....	22%
1725F	other.....	22%
1726	Wire and cables fitted with connecting plugs....	22%
	Chapter 93	
	ELECTRIC APPLIANCES	
	Portable lamps having their own source of power (pocket lamps and the like):	
Ex 1730A	complete lamps: other (with batteries, accumulators, etc. except electro-magnetic lamps).....	20%
1730B	cases.....	20%
1732	Incandescent lamps and tubes.....	18%
1734	Electric discharging lamps and tubes and other lamps and tubes for electric lighting (including magnesium flash lamps with electric ignition)...	18%
Ex 1735	Parts and components of lamps and tubes for electric lighting, other: bulbs and tubes of fluorescent glass or glass coated with fluorescent materials.....	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1736	Telegraph apparatus	18%
1737	Telephone apparatus	18%
1739	Electric apparatus for aiding hearing	15%
1740	Microphones for all uses	18%
1741	Parts and components of telegraph and telephone apparatus	18%
1742	Transmitters for wireless telegraphy, wireless telephony, broadcasting and television, including transmitter-receivers	22%
	Receiving apparatus:	
1743A	receiving apparatus for wireless telegraphy, wireless telephony and broadcasting, combined or not with a phonograph	24%
1743B	receiving apparatus for television, combined or not with a wireless receiving set and (or) a phonograph	24%
	Radio electric apparatus, not elsewhere specified or included:	
1744A	radio-guiding, radio-location, radio-direction finding and the like	20%
1744B	Sounding apparatus and obstacle detectors..	20%
1744C	cameras for direct transmission television.	20%
1744D	other	20%
	Parts, components and accessories of radio-electric apparatus:	
1745A	aerials, mounted	20%
1745B	assembled detached parts constituting a part of radio-electric apparatus	24%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1745C	loud-speakers, loud-speaker diaphragms, with or without coils, for all purposes	19%
1745D	variable and adjustable condensers	20%
1745E	radio-electric valve-holders with contacts..	20%
1745F	furniture and cases:	
	of wood	18%
	of plastic materials and other materials.	22%
1745G	other	20%
1746	Electric current amplifiers of all kinds	19%
1747	Special tubes for radio-electric transmissions.	20%
1748	Other radio-electric tubes (tubes for receiving apparatus, amplifiers, vacuum rectifiers for all uses, tuning indicators of all kinds, etc.).	20%
1749	Cathode tubes	20%
1751	Vacuum or gas photo-electric cells	20%
	Electric tubes, valves and lamps, other than for lighting purposes, not elsewhere specified or included:	
1752A	frame electronic analysers	20%
1752B	secondary transmitting tubes and electron multipliers	20%
1752C	electrometer tubes and photo-meters	20%
1752D	vacuum or gas thermo-electric torques	20%
1752E	voltage and strength regulating tubes	20%
1752F	other	20%
	Apparatus for medical, dental, veterinary and industrial radiology and accessories:	
1754A	radiology apparatus	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1754B	Xray tubes and valves.....	20%
1754C	radiological screens.....	20%
1754D	other.....	20%
	Medical, dental and veterinary apparatus and accessories:	
1755A	radium therapy apparatus and accessories....	20%
1755B	actinology apparatus.....	20%
1755C	electro-therapy apparatus (with galvanic, faradic, rhythmic currents, short wave diathermic, "electrocoupe", electro-coagulation)	20%
1755D	other.....	20%
1756	Unassembled parts for radiology apparatus and electric medical apparatus.....	20%
	Electric apparatus for soldering, heating and extruding metals:	
1757A	arc apparatus:	
	rotary apparatus.....	Duty of generators (No.1700B)
	static apparatus, with transformer or rectifier; soldering heads and fittings, automatic or semi-automatic.....	18%
1757B	resistance apparatus.....	18%
1757C	electric soldering irons.....	16%
1757D	other apparatus.....	18%
1757E	components (electrode points, soldering tongs, etc.).....	18%
	Electro-thermic cookery apparatus:	
1758A	kitchen ranges.....	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1758B	domestic ovens, heaters, hot-tables, plate-heaters, bread-toasters, grills and the like	18%
1758C	driers, auto-cookers (Norwegian cookers) drying apparatus.....	18%
	Electric razors and clippers:	
1763A	electric razors, parts and components.....	15%
ex 1763B	electric clippers, parts and components other than combs and counter-combs	15%
	Revolving electric domestic apparatus, not elsewhere specified or included:	
1764A	ventilators, called "ventilators for flats"..	18%
1764B	vacuum cleaners, beating and vacuum cleaning apparatus.....	22%
1764C	floor waxing apparatus	16%
1764D	domestic washing machines or wringing machines, with or without heating devices	18%
1764E	other (dish-washing and cleaning machines, kneading machines, shoe polishing apparatus, etc.).....	18%
1765	Electric starters, dynamos for vehicles, parts, components and accessories	20%
	Electric ignition apparatus for engines:	
1766A	ignition distributors	25%
1766B	ignition coils	25%
1766C	magnetic fly-wheels	25%
1766D	magnetos of all kinds, including dynamo-magnetos	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of Duty ad valorem
1766E	other	25%
	Accessories, parts and components of ignition apparatus:	
1767A	ignition and heating sparking plugs and other, parts and components.....	25%
1767B	contact breakers and parts	20%
1767C	other	20%
	Electrical equipment for motor-vehicles, cycles, motor-boats, aircraft, etc:	
1768A	lighting apparatus (searchlights, headlights, side-lights, riding-lights, etc)	20%
1768B	signalling apparatus:	
	hooters and parts	20%
	other (direction, stop or overtaking indicators, intermittent indicators, signal repeaters, etc.) components and parts	15%
1768C	switchboards	Duty of control or distributing boards, etc. (No. 1718)
1768D	other apparatus (windscreen-wipers, anti-moisture windscreen devices, rime preventers, petrol pumps, etc.) parts and components ..	15%
1769B	Electrical apparatus not elsewhere specified or included, other	19%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 94	
	RAILWAY AND TRAMWAY ROLLING-STOCK AND MATERIAL	
	Loco-tractors for track of more than 0m60 gauge:	
1771B	with explosion or internal combustion engines.....	15%
1771C	electric.....	20%
1772C	Electric rail-cars for track of more than 0m60 gauge.....	20%
	Material for tramways for track of more than 0m60 gauge:	
1778A	cars or rail-cars.....	20%
1778B	slip-coaches.....	15%
	Locomotives, loco-tractors and rail-cars for track of 0m60 and less gauge:	
1781A	with steam engines, including tender-locomotives.....	18%
1781B	with explosion or internal combustion engines.....	18%
1781C	electric.....	20%
1781D	locomotives propelled by compressed-air and other.....	18%
1782	Trolleys ("draisines"), with or without engine, for track of 0m60 and less gauge.....	18%
1783	Tenders for locomotives for track of 0m60 and less gauge.....	18%
	Wagons, tip-wagons and berlin coaches for track of 0m60 and less gauge:	
1785A	platform.....	18%
1785B	tipping wagons.....	18%
1785C	other.....	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1788	Axles for railway material, machine-finished, assembled or not.....	18%
1789	Wheels for railway material.....	18%
	Track material:	
1795A	for track of more than 0m60 gauge: switches, frog-points, track crossings and points, assembled tracks, turntables.....	15%
	others (buffers, bumping-pads, loading-gauges, cog-rails, etc.)	16%
1795B	for track of 0m60 and less gauge...	16%
	Chapter 95	
	AUTOMOBILES, CYCLES AND OTHER VEHICLES	
1797	Automobiles for carrying passengers...	35%
	Automobiles for carrying goods:	
1798A	lorries.....	35%
1798B	tractors:	
	with explosion or internal combustion engine:	
	caterpillar tractors.....	15%
	wheel tractors (tractor fore-carriages and other), weighing per unit:	
	1,200 kg. and less.....	15%
	more than 1,200 kg.....	35%
	winch-tractors.....	35%
	with electric motor and with other engine.....	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1799	Other automobiles (for special purposes): road-sweepers, spreading-cars, motor-pumps, ladder-cars, snow-ploughs, etc:..	35%
	Complete automobile coachwork, fitted or not, for automobiles:	
1801A	for passenger transport.....	30%
1801B	for goods transport.....	30%
	Parts of coachwork for automobiles:	
1802A	cabs.....	30%
1802B	coachwork equipment.....	30%
1802C	other.....	30%
1803	Complete chassis (with engine) for automobiles, with or without tyres, with or without vaporisation devices, with or without electrical equipment, with or without bonnet, wings, footboards, switchboards, steering wheels.....	35%
	Chassis parts and components:	
1804A	frames on wheels, with or without brake devices.....	30%
1804B	frames without wheels.....	30%
1804C	transmission gear.....	30%
1804D	suspension gear:	
	axles, not mounted, axles mounted on wheels, wheels fitted or not and their parts, caterpillars....	30%
	shock absorbers.....	25%
1804E	steering gear.....	30%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1804F	brakes.....	30%
1804G	silencers and gas heating devices...	30%
1804H	radiators and parts, including radiator water heating devices.....	30%
1804I	chassis equipment.....	30%
1807	Motor-cycles, with or without tyres, with or without crank-gear, with or without sidecars.....	25%
1808	Parts and components of cycles and motor-cycles.....	25%
1814	Trailers for automobiles, motor-cycles and cycles, for the transport of goods, weighing per unit:	
	less than 100 kg.....	20%
	100 kg. inclusive to 1,000 kg. exclusive.....	25%
	1,000 kg. and more.....	35%
	Chapter 96	
	MARITIME AND INLAND NAVIGATION	
	Sea-going vessels, with a gross tonnage of:	
1817A	more than 250 tons.....	Free
1817B	250 tons and less.....	Duty of vessels for inland navigation, according to the kind, subject to the provision of the General note to Chapter 96, § II.

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Vessels for inland navigation (lakes, canals, rivers) used for passenger transport:	
1819A	mechanically propelled:	
	boats for pleasure and sport, including motor-boats with electric or explosion engines....	5%
	other:	
	hulls.....	10%
	propelling machinery, boilers, replacements, auxiliary apparatus, furniture, miscellaneous appliances.....	Dutiable at their appropriate rates.
1819B	sailing vessels.....	12%
1819C	other:	
	boats for pleasure and sport, including house-boats.....	22%
	other.....	10%
1820A	Vessels for inland navigation (lakes, canals, rivers) used for goods transport, mechanically propelled:	
	hulls.....	15%
	propelling machinery, boilers, replacements, auxiliary apparatus, furniture, miscellaneous appliances	Dutiable at their appropriate rates.
1821	Vessels for inland navigation (lakes, canals, rivers) for special uses (ferry-boats, dredgers, floating fire engines, suction dredgers, mast-cranes, lighters, floating-cranes, caissons of floating docks, etc.), propelled or not:	
	hulls.....	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	propelling machinery, boilers, auxiliary apparatus, working machines and apparatus, replacements, furniture, miscellaneous appliances.....	Dutiable at their appropriate rates.
	Propelling gear for vessels:	
1824A	mechanical gear (screws, paddle-wheels, etc.).....	22%
1824B	other (oars, paddles, etc.).....	22%
1825	Steering apparatus.....	22%
	Chapter 97	
	AIR NAVIGATION	
1828	Aircraft (aeroplanes, seaplanes, helicopters, gliders, etc.) with or without engines, weighing empty:	
	more than 1,500 kg.....	25%
	1,500 kg. and less.....	35%
	Aircraft fittings and components:	
1829A	wings and empennages:	
	complete wings.....	dutiable as aircraft (No. 1828)
	parts of wings, empennages and parts of empennages (wings, wing rudders, ailerons and flaps, guys, horizontal and vertical ailerons, etc.).....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1829B	fuselages and booms:	
	complete fuselages.....	Dutiable as aircraft (No. 1828)
	parts of fuselages and booms (hulls, "capotages", driving booms, etc.)	20%
1829C	landing gear, with or without driving and shock-absorbing gear, tail-skids and tail-wheels, and components.....	20%
1829D	wheels, with or without tyres.....	20%
1829E	floats and ballonets.....	20%
1829F	equipped motor sets, with or without engine or propeller.....	Duty of aircraft engines (No. 1528)
1829G	propellers, parts and components....	20%
1829H	tanks and auxiliary tanks, with or without protection.....	20%
1829I	liquid or oil radiators, with or without control gear.....	20%
1829J	other.....	20%
	Chapter 98	
	METERS, MEASURING, VERIFYING AND CONTROLLING APPLIANCES AND APPARATUS	
ex 1837	Revolution meters and other meters (meters for measuring, opisometers, passometers, taximeters, distance covered production-counters, stroke-counters, pedometers, etc.): apparatus for totalizing purposes only.....	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1838	Speedometers, tachymeters, for industry or vehicles.....	25%
	Other non-electrical apparatus for measuring, controlling, regulating or analysing for gaseous or liquid fluids or for temperature:	
ex 1843B	delivery meters, others (excluding apparatus working with a "déprimogène") for indicating purposes only ..	25%
1843D	draught regulators.....	15%
1843F	level indicators for indicating purposes only, and others	15%
1843G	analysers for gas or smoke.....	15%
1843I	other apparatus.....	20%
	Electric apparatus for measuring:	
1844A	apparatus measuring electric magnitudes (volt-meters, ampere-meters, watt-meters, phase-meters, frequency meters, galvanometers, wave-meters, ohm-meters, capacimeters, tested resistance boxes, etc).....	20%
1844B	apparatus measuring non-electric magnitudes but with measuring mechanism based on electric phenomena varying with the magnitude to be measured (pyrometers, lux-meters, anemometers, level indicators, salinometers, gas-analysers, psychometers, electric torques, etc.).....	Duty of apparatus measuring electric magnitudes (No.1844A)
1844C	measuring apparatus for control purposes only (safety and tele-control relays, etc.).....	19%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Parts and components not elsewhere specified or included, of all meters, apparatus for controlling, regulating or analysing for gaseous or liquid fluids or for temperature, electric measuring apparatus, and accessory devices:	
1846A	indicator devices with single functions (indicators, totalising apparatus or integrators) composed of mechanism designed to transform the movement of the measuring apparatus into appropriate units...	20%
1846B	other parts and components, assembled or not.....	20%
1852	Instruments for linear measurement (metres, decametres, divided rules, etc., with or without case), of any materials.....	22%
	Chapter 99	
	OPTICS; SCIENTIFIC AND PRECISION INSTRUMENTS AND APPARATUS; SPECTACLES; PHOTOGRAPHY AND CINEMATOGRAPHY; MEDICO-SURGICAL MATERIAL	
	Mounted optical glasses for instruments and apparatus, entered separately:	
1856A	objectives, lenses, prisms, mirrors, sound reproducing units for apparatus or instruments of photography, cinematography, silent or sound projection, or their application.....	20%
1856B	other:	
	objectives and eyepieces.....	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	mounted optical mirrors, including rear-view mirrors.....	20%
	other.....	25%
	Instruments of geodesy, topography, surveying and levelling:	
1858A	instruments with lenses, whether complete with optical fittings or not, parts and components other than lenses.....	25%
1858B	instruments without lenses (optical squares, water-levels, ordinary compasses, "sitomètres", "déclinatoires", simple alidades, etc.), and parts and components	25%
1858C	surveying and topography accessories	25%
	Instruments for sea, river, or air navigation:	
1860A	compasses, with or without binnacles, or cases, parts and components.....	25%
1860B	instruments for taking bearings, with or without optical fittings, parts and components other than optical fittings.....	25%
1862	Precision graduating machines, with or without optical fittings, parts and components other than optical fittings.	15%
ex 1864A	Machines for testing metals, concrete, wood and similar hard materials: machines for testing hardness with diamond point (Rockwell's or Vickers' tests), with or without diamond, or with the ball (Brinell's tests).....	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Apparatus and instruments for physical or chemical research and analysis:	
1865A	apparatus and instruments based on optical process (polarimeters, saccharimeters, photodastometers, interferential apparatus, photometers, spectrophotometers, spectrometers and spectrographs, refractometers, optical meters, etc.) with or without optical fittings, and parts and components other than optical fittings	22%
1865B	other apparatus and instruments (viscosimeters, instruments for measuring superficial tension, etc.), and components.....	22%
1866	Instruments and apparatus for meteorology, hydrology, (pluviometers, anemometers, hygrometers, etc.) and components	15%
ex 1874	Photographic apparatus, other (excluding cameras with automatic development and printing and reproducing cameras), entered with or without optical fittings	25%
	Accessories, parts and components, not elsewhere specified or included, of photographic apparatus:	
ex 1875A	parts and components of apparatus, other (excluding shutters, shutter-releases and bellows).....	25%
1875B	accessories:	
	plate-frames, film-packs, roll films; changing-boxes.....	18%
	reels for films.....	15%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	printing-frames; time-exposure indicators, exposure-meters; photographic laboratory instruments (printers, dryers, glazers, developing boxes, etc.); other.....	18%
1878	Motion picture cameras with or without sound-recording, entered with or without optical fittings.....	18%
1879	Cinematographic projection apparatus with or without sound-reproducer entered with or without optical fittings	25%
	Accessories, parts and components, not elsewhere specified or included, of cinematographic apparatus:	
1880A	apparatus parts and components.....	25%
1880B	accessories of apparatus (reels for winding films and other).....	18%
1886A	Instruments for dental surgery (forceps, elevators, curettes, fraises).....	20%
	Surgical furniture:	
1887B	dental chairs.....	20%
1887C	dental equipment on stands (spittoons, sprayers, cauteries, reflectors, arm lathes, etc.) with or without engine; pedal-lathes...	20%
ex 1887F	accessories, parts and components: arms for dental lathes.....	20%
ex 1895A	Articles for dental prothesis: artificial teeth and dentures of porcelain or other materials, with or without mounting of precious metals.....	10%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 101	
	MUSICAL INSTRUMENTS, MUSICAL APPARATUS AND ACCESSORIES	
	Musical wind instruments, mechanically blown:	
1913A	pipe instruments (organs and the like)	35%
1913C	accordions and similar instruments:	
	accordions with piano keyboard; "concertinas" and "bandoneons"	15%
	other:	
	80 basses and less	15%
	more than 80 basses	25%
	Wind instruments, blown by human agency:	
1914A	mouth organs of more than 7 notes	Duty of toy mouth organs (No.1978A)
Ex 1914B	wooden musical instruments (or of plastic materials):	
	clarinets, oboes, bassoons, double-bassoons, English horns	20%
1914C	metal musical instruments, mouth-piece instruments, nozzle or key instruments	20%
1914D	instruments for calling and signalling	15%
	Sound recording and reproducing apparatus:	
1918A	sound recording apparatus	25%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1918B	sound reproducing apparatus (phonographs)	24%
1918C	combined apparatus (dictaphones and the like)	20%
	Components for sound-recording and reproducing apparatus:	
1924A	sound reproducing units:	
	for records	26%
	for sound films:	
	engraved	26%
	exposed	See 1856A
	for magnetic wire and plates and other.....	20%
	components (diaphragms, etc.)	26%
1924B	turn-tables with electric or mechanical motor, with or without sound-reproducing unit	26%
Ex 1924C	Unwinding apparatus:	
	for films	See 1880A
	for magnetic wire	20%
1924D	film turners, with or without sound-reproducing unit	20%
1924E	magnetic wire and plate turners, with or without sound-reproducing unit.....	20%
1924F	Mechanical motors with accessories...	20%
1924G	needles and points.....	20%
1924H	mounted sapphires for sound recording and reproducing.....	20%
1924I	other (arms, horns, cranks, turn-tables, needle-boxes, etc.).....	26%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Sound-bearings articles:	
1925A	not recorded	25%
Ex 1925B	recorded (sound-records):	
	recorded waxes; galvanic moulds and dies for engraved records and films	20%
	records; films recorded by engraving; magnetic wire and plates and other (except films recorded by photo-electric process)	25%
1925C	perforated cardboard and paper ..	25%
1925D	other (cylinders and records for automatic apparatus, musical boxes, etc.)	25%
	Chapter 103	
	ARMS AND AMMUNITIONS OTHER THAN FOR WAR PURPOSES.	
1938	Sporting guns, automatic or not	18%
Ex 1939	Carbines, not automatic	18%
	Revolvers and pistols:	
1941A	cylinder revolvers	18%
1942B	annular or central firing pistols, automatic or not, with a bore of 7.65 short and under	18%
1942	Arms using any propulsive power other than powder combustion	18%
1944	Parts and components of arms	18%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Ammunition other than for war purposes:	
1946B	unloaded cartridges, primed or not....	18%
1946C	bullets.....	18%
	Chapter 106	
	TOYS; GAMES; ARTICLES FOR AMUSEMENT; SPORTS APPLIANCES	
1972	Toy bicycles, scooters, mechanical horses, pedal cars, sporting toys, doll carts and carriages	35%
Ex 1974	Toy building and transforming sets, of metal, with motor.....	35%
1975	Electrical toys, including accessories and components and motor toys, not elsewhere specified or included.....	35%
1976	Toy projection apparatus (cinematographic projection apparatus, magic lanterns, etc.).....	35%
	Toy musical instruments:	
1978A	toy mouth-organs.....	35%
1978B	toy phonographs.....	35%
	Toys, not elsewhere specified or included:	
Ex 1979A	without movement mechanism:	
	of metal.....	35%
	of wood.....	35%
	of rubber:	
	"bibis" and similar articles of extensible sheets.....	30%
	other, with or without dressing or trimmings.....	35%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
1979B	with movement mechanism	35%
1982B	Toys with engines or movement mechanism for outdoor uses, other (except apparatus called "penny in the slot" distributing money or counters exchangeable for drinks)	30%
	Playing cards:	
1984A	toy cards	25%
1984B	other	30%
Ex 1993	Sports balls; balls of any material with bladders, medicine balls and punching balls, sewn or in cut panels; ball bladders; tennis balls	22%
Ex 1994	Articles for lawn-tennis, table-tennis, tennis and similar games; racket frames and tennis rackets, badminton or squash rackets and the like	22%
1996	Ice skates and roller skates and components	20%
2000	Sports appliances with movement mechanism (training and rowing machines, home-trainers, etc.)	22%
	Fishing tackle, not elsewhere specified or included:	
2001A	fishing rods and parts	20%
2001B	hooks, unmounted	15%
2001C	fishing reels	20%
2001D	other (mounted bow-nets and nets, mounted fishing lines, floats, winders, artificial gentles, etc.)	20%

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Chapter 107 MISCELLANEOUS ARTICLES MADE OF VARIOUS MATERIALS	
2004	Press studs for sewing and parts	20%
2005	Dome fasteners (including riveting press-buttons and "mechanical" buttons) and parts	20%
Ex 2007	Other buttons:	
	not covered with textile materials:	
	of base metals:	
	for trousers	20%
	other	15%
	of wood	18%
	of doom palm, bone, moulded or turned horn	20%
	of plastic materials	25%
	of ceramic materials	20%
	of glass:	
	not decorated	15%
	decorated	20%
	of rubber or ebonite, of compressed cardboard, natural or artificial leather, of mother of pearl or shell, of ivory, tortoise shell, amber, amberoid	20%
	of fine stones:	
	of jet	20%
	other	Duties of fine stones, worked other than for industrial purposes (No.1257B)

SCHEDULE XI - FRANCE

PART I (Continued)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	of other materials (except corozo).....	20%
	covered with textile materials.....	20%
2008	Slide fasteners and parts (slides, etc.)	20%
	Pen nibs:	
Ex 2009A	nibs of precious metals: gold nibs..	8%
2009B	nibs of base metal.....	25%
2009D	nib tips.....	7%
	Pen-holders, stylographs, pencil-holders, propelling pencils, and components:	
2010A	fountain pens and stylographs of any material, with or without nib.....	23% but not less than 12 francs per article.
2010B	pen-holders, other than fountain pens, and pencil-holders of any material.....	27%
2010D	components, including clips:	
	of precious metals and plated with precious metals.....	23%
	of base metals.....	23%
	of other materials:	
	rubber ink tubes.....	Duty of bulbs for dropping tubes (No. 721A)
	other.....	23%

SCHEDULE XI - FRANCE

PART I (Concluded)

French Tariff Item No.	Description of Products	Rate of duty ad valorem
	Pipes, cigar and cigarette-holders:	
Ex 2014B	pipe and pipe-bowls:	
	pipes of earthenware, of a single piece	15%
	other, of wood, or root, mounted or not	20%
Ex 2014C	cigar and cigarette-holders, ends and stems for pipes, cigar and cigarette-holders, other:	
	partly or entirely of horn or plastic materials	20%
	of other materials (except paper or cardboard, ebonite, amber, amberoid, copal, ivory, mother-of-pearl and tortoise-shell)	20%

SCHEDULE XI - FRANCE

PART II

Preferential Tariff.

Nil.

NOTES TO SCHEDULE XI A - FRANCE

GENERAL OBSERVATIONS

I. The notes and footnotes to the French Tariff, the text of which was handed to delegations at the opening of the Geneva negotiations, are regarded as forming an integral part of Schedule XI A.

II. The receipts issued by the French Customs Administration are subject to a stamp duty.

NOTES RELATING TO PARTICULAR PRODUCTS

Ad. No.1 A, 3, 4 and 6. Thoroughbred breeding animals classified under these numbers will be admitted free, subject to the conditions determined by the Minister of Agriculture, when they are intended for the Horse-breeding Administration or stock-breeding associations.

Ad No. 81 et seq., 176 et seq. Apart from Customs duties coffee, tea, spices, cocoa and chocolate are subject to internal consumption taxes, the rate of which may be modified by ministerial decree and, on occasion, special taxes which are levied on both foreign products and products of the French Union alike.

Ad No. 93. In accordance with the provisions of Article II, paragraph 4, of the General Agreement on Tariffs and Trade, the resale price, for each calendar quarter year, of wheat imported by the "Office National Interprofessionel des Céréales", exclusive of internal taxes, transportation, distribution and other expenses incident to the purchase and sale, and for a reasonable margin of profit shall not exceed by more than 15% the average landed cost, duty paid, of wheat imported during the previous quarter.

Further in the event of wide fluctuations or variations in world prices, the amount of maximum protection agreed to in this item may be adjusted in order to maintain the stability of the domestic price, subject to agreement between the countries party to the negotiation.

Ad No. 189, 190 and 202. Sauces with a base of vegetables, and, in particular, those with a base of tomatoes (ketchup and the like) are classified as preserved vegetables or as sauces, according to whether the vegetables form the chief constituent element or not.

Ad No. 235 A. - I - The French Government undertakes that the S.E.I.T.A. shall import annually 15,000 tons of leaf tobacco originating in other countries than the French Union.

II - Further, in the event that the S.E.I.T.A. should process more than 60,000 tons of leaf tobacco in any year, this import figure of 15,000 tons would be increased for the following year by a quantity equal to one half of the excess.

III - A margin of 10% is authorised with the reservation that the difference may be carried forward from one year to the next, provided that total imports for any period of three years shall not be less than the quantities provided for in paragraphs I and II.

IV - The foregoing undertaking by the French Government is made subject to the application of the provisions of Articles XII and XIV of the General Agreement on Tariffs and Trade.

Ad 236 - I - The French Government undertakes that the S.E.I.T.A. shall import annually 1,400 tons of cigarettes originating in other countries than the French Union.

II - The selling prices of foreign cigarettes shall not be higher than those resulting from the application to the selling prices of the "de luxe" cigarettes of the Monopoly ("Balto", "Week-End", "Gitanes-Vizir") of the same ratio of increase which the selling prices represented before the war in relation to the selling prices of "de luxe" cigarettes of the Monopoly.

III - A margin of 10% is authorised with the reservation that the difference may be carried forward from one year to the next, provided that the total imports for any period of three years shall not be less than 4,200 tons.

IV - The foregoing undertaking by the French Government is made subject to the application of the provisions of Articles XII and XIV of the General Agreement on Tariffs and Trade.

Ad Nos.311,312,313 - The French Government, considering it uneconomic to impose duties on such an essential raw material as coal, has provided that it shall be imported free, on condition however that the provisions which are to appear in the final text of Chapter VI of the Draft Charter permit action to avert the effects of a possible crisis.

Ad No.319 et seq. - The importation of motor-fuels and petroleum products is subject to special formalities.

Ad Nos. 332 to 341 - The consolidated duties in the present Schedule are intended only to protect refining. The French Government reserves the right to apply internal taxes applicable to all petroleum products delivered for consumption in the

Metropolitan territory and to modify at any time the rates of such taxes, which shall include the supplementary tax assigned to the "Bureau des Recherches Petrolifères."

Ad No. 567 et seq. - The importation of the pharmaceutical products included under Chapter 30 is authorised only insofar as they comply with French internal legislation concerning these products; in particular, the definitions of "medicaments sous cachet" and pharmaceutical specialities are those provided for in the French internal legislation.

Ad No. 573 A to 573 J - The French Government reserves the right to impose on nitrogenous fertilisers, from July 1, 1951, an import duty not exceeding 10% ad valorem if, on that date, there has not been concluded, in respect of these products, an inter-governmental commodity agreement under the conditions provided for under Chapter VI of the Draft Charter.

Ad No. 670 and 671 - News reels are considered to be films made by news-reel companies, less than 310 metres in length, relating to political, social, economic, sporting, military, scientific, literary events or to folk lore, tourism or society life. To qualify for the favourable treatment provided in the present Schedule, such films must be imported by or for the account of firms belonging to the "Chambre syndicale française de la presse filmée." The Customs Administration reserves the freedom to accord the same treatment to films of greater length but of the same character.

Ad No. 1270 et seq. and miscellaneous - The importation of articles made of precious metals is subject to the formalities provided under the hallmark laws and regulations.

Ad No. 1798 B - The weight of tractors to be taken into consideration for determining the weight category is that of the vehicles as they are imported, with or without tyres, with or without the instruments and accessories normally provided, including a spare wheel and a tool box, with tools.

Ad No. 1799 - Container conveyors, consisting of a tractor combined with a semi-trailer having handling apparatus are dutiable, as a unit, as motor vehicles other (for special purposes) when the tractor engine works the handling apparatus. If on the other hand the containers are loaded and unloaded without the help of the tractor engine, each part (tractor, trailer, hoisting apparatus) is dutiable at its appropriate rate.

SCHEDULE XI - FRANCE

Section B. French Equatorial Africa
(Part of Gabon not comprised in the Treaty Basin of the Congo)

PART I

Most-Favoured-Nation Tariff

Gabon Tariff Item Number	Description of Products	Rate of Duty (surtax)
40	Wheat flour	5%
73	Syrups, sweets, sweet biscuits, candied fruits, jams containing sugar or honey ..	10%
	Tobacco:	
80	tobacco in leaves	25%
82	cigarettes	50%
83	other manufactured tobacco: smoking	50%
	Wines, ordinary or quality, exclusively the produce of the fermentation of fresh grapes, with an actual alcohol content of:	
	less than 12°:	
129	in casks, demijohns	20%
130	in cases	20%
	from 12° to 15° inclusive:	
131	in casks, demijohns	20%
132	in cases	20%
135	Wines, with an actual alcohol content of over 15°, liqueur wines of any kind	20%
ex 139 bis	Brandy, spirits and all alcoholic beverages not elsewhere specified, except rum	20%
143	Cement: slow-setting	Free
144	Cement: other	Free
146	Petroleum, schist and other mineral oils; refined oils and benzine (gasoline).....	10%
148	Lubricating oils	7%
151	Gas oils	5%
152	Fuel oils	5%

SCHEDULE XI - FRANCE

Section B. French Equatorial Africa
(Part of Gabon not comprised in the Treaty Basin of the Congo)

PART I (Continued)

Most-Favoured-Nation Tariff

Gabon Tariff Item Number	Description of Products	Rate of Duty (surtax)
ex 157	Coal	Free
	Perfumery:	
182	soap, other than transparent	10%
183	soap other, with alcohol	10%
184	soap other, without alcohol	10%
186	candles of any kind, other than candles of paraffin wax, pure or mixed	10%
ex 216	Tissues of fine cotton, unbleached, known as "Kaffi sheetings"	15%
245	Blankets other than so-called "couvertures de traite," manufactured in one piece, of any textile including cotton	10%
	Footwear:	
264	measuring up to 18 cms. inside length (for children)	10%
265	measuring from 18 to 23 cms. inclusive inside length (for boys and girls)...	10%
266	for women	10%
267	for men	10%
ex 275	Agricultural and horticultural machines, including agricultural tractors.....	5%
	Household wares:	
279	of iron, painted, polished, lead-coated, zinc-coated or galvanized....	10%
281	of iron, tinned, enamelled or nickelled	10%
ex 288	Anchors and grappling hooks	7%
ex 288	Steel tires for railway cars	7%
288	Other metal manufactures not elsewhere specified	10%

SCHEDULE XI - FRANCE

Section B. French Equatorial Africa
(Part of Gabon not comprised in the Treaty Basin of the Congo)

PART I (Continued)

Most-Favoured-Nation Tariff

Gabon Tariff Item Number	Description of Products	Rate of Duty (surtax)
305 to 317	Automobiles specially fitted for carrying passengers, excluding motor coaches ...	30%
318 to 330	Automobiles specially fitted for carrying goods, or for industrial purposes, including motor coaches	30%
331	Detached parts and accessories for automobiles of any kind	25%
ex 342	Fresh butter	Free
ex 342	Jams	5%
	PART II	
	Preferential Tariff	
146 bis	Petroleum, schist and other mineral oils, on removal from controlled factories in the metropolitan territory	3%
148 bis	Lubricating oils, on removal from controlled factories in the metropolitan territory	2%
151 bis	Gas oils, on removal from controlled factories in the metropolitan territory	2%
152 bis	Fuel oils, on removal from controlled factories in the metropolitan territory	2%

SCHEDULE XI - FRANCE

Section C. French West Africa

PART I

Most-Favoured-Nation Tariff

F.W.A. Tariff Item Number	Description of Products	Rate of Duty (Table B)
42	Milk, whole or skimmed, natural, condensed or sterilized and cream	7%
48	Dried fish: cod, stockfish and herrings	12%
49	Dried fish, other: smoked or salted ..	Free
52	Fish preserved in natural state, pickled or otherwise prepared	7%
131	Tobacco in leaves	25%
	Manufactured tobacco:	
132	cigars	75%
133	cigarettes	75%
201	Refined and extra refined petroleum ...	10%
203	Benzine	10%
	Heavy oils and residues of petroleum and other mineral oils:	
205	destined to be used for supplying engines of any system	4%
207	other, including lubricating oils and paraffin	7%
232	Soap, other than of perfumery	20%
240	Small glassware	16%
	Tissues of cotton:	
	I - Plain, twilled, serged, whether or not dressed, goffered, glazed or mercerized	
258	1) - unbleached	20%
259	2) - bleached	20%
260	3) - dyed in any colour	20%

SCHEDULE XI - FRANCE

Section C. French West Africa

PART I (Continued)

Most-Favoured-Nation Tariff

F.W.A. Tariff Item Number	Description of Products	Rate of Duty (Table B)
261	4) - Printed; tissues presenting two or more colours and manufactured wholly or partly of dyed threads, whether or not glazed or mercerized	20%
262	II - Figured tissues and loin cloths with designs or patterns; tissues with warp and weft of cellular type; imitations of figured gauzes known as "sofit"; glossed, damask, dimmity, reps, piqués and quilted covers; tissues embossed by interplay of the warp and weft; velvets and plushes	20%
277	Fezzes and Turkish caps, chechias and berets of knitted stuff heavily fulled or felted or of woollen felt, of the Basque beret type.	5%
287	Tissues of rayon or artificial horse-hair, of any kind	20%
295	Made-up articles, wholly or partly of tissues, excluding articles having a special duty in this state:	
	I - Clothing, parts of clothing, neckties and ties and collars combined	15%
313	Imitation jewellery	10%
314	Agricultural machines and apparatus ...	Free
317 bis to 319 bis	Agricultural and other tractors (except gazogene tractors)	
	within a yearly quota of 1,000 tractors, inclusive	15%
	outside the quota	30%
334 bis to 349	Automobiles, other than "gazogene" (B)	30%

SCHEDULE XI - FRANCE

Section C. French West Africa

PART I (Contd)

Most-Favoured-Nation Tariff

F.W.A. Tariff Item Number	Description of Products	Rate of duty (Table B)
350 to 370	Detached parts and accessories for automobiles	25%
374	Manufactures of rubber: tyre treads, air tubes and pneumatic tyres	25%
376	Footwear of all kinds, with uppers of cloth, of rubber or of rubberised tissue and soles of rubber or other material., stuck on or fixed in any other way	10%
380	Chemical matches	15%
ex 383	Wheat flour	5%
ex 383	Ship's biscuits	5%
ex 383	Electric machines and apparatus	7%
ex 383	Pocket lamps and cases for pocket lamps	6%
ex 383	Bicycles and parts of bicycles	5%
	PART II	
	Preferential Tariff	
202	Refined and extra refined petroleum; coming from controlled factories in the metropolitan territory	7%
204	Benzine (gasoline) coming from controlled factories in the metropolitan territory	7%
	Heavy oils and residues of petroleum and other mineral oils:	
206	destined to be used for supplying engines of any system, coming from controlled factories in the metropolitan territory	3%
208	other, including lubricating oils and paraffin coming from controlled factories in the metropolitan territory	5%

SCHEDULE XI - FRANCE

Section D - French Somali Coast and Dependencies

PART I

Most-Favoured-Nation Tariff

French Somali Coast Tariff Item Number	Description of Products	Rate of Duty
ex 38	Fresh butter, other.....	2%
ex 61	Wheat flour	2%
ex 39	Other manufactured tobacco: cigars and cigarettes	Free
ex 196	Petroleum, schist and other mineral oils for lighting: benzine (gasoline)	Free
572	Automobiles: chassis, with or without engine, with or without body	10%
572 bis	Engines and detached parts	10%
573	Bodies and detached parts	10%
574	Supporting frames for chassis and detached parts for automobiles	10%
575	Headlights and acetylene generators	10%
575 bis	Accumulators and detached parts	10%

PART II

Preferential Tariff

Nil

SCHEDULE XI - FRANCE

Section E - French Establishments in Oceania

PART I

Most-Favoured-Nation Tariff

French Oceania Tariff Item Number	Description of Products	Rate of Duty
nil	Milk, condensed and sterilized	1%
	Butter in casks, tins or flasks	1%
	Meat preserved, in tins	1%
	Salmon, tinned	Free
	Pilchards, tinned	Free
	Potatoes	Free
	Onions	2%
	Beans, peas, lentils, etc., dried	Free
	Grapes and other fruit dried or desiccated	Free
	Fruit preserved in tins	Free
	Wheat flour	2%
	Refined sugar	10%
	Sweet biscuits	2%
	Cigars and cigarettes	10%
	Common salt	1%
	Woods, common, in logs, squared or sawn	Free
	Heavy mineral oils (masout)	10%
	Kerosene	8%
	Petrol (gasoline)	8%
	Lubricating Oils	5%
	Colours, ground in oil, other than lamp and petroleum blacks	5%
	Ropes of all kinds and sizes	Free
	Tissues, in the piece, of any textile	10%
	Clothing and underclothing (lingerie) and any other made-up articles of tissues	15%

SCHEDULE XI - FRANCE

Section E - French Establishments in Oceania

PART I (Continued)

Most-Favoured-Nation Tariff

French Oceania Tariff Item Number	Description of Products	Rate of Duty
nil	Clothing of leather, whether or not lined....	10%
	Saddlery, harness-makers' wares and various articles thereof	10%
	Travelling articles: valises, bags, travelling bags, rugs, etc., ...	10%
	Articles for sport, of leather	10%
	Footwear of any kind	15%
	Paper and manufactures of paper	8%
	Books	Free
	Manufactures of metal, except jewellery, watches, alarm clocks, machines, tools, cutlery and household wares	12%
	Agricultural machines, including tractors ...	Free
	Sewing machines	8%
	Typewriters	8%
	Tools with or without handle	8%
	Electric and electro-technical machines and apparatus (except electric torches)	8%
	Electric batteries of any model	10%
	Incandescent electric lamps	10%
	Automobilesfor carrying passengers	30%
	Automobiles for carrying goods	30%
	Accumulators for automobiles	20%
	Accumulators other than for automobiles	10%
	All accessories, parts and detached parts for automobiles of all kinds	25%

PART II

Preferential Tariff

Nil

SCHEDULE XI - FRANCE

Section F - Guadeloupe and Dependencies

PART I

Most-Favoured-Nation Tariff

Guadeloupe Tariff Item Number (special tariff)	Description of Products	Rate of Duty
4 and 6	Oxen and bulls	10%
5 and 7	Cows and heifers	10%
7	Steers and bullocks	10%
8	Calves	10%
9	Rams, ewes and wethers	10%
12	Pigs	10%
17	Meat, salted or pickled, raw, not prepared ..	Free
17 bis	Prepared meats	5%
ex 17 ter	Sausages	10%
19A	Meat preserves: pork, cooked, in tins or other containers	10%
ex 46	Fish, dried, salted or smoked:	
	cod, including klippfish and halibut	
	fillets	10%
	otherwise	8%
ex 68	Wheat, spelt and merlin: Flour (at any rate of extraction).....	5%
ex 128 bis	Woods, common, squared or sawn, other (of any thickness)	Free
198 bis	Heavy oils and residues of petroleum and other mineral oils (lubricating oils), on importation	3%
ex 595	Casks, vats, tubs, pails and other coopers' wares, serviceable, fitted together or not, hooped with wood or metal:	
	casks containing less than 500 litres	15%

PART II

Preferential Tariff

Nil

SCHEDULE XI - FRANCE

Section G - French Guiana

PART I

Most-Favoured-Nation Tariff

French Guiana Tariff Item Number (special tariff)	Description of Products	Rate of Duty
1	Stallions, geldings and mares of 5 years and over	Free
1	Colts	Free
2	Mules	Free
3	Asses	Free
4	Oxen	Free
5	Cows	Free
6	Bulls	Free
7	Steers, bullocks and heifers	Free
8	Calves	Free
9	Rams, ewes and wethers	Free
ex 17	Pork meat, salted or pickled, raw, not prepared, including hams	Free
ex 17	Beef, salted	Free
ex 19B	Meat, preserved, in tins:	
	A - Pork	10%
	B - Other than pork	5%
ex 68	Wheat flour	Free
83	Potatoes, fresh, imported during any period ...	Free
ex 109	Tobacco in leaves	8%

PART II

Preferential Tariff

SCHEDULE XI - FRANCE

Section H - Indo-China

PART I

Most-Favoured-Nation Tariff

Indo-China Tariff Item Number	Description of Products	Rate of Duty
ex 17	Salted hams and bacon, raw	10%
ex 19	Hams and bacon, cooked, in tins or other containers	20%
35 ter	Milk, condensed, without sugar	10%
35 quater	Milk, condensed, with addition of sugar	10%
35 quinquies	Milk food	10%
ex 47	Fish preserved in natural state, pickled or otherwise prepared, other than sardines	25%
ex 68	Wheat flour	12%
ex 84 A & B	Grapes, fresh	15%
ex 84 A & B	Fresh apples	15%
	Fresh apples imported into Indo-China during April, May and June are free of duty.	
ex 85	Plums and damsons, dried or desiccated	15%
95	Fruit jams, jellies, marmalade, compote pastes, purées and similar products containing sugar or honey	20%
ex 158C	Asparagus preserved in hermetically sealed tins or containers, or in casks	20%
198C	Heavy mineral oils	30%
198 quater	Road oils and soft pitch	Free
512C	Agricultural and other tractors	15%
524 bis G.	Wireless telegraphy and telephone apparatus, except valves imported separately	15%
527 bis	Refrigerating apparatus	15%
ex 537	Files and rasps, with or without handle	15%
ex 568 A	Household wares of iron, steel or black sheet iron, painted, polished, lead or zinc coated, or galvanized	15%

SCHEDULE XI - FRANCE

Section H - Indo-China

PART I (Continued)

Most-Favoured-Nation Tariff

Indo-China Tariff Item Number	Description of Products	Rate of Duty
ex 576 quater	Electric batteries, dry cells	15%
614 ter A	Automobiles for carrying passengers	25%
614 ter A	Automobiles for carrying goods	25%
614 ter B	Accessories, parts and detached parts for all automobiles	20%
614 ter C	Headlights, lamps, complete or not	20%

PART II

Preferential Tariff

France undertakes in the case of the products enumerated in Part I of the present Schedule, to waive its right to the preference provided under Articles 2 and 3 of the Law of 15 October 1940.

SCHEDULE XI - FRANCE

Section I. Madagascar and Dependencies

PART I

Most-Favoured-Nation Tariff

Madagascar Tariff Item Number (special tariff)	Description of Products	Rate of Duty
35 ter	Milk, condensed, whole, without sugar	Free
37 quater and 35 quinquies	Milk, condensed, with addition of sugar, and milk food, sweetened	5%
37	Butter: fresh, melted or salted	15%
ex 68	Wheat flour	5%
75 quinquies	Biscuits, without crystallizable or non-crystallizable sugar and without honey	15%
ex 84A	Table pears:	
	imported in cases, not exceeding 20 kgs. gross weight per unit	10%
	otherwise	10%
ex 84A	Table apples:	
	imported in cases, not exceeding separately 20 kgs. gross weight per unit	10%
	otherwise	10%
93 bis	Sugar confectionery	10%
ex 94	Sweet biscuits, containing up to 25% of crystallizable or non-crystallizable sugar	10%
ex 95	Fruit jams, jellies, marmalade, compote, purees and similar products containing sugar (crystallizable or not) or honey: containing 40% or less moisture	10%
109	Manufactured tobacco:	
	cigars and cigarettes	50%
	snuff and chewing tobacco	50%

SCHEDULE XI - FRANCE

Section I. Madagascar and Dependencies

PART I

Most-Favoured-Nation Tariff

Madagascar Tariff Item Number (special tariff)	Description of Products	Rate of Duty
	in plugs	50%
	other	50%
171 bis	Wines (other than liqueur wines and sparkling wines) exclusively the produce of the fermentation of fresh grapes or of fresh grape juice:	
	imported in casks	20%
	imported in bottles	20%
ex 197 bis	Benzine (gasoline)	5%
ex 197 ter B	Refined petroleum oils (kerosene) ...	5%
ex 198 B & C	Heavy oils, other (lubricating oils)	5%
211	Sheet iron, tinned (tinplate), coated with copper, lead or zinc	15%
298	Varnishes and paints assimilated to varnishes	15%
321	Candles of any kind	15%
ex 404	Tissues of pure cotton, plain, unbleached, known as "Kaffir sheetings"	10%
418	Cotton blankets	10%
451	Woollen blankets	10%
481D	Footwear of leather, viz. with uppers wholly or partly of leather and with leather or other soles: for men	15%

SCHEDULE XI - FRANCE

Section I. Madagascar and Dependencies

PART II

Preferential Tariff

Madagascar Tariff Item Number (special tariff)	Description of Products	Rate of Duty
ex 197 bis	Benzine (gasolene), coming from controlled factories in the metropolitan territory	1%
ex 197 ter B	Refined oils (kerosene) coming from controlled factories in the metropolitan territory	1%
ex 198 B & C	Heavy oils, other (lubricating oils), coming from controlled factories in the metropolitan territory	1%

SCHEDULE XI - FRANCE

Section J. Martinique

PART I

Most-Favoured-Nation Tariff

Martinique Tariff Item Number (special tariff)	Description of Products	Rate of Duty
1	Stallions, geldings and mares of any age	Free
2	Mules	Free
4	Oxen	Free
5	Cows	Free
6 & 7	Bulls, bullocks and heifers	Free
9	Rams, ewes and wethers	Free
12	Pigs	Free
13	Sucking pigs, weighing 15 Kgs. or less ..	Free
17	Meat, salted or pickled, raw, not prepared	Free
17 bis	Prepared meats: pork, beef and other:	
	uncooked, smoked, dried, rolled or simply stewed	Free
	cooked	10%
Ex 17 ter	Sausages	20%
19 A	Pork, cooked, preserved in tins or other containers	20%
Ex 68	Wheat flour	5%
Ex 109	Tobacco in leaves	25%
Ex 128 bis	Woods squared or sawn, other (except timber for barrel-making)	Free
198	Heavy oils: lubricating and other	Free

PART II

Preferential Tariff

Nil

SCHEDULE XI - FRANCE

Section K. New Caledonia and Dependencies

PART I

Most-Favoured-Nation Tariff

New Caledonia Tariff Item Number	Description of Products	Rate of Duty
ex 17	Salted meat, pork	
	bacon	Free
	hams and other	4%
	Milk:	
35	whether or not sterilized or peptonized, not condensed	Free
35 bis	condensed, whole	Free
35 ter	condensed, with addition of sugar and milk food	Free
36	Cheese	1%
37	Butter	3%
ex 68	Wheat flour	Free
ex 79	Rice, whole	30%
83	Potatoes	6%
91	Sugar, the produce of foreign countries, in powder and agglomerated, of any estimated yield	Free
94	Sweet biscuits	Free
95	Jams	Free
0164-0165	Sea salt and rock salt	Free
128-140	Woods, common or exotic and boxwood	Free
ex 158	Onions	Free
171-171 bis	Wines, exclusively the produce of fermentation of grapes	50%
172 ter	Beer	25%
ex 174	Distilled beverages - spirits	13%

SCHEDULE XI - FRANCE

Section K. New Caledonia and Dependencies.

PART I

Most-Favoured-Nation Tariff

New Caledonia Tariff Item Number	Description of Products	Rate of Duty
190	Coal, crude or coke and cinders of coal ..	Free
210	Flat and broad sheets of iron or steel ...	5%
211	Iron tinned (tin plate) coated with copper, lead or zinc	10%
212	Wire of iron or steel	Free
ex 311	Toilet soap, not containing sugar or alcohol	20%
312	Soap, other than of perfumery	10%
361	Incandescent electric lamps with carbon filaments	20%
	Hosiery of cotton, including so-called Persian thread, béraudine or lisle thread pure or mixed:	
ex 419	other articles of all kinds, including clothing or parts of clothing, made up or not	15%
438 bis to 441 ter	Drapery and other tissues for furniture or clothing	10%
ex 443	Wool hosiery:	
	other articles of all kinds, including clothing and parts of clothing	15%
451	Woollen blankets and carpets	10%
	Hosiery of silk or floss silk pure or mixed together or with other textiles other than artificial silk or materials assimilated thereto, the silk or floss silk representing more than 15% of total weight:	
459 P.30	other articles of all kinds, including clothing and parts of clothing, made up or not	10%
459 P.	Hosiery of artificial silk or of materials assimilated thereto, pure or containing more than 15% in weight of these materials	15%

SCHEDULE XI - FRANCE

Section K. New Caledonia and Dependencies.

PART I

Most-Favoured-Nation Tariff

New Caledonia Tariff Item Number	Description of Products	Rate of Duty
ex 476 ter	Hides and skins curried:	
	small:	
	of sheep, prepared by vegetable or mineral tanning, not scraped, dyed, matt or smooth for footwear linings ..	Free
	big:	
	of cow	Free
	other	Free
	Manufactures of skin and leather, natural or artificial:	
ex 482	low shoes:	
	of skin, leather, tissue of silk pure or mixed	10%
	shoes extending up to the ankle	10%
	slippers lined or not lined	10%
483	footwear for children, with soles of leather or skin less than 17 cms. length	10%
485	articles of fine saddlery (other than saddles)	40%
486	saddles	10%
487	harness makers' wares	10%
488-489	Hose, transmission belts and cords and other articles of leather or hide for machines .	Free
490	portmanteaux:	
	of wood or cardboard covered with leather	15%
	wholly of leather	15%

SCHEDULE XI - FRANCE

Section K. New Caledonia and Dependencies

PART I.

Most-Favoured-Nation Tariff

New Caledonia Tariff Item Number	Description of Products	Rate of Duty
491	Morocco leather ware:	
	flexible	15%
	hard	15%
492	Clothing of all kinds, without fur parts, lined or not with tissues	10%
	valises, handbags, travelling bags, camera cases, sporting gun cases, musical instrument cases, etc.	15%
	waistbelts of figured leather	15%
	other articles not elsewhere mentioned ..	15%
522	Agricultural machines and spare parts thereof, except engines	Free
523	Sewing machines	7%
524	Dynamo-electric machines	10%
ex 524 bis	Electric and electro-technical apparatus:	
	for domestic use	10%
525 ter	Typewriters	6%
ex 525 quinquies	Machines, complete, used for the refinement of all ores	Free
ex 525 quinquies	Machines, complete, not elsewhere mentioned:	
	machines for extraction of ores	5%
ex 527 bis	Refrigerating machines and apparatus:	
	weighing less than 500 kg.	10%
ex 560-562 bis	Cables of iron or steel of any thickness ..	Free
567	Tubes and pipes of iron or steel	10%

SCHEDULE XI - FRANCE

Section K. New Caledonia and Dependencies

PART I

Most-Favoured-Nation Tariff

New Caledonia Tariff Item Number	Description of Products	Rate of Duty
ex 568	Household wares and all articles of iron, steel or black sheet iron not elsewhere mentioned:	
	painted, polished, lead-coated, zinc-coated, galvanized or varnished	10%
576 ter	Electric accumulators and parts thereof, imported separately	20%
576 quater	Dry cells	10%
ex 620	Manufactures of rubber and gutta percha:	
	tyre treads, covers, air tubes or pneumatic tyres	10%

PART II

Preferential Tariff

NIL.

SCHEDULE XI - FRANCE

Section L. Reunion

PART I

Most-Favoured-Nation-Tariff

Reunion Tariff Item Number (special tariff)	Description of Products	Rate of Duty
68	Wheat flour	3%
197 bis A	Benzine for touring, of foreign origin ...	18%
197 bis B	Benzine other than for touring, of foreign origin	18%
197 ter B	Petroleum, schist and other mineral oils, refined, for lighting purposes, of foreign origin.	18%

PART II

Preferential Tariff

197 bis A	Benzine for touring, on removal from controlled factories in the metropolitan territory...	2%
197 bis B	Benzine other than for touring, on removal from controlled factories in the metropolitan territory	2%
197 ter B	Petroleum, schist and other mineral oils, refined, for lighting purposes, on removal from controlled factories in the metropolitan territory	6%

SCHEDULE XI - FRANCE

Section M - Saint-Pierre and Miquelon

PART I

Most-Favoured-Nation Tariff

Saint-Pierre and Miquelon Tariff Item Number	Description of Products	Rate of Duty
1	Animals, living: of any kind	Free
Ex 6	Meat preserved in tins	Free
14	Milk, whole, condensed or sweetened and milk food	3%
17	Butter, fresh, melted or salted	1%
32	Wheat flour	Free
41	Fresh fruits	Free
42	Potatoes	Free
Ex 57	Cigars and cigarettes	10%
Ex 57	Smoking and chewing tobacco, snuff	10%
145	Compound medicines	20%
185	Shoes, boots, slippers and footwear of any kind of leather or hide, lined or not	Free
200	Machines and other apparatus, machine tools, balances, weighing machines and spare parts of cast iron, iron, steel or other metal; machines other than steam machines, marine engines, marine motors, electric and electro technical apparatus, and typewriters and calculating machines	5%
205	Wire gauze and wire netting, perforated sheets	5%
206	Sewing needles, knitting needles, crochet hooks, pins, clasps, pens in metal other than gold and silver	5%
209	Manufactures of moulded cast-iron of any kind	5%
210	Manufactures of iron or steel, structual iron or steel wares of any kind	5%
211	Locksmiths' wares of any kind	5%
212	Dory anchors, weighing less than 8 Kgs.	5%
213	Anchors, cables and chains of iron or steel and barbed wire other	5%

SCHEDULE XI - FRANCE

Section M - Saint-Pierre and Miquelon

PART I

Most-Favoured-Nation Tariff

Saint-Pierre and Miquelon Tariff Item Number	Description of Products	Rate of Duty
214	Nails and wire tacks of any kind and any size	5%
215	Screws, screwrings, hinge-pins, iron hooks, rivets and all bolt or screwmakers' wares not elsewhere mentioned	5%
216	Stove pipes of metal, galvanized or not	5%
216	Tubes of iron or steel, welded or not and joints of all kinds	5%
219	Deodorising apparatus	5%
Ex 220	Manufactures of copper pure or alloyed with zinc and tin (lampmakers' and tinsmiths' wares; articles and other manufactures not elsewhere mentioned, burnished, polished or varnished) manufactures of copper, except household wares	5%
221	Pipes and other manufactures of lead of all kinds	5%
222	Electric accumulators	5%
Ex 223	Pewter ware and other manufactures of tin pure or alloyed, except household wares	5%
Ex 224	Manufactures of zinc of all kinds, varnished, polished, nickelled, printed, decorated, gilt, except household wares	5%
Ex 225	Manufactures of nickel alloyed with copper or zinc or of nickelled metals, except household wares	5%
245	Manufactures of rubber, gutta-percha and asbestos, of all kinds, including clothing rubberised or not	3%
246	Topboots and footwear of rubber or rubberised tissues	2%

PART II

Preferential Tariff

Nil

SCHEDULE XI - FRANCE

Section N - Tunisia

PART I

Most-Favoured-Nation Tariff

Tunisia Tariff Item Number	Description of Products	Rate of Duty
Ex 133	Impregnated telegraph posts	5%
177	Stones, wrought, sculptured, moulded or polished and sculptured sepulchral monuments:	
	porphyroid granite	10%
	other.....	10%
198 C	Other heavy mineral oils, unpurified, including derivatives and residues not elsewhere covered (lubricating oils)	5%
198 bis	Gas oils	5%
198 ter	Fuel oils	Free
198 quater	Road oils and soft pitch	Free
198 quinquies	Hard pitch.....	Free
Ex 345	Faience, fine, not ornamented, covered with glaze of uniform colour	10%
Ex 346	Pottery of fine paste, ornamented, glazed	10%
347A	Porcelain ware, decorated	10%
Ex 347 bis	Insulators of porcelain.....	10%
Ex 350	Hollow-glass ware of glass and crystal:	
	plain, moulded, white or of natural colour	10%
	tinted in the mass and of one colour.....	10%
	smoothed, cut or engraved otherwise than for the purpose of rubbing out marks of the bond known as "pointil"	10%
	decorated with gold, coloured or otherwise	10%

SCHEDULE XI - FRANCE

Section N - Tunisia

PART I

Most-Favoured-Nation Tariff

Tunisia Tariff Item Number	Description of Products	Rate of Duty
Ex 350	Articles for lighting purposes:	
	glasses or chimneys for lighting purposes:	
	of ordinary glass	10%
	of finer glass known as crystal or of crystal	10%
	reflectors, lamp shades, globes or glass screens (verrines):	
	multicoloured, decorated with gold or otherwise cut or engraved	10%
	other	10%
Ex 358	Beads of glass and other small glassware in grains cut or pierced	10%
Ex 358	Spun glass, balls and artificial coral of glass	10%
496 bis	Imitation jewelry:	
	aluminium, German silver, nickel, copper, steel, iron, zinc, tin, lead, gilt, silvered coppered, oxidized, with or without ornaments; of fine steel with points	10%
	copper, German silver, nickel, treated with aqua fortis, varnished, enamelled, polished, nickeled with or without ornaments	10%
	mourning jewelry of iron, ornamented with glass beads or hardened wood; zinc, lead, iron, ordinary steel, nickeled; zinc, lead, iron, ordinary steel, polished or varnished with fittings	10%
	zinc, lead, iron and ordinary steel, without fittings or ornaments.....	10%
Ex 512	Agricultural and other tractors	8%

SCHEDULE XI - FRANCE

Section N - Tunisia

PART I

Most-Favoured-Nation Tariff

Tunisia Tariff Item Number	Description of Products	Rate of Duty
522	Agricultural machines, designated in special decrees on the subject (Decrees of 9 Sept.1883 and other subsequent decrees)	Free
522	Other agricultural machines (not including engines).....	5%
524A	Dynamo-electric machines and industrial electric transformers, dry or in oil	10%
524B	Dynamo-electric machines for equipping motor vehicles of all kinds (cars, ships, airships, aircraft etc.)	10%
Ex 524 bis M	Domestic refrigerators.....	10%
527 bis	Refrigerating apparatus for merchant-ships and other	10%
533	Detached and component parts of machines, of wrought iron, wrought or moulded steel, having been bored, turned, filed or finished	10%
646G	Balloons, animals, dolls and various articles of moulded rubber, decorated or not	10%

Note:

I - The French Government undertakes on behalf of the Tunisian Government to import annually 1,700 metric tons of tobacco leaves and 10 metric tons, net weight, of cigarettes, from territories not part of the French Union.

II - A working margin of 10% is authorized provided there is the possibility of carrying amounts forward from one year to the next, in such a way that the total imports for a period of 3 years shall be not less than 5,100 metric tons of tobacco leaves and 30 metric tons, net weight, of cigarettes

III - The foregoing undertaking of the French Government is made subject to the application of the provisions of Articles XII and XIV of the General Agreement on Tariffs and Trade.

SCHEDULE XI - FRANCE

Section N - Tunisia

PART II

Preferential Tariff

Tunisia Tariff Item Number	Description of Products	Rate of Duty
	Nil	

SCHEDULE XII - INDIA

This Schedule is authentic only in the English language

PART I

Most-Favoured-Nation Tariff

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
2	Bacon and Ham, not canned or bottled.....	25 per cent ad val
Ex 4	Butter.....	25 per cent ad val
Ex 4	Cheese.....	25 per cent ad val
Ex 4(1)	Milk, condensed or preserved, including milk cream, but excluding dried skim milk, that is to say, dried milk powder containing not more than 4 per cent of fat and no added ingredients	25 per cent ad val
Ex 4(1)	Dried skim milk, that is to say, dried milk powder containing not more than 4 per cent of fat and no added ingredients.....	Free
Ex 4(1)	Sterilised cream.....	25 per cent ad val
Ex 7	Dehydrated vegetables, all sorts, other than tomatoes, onions, potatoes and cauliflowers....	30 per cent ad val
Ex 8	Apples and pears, fresh.....	30 per cent ad val
Ex 8	Prunes and grapes, fresh.....	30 per cent ad val
8(1)	Currants.....	Re. 1 per cwt.
Ex 9(3)	Cassia lignea, ground or unground.....	50 per cent ad val
9(6)	Vanilla beans.....	20 per cent ad val
Ex 10	Rice.....	Free
Ex 12	Grass and clover seeds.....	15 per cent ad val
Ex 13	Cochineal.....	20 per cent ad val
Ex 13(4)	Rosin.....	24 per cent ad val
Ex 15	Mineral grease, including petroleum jelly.....	27 per cent ad val
Ex 15	Stearine.....	25 per cent ad val
15(3)	Tallow.....	Free
15(5)	Fish oil and whale oil, hardened or hydrogenated	Rs.10 per cwt.

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 15(6)	Tung oil.....	30 per cent ad val
Ex 15(8)	Neatsfoot oil.....	15 per cent ad val
16	Canned or bottled bacon, ham and lard.....	25 per cent ad val
Ex 16(1)	Sardines and pilchards, canned.....	20 per cent ad val
Ex 16(1)	Fish, canned, other than canned sardines and pilchards.....	20 per cent ad val
Ex 20(1)	Juices, either individually or in mixture, of the following fruits, namely: Apricots, Berries, Grapes, Pineapple, Plums and Prunes.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 6 per cent ad val.	
Ex 20(2)	Canned fruits the following, namely: Apricots, Berries, Grapes, Plums and Prunes, and fruit salads composed not less than 80% in quantity and in value of the above-named fruits.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 6 per cent ad val.	
Ex 20(2)	Pineapples, canned.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 8 per cent ad val.	
Ex 20(2)	Asparagus, canned.....	24 per cent ad val
Ex 20(2)	Vegetables, canned, all sorts, other than tomatoes, potatoes, onions and cauliflowers	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 21	Meat, canned.....	20 per cent ad val
Ex 21	Rennet essence.....	20 per cent ad val
Ex 21	Soups, canned or bottled.....	25 per cent ad val
Ex 21(1)	Blended flavouring concentrates for the preparation of non-alcoholic beverages.....	30 per cent ad val
Ex 21(1)	Meat, frozen.....	20 per cent ad val
Ex 21(1)	Soups, all sorts, not otherwise specified.....	25 per cent ad val
22(3)	Wines, not containing more than 42 per cent of proof spirit -	
	(a) Champagne and other sparkling wines.....	Rs.16-8 per Imperial gallon
	(b) Other sorts.....	Rs.9-8 per Imperial gallon
Ex 22(5)	Spirits -	
	(a) Bitters -	
	(i) entered in such a manner as to indicate that the strength is not to be tested..	Rs.73-2 per Imperial gallon.
	(ii) not so entered.....	Rs.55-5 per Imperial gallon of the strength of London proof.
	(c) Perfumed Spirits.....	Rs.60 per Imperial gallon or 25 per cent ad valorem, whichever is higher plus one-fourth of the total duty.
	(d) Rum.....	Rs.55-5 per Imperial gallon of the strength of London proof.
	Provided that -	

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 22(5) (Contd.)	(a) on any article chargeable under this item with the lower rate of duty, the duty levied shall in no case be less than 30 per cent ad valorem, and on any article chargeable under this item with the higher rate of duty, the duty levied shall in no case be less than 45 per cent ad valorem;	
	(b) where the unit of assessment is the Imperial gallon of the Strength of London proof, the duty shall be increased or reduced in proportion as the strength is greater or less than London proof.	
24(3)	Tobacco, unmanufactured.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed -	
	(a) the preferential rate applicable to such products of British Colonial origin, and	
	(b) the preferential rate applicable to such products of Burmese origin, by more than the difference between Rupees seven and annas eight per pound and 10 per cent ad valorem.	
27(1)	Asphalt.....	27 per cent ad val
Ex 27(2)	Crude and refined coal tar and coal pitch.....	27 per cent ad val
27(3)	All sorts of mineral oils not otherwise specified	27 per cent ad val
Ex 28	Acetyl Salicylic acid in tablets or in powder; Atropine Sulphate; Cresylic acid; Hyoscine hydrobromide; Phenobarbital; Vitamins A and E excluding fish-liver oils.....	30 per cent ad val
Ex 28	Cod-liver oil packed in containers not exceeding 14 lbs. in capacity.....	30 per cent ad val
Ex 28	Iodine, in crude form.....	30 per cent ad val
Ex 28	Lactose (sugar of milk).....	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 28	Menthol.....	24 per cent ad val
Ex 28	Penicillin and its products.....	30 per cent ad val
Ex 28	Antibiotics such as streptomycin, gramicidin, tyrocidine and tyrothricin.....	30 per cent ad val
Ex 28	Sulpha drugs and vitamin preparations other than fish-liver oils.....	30 per cent ad val
Ex 28	Chemicals, Drugs and Medicines, all sorts not otherwise specified excluding - (a) Menthol (b) Penicillin and its products (c) Cod liver oil (d) Crude Iodine (e) Lactose (sugar of milk) (f) Sulpha drugs and vitamin preparations other than fish-liver oils (g) Antibiotics such as streptomycin, gramicidin, Tyrocidine and tyrothricin; and (h) Acetyl Salicylic acid in tablets or in powder, Atropine Sulphate, Cresylic acid, Hyoscine hydrobromide, Phenobarbital, Vitamins A and B	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate applicable to such products of the United Kingdom or British Colonial origin, by more than 10 per cent ad val.	
Ex 28(8)	Acetic acid, Boric acid, Borax and Phenol.....	25 per cent ad val
Ex 28(14)	Tooth paste, Tooth powder, Talcum powder, Shaving soap and Shaving cream.....	30 per cent ad val
Ex 30	Paints, solutions and compositions containing dangerous petroleum within the meaning of the Indian Petroleum Act, 1934.....	24 per cent ad val
Ex 30	Lithopone.....	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 30(1)	Dyes derived from coal tar, the following, namely:	
	Alizarine moist exceeding 20 per cent.....	12 per cent ad val
	Alizarine red.....	12 per cent ad val
	Azo dyes.....	12 per cent ad val
	Sulphur black.....	12 per cent ad val
	Sulphur dyes of other colours.....	12 per cent ad val
	Ultrazols.....	12 per cent ad val
	Vats, powder.....	12 per cent ad val
Ex 30(1)	Dyes derived from coal tar, and coal tar derivatives, used in any dyeing process, all sorts, other than Alizarine moist exceeding 20 per cent, Alizarine red, Azo dyes, Sulphur black, Sulphur dyes of other colours, Ultrazols and vats, powder.....	12 per cent ad val
Ex 30(2)(d)	Ultramarine blue:	
	(i) in packing of 1 lb. or over.....	30 per cent ad val or Rs.8-8 per cwt., whichever is higher
	(ii) in packing of ½ lb. and over but less than 1 lb.....	30 per cent ad val or Rs.11-4 per cwt., whichever is higher
	(iii) in packing of ¼ lb. and over but less than ½ lb.....	30 per cent ad val or Rs.17 per cwt., whichever is higher.
	(iv) in packing of less than ¼ lb.....	30 per cent ad val or Rs.24 per cwt., whichever is higher
31(4)	Camphor.....	50 per cent ad val
Ex 35	Nitrate of Soda, when imported in a form indicative of its use for manurial purposes....	Free
Ex 40	Douglas Fir.....	20 per cent ad val
Ex 44	Cigarette paper in rolls and bobbins.....	20 per cent ad val
Ex 45	Fountain pens, complete.....	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
46(2)	Wool, raw, and wooltops.....	Free.
Ex 49(b)	Textile manufactures, the following articles when made wholly or mainly of any of the cotton fabrics specified in Item No. 48(3), namely:- Cross-stitch, drawn-thread or otherwise embroidered bed sheets; bed spreads; bolster cases; counterpanes; cloths, table; cloths, tray; covers, bed; covers, table; dusters; glass-cloths; handkerchiefs; napkins; pillow cases; pillow slips; scarves; shirts; shawls; sacks (cotton); towels and umbrella coverings	50 per cent ad val
49(2)	Ribbons.....	50 per cent ad val
Ex 52	Lace and trimmings, made of cotton or linen....	25 per cent ad val
Ex 53	Linen embroideries.....	25 per cent ad val
Ex 55	Fezes.....	20 per cent ad val
Ex 55	Straw hats.....	20 per cent ad val
Ex 55	Hats, caps and bonnets, all sorts, excluding Fezes, Pith hats and Helmets and Straw hats....	20 per cent ad val
Ex 60(2)	Electric lighting bulbs for torches and automobiles.....	50 per cent ad val
Ex 60(3)	Glass beads and false pearls.....	50 per cent ad val
68(1)	Zinc, unwrought, including cakes, ingots, tiles (other than boiler tiles), hard or soft slabs and plates, dust, dross and ashes.....	Free
Ex 70(1)	Copper, unwrought.....	Free
Ex 70(1)	Lead, pig.....	Free
Ex 71	Articles of imitation jewellery (including buttons and other fasteners) which consist of, or include, base metal plated with gold or silver or both and in which the proportion of gold or silver or both together to total metallic contents is less than 1.5 per cent.....	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 71	Stoves for use with kerosene, gasolene or other liquid fuels and burners therefor.....	20 per cent ad val
Ex 71(2)	Safety razors and parts therefor, including blades.....	30 per cent ad val
Ex 72	Boot and shoe manufacturing machinery.....	10 per cent ad val
Ex 72	Cinema-projecting apparatus.....	10 per cent ad val
Ex 72	Metal-working machinery other than machine tools.....	10 per cent ad val
Ex 72	Mining machinery.....	10 per cent ad val
Ex 72	Oil-crushing and refining machinery.....	10 per cent ad val
Ex 72	Petroleum and gas-well drilling equipment.....	10 per cent ad val
Ex 72	Refrigerating machinery other than domestic refrigerators.....	10 per cent ad val
Ex 72	Sound-recording apparatus for the production of cinema films.....	10 per cent ad val
Ex 72	Sugar-manufacturing and refining machinery.....	10 per cent ad val
Ex 72(1)	Machines for the carding, spinning and washing of wool.....	10 per cent ad val
Ex 72(3)	Component parts of boot and shoe manufacturing machinery, cinema projecting apparatus, metal working machinery other than machine tools, mining machinery, oil crushing and refining machinery, petroleum and gas-well drilling equipment, refrigerating machinery other than domestic refrigerators, sound-recording apparatus for the production of cinema films, sugar manufacturing and refining machinery and machines for the carding, spinning and washing of wool, namely, such parts only as are essential for the working of the machine or apparatus and have been given for that purpose some special shape or quality which would not be essential for their use for any other purpose, but excluding electric motors, belting and steel belt	

SCHEDULE XII - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 72(3) contd.	lacing, wire healds, bobbins and pickers.....	10 per cent ad val
72(4)	Passenger lifts and component parts and accessories thereof.....	25 per cent ad val
72(5)	Domestic refrigerators and parts therefor such as are specially designed for use with such refrigerators.....	30 per cent ad val
Ex 72(6)	Typewriters.....	20 per cent ad val
Ex 72(6)	Component parts of typewriters.....	20 per cent ad val
Ex 72(6)	Office machines all sorts, not otherwise specified, operated by manual labour or requiring for their operation less than one quarter of one brake-horse power and component parts thereof.....	20 per cent ad val
Ex 72(8)	Ploughs and parts thereof.....	Free
Ex 72(8)	Agricultural tractors and parts thereof.....	Free
Ex 72(8)	Hay presses.....	Free
Ex 72(9)	Milking machines.....	Free
Ex 73(2)	Carbons, electric.....	20 per cent ad val
Ex 73(2)	Electro-medical apparatus.....	20 per cent ad val
Ex 73(4)	Complete wireless receivers.....	50 per cent ad val
Ex 73(4)	Electric valves specially designed for wireless reception instruments.....	50 per cent ad val
Ex 73(4)	Component parts of wireless reception instruments other than electric valves.....	50 per cent ad val
Ex 73(4)	Combination radio-phonographs.....	54 per cent ad val
Ex 73(4)	Wireless transmission apparatus.....	30 per cent ad val
	Note: The products provided for under the above item shall be exempt from the ordinary most-	

SCHEDULE XII. - INDIA

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
	favoured-nation Customs duties which exceed the preferential rate in the case of goods of U.K. origin, by more than 10 per cent ad val.	
Ex 74(2)	Wooden railway sleepers.....	15 per cent ad val
75(1)	Motor cars including taxicabs and articles (other than rubber tyres and tubes) adapted for use as parts and accessories thereof, provided that such articles as are ordinarily also used for other purposes than as parts and accessories of motor vehicles included in this item or in items Nos. 75(2) and 75(3) shall be dutiable at the rate of duty specified for such articles...	.....
	Note: Provided this Agreement does not cease to be in force in the meantime, the products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceeds the preferential rate for such products of United Kingdom origin -	
	(a) by more than 6 per cent ad val for the first period of three years from the date on which this Agreement comes into force;	
	(b) by more than 3 per cent ad val from the beginning of the fourth year of coming into force of this Agreement; and	
	(c) by any amount, from the beginning of the seventh year of coming into force of this Agreement.	
76	Aeroplanes, aeroplane parts, aeroplane engines, aeroplane engine parts and rubber tyres and tubes used exclusively for aeroplanes.....	3 per cent ad val
Ex 77(2)	Optical instruments.....	20 per cent ad val
Ex 78	One-day alarm clocks.....	50 per cent ad val
79	Musical instruments and parts thereof, all sorts and records for talking machines.....	50 per cent ad val
Ex 84	Fishing hooks.....	30 per cent ad val

SCHEDULE XII - INDIA

PART I
(Concluded)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 87	Wallboards of wood fibre.....	25 per cent ad val

GENERAL NOTES

(1) The references in this Schedule to the Indian Customs Tariff item numbers, Description of Products, Rate of Duty, etc. shall be construed with reference to the First Schedule to the Indian Tariff Act, 1934, as reproduced in the Indian Customs Tariff (Twenty-Seventh Issue) as compiled by the Department of Commercial Intelligence and Statistics, India, and copies of which were furnished to all Delegations attending the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, read with the notes and amendments thereto circulated under Conference Secretariat document E/PC/T/TRF/14, dated the 7th May, 1947, and the subsequent amendments based on the Indian Tariff (Amendment) Act, 1947, also circulated to Delegations by the Conference Secretariat.

(2) The expression "not otherwise specified" in the description of products in column 2 of this Schedule, unless the context indicates to the contrary, shall be construed as "not otherwise specified" in the Indian Customs Tariff referred to in the previous note.

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SCHEDULE XII - INDIA

PART II

Preferential Tariff

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 73(4)	Complete wireless receivers.....	44 per cent ad val*
Ex 73(4)	Electric valves specially designed for wireless reception instruments.....	44 per cent ad val*
Ex 73(4)	Component parts of wireless reception instruments other than electric valves.....	44 per cent ad val*
Ex 73(4)	Wireless transmission apparatus.....	20 per cent ad val*

* Note: This preferential rate of duty shall be deemed to be bound against increase only for such time as the Trade Agreement of 1939 between the United Kingdom and India remains in force.

GENERAL NOTE

The references in this Schedule to the Indian Customs Tariff item numbers, Description of Products, Rate of Duty, etc. shall be construed with reference to the First Schedule to the Indian Tariff Act, 1934, as reproduced in the Indian Customs Tariff (Twenty-Seventh Issue) as compiled by the Department of Commercial Intelligence and Statistics, India, and copies of which were furnished to all Delegations attending the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, read with the notes and amendments thereto circulated under Conference Secretariat document E/PC/T/TRF/14, dated the 7th May, 1947, and the subsequent amendments based on the Indian Tariff (Amendment) Act, 1947, also circulated to Delegations by the Conference Secretariat.

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SCHEDULE XIII - NEW ZEALAND.

This schedule is authentic only in the English language

PART I.

Most-Favoured-Nation Tariff

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 1	Live animals, viz.:- Horses	Free
Ex 2	Animals, food for, of all kinds, n.e.i., viz.:- Oilcake	.....
	Note. Oilcake provided for under Tariff Item Ex 2 shall be exempt from most-favoured-nation customs duties which exceed the duties on such product under the British Preferential Tariff by more than 20 per centum ad valorem.	
4	rain and pulse, unground and unmanufactured, viz.:- Ex (4) N.e.i., viz.:- Soya beans.....Per cental	2s. (1)
7	Onions .....Per ton	£2.10s. (1)
11	Vegetables, viz.:- Ex (2) Fresh vegetables n.e.i.....	35% (1)
15	Cocoa-beans, raw .....Per lb.	½d. (2)
16	Cocoa and chocolate, viz.:- (1) Cocoa; also cocoa-beans roasted or crushed .....Per lb.	6d. (1)
	(2) Chocolate; also cocoa or chocolate mixed with milk or with any other food substance..	45% (1)
17	Coffee, raw	.....
	Note. The product provided for under Tariff Item 17 shall be exempt from most-favoured-nation customs duties which exceed the duties on such product under the British Preferential Tariff by more than 1d. per lb.	
20	Fruit-juices unsweetened, in containers having a capacity of 1 gallon or over	Free (3)
21	Fruit-juices unsweetened, in containers having a capacity of less than 1 gallon; fruit-juices sweetened; syrups n.e.i.; raspberry-vinegar, sweetened	35% (1)
22	Citrus-fruit pulps (including fruit-juices containing such percentage of citrus-fruit pulp as may be determined by the Minister) sweetened or unsweetened, in bulk or otherwise	25% (1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
23	Tea, in bulk - viz., in packages of 5 lb. or over net weight of tea	.....	
	Note. The product provided for under Tariff Item 23 shall be exempt from most-favoured-nation customs duties which exceed the duties on such product under the British Preferential Tariff by more than 1d. per lb.		
24	Tea n.e.i.	.....	
	Note. The product provided for under Tariff Item 24 shall be exempt from most-favoured-nation customs duties which exceed the duties on such product under the British Preferential Tariff by more than 1d. per lb.		
31	Cocoa or cacao butter, coconut butter, and other vegetable butters or fats	Free	(3)
32	(2) Confectionery n.e.i., including medicated confectionery, liquorice n.e.i., and sugared or crystallized fruits	45%	(1)
34	Stearine, on declaration that it will be used only in the manufacture of candles, matches, soaps, leather, or other articles approved by the Minister .....Per lb.	1d.	(1)
35	Fish, viz.:-		
	(3) Fish, potted, and preserved, n.e.i., including any liquor, oil, or sauce .....Per lb.	2½d.	(1)
36	Fruits, dried - viz.:-		
	Ex (1) Dates, prunes	Free	(3)
	(2) Raisins .....Per lb.	¾d.	(2)
	Ex (4) N.e.i., viz.:- Apricots .....Per lb.	1d.	
37	Fruits, fresh - viz.:-		
	Ex (2) Grapes		
	July 1 to November 30 inclusive ...Per lb.	1d.	(1)
	December 1 to June 30 inclusive ...Per lb.	2d.	(1)
	(3) Lemons .....Per lb.	1d.	(1)
	Ex (5) Oranges .....Per lb.	½d.	(2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
39	Fruits preserved in juice or syrup, viz.:-		
	Pineapples	35%	(1)
	Prunes	25%	(1)
	Note. Prunes preserved in juice or syrup provided for under Tariff Item 39 shall be exempt from most-favoured-nation customs duties which exceed the duties on such product under the British Preferential Tariff.		
	Bananas; cashews; goiavas; oranges	45%	(1)
	Other kinds	47½%	(1)
40	Trees and plants, viz.:-		
	(1) Fruit trees and plants, viz., apple, apricot, blackberry, cherry, currant, gooseberry, lemon, lime, logan-berry, nectarine, orange, peach, pear, plum, quince, and raspberry....	35%	(2)
	(2) Flowering trees and plants, viz., rose	35%	(2)
41	Glucose, grape sugar, and caramel	Free	(3)
42	Honey .....Per lb.	3d.	(1)
Ex 49	Meats, potted or preserved, viz., Pates de foie gras.	30%	(1)
52	Nuts, and preparations thereof, viz.:-		
	Ex (1) Nuts, shelled or unshelled, n.e.i., viz.:- Brazil nuts, coconuts, palmnuts, peanuts ...	Free	(3)
	(4) Walnuts, shelled or unshelled.....Per lb.	2d.	(1)
61	Provisions, viz.:-		
	Ex (1) Soups; spaghetti and similar alimentary pastes, cooked, whether or not in combination with other food substances	40%	(1)
	Ex (2) N.e.i., viz.:- Canned beans	40%	(1)
62	Rice, dressed or undressed; rice-meal refuse and rice-meal	Free	(3)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
65	Spices, unground, viz.:-	
	(1) Cinnamon, cloves, ginger, mace, nutmeg, pepper, and vanilla	7½% (2)
	(2) N.e.i.....	Free (3)
Ex 67	Arrowroot; sago; tapioca .....Per lb.	¾d. (2)
	Maizena; cornflour	.....
	Note. Maizena and cornflour provided for under Tariff Item Ex 67 shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than ¾d. per lb.	
74	Cigarettes n.e.i.....	.....
75	Cigarettes, exceeding in weight 2½ lb. per 1,000 ...	.....
	Note. The products provided for under Tariff Items 74 and 75 shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff.	
81	(1) Tobacco, unmanufactured, entered to be manufactured in New Zealand in any bonded tobacco-factory licensed under the Tobacco Act, 1908, for manufacturing purposes only, into cigarettes	.....
	(2) Tobacco, unmanufactured, entered to be manufactured in New Zealand in any bonded tobacco-factory licensed under the Tobacco Act, 1908, on declaration that it will be used only in the manufacture of tobacco, cigars, or snuff	.....
	Note. The products provided for under Tariff Item 81 shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff.	

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
84	Spirits, viz.:- (3) Spirits, and spirituous mixtures, the strength of which can be ascertained by Sikes's hydrometer or other similar instrument, viz.:- (a) Rum	.....
	Ex (b) Other kinds, viz.:- Brandy, gin	.....
	Note. The products provided for under Tariff Item 84(3) (a) and Ex (b) shall be exempt from surtax.	
Ex 86	Perfumed spirits including Cologne water packed in bottles of a capacity not exceeding 4 fluid ounces .....Per liquid gallon or	90s. (1) 40% whichever rate returns the higher duty.
90	Wine containing not more than 40 per cent. of proof spirit, viz.:- Ex (1) Sparkling, viz.:- Champagne; per gallon, or for six reputed quart bottles, or the reputed equivalent in bottles of a larger or smaller reputed capacity	15s. (1)
Ex 95	Acids - viz.:- Oleic	Free (3)
97	Bacteriological products, including viruses, sera, serum extracts, vaccines, antigens, and preparations containing such substances, as may be approved by the Minister	Free (3)
Ex 100	Chloroform; ethyl ether; other general or local anaesthetics, as may be approved by the Minister; creosote refined; camphor, creosol, guaiacol, iodoform, menthol, mercurochrome, naphthols, resorcin, thymol, thymol iodide, and such other substances (excluding penicillin) specially suited for use as antiseptics as the Minister may approve	20% (2)
103	Dextrine n.e.i.....	Free (3)

SCHEDULE XIII - NEW ZEALAND

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 105	Drugs and chemicals, viz.:- Acetone; amyl alcohol; butyl alcohol; bromine; calcium carbide; carbon bisulphide; carbon tetrachloride and other chlorides of carbon; chlorinated hydro-carbons n.e.i.; catechu; cochineal; formic aldehyde, and solutions thereof; fusel-oil; gall-nuts; iodine; liquorice in blocks of 7 lb. net and over, or soft liquorice extract in bulk in vessels capable of containing 7 lb. net or over; phosphorus; pyridine; quinine, and salts of quinine; saffron; strychnine, and salts of strychnine; turmeric, unground; wood-naphtha, commercial; nicotine and its salts	Free (3)
107	Drugs, chemicals, and other substances, as may be enumerated by the Minister, specially suited for use as culture media, stains for use in microscopic work, or as indicators for chemical analysis or scientific investigation	Free (3)
108	Drugs, crude, not powdered, and unsuited for use as foods, or in the manufacture thereof - viz., barks, woods, twigs, leaves, herbs, flowers (except hops), roots, corms, gums, resins, balsams, inspissated juices (including opium), seeds, fruits, fruit-rinds, pitch, cantharides, ergot	Free (3)
113	Essences, culinary or flavouring, n.e.i.....	40% (1)
115	Essential oils	Free (3)
118	Gums and resins - viz., arabic, benzoin, dammar, tragacanth and Indian gum; shellac	Free (3)
120	(1) Insulin; preparations made from animal glands or tissues as may be approved by the Minister ...	Free (3)
121	(1) Medicinal preparations (except wines) containing 50 per cent. of proof spirit or less; medicinal preparations, drugs, druggists' sundries, and apothecaries' wares, n.e.i.; also aerated-water makers', cordial-makers', and brewers' drugs, chemicals, and other sundries, n.e.i.; chemicals, and chemical preparations, n.e.i.....	40% (1)
	(2) Medicinal preparations n.e.i., packed in hermetically sealed glass vessels of a capacity not exceeding 15 cubic centimetres	20% (2)

SCHEDULE XIII - NEW ZEALAND

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 124	Oxides of antimony and of zinc	Free (3)
134	Surgeons', physicians', dentists', and opticians' appliances, instruments and materials, viz.:-	
	(1) Appliances (including splints) for wear, even if medicated, peculiarly adapted to correct a deformity of the human body, to afford support to an abnormal condition of the human body, or to reduce or alleviate such condition, or to substitute any part of such body; stump socks; crutches; ear trumpets; ear tubes, and audiphones, for the partially deaf	Free
	(2) Surgical and dental instruments, also operation chairs specially suited for dentists' use; dentists' spittoons, self-flushing types; opticians' trial cases, frames, spectacles, plain spectacle-cases, test cards and diagrams; also such other instruments and appliances peculiar to surgeons' dentists' or opticians' use as may be enumerated in any order of the Minister; medicated remedial plaster or plasters	15% (2)
	Ex (3) Surgeons', physicians', and dentists' materials, viz., antiseptic dressings, gauzes, lint, tow, poroplastic felt, adhesive plaster not including medicated remedial plaster or plasters, spongio-piline, bandages, catgut, and sterilised and other sewings, artificial teeth, tooth crowns, celluloid blanks, base plates, denture-strengtheners, guttaperoha stick, points, and pellets, amadou absorbent, porcelain powder, enamel, inlays, modelling composition, investment compound, cement and absorbent paper; also such other materials peculiar to surgeons' physicians' or dentists' use as may be enumerated in any order of the Minister	10% (2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
135	Scientific and philosophical instruments and apparatus - viz.:- assay balances; chemical balances, sensitive to 2 milligrammes or less; laboratory retorts, laboratory flasks, and other instruments, and apparatus, peculiarly suited for chemical analysis and assay work; assay furnaces; retorts, dishes, and other apparatus, of fused silica or platinum, for use in chemical manufacture, or in a laboratory; microscopes, telescopes, and magnifying-glasses; also such instruments, and apparatus, specially suited for scientific and philosophical purposes, as may be approved by the Minister	20%	(2)
136	Apparel, clothing, and hosiery, viz.:-		
	Ex (4)(a) Gloves, and mittens, other than those composed wholly or principally of leather, rubber, or asbestos	40%	
	(b) Gloves, and mittens, composed wholly or principally of leather	50%	(1)
	Ex (7) N.e.i., viz.:- Women's and girls' outer garments of woven fabrics	65%	(1)
	Hosiery, viz., socks or stockings of artificial silk or nylon	65%	(1)
143	Braids, and bindings, all kinds, n.e.i.; cords, n.e.i., of wool, cotton, silk, imitation silk, artificial silk, or of combinations of these materials with one another or with any other material	30%	(1)
146	Buttons, crochet, and similar	20%	(2)
149	Cotton, raw	Free	(3)
151	Drapery n.e.i.....	40%	(1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
152	Elastics, all kinds, including boot and brace elastics; elastic threads and cords; plain tape of cotton, linen, or jute; webbings, all kinds, including elastic webbings; dressmakers' beltings, including cotton petershams, whether plain or circular woven, or reinforced; woven looping and labels, for boots; labels, and hangers, woven, for clothing and other textile articles, including hanger material, plain or otherwise, n.e.i.; chain coat-hangers; woven bandings, bands, tapes, and similar articles (not including arm-bands and hat-bands), with printed, woven, or embroidered lettering, trade-name, or trade-mark, suited for use with boots or other apparel	10%	(2)
Ex 153	Feathers, ornamental; artificial flowers leaves or sprays	45%	(1)
159	Floor coverings, viz.:-		
	Ex (1) Carpets, floor coverings, floor-rugs, mats, and matting (excluding mats, and matting, of coir, raffia, rattan, straw, rush, reed or grass), n.e.i.....	40%	
	Mats, and matting, of coir, raffia, rattan, straw, rush, reed or grass	30%	(1)
	Ex (2) Linoleum, cork carpets, and rubber flooring, including mats (other than rubber mats), matting, and floor-rugs, of similar material	30%	(1)
160	Furs and other similar skins, and articles made therefrom, viz.:-		
	(1) Fur skins, green or sun-dried	Free	(3)
	(2) Furs, and other similar skins, dressed or prepared, but not made up in any way	15%	(1)
	(3) Furs or imitation furs wholly or partly made up into apparel, rugs, or other articles; fur trimmings and imitation fur trimmings	50%	(1)
161	Haberdashery n.e.i.....	40%	(1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
Ex 164	Hats, of sisal, straw, hemp, rush, or similar vegetable material, woven or plaited, with raw finished or bound edges but otherwise unsewn; berets	50%	(1)
165	Hat-hoods, felt, of wool or fur, or containing fur, unblocked and unsewn	Free	(3)
Ex 168	Lace, and laces, n.e.i.	35%	(1)
Ex 171	Pins n.e.i.; knitting-pins; needles, viz., - sewing, darning, and knitting; crochet hooks; hooks and eyes for apparel	Free	(3)
Ex 174	Sewing cottons, silks, threads, and twists (excluding linen threads, and twists); crewel, flourishing, embroidery, darning, knitting, and crochet threads, of silk, artificial silk, imitation silk, or cotton, or mixtures of the same, plain or fancy; gold and silver embroidery threads	7½%	(2)
180	Ex (1) Textile piece-goods, woven, of pure silk, whether plain, hemmed, whipped, or similarly worked	15%	(2)
	Textile piece-goods, woven, of raffia fibre, whether plain, hemmed, whipped, or similarly worked	10%	(2)
	Textile piece-goods, namely, moquettes composed wholly of cotton, whether plain, hemmed, whipped, or similarly worked	12½%	
182	Textile piece-goods - viz., dress nets, curtain nets, embroidery nets, and similar nets, lace curtain material, and veilings, all kinds; also fabrics of a like kind as may be determined by the Minister	35%	(1)
183	Textile piece-goods, including textiles of wool, or containing wool, viz.:-		
	(1) Moquette and tapestry, of wool, or containing wool	35%	(1)
	(2) N.e.i.	40%	(1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 191	Yarn - viz., coir	Free (3)
193	Yarns n.e.i., viz.:-	
	(1) Sisal and raffia	10%
	(2) Other	40% (1)
194	Belts, and belting, n.e.i., for driving machinery; conveyor belts, and belting, of rubber, textile, fibre, or combinations of these materials; cordage or rope on declaration that it will be used only for driving machinery	20%
195	Boots, shoes, shoettes, sandals, clogs, pattens, slippers, and goloshes - namely, children's 0 to 9 inclusive	20% (2)
196	(2) Slippers n.e.i.....	50% (1)
	(3) Boots, shoes, clogs, pattens, shoettes, sandals, and other footwear, n.e.i.....Per pair or	6s. (1) 50% whichever rate returns the higher duty.
200	Leather, viz.:-	
	(1) Bookbinders' leather of qualities approved by the Minister and under conditions prescribed by him	Free (3)
	(2) Chamois leather	30% (1)
	(3) Goat-skins, and kid-skins, however dressed; persians; reptile skins, dressed or undressed	Free (3)
	(6) (b) Patent leathers	Free (3)
	(9) Parchment or vellum made from skins	10% (2)
203	Leather manufactures n.e.i.....	40%

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
214	Chinaware, earthenware, and porcelainware, viz.,- breakfast, dinner, and tea sets; cups, saucers, plates, dishes, and such similar articles suited for table use as may be approved by the Minister..	40%	(2)
215	Chinaware, earthenware, porcelainware, and stoneware, n.e.i.....	45%	(1)
Ex 219	Glass, sheet, common window or plate (excluding safety glass), whether polished, coloured, bent or otherwise, cut to any size or shape, n.e.i.....	10%	
220	Glass, plate or sheet, in sizes not exceeding 20 superficial feet, only on declaration that it will be used in the manufacture of bevelled or silvered glass	Free	
222	Glass, bevelled, silvered, or with rounded or polished edges; mirrors, and looking-glasses, framed or unframed	35%	
225	Glassware n.e.i.; globes, and chimneys, for lamps, n.e.i.; lamps, lanterns, and lampwick, n.e.i.....	30%	(1)
Ex 226	Lamps, miners' safety, and glasses therefor	Free	(3)
229	Stone, viz.:- (1) Marble, in the rough, or rough-sawn, not dressed or polished	Free	(3)
233	Artists' materials - viz., academy boards, canvas in the piece or on stretchers, oiled paper and drawing-paper in blocks, colours, palettes, and palette-knives	15%	
237	Clocks, time-registers, and time-detectors	40%	(1)
239	Fancy goods, and toys; sporting, gaming, and athletic requisites, n.e.i., including billiard requisites n.e.i.; fishing-tackle n.e.i., including artificial flies and other baited hooks; walking-sticks; combs, hair and toilet	45%	(1)
240	Films for cinematographs and similar instruments ...	Free	
242	Jewellery; plate, gold or silver; platedware	50%	(1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
244	Magic lanterns, cinematographs, and similar instruments, including accessories peculiar thereto n.e.i.	45%	(1)
246	Mouldings in the piece, and panels, suited for use in picture-frames or furniture-making, in building construction, or for similar purposes ..	40%	(1)
247	Musical instruments, and parts, viz.:-		
	(4) Pianos, player pianos, organs n.e.i., harmoniums, and similar instruments	20%	(2)
	(5) Musical instruments n.e.i.	20%	(2)
	(7) Strings of metal wire, catgut, or similar material, specially suited for musical instruments	Free	(3)
248	Ex (1) Phonographs, gramophones, graphophones, and similar instruments, including accessories peculiar thereto, n.e.i., but excluding cabinets and parts of cabinets	40%	(1)
254	Photographic cameras	40%	(1)
255	Photographic goods n.e.i.	40%	(1)
258	Sensitized surfaces, and albumenized paper, plain, not being postcards or other stationery	20%	
261	Tobacco pipes, pouches, and cases, cigar and cigarette holders and cases	35%	(1)
262	Toilet preparations, and perfumery, n.e.i., including perfumed oil	50%	(1)
271	Celluloid, and similar materials, plain, in sheets or rolls, unprinted, n.e.i.	Free	(3)
Ex 279	Stencilling and similar inks	40%	(1)
289	Monotype-paper, in rolls, suitable for use with monotype machine	10%	(2)
290	Paperhangings	20%	(2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
295	Printing-paper and writing-paper, in rolls not less than 10 inches wide, wholly or partly carbon-coated on one side, on declaration that it will be used only in the manufacture of counter-check books	Free (3)
Ex 295	Paper, unprinted - viz.:- True vegetable parchment..	Free
296	Paper (other than wrapping paper) waxed, unprinted; also such paper printed and then waxed	.....
	Note. The products provided for under Tariff Item 296 shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 15 per centum ad valorem.	
297	Paper, celluloid, or similar materials, and wrappers made from such materials, printed, lithographed, or ruled, n.e.i.....	50% (1)
300	Paper, viz.:-	
	(2) N.e.i., including tin-foil paper, and gummed paper n.e.i., -	
	(a) In sheets of size less than 20 inches by 15 inches or the equivalent	35% (1)
	(b) In sheets of size not less than 20 inches by 15 inches or the equivalent	10%
	(c) In rolls less than 10 inches wide except such rolls specially suited for industrial or similar purposes in such widths not exceeding 2 inches as the Minister may determine	35% (1)
	(d) In rolls n.e.i.....	.....
	Note. The products provided for under Tariff Item 300(2)(d) shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 10 per centum ad valorem.	

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 301	Printed books papers music or advertising-matter, n.e.i. (excluding paper transfers)	Free
321	Firearms and fittings therefor, viz.:-	
	(1) Rifles, .22 calibre; rifles, .303 calibre (including service fittings therefor); rifles, n.e.i., of such calibres as may be authorized by the Minister of Defence (including service fittings therefor)	20%
	(2) Sights for military rifles, of such patterns as may be approved by the Minister; cleaning rods specially suited for use with rifles of .22 calibre, or with rifles of such calibres as may be authorized by the Minister of Defence	20% (2)
	(3) Firearms n.e.i.	40%
322	Cartridges, cartridge cases, and materials for the manufacture thereof, viz.:-	
	(1) Cartridges -	
	(a) Shot, 10 to 24 bore .....Per 100 or	5s. 50% whichever rate returns the higher duty.
	(b) Shot, n.e.i.	50%
	(c) Ball, .22 calibre	25%
	(d) N.e.i.	45%
326	Fishhooks, unmounted and without attachments	17½% (2)
Ex 332	Adding and computing machines and instruments; accounting and book-keeping machines; combined adding and typing machines; but excluding ribbons for the foregoing machines	Free (3)
Ex 332	Cash registering machines (excluding recording paper and ribbons); typewriters (including covers but excluding ribbons); duplicating machines and apparatus, n.e.i.; addressing machines	20% (2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
333	Agricultural implements and machinery, viz.:-	
	Ex (2) N.e.i., viz., reapers, binders, harvesters, and mowers	Free (3)
335	Engines, viz.:-	
	(1) Specially suited for use on cycles	30% (1)
	(2) Specially suited for use on motor-vehicles	.....
	Note. The products provided for under Tariff Item 335(2) shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 35 per centum ad valorem.	
	(3) Specially suited for use on tractors or traction engines, on declaration that they will be used only on such tractors or traction engines	10% (2)
338	Machinery or appliances, electrical, viz.:-	
	Ex (1)(a) Machinery or appliances n.e.i. peculiar to the generation of electricity, to the transformation of pressures of electric currents, or to the conversion of one type of electric current to another (excluding transformers for wireless receiving sets, also one phase and three phase transformers up to and including 500 K.V.A. operating at pressures not exceeding 15,000 volts); electric motors (excluding electric motors up to and including 25 B.H.P.); slide rails for electric generators or electric motors	20%
	(3) Carbons or electrodes for arc lamps, for electric furnaces, or for electric welding	20%
	Ex (4) Electric appliances n.e.i. peculiar to electro-plating, electro-chemistry, electro-metallurgy, surgery	15%
	Ex (4) Electrical vacuum tubes not suitable for purposes of illumination	20%

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
338	Machinery or appliances, electrical - continued.		
	(5) Electric locomotives; trolly-poles or collectors for electric tram-cars or electric locomotives; frogs, crossings, and line-ears, for overhead conductors for electric railways or tramways; rail bonds with terminals attached	20%	
	(6) Metal poles or towers, specially suited for use in electrical transmission-lines ..	20%	
	Ex (7) Mica	10%	
	(8) Sparking-plugs for oil engines	20%	
	Ex(10) (b) N.e.i., viz.:- Brass bases for electric-lamp bulbs; razors, electric	40%	
Ex 340	Electric lamps n.e.i., not being peculiar to surgical use (excluding table-lamps, reading-lamps, bedside-lamps, of stand or clamp type)	25%	(1)
342	Measuring, counting, testing, indicating, and recording machines, instruments, and appliances, n.e.i.; drawing instruments; compasses, not being watch-chain pendants	20%	(2)
Ex 343	Machinery and engines on declaration that they will be used only for mining (including quarrying) purposes, viz., air compressors (not including the motive power for driving the same), fuel economizers, capstan engines, winding engines (including drums therefor), pumps	15%	(2)
344	Power driven spray pumps including outfits therefor, as may be approved by the Minister, specially suited for agricultural uses	Free	(3)
Ex 348	Traction engines and tractors	10%	

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
351	Machinery, machines, machine tools, and appliances, viz.:-	
	(1) Anvils, forges, and hearths, viz.:- blacksmiths', and similar	20%
	(2) Blacksmiths', braziers', assay, and treadlepower bellows	20%
	(3) Boring and well-drilling machinery; rock drills, and diamond drills; coal cutters..	15%
	Ex (4) Blowers, and fans, viz.:- exhaust, blast, and ventilating	20%
	(5) Card clothing suitable for use in woollen mills and paper mills	15%
	(6) Grinding machines, emery, and similar; emery and similar wheels	20%
	(8) Sewing machines	Free (3)
	(9) Knitting and kilting machines	20%
	Ex(10) Peculiar to metal-working, or wood-working, viz.:-	
	(a) As may be approved by the Minister ...	20%
	Note. The Minister may refuse to approve the entry of any article under this item if he is satisfied that the same could have been made economically in New Zealand.	
	Note. The above-mentioned rate applies only to such machinery, machines, machine tools, and appliances, as are for the time being approved for entry under Tariff Item 351 Ex (10)(a).	
	Ex(10) Peculiar to stone-working, or glass-working	20%
	(13) Printing machines	15%

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
352	Machinery, machines, machine tools, engines, and appliances, as may be approved by the Minister, peculiar to use in manufacturing, industrial and similar processes, viz.:-	
	(a) Bakers', confectioners', bootmaking, brick and tilemaking, flour and grainmilling, gasmaking, refrigerating, stonecrushing, woollen-mill and hosiery-mill; also insulators and water turbines	15%
	(b) Other	20%
	Note. The Minister may refuse to approve the entry of any article under this item if he is satisfied that the same could have been made economically in New Zealand.	
	Note. The above-mentioned rates apply only to such machinery, machines, machine tools, engines, and appliances, as are for the time being approved for entry under Tariff Item 352.	
353	Machinery, machines, engines, and other appliances, n.e.i., viz:-	
	Ex (6) (b) Refrigerating units having a heat removing capacity of less than 6,000 B.T.U. per hour for use in domestic type cabinets of capacities not exceeding 25 cubic feet, but not including such units when imported in or with cabinets.	20% (1)
	Note. Refrigerating units as described above, provided for under Tariff Item 353 Ex (6)(b) shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff.	
Ex 354	Artificers' tools, n.e.i. (not including brushes or brushware, vices, and joiners' clamps); and the following tools - viz., axes, hatchets, forks, picks, mattocks, hammers, scythes, sheep-shears, reaping-hooks, scissors (not less than 10 inches in length), butchers' and other cleavers and choppers, hand-saws, saw-blades machine or hand, bill-hooks, bush-hooks, and hedge-knives	17½% (2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
356	(1) (b) Hardware, hollowware, and ironmongery, n.e.i.; manufactured or partly manufactured articles of metal, and manufactured or partly manufactured articles of metal in combination with any other material, n.e.i.	50% (1)
357	Metal, viz.:-	
	(1) Copper, iron, lead, tin, and other metal, in billets, blooms, ingots, or pigs	Free
	(2) Aluminium, brass, copper, lead, tin, and other metal, n.e.i., in bars or rods (except cast bars or rods of copper alloy)	10%
	(4) Iron, galvanized or plain black, viz., angle, tee, bar, bolt, channel, rod, and rolled girders; iron girders expanded, but otherwise unworked	20%
	(5) Iron, viz.:-	
	(a) Sheet, plate (including rolled chequered plates), or hoop (except hoop 6 inches in width or over), plain, whether black, polished, galvanized, plated, tinned, or otherwise coated with metal, n.e.i.	20%
	(b) Corrugated sheet iron	20%
	(6) Metal n.e.i., viz.:- foil, leaf; hoop, plate or sheet, plain, whether in the rough, polished, enamelled, galvanized, plated, tinned, or otherwise coated with metal	10%
	(7) Shafting, plain rolled, or plain turned, but otherwise unwrought	15%
	(8) Sheet, perforated or cellular	15%
	Ex(10) Wire, metal, plain, n.e.i.; wire cut to lengths, looped, twisted, or plain, suited for baling and similar purposes	10%
	(11) Metal cordage, not being gold or silver ..	20%

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
360	Nails or tacks, exceeding 1 inch in length, made from iron wire, whether plain, galvanized, or cement-coated, n.e.i.....Per ton	£4	
361	Nails, lead-headed, and galvanized cup-headed roofing nails	40%	(1)
362	Pipes, piping, tubes, and tubing (except coil pipes), viz.:-		
	(1) Wrought iron, steel, or wood, n.e.i., (including such pipes or tubes when protected with a cement or similar coating), not less than 4 inches but less than 9 inches in internal diameter	35%	(1)
	(2) (a) Cast iron n.e.i., including rain-water, soil, and similar pipes	20%	
	(b) (i) Centrifugally-cast iron pipes piping tubes and tubing, exceeding 6 inches but not exceeding 12 inches in nominal internal diameter	20%	
	(ii) Centrifugally-cast iron pipes piping tubes and tubing, not less than 4 inches but not exceeding 6 inches in nominal internal diameter	35%	(1)
	(4) Lead or composition .....Per cwt.	7s.	
	(5) Knees, bends, elbows, junction or inspection boxes including covers therefor, and other fittings, n.e.i., for pipes, piping, tubes or tubing, viz.:- (b) Of cast iron for rain-water, soil, and similar pipes	35%	(1)
365	Rails for railways or tramways, including lay-outs, points, and crossings, for the same; rail-fastenings - viz., fish-plates, creep-clips, tie-irons, bearing-brackets, bed-plates, cast-iron chooks, and bored iron bars	20%	(2)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
376	(1) Wire netting, metal wove wire (not including wove wire for mattresses), metal gauze; expanded metal lathing and fencing	10% (2)
378	Bicycles, tricycles, and motor-cycles, fittings for - viz., spokes, in the rough or finished; and the following articles when not plated, japanned, enamelled, or varnished - viz., drop forgings, stampings, wood or metal rims (not bored), forks, stays, handle-bars, and seat-pillars, unbuilt, bracket shells, fork- and stay-ends, fork-tips, bridges, crowns, and lugs	15% (2)
379	Bicycles, tricycles, and the like vehicles, including motor-cycles, also hubs, spindles, and other finished, partly finished, or machined parts of the same, n.e.i.; side-cars for motor-cycles ..	.....
	Note. The products provided for under Tariff Item 379 shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 20 per centum ad valorem.	
389	Motor-vehicles n.e.i., viz.:-	
	(a) Motor-vehicles unassembled or completely knocked down (c.k.d.)	40%
	(c) Other kinds	50%
	Note. Where the Minister is of opinion that any duty is being or is likely to be evaded or avoided by the importation of any motor-vehicles without engines, electric generators, electric motors, tires or other component parts, which, in the ordinary course of business, are usually imported therewith, the Minister may, at his discretion, require that duty shall be paid as if such engines, electric generators, electric motors, tires or other component parts had been imported with such vehicles.	
	Note. The New Zealand Government shall have the right to require that pneumatic rubber tires and inner tubes of rubber therefor, imported with and forming part of any motor vehicle entered under Tariff Item 389(a) or (c), shall be liable for duty at the rates for the time being applicable to similar tires and tubes under Tariff Item 205(6) if imported not forming part of motor vehicles.	

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
391	Graphite, and plumbago, in powder, or flake form ...	Free	(3)
Ex 393	Boot-polishes	40%	(1)
394	Oils in vessels capable of containing 1 gallon or more, viz.:-		
	(3) Vegetable oils n.e.i.....	Free	(3)
	(5) Turpentine; turpentine substitutes composed of volatile mineral oils, or of volatile mineral oils in combination with turpentine or other volatile vegetable oils	Free	(3)
395	Oils in vessels having a capacity of less than 1 gallon, viz.:-		
	Ex (3) Vegetable oils n.e.i., viz., olive, palm, peanut	20%	(1)
396	(1) Cod-liver oil.....	Free	(3)
397	Paints, colours, varnishes, and similar materials, viz.:-		
	Ex (2) Paints mixed ready for use	.....	
	Note. The products provided for under Tariff Item 397 Ex (2) shall be exempt from most-favoured-nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 20 per centum ad valorem.		
	Ex (3) Collodion-base varnish for correcting stencils	40%	(1)
	Ex (7) Paints and colours, dry, n.e.i., viz.:- Zinc white, red lead	Free	(3)
398	Waxes, viz.:-		
	Ex (1) Carnauba, ouricury or licury, and beeswax..	Free	(3)
399	Timber, viz.:-		
	Logs, round, unworked, viz.:-		
	(c) N.e.i..... Per 100 cubic feet	25s.	(1)

SCHEDULE XIII - NEW ZEALAND.

PART I (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
404	Timber rough sawn or rough hewn - viz.:-	
	Ex (2) Other kinds, in pieces having a length of not less than 25 feet, and having a minimum cross sectional area of not less than 150 square inches, viz.:- Redwood; Douglas fir	.....
	Ex (3) N.e.i., viz.:- Douglas fir	.....
Ex 405	Timber sawn dressed, viz.:- Douglas fir; hemlock	.....
	Note. Preference on the above-mentioned classes of timber under Tariff Items 404 and 405 to be reduced proportionately to any reduction in the import excise tax payable on Canadian timber imported into the United States of America and to be eliminated when, and for as long as, such import excise tax ceases to apply to timber imported into the United States of America from Canada.	
409	Handles, wooden, for tools, n.e.i.....	Free (3)
414	Ex (1) Veneers	35% (1)
	(2) Woodenware, and turnery, n.e.i.; saddle-trees; wooden tackle-blocks	50% (1)
425	Cordage, rope, and twine, n.e.i.....	40% (1)
431	Gelatine, glue, isinglass, and size.....Per lb. or	4d. (1) 40% whichever rate returns the higher duty.
434	Manures, when crude and in bulk	Free
445	Sausage skins and casings, viz.:- (1) Of animal origin, including brine or salt .....Per lb.	3d. (1)
447	Tanning-materials, crude	Free (3)

SCHEDULE XIII - NEW ZEALAND.

PART I (concluded)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
449	Ex (2) Articles n.e.i., viz.:- Agricultural seeds (other than grain and pulse) for agricultural seed purposes	Free
	Bauxite Black diamonds, or borts, for diamond drills Brake or transmission linings, in the piece, consisting of woven or pressed asbestos with or without metal wire incorporated therein Bristles, natural, for use in the manufacture of brushes Cattle hides, raw Copra Corundum Cotton seed Feathers, undressed Fibres, natural, vegetable, viz.:- Coir Jute Kapok Manila hemp Raffia Ramie Rosella Sisal Gum copal Ivory Manioc, dry Nickel in matte form Rattans Raw rubber in sheets Rosin Sesame seed Shells Synthetic resins Tallow, unrefined Tin ore Yerba de Mate.....	Free (3)

GENERAL NOTE.

The symbol % where shown in the "Rate of Duty" column indicates a rate of duty per centum ad valorem.

NOTES TO SPECIFIC ITEMS

(1) Surtax, where payable on these goods the produce of certain countries forming part of the British Commonwealth, to be removed.

(2) Primage, where payable on these goods the produce of countries forming part of the British Commonwealth, to be removed.

(3) Subject to primage duty of 3 per centum ad valorem.

SCHEDULE XIII - NEW ZEALAND

PART II.

Preferential Tariff

New Zealand Tariff Item Number	Description of Products	Rate of Duty
5	Grain and pulse, ground or manufactured, viz.:-	
	(1) Barley flour, prepared.....Per cental	2s.6d.
	(6) Oats, or oats in admixture with other grain.....Per lb.	½d.
	Note. Oatmeal and rolled oats, the produce of Australia, shall be exempt from customs duty in excess of 2s.6d. per cental.	
	(10) N.e.i..... Per cental	2s.6d.
12	Aerated waters, and beverages, n.e.i.....	15%
15	Cocoa-beans, raw	Free
16	Cocoa and chocolate, viz.:-	
	(1) Cocoa; also cocoa-beans roasted or crushed .....Per lb.	3d. (1)
22	Citrus-fruit pulps (including fruit-juices containing such percentage of citrus-fruit pulp as may be determined by the Minister) sweetened or unsweetened, in bulk or otherwise	10% (1)(4)
35	Fish, viz.:-	
	(3) Fish, potted, and preserved, n.e.i., including any liquor, oil, or sauce..Per lb.	1½d. (1)
	Note. The products provided for under Tariff Item 35(3), the produce of Australia, shall be exempt from duty.	
36	Fruits, dried - viz.:-	
	(2) Raisins	.....
	Note. Raisins, dried, the produce of the Union of South Africa, shall be exempt from duty.	
	(4) N.e.i.....	.....
	Note. Fruits, dried, n.e.i., the produce of the Union of South Africa, shall be exempt from duty.	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
37	Fruits, fresh - viz.:-	
	Ex (2) Apricots, nectarines	.....
	Ex (2) Grapes	
	July 1 to November 30 inclusive...Per lb.	1d. (1)
	December 1 to June 30 inclusive...Per lb.	2d. (1)
	Note. Fresh apricots, grapes and nectarines, the produce of the Union of South Africa, shall be exempt from duty.	
	Ex (5) Oranges	.....
	Note. Fresh oranges, the produce of the Union of South Africa, shall be exempt from duty.	
Ex 39	Fruits preserved in juice or syrup, viz.:-	
	Pineapples	15% (1)(4)
48	Malt-extract, malt-extract with cod-liver oil, and similar preparations containing malt-extract.....Per lb.	2d.
	or	20% whichever rate returns the higher duty.
68	Starch n.e.i.....Per lb.	1d.
90	Wine containing not more than 40 per cent. of proof spirit, viz.:-	
	(1) Sparkling, all kinds; per gallon, or for six reputed quart bottles, or the reputed equivalent in bottles of a larger or smaller reputed capacity.....	.....
	Note. The products provided for under Tariff Item 90(1), the produce of the Union of South Africa, shall be exempt from customs duty in excess of 14s.3d. per gallon.	
	(2) Other kinds; per gallon, or for six reputed quart bottles, or the reputed equivalent in bottles of a larger or smaller reputed capacity	.....
	Note. The products provided for under Tariff Item 90(2), the produce of the Union of South Africa, shall be exempt from customs duty in excess of 8s.3d. per gallon.	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
Ex 105	Drugs and chemicals, viz.:- Strychnine, and salts of strychnine	Free	(3)
113	Essences, culinary or flavouring, n.e.i.....	20%	(1)
115	Essential oils	Free	(3)
134	Surgeons', physicians', dentists', and opticians' appliances, instruments and materials, viz.:- (1) Appliances (including splints) for wear, even if medicated, peculiarly adapted to correct a deformity of the human body, to afford support to an abnormal condition of the human body, or to reduce or alleviate such condition, or to substitute any part of such body; stump socks; crutches; ear trumpets; ear tubes, and audiphones, for the partially deaf	Free	
136	Apparel, clothing, and hosiery, viz.:- (3) Braces, suspenders, garters, belts, and similar articles.....	20%	
	(5) Neckties	20%	
	(6) Men's and boys' overcoats n.e.i., suits, coats, trousers, waistcoats, and similar articles	25%	
	Ex (7) N.e.i., viz.:- Women's and girls' outer garments of woven fabrics	25%	(1)
	Note. The products provided for under Tariff Item 136 (3),(5),(6) and Ex (7), the produce of Australia, shall be exempt from customs duty in excess of 40 per centum ad valorem. The products provided for under Tariff Item 136 (3) and (5), the produce of Canada, shall be exempt from customs duty in excess of 40 per centum ad valorem. The products provided for under Tariff Item 136 (6) and Ex (7), the produce of Canada, shall be exempt from customs duty in excess of 45 per centum ad valorem.		

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 140	Corn-sacks; bags or sacks of jute hemp or hessian; bags or sacks of New Zealand tow or flax	Free (3)
Ex 140	Wool-packs, and wool-pockets	Free
142	Boot and similar laces, of any material other than leather	15%
143	Braids, and bindings, all kinds, n.e.i.; cords, n.e.i., of wool, cotton, silk, imitation silk, artificial silk, or of combinations of these materials with one another or with any other material	15% (1)
144	Brattice-cloth of jute or hessian.....	Free (3)
151	Drapery n.e.i.....	20% (1)
152	Elastics, all kinds, including boot and brace elastics; elastic threads and cords; plain tape of cotton, linen, or jute; webbings, all kinds, including elastic webbings; dressmakers' beltings, including cotton petershams, whether plain or circular woven, or reinforced; woven looping and labels, for boots; labels, and hangers, woven, for clothing and other textile articles, including hanger material, plain or otherwise, n.e.i.; chain coat-hangers; woven bandings, bands, tapes, and similar articles (not including armbands and hat-bands), with printed, woven, or embroidered lettering, trade-name, or trade-mark, suited for use with boots or other apparel	Free
Ex 153	Feathers, ornamental, viz.:- Ostrich ..... Note. Ostrich feathers, ornamental, the produce of the Union of South Africa, shall be exempt from customs duty in excess of 15 per centum ad valorem.	.....
159	Floor coverings, viz.:- Ex (1) Carpets, floor coverings, floor-rugs, mats, and matting (excluding mats, and matting of coir, raffia, ratton, straw, rush, reed or grass), n.e.i.....	20%
	Ex (2) Linoleum, cork carpets, and rubber flooring, including mats (other than rubber mats), matting, and floor-rugs, of similar material	15% (1)

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
161	Haberdashery n.e.i.	20% (1)
165	Hairpins, hatpins, safety pins, and toilet pins	15%
Ex 168	Lace, and laces, n.e.i.	15% (1)
180	Ex (1) Textile piece-goods, woven, of jute, whether plain, hemmed, whipped, or similarly worked	Free (3)
182	Textile piece-goods - viz., dress nets, curtain nets, embroidery nets, and similar nets, lace curtain material, and veilings, all kinds; also fabrics of a like kind as may be determined by the Minister	15% (1)
187	Union textiles n.e.i., in the piece, the current domestic value of which does not exceed that specified by the Minister, when cut up and made into shirts, pyjamas, or underclothing, under such conditions and regulations as the Minister may prescribe	Free (3)
Ex 191	Yarn - viz., jute	Free (3)
Ex 193	Yarns n.e.i., viz.:- Sisal and raffia	Free (4)
196	(2) Slippers n.e.i.	25% (1)
	Note. Slippers n.e.i., the produce of Australia, shall be exempt from customs duty in excess of 35 per centum ad valorem.	
	Note. Slippers n.e.i., the produce of Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
	(3) Boots, shoes, clogs, pattens, shoettes, sandals, and other footwear, n.e.i. Per pair	5s. or 25% whichever rate returns the higher duty (1)
	Note. The products provided for under Tariff Item 196(3), the produce of Australia, shall be exempt from customs duty in excess of 35 per centum ad valorem or 4s. per pair, whichever rate returns the higher duty.	
	Note. The products provided for under Tariff Item 196(3), the produce of Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem or 3s.8d. per pair, whichever rate returns the higher duty.	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty	
225	Glassware n.e.i.; globes, and chimneys, for lamps, n.e.i.; lamps, lanterns, and lampwick, n.e.i.....	12½%	(1)
Ex 239	Sporting, gaming, and athletic requisites, n.e.i., including billiard requisites n.e.i..... Note. The products provided for under Tariff Item Ex 239, the produce of Australia, shall be exempt from customs duty in excess of 25 per centum ad valorem.	20%	(1)
247	Musical instruments, and parts, viz.:- (5) Musical instruments n.e.i.....	Free	
262	Toilet preparations, and perfumery, n.e.i., including perfumed oil ..... Note. The products provided for under Tariff Item 262, the produce of Australia, shall be exempt from customs duty in excess of 35 per centum ad valorem.	25%	(1)
268	Cardboard boxes, and paper boxes, complete; paper, and cardboard, cut or shaped for wrappers boxes or other receptacles ..... Note. The products provided for under Tariff Item 268, the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	20%	
271	Celluloid, and similar materials, plain , in sheets or rolls, unprinted, n.e.i.....	Free	(3)
274	Envelopes and bags, paper, n.e.i..... Note. The products provided for under Tariff Item 274, the produce of Australia, shall be exempt from customs duty in excess of 30 per centum ad valorem.	25%	
304	Stationery, and paper, manufactured - viz., account-books, scribbling-books, letter-books, copying letter-books, counter books, guard books, copy-books with headlines on each page, drawing-books, sketch-books, diaries, birthday-books, scribbling, and letter blocks; book-covers; book-markers; billhead, invoice, and statement forms; cheque, and draft forms; tags; labels, all kinds; printed window-tickets; blotting-pads; Christmas, New Year, birthday, Easter, and other booklets and cards, n.e.i.; printed, lithographed, ruled, or embossed stationery, n.e.i.; albums all kinds ... Note. The products provided for under Tariff Item 304, the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	20%	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
305	Stationery n.e.i.; cards, printers' menu, programme, calendar, Christmas, and similar, of cardboard, celluloid, or similar material, edged, or having embossed or printed thereon such words as "Menu," "Calendar," "Christmas Greetings," but otherwise unprinted, and suited to be completed in New Zealand	20%
	Note. The products provided for under Tariff Item 305, the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
327	Galvanized-iron manufactures, n.e.i., made up from galvanized iron, or from plain sheet iron and then galvanized; japanned or lacquered metalware; furniture, cabinetware, and shelving, specially suited for office shop or warehouse use, made up from sheet metal not exceeding 0.080 inch in thickness	20%
	Note. Galvanized-iron manufactures, n.e.i., made up from galvanized iron, or from plain sheet iron, and then galvanized, and japanned or lacquered metalware, the produce of Australia, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
331	Ex (1) Lawn-mowers, other than hand roller type, having cutting-blades exceeding 18 inches in length	15%
	(2) Lawn-mowers, of the hand roller type	20%
	Note. The products provided for under Tariff Item 331(2), the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
333	Agricultural implements and machinery, viz.:- (1) Cultivators; harrows; ploughs; drills; seed and fertiliser sowers or distributors combined or separate; lime sowers; seed or grain cleaners, and cellular seed or grain separators	10%
	Note. The products provided for under Tariff Item 333(1), the produce of Canada, shall be exempt from customs duty in excess of 35 per centum ad valorem plus surtax of 1/20th of the duty.	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
338	Machinery or appliances, electrical, viz.:-	
	Ex (4) Electric appliances n.e.i. peculiar to electro-plating, electro-chemistry, electro-metallurgy, surgery	Free
	(10)(a) Electric irons	20%
	Note. The products provided for under Tariff Item 338(10)(a), the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
351	Machinery, machines, machine tools, and appliances, viz.:-	
	(3) Boring and well-drilling machinery; rock drills, and diamond drills; coal cutters ..	Free
353	Machinery, machines, engines, and other appliances, n.e.i., viz.:-	
	(1) Gas heating and gas cooking appliances; valves, cocks, and similar articles, of brass or other copper-alloy	25%
	Note. Gas heating and gas cooking appliances provided for under Tariff Item 353(1), the produce of Australia, shall be exempt from customs duty in excess of 35 per centum ad valorem. Valves, taps, tobies, hydrants, and similar articles, of brass or other copper alloy provided for under Tariff Item 353(1), the produce of Australia, shall be exempt from customs duty in excess of 40 per centum ad valorem.	
	(3) Electric cooking and electric heating appliances	20%
	Note. The products provided for under Tariff Item 353(3), the produce of Australia, shall be exempt from customs duty in excess of 30 per centum ad valorem. The products provided for under Tariff Item 353(3), the produce of Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem plus surtax of 9/40ths of the duty.	

SCHEDULE XIII - NEW ZEALAND.

PART II (continued)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
353	Machinery, machines, engines, and other appliances, n.e.i. - continued.	
	Ex (6) (b) Other kinds, viz.:-	
	Winches, cranes, capstans, windlasses, and hoists	20%
	Note. Winches, cranes, capstans, windlasses, and hoists provided for under Tariff Item 353 Ex (6)(b), the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	
	Ex (6) (b) Refrigerating units having a heat removing capacity of less than 6,000 B.T.U. per hour for use in domestic type cabinets of capacities not exceeding 25 cubic feet, but not including such units when imported in or with cabinets	20% (1)
356	(2) Porcelain enamelled cast iron baths	25%
	Note. The products provided for under Tariff Item 356(2), the produce of Australia, shall be exempt from duty in excess of 45 per centum ad valorem.	
357	Metal, viz.:-	
	(4) Iron, galvanized or plain black, viz., angle, tee, bar, bolt, channel, rod, and rolled girders; iron girders expanded, but otherwise unworked	Free
	(5) Iron, viz.:-	
	(a) Sheet, plate (including rolled chequered plates), or hoop, plain, whether black, polished, galvanized, plated, tinned, or otherwise coated with metal, n.e.i.....	Free
	(b) Corrugated sheet iron	Free
373	Tinware, and tin manufactures, n.e.i.....	20%
	Note. The products provided for under Tariff Item 373, the produce of Australia, shall be exempt from customs duty in excess of 35 per centum ad valorem.	

SCHEDULE XIII - NEW ZEALAND.

PART II (concluded)

New Zealand Tariff Item Number	Description of Products	Rate of Duty
414	(2) Woodenware, and turnery, n.e.i.; saddle-trees; wooden tackle-blocks ..... Note. The products provided for under Tariff Item 414 (2), the produce of Australia or Canada, shall be exempt from customs duty in excess of 30 per centum ad valorem.	20% (1)
416	Apparatus, appliances, articles, and materials, for educational purposes, as may be approved by the Minister, and under conditions prescribed by him	Free
419	Brushes, brushware, and brooms, viz.:- (2) N.e.i., including knots or tufts for brushmaking ..... Note. The products provided for under Tariff Item 419(2), the produce of Australia, shall be exempt from customs duty in excess of 30 per centum ad valorem.	25%
431	Gelatine, glue, isinglass, and size .....Per lb. or	2d. (1) 20% whichever rate returns the higher duty.
447	Tanning-materials, crude	Free (3)
Ex 448	Articles and materials, specified by the Minister, and on such conditions as he may prescribe, suited for, and to be used solely in, the fabrication or repair of goods within New Zealand, viz.:- Mimosa extract or wattle extract	Free (3)
449	Ex (2) Articles n.e.i., viz.:- Bristles, natural, for use in the manufacture of brushes	Free (3)
	Raw rubber in sheets	Free (3)

GENERAL NOTE.

The symbol % where shown in the "Rate of Duty" column indicates a rate of duty per centum ad valorem.

NOTES TO SPECIFIC ITEMS.

(1) Surtax, where payable on these goods the produce of certain countries forming part of the British Commonwealth, to be removed.

(3) Subject to primage duty of 3 per centum ad valorem.

(4) The preferential rate on these goods is not bound but is shown only for the purpose of establishing the margin of preference.

SCHEDULE XIV - NORWAY

This Schedule is authentic only in the English language.

PART I

Most Favoured Nation Tariff

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
Preliminary provisions, § 6	Complete electric refrigerating cabinets for household use, having a storing capacity not exceeding 10 cubic feet	10% ad val.
Preliminary provisions, § 6	Golf clubs of wood, also in connection with other materials	Kr. 2.00 per kg.
Div	Tapestry from Beauvais, Aubusson-Felletin and Gobelins, numbered originals carrying the signature of the artist.	A note to be inserted in the tariff permitting free entry of original tapestry of the kind mentioned, on the condition that their character as a work of art has been duly proved.
15	Apothecary wares, i.e. goods intended for retail sale solely by apothecaries, n.e.p.f. c. Other	Free
Ex 19	Tanning extract derived from eucalyptus wood	Free
Ex 21	Coir fibre	Free
Ex 22	Coir yarn	Free
36	Flower bulbs, not classified under item 901, i.p.	Kr. 0.16 per.kg.
42	Cotton	Free
65	Bookbinders cloth	Free
	Spirits of all kinds etc.:	
71	1. in bottles or jars, and other receptacles of less than 50 litres, of whatever strength	Kr.4.77 per litre
72	2. In large receptacles (duty calculated per litre at a strength of 100%)	Kr.5.04 per litre

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
Ex 75) Ex 78)	Varnishes and polishes containing spirit or ether, whether modified or not with synthetic resin (including cellulose lacquer), when unfit for use as beverages	Kr. 0.30 per kg.
The note 2,a after item 78	Spirits and isopropyl alcohol (The note reads as following: "Note 2. -When, by an admixture of certain substances, spirits and isopropyl alcohol are rendered unfit for use as beverages, or when other sufficient guarantee is given that they will not be employed for such purpose, the Customs Department may authorize the importation thereof duty-free or at a reduced duty as below; this also applies to ethers specified in §§ 3,4 and 5 and also to spirit varnish and to dry (solidified) alcohol: a. Spirits and isopropyl alcohol - free.")	Binding of the note
103	Cellulose wool and other similar short artificial textile fibres, and goods of the same materials: 1. Fibres, unspun, and waste of artificial silk	Kr. 0.20 per kg.
Ex 124	Photographical and cinema films of all kinds, unexposed	Kr. 4.00 per kg.
Ex 138	Lobster, canned	Kr. 0.75 per kg.
Ex 139	Salmon, canned	Kr. 0.30 per kg.
143	Salmon, salted	Kr. 0.30 per kg.
Ex 150	Intestines, wholly dry, not salted (of animal origin)	Kr. 4.50 per kg.
Ex 151	Intestines, half dry (of animal origin)	Kr. 1.35 per kg.

SCHEDULE XIV - NORWAY

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
152	Intestines, other.....	Kr. 0.45 per kg.
Ex 176	Carbon electrodes for smelting furnaces.....	Free
	Wireless receivers, loudspeakers and headphones, also parts thereof, n.e.m.:	
179	1. Wireless valves, including rectifying valves.....	Kr. 0.50 each
180	2. Other.....	30% ad val.
Ex 186	Bone black, lamp black, graphite and other black pigments	Free
199	Stearic acid, palmitic acid together with other high melting point fatty acids used in the manufacture of candles, also paraffin and spermaceti.....	Free
Ex 200	Tallow	Kr. 0.08 per kg.
	Bedfeathers, quills and down:	
204	a. not cleaned.....	Kr. 0.10 per kg.
210	Oranges, all kinds, such as sweet oranges, lemons, limes, bitter oranges, grape fruits.....	Kr. 0.02 per kg. + 33 1/3% surtax
211	Grapes.....	Kr. 0.02 per kg. + 33 1/3% surtax
212	Bananas and plantains.....	Kr. 0.05 per kg. + 33 1/3% surtax
	(Apples, fresh - Aug.1 - Febr.15	Kr. 0.80 per kg.
213)	(-"- , -"- - Febr.16 - March 15	Kr. 0.40 per kg.
214)	(-"- , -"- - March 16 - July 31	Kr. 0.20 per kg.
215)	(Pears, fresh - Aug. 1 - Jan. 15	Kr. 0.80 per kg.
	(-"- , -"- - Jan.16 - July 31	Kr. 0.20 per kg.
Ex 216	Pineapples (ananas), fresh or frozen	Kr. 0.60 per kg.

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
219	Dried prunes and plums	Kr. 0.25 per kg.
220	Dates	Kr. 0.30 per kg.
Ex 222	Raisins	Kr. 0.08 per kg.
226	Copra	Free
229	Dried fruits and berries n.e.m. (including apples, apricots, peaches, pears, bananas and mixtures thereof)	Kr. 0.60 per kg.
233	Fruit and fruit peel in sugar, candied or preserved in brandy, preserves, n.e.m.	Kr. 1.60 per kg.
	5. Fruits preserved in other ways than those mentioned in section 3 and 4, including also pineapples, apricots, peaches, plums and pears, in tins, even with the addition of sugar:	
235	b. Other, including mangos and guavas in tins	Kr. 0.60 per kg.
Ex 243	Cucumber seeds, onion seeds, cauliflower seeds, lettuce seeds, carrot seeds and parsley seeds	Kr. 0.60 per kg.
Ex 254	Superphosphate	Free
	Glass and glassware: 1. Bottles for beer, juice, milk, mineral waters, wine and spirits, neither polished, painted, nor decorated:	
255	a. Of dark glass (green or brown)	Kr. 0.10 per kg.
256	b. Of other glass	Kr. 0.16 per kg.
Ex 259	Photographical plates	Kr. 0.80 per kg.
269	10. Lamp glasses, globes, shades and bulbs for electric lamps, of all kinds, not ornamented as specified in item 270; glassware with wickerwork or covering, which cannot be regarded as packing	Kr. 0.90 per kg.

SCHEDULE XIV - NORWAY:

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
	11. Other glassware n.e.m.:	
270	a. Polished, engraved, sand-blasted, painted, gilt or ornamented otherwise than by moulding or pressing	Kr. 1.60 per kg.
271	b. Other	Kr. 0.80 per kg.
273	Glycerine	Free
Ex 282	Asparagus and artichokes	Kr. 0.50 per kg.
	Vegetables:	
	2. In hermetically sealed containers, including the weight of the immediate packing:	
Ex 287	Asparagus and artichokes	Kr. 0.60 per kg.
	3. Other:	
289	a. Dried	Kr. 0.20 per kg.
290	b. Other	Kr. 0.20 per kg.
293	Latex, also concentrated	Free
294	India rubber, gum arabic, gutta-percha, balata, mastic, copal, colophony, shellac and other similar kinds of gums and resins (including Kauri gum)	Free
	4. Articles of rubber and gutta-percha:	
Ex 295	a. In plates, including thin sheets of rubber, rods, cords, thread, ropes, blocks, buffers and rollers even if reinforced with threads or textile when these are covered by the material	Free
Ex 296	b. Outer covers for cycles; auto tubes of natural and synthetic rubber	Kr. 0.60 per kg.
302	Gloves of pure silk	Kr. 35.00 per kg.
318	Hops	Kr. 0.50 per kg.

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of products	Rate of Duty (including surtaxes)
327	Insect powders, also other insecticides, weeds and fungus exterminators, provided they are not dutiable under any other tariff item	Free
328	Grand pianos	Kr. 600.00 each
344	Phonographs, gramophones and the like with records, drums and other accessories, recording apparatus (including dictaphones) and parts thereof	Kr. 1.50 per kg.
345	Iodine	Free
Ex 347	Sand	Free
	Earth and clay, and manufactures thereof: B.4. Tiles: b. Other (with less than 15 mm. thickness):	
352	1. Unglazed	Kr. 0.02 per kg.
353	2. Glazed	Kr. 0.10 per kg.
	Faience n.e.m.	
Ex 363	a. white or of one colour, except "sanitary" faience	Kr. 0.40 per kg.
Ex 364	b. Other, including faience with real or imitation gilding or silvering, "sanitary" faience excepted	Kr. 0.60 per kg.
369	Coffee, raw	Kr. 0.60 per kg.
Ex 372	Cocoa beans	Kr. 0.16 per kg.
408	Barley	Free
411	Oats	Free

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
412	Wheat	Free
	Note: Provided further that over the three-year period from the coming into force of this agreement, the average purchase price of domestic wheat should not exceed by more than 30 per cent the average price paid for imported wheat, c.i.f. Norwegian ports, during the same period.	
414	Malt	Kr. 0.05 per kg.
415	Rye	Free
424	Wheat flour	Free
432	Vanilla	Kr. 4.50 per kg.
Ex 451	Badminton balls and badminton rackets	Kr. 2.00 per kg.
Ex 451	Toys of not precious metals	Kr. 6.00 per kg.
Ex 452	Gelatine in thin flexible sheets or in powder	Kr. 1.60 per kg.
456	Flax (including Phormium tenax), hemp, Manila hemp, aloe fibre, jute and similar textile materials, hackled or not, also hackling waste thereof, including tow	Free
Ex 513	Cash registers, calculating- and adding machines, typewriters, bookkeeping machines, card punching-, card sorting- and tabulating machines, duplicating machines, addressing machines and postal metering machines	10% ad val.
Ex 513	Pneumatic tools of types not being produced in Norway	Free
Ex 513	Typesetting machines (including linotype) and printing presses (applies to typographical presses only)	Free

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
Ex 513	Tractors and parts thereof, except motor parts (applies to tractors usable only for agricultural and forestry purposes)	Free
514	Machine- and transmission belting of all kinds, also sewing belting	10% ad val.
Ex 516	Aluminium, copper, lead, nickel, silver, tin, wolfram and zinc, crude, in pigs, granules, blocks and bars	Free
527	Plaites, galloons, lace, fringes and the like..	Kr. 20.00 per kg.
533	Tools and implements n.e.m. and parts thereof	20% ad val.
Ex 554	Tinplate	Free
565	Pipes and fittings of iron with a wall thickness exceeding 1.8 mm., cast, drawn or rolled, open on the edge, welded or soldered	Kr. 0.01 per kg.
Ex 573	Chains made of iron with a diameter exceeding 8 mm. and ships anchors of iron	Free
Ex 583	Razors and blades therefor of iron and steel ..	Kr. 4.00 per kg.
596	Lead in rolls, bars and plates	Free
597	Pipes, wire and nails, rivet-plates and rivet-washers of lead	Free
Ex 635	Nickel copper matte, caustic potash (potassium hydroxide) and caustic soda	Free
Ex 643	Brazil nuts (para nuts), shelled.....	Kr. 0.40 per kg.
Ex 643	Brazil nuts (para nuts), not shelled	Kr. 0.40 per kg.
Ex 647	Chinese wood oil	Free
Ex 652	Turpentine oil	Kr. 0.08 per kg.
Ex 653	Volatile rosemary oil	Kr. 2.50 per kg.

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
656	Cheese	Kr. 1.20 per kg.
Ex 669	Photographical paper, ruled, of postcard size.	Kr. 0.50 per kg.
699	Pomatums, cosmetics, beard wax, face paints, powders, toothpowders, toothpaste and like toilet articles n.e.m., including immediate packing	Kr. 3.00 per kg.
715	Rice, husked	Kr. 0.07 per kg.
717	Rice bran	Free
728	Orange juice	Kr. 0.50 per kg.
Ex 729	Grapefruit juice and mixtures of orange juice and grapefruit juice	Kr. 0.50 per kg.
Ex 729	Vegetable juices (including tomato juice)	Kr. 0.60 per kg.
Ex 730	Tapioca flour	Free when entered as cattle feed in accordance with special regulations in force
732	Alum	Free
736	Potash	Free
Ex 743	Sacks of jute	Kr. 0.40 per kg.
	Skins and hides:	
	A. With the hair n.e.m.:	
	a. Undressed:	
768	1. Dried	Free
769	2. Raw	Free
	B. Without hair:	
770	1. Untanned and unprepared	Free

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
	B. III. Manufactures:	
Ex 781	2.e.3. Foot balls (Match balls)	Kr. 2.00 per kg.
	3. Footwear:	
	b. Of other tissues or of felt:	
783	1. With ornaments of silk, passementerie, feathers or down, fur, clasps, beads, decorative buttons, appliqué work or embroidery	Kr. 5.00 per kg.
784	2. Other	Kr. 4.00 per kg.
	C. With hair or feathers, for peltry wares:	
	3. Other:	
Ex 801	a. Undressed skins of sheep, rabbit and opossum	Free
Ex 831	Manganese ore	Free
Ex 835	Cat-gut strings, not for musical use	Kr. 2.00 per kg.
	Sugar and syrup:	
841	1. Sugar of all kinds, including lactose (milk sugar), also dissolved and other liquid sugar (including the juice from which the sugar has not been separated) which cannot be classified under the goods specified in §§ 2,3 and 4	Kr. 0.20 per kg.
843	3. Common syrup and molasses containing less than 80% of sugar	Free
	Note: The Norwegian Customs Department will determine what conditions the goods are to comply with in order to be admitted under the foregoing tariff number	
851	Sulphur and sulphur flowers	Free
854	Sulphuric acid	Free

SCHEDULE XIV - NORWAY.

PART I (Continued)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
856	Tea	Kr. 2.00 per kg.
Ex 861	Tobacco leaf:	
	Not sauced, stemmed	Kr. 4.95 per kg.
	Not sauced, unstemmed	Kr. 4.50 per kg.
Ex 865	Cigars	Kr. 10.00 per kg.
Ex 865	Cigarettes	Kr. 12.00 per kg.
Ex 898	Tennis rackets	Kr. 2.00 per kg.
Ex 899	Hickory and oak, unworked	Free
Ex 899	Veneers n.e.m.	Free
Ex 901	Flowering gloxinia, begonia and dahlia	Kr. 0.20 per kg.
902	Azaleas, rhododendrons, camelias, palm-trees, laurel-trees, dracaenas, heather, aucubas, araucarias	Kr. 0.10 per kg.
Ex 903	Blue spruce fir, box, chamaecyparis, fagus atropurpurea, fagus silvatica, fresias, holly (ilex), junipers, lilac, magnolia and pink	Kr. 0.10 per kg.
	Wines, also containing quinine and other medicaments:	
	1. In bottles:	
950	b. Other	Kr. 0.96 per litre
	2. In casks or jars:	
951	a. Non sparkling, containing up to 21% alcohol	Kr. 0.48 per litre
Ex 953	Motorcycles and sidecars therefor	30% ad val.
Ex 953	Passenger automobiles, also bodies and chassis therefor	30% ad val.

SCHEDULE XIV - NORWAY.

PART I (Concluded)

Norwegian Tariff Item Number 1946/47	Description of Products	Rate of Duty (including surtaxes)
Ex 954	Automobile trucks, also bodies and chassis therefor, and motors for automobiles and aircraft	20% ad val.
Ex 954	Aircraft	12% ad val.
Ex 955	Automobile and aircraft parts n.e.m.	25% ad val.
Ex 957	Automobile casings of natural and synthetic rubber	Kr.0.60 per kg.
Ex 974	Carnauba wax	Free

SCHEDULE XIV - NORWAY

Part II

Preferential Tariff

Nil.

SCHEDULE IV - PAKISTAN

This Schedule is authentic only in the English language

PART I

Most-Favoured-Nation Tariff

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
2	Bacon and Ham, not canned or bottled.....	25 per cent ad val
Ex 4	Butter.....	25 per cent ad val
Ex 4	Cheese.....	25 per cent ad val
Ex 4(1)	Milk, condensed or preserved, including milk cream, but excluding dried skim milk, that is to say, dried milk powder containing not more than 4 per cent of fat and no added ingredients	25 per cent ad val
Ex 4(1)	Dried skim milk, that is to say, dried milk powder containing not more than 4 per cent of fat and no added ingredients.....	Free
Ex 4(1)	Sterilised cream.....	25 per cent ad val
Ex 7	Dehydrated vegetables, all sorts, other than tomatoes, onions, potatoes and cauliflowers....	30 per cent ad val
Ex 8	Apples and pears, fresh.....	30 per cent ad val
Ex 8	Prunes and grapes, fresh.....	30 per cent ad val
8(1)	Currants.....	Re. 1 per cwt.
Ex 9(3)	Cassia lignea, ground or unground.....	50 per cent ad val
9(6)	Vanilla beans.....	20 per cent ad val
Ex 10	Rice.....	Free
Ex 12	Grass and clover seeds.....	15 per cent ad val
Ex 13	Cochineal.....	20 per cent ad val
Ex 13(4)	Rosin.....	24 per cent ad val
Ex 15	Mineral grease, including petroleum jelly.....	27 per cent ad val
Ex 15	Stearine.....	25 per cent ad val
15(3)	Tallow.....	Free
15(5)	Fish oil and whale oil, hardened or hydrogenated	Rs.10 per cwt.

SCHEDULE XV- PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 15(6)	Tung oil.....	30 per cent ad val
Ex 15(8)	Neatsfoot oil.....	15 per cent ad val
16	Canned or bottled bacon, ham and lard.....	25 per cent ad val
Ex 16(1)	Sardines and pilchards, canned.....	20 per cent ad val
Ex 16(1)	Fish, canned, other than canned sardines and pilchards.....	20 per cent ad val
Ex 20(1)	Juices, either individually or in mixture, of the following fruits, namely: Apricots, Berries, Grapes, Pineapple, Plums and Prunes.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 6 per cent ad val.	
Ex 20(2)	Canned fruits the following, namely: Apricots, Berries, Grapes, Plums and Prunes, and fruit salads composed not less than 80% in quantity and in value of the above-named fruits.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 6 per cent ad val.	
Ex 20(2)	Pineapples, canned.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate in the case of such products of British Colonial origin, by more than 8 per cent ad val.	
Ex 20(2)	Asparagus, canned.....	24 per cent ad val
Ex 20(2)	Vegetables, canned, all sorts, other than tomatoes, potatoes, onions and cauliflowers	30 per cent ad val

SCHEDULE XV -PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 21	Meat, canned.....	20 per cent ad val
Ex 21	Rennet essence.....	20 per cent ad val
Ex 21	Soups, canned or bottled.....	25 per cent ad val
Ex 21(1)	Blended flavouring concentrates for the preparation of non-alcoholic beverages.....	30 per cent ad val
Ex 21(1)	Meat, frozen.....	20 per cent ad val
Ex 21(1)	Soups, all sorts, not otherwise specified.....	25 per cent ad val
22(3)	Wines, not containing more than 42 per cent of proof spirit -	
	(a) Champagne and other sparkling wines.....	Rs.16-8 per Imperial gallon
	(b) Other sorts.....	Rs.9-8 per Imperial gallon
Ex 22(5)	Spirits -	
	(a) Bitters -	
	(i) entered in such a manner as to indicate that the strength is not to be tested..	Rs.73-2 per Imperial gallon.
	(ii) not so entered.....	Rs.55-5 per Imperial gallon of the strength of London proof.
	(c) Perfumed Spirits.....	Rs.60 per Imperial gallon or 25 per cent ad valorem, whichever is higher plus one-fourth of the total duty.
	(d) Rum.....	Rs.55-5 per Imperial gallon of the strength of London proof.
	Provided that -	

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 22(5) (Contd.)	(a) on any article chargeable under this item with the lower rate of duty, the duty levied shall in no case be less than 30 per cent ad valorem, and on any article chargeable under this item with the higher rate of duty, the duty levied shall in no case be less than 45 per cent ad valorem;	
	(b) where the unit of assessment is the Imperial gallon of the Strength of London proof, the duty shall be increased or reduced in proportion as the strength is greater or less than London proof.	
24(3)	Tobacco, unmanufactured.....	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed -	
	(a) the preferential rate applicable to such products of British Colonial origin, and	
	(b) the preferential rate applicable to such products of Burmese origin, by more than the difference between Rupees seven and annas eight per pound and 10 per cent ad valorem.	
27(1)	Asphalt.....	27 per cent ad val
Ex 27(2)	Crude and refined coal tar and coal pitch.....	27 per cent ad val
27(3)	All sorts of mineral oils not otherwise specified	27 per cent ad val
Ex 28	Acetyl Salicylic acid in tablets or in powder; Atropine Sulphate; Cresylic acid; Hyoscine hydrobromide; Phenobarbital; Vitamins A and E excluding fish-liver oils.....	30 per cent ad val
Ex 28	Cod-liver oil packed in containers not exceeding 14 lbs. in capacity.....	30 per cent ad val
Ex 28	Iodine, in crude form.....	30 per cent ad val
Ex 28	Lactose (sugar of milk).....	30 per cent ad val

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 28	Menthol.....	24 per cent ad val
Ex 28	Penicillin and its products.....	30 per cent ad val
Ex 28	Antibiotics such as streptomycin, gramicidin, tyrocidine and tyrothricin.....	30 per cent ad val
Ex 28	Sulpha drugs and vitamin preparations other than fish-liver oils.....	30 per cent ad val
Ex 28	Chemicals, Drugs and Medicines, all sorts not otherwise specified excluding - (a) Menthol (b) Penicillin and its products (c) Cod liver oil (d) Crude Iodine (e) Lactose (sugar of milk) (f) Sulpha drugs and vitamin preparations other than fish-liver oils (g) Antibiotics such as streptomycin, gramicidin, Tyrocidine and tyrothricin; and (h) Acetyl Salicylic acid in tablets or in powder, Atropine Sulphate, Cresylic acid, Hyoscine hydrobromide, Phenobarbital, Vitamins A and B	.....
	Note: The products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceed the preferential rate applicable to such products of the United Kingdom or British Colonial origin, by more than 10 per cent ad val.	
Ex 28(8)	Acetic acid, Boric acid, Borax and Phenol.....	25 per cent ad val
Ex 28(14)	Tooth paste, Tooth powder, Talcum powder, Shaving soap and Shaving cream.....	30 per cent ad val
Ex 30	Paints, solutions and compositions containing dangerous petroleum within the meaning of the Indian Petroleum Act, 1934.....	24 per cent ad val
Ex 30	Lithopone.....	30 per cent ad val

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 30(1)	Dyes derived from coal tar, the following, namely:	
	Alizarine moist exceeding 20 per cent.....	12 per cent ad val
	Alizarine red.....	12 per cent ad val
	Azo dyes.....	12 per cent ad val
	Sulphur black.....	12 per cent ad val
	Sulphur dyes of other colours.....	12 per cent ad val
	Ultrazols.....	12 per cent ad val
	Vats, powder.....	12 per cent ad val
Ex 30(1)	Dyes derived from coal tar, and coal tar derivatives, used in any dyeing process, all sorts, other than Alizarine moist exceeding 20 per cent, Alizarine red, Azo dyes, Sulphur black, Sulphur dyes of other colours, Ultrazols and vats, powder.....	12 per cent ad val
Ex 30(2)(d)	Ultramarine blue:	
	(i) in packing of 1 lb. or over.....	30 per cent ad val or Rs.8-8 per cwt., whichever is higher
	(ii) in packing of ½ lb. and over but less than 1 lb.....	30 per cent ad val or Rs.11-4 per cwt., whichever is higher
	(iii) in packing of ¼ lb. and over but less than ½ lb.....	30 per cent ad val or Rs.17 per cwt., whichever is higher.
	(iv) in packing of less than ¼ lb.....	30 per cent ad val or Rs.24 per cwt., whichever is higher
31(4)	Camphor.....	50 per cent ad val
Ex 35	Nitrate of Soda, when imported in a form indicative of its use for manurial purposes....	Free
Ex 40	Douglas Fir.....	20 per cent ad val
Ex 44	Cigarette paper in rolls and bobbins.....	20 per cent ad val
Ex 45	Fountain pens, complete.....	30 per cent ad val

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
46(2)	Wool, raw, and wooltops.....	Free.
Ex 49(b)	Textile manufactures, the following articles when made wholly or mainly of any of the cotton fabrics specified in Item No. 48(3), namely:-	
	Cross-stitch, drawn-thread or otherwise embroidered bed sheets; bed spreads; bolster cases; counterpanes; cloths, table; cloths, tray; covers, bed; covers, table; dusters; glass-cloths; handkerchiefs; napkins; pillow cases; pillow slips; scarves; shirts; shawls; sacks (cotton); towels and umbrella coverings	50 per cent ad val
49(2)	Ribbons.....	50 per cent ad val
Ex 52	Lace and trimmings, made of cotton or linen....	25 per cent ad val
Ex 53	Linen embroideries.....	25 per cent ad val
Ex 55	Fezes.....	20 per cent ad val
Ex 55	Straw hats.....	20 per cent ad val
Ex 55	Hats, caps and bonnets, all sorts, excluding Fezes, Pith hats and Helmets and Straw hats....	20 per cent ad val
Ex 60(2)	Electric lighting bulbs for torches and automobiles.....	50 per cent ad val
Ex 60(3)	Glass beads and false pearls.....	50 per cent ad val
68(1)	Zinc, unwrought, including cakes, ingots, tiles (other than boiler tiles), hard or soft slabs and plates, dust, dross and ashes.....	Free
Ex 70(1)	Copper, unwrought.....	Free
Ex 70(1)	Lead, pig.....	Free
Ex 71	Articles of imitation jewellery (including buttons and other fasteners) which consist of, or include, base metal plated with gold or silver or both and in which the proportion of gold or silver or both together to total metallic contents is less than 1.5 per cent.....	30 per cent ad val

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 71	Stoves for use with kerosene, gasolene or other liquid fuels and burners therefor.....	20 per cent ad val
Ex 71(2)	Safety razors and parts therefor, including blades.....	30 per cent ad val
Ex 72	Boot and shoe manufacturing machinery.....	10 per cent ad val
Ex 72	Cinema-projecting apparatus.....	10 per cent ad val
Ex 72	Metal-working machinery other than machine tools.....	10 per cent ad val
Ex 72	Mining machinery.....	10 per cent ad val
Ex 72	Oil-crushing and refining machinery...	10 per cent ad val
Ex 72	Petroleum and gas-well drilling equipment.....	10 per cent ad val
Ex 72	Refrigerating machinery other than domestic refrigerators.....	10 per cent ad val
Ex 72	Sound-recording apparatus for the production of cinema films.....	10 per cent ad val
Ex 72	Sugar-manufacturing and refining machinery.....	10 per cent ad val
Ex 72(1)	Machines for the carding, spinning and washing of wool.....	10 per cent ad val
Ex 72(3)	Component parts of boot and shoe manufacturing machinery, cinema projecting apparatus, metal working machinery other than machine tools, mining machinery, oil crushing and refining machinery, petroleum and gas-well drilling equipment, refrigerating machinery other than domestic refrigerators, sound-recording apparatus for the production of cinema films, sugar manufacturing and refining machinery and machines for the carding, spinning and washing of wool, namely, such parts only as are essential for the working of the machine or apparatus and have been given for that purpose some special shape or quality which would not be essential for their use for any other purpose, but excluding electric motors, belting and steel belt	

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 72(3) contd.	lacing, wire healds, bobbins and pickers.....	10 per cent ad val
72(4)	Passenger lifts and component parts and accessories thereof.....	25 per cent ad val
72(5)	Domestic refrigerators and parts therefor such as are specially designed for use with such refrigerators.....	30 per cent ad val
Ex 72(6)	Typewriters.....	20 per cent ad val
Ex 72(6)	Component parts of typewriters.....	20 per cent ad val
Ex 72(6)	Office machines all sorts, not otherwise specified, operated by manual labour or requiring for their operation less than one quarter of one brake-horse power and component parts thereof.....	20 per cent ad val
Ex 72(8)	Ploughs and parts thereof.....	Free
Ex 72(8)	Agricultural tractors and parts thereof.....	Free
Ex 72(8)	Hay presses.....	Free
Ex 72(9)	Milking machines.....	Free
Ex 73(2)	Carbons, electric.....	20 per cent ad val
Ex 73(2)	Electro-medical apparatus.....	20 per cent ad val
Ex 73(4)	Complete wireless receivers.....	50 per cent ad val
Ex 73(4)	Electric valves specially designed for wireless reception instruments.....	50 per cent ad val
Ex 73(4)	Component parts of wireless reception instruments other than electric valves.....	50 per cent ad val
Ex 73(4)	Combination radio-phonographs.....	54 per cent ad val
Ex 73(4)	Wireless transmission apparatus.....	30 per cent ad val
	Note: The products provided for under the above item shall be exempt from the ordinary most-	

SCHEDULE XV - PAKISTAN

PART I
(Continued)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
	favoured-nation Customs duties which exceed the preferential rate in the case of goods of U.K. origin, by more than 10 per cent ad val.	
Ex 74(2)	Wooden railway sleepers.....	15 per cent ad val
75(1)	Motor cars including taxicabs and articles (other than rubber tyres and tubes) adapted for use as parts and accessories thereof, provided that such articles as are ordinarily also used for other purposes than as parts and accessories of motor vehicles included in this item or in items Nos. 75(2) and 75(3) shall be dutiable at the rate of duty specified for such articles...	.....
	Note: Provided this Agreement does not cease to be in force in the meantime, the products provided for under the above item shall be exempt from ordinary most-favoured-nation Customs duties which exceeds the preferential rate for such products of United Kingdom origin -	
	(a) by more than 6 per cent ad val for the first period of three years from the date on which this Agreement comes into force;	
	(b) by more than 3 per cent ad val from the beginning of the fourth year of coming into force of this Agreement; and	
	(c) by any amount, from the beginning of the seventh year of coming into force of this Agreement.	
76	Aeroplanes, aeroplane parts, aeroplane engines, aeroplane engine parts and rubber tyres and tubes used exclusively for aeroplanes.....	3 per cent ad val
Ex 77(2)	Optical instruments.....	20 per cent ad val
Ex 78	One-day alarm clocks.....	50 per cent ad val
79	Musical instruments and parts thereof, all sorts and records for talking machines.....	50 per cent ad val
Ex 84	Fishing hooks.....	30 per cent ad val

SCHEDULE XV - PAKISTAN

PART I
(Concluded)

Indian Customs Tariff Item No.	Description of Products	Rate of Duty
Ex 87	Wallboards of wood fibre.....	25 per cent ad val

GENERAL NOTES

(1) The references in this Schedule to the Indian Customs Tariff item numbers, Description of Products, Rate of Duty, etc. shall be construed with reference to the First Schedule to the Indian Tariff Act, 1934, as reproduced in the Indian Customs Tariff (Twenty-Seventh Issue) as compiled by the Department of Commercial Intelligence and Statistics, India, and copies of which were furnished to all Delegations attending the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, read with the notes and amendments thereto circulated under Conference Secretariat document E/PC/T/TRF/14, dated the 7th May, 1947, and the subsequent amendments based on the Indian Tariff (Amendment) Act, 1947, also circulated to Delegations by the Conference Secretariat.

(2) The expression "not otherwise specified" in the description of products in column 2 of this Schedule, unless the context indicates to the contrary, shall be construed as "not otherwise specified" in the Indian Customs Tariff referred to in the previous note.

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SCHEDULE XVI - SOUTHERN RHODESIA

This Schedule is authentic only in the English language

PART I

Most-favoured-Nation-Tariff

Southern Rhodesia Tariff Item No.	Description of Products	Rate of Duty
Ex 86	Motorcycles	33⅓% ad val.
Ex 86	Spare parts and accessories for motorcycles, but not including electric lamp bulbs, tyres and tubes, when imported separately	33⅓% ad val.
Ex 118	Machinery, apparatus, appliances and implements (not specially provided for, and not including domestic machines or vehicles):-	
	(i) For agricultural purposes, but not including ploughs and parts thereof	5% ad val.
	(ii) Ploughs exceeding 120 lbs. in weight and parts thereof	15% ad val.
	(iii) For mining purposes, including structural steelwork for staging and platforms therefor; steel sets and guides	5% ad val.
	(iv) Pumps and accessories therefor	5% ad val.
Ex 122	Iron and steel sheets, plain, corrugated or galvanised	5% ad val.
Ex 130	Motor ambulances, trucks and vans for the conveyance of goods, steam wagons and trailers therefor:-	
	(i) Complete vehicles assembled or unassembled	5% ad val.
	(ii) Chassis, with or without cab, imported for bodies to be built in Southern Rhodesia	5% ad val.
Ex 130	Tractors, and parts thereof imported separately, including tyres, but not including tubes and electric lamp bulbs; under such conditions as the Controller may prescribe	5% ad val.
146	Tools: Mechanics', artisans' and machine tools, and workshop appliances	5% ad val.

SCHEDULE XVI - SOUTHERN RHODESIA

PART I (concluded)

Southern Rhodesia Tariff Item No.	Description of Products	Rate of Duty
Ex 154	Radio or wireless telegraphy and telephony instruments, apparatus and accessories, (but not including batteries) when imported for aircraft or by persons licensed by the Postmaster General to conduct a public radio service	Free
199	Oils, lubricating	3d. per Imperial gallon
Ex 203	Paints and Colours, ready mixed for use; and artists colours, enamels, waterpaints, distempers, colour-washes, flat oil paints, sheep marking oils and petrifying liquids	20% ad val.
258	Rubber, unmanufactured: including synthetic rubber, latex, crude, waste, masticated and reclaimed rubber and gutta percha	5% ad val.

GENERAL NOTES

The Tariff item numbers given herein refer to those appearing in the November 1946 Revised Edition of the Southern Rhodesian Customs Tariff.

PART II

Preferential Tariff

Nil.

Revised Translation by Department of State

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

This Schedule is authentic only in the French language.

PART I

Most-Favoured-Nation Tariff

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
35	Ivory and other animal tusks or teeth, tortoise-shell, mother-of-pearl and other shell, whalebone and bone of other cetaceans, coral and similar substances, raw, whether simply cut up, split or stretched (but not worked), or not; powder, parings and waste of these materials:	
	a) mother-of-pearl.....	25%
	b) other.....	25%
62	Fruit specified under Items 59 to 61, dried, whether or not cut in pieces or sliced:	
	b) Prunes.....	40%
66	Vanilla.....	20%
67 b	Cloves	20%
83	Oil seeds and oleaginous fruits, whether or not crushed or ground:	
	a) cotton, hemp, copra, palm, palm-nuts, peanuts, castor oil seeds, and linseed	Free
	b) other oil seeds and oleaginous fruits.....	11%
103	Fats and oils, refined or unrefined, from fish and marine animals:	
	a) cod-liver oil.....	11%
105	Fixed oils, liquid or solid, of vegetable origin, crude, purified or refined:	
	i) palm.....	25%
117	Other preparations and preserves of meat, not included under Item 18:	
	b) other	25%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
120	Fish, prepared or preserved, not included under Item 20.....	25%
125	Confectionery	30%
129	Cocoa paste.....	15%
151 a	Mineral waters, natural.....	5%
154 b	Champagnes.....	25%
155	Wine prepared with aromatic plants (vermouth and the like) liqueur wines, dessert wines, aperitifs with a wine base, etc. testing: more than 15° centesimal.....	30%
157 - a -	Brandy, rum, absinth and the like, alcoholised liqueurs and aperitifs other than arrack and natural wine, of which the alcohol is produced by the distillation or fermentation of wines, fruits of any kind, sugar cane or of their molasses, testing:	
	2) 25° to 50° centesimal.....	40%
	3) under 25° centesimal.....	30%
157	Spirits of all kinds:	
	b) brandies, absinths, liqueurs or aperitifs other than arrack....	
	2) 25° to 50° centesimal.....	40%
192 b	Cement, white or coloured.....	11%
192 c	Cement, melted.....	11%
ex 194 c	Mica, crude, in sheets, plates or rough discs, ground mica.....	15%
206-4	Heavy mineral lubricating oils:	
	1) imported in barrels.....	11%
	2) imported in any other packing....	11%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
210	Resins and pitch of mineral origin (obtained from coal-tar, lignite, petroleum, etc.).....	25%
213	Bromine and iodine:	
	b) iodine.....	11%
217	Compressed, liquified, or solidified gases:	
	b) anhydrous ammonia (ammonia gas).....	11%
218	Nitric acid:	
	a) industrial.....	11%
224	Sodium hydroxide (caustic soda).....	Free
237	Salts of hydrofluoric, silicic and hydro-fluosilicic acids:	
	a) sodium silicate.....	Free
240 d	Potash alum, chrome alum and ammonia alum	Free
243 a	Sodium sulphide.....	Free
244 c	Calcium chloride.....	Free
245 a	Chloride of lime (calcium hypochlorite)..	11%
248	Salts of hydriodic and iodic acids (iodides and iodates).....	11%
249	Salts of arsenious and arsenic acids, arsenates of lime and lead:	
	1) for agricultural uses.....	Free
	2) for other uses.....	11%
263	Peroxides, oxygenated water.....	11%
266	Carbon disulphide	Free

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
268	Chlorine, bromine and iodine aliphatic hydrocarbon compounds:	
	d) iodoform.....	11%
	e) other bromine and iodine hydrocarbon compounds.....	11%
281	Disinfecting, fungicidal, insecticidal and similar preparations not elsewhere specified or included, and all products used for the same purposes, put up for retail sale:	
	a) special products for agricultural uses.....	Free
	ex b) naphthalene.....	11%
288	Alkaloids and their salts, glucosides:	
	c) quinine and its salts.....	Free
	ex d) theobromine.....	25%
	ex d) caffeine.....	11%
292	Prepared medicaments, preparations in doses and other pharmaceutical preparations:	
	a) pharmaceutical products, various substances and preparations imported exclusively for medicinal use.....	11%
	ex a) penicillin and preparations containing penicillin.....	11%
294	Sensitised films and plates for photography, of celluloid and similar materials.....	15%
295	Other sensitised plates for photography, of glass, metal, etc.....	15%
296	Sensitised papers and cards.....	20%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
300	Dyewood extracts and other vegetable colouring extracts, including vegetable colours.....	Free
306	Dry mineral colours, whether or not mixed with one another or with earth-colours, or with the addition of a colouring matter derived from coal tar:	
	b) lithopone and oxide of zinc.....	11%
	c) other.....	25%
307	Dry colours, not elsewhere specified or included.....	25%
308	Prepared colours of all kinds.....	25%
309	Solid or liquid driers.....	25%
319	Perfumery and cosmetic articles:	
	d) brilliantine and cosmetics.....	40%
	e - 1) toothpastes, dental washes and powders	25%
	e - 2) other.....	40%
320	Soaps:	
	ex d) medicinal soaps.....	25%
324	Waxes, encaustics, creams, pastes and similar preparations, for cleansing, polishing, preserving leather, footwear, metal wares, furniture, floors, etc.....	20%
325	Candles and tapers of paraffin wax, stearin, tallow, wax:	
	b) of pure paraffin wax.....	25%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
328	Gelatins.....	20%
342	Fertilisers of animal or vegetable origin.	Free
343	Nitrogenous mineral or chemical fertilisers.....	Free
344	Phosphated mineral or chemical fertilisers.....	Free
345	Potash fertilisers.....	Free
346	Mineral or chemical fertilisers consisting of at least two of the fertilising elements: nitrogen, phosphoric acid and potash; mixtures of mineral or chemical fertilisers with fertilisers of animal or vegetable origin.....	Free
347	Fertilisers not elsewhere specified or included.....	Free
348	Raw hides or skins (fresh, salted, dried, limed, pickled)	
	c) other.....	Free
353	Varnished (patent), gilt, silvered, bronzed, leather (hides or skins).....	25%
362	Leather gloves.....	25%
363	Technical articles of leather, other than sleeves and straps	20%
371	Pastes, plates and sheets of non-vulcanised rubber, whether or not mixed with other substances; rubber solutions.	25%
375	b) Pneumatic tyres and inner tubes for cars, motor cycles and bicycles, and other vehicles	15%
377	Other articles made of rubber	25%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
382	Wood in the round, rough, whether or not stripped of the bark, or rough-hewn:	
	Ex k) other: Mahogany, ekoume	15%
	k) other	15%
383	Wood squared with the axe, not elsewhere specified or included:	
	1) other	15%
384	Wood simply sawn lengthwise, not elsewhere specified or included:	
	i) other	15%
396	Wooden packing-cases or crates, whether in shooks or not	25%
398b	Telegraph and telephone poles	11%
419 and	Paper in rolls or sheets, not made up or worked:	
420	c) Newsprint for printing daily and weekly papers	Free
	e) Cigarette paper	25%
427	Cigarette papers	25%
436	Booksellers' wares not elsewhere specified or included	
	B. Bound books	
	3) other than old books with bindings of board or board covered with cloth	
	c) other	25% of the value of the leather or ¼ of the value of the books.

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
436	E- Catalogues and price lists not invoiced, newspapers and periodicals, etc.	Free
447	Ribbons of velvet or plush,	
	others of natural silk	30%
Ex 448	Velvet and plush of natural silk	30%
469	Ribbons of pure artificial silk	30%
477	Ribbons of artificial silk waste and pure artificial textile fibres	30%
486	Lace	
	a) of artificial silk, artificial silk waste and pure artificial textile fibres	30%
501	Woollen thread and yarn, carded	11%
506	Thread and yarn of wool, horsehair or other animal hair prepared for retail sale	
	b) other	11%
522	Cotton thread or yarn, single, measuring to the ½ kg.:	
	b4 Bleached: more than 67000 metres	11%
526	Cotton thread or yarn put up for retail sale	25%
551	c) Fabrics of flax, not mixed, not figured, known as linen lawn, intended for the manufacture of handkerchiefs and imported in pieces with side length not exceeding 35 cm.....	Free (subject to control)

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
559	Lace, tulles and net fabrics, plain or figured, of flax, hemp, ramie or other vegetable textile materials ex Chapter 49: - lace	
	a) lace.....	25%
560	Embroidery of flax, hemp, ramie or other vegetable materials ex Chapter 49	25%
579	Other technical articles of textile materials, not elsewhere specified or included	25%
580	Hosiery of natural silk, pure or mixed:	
	a) in the piece	40%
	b) gloves	40%
581A	Hosiery of artificial silk or artificial textile fibre, pure:	
	a) in the piece	40%
589	Bed linen, table linen and toilet linen:	
	a) 2) of natural silk	40%
	b) 2) of artificial silk	40%
	c) of wool fabrics	30%
	d) of cotton fabrics	30%
	e) of linen fabrics	30%
594	Bags or sacks for packing:	
	a) of jute fabrics	Free

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of Duty
599	Rags and scraps of fabrics, felts or hosiery, worn clothing and underwear, old nets, cordage and the like, in particular such as are adapted for nothing except unravelling, paper manufacture etc.:	
	a) worn clothing and underwear	25%
	b) other	25%
604b	Boots of rubber	25%
Ex 607	Fez	15%
615	Hats for women:	
	a) of natural or artificial silk	40%
	b) of cotton	30%
622	Ornamental feathers, prepared, etc.	25%
623	Made-up feather articles	25%
625	Artificial flowers, foliage and fruits	25%
629	Wares of stone not elsewhere specified or included:	
	Ex a) black marble	25%
635	Paper and board coated with natural or artificial abrasives	15%
636	Fabrics coated with natural or artificial abrasives	15%
642	Manufactures of asbestos	25%
701	Iron and steel in bars	11%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
702	Iron and steel wire, drawn:	
	a) simply drawn, so-called "clairs"	11%
	b - 1) annealed, galvanized or tinned up to and including 6 mm. in diameter 2) coppered, up to and including 6 mm. in diameter	11%
	c) other	25%
703	Sheet iron or steel, flat, unworked:	
	a) more than 1 mm. thick	11%
	b) 1 mm. thick and less	11%
704	Sheet iron or steel, flat, worked on the surface	11%
705	Sheet iron or steel, other:	
	1) galvanized	11%
	2) wrought, bent and perforated, used in the manufacture of tanks for inflammable materials	11%
	3) other	25%
706	Hoop iron or steel	11%
709	Tubes and pipes of iron or steel, straight and of uniform thickness, unworked	11%
710	Tubes and pipes of iron or steel, of special shape or worked	11%
711	Tubes and pipes of sheet iron or steel, riveted, nailed or fastened, whether or not soft-soldered, including special shapes and joints	11%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
713	Iron or steel rails for railways and tramways, whether or not perforated or curved	11%
714	Iron or steel sleepers (ties) for railways	11%
715	Fishplates, bed-plates, clips and gauge bars, for laying or fixing rails, of iron, steel or malleable cast iron	11%
716	Switches, frog-points, track crossings and points, switch rods, rack railways and portable tracks of iron, cast iron, steel or malleable cast iron, for railways and tramways	11%
719	Metallic structures and their finished or processed parts, of iron, steel or malleable cast iron, such as bridge sections, girders, marquees, roofs, etc.....	11%
720	Tanks, tuns, vats and other large receptacles, without mechanical device....	25%
721	Transport casks and drums of sheet iron or steel	Free
726	Chains and parts thereof, of iron, steel or malleable cast iron	11%
740	Table ware and other household, kitchen and hygienic utensils, of sheet iron or steel	25%
757	Copper bars and wire:	
	B) copper and brass wire	11%
759	Thin leaves of copper, rolled or hammered	20%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
760	Copper tubes and pipes	20%
786	Rolled or drawn lead	11%
791	Rolled or drawn zinc:	
	b) in leaves:	
	2) other	11%
794	Tin, unworked:	
	a) cast in lumps, pigs, plates, ingots or pellets	11%
797	Tin solder, whether or not alloyed with lead in any proportion, etc:	
	a) in sticks	11%
802b	Table knives, non-folding, of base metals, gilt, silvered or plated with precious metals	30%
809	Spoons and forks of all kinds:	
	a) of base metals	25%
	b) of base metals, gilt, silvered or plated with precious metals	30%
810	Articles for table use, not elsewhere specified or included:	
	a) and b)	25 & 30%
811	Ornamental articles for the house, not elsewhere specified or included:	
	a) and b)	25 & 30%
812	Lighting apparatus, lamps of any kind, chandeliers etc.:	
	a) and b)	25 & 30%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
823	Explosion and internal combustion motors:	
	b) motors for aircraft, cars, cycles and watercraft:	
	1) for cars	30 piasters per kg. net, with minimum duty 25%
	2) other	15%
	c) motors intended for use in agriculture	Free (subject to control)
	d) other:	
	1) for use in industry	1%
	2) other uses	7.5%
827	Pumps for liquids (centrifugal pumps, rotary piston pumps and others):	
	a) fixed pumps intended for use in agriculture	Free (subject to control)
	d) other:	
	1) for use in industry	1%
	2) other uses	7.5%
834	Agricultural machinery and appliances for working, preparing and cultivating the soil	Free (subject to control)
835	Machines and appliances for the harvesting of agricultural produce, agricultural threshing, shelling and sorting machines etc.	Free (subject to control)

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
836	Agricultural machines and appliances not elsewhere specified or included	Free (subject to control)
837	Machines and appliances for flour-mills	
839	Machines for the production of cold:	
	a) for use in industry	1%
	b) other	25%
841	a) Machinery for manufacturing footwear	25%
844	Machines for the preparation of textile materials, for spinning and twisting.....	1%
845	Weaving looms, hosiery looms and knitting machines, tulle, lace, embroidery and passementerie looms and accessory machines and apparatus for weaving, etc	1%
846	Machinery and apparatus for the dressing and finishing of thread, tissues etc.....	1%
847	Sewing machines of any kinds.....	
	a) for special uses	1%
	b) other	25%
849	Machine-tools	1%
852	Typewriters and detached parts thereof ...	20%
853	Calculating machines, cash registers and detached parts thereof	20%
854	Office machines and apparatus not elsewhere specified or included	25%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
855	Machinery, apparatus and mechanical appliances not elsewhere specified or included:	
	g) other:	
	2 - for use in industry	1%
	3 - other uses	25%
856	Taps, cocks and valves and all constituent parts and apparatus for regulating the passage of fluids through conduits	25%
858	Components and detached parts of machines, apparatus and mechanical appliances, not elsewhere specified or included:	
	a) agricultural and industrial	7.50%
	c) 1 - for motors to be used in agriculture or industry, or for marine engines	7.50%
	c) 2 - other	20%
861	Electric accumulators and their plates	20%
868	Radio-electric apparatus for telegraphy, telephony and television:	
	b) lamps, valves and tubes	25%
	c) other	25%
873	Apparatus for measuring and registering electric energy	20%
874	Insulated cables and wire for electricity, whatever their insulating substance	20%
878	Apparatus for regulating, cutting off, protecting and distributing electric current, and all electrotechnical articles and detached parts of electric machinery and apparatus, not elsewhere specified or included	20%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
879	Steam locomotives, including tender locomotives	11%
880	Electric locomotives	11%
881	Electric rail-cars	11%
882	Other locomotives, rail-cars and loco-tractors	11%
883	Tenders of locomotives	11%
884	Passenger carriages	11%
887	Components and detached parts of railway and tramway rolling-stock, not elsewhere specified or included	11%
889	Tractors with explosion, internal combustion or gas engines	10%
890	Automobiles, with coachwork or complete:	
	a - Touring cars in full working order, weighing less than 1,500 kg:	
	1 - less than 7 h.p.	
	2 - from 7 to 15 h.p. exclusive	
	3 - from 15 to 20 h.p. exclusive	
	4 - from 20 to 25 h.p. exclusive	
	5 - 25 h.p. and over	
	b - Touring cars in full working order, weighing 1,500 kg and over but less than 2,000 kg:	
	1 - less than 15 h.p.	
	2 - from 15 to 20 h.p. exclusive	
	3 - from 20 to 25 h.p. exclusive	
	4 - 25 h.p. and over	

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
	c - Touring cars in full working order, weighing 2,000 kg and over:	
	1 - less than 15 h.p.	
	2 - from 15 to 20 h.p. exclusive	
	3 - from 20 to 25 h.p. exclusive	
	4 - 25 h.p. and over	
	Note: For the tariff treatment applied to this Item, reference should be made to the letter dated 3 September 1947, concerning the import duties charged by the Syro-Lebanese Customs Union on motor cars. This letter was addressed to the United States Delegation to the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment by the Syrian and Lebanese Delegations to that Session and copies have also been sent to the Secretariat of the above-mentioned Preparatory Committee for distribution to the other delegations present.	
893	Components and detached parts of automobiles and tractors, whether finished or not, not elsewhere specified or included:	
	1 - steering wheels, brake-drums, springs, wheels without tyre	9.6 piasters per kg.net with a minimum duty of 25%
	2 - cylinder-blocks, cylinder-heads, admission and exhaust manifolds, exhaust pipes and silencers, axles and hubs, rear-axles (not including the differential)	14.4 piasters per kg. net with a minimum duty of 25%
	3 - other	24 piasters per kg. net with a minimum duty of 25%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
894	Motor-cycles and cycles with engines; side-cars	25%
895	Cycles without engines	20%
896	Components and detached parts of motor-cycles and cycles:	
	a) motor-cycles	25%
	b) cycles	20%
901	Aeroplanes and other heavier-than-air apparatus	15%
902	Components and detached parts of airships, balloons and aeroplanes, excluding engines	15%
908	Optical glasses, worked, unmounted	15%
909	Mountings for spectacles, eye-glasses and similar articles	15%
910	Spectacles, eye-glasses and similar articles, with mountings	15%
911	Mounted lenses and prisms for optical instruments, magnifying glasses and optical mirrors, mounted	15%
912	Telescopes, binoculars and spyglasses and mountings thereof	15%
913	Photographic apparatus, with or without objective, and parts thereof	30%
914	Cinematograph and projection apparatus and parts thereof	30%
914 bis	Photographic apparatus, projection apparatus and parts thereof for use in the cinema industry	1%
915	Optical apparatus or instruments not elsewhere specified or included, and mountings thereof	15%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
916	Precision scales, including weights	15%
917	Thermometers, barometers, etc. and similar instruments	15%
918	Gas and water meters, and components and detached parts thereof	15%
919	Revolution counters, speedometers, distance recorders and similar instruments and components and detached parts thereof.	15%
920	Manometers and other measuring apparatus for machines and vehicles	15%
921	Measuring and drawing instruments, not elsewhere specified or included	15%
922	Instruments and apparatus for geophysics, meteorology, hydrography, sea and air navigation and astronomy, not elsewhere specified or included	
	a) Apparatus and materials for meteorological observations	Free (subject to control)
	b) other	15%
923	Medical and surgical instruments and apparatus, not elsewhere specified or included	15%
924	Orthopaedic apparatus and parts thereof ..	15%
924 bis	Masks and special equipment for individual protection against noxious gases ..	Free
925	Apparatus and models for demonstration and instruction	15%
926	Physical, chemical and precision instruments and apparatus not elsewhere specified or included	15%

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART I (Continued)

Syro-Lebanese Customs Union Tariff item number	Description of Products	Rate of duty
927	Components and detached parts of instruments and apparatus included in Chapter 77, not elsewhere specified or included	15%
936	Upright and grand pianos, including automatic pianos	25%
938 a)	Components and detached parts of pianos	25%
Ex 944	Gramophone records	
	a) for instruction	Free
	b) other	40%
978	Articles for entertainment and amusement; articles and accessories for Christmas trees	30%
979	Articles for sport, football, etc.	25%
981	Buttons for wearing apparel and clothing ..	20%
982	Fountain pens and stylographic pens, propelling pencils and their detached parts	25%
984	Pipes and pipe-bowls	30%
Note:	Each time the formula "subject to control" appears in the Rate of Duty column, it should be read as "subject to control of their use".	

SCHEDULE XVII - SYRO-LEBANESE CUSTOMS UNION

PART II

Preferential Tariff

Nil

SCHEDULE XVIII - UNION OF SOUTH AFRICA

This Schedule is authentic only in the English language.

PART I

Most-Favoured-Nation Tariff

South African Tariff item number	Description of Products	Rate of Duty
1 (e) (iii)	Animals, living: Horses - other .....each	£3
3(1)(a)	Biscuits, cakes, puddings and pastry .. ad valorem	25 p.c.
	or per lb.	4d
	whichever duty shall be the greater	
4(a)	Bones, feathers n.e.e., hoofs, horns, ivory, shells, skins n.e.e., teeth, wool and other parts of animals, fishes or reptiles, not being manufactured, polished or further prepared than dried or cleaned, but in their raw and unmanufactured state	Free
	Note: Dry salted, wet salted and pickled hides and skins shall be classed as raw and unmanufactured skins.	
5	Butter .....per lb.	2d
7(1)	Casein in bulk	Free
8 (a)	Cheese: Containing not less than 45 per cent milk fat in its water-free substance and being free from foreign fat .....per lb.	6d
	with a rebate therefrom of per lb.	2d
	on such classes as are not produced in the Union as the Minister may prescribe ..... or	
	ad valorem	25 p.c.
	whichever duty shall be the greater	
9	Chicory root, raw or dried only .....per lb.	1½d
11(2) (a)	Turmeric - ground .....per lb.	2d
(b)	unground	Free
12 (a)	Cocoa: Beans, raw	Free
(b)	Nibs and shells .....per lb.	1d

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
13	Coffee:	
(a)	Raw .....per lb.	1d
14	Confectionery:	
(a)	Slab chocolate (plain, milk, nut or fruit) ....per lb.	4d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
(b)	Plain or fancy of all kinds, compounded, made or preserved with sugar; sweetened cocoa or chocolate; sweetmeats; crystallized fruits, candied or preserved ginger (not being for manufacturing purposes) and chow-chow; christmas stockings; crackers or bon-bons and surprise packets ....per lb.	4d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
	Note: Medicated confectionery properly classed as a medicinal preparation is excluded from the above.	
15	Corn and grain, excluding infants' or diabetics' foods, patent or proprietary foods, or corn or grain prepared as vegetables:	
(a)	Wheat -	
(i)	in the grain	....
	Note: There shall be no preference either in the ordinary or the special duty on this item	
(ii)	ground or otherwise prepared	....
	Note: There shall be no preference either in the ordinary or the special duty on this item.	
(d)	Rice in the grain	Free
(e)	Oats -	
(ii)	rolled, ground or otherwise prepared, in bulk .....per 100 lb.	12s 6d

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
16(a)	Cream of tartar .....per lb.	4d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
(b)	Substitutes for cream of tartar, namely, acid phosphates of aluminium, calcium and sodium ....per lb.	2d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
17 (a)	Eggs - in the shell .....per lb.	2d
ex (b)	whole or part contents, liquid .....per lb.	5d
18(1)	Extracts and essences of all kinds for food or flavouring, n.e.e., including concentrated soup but excluding extract of malt, virol, roboleine and similar tonic foods .....ad valorem	25 p.c.
19 (e) ex (i)	Fish: Other - tinned sardines in oil .....per lb.	3d
21 (c)	Foods: Other patent or proprietary farinaceous and cereal foods, excluding oatmeal and rolled oats .....ad valorem	25 p.c.
22 (a) (i)	Fruits: Fresh or green - apples .....ad valorem	5 p.c.
ex(b)	Bottled, tinned or otherwise preserved, including candied peel, but excluding pulp in bulk, crystallized fruits, bananas, pineapples, oranges and guavas .....per lb.	2d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
ex (b)	Drained glace cherries, sweetened .....per lb.	1d
(e)	Blackberry, blackcurrant and raspberry pulp, in bulk, for use in the manufacture of those jams for export, under such conditions as the Minister may prescribe	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
22 (Cont'd) (f)	Other pulp in bulk, and tamarinds .....per lb.	1½d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
25	Horsehair or other animal hair, not being further prepared than dried, cleaned, bleached or dyed ...	Free
26	Hops in bulk .....ad valorem	5 p.c.
27	Jams, jellies and honey; pudding, cake and jelly powders .....per lb.	2½d
	or	
	ad valorem	30 p.c.
	whichever duty shall be the greater	
28	Lard and edible meat fats .....per lb.	2d
30	Meats, soups (not concentrated), and similar substances used as food, but excluding extracts and essences:	
(b)	Meats, fresh, frozen, salted or cured, but excluding chipped or sliced dried beef packed in containers of less than 1 lb .....per lb.	4d
ex 31	Pates de foie gras and foies gras, potted or tinned .....per lb.	3d
33 (a)	Nuts, edible: Cocoanuts -	
(ii)	desiccated, unsweetened .....ad valorem	15 p.c.
(iii)	desiccated, sweetened .....ad valorem	25 p.c.
ex(c)	Brazil .....per lb.	2d
ex 35(1) (a)	Peas and lentils: Dried, except maple peas .....per 100 lb.	2s 10d
ex 35(1) (a)	Beans: Dried .....per 100 lb.	3s. 0d.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
35(2) (a)	Groundnuts: Dried, unshelled ..... per 100 lb.	3s 9d
(b)	Shelled, ground or otherwise prepared .... per 100 lb.	4s 6d
35(3) (a)	Other leguminous seeds n.e.e: Dried ..... per 100 lb.	1s 10d
36 (a)	Pickles and condiments: Pickles, sauces, chutneys and other condiments.. .....per lb.	2¼d
38	Rennet	Free
40(1)	Seeds, bulbs, plants, trees and tubers, for planting and sowing only, excluding those ordinarily used for food or fodder, provided that seed-potatoes may be imported under this item on production of a permit issued by the Secretary for Agriculture and Forestry prior to such importation, and of a certificate issued by an officer of that Department, duly appointed for the purpose, certifying that such potatoes satisfy the conditions and purpose of the aforementioned permit	Free
41(a) (i)	Spices: Whole, decorticated or broken, but not ground or crushed; excluding coriander seed	Free
(iii)	Other .....per lb.	2¼d
(b) (ii)	Sage, thyme, marjoram and other culinary herbs - other .....per lb.	2¼d
43 ex (b)	Sugar and sugar substitutes: Golden and maple syrup, jaggery, molasses, saccharum and treacle .....per 100 lb.	4s 6d
ex (c)	Sugar of milk (Lactose) .....per 100 lb.	12s 6d.
ex (d)	Saccharine .....per lb.	15s 0d
44	Tapioca, sago and arrowroot	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
45	Tea -	
(a)	in packets or tins, not exceeding 10 lb. each in weight .....per lb.	1d
(b)	in larger containers	Free
46	Vegetables:	
ex (a)	Fresh chicory leaves (witloof)	Free
ex (b)	Tinned asparagus .....ad valorem	15 p.c.
ex (b)	Mushrooms, tinned or otherwise preserved	Free
48(a)	Ale, beer, cider and perry, all kinds of strength exceeding 3 per cent of proof spirit .... per imp.gallon	4s 6d
(b)	Stout, exceeding 3 per cent of proof spirit ....per imp gallon	4s 6d
49	Beverages:	
(a)	Fruit juices, cordials and syrups, n.e.e..... .....ad valorem	20 p.c.
50	Spirits and alcohol:	
(a)	Perfumed, and perfumery exceeding 3 per cent of proof spirit .....per imp. gallon	£2.10s 0d
	and in addition ad valorem	15 p.c.
(b)	Liqueurs, cordials and mixed potable spirits, exceeding 3 per cent of proof spirit ....per imp. gallon	£1.18s 6d
	or ad valorem	25 p.c.
	whichever duty shall be the greater	
(c)	Other potable spirits exceeding 3 per cent of proof spirit .....per imp. proof gallon	£4 2s. 6d
	Note: No allowance will be made for underproof in excess of 15 per cent.	

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
50 (Cont'd) (h) (i)	Toilet preparations (liquid) - containing over 3 per cent of proof spirit and not falling under sub-paragraph (ii) or (iii).. ..... per imp. gallon	£1 18s 6d
	or ad valorem	40 p.c.
	whichever duty shall be the greater	
(ii)	overproof, containing over 100 per cent proof spirit and not falling under sub-paragraph (iii) .....per imp. proof gallon	£1 17s 6d
	or ad valorem	40 p.c.
	whichever duty shall be the greater	
(iii)	containing more than 50 per cent by weight of propyl alcohol .....per imp. gallon	£1 17s 6d
	and in addition thereto for each multiple of 5 per cent or part thereof in excess of 50 per cent by weight of alcohol .....per imp. gallon	2s 9d
	or ad valorem	40 p.c.
	whichever duty shall be the greater	
52 ex (c)	Wines; Champagne .....per imp. gallon	19s 0d
53	Cigars and cigarillos .....per lb.	8s 6d
61(a)	Blankets and rugs, shawls, n.e.c., sheets commonly used as blankets or rugs and known as kaffir sheets:	
(1)	Weighing more than 12 oz. each and imported singly or in pairs or in the piece -	
(i)	consisting wholly of cotton, or of cotton and wool containing more than 60 per cent of cotton .....per lb.	8d
	or ad valorem	25 p.c.
	whichever duty shall be the greater	
(ii)	containing 40 per cent or more of wool..per lb.	11d
	or ad valorem	25 p.c.
	whichever duty shall be the greater	

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
61(a) (Cont'd) (iii)	other .....per lb.	1s 2d
	or ad valorem	25 p.c.
	whichever duty shall be the greater	
65 (a)	Clothing: Bespoke, or made by a tailor or dressmaker to the order of an individual, including men's partly finished clothing but excluding under-clothing .....ad valorem	30 p.c.
66(a)	Coir, cotton, fibre, flax, grass, hemp, manilla, jute, silk and moss, raw, waste and unmanufactured; flock and waste rayon	Free
67 (a) (ii)	Furs: Fur skins - in the single original pelt, wholly or partly dressed .....ad valorem	15 p.c.
(b)	Other, including muffs and articles of apparel (except gloves) made from furs .....ad valorem	$33\frac{1}{3}$ p.c.
68	Gloves, except gloves made wholly of rubber, firemen's (fire brigade) gauntlets, anti-gas gloves, and gloves specially constructed for agricultural, industrial and sporting purposes .....ad valorem	15 p.c.
69 (c)	Hats, caps and bonnets, and hoods and shapes: Rubber bathing caps .....ad valorem	15 p.c.
(f) (i)	Ladies' - trimmed (but linings, bands and borders do not constitute trimming) .....ad valorem	25 p.c.
70 (a)	Hosiery: Socks ..... Note: There shall be no preference on this item.	....
(b)	Stockings of artificial fibres .....ad valorem	15 p.c.
71	Laces, lace curtaining, lace flouncing and lace embroidery, in the piece or in the form of insertions or medallions .....ad valorem	10 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
ex 73(1)	Pins and needles .....ad valorem	10 p.c.
76	Piece goods, not being canvas, blanketing or kaffir sheeting:	
	Note: In the case of piece goods exceeding 30 inches in width, "yard" shall mean 36 inches by 30 inches in width, and the free-on-board price and the duty at per yard shall be calculated proportionately to the width.	
(a) ex (i)	Cotton (woven or knitted) - containing 50 per cent or more by weight of cotton but no rayon, the free-on-board price of which exceeds 1s 3d but does not exceed 2s 0d per yard	....
ex (ii)	of cotton and rayon with or without other materials, containing 50 per cent or more by weight of cotton, the free-on-board price of which exceeds 1s 3d but does not exceed 2s 0d per yard	....
	Note: Piece goods containing 50 per cent of cotton and 50 per cent of rayon shall be deemed to be rayon.	
	Note: The products provided for under items 76(a)(i) and (ii) above shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 5% ad valorem.	
(c) (i)	Other woven fabrics in the piece n.e.s.- containing 50 per cent or more by weight of rayon .....ad valorem	5 p.c.
	or per yard	3d
	less ad valorem	5 p.c.
	whichever duty shall be the greater	
(ii)	containing more than 50 per cent by weight of silk .....ad valorem	10 p.c.
ex (iv)	containing 50 per cent or more by weight of flax .....ad valorem	5 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
79	Shawls: cashmere, lace and silk; knitted and crocheted shawls; and other shawls weighing not more than 12 oz. each .....ad valorem	15 p.c.
81(2)	Grafting tape for trees	Free
82(1)	Airships, aeroplanes, and other aircraft, including completed parts thereof, and rubber cables for launching gliders	Free
84(2)	Baths, metal, other:	
(a)	Galvanized .....ad valorem	20 p.c.
(b)	Enamelled, other than porcelain or vitreous enamelled .....ad valorem	20 p.c.
(c)	Other .....ad valorem	20 p.c.
86(b)	Motor cycles and sidecars, and parts and accessories; but excluding electric lamp bulbs, batteries, tyres and tubes and parts specially provided for in this item, when imported separately ....ad valorem	20 p.c.
(d)	Sparking plugs for motor cycles .....each	3d
(f)	Driving chains for motor cycles ..... per foot	3½d
89(d)(ii)	Switches, points and crossings for rails not exceeding 30 lb. per running yard .....ad valorem	5 p.c.
94	Cash registers and calculating machines, including tabulators and sorting machines used therewith ... .ad valorem	5 p.c.
96	Chimneys (smoke stacks), metal .....ad valorem	20 p.c.
97(1)	Cranes, mechanical excavators and loaders, winches not being for whaling, trawling or mining purposes, hoisting crabs, chain blocks, spiral chutes, gravity conveyors and shears	....
	Note: There shall be no preference on this item.	

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
101	Dairy utensils and machinery:	
(b)	Cheese moulds, tinned .....ad valorem	5 p.c.
(c)	Other dairy utensils and machinery; butter churn trolleys; ungalvanized unwelded milk bottle crates; and filter pads	Free
(d)	Metal castings and drinking bowls for the manufacture of cow stalls	Free
103(a)	Engines and motors, and propellor shafts, stern tubes and propellors imported with and for use with such engines and motors, for fishing and whaling boats and mercantile marine purposes, and trawl and whaling winches, excluding spare parts; fairleads, tackle blocks and towing and snatch blocks for trawlers	Free
107(a)	Filters: being machinery, apparatus and appliances directly connected with and essential to the construction of water filtering or water purifying plants, attached to or used in connection with a public or mine water supply system, public swimming baths, electric power stations, or machinery for manufacturing and industrial purposes	Free
(b)	Filters, other, for the purification or softening of water	Free
(c)	Filters and apparatus, not being parts of motor vehicles for the purification and cleaning of oil; and oil separators	Free
(f)	Air conditioning machinery n.e.e. and air distributors and inlets used in connection therewith; and ventilating fans .....ad valorem	5 p.c.
108	Firearms:	
(a)	Guns and rifles, including barrels therefor, single, n.e.e. .....per barrel	£1 0s 0d
(b)	Guns and rifles, including barrels therefor, double and other .....per barrel	15s 0d

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
108 (Cont'd)		
(c)	Revolvers and pistols, including barrels therefor .....each	5s 0d
	and in addition in the case of (a), (b) and (c) .....ad valorem	20 p.c.
(d)	Gun and rifle furniture .....ad valorem	20 p.c.
(e)	Rifles, miniature, of a calibre not exceeding .22, and guns of a calibre not exceeding .420, and barrels therefor, single .....each	15s 0d
(f)	Rifles, miniature, of a calibre not exceeding .22, and guns of a calibre not exceeding .420, including barrels therefor, double and other..... .....each	10s 0d
(g)	Humane animal killers	Free
109	Fire escapes; fire alarms excluding batteries; and fire extinguishing appliances and apparatus	Free
110	Furniture:	
(b)	Furniture, upholstery and mattress springs, metal, imported singly, or in lengths or coils..	Free
111(1)	Gauze, sieving and screening, of metal, for use in connection with machinery; copper or brass gauze for dynamo brushes; woven wire screening for mining purposes; and rubber-coated metal screening in sheets for industrial or mining purposes	Free
(2)	Wire gauze, mosquito and fly .....ad valorem	5 p.c.
(3)	Wire gauze n.e.e. .....ad valorem	15 p.c.
116	Lamps and lampware, excluding motor vehicle and cycle lamps and lampware:	
(a)	Ships' navigation lamps	Free
(c) (ii)	Gaslamps - miners' hand and bucket acetylene lamps and parts thereof including reflectors but not burners .....ad valorem	25 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
117	Lifts, hydraulic or electrical, including the gates and metal doors; and lifting jacks	Free
118	Machinery, apparatus, appliances and implements, n.e.e., but excluding material, domestic machines, and vehicles:	
ex (a)	Binders, brooders, chaff cutters, cultivators other than hand cultivators, disc-cultivating drills, disc harrows, disc ploughs, drills including combined grain and fertilizer drills for sowing small grain, fertilizer distributors, hay rakes, header harvesters including auto headers and engine-functioned header harvesters, incubators, mowers ground drive and power-take-off types, pick-up hay balers mobile types, planters, reapers, reaper-binders, scarifiers, seeders, strippers including stripper harvesters, threshing machines; parts for the above classes of machines and implements	Free
(b)	Fixed plant and machinery for factory installation, but excluding structural steelwork for staging and platforms	Free
(c)	For mining purposes n.e.e. .....ad valorem	5 p.c.
(e)	Rock drill sharpener spares (including dies and dollies), rivet-sets and chisel blanks, unfinished	Free
(g)	Other, for manufacturing and industrial purposes; air compressors; serrated saw banding; concrete mixers; machinery for power laundries; leather measuring machines for use in boot factories and tanneries; workshop machinery and appliances ordinarily used in a motor garage for manufacturing, testing and repair work; unfinished rolls for iron and steel rolling mills and unfinished roller shells for sugar milling machinery; but excluding structural steelwork for staging and platforms .....ad valorem Note: Oil, petrol and tyre pumps, washing outfits, grease guns, and other appliances ordinarily used for service in a motor service station do not fall under the heading of "workshop machinery and appliances".	5 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
118 (Cont'd) (i)	Liners (manganese and chrome steel) for rod and ball mills	Free
122 (g)(ii)	Iron and steel: Rolled steel sections, perforated or put together or worked up in any way or marked for working, for the manufacture of steel windows and doors and steel frames therefor .....ad valorem	20 p.c.
(k)	Structural steelwork n.e.e. .....ad valorem	20 p.c.
123 (a)	Lead: Sheet, plain .....per 100 lb.	2s 0d
(b)	Foil, and powder in bulk	Free
124 (a)(i)	Tin and zinc: Plates, sheets and strips, not worked up in any way except perforated	Free
(ii)	Tin foil, and powder in bulk	Free
(b)	Zinc plates and sheets (polished), for lithographic work	Free
ex 125(a)	Aluminium in rods, bars, blocks, ingots and pigs..	Free
ex 126(a)	Lead in rods, bars, blocks, ingots and pigs	Free
127 (a)	Metal sheets, metal badges, metal name or number plates, and similar articles: Enamelled, except corrugated iron roofing sheets .....ad valorem	25 p.c.
(b)	Printed, lithographed or embossed ....ad valorem	25 p.c.
(c)	Varnished or lacquered but excluding lacquered tinplate .....ad valorem	15 p.c.
(d)	Lacquered tinplate .....ad valorem	15 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
129	Motor cars, excluding radio apparatus:	
(a)	Of a free-on-board value not exceeding £400 ....ad valorem	20 p.c.
(b)	Of a free-on-board value exceeding £400 but not exceeding £600 .....ad valorem	20 p.c.
ex (c)	Of a free-on-board value exceeding £600 but not exceeding £800 .....ad valorem	25 p.c.
ex (c)	Of a free-on-board value exceeding £800 ....ad valorem	30 p.c.
(h)	Parts and accessories, but excluding electric lamp bulbs, batteries, tyres and tubes and parts specially provided for in this item ....ad valorem	20 p.c.
130	Motor trucks and motor vans for the conveyance of goods, and steam wagons, and motor char-a-bancs, omnibuses, ambulance vans and hearses:	
(c)	Chassis (including tipping gear) imported for bodies to be built in the Union, except for motor vans as provided for in paragraph (d) -	
(i)	in a completely unassembled condition ....ad valorem	3 p.c.
(ii)	otherwise, including single unit packings ....ad valorem	5 p.c.
	Note: The importation of parts and materials in the form as prescribed in paragraph (d)(i) for the construction of a metal cab for attachment to a chassis will not debar the chassis from admission as a chassis.	
(e)	Parts and accessories, but excluding electric lamp bulbs, batteries, tyres and tubes and parts specially provided for in this item ....ad valorem	20 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
131(a)	Packing and lagging for engines, machinery and piping, and packing for buildings, but excluding jute gasketting, white and red leads, zinc oxide, leather, rubber sheets and sheeting with or without insertion interplies, and other rubber packing	Free
(b)	Washers other than of metal, leather and rubber ..	Free
134(1)	Pipes, piping, tubes, and fittings, of metal: gas, steam, drainage, sewerage, irrigation, water supply and water pumping; excluding grids, manhole covers and fittings, and surface boxes:	
(d)(ii)	Down-piping and guttering, other than of cast-iron, and fittings therefor; fittings for cast-iron down-piping and guttering; riveted wrought iron or steel pipes and tubes; brass bends and junctions for sanitary and waste-water pipes .....ad valorem	20 p.c.
ex 135	Presses: hay, power operated, including internal combustion engines forming an integral part thereof, and parts for such hay presses	Free
ex 136(b)	All automatic or semi-automatic drawing off pumps used in connection with the brewing of beer	Free
138 (a)	Railway construction or equipment requisites: Girders, iron bridgework, culvert tops, trolleys and cane trucks .....ad valorem	20 p.c.
ex (b)	Weighbridges	Free
(d)(iii)	Switches, points and crossings, n.e.e.; switch-boxes; and fastenings n.e.e. for rails or sleepers .....ad valorem	3 p.c.
ex 139	Refrigerating machinery and mechanically or chemically cooled refrigerators having a storage capacity exceeding 12 cubic feet	Free
140	Sewing and knitting machines, not being industrial machinery, and needles therefor; spinning wheels and weaving looms, and accessories therefor, not being industrial machinery	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
141(1)	Sprayers and sprinklers and other apparatus used for the prevention or destruction of weeds, agricultural pests, or of diseases in stock, plants or trees	Free
146	Tools not being agricultural implements or machine tools:	
ex (a)	Mechanics', being tools ordinarily used by mechanics or artizans.....ad valorem	3 p.c.
147(a)	Traction engines; stone crushers (not being mining machinery) and mechanical stone driers; bull-and angledozers; scrapers; street sweeping machines; steam and motor road rollers, road scarifiers, and road surface material spreaders (mechanical); mechanical thrust borers, power rammers, rippers and screens, mechanical graders and combined graders and tipping gear, and weighing and measuring machines, for road construction or maintenance	Free
ex (b)	Street spraying (water) machines	Free
147(f)(i)	Tractors of the mechanical horse type for the haulage of detachable semi-trailers ....ad valorem	5 p.c.
(ii)	Other tractors of the wheel type	Free
(iii)	Tractors of the crawler or track-laying type	Free
(iv)	Parts of tractors	Free
149(1)(a)	Duplicating and addressing machines	Free
(b)	Address plate frames and duplicating metal sheets used in conjunction with the machines provided for in paragraph (a)	Free
(2) (b)	Typewriters - other than Braille	Free
151(a)	Weighing machines including scales and balances, not being laboratory instruments, milk recording scales, or industrial appliances elsewhere provided for; fabric meters .....ad valorem	5 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
153	Wire:	
(b)	Barbed fencing	Free
154	Radio or wireless apparatus and accessories:	
(1)	When imported for merchant ships, or for aircraft, or by persons licensed by the Postmaster-General to conduct a public radio service	Free
(3)	Other .....ad valorem	15 p.c.
156(a)	Wire rope .....ad valorem	5 p.c.
(b)	Split-links, shackles and thimbles, for use in connection with wire rope, imported separately ...	Free
157	Asbestos-cement manufactures, namely:	
(a)	Flat or corrugated sheets, slates and tiles ....ad valorem	25 p.c.
	or per sq. ft	½d
	whichever duty shall be the greater	
(b)	Ridging and guttering .....ad valorem	25 p.c.
(c)	Other n.e.e. .....ad valorem	15 p.c.
160	Bottles and jars (common) of glass or earthenware, being ordinary trade packages for the transport of goods; and fruit jars:	
(b)	Empty, of glass, of the beer and mineral water types -	
(i)	of a capacity not exceeding 7½ fluid ounces.... .....per gross	6d
	Plus suspended duty of .....per gross	2s 0d
(ii)	of a capacity exceeding 7½ fluid ounces but not exceeding 14 fluid ounces .....per gross	9d
	Plus suspended duty of .....per gross	3s 0d
(iii)	of a capacity exceeding 14 fluid ounces but not exceeding 28 fluid ounces .....per gross	1s 0d
	Plus suspended duty of .....per gross	4s 0d

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
160 (Cont'd)		
ex (d)	Siphons .....ad valorem	5 p.c.
ex (e)	Capsules (other than paper) .....ad valorem	5 p.c.
162	Cements, cement clinker and concrete proofers:	
(a)(i)	Cement for building purposes, including hydraulic lime .....per 400 lb.	2s 6d
163	Coal and patent fuel	Free
166	Diamonds and other gems or precious stones, in their rough state	Free
167	Earthenware and stoneware, n.e.e., including sanitary pans, urinals, sinks and lavatory basins ....ad valorem	20 p.c.
	Plus a suspended duty of .....ad valorem	5 p.c.
172	Glassware, chinaware and porcelainware:	
(a)	For laboratory use	Free
(b)(i)	Glassware n.e.e. .....ad valorem	5 p.c.
(ii)	Chinaware and porcelainware, n.e.e., including household crockery of earthenware ....ad valorem	5 p.c.
173	Graphite or plumbago	Free
178	Marble:	
(a)	In the rough or sawn	Free
180	Mica and mica manufactures:	
ex (b)	Mica plates for electrical purposes ..ad valorem Note: There shall be no preference on this item	15 p.c.
191	Copra	Free
197	Oils, essential (natural and synthetic), including those containing fixatives:	
(a)	Lemon and orange	Free
(b)	Other	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
199	Oils, lubricating -	
(a)	in bulk .....per imp. gallon	3d
(b)	not in bulk .....ad valorem	15 p.c.
202	Oils, vegetable, animal and fish, n.e.s:	
ex (2)	Olive oil .....ad valorem	5 p.c.
203(1)	Paints and colours:	
(a)(i)	Ready mixed for use; and enamels, poster colours, flat oil paints, sheep-marking oils and petrifying liquids .....ad valorem	25 p.c.
(ii)	Colour washes and distempers in paste or powder form .....ad valorem	25 p.c.
	or per lb.	1d
	whichever duty shall be the greater	
(d)	Artists' colours	Free
205	Resin and turpentine:	
(a)	Resin (including artificial and synthetic resins), dry resinous gums and dry shellac -	
(i)	in bulk	Free
206	Soap, soap powders and extracts:	
(a)	Toilet .....per 100 lb.	4s 0d
	or ad valorem	$33\frac{1}{3}$ p.c.
	whichever duty shall be the greater	
207	Tallow, animal and vegetable, including oleine ...	Free
210	Waxes and greases:	
(a)(i)	Beeswax .....ad valorem	15 p.c.
(ii)	Paraffin wax in bulk	Free
ex (b)	Paraffin wax not in bulk	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
213	Acids:	
(c)	Citric and tartaric -	
(i)	in bulk .....ad valorem	15 p.c.
(ii)	not in bulk .....ad valorem	15 p.c.
(d)	Other n.e.s. .....ad valorem	15 p.c.
215 ex (1)	Ammonium perchlorate in bulk	Free
ex (2)	Mono-ammonium phosphate and ammonium sulphocyanide	Free
216 ex (c)	Penicillin	Free
217	Barium carbonate and barium peroxide, in bulk	Free
224	Drugs and medicines, n.e.e:	
(a)	Such preparations as may be approved by the Minister to be of recognized value in the prevention or treatment of malaria	Free
ex (d)	Caffeine, theobromide, emetine and natural menthol .....ad valorem	10 p.c.
225	Dyes and colour preparations, not being paints and colours or toilet preparations elsewhere provided for:	
(b)	Other -	
(ii)	not in bulk .....ad valorem	10 p.c.
226	Extracts for perfuming n.e.e.....ad valorem	25 p.c.
227(1)	Fertilizers in bulk: animal, mineral or vegetable, artificial or natural; and phosphate rock and maltassa	Free
(2)	Bacterial cultures for seed and soil inoculation as may be approved by the Minister	Free
228	Glycerine:	
(b)	Distilled .....ad valorem	25 p.c.
232	Naphthalene in bulk	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
ex 234	Nitrates of sodium and potassium, in bulk, for manufacturing purposes or for fertilizers	Free
237	Perchloride of iron in bulk	Free
238	Perfumery and toilet preparations, n.e.e., including powders, washes, pomatums, cosmetics, pastes, dyes, hair oils, but excluding tooth powders, tooth pastes and tooth washes .....ad valorem	35 p.c.
239	Pills, including gelatine capsules containing drugs and medicinal preparations, imported in packages not for direct sale to the public ....per lb.	15s 0d
ex 241	Potassium: Bicarbonate, bichromate, bisulphite, carbonate, caustic potash, chlorate, chloride, iodide, metabisulphite, permanganate, red and yellow prussiate of, silicate, sulphite, sulphocyanide (thio-cyanate), and xanthate including amyl, butyl and ethyl xanthate, in bulk	Free
244 ex (d)	Sodium: Nitrate not in bulk	Free
246(1)	Substances for the prevention or destruction of weeds, agricultural pests, including sheep and cattle dips and dipping powders and materials suitable only for dip; substances for the prevention or cure of diseases in plants or trees; arsenic, arsenic pentoxide, carbon bisulphide, copper arsenate, copper sulphate, copper tartrate, lead arsenate, sodium arsenate, sodium arsenite and zinc sulphate	Free
(2)	Substances for the prevention of wood rot, and substances for the preservation of wood, n.e.e., but excluding oils and stains	Free
(4)	Ethylene gas for the treatment of fruit, under such conditions as the Minister may impose	Free
(5)	Tetrachlorethylene, ethylene dichloride, chlorinated diphenyl, and carbon tetrachloride	Free
(6)	Insect powders and substances for destroying pests, n.e.e. .....ad valorem	15 p.c.
(7)	Substances for the extermination of rodents	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
247	Sulphur in bulk	Free
251	Boots and shoes:	
(a)	Infants' and surgical -	
ex (i)	infants', sizes 0 to 2½	Free
(ii)	infants', sizes 3 to 6½ .....ad valorem	12 p.c.
(b)	Men's, women's and children's, not being slippers, ballet dancing shoes, goloshes, rubber boots, rubber bathing shoes and sandals, spiked running shoes, boots and shoes with rope or wooden soles, wooden footwear, or cotton-mesh and canvas shoes of the tennis or gymnasium type, the soles of which, excluding socking, are wholly of rubber -	
(i)	children's, sizes 7 to 1 .....ad valorem	30 p.c.
	or per pair	1s 0d
	whichever duty shall be the greater	
(ii)	men's and youths', women's and maids', sizes 2 and upwards .....ad valorem	30 p.c.
	or per pair	3s 6d
	whichever duty shall be the greater	
(d)	All other, of any material, including goloshes.. .....ad valorem	30 p.c.
254	Leathers:	
(1)	Patent	Free
(2)	Genuine reptile, fish, frog, toad, bird, seal, kangaroo, antelope, deer, pig, and hog leathers.	Free
258(1)	Rubber, unmanufactured, including latex, first latex crepe, crude, waste, masticated and reclaimed rubber, synthetic rubber and gutta percha	Free
265	Cane, bamboo, rattans and osiers:	
(a)	Unmanufactured, including rattan-coro (whole or split) and split cane unmanufactured	Free
(b)	Manufactures of, not being furniture ad valorem	20 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
272 (b)	Joinery: Wooden frameworks of houses, including sills, sashes, lintels, staircases, casements, wooden shutters and mouldings .....ad valorem	25 p.c.
273 (b)	Plywood: Other (excluding alder and birch not exceeding 4 mm. in thickness) ..... per cubic foot	3s 0d
	or ad valorem whichever duty shall be the greater	25 p.c.
276	Sleepers, railway or tramway, wooden ...ad valorem	3 p.c.
279 (a) (i)	Wood: Unmanufactured - softwood (coniferous) ..... per 100 cubic feet	4s 6d
(ii)	other, except veneer board .....ad valorem	3 p.c.
280(b)	Wood cellulose for packing fresh fruit, in rolls or in sheets	Free
282 (a)	Bags, paper, including transparent cellulose bags: Printed .....ad valorem	30 p.c.
(b)	Not printed .....per lb.	1½d
291(1) (a)	Inks and ink powders: Printing, ruling and lithographic	Free
(b)	Duplicating machine inks .....ad valorem	10 p.c.
295 (a)	Paper: Blotting, carbon and wall.....ad valorem	10 p.c.
ex (b)	Graphitized, lithographic transfer, oiled, waxed, transparent cellulose, lined bottle tissue, plain tissue and greaseproof (plain or corrugated), and cover paper for use in the process of manufacturing boots and shoes	Free
ex (d) (ii)	Plain or composite, n.e.e.- cigarette paper in the original mill reels or rolls	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
295 (Cont'd)		
ex (e)	Sensitized and tracing .....ad valorem	7½ p.c.
ex (e)	Sanitary .....ad valorem	15 p.c.
296	Printed, ruled, lithographed and embossed matter (not being metal and excluding embossed paper serviettes, d'oyleys and paper mats):	
(a)	Picture postcards; Christmas, birthday, pictorial, New Year and other cards; calendars, calendar pads, calendar mounts, n.e.e., and almanacs; box-coverings and pictures intended to form part of imported printed, lithographed or embossed matter .....ad valorem	30 p.c.
(b)	Directories, guide books, year books and handbooks, relating to the Union; Union Christmas annuals; holiday and special numbers or editions of Union newspapers, magazines or periodicals or parts thereof; supplements to Union publications; albums designed or intended for disposal as advertising matter .....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	
(c)	Account books, exercise books and copy books; stationery and forms in books, pads or loose; diaries n.e.e.; delivery, manifold, and index books; bank cheques, drafts, promissory notes, bills of exchange and similar forms; receipt forms; reminder slips; scrip, share certificates and company reports; membership certificates for lodges, unions and like institutions; letter headings and form letters; invoices and account forms .....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	
(f)	Labels, tickets n.e.e., and address tags, flat or in rolls .....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
296 (Cont'd) (g)(i)	Catalogues and price lists of Union firms and firms holding stocks in the Union, printed and posted abroad to individuals in the Union ....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	
(h)(i)	All advertising samples (not being any article liable to a rated duty and not being an article of food liable to a duty other than a rated duty) issued gratis or intended for distribution gratis as advertising matter .....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	
(iii)	All other advertising matter, including advertising invoice forms and similar stationery usually issued gratis or at nominal prices ....ad valorem	30 p.c.
	or per lb.	6d
	whichever duty shall be the greater	
297 (a)	Stationery n.e.e.: Loose-leaf covers and binders;letter or document files in book or folder form .....ad valorem	30 p.c.
299	Beads .....per lb.	4d
	or ad valorem	15 p.c.
	whichever duty shall be the greater	
300 (a)	Clocks and watches: Complete, n.e.e. .....ad valorem	10 p.c.
(b)	Cases and set-up mechanism or movements ....ad valorem	10 p.c.
(c)	Other parts .....ad valorem	10 p.c.
(d)	Tower clocks and parts therefor for churches and public buildings; pigeon flying time recording clocks	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
302(1)	Ladies' handbags .....ad valorem	25 p.c.
303	Gramophones, phonographs, and needles and records therefor .....ad valorem	10 p.c.
304	Jewellery, including imitation jewellery and rolled gold, enamel or gilt jewellery; precious stones and pearls and imitations thereof, cut or polished, and whether mounted or unmounted; completed portions or parts of any article of jewellery, imitation or otherwise; ornamental hat pins, ornamental hair pins and ornamental buckles; bangles, necklaces, girdles, muff chains, clasps, and similar articles of adornment .....ad valorem	25 p.c.
305	Musical instruments n.e.e. .....ad valorem	10 p.c.
307 ex (1)	Tennis rasquets and frames, cricket bats, hockey sticks and golf clubs .....ad valorem	15 p.c.
ex (2)	Sporting and athletic goods, that is, articles n.e.e. used for outdoor games excluding golf balls; and fishing appliances (not being for industrial purposes) .....ad valorem	10 p.c.
ex 308	Tobacconists' wares, including pipes, pouches, pipe covers, pipe stands, pipe cases, smokers' cabinets, cigar and cigarette holders, match boxes, tobacco jars, cigar and cigarette cases, ash trays, cigar and cigarette lighters excluding cut cigarette papers in boxes .....ad valorem	20 p.c.
ex 308	Cigarette papers in boxes, cut .....ad valorem	15 p.c.
310	Ammunition and explosives:	
(b)	Cartridges -	
(i)	for humane animal killers	Free
(d)	Fireworks of all descriptions .....ad valorem	10 p.c.
315 ex (a)	Cinematograph sound apparatus .....ad valorem	5 p.c.
324 ex (a)	Plates and films, sensitized, unexposed .....ad valorem	10 p.c.
(b)	Telescopes, binoculars and fieldglasses, n.e.e., and opera glasses .....ad valorem	10 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART I - (Concluded)

South African Tariff item number	Description of Products	Rate of Duty
329 ex (1)	Films for radiography	Free
330(c)	Ships' and boats' compasses, recording logs and anchors	Free
ex 335	Vanilla beans	Free

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART II.

Preferential Tariff

South African Tariff item number	Description of Products	Rate of Duty
8 (a)	Cheese: Containing not less than 45 per cent milk fat in its water-free substance and being free from foreign fat .....per lb.	5½d
	with a rebate therefrom of ...per lb, on such classes as are not produced in the Union as the Minister may prescribe	2d
	or ad valorem whichever duty shall be the greater	25 p.c.
13 (a)	Coffee: Raw	Free
19 (e) ex (i)	Fish: Other - tinned sardines in oil .....per lb.	1½d
26	Hops in bulk	Free
30 (b)	Meats, soups (not concentrated), and similar substances used as food, but excluding extracts and essences: Meats, fresh, frozen, salted or cured, but excluding chipped or sliced dried beef packed in containers of less than 1 lb.....per lb.	3d
48(b)	Stout, exceeding 3 per cent of proof spirit..... .....per imp. gallon	4s 0d
71	Laces, lace curtaining, lace flouncing and lace embroidery, in the piece or in the form of insertions or medallions .....ad valorem	5 p.c.
76	Piece goods, not being canvas, blanketing or kaffir sheeting:	
	Note: In the case of piece goods exceeding 30 inches in width, "yard" shall mean 36 inches by 30 inches in width, and the free-on-board price and the duty at per yard shall be calculated proportionately to the width.	

SCHEDULE XVIII - UNION OF SOUTH AFRICA

Part II - (Continued)

South African Tariff item number	Description of Products	Rate of Duty
76 (Cont'd)		
(c)		
(i)	Other woven fabrics in the piece n.e.e.- containing 50 per cent or more by weight of rayon .....ad valorem	5 p.c.
86(b)	Motor cycles and sidecars, and parts and accessories; but excluding electric lamp bulbs, batteries, tyres and tubes and parts specially provided for in this item, when imported separately .....ad valorem	15 p.c.
(d)	Sparkling plugs for motor cycles .....each	2¼d
(f)	Driving chains for motor cycles .....per foot	2½d
111(2)	Wire gauze, mosquito and fly	Free
118	Machinery, apparatus, appliances and implements, n.e.e., but excluding material, domestic machines, and vehicles:	
(g)	Other, for manufacturing and industrial purposes; air compressors; serrated saw banding; concrete mixers; machinery for power laundries; leather measuring machines for use in boot factories and tanneries; workshop machinery and appliances ordinarily used in a motor garage for manufacturing, testing and repair work; but excluding structural steelwork for staging and platforms.....	Free
	Note: Oil, petrol and tyre pumps, washing outfits, grease guns, and other appliances ordinarily used for service in a motor service station do not fall under the heading of "workshop machinery and appliances".	
134(1)	Pipes, piping, tubes, and fittings, of metal: gas, steam, drainage, sewerage, irrigation, water supply and water pumping; excluding grids, manhole covers and fittings, and surface boxes:	
(d)(ii)	Down-piping and guttering, other than of cast-iron, and fittings therefor; fittings for cast-iron down-piping and guttering; riveted wrought iron or steel pipes and tubes; brass bends and junctions for sanitary and waste-water pipes ... .ad valorem	15 p.c.

SCHEDULE XVIII - UNION OF SOUTH AFRICA

PART II - (Concluded)

South African Tariff item number	Description of Products	Rate of Duty
146	Tools not being agricultural implements or machine tools:	
ex (a)	Mechanics', being tools ordinarily used by mechanics or artizans	Free
147(f)(i)	Tractors of the mechanical horse type for the haulage of detachable semi-trailers	Free
206	Soap, soap powders and extracts:	
(a)	Toilet .....per 100 lb.	4s 9d
	or ad valorem	25 p.c.
	whichever duty shall be the greater	
279	Wood:	
(a)	Unmanufactured -	
(i)	softwood (coniferous)	Free
(ii)	other, except veneer board	Free
524(b)	Telescopes, binoculars and fieldglasses, n.e.e., and opera glasses	Free

SCHEDULE XIX - UNITED KINGDOM

This Schedule is authentic only in the English language

Section A. Metropolitan Territory

PART I

Most-Favoured-Nation Tariff

1. Where any article listed in Division 1 of this Part of this Schedule is liable in whole or in part on the date of this Agreement to the duties on cocoa, hydrocarbon oil, silk, artificial silk, spirits or sugar set forth in Part 6 of "Customs and Excise Tariff of the United Kingdom of Great Britain and Northern Ireland in operation on the 1st January, 1947", published under the authority of the Commissioners of His Majesty's Customs and Excise, it shall, unless expressly excepted in this Schedule, continue to be subject to such duties at rates now in force, or as subsequently changed by the law.

2. Where, however, any article listed in Division 1 of this Part of this Schedule.

(a) being an article of apparel, other than stockings and socks, is made wholly or partly of silk or artificial silk; or

(b) consists wholly or partly of lace or lace net of any kind, or consists wholly or partly of material by whatever process or stitch made which in appearance or pattern resembles lace or lace net; or has at any stage of manufacture been subjected, as to the whole or a part thereof, to a process of embroidery by hand or machine needlework or to a process producing a similar effect; or has at any stage of manufacture been subjected, as to the whole or a part thereof, to a process of stiletto work, borer work, cut work or drawn thread work, or to a process producing a similar effect; or

(c) being an article of apparel, is made wholly or partly of feathers,

then, except as provided by paragraph 3, paragraph 1 shall not apply, but unless there is express provision to the contrary in this Schedule such article may be charged either at the appropriate rate of duty set out in Division 1 or at a rate not higher than the appropriate rate, or the highest appropriate rate, set out in Division 2.

3. Notwithstanding the provisions of paragraph 2, paragraph 1 shall apply in the case of any article, other than tissue or apparel, which is made wholly of silk or artificial silk, or in respect of which the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 20% of the aggregate of the values of all the components of the article.

4. The rates of duty set out in Division 2 shall not operate as maximum rates in respect of any articles which are not listed or provided for in Division 1.

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 I(1)(ii)	Oatmeal (including all cuts of oatmeal, oat groats, oat flour, and feeding oatmeal or ground oats; but not including oat husks, oat dust or oat husk meal); rolled oats and flaked oats	5s. per cwt.
3 Exemptions	Wheat in grain	Free
3 G.A.V.	Barley in grain	10%
4 -	Rice in the husk	6s. per cwt.
4 -	Rice, husked, including cargo rice and cleaned rice whole, but not including broken rice	6s. per cwt.
3 Exemptions	Cassava (or tapioca) in any of the following forms, namely, root, flour and starch but not including the foodstuff known as tapioca	Free
3 G.A.V.	Tapioca, cassava or mandioca, foodstuff	5%
3 G.A.V.	Sago meal, sago flour and pearled sago	5%
	Fruit, fresh or raw, the following:-	
4 -	Apples	
	from 16th August to 15th April	Free
	from 16th April to 15th August	4s.6d. per cwt.
3 G.A.V.	Apples consigned direct to cider factories registered by His Majesty's Commissioners of Customs and Excise	10%
4 -	Bananas	2s.6d. per cwt.
Ex3 I(2)(i)	Cherries from 1st May to 31st May	10%
Ex3 I(2)(ii)	Currants from 1st May to 15th June	10%
3 I(2)(iv)	Grapes (hothouse)	
	from 1st February to 30th June	3d. per lb.
	from 1st July to 31st January	20%
3 G.A.V.	Grapes (other than hothouse)	
	from 1st July to 31st January	10%
3 G.A.V.	Lemons	10%
	Oranges	
4 -	from 1st April to 30th November	3s.6d. per cwt.
3 G.A.V.	from 1st December to 31st March	10%
3 G.A.V.	Peaches and nectarines (other than hothouse)	
	from 1st April to 30th November	10%
4 -	Pears	
	from 1st August to 31st January	3s. per cwt.
	from 1st February to 31st July	4s.6d. per cwt.
3 G.A.V.	Pineapples	10%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Fruit, fresh or raw, the following (continued):-	
3 I(2)(vii)	Raspberries and loganberries	
	from 1st July to 31st August	10%
Ex3 I(2)(viii)	Strawberries	
	from 1st April to 15th June	10%
	from 16th June to 31st July	4½d. per lb.
	Vegetables, fresh or raw, the following:-	
Ex3 I(3)(i)	Asparagus	
	from 1st January to 15th April	10%
	from 16th April to 30th June	8d. per lb.
Ex3 I(3)(ii)	Broccoli and cauliflowers	
	from 1st November to 15th February	6s. per cwt.
Ex3 I(3)(vi)	Green peas (unshelled)	
	from 1st January to 31st May	10%
Ex3 I(3)(vii)	Lettuce and endive	
	from 1st November to last day of February	10s. per cwt.
Ex3 I(3)(vii)	Chicory (salad)	
	from 1st November to 31st March	8s. per cwt.
Ex3 I(3)(viii)	Mushrooms	
	from 1st May to 30th September	10%
	from 1st October to 30th April	20%
3 I(3)(ix)	Potatoes:-	
	(a) New:-	
	from 1st September to 15th May	1s. per cwt.
	from 16th May to 31st July	9s.4d. per cwt.
	from 1st August to 31st August	2s. per cwt.
	(b) Other descriptions:-	
	from 1st September to 30th April	1s. per cwt.
	from 1st May to 31st August	2s. per cwt.
	Fruit, dried, without sugar:-	
4 6	Prunes	7s. per cwt. *
	NOTE: The products provided for under the above sub-item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products	
4 6	Raisins	8s.6d. per cwt.
4 6	Apricots	8s. per cwt.
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rates in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Fruit, dried, without sugar (continued):-	
Ex3 I(4)(i)(a)(2) 3 G.A.V.	Pineapples	5%
Ex3 I(4)(i)(a)(2) 3 G.A.V.	Bananas	10%
3 G.A.V.	Dates	10%
3 I(4)(i)(b)(1)	Apples, pears, peaches and nectarines	Free
	Fruit of the following descriptions, preserved by chemicals or artificial heat (other than fruit preserved in sugar):-	
Ex3 I(4)(i)	Fruit pulp	15%
3 I(4)(i)(b)(2)	Apples, other than dried apples	3s.6d. per cwt. or 25%, whichever is the less
3 I(4)(i)(c)	Strawberries, raspberries (including loganberries) and blackcurrants	15%
3 I(4)(i)(d)	Redcurrants	15%
3 I(4)(i)(e)	Gooseberries	15%
	Fruit of the following descriptions, preserved in syrup:-	
4	Apples	2s.3d. per cwt.
4	Apricots	12%
4	Bananas	15%
4	Cashews	15%
4	Guavas	15%
4	Loganberries	4s. per cwt.
4	Oranges	15%
4	Peaches	12%
4	Pineapples	5s. per cwt.
4	Pears	12%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
4 -	Fruit Salad, viz:- Mixtures of fruit preserved in syrup (but not including mixed fruit pulp) containing not less than four separate descriptions of fruit, in which each of at least four descriptions constitutes at least 8%, and no one description represents more than 50%, by weight, of all the fruit in the mixture (excluding syrup)	
	(a) where not less than 80% by weight of all the fruit in the mixture (excluding syrup) consists of all or any of the following fruits, viz:-	Free
	Peaches Nectarines Pears Apricots Cherries	
	(b) other	5s.6d. per cwt.
3 I(4)(ii)(a)(2)	Cherries, stoned, preserved in sugar or syrup, with or without added flavouring matter	10%
	Fruit of the following descriptions, drained or glacé, and crystallised or Mets:-	
3 I(4)(ii)(a)(1)	Cherries	20%
3 G.A.V.	Bananas	10%
3 G.A.V.	Cashews	10%
3 G.A.V.	Guavas	10%
3 G.A.V.	Oranges	10%
3 G.A.V.	Pineapples	10%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 I(4)(i)	Fruit, (other than fresh fruit) preserved by artificial cold, imported in a container when the gross weight (including the weight of the container) exceeds 1 cwt.:-	
	Fruit pulp Strawberries, raspberries (including loganberries) and blackcurrants Redcurrants Gooseberries	15%
3 Exemptions	Preserved grapefruit and grapefruit juice	Free
3 Exemptions	Preserved orange juice, whether containing the detached cells of the fruit or not	Free
3 Exemptions	Preserved orange pulp, except such pulp containing the peel	Free
	Fruit juices of the following descriptions, including such juices concentrated or preserved or flavoured:-	
3 G.A.V.	Prune juice	10%
3 G.A.V.	Pineapple juice	10%
3 I(4)(iv)	Olives in brine, imported in a container when the gross weight (including the weight of the container) does not exceed 1 cwt.	15%
3 I(4)(v)	Confectionery containing sugar or cocoa	10%
3 G.A.V.	Biscuits for human consumption	10%
3 G.A.V.	Ice cream mix powder consisting of a mixture of milk solids, and added sweetening matter, with a stabilizer, and with or without added colouring or flavouring materials	10%
3 G.A.V.	Citrus fruit pectin in powder form	10%
3 I(5)	Fruit pectin other than citrus pectin in powder form	25%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 I(6)	Brazil nuts, shelled	10%
	NOTE: If at any time unshelled Brazil nuts exported from Brazil to the United Kingdom are charged with export duties or other taxes which are not offset by corresponding export duties or taxes on shelled Brazil nuts exported from Brazil, then the Government of the United Kingdom shall be free to impose on shelled Brazil nuts, in addition to the 10% provided for in this item, a duty equivalent to the amount by which the aforesaid export duties or taxes on unshelled Brazil nuts exported from Brazil exceed the duties or taxes charged on unshelled Brazil nuts supplied to the domestic shelling industry.	
3 G.A.V.	Brazil nuts, unshelled	5%
3 G.A.V.	Walnuts in shell	10%
3 G.A.V.	Pecan nuts, shelled or unshelled	10%
3 G.A.V.	Groundnuts	10%
3 G.A.V.	Coconuts	Free
3 G.A.V.	Apricot stones	10%
3 G.A.V.	Nutmegs	10%
3 I(7)(i)	Split peas	15%
3 G.A.V.	Lentils	10%
	Vegetables preserved in airtight containers, but not including vegetables and pickles preserved in vinegar, the following:-	
3 G.A.V.	Asparagus	10%
Ex3 I(7)(ii)	Beans, with or without flavouring, but not including beans in pod	10%
3 G.A.V.	Maize, including maize on cob (sweet corn)	10%
Ex3 I(7)(ii)	Peas	10%
Ex3 I(7)(ii)	Other, except tomatoes	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Vegetables, preserved (other than vegetables preserved in airtight containers) the following:-	
3 G.A.V.	Gherkins in brine or vinegar	10%
3 G.A.V.	Onions in brine or vinegar	10%
3 G.A.V.	Dill, preserved in airtight containers	10%
3 G.A.V.	Dried beans	10%
3 G.A.V.	Tomatoe juice, preserved in airtight containers	10%
3 G.A.V.	Peppercorns, the fruit of piper,nigrum, unground	4s.6d. per cwt.
3 I(9)	Soya bean cake and soya bean meal	15%
3 I(10)(i)	Soya bean oil	15%
3 G.A.V.	Soya beans	5%
3 G.A.V.	Oleo margarine and oleo oil	10%
3 G.A.V.	Olive oil	10%
3 G.A.V.	Soups, not including extracts or essences of meat, preserved in airtight containers	10%
3 G.A.V.	Maté, in the form of prepared leaf	5%
3 G.A.V.	Malt	10%
4 -	Honey	3s.6d. per cwt. or 10% whichever is the greater, but not more than 5s. per cwt.
3 G.A.V.	Aniseed	10%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Wine:-	
	Exceeding 27 degrees and not exceeding 42 degrees proof spirit	-
	NOTE: The products provided for under the above item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 10s. per gallon	
6 -	Sparkling wine	- *
	NOTE: The ordinary most-favoured-nation customs surcharge on sparkling wine or on wine rendered sparkling in bond shall not exceed 12s.6d. per gallon and shall not exceed the preferential surcharge	
6 -	Still wine in bottle	- *
	NOTE: The ordinary most-favoured-nation customs surcharge on still wine in bottle shall not exceed 2s.6d. per gallon and shall not exceed the preferential surcharge by more than 1s. per gallon	
	* The Government of the United Kingdom shall be free to maintain until the 1st September. 1948, the rates in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
6 -	Tobacco	
	NOTE: (1) If at any future time the rate of ordinary most-favoured-nation customs duty chargeable upon tobacco, unmanufactured, unstripped, containing 10 lb. or more of moisture in every 100 lb. weight thereof, does not exceed £2.5s.2d. per lb., such tobacco shall thereafter be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties thereon by more than 1s.3d. per lb.	
	(2) If at any future time the said most-favoured-nation rate chargeable on such tobacco does not exceed £1.15s.6d. per lb., such tobacco shall thereafter be exempt from ordinary most-faboured-nation customs duties which exceed the preferential duties thereon by more than 1s. per lb.	
	Trees and shrubs, other than in flower:-	
3 G.A.V.	Azalea indica	10%
Ex3 II(1)(ii)	Cocos weddelliana	10%
Ex3 II(1)(ii)	Kentia belmoreana (Howea belmoreana)	10%
Ex3 II(1)(ii)	Kentia forsteriana (Howea forsteriana)	10%
Ex3 II(1)(ii)	Phoenix canariensis	10%
Ex3 II(1)(v)	Fruit stocks of bulbing varieties	5%
3 G.A.V.	Seeds, agricultural and horticultural, other than grain, beans and peas	10%
Ex3 III(1)(ii)	Poultry and meat pastes of a value exceeding 10s. per lb.	20%
Ex3 III(1)(ii)	Poultry liver (except raw liver) whether mixed or not	20%
3 G.A.V.	Rabbits, dead, fresh	5%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
4 -	Condensed milk, whole, sweetened	5s. per cwt.
4 -	Condensed milk, whole, not sweetened	6s. per cwt.
4 -	Milk powder and other preserved milk, not sweetened, (excluding condensed milk and condensed skimmed milk)	6s. per cwt.
3 III(3)(i)	Oysters (except oysters in shell from from 1st March to 31st May):-	
	Oysters in shell of the variety ostrea virginica, and oysters preserved in airtight containers	15%
	Other oysters	30%
3 G.A.V.	Oysters in shell of the variety ostrea virginica from 1st March to 31st May	10%
3 III(3)(ii)	Fresh shell fish (other than oysters and prawns)	30%
3 G.A.V.	Lobster preserved in airtight containers	10%
	Canned pilchards (other than the canned fish commonly known as "sardines"):-	
3 III(3)(iv)	(i) of a value not exceeding £3.15s.0d. per cwt.	7s.6d. per cwt.
3 G.A.V.	(ii) of a value exceeding £3.15s.0d. per cwt.	10%
3 G.A.V.	Prawns and shrimps preserved in airtight containers	10%
3 G.A.V.	Salmon preserved in airtight containers	5%
4 -	Chilled or frozen salmon	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Fish and marine animal oil, unrefined, other than whale oil and cod liver oil	10%
3 G.A.V.	Crushed sea shells, mainly of calcium carbonate	10%
3 G.A.V.	Shells (other than mother of pearl, trochus and other hard shells, including fresh water shells, possessing the characteristic nacre of pearl shell), not in any way prepared or worked	10%
3 Exemptions	Pigs' heads, pigs' feet and pigs' offals, edible, not preserved in airtight containers	Free
3 G.A.V.	Pigs' tongues, preserved in airtight containers NOTE: The products provided for under the above item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products	10%
3 G.A.V.	Canned ground or chopped meat consisting wholly of pork (including ham and bacon) with or without curing or seasoning ingredients NOTE: The products provided for under the above item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 5% ad valorem	10%
3 Exemptions	Pork, salted or pickled, other than bacon and ham, not preserved in airtight containers	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 Exemptions	Hams, not preserved in airtight containers	Free
	NOTE: The quantity of hams permitted to be imported from all sources free of duty shall be not less than 775,000 cwts. a year. In respect of hams not permitted to be imported free of duty the United Kingdom Government shall be free to charge duty at a most-favoured-nation rate not exceeding 5d. per lb., provided that the most-favoured-nation rate shall not exceed the preferential rate	
3 Exemptions	Lard	Free
3 G.A.V.	Sausage casings, hog, natural, of a value exceeding £10 per cwt.	Free
3 IV(1)(i)(a)(1)	Pottery and other shaped and fired clay products, the following:-	
	Glazed wall and glazed hearth tiles flat, rectangular, not figured or embossed, all white	2s.3d. per square yard
	Glass and glassware, the following:-	
3 IV(2)(vi)	Unworked pressed or moulded lenses and prisms, and pressed or moulded blanks of unworked or worked lenses and prisms, other than lenses and prisms and lens and prism blanks which are liable on the date of this Agreement to duty under the Safeguarding of Industries Act, 1921, or which are accessories or component parts of cycles or motor vehicles	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Glass and glassware, the following (continued):-	
3 IV(2)(vii)	Illuminating glassware and lighting panels, but not including:-	4½d. per lb. or 15%, whichever is the greater
	(i) Accessories and component parts of cycles or motor vehicles	
	(ii) Articles liable on the date of this Agreement to duty under the Safeguarding of Industries Act, 1921	
	(iii) Lenses and prisms and blanks therefor	
	(iv) Bulbs for electric filament lamps	
	(v) Miners' lamp glasses	
	(vi) Oil lamp chimneys of which the top orifice is not larger than the bottom orifice and the height is not less than twice the maximum diameter	
3 IV(2)(viii)(a)	Bottles, jars and tubular containers, whether corked, capped or not, but not including:-	25%
	(i) Laboratory or scientific glassware	
	(ii) Lamp-blown ware	
	(iii) Syphon vases	
3 IV(2)(viii)(b)	Syphon vases, other than laboratory glassware and lamp-blown ware	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Glass and glassware, the following (continued):-	
3 IV(2)(ix)	Stemmed glass drinking vessels, other than lamp-blown ware	20%
3 IV(2)(xi)(a)	Glassware of a kind commonly used for domestic purposes, whether finished or mounted or not, including blanks therefor, but not including:-	30%
	(i) Articles of the following descriptions made wholly or partly of plate or sheet glass (clear, opal or coloured), bevelled, sand blasted, silvered or metallised, backed with other materials, drilled, painted or otherwise finished:-	
	Glass mirrors, unframed, framed or backed; shelves; finger plates; table tops; and advertisement tablets	
	(ii) Bottles, jars and tubular containers	
	(iii) Illuminating glassware and lighting panels	
	(iv) Lamp-blown ware	
	(v) Rod and tubing	
	(vi) Stationery glassware	
	(vii) Stemmed glass drinking vessels	
	(viii) Stoppers and covers for bottles and jars whether ground or not	
	(ix) Syphon vases	
	(x) Vacuum flasks, vacuum jars and similar vacuum vessels whether fitted or not	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Glass and glassware, the following (continued):-	
3 G.A.V.	Miners' lamp glasses	10%
3 G.A.V.	Oil lamp chimneys of which the top orifice is not larger than the bottom orifice and the height is not less than twice the maximum diameter	10%
3 IV(3)	Goods manufactured wholly or partly of asbestos, the following:-	
	Sheets, plates and tiles	15%
3 IV(4)(i)	Granite setts and curbs	10%
3 IV(6)	Roofing slates	10%
3 G.A.V.	Slate in rectangular blocks, raw, ground or polished, but not further manufactured and not less than ¾ inch in thickness	5%
3 V(2)(i)	Pig iron other than:-	25%
	(a) pig iron smelted wholly with charcoal;	
	(b) vanadium-titanium pig iron produced in an electric furnace;	
	(c) pig iron produced in an electric furnace and containing more than 0.1% by weight of cobalt but not more than 0.025% by weight of phosphorus and not more than 0.02% by weight of sulphur; and	
	(d) pig iron produced in an electric furnace and containing not more than 0.025% by weight of phosphorus, not more than 0.02% by weight of sulphur and not more than 2.5% by weight of total carbon	
Ex V(5)(vii) and 3 G.A.V.	Chain of iron or steel, other than the following:-	20%
	Jack chain, including mattress chain	
	Chain manufactured of wire	
	Accessories and component parts of cycles or motor vehicles	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 V(5)(xiv)	Iron and steel jack chain (including mattress chain) and mattress hooks	£12 per ton or 25%, whichever is the greater
Ex3 V(5)(xviii)	Paper clips made wholly of wire of a value exceeding 4½d. per lb.	1½d. per lb. or 20%, whichever is the greater
Ex3 V(5)(xix)	Fish hooks	25%
3 Exemptions	Ferro-manganese, refined, containing less than 3% carbon	Free
3 VI(1)(i)(a)	Furniture made wholly or mainly of metal, the following:- Tables Stands, desks and counters Chairs (other than pedestal chairs with reclining movement), stools and seats Bookcases and bookshelves Cash and deed boxes Drawers and cupboards Shelving Storage bins and storage racks Office letter racks and letter trays Lockers	15%
3 VI(1)(ii)(a)	Safes and cabinets (including filing cabinets) made wholly or mainly of metal	15%
Ex3 VI(2)(ii)	Domestic heating or cooking stoves and ranges burning liquid fuel	20%
3 VI(6)(i)(a)	Wrought enamelled baths of iron or steel, of a description commonly used for domestic purposes	26%
3 VI(6)(iv)	Barrels and drums made wholly or mainly of iron or steel, of a description commonly used for the conveyance or storage of goods, of a capacity of one gallon and upwards, whether with flat or tapered top and whether with removable lid or otherwise	1d. per lb. or 26%, whichever is the greater

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles manufactured wholly of aluminium or of alloys containing more than 50% by weight of aluminium, the following:-	
3 VII(4)	Sheets, strip, plates, discs and circles, if plain and exceeding .006 of an inch in thickness and not plated, coated, drilled or punched; bars (other than notch bars), rods, wire, tubes, angles, shapes and sections, not plated, coated, drilled or punched	15%
	Articles manufactured wholly of copper or of alloys containing more than 50% by weight of copper, the following:-	
3 VII(5)(i)	Sheets, strip, plates, discs and circles, if plain and exceeding .006 of an inch in thickness and not plated, coated, drilled or punched	15%
3 VII(5)(ii)	Tubes of all sections	20%
3 G.A.V.	Antimony regulus metal, unwrought, in cubes, blocks, ingots, bars and rods	10%
3 G.A.V.	Cadmium metal, unwrought, in blocks, ingots, bars and slabs, but not including cadmium mass	10%
3 G.A.V.	Copper wire, of one or more strands, bare, not plated or coated	10%
3 G.A.V.	Selenium metal in the form of powder, sticks and cakes, but not including alloys of selenium	10%
3 Exemptions	Cobalt metal in the form of rondels, pellets, squares, fines, grains or powder, but not including alloys of cobalt	Free
3 Exemptions	Tin, unwrought, in blocks, ingots, bars and slabs, but not including alloys of tin	Free
3 Exemptions	Metallic ores, concentrates and residues, the following:-	Free
	Tungsten ores Ores of columbium and tantalum	
	Manufactured products of metallic tungsten, the following:-	
5 -	Tungsten wire	33⅓%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
Ex3 VIII(2) and various	Dental instruments and appliances, the following:-	20%
	Amalgam instruments Brushes, bristle, mounted on mandrel Burnishers Burs Carvers Elevators Engines, electric, dental Excavators Files Forceps Gags, mouth Mirrors, mouth, not optically worked Plastic filling instruments Pluggers Probes and explorers Pyorrhoea instruments Scalers and prophylactic instruments Spittoons Spotlights, electric, complete with attachment for fitting to pedestals or units; other than focussing spotlights Stoppers Trimmers	
3 various	Medical and surgical appliances (other than articles manufactured wholly or mainly of wire), the following:-	15%
	Arch supporters for feet Artificial limbs Crutches Fracture appliances in the form of splints and similar supports Trusses	
Ex3 VIII(4) and Ex3 X(1)	Tools and parts of tools, (excluding surgical, dental, veterinary and dissecting instruments) and machine tool parts and accessories, the following:-	
	(i) Drills (including twist drills, bitstock drills, straight flute drills, hollow and combination centre drills), reamers and countersinks	15

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 VIII(4) and Ex3 X(1)	Tools and parts of tools, (excluding surgical, dental, veterinary and dissecting instruments) and machine tool parts and accessories, the following (continued):-	
	(ii) Braces, not including breast drills and hand drills	15%
	(iii) (a) Saws (other than diamond saws, abrasive saws and power-driven saws) of a value of 3s.9d. or more each	9d. each or 15%, whichever is the greater
	(b) Circular saws for metal cutting (other than diamond saws, abrasive saws and circular saws fitted with toothed segments of metal)	15%
	(c) Hacksaw blades, bandsaw blades, jigsaw blades, fretsaw blades	15%
	(iv) Files and rasps of which the serrated part exceeds six inches in length, and machine files, band or rotary, but not including nail files	15%
	(v) Wrenches and spanners, (excluding tap wrenches, chain pipe wrenches and adjustable pipe wrenches having one fixed jaw, one movable jaw and one or more springs), but including other pipe wrenches	15%
	(vi) Vices of all kinds	15%
	(vii) Threading dies and taps; stocks (including screw plates) and tap wrenches	15%
	(viii) Pipe cutters	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 VIII(4) and Ex3 X(1)	Tools and parts of tools, (excluding surgical, dental, veterinary and dissecting instruments) and machine tool parts and accessories, the following (continued):-	
	(ix) Pliers, pincers and nippers (excluding nail nippers and nail clippers):-	
	(a) if the value does not exceed 12s. per dozen	1s.6d. per dozen or 25%, whichever is the greater
	(b) if the value exceeds 12s. per dozen	3s. per dozen or 15%, whichever is the greater
	Parts of any of the articles included in sub-head (ix) of this item	
	(a) if the value does not exceed 6s. per dozen	9d. per dozen parts or 25%, whichever is the greater
	(b) if the value exceeds 6s. per dozen	1s.6d. per dozen parts or 15%, whichever is the greater
	(x) Non-portable lifting jacks	15%
	(xi) Tyre levers and other appliances for fitting tyres	15%
	(xii) Broaches	15%
	(xiii) Chucks	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 VIII(4) and Ex3 X(1)	Tools and parts of tools, (excluding surgical, dental, veterinary and dissecting instruments) and machine tool parts and accessories, the following (continued):-	
	(xiv) Cutting tools for machine tools other than cutting tools included in sub-heads (i), (iii), (iv), (vii) and (xii) of this item but excluding	15%
	(a) high precision hobs of the types used in gear cutting machines;	
	(b) tools consisting of or tipped with any sintered preparation of tungsten carbide or other carbide with or without other ingredients; and	
	(c) diamond tools and abrasive tools	
	(xv) Jigs and fixtures	15%
	(xvi) Press tools	15%
	(xvii) Tool holders	15%
	(xviii) Abrasive hand tools and abrasive parts of machine tools, manufactured wholly or partly of emery, corundum or artificial silicon carbide	20%
	(xix) Diamonds pierced so as to be adapted for use in wire drawing dies, unmounted or mounted suitably for such use	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 VIII(4)(i)	Hones and whetstones including oilstones and scythestones	25%
3 VIII(4)(ii)	Forks, shovels, spades, scythes, sickles and agricultural implements and parts thereof, other than handles of wood	15%
3 VIII(4)(xvii)	Tool handles of wood (other than fork, shovel and spade handles of the box or "D" type, whether rivetted or not)	15%
3 Exemptions	Fork, shovel and spade handles of wood, of the box or "D" type, whether rivetted or not	Free
Ex3 VIII(5)	Alarm clocks	
	(i) of a value less than 12s each	33⅓%
	(ii) of a value not less than 12s each	25% or 4s. each, whichever is the greater
Ex3 IX(1)(ii)	Line telegraph and telephone apparatus the following:-	15%
	Telephone instruments of the desk and wall types Teleprinters; morse transmitters and receivers; morse perforators and reperforators	
Ex3 IX(1)(iii)	Wireless apparatus and parts, the following:-	
	Wireless receiving sets of the domestic or portable type, but not including wireless receiving sets designed or adapted for fitting to motor vehicles	20%
	Wireless transmitting sets, not including wireless transmitting sets designed or adapted for fitting to motor vehicles	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 IX(1)(iii)	Wireless apparatus and parts, the following (continued):-	
	Dials	20%
	Loudspeakers of the cone type, with a diaphragm not exceeding 10 inches in diameter	20%
3 IX(2)(i)	Accumulators (electric storage batteries)	15%
3 IX(2)(ii) and 3 IX(2)(iii)	Electrical cooking and heating apparatus, but not including:-	10%
	(i) accessories and component parts of motor vehicles	
	(ii) high frequency electronic heating apparatus	
	(iii) laboratory apparatus	
Ex3 IX(1)(iv)	Primary battery carbons	20%
5 -	Arc-lamp carbons:-	
	Carbons exceeding 14 millimetres in diameter	5s. per lb.
	Other carbons	7s.6d. per lb.
5 -	Parts of arc-lamp carbons whether such parts are finished or not	7s.6d. per lb.
5 -	Piezo-electric quartz plates, bars and rods	10%
	NOTE: If at any time Brazil exercises a right to restrict in any way, or to subject to duties or other charges on exportation exceeding 10% ad valorem, supplies of raw quartz for export, the United Kingdom Government shall be free to charge compensatory duties, in addition to the 10% provided for in this item.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 X(1)	Power-operated excavating machinery (including levelling machinery), power-operated lifting machinery, and parts thereof, the following:-	15%
	Excavators, including long range excavators Conversion front and attachments for excavators or cranes Angledozer and bulldozer attachments Shovel, dragline and crane attachments for lorries or tractors Excavator buckets, including shovel dippers, dragline, clamshell, orange peel and grab buckets, rock grabs and slings Motor graders Dumpers Rippers and rooters Scrapers Road rollers Trenching machines and ditchers Cranes Hoists Winches Lifts (elevators)	
Ex3 X(1)	Telphers, power-operated	15%
	Conveyor or transporter installations, power-operated, which operate on a fixed track	15%
Ex3 X(1)	Mining machinery, power-operated, of the following kinds:-	15%
	Coal cutters Winders	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
Ex3 X(1)	Stone-working machines (not including stone-crushing or grinding machines, and portable power tools), being machines for cutting, shaping, dressing or polishing natural building stone	15%
Ex3 X(1)	Brick making machinery, the following:-	
	Brick presses	15%
Ex3 X(1)	Machine tools, other than welding machines and portable power tools, the following:-	20%
	Boring machines Drilling machines Grinding machines Lathes Milling machines Planing machines Shaping machines Presses Punching machines Shearing machines Sawing machines Other machine tools, metal working	
Ex3 X(1)	Welding machinery (other than tube-making machinery)	15%
Ex3 X(1)	Portable power tools, the following:-	
	Electric tools	20%
	Pneumatic tools	15%
Ex3 X(1)	Air and gas compressors and exhausters	15%
Ex3 X(1)	Stationary internal combustion engines	17½%
Ex3 X(1)	Power pumps, other than those of the types used for the delivery of petrol and oil at garages and filling stations	17½%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 X(2)(xxiii)	Pumps of the types used for the delivery of petrol and oil at garages and filling stations	15%
Ex3 X(1)	Hydraulic machinery (other than parts of railway wagons not exceeding 3 feet in gauge, and accessories and component parts of motor vehicles)	20%
Ex3 X(1)	Crankshafts, not being crankshafts of a type suitable for use in motor-vehicles or aircraft	15%
Ex3 X(1)	Injectors for boilers	15%
Ex3 X(1)	Textile machinery, the following:-	15%
	Opening machines Ragtearing machines Garnetting machines Feeding machines Spreading machines Drying machines Scutching machines Tenterhook Willeys (Fearnought machines) Burring machines Hackling machines Carding machines Lap forming machines Combing machines Gilling machines Carbonising machines Drawing frames Roving, flyer or speed frames Jute and hemp softening machines Beating machines Fibre cutting machines Spinning machines and twisting machines, including spinning frames and mules, but not including doubling machines Combinations of any of the above machines	
Ex3 X(1)	Textile machinery, the following:-	20%
	Pirn or other weft package winding machines Cone or cheese winding machines Creeling, warping or beaming machines Sizing machines	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 X(2)(xxvii)	Textile machinery of the following kinds:-	15%
	Warp tying machines Warp drawing machines	
Ex3 X(1)	Textile machinery, the following:-	20%
	Looms for weaving, of the type fitted with box motions	
Ex3 X(1)	Textile machinery, the following:-	
	Warp knitting machines	15%
	Flat bar knitting machines, other than full-fashioned hose machines	15%
	Knitting machines (other than flat bar knitting machines, full-fashioned hose machines and warp knitting machines)	20%
Ex3 X(1)	Sewing machines, not including toy sewing machines	15%
3 X(2)(xxvi)	Sewing machine heads, being, in the case of hand sewing machines, machines without stands or separable cabinet work, and, in the case of treadle or power operated machines, machines without stands or separable cabinet work and without equipment for providing motive power	15%
Ex3 X(1)	Paper-making and board-making machines	20%
Ex3 X(1)	Paper ruling machines and paper cutting machines	20%
3 X(2)(xxi)	Typesetting machines	15%
Ex3 X(1)	Printing machines, the following:- Sheet fed cylinder, flat bed, platen or rotary presses, for either letter-press, lithographic gravure or aniline printing, whether printing from flat forms or from curved plates or forms, whether hand fed or automatically fed Magazine presses, whether flat bed, rotary sheet, or web fed and with or without folding, stitching, and cutting mechanism	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 X(2)(xxii)	Rotary newspaper printing machines, that is to say, rotary printing machines designed for the printing of newspapers and the like from reels of paper, and equipped with cutting and folding mechanism	15%
Ex3 X(1)	Book-binding machines, the following:-	20%
	Folding, collating and bundling machines	
	Thread sewing and stitching machines	
	Cover making and fitting machines	
	Book backing and rounding machines	
	Blocking and embossing machines	
	Cutting machines	
	Any combination of the above machines, with or without paper ruling mechanism	
Ex3 X(1)	Automatic cardboard box and carton forming and lining machines	20%
Ex3 X(1)	Packing and labelling machines, the following:-	
	Carton and bread wrappers	20%
	Labelling machines	20%
	Filling machines with weighing devices	20%
	Can casing machines	15%
3 X(2)(xx)	Cappers, sealers (excluding carton sealing machines) and closers	15%
3 X(2)(xviii) and 3 X(2)(xix)	Office machinery (other than machines operated in conjunction with punched cards) and parts of such office machinery, the following:-	
	Accounting machines	15%
	Calculating machines	15%
	Adding machines	15%
	Listing machines	15%
	Book-keeping machines	15%
	Billing machines	15%
	Posting machines	15%
	Machines, other than typewriters, of a type specially adapted for the mechanical writing of cheques	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 X(2)(xviii) and (xix)	Office machinery (other than machines operated in conjunction with punched cards) and parts of such office machinery, the following (continued):-	
	Machines of the types used for the automatic production of typewritten correspondence, with or without motors	15%
	Any combination of the above machines	15%
3 X(2)(iv) and Ex 3 X(1)	Cases and other parts (not being ribbon spools, whether with or without ribbon, or parts of such spools, or electric motors) of the above machines and of typewriters (including electric typewriters)	20%
Ex3 X(2)(xix)	Office machinery, the following:-	15%
	Addressing machines Letter opening machines Letter sealing machines Stamp affixing machines Coin sorting, counting and wrapping machines Perforating machines Postage franking machines	
Ex3 X(2)(iii)	Typewriters, with or without cases, (not including electric typewriters, accounting, adding, listing, book-keeping or billing machines or typewriters incorporated therein), the following:-	
	(a) of a weight not exceeding 22 lbs.	£1.15s.0d. per machine or 20%, whichever is the greater, but not more than £3 per machine
	(b) of a weight exceeding 22 lbs.	£2 per machine or 20%, whichever is the greater, but not more than £3.10s.0d. per machine

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Dictating machines, i.e. machines of the types used for recording dictated correspondence, and reproducing machines and record shaving machines adapted for use in connection therewith	10%
3 X(2)(xiv)	Cash registers, with or without one or more cash drawers, with or without accumulating registers (totalizers) and with or without tape recording, printing, and ticket-issuing devices	10%
Ex3 X(1)	Cash register parts (other than empty ribbon spools, parts of such spools and inked ribbons)	10%
Ex3 X(1)	Electric motors (other than gramophone motors, cinematograph motors, motor vehicle starter motors, generators and motor generators) from 1 to 10 horsepower	20%
3 X(2)(xii) and Ex3 X(1)	Electrically operated machines of the types used for domestic and household purposes, the following:- Food mixers Dish washers Drink mixers Fruit juice extractors Food grinders or slicers Refuse disposal units	15%
3 X(2)(xxviii)	Vacuum cleaners, electrically operated	15%
3 X(2)(xiii)	Electrically operated machines, the following:- Hair clippers Dry shavers	15%
Ex3 X(1)	Cinematograph appliances, the following:- Re-winds not constructed for attachment to cinematograph projectors	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 X(2)(xxiv) and Ex3 X(1)	Refrigeration machinery, the following:- Electrically operated refrigerators Complete mechanical units for refrigerators or refrigerating plant	15%
3 X(2)(xvii)	Dry cleaning and laundering machines (other than hand-operated machines of the types used for domestic purposes), the following:- Cleaners and washers Driers Wringers Ironing machines Any combination of the above machines	15%
3 X(2)(xxv)	Air conditioning machines, self-contained, comprising elements for cooling, control of humidity, cleaning and circulating of air	15%
3 X(2)(xv)	Automatic multi-head glass bottle making machines	15%
3 X(2)(xvi)	Automatic multi-head machines of the types used for:- (a) making glass stems for electric lamps, or (b) exhausting electric lamps and valves	15%
Ex3 X(1)	Glass working machines of the types used for surface grinding, polishing and smoothing in the production of plate glass	15%
3 X(2)(xxix)	Rolling mill (metal-working) machinery of the following descriptions, viz. rolling mills of the types used for the reduction of metal by rolling; working and transporter roller racks and tables; ingot, slab, bar and plate tilters and manipulators; flying shears; strip coilers and parts of any of those articles, but not including forged or cast rolls of iron or steel for rolling mills	25%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
Ex3 X(1)	Aircraft and aircraft parts, the following:-	20%
	Aeroplanes and sea-planes, power driven, and parts thereof constructed or adapted solely for incorporation in such aircraft, but not including articles liable on the date of this Agreement to duty under the Safeguarding of Industries Act, 1921.	
3 G.L.V.	Machinery belting (including conveyor and elevator bands) of leather over ⅛-inch thick and not more than 24 inches wide	
	(a) of a value not less than £30 per cwt. but not exceeding £45 per cwt.	£4.10s. per cwt.
	(b) of a value exceeding £45 per cwt.	10%
3 G.L.V.	Machinery belting (including conveyor and elevator bands) of rubber (including balata and gutta percha) and canvas	
	(a) of a value not less than £12.10s. per cwt. but not exceeding £18.15s. per cwt.	£1.17s.6d. per cwt.
	(b) of a value exceeding £18.15s. per cwt.	10%
Ex3 XI(1)(ii)	Chairs made wholly or mainly of bentwood (not including bent plywood or laminated wood, willow, cane or wicker)	20%
Ex3 XI(1)(ii)	Wooden staves (other than staves not further prepared than sawn whether cylindrically or otherwise)	20%
Ex3 XI(1)(ii)	Wooden bungs and shives	20%
Ex3 XI(1)(ii)	Wooden cask hoops, including hoopwood in strips, notched or otherwise jointed at the ends	20%
3 XI(2)(ii)	Hardwood flooring blocks or strips, planed and tongued and grooved, or planed and otherwise manufactured	17½%
3 XI(2)(iii)	Hardwood parquet flooring in sections composed of blocks or strips glued or otherwise joined together	17½%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XI(8)	Wood and timber of coniferous species (other than box-boards, railway sleepers and sleeper blocks), square sawn, but not further prepared or manufactured:-	
	(i) 11 inches or more in width throughout its length	8s. per standard *
	(ii) Other:-	
	Of a value of £18 or more per standard	8s. per standard
	Of a value of £16.12s. or more, but less than £18, per standard	10%, less 1% for each 4s. by which the value exceeds £16.8s. per standard.
	Provided that if the Government of the United States of America notifies the Government of the United Kingdom that the tax imposed on the importation of lumber into the United States of America under Section 601 (c) (6) of the Revenue Act of 1932, as amended, has been removed; then, for so long as imports into the United States of America of lumber and timber described in Paragraph 401 of the Tariff Act of 1930 and originating in Canada are exempt from ordinary customs duties and charges in excess of 50 cents per thousand board feet, imports into the United Kingdom of wood and timber of coniferous species originating in the United States of America shall be accorded customs	
	* The standard referred to throughout this item is the standard of 165 cubic feet.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 XI(8)	Wood and timber, etc. (continued):-	
	Proviso (continued):-	
	treatment as follows, instead of that provided for above:-	
	Wood and timber of coniferous species (other than box-boards, railway sleepers and sleeper blocks), square sawn, but not further prepared or manufactured:-	
	9 inches or more in width throughout its length and 15 feet or more in length	Free
	Other:-	
	Of a value of £18 or more per standard*	Free
	Of a value of £16.4s. or more, but less than £18, per standard	10%, less 1% for each 4s. by which the value exceeds £16 per standard.
	Provided further that, whenever for a period of any four consecutive months the average value of the imports into the United Kingdom from all countries of sawn softwoods (exclusive of planed or dressed softwoods), as now shown in the monthly Trade Returns of the United Kingdom under that heading, either exceeds £14 per standard or is less than £10 per standard; then, after consultation with the Government of the United States of America, each of the value limitations set forth in this item may be increased in the one case by £1 per standard for each complete pound sterling by which such average value exceeds £13 per standard, or may be decreased in the other case by £1 per standard for each complete pound sterling by which such average value is less than £11 per standard; but the value limitations set forth in this item shall be restored as soon as possible after the conditions which gave rise to these modifications no longer exist.	
	* The standard referred to throughout this item is the standard of 165 cubic feet.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Hardwood, not further prepared than square sawn	10%
3 G.A.V.	Hoopwood in the form of strips of rough wood whether straight or coiled, but not including strips notched or otherwise jointed at the ends	10%
3 G.A.V.	Pencil slats of wood	10%
3 G.A.V.	Plywood (including laminboard, blockboard and battenboard) faced with softwood	10%
3 G.A.V.	Wooden staves not further prepared than sawn (whether cylindrically or otherwise)	10%
3 G.A.V.	Wooden boot last blocks roughly shaped by sawing or turning, but not further manufactured	10%
3 G.A.V.	Wooden golf club head blocks roughly shaped by sawing, but not further manufactured	10%
3 G.A.V.	Wooden gun, carbine, and rifle stock blocks, roughly shaped by sawing, and such blocks planed or polished, but not further manufactured	10%
3 G.A.V.	Wooden sections of cask heads not dowel-holed or pegged, and cask heads consisting of a single circular sheet of wood	10%
3 G.A.V.	Rattan cane in the natural state, or not further prepared than split and bleached	7½%
3 Exemptions	Persimmon wood, hickory wood and cornelwood, in logs, planks, square-cut blocks or lengths, or blocks or lengths of rectangular cross-section tapered by sawing on one or more sides, not further prepared or manufactured	Free
3 Exemptions	Logs of Gaboon mahogany (okoumé) in the natural state, not hewn or sawn except cross-cut at the ends, and not less than 10 feet in length and 2 feet in diameter	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Silk:-	
	Cocoons and waste of all kinds:-	
	Undischarged	6d. per lb. ✗
	Wholly or in part discharged other than noils	1s.6d. per lb. ✗
	Noils	6d. per lb. ✗
	Raw:-	
	Undischarged	1s.6d. per lb. ✗
	Wholly or in part discharged	2s.2d. per lb. ✗
	Yarn:-	
	Undischarged	2s.2d. per lb. ✗ plus 22½% of the value of the yarn
	Wholly or in part discharged - Not being noil yarn	2s.9d. per lb. ✗ plus 22½% of the value of the yarn
	Noil yarn	9d. per lb. ✗ plus 22½% of the value of the yarn
	Tissues:-	
	Bolting cloth, not treated or operated upon, containing no other fibre than silk	2s.3d. per lb. ✗ plus 22½% of the value of the cloth
	✗ Paragraph 1 at the head of this Schedule shall not apply to this item	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Silk (continued):-	
	Tissues (continued):-	
	Eastern tissues of the varieties known as Shantung, Ninghai, Nanshan, Honan, Antung and Habutai -	
	Not dyed or printed	2s.9d. per lb. ✓ plus 22½% per cent of the value of the tissue
	Dyed or printed	3s.6d. per lb. ✓ plus either 1s.0d. per square yard on the area of the tissue, or 22½% of the value of the tissue whichever is the greater
	Noil Tissue -	
	Containing less than 10% by weight of silk or of silk and artificial silk	10d. per lb. ✓ weight of silk and 11d. per lb. weight of artificial silk, plus 17½% of the value of the tissue
	Containing 10% or more by weight of silk or of silk and artificial silk	10d. per lb. ✓ weight of silk and 11d. per lb. weight of artificial silk, plus 22½% of the value of the tissue
	✓ Paragraph 1 at the head of this Schedule shall not apply to this item.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Silk (continued):-	
	Tissues (continued):-	
	Other Tissues:-	
	Undischarged-	
	Containing less than 10% by weight of silk or of silk and artificial silk	2s.3d. per lb. ✓ weight of silk and 11d. per lb. weight of artificial silk, plus 17½% of the value of the tissue
	Containing 10% or more by weight of silk or of silk and artificial silk	2s.3d. per lb. ✓ weight of silk and 11d per lb. weight of artificial silk, plus 22½% of the value of the tissue.
	Wholly or in part discharged-	
	Containing less than 10% by weight of silk or of silk and artificial silk	3s.6d. per lb. ✓ weight of silk and 11d. per lb. weight of artificial silk, plus 17½% of the value of the tissue.
	Exceeding 12 inches in width and containing more than 75% by weight of silk wholly or in part discharged (other than noil), or of such silk and artificial silk	3s.6d. per lb. ✓ weight of silk and 11d per lb. weight of artificial silk, plus either 1s. per square yard on the area of the tissue or 22½% of the value of the tissue whichever is the greater.
	✓ Paragraph 1 at the end of this Schedule shall not apply to this item.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Silk (continued):-	
	Tissues (continued):-	
	Other Tissues (continued):-	
	In other cases	3s.6d. per lb. ≠ weight of silk and 11d. per lb. weight of artificial silk, plus 22½% of the value of the tissue.
6 -	Artificial silk:-	
	Waste	9d. per lb. ≠
	Yarn	9d. per lb. plus ≠ 22½% of the value of the yarn.
	Tissues -	
	Containing less than 10% by weight of artificial silk or of artificial silk and silk	11d. per lb. ≠ weight of artificial silk, plus the appropriate duty by weight on any silk contained in the tissue, plus 17½% of the value of the tissue.
	≠ Paragraph 1 at the head of this Schedule shall not apply to this item.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Artificial Silk Tissues (continued):-	
	Exceeding 12 inches in width and containing more than 75% by weight of -	
	(a) artificial silk, but no discharged or partly discharged silk (other than noil)	11d. per lb. weight ✓ of artificial silk, plus the appropriate duty by weight on any silk contained in the tissue, plus either 8d. per square yard on the area of the tissue or 17½% of the value of the tissue whichever is the greater
	(b) artificial silk and wholly or partly discharged silk (other than noil)	11d. per lb. weight ✓ of artificial silk, plus the appropriate duty by weight on any silk contained in the tissue, plus either 1s. per square yard on the area of the tissue or 17½% of the value of the tissue whichever is the greater
	Other Tissues	11d. per lb. weight ✓ of artificial silk, plus the appropriate duty by weight on any silk contained in the tissue, plus 17½% of the value of the tissue
	✓ Paragraph 1 at the head of this Schedule shall not apply to this item	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Manufactures wholly or partly of cotton, wool (including alpaca, mohair, cashmere, llama, vicuna and camels' hair), hemp of all kinds, flax or jute, of the following descriptions (but excluding coir, rush, grass, raffia, straw or reed mats and matting):-	
Ex3 XII(1)(i)	Tissues, not shaped, consisting wholly of wool, cotton or flax, or consisting wholly of a combination of two or all of these materials	17½%
	NOTE: The Government of the United Kingdom shall be free to impose on tissues containing flax a duty higher than that provided for in respect of the above item if at any time supplies of raw flax for export from the territories of Belgium, Luxemburg or the Netherlands are subjected to duties or other charges on exportation.	
Ex3 XII(1)(ii)	Motion picture screens of cotton or flax	20%
3 XII(1)(iv)	Carpets, carpeting, floor rugs, floor mats and matting (not being goods manufactured wholly or partly of fur skin, including any skin with fur, hair or wool attached)	
	(a) hand made, knotted	4s. 6d per square yard exclusive of fringes.
	(b) being material consisting of rubber sheeting with a textile backing, not made up	17½%
	(c) other kinds	1s. 6d per square yard, exclusive of fringes, or 20%, whichever is the greater

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Manufactures wholly or partly of cotton, wool (including alpaca, mohair, cashmere, llama, vicuna and camels' hair), hemp of all kinds, flax or jute, of the following descriptions (but excluding coir, rush, grass, raffia, straw or reed mats and matting) (continued):-	
3 XII(1)(vi)(a)	Handkerchiefs, finished or unfinished, of which neither the length nor the width exceeds 24 inches	2s.9d. per lb. or 17½% whichever is the greater
Ex3 XII(1)(ii)	Bed furnishings, wholly of cotton, the following:-	
	Bedspreads and quilts, sheets, pillow cases and bolster cases, mattress cases	17½%
Ex3 XII(1)(ii)	Face, hand or bath towels, wholly of cotton	17½%
3 G.A.V.	Mats and matting made wholly of rush, reed, straw or grass	5%
3 G.A.V.	Braids, plaited, not exceeding 1 inch in width, consisting entirely of flattened natural straw which has not been subjected to any process of treatment other than bleaching	10%
3 G.A.V.	Yarns consisting wholly of wool, cotton, flax or hemp, or consisting wholly of a combination of two or more of these materials	7½%
	NOTE:- The Government of the United Kingdom shall be free to impose on yarns containing flax a duty higher than that provided for in respect of the above item if at any time supplies of raw flax for export from the territories of Belgium, Luxemburg or the Netherlands are subjected to duties or other charges on exportation.	
3 Exemptions	Cotton, raw	Free
3 Exemptions	Cotton linters, unbleached	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 Exemptions	Cotton waste, unmanufactured, that is to say, waste arising in any process up to and including spinning, or in the doubling process, or (not being a waste piece of tissue or of a like material) in the knitting or weaving or ancillary finishing processes, which has not been subjected to any process after becoming waste	Free
3 Exemptions	Wool noils	Free
3 Exemptions	Tow of flax	Free
3 Exemptions	Rags (including discarded collars, fronts and cuffs of flax or cotton), not pulled, wholly or partly of flax, cotton, hemp, jute, ramie, wool or hair, but excluding rags wholly or partly of furskin	Free
3 Exemptions	Vegetable fibres of the following varieties, not further dressed after scutching or deborticating:-	Free
	Flax	
	Bahia piassava (attalea funifera)	
	Para piassava (leopoldinia piassaba)	
	Madagascar fibre (dictyosperma fibrosum)	
	Hemp of the variety true hemp (cannabis sativa)	
3 G.M.V.	Vegetable fibres of the following descriptions, not further processed after stripping and drying:-	
	Caroa fibre (neoglaziovia variegata)	Free
	Guaxima of the variety urena lobata	Free
	Milkweed (ascepias syriaca and ascepias incarnata)	7½%
	Papoula de Sao Francisco (hibiscus cannabinus)	Free
	Tucum or Ticum (bactris setosa)	10%
3 Exemptions	Ramie, not dressed	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 Exemptions	Bristles of the pig, hog or boar, imported in bundles or bunches which consist exclusively of such bristles and in which the bristles are laid parallel, excluding bundles or bunches which are in a state ready, or substantially ready, for incorporation in a brush or broom	Free
3 G.A.V.	Hair, being hair of the tails or manes of horses, asses, mules and bovine animals and hair of pigs, hogs and boars, dyeased and/or dyed, but not further processed or manufactured	10%
3 G.A.V.	Kapok (being the seed hairs of the eriodendron anfractuosum or bombax pentandrum) raw, dried, but not further treated	7½%
3 XIII(1)	Articles of apparel (not being articles manufactured wholly or partly of fur skin, including any skin with fur, hair or wool attached, or articles incorporating artificial flowers, foliage or fruit) the following:-	
	Women's and girls' outer garments, being dresses, coats and skirts (other than divided skirts), whether imported as separate garments or as costumes, made entirely of woven fabrics and containing no wool ƒ	
	(a) consisting wholly of cotton	17½% or 1s.9d. per garment, whichever is the greater ß
	ƒ Wool includes alpaca, mohair, cashmere, llama, vicuna and camels' hair	
	ß The rate of duty to be charged upon any garment which would otherwise fall within this item, but which does not do so by reason only that it consists wholly or partly of any of the materials mentioned in sub-paragraphs (b) and (c) of paragraph 2 at the head of this Schedule, shall not be higher than the highest appropriate rate provided for by that paragraph	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel etc. (continued):-	
3 XIII(1)	Women's and girls' outer garments, being dresses, coats and skirts (other than divided skirts), whether imported as separate garments or as costumes, made entirely of woven fabrics and containing no wool ≠ (continued):-	
	(b) other	20% or 2s. per ∅ garment, whichever is the greater.
6 -	Stockings and socks made wholly of silk or containing silk components the value whereof exceeds 20% of the aggregate of the values of all the components thereof	33⅓% or 12s. * the dozen pairs, whichever is the greater
	* Paragraph 1 at the head of this Schedule shall not apply to this item, but the Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	
	≠ Wool includes alpaca, mohair, cashmere, llama, vicuna and camels' hair.	
	∅ The rate of duty to be charged upon any garment which would otherwise fall within this item, but which does not do so by reason only that it consists wholly or partly of any of the materials mentioned in sub-paragraphs (b) and (c) of paragraph 2 at the head of this Schedule, shall not be higher than the highest appropriate rate provided for by that paragraph.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel etc. (continued):-	
	Stockings and socks (containing no silk) made wholly of artificial silk, or containing artificial silk components the value whereof exceeds 20% of the aggregate of the values of all the components thereof:-	
	(a) where all the artificial silk consists of regenerated cellulose or cellulose acetate	33⅓% or 7s.6d. * the dozen pairs, whichever is the greater
	(b) in other cases	33⅓% or 10s. * the dozen pairs, whichever is the greater
3 XIII(1)	Dressing gowns	20%
3 XIII(1)	Undergarments consisting entirely of woven fabrics, the following:-	20% ♭
	Vests, pants, knickers, combinations, petticoats and similar articles, not including shirts or nightwear	
	* Paragraph 1 at the head of this Schedule shall not apply to this item but the Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	
	♭ The rate of duty to be charged upon any garment which would otherwise fall within this item, but which does not do so by reason only that it consists wholly or partly of any of the materials mentioned in sub-paragraphs (b) and (c) of paragraph 2 at the head of this Schedule, shall not be higher than the highest appropriate rate provided for by that paragraph.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel etc. (continued):-	
3 XIII(1)	Corsets and similar body-supporting under-garments and brassieres	20%
	NOTE: The products provided for under the above sub-item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15% ad valorem.	
3 XIII(1)	Men's shirts with length measurements not less than 32 inches (front) and 35 inches (back) and with neckband measuring not less than 14 inches, made entirely of woven fabrics and of a value not less than 4s. each, and collars and cuffs therefor	20% ø
3 XIII(1)	Nightwear, the following:-	20% ø
	Pyjama sleeping suits, made entirely of woven fabrics	
3 XIII(1)	Outer garments of a kind suitable only for children under three years of age, the following:-	20%
	Coats, dresses, skirts, leggings, romper and other one-piece suits, cardigans, jumpers, blouses, pinafores and boys' knickers	
	ø The rate of duty to be charged upon any garment which would otherwise fall within this item, but which does not do so by reason only that it consists wholly or partly of any of the materials mentioned in sub-paragraphs (b) and (c) of paragraph 2 at the head of this Schedule, shall not be higher than the highest appropriate rate provided for by that paragraph.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel, etc. (continued):-	
3 XIII(5)	Hats, caps, bonnets, hoods, hat shapes, brims, crowns and similar articles (excluding rubber bathing caps and toy paper hats and caps):-	
	(i) Not made wholly or partly of felt or wool:-	
	(a) if lined, trimmed or decorated in any manner, or if the edges have been cut to shape, hemmed or bound	25%
	(b) in other cases	15%
	(ii) Made wholly or partly of felt:-	
	(a) loosely felted hat forms and cone-shaped felt hat bodies	4s. per dozen or 15%, whichever is the greater
	(b) other descriptions:-	
	(1) if made wholly or partly of felt (not being felt wholly of wool) of which any part has a velour, soleil, peach bloom or other finish with a raised or laid pile	15s. per dozen or 25%, whichever is the greater
	(2) in other cases	5s. per dozen or 25%, whichever is the greater
	(iii) Made wholly or partly of wool, but not of felt	25%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel, etc. (continued):-	
3 XIII(4) (i) & (ii)	Gloves (not including gloves known as astrakhan gloves) and material shaped for making into gloves, the following:-	
	Gloves made in whole or in part of leather (not including gloves in which leather is used only as trimming or binding), and leather shaped for making into gloves (other than leather shaped for trimming or binding)	30%
	Gloves wholly or partly cut out of fabric containing cotton, and sewn up (not including gloves in which the fabric containing cotton is present in the lining only) and fabric containing cotton shaped for making into or lining gloves	30%
3 XIII(1)	Knitted gloves made wholly of wool or cotton or a combination thereof	20%
3 XIII(2)(i)	Men's footwear, the following:-	15%
	Boots, bootees, shoes, overshoes, slippers and sandals of all descriptions (but not including articles made wholly or partly of rubber (or synthetic rubber), balata or gutta percha, except where the outer part of the uppers, apart from stitchings, fastenings or ornaments, is made entirely of leather or leather and elastic)	
3 XIII(2)(iii)	Women's footwear, the following:-	
	Boots, bootees, shoes, overshoes, slippers and sandals of all descriptions (but not including articles made wholly or partly of rubber (or synthetic rubber), balata or gutta percha, except where the outer part of the uppers, apart from stitchings, fastenings or ornaments, is made entirely of leather or leather and elastic)	10% or 3s. the pair, whichever is the greater

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XIII(6)(ii)	Trimmings, millinery mounts and similar articles, made wholly or partly of feathers (excluding down)	25%
3 G.A.V.	Bed feathers imported in bulk; and down	10%
3 XIV(1)(iii)(a)	Acetic acid, other than glacial or synthetic	33⅓%
3 XIV(1)(iii)(b)	Boric acid (refined)	20%
3 XIV(1)(iii)(c)	Citric acid	10%
5 -	Lactic acid	33⅓%
3 G.A.V.	Oleic acid, other than R Grade	10% **
3 G.A.V.	Stearic acid, other than R Grade	10% **
3 XIV(1)(iii)(e)	Tartaric acid	10%
3 XIV(1)(xviii)	Vinegar	33⅓%
3 XIV(1)(vii)	Borax (refined)	20%
3 Exemptions	Boron minerals, crude, and concentrates of boracite and rasorite	Free
5 -	Caffeine and salts thereof	25%
3 G.A.V.	Carbon black from natural gas	10%
3 XIV(1)(xi)	Cream of tartar	10%
5 -	Emetine and salts thereof	20%
	** The qualification "other than R grade" signifies that the commitment does not extend to the product mentioned when imported as "pure", "purissimum", "extra pure", "B.P.", "Ph.G.", "A.R.", "for analysis", "reagent", or of special quality for meeting special tests for purity. (B.P. = British Pharmacopoeia Ph.G. = German Pharmacopoeia A.R. = Analytical Reagent)	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 Exemptions	Iodine, other than R Grade	Free * *
Ex3 XIV(1)(xiv)	Lithopone (dry) containing not less than 25% by weight of zinc sulphide	£3.5s. per ton or 20%, whichever is the greater.
5 -	Menthol, natural, R Grade	15%
3 G.A.V.	Menthol, natural, other than R Grade	5% * *
5 -	Potassium permanganate	33⅓%
3 Exemptions	Potassium sulphate, other than R Grade	Free * *
3 Exemptions	Potassium chloride, other than R Grade	Free * *
3 G.A.V.	Sodium chromate	10%
3 Exemptions	Sodium nitrate (other than synthetic)	Free
3 G.A.V.	Potassium nitrate (other than synthetic)	Free
3 G.A.V.	Sulphate of quinine of vegetable origin	10%
3 Exemptions	Sulphur, excluding precipitated sulphur which satisfies the requirements of the British Pharmacopoeia	Free
5 -	Theobromine and salts thereof	25%
3 XIV(1)(xix)	Zinc oxide, other than R Grade	20% * *
	* * The qualification "other than R Grade" signifies that the commitment does not extend to the product mentioned when imported as "pure", "purissimum", "extra pure", "B.P.", "Ph.G.", "A.R.", "for analysis", "reagent", or of special quality for meeting special tests for purity. (B.P. = British Pharmacopoeia Ph.G. = German Pharmacopoeia A.R. = Analytical Reagent)	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
- -	Synthetic organic dyestuffs (including pigment dyestuffs), whether soluble or insoluble; compounds, preparations and articles manufactured from any such dyestuffs, except any such compounds, preparations and articles as are not suitable for use in dyeing; and organic intermediate products used in the manufacture of any such dyestuffs	33⅓%
3 G.A.V.	Babassu oil	10%
4 -	Castor oil	12½%
3 G.A.V.	Citronella oil	10%
4 -	Coconut oil	15%
3 G.A.V.	Copaiba oil	Free
3 G.A.V.	Cotton oil	10%
4 -	Groundnut oil	15%
4, and 3 XIV(4)	Linseed oil	15%
3 Exemptions	Oiticica oil, raw	Free
3 G.A.V.	Palm-oil, unrefined	10%
3 G.A.V.	Palmarosa oil	10%
3 Exemptions	Tung oil (China wood oil), raw	Free
	Essential oils, natural, but not terpenless, the following:-	
3 Exemptions	Geranium	Free
3 Exemptions	Rosewood (Bois de Rose)	Free
3 G.A.V.	Ylang-ylang	10%
3 G.A.V.	Orange	10%
3 G.A.V.	Vetivert (cus-cus)	10%
3 Exemptions	Aniseed	Free
3 G.A.V.	Clove	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Beeswax	10%
3 Exemptions	Carnauba wax	Free
3 Exemptions	Ouricury wax	Free
3 G.A.V.	Paraffin wax	10%
3 G.A.V.	Petroleum jelly, not containing any other substance	10%
3 XIV(6)(ii)	Soft soap	15%
3 XIV(6)(iii)	Hard soap (other than abrasive soap and toilet soap)	10%
3 XIV(6)(iv)	Toilet soap	25%
	Natural raw materials in a dried state, not chopped, ground, manufactured or prepared, the following:-	
3 Exemptions	Quillaia bark	Free
3 Exemptions	Liquorice root	Free
3 Exemptions	Cumaru seed	Free
3 G.A.V.	Sesamum seed	5%
3 G.A.V.	Castor seed	7½%
3 G.A.V.	Copra	10%
3 G.A.V.	Karité Butter (Shea Butter)	10%
3 G.A.V.	Vanilla	10%
3 Exemptions	Cinchona bark	Free
3 G.A.V.	Gambier (catechu pallidum)	Free
3 Exemptions	Pyrethrum flowers	Free
3 Exemptions	Solid natural resins of the following kind:-	
	Dragon's blood	Free

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Timbo powder, being powder from various species of Lonchocarpus	10%
3 Exemptions	Rosin (colophony)	Free
3 Exemptions	Rubber, raw, including crepe; rubber latex	Free
3 G.A.V.	Maize starch of a value not exceeding 10s. per cwt. of a value exceeding 10s. per cwt.	 10% 7½% or 1s. per cwt., whichever is the greater
3 XIV(3)(iv)	Printers' ink	12½%
3 XIV(7)	Glue, gelatine and size, in any form, derived from animal or fish	20%
Ex3 XIV(3)(i)	Varnishes not containing pigments	15%
3 Exemptions	Sheep and lamb skins, raw, dried, salted or pickled, but not further treated	Free
3 G.A.V.	Goatskins, raw, dried, salted or pickled, but not further treated	10%
3 XV(1)(i)	Leather, dressed (other than machinery belting (including conveyor and elevator bands) of leather over ⅛ inch thick and not more than 24 inches wide, of a value not less than £30 per cwt., patent leather of a thick permanent high gloss finish, and glacé kid, being chrome tanned goatskin of smooth, polished finish):-	
	(a) Box and willow calf, box and willow sides, and other chrome tanned calf, kip and hide leather, imported in skins or pieces weighing less than 4 lb. each:-	
	(1) not being such scrap or waste as is mentioned below	20%
	(2) scrap or waste of chrome tanned calf, kip and hide leather, being leather of a kind not used in the uppers of boots and shoes	10%
	(b) Other sorts	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
3 G.A.V.	Glacé kid, being chrome tanned goatskin of smooth, polished finish, not shaped	10%
3 G.A.V.	Reptile leather, undressed, of the following descriptions:-	10%
	Snake, lizard, crocodile and alligator skins, not shaped	
4 -	Patent leather of a thick, permanent high gloss finish, not shaped	7½%
3 XV(1)(iii)	Trunks, bags, wallets, pouches and other receptacles, made wholly or partly of leather, or material resembling leather, whether fitted or not, the following:-	
	(a) Women's handbags and pochettes, without key locks, of which neither the length nor the width, exclusive of the handle, exceeds 12 inches	17½% or 1s.6d. each, whichever is the greater
	(b) Other women's handbags and pochettes	22½% or 2s.3d. each, whichever is the greater
	(c) Other sorts	22½%
3 Exemptions	Fur skins, of the following descriptions, raw, dried, salted or pickled, but not further treated:-	Free
	Muskrat (Ondatra) Fox: Silver (Vulpes) Cross (Vulpes) Red (Vulpes) Grey (Urocyon) Arctic (Alopex) Raccoon (Procyon) Skunk (Mephitis) Civet cat (Spilogale) Opossum (Didelphis) Mink (Mustela) Otter (Lutra) Sea Otter (Enhydra)	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XV(2)(i)	Fur and other skins (dressed), including pieces thereof, but not including leather	15%
Ex3 XV(2)(ii)	Furskins, merely sewn together, as used for making linings and trimmings, and known as strips and plates	25%
3 G.A.V.	Hatters' fur	10%
3 XV(3)(ii)(b)	Material consisting of rubber sheeting or synthetic rubber sheeting, with a textile backing, not made-up	17½%
3 XV(3)(iii) and 3 G.A.V.	Tubing and piping, with or without nozzles or other fittings attached thereto, manufactured wholly or partly of any of the following materials, whether or not vulcanised or otherwise compounded:- Rubber Synthetic rubber Balata Gutta percha	10%
3 G.A.V.	Sheets and sheeting wholly of rubber or synthetic rubber, imported as such	10%
3 XVI(3)(iii)	Paper and board made from paper or pulp, whether coated or otherwise treated in any manner or not, of a weight when fully extended equivalent to more than 90 lb. to the ream of 480 sheets of double crown measuring 30 inches by 20 inches:- Unlined strawboard	15%
3 XVI(7)	Cigarette papers in booklet containers	16⅔%
3 XVI(8)	Paper dress patterns including the paper envelopes in which they are enclosed	10%
3 XVI(9)	Face and hand towels, made wholly of paper, of a weight when fully extended equivalent to not less than 10 lb. to the ream of 480 sheets of double crown measuring 30 inches by 20 inches	10%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XVI(10)	Serviettes and handkerchiefs, not printed, of a superficial area not exceeding 400 square inches, made wholly of paper, of a weight when fully extended equivalent to not less than 7 lb. to the ream of 480 sheets of double crown measuring 30 inches by 20 inches	10%
3 XVI(11)	Vulcanised fibre in reels, coils, sheets, strips, rods or tubes, not further manufactured	15%
3 XVII(1)(i)	Wagons for use on railways not exceeding three feet in gauge, and parts of such wagons other than complete roller bearing and ball bearing axle boxes	33⅓%
	Motor vehicles, the following:-	
Ex3 XVII(2)(i)(a)	(i) Motor bicycles and motor tricycles	22½% *
3 X(2)(x)(a)	(ii) Agricultural tractors (not being track-laying tractors)	15% *
	(iii) Track-laying tractors of a type suitable for hauling or pushing implements, with or without separate power take-off; but not including machines specially adapted for other purposes, in which the track is ancillary	
	(a) of a drawbar horse-power not exceeding 50	20%
	(b) of a drawbar horse-power exceeding 50	15%
Ex3 X(2)(x)(b)	(iv) All other kinds (except track-laying tractors) of 25 horse-power or more	33⅓%
	Accessories and component parts of motor vehicles:-	
3 XVII(2)(ii)(a)	(i) Accumulators (electric storage batteries)	15%
3 X(2)(x)(c)	(ii) Parts of track-laying tractors being tracks or parts of tracks	15%
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rates, and margin of preference, in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XVII(3)(i)	Cycles (not mechanically propelled)	20%
Ex3 XVII(3)(ii)(e)	Parts and accessories of cycles (other than motor cycles) not being:- (a) Electric dynamo lighting sets, comprising dynamo and head lamp, with or without clips and wiring, and with or without rear lamp (b) Dynamos for lighting sets with or without clips and wiring; and cases (or bodies) thereof, whether complete or not (c) Electric lamps adapted for use on cycles; and cases (or bodies) thereof, whether complete or not (d) Cycle bells (e) Tyres and inner tubes	20%
Ex3 XVIII(1)(i)	Sporting guns with two or more smooth-bore barrels	25%
3 XVIII(2)(i)	Toilet preparations of the following descriptions (excluding bath salts and essences; prepared fullers earth; soap; and petroleum jelly not containing any other substance):-	20%
	Tooth paste or powder and liquid preparations for dental purposes and mouth washes Toilet paste or powder Toilet cream Lipstick, rouge and greasepaint Hair dyes Preparations for use in manicure or chiropody Other preparations for use on the hair, face or body	
	NOTE: The products provided for under the above item shall be exempt from ordinary most-favoured-nation customs duties which exceed the preferential duties on such products by more than 15% ad valorem.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex 3 XVIII(2)(ii)	Bath salts	25%
3 G.A.V.	Dental plate fixative powder	10%
	Toilet requisites of the following descriptions:-	
3 XVIII(3)	Powder bowls or boxes and powder puffs, and parts thereof	20%
	Nail polishers	25%
	Nail clippers, nail cleaners and nail files	25%
	Denture bowls	25%
	Manicure sets	25%
	Parts of the above articles	25%
6 -	Perfumed Spirits	Imported in cask: The liquid gallon £. s. d. If warehoused 3 years or more: 9. 12. 0. If warehoused 2 and less than 3 years: 9. 13. 7. If not warehoused, or warehoused less than 2 years: 9. 14. 5. Imported in bottle: The liquid gallon £. s. d. 9. 13. 0. * 9. 14. 7. * 9. 15. 5. *
	* Paragraph 1 at the head of this Schedule shall not apply to this item, but the Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rates in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XVIII(5)	Spectacles, goggles, eye glasses and monocles (other than spectacles or goggles with protective side-shields); frames and mountings for spectacles or goggles (whether with protective side-shields or not) or for eye glasses or monocles, and parts of such frames and mountings; but not including articles chargeable on the date of this Agreement with duty under the Safeguarding of Industries Act, 1921.	25%
3 XVIII(6)	Artificial teeth, crowns and facings (excluding teeth, crowns and facings for specimen purposes mounted on metal strips or having a number indelibly impressed or embossed on the front thereof):-	
	(i) wholly or partly of metal	10s. per hundred or 15% whichever is the greater.
	(ii) all others	3s. per hundred or 15% whichever is the greater.
Ex3 XVIII(7)(i)(b)	Jewellery containing gold or platinum	30%
Ex3 IV(4)(ii) Ex3 IV(5) Ex3 XVIII(8)(ii)	Articles which consist, or apart from glass or porcelain linings or small fittings of base metal consist, wholly of onyx, marble or granite, the following:- Vases, inkstands with or without trays or penholders, pen or pencil racks, stands and trays;	20%
	Blotters and letter openers made wholly or mainly of onyx, marble or granite	20%
	Bureau sets consisting of two or more of the articles specified in this item.	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 Exemptions	Unset semi-precious stones, the following:-	Free
	Aquamarine, tourmaline, kunzite, agate, onyx, topaz, amethyst	
	Quartz (not including quartzite and quartz sand), raw, including crushed, of the following varieties:-	
	Rock crystal quartz Citrine	
3 Exemptions	Animal ivory, raw, whether whole tusks or sections of tusks, not cut to shape or in any way prepared, treated or worked	Free
3 XVIII(9)(i)	Snap fasteners, push buttons, studs, hooks and eyes	15%
3 XVIII(10)	Buttons, whether finished or unfinished, of a description commonly used for the fastening or decoration of wearing apparel or household linen, but not including buttons wholly or partly of lamp-blown ware or cellulose acetate	30%
3 XVIII(11)	Beads and bead trimming, but not including lamp-blown ware	15%
Ex3 XVIII(12)	Artificial flowers, foliage and fruit, but not including articles of lamp-blown ware or glass wool	25%
	Articles of stationery, the following:-	
Ex3 XVIII(13)(i)	Chalk, crayons, pastels, and pencil leads	15%
Ex3 XVIII(13)(i)	Parts for files, list binders and indexers, wholly of metal	15%
Ex3 XVIII(13)(i)	Pen nibs	15%
3 XVIII(13)(iii)	Drawing ink	15%
3 XVIII(13)(iv)	Paste and mucilage, in small containers	15%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of stationery, the following (continued):-	
3 XVIII(13)(v)	Rubber bands	15%
Ex3 XVIII(13)(vi)	Rubber erasers of a value exceeding 2s.6d. per lb.	15%
3 XVIII(14)	Baskets manufactured wholly or partly of willow, cane or wicker	30%
3 XVIII(17)(i)	Felt base floor covering	15%
3 XVIII(19)	Pipes for smoking tobacco, etc.; holders for cigars and cigarettes; and parts thereof	20%
3 XVIII(20)(i)	Unexposed sensitised photographic paper, cloth, plates and film (other than cinematograph film), spools therefor and parts of such spools	25%
	Appliances, apparatus, accessories and requisites for sports, games, gymnastics or athletics, and parts, the following:-	
3 XVIII(21)(iii)	Coin or disc operated machines and parts thereof	20%
3 XVIII(21)(iv)	Fishing tackle, the following:-	
	Rods wholly or mainly of iron or steel	15%
	Reels	15%
Ex3 XVIII(21)(v)	Golf clubs of a value exceeding 17s.6d. each	20%
Ex3 XVIII(21)(vi)	Golf club shafts of a value exceeding 6s.6d. each	20%
3 XVIII(21)(vii)	Golf tees of wood	20%
3 XVIII(21)(viii)	Golf club bags	20%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 1 (concluded)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 XVIII(22)	Roller skates	20%
3 XVIII(25)(i)	Gramophones with electrical amplification, including radio-gramophones	20%
3 XVIII(25)(ii)	Gramophone records for reproducing music	20%
3 XVIII(25)(iv)	Pipe organs and reed organs, not including organs with electrical amplification	25%
Ex3 XVIII(25)(v)	Musical instruments, wind and string, component parts thereof and accessories thereto (other than complete instruments the value of which does not exceed 2s.6d.)	25%
5 -	Cameras, cinematograph (other than sound recording cameras) for film of width:-	
	(i) 16 millimetres	33⅓%
	(ii) 9.5 millimetres or less	40%
5 -	Cinematograph appliances, the following:-	
	Cinematograph projectors with or without lenses and with or without stands or pedestals	33⅓%
	Arc lamps for cinematograph projectors	33⅓%
3 G.A.V.	Celluloid (cellulose nitrate) film base, not sensitized, and celluloid scrap and waste	10%
3 G.A.V.	Celluloid (cellulose nitrate), not sensitised, in rolls, other than cinematograph film base	10%

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Most-Favoured-Nation Tariff (continued)

Division 2

Rates chargeable in accordance with paragraph 2 at the head of this Schedule in relation to Articles listed or provided for in Division 1.

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
3 XII(2)	Articles (i) which consist wholly or partly of lace or lace net of any kind or which consist wholly or partly of material by whatever process or stitch made which in appearance or pattern resembles lace or lace net; or	25%
	(ii) which at any stage of manufacture have been subjected, as to the whole or a part thereof, to a processs of embroidery by hand or machine needlework or to a process producing a similar effect; or	25%
	(iii) which at any stage of manufacture have been subjected, as to the whole or a part thereof, to a process of stiletto work, borer work, cut work or drawn thread work, or to a process producing a similar effect	25%
3 XIII(6)(ii)	Apparel made wholly or partly of feathers	25%
6 -	Articles of apparel (other than stockings and socks) made wholly or partly of silk or artificial silk,	
	(1) where the article is made wholly of silk or artificial silk or where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 20% of the aggregate of the values of all the components of the article	
	(a) where any component is silk	33⅓% or * 15s. the lb., whichever is the greater
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 2 (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
6 -	Articles of apparel (other than stockings and socks) made wholly or partly of silk or artificial silk (continued):-	
	(1) where the article is made wholly of silk or artificial silk or where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 20% of the aggregate of the values of all the components of the article (continued):-	
	(b) where no component is silk	
	(i) dresses and skirts (other than divided skirts)	30% or 6s.9d. the lb., whichever is the greater *
	(ii) other	33⅓% or 7s.6d. the lb., whichever is the greater *
	(2) where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 5% but does not exceed 20% of the aggregate of the values of all the components of the article	
	(a) where any component is silk	22½% or 5s. the lb., whichever is the greater *
	(b) where no component is silk	22½% or 2s.6d. the lb., whichever is the greater *
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART I

Division 2 (concluded)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
	Articles of apparel (other than stockings and socks) made wholly or partly of silk or artificial silk (continued):-	
	(3) where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, does not exceed 5% of the aggregate of the value of all the components of the article	
6 - and 3 XIII(1)	(a) where any component is silk	1s. the lb.* or 20% whichever is the greater
6 - and 3 XIII(1)	(b) where no component is silk	6d. the lb.* or 20% whichever is the greater
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II

Preferential Tariff

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Silk:- Cocoons and waste of all kinds:- Undischarged Wholly or in part discharged other than noils Noils Raw- Undischarged Wholly or in part discharged Yarn- Undischarged Wholly or in part discharged not being noil yarn Noil yarn Tissues- Bolting cloth, not treated or operated upon, containing no other fibre than silk Eastern tissues of the varieties known as Shantung, Ninghai, Nanshan, Honan, Antung and Habutai- Not dyed or printed Dyed or printed Noil Tissue- Containing less than 10% by weight of silk or of silk and artificial silk Containing 10% or more by weight of silk or of silk and artificial silk	5/6ths of the most-favoured-nation rates shown in Part I of this Schedule

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II (continued)

Tariff Item No. Part and Group	Description of Products	Rate of Duty
6 -	Silk (continued):- Other Tissues- Undischarged- Containing less than 10% by weight of silk or of silk and artificial silk Containing 10% or more by weight of silk or of silk and artificial silk Wholly or in part discharged- Containing less than 10% by weight of silk or of silk and artificial silk Exceeding 12 inches in width and containing more than 75% by weight of silk wholly or in part discharged (other than noil), or of such silk and artificial silk In other cases	5/6ths of the most-favoured-nation rates shown in Part I of this Schedule
6 -	Artificial Silk:- Waste Yarn Tissues- Containing less than 10% by weight of artificial silk or of artificial silk and silk Exceeding 12 inches in width and containing more than 75% by weight of- (a) artificial silk, but no discharged or partly discharged silk (other than noil) (b) artificial silk and wholly or partly discharged silk (other than noil) Other tissues	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Articles of apparel (other than stockings and socks) made wholly or partly of silk or artificial silk, being articles of apparel listed or provided for in Division 1 of Part I of, and paragraph 2 at the head of, this Schedule	
	(1) where the article is made wholly of silk or artificial silk or where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 20% of the aggregate of the values of all the components of the article	
	(a) where any component is silk	
	(i) dresses and skirts (other than divided skirts)	33⅓% or 15s. * the lb., whichever is the greater
	(ii) other	30% or 13s.6d * the lb., whichever is the greater
	(b) where no component is silk	30% or 6s.9d * the lb., whichever is the greater
	(2) where the value of the silk or artificial silk component or the aggregate of the values of all such components as the case may be, exceeds 5%, but does not exceed 20%, of the aggregate of the values of all the components of the article	
	(a) where any component is silk	20% or 4s.6d * the lb., whichever is the greater
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Articles of apparel (other than stockings and socks) made wholly or partly of silk or artificial silk, being articles of apparel listed or provided for in Division 1 of Part I of, and paragraph 2 at the head of, this Schedule (continued) :-	
	(2) where the value of the silk or artificial silk component or the aggregate of the values of all such components as the case may be, exceeds 5%, but does not exceed 20%, of the aggregate of the values of all the components of the article (continued) :-	
	(b) where no component is silk	20% or 2s.3d * the lb., whichever is the greater
	(3) where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, does not exceed 5% of the aggregate of the values of all the components of the article	
	(a) where any component is silk	10% or 1s. * the lb., whichever is the greater
	(b) where no component is silk	10% or 6d. * the lb., whichever is the greater
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement.	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II (continued)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
6 -	Stockings and socks made wholly of silk or containing silk components the value whereof exceeds 20% of the aggregate of the values of all the components thereof	27½% or 10s. * the dozen pairs, whichever is the greater
	Stockings and socks (containing no silk) made wholly of artificial silk, or containing artificial silk components the value whereof exceeds 20% of the aggregate of the values of all the components thereof:-	
	(a) where all the artificial silk consists of regenerated cellulose or cellulose acetate	30% or 6s.9d * the dozen pairs, whichever is the greater
	(b) in other cases	30% or 9s. * the dozen pairs, whichever is the greater
Ex3 VIII(5)	Alarm clocks	
	(i) of a value less than 12s. each	22²/₉%
	(ii) of a value not less than 12s. each	16²/₃% or 2s.8d each, whichever is the greater
Ex3 XVII(2)(i)(a)	Motor vehicles, the following:- Motor bicycles and motor tricycles	22½% *
Ex3 XVII(2)(i)(b)	Agricultural tractors (not including track-laying tractors)	1% *
3 XVIII(25)(i)	Gramophones with electrical amplification, including radio-gramophones	13¹/₃%
3 XVIII(25)(ii)	Gramophone records for reproducing music	13¹/₃%
	* The Government of the United Kingdom shall be free to maintain until the 1st September, 1948, the rate in force at the date of this Agreement	

SCHEDULE XIX - UNITED KINGDOM

Section A. Metropolitan Territory

PART II (concluded)

Tariff Item No. / Part and Group	Description of Products	Rate of Duty
Ex3 XVIII(25)(v)	Musical instruments, wind and string, component parts thereof and accessories thereto (other than complete instruments the value of which does not exceed 2s. 6d)	$16^2/_3$%
3 Exemptions	Hams, not preserved in airtight containers	Free
	NOTE: The quantity of hams permitted to be imported from all sources free of duty shall be not less than 775,000 cwts. a year. In respect of hams not permitted to be imported free of duty, the United Kingdom Government shall be free to charge duty at a rate not exceeding 5d per lb.	
3 Exemptions	Live cattle	Free
3 G.A.V.	Wheat flour	Free
4	Cheese	Free
4	Condensed milk, whole	Free **
4	Milk powder and other preserved milk (excluding condensed milk), not sweetened	Free
	** The Government of the United Kingdom shall be free to charge the appropriate sugar duty on sweetened condensed milk.	

SCHEDULE XIX - UNITED KINGDOM

This Schedule is authentic only in the English language

Section B. Newfoundland

PART I

Most-favoured-Nation Tariff

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
15	Wheat meal and flour	Free
38	Beef, salted, in barrels	Free
39	Pork, salted, including heads, jowls, tongues, etc., in barrels or half-barrels	Free
41	Hams and tongues, dry salted or pickled	3¢ per lb.
44	Canned meats, hermetically sealed, known as C.C. beef, corned beef, corned beef hash, boiled beef, luncheon beef, roast beef, roast mutton, boiled mutton and brawn	Free
58	Butter, N.E.S.	8¢ per lb.
76(a)	Apples	Free
77	Oranges, melons, pumpkins, lemons, limes, grapes, grapefruit, peaches, pears, plums, apricots, cherries, gooseberries, currants, strawberries, pineapples, pomegranates, guava, shaddocks, mangoes, and similar green fruits	Free
78(a)	Dried fruits, (other than dates); currants and dried raisins, N.E.S.	2¢ per lb.
79	Prunes, figs and fig cake	Free
80(b)	Natural-dried sultana type raisins, otherwise known as Natural Thompson's Seedless Raisins, in bulk or in packages	Free
83	Fruit, canned, bottled or otherwise preserved, N.E.S., including ginger in syrup	25%
Ex 84	Fruit juices	Free
Ex 85	Fruit juices	Free
94	Milk and cream, preserved, sterilized or condensed; and milk powders	Free

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART I (continued)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
95	Milk foods and like preparations made with or without added sugar or sweetening matter (other than saccharine)	10%
Ex 153	Vegetable juices including tomato juice	Free
216	Wool, viz: the hair of the sheep, goat, camel, alpaca, vicuna, llama and other like animals, raw, washed, scoured or carbonised, and wool tops, noils and waste	Free
305	Iron and steel pipe or tubing and fittings for same, plain or galvanized, riveted, corrugated or otherwise specially manufactured, threaded or coupled and not. Iron and steel wire, N.E.S.	30%
353	Axes, saws of all kinds, N.E.S.; adzes, cleavers, hatchets, hammers and tools of all kinds, edged or not, for hand use, N.E.S., including bench machines, wedges, sledges, crow-bars, cant-dogs, track tools, picks and eyes, wrenches and pliers of all kinds; shovels and spades of iron and steel or other metals; wooden shovels, tool and implement handles of all kinds, N.E.S.	10%
354	Anvils, vices, files and rasps, rules of all kinds, N.E.S.; mallets and gauges, smiths' bellows, horse shoes, diamonds for glaziers' use, glass cutters and emery	10%
358	Builders', cabinet makers', upholsterers' and trunkmakers' hardware, including furniture springs, hinges and locks, N.E.S.; screws, commonly called wood screws of iron, steel, brass or other metal (plated or not) and machine and other screws, N.E.S.; traps of iron or other metal, including rat and mouse traps, wholly or partly made of wood	30%

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART I (continued)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
381	Electric motors and generators, N.E.S., switchboards and accessories therefor, transformers and accessories therefor, condensers, capacitors, converters, oil circuit breakers, voltage and induction regulators, lightning arresters, auto starters and commutators, motor control apparatus, domestic lighting sets	20%
382	Electric wires and cables, (insulated), insulators, electric lamps including bulbs and shades, meters, wiring devices such as switches, sockets, porcelain knobs and tubes; telephone and telegraph instruments, and parts thereof not capable of other use, magnetos and spark plugs	20%
383	Radio receivers and transmitters and parts thereof not capable of other use	30%
Ex 385	Dry cell batteries (single and multiple cell), including flashlight batteries	20%
401	Hand and power machinery and duplicate parts thereof, N.E.S., such as: drilling machines, fan blowers, portable forges, pumps, fire extinguishers, turning lathes, fretsaw machines, scroll saw machines, and dating, ruling, paging and perforating machines, including pens for same, and machinery of a kind not manufactured in Newfoundland, N.E.S., and welding outfits	20%
402	Office and domestic machinery, N.E.S., and parts thereof	30%
403(a)	Elevators, steam and hot water boilers for heating purposes, furnaces and radiators, N.E.S.	30%

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART I (continued)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
403(b)	Machinery and parts therefor, such as: wood working and saw mill machinery, steam engines and turbines, gas engines, stationary engines (not marine), motor engines, N.E.S., water wheels and turbines, steam and hot water boilers for power purposes, horse power machines, hoisting engines, N.E.S., concrete mixers, rock crushers, cranes and derricks, digging or dredging machines, and grips and buckets therefor	20%
405	Power tractors for agricultural or logging purposes, etc., and parts therefor	Free
410	Machinery and parts of machinery, N.E.S.	20%
441	Cotton yarn and twist	Free
443	Made up or partly made up articles, except apparel, wholly or mainly of cotton, N.E.S., such as: quilts, sheets, towels and curtains	35%
Ex 448	Rayon or artificial silk fabrics, in the piece and not made up	20%
460	Leather clothing	40%
463	Men's and youths' long rubber boots	Free
464	Boots, shoes and slippers for women and children; such footwear being of leather or imitation leather, and of a value in the country of exportation of $1.00 or more per pair	30%
467	Hats, Caps, bonnets, and hat, cap and bonnet shapes of any material	45%
471	Gloves and mitts of any materials, N.E.S.	40%
491	Sole leather, in the hide or side	10%
494	Rough, split, undressed leather	20%

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART I (continued)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
521	Printing paper and manufactures of paper, N.E.S., transparent cellulose wrapping paper, writing paper, wrapping paper, toilet paper, blotting paper, sand, glass, flint and emery papers; emery cloth; millboard; strawboard in sheets or rolls; cardboard; ruled, bordered and coated paper papeteries; paper bags or sacks when not printed upon	45%
Ex 603	Tooth pastes and tooth powders	50%
614	Stationery; printed matter N.E.S.; erasing rubbers of all kinds, sealing wax; mucilage and other liquid gums; inks for writing; pencils, pens, penholders and rulers of all kinds; wire paper clips; dating stamps; picture post cards, Christmas and similar cards; books to be written or drawn upon; blank account books, artists' paints and colours, and other drawing requisites	45%
M1014	Tobacco leaf and stems when imported by licensed manufacturers in bond	Free
M1015	Tobacco leaf stripped, when imported by licensed manufacturers in bond	Free
Ex M1038	Machinery of a kind not manufactured in Newfoundland,	
	(a) to be used solely for drying, cleaning, packing, manufacturing or refining the products of the fishery; such as presses, drying apparatus, grinding, cutting and skinning machines, presses for oil refining, cod liver oil boilers and patent sealer- for use by canners;	Free
	(b) refrigerating machinery;	Free
	(c) parts for all the foregoing.	Free
	NOTE: The refrigerating machinery referred to in (b) applies only to such machinery used in the holding or processing of products of the Fisheries.	

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART I (concluded)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
M1041	Mining machinery costing at the place of shipment not less than $100 per machine or piece, (and not including repair parts, mountings and accessories), when used solely for prospecting, mining, quarrying, oil-boring, pumping and refining and of a kind not manufactured in Newfoundland, such as (a) rock drills, coal cutters, power-loaders and power-shovels; (b) pumps of all kinds to be used for pumping water or oil from the workings to the surface; (c) cranes, derricks, hoisting engines, and conveying machinery (not including vehicles and locomotives); (d) crushers or other machinery for use in facilitating the refining of coal or ore; (e) special machinery of all kinds to be used in washing, concentrating, reducing and refining coal, ore, and oil, or for the manufacture of brick; (f) prospecting drills of all kinds; miners' diamonds and diamond set bits for diamond drills; (g) oil-boring drills and special machinery for pumping and refining oil; (h) steam engines, internal combustion engines, electric generators, electric motors, air compressors and steam boilers to be used for the operation of any of the above mentioned machinery. Chemicals used in the concentration and flotation of ores	Free
M1044	All special paper and pulp-making machinery and mechanical apparatus, when the same cannot be manufactured in Newfoundland, both for the original installation and the further extension of the same, but not in substitution for old, subject to the rules and regulations to be made by the Commissioner for Finance	Free
M1063	Printing paper when imported by bona fide printers, for the purpose of being printed upon; and bookbinders' cloth, leather, marble paper and paper board, when imported by bookbinders and printers for use in bookbinding	20%

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART II

Preferential Tariff

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
38	Beef, salted, in barrels	Free
39	Pork, salted, including heads, jowls, tongues, etc., in barrels or half barrels	Free
44	Canned meats, hermetically sealed, known as C.C. beef, corned beef, corned beef hash, boiled beef, luncheon beef, roast beef, roast mutton, boiled mutton and brawn	Free
58	Butter, N.E.S.	7¢ per lb.
83	Fruit, canned, bottled or otherwise preserved, N.E.S., including ginger in syrup	15%
Ex 84	Fruit juices	Free
Ex 85	Fruit juices	Free
94	Milk and cream, preserved, sterilized or condensed; and milk powders	Free
95	Milk foods and like preparations made with or without added sugar or sweetening matter (other than saccharine)	Free
Ex 153	Vegetable juices including tomato juice	Free
305	Iron and steel pipe or tubing and fittings for same, plain or galvanised, riveted, corrugated or otherwise specially manufactured, threaded or coupled and not. Iron and steel wire, N.E.S.	20%
Ex 385	Dry cell batteries (single and multiple cell), including flashlight batteries	20%
443	Made up or partly made up articles, except apparel, wholly or mainly of cotton, N.E.S., such as: quilts, sheets, towels and curtains	30%
Ex 448	Rayon or artificial silk fabrics, in the piece and not made up	15%

SCHEDULE XIX - UNITED KINGDOM

Section B. Newfoundland

PART II (concluded)

Newfoundland Tariff Item No.	Description of Products	Rate of Duty
460	Leather clothing	30%
464	Boots, shoes and slippers for women and children; such footwear being of leather or imitation leather, and of a value in the country of exportation of $1.00 or more per pair	25%
467	Hats, caps, bonnets, and hat, cap and bonnet shapes of any material	40%
471	Gloves and mitts of any materials N.E.S.	40%
494	Rough, split, undressed leather	10%
521	Printing paper and manufactures of paper, N.E.S., transparent cellulose wrapping paper, writing paper, wrapping paper, toilet paper, blotting paper, sand, glass, flint and emery papers; emery cloth; mill-board; strawboard in sheets or rolls; cardboard; ruled, bordered and coated paper papeteries; paper bags or sacks when not printed upon	35%
Ex 603	Tooth pastes and tooth powders	40%
614	Stationery; printed matter N.E.S.; erasing rubbers of all kinds, sealing wax; mucilage and other liquid gums; inks for writing; pencils, pens, penholders and rulers of all kinds; wire paper clips; dating stamps; picture post cards, Christmas and similar cards; books to be written or drawn upon; blank account books, artists' paints and colours, and other drawing requisites	35%

SCHEDULE XIX - UNITED KINGDOM

This Schedule is authentic only in the English language

Section C. Dependent territories of the United Kingdom of Great Britain and Northern Ireland

PART I

Most-Favoured-Nation Tariff

1. In each of the territories (except Ceylon) named in Schedule III of the Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the United States of America, signed November 17, 1938, the margin of preference, if any, on any product listed in that Schedule in respect of such territory, shall not exceed three-fourths of that existing on April 10, 1947, or 25% ad valorem (or a margin of specific or other duties equivalent to 25% ad valorem), whichever margin is the smaller, Provided that this undertaking shall not require the reduction of the margin of preference on any product to less than 2% ad valorem (or a margin of specific or other duties equivalent to 2% ad valorem). The Government of the United Kingdom, in association with the Government of the territory concerned, will, if requested, consult with regard to the implementation of this undertaking with any contracting party having a substantial interest in any product concerned, and, should it prove impossible in any particular case to give effect to the reduction in a margin of preference required by this undertaking, will agree on measures designed to provide an equitable solution.

2. The reductions of preference provided for in paragraph 1, above, shall come into effect at the earliest practicable date and in any event not later than December 31, 1949, but may be made inoperative during the whole of any calendar year which immediately succeeds a calendar year in which the quantity of general purpose synthetic rubber required to be consumed in the United States of America under internal quantitative regulations applied pursuant to paragraph 4 of Article III of this Agreement exceeds 25% of the total consumption in the United States of America of natural, synthetic and reclaimed rubber.

PART II

Preferential Tariff

Nil.

SCHEDULE XIX - UNITED KINGDOM

This Schedule is authentic only in the English language

Section D. Malayan Union

PART I

Most-Favoured-Nation Tariff

Malayan Union Tariff Item No.	Description of Product	Rate of Duty
Export Duties		
Ex III (Minerals, etc.):-	Tin ore and tin concentrates NOTE: The products comprised in the above item shall be assessed for duty on the basis of their tin content; the rate to be levied on such tin content being the same as the rate chargeable on smelted tin, Provided that the rate of duty on this item may exceed the rate chargeable on smelted tin in the event that and so long as the Government of the United States of America subsidises directly or indirectly the smelting of tin in the United States.	

PART II

Preferential Tariff

Nil.

SCHEDULE XIX - UNITED KINGDOM

This Schedule is authentic only in the English Language

Section E. Palestine

PART I

Most-Favoured-Nation-Tariff

Palestine Tariff Item No.	Description of Products	Rate of Duty
	BEVERAGES	
	Spirits, including Liqueurs, Cordials, Mixtures and other preparations containing spirits:-	
94	Brandy Cognac	(i) The margin between the existing import rates and the Excise duty of 540 mils per litre of alcohol on similar spirits manufactured in Palestine shall not be increased. (ii) The import duty on these items shall be the same as the duty on imported whisky and gin.
96	Rum	
98	Other Liqueurs, Cordials, Mixtures and other preparations containing spirits:-	
	(a) In bottles not exceeding 25 centilitres	
	(b) In bottles exceeding 25 centilitres and not exceeding 40 centilitres	
	(c) In bottles exceeding 40 centilitres and not exceeding 80 centilitres	
	(d) In bottles exceeding 80 centilitres	
	(e) In containers other than bottles	
100	Champagne:-	
	(a) In bottles not exceeding 25 centilitres	60 mils per bottle
	(b) In bottles exceeding 25 centilitres and not exceeding 40 centilitres	90 mils per bottle
	(c) In bottles exceeding 40 centilitres and not exceeding 80 centilitres	180 mils per bottle
	(d) In bottles exceeding 80 centilitres	240 mils per litre
303	Glassware, domestic and fancy	25% ad val.
Ex 531	Flax and Linen Thread	20% ad val.
532	Linen Tissues and Manufactures, not elsewhere specified	20% ad val.

SCHEDULE XIX - UNITED KINGDOM

Section E. Palestine

PART I (concluded)

Palestine Tariff Item No.	Description of Products	Rate of Duty
595	Drugs, raw and prepared, other than the following antimalaria drugs, and drugs not elsewhere specified:-	23% ad val.
	Quinine and its salts, other alkaloids of cinchona i.e. cinchonidine, cinchonine and quinitine and their respective salts. Totaquina i.e. total alkaloids of cinchona. Plasmoquine, compound plasmoquine, quinoplasmine, atebrine, quiniostovarsol	Exempt
638	Paper for packing citrus fruit:-	
	(a) In rolls of not less than 3,000 square meters each	Exempt
	(b) In sheets 45 x 60 centimeters	Exempt

PART II

Preferential Tariff

Nil.

SCHEDULE XX - UNITED STATES OF AMERICA

This Schedule is authentic
only in the English language

Part I
Most-Favored-Nation Tariff
(See general notes at the end of this Schedule.)

Tariff Act of 1930, [1] paragraph	Description of Products	Rate of Duty
1	Acids and acid anhydrides:	
	Acetic acid containing by weight of acetic acid:	
	Not more than 65 per centum	1/2¢ per lb.
	More than 65 per centum	3/4¢ per lb.
	Acetic anhydride	1-3/4¢ per lb.
	Tannic acid, tannin, and extracts of nutgalls, containing by weight of tannic acid:	
	Less than 50 per centum	2-1/2¢ per lb.
	50 per centum or more and not medicinal	5-1/2¢ per lb.
	50 per centum or more and medicinal	9¢ per lb.
	Oleic acid or red oil	10% ad val.
	Carbon dioxide, weighing with immediate containers and carton, one pound or less per carton	1¢ per lb. on contents, immediate containers, and carton
	Acids and acid anhydrides not specially provided for:	
	Stearic acid	12-1/2% ad val.
	Fatty alcohols and fatty acids, sulphated	12-1/2% ad val.
2	Vinyl acetate, polymerized or unpolymerized, and synthetic resins made in chief value therefrom, not specially provided for	1-1/2¢ per lb. and 7-1/2% ad val.
4	Alcohol:	
	Amyl, butyl, hexyl, and propyl, all the foregoing whether primary, secondary, or tertiary	3¢ per lb.
	Fusel oil	3¢ per lb.
	Ethyl for nonbeverage purposes only	7-1/2¢ per gal.

[1] [46 Stat. 590; 19 U. S. C. § 1001 *ET SEQ.*]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
5 and 23	Fatty alcohols and fatty acids, sulphated, and salts of sulphated fatty acids; eucalyptol; vitamins; medicinal preparations of animal origin not otherwise provided for in this item; ammonium sulphocyanate or thiocyanate; barium compounds (except barium sulphide); magnesium salts and compounds; potash salts; selenium dioxide; and tellurium compounds; all the foregoing, not specially provided for, whether or not in any form or container specified in paragraph 23, Tariff Act of 1930	12-1/2% ad val.
5 and 23	Haarlem oil, whether or not in any form or container specified in paragraph 23, Tariff Act of 1930	7-1/2% ad val.
5	Sodium alginate	20% ad val.
5	Laundry sour containing not less than 20 per centum of sodium silicofluoride and not less than 10 per centum of oxalic acid, not specially provided for	15% ad val.
5	Ammonium silicofluoride	10% ad val.
6	Aluminum hydroxide or refined bauxite	1/4¢ per lb.
6	Aluminum sulphate	1/10¢ per lb.
6	Aluminum salts and compounds not specially provided for	12-1/2% ad val.
7	Ammonium carbonate and bicarbonate	1/2¢ per lb.
7	Ammonium chloride	5/8¢ per lb.
7	Ammonium nitrate	1/2¢ per lb.
7	Ammonium perchlorate	1¢ per lb.
7	Liquid anhydrous ammonia	1-1/4¢ per lb.
8	Antimony:	
	Oxide	1¢ per lb.
	Sulphides, not specially provided for	1/2¢ per lb. and 12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
10	Balsams: Copaiba and fir or Canada, natural and uncompounded, and not containing alcohol	5% ad val.
11	Synthetic resins made in chief value from vinyl acetate, not specially provided for	1-1/2¢ per lb. and 7-1/2% ad val.
13	Blackings, powders, liquids, and creams for cleaning or polishing, not specially provided for, and not containing alcohol	7-1/2% ad val.
15	Caffeine	60¢ per lb.
15	Caffeine citrate	50¢ per lb.
15	Compounds of caffeine	17% ad val.
15	Theobromine	40¢ per lb.
16	Calcium carbide	1/2¢ per lb.
16	Calcium acetate, crude	1/4¢ per lb.
18	Trichloroethylene	10% ad val.
20	Chalk or whiting or Paris white:	
	Dry, ground or bolted	1/10¢ per lb.
	Precipitated	10% ad val.
	Ground in oil (putty)	1/4¢ per lb.
	Put up in the form of cubes, blocks, sticks, or disks, or otherwise, including tailors', billiard, red, and manufactures of chalk not specially provided for	12-1/2% ad val.
23	(See items 5.)	
24	Medicinal compounds, preparations, mixtures, and salts:	
	Containing 20 per centum of alcohol or less ..	20¢ per lb. and 12-1/2% ad val.
	Containing more than 20 per centum and not more than 50 per centum of alcohol	40¢ per lb. and 12-1/2% ad val.
	Containing more than 50 per centum of alcohol	80¢ per lb. and 12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
24	Flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations:	
	Containing 20 per centum of alcohol or less	15¢ per lb. and 18% ad val.
	Containing more than 20 per centum and not more than 50 per centum of alcohol	30¢ per lb. and 18% ad val.
	Containing more than 50 per centum of alcohol	60¢ per lb. and 18% ad val.
	Provided, That, whenever the foregoing products are subject to a Federal tax on the alcoholic content measured in whole or in part by the rate of an internal Federal tax imposed in respect of the alcohol contained in the like domestic products, the specific parts of the foregoing rates shall be reduced from 15, 30, and 60 cents to 7-1/2, 15, and 30 cents, respectively, and the ad valorem parts thereof shall be reduced in each case to 10 per centum ad valorem.	
26	Chloral hydrate	20% ad val.
26	Thymol obtained or derived from eucalyptus oil	17-1/2% ad val.
27(a)(1) and (5)	Phthalic anhydride	20% ad val. and 3-1/2¢ per lb.
27(a)(1) and (5)	Naphthalene which after the removal of all water present has a solidifying point of seventy-nine degrees centigrade or above	10% ad val. and 1-3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
27(a) (2) and (5)	All distillates (except those provided for in subparagraph (b) of paragraph 27, Tariff Act of 1930) of coal tar, blast-furnace tar, oil-gas tar, and water-gas tar, which on being subjected to distillation yield in the portion distilling below one hundred and ninety degrees centigrade a quantity of tar acids equal to or more than 5 per centum of the original distillate or which on being subjected to distillation yield in the portion distilling below two hundred and fifteen degrees centigrade a quantity of tar acids equal to or more than 75 per centum of the original distillate:	
	Metacresol, orthocresol, and paracresol, all the foregoing having a purity of 75 per centum or more, but less than 90 per centum, and metaparacresol having a purity of 75 per centum or more	10% ad val. and 1-3/4¢ per lb.
	Other	20% ad val. and 3-1/2¢ per lb.
27(b)	Metacresol, orthocresol, and paracresol, all the foregoing having a purity of 90 per centum or more	10% ad val. and 1-3/4¢ per lb.
27(b)	Cresylic acid which on being subjected to distillation yields in the portion distilling below two hundred and fifteen degrees centigrade a quantity of tar acids equal to or more than 75 per centum of the original distillate	10% ad val. and 1-3/4¢ per lb.
28(a)	Saccharin; and picric acid, trinitrotoluene, and other explosives except smokeless powders; all the foregoing when obtained, derived, or manufactured in whole or in part from any of the products provided for in paragraph 27 or 1651, Tariff Act of 1930	22-1/2% ad val. and 3-1/2¢ per lb.
29	Cobalt:	
	Oxide	10¢ per lb.
	Sulphate	5¢ per lb.
	Linoleate	10¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
31(a)(1) and (2)	Cellulose acetate, and compounds, combinations, or mixtures containing cellulose acetate:	
	In blocks, sheets, rods, tubes, powder, flakes, briquets, or other forms, whether of not colloided, and waste wholly or in chief value of cellulose acetate, all the foregoing not made into finished or partly finished articles	25¢ per lb.
	Made into finished or partly finished articles of which any of the foregoing is the component material of chief value, and not specially provided for	20% ad val.
31(b)(1) and (2)	All compounds of cellulose (except cellulose acetate, but including pyroxylin and other cellulose esters and ethers), and all compounds, combinations, or mixtures of which any such compound is the component material of chief value:	
	In blocks, sheets (including transparent sheets more than three one-thousandths of one inch and not more than thirty-two one-thousandths of one inch in thickness), rods, tubes, powder, flakes, briquets, or other forms, whether or not colloided, not made into finished or partly finished articles:	
	Pyroxylin, and compounds, combinations, or mixtures of which pyroxylin is the component material of chief value	25¢ per lb.
	Other	30¢ per lb.
	Finished or partly finished articles not specially provided for, made in chief value from transparent sheets, bands, or strips not more than three one-thousandths of one inch in thickness	50% ad val.
33	Compounds of casein, known as galalith, or by any other name:	
	In blocks, sheets, rods, tubes, or other forms, not made into finished or partly finished articles	12-1/2¢ per lb.
	Made into finished or partly finished articles of which any of the foregoing is the component material of chief value not specially provided for	20¢ per lb. and 25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
34	Drugs, such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, herbs, leaves, lichens, mosses, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, woods, and all other drugs of vegetable or animal origin (except halibut-liver oil); any of the foregoing which are natural and uncompounded drugs and not edible, and not specially provided for, but which are advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, and not containing alcohol	5% ad val.
35	Ipecac and maté, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	5% ad val.
37	Ethers and esters, not containing over 10 per centum of alcohol:	
	Ethyl acetate	1-1/2¢ per lb.
	Butyl acetate	3-1/2¢ per lb.
	Amyl acetate	2¢ per lb.
38	Extracts, dyeing and tanning, not containing alcohol:	
	Cutch, fustic, mangrove, myrobalan, Persian berry, sumac, saffron, safflower, saffron cake, and wattle	7-1/2% ad val.
	Logwood	10% ad val.
	Extracts, decoctions, and preparations of vegetable origin used for dyeing, coloring, staining, or tanning, not specially provided for	7-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
39	Flavoring extracts and natural or synthetic fruit flavors, fruit esters, oils, and essences, all the foregoing not containing alcohol, and not specially provided for	10% ad val.
40	Hexamethylenetetramine	5-1/2¢ per lb.
41	Edible gelatin:	
	Valued at less than 40 cents per pound	10% ad val. and 2-1/2¢ per lb.
	Valued at 40 cents or more but not more than 80¢ per pound	10% ad val. and 3-1/2¢ per lb.
41	Gelatin, not specially provided for, valued at less than 40 cents per pound	10% ad val. and 1-1/4¢ per lb.
41	Glue, not specially provided for, valued at less than 40 cents per pound:	
	Of vegetable origin	12-1/2% ad val. and 1¢ per lb.
	Of animal origin	10% ad val. and 2-1/2¢ per lb.
41	Glue size and fish glue, not specially provided for, valued at less than 40 cents per pound	7-1/2% ad val. and 1/2¢ per lb.
41	Gelatin, glue, glue size, and fish glue, not specially provided for, valued at 40 cents or more per pound	12-1/2% ad val. and 4¢ per lb.
41	Pectin	25% ad val.
41	Isinglass	25% ad val.
41	Manufactures, wholly or in chief value of gelatin, glue, or glue size	15% ad val.
42	Glycerin:	
	Crude	4/10¢ per lb.
	Refined	1¢ per lb.
43	Writing and copying ink	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
46	Lead compounds not specially provided for	15% ad val.
48	Lime, citrate of	3-1/2¢ per lb.
48	Juice of lemons, limes, oranges, or other citrous fruits, unfit for beverage purposes	1-1/4¢ per lb.
49	Magnesium carbonate, precipitated	1/2¢ per lb.
49	Magnesium oxide or calcined magnesia	2-1/2¢ per lb.
50	Manganese: Borate, resinate, and manganese compounds and salts, not specially provided for ...	20% ad val.
50	Manganese sulphate	12-1/2% ad val.
51	Menthol	40¢ per lb.
52	Oils, animal and fish:	
	Sed	3¢ per gal.
	Herring	1-1/4¢ per gal.
	Menhaden	2-1/2¢ per gal.
	Whale and seal	3¢ per gal.
	Sperm, crude	1-1/4¢ per gal.
	Sperm, refined or otherwise processed	3-1/2¢ per gal.
	Spermaceti wax	2-1/2¢ per lb.
	Wool grease:	
	Containing more than 2 per centum of free fatty acids	1/2¢ per lb.
	Containing 2 per centum or less of free fatty acids and not suitable for medicinal use	1¢ per lb.
	Suitable for medicinal use, including adeps lanae, hydrous or anhydrous	2¢ per lb.
	Animal and fish oils, fats, and greases, not specially provided for:	
	Shark oil and shark-liver oil, including oil produced from sharks known as dogfish	5% ad val.
	Inedible animal oils, fats, and greases (except marine-animal oils, and neatsfoot oil and animal oils known as neatsfoot stock)	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
53	Oils, vegetable:	
	Castor	1-1/2¢ per lb.
	Poppy seed	1¢ per lb.
	Expressed or extracted oils, not specially provided for:	
	Kapok seed	10% ad val.
	Corn or maize	3¢ per lb., but not less than 10% nor more than 20% ad val.
54	Coconut oil	1¢ per lb.
	NOTE: The United States reserves the right to modify the rate of duty applicable to any product described in this Schedule in respect of which an internal tax is provided for in section 2470, Internal Revenue Code, as amended, [1] to compensate for any reduction or termination of such internal tax, but in no case shall the duty, or duty and internal tax in the aggregate, imposed in respect of any such article exceed an amount equal to the duty provided for in this Schedule plus an amount which is compensatory for any such reduction or elimination.	
54	Cottonseed oil	3¢ per lb.
54	Peanut oil	3¢ per lb.
54	Palm-kernel oil	1/2¢ per lb.
54	Sesame oil	2¢ per lb.

[1] [53 Stat. 264; 26 U. S. C. § 2470.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
54	Soy-bean oil	3¢ per lb., but not less than 22-1/2% ad val.
58	Oils, distilled or essential, not mixed or compounded with or containing alcohol:	
	Grapefruit and orange	12-1/2% ad val.
	Eucalyptus and clove	7-1/2% ad val.
	Peppermint, derived from mentha arvensis; and patchouli	12-1/2% ad val.
	Sandalwood	10% ad val.
	Essential and distilled oils not specially provided for:	
	Cornmint	12-1/2% ad val.
	Other	7-1/2% ad val.
60	Perfume materials, not containing over 10 per centum of alcohol:	
	Ambergris, and musk grained or in pods	10% ad val.
	Geraniol, not mixed and not compounded, and not specially provided for	15% ad val.
	Natural or synthetic odoriferous or aromatic chemicals, not mixed and not compounded, and not specially provided for:	
	Hydroxycitronellal	15% ad val.
	Other (except linalyl acetate)	30% ad val.
	All mixtures or combinations containing essential or distilled oils, or natural or synthetic odoriferous or aromatic substances	30¢ per lb. and 20% ad val.
61	Perfumery, including cologne and other toilet waters, articles of perfumery, whether in sachets or otherwise, and all preparations used as applications to the hair, mouth, teeth, or skin, such as cosmetics, dentifrices, tooth soaps, pastes, theatrical grease paints, pomades, powders, and other toilet preparations, all the foregoing:	
	If containing alcohol	30¢ per lb. and 20% ad val.
	If not containing alcohol	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
61	Bath salts:	
	If not perfumed	15% ad val.
	If perfumed (whether or not having medicinal properties)	20% ad val.
62	Floral or flower waters containing no alcohol, not specially provided for	5% ad val.
62	Bay rum or bay water, whether distilled or compounded	20¢ per lb. and 30% ad val.
64	Plasters, healing or curative, of all kinds, and courtplaster	10% ad val.
65(a)(2), (3), and (4)	Paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors:	
	In tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, and valued at 20 cents or more per dozen pieces, and not assembled in paint sets, kits, or color outfits:	
	In tubes or jars	2¢ per tube or jar and 12-1/2% ad val.
	In cakes, pans, or other forms	1-1/4¢ per cake, pan, or other form and 12-1/2% ad val.
	In tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, when assembled in paint sets, kits, or color outfits, with or without brushes, water pans, outline drawings, stencils, or other articles	50% ad val. on the value as assembled
	In bulk, or in any form exceeding one and one-half pounds net weight each	2-1/2¢ per oz.
66	Colors, stains, and paints, including enamel paints, whether dry, mixed, or ground in or mixed with water, oil, or solutions other than oil, not specially provided for	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
67	Barytes ore, crude or unmanufactured	$3.50 per ton.
68	Blue pigments and all blues containing iron ferrocyanide or iron ferricyanide, in pulp, dry, or ground in or mixed with oil or water	5¢ per lb.
68	Ultramarine blue, dry, in pulp, or ground in or mixed with oil or water, wash and all other blues containing ultramarine; all the foregoing, regardless of value	2-1/2¢ per lb.
69	Decolorizing, deodorizing, or gas-absorbing chars and carbons, whether or not activated, and all activated chars and carbons	25% ad val.
71	Gas black, including carbon black, and acetylene black, dry or ground in or mixed with oil or water, and not specially provided for	5% ad val.
72	Lead pigments:	
	Litharge	2-1/4¢ per lb.
	Orange mineral	2¢ per lb.
	Red lead	1-7/8¢ per lb.
	White lead	2-1/10¢ per lb.
	All pigments containing lead, dry or in pulp, or ground in or mixed with oil or water, not specially provided for:	
	In chief value of suboxide of lead	3¢ per lb., but not less than 15% nor more than 30% ad val.
	Other	20% ad val.
73	Ochers, washed or ground	1/8¢ per lb.
73	Umbers:	
	Crude or not ground	1/16¢ per lb.
	Washed or ground	3/16¢ per lb.
73	Synthetic iron-oxide and iron-hydroxide pigments not specially provided for	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
75	Spirit varnishes:	
	Containing less than 5 per centum of methyl alcohol	$1.10 per gal. and 12-1/2% ad val.
	Containing 5 per centum or more of methyl alcohol	10% ad val.
75	Varnishes, including so-called gold size or japan, not specially provided for	10% ad val.
76	Cuprous oxide	17-1/2% ad val.
77	Zinc oxide and leaded zinc oxides containing not more than 25 per centum of lead:	
	In any form of dry powder	3/5¢ per lb.
	Ground in or mixed with oil or water	1¢ per lb.
77	Lithopone, and other combinations or mixtures of zinc sulphide and barium sulphate:	
	Containing by weight less than 30 per centum of zinc sulphide	7/8¢ per lb.
	Containing by weight 30 per centum or more of zinc sulphide	7/8¢ per lb. and 7-1/2% ad val.
78	Potassium:	
	Ferricyanide or red prussiate of potash	3-1/2¢ per lb.
	Ferrocyanide or yellow prussiate of potash	3¢ per lb.
	Permanganate	6¢ per lb.
80	Soap, toilet:	
	Valued at 20 cents or less per pound	15% ad val.
	Valued at more than 20 cents per pound	10% ad val.
80	Soap and soap powder, not specially provided for	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
81	Sodium:	
	Carbonate, calcined, or soda ash	1/4¢ per lb.
	Chlorate	3/4¢ per lb.
	Chloride or salt:	
	In bags, sacks, barrels, or other packages	3-1/2¢ per 100 lb.
	In bulk	2¢ per 100 lb.
	Chromate and dichromate	1-3/4¢ per lb.
	Ferrocyanide or yellow prussiate of soda	1-1/2¢ per lb.
	Silicofluoride	3/4¢ per lb.
82	Sodium hydrosulphite, hydrosulphite compounds, sulphoxylate compounds, and all combinations and mixtures of the foregoing	35% ad val.
83	Potato starch	1¢ per lb.
83	Starches not specially provided for:	
	Rice and wheat	1¢ per lb.
	Other	3/4¢ per lb.
84	Dextrine, made from potato starch or potato flour; dextrine, not otherwise provided for, burnt starch or British gum, dextrine substitutes, and soluble or chemically treated starch	1-1/4¢ per lb.
89	Titanium potassium oxalate, and all compounds and mixtures containing titanium	15% ad val.
92	Vanilla beans	15¢ per lb.
93	Zinc chloride	3/4¢ per lb.
96	Dynamite and other high explosives, put up in sticks, cartridges, or other forms, suitable for blasting	3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
201(a)	Bath brick, not specially provided for	7-1/2% ad val.
201(a)	Fire brick, not specially provided for	6-1/4% ad val.
201(a)	Magnesite brick	3/8¢ per lb. and 5% ad val.
201(b)	Brick, not specially provided for, not glazed, enameled, painted, vitrified, ornamented, or decorated in any manner	$1 per 1000
202(a)	Floor and wall tiles not wholly or in part of cement, however provided for in paragraph 202(a), Tariff Act of 1930:	
	Valued at not more than 40 cents per square foot:	
	Quarries or quarry tiles not less than 5/8 inch in thickness	5¢ per sq.ft., but not less than 15% nor more than 70% ad val.
	Other	10¢ per sq.ft., but not less than 30% nor more than 70% ad val.
	Provided, That so long as a rate of duty prescribed in Part II of this Schedule for ceramic mosaic tiles valued at not more than 40 cents per square foot is in effect, tiles of such description shall not be dutiable under this item at more than such Part II rate plus the absolute difference between the preferential and most-favored-nation rates of duty existing in respect of such tiles on April 10, 1947.	
	Valued at more than 40 cents per square foot:	
	Quarries or quarry tiles not less than 5/8 inch in thickness	15% ad val.
	Other	30% ad val.
203	Limestone (not suitable for use as monumental or building stone), crude, or crushed but not pulverized	1-1/4¢ per 100 lb.
203	Lime, not specially provided for	2-1/2¢ per 100 lb., including the weight of the container

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
203	Hydrated lime	3¢ per 100 lb., including the weight of the container
204	Crude magnesite	15/64¢ per lb.
204	Caustic calcined magnesite	15/32¢ per lb.
205(a)	Plaster rock or gypsum, ground or calcined	$1.40 per ton
205(b)	Roman, Portland, and other hydraulic cement or cement clinker	2-1/4¢ per 100 lb., including the weight of the container
205(b)	White nonstaining Portland cement	3¢ per 100 lb., including the weight of the container
205(d)	Cement, not specially provided for	5% ad val.
205(e)	Statues, statuettes, and bas-reliefs, wholly or in chief value of plaster of Paris, not specially provided for	15% ad val.
207	Clays or earths, including common blue clay and Gross-Almerode glass pot clay, not specially provided for:	
	Unwrought and unmanufactured	$1 per ton
	Wrought or manufactured	$2 per ton
207	Bentonite:	
	Unwrought and unmanufactured	75¢ per ton
	Wrought or manufactured	$1.625 per ton
207	China clay or kaolin	$1.25 per ton
207	Crude feldspar	25¢ per ton

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
207	Bauxite, crude, not refined or otherwise advanced in condition in any manner	50¢ per ton
207	Fuller's earth:	
	Unwrought and unmanufactured	50¢ per ton
	Wrought or manufactured	$1 per ton
207	Sand containing 95 per centum or more of silica and not more than six-tenths of 1 per centum of oxide of iron and suitable for use in the manufacture of glass	50¢ per ton
208(a)	Mica, unmanufactured:	
	Valued at not above 15 cents per pound	4¢ per lb.
	Valued at above 15 cents per pound	2¢ per lb. and 15% ad val.
208(c)	Mica films and splittings, not cut or stamped to dimensions:	
	Not above twelve ten-thousandths of one inch in thickness	12-1/2% ad val.
	Over twelve ten-thousandths of one inch in thickness	20% ad val.
208(d)	Mica films and splittings cut or stamped to dimensions	22-1/2% ad val.
208(e)	Mica plates and built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, by whatever name known, and to whatever use applied, and whether or not named, described, or provided for in any paragraph of the Tariff Act of 1930 other than paragraph 208	25% ad val.
208(f)	Untrimmed phlogopite mica from which no rectangular piece exceeding two inches in length or one inch in width may be cut	5% ad val.
208(g)	Mica waste and scrap valued at not more than 5 cents per pound	15% ad val.
208(h)	Mica, ground or pulverized	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
209	Talc, steatite or soapstone, and French chalk, crude and unground.....	1/8¢ per lb.
209	Talc, steatite or soapstone, ground, washed, powdered, or pulverized (except toilet preparations), valued at not more than $14 per ton	10% ad val.
209	Manufactures (except toilet preparations), of which talc, steatite or soapstone, or French chalk is the component material of chief value, wholly or partly finished, and not specially provided for:	
	If not decorated	17-1/2% ad val.
	If decorated	22-1/2% ad val.
210	Stoneware and earthenware crucibles, whether or not ornamented, incised, or decorated in any manner, not specially provided for	10% ad val.
210	Rockingham earthenware	20¢ per doz. articles, but not less than 7-1/2% nor more than 25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
211	Earthenware and crockery ware composed of a non-vitrified absorbent body not wholly of clay, including white granite and semiporcelain earthenware, and cream-colored ware, terra cotta, and stoneware; any of the foregoing which are tableware, kitchenware, or table or kitchen utensils, painted, colored, tinted, stained, enameled, gilded, printed, ornamented, or decorated in any manner:	
	Plates, not over 6-5/8 inches in diameter and valued at 75 cents or more per dozen, or	
	over 6-5/8 but not over 8-1/8 inches in diameter and valued at 90 cents or more per dozen, or	
	over 8-1/8 but not over 9-1/8 inches in diameter and valued at $1.30 or more per dozen, or	
	over 9-1/8 inches in diameter and valued at $1.55 or more per dozen;	
	cups valued at $1 or more per dozen; and	
	saucers valued at 55 cents or more per dozen;	10¢ per doz. pieces and 20% ad val.
	all the foregoing	
	Other tableware, kitchenware, and table and kitchen utensils, valued at $2 or more per dozen	10¢ per doz. pieces and 25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
212	China, porcelain, and other vitrified wares (except sanitary ware, chemical porcelain ware, and chemical stoneware), composed of a vitrified nonabsorbent body which when broken shows a vitrified or vitreous, or semivitrified or semivitreous fracture, and all bisque and parian wares, including clock cases without or without movements, plaques, pill tiles, ornaments, charms, vases, statues, statuettes, mugs, cups, steins, lamps, and all other articles composed wholly or in chief value of such ware, plain white, not painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner, and manufactures in chief value of such ware, not specially provided for:	
	Tableware, kitchenware, and table and kitchen utensils, containing 25 per centum or more of calcined bone	30% ad val., but not less than 5¢ per doz. and 25% ad val.
	Electrical porcelain ware, and fittings and parts for sanitary ware	35% ad val.
	Other (except tableware, kitchenware, and table and kitchen utensils):	
	Containing 25 per centum or more of calcined bone	25% ad val.
	Not containing 25 per centum or more of calcined bone	40¢ per doz., but not less than 40% nor more than 60% ad val.
	NOTE: The term "doz." in the specifications of rates of duty in this and the following item 212 means "dozen separate pieces."	

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
212	Articles of the kinds provided for in the preceding item which are painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner, and manufactures in chief value of such ware, not specially provided for:	
	Tableware, kitchenware, and table and kitchen utensils, containing 25 per centum or more of calcined bone	35% ad val., but not less than 5¢ per doz. and 30% ad val.
	Tableware, kitchenware, and table and kitchen utensils, not containing 25 per centum or more of calcined bone and not hotel or restaurant ware or utensils:	
	Plates, not over 6-5/8 inches in diameter and valued at more than $2.55 but not more than $4 per dozen, or	
	over 6-5/8 but not over 7-7/8 inches in diameter and valued at more than $3.45 but not more than $5.40 per dozen, or	
	over 7-7/8 but not over 9-1/8 inches in diameter and valued at more than $5 but not more than $8 per dozen, or	
	over 9-1/8 inches in diameter and valued at more than $6 but not more than $9.75 per dozen;	
	cups, valued at more than $4.45 but not more than $7 per dozen;	
	saucers, valued at more than $1.90 but not more than $3 per dozen; and	
	other tableware, kitchenware, and table and kitchen utensils (except plates, cups, and saucers), valued at more than $11.50 but not more than $18 per dozen;	
	all the foregoing	10¢ per doz. and 45% ad val.
	Plates of the diameters specified above, cups, saucers, and other wares and utensils; each of the foregoing which is valued at more than the maximum value specified above for the like article	10¢ per doz. and 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
212 con.	Articles of the kinds etc.: (continued)	
	Electrical porcelain ware, and fittings and parts for sanitary ware	35% ad val.
	Other (except hotel and restaurant tableware and kitchenware and hotel and restaurant table and kitchen utensils):	
	Containing 25 per centum or more of calcined bone	25% ad val.
	Not containing 25 per centum or more of calcined bone	50¢ per doz., but not less than 45% nor more than 70% ad val.
213	Graphite or plumbago, crude or refined:	
	Amorphous	5% ad val.
	Crystalline lump, chip, or dust	7-1/2% ad val.
	Crystalline flake	15% ad val., but not less than 0.4125¢ per lb. nor more than 3.825¢ per lb.
214	Earthy or mineral substances wholly or partly manufactured and articles, wares, and materials (crude or advanced in condition), composed wholly or in chief value of earthy or mineral substances, not specially provided for, whether susceptible of decoration or not (except synthetic materials of gem stone quality, such as corundum and spinel, and articles and wares composed wholly or in chief value of such materials, and except marble chip or granite):	
	If not decorated in any manner:	
	Stone (except Cornwall stone), not specially provided for, ground, or crushed otherwise than merely for the purpose of facilitating shipment to the United States	10% ad val.
	Diamond dies, pierced or partially pierced, mounted or unmounted	20% ad val.
	Other	15% ad val.
	If decorated	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
216	Carbons and electrodes, of whatever material composed, and wholly or partly manufactured, for producing electric arc light:	
	If less than one-half inch in diameter or of equivalent cross-sectional area	20% ad val.
	If one-half inch or more in diameter or of equivalent cross-sectional area	15% ad val.
216	Electrodes, composed wholly or in part of carbon or graphite, and wholly or partly manufactured, for electric furnace or electrolytic purposes ..	15% ad val.
216	Brushes, of whatever material composed, and wholly or partly manufactured, for electric motors, generators, or other electrical machines or appliances; plates, rods, and other forms, of whatever material composed, and wholly or partly manufactured, for manufacturing into the aforesaid brushes	12-1/2% ad val.
216	Articles or wares composed wholly or in part of carbon or graphite, wholly or partly manufactured, not specially provided for	15% ad val.
217	Bottles, jars, and covered or uncovered demijohns, and carboys, any of the foregoing, wholly or in chief value of glass, if unfilled and holding more than one pint, not specially provided for .	1/2¢ per lb.
218(a)	Biological, chemical, metallurgical, pharmaceutical, and surgical articles and utensils of all kinds, including all scientific articles, and utensils, whether used for experimental purposes in hospitals, laboratories, schools or universities, colleges, or otherwise, all the foregoing (except articles provided for in paragraph 217 or 218(c), Tariff Act of 1930), finished or unfinished, wholly or in chief value of fused quartz or fused silica	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
218(b)	Fusible enamel rods and canes, with ends finished or unfinished, for whatever purpose used, wholly or in chief value of glass	32-1/2% ad val.
218(b)	Tubes (except gauge glass tubes), rods, canes, and tubing, with ends finished or unfinished, for whatever purpose used, wholly or in chief value of fused quartz or fused silica	20% ad val.
218(b)	Gauge glass tubes, wholly or in chief value of glass	17-1/2% ad val.
218(c)	Illuminating articles of every description, finished or unfinished, wholly or in chief value of glass, for use in connection with artificial illumination:	
	Prisms, glass chandeliers, and articles in chief value of prisms	30% ad val.
	Globes and shades	45% ad val.
	Other (not including chimneys)	30% ad val.
	Provided, That parts not specially provided for, wholly or in chief value of glass, of any of the foregoing shall be subject to ..	The same rate of duty as the articles of which they are parts
218(d)	All glassware commercially known as plated or cased glass, composed of two or more layers of clear, opaque, colored, or semitranslucent glass, or combinations of the same	50¢ each, but not less than 30% nor more than 50% ad val.
218(e)	Bottles and jars, wholly or in chief value of glass, whether or not fitted with or designed for use with ground-glass stoppers, of the character used or designed to be used as containers of perfume, talcum powder, toilet water, or other toilet preparations:	
	Produced by automatic machine from molten glass automatically fed to such machine ...	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
218(e) con.	Bottles and jars etc.: (continued)	
	Produced otherwise than by automatic machine:	
	If filled with toilet preparations	20% ad val.
	If unfilled:	
	Bottles	50% ad val.
	Jars	37-1/2% ad val.
218(e)	Bottles, vials, and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers, when suitable for use and of the character ordinarily employed for the holding or transportation of merchandise other than perfume, talcum powder, toilet water, or other toilet preparations, when produced otherwise than by automatic machine	37-1/2% ad val.
218(f)	Table and kitchen articles and utensils, and all articles of every description not specially provided for, composed wholly or in chief value of glass, blown or partly blown in the mold or otherwise, or colored, cut, engraved, etched, frosted, gilded, ground (except such grinding as is necessary for fitting stoppers or for purposes other than ornamentation), painted, printed in any manner, sandblasted, silvered, stained, or decorated or ornamented in any manner, whether filled or unfilled, or whether their contents be dutiable or free (except articles primarily designed for ornamental purposes, decorated chiefly by engraving and valued at not less than $8 each):	
	If commercially known as bubble glass and produced otherwise than by automatic machine (except articles cut or engraved and valued at not less than $1 each)	30% ad val.
	Christmas tree ornaments	50% ad val.
	Other	50% on each article or utensil, but not less than 30% nor more than 50% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
218(g)	Table and kitchen articles and utensils, composed wholly or in chief value of glass, when pressed and unpolished, whether or not decorated or ornamented in any manner or ground (except such grinding as is necessary for fitting stoppers or for purposes other than ornamentation), whether filled or unfilled, or whether their contents be dutiable or free	25% ad val.
219	Cylinder, crown, and sheet glass, by whatever process made, and for whatever purpose used:	
	Not exceeding one hundred and fifty square inches.....	63/64¢ per lb.
	Above that, and not exceeding three hundred and eighty-four square inches	1-5/64¢ per lb.
	Above that, and not exceeding seven hundred and twenty square inches	1-18/64¢ per lb.
	Above that, and not exceeding eight hundred and sixty-four square inches	1-24/64¢ per lb.
	Above that, and not exceeding one thousand two hundred square inches	1-37/64¢ per lb.
	Above that, and not exceeding two thousand four hundred square inches	1-49/64¢ per lb.
	Above that	1-62/64¢ per lb.
	Provided, That none of the foregoing weighing less than sixteen ounces but not less than twelve ounces per square foot shall be subject to a less rate of duty than	30% ad val.
	Provided further, That this item shall not apply in respect of colored glass described in paragraph 224, Tariff Act of 1930; [1] but such colored glass shall not be subject to duty at a rate higher than that applicable thereto on the date of this Agreement.	

[1] [46 Stat. 607; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
220	Laminated glass composed of layers of glass and other material or materials, and manufactures wholly or in chief value of such glass	22-1/2% ad val.
221	Rolled glass (not sheet glass) fluted, figured, ribbed, or rough, or the same containing a wire netting within itself	3/4¢ per lb.
222(a)	Plate glass, by whatever process made:	
	Not exceeding three hundred and eighty-four square inches	4-3/20¢ per sq.ft.
	Above that, and not exceeding seven hundred and twenty square inches	5-13/20¢ per sq.ft.
	Above that, and not exceeding one thousand and eight square inches	5-17/20¢ per sq.ft.
	All above that	6-12/20¢ per sq.ft.
	Provided, That none of the foregoing measuring one-half inch or over in thickness shall be subject to a less rate of duty than	25% ad val.
222(b)	Plate glass containing a wire netting within itself:	
	Not exceeding three hundred and eighty-four square inches	5¢ per sq.ft.
	Above that, and not exceeding seven hundred and twenty square inches	6-12/20¢ per sq.ft.
	All above that	7-13/20¢ per sq.ft.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
222(d)	Rolled, cylinder, crown, and sheet glass, not plate glass, if ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation, or if one-fourth of one inch or more in thickness and obscured by coloring prior to solidification	Subject to specific duties in item 222(a) or (b) above
	Provided, That none of the foregoing measuring one-half inch or more in thickness and not containing a wire netting within itself shall be subject to less than the following rates of duty:	
	If ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation	25% ad val.
	If not ground wholly or in part	20% ad val.
223	Plate, cylinder, crown, and sheet glass, by whatever process made, when made into mirrors, finished or partly finished:	
	Exceeding in size one hundred and forty-four square inches and not exceeding three hundred and eighty-four square inches	8¢ per sq. ft.
	Above that, and not exceeding seven hundred and twenty square inches	10¢ per sq. ft.
	All above that	12¢ per sq. ft.
	Provided, That none of the foregoing shall be subject to a less rate of duty than	25% ad val.
224	Plate, rolled, cylinder, crown, and sheet glass, and glass mirrors exceeding in size one hundred and forty-four square inches, by whatever process made, when bent, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored (except glass not plate glass and not less than one-fourth of one inch in thickness, when obscured by coloring prior to solidification), painted, ornamented, or decorated, shall be subject to a duty of	5% ad val. in addition to the rates otherwise chargeable thereon

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
225	Spectacles, eyeglasses, and goggles, and frames for the same, or parts thereof, finished or unfinished:	
	Valued at over 65 cents per dozen and not over $2.50 per dozen	40¢ per doz. and 10% ad val.
	Valued at over $2.50 per dozen	20% ad val.
226	Lenses of glass or pebble, molded or pressed, or ground and polished to a spherical, cylindrical or prismatic form, and ground and polished plano or coquille glasses, wholly or partly manufactured:	
	With the edges unground: Spectacle and eyeglass lenses valued at $10 or more per dozen pairs	15% ad val.
	With the edges ground or beveled (except lighthouse, spectacle, and eyeglass lenses)	10¢ per doz. pairs and 25% ad val.
228(a)	Prism-binoculars, frames and mountings therefor, and parts of any of the foregoing; all the foregoing, finished or unfinished, ...	30% ad val.
228(b)	Opera or field glasses (not prism-binoculars), frames and mountings therefor, and parts of any of the foregoing; all the foregoing, finished or unfinished, not specially provided for	20% ad val.
228(b)	Telescopes valued at more than $2 each, frames and mountings therefor, and parts of such frames or mountings; all the foregoing, finished or unfinished, not specially provided for	25% ad val.
	Provided, That no frames or mountings for the foregoing telescopes or parts of such frames or mountings shall be entitled to a reduction in duty by virtue of this item unless they are imported in the same shipment with such telescopes and are suitable in type and not excessive in quantity for use with the telescopes with which imported.	
228(b)	Photographic lenses, finished or unfinished, not specially provided for	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I - (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
230(a)	Stained or painted glass windows, and parts thereof, not specially provided for	40% ad val.
230(d)	All glass, and manufactures of glass, or of which glass is the component of chief value, except broken glass or glass waste fit only for remanufacture, not specially provided for:	
	Pressed building blocks or bricks, crystal color, and pressed and polished but undecorated wares	25% ad val.
	Other	40% ad val.
231	Smalts, frostings, and all ceramic and glass colors, fluxes, glazes, and enamels, all the foregoing, ground or pulverized	15% ad val.
231	Opal, enamel or cylinder glass tiles and tiling ..	20% ad val.
232(a)	Marble commercially known as black marble:	
	In block, rough or squared only.....	32-1/2¢ per cu. ft.
	Sawed or dressed, over two inches in thickness	50¢ per cu. ft.
232(d)	Marble, breccia, and onyx, wholly or partly manufactured into monuments, benches, vases, and other articles, and articles of which these substances or any of them is the component material of chief value, not specially provided for	25% ad val.
233	All articles composed wholly or in chief value of agate, rock crystal, or other semiprecious stone, except such as are cut into shapes and forms fitting them expressly for use in the construction of jewelry, not specially provided for	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I - (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
234(c)	Freestone, sandstone, limestone, lava, and all other stone suitable for use as monumental or building stone, except marble, breccia, and onyx, not specially provided for, unmanufactured, or not dressed, hewn, or polished	10¢ per cu. ft.
236	Round watch crystals or round watch glasses, finished or unfinished	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
301	Iron in pigs and iron kentledge	75¢ per ton
301	Spiegeleisen containing more than 1 per centum of carbon	75¢ per ton
301	Wrought and cast scrap iron, and scrap steel	37-1/2¢ per ton
301	The additional duty applicable under the third proviso to paragraph 301, Tariff Act of 1930, to articles (except granular or sponge iron) provided for in said paragraph shall be:	
	On the vanadium content in excess of one-tenth of 1 per centum	50¢ per lb.
	On the tungsten content in excess of two-tenths of 1 per centum	50¢ per lb.
	On the molybdenum content in excess of two-tenths of 1 per centum	65¢ per lb.
	On the chromium content in excess of two-tenths of 1 per centum	1-1/2¢ per lb.
302(a)	Manganese ore (including ferruginous manganese ore) or concentrates, and mangeniferous iron ore, all the foregoing containing in excess of 10 per centum of metallic manganese	1/4¢ per lb. on the metallic manganese contained therein
302(c)	Tungsten ore or concentrates	38¢ per lb. on the metallic tungsten contained therein
302(d)	Ferromanganese:	
	Containing more than 1 per centum and less than 4 per centum of carbon	15/16¢ per lb. on the metallic manganese contained therein
	Containing 4 per centum or more of carbon	11/16¢ per lb. on the metallic manganese contained therein

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
302(e)	Manganese silicon containing more than 45 per centum of manganese	1¢ per lb. on the manganese contained therein and 10% ad val.
302(e)	Ferromanganese containing not more than 1 per centum of carbon	15/16¢ per lb. on the manganese contained therein and 10% ad val.
302(g)	Tungsten metal, tungsten carbide, and mixtures or combinations containing tungsten metal or tungsten carbide, all the foregoing, in lumps, grains, or powder	42¢ per lb. on the tungsten contained therein and 25% ad val.
302(g)	Tungstic acid, and all other compounds of tungsten, not specially provided for	42¢ per lb. on the tungsten contained therein and 20% ad val.
302(h)	Ferrotungsten, ferrochromium tungsten, chromium tungsten, chromium cobalt tungsten, tungsten nickel, and all other alloys of tungsten not specially provided for	42¢ per lb. on the tungsten contained therein and 12-1/2% ad val.
302(i)	Ferrosilicon:	
	Containing 8 per centum or more of silicon and less than 30 per centum	1¢ per lb. on the silicon contained therein
	Containing 30 per centum or more of silicon and less than 60 per centum	1-1/2¢ per lb. on the silicon contained therein
	Containing 60 per centum or more of silicon and less than 80 per centum	2¢ per lb. on the silicon contained therein
	Containing 80 per centum or more of silicon and less than 90 per centum	2-1/2¢ per lb. on the silicon contained therein

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
302(i) con.	Ferrosilicon: (continued) Containing 90 per centum or more of silicon	4¢ per lb. on the silicon contained therein
302(k)	Ferrochrome or ferrochromium containing 3 per centum or more of carbon	5/8¢ per lb. on the chromium contained therein
302(k)	Chrome metal or chromium metal	25% ad val.
302(l)	Boron carbide	6-1/4% ad val.
302(m)	Ferrotitanium, ferrovanadium, and ferrouranium ...	12-1/2% ad val.
302(n)	Columbium or niobium, tantalum, alloys or one of these metals with the other, and alloys of columbium or niobium, or tantalum, or both, with one or more of the metals barium, boron, calcium, strontium, thorium, titanium, uranium, vanadium, or zirconium	12-1/2% ad val.
302(o)	All alloys used in the manufacture of steel or iron, not specially provided for	12-1/2% ad val.
302(p)	Cerium metal	$1 per lb.
302(q)	Ferrocerium and all other cerium alloys	$1 per lb. and 12-1/2% ad val.
303	Muck bars, pieces thereof except crop ends, bar iron, and round iron in coils or rods, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron, except castings; all the foregoing: Valued at not above 1-1/2 cents per pound ... Valued above 1-1/2 and not above 2-1/2 cents per pound	 1/8¢ per lb. 1/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
304	Steel ingots, cogged ingots, blooms and slabs, by whatever process made:	
	Valued at not above 1-1/2 cents per pound ...	1/8¢ per lb.
	Valued above 1-1/2 and not above 2-1/2 cents per pound	3/16¢ per lb.
	Valued above 2-1/2 and not above 5 cents per pound	10% ad val.
	Valued above 16 cents per pound	15% ad val.
304	Die blocks or blanks; shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; hammer molds or swaged steel; gun-barrel molds not in bars; concrete reinforcement bars; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel not specially provided for; all the foregoing:	
	Valued at not above 1-1/2 cents per pound ...	1/8¢ per lb.
	Valued above 1-1/2 and not above 2-1/2 cents per pound	1/5¢ per lb.
	Valued above 2-1/2 and not above 5 cents per pound	10% ad val.
	Valued above 16 cents per pound	15% ad val.
304	The additional duty on all steel circular saw plates under the first proviso to paragraph 304, Tariff Act of 1930, shall be	1/4¢ per lb.
304	Billets and bars, whether solid or hollow (except hollow bars and hollow drill steel valued above 4 cents per pound):	
	Valued at not above 1-1/2 cents per pound ...	1/8¢ per lb.
	Valued above 1-1/2 and not above 2-1/2 cents per pound:	
	Weighing not more than 30 pounds per linear foot	1/5¢ per lb.
	Weighing more than 30 pounds per linear foot	3/16¢ per lb.
	Valued above 2-1/2 and not above 5 cents per pound	10% ad val.
	Valued above 16 cents per pound	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
304	Hollow bars and hollow drill steel:	
	Valued above 4 and not above 5 cents per pound	3/8¢ per lb. and 10% ad val.
	Valued above 5 and not above 8 cents per pound	3/8¢ per lb. and 20% ad val.
	Valued above 8 and not above 12 cents per pound	10% ad val, but not less than 7/8¢ per lb.
	Valued above 12 and not above 16 cents per pound	3-7/8¢ per lb.
	Valued above 16 cents per pound	3/8¢ per lb. and 15% ad val.
	Provided, That no hollow bars and hollow drill steel provided for in this item shall be subject to a separate additional duty under the second proviso to paragraph 304, Tariff Act of 1930.	
305 (1) and (2)	The additional duties to be levied, collected, and paid under paragraph 305, Tariff Act of 1930, on all steel or iron in the materials and articles enumerated or described in paragraphs 303, 304, 307, 308, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 327, and 328, Tariff Act of 1930, shall be as follows:	
	If such steel or iron contains more than one-tenth of 1 per centum of vanadium, or more than two-tenths of 1 per centum of tungsten, molybdenum, or chromium, or more than six-tenths of 1 per centum of nickel, cobalt, or any other metallic element used in alloying steel or iron	4% ad val.; and
	an additional cumulative duty.	
	On the vanadium content in excess of one-tenth of 1 per centum	50¢ per lb.
	On the tungsten content in excess of two-tenths of 1 per centum	50¢ per lb.
	On the molybdenum content in excess of two-tenths of 1 per centum	65¢ per lb.
	On the chromium content in excess of two-tenths of 1 per centum	1-1/2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
307	Boiler or other plate iron or steel, except crucible plate steel and saw plate steel, not thinner than one hundred and nine one-thousandths of one inch, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves; all the foregoing regardless of value	10% ad val., but not less than 0.175¢ per lb.
308	Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel:	
	Valued at 3 cents per pound or less:	
	Thinner than one hundred and nine one-thousandths and not thinner than thirty-eight one-thousandths of one inch	10% ad val., but not less than 0.175¢ per lb.
	Thinner than thirty-eight one-thousandths and not thinner than twenty-two one-thousandths of one inch	10% ad val., but not less than 0.225¢ per lb.
	Thinner than twenty-two one-thousandths and not thinner than ten one-thousandths of one inch	0.30¢ per lb.
	Thinner than ten one-thousandths of one inch	0.35¢ per lb.
	Corrugated or crimped	0.30¢ per lb.
	Valued at more than 3 cents per pound	10% ad val.
309	All iron or steel sheets, plates, bars, and rods, and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin plates, terneplates, and taggers tin, when galvanized or coated with zinc, spelter, or other metals, or any alloy of those metals, shall be subject to	1/10¢ per lb. more duty than if the same was not so galvanized or coated
309	Plates or sheets of iron or steel, by whatever name designated, other than polished, planished, or glanced, which have been pickled or cleaned by acid, or by any other material or process, or which are cold-rolled, smoothed only, not polished, shall be subject to	1/10¢ per lb. more duty than the rates provided on corresponding thicknesses of common or black sheet iron or steel

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
310	Sheets or plates of iron or steel, or taggers iron or steel, coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin plates, terneplates, and taggers tin	1¢ per lb.
312	Beams, girders, joists, angles, channels, car-truck channels, tees, columns and posts, or parts or sections of columns and posts, and deck and bulb beams, together with all other structural shapes of iron or steel:	
	Not assembled, manufactured or advanced beyond hammering, rolling, or casting.....	1/8¢ per lb.
	Machined, drilled, punched, assembled, fitted, fabricated for use, or otherwise advanced beyond hammering, rolling, or casting	10% ad val.
312	Sashes and frames of iron or steel.....	15% ad val.
313	Hoop, band, and scroll iron or steel, not specially provided for, valued at 3 cents per pound or less, eight inches or less in width:	
	Thinner than three-eighths and not thinner than one hundred and nine one-thousandths of one inch.....	3/20¢ per lb.
	Thinner than one hundred and nine one-thousandths and not thinner than thirty-eight one-thousandths of one inch.....	1/5¢ per lb.
	Thinner than thirty-eight one-thousandths of one inch	3/10¢ per lb.
313	Bands and strips of iron or steel, whether in long or short lengths, not specially provided for	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph		Rate of Duty
314	Hoop or band iron, and hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity	3/20¢ per lb.
315	Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, or square, or in any other shape, nail rods and flat rods up to six inches in width ready to be drawn or rolled into wire or strips, all the foregoing in coils or otherwise, valued at not over 2-1/2 cents per pound	1/8¢ per lb.
316(a)	Round iron or steel wire, valued at not above 6 cents per pound:	
	Not smaller than ninety-five one-thousandths of one inch in diameter	3/8¢ per lb.
	Smaller than ninety-five one-thousandths and not smaller than sixty-five one-thousandths of one inch in diameter.....	5/8¢ per lb.
	Smaller than sixty-five one-thousandths of one inch in diameter.....	3/4¢ per lb.
	Any of the foregoing coated by dipping, galvanizing, sherardizing, electrolytic, or any other process with zinc, tin, or other metal	1/10¢ per lb. in addition to the rate imposed on the wire of which it is made
316(a)	All wire composed of iron, steel, or other metal, not specially provided for (except gold, silver, platinum, tungsten, or molybdenum)	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
316(a)	Telegraph, telephone, and other wires and cables composed of iron, steel, or other metal (except gold, silver, platinum, tungsten, or molybdenum), covered with or composed in part of cotton, jute, silk, enamel, lacquer, rubber, paper, compound, or other material, with or without metal covering	17-1/2% ad val.
	NOTE: The United States reserves the right to withdraw, upon giving 30 days' notice in writing to the contracting parties that such action is necessary in connection with measures permissible under this Agreement to encourage the production or use of synthetic rubber in the United States, the application of items 316(a), 320, 369(c), 370, 913(a), 923, 1537(b), and 1604 of this Part to articles composed wholly or in part of india rubber.	
316(a)	Wire rope	1-1/4¢ per lb., but not less than 10% nor more than 20% ad val.
316(a)	Wire strand	17-1/2% ad val.
316(b)	Ingots, shot, bars, sheets, wire, or other forms, not specially provided for, or scrap, containing more than 50 per centum of tungsten, tungsten carbide, molybdenum, or molybdenum carbide, or combinations thereof:	
	Ingots, shot, bars, or scrap	30% ad val.
	Sheets, wire, or other forms	40% ad val.
317	All galvanized wire not specially provided for, not larger than twenty one-hundredths and not smaller than eight one-hundredths of one inch in diameter, of the kind commonly used for fencing purposes, galvanized wire fencing composed of wires not larger than twenty one-hundredths and not smaller than eight one-hundredths of one inch in diameter; and all wire commonly used for baling hay or other commodities	1/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
318	Woven-wire cloth: Gauze, fabric, or screen, made of wire composed of steel, brass, copper, bronze, or any other metal or alloy, not specially provided for:	
	With meshes not finer than thirty wires to the lineal inch in warp or filling	3/4¢ per sq.ft., but not less than 10% nor more than 20% ad val.
	With meshes finer than thirty and not finer than ninety wires to the lineal inch in warp or filling	3¢ per sq.ft., but not less than 12% nor more than 24% ad val.
	With meshes finer than ninety wires to the lineal inch in warp or filling	30% ad val.
319(a)	Iron or steel anchors and parts thereof	15% ad val.
320	Electric storage batteries and parts thereof, storage battery plates, and storage battery plate material, wholly or partly manufactured, all the foregoing not specially provided for .	20% ad val.
321	Antifriction balls and rollers, finished or unfinished, for whatever use intended	4¢ per lb. and 25% ad val.
322	Railway fishplates or splice bars, and tie plates, made of iron or steel	1/8¢ per lb.
322	Rail braces, and all other railway bars made of iron or steel, and railway bars made in part of steel, T rails, and punched iron or steel flat rails	1/10¢ per lb.
323	Axles and parts thereof, axle bars, axle blanks, and forgings for axles, of iron or steel, without reference to the stage or state of manufacture, not specially provided for, valued at not more than 6 cents per pound	3/10¢ per lb.

SCHEDULE IX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
324	Wheels for railway purposes, and parts thereof, of iron or steel, and steel-tired wheels for railway purposes, wholly or partly finished, and iron or steel locomotive, car, or other railway tires and parts thereof, wholly or partly manufactured	1/2¢ per lb.
327	Cast-iron pipe of every description, and cast-iron fittings for cast-iron pipe	10% ad val.
327	Cast-iron andirons, plates, stove plates, sad-irons, tailors' irons, hatters' irons, but not including electric irons, and castings and vessels wholly of cast iron, including all castings of iron or cast-iron plates which have been chiseled, drilled, machined, or otherwise advanced in condition by processes or operations subsequent to the casting process but not made up into articles, or parts thereof, or finished machine parts	10% ad val.
327	Castings of malleable iron not specially provided for:	
	Heel and other plates for boots and shoes .	5% ad val.
	Other	10% ad val.
	NOTE: The existing customs classification treatment of castings of malleable iron which are heel or other plates for boots and shoes, containing leather pegs or plugs, as being provided for in paragraph 327, Tariff Act of 1930, in accordance with the decision of the United States Customs Court published as C.D. 787 (11 Cust. Ct. 30), shall be continued during the effective period of this Agreement.	
327	Molders' patterns, of whatever material composed, for the manufacture of castings	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
328	Lap-welded, butt-welded, seamed, or jointed iron or steel tubes, pipes, flues, and stays, not thinner than sixty-five one-thousandths of one inch:	
	If not less than three-eighths of one inch in diameter	3/8¢ per lb.
	If less than three-eighths and not less than one-fourth of one inch in diameter .	5/8¢ per lb.
	If less than one-fourth of one inch in diameter	7/8¢ per lb.
	Provided, That no tubes, pipes, flues, or stays made of charcoal iron shall be subject to a less rate of duty than	5/8¢ per lb.
328	Flexible metal tubing or hose, whether covered with wire or other material, including any appliances or attachments affixed thereto, not specially provided for	20% ad val.
329	Chain and chains of all kinds, made of iron or steel:	
	Not less than three-eighths of one inch in diameter	1/2¢ per lb.
	Less than three-eighths and not less than five-sixteenths of one inch in diameter .	1¢ per lb.
	Less than five-sixteenths of one inch in diameter	2¢ per lb.
329	Chains of iron or steel, used for the transmission of power, of not more than two-inch pitch and containing more than three parts per pitch, and parts thereof, finished or unfinished:	
	Valued at less than 40 cents per pound	30% ad val.
	Valued at 40 cents or more per pound	15% ad val.
329	All other chains used for the transmission of power, and parts thereof	15% ad val.
329	Anchor or stud link chain:	
	Two inches or more in diameter.....	3/4¢ per lb.
	Less than two inches in diameter.....	1¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
330	Nuts, nut blanks, and washers, of wrought iron or steel	3/10¢ per lb.
330	Bolts, with or without threads or nuts, and bolt blanks, of iron or steel	1/2¢ per lb.
330	Spiral nut locks, and lock washers, of iron or steel	20% ad val.
331	Cut nails and cut spikes, of iron or steel, exceeding two inches in length	3/10¢ per lb.
331	Hobnails and cut nails, of iron or steel, not exceeding two inches in length	10% ad val.
331	Nails, spikes, tacks, brads, and staples, made of iron or steel wire:	
	Not less than one inch in length nor smaller than sixty-five one-thousandths of one inch in diameter	2/10¢ per lb.
	Less than one inch in length and smaller than sixty-five one-thousandths of one inch in diameter	1/2¢ per lb.
331	Staples, in strip form, for use in paper fasteners or stapling machines	2¢ per lb.
331	Spikes, tacks (not including thumb tacks), brads, and staples, not specially provided for	1/2¢ per lb.
332	Rivets, studs, and steel points, lathed, machined, or brightened, and rivets or studs for nonskidding automobile tires	15% ad val.
332	Rivets of iron or steel, not specially provided for	1/2¢ per lb.
335	Grit, shot, and sand of iron or steel, in any form	5/8¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
337	Card clothing not actually and permanently fitted to and attached to carding machines or to parts thereof at the time of importation:	
	When manufactured with round iron or untempered round steel wire	10% ad val.
	When manufactured with tempered round steel wire, or with plated wire, or other than round iron or steel wire, or with felt face, wool face, or rubber-face cloth containing wool	25% ad val.
338	Screws, commonly called wood screws, of iron or steel	15% ad val.
339	Table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for (except articles composed wholly or in chief value of tin or tin plate, electric flatirons, fly swatters, illuminating articles, and household food grinding or cutting utensils other than meat and food choppers), whether or not containing electrical heating elements as constituent parts thereof:	
	Plated with gold but not plated in any part with platinum	32-1/2% ad val.
	Plated with silver but not plated in any part with platinum:	
	On nickel silver or copper	25% ad val.
	On other metal	35% ad val.
	Composed of iron or steel and enameled or glazed with vitreous glasses (except sanitary articles), not containing electrical heating elements	2-1/2¢ per lb. and 7-1/2% ad val.
	Composed wholly or in chief value of aluminum	4-1/4¢ per lb. and 20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
339 con.	Table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for, etc.: (continued)	
	Not plated with platinum, gold, or silver, and not specially provided for:	
	Carbonated water siphons composed wholly or in chief value of copper, brass, steel, or other base metal (other than aluminum)	25% ad val.
	Other:	
	Composed wholly or in chief value of brass	15% ad val.
	Composed wholly or in chief value of pewter	12-1/2% ad val.
	Composed wholly or in chief value of iron, steel, copper, or antimony	20% ad val.
	Composed wholly or in chief value of base metal other than aluminum, brass, pewter, iron, steel, copper, and antimony, if containing electrical heating elements	20% ad val.
341	Steel plates, stereotype plates, electrotype plates, half-tone plates, photogravure plates, photo-engraved plates, and plates of other materials, engraved or otherwise prepared for printing, and plates of iron or steel engraved or fashioned for use in the production of designs, patterns, or impressions on glass in the process of manufacturing plate or other glass; lithographic plates of stone or other material engraved, drawn, or prepared .	15% ad val.
343	Needles for sewing, shoe, or embroidery machines of every description, not specially provided for	75¢ per 1000 and 20% ad val.
343	Crochet needles or hooks	$1.15 per 1000 and 40% ad val.
343	Tape, knitting, and all other needles, not specially provided for, and bodkins of metal .	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
343	Needle cases or needle books furnished with assortments of needles only and valued at not less than $1.25 per dozen cases or books	30% ad val.
345	Saddlery and harness hardware: Buckles, rings, snaps, bits, swivels, and all other articles of iron, steel, brass, composition, or other metal, commonly or commercially known as harness hardware; and all articles of iron, steel, brass, composition, or other metal, commonly or commercially known as saddlery or riding bridle hardware; all the foregoing:	
	If not plated with gold or silver	12-1/2% ad val.
	If plated with gold or silver	15% ad val.
346	Belt buckles, trouser buckles, and waistcoat buckles, shoe or slipper buckles, and parts thereof, made wholly or partly of iron, steel, or other base metal:	
	Valued at more than 20 and not more than 50 cents per hundred	3-1/2¢ per 100 and 10% ad val.
	Valued at more than 50 cents and not more than $1.66-2/3 per hundred	5¢ per 100 and 10% ad val.
348	Snap fasteners and clasps (except sew-on fasteners), and parts thereof, by whatever name known, or of whatever material composed, not plated with gold, silver, or platinum; all the foregoing, valued at not more than $1.66-2/3 per hundred:	
	Not mounted on tape	27-1/2% ad val.
	Mounted on tape	30% ad val.
349	Metal trouser buttons (except steel) and nickel bar buttons	1/24¢ per line per gross and 7-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
349	Steel trouser buttons	3/20¢ per line per gross and 10% ad val.
349	Buttons of metal, not specially provided for	3/10¢ per line per gross and 6% ad val.
349	Metal buttons embossed with a design, device, pattern, or lettering	22-1-2% ad val.
350	Pins with solid heads, without ornamentation, including hair, safety, hat, bonnet, and shawl pins; and brass, copper, iron, steel, or other base metal pins, with heads of glass, paste, or fusible enamel; all the foregoing not plated with gold or silver, and not commonly known as jewelry:	
	Safety pins	22-1/2% ad val.
	Other	20% ad val.
351	Pens, not specially provided for:	
	Of plain or carbon steel	12¢ per gross
	Wholly or in part of other metal	14¢ per gross
	Any of the foregoing with nib and barrel in one piece	10¢ per gross
352	Cutting tools of any kind containing more than one-tenth of 1 per centum of vanadium, or more than two-tenths of 1 per centum of tungsten, molybdenum, or chromium	30% ad val.
353	Electrical apparatus, instruments (other than laboratory), and devices, finished or unfinished, wholly or in chief value of metal, and not specially provided for:	
	Telegraph (including printing and typewriting), telephone, and therapeutic (including diagnostic)	17-1/2% ad val.
	Signaling, radio, welding, and ignition	15% ad val.
	X-ray	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
353	Articles suitable for producing, rectifying, modifying, controlling, or distributing electrical energy, and articles having as an essential feature an electrical element or device, such as electric motors, fans, locomotives, portable tools, furnaces, heaters, ovens, ranges, washing machines, refrigerators, and signs; all the foregoing (not including electrical wiring apparatus, instruments, and devices), finished or unfinished, wholly or in chief value of metal, and not specially provided for:	
	Switches and switchgear which are not wiring apparatus, instruments, or devices; fans; blowers; and washing machines	17-1/2% ad val.
	Machines for packaging pipe tobacco; machines for wrapping cigarette packages; machines for wrapping candy; combination candy cutting and wrapping machines; and cooking stoves and ranges	10% ad val.
	Internal-combustion engines:	
	Carburetor type	10% ad val.
	Other, of the horizontal type and weighing not over 5,000 pounds each, or not of the horizontal type and weighing not over 2,500 pounds each	10% ad val.
	Other articles (except machines for determining the strength of materials or articles in tension, compression, torsion, or shear; flashlights; batteries; vacuum cleaners; and internal-combustion engines)	15% ad val.
353	Parts, finished or unfinished, wholly or in chief value of metal, not specially provided for, of articles provided for in any item 353 of this Part	The same rate of duty as the articles of which they are parts.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
354	Penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, manicure knives, and all knives by whatever name known, including such as are denominatively mentioned in the Tariff Act of 1930, which have folding or other than fixed blades or attachments, all the foregoing (except penknives and pocketknives which have folding blades and steel handles ornamented or decorated with etchings or gilded designs or both), valued at more than $6 per dozen....	17-1/2¢ each and 27-1/2% ad val.
	Provided, That any of the foregoing, if imported in the condition of assembled, but not fully finished, shall be dutiable at	The rate of duty herein specified for fully finished articles
354	Cuticle knives, corn knives, nail files, tweezers, manicure or pedicure nippers, and parts thereof, finished or unfinished, by whatever name known	40% ad val.
355	Table, butchers', carving, cooks', hunting, kitchen, bread, cake, pie, slicing, cigar, butter, vegetable, fruit, cheese, canning, fish, carpenters' bench, curriers', drawing, farriers', fleshing, hay, sugar-beet, beet-topping, tanners', plumbers', painters', palette, artists', shoe, and similar knives, forks, and steels, and cleavers, all the foregoing, finished or unfinished, not specially provided for:	
	With handles of mother-of-pearl, shell, ivory, deer, or other animal horn	4¢ each and 12-1/2% ad val.
	With handles plated with and in chief value of silver	5¢ each and 12-1/2% ad val.
	With handles of silver (other than plated with silver), or other metal than aluminum, nickel silver, iron or steel	16¢ each and 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
355 con.	Table, butchers', carving, cooks', hunting, kitchen, etc.: (continued)	
	With handles of hard rubber, solid bone, celluloid, or any pyroxylin, casein, or similar material:	
	Table, carving, cake, pie, butter, fruit, cheese, and fish	2¢ each and 12-1/2% ad val.
	Other	8¢ each and 35% ad val.
	With handles of wood or wood and steel if specially designed for other than household, kitchen, or butchers' use, or with handles of nickel silver or steel other than austenitic:	
	If less than four inches in length, exclusive of handle	2¢ each and 25% ad val.
	If four inches in length or over, exclusive of handle (except hay forks and 4-tined manure forks).....	4¢ each and 25% ad val.
	With handles of any other material, including those with handles of wood or wood and steel not specially designed for other than household, kitchen, or butchers' use:	
	If less than four inches in length, exclusive of handle	2¢ each and 17-1/2% ad val.
	If four inches in length or over, exclusive of handle (except hay forks and 4-tined manure forks)	8¢ each and 35% ad val.
	Any of the foregoing without handles:	
	With blades less than six inches in length	1¢ each and 12-1/2% ad val.
	With blades six inches or more in length (except hay forks and 4-tined manure forks)	2¢ each and 12-1/2% ad val.
	Hay forks and 4-tined manure forks, finished or unfinished, not specially provided for, with handles of any material other than those specifically mentioned in paragraph 355, Tariff Act of 1930, if four inches in length or over, exclusive of handle, or without handles, with blades six inches or more in length	2¢ each and 12% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
356	Planing-machine knives, tannery and leather knives, tobacco knives, paper and pulp mill knives, shear blades, circular cloth cutters, circular cork cutters, circular cigarette cutters, and all other cutting knives and blades used in power or hand machines (except knives and blades for meat-cutting, meat-slicing, or meat-chopping machines, and except roll bars, bed plates, and other stock-treating parts for pulp and paper machinery).....	20% ad val.
357	Pruning and sheep shears, and blades for the same, finished or unfinished:	
	Valued at not more than 50 cents per dozen .	1-3/4¢ each and 22-1/2% ad val.
	Valued at more than 50 cents and not more than $1.75 per dozen	7-1/2¢ each and 22-1/2% ad val.
	Valued at more than $1.75 per dozen	5¢ each and 12-1/2% ad val.
358	Safety razors, and safety-razor handles and frames	12-1/2% ad val., but not less than 2-1/2¢ each and 7-1/2% ad val.
358	Blades for safety razors, whether or not in strips, finished or unfinished	1/4¢ each and 7-1/2% ad val.
359	Surgical needles, including hypodermic needles, composed wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished	40% ad val.
359	Dental hypodermic needles and dental extraction forceps, wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
360	Laboratory instruments, apparatus, or appliances, for determining the strength of materials or articles in tension, compression, torsion, or shear, and pyrometers and moisture testers which are scientific or laboratory instruments, apparatus, utensils, or appliances; all the foregoing and parts thereof, wholly or in chief value of metal, and not plated with gold, silver, or platinum, finished or unfinished, not specially provided for	20% ad val.
364	Bells (except church and similar bells and carillons and except bicycle, velocipede, and similar bells), finished or unfinished, and parts thereof	25% ad val.
365	Shotguns, rifles, and combination shotguns and rifles:	
	Valued at not more than $5 each:	
	Shotguns	50¢ each and 15% ad val.
	Rifles, and combination shotguns and rifles	75¢ each and 22-1/2% ad val.
	Valued at more than $5 and not more than $10 each:	
	Shotguns	$1 each and 15% ad val.
	Rifles, and combination shotguns and rifles	$2 each and 22-1/2% ad val.
	Valued at more than $10 and not more than $25 each:	
	Shotguns	$2 each and 15% ad val.
	Rifles, and combination shotguns and rifles	$3 each and 22-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
365 con.	Shotguns, rifles, and combination shotguns and rifles: (continued)	
	Valued at more than $25 and not more than $50 each:	
	Shotguns	$3 each and 15% ad val.
	Rifles, and combination shotguns and rifles	$5 each and 22-1/2% ad val.
	Valued at more than $50 each:	
	Shotguns	20% ad val.
	Rifles	25% ad val.
	Combination shotguns and rifles	32-1/2% ad val.
365	Barrels, further advanced in manufacture than rough bored only:	
	For shotguns	$1 each and 15% ad val.
	For rifles	$2 each and 25% ad val.
365	Stocks, wholly or partly manufactured:	
	For shotguns	$1.25 each and 15% ad val.
	For rifles	$2.50 each and 25% ad val.
365	Parts of shotguns, and fittings for shotgun stocks or barrels, finished or unfinished	15% ad val.
365	Parts of rifles or combination shotguns and rifles, and fittings for rifle stocks or barrels, finished or unfinished	27-1/2% ad val.
365	Shotguns imported without a lock or locks or other fittings	$3 each and 15% ad val.
365	Rifles imported without a lock or locks or other fittings	$5 each and 27-1/2% ad val.
365	Shotgun barrels, in single tubes, forged, rough bored	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
368(a) (1), (2) and (3)	Pigeon timers valued at more than $10 each	$2.25 each and 32-1/2% ad val.
	Any of the foregoing containing jewels shall be subject to an additional cumulative duty of	12-1/2¢ for each such jewel
368(a) (1), (2) and (3)	Ships' logs, standard marine chronometers having spring-detent escapements, and depth-sounding mechanisms, devices, and instruments; all the foregoing intended or suitable for measuring time, distance, or speed, whether or not in cases, containers, or housings, and valued at more than $10 each	$1.15 each and 17-1/2% ad val.
	Any of the foregoing containing jewels shall be subject to an additional cumulative duty of	7¢ for each such jewel
368(c) (1)	Parts for any of the articles provided for in the foregoing second item 368(a) (except plates provided for in clause (2) of subparagraph 368 (c), Tariff Act of 1930, and jewels) imported in the same shipment with complete movements, mechanisms, devices, or instruments, provided for in the said item (whether or not suitable for use in such movements, mechanisms, devices, or instruments) ..... but this item shall not be applicable to that portion of all the parts in the shipment which exceeds in value 1-1/2 per centum of the value of such complete movements, mechanisms, devices, or instruments.	12-1/2% ad val.
368(e)	Clock cases, not specially provided for, when imported separately	22-1/2% ad val.
368(g)	Taximeters and parts thereof, finished or unfinished	45% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
369(a)	Automobile trucks valued at $1,000 or more each, automobile truck and motor bus chassis valued at $750 or more each, automobile truck bodies valued at $250 or more each, motor busses designed for the carriage of more than ten persons, and bodies for such busses, all the foregoing, whether finished or unfinished	12-1/2% ad val.
369(b)	Motor cycles, whether finished or unfinished	10% ad val.
369(c)	Parts (except tires and except parts wholly or in chief value of glass) for any of the articles enumerated in subparagraph (a) or (b) of paragraph 369, Tariff Act of 1930, finished or unfinished, not specially provided for:	
	For motor cycles	15% ad val.
	Other	12-1/2% ad val.
370	Airplanes, hydroplanes, motor boats, and parts of the foregoing	15% ad val.
371	Bicycles with or without tires, having wheels in diameter (measured to the outer circumference of the tire):	
	Over 25 inches:	
	If weighing less than 36 pounds complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding 1-5/8 inches	$1.25 each, but not less than 7-1/2% nor more than 15% ad val.
	Other	$2.50 each, but not less than 15% nor more than 30% ad val.
	Over 19 but not over 25 inches	$2 each, but not less than 15% nor more than 30% ad val.
	Not over 19 inches	$1.25 each, but not less than 15% nor more than 30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
371	Parts of bicycles, not including tires:	
	Frames	$1.25 each, but not less than 15% nor more than 30% ad val.
	Other	30% ad val.
372	Reciprocating steam engines	10% ad val.
372	Reciprocating steam locomotives	7-1/2% ad val.
372	Sewing machines, not specially provided for, regardless of value	10% ad val.
372	Steam turbines	15% ad val.
372	Cash registers	15% ad val.
372	Printing machinery: Duplicating machines (not including printing presses)	15% ad val.
372	Paper-box machinery	20% ad val.
372	Machine tools (except jig-boring machine tools)	15% ad val.
372	Embroidery machines (not including shuttles for sewing and embroidery machines)	15% ad val.
372	Lace-making machines, and machines for making lace curtains, nets and nettings:	
	Levers (including go-through)	15% ad val.
	Other	10% ad val.
372	Circular knitting machines, finished or unfinished, not specially provided for	15% ad val.
372	Braiding, lace braiding, and insulating machines, and all other similar textile machinery, finished or unfinished, not specially provided for	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, Paragraph	Description of Products	Rate of Duty
372	Textile machinery, finished or unfinished, not specially provided for (except looms and machinery for making synthetic textile filaments, bands, strips, or sheets):	
	For textile manufacturing or processing prior to the making of fabrics or woven, knit, crocheted, or felt articles not made from fabrics (except bleaching, printing, dyeing, or finishing machinery):	
	For manufacturing or processing vegetable fibers	10% ad val.
	Circular combs commonly known as "Noble" or "Bradford" combs	40% ad val.
	Other	20% ad val.
	Bleaching, printing, dyeing, or finishing	20% ad val.
	Other	15% ad val.
372	Cream separators valued at more than $50 and not more than $100 each	6-1/4% ad val.
372	Combined adding and typewriting machines	15% ad val.
372	Apparatus for the generation of acetylene gas from calcium carbide	15% ad val.
372	Machines for cutting or hobbing gears	20% ad val.
372	Punches, shears, and bar cutters, intended for use in fabricating structural or other rolled iron or steel shapes	20% ad val.
372	Machines, finished or unfinished, not specially provided for:	
	Machines for packaging pipe tobacco; machines for wrapping cigarette packages; machines for wrapping candy; and combination candy cutting and wrapping machines	10% ad val.
	Internal-combustion engines:	
	Carbureter type	10% ad val.
	Other, of the horizontal type and weighing not over 5,000 pounds each, or not of the horizontal type and weighing not over 2,500 pounds each	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, Paragraph	Description of Products	Rate of Duty
372 con.	Machines, finished or unfinished, etc.: (continued)	
	Combination cases and sharpening mechanisms for safety razors	12-1/2% ad val.
	Other (except wrapping and packaging machines; food grinding or cutting machines; machines for determining the strength of materials or articles in tension, compression, torsion or shear; machines for making paper pulp or paper; machines for manufacturing chocolate or confectionery; and internal-combustion engines)	15% ad val.
372	Parts, not specially provided for, wholly or in chief value of metal or porcelain, of articles provided for in any item 372 of this Part:	
	Textile pins	20% ad val.
	Other	The same rate of duty as the articles of which they are parts
	Provided, That forged steel grinding balls shall not be entitled to any reduction in duty by virtue of any provision in this Agreement.	
373	Shovels, spades, scoops, forks, hoes, rakes, and drainage tools, and parts thereof, composed wholly or in chief value of metal, whether partly or wholly manufactured:	
	Forks, hoes, and rakes, if not agricultural hand tools, and parts thereof	15% ad val.
	Other	7-1/2% ad val.
374	Aluminum, aluminum scrap, and alloys (except those provided for in paragraph 302, Tariff Act of 1930)[1] in which aluminum is the component material of chief value:	
	In crude form (except scrap)	2¢ per lb.
	In coils, plates, sheets, bars, rods, circles, disks, blanks, strips, rectangles, and squares	3¢ per lb.
	Scrap	1-1/2¢ per lb.
375	Metallic magnesium and metallic magnesium scrap	20¢ per lb.

[1] [46 Stat. 609; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
375	Magnesium alloys, powder, sheets, ribbons, tubing, wire, and all other articles, wares, or manufactures of magnesium, not specially provided for	20¢ per lb. on the metallic magnesium content and 10% ad val.
376	Antimony, as regulus or metal	1¢ per lb.
376	Needle or liquated antimony	1/4¢ per lb.
378	Cadmium	3-3/4¢ per lb.
381	Copper in rolls, rods, or sheets	1-1/4¢ per lb.
381	Copper engravers' plates, not ground, and seamless copper tubes and tubing	3-1/2¢ per lb.
381	Copper engravers' plates, ground, and brazed copper tubes	5-1/2¢ per lb.
381	Brass rods, sheet brass, brass plates, bars, and strips, Muntz or yellow metal sheets, sheathing, bolts, piston rods, and shafting	2¢ per lb.
381	Seamless brass tubes and tubing	2¢ per lb.
381	Brazed brass tubes, brass angles and channels ...	6¢ per lb.
381	Bronze rods and sheets	2¢ per lb.
381	Bronze tubes	2¢ per lb.
384	Cabinet locks, not of pin tumbler or cylinder construction:	
	Not over one and one-half inches in width ..	35¢ per doz. and 10% ad val.
	Over one and one-half and not over two and one-half inches in width	50¢ per doz. and 10% ad val.
	Over two and one-half inches in width	75¢ per doz. and 10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
384	Padlocks, not of pin tumbler or cylinder construction:	
	Not over one and one-half inches in width ..	17-1/2¢ per doz. and 10% ad val.
	Over one and one-half and not over two and one-half inches in width	25¢ per doz. and 10% ad val.
	Over two and one-half inches in width	37-1/2¢ per doz. and 10% ad val.
384	Padlocks of pin tumbler or cylinder construction:	
	Not over one and one-half inches in width ..	50¢ per doz. and 10% ad val.
	Over one and one-half and not over two and one-half inches in width	75¢ per doz. and 10% ad val.
	Over two and one-half inches in width	$1 per doz. and 10% ad val.
384	All other locks or latches of pin tumbler or cylinder construction	$1 per doz. and 10% ad val.
385	Tinsel wire, made wholly or in chief value of gold, silver, or other metal	6¢ per lb. and 5% ad val.
385	Lame or lahn, made wholly or in chief value of gold, silver, or other metal	6¢ per lb. and 10% ad val.
385	Bullions and metal threads made wholly or in chief value of tinsel wire, lame or lahn	6¢ per lb. and 10% ad val.
385	Beltings and other articles made wholly or in chief value of tinsel wire, metal thread, lame or lahn, or of tinsel wire, lame or lahn and india rubber, bullions, or metal threads, not specially provided for	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
385	Woven fabrics, ribbons, and tassels, made wholly or in chief value of any material provided for in any item 385 of this Part	20% ad val.
385	Fringes made wholly or in chief value of any material provided for in any item 385 of this Part	45% ad val.
389	Nickel, and alloys (except those provided for in paragraph 302 or 380, Tariff Act of 1930) in which nickel is the component material of chief value:	
	In pigs or ingots, shot, cubes, grains, cathodes, or similar forms	1-1/4¢ per lb.
	In bars, rods, plates, sheets, strips, strands, castings, wire, tubes, tubing, anodes, or electrodes	12-1/2% ad val.
	All the foregoing, if cold rolled, cold drawn, or cold worked	5% ad val. in addition to the foregoing applicable rate
390	Bottle caps of metal, collapsible tubes, and sprinkler tops:	
	If not decorated, colored, waxed, lacquered, enameled, lithographed, electroplated, or embossed in color	15% ad val.
	If decorated, colored, waxed, lacquered, enameled, lithographed, electroplated, or embossed in color	20% ad val.
393	Zinc-bearing ores of all kinds, except pyrites containing not more than 3 per centum zinc	3/4¢ per lb. on the zinc contained therein
394	Zinc:	
	In blocks, pigs, or slabs, and zinc dust	7/8¢ per lb.
	In sheets	1¢ per lb.
	In sheets coated or plated with nickel or other metal (excep. gold, silver, or platinum), or solutions	1-1/8¢ per lb.
394	Old and worn-out zinc, fit only to be remanufactured, zinc dross, and zinc skimmings	3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
395	Print blocks, and print rollers not specially provided for, of whatever material composed, used for printing, stamping, or cutting designs	40% ad val.
397	Articles or wares not specially provided for, whether partly or wholly manufactured:	
	Composed wholly or in chief value of gold, or plated with gold, or colored with gold lacquer	32-1/2% ad val.
	Composed wholly or in chief value of silver	32-1/2% ad val.
	Plated with silver on nickel silver or copper, but not in chief value of silver	25% ad val.
	Plated with silver on metals other than nickel silver or copper, but not in chief value of silver	35% ad val.
	Composed wholly or in chief value of iron, steel, lead, copper, brass, nickel, pewter, zinc, aluminum, or other metal (not including platinum, gold, or silver), but not plated with platinum, gold, or silver, or colored with gold lacquer:	
	Woven wire fencing and woven wire netting, all the foregoing composed of wire smaller than eight one-hundredths and not smaller than three one-hundredths of one inch in diameter, coated with zinc or other metal either before or after weaving	30% ad val.
	Cases and sharpening devices for safety razors, not wholly or in chief value of lead	12-1/2% ad val.
	Articles wholly or in chief value of lead	2¢ per lb., but not less than 15% nor more than 45% ad val.
	Slide fasteners valued at 4 cents or more each	40% ad val.
	Golf club heads, not wholly or in chief value of lead	15% ad val.
	Other (except slide fasteners and parts thereof)	22-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
401	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; all the foregoing, if of fir, spruce, pine, hemlock, or larch	50¢ per 1000 ft., board measure
401	Sawed lumber and timber not specially provided for, if of fir, spruce, pine, hemlock, or larch	25¢ per 1000 ft., board measure
	NOTE: Sawed lumber and sawed timbers however provided for in the Tariff Act of 1930, shall not be required to be marked to indicate the country of origin.	
402	Maple (except Japanese maple), birch, and beech: Flooring	4% ad val.
403	Brier root or brier wood, ivy or laurel root, and similar wood, unmanufactured, or not further advanced than cut into blocks suitable for the articles into which they are intended to be converted	5% ad val.
404	Cedar commercially known as Spanish cedar, granadilla, mahogany, rosewood, and satinwood: In the form of sawed boards, planks, deals, and all other forms not further manufactured than sawed, and flooring	5% ad val.
404	Lignum vitae, lancewood, ebony, and box: In the form of sawed boards, planks, deals, and all other forms not further manufactured than sawed, and flooring	7-1/2% ad val.
405	Veneers of wood	10% ad val.
405	Plywood with face ply of Western redcedar (*thuja plicata*)	20% ad val.
405	Wood unmanufactured, not specially provided for ..	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
406	Hubs for wheels, heading bolts, stave bolts, last blocks, wagon blocks, oar blocks, heading blocks, and all like blocks or sticks, rough-hewn or rough shaped, sawed or bored	5% ad val.
407	Casks, barrels, and hogsheads (empty), of wood, not specially provided for (except beer barrels and beer kegs)	7-1/2% ad val.
409	Reeds wrought or manufactured from rattan or reeds, whether round, flat, split, oval, or in whatever form, cane wrought or manufactured from rattan, cane webbing, and split or partially manufactured rattan, not specially provided for	10% ad val.
409	Furniture wholly or in chief value of rattan, reed, bamboo, osier or willow, malacca, grass, seagrass, or fiber of any kind	30% ad val.
409	Split bamboo	5/8¢ per lb.
409	Tennis-racket frames, valued at $1.75 or more each, wholly or partly manufactured of rattan, bamboo, osier or willow	22-1/2% ad val.
411	Baskets and bags, wholly or in chief value of straw, not specially provided for	25% ad val.
412	Furniture, wholly or partly finished, and parts thereof, wholly or in chief value of wood, and not specially provided for:	
	Chairs	20% ad val.
	Other furniture	12-1/2% ad val.
	Parts of any of the foregoing	20% ad val.
412	Folding rules, wholly or in chief value of wood, and not specially provided for	40% ad val.
412	Bent-wood furniture, wholly or partly finished, and parts thereof	30% ad val.
412	Paintbrush handles, wholly or in chief value of wood	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
412	Wood flour	12-1/2% ad val.
412	Manufactures of wood or bark, or of which wood or bark is the component material of chief value, not specially provided for:	
	Broom handles and mop handles, further advanced than rough shaped, not less than 3/4 inch in diameter and not less than 38 inches in length; toboggans; ice-hockey sticks; baby carriages; canoes; canoe paddles; and wheelbarrows	15% ad val.
	Picture and mirror frames; shuttles; bobbins; carriages, drays, trucks, and other vehicles, and parts thereof; badminton rackets; golf club shafts; skis, equipment ordinarily used in conjunction therewith, and parts of skis or of such equipment; snowshoes; and boxes, crates, fruit-picking trays, and similar containers, and shooks for making any such containers ..	16-2/3% ad val.
	Badminton-racket frames and tennis-racket frames:	
	Valued at less than $1.75 each	16-2/3% ad val.
	Valued at $1.75 or more each	10% ad val.
	Spoons, forks, faucets, spigots, stocking darners or darning lasts, clasps, buckles, and buckle slides	17-1/2% ad val.
	Other (except brush backs, clothespins, spools wholly of wood suitable for thread, and laminated wallboard)	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
502	Molasses and sugar sirups, not specially provided for, containing soluble nonsugar solids (excluding any foreign substance that may have been added or developed in the product) equal to more than 6 per centum of the total soluble solids:	
	Testing not above 48 per centum total sugars	0.125¢ per gal.
	Testing above 48 per centum total sugars	0.1375¢ additional for each per centum of total sugars and fractions of a per centum in proportion
502	Molasses not imported to be commercially used for the extraction of sugar or for human consumption	0.03¢ per lb. of total. sugars
503	Maple sugar	2¢ per lb.
503	Maple sirup	1-1/2¢ per lb.
505	Salicin	17-1/2% ad val.
505	Lactose	25% ad val.
506	Sugar candy and all confectionery not specially provided for:	
	Valued at less than 6 cents per pound	20% ad val.
	Valued at 6 cents or more per pound	14% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
601	Wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per centum of wrapper tobacco:	
	If unstemmed	$1 per lb.
	If stemmed	$1.72 per lb.
601	Smoke-cured cigarette leaf tobacco, unstemmed and having the flavor and aroma characteristic of smoke-cured Latakia leaf tobacco, not specially provided for	15¢ per lb.
603	Tobacco, manufactured or unmanufactured, not specially provided for	17-1/2¢ per lb.
605	Cigarettes	$1.25 per lb. and 6-1/4% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
701	Cattle weighing less than 200 pounds each or 700 pounds or more each.....	1-1/2¢ per lb.
	Provided, That not more than 200,000 head of cattle weighing less than 200 pounds each entered in the 12-month period beginning April 1 in any year, and not more than 400,000 head of cattle weighing 700 pounds or more each (other than cows imported specially for dairy purposes) entered in any such period, but not more than 120,000 head of such cattle weighing 700 pounds or more each entered in any 3-month period beginning April 1, July 1, October 1, or January 1 within any such 12-month period, shall be dutiable at 1-1/2 cents per pound; and any of the foregoing cattle not subject to that rate of duty shall be dutiable at.....	2-1/2¢ per lb.
	Provided further, That the preceding proviso shall be effective only upon the expiration of 30 days after the President of the United States, after termination of the unlimited national emergency proclaimed on May 27, 1941, shall have proclaimed that the abnormal situation in respect of cattle and meats has terminated.	
701	Beef and veal, fresh, chilled, or frozen.....	3¢ per lb.
701	Tallow, inedible.....	1/4¢ per lb.
702	Mutton, and goat meat, fresh, chilled, or frozen	2-1/2¢ per lb.
702	Lamb, fresh, chilled, or frozen.....	3-1/2¢ per lb.
703	Swine.....	1¢ per lb.
703	Pork, fresh, chilled, or frozen.....	1-1/4¢ per lb.
703	Bacon, hams, and shoulders, and other pork, prepared or preserved, but not including any of the foregoing if cooked, boned, packed in airtight containers, or made into sausages of any kind.....	2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
704	Venison, fresh, chilled, or frozen, not specially provided for.....	1-1/2¢ per lb.
704	Other game (except birds), fresh, chilled, or frozen, not specially provided for.....	3¢ per lb.
706	Edible animal livers, kidneys, tongues, hearts, sweetbreads, tripe, and brains, fresh, chilled, or frozen.....	1-1/2¢ per lb., but not less than 7-1/2% ad val.
706	Meats, prepared or preserved, not specially provided for (except beef packed in air-tight containers and pickled or cured beef or veal)	3¢ per lb., but not less than 10% ad val.
707	Whole milk, fresh or sour.....	2¢ per gal.
	Provided, That not more than an aggregate quantity of 3,000,000 gallons of such milk entered in any calendar year shall be dutiable at 2 cents per gallon; and any such milk not subject to that rate of duty shall be dutiable at	6-1/2¢ per gal.
707	Cream, fresh or sour.....	20¢ per gal.
	Provided, That not more than an aggregate quantity of 1,500,000 gallons of such cream entered in any calendar year shall be dutiable at 20 cents per gallon; and any such cream not subject to that rate of duty shall be dutiable at	56-6/10¢ per gal.
707	Skimmed milk, fresh or sour, and buttermilk.....	1-1/2¢ per gal.
708(a)	Milk, condensed and evaporated:	
	In air-tight containers, unsweetened.....	1¢ per lb.
	In air-tight containers, sweetened.....	1-3/4¢ per lb.
	All other.....	1-1/2¢ per lb.
708(b)	Dried whole milk.....	3-1/10¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
708(b)	Dried cream	6-1/5¢ per lb.
708(b)	Dried skimmed milk and dried buttermilk	1-1/2¢ per lb.
709	Butter, when entered during the period from November 1, in any year, to the following March 31, inclusive	7¢ per lb.
	Provided, That not more than 50,000,000 pounds of butter entered during the period from November 1, in any year, to the following March 31, inclusive, shall be dutiable at 7 cents per pound; and any butter not subject to that rate of duty shall be dutiable at	14¢ per lb.
709	Oleomargarine and other butter substitutes	7¢ per lb.
710	Cheese:	
	Roquefort, in original loaves	3¢ per lb., but not less than 15% ad val.
	Blue-mold, in original loaves.....	5¢ per lb., but not less than 25% ad val.
	Cheddar, not processed otherwise than by division into pieces	3-1/2¢ per lb., but not less than 17-1/2% ad val.
	Edam and Gouda:	
	Containing 40 per centum or more of butterfat	3-1/2¢ per lb., but not less than 15% ad val.
	Other	5¢ per lb., but not less than 25% ad val.
	Bryndza, in casks, barrels, or hogsheads, weighing with their contents more than 200 pounds each	3-1/2¢ per lb., but not less than 17-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
711	Birds, live:	
	Chickens, ducks, geese, turkeys, and guineas	2¢ per lb.
	Baby chicks of poultry	2¢ each
	Birds not specially provided for:	
	Song birds:	
	Valued at $5 or less each	50¢ each
	Valued at more than $5 each	10% ad val.
	Other (except Bobwhite quail valued at $5 or less each):	
	Valued at $2.50 or less each	25¢ each
	Valued at more than $2.50 each	10% ad val.
712	Birds, dead, dressed or undressed, fresh, chilled, or frozen:	
	Chickens, ducks, geese, and guineas	3¢ per lb.
	Other (except turkeys)	2-1/2¢ per lb.
712	Birds (except turkeys), prepared or preserved in any manner and not specially provided for	5¢ per lb.
713	Eggs of poultry in the shell:	
	Eggs of chickens	3-1/2¢ per doz.
	Other	5¢ per doz.
713	Whole eggs, egg yolk, and egg albumen, frozen or otherwise prepared or preserved, and not specially provided for, whether or not sugar or other material is added	7¢ per lb.
713	Dried whole eggs, dried egg yolk, and dried egg albumen, whether or not sugar or other material is added	17¢ per lb.
714	Horses unless imported for immediate slaughter:	
	Valued at not more than $150 per head	$10 per head
	Valued at more than $150 per head	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
715	Live animals, vertebrate and invertebrate, not specially provided for:	
	Silver or black foxes.....	15% ad val.
	Other (except asses and burros).....	7-1/2% ad val.
	NOTE: Notwithstanding any provision in any item 715, 1519, 1606, or 1681 of this Part, the United States reserves the right, in the event platinum or platina foxes and furs thereof are not properly classifiable as silver or black foxes and fox furs, to apply to platinum or platina foxes, furs thereof, and products of such furs the same customs treatment as shall be applicable to the corresponding silver or black foxes, fox furs, and fox-fur products.	
716	Honey.....	1¢ per lb.
717(a)	Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed):	
	Halibut and salmon.....	1/2¢ per lb.
	Mackerel.....	3/4¢ per lb.
	Swordfish:	
	Fresh.....	1¢ per lb.
	Frozen.....	1-1/2¢ per lb.
	Other fish, not specially provided for:	
	Eels, shad, sturgeon, cod, haddock, hake, pollock, and cusk.....	1/2¢ per lb.
	Fresh-water fish.....	1/2¢ per lb.

SCHEDULE XX UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
717(b)	Fish, fresh or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for:	
	Cod, haddock, hake, pollock, cusk, and rosefish	1-7/8¢ per lb.
	Other	1-1/2¢ per lb.
	Provided, That of cod, haddock, hake, pollock, cusk, and rosefish of the foregoing description, entered in any calendar year, not more than an aggregate quantity of 15,000,000 pounds, or not more than a quantity equal to 15 per centum of the average aggregate apparent annual consumption of such fish during the 3 calendar years immediately preceding the year in which the imported fish are entered, whichever quantity is greater, shall be dutiable at 1-7/8 cents per pound. Of the total quantity of such fish entitled to entry at the rate of 1-7/8 cents per pound in any calendar year, not more than one-fourth shall be so entitled during the first 3 months, not more than one-half during the first 6 months, and not more than three-fourths during the first 9 months of that year. Any such fish not subject to the rate of 1-7/8 cents per pound shall be dutiable at	2-1/2¢ per lb.
	For the purpose of this proviso, "apparent consumption" shall be the sum of (a) the production in the United States of fresh and frozen fillets, steaks, and sticks of the named fish as defined on the date of this Agreement, and as reported by the United States Fish and Wildlife Service, (b) the quantity of such fillets, steaks, and sticks entered into the United States free of duty under paragraph 1730(a), Tariff Act of 1930,[1] and (c) the quantity of the named fish entered into the United States and provided for in paragraph 717(b), Tariff Act of 1930.	

[1] [46 Stat. 679; 19 U. S. C. § 1201.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
717(c)	Fish, dried and unsalted: Cod, haddock, hake, pollock, cusk, and other fish (except shark fins).....	5/8¢ per lb.
718(a)	Fish, prepared or preserved in any manner, when packed in oil or in oil and other substances (except sardines, anchovies, tuna, antipasto, bonito, yellowtail, and smoked pollock):	
	Valued at not over 9 cents per pound, including the weight of the immediate container.....	22% ad val.
	Valued at over 9 cents per pound, including the weight of the immediate container....	15% ad val.
718(a)	Sardines, neither skinned nor boned but otherwise prepared or preserved in any manner, when packed in oil or in oil and other substances:	
	Valued at not over 13 cents per pound, including the weight of the immediate container.....	44% ad val.
	Valued at over 13 but not over 18 cents per pound, including the weight of the immediate container.....	30% ad val.
	Valued at over 18 but not over 23 cents per pound, including the weight of the immediate container.....	20% ad val.
	Valued at over 23 cents per pound, including the weight of the immediate container.....	15% ad val.
718(b)	Fish (except anchovies), prepared or preserved in any manner, when packed in air-tight containers weighing with their contents not more than fifteen pounds each (except fish packed in oil or in oil and other substances):	
	Salmon.....	25% ad val.
	Herring, smoked or kippered or in tomato sauce, packed in immediate containers weighing with their contents more than one pound each.....	10% ad val.
	Other.....	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
719(1), (2), (3), (4), and (5)	Fish, pickled or salted (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than fifteen pounds each):	
	Salmon.....	10% ad val.
	Cod, haddock, hake, pollock, and cusk:	
	Neither skinned nor boned (except that the vertebral column may be removed):	
	When containing not more than 43 per centum of moisture by weight.....	1/2¢ per lb.
	When containing more than 43 per centum of moisture by weight...	1/4¢ per lb.
	Skinned or boned, whether or not dried	1-1/4¢ per lb.
	Herring and mackerel, whether or not boned:	
	In bulk or in immediate containers weighing with their contents more than fifteen pounds each.....	1/2¢ per lb. net wt.
	In immediate containers (not air-tight) weighing with their contents not more than fifteen pounds each:	
	Herring.....	15% ad val.
	Mackerel.....	12-1/2% ad val.
	Alewives:	
	In bulk or in immediate containers weighing with their contents more than fifteen pounds each.....	1/2¢ per lb. net wt.
	In immediate containers (not air-tight) weighing with their contents not more than fifteen pounds each.....	15% ad val.
	Other fish (not including alewives):	
	In bulk or in immediate containers weighing with their contents more than fifteen pounds each.....	1¢ per lb. net wt.
	In immediate containers (not air-tight) weighing with their contents not more than fifteen pounds each.....	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
720(a)(1),(2),(3),(4),(5), and (6)	Fish, smoked or kippered (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than fifteen pounds each):	
	Salmon.....	10% ad val.
	Herring:	
	Whole or beheaded, but not further advanced:	
	Hard dry-smoked.....	1/2¢ per lb.
	Other.....	1¢ per lb.
	Eviscerated, split, skinned, boned, or divided into portions.....	1-1/4¢ per lb.
	Cod, haddock, hake, pollock, and cusk:	
	Whole, or beheaded or eviscerated or both, but not further advanced (except that the vertebral column may be removed).....	1¢ per lb.
	Filleted, skinned, boned, sliced, or divided into portions.....	1-1/2¢ per lb.
	Other fish.....	10% ad val.
720(b)	Fish, prepared or preserved, not specially provided for:	
	In immediate containers weighing with their contents not more than fifteen pounds each.....	12-1/2% ad val.
	In bulk or in immediate containers, weighing with their contents more than fifteen pounds each.....	1¢ per lb. net wt.
721(b)	Razor clams (*Silique patula*), packed in air-tight containers.....	10% ad val.
721(c)	Fish paste and fish sauce.....	15% ad val.
721(d)	Caviar and other fish roe for food purposes (except sturgeon), boiled and packed in air-tight containers, whether or not in bouillon or sauce.....	15% ad val.
721(e)	Oysters, oyster juice, or either in combination with other substances, packed in air-tight containers.....	4¢ per lb., including weight of immediate container

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
722	Barley, hulled or unhulled	7-1/2¢ per bu. of 48 lb.
722	Barley malt	30¢ per 100 lb.
722	Pearl barley	1/2¢ per lb.
722	Patent barley and barley flour	2¢ per lb.
723	Buckwheat, hulled or unhulled	10¢ per 100 lb.
723	Buckwheat flour and grits or groats	1/5¢ per lb.
726	Oats, hulled or unhulled	4¢ per bu. of 32 lb.
726	Unhulled ground oats	25¢ per 100 lb.
726	Oatmeal, rolled oats, oat grits, and similar oat products	10% ad val., but not less than 40¢ nor more than 80¢ per 100 lb.
727	Broken rice, which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of one inch in diameter	5/16¢ per lb.
727	Rice meal, flour, polish, and bran	5/16¢ per lb.
728	Rye	6¢ per bu. of 56 lb.
728	Rye malt	30¢ per 100 lb.
728	Rye flour and meal	30¢ per 100 lb.
729	Wheat	21¢ per bu. of 60 lb.
729	Wheat, unfit for human consumption	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
729	Wheat flour, semolina, crushed or cracked wheat, and similar wheat products not specially provided for.....	52¢ per 100 lb.
730	Bran, shorts, by-product feeds obtained in milling wheat or other cereals.....	2-1/2% ad val.
730	Hulls of oats, barley, buckwheat, or other grains, ground or unground.....	2-1/2¢ per 100 lb.
730	Dried beet pulp.....	$1.90 per ton
730	Malt sprouts and brewers' grains.....	$1.25 per ton
730	Soy bean oil cake and soy bean oil-cake meal, and peanut oil cake and peanut oil-cake meal..	3/20¢ per lb.
730	Mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs.....	5% ad val.
731	Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, or ground.....	2-1/2% ad val.
732	Cereal breakfast foods, and similar cereal preparations, by whatever name known, processed further than milling, and not specially provided for.....	10% ad val.
733	Biscuits, wafers, cake, cakes, and similar baked articles, and puddings, all the foregoing by whatever name known, whether or not containing chocolate, nuts, fruits, or confectionery of any kind.....	10% ad val.
734	Apples:	
	Green or ripe.....	12-1/2¢ per bu. of 50 lb.
	Dried, desiccated, or evaporated.....	1¢ per lb.
	Otherwise prepared or preserved, and not specially provided for.....	1-1/4¢ per lb.
735	Apricots, dried, desiccated, or evaporated.....	1¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
736	Berries, edible:	
	In their natural condition or in brine:	
	Strawberries, when entered during the period from June 15 to September 15, inclusive, in any year.....	1/2¢ per lb.
	Loganberries and raspberries, when entered during the period from July 1 to August 31, inclusive, in any year.....	1/2¢ per lb.
	Blueberries.....	1¢ per lb.
	Lingon or partridge berries.....	3/8¢ per lb.
	Other.....	3/4¢ per lb.
	Prepared or preserved, or frozen, and not specially provided for:	
	Blueberries.....	10% ad val.
	Other.....	14% ad val.
737(1) and (4)	Cherries:	
	In their natural state, not in air-tight or water-tight containers.....	1/2¢ per lb.
	Maraschino, candied, crystallized, or glace, or prepared or preserved in any manner...	7¢ per lb. and 10% ad val.
738	Cider.....	3¢ per gal.
738	Malt vinegar.....	2¢ per proof gal.
739	Grapefruit and other fruit peel (not including orange peel and lemon peel), crude, dried, or in brine.....	1-1/2¢ per lb.
741	Jujubes, prepared or preserved, not specially provided for.....	17-1/2% ad val.
742	Grapes in bulk, crates, barrels or other packages:	
	Hothouse.....	12-1/2¢ per cu. ft. of such bulk or the capacity of the packages, according as imported

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
742 con.	Grapes in bulk, crates, barrels or other packages: (continued)	
	Other:	
	When entered during the period from February 15 to June 30, inclusive, in any year.....	6-1/4¢ per cu. ft. of such bulk or the capacity of the packages, according as imported
	When entered during the period from July 1, in any year, to the following February 14, inclusive.....	17-1/2¢ per cu. ft. of such bulk or the capacity of the packages, according as imported
745	Peaches:	
	Green, ripe, or in brine:	
	When entered during the period from June 1 to November 30, inclusive, in any year.....	1/2¢ per lb.
	Other.....	1/4¢ per lb.
	Prepared or preserved, and not specially provided for.....	
747	Pineapples, prepared or preserved, and not specially provided for.....	3/4¢ per lb.
748	Plums, prunes, and prunelles, prepared or preserved, and not specially provided for.....	17-1/2% ad val.
749	Pears, prepared or preserved, and not specially provided for.....	20% ad val.
750	Avocados or avocado pears, also known as alligator pears.....	7-1/2¢ per lb.
751	Orange marmalade.....	16% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
751	Guava jelly and guava marmalade.....	10% ad val.
751	Currant and other berry jellies.....	10% ad val.
752	Fruits (except watermelons) in their natural state, not specially provided for:	
	Cantaloups, when entered during the period from August 1 to September 15, inclusive, in any year.....	25% ad val.
	Melons, other than cantaloups, when entered during the period from December 1, in any year, to the following May 31, inclusive	17-1/2% ad val.
	Fruits, other than melons.....	17-1/2% ad val.
752	Fruits in brine, pickled, dried, desiccated, evaporated, or otherwise prepared or preserved, and not specially provided for, and mixtures of two or more fruits, prepared or preserved:	
	Bananas, dried, desiccated, or evaporated..	9% ad val.
	All other (except guavas, prepared or preserved).....	17-1/2% ad val.
752	Fruit pastes and fruit pulps (except mango paste and pulp and guava paste and pulp).....	17-1/2% ad val.
752	Candied, crystallized, or glace apricots, figs, dates, peaches, pears, plums, prunes, prunelles, berries, and other fruits, not specially provided for.....	15% ad val.
753	Tulip bulbs.....	$3 per 1000
753	Hyacinth bulbs.....	$2 per 1000
753	Narcissus bulbs.....	$6 per 1000
753	Crocus corms.....	50¢ per 1000
753	All other bulbs, roots, rootstocks, clumps, corms, tubers, and herbaceous perennials, imported for horticultural purposes and not specifically provided for.....	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
753	Cut flowers, fresh, dried, prepared, or preserved:	
	Orchids	25% ad val.
	Other	12-1/2% ad val.
754	Seedlings and cuttings of Manetti, multiflora, brier, rugosa, and other rose stock, all the foregoing not more than three years old	$1 per 1000
754	Rose plants, budded, grafted, or grown on their own roots	2¢ each
754	Cuttings, seedlings, and grafted or budded plants of other deciduous or evergreen ornamental trees, shrubs, or vines, and all nursery or greenhouse stock, not specially provided for:	
	Orchid plants	7-1/2% ad val.
	Other	12-1/2% ad val.
755	Seedlings, layers, and cuttings of apple, cherry, pear, plum, quince, and other fruit stocks	$2 per 1000
755	Grafted or budded fruit trees, cuttings and seedlings of grapes, currants, gooseberries, or other fruit vines, plants or bushes	12-1/2% ad val.
756	Chestnuts (including marrons), candied, crystallized, or glace, or prepared or preserved in any manner	8¢ per lb.
757	Cream or Brazil nuts:	
	Not shelled	3/8¢ per lb.
	Shelled	1-1/8¢ per lb.
758	Coconuts	1/8¢ each
758	Coconut meat, shredded and desiccated, or similarly prepared	1-3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
760	Walnuts of all kinds:	
	Shelled	7-1/2¢ per lb.
	Blanched, roasted, prepared, or preserved (except walnut paste)	7-1/2¢ per lb.
	Provided, That not more than an aggregate quantity of 5,000,000 pounds of shelled, blanched, roasted, prepared, or preserved walnuts (except walnut paste) entered in any calendar year shall be dutiable at 7-1/2 cents per pound; and any such nuts not subject to that rate of duty shall be dutiable at	15¢ per lb.
761	Edible nuts, not specially provided for (except pignolia nuts):	
	Pistache:	
	Not shelled	5/8¢ per lb.
	Shelled	1-1/4¢ per lb.
	Other:	
	Not shelled	1-1/4¢ per lb.
	Shelled	2-1/2¢ per lb.
761	Cashew nuts, shelled or unshelled	1-1/2¢ per lb.
761	Edible nuts, pickled, or otherwise prepared or preserved, and not specially provided for	17-1/2% ad val.
762	Oil-bearing seeds and materials:	
	Castor beans	1/4¢ per lb.
	Poppy seed	8¢ per 100 lb.
	Apricot and peach kernels	1-1/2¢ per lb.
	Soy beans	1¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
763	Grass seeds and other forage crop seeds:	
	Alfalfa	2¢ per lb.
	Alsike clover	2¢ per lb.
	Crimson clover	1¢ per lb.
	Red clover	2¢ per lb.
	White and ladino clover	4¢ per lb.
	Sweet clover	1¢ per lb.
	Clover, not specially provided for	2¢ per lb.
	Millet	1/2¢ per lb.
	Rye grass	1-1/2¢ per lb.
	Timothy	1/2¢ per lb.
	Bent-grass (genus agrostis)	15¢ per lb.
	Bluegrass	2¢ per lb.
	Grass and forage crop seeds not specially provided for	1¢ per lb.
764	Other garden and field seeds:	
	Beet (except sugar beet)	2¢ per lb.
	Cabbage	5¢ per lb.
	Carrot	5¢ per lb.
	Cauliflower	25¢ per lb.
	Celery	1¢ per lb.
	Kale	2¢ per lb.
	Kohlrabi	5¢ per lb.
	Mangelwursel	1¢ per lb.
	Parsley	2¢ per lb.
	Parsnip	3¢ per lb.
	Pepper	10¢ per lb.
	Radish	2¢ per lb.
	Spinach	1/2¢ per lb.
	Tree and shrub	3¢ per lb.
	Turnip	2¢ per lb.
	Rutabaga	2¢ per lb.
	Flower	5¢ per lb.
	Garden and field seeds not specially provided for:	
	Niger seed	1-1/2¢ per lb.
	Other	2¢ per lb.
765	Beans, not specially provided for:	
	Dried, when entered for consumption during the period from May 1 to August 31, inclusive, in any year:	
	Red kidney	2¢ per lb.
	Other	1-1/2¢ per lb.
	In brine	1-1/2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
766	Beets, other than sugar beets.....	10% ad val.
767	Lentils.....	1/4¢ per lb.
768	Mushrooms:	
	Fresh.....	5¢ per lb. and 25% ad val.
	Prepared or preserved, other than dried....	5¢ per lb. on drained weight and 15% ad val.
769	Peas:	
	Green or unripe:	
	When entered during the period from July 1 to September 30, inclusive, in any year.....	1¢ per lb.
	Other.....	2¢ per lb.
	Dried.....	7/8¢ per lb.
	Split.....	1¢ per lb.
	Prepared or preserved in any manner.....	1¢ per lb. on the entire contents of the container
769	Chickpeas or garbanzos, prepared or preserved in any manner.....	1¢ per lb. on the entire contents of the container
770	Onions, except onion sets.....	1-3/4¢ per lb.
770	Garlic.....	3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign government in accordance with the official rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed potato tags.....	37-1/2¢ per 100 lb.
	Provided, That the quantity of such potatoes entitled to entry at such rate of duty shall not exceed — for the period from January 1 to September 14, inclusive, in 1948, 2,500,000 bushels of 60 pounds each, less the quantity of such potatoes entered and subject to duty at a tariff-quota rate during the period from September 15 to December 31, inclusive, in 1947, or for any 12-month period beginning on September 15 in 1948 or any subsequent year, 2,500,900 bushels of 60 pounds each;	
	and any such potatoes not subject to that rate of duty shall be dutiable at.....	75¢ per 100 lb.
771	White or Irish potatoes, other than certified seed potatoes, as defined in the preceding item.....	37-1/2¢ per 100 lb.
	Provided, That the quantity of such potatoes entitled to entry at such rate of duty shall not exceed — for the period from January 1 to September 14, inclusive, in 1948, 1,000,000 bushels of 60 pounds each, less the quantity of such potatoes entered and subject to duty at a tariff-quota rate during the period from September 15 to December 31, inclusive, in 1947, or for any 12-month period beginning on September 15 in 1948 or any subsequent year, 1,000,000 bushels of 60 pounds each;	
	and any such potatoes not subject to that rate of duty shall be dutiable at.....	75¢ per 100 lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
771 con.	White or Irish potatoes, other than certified seed potatoes, etc. (continued)	
	Provided further, That if for any calendar year the production of white or Irish potatoes, including seed potatoes, in the United States, according to the estimate made as of September 1 by the United States Department of Agriculture, is less than 350,000,000 bushels of 60 pounds each, an additional quantity of such potatoes, other than certified seed potatoes, equal to the amount by which such estimated production is less than 350,000,000 bushels may be entered during the 12-month period beginning on September 15 of that year at.....	37-1/2¢ per 100 lb.
	Provided further, That in computing the quantities of imports specified in the two foregoing provisos white or Irish potatoes produced in the Republic of Cuba shall not be included.	
771	White or Irish potatoes, dried, dehydrated, or desiccated.....	1-1/2¢ per lb.
772	Tomatoes in their natural state, when entered during the period from July 15 to August 31, inclusive, in any year.....	1-1/2¢ per lb.
773	Turnips and rutabagas.....	6-1/4¢ per 100 lb.
774	Vegetables in their natural state:	
	Cucumbers, when entered during the period from July 1 to August 31, inclusive, in any year.....	1-1/2¢ per lb.
	Celery:	
	When imported and entered during the period from April 15 to July 31, inclusive, in any year.....	1/2¢ per lb.
	Other.....	1¢ per lb.
	Lettuce, when entered during the period from June 1 to October 31, inclusive, in any year.....	1¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
774 con.	Vegetables in their natural state: (continued)	
	Cabbage	3/4¢ per lb.
	Not specially provided for:	
	Carrots	12-1/2% ad val.
	Radishes, when entered during the period from July 1 to August 31, inclusive, in any year	12-1/2% ad val.
	Cauliflower, when entered during the period from June 5 to August 5, inclusive, in any year	12-1/2% ad val.
	Other	25% ad val.
775	Cucumbers, if pickled, or packed in brine	25% ad val.
775	Onions, if pickled, or packed in brine	15% ad val.
775	Vegetables (including horseradish), if cut, sliced, or otherwise reduced in size, or if reduced to flour, or if parched or roasted, or packed in oil, or prepared or preserved in any other way (except if pickled or packed in salt or brine) and not specially provided for	17-1/2% ad val.
775	Sauces of all kinds, not specially provided for	17-1/2% ad val.
775	Soy beans, prepared or preserved in any manner; bean stick, miso, bean cake, and similar products, not specially provided for; soups, soup rolls, soup tablets or cubes, and other soup preparations, composed of vegetables, or of vegetables and meat or fish, or both, not specially provided for	17-1/2% ad val.
775	Sauerkraut	12-1/2% ad val.
776	Chicory, crude:	
	Endive	3/4¢ per lb.
	Other	1¢ per lb.
776	Chicory, ground, or otherwise prepared	2-1/2¢ per lb.
777(a)	Cocoa and chocolate, unsweetened	1¢ per lb. on net wt.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
777(b)	Cocoa and chocolate, sweetened:	
	In bars or blocks weighing ten pounds or more each	1-1/2¢ per lb.
	In any other form, whether or not prepared, valued at 10 cents or more per pound	15% ad val.
777(c)	Cacao butter	6-1/4% ad val.
778	Ginger root, candied, or otherwise prepared or preserved	8% ad val.
779	Hay	$1.25 per ton of 2000 lb.
779	Straw	50¢ per ton of 2000 lb.
780	Hops, valued at 50 cents or more per pound	12¢ per lb.
780	Lupulin	75¢ per lb.
781	Spices and spice seeds:	
	Cassia, cassia buds, and cassia vera, ground	3¢ per lb.
	Cloves, ground	3¢ per lb.
	Clove stems, ground	3¢ per lb.
	Cinnamon and cinnamon chips, ground	3¢ per lb.
	Ginger root, not preserved or candied, ground	2¢ per lb.
	Mace, ground	4¢ per lb.
	Bombay, or wild mace, ground	15¢ per lb.
	Mustard seeds (whole)	1-1/4¢ per lb.
	Mustard, ground or prepared in bottles or otherwise	5¢ per lb.
	Nutmegs, ground	3¢ per lb.
	Pepper, capsicum or red pepper or cayenne pepper, ground	6¢ per lb.
	Black or white pepper, ground	3¢ per lb.
	Pimento (allspice), ground	2¢ per lb.
	Sage, ground	3¢ per lb.
	Curry and curry powder	2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
781 con.	Spices and spice seeds: (continued)	
	Mixed spices, and spices and spice seeds not specially provided for, including all herbs or herb leaves in glass or other small packages, for culinary use (except bay leaves and marjoram leaves).....	12-1/2% ad val.
782	Teasels, not bleached, colored, dyed, painted, or chemically treated.....	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
802	Slivowitz and all other brandy, gin, cordials, liqueurs, kirschwasser, and ratafia	$1.25 per proof gal.
802	Whiskey	$1.50 per proof gal.
802	Bitters of all kinds containing spirits	$2.50 per proof gal.
	Provided, That whenever imported bitters are subject to a Federal tax on the alcoholic content measured in whole or in part by the rate of the internal Federal tax imposed in respect of the alcohol contained in the like domestic products, such bitters shall be dutiable at	$1.25 per proof gal.
802	Rum	$2.25 per proof gal.
803	Champagne and all other sparkling wines:	
	Valued at not more than $6 per gallon	$2 per gal.
	Valued at more than $6 per gallon ..	$1.50 per gal.
804	Still wines produced from grapes (not including vermuth), containing 14 per centum or less of absolute alcohol by volume:	
	In containers holding each 1 gallon or less	40¢ per gal.
	In containers holding each more than 1 gallon	75¢ per gal.
804	Vermuth:	
	In containers holding each 1 gallon or less	50¢ per gal.
	In containers holding each more than 1 gallon	75¢ per gal.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
804	Still wines (except still wines produced from grapes), including ginger wine or ginger cordial, and similar beverages not specially provided for (not including rice wine or sake)	62-1/2¢ per gal.
805	Ale, porter, stout, and beer	25¢ per gal.
	Provided, That whenever the foregoing products are subject to a Federal tax measured in whole or in part by the rate of the internal Federal tax imposed in respect of the like domestic products, the foregoing products shall be dutiable at	12-1/2¢ per gal.
806(a)	Cherry juice, prune juice, or prune wine, and all other fruit juices and fruit sirups, not specially provided for:	
	Containing less than one-half of 1 per centum of alcohol (except naranjilla (solanum quitoense lam))	20¢ per gal.
	Containing one-half of 1 per centum or more of alcohol (except citrus-fruit juices)	35¢ per gal. and in addition thereto $2.50 per proof gal. on the alcohol contained therein

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
806(b)	Concentrated juice of citrus fruits, fit for beverage purposes, and sirups containing any of the foregoing, all the foregoing, whether in liquid, powdered, or solid form:	
	Lime	20¢ per gal. on the quantity of unconcentrated natural fruit juice contained therein as shown by chemical analysis
	Lemon, orange, and other (except naranjilla (solanum quitoense lam))	35¢ per gal. on the quantity of unconcentrated natural fruit juice contained therein as shown by chemical analysis
807	Berries and fruits of all kinds, prepared or preserved in any manner, containing one-half of 1 per centum or more of alcohol	$2.50 per proof gal. on the alcohol contained therein, in addition to any other duty

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
808	Ginger ale, ginger beer, lemonade, soda water, and similar beverages containing no alcohol, and beverages containing less than one-half of 1 per centum of alcohol, not specially provided for ...	5¢ per gal.
809	All mineral waters and all imitations of natural mineral waters, and all artificial mineral waters, not specially provided for	5¢ per gal.
810	When any article provided for in Schedule 8, Tariff Act of 1930, [1] is imported in bottles or jugs, the duty shall be collected upon the bottles or jugs at.....	1/3 the rate provided on the bottles or jugs if imported empty or separately

[1] [46 Stat. 639; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
901(a)	Cotton yarn, including warps, in any form, not bleached, dyed, colored, combed, or plied:	
	Of numbers not exceeding number 60..	5% ad val. and, in addition thereto, for each number, 1/4 of 1% ad val.
	Of numbers exceeding number 60	20% ad val.
901(b)	Cotton yarn, including warps, in any form, bleached, dyed, colored, combed, or plied:	
	Of numbers not exceeding number 60..	10% ad val. and, in addition thereto, for each number, 1/4 of 1% ad val.
	Of numbers exceeding number 60	25% ad val.
902	Cotton sewing thread	1/4¢ per 100 yds., but not less than 10% nor more than 20% ad val.
992	Crochet, darning, embroidery, and knitting cottons, put up for handwork, in lengths not exceeding eight hundred and forty yards	1/4¢ per 100 yds., but not less than 10% nor more than 25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
904(a)	Cotton cloth, not bleached, printed, dyed, or colored, containing yarns the average number of which --	
	Does not exceed number 80, if valued at more than 70 cents per pound ..	7-1/2% ad val. and, in addition thereto, for each number, 1/4 of 1% ad val.
	Exceeds number 80 but does not exceed number 102, if valued at more than 70 cents per pound; or exceeds number 102, regardless of value	27-1/2% ad val.
904(a)	The minimum rate of duty on any cotton cloth, not bleached, printed, dyed, or colored, to be imposed under paragraph 904(a), Tariff Act of 1930, shall be	4/10¢ per average number per lb.
904(b)	Cotton cloth, bleached, containing yarns the average number of which --	
	Does not exceed number 60, if valued at more than 80 cents per pound; or exceeds number 60 but does not exceed number 80, if valued at more than $1.20 per pound	10% ad val. and, in addition thereto, for each number, 1/4 of 1% ad val.
	Exceeds number 80 but does not exceed number 90, if valued at more than $1.20 per pound; or exceeds number 90, regardless of value	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
904(c)	Cotton cloth, printed, dyed, or colored, containing yarns the average number of which --	
	Does not exceed number 60, if valued at more than 90 cents per pound; or exceeds number 60 but does not exceed number 80, if valued at more than $1.40 per pound	12% ad val. and, in addition thereto, for each number, 1/4 of 1% ad val.
	Exceeds number 80 but does not exceed number 90, if valued at more than $1.40 per pound; or exceeds number 90, regardless of value	32% ad val.
904(d)	The additional duty to be levied, collected, and paid under paragraph 904(d), Tariff Act of 1930, on cotton cloth woven with eight or more harnesses, or with Jacquard, lappet, or swivel attachments, or with two or more colors or kinds of filling, shall be	2-1/2% ad val.
905	Cloth, in chief value of cotton, containing silk, or rayon or other synthetic textile, shall be classified for duty as cotton cloth under paragraphs 903 and 904, Tariff Act of 1930, as modified pursuant to items 904 of this Part or any other effective trade agreement, and shall be subject to an additional duty of ...	2-1/2% ad val.
906	Cloth, in chief value of cotton, containing wool	30% ad val.
907	Tracing cloth	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
907	Cotton window hollands, and all oilcloths (except silk oilcloths and oilcloths for floors); filled or coated cotton cloths not specially provided for; and waterproof cloth, wholly or in chief value of cotton or other vegetable fiber, whether or not in part of India rubber	12-1/2% ad val.
908	Tapestries and other Jacquard-figured upholstery cloths (not including pile fabrics or bed ticking) in the piece or otherwise, wholly or in chief value of cotton or other vegetable fiber	40% ad val.
909	Pile fabrics (not including pile ribbons), cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton:	
	Twill-back velveteens	25¢ per sq. yd., but not less than 25% nor more than 44% ad val.
	Velvets	35% ad val.
	Corduroys, 52 inches or more in width, valued at 50 cents or more per square yard	30% ad val.
	Plushes and chenilles	25% ad val.
	Terry-woven	22-1/2¢ per lb., but not less than 20% nor more than 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
909	Pile ribbons, cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton:	
	Velveteens or velvets, exceeding 12 inches in width	35% ad val.
	Other	25% ad val.
909	All articles, finished or unfinished, made or cut from pile fabrics provided for in paragraph 909, Tariff Act of 1930:	
	Velveteens or velvets:	
	Velveteen polishing cloths, valued at 60 cents or more per square yard	25% ad val.
	Other	40% ad val.
	Plushes or chenilles	25% ad val.
	Terry-woven	22-1/2¢ per lb., but not less than 20% nor more than 35% ad val.
910	Table damask, wholly or in chief value of cotton, and all articles, finished or unfinished, made or cut from such table damask; all the foregoing valued at 75 cents or more per pound	22-1/2¢ per lb., but not less than 17-1/2% nor more than 30% ad val.
911(a)	Towels, other than pile fabrics, wholly or in chief value of cotton, whether in the piece or otherwise, if Jacquard-figured, and valued at 10 cents or more each	22-1/2¢ per lb., but not less than 20% nor more than 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
911(b)	Sheets and pillowcases, wholly or in chief value of cotton	20% ad val.
911(b)	Polishing cloths, dust cloths, and mop cloths, wholly or in chief value of cotton, not made of pile fabrics	15% ad val.
912	Tubings, wholly or in chief value of cotton, or of cotton and india rubber, and not specially provided for	25% ad val.
912	Garters, suspenders, and braces, wholly or in chief value of cotton or of cotton and india rubber, and not specially provided for	20% ad val.
912	Spindle banding, and lamp and stove wicking; labels, for garments or other articles; all the foregoing wholly or in chief value of cotton or other vegetable fiber	15% ad val.
913(a)	Belts and belting, for machinery:	
	Wholly or in chief value of cotton or other vegetable fiber, and not in part of india rubber	15% ad val.
	Wholly or in chief value of cotton or other vegetable fiber and india rubber, and valued at 40 cents or more per pound	20% ad val.
913(b)	Rope used as belting for textile machinery, wholly or in chief value of cotton	15% ad val.
914	Knit fabric, in the piece, wholly or in chief value of cotton or other vegetable fiber, whether made on a warp-knitting machine or on other than a warp-knitting machine	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
915	Gloves and mittens, finished or unfinished, wholly or in chief value of cotton or other vegetable fiber, made of knit fabric, whether the fabric was knit on a warp-knitting machine or on other than a warp-knitting machine (except gloves and mittens made of fabric knit on a warp-knitting machine and valued at less than $1.50 per dozen pairs)	$1.50 per doz. pairs, but not less than 30% nor more than 60% ad val.
917	Outerwear, and articles of all kinds (not including underwear), knit or crocheted, finished or unfinished, wholly or in chief value of cotton or other vegetable fiber, and not specially provided for:	
	Gloves and mittens	30% ad val.
	Other	35% ad val.
919	Clothing and articles of wearing apparel of every description, manufactured wholly or in part, wholly or in chief value of cotton, and not specially provided for:	
	Coats valued at $4 or more each; vests valued at $2 or more each; dressing gowns, including bathrobes and beach robes, valued at $2.50 or more each; underwear valued at 75 cents or more per separate piece; and pajamas valued at $1.50 or more per suit	10% ad val.
	Other	20% ad val.
919	Shirt collars and cuffs, of cotton, not specially provided for	15% per doz. pieces and 5% ad val.
919	Shirts of cotton, not knit or crocheted	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
920	Lace window curtains, nets, nettings, pillow shams, and bed sets, and all other fabrics and articles, by whatever name known, plain or Jacquard-figured, finished or unfinished, wholly or partly manufactured, for any use whatsoever, made on the Nottingham lace-curtain machine, wholly or in chief value of cotton or other vegetable fiber	40% ad val.
921	Floor coverings, including carpets, carpeting, mats, and rugs (but not including chenille rugs and rag rugs of the type commonly known as "hit-and-miss"), wholly or in chief value of cotton:	
	Cut-pile (not including imitation oriental rugs) and hand-hooked	17-1/2% ad val.
	Imitation oriental rugs	10% ad val.
923	Manufactures, wholly or in chief value of cotton, not specially provided for:	
	Terry-woven towels valued at 45 cents or more each	22-1/2¢ per lb., but not less than 20% nor more than 35% ad val.
	Printers' rubberized blanketing; molded cotton and rubber packing; ladder tapes; badminton nets; yarns in chief value of cotton containing wool; and catheters, drains, bougies, sondes, probes, explorateurs, instillateurs; and all other urological instruments	20% ad val.
	Fishing nets valued at 50 cents or more per pound	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
924	All the articles enumerated or described in Schedule 9 (except in paragraph 922), Tariff Act of 1930, shall be subject to an additional duty on the cotton contained therein having a staple of one and one-eighth inches or more in length of	5¢ per lb., but not less than 1-3/7 times the most-favored-nation rate of ordinary customs duty applicable, when such articles are entered or withdrawn from warehouse for consumption, to cotton having a staple of 1-1/8 inches or more in length

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1001	Flax straw	$1.50 per ton
1001	Flax:	
	Not hackled	3/4¢ per lb.
	Hackled, including "dressed line".....	1-1/2¢ per lb.
1001	Flax tow	1/2¢ per lb.
1001	Flax noils	1/4¢ per lb.
1001	Crin vegetal, twisted or not twisted	1/2¢ per lb.
1002	Sliver and roving, of flax, hemp, ramie, or other vegetable fiber, not specially provided for ...	10% ad val.
1004(a)	Single yarns, of flax, hemp, or ramie, or a mixture of any of them:	
	Not finer than sixty lea	25% ad val.
	Finer than sixty lea	15% ad val.
1004(b)	Threads, twines, and cords, composed of two or more yarns of flax, hemp, or ramie, or a mixture of any of them, twisted together:	
	If the yarns are wholly or in chief value of flax	30% ad val.
	Other	20% ad val.
1005(a) (1) and (2)	Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns:	
	Wholly or in chief value of manila (abaca):	
	Smaller than three-fourths of one inch in diameter	2¢ per lb. and 10% ad val.
	Other	2¢ per lb.
	Wholly or in chief value of sisal:	
	Smaller than three-fourths of one inch in diameter	1¢ per lb. and 7-1/2% ad val.
	Other	1¢ per lb.
	Wholly or in chief value of sunn, or other bast fiber, but not including cordage made of jute	3/4¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

PART I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1005(b)	Cords and twines (whether or not composed of three or more strands, each strand composed of two or more yarns), tarred or untarred, single or plied, wholly or in chief value of manila (abaca), sisal, henequen, or other hard fiber	15% ad val.
1006	Gill nettings, nets, webs, and seines, and other nets for fishing, wholly or in chief value of flax, hemp, or ramie, and not specially provided for	25% ad val.
1008	Woven fabrics, wholly of jute, not specially provided for:	
	Not bleached, printed, stenciled, painted, dyed, colored, or rendered noninflammable	1/2¢ per lb.
	Bleached, printed, stenciled, painted, dyed, colored, or rendered noninflammable	1/2¢ per lb. and 5% ad val.
1009(a)	Woven fabrics, not including articles finished or unfinished, of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value (except such as are commonly used as paddings or interlinings in clothing), exceeding thirty and not exceeding one hundred threads to the square inch, counting the warp and filling, weighing not less than four and not more than twelve ounces per square yard, and exceeding twelve inches but not exceeding thirty-six inches in width	40% ad val.
1009(b)	Woven fabrics, such as are commonly used for paddings or interlinings in clothing:	
	Wholly or in chief value of flax, or hemp, or of which these substances or either of them is the component material of chief value, exceeding thirty and not exceeding one hundred and twenty threads to the square inch, counting the warp and filling, and weighing not less than four and one-half and not more than twelve ounces per square yard	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1009(b) con.	Woven fabrics, such as are commonly used for paddings, etc.: (continued)	
	Wholly or in chief value of jute, exceeding thirty threads to the square inch, counting the warp and filling, and weighing not less than four and one-half ounces and not more than twelve ounces per square yard	15% ad val.
1009(c)	Woven fabrics, in the piece or otherwise, wholly or in chief value of vegetable fiber, except cotton, filled, coated, or otherwise prepared for use as artists' canvas	15% ad val.
1010	Woven fabrics, not including articles finished or unfinished, of flax, hemp, ramie, or other vegetable fiber, except cotton, or of which these substances or any of them is the component material of chief value, not specially provided for	10% ad val.
1011	Plain-woven fabrics, not including articles finished or unfinished, wholly or in chief value of flax, hemp, ramie, or other vegetable fiber, except cotton, weighing less than four ounces per square yard	10% ad val.
1012	Pile fabrics, whether or not the pile covers the entire surface, wholly or in chief value of vegetable fiber, except cotton, and all articles, finished or unfinished, made or cut from such pile fabrics; all the foregoing, whether the pile is wholly cut, wholly uncut, or partly cut	15% ad val.
1013	Table damask, wholly or in chief value of vegetable fiber, except cotton, and all articles, finished or unfinished, made or cut from such damask:	
	Wholly or in chief value of flax	15% ad val.
	Other	22-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1014	Towels and napkins, finished or unfinished, wholly or in chief value of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value:	
	Not exceeding one hundred and twenty threads to the square inch, counting the warp and filling:	
	Towels:	
	Exceeding one hundred threads to the square inch, counting the warp and filling.....	30% ad val.
	Other.....	40% ad val.
	Napkins:	
	Wholly or in chief value of flax	15% ad val.
	Other.....	27-1/2% ad val.
	Exceeding one hundred and twenty threads to the square inch, counting the warp and filling:	
	Wholly or in chief value of flax:	
	Towels.....	10% ad val.
	Napkins.....	15% ad val.
	Other.....	20% ad val.
1014	Sheets and pillowcases, wholly or in chief value of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value.....	12-1/2% ad val.
1015	Fabrics, with fast edges, not exceeding twelve inches in width, and articles made therefrom (except webbing wholly or in chief value of jute); tubings, garters, suspenders, braces, cords, tassels, and cords and tassels; all the foregoing, wholly or in chief value of vegetable fiber, except cotton, or of vegetable fiber, except cotton, and india rubber..	17-1/2% ad val.
1015	Tapes, wholly or in part of flax, woven with or without metal threads, on reels, spools, or otherwise, and designed expressly for use in the manufacture of measuring tapes.....	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1016	Handkerchiefs, wholly or in chief value of vegetable fiber, except cotton, finished or unfinished:	
	Not hemmed.....	10% ad val.
	Hemmed or hemstitched, or unfinished having drawn threads.....	25% ad val.
	Provided, That any of the foregoing made with hand rolled or hand made hems shall be subject to duty at.....	30% ad val. and 1¢ each
1017	Clothing, and articles of wearing apparel of every description, wholly or in chief value of vegetable fiber, except cotton, and whether manufactured wholly or in part, not specially provided for.....	20% ad val.
1017	Shirt collars and cuffs, wholly or in part of flax	10¢ per doz. and 2-1/2% ad val.
1018	Bags or sacks made from plain-woven fabrics of single jute yarns or from twilled or other fabrics wholly of jute:	
	Not bleached, printed, stenciled, painted, dyed, colored, or rendered noninflamable .	1/2¢ per lb. and 5% ad val.
	Bleached, printed, stenciled, painted, dyed, colored, or rendered noninflamable.....	1/2¢ per lb. and 7-1/2% ad val.
1019	Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, composed of single yarns made of jute, jute butts, or other vegetable fiber, not bleached, dyed, colored, stained, painted, or printed, not exceeding sixteen threads to the square inch, counting the warp and filling:	
	Weighing not less than fifteen ounces nor more than thirty-two ounces per square yard.....	6/10¢ per sq.yd.
	Weighing more than thirty-two ounces per square yard.....	3/10¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1020	Linoleum:	
	Inlaid	25% ad val.
	All other, including corticine and cork carpet	15% ad val.
1020	Floor oilcloth	10% ad val.
1020	Mats or rugs made of linoleum or floor oilcloth	The same rates of duty as above specified for linoleum and floor oilcloth
1021	Common China, Japan, and India straw matting, and floor coverings made therefrom	1-1/2¢ per sq.yd.
1021	Carpets, carpeting, mats, matting, and rugs, wholly or in chief value of flax, hemp, or jute, or a mixture thereof	17-1/2% ad val.
1021	All other floor coverings not specially provided for:	
	Felt-base	12-1/2% ad val.
	Other	20% ad val.
1022	Matting and articles made therefrom, wholly or in chief value of cocoa fiber or rattan	5¢ per sq. yd.
1022	Pile mats and floor coverings:	
	Wholly or in chief value of cocoa fiber	10¢ per sq.ft.
	Wholly or in chief value of rattan	4¢ per sq.ft.
1023	All manufactures, wholly or in chief value of vegetable fiber, except cotton, not specially provided for	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1101(a)	Wools: Donskoi, Smyrna, Cordova, Valparaiso, Ecuadorean, Syrian, Aleppo, Georgian, Turkestan, Arabian, Bagdad, Persian, Sistan, East Indian, Thibetan, Chinese, Manchurian, Mongolian, Egyptian, Sudan, Cyprus, Sardinian, Pyrenean, Oporto, Iceland, Scotch Blackface, Black Spanish, Kerry, Haslock, and Welsh Mountain; similar wools without merino or English blood; all other wools of whatever blood or origin not finer than 40s; all the foregoing:	
	In the grease or washed	13¢ per lb. of clean content
	Scoured	16¢ per lb. of clean content
	On the skin	11¢ per lb. of clean content
	Sorted, or matchings, if not scoured	14¢ per lb. of clean content
1101(a)	Hair of the camel:	
	In the grease or washed	12¢ per lb. of clean content
	Scoured	13-1/2¢ per lb. of clean content
	On the skin	11¢ per lb. of clean content
	Sorted, or matchings, if not scoured	12-1/2¢ per lb. of clean content

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1101(b)	Any of the foregoing wools and hair entered, or withdrawn from warehouse, under bond and used only in the manufacture of press cloth, camel's hair belting, knit or felt boots, heavy fulled lumbermen's socks, rugs, carpets, or any other floor coverings.....	Free, subject to the provisions of paragraph 1101(b), Tariff Act of 1930, as amended[1]
1102(a)	Wools, not specially provided for, not finer than 44s:	
	In the grease or washed	17¢ per lb. of clean content
	Scoured	20¢ per lb. of clean content
	On the skin	15¢ per lb. of clean content
	Sorted, or matchings, if not scoured.....	18¢ per lb. of clean content

[1] [46 Stat. 647; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1102(b)	Wools, not specially provided for:	
	In the grease or washed	25-1/2¢ per lb. of clean content
	Scoured	27-3/4¢ per lb. of clean content
	On the skin	24¢ per lb. of clean content
	Sorted, or matchings, if not scoured.	26-1/4¢ per lb. of clean content
	NOTE: In the event that the rate of 25-1/2 cents per pound of clean content specified in this item for wools, not specially provided for, in the grease or washed, is superseded by any different rate, the specific part of each rate of duty provided for in items 1106, 1107, 1108, 1109(a), 1109(b), 1110, 1111, 1112, 1113, 1114(a), 1114(b), 1114(c), 1114(d), 1115(a), and 1119 of this Part, insofar as it applies to articles wholly or in chief value of wool of sheep, shall be modified to an amount (calculated to the nearest cent per pound) having the same ratio to the amount of the specific part of the rate stated in this Part as the ratio of such superseding rate to the said 25-1/2-cent rate. All such modified rates thus calculated shall be effective on and after the	

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1102(b) con.	Wools, not specially provided for: (continued)	
	NOTE: (continued) day the superseding rate becomes applicable in lieu of the rate of 25-1/2 cents per pound of clean content prescribed in this item, and shall remain in effect thereafter with respect to products provided for in the items specified above so long as such superseding rate is applicable to wools, not specially provided for, in the grease or washed.	
1102(b)	Hair of the Angora goat:	
	In the grease or washed	22¢ per lb. of clean content
	Scoured	25¢ per lb. of clean content
	On the skin	26¢ per lb of clean content
	Sorted, or matchings, if not scoured	23¢ per lb. of clean content

SCHEDULE XX - UNITED STATES OF AMERICA

PART I (Continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
1102(b)	Hair of the Angora rabbit and other animal hair provided for in paragraph 1102(b), Tariff Act of 1930 (except hair of the Angora goat, Cashmere goat, alpaca, llama, and vicuna):	
	In the grease or washed	34¢ per lb. of clean content
	Scoured	37¢ per lb. of clean content
	On the skin	32¢ per lb. of clean content
	Sorted, or matchings, if not scoured	35¢ per lb. of clean content
1105(a) and (b)	Wool and hair wastes:	
	Top waste, slubbing waste, roving waste, and ring waste	28¢ per lb.
	Garnetted waste	14-1/2¢ per lb.
	Noils, carbonized	17¢ per lb.
	Noils, not carbonized	12¢ per lb.
	Thread or yarn waste	11-1/2¢ per lb.
	Card or burr waste, carbonized	14-1/2¢ per lb.
	Card or burr waste, not carbonized	10-1/2¢ per lb.
	Wool wastes not specially provided for	10-1/2¢ per lb.
	Shoddy, and wool extract	14¢ per lb.
	Mungo	9¢ per lb.
	Wool rags	9¢ per lb.
	Flocks	3-1/2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1106	Wool, and hair of the kinds provided for in Schedule 11, Tariff Act of 1930, [1] if carbonized, or advanced in any manner or by any process of manufacture beyond the washed or scoured condition, including tops, but not further advanced than roving:	
	Carbonized only	27-3/4¢ per lb. and 6-1/4% ad val.
	Other	27-3/4¢ per lb. and 12-1/2% ad val.
1107	Yarn, wholly or in chief value of wool, regardless of value:	
	Wholly or in chief value of Angora rabbit hair	40¢ per lb. and 15% ad val.
	Other	30¢ per lb. and 20% ad val.

[1] [46 Stat. 646; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1108	Woven fabrics, weighing not more than four ounces per square yard, wholly or in chief value of wool, regardless of value:	
	If the warp is wholly of cotton or other vegetable fiber	30¢ per lb. and 25% ad val.
	Other	37-1/2¢ per lb. and 25% ad val.
	NOTE: The United States reserves the right to increase the ad valorem part of the rate applicable to any of the fabrics provided for in item 1108 or 1109(a) of this Part to 45 per centum ad valorem on any of such fabrics which are entered in any calendar year in excess of an aggregate quantity by weight of 5 per centum of the average annual production of similar fabrics in the United States during the 3 immediately preceding calendar years	
1109(a)	Woven fabrics, weighing more than four ounces per square yard, wholly or in chief value of wool, regardless of value	37-1/2¢ per lb. and 25% ad val.
1109(b)	Felts, belts, blankets, jackets, or other articles of machine clothing, for paper-making, printing, or other machines, when woven, wholly or in chief value of wool, as units or in the piece, finished or unfinished	37-1/2¢ per lb. and 20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1110	Pile fabrics, whether or not the pile covers the entire surface, wholly or in chief value of wool, and all articles, finished or unfinished, made or cut from such pile fabrics; all the foregoing, whether the pile is wholly cut, wholly uncut, or partly cut	33¢ per lb. and 25% ad val.
1111	Blankets, and similar articles (including carriage and automobile robes and steamer rugs), made as units or in the piece, finished or unfinished, wholly or in chief value of wool, not exceeding three yards in length; all the foregoing which are not hand-woven, regardless of value	30¢ per lb. and 30% ad val.
1112	Felts, not woven, wholly or in chief value of wool:	
	Valued at not more than $1.50 per pound	22-1/2¢ per lb. and 20% ad val.
	Valued at more than $1.50 per pound.	30¢ per lb. and 20% ad val.
1113	Fabrics, with fast edges, not exceeding twelve inches in width, and articles made therefrom; tubings, garters, suspenders, braces, cords, and cords and tassels; all the foregoing, wholly or in chief value of wool	37-1/2¢ per lb. and 20% ad val.
1114(a)	Knit fabric, in the piece, wholly or in chief value of wool:	
	Valued at not more than $1 per pound	25¢ per lb. and 20% ad val.
	Valued at more than $1 per pound	37-1/2¢ per lb. and 20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1114(b)	Hose and half-hose, finished or unfinished, wholly or in chief value of wool:	
	Valued at not more than $1.75 per dozen pairs	30¢ per lb. and 20% ad val.
	Valued at more than $1.75 per dozen pairs	37-1/2¢ per lb. and 20% ad val.
1114(b)	Gloves and mittens, finished or unfinished, wholly or in chief value of wool:	
	Valued at not more than $1.75 per dozen pairs:	
	Knit	30¢ per lb. and 17-1/2% ad val.
	NOTE: The value per dozen pairs and the ad valorem duty for the foregoing gloves and mittens are to be calculated on the bases specified in the proclamation published in T.D. 48183.	
	Other	30¢ per lb. and 17-1/2 % ad val.
	Valued at more than $1.75 and not more than $4 per dozen pairs	37-1/2¢ per lb. and 50% ad val.
	Valued at more than $4 per dozen pairs	37-1/2¢ per lb. and 25% ad val.
1114(c)	Knit underwear, finished or unfinished, wholly or in chief value of wool:	
	Valued at not more than $1.75 per pound	30¢ per lb. and 20% ad val.
	Valued at more than $1.75 per pound .	37-1/2¢ per lb. and 20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1114(c)	Outerwear and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of wool, and not specially provided for:	
	Valued at not more than $2 per pound:	
	Hats, bonnets, caps, berets, and similar articles	33¢ per lb. and 22-1/2% ad val.
	Other	33¢ per lb. and 45% ad val.
	Valued at more than $2 per pound:	
	Infants' outerwear, made or cut from Jersey fabric knit in plain stitch on a circular machine	37-1/2¢ per lb. and 25% ad val.
	Other infants' outerwear	37-1/2¢ per lb. and 37-1/2% ad val.
	Hats, bonnets, caps, berets, and similar articles (not including infants' outerwear).....	37-1/2¢ per lb. and 25% ad val.
	Other outerwear and other articles:	
	Valued at not more than $5 per pound	37-1/2¢ per lb. and 30% ad val.
	Valued at more than $5 per pound	37-1/2¢ per lb. and 20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1115(a)	Clothing and articles of wearing apparel of every description, not knit or crocheted, manufactured wholly or in part, wholly or in chief value of wool:	
	Valued at not more than $4 per pound	25¢ per lb. and 25% ad val.
	Valued at more than $4 per pound ...	37-1/2¢ per lb. and 25% ad val.
1115(b)	Bodies, hoods, forms, and shapes, for hats, bonnets, caps, berets, and similar articles, wholly or in chief value of wool but not knit or crocheted nor made in chief value of knit, crocheted, or woven material; all the foregoing, if blocked or trimmed (including finished hats, bonnets, caps, berets, and similar articles):	
	Valued at not more than $12 per dozen	30¢ per lb. and 40% ad val., and, in addition, 8¢ per article
	Valued at more than $12 per dozen ..	30¢ per lb. and 30% ad val., and, in addition, 8¢ per article

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1116(a)	Oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom, plain or figured, whether woven as separate carpets, rugs, or mats, or in rolls of any width	15¢ per sq. ft., but not less than 22-1/2% ad val.
1116(b)	Carpets, rugs, and mats, of oriental weave or weaves, made on a power-driven loom; chenille Axminster carpets, rugs, and mats; all the foregoing, plain or figured, whether woven as separate carpets, rugs, or mats, or in rolls of any width	30% ad val.
1117(a)	Axminster carpets, rugs, and mats, not specially provided for; Brussels carpets, rugs, and mats; velvet or tapestry carpets, rugs, and mats; and carpets, rugs, and mats, of like character or description; all the foregoing, regardless of value	30% ad val.
1117(a)	Wilton carpets, rugs, and mats, and carpets, rugs, and mats of like character or description; all the foregoing, valued at more than 40 cents per square foot	30% ad val.
1117(c)	Floor coverings, including mats and druggets, wholly or in chief value of wool, not specially provided for:	
	If wholly or in chief value of hair of the Angora goat, regardless of value	25% ad val.
	Other:	
	Valued at not more than 40 cents per square foot	15% ad val.
	Valued at more than 40 cents per square foot	40% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1118	Screens, hassocks, and all other articles, composed wholly or in part of carpets, rugs, or mats, and not specially provided for	15% ad val.
1119	Tapestries and upholstery goods (not including pile fabrics), in the piece or otherwise, wholly or in chief value of wool	37-1/2¢ per lb. and 25% ad val.
1120	Manufactures, wholly or in chief value of wool, not specially provided for:	
	Cloth samples measuring not more than 104 square inches in area ..	12-1/2% ad val.
	All other	40% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1205	Woven fabrics in the piece, the fibers of which are wholly of silk, bleached, printed, dyed, or colored, whether or not exceeding thirty inches in width, whether woven with fast or split edges, and whether or not Jacquard-figured; all the foregoing valued at more than $5.50 per pound	25% ad val.
1205	Woven fabrics in the piece, the fibers of which are chiefly but not wholly of silk, bleached, printed, dyed, or colored, whether or not exceeding thirty inches in width, and whether woven with fast or split edges, including umbrella silk or Gloria cloth; all the foregoing valued at more than $5 per pound:	
	Jacquard-figured	35% ad val.
	Other	30% ad val.
1206 (1),(2), and (3)	Pile fabrics (including pile ribbons), whether or not the pile covers the entire surface, wholly or in chief value of silk, and all articles, finished or unfinished, made or cut from such pile fabrics; all the foregoing, whether the pile is wholly cut, wholly uncut, or partly cut	25% ad val.
1207	Fabrics, with fast edges, not exceeding twelve inches in width, and articles made therefrom; tubings, cords, tassels, and cords and tassels; all the foregoing wholly or in chief value of silk or of silk and india rubber, and not specially provided for, whether or not Jacquard-figured	25% ad val.
1207	Garters, suspenders, and braces, wholly or in chief value of silk or of silk and india rubber, and not specially provided for, whether or not Jacquard-figured	20% ad val.
1208	Knit fabric, in the piece, wholly or in chief value of silk	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1208	Gloves and mittens, knit or crocheted, finished or unfinished, wholly or in chief value of silk	$1.50 per doz. pairs, but not less than 30% nor more than 60% ad val.
1208	Hose, half-hose, underwear, outerwear (not including gloves or mittens), and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of silk	30% ad val.
1209	Handkerchiefs and woven mufflers, wholly or in chief value of silk, finished or unfinished, and valued at more than $5 per dozen:	
	Not hemmed	25% ad val.
	Hemmed or hemstitched	27-1/2% ad val.
1210	Clothing and articles of wearing apparel of every description, manufactured wholly or in part, wholly or in chief value of silk, and not specially provided for	35% ad val.
1211	All manufactures, wholly or in chief value of silk, not specially provided for	35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1301	Yarns of rayon or other synthetic textile:	
	Weighing one hundred and fifty deniers or more per length of four hundred and fifty meters:	
	Singles, not specially provided for	22-1/2% ad val., but not less than 22-1/2¢ per lb.
	Plied	25% ad val., but not less than 27-1/2¢ per lb.
	Weighing less than one hundred and fifty deniers per length of four hundred and fifty meters:	
	Singles, not specially provided for	27-1/2% ad val., but not less than 32-1/2¢ per lb.
	Plied	30% ad val., but not less than 37-1/2¢ per lb.
	Any of the foregoing yarns if having more than twenty turns twist per inch	The respective rate specified above and 22-1/2¢ per lb. in addition, but not less than the respective minimum rate specified above plus 22-1/2¢ per lb.
	NOTE: Except as indicated in this item, none of the foregoing shall be subject to any additional or cumulative rate of duty by reason of any provision of paragraph 1301, Tariff Act of 1930.	
1302	Waste of rayon or other synthetic textile, except waste wholly or in chief value of cellulose acetate	5% ad val.
1302	Filaments of rayon or other synthetic textile, not exceeding thirty inches in length, other than waste, whether known as cut fiber, staple fiber, or by any other name	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
1302	Noils of rayon or other synthetic textile	12-1/2% ad val.
1302	Garnetted or carded rayon or other synthetic textile	5¢ per lb. and 12-1/2% ad val.
1302	Sliver, tops, and roving, of rayon or other synthetic textile	5¢ per lb. and 15% ad val.
1303	Spun yarn of rayon or other synthetic textile:	
	If singles	6-1/4¢ per lb. and 22-1/2% ad val.
	If plied	6-1/4¢ per lb. and 25% ad val.
1304	Yarn of rayon or other synthetic textile put up for handwork, and sewing thread of rayon or other synthetic textile	30% ad val., but not less than 27-1/2¢ per lb.
1305	Rayon or other synthetic textile in bands or strips not exceeding one inch in width, suitable for the manufacture of textiles	25% ad val., but not less than 27-1/2¢ per lb.
1306	Woven fabrics in the piece, wholly or in chief value of rayon or other synthetic textile, not specially provided for, whether or not Jacquard-figured:	
	Valued at not more than $4 per pound	27-1/2¢ per lb. and 45% ad val.
	Valued at more than $4 per pound	27-1/2¢ per lb. and 22-1/2% ad val.
1307	Pile fabrics (including pile ribbons), whether or not the pile covers the entire surface, wholly or in chief value of rayon or other synthetic textile, and all articles, finished or unfinished, made or cut from such pile fabrics; all the foregoing, whether the pile is wholly cut, wholly uncut, or partly cut	15¢ per lb. and 25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1308	Fabrics, with fast edges, not exceeding twelve inches in width, and articles made therefrom; tubings, garters, suspenders, braces, cords, tassels, and cords and tassels; all the foregoing wholly or in chief value of rayon or other synthetic textile, or of rayon or other synthetic textile and india rubber, and not specially provided for, whether or not Jacquard-figured ...	27-1/2¢ per lb. and 25% ad val.
1309	Knit fabric, in the piece, wholly or in chief value of rayon or other synthetic textile	27-1/2¢ per lb. and 30% ad val.
1309	Gloves and mittens, knit or crocheted, finished or unfinished, wholly or in chief value of rayon or other synthetic textile:	
	Valued at less than $1.50 per dozen pairs	27-1/2¢ per lb. and 65% ad val.
	Valued at $1.50 or more per dozen pairs	27-1/2¢ per lb. and 32-1/2% ad val.
1309	Hose, half-hose, underwear, outerwear (not including gloves or mittens), and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of rayon or other synthetic textile	27-1/2¢ per lb. and 35% ad val.
1310	Handkerchiefs and woven mufflers, wholly or in chief value of rayon or other synthetic textile, finished or unfinished:	
	Not hemmed	27-1/2¢ per lb. and 60% ad val.
	Hemmed or hemstitched	27-1/2¢ per lb. and 65% ad val.
1311	Clothing and articles of wearing apparel of every description, manufactured wholly or in part, wholly or in chief value of rayon or other synthetic textile, and not specially provided for ..	27-1/2¢ per lb. and 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1312	Manufactures of filaments, fibers, yarns, or threads, of rayon or other synthetic textile, and textile products made of bands or strips (not exceeding one inch in width) of rayon or other synthetic textile, all the foregoing, wholly or in chief value of rayon or other synthetic textile, not specially provided for	27-1/2¢ per lb. and 35% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1401	Uncoated papers commonly or commercially known as book paper, and all uncoated printing paper, not specially provided for, not including cover paper.....	1/5¢ per lb. and 5% ad val.
1402	Pulpboard, strawboard, and leather board or compress leather, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat lined, embossed, printed, decorated or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for:	
	Pulpboard in rolls for use in the manufacture of wallboard, and strawboard.....	5% ad val.
	Leather board or compress leather.....	10% ad val.
1402	Sheathing paper, roofing paper, deadening felt, sheathing felt, roofing felt or felt roofing, whether or not saturated or coated.....	5% ad val.
1403	Manufactures of pulp, not specially provided for..	15% ad val.
1404	Papers commonly or commercially known as tissue paper, stereotype paper, and copying paper (except copying paper valued at more than 15 cents per pound), india and bible paper, condenser paper, carbon paper, coated or uncoated, bibulous paper (except bibulous paper valued at more than 15 cents per pound), pottery paper, tissue paper for waxing, and all paper similar to any of the foregoing, not specially provided for, colored, or uncolored, white or printed:	
	Weighing not over six pounds to the ream, and whether in sheets or any other form....	3¢ per lb. and 10% ad val.
	Weighing over six pounds and less than ten pounds to the ream	2-1/2¢ per lb. and 7-1/2% ad val.
1404	India and bible paper weighing ten pounds or more and less than twenty and one-half pounds to the ream.....	2¢ per lb. and 5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1404	Crepe paper, commonly or commercially so known, including paper creped or partly creped in any manner:	
	Valued at not more than 12-1/2 cents per pound.....	1-1/2¢ per lb. and 3-3/4% ad val.
	Valued at more than 12-1/2 cents per pound...	3¢ per lb. and 7-1/2% ad val.
1404	Paper wadding, and pulp wadding, and manufactures of such wadding.....	6¢ per lb. and 7-1/2% ad val.
1405	Papers with coated surface or surfaces, not specially provided for.....	2-1/2¢ per lb. and 7-1/2% ad val.
1405	Papers with coated surface or surfaces, embossed or printed otherwise than lithographically, and papers wholly or partly covered with metal or its solutions (however provided for in paragraph 1405, Tariff Act of 1930), or with gelatin, linseed oil cement, or flock; uncoated papers, including wrapping paper, with the surface or surfaces wholly or partly decorated or covered with a design, fancy effect, pattern, or character, except designs, fancy effects, patterns, or characters produced on a paper machine without attachments, or produced by lithographic process; any of the foregoing, whether or not embossed, whether or not printed otherwise than lithographically, and whether or not wholly or partly covered with metal or its solutions, or with gelatin or flock.....	4-1/2¢ per lb. and 10% ad val.
1405	Simplex decalcomania paper not printed.....	1-1/4¢ per lb. and 5% ad val.
1405	Papers with paraffin or wax-coated surface or surfaces.....	1-1/2¢ per lb. and 10% ad val.
1405	Vegetable parchment paper.....	1¢ per lb. and 5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1405	Bags, printed matter other than lithographic, and all other articles, not specially provided for, which are dutiable under paragraph 1405, Tariff Act of 1930, by reason of being composed wholly or in chief value of any paper specified in that paragraph:	
	Printed matter other than lithographic	4-1/2¢ per lb. and 10% ad val.
	Bags and other articles	5¢ per lb. and 10% ad val.
1405	All boxes of paper or papier-mache or wood provided for in paragraph 1405, Tariff Act of 1930:	
	Covered or lined with paper, but not covered or lined with cotton or other vegetable fiber	5¢ per lb. and 5% ad val.
	Covered or lined with cotton or other vegetable fiber	5¢ per lb. and 10% ad val.
1405	Plain basic paper ordinarily used in the manufacture of paper commonly or commercially known either as blue print or brown print, and plain basic paper ordinarily used for similar purposes	10% ad val.
1405	Sensitized paper commonly or commercially known either as blue print or brown print, and similar sensitized paper	12-1/2% ad val.
1405	Unsensitized basic paper, to be sensitized for use in photography	5% ad val.
1405	Sensitized paper, to be used in photography	12% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1406	Pictures, calendars, cards, placards, and other articles (not including labels, flaps, and cigar bands), composed wholly or in chief value of paper lithographically printed in whole or in part from stone, gelatin, metal, or other material (except boxes, views of American scenery or objects, and music, and illustrations when forming part of a periodical or newspaper, or of bound or unbound books, accompanying the same), not specially provided for:	
	Transparencies, printed lithographically or otherwise:	
	In not more than five printings (bronze printing to be counted as two printings).....	15% ad val.
	In more than five printings (bronze printing to be counted as two printings)..	20% ad val.
	Decalcomanias (except toy decalcomanias and decalcomanias in ceramic colors):	
	If not backed with metal leaf.....	20¢ per lb.
	If backed with metal leaf.....	32-1/2¢ per lb.
1406	All articles provided for in the provisions of paragraph 1406, Tariff Act of 1930, for "all articles other than those hereinbefore specifically provided for in this paragraph":	
	Not exceeding twelve one-thousandths of one inch in thickness.....	15¢ per lb.
	Exceeding twenty one-thousandths of one inch in thickness.....	5¢ per lb.
1407(a)	Correspondence cards, writing, letter, and note paper; all the foregoing weighing eight pounds or over per ream:	
	Not ruled, bordered, embossed, printed, lined, or decorated in any manner:	
	In rolls, or in sheets one hundred and ten square inches or more in area.....	1-1/2¢ per lb. and 7-1/2% ad val.
	In sheets less than one hundred and ten square inches in area.....	1-1/2¢ per lb. and 10% ad val.

SCHEDULE XX - UNITED STAT OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1407(a) con.	Correspondence cards, etc.: (continued)	
	Ruled, bordered, embossed, printed, lined, or decorated in any manner, whether in the pulp or otherwise, other than by lithographic process:	
	In rolls, or in sheets one hundred and ten square inches or more in area ..	1-1/2¢ per lb. and 12-1/2% ad val.
	In sheets less than one hundred and ten square inches in area	1-1/2¢ per lb. and 15% ad val.
1407(a)	Drawing paper, weighing eight pounds or over per ream and valued at 40 cents or more per pound:	
	Not ruled, bordered, embossed, printed, lined, or decorated in any manner	1¢ per lb. and 5% ad val.
	Ruled, bordered, embossed, printed, lined, or decorated in any manner, whether in the pulp or otherwise, other than by lithographic process	1¢ per lb. and 10% ad val.
1407(a)	Handmade paper, and paper commonly or commercially known as handmade or machine handmade paper; all the foregoing weighing eight pounds or over per ream:	
	Not ruled, bordered, embossed, printed, lined, or decorated in any manner	1-1/2¢ per lb. and 7-1/2% ad val.
	Ruled, bordered, embossed, printed, lined, or decorated in any manner, whether in the pulp or otherwise, other than by lithographic process	1-1/2¢ per lb. and 12-1/2% ad val.
1407(a)	Bristol board of the kinds made on a Fourdrinier or a multicylinder machine, weighing eight pounds or over per ream:	
	Not ruled, bordered, embossed, printed, lined, or decorated in any manner:	
	Valued at not more than 15 cents per pound	1-1/2¢ per lb. and 5% ad val.
	Valued at more than 15 cents per pound	1-1/2¢ per lb. and 7-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1407(a) con.	Bristol board of the kinds made on a Fourdrinier or a multicylinder machine, etc.: (continued)	
	Ruled, bordered, embossed, printed, lined, or decorated in any manner, whether in the pulp or otherwise, other than by lithographic process:	
	Valued at not more than 15 cents per pound	1-1/2¢ per lb. and 10% ad val.
	Valued at more than 15 cents per pound .	1-1/2¢ per lb. and 12-1/2% ad val.
1407(a)	Japan paper and imitation japan paper by whatever name known, ledger, bond, record, tablet, typewriter, manifold, onionskin, and imitation onionskin paper, and paper similar to any of the papers specified in paragraph 1407(a), Tariff Act of 1930 (except paper valued at less than 40 cents per pound and similar to drawing paper); all the foregoing weighing eight pounds or over per ream:	
	Not ruled, bordered, embossed, printed, lined, or decorated in any manner	1-1/2¢ per lb. and 7-1/2% ad val.
	Ruled, bordered, embossed, printed, lined, or decorated in any manner, whether in the pulp or otherwise, other than by lithographic process	1-1/2¢ per lb. and 12-1/2% ad val.
1407(b)	Papeteries	15% ad val.
1408	Paper envelopes, filled or unfilled, whether the contents are dutiable or free, not specially provided for	The same rate of duty as the paper from which made and in addition thereto:
	If plain	2-1/2% ad val.
	If bordered, embossed, printed, tinted, decorated, or lined	5% ad val.
	If lithographed	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1409	Hanging paper:	
	Not printed, lithographed, dyed, or colored....	7-1/2 % ad val.
	Printed, lithographed, dyed, or colored	1¢ per lb. and 10% ad val.
1409	Strawboard and straw paper, including such as is known as wrapping paper; any of the foregoing less than 0.012 but not less than 0.008 inch in thickness, not specially provided for	7-1/2% ad val.
1409	Blotting paper	7-1/2% ad val.
1409	Filtering paper:	
	Valued at less than 75 cents per pound	5¢ per lb. and 15% ad val.
	Valued at 75 cents or more per pound	2-1/2¢ per lb. and 7-1/2% ad val.
1409	Paper commonly or commercially known as cover paper, plain, uncoated, and undecorated	15% ad val.
1409	Stencil paper, unmounted, not specially provided for	15% ad val.
1410	Unbound books of all kinds, bound books of all kinds except those bound wholly or in part in leather, sheets or printed pages of books bound wholly or in part in leather, pamphlets, music in books or sheets, and printed matter, all the foregoing not specially provided for:	
	If of bona fide foreign authorship:	
	Prayer books, and sheets or printed pages of prayer books bound wholly or in part in leather	4% ad val.
	Tourist literature containing historical, geographic, time-table, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States	3-3/4% ad val.
	Other (except diaries)	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1410 con.	Unbound books of all kinds, etc.:(continued)	
	If of other than bona fide foreign authorship:	
	Prayer books, and sheets or printed pages of prayer books bound wholly or in part in leather	7-1/2% ad val.
	Tourist literature containing historical geographic, time-table, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States	6-1/4% ad val.
	Other books (except diaries), sheets or printed pages of books bound wholly or in part in leather, pamphlets, and music in books or sheets	10% ad val.
	Printed matter not specially provided for	15% ad val.
1410	Blank books and slate books (except diaries, notebooks, and address books), not specially provided for	12-1/2% ad val.
1410	Drawings, engravings, photographs, etchings, maps, and charts:	
	Containing additional text conveying historical, geographic, time-table, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States	6-1/4% ad val.
	Other	12-1/2% ad val.
1410	Book bindings (not including covers) wholly or in part of leather, not specially provided for	7-1/2% ad val.
1410	Books of paper or other material for children's use, printed lithographically or otherwise, not exceeding in weight twenty-four ounces each, with reading matter other than letters, numerals, or descriptive words	7-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1410	Greeting cards, valentines, tally cards, place cards, and all other social and gift cards, including folders, booklets and cutouts, or in any other form, wholly or partly manufactured:	
	With greeting, title or other wording	22-1/2% ad val.
	Without greeting, title or other wording	15% ad val.
1411	Photograph, autograph, scrap, post-card and postage-stamp albums, and albums for phonograph records, wholly or partly manufactured ...	20% ad val.
1412	Playing cards	5¢ per pack and 5% ad val.
1413	Papers and paper board and pulpboard, including cardboard and leatherboard or compress leather, embossed, cut, die-cut, or stamped into designs or shapes, such as initials, monograms, lace, borders, bands, strips, or other forms, or cut or shaped for boxes or other articles, plain or printed, but not lithographed, and not specially provided for	15% ad val.
1413	Paper board and pulpboard, including cardboard and leatherboard or compress leather, plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, or decorated or ornamented in any manner:	
	Pulpboard in rolls for use in the manufacture of wallboard, surface stained or dyed, lined or vat-lined, embossed, or printed	10% ad val.
	Other	$7.25 per ton of 2000 lb., but not less than 7-1/2% nor more than 15% ad val.
1413	Press boards and press paper	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1413	Test or container boards of a bursting strength above sixty pounds per square inch by the Mullen or the Webb test	10% ad val.
1413	Wall pockets, composed wholly or in chief value of paper, papier-mache or paper board, whether or not die-cut, embossed, or printed lithographically or otherwise	17-1/2% ad val.
1413	Boxes, composed wholly or in chief value of paper, papier-mache or paper board, and not specially provided for	17-1/2% ad val.
1413	Manufactures of paper, or of which paper is the component material of chief value, not specially provided for: Ribbon fly catchers or fly ribbons	27-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1501(a)	Yarn, slivers, rovings, wick, rope, cord, cloth, tape, and tubing, of asbestos, or of asbestos and any other spinnable fiber, with or without wire, and all manufactures of any of the foregoing	10% ad val.
1501(b)	Molded, pressed, or formed articles, in part of asbestos, containing any binding agent, coating, or filler, other than hydraulic cement or synthetic resin	10% ad val.
1501(c)	Asbestos shingles and articles in part of asbestos, if containing hydraulic cement or hydraulic cement and other material:	
	Not coated, impregnated, decorated, or colored, in any manner	3/10¢ per lb.
	If coated, impregnated, decorated, or colored, in any manner	3/8¢ per lb.
1501(d)	All other manufactures of which asbestos is the component material of chief value	12-1/2% ad val.
1502	Boxing gloves, footballs, tennis balls, golf balls, and all other balls (not including baseballs), of whatever material composed, finished or unfinished, primarily designed for use in physical exercise (whether or not such exercise involves the element of sport), and all clubs, rackets, bats, golf tees, and other equipment, such as is ordinarily used in conjunction with any gloves or balls provided for in paragraph 1502, Tariff Act of 1930, all the foregoing, not specially provided for:	
	Table-tennis balls	20% ad val.
	Footballs and other balls (not including tennis and golf balls) not wholly or in chief value of rubber, field hockey sticks and guards, lacrosse sticks, polo mallets, table-tennis bats, croquet mallets, soccer guards, and tennis nets	10% ad val.
	Tennis rackets	17-1/2% ad val.
	Boxing gloves, lawn-tennis balls, golf balls, and all clubs, rackets, bats, golf tees, and other equipment not otherwise provided for in this item	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1502	Ice and roller skates, and parts thereof	15% ad val.
1503	Spangles, not specially provided for	27-1/2% ad val.
1503	Beads, including bugles, not specially provided for	17-1/2% ad val.
1503	Fabrics and articles not ornamented with beads, spangles, or bugles, nor embroidered, tamboured, appliqued, or scalloped, composed wholly or in chief value of beads or spangles (other than imitation pearl beads, beads in imitation of precious or semiprecious stones, and beads in chief value of synthetic resin)	30% ad val.
	Provided, That for the purpose only of applying the second proviso to paragraph 1503, Tariff Act of 1930, to articles provided for in this item, each rate of duty applicable on January 1, 1945, shall be reduced by 50 per centum of such rate.	
1503	Beads composed in chief value of synthetic resin	37-1/2% ad val.
1503	Beads in imitation of precious or semiprecious stones, of all kinds and shapes, of whatever material composed, not otherwise provided for in paragraph 1503, Tariff Act of 1930	22-1/2% ad val.
1504(a)	Braids, plaits, and laces, composed wholly or in chief value of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, or manila hemp, and braids and plaits, wholly or in chief value of ramie, all the foregoing suitable for making or ornamenting hats, bonnets, or hoods, and not containing a substantial part of rayon or other synthetic textile:	
	Not bleached, dyed, colored, or stained	7-1/2% ad val.
	Bleached, dyed, colored, or stained	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1504(b)(1),(2),(3),and(4)	Hats, bonnets, and hoods, composed wholly or in chief value of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, ramie, or manila hemp, whether wholly or partly manufactured:	
	Not blocked or trimmed:	
	Not bleached, dyed, colored, or stained (except hats and hoods, composed wholly or in chief value of the fiber of the Carludovica palmata, commercially known as toquilla fiber or straw)	15% ad val.
	If bleached, dyed, colored, or stained	25¢ per doz. and 15% ad val.
	Blocked or trimmed, whether or not bleached, dyed, colored, or stained (except men's Yeddo hats composed wholly or in chief value of unsplit straw, blocked but not trimmed)	$2.40 per doz. and 15% ad val.
	If sewed, whether or not blocked, trimmed, bleached, dyed, colored, or stained:	
	If wholly or in chief value of straw, and blocked or trimmed, and valued at $15 or more per dozen	$2 per doz. and 15% ad val.
	Other	$3 per doz. and 25% ad val.
1504(b)(5)	Hats provided for in paragraph 1504, Tariff Act of 1930, if known as harvest hats and valued at less than $3 per dozen and not blocked or trimmed or sewed	6-1/4% ad val.
1505(1) and (2)	Hats, bonnets, and hoods, wholly or in chief value of any braid not provided for in paragraph 1504, Tariff Act of 1930, if such braid is composed of a substantial part of rayon or other synthetic textile, but not wholly or in chief value thereof; all the foregoing, blocked, trimmed, or sewed, whether or not bleached, dyed, colored, or stained	45% ad val.
1506	Brooms, made of broom corn, straw, wooden fiber, or twigs	12-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1506	Tooth brushes, whether or not the handles or backs thereof are composed wholly or in chief value of any product provided for in paragraph 31, Tariff Act of 1930[1]	1¢ each and 25% ad val.
1506	Toilet brushes, ornamented, mounted, or fitted with gold, silver, or platinum, or wholly or partly plated with gold, silver, or platinum, whether or not enameled	15% ad val.
1506	Toilet brushes (except tooth brushes), the handles or backs of which are composed wholly or in chief value of any product other than one provided for in paragraph 31, Tariff Act of 1930, valued at more than 40 cents each	1¢ each and 15% ad val.
1506	Hair pencils in quills or otherwise	2¢ each, but not less than 10% nor more than 40% ad val.
1507	Bristles, sorted, bunched, or prepared	3¢ per lb.
1510	Buttons made in imitation of or similar to pearl or shell buttons (except buttons commonly known as Roman pearl and fancy buttons with a fish-scale or similar to fish-scale finish)	3/4¢ per line per gross and 12-1/2% ad val.
1510	All collar and cuff buttons and studs composed wholly of bone, mother-of-pearl, ivory, vegetable ivory, or agate	22-1/2% ad val.
1510	Buttons not specially provided for:	
	Horn and composition horn	20% ad val.
	Wholly or in chief value of any compound of casein and valued at more than 60 cents per gross; wholly or in chief value of glass; commonly known as Roman pearl; fancy, with a fish-scale or similar to fish-scale finish; wholly or in chief value of wood; or wholly or in part of textile material	22-1/2% ad val.

[1] [46 Stat. 595; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1512	Dice, dominoes, draughts, chessmen, and billiard, pool, and bagatelle balls, and poker chips, of ivory, bone, or other material.....	25% ad val.
1513	Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529(a), Tariff Act of 1930[1].....	45% ad val.
1513	Toys, not specially provided for:	
	Wholly or in chief value of rubber.....	50% ad val.
	In the forms of musical instruments and capable of emitting sound:	
	In the forms of stringed instruments or accordions.....	35% ad val.
	Other.....	50% ad val.
	Figures or images of animate objects, wholly or in chief value of metal:	
	Not having any movable member or part, and valued at 21 cents or more per pound; or having any movable member or part but not having a spring mechanism, and valued at 30 cents or more per pound.....	25% ad val.
	Other.....	35% ad val.
	Model airplane construction sets, wholly or in chief value of metal, valued at 75 cents or more each; construction sets (other than model airplane construction sets), wholly or in chief value of metal, valued at 30 cents or more per pound; stuffed animal figures not having a spring mechanism, not over 6 inches in height and valued at 35 cents or more each, or over 6 inches but not over 11 inches in height and valued at $1 or more each, or over 11 inches but not over 14 inches in height and valued at $2 or more each, or over 14 inches in height and valued at $3.50 or more each; and building blocks or bricks, valued at 8 cents or more per pound.....	25% ad val.

[1] [46 Stat. 665; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of articles	Rate of Duty
1514	Emery, corundum, and garnet, in grains, or ground, pulverized, refined, or manufactured	1/2¢ per lb.
	NOTE: No provision of any item 1514 of this Part shall be applicable to any article containing more than one-tenth of 1 per centum of vanadium, or more than two-tenths of 1 per centum of tungsten, molybdenum, boron, tantalum, columbium or niobium, or uranium, or more than three-tenths of 1 per centum of chromium.	
1514	Artificial abrasives, in grains, or ground, pulverized, refined, or manufactured	1¢ per lb.
1514	Emery wheels, emery files, and manufactures of which emery, corundum, garnet or artificial abrasive is the component material of chief value, not specially provided for	10% ad val.
1514	All papers, cloths, and combinations of paper and cloth, wholly or partly coated with artificial or natural abrasives, or with a combination of natural and artificial abrasives	10% ad val.
1515	Firecrackers:	
	More than five-sixteenths of one inch outside diameter, or more than one and three-quarters inches in length	12-1/2¢ per lb.
	All other	4¢ per lb.
1518	Feathers and downs, on the skin or otherwise:	
	Crude or not dressed, colored, or otherwise advanced or manufactured in any manner, not specially provided for	10% ad val.
	Dressed, colored, or otherwise advanced or manufactured in any manner, including quilts of down and other manufactures of down	20% ad val.
1518	Feather dusters	20% ad val.
1518	Artificial or ornamental feathers suitable for use as millinery ornaments	20% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of articles	Rate of Duty
1518	Artificial or ornamental fruits, vegetables, grasses, grains, leaves, flowers, stems, or parts thereof; and boas, boutonnieres, wreaths, and all articles not specially provided for, composed wholly or in chief value of any of the foregoing:	
	When composed wholly or in chief value of yarns, threads, filaments, tinsel wire, lame, bullions, metal threads, beads, bugles, spangles, or rayon or other synthetic textile	60% ad val.
	When composed wholly or in chief value of other materials and not specially provided for:	
	Artificial flowers composed wholly or in chief value of feathers	30% ad val.
	Other	45% ad val.
1518	Boas, boutonnieres, wreaths, and all articles not specially provided for, composed wholly or in chief value of any of the feathers respecting which a rate of duty is specified in paragraph 1518, Tariff Act of 1930	20% ad val.
1519(a)	Dressed furs and dressed fur skins (except silver or black fox):	
	Coney and rabbit:	
	If not dyed	17-1/2% ad val.
	If dyed	20% ad val.
	Lamb and sheep (not including caracul and Persian lamb):	
	If not dyed	10% ad val.
	If dyed	12-1/2% ad val.
	Caracul and Persian lamb, ermine, lynx, chinchilla, sable, marten, nutria, otter, leopard, kolinsky, beaver, mink, fisher, fox, pony, wolf, ocelot, fitch, and raccoon:	
	If not dyed	7-1/2% ad val.
	If dyed	10% ad val.
	Other:	
	If not dyed	12-1/2% ad val.
	If dyed	15% ad val.
	Provided, That, in the event platinum or platina fox furs are not classifiable as	

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of articles	Rate of Duty
1519(a) con.	Dressed furs and dressed fur skins, etc.:(continued)	
	Provided, (continued) silver or black fox furs, nevertheless the former and products thereof shall not be entitled to any reduction in duty by virtue of this item or item 1519(b) of this Part, and articles wholly or in chief value of platinum or platina fox furs, if provided for in item 1519(e) of this Part, shall be subject to duty at the rate prescribed in such item 1519(e) for articles wholly or in chief value of silver or black fox furs.	
1519(a)	Plates, mats, linings, strips, and crosses of dressed dog, goat, or kid skins:	
	If not dyed	12-1/2% ad val.
	If dyed	15% ad val.
1519(b)	Manufactures of fur (except silver or black fox), further advanced than dressing, prepared for use as material (whether or not joined or sewed together), not including plates, mats, linings, strips, and crosses of dog, goat, and kid skins:	
	Plates, mats, linings, strips, and crosses:	
	If not dyed	17-1/2% ad val.
	If dyed	22-1/2% ad val.
	Other:	
	If not dyed	20% ad val.
	If dyed	25% ad val.
1519(c)	Silver or black fox furs or skins, dressed or undressed, not specially provided for	37-1/2% ad val.
1519(d)	Articles of wearing apparel of every description, wholly or partly manufactured:	
	Composed wholly or in chief value of hides or skins of cattle of the bovine species, and not specially provided for	15% ad val.
	Composed wholly or in chief value of dog, goat, or kid skins, and not specially provided for	17-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1519(e)	Articles, wholly or partly manufactured (including fur collars, fur cuffs, and fur trimmings), wholly or in chief value of fur, not specially provided for:	
	Of silver or black fox fur	37-1/2% ad val.
	Other	25% ad val.
1520	Hatters' furs, or furs not on the skin, prepared for hatters' use, including fur skins carroted	15% ad val.
1521	Fans of all kinds, except common palm-leaf fans	25% ad val.
1523	Human hair, raw	5% ad val.
1523	Human hair tops, roving, and yarns, of which human hair is the component material of chief value	3¢ per lb. and 12-1/2% ad val.
1523	Press cloth, of which human hair is the component material of chief value	4¢ per lb. and 30% ad val.
1523	Press cloth, of which camel's hair is the component material of chief value	20% ad val., but not less than 15¢ per lb.
1523	Hair press cloth, not specially provided for	30% ad val.
1523	Manufactures of human hair, or of which human hair is the component material of chief value, not specially provided for:	
	Nets and nettings	17-1/2% ad val.
	Other	20% ad val.
1524	Hair, curled, suitable for beds or mattresses	5% ad val.
1525	Hair felt, made wholly or in chief value of animal hair, not specially provided for	10% ad val.
1525	Manufactures of hair felt, not specially provided for	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1526(a)	Hats, caps, bonnets, and hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals:	
	Valued at not more than $12 per dozen	55% ad val., but not less than $1.25 per doz.
	Valued at more than $12 and not more than $18 per dozen	47-1/2% ad val.
	Valued at more than $18 and not more than $30 per dozen	40% ad val.
	Valued at more than $30 per dozen	$8 per doz. and 12-1/2% ad val.
	Provided, That none of the foregoing shall be subject to any additional duty under the last clause in paragraph 1526(a), Tariff Act of 1930.	
1526(b)	Men's silk or opera hats, in chief value of silk	$1 each and 20% ad val.
1527(a) (1) and (2)	Jewelry, commonly or commercially so known, finished or unfinished (including parts thereof):	
	Composed wholly or in chief value of gold or platinum, or of which the metal part is wholly or in chief value of gold or platinum	40% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1527(a) (1) and (2) con.	Jewelry, commonly or commercially so known, etc.: (continued)	
	All other, of whatever material composed, valued above 20 cents per dozen pieces ...	55% ad val., but not less than 50% of the amount of duty that would have been payable on January 1, 1945, if the article were not dutiable under paragraph 1527, Tariff Act of 1930[1]
	NOTE: The United States reserves the right to modify the last stated rate of duty, insofar as it applies to jewelry valued at not above $5 per dozen pieces, at any time after the termination of the unlimited national emergency proclaimed on May 27, 1941, upon giving 6 months' notice in writing to the contracting parties; but in no case shall the rate for such jewelry exceed 85 per centum ad valorem, subject to the minimum-duty provision stated in the rate column.	
1527(b)	Rope, curb, cable, and fancy patterns of chain not exceeding one-half inch in diameter, width, or thickness, valued above 30 cents per yard:	
	Of gold or platinum	40% ad val.
	Of any other metal, whether or not plated with gold or platinum	55% ad val.
1527(c) (1) and (2)	Articles valued above 20 cents per dozen pieces, designed to be worn on apparel or carried on or about or attached to the person, such as and including buckles, cardcases, chains, cigar cases, cigar cutters, cigar holders, cigar lighters, cigarette cases, cigarette holders, coin holders, collar, cuff, and dress buttons, combs, match boxes, mesh bags and purses, millinery, military and hair ornaments, pins, powder cases, stamp cases, vanity cases, watch bracelets, and like articles; all the foregoing and parts thereof (except parts valued at less than 20 cents per dozen pieces), finished or unfinished:	
	Composed wholly or in chief value of gold or platinum, or of which the metal part is wholly or in chief value of gold or platinum	40% ad val.

[1] [46 Stat. 664; 19 U. S. C. § 1001.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1527(c) (1) and (2) con.	Articles valued above 20 cents per dozen pieces, etc.: (continued)	
	Composed wholly or in chief value of metal other than gold or platinum (whether or not enameled, washed, covered, or plated, including rolled gold plate), or (if not composed in chief value of metal and if not dutiable under clause (1) of subparagraph (c) of paragraph 1527, Tariff Act of 1930) set with and in chief value of precious or semiprecious stones, pearls, cameos, coral, amber, imitation precious or semi-precious stones, or imitation pearls:	
	Valued at not above $5 per dozen pieces or parts:	
	Ladies' handbags set with and in chief value of rhinestones; buckles; and collar, cuff, and dress buttons	55% ad val.
	Other articles and parts (except cigar and cigarette lighters and parts thereof and mesh bags and parts thereof	65% ad val.
	Valued above $5 per dozen pieces or parts:	
	Cigar and cigarette lighters and parts thereof	55% ad val.
	Other articles and parts (except mesh bags and parts thereof)	45% ad val.
1528	Pearls (other than cultured or cultivated) and parts thereof, drilled or undrilled, but not set or strung (except temporarily)	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1528	Diamonds, coral, cameos, and other precious stones (except sapphires and not including rubies) and semiprecious stones, cut but not set, and suitable for use in the manufacture of jewelry:	
	Diamonds	10% ad val.
	Other	5% ad val.
1528	Imitation precious stones, cut or faceted, imitation semiprecious stones, faceted, marcasites and imitation marcasites	10% ad val.
	NOTE: Synthetic precious or semiprecious stones shall not be entitled to any reduction in duty by virtue of any provision of this Agreement.	
1528	Imitation precious stones, not cut or faceted, imitation semiprecious stones, not faceted, imitation jet buttons, cut, polished or faceted, imitations of opaque precious or semiprecious stones, with flat backs and tops, cut and polished, but not faceted	30% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1529(a)	Lace (except veils and veilings) made on a Levers (including go-through) lace machine, whether or not embroidered, and however provided for in paragraph 1529(a), Tariff Act of 1930:	
	Made full gauge on a machine of 12 point or finer:	
	Wholly or in chief value of cotton or silk	40% ad val.
	Other	45% ad val.
	Not made full gauge on a machine of 12 point or finer:	
	Wholly or in chief value of cotton or rayon or other synthetic textile	75% ad val.
	Wholly or in chief value of silk	65% ad val.
	Other	45% ad val.
	NOTE: The word "laces," wherever used in any item 1529(a) of this Part, means "laces, lace fabrics, or lace articles."	
	The word "ornamented," wherever used in any item 1529(a) of this Part, means "embroidered (whether or not the embroidery is on a scalloped edge), tamboured, appliqued, ornamented with beads, bugles, or spangles, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem."	
	No provision of any item 1529(a) of this Part shall apply to any fabric or article of a class or kind provided for in any item 1529(a) of Schedule II of the trade agreement between the United States and Switzerland, signed January 9, 1936,[1] whether or not such agreement shall be in force; nor shall any provision of any item 1529(a) of this Part apply to lace window curtains.	

[1] [49 Stat. 3950.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1529(a)	Lace (except veils and veilings) made on a bobbinet-Jacquard machine, whether or not embroidered and however provided for in paragraph 1529(a), Tariff Act of 1930	35% ad val.
1529(a)	Lace made on a machine other than a Levers (including go-through) or bobbinet-Jacquard machine, however provided for in paragraph 1529(a), Tariff Act of 1930, but not provided for in any other item 1529(a) of this Part	60% ad val.
1529(a)	Lace made wholly by hand without the use of any machine-made material or article provided for in paragraph 1529(a), Tariff Act of 1930, however provided for in said paragraph 1529(a):	
	Exceeding 2 inches in width:	
	Valued at not more than $50 per pound	60% ad val.
	Valued at more than $50 and less than $150 per pound	30% ad val.
	Valued at $150 or more per pound	25% ad val.
	Other	60% ad val.
1529(a)	Articles wholly of any lace provided for in the preceding item, and articles (except wearing apparel) in part of handmade lace and containing no machine-made material or article provided for in paragraph 1529(a), Tariff Act of 1930, however provided for in said paragraph 1529(a):	
	If all the lace is over 2 inches wide and the articles are	
	Valued at not more than $50 per pound	60% ad val.
	Valued at more than $50 and less than $150 per pound	30% ad val.
	Valued at $150 or more per pound	25% ad val.
	Other	60% ad val.
1529(a)	Articles of wearing apparel, wholly or in part of lace, or ornamented, however provided for in paragraph 1529(a), Tariff Act of 1930, but not provided for in any other item 1529(a) of this Part	50% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1529(a)	Flouncings, all-overs, neck rufflings, flutings, quillings, ruchings, tuckings, insertings, galloons, edgings, trimmings, fringes, gimps, and ornaments; all the foregoing and articles wholly or in part thereof but not in part of lace and not ornamented:	
	Fringes and articles wholly or in part of fringes (except wearing apparel)	45% ad val.
	Other	50% ad val.
1529(a)	Braids provided for in paragraph 1529(a), Tariff Act of 1930 (except braids suitable for making or ornamenting hats, bonnets, or hoods), and articles of wearing apparel in part of such braids but not in part of lace and not ornamented	50% ad val.
1529(a)	Nets and nettings, not embroidered:	
	Made on a bobbinet machine and wholly or in chief value of cotton:	
	Having 225 or more holes per square inch	30% ad val.
	Having less than 225 holes per square inch	70% ad val.
	Other	45% ad val.
1529(a)	Veils and veilings made on any lace or net machine, whether or not embroidered	45% ad val.
1529(a)	Corsets, girdle-corsets, step-in-corsets, brassieres, bandeaux-brassiers; corsets, girdle-corsets, or step-in-corsets, attached to brassieres or bandeaux-brassieres; all similar body-supporting garments; all wearing apparel or articles to which any of the foregoing is attached; all the foregoing however provided for in paragraph 1529(a), Tariff Act of 1930, and whether or not provided for in any other item 1529(a) of this Part	37-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1529(a)	Fabrics and articles (except wearing apparel), ornamented, but not in part of lace, however provided for in paragraph 1529(a), Tariff Act of 1930, but not provided for in any other item 1529(a) of this Part:	
	Wholly or in chief value of cotton	70% ad val.
	Wholly or in chief value of vegetable fiber other than cotton:	
	Sheets, pillowcases, and damask tablecloths and napkins	45% ad val.
	Other	70% ad val.
	Other	50% ad val.
1529(a)	Hose and half-hose, embroidered in any manner:	
	Wholly or in chief value of wool:	
	Valued at not more than $3.50 per dozen pairs	50% ad val.
	Valued at more than $3.50 per dozen pairs	40% ad val.
	Wholly or in chief value of cotton:	
	Valued at not more than $5 per dozen pairs	60% ad val.
	Valued at more than $5 per dozen pairs ..	30% ad val.
1529(a)	Gloves and mittens, embroidered in any manner, wholly or in chief value of wool	70% ad val.
1529(b)	Handkerchiefs, wholly or in part of lace, and handkerchiefs embroidered (whether with a plain or fancy initial, monogram, or otherwise, and whether or not the embroidery is on a scalloped edge), tambboured, appliqued, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem; all the foregoing, finished or unfinished, of whatever material composed:	
	Valued at not more than 70 cents per dozen ..	2¢ each and 30% ad val.
	Valued at more than 70 cents per dozen:	
	Wholly or in chief value of vegetable fiber other than cotton	3¢ each and 20% ad val.
	Other	3¢ each and 30% ad val.
	Provided, that any of the foregoing valued at not more than 70 cents per dozen, if made with hand rolled or hand made hems, shall be subject to an additional duty of	1¢ each

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1529(c)	Corsets, girdle-corsets, step-in-corsets, brassieres, bandeaux-brassieres; corsets, girdle-corsets, or step-in-corsets, attached to brassieres or bandeaux-brassieres; all similar body-supporting garments; all the foregoing, of whatever material composed, finished or unfinished, and all wearing apparel or articles to which any of the foregoing is attached; all the foregoing whether or not containing elastic fabric	27-1/2% ad val.
1529(c)	Elastic fabrics of whatever material composed, knit, woven, or braided, in part of india rubber	25% ad val.
1530(a)	Hides and skins of cattle of the bovine species (except buffalo hides and skins), raw or uncured, or dried, salted, or pickled: Calf or kip skins, dried or dry-salted and weighing not more than 12 pounds each, or neither dried nor dry-salted and weighing not more than 25 pounds each	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1530(b) (1), (2), (3), (4), (5), (6), and (7)	Leather (except leather provided for in subparagraph (d) of paragraph 1530, Tariff Act of 1930), made from hides or skins of cattle of the bovine species:	
	Sole or belting leather (including offal), rough, partly finished, finished, curried, or cut or wholly or partly manufactured into outer or inner soles, blocks, strips, counters, taps, box toes, or any forms or shapes suitable for conversion into boots, shoes, footwear, or belting	10% ad val.
	Leather welting	10% ad val.
	Leather to be used in the manufacture of harness or saddlery	10% ad val.
	Side upper leather (including grains and splits), patent leather, and leather made from calf or kip skins, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear:	
	Side upper grains and finished splits (except wax splits), and upper leather made from calf or kip skins; all the foregoing, not cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear	12-1/2% ad val.
	Patent leather	7-1/2% ad val.
	Other	10% ad val.
	Upholstery, collar, bag, case, glove, garment or strap leather, in the rough, in the white, crust, or russet, partly finished or finished:	
	Upholstery, glove, and garment	15% ad val.
	Other	10% ad val.
	Leather to be used in the manufacture of footballs, basket balls, soccer balls, or medicine balls	15% ad val.
	All other, rough, partly finished, finished, or curried, not specially provided for ...	10% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1530(c)	Leather (except leather provided for in subparagraph (d) of paragraph 1530, Tariff Act of 1930), made from hides or skins of animals (including fish, reptiles, and birds, but not including cattle of the bovine species), in the rough, in the white, crust, or russet, partly finished, or finished:	
	Rough-tanned walrus	10% ad val.
	Pigskin	12-1/2% ad val.
	Other	15% ad val.
1530 (c)	Vegetable-tanned rough leather made from goat or sheep skins (including those commercially known as India-tanned goat or sheep skins)	10% ad val.
1530(c)	Any of the leathers provided for in any item 1530(c) of this Part:	
	If imported to be used in the manufacture of boots, shoes, or footwear, but not cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear:	
	Made from sheep, lamb, goat, kid, reptile, shark, or pig skins (except patent leather)	10% ad val.
	Other (including patent leather)	7-1/2% ad val.
	If cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear	10% ad val.
1530(d)	Leather of all kinds, grained, printed, embossed, ornamented, or decorated, in any manner or to any extent (including leather finished in gold, silver, aluminum, or like effects), or by any other process (in addition to tanning) made into fancy leather, and any of the foregoing cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, all the foregoing by whatever name known, and to whatever use applied	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1530(e)	Boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for:	
	Sewed or stitched by the process or method known as McKay:	
	Skating boots and shoes, if attached to ice skates	15% ad val.
	Other	20% ad val.
	Made by the process or method known as welt	40¢ per pair, but not less than 5% nor more than 20% ad val.
	Having molded soles laced to uppers	10% ad val.
	Slippers for housewear	10% ad val.
	Moccasins of the Indian handicraft type, having no line of demarcation between the soles and the uppers	10% ad val.
	Other (except huaraches, turn or turned boots and shoes, and men's, youths', and boys' boots, shoes, or other footwear)	20% ad val.
1530(e)	Boots, shoes, or other footwear (including athletic or sporting boots and shoes), the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, rayon or other synthetic textile, silk, or substitutes for any of the foregoing; any of the foregoing with soles composed wholly or in chief value of leather	20% ad val.
1530(f)	Harness valued at more than $70 per set, single harness valued at more than $40, saddles valued at more than $40 each, saddlery, and parts (except metal parts) for any of the foregoing	15% ad val.
1530(f)	Saddles made wholly or in part of pigskin or imitation pigskin	15% ad val.
1530(f)	Saddles and harness, not specially provided for, and parts thereof, finished or unfinished, except metal parts	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I - (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1530(f)	Leather shoe laces, finished or unfinished	7-1/2% ad val.
1531	Bags, baskets, belts, satchels, cardcases, pocketbooks, jewel boxes, portfolios, and other boxes and cases, not jewelry, wholly or in chief value of leather (except reptile leather), or parchment, and manufactures of leather (except reptile leather), rawhide, or parchment, or of which leather (except reptile leather), rawhide, or parchment is the component material of chief value, not specially provided for:	
	Belts designed to be worn on the person	17-1/2% ad val.
	Coin purses, change purses, billfolds, bill cases, bill rolls, bill purses, bank-note cases, currency cases, money cases, card-cases, license cases, pass cases, passport cases, letter cases, and similar flat leather goods	25% ad val.
	Bags, baskets, belts, satchels, pocketbooks, jewel boxes, portfolios, and boxes and cases, not jewelry; any of the foregoing not provided for heretofore in this item	20% ad val.
	Other	17-1/2% ad val.
	Any of the foregoing permanently fitted and furnished with traveling, bottle, drinking, dining or luncheon, sewing, manicure, or similar sets	25% ad val.
1532(a)	Gloves made wholly or in chief value of leather, whether wholly or partly manufactured:	
	Men's gloves not over twelve inches in length:	
	Machine seamed, otherwise than over-seamed	$4.50 per doz. pairs
	Other	$4 per doz. pairs

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1532(a) con.	Gloves made wholly or in chief value of leather, etc.: (continued)	
	Women's and children's gloves not over twelve inches in length	$5 per doz. pairs
	And for each inch or fraction thereof in excess of twelve inches	25¢ per doz. pairs
	Provided, That, in addition thereto, on all the foregoing there shall be paid each of the following cumulative duties:	
	When machine seamed, otherwise than overseamed:	
	Men's gloves	50¢ per doz. pairs
	Women's and children's gloves	$1 per doz. pairs
	When seamed by hand	$2 per doz. pairs
	When lined with cotton, wool, silk, or other fabrics	$1.50 per doz. pairs
	When trimmed with fur	$1.50 per doz. pairs
	When lined with leather or fur	$2 per doz. pairs
	Provided further, That the foregoing shall be dutiable at not less than the following rates:	
	If men's gloves	25% ad val.
	If women's or children's gloves:	
	Machined seamed, not lined, and not trimmed with fur:	
	Not over twelve inches in length	40% ad val.
	Over twelve inches in length	35% ad val.
	Hand seamed, not lined, and not trimmed with fur:	
	Not over twelve inches in length	35% ad val.
	Over twelve inches in length	30% ad val.
	Other	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1532(b)	Gloves wholly or in chief value of leather made from horsehides or cowhides (except calfskins), whether wholly or partly manufactured	15% ad val.
1533	Catgut, whip gut, oriental gut, and manufactures thereof, and manufactures of worm gut, not specially provided for	20% ad val.
1535	Artificial flies and snelled hooks, finished or unfinished	45% ad val.
1535	Leaders or casts, finished or unfinished	$1 per doz., but not less than 17-1/2% nor more than 55% ad val.
1535	Fishing rods, finished or unfinished, not specially provided for	$4.50 each, but not less than 15% nor more than 55% ad val.
1535	Fishing reels, finished or unfinished, not specially provided for	$1.50 each, but not less than 15% nor more than 55% ad val.
1535	Parts of fishing rods and reels, finished or unfinished, not specially provided for	40% ad val.
1535	Fish hooks, finished or unfinished, not specially provided for	35% ad val.
1535	Artificial baits, and all other fishing tackle and parts thereof, fly books, fly boxes, finished or unfinished, not specially provided for (except fishing baskets or creels, fishing lines, fishing nets, and seines)	45% ad val.
1536	Candles of wax	14% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1537(a)	Manufactures of bone, grass, sea grass, horn, palm leaf (except raffia), straw, or whalebone, or of which these substances or any of them is the component material of chief value, not specially provided for	12-1/2% ad val.
1537(b)	Manufactures of india rubber or gutta-percha, or of which these substances or either of them is component material of chief value, not specially provided for:	
	Packing, gaskets, and valves; hose and tubing, having at any point an inside diameter of less than 3/8 inch, suitable for conducting liquids or gases; gloves; nursing nipples and pacifiers; catheters, drains, bougies, sondes, and other urological instruments; golf-ball centers or cores, wound or unwound; and tires (except automobile, motor cycle, and bicycle tires)	12-1/2% ad val.
	Hose and tubing, having at no point an inside diameter of less than 3/8 inch, suitable for conducting liquids or gases .	10% ad val.
	Boots, shoes, or other footwear, wholly or in chief value of india rubber	$1.50 per dozen pairs, but not less than 12-1/2% nor more than 25% ad val.
	NOTE: Ad valorem duties for the foregoing boots, shoes, and other footwear are to be calculated on the basis specified in the proclamation published in T.D. 46158.	
1537(b)	Automobile, motor cycle, and bicycle tires composed wholly or in chief value of rubber	10% ad val.
1537(b)	Molded insulators and insulating materials, wholly or partly manufactured, composed wholly or in chief value of rubber or gutta-percha ..	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1537(b)	Manufactures composed wholly or in chief value of india rubber known as "hard rubber", not specially provided for, finished or unfinished:	
	Syringes	17-1/2% ad val.
	Other	12-1/2% ad val.
1537(c)	Combs of whatever material composed, except combs wholly of rubber or metal, not specially provided for, valued at more than $4.50 per gross	3¢ each and 20% ad val.
1538	Manufactures of ivory, or of which ivory is the component material of chief value, not specially provided for	17-1/2% ad val.
1538	Manufactures of mother-of-pearl or shell, or of which these substances or either of them is the component material of chief value, not specially provided for; and shells and pieces of shells engraved, cut, ornamented, or otherwise manufactured	25% ad val.
1539(b)	Laminated products (whether or not provided for elsewhere in the Tariff Act of 1930 than in paragraph 1539(b) thereof) of which any synthetic resin or resin-like substance is the chief binding agent, in rods, tubes, blocks, strips, blanks, or other forms	25¢ per lb. and 20% ad val.
1539(b)	Manufactures wholly or in chief value of any product of which any synthetic resin or resin-like substance is the chief binding agent, not including manufactures wholly or in chief value of any laminated product provided for in paragraph 1539(b), Tariff Act of 1930	35¢ per lb. and 30% ad val.
1540	Moss and sea grass, eelgrass, and seaweeds, if manufactured or dyed	5% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1541(a)	Musical instruments and parts thereof, not specially provided for (except cymbals, organs, pianos, piano-accordions, stringed instruments, harmonicas, and music boxes, and parts of any such instruments):	
	Wood-winds, and parts thereof	20% ad val.
	Brass-winds with cup mouthpieces, not including parts	$2 each, but not less than 20% nor more than 30% ad val.
	Concertinas and other accordions, having not more than 32 treble buttons and not more than 25 bass buttons, and parts (except reeds) specially designed therefor	25% ad val.
	Percussion instruments:	
	Sets of tuned bells of the types known as chimes or peals, and parts thereof	15% ad val.
	Other, and parts thereof	20% ad val.
	Other (except concertinas and other accordions), and parts thereof, not specially provided for	20% ad val.
1541(a)	Pipe organs or pipe-organ player actions and parts thereof, including pipe organs or pipe-organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation	15% ad val.
1541(a)	Cases for musical instruments	25% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1541(b)	Violins, violas, violoncellos, and double basses, of all sizes, wholly or partly manufactured or assembled, made after the year 1800:	
	Valued at less than $50 each	$1.25 each and 30% ad val.
	Valued at $50 or more and less than $100 each	$1.25 each and 25% ad val.
	Valued at $100 or more each	$1.25 each and 17-1/2% ad val.
1541(b)	Unassembled parts of any instrument provided for in the preceding item	30% ad val.
1541(c)	Carillons containing not more than 34 bells, and parts thereof	20% ad val.
1541(c)	Carillons containing more than 34 bells, and parts thereof	10% ad val.
1542	Phonographs, gramophones, graphophones, dictophones, and similar articles, and parts thereof, not specially provided for	15% ad val.
1544	Rosaries, chaplets, and similar articles of religious devotion, of whatever material composed (except if made in whole or in part of gold, silver, platinum, gold plate, silver plate, or precious or imitation precious stones), regardless of value	15% ad val.
1545	Sponges:	
	Commercially known as sheepswool	12% ad val.
	Commercially known as yellow, grass, or velvet	7-1/2% ad val.
	All other, not specially provided for:	
	Hardhead or reef	4% ad val.
	Other	7-1/2% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1547(a) (1) and (3)	Works of art, not specially provided for:	
	Paintings in oil or water colors, pastels, pen and ink drawings, and copies, replicas, or reproductions of any of the same ..	10% ad val.
	Etchings and engravings	10% ad val.
1547(b)	Paintings in oil, mineral, water, or other colors, pastels, and drawings and sketches in pen and ink, pencil, or water color, any of the foregoing (whether or not works of art) suitable as designs for use in the manufacture of textiles, floor coverings, wall paper, or wall coverings	10% ad val.
1548	Peat moss	50¢ per ton
1549(a)	Pencils of paper, wood, or other material not metal, filled with black lead or with copy or indelible lead, not specially provided for ..	50¢ per gross and 15% ad val.
1549(a)	Crayons (including chalk crayons and charcoal crayons or fusains), not specially provided for	25¢ per gross and 15% ad val.
1549(a)	Pencils filled with black lead or with copy or indelible lead, stamped with names other than the manufacturers' or the manufacturers' trade name or trade-mark	50¢ per gross and 15% ad val.
1549(b)	Copy or indelible leads, not specially provided for	20% ad val.
1551	Photographic dry plates, not specially provided for	15% ad val.
1551	Photographic films, sensitized but not exposed or developed, of every kind except motion-picture films having a width of one inch or more	6-1/4% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1551	Motion-picture films having a width of one inch or more, sensitized but not exposed or developed	1/10¢ per linear ft. of the standard width of 1-3/8 inches, and all other widths of 1 inch or more shall be subject to duty in equal proportion thereto
1552	Common tobacco pipes and pipe bowls made wholly of clay:	
	Valued at not more than 40 cents per gross	15¢ per gross
	Valued at more than 40 cents per gross	22-1/2% ad val.
1552	Tobacco pipe bowls, wholly or in chief value of brier or other wood or root, in whatever condition of manufacture, whether bored or unbored, and tobacco pipes having such bowls:	
	Valued at not more than $5 per dozen	2-1/2¢ each and 40% ad val.
	Valued at more than $5 per dozen	2-1/2¢ each and 20% ad val.
1552	Tobacco pipes, not specially provided for, having clay bowls (not including meerschaum) and mouthpieces of material other than clay	1-1/4¢ each and 15% ad val.
1552	Cigar and cigarette holders, not specially provided for, of whatever material composed, and in whatever condition of manufacture, whether wholly or partly finished, or whether bored or unbored	5¢ each and 15% ad val.
1552	Mouthpieces for pipes, or for cigar and cigarette holders, of whatever material composed, and in whatever condition of manufacture, whether wholly or partly finished, or whether bored or unbored	2-1/2¢ each and 15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1552	Pouches for chewing or smoking tobacco, finished or partly finished, wholly or in chief value of leather	20% ad val.
1552	Cases suitable for pipes, cigar and cigarette holders, finished or partly finished	30% ad val.
1552	Cigarette books, cigarette-book covers, cigarette paper in all forms, except cork paper ...	30% ad val.
1552	All smokers' articles whatsoever (except cigar and cigarette boxes, finished or unfinished, wholly or in chief value of wood and valued at 50 cents or more each, or wholly or in chief value of silver and valued at 40 cents or more per ounce), and parts thereof, finished or unfinished, not specially provided for, of whatever material composed, except china, porcelain, parian, bisque, earthenware, or stoneware:	
	Cigar and cigarette cases and parts thereof, finished or unfinished, wholly or in chief value of leather	20% ad val.
	Other	30% ad val.
1554	Walking canes, finished or unfinished, valued at $5 or more per dozen	25% ad val.
1555	Waste, not specially provided for	7-1/2% ad val.
1556	Bleached beeswax	20% ad val.
1558	All raw or unmanufactured articles not enumerated or provided for (except frogs and frog legs)...	5% ad val.
1558	Articles manufactured, in whole or in part, not specially provided for:	
	Thick soy; synthetic rubber and synthetic rubber articles; and textile grasses or fibrous vegetable substances (except istle or Tampico fiber)	10% ad val.
	Fatty acids derived from vegetable, animal, or fish oils, or from animal fats or greases	15% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1601	Acids, and acid anhydrides: Sulphuric acid or oil of vitriol	Free
1602	Aloes, buchu leaves, ipecac, licorice root, mate, and pyrethrum or insect flowers, all of the foregoing which are natural and uncompounded and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, and not containing alcohol	Free
1604	Agricultural implements: Plows, tooth or disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines, machinery for use in the manufacture of sugar, wagons and carts, cream separators valued at not more than $50 each, and all other agricultural implements of any kind or description, not specially provided for, whether in whole or in parts, including repair parts, not including cotton gins and parts thereof and except bale ties	Free
1606	Any animal (except black or silver foxes, asses, and burros), imported by a citizen of the United States specially for breeding purposes	Free, subject to the provisions of paragraph 1606(a), Tariff Act of 1930 [1]
1609	Annatto, archil, cudbear, gambier, litmus prepared or unprepared; all the foregoing, and extracts thereof, not containing alcohol	Free

[1] [46 Stat. 673; 19 U. S. C. § 1201.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1611	Argols, tartar, and wine lees, crude or partly refined, containing less than 90 per centum of potassium bitartrate	Free
1612	Arrowroot, crude or manufactured, and arrowroot starch and flour	Free
1613	Sulphide of arsenic	Free
1615(b)	Steel boxes, casks, barrels, carboys, bags, metal drums, and other substantial outer containers (not including quicksilver flasks or bottles) of domestic or foreign manufacture, exported empty and returned as usual containers or coverings of merchandise, or exported filled with products of the United States and returned empty or as the usual containers or coverings of merchandise, including shooks and staves produced in the United States when returned as boxes or barrels in use as the usual containers of merchandise	Free
1615(e)	Photographic dry plates and films of the manufacture of the United States (except moving-picture films to be used for commercial purposes), exposed abroad, whether developed or not	Free
1616	Asbestos, unmanufactured, asbestos crudes, fibers, stucco, and sand and refuse containing not more than 15 per centum of foreign matter	Free
1617	Waste bagging, and waste sugar sack cloth	Free
1619	Barks, cinchona or other, from which quinine may be extracted	Free
1621	Bibles, comprising the books of the Old or New Testament, or both, bound or unbound	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1622	All binding twine manufactured from New Zealand hemp, henequen, manila, istle or Tampico fiber, sisal grass, or sunn, or a mixture of any two or more of them, of single ply and measuring not exceeding seven hundred and fifty feet to the pound	Free
1624	Fish sounds	Free
1628	Books, engravings, photographs, etchings, bound or unbound, maps and charts imported by authority or for the use of the United States or for the use of the Library of Congress	Free
1629	Hydrographic charts and publications issued for their subscribers or exchanges by scientific or literary associations or academies, and publications of individuals for gratuitous private circulation, not advertising matter, and public documents issued by foreign Governments; books, maps, music, engravings, photographs, etchings, lithographic prints, bound or unbound, and charts, which have been printed more than twenty years at the time of importation	Free
	Provided, That where any such books have been rebound wholly or in part in leather within such period, the binding so placed upon such books shall be dutiable as book bindings wholly or in part of leather, not specially provided for.	
1630	Books and pamphlets printed wholly or chiefly in languages other than English	Free
1631	Any society or institution incorporated or established solely for religious, philosophical, educational, scientific, or literary purposes, or for the encouragement of the fine arts, or any college, academy, school, or seminary of learning in the United States, or any State or public library, may import free of duty any book, map, music, engraving, photograph, etching, lithographic print, or chart, for its own use or for the encouragement of the fine arts, and not for sale	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1632	Books, libraries, usual and reasonable furniture, and similar household effects of persons or families from foreign countries if actually used abroad by them not less than one year, and not intended for any other person or persons, nor for sale	Free
1636	Brazilian pebble, unwrought or unmanufactured ...	Free
1641	Calcium: Nitrate, and cyanimid or lime nitrogen.	Free
1642	Calcium arsenate	Free
1643	Linotype and all typesetting machines, and sand-blast machines, whether in whole or in part, including repair parts	Free
1645	Chalk, crude, not ground, bolted, precipitated, or otherwise manufactured	Free
1647	Chromite or chrome ore	Free
1649	Citrons and citron peel, crude or dried	Free
1650	Coal, anthracite, semianthracite, bituminous, semibituminous, culm, slack, and shale; coke; compositions used for fuel in which coal or coal dust is the component material of chief value, whether in briquets or other form	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1651	Coal-tar products: Acenaphthene, anthracene having a purity of less than 30 per centum, benzene, carbazole having a purity of less than 65 per centum, cumene, cymene, fluorene, methylanthracene, methlynaphthalene, naphthalene which after the removal of all the water present has a solidifying point less than seventy-nine degrees centigrade, pyridine, toluene, xylene, dead or creosote oil, anthracene oil, pitch of coal tar, pitch of blast-furnace tar, pitch of oil-gas tar, pitch of water-gas tar, crude coal tar, crude blast-furnace tar, crude oil-gas tar, crude water-gas tar, all other distillates of any of these tars which on being subjected to distillation yield in the portion distilling below one hundred and ninety degrees centigrade a quantity of tar acids less than 5 per centum of the original distillate, all mixtures of any of these distillates and any of the foregoing pitches, and all other materials or products that are found naturally in coal tar, whether produced or obtained from coal tar or other source, and not specially provided for in paragraph 27 or 28 of Title I of the Tariff Act of 1930	Free
1652	Cobalt and cobalt ore	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of section 319, Tariff Act of 1930 ...	Free
1656	Coir	Free
1658	Copper ore; regulus of, and black or coarse copper, and cement copper; old copper, fit only for remanufacture, copper scale, clippings from new copper, and copper in plates, bars, ingots, or pigs, not manufactured or specially provided for	Free
1665	Curling stones	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1666	Cuttlefish bone	Free
1667	Sodium cyanide	Free
1668	Diamonds and other precious stones (except emeralds), rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken, glaziers' and engravers' diamonds, any of the foregoing not set, miners' diamonds, and diamond dust	Free
1669	Drugs such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, herbs, leaves, lichens, mosses, logs, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and all other drugs of vegetable or animal origin; all the foregoing (except camomile or chamomile flowers, lycopodium, sandalwood, quince seed, senna seed, psyllium seed, and fenugreek seed) which are natural and uncompounded drugs and not edible, and not specially provided for, and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, and not containing alcohol	Free
1670	Dyeing or tanning materials: Logwood, mangrove bark, wattle bark, and nutgalls or gall nuts, all the foregoing, whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any similar process; all the foregoing not containing alcohol and not specially provided for	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1672	Corundum ore, and crude artificial abrasives, not specially provided for	Free
1673	Floral essences and floral concretes, not mixed or compounded with or containing alcohol	Free
1674	Fans, common palm-leaf, plain and not ornamented or decorated in any manner	Free
1675	Ferrous sulphate or copperas	Free
1677	Fish (except goldfish and other aquarium fish) imported to be used for purposes other than human consumption	Free
1678	Fishskins, raw or salted	Free
1681	Furs and fur skins, not specially provided for, undressed (except seal, guanaquito, hare, jackal, leopard, and wildcat)	Free
1682	Game animals and birds killed in foreign countries by residents of the United States and imported by them for noncommercial purposes ...	Free
1683	Goldbeaters' molds and goldbeaters' skins	Free
1684	Grasses and fibers: Sisal, jute, jute butts, kapok, New Zealand fiber, maguey, ramie or China grass, raffia, and textile grasses or fibrous vegetable substances, not dressed or manufactured in any manner, and not specially provided for (except broomroot)	Free
1685	Guano, basic slag (ground or unground), manures, and (notwithstanding any other provision of the Tariff Act of 1930) those grades of all other substances (except ground or pulverized limestone) used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1686	Gums and resins: Damar, kauri, copal, dragon's blood, tragasol, and natural gums, natural gum resins, and natural resins, not specially provided for (except mastic, talka, and cashew nut shell liquid)	Free
1688	Hair of horse, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially provided for (except dressed soft hair, goat and kid hair, and cattle tail hair)	Free
1689	Hide cuttings, raw, with or without hair, ossein, and all other glue stock	Free
1691	Hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles	Free
1692	Hones, whetstones, and grindstones	Free
1693	Hoofs, unmanufactured	Free
1694	Horns and parts of, including horn strips and tips, unmanufactured	Free
1696	Ice	Free
1697	India rubber and gutta-percha, crude, including jelutong or pontianak, guayule, gutta balata, and gutta siak, and scrap or refuse india rubber and gutta-percha fit only for remanufacture	Free
1698	Iodine, crude	Free
1699	Iridium, osmium, palladium, rhodium, and ruthenium, and native combinations thereof with one another or with platinum	Free
1700	Iron ore, including manganiferous iron ore	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1701	Ivory tusks in their natural state or cut vertically across the grain only, with the bark left intact	Free
1703	Joss stick or joss light	Free
1704	Waste rope	Free
1707	Lac: Crude, seed, button, stick, or shell	Free
1710	Asphaltum and bitumen (except petroleum asphaltum)	Free
1714	Manuscripts, not specially provided for	Free
1716	Mechanically ground wood pulp, chemical wood pulp, unbleached or bleached	Free
1718	Mineral salts obtained by evaporation from mineral waters, when accompanied by a duly authenticated certificate and satisfactory proof showing that they are in no way artificially prepared and are only the product of a designated mineral spring	Free
1719	Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for: Lignite, Cornwall stone, gravel, natural gas, nepheline syenite, beryllium ore, titanium ore (except ilmenite and ilmenite sand), columbium or niobium ores or concentrates, tantalum ore, and zirconium ores or concentrates	Free
1722	Moss, seaweeds, and vegetable substances, crude or unmanufactured, not specially provided for: Moss, marjoram leaves, derris root, and tuba or tube root	Free
1724	Needles, hand sewing or darning	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1725	Nets or finished sections of nets for use in otter trawl fishing, if composed wholly or in chief value of manila	Free
1726	Newspapers and periodicals, unbound	Free
1727	Oil-bearing seeds and nuts: Copra, hempseed, palm nuts, palm-nut kernels, rapeseed, perilla and sesame seed; babassu nuts and kernels; ouricuri kernels; muru muru kernels; and tucum kernels	Free
1729	Oakum	Free
1730(b)	Eulachon oil, cod oil, and cod-liver oil	Free
1731	Oils, distilled or essential, not containing alcohol: Anise, bitter almond, camphor, caraway, cassia, cinnamon, citronella, geranium, lavender, lime, lignaloe or bois de rose, neroli or orange flower, origanum, and ylang ylang or cananga	Free
1732	Oils, expressed or extracted: Palm and perilla; palm-kernel rendered unfit for use as food or for any but mechanical or manufacturing purposes; tung oil; and nut oils not specially provided for (except cashew nut kernel oil) ...	Free
1733	Oils, mineral: Petroleum, topped crude, fuel, or refined, and all distillates obtained from petroleum, including kerosene, benzine, naphtha, gasoline, paraffin, and paraffin oil. not specially provided for	Free
1734	Nickel ore; nickel matte; nickel oxide	Free
1735	Duplex decalcomania paper not printed	Free
1736	Parchment and vellum	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1738	Pearl, mother of, and shells, not sawed, cut, flaked, polished, or otherwise manufactured, or advanced in value from the natural state	Free
1740	Phosphates, crude	Free
1741	Pigeons, fancy or racing	Free
1743	Plaster rock or gypsum, crude	Free
	NOTE: The existing customs classification treatment of gypsum which has been broken merely for the purpose of facilitating its shipment to the United States as "crude" in accordance with the decision of the United States Court of Customs and Patent Appeals in the case of Gulf Gypsum Co. v. United States, 20 C.C. P.A. 101, T.D. 45725, shall be continued during the effective period of this Agreement.	
1744	Platinum, unmanufactured or in ingots, bars, sheets, or plates not less than one-eighth of one inch in thickness, sponge, or scrap	Free
1745	Potassium chloride or muriate of potash, potassium sulphate, kainite, wood ashes and beet-root ashes, and all crude potash salts not specially provided for	Free
1746	Quinine sulphate and all alkaloids and salts of alkaloids derived from cinchona bark	Free
1749	Radium, and salts of	Free
1750	Rag pulp; paper stock, crude, of every description, including all grasses, fibers, rags, waste (including jute, hemp, and flax waste), shavings, clippings, old paper, rope ends, waste rope, and waste bagging, and all other waste not specially provided for, including old gunny cloth, and old gunny bags, used chiefly for paper making, and no longer suitable for bags ..	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1753	Sago, crude, and sago flour	Free
1755	Sausage casings, weasands, intestines, bladders, tendons, and integuments, not specially provided for	Free
1756	Sea herring and smelts, fresh or frozen, whether or not packed in ice, and whether or not whole..	Free
1758	Selenium, and salts of	Free
1759	Sheep dip	Free
1760	Shingles of wood (except red-cedar shingles)	Free
	NOTE: Bundles of shingles, other than red-cedar shingles, shall not be required to be marked to indicate the country of origin.	
1761	Lobsters, clams, quahaugs, crabs, and oysters (except seed oysters), fresh or frozen, and scallops, fresh, but not frozen, all the foregoing whether or not packed in ice, and lobsters, prepared or preserved in any manner (including lobster pastes and sauces); any of the foregoing not specially provided for.....	Free
1762	Silk cocoons and silk waste	Free
1763	Silk, raw, in skeins reeled from the cocoon, or reeeled, but not wound, doubled, twisted, or advanced in manufacture in any way	Free
1764	Skeletons and other preparations of anatomy	Free
1765	Skins of all kinds, raw, and hides not specially provided for (except horse, colt, ass, and mule skins or hides, dry or dry-salted, and except carpincho, goat, and kid skins)	Free
1766	Sodium: Nitrate, crude or refined; sulphate, crude, or crude salt cake	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1768(1) and(2)	Spice and spice seeds: Cassia, cassia buds, and cassia vera; cloves; clove stems; cinnamon and cinnamon chips; ginger root, not preserved or candied; mace; nutmegs; black or white pepper; and pimento (allspice); all the foregoing, if unground	Free
	Caraway	Free
1771	Stamps: Postage or revenue stamps, canceled or uncanceled, and government stamped envelopes or post cards bearing no other printing than the official imprint thereon	Free
1772	Standard newsprint paper	Free, subject to the provisions of Public Law 315, approved August 1, 1947[1]
1773	Statuary and casts of sculpture for use as models or for art educational purposes only; regalia and gens, where specially imported in good faith for the use and by order of any society incorporated or established solely for religious, philosophical, educational, scientific, or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any college, academy, school, seminary of learning, orphan asylum, or public hospital in the United States, or any State or public library, and not for sale	Free

[1] [61 Stat., Pt. 1; p. 716.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1775	Stone and sand: Burrstone in blocks, rough or unmanufactured; quartzite; traprock; rottenstone, tripoli, and sand, crude or manufactured; silica; cliff stone, freestone, granite, and sandstone, unmanufactured, and not suitable for use as monumental, paving, or building stone; all the foregoing not specially provided for	Free
	NOTE: The existing customs classification treatment of ground nepheline syenite as being provided for in paragraph 1775, Tariff Act of 1930, in accordance with the ruling announced in T. D. 51462(1), shall be continued during the effective period of this Agreement.	
1776	Strontianite or mineral strontium carbonate and celestite or mineral strontium sulphate	Free
1777	Sulphur in any form	Free
1779	Tamarinds	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1780	Fish scrap, fish meal, cod-liver oil cake, and cod-liver oil cake meal, all the foregoing unfit for human consumption	Free
1781	Tapioca, tapioca flour, and cassava	Free
1782	Locust or carob beans, and pods and seeds thereof	Free
1783(b)	Tea not specially provided for	Free
1785	Tin ore or cassiterite, and black oxide of tin ...	Free, subject to the provisions of paragraph 1785, Tariff Act of 1930[1]
1786	Tin bars, blocks, or pigs, alloys in chief value of tin not specially provided for, and grain or granulated and scrap tin, including scrap tin plate	Free, subject to the provisions of paragraph 1785, Tariff Act of 1930[1]
	NOTE: The United States reserves the right to modify the customs treatment provided for in this item in the event that, and for so long as, the equality between the rate of duty on smelted tin and the rate on tin ores and concentrates, provided for in Part I of Section D of Schedule XIX is not maintained.	
1787	Tobacco stems not cut, ground, or pulverized	Free
1790	Turtles	Free
1794	Vegetable tallow	Free
1795	Wafers, not edible	Free

[1] [46 U. S. C. 682; 19 U. S. C. § 1201.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1796	Wax: Beeswax not specially provided for; vegetable (except japan and candelilla), and ceresin, not specially provided for	Free
1800	All barbed wire, whether plain or galvanized	Free
1801	Witherite, crude, unground	Free
1803(1)	Wood: Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber, not further manufactured than planed, and tongued and grooved; all the foregoing (except balsa, Japanese white oak, Japanese maple, and teak) not specially provided for	Free
	NOTE: The United States reserves the right to impose duties, in addition to the import taxes under section 3424, Internal Revenue Code,[1] as modified pursuant to this Agreement, on sawed lumber and timber provided for in this item which are of the woods named in item 404 [2] of this Part, when planed or dressed on one or more sides, at rates not in excess of the rates specified in the said item 404 for lumber of such woods in the forms provided for therein.	
1803(2)	Logs (except balsa); timber, round, unmanufactured; pulp woods; firewood, handle bolts, shingle bolts; and laths; all the foregoing not specially provided for	Free
1804	Posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods	Free
	NOTE: Telephone, trolley, electric-light, and telegraph poles of wood shall not be required to be marked to indicate the country of origin.	
1805	Pickets, palings, hoops, and staves of wood of all kinds	Free

[1] [53 Stat. 415; 26 U. S. C. § 3424.]
[2] [*Ante*, p. A1221.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1806	Woods: Sticks of partridge, hair wood, pimento, orange, myrtle, bamboo, rattan, india malacca joints, and other woods not specially provided for, in the rough, or not further advanced than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes	Free
1807	Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen, ink, pencil, or water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, original sculptures or statuary, including not more than two replicas or reproductions of the same	Free
1809	Works of art, collections in illustration of the progress of the arts, sciences, agriculture, or manufactures, photographs, works in terra cotta, parian, pottery, or porcelain, antiquities and artistic copies thereof in metal or other material, imported in good faith for exhibition at a fixed place by any State or by any society or institution established for the encouragement of the arts, science, agriculture, or education, or for a municipal corporation, and all like articles imported in good faith by any society or association, or for a municipal corporation, for the purpose of erecting a public monument, and not intended for sale nor for any other purpose than herein expressed ...	Free
1810	Stained or painted window glass or stained or painted glass windows which are works of art when imported to be used in houses of worship, valued at $15 or more per square foot	Free
1811	Works of art (except rugs and carpets), collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced prior to the year 1830. Violins, violas, violoncellos, and double basses, of all sizes, made in the year 1800 or prior year	Free

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Tariff Act of 1930, section	Description of Products	Rate of Duty
311	Wheat, when manufactured into flour in the United States and the flour exported	Exempt from duty, subject to the provisions of section 311, Tariff Act of 1930,[1] and section 2(a), Act of June 12, 1934[2]
312	Ores and crude metals provided for in paragraph 1658, Tariff Act of 1930,[3] when smelted or refined in the United States and the products exported.....	Exempt from duty and import tax, subject to the provisions of section 312, Tariff Act of 1930[4]
Internal Revenue Code, [5] section		**Rate of import tax**
2491(a)	Whale oil (except sperm oil)	1-1/2¢ per lb.
2491(a)	Herring oil	3/4¢ per lb.
2491(a)	Menhaden oil	3¢ per lb.
2491(a)	Shark oil and shark-liver oil, including oil produced from sharks known as dogfish	1¢ per lb.
2491(a)	Fish-liver oils classifiable under paragraph 34 or 1669, Tariff Act of 1930[6].....	1-1/2¢ per lb.

[1] [46 Stat. 691; 19 U. S. C. § 1311.]
[2] [48 Stat. 944; 19 U. S. C. § 1352.]
[3] [46 Stat. 676; 19 U. S. C. § 1201.]
[4] [46 Stat. 692; 19 U. S. C. § 1312.]
[5] [53 Stat. 1; 26 U. S. C. §§ 1-5012.]
[6] [46 Stat. 596, 677; 19 U. S. C. §§ 1001, 1201.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Internal Revenue Code, section	Description of Products	Rate of import tax
2491(a)	Eulachon oil	1-1/2¢ per lb.
2491(a)	Seal oil	2-7/10¢ per lb.
2491(a)	Tallow, inedible	1-1/2¢ per lb.
2491(a)	Wool grease:	
	Containing more than 2 per centum of free fatty acids	2¢ per lb.
	Containing 2 per centum or less of free fatty acids and not suitable for medicinal use	2¢ per lb.
	Suitable for medicinal use, including adeps lanae, hydrous or anhydrous	3¢ per lb.
2491(a)	Inedible animal oils, inedible animal fats, and inedible animal greases, any of the foregoing of a class or kind provided for in the provision of paragraph 52, Tariff Act of 1930,[1] for "all other animal ... oils, fats, and greases, not specially provided for" (except neatsfoot oil and animal oils known as neatsfoot stock)	2-7/10¢ per lb.
2491(b)	Kapok oil	2-1/4¢ per lb.
2491(b)	Perilla oil	3¢ per lb.
2491(d)	Hempseed	0.62¢ per lb.
2491(d)	Perilla seed	0.69¢ per lb.
2491(d)	Rapeseed	1¢ per lb.
2491(d)	Sesame seed	0.59¢ per lb.
3422	Topped crude petroleum, fuel oil derived from petroleum including fuel oil known as gas oil, and all liquid derivatives of crude petroleum (except lubricating oil and such derivatives specified hereinafter in any item 3422)	1/4¢ per gal.
	Provided, That in no event shall the rate of import tax applicable under section 3422, Internal Revenue Code,[2] or any modification thereof, to topped crude petroleum or fuel oil derived from petroleum be less than the rate of such tax applicable to crude petroleum.	

[1] [46 Stat. 597; 19 U. S. C. § 1001.]
[2] [53 Stat. 414; 26 U. S. C. § 3422.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Internal Revenue Code, Section	Description of Products	Rate of import tax
3422	Mineral oil of medicinal grade, derived from petroleum	1/2¢ per gal.
3422	Gasoline or other motor fuel	1-1/4¢ per gal.
3422	Lubricating oil	2¢ per gal.
3422	Paraffin and other petroleum wax products	1/2¢ per lb.
3423	Coal of all sizes, grades, and classifications (except culm and duff), coke manufactured therefrom; and coal or coke briquettes	10¢ per 100 lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (continued)

Internal Revenue Code, section	Description of Product	Rate of import tax
3424	Lumber, including sawed timber, rough, or planed or dressed on one or more sides (except lumber and timber of teak, balsa, Japanese white oak, Japanese maple, Northern white pine (pinus strobus), Norway pine (pinus resinosa), and Western white spruce, and except flooring made of maple, birch, and beech):	
	Lignum vitae, lancewood, ebony, and box:	
	Not further manufactured than sawed	$1.50 per 1000 ft., board measure
	Further manufactured than sawed	$3 per 1000 ft., board measure
	Cedar commercially known as Spanish cedar, granadilla, mahogany, rosewood, and satinwood:	
	Not further manufactured than sawed	75¢ per 1000 ft., board measure
	Further manufactured than sawed	$1.50 per 1000 ft., board measure
	Fir, spruce, pine, hemlock, larch, and cedar (except cedar commercially known as Spanish cedar)	75¢ per 1000 ft., board measure
	other	$1.50 per 1000 ft., board measure
	Provided, That in determining board measure for the purposes of this item no deduction shall be made on account of planing, tonguing, and grooving.	
	Provided further, That, in the event the United States exercises the right reserved by the note in item 1903 of this Part,[1] the rates of import tax imposed pursuant to section 3424, Internal Revenue Code,[2] on lumber and timber described above as further manufactured	

[1] [*Ante*, p. A1343.]
[2] [53 Stat. 415; 26 U. S. C. § 3424.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part I (concluded)

Internal Revenue Code, section	Description of Products	Rate of import tax
3424 con.	Provided further, (continued) than sawed shall not exceed the rates respectively prescribed for lumber and timber of like wood not further manufactured than sawed.	
3425	Copper-bearing ores and concentrates and articles provided for in paragraph 316, 380, 381, 387, 1620, 1634, 1657, 1658, or 1659, Tariff Act of 1930[1]	2¢ per lb. on the copper contained therein
3425	All articles dutiable under the Tariff Act of 1930, not provided for in the preceding item, in which copper (including copper in alloys) is the component material of chief value	1-1/2¢ per lb.
3425	All articles dutiable under the Tariff Act of 1930, not provided for in either of the two preceding items, containing 4 per centum or more of copper by weight	1-1/2% ad val. or 3/8¢ per lb., whichever is the lower
3451	Topped crude petroleum, fuel oil derived from petroleum including fuel oil known as gas oil, and all liquid derivatives of crude petroleum; lubricating oil; gasoline or other motor fuel; and paraffin and other petroleum wax products; any of the foregoing sold for use as fuel supplies, ships' stores, sea stores, or legitimate equipment on vessels of war of the United States or of any foreign nation, vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions	Exempt from taxes imposed by sections 3420 and 3422, Internal Revenue Code,[2] subject to the provisions of section 3451, Internal Revenue Code[3]

[1] [46 Stat. 613, 626, 627, 674, 675, 676; 19 U. S. C. §§ 1001, 1201.]
[2] [53 Stat. 414; 26 U. S. C. §§ 3420, 3422.]
[3] [53 Stat. 419; 26 U. S. C. § 3451.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part II

Preferential Tariff

(See general notes at the end of this Schedule.)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
5 and 23	All medicinal preparations of animal origin, not specially provided for, whether or not in any form or container specified in paragraph 23, Tariff Act of 1930	10% ad val.
24	Flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations:	
	Containing 20 per centum of alcohol or less	12¢ per lb. and 14.4% ad val.
	Containing more than 20 per centum and not more than 50 per centum of alcohol....	24¢ per lb. and 14.4% ad. val.
	Containing more than 50 per centum of alcohol	48¢ per lb. and 14.4% ad val.
	Provided, That, whenever the foregoing products are subject to a Federal tax on the alcoholic content measured in whole or in part by the rate of an internal Federal tax imposed in respect of the alcohol contained in the like domestic products, the specific parts of the foregoing rates shall be reduced from 12, 24, and 48 cents to 7-1/2, 15, and 30 cents, respectively, and the ad valorem parts thereof shall be reduced in each case to 10% ad valorem.	
34	Drugs of animal origin (except halibut-liver oil) which are natural and uncompounded drugs and not edible, and not specially provided for, but which are advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, and not containing alcohol	4% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
52	Shark oil and shark-liver oil, including oil produced from sharks known as dogfish, not specially provided for	4% ad val.
58	Grapefruit oil, distilled or essential, not mixed or compounded with or containing alcohol	10% ad val.
67	Barytes ore, crude or unmanufactured	$3.20 per ton
202(a)	Tiles, however provided for in paragraph 202(a), Tariff Act of 1930:	
	Ceramic mosaic, valued at not more than 40 cents per square foot	5¢ per sq. ft., but not less than 25% nor more than 35% ad val.
	Other (except floor and wall tiles): Valued at not more than 40 cents per square foot	5¢ per sq. ft., but not less than 25% nor more than 35% ad val.
	Valued at more than 40 cents per square foot	30% ad val.
406	Hubs for wheels, heading bolts, stave bolts, last blocks, wagon blocks, oar blocks, heading blocks, and all like blocks or sticks, rough hewn, or rough shaped, sawed or bored	4% ad val.
408	Boxes, barrels, and other articles containing oranges, lemons, limes, grapefruit, shaddocks or pomelos	10% ad val.
	Provided, That the thin wood, so called, comprising the sides, tops, and bottoms of fruit boxes of the growth or manufacture of the United States, exported as fruit-box shooks, may be reimported in completed form, filled with fruit, by the payment of duty at	1/2 the rate imposed on similar boxes of entirely foreign growth and manufacture

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
501	Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five sugar degrees, and all mixtures containing sugar and water, testing by the polariscope above fifty sugar degrees and not above seventy-five sugar degrees	0.3425¢ per lb.
	and for each additional sugar degree shown by the polariscopic test	0.0075¢ per lb. additional, and fractions of a degree in proportion
502	Molasses and sugar sirups, not specially provided for:	
	Containing soluble nonsugar solids (excluding any foreign substance that may have been added or developed in the product) equal to more than 6 per centum of the total soluble solids:	
	Testing not above 48 per centum total sugars	0.09¢ per gal.
	Testing above 48 per centum total sugars	0.099¢ additional for each per centum of total sugars and fractions of a per centum in proportion
	Other:	
	Testing not above 48 per centum total sugars	0.1¢ per gal.
	Testing above 48 per centum total sugars	0.11¢ additional for each per centum of total sugars and fractions of a per centum in proportion

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
502	Molasses not imported to be commercially used for the extraction of sugar or for human consumption	0.012¢ per lb. of total sugars
506	Sugar candy and all confectionery not specially provided for, valued at 6 cents or more per pound	10% ad val.
601	Wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per centum of wrapper tobacco, if unstemmed	91¢ per lb.
601	Filler tobacco (except cigarette leaf tobacco) not specially provided for:	
	If unstemmed	14¢ per lb.
	If stemmed	20¢ per lb.
603	Scrap tobacco	14¢ per lb.
605	Cigars, and cheroots of all kinds	$1.50 per lb. and 10% ad val.
709	Butter, if entered when the most-favored-nation rate for butter is in excess of 11.2 cents per pound	11.2¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
710	Edam and Gouda cheese containing less than 40 per centum of butterfat	4¢ per lb., but not less than 20% ad val.
717(a) and (b)	Fish (except halibut, salmon, mackerel, swordfish, eels, shad, sturgeon, cod, haddock, hake, pollock, cusk, fresh-water fish, rosefish, and white sea bass or totoaba), fresh or frozen (whether or not packed in ice):	
	Whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed)	2/5¢ per lb.
	Filleted, skinned, boned, sliced, or divided into portions, not specially provided for ..	1¢ per lb.
718(a)	Fish, prepared or preserved in any manner, when packed in oil or in oil and other substances:	
	Bonito and yellowtail:	
	Valued at not over 9 cents per pound, including the weight of the immediate container	22% ad val.
	Valued at over 9 cents per pound, including the weight of the immediate container	15% ad val.
718(b)	Fish (except salmon, herring, sardines, anchovies, tuna, antipasto, and smoked pollock), prepared or preserved in any manner, when packed in airtight containers weighing with their contents not more than fifteen pounds each (except fish packed in oil or in oil and other substances) ...	10% ad val.
743	Limes, in their natural state	4/5¢ per lb.
743	Grapefruit:	
	When entered during the period from August 1 to September 30, inclusive, in any year	3/10¢ per lb.
	When entered during the month of October in any year	6/10¢ per lb.
	Other	1-1/5¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
746	Mangoes	3¢ per lb.
747	Pineapples:	
	Not in bulk	20¢ per crate of 2.45 cu. ft.
	Candied, crystallized, or glace	14% ad val.
	Otherwise prepared or preserved, and not specially provided for	0.55¢ per lb.
751	Jellies, jams, marmalades, and fruit butter:	
	Guava (except jelly and marmalade); pineapple; mango; papaya; mamey colorado (calocarpum mammosum); sweetsop (annona squamosa); soursop (annona muricata); sapodilla (sapota achras); cashew apple (anacardium occidentale); and currant and other berry (except jellies)	10% ad val.
	Other (except quince, and except orange marmalade, guava jelly and marmalade, and currant and other berry jellies)	14% ad val.
752	Fruits in their natural state, or in brine, pickled, dried, desiccated, evaporated, or otherwise prepared or preserved, and not specially provided for:	
	Bananas (not including bananas in their natural state and except dried, desiccated, or evaporated bananas); plantains; guavas; papayas (not including papayas in their natural state); mameyes colorados (calocarpum mammosum); sweetsops (annona squamosa); soursops (annona muricata); sapodillas (sapota achras); and cashew apples (anacardium occidentale)	10% ad val.
	Other (except dried, desiccated, or evaporated bananas and not including papayas or watermelons in their natural state)	14% ad val.
752	Mixtures of two or more fruits, prepared or preserved	14% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
752	Fruit pastes and fruit pulps:	
	Guava; mango; papaya; mamey colorado (calocarpum mammosum); sweetsop (annona squamosa); soursop (annona muricata); sapodilla (sapota achras); and cashew apple (anacardium occidentale)	10% ad val.
	Other (except apricot)	14% ad val.
765	Lima beans, green or unripe:	
	When entered during the period from June 1 to October 31, inclusive, in any year	2-4/5¢ per lb.
	Other	1-2/5¢ per lb.
771	White or Irish potatoes, other than certified seed potatoes as defined in the first item 771 in Part I of this Schedule, when entered during the period from December 1, in any year, to the last day of the following February, inclusive ..	30¢ per 100 lb.
772	Tomatoes in their natural state:	
	When entered during the period from November 15, in any year, to the last day of the following February, inclusive	1-1/5¢ per lb.
	When entered during the period from March 1 to July 14, inclusive, or during the period from September 1 to November 14, inclusive, in any year	1-4/5¢ per lb.
774	Vegetables in their natural state:	
	Eggplant:	
	When entered during the period from April 1 to November 30, inclusive, in any year	1-1/5¢ per lb.
	Other	3/5¢ per lb.
	Cucumbers:	
	When entered during the period from December 1, in any year, to the last day of the following February, inclusive	1¢ per lb.
	When entered during the period from March 1 to June 30, inclusive, or during the period from September 1 to November 30, inclusive, in any year ..	2-2/5¢ per lb.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
774 con.	Vegetables in their natural state: (continued)	
	Squash	4/5¢ per lb.
	Dasheens	20% ad val.
	Okra, when entered during the period from December 1, in any year, to the following May 31, inclusive	15% ad val.
775	Pimientos, packed in brine or in oil, or prepared or preserved in any manner	3-3/5¢ per lb.
802	Ethyl alcohol for beverage purposes, and rum	$1.75 per proof gal.
1005(a)(1)	Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns:	
	Wholly or in chief value of sisal or henequen:	
	Smaller than three-fourths of one inch in diameter	4/5¢ per lb. and 6% ad val.
	Other	4/5¢ per lb.
1406	Labels, flaps, and cigar bands, composed wholly or in chief value of paper lithographically printed in whole or in part from stone, gelatin, metal, or other material, but not printed in whole or in part in metal leaf and not specially provided for (except labels and flaps not exceeding ten square inches cutting size in dimensions, if embossed or die-out):	
	Printed in less than eight colors (bronze printing to be counted as two colors):	
	Labels and flaps	15¢ per lb.
	Cigar bands	24¢ per lb.
	Printed in eight or more colors (bronze printing to be counted as two colors):	
	Labels and flaps	20¢ per lb.
	Cigar bands	25¢ per lb.
1528	Diamonds, cut but not set, and suitable for use in the manufacture of jewelry	8% ad val.
1530(a)	Hides and skins of cattle of the bovine species (except buffalo hides and skins): Calf or kip skins, dried or dry-salted and weighing not more than 6 pounds each	4% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1530 (b)(1) and (4)	Leather (except leather provided for in subparagraph (d) of paragraph 1530, Tariff Act of 1930), made from hides or skins of cattle of the bovine species, not cut or wholly or partly manufactured into outer or inner soles, blocks, strips, counters, taps, box toes, uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear:	
	Sole leather (not including offal), rough, partly finished, finished, or curried	8% ad val.
	Side upper grains and finished splits (except wax splits) not made from calf or kip skins, rough, partly finished, or finished	10% ad val.
	Side upper splits not made from calf or kip skins, rough or wax	8% ad val.
	Upper leather made from calf or kip skins, rough, partly finished, or finished	12% ad val.
1531	Belts and buckles designed to be worn on the person, wholly or in chief value of leather	14% ad val.
1531	Women's and children's handbags and pocketbooks, wholly or in chief value of reptile leather	14% ad val.
1538	Manufactures of mother-of-pearl or shell, or of which these substances or either of them is the component material of chief value, not specially provided for; and shells and pieces of shells engraved, cut, ornamented, or otherwise manufactured	18% ad val.

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Tariff Act of 1930, paragraph	Description of Products	Rate of Duty
1541 (a)	Musical instruments and parts thereof, not specially provided for (except cymbals, organs, pianos, concertinas and all other accordions, stringed instruments, harmonicas, music boxes, wood-winds, brass-winds, sets of tuned bells of the types known as chimes or peals, and parts of any of the foregoing)	20% ad val.
1545	Sponges, not specially provided for (except hardhead or reef)	6% ad val.
1558	Frog legs, fresh, chilled, frozen, prepared, or preserved	8% ad val.
1558	Banana flour and plantain flour	10% ad val.
Internal Revenue Code, section		**Rate of import tax**
2491 [1] (a)	Fish oil (except cod oil, cod-liver oil, halibut-liver oil, and herring oil, and not including whale oil):	
	Shark oil and shark-liver oil, including oil produced from sharks known as dogfish	3/4¢ per lb.
	Other, if classifiable under paragraph 34 or 1669, Tariff Act of 1930 [2]	1-1/5¢ per lb.

[1] [53 Stat. 267; 26 U. S. C. § 2491 (a).]
[2] [46 Stat. 596, 677; 19 U. S. C. §§ 1001, 1201.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (continued)

Internal Revenue Code section	Description of Products	Rate of import tax
3424	Lumber, including sawed timber, rough, or planed or dressed on one or more sides (except lumber and timber of teak, balsa, Japanese white oak, fir, spruce, pine, hemlock, larch, maple, birch, beech, and cedar other than cedar commercially known as Spanish cedar):	
	Lignum vitae, lancewood, ebony, and box, further manufactured than sawed	$2.40 per 1000 ft., board measure
	Cedar commercially known as Spanish cedar, granadilla, mahogany, rosewood, and satinwood, further manufactured than sawed	$1.20 per 1000 ft., board measure
	Other (except lignum vitae, lancewood, ebony, box, cedar commercially known as Spanish cedar, granadilla, mahogany, rosewood, and satinwood, not further manufactured than sawed)	$1.20 per 1000 ft., board measure
	Provided, That in determining board measure for the purposes of this item no deduction shall be made on account of planing, tonguing, and grooving. Provided further, That, in the event the United States exercises the right reserved by the note in item 1803 of Part I of this Schedule,[1] this item shall be inoperative thereafter in respect of lumber and timber described herein as further manufactured than sawed.	

[1] [*Ante*, p. A1343.]

SCHEDULE XX - UNITED STATES OF AMERICA

Part II (concluded) and General Notes

Tariff Act of 1930 Title I,[1] and Internal Revenue Code, sections 2490 and 3420 [2]	Description of Products	Rate of Duty and import tax
	Manganese ore or concentrates (including sintered manganese), copper-bearing ores and concentrates, fruits in their natural state, vegetables in their natural state, pineapple slips, coconuts, and bleached beeswax; any of the foregoing which are of a class or kind which would have been entitled to preferential exemption from duty or import tax if imported into the United States on April 10, 1947, as products of Cuba	Free
	All other articles which would have been entitled to preferential exemption from duty or import tax if imported into the United States on April 10, 1947, as products of Cuba	Free, subject to the provisions of paragraph 3 of Article I of this Agreement [3] in the event that the most-favored-nation rate on any such product is modified

GENERAL NOTES

1. The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective description of articles.

2. Any additional or separate ordinary customs duty provided for on the date of this Agreement in respect of any article described in

[1] [46 Stat. 590; 19 U. S. C § 1001].
[2] [53 Stat. 267, 414; 26 U. S. C. §§ 2490, 3420.]
[3] [*Ante*, p. A13.]

SCHEDULE XX - UNITED STATES OF AMERICA

General Notes (concluded)

this Schedule, whether or not imposed under the statutory provision indicated in the column at the left of the description of the article and whether or not temporarily or conditionally inapplicable on such date, shall continue in force until terminated in accordance with law, subject to any reduction, or consolidation with the primary duty, indicated in this Schedule or hereafter provided for, and subject to any temporary or conditional exemption therefrom provided for by law on such date or thereafter, but shall not be increased.

3. Wherever in this Schedule the word "entered" is used in any quota or seasonal-rate provision, it shall mean "entered, or withdrawn from warehouse, for consumption".

4. If any tariff quota provided for in this Schedule, other than those provided for in items 771, becomes effective after the beginning of a period specified as the quota year, the quantity of the quota product entitled to enter under the quota during the unexpired portion of the quota year shall be the annual quota quantity less 1/12 thereof for each full calendar month that has expired in such period.

5. In the event that the United States adopts any measure which precludes the application of "American selling price", as defined in section 402(g), Tariff Act of 1930,[1] as a basis for determining the dutiable value of imported merchandise, it shall be free to adjust any rate of duty for any product on which duty is required by law in force on the date of this Agreement to be assessed on the basis of such "American selling price" to offset in whole or in part the difference in amount of duty which would otherwise result from the adoption of such measure.

* * *

[1] [46 Stat. 710; 19 U. S. C. § 1402 (g).]

INDEX

A — Page

Acceptance of Agreement — A69
- Deposit of instruments — A69
- Interpretative note — A90
- Territorial application — A69

Accession, provision for — A75

Agreements:
- General Agreement, text — A11
- Interim, adoption, restriction — A66, A67
- Trade, publication — A31

Aircraft in Transit, Operation of, inapplicability of certain provisions to — A22

Amendment, Supplement, or Maintenance of General Agreement, meeting for agreement on — A73

Amendments, effective date, procedure — A74

Annexes:
- Made integral part of Agreement — A75
- Text of Annexes A–I, inclusive — A76–A90

Anti-Dumping Duties:
- Consultation, provision for — A64
- Hidden dumping, interpretative note — A86
- Interpretative note — A85, A86
- Multiple currency practices, interpretative note — A86
- Restrictions — A23

B

Balance of Payments, safeguarding restrictions — A34
- Interpretative note — A87

C

Cinematograph Films:
- Restrictions inapplicable to internal quantitative regulations — A19
- Special provisions relating to — A20

Concessions:
- Schedules of—
  - Anti-dumping or countervailing duties, interpretative note — A85, A86
  - List — A91
  - Modification — A71
  - Provisions relating to — A14
  - Text — A93
- Withholding or withdrawal of — A70

Consultation on Matters Affecting Operation of Agreement — A64

Contracting Parties, definition — A75

Countervailing Duties: — Page
- Consultation, provision for — A64
- Definition — A24, A86
- Interpretative note — A85, A86
- Multiple currency practices, interpretative note — A86
- Restrictions — A23

Currency:
- Conversion—
  - Method, restriction on alteration — A15
  - Rate of exchange, basis — A27
  - Rules, formulation by contracting parties and International Monetary Fund — A27
- Par value, reduction in, adjustments on account of — A17

Customs. *See also* Preferences in Import Duties or Charges, Certain.
- Duties and charges—
  - Most-favored-nation treatment — A12
    - Charter of International Trade Organization, effect of entry into force — A72
    - Interpretative note — A85
  - Traffic in transit, exemption in certain cases — A21
- Regulations and formalities, provision for consultation — A64
- Valuation for customs purposes — A25
  - Interpretative note — A86

Customs Territory, Separate, acceptance of Agreement, provisions respecting — A69
- Interpretative note — A90

Customs Unions — A66
- Interpretative note — A89

D

Dumping:
- Hidden dumping by associated houses — A86
- Margin of, definition — A23
- Offsetting measures, limitation — A25
  - Interpretative note — A86

Duties. *See* Anti-Dumping Duties; Countervailing Duties; Customs.

E

Economic Development, adjustments in connection with — A53

Page

Entry Into Force A70
Percentage shares of total external trade for determination respecting A84
Exceptions:
General A60
Security A63
Exchange Arrangements A49
Interpretative note A88
Exchange Regulations, provision for consultation A64
Exportation. *See* Importation and Exportation.

F

Films, Cinematograph:
Restrictions inapplicable to internal quantitative regulations A19
Special provisions relating to A20
Final Act, Preparatory Committee of United Nations Conference on Trade and Employment, Second Session A5
Signatories A8
Frontier Traffic A66
Interpretative note A89

G

General Agreement:
Acceptance A69
Deposit of instruments A69
Interpretative note A90
Territorial application A69
Accession, provision for A75
Amendment, supplement, or maintenance, meeting for agreement on A73
Amendments, effective date, procedure A74
Annexes, made integral part of Agreement A75
Authentic texts A69
Entry into force A70
Percentage shares of total external trade for determination respecting A84
Interpretative notes A85
Joint action by contracting parties A68
First meeting, convening by Secretary-General of United Nations A68
Operation, consultation on matters affecting A64
Registration A70
Signature, date of A69
Territorial application A66
Interpretative note A89
Text A11
Publication, release by Secretary-General of United Nations A7
Withdrawal A74
Amendments, nonacceptance of A74
Notice to Secretary-General of United Nations A65, A75

I

Page

Import Restrictions or Prohibitions:
Conditions A40
Exceptions A44
Interpretative notes A88
Consultations on A38
Secrecy in conduct of A39
Import quotas, notice, allocation of shares A40
Interpretative notes A88
Limitations on A34
Interpretative note A87
Importation and Exportation. *See also* Customs; Import Restrictions or Prohibitions.
Emergency action on imports of particular products A58
Fees and charges, other than duties, limitation on A28
Interpretative note A87
Formalities connected with A28
Interpretative note A87
Penalties, limitation A29
Monopolies on importation—
Interpretative note A86
Limitation A15
Most-favored-nation treatment, general A12
Charter of International Trade Organization, effect of entry into force A72
Interpretative note A85
Quantitative restrictions—
Elimination of A32
Entry into force in respect of certain export restrictions A48
Exceptions A33
Interpretative note A87
Nondiscriminatory administration of A40
Entry into force, limitation of A48
Exceptions A43
Interpretative note A88
State-trading operations, inclusion A34
India, trade arrangements with Pakistan A67
Interpretative note A89
Interim Agreements, adoption, restriction A66, A67
Internal Taxation and Regulation:
Charter of International Trade Organization, effect of entry into force A72
National treatment on A18
International Monetary Fund:
Consultation on exchange questions A49
Currency conversion, formulation of rules for A27
Membership of contracting parties A50
International Trade Organization, Charter of, relation of Agreement to A72
Interpretative Notes, General Agreement A85

J

Page

Joint Action by Contracting Parties A68

M

Marketing Boards, provisions applicable to operation A89
Marks of Origin, provisions relating to A29
Meeting of Contracting Parties, First, convening by Secretary-General of United Nations A68
Military Occupation, Areas Under, trade with A90
Monopolies on Importation:
Interpretative note A86
Limitation A15
Most-Favored-Nation Treatment:
Charter of International Trade Organization, effect of entry into force A72
General A12
Interpretative note A85
Multiple Currency Practices A86

N

Notes, Interpretative, on General Agreement A85
Nullification or Impairment of Benefits, action to be taken A64

O

Occupation, Military, Areas Under, trade with A90
Origin, Marks of, provisions relating to A29

P

Pakistan, trade arrangements with India A67
Interpretative note A89
Preferences in Import Duties or Charges, Certain:
Elimination not required A12
Territories, list of A76–A82
Margin of—
Definition A85
Limitation A13, A85
Maximum margins, dates of establishment A83
Price Stabilization Systems, Domestic, material injury resulting from, determination A25
Protocol of Provisional Application A2051
Deposit of instrument A2052
Effective date A2051
Languages, authentic A2052
Publication of, release by Secretary-General of United Nations A7
Signatories A2053
Withdrawals A2052
Publication of Trade Regulations A30

Q

Page

Quantitative Regulations, provision for consultation A64
Quantitative Restrictions:
Elimination of A32
Entry into force in respect of certain export restrictions A48
Exceptions A33
Interpretative note A87
Nondiscriminatory administration of A40
Entry into force, limitation A48
Exceptions A43
Interpretative note A88
State-trading operations, inclusion A34

R

Registration A70
Restrictions, Quantitative. *See* Quantitative Restrictions.

S

Sanitary Laws and Regulations, provision for consultation A64
Schedules:
Countries—
Australia A93
Belgium, Luxemburg, Netherlands—
Belgian Congo and Ruanda-Urundi—
English text A261
French text (authentic) A1539
Curaçao A291
Metropolitan territories—
English text A201
French text (authentic) A1459
Netherlands Indies A264
Surinam A293
Brazil A297
Burma A383
Canada A389
Ceylon A493
Chile—
English text A507
French text (authentic) A1765
China A525
Cuba A545
Czechoslovakia A643
France—
French Equatorial Africa—
English text A912
French text (authentic) A1995
French Guiana—
English text A922
French text (authentic) A2007
French Somali Coast and Dependencies—
English text A918
French text (authentic) A2001

Schedules—Continued Page
Countries—Continued
France—Continued
French West Africa—
English text A915
French text (authentic) A1998
Guadeloupe and Dependencies—
English text A921
French text (authentic) A2005
Indo-China—
English text A923
French text (authentic) A2008
Madagascar and Dependencies—
English text A925
French text (authentic) A2010
Martinique—
English text A928
French text (authentic) A2013
Metropolitan territory—
English text A699
French text (authentic) A1841
New Caledonia and Dependencies—
English text A929
French text (authentic) A2015
Oceania, French establishments in—
English text A919
French text (authentic) A2002
Réunion—
English text A934
French text (authentic) A2020
Saint-Pierre and Miquelon—
English text A935
French text (authentic) A2021
Tunisia—
English text A937
French text (authentic) A2024
Great Britain. *See* United Kingdom, *this title.*
India A941
New Zealand A953
Norway A989
Pakistan A1003
South Africa, Union of A1039
Southern Rhodesia A1015
Syro-Lebanese Customs Union—
English text A1017
French text (authentic) A2027
United Kingdom—
Dependent territories A1152
Malayan Union A1153
Metropolitan Territory A1071
Newfoundland A1144
Palestine A1154
United States of America A1157
List of A91
Modification of A71
Screen Quotas, regulation of cinematograph films A20

Secretary-General of United Nations. Page
See under United Nations.
Security Exceptions A63
State-Trading Enterprises, nondiscriminatory treatment on part of A52
Interpretative notes A89
State-Trading Operations:
Consultation, provision for A64
Inclusion under import and export restrictions A34
Subsidies, provisions relating to A51, A64
Subsidization, Offsetting Measures A24
Limitation A25
Interpretative note A86

T

Taxation and Regulation, Internal:
Charter of International Trade Organization, effect of entry into force A72
National treatment on A18
Territorial Application A66
Interpretative note A89
Trade Agreements, publication A31
Trade and Employment, United Nations Conference on. *See* Trade and Employment, Conference on, *under* United Nations.
Trade Names, Misuse, prevention A30
Trade Regulations, publication and administration of A30
Transit, Freedom of A21
Transportation charges, interpretative note A86

U

United Nations:
Economic and Social Council, consultation respecting nullification or impairment of benefits of agreement A65
General Agreement, registration A70
Secretary-General—
Amendments, General Agreement, deposit of instruments of acceptance A74
Contracting parties, convening of first meeting A68
Final Act, release for publication A7
General Agreement, deposit of A69
Entry into force A70
Instruments of acceptance, deposit of A69
Protocol of Provisional Application, General Agreement on Tariffs and Trade, deposit; furnishing of copies A2052
Withdrawal from Agreement, written notice to A65, A75

United Nations—Continued Page
Trade and Employment, Conference on—
International Trade Organization, Charter of, relation of General Agreement to A72
Preparatory Committee, second session, Final Act adopted at conclusion of A5

V Page
Valuation for Customs Purposes A25
Interpretative note A86

W
Waiver of Obligations A68
Withdrawal From Agreement A74
Amendments, nonacceptance of A74
Notice to Secretary-General of United Nations A65, A75

O

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES,
REORGANIZATION PLANS, AND PROPOSED
AMENDMENT TO THE CONSTITUTION

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

VOLUME 61

IN SIX PARTS

PART 6

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES
(GENERAL AGREEMENT ON TARIFFS AND TRADE)

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CONTENTS

	Page
FRENCH LANGUAGE TEXT:	
GENERAL AGREEMENT ON TARIFFS AND TRADE	A1365
INDEX TO LIST OF SCHEDULES	A1457
PROTOCOL OF PROVISIONAL APPLICATION (ENGLISH AND FRENCH LANGUAGE TEXTS)	A2051

GENERAL AGREEMENT ON TARIFFS AND TRADE

(in two parts, with the documents arranged in the order of the original compilation deposited with the United Nations)

Part 5, 61 Stat., contains the Final Act (in both English and French), the English authentic texts, and the revised translations by the Department of State of the parts of this agreement in which only the French texts are authentic.

Part 6, 61 Stat., contains the French authentic texts and the Protocol of Provisional Application (in both English and French).

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

FIRST SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned sine die on Friday, December 19, 1947

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

October 30, 1947
[T. I. A. S. 1700, Vol. II]

Protocol of Provisional Application of the General Agreement on Tariffs and Trade, signed at Geneva October 30, 1947, for the United States of America, Australia, Belgium, Canada, France, Luxemburg, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland; open for signature at the Headquarters of the United Nations until June 30, 1948; effective January 1, 1948, with respect to the United States of America, Australia, Belgium, Canada, France, Luxemburg, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland. The General Agreement on Tariffs and Trade, dated at Geneva October 30, 1947; open for deposit of instruments of acceptance with the Secretary-General of the United Nations. And a Final Act, signed at Geneva October 30, 1947, at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment.

ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

Les Gouvernements du Commonwealth d'Australie, du Royaume de Belgique, des Etats-Unis du Brésil, de la Birmanie, du Canada, de Ceylan, de la République du Chili, de la République de Chine, de la République de Cuba, des Etats-Unis d'Amérique, de la République française, de l'Inde, du Liban, du Grand-Duché de Luxembourg, du Royaume de Norvège, de la Nouvelle-Zélande, du Pakistan, du Royaume des Pays-Bas, de la Rhodésie du Sud, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, de la Syrie, de la République tchécoslovaque et de l'Union sud-africaine,

Reconnaissant que leurs rapports dans le domaine commercial et économique doivent être orientés vers le relèvement des niveaux de vie, la réalisation du plein emploi et d'un niveau élevé et toujours plus croissant du revenu réel et de la demande effective, la pleine utilisation des ressources mondiales et l'accroissement de la production et des échanges de produits,

Désireux de contribuer à la réalisation de ces objets par la conclusion d'accords visant, sur une base de réciprocité et d'avantages mutuels, à la réduction substantielle des tarifs douaniers et des autres entraves aux échanges et à l'élimination des discriminations en matière de commerce international,

Sont, par l'entremise de leurs représentants, convenus de ce qui suit :

PARTIE I

Article premier

Traitement général de la nation la plus favorisée.

1. Tous avantages, faveurs, privilèges ou immunités accordés par une partie contractante à un produit originaire ou à destination de tout autre pays, seront, immédiatement et sans condition, étendus tout produit similaire originaire ou à destination du territoire de toutes les autres parties contractantes. Cette disposition concerne les droits de douane et les impositions de toute nature qui frappent les importations ou les exportations ou qui sont perçus à l'occasion d'importations ou d'exportations ainsi que ceux qui frappent les transferts internationaux de fonds destinés à régler les importations ou les exportations, le mode de perception de ces droits et impositions, l'ensemble de la réglementation et des formalités afférentes aux importations ou aux exportations ainsi que toutes les questions qui font l'objet des paragraphes 1 et 2 de l'Article III.

2. Les dispositions du paragraphe premier du présent article n'entraîneront pas, en matière de droits et d'impositions à l'importation, la suppression des préférences énumérées ci-après, à condition qu'elles ne dépassent pas les limites fixées au paragraphe 3 du présent article :

(a) préférences en vigueur exclusivement entre deux ou plusieurs des territoires énumérés à l'Annexe A, sous réserve des conditions qui y sont stipulées;

(b) préférences en vigueur exclusivement entre deux ou plusieurs des territoires qui, au 1er juillet 1939, relevaient d'une commune souveraineté ou étaient unis par des liens de protectorat ou de suzeraineté et qui sont énumérés dans les Annexes B, C et D, sous réserve des conditions qui y sont stipulées;

(c) préférences en vigueur exclusivement entre les Etats-Unis d'Amérique et la République de Cuba;

(d) préférences en vigueur exclusivement entre pays voisins énumérés dans les Annexes E et F.

3. En ce qui concerne les produits qui bénéficient d'une préférence en vertu du paragraphe 2 du présent article, la marge de préférence, lorsqu'il n'est pas expressément prévu une marge de préférence maximum dans la liste correspondante jointe au présent Accord, ne dépassera pas :

(a) pour les droits ou impositions applicables aux produits repris dans la liste susvisée, la différence entre le taux appliqué aux parties contractantes bénéficiant du traitement de la nation la plus favorisée et le taux préférentiel stipulés dans cette liste; si le taux préférentiel n'est pas stipulé, on considerera, aux fins d'application du présent paragraphe, que ce taux est celui qui était en vigueur le 10 avril 1947, et, si le taux appliqué aux parties contractantes bénéficiant du traitement de la nation la plus favorisée n'est pas stipulé, la marge de préférence ne dépassera pas la différence qui existait le 10 avril 1947 entre le taux applicable à la nation la plus

favorisée et le taux préférentiel;

(b) pour les droits ou impositions applicables aux produits non repris dans la liste correspondante, la différence qui existait le 10 avril 1947 entre le taux applicable à la nation la plus favorisée et le taux préférentiel.

En ce qui concerne les partie contractantes énumérées à l'Annexe G, la date du 10 avril 1947 citée dans les alinéas (a) et (b) du présent paragraphe, sera remplacée par les dates respectivement indiquées dans cette annexe.

Article II

Listes de concessions

1. (a) Chaque partie contractante accordera aux autres parties contractantes, en matière commerciale, un traitement qui ne sera pas moins favorable que celui qui est prévu dans la partie appropriée de la liste correspondante qui est jointe au présent Accord.

(b) Les produits repris à la première Partie de la liste relative à l'une des parties contractantes et qui sont des produits du territoire des autres parties contractantes ne seront pas soumis à leur importation dans le territoire auquel se rapporte cette liste et compte tenu des conditions ou clauses spéciales qui y sont stipulées, à des droits de douane proprement dits plus élevés que ceux de cette liste. De même, ces produits ne seront pas soumis à d'autres droits ou impositions de toute nature perçus à l'importation ou à l'occasion de l'importation, qui seraient plus élevés que ceux qui étaient imposés à la date du présent Accord, ou que ceux qui, comme conséquence directe et obligatoire de la législation en vigueur à cette date dans le territoire importateur, seraient imposés ultérieurement.

(c) Les produits repris à la deuxième Partie de la liste relative à l'une des parties contractantes et qui sont les produits de territoires admis, conformément à l'article premier, au bénéfice d'un traitement préférentiel à l'importation dans le territoire auquel cette liste se rapporte, ne seront pas soumis à l'importation dans ce territoire et compte tenu des conditions ou clauses spéciales qui y sont stipulées, à des droits de douane proprement dits plus élevés que ceux de la deuxieme Partie de cette liste. De même, ces produits ne seront pas soumis à d'autres droits ou impositions de toute nature perçus à l'importation ou à l'occasion de l'importation qui seraient plus élevés que ceux qui étaient imposés à la date du présent Accord, ou que ceux qui, comme conséquence directe et obligatoire de la législation en vigueur à cette date dans le territoire importateur, seraient imposés ultérieurement. Aucune disposition du présent article n'empêchera une partie contractante de maintenir les prescriptions existant à la date du présent Accord, en ce qui concerne les conditions d'admission des produits au bénéfice des taux préférentiels.

2. Aucune disposition du présent article n'empêchera une partie contractante de percevoir à tout moment, à l'importation d'un produit quelconque:

(a) une imposition équivalente à une taxe intérieure frappant, en conformité du paragraphe premier de l'article III, un produit national similaire ou une marchandise qui a été incorporée dans l'article importé;

(b) un droit anti-dumping ou compensateur en conformité de l'article VI;

(c) des redevances ou autres droits proportionels au coût des services rendus.

3. Aucune partie contractante ne modifiera sa méthode de détermination de la valeur en douane ou son mode de conversion des monnaies de façon à amoindrir la valeur des concessions reprises dans la liste correspondante jointe au présent Accord.

4. Si l'une des parties contractantes établit, maintient ou autorise, en droit ou en fait, un monopole à l'importation de l'un des produits repris dans la liste correspondante jointe au présent Accord, ce monopole n'aura pas pour effet, sauf disposition contraire figurant dans cette liste ou sauf si les parties qui ont primitivement négocié la concession en conviennent autrement, d'assurer une protection moyenne supérieure à celle qui est prévue dans cette liste. Les dispositions du présent paragraphe ne limiteront pas le recours des parties contractantes à toute forme d'assistance, aux producteurs nationaux, autorisée par d'autres dispositions du présent Accord.

5. Lorsqu'une partie contractante estime qu'un produit déterminé ne bénéficie pas, de la part d'une autre partie contractante, du traitement qu'elle croit découler d'une concession reprise dans la liste correspondante jointe au présent Accord, elle interviendra directement auprès de l'autre partie contractante. Si cette dernière, tout en convenant que le traitement revendiqué est bien celui qui était prévu, déclare que ce traitement ne peut pas être accordé parce qu'une décision d'un tribunal ou d'une autre autorité compétente a pour effet que le produit en question ne peut être classé, d'après la législation douanière de cette partie contractante, de façon à bénéficier du traitement prévu dans le présent Accord, les deux parties contractantes

ainsi que toutes autres parties contractantes intéressées de façon substantielle entreprendront au plus tôt de nouvelles négociations en vue de rechercher une compensation équitable.

6. (a) Les droits et impositions spécifiques repris dans les listes relatives aux parties contractantes membres du Fonds monétaire international, et les marges de préférence appliquées par lesdites parties contractantes par rapport aux droits et impositions spécifiques, sont exprimés dans les monnaies respectives de ces parties, au pair accepté ou reconnu provisoirement par le Fonds à la date du présent Accord. En conséquence, au cas où ce pair serait réduit, conformément aux Statuts du Fonds monétaire international, de plus de 20 pour cent, les droits ou impositions spécifiques et les marges de préférence pourraient être ajustés de façon à tenir compte de cette réduction, à la condition que les PARTIES CONTRACTANTES (c'est-à-dire les parties contractantes agissant collectivement aux termes de l'article XXV) soient d'accord pour reconnaître que ces ajustements ne sont pas susceptibles d'amoindrir la valeur des concessions reprises dans la liste correspondante du présent Accord ou ailleurs dans cet Accord, compte tenu de tous les facteurs qui pouraient influer sur la nécessité ou l'urgence de ces ajustements.

(b) En ce qui concerne les parties contractantes qui ne sont pas membres du Fonds, ces dispositions leur seront applicables mutatis mutandis à partir de la date à laquelle chacune de ces parties contractantes deviendra membre du Fonds ou conclura un accord spécial de change conformément aux dispositions de l'article XV.

7. Les listes jointes au présent Accord font partie intégrante de la Partie I de cet Accord.

PARTIE II

Article III

Traitement national en matière d'impôts et de réglementation intérieurs.

1. Les produits originaires du territoire de toute partie contractante importés sur le territoire de toute autre partie contractante seront exempts de taxes et autres impositions intérieures, de quelque nature qu'elles soient, en excédent de celles qui frappent directement ou indirectement des produits similaires d'origine nationale. De plus, dans le cas où il n'y a pas de production intérieure importante de marchandises similaires d'origine nationale, aucune partie contractante n'imposera d'impôts intérieurs nouveaux ou plus élevés sur les produits originaires du territoire d'autres parties contractantes en vue de protéger la production de marchandises en concurrence directe avec elles ou celle de produits de remplacement qui ne sont pas frappés d'une manière analogue ; les impôts intérieurs de cette nature déjà existants feront l'objet de négociations en vue de leur réduction ou de leur suppression.

2. Les produits originaires du territoire de toute partie contractante importés sur le territoire de toute autre partie contractante ne seront pas soumis à un traitement moins favorable que les produits similaires d'origine nationale en ce qui concerne toutes lois, tous règlements et toutes prescriptions affectant la vente, la mise en vente, l'achat, le transport, la distribution et l'utilisation de ces produits sur le marché intérieur. Les dispositions du présent paragraphe n'interdisent pas l'application de tarifs de transports différentiels basés exclusivement sur l'utilisation économique des moyens de transports et non sur l'origine du produit.

3. Pour l'application des principes énoncés au paragraphe 2 du présent article à la réglementation intérieure fixant les quantités ou les proportions à respecter dans le mélange, la transformation ou l'utilisation de certains produits, les parties contractantes se conformeront aux dispositions ci-après :

(a) il ne sera édicté aucune réglementation qui, soit en droit, soit en fait, exigerait qu'une quantité ou une proportion déterminée du produit auquel cette réglementation s'applique doive provenir de sources nationales de production ;

(b) aucune partie contractante ne devra, soit en droit, soit en fait, apporter de restrictions au mélange, à la transformation ou à l'utilisation d'une marchandise dont la production intérieure n'est pas importante, en vue de protéger la production nationale de marchandises en concurrence directe avec elle ou celle de produits de remplacement.

4. Les dispositions du paragraphe 3 du présent article ne s'appliqueront :

(a) à aucune mesure de contrôle quantitatif intérieur en vigueur sur le territoire d'une partie contractante quelconque au 1er juillet 1939 ou au 10 avril 1947, au choix de ladite partie contractante, sous réserve qu'il ne soit apporté à aucune mesure de ce genre qui serait en opposition avec les dispositions du paragraphe 3 du présent article de modifications préjudiciables aux importations et que les mesures en question fassent l'objet de négociations visant à en limiter la portée, à les assouplir ou à les rapporter ;

(b) à aucune réglementation quantitative intérieure relative aux films cinématographiques impressionnés et conformes aux dispositions de l'article IV.

5. Les dispositions du présent article ne s'appliqueront pas à l'achat par les pouvoirs publics ou pour leur compte de produits destinés à être utilisés par eux, à l'exclusion des produits destinés à la revente ou à la production de marchandises destinées à la vente. Elles n'interdisent pas non plus l'attribution aux seuls producteurs nationaux des subventions prévues à l'article XVI, y compris les subventions provenant du produit des taxes ou impositions intérieures et les subventions sous forme d'achats de produits nationaux par les pouvoirs publics ou pour leur compte.

Article IV

Dispositions spéciales relatives aux films cinématographiques.

Si une partie contractante établit ou maintient une réglementation quantitative intérieure sur les films cinématographiques impressionnés, cette réglementation prendra la forme de contingents à l'écran conformes aux conditions suivantes :

(a) les contingents à l'écran pourront comporter l'obligation de projeter, pour une période déterminée d'au moins un an, des films d'origine nationale pendant une fraction minimum du temps total de projection effectivement utilisé pour la présentation commerciale des films de toute origine ; ces contingents seront fixés d'après le temps annuel de projection de chaque salle ou d'après son équivalent ;

(b) il ne pourra, ni en droit, ni en fait, être opéré une répartition entre les productions de diverses origines pour la partie du temps de projection qui n'a pas été réservée, en vertu d'un contingent à l'écran, aux films

d'origine nationale, ou qui, ayant été réservée à ceux-ci, aurait été rendue disponible par mesure administrative;

(c) nonobstant les dispositions de l'alinéa(b) du présent article, les parties contractantes pourront maintenir les contingents à l'écran conformes aux conditions de l'alinéa (a) du présent article et qui réserveraient une fraction minimum du temps de projection aux films d'une origine déterminée, abstraction faite des films nationaux, sous réserve que cette fraction ne soit pas plus élevée qu'à la date du 10 avril 1947;

(d) les contingents à l'écran feront l'objet de négociations tendant à en limiter la portée, à les assouplir ou à les supprimer.

Article V

Liberté de transit.

1. Les marchandises (y compris les bagages) ainsi que les navires et autres moyens de transport seront considérés comme étant en transit à travers le territoire d'une partie contractante, lorsque le passage à travers ce territoire, qu'il s'effectue ou non avec transbordement, entreposage, rupture de charge ou changement dans le mode de transport, ne constituera qu'une fraction d'un voyage complet commençant et se terminant au delà des frontières de la partie contractante sur le erritoire duquel il a lieu. Dans le présent article, un trafic de cette nature est appelé "trafic en transit".

2. Il y aura liberté de transit à travers le territoire des parties contractantes pour le trafic en transit à destination ou en provenance du territoire d'autres parties contractantes empruntant les voies les plus commodes pour le transit international.

Il ne sera fait aucune distinction fondée sur le pavillon des navires ou bateaux, le lieu d'origine, les points de départ, d'entrée, de sortie ou de destination ou sur des considérations relatives à la propriété des marchandises, des navires, bateaux, ou autres moyens de transport.

3. Toute partie contractante pourra exiger que le trafic en transit passant par son territoire fasse l'objet d'une déclaration au bureau de douane intéressé ; toutefois, sauf lorsqu'il y aura défaut d'observation des lois et réglementations douanières applicables, les transports de cette nature en provenance ou à destination du territoire d'autres parties contractantes ne seront pas soumis à des délais ou à des restrictions inutiles et seront exonérés de droits de douane et de tous droits de transit ou de toute autre imposition en ce qui concerne le transit, à l'exception des frais de transport, ou des redevances correspondant aux dépenses administratives occasionnées par le transit ou au coût des services rendus.

4. Tous les droits et règlements appliqués par les parties contractantes au trafic en transit en provenance ou à destination du territoire d'autres parties contractantes devront être équitables, eu égard aux conditions du trafic.

5. En ce qui concerne tous les droits, règlements et formalités relatifs au transit, chaque partie contractante accordera au trafic en transit, en provenance ou à destination du territoire de toute autre partie contractante, un traitement non moins favorable que celui qui est accordé au trafic en transit en provenance ou à destination de tous pays tiers.

6. Chaque partie contractante accordera aux produits qui sont passés en transit par le territoire de toute autre partie contractante un traitement non moins favorable que celui qui leur aurait été accordé s'ils avaient été transportés de leur lieu d'origine à leur lieu de destination sans passer par ce territoire. Il sera cependant loisible à toute partie contractante de maintenir les conditions d'expédition directe en vigueur à la date du présent Accord à l'égard de toutes marchandises pour lesquelles l'expédition directe constitue une condition d'admission au bénéfice de droits préférentiels ou intervient dans le mode d'évaluation prescrit par cette partie contractante en vue de la fixation des droits de douane.

7. Les dispositions du présent article ne seront pas applicables aux aéronefs en transit, mais seront applicables au transit aérien de marchandises (y compris les bagages).

Article VI

Droits anti-dumping et compensateurs.

1. Il ne sera perçu sur un produit originaire du territoire d'une partie contractante et importé dans le territoire d'une autre partie contractante aucun droit anti-dumping d'un montant supérieur à la marge de dumping afférente à ce produit lors de son importation. Au sens du présent article, il faut entendre par marge de dumping :

(a) la différence entre le prix d'un produit déterminé exporté d'un pays vers un autre et le prix comparable demandé dans les conditions normales du commerce pour un produit similaire destiné à la consommation dans le pays exportateur ;

(b) ou, en l'absence d'un tel prix sur le marché intérieur de ce dernier pays, la différence entre le prix susmentionné et :

(i) soit le prix comparable le plus élevé pour l'exportation d'un produit similaire vers un pays tiers dans les conditions normales du commerce,

(ii) soit le coût de production de ce produit dans le pays d'origine, plus une augmentation raisonnable pour les frais de vente et le bénéfice.

Il sera dûment tenu compte, dans chaque cas, des différences dans les conditions et modalités de vente, des différences de taxation et des autres différences affectant les éléments de comparaison des prix.

2. Il ne sera perçu sur un produit originaire du territoire d'une partie contractante et importé dans le territoire d'une autre partie contractante aucun droit compensateur dépassant le montant estimé de la prime ou de la subvention que l'on sait avoir été accordée, directement ou indirectement, à la fabrication, la production ou l'exportation dudit produit dans le pays d'origine ou d'exportation, y compris toute subvention spéciale accordée pour le transport d'un produit particulier. Le terme "droit compensateur" doit être interprété comme signifiant un droit spécial perçu en vue de neutraliser toute prime ou subvention accordée, directement ou indirectement, à la fabrication, la production ou l'exportation d'un produit.

3. Aucun produit originaire du territoire d'une partie contractante et importé dans le territoire d'une autre partie contractante ne sera soumis à des droits anti-dumping ou compensateurs en raison de son exonération des droits ou impôts qui frappent le produit similaire lorsqu'il est destiné à être consommé dans le pays d'origine ou le pays d'exportation ou en raison du remboursement de ces droits ou impôts.

4. Aucun produit originaire du territoire d'une partie contractante et importé dans le territoire d'une autre partie contractante ne sera assujetti à la fois à des droits anti-dumping et à des droits compensateurs en vue de parer à une même situation résultant du dumping ou de la subvention des exportations.

5. Aucune partie contractante ne percevra de droits anti-dumping ou compensateurs à l'importation d'un produit originaire d'une autre partie contractante, à moins qu'il ne constate que l'effet du dumping ou de la subvention, selon le cas, est tel qu'il cause ou menace de causer un préjudice substantiel à une production nationale établie ou qu'il fait obstacle à la création d'une production nationale ou la retarde sensiblement. Les PARTIES CONTRACTANTES pourront déroger aux prescriptions du présent paragraphe de façon à permettre à une partie contractante de percevoir un droit anti-dumping ou compensateur à l'importation d'un produit quelconque en vue de compenser un dumping ou une subvention qui cause ou menace de causer un préjudice substantiel à une production du territoire d'une autre partie contractante exportant le produit en question dans le territoire de la partie contractante importatrice.

6. Un système adopté en vue de stabiliser soit le prix intérieur d'un produit de base soit la recette brute des producteurs nationaux d'un produit de ce genre indépendamment des mouvements des prix à l'exportation et qui permet parfois la vente dudit produit pour l'exportation à un prix inférieur au prix comparable demandé pour un produit similaire aux acheteurs du marché intérieur, sera considéré comme n'entraînant pas un préjudice substantiel au sens du paragraphe 5 du présent article, s'il est établi à la suite

d'une consultation entre les parties contractantes intéressées de facon substantielle au produit en question :

(a) que ce système a eu également pour résultat la vente à l'exportation du produit en question à un prix supérieur au prix comparable demandé pour le produit similaire aux acheteurs du marché intérieur,

(b) et que ce système, par suite de la réglementation effective de la production ou pour toute autre raison, fonctionne de telle façon qu'il n'apporte pas aux exportations un stimulant injustifié ou n'entraîne aucun autre préjudice grave pour les intérêts des autres parties contractantes.

7. Aucune partie contractante n'aura recours, pour neutraliser les effets d'un dumping ou d'une subvention, à des mesures autres que les droits anti-dumping ou compensateurs en ce qui concerne tout produit du territoire d'une autre partie contractante.

Article VII

Valeur en douane.

1. Les parties contractantes reconnaissent, en ce qui concerne la détermination de la valeur en douane, la validité des principes généraux figurant dans les paragraphes ci-après du présent article et elles s'engagent à les appliquer aussitôt que possible en ce qui concerne tous les produits soumis à des droits de douane ou à d'autres impositions ou restrictions à l'importation et à l'exportation basées sur la valeur ou fonction en quelque manière de la valeur. De plus, chaque fois qu'une autre partie contractante en fera la demande, elles examineront, à la lumière desdits principes, l'application de toute loi ou de tout règlement relatifs à la

valeur en douane. Les PARTIES CONTRACTANTES pourront demander aux autres parties contractantes de leur fournir des rapports sur les mesures qu'elles auront prises suivant les dispositions du présent article.

2. (a) La valeur en douane des marchandises importées devrait être fondée sur la valeur réelle de la marchandise importée à laquelle s'applique le droit ou d'une marchandise similaire, et ne devrait pas être fondée sur la valeur de produits d'origine nationale ou sur des valeurs arbitraires ou fictives.

(b) La "valeur réelle" devrait être le prix auquel, en des temps et lieu déterminés par la législation du pays d'importation et à l'occasion d'opérations commerciales normales, ces marchandises ou des marchandises similaires sont vendues ou offertes à la vente dans des conditions de pleine concurrence. Dans la mesure où le prix de ces marchandises ou des marchandises similaires dépend de la quantité sur laquelle porte une transaction déterminée, le prix considéré devrait se rapporter, suivant le choix opéré une fois pour toutes par le pays importateur, soit (i) à des quantités comparables, soit (ii) à des quantités fixées d'une manière au moins aussi favorable pour l'importateur que si l'on prenait le volume le plus considérable de ces marchandises qui a affectivement donné lieu à des transactions commerciales entre le pays d'exportation et le pays d'importation.

(c) Dans le cas où il serait impossible de déterminer la valeur réelle en se conformant aux termes de l'alinéa (b) du présent paragraphe, la valeur en douane devrait être basée sur l'équivalence vérifiable la plus proche possible de cette valeur.

3. La valeur en douane de toute marchandise importée ne devrait comprendre aucun impôt ou taxe intérieurs exigibles dans le pays d'origine ou de provenance dont la marchandise importée aurait été exonérée ou dont le montant aurait fait ou serait destiné à faire l'objet d'un remboursement.

4. (a) Sauf dispositions contraires du présent paragraphe, lorsqu'une partie contractante se trouve dans la nécessité, pour l'application du paragraphe 2 de cet article, de convertir dans sa propre monnaie un prix exprimé dans la monnaie d'un autre pays, le taux de conversion à adopter sera fondé sur les parités qui résultent des Statuts du Fonds monétaire international ou des accords spéciaux de change conclus en conformité de l'article XV du présent Accord.

(b) Au cas où une telle parité n'aurait pas été fixée, le taux de conversion correspondra effectivement à la valeur courante de cette monnaie dans les transactions commerciales.

(c) Les PARTIES CONTRACTANTES, d'accord avec le Fonds monétaire international, formuleront les règles régissant la conversion par les parties contractantes de toute monnaie étrangère à l'égard de laquelle des taux multiples de change ont été maintenus en conformité des Statuts du Fonds monétaire international. Chaque partie contractante pourra appliquer les règles en question à ces monnaies étrangères aux fins d'application du paragraphe 2 du présent article, au lieu de se baser sur les parités. En attendant que les PARTIES CONTRACTANTES adoptent les règles dont il s'agit, chaque partie contractante pourra, aux fins d'application du paragraphe 2 du présent article, appliquer à toute monnaie étrangère répondant aux conditions définies dans le présent alinéa des

règles de conversion destinées à exprimer effectivement la valeur de cette monnaie étrangère dans les transactions commerciales.

(d) Aucune disposition du présent paragraphe ne peut être interprétée comme obligeant une partie contractante à apporter au mode de conversion des monnaies qui, pour la détermination de la valeur en douane, est applicable sur son territoire à la date du présent Accord, des modifications qui auraient pour effet d'augmenter d'une manière générale le montant des droits de douane exigibles.

5. Les critères et les méthodes servant à déterminer la valeur des produits soumis à des droits de douane ou à d'autres impositions ou restrictions basées sur la valeur ou fonction en quelque manière de la valeur devraient être constants et devraient recevoir la publicité nécessaire pour permettre aux commerçants de déterminer la valeur en douane avec une approximation suffisante.

Article VIII

Formalités se rapportant à l'importation et à l'exportation.

1. Les parties contractantes reconnaissent que les redevances et impositions, autres que les droits de douane, perçues par les autorités gouvernementales ou administratives à l'importation ou à l'exportation ou à l'occasion de l'importation ou de l'exportation devraient être limitées au coût approximatif des services rendus et ne devraient pas constituer une protection indirecte des produits nationaux ou des taxes de caractère fiscal à l'importation ou à l'exportation. Les parties contractantes reconnaissent également la nécessité de restreindre le nombre et la diversité de ces redevances et impositions, de réduire au minimum les effets et la complexité des formalités d'importation et d'exportation, de diminuer et de simplifier les

formalités relatives aux pièces à fournir en matière d'importation et d'exportation.

2. Les parties contractantes prendront aussitôt que possible des mesures conformes aux principes et aux objectifs mentionnés au paragraphe premier du présent article. De plus, elles examineront, chaque fois qu'une autre partie contractante en fera la demande, l'application de toute loi ou de tout règlement à la lumière desdits principes.

3. Aucune partie contractante n'imposera de pénalités sévères pour de légères infractions à la réglementation ou à la procédure douanières. En particulier, les pénalités pécuniaires imposées à l'occasion d'une omission ou d'une erreur dans les documents présentés à la douane n'excéderont pas, pour les omissions ou erreurs facilement réparables et manifestement dénuées de toute intention frauduleuse ou ne constituant pas une négligence grave, la somme nécessaire pour constituer un simple avertissement.

4. Les dispositions du présent article s'étendront aux redevances, impositions, formalités et conditions imposées par les autorités gouvernementales ou administratives à l'occasion des opérations d'importation et d'exportation y compris les redevances, impositions, formalités et conditions relatives:

(a) aux formalités consulaires, telles que factures et certificats consulaires;

(b) aux restrictions quantitatives;

(c) aux licences;

(d) au contrôle des changes;

(e) aux services de statistique;

(f) aux pièces à produire, à la documentation et à la délivrance de certificats;

(g) aux analyses et aux vérifications;

(h) à la quarantaine, à l'inspection sanitaire et à la désinfection.

Article IX

Marques d'origine.

1. En ce qui concerne la réglementation relative au marquage, chaque partie contractante accordera aux produits du territoire des autres parties contractantes un traitement qui ne devra pas être moins favorable que le traitement accordé aux produits similaires de tout pays tiers.

2. Chaque fois que cela sera possible du point de vue administratif, les parties contractantes devraient permettre l'apposition, au moment de l'importation, des marques d'origine.

3. En ce qui concerne le marquage des produits importés, les lois et règlements des parties contractantes seront tels qu'il sera possible de s'y conformer sans occasionner de dommage sérieux aux produits ni réduire substantiellement leur valeur, ni accroître indûment leur prix de revient.

4. En règle générale, aucune partie contractante ne devrait imposer d'amende ou de droit spécial lorsqu'il y aura eu défaut d'observation des règlements relatifs au marquage avant l'importation, à moins que la rectification du marquage ne soit indûment différée ou que des marques de nature à induire en erreur n'aient été apposées ou que le marquage n'ait été intentionnellement omis.

5. Les parties contractantes collaboreront en vue d'éviter que les marques commerciales ne soient utilisées de manière à induire en erreur quant à la véritable origine du produit, et cela au détriment des appellations d'origine régionales ou géographiques des produits du territoire d'une partie contractante qui sont protégées

par sa législation. Chaque partie contractante accordera une entière et bienveillante attention aux demandes ou représentations que pourra lui adresser une autre partie contractante au sujet d'abus tels que ceux mentionnés ci-dessus dans le présent paragraphe qui lui auront été signalés par cette autre partie contractante concernant les appellations que celle-ci aura communiquées à la première partie contractante.

Article X

Publication et application des règlements relatifs au commerce.

1. Les lois, règlements, décisions judiciaires et administratives d'application générale rendus exécutoires par toute partie contractante qui visent la classification ou l'évaluation des produits à des fins douanières, les taux des droits de douane, taxes et autres impositions, ou les prescriptions, restrictions ou prohibitions relatives à l'importation ou à l'exportation, ou le transfert de paiements les concernant, ou qui touchent la vente, la distribution, le transport, l'assurance, l'entreposage, l'inspection, l'exposition, la transformation, le mélange ou toute autre utilisation de ces produits seront publiés, dans les moindres délais, de façon à permettre aux gouvernements et aux commerçants d'en prendre connaissance. Les accords intéressant la politique commerciale internationale et qui seraient en vigueur entre le gouverne- ou un organisme gouvernemental de toute partie contractante et le gouvernement ou un organisme gouvernemental d'une autre partie contractante seront également publiés. Les dispositions du présent

paragraphe n'obligeront pas une partie contractante à révéler des renseignements de caractère confidentiel qui feraient obstacle à l'application des lois, qui seraient contraires à l'intérêt public ou qui porteraient préjudice aux intérêts commerciaux légitimes d'entreprises publiques ou privées.

2. Aucune mesure d'ordre général que pourrait prendre une partie contractante et qui entraînerait un relèvement du taux d'un droit de douane ou d'une autre imposition à l'importation en vertu d'usages établis et uniformes ou d'où il résulterait, pour les importations ou les transferts de fonds relatifs à des importations, une prescription, une restriction ou une prohibition nouvelle ou aggravée ne sera mise en vigueur avant qu'elle n'ait été publiée officiellement.

3. (a) Chaque partie contractante appliquera d'une manière uniforme, impartiale et équitable tous les règlements, lois, décisions judiciaires et administratives visés au paragraphe premier du présent article.

(b) Chaque partie contractante maintiendra ou instituera, aussitôt que possible, des tribunaux judiciaires, administratifs ou d'arbitrage ou des instances ayant pour but notamment de réviser et de rectifier dans les moindres délais les mesures administratives se rapportant aux questions douanières. Ces tribunaux ou instances seront indépendants des organismes chargés de l'application des mesures administratives, et leurs décisions seront exécutées par ces organismes et en régiront la pratique administrative, à moins

qu'il ne soit interjeté appel auprès d'une juridiction supérieure dans les délais prescrits pour les appels interjetés par les importateurs, sous réserve que l'administration centrale d'un tel organisme puisse prendre des mesures en vue d'obtenir une révision de l'affaire dans une autre action, s'il y a des raisons valables de croire que la décision est incompatible avec les principes du droit ou avec les faits de la cause.

(c) Aucune disposition de l'alinéa (b) du présent paragraphe n'exigera la suppression ou le remplacement des instances existant sur le territoire d'une partie contractante à la date du présent Accord et qui assurent en fait une révision impartiale et objective des décisions administratives, quand bien même ces instances ne seraient pas entièrement ou formellement indépendantes des organismes chargés de l'application des mesures administratives. Toute partie contractante qui a recours à de telles instances devra, lorsqu'elle y sera invitée, communiquer à ce sujet aux PARTIES CONTRACTANTES tous renseignements permettant à ces dernières de décider si ces instances répondent aux conditions fixées dans le présent alinéa.

Article XI

Elimination générale des restrictions quantitatives.

1. Aucune partie contractante n'instituera ou ne maintiendra à l'importation d'un produit originaire du territoire d'une autre partie contractante,

à l'exportation ou à la vente pour l'exportation d'un produit destiné au territoire d'une autre partie contractante, de prohibitions ou de restrictions autres que des droits de douane, taxes ou autres impositions, que l'application en soit faite au moyen de contingents, de licences d'importation ou d'exportation ou de tout autre procédé.

2. Les dispositions du paragraphe premier du présent article ne s'étendront pas aux cas suivants :

(a) prohibitions ou restrictions à l'exportation appliquées temporairement pour prévenir une situation critique, due à une pénurie de produits alimentaires ou d'autres produits essentiels pour la partie contractante exportatrice ou pour remédier à cette situation ;

(b) prohibitions ou restrictions à l'importation ou à l'exportation nécessaires pour l'application de normes ou réglementations concernant la classification, le contrôle de la qualité ou la mise en vente de produits destinés au commerce international ;

(c) restrictions à l'importation de tout produit agricole ou produit des pêcheries, quelle que soit la forme sous laquelle ces produits sont importés, quand elles sont nécessaires à l'application de mesures gouvernementales ayant pour effet :

(i) de restreindre la quantité du produit national similaire qui peut être mise en vente ou produite ou, à défaut de production nationale importante du produit similaire, celle d'un produit national auquel le produit importé peut être substitué directement ;

(ii) ou de résorber un excédent temporaire du produit national similaire ou, à défaut de production

nationale importante du produit similaire, d'un produit national auquel le produit importé peut être substitué directement, en mettant cet excédent à la disposition de certains groupes de consommateurs du pays à titre gratuit ou à des prix inférieurs aux cours pratiqués sur le marché ;

(iii) ou de restreindre la quantité qui peut être produite de tout produit d'origine animale dont la production dépend directement, en totalité ou pour la plus grande partie, du produit importé, si la production nationale de ce dernier est relativement négligeable.

Toute partie contractante appliquant des restrictions à l'importation d'un produit conformément aux dispositions de l'alinéa (c) du présent paragraphe publiera le total du volume ou de la valeur du produit dont l'importation sera autorisée pendant une période ultérieure déterminée ainsi que tout changement survenant dans ce volume ou cette valeur. De plus, les restrictions appliquées conformément à l'alinéa (i) ci-dessus ne devront pas avoir pour effet de réduire le rapport entre le total des importations et celui de la production nationale, comparé à la proportion que l'on pourrait raisonnablement s'attendre à voir s'établir entre elles en l'absence desdites restrictions. Pour déterminer cette proportion, la partie contractante tiendra dûment compte de celle qui existait au cours d'une période de référence antérieure et de tous facteurs spéciaux qui ont pu ou peuvent affecter le commerce de ce produit.

3. Dans les Articles XI, XII, XIII et XIV, les expressions

"restrictions à l'importation" ou "restrictions à l'exportation" visent également les restrictions appliquées par le moyen de transactions relevant du commerce d'Etat.

ARTICLE XII

Restrictions destinées à protéger la balance des paiements.

1. Nonobstant les dispositions du paragraphe premier de l'article XI, toute partie contractante, en vue de sauvegarder sa position financière exterieure et la balance de ses paiements, pourra restreindre le volume ou la valeur des marchandises dont elle autorise l'importation, sous réserve des dispositions des paragraphes suivants du présent article.

2. (a) Aucune partie contractante n'instituera, ne maintiendra, ni ne renforcera de restrictions à l'importation en vertu du présent article, sauf dans la mesure nécessaire :

(i) pour s'opposer à la menace imminente d'une baisse importante de ses réserves monétaires ou pour mettre fin à cette baisse,

(ii) ou pour relever ses réserves monétaires suivant un taux d'accroissement raisonnable, dans le cas où elles seraient très basses.

Il sera dûment tenu compte, dans ces deux cas, de tous les facteurs spéciaux qui affecteraient les réserves monétaires de la partie contractante ou ses besoins en réserves monétaires, et notamment, lorsqu'elle dispose de crédits extérieurs spéciaux ou d'autres ressources, de la nécessité de prévoir l'emploi approprié de ces crédits ou de ces ressources.

(b) Les parties contractantes qui appliquent des restrictions en vertu de l'alinéa (a) du présent paragraphe les atténueront progressivement au fur et à mesure que la situation envisagée audit

alinéa s'améliorera et ne les maintiendront que dans la mesure où cette situation en justifiera encore l'application. Elles les élimineront lorsque la situation ne justifiera plus leur établissement ou leur maintien en vertu dudit alinéa.

3. (a) Les parties contractantes reconnaissent qu'au cours des premières années à venir, elles devront toutes, à des degrés divers, faire face à des problèmes d'adaptation économique résultant de la guerre. Au cours de cette période, les PARTIES CONTRACTANTES tiendront pleinement compte, lorsqu'elles devront prendre des décisions en vertu du présent article ou de l'article XIV, des difficultés d'adaptation de la période d'après-guerre et de la nécessité dans laquelle une partie contractante peut se trouver de recourir à des restrictions à l'importation en vue de rétablir l'équilibre de sa balance des paiements sur une base saine et durable.

(b) Les parties contractantes reconnaissent que la politique suivie sur le plan national par une partie contractante en vue de réaliser et de maintenir le plein emploi productif et un volume important et toujours croissant de la demande ou d'assurer la reconstruction ou le développement des ressources industrielles et autres ressources économiques et l'élévation des niveaux de productivité peut provoquer chez cette partie contractante une forte demande d'importation. En conséquence :

(i) nonobstant les dispositions du paragraphe 2 du présent article, aucune partie contractante ne sera tenue de supprimer ou de modifier des restrictions du fait que, si un changement était apporté à la politique définie ci-dessus, les restrictions qu'elle applique en vertu du présent article cesseraient d'être nécessaires ;

(ii) toute partie contractante qui applique des restrictions à l'importation en vertu du présent article pourra déterminer l'incidence de ces restrictions sur les importations des différents produits ou des différentes catégories de produits, de manière à donner la priorité à l'importation des produits qui, dans la ligne de la politique suivie, sont les plus nécessaires.

(c) Dans l'application de leur politique nationale, les parties contractantes s'engagent :

(i) à tenir dûment compte de la nécessité de rétablir l'équilibre de leur balance des paiements sur une base saine et durable et de l'opportunité d'assurer l'utilisation de leurs ressources productives sur une base économique ;

(ii) à s'abstenir d'appliquer des restrictions qui s'opposeraient indûment à l'importation en quantités commerciales minimes de marchandises, de quelque nature qu'elles soient, dont l'exclusion entraverait les courants normaux d'échanges, ou encore des restrictions qui s'opposeraient à l'importation d'échantillons commerciaux ou à l'observation des procédures relatives aux brevets, marques de fabrique, droits d'auteur et de reproduction ou d'autres procédures analogues ;

(iii) et à appliquer les restrictions prévues au présent article de manière à éviter de porter, sans nécessité, préjudice aux intérêts commerciaux ou économiques de toute autre partie contractante.

4. (a) Toute partie contractante qui n'applique pas de restrictions en vertu du présent article, mais qui envisage la nécessité de le faire, devra, avant de les instituer

(ou, dans le cas où une consultation préalable est impossible, immédiatement après l'avoir fait) entrer en consultation avec les PARTIES CONTRACTANTES au sujet de la nature des difficultés afférentes à sa balance des paiements, des divers correctifs entre lesquels elle a le choix, ainsi que de la répercussion possible de ces mesures sur l'économie d'autres parties contractantes. Aucune partie contractante ne sera tenue, au cours de ces consultations, d'indiquer d'avance le choix qu'elle fera de telles mesures particulières qu'elle pourra décider finalement d'adopter, ni leur date d'application.

(b) Les PARTIES CONTRACTANTES pourront à tout moment inviter une partie contractante qui applique des restrictions à l'importation en vertu du présent article à entrer en consultation avec elles à ce sujet ; elles inviteront toute partie contractante qui renforce ces restrictions d'une manière substantielle à entrer en consultation avec elles dans les trente jours. La partie contractante ainsi invitée devra participer à ces discussions. Les PARTIES CONTRACTANTES pourront inviter toute autre partie contractante à prendre part à ces discussions. Le 1er janvier 1951 au plus tard, les PARTIES CONTRACTANTES passeront en revue toutes les restrictions existant à cette date et qui, en vertu du présent article, seraient encore appliquées au moment de cet examen.

(c) Toute partie contractante pourra entrer en consultation avec les PARTIES CONTRACTANTES en vue d'obtenir d'elles l'approbation préalable, soit de restrictions qu'elle se propose de maintenir, de renforcer ou d'instituer en vertu du présent

article, soit de restrictions qu'elle désire maintenir, renforcer ou instituer au cas où des conditions déterminées se réaliseraient ultérieurement. Comme suite à ces consultations, les PARTIES CONTRACTANTES pourront approuver d'avance le maintien, le renforcement ou l'institution de restrictions par la partie contractante en question quant à leur étendue, à leur degré d'intensité ou à leur durée. Dans les limites de cette approbation, les conditions prévues à l'alinéa (a) du présent paragraphe seront considérées comme étant remplies et les mesures prises par la partie contractante appliquant les restrictions ne pourront être attaquées en vertu de l'alinéa (d) du présent paragraphe comme incompatibles avec les dispositions du paragraphe 2 du présent article.

(d) Toute partie contractante qui considère qu'une autre partie contractante applique des restrictions en vertu du présent article d'une manière incompatible avec les dispositions des paragraphes 2 ou 3 de cet article ou avec celles de l'article XIII (sous réserve des dispositions de l'article XIV) pourra soumettre la question aux PARTIES CONTRACTANTES pour discussion. La partie contractante qui applique ces restrictions participera à la discussion. Si les PARTIES CONTRACTANTES, après un premier examen, estiment que le commerce de la partie contractante qui a recours à cette procédure est lésé, elles présenteront leurs observations aux parties en vue de parvenir à un règlement de l'affaire satisfaisant pour les parties intéressées et pour les PARTIES CONTRACTANTES. Au cas où ce règlement ne serait pas obtenu et où les PARTIES CONTRACTANTES décideraient que les restrictions sont appliquées d'une manière incompatible avec les

dispositions des paragraphes 2 ou 3 du présent article, ou avec celles de l'article XIII (sous réserve des dispositions de l'article XIV), les PARTIES CONTRACTANTES recommanderont la suppression ou la modification desdites restrictions. Si les restrictions ne sont pas supprimées ou modifiées dans les soixante jours, conformément à la recommandation des PARTIES CONTRACTANTES, celles-ci pourront relever une ou plusieurs parties contractantes des engagements qu'elles spécifieront parmi les engagements contractés, en vertu du présent Accord, envers la partie contractante appliquant les restrictions.

(e) Il est reconnu que le fait de dévoiler prématurément les projets visant, en vertu du présent article, à appliquer, supprimer ou modifier toute restriction risquerait de favoriser, dans les échanges commerciaux et les mouvements de capitaux, une spéculation qui irait à l'encontre des buts du présent article. En conséquence, les PARTIES CONTRACTANTES prendront toutes dispositions pour que le secret le plus absolu soit observé dans la conduite de toute consultation.

5. Au cas où l'application de restrictions à l'importation en vertu du présent article prendrait un caractère durable et étendu et indiquerait ainsi l'existence d'un déséquilibre général réduisant le volume des échanges internationaux, les PARTIES CONTRACTANTES entameront des pourparlers pour examiner si d'autres mesures ne pourraient pas être prises, soit par les parties contractantes dont la balance des paiements tend à être défavorable, soit par celles dont la balance des paiements tend à être

exceptionnellement favorable, soit encore par une organisation intergouvernementale compétente, afin de faire disparaître les causes fondamentales de ce déséquilibre. Sur l'invitation des PARTIES CONTRACTANTES, les parties contractantes prendront part à ces pourparlers.

ARTICLE XIII

Application non discriminatoire des restrictions quantitatives.

1. Aucune prohibition ou restriction ne sera appliquée par une partie contractante à l'importation d'un produit originaire du territoire d'une autre partie contractante ou à l'exportation d'un produit destiné au territoire d'une autre partie contractante, à moins que des prohibitions ou des restrictions semblables ne soient appliquées à l'importation du produit similaire originaire de tout pays tiers ou à l'exportation du produit similaire à destination de tout pays tiers.

2. Dans l'application des restrictions à l'importation d'un produit quelconque, les parties contractantes s'efforceront de parvenir à une répartition du commerce de ce produit se rapprochant dans toute la mesure du possible de celle que, en l'absence de ces restrictions, les diverses parties contractantes seraient en droit d'attendre et elles observeront à cette fin les dispositions suivantes :

(a) chaque fois que cela sera possible, des contingents représentant le montant global des importations autorisées (qu'ils soient ou non répartis entre les pays fournisseurs) seront fixés et leur montant sera publié

conformément au paragraphe 3 (b) du présent article;

(b) lorsqu'il ne sera pas possible de fixer des contingents globaux, les restrictions pourront être appliquées au moyen de licences ou permis d'importation sans contingent global ;

(c) sauf s'il s'agit de faire jouer les contingents alloués conformément à l'alinéa (d) du présent paragraphe, les parties contractantes ne prescriront pas que les licences ou permis d'importation soient utilisés pour l'importation du produit visé en provenance d'une source d'approvisionnement ou d'un pays déterminés ;

(d) dans les cas où un contingent serait réparti entre les pays fournisseurs, la partie contractante qui applique les restrictions pourra se mettre d'accord sur la répartition du contingent avec toutes les autres parties contractantes ayant un intérêt substantiel à la fourniture du produit visé. Dans les cas où il ne serait vraiment pas possible d'appliquer cette méthode, la partie contractante en question attribuera, aux parties contractantes ayant un intérêt substantiel à la fourniture de ce produit, des parts proportionnelles à la contribution apportée par lesdites parties contractantes au volume total ou à la valeur totale des importations du produit en question au cours d'une période de référence antérieure, compte dûment tenu de tous les facteurs spéciaux qui ont pu ou peuvent affecter le commerce de ce produit. Il ne sera imposé aucune condition ou formalité de nature à empêcher une partie contractante

d'utiliser intégralement la part du volume total ou de la valeur totale qui lui aura été attribuée, sous réserve que l'importation soit faite dans les délais fixés pour l'utilisation de ce contingent.

3. (a) Dans les cas où des licences d'importation seraient attribuées dans le cadre de restrictions à l'importation, la partie contractante qui applique la restriction fournira, sur demande de toute partie contractante intéressée au commerce du produit visé, tous renseignements utiles sur l'application de cette restriction, les licences d'importation accordées au cours d'une période récente et la répartition de ces licences entre les pays fournisseurs, étant entendu qu'elle ne sera pas tenue de dévoiler le nom des établissements importateurs ou fournisseurs.

(b) Dans le cas de restrictions à l'importation comportant la fixation de contingents, la partie contractante qui les applique publiera le volume total ou la valeur totale du ou des produits dont l'importation sera autorisée au cours d'une période ultérieure déterminée et tout changement survenu dans ce volume ou cette valeur. Si l'un quelconque de ces produits est en cours de route au moment où cette publication a été effectuée, l'entrée n'en sera pas refusée. Toutefois, il sera loisible d'imputer ce produit, dans la mesure du possible, sur la quantité dont l'importation est autorisée au cours de la période en question et, le cas échéant, sur la quantité dont l'importation sera autorisée au cours de la période ou des périodes suivantes. En outre, si, d'une manière habituelle, une partie contractante dispense de ces restrictions les produits qui, dans les trente jours à compter de la date de cette publication, sont dédouanés à l'arrivée de l'étranger ou à la sortie d'entrepôt, cette pratique sera considérée comme satisfaisant pleinement aux

prescriptions du présent alinéa.

(c) Dans le cas de contingents répartis entre les pays fournisseurs, la partie contractante qui applique la restriction informera dans les moindres délais toutes les autres parties contractantes intéressées à la fourniture du produit en question de la part du contingent, exprimée en volume ou en valeur, qui est attribuée, pour la période en cours, aux divers pays fournisseurs et publiera tous renseignements utiles à ce sujet.

4. En ce qui concerne les restrictions appliquées conformément au paragraphe 2 (d) du présent article ou au paragraphe 2 (c) de l'article XI, le choix pour tout produit d'une période de référence et l'appréciation des facteurs spéciaux affectant le commerce de ce produit seront faits, à l'origine, par la partie contractante instituant la restriction. Toutefois, ladite partie contractante, à la requête de toute autre partie contractante ayant un intérêt substantiel à la fourniture de ce produit ou à la requête des PARTIES CONTRACTANTES, entrera sans tarder en consultation avec l'autre partie contractante ou avec les PARTIES CONTRACTANTES au sujet de la nécessité de réviser le pourcentage alloué ou la période de référence ainsi que l'appréciation des facteurs spéciaux en jeu ou la nécessité de supprimer les conditions, formalités ou autres dispositions prescrites de façon unilatérale relativement à l'attribution d'un contingent approprié ou de son utilisation sans restriction.

5. Les dispositions du présent article s'appliqueront à tout contingent tarifaire institué ou maintenu par une partie contractante ; de plus, dans toute la mesure du possible, les principes du présent article s'appliqueront également aux restrictions à l'exportation et aux règlementations et prescriptions d'ordre intérieur visées aux paragraphes 3 et 4 de l'article III.

Article XIV

Exceptions à la règle de non discrimination.

1. (a) Les parties contractantes reconnaissent que lorsqu'un déséquilibre profond et général affecte le commerce et les paiements internationaux, une partie contractante qui applique des restrictions en vertu de l'article XII peut, si elle est autorisée à déroger aux dispositions de l'article XIII, se trouver en mesure d'augmenter ses importations en provenance de certaines sources sans réduire à l'excès ses réserves monétaires. Les parties contractantes reconnaissent également qu'il est nécessaire de limiter étroitement ces dérogations afin de ne pas gêner la reprise des échanges multilatéraux.

(b) En conséquence, lorsqu'un déséquilibre profond et général affecte le commerce et les paiements internationaux, une partie contractante qui applique des restrictions à l'importation en vertu de l'article XII pourra atténuer ces restrictions en dérogeant aux dispositions de l'article XIII dans la mesure nécessaire pour obtenir des importations supplémentaires en sus du maximum d'importations que cette partie contractante pourrait absorber dans le cadre des prescriptions du paragraphe 2 de l'article XII, si ces restrictions étaient entièrement conformes à celles de l'article XIII, à condition:

(i) que les niveaux des prix de livraison des produits ainsi importés ne s'élèvent pas sensiblement au-dessus des prix en vigueur pour des marchandises comparables que les autres parties contractantes peuvent fournir régulièrement, et que tout excédent des niveaux des prix des produits ainsi importés soit progressivement réduit dans un délai raisonnable;

(ii) que la partie contractante qui prend ces mesures ne le fasse pas dans le cadre d'un accord par le jeu duquel les recettes courantes en or ou en monnaies convertibles qu'elle retire directement ou indirectement de ses exportations vers d'autres parties contractantes non parties à cet accord seraient ramenées sensiblement au-dessous du niveau auquel on pourrait raisonnablement s'attendre qu'elles se fixent en l'absence de ces mesures; (iii) et que ces mesures ne portent pas, sans nécessité, préjudice aux intérêts commerciaux ou économiques d'autres parties contractantes.

(c) La partie contractante qui prend des mesures en vertu du présent paragraphe, observera les principes formulés à l'alinéa (b) du présent paragraphe. Elle s'abstiendra d'opérations qui se révèleraient incompatibles avec ledit alinéa, mais elle ne sera pas tenue de s'assurer, lorsqu'il n'est pas possible de le faire, que les prescriptions de cet alinéa sont observées à l'occasion de chaque opération en particulier.

(d) En ce qui concerne l'élaboration et l'exécution de tout programme d'importations supplémentaires en vertu du présent paragraphe, les parties contractantes s'engagent à tenir dûment compte de la nécessité de faciliter l'abandon de tous systèmes de change dérogeant aux obligations des sections 2, 3 et 4 de l'article VIII des Statuts du Fond monétaire international et de la nécessité de rétablir l'équilibre de leur balance des paiements sur une base saine et durable.

2. La partie contractante qui prend des mesures en vertu du paragraphe premier du présent article informera régulièrement les PARTIES CONTRACTANTES de ces mesures et leur fournira tous renseignements utiles qu'elles pourront demander.

3. (a) Le 1er mars 1952 au plus tard (soit cinq ans après la date à laquelle le Fonds monétaire international a commencé ses opérations) et au cours de chacune des années qui suivront, toute partie contractante qui maintiendra ou se proposera de prendre des mesures en vertu du paragraphe premier du présent article sollicitera l'approbation des PARTIES CONTRACTANTES. Celles-ci décideront alors s'il est légitime pour la partie contractante intéressée, étant donné sa situation, de maintenir ou de prendre des mesures en vertu du paragraphe premier du présent article. A partir du 1er mars 1952, aucune partie contractante ne maintiendra ni ne prendra de mesures de cette nature, à moins que les PARTIES CONTRACTANTES ne décident qu'il est légitime pour cette partie contractante, étant donné sa situation, de maintenir ou de prendre, suivant le cas, des mesures de cette nature. L'adoption ou le maintien ultérieurs de ces mesures par la partie contractante en cause sera soumis à toute limitation que les PARTIES CONTRACTANTES pourront spécifier en vue d'assurer l'observation des dispositions du paragraphe premier du présent article, à condition que les PARTIES CONTRACTANTES n'exigent pas une approbation préalable pour chaque opération en particulier.

(b) Si, à un moment quelconque, les PARTIES CONTRACTANTES constatent qu'une partie contractante applique aux importations des restrictions discriminatoires, incompatibles avec les exceptions prévues au paragraphe premier du présent article, ladite partie contractante supprimera, dans les soixante jours, ces discriminations ou les modifiera suivant les instructions des PARTIES CONTRACTANTES. Toutefois, aucune mesure prise en vertu du paragraphe premier du présent article ne pourra être attaquée en vertu du présent alinéa ou du paragraphe 4 (d) de l'article XII comme étant incompatible avec les dispositions de l'article XIII, pour autant

qu'elle ait été approuvée par les PARTIES CONTRACTANTES, soit en vertu de l'alinéa (a) du présent paragraphe, soit à la demande d'une partie contractante selon une procédure analogue à celle du paragraphe 4 (c) de l'article XII.

(c) Le 1er mars 1950 au plus tard et au cours de chacune des années qui suivront, aussi longtemps que des parties contractantes prendront des mesures en vertu du paragraphe premier du présent article, les PARTIES CONTRACTANTES feront un rapport sur les mesures qui seront encore appliquées par les parties contractantes en vertu de ce paragraphe. A une date voisine du 1er mars 1952 et au cours de chacune des années qui suivront, aussi longtemps que des parties contractantes prendront des mesures en vertu du paragraphe premier du présent article, ainsi qu'aux dates ultérieures qu'elles pourront fixer, les PARTIES CONTRACTANTES examineront la question de savoir s'il existe, à ce moment, un déséquilibre assez profond et assez général dans le commerce et les paiements internationaux pour justifier le recours des parties contractantes au paragraphe premier du présent article. Dans le cas où il apparaîtrait à une date antérieure au 1er mars 1952 que la situation du commerce et des paiements internationaux a subi une amélioration substantielle et générale, les PARTIES CONTRACTANTES pourront examiner la situation à cette date. Si, à la suite de cet examen, les PARTIES CONTRACTANTES décident qu'un tel déséquilibre a cessé d'exister, les dispositions du paragraphe premier du présent article seront suspendues et toutes les mesures qu'elles autorisent devront prendre fin dans un délai de six mois après cette décision.

4. Les dispositions de l'article XIII ne s'opposent pas aux restrictions conformes à l'article XII:

(a) qui sont appliquées par un groupe de territoires ayant une quote-part commune au Fonds monétaire international à des importations en provenance d'autres pays, mais qui ne le sont pas dans les relations de ces territoires entre eux, à condition que ces restrictions soient conformes, à tous autres égards, aux dispositions de l'article XIII;

(b) ou qui ont pour objet d'aider, jusqu'au 31 décembre 1951, et au moyen de mesures n'entraînant pas de dérogation substantielle aux dispositions de l'article XIII, un autre pays dont l'économie a été désorganisée par la guerre.

5. Les dispositions du présent Accord ne s'opposent pas:

(a) aux restrictions ayant un effet équivalant à celui des restrictions de change autorisées en vertu de la section 3 (b) de l'article VII des Statuts du Fonds monétaire international;

(b) ou aux restrictions établies en application des ententes préférentielles visées à l'Annexe A du présent Accord, sous réserve des conditions qui y sont stipulées.

6. (a) Les dispositions de l'Article XIII ne seront pas mises en vigueur lorsqu'il s'agira de restrictions à l'importation appliquées par une partie contractante en vertu de l'article XII afin de sauvegarder sa situation financière extérieure et sa balance des paiements et les dispositions du paragraphe premier de l'article XI et de l'article XIII ne seront pas mises en vigueur lorsqu'il s'agira de restrictions à l'exportation appliquées par une partie contractante pour le même motif, et ce jusqu'au 1er janvier 1949, étant entendu que cette période pourra être prolongée, en accord avec les PARTIES CONTRACTANTES, de tels nouveaux délais que celles-ci pourront

fixer en faveur d'une partie contractante dont les disponibilités en devises convertibles seraient insuffisantes pour lui permettre d'appliquer les dispositions susvisées.

(b) Si une mesure prise par une partie contractante dans les circonstances prévues à l'alinéa (a) du présent paragraphe affecte le commerce d'une autre partie contractante de telle sorte que celle-ci se voit obligée d'envisager le recours aux dispositions de l'article XII, la partie contractante qui a pris la mesure en question devra, à la demande de la partie contractante lésée et en vue de permettre à cette dernière d'éviter par une entente amiable le recours aux dispositions de l'article XII, entrer en consultation immédiate avec elle et, si des circonstances spéciales sont invoquées pour justifier une telle action, suspendre l'application de la mesure pendant une période de quinze jours.

Article XV

Accords en matière de change.

1. Les PARTIES CONTRACTANTES s'efforceront de collaborer avec le Fonds monétaire international afin de poursuivre une politique coordonnée en ce qui concerne les questions de change relevant de la compétence du Fonds et les questions de restrictions quantitatives ou autres mesures commerciales relevant de la compétence des PARTIES CONTRACTANTES.

2. Dans tous les cas où les PARTIES CONTRACTANTES seront appelées à examiner ou à résoudre des problèmes ayant trait aux réserves monétaires, aux balances des paiements ou aux systèmes et accords de change, elles entreront en consultation étroite avec

le Fonds monétaire international. Au cours de ces consultations, les PARTIES CONTRACTANTES accepteront toutes les constatations de fait, d'ordre statistique ou autre, qui leur seront communiquées par le Fonds en matière de change, de réserves monétaires et de balances des paiements; elles accepteront les conclusions du Fonds sur la conformité des mesures prises par une partie contractante, en matière de change, avec les Statuts du Fonds monétaire international ou avec les dispositions d'un accord spécial de change conclu entre cette partie contractante et les PARTIES CONTRACTANTES. Lorsqu'elles auront à prendre leur décision finale dans le cas où entreront en ligne de compte les critères établis au paragraphe 2 (a) de l'article XII, les PARTIES CONTRACTANTES accepteront les conclusions du Fonds sur le point de savoir si les réserves monétaires de la partie contractante ont subi une baisse importante, si elles se trouvent à un niveau très bas ou si elles se sont élevées suivant un taux d'accroissement raisonnable, ainsi que sur les aspects financiers des autres problèmes auxquels s'étendront les consultations en pareil cas.

3. Les PARTIES CONTRACTANTES rechercheront un accord avec le Fonds au sujet de la procédure de consultation visée au paragraphe 2 du présent article.

4. Les parties contractantes s'abstiendront de toute mesure de change qui irait à l'encontre des objectifs envisagés par le présent Accord et de toute mesure commerciale qui irait à l'encontre des objectifs envisagés par les Statuts du Fonds monétaire international.

5. Si, à un moment quelconque, les PARTIES CONTRACTANTES considèrent qu'une partie contractante applique des restrictions de change portant sur les paiements et les transferts relatifs aux importations d'une manière incompatible avec les exceptions prévues dans le présent Accord en ce qui concerne les restrictions quantitatives elles adresseront au Fonds un rapport à ce sujet.

6. Toute partie contractante qui n'est pas membre du Fonds devra, dans un délai à fixer par les PARTIES CONTRACTANTES après consultation du Fonds, devenir membre du Fonds, ou, à défaut, conclure avec les PARTIES CONTRACTANTES un accord spécial de change. Une partie contractante qui cessera d'être membre du Fonds conclura immédiatement avec les PARTIES CONTRACTANTES un accord spécial de change. Tout accord spécial de change conclu par une partie contractante en vertu du présent paragraphe fera, dès sa conclusion, partie des engagements qui incombent à cette partie contractante aux termes du présent Accord.

7. (a) Tout accord spécial de change conclu entre une partie contractante et les PARTIES CONTRACTANTES en vertu du paragraphe 6 du présent article contiendra les dispositions que les PARTIES CONTRACTANTES estimeront nécessaires pour que les mesures prises en matière de change par cette partie contractante n'aillent pas à l'encontre du présent Accord.

(b) Les termes d'un tel accord n'imposeront pas à la partie contractante, en matière de change, d'obligations plus restrictives dans leur ensemble que celles qui sont imposées aux membres du Fonds par les Statuts de ce Fonds.

8. Toute partie contractante qui n'est pas membre du Fonds fournira aux PARTIES CONTRACTANTES les renseignements qu'elles pourront demander, dans le cadre général de la Section 5 de l'article VIII des Statuts du Fonds monétaire international, en vue de remplir les fonctions que leur assigne le présent Accord.

9. Sous réserve des dispositions du paragraphe 4 du présent article, aucune des dispositions du présent Accord n'aura pour effet d'interdire :

(a) le recours, par une partie contractante, à des contrôles ou à des restrictions en matière de change qui seraient conformes aux Statuts du Fonds monétaire international ou à l'accord spécial de change conclu par cette partie contractante avec les PARTIES CONTRACTANTES;

(b) ni le recours, par une partie contractante, à des restrictions ou à des mesures de contrôle portant sur les importations ou les exportations dont le seul effet, en sus des effets admis par les Articles XI, XII, XIII et XIV, serait de rendre efficaces les mesures de contrôle ou de restrictions de change de cette nature.

ARTICLE XVI

Subventions.

Si une partie contractante accorde ou maintient une subvention quelconque, y compris toute forme de protection des revenus ou de soutien de prix, qui a directement ou indirectement pour effet d'accroître les exportations d'un produit quelconque du territoire de ladite partie contractante ou de réduire les importations de ce produit dans son territoire, cette partie

contractante fera connaître par écrit aux PARTIES CONTRACTANTES l'importance et la nature de cette subvention, les effets qu'il est permis d'en escompter sur les quantités du ou des produits en question importés ou exportés par elle et les circonstances qui rendent la subvention nécessaire. Dans tous les cas où il sera établi qu'une telle subvention cause ou menace de causer un préjudice sérieux aux intérêts d'une autre partie contractante, la partie contractante qui l'a accordé examinera, lorsqu'elle en sera requise, avec la ou les autres parties contractantes intéressées ou avec les PARTIES CONTRACTANTES, la possibilité de limiter la subvention.

ARTICLE XVII

Traitement non discriminatoire de la part des entreprises commerciales d'Etat.

1. (a) Chaque partie contractante qui fonde ou maintient une entreprise d'Etat, en quelque lieu que ce soit, ou qui accorde, en droit ou en fait, à une entreprise des privilèges exclusifs ou spéciaux s'engage à ce que cette entreprise se conforme, dans ses achats ou ses ventes se traduisant par des importations ou des exportations, au principe général de non discrimination prescrit par le présent Accord pour les mesures d'ordre législatif ou administratif concernant les importations ou les exportations qui sont effectuées par des commerçants privés.

(b) Les dispositions de l'alinéa (a) du présent paragraphe devront être interprétées comme imposant à ces entreprises l'obligation, compte dûment tenu des autres dispositions du présent Accord, de ne procéder à des achats ou à des ventes de cette nature qu'en s'inspirant uniquement de considérations d'ordre commercial, telles que le prix, la qualité, les quantités

disponibles, les qualités marchandes, les transports et autres conditions d'achat ou de vente, et comme imposant l'obligation d'offrir aux entreprises des autres parties contractantes toutes facilités de participer à ces ventes ou à ces achats dans des conditions de libre concurrence et conformément aux usages commerciaux ordinaires.

(c) Aucune partie contractante n'empêchera les entreprises (qu'il s'agisse ou non d'entreprises visées à l'alinéa (a) du présent paragraphe) ressortissant à sa juridiction d'agir conformément aux principes énoncés aux alinéas (a) et (b) du présent paragraphe.

2. Les dispositions du paragraphe premier du présent article ne s'appliqueront pas aux importations de produits destinés à être immédiatement ou finalement consommés par les pouvoirs publics ou pour leur compte et non à être revendus ou à servir à la production de marchandises en vue de la vente. En ce qui concerne ces importations, chaque partie contractante accordera un traitement équitable au commerce des autres parties contractantes.

Article XVIII

Ajustements motivés par le développement économique.

1. Les parties contractantes reconnaissent que, pour faciliter l'établissement, le développement ou la reconstruction de certaines branches d'activité industrielle ou agricole, il peut être nécessaire de faire appel à une aide spéciale de l'Etat et que, dans certaines circonstances, l'octroi de cette aide sous la forme de mesures de protection est justifiée. Elles reconnaissent aussi qu'un recours déraisonnable à ces mesures grèverait indûment leur propre économie, imposerait au commerce

international des restrictions injustifiées et pourrait accroître inutilement les difficultés d'adaptation de l'économie d'autres pays.

2. (a) Si une partie contractante, en considération de son programme de développement ou de reconstruction économique, se propose de recourir à des mesures non discriminatoires qui seraient contraires à l'un des engagements qu'elle a assumés aux termes de l'article II ou d'une autre disposition du présent Accord, la partie contractante requérante en informera les PARTIES CONTRACTANTES et leur communiquera par écrit les raisons qu'elle invoque à l'appui de la mesure projetée.

(b) Les PARTIES CONTRACTANTES communiqueront sans retard à toutes les autres parties contractantes cet exposé des faits. Toute partie contractante qui estimerait que son commerce serait lésé de façon substantielle par la mesure projetée, exposera son point de vue aux PARTIES CONTRACTANTES dans le délai que fixeront ces dernières.

(c) Les PARTIES CONTRACTANTES examineront ensuite sans retard la mesure envisagée, afin de déterminer si elles peuvent l'approuver avec ou sans modification. Au cours de leur examen, elles tiendront compte des dispositions du présent Accord, des raisons invoquées par la partie contractante requérante, du stade de son développement ou de sa reconstruction économique, des points de vue présentés par les parties contractantes qui seraient lésées d'une façon substantielle et des répercussions que la mesure envisagée, qu'elle soit ou non modifiée, pourrait avoir sur le commerce international.

3. (a) Si, à la suite de l'examen effectué conformément au paragraphe 2 (c) du présent article, les PARTIES CONTRACTANTES approuvent en principe, avec ou sans modification, une mesure qui leur est soumise et si celle-ci est incompatible avec un engagement que la partie contractante requérante a assumé aux termes de l'Article II ou si elle tend à annuler ou à compromettre le bénéfice qu'une ou plusieurs parties contractantes retirent d'un tel engagement, des négociations seront entamées, sous les auspices et avec l'aide des PARTIES CONTRACTANTES, entre la partie contractante requérante et l'autre ou les autres parties contractantes qui seraient lésées de façon substantielle par l'application de cette mesure, afin de se mettre d'accord. Les PARTIES CONTRACTANTES fixeront et notifieront aux parties contractantes intéressées des délais pour ces négociations.

(b) Les parties contractantes entameront les négociations prévues à l'alinéa (a) du présent paragraphe dans les délais que prescriront les PARTIES CONTRACTANTES et, à moins que celles-ci n'en décident autrement, poursuivront alors sans interruption lesdites négociations afin de se mettre d'accord dans les délais fixés par les PARTIES CONTRACTANTES.

(c) Lorsqu'un accord suffisant aura été réalisé, les PARTIES CONTRACTANTES pourront relever la partie contractante requérante de l'engagement visé à l'alinéa (a) du présent paragraphe ou de tout autre engagement pertinent, assumé aux termes du présent Accord, sous réserve des limitations qui auront pu être apportées d'un commun accord au cours des négociations entre les parties contractantes intéressées.

4. (a) Si, à la suite de l'examen effectué conformément au paragraphe 2 (c) du présent article, les PARTIES CONTRACTANTES approuvent, avec ou sans modification, une mesure qui leur est soumise et qui ne serait pas une mesure visée au paragraphe 3 (a) du présent article, et si cette mesure est incompatible avec l'une des dispositions du présent Accord, les PARTIES CONTRACTANTES pourront relever la partie contractante requérante de tout engagement découlant de cette disposition, sous réserve des limitations qu'elles pourront imposer.

(b) Si, compte tenu des dispositions du paragraphe 2 (c) du présent article, il est établi, au cours de cet examen, que cette mesure n'aura probablement pas d'effets plus restrictifs sur le commerce international que toute autre mesure applicable et raisonnable, autorisée par le présent Accord et susceptible d'être prise sans difficultés excessives, et s'il est établi qu'elle est la plus propre à donner les résultats recherchés, eu égard aux conditions économiques de la branche d'activité industrielle ou agricole et à la situation économique existante de la partie contractante requérante, les PARTIES CONTRACTANTES approuveront cette mesure et relèveront la partie contractante des engagements dont le maintien empêcherait l'application de cette mesure.

(c) Si, en attendant que les PARTIES CONTRACTANTES approuvent une mesure notifiée conformément au paragraphe 2 du présent article et qui ne serait pas une mesure visée au paragraphe 3 (a) de cet article, les importations du produit

ou des produits en cause, y compris les produits qui peuvent leur être directement substitués, subissent ou menacent de subir un accroissement assez considérable pour compromettre les plans adoptés par la partie contractante requérante en vue de la création, du développement ou de la reconstruction d'une ou plusieurs branches d'activité industrielle ou agricole intéressées et si elle ne peut prendre aucune mesure préventive compatible avec les dispositions du présent Accord et susceptible d'être efficace, la partie contractante requérante pourra, après en avoir informé les PARTIES CONTRACTANTES et, lorsque cela sera possible, après les avoir consultées, adopter, en attendant leur décision, telles autres mesures que pourra nécessiter la situation. Toutefois, ces mesures ne devront pas avoir pour effet de réduire les importations au-dessous du niveau atteint par celles-ci au cours de la période de référence la plus récente antérieurement à la date à laquelle la partie contractante a adressé sa première communication, conformément au paragraphe 2 du présent article.

5. (a) Dans le cas des mesures visées au paragraphe 3 du présent article, les PARTIES CONTRACTANTES notifieront à la partie contractante requérante, dès que possible, mais en principe dans les quinze jours qui suivront la réception de la communication visée au paragraphe 2 (a) du présent article, la date à laquelle elles lui feront connaître si elles approuvent ou désapprouvent en principe la mesure projetée, avec ou sans modification.

(b) Dans le cas des mesures visées au paragraphe 4 du présent article, les PARTIES CONTRACTANTES notifieront à la partie contractante requérante comme il est prévu à l'alinéa (a)

du présent paragraphe la date à laquelle elles lui feront connaître si elles la relèvent ou non de l'engagement ou des engagements qui pourraient être mis en cause; toutefois, si la partie contractante requérante ne reçoit pas des PARTIES CONTRACTANTES une réponse définitive à la date fixée par celles-ci, elle pourra, après les avoir consultées, prendre la mesure envisagée, à l'expiration d'un nouveau délai supplémentaire de trente jours à partir de cette date.

6. Toute partie contractante pourra maintenir une mesure non discriminatoire, mais incompatible avec d'autres dispositions du présent Accord, qui était en vigueur le 1er septembre 1947 et qui avait été prise en vue de la création, du développement ou de la reconstruction de branches particulières de l'industrie ou de l'agriculture, sous réserve que cette partie contractante ait communiqué aux autres parties contractantes, le 10 octobre 1947 au plus tard, la liste des produits pour lesquels cette mesure existante sera maintenue et leur ait fait connaître la nature et le but de cette mesure. Toute partie contractante qui maintiendra une mesure de ce genre fera connaître aux PARTIES CONTRACTANTES, dans les soixante jours suivant la date à laquelle elle sera devenue partie contractante, l'existence de la mesure en question, les raisons qu'elle invoque à l'appui de son maintien et le temps pendant lequel elle désire la maintenir. Les PARTIES CONTRACTANTES examineront la mesure en question et prendront une décision à son sujet dès que possible et en tout

cas dans un délai de douze mois à compter de la date à laquelle cette partie contractante sera devenue une partie contractante, suivant les mêmes règles que si cette mesure faisait l'objet d'une demande d'approbation en vertu des dispositions des paragraphes précédents du présent article. Lorsqu'elles fixeront, en vertu du présent paragraphe, la date à laquelle la mesure en question devra être modifiée ou rapportée, les PARTIES CONTRACTANTES tiendront compte de la nécessité où se trouverait éventuellement la partie contractante requérante de bénéficier d'un délai convenable pour procéder à cette modification ou à cette abrogation.

7. Aucune partie contractante ne pourra invoquer le bénéfice des dispositions du paragraphe 6 du présent article pour les produits repris dans la liste correspondante jointe au présent Accord.

ARTICLE XIX

Mesures relatives à des cas imprévus concernant l'importation de produits particuliers.

1. (a) Si, par suite de l'évolution imprévue des circonstances et par l'effet des engagements, y compris les concessions tarifaires, qu'une partie contractante a assumés en vertu du présent Accord, un produit est importé dans le territoire de cette partie contractante en quantités tellement accrues et à des conditions telles qu'il porte ou menace de porter un préjudice sérieux aux producteurs nationaux de produits similaires ou directement

concurrents, il sera loisible à cette partie contractante, dans la mesure et pendant le temps qui pourront être nécessaires pour prévenir ou réparer ce préjudice, de suspendre, en totalité ou en partie, l'engagement pris à l'égard de ce produit, de retirer ou de modifier la concession.

(b) Si une partie contractante a accordé une concession sur une préférence et que le produit auquel celle-ci s'applique vienne à être importé dans le territoire de cette partie contractante dans les circonstances énoncées à l'alinéa (a) du présent paragraphe de telle sorte que cette importation porte ou menace de porter un préjudice sérieux aux producteurs du produit similaire ou de produits directement concurrents, qui sont établis dans le territoire de la partie contractante bénéficiant ou ayant bénéficié de ladite préférence, celle-ci pourra présenter une requête à la partie contractante importatrice, qui sera alors libre de suspendre, en tout ou en partie, l'engagement pris, de retirer ou de modifier la concession, dans la mesure et pendant le temps qui pourraient être nécessaires pour prévenir ou réparer un tel préjudice.

2. Avant qu'une partie contractante ne prenne les mesures prévues en application des dispositions du paragraphe premier du présent article, elle en avisera les PARTIES CONTRACTANTES par écrit et le plus longtemps possible d'avance. Elle fournira à celles-ci, ainsi qu'à toutes les autres parties contractantes ayant un intérêt substantiel en tant qu'exportatrices du produit en question, l'occasion d'examiner avec elle les mesures qu'elle se propose

de prendre. Lorsque ce préavis sera donné à propos d'une concession relative à une préférence, il mentionnera la partie contractante qui aura requis cette mesure. Dans des circonstances critiques où tout délai entraînerait un préjudice qu'il serait difficile de réparer, les mesures envisagées au paragraphe premier du présent article pourront être prises à titre provisoire sans consultation préalable, à condition que cette consultation ait lieu immédiatement après que lesdites mesures auront été prises.

3. (a) Si les parties contractantes intéressées n'arrivent pas à s'entendre au sujet de ces mesures, rien n'empêchera la partie contractante qui désire prendre ces mesures ou en continuer l'application d'agir dans ce sens. Dans ce cas, il sera loisible aux parties contractantes que ces mesures léseraient, de suspendre, dans un délai de quatre-vingt-dix jours à compter de leur application, et moyennant un préavis de trente jours adressé aux PARTIES CONTRACTANTES, l'application au commerce de la partie contractante qui a pris ces mesures, ou, dans le cas envisagé au paragraphe 1 (b) du présent article, au commerce de la partie contractante qui a demandé que ces mesures fussent prises, des obligations ou des concessions sensiblement équivalentes qui résultent du présent Accord et dont la suspension ne donne lieu à aucune objection de la part des PARTIES CONTRACTANTES.

(b) Sans préjudice des dispositions de l'alinéa (a) du présent paragraphe, si des mesures, sans consultation préalable, prises en vertu du paragraphe 2 du présent article portent ou menacent de porter un préjudice grave aux producteurs nationaux de produits

affectés par elles sur le territoire d'une partie contractante, il sera loisible à cette partie contractante, lorsque tout délai à cet égard entraînerait un préjudice difficilement réparable, de suspendre, dès la mise en application de ces mesures et pendant la période de cette consultation, des obligations ou des concessions dans la mesure nécessaire pour prévenir ou réparer ce préjudice.

ARTICLE XX

Exceptions générales.

Sous réserve que ces mesures ne soient pas appliquées de façon à constituer soit un moyen de discrimination arbitraire ou injustifié entre les pays où les mêmes conditions existent, soit une restriction déguisée au commerce international, rien dans le présent Accord ne sera interprété comme empêchant l'adoption ou l'application par toute partie contractante des mesures :

(I) (a) nécessaires à la protection de la moralité publique;

(b) nécessaires à la protection de la santé et de la vie des personnes et des animaux ou à la préservation des végétaux;

(c) se rapportant à l'importation ou à l'exportation de l'or ou de l'argent;

(d) nécessaires pour assurer l'application des lois et règlements qui ne sont pas incompatibles avec les dispositions du présent Accord, tels que, par exemple, les lois et règlements qui ont trait à l'application des mesures douanières, au maintien en vigueur des monopoles administrés conformément au paragraphe 4 de l'article II et à l'article XVII, à la protection des brevets, marques

de fabrique et droits d'auteur et de reproduction et aux mesures propres à empêcher les pratiques de nature à induire en erreur;

(e) se rapportant aux articles fabriqués dans les prisons;

(f) imposées pour la protection de trésors nationaux ayant une valeur artistique, historique ou archéologique;

(g) se rapportant à la conservation des ressources naturelles épuisables, si de telles mesures sont appliquées conjointement avec des restrictions à la production ou à la consommation nationales;

(h) prises en application d'engagements contractés en vertu d'accords intergouvernementaux sur les produits de base, en conformité des principes approuvés par le Conseil Economique et Social des Nations Unies dans sa Résolution du 28 mars 1947, instituant une Commission Provisoire de Coordination pour les Ententes internationales relatives aux produits de base;

(i) comportant des restrictions à l'exportation de matières premières produites à l'intérieur du pays et nécessaires pour assurer à une industrie nationale de transformation les quantités essentielles desdites matières premières pendant les périodes où le prix national en est maintenu au-dessous du prix mondial en exécution d'un plan gouvernemental de stabilisation; sous réserve que ces restrictions n'aient pas pour effet d'accroître les exportations ou de renforcer la protection accordée à cette industrie nationale et n'aillent pas à l'encontre des dispositions du présent Accord relatives à la non discrimination;

(II) (a) essentielles à l'acquisition et à la répartition de produits pour lesquels se fait sentir une pénurie générale ou locale; toutefois, lesdites mesures devront être compatibles avec les accords multilatéraux destinés à assurer une répartition internationale équitable de ces produits ou, en l'absence de tels accords, avec le principe selon lequel toutes les parties contractantes ont droit à une part équitable de l'approvisionnement international de ces produits;

(b) essentielles au fonctionnement du contrôle des prix établi par une partie contractante qui, à la suite de la guerre, souffre d'une pénurie de produits;

(c) essentielles à la liquidation régulière des excédents temporaires de stocks appartenant à toute partie contractante ou contrôlés par elle, ou d'industries qui se sont développées sur le territoire d'une partie contractante en raison des exigences de la guerre et dont le maintien en temps normal serait contraire à une saine économie; étant entendu qu'aucune partie contractante ne pourra instituer de mesures de ce genre, si ce n'est après avoir consulté les autres parties contractantes intéressées en vue d'une action internationale appropriée.

Les mesures instituées ou maintenues aux termes de la partie II du présent article qui sont incompatibles avec les autres dispositions du présent Accord seront supprimées aussitôt que les circonstances qui les ont motivées auront cessé d'exister et, en tout cas, le 1° janvier au plus tard, étant entendu qu'avec l'accord des PARTIES CONTRACTANTES, la période dont il s'agit

pourra être prorogée en ce qui concerne l'application par toute partie contractante d'une mesure donnée concernant un produit donné, pour de nouvelles périodes qu'il appartiendra aux PARTIES CONTRACTANTES de fixer.

ARTICLE XXI

Exceptions concernant la sécurité.

Aucune disposition du présent Accord ne sera interprétée :

(a) comme imposant à une partie contractante l'obligation de fournir des renseignements dont la divulgation serait, à son avis, contraire aux intérêts essentiels de sa sécurité,

(b) ou comme empêchant une partie contractante de prendre toutes mesures qu'elle estimera nécessaires à la protection des intérêts essentiels de sa sécurité :

(i) se rapportant aux matières désintégrables ou aux matières premières servant à la fabrication de celles-ci;

(ii) se rapportant au trafic des armes, munitions et matériel de guerre et à tout commerce d'autres articles et matériel destinés directement ou indirectement à assurer l'approvisionnement des forces armées;

(iii) appliquées en temps de guerre ou en cas de grave tension internationale;

(c) ou comme empêchant une partie contractante de prendre des mesures en application de ses engagements au titre de la

Charte des Nations Unies, en vue du maintien de la paix et de la sécurité internationales.

ARTICLE XXII

Consultation

Chaque partie contractante examinera avec compréhension les représentations que pourrait faire toute autre partie contractante et facilitera dans toute la mesure du possible les consultations relatives à ces représentations, lorsque celles-ci porteront sur l'application des règlements et formalités de douane, des droits anti-dumping ou compensateurs, des réglementations quantitatives et de change, des subventions, des opérations du commerce d'Etat, des prescriptions sanitaires et des règlements concernant la protection de la santé et de la vie des personnes et des animaux et la préservation des végétaux et, d'une manière générale, sur toutes les questions touchant à l'application du présent Accord.

ARTICLE XXIII

Protection des concessions et des avantages

1. Dans le cas où une partie contractante considérerait qu'un avantage quelconque résultant pour elle directement ou indirectement du présent Accord se trouverait annulé ou compromis, ou que

l'un des objectifs de l'Accord serait compromis, du fait:

(a) qu'une autre partie contractante ne remplit pas les obligations qu'elle a contractées aux termes du présent Accord,

(b) ou qu'une autre partie contractante applique une mesure contraire ou non aux dispositions du présent Accord,

(c) ou qu'il existe une autre situation quelconque,

ladite partie contractante pourra, en vue d'arriver à un règlement satisfaisant de la question, faire des représentations ou des propositions écrites à l'autre ou aux autres parties contractantes qui, à son avis, sont en cause. Toute partie contractante ainsi sollicitée examinera avec compréhension les représentations ou propositions qui lui auront été faites.

2. Dans le cas où un règlement n'interviendrait pas dans un délai raisonnable entre les parties contractantes intéressées ou dans le cas où la difficulté serait de celles qui sont visées au paragraphe 1 (c) du présent article, la question pourra être portée devant les PARTIES CONTRACTANTES. Ces dernières procéderont sans délai à une enquête au sujet de toute question dont elles seront ainsi saisies et, selon le cas, adresseront des recommandations aux parties contractantes qui, à leur avis, sont en cause, ou statueront sur la question. Les PARTIES CONTRACTANTES pourront, lorsqu'elles le jugeront nécessaire, consulter des parties contractantes, le Conseil Economique et Social des Nations Unies et

toute autre organisation intergouvernementale compétente. Si elles considèrent que les circonstances sont suffisamment graves pour justifier une telle mesure, elles pourront autoriser une ou plusieurs parties contractantes à suspendre à l'égard de telle autre ou telles autres parties contractantes l'application de toute obligation ou concession résultant du présent Accord, dont elles estimeront la suspension justifiée eu égard aux circonstances. Si l'observation d'une obligation ou le bénéfice d'une concession à l'égard d'une partie contractante sont suspendus en fait, il sera loisible à cette partie contractante, dans un délai de soixante jours à compter de la mise en application de la mesure, de notifier par écrit au Secrétaire général des Nations Unies son intention de dénoncer le présent Accord. Cette dénonciation prendra effet à l'expiration d'un délai de soixante jours à compter de la date à laquelle le Secrétaire général aura reçu notification par écrit de ce préavis.

PARTIE III

ARTICLE XXIV

Application territoriale -

Trafic frontalier - Unions douanières.

1. Les droits et obligations résultant du présent Accord seront considérés comme étant en vigueur entre tous les territoires qui constituent chacun un territoire douanier distinct et pour lesquels le présent Accord a été accepté conformément à l'Article XXVI, ou est appliqué en vertu du Protocole d'application provisoire.

2. Les dispositions du présent Accord ne devront pas être interprétées comme faisant obstacle:

(a) à l'octroi, par une partie contractante, d'avantages à des pays limitrophes pour faciliter le trafic frontalier;

(b) à la formation d'une union douanière ou à la conclusion d'un accord provisoire nécessaire pour la réalisation d'une union douanière, sous réserve d'une part que les droits de douane et autres réglementations des échanges commerciaux imposés par une union ou un accord de ce genre ou les marges de préférence maintenues par de telles conventions, en ce qui concerne les relations avec les autres parties contractantes, ne soient pas, dans leur ensemble, plus élevés ou plus rigoureux que ne l'étaient en moyenne les droits et les réglementations applicables aux échanges commerciaux ou les marges de préférence en vigueur avant la formation de cette union douanière ou la conclusion de cet accord, dans les territoires constitutifs de l'union et, d'autre part, que tout accord provisoire de ce genre comporte un plan et un programme précis pour la réalisation, dans un délai raisonnable, d'une telle union douanière.

3. (a) Toute partie contractante se proposant de faire partie

d'une union douanière entrera en consultation avec les PARTIES CONTRACTANTES et leur procurera, concernant l'union projetée, tous les renseignements qui leur permettront d'adresser toutes recommandations et rapports utiles aux parties contractantes.

(b) Aucune partie contractante ne mettra ni ne maintiendra en vigueur un accord provisoire conformément aux dispositions du paragraphe 2 (b) du présent article si, après avoir étudié le plan et le programme proposés dans l'accord, les PARTIES CONTRACTANTES ne jugent pas cet accord susceptible d'aboutir, dans un délai raisonnable, à la formation de l'union douanière projetée.

(c) Le plan et le programme ne pourront pas être modifiés de façon sensible, sans consultation des PARTIES CONTRACTANTES.

4. Aux fins d'application du présent article, on entend par "territoire douanier" tout territoire pour lequel des tarifs douaniers distincts ou autres réglementations applicables aux échanges commerciaux sont maintenus à l'égard d'autres territoires, pour une partie substantielle du commerce du territoire en question. On entend par "union douanière" la substitution d'un seul territoire douanier à deux ou plusieurs territoires douaniers, de telle sorte que tous les tarifs douaniers et autres réglementations restrictives des échanges commerciaux entre les territoires des membres de l'union soient éliminés d'une façon substantielle et que, de la même façon, des tarifs et autres réglementations sensiblement identiques soient appliqués, par chacun des membres de l'union, au commerce avec les territoires non compris dans celle-ci.

5. Tenant compte des circonstances exceptionnelles qui résultent de la constitution de l'Inde et du Pakistan en Etats indépendants

et reconnaissant que ces deux Etats ont formé pendant longtemps une unité économique, les parties contractantes conviennent que les dispositions du présent Accord n'empêchent pas ces deux pays de conclure des accords particuliers concernant leur commerce mutuel, en attendant que leurs relations commerciales réciproques soient établies définitivement.

6. Chaque partie contractante prendra toutes mesures raisonnables en son pouvoir pour que les autorités gouvernementales ou administratives, régionales et locales, de son territoire observent les dispositions du présent Accord.

Article XXV

Action collective des parties contractantes.

1. Les représentants des parties contractantes se réuniront périodiquement afin d'assurer l'exécution des dispositions du présent Accord qui comportent une action collective, et, d'une manière générale, de faciliter l'application du présent Accord et de permettre d'atteindre ses objectifs. Toutes les fois qu'il est fait mention dans le présent Accord des parties contractantes agissant collectivement, elles sont désignées sous le nom de PARTIES CONTRACTANTES.

2. Le Secrétaire général des Nations Unies est invité à convoquer la première réunion des PARTIES CONTRACTANTES qui se tiendra au plus tard le 1er mars 1948.

3. Chaque Partie contractante dispose d'une voix à toutes les réunions des PARTIES CONTRACTANTES.

4. Sauf dispositions contraires du présent Accord, les décisions des PARTIES CONTRACTANTES seront prises à la majorité des votes émis.

5. Dans les circonstances exceptionnelles autres que celles qui sont prévues par d'autres articles du présent Accord, les PARTIES CONTRACTANTES pourront relever une partie contractante d'une

obligation qui lui est imposée par le présent Accord, à la condition qu'une telle décision soit sanctionnée par une majorité des deux tiers des votes émis et que cette majorité comprenne plus de la moitié des parties contractantes. Par un vote similaire, les PARTIES CONTRACTANTES pourront également :

(a) déterminer certaines catégories de circonstances exceptionnelles auxquelles d'autres conditions de vote seront applicables pour relever une partie contractante de l'une ou de plusieurs de ses obligations;

(b) prescrire les critères nécessaires à l'application du présent paragraphe.

Article XXVI

Acceptation, entrée en vigueur et enregistrement.

1. Le présent Accord portera la date de la signature de l'Acte final adopté à la fin de la deuxième Session de la Commission préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi et sera ouvert à l'acceptation de tous les gouvernements signataires de l'Acte final.

2. Le présent Accord, établi en un exemplaire en langue française et un exemplaire en langue anglaise, les deux textes faisant également foi, sera déposé auprès du Secrétaire général des Nations Unies, qui en transmettra des copies certifiées conformes à tous les gouvernements intéressés.

3. Chaque gouvernement qui accepte le présent Accord déposera un instrument d'acceptation auprès du Secrétaire général des Nations Unies qui informera tous les gouvernements intéressés du jour du dépôt de chaque instrument d'acceptation et du jour auquel le présent Accord entrera en vigueur aux termes du paragraphe 5 du présent article.

4. Chaque gouvernement qui accepte le présent Accord l'accepte pour son territoire métropolitain et pour les autres territoires qu'il représente sur le plan international. Toutefois, ce gouvernement pourra, au moment de son acceptation, déclarer qu'un ou plusieurs territoires douaniers distincts qu'il représente sur le plan international jouissent d'une entière autonomie dans la conduite de leurs relations commerciales extérieures et pour les autres questions traitées dans le présent Accord et que son acceptation ne s'étend pas à ces territoires. En outre, si l'un des territoires douaniers pour lequel une partie contractante a accepté le présent Accord jouit d'une entière autonomie dans la conduite de ses relations commerciales extérieures et pour les autres questions traitées dans le présent Accord ou acquiert cette autonomie, ce territoire sera considéré comme une partie contractante, sur présentation de la partie contractante responsable qui établira les faits susvisés par une déclaration.

5. (a) Le présent Accord entrera en vigueur, entre les gouvernements qui l'auront accepté, le trentième jour qui suivra celui où le Secrétaire général des Nations Unies aura reçu les instruments d'acceptation de gouvernements signataires de l'Acte final dont les territoires représentent 85 pour cent du commerce extérieur global des territoires des signataires de l'Acte final adopté à la fin de la deuxième session de la Commission préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi. Ce pourcentage sera calculé d'après le tableau figurant à l'annexe H. L'instrument d'acceptation de chacun des autres gouvernements signataires de l'Acte final prendra effet le trentième jour qui suivra la date du dépôt de cet instrument.

(b) Nonobstant les dispositions de l'alinéa (a) du présent paragraphe, le présent Accord n'entrera pas en vigueur aux termes du présent paragraphe, avant que ne soit réalisé l'accord qui pourrait être nécessaire en vertu des dispositions du paragraphe 2 (a) de l'Article XXIX.

6. Les Nations Unies sont autorisées à effectuer l'enregistrement du présent Accord dès son entrée en vigueur.

Article XXVII

Suspension ou retrait des concessions.

Toute partie contractante aura, à tout moment, la faculté de suspendre ou de retirer, en tout ou en partie, une concession reprise dans la liste correspondante jointe au présent Accord, motif pris que cette concession a été négociée primitivement avec un gouvernement qui n'est pas devenu partie contractante ou qui a cessé de l'être. La partie contractante qui prendra cette mesure en informera toutes les autres

parties contractantes et consultera, si elle y est invitée, les parties contractantes qui sont intéressées de façon substantielle au produit en cause.

Article XXVIII.

Modification des listes.

1. A partir du 1er janvier 1951, toute partie contractante pourra modifier ou cesser d'appliquer le traitement qu'elle avait consenti en vertu de l'article II à un produit repris dans la liste correspondante jointe au présent Accord. Pour ce faire, elle entrera en négociations, en vue d'aboutir à un accord, avec la partie contractante avec laquelle ce traitement avait été négocié primitivement, et elle consultera les autres parties contractantes dont l'intérêt substantiel dans ce traitement serait reconnu par les PARTIES CONTRACTANTES. Au cours de ces négociations et dans cet Accord, qui pourront prévoir des compensations portant sur d'autres produits, les parties contractantes intéressées s'efforceront de maintenir les concessions accordées, sur une base de réciprocité et d'avantages mutuels, à un niveau non moins favorable au commerce que celui qui est fixé dans le présent Accord.

2. (a) Si les parties contractantes principalement intéressées ne peuvent aboutir à un accord, la partie contractante qui désire modifier ou cesser d'appliquer le traitement susvisé aura la faculté de le faire. Dans ce cas, la partie contractante avec laquelle ce traitement aurait été négocié primitivement ainsi que les autres parties contractantes dont l'intérêt substantiel aurait été reconnu aux termes du paragraphe premier du présent article, auront le droit de retirer, dans un délai de six mois à compter de l'application de ces mesures et trente jours après

réception par les PARTIES CONTRACTANTES d'un préavis écrit, des concessions sensiblement équivalentes qui auraient été négociées primitivement avec la partie contractante qui a pris ces mesures.

(b) Si les parties contractantes principalement intéressées ont abouti à un accord qui ne donne pas satisfaction à une autre partie contractante dont l'intérêt substantiel aurait été reconnu aux termes du paragraphe premier du présent article, cette dernière aura le droit de retirer, dans un délai de six mois à compter de l'application des mesures prévues par cet accord et trente jours après réception par les PARTIES CONTRACTANTES d'un préavis écrit, des concessions sensiblement équivalentes qui auraient été négociées primitivement avec la partie contractante qui a pris ces mesures en vertu dudit accord.

Article XXIX.

Rapports du présent Accord avec la Charte de l'Organisation Internationale du Commerce.

1. Reconnaissant que le meilleur moyen d'atteindre les objectifs énoncés dans le préambule du présent Accord réside dans l'adoption, par la Conférence des Nations Unies sur le Commerce et l'Emploi, d'une Charte portant création d'une Organisation Internationale du Commerce, les parties contractantes s'engagent à observer, dans toute la mesure compatible avec les pouvoirs exécutifs dont elles disposent, les principes généraux énoncés dans le projet de Charte présenté à la Conférence par la Commission préparatoire, jusqu'au moment où elles auront accepté une telle Charte suivant leurs règles constitutionnelles.

2. (a) A la date de l'entrée en vigueur de la Charte de l'Organisation Internationale du Commerce, l'application de l'article premier et de la Partie II du présent Accord sera suspendue et leurs dispositions seront remplacées par les clauses

correspondantes de la Charte, étant entendu que, dans un délai de soixante jours à partir de la fin de la Conférence des Nations Unies sur le Commerce et l'Emploi, toute partie contractante pourra faire connaître aux autres parties contractantes qu'elle s'oppose à la suspension et au remplacement d'une ou de plusieurs dispositions du présent Accord; dans ce cas, les parties contractantes conféreront, dans les soixante jours qui suivront l'expiration du délai imparti pour la notification des objections, afin d'étudier l'objection formulée et de convenir s'il y a lieu d'appliquer les clauses de la Charte visées par cette objection ou bien les dispositions correspondantes du présent Accord, soit dans sa forme actuelle, soit sous une forme amendée.

(b) Les parties contractantes s'entendront également au sujet du transfert à l'Organisation Internationale du Commerce des attributions qu'elles détiennent en vertu de l'article XXV.

3. Si une partie contractante n'a pas accepté la Charte après son entrée en vigueur, les parties contractantes conféreront en vue de convenir si, et de quelle façon, le présent Accord doit être complété ou amendé pour ce qui est des relations entre la partie contractante qui n'a pas accepté la Charte et les autres parties contractantes.

4. Dans le courant de janvier 1949 si la Charte n'est pas entrée en vigueur, ou à une date antérieure à convenir s'il apparaît que la Charte n'entrera pas en vigueur, ou à une date ultérieure à convenir si la Charte cessait d'être appliquée, les parties contractantes se réuniront pour convenir si le présent Accord doit être amendé, complété ou maintenu.

5. Les signataires de l'Acte final qui ne seraient pas à ce moment-là parties contractantes seront imformés de toute objection soulevée par une partie contractante en vertu des dispositions du paragraphe 2 du présent article ainsi que de tout accord qui pourrait intervenir entre les parties contractantes aux termes des paragraphes 2, 3 ou 4 de cet article.

Article XXX.

Amendements.

1. Sauf dans les cas où d'autres dispositions sont prévues pour apporter des modifications au présent Accord, les amendements aux dispositions de la Partie I du présent Accord, à celles de l'Article XXIX ou à celles du présent article entreront en vigueur dès qu'ils auront été acceptés par toutes les parties contractantes et les amendements aux autres dispositions du présent Accord prendront effet, à l'égard des parties contractantes qui les acceptent, dès qu'ils auront été acceptés par les deux tiers des parties contractantes, et, ensuite, à l'égard de toute autre partie contractante, dès que celle-ci les aura acceptés.

2. Chaque partie contractante qui accepte un amendement au présent Accord déposera un instrument d'acceptation auprès du Secrétaire général des Nations Unies dans un délai qui sera fixé par les PARTIES CONTRACTANTES. Celles-ci pourront décider qu'un amendement entré en vigueur aux termes du présent article présente un caractère tel que toute partie contractante qui ne l'aura pas accepté dans un délai fixé par elles pourra se retirer du présent Accord ou pourra, avec leur consentement, continuer à y être partie.

Article XXXI
Retrait

Sans préjudice des dispositions de l'Article XXIII ou du paragraphe 2 de l'Article XXX, toute partie contractante pourra, à partir du 1er janvier 1951, se retirer du présent Accord, ou opérer le retrait d'un ou de plusieurs des territoires douaniers distincts qu'elle représente sur le plan international et qui jouissent à ce moment d'une entière autonomie dans la conduite de leurs relations commerciales extérieurss et pour les autres questions traitées dans le présent Accord. Le retrait, qui pourra avoir lieu à partir du 1er janvier 1951, prendra effet à l'expiration d'un délai de six mois à compter du jour où le Secrétaire général des Nations Unies aura reçu notification par écrit de ce retrait.

Article XXXII
Parties contractantes.

1. Seront considérés comme parties contractantes au présent Accord les gouvernements qui en appliqueront les dispositions aux termes de l'article XXVI ou conformément au Protocole d'application provisoire.

2. Les parties contractantes qui auront accepté le présent Accord conformément au paragraphe 3 de l'article XXVI pourront, à tout moment après l'entrée en vigueur du présent Accord conformément au paragraphe 5 de cet article, décider qu'une partie contractante qui n'a pas accepté le présent Accord suivant cette procédure cessera d'être partie contractante.

Article XXXIII

Adhésion.

Tout gouvernement qui n'est pas partie au présent Accord ou tout gouvernement agissant au nom d'un territoire douanier distinct qui jouit d'une entière autonomie dans la conduite de ses relations commerciales extérieures et pour les autres questions traitées dans le présent Accord pourra adhérer au présent Accord, pour son compte ou pour le compte de ce territoire, à des conditions à fixer entre ce gouvernement et les parties contractantes.

Article XXXIV

Annexes.

Les annexes au présent Accord font partie intégrante de cet Accord.

ANNEXE A

LISTE DES TERRITOIRES MENTIONNES AU PARAGRAPHE 2 (a) DE L'ARTICLE PREMIER.

Royaume-Uni de Grande-Bretagne et d'Irlande du Nord.

Territoires qui dépendent du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord.

Canada.

Commonwealth d'Australie.

Territoires qui dépendent du Commonwealth d'Australie.

Nouvelle-Zélande.

Territoires qui dépendent de la Nouvelle-Zélande.

Union sud-africaine y compris le Sud-ouest africain.

Irlande.

Inde (à la date du 10 avril 1947).

Terre-Neuve.

Rhodésie du Sud.

Birmanie.

Ceylan.

Dans certains des territoires énumérés ci-dessus, deux ou plusieurs tarifs préférentiels sont en vigueur pour certains produits. Ces territoires pourront, par voie d'accord avec les autres parties contractantes qui sont les principaux fournisseurs de ces produits parmi les pays admis au bénéfice de la clause de la nation la plus favorisée, remplacer ces tarifs préférentiels par un tarif préférentiel unique qui, dans l'ensemble, ne sera pas moins favorable aux fournisseurs bénéficiant de cette clause que les préférences en vigueur antérieurement à cette substitution.

L'imposition d'une marge équivalente de préférence tarifaire aux lieu et place de la marge de préférence qui existait dans l'application d'un impôt intérieur, à la date du 10 avril 1947, exclusivement entre deux ou plusieurs des territoires énumérés à la présente annexe, ou aux lieu et place des ententes préférentielles quantitatives visées au paragraphe suivant, ne sera pas considérée comme constituant une majoration

de la marge de préférence tarifaire.

Les ententes préférentielles visées au paragraphe 5 (b) de l'article XIV sont celles qui étaient en vigueur dans le Royaume-Uni à la date du 10 avril 1947 en vertu d'accords passés avec les Gouvernements du Canada, de l'Australie et de la Nouvelle-Zélande en ce qui concerne la viande de boeuf et de veau congelée et réfrigérée, la viande de mouton et d'agneau congelée, la viande de porc congelée et réfrigérée et le lard. On envisage, sans préjudice de toute mesure prise par application de la partie I (h) de l'article XX, que ces ententes seront éliminées ou remplacées par des préférences tarifaires et que des négociations s'engageront à cet effet aussitôt que possible entre les pays intéressés, directement ou indirectement, à ces produits de façon substantielle.

La taxe sur la location des films en vigueur en Nouvelle-Zélande à la date du 10 avril 1947, sera, aux fins d'application du présent Accord, considérée comme un droit de douane aux termes de l'article premier. Le contingentement imposé aux loueurs de films en Nouvelle-Zélande à la date du 10 avril 1947, sera considéré, aux fins d'application du présent Accord, comme un contingentement à l'écran au sens de l'article IV.

ANNEXE B

LISTE DES TERRITOIRES DE L'UNION FRANCAISE MENTIONNES AU PARAGRAPHE 2 (b) DE L'ARTICLE PREMIER

France.

Afrique équatoriale française (Bassin conventionnel du Congo[x] et autres territoires).

Afrique occidentale française.

Cameroun sous mandat français[x].

Côte française des Somalis et Dépendances.

Etablissements français de l'Inde[x].

Etablissements français de l'Océanie.

Etablissements français du Condominium des Nouvelles-Hébrides[x].

Guadeloupe et Dépendances.

Guyane francaise.

Indochine.

Madagascar et Dépendances.

Maroc (zone française)[x].

Martinique.

Nouvelle-Calédonie et Dépendances.

Réunion.

St-Pierre et Miquelon.

Togo sous mandat français[x].

Tunisie.

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x) Pour l'importation dans la Métropole.

ANNEXE C

LISTE DES TERRITOIRES DE L'UNION DOUANIERE ENTRE LA BELGIQUE, LE LUXEMBOURG ET LES PAYS-BAS MENTIONNES AU PARAGRAPHE 2 (b) DE L'ARTICLE PREMIER.

Union économique belgo-luxembourgeoise.

Congo belge.

Ruanda-Urundi.

Pays-Bas.

Indes néerlandaises.

Surinam.

Curaçao.

Pour l'importation dans les territoires métropolitains constituant l'Union douanière.

ANNEXE D

LISTE DES TERRITOIRES MENTIONNES AU PARAGRAPHE 2 (b) DE L'ARTICLE PREMIER QUI INTERESSENT LES ETATS-UNIS D'AMERIQUE.

Etats-Unis d'Amérique (territoire douanier).

Territoires dépendant des Etats-Unis d'Amérique.

République des Philippines.

L'imposition d'une marge équivalente de préférence tarifaire aux lieu et place de la marge de préférence qui existait dans l'application d'une taxe intérieure à la date du 10 avril 1947, exclusivement entre deux ou plusieurs des territoires énumérés à la présente annexe, ne sera pas considérée comme constituant une majoration de la marge de préférence tarifaire.

ANNEXE E

LISTE DES TERRITOIRES AUXQUELS S'APPLIQUENT LES ACCORDS PREFERENTIELS CONCLUS ENTRE LE CHILI ET LES PAYS VOISINS MENTIONNES AU PARAGRAPHE 2 (d) DE L'ARTICLE PREMIER.

Préférences en vigueur exclusivement entre le Chili, d'une part, et

1. l'Argentine
2. la Bolivie
3. le Pérou,

d'autre part.

ANNEXE F

LISTE DES TERRITOIRES AUXQUELS S'APPLIQUENT LES ACCORDS PREFERENTIELS CONCLUS ENTRE LA SYRIE ET LE LIBAN ET LES PAYS VOISINS MENTIONNES AU PARAGRAPHE 2 (d) DE L'ARTICLE PREMIER.

Préférences en vigueur exclusivement entre l'Union douanière libano-syrienne d'une part, et

1. la Palestine

2. la Transjordanie,

d'autre part.

ANNEXE G

DATES RETENUES POUR LA DETERMINATION DES MARGES DE PREFERENCE MAXIMA MENTIONNEES AU PARAGRAPHE 3 DE L'ARTICLE PREMIER.

Australie	15 octobre 1946
Canada	1er juillet 1939
France	1er janvier 1939
Union douanière libano-syrienne	30 novembre 1939
Union sud-africaine	1er juillet 1938
Rhodésie du Sud	1er mai 1941

ANNEXE H

POURCENTAGE DU COMMERCE EXTERIEUR DEVANT SERVIR AU CALCUL DU POURCENTAGE PREVU A L'ARTICLE XXVI.

(Moyenne de l'année 1938 et de la période de douze mois la plus récente pour laquelle on dispose de statistiques).

	Pourcentage
Australie	3,2
Belgique-Luxembourg et Pays-Bas	10,9
Brésil	2,8
Birmanie	0,7
Canada	7,2
Ceylan	0,6
Chili	0,6
Chine	2,7
Cuba	0,9
Etats-Unis d'Amérique	25,2
Union française	9,4
Inde	3,3 x)
Pakistan	
Norvège	1,5
Nouvelle Zélande	1,2
Rhodésie du Sud	0,3
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord	25,7
Union douanière libano-syrienne	0,1
Tchécoslovaquie	1,4
Union sud-africaine	2,3
	100,0

Note: Ces pourcentages ont été fixés en tenant compte du commerce de tous les territoires que les pays indiqués ci-dessus représentent sur le plan international et qui ne sont pas autonomes pour les questions traitées dans l'Accord général sur les tarifs douaniers et le commerce.

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x) Ce pourcentage sera déterminé par voie d'accord entre les gouvernements de l'Inde et du Pakistan et communiqué dès que possible au Secrétaire général des Nations Unies.

ANNEXE I

NOTES INTERPRETATIVES

ad Article premier

Paragraphe premier

Les obligations inscrites au paragraphe premier de l'article premier par référence aux paragraphes 1 et 2 de l'article III ainsi que celles qui sont inscrites au paragraphe 2 (b) de l'article II par référence à l'article VI seront considérées comme rentrant dans le cadre de la Partie II aux fins d'application du Protocole d'application provisoire.

Paragraphe 3

Les mots "marge de préférence" s'entendent de la différence absolue existant entre le montant du droit de douane appliqué à la nation la plus favorisée et le montant du droit préférentiel pour le meme produit et non de la proportion existant entre ces deux taux. Par exemple :

1) Si le droit de la nation la plus favorisée est de 36 pour cent ad valorem et le droit préférentiel de 24 pour cent ad valorem la marge de préférence sera considérée comme étant de 12 pour cent ad valorem et non pas du tiers du droit de la nation la plus favorisée;

2) Si le droit de la nation la plus favorisée est de 36 pour cent ad valorem et si le droit préférentiel est indiqué comme égal aux deux tiers du droit de la nation la plus favorisée, la marge de préférence sera de 12 pour cent ad valorem;

3) Si le droit de la nation la plus favorisée est de 2 francs par kilogramme et le droit préférentiel de 1,50 franc par kilogramme la marge de préférence sera de 0,50 franc par kilogramme.

Les mesures douanières suivantes, prises conformément à des règles de procédure uniformes et bien établies, ne seront pas considérées comme allant à l'encontre d'une consolidation générale des marges de préférence :

(i) La remise en vigueur, pour un produit importé, d'une classification tarifaire ou d'un taux normalement applicables à ce produit, dans les cas où l'application de cette classification ou de ce taux à ce produit aurait été temporairement suspendue à la date du 10 avril 1947;

(ii) la classification d'un produit particulier sous une position tarifaire autre que celle sous laquelle il était classé à la date du 10 avril 1947, dans les cas où la législation tarifaire prévoirait clairement qu'un tel produit peut être classé sous plusieurs positions.

ad Article II

Paragraphe 2 (b)

Voir la note relative au paragraphe 1 de l'article premier.

Paragraphe 4

Sauf convention expresse entre les parties contractantes qui ont primitivement négocié la concession, les dispositions du présent paragraphe seront appliquées en tenant compte des dispositions de l'article 31 du Projet de Charte visées à l'article XXIX du présent Accord.

ad Article V

Paragraphe 5

En ce qui concerne les frais de transport, le principe posé au paragraphe 5 s'applique aux produits similaires transportés le long du même itinéraire dans des conditions analogues.

ad Article VI

Paragraphe premier

Le dumping occulte pratiqué par des maisons associées (c'est-à-dire la vente par un importateur à un prix inférieur à celui qui correspond au prix facturé par un exportateur avec lequel il est associé et inférieur également au prix pratiqué dans le pays exportateur) constitue un dumping des prix.

Paragraphe 2

Le recours à des changes multiples peut dans certain cas constituer une prime à l'exportation à laquelle on peut répondre par des droits compensateurs aux termes du paragraphe 2 ou une forme de dumping par le moyen d'une dévaluation partielle de la monnaie à laquelle on peut répondre par les mesures prévues au paragraphe premier du présent article. Par "recours à des changes multiples", on vise des pratiques qui sont le fait des gouvernements ou qui sont approuvées par eux.

Paragraphe 7

Les obligations énoncées au paragraphe 7, comme les autres obligations inscrites dans le présent Accord, tombent sous le coup des dispositions de l'article XIX.

ad Article VII

Paragraphe premier

On a examiné s'il était souhaitable de remplacer les mots "aussitôt que possible" par l'indication d'une date précise ou d'une période limitée, d'une durée déterminée, qui serait fixée ultérieurement. On s'est rendu compte qu'il ne serait pas possible à toutes les parties contractantes de mettre en pratique ces principes à une date fixe, mais il a été néanmoins entendu que

la majorité des parties contractantes appliqueraient ces principes dès l'entrée en vigueur de l'Accord.

Paragraphe 2

Il serait conforme à l'article VII de présumer que la "valeur réelle" peut être représentée par le prix de facture, auquel on ajoutera tous les éléments correspondant à des frais légitimes non compris dans le prix de facture et constituant effectivement des éléments de la "valeur réelle", ainsi que tout escompte anormal ou toute autre réduction anormale calculés sur le prix normal de concurrence.

Une partie contractante se conformerait au paragraphe 2 (b) de l'article VII en interprétant l'expression "pour des opérations commerciales normales", rapprochée des termes "dans des conditions de pleine concurrence", comme excluant toute transaction dans laquelle l'acheteur et le vendeur ne sont pas indépendants l'un de l'autre et où le prix ne constitue pas la seule considération.

La norme prescrite pour les "conditions de pleine concurrence" permet aux parties contractantes de ne pas prendre en considération les prix faits aux agents distributeurs, qui comportent des escomptes spéciaux consentis aux seuls agents exclusifs.

Le texte des alinéas (a) et (b) permet aux parties contractantes d'évaluer les droits d'une manière uniforme soit (1) sur la base des prix fixés par un exportateur particulier pour la marchandise importée soit (2) sur la base du niveau général des prix pour les produits similaires.

ad Article VIII

Bien que l'article VIII ne vise pas le recours à des taux de change multiples en tant que tels, les paragraphes 1 et 4 condamnent le recours à des taxes ou redevances sur les opérations de change comme un système d'application de changes multiples; toutefois, si une partie contractante impose des droits de change multiples avec l'approbation du Fonds monétaire international et pour sauvegarder sa balance des paiements, les dispositions du paragraphe 2 sauvegardent pleinement sa position, étant donné que ce paragraphe stipule simplement que ces droits devront être supprimés dès que les circonstances le permettront.

ad Article XI

Paragraphe 2 (c)

L'expression "quelle que soit la forme sous laquelle ces produits sont importés" doit être interprétée comme s'appliquant aux mêmes produits qui, se trouvant à un stade de transformation peu avancé et sont encore périssables, concurrencent directement les produits frais et qui, s'ils étaient importés librement, tendraient à rendre inopérantes les restrictions appliquées à l'importation du produit frais.

Paragraphe 2, dernier alinéa

L'expression "facteurs spéciaux" comprend les variations de la productivité relative des producteurs nationaux et étrangers ou des différents producteurs étrangers, mais non pas les variations artificiellement provoquées par des moyens que l'Accord n'entérine pas.

ad Article XII

Paragraphe 3 (b) (i)

Les mots "nonobstant les dispositions du paragraphe 2 du présent article" ont été ajoutés au texte pour bien préciser que les restrictions à l'importation imposées par une partie contractante, à d'autres égards "nécessaires" au sens du paragraphe 2 (a), ne seront pas considérées comme superflues, en raison du fait qu'un changement de politique intérieure, envisagé dans le texte de ce paragraphe, serait de nature à améliorer l'état des réserves monétaires de cette partie contractante. Ces mots ne doivent pas être entendus comme impliquant que le sens du paragraphe 2 a subi aucune modification, quelle qu'elle soit.

Il a été tenu compte des problèmes spéciaux que pourraient avoir à résoudre les parties contractantes qui, par suite de leur programme de plein emploi, de maitien de niveaux élevés et toujours croissants de la demande et de développement économique, ont à faire face à une forte demande d'importations et, en conséquence, soumettent leur commerce extérieur à une réglementation quantitative. On a estimé que le texte actuel de l'article XII, ainsi que les dispositions relatives au contrôle des exportations figurant dans certaines parties de l'Accord, par exemple à l'article XX, répondent parfaitement aux besoins de ces économies.

ad Article XIII

Paragraphe 2 (d)

On n'a pas retenu les "considérations d'ordre commercial" comme un critère de répartition des contingents, car on a estimé que l'application de ce critère par les autorités gouvernemen . tales ne serait pas toujours possible. D'autre part, dans les cas où cette application serait possible, une partie contractante pourrait faire usage de ce critère lorsqu'elle recherche un accord, conformément à la règle générale énoncée dans la première phrase du paragraphe 2.

Paragraphe 4

Voir la note relative aux "facteurs spéciaux", à propos du dernier alinéa du paragraphe 2 de l'article XI.

ad ARTICLE XIV

Paragraphe 3

Il n'a pas été jugé nécessaire de mentionner expressément au paragraphe 3 l'obligation pour les PARTIES CONTRACTANTES d'entrer en consultation avec le Fonds monétaire international, étant donné que cette consultation, dans tous l s cas appropriés, était déjà prescrite par les dispositions du paragraphe 2 de l'article XV.

Paragraphe 6 (b)

La suspension de toute mesure pendant une période de quinze jours a pour but de rendre la consultation effective. Au nombre des circonstances spéciales justifiant une telle suspension, figurent les préjudices immédiats causés aux producteurs de produits périssables qui sont prêts à être expédiés ou aux consommateurs de produits essentiels lorsque le pays importateur ne possède pas de stocks de ces produits.

ad Article XV

Paragraphe 4

Les mots "iraient à l'encontre" signifient notamment que les mesures de contrôle sur les changes qui seraient contraires à la lettre d'un article du présent Accord ne seront pas considérées comme une violation de cet article si elles ne s'écartent pas de façon appréciable de l'esprit de celui-ci. Ainsi, une partie contractante qui, en vertu d'une de ces mesures de contrôle des changes, appliquée en conformité des Statuts du Fonds monétaire international, exigerait de recevoir le paiement de ses exportations dans sa propre monnaie ou dans la monnaie d'un ou de plusieurs Etats membres du Fonds monétaire international; ne serait pas réputée pour ce motif avoir enfreint les dispositions de l'article XI ou de l'article XIII. On pourrait encore prendre pour exemple le cas d'une partie contractante qui spécifierait sur une licence d'importation un pays d'où l'importation des marchandises pourrait etre autorisée, ayant en vue non point l'introduction d'un nouvel élément de discrimination dans ces licences d'importation mais l'application de mesures autorisées en matière de contrôle des changes.

ad Article XVII

Paragraphe premier

Les opérations des offices commerciaux créés par les parties contractantes et qui consacrent leur activité à l'achat ou à la vente sont soumises aux dispositions des alinéas (a) et (b).

Les activités des offices commerciaux créés par les parties contractantes qui, sans procéder à des achats ou à des ventes, établissent cependant des règlements s'appliquant au commerce privé, sont régies par les articles appropriés du présent Accord.

Les dispositions du présent article n'empêchent pas une entreprise d'Etat de vendre un produit à des prix différents sur différents marchés, à condition qu'elle agisse ainsi pour des raisons commerciales, afin de satisfaire au jeu de l'offre et de la demande sur les marchés d'exportation.

Paragraphe premier, alinéa (a)

Les mesures gouvernementales qui sont appliquées en vue d'assurer certaines normes de qualité et de rendement dans les opérations du commerce extérieur, ou encore les privilèges qui sont accordés pour l'exploitation des ressources naturelles nationales, mais qui n'autorisent pas le gouvernement à diriger les activités commerciales de l'entreprise en question, ne constituent pas "des privilèges exclusifs ou spéciaux".

Paragraphe premier, alinéa (b)

Il est loisible à un pays bénéficiaire d'un "emprunt à emploi spécifié" de tenir cet emprunt pour une "considération commerciale" lorsqu'il acquiert à l'étranger les produits dont il a besoin.

Paragraphe 2

Les mots "produits" et "marchandises" ne s'appliquent qu'aux produits au sens que ces mots reçoivent dans la pratique commerciale courante et ne doivent pas être interprétés comme s'appliquant à l'achat ou à la prestation de services.

ad Article XXIV

Paragraphe 5

Lorsque des accords commerciaux définitifs auront été conclus entre l'Inde et le Pakistan, les mesures adoptées par ces pays en vue d'appliquer ces accords pourront déroger à certaines dispositions du présent Accord, sans s'écarter toutefois, de ses objectifs.

ad Article XXVI

Les territoires que les parties contractantes représentent sur le plan international ne comprennent pas les régions soumises à l'occupation militaire.

Note finale

La question de l'application de l'Accord général sur les tarifs douaniers et le commerce aux échanges commerciaux des parties contractantes avec les régions soumises à l'occupation militaire n'a pas été traitée, et elle est réservée pour faire prochainement l'objet d'un nouvel examen. Dans l'intervalle, rien dans le présent Accord ne devra être interprété comme préjugeant les solutions à adopter. Cette réserve, bien entendu, ne fait aucunement obstacle à l'application des dispositions des articles XXII et XXIII aux questions soulevées par les échanges commerciaux susmentionnés.

INDEX DU TABLEAU DES LISTES

		Pages
LISTE I	—COMMONWEALTH D'AUSTRALIE [1]	
LISTE II	—BELGIQUE-LUXEMBOURG-PAYS-BAS [2]	A1459
LISTE III	—ETATS-UNIS DU BRESIL	A1543
LISTE IV	—BIRMANIE [1]	
LISTE V	—CANADA	A1653
LISTE VI	—CEYLAN [1]	
LISTE VII	—REPUBLIQUE DU CHILI	A1765
LISTE VIII	—REPUBLIQUE DE CHINE [1]	
LISTE IX	—REPUBLIQUE DE CUBA [1]	
LISTE X	—REPUBLIQUE TCHECOSLOVAQUE	A1783
LISTE XI	—UNION FRANCAISE	A1841

	Pages
Section A.—Territoire métropolitain	A1841
Section B.—Afrique équatoriale française	A1995
Section C.—Afrique occidentale française	A1998
Section D.—Côte française des Somalis et Dépendances	A2001
Section E.—Etablissements français de l'Océanie	A2002
Section F.—Guadeloupe et dépendances	A2005
Section G.—Guyane française	A2007
Section H.—Indochine	A2008
Section I.—Madagascar et dépendances	A2010
Section J.—Martinique	A2013
Section K.—Nouvelle Calédonie et dépendances	A2015
Section L.—Réunion	A2020
Section M.—St. Pierre et Miquelon	A2021
Section N.—Tunisie	A2024

LISTE XII	—INDE [1]	
LISTE XIII	—NOUVELLE ZELANDE [1]	
LISTE XIV	—ROYAUME DE NORVEGE [1]	
LISTE XV	—PAKISTAN [1]	
LISTE XVI	—RHODESIE DU SUD [1]	
LISTE XVII	—UNION DOUANIERE LIBANO-SYRIENNE	A2027
LISTE XVIII	—UNION SUD AFRICAINE [1]	
LISTE XIX	—ROYAUME UNI DE GRANDE BRETAGNE ET D'IRLANDE DU NORD [1]	

	Pages
Section A.—Territoire métropolitain	
Section B.—Terre-Neuve	
Section C.—Territoires dépendant du Royaume-Uni de Grande Bretagne et d'Irlande du Nord	
Section D.—Union Malaise	
Section E.—Palestine	

LISTE XX	—ETATS-UNIS D'AMERIQUE [1]	

[1] [Inasmuch as this schedule is authentic only in the English language no French translation is printed herein.]

[2] [Inasmuch as Sections C, D, and E of this schedule are authentic only in the English language (see 61 Stat., Pt. 5, p. A201), no French translation is printed herein.]

ABREVIATIONS

Dans certaines des listes ci-annexées il a été fait usage d'abréviations. Celles-ci ont la signification suivante:

c.i. = y compris le conditionnement immédiat.

G.N. = gramme net.

K.B. = kilogramme brut.

K.L. = kilogramme légal.

K.N. = kilogramme net.

K.P.B. = kilogramme poids brut.

K.P.L. = kilogramme poids légal.

K.P.R. = kilogramme poids réel.

n.c.a. = non compris ailleurs.

n.d. = non dénommé.

n.d.a. = non dénommé ailleurs.

n.p.f. = nation la plus favorisée.

N.S.A. = non spécifié ailleurs.

n.s.d. = non spécialement dénommé.

T.B. = tonne brute.

T.P.B. = tonne poids brut.

T.P.L. = tonne poids légal.

T.P.R. = tonne poids réel.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Seul le texte français des Sections A et B de la présente liste fait foi. Seul le texte anglais des Sections C, D et E de la présente liste fait foi.

SECTION A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE

Tarif de la nation la plus favorisée

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
15	Gibier tué :	
	a. Gibier à poil :	
	ex. Lapins et lièvres sauvages conservés à l'état frais par un procédé frigorifique (x)...	12 p.c.
19	Poissons frais (vivants ou morts) ou conservés à l'état frais par un procédé frigorifique ou autre :	
	a. Poissons d'eau douce	exemption
	b. Poissons de mer	exemption
	Note : Les produits repris sous le n° 19 sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise à concurrence de 150 p.c. de la moyenne des importations trimestrielles totales (non comprises les importations en provenance des Pays-Bas dans l'Union Economique belgo-luxembourgeoise et les importations en provenance de l'Union économique belgo-luxembourgeoise dans les Pays-Bas) pendant les années 1936-1937-1938.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (Suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
19 (suite)	Pour les quantités excédentaires, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
20	Poissons simplement salés, séchés ou fumés :	
	a. Harengs (x)	exemption
	b. autres (x)	exemption
21	Crustacés et mollusques, frais, même simplement cuits ou salés :	
	a. Homards, langoustes, crabes, écrevisses, crevettes et autres crustacés :	
	1. Homards, langoustes, écrevisses :	
	A. Homards et langoustes destinés à être parqués (x)	15 p.c.
	ex B. Homards, écrevisses (x)	15 p.c.
	2. non dénommés (x)	exemption
	b. Huîtres, moules, escargots et autres mollusques :	
	1. Huîtres :	
	A. Naissain d'huîtres (x)	exemption
	B. plates d'Europe ne pesant pas plus de 30 grammes la pièce (x)	5 p.c.
	C. autres (x)	20 p.c.
	2. non dénommés (x)	exemption
26	Fromages de toute sorte :	
	b. Fromages à pâte molle (x)	15 p.c.
	c. Fromages à pâte dure ou demi-dure (x)	15 p.c.
27	Oeufs de volaille et de gibier :	
	b. Oeufs dépourvus de leur coque ; jaunes d'oeufs :	
	1. propres aux usages alimentaires	5 p.c.
	2. destinés à des usages techniques	exemption
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
31	Boyaux, vessies et estomacs d'animaux, frais, salés ou secs; caillettes de veau, même coupées et séchées (x)	exemption
ex 32	Sang de bétail, liquide ou desséché (x)	exemption
33	Plumes à lit et duvet, même nettoyés ...	exemption
34	Peaux et parties de peaux d'oiseaux; plumes d'oiseaux autres que plumes à lit et duvet :	
	ex b. 1. Plumes d'autruche	6 p.c.
35	Os, cornes, cornillons, bois d'animaux, sabots, ongles, griffes, becs d'oiseaux, bruts, même simplement découpés, refendus ou étendus, mais non travaillés; rognures et déchets de ces matières	exemption
43	Fleurs et boutons coupés pour bouquets ou pour ornements :	
	a. frais (x)	20 p.c.
	b. séchés, teints, blanchis, imprégnés ou autrement préparés (x)	20 p.c.
44	Feuillages, feuilles, rameaux, herbes et mousses pour bouquets ou pour ornements:	
	a. frais (x)	20 p.c.
	b. séchés, teints, blanchis, imprégnés ou autrement préparés (x)	20 p.c.
45	Champignons comestibles, y compris les truffes :	
	a. Truffes (x)	10 p.c.
	b. autres (x).....	20 p.c.
50	Autres légumes et plantes potagères frais :	
	ex a. Asperges, du 1er juillet au 20 avril inclus (x)	15 p.c.
	ex b. 1. Choux-fleurs, du 1er janvier au 15 avril inclus (x)	10 p.c.
	g. Concombres, cornichons, courges, courgettes et similaires (x)	20 p.c.
	ex h. 1. Artichauts (x)	12 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
51	Légumes à cosse, secs en grains, même décortiqués ou cassés :	
	ex b. Lentilles	exemption
	Note : Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à l'alimentation humaine, pour autant qu'ils soient importés sous le contrôle du Monopole néerlandais ou de l'organisme correspondant belgo-luxembourgeois. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
54	Fruits des pays tropicaux :	
	ex a. 1. Dattes logées en emballages d'un poids de 1 kg ou moins(x)	15 p.c.
	Note : Poids cumulé du contenant et du contenu.	
	b. Bananes (x)	15 p.c.
	ex c. Noix de coco râpées (desiccated coconuts), noix du Brésil et fruits similaires (x)	10 p.c.
	ex d. Ananas (x)	85 p.c.
55	Oranges, citrons et fruits similaires :	
	a. Oranges et mandarines :	
	2. autres :	
	du 1er mars au 31 octobre inclus (x)	15 p.c.
	du 1er novembre au dernier jour de février inclus (x)	80 p.c.
	Note : Pendant la période du 15 octobre au 15 avril inclus, les produits repris sous le n° 55 a.2., originaires du Congo belge, des territoires administrés par l'Etat belge en Afrique et des	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
55 (suite)	territoires néerlandais d'outre-mer seront frappés d'un droit de douane qui ne sera pas inférieur à 50 p.c. du droit de douane prévu au tarif. Pendant la période du 16 avril au 14 octobre inclus, les produits, repris sous le n° 55 a. 2., originaires du Congo belge, des territoires administrés par l'Etat belge en Afrique et des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
	b. Citrons (x).....	15 p.c.
	c. Pamplemousses :	
	du 15 octobre au 15 avril inclus (x)	12 p.c.
	du 16 avril au 14 octobre inclus (x)	15 p.c.
	Note : Pendant la période du 15 octobre au 15 avril inclus, les produits repris sous le n° 55 c., originaires du Congo belge, des territoires administrés par l'Etat belge en Afrique et des territoires néerlandais d'outre-mer seront frappés d'un droit de douane qui ne sera pas inférieur à 50 p.c. du droit de douane prévu au tarif. Pendant la période du 16 avril au 14 octobre inclus, les produits repris sous le n° 55 c., originaires du Congo belge, des territoires administrés par l'Etat belge en Afrique et des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
56	Figues :	
	b. sèches (x)	10 p.c.
57	Raisins :	
	a. frais (x)	-
	ex b. secs, autres que ceux dits "de Corinthe" (x)	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
58	Amandes, noix, châtaignes et fruits similaires :	
	b. Noisettes (x)	10 p.c.
	c. Noix communes (x)	10 p.c.
	ex e. Noix de pécan (x)	10 p.c.
	ex e. Noix de cachou; pistaches (x)	5 p.c.
59	Pommes, poires et coings, frais :	
	a. Pommes :	
	du 1er février au 31 mai inclus(x)	6 p.c.
	Note : Pendant la période du 1er juin au 31 janvier inclus, la charge combinée du droit de douane et du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise ne dépassera pas 20 p.c.	
	ex b. Poires :	
	du 1er février au 31 mai inclus(x)	6 p.c.
	Note : Pendant la période du 1er juin au 31 janvier inclus, la charge combinée du droit de douane et du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise ne dépassera pas 20 p.c.	
60	Fruits à noyau, frais :	
	ex a. Abricots (x)	15 p.c.
	b. Cerises :	
	1. logées dans l'eau salée, soufrée ou additionnée de substances servant à assurer leur conservation pendant le transport (x)	15 p.c.
	2. autres (x)	20 p.c.
	d. autres (x)	20 p.c.
61	Autres fruits comestibles, frais :	
	a. Fraises, airelles, groseilles, framboises et autres baies (x)	20 p.c.
	b. Melons (x)	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
62	Fruits dénommés sous les positions 59 à 61, à l'état sec, même coupés en morceaux ou en tranches :	
	a. Pommes et poires (x)	12 p.c.
	b. Pruneaux (x)	12 p.c.
	c. autres (x)	12 p.c.
63	Café :	
	a. non torréfié (x)	100 kg poids net fr.300 ou f 18,16 (+)
	(+) Cette concession est valable jusqu'au 31 décembre 1948 inclus.	
65	Poivres et piments, même moulus :	
	a. Poivre (x)	15 p.c.
	c. autres piments (x)	15 p.c.
66	Vanille (x)	15 p.c.
67	Autres épices :	
	ex a. Cannelle (x)	15 p.c.
	Note: Le produit sous rubrique originaire du Congo belge, des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouira d'aucune préférence tarifaire.	
	b. Girofle (clous, griffes et antofles(x)	15 p.c.
	c. Noix muscades et macis :	
	1. Noix muscades (x)	15 p.c.
	2. Macis (x)	15 p.c.
ex 68	Froment	exemption
	Note 1: Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 4,- ou fr. 66,08 par 100 kg poids net plus le prix moyen rendu quai port de débarquement par 100 kg du froment comparable en sorte et qualité, importé pendant la période précédente de six semaines	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
ex 68 (suite)	moins le prix réel rendu quai de débarquement par 100 kg du froment comparable en sorte et qualité, importé pendant la période de six semaines en cours, à condition que le prix de vente par 100 kg du froment importé ne doive pas être réduit de plus de f 1,- ou fr.16,52 respectivement ou de plus de 10 p.c. en une période quelconque de six semaines, soit la réduction la moins élevée des deux, étant entendu que le prix de vente par 100 kg ne dépassera pas le prix moyen rendu quai port de débarquement du froment comparable en sorte et qualité, importé pendant la période précédente de six semaines, augmenté respectivement de f 4,- ou de fr. 66,08.	
	Note 2: Il ne sera pas exigé qu'une moyenne annuelle de plus de 35 p.c. de froment indigène ou de produits indigènes similaires (y compris la farine de pommes de terre) soit mélangée avec le froment importé.	
70	Riz :	
	a. en paille ou en grains non pelés....	exemption
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 2,- ou fr.33,04 par 100 kg poids net.	
	b. pelé, même glacé	exemption
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 1,50 ou fr. 24,78 par 100 kg poids net.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
ex 74	Sarrasin	exemption
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 2,- ou fr.33,04 par 100 kg poids net.	
75	Farines de céréales :	
	ex a. de froment	3 p.c.
	Note 1: Une quantité maximum de 50.000 tonnes métriques par an de farine de froment importée aux Pays-Bas sous le contrôle du Monopole néerlandais pour la consommation intérieure des Pays-Bas est exempte de droits de douane.	
	Note 2: Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise sur la farine de froment sera égal au droit de monopole néerlandais ou à la charge correspondante belgo-luxembourgeoise sur le froment, multiplié par un coefficient égal à l'inverse du coefficient d'extraction en vigueur au moment de l'importation.	
	Note 3: Il ne sera pas exigé qu'une moyenne annuelle de plus de 35 p.c. de farine faite de froment indigène ou de produits indigènes similaires (y compris la farine de pommes de terre) soit mélangée avec la farine de froment importée.	
83	Graines et fruits oléagineux, même concassés ou moulus :	
	a. Arachides (x)	exemption
	b. Coprah (x)	exemption
	c. Noix palmistes (x)	exemption
	d. Fèves de soya (x)	exemption
	ex k. Graines de sésame et de chènevis (x)	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
84	Graines et fruits à ensemencer :	
	b. Graines de trèfle, de luzerne, de graminées et autres pour prairies(x) ...	exemption
	Note : En ce qui concerne les graines de graminées, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 15 ou fr.247,80 par 100 kg poids net. Les autres produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise.	
88	Plantes, parties de plantes, graines et fruits utilisés en parfumerie ou en médecine, non dénommés ni compris ailleurs :	
	ex b. utilisés en médecine : timbo; poudre de pyrèthre pure non conditionnée pour la vente au détail; racines de réglisse; feuilles de boldo (x)	exemption
89	Plantes, parties de plantes, graines et fruits à usage alimentaire ou fourrager, non dénommés ni compris ailleurs :	
	ex a. Graines d'anis, de badiane, de fenouil, de coriandre et de cumin (x)	exemption
	d. Maté (x)	100 kg poids net fr.826 ou f 50,-
	e. Noyaux d'abricots et de pêches :	
	1. Noyaux entiers d'abricots (x)..	5 p.c.
	2. autres (x)	10 p.c.
	ex f. Pelures et autres déchets utilisables de pommes; farine de varech (x)	exemption
92	Plantes, parties de plantes, fruits, gousses, baies, noix et graines, servant à la teinture ou au tannage, même moulus:	
	ex b. Ecorces d'acacia (wattle bark) ...	exemption
93	Gommes, gommes-résines, résines et baumes naturels	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
94	Sucs et extraits végétaux, non dénommés ailleurs:	
	a. Jus de réglisse, y compris la glycyrrhizine (x)	6 p.c.
	c. Camphre, y compris le camphre synthétique (x)	exemption
	d.2. Pectine (x).....	10 p.c.
97	Matières végétales de rembourrage (capoc, crin végétal, crin marin et similaires), même en torsades	exemption
98	Matières végétales pour balais et brosses, même en torsades ou en faisceaux, brutes, blanchies ou teintes (sorgho, piassava, chiendent et similaires):	
	ex. Piassava, brut	exemption
99	Autres produits bruts d'origine végétale, non dénommés ni compris ailleurs:	
	ex. Raphia (x)	exemption
100	Saindoux	exemption
	Note: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
ex 101	Suifs bruts, même fondus	exemption
	Note: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise s'ils	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
ex 101 (suite)	sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
102	Oléomargarine, oléostéarine :	
	a. Oléomargarine	exemption
	b. Oléostéarine	exemption
	Note : Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
103	Graisses et huiles de poisson et d'animaux marins, même raffinées :	
	ex. Huiles de foie de poisson; huile de baleine, brute	exemption
	Note : Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise s'ils sont destinés à subir ultérieurement un traitement	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
103 (suite)	industriel ou s'ils sont importés sous forme d'huile médicinale pure, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
104	Graisse de suint; graisses d'os, de déchets et similaires; huiles d'origine animale, non dénommées ni comprises ailleurs :	
	ex. Huile de pied de boeuf (x)	exemption
105	Huiles fixes, liquides ou concrètes, d'origine végétale, brutes, épurées ou raffinées :	
	b. de bois de Chine (huile d'abrasin) :	
	1. brute	5 p.c.
	2. autre	10 p.c.
	d. de coton :	
	1. brute	5 p.c.
	2. autre	10 p.c.
	e. d'arachides :	
	1. brute	5 p.c.
	2. autre	10 p.c.
	g. d'olive :	
	1. brute	5 p.c.
	2. autre	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
105 (suite)	h. de ricin :	
	1. brute	5 p.c.
	2. autre	10 p.c.
	i. de palme :	
	1. brute	exemption
	2. autre	10 p.c.
	k. de palmiste et de coco (coprah) :	
	1. brutes	5 p.c.
	2. autres	10 p.c.
	ex l. d'illipé, de karité, de makoré, de touloucouna, de babassu et d'oiticica :	
	1. brutes	5 p.c.
	2. non dénommées	10 p.c.
	Note : Les produits repris sous le n° 105 sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
109	Acides gras:	
	a. liquides à la température de 20° centigrades, tels que l'acide oléique (oléine), etc.	5 p.c.
	b. autres, tels que l'acide stéarique (stéarine), etc.	5 p.c.
	Note: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
111	Graisses et huiles hydrogénées	10 p.c.
	Note: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
114	Cires d'origine animale ou végétale; cires artificielles:	
	ex a. Cires d'abeilles:	
	1. blanchies ou colorées	5 p.c.
	2. autres	exemption
	ex b. Cires de carnauba et d'ouricouri:	
	1. blanchies ou colorées	5 p.c.
	2. autres	exemption
115	Résidus solides provenant de l'élaboration des corps gras:	
	ex: Poix de stéarine	exemption
	Note: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise, s'ils sont destinés à subir ultérieurement un traitement industriel, pour autant que l'importation s'effectue sous le contrôle du Monopole néerlandais ou de l'Organisme belgo-luxembourgeois correspondant. Pour les produits importés pour d'autres fins ou sous d'autres conditions, le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne sont pas consolidés.	
117	Autres préparations et conserves de viandes:	
	ex a. Pâtés de foie gras d'oie ou de canard, même mélangés entre eux (x)	25 p.c.
118	Extraits de viande, solides ou liquides, même aromatisés à l'aide de substances végétales:	
	a. emballés ou sous forme de tablettes (x)	25 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
120	Poissons préparés ou conservés, ne rentrant pas sous la position 20:	
	a. logés en boîtes, terrines ou en récipients hermétiquement fermés:	
	1. Sardines (x)	20 p.c.
	2. Pilchards (x)	20 p.c.
	3. autres (x)	20 p.c.
121	Crustacés et mollusques, préparés ou conservés, ne rentrant pas sous la position 21 (x)	25 p.c.
123	Autres sucres (glucose, maltose, lactose et analogues):	
	ex b. Lactose (x)	100 kg poids net Fr.250 ou f 15,13
125	Sucreries:	
	a. Jus et pâtes de réglisse sucrés, même aromatisés (x)	18 p.c.
	b. Massepains, nougats et similaires(x)	18 p.c.
	c. Bonbons de sucre, dragées, pastilles, caramels et autres (x)	18 p.c.
	Note: Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
127	Cacao en fèves et brisures de fèves:	
	a. bruts (x)	10 p.c.
128	Coques, pelures et pellicules de cacao:	
	a. non moulues (x)	exemption
129	Cacao en masse (pâtes de cacao) (x) ...	10 p.c.
	Note: Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
130	Beurre de cacao (x)	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
132	Chocolat et articles en chocolat :	
	a. en bâtons, pastilles, pralines, bonbons et similaires, pesant moins de 50 grammes par unité (x)	18 p.c.
	b. autrement conditionnés (x)	18 p.c.
	Note : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
134	Pâtes alimentaires	15 p.c.
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépasseront pas le montant du droit de monopole néerlandais ou de la charge belgo-luxembourgeoise correspondante perçus sur le froment ou les autres céréales, multipliés par un coefficient égal à l'inverse du coefficient d'extraction de la farine contenue dans les produits sous rubrique.	
136	Produits de la boulangerie fine, pâtisseries et biscuits, même contenant du cacao ou du chocolat	18 p.c.
	Note 1 : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépasseront pas le montant du droit de monopole néerlandais ou de la charge belgo-luxembourgeoise correspondante perçus sur le froment ou les autres céréales, multipliés par un coefficient égal à l'inverse du coefficient d'extraction de la farine contenue dans les produits sous rubrique.	
	Note 2 : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
ex 137	Truffes en conserve (x)	20 p.c.
139	Autres légumes, plantes potagères et parties de plantes en conserve :	
	a. en récipients hermétiquement fermés :	
	ex 1. Asperges et petits pois emballés (x)	25 p.c.
	2. non dénommés (x)	20 p.c.
	b. autres (x)	20 p.c.
	Note : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
140	Fruits conservés, entiers, en quartiers ou en morceaux, avec ou sans addition de sucre :	
	b. conservés par tout autre procédé :	
	1. emballés (x)	30 p.c.
	2. non dénommés (x)	15 p.c.
	Note : Lorsqu'ils sont additionnés de sucres dans la proportion d'au moins 10 p.c.,les produits repris à cette position sont passibles en outre d'un droit de douane qui ne dépassera pas: - s'ils contiennent 10 p.c. ou plus, mais pas plus de 30 p.c. de sucres additionnés : 30 p.c. du droit de douane applicable au sucre raffiné, au moment de l'importation; - s'ils contiennent plus de 30 p.c. et pas plus de 50 p.c. de sucres additionnés : 50 p.c. du droit de douane applicable au sucre raffiné au moment de l'importation; - s'ils contiennent plus de 50 p.c. de sucres additionnés : 100 p.c. du droit de douane applicable au sucre raffiné,au moment de l'importation.	
141	Fruits, écorces de fruits, plantes ou parties de plantes, confits au sucre (candis) (x)	20 p.c.
	Note : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
142	Confitures, gelées, marmelades, purées et pâtes de fruits :	
	a. sans addition de sucre, y compris les fruits écrasés (pulpes), simplement cuits, non sucrés :	
	ex. Pulpes et pâtes de fruits (x)..	10 p.c.
	b. autres (x)	20 p.c.
	Note : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
143	Jus de fruits liquides ou concentrés, sans addition de sucre :	
	a. sans alcool (x)	18 p.c.
	Note : Les produits sous rubrique, logés en récipients contenant 1200 grammes poids net ou moins, seront exempts aux Pays-Bas du droit d'accise sur les vins.	
144	Jus de fruits, liquides, sucrés et sirops pour boissons, sans alcool (x)	18 p.c.
	Note : Lorsqu'ils sont additionnés de sucres dans la proportion d'au moins 10 p.c., les produits repris à cette position sont passibles en outre d'un droit de douane qui ne dépassera pas : - s'ils contiennent 10 p.c. ou plus, mais pas plus de 30 p.c. de sucres additionnés : 30 p.c. du droit de douane applicable au sucre raffiné, au moment de l'importation; - s'ils contiennent plus de 30 p.c. et pas plus de 50 p.c. de sucres additionnés : 50 p.c. du droit de douane applicable au sucre raffiné, au moment de l'importation; - s'ils contiennent plus de 50 p.c. de sucres additionnés : 100 p.c. du droit de douane applicable au sucre raffiné, au moment de l'importation.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
146	Extraits, essences et préparations à base de café :	
	b. sans addition d'alcool éthylique (x)	20 p.c.
	Note : Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
ex 147	Moutarde préparée (x)	10 p.c.
148	Préparations pour potages et pour bouillons, à base de substances végétales; sauces et condiments similaires :	
	b. Sauces et condiments similaires :	
	1. emballés	25 p.c.
	2. autres	8 p.c.
	Note 1: Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépasseront pas le montant du droit de monopole néerlandais ou de la charge belgo-luxembourgeoise correspondante perçus sur le froment ou les autres céréales, multipliés par un coefficient égal à l'inverse du coefficient d'extraction de la farine contenue dans les produits sous rubrique.	
	Note 2: Le droit de douane complémentaire sur les sucres additionnés n'est pas consolidé.	
150	Préparations alimentaires, non dénommées ni comprises ailleurs :	
	ex b. Extraits végétaux concentrés, liquides ou secs, pour la préparation de boissons rafraîchissantes (x)	10 p.c.
151	Eaux et glace :	
	ex a. Eaux minérales, naturelles ou artificielles	12 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
153	Vins et moût de raisin:	
	a. en récipients contenant plus de 2 litres (x)	hl fr.600 (1) ou f 36,32 (1)
	(1) Les boissons de l'espèce, titrant plus de 12 degrés de l'alcoomètre de Gay-Lussac, à la température de 15 degrés centigrades, acquittent pour chaque dixième de degré d'alcool excédant 12 degrés, un droit supplémentaire de fr. 11,60 ou f 0,70 l'hectolitre.	
	b. autres (x)	hl fr.1652 ou f 100.
	Notes: 1. On entend par "vin", le produit de la fermentation alcoolique du jus ou moût de raisins frais. Les vins qui, par l'absence de coloration, ont l'aspect d'un alcool rectifié, suivent le régime des liqueurs de la position 159. 2. Les vins titrant plus de 21 degrés de l'alcoomètre de Gay-Lussac, à la température de 15 degrés centigrades, suivent le régime des liqueurs de la position 159.	
154	Vins mousseux (x)	hl fr.4200 ou f 254,24
155	Vins préparés à l'aide de plantes aromatiques (Vermouth et similaires):	
	a. en récipients contenant plus de 2 litres (x)	hl fr.2000 ou f 121,07
	b. autres (x)	hl fr.2500 ou f 151,33

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
162	Farines de viande et de poisson (x)	exemption
165	Tourteaux et autres résidus de l'extraction des huiles végétales	exemption
	Note : Le droit de monopole néerlandais ou la charge correspondante belgo-luxembourgeoise ne dépassera pas respectivement f 2,- ou fr. 33,04 par 100 kg poids net.	
171	Tabacs bruts ou non fabriqués et leurs déchets :	
	a. Tabacs en feuilles, non écôtés	
	Note 1: Les produits sous rubrique originaires du Congo belge et des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
	Note 2: Quelle que soit leur espèce, les tabacs en feuilles, non écôtés, seront soumis au même droit de douane.	
172	Tabacs fabriqués (tabac à fumer, à mâcher, à priser; cigares, cigarettes; extraits ou sauces de tabac; tabac en poudre mélangé d'autres matières et destiné à des usages agricoles ou horticoles) :	
	a. Tabac à fumer	35 p.c.
	b. Tabac à mâcher	35 p.c.
	c. Cigarettes	45 p.c.
173	Sel gemme, sel de saline, sel marin (chlorure de sodium), y compris les eaux mères; eau de mer :	
	b. autres	exemption
	Note : Est compris sous cette position le sel qui, bien que propre à l'alimentation humaine, est d'abord destiné à être raffiné dans une saunerie ou une raffinerie.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
174	Soufre :	
	a. brut	exemption
178	Craie et terres colorantes, brutes	exemption
179	Graphite, brut, lavé ou moulu, y compris le graphite artificiel :	
	a. emballé ou sous forme de tablettes ..	15 p.c.
	b. autre	exemption
184	Granit, porphyre, syénite et pierres dures similaires, même sciés en blocs ou plaques, bruts ou simplement dégrossis :	
	a. Granit	exemption
	b. Porphyre	exemption
	c. autres	exemption
185	Autres pierres de taille et de construction, même sciées en blocs ou plaques, brutes ou simplement dégrossies :	
	a. Petit granit	exemption
	b. Calcaires	exemption
	d. Grès	exemption
	g. Pierres lithographiques	exemption
	i. autres	exemption
194	Matières minérales non dénommées ni comprises ailleurs :	
	b. Amiante (asbeste) brut, lavé ou moulu	exemption
	f. Mica brut, en feuilles, plaques ou disques grossiers; mica moulu	exemption
	i. Talc, stéatite, même moulus	exemption
	g. Terre d'infusoires (farine fossile), même moulue	exemption
195	Minerais :	
	g. de plomb	exemption
	i. de zinc	exemption
	ex h. de molybdène et de manganèse	exemption
204	Goudrons de houille, de lignite, de tourbe, de schistes, etc. :	
	a. Goudrons non paraffiniques (goudrons de houille obtenus à haute température)	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
206	Huiles de pétrole, huiles provenant de la distillation des goudrons paraffiniques de lignite, de tourbe, de schistes, etc.:	
	b. autres :	
	1. Huiles légères	-
	Note : Les produits sous rubrique originaires du Congo belge et des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
	2. Huiles moyennes	-
	Note : Les produits sous rubrique originaires du Congo belge et des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
	ex 3. non dénommées, excepté les huiles de graissage	-
	Note : Les produits sous rubrique originaires du Congo belge et des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	
	ex 3. Huiles de graissage	exemption(+)
	(+) Sous réserve de l'application éventuelle d'un droit de douane ne dépassant pas f 1,82 ou fr. 30,- par hectolitre.	
	Note : Les produits sous rubrique originaires du Congo belge et des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer ne jouiront d'aucune préférence tarifaire.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
207	Vaseline	exemption
208	Paraffine	exemption
ex 213	Iode	exemption
ex 222	Anhydride acétique	exemption
224	Hydroxyde de sodium (soude caustique) ...	8 p.c.
229	Oxyde et hydroxyde d'aluminium :	
	a. Alumine fondue (corindon artificiel)	exemption
234	Sels de l'acide carbonique :	
	a. Carbonate de sodium :	
	1. cristallisé	2 p.c.
	2. déshydraté	2 p.c.
	b. Carbonate de potassium :	
	1. purifié ou raffiné	3 p.c.
	2. autre	exemption
	c. Bicarbonate de sodium	2 p.c.
	d. Bicarbonate de potassium	3 p.c.
	e. Carbonate et bicarbonate d'ammonium :	
	1. Carbonate d'ammonium	exemption
	2. Bicarbonate d'ammonium	exemption
	f. Carbonate de magnésium	exemption
	g. Carbonate de calcium	exemption
	h. Carbonate de baryum	exemption
	i. Carbonate de bismuth	exemption
	k. autres	exemption
236	Sels des acides nitreux et nitriques :	
	a. autres :	
	3. Nitrate de sodium d'une teneur en azote d'au moins 16 p.c.	exemption
251	Sels des acides du manganèse (manganites, manganates et permanganates) :	
	ex. Manganate et permanganate de potassium	exemption
261	Sels et autres combinaisons de métaux précieux, y compris les préparations colloïdales de ces métaux :	
	ex a. Nitrate d'argent	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
265	Carbures :	
	b. Carbure de silicium	exemption
	ex c. Carbure de bore	exemption
271	Cétones aliphatiques :	
	a. Acétone	6 p.c.
277	Dérivés de la cellulose et masses plastiques artificielles à base de dérivés de la cellulose, non dénommés ni compris ailleurs (celluloïd acétate de cellulose, viscose, etc.)	
	c. en déchets	exemption
284	Essence (huile) de térébenthine	exemption
285	Colophane et résine de coumarone	exemption
288	Alcaloïdes et leurs dérivés, ainsi que leurs sels; glucosides :	
	ex e. Emétine et ses sels	exemption
289	Produits opothérapiques :	
	a. Présure (x)	10 p.c.
	b. Pepsine, pancréatine (x)	10 p.c.
	c. autres (x)	10 p.c.
291	Sérums, vaccins et préparations bactériennes	10 p.c.
292	Médicaments préparés ou dosés et autres préparations pharmaceutiques :	
	a. avec alcool	12 p.c. (1) (2)
	b. sans alcool	12 p.c. (1)
	(1) Pour les produits importés en conditionnements pour la vente au détail, les droits d'entrée sont calculés sur le prix de vente au détail.	
	(2) Ces droits d'entrée ne peuvent être inférieurs à ceux qui seraient dus si ces produits étaient rangés au n° 159 bis.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
294	Films cinématographiques :	
	a. sensibilisés, mais non impressionnés	12 p.c.
	b. impressionnés, mais non développés :	
	1. négatifs	les 100 mètres courants: fr. 33,04 ou f 2,-
	2. positifs	le mètre courant : fr. 1,65 ou f 0,10
	c. développés, silencieux :	
	1. négatifs, y compris les positifs "lavande"	les 100 mètres courants: fr. 33,04 ou f 2,-
	2. positifs	le mètre courant: fr.1,65 ou f 0,10
	d. développés, sonores :	
	1. négatifs, y compris les positifs "lavande"	les 100 mètres courants: fr. 33,04 ou f 2,-
	2. positifs	le mètre courant: fr.1,65 ou f 0,10
295	Pellicules et plaques, sensibilisées, pour la photographie :	
	a. en celluloïd et matières similaires	24 p.c.
296	Papiers et cartes pour la photographie :	
	b. sensibilisés aux sels d'argent ou de platine	24 p.c.
	c. sensibilisés aux sels de fer et autres	24 p.c.
298	Extraits tannants d'origine végétale :	
	ex. d'acacia et d'eucalyptus	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
303	Noirs de fumée et autres noirs minéraux et végétaux, non préparés :	
	a. Noirs de fumée	exemption
	b. autres noirs d'origine minérale ou végétale	exemption
305	Terres colorantes (ocres et similaires) moulues, lavées ou calcinées :	
	a. pures, même mélangées entre elles ..	exemption
308	Couleurs préparées de toutes espèces :	
	a. Encres pour l'imprimerie et similaires :	
	ex 1. noires, sans alcool	12 p.c.
	ex 2. de couleur, sans alcool	12 p.c.
	b. Rubans encreurs imprégnés d'encre ou d'un colorant pour machines à écrire, à calculer, et machines similaires	15 p.c.
ex 309	Couleurs de toutes espèces, conditionnées pour la vente au détail (en tablettes, pastilles, tubes, godets, flacons, sachets, etc.), sans alcool	15 p.c.
310	Siccatifs, solides ou liquides (borates, oléates, résinates, naphténates, de manganèse, de plomb, de cobalt, etc.) ..	12 p.c.
311	Vernis, même additionnés de couleurs ou de matières colorantes de toutes espèces, concentrés ou non :	
	a. à l'huile siccative (vernis gras)	12 p.c.
	b. à l'alcool	12 p.c.
	c. aux éthers de la cellulose	12 p.c.
312	Mastics, cire à cacheter et cire pour bouteilles :	
	a. Mastics	4 p.c.
ex 313	Encre à écrire, liquide ou en poudre, sans alcool	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
314	Crayons, mines, pastels et craies à écrire et à dessiner :	
	a. Crayons	12 p.c.
	b. Mines, pastels et fusains :	
	2. autres	15 p.c.
315	Huiles essentielles ou volatiles végétales (sauf l'essence de térébenthine), même déterpénées, y compris les terpènes	8 p.c.
	Note : Les huiles essentielles de citronnelle et de cannelle, originaires du Congo belge, des territoires administrés par l'Etat belge en Afrique ou des territoires néerlandais d'outre-mer, seront frappés d'un droit de douane qui ne sera pas inférieur à 50 p.c. du droit de douane prévu au tarif.	
316	Substances odoriférantes artificielles (parfums synthétiques) et constituants définis isolés des essences naturelles :	
	a. Menthol	8 p.c.
	b. autres	12 p.c.
317	Mélange d'essences, de leurs constituants isolés, de substances odoriférantes artificielles, pour la parfumerie, la confiserie, la fabrication des boissons, etc. :	
	b. sans addition d'alcool éthylique ...	12 p.c.
319	Articles de parfumerie et cosmétiques :	
	a. avec alcool	24 p.c.(1)
	(1) Sans que les droits puissent être inférieurs à ceux résultant de l'application du n° 159bis.	
	b. sans alcool	24 p.c.
320	Savons :	
	a. Savons mous (savons noirs, savons verts et similaires) et savons de résine :	
	2. autres	12 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
320 (suite)	b. Savons ordinaires en blocs, plaques ou barres	15 p.c.
	c. Savons en poudre, en paillettes, en granules, etc. et savons liquides, parfumés ou non	24 p.c.
	d. autres savons (de toilette, médicinaux et similaires) :	
	1. Savons de toilette	20 p.c.
	2. autres	24 p.c.
321	Préparations pour lessives, même ne contenant pas de savon :	
	ex. Détersifs ne contenant pas de savon	15 p.c.
324	Cirages, encaustiques, crèmes, pâtes et préparations similaires, même liquides, pour le nettoyage, le polissage et l'entretien des cuirs, chaussures, ouvrages en métaux, meubles, parquets, etc.	15 p.c.
326	Caséine (x)	exemption
329	Colles d'origine animale :	
	a. Colles de poisson	10 p.c.
	b. Colles d'os, de peaux, de tendons et de matières similaires	10 p.c.
	ex c. autres, à l'exception de la colle d'urée	10 p.c.
330	Pâtes pour reproductions graphiques, et préparations similaires à base de gélatine	10 p.c.
342	Engrais d'origine animale ou végétale, non élaborés chimiquement	exemption
343	Engrais minéraux ou chimiques, azotés :	
	a. Nitrate de sodium, nitrate de calcium, nitrate d'ammonium :	
	1. Nitrate de sodium d'une teneur en azote inférieure à 16 p.c.(x)	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
344	Engrais minéraux ou chimiques, phosphatés :	
	a. Phosphates naturels, même moulus ...	exemption
	b. Scories de déphosphoration	exemption
	c. Superphosphates	exemption
	d. Phosphate précipité (phosphate bicalcique) et autres	exemption
345	Engrais potassiques :	
	a. Sels de potasse bruts (carnallite, kaïnite, sylvinite, Hartsalz, etc.)	exemption
	b. Chlorure de potassium	exemption
	c. Sulfate de potassium	exemption
	d. autres	exemption
346	Engrais minéraux ou chimiques, composés au moins de deux des principes fertilisants : azote, acide phosphorique et potasse; mélanges d'engrais minéraux ou chimiques avec des engrais d'origine animale ou végétale :	
	a. Nitrate de potassium non raffiné (x)	exemption
	b. Phosphate d'ammonium (x)	exemption
	c. Phosphate de potassium (x)	exemption
	d. Composés a base de nitrate d'ammonium ou de chlorure d'ammonium (x)..	exemption
	e. autres (x)	exemption
347	Engrais non dénommés ni compris ailleurs	exemption
348	Peaux brutes (fraîches, salées, séchées, chaulées, picklées, etc.)	exemption
349	Cuirs à semelles et a courroies de transmission :	
	a. Peaux entières et demi-peaux :	
	1. à tannage végétal	6 p.c. (+)
	2. à tannage minéral	6 p.c. (+)
	b. Croupons :	
	1. à tannage végétal	6 p.c. (+)
	2. à tannage minéral	6 p.c. (+)

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
349 (suite)	c. autres (épaules, flancs, collets, etc.) :	
	1. à tannage végétal	6 p.c. (+)
	2. à tannage minéral	6 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 12 p.c.	
350	Cuirs de grands animaux, tels que cuirs de boeuf, de vache, de cheval et autres cuirs similaires, à l'exception des cuirs rentrant sous la position 349 :	
	a. simplement tannés, non corroyés	6 p.c. (+)
	b. autres :	
	1. à tannage végétal	6 p.c. (+)
	2. à tannage minéral	6 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 12 p.c.	
351	Cuirs (peaux) de veau :	
	a. simplement tannés, non corroyés	6 p.c. (+)
	b. autres :	
	1. à tannage végétal	6 p.c. (+)
	2. à tannage minéral	6 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 12 p.c.	
352	Cuirs (peaux) des animaux des espèces ovine et caprine :	
	a. simplement tannés, non corroyés	3 p.c. (+)
	b. autres :	
	1. de l'espèce ovine :	
	A. à tannage végétal	6 p.c. (+)
	B. à tannage minéral	6 p.c. (+)
	2. de l'espèce caprine :	
	A. à tannage végétal	6 p.c. (+)
	B. à tannage minéral	6 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 12 p.c.	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
353	Cuirs (peaux) vernis ou dorés, argentés, bronzés	10 p.c.
354	Peaux mégissées ou chamoisées :	
	b. Peaux chamoisées (préparées à l'huile) :	
	1. non meulées ni découpées	10 p.c.
	2. autres	15 p.c.
355	Peaux non spécialement dénommées :	
	a. Peaux parcheminées	6 p.c.
	b. Peaux des animaux de l'espèce porcine	6 p.c.
	c. Peaux de serpents, de sauriens et de poissons	6 p.c.
	d. autres	6 p.c.
360	Articles de maroquinerie et de gainerie, articles de voyage, en cuir :	
	a. Articles de maroquinerie et de gainerie	20 p.c.
	b. Articles de voyage	20 p.c.
361	Vêtements en cuir	20 p.c.
362	Gants de peau :	
	a. entièrement en peau	18 p.c.
	b. autres	18 p.c.
363	Articles techniques en cuir ou en peau :	
	b. Accessoires et parties de machines et autres articles techniques	6 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 12 p.c.	
364	Ouvrages en cuir ou en peau, non dénommés ni compris ailleurs :	
	a. simplement découpés ou estampés..	12 p.c.
	ex b. Cuirs pour chapeaux	15 p.c.
366	Pelleteries brutes	exemption
367	Pelleteries apprêtées	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
368	Pelleteries confectionnées	24 p.c.
369	Caoutchouc, gutta-percha, balata et leurs succédanés, bruts :	
	a. Caoutchouc naturel, caoutchouc synthétique, gutta-percha et balata, même purifiés	exemption
371	Pâtes, plaques et feuilles de caoutchouc non vulcanisé; solutions de caoutchouc :	
	a. Pâtes, plaques et feuilles	6 p.c.
373	Tubes et tuyaux en caoutchouc non durci:	
	a. combinés avec des matières textiles ou des métaux	12 p.c.
	b. autres	12 p.c.
374	Articles en caoutchouc non durci, pour usages techniques :	
	a. Courroies de transmission et de transport	10 p.c.
	ex b. Blocs et rondelles pour amortir les chocs, blocs pour freins et similaires	8 p.c.
376	Ouvrages en caoutchouc non durci, obtenus par trempage ou constitués de feuilles assemblées par collage :	
	a. obtenus par trempage	20 p.c.
	b. autres	20 p.c.
377	Autres ouvrages en caoutchouc non durci:	
	c. Articles en caoutchouc spongieux ...	20 p.c.
378	Caoutchouc durci, en masses, plaques, feuilles, bâtons ou tubes :	
	a. bruts, non ouvrés	6 p.c.
	b. polis ou autrement travaillés à la surface	10 p.c.
379	Ouvrages en caoutchouc durci :	
	ex. Bouchons à vis et autres bouchons..	12 p.c.
381	Charbon de bois, même pulvérisé ou en briquettes	5 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
382	Bois ronds, bruts, même écorcés ou dégrossis à la hache :	
	a. Conifères :	
	2. Bois pour la fabrication de pâtes à papier	exemption
	3. non dénommés	exemption
	b. autres :	
	2. Bois pour la fabrication de pâtes à papier	exemption
	3. non dénommés	exemption
383	Bois équarris à la hache ou à la scie, non dénommés ni compris ailleurs :	
	ex a. Orégon (Douglas fir), pitchpin (y compris "southern pine"), pin ponderosa, pin blanc, "redwood"..	exemption
	ex b. Frêne, cyprès, "gum", "hickory", chêne, peuplier, jarrah, teak, pyinkado, ingyin et eng	exemption
384	Bois simplement sciés de long, non dénommés ni compris ailleurs :	
	ex a. Orégon (Douglas fir), pitchpin (y compris "southern pine"), pin ponderosa, pin blanc, "redwood" :	
	1. dont, à un endroit quelconque, l'épaisseur dépasse 76,2 millimètres, ou la largeur dépasse 279,4 millimètres, ou la longueur dépasse 7,01 mètres	10 p.c.
	2. non dénommés	3 p.c.
	ex b. Frêne, cyprès, "gum", "hickory", chêne, peuplier, jarrah, teak, pyinkado, ingyin et eng	3 p.c.
386	Traverses pour voies ferrées	3 p.c.
389	Bois filé, chevilles, même en lames, pour chaussures; laine (paille) de bois; farine de bois :	
	ex b. Bois filé et laine de bois	6 p.c.
ex 390	Bois rabotés, rainés ou languetés	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
391	Lames et panneaux pour parquets :	
	ex a. Lames et plaques non assemblées de teak, pyinkado, ingyin, eng et pin de paranà (Araucaria Brasiliensis)	10 p.c.
	ex b. Lames assemblées et panneaux, même plaqués, marquetés, etc. de teak; pyinkado, ingyin, eng et pin de paranà (Araucaria Brasiliensis)	18 p.c.
392	Feuilles de placage	6 p.c.
393	Bois contreplaqués :	
	ex a. Plaques dont les deux faces sont en bois de conifères	6 p.c.
	ex b. Plaques dont une des faces est en bois de teak, de cèdre, de "gum", d'acajou, de chêne, de hoyer, ou de substances autres que le bois	10 p.c.
394	Baguettes pour meubles, pour cadres, pour décor intérieur et similaires :	
	b. plâtrées ou recouvertes d'une pâte, même moulées en relief ou en creux, mais non finies	18 p.c.
	c. plaquées, polies, peintes, vernies, bronzées, argentées, dorées, etc. ..	18 p.c.
396	Caisses d'emballage, en bois, même démontées :	
	a. Planches de caisses coupées de dimensions	8 p.c.
	b. Parties de caisses assemblées et caisses montées, même avec accessoires ou doublures en métal	18 p.c.
397	Futailles, cuveaux, seaux et autres ouvrages de tonnellerie, et leurs parties finies, même avec cercles, accessoires ou doublures en métal :	
	a. en bois tendre :	
	1. Douves et fonds	6 p.c.
	b. autres :	
	1. Douves et fonds	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
400	Articles de ménage et outils en bois :	
	a. Articles de ménage	18 p.c.
	b. Outils, manches d'outils et formes pour chaussures	18 p.c.
402	Meubles et parties de meubles, en bois courbé :	
	b. autres	18 p.c.
404	Tabletterie (boîtes, coffrets, étuis, écrins, etc.) objets d'ornement d'intérieur et articles de fantaisie ou de parure, en bois, non dénommés ni compris ailleurs	24 p.c.
412	Autres ouvrages en matières végétales à tresser, non dénommés ni compris ailleurs, même combinés avec d'autres matières :	
	b. Nattes de Chine et similaires, tapis de pied et autres tissus	18 p.c.
416	Pâtes à papier :	
	b. Pâte de bois, de paille, d'alfa ou de fibres semblables :	
	1. mécanique, y compris la pâte brune et les pâtes similaires ..	exemption
	2. chimique (cellulose)	exemption
420	Papiers en rouleaux ou en feuilles, non façonnés ni ouvrés, pesant jusqu'à 30 grammes par mètre carré :	
	a. Papier à cigarettes	10 p.c.
425	Cartons et papiers spéciaux, en rouleaux, en feuilles ou en plaques :	
	a. vulcanisés	6 p.c.
	Note : Rentrent également dans cette sous-position les cartons et papiers vulcanisés, en forme de bâtons ou tubes.	
	b. recouverts ou imprégnés de résines artificielles ou de matières similaires	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
428	Enveloppes de tout format; papiers à lettres, cartes pour correspondance, avec leurs enveloppes, en boîtes, pochettes, etc., en carton ou papier	20 p.c.
430	Articles de voyage et de gainerie et boîtes, en carton ou papier, même en carton vulcanisé, non dénommés ni compris ailleurs :	
	a. Articles de voyage (malles, valises, sacs, mallettes, etc.)	20 p.c.
	b. Articles de gainerie (étuis, écrins, etc.)	20 p.c.
436	Articles de librairie, non dénommés ni compris ailleurs :	
	a. Livres imprimés, même illustrés	exemption
	b. Journaux et publications périodiques, même illustrés	exemption
	c. Cartes géographiques, marines, célestes et ouvrages cartographiques..	exemption
	d. Musique imprimée ou gravée	exemption
437	Cartes postales illustrées	18 p.c.
441	Cocons de vers à soie	exemption
442	Bourre, bourrette, blousses et déchets de soie	exemption
443	Fils de soie :	
	a. Soie grège en écheveaux (non moulinés)	exemption
	b. Soie moulinée, non préparée pour la vente au détail :	
	1. écrue (non décruée)	4 p.c.
	2. décruée, blanchie, teinte, imprimée ou chinée	4 p.c.
446	Fils de soie, de bourre ou de déchets de bourre de soie, purs ou mélangés, préparés pour la vente au détail :	
	a. de soie	15 p.c.
	b. de bourre ou de déchets de bourre de soie	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
447	Rubans (A.I.) :	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
448	Velours et peluches (A.I.)	18 p.c.
449	Crêpes (A.I.)	15 p.c.
450	Autres tissus non dénommés ailleurs (A.I.)	15 p.c.
451	Rubans (A.II.)	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
452	Velours et peluches (A.II.)	18 p.c.
453	Crêpes (A.II.)	18 p.c.
454	Autres tissus non dénommés ailleurs (A.II.)	18 p.c.
455	Tulles et tissus à mailles de filet (A.III.)	15 p.c.
456	Dentelles (A.III.)	18 p.c.
457	Passementerie (A.III)	18 p.c.
458	Broderies (A.III) :	
	a. Broderies chimiques (aériennes) et broderies sans fond visible	18 p.c.
	b. autres	18 p.c.
460	Gazes pour bluterie (A.III)	6 p.c.
461	Tissus en bourrette de soie (A.III)	18 p.c.
469	Rubans (B.I) :	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
470	Velours et peluches (B.I)	18 p.c.
471	Crêpes (B.I)	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
472	Autres tissus non dénommés ailleurs (B.I)	18 p.c.
473	Rubans (B.II) :	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
474	Velours et peluches (B.II)	18 p.c.
475	Crêpes (B.II)	18 p.c.
476	Autres tissus non dénommés ailleurs (B.II)	18 p.c.
477	Rubans (B.III) :	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
478	Velours et peluches (B.III)	18 p.c.
479	Crêpes (B.III)	18 p.c.
480	Autres tissus non dénommés ailleurs (B.III)	18 p.c.
481	Rubans (B.IV) :	
	a. de velours ou de peluche	18 p.c.
	b. autres	18 p.c.
482	Velours et peluches (B.IV)	18 p.c.
483	Crêpes (B.IV)	18 p.c.
484	Autres tissus non dénommés ailleurs (B.IV)	18 p.c.
485	Tulles et tissus à mailles de filet (B.V)	15 p.c.
486	Dentelles (B.V)	18 p.c.
487	Passementerie (B.V)	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
488	Broderies (B.V) :	
	a. Broderies chimiques (aériennes) et broderies sans fond visible	18 p.c.
	b. autres	18 p.c.
490	Gazes à blutoir (B.V)	6 p.c.
492	Tissus, rubans passementerie et autres articles en fils ou filés métalliques, pour l'habillement, l'ameublement et usages similaires :	
	a. Rubans et passementerie	18 p.c.
	b. Tissus et autres articles	18 p.c.
493	Laines en masse :	
	ex a. en suint	exemption
	ex b. lavées à fond, non teintes	exemption
495	Poils non dénommés ailleurs, bruts, lavés, blanchis ou teints, mais non frisés :	
	b. Poils de lièvre, de lapin (autre que le lapin angora), de castor et autres similaires	exemption
	c. Poils grossiers de bêtes des races bovine et chevaline (hormis les crins), ainsi que ceux de chèvre commune et autres similaires	exemption
ex 500	Laines cardées ou peignées en rubans ...	2 p.c.
501	Fils de laine cardés :	
	a. simples :	
	1. écrus	4 p.c.
	2. blanchis, teints ou imprimés ...	4 p.c.
	b. retors :	
	1. écrus	4 p.c.
	2. blanchis, teints ou imprimés ...	4 p.c.
502	Fils de laine peignés :	
	a. simples :	
	1. écrus	4 p.c.
	2. blanchis, teints ou imprimés ...	4 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
502 (suite)	b. retors :	
	1. écrus	4 p.c.
	2. blanchis, teints ou imprimés	4 p.c.
504	Fils de laine ou de poils fins, mélangés	4 p.c.
ex 506	Fils de laine, préparés pour la vente au détail	10 p.c.
507	Tissus de laine non dénommés ailleurs :	
	a. en laine pure	18 p.c.
	b. en laine mélangée	18 p.c.
509	Couvertures :	
	a. en laine pure	24 p.c.
	b. en laine mélangée	24 p.c.
	c. en poils grossiers	20 p.c.
510	Velours et peluches, en laine	18 p.c.
ex 511	Tapis de pied, tapis de table :	
	a. en laine	24 p.c.
	b. en poils grossiers	24 p.c.
512	Rubans en laine	18 p.c.
513	Passementeries en laine	18 p.c.
514	Dentelles, tulles et tissus à mailles de filet, en laine	18 p.c.
515	Broderies de laine :	
	a. Broderies chimiques (aériennes) et broderies sans fond visible	18 p.c.
	b. autres	18 p.c.
516	Tissus et autres articles en crins purs ou mélangés, non dénommés ailleurs :	
	a. Tissus	18 p.c.
	b. autres articles	18 p.c.
517	Tissus et autres articles en poils grossiers non dénommés ailleurs	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
518	Coton brut :	
	a. Linters	exemption
	b. autre	exemption
ex 519	Déchets de coton, bruts	exemption
ex 520	Déchets de coton, blanchis ou teints ..	exemption
521	Coton cardé ou peigné	exemption
526	Fils de coton conditionnés pour la vente au détail :	
	a. non glacés, mis en écheveaux ou en pelotes sans support ou avec support autre que bobine, busette, canette et similaires	10 p.c.
	b. autres	15 p.c.
527	Tissus de coton non façonnés :	
	a. écrus	14 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 18 p.c.	
	b. blanchis	18 p.c.
	c. teints	18 p.c.
	d. imprimés	18 p.c.
	e. tissés en fils de diverses couleurs	18 p.c.
	f. mercerisés	18 p.c.
	g. glacés, moirés, gaufrés	18 p.c.
528	Tissus de coton façonnés :	
	a. brochés	18 p.c.
	b. autrement façonnés :	
	1. écrus	14 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 18 p.c.	
	2. non dénommés	18 p.c.
532	Couvertures en coton	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
533	Velours et peluches en coton; tissus bouclés, genre éponge, en coton :	
	a. Velours et peluches :	
	2. autres	18 p.c.
	b. Tissus bouclés, genre éponge	18 p.c.
534	Tapis de pied, tapis de table et tapisseries, en coton :	
	a. Tapis de pied et tapis de table	24 p.c.
	b. Tapisseries	30 p.c.
535	Rubans en coton :	
	a. de velours ou peluche	18 p.c.
	b. autres :	
	1. de fils collés	18 p.c.
	2. tissés non façonnés	18 p.c.
	3. tissés façonnés	18 p.c.
536	Passementeries en coton	18 p.c.
537	Tulles et tissus à mailles de filet, en coton, unis :	
	a. écrus, non apprêtés	14 p.c.
	b. apprêtés, blanchis, teints et autres	18 p.c.
538	Tulles et tissus à mailles de filet, en coton, façonnés :	
	a. Tulles bobinots :	
	1. écrus, non apprêtés	18 p.c.
	2. apprêtés, blanchis, teints et autres	18 p.c.
539	Dentelles de coton	18 p.c.
540	Broderies de coton :	
	a. Broderies chimiques (aériennes) et broderies sans fond visible	18 p.c.
	b. sur fond de tulle ou de dentelle ...	18 p.c.
	c. sur fond non dénommé	18 p.c.
541	Lin :	
	a. brut, en tiges, même roui	exemption
	b. teillé	exemption
	c. peigné	exemption
	d. Etoupes	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
542	Chanvre :	
	a. brut, en tiges, même roui (x)	exemption
544	Matières textiles végétales non dénommées ailleurs, brutes ou peignées, y compris les étoupes :	
	ex b. Phormium tenax, coco	exemption
548	Fils d'autres matières textiles végétales, non dénommés ailleurs :	
	a. Fils de coco	4 p.c.
	ex b. Fils de phormium tenax	4 p.c.
ex 549	Fils de lin conditionnés pour la vente au détail	15 p.c.
551	Tissus de lin, de chanvre ou de ramie :	
	a. non façonnés :	
	1. écrus;.....	18 p.c.
	2. lessivés ou blanchis	18 p.c.
	3. teints	18 p.c.
	4. imprimés ou tissés en fils de diverses couleurs	18 p.c.
	b. façonnés, damassés ou brochés	18 p.c.
552	Tissus de lin, de chanvre ou de ramie, mélangés d'autres matières textiles :	
	a. non façonnés :	
	1. écrus	18 p.c.
	2. lessivés ou blanchis	18 p.c.
	3. teints	18 p.c.
	4. imprimés ou tissés en fils de diverses couleurs	18 p.c.
	b. façonnés, damassés ou brochés	18 p.c.
554	Tissus de matières textiles du chapitre 49, non dénommés ni compris ailleurs :	
	a. Rabanes (tissus de raphia)	12 p.c.
	b. autres	18 p.c.
555	Velours et peluches, en lin, chanvre, ramie, jute ou autres matières textiles du chapitre 49	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
556	Tapis de pied en matières textiles du chapitre 49 :	
	a. en jute	24 p.c.
	b. en fibres de coco	24 p.c.
557	Rubans en matières textiles du chapitre 49 :	
	a. de velours ou de peluche	18 p.c.
	b. de fils collés	18 p.c.
	c. autres	18 p.c.
558	Passementeries :	
	a. en lin, chanvre ou ramie	18 p.c.
	b. en autres matières textiles du chapitre 49	18 p.c.
559	Dentelles, tulles et tissus à mailles de filet, unis ou façonnés, en lin, chanvre, ramie ou autres matières textiles du chapitre 49 :	
	a. Dentelles	18 p.c.
	b. autres	18 p.c.
560	Broderies de lin, chanvre, ramie ou autres matières textiles du chapitre 49 :	
	a. Broderies chimiques (aériennes) et broderies sans fond visible	18 p.c.
	b. autres	18 p.c.
571	Tissus spécialement apprêtés pour reliure, dessin et peinture :	
	a. Percaline enduite de colle, d'amidon, etc. pour reliure, cartonnage, gainerie et usages similaires	18 p.c.
	b. Toiles à calquer ou transparentes...	18 p.c.
	c. Toiles préparées pour la peinture...	18 p.c.
572	Tissus et feutres revêtus d'un enduit à base de dérivés de la cellulose ou de matières analogues :	
	a. Pégamoïd et produits similaires (simili-cuir)	15 p.c.
	b. autres	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
573	Toiles cirées et autres tissus ou feutres huilés ou recouverts d'un enduit à base d'huile :	
	c. autres :	
	ex 2. Toiles cirées pour tables et étagères	18 p.c.
574	Linoléum, lincrusta et articles similaires :	
	b. sans couche de pâte de linoléum	20 p.c.
576	Tissus, rubans et passementeries élastiques :	
	a. en soie, pure ou mélangée	18 p.c.
	b. en soie artificielle ou en fibres textiles artificielles, pures ou mélangées	18 p.c.
	c. en laine, pure ou mélangée	18 p.c.
	d. en autres matières textiles	18 p.c.
577	Tissus et feutre caoutchoutés, non dénommés ni compris ailleurs :	
	a. en soie, en soie artificielle ou en fibres textiles artificielles, pures ou mélangées	18 p.c.
	b. en laine, pure ou mélangée	18 p.c.
	c. autres	18 p.c.
578	Manchons à incandescence, en matières textiles	15 p.c.
580	Bonneterie en soie, pure ou mélangée :	
	a. en soie pure :	
	1. Etoffes en pièces	18 p.c.
	2. Gants	24 p.c.
	3. Bas et chaussettes	24 p.c.
	4. Sous-vêtements	24 p.c.
	b. en soie mélangée :	
	1. Etoffes en pièces	18 p.c.
	2. Gants	24 p.c.
	3. Bas et chaussettes	24 p.c.
	4. Sous-vêtements	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
581	Bonneterie en soie artificielle ou en fibres textiles artificielles, pures ou mélangées :	
	a. en soie artificielle ou en fibres textiles artificielles, pures :	
	1. Etoffes en pièces	18 p.c.
	3. Bas et chaussettes :	
	A. en nylon	24 p.c. (+)
	(+) Le droit de douane pourra toutefois être relevé si les fabricants belges, luxembourgeois et néerlandais de bas et chaussettes ne disposent pas d'un approvisionnement équitablement suffisant de fils "nylon".	
	B. autres	24 p.c.
	4. Sous-vêtements	24 p.c.
	ex 5. Chandails, gilets, jerseys et similaires	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles, mélangées :	
	1. Etoffes en pièces	18 p.c.
	3. Bas et chaussettes :	
	A. en nylon	24 p.c. (+)
	(+) Le droit de douane pourra toutefois être relevé si les fabricants belges, luxembourgeois et néerlandais de bas et chaussettes ne disposent pas d'un approvisionnement équitablement suffisant de fils "nylon".	
	B. autres	24 p.c.
	4. Sous-vêtements	24 p.c.
	ex 5. Chandails, gilets, jerseys et similaires	24 p.c.
582	Bonneterie en laine, pure ou mélangée :	
	a. en laine pure :	
	1. Etoffes en pièces	18 p.c.
	2. Gants	24 p.c.
	3. Bas et chaussettes	24 p.c.
	4. Sous-vêtements	24 p.c.
	ex 5. Chandails, gilets, jerseys et similaires	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
582 (suite)	b. en laine mélangée :	
	1. Etoffes en pièces	18 p.c.
	2. Gants	24 p.c.
	3. Bas et chaussettes	24 p.c.
	4. Sousvêtements	24 p.c.
	ex 5. Chandails, gilets, jerseys et similaires	24 p.c.
583	Bonneterie de coton ou d'autres matières textiles végétales :	
	a. Etoffes en pièces	18 p.c.
	b. Gants	24 p.c.
	c. Bas et chaussettes	24 p.c.
	d. Sous-vêtements	24 p.c.
	ex e. Chandails, gilets, jerseys et similaires	24 p.c.
584	Vêtements pour hommes, non dénommés ni compris ailleurs :	
	a. en tissus de soie, de soie artificielle ou de fibres textiles artificielles	24 p.c.
	b. en tissus de laine	24 p.c.
	c. en tissus de coton, de lin ou d'autres matières textiles	24 p.c.
585	Vêtements pour femmes, non dénommés ni compris ailleurs :	
	a. en tissus de soie	24 p.c.
	b. en tissus de soie artificielle ou de fibres textiles artificielles	24 p.c.
	c. en tissus de laine	24 p.c.
	d. en tissus de coton, de lin ou d'autres matières textiles	24 p.c.
	e. en tissus de fils ou filés métalliques	24 p.c.
586	Vêtements et linge de corps en tissus ou feutres caoutchoutés ou huilés et en autres tissus spéciaux du chapitre 50 :	
	a. caoutchoutés ou huilés	24 p.c.
	b. autres	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
587	Linge de corps pour hommes, non dénommé ni compris ailleurs :	
	a. en soie	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles	24 p.c.
	c. en laine	24 p.c.
	d. en coton, en lin ou autres matières textiles	24 p.c.
588	Linge de corps pour femmes, non dénommé ni compris ailleurs :	
	a. en soie	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles	24 p.c.
	c. en laine	24 p.c.
	d. en coton, en lin ou autres matières textiles	24 p.c.
589	Lingerie de table, de lit et de toilette :	
	a. en soie, en soie artificielle ou en fibres textiles artificielles	24 p.c.
	b. en coton	24 p.c.
	c. en lin ou en chanvre	24 p.c.
	d. en autres matières textiles	24 p.c.
590	Mouchoirs de poche :	
	a. en soie	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles	24 p.c.
	c. en lin, chanvre ou ramie	20 p.c.
	d. en coton et autres	20 p.c.
591	Châles, écharpes, fichus et foulards :	
	a. en soie	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles	24 p.c.
	c. en laine	24 p.c.
	d. en coton et autres	24 p.c.
592	Cravates :	
	a. en soie	24 p.c.
	b. en soie artificielle ou en fibres textiles artificielles	20 p.c.
	c. en autres matières textiles	20 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
593	Corsets, ceintures-corsets, soutiens-gorge, bretelles, jarretelles et articles similaires :	
	a. Corsets, ceintures-corsets, soutiens-gorge et articles similaires	24 p.c.
	b. Bretelles, jarretelles et articles similaires	24 p.c.
594	Sacs d'emballage :	
	b. en tissus de coton	18 p.c.
596	Sacs de voyage, sacs à provisions, sacs à main, étuis et autres articles de gainerie, en tissus, feutre ou bonneterie	20 p.c.
597	Articles cousus ou confectionnés, en tissus, feutre ou étoffe, non dénommés ni compris ailleurs	24 p.c.
600	Brodequins communs non doublés et bottes communes, en cuir de boeuf, de vache ou de cheval, de couleur naturelle ou ciré	15 p.c.
601	Pantoufles et chaussures d'appartement :	
	a. en cuir	24 p.c.
	b. en matières textiles	24 p.c.
	c. en autres matières	24 p.c.
602	Autres chaussures en cuir, avec semelles en cuir ou en caoutchouc :	
	a. Chaussures avec semelles d'une longueur inférieure à 23 cm	24 p.c.
	b. Chaussures avec semelles d'une longueur de 23 cm et au dessus	24 p.c.
603	Chaussures en matières textiles ou en matières végétales, non dénommées ni comprises ailleurs, avec semelles en cuir ou en caoutchouc :	
	a. en étoffes de soie ou de soie artificielle, pures ou mélangées, en tissu de filés métalliques, ou en tissu brodé	24 p.c.
	b. autres	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
604	Chaussures en caoutchouc	24 p.c.
607	Cloches en feutre pour chapeaux :	
	a. en feutre de poils ou de laine et poils	10 p.c.
	b. en feutre de laine	10 p.c.
608	Cloches pour chapeaux, en paille, fibres de palmier, écorce, copeaux de bois, sparte, ou autres matières similaires :	
	a. tressées d'une seule pièce	12 p.c.
	b. autres	12 p.c.
610	Chapeaux en feutre pour hommes :	
	a. en feutre de poils ou de laine et poils	24 p.c.
	b. en feutre de laine	24 p.c.
611	Chapeaux pour hommes, en paille, fibres de palmier, écorce, copeaux de bois, sparte, ou autres matières similaires ..	20 p.c.
612	Autres chapeaux pour hommes :	
	a. Chapeaux en tissu de soie ou de soie artificielle, pures ou mélangées ...	20 p.c.
	b. en cuir	20 p.c.
	c. en d'autres matières	20 p.c.
613	Chapeaux en feutre pour femmes :	
	a. en feutre de poils ou de laine et poils	20 p.c.
	b. en feutre de laine	20 p.c.
614	Chapeaux pour femmes, en paille, fibres de palmier, écorce, copeaux de bois, sparte ou autres matières similaires ...	20 p.c.
615	Chapeaux pour femmes, en matières textiles (à l'exception du feutre) et autres chapeaux pour femmes, non dénommés ailleurs	20 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
616	Casquettes, bonnets et bérets :	
	a. en tissu, en feutre ou en bonneterie foulée	20 p.c.
	b. en cuir ou en peau	20 p.c.
	c. en caoutchouc	20 p.c.
	d. en autres matières	20 p.c.
619	Poignées et pommeaux, pour cannes, parapluies et parasols	15 p.c.
ex 620	Montures et leurs parties, pour parapluies, parasols et cannes, non dénommées ni comprises ailleurs	15 p.c.
622	Plumes de parure, apprêtées ou montées, y compris les gorges, têtes, ailes et peaux d'oiseaux	18 p.c.
623	Articles confectionnés en plumes, non dénommés ni compris ailleurs	24 p.c.
625	Fleurs, feuillages et fruits artificiels	24 p.c.
629	Ouvrages en pierres, non dénommés ni compris ailleurs :	
	c. polis, décorés ou autrement travaillés, non sculptés :	
	1. en marbre, albâtre et serpentine	18 p.c.
	2. en granit, porphyre, syénite et pierre dures similaires	18 p.c.
	3. en autres pierres	18 p.c.
	d. sculptés	18 p.c.
630	Ardoise travaillée :	
	a. Dalles et tables en ardoise	10 p.c.
	b. Ardoises pour toitures	10 p.c.
	c. Ardoises pour l'écriture ou le dessin, même encadrées	10 p.c.
	d. autres ouvrages en ardoise	10 p.c.
632	Meules à moudre, meules à défibrer et similaires, même montées :	
	a. en pierres naturelles	10 p.c.
	b. en pierres artificielles	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
633	Meules et pierres à aiguiser ou à polir, en pierres naturelles	10 p.c.
634	Meules et pierres à aiguiser ou à polir, en abrasifs naturels ou artificiels	10 p.c.
635	Papiers et cartons revêtus d'abrasifs naturels ou artificiels	10 p.c.
636	Tissus revêtus d'abrasifs naturels ou artificiels	10 p.c.
638	Briques, dalles, tuyaux et autres ouvrages, non dénommés ni compris ailleurs, en asphalte, pur ou mélangé, ou en produits similaires	8 p.c.
642	Ouvrages en amiante :	
	b. Fils, cordons et cordes en amiante, même tressés	6 p.c.
	c. Tissus d'amiante	10 p.c.
	d. autres ouvrages en amiante, y compris les vêtements et les chaussures	10 p.c.
643	Ouvrages en mica :	
	a. Feuilles ou lamelles de mica, simplement découpées en forme régulière ou en vue d'un usage déterminé	5 p.c.
	b. Feuilles formées de lamelle de mica collées, même sur papier ou tissu ..	5 p.c.
	c. autres ouvrages en mica	10 p.c.
650	Briques et pièces de construction réfractaires (de chamotte, de dinas, de magnésite, etc.)	10 p.c.
651	Autres produits réfractaires (tuyaux, cornues, creusets, etc.) ex Creusets en plombagine	10 p.c.
652	Briques et dalles de pavage, en grès, d'une épaisseur supérieure à 30 millimètres	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
655	Carreaux de pavement et de revêtement en grès, en faïence ou en terre fine	15 p.c.
656	Poêles et parties de poêles, en matières céramiques	15 p.c.
657	Appareils fixes pour usages sanitaires ou hygiéniques, en matières céramiques..	15 p.c.
659	Ouvrages en grès, non dénommés ni compris ailleurs :	
	ex. Poteries en grès fin; cruchons ordinaires à genièvre, blancs, émaillés; poteries pour usages culinaires	15 p.c.
661	Ouvrages en faïence ou en terre fine, non dénommés ni compris ailleurs :	
	a. Vaisselle et objets de ménage et de toilette :	
	2. multicolores ou décorés en couleurs, même dorés, argentés, etc.	24 p.c. ou, au choix de l'importateur: le kg poids brut, fr. 10 ou f 0,61
	b. autres :	
	1. blancs ou unicolores :	
	A. pour usages chimiques et autres usages techniques	10 p.c.
	B. non dénommés	24 p.c.
	2. multicolores ou décorés en couleurs, même dorés, argentés, etc.	24 p.c. ou, au choix de l'importateur: le kg poids brut, fr. 10 ou f 0,61

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
662	Ouvrages en porcelaine, non dénommés ni compris ailleurs :	
	a. Vaisselle et objets de ménage et de toilette :	
	1. blancs ou unicolores	24 p.c.
	2. multicolores ou décorés en couleurs, même dorés, argentés, etc.	24 p.c. ou, au choix de l'importateur le kg poids brut : fr.20 ou f 1,21
	b. autres :	
	1. blancs ou unicolores :	
	A. pour usages chimiques et autres usages techniques ...	10 p.c.
	B. non dénommés	24 p.c.
	2. multicolores ou décorés en couleurs, même dorés, argentés, etc.	24 p.c. ou, au choix de l'importateur le kg poids brut : fr.20 ou f 1,21
666	Verre en feuilles, étiré ou soufflé, non travaillé (verre à vitres) :	
	a. non coloré	6 p.c.
667	Verre en feuilles ou plaques, travaillé:	
	c. douci ou poli sur une ou deux faces	15 p.c.
670	Tuiles, dalles, pavés et carreaux de revêtement, en verre coulé ou moulé, même armé	10 p.c.
671	Bonbonnes, bouteilles et flacons, en verre non travaillé :	
	a. d'une contenance supérieure à 2 litres et demi	18 p.c.
	b. d'une contenance de plus de 25 centilitres jusqu'à 2 litres et demi	18 p.c.
	c. d'une contenance de 25 centilitres ou moins	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
673	Articles d'éclairage et leurs parties ou accessoires, en verre, non dénommés ni compris ailleurs	18 p.c.
675	Objets en verre soufflé ou pressé, non dénommés ni compris ailleurs :	
	a. en verre soufflé, non travaillé :	
	1. de couleur naturelle, verdâtre, brunâtre ou noirâtre	24 p.c.
	2. incolore, blanc ou mi-blanc	24 p.c.
	3. coloré dans la masse ou plaqué..	24 p.c.
	b. en verre pressé, non travaillé :	
	1. de couleur naturelle, verdâtre, brunâtre ou noirâtre	24 p.c.
	2. incolore, blanc ou mi-blanc	24 p.c.
	3. coloré dans la masse ou plaqué..	24 p.c.
	c. en verre soufflé ou pressé, travaillé :	
	1. dépoli	24 p.c.
	2. poli, taillé, gravé, peint, doré, argenté ou autrement décoré	24 p.c.
	d. en combinaison avec d'autres matières	24 p.c.
ex 676	Bouteilles isolantes	18 p.c.
677	Verre d'optique et de lunetterie, brut..	exemption
678	Verres d'horlogerie :	
	a. bruts, en boules ou segments	exemption
	b. simplement découpés	10 p.c.
	c. travaillés	10 p.c.
679	Verroteries (perles en verre, pierres à bijoux, pièces de lustrerie et similaires); verre filé et laine de verre :	
	a. Verroteries :	
	1. Perles en verre	10 p.c.
680	Ouvrages en verroteries, même combinés avec d'autres matières, non dénommés ni compris ailleurs	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
682	Perles fines, y compris les perles de culture :	
	a. brutes	exemption
	b. travaillées	exemption
683	Pierres précieuses et semi-précieuses, naturelles ou synthétiques :	
	a. brutes	exemption
	b. taillées ou autrement travaillées, mais non montées	exemption
	c. Ouvrages non dénommés ni compris ailleurs	exemption
685	Or brut : en masses, lingots, barres coulées, poudre, débris, déchets et cendres	exemption
690	Ouvrages en argent et vermeil :	
	a. Bijouterie et joaillerie	15 p.c.
	b. Orfèvrerie	15 p.c.
	c. autres ouvrages, non dénommés ni compris ailleurs	15 p.c.
691	Ouvrages en or :	
	a. Bijouterie et joaillerie	15 p.c.
	b. Orfèvrerie	15 p.c.
	c. autres ouvrages, non dénommés ni compris ailleurs	15 p.c.
692	Ouvrages en platine :	
	a. Bijouterie, joaillerie, orfèvrerie..	15 p.c.
697 a	Ferro-alliages, à l'état brut	exemption
703	Tôles de fer ou d'acier, planes, sans ouvraison :	
	a. simplement forgées ou laminées à chaud, non décapées (tôles brutes) :	
	1. d'une épaisseur de 11 dixièmes de millimètre ou moins	4 p.c.
	2. autres	3 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
704	Tôles de fer ou d'acier, planes, ouvrées à la surface :	
	c. étamées (fer-blanc) :	
	1. d'une épaisseur de plus de 35 centièmes de millimètre	4 p.c.
	2. d'une épaisseur de 35 centièmes de millimètre ou moins	exemption(+)
	(+) Sous réserve de l'application éventuelle d'un droit de douane ne dépassant pas 4 p.c.	
705	Tôles de fer ou d'acier, autres :	
	a. ondulées, cannelées, striées, mamelonnées ou revêtues de dessins obtenus par laminage ou estampage	4 p.c.
720	Réservoirs, foudres, cuves et autres grands récipients, sans dispositif mécanique, en tôle de fer ou d'acier	10 p.c.
723	Câbles, cordages et bandes tressées, en fils de fer ou d'acier	12 p.c.
726	Chaînes, chaînettes et leurs parties, en fer, acier ou fonte malléable :	
	a. articulées :	
	1. à rouleaux :	
	ex B. pour véhicules automobiles	8 p.c.
	ex 2. pour véhicules automobiles	8 p.c.
732	Ressorts en fer ou en acier :	
	a. à flexion, à lames simples ou superposées :	
	1. pour véhicules automobiles, pesant par pièce 20 kilogrammes ou plus	15 p.c.
	2. non dénommés	8 p.c.
	b. en fils, pour sièges et literie	8 p.c.
	c. autres, non dénommés ailleurs	8 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
733	Serrures, cadenas, et leurs parties en fonte, fer, acier ou fonte malléable :	
	a. Serrures et cadenas, même avec leurs clefs :	
	1. Serrures, en acier, pour carrosseries d'automobiles, même avec leurs clefs	10 p.c.
	2. autres	15 p.c.
	b. Parties de serrures et de cadenas; clefs :	
	1. Parties de serrures et de cadenas en fonte malléable	3 p.c.
	2. Parties de serrures et de cadenas, autres	6 p.c.
	3. Clefs non achevées	6 p.c.
	4. Clefs achevées	15 p.c.
734	Garnitures ou ferrures non dénommées ni comprises ailleurs, en fonte, fer, acier ou fonte malléable, pour meubles, portes, fenêtres, persiennes, carrosserie, articles de sellerie, malles, coffres et autres ouvrages de l'espèce :	
	a. simplement ouvrées	15 p.c.
	b. polies, peintes, vernies, laquées, émaillées, recouvertes ou plaquées d'autres métaux communs	15 p.c.
	c. avec parties en autres métaux communs ou en matières non métalliques	15 p.c.
	d. argentées, dorées, ciselées ou autrement ornementées	15 p.c.
ex 738	Coffres-forts de tout genre	15 p.c.
ex 739	Meubles et parties de meubles en acier..	18 p.c.
745	Etaux, serre-joints, mandrins et autres porte-outils, vilebrequins, porte-forets et similaires	10 p.c.
746	Tenailles et pinces, même coupantes, clefs de serrage, cisailles à main	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
747	Limes et râpes, y compris les ébauches travaillées :	
	a. Ebauches de limes et de râpes	8 p.c.
	b. Limes et râpes, taillées ou piquées	8 p.c.
748	Scies et lames de scies :	
	a. Scies circulaires	5 p.c.
	b. Scies à ruban	5 p.c.
	c. Lames de scies droites non montées..	10 p.c.
	d. Scies à main et scies montées	10 p.c.
749	Couteaux et lames pour machines	6 p.c.
750	Autres outils tranchants à travailler les métaux, le bois et autres matières dures, à la main et à la machine (tels que ciseaux, fraises, forets, mèches à percer, fers à rabots, tarauds, etc.)...	6 p.c.
751	Outils en fonte, fer, acier ou fonte malléable, non dénommés ni compris ailleurs	10 p.c.
754	Ouvrages en tôle de fer ou d'acier, non dénommés ni compris ailleurs :	
	b. polis, étamés, zingués, plombés, peints, vernis, ou laqués :	
	ex Pots à lait	15 p.c.
755	Ouvrages en fer, acier, fonte d'acier ou fonte malléable, non dénommés ni compris ailleurs :	
	ex b. simplement ouvrés, excepté les grenailles et boulets pour broyeurs	12 p.c.
756	Cuivre brut :	
	ex a. coulé en saumons, grenailles, lingots, plaques	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
757	Barres et fils de cuivre :	
	a. simplement battus, laminés, filés à chaud ou étirés, de tout profil :	
	1. Barres	2 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 8 p.c.	
	2. Fils	4 p.c.
762	Pièces brutes de cuivre :	
	a. coulées, matricées ou forgées	6 p.c.
	b. en tôle découpée autrement qu'à angles droits, sans autre ouvraison	6 p.c.
	c. en tôle simplement emboutie	6 p.c.
764	Câbles, cordages et bandes tressées, en fils de cuivre, non revêtus de matières isolantes	10 p.c.
770	Nickel brut :	
	ex a. coulés en lingots, plaques, cubes, grenailles	exemption
	b. Tournures, limailles et autres déchets; débris de vieux ouvrages	exemption
774	Aluminium brut :	
	a. fondu en masses, lingots, plaques, "wire bars", etc.	exemption
	b. Tournures, limailles et autres déchets; débris de vieux ouvrages.....	exemption
782	Batteries de cuisine et ustensiles propres aux usages domestiques, en aluminium, non dénommés ni compris ailleurs..	15 p.c.
784	Ouvrages en aluminium, non dénommés ni compris ailleurs :	
	ex d. Meubles et parties de meubles....	15 p.c.
790	Zinc brut :	
	a. coulé en masses, saumons, plaques, grenailles et poussière	exemption
	b. Tournures, limailles et autres déchets; débris de vieux ouvrages.....	exemption

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
800	Métaux et alliages non dénommés ni compris ailleurs, à l'état brut :	
	b. Antimoine	exemption
	ex c. Tungstène	exemption
802	Couteaux, non fermants, de table :	
	a. entièrement en métal, d'une seule pièce, même non finis	18 p.c.
	b. autres	18 p.c.
803	Couteaux non fermants, de cuisine, de professionnels et autres	12 p.c.
804	Couteaux fermants, serpettes de poche et canifs	12 p.c.
805	Lames de couteaux :	
	a. non finies	6 p.c.
806	Rasoirs et leurs lames :	
	a. Rasoirs de sûreté et leurs pièces détachées	15 p.c.
	b. Lames pour rasoirs de sûreté, même non finies	15 p.c.
	c. autres rasoirs et leurs lames même non finies	12 p.c.
809	Cuillers et fourchettes de tous genres :	
	a. entièrement en métal, d'une seule pièce, même non finies :	
	1. en fer ou en acier	18 p.c.
	2. en aluminium	18 p.c.
	3. en étain	18 p.c.
	4. en autres métaux communs	18 p.c.
	5. en métaux communs dorés, argentés ou plaqués de métaux précieux	18 p.c.
	b. autres	18 p.c.
810	Objets pour le service de la table, non dénommés ni compris ailleurs, en métaux communs, même avec garnitures ou parties en autres matières :	
	a. en cuivre	18 p.c.
	b. en nickel	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
810 (suite)	c. en aluminium	18 p.c.
	d. en autres métaux communs	18 p.c.
	e. en métaux communs dorés, argentés ou plaqués de métaux précieux	18 p.c.
811	Objets d'ornement d'intérieur, de bureau ou de fantaisie, non dénommés ni compris ailleurs, en métaux communs, même avec accessoires ou parties en autres matières :	
	a. en fer, fonte ou acier	18 p.c.
	b. en cuivre	18 p.c.
	c. en nickel	18 p.c.
	d. en aluminium	18 p.c.
	e. en autres métaux communs	18 p.c.
	f. en métaux communs dorés, argentés ou plaqués de métaux précieux	18 p.c.
812	Appareils d'éclairage, articles de lampisterie et de lustrerie, ainsi que leurs parties, non dénommés ni compris ailleurs, en métaux communs, même avec accessoires ou parties en autres matières :	
	ex c. Lampes électriques de poche et boîtiers	18 p.c.
813	Tubes et tuyaux flexibles, en métaux communs, même combinés avec d'autres matières	8 p.c.
818	Fermoirs, boucles, boucles-fermoirs, agrafes, boutons-pression, crochets, oeillets et rivets, autres que de parure, pour vêtements, gants, chaussures, tentes, bâches, articles de sellerie et de voyage, sacs de dames, portefeuilles, etc., et pour toutes confections ou équipements en métaux communs :	
	a. en fer, fonte ou acier	6 p.c.
	b. en autres métaux communs	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
818 (suite)	c. en métaux communs recouverts entièrement ou partiellement de peau, celluloïd, caoutchouc durci, bakélite ou autres matières	10 p.c.
	d. en métaux communs dorés, argentés ou plaqués de métaux précieux	10 p.c.
819	Articles destinés à la parure ou à l'usage personnel, et tous articles dits "bijouterie de fantaisie", non dénommés ni compris ailleurs, en métaux communs, même avec accessoires ou parties en autres matières :	
	a. en métaux communs	18 p.c.
	b. en métaux communs dorés, argentés ou plaqués de métaux précieux	18 p.c.
820	Chaudières à vapeur (générateurs de vapeur); économiseurs (réchauffeurs); surchauffeurs; accumulateurs de vapeur :	
	a. Chaudières multitubulaires.....	6 p.c.
822	Machines à vapeur séparées de leurs chaudières :	
	a. à piston	6 p.c.
823	Moteurs à explosion et à combustion interne :	
	a. Moteurs pour automobiles et cycles, pour l'aviation et la navigation, ainsi que leurs parties et pièces détachées, même à l'état brut :	
	2. pour automobiles :	
	A. Parties et pièces détachées, y compris les blocs cylindres, munis du vilebrequin et de l'arbre à cames	6 p.c.
	B. Moteurs pour tracteurs agricoles (1) (2)	6 p.c.
	C. Moteurs dépourvus de leurs organes de carburation ou d'amenée de carburant, ainsi que de leurs appareils de démarrage électrique et autre équipement électrique	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
823 (suite)	sauf les bougies d'allumage, et de leur filtre d'air (1)	8 p.c.
	D. autres (1)	15 p.c.
	ex 3. pour l'aviation, ainsi que leurs parties et pièces détachées	6 p.c.
	b. autres :	
	1. Turbines à combustion interne	6 p.c.
	ex 2. non dénommés, sauf les moteurs Diesel stationnaires d'une puissance de 5000 C.V. et plus	6 p.c.
	(1) Y compris les moteurs munis d'un dispositif automatique ou semi-automatique (hydraulique ou analogue) de changement de vitesse.	
	(2) Ne sont admis sous cette position que les moteurs à l'égard desquels il est justifié, à la satisfaction des agents vérificateurs, qu'ils sont réellement destinés à la construction de tracteurs agricoles.	
825	Machines motrices à air ou à gaz comprimé, à vent et autres analogues	6 p.c.
827	Pompes pour liquides :	
	a. Pompes distributrices d'essence et autres liquides	6 p.c.
	b. Pompes centrifuges et autres pompes rotatives	6 p.c.
	c. Pompes à piston et autres	6 p.c.
ex 828	Pompes à air et compresseurs	6 p.c.
829	Appareils à air comprimé destinés à pulvériser ou à disperser des matières liquides ou en poudre, appareils à jet :	
	ex b. Appareils automatiques à brûler le charbon (autres que du type transporteur) et brûleurs à huile lourde et leurs pièces détachées	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
830	Calandres de toute espèce	6 p.c.
832	Presses hydrauliques et autres presses non dénommées ni comprises ailleurs	6 p.c.
ex 833	Machines et appareils de manutention, de levage, de chargement, de déchargement, d'extraction et d'excavation, excepté les grues et autres appareils de levage d'une puissance de 5 tonnes ou plus; les palans; les pelles mécaniques d'une capacité de 2 mètres cubes ou moins	8 p.c.
834	Machines et engins agricoles pour le travail, la préparation et la culture du sol :	
	a. Distributeurs d'engrais, semoirs et machines à planter	6 p.c.
	b. autres (charrues, cultivateurs, extirpateurs, herses, rouleurs, etc.)	6 p.c.
835	Machines et engins pour la récolte des produits agricoles; batteuses, égreneuses et trieurs agricoles :	
	a. Machines à récolter (faucheuses, faneuses, râteaux mécaniques, moissonneuses, moissonneuses-batteuses, etc.)	6 p.c.
	b. Batteuses et égreneuses	6 p.c.
	c. Machines et appareils agricoles pour trier les graines et les fruits	6 p.c.
836	Machines, appareils et engins agricoles, non dénommés ni compris ailleurs :	
	ex b. Machines à hacher le foin, la paille, le fourrage, même accouplées à des machines soufflantes Coupe-racines, petits moulins à usages exclusivement agricoles, servant à écraser les graines, les fruits, les pommes de terre, etc.	
	Concasseurs à tourteaux	
	Laveuses de pommes de terre et de betteraves	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
836 (suite)	Dessoucheuses Tondeuses à gazon Couveuses pour l'aviculture Manèges utilisés en général dans l'agriculture	6 p.c.
837	Machines et engins pour la minoterie....	6 p.c.
839	Machines pour la production du froid : a. Armoires frigorifiques : 1. ayant un volume extérieur ne dépassant pas 2 mètres cubes ..... 2. non dénommées ..... b. autres	 12 p.c. 6 p.c. 6 p.c.
840	Machines et appareils destinés à traiter (à trier, à laver, à mélanger, à concasser, à broyer, à mouler, etc.) les terres, pierres, minerais, combustibles minéraux, os et autres matières dures similaires	6 p.c.
842	Machines pour la fabrication de la pâte à papier, des papiers et des cartons; machines pour le travail du papier et du carton : a. Machines pour la fabrication de la pâte à papier, des papiers et des cartons ..... b. Machines pour le travail du papier et du carton, y compris les machines pour la reliure	 6 p.c. 6 p.c.
843	Machines et appareils pour l'imprimerie et les arts graphiques : a. Machines à composer; machines et appareils de dicherie et de stéréotypie et autres machines et appareils auxiliaires ..... b. Presses et machines à imprimer	 6 p.c. 6 p.c.
844	Machines et appareils pour la préparation des matières textiles, pour la filature et le retordage; machines à bobiner :	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
844 (suite)	a. Machines et appareils pour la préparation des matières textiles :	
	ex Cardes et assortiments de cardes, non garnies; peigneuses	6 p.c.
	b. Métiers à filer et à retordre	6 p.c.
845	Métiers à tisser, à tulles, à dentelles, à bonneterie, à broder, à passementeries, appareils et machines accessoires pour le tissage :	
	d. Appareils et machines accessoires pour le tissage (ratières mécaniques Jacquard, ourdissoirs, etc.)	6 p.c.
846	Machines et appareils pour l'apprêt et le finissage des fils, des tissus et des ouvrages de ces matières, non dénommés ni compris ailleurs :	
	ex a. Machines et appareils à laver le linge et les vêtements, machines à nettoyer	6 p.c.
848[1]	Machines-outils :	
	ex b. Tours verticaux, y compris les tours révolver verticaux,	
	- Machines à pointer	
	- Machines à brocher	
	- Machines à centrer	
	- Machines spéciales à forer, à plusieurs broches, types ordinaires et spéciaux	
	- Machines à forer pour perçages profonds, horizontales et verticales	
	- Machines à fraiser les engrenages	
	- Machines à tailler les engrenages par fraisage, rabotage et génération	
	- Machines de finissage pour engrenages (y compris celles à rectifier les dents d'engrenages)	

[1] [See explanatory letter from the Acting Heads of the Netherlands and Belgian Delegations to the Acting Chairman of the United States Delegation, p. A2054.]

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
848 (suite)	- Machines à rectifier cylindriques extérieures: ordinaires, universelles, rectifieuses de rouleaux, rectifieuses de vilebrequins, autres - Machines à rectifier cylindriques intérieures : type ordinaire et à mandrin, autres - Machines à rectifier les surfaces planes (y compris les types pour l'industrie légère) : à table rotative, horizontales et verticales, à table à mouvement alternatif, broche horizontale ou verticale, autres (y compris type raboteuse) - Machines à rectifier les filets - Machines à rectifier et à houer, à l'exclusion de celles pour engrenages - Machines à polir et à brunir (y compris types pour l'industrie légère) - Tours révolver (excepté tours révolver verticaux) : type d'établi, type à coulisseau, type à chariot - Tours automatiques pour travail au mandrin : à une broche, à plusieurs broches - Tours automatiques entre-pointes : à une broche, à plusieurs broches - Tours automatiques à fileter - Fraiseuses à banc : à une seule fraise, à plusieurs fraises et machines de type spécial - Raboteuses-fraiseuses	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
848 (suite)	- Machines à profiler, à singer et à creuser les matrices - Scies circulaires à froid - Machines à scier et à limer (y compris celles à scies à ruban) - Machines à tarauder - Machines à fileter les tubes.....	6 p.c.
ex 849	Machines servant à empaqueter les marchandises, ou servant à étiqueter les bouteilles et autres récipients	6 p.c.
851	Machines à écrire et leurs pièces détachées	8 p.c.
852	Machines à calculer et de comptabilité, caisses enregistreuses, et leurs pièces détachées	8 p.c.
853	Machines et appareils de bureau, non dénommés ni compris ailleurs	10 p.c.
854	Machines, appareils et engins mécaniques, non dénommés ni compris ailleurs : a. Machines et appareils mécaniques pour l'économie domestique, pesant 10 kg ou moins ..... ex b. Brûleurs à charbon du type transporteur; machines et appareils pour laminoirs industriels à métaux	 12 p.c. 6 p.c.
857	Arbres, roues et barres dentées, volants, poulies et autres organes et pièces mécaniques : ex e. Paliers et coussinets pour véhicules automobiles ..... ex f. Garnitures de cardes	 6 p.c. 6 p.c.
859	Machines génératrices, moteurs et convertisseurs électriques; transformateurs; bobines à réaction : a. Dynamos, moteurs et convertisseurs rotatifs, pesant par unité :	

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
859 (suite)	1. 10 kg ou moins	12 p.c.
	2. plus de 10 kg	8 p.c.
	b. Transformateurs et convertisseurs statiques :	
	1. Transformateurs pesant par unité:	
	A. 10 kg ou moins	12 p.c.
	B. plus de 10 kg	8 p.c.
	2. Convertisseurs statiques pesant par unité :	
	A. 10 kg ou moins	12 p.c.
	B. plus de 10 kg	8 p.c.
861	Accumulateurs électriques et leurs plaques :	
	ex a. Accumulateurs alcalins et leurs parties non dénommées ni comprises ailleurs	10 p.c.
	ex b. Plaques d'accumulateurs alcalins	10 p.c.
863	Appareillage électrique de démarrage, d'éclairage et de signalisation pour véhicules à moteur et pour cycles :	
	a. de démarrage	12 p.c.
	b. d'éclairage :	
	1. Génératrices (dynamos) pour véhicules automobiles	12 p.c.
	2. autres	20 p.c.
	c. de signalisation et de conduite	12 p.c.
864	Appareils d'allumage électrique pour moteurs à explosion, y compris les bougies	12 p.c.
868	Appareils radioélectriques pour la télégraphie, la téléphonie et la télévision, amplificateurs de tous genres :	
	a. Valves, tubes ou lampes	12 p.c. (+)
	(+) Sous réserve du relèvement éventuel du droit jusqu'à un maximum de 15 p.c.	
	b. Appareils de réception	20 p.c.
	c. Amplificateurs	12 p.c.
	d. autres	12 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
869	Appareils électriques pour la télégraphie et la téléphonie :	
	c. Haut-parleurs, microphones et appareils analogues	12 p.c.
872	Appareils de mesure et d'enregistrement de l'énergie électrique; compteurs d'électricité :	
	a. Appareils de mesure et d'enregistrement	10 p.c.
874	Pièces en charbon ou en graphite, même combinés avec du métal, pour usages électriques et électrotechniques :	
	a. pesant 50 kilogrammes ou plus	2 p.c.
	b. autres	6 p.c.
875	Isolateurs, même avec armature en métaux communs :	
	a. en matières céramiques	10 p.c.
	b. en verre	10 p.c.
	c. en autres matières	10 p.c.
878	Appareils pour le réglage, la coupure, la protection et la distribution du courant électrique, ainsi que tous articles électrotechniques, parties et pièces détachées de machines et appareils électriques, non dénommés ni compris ailleurs	10 p.c.
889	Tracteurs à explosion, à combustion interne ou à gaz :	
	a. Tracteurs agricoles	6 p.c.
	b. autres	24 p.c.
890	Automobiles carrossées ou complètes :	
	a. Voitures de tourisme ou de sport, autres que celles destinées au transport en commun	24 p.c.
	b. destinées au transport en commun (autocars et autobus)	24 p.c.
	c. Camions et voitures de livraison ...	24 p.c.
	d. Chariots électriques	20 p.c.
	e. autres	24 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Pos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
891	Châssis d'automobiles	24 p.c.
892	Carrosseries pour automobiles :	
	a. pour le transport des personnes	24 p.c.
	b. autres	24 p.c.
893	Parties et pièces détachées d'automobiles et de tracteurs, même à l'état brut, non dénommées ni comprises ailleurs :	
	a. Parties de carrosserie :	
	1. en métaux communs, brutes ou simplement ouvrées au sens du chiffre 3 des Notes générales relatives à la Section XV	6 p.c.
	2. non dénommées	15 p.c.
	b. Parties et pièces de transmission et de direction :	
	1. Embrayages	6 p.c.
	2. Boîtes de vitesse	6 p.c.
	3. Ponts-arrières et essieux propulseurs	6 p.c.
	4. Directions avec ou sans levier de changement de vitesse	6 p.c.
	5. Freins	6 p.c.
	6. Arbres et demi-arbres d'embrayage, de distribution, de changement de vitesse, de transmission; arbres cannelés, arbres de commandes; engrenages	6 p.c.
	7. non dénommées	6 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
893 (suite)	c. autres :	
	1. Cadres porteurs de châssis, pare-chocs et barres de protection, roues en tôle de fer ou d'acier embouties, jantes en fer ou en acier pesant plus de 30 kg et réservoirs à carburant	15 p.c.
	2. non dénommées :	
	A. Essieux porteurs	6 p.c.
	B. Amortisseurs de suspension	6 p.c.
	ex C. autres (à l'exclusion des radiateurs)	6 p.c.
ex 894	Vélocipèdes avec moteur	24 p.c.
896	Parties et pièces détachées de motocycles et de vélocipèdes :	
	a. de motocycles :	
	ex. Selles	18 p.c.
	b. de vélocipèdes :	
	1. Dérailleurs, moyeux à changement de vitesse et moyeux à frein par rétro-pédalage	10 p.c.
	ex 2. Selles	12 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos. du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
901	Aéroplanes et autres appareils plus lourds que l'air:	
	a. fonctionnant sans machine propulsive (planeurs et cerfs-volants); parachutes	10 p.c.
	b. fonctionnant avec machine propulsive (avions, hydravions, hélicoptères, etc.):	
	1. destinés à être utilisés principalement en trafic international, à des transports publics	exemption
	2. autres	10 p.c.
902	Parties et pièces détachées d'aérostats et d'aéroplanes à l'exception des moteurs	6 p.c.
908	Verres d'optique, travaillés, non montés:	
	a. Verres de lunettes et autres verres correcteurs	10 p.c.
	b. Lentilles et prismes pour instruments	10 p.c.
	c. Miroirs optiques	10 p.c.
909	Montures de lunettes, de lorgnons et d'articles similaires	15 p.c.
910	Lunettes, lorgnons et articles similaires avec monture	15 p.c.
913	Appareils photographiques, avec ou sans objectif, et leurs parties	15 p.c.
914	Appareils cinématographiques, de projection et d'agrandissement, projecteurs, et leurs parties finies:	
	a. Appareils cinématographiques	15 p.c.
	b. Appareils de projection autres que cinématographiques; appareils d'agrandissement	15 p.c.
	c. Projecteurs	15 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos.du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
919	Compteurs de tours, de vitesse, de distance et similaires, et leurs parties ou pièces détachées	12 p.c.
920	Manomètres et autres appareils de mesure pour machines, chaudières, fours, etc.	10 p.c.
922	Instruments et appareils de géodésie, de géophysique, de météorologie, d'hydrographie, de navigation maritime et aérienne (1) et d'astronomie, non dénommés ni compris ailleurs.....	10 p.c.
	(1) y compris les appareils radar.	
923	Instruments et appareils de médecine et de chirurgie, non dénommés ni compris ailleurs	10 p.c.
ex 924	Appareils acoustiques contre la surdité	10 p.c.
926	Instruments et appareils de physique, de chimie ou de précision, non dénommés ni compris ailleurs:	
	a. Appareils pour l'essai des matériaux	10 p.c.
	b. Appareils enregistreurs	10 p.c.
	c. autres	10 p.c.
934	Autres horloges et pendules, même électriques, y compris les réveils:	
	a. Réveils	12 p.c.
	b. Horloges de contrôle	12 p.c.
	c. autres horloges et pendules à poser ou à suspendre	12 p.c.
ex 943	Dictaphones et transcripteurs (type phonographe)	12 p.c.
	Gramophones et leurs pièces détachées.	12 p.c.
	"Pick ups"	18 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos.du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
944	Disques de gramophones; plaques, cylindres, bandes et rouleaux pour instruments et appareils à jouer mécaniquement:	
	a. Disques de gramophones	12 p.c.
945	Instruments de musique, à vent:	
	a. en métal	18 p.c.
	b. en bois	18 p.c.
	c. en autres matières	18 p.c.
964	Ouvrages en cire animale ou végétale, ou en matières similaires:	
	ex b. Cylindres de dictaphones	12 p.c.
967	Matières plastiques artificielles, à base de phénols, d'urée, d'acide phtalique, etc. (résines artificielles), même avec incorporation de papier ou de tissu, et autres matières plastiques non dénommées ni comprises ailleurs:	
	ex c. Dents artificielles.....	15 p.c.
974	Voitures et véhicules pour l'amusement des enfants	20 p.c.
975	Poupées de tous genres et leurs parties :	
	ex b. Poupées	20 p.c.
ex 976	Jouets métalliques à mouvement mécanique ou électrique	20 p.c.
977	Jeux de société	20 p.c.
979	Articles et engins de gymnastique et de sport, non dénommés ni compris ailleurs:	
	ex. Articles pour les sports du cricket, du tennis, du golf et du hockey; patins à glace et patins à roulettes	20 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section A. TERRITOIRES METROPOLITAINS

PREMIERE PARTIE (suite)

Nos.du Tarif de BeNeLux	Dénomination des marchandises	Droits applicables
981	Boutons ordinaires pour vêtements et confections, et boutons de parure:	
	a. en corail, écaille, ivoire, ambre ou jais	15 p.c.
	b. en nacre	15 p.c.
	c. en os, corne, cuir et autres matières animales	15 p.c.
	d. en corozo	15 p.c.
	e. en bois, en papier mâché ou durci et autres matières végétales	15 p.c.
	f. en verre, en matières céramiques ou en pierre	15 p.c.
	g. en celluloïd et autres matières plastiques artificielles	15 p.c.
	h. en métal commun	15 p.c.
	i. recouverts de matières textiles..	15 p.c.
982	Porte-plumes à réservoir, stylographes, porte-mines et leurs pièces détachées	18 p.c.
984	Pipes et têtes de pipes:	
	c. en bois ou en racine:	
	3. autres	20 p.c.
985	Fume-cigares et fume-cigarettes; bouts, tuyaux et autres pièces détachées pour pipes, fume-cigares et fume-cigarettes:	
	b. en corne, en caoutchouc durci et en matières plastiques artificielles:	
	2. autres	20 p.c.
	c. en bois	20 p.c.

(x) NOTE: Les produits sous rubrique sont exempts du droit de monopole néerlandais ou de la charge correspondante belgo-luxembourgeoise.

FIN DE LA SECTION A.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section B. CONGO BELGE et RUANDA-URUNDI

PREMIÈRE PARTIE (suite)

Nos. du Tarif du Congo Belge	Dénomination des marchandises	Droits applicables
2	Beurre, margarine et graisses comestibles de toute espèce	exemption
6	Céréales: ex C. Farine de froment et gruau d'avoine	exemption
8	Fromages de toute espèce	exemption
11	Laits de toute espèce, frais ou conservés	exemption
12 bis	Malt	exemption
15	Poissons, mollusques et crustacés de toute espèce: II. importés autrement: B. Poissons fumés, séchés ou salés, non autrement préparés	exemption
20	Produits d'alimentation de toute espèce, non spécialement tarifés: ex. Autres sucreries manufacturées, aliments pour bébés, vermicelle, macaroni, sirop d'or (golden sirop)	exemption
36	Matières minérales brutes: ex B. Plâtre	5 p.c.
ex 55	Bougies	5 p.c.
56	Caoutchouc ouvré, comprenant les articles en caoutchouc ne rentrant pas dans une autre catégorie du tarif: A. Chaussures en caoutchouc, y compris celles avec dessus en toile et semelles en caoutchouc ..... ex B. Jouets en caoutchouc	5 p.c. 8 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section B. CONGO BELGE ET RUANDA-URUNDI

PREMIERE PARTIE (suite)

Nos. du Tarif du Congo Belge	Dénomination des marchandises	Droits applicables
59	Couleurs, teintures et vernis de toute espèce:	
	B. autres	5 p.c.
60	Emballages usuels de toute espèce:	
	1. importés vides:	
	ex B. Bouteilles vides en verre foncé	exemption
	ex C. Bocaux, bouteilles et flacons	6 p.c.
65	Instruments de musique de toute espèce, y compris les phonographes et autres machines parlantes, les accordéons et les harmonicas à bouche, ainsi que leurs parties, pièces détachées et accessoires:	
	ex B. Accordéons et harmonicas à bouche	12 p.c.
67	Machines, mécaniques et outils, spécialement dénommés, ainsi que leurs parties et pièces détachées:	
	C. Armoires frigorifiques pour la conservation des aliments, avec appareils générateurs de froid de toute espèce; appareils à moteur conditionnant l'air des locaux, notamment au point de vue de sa température et de son état hygrométrique	6 p.c.
68	Machines, mécaniques et outils autres, ainsi que leurs parties et pièces détachées:	
	A. à usage industriel ou agricole:	
	ex. Lampes et lanternes.....	exemption
70	Mercerie et quincaillerie:	
	ex B. Lampes et lanternes; quincaillerie en aluminium; perles fausses.....	10 p.c.

LISTE II - BELGIQUE - LUXEMBOURG - PAYS-BAS

Section B. CONGO BELGE ET RUANDA-URUNDI

PREMIERE PARTIE (suite)

Nos. du Tarif du Congo Belge	Dénomination des marchandises	Droits applicables
71	Métaux et ouvrages spéciaux:	
	ex F.2. Bijouterie fausse	12 p.c.
72	Meubles de toute espèce et leurs pièces détachées, y compris l'horlogerie, à l'exception des montres de poche et fournitures pour montres :	
	ex. Lampes et lanternes	15 p.c.
90	Tissus de toute espèce, comprenant les tissus de coton, de laine, de soie, de chanvre, de jute, de lin, de ramie, de cellulose, etc.:	
	B. Tissus renfermant de la soie naturelle ou artificielle dans n'importe quelle proportion, à l'exception des couvertures renfermant de la soie	20 p.c.
	Note: Le minimum de perception de 500 frs. aux 100 kil. net n'est pas consolidé.	
	E. Tissus de coton de toute espèce, teints en pièces ou fabriqués en tout ou en partie à l'aide de fils teints, fabriqués en partie à l'aide de fils blanchis, mercerisés en pièces ou fabriqués en tout ou en partie à l'aide de fils mercerisés	20 p.c.
	Note: Le minimum de perception de 500 frs. aux 100 kil. net, prévu pour les tissus teints en pièces ou fabriqués en tout ou en partie à l'aide de fils teints, n'est pas consolidé.	
	H. tous autres tissus	20 p.c.
94	Tous autres produits fabriqués non dénommés:	
	ex. ouvrages en amiante	5 p.c.

FIN DE LA SECTION B.

LISTE III - BRESIL

PREMIERE PARTIE

Seuls les textes anglais et français de la présente liste font foi

Tarif de la Nation la plus favorisée

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 1	
	ANIMAUX VIVANTS	
5	Bétail:	
/1	de la race bovine.....la tête	79,80
/3	de la race chevaline: chevaux d'élevage et de travail .....la tête	152,88
	NOTE: Les animaux reproducteurs, importés par des éleveurs enregistrés en cette qualité au Ministère de l'Agriculture, et qui prouvent avoir des champs d'élevage moyennant un certificat dudit Ministère, sont exempts de droits douaniers.	
	CLASSE 2	
	CHEVEUX, POILS ET PLUMES	
	Bruts ou préparés:	
9	Poils de chèvres, soie de sanglier, de porc et d'autres suidés....K.P.L.	2,70
11	Poils:	
/1	du castor, lièvre loutre et blousses de poils de chameaux.....K.P.L.	7,00
1/	de lapin.....	franchise
	Ouvrages:	
23	Ornements en plumes:	
/1	aigrettes.....Gr.P.R.	0,70
/3	Fleurs détachées.....Gr.P.R.	0,70

LISTE III - BRESIL

PREMIERE PARTIE (Suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 3	
	PEAUX ET CUIRS	
	Bruts, préparés ou tannés et vernis:	
36	A l'état brut, avec ou sans poils:	
/2	Secs, salés ou salés-secs (exclusivement de renards argentés, bleus, platinés et rouges, de martres, d'écureuils et de phoques)...K.P.B.	2,24
/2	de lapin, sec, sales ou salés-secs	franchise
37	Préparés ou tannés:	
	Avec poil:	
/1	d'hermine, castor, loutre, renard, et similaires, entiers, sans autre préparation ou finissage.....K.P.L.	29,12
/2	d'hermine, castor, loutre, renard, apprêtés, sans autre préparation ou finissage.....K.P.L.	22,40
/4	de lapin, chat, lièvre, sans autre préparation ou finissage.....K.P.L.	22,40
	Sans poil:	
/6	de chamois.....K.P.L.	16,52
	N.D.:	
/11	dits de Russie ou bulgares même vernis, grainés ou non..K.P.L.	26,32
	Ouvrages:	
50	Chaussures:	
	Souliers et escarpins:	
	En lin:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
50/7 (suite)	d'une pointure ne dépassant pas 22 centimètres..... paire	5,46
/8	de plus de 22 cm..... paire	10,92
66	Gants, avec ou sans baguettes: de chevreau, peau de Suède, chamois, peau de chien et similaires, ayant en longueur:	
/1	jusqu'à 30 cm..... paire	7,00
/2	plus de 30 jusqu'à 45 cm... paire	11,20
/3	plus de 45 cm..... paire	16,80
/5	pour la boxe, l'escrime, et autres sports..... paire	29,12
79	Bandes de cuir, piquées ou non pour chapeaux..... K.P.L.	18,34
	CLASSE 4	
	VIANDES, POISSONS, MATIERES OLEAGINEUSES ET AUTRES PRODUITS D'ORIGINE ANIMALE	
86	Viandes:	
	Autrement conservées:	
	Préparées d'une manière quelconque:	
/8	Foie gras ..... K.P.L.	7,00
ex/	Bouillons en boîtes, de fer blanc avec ou sans viande.....	33 % ad valorem
87	Caséine, en poudre..... K.P.L.	1,89
89	Colle:	
/1	de poisson..... K.P.L.	4,20

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
89/2 suite	d'autre qualité.....K.P.L.	2,80
96	Gélatine, en feuilles, granulée ou poudre .....K.P.L.	5,60
98	Lait:	
	condensé ou concentré, avec sucre K.P.L.	2,10
/3	en poudre, tablettes ou sous une autre forme, avec ou sans sucre.....K.P.L.	1,82
/3	condensé ou concentré sans sucre K.P.L.	1,82
103	Huiles fixes liquides:	
/1	de foie de morue.....K.P.L.	0,70
/1	de foie de poisson, à l'état brut K.P.L.	5,88
106	Poissons:	
	Morues et colins:	
/2	salés-secs, avec arêtes..... T.P.R.	200,00 plus surtaxes exceptée la taxe de consommation
/3	salés-secs, sans arêtes....., K.P.L.	0,49
	Conserves d'une manière quelconque:	
/6	Harengs:	
	fumés exclusivement..... K.P.L.	1,00
	conservés par tout autre procédé K.P.L.	4,37
107	Fromages:	
	de brebis, Roquefort..... K.P.L.	5,60

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 5	
	NACRE, IVOIRE, ECAILLE ET AUTRES DEPOUILLES D'ANIMAUX	
	Bruts ou préparés:	
116	Éponges:	
	Ordinaires, à l'état brut pour le nettoyage des maisons et usage similaire .....K.P.L.	35,00
	Ouvrages:	
122	Parures et autres objets similaires d'ornement personnel:	
/1	en corne ou en os .....K.P.L.	61,18
	CLASSE 6	
	LAINE	
133	Brute ou préparée:	
	A l'état brut:	
/2	fine, d'un numéro plus fin que 50's .....K.P.B.	1,40
134	lavée ou dégraissée, simple ou carbonisée, blousses ou déchets du cardage ou du peignage:	
/1	blanche, ou de couleur naturelle, exclusivement, d'un numéro plus fin que 50's.....K.P.B.	4,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
136	Cardées, peignées ou préparées d'une façon quelconque, y compris les traits et mèches:	
/1	Traits et blousses de laine écrus d'un numéro plus fin que 50's ..... K.P.B.	7,50
	Ouvrages:	
167	Tentures murales, tapis de table et garnitures pour meubles:	
	Ex - Tapisseries de Beauvais, des Gobelins, d'Aubusson, signées dans le corps du tissu, et exécutées entièrement à la main.....	50 % des droits des panneaux muraux brodés ou ornes.
172	Confections:	
	Chemises et chemisettes:	
	en tricot ou bonneterie:	
/2	Chemisettes fines..... pièce	9,10
/3	Caleçons et caleçons courts:	
	en tricot ou bonneterie..... pièce	9,10
	N.D.:	
	Simples:	
/8	en tricot ou bonneterie..... pièce	70,00
/9	en dentelles ..... pièce	218,40

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
175	Tissus:	
	Palm-Beach:	
/14	posant jusqu'à 250 gr. par m^2...K.P.R.	81,90
/15	posant plus de 250 gr. par m^2...K.P.R.	65,52
	CLASSE 7	
	SOIE, RAYONNE ET AUTRES PRODUITS ARTIFICIELS ET SYNTHETIQUES SIMILAIRES	
	Ouvrages:	
197	Ceintures, jarretières et bretelles K.P.L.	140,00
210	Gants avec ou sans baguettes ayant en longueur:	
/1	jusqu'à 30 cm. ..... paire	4,90
/2	de 30 à 45 cm. ..... paire	6,02
/3	de plus de 45 cm. ..... paire	7,28
216	Dentelles: (en soie)	
/1	en pièces ..... K.P.R.	285,46
/2	en applications coupées..... K.P.R.	342,16
217	Confections:	
/3	en dentelle ou en tulle ..... K.P.R.	488,88

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 8	
	FRUITS, CEREALES, PLANTES POTAGERES, LEGUMES ET LEURS PRODUITS.	
	Fruits:	
225	Prunes, cerises, abricots, coings, figues, pommes, melons, pêches, poires, fraises, raisins, frais ou crus.....	franchise
227	Amandes et noisettes:	
/1	avec coques..... K.P.B.	0,70
/2	décortiquées ou pilées..... K.P.L.	1,40
	Noix:	
/1	en coques..... K.P.B.	0,35
229	Séchés ou secs:	
/2	n.d.	franchise
230	Conservés:	
	Olives:	
/2	à l'huile .....K.P.L.	1,40
	Tous autres fruits:	
	Pêches, poires, abricots, pommes, cerises prunes, prunoaux, baies à l'exception des fraises, ainsi que fruits mélangés pour salades constituées par les fruits ci-dessus:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
230 suite	/5	à l'alcool, ou sirop ou en compote, ainsi que sous forme de gelée, de pâte ou de pulpe, avec sucre ou miel, y compris compotes faites de melons et citrons, de melons et gingembres K.P.L.	4,20
		Pêches, abricots, pommes, cerises, prunes et poires:	
	/6	sans sirop ou confits cristallisés ou préparés de toute autre manière K.P.L.	10,92
		ex-marrons glacés ..... K.P.L.	10,92
		Céréales, plantes potagères et légumes:	
234		Avoine:	
	/1	en grains, non décortiqués... T.P.B.	175,00
236		Pois chiches, entiers ou cassés K.P.B.	0,42
239		Froment:	
	/1	En grains, décortiqué ou pilé.. T.P.B.	86,94
240		Céréales, plantes potagères et légumes:	
	/1	N.d.:	
		ex-pois secs et lentilles..... K.P.B.	0,77
		De toute sorte:	
		conservés, de toute qualité, avec ou sans mélange de fruits, en pâte, à l'exception des tomates, ou préparés d'une autre manière:	
	/3	asperges..... K.P.L.	2,80
	/4	autres ..... K.P.L.	4,20

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	Produits dérivés et sous-produits:	
245	Farines:	
/1	de pomme de terre ..... K.P.L.	3,04
/2	d'avoine ..... K.P.L.	1,09
/5	de froment ..... T.P.L.	217,00
247	Malt:	
/1	d'orge ou orge torréfié..... T.P.B.	350,000
	CLASSE 9	
	PLANTES, FEUILLES, FLEURS, FRUITS SEMENCES, RACINES, ECORCES, FOURRAGES ET EPICES.	
251	Câpres préparées d'une manière quelconque ..... K.P.L.	3,64
252	Ail, en vrac, en bottes ou en chapelets ..... K.P.B.	1,12
253	Arbustes, arbres et plantes vivantes, de toute espèce:	
/1	pour jardins ..... K.P.B.	1,40
/2	pour potagers, prairies, vergers et pour l'agriculture en général	fr nchise
254	Baies, grains, fruits, chardons, graines, noix et autres espèces convenant pour la cuisine, la médecine, l'industrie et pour autres usages:	
/5	vanille (gousses) ..... K.P.L.	62,16
/7	cardamomes (graines) ..... K.P.L.	16,80

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
254 suite		
/9	cumin (graines) .....K.P.L.	1,68
/14	noix de kola .....K.P.L.	1,68
/20	noix muscades .....K.B.L.	7,00
/25	baies de sureau .....K.P.L.	1,54
/28	graines à ensemencer pour potagers et vergers .....K.P.L.	0,70
/29	N.d.:	
	graines de graminées	franchise
	graines de trèfle	franchise
	pommes de terre de semence, avec certificat	franchise
258	Ecorces et bois:	
/1	de cannelle (y compris la cassia lignea) ..... K.P.B.	0,20
/2	de bois de campêche ..... K.P.B.	0,42
/3	Pour la médecine, l'industrie et autres usages, écorces de quinine K.P.L.	2,66
261	Champignons secs, frais ou conservés ..... K.P.L.	4,20
	ex.-Truffes ..... K.P.L.	4,20
262	Condiments et sauces préparés tels que:-curry, moutarde conservée et autres n.d., liquides, en masse, pâte ou poudre ..... K.P.L.	7,28

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
263	Clous de giroflo ..... K.P.B.	1,82
266	Feuillos, fleurs, herbes, tiges, joncs, mousses, lichens, algues, jets et autres espèces similaires, pour la cuisine, la médecine, l'industrie et pour autres usages:	
/4	romarin (fleurs) ..... K.P.L.	2,52
/6	lavande (fleurs) ..... K.P.L.	1,54
/9	henné (feuilles) ..... K.P.L.	14,84
/10	houblon (fleurs ou cônes)..K.P.L.	1,26
/11	macis ou fleurs de noix muscades (arille) .....K.P.L.	12,32
	Mauves:	
/12	fleurs .....K.P.L.	5,18
/13	feuilles .....K.P.L.	2,94
/14	pavot blanc, noir ou rouge (fruit) .....K.P.L.	4,06
267	Tabac:	-
/1	Feuilles .....K.P.B.	17,50
270	Poivre:	
/1	asiatique, blanc ou noir, en grains ..... K.P.B.	1,12
/2	asiatique, blanc ou noir, en poudre ..... K.P.L.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
271	Piments et poivrons:	
/1	frais, secs ou salés, entiers ou en morceaux ..... K.P.L.	2,24
/2	en poudre, conservés, additionnés ou non de fruits ou de légumes, ou préparés de toute autre manière K.P.L.	7,28
272	Racines, bulbes et tubercules pour la cuisine, la médecine, l'industrie et pour autres usages:	
/2	Guimauve, avec ou sans écorce ou râpée ..... K.P.L.	2,24
/3	curcuma ou gingembre, blanc ou jaune (racine) ..... K.P.L.	2,52
/4	Chiendent ..... K.P.L.	2,24
/7	Iris ..... K.P.L.	2,38
/8	Rhubarbe ..... K.P.L.	18,62
/10	Salsepareille ..... K.P.L.	7,42
/11	Valériane ..... K.P.L.	3,78
273	Toutes épices, n.d. fraîches, sèches ou conservées ..... K.P.L.	8,12
	CLASSE 10	
	JUS OU SUCRES VEGETAUX, BOISSONS ALCOOLIQUES ET FERMENTES, AINSI QU'AUTRES LIQUIDES	
276	Boissons alcooliques:	
	Whisky: des types connus comme d'Ecosse, Bourbon et Rye et la combinaison de ces deux derniers, d'une teneur alcoolique ne dépassant pas 45°:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
276 (suite) /6	en bouteilles ..... K.P.L.	9,52
	d'une teneur alcoolique dépassant 45°:	
/8	en bouteilles ..... K.P.L.	13,16
/10	Gin:	
	en bouteilles ..... K.P.L.	7,14
	Gommes, gommes-résines, résines et baumes naturels:	
	Gommes arabique, d'acacia, du Sénégal ou de Yambo:	
/6	Solide ou en larmes .... K.P.L.	1,68
/18	Laque en masse, blocs, paillettes ou écailles ..... K.P.L.	1,75
	Résine de pin:	
/21	de Bourgogne ..... K.P.L.	0,74
/22	Colophane (résine commune) K.P.B.	185,82
/23	Noire ou brai ou de toute autre qualité ..... T.P.B.	185,82
	ex - Gommes de Kauri ..... K.P.L.	2,24
	Térébenthine:	
/26	Bordeaux ou ordinaire .... K.P.B.	0,70
/30	N.D. (y compris "Button lac") K.P.L.	3,25
283	Liqueurs de toute qualité:	
/2	en bouteilles ..... K.P.L.	9,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
286	Huiles fixes liquides:	
	d'olive ou huile douce:	
/12	purifiée ou raffinée .... K.P.L.	2,94
290	Vinaigre:	
/2	composé ou pour conserves, tel que celui aromatisé à l'estragon et similaires ..... K.P.L.	2,80
291	Vins:	
	mousseux:	
/7	de Champagne d'origine .. K.P.L.	8,68
	CLASSE 11	
	BOIS:	
	Ouvrages:	
322	Bobines, canettes ou tubes, en bois de toutes sortes:	
/1	Petit, simple, pour enrouler le fil, la ficelle ou la soie torse ..... K.P.L.	1,40
/2	Grands ou petits, tout en bois ou en bois et carton, avec ou sans parties en métal commun, pour machines de filature, de bonneterie et de tissage ..... K.P.L.	2,24
	CLASSE 12	
	CANNES DE L'INDE ET AUTRES, BAMBOU, JONC, OSIER ET LIANES.	
	Bruts ou préparés:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
370	Jonc ou rotin:	
/1	bruts ..... K.P.B.	2,80
/2	refendus, passés à la filière ou préparés d'une autre manière quelconque ..... K.P.B.	9.80
	CLASSE 13	
	COIR, SPARTE, CHANVRE DE MANILLE, KAPOK, PAILLE, PIASSAVA, PITE, SISAL OU AGAVE ET AUTRES MATIERES VEGETALES SIMILAIRES	
	Bruts, préparés ou peignés, séranoés ou traités d'une façon quelconque, teints ou non.	
396	Sparte et chanvre de Manille T.P.B.	238,00
	Ouvrages:	
406	Paniers, cabas et étuis:	
	à ouvrage, de voyage et pour autres usages:	
/1	Simples ..... K.P.L.	10,92
/2	Brodés, ornés ou doublés K.P.L.	22,54
/3	Grands, pour linge, transport de bouteilles, de charges et similaires ..... K.P.B.	3.64
/4	Pour papier, emplettes, couverts et similaires ..... K.P.L.	10,92
/5	Ordinaires, pour terrassements et similaires ..... K.P.B.	0,35

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
		CLASSE 14	
		COTON	
		Ouvrages:	
432		Tapis et carpettes ..... K.P.L.	21,84
473		Dentelles:	
	/1	en tulle brodé avec une matière quelconque ..... K.P.B.	218,40
	/2	de toute autre qualité, brodées avec une matière quelconque K.P.B.	136,50
474		Confections:	
		Simples:	
	/6	Cols de chemises ..... pièce	1,40
		N.d.:	
	/12	en tout autre tissu	Double des droits du tissu respectif plus 10 %
	/13	Brodées ou ornées	Droit des confections simples respectives plus 10 %
		CLASSE 15	
		LIN, JUTE, CHANVRE ET RAMIE	
		Ouvrages:	
511		Draps de lit, couvre-lits et courtepointes, taies d'oreiller,	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
511 (suite)	serviettes de toilette et de table et similaires, en lin pur, coupés ou en pièces à couper:	
/1	Simples, droits du tissu respectif plus 10 %	Réduction de 10% des droits de douane.
/2	Brodés ou ornés (y compris broderie à fils tirés et points de croix faits à la main) - droits du tissu brodé plus 10 %	Réduction de 10% des droits de douane.
522	Dentelles (lin)	
/1	en pièces ..... K.P.R.	145,60
/2	en applications coupées ... K.P.R.	175,00
523	Confections: (lin)	
	Simples:	
	Chemises pour les deux sexes:	
/1	en tout tissu unies ou plissées ..... pièce	19,11
/2	les mêmes, avec plastron de soie ou rayonne ..... pièce	27,30
/3	caleçons et caleçons courts pièce	10,92
/4	Cols de chemises ..... pièce	1,05
/5	Plastrons de chemises, unis ou plissés ..... K.P.R.	43,68
/6	Poignets de chemises .. paire	2,20
	N.d.:	
/7	en dentelles ..... K.P.R.	327,60

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 16	
	PAPIERS ET SES APPLICATIONS	
545	Livres:	
	de lecture, y compris les almanachs et éphémérides, journaux, périodiques et revues:	
/3	en feuilles détachées, brochés, cartonnés ou reliés, avec couverture recouverte de papier et dos de drap ou de cuir	Franchise
/4	avec couverture recouverte de cuir ou de tissu de coton, de laine ou de lin ..... K.P.L.	1,54
556	Papier:	
	en feuilles, bobines ou rouleaux:	
/3	"Standard" pour impression de journaux	Franchise
	crêpon, gaufré, cristal, ou glaçine, stéarine, huilé, paraffiné, de soie, végétal, imperméables à la graisse, stencil pour mimégraphes et similaires:	
/13	blanc .....K.P.L.	2,80
/14	coloré par tout procédé ..K.P.L.	2,94
/15	imprimé ..... K.P.L.	4,20
/20	hygiénique, seulement en bandes pointillées ou en rectangles K.P.B.	1,60
	sensibilisé:	
/29	aux sels d'argent ou de platine et autres, pour la photographie K.P.L.	7,28

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
556 (suite)	en rouleaux, pour tapisser:	
/31	imprimé, peint ou teint, lisse, grainé ou maroquiné ..... K.P.L.	13,30
/32	imprimé, peint ou teint, velouté K.P.L.	20,44
564	Tous autres articles n.d.:	
	feuilles à cigarettes:	
/10	à bout ambré ou non ..... K.P.L.	5,18
	CLASSE 17	
	PIERRES, TERRES, MINERAIS ET AUTRES PRODUITS MINERAUX	
566	Eaux minérales naturelles ou artificielles:	
/2	pour la table ..... K.P.L.	1,40
567	Albâtre, marbre, porphyre et pierres similaires naturelles ou artificielles:	
	à l'état brut:	
/2	Marbre en blocs ou morceaux, dégrossis ou sciés ..... M. 3	252,00
569	Amiante ou asbeste:	
/1	à l'état brut	franchise
/2	en fibres	franchise
	Ouvrages:	
/7	Fils retors ou cordages ....K.P.L.	4,80

LISTE XII - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
569 (suite)		
/8	Carton de moulage, feuilles, plaques, carton de collage, même coupé de toutes formes ou façons et tubes profilés ou non, avec ou sans fil métallique intérieur ..... K.P.L.	3,20
/9	Tissus et articles tels que:	
	rondelles, rubans, bourrages et analogues avec ou sans fil métallique intérieur ..... K.P.L.	6,47
/10	Vêtements et autres articles en tissu, n.d. ..... K.P.L.	10,68
574	Asphalte ou bitume, naturel ou artificiel :	
/1	brut ou impur, contenant jusqu'à 50% de substance bitumineuse soluble en sulfure de carbone ou chloroforme ..... T.P.R.	218,40
/2	brut ou impur, contenant plus de 50% jusqu'à 98% de substance bitumineuse soluble en sulfure de carbone ou chloroforme ..... T.P.R.	436,80
/3	raffiné ou contenant plus de 98% de substance bitumineuse soluble en sulfure de carbone ou chloroforme T.P.R.	546,00
579	Charbons minéraux ou fossiles, ainsi que produits solides, demi-solides et liquides provenant de leur distillation:	
	Anthracite:	
/1	en vrac ou à l'état brut	Franchise
	Houille:	
/1	en vrac ou à l'état brut .... T.P.R.	20,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
579 (suite)	Préparés pour l'électricité, avec ou sans accessoires en cuivre, fils ou bornes de raccord:	
/9	crayons pour lampes ..... K.P.L.	2,45
	Blocs ou pièces électrodes, pesant:	
/10	jusqu'à 30 kil. ..... K.P.R.	0,70
/11	plus de 30 kil. ..... K.P.R.	0,35
/12	Balais et plaques ..... K.P.L.	1,96
582	Ciments:	
/2	magnésien ou blanc ..... T.P.R.	145,60
584	Chromite (chromo-ferrite ou sidérochrome naturel):	
/1	à l'état brut	Franchise
/3	Briques ou pièces pour construction de poêles ou fours ..... T.P.R.	319,20
587	Emeri et commun, naturels, ou artificiels et similaires, tels qu'alundum, carborundum, silfax, silite, silindum et autres:	
/1	en roche ou briques; meules et autres pièces de toute forme ou façon, pour aiguiser, affiler et autres usages ..... K.P.L.	2,24
/2	granulé, adhérant à des tissus K.P.L.	3,64
599	Pétrole (huile minérale, naturelle ou huile de pierre) et produits solides, semi-solides ou liquides provenant de sa distillation:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
599 (suite)	Graisses minérales:	
/4	naturelles, noires (pour lubrification et autres usages) d'une couleur plus foncée que le No 7 N.P.A. du colorimètre susvisé, avec matière fondue .....T.P.B.	291,20
	autres:	
	Huile de vaseline, également appelée huile de paraffine, vaseline liquide et huile blanche, y compris l'huile pour transformateurs, interrupteurs, commutateurs et autres appareils électriques:	
/12	montrant une coloration égale ou supérieure à N. plus 22 du chromatomètre de Saybolt (A.S.T.M.) ..... K.P.L.	1,12
/13	Montrant une coloration égale à N. plus 15 et au-dessus jusqu'à N. plus 22 exclus du chromatomètre de Saybolt (A.S.T.M.) K.P.L.	0,70
/14	pour transformateurs, commutateurs, interrupteurs, et autres appareils électriques dont la coloration est inférieure à N. plus 15 du chromatomètre de Saybolt (A.S.T.M.) ..... T.P.L.	329,00
/15	N.d. ..... K.P.L.	1,82
	Paraffine:	
/16	à usage scientifique ou médicinal K.P.L.	2,52
/17	à usage industriel et autres K.P.L.	1,96

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 18	
	FAIENCE,(LOUÇA) ET VERRE	
	Faïence:	
620	Isolateurs pour poteaux téléphoniques, télégraphiques ou de transmission électrique, avec ou sans accessoires en métal commun ..K.P.L.	3,64
622	Objets de fantaisie ou d'ornement, pour dessus de table, jardins, murs ou plafonds, tels que bobèches, bustes, cache-pots, candélabres, cendriers, colonnes, statues, figurines, porte-fleurs, statuettes, porte-bouquets ou vases à fleurs, lustres, médaillons, piédestaux, boîtes à poudre de riz, pulvérisateurs et flacons de toilette, ainsi qu'objets similaires:	
/2	en faïence ns. 3 et 4 .... K.P.L.	21,84
624	Tuiles:	
/1	faïence n.s. 1 et 2 ..... K.P.L.	3,64
/2	idem ns. 3 et 4 ..... K.P.L.	7,28
625	Tous ouvrages n.d.: pour usages domestiques:	
/5	N.1 ..... K.P.R.	3,22
/6	N.2 ..... K.P.R.	4,20
/7	N.3 ..... K.P.R.	5,60
/8	N.4 ..... K.P.R.	7,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
625 (suite)	pour installations sanitaires:	
/9	N.1 ..... K.P.R.	2,52
/10	N.2 ..... K.P.R.	2,80
/11	N.3 ..... K.P.R.	5,04
/12	N.4 ..... K.P.R.	5,60
	NOTE: La faïence N.1 est celle de poudre de pierre ou de granit blanche, La faïence N.2 est celle de poudre de pierre ou de granit, d'une ou de plusieurs couleurs, avec ou sans dorure. La faïence N.3 est la porcelaine blanche. La faïence N.4 est la porcelaine d'une ou de plusieurs couleurs, avec ou sans dorures, ainsi que le biscuit ou son imitation, blanc ou de couleur, avec ou sans dorures.	
	Verre:	
	Ouvrages:	
631	Parures et autres objets similaires d'ornement personnel .....K.P.L.	43,68
635	Perles ou conteries et verroteries, blanches, de couleur, dorées ou argentées:	
	Massives:	
/1	Simples ..... K.P.L.	7,28
/2	Taillées ..... K.P.L.	14,56
/3	Creuses ou cylindriques ..... K.P.L.	24,78
/4	Verroteries ..... K.P.L.	35,84

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des produits	Droit
638	Bouteilles, flacons et pots:	
	en verre ordinaire, foncé, bleuâtre, verdâtre et dit noir:	
/1	sans bouchon ni ouverture émerisés ..... K.P.L.	1,12
/2	avec bouchon ou ouverture émerisés ..... K.P.L.	1,40
	en verre ordinaire, blanc, laiteux ou de couleur:	
/3	sans bouchon ni ouverture émerisés ..... K.P.L.	2,24
/4	avec bouchon ou ouverture émerisés ..... K.P.L.	2,94
	en verre d'autre qualité, blanc, laiteux ou de couleur (flacons et pots):	
/5	avec ornements moulés et ceux émerisés ou dépolis .... K.P.L.	4,34
/6	gravés par tout procédé et ceux taillés ..... K.P.L.	6,58
640	Isolateurs en verre ordinaire, blanc, foncé, verdâtre ou bleuâtre, pour poteaux téléphoniques ou télégraphiques, avec ou sans accessoires en métal commun ..... K.P.L.	3,64
641	Carreaux:	
/1	grossiers, blancs ou verdâtres K.P.L.	0,98
/2	tous autres n.d., y compris ceux juxtaposés et réunis au moyen d'une matière isolante ... K.P.L.	2,06

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
644	Objets de fantaisie ou d'ornements pour dessus de tables ou pour fixer au mur, tels que: Bustes, cache-pots, cendriers, colonnes, statuettes, figurines, porte-fleurs, porte-bouquets, vases de fleurs, médaillons, piedesteaux, boîtes à poudre de riz, pulvérisateurs de parfums, flacons de toilette, et articles similaires:	
1/	En verre No 1 ..... K.P.L.	8,82
	En verre No 2 ..... K.P.L.	13,16
646	Tuiles de toutes formes, en verre blanc ou verdâtre ..... K.P.L.	0,70
	CLASSE 19	
	ALUMINIUM, PLOMB, ETAIN ET ZINC AINSI QUE LEURS ALLIAGES	
	Plomb:	
	Brut ou préparé:	
677	barres, lingots, saumons et pains ..... T.P.L.	322,00
	Etain:	
	Brut ou préparé:	
696	lingots et saumons ..... K.P.L.	1,82
	Ouvrages:	
704	Tuyaux et tubes, droits, courbes ou en spirale ..... K.P.L.	1,96
	Zinc:	
	Brut ou préparé:	
716	Lingots et saumons ..... T.P.L.	182,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
718	Pur ou purifié, en cylindres, grenaille ou tiges .....K.P.R.	12,60
	CLASSE 20	
	CUIVRE ET NICKEL, AINSI QUE LEURS ALLIAGES	
	Cuivre:	
	Brut ou préparé:	
735	Coulé ou fondu: blocs, plaques, cubes, lingots, saumons et pains T.P.B.	196,00
	Ouvrages:	
739	Parures et autres objets similaires d'ornement personnel K.P.L.	43,68
756	Cannetille et paillettes ..K.P.L.	40,88
791	Ouvrages non classifiés:	
/1	pour dessus de table, mur ou plafond, d'ornement ou de fantaisie K.P.L.	32,76
/2	pour bureau, service de table et autres usages ..... K.P.L.	26,32
	N.d.:	
/4	simples, vernis ou peints .K.P.L.	13,16
	CLASSE 21	
	FER ET ACIER, AINSI QUE LEURS ALLIAGES	
	Bruts ou préparés:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
802	Paille ou filaments grossiers (laine minérale):	
/1	gros, pour le nettoyage des parquets et pour usages similaires K.P.L.	1,40
/2	gros, sous forme de tampons ou fins, sous toute forme ..K.P.L.	3,64
804	Soudure en poudre et en plaques, fil ou baguettes, avec ou sans revêtement ..... K.P.L.	0,56
810	Hameçons simples ou galvanisés, pesant par mille:	
/1	jusqu'à 500 gr. ..... K.P.L.	16,24
/2	plus de 500 gr. jusqu'à 1 kil. K.P.L.	14,42
/3	plus de 1 jusqu'à 10 kil. K.P.L.	11,48
/4	plus de 10 kil. ..... K.P.L.	8,12
	Ouvrages:	
818	Coffres-forts ou coffres, ayant dans la plus grande dimension:	
/2	plus de 50 jusqu'à 75 cm. .pièce	560,00
/3	plus de 75 jusqu'à 100 cm. pièce	709,80
/4	plus de 100 jusqu'à 125 cm. pièce	1.037,40
/5	plus de 125 jusqu'à 150 cm. pièce	1.365,00
/6	plus de 150 jusqu'à 175 cm. pièce	1.692,60
/7	plus de 175 cm. ..... pièce	2.047,50
821	Chaises:	
/1	communes ou de garniture ...pièce	29,12
/2	basculantes ..... pièce	87,36
/3	à colonne, pour bureaux... pièce	58,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
824	Lits ..... pièce	72,80
843	Fil:	
/1	barbelé, galvanisé ..... T.P.B.	183,40
	Nu, simple ou galvanisé, ayant en diamètre:	
/2	jusqu'à 1 mm. ..... K.P.L.	0,98
/3	plus de 1 jusqu'à 3 mm. .. K.P.L.	0,84
/4	plus de 3 jusqu'à 6 mm. .. K.P.L.	0,70
	ex - crampons galvanisés pour clôture ..... T.P.B.	183,40
849	Tables ..... pièce	29,12
851	Meubles et mobilier n.d. ainsi que leurs pièces détachées respectives K.P.L.	3,64
861	Ouvrages non classifiés:	
/6	seaux simples, vernis, galvanisés ou peints ..... K.P.L.	2,80
/7	grands récipients, cylindres ou tubes, (exceptés ceux en fer-blanc), pour le transport de marchandises, simples, vernis, imprimés, galvanisés ou peints K.P.L.	1,40
	CLASSE 22	
	OR, PLATINE ET ARGENT AINSI QUE LEURS ALLIAGES	
	Argent:	
	Ouvrages:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
886	Articles pour église:	
/1	avec perles ou avec brillants, émeraudes, opales, rubis ou saphirs ..... Gr.P.R.	46,62
/2	simples ou filigranés .. K.P.R.	145,60
887	Cannetilles, dentelles et festons:	
/1	blancs ou simplement en argent ..... K.P.L.	140,00
/2	dorés ..... K.P.L.	182,00
	CLASSE 23	
	METALLOIDES ET METAUX DIVERS	
894	Antimoine ou régule d'antimoine en disques, lingots ou pains:	
/1	à usage industriel et autres	Franchise
/2	pour analyse ou à usage scientifique	Franchise
902	Cadmium	
/1	barres, bâtons, cylindres ou lingots ..... K.P.L.	1,89
/2	granulé ..... K.P.L.	5,60
/3	pour analyse et usage scientifique ..... K.P.R.	11,13
907	Cobalt:	
/1	cubes, feuilles, lingots ou grenailles ..... K.P.L.	9,31
/2	poudre ..... K.P.L.	29,75

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
907 (suite)		
/3	purifié, raffiné ou pur .. K.P.R.	44,59
908	Chrome ..... K.P.L.	56,00
909	Soufre:	
/1	barres, canons, cylindres, morceaux ou fragments ..... T.P.B.	21,63
/2	moulu ou broyé ..... T.P.B.	42,00
/3	sublimé, ou fleur de soufre K.P.L.	0,21
/5	pour analyses ou autres usages scientifiques ..... K.P.L.	1,89
913	Iode:	
/1	brut ou impur, jusqu'à 85 %	Franchise
/2	pur, sublimé, bisublimé ou resublimé	Franchise
923	Radium et produits radifères	1 % ad val.
	CLASSE 24	
	MATIERES PREMIERES ET PREPARATIONS DIVERSES POUR LES INDUSTRIES DE LA PARFUMERIE, DES COULEURS, DE LA TEINTURERIE, DU TANNAGE ET POUR AUTRES USAGES	
936	Engrais chimiques minéraux ou organiques, naturels ou artificiels, tels que cyanamide calcique, scories Thomas, guanos artificiels, nitrates impurs de potasse et de soude ou salpêtre du Chili, sulfonitrate d'ammonium, superphosphate de calcium minéral ou d'os et autres engrais, simples	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
936 (suite)	ou composé, reconnus d'application en agriculture	Franchise
942	Charbons actifs, tels que Anti-chromos, Carboraffine, Esbit, Hydraffine, Norit, Purit, Suchar et similaires ..... K.P.L.	0,56
945	Cellulose:	
/1	En feuilles, plaques, masses ou pâte, mécanique ou chimique T.P.B.	119,70
946	Présure:	
/1	Liquide ..... K.P.L.	0,21
/2	En poudre ou en comprimés.. K.P.L.	0,70
950	Couleurs et colorants: Minéraux ou pigments, naturels ou artificiel:	
	Blancs:	
/15	de Titane :	
	jusqu'à 50% d'oxyde de titane ..... K.P.L.	0,70
	plus de 50 jusqu'à 75% d'oxyde de titane .... K.P.L.	0,70
	plus de 75 jusqu'à 90% d'oxyde de titane .... K.P.L.	0,84
	plus de 90% d'oxyde de titane ..... K.P.L.	1,05
/15	de Lithopone ..... K.P.L.	0,60
	Noirs ou tête de nègre:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
950 (suite) /16	Noir de fumée ou noir de charbon ..... K.P.L.	0,70
/23	Couleurs organiques artificielles ou dérivées du goudron de houille, telles qu'alizarine, aniline, anthracène, naphtaline et similaires, en cristaux, morceaux, poudre, pâte ou solution concentrée ou non ..K.P.R.	7,42
951	Désincrustants pour chaudières, solides ou liquides, a base d'extraits tanniques, de carbonates, chlorures et autres n.d. ..... K.P.L.	1,12
952	Dissolvants et diluants:	
	Térébenthine:	
	Naturelle ou essence de térébenthine:	
/2	Commune ..... K.P.L.	0,35
	Artificielles ou d'origine minérale:	
/3	Ether de pétrole, patent-oil, pétro-ras, sangajol et similaires, et ceux provenant de la distillation du pétrole, hydrogénés ou non, n.d. et employés comme solvants et diluants ..... K.P.L.	0,70
/5	Diéthylphtalate ..... K.P.L.	2,94
/6	Acétates d'amyle, butyle, éthyle, méthyle ou propyle ..K.P.L.	3,78

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
954	Essences (Huiles éthérées, volatiles ou essentielles):	
	pour la parfumerie:	
/3	d'acacia, ambre gris, canelle, gelsémine, géranium, héliotrope, iris, jacinthe, lilas, mimosa, narcisse, opoponax, réséda, rose, tilleul, trèfle, violette, ylangylang et autres n.d. ..... K.P.B.	30,80
	naturelles, déterpénées ou non:	
/4	Romarin ..... K.P.B.	15,40
/11	Canelle ..... K.P.B.	40,88
/14	Citronelle ..... K.P.B.	20,44
/16	Girofle ..... K.P.B.	20.44
/18	Fleurs d'oranger ..... K.P.B.	509,60
/20	Géranium ..... K.P.B.	101,92
/32	Noix muscade ..... K.P.B.	25,48
/39	n.d. ..... K.P.B.	40,88
955	Ethers de cellulose:	
/1	acétyl-cellulose ou acétate de cellulose, en poudre ou grumeaux ..... K.P.L.	4,20
956	Extraits:	
/1	aromatiques, composés ou bouquets contenant de 60 à 92 % d'alcool ..... K.P.B.	36,40
970	Parfums synthétiques ou produits chimiques aromatiques, solides ou liquides:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
970		
/2	Terpinol ..... K.P.R.	5,46
/3	Thymol ..... K.P.R.	7,28
/4	Vanilline ..... K.P.R.	21,84
/5	Anétol, citral, citronnellal, citronellol, carnacrol, carvone, eucalyptol, eugénol, phenone, fragarol, géraniol, héliotropine, ionone, jasmone, linalol, nérol, néroline, rhodinol, safrol, santalol, thuione, iara et autres n.d., à l'exception de cumarine, menthone et menthol .....K.P.R.	10,92
971	Parfumerie:	
/1	Eaux de cologne, de floride et similaires; lotions et toniques pour les cheveux, sels et vinaigres aromatiques ..... K.P.L.	34,94
/2	Extraits pour le mouchoir .. K.P.L.	46,59
/3	Lance-parfums ..... K.P.L.	34,94
/4	Pour la barbe, la bouche, les cheveux, les dents et les mains, telles que: bandolines, brillantines, cosmétiques, dentifrices, "lentilhas", huiles, pâtes, pommades, sous tout état ou forme, vaselines et autres n.d. ..... K.P.L.	29,12
/5	Pour la beauté des cils, des lèvres, des yeux, de la peau, du visage, des ongles, pour atténuer la sueur et la mauvaise odeur des aisselles et pour la teinture des cheveux, telles que cires, crèmes, dépilatoires, émaux, crayons,	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
971 (suite)		
/5	poudres de riz, solutions, teintures et similaires .....K.P.L.	40,77
/6	Pour le bain, pour brûler, volatiliser, pulvériser ou pour l'hygiène intime, telles que comprimés, cristaux, pastilles, solutions, trochisques ou poudre, crayons ou petites briques d'alun et talcs .... K.P.L.	23,30
973	Plastifiants:	
/1	Tricrésyl-phosphate et triphényl-phosphate ..... K.P.L.	3,78
974	Préparations:	
	anti-cryptogamique, contre les tiques, désinfectantes, formicides, insecticides et similaires, liquides, en pâte ou en poudre:	
/1	pour détruire les insectes de l'agriculture, guérir la gale et les autres maladies parasitaires, exterminer les tiques du bétail et pour usages similaires .....K.P.L.	0,14
/13	chimiques n.d., pour l'industrie textile ..... K.P.L.	6,02
977	Savons, "sapolios", produits saponacés et similaires:	
/1	Commun, ordinaires, ou durs, pour usage domestique, en barres, blocs, paillettes ou plaques, marbrés ou colorés K.P.L.	2,91
/1	Blancs comme les savons de Marseille ..... K.P.L.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
977 (suite)		
/3	Spéciaux pour l'industrie:	
	Igepon ..... K.P.L.	5,16
979	Matières tannantes synthétiques K.P.L.	1,40
982	Couleurs et encres:	
	Préparées à l'huile:	
/6	Liquides, prêtes à l'emploi, ne nécessitant pas l'addition d'un solvant ou de diluants, produisant sur la surface peinte un achèvement ordinaire, opaque ou de peu d'éclat, pouvant contenir jusqu'à 2 % de résine naturelle ou artificielle..K.P.L.	1,63
	Préparées à base d'esters de cellulose:	
/7	En pâte, sombres ou opaques, pour premières couches dites Préparation, Surfacer, Putty et similaires ..... K.P.L.	3,27
	CLASSE 25	
	PRODUITS CHIMIQUES, INORGANIQUES ET ORGANIQUES	
990	Acétates et sous-acétates:	
/6	de calcium ..... K.P.R.	1,12
/8	de cobalt ..... K.P.R.	6,30
994	Acides:	
	Minéraux ou inorganiques:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
994 (suite)	borique:	
/2	pour analyses ou usages scientifique ou médical ..... K.P.R.	3,22
/3	pour usages industriels et autres ..... K.P.R.	2,10
	phosphorique:	
/10	glacial ..... K.P.R.	5,18
	Ordinaire:	
/12	liquide ou sirupeux ..... K.P.R.	1,12
	organiques:	
	benzoïque:	
/35	pour analyses ou usages scientifiques ou médicinaux ..... K.P.R.	24,22
/36	pour usages industriels et autres ..... K.P.R.	4,48
	salicylique:	
/79	pour analyses ou applications scientifiques et médicinaux K.P.R.	5,04
/82	sulphanilique ..... K.P.R.	3,78
996	Sucres et édulcorants naturels et artificiels:	
/3	Lactose (sucre de lait) ..... K.P.R.	1,54
/7	Saccharine (sucre de houille) K.P.R.	12,72
1005	Ammoniaque:	
/2	comprimée ou liquifiée ..... K.P.R.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1006	Anhydrides:	
	arsénieux ou arsenic blanc:	
/2	pour usages industriels .... K.P.R.	1,40
/8	phtalique ..... K.P.R.	4,20
1007	Aniline ou huile d'aniline ..... K.P.R.	1,89
1010	Anthracène:	
/1	pour analyses ou usages scientifiques ..... K.P.R.	86,66
/2	pour usages industriels et autres ..... K.P.R.	7,42
1014	Arséniates:	
/2	de plomb ..... K.P.R.	0,24
1015	Arsénites:	
/15	de sodium ..... K.P.R.	1,47
1020	Benzoates:	
/11	de sodium ..... K.P.R.	3,78
1033	Carbonates:	
	Acides ou bicarbonate	
/4	de sodium (bicarbonate de soude) ..... K.P.R.	0,70
	Neutres:	
/13	d'ammonium ..... K.P.R.	2,24
/17	de cuivre ..... K.P.R.	3,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1042	Chlorures:	
	d'ammonium:	
/4	pour analyses ou usages médicaux ou scientifiques ..... K.P.R.	3,08
/5	pour usages industriels et autres ..... K.P.R.	1,40
/14	de calcium ..... K.P.R.	0,70
/28	d'éthyle ..... K.P.R.	11,20
	Potassium:	
/48	pour analyses ou applications scientifiques et médicinales K.P.R.	1,40
	de sodium:	
/54	pour analyses ou applications scientifiques et médicinales K.P.R.	1,40
	de zinc:	
/58	pour analyses ou usages scientifiques ou médicaux ..... K.P.R.	1,26
/59	pour usages industriels et autres ..... K.P.R.	0,72
1052	Diéthyleneglycol ou glycol diéthylenique ..... K.P.R.	1,12
1066	Diortholuèneguanidine ..... K.P.R.	1,54
1076	Ethyleneglycol ou glycol éthylique:	
2/	pour usages industriels et autres ..... K.P.R.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1080	Phénilènediamines:	
	Para:	
/4	pour analyses ou usages scientifiques .....K.P.R.	14,00
/5	pour usages industriels et autres ..... K.P.R.	5,60
1085	Ferricyanures:	
/3	de potassium (prussiate rouge)..... K.P.R.	2,80
/4	de sodium ..... K.P.R.	2,80
1086	Ferrocyanures:	
/4	de potassium (prussiate jaune) ..... K.P.R.	1,54
/5	de sodium ..... K.P.R.	1,54
1093	Phosphates:	
	de calcium:	
/4	acide ou monobasique ..... K.P.R.	2,10
	neutre ou bibasique:	
/5	pour analyses ou usages scientifiques ou médicaux ..... K.P.R.	3,92
/6	pour usages industriels et autres ..... K.P.R.	2,10
/7	basique ou tribasique ..... K.P.R.	2,94

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1119	Mercaptobensothiasol	K.P.L.	2,52
1137	Nitrates ou azotates:		
/2	d'ammonium	K.P.R.	1,54
	de plomb:		
/12	pour analyses ou usages scientifiques	K.P.R.	0,98
/13	pour usages industriels et autres	K.P.R.	0,42
	Potassium:		
/28	pour analyses ou applications scientifiques et médicinales	K.P.R.	1,12
	Sodium:		
/31	A usages industriels et autres	T.P.R.	182,00
1159	Oxychlorures:		
/3	de cuivre	K.P.R.	7,42
1160	Oxydes (mono, proto ou sesqui) d'antimoine:		
/1	pour analyses ou usages scientifiques et médicaux	K.P.R.	4,48
/2	pour l'industrie et autres usages	K.P.R.	0,77
	de cobalt:		
/13	pour analyses ou usages scientifiques et médicaux	K.P.R.	21,84
	pour usages industriels et autres:		

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1160 (suite)			
/14	bleu	K.P.R.	20,72
/15	noir	K.P.R.	8,40
	de zinc ou blanc de zinc:		
/42	pour usages industriels et autres	T.P.R.	770,00
1171	Perborate de sodium	K.P.R.	1,54
1181	Pyrophosphates:		
/2	de sodium	K.P.R.	0,91
1197	Sulfates:		
/6	d'antimoine	K.P.R.	0,77
/15	de cobalt	K.P.R.	11,90
/34	de Potassium	K.P.R.	0,84
	Sodium:		
	neutres (ou sels de Glauber):		
/36	à usages industriels et autres	T.P.R.	59,50
/38	de zinc	K.P.R.	0,96
1207	Sulfures:		
	d'antimoine:		
/2	trisulfure	K.P.R.	2,24
	pentasulfure ou soufre doré d'antimoine:		
/3	pour analyses ou usages scientifiques et médicinaux	K.P.R.	7,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Taux
1207 (suite)			
/4	pour usages industriels et autres	K.P.B.	2,94
/6	de barium		Franchise
	de sodium:		
/20	pour les analyses et les usages scientifiques et médicinaux	K.P.B.	0,70
/21	pour l'industrie et autres usages	K.P.B.	0,35
1209	Tartrates: Acides ou bitartrates:		
	de potassium ou crème de tartre pour analyses ou applications scientifiques et médicinales	K.P.B.	4,62
1221	Triphénylguanidine	K.P.B.	1,96
1225	Trinitrotuluène ou trinitrotoluol	K.P.B.	0,70
1231	Xanthates ou xanthogénates:		
	de sodium:		
/2	pour usages industriels et autres	K.P.B.	1,54
	de potassium:		
/4	pour usages industriels et autres	K.P.B.	1,54
	N.d.:		
/6	éthyl	K.P.B.	1,54

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 26 DROGUES, MEDICAMENTS, CHIMIQUES ET PREPARATIONS PHARMACEUTIQUES DIETETIQUES ET AUTRES, EMPLOYEES EN MEDECINE	
1250	Alcaloïdes, leurs dérivés et sels:	
/2	apomorphine ..... Gr.P.R.	1,54
/3	arécoline ..... Gr.P.R.	0,42
/5	atropine ..... Gr.P.R.	0,70
/9	cinchonine et cinchonidine ... K.P.R.	37,24
/11	codéine (méthylmorphine) ..... Gr.P.R.	0,70
/12	colchicine ..... Gr.P.R.	17,08
/17	duboisine ou hyosciamine ..... Gr.P.R.	0,70
/19	ephédrine ..... Gr.P.R.	0,14
/21	ergotinine ..... Gr.P.R.	6,30
/23	esérine ou physostigmine ..... Gr.P.R.	2,24
/24	spartéïne ..... Gr.P.R.	0,14
/25	strychinine ..... Gr.P.R.	0,14
/28	euquinine (éthylcarbonate de quinine) ..... K.P.R.	59,50
/32	hydrastinine ..... Gr.P.R.	2,94
/34	ibogaïne ..... Gr.P.R.	2,94
/35	lobéline ..... Gr.P.R.	0,98
/37	narcéine ..... Gr.P.R.	1,12
/39	narcotine ..... Gr.P.R.	1,54

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1250 (suite)			
/40	nicotine	Gr.P.R.	0,70
/41	papavérine	Gr.P.R.	0,70
/45	quinine		Franchise
/52	thiocine ou théophylline	Gr.P.R.	0,28
/55	yohimbine	Gr.P.R.	0,14
	NOTE: les concessions ci-dessus se rapportent uniquement aux sels et non aux produits pharmaceutiques.		
1274	Chlorhydrate de mépacrine, méthane sulfonate de mépacrine, Pamaquine, Praequine, Paludrine, Quinoplasmine	K.P.R.	11,13
1293	Capsules médicinales amylacées ou gélatineuses:		
/2	d'huile de foie de morue	K.P.R.	44,52
/3	N.d.	K.P.R.	112,00
1369	Granules médicinaux:		
/1	dosimétriques	K.P.R.	182,00
/2	de humphrey	K.P.R.	327,60
/3	n.d.	K.P.R.	291,20
1382	Hexal (sulfosalicylate acide d'héxaméthylènetétramine) et Néohéxal (sulfosalicylate neutre d'héxaméthylènetétramine)	K.P.R.	74,34
1393	Injections médicinales ou solutions injectables :		

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1393 (suite)		
/1	à base de produits chimiques inorganiques ou organiques définis ..... K.P.R.	109,20
/2	à base de substances hormothérapiques ou opothérapiques ... K.P.R.	182,00
1460	Préparations:	
	désinfectantes ou antiseptiques	
/6	créoline et similaires ..... K.P.L.	1,54
1464	Quinine	Franchise
1507	Trioxyméthylène (paraforme ou paraformaldéhyde) ..... K.P.R.	2,94
1530	Drogues, médicaments chimiques et préparations de toutes sortes, pour usage interne et externe, n.d.:	
	ex-pénicilline pure	Franchise
	CLASSE 27	
	ARMEMENTS ET AUTRES OUVRAGES D'ARMURIER, MUNITIONS ET MATERIEL DE GUERRE	
1534	Canons:	
	lisses:	
/1	pour fusils ..... pièce	10,22
/2	pour pistolets ..... pièce	5,18
	rayés:	
/3	pour fusils ..... pièce	20,44

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1534 (suite)			
/4	pour revolvers, pistolets automatiques et similaires	pièce	10,22
1535	Cartouches et douilles:		
	chargées:		
/1	à plombs ou à balles	K.P.L.	5,20
/2	de poudre sèche ou de composition explosive	K.P.L.	7,80
	vides (douilles, avec ou sans capsules ou amorces):		
/3	en métal commun	K.P.L.	20,80
/4	en carton	K.P.L.	10,40
1536	Crosses:		
/1	petites, pour pistolets, revolvers et similaires	pièce	5,04
/2	grandes, pour toutes armes ..	pièce	7,70
1540	Fusils, carabines et similaires:		
	de chasse:		
	se chargeant par la bouche:		
/1	à un canon	pièce	20,80
/2	à deux canons	pièce	41,60
	se chargeant par la culasse:		
/3	à un canon	pièce	43,68

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1540 (suite)			
/4	à deux canons	pièce	87,36
/5	à trois canons	pièce	182,00
/8	pour tir à la cible, de toute qualité	pièce	36,40
1541	Amorces (espoletas):		
	pour fusils et pistolets à piston:		
/1	striées, rayées ou cannelées	K.P.L.	23,40
/2	simples ou lisses, dites BB	K.P.L.	104,00
/3	pour cartouches, dites capsules	K.P.L.	23,40
/4	N.d.	K.P.L.	15,60
1542	Mèches, cordons Bickford et similaires	K.P.L.	6,20
1553	Pistolets:		
/5	automatiques et revolvers	par coup	8,68

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
	CLASSE 28 OUVRAGES DE COUTELLERIE ET LEURS ACCESSOIRES		
1566	Ciseaux, cisailles et tondeuses:		
/1	Tondeuses pour la barbe ou les cheveux, à ressort	pièce	6,08
/2	Cisailles pour tôles ou de ferblant ier, avec ou sans ressort....	pièce	3,04
	Ciseaux pour couper les cheveux, le cuir, les tissus, les ongles et similaires, ayant:		
/3	jusqu'à 10 cms.de longueur.....	K.P.L.	61,15
/4	plus de 10 mais moins de 25 cms. de longueur	K.P.L.	30,58
/5	25 cms. ou plus de longueur.....	K.P.L.	15,29
	Pour le jardin et autres usages:		
/6	Petits, à ressort, pour couper les fleurs ou pour élaguer et similaires.....	pièce	2,55
	Grands:		
/7	avec manche en bois, métal commun et similaires, pour couper le gazon...	pièce	5,09
/8	pour émonder les arbres.....	pièce	2,55
/9	pour tondre les animaux, couper les crins ou les poils, avec ou sans ressort.....	pièce	0,98
/10	N.d.	K.P.L.	30,58

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 29	
	HORLOGERIE	
	Ouvrages:	
1575	Réveils:	
/1	avec boite en bois ou métal commun..... pièce	8,19
/2	avec boîte en albâtre, jaspe, marbre, porphyre et pierres similaires, baleine, corne, os, matières plastiques, faïence, verre et similaires, ou recouverts de cuir..... pièce	16,38
/3	avec boîte en nacre, ivoire écaille, métal doré ou argenté pièce	32,76
1576	Montres et horloges:	
	Montres ou montres-bracelets:	
	Sans complication de système:	
	en or ou en platine..... pièce	30,52
/2	en argent simple, doré ou oxydé..... pièce	12,18
/3	en métal commun..... pièce	6,16
/4	en métal commun, doré, argenté ou plaqué d'or..... pièce	9,24
	Avec complication de système, tels que chronographes, chronomètres, à répétition, à secondes indépendantes, sonnant les heures et similaires:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
1576 (suite)	/4		
	/5	en or ou platine..... pièce	91,70
	/6	en argent simples,doré ou oxydé..... pièce	24,50
	/7	en métal commun..... pièce	12,18
	/8	en métal commun,doré, argenté ou plaqué d'or... pièce	18,34
	/9	de toute sorte avec perles ou avec brillants, émeraudes,opales,rubis ou saphirs..... pièce	305,76
		Pendules à poser:	
		avec cage en bois ou métal commun ayant:	
	/10	jusqu'à 40 cms. dans la plus grande dimension..... pièce	43,68
	/11	plus de 40 cms. idem. ..... pièce	58,24
		Avec cage en albâtre, jaspe, marbre, porphyre,et pierres similaires,baleine, corne,os, matières plastiques,faïence, verre et similaires ou recouvertes de cuir, ayant:	
	/12	jusqu'à 40 cms. dans la plus grande dimension..... pièce	109,20
	/13	plus de 40 cms. idem..... pièce	182,00
		Avec cage en nacre, ivoire écaille, métal doré ou argenté, ayant:	
	/14	jusqu'à 40 cms. dans la plus grande dimension..... pièce	145,60
	/15	plus de 40 cms., idem..... pièce	218,40

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1576 (suite)			
	Pendules murales ou à suspendre, avec ou sans balancier:		
	Avec cage en bois ou métal commun, ayant:		
/16	jusqu'à 65 cms. dans la plus grande dimension.....	pièce	50,96
/17	plus de 65 jusqu'à 100 cms., idem.....	pièce	58,24
/18	plus de 100 cms., idem.....	pièce	72,80
	Avec cage en baleine, corne, os, matières plastiques, faïence, verre et similaires ou recouvertes de cuir, ayant:		
/19	jusqu'à 65 cms. dans la plus grande dimension.....	pièce	58,24
/20	plus de 65 jusqu'à 100 cms., idem.....	pièce	72,80
/21	plus de 100 cms., idem.....	pièce	94,64
	Avec cage en nacre, ivoire, écaille, métal doré ou argenté, ayant:		
/22	jusqu'à 65 cms. dans la plus grande dimension.....	pièce	87,36
/23	plus de 65 jusqu'à 100 cms. idem.....	pièce	101,92
/24	plus de 100 cms., idem.....	pièce	131,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits		Droit
1576 (suite) /24	Horloges de parquet ou en forme d'armoire:		
/25	avec cage en bois simple ou uni.....	pièce	291,20
/26	avec cage en bois doré ou argenté,avec sculpture, incrustations, marqueterbs ou ornements de toute matière autre que l'or, le platine et l'argent.....	pièce	436,80
/27	Horloges de précision ou à balancier (chronomètres)....	pièce	218,40
/28	Horloges pour surveillants, non compris la bride de cuir.	pièce	21,84
	Horloges enregistrant par la pression, avec cachet:		
/29	à poser.....	pièce	145,60
/30	portatives.....	pièce	58,24
/31	Montres pour automobiles,....	pièce	21,84
/32	Horloges pour le contrôle du service ("service recorder") et similaires.....	pièce	72,80
	Horloges pour promenades publiques,édifices et tours:		
/33	jusqu'à deux cadrans.....	pièce	364,00
/34	à plus de deux cadrans.....	pièce	728,00
	Horloges enregistreuses de fréquence du personnel de bureaux, fabriques ou ateliers:		

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1576 (suite)		
/35	imprimant sur bobines de papier.....pièce	364,00
/36	idem, sur cartons .....pièce	509,60
/37	idem, sur feuilles de paiement pièce	873,60
/38	N.d.	25% ad val.
	CLASSE 30 APPAREILS, INSTRUMENTS, MACHINES ET OBJETS DE PHYSIQUE, DE CHIMIE, DE MATHEMATIQUES ET D'OPTIQUE.	
1579	Alidades et instruments similaires:	
/1	avec pinnules ..... pièce	7,84
/2	avec lunettes..... pièce	25,90
1580	Ampèremètres, électromètres, galvanomètres, ohmmètres, voltmètres, wattmètres et similaires, pour mesures électriques... pièce	15,96
1581	Sabliers..... pièce	0,98
1582	Anémomètres et similaires, pour mesurer la vitesse des vents:	
/1	portatifs, simples ou ordinaires..... pièce	15,54
/2	N.d., y compris ceux enregistreurs, tels qu'anémographes, anémoscopes et similaires..... pièce	103,74

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1583	Appareils:	
/1	Amplificateurs électriques du son pour instruments de musique, radios, gramophones et similaires..... K.P.L.	10,36
	Photographiques ou cameras, y compris les vérascopes:	
	pour négatifs inférieurs à 13 x 18 cm., avec ou sans objectif:	
/6	pesant jusqu'à 200 gr. .....K.P.L.	37,80
/7	pesant plus de 200 jusqu'à 600 gr. .....K.P.L.	35,00
/8	pesant plus de 600 gr. jusqu'à 1 kil. ..... K.P.L.	30,80
/9	pesant plus de 1 kil. ..... K.P.L.	28,00
/10	en forme de boîte, dits Box ou Brownie, avec objectif à ménisque simple, à ouverture fixe ..... K.P.L.	18,20
/11	pour négatifs de 13 x 18 cm., avec ou sans objectif ..... K.P.L.	35,00
	Pour négatifs sur films cinématographiques, avec ou sans objectif:	
/12	pour films ayant jusqu'à 16 mm. de largeur ..... K.P.L.	42,00
/13	pour films ayant plus de 16 mm. de largeur ..... K.P.L.	35,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1583 (suite)		
/14	pour reproduction ou agrandissement..... K.P.L.	14,00
	Gazogènes:	
/15	de Briet et similaires..... K.P.L.	5,18
/16	N.d. ..... K.P.L.	2,66
	Récepteurs ou émetteurs de téléphonie, télégraphie, radiotéléphonie, radio-télégraphie ou télévision, y compris les radiogramophones, tous leurs accessoires et parties n.d.:	
/17	pesant jusqu'à 10 kil. ..... K.P.L.	17,78
/18	pesant plus de 10 jusqu'à 50 kil. ..... K.P.L.	14,28
/19	pesant plus de 50 jusqu'à 100 kil. ..... K.P.L.	10,71
/20	pesant plus de 100 jusqu'à 250 kil. ..... K.P.L.	9,52
/21	pesant plus de 250 jusqu'à 500 kil. ..... K.P.L.	7,56
/22	pesant plus de 500 kil. ..... K.P.L.	5,74
1584	Balances:	
/1	de précision ou analytiques, avec ou sans cage..... K.P.L.	14,20
/2	hydrostatiques..... K.P.L.	9,46

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
1585		Baromètres:	
	/1	de Gay-Lussac, Buten et similaires.....pièce	5,18
	/2	à cadran, de tous systèmes et de Vidi (anéroides).....K.P.L.	15,55
	/3	de Fortin, enregistreurs de Richard, barographes, thermographes et similaires..... K.P.L.	25,93
1586		Loches en métal pour navires, avec ou sans odomètre ..... K.P.L.	10,37
1587		Barres magnétiques pour boussoles ..... pièce	1,00
1588		Boussoles:	
	/1	petites, en forme de montre, pour la poche, simple ou avec méridienne ..... pièce	3,09
	/2	avec pinnules et déclinaisen pour planchettes ..... pièce	5,18
	/3	de géologie, avec boîte de métal, prismatiques et similaires..... pièce	10,37
		Grandes, d'arpenteurs:	
	/4	simples..... pièce	10,37
	/5	avec lunette et niveaux..... pièce	15,55
	/6	avec lunette, niveaux et demi-cercle ..... pièce	20,75
	/7	pour habitacle de navire et autres n.d. ..... pièce	103,70

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1589	Chaînes d'arpenteur, en métal commun.....	Droits des ouvrages n. d. selon leur qualité réduits de 35%
1590	Chambres claires avec prismes, lentilles et miroir..... pièce	15,55
1591	Cinématographes, leurs accessoires et parties n.d. K.P.L.	15,96
1592	Compas à pointes sèches ou non:	
/1	de quart de cercle, à verge, elliptiques et ceux à réduction ..... K.P.L.	25,93
/2	N.d. ..... K.P.L.	20,75
1593	Compte-fils ..... K.P.L.	15,55
1594	Compte-pas, odomètres, passimètres ou podomètres, compte-secondes et similaires, de poche ..... pièce	4,18
1595	Curvimètres ..... pièce	5,18
1596	Densimètres ou aréomètres, tels qu'alcoomètres, pèse-acides, pèse-liqueurs, pèse-sirops et similaires..... pièce	1,00
1597	Dynamomètres..... K.P.L.	4,55
1598	Echelles, mesures et règles graduées:	
/1	en acier ou en fer..... K.P.L.	4,18

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1598 (suite)		
/2	en autre métal commun.....K.P.L.	13,00
/3	en baleine, corne, os, bois ou matières plastiques et similaires.....K.P.L.	20,75
/4	en ivoire.....K.P.L.	77,80
/5	en toute matière, pour calcul, calculateurs de poche et similaires.....K.P.L.	51,80
/6	N.d. .....K.P.L.	41,50
1599	Equerres:	
	d'arpenteur:	
/1	avec boussole.....pièce	10,37
/2	sans boussole.....pièce	5,18
/3	pour le dessin:	
	graduées.....	Droits des échelles (Position 1598)
	non graduées.....	Droits des ouvrages n.d. selon leur qualité
1600	Stéréoscopes:	
/1	petits, en bois ordinaire ou en carton .....pièce	2,63

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1600 (suite)		
/2	petits, en bois fin, en métal commun ou recouverts de cuir ou de velours.....pièce	15,55
/3	grands, à colonne, de toute qualité, ainsi que ceux non dénommés.....pièce	51,87
1601	Films cinématographiques:	
	Développés et fixés:	
/1	Ayant jusqu'à 16 mm. de largeur..... K.P.R.	39,90
/2	Ayant plus de 16 mm. de largeur..... K.P.R.	79,78
/3	Vierges..... K.P.R.	7,98
1602	Graphimètres..... pièce	25,93
1603	Graphomètres:	
/1	avec pinnules et boussole.... pièce	10,37
/2	avec pinnules, boussole et lunette..... pièce	25,93
/3	N.d. ..... pièce	41,50
1604	Hydromètres ou compteurs de consommation d'eau, ainsi que leurs parties et accessoires n.d. pesant:	
/1	jusqu'à 5 kil. ..... K.P.L.	4,20
/2	plus de 5 jusqu'à 10 kil. ... K.P.L.	3,57
/3	plus de 10 jusqu'à 25 kil. .. K.P.L.	3,04

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1604 (suite)		
/4	plus de 25 jusqu'à 50 kil. ...K.P.L.	2,73
/5	plus de 50 jusqu'à 100 kil. .. K.P.L.	2,41
/6	plus de 100 kil. ..... K.P.L.	2,10
1605	Hygromètres et hygroscopes:	
/1	ordinaires, à figure, à cheveu ou boyau, montés sur carton ou sur bois..... pièce	1,54
/2	en métal, avec cheveu ou boyau, de Saussure et similaires..... pièce	5,18
/3	D'Alluard, Grova, Daniell, Regnault et similaires..... pièce	10,37
/4	N.d. ..... pièce	31,12
1606	Hypsomètres ..... pièce	25,93
1607	Horizons artificiels:	
/1	en verre, muni d'un niveau.... pièce	7,83
/2	en métal, avec mercure ..... pièce	15,55
1608	Aimants de toute forme, armatures et électro-aimants..... K.P.L.	5,18
1609	Indicateurs de niveau d'eau, de gaz et similaires, avec ou sans appareil enregistreur, ainsi que leurs accessoires..... K.P.L.	4,18
1610	Intégrateurs, intrographeS, éidographes et similaires, avec échelles réductrices ou non..... pièce	25,93

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1611	Kaléidoscopes ou lunettes magiques.....pièce	2,37
1613	Lanternes magiques, épidiascopes et similaires.....K.P.L.	9,46
1614	Lentilles montées pour la lecture, pour l'examen de la vue, pour graveur, pour horloger et similaires.....K.P.L.	46,68
1615	Linimètres, linigraphes, marégraphes, maréographes, marémètres ou maréomètres.....pièce	51,87
1616	Manomètres et similaires.....pièce	15,55
1717	Machines à fraction, d'induction et autres, telles que de Ramsden, Carré, Holtz, Voss, pour études ou expériences d'électricité .....K.P.L.	5,18
1618	Microphones et haut-parleurs.....K.P.L.	9,10
1619	Micromètres, appareils calibreurs eO similaires.....K.P.L.	7,83
1620	Microscopes mono ou binoculaires:	
/1	simples..... pièce	7,83
	Composés:	
/2	à plateau fixe, y compris trois objectifs et trois oculaires..... pièce	25,93
/3	à plateau mobile, y compris quatre objectifs et quatre oculaires et autres n.d..... pièce	77,80

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1621	Microtomes..... K.P.L.	5,18
1622	Moulinets pour mesurage de décharges hydrauliques..... pièce	25,93
1623	Niveaux:	
/1	à bulle d'air, avec tube de cuivre, de précision..... pièce	2,63
/2	clinomètres, clisimètres ou éclimètres ..... pièce	15,55
/3	type américain, d'Egault, Zeiss et autres n.d. ..... pièce	51,87
1624	Objectifs, oculaires, condensateurs et lentilles, avec ou sans obturateur, pour appareils photographiques ou tous appareils d'optique ..... K.P.L.	46,68
1625	Jumelles et lunettes:	
	Jumelles:	
/1	Marines, de voyage et similaires, grossissant jusqu'à six fois, avec ou sans prismes internes de réflexion, à tubes de métal commun recouvert ou non de cuir.... pièce	15,55
/2	les mêmes, grossissant plus de six fois ..... pièce	25,93
	De théâtre, avec ou sans manche:	
/3	en métal commun, simple, verni, peint, chromé, nickelé ou recouvert de baleine, corne, os, faïence, verre ou matières plastiques et similaires..... pièce	14,20

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1625 (suite)		
/4	en métal commun doré, argenté ou recouvert de nacre, d'ivoire ou d'écaille ..... pièce	37,86
	Lorgnettes:	
	d'approche ou longues-vues, marines ou de camp et similaires, avec ou sans tubes à glissière en métal commun, recouverts ou non de cuir, pesant:	
/5	jusqu'à 1.500 gr. ..... pièce	15,55
/6	plus de 1.500 gr., avec ou sans dispositif d'installations, à l'exception des trépieds... K.P.L.	10,37
	Monocles et lunettes:	
	fixes et similaires, tels que lunettes, lorgnons, lunettes avec étui ou manche (faces-à-main), pince-nez et lunettes pour aviateurs, chauffeurs, pour strabisme et autres, avec monture:	
/7	en métal commun, simple, verni, peint, chromé ou nickelé, en baleine, corne, os ou matières plastiques et similaires Douzaine	11,37
/8	en métal commun, doré ou argenté..... Douzaine	22,75
/9	en écaille..... Pièce	3,82
/10	en argent simple ou dore. pièce	2,63
/11	en or..... pièce	15,55

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
1626		Ophtalmomètres.....pièce	103,70
1627		Octants et sextants.....pièce	31,20
1629		Optomètres ou astigmomètres, périmètres et similaires.....pièce	25,93
1630		Pantographes et cimographes:	
	/1	Communs, avec règles en bois ordinaire..... pièce	3,09
	/2	En bois fin ..... pièce	10,37
	/3	En métal commun et de précision..... pièce	25,93
1631		Pantomètres et similaires:	
	/1	Avec boussole et cercle gradué..... pièce	41,50
	/2	Avec lunette ..... pièce	77,80
1632		Piles électriques sèches, détachées ou en batteries:	
	/1	pesant jusqu'à 50 gr. ..... K.P.L.	2,10
	/2	pesant plus de 50 jusqu'à 100 gr. ..... K.P.L.	1,82
	/3	pesant plus de 100 jusqu'à 500 gr. ..... K.P.L.	1,68
	/4	pesant plus de 500 jusqu'à 1 kil. ..... K.P.L.	1,54
	/5	pesant plus de 1 kil. ..... K.P.L.	1,40
1633		Pithomètres..... pièce	15,54
1634		Plaques et pellicules pour la photographie:	
	/1	sur verre..... K.P.L.	0,84
	/2	sur autre matière..... K.P.L.	1,54

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1635	Planimètres ..... Pièce	25,93
1636	Pluviomètres ou udomètres, pluviographes et similaires... pièce	10,37
1637	Polarimètres, colorimètres, spectroscopes, photomètres, réfractomètres, saccharimètres et similaires..... K.P.L.	6,19
1638	Potentiomètres..... K.P.L.	18,20
1639	Fils à plomb de précision et brevetés, pour la marine..... pièce	15,55
1640	Psychromètres à maxima et à minima:	
/1	Sur bois..... pièce	6,19
/2	Sur métal..... pièce	15,55
/3	Enregistreurs..... pièce	25,93
1641	Règles de mire pour nivellement:	
/1	En bois et à glissière, avec mire ..... pièce	7,83
/2	Les mêmes, parlantes..... pièce	15,55
/3	N.d. ..... pièce	31,12
1642	Sismographes et pendules sexagésimaux et de Foucault....	1,3% ad val.
1643	Tachymètres, cinémographes, cinémomètres, dromomètres, vélocimètres et similaires.....pièce	10,37
1645	Technographes complets:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1645 (suite)		
/1	pour planchette de 60 x 80 cm. .....pièce	25,93
/2	pour planchette de 100 x 150 cm. .....pièce	41,50
/3	pour planchette de 125 x 200 cm. .....pièce	62,24
1646	Télémètres:	
/1	jusqu'à 1.000 m. .....pièce	10,37
/2	de plus de 1.000 m. .....pièce	20,75
1647	Téléscopes ou lunettes astronomiques, méridiennes et similaires.....K.P.L.	5,18
1648	Théodolites, transits américains, tachéomètres, photo-tachéomètres et similaires.....pièce	103,70
1649	Thermomètres:	
	à maxima ou à minima:	
/1	pour examens cliniques..... pièce	1,36
	pour autres usages:	
/2	montés sur échelles de nacre ou ivoire..... pièce	6,19
/3	montés sur échelles de matières autres que l'or, le platine ou l'argent.... pièce	2,09
	à maxima et à minima:	
/4	montés sur échelles de nacre ou ivoire..... pièce	10,37

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1649 (suite)		
/5	montés sur échelles de matières autres que l'or, le platine ou l'argent.....pièce	4,18
	N.d.:	
/6	pour température d'eau, protégés ou non par du bois ou du métal.....pièce	1,54
/7	pour usages scientifiques, avec subdivisions de haute précision.....pièce	7,83
/8	pour usages chimiques, protégés ou non par du bois ou du métal.....pièce	2,09
/9	N.d.:.....pièce	10,37
1650	Tire-lignes, mappomètres ou opsiomètres et similaires.....K.P.L.	25,93
1651	Rapporteurs:	
	à demi-cercle:	
/1	en baleine, corne, os, bois ou matières plastiques et similaires..... pièce	0,82
/2	en métal commun,..... pièce	1,54
/3	rectangulaires, avec ou sans fil à plomb et ceux n.d. ... pièce	4,18
1652	Transformateurs statiques de courant électrique, de fréquence du son et similaires, refroidissement à eau, air ou huile:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1652 (suite)		
/1	pesant jusqu'à 10 kil. .....K.P.L.	3,15
/2	pesant plus de 10 jusqu'à 100 kil. .....K.P.L.	2,94
/3	pesant plus de 100 jusqu'à 200 kil. .....K.P.L.	2,10
/4	pesant plus de 200 jusqu'à 500 kil. .....K.P.L.	1,68
/5	pesant plus de 500 jusqu'à 2000 kil. .....K.P.L.	1,68
/6	pesant plus de 2000 kil. .....K.P.L.	0,84
1653	Tubes à bulle d'air pour niveaux .....pièce	0,56
1654	Valves ou tubes pour appareils récepteurs et émetteurs de TSF:	
/1	pesant jusqu'à 100 gr. ..... K.P.L.	29,40
/2	pesant plus de 100 gr. ..... K.P.L.	37,80
1655	Verres optiques:	
/1	non achevés, non polis..... K.P.L.	23,94
/2	achevés..... K.P.L.	47,88
1656	Vues:	
/1	sur métal ou verre, photographiées, pour stéréoscopes, et similaires..... pièce	1,00
/2	sur verre, positives, pour lanternes magiques..... pièce	0,55

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1656 (suite)		
/3	sur verre, positives, avec cadre en bois, métal commun, carton, matières plastiques et similaires.....pièce	3,09
1657	Tous appareils, instruments, machines, objets et pièces détachées, n.d. :	
/1	en acier ou fer .....,.....K.P.L.	5,18
/2	en autre métal commun..... K.P.L.	10,37
/3	en terre, faïence (louça) ou verre..... K.P.L.	6,19
/4	en baleine, caoutchouc, corne, ébonite, os, bois ou matières plastiques et similaires..... K.P.L.	15,55
	en nacre, ivoire, écaille, or, platine ou argent.....	droits des ouvrages n.d. en ces matières
	CLASSE 31	
	APPAREILS, INSTRUMENTS ET OBJETS POUR CHIRURGIENS, MEDECINS DENTISTES ET VETERINAIRES.	
1658	Pinces (afastadores) abdominales et similaires:	
/1	simples.....K.P.L.	33,52
/2	autostatiques.....K.P.L.	44,69

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des produits	Droit
1659	Aiguilles:	
/1	à cataracte et similaires.....pièce	2,84
	Pour injections hypodermiques, avec pavillon en métal commun:	
/2	en acier ou fer.....K.P.L.	67,03
/3	en nickel ou autre métal commun.....K.P.L.	83,79
/4	en platine, iridiummées ou non.....Gr.P.R.	0,88
	Pour suture, de Cooper et similaires, en métal commun:	
	avec manche:	
/5	à ressort.....pièce	2,25
/6	sans ressort.....pièce	1,37
/7	sans manche.....K.P.L.	83,79
1660	Leviers, daviers, pinces et similaires, pour l'extraction des dents ou racines.....pièce	3,33
1661	Algalies, bougies, canules, cathéters et sondes:	
/1	en caoutchouc et similaires....K.P.L.	22,34
/2	en métal commun.....K.P.L.	33,52
/3	en argent.....K.P.R.	139,65

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1662	Amygdalotomes, adénotomes et similaires .....K.P.L.	55,86
1663	Appareils:	
/1	amplificateurs, électriques ou non, pour surdité... pièce	28,00
/2	à anesthésie ou narcose, y compris les masques qui les accompagnent..... K.P.L.	16,80
/3	Aspirateurs de Debove, Dieulafoy, Potain et similaires..... pièce	19,60
/4	appareils à compression de Esmarch et similaires.... pièce	11,20
	d'électro-chirurgicaux, d'électro-dentaires, d'électro-thérapeutiques, d'électrodiagnostique, de radiothérapie et de radiodiagnostique, de rayons X, violets et autres, de haute fréquence, de cataphorèse, de cautérisation, de diathermie, d'électrolyse médicale, de faradisation, thermogènes et similaires, avec tous leurs accessoires électriques, tels que moteurs, pantostats, rhéostats, transformateurs, mais à l'exclusion des ampoules, lampes, tubes, brûleurs ou valves pour rayons X violets et autres:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1663 (suite)		
/5	pesant jusqu'à 5 kil. .....K.P.L.	15,96
/6	pesant plus de 5 jusqu'à 10 kil. .....K.P.L.	10,64
/7	pesant plus de 10 jusqu'à 50 kil. .....K.P.L.	7,98
/8	pesant plus de 50 jusqu'à 100 kil. .....K.P.L.	6,44
/9	pesant plus de 100 jusqu'à 500 kil. .....K.P.L.	4,76
/10	pesant plus de 500 kil. .....K.P.L.	3,22
/12	Oxigénateurs de précision, de Bayeux et similaires.....K.P.L.	22,34
/13	à pneumothorax artificiel.....K.P.L.	16,76
/14	à pression artérielle, sphygmographes et similaires, avec ou sans oscillomètres....K.P.L.	44,69
/15	pulvérisateurs, éthérisateurs et similaires.....pièce	8,43
/16	pour la transfusion du sang...K.P.L.	14,01
1664	Basiotribes, cefalotribes ou crânioclastes, crâniotomes ou céphalotomes, embryotomes, forceps, foracrânes et similaires.....K.P.L.	27,93

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1665	Bistouris, scalpels et lancettes :	
/1	avec manche en baleine, corne, os, bois, métal commun, caoutchouc, matières plastiques et similaires pièce	1,57
/2	avec manche en nacre, ivoire, écaille ou métal doré ou argenté pièce	3,04
1666	Blépharostats ..... K.P.L.	89,38
1668	Ceintures abdominales, hypogastriques et ombilicales :	
/1	en soie ou rayon, pure ou mélangée d'autre matière ..... K.P.L.	122,30
/2	n.d. ..... K.P.L.	30,58
1669	Cystotomes, cystotoscopes, urétrotomes et urétroscopes ..... K.P.L.	83,79
1670	Attaches, crochets ou agrafes pour sutures :	
/1	en métal ordinaire ..... K.P.L.	33,52
/2	en platine ..... Gr. P.R.	0,88
/3	en argent ..... K.P.R.	139,65
1671	Cornets acoustiques ..... pièce	2,25
1672	Costotomes ..... K.P.L.	33,52
1673	Accessoires chirurgicaux :	
/2	Catgut, crin, fils d'aluminium, cuivre, lin, soie ou reyonne et similaires, pour sutures et drains de caoutchouc ou de métal commun, en ampoules ou tubes de verre avec liquide ou toute substance antiseptique ..... K.P.L.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1673 (suite)		
/3	fil d'argent pour sutures, comme pour le catgut ..... K.P.L.	28,00
/5	Gaze simple ou imprégnée de substance antiseptique ou médicamenteuse, en bande, en pièces ou ligatures, en tout tissu. K.P.L.	9,43
/6	laminaires en tubes de verre avec liquide ou toute substance antiseptique ..... K.P.L.	3,36
1674	Curettes ..... K.P.L.	44,80
1675	Dents artificielles :	
/1	sur cire ou autre matière K.P.L.	239,40
/2	détachées ou sous forme de dentiers et d'autres pièces semblables K.P.L.	478,80
/3	en rangées ou montées sur plaques métalliques ..... K.P.L.	15,96
1676	Dilateurs rectaux, urétraux, utérins et similaires ..... K.P.L.	44,69
1677	Disques pour chirurgie dentaire :	
/1	en caoutchouc, chamois, feutre et similaires ..... K.P.L.	15,29
/2	en carborundum ou émeri . K.P.L.	7,64
1678	Ampoules, lampes, tubes ou brûleurs en verre commun ou en quartz avec mercure, pour appareils de rayons X et autres, avec ou sans armature de métal commun ..... pièce	111,72
1679	Entérotomes ..... K.P.L.	44,69

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1680	Scarificateurs à ressort pour ventouses ..... K.P.L.	33,52
1681	Ciseaux, gouges, rugines et similaires ..... K.P.L.	33,52
1682	Spéculums :	
/1	en faïence, (louça), bois, plastiques, verre et similaires K.P.L.	22,34
	en métal commun :	
/2	pour la bouche, le nez ou oeuïes, avec ou sans manche .... K.P.L.	44,88
/3	vaginal, intra-utérins, rectaux et similaires ..... K.P.L.	33,52
1683	Miroirs pour chirurgiens ou dentistes:	
/1	avec manche ou tout autre dispositif pour adaptation frontale .K.P.L.	33,52
/2	sans manche ..... K.P.L.	55,86
1684	Esthésiomètres ..... K.P.L.	55,86
1685	Stéthoscopes et plessimètres :	
/1	en matières plastiques ou en métal commun et similaires pièce	5,59
/2	en bois ..... pièce	3,33
1686	Stylets, porte-mèches, ténaculums, sondes et similaires :	
/1	en métal commun..... K.P.L.	33,52
/2	en argent..... K.P.L.	139,65
1687	Couteaux à amputation, à résection et similaires : pièce	3,33
1688	Fers détachés pour chirurgie dentaire :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1688 (suite)		
	pour cautériser, décharner, nettoyer (tarières et pointes), obturer les dents et similaires :	
/1	avec manche ..... K.P.L.	33,52
/2	sans manche ..... K.P.L.	44,69
	Pour extirper les nerfs et sondes pour canaux denteires :	
/3	avec manche ..... K.P.L.	44,69
/4	sans manche ..... K.P.L.	83,79
1689	Flammes ..... pièce	1,37
1690	Bandages herniaires, avec ou sans ressort, recouverts d'une matière quelconque :	
	Communs :	
/1	simples..... pièce	1,67
/2	doubles..... pièce	2,84
	Avec vis :	
/3	simples..... pièce	3,92
/4	doubles.....pièce	7,84
	Electromagnétiques :	
/5	simples.....pièce	10,09
/6	doubles.....pièce	19,60
1691	Laryngoscopes, pharyngoscopes, ophtalmoscopes, otoscopes, rhinoscopes et similaires.....K.P.L.	44,68

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien		Désignation des Produits	Droit
1692		Lithotomes et lithotriteurs K.P.L.	33,52
1694		Marteaux :	
	/1	pour autopsie, chirurgie et percussion ..... K.P.L.	27,93
	/2	automatiques, pour dentistes K.P.L.	55,86
1695		Masques pour anesthésie ... K.P.L.	16,76
1696		Bas élastiques :	
	/1	en tissu de coton, laine ou lin K.P.L.	35,67
	/2	de soie ou rayonne, pures ou mélangé avec d'autre matière . K.P.L.	71,34
1697		Tables d'opérations, entièrement en acier ou fer ou avec parties en autre matière ..... K.P.L.	2,55
1698		Yeux artificiels ..... pièce	1,67
1699		Pièces à main pour appareils, instruments et machines de chirurgie, d'art dentaire et d'électro-chirurgie, d'électro-diagnostique tels que angles, contre-angles, manches, manches à cautères, mandrins et similaires ..... K.P.L.	33,52
1702		Pinces de chirurgien, articulées ou non ..... K.P.L.	33,52
1703		Plaques et vis pour ostéosynthèse :	
	/1	en métal commun ..... K.P.L.	22,34
	/2	en platine ..... Gr.P.R.	0,88

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1703 (suite) /3	en argent .....K.P.R.	139,65
1704	Pointes pour galvano-cautère, thermo-cautère et similaires :	
/1	en métal commun.....K.P.L.	100,55
/2	en platine.....Gr.P.R.	0,88
1705	Porte-aiguilles, porte-acustiques, porte-pierres et similaires :	
/1	en métal commun.....K.P.L.	33,52
/2	en argent.....K.P.R.	139,65
1706	Préparations en masse, liquides ou en poudres, pour obturer les dents .....K.P.R.	55,86
1708	Scies et égohines de chirurgie ou nécropsie.....K.P.L.	33,60
1710	Ciseaux pour chirurgie.....K.P.L.	33,60
1713	Trépans.....K.P.L.	44,69
1714	Trocarts d'exploration, de paracentèse, de ponction et similaires .....K.P.L.	27,94
1715	Valves abdominales, vaginales et similaires.....K.P.L.	33,52
	CLASSE 32	
	INSTRUMENTS DE MUSIQUE ET LEURS ACCESSOIRES	
1735	Clarinettes :	
	en bois :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1735 (suite)		
/1	jusqu'à 13 clefs ..... pièce	65,52
/2	de 14 à 16 clefs..... pièce	81,90
/3	de plus de 16 clefs et du système Boehm..... pièce	136,50
1736	Clairons ..... piece	136,50
1745	Flutes :	
	du système Boehm :	
/5	en bois ou en métal argenté ou non ..... pièce	127,40
/6	en argent..... piece	291,20
1752	Harpes :	
/1	à mouvement simple..... pièce	546,00
/2	à mouvement double..... pièce	910,00
1753	Instruments en métal, n.d. :	
	à souffler :	
/1	avec clefs, simples ou lisses K.P.L.	54,60
/2	avec valvules à cylindre ou à piston..... K.P.L.	43,68
/3	à percussion et d'autres n.d. K.P.L.	36,40
1754	Mécanisme de piano :	
/1	montés ou démontés, complets .. pièce	728,00
1777	Tous instruments de musique, leurs accessoires ou parties n.d.	25 % ad valorem.

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
	CLASSE 33	
	VEHICULES, LEURS ACCESSOIRES ET PARTIES	
1778	Avions, hydravions, autogyres, ballons, dirigeables et autres, montés ou démontés, leurs accessoires et parties, ainsi que moteurs, objets et instruments d'équipement importés en même temps ou séparément ..... K.P.L.	0,98
1779	Voitures automobiles, montées ou démontées, complètes :	
	à essence, naphte, benzine ou autres essences, à alcool, à huile ou à l'électricité :	
	pour voyageurs, telles que landaulets, limousines, phaétons, doubles phaétons, sedans, de sports et autres :	
/1	pesant jusqu'à 1000 kil..... K.P.L.	2,39
/2	pesant plus de 1000 jusqu'à 1500 kil. ..... K.P.L.	2,77
/3	pesant plus de 1500 jusqu'à 2000 kil. ..... K.P.L.	4,31
/4	pesant plus de 2000 jusqu'à 2500 kil. ..... K.P.L.	6,59
/5	pesant plus de 2500 kil. ... K.P.L.	8,87
	pour voyageur ou, marchandises, de livraisons, de secours aux personnes, de pompes funèbres et pour usages similaires, tels qu'ambulances, camions, autobus et autres :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1779 (suite)		
/6	pesant jusqu'à 2000 kil.... K.P.L.	2,03
/7	pesant plus de 2000 jusqu'à 4000 kil. ..... K.P.L.	2,38
/8	pesant plus de 4000 kil.... K.P.L.	3,05
/9	pour distribution d'alcool, d'essence, d'huile et d'autres liquides, avec réservoir; extincteurs d'incendies, arrosage, nettoiement public ou privé, dépannages ou services similaires, avec ou sans pompes, grues, échelles, mécanismes, balais ou autre appareillage .....K.P.L.	2,24
	A traction, à vapeur ou électrique, pour voies ferrées :	
	Urbaines ou à longs parcours :	
	pour voyageurs :	
/11	en bois et fer ..... K.P.L.	1,82
/12	en acier ou fer ..... K.P.L.	0,70
	pour marchandises et usages semblables :	
/13	en bois et fer ..... K.P.L.	1,40
/14	en acier ou fer ..... K.P.L.	0,56
	pour secours ou transport de liquides, avec grue, réservoir, mécanisme ou autre appareillage :	
/15	en bois et fer ..... K.P.L.	0,70

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1779 (suite)		
/16	en acier ou fer .....K.P.L.	0,42
	intérieures, pour établissement agricoles, industriels et miniers :	
/19	petites, pour marchandises, terrassements et similaires, tout en fer système Decauville et autres K.P.L.	1,40
1781	Vélocipèdes, tels que bicyclettes et tricycles, montés ou démontés, complets :	
	à moteur :	
/1	bicyclettes à un ou plusieurs sièges, avec ou sans dispositif pour le transport de colis, pourvues de pneumatiques ..... K.P.L.	4,32
/2	tricycles à un ou plusieurs sièges avec ou sans paniers ou caisses pour le transport de personnes ou de marchandises , y compris les automobiles à trois roues et les side-cars ..... K.P.L.	3,58
	à pédales :	
/4	bicyclettes à un ou plusieurs sièges, avec ou sans dispositifs pour le transport de colis, pourvus de pneumatiques ..... K.P.L.	5,88
1782	Parties, accessoires et pièces :	
	de voitures automobiles :	
	Chassis ou trucks, sans carrosserie, montés ou démontés, complets avec moteurs et ses parties, roues etessieux	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1782 (suite)		
	d'avant et d'arrière, garnis de pneumatiques, marchepieds, garde-boue et pare-chocs; toutes autres pièces nécessaires à leur fonctionnement y compris l'avertisseur, les phares et les signaux :	
/6	Pour ambulances, camions, autobus et tous autres ..... K.P.L.	1,77
	Pièces détachées :	
/9	Cadres de châssis, (longuerines, traverses, brides et pièces de fixation similaires), capots, chaînes antidérapantes, essieux et freins des roues et de la transmission, pare-chocs et accessoires, garde-boue, roues radiateurs et leur réservoir, tablier du carter, réservoir à essence et accessoires, tuyaux et pots d'échappement ..... K.P.L.	1,54
/10	Leviers de changement de vitesse et de frein, amortisseurs, barres de direction et volants, bouchons de réservoir et de boîtes à graisse, boîtes de vitesse, contrôle et tirants des freins, différentiels, pièce d'embrayage, marche-pieds, joints universels, cadres du radiateur, tiges de lubrification, tableaux de bord, supports, ventilateurs et courroie du ventilateur, ainsi qu'autres pièces n.d. du châssis, même si elles se rattachent au moteur ..... K.P.L.	2,38

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1782 (suite)		
/11	Capotes complètes avec armature, rideaux et housse, pare-brise avec armature ou seulement les glaces, portières, sièges rembourrés ou non, glasses pour fenêtres, portières ou vues, biseautées ou non, dont la forme indique l'application, miroirs de direction et rétroviseurs, ainsi qu'autres pièces n.d. de carrosseries ..... K.P.L.	11,92
	de véhicules ou embarcations automobiles :	
	de bicyclettes à pédales :	
/18	en fer simple, galvanisé ou peint ..... K.P.L.	5,04
/19	en fer chromé ou nickelé .. K.P.L.	6,58
/20	en caoutchouc, cuir, bois, matières plastiques et similaires, avec adaptations en fer ou en ce métal avec adaptations desdites matières ... K.P.L.	11,76
	de voitures ou embarcations :	
/21	Distributeurs de courant, magnétos, moteurs de démarrage et autres pièces électriques n.d. du moteur ..... K.P.L.	10,06
/22	Ampèremètres, manometres, thermostats, compteurs de vitesse et autres instruments de physique ..... K.P.L.	8,40

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1782 (suite)		
	De tous véhicules, à l'exception des aéronefs :	
	Avertisseurs et sirènes :	
/24	en métal commun, simples peints ou nickelés ..... K.P.L.	9,80
/25	en métal commun, dorés ou argentés ..... K.P.L.	20,86
	CLASSE 34	
	MACHINES, APPAREILS, OUTILS ET USTENSILES DIVERS	
1786	Aiguisoirs et affûteurs :	
	Pour couteaux :	
/1	avec manche en baleine, corne, os, bois, métal commun, matières plastiques et similaires pièce	2,24
/2	avec manche en nacre, ivoire, écaille, métal blanc, doré ou argenté ou non ..... pièce	10,92
	Pour rasoirs ordinaires :	
/3	à deux faces ..... pièce	2,24
/4	à quatre faces ..... pièce	4,34
1787	Alambics, autoclaves, étuves, pasteurisateurs et similaires :	
/2	grands ou d'une capacité dépassant 50 dm^3: Droits des machines opératrices n.d., comme	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1787 (suite)		
/2 (suite)	ci-dessous :	
	pesant jusqu'à 10 kil..... K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil. ..... K.P.L.	2,24
	pesant plus de 5o jusqu'à 100 kil. ..... K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil. ..... K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil. ..... K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. ..... K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5.000 kil. ..... T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10.000 kil. ..... T.P.L.	700,00
	pesant plus de 10.000 kil... T.P.L.	518,00
1792	Balances :	
	à plateforme (bascules) avec tablier en fer, en bois, ou en bois et fer :	
/4	pouvant peser jusqu'à 100 kil. ..... pièce	182,00
/5	pouvant peser plus de 100 jusqu'à 200 kil. ..... pièce	291,20
/6	pouvant peser plus de 200 jusqu'à 500 kil. ..... pièce	436,80

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1792 (suite)		
/7	pouvant peser plus de 500 jusqu'à 1000 kil. ..... pièce	640,64
/8	pouvant peser plus de 1000 jusqu'à 2000 kil. ..... pièce	1.062,88
/9	pouvant peser plus de 2000 jusqu'à 5000 kil. ..... pièce	1.164,80
/10	pouvant peser plus de 5000 kil. ..... pièce	2.329,60
1794	**Pompes :**	
	à main :	
/7	à essence ou à alcool pour moteur, simples ou avec cadran, actionnées de toute manière, montées ou démontées, ainsi que l'une quelconque de leurs parties n.d..... K.P.L.	4,36
/8	mues à la vapeur, à l'alcool, à l'air comprimé, à l'air chaud, à l'électricité, à l'essence, au naphte, au mazout ou par une force hydraulique, ainsi que pompes pour l'extinction des incendies : Droits des machines opératrices n.d., comme ci-dessous :	
	pesant jusqu'à 10 kil. ... K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil. ..... K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil. ..... K.P.L.	1,82

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1794 (suite)		
/8 (suite)		
	pesant plus de 100 jusqu'à 250 kil. ..... K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil. ..... K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. ..... K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. ..... T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10.000 kil. ..... T.P.L.	700,00
	pesant plus de 10.000 kil...T.P.L.	518,00
1798	Chaudières :	
	Génératrices de vapeur, avec leurs brûleurs respectifs :	
/6	pesant plus de 5000 jusqu'à 20.000 kil. ..... K.P.L.	1,12
/7	pesant plus de 20.000 jusqu'à 100.000 kil. ..... K.P.L.	0,84
/8	pesant plus de 100.000 kil. K.P.L.	0,56
1799	Cardes :	
/1	à main : paire	2,46
	pour machines :	
/2	en pièces ou bandes, sans garnitures ..... K.P.L.	12,21
/3	en pièces ou bandes, avec garniture en métal commun ou bois K.P.L.	1,79

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1802	Compresseurs d'air :	
	Droits des machines opératrices n.d., comme ci-dessous :	
	pesant jusqu'à 10 kil. .... K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil. ..... K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil. ..... K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil. ..... K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil. ..... K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. ..... K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. ..... T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10.000 kil. ..... T.P.L.	700,00
	pesant plus de 10.000 kil. ..... T.P.L.	518,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1809	Excavateurs à godets, dragues sèches et similaires, actionnés à la vapeur, à l'électricité ou par une autre force :	
	pesant jusqu'à 20.000 kil. K.P.L.	0,42
	pesant plus de 20.000 kil. K.P.L.	0,28
1814	Outils :	
/1	Grossiers, tels que leviers avec ou sans pointe recourbée, couteles, hoyaux, râteaux, ceintreuses de rails, houes, couteaux grossiers avec ou sans tranchant pour couper la canne à sucre et similaires, bêches, faux, faucilles, fourches à foin, fourches de jardin, sapes, haches, hachettes, maillets et masses pesant 2 kil., ou plus, pelles, pioches, pics de toutes sortes, binettes grandes et petites, cultivateurs à main grands et petits, faucilles, grandes tenailles et similaires ..... K.P.L.	0,84

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1814 (suite)	Pneumatiques et électriques :	
/2	pesant jusqu'à 10 kil. .....K.P.L.	2,66
/3	pesant plus de 10 jusqu'à 50 kil..K.P.L.	2,24
/4	pesant plus de 50 jusqu'à 100 kil.K.P.L.	1,68
/5	pesant plus de 100 kil. .....K.P.L.	1,26
1818	Forges :	
/2	fixes ou semi-fixes, mues à la vapeur à l'électricité ou par une autre force. Droits des machines opératrices n.d., comme ci-dessous :	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant de 10 à 50 kil. .....K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil.K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil.K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil.K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil.K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil.T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1822	Glacières, réfrigérants et similaires, en métal commun :	
	avec appareillage frigorifique (il est entendu que la position 1822 comprend les appareils frigorifiques tels que les installations mécaniques et thermodynamiques) :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1822 (suite)		
/2	pesant jusqu'à 10 kil. .....K.P.L.	2,60
/3	pesant plus de 10 jusqu'à 50 kil. ..K.P.L.	2,17
/4	pesant plus de 50 jusqu'à 100 kil...K.P.L.	1,73
/5	pesant plus de 100 jusqu'à 250 kil..K.P.L.	1,56
/6	pesant plus de 250 jusqu'à 500 kil..K.P.L.	1,38
/7	pesant plus de 500 jusqu'à 1000 kil.K.P.L.	1,05
/8	pesant plus de 1000 jusqu'à 5000 kil. .....K.P.L.	0,86
/9	pesant plus de 5000 jusqu'à 10000 kil. .....K.P.L.	0,70
/10	pesant plus de 10000 kil. .....K.P.L.	0,51
1824	Grues et monte-charges :	
	treuils à main, palans différentiels de Weston et similaires .....K.P.L.	0,84
	fixes ou mobiles, mus à la vapeur, à l'électricité ou par une autre force, y compris les ponts roulants pour entrepôts. Droits des machines opératrices n.d., comme ci-dessous :	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil. ..K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil...K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil..K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil..K.P.L.	1,40

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1824 (suite)	pesant plus de 500 jusqu'à 1000 kil. .....K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1825	Instruments et machines agricoles, tels que: buttoirs, arracheuses de souches et de racines, émondeuses, moissonneuses, charrues, cultivateurs, scarificateurs, herses à dents rigides ou flexibles, planteuses, rouleaux, Croskill, Cambridge et similaires, semeuses, sillonneuses, à transplanteurs et similaires	franchise
1828	Limes :	
	N.d. :	
/2	pesant jusqu'à 300 gr. par douzaine .....K.P.L.	5,46
/3	pesant plus de 300 jusqu'à 1500 gr. par douzaine .....K.P.L.	3,82
/4	pesant plus de 1500 gr. par douzaine .....K.P.L.	2,73
1829	Abrasifs :	
/2	sur papier .....K.P.L.	2,94
1831	Machines :	
	motrices:	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite)	A. à vapeur :	
	fixes et pour la navigation avec les chaudières respectives, pesant :	
/1	jusqu'à 1.000 kil. .....K.P.L.	1,54
/2	plus de 1.000 jusqu'à 5.000 kil. ...K.P.L.	1,26
/3	plus de 5.000 jusqu'à 20.000 kil. ..K.P.L.	0,84
/4	plus de 20.000 jusqu'à 100.000 kil..K.P.L.	0,70
/5	plus de 100.000 kil. .....K.P.L.	0,56
	semi-fixes, avec les chaudières respectives, ainsi que verticales ou horizontales, avec chaudière, constituant un groupe moteur, pesant :	
/6	jusqu'à 3.000 kil. .....K.P.L.	1,26
/7	plus de 3.000 jusqu'à 12.000 kil....K.P.L.	0,84
/8	plus de 12.000 kil. .....K.P.L.	0,70
	locomobiles, avec les chaudières respectives, pesant :	
/9	jusqu'à 5.000 kil. .....K.P.L.	0,70
/10	plus de 5.000 kil. .....K.P.L.	0,56
	B. à gaz et à gaz de ville, avec leurs gazogènes, à pétrole, alcool, naphte, air chaud, air comprimé ou tout autre mélange explosif :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite)		
/11	pesant jusqu'à 500 kil. .....K.P.L.	2,24
/12	pesant plus de 500 jusqu'à 1000 kil.K.P.L.	1,54
/13	pesant plus de 1000 kil. .....K.P.L.	1,12
	C. Dynamo-électriques : Alternateurs, excitateurs, générateurs et similaires, avec leurs rhéostats respectifs :	
/17	pesant plus de 100 jusqu'à 1000 kil. .....K.P.L.	1,54
/18	pesant plus de 1000 kil. .....K.P.L.	1,12
	Les mêmes, combinés avec des machines à vapeur ou hydrauliques:	
/19	pesant jusqu'à 2000 kil. .....K.P.L.	1,54
/20	pesant plus de 2000 jusqu'à 10000 kil. .....K.P.L.	1,26
/21	pesant plus de 10000 kil. .....K.P.L.	0,84
	Les mêmes, combinés avec des machines à gaz, à gaz de ville, alcool, naphte, air chaud, air comprimé ou tout mélange explosif :	
/22	pesant jusqu'à 2000 kil. .....K.P.L.	1,12
/23	pesant plus de 2000 kil. .....K.P.L.	0,70
	E. Locomotives à vapeur, pétrole, alcool, essence, électricité, avec les tenders respectifs, pesant :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Designation des Produits	Droit
1831 (suite) /27	jusqu'à 20.000 kil. .....T.P.L.	518,00
/28	plus de 20.000 kil. .....T.P.L.	350,00
/30	G. Tracteurs n.d., rouleaux mécaniques, compresseurs, à vapeur,	
	à pétrole, alcool , essence ou électricité .....K.P.L.	0,56
	I. Opératrices :	
/38	à aiguiser les couteaux et les outils, tailler les crayons, broder ou coudre, couper la viande, le pain, le papier, le liège ou les tissus, décortiquer ou broyer le maïs, écrémer le lait, d'une capacité de 10 litres au plus, mettre en bouteilles, repasser, fabriquer la glace ou les sorbets, laver les verres, bouteilles ou assiettes, laver et tordre le linge, nettoyer les couteaux, hacher la viande, le tabac ou les légumes, râper et similaires, petites, pour usage domestiques, bureaux, magasins et analogues .....K.P.B.	1,30
	Machines à calculer, pour la comptabilité ou la statistique système Hollerith et autres :	
/39	pesant jusqu'à 10 kil. .....K.P.L.	8,66
/40	pesant plus de 10 jusqu'à 50 kil. ..K.P.L.	6,93
/41	pesant plus de 50 jusqu'à 100 kil...K.P.L.	5,19
/42	pesant plus de 100 jusqu'à 250 kil..K.P.L.	3,45

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite) /43	pesant plus de 250 jusqu'à 500 kil.K.P.L.	2,60
/44	pesant plus de 500 kil. .....K.P.L.	1,73
	Pour le conditionnement de l'air : Droits des machines opératrices n.d., comme ci-dessous :	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil...K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil..K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil.K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil.K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. .....K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
	A écrire :	
/46	à clavier .....K.P.L.	11,14
/52	A enregistrer les paiements, les courses à bord de véhicules et similaires .....K.P.L.	7,98
/53	Pour la typographie: linotypes, monotypes, autoplates, semi-autoplates .....K.P.L.	1,05

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite)	Bullgraders et similaires :	
/54	pesant jusqu'à 1000 kil. .....K.P.L.	2,10
/55	pesant plus de 1000 jusqu'à 2000 kil. .....K.P.L.	1,54
/56	pesant plus de 2000 jusqu'à 5000 kil. .....K.P.L.	1,26
/57	pesant plus de 5000 kil. .....K.P.L.	0,84
/58	N.d.: Bétonneuses Niveleuses de routes Autres appareillages pour la construction de routes Machines pour mines et carrières Appareils de forage des puits Machines à fileter et machines automatiques à fabriquer les vis Perceuses Raboteuses et étaux-limeurs Machines à meuler Machines pour le travail des métaux en tôles et en plaques Machines-outils pour métaux, à commande mécanique Machines-outils pour métaux, à pied ou à main Machines circulaires bonneterie Autres machines textiles Machines à coudre commerciales Machines pour la fabrication de chaussures Machines de sucreries Machines à bois Machines à mettre en bouteilles, à laver et étiqueter les bouteilles Machines de brasseries	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite)	Machines à glace	
	Presses typographiques	
	Machines à souder	
	Machines de puits de pétrole et pour le raffinage du pétrole	
	Fraiseuses	
	Bobin et leurs parties	
	Appareillage pour la peinture au pistolet :	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil...K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil..K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil.K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil.K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. .....K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
	Métiers à filer et à tisser	
	Métiers à fabriquer la rayonne et à tricoter	
	Machines à fabriquer les cigarettes	
	pesant jusqu'à 10 kil. .....K.P.L.	1,33
	plus de 10 jusqu'à 50 kil. .....K.P.L.	1,12
	plus de 50 jusqu'à 100 kil. .....K.P.L.	0,91
	plus de 100 jusqu'à 250 kil. .....K.P.L.	0,84

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1831 (suite)	plus de 250 jusqu'à 500 kil....K.P.L.	0,70
	plus de 500 jusqu'a 1000 kil...K.P.L.	0,56
	plus de 1000 jusqu'à 5000 kil..T.P.L.	434,00
	plus de 5000 jusqu'à 10000 kil.T.P.L.	350,00
	plus de 10000 kil. .....T.P.L.	259,00
	Parties de machines à fabriquer les textiles :	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	plus de 10 jusqu'à 50 kil. ....K.P.L.	2,24
	plus de 50 jusqu'à 100 kil. ...K.P.L.	1,82
	plus de 100 jusqu'à 250 kil. ..K.P.L.	1,68
	plus de 250 jusqu'à 500 kil. ..K.P.L.	1,40
	plus de 500 jusqu'à 1000 kil...K.P.L.	1,12
	plus de 1000 jusqu'à 5000 kil..T.P.L.	868,00
	plus de 5000 jusqu'à 10000 kil.T.P.L.	700,00
	plus de 10000 kil. .....T.P.L.	518,00
1835	Moulins :	
/3	fixes ou semi-fixes, pour fabriques, actionnés à la vapeur, à l'électricité ou par une autre force: Droits des machines opératrices n.d., comme ci-dessous:	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil. .....K.P.L.	2,24

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1835 (suite)	pesant plus de 50 jusqu'à 100 kil..K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil.K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil.K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil. .....K.P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1841	Presses d'imprimerie, pesant :	
/1	jusqu'à 10 kil. .....K.P.L.	2,66
/2	plus de 10 jusqu'à 50 kil. .....K.P.L.	2,24
/3	plus de 50 jusqu'à 100 kil. .....K.P.L.	1,82
/4	plus de 100 jusqu'à 250 kil. .....K.P.L.	1,68
/5	plus de 250 jusqu'à 500 kil. .....K.P.L.	1,40
/6	plus de 500 jusqu'à 1000 kil. .....K.P.L.	1,12
/7	plus de 1000 jusqu'à 5000 kil. ....T.P.L.	868,00
/8	plus de 5000 jusqu'à 10000 kil. ...T.P.L.	700,00
/9	plus de 10000 kil. .....T.P.L.	518,00
1842	Presses :	
	à emballer ou empaqueter, couper, satiner, couper le papier, lithographier, fabriquer des biscuits et des pâtes alimentaires, du	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1842 (suite)	savon et similaires, actionnés à la vapeur, à l'électricité ou par une autre force : Droits des machines opératrices n.d., comme ci-dessous :	
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1843	Machines à pulvériser :	
	pulvérisateurs :	
/1	munis ou non de roues, pour la destruction des insectes nuisibles à l'agriculture .....K.P.L.	0,84
1848	Scies :	
/2	à ruban, sans fin, verticales ou circulaires, pour machines .....K.P.L.	2,94
/3	mécaniques, à vapeur, à l'électricité ou mues par une autre force : Droits des machines opératrices n.d., comme ci-dessous:	
	pesant jusqu'à 10 kil. .....K.P.L.	2,66
	pesant plus de 10 jusqu'à 50 kil...K.P.L.	2,24
	pesant plus de 50 jusqu'à 100 kil..K.P.L.	1,82
	pesant plus de 100 jusqu'à 250 kil.K.P.L.	1,68
	pesant plus de 250 jusqu'à 500 kil.K.P.L.	1,40
	pesant plus de 500 jusqu'à 1000 kil.K P.L.	1,12
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1848 (suite)	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1852	Etaux et tours :	
/4	à vapeur, à l'électricité ou mus par une autre force : Droits des machines opératrices n.d., Comme ci-dessous :	
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1856	Bougies pour moteurs .....K.P.L.	11,06
1857	Ventilateurs, aspirateurs de poussières, vibrateurs, sécheurs et similaires :	
/2	centrifuges ou hélicoïdaux : Droits des machines opératrices n.d., comme ci-dessous :	
	pesant plus de 1000 jusqu'à 5000 kil. .....T.P.L.	868,00
	pesant plus de 5000 jusqu'à 10000 kil. .....T.P.L.	700,00
	pesant plus de 10000 kil. .....T.P.L.	518,00
1859	Tous outils et ustensiles n.d. :	
	pour arts et métiers :	
/1	de machines :	

LISTE III - BRESIL

PREMIERE PARTIE (suite)

Position du Tarif Brésilien	Désignation des Produits	Droit
1859 (suite)	Parties et accessoires pour les engins de machines servant aux terrassements ..... K.P.L.	0,84
	CLASSE 35	
	ARTICLES DIVERS	
1867	Jouets et poupées :	
	poupées habillées	suppression de la surtaxe
1868	Pipes :	
/1	en ambre ou écume de la mer ..... K.P.L.	50,96
/2	en corne, os, baleine, métal commun doré ou argenté, matières plastiques et similaires ..... K.P.L.	22,93
/3	en argile, faïence, bois ou verre.. K.P.L.	9,11
/4	en nacre, ivoire ou écaille ..... K.P.L.	101,92
/5	avec ornements ou garnison en or, platine ou argent ..... K.P.L.	183,46
1871	Articles de confiserie :	
/2	gommes à mâcher ..... K.P.L.	7,00

LISTE III - BRESIL

PREMIERE PARTIE (fin)

NOTES GENERALES

I - Les abréviations Gr., K., T., $M.^3$, P.B., P.L., et P.R., employées dans cette liste signifient respectivement : gramme, kilogramme, tonne (de 1,000 kil.) mètre cube, poids brut, poids légal, poids réel. N.d. signifie "non dénommés".

II - Sauf dispositions contraires, les produits désignés dans cette liste seront soumis, en outre des droits de douane ordinaires mentionnés dans la présente liste, à tous les droits de douane ordinaires particuliers ou additionnels ne dépassant pas les droits imposés sur ces mêmes produits par les lois en vigueur à la date de la signature du présent Accord.

III - Les "notes" des Lois Douanières du Brésil ayant trait aux articles énumérés dans la présente liste font partie intégrante de la présente liste.

LISTE III - BRESIL

DEUXIEME PARTIE

TARIF PREFERENTIEL

Néant.

LISTE V - CANADA

Seuls les textes anglais et français de la présente liste font foi.

Première partie

Tarif de la nation la plus favorisée

Position du Tarif du Canada	Désignation des produits	Taux des droits
1	Chevaux, bétail, moutons, chèvres, ânes, porcs et chiens, importés pour l'amélioration des races, subordonnément aux règlements établis par le Gouverneur en conseil	En fr.
5	Animaux vivants, n.d. :	
	a) Bétail .....la livre	1½ c.
	ex c) N.d., autres que les renards argentés ou noirs	7½ p.c.
6	Porcs vivants .....la livre	1 c.
7	Viandes fraîches, n.d. :	
	a) Boeuf et veau .....la livre	3 c.
	ex a) Déchets comestibles de boeuf et de veau ...la livre	1½ c.
	mais pas moins de	7½ p.c.
	ex c) Porc .....la livre	1¼ c.
ex 8	Viandes en boîtes, autres que le boeuf et le porc, n.d.; volaille ou gibier, en boîtes, n.d.	20 p.c.
ex 8	Jambon en boîtes	22½ p.c.
ex 8	Pâté de foie gras, foies gras, conservés en boîtes ou autrement; pâtés d'alouettes	10 p.c.
8a	Extraits de viande et thé de boeuf, non médicamentés	30 p.c.
9	Volaille et gibier, n.d.	15 p.c.
9d	Poussins, n.d. .....chacun	2 c.
10	Viandes préparées ou en conserve, autres que les viandes en boîtes :	
	a) Bacon, jambon, épaules et autres parties du porc .... la livre	1¾ c.
	b) N.d. .....la livre	2 c.

LISTE V - CANADA

Première partie (suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
12	Boyaux non nettoyés pour la fabrication des saucisses	En fr.
12a	Boyaux nettoyés pour la fabrication des saucisses	15 p.c.
14	Suif	17½ p.c.
15	(i) Cire d'abeilles, inépurée	En fr.
	(ii) Cire d'abeilles, n.d.	15 p.c.
ex 15 ex 711	Cire gaufrée pour ruches	15 p.c.
16	Oeufs en coquille .....la douzaine	3½ c.
16b	Oeufs, jaunes d'oeufs ou albumine d'oeufs, séchés, évaporés, desséchés ou pulvérisés, auxquels du sucre ou une autre matière a été ajoutée ou non	25 p.c.
17	Fromages .....la livre	3½ c.
18	Beurre .....la livre	12 c.
19	Coques et graines de cacao	10 p.c.
20	Pâte ou "liqueur" de cacao et pâte ou "liqueur" de chocolat, non sucrées, en blocs ou gâteaux .....la livre	3 c.
20a	Beurre tiré de l'amande du cacao .....la livre	2¼ c.
21	Pâte ou "liqueur" de cacao et pâte ou "liqueur" de chocolat, sucrées, en blocs ou gâteaux d'au moins deux livres .....la livre	4 c.
22	Préparations de cacao ou de chocolat, en poudre	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
23	Préparations de cacao ou de chocolat, n.d., et confiseries recouvertes de chocolat ou en contenant, le poids imposable devant comprendre le poids des enveloppes et des cartons	20 p.c.
	et, la livre	2½ c.
24	Chicorée à l'état naturel ou fraîche .....la livre	2¼ c.
25	Chicorée séchée au four, torréfiée ou moulue ...la livre	3 c.
28 29	Café vert .....la livre	2 c.
28a 29a	Thé .....la livre	6 c.
	Lorsqu'il est en paquets de cinq livres chacun, ou moins, le poids imposable doit comprendre le poids du récipient.	
30	Poivre, non moulu	5 p.c.
	Clou de girofle, non moulu	10 p.c.
	Cannelle, non moulue	12½ p.c.
	Gingembre, non moulu	12½ p.c.
	Epices, non moulues, n.d.	12½ p.c.
32	Muscade et macis, entiers ou non moulus	15 p.c.
34	Moutarde moulue	20 p.c.
35	Houblon .....la livre	10 c.
39	(i) Amidon de pomme de terre et farine de pomme de terre .....la livre	1½ c.
	Lorsqu'ils sont en paquets de deux livres chacun, ou moins, le poids imposable doit comprendre le poids du récipient.	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
39 (Suite)	(ii) Amidon, et toutes les préparations ayant les propriétés de l'amidon, n.d. .....la livre	1 c.
	Lorsqu'ils sont en paquets de deux livres chacun, ou moins, le poids imposable doit comprendre le poids du récipient.	
39a	(i) Amidon ou farine de sagou, de cassave ou de riz ....la livre	1½ c.
	(ii) Riz moulu, provende de riz, déchets de riz provenant du polissage, son de riz, remoulage de riz .....la livre	1 c.
39c	Dextrine, et les mélanges ou préparations d'amidon et de dextrine libres de substances étrangères, n.d. ..la livre	1 c.
41	Sel, n.d., en sacs, barils, ou autres récipients ....les 100 livres	3½ c.
42	Sel en vrac, n.d. .....les 100 livres	3 c.
43	Lait condensé, le poids imposable devant comprendre le poids du récipient .....la livre	3¾ c.
43a	Lait en poudre, le poids imposable devant comprendre le poids du récipient .....la livre	5 c.
45	(i) Aliments lactés, n.d.	20 p.c.
	(ii) Préparations alimentaires de céréales, en paquets d'au plus vingt-cinq livres chacun	20 p.c.
46	Préparations alimentaires de céréales, n.d.	15 p.c.
47	Fèves ou haricots, n.d. savoir :	
	a) Graine de ricin, n.d.	En fr.
	b) Fèves soya, n.d.	En fr.
	c) Haricots de Lima et de Madagascar, séchés ...la livre	½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
47 (Suite)	d) Haricots rouges (red kidney-beans), séchés ...la livre	1 c.
	e) N.d. .....la livre	1½ c.
48	Pois, n.d. .....la livre	¾ c.
52	Orge, n.d. .....le boisseau	7½ c.
53	Farine de maïs .....le baril	50 c.
55	Maïs .....le boisseau	8 c.
56	Avoine .....le boisseau	4 c.
58	Seigle .....le boisseau	6 c.
61	Farine de blé et semoule .....le baril	50 c.
62	Riz, non nettoyé, non décortiqué, ou paddy	En fr.
63	Riz nettoyé .....les 100 livres	70 c.
	Lorsqu'il est en paquets de deux livres chacun, ou moins, le poids imposable doit comprendre le poids de ces récipients.	
64	Sagou et tapioca	17½ p.c.
65	Biscuits non sucrés	17½ p.c.
65a	Pains et biscuits pour diabétiques, sous le régime des règlements du ministère de la Santé nationale et du bien-être social	7½ p.c.
66	Biscuits sucrés	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
66a	Biscuits, sucrés ou non, évalués à 20 cents la livre au moins, valeur qui doit être basée sur le poids net et doit comprendre la valeur du paquet ordinaire du détail	20 p.c.
69	Paille .....la tonne	50 c.
69b	Foin .....la tonne	$1.25
71a	Graine de phléole .....la livre	½ c.
71b	Graine de trèfle, y compris la graine de luzerne ....la livre	2 c.
72	Graines pour champs et jardins non spécifiées comme admises en franchise, évaluées au moins à cinq dollars la livre, n.d., en paquets d'au moins une once chacun ..	7½ p.c.
72d	Graine de millet et de colza	7½ p.c.
72e	Graine d'agrostide, sauf la graine d'agrostide commune (agrostis stolonifera major)	22½ p.c.
73	Graines pour champs, n.d., en paquets de plus d'une livre chacun	7½ p.c.
ex 73	Graine de millet à balai, en paquets de plus d'une livre chacun	Em fr.
ex 73 ex 76b ex 276b	Graine de coton	Em fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
74	Graines ci-dessous énumérées, en paquets de plus d'une livre chacun :	
	(i) Persil et panais .....la livre	2 c.
	(ii) Betteraves, sauf la betterave à sucre ...la livre	2 c.
	(iii) Betteraves fourragères et navets .....la livre	2 c.
75	Graines ci-dessous énumérées, en paquets de plus d'une livre chacun :	
	(i) Radis, poireau, laitue, carotte, chou vert ou chou frisé .....la livre	2 c.
	(ii) Chou et concombre .....la livre	4 c.
76	Graines ci-dessous énumérées, en paquets de plus d'une livre chacun :	
	(i) Tomate et piment .....la livre	7½ c.
	(ii) Chou-fleur .....la livre	12½ c.
	(iii) Oignons .....la livre	15 c.
76a	Graines de plantes à racines potagères et autres graines, n.d., en paquets de plus d'une livre chacun ...la livre	2½ c.
76b	Graines, savoir : De champs, de plantes à racines, de jardins et autres graines, en paquets d'une livre chacun, ou moins	20 p.c.
76d	Graines, savoir : D'alpisto, de moutarde, de céleri et de tournesol, en paquets de plus d'une livre chacun, et importées exclusivement pour fin de fabrication ou de mélange	7½ p.c.
77b	Gousses de vanille, à l'état naturel seulement	5 p.c.
78	Plantes de fleuristes, savoir : Palmes, fougères, caoutchoutiers (ficus), glaïeuls, balisiers, dahlias et pivoines	17½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
79	Plantes de fleuristes, savoir : Azalées, rhododendrons, lilas en pots; hydrangées et autres plantes en pots, n.d.; plants de rosiers et autres plants pour la greffe ordinaire ou pour la greffe par oeil détaché, n.d.; plants d'oeillets de semis, araucarias, bulbes, cormes, tubercules, rhizomes et racines dormantes, n.d.; rosiers nains polyanthes importés ou achetés en entrepôt au Canada par des fleuristes pour des fins de forçage régulier dans leurs propres serres avant qu'il en soit disposé; feuillage de laurier et de houx, à l'état naturel ou conservé; qu'il soit sous forme de motifs ou de bouquets ou non ...	12½ p.c.
ex 79b	Fleurs (autres que les orchidées) et feuillage, n.d., naturels, coupés, en motifs ou bouquets ou non	12½ p.c.
81	Arbres, n.d., savoir :	
	a) Pommiers .....chacun	6 c.
	Toutefois, s'ils sont importés entre le 15 septembre et le 5 octobre inclusivement, le droit ne doit pas dépasser 3c. pièce.	
	b) Poiriers, pruniers, cerisiers, abricotiers, cognassiers .....chacun	8 c.
	Toutefois, s'ils sont importés entre le 15 septembre et le 5 octobre inclusivement, le droit sur les cerisiers et les pruniers ne doit pas dépasser 3c. pièce.	
	c) Pêchers, y compris les pousses de juin .....chacun	5 c.
82	a) Vignes, plants ou racines de groseilliers .....chacun	2 c.
	b) Plants ou racines de framboisiers, de ronces-framboisiers et de mûriers; racines de rhubarbe .....chacun	1 c.
	d) Rosiers, n.d. .....chacun	3 c.
	e) Arbres, arbustes, plants, racines et boutures, ordinairement connus sous la désignation de plantes de fleuristes ou de pépinières, n.d.	12½ p.c.
	ex e) Arbres porteurs de noix ou de noisettes, greffés ou non; boutons et scions destinés à être greffés sur ces arbres	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
83	Pommes de terre, désignées ci-après :	
	a) A leur état naturel :	
	Du premier août au 14 juin inclusivement	En fr.
	Du 15 juin au 31 juillet inclusivement	
	.....les 100 livres	37½ c.
	c) Patates et ignames, à leur état naturel	En fr.
84	Oignons, à leur état naturel, le poids des paquets devant être compris dans le poids imposable :	
	a) Petits oignons et échalotes	15 p.c.
	*b) Oignons, n.d. :	
	40 semaines .....la livre	1 c.
	Autrement	10 p.c.
85	*a) Champignons frais, le poids des paquets devant être compris dans le poids imposable :	
	52 semaines .....la livre	3½ c.
	Autrement	10 p.c.
	b) Champignons séchés ou autrement conservés	15 p.c.
	c) Truffes fraîches, séchées ou autrement conservées	10 p.c.
87	Légumes frais, à leur état naturel, le poids des paquets devant être compris dans le poids imposable :	
	*a) Asperges :	
	8 semaines .....la livre	3½ c.
	Autrement	10 p.c.
	*b) Haricots, verts :	
	14 semaines .....la livre	1½ c.
	Autrement	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
87 (Suite)	c) Choux de Bruxelles	10 p.c.
	*d) Choux :	
	26 semaines .....la livre	9/10 c.
	Autrement	10 p.c.
	*e) Carottes et betteraves, n.d. :	
	28 semaines .....la livre	1 c.
	Autrement	10 p.c.
	*f) Choux-fleurs :	
	20 semaines .....la livre	¾ c.
	Autrement	10 p.c.
	Aubergines	En fr.
	*g) Céleri :	
	24 semaines .....la livre	1 c.
	Autrement	10 p.c.
	*h) Concombres :	
	12 semaines .....la livre	2½ c.
	Autrement	10 p.c.
	*i) Laitue :	
	18 semaines .....la livre	1 c.
	Autrement	10 p.c.
	j) Persil	10 p.c.
	*k) Pois verts :	
	12 semaines .....la livre	2 c.
	Autrement	10 p.c.
	*l) Rhubarbe :	
	10 semaines .....la livre	½ c.
	Autrement	10 p.c.
	m) Epinards	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
87 (Suite)	ea) Tomates :	
	32 semaines .....la livre	1½ c.
	Autrement	10 p.c.
	c) Cresson	10 p.c.
	Scarole ou endive	En fr.
	p) Artichauts, raifort et ketmie	En fr.
	N.d.	10 p.c.
89	Légumes préparés, dans des boîtes ou autres récipients hermétiques, le poids des récipients devant être compris dans le poids imposable :	
	a) Fèves, cuites ou préparées autrement .....la livre	1½ c.
	ex b) Maïs .....la livre	1½ c.
	c) Pois .....la livre	1½ c.
	d) N.d.	15 p.c.
90a	Légumes tapés, desséchés ou déshydratés, y compris la farine de légume, n.d.	20 p.c.
90b	Légumes marinés ou conservés dans le sel, la saumure, l'huile ou de toute autre manière, n.d.	22½ p.c.
90c	Jus de légumes, moutardes liquides, sauce de soya et de légumes de toutes sortes	20 p.c.
90e	Légumes congelés	20 p.c.
92	Fruits, frais, à l'état naturel, le poids des paquets devant être compris dans le poids imposable :	
	ea) Abricots :	
	10 semaines .....la livre	1 c.
	Autrement	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
92 (Suite)	*b) Cerises :	
	7 semaines .....la livre	2 c.
	Autrement	10 p.c.
	*c) Canneberges :	
	12 semaines .....la livre	1 c.
	Autrement	10 p.c.
	*d) Pêches :	
	9 semaines .....la livre	1½ c.
	Autrement	10 p.c.
	*e) Poires :	
	15 semaines .....la livre	1 c.
	Autrement	10 p.c.
	*f) Prunes et pruneaux :	
	10 semaines .....la livre	1 c.
	Autrement	10 p.c.
	*g) Fraises :	
	6 semaines .....la livre	1-3/5 c.
	Autrement	10 p.c.
	*Framboises et ronces-framboises :	
	6 semaines .....la livre	2 c.
	Autrement	10 p.c.
	h) Baies, comestibles, n.d.	10 p.c.
	i) Coings et brugnons	10 p.c.
93	Pommes, fraîches, à l'état naturel, le poids de l'emballage devant être compris dans le poids imposable :	
	Du 20 mai au 12 juillet inclusivement	En fr.
	Du 12 juillet au 19 mai inclusivement ....la livre	3/4 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
94	Raisins frais, à l'état naturel, le poids de l'emballage devant être compris dans le poids imposable	
	a) Espèce vitis vinifera	En fr.
	*b) Espèce vitis labrusca :	
	15 semaines .....la livre	1 c.
	Autrement	10 p.c.
95	*Cantaloups, le poids de l'emballage devant être compris dans le poids imposable :	
	8 semaines .....la livre	1½ c.
	Autrement	10 p.c.
95a	Melons, n.d. .....chacun	2 c.
96	Fruits frais, à l'état naturel, n.d.	En fr.
*	Toutefois, dans le cas des fruits et des légumes frais, imposables en vertu des numéros 84, 85, 87, 92, 94 et 95 du Tarif et marqués d'un astérisque dans la présente liste, le droit spécifique indiqué vis-à-vis ne sera pas maintenu en vigueur, au cours de toute période de douze mois expirant le 31 mars, pendant un nombre de semaines supérieur à celui qu'indiquent lesdits numéros;	
	Toutefois, dans le cas des fruits et des légumes frais, imposables en vertu des alinéas b), d), e), f), g) et i) du numéro tarifaire 87, le nombre de semaines durant lesquelles le droit spécifique pourra être maintenu en vigueur peut être divisé en deux périodes distinctes, la durée totale de ces dernières ne devant pas dépasser le nombre de semaines indiqué dans ces alinéas;	
	Toutefois, dans le cas des fruits et des légumes frais, imposables sous l'empire des numéros tarifaires susdits et marqués d'un astérisque, le droit ad valorem de 10 p.100 s'appliquera quand le droit spécifique ne sera pas prélevé.	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
97	Plantains, ananas, grenades, goyaves et mangues	En fr.
98	Bananes .....le régime	50 c.
99a	Prunes et pruneaux, séchés, non dénoyautés	En fr.
99b	Fruits, tapés, desséchés, évaporés ou déshydratés, n. d.	10 p.c.
99c	(i) Raisins secs .....la livre Lorsqu'ils sont en paquets de deux livres chacun, ou moins, le poids des récipients doit être compris dans le poids imposable.	3 c.
	(ii) Raisins de Corinthe, séchés .....la livre Lorsqu'ils sont en paquets de deux livres chacun, ou moins, le poids des récipients doit être compris dans le poids imposable.	4 c.
99d	Dattes, séchées, non dénoyautées, en vrac .....la livre	½ c.
99e	Dattes, n.d. .....la livre Lorsqu'elles sont en paquets de deux livres chacun, ou moins, le poids de l'emballage doit être compris dans le poids imposable.	1½ c.
99f	Figues séchées .....la livre Lorsqu'elles sont en paquets de deux livres chacun, ou moins, le poids imposable doit comprendre le poids du récipient.	½ c.
99g	Abricots, brugnons, poires et pêches, tapés, desséchés, évaporés ou déshydratés	15 p.c.
100 100a	Pamplemousses	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
101	Oranges, n.d.	En fr.
101a	Citrons	En fr.
103	Fruits conservés dans l'eau-de-vie ou autres spiritueux, et dont le liquide qui les contient est d'une richesse d'au plus quarante pour cent d'esprit de preuve .....le gallon et	$2.50 30 p.c.
104	Fruits conservés dans l'eau-de-vie ou autres spiritueux, et dont le liquide qui les contient est d'une richesse supérieure à quarante pour cent d'esprit de preuve ....le gallon et	$5.00 30 p.c.
104a	Pulpe de fruits, autre que la pulpe de raisin, sans sucre, en boîtes ou autres récipients hermétiques .....la livre	1½ c.
105	(i) Pulpe de fruits, avec du sucre ou non, n.d., et fruits broyés .....la livre	2 c.
	(ii) Fruits congelés .....la livre	2 c.
ex 105b ex 105c	Olives mûres, en saumure	10 p.c.
105c	Fruits et noix, marinés ou conservés dans le sel, la saumure, l'huile ou de toute autre manière, n.d.	25 p.c.
105d	Gelées, confitures, marmelades, conserves, beurres de fruits et mincemeats condensés .....la livre	3¼ c.
105e	Fruits et écorces, cristallisés, glacés, recouverts de sucre, ou asséchés; cerises et autres fruits à saveur de crème de menthe, de marasquin ou autre	27½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
106	Fruits préparés, dans des boîtes ou autres récipients hermétiques, le poids des récipients devant être compris dans le poids imposable :	
	a) Pêches .....la livre	2½ c.
	Abricots et poires .....la livre	2 c.
	b) Ananas .....la livre	2 c.
	c) N.d. .....la livre	1 c.
108	Miel, en rayons ou autrement, et ses imitations ..la livre	1½ c.
109 114	Noix de toute sorte, n.d., décortiquées ou non ....la livre	1 c.
109a	Arachides, vertes, dans l'écale ou n'ayant pas subi d'autre procédé que celui de l'écalage	En fr.
110 111	Noix de coco .....le 100	50 c.
113	Noix de coco, séchées, sucrées ou non .....la livre	3 c.
113a	Copra, ou amande de coco brisée, non haché, desséché ni préparé de quelque manière	En fr.
ex 114	Palmistes	En fr.
115	Maquereau, hareng, saumon et tous autres poissons, n.d., frais, salés, marinés, fumés, séchés ou désossés ....la livre	1/2 c.
116	Flétan, frais, mariné ou salé .....la livre	1/2 c.
117	Foies de poisson, frais, salés ou dans une substance préservative	En fr.
120	Anchois, sardines, melettes ou pilchards, conservés dans l'huile ou autrement, en boîtes de fer-blanc formées hermétiquement, le poids des boîtes de fer-blanc devant être compris dans le poids imposable :	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
120 (Suite)	a) En boîtes pesant plus de vingt onces et pas plus de trente-six onces chacune .....la boîte	3½ c.
	b) En boîtes pesant plus de douze onces et pas plus de vingt onces chacune .....la boîte	3 c.
	c) En boîtes pesant plus de huit onces et pas plus de douze onces chacune .....la boîte	2 c.
	d) En boîtes pesant huit onces, ou moins, chacune ....la boîte	1½ c.
122	Hareng (excepté le hareng fumé, en boîtes fermées hermétiquement) conservé dans l'huile ou autrement, en boîtes fermées hermétiquement	25 p.c.
123	Poisson, préparé ou conservé, n.d. :	
	(i) Hareng fumé en récipients hermétiques	17½ p.c.
	(ii) Homards	22½ p.c.
	(iii) Coquillages, n.d., y compris les huîtres, n.d.	22½ p.c.
	(iv) Saumon	27½ p.c.
	(v) Tout autre poisson, n.d.	22½ p.c.
ex 123a	Crevettes en récipients fermés hermétiquement	15 p.c.
124	Huîtres écaillées, en vrac .....le gallon	5 c.
128	Huîtres en écailles	15 p.c.
ex 133	Homards frais	En fr.
ex 134 ex 135 ex 135b	Sucre de canne ou de betteraves	*
	*Le Gouvernement du Canada s'engage, à l'égard du sucre imposable d'après les positions tarifaires 134, 135 et 135b, à ne pas imposer de taux de droits plus élevés que ceux qui étaient en vigueur le 1er juillet 1939, mais il se réserve le droit de reviser le texte desdites positions tarifaires, à condition que par ce texte revisé l'incidence des droits et des taxes d'importation ne soit pas dans son ensemble plus onéreuse qu'au 1er juillet 1939.	
139	Glucose ou sucre de raisin, sirop de glucose et sirop de maïs, ou tous sirops contenant un mélange de ces substances, n.d. .....la livre	1½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
141	Sucre candi et confiseries, n.d., y compris les gommes sucrées, le maïs grillé, éclaté, sucré, les noix recouvertes de sucre, les poudres aromatiques, les crèmes express, les poudres à gelées, les sucreries, les pains sucrés, les gâteaux, les tartes, les poudings et toutes autres confiseries contenant du sucre	25 p.c.
142	Tabac non manufacturé, pour l'accise dans les conditions établies par la Loi de l'accise, subordonnément aux règlements que pourra édicter le ministre :	
	a) Du type ordinairement dénommé tabac turc :	
	(i) Non écôté .....la livre	30 c.
	(ii) Ecôté .....la livre	40 c.
	b) N.d. :	
	(i) Non écôté .....la livre	20 c.
	(ii) Ecôté .....la livre	30 c.
	Toutefois, le droit prévu par ce numero sera prélevé sur le pied du "tabac en feuilles régulier", c'est-à-dire contenant 10 p. 100 d'eau et 90 p.100 de matière solide.	
143	Cigares, le poids des bandes et des rubans devant être compris dans le poids imposable .....la livre et	$1.75 15 p.c.
143a	Cigarettes, le poids de l'enveloppe en papier devant être compris dans le poids imposable .....la livre et	$2.00 15 p.c.
	En plus de cela, lorsqu'elles pèsent au plus trois livres le millier, pour tous les tarifs, $2.00 le millier.	
144	Tabac haché .....la livre	80 c.
	En plus de cela, pour tous les tarifs, 15 cents la livre	
145	Tabac manufacturé, n.d., et tabac à priser .....la livre	90 c.
	En plus de cela, et pour tous les tarifs (sauf le tabac à priser), 15 cents la livre.	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
146	Ale, bière, porter et stout, importés en fûts ou autrement qu'en bouteilles .....le gallon	35 c.
	En plus de cela, et pour tous les tarifs, 30 cents le gallon.	
147	Ale, bière, porter et stout, importés en bouteilles ....le gallon	50 c.
	En plus de cela, et pour tous les tarifs, 30 cents le gallon.	
	Toutefois, six bouteilles d'une pinte ou douze bouteilles d'une chopine sont censées contenir un gallon.	
152	(i) Jus de fruits, n.d., savoir :	
	Limon	10 p.c.
	Orange	10 p.c.
	Citron	10 p.c.
	Passiflore	10 p.c.
	Ananas	10 p.c.
	Pamplemousses	15 p.c.
	N.d.	10 p.c.
	(ii) Sirops de fruits, n.d.	10 p.c.
152a	Papaïne	5 p.c.
ex 156	Spiritueux ou boissons alcooliques (subordonnément aux dispositions annexées au numéro tarifaire 156), savoir :	
	(i) Whiskey .....le gallon de preuve	$5.00
	En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	
	(ii) Genièvre (gin), n.d. .....le gallon de preuve	$5.00
	En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 156 (Suite)	(iii) Rhum, n.d. .....le gallon de preuve	$6.00
	En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	
	(iv) Brandy .....le gallon de preuve	$4.00
	En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	
	(v) Liqueurs .....le gallon de preuve	$4.50
	En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	
ex 156 156b	Amers d'angusture .....le gallon de preuve	$5.00
159	Spiritueux et eaux spiritueuses de toute espèce, mélangés avec un ou plusieurs ingrédients et connus ou désignés sous le nom d'essences, d'extraits ou d'essences de fruits éthérées et spiritueuses, n.d. .....le gallon	$5.00
	et	30 p.c.
160	(i) Parfums à l'alcool :	
	a) En bouteilles ou flacons ne contenant pas plus de quatre onces chacun	30 p.c.
	b) En bouteilles, flacons ou autres récipients contenant plus de quatre onces chacun .....le gallon	$5.00
	et	30 p.c.
	(ii) Spiritueux parfumés, tafia de laurier, eau de Cologne et de lavande, lotions pour les cheveux et la peau, eaux dentifrices et autres préparations de toilette renfermant des spiritueux de toute sorte :	
	a) En bouteilles ou flacons ne contenant pas plus de quatre onces chacun	45 p.c.
	b) En bouteilles, flacons ou autres récipients contenant plus de quatre onces chacun .....le gallon	$5.00
	et	30 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 162	Vermouth, vins apéritifs et cordiaux, ne titrant pas plus de 38 p. 100 d'esprit de preuve, importés en cercles ou en bouteilles .....le gallon	20 c.
	En plus de cela, pour tous les tarifs, 42½ cents le gallon.	
	Toutefois, six bouteilles d'une pinte ou 12 bouteilles d'une chopine représentent un gallon pour l'application du droit spécifié dans le présent numéro tarifaire.	
ex 163	Vins de toute espèce, n.d., y compris les vins d'oranges, de citrons, de fraises, de framboises, de sureau, de groseilles et de cassis, titrant 24 p. 100 ou moins d'esprit de preuve, importés en cercles ou en bouteilles .....le gallon	20 c.
	En plus de cela, pour tous les tarifs, 42½ cents le gallon.	
	Toutefois, six bouteilles d'une pinte ou douze bouteilles d'une chopine représentent un gallon pour l'application du droit spécifié dans le présent numéro tarifaire.	
165	Champagne et tous autres vins mousseux :	
	a) En bouteilles contenant chacune au plus une pinte, mais plus d'une chopine (ancienne mesure à vin) .....la douzaine de bouteilles	$5.00
	En plus de cela, $1.75 le gallon.	
	b) En bouteilles contenant au plus une chopine chacune, mais plus d'une demi-chopine (ancienne mesure à vin) .....la douzaine de bouteilles	$2.50
	En plus de cela, $1.75 le gallon.	
	c) En bouteilles contenant une demi-chopine chacune, ou moins .....la douzaine de bouteilles	$1.25
	En plus de cela, $1.75 le gallon.	
	d) En bouteilles contenant plus d'une pinte chacune (ancienne mesure à vin) .....le gallon	$2.50
	En plus de cela, pour tous les tarifs, $1.75 le gallon.	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 167	Malt, entier, broyé ou moulu, n.d., déclaré pour l'entreposage sous l'empire des règlements d'accise ....la livre	1/3 c.
168	Farine de malt contenant moins de 50 p.c. en poids de malt; sirop de malt ou poudre de sirop de malt, n.d.; extraits de malt, fluides ou non; mélasse de grain - tous les articles de ce numéro devant être évalués sans tenir compte des droits d'accise britanniques ou étrangers, conformément aux règlements prescrits par le ministre	25 p.c.
	et, la livre	5 c.
168a	Sirop de malt, poudre de sirop de malt, ou autres produits résultant de la transformation de l'amidon et obtenus par l'action d'enzymes sur l'amidon, non compris tous produits de cette nature utilisés pour le brassage de la bière	25 p.c.
169	Livres, savoir : Romans, contes, fables ou ouvrages analogues, non reliés, brochés ou en feuilles détachées, non compris les éditions annuelles dites de Noël ou les publications connues généralement sous le nom de livres d'enfants et de livres-jouets	10 p.c.
ex 169 ex 184a ex 184b ex 184c ex 184d	Publications périodiques, non reliées ou brochées, imprimées et publiées à des intervalles réguliers, pas moins de quatre fois par année, et portant les dates de publication	En fr.
170	Livres, publications périodiques et brochures ou leurs parties, imprimés, reliés, non reliés, ou en feuilles (non compris les registres de comptabilité en blanc, les cahiers de modèles d'écriture, ou les cahiers pour écrire et les albums à dessin), en toute langue autre que l'anglais	En fr.
171	Livres, imprimés, publications périodiques et brochures ou leurs parties, n.d., non compris les registres de comptabilité en blanc, les cahiers de modèles d'écriture, les cahiers pour écrire et les albums à dessin	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 172	Publicité touristique, faite par le gouvernement fédéral ou les gouvernements des Etats ou leurs départements, les Boards of Trade, les Chambres de commerce, les sociétés municipales, les clubs d'automobilistes et les autres associations analogues	En fr.
ex 172	Livres de prières, missels et pseautiers, images et devises religieuses	En fr.
178	Annonces et imprimés, savoir : Brochures de réclame, pancartes de réclame, publications périodiques d'annonces illustrées; prix-courants, listes de prix et catalogues; calendriers et almanachs d'annonces; circulaires, feuilles volantes ou brochures de réclame concernant des médicaments brevetés ou autres articles; chromos, chromotypes, oléographies ou ouvrages similaires, produits par tout autre procédé que la peinture ou le dessin à la main et portant des annonces imprimées, lithographiées, empreintes ou attachées, y compris les prospectus, dépliants et affiches ou autres travaux artistiques similaires, lithographiés, imprimés ou empreints sur papier ou sur carton et servant au commerce ou à la réclame, n.d. :	
	(i) N.d. .....la livre	10 c.
	mais non moins de	35 p.c.
	ex (ii) Annonces et imprimés, importés par la poste ou autrement, quand ils sont expédiés dans des paquets séparés ne valant pas plus de $1.00 chacun et quand ils ne sont pas importés pour la vente ou de façon à frauder les droits de douane	En fr.
179	Etiquettes pour boîtes à cigares, pour fruits, légumes, viandes, poisson, confiseries et autres marchandises ou produits; étiquettes pour expédier des objets ou indiquer les prix, et autres; billets de chemins de fer ou autres; lithographiés ou imprimés ou partiellement imprimés, n.d.	22½ p.c.
180	(i) Photographies, chromos, chromotypes, artotypes, oléographies, peintures, dessins, illustrations, gravures, estampes ou leurs épreuves, et oeuvres d'art semblables, n.d.	20 p.c.
	(ii) Reproductions par décalcomanie, de toute espèce, n.d.	20 p.c.
	(iii) Impressions sur bleus, plans d'architecture, cartes, n.d.	20 p.c.
180c	Reproductions par décalcomanie, importés pour servir exclusivement à la fabrication de produits émaillés vitreux ou d'articles de table en faïence ou en porcelaine	9 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
181	Billets de banque, obligations, lettres de change, chèques, billets à ordre, traites et imprimés similaires, non signés, cartes et autres modèles commerciaux, imprimés ou lithographiés ou imprimés à l'aide de planches d'acier, de cuivre ou autres, et tous autres imprimés, n.d.	22½ p.c.
181a	Cartes postales illustrées, cartes avec souhaits et autres cartes ou dépliants artistiques semblables	25 p.c.
184	Journaux, non reliés, n.d.; planches de modes pour tailleurs, modistes et couturiers, lorsqu'elles sont importées en exemplaire unique; en feuilles, avec des journaux périodiques de commerce	En fr.
187	Papier albuminé et autre papier, ainsi que les films préparés chimiquement, à l'usage des photographes, n.d.	20 p.c.
187a	Films panchromatiques hypersensibles ou supersensibles, et films infra-rouges, non exposés, pour la photographie aérienne	10 p.c.
187b	Film négatif sensible, d'un pouce et un huitième ou plus de largeur, pour prises de vues cinématographiques	10 p.c.
188	Papier photographique basique uni, baryté, adapté exclusivement à la fabrication du papier photographique albuminé ou sensibilisé	En fr.
189	Tubes et cônes de toute dimension, en papier, pour y enrouler les filés	En fr.
192	Papier goudronné et matériaux préparés de toiture (y compris les bardeaux), carton de fibre, carton de paille, matériaux de revêtement et d'isolement, fabriqués, en entier ou en partie, de fibres végétales, n.d.; papier buvard, non imprimé ni illustré	22½ p.c.
192b	Papier sablé, verré ou recouvert de silex, et papier ou toile d'émeri	20 p.c.
192c	Matériaux de toiture et bardeaux de feutre saturé	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
192d	Planches compressées, pour l'isolement de conduites électriques, d'une épaisseur d'au moins .040 de pouce	12½ p.c.
192f	Carton-bois ou carton-fibre, pli unique, non recouverts ni imprégnés, et en rouleaux contenant au moins 500 pieds carrés, lorsqu'ils sont importés par les fabricants de bases de semelles intérieures, de premières, de trépointes ou d'articles semblables, imprégnés, pour servir uniquement à la fabrication de ces marchandises dans leurs propres fabriques	7½ p.c.
193	Sacs en papier de toute sorte, imprimés ou non	22½ p.c.
194	Cartes à jouer, en paquets ou en feuilles, n.d.; cartes et feuilles partiellement lithographiées ou imprimées, pour la fabrication de ces cartes à jouer ....le paquet ou son équivalent	7 c.
195	Papier de tenture ou papier peint, y compris bordures ou papier à bordure	22½ p.c.
197	Papier de toute sorte, n.d.	22½ p.c.
197b	Papier d'emballage de toute sorte, non collé, ni enduit, ni en relief	22½ p.c.
197c	(i) Papier à cigarettes, non gommé, en rouleaux	15 p.c.
	(ii) Papier à cigarettes, non gommé, en feuilles d'au moins trente-deux pouces carrés	15 p.c.
197e	Papier isolant pour câble électrique, d'une épaisseur d'au plus .0045 pouce et papier mousseline pour condensateur	10 p.c.
198	Papier réglé, à bordure et enduit, papiers en boîtes, blocs-notes non imprimés, objets en papier mâché, n.d. ..	25 p.c.
198b	Papier à cigarettes, gommé, en rouleaux	15 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
199	Articles de papeterie, enveloppes et tous articles en papier, n.d.	25 p.c.
199b	Récipients fabriqués, en tout ou en partie, de carton-fibre ou de carton-bois .....la livre	4/5 c.
	Toutefois, le droit de douane ne doit en aucun cas être inférieur à	20 p.c.
199c	Papier paraffiné à stencils, devant servir sur les dupliqueurs	25 p.c.
199d	Papier à cigarettes, gommé ou non, en tubes, livrets ou paquets	20 p.c.
199f	Papiers fabriqués à la main, à l'exclusion des papiers effrangés, fabriqués au moule, d'une valeur d'au moins 40 cents la livre en gros	22½ p.c.
199g	Papiers ou enveloppes bicolores anti-halo, y compris ceux qui sont imprimés et(ou) taillés en biseau, servant à emballer les pellicules photographiques en rouleaux; papier pour interfolier et emballer, noir, vert ou rouge, pour l'emballage des pellicules et des papiers photographiques plats; lorsqu'ils sont importés par les manufacturiers de pellicules et de papiers photographiques pour servir à l'emballage de ces pellicules et de ces papiers dans leurs propres fabriques	12½ p.c.
200	Pâte de bois, de paille ou de toute autre fibre végétale	En fr.
203a	Produits chimiques, composés d'au moins deux acides ou sels solubles dans l'eau, et adaptés à la teinture ou au tannage	10 p.c.
203b	Couleurs d'aniline et de goudron de houille, pour la teinture, en masse, ou en paquets d'au moins une livre	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
204	Drogues telles que : écorces, fleurs, racines, fèves, baies, baumes, bulbes, fruits, insectes, grains, gommes et gommes-résines, herbes, feuilles, noix, graines médicinales - non comestibles et à l'état brut et auxquelles il n'a pas été donné de plus-value par le raffinage, la mouture ou un autre procédé, n.d.	En fr.
205	Racines médicinales : d'orcanette, brute, broyée ou moulue; d'aconit, de colombo, de digitale, de gentiane, de ginseng, de jalap, d'ipécacuana, d'iris, de réglisse, de salsepareille, de squille, de pissenlit, de rhubarbe et de valériane, non moulues	En fr.
206b	Solutions de dextrose (glucose) pour l'administration parentérale, dans les traitements thérapeutiques; matières composantes et articles employés à leur préparation	En fr.
ex 208	Soufre brut, en rouleaux ou en poudre	En fr.
ex 208	Cyanure de sodium	En fr.
ex 208	Sulfate d'ammoniaque	En fr.
ex 208	Iode brut	En fr.
208a	Chlorure de chaux et hypochlorite de chaux : 1. En paquets d'au moins vingt-cinq livres chacun ....les cent livres	15 c.
208c	Sulfate de cuivre déshydraté pour fins agricoles ou d'arrosage	En fr.
208e	Acide crésylique et ses composés, utilisés pour la concentration des minerais, des métaux ou des minéraux, n.d.	15 p.c.
208h	Ethylène-glycol, importé par les fabricants, exclusivement pour la fabrication de composés incongelables ou d'explosifs, dans leurs propres fabriques	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
208j	(i) Nitrate d'ammoniaque, importé pour servir à la fabrication d'oxyde azoteux	10 p.c.
	(ii) Nitrate d'ammoniaque, n.d.	25 p.c.
	(iii) Sel ammoniac	25 p.c.
208 l	Bichlorure d'étain et cristaux d'étain	10 p.c.
208m	Sulfate de cuivre (vitriol bleu)	10 p.c.
208n	Sulfate de fer (couperose)	10 p.c.
208o	Crème de tartre en cristaux, et acide tartrique en cristaux	10 p.c.
208q	Acide oxalique	10 p.c.
208r	Oxyde d'étain ou de cuivre	15 p.c.
208s	Sulfate de zinc et chlorure de zinc	20 p.c.
208t	Tous les produits chimiques et drogues, n.d., d'une espèce non produite au Canada	15 p.c.
ex 208t	Bicarbonate de soude	12½ p.c.
ex 208t	Alcool butylique, n.d.	20 p.c.
208u	Xanthates et composés sulfothiophosphoriques (dithiophosphoriques), utilisés pour la concentration des minerais, des métaux ou des minéraux	En fr.
208v	Cétone méthyléthylique, n.d., et acétate isopropylique	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
208w	Théobromine, brute, et sulfate diméthylique	En fr.
209c	Bichromate de potasse, brut; prussiate de potasse rouge et jaune	15 p.c.
210	(i) Péroxyde de soude; silicate de soude en cristaux ou en solution d'eau; sulfure de sodium; nitrite de soude; arséniate, biarséniate, bisulfite et stannate de soude; prussiate de soude	12½ p.c.
	(ii) Bichromate, sulfite et chlorate de soude	12½ p.c.
210d	Sulfate de soude, brut, ou salt cake .....la livre	1/4 c.
210e	Nitrate de soude ou salpêtre du Chili	En fr.
212	Sulfate d'alumine ou gâteaux d'alun, et alun en masse, moulu ou non, mais non calciné	10 p.c.
215	Acide stéarique, n.d.	12½ p.c.
216	Acides, n.d., d'une espèce non produite au Canada	15 p.c.
216d	Anhydride phtalique, acides adipique, abiétique, maléique et succinique, adipate diammoniocyclohexanique, sébaçate diammoniocyclohexanique, caprolactam, et éthylène-glycol, importés par les fabricants de résines artificielles pour servir exclusivement, dans leurs propres fabriques, à la fabrication des résines artificielles	En fr.
218	Phosphate acide, non médicinal	25 p.c.
219	(i) Solutions de peroxyde d'hydrogène, n.d.	22½ p.c.
	(ii) Solutions de peroxyde d'hydrogène renferment vingt-cinq pour cent ou plus, au poids, de peroxyde d'hydrogène	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
219a	Préparations ou produits chimiques non alcooliques pour la désinfection, ou pour combattre, éloigner ou détruire les champignons, les mauvaises herbes, les insectes, les rongeurs ou les autres fléaux d'ordre végétal ou animal, ou pour en modérer les dégâts, n.d. :	
	(i) En paquets d'un poids de trois livres au plus chacun, poids brut	12½ p.c.
	(ii) Autrement	7½ p.c.
219b	Aldéhyde formique, contenant au plus 15 p.c. d'alcool	En fr.
219d	Ether sulfurique; chloroforme, n.d.; préparations d'éther vinylique pour fins d'anesthésie	20 p.c.
220	Toutes préparations médicinales et pharmaceutiques, composées de plus d'une substance, y compris les médicaments brevetés et spécialités pharmaceutiques, les teintures, pilules, poudres, tablettes et trochisques, pastilles, capsules de gélatine remplies, sirops, cordiaux, amers, anodins, toniques, emplâtres, liniments, pommades, onguents, pâtes, gouttes, eaux, essences et huiles, n.d. :	
	(i) A l'état sec	20 p.c.
	(ii) A l'état liquide, lorsqu'ils contiennent au plus deux et demi pour cent d'esprit de preuve	22½ p.c.
	Toutefois, ne sont pas comprises dans le présent numéro les drogues, la pâte à pilules et les préparations, à l'exception des pilules ou des emplâtres médicinaux, reconnues comme officinales par la Pharmacopée anglaise ou celle des Etats-Unis, par le Formulaire canadien ou par le Codex français.	
220a	Préparations chimiques, composées de plus d'une substance, n.d. :	
	(i) A l'état sec	20 p.c.
	Liquide, lorsqu'elles contiennent au plus deux et demi pour cent d'esprit de preuve	20 p.c.
	(ii) Toutes les autres	25 p.c.
	Toutefois, tout produit visé dans le présent numéro et contenant plus de quarante pour cent d'esprit de preuve est soumis à un droit de .....par gallon	$3.00
	et	30 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 225	Carnauba	En fr.
228	(i) Savon de toilette, n.d.	22½ p.c.
	(ii) Poudres à savon, savon pulvérisé, savon minéral, et savon, n.d.	20 p.c.
229	Savon, commun ou de blanchissage .....les cent livres	$1.50
230	Savon de Marseille (Castille), le poids des cartons et des enveloppes devant être compris dans le poids imposable .. ..la livre	1 c.
231b	Gélatine comestible, importée uniquement pour faire des capsules destinées à la fabrication ou à la composition des préparations médicinales et pharmaceutiques	En fr.
232	(i) Colle forte, n.d. ..... et, la livre	22½ p.c. 5 c.
	(ii) Gélatine, n.d.	22½ p.c.
232b	Colle végétale	27½ p.c.
232e	Gélatine comestible	25 p.c.
232f	Mucilage et pâte adhésive .... et, la livre	20 p.c. 2½ c.
234	Parfumerie, y compris les préparations non alcooliques pour la toilette, savoir : Huiles à cheveux, poudres et eaux dentifrices et autres, pommades, pâtes et toutes autres préparations parfumées, n.d., pour la chevelure, la bouche ou la peau	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
236	Pansements, antiseptiques ou aseptiques, y compris coton hydrophile, charpie, laine d'agneau, étoupe, jute, filasse et tissus de coton ne pesant pas plus de sept livres et demie par cent verges (yards) carrées, importés séparément ou les uns avec les autres, mais non cousus ni autrement fabriqués; ceintures et bandages de prothèse et suspensoirs de toute sorte; serviettes hygiéniques et bandes abdominales	20 p.c.
238a	Articles fabriqués en pyroxyline plastique ou dont la pyroxyline plastique est la matière composante dominant en valeur, n.d.	25 p.c.
ex 238a	Films cinématographiques ou de vues animées, négatifs, n.d.	10 p.c.
238e	Cellulose régénérée et acétate de cellulose, transparents, en feuilles, non imprimés, et articles en cellulose régénérée ou en acétate de cellulose, n.d.	25 p.c.
239	Noir de fumée, noir de charbon, noir d'ivoire et noir animal	En fr.
240	Bleu d'outremer, sec ou en pâte; blanc d'Espagne; blanc de Paris et blanc de doreurs; blanc fixé et blanc de satin ..	10 p.c.
241a	Litharge, n.d.	15 p.c.
242	Minium sec; orangite; oxyde d'antimoine; oxyde de titane et oxyde de zinc tels que le blanc de zinc et le lithopone; pigments blancs ne contenant pas moins de 14 pour cent au poids de bioxyde de titane	12½ p.c.
243	Blanc de céruse, sec	20 p.c.
244	Blanc de céruse, broyé dans l'huile	25 p.c.
245	Ocre, terre ocreuse, terre de Sienne et terre d'ombre	15 p.c.
246	Oxydes, peintures dites fireproof et rough stuff, encollages, bleu à blanchisseuses et couleurs, à l'état sec, n.d.	17½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
246b	Teintures et oxydes, évalués à au moins 20c. la livre, pour servir exclusivement comme colorants dans la fabrication d'émail vitreux et de vernis à poterie; métaux ou composés de métaux réduits en petites particules, à l'état sec ou en suspension ou dissous dans un liquide, pour servir exclusivement à la fabrication d'articles de table en porcelaine ou en faïence	20 p.c.
247	Encollages liquides, couleurs anti-corrosives et anti-fouling, et couleurs broyées et liquides, n.d.	20 p.c.
247a	(i) Couleurs pour artistes et écoliers et les boîtes préparées pour les contenir	15 p.c.
	(ii) Pinceaux à l'usage d'artistes; pastels d'une valeur d'au moins un cent le crayon; toiles à l'usage des artistes, enduites et préparées pour la peinture à l'huile	22½ p.c.
248	Peintures et couleurs, broyées dans l'alcool, et tous vernis et laques à base d'alcool .....le gallon	85 c.
249	Vernis, laques, laques du Japon, siccatifs de laque du Japon, siccatifs liquides et vernis à l'huile, n.d. ....le gallon	15 c.
	et	15 p.c.
250	Vert de Scheele, à l'état sec	7½ p.c.
252	Cirage; encre à chaussures ou de cordonnier; apprêts pour chaussures, harnais et cuir; et composition ou pâte à polir les couteaux et autres, n.d.	17½ p.c.
253	Mastic de toute sorte	22½ p.c.
254	Gommes, savoir :	
	(i) Copal, damar, benzoin, Pontianac, nattakuching	En fr.
	(ii) D'épine-vinette, élemi, gedda, du Sénégal, adragante, mastic et sandaraque	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
254 (Suite)	(iii) Australienne et kauri; laque brute, graines, boutons, bâtons et coquilles; ambre gris; gommes et mélanges consistant en totalité ou en majeure partie de gommes, n.d.	10 p.c.
256	Encre d'imprimerie	15 p.c.
259a	Huile de graine de sésame, brute	22½ p.c.
261	Térébenthine, essence de	En fr.
262	Huile d'olive, n.d.	10 p.c.
263	Composés de plomb tétraéthyle, dans lesquels le plomb tétraéthyle est l'élément dominant en poids	5 p.c.
264	(i) Huiles essentielles, naturelles, savoir : Géranium, rose, ilang-ilang, citron, bergamote, orange, mandarine, citronnelle, girofle et jonc odorant	En fr.
	(ii) Huiles essentielles, naturelles et synthétiques, n.d.; huiles essentielles, naturelles et synthétiques, contenant d'autres matières non alcooliques, n.d., pour la fabrication de produits ou préparations devant servir à des fins médicinales, d'assaisonnement, de toilette ou autres, en conformité des règlements que le ministre peut établir	7½ p.c.
264a	Menthol, naturel ou synthétique	En fr.
265	Huiles de baleine, y compris l'huile de spermaceti	15 p.c.
265a	Huiles de poisson, n.d.	20 p.c.
265b	Huile de foie de morue, brute ou épurée	15 p.c.
265c	Huile de foie de flétan, brute ou épurée	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 266	Huile d'éléococque	En fr.
267b	Pétroles de première distillation; mélanges de ces pétroles ou de produits pétroliers avec du pétrole brut; tout ce qui précède d'une densité de .7249 (63.7 A.P.I.) ou plus lourde, à 60 degrés Fahrenheit, importés par les raffineurs d'huiles pour être raffinés dans leurs propres fabriques .....le gallon	1 c.
272	Gelées et huiles de pétrole raffinées pour la toilette, pour des fins médicinales, alimentaires et autres semblables	20 p.c.
ex 273	Asphalte solide	10 p.c.
274	Coke de pétrole	En fr.
ex 276b ex 277 ex 278b ex 278c	Huiles végétales brutes, importées pour être raffinées en vue de la consommation de bouche, savoir : Graine de coton, palme, palmiste, arachide et coco	10 p.c.
ex 277	Beurre de Galam	10 p.c.
278e ex 208t ex 711	Huile de ricin	En fr.
ex 281	Brique réfractaire contenant au moins quatre-vingt-dix pour cent de silice; brique réfractaire de magnésite ou de chrome; autre brique réfractaire évaluée à cent dollars le mille au moins, de forme rectangulaire, les	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 281 (Suite)	dimensions de chacune ne devant pas excéder cent vingt-cinq pouces cubes, à l'exclusion de la brique réfractaire fabriquée pour une bonne partie de carbure de silicium et d'alumine fondue, ou de l'un ou de l'autre, pour servir exclusivement à la construction ou à la réparation d'une fournaise, d'un fourneau ou d'autres appareils d'établissements industriels	En fr.
281a	Brique réfractaire, n.d., d'une catégorie ou espèce non produite au Canada, pour servir exclusivement à la construction ou à la réparation d'une fournaise, d'un fourneau ou d'autres appareils d'établissements industriels	En fr.
281b	Brique réfractaire, n.d.	15 p.c.
282	Brique à bâtir et brique à pavage	15 p.c.
282a	Articles en argile ou en ciment, n.d.	17½ p.c.
284	(i) Tuyaux de drainage, tuyaux d'égout et leurs raccords en terre cuite, tuyaux d'intérieur de cheminée ou ventouses, mitres de cheminée, et cunettes, vernissés ou non, n.d.	22½ p.c.
	(ii) Tuiles et carreaux en terre cuite, n.d.	25 p.c.
284a	Tuiles en terre cuite pour toitures	20 p.c.
285	Carreaux ou blocs en terre cuite ou en pierre préparés pour parquets en mosaïque	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
286	Poterie en terre et en grès, savoir : Dames-jeannes, barattes, cruches, cruchons ou pots, n.d.	20 p.c.
287	Articles de table en porcelaine, en faïence ou en granit blanc, non compris les théières, les cruches, les pots et les autres articles analogues connus généralement sous le nom de vaisselle de terre	25 p.c.
288	Poterie de grès, faïence de Rockingham, et poterie de terre, n.d.	25 p.c.
288a	Poterie de laboratoire en grès, composée d'un corps vitrifié non absorbant et spécialement composé pour résister aux acides ou à d'autres réactifs corrosifs	20 p.c.
288b	Formes de mains en porcelaine, importées par des fabricants et devant servir exclusivement à la fabrication de gants en caoutchouc dans leurs propres fabriques	20 p.c.
289	Bains, baignoires, cuvettes, water-closets, sièges et couvercles de water-closets, réservoirs de water-closets, lavabos, urinoirs, éviers et cuves à lessive, en terre cuite, grès, ciment, argile ou autre matière, n.d.	25 p.c.
ex 296	Pierre dite cliff, pierre crayeuse, pierre à porcelaine ou de Cornwall, broyée ou non	En fr.
ex 296	Micaschiste	En fr.
ex 296b	Magnésite morte ou agglomérée	15 p.c.
ex 296b	Carbonate de magnésium, basique ou non, à l'exception de la pierre brute	20 p.c.
296c	Carbonate de magnésium, importé pour servir à la composition ou à la fabrication d'objets en caoutchouc	20 p.c.
296d	Feldspath, lorsque sa fabrication ne dépasse pas le broyage	15 p.c.
296e	Magnésite, calcinée, non autrement ouvrée que broyée, lorsqu'elle est importée par des fabricants de matières isolantes, pour servir exclusivement dans leurs propres fabriques à la fabrication de ces matières isolantes	En fr.
297	Silex ou quartz cristallisé, moulu ou non moulu	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
300	Creusets, n.d., et leurs couvercles	15 p.c.
ex 305	Marbre brut, non martelé ni dressé au ciseau	10 p.c.
306	(i) Marbre, scié ou adouci au sable, non poli	10 p.c.
	(ii) Granit scié; blocs de pavage en pierre; dalles et pierres à bâtir autres que le marbre ou le granit, sciées sur deux côtés au plus	15 p.c.
306c	Marbre, non autrement ouvré que scié, importé par des fabricants de monuments funéraires pour servir exclusivement à la fabrication de ces articles dans leurs propres fabriques	10 p.c.
ex 308	Articles en albâtre, n.d.	22½ p.c.
312	Amiante sous toute forme autre qu'à l'état brut, et tous articles en amiante, n.d.	12½ p.c.
312a	Amiante sous toute forme autre qu'à l'état brut, et tous articles en amiante, faits avec de l'amiante brut provenant du Commonwealth britannique, n.d.	12½ p.c.
313	Plombagine, non moulue, ni autrement ouvrée	7½ p.c.
314	Plombagine moulue, et articles en plombagine, n.d., et poncifs de fonderie de toute sorte	22½ p.c.
315	Charbons ou électrodes de charbon mesurant plus de trois pouces de circonférence, mesure extérieure, et n'excédant pas trente-cinq pouces de circonférence, mesure extérieure; charbons d'une catégorie ou espèce non fabriquée au Canada, importés pour la fabrication d'accumulateurs et de piles sèches	En fr.
316	Charbons de lampes électriques et à arc, taillés ou non, et charbons de contact, n.d.	25 p.c.
	et, la livre	10 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
316a	Ampoules servant à la fabrication de lampes incandescentes, et verre en tubes pour servir à la f brication de lampes incandescentes, de fioles et d'ampoules; verre en tubes, n.d., d'au moins trois pieds de longueur, quand il est droit; manchons pour lampes à gaz	6 p.c.
317	Verre taillé à la dimension le rendant propre à servir à la fabrication de plaques sèches pour la photographie, lorsqu'il est importé par les fabricants de ces plaques sèches pour servir exclusivement à la fabrication de ces articles dans leurs propres fabriques	En fr.
318	Verre à vitre ordinaire et incolore	10 p.c.
319	Verre en feuilles, et glaces courbées, n.d.	20 p.c.
320	Glaces, non biseautées, en feuilles ou en carreaux n'excédant pas sept pieds carrés chacun, n.d.	10 p.c.
321	Glaces, non biseautées, en feuilles ou en carreaux excédant sept pieds carrés chacun, mais n'excédant pas vingt-cinq pieds carrés chacun, n.d.	20 p.c.
322	Glaces, n.d.	25 p.c.
323	Miroirs en verre, et glaces argentées, biseautés ou non, et encadrés ou non, n.d.	22½ p.c.
325	Vitreaux en verre de couleur ou d'ornement	15 p.c.
326	(i) Dames-jeannes ou touries, bouteilles, flacons, fioles, cruches et ballons de verre non taillé, n.d.; cheminées de verre, pour lampes, n.d.; carafes en verre et verres à boire, fabriqués à la machine, ni taillés ni décorés, n.d.	22½ p.c.
	(ii) Verrerie de table, n.d., et articles en verre pour l'éclairage, n.d.	22½ p.c.
	(iii) Verrerie opale, articles de table en verre taillé et objets en verre taillé, n.d.	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
326a	Objets fabriqués en verre, n.d.	17½ p.c.
326e	Articles en verre, non en feuilles ni en plaques, destinés à être taillés ou montés; articles de verrerie, importés par les fabricants d'argenterie pour servir dans des réceptacles faits avec des métaux précieux ou plaqués de métaux précieux par électrolyse, ou pour être munis de couvercles faits avec des métaux précieux ou plaqués de métaux précieux par électrolyse, dans leurs propres fabriques	En fr.
326g	Verrerie de grande résistance à la chaleur et au choc ..	15 p.c.
327	Lunettes, monocles, lorgnons, et verres rodés ou finis de lunettes, de monocles ou de lorgnons, n.d.	22½ p.c.
330	Antimoine ou régule d'antimoine, non moulu, ni pulvérisé ni autrement ouvré	En fr.
339a	Capsules de plomb pour bouteilles	25 p.c.
339b	Tubes flexibles en plomb ou en étain ou en plomb à placage d'étain.....	27½ p.c.
340	Caractères d'imprimerie, y compris châssis, coins et plombs à espacer, de toute sorte	17½ p.c.
341	Métal antifriction et métal à caractères d'imprimerie, en lingots, barres, plaques et feuilles	20 p.c.
345	Poudre, rubans et feuilles de zinc; plaques de zinc pour chaudières marines; écume de sel ammoniac; et tuyauterie de zinc étirée et sans soudure	En fr.
346	Zinc, articles en, n.d.	17½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
346a	Lingots ou disques de zinc, importés par des fabricants de piles sèches et devant servir à la fabrication de godets ou de coquilles sans soudure pour ces piles, dans leurs propres fabriques	En fr.
348c	Rebuts de laiton et laiton en blocs, lingots ou saumons; cuivre en barres ou tringles, non ouvré, d'au moins six pieds de longueur, n.d.; cuivre en bandes, feuilles ou plaques, ni polies, ni planées, ni enduites; tubes de laiton ou de cuivre, en longueurs d'au moins six pieds, et ni polis, ni courbés, ni autrement ouvrés	10 p.c.
350	Fil métallique de tout genre et de tout métal, n.d.	20 p.c.
351	Fil métallique, simple ou à plusieurs brins, recouvert de n'importe quelle matière, y compris les câbles ainsi recouverts, n.d.	20 p.c.
351b	Toile ou treillages en fils de laiton ou de cuivre	20 p.c.
352	Clous, broquettes, rivets et contre-rivures ou rondelles en laiton et en cuivre; cloches, clochettes et gongs, n.d.; et articles de laiton ou de cuivre, n.d.	20 p.c.
ex 352 ex 362c ex 432d ex 446a ex 506	Pièces de métal, à tout degré de fabrication, enduites ou non, et pièces de bois à l'état brut, importées par des fabricants de bobines, de canettes, de sépoules, de fuseaux et navettes, pour servir à la fabrication de ces objets dans leurs fabriques	10 p.c.
353	Aluminium et ses alliages, à l'état brut ou partiellement ouvrés, savoir :	
	(i) gueuses, lingots, blocs, barres à crans, brames, lopins, masseaux et barres à fil métallique ....la livre	2 c.
	(ii) barres, tringles, plaques, feuilles, lames, cercles, carrés, disques et rectangles .....la livre	3 c.
	(iii) angles, pièces en U, poutres, pièces en T, et autres profilés et formes laminés, étirés ou refoulés	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
353 (Suite)	(iv) fils et câbles, en tresses ou à torons ou non, armés d'acier ou non	22½ p.c.
	(v) tuyaux et tubes	22½ p.c.
	(vi) feuilles, n.d., ou lames, de moins de .005 pouce d'épaisseur, unies ou bosselées, avec ou sans renfort; poudre d'aluminium	30 p.c.
353a	(i) Aluminium en feuilles, de moins de .005 millimètre d'épaisseur	En fr.
	(ii) Déchets d'aluminium	En fr.
	Toutefois, ne sont considérés comme déchets d'aluminium que les déchets ou rebuts d'aluminium propres seulement à la refonte.	
354	Articles en aluminium, n.d.	22½ p.c.
354a	Ustensiles creux en aluminium pour la cuisine et les usages domestiques, n.d.	22½ p.c.
357	Articles en métal anglais, en argent au nickel, en argent du Nevada et en maillechort, non plaqués, n.d.	25 p.c.
361	Or et argent en feuilles; clinquant ou métal dit schlag en feuilles; poudres dites brocade et bronze	30 p.c.
362	Articles consistant entièrement ou partiellement en argent sterling ou autres articles en argent, n.d.; objets fabriqués en or ou en argent, n.d.	27½ p.c.
362a	Pièces de métal plaquées pour reliures à feuillets mobiles	17½ p.c.
362b	Articles de toilette de toutes sortes, y compris les vaporisateurs, les brosses, les polissoirs, les tire-boutons, les peignes, les canifs à cuticule, les réceptacles à cheveux, les miroirs à main, les écrins, les ciseaux de manucure, les limes à ongles, les bouteilles à parfum, les boîtes à houppes, les chausse-pieds, les plateaux et les pinces, dont la partie fabriquée de principale valeur est le sterling	30 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
362c	Articles nickelés, dorés ou plaqués par l'électrolyse, n.d.	22½ p.c.
364	Débris de diamant ou bort et diamants noirs, à l'usage des foreurs	En fr.
365a	Pièces de métal, non plaquées ni recouvertes, y compris les pièces embouties, les garnitures, les anneaux à ressort, les anneaux à tiges, fermoirs, agrafes, pivots, barres à chaîne de gilet, joints, taquets, languettes en épingle, languettes en boucle, couronnes, griffes de serrage, montures et goupilles, importées par les fabricants de bijouterie ou d'ornements pour servir à la parure, et devant être employées exclusivement à la fabrication desdits articles dans leurs propres fabriques.....	20 p.c.
365b	Fils et bandelettes, savoir : En or, doublés en or, en argent, doublés en argent, en laiton ou en argentan, moletés, tordus, décorés ou portant des motifs d'ornementation roulés ou dessinés, et fils en argentan, unis, en torques ou autrement, importés par les fabricants de bijouterie ou d'ornements destinés à la parure, et devant servir exclusivement à la fabrication desdits articles dans leurs propres fabriques	15 p.c.
366	Montres de toute sorte	30 p.c.
	mais d'au moins .....chacune	40 c.
366a	Mécanismes et mouvements de montres, finis ou non finis ..	15 p.c.
	mais d'au moins .....chacun	40 c.
366b	Pièces de mouvements de montres, finies ou non finies	15 p.c.
	Toutefois, le droit sur les plaques destinées à fixer quatre roues ou plus, ou d'autres pièces mobiles, ne doit pas être inférieur à .....la plaque	5 c.
367	Boîtiers de montres, et parties de boîtiers, finis ou non finis	25 p.c.
368	Horloges, horloges enregistreuses, mouvements d'horlogerie, mécanismes d'horlogerie et caisses d'horloges	30 p.c.
	mais pas moins de .....chacun	40 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
369	Pièces de mouvements d'horloges ou de mécanismes d'horlogerie, finies ou non finies, à l'exclusion des plaques	25 p.c.
370	Cylindres de cuivre et pierres pour imprimer les tissus textiles ou la tapisserie	10 p.c.
375	Alliages de fer :	
	c) Ferro-silicium, étant un alliage de fer et de silicium contenant 8 pour cent ou plus, au poids, de silicium et moins de 60 pour cent .....la livre ou la fraction de livre de silicium y contenu	1 c.
	f) Tous les alliages utilisés dans la fabrication de l'acier ou du fer, n.d.	5 p.c.
377a	Masseaux, lingots à crans, brames et billettes, n.d., barres à feuilles, de fer ou d'acier, quel qu'en soit le procédé de fabrication, n.d. .....la tonne	$4.00
377c	Lingots, lingots à crans, masseaux, brames et billettes, n.d., de fer ou d'acier, d'une catégorie ou espèce non fabriquée au Canada, importés par les fabricants de pièces forgées pour servir exclusivement à la fabrication de pièces forgées, dans leurs propres fabriques, en conformité des règlements établis par le Ministre ..la tonne	$3.00
377f	Barres ou tiges de fer ou d'acier, laminées à chaud, savoir : rondes, de plus de 4-7/8 pouces de diamètre, et carrées, de plus de 4 pouces .....la tonne	$6.00
378	Barres et tiges, de fer ou d'acier; billettes de fer ou d'acier, pesant moins de 60 livres par verge (yard) de longueur :	
	a) Non autrement ouvrées que laminées à chaud, n.d. ... .la tonne	$7.00
	b) Non autrement ouvrées que martelées ou pressées, n.d.	25 p.c.
	c) Laminées à froid, étirées, bobinées, tournées ou meulées, n.d.	20 p.c.
	d) Laminées à chaud, évaluées au moins à 4 c. la livre, n.d.	12½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
379	Barres ou tiges, de fer ou d'acier, y compris les billettes pesant moins de 60 livres par verge (yard) de longueur, laminées à chaud, telles qu'elles sont définies ci-dessous, conformément aux règlements établis par le Ministre :	
	e) Barres de fer ou d'acier, laminées à chaud, de 5 pouces de diamètre et plus, importées par des fabricants d'arbres de transmission polis pour servir dans leurs propres fabriques .....la tonne	$7.00
	f) Châssis ou sections de châssis de fer ou d'acier, laminés à froid ou à chaud, non percés, perforés ni ouvrés davantage, importés par des fabricants de châssis de fenêtres métalliques, pour servir dans leurs propres fabriques .....la tonne	$7.00
380	Plaques de fer ou d'acier, laminées à chaud ou à froid :	
	a) D'au plus 66 pouces de largeur, n.d. .....la tonne	$8.00
	b) De plus de 66 pouces de largeur, n.d. .....la tonne	$6.00
	c) Bordées, en cunette ou courbées, n.d.	25 p.c.
	d) Avec carrés, losanges ou un autre patron en relief sur la surface de contact .....la tonne	$8.00
381	Feuilles de fer ou d'acier, laminées à chaud ou à froid :	
	a) De .080 de pouce d'épaisseur ou moins, n.d.	20 p.c.
	b) De plus de .080 de pouce d'epaisseur, n.d. ..la tonne	$6.00
382	Cercles, bandes ou lisières, de fer ou d'acier :	
	a) Laminés à chaud, de .080 de pouce d'épaisseur, ou moins, n.d.	12½ p.c.
	b) Laminés à chaud, de plus de .080 de pouce d'épaisseur, n.d. .....la tonne	$7.00
	c) Laminés à froid ou étirés à froid, de .080 de pouce d'épaisseur ou moins, n.d.	20 p.c.
	d) Laminés à froid ou étirés à froid, de plus de .080 de pouce d'épaisseur, n.d.	27½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
383	Feuilles, plaques, cercles, bandes ou rubans, de fer ou d'acier :	
	a) Recouverts d'étain, d'une catégorie ou espèce non fabriquée au Canada, n.d.	10 p.c.
	b) Recouverts d'étain, n.d.	15 p.c.
	c) Recouverts de zinc, n.d.	17½ p.c.
	d) Recouverts de métal ou de métaux, n.d.	10 p.c.
	e) Recouverts de peinture, de goudron, d'asphalte, ou autrement recouverts, n.d.	12½ p.c.
	f) Recouverts d'émail vitreux, n.d.	20 p.c.
	g) Ondulés, recouverts ou non	20 p.c.
384	Bandes de fer ou d'acier laminées à chaud et importées par des fabricants de tuyaux et de tubes pour servir exclusivement à la fabrication de tuyaux et de tubes, dans leurs propres fabriques, en conformité de règlements établis par le Ministre	5 p.c.
385	Feuilles, plaques, cercles, bandes ou rubans de fer ou d'acier, laminés à chaud, évalués à au moins cinq cents la livre, n.d.	12½ p.c.
385a	Feuilles, plaques, cercles, bandes ou rubans, en acier à l'épreuve de la rouille, des acides ou de la chaleur, laminés à chaud ou à froid, polis ou non polis, et évalués au moins à 5 cents la livre	12½ p.c.
386	Feuilles, plaques, cercles, bandes ou rubans de fer ou d'acier, tels qu'ils sont désignés ci-dessous, en conformité des règlements établis par le Ministre :	
	a) Plaques, importées par des manufacturiers pour servir exclusivement à la fabrication ou réparation, dans leurs propres fabriques, des parties, soumises à de hautes pressions, de chaudières, de digesteurs à pâte de bois, d'accumulateurs de vapeur et de vaisseaux pour le raffinement des huiles .....la tonne	$5.00
	c) Feuilles, plaques, cercles, bandes ou rubans, laminés à chaud, étant des versoirs, socs, formes de sabots ou de bineuses, plaques de charrue, cercles à	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
386 (Suite)	surailles ou à disques, lorsque ces rectangles, cercles ou ébauches sont coupés à la dimension, mais ni moulés, ni poinçonnés, ni polis, ni autrement ouvrés, et lorsqu'ils sont importés par des fabricants d'instruments cratoires pour servir exclusivement à la fabrication d'instruments cratoires dans leurs propres fabriques	En fr.
	h) Feuilles, plaques, cercles, bandes ou rubans, durcis, trempés ou meulés, non autrement ouvrés que taillés en forme, sans bords dentelés, lorsqu'ils sont importés par des fabricants de scies pour servir exclusivement à la fabrication de scies dans leurs propres fabriques	10 p.c.
	k) Feuilles, laminées à chaud ou à froid, importées par des manufacturiers d'ustensiles creux recouverts d'émail vitreux ou d'appareils destinés à la cuisson ou appelés à chauffer des bâtiments, et devant servir exclusivement à la fabrication d'ustensiles creux recouverts d'émail vitreux ou de feuilles émaillées vitreuses pour des appareils destinés à la cuisson ou appelés à chauffer des bâtiments	10 p.c.
	m)(i) Feuilles de fer ou d'acier, laminées à froid, importées par des manufacturiers pour servir exclusivement à la fabrication de feuilles recouvertes d'étain	15 p.c.
	(ii) Feuilles, cercles, bandes ou rubans de fer ou d'acier, laminés à chaud, importés par des manufacturiers pour servir exclusivement à la fabrication, dans leurs propres fabriques, de feuilles, cercles, bandes ou rubans recouverts de zinc, ou d'autre métal, ou d'autres métaux, non compris l'étain	17½ p.c.
	p) Feuilles de fer ou d'acier laminées à chaud ou à froid, avec teneur en silicium de .075 p.c. ou plus, lorsqu'elles sont importées par les manufacturiers d'appareils électriques pour servir à la fabrication d'appareils électriques dans leurs propres fabriques	12½ p.c.
	q) Acier à douves, laminé à chaud ou à froid, uni ou recouvert, .064 pouce ou moins d'épaisseur, d'au plus trois pouces de largeur, importé par les fabricants	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
386 (Suite)	de caques ou de barillets, ou par les fabricants de douves plates pour caques et barillets, et devant servir exclusivement dans leurs propres fabriques	12½ p.c.
387c	Rails à gorge (ou rails-poutres) en acier pour tramways électriques, pesant au moins 75 livres par verge (yard) linéaire, poinçonnés, perforés, ou non, de formes et de longueurs non fabriquées au Canada .....la tonne	$7.00
388	Cornières en fer ou en acier, poutres, pièces en U, colonnes, solives, chevrons, tés, fers en Z et autres formes ou profilés, ni poinçonnés, ni perforés, n'ayant pas subi plus de main-d'oeuvre que le laminage à chaud, pesant au moins 35 livres par verge (yard) linéaire, n.d.; pilots de fer ou d'acier non poinçonnés ni perforés, pesant au moins 35 livres par verge (yard) linéaire, y compris les sections d'enclenchement utilisées avec ces pièces, s'il en est, n.d. .....la tonne	$3.00
388b	Cornières, poutres, pièces en U, colonnes, solives, chevrons, tés, fers en Z et autres formes ou profilés en fer ou en acier, ni poinçonnés, ni perforés, n'ayant pas subi plus de main-d'oeuvre que le laminage à chaud, n.d.; pilots de fer ou d'acier, ni poinçonnés, ni perforés, avec les sections d'enclenchement utilisées avec ces pièces, s'il en est, n.d. .....la tonne	$7.00
388d	Cornières, poutres, pièces en U, colonnes, solives, chevrons, pilots, tés, fers en Z, et autres formes ou profilés en fer ou en acier, poinçonnés, perforés, ou plus ouvrés que laminés à chaud ou fondus, n.d.	30 p.c.
388e	Profilés de longrines latérales ou centrales, en fer ou en acier, de toutes dimensions non fabriquées au Canada, pesant au moins 35 livres par verge (yard) de longueur, ni poinçonnés, ni perforés, ni autrement ouvrés, lorsqu'ils sont importés par des fabricants de wagons de chemin de fer, pour être employés dans leurs propres fabriques ... .la tonne	$3.00
390	Moulages en fer, malléable, n.d.	30 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
390a	Moulages en fer, non malléable, n.d.	20 p.c.
390b	Moulages en acier, n.d.	20 p.c.
390c	Bagues de piston en fer ou en acier, non ouvrées et telles qu'à la sortie des moules	En fr.
392	Pièces forgées de fer ou d'acier, quel que soit leur degré de fabrication, n.d.	25 p.c.
ex 392	Parties inférieures forgées de crosses de golf, en fer ou en acier, avec ou sans empreinte sur la face, ou marque semblable, mais non meulées, non polies, non plaquées ni autrement finies	10 p.c.
392a	Pièces forgées de fer ou d'acier, quel que soit leur degré de fabrication, creuses, usinées ou non, d'au moins 12 pouces de diamètre intérieur; et toutes autres pièces forgées, pleines ou autrement, quel que soit leur degré de fabrication, d'un poids de 20 tonnes ou plus	15 p.c.
393	Bandages d'acier, à l'état brut, non forés ni usinés d'aucune manière, pour véhicules de chemin de fer, y compris les locomotives et tenders	7½ p.c.
394	Essieux et barres d'essieux, n.d., et ébauches d'essieux et leurs pièces, en fer ou en acier :	
	a) Pour véhicules de chemins de fer, y compris les locomotives et les tenders	22½ p.c.
	b) Pour d'autres véhicules, n.d.	22½ p.c.
	c) N.d.	22½ p.c.
396	Tuyaux en fonte de fer ou d'acier, d'une valeur ne dépassant pas cinq cents la livre .....la tonne	$10-00

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
396a	Tuyaux, en fonte, de fer ou d'acier, n.d.	7½ p.c.
397	Tuyaux et tubes, de fer ou d'acier forgé, unis ou recouverts :	
	a) Soudés ou sans couture, avec bouts ordinaires ou ouvrés, et n'ayant pas plus de 10½ pouces de diamètre, n.d.	22½ p.c.
	b) Soudés ou sans couture, avec bouts ordinaires ou ouvrés, ayant plus de 10½ pouces de diamètre, n.d. ..	15 p.c.
	c) Non ajointés, avec bouts unis, n'ayant pas plus de 2½ pouces de diamètre, n.d.	10 p.c.
	d) N.d.	15 p.c.
398	Tuyaux et tubes, en acier, sans couture, étirés à froid, bouts ordinaires, d'une valeur d'au moins cinq cents la livre, n.d.	5 p.c.
398a	Tuyaux et tubes, de fer ou d'acier, sans couture, étirés à froid, avec bouts unis, polis, d'une valeur d'au moins cinq cents la livre; tubes d'acier, soudés ou sans couture, de plus de 10½ pouces de diamètre, avec bouts unis, lorsqu'ils sont importés pour servir exclusivement à la fabrication ou à la réparation de cylindres servant aux machines à papier	15 p.c.
400	Accessoires et raccords en fer ou en acier, de tout genre, pour tuyaux et tubes en fer ou en acier; pièces achevées de ces articles	22½ p.c.
401	Fil de fer ou d'acier :	
	a) Fil de fer barbelé, enduit ou non	10 p.c.
	b) Tordu, tressé ou à toron., y compris le cordage ou le câble métallique, enduit ou non, n.d.	25 p.c.
	c) Etiré plat ou laminé plat à froid après étirage, enduit ou non n.d.; d'au plus .25 de pouce de largeur et moins de .1875 de pouce d'épaisseur	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
401 (Suite)	d) Enduit de zinc, courbé ou non, bobiné, .144, .104, ou .092 de pouce de diamètre, avec tolérance ne dépassant pas .004 de pouce et non destiné aux lignes télégraphiques ou téléphoniques, n.d.	10 p.c.
	e) Enduit de zinc, n.d.	20 p.c.
	f) A un seul ou plusieurs brins, enduit, n.d., ou recouvert de n'importe quelle matière, y compris le câble ainsi recouvert	30 p.c.
	g) N.d.	15 p.c.
402a	Clôture en toile métallique ou clôture métallique soudée, de fer ou d'acier, recouverte ou non, n.d.; toile ou treillage en fil de fer ou d'acier, recouvert ou non ...	25 p.c.
402b	Toile métallique, en fer ou en acier, recouverte, faite de fil du calibre 17 ou plus lourd, à mailles d'au moins un pouce et d'au plus deux pouces, à joints spécialement renforcés, pour servir exclusivement sur les fermes d'animaux à fourrure, en vertu de règlements prescrits par le Ministre	
	(i) D'une espèce ou catégorie non faite au Canada	17½ p.c.
	(ii) N.d.	20 p.c.
403	Fil d'acier :	
	c) Evalué à deux cents et trois quarts au moins la livre, lorsqu'il est importé par des fabricants de câbles métalliques pour servir exclusivement à la fabrication de câbles métalliques, dans leurs propres fabriques, sous le régime de règlements établis par le Ministre..	5 p.c.
404	Ressorts de fer ou d'acier :	
	b) Pour les organes de roulement d'autres véhicules, n.d.	27½ p.c.
406	Chaîne à anneaux ordinaires, mailles de chaîne à anneaux ordinaires, y compris les anneaux de réparation et les boucles de chaîne, de fer ou d'acier :	
	a) Un pouce et un huitième de diamètre et plus	5 p.c.
	b) Moins d'un pouce et un huitième de diamètre	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
407	Chaîne silencieuse et chaîne finie à rouleaux, de fer ou d'acier, et pièces achevées, d'une espèce ou d'une catégorie non fabriquée au Canada, n.d., chacune de ces chaînes devant être d'un modèle qui actionne un engrenage ou un pignon dentelé à la machine	15 p.c.
407a	Chaînes de fer ou d'acier, n.d., et pièces achevées	25 p.c.
408	Chaînes-Galle malléables et chaînes de transmission à mailles, de fer ou d'acier, y compris chaînes à rouleaux de toutes espèces pour fonctionner sur des pignons-Galle ou engrenages en acier, lorsqu'elles sont importées par des fabricants d'instruments aratoires pour servir exclusivement à la fabrication d'instruments aratoires, dans leurs propres fabriques, en vertu des règlements établis par le Ministre	En fr.
409	Ecrémeuses et leurs pièces achevées, y compris les bols d'acier	En fr.
409b	Bineuses, herses, semoirs mécaniques, râteaux à cheval, houes à cheval, ratissoires, distributeurs d'engrais, semoirs de jardin, houes à sarcler et pièces achevées de ces instruments	En fr.
409c	Charrues; rouleaux pour la ferme, le champ, le gazon ou le jardin; pilons à fouler le sol; pièces achevées de ces instruments	En fr.
409d	Faucheuses, moissonneuses, avec ou sans appareil à lier, appareils à lier, moissonneuses combinées avec batteuses-cribleuses, y compris le moteur qui y est assujetti, et pièces achevées de ces machines	En fr.
409e	(i) Pulvérisateurs et saupoudroirs mécaniques et leurs accessoires, y compris les pulvérisateurs à main; appareils spéciaux pour la stérilisation des bulbes; appareils d'essai à pression pour déterminer la maturité des fruits; serpettes; sécateurs; instruments à écorner les bestiaux, et pièces achevées de tous les articles qui précèdent	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
409e (Suite)	(ii) Machines à classer, râper, laver et essuyer les fruits et les légumes, et machines combinées pour l'ensachement et le pesage, et les pièces achevées de ces machines; machines à étêter les légumes et machines à mettre en bouquets et(ou) à attacher les fleurs coupées, les légumes et les plants de pépinière, et les pièces achevées de ces machines; machines à fabriquer des boîtes ou à poser les couvercles de boîtes pour fruits et légumes et les pièces achevées de ces machines; classeurs et nettoyeurs d'oeufs, et les pièces achevées de ces machines, non compris les pièces en aluminium	En fr.
409f	Chargeuses à foin, faneuses à foin, planteurs et arracheuses de pommes de terre, hache-paille ou hache-fourrage, coupoirs d'ensilage, concasseurs de grain, broyeuses de grain ou de foin, pour la ferme seulement, foreuses de trous de poteaux, manches de faux, essoucheuses, chargeuses ou élévateurs à grain d'une capacité d'au plus 40 boisseaux à la minute et tous les autres instruments aratoires ou machines agricoles, n.d.; et pièces achevées de tout ce qui précède	En fr.
409g	Incubateurs pour l'incubation des oeufs, éleveuses à poussins et les pièces achevées des machines susmentionnées	En fr.
409h	Presses à foin et leurs pièces achevées	En fr.
409i	Faux, faucilles, hachoirs pour le foin et la paille, tranche-gazon, houes, fourches, râteaux, n.d.	En fr.
409j	Tarares; écosseuses; égreneuses à maïs; séparateurs de battueuses, y compris les appareils de pesage, les emmulonneuses à vent, les ensacheurs et les engreneuses automatiques; pièces achevées de toutes ces machines	En fr.
409k	Moulins à vent et pièces achevées de ces moulins, non compris les arbres de transmission	En fr.
409l	Excavateurs locomobiles (qui ne sont pas des charrues) et leurs pièces achevées	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
409m	Tracteurs à combustion interne; appareils de traction destinés à être combinés avec des automobiles au Canada pour servir de tracteurs; pièces achevées de toutes ces machines	En fr.
409p	Pasteurisateurs pour la laiterie et leurs pièces achevées	15 p.c.
410a	Chargeuses de front, transporteurs à secousses ou à courroie, moteurs à air, moteurs protégés, sans flamme, d'une catégorie ou d'une espèce non fabriquée au Canada, et parties intégrantes de tous les moteurs ou machines mentionnés dans ce numéro, pour servir exclusivement au front d'abatage dans les opérations minières	10 p.c.
410b	Machines et appareils pour servir exclusivement au lavage ou au nettoyage à sec du charbon aux houillères ou aux usines à coke; machines et appareils servant exclusivement à la fabrication du coke et du gaz; machines et appareils servant exclusivement à la distillation ou à la récupération des produits du goudron ou du gaz de houille et pièces achevées de ces machines et appareils, à l'exclusion de la force motrice, des réservoirs à gaz, des tuyaux et soupapes de 10½ pouces ou moins de diamètre ...	10 p.c.
410d	Machines et appareils, et leurs pièces achevées, pour servir exclusivement au forage de puits d'eau, de gaz naturel ou d'huile, ou à la prospection, à l'exclusion de la force motrice; machines et appareils d'une espèce ou catégorie non fabriquée au Canada pour l'entretien et l'essai des puits de gaz et d'huile; garnitures étanches de puits et leurs pièces achevées, devant être employées dans les puits de pétrole et de gaz; tuyaux de fer ou d'acier sans soudure, d'une espèce ou catégorie non fabriquée au Canada, pour servir au cuvelage de puits d'eau, de gaz naturel ou d'huile	En fr.
410j	Lampes à acétylène pour mineurs et leurs pièces achevées; lampes de sûreté pour mineurs et leurs pièces achevées; accessoires pour nettoyer, remplir, charger, démonter et éprouver les lampes de sûreté des mineurs; préparations pour la recharge des piles destinées aux lampes de sûreté électriques des mineurs; le tout devant servir exclusivement dans les mines	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
410 l	Broyeuses de minerai, concasseurs de pierre, bocards à pilons, broyeuses, foreuses, haveuses à percussion, tarières à houille, foreuses rotatives à houille, n.d., et pièces achevées de toutes ces machines, devant servir exclusivement aux opérations de mine, de métallurgie ou d'abatage en carrière	15 p.c.
410n	Perforatrices à diamant et sondeuses à carottes, non compris la force motrice, et foreuses rotatives à houille mues à l'électricité, et haveuses, n.d., et parties intégrantes des machines susmentionnées, ne devant servir que dans les opérations minières	10 p.c.
410u	Soufflerles de fer ou d'acier, n.d., pour servir à la fusion des minerais, ou à la réduction, la séparation ou l'affinage des métaux, minerais ou minéraux; fours rotatifs, grilleurs et fourneaux tournants en métal, n.d., pour servir au grillage des minerais, minéraux, roches ou argiles; chariots à scories de hauts fourneaux et poches à scories, n.d., et les parties intégrantes de tous les articles mentionnés ci-dessus	17½ p.c.
410x	Machines et appareils, n.d., et leurs pièces achevées, pour la récupération des particules solides ou liquides de gaz de cornaux ou de gaz perdu dans les établissements métallurgiques ou industriels, exception faite de la force motrice, des réservoirs à gaz, des tuyaux et valves d'un diamètre de 10½ pouces ou moins	10 p.c.
411a	Machines, chariots, grues, palans et poulies, cordages métalliques, à l'exclusion des cordages métalliques servant d'étais ou pour freiner les billes descendant une pente, et pièces achevées des appareils ci-dessus mentionnés, pour servir exclusivement à la manutention des grumes, ces opérations devant comprendre le transport des billes de la souche jusqu'à la voie de glissement, le dépôt de billes, ou le voiturier public ou autre	12½ p.c.
412a	Machines et appareils, n.d., savoir : Seringues et moules pour faire les rouleaux de presses; machines et appareils pour faire les électrotypes et les stéréotypes; machines et appareils à graver, y compris les appareils à photogravure, et autres appareils pour la fabrication de	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
412a (Suite)	planches servant à la fabrication de planches de toutes sortes; machines et appareils à grainer les planches métalliques; machines et appareils à sensibiliser, émouler ou polir les planches métalliques; machines et appareils, y compris appareils photographiques et leurs accessoires, lentilles, prismes, lanternes à kodak et à imprimer, trames et cadres à vide servant à transférer par photographie ou directement les clichés sur plaques ou cylindres pour la lithographie, la rotogravure et l'impression; appareils à ombrer; machines et appareils à adresser et(ou) à envelopper les journaux, magazines, périodiques, brochures et catalogues; machines et appareils à imprimer en relief ou à estamper ou à produire des effets d'impression en relief ou de gravure, à relier, boucler, brocher, coudre, assembler, insérer, bronzer, saupoudrer, marquer, rayer, couper, perforer, forer, poinçonner, refendre, rouler, coller, gommer, cirer, vernir, enduire de carbone, rapiécer, numéroter, régler, secouer, empiler, attacher, mettre en liasses, à fabriquer les tubes, à faire un montage métallique, à faire les oeillets, fixer ou pelliculer, à renforcer et à cartonner; pièces achevées, à l'exclusion des scies, couteaux et appareils moteurs; tout ce qui précède ne devant servir qu'aux imprimeurs, dans l'exercice de leur profession, aux lithographes, aux relieurs, aux fabricants de stéréotypes, d'électrotypes et de planches ou cylindres d'impression, de convertisseurs de papier ou aux fabricants d'articles en papier et en carton	En fr.
412b	Presses à imprimer à cylindre et platine, pour imprimer des feuilles de 25 sur 38 pouces ou plus et leurs pièces achevées; machines servant à plier ou à marger le papier ou le carton, et leurs pièces achevées	10 p.c.
412c	Machines à composer et a fondre les caractères et leurs pièces, pour servir dans les imprimeries	En fr.
412d	Presses du type offset; presses à lithographier; presses à imprimer et leurs accessoires pour la fonte des caractères, n.d.; pièces achevées de ce qui précède, à l'exclusion des scies, couteaux et moteurs	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
413	Machines et appareils, d'une catégorie ou espèce non fabriquée au Canada, et leurs pièces, construits spécialement pour préparer, fabriquer, essayer ou finir les fils, cordages, et tissus faits de fibres textiles ou de papier, et importés pour servir exclusivement aux manufacturiers et aux institutions d'enseignement ou de charité pour ces procédés seulement	5 p.c.
414	(i) Dactylotypes	20 p.c.
	(ii) Pièces achevées de dactylotypes	15 p.c.
414a	Machines à dicter, transcrire et à racler les cylindres et leurs pièces achevées, y compris les cylindres de cire non finis	12½ p.c.
414c	(i) Machines à tenir les comptes, à calculer et facturer, et leurs pièces achevées, n.d.	10 p.c.
	(ii) Machines à additionner	17½ p.c.
	Pièces achevées de machines à additionner	15 p.c.
415	Aspirateurs électriques et leurs accessoires; aspirateurs à main; et les pièces achevées des machines ci-dessus dénommées, y compris les boyaux de succion, n.d.	20 p.c.
415a	Glacières, pour habitations ou magasins, munies ou non de tous leurs accessoires :	
	(i) Electriques	22½ p.c.
	(ii) Autres qu'électriques	22½ p.c.
415b	Lessiveuses de ménage, avec ou sans moteur en faisant partie; pièces achevées de lessiveuses	22½ p.c.
415c	Essoreuses de ménage, et leurs pièces achevées en métal ..	22½ p.c.
415d	Machines à coudre, avec ou sans moteur en faisant partie; pièces achevées de machines à coudre	15 p.c.
422	Rouleaux compresseurs pour les routes ou les rues, et leurs pièces achevées	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
422a	Machines pour le pavage en béton, automobiles, se chargeant par le bout, ayant une capacité de 21 pieds cubes ou plus de béton humide; machines à finir les chaussées en béton et asphalte; machines à profiler les chemins; régaleuses de fond; appareils combinés de grattoirs transporteurs et excavateurs; bétonnières du type mobile; chariots à bascule ou remorques, non automobiles, d'une capacité de 10 verges (yards) cubes ou plus; machines et matériel pour le remblayage, montés sur roues automotrices ou chenilles, à élindes tournantes ou semi-tournantes et du type racleur; sonnettes ou extracteurs de pilots mûs à la vapeur ou à l'air; pointes de tubes perforateurs; tables tournantes pour camions; le tout d'une catégorie ou espèce non fabriquée au Canada, et leurs pièces achevées	10 p.c.
423	Moteurs électriques pour dentistes	22½ p.c.
424	Appareils à incendie et autres machines pour éteindre les incendies, et leurs châssis; leurs pièces achevées autres que les pièces de châssis	25 p.c.
424a	Extincteurs a main et arrosoirs pour systèmes automatiques d'extincteurs protégeant contre les incendies	20 p.c.
425	Tondeuses de gazon	25 p.c.
ex 425	Tondeuses de gazon fabriquées pour être actionnées par moteur, avec ou sans le moteur	15 p.c.
427	Toutes les machines composées entièrement ou partiellement de fer ou d'acier, n.d., et les pièces achevées de ces machines	25 p.c.
ex 427	Machines et appareils énumérés au n° 412a du Tarif, utilisés par les fabricants d'articles en cellulose régénérée ou en acétate de cellulose; pièces achevées de ces machines et appareils, à l'exclusion des scies, couteaux et moteurs	5 p.c.
ex 427	Machines à sécher les feuilles de placage, et leurs pièces achevées	5 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 427	Brocheuses à bras ou mécaniques, mais à l'exclusion du moteur; pièces achevées de ce qui précède	5 p.c.
427a	Toutes les machines composées entièrement ou partiellement de fer ou d'acier, n.d., d'une espèce ou catégorie non fabriquée au Canada; pièces achevées de ces machines	10 p.c.
ex 427b	Coussinets à billes ou à rouleaux	17½ p.c.
427c	Machinerie pour des fins de laiterie, savoir : barattes mécaniques, refroidisseurs à lait mécaniques, embouteilleuses et boucheuses mécaniques, congélateurs mécaniques pour crème glacée, moules à beurre mécaniques, écrémeuses mécaniques (power cream savers), stérilisateurs mécaniques de bouteilles, réservoirs mécaniques à saumure, laveuses mécaniques de bouteilles à lait, laveuses mécaniques de bidons à lait; broyeuses de glace, pompes centrifuges ou sans soupapes, pour le lait, cuves sanitaires à lait ou à crème; à l'exclusion du moteur pour toutes les machines susmentionnées	15 p.c.
427d	Machines pour servir à la fabrication de bouts de boîtes rigides composés en bois - consistant en un centre avec rebords distincts à clouer - avec des déchets ou pièces de rebut de moulin, et leurs pièces achevées, la force motrice non comprise	25 p.c.
427e	Machines automatiques à fabriquer et empaquoter les cigares et les cigarettes, à l'exclusion des machines à préparer le tabac	10 p.c.
427h	Cinématographes, lampes à arc pour la cinématographie, projecteurs pour cinéma ou théâtre, machines à donner des effets de lumière, écrans cinématographiques, cinématographes portatifs, avec ou sans mécanisme de sonorisation; redresseurs ou générateurs électriques devant servir avec les cinématographes; pièces achevées de ce qui précède, à l'exclusion des ampoules électriques, lampes ou lampes excitatrices	15 p.c.
428c	Moteurs ou chaudières, et leurs pièces achevées, n.d. ...	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
428d	Magnétos et leurs pièces achevées, importées par des manufacturiers de moteurs à combustion interne, pour servir exclusivement à la fabrication de ces moteurs à combustion interne, dans leurs propres fabriques	10 p.c.
428e	Moteurs diesel et semi-diesel, et leurs pièces achevées, n.d.	20 p.c.
428f	Moteurs à combustion interne avec refroidissement à l'air, d'une force ne dépassant pas 1½ h.p., et leurs pièces achevées	20 p.c.
429	Coutellerie de fer ou d'acier, plaquée ou non :	
	b) Couteaux de table et fourchettes de table	25 p.c.
	c) Canifs, couteaux de chasse et couteaux de poche de toute sorte	20 p.c.
	d) Couteaux, n.d.	20 p.c.
	e) Cuillers	25 p.c.
	f) Ciseaux et cisailles, n.d.	20 p.c.
	g) Rasoirs et leurs pièces achevées, lames de rasoirs, n.d.	27½ p.c.
	Lames de rasoirs mécaniques	20 p.c.
430	Ecrous et boulons filetés ou non, rondelles, rivets, de fer ou d'acier, enduits ou non, n.d.; ébauchons d'écrous et de boulons, de fer ou d'acier .....les cent livres	50 c.
	et	17½ p.c.
430a	Charnières et pentures de fer ou d'acier, enduites ou non, n.d.; ébauchons de pentures et de charnières, de fer ou d'acier.....les cent livres	75 c.
	et	20 p.c.
430b	Vis de fer ou d'acier, enduites ou non :	
	(I) Vis à bois	20 p.c.
	(II) Vis à machines et autres, n.d. .....les cent livres	50 c.
	et	17½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
451b	Erminettes, enclumes, étaux, merlins, hachettes, scies, tarières, mèches, forets, tournevis, rabots, racloirs, ciseaux, maillets, coins de métal, clefs anglaises, masses, marteaux, leviers, renards et outils de voies ferrées, pics, pioches et emmanchures et manches	25 p.c.
451c	Outils de précision et instruments de mesure pour machinistes et ouvriers en métaux, savoir : Compas de calibre, micromètres, rapporteurs et équerres en métal, biseaux, verniers, jauges, blocs de jauge, règles à tracer des parallèles, boutons, fils à plomb à mercure, compas à pointes sèches, compas d'ellipse, rouannes, pointeaux automatiques, indicateurs manuels de vitesse, limandes, brides de serrage de règles pour transmissions et autres brides de serrage et étaux utilisés par les taillandiers pour le travail de précision, outils de précision et instruments de mesure, n.d.; pièces achevées ou non de tout ce qui précède	10 p.c.
451d	Appareils et instruments de précision pour ingénieurs, arpenteurs et dessinateurs, savoir : Alidades; instruments pour le mesurage de l'altazimut; baromètres anéroïdes, du génie, de la milice et de l'arpentage; prismes à angle; planches, croquis militaires; sextants en boîtes, clinomètres; boussoles; têtes de mires transversales; courbes, réglables, irrégulières, de chemins de fer et de navigation; curvimètres; instruments de dessin de toutes sortes, y compris les étuis qui les contiennent; aiguilles d'inclinaison; machines à tracer; héliographes; intégrateurs; niveaux à trépied et à main ou de poche; mires; appareils pour déterminer les lignes de lotissements; mètres portatifs, pour le génie hydraulique; pantographes; planimètres; rapporteurs; règles parallèles; accessoires de réglage parallèle; jalons; podomètres et compte-pas; planchettes militaires et topographiques; échelles, planes et triangulaires; règles à coulisse; languettes; règles d'acier ou de bois; tachymètres; machines de contrôle de poche, équerres en T, en acier ou en bois; télémètres; théodolites; lunettes, à trépied, à main ou de poche; triangles de tous genres; trépieds pour l'un quelconque de ces instruments; pièces, achevées ou non, de tout ce qui précède	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
431e	Règles et rubans de mesure, de toutes sortes	22½ p.c.
431f	Limes et râpes	25 p.c.
431g	Compteurs fixes ou à demeure, d'une grandeur ou capacité non fabriquée au Canada, pour le génie hydraulique; manomètres, indicateurs et enregistreurs des niveaux, du volume ou du débit de l'eau ou d'autres liquides, d'une catégorie ou sorte non fabriquée au Canada	20 p.c.
432	Articles creux de cuisine, en fer ou en acier, enduits ou non, n.d.	20 p.c.
432a	Articles creux de cuisine et de laiterie, en fer ou en acier, étamés, y compris les bidons pour l'expédition du lait ou de la crème, non peints, non laqués et non décorés	20 p.c.
432b	Articles creux de cuisine, en fer ou en acier, recouverts d'émail vitreux	22½ p.c.
432c	Récipients en fer-blanc, importés par les manufacturiers de produits alimentaires pour servir exclusivement, dans leurs fabriques, à mettre hermétiquement en conserve des aliments, en conformité des règlements prescrits par le Ministre	20 p.c.
432d	Articles en fer-blanc, peinturés, laqués, décorés ou non, et articles en fer-blanc, n.d.	20 p.c
433	Bains, baignoires, lavabos, cabinets d'aisance, cuvettes, urinoirs, éviers et baquets de blanchissage, en fer ou en acier, enduits ou non	20 p.c.
434	Locomotives à l'usage des chemins de fer, et leurs châssis, toits, roues et caisses, n. d.	25 p.c.
ex 434	Locomotives et voitures automotrices pour chemins de fer, pour servir exclusivement aux opérations minières et métallurgiques ou dans les scieries, n.d., et leurs châssis, toits, roues et caisses, n.d.	20 p.c.
434a	Automotrices à l'usage des chemins de fer, et leurs châssis; leurs pièces achevées	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
434b	Roues d'acier pour le matériel roulant des chemins de fer, savoir :	
	(i) Acier embouti	27½ p.c.
	(ii) N.d.	27½ p.c.
435	a) Locomotives et voitures automotrices pour chemins de fer d'une catégorie ou espèce non fabriquée au Canada, et leurs pièces achevées, pour servir exclusivement aux opérations minières et métallurgiques ou dans les scieries ..	En fr.
	b) Locomotives de cours de triage, à moteurs diesel, d'une catégorie ou espèce non fabriquée au Canada	10 p.c.
436	Wagons de chemins de fer et leurs pièces, n.d.	22½ p.c.
438a	Automobiles et véhicules à moteur de toutes sortes, n.d.; électrobus à trolley; châssis de toutes les machines susmentionnées	17½ p.c.
	Toutefois, les machines ou les autres articles montés sur les susdites machines ou qui y sont adaptés pour d'autres fins que le chargement ou le déchargement du véhicule, seront appréciés séparément et assujettis au droit prescrit aux numéros du Tarif qui s'y appliquent régulièrement.	
438e	Pièces, n.d., pour automobiles, véhicules à moteur, électrobus à trolley ou châssis désignés aux numéros 438a et 424 du Tarif, à l'exclusion des appareils de réception de T.S.F., des moulages en zinc, des accumulateurs, des pièces en bois, des pneus et chambres à air ou pièces dont l'élément de principale valeur est le caoutchouc :	

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
438e (Suite)	(1) Garnitures de freins et d'embrayages, comprenant ou non des fils métalliques :	
	a) Lorsqu'elles sont fabriquées avec de l'amiante brut originaire du Commonwealth britannique	25 p.c.
	b) Lorsqu'elles sont fabriquées avec de l'amiante brut; n.d.	25 p.c.
	(2) Moteurs d'automobile et de véhicules à moteur; sans accessoires, n.d., et leurs pièces achevées, n.d.	25 p.c.
	(3) Pièces, n.d., non plaquées, achevées ou non	30 p.c.
	Toutefois, les pièces dont la valeur principale vient du fer ou de l'acier et qui ont été classées pour fins de douane sous les numéros tarifaires 427 ou 446a, à compter du 1er janvier 1936, sont imposables à raison de	25 p.c.
438g	Motocyclettes ou sidecars de motocyclettes et pièces achevées de ce qui précède	17½ p.c.
438j	Pièces coulées de piston, brutes ou semi-ouvrées, de toute matière	25 p.c.
439	Bicyclettes et tricycles, n.d.	25 p.c.
439a	Articles en fer ou en acier, en totalité ou en partie nickelés ou plaqués, importés par les manufacturiers de bicyclettes ou de tricycles pour servir uniquement, dans leurs fabriques, à la fabrication de bicyclettes ou de tricycles, en conformité des règlements édictés par le Ministre	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
439b	Voitures, n.d., brouettes, camions, grattes pour routes ou chemins de fer, et voitures à bras	22½ p.c.
439c	Voitures de ferme, traîneaux de ferme, voitures de débardage, traîneaux de débardage et leurs pièces achevées ...	15 p.c.
439f	Voitures d'enfants, traîneaux et autres véhicules pour enfants ainsi que leurs pièces achevées	22½ p.c.
ex 440g	Moteurs diesel et semi-diesel, d'une catégorie ou espèce non fabriquée au Canada et leurs pièces achevées, pour servir exclusivement à la construction ou à l'équipement de navires ou de vaisseaux	En fr.
440j	Chaluts, cuillers de pêche, mouches, plombs, émerillons, moulinets, appâts, hameçons et engins de pêche, n.d.	20 p.c.
440l	(i) Aéronefs, à l'exclusion des moteurs, suivant les règlements prescrits par le Ministre	15 p.c.
	(ii) Pièces achevées d'aéronefs, à l'exclusion des pièces de moteurs d'aéronefs	15 p.c.
440m	(i) Pièces inachevées d'aéronefs, n.d., à l'exclusion des pièces de moteurs d'aéronefs	15 p.c.
440n	Moteurs, importés pour être installés uniquement sur des aéronefs	15 p.c.
440o	(i) Carburateurs, magnétos, distributeurs, bobines et bougies d'allumage et leurs pièces achevées; le tout d'une catégorie ou espèce non fabriquée au Canada et importé pour les moteurs d'aéronefs	En fr.
	(ii) Pièces, achevées ou non, n.d., de moteurs d'aéronefs..	5 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
440p	Démarreurs directs ou par inertie, avec ou sans appareils de commande et leurs pièces; générateurs; boîtes de commande de l'intensité du courant; accumulateurs; appareils pour enlever ou prévenir la glace, et leurs pièces, à l'exclusion des pièces de caoutchouc; pompes à vide avec appareil de commande et leurs pièces; lumières d'atterrissage et de vol; hélices; vérins et pompes hydrauliques et leurs pièces; roues d'aéronefs; freins d'aéronefs avec leurs appareils de commande et leurs pièces; pneus et chambres à air pour aéronefs; refroidisseurs d'huile; avertisseurs de la pression du carburant; analyseurs de gaz d'échappement; extincteurs à pression pour les incendies; pompes d'amorçage; instruments, à l'exception des indicateurs du niveau du carburant; boulons, écrous, robinets, vis de tension, chapes et axes, fil étiré et barres d'accouplement; barres, tuyaux, pièces refoulées ou forgées d'aluminium, d'alliages d'aluminium ou de magnésium; tuyaux en acier; tous les articles qui précèdent étant d'un genre et de dimensions non fabriqués au Canada et importés comme pièces de rechange ou pour servir exclusivement à la fabrication, à la révision ou à la réparation des marchandises mentionnées au numéro 440 l du Tarif, selon les règlements que le Ministre pourra édicter	En fr.
441	Fusils, carabines, y compris les fusils et les carabines à vent qui ne sont pas des jouets; mousquets, canons, pistolets, revolvers ou autres armes à feu, n.d.; tubes à cartouches, cartouches, amorces, capsules à percussion, bourres et autres munitions, n.d.; baïonnettes, épées, fleurets et masques d'escrime; fourreaux à fusils et à pistolets, carnassières, outils à charger et ceintures-cartouchières de toute matière	22½ p.c.
441e	Fusils et carabines d'une catégorie ou espèce non fabriquée au Canada	10 p.c.
442	Articles et matières qui entrent dans le prix de fabrication des marchandises désignées aux numéros 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409l, 409m, 409n, 409o, et 439c, importés pour servir à la fabrication des marchandises désignées aux numéros ci-dessus, ou de leurs pièces, suivant les règlements édictés par le Ministre	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
443	Appareils destinés à la cuisson, ou à chauffer les bâtiments :	
	(1) Au charbon ou au bois	22½ p.c.
	(2) Au gaz	22½ p.c.
	(3) A l'électricité	22½ p.c.
	(4) A l'huile	22½ p.c.
	(5) N.d.	22½ p.c.
444a	Les appareils d'éclairage au gaz, au pétrole ou autres, et leurs accessoires, n.d., y compris les pointes, brûleurs, viroles et griffes; manchons à gaz et brûleurs à gaz incandescent; pièces achevées de ce qui précède	22½ p.c.
444b	Abat-jour de lampes, n.d., et appuis d'abat-jour	22½ p.c.
445	Installations et accessoires d'éclairage électrique, n.d., et leurs pièces achevées	22½ p.c.
445a	Phares, lumières latérales et feux d'arrière électriques, n.d.; torches ou projecteurs électriques et leurs parties achevées	22½ p.c.
445b	Lampes électriques à arc et lampes d'éclairage électrique à incandescence, n.d.	25 p.c.
445c	(i) Appareils électriques de télégraphe et leurs pièces achevées	20 p.c.
	(ii) Appareils électriques de téléphone et leurs pièces achevées	22½ p.c.
445d	Appareils électriques de sans-fil ou de radio et leurs pièces achevées, n.d.	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
445e	Piles électriques et galvaniques, n.d., et leurs pièces achevées, y compris cloisons en bois, coupées ou non à la dimension	22½ p.c.
445f	Dynamos ou générateurs électriques et transformateurs, et leurs pièces achevées, n.d.	22½ p.c.
445g	Moteurs électriques et leurs pièces achevées, n.d.	22½ p.c.
445h	Isolateurs électriques de toute catégorie, n.d., et leurs pièces achevées	22½ p.c.
445i	Fers à repasser électriques et leurs pièces achevées	22½ p.c.
445j	Machines électriques pour raser à sec, et leurs pièces, pour servir à l'enlèvement des poils du corps humain	En fr.
445k	Appareils électriques et leurs parties achevées, n.d.	22½ p.c.
445l	Accumulateurs électriques, composés de plaques mesurant au moins 11 pouces sur 14 pouces et d'une épaisseur d'au moins trois quarts de pouce; et leurs pièces achevées ...	20 p.c.
445m	Commutateurs électriques, sans flamme, destinés aux houillères souterraines, et leurs pièces achevées	20 p.c.
445n	Instruments et appareils électriques de précision, d'une espèce ou catégorie non fabriquée au Canada, savoir : compteurs ou jauges pour l'indication et(ou) l'enregistrement de l'altitude, des ampères, des comparaisons, de la capacité, de la densité, de la profondeur, de la distance, de l'électrolyse, du flux, de la force, de la fréquence, de l'humidité, de l'inductance, des niveaux liquides, des ohms, du fonctionnement, du facteur de puissance, de la pression, de l'espace, de la vitesse, de la résistance, du synchronisme, de la température, du temps, des volts, du volume, des watts, et leurs pièces achevées	15 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
445o	Tissu et papier de condensateur, non acide, gommé ou non; boîtes métalliques, refoulées, plaquées ou non; changeurs automatiques de disques; pièces de tradueteurs; cellules de polarisation et supports; châssis, culasses, consoles, morceaux de pôles, garnitures et couvercles de champ, séparément ou assemblés pour servir dans des haut-parleurs d'un diamètre d'armature ne dépassant pas 6-3/8 pouces; cônes, croisillons, supports de croisillons, bobines, étuis destinés à protéger ces bobines contre la poussière, séparément ou assemblés; structures magnétiques et leurs pièces pour haut-parleurs à aimants permanents; cristaux et échelles de cadrans en verre, et cadrans ou échelles métalliques fabriqués d'après le procédé de l'écran de soie; écussons de cages métalliques sans cristaux, finis ou non; interrupteurs de circuits à haute fréquence et leurs parties essentielles; noyaux en fer à haute fréquence avec ou sans garnitures moulées à l'intérieur; moteurs et engrenages pour la captation automatique; céramique de radiofréquence; mica brut à basse perte; feuilles et découpures de mica à basse perte; capots de lampes et leurs pièces; vibrateurs; fibre vulcanisée en feuilles, tiges, bandes, ou tubes; formes et tubes de bobine à haute fréquence d'un diamètre extérieur ne dépassant pas un pouce; servant à la fabrication ou à la réparation des articles mentionnés aux numéros 445d et 597a du Tarif, et d'autres appareils fonctionnant au moyen de lampes de radio, ou servant à la fabrication de leurs pièces	En fr.
445p	Pièces de céramique; alliages de cuivre pour la soudure; "getters" et assemblages de "getters"; pièces en verre; ampoules et coquilles en métal et coulées de métal; pièces de mica; assemblages de mica; amortisseurs, pinces et liens en fil de métal; fil de molybdène et d'alliage de molybdène; tubes, fils, rubans, écrans et bandes de nickel et d'alliage de nickel, enduits ou non, carbonisés ou non; cathodes en métal; pièces en nickel, alliage de nickel et nickelées, enduites ou non, carbonisées ou non; fil de tungstène, d'alliage de tungstène et de zinc; fils connecteurs, parties de filament ou supports de filament, en nickel, et soudures; pièces de fer destinées à être collées à du verre; crochets et supports; chevilles; fils et bandes de cuivre argenté, de cuivre chromé, de fer chromé ou de fer plaqué; assemblages de chapeaux; anodes en graphite; éléments de chauffe et filaments; tous les articles susmentionnés, lorsqu'ils sont importés par des fabricants de lampes de radio et leurs pièces, pour servir uniquement à la fabrication de ces objets, dans leurs propres fabriques	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
446	Turbo-générateurs d'électricité à vapeur d'une force de 700 H.P. et plus, d'une catégorie ou espèce non fabriquée au Canada, et leurs pièces achevées	20 p.c.
446a	Objets manufacturés, articles ou menus objets, en fer ou en acier, ou dont le fer ou l'acier ou les deux dominent en valeur, n.d.	25 p.c.
ex 446a	Bâtis ou charpentes en acier pour locomotives, moulés en une seule pièce; charpentes en acier pour tenders, moulées en une seule pièce; butées en acier fondu pour l'arrière des charpentes des locomotives; châssis de bogie et traverses en acier fondu pour les locomotives, tenders et wagons de voyageurs; armatures de plates-formes pour wagons de voyageurs; tout ce qui précède, brut ou partiellement ouvré et utilisé pour le matériel roulant des chemins de fer	5 p.c.
ex 446a	Outils en fer ou en acier, destinés aux machines, n.d., d'une catégorie ou espèce non fabriquée au Canada	10 p.c.
ex 446a	Tringles à souder ou broches à souder en acier résistant à l'oxydation, aux acides ou à la chaleur, enduites ou non de fondant	15 p.c.
ex 446a	Caisses et charnières métalliques devant servir à la fabrication d'écrins à bijoux et d'étuis à lunettes, et non plus finies que formées	12½ p.c.
446b	Jantes d'acier pour bicyclettes non émaillées, ni plaquées	27½ p.c.
446c	Manches de clubs de golf, en acier sans couture, recouverts ou non, mais non plaqués au chrome	15 p.c.
446d	Bouteilles ou cylindres d'acier utilisés comme récipients à haute pression pour gaz	20 p.c.
446f	Pellicule d'acétate de cellulose renforcée d'un filet métallique	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 446g	Appareils à souder électriques, moteurs non compris	20 p.c.
4461	Pièces de métal embouti, ou assemblage de ces pièces, devant servir à la fabrication de baignoires	10 p.c.
447	Pompes à eau, à main ou à moteur, pour fins domestiques seulement	22½ p.c.
447a	Cylindres en fonte au sable et cylindres en fonte trempée, pour servir exclusivement au laminage du fer ou de l'acier, ou à la fabrication du papier	En fr.
ex 450	Patins à roulettes et leurs pièces	15 p.c.
451	Boucles, agrafes, oeillets, fermoirs à pression, boutons pression, ou autres fermoirs de fer; d'acier, de laiton ou d'autre métal, enduits ou non, n.d., et qui ne constituant pas des objets de bijouterie	25 p.c.
451a	(i) Aiguilles à barbillons à ressort et aiguilles à fermoir	25 p.c.
	et, le mille	$1.50
	(ii) Aiguilles de toute matière et de toute sorte, n.d. ..	25 p.c.
451b	Epinglos fabriquées de fil métallique de toute espèce ; (i) Spécialement destinées au marquage	5 p.c.
	(ii) N.d.	25 p.c.
	et, la livre	10 c.
451e	Fermetures à coulisse ou sans agrafes, ou tirettes	30 p.c.
454	Montures d'au plus dix pouces de largeur, fermoirs et agrafes (ne devant pas comprendre les fermetures à coulisse ou sans agrafes), quand ils sont importés par des fabricants de bourses, de châtelaines ou de réticules pour servir exclusivement à la fabrication de bourses, de châtelaines ou de réticules, dans leurs propres fabriques, en vertu de règlements édictés par le Ministre; et pièces de ces articles	12½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
461	Coffres-forts, y compris les portes; portes et cadres de portes pour chambres fortes; bascules, balances, fléaux de balances et machines d'essai de résistance de toute catégorie, n.d.	20 p.c.
461a	Balances ou appareils de pesage automatiques, d'une espèce ou catégorie non fabriquée au Canada, et les pièces détachées des articles mentionnés ci-dessus, devant servir dans les manufactures canadiennes	En fr.
462	(i) Instruments philosophiques, photographiques, mathématiques et optiques, n.d.; compteurs de vitesse, odomètres et podomètres, n.d.; pièces achevées de tous les articles ci-dessus	15 p.c.
	(ii) Appareils de prise de vues et leurs pièces achevées, n.d. :	
	a) S'ils sont d'une espèce ou catégorie non faite au Canada	17½ p.c.
	b) N.d.	20 p.c.
462b	Appareils de prise de vues animées, de 35 mm., à l'usage des producteurs professionnels de pellicules cinématographiques ayant au Canada des studios outillés pour la production cinématographique; pièces des articles ci-dessus	9 p.c.
465	Enseignes de toute autre matière que le papier, encadrées ou non; lettres et chiffres de toute autre matière que le papier	20 p.c.
469	Garnitures de cardes mécaniques	20 p.c.
471a	Poulies à courroie en acier embouti pour transmission d'énergie, et leurs pièces achevées ou non, y compris les manchonnages interchangeables	20 p.c.
475b	Matrices pour stéréotypes, électrotypes et celluloïds, désignés au numéro 475a du Tarif.....le pouce carré	½ c.

LISTE V - CANADA

Premiere partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
476	Instruments de chirurgie et de dentiste, de toute matière; aiguilles pour la chirurgie; appareils de rayons X; microscopes d'une valeur d'au moins $50 chacun, au détail; et pièces achevées de ce qui précède	En fr.
488	Nitrate et acétate de plomb, non moulus; platine et oxyde noir de cuivre, pour servir à la fabrication de chlorates et de couleurs	10 p.c.
494	Produits en chêne-liège ou en écorce de liège, n.d., y compris bandelettes, bouchons, coquilles et rondelles de liège	15 p.c.
495	Bouchons de liège de plus de trois quarts de pouce de diamètre, mesurés au gros bout .....la livre	4½ c.
498	Joncs, bambous et rotins, refendus seulement, n.d.	En fr.
500	Billes de bois et bois ronds non ouvrés, billes à manches d'outils et à fonds de tonneaux, billes à douves et à bardeaux, n.d.; bois de chauffage, échalas à houblon, poteaux pour clôtures, et traverses de chemin de fer	En fr.
502	Bois de selles mexicaines et étriers en bois, gournables; billes pour moyeux de roues, formes de cordonniers, parties de voitures, avirons et crosses de fusils, et toutes autres billes ou pièces similaires simplement dégrossies, ou sciées seulement; jantes de roues en hickory ou en chêne, grossièrement sciées ou courbées en formes; douves de chêne, sciées, fendues ou coupées, pas autrement ouvrées qu'entaillées; bardeaux de bois; raies de roues en hickory ou en chêne, qui n'ont pas subi d'autre main-d'oeuvre qu'un simple dégrossissement au tour, n'ont pas été tonnonnées, taillées pour l'assemblage à l'onglet ni taillées à la dimension, et lames minces employées pour le fromage	En fr.
503	Planches, madriers, planchettes, lattes, piquets et autres bois d'oeuvre, non autrement ouvrés que sciés ou refendus, créosotés, vulcanisés ou traités par quelque autre procédé de conservation que ce soit, ou non	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
504	Planches, madriers et autres bois d'oeuvre, sciés, refendus ou coupés et rabotés sur une seule face, mais non autrement ouvrés	En fr.
505	Planches, madriers et autres bois d'oeuvre, non autrement ouvrés qu'aplanis, rabotés, entaillés, languetés ou bouvetés, n.d.	10 p.c.
505a	Bois dur à plancher, à languettes et(ou) à rainures, ou entaillé, savoir : hêtre, bouleau, érable et chêne	12½ p.c.
506	Articles en bois, n.d.	20 p.c.
ex 506	Bardeaux de cèdre, créosotés, vulcanisés ou traités par un autre procédé	En fr.
506b	Portes en bois d'une hauteur et d'une largeur d'au moins 6 pieds et 2 pieds, respectivement	22½ p.c.
507	Feuilles de placage simples, obtenues par le tranchage ou le déroulage, en palissandre, acajou ou cèdre d'Espagne, d'au plus cinq seizièmes de pouce d'épaisseur, ni reliés, ni entaillés	10 p.c.
507a	Feuilles de placage simples en bois, obtenues par le tranchage ou le déroulage, n.d., ayant au plus cinq seizièmes de pouce d'épaisseur, ni reliés, ni entaillés	15 p.c.
507c	Bois contre-plaqué fait de deux ou plusieurs couches de placages ou de bois collées ou cimentées ensemble, mais non autrement ouvré	20 p.c.
507e	Bois contre-plaqué fait de deux ou plusieurs couches de bois collées ou cimentées ensemble, et revêtu de metal sur un côté ou sur les deux côtés	20 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
509	Fibres vulcanisées, fibres de Kartavert, fibres durcies et articles similaires, et produits de ces matières, n.d.	17½ p.c.
ex 511 ex 362c et autres	Skis et leurs accessoires; bâtons de skis	22½ p.c.
511a	Bâtons, balles, gants et jambières pour le crickot	30 p.c.
511b	Cannes à pêche	20 p.c.
512	Cadres pour tableaux et photographies, de quelque matière qu'ils soient	20 p.c.
518	(i) Jeux de billard chinois, automatiques; autres jeux semblables	22½ p.c.
	(ii) Billards, avec ou sans blouses; queues, billes, râteliers et procédés	30 p.c.
519	Meubles en bois, fer ou autre matière, pour maisons, bureaux, cabinets ou magasins et leurs pièces, non compris les articles forgés, moulés ou emboutis, en métal, non ouvrés :	
	(i) Dont le bois constitue la principale matière	27½ p.c.
	(ii) D'autre matière que le bois	25 p.c.
ex 520	Coton brut et fibres de coton non ouvrés plus que l'égrenage; rebuts entièrement de coton impropres à tout usage sans être ouvrés davantage	En fr.
522	Mèches, files de chaîne et de trame pur coton, non ouvrés au delà des fils simples, n.d.	15 p.c.
	et, la livre	3 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
522b	Filés, pur coton, plus gros que le numéro quarante, mais dépassant le numéro vingt, non ouvrés au delà des fils simples, importés par les fabricants pour servir exclusivement, dans leurs propres fabriques, à la fabrication du fil de coton à coudre ou pour travaux au crochet, de tricotage, de reprisage et de broderie	15 p.c.
522c	(i) Mèches, fils de chaîne et de trame, pur coton, y compris le fil, la corde et la ficelle généralement employés pour coudre, piquer, emballer et autres fins, n.d.; fils de coton, recouverts en tout ou en partie de lames métalliques, généralement appelés fils lamés	17½ p.c.
	et, la livre	3 c.
	(ii) Fils de coton entièrement recouverts d'un double rang de lames métalliques, à brin unique seulement, quand ils sont importés par des fabricants pour servir exclusivement à la fabrication de conducteurs d'électricité, dans leurs propres fabriques	10 p.c.
	(iii) Fil à coudre, pur coton, bobiné, ne devant pas dépasser la longueur de 250 verges (yards) par bobine ..	20 p.c.
522d	Fils de trame et de chaîne, pur coton, mercerisés, du numéro quarante et plus fins, importés, suivant les règlements prescrits par le Ministre, pour la vente aux fabricants, afin d'être ouvrés davantage dans leurs propres fabriques	20 p.c.
522e	Fils à coudre de coton et fils à crocheter, à tricoter, à reprisser et à broder, en écheveaux, quand ils sont importés par des manufacturiers pour être employés exclusivement dans leurs fabriques à fabriquer ou à bobiner le fil à coudre, en coton, et le fil de coton à crocheter, à tricoter, à reprisser et à broder	10 p.c.
522f	Filés de trame et de chaîne pur coton, du numéro quarante et plus fins, importés par les fabricants de filés de coton mercerisé pour servir exclusivement, dans leurs propres fabriques, à la fabrication de filés de coton mercerisé	15 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
523	Tissus pur coton, non blanchis, mercerisés ni colorés, n.d.	15 p.c.
	et, la livre	3 c.
ex 523	Sacs de coton sans couture	22½ p.c.
523a	Tissus pur coton, blanchis ou mercerisés, non colorés, n.d.	17½ p.c.
	et, la livre	3 c.
523b	Tissus pur coton, imprimés, teints ou colorés, n.d. :	
	(i) Evalués à plus de 80c. la livre	17½ p.c.
	et, la livre	3 c.
	(ii) Evalués à 50c. ou plus, mais à 80c. la livre au plus	22½ p.c.
	et, la livre	3 c.
	(iii) Evalués à moins de 50c. la livre	25 p.c.
	et, la livre	3½ c.
	(iv) Tissus entièrement de coton, communément appelés serge de Nîmes (denims), lorsqu'ils sont importés par les fabricants pour être employés dans leurs propres fabriques à la confection de vêtements	17½ p.c.
	et, la livre	3 c.
523c	Tissus pur coton, dont le fil est n° 100 ou plus, comprenant tous lesdits tissus dont le fil de chaîne et de trame est en moyenne de 100 ou plus	27½ p.c.
523e	Tissus pur coton à poil coupé, n.d.	25 p.c.
	et, la livre	3½ c.
523f	Tissus de coton, non de couleur, importés par des fabricants de rubans de machines à écrire, pour servir exclusivement dans leurs propres fabriques à la fabrication de ces rubans	12½ p.c.
523j	Cretonnes ombrées, pur coton, à chaîne imprimée et à trame unie	25 p.c.
	et, la livre	3½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
523k	Gabardines, entièrement de coton, ne contenant pas moins de 280 fils de chaîne et de trame, à brins, au pouce carré	25 p.c.
	et, la livre	3½ c.
523l	Tissus, entièrement de coton, composés de filés d'un numéro de pas moins de 80 et d'au plus 99, y compris tous les tissus dans lesquels la moyenne des fils de trame et de chaîne est d'au moins 80 et d'au plus 99	20 p.c.
	et, la livre	3 c.
524a	Tissus à poil de chaîne coupé, entièrement de coton ou de coton et de fibres ou filaments textiles synthétiques ..	25 p.c.
	et, la livre	3½ c.
525	Tissus pur coton, spécialement traités et glacés, importés par les fabricants de caoutchouc pour servir exclusivement, dans leurs propres fabriques, d'enveloppe protectrice détachable pour les feuilles de caoutchouc non vulcanisé	27½ p.c.
528	Tulle-bobin de coton blanc, uni, à la pièce	12½ p.c.
529	Brodorie, dentelle, filet, tissus de filet, tulle-bobin, n.d., frange et glands, pur coton	20 p.c.
	et, la livre	3 c.
529a	Dentelles et broderies entièrement en coton, non en couleur, importées pour servir aux fabricants exclusivement, dans la fabrication de vêtements à leurs propres fabriques	10 p.c.
530	Dentelles et broderies, entièrement en coton, en couleur, importées pour servir aux fabricants exclusivement, dans la fabrication de vêtements à leurs propres fabriques ..	15 p.c.
532	(i) Vêtements et articles de vêtement, faits de tissus et tous produits textiles, entièrement ou partiellement ouvrés, pur coton, n.d.	25 p.c.
	(ii) Rideaux entièrement ou partiellement ouvrés, pur coton, n.d.	27½ p.c.
	(iii) Tissus pur coton, enduits ou imprégnés, n.d.	27½ p.c.
	(iv) Sacs de coton, avec couture	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
532a	Mouchoirs, entièrement de coton	27½ p.c.
532b	Tissus entièrement de coton, pour recouvrir les livres ...	27½ p.c.
535	Herbes, plantes marines, mousses et fibres végétales autres que le coton, couleur nature, pas ouvrées au delà du séchage, nettoyage, coupage, broyage et tamisage; étoupe de lin, de chanvre ou de jute; caire et fil de caire..	En fr.
535a	Herbes, plantes marines, mousses et fibres végétales autres que le coton, n.d.; bagasse de canne à sucre, séchée, nettoyée, coupée à la dimension, broyée ou tamisée, ou non	10 p.c.
537	Mèches, filés de chaîne et de trame, totalement ou partiellement constitués de fibres végétales, à l'état simple, n.d., ne contenant pas de soie, de fibres ou filaments textiles synthétiques, ni de laine	17½ p.c.
ex 537 ex 537a	Ficelle pour emballer les produits agricoles	En fr.
537a	Mèches, filés de chaîne et de trame, constitués totalement ou partiellement de fibres végétales, y compris les retors, les cordes et ficelles servant généralement à l'emballage et à d'autres fins, n.d., sans soie, ni fibres ou filaments textiles synthétiques, ni laine	20 p.c.
537b	Fil de lin pour couture à la main ou à la machine	17½ p.c.
537d	Mèches, filés de chaîne et de trame, entièrement de jute, à l'état simple, n.d., ne contenant pas de soie, de fibres ou filaments textiles synthétiques, ni de laine	17½ p.c.
537e	Mèches, filés de chaîne et de trame, entièrement de jute, y compris les retors, les cordes et les ficelles ordinairement utilisées pour l'empaquetage et autres fins, n.d.	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
538	Ficelle d'engerbage ou ficelle utilisée par les lieuses ..	En fr.
539	Cordages, de plus d'un pouce de circonférence, entièrement en fibres végétales, n.d.	22½ p.c.
540	a) Tissus pur lin ou pur chanvre, en pièce, à l'exclusion de la toile à touailles et des essuie-verre de toile treillis ou de huckaback, avec ou sans lettres ou monogrammes dans le tissu, et des nappes et serviettes de table de toile treillis à bordures de couleur	22½ p.c.
	et, la livre	3 c.
	b) Articles pur lin ou pur chanvre, tels que draps, taies d'oreillers, nappes et serviettes de table, serviettes et mouchoirs, mais à l'exclusion des serviettes ou des essuie-verre en toile treillis ou en huckaback, avec ou sans lettres ou monogrammes dans le tissu, et des nappes et serviettes de table de toile treillis à bordures de couleur	20 p.c.
	et, la livre	3 c.
	c) Tissus à touailles et essuie-verre en toile treillis ou en huckaback, avec ou sans lettres ou monogrammes dans le tissu, nappes et serviettes de table de toile treillis à bordures de couleur, en pièce, pur lin ou pur chanvre; tissus en pièce, composés en partie de lin ou de chanvre et ne contenant ni soie, ni fibres ou filaments textiles synthétiques, ni laine	20 p.c.
	et, la livre	3½ c.
	d) Serviettes et essuie-verre de toile treillis ou huckaback, avec ou sans lettres ou monogrammes dans le tissu, nappes et serviettes de table de toile treillis à bordures de couleur, en tout ou en partie de lin ou de chanvre, ne contenant ni soie, ni fibres ou filaments textiles synthétiques, ni laine	20 p.c.
	et, la livre	3½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
541a	Tissus entièrement de jute, n.d.	22½ p.c.
541d	Canevas à la pièce, entièrement de lin ou de chanvre ou des deux, tissé uni, de teinte naturelle, simplement imprégné de produits imperméabilisants ou conservateurs, pour servir à la fabrication de tentes, stores, prélarts, couvertures d'écoutilles et articles semblables, ne pesant pas moins de 18 onces et pas plus de 26 onces par verge (yard) carrée	25 p.c.
	et, la livre	3½ c.
542	Tissus entièrement ou partiellement de fibres végétales, et tous tissus semblables, rasés, n.d., ne renferment ni soie, ni fibres ou filaments textiles synthétiques, ni laine	20 p.c.
542a	Etoffe tissée ou tressée ne dépassant pas douze pouces de largeur, entièrement ou partiellement de fibres végétales, n.d., ne devant contenir ni soie, ni fibres ou filaments textiles synthétiques, ni laine	27½ p.c.
542b	Boyaux à incendie, en toile, doublés ou non	30 p.c.
545	Dentelles et broderies, entièrement de lin ou de chanvre, ou de lin, de chanvre et de coton, non colorées, importées par les fabricants pour servir exclusivement à la fabrication de vêtements dans leurs propres fabriques ...	12½ p.c.
546	Articles faits de tissus, achevés ou non, et tous les produits textiles, entièrement de jute, n.d.; tissus, entièrement de jute, enduits ou imprégnés, et tissus de jute renforcés de papier	22½ p.c.
547	Sacs de chanvre, de toile ou de jute	17½ p.c.
548	Vêtements, articles de vêtement, faits de tissus, et tous les produits textiles, entièrement ou partiellement manufacturés et composés en tout ou en partie de fibres végétales, mais ne renfermant pas de laine, n.d.; tissus enduits ou imprégnés et composés en tout ou en partie de fibres végétales, mais ne contenant ni soie, ni fibres ou filaments textiles synthétiques, ni laine, n.d.	25 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
548a	Toiles pour robes, ne renfermant pas plus de 15 pour cent du poids de fil de coton pour fins décoratives	25 p.c.
	et, la livre	3½ c.
549	(i) Laine dont la préparation ne dépasse pas le peignage, n.d. .....la livre	10 c.
	(ii) Laine en suint, à l'exclusion de la laine de mouton du genre communément appelé caracul, importée par les fabricants de tapis et devant servir exclusivement à la fabrication de tapis dans leurs propres fabriques	En fr.
	(iii) Poil de chameau, de l'alpaca, de la chèvre ou d'un autre animal semblable	En fr.
549b	Poils, frisés ou teints, n.d.	15 p.c.
549c	Etoffe de crin, faite de crin de cheval mélangé à toute fibre végétale	27½ p.c.
ex 549d	Filets faits de cheveux	15 p.c.
550c	Déchets de laine blanche effilochée, importés par les manufacturiers de lainages exclusivement pour être employés dans leurs fabriques	En fr.
551	Filés, composés en tout ou en partie de laine ou de poil, mais ne contenant ni soie, ni fibres ou filaments textiles synthétiques, n.d.	17½ p.c.
	et, la livre	20 c.
551a	Filés de trame et de chaîne, composés totalement de laine ou en partie de laine ou de poil, et importés par les fabricants pour servir exclusivement dans leurs propres fabriques, n.d.	15 p.c.
	et, la livre	15 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
551c	Filés de chaîne et de trame, entièrement composés de poil, ou de poil et de toute fibre végétale, importés par les fabricants pour servir dans leurs propres fabriques	17½ p.c.
	et, la livre	15 c.
551d	Filés de chaîne et de trame, tissés d'après le procédé de la laine peignée, entièrement composés de laine ou en partie de laine ou de poil, importés par des fabricants pour servir dans leurs propres fabriques à la fabrication de tissus dont la majeure partie, quant au poids, est de laine ou de poil, et qui ne dépassent pas six onces par verge (yard) carrée, lorsqu'ils sont écrus ou incomplètement ouvrés, d'après les règlements établis par le Ministre	15 p.c.
	et, la livre	15 c.
552	Feutre foulé, en pièce, de toute sorte, ne comprenant aucun tissu, aucun tricot, ni aucune autre matière tissée ou tricotée	20 p.c.
	et, la livre	17½ c.
ex 552	Feutre à attelles, pour servir à la fabrication d'attelles pressées, pour des fins médicinales	10 p.c.
ex 553	Couvertures de ménage, entièrement de coton, à l'exclusion des couvertures de chevaux, des couvertures d'automobiles, des couvertures utilisées sur les paquebots, et des articles similaires	17½ p.c.
	et, la livre	5 c.
ex 553	Couvertures, en tout ou en partie de laine ou de poil, à l'exclusion des couvertures de chevaux, des couvertures d'automobiles, des couvertures utilisées sur les paquebots, et des articles similaires	25 p.c.
	et, la livre	20 c.
553a	Blanchets pour stéréotypes et machines à fondre les caractères et blanchets à presse utilisés avec les presses à imprimer, d'une catégorie ou espèce non fabriquée au Canada	5 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
554	Tissus, composés en tout ou en majeure partie, quant au poids, de filés de laine ou de poil, ne pesant pas plus de six onces par verge (yard) carrée, n.d., et importés écrus ou incomplètement ouvrés afin d'être teints ou finis au Canada	20 p.c.
	et, la livre	17½ c.
554a	Tissus de chaîne de coton avec trame de laine lustrée, de poil de chèvre d'Angora ou d'alpaca, connus généralement sous le nom de tissus lustrés ou de doublures italiennes, n.d.	20 p.c.
554b	Tissus composés, en tout ou en partie, de filés de laine ou de poil, n.d.	27½ p.c.
	et, la livre	30 c.
ex 554b	Tissus composés, en tout ou en majeure partie, quant au poids, de filés de laine ou de poil, et ne pesant pas plus de huit onces par verge (yard) carrée, n.d.	27½ p.c.
	et, la livre	30 c.
	Toutefois, la somme des droits spécifiques et ad valorem ne devra pas dépasser .....la livre	$1.00
554c	Tissus composés, en tout ou en majeure partie, quant au poids, de filés de laine ou de poil, ne pesant pas plus de quatre onces par verge (yard) carrée, et importés écrus ou incomplètement ouvrés afin d'être teints ou finis au Canada	20 p.c.
	et, la livre	15 c.
ex 554e ex 549d	Tissu à filtre-presse, de laine ou de poil (à l'exception des cheveux)	15 p.c.
	et, la livre	30 c.
554f	Tissus, composés en tout ou en partie de filés de laine ou de poil, connus généralement sous le nom de draps de billard	20 p.c.
	et, la livre	25 c.
555	Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement ouvrés, et composés en tout ou en partie de laine ou de fibres animales similaires, mais dont l'élément dominant en valeur n'est pas la soie, ni les fibres ou filaments textiles synthétiques, n.d.; tissus, enduits ou imprégnés, et composés en tout ou en partie de filés de laine ou de poil, mais ne renfermant ni soie, ni fibres ou filaments textiles synthétiques, n.d.	27½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
556a	Drap de Melton, importé par les fabricants de balles de tennis pour servir dans leurs propres fabriques à la fabrication de balles de tennis	27½ p.c.
	et, la livre	20 c.
556b	Etoffe à pantoufles, tissée, duvetée sur un ou deux côtés, en tout ou en partie de laine, ne contenant pas de soie ni de fibres ou filaments textiles synthétiques, ne pesant pas moins de 22 onces par verge (yard) carrée, lorsqu'elle est importée par les fabricants de chaussures d'intérieur et doit servir exclusivement à la fabrication de ces articles dans leurs propres fabriques ...	27½ p.c.
556b	Mèches, filés de trame et de chaîne, entièrement de fibres ou filaments textiles synthétiques, non ouvrés plus qu'en brins simples, non colorés, comprenant au plus sept tours au pouce; conformément aux règlements que peut prescrire le Ministre :	
	a) Fabriqués avec de l'acétate de cellulose	25 p.c.
	mais pas moins de .....la livre	24 c.
	b) N.d.	25 p.c.
	mais pas moins de .....la livre	24 c.
556e	(i) Mèches, filés de chaîne et de trame, en tout ou en partie de soie, n.d., y compris fils, cordes ou fils retors, à coudre, à broder ou pour d'autres usages	22½ p.c.
	(ii) Filés de soie, en tout ou en partie recouverts de lames métalliques, et dont une livre doit contenir au moins 10,000 verges (yards)	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
558d	Mèches, filés de trame et de chaîne, entièrement ou en partie de fibres ou filaments textiles synthétiques, n.d., y compris les fils, les cordes ou les retors pour la couture, la broderie ou autres fins, ne devant pas contenir de soie; filés de fibres ou filaments textiles synthétiques, recouverts entièrement ou partiellement de lames métalliques, une livre de ces filés ne devant pas contenir moins de 10,000 verges (yards); conformément aux règlements que peut prescrire le Ministre :	
	a) Fabriqués entièrement avec de l'acétate de cellulose	25 p.c.
	Toutefois, en aucun cas, le droit ne doit être inférieur à .....la livre	24 c.
	b) N.d.	25 p.c.
	Toutefois, en aucun cas, le droit ne doit être inférieur à .....la livre	24 c.
558e	Filés de chaîne et de trame, entièrement de soie moulinée, non décrusée, mèches, filés de chaîne et de trame, entièrement de soie filée, non colorée, importés par les fabricants pour servir exclusivement dans leurs manufactures à la fabrication de sous-vêtements tricotés, de tissus ou de fils de soie	7½ p.c.
558f	Mèches, filés de trame et de chaîne entièrement de fibres ou filaments textiles synthétiques filés, non colorés, importés par des fabricants pour servir exclusivement à la fabrication de tissus ras, dans leurs propres fabriques	25 p.c.
	mais au moins .....la livre	24 c.
560	Tissus entièrement ou en majeure partie, quant au poids, de soie non décrusée, non dégommée, ni blanchis, mesurant au moins vingt pouces de largeur et ne pesant pas plus de sept livres par 100 verges (yards), s'ils sont importés pour être dégommés, teints et finis au Canada	25 p.c.
560a	Tissus de soie, entièrement ou en partie, ne contenant pas de laine, non compris les tissus dont la plus grande partie du poids est constituée par des fibres ou filaments textiles synthétiques, n.d.	30 p.c.
	et, la verge (yard) de longueur	7½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
560b	Tissus entièrement de soie de vingt-six pouces ou moins de largeur, n.d.	25 p.c.
560c	Tissus à poil coupé, enduits ou imprégnés ou non, en tout ou en partie de soie ou de fibres ou filaments textiles synthétiques, mais ne contenant pas de laine, n.d.	25 p.c.
561	Tissus en tout ou en partie de fibres ou filaments textiles synthétiques, et ne contenant pas de laine, non compris les tissus dont la majeure partie du poids est constituée par la soie, n.d.	27½ p.c.
	et, la livre	40 c.
562	Tissus n'excédant pas douze pouces de largeur, généralement appelés "rubans", à poil coupé ou non, entièrement ou en partie de soie, mais ne contenant pas de laine ...	25 p.c.
562a	Tissus n'ayant pas plus de douze pouces de largeur, généralement désignés sous le nom de "rubans", avec poil coupé ou non, fabriqués, partiellement ou totalement, en fibres ou filaments textiles synthétiques, mais ne contenant ni soie ni laine	25 p.c.
564	Tissus dont la totalité ou la majeure partie du poids est de soie ou de fibres ou filaments textiles synthétiques, ou des deux, d'une espèce non fabriquée au Canada, importés en pièces de longueurs d'au moins cinq verges (yards) chacune par les fabricants de cravates, d'écharpes ou de cache-nez, pour servir exclusivement à la fabrication de ces articles dans leurs propres fabriques	15 p.c.
565	Broderies, dentelles, soutaches, cordons, chenilles, guipures, franges et glands, qu'ils contiennent ou non des paillettes, filets, articles en filet, et dentelles au fuseau, n.d.	22½ p.c.
566	Cordes nattées ou tressées, non élastiques, tubulaires ou pleines, n'ayant pas plus d'un pouce de circonférence, composées en tout ou en grande partie, au poids, de fibres végétales	30 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
567	Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement ouvrés, n.d., dont la matière dominante en valeur est la soie	30 p.c.
567a	Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement ouvrés, n.d., dont les fibres ou filaments textiles synthétiques constituent la matière dominante en valeur ...	27½ p.c.
567b	Vêtements sacerdotaux de toute matière	10 p.c.
568	Vêtements tricotés, sous-vêtements tricotés et articles tricotés, n.d.	35 p.c.
568a	Chaussettes et bas :	
	(i) De laine	27½ p.c.
	et, la douzaine de paires	$1.20
	(ii) N.d.	20 p.c.
	et, la douzaine de paires	75 c.
568b	Gants et mitaines de toute sorte, n.d.	25 p.c.
ex 568b	Gants de chevreau, n.d.	22½ p.c.
568c	Gants de toilette pour dames, en chevreau, dits passe-coudes	10 p.c.
569 (i)	Chapeaux, coiffes et formes feutrés fourrure, ou feutrés fourrure-laine, selon les règlements que peut prescrire le Ministre	22½ p.c.
569 (v)	Chapeaux, n.d.	27½ p.c.
	et, la douzaine	$1.00
569a (i)	Bérets de laine, tricotés et foulés	22½ p.c.
	et, la douzaine	50 c.
569a (ii)	Casquettes, bonnets et bérets, n.d., en vertu de règlements que peut prescrire le Ministre	27½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
569a	Casques pour pompiers; casques de sécurité pour fins industrielles; parties de ces casques	En fr.
ex 571	Tapis, coussinets d'escalier, paillassons et nattes en paille, en chanvre, en filasse de lin ou en jute	20 p.c.
571a	(i) Paillassons à surface rasée, en fibre de coco ....le pied carré	3 c.
	(ii) Paillassons, n.d., carpettes, tapis et nattes en fibre de coco .....la verge (yard) carrée	7½ c.
572	Tapis ou carpettes d'Orient ou leurs imitations, ou tapis en pièces, tapis et carpettes, n.d. ..... et, le pied carré	25 p.c. 5 c.
573	Toiles cirées émaillées, pour voitures, parquets, tablettes et tables, nattes ou tapis en liège et linoléum ...	27½ p.c.
574a	Tissus élastiques, contenant des brins de caoutchouc tissés ou soutachés à l'intérieur, n'excédant pas douze pouces de largeur, n.d.; soutache élastique ronde	25 p.c.
578	Insignes et ceintures de toute sorte, n.d.	27½ p.c.
584	Résine ou colophane; poix animale, brute seulement	En fr.
585	Brai de houille et résine de pin; poix de Bourgogne; goudron de houille et de pin à l'état brut, en récipients d'au moins quinze gallons	En fr.
586	Charbon, anthracite, n.d.	En fr.
587	Coke, n.d. .....la tonne	$1.00
588	Charbon, n.d., y compris les cribleures et poussiers de toute sorte .....la tonne	50 c.
588a	Gaz de chauffage, de cuisine et d'éclairage, importé par canalisation .....les mille pieds cubes	3 c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
589	Charbon provenant du bois .....la tonne	$4.00
597	(i) Pianos et orgues, n.d.	22½ p.c.
	(ii) Grandes orgues	15 p.c.
597a	(i) Instruments de musique de toutes sortes, n.d.	17½ p.c.
	(ii) Phonographes, graphophones, gramophones et leurs pièces achevées, n.d., y compris les cylindres et disques	20 p.c.
	(iii) Pianos et orgues mécaniques	20 p.c.
ex 597a	Cylindres ou disques faits spécialement pour servir à l'étude des langues, en vertu des règlements prescrits par le Ministre	En fr.
597b	Harpes	15 p.c.
597c	Cordes pour instruments de musique	15 p.c.
598	(i) Instruments de cuivre pour fanfares, n.d.	20 p.c.
	(ii) Mécaniques d'orgues mécaniques et leurs pièces; pièces de grandes orgues, n.d.	15 p.c.
	(iii) Pièces de pianos et d'orgues, n.d.	20 p.c.
598a	(i) Instruments de cuivre pour fanfares, d'une catégorie ou espèce non fabriquée au Canada	17½ p.c.
	(ii) Cornemuses et leurs pièces achevées	25 p.c.
599	Peaux (grandes et petites), brutes, soit séchées, soit salées ou picklées; et pelleteries brutes	En fr.
601	Peaux d'animaux à fourrure, de toute sorte, qui ne sont apprêtées d'aucune manière	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
602	Peaux d'Astrakan ou de lièvre de Russie, carrés ou tapis de peaux de chèvre de Chine, et peaux de chèvre de Chine, apprêtés totalement ou partiellement, mais non teints	En fr.
603	Peaux de fourrure, apprêtées en tout ou en partie, n.d.	12½ p.c.
ex 603	Peaux de caracul, apprêtées en tout ou en partie, mais non teintes	En fr.
604	(i) Cuir à courroies en croupons ou demi-croupons; et tout cuir dont la préparation a dépassé le tannage, n.d.	17½ p.c.
	(ii) Cuir provenant de peaux de mouton ou d'agneau, dont la préparation a dépassé le tannage, n.d.	22½ p.c.
604a	Cuir traité à l'huile, destiné à la fabrication du chamois	10 p.c.
604b	Cuir à semelles	22½ p.c.
605	(i) Cuir de veau tanné des Indes orientales, non coloré, ou coloré autrement qu'en noir, importé pour servir exclusivement à doubler les bottes, bottines et soeliers	15 p.c.
	(ii) Cuirs véritables de reptiles	7½ p.c.
605a	Véritables cuirs de porc et véritables cuirs maroquins; cuirs cylindrés	27 p.c.
606	Cuir de veau tanné des Indes orientales, n.d.	25 p.c.
	et, le pied carré	2 c.
607	Cuir, lorsqu'il est importé par des fabricants de gants ou de vêtements en cuir, pour servir exclusivement à la fabrication de gants ou de vêtements en cuir, dans leurs propres fabriques	7½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
607 Partie 2	Cuir, consistant en peaux de boeuf, peaux de chevaux, ou peaux de moutons, mais ne comprenant pas les suèdes, le cuir de chevrettes, de moutons espagnols ou de moutons africains, lorsqu'il est importé par les fabricants de gants ou de vêtements en cuir, pour servir exclusivement à la confection de gants et de vêtements en cuir dans leurs propres fabriques	15 p.c.
607a	Cuir, dont la préparation n'a pas dépassé le tannage, en peaux complètes, fleurs ou croûtes, importé par des fabricants de cuir à rembourrer, pour servir exclusivement à la fabrication des cuirs à rembourrer, dans leurs propres fabriques	15 p.c.
608	Cuir dont la préparation n'a pas dépassé le tannage, et peaux, n.d.	15 p.c.
609	Courroies de transmission, en cuir	22½ p.c.
610	Courroies, n.d.	20 p.c.
611a	(i) Bottines, souliers, pantoufles et semelles intérieures de toute matière, n.d.	27½ p.c.
	(ii) Souliers de toile à semelles en caoutchouc	27½ p.c.
611b	Vêtements en cuir, doublés ou non	27½ p.c.
612	Harnais et sellerie, y compris les bottines de cheval, n.d.	20 p.c.
612a	Selles de modèle anglais	27½ p.c.
613	Articles de cuir, y compris les articles de peaux crues, n.d.	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
616	ex (ii) Caoutchouc régénéré et succédané du caoutchouc ..	En fr.
	ex (iii) Latex, soit du caoutchouc naturel cru sous forme de liquide, non composé au delà de l'addition d'agents de conservation	En fr.
616a	Balata, brute, non ouvrée	10 p.c.
616b	Gutta-percha, non ouvrée.....	10 p.c.
617	Bottes, bottines et souliers en caoutchouc	22½ p.c.
618	Colle de caoutchouc, et articles en caoutchouc et en gutta-percha, n.d.	20 p.c.
618b	Bandages en caoutchouc pour voitures de toutes sortes, installés ou non	25 p.c.
619	Boyaux en caoutchouc ou en gutta-percha et boyaux en coton doublés de caoutchouc; nattes ou tapis en caoutchouc et garnitures en caoutchouc	22½ p.c.
619a	Vêtements en caoutchouc et vêtements en tissus de coton imperméabilisés	27½ p.c.
622	Malles, valises, boîtes à chapeaux, porte-manteaux, sacs à outils et paniers de toute sorte, n.d.	22½ p.c.
623	Boîtes d'instruments de musique et boîtes ou étuis de fantaisie de toute sorte, serviettes, secrétaires de fantaisie, sacoches, réticules, porte-cartes, bourses, portefeuilles, portefeuilles à mouches, et leurs pièces	22½ p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
624	Ornements de perles, et ornements d'albâtre, spath, ambre, terre cuite ou composition; éventails de toute sorte; statues et statuettes de toute matière, n.d.	17½ p.c.
624a	(i) Poupées	25 p.c.
	Jouets de toute sorte, n.d.	30 p.c.
	(ii) Jouets mécaniques en métal	30 p.c.
	(iii) Jeux de construction en métal ou en caoutchouc, consistant en différentes pièces embouties, poinçonnées ou moulées, et pièces de liaison; pièces de ce qui précède :	
	a) En métal	25 p.c.
	b) En caoutchouc	20 p.c.
624b	Statues et statuettes en porcelaine ou en poterie	17½ p.c.
625	Bonnets, chapeaux, manchons, palatines, pèlerines, pardessus, manteaux de fourrure, et autres articles en fourrure, n.d.	25 p.c.
628	Bretelles et parties achevées de bretelles	22½ p.c.
629	Parapluies, parasols et ombrelles de toute sorte et de toute matière	25 p.c.
634	Plumes et articles en plume, n.d.; plumes, fruits, grains, feuilles et fleurs artificiels propres à garnir les chapeaux	22½ p.c.
642	Poil de chapelier, séparé de la peau	En fr.
647	Bijoux de toute matière, pour la parure, n.d.	32½ p.c.
ex 648a	Diamants bruts ou non taillés, qui n'ont pas subi de transformation, ni reçu de plus-value, par le clivage, le fondage, la taille ou un autre travail, qu'ils aient leur forme naturelle ou soient morcelés	En fr.
649	Boutons de chaussures, n.d.	20 p.c.
650a	Ebauches de boutons en écaille, non ouvrées	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
651	Boutons de toutes sortes, recouverts ou non, et ébauches de boutons, autres qu'à l'état brut, n.d.; boutons d'identité et boutons de manchettes ou de faux-col	25 p.c.
	et, la grosse	5 c.
651a	Boutons et ébauches de boutons, autres qu'à l'état brut, en ivoire végétal	25 p.c.
	et, la grosse	10 c.
652	Peignes de parure ou de toilette, n.d.; peignes de fantaisie qui ne sont pas des bijoux	20 p.c.
	mais au moins .....la grosse	$1.44
653	Brosses et pinceaux de toute sorte, n.d.	25 p.c.
654	(i) Soies de porc, naturelles	En fr.
	(ii) Millet à balais	En fr.
655	(i) Plumes, n.d., porte-plumes et règles, de toute sorte	22½ p.c.
	(ii) Pointes de plumes en acier	12½ p.c.
655a	Crayons de plombagine et pastels, n.d.	30 p.c.
655b	Craie à écrire ou crayons de matière crayeuse, de couleur ou non	20 p.c.
656	a) Pipes de toutes sortes	22½ p.c.
	b) Fume-cigares et fume-cigarettes	25 p.c.
	c) Etuis à fume-cigares et fume-cigarettes, étuis à cigares et cigarettes, nécessaires de fumeurs et leurs étuis, et montures de pipes	25 p.c.
	d) Blaguos à tabac	25 p.c.
657a	Films de cinématographe ou de vues animées, positifs, un et un huitième de pouce et plus de largeur, n.d.	
	.....le pied linéaire	1½ c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
657b	Pièces, non finies, importées par les manufacturiers d'appareils photographiques, pour être utilisés dans la fabrication des appareils photographiques, dans leurs propres fabriques	5 p.c.
658	Films de largeur régulière (un pouce et un huitième et plus), lorsqu'ils sont importés dans le seul but d'en obtenir des reproductions de 16 millimètres et pourvu que l'original soit réexporté dans les trois mois de la date d'importation	En fr.
659	Plaques sèches pour photographies	25 p.c.
662	Engrais, non fabriqués, y compris le phosphate minéral, la kaïnite ou les sels de potasse d'Allemagne, et la potasse minérale d'Allemagne; poussière d'os, os calcinés et cendres d'os; dépouilles ou déchets de poisson, et engrais animaux et végétaux	En fr.
663	Engrais chimiques, composés ou fabriqués, n.d.	5 p.c.
663b	Articles qui entrent dans la composition du coût des engrais, et importés pour servir exclusivement à la fabrication des engrais	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
663c	Soya, tourteaux de soya et farine d'huile de soya, s'ils sont importés pour la nourriture des animaux ou des volailles, ou comme engrais, ou s'ils sont importés pour servir à la fabrication de nourriture pour les animaux et les volailles, ou d'engrais	En fr.
663e	Herbes marines ou plantes marines, carbonisées, pulvérisées ou non, devant servir exclusivement à l'alimentation des animaux	15 p.c.
663f	Sels minéraux iodés, destinés exclusivement à l'alimentation des animaux	15 p.c.
669	Emeri (y compris le corindon et le grenat) en masse, broyé ou moulu	En fr.
670	Meules, pierres ou blocs d'émeri, fabriqués par l'agglomération d'abrasifs naturels ou artificiels; articles d'émeri ou d'abrasifs artificiels, n.d.	20 p.c.
674	Ivoire et corozo, ivoire pour touches de piano, et feuilles de placage en ivoire, non ouvrés	En fr.
680	Fossiles, coquillages, écailles de tortue et nacre, et autres coquillages, non ouvrés	En fr.
680a	Eponges, de production marine	15 p.c.
683	Baryte	25 p.c.
684	Fil de caoutchouc, non recouvert	10 p.c.
685	Pantographes et pièces, y compris les pointes de diamant et les machines à graver, pour graver les rouleaux de cuivre servant à imprimer les tissus et le papier-tenture; blanchets, tissus à blanchets et nappes de cylindres importés pour l'usage exclusif des fabricants de tissus et de papiers-tenture	En fr.
688	Fausses dents, non montées, et matières utilisées seulement dans leur fabrication	En fr.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
689	Noir animal, utilisé dans le raffinage du sucre	25 p.c.
710	b) Emballages usuels de marchandises qui ne sont pas de la machinerie et qui sont passibles d'un droit quelconque ad valorem, si ces emballages ne sont pas compris dans la valeur facturée des marchandises qu'ils contiennent	7½ p.c.
	bb) Emballages usuels contenant de la machinerie passible d'un droit quelconque ad valorem, s'ils ne sont pas compris dans la valeur facturée des marchandises qu'ils contiennent	7½ p.c.
711	Tous les produits non dénommés dans la présente liste comme étant soumis à quelque autre droit, ni autrement déclarés admissibles en franchise, et dont l'importation n'est pas prohibée par la loi	20 p.c.
	Toutefois, ne tombent pas sous le régime du présent numéro les produits imposables mentionnés comme "n.d." à tout numéro précédent du présent Tarif.	
	En outre, lorsque l'élément dominant en valeur dans un produit non dénommé consiste en une matière imposable désignée dans la présente liste comme soumise à un taux de droit supérieur à celui que porte le présent numéro, le produit non dénommé est soumis au droit le plus élevé dont il serait susceptible d'être frappé s'il était composé en entier de son élément de principale valeur, ledit "élément de principale valeur" étant la matière composante excédant en valeur tout autre élément du produit dans l'état où il se trouve dans ledit produit.	
ex 711	Granules pour toitures, colorés ou enduits, ou non	15 p.c.
ex 711	Semoule de maïs, grosse farine de maïs, provende de semoule de maïs, et grosse farine de maïs pour brasseries	10 p.c.
ex 711	Colorants végétaux	10 p.c.
ex 711	Essences aromatiques de provenance végétale	10 p.c.

LISTE V - CANADA

Première partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 711	Argile activée, lorsqu'elle est importée pour servir au raffinage des huiles	10 p.c.
ex 711	Écailles d'huîtres non ouvrées autrement qu'écrasées et(ou) tamisées, pour l'alimentation des volailles ou pour la fabrication d'aliments pour volailles	10 p.c.
ex 711	Mica, phlogopite et muscovite, non ouvrés, en blocs, feuilles, lames, pellicules, déchets et rebuts	12½ p.c.
ex 711	Benzol de goudron de houille, importé par les raffineurs de pétrole brut exclusivement pour être mélangé avec de l'essence fabriquée entièrement au Canada	10 p.c.
ex 711	Vermiculite, à l'état naturel, ou non ouvrée autrement que broyée et tamisée	10 p.c.
ex 711	Amiante à l'état brut	En fr.
ex 711 154	Eaux minérales et médicinales, naturelles, en vertu des règlements édictés par le Ministre	En fr.
ex 711	Nitrate potassique de soude, n.d.	En fr.
ex 711 ex 445c ex 445d et autres	Quartz piézo-électrique	
	(i) Non travaillé après le taillage en plaques ou ébauches, et formé par le moulage	En fr.
	(ii) Complètement ouvré et prêt à servir dans les appareils électriques de téléphone, de télégraphe ou de T.S.F. ..	10 p.c.
756	Abrasifs artificiels en grains, broyés ou moulus, importés pour l'usage des manufacturiers canadiens	En fr.
792	Fête de coton importée par des manufacturiers pour servir, exclusivement dans leurs propres fabriques, à la fabrication de filés de fibres ou filaments textiles synthétiques, conformément aux règlements que pourra prescrire le Ministre	En fr.
797	Filés, entièrement de coton, numero quarante et plus fins, non ouvrés plus qu'à l'état de brin simple, importés par les fabricants pour servir exclusivement dans leurs propres fabriques à la fabrication du fil de coton pour la couture	10 p.c.

LISTE V - CANADA

Première partie (Fin)

Position du Tarif du Canada	Désignation des produits	Taux des droits
802	Matériaux et pièces ci-après désignés, importés par les fabricants de parapluies, de parasols, d'ombrelles ou de cannes, en vertu de règlements que le Ministre pourra prescrire, pour servir à la fabrication de ces articles dans leurs propres fabriques :	
	a) Montures, manches, tiges, baleines, glissières, douilles, capuchons, encoches, bouts, ferrures, et carcasses assemblées	En fr.
	b) Tissus servant à la couverture des parapluies et d'une espèce non fabriquée au Canada, ayant subi un traitement spécial ou non, mais à un degré de fabrication n'étant pas plus avancé que l'ourlage des bords, lorsqu'ils sont importés en longueurs d'au moins dix verges (yards), avec ou sans lisière naturelle	En fr.
825	Tissu-corde pour pneus, composé en tout ou en majeure partie, quant au poids, de fibres ou filaments textiles synthétiques, ne contenant pas de soie ni de laine, enduit d'une composition de caoutchouc, lorsqu'il est importé par des manufacturiers de caoutchouc, pour servir à la fabrication de bandages pneumatiques, dans leurs propres fabriques	15 p.c.
826	Filières à étirer le métal, à l'état brut, ne formant pas des pièces achevées de machines, et matières ou articles utilisés dans leur fabrication	5 p.c.
833	Méthyléthylcétone importée par des fabricants canadiens en vertu des règlements que peut prescrire le Ministre, afin de servir exclusivement de dissolvant pour le chlorure de polyvinyle	En fr.
838 ex 711	Huile d'oiticica	En fr.

LISTE V - CANADA

Deuxième partie

Tarif préférentiel

Position du Tarif du Canada	Désignation des produits	Taux des droits
22	Préparations de cacao ou de chocolat en poudre	22½ p.c.
23	Préparations de cacao ou de chocolat, n.d., et confiseries recouvertes de chocolat ou en contenant, le poids imposable devant comprendre le poids des enveloppes et des cartons	10 p.c.
	et, la livre	2½ c.
28 29	Café vert	En fr.
28a 29a	The .....la livre Lorsqu'il est en paquets de cinq livres chacun, ou moins, le poids imposable doit comprendre le poids du récipient.	4 c.
34	Moutarde moulue	12½ p.c.
64	Sagou et tapioca	12½ p.c.
90c	Jus de légumes, moutardes liquides, sauces de soya et de légumes de toutes sortes	12½ p.c.
105d	Gelées, confitures, marmelades, conserves, beurre de fruit, et mincemeats condensés .....la livre	1½ c.
110 111	Noix de coco	En fr.
113	Noix de coco, séchées, sucrées ou non .....la livre	2 c.
122	Hareng (excepté le hareng fumé, en boîtes fermées hermétiquement) conservé dans l'huile ou autrement, en boîtes fermées hermétiquement	15 p.c.
141	Sucre candi et confiseries, n.d., y compris les gommes sucrées, le maïs grillé, éclaté, sucré, les noix recouvertes de sucre, les poudres aromatiques, les crèmes express, les poudres à gelées, les sucreries, les pains sucrés, les gâteaux, les tartes, les poudings et toutes autres confiseries contenant du sucre	15 p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
143a	Cigarettes, le poids de l'enveloppe en papier devant être compris dans le poids imposable .....la livre et En plus de cela, et pour tous les tarifs, lorsqu'elles pèsent au plus trois livres le millier, $2 le millier.	$2.00 15 p.c.
152a	Papaïne	En fr.
ex 156	Spiritueux ou boissons alcooliques (subordonnément aux dispositions annexées au numéro tarifaire 156), savoir : (i) Whiskey .....le gallon de preuve En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	$4.50
	(ii) Genièvre (gin), n.d. .....le gallon de preuve En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	$4.50
	(iii) Rhum, n.d. .....le gallon de preuve En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	$4.50
	(iv) Brandy .....le gallon de preuve En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	$4.00
	(v) Liqueurs .....le gallon de preuve En plus de cela, pour tous les tarifs, $7.00 le gallon de preuve.	$4.50

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
ex 156 156b	Amers d'angusture .....le gallon de preuve	$2.00
159	Spiritueux et eaux spiritueuses de toute espèce, mélangés avec un ou plusieurs ingrédients et connus ou désignés sous le nom d'essences, extraits ou essences de fruits éthérées et spiritueuses, n.d. .....le gallon et	$3.00 30 p.c.
168	Farine de malt contenant moins de 50 pour cent en poids de malt; sirop de malt ou poudre de sirop de malt, n.d.; extraits de malt, fluides ou non; mélasse de grain - tous les articles de ce numéro devant être évalués sans tenir compte des droits d'accise britanniques ou étrangers, conformément aux règlements prescrits par le Ministre	20 p.c.
179	Etiquettes pour boîtes à cigares, pour fruits, légumes, viandes, poisson, confiseries et autres marchandises et produits; étiquettes pour expédier des objets ou indiquer les prix, et autres; billets de chemins de fer ou autres, lithographiés ou imprimés ou partiellement imprimés, n.d.	17½ p.c.
181	Billets de banque, obligations, lettres de change, chèques, billets à ordre, traites et imprimés similaires, non signés, cartes et autres modèles commerciaux, imprimés ou lithographiés, ou imprimés à l'aide de planches d'acier, de cuivre ou autres, et tous autres imprimés, n.d.	17½ p.c.
181a	Cartes postales illustrées, cartes avec souhaits et autres cartes ou dépliants artistiques semblables	15 p.c.
198	Papier réglé, à bordure et enduit, papiers en boîtes, blocs-notes non imprimés, objets en papier mâché, n.d. ..	17½ p.c.
199	Articles de papeterie, enveloppes et tous articles en papier, n.d.	17½ p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
220	Toutes préparations médicinales et pharmaceutiques, composées de plus d'une substance, y compris les médicaments brevetés et spécialités pharmaceutiques, les teintures, pilules, poudres, tablettes et trochisques, pastilles, capsules de gélatine remplies, sirops, cordiaux, amers, anodins, toniques, emplâtres, liniments, pommades, onguents, pâtes, gouttes, eaux, essences et huiles, n.d. :	
	(ii) A l'état liquide, lorsqu'ils contiennent au plus deux et demi pour cent d'esprit de preuve	17½ p.c.
	Toutefois, ne sont pas comprises dans le présent numéro les drogues, la pâte à pilules et les préparations, à l'exception des pilules ou des emplâtres médicinaux, reconnues comme officinales par la Pharmacopée anglaise ou celle des Etats-Unis, par le Formulaire canadien ou par le Codex français.	
228	(i) Savon de toilette, n.d.	15 p.c.
	(ii) Poudres à savon, savon pulvérisé, savon minéral, et savon, n.d.	15 p.c.
232	(i) Colle forte, n.d.	15 p.c.
	et, la livre	2 c.
	(ii) Gélatine, n.d.	15 p.c.
249	Vernis, laques, laques du Japon, siccatifs de laque du Japon, siccatifs liquides, et vernis à l'huile, n.d. .... le gallon	15 c.
	et	5 p.c.
284	(i) Tuyaux de drainage, tuyaux d'égout et leurs raccords en terre cuite, tuyaux d'intérieur de cheminée ou ventouses, mitres de cheminée, et cunettes, vernissés ou non, n.d.	15 p.c.
	(ii) Tuiles et carreaux en terre cuite, n.d.	15 p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
288	Poterie de grès, faïence de Rockingham, et poterie de terre, n.d.	17½ p.c.
362	Articles consistant entièrement ou partiellement en argent sterling ou autres articles en argent, n.d.; objets fabriqués en or ou en argent, n.d.	17½ p.c.
362c	Articles nickelés, dorés ou plaqués par l'électrolyse, n.d.	15 p.c.
367	Boîtiers de montres, et parties de boîtiers, finis ou non finis	15 p.c.
383	Feuilles, plaques, cercles, bandes ou rubans de fer ou d'acier :	
	b) Recouverts d'étain, n.d.	15 p.c.
	Le taux de droit indiqué vis-à-vis du numéro tarifaire 383 b) sera en vigueur aussitôt que la loi voulue pourra être adoptée.	
402a	Clôture en toile métallique ou clôture métallique soudée, de fer ou d'acier, recouverte ou non, n.d.; toile ou treillage en fil de fer ou d'acier, recouvert ou non	17½ p.c.
402b	Toile métallique, en fer ou en acier, recouverte, faite de fil du calibre 17 ou plus lourd, à mailles d'au moins un pouce et d'au plus deux pouces, à joints spécialement renforcés, pour servir exclusivement sur les formes d'animaux à fourrure, en vertu de règlements prescrits par le Ministre ..... :	
	(i) D'une espèce ou catégorie non faite au Canada	5 p.c.
	(ii) N.d.	12½ p.c.
439a	Articles en fer ou en acier, en totalité ou en partie nickelés ou plaqués, importés par les manufacturiers de bicyclettes ou de tricycles pour servir uniquement, dans leurs fabriques, à la fabrication de bicyclettes ou de tricycles, en conformité des règlements édictés par le Ministre	10 p.c.
439b	Voitures, n.d., brouettes, camions, grattes pour routes ou chemins de fer, et voitures à bras	10 p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
441e	Fusils et carabines d'une catégorie ou espèce non fabriquée au Canada	En fr.
445i	Fers à repasser électriques et leurs pièces achevées	12½ p.c.
ex 446a	Bâtis ou charpentes en acier pour locomotives, moulés en une seule pièce; charpentes en acier pour tenders, moulées en une seule pièce; butées en acier fondu pour l'arrière des charpentes des locomotives; châssis de bogie et traverses en acier fondu pour les locomotives, tenders et wagons de voyageurs; armatures de plates-formes pour wagons de voyageurs; tout ce qui précède, brut ou partiellement ouvré, et utilisé pour le matériel roulant des chemins de fer	En fr.
ex 446a	Outils en fer ou en acier, destinés aux machines, n.d., d'une catégorie ou espèce non fabriquée au Canada	En fr.
ex 446a	Caisses et charnières métalliques, devant servir à la fabrication d'écrins à bijoux et d'étuis à lunettes, et non plus finies que formées	En fr.
451b	Epingles fabriquées de fil métallique de toute espèce : (ii) N.d.	15 p.c.
451e	Fermetures à coulisse ou sans agrafes, ou tirettes	25 p.c.
462	(i) Instruments philosophiques, photographiques, mathématiques et optiques, n.d.; compteurs de vitesse, odomètres et podomètres, n.d.; pièces achevées de tous les articles ci-dessus	2½ p.c.
	(ii) Appareils de prise de vues et leurs pièces achevées, n.d. :	
	a) S'ils sont d'une catégorie ou espèce non faite au Canada	5 p.c.
	b) N.d.	7½ p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
522e	Fils à coudre de coton et fils à crocheter, à tricoter, à reprisor et à broder, en écheveaux, quand ils sont importés par des manufacturiers pour être employés exclusivement dans leurs fabriques à fabriquer ou à bobiner le fil à coudre, en coton, et le fil de coton à crocheter, à tricoter, à reprisor et à broder	5 p.c.
523a	Tissus pur coton, blanchis ou mercerisés, non colorés, n.d.	17½ p.c.
523b	Tissus pur coton, imprimés, teints ou colorés, n.d. :	
	(i) Evalués à plus de 80 cents la livre	17½ p.c.
	(ii) Evalués à 50 cents ou plus, mais à 80 cents la livre au plus	17½ p.c.
	(iii) Evalués à moins de 50 cents la livre	17½ p.c.
	(iv) Tissus entièrement de coton, communément appelés serge de Nîmes (denims), lorsqu'ils sont importés par les fabricants pour être employés dans leurs propres fabriques à la confection de vêtements	17½ p.c.
523j	Cretonnes ombrées, pur coton, à chaîne imprimée et à trame unie	10 p.c.
523k	Gabardines, entièrement de coton, ne contenant pas moins de 280 fils de chaîne et de trame, à brins, au pouce carré	10 p.c.
529	Broderie, dentelle, filet, tissus de filet, tulle-bobin n.d., frange et glands, pur coton	15 p.c.
532	(i) Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement fabriqués, pur coton, n.d.	25 p.c.
	(ii) Rideaux entièrement ou partiellement fabriqués, composés entièrement de coton, n.d.	22½ p.c.
	(iii) Tissus pur coton, enduits ou imprégnés, n.d.	22½ p.c.
	(iv) Sacs de coton, avec couture	20 p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
532a	Mouchoirs, entièrement de coton	12½ p.c.
537a	Mèches, filés de chaîne et de trame, constitués totalement ou partiellement de fibres végétales, y compris les retors, les cordes et ficelles servant généralement à l'emballage et à d'autres fins, n.d., sans soie, ni fibres ou filaments textiles synthétiques, ni laine	15 p.c.
537e	Mèches, filés de chaîne et de trame, entièrement de jute, y compris les retors, les cordes et les ficelles ordinairement utilisées pour l'empaquetage et autres fins, n.d.	20 p.c.
540	c) Tissus à touailles et essuie-verre en toile treillis ou en huckaback, avec ou sans lettres ou monogrammes dans le tissu, nappes et serviettes de table de toile treillis à bordure de couleur, en pièce, pur lin ou pur chanvre; tissus en pièce, composés en partie de lin ou de chanvre et ne contenant ni soie, ni fibres ou filaments textiles synthétiques, ni laine	15 p.c.
	et, la livre	3 c.
	d) Serviettes et essuie-verre de toile treillis ou de huckaback, avec ou sans lettres ou monogrammes dans le tissu, nappes et serviettes de table de toile treillis à bordures de couleur, en tout ou en partie de lin ou de chanvre, ne contenant ni soie, ni fibres ou filaments textiles synthétiques, ni laine	15 p.c.
	et, la livre	5 c.
542	Tissus entièrement ou partiellement de fibres végétales, et tous tissus semblables, rasés, n.d., ne renfermant ni soie, ni fibres ou filaments textiles synthétiques, ni laine	17½ p.c.
551	Filés, composés en tout ou en partie de laine ou de poil, mais ne contenant ni soie, ni fibres ou filaments textiles synthétiques, n.d.	15 p.c.
	et, la livre	5 c.
ex 552	Feutre à attelles, pour servir à la fabrication d'attelles pressées, pour des fins médicinales	En fr.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
554	Tissus, composés en tout ou en majeure partie, quant au poids, de filés de laine ou de poil, ne pesant pas plus de six onces par verge (yard) carrée, n.d., et importés écrus ou incomplètement ouvrés afin d'être teints ou finis au Canada	15 p.c.
	et, la livre	7½ c.
554b	Tissus composés en tout ou en partie de filés de laine ou de poil, n.d.	20 p.c.
	et, la livre	12 c.
	Toutefois, la somme du droit spécifique et du droit ad valorem ne doit pas excéder .....la livre	50 c.
ex 554e ex 549d	Tissu à filtre-presse, de laine ou de poils (à l'exception des cheveux)	En fr.
555	Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement ouvrés, et composés en tout ou en partie de laine ou de fibres animales similaires, mais dont l'élément dominant en valeur n'est pas la soie, ni les fibres ou filaments textiles synthétiques, n.d.; tissus, enduits ou imprégnés, et composés en tout ou en partie de filés de laine ou de poil, mais ne renferment ni soie, ni fibres ou filaments textiles synthétiques, n.d.	25 p.c.
561	Tissus en tout ou en partie de fibres ou filaments textiles synthétiques, et ne contenant pas de laine, non compris les tissus dont la majeure partie au poids est constituée par la soie, n.d.	22½ p.c.
565	Broderies, dentelles, soutaches, cordons, chenilles, guipures, franges et glands, qu'ils contiennent ou non des paillettes, filets, articles en filets et dentelles au fuseau, n.d.	17½ p.c.
566	Cordes nattées ou tressées, non élastiques, tubulaires ou pleines, n'ayant pas plus d'un pouce de circonférence, composées en tout ou en grande partie, au poids, de fibres végétales	15 p.c.

LISTE V - CANADA

Deuxième partie (Suite)

Position du Tarif du Canada	Désignation des produits	Taux des droits
567a	Vêtements et articles de vêtement, faits de tissus, et tous produits textiles, entièrement ou partiellement ouvrés, n.d., dont les fibres ou filaments textiles synthétiques constituent la matière dominante en valeur ...	20 p.c.
569 (i)	Chapeaux, coiffes et formes feutrés fourrure, ou feutrés fourrure-laine, selon les règlements que peut prescrire le Ministre	17½ p.c.
571a	(i) Paillassons à surface rasée, en fibre de coco ....le pied carré	2½ c.
	(ii) Paillassons, n.d., carpettes, tapis et nattes en fibre de coco .....la verge (yard) carrée	6-3/4 c.
572	Tapis ou carpettes d'Orient ou leurs imitations, ou tapis en piècos, tapis et carpettes, n.d.	25 p.c.
606	Cuir de veau tanné des Indes orientales, n.d.	20 p.c.
	et, le pied carré	2 c.
611a	(i) Bottines, souliers; pantoufles et semelles intérieures de toute matière, n.d.	20 p.c.
	(ii) Souliers de toile à semelles en caoutchouc	20 p.c.
611b	Vêtements en cuir, doublés ou non	17½ p.c.
612	Harnais et sellerie, y compris les bottines de cheval, n.d.	15 p.c.
613	Articles de cuir, y compris les articles de peaux crues, n.d.	17½ p.c.
619a	Vêtements en caoutchouc et vêtements en tissus de coton imperméabilisés	22½ p.c.

LISTE V - CANADA

Deuxième partie (Fin)

Position du Tarif du Canada	Désignation des produits	Taux des droits
622	Malles, valises, boîtes à chapeaux, porte-manteaux, sacs à outils et paniers de toute sorte, n.d.	12½ p.c.
623	Boîtes d'instruments de musique et boîtes ou étuis de fantaisie de toute sorte, serviettes, secrétaires de fantaisie, sacoches, réticules, porte-cartes, bourses, portefeuilles, portefeuilles à mouches, et leurs pièces	12½ p.c.
647	Bijoux de toute matière, pour la parure, n.d.	22½ p.c.
655	(ii) Pointes de plumes en acier	En fr.
710	b) Emballages usuels de marchandises qui ne sont pas de la machinerie, et qui sont passibles d'un droit quelconque ad valorem, si ces emballages ne sont pas compris dans la valeur facturée des marchandises qu'ils contiennent ..	En fr.
	bb) Emballages usuels contenant de la machinerie passible d'un droit quelconque ad valorem, s'ils ne sont pas compris dans la valeur facturée des marchandises qu'ils contiennent	En fr.

OBSERVATIONS GENERALES

Toutefois, aucune position du Tarif, aucune désignation de produits ou aucun taux des droits dans la Liste V ne s'appliqueront, ni ne seront réputés s'appliquer, aux marchandises dont l'importation au Canada était interdite, avant l'entrée en vigueur de cet Accord, en vertu des prescriptions de l'Article 13 (et qui sont énumérées dans la Liste "C") du Tarif douanier du Canada.

LISTE VII - CHILI

Seul, le texte français de la présente liste fait foi.

PREMIERE PARTIE

"Tarif de la Nation la plus favorisée".

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
Ex 1	Cadmium.....	K.N.	0.20
2	Minerais bruts n.d.	100 K.B.	0.50
4	Aluminium en lingots.....	K.B.	0.05
12	Nickel en lingots.....	K.B.	0.05
Ex 28	Magnésite calcinée impure.....	100 K.B.	3.00
29	Graphite ou plombagine.....	100 K.B.	5.00
Ex 33	Marbre naturel, en blocs non équarris ni polis, d'autres couleurs que blanc ou gris.....	K.B.	0.10
Ex 34	Marbre naturel blanc, scié en plaques ou blocs, non polis.....	K.B.	0.10
Ex 35	Marbre naturel, scié en plaques ou blocs, non polis, d'autres couleurs que blanc ou gris.	K.B.	0.20
39	Pierres brutes pour ornements, telles qu'agate, onyx, lapis-lazuli et autres pierres similaires.....	K.B.	1.00
43 G	Coke métallurgique.....	T.B.	5.60
43 I	Pétrole brut pour fours et chaudières.....	T.B.	8.56
Ex 45	Bois bruts ou simplement sciés, de cèdre, d'acajou et de bois de rose.....	M^3	100.-
47	Bois de pin, bruts ou simplement sciés.....	M^3	70.-
51	Cire végétale, y compris la cire végétale synthétique.....	K.B.	0.20
Ex 51	Cire de carnauba.....	K.B.	0.20
56	Fleurs médicinales en vrac ou en contenants de plus de un kilog net.....	K.B.	1.00

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
57	Gomme (caoutchouc, gutta-percha, balata et autres résines similaires), brute, même laminée, ayant jusqu'à un mm. d'épaisseur, pesant jusqu'à I kg. net par m^2, ainsi que gomme striée ou fumée de toute épaisseur.....	K.B.	0.15
Ex 70	Ecailles de tortue.....	K.L.	8.00
76	Ecailles de nacre, de coquillages et de mollusques, brutes.....	K.B.	0.05
76 A	Nacre, découpée en plaques, mais non autrement travaillée, pour la fabrication des boutons.....	K.L.	1.00
78	Eponges.....	K.N.	5.60
Ex 81	Morue sèche ou fumée, en contenants de toutes sortes, ainsi que morue en saumure, en contenants de bois.....	K.B.	1.00
Ex 83	Bovins reproducteurs racés.....	Tête	45.00
Ex 84	Chevaux reproducteurs racés.....	Tête	33.75
Ex 86	Ovins reproducteurs avec pedigree.....	Tête	10.00
98	Sang desséché, pour usage industriel.....	K.B.	0.30
106	Plantes vivantes et fleurs fraîches.....	100 K.B.	0.75
108	Graines de luzerne.....	K.B.	0.10
113	Graines, oignons, bulbes, tubercules, etc., de plantes exotiques ou pour l'agriculture, n.d.,.....	K.B.	0.05
133	Noix de coco, grandes et petites.....	K.B.	0.75
138	Fruits n.d., frais.....		Franchise
Ex 138	Pommes fraîches.....		Franchise

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
Ex 139	Bananes séches ou déshydratées	K.B.	0,75
144	Cacao brut ou en fèves, décortiqué ou non	K.B.	0,20
145	Café en fèves	K.B.	0,25
146	Pellicules de cacao	K.B.	0,075
150	Thé en vrac ou emballé en quantités supérieures à cinq kilogs nets	K.B.	1,50
155	Maté	K.B.	0,20
158	Safran naturel ou artificiel	K.L.	32,50
159	Cannelle et sceavisson, entiers	K.B.	0,25
161	Clous de girofle, entiers	K.B.	0,50
163	Cumins	K.B.	1,00
165	Poivre en grains	K.B.	0,80
167	Vanille	K.L.	10,00
172	Coton brut, avec ou sans graines	K.B.	0,02
174	Kapok (laine végétale)	K.B.	0,15
Ex 175	Fibre de jute	K.B.	0,06
179	Coprah ou pufa (chair de la noix de coco)	100 K.B.	0,50
181	Arachides	K.B.	0,15
Ex 207	Farine de bananes	K.B.	0,375
227	Conserves de potages, n.d.	K.B.	4,50
Ex 252	Whisky, cognac, armagnac et rhum	Litre	6,00
Ex 253	Bitter Angostura	Litre	12,50

LISTE VII -- CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
256	Eau de Vichy	K.B.	0,25
300	Serpillière brute de chanvre ou de jute (toile grossière), goudronnée ou non, ayant dans un carré de 5 mm de côté 8 fils ou moins	K.B.	0,162
302	Fayette de laine	K.N.	4,00
306	Toile cirée et linoléum pour parquets	K.B.	0,35
323	Toile à voiles et toile à voiles légère, de chanvre ou de jute	K.N.	0,75
324	Toile à voiles et toile à voiles légère, de coton ou de lin, pesant moins de 300 gr. par mètre carré	K.N.	1,90
325	Toile à voiles et toile à voiles légère, de coton ou de lin, pesant 300 gr. ou plus par mètre carré	K.N.	1,10
326	Toile d'Osnabruck en coton (toile grise, écrue, grossière, fabriquée avec des déchets) n'ayant pas plus de 15 fils dans un carré de 5 mm. de côté	K.N.	0,75
343	Tissus de laine ou de coton, avec poils ordinaires de chien, de cheval, etc.., dits "Optima", pour entretoiles de vêtements	K.N.	9,00
358	Tissu dit "cordé", en coton et/ou rayonne, pour la fabrication et la réparation de pneus et de chambres à air	K.B.	0,10
389	Toiles de lin, n.d., blanchies, imprimées, teintes, avec fils de couleur ou colorées au moyen de l'apprêt, unies et ayant jusqu'à 30 fils dans un carré de 5 mm. de côté	K.N.	9,00
564	Confections en tissu de coton ciré ou goudronné, y compris les chapeaux assortis qui les accompagnent	K.N.	2,00

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
714	Acide benzoïque	K.L.	1,00
715	Acide borique	K.B.	0,65
716	Acide butirique et acide sulfurique en contenants de toute capacité à l'épreuve de l'acide, tels que ceux en verre, ceux recouverts de couches métalliques protectrices, etc. ...	K.L.	1,00
729	Acide tannique ou tanin	K.B.	1,00
732	Alcaloïdes et leurs composés: aconitine, atropine, berberine, brucine, cinchonamine, cinchonidine, cinchonine, cocaïne, codéïne, conine, cotarnine, curanine, émétine, ergotinine, ergotoxine, ésèramine, spartéine, strichnine, gelsémine, hydrastine, hyoscyamine, hyoscine, homatropine, morphine, narcéine, narcotine, nicotine, papavérine, pelletiérine, pilocarpine, pipérine, quinidine, quinine, solanidine, vératrine, yohimbine et autres n.d.	G.N.	0,037
Ex 758	Nitrate d'ammonium	K.B.	0,15
772	Anhydride xanthogénique	K.B.	0,075
824	Diastases et vitamines: ingluvine, maltine, papaïne ou papayotine, pancréatine, pepsine, takadiastase et autres n.d.	K.N.	7,50
838	Phénols: liquide brut (acide carbolique ou phénique) et créeol (acide crésylique)	K.B.	0,075
914	Xanthate de potassium	K.B.	0,075
929	Cyanure de sodium 100	K.B.	2,00
Ex 956	Huile de foie de morue	K.B.	0,35
Ex 958	Huile de foie de requin	K.B.	1,00
977	Catgut et autres produits similaires pour sutures	K.L.	2,50

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1.028	Noix de kola et noix vomique, entières ou en poudre	K.L.	0,50
1.032	Pastilles, comprimés, tablettes, tabloïdes, pilules, perles, capsules, globules, dragées, granules, petits paquets et hosties (cachets) contenant des médicaments, n.d.	K.L.	6,80
Ex 1.055 A	Mélanges de produits chimiques destinés à la fabrication de produits pharmaceutiques, y compris les solutions médicinales composées venant en contenants renfermant plus de 5 kilos net	K.B.	1,50
1.056	Engrais phosphatés traités par les alcalis ou les acides (superphosphates)		Franchise
Ex 1.056	Phosphate bicalcique		Franchise
1.065	Cordons, mèches et allumeurs pour mines	K.B.	0,15
Ex 1.072	Huiles minérales pour machines, même mélangées d'autres huiles ou substances, en contenants renfermant plus de un kilo net	K.B.	0,15
1.085	Colophane (résine de pin) et poix de Bourgogne	100 K.B.	1,50
1.087	Gommes: arabique, copal, dammar, sandaraque, laque, du Sénégal, adragante, mastic et autres gommes n.d.; résines synthétiques et mucilages de fruits tels que pectine de fruits et autres, pour usages industriels	K.B.	0,175
Ex 1.087	Gomme laque	K.B.	0,175
1.089	Graisses lubrifiantes, contenant plus de 50 % d'huiles minérales	K.B.	0,40
1.093	Paraffine solide, fondant à moins de 60° C.	K.B.	0,10
1.094	Pâtes préparées pour la fabrication des rouleaux ou disques pour gramophones ou autres appareils similaires	K.L.	0,15

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1.106	Bleus de Prusse et d'outremer	K.B.	0,30
1.126	Couleurs en tubes, godets ou petits pains, pour la peinture à l'huile, ou à l'aquarelle, ainsi qu'en forme de crayons pour le pastel, conditionnées ou non en boîtes, avec ou sans les accessoires correspondants pour la peinture ou le dessin	K.L.	1,90
Ex 1.130	Encres d'imprimerie	K.B.	0,20
1.144	Acide crésylique mélangé de sulfure de phosphore, pour la concentration des minerais ...100	K.B.	0,50
Ex 1.189	Fer ou acier laminés, en barres d'une longueur supérieure à 3 mètres, y compris les feuillards, sans main d'oeuvre postérieure au laminage	K.B.	0,10
	Note.- Aussi longtemps qu'un droit plus réduit que celui de 0,10 par kilo brut restera en vigueur pour cette position, il sera fait application dudit droit réduit.		
Ex 1.189	Barres de fer rondes et carrées, pesant moins de 30 kilos par mètre courant	K.B.	0,10
Ex 1.189	Fer à section angulaire et à T, pesant moins de 10 kgs par mètre courant	K.B.	0,10
Ex 1.189	Billettes en fer d'une longueur supérieure à 3 mètres	K.B.	0,10
	Note.- Aussi longtemps qu'un droit plus réduit que celui de 0,10 par kilo brut restera en vigueur pour cette position, il sera fait application dudit droit réduit.		
1.193	Fer ou acier laminés, en tôles unies rectangulaires ayant plus de 1m2 de surface et plus de 0m50 de côté, ni galvanisées ni recouvertes de couches d'autres métaux	K.B.	0,075

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1194	Fer ou acier laminés, en tôles peintes, galvanisées ou recouvertes de couches métalliques, ainsi que tôles fixées par pression sur des planches en bois ou en autre matière.....	K.B.	0.30
1194 A	Fer ou acier laminés, en tôles et barres, coupées sous toutes formes, même passées au minium, ainsi que pièces d'acier pour axes, de toute longueur et sans travail au tour, obtenues par étirage des lingots de fonderie.....	K.B.	0.10
1194 B	Fer ou acier laminés, en tôles et barres, avec travail de perforation ou de polissage à l'émeri, au rabot ou au tour, même passées au minium.....	K.B.	0.15
1194 C	Fer ou acier laminés, à profils composés, pour constructions, telles que pouterelles, croix de St-André (tijerales), colonnes, piliers et autres similaires.....	K.B.	0.20
1197	Fer blanc ordinaire.....	K.B.	0.075
1200	Aluminium pur ou non, en barres ou tôles n.d.,.....	K.B.	0.15
1275	Lames de rasoirs de sûreté, même nickelées, chromées, argentées ou dorées.....	douzaine	0.15
1279 A	Compteurs d'eau, de gaz d'éclairage, d'huile et d'autres gaz ou liquides, excepté l'eau potable, montés ou non, ainsi que leurs pièces n.d., pesant jusqu'à 500 K.N. (en fer ou acier).....	K.B.	1.10
1290	Roulements, paliers, coussinets, boîtes ou châssis pour coussinets, ainsi que les billes, rouleaux et barres de rechange.....	K.B.	0.75

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1.293	Vis, boulons et dispositifs sur lesquels ils sont fixés, rondelles et écrous filetés ou non, même appartenant à des machines ou appareils démontés, à condition qu'ils ne se trouvent pas dans le même colis que ces dernières; crochets, chevilles (nudillos) et tiges pour isolateurs, importés séparément de ces derniers	K.B.	0,90
1.330	Clefs, robinets et valves pour tout usage ou destination et leurs pièces de rechange, en bronze; lances à eau, ainsi que manchons ou connections pour tuyaux d'arrosage	K.B.	3,00
1.335 A	Compteurs d'eau, de gaz d'éclairage, d'huile, et d'autres gaz ou liquides, excepté l'eau potable, montés ou non, ainsi que leurs pièces détachées n.d., pesant jusqu'à 500 kilos (autres qu'en fer ou acier)	K.B.	1,10
1.343	Machines n.d., (pour les mines)	K.B.	0,18
1.344	Appareils n.d., (pour les mines)	K.B.	0,25
1.345	Pièces détachées et pièces de rechange n.d., pour machines et appareils (pour les mines).	K.B.	0,45
1.346	Charrues	K.B.	0,25
1.347	Machines n.d., (pour l'agriculture)	K.B.	0,125
1.349	Machines pour la vendange; pompes avec doublage en bronze; égreneuses de raisins, système centrifuge; broyeurs à cylindres; presses hydrauliques avec ou sans pressoirs et corbeilles de bronze; presses à vin, à vis; appareils à traction pour le soufrage et appareils similaires pour la vitiviniculture .	K.B.	0,10
1.351	Pièces détachées et pièces de rechange, n.d., pour machines et appareils (pour l'agriculture)	K.B.	0,30

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1354	Pompes (pour industries ou métiers).....	K.B.	0.18
Ex 1355 A	Machines transporteuses de matériaux ou de produits, n.d.,.....	K.B.	0.125
1356 B	Bourrages confectionnés, disques et anneaux pour embrayage, pistons ou valves, ainsi que rubans pour freins, confectionnés ou non; pour usages industriels ou non : en métal, même contenant jusqu'à 30 % de caoutchouc ou une autre matière en toute proportion.....	K.B.	1.50
1356 C	Bourrages confectionnés, disques et anneaux pour embrayages, pistons ou valves, ainsi que rubans pour freins, confectionnés ou non; pour usages industriels ou non : n.d.,.....	K.B.	1.50
1357	Grues, grues de chevalement, treuils et autres machines de levage.....	K.B.	0.125
1357 A	Palans, poulies, moufles, crics et autres appareils de levage.....	K.B.	0.25
1358	Machines n.d., (pour industries ou métiers)	K.B.	0.125
Ex 1358	Machines pour la fabrication de cigarettes....	K.B.	0.125
Ex 1358	Machines pour raffineries de sucre.....	K.B.	0.125
1359	Appareils n.d., (pour industries ou métiers).	K.B.	0.25
1360	Protecteurs pour artisans et ouvriers, n.d., tels que casques, tabliers, masques, gants, enveloppements en caoutchouc pour travaux sur les lignes à haute tension, etc.....	K.B.	1.75
Ex 1361	Pièces détachées et pièces de rechange, n.d., pour machines et appareils destinés à la construction et à l'entretien des routes.....	K.B.	0.30
1362	Pierres à aiguiser et pierres d'émeri ou de carborundum, montées ou non, ainsi que pierres à adoucir, n.d.,.....	K.B.	0.35

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1367	Articles de rechange pour usages industriels ou non, qui s'ajoutent aux machines, appareils et outils pour réaliser le travail, tels que disques à polir, chevilles, ensettes pour métiers à tisser, etc., ainsi qu'accessoires destinés à obtenir la variété dans leur production, tels que cartons Jaquard, matrices de limotypie, moules pour l'estampage, etc., en métal ou en bois..	K.B.	0.55
Ex 1367	Matrices de disques de phonographes.....		Franchise
Ex 1367	Lames de scie à main.....	K.B.	0.025
Ex 1367	Scies de toute sorte pour machines.....	K.B.	0.125
1369	Houes, serfouettes, piques, pioches et râteaux, sans manche.....	K.B.	0.25
1376	Instruments et outils à main et leurs parties	K.B.	0.15
Ex 1376	Faucilles.....	K.B.	0.15
1379	Pelles sans manche.....	K.B.	0.25
Ex 1383	Chaudières génératrices de vapeur ou chauffant l'eau sous pression, y compris les réchauffeurs et les économiseurs, pesant plus de 3.000 K.B.....	K.B.	0.25
Ex 1383	Radiateurs et autres appareils similaires, n.d., pour chauffage ou réfrigération centrale, pesant plus de 75 K.B.....	K.B.	0.15
1386	Courroies ou bandes, même importées avec les machines correspondantes, ainsi que lanières pour assembler les courroies, pour transmission, en cuir.....	K.B.	1.50
1387	Courroies ou bandes, même importées avec les machines correspondantes ainsi que lanières pour assembler les courroies, pour transmission, n.d.	K.B.	1.10

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1.388	Courroies ou bandes, même importées avec les machines correspondantes, ainsi que lamières pour assembler les courroies, en cuir, caoutchouc ou matières textiles, pour machines transporteuses	K.B.	0,20
1.390	Moteurs, y compris les moteurs pour véhicules, à explosion ou à combustion	K.B.	0,18
Ex 1.390	Moteurs pour embarcations de pêche	K.B.	0,06
Ex 1.393	Moteurs, y compris les moteurs pour véhicules, électriques, de plus de 5 C.V.	K.B.	0,18
1.396	Pièces détachées et pièces de rechange pour chaudières, moteurs et turbines	K.B.	0,45
1.398	Fils métalliques pour tous usages, recouverts de matières isolantes ou de matières autres que la soie	K.B.	0,15
1.401	Lampes de T.S.F. et redresseuses, pour tous usages	K.B.	3,80
1.402	Appareils pour centrales téléphoniques et télégraphiques avec ou sans fils, n.d.	K.B.	0,25
1.406	Charbons et électrodes	K.B.	0,15
1.408	Dynamos, alternateurs, convertisseurs et autres machines, n.d.	K.B.	0,18
Ex 1.410	Transformateurs de plus de 200 K.W.A.	K.B.	0,25
1.411	Pièces détachées et pièces de rechange, n.d., pour machines et appareils du groupe 63 (électriques)	K.B.	0,45
1.414	Compteurs et autres appareils pour mesures électriques ainsi que leurs pièces de rechange	K.B.	1,10

LISTE VII-CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
Ex 1.415	Accumulateurs d'un poids supérieur à 100 KN	K.B.	0,25
1.425	Wagons ou wagonnets pour chemins de fer provisoires ou portatifs (système Decauville et autres), ainsi que pour chemins de fer aériens, y compris les trémies importées séparément; draisines et trucks pour réparations des voies, ainsi que wagons avec ou sans moteurs pour le montage des mines aériennes	K.B.	0,15
1.429	Sémaphores et matériel de signalisation, n.d..	K.B.	0,30
1.430	Locomotives et leurs tenders, à vapeur ou électriques	K.B.	0,15
1.432	Rails pour chemins de fer, funiculaires, grues, etc.., y compris ceux à crémaillère, même perforés	K.B.	0,0375
1.435	Roues, essieux et jantes, pesant par pièce plus de 50 KN	K.B.	0,075
1.439	Pièces détachées et pièces de rechange, n.d., pour machines et appareils (pour chemins de fer et tramways)	K.B.	0,45
1.449	Dragues flottantes	K.B.	0,075
1.462	Appareils de navigation aérienne et leurs parties, n.d.	K.B.	0,075
	Automobiles n.d., neuves ou usagées, pour le transport des personnes et des marchandises, montées ou non:		
Ex 1.463	- pesant de 501 jusqu'à 1000 kilos pièce	K.N.	0,80
Ex 1.463	- pesant de 1001 jusqu'à 1500 kilos pièce	K.N.	1,10
Ex 1.464/69	- pesant plus de 1500 kilos pièce	K.N.	2,10
Ex 1.465/69	Camions, camionnettes et autobus	K.N.	0,10

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
Ex 1.463/69	Jeeps et agrijeeps	K.N.	0,025
Ex 1.463/69	Ambulances		Franchise
	Note.- L'impôt de 15 % auquel sont assujetties les automobiles à voyageurs ne sera appliqué qu'à celles qui ont une valeur cif supérieure à 1500 dollars des Etats-Unis.		
1.471	Trompes et autres appareils avertisseurs	K.B.	0,50
Ex 1.475	Véhicules motorisés servant au transport et à l'arrimage des marchandises	K.B.	0,20
1.476	Véhicules sans moteur, pour le transport des marchandises, destinés à être remorqués par camions ou tracteurs	K.B.	0,20
Ex 1.476	Dispositifs spéciaux destinés à être attachés aux camions pour en augmenter la capacité de charge	K.B.	0,20
1.480	Châssis d'automobiles, montés ou non; sont considérés comme faisant partie du châssis: le moteur avec ses circuits d'allumage, de graissage, de refroidissement, etc.., le cadre, les organes de commande, d'éclairage, de transmission et de roulement, ainsi que leurs accessoires, tels que pare-brise, pare-chocs, marche-pieds, contre-marches, garde-boue, tableaux de contrôle, roues de rechange, mécanisme basculant, etc..; mûs par moteur à essence ou à pétrole	K.B.	0,075
Ex 1.480	Tracteurs	K.N.	0,05
1.482	Essieux avec ou sans happes ou écrous	K.B.	0,20
1.463	Phares pour éclairer le trajet que parcourent les véhicules, y compris les phares mobiles .	K.L.	2,50

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
Ex 1.487	Enveloppes de pneus pour machines agricoles, machines pour la construction et entretien des routes et pour tracteurs, d'un diamètre extérieur dépassant 1 mètre et dont la pression de gonflage normale maximum est de quarante livres au pouce carré	K.B.	0,50
1.490	Ressorts, à l'exclusion de ceux dits amortisseurs pour automobiles	K.B.	0,225
1.492	Pièces détachées et pièces de rechange, n.d., pour véhicules	K.B.	0,40
1.494	Compositions vitreuses pour émailler au feu ou pour colorer le verre	K.B.	0,075
1.497	Asbeste ou amiante, préparé: à l'état fibreux, pâteux ou pulvérulent, mélangé ou non à d'autres substances	K.B.	0,075
1.498	Asbeste ou amiante, préparé, ouvré, sous toute forme, n.d., avec ou sans parties en métal commun, caoutchouc ou matières textiles, pour la fabrication de bourrages	K.B.	1,10
1.562	Briques, blocs, prismes de toutes formes, dalles, c'est-à-dire plaques d'une surface inférieure à un mètre carré, et autres articles similaires: réfractaires	100 K.B.	3,80
1.574	Papier de verre, ainsi que papier ou toile à l'émeri	K.B.	0,15
Ex 1.683	Coupes ou bandes en cuir préparées pour garnitures de chapeaux et de casquettes	K.L.	15,00
1.786	Pierres précieuses et perles non serties ou enfilées, avec ou sans agrafes: brillants, diamants, rubis, émeraudes, saphirs et perles.	G.N.	20,00
1.804	Jumelles prismatiques	Pièce	35,00

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits		Droit
1.808 A	Appareils à rayons X, à rayons ultra-violets et ceux pour l'application des courants galvaniques, faradiques, thermiques, etc.,n.d.	K.B.	0,75
1.809	Balances, romaines, bascules et dynamomètres, (y compris les poids correspondants), automatiques, n.d., d'une force supérieure à 2 mais non supérieure à 50 kilos, y compris celles d'une force plus élevée pour peser les personnes	K.B.	2,00
1.816	Biographes, cinématographes et autres appareils similaires et leurs parties, n.d.	K.B.	3,80
1.822	Dents, yeux et tympans, artificiels	K.L.	30,00
1.828	Machines et appareils pour les sciences pures ou appliquées, n.d., pesant jusqu'à 20 KN ...	K.L.	2,20
1.855	Appareils photographiques, y compris ceux pour prendre des films cinématographiques, ainsi que leurs parties	K.L.	3,80
1.856	Machines et appareils à calculer: arithmomètre, etc.., ainsi que leurs parties	K.B.	3,00
1.857	Machines et appareils à écrire et leurs parties, n.d.	K.B.	1,50
1.867	Thermomètres pour tous usages et autres appareils de métrologie, n.d. tels que baromètres, hygromètres, pluviomètres, pyromètres, etc.., ainsi que leurs pièces de rechange	K.L.	2,20
Ex 1.934	Balles pour jeux de "lawn bowls"		Franchise
Ex 1.936	Réfrigérants pour usage domestique, servant à la conservation des aliments, ayant jusqu'à 10 pieds cubes de capacité	K.B.	0,50

LISTE VII - CHILI

PREMIERE PARTIE (suite)

Position du Tarif du Chili 1946/47	Désignation des produits	Droit
1.943	Articles spéciaux pour la pêche, tels que hameçons, harpons, cannes à pêche, flotteurs, plombs, filets et autres articles	Franchise
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	Observations générales.	
	Les droits fixés dans la présente liste VII sont exprimés en Pesos. or chiliens de 0,183057 gramme d'or fin.	

LISTE X - TCHECOSLOVAQUIE

Seuls les textes anglais et français de la présente liste font foi.

PREMIERE PARTIE

Tarif de la nation la plus favorisée

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
	I. DENREES COLONIALES.	Kčs par 100 kg:
ex 1	Fèves et pellicules de cacao:	
a)	brutes	100.-
ex 2	Café:	
a)	brut	1650 -
3	Thé	5000.-
	II. EPICES.	
ex 4	Poivre (noir, blanc et rouge /espagnol, même paprika/, poivre long; poivre en poudre); piment (poivre de la Jamaïque); gingembre:	
ex a)	non moulus:	
ex 2.	autres:	
	poivre (noir, blanc, long)	800.-
	piment	600.-
ex 5	Canelle:	
ex a)	non moulue:	
2.	autre	1500.-
ex 6	Badiane (anis étoilé); clous de girofle; macis (fleurs de muscade); noix muscades avec coque:	
ex a)	non moulus:	
2.	autres	2200.-
ex 7	Noix muscades sans coque:	
ex a)	non moulues:	
2.	autres	3000.-
ex 8	Cardamomes, safran, vanille:	
ex a)	non moulus:	
2.	autres	3000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
	III. FRUITS DU MIDI.	Kčs par 100 kg:
ex 9	Figues:	
ex b)	sèches:	
1.	en boîtes, caissettes ou petits paniers	300.-
Remarque au No 9 b)	Figues sèches en chapelets ou autrement conditionnées, importées pour les fabriques des succédanés de café, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	50.-
ex 10	Raisins en grains et grappes, secs; raisins de Corinthe:	
	raisins en grains et grappes, secs (1) (6) ..	180.-
Remarque au No 10	Marchandises du No 10 , importées pour la fabrication du vinaigre, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	40.-
ex 11	Citrons, lemons, cedrats:	
	citrons	140.-
	pamplemousses	30.-
	mangos	80.-
ex 12	Oranges (aussi mandarines):	
	oranges du 1er juin au 31 août	100.- du poids brut
	mandarines	150.- du poids brut
Remarque au No 12	Oranges, excepté les mandarines, en caisses à claire-voie	100.-
13	Citrons, limons, cédrats et oranges, en saumure; oranges non mûres, petites; écorces d'oranges, de cédrats et de citrons, même moulues ou en saumure	70.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
14	Dattes, pistaches, bananes (pisang):	
	dattes	270.-
	pistaches	540.-
	bananes (pisang)	200.-
15	Ananas	500.-
16	Amandes:	
a)	sèches, avec ou sans coque	300.-
b)	non mûres, avec coque	150.-
ex 17	Pignons de pin (de cembre), non pelés; caroubes, aseroles, châtaignes comestibles; noix de coco et autres noix exotiques similaires comestibles; olives fraîches, sèches ou salées:	
	noix de coco et autres noix exotiques similaires comestibles	100.-
	olives fraîches, sèches ou salées	45.-
	VI. CEREALES; MALT; LEGUMES A COSSE; FARINE ET PRODUITS DE LA MEUNERIE; RIZ.	
34	Riz non pelé ou pelé, même brisures de riz:	
a)	non pelé	10.-
b)	autre	40.-
	VII. FRUITS, LEGUMES, PLANTES ET PARTIES DE PLANTES.	
	F r u i t s :	
ex 35	Raisins frais; moût de vendange:	
	raisins frais:	
	du 1er décembre au 31 juillet	400.-
	du 1er août au 30 novembre	500.-
ex 36	Noix et noisettes, mûres:	
	noisettes mûres:	
	en coques	150.-
	sans coques	200.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 37	Fruits non spécialement dénommés, frais (2):	
ex a)	fruits fins de table:	
ex 1.	pêches et brugnons, poires, pommes et fraises:	
	pêches et brugnons, du 1er mars au 31 mai	170.-
	poires du 1er octobre au 31 mai	75.-
	pommes:	
	du 1er novembre au 31 mai	75.-
	du 1er juin au 30 juin, cueillies de l'arbre au cours d'une période de trois mois précédant l'importation (3)	75.-
ex 2.	autres:	
	abricots du 1er mars au 31 mai	170.- du poids brut
ex 38	Prunes séchées (6):	
ex a)	en tonneaux, caisses, sacs ou emballages similaires d'un poids brut supérieur à 30 kg ou sans emballage:	
	en tonneaux, caisses, sacs ou emballages similaires d'un poids brut supérieur à 30 kg jusqu'à 50 kg	60.-
b)	autrement emballées (4)	60.-
ex 39	Fruits non spécialement dénommés, préparés (séchés, comprimés, coupés, pulvérisés ou autrement moulus; en saumure ou en vinaigre, en tonneaux; marmelade de prunes sans addition de sucre):	
	pommes et poires, séchées et non pelées, entières ou coupées (5) (6)	50.-
	autres fruits non spécialement dénommés, séchés (5) (6)	100.-
	L é g u m e s :	
ex 42	Choux frais:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex b)	du 1er décembre au 15 juillet:	
	du 1er mars au 31 mai	50.-
ex 43	Légumes non spécialement dénommés et autres plantes culinaires, frais:	
ex a)	légumes fins de table:	
1.	truffes	250.- du poids brut
ex 2.	asperges, carottes en bottes, concombres, laitue et épinards:	
	asperges et laitue, du 1er novembre au 30 avril	260.-
	carottes en bottes et épinards, du 1er novembre au 31 mars	260.-
ex 3.	autres:	
	haricots verts et petits pois, en cosses, du 1er novembre au 31 mai	120.- du poids brut
	Plantes et parties de plantes:	
	Graines:	
ex 47	Graine de lin et de chanvre, graines oléagineuses, non tarifées ailleurs:	
b)	graines oléagineuses, non tarifées ailleurs	exemptes
ex 49	Semences de trèfle:	
ex b)	autres:	
	semences de luzerne	85.-
50	Semences de graminées	440.- du poids brut
	Fleurs et feuilles d'ornement, même plantes vivantes:	
ex 56	Plantes vivantes (même en pots ordinaires, ouveaux ou similaires):	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg.
b)	arbres et arbrisseaux:	
	Azalea mollis, Azalea pontica	exemptes
	magnolias, érable japonais (Acer japonicum)	260.-
	autres	800.-
c)	oignons à fleurs, tubercules et souches (rhizomes, bulbes)	80.-
ex c)	autres, y compris les jets, les boutures, les greffes et les pousses:	
	azalées des Indes	exemptes
	Autres plantes et parties de plantes:	
81	Varech, sparte (stipe tenace ou alfa), piassava et matières végétales similaires pour rembourrer, tresser, pour brosses et balais; liber, raphia; roseaux; paille; foin; litière; toutes ces matières même teintes	exempts
ex 82	Plantes non spécialement dénommées et leurs parties:	
ex b)	séchées ou préparées (en poudre ou autrement réduites en morceaux, ou colorées):	
2.	autres	80.-
	IX. AUTRES ANIMAUX.	
ex 75	Poissons, écrevisses d'eau douce, escargots, scampi; frais:	
a)	poissons de mer	10.-
ex b)	autres:	
	poissons d'eau douce	230.-
76	Coquillages ou crustacés de mer (tels que huîtres, homards, araignées de mer, crabes, tortues), frais, même cuits, mais non dépouillés de leur coquille:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
76 (suite)	homards	600.-
	autres	750.-
	X. PRODUITS DU REGNE ANIMAL.	
ex 79	Oeufs de volaille, même jaunes et blancs d'oeufs, liquides:	
b)	jaunes et blancs d'oeufs, liquides	220.-
Remarque au No 79 b)	Jaunes et blancs d'oeufs, liquides, importés par les fabriques pour la production des cuirs, des graisses alimentaires artificielles, des conserves de poissons ou des pâtes alimentaires, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	exempts
ex 81	Cire animale:	
a)	à l'état naturel	20.-
ex 82	Eponges naturelles:	
ex a)	éponges fines et ordinaires (éponges de bain et à cheval), à l'état naturel, non ouvrées, non lavées; éponges à cheval lavées, ultérieurement ouvrées, mais non blanchies:	
	éponges fines et ordinaires (éponges de bain et à cheval), à l'état naturel, non ouvrées, non lavées	50.-
83	Peaux et cuirs, bruts (verts ou secs, même salés ou passés à la chaux, mais non autrement ouvrés)	exempts
ex 84	Poils, cheveux et crins de toute sorte, bruts ou apprêtés (c.à d. cardés, bouillis, teints ou passés au mordant, même frisés); soies de porc:	
	poils et crins de toute sorte, bruts ou apprêtés (c.à d. cardés, bouillis, teints ou passés au mordant, même frisés); soies de porc	exempts

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 86	Vessies et boyaux, frais, salés ou séchés; baudruches; cordages en boyaux:	
	vessies et boyaux, frais, salés ou séchés; cordages en boyaux	24.- du poids net
	XI. GRAISSES.	
	Graisses alimentaires:	
89	Graisse de porc et graisse d'oie, crus ou fondus (7)	
	Graisses techniques et acides de graisses:	
ex 91	Graisses de poisson, de baleine et de phoque:	
	graisse de poisson et de baleine	exempte
92	Suif animal, brut ou fondu; suif pressé	15.-
93	Suif végétal, huile de palme, huile de palmiste et de coco, solide:	
a)	suif végétal et huile de palme	exempts
b)	huile de palmiste et de coco, solide	6.-
ex 94	Cires végétales:	
ex b)	cire de carnauba et autres cires végétales non spécialement dénommées:	
1.	brutes	40.-
96	Paraffine:	
a)	impure, même écailles de paraffine	180.-
b)	autre	220.-
98	Cérésine	420.-
ex 99	Vaséline et lanoline (graisse de laine purifiée):	
ex a)	en tonneaux:	
	vaséline	320.

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
101	Graisses et mélanges de graisses, non spécialement dénommées	20.-
	XII. HUILES GRASSES.	
ex 103	Huile de lin, huile de soya, huile de bois de Chine et autres huiles grasses, non spécialement dénommées, en tonneaux, en outres ou en vessies, à l'exception des vernis à l'huile:	
a)	huile de bois de Chine, sans additions	20.-
ex b)	autres:	
	huile de ricin	160.-
ex 104	Huiles d'olive, de maïs, de pavot, de sésame, d'arachide, de faîne et de tournesol, en tonneaux, en outres ou en vessies:	
	huile d'olive, accompagnée d'un certificat de pureté délivré par des autorités du pays d'origine à ce habilitées	50.-
	huile d'arachide, accompagnée d'un certificat délivré par des laboratoires du pays d'origine à ce habilités attestant que l'huile a bien été extraite de graines et coques d'arachides	50.-
ex Remarque aux Nos 103 et 104	Huile de ricin du No 103, huile d'olive (même huile tournante et huile de noyaux d'olives) et huile d'arachide du No 104, pour usages techniques, à condition qu'elles soient dénaturées auprès des bureaux de douane y spécialement autorisés:	
	huile de ricin du No 103 pour usages techniques, à condition qu'elle soit dénaturée auprès des bureaux de douane y spécialement autorisés	6.-
ex 106	Huiles grasses, en bouteilles, cruches et récipients analogues pesant moins de 25 kg:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex b)	huiles du No 104:	
	huile d'olive, en bouteilles, accompagnée d'un certificat de pureté délivré par des autorités du pays d'origine à ce habilitées	90.-
	huile d'arachide, accompagnée d'un certificat délivré par des laboratoires du pays d'origine à ce habilités attestant que l'huile a bien été extraite de graines et coques d'arachides	190.-
	XIII. BOISSONS.	
ex 108	Spiritueux distillés:	
ex a)	eaux-de-vie de vin:	
	eaux-de-vie de vin, en provenance du pays d'origine où elles bénéficient d'une appellation d'origine controlée et accompagnées d'un certificat d'appellation d'origine émanant d'une autorité reconnue par les autorités compétentes du pays importateur	3000.-
ex b)	liqueurs, essences de punch et autres spiritueux distillés, additionnés de sucre ou d'autres substances; alcool de menthe:	
	liqueurs et autres spiritueux distillés, additionnés de sucre ou d'autres substances	5000.-
c)	arack, rhum:	
	arack	3200.-
	rhum	2000.-
ex d)	autres spiritueux distillés:	
	gin, whisky	3000.-
ex 109	Vin, vin de fruits, moût de raisin et de fruits, jus de fruits et de baies, non condensés; hydromel:	
a)	jus non condensés d'agrumes (8)	200.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kés par 100 kg:
ex b)	autres:	
ex 1.	en tonneaux:	
	vins en provenance du pays d'origine:	
	bénéficiant dans leur pays d'origine d'une appellation d'origine controlée et accompagnés d'un certificat d'appellation d'origine émanant d'une autorité reconnue par les autorités compétentes du pays importateur (9)	360.-
	autres, accompagnés d'un certificat d'origine délivré par une autorité compétente du pays importateur (9) ...	360.-
ex 2.	en bouteilles:	
	vins en provenance du pays d'origine:	
	bénéficiant dans leur pays d'origine d'une appellation d'origine controlée et accompagnés d'un certificat d'appellation d'origine émanant d'une autorité reconnue par les autorités compétentes du pays importateur (9)	800.-
	autres, accompagnés d'un certificat d'origine délivré par une autorité compétente de pays importateur (9) ...	800.-
	jus de fruits et de baies (excepté les jus de pommes, framboises et raisins), non condensés (8)	400.-
ex 110	Vins mousseux:	
	vins mousseux, en provenance du pays d'origine, bénéficiant dans leur pays d'origine d'une appellation d'origine controlée et accompagnés d'un certificat d'appellation d'origine émanant d'une autorité reconnue par les autorités compétentes du pays importateur	2000.-
	XIV. COMESTIBLES.	
ex 114	Articles de boulangerie (biscuits, cakes, gâteaux, oublies etc.):	
	flocons cuits et préparations similaires de céréales moulues et de riz	700.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg
115	Sagou et succédanés du sagou, tapioca et arrowroot	200.-
ex 119	Fromages et caillebotte:	
ex a)	fromages:	
	Roquefort	500.-
120	Harengs, salés ou fumés:	
a)	salés	14.-
b)	fumés	70.- du poids brut
ex 121	Poissons non spécialement dénommés, salés, fumés, séchés:	
a)	salés	10.-
ex b)	autres:	
	fumés	300.-
122	Poissons préparés (marinés ou à l'huile etc.), en tonneaux:	
a)	à l'huile	400.-
b)	autres	800.-
125	Beurre de cacao	180.-
126	Poudre de cacao	2000.-
ex 127	Pâte de cacao; chocolat, succédanés et produits de chocolat:	
	pâte de cacao	2000.-
ex 128	Conserves de poissons, de viande et de crustacés:	
ex b)	autres:	
	conserves de homards	1000.-
ex 130	Conserves de fruits, moût condensé, jus de fruits et de baies condensés; tamarins:	
a)	jus condensés d'agrumes	500.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kcs par 100 kg:
ex b)	autres:	
	jus condensés de fruits et de baies, excepté les jus de pommes, framboises et raisins	700.-
ex 131	Comestibles en boîtes, en bouteilles et autres récipients semblables hermétiquement fermés (exceptés ceux rangés sous les Nos 114, 123, 126 et 127):	
a)	jus condensés d'agrumes	500.-
ex b)	autres:	
	conserves de légumes (même conserves de champignons et jus de légumes) et autres préparations à base de substance végétale pour usages de cuisine; potages:	
	conserves d'asperges	500.-
	jus de légumes:	
	jus de tomates	500.-
	autres	340.-
	autres, excepté les conserves de tomates (10)	700.-
	conserves de fruits:	
	ananas	500.-
	autres	700.-
	jus condensés de fruits et de baies, excepté les jus de pommes, framboises et raisins	700.-
	conserves de poissons:	
	sardines, kippered herrings, saumons	600.-
	pilchards:	
	à l'huile	600.-
	à la sauce de tomates	400.-
	homards	1000.-
	grains de céréales et de riz gonflés, torréfiés	900.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 132	Comestibles non spécialement dénommés:	
a)	jaunes et blancs d'oeufs, séchés	800.-
ex b)	autres:	
	potages	700.-
	grains de céréales et de riz gonflés, torréfiés	900.-
	chewing gum	960.-
	XV. BOIS, CHARBON ET TOURBE.	
ex 134	Bois de construction et bois d'oeuvre (11); liège:	
b)	bois de construction et bois d'oeuvre, non-européen, rond ou en blocs bruts, équarris à la hâche, même scié ou autrement coupé, fendu, à l'exception des placages, non autrement ouvré	exempt
	XVI. MATIERES A TOURNER ET A SCULPTER.	
136	Rotins pour chaises, bruts, non fendus; tiges et roseaux plus fins, bruts	exempts
138	Cornes, plaques et pointes de cornes, griffes, sabots, onglons, os, toutes ces matières naturelles ou seulement refendues, redressées ou coupées	exemptes
ex 139	Ambre(y compris l'ambre en masse), jais, ivoire et autres dents d'animaux, écaille de tortue, écume de mer, nacre et autres coquillages, toutes ces matières à l'état naturel ou seulement refendues, redressées ou coupées:	
	ivoire et autres dents d'animaux, écaille de tortue, nacre et autres coquillages ...	exempts
ex 140	Fanons de baleine, bruts; coraux bruts (même perforés, mais non nettoyés ou passés à la meule):	
	coraux bruts (même perforés, mais non nettoyés ou passés à la meule)	exempts

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 141	Celluloïd en plaques, baguettes ou tubes, même poli ou renforcé, mais non autrement ouvré; matières artificielles à sculpter et à tourner, non spécialement dénommées, non autrement ouvrées:	
ex b)	matières artificielles à sculpter et à tourner, non spécialement dénommées, non autrement ouvrées:	
	matières artificielles à sculpter et à tourner de caséine	100.- du poids brut
	XVII. MINERAUX NON CLASSES AILLEURS.	
142	Pierres brutes ou simplement dégrossies ou sciées (même coupées à l'aide d'un câble) sur trois côtés au plus; plaques non refendues ni sciées (ni coupées à l'aide d'un câble)	exemptes
144	Minerais non spécialement dénommés, même partiellement préparés	exempts
ex 146	Craie blanche, spath lourd:	
ex b)	moulus, lavés:	
1.	craie blanche	7.-
ex 148	Terres colorantes:	
ex b)	calcinées, moulues, lavées, comprimées:	
2.	autres	50.-
ex 150	Terres et matières minérales, non spécialement dénommés, brutes, calcinées, moulues ou lavées:	
ex b)	autres:	
	asbeste (amiante), graphite, mica, phosphate en roche	exempts
	XVIII. MATIERES MEDICINALES ET DE PARFUMERIE.	
151	Jus de réglisse, condensée, en caisses ou sous forme de pains	250.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 154	Eaux aromatiques (sans alcool) telles que: eau de fleur d'oranger, eau de rose, de lavande, de fenouil, de menthe, de millefleurs et autres analogues:	
b)	en récipients de moins de 10 kg de poids brut	160.-
ex 155	Essences (huiles essentielles):	
b)	autres (12)	320.-
	XIX. MATIERES POUR LA TEINTURE ET LE TANNAGE.	
159	Ecorces autres, racines, feuilles, fleurs, fruits (p.e. myrobolans), vallonées, noix de galle et matières similaires, même coupées, moulues ou autrement réduites en petits morceaux, pour la teinture ou pour le tannage	exemptes
ex 162	Orseille, persio; indigo; cochenille; extrait de châtaignier; extrait de bois de quebracho; extraits tanniques, non spécialement dénommés:	
	extrait de mimosa	8.-
	indigo; extrait de châtaignier, extrait de chêne, extrait de bois d'eucalyptus	13.-
163	Extraits colorants, non spécialement dénommés:	
a)	liquides	100.-
b)	solides	170.-
	XX. GOMMES ET RESINES.	
ex 165	Résine commune; colophane; poix non spécialement dénommée:	
	résine commune, colophane	exemptes
170	Ciment d'asphalte; mastic d'asphalte; ciments résineux (ciment de bois)	23.-
ex 173	Térébenthine, huile de térébenthine, huile de poix (de résine); huiles brutes d'ambre, de corne et de caoutchouc, huiles de goudron de houille de la série du benzol; glu:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex b)	autres:	
	térébenthine, huile de térébenthine	exemptes
174	Résine copal, résine dammar, laque en écailles, gomme arabique, gomme gedda, gomme sénégal, gomme-gutte, gomme adragante; gommes, résines et gomme-résines, baumes et sucs de plantes, naturels, non spécialement dénommés	exempts
	XXI. HUILES MINERALES; GOUDRON DE LIGNITE, DE SCHISTE ET HUILES DE CES GOUDRONS.	
ex 177	Huiles minérales, ainsi que huiles de goudron de lignite et de schiste, demiraffinées (demi-épurées) ou raffinées (épurées), d'une densité de 0.830 ou moins, même mélangées avec des huiles ou graisses animales ou végétales:	
ex b)	d'une densité plus de 0.790 jusqu'à 0.880:	
	huiles minérales demiraffinées (demi-épurées) ou raffinées (épurées):	
	d'une densité plus de 0.790 jusqu'à 0.870	170.- du poids propre
	d'une densité plus de 0.870 jusqu'à 0.880	180.- du poids propre
178	Huiles minérales, ainsi que huiles de goudron de lignite et de schiste, demiraffinées (demi-épurées) ou raffinées (épurées), d'une densité plus de 0.880, même mélangées avec des huiles ou graisses animales ou végétales:	
	d'une densité plus de 0.880 jusqu'à 0.890	180.- du poids propre
	d'une densité plus de 0.890	200.- du poids propre

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
	XXII. COTON, FILS ET ARTICLES DE COTON, même mélangés avec d'autres matières textiles végétales, excepté de laine et de soie.	
180	Coton, brut, cardé, blanchi, teint, moulu; déchets de coton	exempts
ex 181	Ouate de coton, excepté celle pour usages médicaux; fils préparés pour nettoyer les machines etc. (13):	
	Remarque. Linters, formés, importés pour la fabrication de la soie artificielle, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	100.-
	Fils de coton:	
183	simples, écrus:	
a)	jusqu'au No 12 anglais	180.-
b)	au-dessus du No 12 jusqu'au No 29 anglais ...	230.-
c)	au-dessus du No 29 jusqu'au No 50 anglais ...	400.-
d)	au-dessus du No 50 jusqu'au No 70 anglais ...	400.-
e)	au-dessus du No 70 jusqu'au No 90 anglais ...	450.-
f)	au-dessus du No 90 anglais	370.-
Remarque 2 au No 183	Fils de coton écrus, simples, importés pour la fabrication de tulles, rideaux, broderies et dentelles, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
	ex e) au-dessus du No 29 jusqu'au No 50 anglais	290.-
	ex d) au-dessus du No 50 jusqu'au No 60 anglais	350.-
	ex d) et e) au-dessus du No 60 jusqu'au No 80 anglais	400.-
	ex e) au-dessus du No 80 jusqu'au No 90 anglais	280.-
	ex f) au-dessus du No 90 jusqu'au No 120 anglais	exempts
	ex f) au-dessus du No 120 anglais	exempts
184	doubles, écrus:	
a)	jusqu'au No 12 anglais	230.-
b)	au-dessus du No 12 jusqu'au No 29 anglais ...	300.-
c)	au-dessus du No 29 jusqu'au No 50 anglais ...	450.-
d)	au-dessus du No 50 jusqu'au No 70 anglais ...	450.-
e)	au-dessus du No 70 jusqu'au No 90 anglais ...	520.-
f)	au-dessus du No 90 anglais	520.-
Remarque au No 184	Fils de coton doubles, écrus, importés pour les tisserandéries des étoffes en mi-soie, ainsi que pour la fabrication des tulles, rideaux, broderies et dentelles, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret:	
	ex c) au-dessus du No 29 jusqu'au No 50 anglais	350.-
	ex d) au-dessus du No 50 jusqu'au No 60 anglais	420.-
	ex d) et e) au-dessus du No 60 jusqu'au No 80 anglais	350.-
	ex e) au-dessus du No 80 jusqu'au No 90 anglais	350.-
	ex f) au-dessus du No 90 jusqu'au No 120 anglais	exempts
	ex f) au-dessus du No 120 anglais	exempts
185	à trois bouts ou plus, retordus une fois, écrus:	
a)	jusqu'au No 12 anglais	300.-
b)	au-dessus du No 12 jusqu'au No 29 anglais ...	350.-
c)	au-dessus du No 29 jusqu'au No 50 anglais ...	500.-
d)	au-dessus du No 50 anglais	600.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kcs par 100 kg:
Remarque au No 185	Fils de coton écrus, à trois bouts ou plus, au-dessus du No 60 anglais, importés pour broder (fil à broder), sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret:	
	1. au-dessus du No 60 jusqu'au No 80 anglais	440.-
	2. au-dessus du No 80 jusqu'au No 90 anglais	360.-
	3. au-dessus du No 90 anglais	exempts
186	À trois bouts ou plus, retordus plus d'une fois, écrus:	
a)	jusqu'au No 12 anglais	370.-
b)	au-dessus du No 12 jusqu'au No 29 anglais ..	420.-
c)	au-dessus du No 29 jusqu'au No 50 anglais ..	650.-
d)	au-dessus du No 50 anglais	750.-
187	Les fils de coton blanchis, mercerisés, teints (même imprimés) acquitteront, en plus des droits sur les fils écrus correspondants, une surtaxe de:	
a)	blanchis	140.-
b)	mercerisés	150.-
c)	teints (même imprimés)	240.-
d)	blanchis et mercerisés	240.-
e)	teints (même imprimés) et mercerisés	270.-
	Remarque au No 187. Les surcharges stipulées ci-dessus sont à ajouter aux droits conventionnels sur les fils écrus.	
	XXIII. LIN, CHANVRE, JUTE ET AUTRES MATIERES TEXTILES VEGETALES, NON SPECIALEMENT DENOMMEES, FILS ET ARTICLES DE CES MATIERES, sans mélange de coton, de laine ou de soie.	
ex 202	Lin, chanvre, jute et autres matières textiles végétales, non spécialement dénommées, toutes ces matières brutes, rouies, broyées, séranocés, blanchies, teintes et leurs déchets:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 202 (suite)	lin, brut; chanvre (14), jute et sisal; fibres de coco, brutes	exempts
	F i l s :	
ex 204	Fils de lin (de fibres ou d'étoupe de lin); fils de ramie (China-grass):	
ex a)	simples, écrus:	
	au-dessus du No 60 anglais	70.-
ex 205	Fils de chanvre (de filaments ou d'étoupe de chanvre, même mélangés avec d'autres matières textiles rentrant dans la présente classe); fils non spécialement dénommés:	
ex a)	simples, écrus:	
	fils de chanvre (de filaments ou d'étoupe de chanvre, même mélangés avec d'autres matières textiles rentrant dans la présente classe)	300.-
Remarque derrière le No 205e)	Fils écrus de chanvre de Manille, de sisal ou en matières similaires pour la fabrication de tresses pour chapeaux, 2500 mètres de ces fils pesant 1 kg ou moins, importés par les bureaux de douane à Krnov et Vejprty	90.-
ex Remarque aux Nos 204, 205 et 206	Fils pour lier des gerbes (liens), en pelote ou sur dévidoir:	
	fils de sisal pour lier des gerbes (liens), en pelote ou sur dévidoir	150.-
	A r t i c l e s d e l i n, d e c h a n v r e, d e j u t e e t c.	
218	Tapis de pied en lin, chanvre, jute ou en d'autres matières textiles végétales non spécialement dénommées, même blanchis, teints, imprimés, façonnés:	
a)	tissés sans poils	1200.-
b)	tissés avec poils	4000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
Remarque au No 219 a)	Fibres de coco et similaires, tordues en cordes (fils de coco etc.), importées pour la fabrication des couvertures et articles similaires, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	exemptes
	XXIV. LAINE, FILS DE LAINE ET ARTICLES EN LAINE, même mélangés avec d'autres matières textiles, sauf de soie.	
220	Laine brute, lavée, peignée, teinte, blanchie, moulue, et déchets	exempte
	Fils:	
ex 226	Fils cardés et fils non spécialement dénommés, du genre des fils cardés:	
a)	écrus, simples	330.-
	Articles en laine:	
229	Tissus de laine non spécialement dénommés, même imprimés:	
a)	pesant plus de 700 g par mètre carré:	
	draps feutrés tissés sans fin, pour buts techniques	3500.-
	autres	2000.-
b)	pesant plus de 200 jusqu'à 700 g par mètre carré:	
	draps feutrés tissés sans fin, pour buts techniques	6000.-
	autres	3000.-
c)	pesant 200 g ou moins par mètre carré:	
	draps feutrés tissés sans fin, pour buts techniques	7700.-
	autres	4500.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
	Remarque au No 229. Lors du dédouanement des tissus de laine classés sous le No 229 il n'est pas tenu compte, dans le trafic contractuel, de la soie pure ou artificielle utilisée pour obtenir des effets, pourvu que cette addition ne dépasse pas 5% du poids total de ces tissus.	
230	Velours et tissus façon velours (à poil coupé ou non), même imprimés	7000.-
234	Châles et tissus façon châles; dentelles et fichus en dentelles; tulles et tissus à réseaux façon tulle	14.300.-
ex 237	Tapis de pied:	
b)	tapis à points noués	7000.-
ex 239	Articles techniques:	
d)	courroies de transmission	1700.-
	XIV. SOIE ET ARTICLES EN SOIE, même mélangés avec d'autres matières textiles.	
240	Soie en cocons; déchets de soie, non filés ...	exempts
ex 242	Soie (dévidée ou moulinée), même retorse:	
a)	écrue	exempte
b)	blanchie	800.-
ex 243	Soie de bourre (déchets de soie, filée), même retorse:	
a)	écrue ou blanchie	exempte
ex 245	Fils de soie, de bourre de soie ou de soie artificielle, combinée avec d'autres matières textiles, même retors:	
b)	autres	1500.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 246	Fils à coudre de soie, de bourre de soie ou de soie artificielle, même combinée avec d'autres matières textiles, blanchis ou teints, préparés pour la vente au détail:	
	fils à coudre de soie artificielle, même combinée avec d'autres matières textiles, blanchis ou teints, préparés pour la vente au détail	4800.-
	Articles entièrement en soie (en soie, bourre de soie ou en soie artificielle):	
249	Tissus à bluteau, de soie	10.000.-
	Articles en mi-soie (en soie, bourre de soie ou en soie artificielle, combinés avec d'autres matières textiles):	
ex 259	Rubannerie:	
a)	autre:	
1.	rubans en mi-soie genre faille, ayant 6 cm ou moins de largeur, teints en noir, gris ou brun (rubans à chapeaux)	9000.-
2.	non façonnée, autre	12.000.-
3.	façonnée	13.000.-
	XXVI. ARTICLES CONFECTIONNES.	
ex 265	Ouvrages de perruquier et autres ouvrages en cheveux:	
	filets en cheveux	4000.-
274	Vêtements, lingeries, articles de mode et autres articles cousus en matières textiles, non spécialement dénommés, sont à dédouaner d'après la partie principale, étant considérée comme celle-ci - pour ce qui est des confections pour dames et des articles de mode - la partie frappée par le taux du droit le plus élevé, avec une surtaxe de 40%.	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
	XXVIII. ARTICLES EN PAILLE, ROSEAUX, LIBER, COPEAUX ET SIMILAIRES, NON DENOMMES DANS LES AUTRES CLASSES DU TARIF DOUANIER.	
279	Rotins pour chaises, préparés	exempts
280	Tapis de pied grossiers et nattes (nattes pour voitures et similaires), non teints ou teints	120.-
ex 281	Articles tressés non spécialement dénommés:	
a)	communs, c.-à-d. articles grossiers pour usage domestique ou industriel, même combinés avec du bois	120.-
b)	fins, en tant qu'ils ne rentrent pas dans la position c), même combinés avec des matières ordinaires:	
	tresses pour chapeaux de toute sorte	180.-
	autres	360.-
282	Vannerie (même en osier):	
a)	commune (paniers d'emballage, hottes, corbeilles pour voitures ou pour linge, nasses et similaires, grossiers), en osier, etc., écorcé ou non, non passée au mordant, non teinte, non vernie, non laquée, même combinée avec du bois, du fer ou des métaux communs	150.-
b)	fine, c.-à-d. tous les autres articles, en tant qu'ils ne rentrent pas dans la position c), même combinés avec des matières ordinaires ou fines	1200.-
c)	très fine, c.-à-d. articles combinés avec des matières très fines	3000.-
	XXIX. PAPIER ET ARTICLES EN PAPIER.	
ex 285	Cartons, même tapis de pied de carton:	
a)	ordinaires, pesant 300 grammes et plus par mètre carré	10 du poids brut
b)	cartons comprimés, cartons ardoises et lustrés	
1.	fibre vulcanisée	360.- du poids brut

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
Remarque 1 au No 288	Cartons enduits de baryte, importés pour la fabrication de papiers photographiques, sur permis spécial, aux conditions fixées par décret	3.-
	P a p i e r :	
ex 291	Papier parcheminé:	
	papier parcheminé, non véritable	660.-
ex 292	Papier préparé pour usage photographique:	
b)	sensibilisé	1700.-
ex 296	Papier non spécialement dénommé:	
ex a)	uni:	
1.	papier pour l'impression des journaux, en rouleaux	140.-
3.	autre:	
α)	blanc, sans lignine	300.-
β)	autre	200.-
	A r t i c l e s e n p a p i e r :	
ex 300	Articles en papier, carton ou pâte à papier, non spécialement dénommés:	
ex a)	en pâte à papier, carton, papier, excepté le papier du No 290 b), 294 et 296 c):	
ex 4.	autres:	
	bobines et tubes pour bobiner des fils	900.-
	XXI. CAOUTCHOUC, GUTTA-PERCHA ET ARTICLES EN CES MATIERES.	
ex 304	Caoutchouc naturel et artificiel, gutta-percha (même balata), factis et autres succédanés de caoutchouc obtenus par les procédés chimiques, toutes ces matières brutes, même purifiées; déchets de ces matières ainsi que les vieux morceaux usagés d'ouvrages de ces matières; caoutchouc régénéré de déchets de caoutchouc (gomme Mitchel):	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 304 (suite)	caoutchouc naturel et artificiel, gutta-percha (même balata), toutes ces matières brutes, même purifiées, et leurs déchets	exempts
ex 312	Articles en caoutchouc mou, non spécialement dénommés, même combinés avec des matières ordinaires ou fines:	
	seringues de caoutchouc	850.-
	gommes à effacer, bandes de caoutchouc d'une épaisseur de 2 mm au plus	1100.-
ex 320	Articles techniques:	
b)	tuyaux en caoutchouc ou avec caoutchouc, même recouverts de tissus ou avec fils métalliques intercalés	910.-
d)	courroies de transmission	1000.-
e)	pneumatiques (chambres à air et bandages) et bandages pleins pour roues de véhicules:	
1.	pour bicyclettes	1500.-
2.	autres:	
	pneumatiques (chambres à air avec bandages) et chambres à air	1700.-
	bandages	1500.-
	bandages pleins pour roues de véhicules	850.-
	XXXI. TOILE CIREE ET ARTICLES EN TOILE CIREE.	
323	Tapis de pied en toile cirée, linoléum, camptulicum et compositions similaires:	
a)	ayant en épaisseur 2 mm ou moins	2000.-
b)	ayant en épaisseur plus de 2 mm	800.-
	XXXII. CUIR ET ARTICLES EN CUIR.	
	Cuir:	
ex 328	Cuir de boeuf et de cheval, travaillé à la façon du cuir à semelles (même pour courroies de transmission):	
a)	croupons:	
1.	tannage végétal	800.-
2.	tannage minéral	1000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
329	Cuir de boeuf et de cheval, travaillé autrement qu'à la façon du cuir à semelles, même complétement apprêté, mais non verni:	
a)	de couleur naturelle ou teint en noir	900.-
b)	autre	1290.-
Remarque 1 au No 329	Cuir importé pour la fabrication des cardes (y compris les dos à cardes et rubans à cardes), sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	300.-
330	Cuir de veau, excepté le cuir verni:	
	tannage végétal	1100.-
	tannage minéral	1350.-
331	Cuirs de boeuf, de chèvre et de chevreau, tannés, même refendus, non teints, non autrement préparés	100.-
332	Cuirs de mouton et d'agneau, tannés, non teints, non autrement préparés:	
a)	refendus du côté chair	280.-
b)	autres	600.-
	R e m a r q u e . Peaux de moutons et d'agneaux, n'ayant subi qu'un commencement de tannage, non autrement préparées, pour la fabrication du cuir destiné à la maroquinerie, à l'ornementation, à la reliure etc., à l'exclusion toutefois des cuirs destinés à la fabrication des chaussures et des gants, sur permis spécial, aux conditions fixées par décret	170.-
333	Cuir de boeuf, de chèvre et de chevreau, apprêté, excepté la peau pour gants et le cuir verni	1350.-
ex 334	Cuir de mouton et d'agneau, préparé , excepté la peau pour gants et le cuir verni:	
b)	autre	1200.-
335	Peau de toute sorte pour gants	620.-
336	Cuir verni de toute sorte	800.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 337	Cuir non spécialement dénommé; parchemin:	
b)	peaux d'oiseaux, de reptiles, d'amphibiens et de poissons	450.-
Remarque 1 derrière le No 337	Rognures et autres déchets de cuirs classés sous les Nos 329, 330, 333 337 (15)	215.-
	XXXIV. ARTICLES EN BOIS; ARTICLES EN MATIERES A TOURNER ET A SCULPTER.	
ex 351	Placages, ainsi que planches en placages collés ensemble:	
ex a)	non marquetés:	
1.	bruts	230.- du poids brut
ex 356	Articles non spécialement dénommés en bois ordinaire, même rabotés (unis ou profilés), grossièrement tournés ou grossièrement sculptés, même collés, assemblés par rainage ou autrement:	
ex c)	passés aux mordants, teints, vernis, laqués, polis, ainsi que tous les articles combinés avec du cuir ou des matières ordinaires, exceptés ceux classés sous la pos. b):	
ex 1.	en bois tendre:	
	skis	500.-
Remarque	Planchettes, teintes ou passées aux mordants, importées pour la fabrication de crayons, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	10.-
ex 2.	en bois dur ou plaqués (de bois ordinaire):	
	skis	500.-
ex 357	Articles non spécialement dénommés en bois fin ou plaqués de bois fin, même rabotés (unis ou profilés), grossièrement tournés ou grossièrement sculptés, même collés, assemblés par rainage ou autrement:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 357 (suite)		
ex b)	passés aux mordants, teints, vernis, laqués, polis, ainsi que tous les articles combinés avec du cuir ou des matières ordinaires, exceptés ceux classés sous la pos. a):	
	skis et cannes pour skis	500.-
Remarque	Planchettes, teintes ou passées aux mordants, importées pour la fabrication de crayons, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	10.-
ex 358	Articles en bois non spécialement dénommés, finement tournés, ainsi que tous les articles avec ornements obtenus au fen, par estampage ou fraisage, même combinés avec du cuir ou des matières ordinaires; articles rembourrés, non recouverts:	
	skis	1000.-
	cannes pour skis	700.-
ex 361	Articles en autres matières à tourner et à sculpter qu'en bois, non spécialement dénommés:	
ex c)	articles en écume de mer, lave, celluloïd et matières similaires à sculpter artificielles (à l'exception des articles en imitation des matières énumérées aux positions d) et e)), même combinés avec des matières ordinaires ou autres matières fines:	
	films non impressionnés autres que pour cinématographie	2500.-
	films impressionnés pour cinématographie	2000.-
Remarque 1 au No 361 c)	Films pour cinématographie, non impressionnés	600.-
	XXXV. VERRE ET ARTICLES EN VERRE.	
366	Plaques sèches pour la photographie, sensibles à la lumière	1500.- du poids brut

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
381	Verre d'optique brut, autrement passé à la meule qu'en lentilles, en blocs, feuilles ou sous forme de lentilles, coulé, moulé ou taillé, même passé à la meule pour essai, blanc ou de couleur:	
a)	en blocs	25.-
b)	autre	90.- du poids brut
	XXXVI. OUVRAGES EN PIERRE, en pierres, terres non calcinées, ciment et en compositions de pierres.	
ex 391	Pierres sciées (même coupées à l'aide d'un câble) sur plus de trois côtés, mais autrement brutes ou simplement dégrossies; plaques en pierres d'une épaisseur de plus de 16 cm, seulement sciées (même coupées à l'aide d'un câble) ou fendues:	
	en albâtre, marbre ou serpentine	5.-
392	Pierres réfractaires de quartzite, sous forme de briques, taillées ou sciées (même coupées à l'aide d'un câble):	
a)	pièces pesant jusqu'à 5 kg	6.-
b)	pièces pesant plus de 5 kg	9.-
ex 393	Ardoises:	
b)	à toiture et autres tables d'ardoise	9.-
ex 394	Plaques de pierres d'une épaisseur de 16 cm ou moins (à l'exception des tables d'ardoise et des pierres lithographiques):	
b)	ayant subi une main-d'oeuvre plus complète, même passées à la meule ou polies:	
1.	en pierres autres que celles dénommées sous 2. et 3.	20.-
2.	en albâtre, marbre ou serpentine	50.-
3.	en granit, porphyre, syénite et pierres dures semblables	70.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kcs par 100 kg:
399	Ciment	45.-
401	Articles en asbeste (amiante):	
a)	papier et carton d'asbeste, non façonnés ...	200.-
b)	papier et carton d'asbeste, façonnés, même perforés; non façonnés ou façonnés avec garniture intérieure en fils métalliques	800.-
c)	fils d'asbeste, même combinés avec d'autres matières textiles ou avec des fils métalliques	800.-
d)	tissus d'asbeste, même combinés avec d'autres matières textiles ou avec des fils métalliques	1500.-
e)	autres articles en asbeste, même combinés avec d'autres matières (à l'exception du caoutchouc) à moins qu'ils ne soient classés sous le No 409 e)	1600.-
ex 402	Meules à moudre, même avec cercles en fer ou enveloppes en métal; pierres lithographiques:	
	meules à moudre, même avec cercles en fer ou enveloppes en métal	10.-
ex 403	Meules à remouler et pierres à aiguiser, naturelles:	
a)	non combinées avec d'autres matières	14.-
ex 404	Meules à remouler et pierres à aiguiser, artificielles, même combinées avec du bois, du fer ou d'autres métaux communs:	
a)	en émeri, carbure de silicium ou en autres matières dures à aiguiser similaires	370.-
406	Papier abrasif	400.-
407	Tissus, rubans et articles similaires abrasifs	500.-
ex 409	Articles en pierre, combinés avec d'autres matières, pourvu que cette combinaison ne soit pas spécialement prévue dans d'autres numéros de la présente classe:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
409 (suite)		Kčs par 100 kg:
ex a)	avec des matières ordinaires:	
	articles de mica ou de micanite	900.-
	XXXVIII. FER ET ARTICLES EN FER.	
	Fer et demi-produits en fer:	
ex 428	Fer brut; fer et acier, vieux en débris ou en déchets pour la refonte et l'affinage:	
a)	fer brut	16.-
c)	ferro-manganèse, ferro-silicium (50 à 90 % Si), ferro-chrome, ferro-nickel, ferro-tungstène, ferro-molybdène, ferro-vanadium, ferro-aluminium (16)	exempts
429	Fer en loupes; lingots (ingots)	36.-
430	Massiaux en fer fondu et en fer puddlé, brames, largets	50.-
ex 431	Fer et acier en barres, battus, laminés ou étirés:	
ex a)	non façonnés:	
	non façonnés, à l'exception du fer et de l'acier feuillards, laminés à froid, en épaisseur de plus de 1,5 mm jusqu'à 4 mm	85.-
b)	façonnés	80.-
c)	fer d'ornement, agrémenté	100.-
d)	apprêtés ne rentrant pas sous la position e)	130.-
e)	nickelés, plaqués de cuivre, d'alliages de cuivre ou d'aluminium, ou polis	165.-
ex 432	Tôles et plaques:	
a)	non travaillées (brutes) /tôles noires/, ayant en épaisseur:	
1.	2 mm ou plus	110.-
2.	moins de 2 mm jusqu'à 1 mm	110.-
3.	moins de 1 mm jusqu'à 0,6 mm	120.-
4.	moins de 0,6 mm jusqu'à 0,4 mm	130.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
ex 432 a)(suite)		Kčs par 100 kg :
5.	moins de 0,4 mm jusqu'à 0,25 mm	150.-
6.	moins de 0,25 mm	160.-
b)	dressées ou décapées, ayant en épaisseur:	
1.	1 mm ou plus	130.-
2.	moins de 1 mm jusqu'à 0,6 mm	150.-
3.	moins de 0,6 mm jusqu'à 0,4 mm	160.-
4.	moins de 0,4 mm	170.-
ex c)	étamées, zinguées, plombées, cuivrées, recouvertes de laiton, vernies, adoucies, ayant en épaisseur:	
ex 1.	1 mm ou plus:	
ex α)	étamées, zinguées, plombées:	
	étamées, plombées	200.-
β)	autres	230.-
ex 2.	moins de 1 mm jusqu'à 0,6 mm:	
ex α)	étamées, zinguées, plombées:	
	étamées, plombées	210.-
β)	autres	240.-
ex 3.	moins de 0,6 mm jusqu'à 0,4 mm:	
ex α)	étamées, zinguées, plombées:	
	étamées, plombées	220.-
β)	autres	250.-
ex 4.	moins de 0,4 mm:	
ex α)	étamées, zinguées, plombées:	
	étamées, plombées	285.-
β)	autres	300.-
d)	nickelées, plaquées de cuivre, d'alliages de cuivre ou d'aluminium, ou polies ...	300.-
e)	avec dessins (de couleur ou estampées), noircies, laquées	310.-
433	Tôles et plaques, poinçonnées, trouées, embouties ou découpées:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
433 (suite)		Kcs par 100 kg :
a)	noires	400.-
b)	dressées ou découpées	420.-
c)	autres	700.-
434	Fils de fer:	
a A)	laminés	110.-
a B)	autres, ayant en épaisseur:	
1.	1,5 mm ou plus	140.-
2.	moins de 1,5 mm jusqu'à 0,5 mm	180.-
3.	moins de 0,5 mm	220.-
b)	étamés, zingués, plombés, cuivrés, recouverts de laiton, vernis, ayant en épaisseur:	
1.	1,5 mm ou plus:	
α)	3 mm ou plus	210.-
β)	moins de 3 mm jusqu'à 1,5 mm	210.-
2.	moins de 1,5 mm jusqu'à 0,5 mm	260.-
3.	moins de 0,5 mm:	
α)	moins de 0,5 mm jusqu'à 0,3 mm	300.-
β)	moins de 0,3 mm	300.-
c)	nickelés, plaqués de cuivre, d'alliages de cuivre ou d'aluminium, ou polis	340.-
435	Fil de fer trempé:	
a)	non travaillé (brut)	230.-
b)	poli ou autrement travaillé	540.-
	A r t i c l e s e n f e r :	
438	Tuyaux et leurs raccords en fonte non malléable:	
a)	non travaillés (bruts), même frottés, même enduits d'asphalte ou de goudron; avec parois ayant en épaisseur:	
1.	7 mm ou plus	85.-
2.	moins de 7 mm	160.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
438 (suite)		Kčs par 100 kg:
b)	ayant subi un autre travail ordinaire, avec parois ayant en épaisseur:	
1.	7 mm ou plus	185.-
2.	moins de 7 mm	300.-
c)	finement travaillés; avec parois ayant en épaisseur:	
1.	7 mm ou plus	330.-
2.	moins de 7 mm	380.-
439	Tuyaux, à l'exception de leurs raccords, en fer malléable, laminés ou étirés, ou en fonte malléable, même avec collets bordés, soudés ou corroyés; tuyaux ondulés:	
a)	non travaillés (bruts), même frottés, avec pas de vis ou avec collets forés ou tournés	300.-
b)	ayant subi un autre travail ordinaire	380.-
c)	finement travaillés	550.-
ex 445	Articles en tôle, non spécialement dénommés:	
ex d)	oxydés, peints, imprimés, bronzés, laqués, emaillés ou en tôle à dessins; même combinés avec des matières ordinaires:	
ex 2.	autres:	
	cadres pour machines à adresser	800.-
	Remarque au No 445. Les compteurs d'eau du No 445 bénéficient d'un droit égal au 3/5es des droits autonomes prévus selon l'espèce.	
	Outils et instruments:	
455	Fourches à foin et à fumier et autres fourches grossières, grands et petits râteaux, même combinés avec du bois:	
a)	non travaillés (bruts), même avec pointes affûtées	350.-
b)	ayant subi un autre travail ordinaire ou fin, même polis ou nickelés	500.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 456	Marteaux, maillets; haches de toute sorte; pinces, excepté les grosses tenailles pour forgerons; enclumes, tasseaux, étampes de forge:	
ex a)	pesant 500 g ou plus par pièce:	
ex 1.	noire ou ayant subi un travail ordinaire:	
	marteaux, maillets; haches de toute sorte	700.-
ex 2.	ayant subi un travail fin:	
	marteaux, maillets; haches de toute sorte	1200.-
ex b)	pesant moins de 500 g par pièce ainsi que tous ces objets, quel qu'en soit le poids, entièrement ou partiellement polis ou nickelés:	
	marteaux, maillets; haches de toute sorte	1500.-
ex 458	Scies et lames de scies non dentées, même entièrement ou partiellement polies ou nickelées:	
a)	scies à découper	2500.-
ex 459	Fraises et alésoirs (excepté les alésoirs angulaires), tarières à vis et tarières à spirales, coussinets ou coins à vis; alènes; tous ces outils même entièrement ou partiellement polis ou nickelés; pesant par pièce:	
ex e)	moins de 50 g:	
	alènes	2700.-
465	Chaînes articulées, à l'exception des chaînes pour bicyclettes classées sous le No 552	700.-
ex 467	Garnitures de cardes de toute espèce; peignes pour métiers à tisser et broches pour peignes, même en paquets ou torches; lisses pour métiers à tisser en fil de fer; maillons pour lisses, en fil métallique ou en tôle:	
a)	garnitures de cardes:	
1.	non combinées avec du feutre	900.-
2.	autres	3000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 468	Epingles, en tant qu'elles ne rentrent pas dans le No 469; plumes à écrire et douilles de porte-plumes; perles en acier, même dorées ou argentées; hameçons, crochets et agrafes; boucles, boutons, dés à coudre et autres menus objets d'usage similaires:	
	hameçons	2500.-
ex 469	Aiguilles à coudre (y compris les aiguilles à brocher, à broder et à ravauder), même à l'oeil doré; aiguilles pour machines à coudre, à tricoter, à broder et à bonneterie:	
a)	aiguilles pour machines	1200.-
ex 473	Serrures, clefs et autres parties de serrures:	
a)	serrures ordinaires, à l'exception des serrures de sûreté et de celles constituant des ouvrages de serrurerie d'art, pesant par pièce:	
1.	plus de 300 g	850.-
2.	300 g ou moins	1400.-
ex 476	Meubles en fer, à l'exception des ouvrages de serrurerie d'art; engins de gymnastique:	
b)	ayant subi un autre travail ordinaire ou un travail fin, même combinés avec d'autres matières:	
	armoires à fiches, avec équipement (17) ..	1300.-
	armoires frigorifiques, même très finement travaillées, pour conservation des comestibles (18)	1700.-
	autres	2200.-
ex 478	Armes et parties d'armes:	
ex b)	armes à feu:	
ex 3.	autres armes à feu portatives, finies, même très finement ouvrées:	
	fusils automatiques, pistolets automatiques, revolvers, fusils avec ou sans chien	6300.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 479	Ouvrages de coutellerie et leurs parties:	
ex e)	tous autres articles de coutellerie, même très finement travaillés:	
ex 2.	autres:	
	lames de rasoir non aiguisées, en bandes	2100.-
ex 483	Articles en fer forgé, non spécialement dénommés, même combinés avec de la fonte non malléable ou avec du bois:	
ex c)	finement travaillés, pesant par pièce:	
ex 1.	plus de 25 kg:	
	roues pour véhicules à moteur et avions	200.-
ex 2.	plus de 3 kg jusqu'à 25 kg:	
	roues pour véhicules à moteur et avions	215.-
ex 484	Articles en fer combinés avec des matières ordinaires:	
	roues pour véhicules à moteur et avions	300.-
	armatures	1000.-
	XXXIX. METAUX COMMUNS ET ARTICLES EN METAUX COMMUNS.	
	Métaux communs bruts et demi-produits:	
ex 488	Métaux communs, bruts, vieux en débris ou en déchets:	
a)	plomb, même alliages du plomb avec de l'antimoine, de l'arsenic, de l'étain ou du zinc	24,-
b)	étain, même alliages de l'étain avec de l'antimoine, du plomb ou du zinc; métal anglais	exempts
d)	cuivre (même purifié), cuivre électrolytique, en rosettes et cémenté	exempt
e)	nickel	exempt
ex f)	aluminium, magnésium et alliages d'aluminium avec du magnésium:	
	aluminium et alliages d'aluminium avec du magnésium	exempts

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
488 (suite)		Kčs par 100 kg:
g)	métaux communs non spécialement dénommés ...	exempts
ex h)	alliages de métaux communs, non spécialement dénommés:	
	laiton	exempt
ex 491	Tôles et plaques (laminées, étendues), non autrement travaillées:	
c)	de zinc	240.-
ex d)	de cuivre, de nickel, d'aluminium et d'autres métaux communs ou d'alliages de métaux non spécialement dénommés:	
ex 1.	ayant en épaisseur plus de 0,5 mm:	
	de cuivre, de laiton	300.-
	d'aluminium ou d'alliages d'aluminium ainsi que d'alliages similaires à l'aluminium	480.-
ex 2.	ayant en épaisseur 0,5 mm ou moins:	
	de cuivre, de laiton	380.-
494	Tôles et plaques dorées ou argentées, même plaquées d'or ou d'argent	1500.-
ex 496	Tiges, barres et fils (laminés, tréfilés ou étirés):	
ex d)	de cuivre, de nickel, d'aluminium et d'autres métaux communs et d'alliages de métaux:	
ex 1.	ayant en épaisseur plus de 0,5 mm:	
	de laiton	440.-
	de nickel, d'aluminium ou d'alliages d'aluminium ainsi que d'alliages similaires à l'aluminium	580.-
498	Fil de cuivre cémenté; fils de métaux communs ou d'alliages de métaux communs, argentés ou plaqués d'argent; tous ces fils même laminés, mais non autrement travaillés	720.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kcs par 100 kg :
	A r t i c l e s e n m é t a u x :	
ex 500	Tuyaux et cylindres, non autrement travaillés:	
ex d)	d'autres métaux communs ou d'alliages de métaux, pesant par mètre courant:	
ex 1.	1 kg ou plus:	
	de cuivre	840.-
ex 502	Chaudières et articles de chaudronnerie, grossiers, non autrement travaillés (à l'exception des ouvrages rangés dans la classe XL.):	
b)	chaudières d'autres métaux communs ou alliages de métaux (à l'exception de l'aluminium et du nickel); ébauches de chaudières simplement bombées; fonds et boîtes à feu martelés ou laminés; tous ces objets pesant par pièce plus de 10 kg	450.-
ex 517	Articles non spécialement dénommés en cuivre et autres métaux communs ou alliages non dénommés ailleurs de métaux communs, même combinés avec des matières ordinaires:	
ex a)	ayant subi un travail ordinaire:	
	frotteurs en bronze, sans monture	550.-
	clous et clavettes de tapissier; oeillets pour bâches; garnitures pour wagons, meubles, fenêtres et portes; meubles; ustensiles de ménage en cuivre et en laiton (à l'exception des ustensiles de table)	1300.-
ex b)	ayant subi un travail fin:	
	clous et clavettes de tapissier; oeillets pour bâches; garnitures pour wagons, meubles, fenêtres et portes; meubles; ustensiles de ménage en cuivre et en laiton (à l'exception des ustensiles de table)	2800.-
ex 522	Articles en métaux ou alliages de métaux communs, entièrement ou partiellement dorés ou argentés, plaqués d'or ou d'argent ou combinés avec des matières très fines:	
	projecteurs et lampes électriques pour motocycles et automobiles	7000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 523	Cannetilles, paillettes (même paillons) et filés de métaux communs ou d'alliages de métaux communs:	
b)	argentés ou plaqués d'argent	4000.-
c)	dorés ou plaqués d'or	8000.-
	XL. MACHINES, APPAREILS ET LEURS PIECES DETACHEES EN BOIS, EN FER OU EN METAUX COMMUNS, EXCEPTE LES OBJETS RANGES DANS LES CLASSES XLI. ET XLII.	
ex 526	Chaudières à vapeur; appareils distillatoires, frigorifiques et pour cuire; réservoirs et tanks; tous ces objets finis, même avec leurs armatures ajustées:	
ex b)	en fer, avec parties en métaux communs:	
	bonbonnes en acier pour gaz	850.-
ex 528	Moteurs à vapeur et autres moteurs non spécialement dénommés (excepté les moteurs rentrant dans les classes XLI. et XLII.); machines opératrices inséparablement unies avec des moteurs à vapeur (lragues à vapeur, grues à vapeur, marteaux-pilons à vapeur, pompes à vapeur, pompes à incendie à vapeur et similaires):	
	R e m a r q u e au No 528. Les carburateurs classés sous ce numéro sont soumis au droit dont bénéficient les carburateurs repris au No 537.	
ex 530	Machines et appareils agricoles, non spécialement dénommés:	
ex c)	autres:	
ex 2.	en fer:	
	charrues complètes à attacher à des charrues à moteur.....	500.-
ex 538	Machines et appareils, non spécialement dénommés, autres, pesant par pièce:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
ex 538 (suite)		Kčs par 100 kg:
ex c)	plus de 10 q:	
	tours, raboteuses, machines à limer, machines à fraiser, pour le travail des métaux	1000.-
ex Remarques à la Classe XL.		
2.	Pour le classement des machines, des appareils ou de leurs parties il n'est pas tenu compte de leurs combinaisons avec d'autres matières.	
3.	Comme pièces détachées des machines ou des appareils sont à dédouaner les objets non spécialement dénommés qui ne peuvent pas être utilisés autrement que pour le montage des machines ou des appareils.	
	XLI. MACHINES ET APPAREILS ELECTRIQUES ET ACCESSOIRES ELECTROTECHNIQUES.	
ex 539	Dynamos et moteurs électriques (à l'exception des moteurs pour automobiles), même combinés d'une façon inséparable avec des dispositifs ou appareils mécaniques; transformateurs (convertisseurs rotatifs ou fixes); pesant par pièce:	
a)	25 kg ou moins:	
	équipements frigorifiques (19)	1700.-
	autres	3000.-
b)	plus de 25 kg jusqu'à 5 q	2000.-
ex 540	Appareils électriques de télégraphie, de sonnerie, de signalisation et de sûreté pour chemins de fer; téléphones et microphones; appareils protecteurs contre éclair (à l'exception des paratonnerres); appareils de mesure et compteurs électriques; pesant par pièce:	
ex b)	moins de 5 kg:	
	microphones	9000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex Remarque au No 540	Appareillages radiotéléphoniques, radiotélégraphiques et similaires; hautparleurs électriques:	
	appareils de réception (à l'exception des appareils pour la télévision), amplificateurs et hautparleurs électriques; tous ces articles à l'exception des lampes (tubes) électroniques, importées séparément	9000.-
542	Lampes électriques (lampes à arc, lampes à incandescence et similaires), douilles montées pour lampes électriques; corps de verre montés, pour effets lumineux électriques; appareils d'électricité médicale (même appareils Röntgen)	4250.-
ex 543	Appareils électriques et dispositifs électrotechniques (régulateurs, résistances, démarreurs et articles similaires), non spécialement dénommés:	
	bougies d'allumage et dispositifs électriques de démarrage pour moteurs à combustion et à explosion (même pour moteurs d'automobiles et d'avions)	2000.-
	redresseurs du courant électrique	3000.-
	balais en charbon, montés	5000.-
Remarque derrière le No 543, 4ème alinéa	Les appareils électriques et les dispositifs électro-techniques, non spécialement dénommés, montés avec des appareils de mesure et des compteurs électriques et pesant moins de 5 kg par pièce, seront taxés d'après le No 540 b).	
ex 544	Câbles et fils isolés pour la conduite de l'électricité:	
a)	avec armature en métal	1300.-
545	Accumulateurs avec électrodes de plomb, ainsi qu'électrodes de plomb pour accumulateurs	1200.-
546	Charbons électriques:	
a)	charbons pour l'éclairage (crayons), pesant 1 kg ou moins par 1 mètre courant	800.-
b)	autres:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
1.	pesant par pièce 3 kg ou plus	32.-
2.	autres	120.-
	XLII. VEHICULES.	
	Véhicules de route:	
ex 552	Parties de bicyclettes (pièces de raccord des tubes, fourches, guidons, supports pour selles, roues à chaîne, pédales, soupapes, parties de freins, moyeux et engrenages /même démontés/ chaînes de bicyclettes, manivelles, rayons avec pas de vis, nipples pour rayons, jantes perforées, etc.), travaillées:	
b)	autres	3200.-
ex 553	Motocycles, même avec sidecar, sidecars importés séparément, automobiles (même tricycles à moteur), châssis avec ou sans moteur et carosseries importées séparément:	
ex a)	motocycles, même avec sidecar et sidecars importés séparément:	
	motocycles, pesant par pièce plus de 190 kg (sans sidecar)	2200.-
ex b)	voitures automobiles pour le transport des personnes (même tricycles à moteur, pour le transport des personnes ainsi que des marchandises), châssis avec ou sans moteur et carosseries importées séparément, pesant par pièce:	
ex 1.	1000 kg au plus:	
	voitures automobiles complètes pour le transport des personnes, pièces de rechange de châssis (20)	3400.-
ex 2.	plus de 1000 kg:	
	voitures automobiles complètes pour le transport des personnes, châssis complets, pièces de réchange de châssis (20)	2900.-
ex c)	camions, autobus, automobiles unies inséparablement avec des dispositifs de travail, châssis avec ou sans moteur et carosseries importées séparément, pesant par pièce:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 1.	1500 kg au plus:	
	camions complets, châssis complets, pièces de réchange de châssis (20)	2900.-
ex d)	tracteurs et charrues à moteur:	
	tracteurs, pesant par pièce 3000 kg au plus	1300.-
ex e)	avions:	
	avions complets, pesant par pièce:	ad valorem:
	10.000 kg au plus	40 %
	plus de 10.000 kg	25 %
ex 554	Moteurs pour automobiles et pour avions:	par 100 kg:
b)	pour avions	20.000.-
	R e m a r q u e au No 554. Les carburateurs classés sous ce numéro sont soumis au droit dont bénéficient les carburateurs repris au No 537.	
Remarque au No 554 (1ère phrase)	Pièces détachées, importées séparément pour les moteurs du présent No qui sont entièrement ouvrées et que l'on peut reconnaître sans aucun doute comme pièces de tels moteurs, sont soumises aux droits applicables aux espèces de moteurs respectives, sous réserve que l'importateur fournisse une preuve au moyen de laquelle on puisse reconnaître avec certitude que les pièces détachées appartiennent au moteur de l'espèce et du poids respectifs.	
	XLIII. METAUX PRECIEUX, PIERRES PRECIEUSES ET DEMI-PRECIEUSES ET ARTICLES DE CES MATIERES; MONNAIES.	
ex 571	Pierres gemmes (pierres précieuses et demi-précieuses), coraux (vrais ou faux), façonnées (passées à la meule , taillées), non montées; perles fines, non montées:	
	pierres gemmes (pierres précieuses et demi-précieuses), façonnées (passées à la meule, taillées), non montées (même quartz piézo-électrique, taillé, non monté)	3000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 1 kg:
	XLIV. APPAREILS ET INSTRUMENTS, HORLOGERIE.	
	Appareils et instruments (excepté ceux qui sont repris à la classe XLI. et à l'exception des instruments de musique):	
ex 573	Appareils et instruments de chirurgie et autres instruments de médecine:	
b)	en autres matières	200.-
ex 574	Instruments de mathématiques et de physique:	
ex b)	autres:	
	compteurs d'eau	20.-
ex 576	Appareils et instruments, non spécialement dénommés:	
a)	machines à écrire, machines à calculer (même caisses enregistreuses), machines de comptabilité, multicopistes, à facturer, statistiques, à adresser et à affranchir:	
	machines à écrire (21), machines à calculer (même caisses enregistreuses)	40.-
	machines de comptabilité, multicopistes, à facturer, statistiques, à adresser et à affranchir	25.-
ex b)	autres:	
	appareils d'enregistrement et de reproduction du son, à l'exception des disques pour ceux-ci (22)	15.-
	cylindres pour machines à dicter, non enregistrés	15.-
	appareils pour le triage des chèques, appareils pour le triage des résultats des examens	15.-
	appareils de contrôle et d'enregistrement des dates	25.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
ex 578	Bascules et balances ainsi que leurs parties, à l'exception des balances de précision, rentrant sous le No 574:	
b)	autres:	
1.	bascules d'inclinaison, pesant par pièce 50 kg ou moins	3000.-
2.	autres	1500.-
	Horlogerie:	
ex 589	Montres et mouvements de montres, non spécialement dénommés; cadres d'horloges; pignons avec tenons fixés et roues rivées:	
	horloges de contrôle du temps et dispositifs de contrôle et d'enregistrement du temps similaires	2500.-
	XLVI. MATIERES CHIMIQUES AUXILIERES ET PRODUITS CHIMIQUES.	
ex 596	Eléments spécialement dénommés:	
ex a)	soufre (en morceaux et canons), même moulu, et fleur de soufre; sélénium; brome; iode; phosphore; antimoine métallique; mercure:	
	soufre (en morceaux et canons), même moulu; iode	exempts
ex 597	Oxydes et bases spécialement dénommés:	
f)	trioxyde d'arsénic	20.-
	Sels et autres composés, spécialement dénommés:	
ex 599	Sels de potasse, de sodium et d'ammonium, spécialement dénommés:	

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
ex 599 (suite)		Kčs par 100 kg :
ex a)	sels d'engrais (sels bruts de potasse à l'état naturel dits résiduaires ou de déchets ainsi que les engrais artificiels de mélanges salins); chlorure de potassium; salpètre de soude (à l'état naturel /salpètre de Chili/ ou artificiel /synthétique/), non purifié; borax brut; crème de tartre, brut; lies de vin desséchées; salin de betteraves:	
ex 1.	salpètre de soude (à l'état naturel /salpètre de Chili/ ou artificiel /synthétique/), non purifié:	
	salpètre de soude (à l'état naturel /salpètre de Chili/ ou artificiel /synthétique/), non purifié, sur permis spécial du Ministère du Commerce Extérieur (23)	exempt pour un contingent annuel égal à la moyenne des importations annuelles du territoire des parties contractantes au cours des années 1934-1938 inclus.
ex 2.	autres:	
	borax brut, salin de betterave	exempts
ex 1)2.	bicarbonate de potasse et de soude; sulphite de soude, solide; sulphite acide de soude, solide; hyposulphite de soude, solide:	
	bicarbonate de potasse et de soude	240.-
ex 600	Combinaisons de calcium, strontium, baryum et de magnésium, spécialement dénommées:	
d)	charbon d'os	100.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 601	Combinaisons d'aluminium, de fer, de chrome, de nickel et de cobalt, spécialement dénommées:	
ex a)	mordants de fer de toute sorte; vitriol vert; saffre, bleu de cobalt (smalt), groisil:	
	saffre, bleu de cobalt (smalt), groisil ..	20.-
ex 604	Combinaisons organiques, spécialement dénommées:	
g)	acide salicylique et ses dérivés:	
	acide salicylique, téchnique, importé par les bureaux de douane à Cheb, Plzeň, Praha et Ústí nad Labem	1500.-
	autres	3000.-
	Autres matières et produits chimiques auxiliaires:	
ex 605	Noir de fumée, poudre de charbon et noirs moulus (à l'exception du charbon d'os granulé, classé sous le No 600 d):	
a)	noir de fumée	40.-
ex 610	Gélatine (purifiée et desséchée, d'origine animale ou végétale), même réduite en poudre et articles en gélatine:	
a)	gélatine	550.-
ex 611	Colle de toute sorte, même ichtyocolle:	
	colle de poisson liquide, en tonneaux	200.-
Remarque 1 au No 612 b)	Caséine, importée pour la fabrication de la corne factice, sur lettre d'autorisation, sous la surveillance et aux conditions fixées par décret	exempte
ex 613	Amidon (même farine d'amidon):	
	amidon de riz (même farine d'amidon de riz)	170.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
ex 614	Gluten; colles d'amidon (même dextrine et colles de dextrine) et autres succédanés de la gomme, non spécialement dénommés; colle de pâte, colle de farine et autres encollages et parements amylacés similaires:	
a)	gluten	750.-
ex 618	Succédanés du savon, non parfumés; assiette; pâtes pour le nettoyage, ne contenant pas de savon; brillant d'amidon:	
	pâtes pour le nettoyage, ne contenant pas de savon	800.-
ex 621	Gaz condensés, liquéfiés ou solidifiés, non spécialement dénommés:	ad valorem:
	argon	15%
ex 622	Matières chimiques auxiliaires et produits chimiques, non spécialement dénommés:	
ex d)	autres :	
	acétate de cellulose, présumes solides ...	8%
Remarque 3 au No 622 d)	Carbure de silicium et corindon artificiel, importés pour la fabrication des produits à aiguiser, sur permis spécial, aux conditions fixées par décret	par 100 kg : 10.-
	XLVII. VERNIS, COULEURS, PRODUITS PHARMACEUTIQUES ET ARTICLES DE PARFUMERIE:	
	Couleurs :	
ex 626	Couleurs non spécialement dénommées:	
ex b)	autres:	
	bleu d'outremer	850.-
627	Couleurs de toute sorte en forme de tablettes etc., en sachets, pâtes, tubes, vessies, godets, verres, coquilles et boîtes	2000.-
628	Encres, poudres d'encres, cire à cacheter	800.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg :
	Produits pharmaceutiques et articles de parfumerie :	
ex 630	Médicaments préparés, ainsi que toutes matières qui, par leurs inscriptions, étiquettes, enveloppes et similaires, sont qualifiées comme médicaments, même pour animaux; ouates et pansements préparés pour usages médicinaux:	
ex a)	médicaments préparés, ainsi que matières qui, par leurs inscriptions, étiquettes, enveloppes et similaires, sont qualifiées comme médicaments, même pour animaux:	
ex 3.	autres:	
ex β)	autres:	
ex 1.	préparés pour la vente au détail:	
	huile de poissons	2000.-
ex 2.	autres:	
	huile de poissons	2000.-
631	Vinaigres, graisses et huiles, parfumés:	
a)	en récipients pesant 5 kg ou plus.....	600.-
b)	en récipients de moins de 5 kg	2250.-
633	Articles de parfumerie (ainsi que toutes les substances et les mélanges odorants qui, en raison de leur conditionnement, de leurs étiquettes, des instructions pour leur emploi etc., sont qualifiés comme articles de parfumerie); cosmétiques:	
a)	ne contenant pas d'alcool (fards, poudres de toilette parfumées, huiles pour les cheveux, pommades, pâtes dentifrices, pastilles parfumées à brûler)	6000.-
b)	contenant de l'alcool	10.000.-

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

Position du Tarif de Tchécoslovaquie	Désignation des produits	Droit
		Kčs par 100 kg:
	XLVIII. CHANDELLES, SAVONS ET ARTICLES EN CIRE.	
ex 637	Savon:	
ex b)	savon fin, c.-à.-d. parfumé ou en tablettes, en boules, en boîtes, en petits pots:	
	pâtes pour le nettoyage, contenant du savon	800.-
	autres	1100.-
	LI. DECHETS.	
ex 652	Engrais animaux et autres, même engrais artificiels non classés ailleurs; cendres de bois et de charbon; os; cendres d'os; noir animal vieux, utilisable seulement comme engrais; poudre d'os; scories Thomas et autres scories, même moulues; râpures de cornes et d'onglons; sang liquide et desséché; tendons d'animaux; déchets de viande pour engrais; résidus de la fabrication du prussiate de potasse jaune; eau amoniacale (eau d'usine à gaz), non concentrée:	
a)	poudre d'os	10.-
b)	autres:	
	poudres de poissons, sang desséché, tendons d'animaux, déchets de viande pour engrais	exempts

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

NOTES RELATIVES A DES PRODUITS PARTICULIERS

(1) Raisins en grains et grappes sèches, même s'ils sont conditionnés pour la vente au détail, seront soumis également au droit convenu de Kčs 180.- par 100 kg.

(2) Les taxes pour inspection phytopathologique des poires et pommes, originaires des parties contractantes, emballées en caisses, caisses à claire-voie et futailles, ne doivent pas être plus élevées que Kčs 10.- par 100 kg.

(3) La période des trois mois précédant l'importation au cours de laquelle les pommes doivent être cueillies, afin de bénéficier du droit de Kčs 75.- par 100 kg, est comptée en arrière à compter du jour du dédouanement en Tchécoslovaquie. Les envois de pommes doivent être accompagnés d'un certificat attestant la date de la cueillette. Le gouvernement du pays exportateur et le Gouvernement tchécoslovaque se mettront d'accord sur une liste des autorités du pays exportateur qui seront appelées à délivrer les certificats.

(4) Prunes, séchées, même si elles sont conditionnées pour la vente au détail, seront soumises également au droit convenu de Kčs 60.- par 100 kg.

(5) Pommes et poires, séchées et non pelées, entières ou coupées, même si elles sont conditionnés pour la vente au détail, seront soumises également au droit convenu de Kčs 50.- par 100 kg.

Fruits non spécialement dénommés, séchés, même s'ils sont conditionnés pour la vente au détail, seront soumis également au droit convenu de Kčs 100.- par 100 kg.

(6) Fruits séchés, originaires des parties contractantes, contenant jusqu'à 2000mg de dioxyde de soufre en 1 kg du fruit séché, ne seront pas exclus du commerce comme nuisibles à la santé sous réserve qu'ils répondent aux autres principes et prescriptions du Codex alimentarius tchécoslovaque, notamment en ce qui concerne la désignation.

(7) Au moment où l'Organisation des Nations Unies pour l'alimentation et l'agriculture constatera que l'état des graisses et des huiles comestibles disponibles en Europe a retrouvé, par rapport à leur demande, le niveau approximatif des années antérieures à 1938, le Gouvernement de Tchécoslovaquie, sur demande de toute partie contractante ayant un intérêt substantiel à l'exportation de la graisse de porc à destination de la Tchécoslovaquie, entrera en négociations avec cette partie contractante en vue d'arriver à un accord mutuellement satisfaisant en ce qui concerne le traitement accordé par la Tchécoslovaquie à la graisse de porc importée. Cependant le rapport de 3 à 4 entre les droits de douane sur la graisse de porc crue et sur le saindoux ne doit pas être dépassé.

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

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(8) Jus non condensés d'agrumes du No 109 a) et autres jus de fruits et de baies (excepté les jus de pommes, framboises et raisins, non condensés, repris sous le No 109 b) 2.) sont également soumis aux droits convenus de Kčs 200.- respectivement Kčs 400.- par 100 kg même s'ils sont conditionnés en récipients hermétiquement fermés.

(9) En dehors du certificat d'appellation d'origine, ou, le cas échéant, du certificat d'origine, tous les vins importés en Tchécoslovaquie doivent être accompagnés aussi par une attestation d'analyse délivrée par les laboratoires publics dont la liste sera fixée de commun accord entre les autorités compétentes du pays exportateur et celles de la Tchécoslovaquie.

Les attestations d'analyse contiendront notamment:

le poids spécifique,
le degré d'alcool,
le contenu de tous les acides,
le contenu d'acides volatils,
le contenu d'extrait,
le contenu de sucre,
le contenu d'extrait sans sucre,
le contenu de cendres (matières minérales),
la déclaration qu'il s'agit du vin naturel sans ingrédient quelconque.

Pour les vins bénéficiant d'une appellation contrôlée, le certificat d'appellation d'origine pourra être remplacé par un certificat spécial attestant l'origine et la qualité du produit et conforme au modèle arrêté d'un commun accord par les autorités compétentes du pays exportateur et celles de la Tchécoslovaquie. Ce document remplacera également le certificat d'analyse mentionné ci-dessus.

(10) Les sauces végétales, à l'exception de la sauce de tomates, seront dédouanées au même droit que les "légumes conservées, autres, à l'exception des tomates conservées", c-à-d. au droit de Kčs 700.- par 100 kg.

(11) Planches pour la fabrication des skis seront dédouanées sous ce numéro même si elles sont imprégnées aux deux bouts avec de la paraffine et matières similaires.

(12) Comme "autres" huiles essentielles sont à dedouaner également les huiles de cinnamo et de citronnelle.

(13) Linters, dégraissés, blanchis, mais non formés seront dédouanés sous le No.180.

(14) Il est convenu que l'expression "chanvre" couvre également la Phormium tenax.

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (suite)

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(15) Rognures et autres déchets de cuir classés sous les numéros 329, 330, 33 à337 ne seront pas considérés comme assortis même s'ils sont de la même espèce ou de la même couleur.

(16) Ferro-silicium contenant 40% jusqu'à 50% de Si entrera également sous la position 428 c) du tarif et sera exempt des droits de douane.

(17) Armoires à fiches, avec équipement, isolées ou non, et avec ou sans fermetures, seront soumises au droit convenu de Kčs 1300.- par 100 kg.

(18) Refrigérateurs mécaniques complètement assemblés, même très finement travaillés, importés en Tchécoslovaquie, seront classés sous le No 476 avec le droit de Kčs 1700.- par 100 kg.

(19) Equipements frigorifiques sont composés d'un moteur électrique joint au compresseur muni d'un condenseur. L'équipement complet peut être muni d'un enclenchement et déclenchement automatique du courant électrique et d'un ventilateur; il est régulièrement monté sur une base.

(20) La concession concernant les pièces de rechange des châssis pour voitures automobiles pour le transport des personnes ou des châssis pour camions est limitée aux pièces destinées exclusivement à la réparation des châssis pour automobiles pour le transport des personnes ou des châssis pour camions déjà importés en Tchécoslovaquie.

(21) Au cas où le maintien des droits sur les machines à écrire de Kčs 40.- par kilogramme devrait sérieusement affecter l'industrie de machines à écrire tchécoslovaque, le Gouvernement de la République Tchécoslovaque pourrait se voir dans la nécessité d'invoquer l'art. XIX du présent Accord en vue de rechercher un ajustement approprié du droit de Kčs 40.- par kilogramme, conformément aux dispositions dudit article.

(22) Sous "appareils d'enregistrement et de reproduction du son" sont compris les phonographes, gramophones, machines à dicter, machines à reproduir les dictées et similaires.

(23) Il est entendu que le "permis spécial du Ministère du Commerce Extérieur" a pour seul but de certifier aux autorités de douane tchécoslovaques que le salpêtre, étant importé dans le cadre du contingent spécial, doit être admis en exemption du droit, et de garantir en outre le contrôle nécessaire ainsi que la répartition par ledit Ministère.

LISTE X - TCHECOSLOVAQUIE

PREMIERE PARTIE (fin)

OBSERVATIONS GENERALES

Les droits spécifiques de douane de Kčs 50.- ou moins par 100 kg sont entendus du poids brut à moins qu'indiqué différemment dans cette liste.

Les droits spécifiques de douane de plus de Kčs 50.- par 100 kg sont entendus du poids net à moins qu'indiqué différemment dans cette liste.

- o -

DEUXIEME PARTIE

Tarif préférentiel

Néant

LISTE XI - FRANCE

Seul le texte français de toutes les Sections de la présente liste fait foi.

Section A. Territoire métropolitain

Première Partie

Tarif de la nation la plus favorisée

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE PREMIER ANIMAUX VIVANTS (à l'exception des poissons, crustacés et mollusques)	
1 A	Chevaux de trait ou de selle (poulains, étalons, hongres et juments): - animaux reproducteurs de race pure	Exempts
	- autres : - - chevaux de trait, admis dans les limites d'un contingent annuel de 800 têtes aux conditions fixées par arrêté du Ministre français de l'Agriculture	35 %
	- - autres	45 %
ex 3	Animaux de l'espèce bovine (veaux, taurillons, bouvillons, génisses, taureaux, vaches, boeufs), y compris les animaux du genre buffle : animaux reproducteurs de race pure	Exempts
ex 4	Animaux de l'espèce ovine (agneaux, béliers, brebis et moutons): animaux reproducteurs de race pure	Exempts
ex 6	Animaux de l'espèce porcine (porcelets et porcs): animaux reproducteurs de race pure	Exempts
8 B	Volailles vivantes autres : - poussins dits "d'un jour", admis dans les limites d'un contingent fixé annuellement par arrêté du Ministre français de l'Agriculture et aux conditions déterminées par ce texte	35 %
	- autres	45 %
10	Chiens	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 2 VIANDES et ABATS	
	Viandes fraîches ou congelées des espèces bovine, ovine, porcine, chevaline, asine et mulassière :	
13 A	- de l'espèce bovine	40 %
13 B	- de l'espèce ovine	35 %
13 C	- de l'espèce porcine, à l'exception du lard	40 %
ex 14	Abats comme tibles, frais ou congelés, présentés isolément : foies	20 %
ex 15	Volailles mortes (y compris les foies frais des espèces autres que l'oie ou le canard), non truffées	25 %
ex 17	Gibier mort non truffé	5 %
ex 22 A	Viandes salées, séchées, fumées, cuites ou simplement préparées d'une autre manière , de porc: jambons crus fumés de Prague et similaires accompagnés d'un certificat d'origine et de qualité délivré par une autorité compétente du pays expéditeur agréée par le Ministre français de l'Agriculture	30 %
	CHAPITRE 3 POISSONS, CRUSTACES et MOLLUSQUES	
	Poissons d'eau douce frais (vivants ou morts) ou conservés à l'état frais :	
ex 23 A	- salmonidés: éperlans et autres (à l'exception des truites)	10 %
23 B	- autres espèces :	
	- - carpes et tanches	15 %
	- - anguilles, brochets et autres	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
24	Poissons de mer frais (vivants ou morts) ou conservés à l'état frais :	
	- entiers, décapités ou tronçonnés :	
	- - bars, barbues, soles et turbots	25 % avec minimum de perception de 17f50 par kg brut
	- - colins, esturgeons, lottes (baudroies, mulets ou mugos, rougets barbés, surmulets et autres.....	33 % avec minimum de perception de 12f50 par kg brut
	- filets de poissons	35 % avec minimum de perception de 25f par kg brut
	Poissons simplement salés, séchés ou fumés :	
25 A	- harengs (salés, secs, fumés, kippers, en filets)..	30 %
25 D	- haddock	30 %
25 E	- autres	30 %
	Crustacés frais (vivants ou morts) ou simplement cuits, salés ou séchés :	
26 A	- de mer :	
	- - crevettes grises	20 %
	- - queues de langoustes et de homards	35 %
	- - autres (langoustes et homards entiers, crabes, langoustines, crevettes-bouquets, etc.)	10 %
26 B	- autres (écrevisses, etc.)	10 %
ex 27 A	Mollusques et coquillages pleins frais (vivants ou morts) ou simplement cuits, salés ou séchés, de mer:	
	- huîtres, autres	15 %
	- moules	15 %
	- autres (palourdes, céphalopodes, etc.)	10 %
	CHAPITRE 4	
	LAITS et PRODUITS de la LAITERIE; OEUFS et MIEL	
30	Laits concentrés, y compris les babeurres, le lactosérum et la crème concentrés :	
	- sans sucre	10 %
	- additionnés de sucre	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
31	Beurre frais, fondu ou salé	25 %
32	Fromages de toutes sortes	15 %
	Oeufs d'oiseaux :	
33 A	- oeufs en coquilles, frais ou conservés par le froid ou tout autre procédé licite :	
	- - oeufs à couver, admis dans la limite d'un contingent fixé annuellement par arrêté du Ministre français de l'Agriculture et aux conditions déterminées par ce texte	15 %
	- - autres	20 %
ex 33 B	- oeufs complets (blancs et jaunes) dépourvus de leurs coquilles :	
	- - non sucrés :	
	- - - en morceaux ou en poudre	20 %
	- - - autres	30 %
	- - sucrés, en morceaux ou en poudre	30 %
ex 33 C	- jaunes d'oeufs non sucrés :	
	- - destinés à des usages industriels et dénaturés..	Exempts
	- - autres	20 %
	.....	

CHAPITRE 5

MATIERES PREMIERES et autres PRODUITS BRUTS d'ORIGINE ANIMALE

36	Crins :	
	- bruts ou en bottes	Exempts
	- frisés, sans support ou nappés sur support	5 %
37	Soies de porc et de sanglier, poils de blaireau et autres poils pour la brosserie, bruts ou préparés..	Exempts
	Boyaux, vessies et estomacs d'animaux :	
38 A	- caillettes de veau, fraîches ou sèches, même coupées	Exempts
38 B	- autres, frais, salés ou secs	Exempts
39	Déchets de cuir vert et de peaux non tannées, tendons, nerfs, queues et autres déchets analogues non tannés	Exempts
	Plumes :	
42 A	- plumes à lit et duvet, bruts ou apprêtés	Exempts
42 D	- plumes pour autres usages, brutes ou simplement nettoyées	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
43	Os (os bruts, dégraissés et concassés, déchets d'os de travail, cornillons, os acidulés, poudre d'os dégélatinés ou non)	Exempts
44	Cornes et bois d'animaux, bruts, avec ou sans cornillons et os frontal, en déchets, aplatis ou débités	Exempts
45	Sabots d'animaux, ongles, griffes et becs, bruts, en déchets, aplatis ou débités	Exempts
48	Coquillages vides :	
	- nacre de perle, en coquilles brutes ou bien simplement sciée ou dépouillée de sa croûte	Exempts
	- autres	Exempts
56	Rogues de morue, de maquereau et similaires	Exempts
58	Matières animales brutes et dépouilles d'animaux, non dénommées ni comprises ailleurs, animaux morts non destinés à la consommation humaine	Exempts
	CHAPITRE 6	
	PLANTES VIVANTES et PRODUITS de la FLORICULTURE	
	Plantes à bulbes, tubercules, oignons, griffes et rhizomes :	
61 A	- bulbes, tubercules, oignons, griffes et rhizomes de plantes à fleurs ou à feuillages à l'état de repos; griffes d'asperges :	
	- - admis dans les limites d'un contingent annuel de 20.000 quintaux brut).....	10 %
	- - autres	35 %
61 B	- plantes en végétation, fleuries ou non :	
	- - admises dans les limites d'un contingent annuel de 4.000 quintaux brut	10 %
	- - autres	35 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
62	Plantes à massifs dites "plantes molles" servant à la décoration des jardins et nécessitant un abri l'hiver, fleuries ou non	30 %
63	Plantes de serre chaude ou de serre froide, fleuries ou non :	
	- admises dans les limites d'un contingent annuel de 10.000 quintaux brut	10 %
	- autres	40 %
64	Plantes de pépinières, plantes vivaces de pleine terre et autres plantes vivantes, non dénommées ni comprises ailleurs, fleuries ou non :	
	- laurus nobilis (laurier sauce)	25 %
	- autres	30 %
65 A	Fleurs et boutons coupés pour bouquets ou pour ornements, frais :	
	- orchidées	20 %
	- roses, lilas et autres	30 %
	Feuillages, feuilles, rameaux, herbes et mousses pour bouquets ou pour ornements :	
66 A	- frais	25 %
66 B	- séchés, teints, blanchis, imprégnés ou autrement préparés, montés ou non	15 %
	CHAPITRE 7	
	LEGUMES, PLANTES, RACINES et TUBERCULES ALIMENTAIRES	
	Légumes et plantes potagères à l'état frais ou assimilé :	
67 B	- olives et câpres	10 %
67 C	- tomates, présentées :	
	- - du 1er juillet au 30 septembre inclus	30 %
	- - en dehors de cette période	15 %
67 D	- oignons, échalotes et ail :	
	- - oignons et échalotes	20 %
	- - ail	18 %
ex 67 E	- pommes de terre :	
	- - de semence, admises dans les limites d'un contingent fixé annuellement par arrêté du Ministre français de l'Agriculture et aux conditions déterminées par ce texte	15 %
	- - autres, présentées :	
	- - - du 1er juillet au dernier jour de février	30 %
	- - - en dehors de cette période: pommes de terre de l'année précédente	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Légumes et plantes potagères à l'état frais ou assimilé (suite):	
67 F	- asperges	20 %
67 G	- choux, de toutes espèces, y compris les choux-fleurs et les choux de Bruxelles	18 %
67 H	- épinards et salades diverses :	
	- - chicorée Witloof dite "endive"	18 %
	- - autres	18 %
67 I	- carottes, navets, betteraves à salade, salsifis et autres racines comestibles similaires	18 %
67 J	- légumes en cosse (haricots verts et haricots en grains frais en cosse, pois en cosse, etc.)	18 %
ex 67 K	- concombres et cornichons	20 %
67 M	- autres	18 %
	Légumes et plantes potagères desséchés, déshydratés ou évaporés :	
68 B	- pommes de terre, même coupées en morceaux ou en tranches	15 %
68 C	- autres, même coupés en morceaux ou en tranches ou bien mélangés (juliennes)	5 %
	Légumes à cosses secs :	
69 A	- haricots, en grains, décortiqués, brisés ou cassés	20 %
69 B	- fèves et féverolles, en grains, décortiqués, brisés ou cassés	12 %
69 C	- pois chiches (pois pointus)	18 %
69 D	- autres pois, en grains, décortiqués, brisés ou cassés	15 %
69 E	- lentilles, en grains, décortiquées, brisées ou cassées	18 %
	CHAPITRE 8	
	FRUITS COMESTIBLES	
	Fruits des pays tropicaux, frais ou secs :	
ex 71 B	- bananes fraîches	20 %
71 C	- noix de coco, noix du Brésil, noix de cajou, noix d'anacarde et fruits similaires	2 %
71 D	- ananas	5 %
71 E	- autres	5 %
	Agrumes, fraîches ou sèches :	
72 A	- oranges (douces et amères), présentées :	
	- - du 1er juin au 31 août	25 %
	- - en dehors de cette période	35 %
72 C	- citrons	10 %
72 D	- pamplemousses	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 73	Figues sèches	10 %
	Raisins :	
ex 74 A	- frais :	
	- - non forcés, de table, présentés en dehors de la période du 15 juillet au 31 octobre inclus	15 %
	- - forcés	25 %
74 B	- secs	15 %
	Fruits à coques, frais ou secs :	
75 A	- amandes :	
	- - fraîches	15 %
	- - sèches, en coques ou sans coques	Exemptes
75 C	- noix communes :	
	- - en coques	5 %
	- - sans coques	15 %
	Pommes , poires et coings frais :	
76 A	- pommes :	
	- - de table, présentées :	
	- - - du 15 février au 31 mars inclus	8 %
	- - - du 1er avril au 31 mai inclus	6 %
	- - - du 1er juin au 31 juillet inclus	8 %
	- - - en dehors de ces périodes	12 %
	- - à cidre	10 %
76 B	- poires :	
	- - de table, présentées :	
	- - - du 1er décembre au 30 juin inclus	8 %
	- - - en dehors de cette période	12 %
	- - à poiré	15 %
76 C	- coings	12 %
	Fruits à noyau frais :	
ex 77 B	- pêches, y compris les brugnons et nectarines, forcées	35 %
77 C	- cerises	20 %
77 D	- prunes, présentées :	
	- - du 1er juin au 31 octobre inclus	20 %
	- - en dehors de cette période	15 %
77 E	- autres	20 %
	Baies comestibles fraîches :	
78 A	- fraises :	
	- - non forcées, présentées :	
	- - - du 1er mai au 31 octobre	20 %
	- - - en dehors de cette période	15 %
	- - forcées	30 %
78 B	- framboises	5 %
78 C	- groseilles et cassis	5 %
78 D	- airelles et autres	5 %

LISTE XI-.. - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Autres fruits frais :	
79 A	- melons et similaires	10 %
79 B	- non dénommés	5 %
	Pommes, poires, coings, fruits à noyau, baies et autres fruits séchés ou tapés, même coupés en morceaux ou en tranches :	
80 A	- macédoines de fruits secs, avec ou sans raisins et autres fruits secs des espèces ci-dessus :	
	- - sans prunoeaux	10 %
	- - contenant des prunoeaux	Droit des prunoeaux
80 B	- pommes et poires :	
	- - de table	10 %
	- - à cidre ou à poiré	10 %
80 C	- abricots, y compris les pêtes séchées non cuites ni sucrées	10 %
80 D	- pêches, y compris les brugnons et nectarines	10 %
80 E	- prunoeaux	25 %
80 F	- autres	5 %

CHAPITRE 9

CAFÉ, THÉ et ÉPICES

ex 81 A	Café vert en fèves et pellicules	20 %
82	Thé :	
	- vert	30 %
	- noir	45 %
83	Vanille	Exempte
	Poivre (genre piper):	
84 A	- poivre commun (piper nigrum)	30 %
84 B	- autre (poivre de Cubèbe, etc.)	30 %
85 B	Piment (des genres capsicum, à l'exclusion du capsicum grossum, et pimenta), autre	20 %
86	Cannelle et fleurs de cannelier	30 %
87	Girofle (clous et griffes)	30 %
88	Noix muscades, en coques ou sans coques	35 %
89	Malis	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 10	
	CEREALES	
93	Froment, épeautre et métoil	30 %
ex 97	Riz, en grains entiers pelés, même glacés	30 %
98	Maïs	30 %
100	Millet, dari, alpiste et autres céréales	20 %
	CHAPITRE 11	
	PRODUITS de la MINOTERIE; MALT; AMIDONS et FECULES	
	Gruaux, semoules, grains de céréales mondés ou perlés, grains concassés et boulangers, flocons :	
102 A	- de froment, d'épeautre et de métoil	30 %
102 B	- d'orge	30 %
102 C	- d'avoine	30 %
102 D	- de riz (à l'exception du riz pelé et des brisures de riz)	30 %
102 E	- de maïs	30 %
102 F	- autres	30 %
103 C	Farines de légumineuses et de fruits non dénommées ni comprises ailleurs : de soja et d'autres graines ou fruits oléagineux	12 %
104	Sons, remoulages et autres résidus du criblage, de la mouture et de la décortication des grains de céréales et des légumineuses, à l'exclusion des germes	Exempts
ex 107	Malt entier	30 %
ex 108	Amidon de riz	30 %
109	Fécules :	
	- de manioc	20 %
	- de pommes de terre, de sagou, de tavalo, d'arrow-root et autres	30 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 12	
	GRAINES et FRUITS OLEAGINEUX; GRAINES, SEMENCES et FRUITS DIVERS, PLANTES INDUSTRIELLES et MEDICINALES; PAILLE et FOURRAGES	
	Graines et fruits oléagineux, même concassés :	
112 A	- arachides, en coques ou décortiquées	8 %
112 B	- coprah	8 %
112 C	- noix et amandes de palmiste	8 %
112 D	- fèves de soja	8 %
112 E	- graines de ricin et de pulghère	8 %
112 F	- graines de lin :	
	- - de semence, admises dans les limites d'un contingent fixé annuellement	Exemptes
	- - autres	8 %
112 G	- graines de colza, de navette, de moutarde, de ravison, de camélina et d'autres crucifères	8 %
112 H	- graines de tournesol	8 %
112 J	- graines de chènevis	8 %
112 K	- graines de coton	8 %
112 M	- graines de sésame	8 %
112 N	- graines de mowra et de marfouraire	8 %
112 O	- graines d'illipé	8 %
112 P	- graines de karité	8 %
112 Q	- autres	8 %
	Graines et fruits à ensemencer non dénommés ni compris ailleurs :	
113 A	- graines de betteraves :	
	- - sucrières	40 %
	- - autres	30 %
113 B	- vesces et lupins	Exempts
113 C	- graines de trèfles, de luzerne, de minette, de ray-grass, de sainfoin, de graminées et autres graines fourragères	Exemptes
113 D	- graines de fleurs	Exemptes
113 E	- autres	Exemptes
116	Racines de chicorée :	
	- vertes	5 %
	- sèches, même coupées, non torréfiées	10 %
ex 117	Houblon: cônes et déchets	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Plantes, parties de plantes, graines et fruits utilisés en parfumerie ou en médecine :	
118 D	- racines(de guimauve ou d'althea, de gentiane, de valériane, de réglisse, de plantes à roténone et autres, fraîches ou sèches, brutes, coupées , broyées ou pulvérisées)	Exemptes
ex 118 F	- plantes en bouquets, sommités fleuries et feuilles mondées, autres	5 %
118 G	- fleurs :	
	- - apétalées en sacs	Exemptes
	- - de bouillon blanc, de bourrache, de camomille, de guimauve, de mauve, de pensée, de rose de Provins, de sureau, de tilleul, de violette et autres	10 %
118 H	- fruits et graines (baies de sureau et autres)	Exempts
	Plantes, parties de plantes, graines et fruits à usages alimentaires ou de fourrages non dénommés ni compris ailleurs :	
119 A	- graines d'anis, de badiane, de fenouil, de coriandre, de genièvre, de cumin et de carvi	5 %
119 C	- caroubes, fraîches ou desséchées :	
	- - entières	15 %
	- - concassées, en grumeaux ou farine	[illegible] %
119 D	- maté	Exempt
119 E	- noyaux de fruits (pêches, abricots, prunes, cerises, etc.)	Exempts
120	Paillis et balles de céréales :	
	- paillis, brute ou hachée	5 %
	- balles	Exemptes
121	Fourrages	5 %

CHAPITRE 13

MATIERES PREMIERES pour la TEINTURE et le TANNAGE; GOMMES, RESINES et autres SUCS et EXTRAITS VEGETAUX

123	Matières premières végétales pour la teinture	Exemptes
	Matières premières végétales pour le tannage :	
124 B	- écorces (de mimosa, de palétuvier et autres)	Exemptes
124 C	- fruits	Exempts
124 D	- feuilles	Exemptes
124 E	- racines	Exemptes
124 F	- galles	Exemptes

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Gommes et gommes-résines, brutes ou élaborées :	
126 A	- gommes employées en milieu aqueux (gomme arabique, gomme adragante et autres)	Exemptes
126 B	- gommes à vernis (gomme accroïde, gomme Manille, copal, gomme Dammar, kauri, gomme sandaraque et autres)	Exemptes
ex 126 C	- autres gommes :	
	- - gomme-laque non blanchie	Exempte
	- - gomme-gutte, encens, myrrhe, opoponax, labdanum, galbanum et autres	Exemptes
127	Baumes naturels	Exempts
130 F	Sucs et extraits végétaux non dénommés ni compris ailleurs : aloès	5 %
	Matières végétales employées en vannerie et en spartorie non dénommées ni comprises ailleurs :	
131 A	- osier	5 %
131 B	- bambous, roseaux et similaires :	
	- - bruts ou simplement refondus	Exempts
	- - polis, teints, peints, vernis ou décorés	5 %
131 C	- joncs, rotins et similaires :	
	- - bruts ou simplement refondus :	
	- - - rotins bruts et joncs de Malacca en bottes d'origine	5 %
	- - - autres	Exempts
	- - décorés (moelles de rotin), même refondus; en écélisses dits "rotins filés"	7 %
131 D	- alfa, sparte et diss	Exempts
131 E	- pailles de céréales nettoyées, blanchies ou teintes, avec ou sans épis	5 %
131 F	- raphia, écorces de tilleul et autres matières	Exempts
132 A	Matières végétales de rembourrage, même en torsades: kapok	Exempt
133 A	Matières végétales pour balais et brosses non dénommées ni comprises ailleurs: chiendent, piassava, istle et similaires, y compris les imitations en lames de bois ou autres :	
	- bruts, en faisceaux ou torsades	Exempts
	- peignés, coupés, blanchis ou teints	5 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 15	
	CORPS GRAS, GRAISSES, HUILES et PRODUITS de leur DISSOCIATION; GRAISSES ALIMENTAIRES ELABOREES; CIRES d'ORIGINE ANIMALE ou VEGETALE	
ex 136	Saindoux raffinés	35 %
139	Suifs fondus, y compris les suifs dits "premiers jus"	15 %
140	Graisses d'os, de déchets et similaires	15 %
142	Oléo-stéarine (suif pressé)	20 %
143 C	Graisses et huiles de poissons et d'animaux marins, brutes ou raffinées, autres	20 %
	Graisse de suint et ses dérivés :	
144 A	- suintine	15 %
144 B	- oléine et stéarine de suint	20 %
144 C	- lanoline, industrielle et pure Codex	20 %
145	Autres graisses ou huiles d'origine animale, non dénommées ni comprises ailleurs	12 %
	Huiles fixes, fluides ou concrètes, d'origine végétale, brutes ou raffinées :	
146 A	- huile de lin brute	12 %
146 B	- huile de bois de Chine (wood oil) brute; huiles d'abrasin, d'éléococca, brutes	6 %
146 C	- huiles de soja, de tournesol, de maïs, brutes :	
	- - destinées à la savonnerie	6 %
	- - autres	12 %
146 D	- huile de coton brute :	
	- - destinée à la savonnerie	6 %
	- - autre	12 %
146 E	- huile d'arachides brute :	
	- - destinée à la savonnerie	6 %
	- - autre	12 %
146 F	- huile de sésame brute :	
	- - destinée à la savonnerie	6 %
	- - autre	12 %
146 G	- huiles de colza, de navette, de moutarde, de camélina et d'autres crucifères :	
	- - destinées à la savonnerie	6 %
	- - autres	12 %
146 H	- huile d'olive brute :	
	- - destinée à la savonnerie	6 %
	- - autre	12 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Huiles fixes, fluides ou concrètes, d'origine végétale, brutes ou raffinées (suite):	
146 I	- huiles de ricin et de pulghère, brutes	10 %
146 J	- huile de palme brute :	
	- - destinée à la savonnerie et à la stéarinerie	6 %
	- - autre	12 %
146 K	- huiles de palmiste et de coco (coprah), brutes:	
	- - destinées à la savonnerie et à la stéarinerie ...	6 %
	- - autres	12 %
146 N	- autres huiles végétales brutes	12 %
146 O	- huiles végétales raffinées	12 %
150	Dégras	15 %
	Acides gras industriels :	
151 A	- acide oléique	15 %
151 B	- acide stéarique	15 %
151 C	- autres	15 %
153	Brais stéariques et brais de suint	5 %
ex 158 A	Cire d'abeilles brute, y compris les déchets	Exempte
	Cires végétales :	
159 A	- cire de carnauba	Exempte
159 B	- cire de candelilla	Exempte
159 C	- cire de gomme-laque	Exempte
159 D	- cire de fibres (d'alfa, de sparte, de coton, de lin, etc.)	Exempte
159 E	- cire du Japon	Exempte
159 F	- autres (cires de palmier, de myrica, de pizang, de curicuri, etc.)	Exemptes
	CHAPITRE 16	
	PREPARATIONS et CONSERVES de VIANDES, de POISSONS, de CRUSTACES et de MOLLUSQUES	
	Autres préparations et conserves de viandes, en boîtes, terrines, croûtes ou autres formes, avec ou sans mélange de légumes ou d'autres produits végétaux :	
162 A	- de gibier, volailles ou lapins, truffées ou non	12 %
ex 162 B	- de porc, non truffées	50 %
162 C	- de mouton	35 %
ex 162 D	- non dénommées, non truffées	50 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 163	Extraits de viande pur conditionnés en emballages d'un poids brut de 25 kg et plus	Exempts
ex 164	Poissons préparés ou conservés, présentés :	
	- en boîtes, verres, bocaux et récipients hermétiquement fermés :	
	- - s almonidés	25 %
	- - autres (à l'exclusion des sardines)	25 %
	- autrement	25 %
165	Crustacés et mollusques préparés ou conservés, présentés :	
	- en boîtes, verres, bocaux et récipients hermétiquement fermés	10 %
	- autrement	10 %

CHAPITRE 17

SUCRES et SUCRERIES

168 A	Sucres et sirops d'érable	30 %
169	Glucose	70 %
170	Lactose	10 %
ex 172	Mélasses :	
	- destinées à la préparation des produits mélassés pour l'alimentation du bétail	2 %
	- autres (à l'exception des mélasses destinées à la distillation)	40 %
173	Sucreries (bonbons, pastilles, dragées, caramels, nougats, etc.), sans cacao ni chocolat :	
	- contenant une liqueur alcoolique	30 %
	- ne contenant pas de liqueur alcoolique :	
	- - gommes à mâcher dites "chewing gums" et similaires	10 %
	- - autres	30 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 18	
	CACAO et ses PREPARATIONS	
176	Cacao en fèves et brisures de fèves, torréfié ou non	25 %
177	Coques, pelures, pousses et pellicules de cacao	25 %
178	Cacao en masse (pâte de cacao) ou en tablettes	25 %
179	Beurre de cacao, y compris la graisse et l'huile de cacao	25 %
180	Cacao en poudre	25 %
181	Chocolat en masses (plaques, plaquettes, tablettes, pastilles, croquettes, objets divers, etc.) en poudre ou en granulés	30 %
182	Confiseries au cacao, au beurre de cacao ou au chocolat (tablettes et bâtons fourrés, bouchées, truffes, pralines, bonbons, etc.) préparations diverses, non dénommées ni comprises ailleurs, comportant du cacao, du beurre de cacao ou du chocolat, avec ou sans sucre ou autres substances alimentaires :	
	- contenant une liqueur alcoolique	30 %
	- autres	50 %
	CHAPITRE 19	
	PREPARATIONS À BASE de FARINES ou de FECULES	
ex 183	Farines, fécules et extraits de malt préparés pour l'alimentation des enfants ou pour des usages diététiques ou culinaires, sans cacao, autres : farines simples et farines composées	35 %
185 A	Produits de la boulangerie: biscuits de mer	22 %
186	Pains d'épices	36 %
ex 187 B	Biscuits secs sans cacao ou contenant moins de 20 p. 100 de cacao :	
	- sans sucre ni miel	18 %
	- sucrés	28 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 20 PREPARATIONS de LEGUMES, de PLANTES POTAGERES, de FRUITS et d'autres PLANTES ou PARTIES de PLANTES	
189	Légumes, plantes potagères, fruits et autres plantes et parties de plantes conservés au vinaigre, avec ou sans sel, épices ou moutarde, y compris les pickles, les picallilies et similaires, présentés :	
	- en boîtes, verres, bocaux et récipients hermétiquement formés	25 %
	- autrement (en fûts, cuveaux, etc.)	20 %
	Légumes, plantes potagères et autres plantes ou parties de plantes conservés sans vinaigre, même assaisonnés ou cuisinés, sans viande ni poisson, présentés:	
ex 190 A	- en boîtes, verres, bocaux et récipients hermétiquement formés :	
	- - champignons	15 %
	- - tomates et sauces de tomates, renfermant en extrait sec :	
	- - - moins de 7 p. 100 (jus de tomate).....	Régime des jus de fruits (n° 196)
	- - - de 7 p. 100 inclus à 15 p. 100 exclus	25 %
	- - asperges	20 %
	- - choucroute	25 %
	- - cornichons, concombres, olives, picholines et câpres	20 %
	- - petits pois, haricots verts, carottes et macédoines de légumes	25 %
	- - autres	25 %
190 B	- autrement (en fûts, cuveaux, etc.), d'un poids brut de :	
	- - plus de 10 kg :	
	- - - champignons	10 %
	- - - tomates	20 %
	- - - choucroute	25 %
	- - - cornichons, concombres, olives, picholines et câpres	15 %
	- - - autres	15 %
	- - 10 kg et moins	20 %
	Fruits conservés, entiers, en quartiers ou en morceaux, sans alcool :	
191 B	- sans sucre ni sirop	25 %
191 C	- dans un liquide sucré (fruits au sirop)	35 %
192	Fruits, écorces de fruits, plantes ou parties de plantes confits au sucre (candis)	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
194	Confitures, gelées, marmelades, compotes, cuites, purées et pâtes de fruits sucrées	30 %
	Jus de fruits, de baies ou de légumes, concentrés ou non :	
196 A	- sans sucre, présentés :	
	- - en boîtes, bouteilles, flacons, cruchons et contenants analogues, d'une contenance de 1 litre et moins	18 %
	- - autrement :	
	- - - non concentrés :	
	- - - - jus de citron et d'épine-vinette	10 %
	- - - - jus de raisin, de tomate et d'orange	18 %
	- - - - jus de pomme et de poire	10 %
	- - - - jus d'autres fruits, baies ou légumes, même salés	15 %
	- - - concentrés :	
	- - - - jus de raisin, de tomate et d'orange	20 %
	- - - - jus de pomme et de poire	10 %
	- - - - autrement.....	15 %
196 B	- sucrés, contenant par litre :	
	- - 150 g et moins de sucre, présentés :	
	- - - en boîtes, bouteilles, flacons, cruchons et contenants analogues, d'une contenance de 1 litre et moins	25 %
	- - - autres	20 %
	- - plus de 150 g de sucre (sirops), présentés :	
	- - - en boîtes, bouteilles, flacons, cruchons et contenants analogues, d'une contenance de 1 litre et moins	30 %
	- - - autrement	25 %
	CHAPITRE 21	
	PREPARATIONS ALIMENTAIRES DIVERSES	
197	Chicorée torréfiée et autres succédanés torréfiés du café, ne contenant pas de café, en morceaux, en grains ou moulus	10 %
200	Moutarde préparée, présentée :	
	- en flacons, pots, verres, boîtes et autres récipients analogues	12 %
	- autrement (en fûts, en cuveaux, etc.)	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
201	Préparations pour potages et pour bouillons à base de substances végétales, sans extrait de viande	8 %
ex 204	Levures non conditionnées pour usages médicinaux: levures biologiques (de distillerie, de brasserie, etc.)	50 %
206	Poudres non sucrées pour la fabrication des crèmes, puddings, entremets, desserts, etc., sans cacao, même aromatisées, colorées ou parfumées	15 %
208	Préparations alimentaires non dénommées ni comprises ailleurs :	
	- extraits composés non médicamenteux, ni sucrés, ni alcoolisés, pour la fabrication des boissons, apéritifs, liqueurs, etc.....	20 %
	- autres	20 %
	CHAPITRE 22	
	BOISSONS, LIQUIDES ALCOOLIQUES et VINAIGRES	
210	Eaux minérales naturelles, eaux minérales artificielles, eaux gazeuses, non aromatisées ni sucrées	10 %
212	Bières	35 %
220 C	Eaux-de-vie : whisky	30 %
	Liqueurs :	
221 A	- gin	40 %
221 B	- autres	50 %
224	Limonades, eaux gazeuses aromatisées et autres boissons non alcooliques, non dénommées ni comprises ailleurs, sucrées ou non	20 %
	CHAPITRE 23	
	RESIDUS et DECHETS des INDUSTRIES ALIMENTAIRES ; ALIMENTS PREPARES pour ANIMAUX	
227	Pulpes de betteraves contenant moins de 10 p. 100 de sucre et déchets de sucrerie	5 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
228	Drèches de brasserie et de distillerie, résidus d'amidonnerie et similaires :	
	- tourteaux de maïs résidus d'amidonnerie	10 %
	- autres	Exempts
	Tourteaux et autres résidus de l'extraction des huiles végétales renfermant moins de 8 p. 100 d'huile :	
229 A	- grignons et amurcas d'olives	Exempts
229 B	- tourteaux de germes de maïs	8 %
229 C	- tourteaux d'arachides	10 %
229 D	- tourteaux de lin	8 %
229 E	- tourteaux de coprah et de palmiste	8 %
229 F	- tourteaux de soja	8 %
229 G	- tourteaux de ricin, de pulghère, de colza, de moutarde, de camélina, de navette, de ravison, de marfouraire, de moura et de chènevis	8 %
229 H	- autres	8 %
ex 230	Marcs de pommes, de raisins et d'autres fruits, autres	Exempts

CHAPITRE 24

TABACS

ex 235 A	Tabacs bruts: en feuilles ou en côtes, présentés pour le compte du Monopole	Exempts
ex 236	Tabacs fabriqués présentés pour le compte du Monopole: cigarettes	Exempts

CHAPITRE 25

SEL; SOUFRE; TERRES et PIERRES; PLATRES; CHAUX et CIMENTS

	Soufre :	
ex 240 A	- minerais :	
	- - pyrites de fer non grillées	Exemptes
	- - autres, en roche	Exempts
240 B	- soufre non épuré dit "brut"	Exempt
244	Nitrates naturels autres que pour usages agricoles ..	Voir n°573 D

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
245	Phosphates de calcium naturels (phosphates tricalciques), en roche, broyés ou pulvérisés	Exempts
246	Sulfures d'arsenic naturels (orpin, réalgar), en morceaux ou pulvérisés	2 %
249	Carbonate de baryum naturel, en roche, broyé ou pulvérisé	Exempt
251	Borate de sodium naturel (borax brut)	Exempt
	Sels naturels de magnésium, en roche, broyés ou pulvérisés :	
255 A	- giobertite (carbonate de magnésium naturel)	Exempts
255 B	- autres	Exempts
256	Magnésie calcinée, à l'exclusion de la magnésie pure ou pharmaceutique	Exempts
261	Farines siliceuses fossiles, kieselguhr, terres ou silices de Moler, diatomites, gellites, tripoli et terres légères diverses de densité apparente inférieure ou égale à 1, bruts, broyés ou tamisés	10 %
262	Talc et stéatite naturelle :	
	- bruts	Exempts
	- broyés ou pulvérisés	4 %
263	Amiante (asbeste), en roche, en fibres ou pulvérisé.	Exempt
264	Mica :	
	- en blocs ou morceaux irréguliers, clivé en lamelles irrégulières (splittings), en déchets	Exempt
	- pulvérisé	5 %
	Argiles :	
268 A	- kaolin :	
	- - en morceaux	Exempt
	- - pulvérisé ou atomisé	5 %
268 B	- terres et sables kaoliniques	Exempts
268 C	- terres réfractaires et à grès, y compris les terres de chamotte, brutes, lavées ou pulvérisées ..	Exempts
268 D	- bentonites naturelles	Exempts
268 E	- terres décolorantes naturelles et à foulon, argiles smectiques	Exempts
268 F	- autres	Exempts
270	Mortiers, ciments, pisés, coulis et mastics réfractaires, en blocs, granulés, poudres, pâtes ou enduits	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
272	Marne	Exempte
275	Craie, brute, lavée, broyée ou pulvérisée	Exempte
ex 276	Dolomie :	
	- crue, en roche, broyée ou pulvérisée	Exempte
	- frittée, en roche, broyée ou blutée	10 %
	Pierres de taille et de construction, en blocs ou plaques sciées, brutes ou équarries à la pointe ou au fil :	
ex 278 A	- pierres calcaires et albâtre :	
	- - marbres , travertins et calcaires d'une densité apparente supérieure ou égale à 2,4 :	
	- - - écaussines :	
	- - - - en blocs bruts ou équarris	Exemptes
	- - - - sciées, d'une épaisseur de :	
	- - - - - plus de 16 cm	Exemptes
	- - - - - 4 cm exclus à 16 cm inclus	8 %
	- - - - - 4 cm et moins	10 %
	- - - autres (marbres, travertins, etc.), en blocs bruts ou équarris	15 % avec maximum de perception de 75 F par 100 kg brut
	- - albâtre	Exempt
	- - autres pierres calcaires, en blocs bruts ou équarris, ou sciées	15 %
278 B	- granit, porphyre, syénite, lave, basalte, grès et roches dures similaires :	
	- - en blocs bruts ou équarris	Exempts
	- - sciés, d'une épaisseur de :	
	- - - plus de 20 cm	10 %
	- - - 20 cm et moins	12 %
	Pierres concassées, cailloux et galets :	
279 A	- pour l'empierrement des routes et des voies ferrées, le bétonnage et usages analogues, y compris le tarmacadam	3 %
279 B	- castines et pierres à chaux	6 %
	Sables naturels et artificiels non dénommés ni compris ailleurs :	
281 A	- silice moulue, calcinée ou non	Exempte
281 B	- autres sables	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Terres colorantes brutes ou simplement lavées ou pulvérisées :	
282 A	- brutes	Exemptes
282 B	- lavées ou pulvérisées :	
	- - ocres et oxydes de fer naturels, contenant en oxyde ($Fe^2 O^3$):	
	- - - moins de 70 p. 100, y compris les terres d'Italie, de Sienne et d'Ombre	Exempts
	- - - 70 p. 100 et plus :	
	- - - - oxydes de fer micacés	Exempts
	- - - - autres	Régime des Oxydes de fer artificiels (n°404)
	- - terres de Cassel, de Cologne, terres serpentines et autres	Exemptes
285	Plâtre	Exempt
	Chaux, à l'exclusion de la chaux pure, brutes, broyées ou pulvérisées :	
287 A	- chaux grasses et assimilées	6 %
287 B	- chaux hydrauliques	6 %
288	Liants et ciments hydrauliques, non pulvérisés (clinker) ou pulvérisés	10 %
	CHAPITRE 26	
	MINERAIS, SCORIES, CENDRES	
293	Minerai d'aluminium (bauxite)	Exempt.
294	Minerais de cuivre, y compris les chalcopyrites	Exempts
ex 295	Minerais de plomb autres, argentifères ou non	Exempts
299	Minerais de nickel	Exempts
300	Minerais de cobalt	Exempts
302	Minerais de molybdène, de tungstène, de vanadium, de tantale, de titane, de zirconium et de glucinium....	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 27 COMBUSTIBLES MINERAUX; MATIERES BITUMINEUSES ET HUILES MINERALES; PRODUITS de leur DISTILLATION; CIRES MINERALES; ENERGIE ELECTRIQUE.	
311	Houilles crues (charbons et anthracites)	Exemptes
312	Cokes et semi-cokes (métallurgiques et de gaz)	Exempts
313	Agglomérés de houilles (en briquettes, boulets,etc.)	Exempts
	Goudrons minéraux :	
318 A	- goudrons de houille	Exempts
318 B	- autres (goudrons de lignite, de tourbe, etc.).....	Exempts
	Huiles de houille :	
319 A	- huiles légères brutes distillant avant 200° C dans la proportion de 90 p. 100 et plus	Exemptes
319 B	- autres	Exemptes
320	Produits basiques dérivés du goudron de houille	15 %
321	Benzols, toluols, xylols, solvent-naphta et similaires, benzine type Régie, têtes sulfurées, queues de distillation, distillant au-dessous de 200° C avec un résidu inférieur à 10 p. 100	15 %
	Carbures benzéniques :	
322 A	- benzène	20 %
322 B	- toluène	20 %
322 C	- xylène (mélanges d'isomères)	20 %
	Produits phéniques :	
323 A	- phénols, crésols et xylénols bruts contenant 40 p. 100 et moins d'un des isomères du crésol ou du xylénol :	
	- - contenant de 20 p. 100 inclus à 40 p. 100 inclus de phénol pur, le reste en crésols et xylénols...	Exempts
	- - contenant moins de 20 p. 100 ou plus de 40 p. 100 de phénol pur, le reste en crésols et xylénols..	10 %
323 B	- crésols et xylénols bruts et purs contenant plus de 40 p. 100 d'un des isomères du crésol ou du xylénol	15 %
324	Naphtalène	10 %
325	Anthracène	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
326	Brai de goudron de houille	Exempt
328	Désinfectants à base de produits phénoliques (crésyl, etc.)	15 %
329	Carbolinéum	15 %
	Pétroles naturels bruts et produits assimilés :	
332 A	- pétroles naturels bruts :	
	- - à l'entrée en usines exercées	Exempts
	- - autres	18 %
332 B	- huiles de schiste et autres	Droits des pétroles naturels bruts (n° 332 A)
333	Gaz de pétrole (propane et butane commerciaux) :	
	- à l'importation	3 %
	- à la sortie des usines exercées	Exempts
	Essences de pétrole :	
	- à l'importation	18 %
	- à la sortie des usines exercées	Exemptes
335 A	Gas-oils :	
	- à l'importation	10 %
	- à la sortie des usines exercées	Exempts
	Huiles lourdes de pétrole et produits assimilés, lubrifiants à base de produits du pétrole :	
336 B	- spindle et mazout de graissage :	
	- - à l'importation	18 %
	- - à la sortie des usines exercées	Exempts
336 C	- autres (huiles de graissage) et lubrifiants contenant des produits du pétrole, ou assimilés, en toutes proportions :	
	- - à l'importation	18 %
	- - à la sortie des usines exercées	Exempts
338	Paraffine :	
	- à l'importation	10 %
	- à la sortie des usines exercées	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
340 A	Produits bitumineux du pétrole (road-oils, bitumes de pétrole, brais durs, brais mous, émulsions, cut-backs et similaires):	
	- à l'importation	3 %
	- à la sortie des usines exercées	Exempts
341	Cokes de pétrole et produits assimilés :	
	- à l'importation	3 %
	- à la sortie des usines exercées	Exempts
342	Ozokérite, brute ou raffinée	10 %
	CHAPITRE 28	
	PRODUITS CHIMIQUES INORGANIQUES	
	Halogènes :	
346 B	- chlore	15 %
ex 346 D	- iode brut	30 %
ex 348	Soufre raffiné (trituré, sublimé et autre)	10 %
349	Sélénium et tellure :	
	- sélénium brut à 99,75 p. 100 et moins	10 %
	- autres	25 %
353	Antimoine	2 %
	Carbone :	
354 B	- noir de fumée :	
	- - noir de gaz de pétrole (carbon black) et noir d'acétylène	Exempts
	- - autre	10 %
354 C	- noir animal	13 %
354 E	- charbons activés	25 %
360	Métaux-radio-actifs (radium, mésothorium, radiothorium, actinium, polonium, etc.)	5 %
367 A	Acide chlorhydrique :	
	- commercial	18 %
	- pur ou chimiquement pur	18 %
369 D	Sulfure de carbone	12 %
372	Acide sulfurique	12 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
374	Acide nitrique :	
	- commercial	15 %
	- chimiquement pur	30 %
	Acides de l'arsenic :	
378 A	- anhydride arsénieux (trioxyde d'arsenic, arsenic blanc)	10 %
378 B	- anhydride et acide arséniques	10 %
379	Oxydes d'antimoine	5 %
387 A	Gaz ammoniac (anhydre)	12 %
	Soude :	
390 A	- hydroxyde de sodium	20 %
390 B	- lessives de soude résiduaires de la fabrication des pâtes de cellulose	15 %
392	Potasse (hydroxyde de potassium)	20 %
399	Oxyde de zinc (blanc et gris de zinc)	20 %
401 C	Alumine fondue (corindon artificiel, alundum), autre que les pierres synthétiques, brute, broyée ou en grains	10 %
ex 404	Oxydes de fer artificiels (contenant 70 p. 100 et plus de Fe^2O^3)	15 %
405	Oxydes de nickel	5 %
406	Oxydes et hydroxyde de cobalt	30 %
409	Pentoxyde de vanadium (anhydride vanadique)	15 %
411	Oxyde d'uranium	5 %
413	Oxydes de cuivre	10 %
	Oxydes de plomb :	
415 A	- litharge	12 %
415 B	- minium et mine orange	12 %
415 C	- bioxyde	12 %
418	Fluosilicates (de sodium, de baryum et autres)	20 %
ex 419	Chlorures :	
	- d'ammonium autre que pour usages agricoles	12 %
	- de calcium	5 %
	- de baryum	10 %

LISTE XI-A FRANCE

Première Partie (suite)

Position du tarif de la France	Désignation des produits	Taux des droits
ex 420	Oxychlorure de cuivre	10 %
ex 429	Sulfure de sodium	18 %
ex 432	Lignosulfites (lessives bisulfitiques résiduaires de la fabrication des pâtes de cellulose)	15 %
ex 435	Sulfates :	
	- d'ammonium autre que pour usages agricoles	12 %
	- de sodium	15 %
	- de fer: sulfate ferreux	12 %
	- de nickel, double de nickel et d'ammonium	10 %
	- de cuivre	8 %
435	Persulfates (d'ammonium, de sodium, de potassium et autres)	20 %
436	Sels simples ou complexes des acides du sélénium ou du tellure	25 %
ex 438	Nitrates :	
	- d'ammonium, de sodium, de potassium, de calcium, autres que pour usages agricoles	12 %
	- de nickel	15 %
	- de cobalt	20 %
ex 440	Phosphates :	
	- d'ammonium autre que pour usages agricoles	12 %
	- de calcium: bicalcique commercial	15 %
ex 442	Arséniates :	
	- de calcium	15 %
	- de plomb	20 %
ex 444	Carbonates :	
	- d'ammonium	12 %
	- de magnésium précipité	10 %
	- de nickel	25 %
	- de cobalt	25 %
	- de cuivre (cendre bleue)	10 %
	- de plomb : hydrocarbonate (céruse)	15 %
	- de bismuth	10 %
	Cyanures simples et complexes :	
ex 446 A	- cyanure de potassium et de sodium	17 %
ex 446 B	- sulfocyanure de cuivre	25 %
ex 446 C	- ferrocyanure de potassium (prussiate jaune)	25 %
ex 446 D	- ferricyanure de potassium (prussiate rouge)	25 %
ex 448	Silicates de sodium	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 449	Borate de sodium pur :	
	- anhydre	Exempt
	- hydraté	7 %
	Sels des acides d'oxydes métalliques :	
ex 451 C	- chromate de plomb (jaunes et orangés de chrome)...	20 %
ex 451 D	- bichromates :	
	- - de sodium	20 %
	- - de potassium	16 %
451 I	- vanadates (d'ammonium et autres)	15 %
455 A	Sels et composés de radium	Exempts
ex 461	Carbure de silicium (carborandum), brut, broyé ou en grains	10 %

CHAPITRE 29

PRODUITS CHIMIQUES ORGANIQUES

	Hydrocarbures aromatiques :	
ex 470 A	- mononucléaires :	
	- - benzène	Voir n°322 A
	- - toluène	Voir n°322 B
	- - xylènes: mélanges d'isomères	Voir n°322 C
ex 470 B	- polynucléaires: anthracène	Voir n°325
	Dérivés halogénés des carbures acycliques saturés :	
ex 471 A	- dérivés monohalogénés :	
	- - chlorures	20 %
	- - bromures:	
	- - - bromométhane (bromure de méthyle), bromoéthane (bromure d'éthyle)	25 %
	- - - autres	20 %
ex 471 B	- dérivés polyhalogénés :	
	- - polychlorures	20 %
	- - polybromures :	
	- - - tribromométhane (bromoforme)	20 %
	- - - dibromoéthane (dibromure d'éthylène)	25 %
ex 472 B	Dérivés polyhalogénés des carbures acycliques non saturés, autres	20 %
ex 475 B	Dérivés halogénés des carbures aromatiques polynucléaires : dichlorodiphényltrichloroéthane (D.D.T.).....	20 %
ex 482 A	Monoalcools acycliques saturés, et leurs dérivés halogénés, sulfonés, nitrés :	
	- alcools propylique et isopropylique	30 %
	- alcools butyliques et isobutylique	23 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
483 A	Polyalcools acycliques et leurs dérivés halogénés, sulfonés, nitrés: diols et leurs dérivés	30 %
ex 484	Alcools cyclaniques, cycléniques et cycloterpéniques, et leurs dérivés halogénés, sulfonés, nitrés: menthol	20 %
ex 485	Alcools aromatiques et leurs dérivés halogénés, sulfonés, nitrés: alcool benzylique, alcool cinnamique	20 %
	Ethers-oxydes acycliques et leurs dérivés halogénés, sulfonés, nitrés :	
ex 493 A	- éthers-oxydes et leurs dérivés, autres (oxydes de méthyle, d'isopropyle, de butyle, etc.)	25 %
493 B	- éthers-oxydes-alcools acycliques et leurs dérivés	30 %
ex 497 A	Aldéhydes acycliques saturés: méthanal (aldéhyde formique, formaldéhyde, formol), trioxyméthylène (paraformaldéhyde)	25 %
	Cétones acycliques et leurs dérivés halogénés, sulfonés, nitrés, leurs sels et leurs esters:	
ex 504 A	- monocétones: méthyléthylcétone	15 %
504 B	- polycétones	15 %
504 C	- cétones-alcools et cétones-aldéhydes (diacétone alcool, etc.)	20 %
ex 506	Cétones cyclaniques, cycléniques et cycloterpéniques:	
	- cyclohexanone et méthylcyclohexanone	20 %
	- camphre :	
	- - naturel brut	18 %
	- - autre (naturel raffiné et synthétique)	25 %
	Monoacides acycliques saturés, leurs anhydrides et leurs phlorures, leurs dérivés halogénés, sulfonés, nitrés, leurs sels et leurs esters :	
ex 508 B	- esters de l'acide acétique :	
	- - acétate de méthyle	20 %
	- - acétate d'éthyle	25 %
	- - acétates de propyle, d'isopropyle	25 %
	- - acétates de butyle, d'isobutyle	22 %
508 K	- acide stéarique, ses sels et ses esters	20 %
ex 509 C	Acide oléique	20 %
ex 511 D	Acide citrique, ses sels et ses esters :	
	- acide citrique	20 %
	- citrate de calcium brut (citrate de chaux)	Exempt
ex 520	Esters phosphoriques et leurs sels: tributylphosphate, triphénylphosphate, tricrésylphosphate et trixylénylphosphate purs ou mélangés entre eux	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 541	Imides et imines :	
	- imide sulfobenzoïque (saccharine)	12 %
	- guanidines	25 %
ex 550	Autres composés hétérocycliques, leurs dérivés halogénés, sulfonés, nitrés, leurs sels et leurs esters: mercaptobenzothiazole et dérivés du mercaptobenzothiazole	25 %
ex 551	Composés organo-minéraux contenant du soufre, autres que les composés hétérocycliques :	
	- xanthates (éthylxanthates, amyxanthates, etc.) non dénommés ni compris ailleurs	15 %
	- thiocarbamates	25 %
	- dérivés alcoylés et autres dérivés substitués des thiouramas sulfurés	25 %
	Vitamines, leurs sels et leurs esters :	
556 A	- vitamines liposolubles, leurs sels et leurs esters	15 %
556 B	- vitamines hydrosolubles, leurs sels et leurs esters	15 %
556 C	- autres	15 %
ex 558	Diastases: pepsine et présures	20 %
ex 561	Autres alcaloïdes, leurs éthers et leurs esters, et leurs sels :	
	- caféine et ses sels	13 %
	- émétine et ses sels	13 %
	- strychnine et ses sels	15 %
	- théobromine et ses sels	15 %
ex 566	Autres composés organiques, non dénommés ni compris ailleurs : pénicilline et substances similaires, et leurs sels	15 %
	CHAPITRE 30	
	PRODUITS PHARMACEUTIQUES	
	Médicaments pour la médecine humaine ou vétérinaire, non conditionnés pour la vente au détail :	
569 A	- mélanges de plantes médicinales, présentés avec autorisation préalable du Service central de la Pharmacie	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Médicaments pour la médecine humaine ou vétérinaire, non conditionnés pour la vente au détail : (suite)	
569 B	- huiles, farines, vins et autres préparations dont la composition ou la présentation leur confèrent des propriétés thérapeutiques, présentés avec autorisation préalable du Service central de la Pharmacie	18 %
569 C	- sels d'eaux minérales naturelles ou artificielles, présentés avec autorisation préalable du Service central de la Pharmacie	18 %
ex 569 D	- autres :	
	- - médicaments figurant au Codex français	18 %
	- - médicaments ne figurant pas au Codex français, présentés avec autorisation préalable du Service central de la Pharmacie	18 %
	Médicaments pour la médecine humaine ou vétérinaire, conditionnés pour la vente au détail :	
570 A	- médicaments figurant au Codex français; médicaments sur ordonnance médicale	10 % sur le prix de vente au public
ex 570 B	- autres	
	- - médicaments sous cachets conformes à la législation intérieure française	10 % sur le prix de vente au public
	- - spécialités pharmaceutiques conformes à la législation intérieure française	10 % sur le prix de vente au public
	CHAPITRE 31	
	ENGRAIS	
	Engrais naturel d'origine animale ou végétale, en vrac ou logés en emballages d'un poids brut de plus de 25 kg :	
572 B	- engrais organiques dissous	Exempts
572 C	- autres	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Engrais chimiques azotés, en vrac ou logés en emballages d'un poids brut de plus de 25 kg :	
573 A	- chlorure d'ammonium	Exempt
573 B	- sulfate d'ammonium	Exempt
573 C	- sulfonitrate d'ammonium et ammonitrates	Exempts
573 D	- nitrate de sodium, naturel ou synthétique	Exempt
573 E	- nitrate de calcium	Exempt
573 F	- nitrate de calcium et de magnésium	Exempt
573 G	- nitrate d'ammonium	Exempt
573 H	- cyanamide calcique	Exempte
573 I	- urée	Exempte
573 J	- autres	Exempts
	Engrais chimiques phosphatés, en vrac ou logés en emballages d'un poids brut de plus de 25 kg :	
574 A	- craies phosphatées	Exemptes
574 C	- scories de déphosphoration	Exemptes
574 D	- basiphosphates (thermophosphates)	Exempts
574 E	- phosphates bicalciques	Exempts
ex 574 G	- superphosphates autres	7 %
574 H	- phosphates d'ammonium	7 %
576	Engrais composés provenant du mélange, avec ou sans combinaison, d'au moins deux des engrais chimiques ci-dessus, additionnés ou non de produits d'origine végétale ou animale, en vrac ou logés en emballages d'un poids brut de plus de 25 kg	7 %
577	Engrais non dénommés ni compris ailleurs, en vrac ou logés en emballages d'un poids brut de plus de 25 kg	7 %
	CHAPITRE 32 PRODUITS de la DISTILLATION du BOIS, des TEREBENTHINES et des RESINES	
579 D	Méthylènes	20 %
	CHAPITRE 33 EXTRAITS TANNANTS et TINCTORIAUX; MATIERES COLORANTES	
584 B	Extraits de mimosa	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Matières colorantes minérales :	
590 A	- noirs minéraux non dénommés ni compris ailleurs, en morceaux , broyés ou pulvérisés	10 %
590 D	- lithopone	15 %
590 F	- outremer	16 %
590 G	- couleurs ferrocyaniques (bleu de Prusse)	25 %
590 H	- vert de Schweinfurt(acéto-arsénite de cuivre) ...	10 %
	Matières colorantes organiques (dérivés du goudron de houille et autres), contenant 50 p. 100 et moins d'eau :	
ex 591 C	- matières colorantes azoïques :	
	- - monoazoïques dérivées de la safranine et colorants monoazoïques pigmentaires insolubles pour laques	25 %
	- - polyazoïques noires	25 %
ex 593	Laques artificielles :	
	- à base de colorants animaux ou végétaux, ne contenant pas de carmin	15 %
	- à base de matières colorantes organiques, contenant moins de 3 p. 100 de colorants organiques ou moins de 8 p. 100 de pigments organiques	15 %
ex 594	Pigments broyés (à l'huile, aux vernis, à l'essence, etc.), autres	Droit des peintures présentées autrement (n° 599 B)

CHAPITRE 34

TEINTURES, VERNIS, PEINTURES, COULEURS; MASTICS; ENCRES; CRAYONS; PRODUITS de la CERACHIMIE

ex 595 A	Teintures préparées; teintures ménagères pour tissus, cuirs, etc. liquides en récipients d'une contenance de 0l25 et moins :	
	- sans alcool	10 %
	- avec alcool	15 %
	Vernis, présentés :	
596 A	- en récipients d'une contenance de 1 litre et moins, avec ou sans alcool	24 %
ex 596 B	- autrement, sans colorant organique ou contenant moins de 3 p. 100 de colorant organique , avec ou sans alcool	24 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
597	Extraits pâteux ou secs, colorés ou non, y compris ceux d'acétate de cellulose, pour la préparation des vernis et impropres à l'emploi direct	24 %
	Peintures, présentées;	
599 A	- en récipients d'une contenance de 5 litres et moins	24 %
ex 599 B	- autrement, sans colorant ni pigment organiques, ou bien contenant moins de 3 p. 100 de colorants organiques ou de 8 p. 100 de pigments organiques..	24 %
600	Couleurs pour la peinture artistique, la décoration, l'enseignement ou l'amusement, en tablettes, pastilles, godets, tubes, flacons, coquilles, etc., assorties ou non en boîtes, avec ou sans pinceaux, estampes , godets ou autres accessoires ainsi que les boîtes présentées non garnies	35 %
ex 604	Encres d'imprimerie :	
	- noires , à journal, sans huiles siccatives.....	25 %
	- autres, sans colorant ni pigment organiques ou bien contenant moins de 3 p. 100 de colorants organiques ou moins de 8 p. 100 de pigments organiques	15 %
608	Rubans encrés ou imprégnés pour machines à écrire et appareils similaires; tampons encreurs	15 %
609 D	Mines pour crayons; mines à écrire ou à dessiner sur toutes matières; mines lithographiques; mines contenant des matières grasses, dites "craies" et sanguines; pastels et autres articles analogues..	20 %
610	Crayons composés (à gaine), d'un diamètre (ou s'inscrivant dans un cercle d'un diamètre) de :	
	- plus de 6,5 mm:	
	- - avec mine de graphite ou d'ardoise :	
	- - - à gaine en bois blanc, non teinté ni traité intérieurement, verni ou non	30 %
	- - - autres	25 %
	- - avec mine de couleur ou avec mine à base de noir de fumée	25 %
	- - avec mine à copier ou avec mine à base de graisse, de cire, de beurre de cacao ou produits similaires	30 %
	- 6,5 mm et moins :	
	- - sans tête ni garniture	25 %
	- - avec tête ou garniture en toutes matières, y compris les têtes vernies	30 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 611	Couleurs, pigments et opacifiants pour la céramique, l'émaillerie, la verrerie, contenant des sels et (ou) de l'oxyde de cobalt	17 %
ex 612	Compositions vitrifiables (émaux), contenant des sels et (ou) de l'oxyde de cobalt	17 %
	CHAPITRE 35 HUILES ESSENTIELLES ET ESSENCES; ARTICLES de PARFUMERIE	
ex 616	Huiles essentielles non détérpénés , concrètes ou liquides : - essences de menthe, de jasmin, de rose, de patchouli, de vétyver, de pin, d'aiguilles de pin, de cajeput, de niaouli, d'eucalyptus, de badiane, d'anis, de fenouil, de citron, de cédrat, de limette, d'orange douce (portugal), d'orange amère (bigarrade), de bergamote, de mandarine, de pamplemousse, de citronelle, de lemon-grass, de verveine, d'aspic, de lavande, de lavandin, d'origan, de thym, de romarin, de serpolet, de marjolaine, de rue, de sauge, de bois de rose, de shiu, de linaloé, de mâcis, de muscade, de carvi, de coriandre, de genièvre, de cumin, de galanga de moutarde, de myrte, de petit grain, de néroli, de fleurs d'oranger, de girofle, de cannelle, de bay	Exemptes
	- autres essences (à l'exclusion des essences de cananga, d'ylang-ylang, de camphre, de sassafras, de géranium Bourbon, de géranium rosat, de palmarosa)	5 %
618	Essences détérpénées : - de citron, de cédrat, de limette, d'orange douce (portugal), d'orange amère (bigarrade), de bergamote, de mandarine, de pamplemousse	15 %
	- autres	12 %
622	Compositions à base de parfums naturels ou artificiels destinées à la parfumerie ou à l'alimentation (mélanges de produits chimiques, et (ou) de produits naturels , non utilisables en l'état)	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
623	Parfums (extraits, lotions, eaux de toilette, etc.):	
	- liquides :	
	- - non alcooliques	10 %
	- - alcooliques, présentés en récipients d'une contenance de :	
	- - - plus de 1/2 l.....	10 %
	- - - 1/2 l. et moins	15 %
	- cosmétiques	10 %
624	Produits dentifrices (eaux, élixirs, poudres, pâtes, savons):	
	- non alcooliques	10 %
	- alcooliques	15 %
625	Produits capillaires (teintures, cosmétiques, fixateurs, brillantines, liquides pour indéfrisables, shampooings, etc.) :	
	- non alcooliques	10 %
	- alcooliques	15 %
626	Produits pour les soins de la peau et le maquillage (crèmes et laits de beauté, crèmes à raser non mousseuses, dépilatoires, désodorisants, pommades et vaselines parfumées, rouges à lèvres, fards, poudres de riz, talcs parfumés, vernis à ongles, etc.):	
	- non alcooliques	10 %
	- alcooliques	15 %
627	Autres produits de parfumerie (parfums à brûler, sachets de parfums, papiers d'Arménie, etc.)	10 %
	CHAPITRE 36	
	DERIVES des CORPS GRAS NATURELS ou SYNTHETIQUES; SAVONS; CIRES ARTIFICIELLES; BOUGIES; LESSIVES	
628 C	Dérivés des corps gras insolubles dans l'eau: alcools gras en C^6 et au-dessus	20 %
629 A	Dérivés des corps gras solubles dans l'eau, à l'exception des savons: produits à anion actif :	
	- dérivés sulfonés	20 %
	- autres	20 %
ex 638	Préparations conditionnées pour lessives, sans substances organiques	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 37 MATIERES ALBUMINOIDES et COLLES DIVERSES	
639	Caséine et caséinates non dénommés ni compris ailleurs	10 %
640	Albumines (d'oeuf, de sang, etc.): - impropres aux usages alimentaires et dénaturées.. - autres	 Exemptes 20 %
642	Gélatine en poudres, grains, brisures ou flocons, en feuilles non découpées ou découpées de forme carrée ou rectangulaire, brutes, colorées, gaufrées, coloriées, irisées, ivoirées, métallisées, moirées, vernies, vernissées	20 %
645	Dextrines, y compris les amidons et les fécules torréfiés	35 %
	Colles animales en emballages d'une contenance nette de plus de 1 kg :	
646 A	- colles de poisson	15 %
646 C	- autres (colles d'os, de peau, de nerfs, de tendons, etc.)	20 %
647 B	Colles végétales en emballages d'une contenance nette de plus de 1 kg: colles à base de matières amylacées et de leurs dérivés et autres colles végétales (de lichen, de fucus, etc. à l'exclusion des colles à base de gommes végétales)	25 %
ex 648	Colles à base de matières solubles uniquement dans les solvants organiques, en emballages d'une contenance nette de plus de 1 kg: colles d'urée, colles cellulosiques, colles vinyliques	Droit des vernis présentés autrement (n°596 B)
ex 650	Colles conditionnées en emballages d'une contenance nette de 1 kg et moins : - colles de poisson ..... - colles d'autres matières animales ..... - colles d'urée ou vinyliques, colles cellulosiques	 15 % 20 % Droit des vernis présentés en récipients d'une contenance de 1l et moins (n°596 A)
	- colles à base de silicates	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 38 POUDRES; EXPLOSIFS; ARTICLES de PYROTECHNIE; ALLUMETTES; FERRO-CERIUM; MATIERES INFLAMMABLES; EXTINCTEURS	
ex 655 A	Amorces et capsules fulminantes pour armes : - de guerre, présentées pour le compte du Monopole... - de chasse et de tir	 Exemptes 10 %
ex 660	Allumettes, présentées pour le compte du Monopole....	5 %
	CHAPITRE 39 SURFACES SENSIBLES; FILMS; PRODUITS pour la PHOTOGRAPHIE et la CINEMATOGRAPHIE	
664 A	Plaques en verre sensibilisées non impressionnées ...	15 %
665	Pellicules non perforées sensibilisées non impressionnées : - sensibilisées sur une seule face ..... - sensibilisées sur les deux faces	 15 % 15 %
666	Pellicules perforées sensibilisées non impressionnées: - négatives ..... - positives, inversibles, duplicating	 20 % 20 %
667	Papiers et cartes sensibilisés (en feuilles, rouleaux, rondelles, etc.) : - pour images monochromes : - - aux sels d'argent ou de platine, aux sels de fer.. - - azoïques, pigmentaires (au charbon, etc.) ..... - - autres ..... - pour images polychromes	 25 % 15 % 25 % 25 %
ex 668	Surfaces sensibles impressionnées non développées: pellicules perforées (films)	 2.000f le kg 1/2 brut
670	Films cinématographiques muets (bandes ne comportant que les images) impressionnés et développés : - films négatifs : - - films d'actualités: - - - monochromes ..... - - - polychromes	 3f le mètre 6f le mètre

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
670 (suite)	Films cinématographiques muets (bandes ne comportant que les images) impressionnés et développés (suite):	
	- films négatifs (suite):	
	- - autres, d'une largeur de :	
	- - - moins de 10 mm:	
	- - - - monochromes	6f le mètre
	- - - - polychromes	9f le mètre
	- - - 10 mm inclus à 35 mm exclus :	
	- - - - monochromes	15f le mètre
	- - - - polychromes	20f le mètre
	- - - 35 mm (standard) et plus:	
	- - - - monochromes	20f le mètre
	- - - - polychromes	25f le mètre
	- films positifs :	
	- - films d'actualités :	
	- - - monochromes	1f le mètre
	- - - polychromes	2f le mètre
	- - autres, d'une largeur de :	
	- - - moins de 10 mm :	
	- - - - monochromes	1f20 le mètre
	- - - - polychromes	3f le mètre
	- - - 10 mm inclus à 35 mm exclus :	
	- - - - monochromes	3f le mètre
	- - - - polychromes	5f le mètre
	- - - 35 mm (standard) et plus :	
	- - - - monochromes	4f le mètre
	- - - - polychromes	5f le mètre
	Films cinématographiques sonores impressionnés et développés :	
671 A	- bandes ne comportant que l'enregistrement du son, négatives ou positives :	
	- - films d'actualités	1f le mètre
	- - autres, d'une largeur de :	
	- - - moins de 10 mm	2f le mètre
	- - - 10 mm à 35 mm exclus	3f le mètre
	- - - 35 mm(standard) et plus	4f le mètre
671 B	- bandes comportant à la fois les images et le son :	
	- - films négatifs :	
	- - - films d'actualités :	
	- - - - monochromes	3f le mètre
	- - - - polychromes	5f le mètre
	- - - autres, d'une largeur de :	
	- - - - moins de 10 mm:	
	- - - - - monochromes	6f le mètre
	- - - - - polychromes	9f le mètre
	- - - - 10 mm inclus à 35 mm exclus :	
	- - - - - monochromes	15f le mètre
	- - - - - polychromes	20f le mètre
	- - - - 35 mm (standard) et plus :	
	- - - - - monochromes	20f le mètre
	- - - - - polychromes	25f le mètre

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Films cinématographiques sonores impressionnés et développés (suite):	
671 B	- bandes comportant à la fois les images et le son (suite):	
	- - films positifs :	
	- - - films d'actualités :	
	- - - - monochromes	1f le mètre
	- - - - polychromes	2f le mètre
	- - - autres, d'une largeur de :	
	- - - - moins de 10 mm :	
	- - - - - monochromes	1f20 le mètre
	- - - - - polychromes	3f le mètre
	- - - - 10 mm inclus à 35 mm exclus :	
	- - - - - monochromes	3f le mètre
	- - - - - polychromes	5f le mètre
	- - - - 35 mm (standard) et plus :	
	- - - - - monochromes	4f le mètre
	- - - - - polychromes	5f le mètre
672	Produits chimiques conditionnés pour usages photographiques (révélateurs, fixeurs, virageurs, renforçateurs, etc.)	20 %
	CHAPITRE 40	
	OUVRAGES en ABRASIFS; PIECES et OBJETS en CHARBON ARTIFICIEL; BAGUETTES et COMPOSITIONS POUR LA SOUDURE	
673	Abrasifs , naturels ou artificiels, appliqués sur tissus , papier, carton, fibre, bois et autres matières, découpés ou non	10 %
674	Pierres à aiguiser :	
	- pierres naturelles, ébauchées ou finies; pierres en poterie	8 %
	- pierres en abrasifs agglomérés	12 %
	Meules et articles similaires, avec ou sans frettes ou autres parties en autres matières :	
675 A	- meules à meuler :	
	- - en pierre ou autre minéral naturel, ébauchées ou finies	5 %
	- - en agglomérés, avec ou sans parties en pierre...	12 %
675 B	- meules à défibrer	12 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Moulos ot articlos similairos, avoc ou sans frottos ou autros partios on autros matièros (suito):	
ex 675 C	- moulos à aiguiser, à affûtor, à polir, à rootifior, à scior, oto., on abrasifs agglomérés, avoc ou sans partios on pierro naturollo ou on potorio:	
	- - on abrasifs naturols, d'un poids unitairo do :	
	- - - plus do 20 g	12 %
	- - - 20 gr ot moins	15 %
	- - on abrasifs artificiols, d'un poids unitairo dos	
	- - - plus do 20 g	15 %
	- - - 20 g ot moins	18 %
	Piècos ot objots on charbon agglomoró ou cuit, dit "charbon artificiol" ou on graphito artificiol :	
677 A	- charbons pour ares électriques	15 %
677 B	- électrodes pour fours électriques ot électrolyse; charbons pour piles électriques	15 %
677 C	- charbons on plaques ou on barres pour balais, on compositions métallographiques ot autros	5 %
677 D	- balais pour machines ot appareils électriques, on compositions métallographiques ot autros, avec ou sans connexions	10 %
677 E	- charbons pour téléphones ot microphones (on disques, pastilles, cuvettes, oto.); charbons pour filtres; charbons do parafoudre, garnitures, joints ot autres piècos	10 %
	CHAPITRE 41	
	PRODUITS DIVERS des INDUSTRIES CHIMIQUES NON DENOMMES NI COMPRIS AILLEURS	
682	Produits activés non dénommés ni compris ailleurs (silice fossile activée, argile activée, bentonite artificielle, oto.)	20 %
	Préparations désinfectantes, insecticides, anticryptogamiques, fongicides, herbicides, antiparasitaires ot similaires, non dénommés ni compris ailleurs, présentées :	
683 A	- en emballages d'une contenance netto do 1 kg ot moins	15 %
ex 683 B	- autrement :	
	- - produits arsenicaux, y compris les spécialités cupro-arsenicales	15 %
	- - produits cupriques	10 %
	- - produits sulfurés, produits à base d'huiles végétales ou minérales et de leurs dérivés, insecticides végétaux	15 %
	- - autres: appâts empoisonnés	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
685 A	Produits d'entretien (préparations pour l'entretien du cuir, du bois, des peintures, des ouvrages en métaux, du verre, etc., liquides, pâteuses ou solides): solutions ou émulsions dont l'extrait sec contient 50 p. 100 et plus de cire (animale, végétale, minérale ou artificielle), d'ozokérite, de paraffine, pures ou mélangées entre elles (cirages, encaustiques, crèmes, etc.)	15 %
687	Accélérateurs de vulcanisation non dénommés ni compris ailleurs	30 %
	CHAPITRE 42 DERIVES de la CELLULOSE; MATIERES PLASTIQUES ET RESINES ARTIFICIELLES; OUVRAGES NON DENOMMES NI COMPRIS AILLEURS EN CES MATIERES	
691	Cellulose régénérée de la viscose (xanthate de cellulose) non façonnée ni imprimée, présentée :	
	- en feuilles non découpées ou découpées de forme carrée ou rectangulaire, ou en rouleaux, à surface travaillée ou traitée ou non, d'une largeur de :	
	- - plus de 1 cm	25 %
	- - 1 cm et moins	Droit des lames en fibres artificielles (n° 932)
	- en déchets ou débris d'ouvrages ou autrement	25 %
ex 694 A	Matières plastiques à base d'esters de la cellulose: - à base d'acétates de cellulose (diacétate et triacétate): plaques et feuilles à surface travaillée ou traitée (polie, matée, colorée, etc.); tubes, jones et bâtons rectifiés ou autrement ouvrés	20 %
694 B	- à base de nitrocellulose (celluloïd), en blocs, masses, granulés; plaques et feuilles à surface travaillée ou non; tubes et bâtons ouvrés ou non; déchets et débris d'ouvrages	20 %
ex 694 C	- à base d'autres esters de la cellulose (propionate, etc.) ou d'esters mixtes (acétobutyrate, etc.): plaques et feuilles à surface travaillée ou traitée (polie, matée, colorée, etc.); tubes, jones et bâtons rectifiés ou autrement ouvrés	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
697	Matières plastiques à base de matières albuminoïdes (caséine durcie, etc.), en blocs, masses; plaques et feuilles à surface travaillée ou traitée ou non; tubes, jones et bâtons ouvrés ou non; déchets et débris d'ouvrages	15 %
	Produits de condensation des phénols, amines ou amides avec des aldéhydes :	
ex 699 A	- phénoplastes, résultant de la condensation des phénols ou de leurs homologues avec des aldéhydes (phénol-, crésol-, xylénol-formaldéhyde, phénol-furfurol, etc.) :	
	- - non modifiés, non polymérisés	15 %
	- - modifiés	15 %
ex 699 B	- amin-oplastes, résultant de la condensation des amines ou des amides avec des aldéhydes (anilino-, urée-, thiourée-, mélamino-formaldéhyde, etc.) non polymérisés	15 %
	Produits de polymérisation thermoplastiques dérivés de l'éthylène ou de ses homologues (produits vinyliques, acryliques, méthacryliques), en masses solides, morceaux, poudres, granulés, mélangés ou non à des charges ou des matières colorantes ; liquides, y compris les émulsions et dissolutions; déchets et débris d'ouvrages; plaques et feuilles à surface travaillée ou traitée ou non; tubes , jones et bâtons bruts, rectifiés ou autrement ouvrés :	
700 A	- acétate de polyvinyle	35 %
700 B	- chlorure de polyvinyle	35 %
700 C	- chlorure de polyvinylidène	35 %
700 D	- autres esters de polyvinyle (chloracétate, etc.); copolymères vinyliques (acétate-chlorure, maléate-acétate, etc.)	35 %
700 E	- copolymères d'esters vinyliques et d'acide acrylique ou méthacrylique	35 %
700 F	- éthers et cétones polyvinyliques	35 %
700 G	- dérivés chimiques de l'acétate polyvinylique, alcools et acétals polyvinyliques (formal, acétal, butyral, acétals mixtes, etc.)	35 %
700 H	- dérivés acryliques et méthacryliques	35 %
700 I	- carbures polyvinyliques (polystyrol, etc.)	35 %
700 J	- polyéthylènes	35 %
700 K	- autres (amines et imines polyvinyliques , polyvinylcarbazole, etc.)	35 %
705	Résines naturelles modifiées par fusion (gommes fondues) ou combinées avec des polyalcools (gommes-esters)	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
705	Objets moulés en matières thermoplastiques	30 %
706	Objets moulés en matières thermodurcissables	30 %
707	Cellulose régénérée de la viscose (xanthate de cellulose) façonnée (sacs, sachets, tubes, etc.), découpée autrement que de forme carrée ou rectangulaire ou (et) imprimée:	
	- à surface non travaillée ni traitée	25 %
	- à surface travaillée ou traitée (matée, coloriée, soyeuse, vernie, gaufrée, imperméabilisée, etc.)..	28 %
708	Ouvrages en matières plastiques dérivées des albuminoïdes (caséine durcie, etc.)	20 %
ex 709	Objets non moulés en autres matières plastiques (à base d'esters et d'éthers de la cellulose, de produits de condensation et de polymérisation, etc.):	
	- non stratifiées:	
	- - articles de conditionnement (sacs, sachets, capsules, bouchons, étuis, boîtes, etc.) imprimés ou non	25 %
	- - autres articles (à l'exclusion du linge dit "américain", avec ou sans tissu)	25 %
	- stratifiées	25 %

CHAPITRE 43

CAOUTCHOUC et OUVRAGES en CAOUTCHOUC

	Caoutchouc naturel et gommes analogues :	
710 A	- caoutchouc brut	Exempt
710 B	- balata	Exempte
710 C	- gutta-percha	Exempte
710 D	- autres	Exempts
711 A	Caoutchoucs artificiels	Exempts
712	Gommes régénérées	Exemptes
713	Produits de récupération (déchets bruts et débris d'ouvrages, poudrettes)	Exempts
714	Feuilles et rubans en caoutchouc non vulcanisé	9 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Autres articles en caoutchouc non vulcanisé :	
715 B	- dissolutions et dispersions	15 %
715 D	- adhésifs industriels à base de caoutchouc ou de produits assimilés, sur tous supports (tissu, papier, feutre, matières plastiques, etc.) en feuilles, bandes, tresses, ou bien découpés	15 %
	Fils de caoutchouc :	
716 A	- fils de caoutchouc nus	5 %
716 B	- fils et cordes de caoutchouc recouverts de fils textiles	18 %
ex 717	Plaques, feuilles et bandes en caoutchouc vulcanisé, non découpées ou découpées de forme carrée ou rectangulaire, combinées avec des tissus (comportant plus de deux plis ou pesant plus de 1500 g au m2), avec des matières textiles en fils ou en réseaux, avec des métaux ou avec d'autres matières	18 %
7 18	Tubes et tuyaux en caoutchouc, combinés ou non avec d'autres matières	14 %
719	Courroies en caoutchouc (transporteuses ou de transmission)	14 %
720	Revêtements et tapis de pieds en caoutchouc non spongieux ni cellulaire	14 %
	Articles d'hygiène, de pharmacie et de chirurgie en caoutchouc :	
721 A	- poires à injection, pour compte-gouttes, vaporisateurs et autres usages	20 %
721 B	- tétines, tétorelles, suceettes, capuchons stérilisateurs et articles similaires	20 %
721 C	- gants	20 %
721 D	- préservatifs	20 %
721 E	- bonnets de bain	20 %
721 F	- autres (vessies à glace, bouillottes, coussins, sacs à oxygène, sondes, canules , urinaux, pessaires, collecteurs pour opérés, etc.)	20 %
	Vêtements et accessoires du vêtement en caoutchouc :	
722 C	- bretelles, jarretières, jarretelles et leurs parties	30 %
722 D	- mouflles et gants à crispin pour usages industriels	30 %
722 E	- autres (à l'exclusion des pélerines, imperméables, tabliers, couche-culottes et dessous de bras)	30 %
723	Articles en caoutchouc spongieux ou cellulaire non dénommés ni compris ailleurs	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Bandages et pneumatiques pour roues de véhicules :	
724 A	- bandages pleins ou creux (sur armatures ou en boudins)	18 %
724 B	- chambres à air, d'un poids unitaire de :	
	- - plus de 2 kg (dites pour autos extra-lourdes et lourdes)	18 %
	- - 2 kg et moins (dites pour autos légères, motos, vélos et vélomoteurs)	22 %
724 C	- enveloppes :	
	- - pneumatiques pour aérodynes	22 %
	- - autres , y compris les "boyaux" d'un poids unitaire de :	
	- - - plus de 15 kg (dites pour autos extra-lourdes et lourdes)	18 %
	- - - 15 kg et moins (dites pour autos légères, motos, vélos et vélomoteurs).....	22 %
	Autres ouvrages en caoutchouc, non dénommés ni compris ailleurs :	
725 A	- articles moulés, non confectionnés	14 %
725 B	- articles profilés ou tirés à la boudineuse, non confectionnés	14 %
725 C	- articles en feuilles ou manchons découpés, non confectionnés	14 %
725 D	- articles confectionnés par collage ou autrement, avec ou sans parties en autres matières	14 %
	Caoutchouc durci (ébonite):	
726 A	- planches, plaques et feuilles non découpées ou découpées de forme carrée ou rectangulaire	18 %
726 B	- baguettes et bâtons	18 %
726 C	- tubes	18 %
	CHAPITRE 44	
	CUIRS et PEAUX	
	Cuirs et peaux bruts :	
728 A	- cuirs de gros bovins (boeufs, vaches et taureaux), y compris les bufflos	Exempts
728 B	- cuirs de vachettes	Exempts
728 C	- peaux de veaux	Exemptes
728 D	- peaux d'équidés	Exemptes
728 E	- peaux d'ovins, à l'exception des cuirets secs: moutons (peaux lainées, rasons et métis), agneaux et regards	Exemptes

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Cuirs et peaux bruts (suite):	
728 F	- peaux de caprins, à l'exception des cuirets secs..	Exemptes
728 G	- peaux de porcins	Exemptes
728 H	- peaux de reptiles, de batraciens, de poissons et d'animaux marins	Exemptes
728 I	- autres, non dénommés ni compris ailleurs	Exempts
729 E	Peaux d'ovins chaulées ou picklées, y compris les cuirets secs:	
	- moutons	Exemptes
	- agneaux et regards	10 %
ex 730	Cuirs de gros bovins (bœufs, vaches et taureaux), y compris les bufflos, seulement tannés:	
	- cuirs de pleine épaisseur, parties de cuirs: collets, flancs et autres parties (à l'exclusion des bandes, dessets et croupons)	10 %
	- cuirs seiés :	
	- - fleurs :	
	- - - cuirs entiers	12 %
	- - - parties de cuirs: flancs et autres parties (à l'exclusion des bandes, dessets, croupons et collets)	12 %
	- - croûtes: cuirs entiers	10 %
733	Peaux d'ovins seulement tannées :	
	- peaux mégissées ou traitées au formol	10 %
	- autres :	
	- - métis des Indes	2 %
	- - autres :	
	- - - moutons	6 %
	- - - agneaux et regards	10 %
734	Peaux de caprins seulement tannées :	
	- peaux mégissées ou traitées au formol	6 %
	- autres :	
	- - chèvres des Indes	2 %
	- - autres	10 %
735 A	Peaux de porcins seulement tannées	15 %
	Cuirs de gros bovins (bœufs, vaches et taureaux), y compris les bufflos, corroyés ou travaillés après tannage :	
736 A	- à tannage végétal ou synthétique	15 %
736 B	- à tannage minéral ou à tannage combiné (y compris le semi-chrome)	15 %
736 C	- cuirs chamoisés	10 %
736 D	- cuirs hongroyés ou parcheminés	15 %
736 E	- cuirs vernis ou métallisés	17 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des marchandises	Taux des droits
	Peaux de veaux travaillées après tannage :	
737 A	- à tannage végétal ou synthétique :	
	- - peaux non nourries	12 %
	- - peaux nourries	12 %
737 B	- à tannage minéral ou à tannage combiné	12 %
737 D	- peaux vernies ou métallisées	17 %
	Peaux d'équidés travaillées après tannage :	
ex 738 A	- à tannage végétal ou synthétique, peaux non nourries et nourries, parties de peaux: culées et jambons, devants et autres parties (à l'exclusion des bandes et croupons de culées)	10 %
ex 738 B	- à tannage minéral ou à tannage combiné, parties de peaux : culées et jambons, devants et autres parties (à l'exclusion des bandes et croupons de culées)	10 %
738 D	- peaux vernies ou métallisées	17 %
	Peaux d'ovins travaillées après tannage :	
739 A	- peaux chamois-ées	12 %
739 B	- peaux vernies, métallisées ou veloutées	20 %
739 C	- autres, y compris les peaux parchemin-ées	15 %
	Peaux de caprins travaillées après tannage :	
740 A	- peaux vernies, métallisées ou veloutées	20 %
740 B	- autres, y compris les peaux parchemin-ées	15 %
	Autres peaux travaillées après tannage :	
741 A	- peaux de porcins	15 %
741 B	- peaux de cervidés et antilopinés	12 %
741 C	- peaux de chiens	12 %
741 D	- peaux de lapins	12 %
741 E	- peaux de phoques et autres mammifères marins ...	12 %
741 F	- peaux de reptiles, de batraciens et de poissons	12 %
741 G	- autres	12 %
744	Imitations de cuir, à base de fibres végétales, minérales ou animales (cuir excepté), pures ou mélangées, agglomérées ou imprégnées à l'aide de caoutchouc naturel ou synthétique, de viscose, de résines naturelles ou synthétiques et autres produits analogues, en feuilles, plaques ou rouleaux, enduites ou non, mais non façonnées ni ouvrées	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 45 OUVRAGES en CUIR ou en PEAU et OUVRAGES des INDUSTRIES CONNEXES	
	Articles de sellerie :	
746 D	- carniers, musettes, sacs à outils, sacoches	25 %
746 E	- étuis pour armes, pour jumelles, pour appareils photographiques ou autres; cartouchières	25 %
747	Serviettes, cartables, porte-musique et similaires..	25 %
748	Sacs-cabas et sacs à provisions	25 %
	Articles de voyage :	
750 A	- malles	25 %
750 B	- sacs de voyage	25 %
750 C	- mallettes ou porte-habits	25 %
750 D	- boîtes à chapeaux, à chaussures, à cols , à manchettes, à cravates, etc., flaconniers et autres articles similaires	25 %
	Articles de maroquinerie non dénommés ni compris ailleurs :	
751 A	- sacs de dames et de fillettes, de toutes formes...	25 %
751 B	- trousses souples	25 %
751 C	- autres articles (portefeuilles, porte-monnaies, porte-cartes, étuis souples, blagues à tabac, liseuses, etc.)	25 %
	Articles de gainerie non dénommés ni compris ailleurs :	
752 A	- écrins	25 %
752 B	- autres articles	25 %
	Articles de ganterie en cuir ou peau :	
755 A	- gants de ville pour hommes, garçonnets et enfants	22 % avec minimum de perception de 60F par paire.
755 B	- gants de ville pour femmes et fillettes	22 % avec minimum de perception de 60F par paire.
755 C	- gants de protection industrielle	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Articles industriels en cuir :	
756 A	- courroies	10 %
756 C	- articles pour l'industrie textile	20 %
756 E	- autres articles, non dénommés ni compris ailleurs	20 %
757	Autres ouvrages en cuir ou peau ou en cuir artificiel, non dénommés ni compris ailleurs	20 %
	CHAPITRE 46	
	PELLETERIES et FOURRURES	
	Pelleteries brutes non dénommées ni comprises ailleurs :	
759 A	- lapins et lièvres	Exemptes
759 B	- autres	Exemptes
	Pelleteries apprêtées, en peaux ou en morceaux cousus (carrés, nappes, nappettes, sacs ou touloupes); déchets et abats non cousus:	
760 A	- lapins et lièvres, en peaux ou en morceaux cousus:	
	- - blancs non teints	Exemptes
	- - autres	10 %
760 B	- loutres de mer, nutries et castors, en peaux ou en morceaux cousus	Exemptes
760 C	- autres pelleteries apprêtées, y compris les chèvres et moufflons d'Asie et les chiens de Chine, en peaux ou en morceaux cousus	10 %
	Pelleteries ouvrées ou confectionnées (fourrures) non dénommées ni comprises ailleurs :	
761 A	- queues tournées	30 %
761 B	- vêtements et accessoires du vêtement fourrés ou (et) garnis de fourrure dans lesquels la valeur de la pelleterie excède 50 p. 100 de la valeur totale de l'article	30 %
	CHAPITRE 47	
	BOIS et OUVRAGES en BOIS	
	Bois de feu :	
763 A	- bûches de 1 m 20 et moins de longueur, en quartiers refendus ou en rondins de moins de 60 cm de circonférence au gros bout; ramilles, fagots et bourrées	8 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Bois de feu (suite) :	
763 B	- déchets de bois autres que les sciures	8 %
763 C	- bois conditionnés pour gazogènes	8 %
764	Charbon de bois	4 %
	Bois ronds bruts, même écorcés ou dégrossis à la hache ou à l'herminette :	
ex 765 A	- bois communs :	
	- - conifères :	
	- - - rondins d'une longueur de moins de 2 m 50 et de tous diamètres, destinés à la papeterie...	10 %
	- - - poteaux écorcés d'une longueur de 6 m 50 exclus à 15 m 50 inclus et ayant de circonférence au gros bout de 45 cm exclus à 90 cm inclus	10 %
	- - autres	10 %
765 B	- bois fins	Exempts
	Bois équarris ou plancés, à la hache, à la scie, à la plane ou à l'herminette :	
766 A	- bois communs :	
	- - conifères, injectés, imprégnés ou enduits ou non	10 %
	- - autres, autres (à l'exclusion de l'okoumé et du chêne), injectés, imprégnés ou enduits ou non..	15 %
766 B	- bois fins	Exempts
	Bois sciés non dénommés ni compris ailleurs :	
ex 767 A	- bois communs :	
	- - conifères, injectés, imprégnés ou enduits ou non, d'une épaisseur de plus de 75 mm	14 %
	- - autres, autres (à l'exclusion de l'okoumé et du chêne), injectés, imprégnés ou enduits ou non, d'une épaisseur de 5 mm exclus à 75 mm inclus ..	18 %
767 B	- bois fins :	
	- - cèdre	Exempt
	- - autres, y compris l'acajou et le noyer	5 %
770 A	Bois de tonnellerie: merrains	5 %
771	Bois feuillards, lisses, lattes, échalas fendus	15 %
ex 773	Feuilles et feuillets de placage :	
	- non raccordés ni jointés, en bois commun	15 %
	- raccordés ou jointés	15 %
779	Bois rabotés, rainés et (ou) bouvetés; planches, frises ou lames de parquets rabotées, rainées et (ou) bouvetées	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 780	Baguettes et moulures en bois autres (à l'exclusion des baguettes pour conduites électriques).....	18 %
784	Panneaux plaqués ou contreplaqués	25 %
ex 791	Caisses et emballages légers en bois non plaqués ni contreplaqués, en bois tranchés ou déroulés ou comportant des parties en bois tranchés ou déroulés (billets, boîtes à fromages, etc.)	8 %
792 A	Ouvrages de tonnellerie, cerclés en bois ou en métal; futaillons, fûts ou foudres :	
	- démontés, en bottes ou en vrac, et toutes pièces détachées finies (douelles jointées ou rognées, fonçures rabotées et chantournées, etc.)	20 %
	- montés, présentés :	
	- - vides	20 %
	- - pleins	10 %
ex 794 C	Articles en bois pour l'industrie non dénommés ni compris ailleurs, autres, en bois commun, avec ou sans garnitures ou accessoires	8 %
796	Manches d'outils, même avec ferrures ou accessoires métalliques, en bois commun ou en bois fin	6 %
798 B	Ouvrages de tablettorie et de petite ébénisterie, objets d'ornement, d'étagères et articles de fantaisie ou de parure en bois, non dénommés ni compris ailleurs, autres objets	15 %
ex 799 B	Autres ouvrages en bois, non dénommés ni compris ailleurs, autres articles en bois commun	10 %
	CHAPITRE 48	
	AMEUBLEMENT et LITERIE	
	Sièges en bois non rembourrés, montés ou non, et leurs parties :	
800 A	- en osier, roseau, rotin, bambou et similaires...	20 %
800 B	- autres:	
	- - non pliants :	
	- - - en bois courbé	18 %
	- - - autres qu'en bois courbé	20 %
	- - pliants	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Sièges rembourrés, montés ou non, et leurs parties:	
802 A	- sièges dits "confortables"	20 %
ex 802 B	- autres :	
	- - en bois	20 %
	- - en autres matières, non dénommés ni compris ailleurs, autres (à l'exclusion des matières plastiques)	20 %
	Meubles autres que sièges, en bois, non garnis ni gainés , montés ou non et leurs parties :	
804 A	- en osier, roseau, rotin, bambou et similaires ...	20 %
804 B	- autres :	
	- - en bois courbé	15 %
	- - autres qu'en bois courbé :	
	- - - massifs :	
	- - - - en bois commun	15 %
	- - - - en bois fin	20 %
	- - - plaqués	20 %
	Meubles autres que sièges, garnis ou gainés, montés ou non, et leurs parties :	
806 A	- rembourrés ou capitonnés	Droits des sièges rembourrés autres, selon l'espèce (n°802 B)
806 B	- entièrement gainés	20 %
ex 806 C	- autres :	
	- - en bois	20 %
	- - en autres matières, non dénommés ni compris ailleurs, autres (à l'exclusion des matières plastiques)	20 %
807	Cadres en bois	15 %
808	Appareils d'éclairage en bois :	
	- en bois commun, unis, moulurés, sculptés ou autrement travaillés :	
	- - sans garnitures en autres matières	15 %
	- - garnis d'autres matières (métal, verre, céramique, matières plastiques, etc.)	20 %
	- en bois fin ou replaqué de bois fin	20 %
	Sommiers :	
810 A	- métalliques	20 %
810 B	- autres	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
811	Matelas et articles similaires, à carcasses métalliques et autres	20 %
812	Oreillers et traversins garnis	20 %
813	Couvre-pieds, édredons, coussins, couettes, sacs de couchage et articles similaires garnis	20 %
	CHAPITRE 49	
	LIEGE et OUVRAGES en LIEGE	
	Liège aggloméré ouvré :	
818 B	- rondelles pour fonds de capsules et usages analogues	25 %
818 C	- autres ouvrages, non dénommés ni compris ailleurs ..	25 %
	CHAPITRE 50	
	OUVRAGES de SPARTERIE et de VANNERIE	
ex 821 A	Ouvrages de vannerie non dénommés ni compris ailleurs, en matières végétales, non garnis ni décorés d'autres matières :	
	- en végétaux bruts	18 %
	- en rubans de bois	18 %
	- en osier ou roseau polés	20 %
	- autres	20 %
	CHAPITRE 51	
	MATIERES SERVANT à la FABRICATION du PAPIER	
ex 822 A	Pâtes à papier sèches (contenant 40 p. 100 et moins d'eau), de bois, de conifères, pâtes chimiques :	
	- à la soude :	
	- - écrues	22 %
	- - blanchies	24 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 822 A (suite)	Pâtes à papier sèches (contenant 40 p. 100 et moins d'eau), de bois, de conifères, pâtes chimiques (suite):	
	- au bisulfite :	
	- - écrues	22 %
	- - blanchies	24 %
	- autres :	
	- - écrues	22 %
	- - blanchies	24 %
	CHAPITRE 52	
	PAPIERS et CARTONS	
	Papiers et cartons dénommés :	
825 B	- papier cristal	20 %
825 C	- papier ingraissable et calque	25 %
825 E	- ouate de cellulose	25 %
	Papiers et cartons non dénommés, formés en continu:	
ex 826 A	- non marqués, ni filigranés, ni satinés, ni frictionnés:	
	- - en un seul jet :	
	- - - papier et carton paille	18 %
	- - - contenant des pâtes mécaniques :	
	- - - - contenant plus de 60 p. 100 de pâtes mécaniques (papier et carton gris, mi-chimiques de bois et autres), d'un poids au m^2 de plus de 320 g	25 %
	- - - - contenant 60 p. 100 et moins de pâtes mécaniques :	
	- - - - - papier et carton gris et mi-chimiques de bois, d'un poids au m^2 de plus de 320 g	25 %
	- - - - - autres (à l'exclusion des papier et carton Kraft), d'un poids au m^2 de plus de 320 g	25 %
	- - - sans pâtes mécaniques, autres (à l'exclusion des papier et carton Kraft):	
	- - - - sans pâte de chiffons ou contenant moins de 75 p. 100 de pâte de chiffons	25 %
	- - - - contenant 75 p. 100 et plus de pâte de chiffons	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Papiers et cartons non dénommés, formés en continu (suite) :	
ex 826 A	- non marqués , ni filigranés, ni satinés, ni frictionnés (suite):	
	- - en deux ou plusieurs jets :	
	- - - à intérieur en papier paille	18 %
	- - - à intérieur contenant des pâtes mécaniques:	
	- - - - en papier gris et en papier mi-chimique de bois	25 %
	- - - - autre (à l'exclusion de l'intérieur en papier Kraft)	25 %
	- - - à intérieur sans pâte mécanique, autre (à l'exclusion de l'intérieur en papier Kraft)	25 %
826 B	- marqués, filigranés, satinés ou frictionnés	25 %
ex 827	Papiers et cartons non dénommés, formés à l'enroulous e :	
	- papier et carton paille	18 %
	- contenant des pâtes mécaniques :	
	- - contenant plus de 60 p. 100 de pâtes mécaniques	25 %
	- - contenant 60 p. 100 et moins de pâtes mécaniques, d'une densité apparente de moins de 1,30.....	25 %
	- - sans pâtes mécaniques	25 %
829	Papiers et cartons simplement gaufrés ou estampés	25 %
ex 830	Papiers et cartons simplement crêpés ou plissés, autres (à l'exclusion des papier et carton Kraft)...	25 %
	Papiers et cartons enduits ou imprégnés :	
ex 833 A	- papier et carton gommés, autres (à l'exclusion des papier et carton Kraft)	25 %
ex 833 B	- papier et carton coloriés, autres : marbrés, jaspés, mosaïqués	20 %
833 C	- papier et carton dits "gélatinés" (albuminés, caséinés et similaires)	25 %
833 D	- papier et carton dits "amidonnés" (à la fécule, à la dextrine, etc.)	25 %
833 E	- papier et carton goudronnés, bitumés ou asphaltés	20 %
833 F	- papier et carton paraffinés, stéarinés ou cirés..	20 %
833 H	- papier et carton enduits ou imprégnés de résines artificielles ou de matières plastiques (papier bakélisé et similaires); papier et carton nitrocellulosés	20 %
833 I	- papier et carton huilés ou vernis	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Papiers et cartons enduits ou imprégnés : (suite)	
833 J	- papier et carton couchés, en blanc ou en couleur:	
	- - papier et carton barytés	15 %
	- - papier et carton métallisés	20 %
	- - autres	25 %
833 K	- papier et carton velautés et similaires	25 %
833 L	- papier s-tencil	22 %
833 M	- papiers carbone, chimique, à transfert et similaires	22 %
833 N	- autres	30 %
834	Papiers et carton sulfurisés	20 %
835	Fibre vulcanisée, peinte, vernie, décorée ou non ..	18 %
	CHAPITRE 53	
	OUVRAGES en PAPIER et CARTON	
	Papiers et cartons découpés non dénommés ni compris ailleurs :	
836 C	- bandes pour étagères, gaufrées ou non, avec ou sans impressions, autres qu'en papier-dentelle	20 %
836 D	- papier-dentelle, avec ou sans impressions	25 %
836 F	- autres	25 %
837	Papiers de tenture, y compris les frises découpées	25 %
838	Vitrauphanie (papiers-vitraux de toutes sortes) ...	20 %
839	Couvre-parquets à support de carton	25 %
	Papiers pour duplication et report, conditionnés pour la vente :	
842 A	- papier carbone et similaires	22 %
842 B	- stencils complets, avec ou sans papier carbone...	22 %
842 C	- autres	22 %
843 A	Articles de correspondance, unis ou réglés, comportant ou non une impression impersonnelle, présentés autrement qu'en boîtes ou pochettes :	
	- papier plié en cahiers non cousus s'inscrivant à l'intérieur d'un rectangle du format 18 x 22 cm	25 %
	- blocs de papier en feuilles collées sur la tranche	Droit des articles similaires pour bureau (n° 844 C)
	- cartes postales non illustrées, carte-lettres, enveloppes	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 844 C	Registres, articles de bureau, d'écoliers et similaires, unis ou réglés, comportant ou non une impression impersonnelle: blocs en feuilles collées sur la tranche	25 %
	Cartonnages, avec ou sans impressions:	
846 C	- emballages :	
	- - de fabrication ordinaire, montés ou à plat, avec ou sans parties en métal, recouverts ou non de papier :	
	- - - non imperméabilisés	20 %
	- - - imperméabilisés	25 %
	- - de luxe et de présentation	20 %
846 D	- autres	20 %
852 C	Bandes et bandelettes, liées, enduites ou non, pour la vannerie et autres usages (lames de papier)	20 %

CHAPITRE 54

INDUSTRIE du LIVRE et PRODUITS des ARTS GRAPHIQUES

	Journaux et publications périodiques, illustrés ou non, comportant les 2/3 ou moins de leur surface consacrée à la publicité :	
853 A	- journaux quotidiens	Exempts
853 B	- publications non quotidiennes, à périodicité au moins trimestrielle	Exemptes
853 C	- autres	Exempts
	Livres :	
855 A	- brochés, cartonnés ou reliés en tissu	Exempts
855 B	- reliés en cuir naturel ou artificiel	20 %
	Calendriers et éphémérides :	
859 A	- blocs éphémérides	18 %
859 B	- calendriers imprimés directement sur papier ou carton, avec ou sans blocs éphémérides, sans autre ouvraison	18 %
859 C	- calendriers de poche, piqués, cousus ou brochés...	22 %
859 D	- autres	22 %
862	Cartes postales illustrées, en carnets ou en feuilles	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
863	Images religieuses d'un format s'inscrivant dans un rectangle de 9 x 14 cm	20 %
	Ouvrages publicitaires:	
ex 867 C	- brochures et catalogues à caractère officiel d'intérêt général (tourisme, propagande, etc.), à l'exclusion de toute publicité particulière.....	18 %
867 D	- autres imprimés publicitaires (cartes commerciales, lettres-circulaires, prospectus, tracts, affiches, dépliants, modes d'emploi, posologies, encartages, prix-courants, etc.):	
	- - à caractère officiel d'intérêt général (tourisme, propagande, etc.), à l'exclusion de toute publicité particulière	18 %
	- - autres, illustrés ou non, obtenus par :	
	- - - typographie et procédés assimilés	18 %
	- - - lithographie, offset, héliographie, taille-douce, timbrage et autres procédés	20 %
868	Autres imprimés et reproductions, non dénommés ni compris ailleurs, illustrés ou non, obtenus par :	
	- typographie et procédés assimilés	18 %
	- lithographie, offset, héliographie, taille-douce, timbrage et autres procédés	20 %
	CHAPITRE 55	
	MATIERES PREMIERES TEXTILES NON FILEES LEURS DECHETS	
869	Cocons de vers à soie propres au dévidage	Exempts
ex 870	Bourre, bourretto, bleusses et autres déchets de soie purs ou mélangés :	
	- en masse (cocons impropres au dévidage, blazes, frisons , bassinés, nolettes, bourre, bourretto, bleusses, déchets de fils, etc.)	Exempts
	- peignés, cardés, effilochés :	
	- - en nappes ou en loquettes, purs ou assimilés ..	2 %
	- - en rubans ou en mèches, purs ou assimilés	5 %
872	Laines en masse :	
	- en peaux	Voir peaux lainées (n°728 E)
	- en suint ou lavées à dos	Exemptes
	- lavées à fond, même blanchies ou teintes :	
	- - non carbonisées	Exemptes
	- - carbonisées	1 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Poils fins en masse :	
873 A	- poils de lapin, de lièvre, de castor et similaires	Exempts
873 B	- poils d'alpaga, de lama, de vigogne, de yack, de chameau, de chèvre mohair, de chèvre du Thibet ou cachemire, et similaires	Exempts
875	Effilochés de laine ou de poils fins, purs ou mélangés	Exempts
876	Laine et poils fins cardés ou peignés	2 %
ex 877	Poils grossiers d'animaux des espèces bovine et chevaline (à l'exception des crins), ainsi que ceux des chèvres communes, et similaires, non frisés..	Exempts
ex 878	Lin brut en paille ou simplement roui; lin teillé..	Exempt
ex 879	Ramie, en lanières, broyée, teillée ou en étoupe, en déchets purs ou mélangés, en effilochés purs ou mélangés (à l'exclusion de la ramie peignée)	Exempte
ex 880	Coton :	
	- non égrené	Exempt
	- égrené, écru	Exempt
881	Déchets de coton :	
	- linters :	
	- - bruts	Exempts
	- - lavés, dégraissés, épurés (en masse, plaques ou feuilles)	14 %
	- autres , purs ou mélangés	Exempts
883	Coton cardé ou peigné	8 %
884	Fibranne, et autres fibres artificielles discontinues, en masse ou en fils-cables	18 %
885	Déchets de fibres artificielles (y compris les déchets de fils), purs ou mélangées	18 %
886	Effilochés de fibres artificielles, purs ou mélangées	18 %
887	Fibres artificielles cardées, peignées ou étirées..	20 %
888	Chanvre	Exempt
891	Sisal, agave, aloès et maguey	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 892	Jute et fibres assimilées (dah, paka, gouana, punga, rosello, etc.), en tiges, en filasse ou étoupe....	Exempts
894	Fibres de coco	Exemptes
897	Autres végétaux filamentaux (phormium tenax, etc.), non dénommés ni compris ailleurs	Exempts
	CHAPITRE 56	
	FILS, FICELLES et CORDAGES	
899	Soie grège, présentée :	
	- en flottes ou échevaux	Exempte
	- autrement	5 %
	Fils de laine pure, ou assimilés, cardée, non préparés pour la vente au détail :	
915 A	- simples :	
	- - écrus	4 %
	- - blanchis, teints ou imprimés	6 %
915 B	- retors ou câblés :	
	- - écrus	4 %
	- - blanchis, teints ou imprimés	6 %
	Fils de laine pure, ou assimilés, peignée, non préparés pour la vente au détail :	
916 A	- simples :	
	- - écrus	3 %
	- - blanchis, teints ou imprimés	4 %
916 B	- retors ou câblés :	
	- - écrus	4 %
	- - blanchis, teints ou imprimés	5 %
	Fils de poils fins purs, ou assimilés, ou bien mélangés de laine, non préparés pour la vente au détail :	
917 A	- cardés	8 %
917 B	- peignés	8 %
	Fils de laine ou de poils fins, purs ou mélangés, préparés pour la vente au détail :	
919 A	- cardés	10 %
919 B	- peignés	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Fils de lin ou de ramie purs, ou assimilés, non préparés pour la vente au détail :	
921 A	- simples :	
	- - écrus	10 %
	- - blanchis, teints ou imprimés	12 %
921 B	- retors ou câblés, écrus, blanchis, teints ou imprimés	12 %
923	Fils de lin ou de ramie, purs ou mélangés, préparés pour la vente au détail	15 %
	Fils de coton pur, ou assimilés, non glacés ni mercerisés, non préparés pour la vente au détail:	
924 A	- simples, écrus, décrués, crémés, blanchis, teints ou imprimés, mesurant au kg :	
	- - moins de 99.500 m	15 %
	- - 99.500 m et plus	20 %
924 B	- simples surtordus, dits "double - spun" et à torsion spéciale pour voiles et crêpes, écrus, décrués , crémés, blanchis, teints ou imprimés, mesurant au kg :	
	- - moins de 99.500 m	15 %
	- - 99.500 m et plus	20 %
924 C	- retors, écrus, décrués, crémés, blanchis, teints ou imprimés, mesurant au kg en fils simples :	
	- - moins de 99.500 m	15 %
	- - 99.500 m et plus	20 %
924 D	- câblés, écrus, décrués, crémés, blanchis, teints ou imprimés	20 %
924 E	- spéciaux ou de fantaisie, écrus, décrués, crémés, blanchis, teints ou imprimés	20 %
	Fils de coton pur, ou assimilés, glacés ou mercerisés, non préparés pour la vente au détail :	
925 C	- retors, écrus, décrués, crémés, blanchis, teints ou imprimés, mesurant au kg en fils simples :	
	- - moins de 99.500 m	15 %
	- - 99.500 m et plus	20 %
925 D	- câblés, écrus, décrués, crémés, blanchis, teints ou imprimés	20 %
925 E	- spéciaux ou de fantaisie, écrus, décrués, crémés, blanchis, teints ou imprimés	20 %
926	Fils de coton mélangé, non préparés pour la vente au détail	Droits des fils, selon l'espèce, du textile le plus imposé à l'état de fils, existant dans le mélange dans une proportion supérieure à 15 p.100

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Fils de coton, pur ou mélangé, préparés pour la vente au détail :	
927 A	- non glacés ni mercerisés, présentés :	
	- - sur bobines de bois	15 %
	- - autrement	10 %
927 B	- glacés ou mercerisés, présentés :	
	- - sur bobines de bois	15 %
	- - autrement	10 %
	Fils de rayonne acétate, pure ou mélangée, non préparés pour la vente au détail :	
928 A	- simples non moulinés ou moulinés à moins de 400 tours	25 %
928 B	- simples moulinés à 400 tours et plus, rotors ou câblés	25 %
	Fils de rayonne viscose et d'autres fibres artificielles continues, pures ou mélangées, non préparés pour la vente au détail :	
929 A	- simples non moulinés ou moulinés à moins de 400 tours	25 %
929 B	- simples moulinés à 400 tours et plus, rotors ou câblés	25 %
932	Lames (paille artificielle) en fibres artificielles.	25 %
	Fils de fibranne et d'autres fibres artificielles discontinues , pures ou mélangées, non préparés pour la vente au détail :	
933 A	- simples	20 %
933 B	- rotors ou câblés	20 %
	Fils de chanvre ou de genêt, purs ou mélangés, simples ou rotors, non polis :	
935 A	- simples	20 %
935 B	- rotors	20 %
937	Fils câblés (rotors sur rotors, cordonnet, cordages) de chanvre ou de genêt, purs ou mélangés	20 %
	Fils de manille, d'abacá, de bananier, de sisal, d'agave, d'aloès, de maguey, purs ou mélangés, simples ou rotors, non polis :	
938 A	- simples	18 %
938 B	- rotors	18 %
	Fils de manille, d'abacá, de bananier, de sisal, d'agave, d'aloès, de maguey, purs ou mélangés, simples ou rotors, polis :	
939 A	- simples	18 %
939 B	- rotors	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
940	Fils câblés (rotors sur rotors, cordeaux, cordages) de manille, d'abaca, de bananier, de sisal, d'agave, d'aloès, de maguey, purs ou mélangés	18 %
	Fils de jute et de matières assimilées ou de typha, purs ou mélangés, simples ou rotors, non polis :	
941 A	- simples	18 %
941 B	- rotors	20 %
	Fils, ficelles et cordages de coco, pur ou mélangé:	
944 A	- fils simples	20 %
944 B	- fils rotors	20 %
944 C	- fils câblés (rotors sur rotors, cordeaux, cordages)	20 %
	Fils de papier, simples ou rotors, non polis :	
947 A	- simples	20 %
947 B	- rotors	20 %
	Fils de papier, simples ou rotors, polis :	
948 A	- simples	20 %
948 B	- rotors	20 %
949	Fils câblés (rotors sur rotors, cordeaux, cordages) de papier	20 %
	Fils, ficelles et cordages en toutes matières textiles armés de métal :	
950 A	- fils rotors	20 %
950 B	- fils câblés (rotors sur rotors, cordeaux, cordages)	20 %
	CHAPITRE 57	
	TISSUS A CHAINE et A TRAME, à l'EXCEPTION de la RUBANERIE et des VELOURS, NON IMPRIMES	
	Tissus de soie ou de schappe, purs ou mélangés entre elles, originaires des pays d'Extrême-Orient :	
953 A	- pongées, corah, tussah/ou tussor de soie pure, unis, écrus ou décrués mais non blanchis ni teints	13 %
953 B	- autres	20 %
	Crêpes de soie ou de schappe purs ou mélangés entre elles, et assimilés :	
ex 954 B	- crêpes à forte torsion, unis, écrus	15 %
ex 954 C	- autres, unis, écrus	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 967 A	Tissus serrés, foulards et autres tissus, non dénommés ni compris ailleurs, de soie et de schappe purs ou mélangées entre elles, et assimilés: tissus unis, décrués, blanchis, teints ou fabriqués avec des fils de diverses couleurs	15 %
968	Tissus de soie ou de schappe mélangées	Droits des tissus, selon l'espèce, du textile le plus imposé à l'état de tissus, existant dans le mélange dans une proportion supérieure à 15 p. 100
965	Tissus de laine ou de poils fins purs ou mélangés entre eux, et assimilés	15 %
966	Tissus de laine ou de poils fins mélangés	Droits des tissus, selon l'espèce, du textile le plus imposé à l'état de tissus, existant dans le mélange dans une proportion supérieure à 15 p. 100
967 A	Tissus de poils grossiers purs, et assimilés	10 %
	Couvertures de laine ou poils, en pièces ou confectionnées :	
969 A	- couvertures en laine ou poils fins purs ou mélangés entre eux, et assimilées	15 %
969 B	- couvertures en laine ou poils fins mélangés	15 %
969 C	- couvertures en poils grossiers purs ou mélangés	15 %
	Tissus de lin ou de ramie purs ou mélangés entre eux, et assimilés, unis :	
970 A	- écrus	25 %
970 B	- blanchis, crémés, lavés, lessivés ou apprêtés ...	25 %
970 C	- teints	25 %
970 D	- fabriqués avec des fils de diverses couleurs	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Tissus de lin ou de ramie purs ou mélangés entre eux, et assimilés, façonnés (damassés et autres):	
971 A	- écrus	25 %
971 B	- blanchis, crémés, lavés, lessivés ou apprêtés	25 %
971 C	- teints	25 %
971 D	- fabriqués avec des fils de diverses couleurs	25 %
	Tissus de coton pur, et assimilés, unis, non mercerisés:	
973 A	- écrus	20 %
973 B	- décrués, crémés ou blanchis	20 %
973 C	- teints	20 %
973 D	- fabriqués avec des fils de diverses couleurs	20 %
	Tissus de coton pur, et assimilés, unis, mercerisés:	
ex 974 A	- écrus, d'un poids au m2 de plus de 130 g, comptant en fils simples, en chaîne et en trame, dans un carré de 1 cm de côté, 60 fils et moins	20 %
ex 974 B	- décrués , crémés ou blanchis, d'un poids au m2 de plus de 130 g, comptant en fils simples, en chaîne et en trame, dans un carré de 1 cm de côté, 60 fils et moins	20 %
974 D	- fabriqués avec des fils de diverses couleurs	20 %
975	Tissus de coton pur, et assimilés, avec armures nids d'abeille, oeils de perdrix et similaires	20 %
981 D	Tissus de coton pur, et assimilés, façonnés, non dénommés ni compris ailleurs, mercerisés, fabriqués avec des fils de diverses couleurs	20 %
	Couvertures de coton, en pièces ou confectionnées:	
983 A	- couvertures de coton pur, et assimilées	15 %
983 B	- couvertures de coton mélangé	15 %
	Crêpes de rayonne ou d'autres fibres artificielles continues, pures ou mélangées :	
984 A	- crêpes gaufrés spéciaux pour douil	20 %
984 B	- crêpes à forte torsion	20 %
984 C	- autres	20 %
	Tissus serrés, foulards et autres tissus, non dénommés ni compris ailleurs, de rayonne ou d'autres fibres artificielles continues, pures ou mélangées:	
986 A	- tissus unis	20 %
986 B	- tissus façonnés	20 %
987	Tissus foulés de fibranne ou d'autres fibres artificielles discontinues, pures ou mélangées	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Tissus non foulés de fibranne ou d'autres fibres artificielles discontinues, pures ou mélangées, unis:	
988 A	- écrus, décrués ou blanchis	20 %
988 B	- teints ou fabriqués avec des fils de diverses couleurs	20 %
	Tissus de jute, de fibres assimilées (dah, pakn, gouana, punga, rosella, etc.) ou de typha, purs ou mélangés:	
993 A	- tissus unis	25 %
993 B	- tissus façonnés	25 %
	Tissus de coco pur ou mélangé :	
994 A	- tissus unis.....	25 %
994 B	- tissus façonnés	25 %
	CHAPITRE 58	
	RUBANERIE, VELOURS, TAPIS, TULLES, DENTELLES, GUIPURES, TISSUS à MAILLES NOUEES, PASSEMENTERIE, NON IMPRIMES	
	Rubans (autres que de velours) de coton pur, et assimilés :	
1011 A	- rubans unis	20 %
1011 B	- rubans façonnés	20 %
	Rubans et sangles de rayonne ou d'autres fibres artificielles continues, pures ou mélangées :	
1013 A	- rubans de velours et assimilés	25 %
1013 B	- autres	25 %
1018 B	Rubans et sangles de jute ou d'autres fibres végétales, non dénommées ni comprises ailleurs, pures ou mélangées, autres que de velours	25 %
1020	Bolduc (ruban collé) en tous textiles	25 %
	Velours et peluches de coton :	
1027 A	- velours et peluches par la trame pesant plus de 350 g au m2	20 %
1027 B	- velours et peluches par la trame pesant 350 g et moins au m2, et velours et peluches par la chaîne	20 %
ex 1028	Tissus bouclés de coton, tissés ou non sur métiers Jacquard, décrués, crémés ou blanchis ou bien fabriqués avec des fils de diverses couleurs	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1029	Tissus de chenille de coton	20 %
ex 1030	Velours et assimilés de rayonne, de fibranne ou d'autres fibres artificielles :	
	- lisses ou à côtes, non travaillés, teints ou fabriqués avec des fils de diverses couleurs, d'un poids au m2 de plus de 175 g	25 %
	- travaillés (ciselés, gaufrés, etc.), d'un poids au m2 de plus de 175 g	25 %
1032 B	Tapis à points noués ou enroulés en autres matières textiles	30 %
	Tapis tissés :	
1033 A	- avec métal ou en filés métalliques, en soie, en schappe, en fibres synthétiques, en laine ou en poils fins	20 %
1033 B	- en bourrette de soie, en poils grossiers ou en crins	20 %
1033 C	- en coton	25 %
1033 D	- en rayonne, en fibranne ou en autres fibres artificielles	25 %
ex 1033 E	- en manille, en abaca, en bananier, en agave, en sisal, en aloès ou en maguey, à la main (paillassons, carpettes type Hourzourck et analogues)	25 %
1033 F	- en jute et fibres assimilées ou en typha	25 %
1033 G	- en coco, à la main ou à la mécanique	25 %
1035	Tapisseries en tous textiles (de haute lice, de basse lice, au petit point) :	
	- entièrement à la main, sans intervention d'aucun procédé mécanique, jacquard ou autre	15 %
	- à la mécanique	25 %
1036 B	Tulles unis en coton	20 %
ex 1037	Dentelles à la main, avec métal mi-fin ou faux ou en filés métalliques de métal mi-fin ou faux, en soie, en schappe, en fibres synthétiques ou en autres matières textiles (à l'exclusion des dentelles avec métal fin ou en filés métalliques de métal fin)	20 %
1038	Dentelles à la mécanique, guipures et tulles bobinet, en bandes d'une largeur de 30 cm et moins, assemblées ou non, en lin, en ramie, en chanvre, en coton, en rayonne, en fibranne ou autres fibres artificielles	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1039	Dentelles à la mécanique, guipures et tulles bobinet, autres (dentelles en laizes et motifs), en lin, en ramie, en chanvre, en coton, en rayonne, en fibranne ou autres fibres artificielles	20 %
1042	Chenilles, dont le poil est :	
	- métal, en filés métalliques, en soie, en schappe ou en fibres synthétiques	15 %
	- en laine ou en poils fins	15 %
	- en coton	20 %
	- en rayonne, en fibranne ou autres fibres artificielles	25 %
	- en autres matières textiles	20 %
ex 1043	Fils textiles guipés, dont la gaine est :	
	- en métal faux ou en filés métalliques de métal faux, en soie, en schappe ou en fibres synthétiques ...	15 %
	- en coton	20 %
	- en rayonne, en fibranne ou autres fibres artificielles	25 %
ex 1044	Tresses (avec ou sans âme) :	
	- avec métal mi-fin ou faux ou en filés métalliques de métal mi-fin ou faux, en soie, en schappe ou en fibres synthétiques	15 %
	- en crin	10 %
	- en lin ou ramie	15 %
	- en coton	20 %
	- en rayonne, en fibranne ou autres fibres artificielles	25 %
	Autres articles de passementerie :	
1045 A	- articles cousus ou piqués à la main :	
	- - contenant du métal fin	15 %
	- - contenant (sans métal fin) du métal mi-fin ou faux, de la soie, de la schappe ou des fibres synthétiques	20 %
	- - autres	20 %
1045 B	- autres, obtenus au métier-crochet, au fuseau ou autrement :	
	- - contenant du métal fin	15 %
	- - autres	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 59 OUATES et FEUTRES; TISSUS SPECIAUX; TISSUS IMPRIMÉS, IMPREGNES ou ENDUITS; ARTICLES TECHNIQUES	
1046 B	Ouates et articles en ouates, non dénommés ni compris ailleurs: de coton	10 %
	Feutres en pièces non imprégnés, ni enduits, ni recouverts:	
ex 1047 A	- feutres de laine et(ou) de poils fins, autres :	
	- - purs ou mélangés en toutes proportions de poils grossiers, de crin, de soie ou de fibres synthétiques ou artificielles, ou bien mélangés, avec ou sans les matières ci-dessus, d'autres matières (coton et autres fibres végétales, fils métalliques, etc.), celles-ci représentant 25 p. 100 et moins du poids total, d'un poids au m2 de plus de 400 g	20 %
	- - mélangés, avec ou sans poils grossiers, crin, soie ou fibres synthétiques ou artificielles, d'autres matières (coton et autres fibres végétales, fils métalliques, etc.), celles-ci représentant plus de 25 p. 100 du poids total	20 %
1047 B	- feutres de poils grossiers	20 %
1053	Courroies de transmission et de transport, armées ou non :	
	- en poils de chameau ou autres matières textiles animales, ou en fibres synthétiques, pures ou mélangés en toutes proportions d'autres matières..	15 %
	- en matières textiles végétales ou en fibres artificielles, pures ou mélangées entre elles ou avec des matières autres que les fibres animales et les fibres synthétiques	18 %
1054	Tissus élastiques (tissus, rubans, tulles, dentelles, passementerie)	25 %
1055	Tissus imprimés (tissus des chapitres 57 et 58).....	Droits des tissus, selon l'espèce, fabriqués avec des fils de diverses couleurs suivant le cas.

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Tissus spécialement apprêtés pour reliure, dessin, peinture, chapellerie :	
1056 A	- percaline enduite de colle, d'amidon, etc. pour reliure, cartonnages, gainerie et usages similaires	20 %
1056 B	- toiles à calquer ou transparentes	20 %
1057	Linoléums :	
	- non incrustés :	
	- - unicolores	30 %
	- - imprimés	35 %
	- incrustés	35 %
1058	Toiles cirées, moleskines et autres tissus recouverts sur une seule face d'un enduit à base d'huile siccative	25 %
1059	Tissus huilés (imprégnés ou enduits sur deux faces):	
	- en soie, en schappe ou en fibres synthétiques, pures ou mélangées en toutes proportions	15 %
	- en autres matières textiles	20 %
1060	Tissus recouverts d'un enduit à base de dérivés de la cellulose	20 %
1061	Tissus caoutchoutés :	
	- non adhésifs	22 %
	- adhésifs	Voir n°715 D
1062	Tissus imprégnés ou enduits de résines synthétiques..	20 %
	Articles techniques en tissus, non dénommés ni compris ailleurs :	
1067 A	- tissus, feutres et tissus doublés de feutre, collés sur caoutchouc ou sur tissu non boutés, pour la fabrication des plaques et rubans de cardes, et articles similaires	15 %
ex 1067 D	- tissus sans fin ou tissés circulairement, imprégnés ou enduits ou non: tissus feutrés pour papeteries et autres usages techniques :	
	- - en laine pure ou mélangée	20 %
	- - en coton et autres	15 %
	CHAPITRE 60	
	BRODERIES	
1070	Etiquettes tissées en tous textiles pour le marquage des vêtements, de la lingerie, des chaussures, des coiffures,etc ,avec ou sans métal, avec ou sans parties brochées ou brodées, en pièces, en rubans ou découpées	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 61	
	VETEMENTS et ACCESSOIRES du VETEMENT en TISSUS	
	Vêtements de dessus pour hommes et garçonnets :	
1071 A	- vêtements de protection	22 %
1071 B	- vêtements spéciaux	22 %
1071 C	- vêtements administratifs, uniformes et livrées..	22 %
1071 D	- vêtements de travail	22 %
1071 E	- vêtements d'intérieur	22 %
1071 F	- culottes et maillots de sport	22 %
1071 G	- autres	22 %
	Vêtements de dessus pour femmes et fillettes :	
1072 A	- vêtements imperméables en tissus enduits ou imprégnés	22 %
1072 B	- vêtements spéciaux	22 %
1072 C	- vêtements d'uniforme	22 %
1072 D	- vêtements de travail	22 %
1072 E	- vêtements d'intérieur	22 %
1072 F	- culottes et maillots de sport	22 %
1072 G	- autres :	
	- - en lingerie (blouses-chemisiers, blouses en lingerie et autres), exécutés :	
	- - - entièrement à la machine	22 %
	- - - entièrement ou partiellement à la main	30 %
	- - non dénommés	22 %
	Vêtements de dessus pour jeunes enfants :	
1073 A	- vêtements imperméables en tissus enduits ou imprégnés	22 %
1073 B	- vêtements d'intérieur	22 %
1073 C	- autres	22 %
1074	Vêtements de dessous pour hommes et garçonnets	22 %
1075	Vêtements de dessous pour femmes et fillettes, exécutés :	
	- entièrement à la machine	25 %
	- entièrement ou partiellement à la main	30 %
1076	Vêtements de dessous pour jeunes enfants, exécutés :	
	- entièrement à la machine	25 %
	- entièrement ou partiellement à la main	30 %

LISTE XI. - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Corsets, ceintures, gaînes, baleinés ou non, garnis ou non, avec ou sans jarretelles ; soutien-gorge, bretelles, jarretelles et similaires :	
1078 A	- corsets et ceintures	30 %
1078 B	- gaînes	25 %
1078 C	- soutien-gorge et correcteurs	30 %
1078 D	- busqs et ressorts pour corsets, pour vêtements et accessoires du vêtement et similaires	30 %
1078 E	- bretelles , jarretelles, jarretières, support-chaussettes	30 %
1079	Mouchoirs et pochettes :	
	- simplement ourlés (ourlets simples ou à jours) ou roulettés, sans aucun travail d'ornementation, exécutés :	
	- - entièrement à la machine	22 %
	- - entièrement ou partiellement à la main	30 %
	- autres (comportant un travail de broderie, de berdure à points de broderie, d'application, d'incrustation, d'encadrement, etc.), exécutés:	
	- - entièrement à la machine	22 %
	- - entièrement ou partiellement à la main	30 %
1080	Châles, écharpes, foulards, cache-nez, cache-cols, mantilles, carrés et similaires :	
	- décorés de peintures à la main	30 %
	- autres	Droit du tissu
	Cols , faux-cols, plastrons, manchettes pour hommes et garçonnets :	
1081 A	- cols et faux-cols	25 %
1081 B	- plastrons	25 %
1081 C	- manchettes	25 %
	Garnitures pour vêtements et sous-vêtements féminins (cols, collerettes, guimpes, colifichets, plastrons, jabots, poignets, manchettes, empiècements, volants, ruches , plissés et bouillonnés en forme, etc.); revers, parements, brandebourgs, brassards, emblèmes , insignes et articles similaires :	
ex 1082 A	- en lingerie, exécutés entièrement à la machine ...	25 %
1082 B	- autres	30 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Accessoires du vêtement non dénommés ni compris ailleurs :	
1084 A	- dessous de bras	25 %
1084 B	- parties de vêtements (manches, poches, etc.).....	22 %
1084 C	- gants, mitaines, mouflos, bas et chaussettes, confectionnés en tissu	22 %
1084 D	- manchons en tissu	22 %
1084 E	- bourrelets et épaulettes de soutien pour tailleurs	20 %
1084 F	- voiles et voilettes	20 %
1084 G	- ceintures et ceinturons	30 %
1084 H	- autres	22 %
	CHAPITRE 62 ARTICLES CONFECTIONNES EN TISSUS NON DENOMMES NI COMPRIS AILLEURS	
	Linge de maison :	
1086 A	- de lit, exécuté :	
	- - entièrement à la machine	Droit du tissu
	- - entièrement ou partiellement à la main	30 %
1086 B	- de table, exécuté :	
	- - entièrement à la machine	Droit du tissu
	- - entièrement ou partiellement à la main	30 %
1086 C	- de toilette et d'hygiène :	
	- - serviettes et tampons périodiques	20 %
	- - autres	Droit du tissu
1086 D	- d'office et de cuisine	Droit du tissu
1086 E	- d'ameublement (rideaux, vitrages, stores et autres articles), exécutés:	
	- - entièrement à la machine	Droit du tissu
	- - entièrement ou partiellement à la main	30 %
1087	Articles d'ameublement autres que le linge de maison (rideaux, tentures, tapis de tables , napperons d'ameublement, dessus de meubles, etc.)	25 %
	Bâches, tentes, stores et articles similaires, enduits ou imprégnés ou non :	
1088 A	- tentes légères et à double toit en tous tissus pesant au m2 250 g et moins; tapis de sol	Droit du tissu
1088 B	- autres	Droit du tissu

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1089	Articles de campement non dénommés ni compris ailleurs (matelas et oreillers pneumatiques, seaux, récipients, etc.) en tissus, enduits ou imprégnés ou non	Droit du tissu
1090	Voiles pour embarcations, gréées ou non	Droit du tissu
1091	Sacs de marins et articles similaires	Droit du tissu
	Sacs d'emballage :	
ex1092 A	- présentés vides, neufs, en tissu de jute et matières assimilées ou de typha, purs ou mélangés	30 %
ex 1092 B	- présentés pleins, en tissu de jute et matières assimilées ou de typha, purs ou mélangés	40 p. 100 du droit des sacs neufs
1093	Autres articles confectionnés en tissus, non dénommés ni compris ailleurs	Droit du tissu
	CHAPITRE 63	
	BONNETERIE (articles à points de mailles)	
1097	Etoffes de bonneterie de fibres synthétiques pures ou mélangées à mailles simples ou complexes	30 %
1098	Etoffes de bonneterie de laine ou de poils fins purs ou mélangés , à mailles simples ou complexes	13 %
1100	Etoffes de bonneterie de coton pur ou mélangé, à mailles simples ou complexes	25 %
	Bas, chaussettes, socquettes et articles similaires en bonneterie de soie ou de schappe, purs ou mélangés :	
1104 A	- bas et sous-bas :	
	- - sur métiers circulaires (tubulaires), sans couture ou avec couture simulée, avec ou sans fantaisies	22 %
	- - autres, avec ou sans fantaisies	30 %
1104 B	- chaussettes et mi-bas, avec ou sans fantaisies	22 %
1104 C	- socquettes, semelles et pointes	22 %
	Bas, chaussettes, socquettes et articles similaires en bonneterie de fibres synthétiques, purs ou mélangées:	
1105 A	- bas et sous -bas, avec ou sans fantaisies	35 %
1105 B	- chaussettes et mi-bas, avec ou sans fantaisies.....	35 %
1105 C	- socquettes, semelles et pointes, avec ou sans fantaisies	35 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Bas, chaussettes, socquettes et articles similaires en bonneterie de laine ou de poils fins, purs ou mélangés :	
1106 A	- bas, sous-bas, chaussettes et mi-bas, avec ou sans fantaisies	22 %
1106 B	- socquettes, semelles et pointes	22 %
	Bas , chaussettes, socquettes et articles similaires en bonneterie de coton, pur ou mélangé :	
1108 A	- bas, sous-bas, chaussettes et mi-bas, avec ou sans fantaisies	25 %
1108 B	- socquettes, semelles et pointes	25 %
	Bas, chaussettes, socquettes et articles similaires en bonneterie de rayonne ou d'autres fibres artificielles continues, pures ou mélangées :	
1109 A	- bas, sous-bas, chaussettes et mi-bas, avec ou sans fantaisies	35 %
1109 B	- socquettes, semelles et pointes	35 %
	Bas, chaussettes, socquettes et articles similaires en bonneterie de fibranne ou d'autres fibres artificielles discontinues, pures ou mélangées :	
1110 A	- bas, sous-bas , chaussettes et mi-bas, avec ou sans fantaisies	25 %
1110 B	- socquettes, semelles et pointes	25 %
1114	Sous-vêtements en bonneterie de laine ou de poils fins, purs ou mélangés	20 %
1115	Sous-vêtements en bonneterie de lin, de ramie, de coton, de chanvre ou de genêt, purs ou mélangés	22 %
	Vêtements en bonneterie de laine ou de poils fins, purs ou mélangés :	
1120 A	- vêtements en étoffes de bonneterie coupés et cousus	32 %
1120 B	- vêtements proportionnés par diminutions, augmentations ou poinçonnage	32 %
1126	Articles de layette en bonneterie de laine ou de poils fins, purs ou mélangés :	
	- obtenus sur métiers	30 %
	- tricotés à la main	35 %
1132	Ganterie en bonneterie de laine ou de poils fins, purs ou mélangés :	
	- à la mécanique	30 %
	- à la main	35 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1133	Dentelle en bonneterie de lin, de ramie, de coton, de chanvre ou de genêt, purs ou mélangés, à la mécanique ou à la main	30 %
1134	Dentelle en bonneterie de rayonne ou d'autres fibres artificielles continues, pures ou mélangées :	
	- à la mécanique	30 %
	- à la main	35 %
1137	Accessoires du vêtement (châles, écharpes, cravates, cache-cols, fichus, genouillères, jambières, poignets, etc.) en bonneterie	30 %
1139	Etoffes de bonneterie élastique en pièces	25 %
	Articles en bonneterie élastique non dénommés ni compris ailleurs :	
1140 A	- corsets, ceintures, gaînes, soutien-gorge et articles similaires	Droit des articles correspondants en tissus (nos 1078 A, B et C)
1140 B	- bas , chaussettes et articles similaires, genouillères	25 %
1140 C	- autres articles	25 %
	CHAPITRE 64	
	FRIPERIE, DRILLES et CHIFFONS	
1142	Drilles et chiffons	Exempts
	CHAPITRE 65	
	CHAUSSURES et ARTICLES SIMILAIRES	
	Chaussures à semelles en cuir ou en caoutchouc, naturels ou artificiels, à dessus en cuir ou matières assimilées,non dénommées ni comprises ailleurs :	
1143 A	- chaussures ne dépassant pas la cheville	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Chaussures à semelles en cuir ou en caoutchouc, naturels ou artificiels, à dessus en cuir ou matières assimilées, non dénommées ni comprises ailleurs (suite):	
1143 B	- chaussures dépassant la cheville :	
	- - brodequins et bottines	20 %
	- - demi-bottes et bottes	25 %
	Chaussures à semelles en cuir ou en caoutchouc, naturels ou artificiels, à dessus en caoutchouc naturel ou artificiel non dénommées ni comprises ailleurs :	
1144 A	- chaussures ne dépassant pas la cheville	25 %
1144 B	- chaussures dépassant la cheville	25 %
1144 C	- couvre-chaussures	25 %
1145 A	Chaussures à semelles en cuir ou en caoutchouc, naturels ou artificiels, à dessus en tissu de soie ou de schappe pures ou mélangées, ou bien en tous tissus ou feutres brochés, lamés de métal ou brodés: chaussures ne dépassant pas la cheville	20 %
	Chaussures à semelles en cuir ou en caoutchouc, naturels ou artificiels, à dessus en autres matières, non dénommées ni comprises ailleurs :	
1146 A	- chaussures ne dépassant pas la cheville :	
	- - pantouflles	20 %
	- - autres :	
	- - - à semelles en cuir	20 %
	- - - à semelles en caoutchouc	22 %
1146 B	- chaussures dépassant la cheville	20 %
1148 B	Chaussures à semelles en autres matières (cordé, carton, tissu, feutre, vannerie, etc.): à dessus en tissu de soie ou de schappe, pures ou mélangées ou bien en tous tissus ou feutres brochés, lamés de métal ou brodés	20 %
ex 1150 B	Parties de chaussures :	
	- semelles (extérieures, intercalaires ou intérieures), patins, talons, talonnettes, bouts durs, contreforts et pièces analogues :	
	- - en caoutchouc naturel ou artificiel (semelles, patins, demi-semelles, talons, bonbouts et autres)	14 %
	- - en bois : talons	20 %
1150 C	- empeignes et claques, tiges et quartiers, doublures ou parties de doublures, renforts de tiges ou de doublures et autres parties de chaussures confectionnées	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 66	
	CHAPELLERIE	
1152 A	Tresses pour la chapellerie en paille, écorce, roseau, sparte, raphia, rubans ou copeaux de bois et matières végétales similaires, crin naturel ainsi qu'en matières textiles non filées	Exemptes
1156	Bandes à garnir les coiffures, en cuir ou autres matières	10 %
	Cloches en feutre pour chapeaux :	
1158 A	- en feutre de poils ou de laine et poils	18 %
1158 B	- en feutre de laine	16 %
	Cloches pour chapeaux, tressées ou obtenues par l'assemblage de bandes tressées, tissées ou autres:	
1159 A	- en copeaux de bois, paille, écorce, sparte, lin, chanvre, aloès, abaca, sisal et autres fibres végétales non filées, pures ou mélangées entre eux :	
	- - tressées d'une seule pièce	8 %
	- - rembaillées, engrenées ou nouées	20 %
1159 B	- en lames de papier, enduit ou non, pures ou mélangées en toutes proportions de copeaux de bois, paille, etc.....	15 %
1159 C	- en laine, soie, coton, ramie et autres fibres végétales filées, en crin naturel, en bandes de tissu ou de feutre ou d'autres produits non dénommés , pures ou mélangées en toutes proportions, soit entre eux, soit avec d'autres matières à l'exclusion des lames de rayonne et produits assimilés	25 %
1159 D	- en lames de rayonne (paille artificielle), crin artificiel, matières plastiques, y compris les fils recouverts de rayonne ou de matières plastiques, pures ou mélangées en toutes proportions, soit entre eux, soit avec d'autres matières	25 %
	Chapeaux de feutre :	
1160 A	- non garnis	14 %
1160 B	- garnis :	
	- - pour hommes	14 %
	- - pour femmes et enfants :	
	- - - garnis chapelier	14 %
	- - - garnis façon modiste	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Chapeaux tressés ou obtenus par l'assemblage de bandes tressées, tissées ou autres :	
1161 A	- non garnis	Droits des cloches correspondantes (nos 1159 A, B,C,D)
1161 B	- garnis :	
	- - pour hommes	25 %
	- - pour femmes et enfants :	
	- - - garnis chapelier	25 %
	- - - garnis façon modiste	28 %
	Chapeaux et autres coiffures en bonneterie ou confectionnés en tissus, en laines ou feutre en pièces, y compris les tissus cirés, huilés, caoutchoutés ou autrement enduits :	
1162 D	- casquettes, képis et similaires, garnis ou non :	
	- - képis et casquettes d'uniforme	15 %
	- - autres	25 %
1162 E	- bérets , bonnets , calottes et coiffures similaires, non garnis ou avec garniture intérieure seule :	
	- - genre bérets basques ou bérets alpins et analogues, en tricot fortement foulé ou feutré, ou bien en feutre de laine ou de poils	25 %
	- - fez, chéchias et analogues	25 %
	- - en bonneterie ou tricot non foulés ni feutrés...	30 %
	- - autres	30 %
1166 B	Chapeaux et autres coiffures en toutes autres matières, non dénommés ni compris ailleurs, garnis :	
	- pour hommes	25 %
	- pour femmes et enfants :	
	- - garnis chapelier	25 %
	- - garnis façon modiste	28 %
	CHAPITRE 68	
	PLUMES de PARURE APPRETEES et ARTICLES en PLUMES; FLEURS ARTIFICIELLES; OUVRAGES en CHEVEUX; EVENTAILS	
1176	Fleurs, feuillages et fruits artificiels	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 69	
	OUVRAGES en PIERRES et AUTRES MATIERES MINERALES	
1180	Pavés, bordures de trottoirs, dalles de pavage en pierre naturelle	5 %
	Ardoise travaillée :	
1181 A	- dalles et tables	5 %
1181 B	- ardoises pour toitures	10 %
	Ouvrages en pierres de taille et de construction non dénommés ni compris ailleurs :	
1183 A	- simplement taillés ou sciés, à surface plane ou unie :	
	- - en pierres calcaires et albâtre	12 %
	- - en granit, porphyre, syénite, lave, grès et roches dures similaires	15 %
	- - en autres pierres	10 %
ex 1183 B	- moulurés ou tournés mais non polis, ni sculptés, ni autrement travaillés :	
	- - en pierres calcaires et albâtre: en écaussines	13 %
	- - en granit, porphyre, syénite, lave, grès et roches dures similaires	15 %
	- - en autres pierres	10 %
ex 1183 C	- polis, décorés ou autrement travaillés, mais non sculptés: en granit, porphyre, syénite, lave, grès et roches dures similaires	15 %
ex 1183 D	- sculptés: en granit, porphyre, syénite, lave, grès et roches dures similaires	15 %
	Ouvrages en plâtre ou en compositions à base de plâtre, non dénommés ni compris ailleurs :	
1184 A	- carreaux, planches, plaques, panneaux et similaires, non ornementés ni décorés	Exempts
1184 B	- autres (staff, moulages, etc.)	Exempts
	Ouvrages en béton ou en pierre artificielle, armés ou non, non dénommés ni compris ailleurs :	
1186 A	- carreaux s'inscrivant dans un carré de 20 cm de côté	10 %
1186 B	- autres	10 %
	Ouvrages en amiante-ciment, cellulose-ciment et similaires :	
1187 A	- matériaux de couverture, carreaux, dalles, feuilles, panneaux, plaques	15 %
1187 B	- tuyaux, gaines et accessoires de tuyauterie	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Ouvrages en amianto non dénommés ni compris ailleurs:	
1188 A	- masses filtrantes en amianto pur ou mélangé de cellulose en toutes proportions, en fibres ou en plaques	25 %
1188 B	- cartons, feutres et papiers d'amianto	25 %
1188 C	- fils et cordonnets, simples ou retors	25 %
1188 D	- tresses, même imprégnées ou graphitées, avec ou sans âme en autres matières	25 %
1188 E	- bourrelets	25 %
1188 F	- tissus en amianto , mélangé ou non de matières textiles ou de fibres de verre	25 %
1188 G	- articles en amianto ou en tissus d'amianto	25 %
1188	Garnitures de friction pour freins, embrayages et tous organes de frottement, à base d'amianto, de cellulose, de textiles ou d'autres matières, avec ou sans adjonction de métaux communs , sous forme de segments, disques, rondelles, bandes, planches, plaques et rouleaux	30 %
ex 1190	Ouvrages à usages calorifuges non dénommés ni compris ailleurs : à base de kieselguhr et autres silices fossiles et terres légères	15 %
	Ouvrages en mica non dénommés ni compris ailleurs :	
1191 A	- feuilles ou lamelles de mica découpées de toutes formes ou usinées	5 %
1191 B	- tissus ou papiers micacés	10 %
1191 C	- feuilles formées de clivures de mica agglomérées (micanite en feuilles, micafolium, etc.), non découpées ou découpées de forme carrée ou rectangulaire	10 %
1191 D	- autres articles moulés ou usinés en micanite, micafolium et similaires	10 %

CHAPITRE 70

PRODUITS CERAMIQUES

1194	Briques de construction en terre commune, vernissées, émaillées, coloriées ou non	16 %
1196	Tuiles en terre commune, vernissées , émaillées, coloriées ou non	12 %

LISTE XI-A - FRANCE

Première Partie (suite)

Positions du Tarif de la France	Désignation des produits	Taux des droits
1197	Poteries de bâtiment et accessoires de couverture en terre commune, vernissés, émaillés, coloriés ou non	12 %
1198	Tuyaux de drainage et similaires	10 %
1199	Carreaux de pavement et de revêtement en terre commune, vernissés, émaillés, coloriés ou non	17 %
1201	Autres objets en terre commune: non dénommés ni compris ailleurs, vernissés, émaillés, coloriés ou non	15 %
	Briques et pièces de construction réfractaires :	
1202 A	- alumineuses et silico-alumineuses :	
	- - en terre argileuse contenant moins de 32 p. 100 d'alumine ($Al^2 O^3$)	10 %
	- - autres	20 %
1202 B	- siliceuses, contenant plus de 85 p. 100 de silice ($Si O^2$)	20 %
1202 C	- magnésiennes, contenant de la magnésie ($Mg O$) ou de la dolomie	20 %
1202 D	- autres	20 %
	Autres produits réfractaires (cornues, casettes, creusets, moufles, busettes, tampons, supports, coupelles, tubes, gaines, baquettes, etc.) :	
1203 A	- alumineux et silico-alumineux :	
	- - en terre argileuse contenant moins de 32 p. 100 d'alumine ($Al^2 O^3$)	15 %
	- - autres	20 %
1203 B	- siliceux, contenant plus de 85 p. 100 de silice ($Si O^2$)	20 %
1203 C	- magnésiens contenant de la magnésie ($Mg O$) ou de la dolomie	20 %
1203 D	- autres	20 %
1204	Carreaux, briques, tuiles, pavés et dalles de pavement cuits en grès	20 %
1205	Tuyaux et raccords cuits en grès	20 %
1206	Ustensiles et appareils en grès pour usages chimiques ou techniques	12 %
1207	Vaisselles, ustensiles de ménage, récipients pour conserves et articles pour l'économie rurale, cuits en grès	15 %
1208	Grès sanitaires, lavabos, bidets, baignoires, éviers, etc.)	18 %
1209	Autres objets cuits en grès, non dénommés ni compris ailleurs	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1210	Carreaux de revêtement et similaires en faïence ou poterie fine	20 %
1211	Vaisselle, objets et ustensiles de ménage ou de toilette en faïence ou poterie fine	18 %
1212	Faïences sanitaires	25 %
1213	Objets d'ameublement ou d'ornementation en faïence ou poterie fine	20 %
1214	Autres objets en faïence ou poterie fine, non dénommés ni compris ailleurs	20 %
1215	Articles en imitation de porcelaine (porélite, porcellite, porcelainite, etc.)	18 %
	Vaisselle, objets et ustensiles de ménage ou de toilette en porcelaine :	
1216 A	- services à thé ou à café	25 %
1216 B	- autres articles	25 %
1217	Objets d'ameublement ou d'ornementation en porcelaine	20 %
1218	Ustensiles de laboratoire en porcelaine	20 %
	CHAPITRE 71	
	VERRE et OUVRAGES en VERRE	
1223 A	Tubes en verre ordinaire, non dénommés ni compris ailleurs	20 %
1224	Glaces et dalles brutes	20 %
1225	Glaces et dalles doucies ou polies sur une ou deux faces	20 %
1226	Verres à vitres	20 %
	Verres dits "coulés" (martelés, imprimés, ondulés):	
1227 A	- verres martelés (cathédrale et similaires) et imprimés (diamantés, striés, cannelés et similaires)	20 %
1227 B	- verres ondulés, colorés ou non	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1228	Verres et glaces trempés, en feuilles ou plaques non découpées ou découpées de forme carrée ou rectangulaire, sans autre ouvraison	20 %
	Verres et glaces feuilletés, en feuilles ou plaques non découpées ou découpées de forme carrée ou rectangulaire, sans autre ouvraison :	
1229 A	- verres athermanes, à lames intercalaires en fibres de verre	20 %
1229 B	- autres	20 %
1230	Miroirs en verre ou en glace	20 %
1231	Autres ouvrages de miroiterie en verre ou en glace..	20 %
1233	Bonbonnes, bouteilles et flacons de toutes formes et pour tous usages (à l'exclusion des récipients isothermiques), avec ou sans bouchons ou autres dispositifs de fermeture :	
	- non taillés, ni dépolis, ni gravés, ni décorés :	
	- - non gainés, ni entourés, d'une capacité de :	
	- - - plus de 2 l 30	25 %
	- - - 2 l 60 et moins	20 %
	- - gainés ou entourés, entièrement ou partiellement	20 %
	- taillés, dépolis, gravés ou décorés autrement que par simple moulage	20 %
1234	Bocaux, pots et autres récipients d'emballage en verre, avec rebords ou épaulements, avec ou sans couvercles ou autres dispositifs de fermeture :	
	- non taillés, ni dépolis, ni gravés, ni décorés...	20 %
	- taillés, dépolis, gravés ou décorés autrement que par simple moulage	22 %
	Verrerie de table ou de cuisine :	
1236 A	- gobelets, verres, tasses, carafes et broc :	
	- - non taillés, ni dépolis, ni gravés, ni décorés	17 %
	- - taillés, dépolis, gravés ou décorés autrement que par simple moulage	20 %
1236 B	- autres articles (assiettes, saladiers, raviers, porte-couteaux, etc.) :	
	- - non taillés, ni dépolis , ni gravés, ni décorés	17 %
	- - taillés, dépolis, gravés ou décorés autrement que par simple moulage	20 %
1237	Verrerie d'appartement et d'ornementation (vases, coupes, statuettes, cendriers, articles de bureau, aquariums, socles, globes de protection, etc.), taillés , dépolis, gravés, décorés ou non	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Verrerie d'éclairage, de signalisation et d'optique commune :	
1238 A	- verres de lampes , verrines et cheminées d'éclairage	20 %
1238 B	- réflecteurs, diffuseurs, coupes, coupelles, abat-jour, globes, tulipes et articles similaires ..	20 %
1238 C	- verres à facettes, plaquettes, boules, amandes et pièces similaires pour lustrerie et autres usages	20 %
1238 D	- verrerie de signalisation et d'optique commune (montée ou non)	20 %
1239	Verres bombés d'horlogerie et de lunetterie commune	25 %
	Articles en verre non dénommés ni compris ailleurs pour le bâtiment, l'industrie et l'agriculture:	
1240 A	- articles pour le bâtiment (pavés, briques, tuiles, etc.)	20 %
1240 B	- articles pour l'industrie	20 %
1240 C	- articles pour l'agriculture (cloches, etc.)	20 %
1241	Verrerie de laboratoire, d'hygiène et de pharmacie, soufflée au chalumeau ou autre :	
	- non graduée ni jaugée	20 %
	- graduée ou jaugée	22 %
	Ampoules et emballages tubulaires :	
1242 A	- ampoules	20 %
1242 B	- emballages tubulaires	20 %
1243	Ouvrages en verre non dénommés ni compris ailleurs	25 %
	Ouvrages en cristal :	
1245 A	- bouteilles, flacons, bocaux, pots et autres récipients d'emballage, bouchons et couvercles...	24 %
1245 B	- verrerie de table et de cuisine	24 %
1245 C	- verrerie d'appartement et d'ornementation (vases, coupes, statuettes, cendriers, articles de bureau, socles, etc.)	24 %
1245 D	- verrerie d'éclairage (réflecteurs, diffuseurs, coupes, abat-jour, globes, tulipes , verres à facettes, plaquettes, boules, amandes, etc.)...	24 %
1245 E	- autres articles , à l'exclusion des verres d'optique et des ampoules et tubes pour usages électriques	24 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1246	Verres de lunetterie médicale, bruts, simplement découpés ou moulés	20 %
	Verroteries :	
1249 A	- perles, pendeloques et similaires	20 %
1249 B	- imitations de pierres précieuses, y compris les similisés.....	15 %
1249 E	- autres	20 %
	Objets en verroteries, non dénommés ni compris ailleurs :	
1251 A	- cannetilles , torsades, enfilages	22 %
1251 B	- fleurs, feuilles, ornements et couronnes de perles	22 %
1251 C	- autres	22 %

CHAPITRE 72

PERLES FINES; PIERRES GEMMES; METAUX PRECIEUX

ex 1257 B	Pierres fines taillées ou autrement travaillées pour usages industriels: articles en quartz piezo-électrique	15 %

CHAPITRE 73

OUVRAGES en METAUX PRECIEUX (bijouterie, joaillerie, orfèvrerie); BIJOUTERIE de FANTAISIE

1270 C	Ouvrages en argent ou en vermeil: orfèvrerie	15 %
1271 B	Ouvrages en plaqué ou doublé d'argent ou incrustés d'argent : orfèvrerie	15 %
1275	Bijouterie de fantaisie, en métaux communs, dorés ou argentés ou non, avec ou sans parties en autres matières ou sans parties métalliques	30 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 75 FONTES, FERS, ACIERS	
	Fontes brutes en lingots, gueuses ou sumons :	
1278 B	- fontes phosphoreuses et semi-phosphoreuses	5 %
1278 C	- fontes hématites et semi-hématites	5 %
1278 D	- fontes à spiegel	6 %
	Ferro-alliages :	
1279 A	- ferro-manganèse	12 %
1279 B	- ferro-aluminium, ferro-silico-aluminium, ferro-silico-mangano-aluminium	12 %
1279 C	- ferro-silicium	12 %
1279 D	- silico-spiegel et ferro-silico-manganèse	12 %
1279 E	- ferro-chrome et ferro-silico-chrome	12 %
1279 F	- ferro-titane et ferro-silico-titane; ferro-tungstène et ferro-silico-tungstène	12 %
1279 G	- ferro-bore, ferro-molybdène, ferro-tantale, ferro-uranium , ferro-vanadium et autres ferro-alliages et ferro-silico-alliages non dénommés ni compris ailleurs	12 %
ex 1281 D	Aciers alliés spéciaux en lingots, d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100	7 %
ex 1283 D	Aciers alliés spéciaux en blooms, brames, billettes largets et ébauches de forge, d'une teneur totale en tous éléments autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100 ...	8 %
	Fils machine :	
1284 A	- en fer et aciers non alliés courants	12 %
1284 B	- en aciers non alliés spéciaux	12 %
1284 C	- en aciers alliés courants	12 %
1284 D	- en aciers alliés spéciaux	12 %
	Barres (ronds, carrés, plats, hexagones, etc.) laminées à chaud ou forgées :	
1285 A	- en fer et aciers non alliés courants	10 %
1285 B	- en aciers non alliés spéciaux	10 %
1285 C	- en aciers alliés courants	10 %
1285 D	- en aciers alliés spéciaux	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1286	Palplanches laminées à chaud ou forgées	11 %
	Profilés non dénommés ni compris ailleurs, laminés à chaud ou forgés :	
1287 A	- en fer et aciers non alliés courants	11 %
1287 B	- en aciers non alliés spéciaux	11 %
1287 C	- en aciers alliés courants	11 %
1287 D	- en aciers alliés spéciaux	11 %
ex 1288 D	Larges plats en aciers alliés spéciaux, d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100	11 %
1289 D	Feuillards laminés à chaud en aciers alliés spéciaux	13 %
	Tôles non façonnées (planes ou ondulées, à plat ou enroulées):	
ex 1296 A	- en fer et aciers non alliés courants, d'une résistance au mm2 de :	
	- - moins de 56 kg (fer et aciers doux) :	
	- - - tôles nues : galvanisées pour automobiles	16 %
	- - - tôles revêtues, métallisées: étamées	18 %
	- - 56 kg et plus (aciers durs):	
	- - - tôles nues: décapées, lustrées ou glacées ...	16 %
	- - - tôles revêtues: métallisées	18 %
ex 1296 B	- en aciers non alliés spéciaux, d'une teneur en carbone de moins de 0,45 p. 100 ou de 0,45 p.100 et plus :	
	- - tôles nues: décapées, lustrées ou glacées	16 %
	- - tôles revêtues : métallisées	18 %
1296 D	- en aciers alliés spéciaux	18 %
	Fils tréfilés :	
1297 A	- en fer et aciers non alliés courants	19 %
1297 B	- en aciers non alliés spéciaux	19 %
ex 1297 D	- en aciers alliés spéciaux, d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de :	
	- - moins de 10 p. 100	18 %
	- - 15 p. 100 et plus	18 %
ex 1298 D	Barres étirées en aciers alliés spéciaux de section ronde, carrée, rectangulaire, hexagonale ou octogonale, d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100	19 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Barres calibrées :	
ex 1299 A	- barres écroûtées, tournées, comprimées ou rétreintes, en aciers alliés spéciaux d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100..	19 %
ex 1299 B	- barres rectifiées en aciers alliés spéciaux d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100	19 %
	Profilés à froid :	
ex 1300 A	- profilés pleins :	
	- - en fer et aciers non alliés courants, en aciers non alliés spéciaux, en aciers alliés courants	19 %
	- - en aciers alliés spéciaux d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le p hosphore, de moins de 10 p. 100	19 %
ex 1300 B	- profilés pliés :	
	- - en fer et aciers non alliés courants, en aciers non alliés spéciaux, en aciers alliés courants	19 %
	- - en aciers alliés spéciaux d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de moins de 10 p. 100	19 %
ex 1301 D	Feuillards laminés à froid ordinaires, en aciers alliés spéciaux d'une teneur totale en tous éléments, autres que le fer, le carbone, le soufre et le phosphore, de :	
	- moins de 10 p. 100	19 %
	- 15 p. 100 et plus	18 %
	Tubes et tuyaux en fer ou aciers, droits et d'épaisseur uniforme, bruts :	
1304 A	- tubes et tuyaux en fer et aciers non alliés	19 %
1304 B	- tubes et tuyaux en aciers alliés	25 %
1305	Tubes et tuyaux en fer ou acier, droits et d'épaisseur uniforme, polis ou revêtus	Droits des tubes et tuyaux bruts (nos 1304 A et B)

LISTE XI-A - FRANCE

Première Partie (suite)[1]

Position du Tarif de la France	Désignation des produits	Taux des droits
1306 B	Tubes et tuyaux en fer ou aciers travaillés ou façonnés, autres (serpentins, tubes cintrés, filetés, rétreints, coniques, renflés, refoulés, etc.)	Droits des tubes et tuyaux droits et d'épaisseur uniforme, selon l'espèce (nos 1304 A et B, 1306)
	CHAPITRE 76 CUIVRE et ses ALLIAGES	
1308	Produits de première fusion du cuivre (mattes).....	Exempts
	Cuivre brut :	
1310 A	- cuivre pour affinage à 99 p. 100 et moins (blisters, cuivres noirs, cuivre de cément)	Exempt
1310 B	- cuivre affiné thermique à plus de 99 p. 100 et moins de 99,9 p. 100 (masses brutes, lingots, plaques , anodes, grenailles)	Exempt
1310 C	- cuivre affiné électrolytique ou thermique à 99,9 p. 100 et plus, y compris l'argent (cathodes, wirebars , lingots, blocs, plaques , grenailles, poudres, etc.)	Exempt
1310 D	- déchets et débris d'ouvrages	Exempts
ex 1311	Barres, fils et profilés de section pleine en cuivre, simplement laminés, filés, étirés ou tréfilés, écrouïs, ou .pp.....	12 %
1312	Tôles, p lanches, feuilles et bandes en cuivre	14 %
1313	Plaques de foyer en cuivre	12 %
1314	Feuilles et bandes minces en cuivre, unies ou gaufrées, découpées ou percées ou non, avec ou sans intercalaires	15 %
1315	Poudre impalpable de cuivre	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Tubes, tuyaux et barres creuses en cuivre, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus :	
1316 A	- barres d'entretoise	12 %
ex 1316 B	- autres, droits et d'épaisseur uniforme, à surface brute	13 %
	Cuivre allié à 10 p. 100 et plus de zinc, brut :	
1317 A	- lingots et masses brutes	Exempts
1317 B	- déchets et débris d'ouvrages	Exempts
ex 1318	Barres, fils et profilés de section pleine en cuivre allié à 10 p. 100 et plus de zinc :	
	- simplement laminés, filés, étirés ou tréfilés, écroûtés ou non	15 %
	- dorés ou argentés	15 %
ex 1319	Tôles, planches, feuilles et bandes en cuivre allié à 10 p. 100 et plus de zinc :	
	- à surface brute	15 %
	- dorées ou argentées	15 %
1320	Plaques de foyer en cuivre allié à 10 p. 100 et plus de zinc	Droit des plaques de foyer en cuivre (n°1313)
ex 1321	Feuilles et bandes minces en cuivre allié à 10 p.100 et plus de zinc, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires :	
	- non fixées sur papier, carton, matières plastiques et supports similaires: simplement laminées ou battues	16 %
	- fixées sur papier, carton, matières plastiques et supports similaires	16 %
	Tubes, tuyaux et barres creuses en cuivre allié à 10 p. 100 et plus de zinc, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus :	
1323 A	- barres d'entretoise	14 %
ex 1323 B	- autres, droits et d'épaisseur uniforme, à surface brute	16 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1325	Barres, fils et profilés de section pleine en autres alliages de cuivre, simplement laminés, filés, étirés ou tréfilés, écroûtés ou non	12 %
ex 1326	Tôles, planches, feuilles et bandes en autres alliages de cuivre, à surface brute	14 %
1327	Plaques de foyer en autres alliages de cuivre	12 %
1328	Feuilles et bandes minces en autres alliages de cuivre, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires	16 %
	Tubes, tuyaux et barres creuses en autres alliages de cuivre, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus:	
1330 A	- barres d'entretoise	12 %
ex 1330 B	- autres, droits et d'épaisseur uniforme, à surface brute	16 %

CHAPITRE 77

NICKEL et ses ALLIAGES

1331	Fontes, mattes et speiss de nickel	Exempts
	Nickel pur ou allié de manganèse, brut :	
1332 A	- lingots, cathodes, rondelles, cubes, billes, grenailles	8 %
1332 B	- anodes coulées	8 %
1332 C	- déchets et débris d'ouvrages	8 %
1333	Barres, fils et profilés de section pleine, en nickel pur ou allié de manganèse :	
	- non dorés ni argentés :	
	- - filés ou laminés	10 %
	- - étirés	13 %
	- - tréfilés	22 %
	- dorés ou argentés	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1334	Tôles, planches, feuilles et bandes en nickel pur ou allié de manganèse :	
	- à surface brute :	
	- - non découpées ou découpées de forme carrée ou rectangulaire, non cannelées, ni striées, ni ondulées, ni cintrées, ni perforées, d'une épaisseur de :	
	- - - plus de 0,15 mm	18 %
	- - - 0,05 mm exclus à 0,15 mm inclus	8 %
	- - autres	18 %
	- dorées ou argentées	18 %
	Alliages de nickel contenant plus de 5 p. 100 et moins de 50 p. 100 de nickel, bruts :	
1337 A	- lingots, rondelles, cubes, billes, grenailles .	8 %
1337 B	- déchets et débris d'ouvrages	8 %
1338	Barres, fils et profilés de section pleine en alliages de nickel contenant plus de 5 p. 100 et moins de 50 p. 100 de nickel :	
	- non dorés ni argentés :	
	- - filés, laminés, étirés	15 %
	- - tréfilés	18 %
	- dorés ou argentés	18 %
ex 1339	Tôles, planches, feuilles et bandes en alliages de nickel contenant plus de 5 p. 100 et moins de 50 p. 100 de nickel :	
	- à surface brute	18 %
	- dorées ou argentées	18 %
	Alliages de nickel contenant 50 p. 100 et plus de nickel, bruts :	
1342 A	- lingots , rondelles, cubes, billes, grenailles..	8 %
1342 B	- déchets et débris d'ouvrages	8 %
1343	Barres, fils et profilés de section pleine en alliages de nickel contenant 50 p. 100 et plus de nickel :	
	- en nickel-chrome sans fer ou contenant moins de 10 p. 100 de fer :	
	- - filés, laminés, étirés	10 %
	- - tréfilés	18 %
	- autres :	
	- - non dorés ni argentés :	
	- - - filés, laminés, étirés	10 %
	- - - tréfilés	20 %
	- - dorés ou argentés	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1344	Tôles, planches, feuilles et bandes en alliages de nickel contenant 50 p. 100 et plus de nickel :	
	- en nickel-chrome sans fer ou contenant moins de 10 p. 100 de fer	18 %
	- autres, à surface brute	8 %
	CHAPITRE 78	
	METAUX LEGERS et LEURS ALLIAGES	
	Aluminium brut :	
1347 A	- lingots, masses brutes, plaques ou billettes	21 %
1347 B	- grains, grenailles ou granulés	21 %
1347 C	- déchets et débris d'ouvrages	21 %
ex 1348	Barres, fils et profilés de section pleine en aluminium simplement laminés, filés, étirés ou tréfilés, écroûtés ou non	20 %
ex 1349	Tôles, planches, feuilles et bandes d'aluminium, à surface brute	20 %
ex 1350	Feuilles et bandes minces en aluminium, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires :	
	- non fixées sur papier, carton, matières plastiques et supports similaires: autres (laquées, gommées, coloriées, imprimées, dorées, argentées, etc., à l'exclusion de celles simplement laminées ou battues ou bien oxydées)	20 %
	- fixées sur papier, carton, matières plastiques et supports similaires	20 %
1352	Tubes, tuyaux et barres creuses en aluminium, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus, droits et d'épaisseur uniforme à surface brute ou autre, ou bien façonnés	20 %
ex 1354	Barres, fils et profilés de section pleine en alliages d'aluminium, simplement laminés, filés, étirés ou tréfilés, écroûtés ou non	20 %
ex 1355	Tôles, planches, feuilles et bandes en alliages d'aluminium, à surface brute	20 %
ex 1356	Feuilles et bandes minces en alliages d'aluminium, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires :	
	- non fixées sur papier, carton, matières plastiques et supports similaires: autres (laquées,gommées,coloriées, imprimées, dorées, argentées, etc.,à l'exclusion de celles simplement laminées ou battues ou bien oxydées)	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1356 (suite)	Feuilles et bandes minces en alliages d'aluminium, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires (suite): - fixées sur papier, carton, matières plastiques et supports similaires	20 %
1358	Tubes, tuyaux et barres creuses en alliages d'aluminium, laminés, filés, étirés, soudés, à bords rapprochés, rivés, agrafés, ou autrement obtenus, droits et d'épaisseur uniforme à surface brute ou autre, ou bien façonnés	20 %
1359 A	Magnésium ou ses alliages bruts : lingots, pains et billettes	25 %
	CHAPITRE 79	
	ZINC et ses ALLIAGES	
	Zinc brut :	
1366 A	- masses brutes (lingots, blocs, cathodes, etc.), grenailles, poudre	15 %
1366 B	- poussières	15 %
1366 C	- déchets et débris d'ouvrages	Exempts
ex 1367	Barres, fils et profilés de section pleine en zinc, simplement laminés, filés ou étirés	16 %
ex 1368	Feuilles, planches, tôles et bandes en zinc, à surface brute	16 %
1369	Feuilles et bandes minces en zinc, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires	16 %
1370	Tubes, tuyaux et barres creuses en zinc, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus, droits et d'épaisseur uniforme ou façonnés	16 %
1371 B	Alliages de zinc bruts : déchets et débris d'ouvrages	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 80	
	PLOMB et ses ALLIAGES	
	Plomb ou ses alliages bruts :	
1376 A	- lingots, masses brutes, blocs, saumons, plaques et baguettes :	
	- - en plomb non allié :	
	- - - argentifère	Exempts
	- - - non argentifère	10 %
	- - en plomb allié	10 %
1376 B	- déchets et débris d'ouvrages	Exempts
ex 1377	Barres, fils et profilés de section pleine en plomb non allié	20 %
ex 1378	Tables, feuilles et bandes en plomb ou ses alliages, non découpées ou découpées de forme carrée ou rectangulaire, non cannelées, ni striées, ni cintrées, ni perforées	18 %
1380	Plomb de chasse	18 %
	CHAPITRE 81	
	ETAIN et ses ALLIAGES	
	Etain ou ses alliages bruts :	
1382 A	- lingots, masses brutes, blocs, saumons, plaques, baguettes	Exempts
1382 B	- déchets et débris d'ouvrages	Exempts
1383	Barres, fils et profilés de section pleine en étain ou ses alliages :	
	- en étain non allié	10 %
	- en étain allié	12 %
1384	Tables, planches, feuilles et bandes en étain ou ses alliages :	
	- en étain non allié	10 %
	- en étain allié	12 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1385	Feuilles et bandes minces en étain ou ses alliages, unies ou gaufrées, découpées ou perforées ou non, avec ou sans intercalaires	12 %
1387	Tubes, tuyaux et barres creuses en étain ou ses alliages, laminés, filés, étirés, soudés, à bords rapprochés, rivés ou agrafés, ou autrement obtenus, droits ou d'épaisseur uniforme ou façonnés	10 %
	CHAPITRE 82	
	AUTRES METAUX COMMUNS ET LEURS ALLIAGES	
	Tungstène ou ses alliages :	
1388 A	- bruts :	
	- - poudre	35 %
	- - masses brutes, déchets et débris d'ouvrages ...	20 %
1388 B	- barres, tiges, fils et filaments	24 %
1388 C	- plaquettes	24 %
1388 D	- feuilles et bandes	24 %
1388 E	- pastilles et contacts	24 %
	Molybdène ou ses alliages :	
1389 B	- barres, tiges, fils et filaments	19 %
1389 D	- feuilles et bandes	19 %
	Tantale ou ses alliages :	
1390 A	- bruts :	
	- - poudre	35 %
	- - masses brutes, déchets et débris d'ouvrages ...	15 %
1390 B	- barres et fils	35 %
1390 C	- plaquettes, feuilles et bandes	35 %
ex 1391 A	Cadmium brut : lingots, baguettes et cathodes	Exempt
	Cobalt ou ses alliages :	
1393 A	- produits de première fusion (fontes, mattes, speiss)	Exempts
1393 B	- affinés en masses brutes, déchets et débris d'ouvrages	Exempts
1393 C	- ouvrés (laminés, filés, étirés, etc.)	15 %
1394 B	Chrome ou ses alliages ouvrés (laminés, filés, étirés, etc.)	15 %
1396 A	Bismuth ou ses alliages bruts, déchets et débris d'ouvrages	Exempts

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 83 CONSTRUCTIONS METALLIQUES; CUVES et RESERVOIRS; EMBALLAGES METALLIQUES; CABLES, TOILES, GRILLAGES et TREILLIS; CHAINES; RESSORTS; ARTICLES de POINTERIE, de CLOUTERIE, de BOULONNERIE et de VISSERIE	
	Constructions métalliques en fer ou acier (ponts, charpentes, rideaux, pylônes, chevalements, toitures, balcons, balustrades, appuis, grilles, entourages de tombes, de portères, barrières, panneaux grillagés, serres, châssis, kiosques, marquises, vérandas, poulaillers, clapiers, volières, etc.) et leurs éléments travaillés :	
1399 A	- pesant plus de 5 kg au mètre linéaire ou plus de 25 kg au m2	18 %
1399 B	- autres	18 %
ex 1401	Accessoires de tuyauterie (raccords, coudes, joints, manchons, brides, etc.) en métaux légers ou leurs alliages	20 %
ex 1403	Réservoirs, citernes, foudres, cuves et autres récipients analogues, sans calorifugeage ni dispositif de réchauffage, d'une contenance de plus de 50 litres, en fer ou en acier non inoxydable, sans revêtement intérieur ou avec revêtement intérieur autre qu'en émonite	18 %
	Fûts, touques, tonnelets, bidons et boîtes d'emballage en tôle, avec ou sans bouchon ou couvercle :	
ex 1406 A	- pots à lait d'une contenance de plus de 18 litres, en fer ou en acier non inoxydable	20 %
ex 1406 B	- autres, en fer ou acier, d'une épaisseur de :	
	- - plus de 1,5 mm	20 %
	- - 0,5 mm et moins	20 %
ex 1406	Etuis rigides filés (pour pharmacie, parfumerie, etc.), avec ou sans couvercle, en métaux légers ou leurs alliages	20 %
ex 1408	Tubes souples d'emballage, sans bouchon ou avec bouchon métallique, en métaux légers ou leurs alliages	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1409	Bouchons métalliques, avec ou sans goulot, avec ou sans parties en autres matières :	
	- en fer ou acier :	
	- - bouchons mécaniques	18 %
	- - bouchons à vis et autres	18 %
	- en métaux légers ou leurs alliages :	
	- - capsules déchirables	20 %
	- - bouchons à vis et autres	20 %
	- en autres métaux communs	20 %
1411	Capsules de surbouchage (en tous métaux communs)..	20 %
1413	Câbles, tresses, élingues, estropes et filets de chargement (avec ou sans âme en autres matières)	
	- en fils de fer ou d'acier	22 %
	- en fils de cuivre ou de ses alliages :	
	- - entièrement en fils de cuivre ou de ses alliages	19 %
	- - en fils de cuivre ou de ses alliages et fils d'acier	22 %
	- en fils d e métaux légers ou de leurs alliages ou en fils d'autres métaux communs	22 %
1415	Toiles et tissus en fils métalliques (unis, croisés, chaînettes), en rouleaux ou en panneaux, découpés ou non :	
	- en fils de fer ou d'acier	22 %
	- en fils de cuivre ou de ses alliages	20 %
	- en fils de nickel ou de ses alliages	22 %
	- en fils de métaux légers ou de leurs alliages....	20 %
	- en fils d'autres métaux communs	22 %
	Chaînes de transmission :	
ex 1419 A	- chaînes à maillons en une seule pièce (forgés, soudés ou moulés, en tôle ou en fil), avec ou sans adjonction de boulons et autres pièces, entièrement en fonte, fer ou acier non inoxydable, brutes, polies, oxydées, vernissées, zinguées, étamées, plombées, cuivrées	15 %
ex 1419 B	- chaînes à maillons avec axes, tubes ou rivets d'articulation (chaînes à rouleaux, tubulaires, silencieuses, système Gall et analogues) entièrement en fonte, fer ou acier non inoxydable, brutes, polies, oxydées, vernissées, zinguées, étamées, plombées, cuivrées	15 %
1419 C	- parties et pièces détachées	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Chaînes et chaînettes autres que de transmission :	
ex 1420 A	- chaînes non montées, en fonte, en fer ou en acier non inoxydable	20 %
1420 B	- chaînes montées	Droit des chaînes non montées, selon l'espèce (n° 1420 A)
ex 1423 A	Ressorts à lames (y compris les lames détachées) en acier: ressorts de suspension pour véhicules	20 %
1425	Articles de pointerie et de clouterie (en tous métaux communs)	20 %
ex 1428	Protecteurs et ferrures pour chaussures, en fonte, fer ou acier	22 %
ex 1432	Articles de boulonnerie et de visserie non filetés (rivets, axes, rondelles, goupilles, clavettes, etc.), en fer ou en acier non inoxydable	17 %
ex 1434	Articles de boulonnerie et de visserie avec filetage à métaux (vis à métaux, tiges, boulons, écrous, crochets, etc.), en fer ou en acier non inoxydable ..	17 %
	CHAPITRE 84	
	OUTILS et OUTILLAGE à MAIN; COUTELLERIE; ARTICLES de MENAGE; QUINCAILLERIE et SERRURERIE	
	Outils agricoles et horticoles :	
1435 A	- fourches et croes, emmanchés ou non	18 %
1435 B	- pelles, emmanchées ou non	18 %
1435 C	- pioches et pics, emmanchés ou non	18 %
1435 D	- outils à tailleants (cognées, haches et hachettes, machètes , serpes, croissants, coins, etc.) emmanchés ou non	18 %
1435 E	- faulx et faucilles, emmanchées ou non	18 %
1435 F	- ciseaux à haies, échenilloirs, cueille-fruits et analogues, emmanchés ou non	18 %
1435 G	- étrilles	18 %
1435 H	- outils de jardinage et autres outils agricoles, non dénommés ni compris ailleurs	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Outils de métiers :	
1436 B	- scies à main :	
	- - à bois, à métaux et autres matières, montées et montures métalliques sans lames	15 %
	- - lames de scies	Voir n°1654 C
1436 C	- enclumes de toutes sortes	18 %
1436 D	- articles de martellerie	18 %
1436 E	- tenailles, pinces et similaires	18 %
1436 F	- clés de serrage, y compris les accessoires et pièces détachées	15 %
1436 G	- limes et râpes, emmanchées ou non, y compris les ébauches	18 %
1436 H	- mèches à bois, tarières et vrilles	18 %
1436 I	- outils tranchants non dénommés ni compris ailleurs	18 %
ex 1436 J	- autres outils, non dénommés ni compris ailleurs (truelles, palettes, diamants de vitrier, tournevis, valets, pointeaux, poinçons, alènes, fers à souder, fusils de boucher, etc.), emmanchés ou non, en fonte, fer ou acier non inoxydable	18 %
ex 1437	Outils domestiques (fers à repasser, fers à friser, gaufriers, crochets de nacre, pincettes, ouvre-boîtes, [illegible] clés, tire-bouchons, décapsuleurs, casse-noix, etc.) entièrement en métal ou avec manche (ou poignée) en bois commun, en céramique ou en verre : en fonte, en fer ou en acier non inoxydable	18 %
	Outillage mécanique à main de métiers :	
1438 A	- étaux et serre-joints, et leurs pièces détachées.	15 %
1438 D	- vilebrequins, porte-forets, drilles, perçeuses à main, tourne-à-gauche, et leurs accessoires et pièces détachées à l'exclusion des porte-outils	15 %
1438 G	- autres articles (massicots, couteaux à socle, etc.)	18 %
1439 C	Outillage mécanique à main domestique: presses à jus de viande, à fruits, presse-purées, coupe-frites, et leurs pièces détachées	18 %
ex 1443 B	Lames de rasoirs de sûreté, autres (finies, à l'exclusion des ébauches et plaquettes pour lames)...	20 %
ex 1450	Cuillers, fourchettes et articles similaires à manche (louches, manches à gigot, pelles à tarte, truelles à poisson, pinces à asperges, pinces à sucre, fusils de table, etc.), à manche en métaux communs dorés ou argentés	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1452	Cuillers, fourchettes et articles similaires (louches, manches à gigot, pelles à tarte, truelles à poisson, pinces à asperges, pinces à sucre, etc.) d'une seule pièce, dorés ou argentés	25 %
	Articles de ménage, d'hygiène et d'économie domestique et professionnelle, et leurs pièces détachées, en fonte :	
ex 1453 A	- articles sanitaires (baignoires et autres) émaillés	22 %
1453 B	- autres articles (cocottes, poêlons, chaudrons, auges, etc.), émaillés ou non	18 %
	Articles de ménage, d'hygiène et d'économie domestique et professionnelle, et leurs pièces détachées, en fer ou acier :	
1454 A	- articles en tôle	20 %
1454 B	- articles en fil, grillage, toile ou treillis	18 %
1454 C	- articles en ruban ou feuillard	18 %
1454 D	- autres articles	18 %
ex 1455	Articles de ménage, d'hygiène et d'économie domestique et professionnelle, et leurs pièces détachées, en cuivre ou ses alliages, dorés ou argentés	20 %
	Articles de ménage, d'hygiène et d'économie domestique et professionnelle, et leurs pièces détachées, en métaux légers ou leurs alliages :	
1456 A	- articles fondus	23 %
1456 B	- autres	23 %
1458	Articles de ménage, d'hygiène et d'économie domestique et professionnelle, et leurs pièces détachées, en autres métaux communs ou leurs alliages	20 %
	Serrures, avec ou sans clefs :	
1473 A	- serrures sans gorge ou à une ou deux gorges	22 %
1473 B	- serrures de sûreté et verrous de sûreté	20 %
	Cadenas, avec ou sans clefs :	
1474 A	- cadenas sans gorge ou à une ou deux gorges	22 %
1474 B	- cadenas de sûreté	20 %

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 85	
	MOBILIER METALLIQUE; ARTICLES d'ECLAIRAGE et de CHAUFFAGE; OBJETS d'ORNEMENT en METAUX; BOUCLERIE; ARTICLES de MERCERIE en METAUX; FERMOIRS; ARTICLES DIVERS en METAUX	
	Coffres-forts et autres meubles de sécurité, même avec parties en béton :	
1476 A	- coffres-forts; armoires fortes en tôle de plus de 3 mm d'épaisseur	20 %
1476 B	- portes et compartiments blindés pour chambres fortes; fermetures étanches; portes coupe-feu...	20 %
1476 C	- coffrets, cassettes et troncs de sûreté; tiroirs à fermeture automatique présentés isolément	20 %
	Matériel de bureau métallique :	
1477 A	- classeurs, fichiers, boîtes de classement et de triage	20 %
1477 B	- autres (corbeilles, planning, porte-copies, etc.)	20 %
1478	Rayonnages tablettes fixes ou mobiles; cloisons amovibles	20 %
1479	Echelles et escabeaux métalliques	20 %
	Meubles métalliques :	
ex 1480 B	- sièges non rembourrés	20 %
1480 C	- buffets de cuisine et d'office	20 %
1480 D	- autres (armoires, bureaux, comptoirs, tables, vestiaires, pupitres, etc.)	20 %
1481 B	Lampes de mineurs	18 %
1482	Lampes, lustrerie, appliques, lampadaires et autres appareils d'éclairage non équipés électriquement, pièces détachées d'appareils d'éclairage autres que les becs (pieds de lampes, réservoirs, corps de lanternes, réflecteurs, abat-jour, supports, etc.) en tous métaux communs, même dorés ou argentés, avec ou sans parties en autres matières	20 %
ex 1484	Becs à gaz, à acétylène et similaires, simples	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Cuisinières, poêles, calorifères, réchauds et autres appareils de chauffage domestique, non électriques, leurs parties et pièces détachées :	
1485 A	- appareils à combustibles solides	20 %
1485 B	- appareils à combustibles liquides	20 %
1485 C	- appareils à combustibles gazeux	20 %
1485 D	- parties et pièces détachées	20 %
ex 1486 C	Objets d'ornement en fonte, fer ou acier, non dorés ni argentés, autres, en fer ou en acier non inoxydable	22 %
1489	Objets d'ornement en tous métaux communs dorés ou argentés	22 %
1491	Petite bouclerie (pour habillement, équipement, maroquinerie, articles de voyage, etc.)	18 %
1492	Oeillets et crochets, rivets tubulaires ou bifurqués, ferrets	20 %
1493	Agrafes et portes	20 %
ex 1494	Aiguilles à coudre à la main, crochets à broder à la main, aiguilles ou broches à tricoter à la main, passe-lacets, navettes à filet, pointes pour insignes et articles similaires, ébauchés ou finis, en métaux communs ou en matières plastiques armées de métal, d'une longueur de plus de 5 cm	12 %
1506	Aimants	20 %
ex 1511	Etuis à lunettes et similaires, non gainés, non garnis intérieurement, en fer ou en acier non inoxydable, bruts, polis, vernis, peints, zingués (galvanisés), étamés ou cuivrés	22 %
	Ouvrages en fer ou en acier non dénommés ni compris ailleurs :	
ex 1515 A	- ouvrages en tôle, ruban ou feuillard de fer ou d'acier non inoxydable	25 %
1515 B	- ouvrages en fil, grillage, toile ou treillis	25 %
1515 C	- autres ouvrages	25 %
1517 A	Ouvrages en aluminium ou ses alliages, non dénommés ni compris ailleurs	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 86 CHAUDIERES; MOTEURS; MACHINES THERMIQUES, HYDRAULIQUES et PNEUMATIQUES	
1520	Appareils auxiliaires et accessoires de chaudières, non dénommés ni compris ailleurs	18 %
	Machines alternatives à vapeur, avec ou sans réducteur de vitesse :	
1524 A	- machines combinées avec leur générateur	20 %
1524 B	- machines sans générateur	20 %
	Moteurs à pistons à explosion ou à injection, pour automobiles et motocycles :	
1527 A	- moteurs à explosion à allumage par étincelle	30 %
1527 B	- autres moteurs	30 %
1528	Moteurs à pistons pour l'aviation, d'une puissance nominative au sol de :	
	- moins de 200 C.V.	35 %
	- 200 C.V. inclus à 2.200 C.V. exclus	10 %
	- 2.200 C.V. et plus	5 %
	Autres moteurs à pistons à explosion ou à injection (moteurs fixes et moteurs marins) :	
1529 A	- moteurs à explosion à allumage par étincelle	15 %
ex 1529 B	- autres moteurs, d'un poids unitaire de 100.000 kg et moins	18 %
1530	Propulseurs à réaction (turboréacteurs, turbopropulseurs, statoréacteurs, générateurs à pistons libres, fusées à réaction chimique, etc.).....	15 %
1532 C	Autres machines motrices non dénommées ni comprises ailleurs, autres	20 %
	Pompes à bras :	
1534 A	- pompes à liquides	15 %
1534 B	- pompes à air et à vide	15 %
	Pompes à liquides, nues, à commande mécanique :	
1535 A	- pompes centrifuges	15 %
1535 B	- pompes à pistons ou à membrane	15 %
1535 C	- pompes rotatives volumétriques (à pistons, à palettes, à engrenages, à vis, etc.)	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Moto-pompes à liquides :	
1536 A	- électro-pompes	15 %
1536 B	- pompes à pistons, non électriques, à action directe	15 %
1536 C	- autres	Droits afférents à chaque élément
	Compresseurs d'air, de gaz (y compris les compresseurs pour appareils frigorifiques présentés isolément), pompes à vide, nus, à commande mécanique :	
1537 A	- compresseurs et pompes à vide alternatifs à pistons ou à membrane, d'un poids unitaire de :	
	- - plus de 25.000 kg	8 %
	- - 1.000 kg exclus à 25.000 kg inclus	10 %
	- - 250 kg exclus à 1.000 kg inclus	12 %
	- - 250 kg et moins	15 %
1537 B	- compresseurs et pompes à vide rotatifs volumétriques (à pistons conjugués, à palettes, à anneau liquide, à pistons tournants, etc.), d'un poids unitaire de :	
	- - plus de 1.000 kg	10 %
	- - 250 kg exclus à 1.000 kg inclus	12 %
	- - 250 kg et moins	15 %
1537 C	- compresseurs et pompes à vides centrifuges et autres	Droits des compresseurs rotatifs volumétriques, selon la catégorie (n° 1537 B)
	Groupes moto-compresseurs et moto-pompes à vide :	
1538 A	- compresseurs et pompes à vide alternatifs :	
	- - fixes (sur socle ou châssis), avec ou sans accessoires (réservoirs, etc.), à moteur électrique ou autres, d'un poids unitaire de :	
	- - - plus de 25.000 kg	8 %
	- - - 2.000 kg exclus à 25.000 kg inclus	10 %
	- - - 500 kg exclus à 2.000 kg inclus	12 %
	- - - 500 kg et moins	15 %
	- - mobiles (sur chariot), avec ou sans accessoires (réservoirs, etc.), à moteur électrique ou autres , d'un poids unitaire de :	
	- - - plus de 2.000 kg	20 %
	- - - 2.000 kg et moins	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Groupes moto-compresseurs et moto-pompes à vide (suite):	
1538 B	- compresseurs et pompes à vide rotatifs volumétriques :	
	- - fixes (sur socle ou châssis), avec ou sans accessoires (réservoirs, etc.), à moteur électrique ou autres, d'un poids unitaire de :	
	- - - plus de 2.000 kg	12 %
	- - - 2.000 kg et moins	15 %
	- - mobiles (sur chariot), avec ou sans accessoires (réservoirs, etc.), à moteur électrique ou autres, d'un poids unitaire de :	
	- - - plus de 2.000 kg	12 %
	- - - 2.000 kg et moins	15 %
1538 C	- compresseurs et pompes à vide, centrifuges et autres	Droits des compresseurs rotatifs volumétriques, selon l'espèce et la catégorie (n° 1538 B)
	Pièces détachées de machines à vapeur, de turbines, de moteurs de propulseurs, de pompes et de compresseurs :	
1539 A	- aubes, aubages et rotors	15 %
1539 B	- aiguilles et augets de turbines hydrauliques ...	15 %
1539 C	- cylindres	15 %
ex 1539 D	- blocs-cylindres, carters, culasses, corps de pompes et des compresseurs	
	- - pour moteurs d'automobiles et de motocycles ...	30 %
	- - autres :	
	- - - en fonte	15 %
	- - - en acier non inoxydable	10 %
	- - - en acier inoxydable	15 %
	- - - en cuivre ou ses alliages	15 %
	- - - en métaux légers ou leurs alliages	15 %
1539 E	- pistons :	
	- - pour moteurs d'automobiles et de motocycles ..	30 %
	- - autres	15 %
1539 F	- chemises de cylindres :	
	- - pour moteurs d'automobiles et de motocycles ...	30 %
	- - autres	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Pièces détachées de machines à vapeur, de turbines, de moteurs, de propulseurs, de pompes et de compresseurs (suite) :	
1539 G	- bielles :	
	- - pour moteurs d'automobiles et de motocycles	30 %
	- - autres :	
	- - - en acier	10 %
	- - - en métaux légers ou leurs alliages et autres...	15 %
1539 H	- vilebrequins, axes de pompes, arbres à cames :	
	- - pour moteurs d'automobiles et de motocycles	30 %
	- - autres	10 %
1539 I	- segments de pistons	15 %
1539 J	- soupapes, clapets et articles similaires en métaux	10 %
1539 K	- carburateurs et organes similaires, leurs parties et leurs pièces détachées	20 %
1539 L	- pompes à huile, pompes et turbines à eau, pompes d'alimentation, échappements, élévateurs d'essence, économiseurs, épurateurs d'huile, filtres d'huile, et leurs parties :	
	- - pour moteurs d'automobiles et de motocycles	25 %
	- - autres	15 %
1539 M	- injecteurs, porte-injecteurs, pompes d'injection, et leurs parties	15 %
1539 N	- régulateurs de pression	15 %
1539 O	- démarreurs non électriques (à main, hydrauliques, à air comprimé, etc.)	15 %
1539 P	- jeux de joints divers présentés en pochettes ou sous un emballage analogue	20 %
1539 Q	- accessoires et pièces détachées spéciaux pour propulseurs à réaction	Régime des propulseurs à réaction (n°1530)
1539 R	- autres pièces, non dénommées ni comprises ailleurs	Régime des pièces de mécanique générale, selon l'espèce (chapitre 91)
	Ventilateurs sans moteur, avec ou sans mouvement à poulie :	
1540 A	- ventilateurs centrifuges à volute	20 %
1540 B	- ventilateurs hélicoïdaux	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Dénomination des produits	Taux des droits
	Ventilateurs munis d'un moteur (électrique ou autre):	
1541 A	- ventilateurs centrifuges à volute	20 %
1541 B	- ventilateurs hélicoïdaux industriels	20 %
ex 1544	Filtres d'air ou de gaz, et leurs parties d'un poids unitaire de 5 kg et moins	30 %
	Fours industriels, briquetés ou non :	
1547 A	- fours à foyers, automatiques ou non	18 %
1547 B	- fours à brûleurs	18 %
1547 C	- fours électriques, à résistance, à arc, à électrodes plongeantes et autres	20 %
1547 D	- parties de fours	20 %
ex 1549	Appareils et dispositifs non dénommés ni compris ailleurs pour le chauffage, la cuisson, la torréfaction, la distillation, la rectification, le raffinage, la stérilisation, l'évaporation, la vaporisation la condensation, le refroidissement et autres opérations similaires nécessitant un changement de température, et leurs pièces détachées, contenant moins de 50 p. 100 de cuivre ou de métaux légers, ou de leurs alliages, ou bien d'acier inoxydable..	7 %
1550	Meubles frigorifiques équipés (armoires, conservateurs, comptoirs réfrigérés, vitrines frigorifiques, fontaines réfrigérées, etc.)	15 %
	Equipements frigorifiques à éléments constitutifs fixés sur un socle commun:	
1552 A	- équipements à compression	5 %
1552 B	- autres (machines à absorption, à résorption, à évaporation, etc.)	5 %
1554 B	Autres machines et appareils thermiques, hydrauliques et pneumatiques, non dénommés ni compris ailleurs, autres	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 87	
	MATERIEL de LEVAGE et de MANUTENTION; MACHINES et APPAREILS d'EXTRACTION et de TERRASSEMENT; MACHINES et APPAREILS de BROYAGE, de CRIBLAGE et d'AGGLOMERATION de PRODUITS MINERAUX; MACHINES et APPAREILS pour la CERAMIQUE, la VERRERIE, la SIDERURGIE et la FONDERIE	
	Monte-charges, ascenseurs, descenseurs, skips et leurs parties :	
1555 A	- appareils hydrauliques	9 %
1555 B	- appareils à fonctionnement électrique, d'un poids unitaire de :	
	- - plus de 10.000 kg	15 %
	- - 5.000 kg exclus à 10.000 kg inclus	16 %
	- - 2.000 kg exclus à 5.000 kg inclus	18 %
	- - 2.000 kg et moins	20 %
1555 C	- autres appareils	9 %
1555 D	- parties et pièces détachées (taquets de sécurité, rouelles, etc.)	18 %
	Treuils et cabestans, et leurs parties :	
1556 A	- treuils à bras	9 %
1556 B	- treuils électriques	18 %
1556 C	- autres	9 %
1556 D	- parties et pièces détachées	18 %
1557	Ponts roulants, ponts tournants de locomotives, transbordeurs de wagons, enfourneuses, défourneuses, strippeurs, monorails et bitrails de manutention	9 %
	Grues :	
1558 A	- grues fixes	9 %
1558 B	- grues mobiles	9 %
1559	Portiques et bardeurs	9 %
1560	Bennes preneuses, griffes articulées, crochets preneurs et organes similaires, présentés isolément ou avec leurs appareils de levage :	
	- à moteur électrique	18 %
	- autres	9 %
	Crics et vérins :	
1562 A	- appareils mécaniques	9 %
1562 B	- appareils hydrauliques	9 %
1562 C	- autres appareils (pneumatiques, électriques, etc.)	18 %

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1563	Palans et mouflos, présentés isolément ou avec leurs appareils de levage :	
	- électriques	15 %
	- autres	9 %
	Transporteurs mécaniques à action continue, autres que par câbles :	
1564 A	- transporteurs à dispositif sans fin (à tabliers, à bandes souples, à récolettes, à godets, escaliers mécaniques, etc.) ou bien à dispositif à secousses ou vibrateur.....	9 %
1564 B	- pelletouses mobiles	9 %
1564 C	- autres appareils	9 %
1565	Transporteurs aériens sur câbles; téléphériques ..	9 %
	Appareils de levage et de manutention non dénommés ni compris ailleurs :	
1567 A	- échelles d'incendie équilibrées	9 %
1567 B	- autres (pousse-wagons, culbuteurs de wagons, etc.)	9 %
	Matériel d'extraction, d'excavation et de préparation du sol :	
1568 A	- pelles mécaniques, excavateurs, chargeuses	16 %
1568 B	- bêteuses ,railleteuses	16 %
1568 C	- décapeurs, pionniers, rouleaux pieds de mouton, dameuses, niveleuses, planeuses	16 %
1568 D	- matériel de forage et de sondage	16 %
1568 E	- sonnettes de battage	16 %
1568 H	- autres machines et appareils	16 %
	Machines et appareils de concassage, de broyage et de pulvérisation simples, non dénommés ni compris ailleurs, leurs parties et pièces detachées :	
1569 A	- machines et appareils à mâchoires, à boulets ou à marteaux	16 %
1569 B	- autres machines et appareils; parties et pièces détachées	16 %
	Appareils de criblage, de triage, de classement, de lavage et de dépoussiérage, non dénommés ni compris ailleurs, leurs parties et pièces détachées :	
1570 A	- appareils mécaniques et hydrauliques	16 %
1570 B	- appareils pneumatiques	16 %
1570 C	- appareils électrostatiques	16 %
1570 D	- trieurs magnétiques	16 %
1570 E	- autres appareils; parties et pièces détachées...	16 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1571	Mélangeurs et malaxeurs, non dénommés ni compris ailleurs, leurs parties et pièces détachées	18 %
1572	Machines et appareils centrifuges (séparateurs, épurateurs, etc.), non dénommés ni compris ailleurs, leurs parties et pièces détachées :	
	- appareils complets, d'un poids unitaire de :	
	- - plus de 250 kg	18 %
	- - 250 kg et moins	Droit des écrémeuses (n°1596 B)
	- parties et pièces détachées	Droit des parties et pièces détachées d'écrémeuses (n° 1596 B)
1573	Filtres-presses, avec ou sans pompe, non dénommés ni compris ailleurs	18 %
	Presses non dénommées ni comprises ailleurs :	
1574 A	-presses hydrauliques	16 %
1574 B	-autres	16 %
1575	Machines et appareils à former, à mouler, à agglomérer, à couler, à briqueter les combustibles solides, les pâtes céramiques, le plâtre, le béton, à former les moules de fonderie en sable	16 %
	Laminoirs et calandres :	
1576 A	- laminoirs et trains de laminoirs à chaud ou à froid autres qu'à tubes, y compris le matériel de manipulation et de manutention (manipulateurs, ripeurs et tabliers à rouleaux, tables de refroidissement, etc.) présenté avec les laminoirs	15 %
1576 B	- calandres pour tous usages (pour tissus, papier, caoutchouc, cuir artificiel, matières plastiques, etc.)	15 %
1576 C	- accessoires et pièces détachées	15 %
	Machines et appareils pour la préparation du béton, leurs parties et pièces détachées :	
1578 A	- bétonnières	18 %
1578 B	- vibrateurs à béton	18 %
1578 C	- autres machines et appareils; parties et pièces détachées	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Machines et appareils pour la préparation des asphaltes, bitumes, tarmacadams, goudrons, et appareils auxiliaires, leurs parties et pièces détachées :	
1579 A	- chaudières, fondoirs, joints à temps	18 %
1579 B	- enrobeurs	18 %
1579 C	- autres machines et appareils; parties et pièces détachées	18 %
1580	Machines et appareils pour cokeries et usines à gaz, leurs parties et pièces détachées	18 %
1581	Machines et appareils non dénommés ni compris ailleurs pour les industries céramiques	18 %
	Machines non dénommées ni comprises ailleurs pour les industries de la verrerie :	
1582 A	- machines pour la fabrication du verre plat (verre à vitres, glaces, etc.)	16 %
1582 B	- machines pour le finissage des glaces	16 %
1582 C	- machines pour la fabrication des fibres de verre	18 %
1582 D	- machines pour la fabrication du verre creux à partir du verre pâteux ou liquide :	
	- - machines à fabriquer les ampoules de lampes électriques	18 %
	- - autres	16 %
1582 E	- machines pour le façonnage à chaud du verre creux ou en tubes et autres machines de verrerie	16 %
	Machines et appareils non dénommés ni compris ailleurs pour la sidérurgie, la fonderie, l'aciérie et la métallurgie, leurs parties et pièces détachées :	
1584 A	- cubilots, chariots-poches à fonte, mélangeurs fixes et basculants	15 %
1584 B	- machines à couler sous pression	15 %
1584 C	- bobineirs de traction	15 %
1584 D	- machines pour la fabrication des tubes	15 %
1584 E	- tuyères et tympes	15 %
1584 F	- autres machines et appareils (machines à boucher les trous de coulées, appareils à gueuses, chariots-cuves à laitier, poches de coulée à mouvement de renversement mécanique, convertisseurs, casse-gueuses, tonneaux à désablier avec ou sans aspiration, etc.)	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des Droits
	CHAPITRE 88	
	MACHINES et APPAREILS pour l'AGRICULTURE et LES INDUSTRIES ALIMENTAIRES	
	Matériel de préparation et de drainage du sol :	
1588 A	- arrachoueuses, plantoueuses et appareils similaires, et leurs pièces détachées	15 %
1588 B	- appareils à disques et leurs pièces détachées...	15 %
1588 C	- charrues autres qu'à disques et appareils similaires, et leurs pièces détachées	15 %
1588 D	- cultivateurs et appareils similaires, y compris les "herses canadiennes", et leurs pièces détachées	15 %
1588 E	- herses (à l'exception des "herses canadiennes") et appareils similaires, et leurs pièces détachées	15 %
1588 F	- rouleaux et appareils similaires, et leurs pièces détachées	15 %
1589	Semoirs et distributeurs d'engrais	15 %
	Matériel de récolte et de fenaison :	
1590 A	- faucheuses et javeleuses	15 %
1590 B	- moissonneuses-lieuses	15 %
1590 C	- moissonneuses-batteuses	12 %
1590 D	- appareils de fenaison et similaires	15 %
1590 E	- botteleuses	15 %
1590 F	- autres appareils (appareils à andains, appareils auxiliaires à moissonner, vire-andains, avant-trains porte-gerbes) et pièces détachées des appareils ci-dessus, à l'exception des pièces de batteuses	15 %
	Matériel de battage et de pressage :	
1591 A	- batteuses à grains (céréales et petites graines)	15 %
1591 B	- presses à paille et à fourrage	15 %
1591 C	- accessoires de batteuses présentés isolément (élévateurs et monte-gerbes, engrenages, expulseurs de balles, ramasseurs de paille, etc.)	15 %

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Appareils et instruments pour le traitement et la protection des végétaux et appareils et instruments similaires (pulvérisateurs, poudreuses, etc.), leurs parties et pièces détachées :	
1592 A	- instruments et appareils à main (soufflets, seringues, lances, etc.)	15 %
1592 B	- appareils à dos, à bât ou sur brouettes (soufreuses, poudreuses, pulvérisateurs, etc.)	15 %
1592 C	- autres appareils à moteur (automoteurs, etc.)	15 %
1592 D	- parties et pièces détachées	15 %
	Appareils d'aviculture et d'apiculture non dénommés ni compris ailleurs, leurs parties et pièces détachées :	
1593 A	- couveuses et éleveuses de tous systèmes, y compris les appareils électriques, et leurs pièces détachées	15 %
1593 B	- autres	15 %
	Appareils de ferme non dénommés ni compris ailleurs, leurs parties et pièces détachées :	
1594 A	- appareils pour la préparation des aliments des animaux et appareils similaires (concasseurs à grains, hache-paille, coupe-racines, mélangeurs, etc.), et leurs pièces détachées	15 %
1594 B	- déchargeurs de fourrage de tous systèmes, ensileuses, transporteurs de fumier, et leurs pièces détachées	15 %
1594 C	- autres (abreuvoirs automatiques, germoirs, etc.)..	15 %
	Autres appareils pour l'agriculture, non dénommés ni compris ailleurs :	
1595 A	- trieurs à oeufs, à fruits, à tubercules	15 %
1595 B	- autres (tarares, etc.)	15 %
	Machines et appareils pour la laiterie et les produits laitiers :	
1596 A	- machines à traire (pots trayeurs) et leurs pièces détachées	15 %
1596 B	- écrémeuses et leurs pièces détachées	15 %
1596 C	- pastourisateurs à débit continu et leurs pièces détachées	15 %
1596 D	- barattes, barattes-malaxeurs, avec ou sans chariot, et leurs pièces détachées	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Matériel de vinification et de cidrerie :	
1597 A	-pressoirs à vin, à cidre, à jus de fruits, leurs accessoires, parties et pièces détachées	10 %
1597 C	-appareils de vinification et de cidrerie (fouloirs, foulo-pompes, égrappoirs, égouttoirs, émiettoirs, essereuses de vendange), leurs parties et pièces détachées	10 %
1597 E	-autres appareils, leurs parties et pièces détachées	10 %
1600	Machines et appareils pour la boulangerie, la pâtisserie, la biscuiterie, la fabrication des pâtes alimentaires, du tapioca et des denrées similaires, et leurs pièces détachées	18 %
1601	Machines et appareils pour la confiserie, la chocolaterie, la préparation du cacao, et leurs pièces détachées	18 %
1602	Machines et appareils pour la boucherie, la charcuterie, les salaisons , le travail des viandes, la préparation des conserves alimentaires, et leurs pièces détachées	18 %
1603	Machines et appareils pour la préparation des huiles et graisses alimentaires, y compris la margarine, et leurs pièces détachées	18 %
1604	Machines et appareils pour la sucrerie, la raffinerie, la distillerie, et leurs pièces détachées ...	7 %
1605	Machines et appareils pour la malterie, la brasserie, et leurs pièces détachées	15 %
1606	Autres machines et appareils pour les industries alimentaires, et leurs pièces détachées	18 %
	CHAPITRE 89 MACHINES et APPAREILS pour les INDUSTRIES CHIMIQUES, la PAPETERIE et l'IMPRESSION, l'INDUSTRIE TEXTILE, les CUIRS et PEAUX; MACHINES et APPAREILS de CONDITIONNEMENT	
ex 1610	Autres machines et appareils pour les industries chimiques et leurs pièces détachées, contenant moins de 50 p. 100 de cuivre ou de métaux légers, ou de leurs alliages, ou bien d'acier inoxydable	7 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Machines pour le travail du papier et du carton :	
1614 A	- machines et appareils pour le brochage et la reliure (y compris les machines à brocher au fil métallique), et leurs pièces détachées	16 %
ex 1614 B	- autres (machines à façonner, à rogner, à découper, à poser les oeillets, à agrafer, etc.) non dénommées ni comprises ailleurs, autres (à l'exclusion des "presses à platine ") et leurs pièces détachées	16 %
	Machines pour l'impression :	
1615 B	- machines à imprimer en blanc typographiques dites "deux tours" (à double révolution du cylindre), avec ou sans margeurs, colleuses, coupeuses, pliueuses et piqueuses	10 %
ex 1615 C	- autres presses et machines à imprimer de tous systèmes et pour tous les genres d'impression, avec ou sans margeurs, colleuses, coupeuses, pliueuses et piqueuses: pour impression sur papier, carte, carton, bois, métal, matières plastiques, verre	18 %
1615 D	- pièces détachées de machines pour l'impression..	18 %
	Machines et appareils accessoires d'imprimerie :	
1616 A	- margeurs, pliueuses, transporteurs et élévateurs de rames, et leurs pièces détachées	18 %
1616 B	- autres (colleuses, coupeuses, piqueuses, etc.) et leurs pièces détachées	18 %
	Matériel et appareils de clicherie, stéréotypie, galvanoplastie et pour tous procédés photomécaniques (à l'exception des appareils photographiques):	
1617 A	- machines à fondre les caractères et à composer (linotypes, monotypes, intertypes, etc.), leurs parties et pièces détachées :	
	- - appareils complets	5 %
	- - - parties et pièces détachées :	
	- - - - matrices et poinçons	15 %
	- - - - autres	5 %
ex 1617 C	- caractères et autres types mobiles pour l'imprimerie,en métaux	20 %
	Machines et appareils pour la préparation des matières textiles, leurs parties et pièces détachées:	
1619 A	- cardes non garnies et appareils annexes de cardes, non compris les plaques et rubans de cardes ...	18 %
1619 B	- peigneuses et machines à gills :	
	- - peigneuses à laine	18 %
	- - autres	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Machines et appareils pour la préparation des matières textiles, leurs parties et pièces détachées (suite):	
1619 C	- autres machines et appareils (à nettoyer, à ouvrir, à sécher, etc.)	18 %
1619 D	- accessoires et pièces détachées (garnitures de cardes, poignes, barrettes, etc.)	18 %
	Métiers à filer et à retordre :	
1620 A	- métiers à filer à filières pour fibres artificielles ou synthétiques	18 %
1620 B	- métiers renvidoirs	18 %
1620 C	- métiers continus et autres	18 %
	Machines et appareils pour opérations complémentaires de filature et pour préparation de tissage, leurs parties et pièces détachées :	
1621 A	- machines à assembler, mouliner, dévider, enrouler et bobiner les fils, y compris les cannetières..	18 %
1621 B	- machines et appareils de préparation de tissage (ourdissoirs, encollouses, etc.)	20 %
1621 C	- accessoires et pièces détachées (ensouples, tavelles, etc.)	20 %
	Métiers à tisser, y compris les métiers à rubans, même tubulaires :	
1622 A	- métiers non automatiques	18 %
1622 B	- métiers automatiques	18 %
ex 1624 B	Métiers circulaires à tresses et à passementerie ..	18 %
1625 A	Mécaniques jacquard, ratière ros et autres mécaniques d'armures	18 %
	Accessoires et pièces détachées de métiers à tisser, à bonnetterie, à tulles, à dentelles, etc., et d'appareils accessoires :	
1626 B	- lames, lisses et harnais	18 %
ex 1626 E	- autres , pour métiers à bonnetterie, à tulles, à dentelles, à broderies, à tresses, à passementerie, à filet	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1628 A	Machines et appareils pour l'apprêt et le finissage des matières textiles et des ouvrages en ces matières non dénommés ni compris ailleurs: machines et appareils pour le lavage, le blanchiment, la teinture et le nettoyage, leurs parties et pièces détachées :	
	- machines et appareils complets	10 %
	- accessoires et pièces détachées :	
	- - bobines de teinture en métaux légers ou leurs alliages	22 %
	- - autres	18 %
1629	Matériel de blanchisserie, de teinturerie-dégraissage et de nettoyage à sec, y compris les presses de confection	13 %
	Têtes de machines à coudre :	
1630 A	- machines familiales, avec ou sans moteur électrique	16 %
1630 B	- machines industrielles	12 %
1631 C	Aiguilles pour machines à coudre	12 %
	Machines et appareils à fabriquer les chaussures, leurs parties et pièces détachées :	
ex 1633 A	- alènes et aiguilles à coudre les chaussures en le cuir	12 %
1633 B	- autres machines et appareils, leurs parties et pièces détachées	15 %
1640	Machines et appareils non dénommés ni compris ailleurs servant à l'empaquetage ou au conditionnement des marchandises, leurs parties et pièces détachées	10 %

CHAPITRE 90

MACHINES-OUTILS et leur OUTILLAGE; APPAREILS et INSTRUMENTS de PESAGE; MACHINES et APPAREILS de BUREAU; MACHINES et APPAREILS NON DENOMMES NI COMPRIS AILLEURS

	Machines-outils travaillant par enlèvement de métal :	
1641 A	- tours parallèles, d'un poids unitaire de :	
	- - plus de 5.000 kg	14 %
	- - 5.000 kg et moins	18 %
1641 B	- tours semi-automatiques, à tourelle revolver.....	12,5 %
1641 C	- tours automatiques	12,5 %
1641 D	- tours verticaux	6 %
1641 E	- autres tours	6 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Machines-outils travaillant par enlèvement du métal (suite) :	
1641 F	- machines à fileter et machines à tarauder	6 %
1641 G	- machines à aléser, d'un poids unitaire de :	
	- - plus de 10.000 kg	6 %
	- - 10.000 kg et moins	14 %
1641 H	- machines à raboter, d'un poids unitaire de :	
	- - plus de 10.000 kg	6 %
	- - 10.000 kg et moins	14 %
1641 I	- étaux-limeurs, d'un poids unitaire de :	
	- - plus de 3.000 kg	6 %
	- - 3000kg et moins	14 %
1641 J	- machines à mortaiser	6 %
1641 K	- machines à fraiser :	
	- - non spécialisées (horizontales, verticales, à tête orientable) d'un poids unitaire de :	
	- - - plus de 5.000 kg	14 %
	- - - 5.000 kg et moins	18 %
	- - spécialisées (machines à reproduire, à fraiser les matrices, les rainures, etc.)	14 %
1641 L	- machines à percer :	
	- - radiales	18 %
	- - autres	6 %
1641 M	- machines à rectifier, machines à affûter, à mouler, à polir, à roder, à dresser et à surfacer, travaillant à l'aide de meules, d'abrasifs et de produits de polissage :	
	- - sans système de réglage micrométrique	10 %
	- - avec système de réglage micrométrique	13,5 %
1641 N	- machines à brocher	12,5 %
1641 O	- machines à pointer	6 %
1641 P	- machines à tailler les engrenages	10 %
1641 Q	- machines à scier et à tronçonner	6 %
1641 R	- autres (machines à limer, à tourillonner, à graver, à diviser, etc.)	6 %
	Machines-outils non hydrauliques travaillant par déformation de métal :	
1642 A	- bancs à étirer, machines à rouler, à cintrer, à plier, à planer et autres machines non dénommées ni comprises ailleurs à former ou déformer	12 %
1642 B	- machines à cisailler, à poinçonner, à gruger, à grignoter, à chanfreiner	12 %
1642 C	- presses mécaniques	12 %
1642 D	- machines à forger et à estamper	12 %
1642 E	- machines à tréfiler, à dresser, à plier, à cambrer le fil, à fabriquer les ressorts, à tisser les grillages et toiles métalliques, machines de ébblorie et autres machines pour le travail des métaux en fils	6 %

LISTE XI- A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Machines-outils non hydrauliques travaillant par déformation de métal (suite)r	
1642 F	- autres machines pour le travail des métaux (machines à rétreindre, à agrafer, à river, à sertir, machines multiples pour la fabrication des emballages métalliques, etc.)	6 %
1643	Machines-outils hydrauliques travaillant par déformation de métal	6 %
	Machines-outils pour le travail du bois, des matières plas tiques, de l'ébonite et des autres matières dures :	
1645 A	- machines à scier (à scie à ruban, à scie alternative, à scie circulaire, etc.)	12 %
1645 B	- machines à raboter et à dégauchir	12 %
1645 C	- machines à profiler, à mouluror, à bouveter, à rainer; toupies	10 %
1645 D	- machines à mortaiser et à percer	12 %
1645 F	- machines à poncer, à polir, à mouler	12 %
1645 G	- déroulouses et tranchouses	10 %
	Accessoires , parties et pièces détachées de machines-outils :	
1646 A	- accessoires porte-pièces et porte-outils (pour toutes machines et outillage à main)	14 %
1646 B	- dispositifs spéciaux se montant sur machines (appareils pour aléser, fraiser, mortaiser, rectifier, tarauder, tourner, etc.)	14 %
1646 C	- autres	14 %
	Machines-outils électriques portatives (perceuses, mouleuses, rectifieuses, ébarbeuses, ponceuses, lustreuses, visseuses, tirefonneuses, tarauduses, cisailles, appareils à rodar, martaux, dudgeonneuses, perforatrices pour mines et carrières, etc.), leurs parties et pièces détachées :	
1647 A	- machines dans lesquelles le moteur et l'outil forment un ensemble inséparable d'un poids maximum de 70 kg	10 %
1647 B	- machines dans lesquelles le moteur et l'outil sont reliés par une transmission flexible, l'ensemble pesant au maximum 100 kg	10 %
1647 C	- parties et pièces détachées non électriques, à l'exclusion des porte-pièces et porte-outils..	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Outils pneumatiques et machines-outils pneumatiques portatives, leurs parties et pièces détachées :	
1648 A	- machines et outils pneumatiques rotatifs à main ou actionnés par moteurs à pistons, à turbines ou à engrenages, d'un poids maximum de 50 kg (perceuses, fraiseuses, alésoeuses, brosseuses, pistolets autres que les pistolets à métalliser à chaud)	15 %
1648 B	- outils pneumatiques à pression ou à percussion, avec ou sans rotation, d'un poids maximum de 100 kg (marteaux rivoirs, burineurs, piqueurs, perforateurs, brise-béton, fouloirs, vibrateurs, etc.)	15 %
1648 C	- parties et pièces détachées, à l'exclusion des porte-outils	15 %
1649	Forets hélicoïdaux, à centrer et autres outils de perçage, dont la partie travaillante est :	
	- en acier	15 %
	- en carbures métalliques ou en alliages coulés ou compressés de métaux rares sans fer	20 %
1650	Tarauds, alésoirs, filières autres que d'étirage, y compris les coussinets de filières, poignes à fileter et autres outils de taraudage, d'alésage et de filetage, à profil rectifié ou non, dont la partie travaillante est :	
	- en acier	15 %
	- en carbures métalliques ou en alliages coulés ou compressés de métaux rares sans fer	20 %
1651	Fraises en une pièce ou à éléments rapportés, broches à mandriner, couteaux à tailler les engrenages et autres outils de fraisage, de mandrinage et de taillage, y compris les corps ou les éléments présentés isolément, à profil rectifié ou non, dont la partie travaillante est :	
	- en acier	15 %
	- en carbures métalliques ou en alliages coulés ou compressés de métaux rares sans fer	20 %
1652	Outils de tournage et analogues, monoblocs ou à mise rapportée (y compris les barreaux traités rectifiés de moins de 50 cm de longueur), dont la partie travaillante est :	
	- en acier	15 %
	- en carbures métalliques ou en alliages coulés ou compressés de métaux rares sans fer	20 %
1653	Filières d'étirage :	
	- entièrement en acier	15 %
	- à noyau en carbures métalliques ou en alliages coulés ou compressés de métaux rares sans fer	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Lames de scies (y compris les ébauches):	
ex 1654 A	- scies circulaires à dents ou segments rapportés	15 %
ex 1654 B	- scies à ruban pour le travail du bois	15 %
1654 C	- scies droites (y compris les lames de scies à main)	15 %
	Couteaux et lames pour machines et outillages à mains:	
1655 A	- couteaux circulaires	10 %
1655 B	- autres	18 %
1656	Autres outils pour machines et outillages à main, non dénommés ni compris ailleurs, dont la partie travaillante est :	
	- en acier	18 %
	- en carbures métalliques ou en alliages coulés ou comprimés de métaux rares sans fer	20 %
	Appareils et instruments de pesage non automatiques, à poids ou à curseur :	
1658 A	- ponts-bascules et bascules à installation fixe...	20 %
1658 B	- bascules mobiles	20 %
1658 C	- balances (autres que de précision)	20 %
	Appareils et instruments de pesage automatiques et semi-automatiques :	
1659 A	- ponts-bascules et bascules à installation fixe ..	20 %
1659 B	- bascules mobiles et balances	20 %
1659 C	- autres (peses, pèse-lettres, etc.)	20 %
1660 A	Bascules et balances compteuses de pièces	20 %
ex 1661	Accessoires (autres que les poids) et pièces détachés d'appareils et d'instruments de pesage, en fonte, fer ou acier non inoxydable	10 %
	Machines à écrire et similaires :	
1662 A	- machines à écrire proprement dites	15 %
1662 B	- autres machines (à cryptographier, à écrire la musique, à écrire pour aveugles, à sténographier ou sténotyper, à authentifier les chèques, à écrire à navettes interchangeables, etc.)	15 %
	Machines à additionner et à calculer :	
1663 A	- machines à additionner et à soustraire	9 %
1663 B	- machines à calculer	9 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Caisses-enregistreuses et appareils similaires comportant un système de totalisations	
1664 A	- caisses-enregistreuses proprement dites	10 %
1664 B	- autres machines (à affranchir, à timbrer, à composter et enregistrer les billets de transports en commun, à établir les billets de chemins de fer, machines pour P.M.U., à voter, etc.)	10 %
	Machines à statistique à cartes perforées, de tous systèmes :	
1665 A	- perforatrices et vérificatrices	22 %
1665 B	- trieuses	22 %
1665 C	- interclasseuses	22 %
1665 D	- tabulatrices	22 %
1665 E	- autres machines (reproductrices, traductrices, multiplicatrices, calculatrices, etc.)	22 %
1666	Duplicateurs et appareils similaires: à stencils, à clichés, à carbone, à caractères et autres.....	20 %
	Pièces détachées et accessoires pour machines et appareils de bureau :	
1670 A	- bâtis et supports	15 %
1670 B	- coffrets	15 %
1670 C	- chariots pour machines à écrire, à calculer ou comptables	15 %
1670 D	- touches et claviers	15 %
1670 E	- caractères	15 %
1670 F	- bobines pour rubans encrés ou imprégnés	15 %
1670 G	- totalisateurs	15 %
1670 I	- autres pièces détachées	15 %
1671	Appareils de vente automatiques (distributeurs de timbres-poste, de tickets, de chocolat, de bonbons, de comestibles et similaires), leurs parties et pièces détachées	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 91	
	ROBINETTERIE; ROULEMENTS; ORGANES de TRANSMISSION; PIECES DETACHEES de MECANIQUE GENERALE	
1673	Appareils de régulation automatique, et leurs parties	20 %
ex 1674	Autres appareils de robinetterie, et leurs parties, en métaux :	
	- en fonte, fer ou acier non inoxydable, bruts, peints ou vernis mais sans revêtement métallique ou en autres matières, avec ou sans bagues, sièges, rondelles ou écrous en autres métaux communs ...	18 %
	- autres (qu'en acier inoxydable), autres (à l'exclusion de ceux avec revêtement en ébonite)	20 %
1675	Roulements montés ou complets (à billes et autres)	28 %
	Parties et pièces détachées de roulements :	
1676 A	- billes, aiguilles, rouleaux, galets et tonneaux, calibrés	32 %
1676 B	- autres (cages, bagues, butées, etc.)	28 %
1677	Arbres de transmission :	
	- droits :	
	- - bruts	Régime des barres laminées à chaud ou forgées, selon l'espèce (n° 1285)
	- - usinés :	
	- - - pleins	Régime des barres calibrées, selon l'espèce (n° 1299)
	- - - forés	18 %
	- à manivelle ou coudés	18 %
1678	Pièces d'engrenage (cylindriques, coniques, vis sans fin et roues de vis sans fin), à dents ou à filets en métal ~~ou en autres matières~~	15 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1690	Pièces détachées de machines non dénommées ni comprises ailleurs, non travaillées ou simplement ébarbées, en fonte, en fer ou en acier non inoxydable ..	18 %
1692	Pièces détachées de machines non dénommées ni comprises ailleurs en fer ou en acier non inoxydable, travaillées, avec ou sans parties accessoires en matières non métalliques	18 %
1694	Pièces détachées de machines non dénommées ni comprises ailleurs en cuivre ou ses alliages, travaillées, avec ou sans parties accessoires en matières non métalliques	20 %
ex 1696	Pièces détachées de machines non dénommées ni comprises ailleurs en aluminium ou ses alliages, travaillées, avec ou sans parties accessoires en matières non métalliques	20 %
1698	Pièces détachées de machines non dénommées ni comprises ailleurs, en deux ou plusieurs métaux, avec ou sans parties accessoires en matières non métalliques	18 %
	CHAPITRE 92 GENERATEURS, MOTEURS, TRANSFORMATEURS et CONVERTISSEURS ELECTRIQUES; PILES; ACCUMULATEURS; APPAREILLAGE ELECTRIQUE	
	Générateurs, moteurs et convertisseurs rotatifs :	
1700 A	- moteurs spéciaux pour locomotives ou automotrices électriques	20 %
1700 B	- autres	20 %
1701	Parties et pièces détachées de générateurs, de moteurs et de convertisseurs rotatifs	19 %
	Transformateurs :	
1702 A	- transformateurs de mesure	20 %
1702 B	- transformateurs pour appareils d'électricité médicale	18 %
1702 C	- transformateurs de soudure	20 %
1702 D	- autres transformateurs et bobines de réaction, d'un poids unitaire de :	
	- - plus de 500 g	20 %
	- - 500 g et moins	Droit des bobinages (n°1720 A)

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Convertisseurs statiques :	
1703 A	- mutateurs à cuves métalliques, avec ou sans leur pompe à vide	20 %
1703 B	- redresseurs	20 %
1704	Parties et pièces détachées de transformateurs et de convertisseurs statiques	19 %
	Appareils électro-magnétiques non dénommés ni compris ailleurs :	
1705 A	- plateaux et mandrins magnétiques	18 %
1705 C	- freins électro-magnétiques	18 %
1705 D	- autres (embrayages magnétiques, etc.)	18 %
ex 1709	Appareils de coupure et de sectionnement non automatiques (interrupteurs, sectionneurs, commutateurs, etc.), à coupure dans l'air ou dans un milieu gazeux, d'un poids unitaire de 1 kg et moins	20 %
1710	Appareils de coupure et de sectionnement automatiques	20 %
1713	Résistances fixes autres que chauffantes	18 %
1715	Relais (autres que les relais de mesure) :	
	- pour courants faibles :	
	- - pour machines à statistique à cartes perforées ..	19 %
	- - pour téléphonie automatique et autres	15 %
	- autres	15 %
1718	Tableaux de commande, de distribution, de réglage, de mesure et similaires, avec travail d'électricien:	
	- sans instruments ni appareils :	
	- - en matières plastiques ou comportant 10 p. 100 et plus du poids total en matières plastiques...	Droits des ouvrages en matières plastiques selon l'espèce (n°s 705, 706 708, 709)
	- - autres	20 %
	- comportant un ou plusieurs instruments ou appareils	Droit, sur l'ensemble, de l'instrument ou de l'appareil monté le plus fortement taxé

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1719	Condensateurs électriques fixes (autres que variables ou ajustables)	18 %
	Pièces détachées électriques non dénommées ni comprises ailleurs :	
1720 A	- enroulements de fils isolés (bobinages)	19 %
1720 D	- autres	19 %
ex 1721	Isolateurs :	
	- en matières céramiques: en porcelaine, faïence, grès, poteries, avec ou sans parties métalliques	18 %
	- en caoutchouc, durci ou non, avec ou sans parties métalliques	20 %
1722	Tubes isolateurs et raccords en métaux communs isolés intérieurement	22 %
ex 1723	Pièces en matières isolantes non montées, pour machines, appareils et installations électriques :	
	- en matières céramiques: en porcelaine, faïence, grès, poteries	26 %
	- en caoutchouc, durci ou non, autres (à l'exclusion des bacs, couvercles et accessoires pour accumulateurs et piles électriques)	20 %
	Fils et câbles isolés pour l'électricité, avec enveloppes ou armures métalliques :	
1724 A	- fils et câbles isolés avec des matières plastiques, même avec adjonction d'autres matières	22 %
1724 B	- fils et câbles isolés avec du caoutchouc naturel ou artificiel, de la balata ou de la gutta-percha, même avec adjonction de matières autres que les matières plastiques	Droits des fils et câbles isolés avec des matières plastiques (n°1724 A)
1724 C	- fils et câbles isolés avec de la pâte de cellulose, du papier ou des matières textiles autres que la soie, la schappe et les fibres synthétiques	22 %
1724 D	- autres (fils et câbles isolés avec de la magnésie, de l'amiante, de la soie, de la schappe, des fibres synthétiques, de la fibre de verre, etc., purs ou mélangés en toutes proportions avec d'autres matières)	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Fils et câbles isolés pour l'électricité, sans enveloppes ni armures métalliques :	
1725 A	- fils et câbles isolés avec des matières plastiques, même avec adjonction d'autres matières	22 %
1725 B	- fils et câbles isolés avec du caoutchouc naturel ou artificiel, de la balata ou de la gutta-percha, même avec adjonction de matières autres que les matières plastiques	Droits des fils et câbles isolés avec des matières plastiques (n° 1725 A)
1725 C	- fils et câbles isolés au moyen de vernis, de laque, d'émail ou de sels ou oxydes métalliques (fils émaillés, oxydés anodiquement etc.)	22 %
1725 D	- fils et câbles isolés avec de la pâte de cellulose, du papier ou des matières textiles autres que la soie, la schappe et les fibres synthétiques	22 %
1725 E	- fils et câbles isolés avec de la magnésie, de l'amiante, de la soie, de la schappe, des fibres synthétiques, de la fibre de verre, purs ou mélangés en toutes proportions d'autres matières	22 %
1725 F	- autres	22 %
1726	Fils et câbles munis de pièces de connexion	22 %
	CHAPITRE 93	
	APPAREILS ELECTRIQUES	
	Lampes portatives comportant leur propre source d'énergie (lampes de poche et similaires) :	
ex 1730 A	- lampes complètes: autres (à piles, à accumulateurs, etc., à l'exclusion des lampes électro-magnétiques)	20 %
1730 B	- boîtiers	20 %
1732	Lampes et tubes à incandescence	18 %
1734	Lampes et tubes électriques à décharge et autres lampes et tubes pour l'éclairage électrique (y compris les lampes au magnésium à allumage électrique,.....	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 1735	Parties et pièces détachées de lampes et tubes pour l'éclairage électrique, autres : ampoules et tubes fluorescents dans la masse ou revêtus de matières fluorescentes	18 %
1736	Appareils pour la télégraphie	18 %
1737	Appareils pour la téléphonie	18 %
1739	Appareils électriques pour faciliter l'audition ...	15 %
1740	Microphones pour tous usages	18 %
1741	Parties et pièces détachées d'appareils pour la télégraphie et la téléphonie	18 %
1742	Appareils émetteurs de radiotélégraphie, radiotéléphonie, radiodiffusion et télévision, y compris les appareils émetteurs-récepteurs	22 %
	Appareils récepteurs :	
1743 A	- appareils récepteurs de radiotélégraphie, radiotéléphonie et radiodiffusion, combinés ou non avec un phonographe	24 %
1743 B	- appareils récepteurs de télévision, combinés ou non avec un récepteur radiophonique et (ou) un phonographe	24 %
	Appareils radioélectriques non dénommés ni compris ailleurs :	
1744 A	- dispositifs de radioguidage, radiobalisage, radiogoniométrie et similaires	20 %
1744 B	- sondeurs et détecteurs d'obstacles	20 %
1744 C	- appareils de prises de vue pour télévision à transmission directe	20 %
1744 D	- autres	20 %
	Parties, pièces détachées et accessoires d'appareils radioélectriques :	
1745 A	- antennes montées	20 %
1745 B	- assemblages de pièces détachées constituant une partie d'appareils radioélectriques	24 %
1745 C	- haut-parleurs, membranes de haut-parleurs, avec ou sans bobines, pour tous usages	19 %
1745 D	- condensateurs variables et condensateurs ajustables	20 %
1745 E	- supports de lampes radio-électriques avec leurs contacts	20 %

LISTES XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Parties et pièces détachées et accessoires d'appareils radioélectriques (suite):	
1745 F	- meubles et coffrets :	
	- - en bois	18 %
	- - en matières plastiques et autres matières ...	22 %
1745 G	- autres	20 %
1746	Amplificateurs de courants électriques de toutes sortes	19 %
1747	Tubes spéciaux d'émissions radioélectriques	20 %
1748	Autres tubes radioélectriques (tubes de réception, amplificateurs et redresseurs dans le vide pour tous usages, indicateurs d'accord de tous types, etc.)	20 %
1749	Tubes cathodiques	20 %
1751	Cellules photoélectriques dans le vide ou les gaz	20 %
	Tubes, valves et lampes électriques, autres que pour l'éclairage, non dénommés ni compris ailleurs:	
1752 A	- analyseurs électroniques d'images	20 %
1752 B	- tubes à émission secondaire et multiplicateurs d'électrons	20 %
1752 C	- tubes électromètres et photocomptours	20 %
1752 D	- couples thermo-électriques dans le vide ou les gaz	20 %
1752 E	- tubes-régulateurs de tension ou d'intensité....	20 %
1752 F	- autres	20 %
	Appareils de radiologie médicale, dentaire, vétérinaire et industrielle, et leurs accessoires :	
1754 A	- appareils de radiologie	20 %
1754 B	- tubes à rayons X et soupapes	20 %
1754 C	- écrans radiologiques	20 %
1754 D	- autres	20 %
	Appareils d'électricité médicale, dentaire et vétérinaire, et leurs accessoires :	
1755 A	- appareils de curiethérapie et leurs accessoires	20 %
1755 B	- appareils d'actinologie	20 %
1755 C	- appareils d'électrothérapie (à courants galvaniques, à courants faradiques, à courants rythmés, à ondes courtes, de diathermie, d'électrocoupe, d'électro-coagulation)	20 %
1755 D	- autres	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1756	Pièces détachées pour appareils de radiologie et d'électricité médicale	20 %
	Matériel électrique à souder, à chauffer, à refouler les métaux :	
1757 A	- appareils à arc :	
	- - appareils rotatifs	Droits des générateurs (n°1700 B)
	- - appareils statiques, à transformateur ou à redresseur; têtes et montages de soudage automatiques et semi-automatiques	18 %
1757 B	- appareils à résistance	18 %
1757 C	- fers à souder électriques	16 %
1757 D	- autres appareils	18 %
1757 E	- pièces détachées (pointes d'électrodes, pinces à souder, etc.)	18 %
	Appareils électro-thermiques de cuisine :	
1758 A	- cuisinières	18 %
1758 B	- fours domestiques, réchauds, tables-chaudes, chauffe-plats, grille-pain, rôtissoires et similaires...	18 %
1758 C	- étuves, marmites norvégiennes, séchoirs	18 %
	Rasoirs et tondeuses électriques:	
1763 A	- rasoirs électriques, leurs parties et pièces détachées	15 %
ex 1763 B	- tondeuses électriques, leurs parties et pièces détachées autres que les poignes et contre-poignes	15 %
	Appareils tournants électro-domestiques, non dénommés ni compris ailleurs :	
1764 A	- ventilateurs dits "d'appartements"	18 %
1764 B	- aspirateurs de poussières, batteurs-aspirateurs...	22 %
1764 C	- cireuses à parquets	16 %
1764 D	- machines domestiques à laver ou à essorer le linge, avec ou sans dispositifs de chauffage	18 %
1764 E	- autres (machines à laver la vaisselle; à récurer, à pétrir, à cirer les chaussures, etc.)	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
1765	Démarreurs électriques, génératrices électriques pour véhicules, leurs parties et pièces détachées et accessoires	20 %
	Appareils d'allumage électrique pour moteurs :	
1766 A	- distributeurs d'allumage	25 %
1766 B	- bobines d'allumage	25 %
1766 C	- volants magnétiques	25 %
1766 D	- magnétos de tous types, y compris les dynamos-magnétos	25 %
1766 E	- autres	25 %
	Accessoires, parties et pièces détachées d'appareils d'allumage :	
1767 A	- bougies d'allumage, de chauffage et autres, leurs parties et pièces détachées	25 %
1767 B	- rupteurs et parties de rupteurs	20 %
1767 C	- autres	20 %
	Equipement électrique pour véhicules à moteur, cycles, embarcations, aérodynes, etc.:	
1768 A	- appareils d'éclairage (projecteurs, lanternes, feux de position fixes, etc.)	20 %
1768 B	- appareils de signalisation :	
	- - avertisseurs phoniques et leurs pièces détachées	20 %
	- - autres (indicateurs de direction, d'arrêt ou de dépressement, indicateurs clignotants, répétiteurs de signaux, etc.) et leurs pièces détachées	15 %
1768 C	- tableaux de bord	Droits des tableaux de commande, de distribution, etc. (n°1718)
1768 D	- autres appareils (essuie-glaces, anti-buée, dégivreurs, pompes à essence, etc.) et leurs pièces détachées	15 %
1769 B	Appareils électriques non dénommés ni compris ailleurs, autres	19 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 94 VEHICULES pour VOIES FERREES et MATERIEL de CHEMINS de FER et de TRAMWAYS	
	Locotracteurs pour voies de plus de 0 m 60 d'écartement :	
1771 B	- à moteur à explosion ou à combustion interne ...	15 %
1771 C	- électriques	20 %
1772 C	Automotrices électriques pour voies de plus de 0 m 60 d'écartement	20 %
	Matériel de tramways pour voies de plus de 0 m 60 d'écartement :	
1778 A	- voitures motrices ou automotrices	20 %
1778 B	- remorques	15 %
	Locomotives, locotracteurs et automotrices pour voies de 0 60 et moins d'écartement :	
1781 A	- à vapeur, y compris les locomotives-tenders	18 %
1781 B	- à moteur à explosion ou à combustion interne ...	18 %
1781 C	- électriques	20 %
1781 D	- à air comprimé et autres	18 %
1782	Draisines, avec ou sans moteur, pour voies de 0 m 60 et moins d'écartement	18 %
1783	Tenders de locomotives pour voies de 0 m 60 et moins d'écartement	18 %
	Wagons, wagonnets et berlines pour voies de 0 m 60 et moins d'écartement :	
1785 A	- plats	18 %
1785 B	- à bennes basculantes	18 %
1785 C	- autres	18 %
1786	Essieux usinés pour matériel ferroviaire, non montés et montés	18 %
1789	Roues pour matériel ferroviaire	18 %

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Matériel de voie :	
1796 A	- pour voies de plus de 0 m 60 :	
	- - aiguillages, pointes de coeur, croisements et changements de voies, voies assemblées, plaques tournantes	15 %
	- - autres (butoirs, heurtoirs, gabarits, crémaillères, etc.)	16 %
1796 B	- pour voies de 0 m 60 et moins	16 %
	CHAPITRE 96	
	VOITURES AUTOMOBILES, CYCLES et AUTRES VEHICULES	
1797	Voitures automobiles pour le transport des personnes	35 %
	Voitures automobiles pour le transport des marchandises :	
1798 A	- camions	35 %
1798 B	- tracteurs :	
	- - à moteur à explosion ou à combustion interne:	
	- - - tracteurs à chenilles	15 %
	- - - tracteurs à roues (avant-trains tracteurs et autres), d'un poids unitaire de :	
	- - - - 1200 kg et moins	15 %
	- - - - plus de 1200 kg	35 %
	- - - - tracteurs-treuils	35 %
	- - à moteur électrique et à moteur autre	35 %
1799	Voitures automobiles autres (à usages spéciaux): balayeuses, épandeuses, moto-pompes, voitures-échelles, chasse-neige, etc.	35 %
	Carrosseries complètes, garnies ou non, pour voitures automobiles :	
1801 A	- pour le transport des personnes	30 %
1801 B	- pour le transport des marchandises	30 %
	Parties de carrosserie pour voitures automobiles :	
1802 A	- cabines	30 %
1802 B	- équipement de carrosserie	30 %
1802 C	- autres	30 %
1803	Châssis complets (avec moteur) pour voitures automobiles, avec ou sans pneumatiques, avec ou sans dispositif de carburation, avec ou sans équipement électrique, avec ou sans capot, ailes, marchepieds, planche de bord, volant de direction	35 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Parties et pièces détachées de châssis pour voitures automobiles :	
1804 A	- cadres sur roues, avec ou sans dispositifs de freinage	30 %
1804 B	- cadres nus	30 %
1804 C	- organes de transmission	30 %
1804 D	- organes de suspension :	
	- - essieux non montés, essieux montés sur roues, roues garnies ou non et leurs parties, chenilles	30 %
	- - amortisseurs	25 %
1804 E	- organes de direction	30 %
1804 F	- organes de freinage	30 %
1804 G	- pots d'échappement (silencieux) et appareils de chauffage par les gaz	30 %
1804 H	- radiateurs et leurs parties, y compris les appareils de chauffage par l'eau du radiateur ..	30 %
1804 I	- équipement de châssis	30 %
1807	Motocycles, avec ou sans pneumatiques, avec ou sans pédalier, avec ou sans side-car	25 %
1808	Parties et pièces détachées de cycles et de motocycles	25 %
1814	Remorques pour voitures automobiles, motocycles et cycles, pour le transport des marchandises, d'un poids de :	
	- moins de 100 kg	20 %
	- 100 kg inclus à 1.000 kg exclus	25 %
	- 1.000 kg et plus	35 %
	CHAPITRE 96	
	NAVIGATION MARITIME et FLUVIALE	
	Bateaux pour la navigation maritime, d'une jauge brute de :	
1817 A	- plus de 250 tonneaux	Exempts
1817 B	- 250 tonneaux et moins.....	Droits des bateaux pour la navigation intérieure, selon l'espèce, sous réserve des dispositions de la Note Générale du chapitre 96 § II

LISTE XI-A - FRANCE

Première Partie (suite)

Position du tarif de la France	Désignation des produits	Taux des droits
	Bateaux pour la navigation intérieure (lacs, canaux, rivières) servant au transport des personnes :	
1819 A	- à propulsion mécanique :	
	- - bateaux de plaisance et de sport, y compris les embarcations automobiles à moteur électrique ou à explosion	5 %
	- - autres :	
	- - - coques	10 %
	- - - machines motrices, chaudières, articles de remplacement, appareils auxiliaires, meubles meublants, engins divers	Taxés à leurs droits propres
1819 B	- à voiles	12 %
1819 C	- autres :	
	- - bateaux de plaisance et de sport, y compris les bateaux-logements	22 %
	- - autres	10 %
1820 A	Bateaux pour la navigation intérieure (lacs, canaux, rivières) servant au transport des marchandises, à propulsion mécanique :	
	- coques	15 %
	- machines motrices, chaudières, articles de remplacement, appareils auxiliaires, meubles meublants, engins divers	Taxés à leurs droits propres
1821	Bateaux pour la navigation intérieure (lacs, canaux, rivières) pour usages spéciaux (bacs, dragues, bateaux-pompes, suceuses, bigues, pontons, pontons-grues, bateaux-portes, etc.), propulsés ou non :	
	- coques	15 %
	- machines motrices, chaudières, appareils auxiliaires, machines et appareils de travail, articles de remplacement, meubles meublants, engins divers....	Taxés à leurs droits propres
	Organes de propulsion pour bateaux :	
1824 A	- organes mécaniques (hélices, roues à aubes, etc.)	22 %
1824 B	- autres (rames, pagaies, etc.)	22 %
1825	Appareils à gouverner	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 97	
	NAVIGATION AERIENNE	
1828	Aérodynes (avions, hydravions, hélicoptères, planeurs, etc.) avec ou sans moteurs, d'un poids à vide de :	
	- plus de 1.500 kg	25 %
	- 1.500 kg et moins	35 %
	Groupes et éléments d'aérodynes :	
1829 A	- voilures et empennages :	
	- - voilures complètes	Régime des aérodynes (n° 1828)
	- - parties de voilures, empennages et parties d'empennages (ailes, gouvernes et volets de voilures, mâtures, haubans, gouvernes horizontales et verticales, etc.)	20 %
	- fuselages et fuseaux :	
1829 B	- - fuselages complets	Régime des aérodynes (n° 1828)
	- - parties de fuselages et fuseaux (coques, capotages, fuseaux moteurs, etc.)	20 %
1829 C	- trains d'atterrissage, avec ou sans organes de commande et d'amortissage, béquilles et roulettes de queue, et leurs pièces détachées ...	20 %
1829 D	- roues, avec ou sans pneumatiques	20 %
1829 E	- flotteurs et ballonnets	20 %
1829 F	- groupes moteurs équipés, avec ou sans moteur ou hélice	Droits des moteurs d'aviation (n° 1528)
1829 G	- hélices, leurs parties et pièces détachées	20 %
1829 H	- réservoirs et nourrices, avec ou sans protection	20 %
1829 I	- radiateurs de liquide ou d'huile, avec ou sans leurs organes de commande	20 %
1829 J	- autres	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 98	
	COMPTEURS; INSTRUMENTS et APPAREILS de MESURE, de VERIFICATION et de CONTROLE	
ex 1837	Compteurs de tours et autres compteurs (totalisateurs de chemin parcouru, survimètres, contrôleurs de marche, taximètres, compteurs de production, compte-coups, podomètres, etc.): appareils à fonction unique de totalisation simple..	20 %
1838	Indicateurs de vitesse, tachymètres, pour l'industrie ou les véhicules	25 %
	Autres appareils non électriques de mesure, de contrôle, de régulation ou d'analyse pour fluides gazeux ou liquides ou pour températures :	
ex 1843 B	- débimètres, autres (à l'exclusion des appareils fonctionnant avec un déprimogène) à fonction unique d'indication	25 %
1843 D	- régulateurs de tirage	15 %
1843 F	- indicateurs de niveau à fonctio n unique d'indication ~~et autres~~.....	15 %
1843 G	- analys eurs de gaz ou de fumées	15 %
1843 I	- autres appareils	20 %
	Appareils électriques de mesure :	
1844 A	- appareils mesurant des grandeurs électriques (voltmètres, ampèremètres, wattmètres, phasomètres, fréquencemètres, galvanomètres, ondomètres, ohmmètres, capacimètres, boîtes de résistances étalonnées, etc.)	20 %
1844 B	- appareils mesurant des grandeurs non électriques, mais dont la mesure a son principe dans un phénomène électrique variable avec la grandeur à mesurer (pyromètres, luxmètres, anémomètres, indicateurs de niveau, salinomètres, analyseurs de gaz, psychromètres, couples électriques, etc.)	Droit des appareils mesurant des grandeurs électriques (n° 1844 A)
1844 C	- appareils de mesure à fonction unique de commande (relais de protection, de télécommande, etc.)..	19 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Parties et pièces détachées non dénommées ni comprises ailleurs de tous compteurs, appareils de contrôle, de régulation ou d'analyse pour fluides gazeux ou liquides ou pour températures, appareils électriques de mesure, et de leurs dispositifs annexes :	
1846 A	- dispositifs indicateurs à fonction simple (indicateurs totalisateur ou intégrateur) composés de rouages permettant de traduire, en unités appropriées, les mouvements des organes mesureurs	20 %
1846 B	- autres parties et pièces détachées, assemblées ou non	20 %
1852	Instruments de mesure linéaire (mètres, décamètres, règles divisées, etc., avec ou sans boîtier), en toutes matières	22 %
	CHAPITRE 99	
	OPTIQUE; APPAREILS et INSTRUMENTS SCIENTIFIQUES et de PRECISION; LUNETTERIE; PHOTOGRAPHIE et CINEMATOGRAPHIE; MATERIEL MEDICO-CHIRURGICAL	
	Verres d'optique montés pour instruments et appareils, présentés isolément :	
1856 A	- objectifs, lentilles, prismes, miroirs, lecteurs de son pour les appareils ou instruments de photographie, cinématographie, projection muette ou sonore, ou leurs applications	20 %
1856 B	- autres :	
	- - objectifs et oculaires	25 %
	- - miroirs optiques montés, y compris les miroirs rétroviseurs	20 %
	- - autres	25 %
	Instruments de géodésie, de topographie, d'arpentage et de nivellement :	
1858 A	- instruments à lunettes, avec ou sans optique, leurs parties et pièces détachées autres que d'optique	25 %
1858 B	- instruments sans lunettes (équerres d'arpenteur, niveaux d'eau, boussoles ordinaires, sitomètres, déclinatoires, alidades simples, etc.) et leurs pièces détachées	25 %
1858 C	- accessoires d'arpentage et de topographie	25 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Instruments de navigation maritime, fluviale ou aérienne :	
1860 A	- compas, avec ou sans habitacle ou boîte, leurs parties et pièces détachées	25 %
1860 B	- instruments de détermination du point, avec ou sans optique, leurs parties et pièces détachées autres que l'optique	25 %
1862	Machines à diviser de précision, avec ou sans optique, et leurs pièces détachées autres que l'optique	15 %
ex 1864 A	Machines pour essais de métaux, béton, bois et matières dures similaires: machines pour essais de dureté à la pointe de diamant (essais Rockwell ou Vickers), avec ou sans diamant, ou à la bille (essais Brinell)	15 %
	Appareils et instruments pour recherches et analyses physiques ou chimiques :	
1865 A	- appareils et instruments basés sur un procédé optique (polarimètres, saccharimètres, photoélasticimètres, appareils interférentiels, photomètres, spectrophotomètres, spectromètres et spectrographes, réfractomètres, ophtalmètres, etc.), avec ou sans optique, et leurs pièces détachées autres que l'optique	22 %
1865 B	- autres appareils et instruments (viscosimètres, instruments pour la mesure de la tension superficielle, etc.) et leurs pièces détachées	22 %
1866	Instruments et appareils de météorologie et d'hydrologie (pluviomètres, anémomètres, hygromètres, etc.) et leurs pièces détachées	15 %
ex 1874	Appareils photographiques autres (à l'exclusion des appareils de prise de vue avec développement et tirage automatiques et des chambres de reproduction), présentés avec ou sans optique	25 %
	Accessoires, parties et pièces détachées, non dénommés ni compris ailleurs, d'appareils photographiques :	
ex 1875 A	- parties et pièces détachées d'appareils, autres (à l'exclusion des obturateurs, déclenchours et soufflets)	25 %

LISTE XL-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Accessoires, parties et pièces détachées, non dénommés ni compris ailleurs, d'appareils photographiques (suite) :	
1875 B	- accessoires :	
	- - châssis pour plaques, films-pack, pellicules; châssis-magasins	18 %
	- - bobines pour pellicules	15 %
	- - châssis-presses; indicateurs de temps de pose, posomètres; appareils de laboratoires photographiques (tireuses, sécheuses, glaceuses, paniers de développement, etc.); autres	18 %
1878	Appareils de prise de vues cinématographiques avec ou sans prise de son, présentés avec ou sans optique	18 %
1879	Appareils de projections cinématographiques, avec ou sans reproduction du son, présentés avec ou sans optique	25 %
	Accessoires, parties et pièces détachées, non dénommés ni compris ailleurs, d'appareils cinématographiques :	
1880 A	- parties et pièces détachées d'appareils	25 %
1880 B	- accessoires d'appareils (bobines pour l'enroulement du film et autres)	18 %
1886 A	Instruments pour la chirurgie dentaire (daviers, élévateurs, curettes, fraises, etc.)	20 %
	Mobilier chirurgical :	
1887 B	- fauteuils dentaires	20 %
1887 C	- équipements dentaires sur socles (crachoirs, pulvérisateurs, cautères, réflecteurs, tours sur bras, etc.) avec ou sans moteur; tours à pied	20 %
ex 1887 F	- accessoires, parties et pièces détachées: bras de tours dentaires	20 %
ex 1876 A	Articles de prothèse dentaire : dents artificielles et dentiers en porcelaine ou autres matières, avec ou sans monture en métaux précieux	10 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 101	
	INSTRUMENTS de MUSIQUE, APPAREILS MUSICAUX et leurs ACCESSOIRES	
	Instruments de musique à vent à soufflé mécanique:	
1913 A	- instruments à tuyaux (orgues et similaires)	35 %
1913 C	- accordéons et instruments analogues :	
	- - accordéons à clavier-piano; concertinas et bandonéons	15 %
	- - autres, comportant :	
	- - - 80 basses et moins	15 %
	- - - plus de 80 basses	25 %
	Instruments de musique à vent à souffle humain :	
1914 A	- harmonicas de plus de 7 notes	Droit des harmonicas-jouets (n° 1978 A)
ex 1914 B	- instruments en bois (ou en matières plastiques): clarinettes, hautbois, bassons, contre-bassons, cors anglais	20 %
1914 C	- instruments en métal, à embouchure, à bec ou à clés	20 %
1914 D	- instruments d'appel et de signalisation	15 %
	Appareils d'enregistrement et de reproduction du son:	
1918 A	- appareils d'enregistrement	25 %
1918 B	- appareils de reproduction (phonographes)	24 %
1918 C	- appareils mixtes (dictaphones et similaires)	20 %
	Pièces détachées pour appareils d'enregistrement et de reproduction du son :	
1924 A	- lecteurs de son :	
	- - pour disques	25 %
	- - p our films sonores :	
	- - - gravés	26 %
	- - - non impressionnés	Voir n° 1856 A
	- - pour fils et plaques magnétiques et autres	20 %
	- - pièces détachées (diaphragmes, etc.)	26 %
1924 B	- tourne-disques à moteur mécanique ou électrique, avec ou sans lecteur de son	26 %
1924 C	- dévideurs :	
	- - de films	Voir n°1880 A
	- - de fils magnétiques	20 %
1924 D	- tourne-films, avec ou sans lecteur de son	20 %
1924 E	- tourne-fils magnétiques et tourne-plaques magnétiques, avec ou sans lecteur de son	20 %
1924 F	- moteurs mécaniques avec accessoires	20 %
1924 G	- aiguilles ou pointes	20 %
1924 H	- saphirs montés pour enregistrement et reproduction du son	20 %
1924 I	- autres (bras, pavillons, manivelles, plateaux, boîtes à aiguilles, etc.)	26 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	Supports de son :	
1925 A	- non enregistrés	25 %
ex 1925 B	- enregistrés (phonogrammes) :..	
	- - cires enregistrées; matrices et moules galvaniques pour disques et films gravés	20 %
	- - disques; films enregistrés par gravure; fils et plaques magnétiques et autres (à l'exclusion des films enregistrés par procédés photoélectriques)	25 %
1925 C	- cartons et papiers perforés	25 %
1925 D	- autres (cylindres et disques pour appareils automatiques, boîtes à musique, etc.)	25 %
	CHAPITRE 103	
	ARMES et MUNITIONS de COMMERCE	
1938	Fusils de chasse, automatiques ou non	18 %
ex 1939	Carabines non automatiques	18 %
	Révolvers et pistolets :	
1941 A	- révolvers à barillet	18 %
1941 B	- pistolets à percussion annulaire ou à percussion centrale, non automatiques et automatiques du calibre de 7,65 court et au-dessous	18 %
1942	Armes utilisant toute force propulsive autre que celle causée par la déflagration de la poudre ...	18 %
1944	Parties et pièces détachées d'armes	18 %
	Munitions de commerce :	
1946 B	- cartouches non chargées, amorcées ou non	18 %
1946 C	- balles	18 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
	CHAPITRE 106 JOUETS; JEUX; ARTICLES pour DIVERTISSEMENTS; ENGINS SPORTIFS	
1972	Vélocipèdes-jouets, trottinettes, chevaux mécaniques, autos à pédales, jouets sportifs, voitures et charrettes de poupées	35 %
ex 1974	Jouets de construction et à transformation en métal avec moteur	25 %
1975	Jouets électriques, y compris leurs accessoires et pièces détachées, et jouets à moteur non dénommés ni compris ailleurs	35 %
1976	Appareils de projection-jouets (cinémas, lanternes magiques, etc.)	35 %
	Instruments de musique-jouets :	
1978 A	- harmonicas	35 %
1978 B	- phonographes	35 %
	Jouets non dénommés ni compris ailleurs :	
ex 1979 A	- sans mouvement :	
	- - en métal	35 %
	- - en bois	35 %
	- - en caoutchouc :	
	- - - bibis et articles similaires en feuilles dilatables	30 %
	- - - autres, avec ou sans habillement ou garnitures	35 %
1979 B	- avec mouvements	35 %
1982 B	Jeux à moteur ou à mouvements pour lieux publics, autres (à l'exclusion des appareils dits "à sous" distributeurs d'argent ou de jetons de consommation)	30 %
	Cartes à jouer :	
1984 A	- cartes-jouets	25 %
1984 B	- autres	30 %
ex 1993	Ballons et balles de sport; ballons en toutes matières à vessies, medicine balls et punching-balls, cousus ou en pannoeaux découpés; vessies de ballons de sport; balles de tennis	22 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du tarif de la France	Désignation des produits	Taux des droits
ex 1994	Articles de tennis, de tennis de table, de paume et de jeux similaires: cadres de raquettes et raquettes de tennis, badmintons, squashs et similaires	22 %
1996	Patins à glace et à roulettes et leurs pièces détachées	20 %
2000	Engins sportifs avec mouvements (machines d'entraînement, machines à ramer, home-trainers, etc.)	22 %
	Articles de pêche non dénommés ni compris ailleurs :	
2001 A	- cannes à pêche et leurs parties	20 %
2001 B	- hameçons non montés	15 %
2001 C	- moulinets pour la pêche	20 %
2001 D	- autres (nasses et filets montés, lignes montées, flotteurs, dévidoirs, esches artificielles, etc.)	20 %
	CHAPITRE 107	
	ARTICLES DIVERS en DIFFERENTES MATIERES	
2004	Boutons-pression à coudre et leurs parties	20 %
2005	Boutons-formoirs (y compris les boutons-pression à river et les boutons dits "mécaniques") et leurs parties	20 %
ex 2007	Autres boutons :	
	- non recouverts de matières textiles :	
	- - en métaux communs :	
	- - - pour pantalons	20 %
	- - - autres	15 %
	- - en bois	18 %
	- - en palmier doum, en os, en corne moulée ou tournée	20 %
	- - en matières plastiques	25 %
	- - en matières céramiques	20 %
	- - en verre :	
	- - - non décorés	15 %
	- - - décorés	20 %

LISTE XI-A - FRANCE

Première Partie (suite)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 2007 (suite)	Autres boutons (suite):	
	- non recouverts de matières textiles (suite):	
	- - en caoutchouc ou ébonite, en carton comprimé, en cuir naturel ou artificiel, en nacre ou coquillage, en ivoire, écaille, ambre, ambroïde..	20 %
	- - en pierres fines :	
	- - - en jais	20 %
	- - - autres	Droits des pierres fines travaillées autres que pour usages industriels (n°1257 B)
	- - en autres matières (à l'exclusion du corozo)....	20 %
	- recouverts de matières textiles	20 %
2008	Fermetures à glissière et leurs parties (curseurs, etc.)	20 %
	Plumes à écrire :	
ex 2009 A	- plumes en métaux précieux: en or	8 %
2009 B	- plumes en métaux communs	25 %
2009 D	- pointes pour plumes	7 %
	Porte-plumes, stylographes, porte-crayons, porte-mines, et leurs pièces détachées :	
2010 A	- porte-plumes à réservoir et stylographes en toutes matières, avec ou sans plume	23 % avec minimum de perception de 12 F par pièce
2010 B	- porte-plumes autres qu'à réservoir et porte-crayons en toutes matières	27 %
2010 D	- pièces détachées, y compris les agrafes:	
	- - en métaux précieux et plaqués de métaux précieux	23 %
	- - en métaux communs	23 %
	- - en autres matières :	
	- - - poches à encre en caoutchouc	Droit des poires pour compte-gouttes (n°721 A)
	- - - autres	23 %
	Pipes, fume-cigares et fume-cigarettes :	
ex 2014 B	- pipes et têtes de pipes :	
	- - pipes en terre d'une seule pièce	15 %
	- - autres, en bois ou racine, montées ou non	20 %

LISTE XI-A - FRANCE

Première Partie (fin)

Position du Tarif de la France	Désignation des produits	Taux des droits
ex 2014 C	Pipes, fume-cigares et fume-cigarettes (suite):	
	- fume-cigares et fume-cigarettes; bouts et tuyaux pour pipes, fume-cigares et fume-cigarettes, autres :	
	- - partiellement ou entièrement en corne ou en matières plastiques	20 %
	- - en autres matières (à l'exclusion du papier ou carton, de l'ébonite, de l'ambre, de l'ambroïde, du copal, de l'ivoire, de la nacre et de l'écaille)	20 %

Deuxième Partie

Tarif préférentiel

N é a n t

NOTES DE LA LISTE XI A - FRANCE

OBSERVATIONS GENERALES

I. Les notes et renvois du tarif français dont le texte a été remis aux délégations lors de l'ouverture des négociations de Genève sont considérés comme faisant partie intégrante de la note XI A.

II. Les quittances délivrées par l'Administration française des Douanes sont soumises à un droit de timbre.

NOTES RELATIVES A DES PRODUITS PARTICULIERS

Ad N° 1 A, 3, 4 et 6 - Les animaux reproducteurs de race pure repris sous ces numéros seront admis en franchise, sous les conditions fixées par le Ministre de l'Agriculture, lorsqu'ils seront destinés à l'Administration des Haras ou à des Syndicats d'élevage.

Ad N° 81 et suivants, 176 et suivants - Indépendamment des droits de douane sur le café, le thé, les épices, le cacao et le chocolat, on perçoit des taxes intérieures de consommation dont le taux peut être modifié par arrêté ministériel, et, le cas échéant, des taxes spéciales qui frappent de la même manière les produits étrangers et ceux de l'Union française.

Ad N° 93 - Conformément aux dispositions du par. . de l'article II de l'Accord général sur les Tarifs et le Commerce, pour chaque trimestre le prix de rétrocession du blé importé par l'Office National Interprofessionnel des Céréales, à l'exclusion des droits intérieurs, des frais de transport et de distribution et des autres dépenses que comportent l'achat et la vente du produit, ainsi que d'une marge raisonnable de bénéfice, ne dépassera pas de plus de 15 % le prix moyen au débarquement après dédouanement du blé importé pendant le trimestre précédent.

S'il survient des fluctuations ou des variations importantes dans les prix mondiaux, la protection maximum peut subir des modifications sous réserve de l'accord des pays participant aux négociations, en vue de maintenir la stabilité du prix intérieur.

Ad N° 189, 190 et 202 - Les sauces à base de légumes et, en particulier, celles à base de tomates (ketchup et similaires) sont classées comme légumes conservés ou comme sauces suivant que les légumes constituent, ou non, l'élément dominant.

Ad N° 235 A - I - Le Gouvernement français s'engage à ce que la S.E.I.T.A. importe annuellement 15.000 tonnes de tabacs en feuilles d'origine autre que de l'Union Française.

II - En outre, au cas où la mise en oeuvre de tabacs en feuilles par le S.E.I.T.A. aurait dépassé 60.000 T. au cours d'une année, ce chiffre d'importation de 15.000 T. serait, pour l'année suivante, accru d'une quantité égale à la moitié de cet excédent.

III - Une tolérance de 10 % est admise sous réserve d'une possibilité de report d'une année sur l'autre de manière que le total des importations pour une période de trois années reste fixé ainsi qu'il est prévu aux paragraphes I et II.

IV - L'engagement ci-dessus du Gouvernement français est pris sous réserve de l'application des dispositions des articles XII et XIV de l'Accord général sur les Tarifs et le Commerce.

Ad 236 -

I - Le Gouvernement français s'engage à ce que le S.E.I.T.A. importe annuellement I.400 tonnes de cigarettes d'origine autre que de l'Union Française.

II - Le prix de vente des cigarettes étrangères ne sera pas fixé à des chiffres supérieurs à ceux qui résulteraient de l'application au prix de vente des cigarettes de luxe du Monopole (Balto, Week-End, Gitanes-Vizir) de la même majoration que présentait avant guerre le prix de vente des cigarettes étrangères, par rapport à ceux des cigarettes de luxe du Monopole.

III - Une tolérance de 10 % est admise sous réserve d'une possibilité de report d'une année sur l'autre, de manière que le total des importations pour une période de trois années ne soit pas inférieur à 4.200 tonnes.

IV - L'engagement ci-dessus du Gouvernement français est pris sous réserve de l'application des dispositions des articles XII et XIV de l'Accord général sur les Tarifs et le Commerce.

Ad N° 311, 312, 313 - Le Gouvernement français, estimant anti-économique d'établir des droits sur une matière première aussi essentielle que le charbon, a prévu son admission en franchise, sous la réserve toutefois que les dispositions qui figureront dans le texte définitif du Chapitre VI du projet de Charte permettront de prévenir les effets d'une crise éventuelle.

Ad N° 319 et suivants - L'importation des carburants et des produits pétroliers est soumise à des formalités particulières.

Ad N° 332 à 341 - Les droits consolidés dans la présente liste n'ont pour objet que la protection du raffinage. La Gouvernement français conserve la faculté d'appliquer des taxes intérieures frappant tous les produits pétroliers livrés à la consommation sur le territoire métropolitain et de modifier à tout moment le taux de ces taxes qui engloberont la taxe complémentaire affectée au Bureau des Recherches pétrolifères.

Ad N° 567 et suivants - L'importation des produits pharmaceutiques repris au Chapitre 30 n'est autorisée qu'autant qu'ils sont conformes à la législation intérieure française sur les produits de l'espèce; en particulier, les définitions des médicaments sous cachet et des spécialités pharmaceutiques sont celles de la la législation intérieure.

NOTES de la LISTE XI-A - FRANCE (suite)

Ad. N° 573 A à 573 J - Le Gouvernement français se réserve d'appliquer aux engrais azotés, à partir du 1er juillet 1951, un droit de douane ne dépassant pas 10 % ad valorem si, à cette date, il n'a pas été conclu, en ce qui concerne ces produits, un accord gouvernemental dans les conditions prévues par le chapitre VI du projet de Charte, relatif aux produits de base.

Ad. N° 670 et 671 - On considère comme films d'actualité les films réalisés par des maisons d'actualités cinématographiques, d'un métrage inférieur à 310 mètres, relatifs à des événements présentant un caractère d'actualité politique, sociale, économique, sportive, militaire, scientifique, littéraire, folklorique, touristique ou mondaine. Pour bénéficier du régime de faveur prévu dans la présente liste, ces films doivent être importés par ou pour le compte de maisons appartenant à la Chambre syndicale française de la presse filmée. L'Administration des Douanes se réserve la faculté d'admettre au même régime les films d'un métrage supérieur, mais présentant les mêmes caractéristiques.

Ad. N° 1270 et suivants et divers - Les importations d'articles en métaux précieux sont soumises aux formalités prévues par les lois et réglements relatifs à la garantie.

Ad. N° 1798 B - Le poids des tracteurs à prendre en considération pour la détermination de la catégorie est celui des véhicules tels qu'ils sont présentés, avec ou sans pneumatiques, avec ou sans les instruments et accessoires normalement fixés, y compris la roue de secours et le coffre à outils garni.

Ad. N° 1799 - Les transporteurs de containers composés d'un tracteur combiné à une semi-remorque comportant un appareil de manutention suivent, sur l'ensemble, le régime des voitures automobiles autres (à usages spéciaux) lorsque le moteur du tracteur fait fonctionner l'appareil de manutention. Au contraire, si le chargement et le déchargement des containers s'opèrent sans le secours du moteur du tracteur, chaque partie (tracteur, remorque, appareil de levage) est soumise à son régime propre.

LISTE XI - FRANCE

Section B - Afrique Equatoriale Française.

(Partie du Gabon non comprise dans le Bassin Conventionnel du Congo)

Première partie.

Tarif de la nation la plus favorisée

Position du tarif du Gabon	Désignation des produits	Taux des droits (surtaxes)
40	Farine de froment	5 %
73	Sirops, bonbons, biscuits sucrés, fruits confits au sucre, confitures au sucre et au miel	10 %
	Tabacs :	
80	- tabacs en feuilles	25 %
82	- cigarettes.....	50 %
83	- Tabacs fabriqués autres : à fumer	50 %
	Vins ordinaires ou supérieurs provenant de la fermentation exclusive de raisins frais	
	- moins de 12° :	
129	-- en fûts, dames-jeannes	20 %
130	-- en caisses	20 %
	- de 12° à 15° inclus :	
131	-- en fûts, dames-jeannes	20 %
132	-- en caisses	20 %
135	Vins de plus de 15°, vins de liqueur de toute espèce	20 %
Ex 139 Bis	Eaux-de-vie, alcools et toutes boissons alcooliques non dénommées ailleurs, à l'exception des rhums	20 %
143	Ciments à prise lente	Exempts
144	Ciments autres	Exempts
146	Huiles de pétrole, de schistes et autres huiles minérales raffinées et essences	10 %
148	Huiles de graissage	7 %
151	Combustibles liquides dits "gas oils".....	5 %
152	Résidus dits "fuels oils".....	5 %
Ex 157	Houille	Exempts

LISTE XI - B - Afrique Equatoriale Française.

Première partie (suite)

Position du tarif du Gabon	Désignation des produits	Taux des droits (surtaxes)
	Parfumeries :	
182	- savons autres que transparents.....	10 %
183	- savons autres, alcooliques.....	10 %
184	- savons autres, non alcooliques.....	10 %
186	Bougies de toutes sortes, autres que les bougies en paraffine pure ou mélangées de paraffine.....	10 %
Ex 216	Tissus de coton pur, écrus dits "Kaffi sheetings".....	15 %
245	Couvertures autres que de traite, fabriquées en une seule pièce, en tous textiles y compris le coton	10 %
	Chaussures :	
264	- d'une longueur intérieure jusqu'à 18 cm. inclus (enfants).....	10 %
265	- d'une longueur intérieure de 18 à 23 cm. inclus (fillettes et garçonnets).....	10 %
266	- pour femmes	10 %
267	- pour hommes	10 %
Ex 275	Machines pour l'agriculture et l'horticulture, y compris les tracteurs agricoles	5 %
279	Articles de ménage :	
	- en fer peint, poli, plombé, zingué ou galvanisé	10 %
281	- en fer étamé, émaillé ou nickelé	10 %
Ex 288	Ancres et harpons	7 %
Ex 288	Bandages en acier pour véhicules sur voie ferrée	7 %
288	Autres ouvrages en métaux non dénommés.....	10 %
305 à 317	Automobiles aménagées spécialement pour le transport des personnes, non compris les autocars	30 %
318 à 330	Automobiles aménagées spécialement pour le transport des marchandises, ou pour usages industriels, y compris les autocars	30 %

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LISTE XI - B - Afrique Equatoriale Française

Première partie (fin).

Position du tarif du Gabon	Désignation des produits	Taux des droits (surtaxes)
331	Pièces détachées et accessoires pour automobiles de tous genres	25 %
Ex 342	Beurre frais.....	Exempt
Ex 342	Confitures	5 %
	Deuxième partie	
	Tarif préférentiel.	
146 bis	Huiles de pétrole, de schistes et autres huiles minérales, provenant des usines exercées de la Métropole	3 %
148 bis	Huile de graissage provenant des usines exercées de la Métropole	2 %
151 bis	Combustibles liquides dits "gas oils" provenant des usines exercées de la Métropole	2 %
152 bis	Résidus dits "fuel oils" provenant des usines exercées de la Métropole.....	2 %

LISTE XI - FRANCE

Section C - Afrique Occidentale française

Première Partie

Tarif de la nation la plus favorisée.

Position du tarif de l'A.O.F.	Désignation des produits	Taux des Droits (tableau B)
42	Lait complet ou écrémé, naturel, concentré ou stérilisé et crême de lait	7 %
48	Poissons secs: morues, stockfishes et harengs ..	12 %
49	Poissons secs, autres: fumés ou salés	exempts
52	Poissons conservés au naturel, marinés ou autrement préparés	7 %
131	Tabacs en feuilles	25 %
	Tabacs fabriqués:	
132	- cigares	75 %
133	- cigarettes	75 %
201	Pétroles raffinés et extra raffinés	10 %
203	Essences de pétrole	10 %
	Huiles lourdes et résidus de pétrole et d'autres huiles minérales:	
205	- destinés à l'alimentation des moteurs de tous systèmes	4 %
207	- autres, y compris les huiles de graissage et la paraffine	7 %
232	Savons autres que ceux de parfumerie	20 %
240	Verroteries ou vitrifications	16 %
	Tissus de coton:	
	I - Tissus unis, croisés, sergés, même apprêtés, gaufrés, glacés ou mercerisés	
258	1° Ecrus	20 %
259	2° Blanchis	20 %
260	3° Teints en toutes nuances	20 %
261	4° Imprimés; tissus présentant deux ou plusieurs nuances et fabriqués entièrement ou partiellement avec des fils teints, même glacés ou mercerisés.	20 %
262	II - Tissus façonnés et pagnes à motifs ou à dessins; tissus à chaîne et à trame genre cellular; imitations de gazes façonnées dites "sofit"; brillantés, damassés, basins, reps, piqués et couvertures en piqué; tissus brochés par le jeu des fils de chaîne et de trame; velours et peluches	20 %

LISTE XI - C - Afrique Occidentale Française

Première Partie (fin)

Tarif de la nation la plus favorisée.

Position du tarif de l' A.O.F.	Désignation des produits	Taux des Droits (tableau B)
277	Fez et bonnets turcs, chéchias et bérets en tricot fortement foulé ou feutré, ou bien en feutre de laine, genre bérets basques	5 %
287	Tissus de rayonne ou de crin artificiel, de toute espèce	20 %
295	Articles confectionnés en tout ou partie en tissus, à l'exclusion des articles tarifés en cet état: I - Vêtements, parties de vêtements, cravates et cols-cravates	15 %
313	Bijouterie fausse	10 %
314	Machines et appareils agricoles	exempts
317 bis à 319 bis	Tracteurs agricoles et autres, autres qu'à gazogène: - dans la limite d'un contingent annuel de 1000 tracteurs, inclusivement ..... - hors contingent	15 % 30 %
334 bis à 349	Voitures automobiles, autres qu'à gazogène (B)	30 %
350 à 370	Pièces détachées et accessoires d'automobiles ..	25 %
374	Ouvrages en caoutchouc: chapes, chambres à air et pneumatiques	25 %
376	Chaussures de toutes sortes avec dessus en toile, en caoutchouc ou en tissu caoutchouté et semelles en caoutchouc ou autres matières adaptées par collage ou de toute autre manière	10 %
380	Allumettes chimiques	15 %
ex 383	Farines de froment	5 %
ex 383	Biscuits de mer	5 %
ex 383	Machines et appareils électriques	7 %
ex 383	Lampes de poche et boîtiers de lampes de poche.	6 %
ex 383	Bicyclettes et parties de bicyclettes	5 %

LISTE XI - C - Afrique Occidentale Française

Deuxième Partie

Tarif préférentiel

Position du Tarif de l' A.O.F.	Désignation des produits	Taux des Droits tableau B
202	Pétroles raffinés et extra raffinés: provenant des usines exercées de la métropole	7 %
204	Essences de pétrole provenant des usines exercées de la métropole.....	7 %
	Huiles lourdes et résidus de pétrole et d'autres huiles minérales:	
206	- Destinées à l'alimentation des moteurs de tous systèmes, provenant des usines exercées de la métropole	3 %
208	- Autres, y compris les huiles de graissage et la paraffine provenant des usines exercées de la métropole.....	5 %

LISTE XI - FRANCE

Section D - Côte Française des Somalis et Dépendances

Première Partie

Tarif de la nation la plus favorisée

Position du tarif	Désignation des produits	Taux des droits
Ex 38	Beurre frais, autre	2 %
Ex 61	Farines de froment	2 %
Ex 99	Tabacs autres fabriqués : - cigares et cigarettes	Exempts
Ex 196	Huiles de pétrole, de schiste et autres huiles minérales propres à l'éclairage : Essences	Exemptes
	Voitures automobiles :	
572	Chassis avec ou sans moteur, avec ou sans carrosserie	10 %
572 bis	Moteurs et pièces détachées	10 %
573	Carrosseries et pièces détachées	10 %
574	Cadres porteurs de chassis et pièces détachées pour automobiles	10 %
575	Phares et générateurs d'acétylène	10 %
575 bis	Accumulateurs et pièces détachées	10 %

Deuxième Partie

Tarif préférentiel.

Néant

LISTE XI - FRANCE

Section E - Etablissements Français de l'Océanie

Première Partie

Tarif de la nation la plus favorisée

Position du tarif	Désignation des produits	Taux des droits
Sans indication.	Lait concentré et stérilisé	1 %
	Beurre en barils, boîtes ou flacons	1 %
	Conserves de viandes, en boîtes	1 %
	Saumons en boîtes	Exempts
	Pilchards en boîtes	Exempts
	Pommes de terre	Exemptes
	Oignons	2 %
	Haricots, pois, lentilles, etc... secs	Exempts
	Raisins et autres fruits secs et tapés	Exempts
	Fruits en boîtes	Exempts
	Farines de froment	2 %
	Sucres raffinés	10 %
	Biscuits sucrés	2 %
	Cigares et cigarettes	10 %
	Sel commun	1 %
	Bois communs, en grumes, équarris ou sciés	Exempts
	Huiles minérales lourdes (mazout)	10 %
	Pétrole lampant (kérosène)	8 %
	Essence de pétrole (gasoline)	8 %
	Huiles lubrifiantes	5 %
	Couleurs broyées à l'huile, autres que les noirs de fumée et de pétrole	5 %

LISTE XI - E - Etablissements Français de l'Océanie.

Première Partie (suite)

Tarif de la nation la plus favorisée

Position du tarif	Désignation des produits	Taux des droits
Sans indication.	Cordages de tous genres et de toutes dimensions	Exempts
	Tissus en pièces de tous textiles	10 %
	Vêtements et pièces de lingerie et tous autres articles confectionnés en tissus	15 %
	Vêtements en cuir, doublés ou non doublés	10 %
	Sellerie, harnachement et articles divers s'y rattachant	10 %
	Articles de voyage : valises, sacoches, sacs de nuit, couvertures, etc.	10 %
	Articles de sport en cuir	10 %
	Chaussures de toutes sortes	15 %
	Papiers et produits du papier	8 %
	Livres	Exempts
	Articles manufacturés en métal, à l'exception de la joaillerie, des montres, des réveils, des machines, des outils, de la coutellerie et des articles de ménage	12 %
	Machines agricoles y compris les tracteurs	Exemptes
	Machines à coudre	8 %
	Machines à écrire	8 %
	Outils avec ou sans manche	8 %
	Machines et appareils électriques et électrotechniques (à l'exception des torches électriques)	8 %
	Piles électriques de tous modèles	10 %

LISTE XI - E - Etablissements Français de l'Océanie.

Première Partie (fin)

Tarif de la nation la plus favorisée

Position du tarif	Désignation des produits	Taux des droits
Sans indication.	Lampes électriques à incandescence....	10 %
	Voitures automobiles pour le transport des personnes	30 %
	Voitures automobiles pour le transport des marchandises.....	30 %
	Accumulateurs pour automobiles.....	20 %
	Accumulateurs autres que pour automobiles	10.%
	Tous accessoires, parties et pièces détachées pour toutes voitures automobiles	25 %
	Deuxième Partie Tarif préférentiel N é a n t.	

LISTE XI - FRANCE

Section F - Guadeloupe et Dépendances.

Première Partie

Tarif de la nation la plus favorisée

Position du tarif de la Guadeloupe (tarif spécial)	Désignation des produits	Taux des droits
4 et 6	Boeufs et taureaux	10 %
5 et 7	Vaches et génisses	10 %
7	Bouvillons et taurillons	10 %
8	Veaux	10 %
9	Béliers, brebis, moutons	10 %
12	Porcs	10 %
17	Viandes salées ou en saumure, à l'état cru, non préparées	Exemptes
17 bis	Viandes préparées	5 %
Ex 17 ter	Saucisses	10 %
19 A	Conserves de viandes : - viandes de porc à l'état cuit sous boîtes ou autres récipients	10 %
Ex 46	Poissons secs, salés ou fumés : - Morues y compris le klippfish et le flétan : - en filets ..... - autrement	 10 % 8 %
Ex 68	Froment, épeautre ou méteil : - Farines (quel que soit le taux d'extraction)	5 %
Ex 188 bis	Bois communs équarris ou sciés, autres, (quelle que soit l'épaisseur)..	Exempts
198 bis	Huiles lourdes et résidus de pétrole et autres huiles minérales (huiles lubrifiantes), à l'importation	3 %

LISTE XI - F - Guadeloupe et Dépendances.

Première Partie (fin)

Tarif de la nation la plus favorisée.

Position du tarif de la Guadeloupe, (tarif spécial)	Désignation des produits	Taux des droits
Ex 595	Futailles, cuves, cuveaux, seaux et autres ouvrages de tonnellerie, en état de servir, montés ou démontés, cerclés en bois ou en métal : - Futailles d'une contenance de moins de 500 litres	15 %

Deuxième Partie

Tarif préférentiel.

N é a n t.

LISTE XI - FRANCE.

Section G - Guyane Française.

Première Partie

Tarif de la nation la plus favorisée.

Position du tarif de la Guyane. (tarif spécial	Désignation des produits	Taux des droits
1	Chevaux entiers, hongres et juments de 5 ans et au-dessus.....	Exempts
1	Poulains	Exempts
2	Mules et mulets.....	Exempts
3	Anes et ânesses.....	Exempts
4	Boeufs.....	Exempts
5	Vaches	Exemptes
6	Taureaux.....	Exempts
7	Bouvillons, taurillons et génisses....	Exempts
8	Veaux.....	Exempts
9	Béliers, brebis etxmoutons.....	Exempts
Ex 17	Viandes salées de porc, ou en saumure, à l'état cru non préparées, y compris les jambons.....	Exemptes
Ex 17	Viandes salées de boeuf	Exemptes
Ex 19 B	Conserves de viandes en boîtes : A - Viandes de porc..... B - Viandes autres que de porc.....	 10 % 5 %
Ex 68	Farines de froment	Exemptes
83	Pommes de terre à l'état frais importées en toutes périodes.....	Exemptes
Ex 109	Tabacs en feuilles.....	8 %

Deuxième Partie

Tarif préférentiel.

N é a n t.

LISTE XI - FRANCE.

Section H - Indochine.

Première Partie

Tarif de la nation la plus favorisée.

Position du tarif indochinois	Désignation des produits	Taux des droits
Ex 17	Jambons et lards salés, à l'état cru.	10 %
Ex 19	Jambons et lards à l'état cuit sous boîtes ou autres récipients	20 %
35 ter	Lait concentré sans sucre	10 %
35 quater	Lait concentré additionné de sucre ...	10 %
35 quinquiès	Farine lactée	10 %
Ex 47	Poissons conservés au naturel, marinés ou autrement préparés, autres que les sardines	25 %
Ex 68	Farines de froment	12 %
Ex 84, A et B	Raisins frais	15 %
Ex 84, A et B	Pommes fraîches..... L'exemption des droits de douane est accordée aux pommes fraîches importées en Indochine pendant les mois d'avril, de mai et de juin.	15 %
Ex 85	Prunes et pruneaux secs ou tapés.....	15 %
95	Confitures, gelées, marmelades, compotes, pâtes, purées de fruits et produits analogues contenant du sucre ou du miel.....	20 %
Ex 158 C	Asperges conservées en boîtes ou en récipients hermétiquement clos ou en fûts.....	2[illegible] %
198 C	Huiles minérales lourdes.....	30 %
198 quater	Road oils et brais mous.....	Exempts
512 C	Tracteurs agricoles et autres.....	15 %

LISTE XI - H - Indochine.

Première Partie (fin)

Tarif de la nation la plus favorisée.

Position du tarif indochinois	Désignation des produits	Taux des droits
524 bis G	Appareils de télégraphie et de téléphonie sans fil, à l'exclusion des lampes importées séparément.....	15 %
527 bis	Appareils frigorifiques	15 %
Ex 537	Limes et râpes emmanchées ou non.....	15 %
Ex 568 A	Articles de ménage en fer, en acier ou en tôle noire, peints, polis, plombés, zingués ou galvanisés.....	15 %
Ex 576 quater	Piles électriques sèches.....	15 %
614 ter A	Voitures automobiles pour le transport des personnes.....	25 %
614 ter A	Voitures automobiles pour le transport des marchandises.....	25 %
614 ter B	Accessoires, parties et pièces détachées pour toutes voitures automobiles	20 %
614 ter C	Phares, lanternes, complètes ou non...	20 %

Deuxième Partie

Tarif préférentiel.

La France s'engage à renoncer pour les produits figurant à la première partie de la présente liste à la préférence prévue par les articles 2 et 3 de la loi du 15 octobre 1940.

LISTE XI - FRANCE.

Section I - Madagascar et Dépendances

Première Partie

Tarif de la nation la plus favorisée

Position du tarif de Madagascar (tarif spécial)	Désignation des produits	Taux des droits
35 ter	Lait concentré pur sans sucre.....	Exempt
35 quater et 35 quinquiès	Lait concentré additionné de sucre et farine lactée sucrée	5 %
37	Beurre frais, fondu ou salé	15 %
Ex 68	Farines de froment.....	10 %
75 quinquiès	Biscuits sans sucre cristallisable ou non, ni miel.....	15 %
Ex 84 A	Poires de table :	
	- présentées en colis d'un poids brut par unité ne dépassant pas 20 Kgs...	10 %
	- autrement présentées	10 %
Ex 84 A	Pommes de table :	
	- présentées en colis d'un poids brut par unité ne dépassant pas 20 Kgs ..	10 %
	- autrement présentées	10 %
93 bis	Confiseries au sucre.....	10 %
EX 94	Biscuits sucrés contenant en sucre cristallisable ou non jusqu'à 25 % ...	10 %
Ex 95	Confitures, gelées, marmelades, compotes, purées de fruits et produits analogues contenant du sucre (cristallisable ou non) ou du miel, ayant 40 % et moins d'humidité.....	10 %
109	Tabacs fabriqués :	
	- cigares et cigarettes	50 %
	- en poudre à mâcher	50 %
	- en carottes	50 %
	- autres	50 %

LISTE XI - I - Madagascar et Dépendances.

Première Partie (fin)

Tarif de la nation la plus favorisée

Position du tarif de Madagascar (tarif spécial)	Désignation des produits	Taux des droits
171 bis	Vins (autres que les vins de liqueur et les vins mousseux) provenant exclusivement de la fermentation des raisins frais ou de jus de raisins frais :	
	- en fûts.....	20 %
	- en bouteilles.....	20 %
Ex 197, bis	Essences (gasoline).....	5 %
Ex 197 ter B	Huiles de pétrole raffinées dites lampantes (kerosène)	5 %
Ex 198 B et C	Huiles lourdes autres (huiles lubrifiantes	5 %
211	Tôles de fer étamé, cuivré, plombé ou zingué.....	15 %
298	Vernis et peintures assimilées.....	15 %
321	Bougies de toute sorte	15 %
Ex 404	Tissus de coton pur, unis, écrus, dits "kaffir sheetings".....	10 %
418	Couvertures de coton.....	10 %
451	Couvertures de laine	10 %
481 D	Chaussures en cuir, c'est-à-dire avec dessus entièrement ou partiellement en cuir et semelles en cuir ou autres matières : pour hommes	15 %

LISTE XI - I - Madagascar et Dépendances

Deuxième Partie

Tarif préférentiel

Position du tarif de Madagascar (tarif spécial)	Désignation des produits	Taux des droits
Ex 197 bis	Essences (gasoline) provenant des usines exercées de la Métropole	1 %
Ex 197 ter B	Huiles de pétrole raffinées dites lampantes (kérosène) provenant des usines exercées de la Métropole..	1 %
Ex 198 B et C	Huiles lourdes autres (huiles lubrifiantes) provenant des usines exercées de la Métropole	1 %

LISTE XI - FRANCE.

Section J - Martinique.

Première Partie

Tarif de la nation la plus favorisée.

Position du tarif de la Martinique. (tarif spécial)	Désignation des produits	Taux des droits
1	Chevaux entiers ou hongres et juments quel que soit leur âge	Exempts
2	Mules et mulets.....	Exempts
4	Boeufs	Exempts
5	Vaches.....	Exemptes
6 et 7	Taureaux, taurillons et génisses	Exempts
9	Béliers, brebis et moutons	Exempts
12	Porcs	Exempts
13	Porcelets du poids de 15 Kgs et au-dessous	Exempts
17	Viandes salées ou en saumure, à l'état cru, non préparées	Exemptes
17 bis	Viandes préparées de porc, de boeuf ou autres :	
	- non cuites, fumées, desséchées, moulées ou simplement étuvées.....	Exemptes
	- à l'état cuit	10 %
Ex 17 ter	Saucisses	20 %
19 A	Viandes de porc à l'état cuit conservées en boîtes ou autres récipients	20 %
Ex 68	Farines de froment	5 %
Ex 109	Tabacs en feuilles.....	25 %
Ex 128 bis	Bois sciés ou équarris autres (à l'exclusion de ceux destinés à la fabrication des fûts)	Exempts
198	Huiles lourdes de graissage et autres	Exemptes

LISTE XI - J - Martinique.

Deuxième Partie

Tarif préférentiel.

N é a n t

LISTE XI - FRANCE

Section K - Nouvelle-Calédonie et Dépendances

Première Partie

Tarif de la nation la plus favorisée

Position du tarif de la Nouvelle-Calédonie	Désignation des produits	Taux des droits
Ex 17	Viandes salées de porc	
	- lards (bacon)	Exempts
	- jambons et autres	4 %
	Lait :	
35	- même stérilisé ou peptonisé sans concentration	Exempt
35 bis	- concentré pur	Exempt
35 ter	- concentré et additionné de sucre et de farine lactée	Exempt
36	Fromage	1 %
37	Beurre	3 %
Ex 68	Farines de froment	Exemptes
Ex 79	Riz entier	30 %
83	Pommes de terre	6 %
91	Sucres étrangers, en poudre et agglomérés quel que soit leur degré de rendement	Exempts
94	Biscuits sucrés	Exempts
95	Confitures	Exemptes
0164-0165	Sel marin, sel de saline et sel gemme	Exempt
128-140	Bois communs, bois exotiques et buis	Exempts
Ex 158	Oignons	Exempts
171- 171 bis	Vins provenant exclusivement de la fermentation des raisins frais	50 %
172 ter	Bières	25 %

LISTE XI - K - Nouvelle-Calédonie et Dépendances

Première Partie (suite)

Tarif de la nation la plus favorisée

Position du tarif de la Nouvelle-Calédonie	Désignation des produits	Taux des droits
Ex 174	Boissons distillées. Eaux-de-vie	15 %
190	Houille crue ou carbonisée (coke) et cendre de houille	Exempte
210	Tôles planes et larges, plats de fer ou d'acier	5 %
211	Fer étamé (fer blanc), fer cuivré, plombé ou zingué	10 %
212	Fil de fer ou d'acier	Exempt
Ex 311	Savons de toilette ne contenant ni sucre ni alcool	20 %
312	Savons autres que ceux de parfumerie...	10 %
361	Lampes électriques à incandescence à filaments en carbone.....	20 %
Ex 419	Bonneterie de coton, dite de fil, fil de perse, béraudine ou fil d'Ecosse pur ou mélangé : - autres objets en tous genres, y compris les vêtements ou parties de vêtements ajustés ou non	15 %
438 bis à 441 ter	Draps et draperies pour ameublement et habillement	10 %
Ex 443	Bonneterie de laine : - tous autres objets y compris les vêtements et parties de vêtements	15 %
451	Couvertures et tapis de laine	10 %
459 P 3g	Bonneterie de soie ou bourre de soie pures ou mélangées entre elles ou associées à d'autres textiles autre que la soie artificielle ou matières assimilées, la soie ou la bourre de soie représentant plus de 15 % du poids total : - autres objets de tous genres, y compris les vêtements ou parties de vêtements ajustés ou non	10 %

LISTE XI - K - Nouvelle-Calédonie et Dépendances.

Première Partie (suite)

Tarif de la nation la plus favorisée.

Position du tarif de la Nouvelle-Calédonie	Désignation des produits	Taux des droits
459 P	Bonneterie de soie artificielle ou de matières assimilées pures ou contenant plus de 15 % en poids de ces matières	15 %
Ex 476 ter	Peaux corroyées :	
	- petites	
	-- de mouton, tannage végétal ou minéral, non grayées, teintes, mates ou lisses pour doublures de chaussures	
	- grandes	Exemptes
	-- de vache	Exemptes
	-- autres	Exemptes
	Ouvrages en peau ou en cuir naturel ou artificiel :	
Ex 482	- souliers découverts	
	-- en peau, en cuir, en tissu de soie pure ou mélangée	10 %
	- souliers montant jusqu'à la cheville ..	10 %
	- pantoufles doublées ou non doublées ..	10 %
483	- chaussures pour enfants, avec semelles de cuir ou de peau ayant moins de 17 cm de longueur	10 %
485	- articles de sellerie fine autres que les selles	40 %
486	- selles	10 %
487	- articles de bourellerie	10 %
488 - 489	- tuyaux, courroies et cordes de transmission et tous articles en cuir ou en peau pour machines	Exempts
490	- Malles :	
	-- en bois ou en carton recouverts de cuir	15 %
	-- entièrement en cuir	15 %

LISTE XI - K - Nouvelle-Calédonie et Dépendances

Première Partie (suite)

Tarif de la nation la plus favorisée

Position du tarif de la Nouvelle-Calédonie	Désignation des produits	Taux des droits
491	- maroquinerie :	
	-- souple	15 %
	-- dure	15 %
492	-vêtements de toute espèce, sans parties de fourrures, doublés ou non de tissus	10 %
	- valises, sacs à main, sacs de voyage, étuis pour appareils photographiques, pour armes de chasse, instruments de musique, etc	15 %
	- ceintures en cuir ouvragées.....	15 %
	- autres objets non dénommés.....	15 %
522	Machines pour l'agriculture, et leurs pièces détachées, à l'exclusion des moteurs.....	Exemptes
523	Machines à coudre	7 %
524	Machines dynamo-électriques	10 %
Ex 524 bis	Appareils électriques et électrotechniques,	
	- à usage domestique	10 %
525 ter	Machines à écrire	6 %
Ex 525 quinquiès	Machines complètes servant au traitement de tous minerais.....	Exemptes
Ex 525 quinquiès	Appareils complets non dénommés ailleurs; machines pour l'extraction des minerais	5 %
Ex 527 bis	Machines et appareils frigorifiques,	
	- pesant moins de 500 Kgs	10 %
Ex 560 à 562 bis	Câbles de fer et d'acier de toutes épaisseurs	Exempts
567	Tubes et tuyaux en fer ou en acier.....	10 %
Ex 568	Articles de ménage et tous articles en fer, en acier ou en tôle noire non dénommés :	
	- peints, polis, plombés, zingués, galvanisés ou vernissés.....	10 %

LISTE XI - K - Nouvelle-Calédonie et Dépendances.

Première Partie (fin)

Tarif de la nation la plus favorisée.

Position du tarif de la Nouvelle-Calédonie	Désignation des produits	Taux des droits
576 ter	Accumulateurs électriques et pièces détachées importées séparément	20 %
576 quater	Piles sèches	10 %
Ex 680	Ouvrages en caoutchouc et en gutta-percha : - chapes, bandages, chambres à air ou pneumatiques	10 %

Deuxième Partie

Tarif préférentiel.

N é a n t

LISTE XI - FRANCE

Section L - Réunion.

Première Partie

Tarif de la nation la plus favorisée

Position du tarif de la Réunion (tarif spécial)	Désignation des produits	Taux des Droits
68	Farines de froment	3 %
197 bis A	Essences minérales de tourisme, provenant directement de l'étranger.....	18 %
197 bis B	Essences minérales autres que de tourisme, provenant directement de l'étranger	18 %
197 ter B	Huiles de pétrole, de schiste et autres huiles minérales raffinées propres à l'éclairage, provenant directement de l'étranger	18 %

Deuxième Partie

Tarif préférentiel

197 bis A	Essences minérales de tourisme, provenant des usines exercées de la métropole	2 %
197 bis B	Essences minérales autres que de tourisme, provenant des usines exercées de la métropole	2 %
197 ter B	Huiles de pétrole, de schiste et autres huiles minérales raffinées propres à l'éclairage, provenant des usines exercées de la métropole.....	5 %

LISTE XI - FRANCE

Section M - Saint-Pierre et Miquelon

Première partie

Tarif de la nation la plus favorisée

Position du tarif de St Pierre & Miquelon	Désignation des produits	Taux des droits
1	Animaux vivants de toute espèce	Exempts
Ex 6	Conserves de viandes en boites	Exemptes
14	Lait concentré pur ou additionné de sucre et farines lactées	3 %
17	Beurre frais, fondu ou salé	1 %
32	Farines de froment	Exemptes
41	Fruits frais	Exempts
42	Pommes de terre	Exemptes
Ex 57	Cigares et cigarettes	10 %
Ex 57	Tabacs à fumer, à priser et à mâcher.....	10 %
145	Médicaments composés	20 %
185	Souliers, bottines, pantoufles et chaussures de toutes espèces en cuir ou en peaux doublées ou non.....	Exempts
200	Machines et autres métiers, machines-outils, balances, bascules et pièces détachées en fonte, fer, acier ou autre métal, machines autres que les machines à vapeur, les machines de navigation, les moteurs pour navigation, les appareils électriques et électrotechniques et les machines à écrire et à calculer.....	5 %
205	Toiles et grillages métalliques, tôles perforées.....	5 %
206	Aiguilles, broches, crochets, épingles, agrafes, plumes en métal autres que l'or et l'argent	[illegible]
209	Ouvrages en fonte moulée de toutes espèces	5 %
210	Ouvrages en fer ou en acier, ferronneries de toutes sortes	5 %
211	Serrureries de toutes sortes	5 %
212	Ancres à doris pesant moins de 8 Kgs.	5 %

LISTE XI - M - Saint-Pierre & Miquelon

Première partie (fin)

Tarif de la nation la plus favorisée

Position du tarif de ST-Pierre & Miquelon	Désignation des produits	Taux des droits
213	Ancres, câbles et chaînes en fer ou en acier et ronces artificielles autres	5 %
214	Clous et pointes de toutes espèces et dimensions	5 %
215	Vis, pitons, gonds, crochets de fer, rivets et tous articles de boulonnerie et visserie non dénommés	5 %
216	Tuyaux de fumée en métaux galvanisés ou non.	5 %
217	Tubes en fer et en acier, soudés ou non et raccords de toutes espèces	5 %
219	Appareils inodores	5 %
Ex 220	Ouvrages en cuivre pur ou allié de zinc et d'étain (articles de lampisterie et de ferblanterie, ouvrages et autres objets non dénommés, brunis, polis, vernis) ouvrages en cuivre, à l'exception des articles de ménage	5 %
221	Tuyaux et autres ouvrages en plomb de toutes sortes	5 %
222	Accumulateurs électriques	5 %
Ex 223	Poterie et autres ouvrages en étain pur ou allié, à l'exception des articles de ménage	5 %
Ex 224	Ouvrages en zinc de toutes espèces, vernis, polis, nickelés, imprimés, décorés, dorés, à l'exception des articles de ménage	5 %
Ex 225	Ouvrages en nickel allié au cuivre ou au zinc ou en métaux nickelés, à l'exception des articles de ménage	5 %
245	Ouvrages en caoutchouc, gutta-percha et amiante, de toutes façons, y compris les vêtements caoutchoutés ou non.....	3 %
246	Bottes et chaussures en caoutchouc et tissus caoutchoutés	8 %

LISTE XI - M - Saint-Pierre & Miquelon

Deuxième partie

Tarif préférentiel

N é a n t

LISTE XI - FRANCE

Section N - Tunisie

Première Partie

Tarif de la nation la plus favorisée

Position du tarif de Tunisie	Désignation des produits	Taux des droits
Ex 133	Poteaux télégraphiques injectés.....	5 %
177	Pierres ouvrées, sculptées, moulurées ou polies et monuments funéraires sculptés :	
	- en granit porphyroïde.....	10 %
	- autres.....	10 %
198 C	Huiles lourdes autres, non épurées, y compris les dérivés et résidus non repris ailleurs (huiles lubrifiantes)..	5 %
198 bis	Gas oils.....	5 %
198 ter	Fuel oils.....	Exempts
198 quater	Road oils et brais mous.....	Exempts
198 quinquies	Brais durs	Exempts
Ex 345	Faïences fines non décorées, couvertes d'un vernis uniforme.....	10 %
Ex 346	Poteries à pâte fine, décorées, vernies.	10 %
347 A	Porcelaine décorée.....	10 %
Ex 347 bis	Isolateurs en porcelaine	10
Ex 350	Gobeletterie de verre et de cristal :	
	- unie, moulée, blanche ou de couleur naturelle.....	10 %
	- teintée dans la masse et unicolore....	10 %
	- rodée, taillée ou gravée autrement que pour effacer les traces de l'attache dite "pointil"	10 %
	- décorée d'or, de couleur ou autrement.	10 %

LISTE XI - N - Tunisie

Première Partie (suite)

Tarif de la nation la plus favorisée.

Position du tarif de Tunisie	Désignation des produits	Taux des droits
Ex 350	Articles pour l'éclairage :	
	- verres ou cheminées d'éclairage :	
	-- en verre ordinaire	10 %
	-- en verre plus fin dit cristal ou en cristal	10 %
	- réflecteurs, abat-jour, globes ou verrines	
	-- multicolores, décorés d'or ou autrement taillés ou gravés	10 %
	-- autres	10 %
Ex 358	Perles en verre et autres vitrifications en grains taillés ou percés	10 %
Ex 358	Verre filé, boules et corail factice en verre	10 %
496 bis	Bijouterie fausse .	
	- aluminium, maillechort, nickel, cuivre, acier, fer, zinc, étain, plomb, dorés, argentés, cuivrés, oxydés, avec ou sans garnitures; acier fin à pointes	10 %
	- cuivre, maillechort, nickel, passés à l'eau forte, vernis, émaillés, polis nickelés, avec ou sans garnitures - Bijouterie de deuil en fer garnie de verroterie ou de bois durci, zinc, plomb, fer, acier ordinaire, nickelés; zinc, plomb, fer, acier ordinaire, polis ou vernis avec garnitures	10 %
	- zinc, plomb, fer et acier ordinaire, sans garniture ni ornements	10 %
Ex 512	Tracteurs agricoles et autres	5 %
522	Machines pour l'agriculture désignées dans les décrets spéciaux sur la matière (décrets des 9 septembre 1883 et autres postérieurs)	Exemptes
522	Autres machines pour l'agriculture (moteurs non compris)	5 %
524 A	Machines dynamo-électriques et transformateurs électriques industriels, à sec ou immergés	10 %

LISTE XI - N - Tunisie.

Première Partie (fin)

Tarif de la nation la plus favorisée.

Position du tarif de Tunisie.	Désignation des produits	Taux des droits
524 B	Machines dynamo-électriques pour l'équipement des véhicules automobiles de toutes sortes (voitures, bateaux, aérostats, appareils d'aviation, etc..)	10 %
Ex 524 bis M	Machines frigorifiques domestiques	10 %
527 bis	Appareils frigorifiques pour navires de commerce et autres.....	10 %
533	Pièces détachées et organes de machines, en fer forgé ou en acier forgé ou moulé, ayant reçu un travail d'alésage ou de tour ou un travail de lime ou d'ajustage	10 %
646 B	Ballons, animaux, poupées et sujets divers en caoutchouc moulé, décorés ou non	10 %

Note :

I - Le Gouvernement français prend l'engagement au nom du Gouvernement Tunisien d'importer annuellement 1.700 tonnes de tabacs en feuilles et 10 tonnes net de cigarettes, d'origine autre que de l'Union Française.

II - Une tolérance de 10 % est admise sous réserve d'une possibilité de report d'une année sur l'autre de manière que le total des importations pour une période de trois années ne soit pas inférieur à 5.100 tonnes pour le tabac et à 30 tonnes pour les cigarettes.

III- L'engagement ci-dessus du Gouvernement français est pris sous réserve de l'application des dispositions des articles XII et XIV de l'Accord général sur les tarifs et le commerce.

Deuxième Partie

Tarif préférentiel

N é a n t

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

Seul le texte français de la présente liste fait foi

PREMIERE PARTIE

Tarif de la Nation la plus favorisée

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
35	Ivoire et autres dents d'animaux, écailles de tortue, nacre et autres coquilleges, fanons de baleine ou d'autres cétacés, corail et similaires bruts, même simplement découpés, refendus ou étendus, mais non travaillés; poudre, rognures et déchets de ces matières.	
	a - nacre de perle	25 %
	b - autres	25 %
62	Fruits dénommés sous les positions 59 à 61, à l'état sec, même coupés en morceaux ou en tranches :	
	b - pruneaux	40 %
66	Vanille	20 %
67 b	Girofle	20 %
83	Graines et fruits oléagineux, même concassés ou moulus :	
	a) de coton, de chanvre, de coprah, de palme, de palmiste, d'arachide, de ricin et de lin	franchise
	b) autres graines et fruits oléagineux	11 %
103	Graisses et huiles de poisson et d'animaux marins même raffinés;	
	a) huile de foie de morue	11 %
105	Huiles fixes, liquides ou concrètes, d'origine végétale, brutes, épurées ou raffinées	
	i - de palme	25 %
117	Autres préparations et conserves de viandes, ne rentrant pas dans la position 18	
	b - autres	25 %
120	Poissons, préparés ou conservés, ne rentrent pas dans la position 20	25 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
125	Sucreries	30 %
129	Cacao en masse (pâtes de cacao)	15 %
151a	Eaux minérales naturelles	5 %
154b	Champagnes	25 %
155	Vins préparés à l'aide de plantes aromatiques, (vermouth et similaires), vins de liqueur, de dessert, apéritifs à base de vin etc. plus de 15° centésimaux	30 %
157a	Eaux-de-vie, rhums, absinthes et similaires, liqueurs et apéritifs alcoolisés autres que les araks et les vins naturels, dont l'alcool provient de la distillation ou de la fermentation des vins, des fruits de toute nature, des cannes à sucre ou de leurs mélasses:	
	2) de 25 à 50° centésimaux	40 %
	3) au-dessous de 25° centésimaux	30 %
157	Eaux-de-vie de toutes espèces:	
	b) eaux-de-vie, absinthes, liqueurs ou apéritifs autres que les araks	
	2) de 25° à 50°	40 %
192b	Ciment blanc ou coloré	11 %
192c	Ciments fondus	11 %
Ex 194c	Mica brut en feuilles; plaques ou disques grossiers, mica moulu	15 %
206	4 Huiles minérales lourdes à graisser	
	1) importées en fûts	11 %
	2) importées en tous autres emballages	11 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
210	Brais et poix d'origine minérale (de goudron de houille, de lignite, de pétrole, etc.)	25 %
213	Brome et iode : b - iode	11 %
217	Gaz comprimés ou liquéfiés ou solidifiés b) ammoniaque anhydre (gaz ammoniac)	11 %
218	Acide nitrique a) industriel	11 %
224	Hydroxyde de sodium (soude caustique)	franchise
237	Sels des acides fluorhydriques, silliciques, fluo-silliciques a) silicates de sodium	franchise
240	d) alums de potasse, de chrome et d'ammoniaque	franchise
243	a) sulfure de sodium	franchise
244	c) chlorure de calcium	franchise
245	a) chlorure de chaux (hypochloride de calcium)	11 %
248	Sels des acides iodhydriques et iodiques (iodures et iodates)	11 %
249	Sels des acides arsénieux et arséniques, arséniate de chaux et de plomb 1) pour usage agricole 2) pour autre usage	franchise 11 %
263	Peroxyde „ eau oxygénée	11 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
266	Sulfure de carbone	franchise
268	Dérivés chlorés, bromés et iodés des hydrocarbures aliphatiques :	
	d - Iodoforme	11 %
	e - Autres hydrocarbures bromés et iodés	11 %
281	Préparations désinfectantes, anti-cryptogamiques, insecticides et similaires, non dénommées ni comprises ailleurs, ainsi que tous produits servant aux mêmes usages, conditionnés pour la vente au détail :	
	a) produits spécieux pour usage agricole	franchise
	ex b) naphtaline	11 %
288	Alcaloïdes et leurs sels, glucosides	
	c) quinine et sels de quinine	franchise
	ex d) théobromine	25 %
	ex d) caféine	11 %
292	Médicaments préparés ou dosés et autres préparations pharmaceutiques :	
	a) Produits pharmaceutiques, substances et préparations diverses importés en vue de leur emploi exclusif aux usages médicamenteux	11 %
	ex a) Penicilline et préparations contenant la penicilline	11 %
294	Pellicules et plaques en celluloïde et matières similaires, sensibilisées pour la photographie	15 %
295	Autres plaques en verre, métal, etc. sensibilisées pour la photographie	15 %
296	Papiers et cartes sensibilisés	20 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
300	Extraits de bois de teinture et d'autres espèces tinctoriales végétales, y compris les couleurs végétales	franchise
306	Couleurs minérales non préparées, même mélangées entre elles ou avec des matières inertes ou des terres colorantes ou additionnées d'une matière colorante dérivée du goudron de houille	
	b) lithopone et oxyde de zinc	11 %
	c) autres	25 %
307	Couleurs non préparées; non dénommées ni comprises ailleurs	25 %
308	Couleurs préparées de toutes espèces	25 %
309	Siccatifs, solides ou liquides	25 %
319	Articles de parfumerie et cosmétiques :	
	d) brillantine et cosmétiques	40 %
	e-1-Pâtes, eaux et poudres dentifrices	25 %
	e-2-Autres	40 %
320	Savons	
	ex d) savons médicinaux	25 %
324	Cirages, encaustiques, crèmes, pâtes et préparations similaires pour le nettoyage, le polissage et l'entretien des cuirs, chaussures, ouvrages en métaux, meubles, parquets, etc.	20 %
325	Bougies, chandelles et cierges, en paraffine, stéarine, suif, cire :	
	b) en paraffine pure	25 %
328	Gélatines	20 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
342	Engrais d'origine animale ou végétale	franchise
343	Engrais minéraux ou chimiques azotés	franchise
344	Engrais minéraux ou chimiques phosphatés	franchise
345	Engrais potassiques	franchise
346	Engrais minéraux ou chimiques composés au moins de deux des principes fertilisants : azote, acide phosphorique et potasse, mélangés d'engrais minéraux ou chimiques avec des engrais d'origine animale ou végétale	franchise
347	Engrais non dénommés ni compris ailleurs	franchise
348	Peaux brutes (fraîches, salées, séchées, chaulées, picklées) c) autres	franchise
353	Cuirs (peaux) vernis ou dorés, argentés, bronzés	25 %
362	Gants de peau	25 %
363	Articles techniques cuir, autres que manchons et lainières	20 %
371	Pâtes, plaques, feuilles de caoutchouc non vulcanisé, même mélangé d'autres substances; solution de caoutchouc	25 %
375	b) Pneus et chambres à air pour autos, motos et vélos, et autres engins de locomotion	15 %
377	Autres ouvrages en caoutchouc	25 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
382	Bois ronds, bruts même écorchés ou dégrossis à la hache :	
	ex k) autres : acajou, okoumé	15 %
	k) autres	15 %
383	Bois équarris à la hache, non dénommés ni compris ailleurs :	
	i) autres	15 %
384	Bois simplement sciés de long, non dénommés ni compris ailleurs :	
	i) autres	15 %
396	Caisses d'emballage, en bois même démontées	25 %
398b	Poteaux télégraphiques et téléphoniques	11 %
419 et 420	Papier en rouleaux ou en feuilles, et non façonnés, ni ouvrés :	
	c) papier journal destiné à l'impression des journeux quotidiens et hebdomadaires	franchise
	e) papier à cigarettes	25%
427	Papiers à cigarettes	25 %
436	Articles de librairie non dénommés ni compris ailleurs	
	B Livres reliés	
	3) autres qu'anciens avec reliures en carton ou en carton sous toile	
	c) autres	25 % de la valeur du cuir ou le 1/4 de la valeur des livres

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
436	E Catalogues et prix courants non facturés journaux et publications périodiques etc.	franchise
447	Rubans de velours ou de peluche, autres en soie naturelle	30 %
Ex 448	Velours et peluche en soie naturelle	30 %
469	Rubans de soie artificielle pure	30 %
477	Rubans de déchets de soie artificielle et de fibres textiles artificielles pures	30 %
486	Dentelles a) En soie artificielle, en déchets de soie artificielle et en fibres textiles artificielles pures	30 %
501	Fils de laine cardés	11 %
506	Fils de laine, de crins ou de poils préparés pour la vente au détail b) autres	11 %
522	Fils de coton simples mesurant au 1/2 kg. b 4) blanchis plus de 67000 mètres	11 %
526	Fils de coton conditionnés pour la vente au détail	25 %
551	c) Tissus de lin non mélangés non façonnés dits linon de lin destinés à la fabrication des mouchoirs et importés en pièces dont la longueur des côtés ne doit pas dépasser 35 cm.	franchise (sous réserve de contrôle)

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
559	Dentelles, tulles et tissus à mailles de filet , unis ou façonnés, en lin, chanvre, ramie ou autres matières textiles végétales du chapitre 49 : - dentelles a) dentelles	 25 %
560	Broderies de lin, chanvre, ramie ou autres matières végétales du chapitre 49	25 %
579	Autres articles techniques en matières textiles non dénommés ni compris ailleurs	25 %
580	Bonneterie en soie naturelle pure ou mélangée : a) tissus en pièces b) gants	 40 % 40 %
581	A Bonneterie en soie artificielle ou en fibres textiles artificielles pures a) tissus en pièces	 40 %
589	Lingerie de lit, de table et de toilette a 2) en soie naturelle b 2) en soie artificielle c) en tissus de laine d) en tissus de coton e) en tissus de lin	 40 % 40 % 30 % 30 % 30 %
594	Sacs d'emballage a) en tissus de jute	 franchise
599	Drilles et chiffons de tissus, de feutres ou de bonneterie, vêtements et lingerie usés, vieux filets, vieux cordages et similaires, ne pouvant plus servir notamment qu'à l'effilochage, à la fabrication du papier, etc. :	

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
599 (suite)	a) vêtements et lingerie usés b) autres	25 % 25 %
604b	Bottes en caoutchouc	25 %
Ex 607	Fez	15 %
615	Chapeaux pour femmes a) en soie naturelle ou artificielle b) en coton	 40 % 30 %
622	Plumes de parures préparées, etc.	25 %
623	Articles confectionnés en plumes	25 %
625	Fleurs, feuillages et fruits artificiels	25 %
629	Ouvrages en pierres non dénommés ni compris ailleurs : ex a) marbres noirs	 25 %
635	Papiers et cartons revêtus d'abrasifs naturels ou artificiels	15 %
636	Tissus revêtus d'abrasifs naturels ou artificiels	15 %
642	Ouvrages en amiante	25 %
701	Fer et acier en barres	11 %
702	Fer et acier en fils tréfilés : a - simplement étirés, fils "clairs" b - 1 - recuits, galvanisés, ou emtamés jusqu'à 6 m/m de diamètre inclusivement 2 - cuivrés jusqu'à 6 m/m de diamètre inclusivement c - autres	 11 % 11 % 25 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
703	Tôles de fer ou d'acier, planes sans ouvraison :	
	a - de plus de 1 m/m d'épaisseur	11 %
	b - de 1 m/m ou moins d'épaisseur	11 %
704	Tôles de fer ou d'acier, planes, ouvrées à la surface	11 %
705	Tôles de fer ou d'acier autres :	
	1 - Tôles galvanisées	11 %
	2 - Tôles travaillées, courbées et perforées utilisées dans la construction des réservoirs pour matières inflammables	11 %
	3 - autres	25 %
706	Feuillards de fer ou d'acier	11 %
709	Tubes et tuyaux en fer ou en acier, droits et d'épaisseur uniforme, bruts	11 %
710	Tubes et tuyaux en fer ou en acier, de forme spéciale ou ouvrés	11 %
711	Tubes et tuyaux en tôle de fer ou d'acier, vissés, cloués ou agrafés, même soudés à l'étain, y compris ceux de forme spéciale et les raccords	11 %
713	Rails en fer ou en acier, pour voies ferrées même percées ou cintrés	11 %
714	Traverses en fer ou en acier, pour voies ferrées	11 %
715	Eclisses, selles d'assise, plaques de serrage et barres d'écartement pour la pose ou la fixation des rails, en fer acier ou fonte malléable	11 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
716	Aiguilles, pointes de coeur, croisements et changements de voies, tringles d'aiguillages, crémaillères et voies portatives en fer, fonte acier ou fonte malléable pour chemin de fer et tramways	11 %
719	Constructions métalliques et leurs parties finies ou travaillées, en fer, en acier ou en fonte malléable, telles que pièces pour fonte, charpentes, marquises, toitures, etc.	11 %
720	Réservoirs fondres, cuves et autres grands récipients sans dispositif mécanique	25 %
721	Fûts et tambours de transport, en tôle de fer ou d'acier	franchise
726	Chaînes, chaînettes et leurs parties en fer, acier ou fonte malléable	11 %
740	Vaisselles et autres ustensiles de ménage de cuisine et d'hygiène en tôle de fer ou d'acier	25 %
757	Barres et fils de cuivre : B Fils de cuivre et de laiton	11 %
759	Feuilles minces de cuivre, laminées ou battues	20 %
760	Tubes et tuyaux en cuivre	20 %
786	Plomb laminé ou étiré	11 %
791	Zinc laminé ou étiré : b) en feuilles : 2 - autres	11 %

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
794	Etain brut a) coulé en masses saumons, plaques, lingots ou grenaille	11%
797	Soudure d'étain même allié au plomb en toutes proportions etc. a) en baguettes	11%
802 b	Couteaux, non fermants, de table, en métaux communs, dorés, argentés ou plaqués de métaux précieux	30%
809	Cuillers et fourchettes de tous genres a) en métaux communs b) en métaux communs, dorés, argentés ou plaqués de métaux précieux	25% 30%
810	Objets pour le service de la table n.d.n.c.a. a et b	25 & 30%
811	Objets d'ornement d'intérieur n.d.n.c.a. a et b	25 & 30%
812	Appareils d'éclairage, articles de lampisterie et de lustrerie, etc. a et b	25 & 30%
823	Moteurs à explosion et à combustion interne b) moteurs pour avions, automobiles, cycles et pour navigation 1 - pour automobiles 2 - Autres c) moteur destiné à un usage agricole	piasters 30 par kg. net avec minimum de perception 25% 15% Franchise (sous réserve de contrôle)

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
833 (suite)	d) autres 1) à usage industriel 2) autres usages	 1% 7,5%
827	Pompes pour liquides (centrifuges, rotatives à piston et autres) : a) pompes fixes destinées à un usage agricole	 Franchise (sous réserve de contrôle)
	d) autres 1) à usage industriel 2) autres usages	 1% 7,5%
834	Machines et engins agricoles pour le travail et la préparation et la culture du sol	Franchise (sous réserve de contrôle)
835	Machines et engins pour la récolte des produits agricoles; batteuses, égreneuses et trieurs agricoles, etc.	Franchise (sous réserve de contrôle)
836	Machines et engins agricoles non dénommés ni compris ailleurs	Franchise (sous réserve de contrôle)
837	Machines et engins pour la minoterie	
839	Machines pour la production du froid a) à usage industriel b) autres	 1% 25%
841	1 a) Machines pour la fabrication des chaussures	25%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
844	Machine pour la préparation des matières textiles pour la filature et le retordage	1%
845	Métiers à tisser, métiers à bonneterie et machines à tricoter, métiers à tulles, dentelles, broderies, passementeries et machines et appareils accessoires pour le tissage, etc.	1%
846	Machines et appareils pour l'apprêt et le finissage des fils des tissus, etc.	1%
847	Machines à coudre de toute espèce	
	a) à usages spéciaux	1%
	b) autres	25%
849	Machines-outils	1%
852	Machines à écrire et leurs pièces détachées	20%
853	Machines à calculer et de comptabilité, caisses enregistreuses et leurs pièces détachées	20%
854	Machines et appareils de bureau, n.d.n.c.a.	25%
855	Machines, appareils et engins mécaniques n.d.n.c.a.	
	g) autres	
	2) à usage industriel	1%
	3) autres usages	25%
856	Articles de robinetterie et tous organes et appareils servant à régler l'écoulement des fluides dans les conduites	25%

LISTE XVII — UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière Libano-Syrienne	Désignation des produits	Droit
858	Parties et pièces détachées de machines, appareils et engins mécaniques, non dénommées ni comprises ailleurs :	
	a) agricoles et industriels	7,50%
	c) 1. pour moteurs à usage agricole ou industriel, ou pour moteurs marins	7,50%
	c) 2. autres	20%
861	Accumulateurs électriques et leurs plaques	20%
868	Appareils radioélectriques pour la télégraphie, la téléphonie et la télévision :	
	b) lampes, valves et tubes	25%
	c) autres	25%
873	Appareils de mesure et d'enregistrement de l'énergie électrique	20%
874	Câbles et fils isolés pour l'électricité quelle que soit la nature de l'isolant	20%
878	Appareils pour le réglage, la coupure, la protection et la distribution du courant électrique ainsi que tous articles électrotechniques et pièces détachées de machines et appareils électriques, non dénommés ni compris ailleurs	20%
879	Locomotives à vapeur, y compris les locomotives-tender	11%
880	Locomotives électriques	11%
881	Automotrices électriques	11%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière libano-Syrienne	Désignation des produits	Droit
882	Autres locomotives, automotrices et locotracteurs	11%
883	Tenders de locomotives	11%
884	Voitures à voyageurs	11%
887	Parties et pièces de véhicules de voies ferrées, non dénommées ni comprises ailleurs	11%
889	Tracteurs à explosion, à combustion interne ou à gaz	10%
890	Automobiles carrossées ou complètes : a) Voitures automobiles de tourisme en ordre complet de marche pesant moins de 1.500 kg.: 1) de moins de 7 CV 2) de 7 à 15 CV exclus 3) de 15 à 20 CV exclus 4) de 20 à 25 CV exclus 5) de 25 CV et plus b) Voitures automobiles de tourisme en ordre complet de marche pesant 1.500 kg. et plus et moins de 2.000 kg. : 1) de moins de 15 CV 2) de 15 à 20 CV exclus 3) de 20 à 25 CV exclus 4) de 25 CV et plus c) Voitures automobiles de tourisme en ordre complet de marche pesant 2.000 kg. et plus : 1) de moins de 15 CV 2) de 15 à 20 CV exclus 3) de 20 à 25 CV exclus 4) de 25 CV et plus	

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière libano-syrienne	Désignation des produits	Droit
690 (suite)	Note : En ce qui concerne le traitement tarifaire appliqué à cette position, on est référé à la lettre en date du 3 septembre 1947 relative aux droits d'importation perçus par l'Union Douanière de la Syrie et du Liban sur les voitures automobiles, et addressée à la délégation des Etats-Unis à la deuxième session de la Commission Préparatoire de la Conférence Internationale du Commerce et de l'Emploi de l'Organisation des Nations Unies, par les délégations de la Syrie et du Liban à cette session. Des copies de cette lettre ont également été envoyées au Secrétariat pour la Commission Préparatoire susdénommée, afin d'être distribuées aux autres délégations présentes.	
893	Parties et pièces détachées d'automobiles et de tracteurs même à l'état brut, non dénommées ni comprises ailleurs : 1) volants de moteurs, tambour de freins, ressorts, roues à nu	Piasters 9,6 par kg. net avec minimum de perception 25%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière libano-syrienne	Désignation des produits	Droit
893 (suite)	2) blocs cylindres, culasses, collecteurs d'admission et d'échappement, tuyaux et ports d'échappement, essieux et moyeus, ponts arrière (non compris le différentiel)	Piasters 14,4 par kg. net avec minimum de perception 25%
	3) autres	Piasters 24 par kg. net avec minimum de perception 25%
894	Motocycles et vélocipèdes avec moteur; side-cars	25%
895	Vélocipèdes sans moteurs	20%
896	Parties et pièces détachées de motocycles et vélocipèdes :	
	a) motocycles	25%
	b) vélocipèdes	20%
901	Aéroplanes et autres appareils plus lourds que l'air	15%
902	Parties et pièces détachées d'aérostats et d'aéroplanes à l'exception des moteurs	15%
908	Verres d'optique, travaillés, non montés	15%
909	Montures de lunettes, de lorgnons et articles similaires	15%
910	Lunettes, lorgnons et articles similaires avec montures	15%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière libano-syrienne	Désignation des produits	Droits
911	Lentilles et prismes montés, pour instruments d'optique, ainsi que loupes et miroirs optiques montés	15%
912	Téléscopes, jumelles et longues-vues, et leurs montures	15%
913	Appareils photographiques, avec ou sans objectif, et leurs parties	30%
914	Appareils cinématographiques, appareils de projection et leurs parties	30%
914 bis	Appareils photographiques, appareils de projection et leurs parties destinées à l'industrie du cinéma	1%
915	Appareils ou instruments d'optique non dénommés ni compris ailleurs et leurs montures	15%
916	Balances de précision, y compris les poids de précision	15%
917	Thermomètres, baromètres, etc. et instruments similaires	15%
918	Compteurs à gaz et à eau, et leurs parties ou pièces détachées	15%
919	Compteurs de tours, de vitesse, de distance et similaires, et leurs parties ou pièces détachées	15%
920	Manomètres et autres appareils de mesures pour machines et véhicules	15%
921	Instruments de mesures et de dessin non dénommés ni compris ailleurs	15%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (suite)

Position du tarif de l'Union douanière libano-syrienne	Désignation des produits	Droits
922	Instruments et appareils de géophysique do météorologie, d'hydrographie, de navigation maritime et aérienne et d'astronomie non dénommés ni compris ailleurs	
	a) appareils et matériels destinés aux observations météorologiques	Franchise (sous réserve de contrôle)
	b) autres	15%
923	Instruments et appareils de médecine et de chirurgie non dénommés ni compris ailleurs	15%
924	Appareils orthopédiques et leurs parties	15%
924 bis	Masques et effets spéciaux et protection individuelle contre les gaz nocifs	Franchise
925	Appareils et modèles pour la démonstration et l'enseignement	15%
926	Instruments et appareils de physique, de chimie ou de précision non dénommés ni compris ailleurs	15%
927	Parties et pièces d'instruments et d'appareils rentrant dans le Chapitre 77, non dénommés ni compris ailleurs	15%
936	Pianos droits et à queue, y compris pianos mécaniques	25%
936	a) Parties et pièces détachées pour piano	25%

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

PREMIERE PARTIE (fin)

Position du tarif de l'Union douanière libano-syrienne	Désignation des produits	Droit
ex 944	Disques de gramophones a) pour l'éducation b) autres	 Franchise 40%
978	Articles pour divertissements et fêtes articles et accessoires pour arbres de Noël	30%
979	Articles pour jeux sportifs, football, etc.	25%
981	Boutons pour vêtements et confection	20%
982	Porte-plumes à réservoir, stylographes, porte-mines et leurs pièces détachées	25%
984	Pipes et têtes de pipes	30%
	NOTE : Toutes les fois qu'on trouve dans la colonne "droit" la formule "sous réserve de contrôle" il faut lire : "sous réserve de contrôle de leur usage".	

LISTE XVII - UNION DOUANIERE LIBANO-SYRIENNE

DEUXIEME PARTIE

TARIF PREFERENTIEL

Néant.

PROTOCOL OF PROVISIONAL APPLICATION OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE

PROTOCOLE PORTANT APPLICATION PROVISOIRE DE L'ACCORD GÉNÉRAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

1. The Governments of the COMMONWEALTH OF AUSTRALIA, the KINGDOM OF BELGIUM (in respect of its metropolitan territory), CANADA, the FRENCH REPUBLIC (in respect of its metropolitan territory), the GRAND-DUCHY OF LUXEMBURG, the KINGDOM OF THE NETHERLANDS (in respect of its metropolitan territory), the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (in respect of its metropolitan territory), and the UNITED STATES OF AMERICA, undertake, provided that this Protocol shall have been signed on behalf of all the foregoing Governments not later than November 15, 1947, to apply provisionally on and after January 1, 1948:

(*a*) Parts I and III of the General Agreement on Tariffs and Trade, and

(*b*) Part II of that Agreement to the fullest extent not inconsistent with existing legislation.

2. The foregoing Governments shall make effective such provisional application of the General Agreement, in respect of any of their territories other than their metropolitan territories, on or after January 1, 1948, upon the expiration of thirty days from the day on which notice of such application is received by the Secretary-General of the United Nations.

3. Any other Government signatory to this Protocol shall make effective such provisional application of the General

1. Les Gouvernements du COMMONWEALTH D'AUSTRALIE, du ROYAUME DE BELGIQUE (en ce qui concerne son territoire métropolitain), du CANADA, de la RÉPUBLIQUE FRANÇAISE (en ce qui concerne son territoire métropolitain), du GRAND-DUCHÉ DE LUXEMBOURG, du ROYAUME DES PAYS-BAS (en ce qui concerne son territoire métropolitain), du ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD (en ce qui concerne son territoire métropolitain) et des ÉTATS-UNIS D'AMÉRIQUE s'engagent, à condition que le présent Protocole ait été signé au nom de tous les gouvernements susmentionnés le 15 novembre 1947 au plus tard, à appliquer à titre provisoire à dater du 1er janvier 1948:

(*a*) les parties I et III de l'Accord général sur les tarifs douaniers et le commerce

(*b*) et la partie II de cet Accord dans toute la mesure compatible avec la législation en vigueur.

2. Les gouvernements susmentionnés appliqueront à titre provisoire l'Accord général dans les conditions énoncées ci-dessus en ce qui concerne leurs territoires autres que leur territoire métropolitain, à partir du 1er janvier 1948 ou après cette date, à l'expiration d'un délai de trente jours à compter de la date à laquelle le Secrétaire général des Nations Unies aura reçu avis de leur décision d'appliquer l'Accord, à titre provisoire, dans un ou plusieurs de ces territoires.

3. Pour tout autre gouvernement signataire du présent Protocole, l'application provisoire de l'Accord général dans les

Agreement, on or after January 1, 1948, upon the expiration of thirty days from the day of signature of this Protocol on behalf of such Government.

4. This Protocol shall remain open for signature at the Headquarters of the United Nations, (*a*) until November 15, 1947, on behalf of any Government named in paragraph 1 of this Protocol which has not signed it on this day, and (*b*) until June 30, 1948, on behalf of any other Government signatory to the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment [1] which has not signed it on this day.

5. Any Government applying this Protocol shall be free to withdraw such application, and such withdrawal shall take effect upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Secretary-General of the United Nations.

6. The original of this Protocol shall be deposited with the Secretary-General of the United Nations, who will furnish certified copies thereof to all interested Governments.

IN WITNESS WHEREOF the respective Representatives, after having communicated their full powers, found to be in good and due form, have signed this Protocol.

DONE at Geneva, in a single copy, in the English and French languages, both texts authentic, this thirtieth day of October, one thousand nine hundred and forty-seven.

conditions énoncées ci-dessus prendra effet à partir du 1er janvier 1948 ou après cette date, à l'expiration d'un délai de trente jours à compter de la date à laquelle le présent Protocole aura été signé au nom de ce gouvernement.

4. Le présent Protocole restera ouvert au siège des Nations Unies *a*) jusqu'au 15 novembre 1947, à la signature des gouvernements énumérés au paragraphe premier du présent Protocole et qui n'ont pas signé ce Protocole à la date de ce jour, *b*) jusqu'au 30 juin 1948, à la signature des autres gouvernements signataires de l'Acte final adopté à la fin de la deuxième session de la Commission préparatoire de la Conférence des Nations Unies sur le Commerce et l'Emploi et qui n'ont pas signé le présent Protocole à la date de ce jour.

5. Il sera loisible à tout gouvernement qui aura mis en application le présent Protocole de mettre fin à cette application, et cette dénonciation prendra effet à l'expiration d'un délai de soixante jours à compter de la date à laquelle le Secrétaire général des Nations Unies en aura reçu notification par écrit.

6. L'original du présent Protocole sera déposé auprès du Secrétaire général des Nations Unies, qui en fournira des copies certifiées conformes à tous les gouvernements intéressés.

EN FOI DE QUOI les représentants soussignés, après avoir communiqué leurs pleins pouvoirs trouvés en bonne et due forme, ont signé le présent Protocole.

FAIT à Genève, en un seul exemplaire, en langues française et anglaise, les deux textes faisant également foi, le trente octobre mil neuf cent quarante-sept.

[1] [61 Stat., Pt. 5, p. A7.]

For the Kingdom of Belgium: Pour le Royaume de Belgique:

P. A. FORTHOMME

For Canada: Pour le Canada:

L. D. WILGRESS

For the Grand-Duchy of Luxemburg: Pour le Grand-Duché de Luxembourg:

J. STURM

For the Kingdom of the Netherlands: Pour le Royaume des Pays-Bas:

A. B. SPEEKENBRINK

For the United Kingdom of Great Britain and Northern Ireland: Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

T. M. SNOW

For the United States of America: Pour les Etats-Unis d'Amérique:

WINTHROP BROWN

For the Commonwealth of Australia: Pour le Commonwealth d'Australie:

HERBERT V. EVATT

New York 13/11/47

For the French Republic: Pour la Rèpublique française:

New-York le 13 novembre 1947

ANDRÉ PHILIP

The Acting Heads of the Netherlands and Belgian Delegations to the Acting Chairman of the United States Delegation

BELGIUM—LUXEMBOURG—NETHERLANDS
DELEGATION

GENEVA, *October 30th, 1947.*

DEAR MR. BROWN,

You pointed out to me that the explanatory English words which follow the French descriptions of certain machine tool products in Item 848 ex *b* of the French text of our bilateral List of offers to the United States ("Liste des offres aux Etats-Unis d'Amérique sur le tarif commun de l'Union Economique Belgo-Luxembourgeoise et des Pays-Bas") do not appear in Item 848 ex *b* of the French text of our consolidated Schedule of concessions ("Liste II.—Belgique-Luxembourg-Pays-Bas, Section A. Territoires Métropolitains").[1]

It was felt by us, after careful examination, that the French wording as it appears in the above mentioned Schedule includes the products described by the English phrases in the bilateral list and, therefore, as it is desirable that there should be a minimum of English words in the French text, those phrases were omitted.

This letter is to assure you, on behalf of the Governments of Belgium, Luxembourg and the Netherlands, that the concession granted on Item 848 ex *b* in the French text of the aforementioned consolidated Schedule covers, among others, the products described as follows in the French text of our bilateral list:

"vertical mills
jig boring machines
hobbers
honing and lapping machines
face grinders
bar machines"

You may be assured that our Customs authorities will be instructed accordingly.

Very sincerely yours,

G. A. Lamsvelt
(Acting Head of the
Netherlands delegation)

P. A. Forthomme
(Acting Head of the
Belgium delegation)

Mr. Winthrop G. Brown,
Acting Chairman of the
United States Delegation,
Palais des Nations, *Genève.*

[1] [*Ante*, p. A1528.]